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United States of America

PROCEEDINGS AND DEBATES OF THE 82d CONGRESS, SECOND SESSION

SENATE

WEDNESDAY, JUNE 11, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God our Father, amid the bewilderments of these confused and chaotic days upon the earth, uncertain and troubled about so many things, we must be sure of Thee, else we are lost and undone. The circumstances of our times are so appalling and dismaying that the resources of our souls are utterly inadequate unless Thou replenish them, O Thou shepherd of our pilgrim days in whose peace our restless spirits are quieted. In this creative hour of destiny save us from surrendering to cynicism because of entrenched evil and of being made men of little faith by human folly.

Turning in dismay from a future without good will, give us pure hearts and clean hands that we may lift up our America to Thee, not as a chalice of privilege and of pride but as a channel of mercy and help and healing, that all the ends of the earth may be blessed. In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 10, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 9, 1952:

S. 762. An act for the relief of Alexander Urszu;

S. 997. An act for the relief of Paula Slucka (Slucki) and Ariel Slucki;

S. 1372. An act for the relief of Mrs. Madelaine Viale Moore;

S. 1679. An act for the relief of Stephen Gorove; and

S. 2871. An act relating to the manner of appointment of the Recorder of Deeds of the District of Columbia, the deputy recorders, and the employees of the Office of Recorder, and for other purposes.

On June 11, 1952:

S. 2721. An act to provide transportation on Canadian vessels between Skagway, Alaska, and other points in Alaska, between Haines, Alaska, and other points in Alaska, and between Hyder, Alaska, and other points in Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker pro tempore had affixed his signature to the enrolled bill (S. 97) to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River in Tennessee, and it was signed by the Vice President.

TRANSACTION OF ROUTINE BUSINESS

Mr. MCFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to transact routine business, without debate, the time to be charged to neither side.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF THE INTERIOR (S. DOC. NO. 145)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of $2,050,000, for the Department of the Interior, fiscal year 1953, in the form of an amendment to the budget for said fiscal year (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF JUSTICE (S. DOC. NO. 146)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of $38,000, for the Department of Justice, fiscal year 1953, in the form of an amendment to the budget for said fiscal year (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROHIBITION OF ALCOHOLIC BEVERAGE ADVERTISING IN INTERSTATE COMMERCE—LETTER AND PETITION

Mr. MCCARTHY. Mr. President, I am in receipt of a letter from Mrs. Edith Hardy, of Baraboo, Wis., transmitting a petition signed by herself and 23 other citizens of Baraboo, relating to the advertising of alcoholic beverages in magazines and newspapers and over the radio and television. I ask unanimous consent that the letter and petition be appropriately referred and printed in the RECORD.

There being no objection, the letter and petition were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

BARABOO, WIS., *May 27, 1952.*

Senator JOSEPH R. MCCARTHY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MCCARTHY: Will you please insert this petition in the CONGRESSIONAL RECORD for later reference?

Yours truly,

MRS. EDITH HARDY.

PETITION

To our Representatives in Congress:

We, the undersigned, your constituents, earnestly beg you to give consideration to our constitutional rights as American citizens to be free in our homes of an offensive invasion by those who wish to increase their huge profits from the sales of alcoholic beverages by high-pressure advertising directed through magazines, newspapers, and over radio and television, at our children. We urge you to obtain consideration of and pass the Bryson bill (H. R. 2188).

MRS. EDITH HARDY
(And 23 other citizens of Baraboo, Wis.).

AMERICAN PRISONERS OF WAR IN KOREA—RESOLUTIONS OF AMERICAN EX-PRISONERS OF WAR, ALBUQUERQUE, N. MEX.

Mr. WILEY. Mr. President, I have received a resolution unanimously adopted at the fifth annual convention of the American Ex-Prisoners of War, Inc. The resolution was forwarded to me by James S. Browning, national director of the organization located in Tuscaloosa, Ala.

The resolution addresses itself to the very critical question of those United States prisoners who have not been listed by the Communist forces.

Needless to say, in the heart of every American with loved ones held as prisoners—sweethearts, wives, parents, brothers, and sisters of these American boys whose whereabouts are not

known— but whom we suspect to be held in Red prison camps—in these hearts are the deepest anxiety and concern for the well-being of these heroes.

I for one very definitely feel that every effort must be made to assure the return of every last single American boy—known and unknown—to be trapped behind Red lines.

I have previously been in contact with American ex-prisoners of war, relative to my effort to insure the integrity of the war claims fund, based upon former enemy-owned assets, as administered by the Office of Alien Property.

At this time I present the resolution forwarded to me on this prisoner-of-war issue, and I ask unanimous consent that it be printed in the RECORD and appropriately referred.

I invite attention to the fact that the resolution raises the very controversial question as to our United States attitude toward repatriation of those Reds who have signified their reluctance to return to the North Korean-Red Chinese territory.

There being no objection, the resolution was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

RESOLUTION UNANIMOUSLY ADOPTED AT THE FIFTH ANNUAL CONVENTION OF AMERICAN EX-PRISONERS OF WAR, AT ALBUQUERQUE, N. MEX., MAY 9, 1952

Whereas the North Korean and Chinese Communist forces have admitted to holding American prisoners of war who they have not reported by name to the United Nations Command; and

Whereas it is estimated that the number of these unreported American prisoners of war number approximately 3,000; and

Whereas the United Nations Command at the truce negotiations appear willing to sign an armistice providing for the release of only 3,198 prisoners of war officially listed by the opposing forces as of December 18, 1951, and has agreed not to discuss this topic of unreported prisoners of war until 10 days after the signing of an armistice: Be it

Resolved, That the American Ex-Prisoners of War, Inc., go on record as favoring the following:

1. That the same efforts already applied by the United Nations Command negotiating terms of Panmunjom to an exchange of officially reported American prisoners of war, be likewise put forth at this time to elicit from the Communists the complete list of other American prisoners of war whose names are currently withhheld, and that if necessary the United Nations Command offer to drop its present demand for voluntary repatriation of U. N. held Communist prisoners of war in exchange for such complete listing of American prisoners in Communist hands, and that all American prisoners of war be exchanged upon the cessation of hostilities as provided by the Geneva Convention of 1929.

2. *Be it further resolved*, That to fully protect the interests and lives of all American prisoners of war in Communist hands, that the officer in charge of the negotiations at Panmunjom be himself a former prisoner of war and an officer in the grade of general, whether on active or retired status.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on the District of Columbia:

S. 2949. A bill to amend the District of Columbia Teachers' Leave Act of 1949; with an amendment (Rept. No. 1721);

S. 3041. A bill to amend the act entitled "An act to define the term of 'registered nurse' and to provide for the registration of nurses in the District of Columbia," approved February 9, 1907, as amended; without amendment (Rept. No. 1722);

H. R. 6857. A bill to amend section 7a of the act entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928; without amendment (Rept. No. 1723); and

H. R. 7496. A bill to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1957, the period for authorization for appropriations for carrying out the purposes of the act as amended; without amendment (Rept. No. 1724).

By Mr. JOHNSTON of South Carolina, from the Committee on the District of Columbia:

S. 2941. A bill to provide for the suspension of the imposition or execution of sentence in certain cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Columbia; without amendment (Rept. No. 1732);

S. 2988. A bill to amend and extend the provisions of the District of Columbia Emergency Rent Act of 1951; without amendment (Rept. No. 1733); and

H. R. 5768. A bill to amend the act entitled "An act to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes," approved December 20, 1944; without amendment (Rept. No. 1734).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. 1705. A bill to amend title 28 of the United States Code so as to provide for two United States commissioners for Great Smoky Mountains National Park; without amendment (Rept. No. 1738);

S. 2915. A bill authorizing the Secretary of the Interior to convey certain lands and rights-of-way in the State of Wyoming to the town of Jackson, Wyo.; without amendment (Rept. No. 1725);

H. R. 1788. A bill to authorize the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians to make contracts with approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe; without amendment (Rept. No. 1736);

H. R. 2190. A bill to provide for the conveyance to the town of Dedham, Maine, of a certain strip of land situated in such town and used as a road right-of-way; without amendment (Rept. No. 1726);

H. R. 5599. A bill to provide for the conveyance of the Centre Hill Mansion, Petersburg, Va., to the Petersburg Battlefield Museum Corp., and for other purposes; without amendment (Rept. No. 1727);

S. J. Res. 74. Joint resolution to change the name of the South Dam in the Columbia Basin project to Dry Falls Dam; with amendments (Rept. No. 1728); and

S. J. Res. 149. Joint resolution to provide for a continuance of civil government for the Trust Territory of the Pacific Islands; with an amendment (Rept. No. 1739).

By Mr. BUTLER of Nebraska, from the Committee on Interior and Insular Affairs:

S. 103. A bill to change the name of Medicine Creek Reservoir in Frontier County of the State of Nebraska to "Harry Strunk Lake"; with an amendment (Rept. No. 1729).

By Mr. McCLELLAN, from the Committee on Government Operations:

S. 3051. A bill to authorize the Administrator of General Services to transfer to the Department of the Navy, without reimbursement, certain property at Fort Worth, Tex.; without amendment (Rept. No. 1730); and

S. 3052. A bill to authorize certain land and other property transactions, and for other purposes; without amendment (Rept. No. 1731).

REORGANIZATION PLAN NO. 5 OF 1952, RELATING TO GOVERNMENT OF DISTRICT OF COLUMBIA—REPORT OF A COMMITTEE

Mr. McCLELLAN. Mr. President, from the Committee on Government Operations, I submit a favorable report (No. 1735) on Reorganization Plan No. 5 of 1952, relating to the government of the District of Columbia.

The VICE PRESIDENT. The report will be received and printed.

Mr. SALTONSTALL. Mr. President, I should like to ask the Senator from Arkansas when he plans to have the Senate consider the reorganization plans, and how much time we shall have before they will become effective.

Mr. McCLELLAN. The committee has held hearings on all the plans. I have just submitted the report on plan No. 5. That report is favorable.

In the case of the other three plans before the committee—namely, plans 2, 3, and 4—the committee has acted favorably on resolutions of disapproval. Those reports are now in process of preparation. In the case of plans 2, 3, and 4, we have until midnight of the 20th, which is Friday of next week.

Mr. SALTONSTALL. So the Senator from Arkansas does not have in mind a definite day when he intends to have those plans or resolutions considered, because they have the "right of way," so to speak. Is that correct?

Mr. McCLELLAN. Yes. Until we file the reports, which are in process of preparation, I shall be unable to announce a definite date; but we have conferred with the majority leader, and he will cooperate in having them considered.

In view of the special rule under which such plans are considered, I had in mind announcing, as soon as the reports were submitted, a date for debating them.

Under the law, as the Senator from Massachusetts knows, 10 hours of debate are available on each plan. However, I hope that much less time will be required. My own thought is that perhaps an hour to each side on each plan will suffice, and that in that way we can set a definite day for consideration of the plans, and can dispose of all three plans in 1 day.

Mr. SALTONSTALL. I thank the Senator from Arkansas.

CONTINUATION OF EFFECTIVENESS OF CERTAIN STATUTORY PROVISIONS—REPORT OF A COMMITTEE

Mr. EASTLAND. Mr. President, from the Committee on the Judiciary, I report favorably an original joint resolution to continue the effectiveness of certain statutory provisions until June 30, 1952, and I submit a report (No. 1737) thereon.

The VICE PRESIDENT. The report will be received, and the joint resolution will be placed on the calendar.

The joint resolution (S. J. Res. 164) continuing the effectiveness of certain statutory provisions until June 30, 1952, reported by Mr. EASTLAND, from the Committee on the Judiciary, was read twice by its title and ordered to be placed on the calendar.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 11, 1952, he presented to the President of the United States the enrolled bill (S. 97) to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River in Tennessee.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. O'CONOR:

S. 3314. A bill to establish a Federal Board of Hospitalization, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. O'CONOR when he introduced the above bill, which appear under a separate heading.)

By Mr. SMITH of New Jersey:

S. 3315. A bill for the relief of Isabel Eileen Burn; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 3316. A bill to establish an additional office of Assistant Secretary of Agriculture and an office of Administrative Assistant Secretary of Agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CAPEHART:

S. 3317. A bill for the relief of Ants-Tonis Piip; to the Committee on the Judiciary.

By Mr. O'CONOR:

S. 3318. A bill to provide price support for the 1952 crop of Maryland tobacco, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. EASTLAND:

S. J. Res. 164. Joint resolution continuing the effectiveness of certain statutory provisions until June 30, 1952; ordered to be placed on the calendar.

(See the remarks of Mr. EASTLAND when he reported the above joint resolution from the Committee on the Judiciary, which appear under a separate heading.)

FEDERAL BOARD OF HOSPITALIZATION

Mr. O'CONOR. Mr. President, I introduce a bill to establish a Federal Board of Hospitalization. I ask unanimous consent that it be referred to the Committee on Government Operations.

By way of explanation to the Presiding Officer, I may say that the request is made pursuant to unanimous action of the committee, although the committee recognized that possibly another committee, the Committee on Labor and Public Welfare, might be entitled to consider the bill. The Committee on Government Operations is perfectly willing to have the other committee consider the bill, if it so desires, and, in fact, will join in the request to have it sent to that committee upon its request. However, we feel it would be in the interest of saving time to refer the bill to the Committee on Government Operations, because that committee has considered the matter, and desires to report promptly, at which time the other committee, if it so desires, may ask for a reference of the bill.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. O'CONOR. I yield.

Mr. MORSE. I did not understand the Senator's statement as to the nature of the bill.

Mr. O'CONOR. It is a bill for the establishment of a Federal Board of Hospitalization. It has to do with a previously introduced bill, which provided for the creation of a Department of Health. Our committee, after having considered the matter, proposes this bill for consideration. We would be perfectly willing to have the committee on which the Senator serves consider it at a later date, if that is desired. We have consulted with the Parliamentarian, and will join with the Senator from Oregon in having the bill referred to his committee, if it is so desired.

The VICE PRESIDENT. Without objection, the bill will be received and referred as requested by the Senator from Maryland.

The bill (S. 3314) to establish a Federal Board of Hospitalization, and for other purposes, introduced by Mr. O'CONOR, was read twice by its title, and referred to the Committee on Government Operations.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing two nominations, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

Ivy W. Duggan, of Mississippi, to be Governor of the Farm Credit Administration.

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

Albert A. Carretta, of Virginia, to be a Federal Trade Commissioner, vice W. A. Ayres, deceased.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. McCARRAN:

Address entitled "The Challenge You Face," delivered by Dr. D. M. Ladd, assistant to the director, Federal Bureau of Investigation, at graduation exercises of North Dakota Agricultural College, Fargo, N. Dak., on June 2, 1952.

By Mr. KEM:

Address delivered by Carlton S. Proctor, president, American Society of Civil Engineers, at commencement exercises of the University of Kansas City, Kansas City, Mo., June 1, 1952.

Sermon entitled "The Great Issue of Our Times," delivered by George E. Stringfellow at the Simpson Methodist Church, Paterson, N. J., September 9, 1951.

By Mr. LEHMAN:

Editorial entitled "Extending Library Service," published in the New York Times of May 25, 1952.

Article entitled "In Defense of Women," written by Murray Kempton, and published in the New York Post of May 27, 1952.

By Mr. MARTIN:

Editorial entitled "Korea: Forgotten or Ignored?" published in the Philadelphia (Pa.) Inquirer of May 31, 1952.

By Mr. GREEN:

Editorial entitled "Senator WILEY's Growth," published in the Providence (R. I.) Journal, Monday, June 9, 1952.

COMMENTS ON OMNIBUS IMMIGRATION BILL BY THE NEW YORK WORLD-TELEGRAM

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, an editorial entitled "Law for New Citizens," published in the New York World-Telegram of May 26, 1952. The editorial praises the new omnibus immigration and naturalization bill.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LAW FOR NEW CITIZENS

While the bill generated a surprising amount of bitterness when it was debated in the Senate, the proposed new immigration law shaping up in Congress seems to be a considerable step forward, in the opinion of immigration authorities.

The bill attempts to bring United States immigration laws up to date for the first time in more than 20 years.

The main charge against the legislation, which now has passed both Houses, is that it is too restrictive.

But the Nation's experience calls for a restrictive law. Our troubles in recent years with subversives, criminals, and alien-smuggling have been the result, to some extent, of laxity and evasion in the administration of immigration regulations.

This country needs more immigrants and the House and Senate versions of the new bill—now being reconciled by committees from the two Houses—provide for preferences for the type of new citizens which are most desirable. Scientists, doctors, and skilled workers rate high priorities.

The United States at its present stage of development, doesn't need more citizens just for the sake of numbers. It can use more good citizens, who can make useful contributions to the general well-being of the country.

This should be the basic purpose of any immigration law. But it is a purpose which will not be served by continuously enacting so-called emergency laws which admit in wholesale numbers additional immigrants on a purely relief basis.

America can still be a haven for aliens capable of becoming first-class citizens, but it no longer can afford to be a dumping ground for those whose main qualifications merely are the desire to escape from where they are. There are too many of those for us to absorb.

AWARD OF HONORARY DEGREE OF DOCTOR OF LITERATURE TO DR. FREDERICK BROWN HARRIS

Mr. KEM. Mr. President, the eloquent and much-beloved Chaplain of the Senate, Dr. Frederick Brown Harris, delivered the baccalaureate address at the University of Tampa, Tampa, Fla., on Sunday, June 1, 1952. On this occasion Dr. Harris received the honorary degree

of doctor of literature. The citation reads as follows:

CITATION FOR DR. FREDERICK BROWN HARRIS, CHAPLAIN, UNITED STATES SENATE, PASTOR, FOUNDRY METHODIST CHURCH, WASHINGTON, D. C.

Dr. Frederick Brown Harris, poet, prophet, minister, leader, and statesman in religion; writer, author, fraternity man, and Mason; but, above all and most important, a great citizen. The academic family of the University of Tampa, especially the senior class, and the city of Tampa are honored by your visit and we have all been instructed and inspired by your message. It is now my happy privilege and honor, on behalf of the trustees of the University of Tampa, to confer upon you honoris causa, the honorary degree, doctor of letters, with all the rights and privileges appertaining thereto.

Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD an article entitled "The Senate Chaplain Hits Lack of Personal Honor in United States," referring to Dr. Harris' thought-provoking address, published in the Tampa Daily Times of June 2, 1952, and also an editorial entitled "Senate Chaplain Harris Talks Plain to Graduates," also from the Tampa Daily Times.

The VICE PRESIDENT. Is there objection?

There being no objection, the article and editorial were ordered to be printed in the Appendix of the RECORD.

(See Appendix.)

LETTER FROM SENATOR KEM TO THE SECRETARY OF AGRICULTURE

Mr. KEM. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I addressed to Hon. Charles F. Brannan, Secretary of Agriculture. The letter involves more than a personal controversy between Secretary Brannan and the senior Senator from Missouri. It involves an important question of governmental procedure. The question, briefly, is: "If a Senator who introduces a resolution for an investigation of a department or agency of the Government is subjected to a personal attack by the head of the Department, should the Department head either (A) prove the charge or (B) withdraw it?"

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 11, 1952.

Hon. CHARLES F. BRANNAN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: On May 14, 1952, you issued a public statement in which you said that Senator KEM is against nearly everything that farmers need.

On May 22, 1952, when you appeared as a witness before the Senate Committee on Agriculture you said, regarding this charge, "I intend to make it again and intend to document it very thoroughly." (Report of proceedings, p. 3781.)

On May 23, 1952, according to the transcript of the proceeding before the Senate Committee, the following took place:

"Senator KEM. Mr. Chairman, the Secretary, Mr. Brannan, and I have had some discussion about the comments that he proposes to make on my voting record. It is understood that he will mail me in the near future a copy of his complaint or charge. I will then have an opportunity to examine that. And the Secretary will then return to the committee, and I will be afforded an opportunity to cross-examine him in regard to the statements that he has made in this memorandum.

"The CHAIRMAN. All right. * * *" (Report of proceedings, p. 4049.)"

More than 2 weeks have passed since this agreement was reached. May I invite your attention to the fact that you have not made available to me the promised memorandum containing the documentation of your charge. I should like to have this at once so that a date can be arranged for your further appearance before the committee for cross-examination, as contemplated by our agreement.

In all fairness you should either submit your evidence or withdraw your charge. May I hear from you without further delay?

Sincerely yours,

JAMES P. KEM.

INTERNATIONAL BARBER SHOP QUARTET CONVENTION AND CONTEST IN KANSAS CITY, MO.

Mr. KEM. Mr. President, I ask unanimous consent that I may address the Senate for 5 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Missouri is recognized for 5 minutes.

Mr. KEM. Mr. President, there will be music in the air from sun-up to sundown in Kansas City this week. More than 2,500 barber shop harmonizers from every State in the Union and every Province in Canada will gather to decide in an international contest which four masculine voices blend together best in close harmony.

It is refreshing that men from every walk of life, from 650 communities where chapters have been organized in the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., can unite for a common purpose without a single discordant note.

Before the end of last year, every one of the 2,572 seats in the Kansas City Music Hall was assigned for the international barber shop quartet contest this week end. In addition, quartets singing in a carefree way in the hotel lobbies and restaurants and on the street corners will provide free treats for those unable to get into the Music Hall.

The SPEBSQSA was founded in Tulsa in 1938. I salute the Tulsa harmonizers who accepted the invitation of my friend Edgar Shook, of Kansas City, to come over to Kansas City to organize the Kansas City chapter of the society. Kansas City thus became the second city in the Nation to become interested in this unique harmony revival.

Every barber shopper in America knows of the famous Kansas City Barberpole Cats, later renamed the Hy-Power Serenaders, and currently the Hy-Powers, who have been representing Kansas City year after year, including the present contest.

A few years ago the barber shoppers inaugurated a program of collaboration with our armed services to give our servicemen the benefits of recreational singing. This program is now paying off. The Army, Navy, and Air Force will have outstanding quartets at Kansas City.

It is a standing joke to refer to the lack of harmony in Washington, D. C. However, the Nation's Capital has not failed in 6 years to send either one or two quartets to an international contest. This year the District of Columbia entry is the Columbians, making their fourth bid for the barber-shopping crown. The Potomac Clippers have been in four contests, while another District of Columbia quartet, the Diplomats, took part in the 1948 contest, and was invited to open the Republican National Convention at Philadelphia a few weeks later.

The Detroit chapter will be host for the 1953 convention, and Washington, D. C., is the favored city to be host in 1954.

I am advised by SPEBSQSA that no less than six Members of this body have been or are now affiliated with the organization, namely, the Senators from Ohio [Mr. TAFT and Mr. BRICKER], the senior Senator from Oklahoma [Mr. KERR], the junior Senator from Rhode Island [Mr. PASTORE], the junior Senator from Pennsylvania [Mr. DUFF], and the junior Senator from Michigan [Mr. MOODY].

Harmony is good for the soul.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. KEM. I yield.

Mr. TOBEY. Why does not the distinguished Senator from Missouri propose that the Senate send a quartet to participate in the contest, and that the Vice President of the United States be the leader of that quartet?

Mr. KEM. That is an excellent suggestion.

Mr. TOBEY. Will the Chair entertain such a motion?

The VICE PRESIDENT. The Chair did not hear the suggestion.

Mr. TOBEY. The suggestion is that since there is musical talent in the Senate, the Senate send a quartet to the barber shop quartet convention and contest soon to occur in Kansas City, and that the Vice President, a fine baritone, be the leader of the quartet. I further suggest that the opening number be Wagon Wheels.

The VICE PRESIDENT. The Chair accepts the nomination.

Mr. TOBEY. All in favor say "aye." [Laughter.]

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE], upon which there is 1 hour of debate, 30 minutes to each side.

Mr. MORSE. Mr. President——

The VICE PRESIDENT. The Senator from Oregon is recognized for 30 minutes.

Mr. MORSE. Mr. President, my amendment is on the desks of Senators, and I shall not ask to have it read, because it speaks for itself, but I ask that it be printed in the RECORD at this point. It is the amendment designated "6–10–52–B."

The VICE PRESIDENT. The amendment will be printed in the RECORD.

The amendment offered by the gentleman from Oregon [Mr. MORSE] is as follows:

On page 9, after line 16, insert the following new section:

"SEC. 108. Title IV of the Defense Production Act of 1950, as amended, is amended by adding, at the end thereof, the following new section:

"'SEC. 412. (a) That title II of the Labor Management Relations Act, 1947, is amended by renumbering present sections 211 and 212 as sections 216 and 217, respectively, and inserting the following after section 210:

"'"SEC. 211. Whenever the head of an appropriate department or independent agency reports to the President, and the President finds, that a national emergency is threatened or exists because a stoppage of work or operations has resulted or threatens to result from a labor dispute (including the expiration of a collective-bargaining agreement) in a vital industry or plant which seriously affects the security of the United States, and the Director of the Federal Mediation and Conciliation Service advises the President that all attempts at mediation and conciliation have been exhausted without success, the President shall issue a proclamation to that effect and call upon the parties to the dispute to refrain from a stoppage of work or operations, or, if such stoppage has occurred, to resume work and operations in the public interest.

"'"PROCEDURE FOLLOWING PROCLAMATION

"'"SEC. 212. (a) Immediately after issuing a proclamation pursuant to section 211, the President shall submit to the Congress for consideration and appropriate action a full statement of the case based upon such information as has been made available to him through the appropriate agencies of Government, together with such recommendations as he may see fit to make as to procedures for effecting final settlement of the dispute and, pending settlement, for maintaining operation of the enterprise or enterprises involved.

"'"(b) The President may include a recommendation that the United States take possession of and operate the business enterprise or enterprises involved in the dispute. The President may make such additional reports and recommendations as he deems advisable. If the President recommends that the United States shall take possession of and operate such enterprise or enterprises, the President shall have authority to take such action forthwith. If the Congress by concurrent resolution within 10 days after the submission of such recommendation to it determines that such action should not have been or should not be taken any property seized shall be returned to its owners and no future seizure shall take place during that dispute without congressional authorization by concurrent resolution: *Provided*, That during the period in which the United States shall have taken possession, the Federal Mediation and Conciliation Service shall continue to encourage the settlement of the dispute by the parties concerned, and the agency or department of the United States designated to operate such enterprise or enterprises shall have no authority to enter into negotiations with the employer or with the labor organization for a collective-bargaining contract or to alter the wages, hours, or the conditions of employment existing in such industry or plant prior to the dispute, except in conformity (in whole or in part) with the recommendations of the emergency board or an agreement of the parties: *Provided further*, That in case an emergency board assumes jurisdiction over any form of union security which requires an employee to join a union as a condition of continued employment the putting into effect of its union security recommendations during a period of Government possession shall require the acceptance of the labor organization and the employer concerned in the dispute. If the Congress or either House thereof shall have adjourned sine die or for a period longer than 3 days, the President shall convene the Congress or such House forthwith for the purpose of consideration of an appropriate action pursuant to such statement and recommendations.

"'"(c) After the issuance of a seizure order, it shall be the duty of any labor organization of which any employees who have been employed in the operation of such enterprise are members, and of the officers of such labor organization, to seek in good faith to induce such employees to refrain from a stoppage of work and not to engage in any strike, slow-down, or other concerted refusal to work, or stoppage of work, and if such stoppage of work has occurred, to seek in good faith to induce such employees to return to work and not to engage in any strike, slow-down, or other concerted refusal to work or stoppage of work until the dispute is settled or until possession of such enterprise is relinquished by the United States, whichever occurs sooner.

"'"(d) After the issuance of a seizure order or any time thereafter, the President may direct the Attorney General to petition any district court, having jurisdiction of the parties, to enjoin such stoppage of work or operations, and if the court finds that the President has reasonable cause to believe that a national emergency is threatened or exists because a threatened or actual stoppage of work or operations may result or has resulted from a labor dispute (including the expiration of a collective agreement) in a vital industry or plant which seriously affects the security of the Nation, it shall have jurisdiction to enjoin such stoppage of work or operations, or the continuing thereof, and to make such other orders as may be appropriate. In granting such injunction or relief, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, approved March 23, 1932' (U. S. C. Supp. VII, title 29, secs. 101–115). Such injunction or order shall be dissolved when the dispute is settled or possession of an enterprise seized pursuant to this section is relinquished by the United States, whichever occurs sooner.

"'"EMERGENCY BOARDS

"'"SEC. 213. (a) After issuing such a proclamation, the President may appoint a board to be known as an 'emergency board'.

"'"(b) Any emergency board appointed under this section shall promptly investigate the dispute, shall seek to induce the parties to reach a settlement of the dispute, and in any event shall, within a period of time to be determined by the President but not more than 30 days after the appointment of the board, make a written report to the President, unless the time is extended by agreement of the parties, with the approval of the board. Such report shall include the findings and recommendations of the board and shall be transmitted to the parties and be made public. The recommendations shall be consistent with all laws and regulations otherwise applicable to compensation, hours, and other terms and conditions and incidents of employment. The Director of the Federal Mediation and Conciliation Service shall provide for the board such stenographic, clerical, and other assistance and such facilities and services as may be necessary for the discharge of its functions.

"'"(c) An emergency board shall be composed of a chairman and such other members as the President shall determine, and shall have power to sit and act in any place within the United States and to conduct such hearings either in public or in private, as it may deem necessary or proper, to ascertain the facts with respect to the causes and circumstances of the dispute.

"'"(d) Members of an emergency board shall receive compensation at the rate of $75 for each day actually spent by them in the work of the board, together with necessary travel and subsistence expenses.

"'"(e) For the purpose of any hearing or inquiry conducted by any board appointed under this title, the provisions of sections 5 (f), 9, and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U. S. C., title 15, secs. 45 (f), 49, and 50, as amended), are hereby made applicable to the powers and duties of such board.

"'"(f) When a board appointed under this section has been dissolved, its records shall be transferred to the Director of the Federal Mediation and Conciliation Service.

"'"(g) No member of an emergency board shall be an officer or employee of the organization of employees or any employer involved in the dispute.

"'"SEC. 214. (a) In the event that the Government shall take possession of and operate any business enterprise or enterprises involved in a given dispute, the President shall designate the agency or department of Government which shall take possession of any business enterprise or enterprises including the properties thereof involved in the dispute and all other assets of the enterprise or enterprises necessary to such continued operation thereof as will protect the national security.

"'"(b) Any enterprise or properties of which possession has been taken under this title shall be returned to the owners thereof as soon as (1) such owners have reached an agreement with the representatives of the employees in such enterprise settling the issues in dispute between them, or (2) the President finds that the continued possession and operation of such enterprise by the United States is no longer necessary under the terms of the proclamation provided for in section 211: *Provided*, That possession by the United States shall be terminated not later than 60 days after the issuance of a seizure order unless the period of possession is extended by concurrent resolution of the Congress.

"'"(c) Beginning not later than 30 days after issuance of a seizure order, the United States shall impound and hold all income received from the operation thereof in trust for the payment of general operating expenses, just compensation to the owners as hereinafter provided in this subsection, and reimbursement to the United States for expenses incurred by the United States in the operation of the enterprise. Any income remaining shall be covered into the Treasury of the United States as miscellaneous receipts. In determining just compensation to the owners of the enterprise, due consideration shall be given to the fact that if the United States had not initiated the procedures set forth in sections 211 to 215 of the act the owners' production would have been interrupted by a stoppage of work or operations, to the fact that the United States took or continued possession of such enterprise

when its operation had been interrupted by a stoppage of work or operations or that stoppage of work or operations was imminent; to the fact that the United States would have returned such enterprise to its owners at any time when an agreement was reached settling the issues involved in such stoppage of work or operations; and to the value the use of such enterprise would have had to its owners in the light of the labor dispute prevailing, had they remained in possession during the period of Government operation: *Provided*, That any increase in wages or other compensation or any increase resulting from a change in the method of computing wages or other compensation which are agreed to by the parties retroactively for the period of Government operation or any portion of that period shall be deemed costs or expenses for such period.

"'"(d) During the period in which possession of any enterprise has been taken by the United States under this section, the employer or employers or their duly designated representatives and the representatives of the employees in such enterprise shall be obligated to continue collective bargaining for the purpose of settling the issues in the dispute between them.

"'"(e) (1) The President may appoint a compensation board to determine the amount to be paid as just compensation under this title to the owner of any enterprise of which possession is taken. For the purpose of any hearing or inquiry conducted by any such board the provisions relating to the conduct of hearings or inquiries by emergency boards as provided in section 213 of this title are hereby made applicable to any such hearing or inquiry. The members of compensation boards shall be appointed and compensated in accordance with the provisions of section 213 of this title.

"'"(2) Upon appointing such compensation board the President shall make provision as may be necessary for stenographic, clerical, and other assistance and such facilities, services, and supplies as may be necessary to enable the compensation board to perform its functions.

"'"(3) The award of the compensation board shall be final and binding, unless within thirty days after the issuance of said award, a party moves to have the said award set aside or modified in the United States Court of Claims in accordance with the rules of said court.

"'"SEC. 215. When a dispute arising under this title has been finally settled, the President shall submit to the Congress a full and comprehensive report of all the proceedings, together with such recommendations as he may see fit to make."

"'(b) Section 717 of this act, as amended, shall not apply to this section 412.'"

Mr. MORSE. Mr. President, by way of explanatory remarks concerning the amendment, before I proceed to an argument on the ineffectiveness of the Taft-Hartley to meet the present emergency in the steel industry, I point out that my amendment is an amendment to the Taft-Hartley Act. This is the first time in this debate the Senate has had an opportunity to amend the basic law which, in my judgment, must be amended if we are to have an effective piece of legislation for the handling of emergency disputes of the nature of the one growing out of the Steel case.

In spite of what the Senator from Ohio [Mr. TAFT] said yesterday on the floor of the Senate—and I shall refer to some of his arguments later—I repeat what I have said throughout the many days of the historic debate on the steel controversy. There is not a sentence, not a provision, not a line in the Taft-Hartley law which could possibly be effective in preventing the type of stoppage, and the damage ensuing therefrom, with which the President of the United States was confronted at the critical eleventh hour on the night of April 8.

I fully recognize, Mr. President, that the phrase "Taft-Hartley" has become an emotional sanction in the thinking of the American public. They have been deluded into the conclusion that there is something about the Taft-Hartley law which would be effective in keeping steel production going in a case having a set of facts such as those which are involved in the Steel case. I say categorically again today, "It just ain't so."

Why is it not so? It is not so because there is not a provision in the Taft-Hartley law which gives to the President the authority which he must have at the hour of crisis to prevent the stoppage in the first instance. The important physical fact in the steel case, as I have said many times in this debate—but apparently it must be driven home over and over again—is that once the steel furnaces are allowed to go cold, even if the men should agree to go back to work the first hour after the furnaces had gone cold, the furnaces could not be placed back into production again in less time than 2 or 3 weeks, on the average.

In my amendment I seek to give the President the authority to call upon his Attorney General at the time he even thinks a strike is threatened, to seek an injunction if in the opinion of the President the case creates such an emergency, so far as the national security is concerned, that the forces of law must be brought to bear upon the dispute in advance of the stoppage of work.

I am perfectly aware of the fact that industry generally, and labor leaders, so far as I know, unanimously oppose this provision of the Morse amendment, because they know that it would give to the Government the teeth which it needs under such circumstances to protect the security of all the people of the United States. I repeat that when the security of the Nation is seriously threatened not a single labor union in the United States and not an employer in the United States has any moral right to resort to economic action at that point, because the right to exercise economic action is a relative right under all circumstances; and under circumstances in which its exercise would jeopardize the security of the Nation there is no right at all. Under those circumstances it is the position of the junior Senator from Oregon, and always has been, and was in 1947, when the Taft-Hartley law was enacted, that the Government should be armed with whatever force is necessary under the circumstances to prevent economic action on the part of either party or both parties to a labor dispute.

Although labor and employers will do a great deal of squawking about this provision of the Morse amendment, they know that it represents an unanswerable position when the question is put squarely to them, "Do you think your Government should stand by in a case in which the security of the Nation is threatened, and let you engage in the luxury of economic action as a means of trying to settle a domestic quarrel between yourselves?"

I have yet to find the first labor leader or the first employer who is willing to tell me privately that he can justify economic action under such circumstances. I know whereof I speak, because this is no new position for the junior Senator from Oregon. I supported the identical principle in operation all through World War II as a member of the War Labor Board, when I took the position that whenever an employer or a union thought that it was bigger than the Government, and that it had the right to resort to economic action to the detriment of the successful prosecution of the war effort, then whatever force of Government was necessary to compel compliance with an order prohibiting lockouts or prohibiting strikes would have to be imposed by the Government upon the union and upon the employer.

What was the result? It worked successfully. We had a few strikes and a few lock-outs, but only for a short duration, because we adopted in principle a rule of enforcement similar to that which I propose in the amendment I have offered, namely, that the Government arm itself with the necessary legislation to prevent a stoppage which jeopardizes the security of the country. We reverted on various occasions to seizures and the disputes were quickly settled.

Mr. President, once that principle is enacted into law it will be found that labor and employers, generally agreeing that the Government has spoken, will loyally support the principle of government by law which is encased in the amendment I have offered.

Next my amendment provides that after the President has issued a proclamation declaring the emergency he may seize immediately but his seizure is subject to a veto by Congress within 10 days. The seizure could take place simultaneously with the proclamation of emergency. The amendment keeps faith with another principle of law which I have argued in support of so repeatedly, namely, it is the duty of Congress to take action to check the exercise of power granted by legislation to the President of the United States. If after the President seizes and Congress does not act to nullify the seizure, and the emergency board provided for in my amendment presents the facts on the issues of the case, it is possible under my amendment for the Government, for the duration of the seizure, to grant wages, hours, and conditions of employment, within the stabilization formula, to the workers for the period of Government seizure, but not beyond that period, and of course not retroactive prior to seizure by the Government.

Next my amendment contains the very clear provision that after 60 days of

seizure, the property automatically goes back to its owners unless Congress by concurrent resolution extends the period of seizure. Thus I keep the responsibility clearly where I think it ought to be in emergency cases, so far as the checking principle is concerned, and that is in Congress.

Next my amendment provides that after 30 days of seizure, if the parties have not settled their dispute by way of mediation, conciliation, voluntary arbitration, or collective bargaining within that period of time, then, and not until then, the profits of the industry shall be impounded by the United States Treasury, to be held by it in order to pay for the cost of operation of the industry during the period of Government seizure.

What I have tried to do in the amendment is not to make it desirable for either party to have a seizure, not to make it desirable to either party to have governmental intervention, and to keep the parties in doubt as to what the final effects of Government intervention will be upon them. In other words, as I see it, the legislation must constantly be an inducement to the parties to avoid governmental intervention.

I submit that there are plenty of inducements in the amendment to cause the parties to want to keep Government out of labor disputes. The sooner American labor and American industry recognize the fact that it is not in the interest of either of them to have Government intervention in labor disputes, the better it will be for the country. But it still remains the duty of the Government of a free people to intervene in a serious labor dispute, affecting the national welfare, if the parties to the dispute fail to keep faith with good-faith collective bargaining, and settle their differences on a voluntary basis.

Next, my amendment provides for the appointment of a Compensation Board, empowered to hand down a decision as to what the compensation for the industry shall be during the period of Government seizure, subject, however, to review in the courts of the land.

Let me say again, Mr. President, that Senators will always find the junior Senator from Oregon, so far as his sights are concerned, keeping his eyes on the due process clause of the United States Constitution. To guarantee due process to the property owners the doors of the courts must always be kept open to them for adjudication of their interests and rights in case of governmental intervention in a labor dispute.

In sum and substance, those are the broad outlines of my amendment. I respectfully submit that they will work and be effective. I respectfully submit they will reduce to a bare minimum the necessity for governmental intervention in so-called national emergency cases. They will give to the Taft-Hartley law the teeth it does not now have in dealing with emergency disputes.

I desire to make a few remarks in regard to some representations which were made yesterday by the distinguished Senator from Ohio [Mr. TAFT] in connection with the operation of the Taft-Hartley law. On page 6914 of the CONGRESSIONAL RECORD of yesterday, June 10, 1952, the distinguished Senator is quoted as saying:

> The Taft-Hartley Act provides, finally, for the taking of a vote by the men on the last and most favorable offer of the employers, at the end of 80 days. I believe the people of the United States feel that it is right that in a national emergency—and the Taft-Hartley Act applies only to national emergencies—there should be a definite and deliberate vote by the workers on the question of whether they intend to strike and to tie up the entire national economy, and that that action should not be taken by their leaders, but should be taken by the action of the men, in the last analysis. That seems to be a wise provision.

Mr. President, I have no objection to that provision except that it is wasted motion, because judicial notice can be taken of the fact that in these cases the workers are going to follow the leadership of the union. That has been our experience under the operation of the Taft-Hartley law, particularly under another section of that law which required a vote in connection with the union shop. It was found to be a cumbersome procedure and further it was found with such repeated frequency and consistency that the workers voted in accordance with the decision already made by their elected delegates, the union officials, that even the Senator from Ohio not so long ago favored and supported an amendment to dispense with that election requirement of the Taft-Hartley law.

I do not propose to take away this election procedure under the emergency dispute section of the Taft-Hartley law; but as I have said, it is only a wasted motion; it is only a gesture. Judicial notice can be taken of the fact that in the steel case, for example, 99 percent or more of the workers, as they have already made clear at their convention in Philadelphia by way of action taken by their elected delegates, are going to vote for the union's position in the case, and not for the employers' position, particularly in view of the fact that the employers in this case have kicked free labor around so unfairly.

Mr. President, I wish to read now from the CONGRESSIONAL RECORD of yesterday, June 10, 1952, at page 6915, in the first column. At that point in the proceedings the Senator from Texas [Mr. JOHNSON] asked the following question:

> Mr. President, the President indicated in his message to the joint session of Congress today that he would be required to appoint a board of inquiry under the Taft-Hartley Act. I should like to get the opinion of the Senator from Ohio as to whether that is the case.

The Senator from Ohio [Mr. TAFT] replied as follows:

> Yes, he is required to appoint a board of inquiry, but the Board's first report is only on the question as to whether a national emergency exists, and whether the dispute has gone beyond the point where it can be settled by any voluntary means. If the Board reports the President has the right immediately to seek an injunction.

Mr. President, I do not find that in the law, because it is not there. What the law says in regard to a national emergency board is as follows:

> NATIONAL EMERGENCIES
>
> SEC. 206. Whenever in the opinion of the President of the United States, a threatened or actual strike or lock-out affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, will, if permitted to occur or to continue, imperil the national health or safety, he may appoint a board of inquiry to inquire into the issues involved in the dispute and to make a written report to him within such time as he shall prescribe. Such report shall include a statement of the facts with respect to the dispute, including each party's statement of its position but shall not contain any recommendations. The President shall file a copy of such report with the Service and shall make its contents available to the public.

Mr. President, there is nothing in the Taft-Hartley law which says that all the board has to do is simply to report to the President that it believes the case is an emergency case that threatens the health and safety of the Nation. To the contrary, the law is specifically clear that the board of inquiry is to be appointed to look into the facts. That is what has been done by the boards of inquiry that have been appointed. That takes considerable time.

There have been nine emergency cases under the Taft-Hartley law. In six of those cases, an injunction has been issued.

Yesterday the Senator from Ohio pointed out that:

> In the Maritime case he got an injunction 4 days after he appointed the board, which is certainly by far the quickest action we could possibly hope for under any of the pending proposals.

In making that presentation, the Senator from Ohio selected the case in which an injunction was secured in the shortest period of time. In the six cases the average time before an injunction was obtained was a little more than 8 days, not 4 days. It would be just as fair to refer to the period of 14 days, and hold it up as an example of how long it takes to obtain an injunction under the Taft-Hartley law, as to select the other extreme, namely, 4 days.

All I say, Mr. President, is that it will take several days to obtain an injunction under the Taft-Hartley law; and in a case such as the Steel case, where the result of permitting the furnaces to grow cold will be a shut-down of the industry, for some 2 or 3 weeks, even 4 days is too long a period of time to wait to obtain an injunction.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, basic data on the national emergency provisions of the Taft-Hartley Act, showing the cases in which an injunction has been sought and the cases in which an

injunction has not been sought, and the time which has been required to obtain an injunction and to settle the dispute.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Basic data on national emergency provisions of the Taft-Hartley Act

Description of labor dispute	Date board of inquiry appointed	Date board of inquiry reported to the President	Date injunction issued	Total elapsed time
				Days
1. Atomic energy dispute: Atomic Trades and Labor Council (AFL) and Carbide & Carbon Chemicals Corp.	Mar. 5, 1948	Mar. 15, 1948	Mar. 19, 1948	14
2. Meat-packing dispute: United Packing House Workers (CIO) versus 5 major meat-packing firms.	Mar. 15, 1948	Apr. 8, 1948	None issued.	
3. Bituminous coal mines pension dispute: United Mine Workers of America versus bituminous coal-mine operators.	Mar. 23, 1948	Mar. 31, 1948	Apr. 3, 1948	11
4. Maritime industry dispute: Atlantic, Pacific and Gulf coast and Great Lakes versus International Longshoremens and Warehousemens Union (CIO) and other maritime unions.	June 3, 1948	June 11, 1948	June 14, 1948	11
5. Telephone dispute: American Union of Telephone Workers (CIO) versus American Telephone & Telegraph Co.	May 18, 1948	(1)	(2)	----------
6. Bituminous-coal-miner contract dispute: United Mine Workers of America versus bituminous-coal-mine operators.	June 19, 1948	June 26, 1948 [3]	(4)	----------
7. Longshoremen's dispute on Atlantic coast: International Longshoremen's Association (AFL) versus certain steamship companies and associations of employers.	Aug. 17, 1948	Aug. 18, 1948 [5]	Aug. 21, 1948	4
8. Bituminous coal dispute: United Mine Workers of America (CIO) versus bituminous coal mine operators.	Feb. 6, 1950	Feb. 11, 1950	Feb. 11, 1950 [6]	5
9. Nonferrous metals dispute: International Union of Mine, Mill and Smelter Workers and other unions versus nonferrous metals industry.	Aug. 30, 1951	Sept. 4, 1951	Sept. 5, 1951	6

[1] Formal hearings scheduled for May 25, postponed until June 8.
[2] None issued (agreement made June 4.)
[3] Agreement reached June 24 after Judge Goldsborough's decision on pension fund.
[4] None issued.
[5] Board reported that parties caught in legal predicament as result of Supreme Court decision in the *Bay Ridge Operating Co.* v. *Aaron*, 334 U. S. 446, 1948.
[6] Men didn't return to work and on Feb. 20, the Attorney General began contempt proceedings. On Mar. 2, 19 days after issuance of injunction, the court found the union not in contempt.

COMMENT

On 9 occasions the President has resorted to the use of the national emergency provision of the Taft-Hartley Act. In 6 of the 9 disputes the President directed that an injunction be sought. As shown above, the minimum elapsed time between appointment of a board of inquiry was 4 days (east coast longshore dispute, 1948). The maximum elapsed time was 14 days (atomic energy dispute, 1948). The average elapsed time was 8 days.

The Steel Industry Board, which heard the steel dispute in 1949, was appointed July 15, 1949, and made its report Sept. 10, 1949—almost 2 months later. Of 10 fact-finding boards in operation between July 1945 and July 1949, the average elapsed time between the appointment of the board and the submission of its report was a month and a half. (See Chester Wright's Labor Letter, Aug. 13, 1949.) Emergency fact-finding boards under the Railway Labor Act ordinarily take from 5 to 6 weeks to hear a dispute, although they may take longer if the case is especially complicated.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an analysis of the facts in the nine Taft-Hartley Act national emergency cases. I make this request because the Senate Committee on Labor and Public Welfare has gone thoroughly into those cases through a careful study made by its staff.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE FACTS ON THE NINE TAFT-HARTLEY NATIONAL EMERGENCY CASES

1. Atomic-energy dispute, 1948: The dispute was not settled during the 80-day period. Every step of the Taft-Hartley Act, including a vote on the last offer (rejected overwhelmingly), was taken and the dispute was still not resolved. Immediately upon discharge of the injunction the parties were called into continuous bargaining sessions extending over 50 hours. The dispute was settled by the parties, with the assistance of the FMCS, after the injunction had expired. As the FMCS reported (FMCS Annual Report, 1948, p. 41), "Apparently the imminence of the discharge of the injunction did not have the effect of producing a settlement."

2. Meat packing, 1948: No injunction was requested; hence, obviously, the dispute could not have been settled during the 80-day injunction. It is likely that the President did not invoke the injunction because the shortage of meat was not nearly as great as had been anticipated.

It should be noted that the board of inquiry was appointed March 15, 1948, and the strike began the next day. The report of the board was not completed until April 8, 3 weeks later. The strike was in effect during this time and the board of inquiry was obviously helpless to avert the strike, to get it postponed, or to settle it.

3. First bituminous coal, March 1948: It is true that this dispute was settled during the period of the injunction, but it was settled in spite of the injunction and not because of it. The labor dispute arose out of differing interpretations of the pension-fund agreement, and it was not settled until the district court made its ruling upholding the plan of distribution agreed upon by Mr. Lewis and the Honorable STYLES BRIDGES. The legal problem was the main barrier to settlement, and once this issue was decided by the courts the dispute was settled within a matter of hours.

4. Telephone dispute, 1948: No injunction was sought in this case. The FMCS reported that, "The mere appointment of the Board of Inquiry had the effect of reestablishing the bargaining relationship that had been ended by the failure of one party to give unqualified assurances that during a period of continued negotiations and until a new contract could be agreed upon, the status quo of wages, and terms and conditions of employment would be maintained." (1948 Annual Report, FMCS, p. 46.)

Collective bargaining settled this dispute. As in the meat-packing case, the Board of Inquiry was helpless in the face of the strike. It could not make recommendations and it could not even mediate.

5. Maritime dispute, 1948: On the Atlantic and Gulf coasts the disputes were settled just prior to expiration of the injunction. They were settled because with the end of the injunction the parties were faced with the pressures of collective bargaining.

On the west coast, however, the dispute was not settled during the injunction period. The vote on the "last offer" was boycotted by the union, the injunction was discharged, and a long strike—over 3 months—took place.

6. Second bituminous coal, June 1948: Since no injunction was issued, it cannot be said this dispute was not settled during the period of the injunction. Once again, legal issues stood as the main barrier to settlement. Once Judge Goldsborough of the United States District Court handed down his decision on the pension fund dispute, bargaining was resumed and a settlement was reached—without an injunction.

7. East coast longshore, 1948: This dispute also was not settled during the period of the injunction. The workers rejected the last offers of the companies and when the injunction ended the strike became effective. As the FMCS reported, "This case furnishes another instance of a national emergency dispute in which (1) a strike was, in fact, forestalled by the injunction; (2) there was no substantial progress made toward a settlement during the injunction period; (3) all of the procedures of the act (including the ballot on the last offer of the employers) were resorted to without success; (4) a strike occurred after the discharge of the injunction; and (5) the dispute was settled at long last after many meetings between the parties, aided by mediators, but not before great injury was caused to the public and the Nation." (FMCS Annual Report, 1948, pp. 53–54.)

8. Third bituminous coal, 1950: The Taft-Hartley Act was totally ineffective in this dispute. The injunction was not effective in getting the men back to work and the court ruled that the union was not in contempt. The President then sent a message to the Congress requesting authority to seize the mines. Fear of seizure undoubtedly encouraged both parties to settle the dispute.

9. Copper, 1951: Some of the copper disputes were settled before the issuance of the injunction and some were settled during the period of the injunction.

SUMMARY

The record is quite clear. Settlements were rarely made during the period of the injunction. Some of the disputes in the maritime case and some of the disputes in the copper case were settled during the period of the injunction. In those cases it is a question whether settlements were achieved because of the injunction or in spite of it. In the first coal case it is quite plain that it was not the injunction but a long-awaited decision from the court that paved the way for settlement. In the majority of cases the injunction made settlement more difficult. The report of the board of inquiry in the maritime dispute indicated that employers and unions regarded the injunction as a "warming up" rather than a "cooling off" period.

As early as 1948 the FMCS, in its annual report, observed that, "provision for an 80-day period of continued operations, under injunctive order of a court, tends to delay rather than facilitate settlement of a dispute. Parties unable to resolve the issues facing them before a deadline date, when subject to an injunction order, tend to lose a sense of urgency and to relax their efforts. In most instances efforts of the service to encourage the parties to bargain during the injunction period, with a view to early settlement, fall on deaf ears."

It was apparent from the beginning that the national emergency provisions were a snare and a delusion. At best they merely

delay a strike; they contribute nothing toward settlement.

The Taft-Hartley boards of inquiry are forbidden to make recommendations and hence they serve no constructive purpose. They are simply roadstops on the way to an injunction.

The last offer elections, as the FMCS reports, "do nothing to promote settlement of a dispute * * * and are a disrupting influence."

The injunctions are more likely to inflame than "cool off" the situation. The record of the nine cases in which the emergency provisions were used does not show that the Taft-Hartley Act settles strikes. It shows exactly the reverse.

Mr. MORSE. Mr. President, I wish to read a few portions of the conclusions of the findings the committee reached:

The record is quite clear. Settlements were rarely made during the period of the injunction. Some of the disputes in the maritime case and some of the disputes in the copper case were settled during the period of the injunction. In those cases it is a question of whether settlements were achieved because of the injunction or in spite of it.

In the first coal case, it is quite plain that it was not the injunction, but a long-awaited decision from the court that paved the way for settlement. In the majority of cases, the injunction made settlement more difficult. The report of the board of inquiry in the maritime dispute indicated that employers and unions regarded the injunction as a "warming up" rather than a "cooling off" period.

Why was that, Mr. President? It was because they could sit and look out the window during the collective-bargaining hearings and figure out whether it would be to their benefit or to their detriment to have the Taft-Hartley law applied. The Taft-Hartley law works to the advantage of one party or the other in an emergency dispute and therefore the party that will gain from its operation usually fails to bargain in good faith. Under my amendment they could not be so sure. Under my amendment, the parties would be kept constantly in doubt as to what might happen to them. It is the uncertainty provided by my amendment as to its effect on the parties that I believe could make it one of the great inducements for the settlement of labor disputes short of Government intervention.

I read further from the committee's report:

As early as 1948 the FMCS—

The Federal Mediation and Conciliation Service—

in its annual report, observed that "provision for an 80-day period of continued operations, under injunctive order of a court, tends to delay rather than facilitate settlement of a dispute. Parties unable to resolve the issues facing them before a deadline date, when subject to an injunction order, tend to lose a sense of urgency and to relax their efforts. In most instances efforts of the Service to encourage the parties to bargain during the injunction period, with a view to early settlement, fall on deaf ears."

However, the injunction provided in my amendment will not have that effect because during the time of Government seizure wages, hours, and conditions of employment can be changed in accordance with the Emergency Board's recommendation. No such provision exists in the Taft-Hartley Act and that is one reason why it is an unfair law.

Mr. HUMPHREY. Mr. President, will the Senator from Oregon yield at this point?

Mr. MORSE. I ask the Senator from Minnesota to permit me to complete my argument first, and then I shall be glad to yield if I have time in which to do so. I doubt if I have time to complete my argument.

Mr. President, yesterday the Senator from Ohio had considerable to say about the railroad case. I could not quite determine from what he said whether he thought there should have been a strike or should not have been a strike in that case. However, one cannot have it both ways, Mr. President. Either there must be in the law a provision which will prevent a strike or a strike must be permitted to occur and to do the irreparable damage to the Nation a railroad strike would cause in an emergency defense period.

I do not believe anyone can obtain the votes of the railroad workers in the next election on the argument that because the White House bungled the railroad case, therefore we should not have on the statute books a law with teeth in it, one which would prevent the kind of strike which was threatened in the railroad industry. If the President had not seized the railroads there would have been a strike and the Senator from Ohio knows it. The trouble was that there was not a good seizure law on the books. That is the fault of Congress.

Incidentally, Mr. President, one of the paradoxes of the railroad case is that the railroad brotherhoods asked for the seizure; they were the ones who urged that the provision of the old 1916 law which permitted a seizure in the railroad case be brought into operation. The difficulty in the railroad case was not that there was a seizure, but that after the seizure the White House bungled the case. The difficulty was that after the seizure occurred there was no provision which gave the Government—at least, not by way of a statutory direction, although I always have insisted that the Government had the discretionary power to do so if it wished to, but the Government would not—the power to grant reasonable changes in hours, wages, and conditions of employment.

Mr. President, the type of seizure in the railroad case was what was wrong in that case. It was the type of seizure that placed the Government on the side of the carriers, whereas the Government should have stayed at the head of the table. It should not have adopted a procedure for trying to settle the case which seemed to favor the carriers.

During the railroad seizure the Government should have come to grips with the economic facts involved in that dispute, and should have made very clear to the carriers that it would apply what it believed to be reasonable changes in hours, wages, and conditions of employment if a voluntary agreement was not entered into. The Government should have made clear to the railroad brotherhoods that their insistence upon the maintenance of some of the archaic rules in the railroad industry could not be accepted by the Government, and that for the period of Government seizure those rules would be modified.

If at any time, Mr. President, the Government had taken that position in the railroad case, the seizure of the railroads would not have continued for the many months it did. It was necessary, in my judgment, to have a Government intervention in that case in some form in order to prevent irreparable damage, not only to the national economy but also to the very security of the country.

So I want to say in reply to the Senator from Ohio that, in my judgment, he does not protect the best interests of American labor or of American employers, or of the public generally, in taking the position we should not have on the books a seizure law, subject to the check and the control of the Congress, to meet emergency disputes and in order to protect the security of the United States.

The VICE PRESIDENT. The time of the Senator from Oregon has expired.

Mr. MAYBANK rose.

The VICE PRESIDENT. The Senator from South Carolina is recognized for 30 minutes.

Mr. MAYBANK. I rise to speak against this amendment. I understand I have 15 minutes.

The VICE PRESIDENT. The Senator from South Carolina has 30 minutes.

Mr. MAYBANK. I first yield 5 minutes to the Senator from Oregon.

Mr. MORSE. I think I can finish in 5 minutes.

The VICE PRESIDENT. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, I desire to answer another argument which has arisen in this debate. It goes to the question of whether the steel emergency can be adequately met by having military steel produced in only a few plants. The Committee on Labor and Public Welfare went into that issue when Secretary of Defense, Mr. Lovett, appeared before it, and I wish to read a portion of the testimony he gave in response to a question asked him by the Senator from New York [Mr. IVES]. I read:

Secretary LOVETT. That is a very technical question which lies outside my field. I think I can be reasonably responsive from the point of view of the Department's interest in this by saying that in anticipation of the problem of a steel strike—which, of course, we have been apprehensive about for 90 days—we tried to find out if there was some way in which we could concentrate into a certain number of plants all of the military requirements. I do not recall the figures in detail, but in the order of magnitude I suppose that 20 to 30 of the big plants would supply the military and suppose there are a total of 300 in the country; that would mean that 270 approximately would be left for civilian uses. However, the number of different alloys—the number of different kinds of steel which are required—run across the whole spectrum of the steel industry, so that it is virtually impossible, except after the most careful work, which would take months and months, to take out of these hundreds of mills the various percentages that are procured by our contractors because the Department of Defense does not buy the steel. It goes to an engine company and says it wants so many jets—we will say 2,000 jets. The contractor with the Department of Defense then goes to the steel man and his metallurgists agree on the quantity and type of steel, and he himself puts his order in on that basis.

Mr. President, I believe I can dispose of the argument that a few steel plants should be set aside for producing military steel by simply saying that the Defense Establishment has gone into the question of whether an adequate supply of military steel can be produced by selecting and keeping open only a few plants and that the very composition and organization of the steel industry is such that it cannot be done effectively. This emergency cannot be met in that way. As the President of the United States pointed out yesterday in his speech, we now have a problem of proceeding without delay to get the total amount of steel needed for the national defense; and we are not going to get it on any piecemeal basis such as has been proposed by some, using a part of a large mill or, in isolated instances, an entire small mill.

Thus, Mr. President, in closing let me say that I think we come right back to the question of responsiiblity for our present stalemate over how to handle the steel crisis. Whose responsibility is it?

In my judgment, in view of the Supreme Court decision, it is now the responsibility of the Congress of the United States to enact legislation which will be effective for the handling of the Steel case. We cannot now pass the buck to the President of the United States. The Supreme Court has placed the burden on our shoulders.

Mr. President, we cannot answer the problem, either, by saying, as the Senator from Ohio did yesterday, that if we merely let the Taft-Hartley law run its course of action the workers will not suffer because whatever wages may be finally agreed upon would be retroactive. Retroactivity does nct act automatically. There is no guaranty in the Taft-Hartley law that any of the wages will be retroactive. Retroactivity is one of the issues in dispute, and regarding it the parties are going to have to bargain. So far as labor is concerned, in my judgment, it will have to reduce some of its demands in order to get from the steel industry retroactive provisions applying to wages. The operation of the 80-day period of the Tart-Hartley law will make it more difficult for them to get a fair settlement on retroactivity. The Taft-Hartley law with its 80-day period places them at a bargaining disadvantage on all issues. It plays into the hands of the employers.

I close by saying that there is, in my judgment, no answer to the statement that if the Taft-Hartley law is invoked we are in effect, for an 80-day period, fining the steel workers whatever they will lose as compared to what they otherwise would get by being required under the mandate of a court injunction to work for private employers for their private profit, for the wages and the hours and under the conditions of employment the private employers wish to impose. Under my amendment during the period of Government seizure they would get the fair wage recommended by the emergency board. The problem of retroactivity to that extent is then settled. Under the Taft-Hartley law the Government forces supposedly freemen to work for 80 days for such wages as private employers wish to pay or go to jail for contempt of court. There is no fairness or justice in such a provision of the Taft-Hartley law and the Senator from Ohio [Mr. TAFT] should know it.

The Taft-Hartley law, applied to this case as to other emergency cases, puts the Government on the side of the employers, and I emphasize the fact that the employees of America will take note of that kind of action by the Congress of the United States, as they should.

The VICE PRESIDENT. The time of the Senator from Oregon has again expired.

The Senator from South Carolina.

Mr. DIRKSEN. Mr. President, I think the time has been assigned to me.

The VICE PRESIDENT. The Chair assumes that that is the situation.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the time being charged to either side.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. DIRKSEN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAYBANK. Mr. President, I understood that the Senator from Oregon desired to have a yea and nay vote on his amendment, and if it is agreeable, I ask unanimous consent that the suggestion of the absence of a quorum be withdrawn.

Mr. DIRKSEN. Mr. President, may I ask why the Senator makes his request?

Mr. MAYBANK. Some time will be consumed in getting a quorum, and we desire to move along. There are still 23 minutes left before the vote will be taken. If it is agreeable to the Senator from Illinois, he might withdraw his suggestion of the absence of a quorum.

Mr. DIRKSEN. Very well.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the suggestion is withdrawn.

The Senator from South Carolina has 23 minutes.

Mr. MAYBANK. I yielded my 23 minutes to the Senator from Illinois, but I asked that he yield to me on this amendment.

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MAYBANK. I yield my time to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, how much time is left?

The VICE PRESIDENT. Twenty-three minutes.

Mr. DIRKSEN. Mr. President, of course, I am sorry that many Members of the Senate missed the very instructive statement made by the author of the amendment, the Senator from Oregon [Mr. MORSE]. Far be it for me, within the limits of my feeble talents, to contest with him on a subject like the one now under consideration, about which he knows so much. However, I thought it might be well merely to take away what I regard as surplus language, and then to place in a small package what I understand is contained in the amendment.

First of all, the amendment requires the usual exploration where there is a controvery or dispute that involves the national interest. In that respect, I doubt very much whether the amendment departs substantially from the spirit and intent of the Taft-Hartley Act.

What appeals to me is that the adoption of an amendment of this kind would put Congress in a very anomalous position. Last night, at 6 o'clock, we voted on a particular paragraph providing, in effect, "recognizing the existence of a dispute, it is the sense of the Senate, and they so request the President, to use the provisions of the Taft-Hartley Act for the purpose of terminating the dispute."

If we adopted the amendment now offered would we not in effect be saying we did not mean what we said last night? Have we changed our viewpoint between Tuesday night and Wednesday noon? Are we now to say to the country and to the President that it was hasty action we took, after laboring the matter yesterday and the day before, and that now we reverse ourselves on the implied ground, certainly, that the Taft-Hartley Act is inadequate to the problem presently before us? If we were to do that, I think we would be within the spirit of the old ditty I learned long ago—

The King of France went up the hill
With twenty thousand men;
The King of France came down the hill,
And ne'er went up again.

We marched up the hill last night; and are we marching down a few hours later on the following day? I doubt it very much, unless there is a substantial reason for so doing.

Mr. MOODY. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I yield.

Mr. MOODY. I recognize the logic of the Senator's argument, but I wonder whether he would not concede that if the Taft-Hartley Act should be applied by the President, as was yesterday requested by a majority vote of the Senate, it would be true that after the 80-day period had expired, which would be in September, Congress in all probability would not be in session, and thus the President and the Government would be without power to handle the situation which it is contended the Taft-Hartley Act can control.

Mr. DIRKSEN. I may say to the Senator from Michigan that in my study of the Constitution I have learned that the President can convene Congress in extraordinary session at any time.

Mr. MOODY. I am sure we are all aware of that.

Mr. DIRKSEN. Presidents have done so many times, and I am sure it could be done again, notwithstanding the fact that we may be within the intensities of a political campaign at the time to which the Senator referred. But such a circumstance certainly has not deterred Presidents in other days from calling the legislative body into session, if there was a challenging matter on the doorstep of the country.

Mr. FERGUSON. A few years ago the President called Congress back into session for less cause.

Mr. DIRKSEN. The Senator is correct. As a matter of fact, I was then a Member of the other House, and there was less cause for calling Congress into session at that time. So there is no force in the argument made by the junior Senator from Michigan. I do not for a moment concern myself with the matter of 80 days. Let us invoke existing law and see what it will do. We can cross the other bridges as we come to them.

To revert to the amendment of the Senator from Oregon before time runs out, there is one variation to which I would allude. Of course, the Taft-Hartley Act applies, in theory at least, to industry-wide strikes. The amendment now before the Senate uses the phrase "industry or plant," so it might be a strike in a single plant which, in the judgment of a Government agency or the President, might jeopardize the security of the country. If a report to that effect were made, then, of course, the provisions of the Morse amendment, if enacted into law, would be enforced.

The amendment provides also that efforts toward mediation and conciliation must first be exhausted. I think those words are included in nearly all labor legislation over a period of time. When finally that point is reached, the President can issue a proclamation and can urge those who are parties to a dispute to refrain from continuing the dispute. If there is a strike he can urge the strikers to resume work. Meanwhile, the President must report to Congress and make recommendations.

The Senator from Oregon referred to the boards of inquiry provided for in the Taft-Hartley Act which are empowered to make statements of fact. It seems to me that the language there is broad enough to include something besides a statement of fact. Certainly, as I see it, there is nothing affirmative in the act to prevent the President from expressing his opinion and making a recommendation. In that recommendation the President can include a request to seize.

The essential language in the amendment—the crux of the matter—is found on page 3, beginning with line 2:

> If the President recommends that the United States shall take possession of and operate such enterprise or enterprises, the President shall have authority to take such action forthwith.

The President recommends that, in his judgment, he ought to seize the mills or enterprises, or whatever they may be. Then the Morse amendment provides that if the President makes a recommendation "that the United States shall take possession of and operate such enterprise or enterprises, the President shall have authority to take such action forthwith." That is the crux of the matter.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. The Senator was very kind not to interrupt me during my remarks. I do not wish to interrupt him if he desires to complete his argument. My only purpose in interrupting was to read the language following what he read.

Mr. DIRKSEN. I was coming to that in a moment. It is the language with reference to a concurrent resolution.

Mr. MORSE. No; I refer to the argument made by the Senator just before his last statement. In section 206 of the Taft-Hartley Act there occurs the following sentence:

> Such report shall include a statement of the facts with respect to the dispute, including each party's statement of its position but shall not contain any recommendations.

Mr. DIRKSEN. There may not be affirmative recommendations, yet I cannot conceive of going into a controversy of that kind resolving all the facts and presenting them to the country and the Congress, without also including some statement of opinion, even though it is not an affirmative recommendation.

Mr. MORSE. The law specifically prohibits it.

Mr. DIRKSEN. It prohibits making an affirmative recommendation, but certainly the report can be dressed up so that the entire situation is clearly before the legislative branch.

Mr. MORSE. If that is desirable, it ought to be provided for.

Mr. IVES. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. IVES. The Senator from New York would like to point out to his distinguished colleague from Illinois that the language in the law as it now stands was placed there deliberately. The Senator from New York had something to do with that language, and he assures his friend from Illinois that the intent of the language was to prohibit any recommendation of any kind.

Mr. DIRKSEN. The Senator from Illinois is aware of that, and he knows the distinction, namely, that in this instance there is certainly authority to make an affirmative recommendation, and then follow up the recommendation with the power of seizure. I am speaking now of the Morse amendment.

Mr. IVES. I was speaking about the Taft-Hartley provision.

Mr. DIRKSEN. I recognize the difference in language, and I recognize also the emphasis which is placed upon the power to recommend, and to pursue the recommendation with the language which I have just read. Within the compass of a dozen words, there is the power to seize forthwith.

There is a provision in the Morse amendment relative to a concurrent resolution, so that if within 10 days the Congress has other ideas, the seizure shall cease, and the property shall be returned. Ultimately it becomes the responsibility of the Congress to decide whether or not there shall be subsequent seizure.

There is provision in the Morse amendment for an injunction, but it will be noticed from the language of the amendment that the power to enjoin comes after seizure. I think I am correct in that.

On page 4 of the Morse amendment, paragraph (d) reads as follows:

> (d) After the issuance of a seizure order or any time thereafter, the President may direct the Attorney General to petition any district court, having jurisdiction of the parties, to enjoin such stoppage of work or operations, and if the court finds that the President has reasonable cause to believe that a national emergency is threatened or exists because a threatened or actual stoppage of work or operations may result or has resulted from a labor dispute (including the expiration of a collective agreement) in a vital industry or plant which seriously affects the security of the Nation, it shall have jurisdiction to enjoin such stoppage of work or operations, or the continuing thereof, and to make such other orders as may be appropriate.

Mr. MORSE. Of course, the seizure can come immediately upon the declaration of the emergency.

Mr. DIRKSEN. That is correct.

The only reason I allude to that subject is that, if my recollection serves me correctly—and I was not in the Senate at the time the amendments to the Taft-Hartley Act were considered in 1950—the Senate belabored at great length the question as to whether seizure should come before or at the time, or whether injunction should come before or at the time, or whether the injunctive process should come afterward. So we are dealing here with a matter which has been roundly belabored by the Senate in other days, and I am sure that Senators who were present at that time are fully familiar with the history.

The remainder of the amendment deals with the emergency board, the report, the impounding of income, and the establishment of compensation boards.

However, it seems to me that essentially the entire question was presented to the Senate in connection with the amendments which were discussed yesterday and the day before. I see nothing in this amendment which would warrant me in supporting it. In view of the action taken last evening by this body, I, for one, do not want to be in the unhappy position of having marched up the hill and then marched down again, before the request made upon the Chief Executive is at least translated into some kind of action.

I hope, therefore, that the pending amendment, offered by the Senator from Oregon [Mr. MORSE] will be defeated. I yield back whatever portion of the time I have not used, unless there are other Senators who wish to request time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

Mr. BYRD and other Senators asked for the yeas and nays.

Mr. IVES. Mr. President, I believe the yeas and nays have already been ordered.

The PRESIDING OFFICER. On this question the yeas and nays have already been ordered. The clerk will call the roll.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

Anderson	Hickenlooper	Moody
Bennett	Hill	Morse
Bridges	Hoey	Mundt
Butler, Nebr.	Holland	Neely
Byrd	Humphrey	Nixon
Capehart	Hunt	O'Conor
Case	Ives	O'Mahoney
Chavez	Jenner	Pastore
Clements	Johnson, Colo.	Robertson
Connally	Johnson, Tex.	Saltonstall
Cordon	Johnston, S. C.	Schoeppel
Dirksen	Kem	Seaton
Douglas	Kerr	Smathers
Duff	Kilgore	Smith, Maine
Dworshak	Knowland	Smith, N. J.
Eastland	Lehman	Smith, N. C.
Ellender	Long	Sparkman
Ferguson	Magnuson	Stennis
Flanders	Martin	Taft
Frear	Maybank	Thye
Fulbright	McCarran	Tobey
George	McCarthy	Underwood
Gillette	McClellan	Watkins
Green	McFarland	Welker
Hayden	McKellar	Wiley
Hendrickson	Millikin	Williams
Hennings	Monroney	

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON] is absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. CAIN], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from Montana [Mr. ECTON], the Senator from North Dakota [Mr. LANGER], and the Senator from Nevada [Mr. MALONE] are absent on official business.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON] is absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

The Senator from Connecticut [Mr. BENTON] is paired on this vote with the Senator from Maine [Mr. BREWSTER]. If present and voting the Senator from Connecticut would vote "yea," and the Senator from Maine would vote "nay."

The Senator from Tennessee [Mr. KEFAUVER] is paired on this vote with the Senator from Washington [Mr. CAIN]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Washington would vote "nay."

The Senator from Montana [Mr. MURRAY] is paired on this vote with the Senator from Massachusetts [Mr. LODGE]. If present and voting, the Senator from Montana would vote "yea," and the Senator from Massachusetts would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. CAIN], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from Montana [Mr. ECTON], the Senator from North Dakota [Mr. LANGER], and the Senator from Nevada [Mr. MALONE] are absent on official business.

If present and voting the Senator from Ohio [Mr. BRICKER], and the Senator from Maryland [Mr. BUTLER] would each vote "nay."

On this vote the Senator from Maine [Mr. BREWSTER] is paired with the Senator from Connecticut [Mr. BENTON]. If present and voting the Senator from Maine would vote "nay," and the Senator from Connecticut would vote "yea."

On this vote the Senator from Washington [Mr. CAIN] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting the Senator from Washington would vote "nay," and the Senator from Tennessee would vote "yea."

On this vote the Senator from Massachusetts [Mr. LODGE] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Montana would vote "yea."

The result was announced—yeas 26, nays 54, as follows:

YEAS—26

Anderson	Humphrey	McKellar
Chavez	Hunt	Monroney
Clements	Johnson, Colo.	Moody
Connally	Kerr	Morse
Douglas	Kilgore	O'Mahoney
Green	Lehman	Pastore
Hayden	Long	Sparkman
Hennings	Magnuson	Tobey
Hill	McFarland	

NAYS—54

Bennett	Dirksen	Frear
Bridges	Duff	Fulbright
Butler, Nebr.	Dworshak	George
Byrd	Eastland	Gillette
Capehart	Ellender	Hendrickson
Case	Ferguson	Hickenlooper
Cordon	Flanders	Hoey
Holland	McClellan	Smith, Maine
Ives	Millikin	Smith, N. J.
Jenner	Mundt	Smith, N. C.
Johnson, Tex.	Neely	Stennis
Johnston, S. C.	Nixon	Taft
Kem	O'Conor	Thye
Knowland	Robertson	Underwood
Martin	Saltonstall	Watkins
Maybank	Schoeppel	Welker
McCarran	Seaton	Wiley
McCarthy	Smathers	Williams

NOT VOTING—16

Aiken	Ecton	McMahon
Brewster	Benton	Murray
Bricker	Kefauver	Russell
Butler, Md.	Langer	Young
Cain	Lodge	
Carlson	Malone	

So Mr. MORSE's amendment was rejected.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY—CONFERENCE REPORT

Mr. McCARRAN. Mr. President, I move that the Senate proceed to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality; and for other purposes.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Without objection, the motion is agreed to.

Mr. McCARRAN. It will not be my purpose, Mr. President, to go into lengthy detail with respect to the many provisions of this very comprehensive and highly technical measure. However, with respect to some of the more important phases of the bill, I believe I should make some comment in regard to the action taken by the conferees in composing the differences between the Senate and House versions of the bill. It is the considered opinion of the conferees that much of the criticism of this proposed legislation has stemmed from a misconstruction of its language by its opponents by referring to certain provisions out of context and without reference to the intricate interplay of the various sections of the bill. In composing the differences between the Senate and House versions of the bill, the conferees have exerted every effort to perfect and refine the language so as to preclude any strained construction which would distort the purpose in the provisions of this measure. In view of the fact that the Senate and House versions of the bill followed the same basic pattern, the task of the conferees was principally one of reconciling certain minor differences.

In addition to perfecting and conforming changes, the measure, as recommended by the conferees, contains provisions which vary in the following respects from the provisions in either the Senate or the House version of the bill:

As passed by the Senate, the bill contained a provision which set minimum standards of good moral character to be applied where that expression is used in the bill. These standards were not included in the House version of the bill, and the conferees agreed to accept the provision as it appeared in the Senate version of the bill.

The Senate version of the bill, pursuant to an amendment adopted on the floor of the Senate, removed the 10-percent limitation which exists under the present law on the issuance of quota visas during the last 2 months of any fiscal year. The bill as passed by the House did not contain a similar provision, and the conferees agreed to accept the Senate provision.

Another instance where the conferees were able to reconcile a difference between the Senate and House versions of the bill is in connection with the special provisions relating to the quotas for Asiatics. The House version of the bill contained a provision whereby persons of oriental stock who are the spouses or children of certain aliens may have their quota charged in such a manner as to preclude the separation of families. The Senate version of the bill did not contain this provision. The conferees agreed to accept a modified version of the House provision whereby, in the case of interracial marriages, children may be charged to the quota of either parent in order to keep the family intact.

Mr. President, another example of the effective work of the conference committee is the rewriting of the provisions of the bill relating to the deportation of aliens who are convicted, in the United States, of certain criminal offenses. Both versions of the bill provided for the deportation of such aliens; but, unfortunately, the language of the Senate version of the bill in particular has been subjected to a misconstruction, distorting the true purpose of these provisions. In composing the differences between the Senate and House versions, the conferees have refined the language, so as to make it emphatically clear that the Attorney General may not—as has been erroneously charged—capriciously deport an alien solely on the basis of an inconsequential, unwitting infraction of the law.

The conference committee accepted the Senate amendment which exempts certain relatives of citizens and lawfully admitted alien residents from the literacy requirements for admission into the United States.

Another area, Mr. President, in which the conferees were able to resolve satisfactorily the differences between the Senate and House versions of the bill involves the adjustment of status of aliens in this country temporarily as bona fide nonimmigrants. Under the House version, the practice of preexamination would have been continued, under which certain aliens in the United States are authorized to proceed to Canada for the purpose of adjusting their immigration status. This procedure would have been precluded under the Senate version, on the theory that such a practice is cumbersome and obsolete and, as practiced, contains certain loopholes which permit the adjustment of status of undesirable aliens. The conferees adopted the position of the Senate that the practice of preexamination should be discontinued, but other provisions of the bill were modified to permit the adjustment of the status of certain classes of aliens temporarily in the United States to that of permanent residence, without requiring the aliens to leave the United States.

With regard to the grounds for deportation of aliens, the conferees, in conforming the language of the Senate and House versions of the bill, provided a statute of limitations in accord with humanitarian principles, particularly in cases where the ground for deportation is based on mental disease or on economic distress. In this connection, the conferees applied very broad standards of humanitarianism in composing the differences between both versions of the bill relating to the granting of suspension of deportation.

Mr. President, the conferees agreed to certain conforming changes to carry out the objective of both bills relating to the elimination of certain obsolete and inequitable penalties imposed upon transportation companies under existing law. In the course of conforming other differences between the two bills in this respect, the conferees agreed to the elimination of that provision of the proposed legislation which would unduly penalize transportation companies for merely having on board a stowaway, even though the stowaway is discovered and presented to immigration authorities upon the arrival of a vessel or aircraft at a port of entry. In the opinion of the conferees, the bill as reported contains adequate safeguards for the control of the stowaway problem.

Mr. President, the foregoing changes in this proposed legislation which were made by the conferees relate to the reconciliation of the points of difference between the Senate and House versions of the legislation relating to immigration matters. The conferees were also successful in composing the differences between the Senate and House versions relating to matters of nationality and naturalization.

The House version of the bill contained a provision restoring citizenship to a limited number of persons who had lost citizenship by voting in elections in Italy. A similar provision was not contained in the Senate version, and the conferees agreed to accept the House provision in an attempt to solve this troublesome problem.

The conferees were also successful in composing the difference between the Senate and the House versions of the bill with regard to the question of whether the provision in existing law, which prohibits the naturalization of an alien against whom deportation proceedings are pending, should be continued. The prohibition was not contained in the House bill, but the conferees agreed to retain the prohibition as provided in the Senate bill with an exemption therefrom in the case of aliens who have served honorably in the Armed Forces of the United States and who are seeking naturalization on that basis either while so serving or following their honorable discharge.

Mr. President, the conferees also agreed to compose any differences between the Senate and House versions of the bill relating to the oath of allegiance in such manner as to provide for a naturalization oath which would not violate bona fide religious convictions, if such convictions are properly proved to the naturalization court in accordance with standards set up in the Selective Service Act of 1948.

The conferees, Mr. President, were also successful in composing the differences as they appeared in various sections of the bill relating to the retention of United States citizenship by citizens who reside abroad. In the case of naturalized citizens who reside abroad in excess of 5 years in a foreign country other than that in which their place of birth is located, the conferees have provided for the retention of citizenship in the case of such a citizen who has resided in the United States for 25 years subsequent to his naturalization.

With respect to the termination of dual nationality, the conferees accepted the language of the Senate provision relating to age and residence requirements for a dual national who lives in the foreign country of which he is also a national, but modified the language so as to remove any doubt that the loss of United States citizenship by a native-born, dual national could occur except by an affirmative act taken by him.

The conferees have also agreed to accept the provisions of the House version of the bill with respect to the establishment of a joint congressional committee to maintain surveillance over the administration and operation of the act and to carry on a continuing study of matters affecting the immigration and nationality policy of the United States. This provision was not contained in the Senate bill, but the conferees agreed to accept the House provision.

Mr. President, the bill, as reported by the conferees, is a strong bill which will not only provide a complete codification of all our immigration and nationality laws, but will provide this country with a sound immigration and nationality system. It is not an antialien bill as has been alleged by many, and, in most instances, merely reenacts into one law provisions which have been a part of our law for many years.

Mr. President, I feel that this is a good bill and that it does not, in any way, violate any rights guaranteed under the Constitution to persons in this country. This revision and codification of our immigration and nationality laws is long overdue, and this bill will help the United States maintain its preeminence among the other nations of the world, preserve its fundamental institutions, and provide fair treatment to those aliens who are accorded the privilege of coming to our shores.

I hope, Mr. President, that the Senate will speedily and by an overwhelming vote adopt this conference report. Let me say in conclusion that the conference report was adopted by the House of Representatives yesterday by a vote of 203 to 53.

Mr. LEHMAN. Mr. President, it is perfectly evident, of course, that there are sufficient votes to adopt the conference report, so that my associates and I do not intend unnecessarily to take up the time of the Senate with a detailed discussion of the provisions contained in the bill that has now been submitted to both Houses of Congress, or to point out

what we believe to be serious difficulties. I say point them out in a broad sense.

We prefer to make our fight, as we intend to do, in support of a possible veto of the bill by the President. As I have stated, we have no commitment from the President in any way, even though my associates and I have talked to him. But we are very hopeful that he will veto the bill and we are very confident that in that event the Senate will sustain the veto.

Mr. President, I shall not take up the time of the Senate in a detailed discussion of the conference report or of the bill as it now goes to the President, but I desire to speak briefly on the subject.

Mr. President, the conferees have reported an omnibus immigration and naturalization bill which fails by far to meet the basic and deep-seated objections of those of us who fought and shall continue to fight the enactment of regressive provisions into our immigration and naturalization laws.

This is an anti-immigration bill. It is an antialien bill. It still fixes into law the dangerous and un-American concept of second-class citizenship, drawing deeper the distinction between native-born and naturalized citizens, and transforming the grant of citizenship into a temporary license.

The McCarran-Walter bill is still replete with unwieldy administrative features. It still vests extreme and arbitrary powers for admission and deportation in the hands of administrative officials, without creating adequate review or appeals machinery.

The amendments accepted on the floor and included in the conference version and the efforts made by the conferees to ameliorate some of the more outlandish provisions of the McCarran bill do not, in any significant degree, cure the basic defects of this legislation.

That is shown very clearly in the report of the distinguished chairman of the Judiciary Committee, who pointed out that the main purpose of the conference was to reconcile certain differences which existed in the two bills.

Those defects are deeply buried and entrenched in the McCarran bill which is, by its nature and motivation, an antiimmigration bill, a bill specifically designed to create a second-class group of citizens by holding the fear of denaturalization over the heads of hundreds of thousands of naturalized citizens, a bill designed to give consuls and immigration officers virtually unlimited authority to exclude, and maximum authority to deport, with as little interference from impartial reviewing authorities as possible.

These defects cannot be cured by a few technical changes and by amendments specifically labeled by the conferees as "clarifying" in nature. The defects in the McCarran bill go to the very heart of the measure. They spring from the very nature of the bill, and are manifested by scores of provisions which outrage the very meaning of America, the very concept of America, as the melting pot, the home of justice and freedom.

Consuls are still given the authority to exclude persons on the basis of guess and prediction as to what the aliens might do after they come to America, "at any time in the future."

A score of new grounds for exclusion are added to present law, most of which are unnecessary, vague, and without legally reviewable or interpretable standards.

The same is true of deportation.

Naturalized citizens who within 5 years of naturalization join an organization which might become listed by the Attorney General as communistic-front are still penalized by denaturalization, although native-born citizens suffer no legal penalty for the same act or association. No showing of subversive intent or activity is required for the invocation of this terrible penalty.

Naturalized citizens who, within 10 years of denaturalization, refuse to testify before a congressional committee investigating subversive activities are likewise subjected to the penalty of denaturalization, regardless of the circumstances surrounding such refusal.

Subordinate branches of the executive department dealing with immigration matters are still required to report directly to a joint congressional committee, and to submit their rules, regulations, and practices to the jurisdiction of that committee, thus violating all principles of sound government practice and trespassing on the constitutional principle of the separation of powers.

There is a virtually endless number of such provisions in the bill worked out by the conference committee. This bill cannot possibly rise above its source. It is an anti-immigration measure. It is an antialien measure. The conference committee could not, whatever its desire, do more than remove some of the superficial blemishes. This bill requires not face-lifting but deep surgery and amputation.

We hope and expect that the President will veto this impossible measure. We are confident that Congress will sustain that veto.

Mr. HUMPHREY. Mr. President, I merely want to associate myself, as I have formerly, with the prepared statement, and with the remarks of the Senator from New York. The statement represents the views of some of us who were in vigorous opposition to the McCarran immigration bill. Of course, Mr. President, we are grateful to the conferees that there were some adjustments made in conference; but I may say, with equal candor, that some of those adjustments were pointed out and debated on the floor of the Senate for days, and we were told that there were no concessions to be made. I am happy that some concessions were finally made. I think it simply validates the point that the bill needed considerable improvement, fundamental improvement, if it were to be made palatable.

The unfortunate feature of the conference report is that the conferees have apparently done some refinishing of the interior, and some exterior decoration, but the architectural structure of the bill is identical with what it was before. It is still a bill which incorporates in it the provisions of the old law. It is still a bill which incorporates within it the standards of the 1920's, while we are living in the year 1952. It looks to the past and not to the future. It fails to take into consideration what has transpired in the world in the past decade, in terms of the tremendous number of refugees and expellees who are looking for a place which they may call home.

When the record of the debate is fully understood I am sure the substitute measure which was submitted by the Senator from New York [Mr. LEHMAN], myself, and other Senators, will represent what the American people really want, because it offers an opportunity to utilize unused quotas, a question which was argued so ably by the Senator from Rhode Island [Mr. PASTORE] and other Senators. It offers an opportunity to eliminate any racial discrimination, particularly in the oriental areas of the world. It offers an opportunity to bring to America, on a priority basis, a preference basis, persons who would be a great contribution to our national well being, such as scientists, and others who could be of great help to us. It is a desirable measure for compassionate reasons, because it offers an opportunity to reunite families, to take into consideration the parents of presently naturalized American citizens.

I shall not labor the point, Mr. President, except to say that on Monday of this week the Senator from New York [Mr. LEHMAN], the Senator from Michigan [Mr. MOODY], the Senator from Washington [Mr. MAGNUSON], and I went to see the President of the United States. We received no commitment from him, but we at least had an opportunity to state our case again and to urge him to veto the McCarran bill. It is my hope that he will veto the bill. If he does not, we shall have to recognize the fact that later we must take up again measures which are needed in terms of rectifying some of the inadequacies and injustices contained in this proposed immigration law.

Mr. President, I wish to repeat that, as the chairman of the Committee on the Judiciary has said, it is difficult and it takes a long time to write an immigration bill. It takes a longer time to rewrite one. Congress was 20 years or so in getting to this task. What we are asked to do now, by adopting the conference report, is literally to put into granite, in immovable, inflexible terms, a new body of immigration law. The tragedy of the whole situation is that history has been ignored. The facts of the last decade have been ignored. The tragedy that has overcome the world has been ignored.

As the chairman said, the proposal is to recodify the old law. But instead of relaxing some of it in terms of human need and human suffering, in terms of replenishing the physical and spiritual strength of America, a replenishment we could well stand, we would by this bill constrict and contract. We would shut the door; we should rather open it.

I would recall to the attention of the Senate a cartoon which I saw recently in the Washington Post by the illustrous political cartoonist, Mr. Herblock. It

showed the Statue of Liberty in a most unorthodox position. The Statue of Liberty, the Goddess of Liberty, ordinarily has her arms reached out to the people across the sea, beckoning and welcoming them to the shores of the United States, saying to them, in the words of Emma Lazarus:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, tempest-tost, to me.
I lift my lamp beside the golden door.

But Herblock took the Statue of Liberty, in the light of the immigration bill, and had the Goddess of Liberty literally standing on her head, kicking out one leg, and saying, in that posture, "Stay back. Stay back." In other words, the welcome mat had been turned upside down.

Mr. President, I think that is what has happened as a result of the conference agreement, and I regret it. In all sincerity, I say I am afraid we have made a great mistake. If the President should veto the bill, it is our intention to fight vigorously to sustain the veto.

Immigration policy is a matter of fundamental principle. It is a matter of our foreign relations. It is a matter of our own domestic relations.

As I conclude I wish to say that as America prepares for the leadership it is to give the world, every action we take in the world, in terms of human beings, colors or in some way or other affects our great foreign policy. The United States Senate is the custodian, so to speak, of the foreign policy. It helps to create foreign policy. Let us not for one moment forget that the immigration bill fundamentally affects the foreign policy of the United States. No amount of armament, no amount of dollars, can save America. What America needs today is what she has always needed—good neighbors, good friends, and a reservoir of good will. What America must set is an example of respect for human dignity, the dignity of the person.

I fear that in the bill and the conference report we have failed, unfortunately, to give due deference and due consideration to the intangible, spiritual, and political values so vital to our foreign relations and to the respect for us on the part of other peoples of the world.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5633) to approve a contract negotiated with the irrigation districts on the Owyhee Federal project, to authorize its execution, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6336) to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. COOPER, Mr. DINGELL, Mr. MILLS, Mr. REED of New York, Mr. WOODRUFF, and Mr. JENKINS had been appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7340) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 221) authorizing changes in the enrollment of the bill, H. R. 7340, in which it requested the concurrence of the Senate.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which is Senate bill 2594.

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

Mr. McCARRAN. Mr. President, before the Senator suggests the absence of a quorum, will he yield to me?

Mr. FULBRIGHT. I yield to the Senator from Nevada.

Mr. McCARRAN. There is pending on the calendar, by reason of action of the Committee on the Judiciary just a few days ago, a resolution to extend the time of the War Powers Act to the 15th day of June.

The PRESIDING OFFICER. The Chair wishes to call to the attention of the Senator from Nevada that the unfinished business is S. 2594, on which there is a time limitation.

Mr. McCARRAN. That is correct, but if I might get unanimous consent, the resolution to which I call attention may be taken up out of order and be adopted by the Senate.

Mr. CAPEHART. Mr. President, did the Senator say the resolution would extend the time until June 15?

Mr. McCARRAN. Until July 1. I beg the Senator's pardon.

Mr. CAPEHART. Is the resolution now on the calendar?

Mr. McCARRAN. As I understood, it was on the calendar, but after looking at the calendar it appears that it may not have been placed on the calendar.

The PRESIDING OFFICER. The Chair is informed that the resolution is on the calendar.

Mr. McCARRAN. I thought it was.

The PRESIDING OFFICER. The Chair asks the Senator to state the number of the resolution.

Mr. McCARRAN. We have tried to find it, but have not been able to do so. Until it is found, I do not wish to take up the time of the Senate. I will ask to be recognized later.

Mr. CAPEHART. I do not think there will be any objection to the proposal. However, I think we might well have the number of the resolution.

Mr. McCARRAN. I wish to make certain it is on the calendar, but I shall not take up the time of the Senate now.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Without objection, it is so ordered.

Mr. FULBRIGHT. I asked for the quorum call because we are about to deal with a very controversial matter, which was considered the other day. I hoped that Senators who were interested might be able to hear the explanation.

Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Arkansas will be stated.

The CHIEF CLERK. On page 3, after line 5, it is proposed to insert the following new section 102:

SEC. 102. Title I of the Defense Production Act of 1950, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 105 (a) In carrying out the policy of the United States as set forth in section 2 of this act, the President, by and with the advice and consent of the Senate, may appoint representatives to confer with other friendly nations in an effort to ascertain the existing and potential supply of materials useful in the economic mobilization of this and such other nations, as well as the most effective distribution of such materials in executing that policy. Upon a finding by the President, reached after a hearing at which interested parties may express their views, that pattern of international distribution recommended after such consultation is necessary or appropriate to promote the national defense and compatible with the best interests of the United States, he may, any other provision of law to the contrary notwithstanding, use the authority vested in him by this act to make it possible for this Nation to carry out the recommendations made by any such conference.

"(b) Subject to the provisions of subsection (a) of this section, nothing contained in this act shall impair the authority of the President under this act to exercise allocation and priorities control over materials

both domestically produced and imported and facilities through the controlled materials plan or other methods of allocation."

Mr. FULBRIGHT. Mr. President, after conferring with certain Senators, I wish to modify my amendment in a way which I think reaches more specifically the object I had in mind. On page 1, line 8, after the word "nations", I wish to insert the words "through the mechanism of the International Materials Conference"; and on page 2, line 8, I wish to strike out the word "law" and insert the words "this title."

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. FULBRIGHT. I should like to say a word about the parliamentary situation. Last Wednesday the Senate passed upon the amendment offered by the Senator from Michigan [Mr. FERGUSON]. It is my opinion that the Senate did not thoroughly understand the full implication of that amendment. My amendment is designed to be, and I think is, inconsistent with the amendment of the Senator from Michigan. After the adoption of the Senator from Michigan's amendment, a motion was made to reconsider the vote by which the amendment was agreed to, and a motion was made to lay that motion on the table, and the motion to reconsider was laid on the table. Therefore, there is no practical way I know of to modify it or limit it directly.

Therefore, I have offered this amendment with that objective in mind. If this amendment is adopted by the Senate, it will compel the reconciliation of the two amendments by the conferees.

I believe that if this amendment is adopted by the Senate, the conference, having before it the full record of the discussion on the two amendments, will reach a solution acceptable to the Senate. I wish to emphasize the seriousness of the effects of the amendment of the Senator from Michigan if it remains in the bill without change and without the adoption of the amendment which I have offered.

Before proceeding with the further discussion of my amendment, in order, I hope, to direct the attention of Members of the Senate to the seriousness of this situation, I should like to cite one or two statements with respect to the Ferguson amendment by those who have the responsibility for the defense program, and who, I believe, have no ulterior motives, and no motive other than the service of their country.

The first is a letter dated June 10, from the Secretary of Defense, Mr. Robert A. Lovett. It is addressed to the chairman of the committee, and reads as follows:

THE SECRETARY OF DEFENSE,
Washington, June 10, 1952.

Hon. EURNET R. MAYBANK,
Chairman, Committee on Banking and Currency, United States Senate.

DEAR MR. CHAIRMAN: I understand that the Senate is expected to resume today its consideration of the extension of the Defense Production Act and that efforts will be made to reconsider or modify the amendment offered by Senator FERGUSON and approved by the Senate last Wednesday.

As the head of the Department of Defense, I should like to emphasize to you and Members of the Senate the damage which, I believe, the Ferguson amendment would do to the defense-production program. I am of the opinion, based upon the best available advice, that it would make impossible the effective operation of the controlled-materials plan, which as you know, is an indispensable part of our whole mobilization effort.

Very sincerely yours,
ROBERT A. LOVETT.

Under the circumstances, I do not think the Senate ought to ignore the opinion of the principal officer of the Government responsible for the defense program.

I wish also to emphasize that the Committee on Banking and Currency considered this amendment and did not accept it. There was not sufficient support in the committee to require a roll-call vote. As I recall, on a voice vote there was only one vote for the Ferguson amendment. In other words, the Committee on Banking and Currency gave very serious consideration to the amendment, and voted it down. I think it is a great responsibility for the Senate to undertake to pass upon a very complicated subject and to adopt an amendment which upsets the committee's judgment, and which some of the chief officers of the Government say is very dangerous to the defense effort.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FULBRIGHT. The Senator knows that my time is very limited.

Mr. CAPEHART. I am very happy to allow the Senator to yield on my time.

Mr. FULBRIGHT. I am glad to yield on the Senator's time.

Mr. CAPEHART. Mr. Lovett says the Ferguson amendment will do what?

Mr. FULBRIGHT. Let me read the entire paragraph:

As head of the Department of Defense, I should like to emphasize to you and Members of the Senate the damage which, I believe, the Ferguson amendment would do to the defense production program. I am of the opinion, based upon the best available advice, that it would make impossible the effective operation of the controlled materials plan, which as you know, is an indispensable part of our whole mobilization effort.

Mr. CAPEHART. Mr. President, does the Secretary of Defense give any facts or reasons why he believes it would do so?

Mr. FULBRIGHT. That is practically the whole letter.

Mr. CAPEHART. I should like some facts and information.

Mr. FULBRIGHT. I shall attempt to give the Senator some facts.

Mr. CAPEHART. I do not like to have Mr. Lovett, or anyone else, come to the Senate and say that a provision adopted by the Senate will not work. Period. I want some facts and information. He may well be right, but for anyone to say a provision will not work, and not support his statement by facts, does not go very far with me. He may be right, as I say, but I want some facts.

Mr. FULBRIGHT. I will give the Senator some facts.

Mr. CAPEHART. Let us have the facts which show that the Ferguson amendment will not work.

Mr. FULBRIGHT. The Senator from Indiana says in effect that the Senate should not have any regard for what the Secretary of Defense says.

Mr. CAPEHART. Not at all; but I think we ought to have the facts. Conversation is cheap, but facts are a little harder sometimes to come by. Let us have the facts.

Mr. FULBRIGHT. In other words, the Senator is saying that the conversation of the Secretary of Defense on a matter of vital importance is cheap and of no significance.

Mr. CAPEHART. Not at all. He says the Ferguson amendment will not work. At least he should point out why.

Mr. FULBRIGHT. I shall point it out very clearly. As a preliminary to my argument it seems to me that the opinion of some of the most responsible and most respected members of the Government—and I would say that if any of our Government officials are nonpolitical, those I have in mind are—should be respected.

Along the same line, Mr. President, I wish to put into the RECORD a letter from the Deputy Administrator of the Petroleum Administration for Defense. The letter is written by Mr. Edward Warren, who is the Deputy Administrator. The organization is primarily made up of men from the petroleum industry. They are not regular Government employees. While I have confidence in most Government employees I know that there are Members of the Senate who feel that regular employees of the Government are influenced by the administration's policy.

It is a very long letter, containing facts. If the Senator would care to have it, I shall be glad to let him read it. I cannot in 15 minutes of debate take time to read the letter. I shall put it in the RECORD and then hand it to the Senator from Indiana, so that he may read it.

Mr. CAPEHART. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I shall be glad to yield in the Senator's own time. I cannot yield further on my own time.

Mr. CAPEHART. I am perfectly willing to yield some time to the Senator from Arkansas. I think the matter is so important that I ask unanimous consent that 30 minutes be allowed to a side for debate on this important amendment.

Mr. FULBRIGHT. I am very glad to support the Senator in his request.

Mr. CAPEHART. I am trying to get the facts. The Secretary of Defense may be right, but we should have the facts before us.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Indiana? The Chair hears none, and 30 minutes of debate is allotted to each side on the pending amendment.

Mr. FULBRIGHT. I appreciate the Senator's making the request. This is a letter from the Petroleum Administration for Defense. I do not think it is necessary to read all of it, but I shall read excerpts from it and make all the

letter available to the Senator from Indiana and then put it into the RECORD.

I wish to read one or two paragraphs:

The first sentence of the amendment affirmatively stated seems to me to mean that if any commodity is in sufficient supply to meet needs for direct defense, stockpiling and military assistance to foreign nations, then no control may be exercised with respect to the purchase of that commodity from a foreign country and its importation or use in the United States. Most petroleum products are in adequate supply for direct defense, stockpiling, and foreign military needs. The strike situation has already posed, however, a perplexed problem as to the adequacy of the supply of residual fuel to the east coast during the ensuing winter season.

Mr. President, I wish to call this point particularly to the attention of the Senators from New York and to any other Senator who represents a State on the east coast. The situation has arisen before with respect to the power to direct fuel oil to the east coast when it was most critically needed there. So the Administrator thinks a very grave question exists whether the Ferguson amendment would destroy the power of the Petroleum Administration for Defense to direct oil into a critical area.

He continues:

The second sentence of the proposed amendment seems to me to mean that no restriction of any kind may be imposed under the allocation powers if the domestic production of a commodity is sufficient to meet domestic civilian requirements and the direct defense, stockpiling, and foreign military requirements. Examining the situation—

I call this particularly to the Senator's attention—

Examining the situation of aviation gasoline, I have some question as to whether, if needed, we would under this amendment be able to propose adequate over-all distribution control; and I further have question as to whether our existing orders requiring maximization of aviation gasoline production could be continued in effect.

This is the considered opinion of the Administrator of the Petroleum Administration for Defense. He feels that the second sentence of the Ferguson amendment would nullify the orders in effect on the control of aviation gasoline and the orders requiring refineries to maximize their production of that particular type of gasoline. The letter continues:

It is, I believe, quite conceivable that existing aviation gasoline production can be considered adequate to meet our present military demands and present domestic civilian demands even though it is in tight position insofar as the total world supply is concerned. Using the standard set up in the proposed amendment, it would probably be necessary to eliminate our existing controls with respect to aviation gasoline insofar as lead content is concerned and the command to maximize use of components in making aviation gasoline. The result would be a diminution in supply of the product without any effective means of assuring the channeling of the lessened supply to the places where it was most needed. You will recall in the case of aviation gasoline that the United States produces approximately 90 percent of the total supply of this commodity that is used throughout the world.

I may say that this situation is somewhat similar to the situation with respect to sulfur.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. Yes; but only for a question. The Senator will be able to speak in his own time.

Mr. FERGUSON. How can the reason stated by the Administrator possibly apply to the second sentence of the amendment? That sentence does not apply when the supply is not sufficient for stockpiling, war production, and civilian production. There would have to be a sufficient supply on hand for every need in America. How could there be a shortage under such conditions? If there were a shortage of any kind in civilian, military, or foreign-aid requirements, or in any other respect under that section, the Ferguson amendment could not apply.

Mr. FULBRIGHT. It does apply to sulfur. I am sure the Senator from Michigan intended it to apply to sulfur.

Mr. FERGUSON. Yes; I did.

Mr. FULBRIGHT. The sulfur supply situation is almost identical with that of aviation gasoline. We make more than enough aviation gasoline to supply our defense needs. But there are other uses for sulfur and aviation gasoline. For example, there is the domestic use of aviation gasoline, or a nonessential use so far as the war effort is concerned.

Mr. FERGUSON. The amendment does not say "ordinary civilian uses." It says "civilian uses." Does the Senator from Arkansas contend that we should shut down American air lines and allow other air lines in competition with them to fly and use the gasoline?

Mr. FULBRIGHT. No; I do not contend that at all. We are confronted with a situation, as the Administrator says, in which the refineries are required to maximize their production of aviation gasoline. Since there is an adequate supply for the purposes the Senator has mentioned, this provision is interpreted—and properly so, I believe—as requiring that all restrictions must be removed.

I would say that exactly the same point is made by the writer of the letter and I need not read all of it, in view of the time limitation—in the case of oil country tubular goods. In other words, the supply of tubular goods has been rationed. I would not say there is a shortage which prevents the meeting of the really essential needs in the United States, but many of those who wish to drill oil wells are restricted at this time. There is great activity—virtually a boom—in the oil business, and there has been serious difficulty in properly allocating those materials, particularly in the allocation of tubular goods to the wildcat operators, the small operators, the ones who really bring about an increase in the oil resources of the Nation. Mr. Warren makes the point that the amendment of the Senator from Michigan would prevent the allocation of tubular goods, and would have very severe effects upon the smaller operators in that business.

Mr. President, I ask unanimous consent to have Mr. Warren's entire letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
PETROLEUM ADMINISTRATION FOR DEFENSE,
Washington, D. C., June 9, 1952.

Memorandum To: Secretary of the Interior and Petroleum Administrator.

From: Deputy Administrator.

Subject: Amendment to priorities and allocations powers of the Defense Production Act of 1950 as amended (Ferguson amendment)

On June 4, 1952, the Senate, by a vote of 43 to 40, agreed to an amendment of section 101 of the Defense Production Act of 1950, as amended. As I understand it, the purpose of this amendment was to relieve the United States from obligations with respect to the International Materials Conference that had previously been undertaken pursuant to the Defense Production Act. Regardless of the merits of this particular matter, the prospective amendment has far reaching consequences if incorporated in the final version of the legislation.

The ramifications are too difficult to handle intelligently in a short memorandum. A few illustrations, however, will suffice to show the administrative problems which the amendment poses and the possible consequences in terms of equity and fair play in situations where materials remain over-all in short supply. Contrary to the impressions conveyed in the legislative debate, which was limited almost exclusively to the right of an American company to purchase a single commodity—copper—abroad, the amendment goes to the heart of the allocation powers as related to all commodities.

The first sentence of the amendment affirmatively stated seems to me to mean that if any commodity is in sufficient supply to meet needs for direct defense, stockpiling and military assistance to foreign nations, then no control may be exercised with respect to the purchase of that commodity from a foreign country and its importation or use in the United States. Most petroleum products are in adequate supply for direct defense, stockpiling and foreign military needs. The strike situation has already posed, however, a perplexed problem as to the adequacy of the supply of residual fuel to the East Coast during the ensuing winter season.

Under this amendment presumably residual obtained from foreign sources (Curaçao and Aruba) cannot be allocated on any equitable basis to consumers, nor can companies be directed to perform distribution of foreign material in accordance with an equitable allocation scheme, even though with respect to the commodity over-all, including portions derived the East Coast or Gulf Coast production, allocations would be necessary in order to assure equitable distribution and prevent dislocations in essential shipping and industrial activities. It is perfectly obvious that this would permit the larger consumer to accumulate stocks to use at his will and would place the small user in an impossible position with respect to obtaining adequate minimum supplies if allocations should be necessary. Such a discrimination based upon the source of material does not seem to be in keeping with the spirit of fair play or any general spirit of sound allocation common to the American system, under which all users of a common commodity are treated relatively alike according to their needs and relationships.

The second sentence of the proposed amendment seems to me to mean that no restriction of any kind may be imposed under the allocation powers if the domestic production of a commodity is sufficient to meet domestic civilian requirements and the direct defense, stockpiling, and foreign military requirements. Examining the situation of

aviation gasoline, I have some question as to whether, if needed, we would under this amendment be able to propose adequate over-all distribution controls; and I further have question as to whether our existing orders requiring maximization of aviation gasoline production could be continued in effect.

It is, I believe, quite conceivable that existing aviation gasoline production can be considered adequate to meet our present military demands and present domestic civilian demands even though it is in tight position insofar as the total world supply is concerned. Using the standard set-up in the proposed amendment, it would probably be necessary to eliminate our existing controls with respect to aviation gasoline insofar as lead content is concerned and the command to maximize use of components in making aviation gasoline. The result would be a diminution in supply of the product without any effective means of assuring the channeling of the lessened supply to the places where it was most needed. You will recall in the case of aviation gasoline that the United States produces approximately 90 percent of the total supply of this commodity that is used throughout the world.

One of our major difficulties at the present time insofar as increasing aviation gasoline supply and production of petroleum products in general is concerned, is that our refining program is not measuring up to schedule. This has largely been due to the fact that there have been delays in obtaining materials. Some of these materials are in the raw forms of basic metals such as copper, steel, and aluminum and the like, also using critically short supplies of copper, steel, and aluminum. Under the proposed amendment, there is grave difficulty as to the future effective operation of the CMP plan insofar as commodities essential to the creation of new facilities are obtained from abroad.

Thus, for example, copper, as to which at least one-third is obtained from abroad, would as to that portion no longer be subject under this amendment to allocation control in the United States. The direct effect upon our construction program in the use of raw copper would be substantial. The indirect effect upon critical products, such as heat exchangers, necessary to the program, would be even greater. To distinguish between products containing foreign copper and identical ones containing domestic presents an insurmountable administrative burden. The result could only be that the finished products would go to the persons having greater purchasing power and manufacturing relationships, which, of course, is neither necessarily consonant with defense needs nor in accord with equitable and appropriate distribution among classes of industry, large and small, as otherwise commanded in the Defense Production Act.

Oil country tubular goods is an example of how this situation could work to the detriment especially of the smaller producers as well as of the program as a whole. As you know, the smaller producers, so-called independents, drill the larger proportion of wildcat wells. It is they who basically make the greater proportion of new discoveries of new oil fields in this country upon which our reserve capacity, already lagging behind program objectives, so greatly depends. It is quite conceivable that in the near future the production of oil country tubular goods would be sufficient to satisfy in full domestic civilian requirements, assuming no exports, in which case the entire allocation scheme with respect to oil country tubular goods would have to go by the board. Of course the entire foreign program and its relationship to the domestic program would also necessarily go by the board.

The result would be similar to the uncontrolled result prior to the defense program when oil country tubular goods were in short supply and when the large companies accumulate sizable inventories of the commodity in anticipation of shortage, based upon their superior purchasing arrangements with the mills. The smaller segments of the industry would, if the amendment were adopted, not receive the same proportion of new production that they are now receiving, and ultimately they would have to obtain their additional quantities of oil country tubular goods from the higher cost conversion production or from foreign imports also at high cost.

There are, of course, additional implications but all of them are patterned after the illustrations that have been given above. The significant thing is that this amendment can make it administratively impossible to do an equitable distribution job and, with respect to particular commodities, can have such an effect that the result is directly opposed to the best interests of this Nation in carrying through its defense program. Because these implications are so broad in character, it seems appropriate that Congress take some action to narrow, if not completely to remove, the scope of the present adjustment.

I understand that the Defense Production Administration and the National Production Authority, which are even more concerned with this matter than PAD since they have many more orders which would be adversely affected, have worked out language which, while not wholly satisfactory, at least will, in a measure, preserve the necessary allocation powers. I have not considered the full import of that language, but I think in view of the time, that I am prepared to stand behind the language as proposed by DPA and NPA.

I would consider it highly desirable, if possible, to have the entire matter rereviewed by the Congress so that the import of the present amendment could be considered and the necessary powers be retained in a form which will provide for their equitable use and which will minimize the adverse effects upon our existing defense production program.

J. ED WARREN,
Deputy Administrator.

Mr. FULBRIGHT. Mr. President, some question has been raised about what the Senator from Michigan said the other day regarding a statement by Mr. Manly Fleischmann, who formerly was Administrator of the Defense Production Administration. Therefore I wish to read at this time from a letter under date of June 10, addressed by Mr. Fleischmann to the chairman of the Banking and Currency Committee. I shall not read the introductory part of the letter, which throws no light on the matter now before us; I merely point out that in the first paragraph Mr. Fleischmann says that his attention was called to the remarks made by the Senator from Michigan.

I now read from the letter:

Senator FERGUSON is reported to have said that I had stated that the mobilization effort would not collapse if we "got rid" of the International Materials Conference, and that, accordingly, the statement of Mr. Henry H. Fowler, Administrator of the Defense Production Administration, as reported in the press—that the Ferguson amendment would cripple the mobilization effort—was not a fact. This indicates a sharp misunderstanding as to the effect of this amendment. It was described by its sponsor in the debate in the Senate prior to its adoption, and in statements since made by Senator FERGUSON, as being directed at the participation of this country in the International Materials Conference. I would like to call your attention, however, to the fact that the International Materials Conference is not mentioned anywhere in the amendment, and particularly to the fact that this amendment will not prevent American participation in the International Materials Conference. Its actual effect will be to destroy the operation of the controlled materials plan without which the Nation's mobilization effort in the current supply situation becomes impossible. In addition, the second sentence of the amendment will effectively tie this Nation's hands in the international competition for strategic materials, without which no nation can survive in the modern armaments race. One of the basic objectives of the Defense Production Act is to avoid the wild scramble for scarce materials that would inevitably ensue in the absence of an allocation system such as the controlled materials plan, which will insure a fair and equitable distribution of these materials not only for defense but also for the civilian economy. This is not only my judgment but represents also that of the Defense Production Administration, NPA, the Department of Defense, and other Government defense agencies.

I reiterate what I said as to the International Materials Conference—that its elimination insofar as this country is concerned, although in my opinion most unfortunate, would not result in a collapse of our mobilization effort. At the same time, I concur fully with Mr. Fowler's statement that the effect of this amendment would be to make the operation of the controlled materials plan impossible, and that I believe would have disastrous effects on our mobilization program.

Mr. CAPEHART. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. CAPEHART. The amendment of the Senator from Michigan provides in substance that when there are not sufficient materials for specific purposes, the businessmen of the Nation may then go into the world market and may buy whatever materials they can purchase there, at whatever price they have to pay. Is that the understanding of the Senator from Arkansas of the amendment?

Mr. FULBRIGHT. I think that is correct, for those particular purposes. In other words, we are talking about the first part of the amendment.

Mr. CAPEHART. Is not that what the amendment provides? I assume that the amendment will interfere with the controlled materials plan, in that if American businessmen make purchases of materials abroad, they will bring them into the United States, and under those circumstances the American businessmen would have available to them more materials than would be available to their competitors or other businessmen in the United States, who were given allocations. Is that the big argument against the amendment, from the standpoint of the controlled materials plan?

Mr. FULBRIGHT. I have before me a statement which I can submit in connection with this matter. For instance, let us consider copper. We know that if the amendment had any purpose at all, its purpose was to make copper available to American businessmen who wished to obtain it. I think the statement which I now have before me will clarify my position, at least.

I may say that copper is one of our principal needs in connection with our defense program; and in connection with the program for the manufacture of ammunition, copper is one of the commodities in the shortest supply. Copper is the most critical defense item.

I now read from the statement or memorandum:

The first sentence of the Ferguson-Sadlak amendment prohibits Government allocation of any material coming from foreign sources when domestic production of that material is sufficient to meet defense needs, foreign military, and stockpiling requirements. Our domestic production of copper is in fact sufficient to meet those three specific requirements, if we disregard essential industry and civilian requirements, which are not mentioned in the first sentence. Accordingly, it is clear that foreign copper could not be allocated under the amendment.

I assume that we are agreed up to that point. We are, are we not?

Mr. CAPEHART. That is what I was asking.

Mr. FULBRIGHT. Yes.

I read further from the memorandum:

What does this mean? Foreign copper amounts to approximately one-third of our total supply.

I think that is undisputed. In round numbers, we produce two-thirds of our domestic requirements, and we import one-third of our domestic requirements.

Then the memorandum states:

The essential feature of the controlled materials plan is the allocation of total supply among all competing demands. It is clearly impossible to allocate two-thirds of the supply, which is what would have to be attempted under the Ferguson-Sadlak amendment, without abandoning the controlled materials plan, as it has been operated according to the Defense Production Act.

Mr. CAPEHART. Mr. President, will the Senator yield to me for a moment?

Mr. FULBRIGHT. First, I should like to finish reading from this memorandum.

Mr. CAPEHART. I think this point is clear to me.

Mr. FULBRIGHT. I read further from the memorandum:

If we allocate that portion only, it would have to go to military and other highly essential defense-supported needs. We could not allocate any domestic copper to the ordinary civilian economy, including such important needs as schools, hospitals, commercial construction, housing, and manufacturers of civilian products requiring copper; such users, many thousands in numbers, including the great bulk of small manufacturing concerns using copper, would have to be confined to using such foreign copper as they could purchase in the foreign market against the competition of large users, particularly automobile manufacturers and purchasing agents of other governments. It is quite clear that the controlled materials plan could not operate under such conditions and would have to be abandoned immediately in favor of the complicated and unsuccessful priority system which had to be jettisoned during the early part of World War II.

I think that summarizes the situation.

Mr. CAPEHART. How does the amendment of the Senator from Arkansas correct that situation?

Mr. FULBRIGHT. In all fairness, I think the Senator from Indiana should speak in his own time, because several Senators on this side have asked me for time.

Mr. FERGUSON. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I do not wish to cut off the discussion; but I believe that in all fairness we should divide the time required for a discussion of this kind, because there are other points which I wish to make.

Mr. FERGUSON. When the Senator read the so-called Ferguson amendment he interpreted it—particularly the first sentence—as relating to military needs. The allocations for defense are made on a much broader basis; they are not confined to military needs, but are made in order to fill whatever are determined to be the defense needs.

Mr. FULBRIGHT. Would the Senator consider his amendment to include schools, hospitals, commercial construction, housing and so on?

Mr. FERGUSON. Some of them certainly would be included.

Mr. FULBRIGHT. If the word "defense," implies nothing specific, that would nullify the whole provision. If the Senator were to interpret it in that way, then I think his amendment would mean nothing and would not accomplish the purpose he is seeking. But I do not believe any reasonable court could interpret the word "defense" so broadly as to include all schools, commercial buildings, hospitals, housing and so on.

The PRESIDING OFFICER. The Chair advises the Senator from Arkansas that he has 5 minutes remaining.

Mr. FULBRIGHT. I think the Chair must be in error. Under the unanimous-consent agreement, the time is extended to 30 minutes. Have I taken 25 minutes? I also call the attention to the Chair to that fact that in the first exchange with the Senator from Indiana he asked that it be in his time.

Mr. CAPEHART. Mr. President, as acting minority leader, I have 30 minutes, so I will yield another 5 minutes of our time to the Senator from Arkansas. I am very generous today.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes more.

Mr. FULBRIGHT. Mr. President, may I ask the Chair whether the timekeeper took out of my time the first exchange with the Senator from Indiana? The Senator from Indiana asked that it be taken out of his time. He has given me 5 minutes, but, I think his request that the time referred to be charged to him certainly ought to be allowed.

The PRESIDING OFFICER. The Senator from Arkansas has 10 minutes remaining.

Mr. FULBRIGHT. Mr. President, I had made, I think, the point that there are many other angles to the copper situation, but there is a similar situation in regard to aluminum, although not one-third of our aluminum is foreign aluminum, but only about 10 percent.

The second part of the Senator's amendment would eliminate the present distribution of sulfur supplies. Sulfur is a critical commodity, but of it we produce an exportable surplus. If, under the Ferguson amendment, we should have to withdraw from any allocation of sulfur to other countries which provide us with rare metals, such as cobalt, nickel, and tungsten, which are very important items in our defense program, then, of course, we would be the greatest sufferer. We could keep all our sulfur, to be used in many nonessential ways, but we would give up any claim or any right to acquire the metals I have mentioned.

Mr. President, I have before me a typical telegram, or message. It is addressed to the Senator from Virginia [Mr. ROBERTSON], and I should like to emphasize the aspect of the question to which it relates. The telegram reads as follows:

LYNCHBURG, VA., *June 9, 1952.*

Senator WILLIS A. ROBERTSON,
Senate Office Building:

Respectfully urge you help protect small business by supporting effort to revise Senator FERGUSON'S amendment to section 101 of Defense Production Act. This amendment, if allowed to stand, would in effect result in abandoning allocation of copper and thus kill printing and publishing industry's present assurance of minimum adequate supply of copper. If military takes all domestic supply and large industries able to pay any price buy up entire foreign supply then small businesses like printing and publishing would be in danger of getting no copper at all, thus jeopardizing thousands of small businesses and the jobs of tens of thousands of their employees.

LYNCHBURG ENGRAVING CO.,
ARTHUR MEIDLING, *President.*

Mr. President, I should like to conclude. Of course, there will be other Senators on this side of the aisle who will want to speak on my amendment.

Mr. MOODY. Mr. President, if the Senator will yield, I think the question presentation by the Senator from Arkansas is one of the most important that has been before the Senate this year. I realize that we have had one quorum call, but I should like to have more Senators present to hear the conclusion of the statement of the Senator from Arkansas. Would the Senator from Arkansas yield for that purpose?

Mr. FULBRIGHT. No. I appreciate the remarks of the Senator from Michigan; but we tried that once, and the Members will not respond to a quorum call. I think it would only waste the time of the Senate. I appreciate the Senator's suggestion.

I merely want to emphasize again that I do not believe the Senate understood the full implication of the amendment offered by the Senator from Michigan. I engaged in that debate, and I followed it quite carefully. Our attention was focused upon the International Materials Conference, and it was thought that the principal effect of the amendment offered by the Senator from Michigan would be in regard to the International Materials Conference. I did not realize in the course of that debate that it would have the effect of destroying the controlled materials plan. I do not believe the Senate and the Congress really desire to destroy the controlled materials plan. I leave only this thought, that if the Senate should adopt my amendment, it would not automatically nullify the Ferguson amendment. The only effect

would be that there would be in the bill two inconsistent amendments which would have to be reconciled, and an acceptable result obtained. That will have to be done. It could be done by the House, or, more likely, in conference.

I notice that Representative SADLAK has proposed in the House an amendment which is identical with the amendment proposed by the Senator from Michigan. If through oversight or because of the rush at the end of the session that amendment should be adopted, then there would be no possibility, unless my amendment were adopted, of doing anything with respect to the Ferguson amendment. We would be bound by it, and either the President would have to accept it with all the consequences, or he would have to veto the bill.

So I think there is but one sensible thing to do, and that is to adopt my amendment. Even though some Senators may have doubts about the opinion of the Secretary of Defense and the Administrator of the Petroleum Administration for Defense, and the Secretary of the Interior—there is another letter here, I may say, which has reference to the electric power program in which he is also particularly interested—at least we should give them the benefit of the doubt and adopt my amendment, so that the matter will be in conference, and then, after further deliberation and additional consideration by the members, the problem could be resolved and a solution reached.

If, after such a process of deliberation I should be proved to be wrong, and the matter could not otherwise be straightened out, my amendment could be eliminated, because it would be in conflict with the amendment of the Senator from Michigan. But I think we at least own that much deference to the leading and responsible members of this administration, who are trying to administer the defense production program. So I submit that even for those who think that I may not be entirely correct, they still are justified in voting for my amendment, in order that the question involved may be given further study.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Assuming the correctness of everything the Senator from Arkansas says about the allocation and the acquisition of scarce commodities, and so on, the amendment proposes that the Senate give its consent to the appointment by the President of representatives to a group, which I understand is an informal group, not authorized in any way by law, or set up under any treaty we have ratified. I say this as a member of the Appropriations Committee, because in checking up on how the money was appropriated to this activity, I find there is no way by which money can be appropriated, except by using the emergency fund. In other words, for the first time, I believe, although I do not know positively, the consent and advice of the Senate is being asked to authorize the appointment of representatives to an organization which does not exist legally.

Mr. FULBRIGHT. I may explain the reason for the provision referred to by the Senator from Massachusetts. It was the only way I could think of by which to give the Senate what I call a veto power on the appointment of representatives to the International Materials Conference. I may say the Senator is quite right, it is an informal group, it has no statutory authorization, and it carries no legal obligation. What happened was that in the early part of last year certain persons, such as Mr. Fleischmann, Administrator of the National Production Authority, or Mr. Charles E. Wilson and others, representing other nations concerned with mutual defense, got together informally and said, there is a terrible situation. Since Korea, there has been a mad scramble for all strategic materials, and prices have gone up out of sight on such items as cobalt, tin, copper, rubber, and so on. Let us see if we cannot agree on a plan which will bring about an equitable distribution. My amendment would give the Senate more authority than it has had, a more effective check upon these matters.

Mr. SALTONSTALL. Mr. President, will the Senator from Arkansas yield for one more question?

Mr. FULBRIGHT. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. It seems to me, even though I may agree with what the Senator has said with respect to other aspects of the subject, that to vote to put the Senate in such a position would be highly questionable, because it would appear to me to be stretching the Constitution, or stretching the law, if the question is not a constitutional one. That is emphasized by the fact that the State Department cannot ask for a direct appropriation for the body which has been referred to, because it does not legally exist.

Mr. FULBRIGHT. I do not see why the Senator's committee has to make any appropriation. If the committee is opposed to it, I would assume that it would vote against it.

There is no compulsion upon the Senate to agree to the appointment of representatives under my amendment. The Senator well knows that the purpose of the amendment is to throw the matter into conference so that some solution can be worked out. I would be the last person to state that every word of the amendment is a final solution.

I was amazed that the Senate was so confused that it adopted the Ferguson amendment. Something had to be done about it. A motion to reconsider it was laid on the table that night. The amendment was adopted by a margin of only 3 votes. So all Senators were not confused. But, in any case, something must be done about it. I am trying to reach it in a parliamentary manner.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. FERGUSON. Mr. President, I yield 10 minutes to the Senator from Delaware [Mr. FREAR].

Mr. MAYBANK. Mr. President, I send an amendment to the desk which I ask to have stated.

The PRESIDING OFFICER. Under the previous ruling, the amendment of the Senator from South Carolina is not in order.

The Senator from Delaware is recognized for 10 minutes.

Mr. CHAVEZ. Mr. President, will the Senator from Delaware yield so that the Senate may dispose of a conference report? I do not think it will take more than 5 minutes.

Mr. FREAR. I yield for that purpose.

CONTINUANCE OF CONSTRUCTION OF HIGHWAYS—AMENDMENT OF FEDERAL-AID ROAD ACT, 1916—CONFERENCE REPORT

Mr. CHAVEZ. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7340) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The report was read.

(For conference report, see House proceedings of June 10, 1952, pp. 7055–7057.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CHAVEZ. Mr. President, the agreement reached by the Senate and House conferees on the highway bill, H. R. 7340, is a compromise under which the conferees adopted on some items a figure falling part way between the respective figures approved in the Senate and House versions of the bill. On other items, the Senate conferees were unable to persuade the House conferees to recede from their position, and the House version was accepted in order to reach agreement on the bill as a whole. On some items, the situation was reversed and the House conferees accepted the Senate version. In my opinion, the conference agreement represents a reasonable compromise and it gives us a sound bill for continuing the Federal-aid highway program for another 2-year period.

There are 12 principal authorization items in the bill. Three of these were not in conference. As to the nine items in conference we were able to hold to the Senate's position on three of them. On three others, we agreed upon a compromise figure, and on the remaining three items, we had to recede to the House figures. So the net result was about a 50–50 split between the positions of the Senate and House.

I think we now have a good bill the best bill we can get under the present circumstances. I ask for the Senate's approval of the conference report.

Mr. FERGUSON. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. FERGUSON. Is the Rama Road included in the report?

Mr. CHAVEZ. The House version is included, but not the proposal recommended by the Senate committee.

Mr. FERGUSON. Will the Senator explain to the Senate what the provision is with reference to the Rama Road?

Mr. CHAVEZ. The Senator will recall that the Senate committee recommended an outright authorization of $8,000,000. The House provision was $2,000,000 for two consecutive years. We compromised on the House version.

Mr. FERGUSON. Mr. President, I shall want to speak on this matter for some time, and I therefore suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. FERGUSON. Mr. President, I ask unanimous consent that I may make an inquiry of the distinguished Senator from New Mexico, who is in charge of the conference report.

The PRESIDING OFFICER. The Senator from Michigan will suspend. A quorum call is in progress.

Mr. FERGUSON. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded and that further proceedings in connection with the order be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. FERGUSON. Mr. President, my question is, will the Senator from New Mexico withdraw his report until we finish with the amendment now pending?

Mr. CHAVEZ. I understand that the pending amendment will be under consideration for only a short time, so I withdraw the report for the present.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. FREAR. Mr. President, the change or modification made by the Senator from Arkansas in his amendment certainly improves the amendment. I believe, however, that basically there is much in the amendment that should be discussed, and I seriously doubt that the Senate can vote intelligently upon an amendment such as the one the Senator from Arkansas has proposed after a debate of only 30 minutes to each side. Therefore, if we discuss the amendment, we had better do so in very plain language. Then it could be rejected or it could be referred to committee, or some other disposition made of it, rather than have it become law.

Mr. President, it is necessary for me to disagree to the amendment which the Senator from Arkansas has just ably discussed.

First of all, the effect of his proposal is to repeal the Ferguson amendment, which was approved by the Senate on Friday of last week. However, as I interpret the new amendment, it does much more than to allow continuation of the International Materials Conference, and I hope that the Senate will note its implications quite carefully.

In the first place, the amendment speaks of economic mobilization and what may be done to insure its accomplishment under the provisions of this proposal. Why does the amendment speak initially of economic mobilization but not mention military mobilization? Does the amendment intend to give the President sufficient authority to direct economic mobilization, whether for defense or nondefense purposes, in any nation of the world?

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. FREAR. If the Senator will permit me to do so, I should like to finish my statement.

Mr. FULBRIGHT. Will the Senator yield in order to permit me to suggest a correction in his statement?

Mr. FREAR. Yes; I yield.

Mr. FULBRIGHT. Does the Senator seriously mean to say that my amendment would repeal the Ferguson amendment? That is not quite correct, is it?

Mr. FREAR. In substance, that is about what it would do.

Mr. FULBRIGHT. It is simply inconsistent with it. I think some adjustment would have to be worked out.

Mr. FREAR. There may be some provisions that are alike, but there are still many differences.

Mr. FULBRIGHT. I agree that there are differences, but my amendment would not repeal the Ferguson amendment.

Mr. FREAR. I still submit to the Senator from Arkansas that that would be the effect of his amendment.

Mr. FULBRIGHT. That is the intended effect, but, unfortunately, I cannot repeal the Ferguson amendment.

Mr. FREAR. I am sorry if the Senator thinks it is unfortunate.

Mr. President, does the United States intend to assume responsibility for the economic destiny of every other country on the face of the earth? As I understand the amendment, it would allow representatives of this country, together with those of other nations, to discuss the utilization of any type of material which they desire. This certainly takes in all agricultural and mineral products, and may also include manufactured goods. We have been speaking of copper, but cotton and wool are already under the IMC.

I am also deeply concerned because the provisions of the amendment allow committees of international representatives to discuss the effective distribution of any materials. In other words, those representatives would have the authority to say what is best for the whole world. I ask the Senate whether we are ready to abandon free competitive world markets, which historically have set the prices and determined the distribution of available materials. I remind the Senate that on Monday of this week we reaffirmed our faith in free competitive enterprise when we approved the MSA bill, which specifically urged European countries to abandon cartel practices which they have followed for many years. By any stretch of the imagination does the Senate believe that such a group of men, no matter how competent, how endowed, how distinguished, how industrious, can plan the lives of more than 2,000,000,000 people? Mr. President, this amendment is in essence a declaration of belief in world planning or world socialism. It also should be noted that representatives from this country on the committees are designated by the President, with the advice and consent of the Senate. Might I ask who designates and confirms the representatives of other nations, and in what numbers are they to be appointed to the committee of world economic experts? The International Materials Conference today is made up of 28 members. In this group, the United States has one vote—one vote, Mr. President, for the nation of the world which is performing the lion's share of the defense effort, which is about 90 percent—one vote for the nation which is expending more effort and suffering greater losses to hold back Communist aggression than any other country in the world.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. FREAR. I yield.

Mr. FULBRIGHT. The votes in the International Materials Conference are not binding. It is an informal arrangement, and the members may agree. No nation is bound.

Mr. FREAR. In reply to the Senator's statement I submit that what I have said is true—that we have one vote, whether it is binding or not. My statement is that we have one vote.

Mr. FULBRIGHT. The implication is that the vote has some significance. The fact is that the Conference does not decide anything by votes. The members simply sit around a table and discuss matters. If at any time a nation wishes to withdraw, it may do so. Is not that correct?

Mr. FREAR. I think the Senator is correct. I do not know but that it might be wise for this Nation to withdraw.

Mr. FULBRIGHT. The fact that we have one vote is of no significance, since the Conference does not decide anything by votes.

Mr. FREAR. I think it is of great significance if a bloc of 27 other countries, conducting perhaps 9 percent of the mobilization effort of the world, have 27 votes, as opposed to a country supplying 90 percent of the mobilization effort, and having 1 vote. I think there is some significance.

Mr. FULBRIGHT. Does not the Senator realize that in order for the United States to be able to furnish 90 percent of the mobilization effort, it is necessary for us to have strategic materials which come from those same 27 countries? How does the Senator propose that we should get those materials?

Mr. FREAR. I do not wish to engage in debate on that matter. My time is

limited. I may say that we need 28 strategic materials, and the IMC handles only 8. We have other ways of getting the other materials than through the IMC.

Mr. FULBRIGHT. That is quite correct.

Mr. FREAR. I do not yield further at the moment.

I call attention also to the statement that if the President finds, after a hearing, that such action is deemed necessary to promote the national defense, then the President may use the authority vested in him by the act to make it possible for the United States to observe the recommendations made by the committees. In other words, as I interpret the recommendation, the President will be able to implement recommendations of a group of representatives of foreign powers in which the United States has only a single vote. I grant that such action by the President must be qualified by his finding that the decisions are necessary in the interest of national defense. But if the committees felt it was necessary to divert substantial materials from our own people to other nations, thus lowering the standard of living in the United States, the recommendation could be implemented by the authority granted in this amendment.

Mr. President, I am fearful that the real effect of the amendment may be a step toward a world government. In this connection, I wish also to call the Senate's attention to an interesting sentence which appears in the report on operations of the International Materials Conference. On page 11 of this remarkable booklet there is the following statement:

The committees—

Referring to the IMC committees, made up of representatives of the 28 countries—

were created as autonomous bodies in the interest of expediting action and allowing the countries which were principally concerned with the commodities in question to deal with the problems involved without being subject to review by any other body.

I emphasize again the statement that the work of these committees has not been subject to review by any other body. I believe this to be unauthorized world government. True, we are now proposing to legalize these activities and allow the President to be the reviewing authority for the decisions of the committees. But, what about the rights of Congress? It seems to me that the authority of this proposal has the effect of repealing any law which the Congress has enacted. Virtually, everything is to be vested in the hands of the President and the committees of self-styled world planners.

The PRESIDING OFFICER (Mr. UNDERWOOD in the chair). The time of the Senator from Delaware has expired.

Mr. FERGUSON. Mr. President, I yield five more minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for five additional minutes.

Mr. FREAR. Mr. President, if we are to have world government—and I, for one, do not hesitate to say that until conditions change I am vigorously opposed to it—I believe that it should require more than 60 minutes of discussion by the United States Senate. In my judgment, the action by the Senate last week in adopting the Ferguson amendment, was completely sound and proper. May I also say that the Ferguson amendment was germane to the consideration of the Defense Production Act because it would stop the unauthorized implementation of the International Materials Conference under this statute. Now, however, this proposal of the Senator from Arkansas goes far beyond the limitations of the Defense Production Act. By no stretch of the imagination can it be considered germane to the pending business. This is a recommendation for world government and if this Congress wishes to consider it, then I believe that the matter should be referred to the Foreign Relations Committee for appropriate hearings. This proposal now before us is intended to have the effect of repealing the Ferguson amendment, and it therefore should be defeated.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. FREAR. I yield.

Mr. MALONE. Is there any doubt whatever that under the International Materials Conference, as it is set up by the administration, the production and markets of any nation, including our own, could be absolutely controlled; decreased, or increased through the simple expedient of manipulating the allocation of the needed materials by the International Materials Conference?

Mr. FREAR. I think the statement of the Senator from Nevada is correct, provided, of course, that the part which is designated for or allocated to a certain country by the International Materials Conference is received by that country.

Mr. MALONE. Mr. President, will the Senator further yield.

Mr. FREAR. I yield.

Mr. MALONE. I ask the distinguished Senator from Delaware if the International Materials Conference does not take the place of the International Trade Organization originally proposed by the State Department to divide the markets and production of this Nation with the countries of the world.

The ITO was originally proposed by the State Department as the third part of a world distribution-of-wealth plan—a leveling of the standards of living throughout the world which could only result in materially lowering our own standard. The Secretary of State testified over a period of 3 years and continuously propagandized the notion that the free-trade provision—1934 Reciprocal Trade Act—the Marshall plan, or some method of making up the trade-balance deficits of the European nations, and the International Trade Organization were inseparable and each dependent upon the other, and each equally important. When they finally abandoned the third part—the ITO—they stepped in with the International Materials Conference—the brain child of the State Department—which they now bring in the back door for a left-handed sanction by Congress, but nonetheless effective in destroying the workingmen and investors of this Nation.

Mr. FREAR. I will say to the Senator from Nevada that the Congress rejected that part of the Habana Conference agreement relating to the ITO. I believe it was part VI. Is that what the Senator refers to?

Mr. MALONE. It never did actually come before the Congress, but it was part of the original plan for a world cartel, a one-economic world, a leveling of our living standards with the nations of the world, and now completing the plan through the IMC.

There was so much opposition to it that I believe its proponents finally abandoned the idea. However, the International Materials Conference is intended to take the place of the International Trade Organization, which was first proposed to be approved by the Congress. However, this organization does not have the approval of Congress in any way whatsoever, and it is not subject to review by the Congress. Is not that true?

Mr. FREAR. That is true.

In conclusion, Mr. President, let me place before the Senate certain observations which are worthy of note in connection with the discussion of the value of the Controlled Materials Plan. I hold in my hand House Report No. 2099, Eighty-second Congress, second session, entitled "Problems of Small Business Under the Controlled Materials Plan—a Summary Report." I believe it has has just been issued by the Select Committee on Small Business of the House of Representatives. I quote from page 6 of that report:

The subcommittee has never been convinced, either of the necessity for full CMP or of its practicability. As a matter of fact, certain of the recent changes in CMP were suggested by the subcommittee itself. The mere fact that these changes have been necessary might be viewed as evidence of the inherent weakness of the original system.

This is a report by a committee of the House of Representatives which is dedicated to the assistance of small business in the United States. It has been studying this problem. It has been studying the effects of CMP for a considerable time.

I quote from page 7 of the same report:

Nor was the subcommittee convinced of the utility of the quantitive control of steel, copper, and aluminum as a device to regulate the entire industrial process.

I quote from page 9 of the same report:

Increase in productive capacity is the only basic solution to the problem of mounting needs for scarce materials. The subcommittee was quite disturbed, therefore, at the weaknesses in the programs for expanding the productive capacity of the steel, aluminum, and copper industries. In September the expansion programs were clearly behind schedule. Furthermore, responsibility for the expansion programs did not seem to be clearly fixed. The subcommittee has, therefore, given considerable attention in the present hearings to the staus of these programs.

The PRESIDING OFFICER. The further time allotted to the Senator from Delaware has expired.

Mr. FREAR. I do not wish to take all the time.

Mr. FERGUSON. Mr. President, how much time has the Senator from Michigan?

The PRESIDING OFFICER. The Senator from Michigan has seven more minutes.

Mr. FERGUSON. I yield one more minute to the Senator from Delaware.

Mr. FREAR. I thank the Senator.

In conclusion, I read from page 10 of the same report. I believe that the following is significant:

> The subcommittee was disturbed by the size and growing complexity of the organization that was being established to administer our industrial controls.

That reference is to CMP. I should like to emphasize again that this amendment is a very serious and important amendment. I do not believe that the allotted time of 1 hour is sufficient in which to discuss such a serious and important amendment. I hope the Senate will reject the pending amendment.

Mr. FERGUSON. Mr. President, we find ourselves today in this position: The Senate has adopted a certain amendment. A motion was made to reconsider the vote by which that amendment was adopted, and the motion to reconsider was laid on the table. Under the normal procedure of the Senate that amendment would become a part of the bill, and it would be impossible to amend the provision inserted in the bill in that manner.

We find an effort being made to circumvent and find a method of defeating that amendment. One good purpose, however, has been accomplished. We have seen an exposure of what the State Department and those who believe in world government desire to do. This is what they intend to accomplish by the pending amendment: They would create an organization consisting of a number of nations. It now has 28 nations in it. It is voluntary. The proponents of this plan want the Congress to say that it is a valid organization. In other words, the organization would become the legislative body for world government. Its decisions would be binding with respect to civilian production and employment in America, if the President were to adopt the recommendations of the world government. That is exactly the purpose of the pending amendment.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. FERGUSON. I have only a few minutes.

The proponents of the pending amendment originally went so far as to say that the amendment should supersede every law. The word "law" was used in the original draft of the amendment. It was provided that any law could be set aside by the President in adopting the recommendation of the world government. The amendment has been changed so that it now applies only to title 1 of the act.

What did the Production Board do, Mr. President? They tried to arouse small business. A member of the Small Business Organization's Council came to me, and said, "We are not opposed to your amendment, but Mr. Fowler goes all over the country, arouses the printing firms, and tries to convince them that the so-called Ferguson amendment"—which is already in this bill—"would deprive printing firms of copper and other materials they use."

There is nothing further from the truth. I again say to the Senate that the amendment, if enacted into law, would have nothing to do with the number of units. If a given concern wanted to make so many units of any particular article, the Government could permit it under my amendment.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. FULBRIGHT. The Senator is in complete error with regard to that statement.

Mr. FERGUSON. I do not think I am in error.

Mr. FULBRIGHT. The only basis for any such determination of units is in connection with a material with respect to which there is authority to allocate.

Mr. FERGUSON. I understand the amendment. I wish to explain it. If, however, the Ferguson amendment should be enacted into law, and the United States Government wanted to allow the manufacture of a certain number of heat regulators which contained copper or some other product, they could say that only a certain number of heat regulators could be manufactured.

Mr. FULBRIGHT. Where is the authority in the Defense Production Act for such action?

Mr. FERGUSON. The number of automobiles which can be made in this country is limited as to units.

Mr. FULBRIGHT. Of course; because there is now power to allocate copper. Take away the power to allocate copper and there is no authority to set a numerical limit.

Mr. FERGUSON. For the present quarter a limit of 1,050,000 cars has been set. Then the Government says, "We will give you only enough copper for 900,000 cars." If they want to keep that regulation in force, the only thing that my amendment would do in case a limit of 1,050,000 cars was fixed, would be if there was copper in the open market, the automobile firms and other firms could go into the world market, in competition with other buyers, and buy enough copper to manufacture the allotted number of units.

The word "use" in the Ferguson amendment means the fabrication or composition of material in conformance with conservation regulations and limitations, the aggregate end production to be in accordance with the provisions of section 101. The word "inventory" in section 102 would still apply.

Mr. President, let me give an example. The Government says that the manufacturers can make only a certain number of units, and if they bring into the country additional material they cannot use it in the manufacture of any more units.

The VICE PRESIDENT. The time of the Senator from Michigan has expired.

Mr. FERGUSON. Mr. President, I ask unanimous consent that I may be given an additional 5 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Michigan is recognized for 5 minutes.

Mr. FERGUSON. The next question——

Mr. FULBRIGHT. Before the Senator from Michigan gets away from the point he has been discussing, I am sure he does not want to mislead the Senate.

Mr. FERGUSON. Certainly not.

Mr. FULBRIGHT. The Senator certainly knows that if the material is one as to which there is no power to allocate, they have no power to say how many units can be made of anything. It is only because they can control the allocation of materials that they can set a numerical limit on the production.

Mr. FERGUSON. Copper is not the reason for the control of units. They can do it in the case of inventories. If an inventory of 60 days or 90 days is made——

Mr. FULBRIGHT. They do not make the limitations in a vacuum. It is only where there is a material which is in short supply on which they have authority to allocate that they have the power to limit the number of units. If we take away the power to make any limitation upon the use of scarce materials, such as copper, we will remove the one authority for setting a limit on the number of automobiles.

Mr. FERGUSON. My amendment does not attempt to remove the right to have a unit determination.

Mr. FULBRIGHT. That is the effect of the Senator's amendment. Every legal authority in the Government who has put his mind to it has said that that is exactly what the Senator's amendment does.

Mr. FERGUSON. That is not what the legal authorities are worried about. What the legal authorities are worried about is that the Senate will not create this world power.

Mr. FULBRIGHT. Does the Senator from Michigan believe that Mr. Lovett has only one purpose, and that is to create a world government?

Mr. FERGUSON. He has been advised that my amendment would cut down the number of units, and the man who has advised him to that effect is wrong. The amendment would not take away from the Federal Government the right to determine the number of automobiles that were to be made. It would not stop the Government from limiting inventories to 60 or 90 days. But it would not permit them to interfere with automobile manufacturers if they went into the world market and bought goods.

Mr. FULBRIGHT. In view of the fact that practically every top official in Government disagrees with the Senator from Michigan, and in view of the fact that he is the only one who seems to hold that view, does not the Senator believe that there is sufficient doubt to permit the matter to be subjected to further study and reconciliation in conference? Is that not a fair proposal?

Mr. FERGUSON. It should not be done by the creation of a world government.

Mr. FULBRIGHT. I do not know where the Senator from Michigan gets the idea about a world government.

Mr. FERGUSON. I will tell the Senator.

Mr. FULBRIGHT. It is a figment of his imagination.

Mr. FERGUSON. No; it is not.

Mr. FULBRIGHT. Certainly it is.

Mr. FERGUSON. Let me read from the amendment of the Senator from Arkansas:

> In carrying out the policy of the United States as set forth in section 2 of this act the President, by and with the consent of the Senate, may appoint representatives to confer with other friendly nations—

Mr. FULBRIGHT. Mr. President, the Senator from Michigan is not reading the amendment as I offered it.

Mr. FERGUSON. I thought I had the amendment before me.

Mr. FULBRIGHT. The Senator from Michigan was here when I modified the amendment. It reads as follows:

> to confer with other friendly nations through the mechanism of the International Materials Conference in an effort to ascertain—

And so forth.

Mr. FERGUSON. I have the amended copy before me.

The VICE PRESIDENT. The time of the Senator from Michigan has expired.

Mr. LEHMAN. Mr. President, I ask unanimous consent that the Senator from Michigan may be allowed an additional 3 minutes, so that I may ask him a question.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

Mr. GILLETTE. Much as I dislike to do so, I object.

The VICE PRESIDENT. The Senator from Iowa objects. All time for debate has expired.

Mr. SPARKMAN. Mr. President, the Senator from South Carolina, the chairman of the committee, has pending at the desk an amendment which I should like to call up at this time.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 17, of the amendment offered by the Senator from Arkansas [Mr. FULBRIGHT], it is proposed to strike out the period and to add the words "or priorities."

Mr. SPARKMAN. Mr. President, in the absence of the Senator from South Carolina [Mr. MAYBANK], I yield 5 minutes to the Senator from New York.

Mr. LEHMAN. Mr. President, I am intrigued by the ridiculous charge that by the Fulbright amendment an attempt is being made to set up a world government. It seems to me that the charge is obviously made for the purpose of misleading people and of seeking to terrify them and to give them the impression that there is something sinister about the Fulbright proposal. As I see the Ferguson amendment, the effort made by the distinguished Senator from Arkansas is an effort to mitigate its evil and dangerous consequences to a certain extent.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Does the Senator from New York yield for that purpose?

Mr. LEHMAN. I have only a few minutes.

Mr. CHAVEZ. I gave my time away on the conference report.

Mr. LEHMAN. I shall be through in a few minutes. The amendment of the Senator from Michigan which was adopted a few days ago makes possible unlimited competition among civilian users of scarce materials, inevitably resulting in the bidding up of prices for essential commodities used both in our defense effort and in our civilian economy.

In the second place, the amendment would prevent effective allocations of scarce commodities and raw materials here in the United States, and would make almost impossible adequate control of commodities in the free world for the purpose of strengthening our own defenses and the defenses of our allies. And without such controls our defense efforts will be seriously handicapped.

Mr. FERGUSON. Mr. President, will the Senator from New York yield for a question?

Mr. LEHMAN. My time is limited; but after I have completed my statement, I shall be glad to yield if any time then remains.

Mr. President, it seems to me certainly ridiculous and unjust to claim that what is now proposed is an attempt to foist world government upon us. Is there anything sinister in trying to prevent unlimited competition among users of scarce materials, and in trying to keep prices down to a reasonable level, for the small manufacturers and the ultimate consumer?

This amendment would benefit the large manufacturers of automobiles, the great corporations which, under the amendment, could bid up prices without limit and without restraint. They can afford to do so but the small man who needs a small amount of copper could not buy that copper, nor could he obtain an allocation of the copper he needs. Even if he were able to obtain any copper at all he would obtain it under competition much more difficult than before, and at a price level vastly higher than before. The effort to help that small-business man certainly is not an effort to foist world government upon our country.

Mr. President, is there anything to fear from the effort to make it possible for the manufacturers and producers in the United States to obtain scarce commodities on a fair and equitable basis? Is the desire to protect all an attempt to achieve world government? Is there anything sinister in that effort?

The Ferguson amendment which was adopted last week was passed, I believe, through misapprehension and misunderstanding. The amendment is dangerous, and it will inevitably work very greatly against the interest of the people of the United States.

I strongly hope that the Fulbright amendment will be adopted.

The VICE PRESIDENT. The time of the Senator from New York has expired.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an editorial which appeared today in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LEGISLATING CHAOS

From the CONGRESSIONAL RECORD:

"Mr. LEHMAN. Is it not a fact that if the amendment should be adopted there would be absolutely uncontrolled competition for materials in scarce supply, which might drive up prices beyond any limits whatsoever? * * *

"Mr. FULBRIGHT. The Senator from New York has stated the situation. * * * This kind of an amendment would make our efforts at economy absolutely impossible."

These are responsible Senators speaking, and yet some of their colleagues' most ardent in lip service to economy helped push this same amendment through the Senate by a 43-to-40 vote.

The amendment referred to is the one which Senator FERGUSON of Michigan succeeded in attaching to the Defense Production Act on behalf of some large-scale manufacturers of his State and elsewhere, and to the detriment of the national and international interests of the United States. Its net effects would be to permit domestic producers of civilian goods to bid up the prices of scarce metals abroad and to wreck the allocations of certain raw materials here at home as well as to upset the global controls so painfully arrived at by the United States and the other countries of the free world through the International Materials Conference.

The Ferguson amendment could have a serious effect on the cost of the defense program by inducing a sharp rise in price of some of its essential ingredients. As Henry Fowler, Defense Production Administrator, says, it could lead to a chaotic situation in the domestic distribution of scarce metals. Furthermore, by returning to a "no-holds-barred" policy in the world market, it could easily arouse more ill will against the United States abroad than any single piece of special-interest legislation since the infamous "cheese" amendment to last year's Defense Production Act. And if international allocation of strategic raw materials goes by the board, the chief sufferer in the long run will be the principal consumer, the United States. In our own interests—domestic and foreign—the Ferguson amendment should be killed.

Mr. SPARKMAN. Mr. President, at this time I yield 5 minutes to the Senator from Michigan [Mr. MOODY].

The VICE PRESIDENT. Let the Chair state that he understands that the Senator from New Mexico [Mr. CHAVEZ] has been undertaking to have a conference report considered.

Mr. CHAVEZ. That is correct.

The VICE PRESIDENT. That cannot be done during the debate on the pending amendment, because at this time no time can be yielded except by either of the two Senators who have charge of the time.

Mr. MOODY. Mr. President, I trust that the time taken for the remarks just made by the distinguished Vice President will not be charged against the time which has just been yielded to me.

The VICE PRESIDENT. The Chair yielded that time to himself. [Laughter.]

Mr. MOODY. Mr. President, the issue before the Senate this afternoon is whether the controlled materials plan should be destroyed and whether its destruction would be dangerous to the country and ruinous to the business structure of our Nation.

I believe it is very clear that any such action on the part of the Senate would be dangerous in the extreme. That would be the effect of the amendment of the Senator from Michigan [Mr. FERGUSON], which the Senate adopted the other afternoon. I believe that amendment was adopted under a misapprehension.

Mr. President, when big interests in my State propose something that is compatible with the public interest, I will fight for it with all of the energy at my command.

That is my responsibility as a Senator, and I think I demonstrated that point in organizing the fight which prevented a cut-back in automobile production in the current quarter to 800,000 cars. The success of that fight not alone saved a minimum of 100,000 jobs in the industry and averted disaster for hundreds of small businesses, but made it possible for the automobile companies themselves to earn many millions of dollars in profits in the current quarter that otherwise would have been denied them.

In that instance, Mr. President, the self-interest of the automobile companies was also the public interest.

But when some of the same big interests propose a subtle amendment which under false colors would destroy the stability of the mobilization effort and would strike a crushing blow at small business everywhere—and I say when they propose it, because they did propose it, to me—then it is equally my responsibility to fight such a move with all the energy I have.

I hope all Senators will read the report of the effect of the Ferguson amendment, written by Alfred Friendly in the Sunday edition of the Washington Post, and also the editorial on that subject which appeared on Monday morning in the same newspaper. In his report, Mr. Friendly quoted a high official as saying:

> In all my experience with legislation for private-interest groups, for sheer selfish irresponsibility this one tops all.

Mr. President, I do not believe that my distinguished colleague realized fully the implications of this amendment when he submitted it. If he did, I doubt that he would have lent himself to a campaign to destroy the program to allocate scarce and critical materials on an equitable basis.

I know of my own knowledge that this campaign was launched as early as May 1951, because I was asked to launch it as a member of the Banking and Currency Committee.

In making this statement, I wish to emphasize that not all companies in the automobile industry have associated themselves with this campaign. But several of them have.

Just last week I was told by a spokesman for one of the most powerful organizations in the country that this would be a political issue in Michigan this fall, and that people who can be very influential and helpful in the campaign feel very strongly about it.

Frankly, this made no impression on me, Mr. President. I do not believe the people of my State want me to vote at the request of anyone, however influential, against what I conceive to be the good of the country.

I am not impugning the motives of any Senator. This amendment was drafted in plausible terms which purport merely to be giving American companies the right to buy in world markets copper that is there to be bought.

Unfortunately, much more is involved. Actually, the effect of the amendment would not alone be to bid up the price of scarce materials all over the world. This has been presented as the only penalty the United States would pay for adopting this amendment. It would not alone destroy the international stability and teamwork which is so difficult to achieve in a complex economic situation, and so essential to a vigorous build-up of Allied military strength against communism.

But by making it impossible to direct the export of such materials as sulfur, which are essential to the mobilization of our allies, the amendment would also throw into a chaotic state the agreements under which we import such indispensable alloying metals as cobalt, nickel, columbium, and tungsten, which are provided through the International Materials Conference mechanism. Without those materials we could not make jet engines and other weapons which are equally vital to our strength and security. So the amendment would strike a paralyzing blow at our Air Force.

I do not believe the Senate can ignore the statement made by the Secretary of Defense, as quoted by the Senator from Arkansas.

Not only would the amendment do all those things, Mr. President, but by slashing by one-third the amount of copper that would be available for allocation in the United States, the amendment would deal a mortal blow to thousands of smaller manufacturing concerns. The disruption it would cause would mean the loss of many more jobs, in Michigan and elsewhere in the Nation, than could possibly be created by the manufacture of more cars—cars which under present market conditions most companies would have great difficulty selling anyway.

Mr. President, I have before me a sheaf of telegrams which I do not believe are inspired, because it is clear that the amendment would deal a mortal blow to thousands of the smaller manufacturing concerns. I ask unanimous consent to have the telegrams printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit A.)

Mr. MOODY. Mr. President, I also ask unanimous consent to have printed at the conclusion of my remarks the article by Alfred Friendly, which appeared in the Washington Post on June 8, and the editorial to which I have previously referred, which appeared in the Washington Post on June 9.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit B.)

The VICE PRESIDENT. The time of the Senator from Michigan has expired.

Mr. MOODY. Mr. President, I ask the Senator from Alabama to yield one more minute to me.

Mr. SPARKMAN. I yield one additional minute to the Senator from Michigan.

The VICE PRESIDENT. The Senator from Michigan is recognized for 1 minute more.

Mr. MOODY. Mr. President, this amendment would take materials away from small businesses in all parts of the United States, including Michigan. It would cut down by one-third, for example, the total amount of copper available to be allocated, because the available total is now composed of two-thirds of domestic production and one-third of imports. The imports would be swept out of the supply as powerful individual buyers took the copper out of the market at skyrocketing prices. This would, of course, raise prices to the American consumer.

I have been informed that this amendment would make impossible the operation of the entire controlled materials plan. That is precisely what the real sponsors of this amendment started out to do more than a year ago. Such a premature wrecking of stabilization would clearly be inimical not only to the interests of the workers, farmers—for much fertilizer is imported—and the smaller industrial and business companies of my State, but also to the interests of the big companies as well.

The VICE PRESIDENT. The time of the Senator from Michigan has again expired.

Mr. MOODY. I ask the Senator from Alabama to yield an additional 30 seconds to me.

Mr. SPARKMAN. Mr. President, I yield an additional 30 seconds to the Senator from Michigan.

Mr. MOODY. Mr. President, the amendment would be damaging, and could be severely damaging, to the prosperity of our country. The large companies, strong as they are, must live as a part of a prospering system, as all the rest of us must do.

Whenever the immediate business interests of the large manufacturing companies of my State correspond with the national interest, or whenever they sublimate what may seem to them their immediate personal interest to the public good, they will have from me as strong support as they will receive from any other Member of this body, or stronger.

When any of them act irresponsibly, and against the public interest, I shall oppose them.

I hope the amendment of the Senator from Arkansas will be adopted. I thank the Senator from Alabama for yielding this time to me.

EXHIBIT A

GRANDHAVEN, MICH., *June 9, 1952.*

Senator BLAIR MOODY,
Senate Office Building,
Washington, D. C.:

We wholeheartedly support your stand on Ferguson amendment to the Defense Production Act regarding free market copper.

The results of the amendment would be disastrous to our civilian and defense economy.

ELECTRICAL ASSEMBIES,
GEORGE RABICK.

DETROIT, MICH., *June 9, 1952.*

Hon. BLAIR MOODY,
Senate Office Building,
Washington, D. C.:

Respectfully suggest you help protect photoengraving business by supporting effort to revise amendment to section 101 of Defense Production Act. This amendment if allowed to stand would in effect result in abandoning allocation of copper and thus kill printing and publishing industry's present assurance of minimum adequate supply of copper. If military takes all domestic supplies and large industries able to pay any price buy up entire foreign supply then small business like printing and publishing would be in danger of getting no copper at all thus jeopardizing thousands of small businesses and the jobs of tens of thousands of their employees.

DUANE SALISBURY,
President, Michigan State Photo Engravers Association.

DETROIT, MICH., *June 9, 1952.*

Hon. BLAIR MOODY,
Senate Office Building,
Washington, D. C.:

Proposed amendment lifting controls on copper would destroy all available copper for national advertisements and direct mail sales promotion. Ouch.

C. C. MEANS,
Manager, Graphic Arts Association of Michigan, Inc.

SAGINAW, MICH., *June 9, 1952.*

Senator BLAIR MOODY,
Senate Office Building:

Proposed amendment of Defense Production Act would ruin our business, because our existence depends upon a small allotment of copper which would be completely absorbed by military and large industrial manufacturing. Please do something to exempt small business.

NORTHERN ENGRAVERS, INC.,
I. F. HOFFMAN, *Vice President.*

JOSEPH, MICH., *June 9, 1952.*

Senator BLAIR MOODY,
Senate Chambers:

We are in accord with your stand on Ferguson amendment to the Defense Production Act regarding world copper. If adopted, results would be disastrous to our civilian economy and our defense programs.

WHIRLPOOL CORP.,
H. C. GRAU,
Director of Purchases.

GRAND RAPIDS, MICH., *June 9, 1952.*

Senator BLAIR MOODY,
Senate Chambers:

We are in accordance with your stand on Ferguson amendment to the DPA. If amendment is adopted it will be detrimental to the defense program as well as all small users of copper for essential production.

L. H. FROST & CO.,
JACK BOWEN.

NILES, MICH., *June 9, 1952.*

Senator BLAIR MOODY,
Senate Chambers:

We are in accord with your stand on Ferguson amendment to the Defense Production Act regarding world copper. If adopted results will be disasterous to our civilian economy and our defense program.

ETC., INC.,
EDWARD A. BOGUE,
President.

MICHES, MICH.

EXHIBIT B

[From the Washington Post of June 8, 1952]

ADMINISTRATION FIGHTS DESPERATELY TO SAVE ITS CONTROLLED MATERIALS PROGRAM

(By Alfred Friendly)

Administration forces are seeking desperately to block enactment of a measure which, under guise of limiting the operations of the International Materials Conference, its opponents charge, would destroy that agency and the Controlled Materials Plan as well.

Defense Production Administration officials have said the measure would produce chaos in the domestic economy, seriously damage the defense program, and wreck both civilian and defense production in the North Atlantic Treaty Organization nations.

The legislation inveighed against is Senator HOMER FERGUSON, Republican, Michigan, amendment to the Defense Production Act which last week passed the Senate by a 43-to-40 vote. An identical amendment, introduced by Representative ANTONI N. SADLAK, Republican, Connecticut, has been offered in the House, and its likelihood of enactment is strong.

WOULD FREE COPPER BUYING

The principal direct effect of the amendment would be to restore free buying of copper by private interests in the world market, and uncontrolled use—and price—in this country. As a consequence, it is expected that big industrial buyers, particularly the auto industry, would get all the copper they wanted and would be able to use it freely.

Copper could no longer be allocated here so small users would find themselves without supplies in a matter of a few months, the DPA believes. Meantime, prices would have been bid up sky high.

There is no conclusive proof, but there is a host of strong indications that some big auto companies (not all, for there is a split in the industry) and the copper- and brass-mill interests are instigators of the amendment. Pressure for it arises from Michigan and Connecticut legislators.

CHAMBER OF COMMERCE FIGHTS FOR IT

At the same time, the United States Chamber of Commerce is fighting vigorously for the measure, although the DPA feels it can demonstrate conclusively that its effect will be disastrous to the small businesses which comprise the majority membership in the organization.

When the amendment was debated in the Senate, all the discussion centered on its effect on the International Materials Conference (IMC), the international organization which recommends allocation of scarce materials among free-world nations. Proponents of the measure insisted it was aimed to curtail activities of the IMC.

DPA officials are convinced, however, that its sponsors could not have helped being aware that its effect would be also to destroy the controlled-materials plan (CMP), which allocates steel, aluminum, and copper among domestic American users. Destruction of CMP has been an avowed objective of some auto companies, because it has limited the amount of those three metals—and particularly copper—which they are allowed to use.

MAIN PROVISIONS

The Ferguson-Sadlak amendment has three principal provisions:

1. If the domestic production of any commodity is more than the amount required for defense, stockpiling, and foreign military aid needs, then no restriction may be made on the right of anyone to buy that commodity abroad and import and use it here.

2. If domestic production is sufficient to meet all domestic requirements, military and civilian, then no allocation restriction of any sort may be imposed.

3. No price ceilings shall apply to purchases of materials abroad which are imported here, fabricated, and offered for sale.

The effect of the first provision is concentrated mainly on copper, and to a similar but lesser extent on aluminum.

ENOUGH FOR DEFENSE USES

The United States domestic production of copper—about two-thirds of its total consumption—is enough for the strictly defense uses. Thus, under the amendment, no IMC allocations could be made for sharing the world supply, and no domestic allocations under CMP could be made for sharing the American supply from foreign services.

But technically it also would be impossible to allocate the two-thirds supply from domestic production. The essential features of CMP is that it must allocate all production, or else it is a useless device.

The American production of copper would only be enough for direct and indirect military needs. So even if allocation were attempted, as a DPA staff memorandum points out, "We could not allocate any domestic copper * * * to such important needs as schools, hospitals, small manufacturing concerns, etc.; such users, many thousands in number, would have to be confined to using such foreign copper as they could purchase in the foreign market against the competition of large users, particularly automobile manufacturers."

The auto companies and other big users have their own purchasing agencies overseas. Freed of any concern over price control by the third section of the amendment, they could and presumably would bid in all the copper they wanted, an inequitably large amount, while others did without.

Since the IMC was established, all member nations have limited their demand to available world supply; this balancing of demand against supply and the absence of "auctioneering" bidding have tended to stabilize world prices.

All this would go by the board. With a much bigger demand than there is supply, prices would skyrocket. Also, sellers would vend their copper for dollars in preference to other currencies. The result would be that America's NATO allies would either go without copper almost entirely, or else have to pay prices for it, for their defense production and essential needs, that would virtually wreck their economies.

These aspects of the Ferguson-Sadlak amendment—freeing the big American users to grab what they want regardless of the consequences on small users and the rest of the world—led one high DPA official to observe:

"In all my experience with legislation for private interest groups, for sheer selfish irresponsibility this one tops them all."

With United States interests free to buy copper without limitation in world markets, the IMC would be crippled.

But the second provision of the amendment would, as a practical matter, kill off the IMC at once. The case of sulfur is an illustration.

America produces enough sulfur to fill all its domestic needs, civilian and military. Therefore, under the amendment, the Government could not control its world distribution.

The DPA memorandum points out:

"We have traditionally exported sulfur to the world, and the economy of many nations allied with us in the mobilization effort depends on the importation of American sulfur. This Nation, in turn, depends on the importation of widely important alloying metals such as cobalt, nickel, columbium, and tungsten (the American supply of which, incidentally, is provided through the IMC mechanism).

"If this Government is unable to direct the export of materials like sulfur to our allies (as it now does through IMC), we can hardly expect that our own requirements for equally essential materials will be freely met by the nations with whom we are associated.

"The metal resources of this Nation are totally inadequate to fight a war in view of modern technological developments. We must share to survive; the Ferguson-Sadlak amendment takes away the principal bargaining powers that the Nation has in this area."

Four unofficial committees of Republican Representatives were set up to investigate the IMC. One committee, heavily weighted with Michigan members, issued a blast in language and argument almost identical with that used in the United States Chamber of Commerce.

[From the Washington Post of June 9, 1952]

FERGUSON'S HATCHET

The Ferguson amendment to the Defense Production Act, approved by the Senate last week, is one of those curious special interest grabs that utterly ignore the national interest and the interests of nations allied with us in the rearmament program. By crippling or even wrecking the International Materials Conference, it would seriously weaken if not destroy both the international and the domestic programs for allocating scarce materials. It would aid a handful of large manufacturers who need only a relatively small amount of copper and are little concerned about price. But in the process it would adversely affect thousands of small- and medium-sized manufacturers.

Senator FERGUSON has been warring for more than a year against the International Materials Conference, the informal organization of 28 nations that has attempted to make a fair distribution of scarce materials. Some large manufacturers have complained that they have been discriminated against because they have not been allowed to go into the world market and make purchases freely, without regard to the effect on prices. The amendment would end the authority to control any scarce material if the supply reached a certain level. It would take just such an amendment as this, opening the way to free-wheeling price bids in the world market like those in the months immediately after Korea, to cause new inflation throughout the world. The effect on the cost of living in this country would be felt by every American.

The Senate approved the amendment by a 43-to-40 vote over the vigorous protest of its own Banking Currency Committee, which had carefully studied the whole problem. Senator FULBRIGHT warned that it was a dangerous proposal which "would disrupt very seriously the whole defense effort." Defense Production Administrator Fowler said that if the amendment is allowed to stand the controlled materials plan as it now operates "would have to be abandoned."

Another disturbing feature is the lack of concern revealed for other nations cooperating in the defense programs. The amendment means, as Mr. Fowler said, that the United States "should not consult with foreign governments or consider the needs of foreign governments for materials over which it has or might by any means gain control." If the United States were self-sufficient in raw materials, conceivably it might disregard the interest of others with impunity; but since this country is not self-sufficient it behooves us to cooperate. The efforts of IMC have resulted in general satisfaction among the nations concerned, and the United States has benefited greatly in both supply and price. Surely the Senate will repair the damage when it reconsiders the Ferguson amendment this week.

Mr. SPARKMAN. Mr. President, I believe a few minutes of my time are left.

The VICE PRESIDENT. The Senator from Alabama has 5 minutes remaining.

Mr. SPARKMAN. I should like to have the Senator from Michigan use time at this point, then.

Mr. FERGUSON. Mr. President, I shall be glad to use time at this point.

Let me say that the pending amendment simply gives us a little more time to debate this issue.

I realize the scope of the campaign that has been conducted in an effort to defeat the so-called Ferguson amendment. Anyone who speaks on behalf of it or who may have voted for it is subject to the charge that he is voting for large special interests. The Senator from Michigan does not happen to be a candidate at this time, and he is not speaking for any special interest or group. He discovered that last February the Defense Production Board issued to the State of Michigan quotas for all the automobile companies in the total number of 1,050,000. Of course, not being politically minded, it did not want to cut down the number of cars to 900,000 because of the effect it might have politically, so they said, on the side, "You can make 1,050,000 cars, but we will give you only enough copper for the production of 900,000 cars."

Under the amendment proposed by the Senator from Arkansas and under the pending bill, without my amendment, the Defense Production Administration could limit the number of cars as they might desire. However, under my amendment any manufacturer who has a limitation upon his quotas can go into the markets of the world, the same as the citizens of other countries can do, and buy commodities he may need for his product.

Mr. SMITH of North Carolina. Mr. President, will the Senator yield for a question?

Mr. FERGUSON. I am glad to yield.

Mr. SMITH of North Carolina. I should like to ask the distinguished Senator from Michigan a question with respect to a statement which I understood he made the other day. I have asked the opponents of his amendment the same question. I have not yet received an answer.

As I understood him, the Senator from Michigan said the other day that, under the present system of allocations and the controlled materials plan, an American manufacturer cannnot get copper, even after a sufficient supply has been acquired for our defense purposes, for our stockpiling, and for the defense requirements of our allies; and that, even under those circumstances, an American manufacturer, whether he be a manufacturer of automobiles or a manufacturer of locks in the State of Connecticut, for example, cannot go into the world market and buy the commodities he wants in connection with the manufacture of his products. I also understood the Senator to say that a French manufacturer, or a manufacturer behind the iron curtain, could buy in Chile or anywhere else in the world market all the copper he wanted for his manufacturing purposes, while at the same time our manufacturers and industrialists were denied that right. Is that correct?

Mr. FERGUSON. The Senator from North Carolina understood the Senator from Michigan exactly right; and the purpose of the Ferguson amendment was to remedy that situation. Here are the facts: Twenty percent of the Chilean copper was known to be on the free market. Anyone in the world, other than an American or an American corporation, could go into that market to buy that copper at any price he was willing to pay. In fact, we gave to France, Britain, and certain other countries dollars, and they went into the world market, and paid as much as 55 or 60 cents a pound for copper. Russia or any other country could buy it.

All that is proposed by the Ferguson amendment is that when such a situation exists, an American may go into the world market and buy on an equal basis with anyone else, and may import the commodities he buys, and, after he brings them in, he may use them, except that, if the unit number of units in which he wants to use it is limited, he could not make any more units than might be alloted to him. He could not use it to build up an inventory for any longer time than the time allowed him for building up an inventory. In other words, the Ferguson amendment would merely place the American on the same basis as the citizen of all other countries.

Mr. SMITH of North Carolina and Mr. FULBRIGHT addressed the Chair.

The VICE PRESIDENT. Does the Senator from Michigan yield; and if so, to whom?

Mr. FERGUSON. I yield first to the distinguished Senator from North Carolina.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me on the same point?

The VICE PRESIDENT. To whom does the Senator from Michigan yield?

Mr. FERGUSON. I yield first to the Senator from North Carolina.

Mr. SMITH of North Carolina. I was anxious to get the facts straight. I have made inquiry of several persons about this matter, and I want to have it cleared up. Would the Senator from Michigan say it is true that a French manufacturer, a Spanish manufacturer, or a manufacturer behind the iron curtain can get copper, while Americans cannot get it? And if that be true, does it have any effect upon employment in the industrial enterprises of this country? Does it affect people working in an automobile factory, a refrigerator factory, or in a lock factory in the Senator's State, and in other States as well?

Mr. FERGUSON. It certainly would cut down the production in America. The only purpose of the Ferguson amendment is to put the American employee on exactly the same basis as any other employee in any other country of the world.

Mr. SMITH of North Carolina. If the Senator will yield further, I have received a handful of telegrams, including one from my next-door neighbor, once removed, in Raleigh, N. C., who, excellent man that he is, I notice put the telegram within quotation marks.

I then sent for the other telegrams received by me, and I found that dozens upon dozens of telegrams contained the same language. The man of whom I spoke placed his message within quotation marks because he apparently was

unwilling to subscribe to its contents in his own language. Does the Senator from Michigan know whether there has been a campaign by any particular group to stir up sentiment of this sort against the Ferguson amendment, without giving the facts, and without even knowing the facts?

Mr. FERGUSON. The Senator from Michigan is informed that Mr. Fowler issued certain press releases and certain newspapers were given information for editorial purposes. In one instance the information was used for the purpose of calling FERGUSON the "hatchet man." That was quoted by my distinguished colleague from Michigan, indicating that that was the proper expression to be used, and that the Ferguson amendment was an outstandingly selfish proposal, designed for the benefit of the big special interests alone. I say upon the floor of the Senate that that is an untruth. The Ferguson amendment is for the purpose of aiding every workingman in America and is not for the purpose of aiding any special interest. If the working men of America constitute a special interest, I stand for them, and for all of them.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. FERGUSON. I stand for American industry. I want it to be on the same basis as the industries of all other countries of the world. I do not want a world government in the form of an International Materials Conference, in which, of the 28 votes, America has but 1.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. I think there ought to be a little clarification of the answer to the Senator from North Carolina.

Mr. FERGUSON. The Senator from Arkansas may explain it as he sees it.

Mr. FULBRIGHT. The Senator from Michigan says he wants Americans to be treated fairly, and on the same basis as the citizens of all other countries. The fact is—and I do not think the Senator from Michigan will deny it—that under the International Materials Conference agreement the United States was allocated 80 percent of the copper produced in Chile, leaving 20 percent for all the rest of the world. Not only was the United States allocated 80 percent of it, but, more important than that, a price of 27½ cents was fixed for it. Since our domestic price was 24 cents and the price for the Chilean copper was 27½ cents there was a differential of 3 cents. So we did not have to bid against all the rest of the world for the Chilean copper, in which event it would have cost us much more, and we obtained 80 percent of such copper which gave us an additional supply for the automobile industry, about which the Senator is talking. As we all know, one-third of our total supply of copper comes from outside the country. So when the Senator says he wants fair treatment for the United States, I would say that when we get 80 percent of the Chilean copper we are receiving what I would call fair treatment. The only conclusion I can draw is that the Senator from Michigan believes that, until we get 100 percent of the Chilean copper, we are not being treated fairly, and the rest of the world can go hang.

Mr. FERGUSON. Does the Senator know, now, that the 80 percent has become 100 percent, Chile having set the whole thing aside, with the result that the entire copper production of Chile is being offered to America?

Mr. FULBRIGHT. We had hearings on this question, and Mr. Fleischmann came to tell us that, because the pressure had become so great for the other 20 percent and since 80 percent had been allocated to the United States it was thought that the best solution was to let our fabricators purchase the rest of this copper, at a price, as I recall, in the neighborhood of 32 or 35 cents. But at the time of which the Senator speaks, we were allocated 80 percent of the Chilean production.

Mr. SMITH of North Carolina. Mr. President will the Senator yield?

Mr. FERGUSON. I yield to the Senator from North Carolina.

Mr. SMITH of North Carolina. Mr. President, I should like to ask the Senator from Arkansas the same question I asked the Senator from Michigan. Is it a fact that after our defense needs have been taken care of, after our stockpiling has been taken care of, and the needs of our allies have been taken care of militarily, a manufacturer in France, Spain, Germany, or behind the iron curtain can purchase in the world market all the copper he can find, whereas the American manufacturer has his hands tied and cannot buy copper?

Mr. FULBRIGHT. That was true up until the time the arrangement was changed, which was approximately 2 weeks ago, when we agreed not to bid for or purchase beyond 80 percent, in order that the French, the English, and the Belgians would have an opportunity to bid for and obtain 20 percent. Our historic percentage had been 80 percent, and we agreed that we would not bid against other nations for the 20 percent left over.

I do not think there is any evidence that Russia and her satellites bought it. Frankly, I do not know. I do not believe the Chileans are particularly anxious to sell to Russia. In my opinion, what happened was that the competition for a short time drove the price up to 50 cents. They did not find many buyers. General Motors would have been glad to pay 50 cents, because the amount of copper in a Cadillac car, for instance, is small. Two or three weeks ago our own Government representatives agreed with the Chileans that we would give permission to our fabricators to purchase any copper they wanted at a higher price.

Mr. SMITH of North Carolina. If that is so, why would the Ferguson amendment cripple us?

Mr. FULBRIGHT. Because it completely destroys our domestic allocation, so that small operators who do not have representatives in Chile would be completely wtihout copper, and there would be many more Cadillacs than there are today.

Mr. FERGUSON. Mr. President, the 80 percent allotted to the United States of America was not all that was allotted by the International Materials Conference. Countries such as India receive much more in proportion that we received of our domestic supply. There is nothing in the Ferguson amendment which will interfere with small business. It has been said that small firms cannot go to Chile or the Philippines or Japan where they could find copper. There are always dealers and wholesalers who have copper.

The distinguished Senator from North Carolina [Mr. SMITH] has stated that many telegrams have come to him containing the same language. That indicates that someone is spearheading a drive to get the International Materials Conference made legal.

Mr. MALONE. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. MALONE. Is not this the same principle of world control of markets and production first proposed under the International Trade Organization which the Senate Finance Committee refused to report to the Senate floor in the first place? Then, again, copper being only one of the hundreds of materials involved, why emphasize copper? In other words, it is a method of dividing the markets and production of the world on the basis of each nation's need—to restrict or build up the production and markets of any nation—in other words, a world cartel.

Mr. FERGUSON. That is correct, and that is why there were put into the amendment the words "useful in the economic mobilization of the world."

I come back to the point that when they want to mobilize the economic conditions of the world they want to control all economics and put America where they desire to put it—in an organization in which other nations have 28 votes to our 1 vote, as was said by the distinguished Senator from Delaware [Mr. FREAR].

The VICE PRESIDENT. The time of the Senator from Michigan has expired.

The Senator from Alabama has 5 minutes remaining.

Mr. SPARKMAN. Mr. President, let me say in the beginning that I certainly do not charge the able Senator from Michigan or anyone else, in advocating the Ferguson amendment, with acting for any special interest.

I desire, however, to devote the few minutes I have to speaking for a special group, but it is a very large special group. It is the small business people of America. I hope the Senator from Michigan will listen to what I have to say.

I am not saying that the Senator from Michigan was trying to squeeze out the small business people of America. I know he did not have that intention, but the inevitable result of his amendment, if it should become a part of the law, will be to put the squeeze on the small business people of America.

Mr. President, the first recommendation, so far as I know, for the establishment of the Controlled Materials Plan was made by the Senate Small Business

Committee following hearings in the very early part of 1951 with reference to scarce and critical materials at the time the so-called death sentence was pending with reference to aluminum. We saw then the spectacle of 14,000 small businesses engaged in fabricating aluminum products being pushed completely out of the market simply because the National Production Authority had said, "After you have used up the supply of aluminum which you have now on hand, you cannot get any more aluminum."

So we went to the NPA after the hearings and said, "At least, let a small part of the aluminum be allotted to the small-business people of America, enough to keep them alive. We believe you can do it if you will adopt the controlled materials plan and allocate in a fair and equitable manner."

They adopted that plan and avoided the "death sentence," and literally thousands of small-business concerns have been saved.

The Senator from Michigan has said that we simply cannot administer an allocation of materials in this country if we have to cut off one-third of the supply. Everyone admits that is true with reference to copper. We cannot allocate a two-thirds supply and turn all businesses loose in the so-called free market for the other third and bring about fair and equitable treatment under which small businesses can operate.

Mr. FERGUSON. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. For a very brief period. I do not have much time.

Mr. FERGUSON. Tin, which was controlled by the British, was never placed under the plan. Copper could have been treated the same as tin.

Mr. SPARKMAN. I think it has been pointed out before that certainly in the case of copper, when we must depend on one-third being imported, we cannot successfully control the other two-thirds.

The able Senator from Delaware [Mr. FREAR] read some excerpts from the House report. As a matter of fact, he did not read the No. 1 recommendation, which is that we should presently modify CMP, or that some variation of it be kept in existence until our production goal is reached, because they recognized the necessity of making these allocations for small businesses so that they may be kept alive.

Mr. LONG. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. LONG. Mr. President, most of the sulfur in this country is produced in my section of the Nation. There has been some complaint that people in this country could not get sulfur although we were exporting it.

Mr. SPARKMAN. The Senator from Arkansas [Mr. FULBRIGHT] spoke on that subject. If he would like to answer the question, I should be glad to have him do so.

Mr. FULBRIGHT. The plan is one thing we have to offer to other peoples who have the materials we want. How otherwise can we ask them to give us cobalt and other metals and minerals which are vitally necessary?

Mr. LONG. Am I to understand, then, that our exporting of sulfur is in order that we may be able to import critical materials which are so vitally needed?

Mr. FULBRIGHT. That is correct. It gives us bargaining power in connection with the materials we need.

The VICE PRESIDENT. The time of the Senator from Alabama has expired. All time for debate on the amendment has expired.

Mr. MAYBANK. Mr. President I withdraw my amendment.

The VICE PRESIDENT. The Senator from South Carolina withdraws his amendment. The question recurs on the amendment as modified, offered by the Senator from Arkansas [Mr. FULBRIGHT], which will be stated.

The CHIEF CLERK. On page 3, after line 5, it is proposed to insert the following new section 102:

SEC. 102. Title I of the Defense Production Act of 1950, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 105. (a) In carrying out the policy of the United States as set forth in section 2 of this act, the President, by and with the advice and consent of the Senate, may appoint representatives to confer with other friendly nations through the mechanism of the International Materials Conference in an effort to ascertain the existing and potential supply of materials useful in the economic mobilization of this and such other nations, as well as the most effective distribution of such materials in executing that policy. Upon a finding by the President, reached after a hearing at which interested parties may express their views, that a pattern of international distribution recommended after such consultation is neecssary or appropriate to promote the national defense and compatible with the best interests of the United States, he may, any other provision of this title to the contrary notwithstanding, use the authority vested in him by this act to make it possible for his Nation to carry out the recommendations made by any such conference.

"(b) Subject to the provisions of subsection (a) of this section, nothing contained in this act shall impair the authority of the President under this act to exercise allocation and priorities controls over materials, both domestically produced and imported, and facilities through the controlled materials plans or other methods of allocation."

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Connecticut [Mr. BENTON] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

The Senator from Connecticut [Mr. BENTON] is paired on this vote with the Senator from Pennsylvania [Mr. MARTIN]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Pennsylvania would vote "nay."

I announce further that if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Connecticut [Mr. MCMAHON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Montana [Mr. MURRAY] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. CAIN], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from Montana [Mr. ECTON], the Senator from North Dakota [Mr. LANGER], and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Pennsylvania [Mr. DUFF] and the Senator from Ohio [Mr. TAFT] are detained on official business.

On this vote the Senator from Massachusetts [Mr. LODGE] is paired with the Senator from Ohio [Mr. TAFT]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Ohio would vote "nay."

On this vote the Senator from Pennsylvania [Mr. MARTIN] is paired with the Senator from Connecticut [Mr. BENTON]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Connecticut would vote "yea."

The result was announced—yeas 46, nays 31, as follows:

YEAS—46

Chavez	Humphrey	Morse
Clements	Hunt	Neely
Connally	Ives	O'Conor
Douglas	Johnson, Tex.	O'Mahoney
Eastland	Johnston, S. C.	Pastore
Ellender	Kerr	Robertson
Fulbright	Kilgore	Seaton
George	Lehman	Smathers
Gillette	Long	Smith, N. J.
Green	Magnuson	Smith, N. C.
Hayden	Maybank	Sparkman
Hendrickson	McClellan	Stennis
Hennings	McFarland	Tobey
Hill	McKellar	Underwood
Hoey	Monroney	
Holland	Moody	

NAYS—31

Bennett	Frear	Nixon
Bridges	Hickenlooper	Saltonstall
Butler, Nebr.	Jenner	Schoeppel
Byrd	Johnson, Colo.	Smith, Maine
Capehart	Kem	Thye
Case	Knowland	Watkins
Cordon	Malone	Welker
Dirksen	McCarran	Wiley
Dworshak	McCarthy	Williams
Ferguson	Millikin	
Flanders	Mundt	

NOT VOTING—19

Aiken	Carlson	McMahon
Anderson	Duff	Murray
Benton	Ecton	Russell
Brewster	Kefauver	Taft
Bricker	Langer	Young
Butler, Md.	Lodge	
Cain	Martin	

So Mr. FULBRIGHT'S amendment, as modified, was agreed to.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the Fulbright amendment was agreed to.

Mr. SPARKMAN. I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Alabama to lay on the table the motion of the Senator from Arkansas to reconsider the vote by which the Fulbright amendment was agreed to.

The motion to reconsider was laid on the table.

Mr. WILLIAMS. Mr. President, on behalf of the Senator from Delaware [Mr. FREAR], the Senator from Maryland [Mr. BUTLER], the Senator from Maryland [Mr. O'CONOR], and myself, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the following:

Notwithstanding any other provision of this act, whenever price ceilings are declared in effect on any agricultural commodity at the farm level, the Director of Price Stabilization must at the same time put into effect margin controls on processors, wholesalers, and retailers, such margin controls to allow the processors, wholesalers, and retailers the normal mark-ups as provided under this act, except that under no circumstances are the sellers to be allowed greater than their normal margins of profit.

Mr. WILLIAMS. Mr. President, the purpose of this amendment is very simple. It merely provides that if and when price ceilings are declared in effect on any agricultural commodity at the farm level, margin controls on processors, wholesalers, and retailers must, on the same date, be placed in effect.

Everyone claims that the purpose of the provisions of the Defense Production Act is to protect the farmer and at the same time provide adequate safeguards to the consumer. That is all this amendment does. I understand that the chairman of the committee will not oppose the amendment, although perhaps he does not have authority to accept it.

Mr. MAYBANK. Mr. President, will the Senator yield on that point?

Mr. WILLIAMS. I yield.

Mr. MAYBANK. I did not suggest to the Senator that I would vote for his amendment. I stated that I would not make a speech against it. I do not intend to vote for it. As the Senator knows, we took the same amendment to conference last year. I was glad to accept it then. In the conference it was found to conflict with both the Capehart amendment and the Herlong amendment in one way or another. The House had adopted the Herlong amendment and the Senate had adopted the Capehart amendment.

I know what the Senator's motives are. They are most worthy. The Army is purchasing chickens and fowls in Delaware at prices higher than they should be, and the farmer is receiving no benefit from it. Is not that correct?

Mr. WILLIAMS. The Senator is correct. It applies not only on poultry but farmers throughout the country, producers of all agricultural commodities, are being hurt under existing regulations. Likewise the consumer is not getting the full benefit of the decline in farm prices.

Mr. MAYBANK. What can we do about what the Army does? I think the Armed Services Committee ought to look into the situation to see why the Army goes to Delaware and pays excessive prices for chickens, and the farmers do not get the benefit.

Mr. WILLIAMS. The Senator is speaking on his own time, I hope.

The VICE PRESIDENT. The Chair thought the Senator had yielded to the Senator from South Carolina.

Mr. WILLIAMS. That is all right.

Mr. President, this amendment applies not only to poultry in the Delmarva area, but it applies to all agricultural commodities, cotton, wheat, corn, and all livestock, et cetera, throughout the country.

Mr. MAYBANK. Mr. President, will the Senator yield on my time?

Mr. WILLIAMS. I am glad to yield on the Senator's time.

Mr. MAYBANK. One reason for the Senator's amendment is that in connection with certain military purchases in Delaware there is a situation in which the military pays high prices for chickens and the farmers receive no benefit. The Army buys from processors, and the processors buy the chickens below ceiling prices. Is not that correct?

Mr. WILLIAMS. The Senator is correct, but the Army is not the only one paying prices higher than those reflected at farm levels.

Mr. MAYBANK. I do not see how we could remedy that situation in this bill.

Mr. WILLIAMS. If the Congress can enact a law to control prices of all agricultural commodities at the farm, it can also control the margins of profit for the middle man. Frankly I think you are in dangerous territory when you attempt either except in time of war or an extreme emergency.

I have received a letter from Mr. DiSalle which I shall ask to have placed in the RECORD along with other correspondence. He points out that he is opposed to the amendment. At that time he was Price Stabilization Director. Mr. DiSalle explained in his letter:

It was not, however, deemed desirable to include such a provision within the context of a general freeze regulation despite the fact that this might lead to unreasonable processors' margins in some cases.

He does not deny the fact that under existing law—and the same is true under the bill as it is now written—there can be excessive margins of profit. I disagree completely with Mr. DiSalle's statement that such a regulation cannot be put into practice, and that it will not work in connection with margin controls, because during the last war there were margin controls in connection with grain and many other commodities. There are margin controls in effect today on handlers of agricultural commodities when the markets are advancing or selling at full permissible ceilings. If they can be enforced as prices go higher why can they not be enforced in reverse. I was in the grain business during the last war, and I know that such controls will work, because we worked under them. As a man in the grain business naturally I would much rather not have margin controls. But if we are to have price ceilings in effect at the farm level, and if we are to have price controls so far as consumers are concerned, then we must have margin controls. Otherwise there will be profiteering. As one who was in the grain business—and the same thing is true of poultry or any other agricultural commodity—I point out that without this amendment any dealer can unlock his price controls within 24 hours after the bill is passed; and so far as his margin controls are concerned, without this amendment there would be no limit to the profiteering which might go on. It was bad enough without controls but for such profiteering to be protected and encouraged by the administration is inexcusable.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. ROBERTSON. The Senator from Delaware brought this subject to my attention last year and I cooperated with him and Mr. DiSalle. There can be no question that the producers of poultry in Virginia, Maryland, and Delaware were being unfairly treated. They were not getting their share of the prices which the Army and others were paying for dressed fowl.

We could not get any action on the part of Mr. DiSalle, as the Senator will observe if he reads the letter which he has in his hand. He admitted that there was present a situation which was not to be commended, but he would not do anything about it. Then we took the Senator's amendment to conference, and we could not sustain it because it ran counter to the Herlong amendment. I do not know that the objection was with reference to the Capehart amendment. However, there is no doubt about the fact that the producer is not getting all that is coming to him.

Mr. WILLIAMS. Mr. President, those who appeared in opposition before the conference committee on behalf of the Price Stabilization Director were representatives of the three men who were responsible for the writing of the directive. Those three men are E. E. Norton, Acting Price Director of the OPS, and formerly on loan from the Dairy Branch of the Department of Agriculture, and Assistant Director of PMA; Earl Benjamin, who has been in the poultry business in New York all of his life; and Howard J. Houk, former vice president of the Armour Co. It is the same group that sold the farmers in our area down the river on the same proposition during World War II. I have a report which I am putting into the RECORD, which shows that the Army today is actually paying from 1 to 2 cents more for poultry than it paid for poultry when war broke out in Korea, at which time farm prices in our area were 10 cents per pound higher than they are today. This condition has just about bankrupted the great broiler industry in my area.

Mr. MAYBANK. Mr. President, if the Senator will yield on my time, I should like to say that there again I want to condemn the military for paying excessive prices for poultry and poultry products when the farmers do not get the benefit of the higher price. However, I do not see how we can stop the practice.

Mr. WILLIAMS. Although I am not defending the military, in all fairness to the Army, I should say that the Army is not paying any more for poultry than millions of American consumers throughout the country are paying. The Army is not paying any more than anybody else. At the time of the outbreak of the Korean war poultry was bringing on the Delaware farm 35 cents a pound. Now it is selling 10 cents a pound less. That is additional margin of profit that is being made under the Defense Production Act, and the practice is being protected and encouraged under this act. There is nothing that can be done about it unless Congress sees fit to correct the situation. The only way to correct the situation is by adopting my amendment. There is no need for any Senator to go out and say that he wants farmers to get a fair share of the consumer dollar or that he wants the consumer to get the benefit of low prices at the farms when at the same time he votes to reject the amendment, because it cannot be mathematically worked out that way. I am sure that the Senator from South Carolina will agree with me. I ask that the Senate adopt the amendment. Whether we be for or against price controls makes no difference; the question here is that if we are to have price controls then let us give the farmer and consumer a break.

I never want to see in my State a repetition of the situation which existed during the last war under the OPA, where the farmers were being repeatedly charged with profiteering when in reality they were not responsible.

I repeat, regardless of our position on controls, let us pass this amendment, and then if we are to have controls at least the farmers and consumers will get a break. This amendment merely guarantees that the farmer will get his rightful share of the consumer dollar while at the same time the legitimate merchant is still fully protected.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a copy of a letter which I received from Mr. Michael DiSalle dated March 21, 1951, my letter to him dated March 6, 1951, and the Army's poultry procurement figures for 1950, 1951, and through April 1952.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

MARCH 21, 1951.

Hon. JOHN J. WILLIAMS,
United States Senate,
Washington, D. C.

DEAR SENATOR WILLIAMS: I have your letter of March 6, 1951, with reference to the impact of section 11 of the General Ceiling Price Regulation on poultry operations in the Delmarva area, in which you state that processors are expanding their margins by temporarily bidding up live poultry prices. You explained that a processor increases his ceiling price for processed poultry by raising the price he pays the producer of the live poultry above the highest price he bid during the base period. After thus increasing his ceiling price, the processor drops the price he pays the producer for the live poultry, without correspondingly lowering his processed poultry ceiling.

Prior to the date of issuance of the General Ceiling Price Regulation, careful consideration was given to the possibility of requiring processors to lower their ceiling price when they paid lower prices for the commodity which they purchased. It was not, however, deemed desirable to include such a provision within the context of a general freeze regulation despite the fact that this might lead to unreasonable processors margins in some cases. Section 11 is a temporary provision that will be eliminated when prices of agricultural commodities reach parity. The prices of most below parity agricultural commodities fluctuate greatly from day to day and even within a single business day. Any attempt to reduce ceiling prices of processors when the cost to them of these commodities is reduced, would lead to rapidly fluctuating ceiling prices and would be largely unenforceable. Moreover, the general trend of prices of most below parity is upward. Therefore, the ceiling price trend of the processor will generally conform to his cost trend. These factors plus the administrative difficulties of using any other technique led us to adopt the provisions now applicable to processors of below parity products.

In view of the intent of the drafters of the regulation, the consideration that was given to the problem you pose, and the explicit language of the regulation, it is impossible to issue an interpretation along the lines you request. However, the Office of Price Stabilization is fully aware of the desirability of preventing, wherever possible, windfall profits such as you describe. Please be assured that the problem you have raised is receiving continuing consideration.

Sincerely yours,

MICHAEL V. DISALLE,
Director of Price Stabilization.

(NOTE.—Both the margins listed for processors, wholesalers, and retailers and the ceiling prices indicated in the following charts are in no way to be interpreted as the legal margins or legal ceilings. They were selected for illustrative purposes only. However, regardless of what the actual margins and ceiling prices were for the base period, December 19, 1950, through January 26, 1951, this principle is operationally correct.)

CHART NO. 1

Example of how program operates as prices advance

ASSUMED BASE PERIOD CEILINGS						
Farm price	28¢+1¢	=29¢+3¢	=32¢+5¢	=37¢+10¢	=47¢+1¢	=48¢
Processors' margin	6	6	6	6	6	6
Processors' ceiling	34	35	38	43	53	54
Wholesalers' margin	2	2	2	2	2	2
Wholesalers' ceiling	36	37	40	45	55	56
Retailers' margin	11	11	11	11	11	11
Retailers' ceiling	47	48	51	56	66	67

CHART NO. 2

Example of how program can operate as prices decline

[Margin freeze nonoperative on decline]

Farm price	48¢−1¢	=47¢−10¢	=37¢−5¢	=32¢−3¢	=29¢−1¢	=28¢
Processors' margin	6	6¼	9	11	12	12
Processors' ceiling	54	53¼	46	43	41	40
Wholesalers' margin	2	2¼	3	4	5	5
Wholesalers' ceiling	56	55½	49	47	46	45
Retailers' margin	11	11¼	17¼	19¼	20¼	21¼
Retailers' ceiling	67	66¾	66¾	66¾	66¾	66¾

UNITED STATES SENATE,
Washington, D. C., March 6, 1951.

Mr. MICHAEL V. DISALLE,
Director, Office of Price Stabilization,
Washington, D. C.

DEAR MR. DISALLE: This refers to the series of conversations which I had with Mr. J. Howard Houk and Mr. Allan Rubin of your office last week relative to the interpretation which has been placed upon section 11 (e) of the price regulation order of January 26, 1951, with particular reference to the ceiling on poultry. I was very much concerned to find that an interpretation had been placed upon this regulation to the effect that, while margins of profit would be sealed as farm prices were in a continuous advance, such margins of profit for the processor, the wholesaler and the retailer of poultry products would not be frozen in a declining market; that is, as it was pointed out to me, as farm prices advanced each 1 cent or fraction thereof, all prices could be advanced automatically up the line with the increased cost being passed on to the consumer; however, once new ceiling prices had been established at some projected level, I found that a decline of even any insignificant fraction would unlock all margin freezes, thereby making it possible for poultry prices at the farm level to decline substantially while at the same time retail prices to the wholesaler and the consumer could be maintained at near ceiling level.

The excuse offered was that it was hard to arrive at a fair or normal margin of profit to an industry and that permanent ceilings on margins during a price freeze would not be administratively feasible. I cannot follow that line of reasoning since, surely, if profit margins can be established and enforced as prices advance, why can they not be in operation in reverse?

The present interpretation is affording a golden opportunity to wartime profiteers to extend their margin far beyond that which is normal to the industry and at the same time cloak their profiteering as legal under the Defense Production Act.

That this opportunity is not being overlooked is evidenced by the market conditions of live poultry on the farms in Delaware and on the Delmarva Peninsula generally as shown by the retail price for the same grade of poultry in the New York market, the daily prices of which are reported and filed by the Marketing and Facilities Research Branch of the United States Department of Agriculture.

I am seriously concerned with this interpretation and the effect which it will

have not only upon the cost of living but also upon the poultry growers on the Delmarva Peninsula. Other Senators who are also seriously concerned have joined me in introducing Senate Resolution No. 93 to correct this interpretation. A copy of this resolution is enclosed herewith.

I express the sincere hope that it will not be necessary for the Senate to be compelled to amend the legislation when the intent of Congress in this matter is clear and that you will accordingly correct this interpretation immediately, thus removing the necessity for action by the Senate. However, in the event such correction is not made, I shall feel compelled in the interest of the consumers and the farmers on the Delmarva Peninsula to insist upon action by the Senate.

An extra cent spread in the margin of handling poultry that moves from the Delmarva Peninsula in 1 week means about $80,000 to the Delmarva farmers. A 3 to 4 cent extra spread in the margins between the New York wholesale market and the farm price as it now exists means a loss to our farmers and an extra profit to the middleman of about a quarter of a million dollars each week.

If this same interpretation prevails in relation to all other agricultural commodities, I can visualize where the farmers and the consumers could be robbed of millions.

I think in the light of these figures you will agree with me that we must have immediate action.

Will you please advise me promptly your reaction to this request and what steps you intend to take in the matter.

Yours respectfully,

JOHN J. WILLIAMS.

Quartermaster procurement of poultry for Armed Forces

[In million pounds]

	Excluding turkeys	Average per pound (excluding turkeys)
1949—December	2.9	39.80
1950—January	2.2	36.75
February	1.4	42.42
March	2.1	48.85
April	2.0	49.32
May	2.7	46.88
June	4.8	48.79
July	4.3	53.55
August	10.3	54.73
September	13.5	51.40
October	9.9	51.30
November	7.0	51.72
December	4.3	50.50
1951—January	5.3	52.58
February	4.4	54.30
March	3.4	54.86
April	3.6	57.55
May	5.0	55.53
June	8.1	58.52
July	8.6	59.32
August	8.5	58.03
September	14.5	58.25
October	12.9	56.58
November	8.5	56.37
December	6.3	56.32
1952—January	7.7	55.20
February	5.9	54.54
March	7.9	52.61
April	6.6	52.67

The VICE PRESIDENT. Does the Senator from South Carolina wish to be heard?

Mr. MAYBANK. I do not wish to say anything.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS] for himself and other Senators. [Putting the question.] The ayes seem to have; the ayes have it, and the amendment is agreed to.

Mr. BRIDGES. Mr. President, I ask for a division.

The VICE PRESIDENT. The Chair has announced the result of the vote. It is too late to request a division.

EXCLUSION FROM GROSS INCOME THE PROCEEDS OF CERTAIN SPORTS PROGRAMS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GEORGE. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GEORGE, Mr. CONNALLY, Mr. BYRD, Mr. MILLIKIN, and Mr. TAFT conferees on the part of the Senate.

FEDERAL-AID HIGHWAY ACT OF 1952—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7340) to amend and supplement the Federal-Aid Road Act, approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the report.

Does the Senator from New Mexico wish to be heard in connection with the conference report?

Mr. CHAVEZ. No; I made my statement previously.

Mr. FERGUSON. Mr. President, I rise to oppose the conference report. I understand that it will be necessary to vote the conference report either up or down, and that it will be necessary to vote it down if we are to have another conference. If the conference report were voted down, as I understand, another conference would have to be held to decide the question.

In connection with the conference report, I wish to call attention to the vote of 45 yeas and 25 nays in the Senate on what is known as the Rama Road.

The Senate bill provides $8,000,000 to complete what is known as the Rama Road, which is no part of the Inter-American highway at all, but is being constructed from Bluefield to Managua in Nicaragua.

In 1943 or 1944 the President of the United States gave to the Nicaraguan Government the sum of $4,000,000. The report clearly indicates that at the time the President of the United States gave the money to the Nicaraguan Government it came out of what was known as the secret fund of the President of the United States, and it was not known by the Congress or by the people of the United States of America for what purpose the funds were given. He gave the sum of $4,000,000 to the Nicaraguan Government in order to complete the road. The report stated that the best estimate was that $2,000,000, or a little more than $2,000,000 would be required to complete the Rama Road.

When the Senator from Michigan was on the War Investigating Committee he was assigned the duty of looking into the Inter-American highway. We discovered with respect to the Inter-American highway that the engineers had built a road, but that the Highway Commissioner of the United States was not satisfied with a part of the road that was built, consisting of some 30 or 40 miles in Guatemala. He abandoned it and built another highway. That is the way the funds of the American taxpayers were treated.

Mr. KERR. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. KERR. Was that road built in Nicaragua?

Mr. FERGUSON. No.

Mr. KERR. Was any part of it connected with the Rama Road?

Mr. FERGUSON. No. In 1943 or 1944 the taxpayers' money was used to build a road running off the Inter-American Highway up to the farm of the President of Nicaragua. It was about 26 kilometers in length.

The road for which the $4,000,000 was given was partly constructed. Efforts have been made to get into an appropriation bill funds to build the so-called Rama Road. So far effort has failed. Now we discover that the funds for it are being authorized for the first time in this road bill. I call attention to the fact that the conference report provides:

There is hereby authorized to be appropriated—

Is it $2,000,000?

Mr. CHAVEZ. Two million dollars; yes.

Mr. FERGUSON. Has the report been changed?

Mr. CHAVEZ. Yes.

Mr. FERGUSON. May I have a copy of the corrected report?

Mr. CHAVEZ. It is at the desk. The House report contained a clerical error, and by resolution it was changed to $2,000,000.

Mr. FERGUSON. The report reads:

There is hereby authorized to be appropriated $2,000,000 for the fiscal year—

Is that correct?

Mr. CHAVEZ. 1953 and 1954.

Mr. FERGUSON. Ending in 1953, and a like sum for the fiscal year 1954; is that correct?

Mr. CHAVEZ. That is correct.

Mr. FERGUSON. In other words, the conference report authorizes the appropriation of $2,000,000, not for completion of the road, but merely $2,000,000 for the fiscal year 1953 and an additional $2,000,000 for the fiscal year 1954. Again I call the attention of the Senate to a point which I believe is vital, namely, that the estimate for completion of the road was made in 1948. As a matter of fact, if

once we undertake to build the road and make the authorizations now requested, namely, for the appropriation of $2,000,000 for the fiscal year 1953 and an additional $2,000,000 for the fiscal year 1954, we shall discover that by so doing we shall not have authorized all the appropriations that will be necessary in order to complete construction of the road. On the contrary, we shall discover that additional appropriations will be required in the future.

So, Mr. President, although at this time we are requested to authorize the appropriation of $2,000,000 for the next fiscal year, to be used for construction of this road, and $2,000,000 for the following fiscal year, yet we must realize that the November 1948 estimate of the total cost of completing the road was $8,000,000, and the authorizations now requested are for only half of that amount.

Furthermore, anyone who considers the degree of inflation which has occurred in recent years knows that the 1948 estimate, and it was only an estimate, of the cost of building the road is much smaller than what today's estimate would be. As a result of the inflation which has occurred, if we attempt to complete construction of this road, appropriations of much more than $8,000,000 will be required.

Mr. CHAVEZ. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. FERGUSON. Yes; I am glad to yield.

Mr. CHAVEZ. For the very reason the Senator from Michigan has outlined, the Committee on Public Works recommended an authorization of appropriation in the amount of $8,000,000, and specifically spelled out that that would be the total amount for completion of the road. If that is not done, it will be because of objections similar to those on the part of the Senator from Michigan.

Mr. FERGUSON. Mr. President, the request to authorize the appropriation of $8,000,000 to complete the road was rejected by the Senate; the vote in the Senate was 45 against the request to 25 in favor of it.

Now we have a proposal to authorize the appropriation of $2,000,000 for the next fiscal year and $2,000,000 for the following fiscal year. Thereafter we would have to appropriate large sums in addition; at that time it would be said that we would be obligated to do so because Congress had already made a commitment.

On the other hand, up to this very moment there has been no congressional commitment for construction of the highway, and Congress has no obligation whatever to Nicaragua to see that the highway is built.

Mr. CHAVEZ. Mr. President, will the Senator from Michigan yield to me at this point?

Mr. FERGUSON. I am glad to yield.

Mr. CHAVEZ. Whether we have an obligation is a question of opinion. Is it not a fact that the vote to which the Senator from Michigan has referred was based upon the $8,000,000 authorization which had been recommended by the Committee on Public Works, and not upon the authorization of $2,000,000 which was agreed upon in the conference committee?

Mr. FERGUSON. But the Senator from New Mexico does not contend, does he, that an authorization of $2,000,000 for the coming fiscal year would be the end of our obligation, after Congress thus recognized an obligation to complete the road?

Mr. CHAVEZ. Of course I do not make such a contention because I do not agree with the Senator from Michigan that there is no obligation whatsoever.

My point is that the Committee on Public Works wished to have an authorization of $8,000,000 made, but the Senate said "No." The House voted for an authorization of $2,000,000.

Many millions of dollars are involved in this undertaking. When a bill goes to conference, the conferees on the part of the Senate do not have to insist that everything the Senate has voted is correct. After all, a conference is for the purpose of reaching a compromise.

Instead of agreeing upon the authorization of $8,000,000 which the committee believed should be made, the Senate conferees agreed with the House that an authorization of $2,000,000 was a reasonable compromise; and that is all there is to the conference report.

Mr. FERGUSON. Mr. President, that is not quite the conference report. The conference report calls for an authorization of an appropriation of $2,000,000 in the fiscal year 1953 and an authorization of an appropriation of $2,000,000 in the fiscal year 1954.

Of course we know that once this conference report is agreed to and once the Congress authorizes the appropriation of $2,000,000 in the fiscal year 1953 and $2,000,000 in the fiscal year 1954, we shall be required to authorize and to make sufficient additional appropriations to complete the road, because the subject will be brought up again, and then we shall be told that in 1943 and 1944 the United States spent a total sum of $4,000,000 on the road, and that for the fiscal year 1953 the Congress authorized the appropriation of an additional $2,000,000 for the road, and that for the fiscal year 1954 the Congress authorized the appropriation of an additional $2,000,000 for the road.

The result will be that at that time we shall have invested in this highway, which is not a part of the Inter-American Highway, $8,000,000. Then we shall be told, "Are you the kind of country that will invest $8,000,000—$4,000,000 of it by act of Congress—and then will not complete the highway, with the result that that expenditure of $8,000,000 will become useless?"

Mr. CHAVEZ. Mr. President, will the Senator from Michigan yield to me at this point?

Mr. FERGUSON. Yes; I am glad to yield.

Mr. CHAVEZ. Will not the American people also be told that for the $8,000,000 they will have spent on the road up to that time, they will receive a return which possibly would have cost them $800,000,000? Will not the American people be told that, too? We got a good "deal" in this matter, I say to the Senator from Michigan.

Mr. FERGUSON. Mr. President, we are familiar with the treaty. Back in 1914 the United States made with Nicaragua a treaty permitting the United States—not requiring us; there was no obligation whatever upon us—to build a canal across Nicaragua. The United States paid $3,000,000 to the Nicaraguan Government for that privilege. There was absolutely no obligation upon the United States to build the canal.

On the other hand, this road does not parallel the course of any proposed canal. The road does not run all the way across Nicaragua.

I say to the Senate that when we are facing a deficit of $14,000,000,000 for the present fiscal year; when we are asked by the Defense Department to make appropriations for a $52,000,000,000 defense budget, from which we are told we cannot cut one dollar; when we are being asked to go into the red insofar as deficit financing is concerned; and then when we are asked to authorize the appropriation of $2,000,000 for a road of this sort in the coming fiscal year, and an additional $2,000,000 in the following fiscal year, and no one knows what amount of appropriations will be required for the road in the following fiscal years, at least we are entitled to inquire whether the Department of Defense had made any recommendation to the effect that this road would be useful for military purposes.

Has the Department of Defense made such a recommendation? Has the Department of Defense recommended or stated that this road, when constructed, would be useful for military purposes? No, Mr. President.

Back in 1947, General Eisenhower, when he was Chief of Staff, submitted an opinion to the effect that this road, if completed, could at that time be of some military value; he certified that the road could be of hemispheric defense value.

Mr. President, we must prepare to meet what we see now as a common enemy. The common enemy today is not in Central America; today the common enemy is in Moscow.

I say to the Senate that the time has come when, so far as appropriations are concerned, we must tighten our belts, and whether an item be for $2,000,000 or for a larger sum we must be satisfied that it is justified. After all, Mr. President, the Members of Congress are trustees for the American people of the tax revenues of the Federal Government. All the people of the United States, including the thousands and hundreds of thousands and millions of small working people, are taxed, under the income-tax laws, to provide the tax revenues of the United States Government. Each and every Member of the Senate and each and every Member of the House of Representatives is a trustee in connection with every dollar to be appropriated by the Congress from the tax revenues.

Mr. President, the distinguished Senator from Georgia [Mr. GEORGE] is now on the floor. He has said that he does not believe the United States Government can increase present taxes or can provide for the collection of any larger amount of tax revenue than the amount now being obtained from the American

people. I share that view, and I believe the Senator from Georgia is absolutely correct when he says that the United States of America cannot afford to tax its citizens any more heavily than they are being taxed at the present time. If we increase taxes, we shall kill the incentive element in our free-enterprise system, and when our free-enterprise system dies, there will be no free enterprise anywhere in the world.

Although the authorization now requested is in the amount of only $2,000,000, yet it involves a great principle.

No doubt, Mr. President, if I wanted to represent selfish interests, I should advocate the building of this road, for probably the result of completion of the road would be that a few more automobiles built in the city of Detroit and in the State of Michigan would be sold, for use in Nicaragua, on this road.

Mr. President, I have seen roads built in other countries, and at this time I shall mention some of them.

I recall going to Bermuda at a time when the Second World War was going on. Prior to that time, the roads in Bermuda had been dirt roads.

Mr. CHAVEZ. Mr. President, will the Senator from Michigan yield to me at this time?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New Mexico?

Mr. FERGUSON. I do not yield at this moment, Mr. President.

The VICE PRESIDENT. The Senator from Michigan declines to yield.

Mr. FERGUSON. Mr. President, as I was saying, at that time the roads in Bermuda were dirt roads.

Then we discovered that all the roads in Bermuda had been paved with blacktop paving, and we discovered that the United States taxpayers had paid for the paving of those roads. However, when I went to Bermuda at about that time, I did not see on those roads any automobiles which had been manufactured in the State of Michigan. I inquired of one of the members of the Bermuda Legislature how it was that no Michigan-made or United States-made automobiles were in use on those roads. He said, "Why, that is a simple matter: We prohibited the use on the roads of any automobiles having engines of more than 10 horsepower." In other words, it was stated that the only automobiles that were to be used on the roads we built were to be made in Great Britain. I shall never forget another investigative trip we made to Trinidad.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. FERGUSON. In a moment. I want to explain some of the things we have been doing along this line.

Mr. CHAVEZ. I merely wanted to suggest that one would not find 10-horsepower automobiles, but would on the contrary, find Michigan automobiles on the Rama Road and throughout Central America.

Mr. FERGUSON. That may or may not be the case. The people in Central America have the same power in regard to what they will import that we do. Let me tell the Senator about Trinidad. We discovered that in Trinidad the Navy had taken over a private club. It was on a plantation facing the ocean. It would accommodate about 20 persons. The Navy took it over, and they then discovered that at once the natives remarked, "America has come here, and they have taken over the club and the only bathing beach available to the people of our city." It was merely a rich man's club. But the United States, in order to avoid publicity when the war was at its height, built, by using the Seabees, a highway over the mountain to a small beach on the west side of Trinidad, at a cost of more than $500,000.

Mr. KERR. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from Oklahoma.

Mr. KERR. How far is Trinidad from Nicaragua?

Mr. FERGUSON. I could not tell the Senator.

Mr. KERR. The Senator does not know.

Mr. FERGUSON. No.

Mr. KERR. Are they in the same hemisphere?

Mr. FERGUSON. Oh, yes.

Mr. KERR. Are they on the same continent?

Mr. FERGUSON. No.

Mr. KERR. How far is it from Bermuda to Nicaragua?

Mr. FERGUSON. I am sure the Senator from Oklahoma knows. I am merely trying to point out what is being done.

Mr. KERR. Mr. President, will the Senator yield for a question?

Mr. FERGUSON. Not at the present time.

Mr. KERR. I do not blame the Senator.

The VICE PRESIDENT. The Senator from Michigan declines to yield.

Mr. FERGUSON. Mr. President, I bring these matters to the attention of the Senate, because, after all, the Senator from Oklahoma and all the other Members of Congress are, as I have said, merely trustees for the taxpayers' money. Even though the people of Nicaragua might use oil and gas from the great State of Oklahoma, and even though they might use automobiles from the great State of Michigan, we have no right as trustees to take the taxpayers' money for the benefit of another nation, unless it is done as a part of the common defense. And, Mr. President, it is not certified here that it is part of our common defense. I am merely asking the Senate to consider this matter very carefully. I hope Senators will vote "no" and that the House will understand that we in the Senate are really trying to cut the nonessential expenditures of the Government of the United States, and that we are doing our very best to balance the budget.

Mr. CASE. Mr. President, we are trustees for the taxpayers of the United States. If it were not for the fact that I thought we were, I would never have signed this conference report embracing the Rama Road project. We had no part in making the promise. It was made by the late President Roosevelt to the President of Nicaragua during the war. Whether the same consideration which led General Eisenhower to write the letter which has been cited by the Senator from Michigan, also led President Roosevelt to make the promise, I do not know. We have been told that it goes back to an implied promise that we were going to build the Nicaraguan Canal. Be that as it may, the road project has been started. Be that as it may, General Eisenhower did say that it had some military significance, at the time he wrote the letter.

Mr. FERGUSON. He said it could have.

Mr. CASE. That it could have some military significance, he said, at the time he wrote the letter. I recall that some years ago, just prior to the time we got into World War II, we were asked to appropriate funds for the building of a third set of locks in order to have an alternate route across the Isthmus of Panama. I opposed that at the time. I was one of those who fought the appropriation of that money, because I said there would not be time to build the alternate canal, if it were to do us any good in World War II. When we got into World War II, we suspended the work, proving that those of us who opposed it at the time were right from the standpoint of spending money.

During World War II we built the Alcan Highway, because we wanted an alternate route to Alaska in the case the water route should be made unusable, that is, in case the submarines made is impossible to use the water route. So we built the Alcan Highway, and did it with the war dollar.

It is true, as the Senator from Michigan says, that perhaps a potential enemy now is located in this hemisphere. He may not be in the Isthmus of Panama; but if war comes, the Panama Canal would be probably one of his most vital targets. Some sort of alternate route to get transports from the Atlantic to the Pacific without going around the Horn is important and essential.

This item is purely an authorization; it is not an appropriation. It is not like the other parts of the highway bill, in which authorizations are made. The Appropriations Committee still retains control, and the distinguished Senator from Michigan, as one of the hardest working members of that committee, will have another bite at the cherry, so to speak, because he can oppose the appropriation.

But it seems to me we would be derelict in our trusteeship for the American taxpayer if, having started this road and having the assurance of the required treaty agreement that the road would be open to our commerce on the same terms that it would be open to the commerce of Nicaragua, we failed to take advantage of the opportunity to complete an alternate route across from the Atlantic to the Pacific. It is not a canal, to be sure, but at least it is a medium by which we could transport material from one ocean to the other without having to go around the Horn. So it seems to me that we would be derelict in our duty if we did not approve the authorization.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. CASE. I am happy to yield to the Senator from Michigan.

Mr. FERGUSON. The Senator is familiar with the fact that highways cross Panama, is he not?

Mr. CASE. Yes. I have ridden on them.

Mr. FERGUSON. They are much narrower, are they not?

Mr. CASE. Yes. I repeat, I have ridden on them.

Mr. FERGUSON. The Senator does not anticipate now that Russia is capable of destroying the Panama Canal, does he?

Mr. CASE. I certainly do.

Mr. FERGUSON. The Senator does?

Mr. CASE. I certainly do.

Mr. FERGUSON. The Senator from Michigan does not share that belief.

Mr. CASE. The Senator from Michigan must know that if the central lake, which is the key to the Panama Canal, were destroyed, it could not be replaced within a year and a half, and upon it depends the collection of water for the floating of ships through the Canal.

Mr. FERGUSON. We have the highway there. The Rama Road does not go clear across Nicaragua. It goes only to Managua.

Mr. CASE. It goes to a point, I understand, where lighters could come up to the water from the bay. It does provide transportation; at least testimony was given to that effect.

Mr. FERGUSON. I find nothing in the testimony on that point.

Mr. CASE. That was the testimony given by our Ambassador to Nicaragua, the Honorable Tom Whalen, who came here at the time we were having hearings on it.

Mr. CHAVEZ. Ambassador Waynick and Mr. Miller so testified.

Mr. CASE. Mr. Miller, of the State Department.

Mr. CHAVEZ. And Mr. James, of the Bureau of Public Roads.

Mr. CASE. In fact, this particular point was one I raised when I looked at the map. I said, "Why build the road here, when it does not go clear out to the water?" The answer was, "Because of the deep river which makes it possible by lighter to move commerce up to this city." So the road actually does provide an alternate transportation route across Nicaragua.

Mr. FERGUSON. In case of war, how much freight does the Senator think would be transported across a road such as this to lighters on this river? To what extent does he believe that munitions could be transported on that route?

Mr. CASE. In point of tonnage, I do not know; but it might be that some very essential materials could be transported over it—probably as much as we could have sent to Alaska over the Alcan Highway which we built during the war. If the Senate thinks there is any military value in this road, if General Eisenhower thought it could have strategic value, and if we want it, we should build it before the next war is on us.

Mr. FERGUSON. The Senator refers to a time when we were building air fields in Central and South America. But this is an entirely new project. We face a new world. We face a new condition.

Mr. CASE. Yes.

Mr. FERGUSON. We are trying to raise enough money to prepare ourselves throughout the world.

Mr. CASE. Yes. We face an enemy that could send 70 percent of her planes over continental United States, as the Chief of our Air Force has said. If that be true, then certainly we face an enemy that could drop a bomb that could destroy Central Lake in the Panama Canal.

Mr. FERGUSON. Is it estimated that Russia could send 70 percent of her planes to America?

Mr. CASE. It has been stated that she could.

Mr. FERGUSON. May I ask, 70 percent of what planes? How many planes does Russia have that she could send?

Mr. CASE. I do not know.

Mr. FERGUSON. They could send them to the Panama Canal, too, I assume.

Mr. CASE. I certainly know that it would be possible for the Panama Canal to be knocked out without very much trouble, in spite of all the defensive works we have there. We have put in extra equipment, but anyone who has listened to the semiclassified testimony regarding the Panama Canal must recognize that the Panama Canal is not necessarily defensible.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. CASE. I am happy to yield to the Senator from Idaho.

Mr. WELKER. I have listened to debate with respect to the freight that could be carried by lighter on the waterway to this road. Am I correct in that? Did not the Senator from South Dakota make that statement?

Mr. CASE. That was the testimony before the committee.

Mr. WELKER. I am wondering if we cannot do more with airplanes than with lighters.

Mr. CASE. That may be; but if there are ships expecting to go through the canal, and the canal is knocked out, we might need an alternate route.

The Appropriations Committee will pass upon the authorization, but it seems to me, as a member of the conference committee on this bill, and in the face of the testimony we had, we should make it possible for this road to be completed. We started it. We can quit if we want to and I am not stressing anything at all about the moral argument involved. I am only saying that we have enough invested in it to justify us in going along with the position of the House.

Mr. HOLLAND. Mr. President, I rise to support strongly the position taken by the Senator from South Dakota. In asking for the approval of the conference report, I want the RECORD clearly to show that the report was not a one-way document and the result of the conference was not a one-way settlement. For instance, the House had declined to do anything in support of the speeding of construction of the interstate highway system which at least some Members of the Senate committee thought constituted the greatest bottleneck in our whole security system, so far as highway facilities were concerned.

The Senate put in an additional item of $50,000,000 for each year to be used solely on interstate highway construction, on a fifty-fifty matching basis with the States.

The House was reluctant to give in at all on that point, because the conferees claimed, and properly so, that in a sense this would be a disturbance of the time-honored basis of allocation between the primary aid, secondary aid, and urban aid systems which are the normal portions of the Federal aid setup. But the House yielded on that point by agreeing that $25,000,000 per year or half of the sum that was voted by the Senate, in its discretion, should remain in the conference report.

The House had not put into the bill anything affecting defense access highways. The Senate committee, in the beginning, at the time of the hearings, had felt that was the proper course, but because of the long delay which intervened before we could finally get the bill reported by the full committee, and because of the very great need for defense access highways, we felt we should have an item for access highways, and we placed in the bill an item of $50,000,000 for that purpose, which the Senate approved. The House was still of the feeling that separate legislation should be required. There is good ground for that feeling, but, finally, after long discussion back and forth, it was agreed that because of the time situation the House would yield to the Senate upon that particular item.

I could mention other items in which the House yielded to the Senate and to the positions taken by action of the Senate. This happens to be one of the items, Mr. President, in which the House would not yield to the Senate position, but, instead, took the position that the House had determined that there was a moral obligation upon our Government, and that aside from that the method which they had laid down in their particular bill for handling this matter was a good approach and was an approach which the Congress should recognize.

Mr. President, I invite the attention of the Senate at this time to the fact that not only is the amount different and the time factor different in the House bill from that which the Senate passed upon and disapproved, but, also, there are five safeguards written into the formula of the House bill, some of which were not written into the Senate bill, and upon which the House was relying. In order that the Senate may have information as to those safeguards, I want to read the part of the conference report which provides that these five things must take place before any expenditure can be made, even if appropriations are made. Before expenditures can be made under this authorization these five particular safeguards have to be provided.

The first safeguard is that there must be a request received from the Republic of Nicaragua and an agreement entered

into based upon that request, which shall provide that the Republic of Nicaragua—

(1) will provide, without participation of funds herein authorized, all necessary right-of-way for the construction of said highway, which right-of-way shall be of a minimum width where practicable of 100 meters in rural areas and 50 meters in municipalities and shall forever be held inviolate as a part of the highway for public use;

(2) will not impose any highway toll, or permit any such toll to be charged for the use of said highway by vehicles or persons;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said road by vehicles or persons from the United States that does not apply equally to vehicles or persons of such Republic;

(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with the provisions of the Convention for the Regulation of Inter-American Automotive Traffic, which was opened for signature at the Pan American Union in Washington on December 15, 1943, and to which such Republic and the United States are parties; or any other treaty or international convention establishing similar reciprocal recognition; and

(5) will maintain said road after its completion in proper condition adequately to serve the needs of present and future traffic.

A portion, but a small portion, of these five requirements was embraced in the text of the Senate bill upon which the Senate passed.

The conference report does not endeavor to envision the complete authorization of the highway, but it does follow the terms of the House bill in authorizing an appropriation of $2,000,000 a year, or $4,000,000 in all, for the two fiscal years 1953–54, and 1954–55.

Mr. FLANDERS. Mr. President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. FLANDERS. The point has been made by those who are supporting the report, that there is really a moral obligation involved. Does the Senator so hold?

Mr. HOLLAND. I not only hold that point, but there is specific testimony in the RECORD with reference to it. I should now like to quote from the testimony of the Assistant Secretary of State. I shall not read the matters of inducement having to do with the old treaty and the negotiations, but simply that part which bears on the commitment made:

Accordingly, on April 8, 1942, this Government—

That means our Government—

in an official note stated that it would be willing to construct a highway between San Benito and Rama and to survey and recommend a route from Rama to El Bluff.

In order to make the RECORD perfectly clear, San Benito, one terminus of the road, connects with the Inter-American Highway, and in effect connects with the west coast, or the Pacific coast side of the Republic of Nicaragua. The Rama end of the road is at the head of navigation on a river on the Atlantic, or Caribbean, side of Nicaragua. So this road, when completed, will be the first vehicular road across Nicaragua, and will enable transportation by motor vehicle from one ocean to the other.

Mr. FLANDERS. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield again to the Senator from Vermont.

Mr. FLANDERS. Was this obligation entered into by treaty, or by executive action?

Mr. HOLLAND. It was entered into by Executive action. I may say to the Senator that it was entered into during the progress of the Second World War, at a time when the President of the United States had authority to spend large emergency funds in this and other fields.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. CHAVEZ. Was it not the result of a treaty?

Mr. HOLLAND. It flowed out of an earlier treaty. But let me continue my statement.

We were in the midst of the war, and this negotiation took place in the spring of 1942. I do not have to remind Senators that that was a time when submarines were sinking ships off the Atlantic coast and in the Gulf and Caribbean, as well. I am certain I do not have to remind Senators that those were tense days.

The President of the United States, in pursuance of emergency powers granted him for the expenditure of emergency funds, obligated the United States to build the Rama road, so far as transportation was concerned for the time being as a substitute for the Canal.

If I may go back, the obligation under the treaty of many years before was a disputed one. The treaty called for the giving of a right to the United States to build a second canal across the Isthmus through Nicaragua. The United States held that under the treaty it had simply an option to build a second canal. The Republic of Nicaragua held that the United States was obligated to build the canal. The point at issue between the two Presidents was whether or not the United States would then build the canal.

The President of the United States having in mind the fact that the Republic of Nicaragua was contending for the other position, and having in mind also the fact, as is shown by the record, that the Republic of Nicaragua had declared war the day after the United States had declared war, and had made available to us very valuable port rights on the Pacific, which we were then using, committed the United States to build the road.

Not only that, but actual construction of the road was begun, and the road was almost half completed during the progress of the war, at an expenditure of some $4,000,000 taken from the President's emergency fund.

The matter before Congress is simply whether we are going to carry through and complete an obligation entered into at a time of great tension, at a time of great danger to our country and to all our allies. The question is whether we should see this project through. It was the unanimous verdict of the Senate Committee on Public Works that we should. It was the verdict of the House, in the words prescribed in the House bill, that it should be done. After the conference committee had concluded its work, it was the verdict—and I believe the unanimous verdict—of the conference committee that this was something we should do.

I may say that the two conferees from the other side of the aisle were the distinguished Senator from South Dakota [Mr. CASE], who is present, and the distinguished Senator from Washington [Mr. CAIN], who I understand is perhaps in a hospital today, and I regret to hear that he is. However, the report of the conference was unanimous.

We believe the House made very material concessions to the Senate in the course of the conference. We feel that this item is in effect a minor provision of the bill. We believe this item is a commitment that we should carry out and see through to completion.

I should say to the Senate that it is not intended that this money should be turned over to someone else. The road construction is to be done by our own Bureau of Public Roads, by our own engineers. The road will fulfill an important objective.

Mr. FLANDERS and Mr. FERGUSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. HOLLAND. I am glad to yield further to the Senator from Vermont.

Mr. FLANDERS. So far as I can see, from what the Senator has said about the testimony, there is a real commitment.

Mr. HOLLAND. That is correct.

Mr. FLANDERS. If there is no commitment that is binding upon us, I for one would want to repudiate commitments of this sort which are not covered by treaty or other agreements which must be passed upon by the Senate. If there was a commitment made in wartime, under authority given by the Senate, that is another proposition. If that is the situation, I feel that I must support the conference report.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I have heard no one question the fact that the commitment was made by the President in time of war pursuant to emergency powers, and at a time when he thought that the entire work would be completed out of emergency funds then entrusted to him. It proved to be the case, at that remote distance, that the difficulties involved in completion of construction were not realized during wartime.

Mr. FERGUSON. Mr. President, will the Senator advise the Senate of the words of the commitment? Is it not true that only a certain amount of money was given, which was $4,000,000? It was anticipated that the road could be built for a little more than $2,000,000. I do not believe the office of the Secretary of State contends that there was an Executive agreement made in wartime to build the highway.

Mr. HOLLAND. I shall quote the direct words again.

Mr. FERGUSON. But what was the instrument? Did he produce the instrument or the Executive agreement?

Mr. HOLLAND. I do not recall that he did.

Mr. FERGUSON. No; and when the War Investigating Committee tried to get the documents, we could never get them.

Mr. HOLLAND. Is the Senator questioning the agreement? If he is, he is the first one who has questioned, throughout all the discussion, the veracity of the Assistant Secretary of State, who meticulously covered the whole subject and specifically said that we were committed. I read his words:

Accordingly, on April 8, 1942, this Government in an official note stated that it would be willing—

Not to make $4,000,000 available, but—

to construct a highway between San Bernito and Rama and to survey and recommend a route from Rama to El Bluff.

I think I should place in the RECORD the fact that while Rama is at the head of navigation on the river, El Bluff is at the mouth of the river, and it is the expressed desire of the Republic of Nicaragua eventually to build, at its own expense, an extension of the road to go all the way to the Caribbean. But that is not necessary for the purpose or objective, which was that we have a highway across the Isthmus from one sea to the other.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. FERGUSON. During an investigation by the War Investigating Committee, I attempted to get documents which were supposed to incorporate this commitment, but I was never able to get such documents. That is the reason, and the only reason, why I am raising the question of our actual commitment under an executive agreement.

Mr. HOLLAND. Mr. President, I may say that in the argument in the Senate on this same point but a few days ago, according to my recollection the Senator from Michigan made no such point and no such claim, and the Senate stood upon the official ground that we were informed officially that an official note had been exchanged in connection with this matter. We were informed officially that $4,000,000 had already been spent in the construction of the project and that it was practically half completed.

We were informed officially by the Assistant Secretary of State—and I now quote from him:

I might point out in that connection that during World War II we received very valuable cooperation from Nicaragua, which was agreed upon just about that time, in connection with the use of certain ports on the Pacific Coast, in which we, in effect, got base rights.

I asked the question:

And did the granting of those base rights and the cooperation by Nicaragua, falling at that same time, constitute a part of the over-all objective which the President and the United States Government had in view?

The answer from the Assistant Secretary, Mr. Miller, was:

Yes, sir; very much so.

If that does not constitute an obligation of the type which this great Nation would want to recognize, as obligating itself to one of its smaller neighbors, who, nevertheless, acted as a sister republic in helping us as it could in that time of great danger, the Senator from Florida does not know how to interpret the words.

Mr. FERGUSON. Does not the Senator realize that Nicaragua had declared war, and was a part of the war machine, with some obligation to America to furnish ports? Would it not have been well, if we have these so-called executive agreements, if somehow or other we could obtain them, to ascertain really what they call for, and whether part of the consideration was as indicated? I do not understand that Mr. Miller was with the Government at that time.

Mr. HOLLAND. It seems to the Senator from Florida that the Senator from Michigan is practicing some real hair splitting.

Mr. FERGUSON. I am not trying to split hairs.

Mr. HOLLAND. The Senator from Michigan is not questioning at all the specific statement made by the Assistant Secretary of State, to the effect that there was an official note on this subject, by which we obligated ourselves. The only question which could possibly be raised is whether or not this is the time to recognize our obligations. The Department of State, the Department of Defense, and other agencies, including the Bureau of Public Roads, from which we heard, are strongly of the view that this half-built road should be continued and completed, and that it is ridiculous to leave it in the half-built condition in which it now exists, when it serves no one, and particularly when it operates as a constant thorn in the flesh, to prevent the truly friendly relations and the real good will which we would like to see exist in that particular quarter.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. FERGUSON. The Senator no doubt is familiar with the statement to be found on page 368 of the record, wherein Mr. Miller said:

The Department realizes fully that such an agreement cannot bind the Congress later to appropriate funds for its fulfillment.

Mr. HOLLAND. Mr. President, I recall that well; and I am glad now to call the Senator's attention to page 371 of the printed record, showing the exact text of the communication from the President of the United States to the Republic of Nicaragua, under date of April 8, 1942, and the answer of the Republic of Nicaragua. I do not think it is necessary to read the entire text into the RECORD at this time, although I shall be very happy to do so if any Senator wishes to hear it. I believe that the printed record is available to all Senators. Suffice it to say that I had forgotten the fact that the Assistant Secretary of State did produce, and there was exhibited to the committee, and there is copied into the record of the hearings, a complete recital of the contents of the note addressed by President Roosevelt on April 8, 1942, to the Nicaraguan Minister for Foreign Affairs, which constitutes the obligation under which we now proceed.

Mr. President, perhaps this is a small matter in terms of dollars and cents, but I think it is a very large matter from the standpoint of our demonstrating whether or not we propose meticulously to observe our commitments, even to those who are weaker than we, even to those who cannot in any way enforce their will against us, but who can point to this particular textual commitment made by the President of the United States on behalf of our Nation, in time of mortal combat, and which we recognized to the extent of having proceeded, so that the road is substantially half completed.

The Senator from Florida does not believe that there will be found in this body Members who will quibble over the question of the existence of an obligation in such a situation. It makes no difference to what party a President of the United States may belong. It makes no difference what philosophy the President of the United States may espouse. He may not be of our particular philosophy. But if he speaks for our Nation during such a time and under such conditions of stress, and then proceeds to act upon that statement, as he did, by making available $4,000,000, which was actually used on this program at that time, I do not believe that any Senator can successfully question the fact that that course of dealing meant something, and that we were obligating ourselves to go through with the task which we undertook jointly with the Republic of Nicaragua.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. DWORSHAK. When was the $4,000,000 expended on construction? When was the construction work actually stopped? How many years ago was it stopped?

Mr. HOLLAND. As the Senator from Florida recalls, there has been no construction work since World War II.

Mr. DWORSHAK. Can the Senator explain why there has been a delay of several years, and why the project was not completed as originally committed, according to the statement of the Senator from Florida?

Mr. HOLLAND. The statement by the Assistant Secretary of State was to the effect that the $4,000,000 allocated did not prove sufficient, and when we asked him why it did not prove sufficient he stated that the cost of materials and labor went up tremendously during the war, which would be no news to any Member of the Senate. It was found that the amount allocated did not nearly suffice to complete the job. By the time the war was over and the first part of the job was completed, no further funds were available to which to turn; and the Senator from Idaho knows, as well as do all other Senators, that we have been proceeding from day to day in an effort to catch up with the business of the Nation, which had fallen behind during World War II. I do not believe it is

difficult to understand why this particular item should not have been given immediate or first attention.

Mr. DWORSHAK. Mr. President, will the Senator yield for another question?

Mr. HOLLAND. I yield.

Mr. DWORSHAK. I cannot understand why, in the face of that commitment, this particular project was not completed several years ago. If the United States was obligated to complete it, why has there been an interim of 6, 7, or 8 years, during which no effort was made by the Public Works Committee or the executive department of this Government to complete the project in compliance with the commitment? Can the Senator explain that?

Mr. HOLLAND. I will say to the Senator from Idaho——

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield, and then I shall reply to the Senator from Idaho.

Mr. MAYBANK. I should like to ask the majority leader a question. Many Senators are asking me how late the Senate is to remain in session this evening in connection with the Defense Production Act. When I talked with the majority leader earlier in the day I understood that we were to have a night session. I understand that it is possible that the Senate may be in session as late as 8 or 9 o'clock. As I understand the situation, several amendments remain to be disposed of. There is an amendment by the Senator from Kansas [Mr. SCHOEPPEL], an amendment by the Senator from South Dakota [Mr. CASE], There is also another seizure amendment of some kind. I intend to offer an amendment. What shall I tell Members on this side of the aisle? If we are to have a night session, how late will it be?

Mr. McFARLAND. Mr. President, there is no use in having a night session unless we are to complete consideration of the bill, or come somewhere near completion. If we continue to postpone action on the bill from day to day, Senators will manufacture a few more amendments and we shall be here indefinitely. I regret very much that the conference report was brought up this afternoon. I wanted to complete consideration of the pending bill.

Mr. CHAVEZ. Mr. President, I think there is more of a chance of getting rid of the conference report, one way or the other, than there is disposing of the war production bill.

Mr. McFARLAND. That may be true. If it is not true, the chances of disposing of the conference report are pretty slim.

I should like to know how much longer the debate on the conference report is to continue. Then perhaps I could answer the question of the Senator from South Carolina.

Mr. CHAVEZ. Mr. President, it is my purpose to continue with the conference report until the Senate votes upon it.

Mr. MAYBANK. I simply wish to know how late we should expect to remain here. I do not wish to shut off any Senator.

Mr. CHAVEZ. There may be one or two other Senators who wish to speak on the conference report.

Mr. MAYBANK. The Senator from New Mexico knows that I would never suggest that he or any other Senator be denied an opportunity to speak. What I wish to know is, Will we be here until 9 o'clock, 10 o'clock, or later?

Mr. CHAVEZ. I cannot tell the Senator when we shall conclude consideration of the conference report, any more than he can tell me when the Senate will complete consideration of the bill in which he is interested.

Mr. MAYBANK. I did not suggest that the Senator answer that question.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. HOLLAND. Mr. President, I shall proceed to answer the question very courteously asked me by the Senator from Idaho [Mr. DWORSHAK]. If there are other questions, I shall answer them, but so far as I know I shall then be through.

Mr. MAYBANK. I thank the Senator from Florida for yielding to me.

Mr. HOLLAND. I was glad to yield to the Senator from South Carolina.

Mr. MAYBANK. I merely wanted to know how late we would sit after we conclude action on the conference report.

Mr. HOLLAND. Mr. President, in reply to the question asked of me by the Senator from Idaho [Mr. DWORSHAK], I would say that the Senator from Florida was not on the road subcommittee of the Public Works Committee 2 years ago when the last omnibus road bill was reported, but he does remember that this item was contained in the bill as reported by the Senate. He is not able to state anything about the testimony before the subcommittee. Whether the item was voted out by the Senate or went out in conference, the Senator from Florida does not recall. But the Senator from Florida knows that the item was in the bill 2 years ago, as reported by the Senate committee, and he knows also that we have been proceeding with the actual construction from year to year on the Inter-American Highway, which is more important than this highway, and which has had the continuing attention of Congress during the time that the Senator from Florida has been in the Senate.

Mr. President, the item is in the conference report. It is a very small item. It represents one of the several concessions which the Senate is making, whereas the House is making many more concessions, amounting to larger amounts of money. In view of the nature of the item and the relatively unimportant substance of it, as compared with the large items that are agreed to in the bill, the Senator from Florida hopes that we will not much longer hold up the adoption of the conference report.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. KERR. Mr. President, I should like to call attention to a few facts. First, the conference report before the Senate was signed by every member of the conference committee. The differences in the bill as passed by the two Houses were discussed for many hours by the conferees. One of the items agreed to early in the conference was the one objected to by the Senator from Michigan. There was not the slightest opposition to the item from any member of the conference committee, nor was there any lack of complete support of the item from any member of the conference committee.

The distinguished Senator from Michigan made a statement a while ago to the effect that he thought the State of Oklahoma was shipping oil and gasoline to Nicaragua, or wondered if that was the fact. Perhaps the question, or the inference is typical of the lack of information of the Senator with reference to the background and content and purpose of the items in the bill.

I must say, Mr. President, that if I represented a State which manufactures as many automobiles as are manufactured in the State represented by the Senator from Michigan, which use oil and its products to the extent they are being used in this country, I believe I would know that the United States imports in excess of a million barrels of crude oil a day to be refined in the United States; that the products of such oil go into our wartime effort and our peacetime economy, and that our country exports but little oil and no gasoline.

I am happy to inform the Senator from Michigan of that fact, because, as a representative of a great State, whose economy is so closely geared to the manufacture of vehicles using oil and gasoline, and whose economy is tied into it in so many ways, I am sure that the information will be welcome to him.

I am astounded that he did not have the information, because it would occur to the Senator from Oklahoma that he could not have avoided collision with that information many, many times in the weeks, days, months, and years past during which those facts have been available.

Another statement which the Senator from Michigan made in opposition was in connection with money which had been spent in Bermuda and Trinidad. I was astounded at that statement, because I did not think that either of those places was on this continent, let alone tied to, affected by, or affecting Nicaragua. Upon my asking the distinguished Senator from Michigan, he reaffirmed my belief that one of them was not on this continent. When I asked him about the other one he declined to yield further. I must say that I have since attempted to get confirmation of my impression, and in order that he may be informed, if he has any doubt about it, I will say that neither Bermuda nor Trinidad is on this continent.

In my opinion, the Rama Road item is justified by good faith. As has been so ably and clearly stated by the distinguished Senator from Florida, and as was presented to and accepted by the conference committee, it is the result of a commitment by the President of the United States. It is a wise commitment, because it is good business for this country. It is good business because, as the distinguished Senator from South Dakota [Mr. CASE] so ably reminded us it is a part of a series of transactions out of which grew a perpetual grant to this Government to build a second canal

from the Atlantic to the Pacific across Nicaragua, if we so desired to do.

Standing out in the picture of our national defense are two facts clear and apparent to anyone who wants to see or be impressed by them, one of which is the vulnerability of the Panama Canal, the other of which is the necessity for this country to have available other means of communication and transportation between the Atlantic and the Pacific, which other means were in the minds of those representing this Government when the grant was obtained for permission to build a second canal across Nicaragua.

Mr. President, the whole principle of the good neighbor policy is involved in this item of the bill. We are the biggest, richest, and most powerful Nation on earth. Our relationships with the small country of Nicaragua have not always been those of a good neighbor or those of nations which wanted to develop the relationships of good neighbors. I do not need to remind the Members of the Senate of the black marks against the record of this country in connection with its relations with Nicaragua.

If we now took action resulting in a refusal to build this road, we would be saying that because we are big enough and because we are strong enough to do it, we would repudiate an agreement made with our good neighbor and our little neighbor, on which agreement our neighbor not only had a right to depend, but with reference to which our neighbor took action which actually went beyond anything our Nation ever did, so far as I know, for a foreign power—for at that time Nicaragua impaired her sovereignty to the extent that she granted to the United States a perpetual easement to build a canal across Nicaragua. I must say that was a very far-reaching grant, made at that time to the United States by Nicaragua.

As a result of our failure to build the canal in accordance with the indications given when that permission was granted, a commitment was made by the President of the United States that a highway would be built to provide for Nicaragua a part of the transportation facilities which would have been available had the canal been built, and to provide for us a part of the transportation facilities between the two oceans which we would need in the event of necessity, if we either lost the use of or lost control of the Panama Canal.

I am astounded that the Senator from Michigan would take the position either that we should repudiate our commitment to our little neighbor or that we should be so indifferent to the elements of our own national defense that we would not take advantage of this opportunity to provide alternate means of transportation between the two oceans, if it is available to us to such an extent and for such a reasonable cost.

Mr. President, the report of the committee of conference has been worked on for hours, and it has been unanimously agreed to by the conferees. The report is now before the Senate, approval; and I believe it should be approved.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER (Mr. GEORGE in the chair). The question is on agreeing to the conference report.

Mr. FERGUSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FERGUSON. Mr. President, I ask unanimous consent that the proceedings in connection with the call of the roll be suspended, and that the order for the call of the roll be rescinded; and at this time I ask for a division on the question of agreeing to the conference report.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none.

The question is on agreeing to the report, and the Senate will now proceed to divide.

On a division the report was agreed to.

REENROLLMENT AND CORRECTION OF BILL

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 221, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 7340) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes, the Clerk of the House is authorized and directed to make the following corrections:

In the first sentence of section 5 of the bill strike out "4,000,000," and insert in lieu thereof "2,000,000," and strike out the word "completing."

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

Mr. SCHOEPPEL. Mr. President, I desire to call up my amendment identified as "6-2-52-C," and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, after line 6, it is proposed to insert the following new sections:

SEC. . Section 402 (c) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"Each regulation, order, or amendment of or supplement to a regulation issued under this title shall be such as will be generally fair and equitable and will effectuate the purposes of this title, and shall include a statement of the considerations involved in the issuance of such regulation, order, amendment, or supplement. Such statement of considerations shall set forth the objectives to be achieved by the regulation, the reasons why the attainment of such objectives will further the purposes of the act, the means by which such objectives are to be achieved, and a finding of the facts upon which the President bases and justifies the provisions of such regulation, order, amendment, or supplement, and shall be regarded as a part of such regulation, order, amendment, or supplement. The President, in establishing and adjusting ceilings with respect to materials and services, and in stabilizing and adjusting wages, salaries, and other compensation, shall make provisions in all regulations or orders for individual applications for adjustments to prevent or correct hardships or inequities."

SEC. . Section 402 (d) (3) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"Any person who is subject to a ceiling price on an agricultural commodity or any material processed therefrom and who is aggrieved by any action taken or not taken by the President pursuant to this paragraph may protest such action or failure to act pursuant to section 407 of this act."

Mr. SCHOEPPEL. Mr. President, the proposed amendment to section 402 (c) of the Defense Production Act of 1950, as amended, is designed to provide that at the time of the issuance of a regulation the President must make findings of fact and include them in his statement of consiterations. That, of course, means those who are administering the act.

It is a fundamental principle of administrative law that no regulatory agency should be permitted to issue orders in the absence of basic or essential findings of fact supporting such orders. The absence of such basic or essential findings required to support an administrative agency's order should render it void, in my judgment.

Yet in the Defense Production Act of 1950, as amended, the Congress failed to lay down the same rule for the Office of Price Stabilization that it has laid down for the Interstate Commerce Commission, the Federal Trade Commission and all the rest.

At the time of the passage of the statute under which the Office of Price Administration operated during and after World War II, the general counsel of OPA, as I recall, told the Senate Banking and Currency Committee in substance that findings of fact were to accompany price regulations.

OPA did follow this practice until in *Allied Foods* v. *Bowles* (151 F. 2d 449) a regulation of OPA was set aside because it conflicted with the facts found by the Administrator.

Subsequently, the Administrator of the Office of Price Administration abandoned the practice of making specific findings of fact to support regulatory orders.

There have been no findings of fact to accompany OPS regulations and in the case of retail food price regulations and other regulations, serious injury to the industries affected has resulted.

For example, the regulation fixing new ceiling prices on dry groceries and some other products, CPR 15, was issued on March 28, 1951. The Defense Production Act required the Director of OPS,

insofar as was practicable, to ascertain and give due consideration to comparable prices, margins, and so forth, in effect during the pre-Korean period.

But the Director made no study of pre-Korean prices and margins in the retail food industry before issuing CPR 15. After rejecting evidence offered by the industry, he made a guess with regard to margins. He made a promise, at the time the regulation was issued, to make a survey of margin and earning figures and said that mark-ups in CPR 15 would be promptly revised if they proved either too high or too low.

The promise was made in March 1951. I am sorry to say it has not been kept. As a matter of fact, the survey referred to did not actually get under way until March 1952. It will not be completed in time for analysis and action before the present act is renewed or allowed to expire.

In the case of other food regulations, CPR 25, Supplemental Regulation 47, Supplemental Regulation 65, and Supplemental Regulation 69, OPS action was taken, as it was in the case of CPR 15, in the absence of any findings of fact whatsoever.

The Office of Price Stabilization attempts to make it appear that only Safeway Stores seek amendments to the Defense Production Act which will force OPS to issue findings of fact with its price regulations.

This is not the case. Four retail food groups, the National Association of Independent Retail Grocers, the Cooperative Food Distributors of America, the Super Market Institute, and the National Association of Food Chains have gone formally on record as favoring the changes in court procedure.

We submit that the OPS objection to the proposed amendment, as expressed in a letter by Ellis Arnall, Director of OPS, dated May 20, 1952, is not a valid argument.

A portion of the letter states:

> The enactment of the proposed amendment would tend to transform the statement of considerations into a rather legalistic document of no use to businessmen, since it would then be necessary to couch much of it in conclusory language typical of the Federal Trade Commission.

With respect to these regulations, I feel that if we are to have price controls—and I am hoping that we shall not have to look forward to them always—the rules and regulations established should be promulgated in such a way as to enable persons operating businesses to know under what rules they were expected to operate and to what rules they must conform. I feel, personally, that it is not asking too much to expect the OPS regulatory authorities to make findings.

I may say that I have done some checking into this situation. I have checked the records of the proceedings of our hearings, and I feel that here is a practical step with which the OPS authorities should comply. Other people are required to meet rules and regulations; but they are not asked to operate in the dark, as is the case in many instances when it comes to food processors and distributors.

My amendment is intended to correct the situation which resulted when the Director of the Office of Price Stabilization fixed ceilings on pork products at a time when hogs were selling below parity.

Apparently this action violated section 402 (d) (3) of the act.

It was protested by processors of hogs and by a grocery chain.

The OPS denied the protest. The grocery chain took the matter to the Emergency Court of Appeals.

The court held that only the producers of hogs could protest the ceiling.

It is a grave question what their legal status would be if they protested the ceiling.

Ceiling prices on pork have been in effect since January 26, 1951, and supplemental regulations have been issued on pork. But pork still is selling below ceilings which still are, in the judgment of many, violating the act.

This amendment would provide legal recourse to test such actions by OPS.

I feel very definitely and strongly about it. When violations of orders and rules which have not been clearly established and set forth occur, the persons who are called upon to answer should have their day in court.

I want to say one other thing before I conclude, Mr. President. The National Grange, which has looked into many of these questions involving controls and how controls have operated, sent me a communication, dated June 9, 1952, signed by the legislative counsel of the Grange, in which it is stated:

> We are in favor of proposed amendments to the Defense Production Act, which we understand have been introduced by Senator SCHOEPPEL, which would require that:
>
> 1. Each order or regulation be accompanied by a statement explaining in detail why the order or regulation is needed, i. e., what the economic situation is that justifies the order or regulation.
>
> 2. What the order or regulation will achieve.
>
> 3. A detailed justification otherwise for the issuance and enforcement of the order or regulation.
>
> 4. That any individual that suffers unusual hardships as a result of an order or regulation has the right to apply for special adjustments, to be heard in connection therewith, and to special relief if unusual hardship is established at such hearings.
>
> 5. That any citizen that is unduly handicapped or placed in a position of hardship because of ceilings on an agricultural product or a product manufactured therefrom, shall have the right to apply for adjustment whether he or she be a farmer or in a non-agriculture occupation, and shall be granted a hearing and such adjustment as will bring relief from the unusual hardship imposed by an order or regulation.

I am hopeful that the chairman of the Banking and Currency Committee will see fit to take the amendment to the conference. I think that is only fair if we are going to have controls in operation. I do not know how long they are going to be in operation, but certainly as I view the situation, we should have the benefit of a clarification of many of the issues.

Mr. MAYBANK. Mr. President, will the Senator from Kansas yield?

Mr. SCHOEPPEL. I yield.

Mr. MAYBANK. Mr. President, in view of the fact that the distinguished Senator from South Dakota [Mr. CASE] has told me that he intends to offer a seizure amendment—and if I am incorrect, I hope the Senator will correct me——

Mr. CASE. It will be an amendment with reference to a limited form of compulsory arbitration.

Mr. MAYBANK. But I understand the Senator has an amendment which he will offer?

Mr. CASE. It will be offered.

Mr. MAYBANK. Mr. President, I do not want to do anything hastily. If the Senator offers his amendment, I shall offer mine tomorrow. I told the Senator from Illinois that I intended to do that, and I told him that if he did not offer his amendment I would not offer mine.

The PRESIDING OFFICER. Is the Senator from South Carolina speaking on his own time?

Mr. MAYBANK. Yes. I want no borrowed time.

Mr. SCHOEPPEL. Mr. President, I do not want to get caught in a cross-fire here.

Mr. MAYBANK. I am afraid the Senator is already caught in one. If we are going to have seizure amendments offered at the hour of 6 o'clock, we should not do anything more this afternoon. I was perfectly willing to go along, but I do not want to be put "behind the 8 ball" as I was yesterday.

Mr. CAPEHART. Mr. President, could we not have a unanimous-consent agreement limiting the number of amendments to 3 more?

Mr. MAYBANK. No, Mr. President. With my deep interest in the national welfare, after listening to Mr. McCloy this morning, and knowing what goes on in Korea, I certainly intend to do everything I can to have steel produced within 24 hours, if possible, and I intend also, Mr. President, to be fair to those who work in the steel mills and to the management.

Mr. SCHOEPPEL. Mr. President——

Mr. McFARLAND. Mr. President, will the Senator yield in order that I may make an inquiry, without either side yielding time?

Mr. SCHOEPPEL. I yield.

Mr. McFARLAND. I ask unanimous consent to be allowed a few minutes to try to find out what we are going to do and what we are not going to do.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. McFARLAND. Mr. President, I should like to determine whether we are going to continue, one day after another, taking up new amendments. More amendments are prepared each night, and if that is to continue indefinitely, the consideration of the bill could be prolonged for 2 weeks, because there is a good manufacturing machine somewhere around the Senate that can produce amendments faster than we can vote on them.

Unless we can get some kind of agreement in line with the one which the Senator from Indiana has just suggested, we had better stay here all night, because perhaps that manufacturing machine does not work at night. Perhaps it closes down, or operates under

union shop rules, or some other kind of rules.

Mr. President, may I now inquire how many Senators have amendments they desire to offer? I understand the Senator from South Dakota has one.

Mr. CASE. Mr. President, I have two amendments that have been printed and have been before the Senate for a week.

Mr. McFARLAND. The Senator from South Dakota has two amendments. The Senator from South Carolina has one amendment. Are there any other amendments besides those and the one now pending?

Mr. JOHNSON of Texas. Mr. President, I have an amendment, but I understand it is acceptable to the chairman of the committee.

Mr. McFARLAND. Then, that is another amendment.

Mr. President, I ask unanimous consent that the amendments be limited to the four which have just been mentioned.

Mr. CASE. Mr. President, I expect to offer the amendments in modified form, but the amendments I shall propose deal with the subject matter covered in the printed amendments.

Mr. IVES. Mr. President, it seems to me that this is altogether too important a measure to foreclose action on amendments. If the bill is to go over until tomorrow, amendments might occur to Senators, and the amendments might be very useful, valuable, or essential. I object to any such limitation as is proposed.

The PRESIDING OFFICER. Objection is heard.

Mr. McFARLAND. Very well. We will work a while.

Mr. MAYBANK. Mr. President, I hope the Senator from Kansas will withdraw his amendment, because in all sincerity I said I did not approve the amendment, that I was opposed to it, but that I would take it to conference with that understanding, and that I would not be bound by action of the House, if it adopted a similar provision. My statement was on the assumption that we would get through with the bill tonight, but it must be apparent to the Senator from Kansas that we will not finish with the bill, and if the Senator insists upon having the amendment in the bill, the responsibility does not rest on this side of the aisle. Other members of the committee object to it.

Mr. SCHOEPPEL. Do I understand correctly that the distinguished chairman of the committee is agreeable to taking the amendment to conference? If so, I have no objection.

Mr. MAYBANK. I said if we finished consideration of the control bill tonight, and no other amendments would be offered except the amendment of the Senator from Kansas and the amendment of the Senator from Texas, which, in effect, in my judgment, is a statement of the law of Texas, I would be glad to agree to those two amendments, provided there were no others, but I would not be bound to support them in conference. I cannot say any more than that, because the Senator from South Dakota intends to call up his seizure amendment, and I understood the Senator from New York had an amendment, although perhaps he is not going to offer it. I am speaking very frankly, as chairman of the Committee on Banking and Currency. I am not going to stay here until a late hour and have a control bill passed without bringing up the seizure amendments. I do not wish to bring them up. I do not mean they are mine, but they are amendments offered from this side of the aisle by Senators who think that some positive action must be taken by the time August arrives.

Everyone knows that. Some may not like the President, but, after all, he is the President of the United States. The President of the United States knows that the Taft-Hartley law is available, and everyone knows that the President may invoke that law. But, the 80 days provided for in that law as a breathing spell would expire in August, and the question is, What will happen then?

Mr. SCHOEPPEL. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Kansas has 4 minutes.

Mr. SCHOEPPEL. I understand the distinguished Senator from Alabama desires to ask a question.

Mr. SPARKMAN. Mr. President, I wanted to ask a question with reference to the suggestion that the proposed amendment be taken to conference. I certainly do not wish to have that agreed to until we know a little more about the amendment. In fact, it seems to me it is a little risky simply to agree to take an amendment to conference, because we should remember that this is the first stage in legislating. If the House should happen to adopt the same provision, there would be no conflict. So I think we had better understand pretty thoroughly what the amendment is before we agree to take it to conference. It is not exactly the same as if the other House had already acted. There are some points in this amendment about which I certainly should like to inquire.

First of all, I wonder if the able Senator from Kansas would tell me if I am correct in my understanding that his amendment, if adopted, would relate only to regulations issued after its enactment into law.

Mr. SCHOEPPEL. I so understand.

Mr. SPARKMAN. I wanted the RECORD to show that. Of course, it would not necessitate going back and holding hearings on all the regulations in existence today.

Mr. SCHOEPPEL. I may say to the distinguished Senator that I certainly would not contemplate that it would, for the reason that some of the rules or regulations which were promised have not, even at this late date, yet been issued. That is the complaint on the part of a number of food organizations and food chains of all types and kinds.

Mr. SPARKMAN. It seems to me there are some basic objections to the amendment. However, I do not desire to use the Senator's time.

Mr. MAYBANK. Mr. President, I yield the remainder of my time to the Senator from Alabama.

Mr. SPARKMAN. I appreciate the courtesy of the chairman of the committee. Under that arrangement, I suppose the Senator from Kansas and I may be able to hold a conversation on the amendment.

Mr. SCHOEPPEL. I would be happy to hear the Senator's statement of his views, and reserve the remainder of my time for a short reply.

Mr. SPARKMAN. There are two or three points I wish to discuss, and it may very well be that the able Senator from Kansas can clear them up.

The first question that arises in my mind is, Would the amendment of the Senator from Kansas require a hearing and a finding of fact on every regulation that is issued? I realize that that is certainly a good requirement in a long-range program, in a permanent agency, or something of that kind; but I wonder if it would be feasible in what we hope will be a short-time piece of legislation, such as is here proposed, and if, instead of reducing employment, it would not necessitate additional employees in order properly to administer the act.

Mr. SCHOEPPEL. If the Senator is asking me the question, I frankly think not, and I will tell him why. We have had the benefit of the operation of control measures for a good many months. We have been able to determine where the "bugs" are in many of the operations in the changed conditions. Certainly there is a better informed staff than there was at the inception of the program. I can see no reasonable ground for expecting that they could not, with some degree of promptness, and with a greater degree of thoroughness, establish rules and regulations, definitions and determinations, as to how those affected by the act should operate.

I frankly cannot see how it would be burdensome or would necessitate adding to the staff.

Mr. SPARKMAN. Under the law as it exists today, as to every regulation that is issued, it must be shown in a statement that in the formulation of the regulation there has been consultation with industry representatives. We wrote that into the law originally, and it has remained in the law throughout its existence. I realize that it is not the same as a formal hearing, but it does go some way toward meeting the suggestion of the Senator from Kansas.

Mr. SCHOEPPEL. The distinguished Senator will also recall that we had numerous complaints in the series of hearings, which were extensive.

Mr. McFARLAND. Mr. President, will the Senator yield again, without having the interruption charged to his time, but to be charged to mine? I do not control any time, but let it be charged to me anyway. If it is agreeable to the Chair and to the Senate, I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. How long does the Senator desire to speak?

Mr. McFARLAND. Not to exceed 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Arizona is recognized for 5 minutes.

Mr. McFARLAND. Mr. President, I wish to make another effort to determine

whether or not we can reach some agreement with regard to a limitation of amendments. I understand that the Senator from South Dakota [Mr. CASE] has two amendments. The Senator from New York [Mr. LEHMAN] has one. The Senator from Kansas [Mr. SCHOEPPEL] has an amendment pending. The Senator from Texas [Mr. JOHNSON] has an amendment, and the Senator from South Carolina [Mr. MAYBANK] has an amendment.

Mr. MAYBANK. Mr. President, I want it distinctly understood that if other amendments are withdrawn I may not offer mine.

Mr. McFARLAND. I ask unanimous consent that amendments be limited to those which I have enumerated.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. LEHMAN. Mr. President, reserving the right to object, is the request predicated on the expectation that the Senate will continue in session tonight until the bill is passed, or is it planned to take a recess until tomorrow?

Mr. McFARLAND. I thought we might go over until 10 o'clock tomorrow if we could obtain an agreement, so that we might complete consideration of the bill tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. HUMPHREY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SPARKMAN. Mr. President, there is another point with respect to the amendment offered by the Senator from Kansas [Mr. SCHOEPPEL] to which I wish to invite the attention of the Senate. The latter part of his amendment enlarges the protection which is now given in the act with respect to parity. The Court of Emergency Appeals has ruled that the provision which we wrote into the law relating to parity is a provision for the benefit of farmers themselves, and does not extend to processors. I would appreciate it if the Senator from Kansas would check me on this statement. The amendment offered by the Senator from Kansas would now give processors the right to increase their ceiling prices, because full allowance had not been made for parity to the farmers. It seems to me that that is going beyond what was intended. Of course the farmer has a right to protest against a ceiling set on his products if parity is not represented. But if he does not protest, and the processor does not have to pay that price, why should we go out of the way to give him the opportunity of asking for an increased ceiling price which does not represent anything he has paid out to the farmer? That is the way I see it. I shall be glad to have the comments of the Senator from Kansas.

Mr. SCHOEPPEL. Mr. President, I must say in all kindness that the Senator from Alabama is in error. It is purely a procedural matter. I am sure that the Senator cannot read that interpretation into my amendment. In my own time I certainly wish to reply to that phase of the Senator's query.

Mr. SPARKMAN. I asked the Senator from Kansas to comment on whether or not the interpretation which I stated was correct. I invite the attention to the language of the Senator's amendment:

> Any person who is subject to a ceiling price on an agricultural commodity or any material processed therefrom—

That is how the processors are brought in. The language is "or any material processed therefrom." This relates, by the way, to section 402 (d) (3) of the Defense Production Act of 1950, which is the section which deals with the parity provision. This amendment says:

> Any person who is subject to a ceiling price on an agricultural commodity or any material processed therefrom and who is aggrieved by any action taken or not taken by the President pursuant to this paragraph may protest such action or failure to act pursuant to section 407 of this act.

If the Senator from Kansas thinks I am wrong in my interpretation, I welcome his statement.

Mr. SCHOEPPEL. Mr. President, I will say to the distinguished Senator from Alabama that the amendment which I am proposing to that section is aimed solely at giving the right to processors and distributors of agricultural commodities to challenge the legality of a price regulation on an agricultural commodity which affects them. It does not change the parity formula.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

The Senator from Kansas [Mr. SCHOEPPEL] has 4 minutes.

Mr. DOUGLAS. Mr. President, I ask for the yeas and nays on the amendment of the Senator from Kansas.

Mr. SCHOEPPEL. Mr. President, am I to understand that I have 4 minutes remaining?

The PRESIDING OFFICER. The Senator has 4 minutes.

Mr. SCHOEPPEL. I desire to utilize it.

My amendment would not change the parity formula or the method by which price ceilings on agricultural commodities are determined. The proposal would grant to processors and distributors of certain commodities the right to make certain that the ceilings authorized by law are established. For OPS to object to this, in my humble opinion, is equivalent to asking Congress for an authorization to issue some questionable regulations, without affording the parties affected by such regulations an opportunity even to offer a legitimate objection.

There can be no denying that the parity guaranty is and should be for the benefit of farmers. I come from an agricultural State. I am interested in the subject. Let me say to my distinguished colleague from Alabama that I would not want to change that formula. I think it has worked excellently. At the same time, OPS has subjected processors and distributors of agricultural commodities to a serious squeeze, and in some instances has even established ceilings for them below those permitted under the parity formula. So some of the damage has worked in reverse.

When those people sought to challenge the regulations, the history of some of the proceedings before the committee shows that they were denied a hearing, on the ground that they had no standing even to object. I do not think that is right.

There is nothing unfair or injurious to the farmer in my proposal. The processors and distributors would be asserting rights which would be beneficial not only to themselves, but to farmers as well. Under my proposal the processors and distributors could not in any way alter the farm price structure. I wish to make myself crystal clear on that point. They would not ask for decreases in ceilings for farmers. I wish to make that crystal clear. My proposal would make sure that farmers, as well as processors and distributors, were given the price ceilings which the parity concept, as incorporated in the Defense Production Act, requires.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MONRONEY. Has all time expired on the amendment of the Senator from Kansas?

The PRESIDING OFFICER. The Senator from Kansas has an additional minute.

Mr. MONRONEY. Would it be in order to offer an amendment to the amendment of the Senator from Kansas, if he does not care to use his time, as apparently he does not?

Mr. SCHOEPPEL. Mr. President, I shall be glad to relinquish any unused time.

The PRESIDING OFFICER. The amendment of the Senator from Kansas is open to amendment.

Mr. MONRONEY. Mr. President, I offer an amendment to strike the last portion of the amendment of the Senator from Kansas, relating to the amendment of section 402 (d) (3). I should like to proceed for a few minutes on my amendment to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY] to the amendment of the Senator from Kansas [Mr. SCHOEPPEL], which will be stated.

The LEGISLATIVE CLERK. On page 2 of the Schoeppel amendment, after line 12, it is proposed to strike the following:

> SEC. . Section 402 (d) (3) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new paragraph:
>
> "Any person who is subject to a ceiling price on an agricultural commodity or any material processed therefrom and who is aggrieved by any acton taken or not taken by the President pursuant to this paragraph may protest such action or failure to act pursuant to section 407 of this act."

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 15 minutes.

Mr. MONRONEY. Mr. President, I believe that the amendment of the Senator from Kansas is a highly hazardous amendment to be adopted late in the evening, because if I correctly read the amendment and understand its mean-

ing, despite the intentions and the explanations of my distinguished friend and colleague from Kansas, under this amendment the retailer of one box of cornflakes would be allowed to contest and protest a price ceiling dealing with the entire ceiling price on corn. There is a complete lack of responsibility of major portions of the industry in checking and contesting ceilings. The language of the Senator's amendment which I seek to strike reads as follows:

SEC. . Section 402 (d) (3) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"Any person who is subject to a ceiling price on an agricultural commodity or any material processed therefrom and who is aggrieved by any action taken or not taken by the President pursuant to this paragraph may protest such action or failure to act pursuant to section 407 of this act."

The amendment of the Senator from Kansas is entirely too broad. In all price-control legislation we have at least introduced a safeguard by saying "processed in whole or substantial part from agricultural commodities." The amendment of the Senator from Kansas opens up to any retailer of a can of tomatoes or a box of corn flakes, or anything which is remotely connected with an agricultural product, the opportunity to contest a price order with which 99.99 percent of the entire industry is satisfied. Endless trials and endless litigation could be brought about by the action of one individual.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SPARKMAN. Is it not also correct to say that on any such protest the people who would be heard would be the people to which the Senator has referred? It would not be the farmers, for whom the parity provision was put into the law. The farmer would not be represented at all.

Mr. MONRONEY. The Senator from Alabama is certainly correct. I believe my distinguished colleague from Alabama will agree that the whole structure of price-control legislation would completely break down under the thousands of cases which would be opened up by the amendment. Therefore, Mr. President, unless another Senator wishes to use some time, I ask for a vote on my amendment to strike the last section.

The PRESIDING OFFICER. The Senator from South Carolina is in control of time in opposition to the amendment. If he is not opposed to the amendment the minority leader is in control of the time.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. CAPEHART. Mr. President, I wonder whether any Senator on this side of the aisle wishes to utilize some of the 15 minutes available.

Mr. DIRKSEN. Mr. President, I ask the Senator from Indiana to yield me 2 minutes.

Mr. CAPEHART. I yield 2 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I cannot let the matter go by without indicating to the Senate that, judging by the expressions I have heard, there is complete misapprehension about the amendment on the other side of the aisle. As my friend from Alabama knows, the testimony was conclusive with respect to the bad procedure upder OPS regulations, and that it was impossible for these people to get justice. One merchant indicated that more than 350 of his staple commodities which are sold over the counter in 2,000 stores were selling under the ceiling price. First of all, there was no justification for maintaining that kind of price level, but when those affected went before the Emergency Board of Appeals they struggled for over 18 months in an effort to get justice, and then did not get it. The Senator from Kansas has in mind making equitable the procedure under which they operate.

According to the statement of my friend from Oklahoma, he would rather have the burden placed on the merchants and the business structure of the country than to let the Government assume the burden. But the Government makes the regulations. The amendment of the Senator from Kansas is a very modest effort to require a finding of fact upon which regulations may be based, and then to give a man his day in court. Under the strange procedure being followed by the Emergency Court of Appeals a citizen is not having his day in court now. The amendment seeks to remedy the defect.

Mr. MONRONEY. Mr. President, since a vote on the amendment offered by the Senator from Kansas [Mr. SCHOEPPEL] will be determinative of the issue, and because I feel the second part of the amendment is the business part of the amendment, I withdraw my amendment to the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma withdraws his amendment to the amendment.

The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. SCHOEPPEL].

Mr. DOUGLAS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. GILLETTE], the Senator from Nevada [Mr. McCARRAN], the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. CAIN], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from Montana [Mr. ECTON], the Senator from North Dakota [Mr. LANGER], and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], the Senator from Oregon [Mr. MORSE], the Senator from Ohio [Mr. TAFT], and the Senator from New Hampshire [Mr. TOBEY] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. LODGE], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Ohio [Mr. TAFT], and the Senator from New Hampshire [Mr. TOBEY] would each vote "yea."

The result was announced—yeas 33, nays 37, as follows:

YEAS—33

Bennett	Hickenlooper	Nixon
Bridges	Ives	Saltonstall
Butler, Nebr.	Jenner	Schoeppel
Capehart	Johnson, Colo.	Seaton
Case	Kem	Smith, Maine
Cordon	Knowland	Smith, N. J.
Dirksen	Malone	Thye
Dworshak	McCarthy	Watkins
Eastland	McClellan	Welker
Ferguson	Millikin	Wiley
Hendrickson	Mundt	Williams

NAYS—37

Anderson	Hoey	McKellar
Chavez	Holland	Monroney
Clements	Humphrey	Moody
Connally	Hunt	Neely
Douglas	Johnson, Tex.	Pastore
Ellender	Johnston, S. C.	Robertson
Frear	Kerr	Smathers
Fulbright	Kilgore	Smith, N. C.
George	Lehman	Sparkman
Green	Long	Stennis
Hayden	Magnuson	Underwood
Hennings	Maybank	
Hill	McFarland	

NOT VOTING—26

Aiken	Ecton	Morse
Benton	Flanders	Murray
Brewster	Gillette	O'Conor
Bricker	Kefauver	O'Mahoney
Butler, Md.	Langer	Russell
Byrd	Lodge	Taft
Cain	Martin	Tobey
Carlson	McCarran	Young
Duff	McMahon	

So Mr. SCHOEPPEL'S amendment was rejected.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the amendment of the Senator from Kansas was rejected.

Mr. JOHNSTON of South Carolina. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table the motion to reconsider was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McFARLAND. Mr. President, I wish to try to obtain a further unanimous-consent agreement. I believe this will be the last attempt.

I ask unanimous consent that further amendments to the pending bill be limited to the two amendments by the Senator from South Dakota [Mr. CASE],

one amendment by the senior Senator from New York [Mr. IVES], one amendment by the junior Senator from New York [Mr. LEHMAN], one amendment by the senior Senator from South Carolina [Mr. MAYBANK], and one amendment by the junior Senator from Texas [Mr. JOHNSON], and amendments to those amendments.

Mr. KNOWLAND. I object.

The PRESIDING OFFICER. Objection is heard.

The bill is open to further amendment.

Mr. CASE. Mr. President, I call up my amendment identified as "6–5–52–A"; and I offer it at this time in modified form.

I send to the desk the amendment as modified.

The PRESIDING OFFICER. The amendment as modified will be stated.

Mr. MAYBANK. Mr. President, I hope we may have order in the Chamber, so that all of us may clearly understand what is said regarding this amendment, for this is a late hour for amendments of this sort to be offered, inasmuch as the amendment proposes that an entirely new subject be injected.

The PRESIDING OFFICER. The modified amendment of the Senator from South Dakota will be stated.

The LEGISLATIVE CLERK. At the proper place, it is proposed to add a new section as follows:

SEC. . Limited Arbitration for Emergency Production. For the period of this act, the President shall appoint, by and with the advice and consent of the Senate, an Emergency Production Council of 15 members familiar with the problems of production and the relationships of management and labor. If, during the effective period of this act, the President finds that a labor dispute imperils the national security and that the procedures of the Labor-Management Relations Act, 1947, or the National Railway Labor Act, as amended, have been exhausted in any dispute to which they might apply, he shall forthwith create an Emergency Production Board of five members, selected from the Emergency Production Council, none of whom shall have a direct pecuniary or prejudicial interest in the particular dispute at issue. This Board shall have the power of subpena and may, subject to the approval of the Director of the Bureau of the Budget, call upon other Federal agencies for personnel, services, and facilities. The Board shall promptly investigate the issues involved in the dispute which occasioned its creation and within 30 days shall recommend to the parties an award on issues involving wages, hours, and working conditions. During this 30-day period, or as much thereof as shall be required for making the award, neither party to the dispute shall order or authorize a lock-out or a strike. The award of such Emergency Board shall be observed by both parties for a period of 120 days, during which time the Federal Mediation and Conciliation Service shall endeavor to obtain an agreement of the parties to all issues involved in their dispute. In the event that management fails to observe the award during the 120-day period, the President is authorized to take and operate the industry on the terms of the award for the balance of the 120 days through such agency as he may designate. In the event of Government operation it shall be the duty of the representative of the employees not to induce or direct a strike, slowdown, or other concerted action that would interfere with production; or, in the event that a strike, or slowdown is in effect, it shall be the duty of such representative to induce in good faith the cessation of such strike or slowdown. Members of an Emergency Board shall be entitled to receive a per diem of $50 and expenses for such time as they may be assigned to a dispute. All powers and authority conferred by this section shall expire with the expiration of this act.

Mr. CASE. First, Mr. President, let me inquire of the distinguished majority leader whether it is intended to have the Senate proceed with further debate at this time.

Mr. McFARLAND. Mr. President, I thought perhaps the distinguished senior Senator from California [Mr. KNOWLAND] would withdraw his objection, and then we could take a recess until 10 o'clock tomorrow morning.

Mr. KNOWLAND. Mr. President, it may be possible for us to work out an agreement. In the meantime, cannot we proceed for a little while?

Mr. McFARLAND. We can proceed; but I dislike very much to have the distinguished Senator from South Dakota compelled to make his argument now, when his amendment would be voted on tomorrow; but perhaps he would just as soon use some of his time now.

Mr. CASE. I would rather put the argument and the vote together.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, this is another seizure plan. The Senate has voted down every seizure plan presented thus far. I do not think the Senator need make an elaborate argument, and I do not think those who oppose seizure need make any argument. Let us act on the amendment and finish with this bill tonight, because the Senate is not going to vote for any seizure proposal, and the Senator from South Dakota well knows that to be true.

Mr. CASE. No, Mr. President; the Senator from South Dakota does not know any such thing. The action which has been taken on seizure amendments up to this time has been taken in respect to straight-out seizure amendments—amendments quite different from the amendment which the Senator from South Dakota has offered—and he thinks that, with an open-minded approach, it might get somewhere. The Senator from South Dakota does not want to come back here for a special session about the latter part of August or the first of September. We have a situation to face and we might as well face it now and try to do something that will take care of the situation, if and when, either in the steel industry or in some other industry, there occurs a strike imperiling the national security, and calling for action beyond and after the procedures of the Taft-Hartley Act have been exhausted.

Mr. ROBERTSON. Mr. President, will the Senator yield to me that I may make a suggestion?

Mr. CASE. I yield.

Mr. ROBERTSON. The Senator from Virginia earlier in the day inquired among a number of his Republican colleagues whether there could be any kind of seizure proposal which they would support. The unanimous reaction he got was, "We want any seizure bill sent to an appropriate committee for adequate hearings and careful consideration, and it would be useless for you, on the Democratic side, to offer any kind of modified seizure plan because we do not propose to support any seizure bill." And that is about the way the vote has been going.

Mr. CASE. The Senator from Virginia may be correct.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. CASE. May I inquire how much time I have remaining under the agreement?

The PRESIDING OFFICER. The Chair is advised that on the seizure amendment 30 minutes to a side has been allotted, and the Chair therefore is of the opinion that the Senator from South Dakota had 30 minutes when he began. Some of his time has elapsed.

Mr. CASE. Mr. President, the Senator from South Dakota rarely makes an elaborate argument, and I think I can state, in very few words, what this amendment proposes, and thus get the issue clearly before the Senate.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. CASE. I yield, provided I do not lose some of my time.

Mr. McFARLAND. Mr. President, I know the Senator did not want to speak tonight. I wondered whether the Senator from California had checked into the matter and was in a position to state whether he would withdraw his objection.

Mr. KNOWLAND. No. I shall have to wait until my colleague returns.

Mr. McFARLAND. Would the Senator like to reserve an amendment for his colleague? Would that be sufficient?

Mr. KNOWLAND. I may say to the Senator that there is a situation which affects only the State of California. The senior Senator from California was absent for 10 days, and was not present at the time the unanimous-consent agreement was entered into relative to the question of germaneness. The amendment is, I believe, germane in the sense that it deals with and would amend the Federal housing provisions. In Los Angeles the city council, by its vote and in conformity with what we think is the letter as well as the spirit of the law, took certain action. Then, by a vote of the people last Tuesday, the action which had been taken by the city council was confirmed. I should like opportunity to be afforded to my colleague the junior Senator from California and myself to have acted upon by the Senate an amendment dealing with that subject matter, which amendment can be voted up or down. Inasmuch as I was absent when the unanimous-consent agreement was entered into, if it could be done, I would be willing to agree with that understanding.

Mr. McFARLAND. I would not want to agree as to the germaneness of such an amendment, but I certainly would be willing to have the Senator accorded the right to submit his amendment, and would be willing to add his amendment to the list, since it is no more than fair

that he have the opportunity, if other Senators are to have the opportunity.

Mr. KNOWLAND. But I would like to have the chairman of the Banking and Currency Committee see the specific amendment, so that he would know what it was, and see whether it could be added to the bill.

Mr. McFARLAND. The Senator could determine that tomorrow, could he not?

Mr. KNOWLAND. No; because I want to have the matter very clear, and I want to have the question of germaneness settled.

Mr. McFARLAND. I may say to my good friend from California, I do not think that question can be definitely settled until the Chair passes on it.

The PRESIDING OFFICER. The question of germaneness is a question which is referred to the Senate, generally.

Mr. McFARLAND. The Chair has just stated that it is a question which would be referred to the Senate. If the Senator would like to reserve the right to offer his amendment tomorrow, I would be happy to give him that privilege.

Mr. KNOWLAND. Then, of course, the only point is, at this time, if the question of germaneness were raised, the question would then be referred to the Senate. Is that correct?

Mr. McFARLAND. That is the situation.

Mr. McKELLAR. It would be referred to the Senate without debate.

Mr. KNOWLAND. With that understanding—and I do not want to interfere with the proceedings of the majority leader in this situation—I shall offer the amendment on behalf of my colleague, the junior Senator from California, and myself, and ask that it be printed and ordered to lie upon the table; and we shall ask for its consideration by the Senate tomorrow. As I have said, it affects only the State of California and the city of Los Angeles.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

UNANIMOUS-CONSENT AGREEMENT

Mr. McFARLAND. Mr. President, I will add to my proposed unanimous-consent agreement the amendment which has just been offered by the senior Senator from California for himself and the junior Senator from California, and ordered to be printed and to lie on the table, and, of course, any amendment or amendments to the amendment.

Does the Chair desire me to restate the unanimous consent request?

The PRESIDING OFFICER. It might be well to do so.

Mr. McFARLAND. I ask unanimous consent, in order that there may be no mistake, that the amendments proposed to this bill be limited to the two of the junior Senator from South Dakota [Mr. CASE]; one of the senior Senator from New York [Mr. IVES]; one which has just been mentioned, on behalf of the junior and senior Senators from California; one, of the junior Senator from New York [Mr. LEHMAN]; one, of the Senator from Texas [Mr. JOHNSON]; and one, of the Senator from South Carolina [Mr. MAYBANK], and any amendments to the amendments.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MAYBANK. With that understanding, of course, I am willing to send my amendment to the desk. I shall probably modify it.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request propounded by the majority leader? The Chair hears none, and it is so ordered.

Mr. MAYBANK submitted an amendment intended to be proposed by him to the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended, which was ordered to lie on the table and to be printed.

Mr. McFARLAND. Mr. President, since the agreement has been entered, I yield to the senior Senator from Utah for an insertion in the RECORD. I hope the Senator will not make a speech.

Mr. CASE. Mr. President, if I understand correctly all of the time, since I first yielded to the Senator from Arizona, has been charged to him, or has been merely open time. Am I correct?

The PRESIDING OFFICER. The Senator from South Dakota is correct.

Mr. CASE. And am I also correct in my understanding that I shall have the floor when the Senate reconvenes?

The PRESIDING OFFICER. The Senator from South Dakota will have the floor when the Senate reconvenes.

REPORT OF THE INTERNATIONAL DEVELOPMENT ADVISORY BOARD ON THE POINT 4 PROGRAM

Mr. WATKINS. Mr. President, the International Development Advisory Board was established by the President in September 1950 to advise and consult on general and basic policy matters arising in connection with the point 4 program authorized by Congress in the Act for International Development.

Recently, under the chairmanship of the Honorable Eric Johnston, that Advisory Board has completed its labors and has made a report to the President. One may or may not agree with the recommendations in this report, but it seems to me to deal with a very important subject, and that it should be available to Members of the Congress who may desire to make a study of it. Moreover, it should have a wider circulation. For that reason, I ask unanimous consent to have printed in the body of the RECORD the report of Mr. Johnston and the Board to the President of the United States regarding the point 4 program.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

The International Development Advisory Board was established by the President in September 1950 to advise and consult on general and basic policy matters arising in connection with the point 4 program authorized by Congress in the Act for International Development.

These recommendations of the Board relate specifically and exclusively to the bilateral technical cooperation programs authorized under the act and administered by the Technical Cooperation Administration of the Department of State.

They do not relate to the programs of military aid and economic assistance now being prosecuted by other agencies of the Government to implement the foreign policy of the United States. These programs—together with point 4—form a total pattern of action to extend American economic support and assistance to the other nations of the free world.

The Board is here concerned only with that part of the total pattern authorized by the Congress in the Act for International Development—the technical cooperation program now identified most directly with the idea projected by the President as point 4 of his inaugural statement of foreign policy.

These recommendations are intended to clarify and identify the nature and scope of the point 4 program, as the Board sees it, and to offer helpful guidelines along which it hopes the program may progress even more swiftly to real accomplishment.

NATIONAL POLICY

The Act for International Development says—

That we have an interest in the freedom and in the economic and social progress of all peoples.

That such progress can further the secure growth of democratic ways of life, the expansion of mutually beneficial commerce, the development of international understanding and good will, and the maintenance of world peace.

That it is the policy of the United States to advance these broad objectives of world well-being by helping the people of underdeveloped areas to develop their resources and improve their working and living conditions.

That the United States will implement this policy by encouraging the exchange of technical knowledge and skills and the flow of investment capital to underdeveloped countries.

That these countries must provide conditions under which our assistance and capital will be effective in raising standards of living, creating new sources of wealth, increasing productivity, and expanding purchasing power.

OBJECTIVES

Point 4 objectives might therefore be stated in this way—

To help the people of underdeveloped countries realize the economic progress and political freedom which is the common aspiration of the common man wherever he may be.

To demonstrate that the democratic way is the surest way to realize this hope * * * and to make the aspiration for a better life the parent of adjustment rather than the nursery of communism.

To develop new sources of wealth and higher levels of productivity in order to strengthen not only the underdeveloped countries but the entire community of nations of the free world.

TIME FACTOR

The act for international development clearly contemplates a long-range program.

Point 4 is developmental. It is an instrument of orderly change, an attack upon the status quo.

The Board believes that any serious departure from this concept will tend to diminish the acceptance and effectiveness of the program.

It believes that point 4 cannot and should not encompass operations calculated to produce quick results through large and dramatic projects.

At the same time, the Board recognizes that it may be necessary or advisable, in certain circumstances, to accelerate or expand operations in one country or another.

This should be done, however, without resort to measures at variance with the fundamental character of point 4.

The Board believes the point 4 program, so far as the time factor is concerned, should be thought of this way:

"Development is a state of mind. People have to develop themselves before they can change their physical environment and this is a slow process. It involves changes in relations between classes and races. It requires the improvement of governmental organization and operation; the extension of social institutions, schools, courts, and health services. These things take much longer than the building of factories and railroads and dams. Habits of thought and of conduct are the most stubborn obstacles to development." (Robert L. Garner, vice president, International Bank for Reconstruction and Development.)

RELATION TO OTHER FOREIGN AID

The Act for International Development contains no indication that the point 4 program is to be related directly or indirectly to military defense activity abroad.

Other agencies functioning under the Mutual Security Act are concerned with programs of direct military aid and economic assistance.

The Board believes there is a fundamental distinction between the philosophy underlying point 4 and the philosophy underlying programs of direct military assistance.

It believes these philosophies and the programs deriving from them should be kept separate and apart. It believes that point 4 operations are fully justifiable without reference to military or military-support objectives.

The Board feels that the creation of sound economic defenses against political aggression is as necessary as the creation of military defenses against armed aggression.

LINES OF ACTION

The Act for International Development contemplates two lines of action to implement point 4:

On the one hand, a program of technical cooperation calculated to help the peoples of the underdeveloped countries acquire the knowledge and skill they need to develop their own economic resources and productive capacity.

On the other hand, an effort to encourage private capital, both domestic and foreign, to invest in enterprises conducive to the economic development and stability of these countries.

The Board believes that point 4 is neither one nor the other of these but both. They should be pursued with equal vigor. They should be integral parts of a balanced and coordinated developmental plan.

This is not to disregard the question of emphasis. First things come first—and in most of the less-developed countries, the first thing, obviously, is to attack the fundamental problems of hunger, disease, and illiteracy.

The Board believes, therefore, that technical cooperation directed toward an alleviation of these elementary problems should normally have priority in terms of time.

The Board believes, however, that the attack upon these problems should include efforts to improve existing industrial facilities and encourage new industrial developments through private capital investment.

It believes that sound industrial development can contribute to the social and economic well-being of the people of a country no less than direct technical assistance. It believes that the development of industrial and commercial potentials may often be the means of financing greater economic and social advancement.

GRANTS-IN-AID OF TECHNICAL COOPERATION

The Act for International Development authorizes the President "to make * * * advances and grants-in-aid of technical cooperation programs to any person, corporation, or other body of persons, or to any foreign government or foreign government agency."

The Board notes that advances and grants are to be made in aid of technical cooperation program. It believes that grants and advances under the act should, therefore, be incidental to the main purpose of helping people to help themselves.

The Board believes that grants, whether of money, material, supplies, or equipment, should be employed only as the means to an end. They should not be permitted to become the end itself.

At the same time, the Board clearly recognizes the importance of providing tools to make the work of technicians effective. Whether these tools are in the form of machines for an industrial project, improved seeds for an agricultural project, of vaccines or stethescopes for a public-health project, of books and blackboards for an educational project—their form is beside the point, so long as the purpose of helping to impart knowledge and stimulates self-help is clear.

The Board believes the grant-in-aid authority was intended to be used for one purpose only—to provide the wherewithal of an effective technical cooperation program. It believes it neither feasible nor wise to attempt to limit grants in aid by establishing a fixed ratio between expenditures for supplies and equipment and expenditures for technicians and training. This is an equation that will differ greatly from country to country and project to project, as the circumstances in each case differ.

The Board believes the grant-in-aid authority should be used only to provide material, equipment, or supplies which cannot be furnished by the cooperating government itself.

FAIR SHARE

The Act for International Development provides that—

"Assistance shall be made available only where the President determines that the country being assisted pays a fair share of the cost of the program."

The Board fully subscribes to the fair-share concept as a matter of principle.

It believes the point 4 program will be effective in proportion to the stake the cooperating countries have in its success.

The Board believes insistence on the fair-share principle is the surest way to avoid the implications of a give-away program and put point 4 objectives on a sound cooperative basis.

The Board believes, however, that the fair share of a cooperating country should not be computed solely in terms of direct allocations by the host government for specific projects.

Instead, the Board believes the fair share of the cooperating country should include cash, supplies, equipment, facilities, and services, which the government, municipalities, or the people concerned may contribute directly and expressly to the prosecution of a specific project.

The Board believes that the fair share so calculated, should, at a minimum over any reasonable period, be in the ratio of at least 1 to 1. It believes, moreover, that the fair share of the cooperating country should increase gradually as the program develops and economic well-being increases until, ultimately, the country assumes full responsibility.

INDUSTRIAL DEVELOPMENT

The Act for International Development authorizes technical assistance programs "to assist other interested governments in the formulation of programs for the balanced and integrated development of the economic resources and productive capacities of economically underdeveloped areas."

The Board believes that the balanced and integrated development of economic resources and productive capacities calls, in many cases, for the improvement of public works and local industrial facilities and, where circumstances warrant, the development of new industrial and commercial enterprises.

The Board feels that emphasis on improvement in agricultural techniques, public health standards, and education should not be permitted unduly to delay the extension of technical assistance for industrial development. It believes, on the contrary, that in some instances improvements in agriculture, education and health and other community services, will demand increasing emphasis on the development of local industries and commerce.

The Board believes, therefore, that the assistance of technicians and experts in industrial development and management should be made available as an integral element of the technical assistance program.

The Board is opposed in principle to the use of point 4 funds for direct grants of capital for private industrial and commercial development.

PRIVATE CAPITAL

The Act for International Development puts equal reliance upon technical cooperation and private capital investment to do the point 4 job.

The Board believes that technical cooperation alone, on any conceivable scale, will be inadequate to give the underdeveloped countries the degree of economic strength and stability that represents the point 4 objective.

The Board believes that economic development, in the full sense of the term, requires an investment of capital resources far in excess of any amount now or likely in the future to be available from public funds.

The Board believes that positive efforts to open the way for economic and social development through the investment of private capital, local and foreign, are urgently necessary and indeed indispensable to the ultimate success of the point 4 program.

It believes that steps to this end should be taken without delay, through incentive legislation, negotiation of commercial treaties, and exploration of investment potentials in the underdeveloped countries.

The Board believes that foreign capital should be encouraged to invest in the underdeveloped countries in partnership with local capital and in a spirit of cooperation rather than of exploitation. It believes that foreign capital in these countries should be creative as well as profitable; contributing to economic growth and better lives for the people of the country, recognizing their national pride and national interests. It should make friends, not lose them.

The Board believes the initiative in developing a rounded program to encourage private investment under the Act for International Development should come from the agency designated by the President to administer that act. It believes this initiative should be expressed, however, in terms of enlisting the active participation of other agencies in matters properly coming within their special fields of competence, such as the negotiation of commercial treaties, etc.

PARTICIPATION OF PRIVATE AGENCIES

The Act for International Development stipulates that "the participation of private agencies and persons shall be sought to the greatest extent practicable" in carrying out the point 4 program.

The Board believes this provision opens the way for a considerable expansion of point 4 activities abroad through the facilities of private organizations, communities, universities, philanthropic institutions, and similar voluntary agencies.

It believes that the efforts of these private institutions can often be more effective than governmental operations and that they should be employed to supplement and

strengthen the point 4 program in each of the underdeveloped areas.

The Board notes that the assistance of voluntary agencies, in the language of the act, should be "sought" and not merely accepted if proffered.

This implies the necessity of positive steps to enlist their cooperation and the need of coordination and direction to avoid diffuse and ill-advised undertakings.

The Board believes that TCA, as the agency responsible for administering the Act for International Development, should be prepared to supply these essential elements of coordination and direction.

RECESS

Mr. McFARLAND. I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Thursday, June 12, 1952, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 11 (legislative day of June 10), 1952:

Diplomatic and Foreign Service

Burton Y. Berry, of Indiana, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iraq, vice Edward S. Crocker 2d.

James S. Moose, Jr., of Arkansas, a Foreign Service officer of class 1, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Syria, vice Cavendish W. Cannon.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Robert N. Allen, of Oklahoma.
Richard J. Bloomfield, of Virginia.
Donald E. Borgen, of Idaho.
Frederic L. Chapin, of the District of Columbia.
Edward R. Cheney, of Vermont.
Arva C. Floyd, Jr., of Georgia.
Miss Elizabeth J. Harper, of Missouri.
Michel A. Hosier, of Illinois.
Edward L. Killham, of Illinois.
Lyle F. Lane, of Washington.
Ralph E. Lindstrom, of Minnesota.
William G. Marvin, Jr., of California.
Dudley W. Miller, of Colorado.
Hugh B. O'Neill, of Connecticut.
Miss Grace F. Schuettner, of Missouri.
Charles W. Thomas, of Illinois.
William W. Thomas, Jr., of North Carolina.
Frank A. Tinker, of Michigan.
Chester R. Yowell, of Missouri.

In the Army

Lt. Gen. John Reed Hodge, O7285, Army of the United States (major general, U. S. Army), for appointment as Chief, Army Field Forces, with the rank of general, under the provisions of section 504 of the Officer Personnel Act of 1947.

Maj. Gen. John Taylor Lewis, O7000, United States Army, for appointment as commanding general, Army Antiaircraft Command, with the rank of lieutenant general, under the provisions of section 504 of the Officer Personnel Act of 1947.

Maj. Gen. George Price Hays, O7149, United States Army, for appointment as commanding general, United States Forces, Austria, with the rank of lieutenant general, under the provisions of section 504 of the Officer Personnel Act of 1947.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Silas Beach Hays, O17803, Medical Corps, United States Army.

Brig. Gen. Frank Huber Partridge, O7497, Army of the United States (colonel, U. S. Army).

Brig. Gen. Herbert Bernard Loper, O12243, Army of the United States (colonel, U. S. Army).

Brig. Gen. Homer Watson Kiefer, O12701, Army of the United States (colonel, U. S. Army).

Brig. Gen. Edward Thomas Williams, O12818, Army of the United States (colonel, U. S. Army).

Brig. Gen. Robert Leroy Dulaney, O15351, Army of the United States (colonel, U. S. Army).

Brig. Gen. William Nelson Gillmore, O16196, Army of the United States (colonel, U. S. Army).

Brig. Gen. Joseph Pringle Cleland, O16239, Army of the United States (colonel, U. S. Army).

To be brigadier generals

Col. Harold Thomas Miller, O12633, United States Army.

Col. Rawley Ernest Chambers, O16733, Medical Corps, United States Army.

Col. Emil Lenzner, O15810, United States Army.

Col. Francis Marion Day, O15614, United States Army.

Col. Gordon Byrom Rogers, O15620, United States Army.

Col. Aubrey Strode Newman, O16099, United States Army.

Col. Thomas Morgan Watlington, O16780, United States Army.

Col. John Cogswell Oakes, O17160, United States Army.

Col. Legare Kilgore Tarrant, O17208, United States Army.

Col. Lionel Charles McGarr, O17225, United States Army.

Col. Carl Ferdinand Fritzsche, O17234, United States Army.

Col. Russell Lowell Vittrup, O17681, United States Army.

Col. Paul Lamar Freeman, Jr., O17704, United States Army.

Col. Andrew Pick O'Meara, O18062, Army of the United States (lieutenant colonel, U. S. Army).

Col. Robert Jefferson Wood, O18064, Army of the United States (lieutenant colonel, U. S. Army).

Col. Hamilton Hawkins Howze, O18088, Army of the United States (lieutenant colonel, U. S. Army).

Col. John Knight Waters, O18481, Army of the United States (lieutenant colonel, U. S. Army).

Col. John R. Beishline, O18523, Army of the United States (lieutenant colonel, U. S. Army).

The following-named officers for promotion in the Regular Army of the United States under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947. All officers are subject to physical examination required by law.

To be lieutenant colonels

Ford Elliott Allcorn, O51544.
Harlow Engle Allen, O39922.
Stuart Myron Alley, O30268.
Hugh Montgomery Arnold, O30283.
Arthur Charles Bass, O30292.
Franklin Roscoe Brickles, O30278.
Howard Henry Burd, O42434.
Edward Bishop Crossman, O42428.
Benjamin Miller Davis, O30282.
Paul Lewis De Haas, O30284.
Thaddeus William Drobek, O42453.
James Walter Edwards, O30274.
Howard Kilbourne Eggleston, Jr., O30271.
Joseph Francis Escudé, O30519.
Robley Dunglison Evans, O39924.
David Roy Falke, O51542.
Harry Goddard Foster, O30291.
Robin Brem Gardner, A38777.
Kenneth William Gillespie, O30273.
Paul Godbey, O30281.
Richard John Grondona, O42439.
Neal Woodrow Harper, O30262.
Oliver Clark Harvey, O38776.
Harry Hewitt, O30558.
Jesse Devon Jackson, O51555.
William Christopher Jesse, O42446.
Owen Thomas McCloskey, O30269.
Joe Albert McEachern, O39907.
James Bascomb Miller, O30266.
Earle Fillmore Mitchell, O30272.
William Alexander Mowery, O51492.
Louis Martin Nawrocky, O30293.
Thomas Norby, O51548.
Joseph Dill Raney, O30285.
Frederic Donald Ray, O51558.
Pat M Stevens 3d, O30557.
Wentworth Hamilton Taylor, Jr., O30280.
Ernest Thomas Trial, O30259.
Joseph Ferdinand Vering, O30289.
John Stuart Wilkes, O30288.

To be lieutenant colonels, Judge Advocate General's Corps

Francis Richard Boyles, O29803.
Francis Martin Sassé, O29807.

To be lieutenant colonels, Chaplains

Robert Aurelius Bryant, O30875.
John Joseph Nagle, O41726.
John Francis Rafferty, O51150.
Aloysius Joseph Tracy, O41724.
Paul Elijah Winslow, O41721.

To be lieutenant colonels, Medical Corps

Richard Irving Crone, O21727.
John Randolph Hall, Jr., O23576.
Robert Nathan Lehman, O21732.
Aniello Francis Mastellone, O43115.
David Harry Naimark, O22782.
John Beardsley Wallace, O21680.

To be lieutenant colonels, Dental Corps

Henry Bulkeley Fitch, O30851.
Charles Sidney Winston, O21690.

To be lieutenant colonels, Veterinary Corps

Robert Arthur Boyce, Jr., O19329.
William Edwin Jennings, O19640.
Clarence Leonard Taylor, O19336.
Neil Oliver Wilson, O29256.

To be lieutenant colonels, Medical Service Corps

Leland Lloyd Fetterman, O56856.
Harold William Taylor, O39661.
Frederick Madison Vandel, O52026.

The following-named officers for promotion in the Regular Army of the United States under the provisions of section 107 of the Army-Navy Nurses Act of 1947, as amended by section 3, Public Law 514, Eighty-first Congress, approved May 16, 1950. All officers are subject to physical examination required by law.

To be lieutenant colonels, Army Nurse Corps

Josephine Helen Balestra, N522.
Helen Agnes Dugan, N22.

The following-named officers for promotion in the Regular Army of the United States under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

To be first lieutenants

Charles Creighton Allison, O65729.
Cheney Litton Bertholf, Jr., O65202.
×Alan Arnold Brister, O65742.
×Leon Jewell Calhoun, O65613.
×Robert Monty Campbell, O65736.
×James Francis Chadbourne, Jr., O65962.
×Edwin Kenneth Crowley, Jr., O65614.
×Norman Dale DeBord, O65720.
×Joseph Marlin deMarsche, O65723.

×Kurt Fischman, O65744.
×Reginald William Hall, O65741.
×James Neely Hanson, O65600.
×William Joseph Hilyer, O65739.
Bohuslav Zdenek Kostka, O65611.
John Crowley Lippincott, O65732.
×Robert Leslie Runkle, O65724.
×John Windfield Scherer, O66093.
×William Arthur Sneller, Jr., O65728.
×Bruce Elgean Wallace, O65610.
×George Lawrence Wilcox, O65731.

To be first lieutenant, Women's Army Corps

×Georgia Dawnell Hill, L398.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

James A. Graham, Reform, Ala., in place of E. M. Wimberley, resigned.

ARIZONA

Martin L. Brewton, Globe, Ariz., in place of V. C. Murphy, retired.

Don P. Smith, Kingman, Ariz., in place of Vernon Hubbs, removed.

ARKANSAS

John N. Moore, Black Rock, Ark., in place of C. L. Horn, deceased.

Aubrey C. Willbanks, Williford, Ark., in place of S. O. Norris, transferred.

CALIFORNIA

Etta Phydelia Wagner, East Nicolaus, Calif., in place of E. S. Smith, retired.

LaVera M. Hancock, Fouts Springs, Calif. Office established September 1, 1950.

Emmett J. Nickles, Gerber, Calif., in place of L. E. Chapman, retired.

Teddy Chiappari, Paso Robles, Calif., in place of S. S. Tucker, declined.

Charles G. Nance, Plymouth, Calif., in place of Sadie Tippett, retired.

Gladys J. Cylear, Princeton, Calif., in place of M. E. Shear, retired.

Ruth E. Cruess, San Miguel, Calif., in place of M. S. Trigueiro, retired.

George Langford, Stockton, Calif., in place of C. B. Pearson, retired.

Lucille B. O'Loughlin, Sunol, Calif., in place of R. M. Wright, resigned.

CONNECTICUT

Sutherland A. Beckwith, Litchfield, Conn., in place of M. H. Burke, removed.

FLORIDA

William R. Rider, La Belle, Fla., in place of M. B. McCormick, retired.

GEORGIA

Francis H. Kersey, Byron, Ga., in place of B. L. Robertson, Jr., transferred.

Charlie L. Bowden, Macon, Ga., in place of W. A. Pattillo, retired.

HAWAII

Ikuko Jean Nakamura, Ookala, Hawaii, in place of S. B. McKenzie, resigned.

ILLINOIS

Wayne N. Comp, Buda, Ill., in place of G. R. Gish, removed.

Reita M. Miller, Cabery, Ill., in place of F. I. Ohrt, transferred.

Thomas A. Falese, Carpentersville, Ill., in place of C. J. Markel, removed.

John W. Hill, Cave in Rock, Ill., in place of N. B. Herrin, removed.

Paul M. O'Donnell, Evanston, Ill., in place of G. N. Taylor, deceased.

George H. Pfalzgraf, Grand Ridge, Ill., in place of C. E. Hibbs, retired.

Helen F. Lieb, Pesotum, Ill., in place of A. W. Schurg, retired.

Paul E. Reichert, Pleasant Plains, Ill., in place of B. P. Hurt, retired.

George W. Hoffman, Winnebago, Ill., in place of P. V. Reilly, retired.

INDIANA

Edward R. Fisher, Ligonier, Ind., in place of E. D. Smith, retired.

Charles R. Kilgour, Marion, Ind., in place of William Wert, deceased.

Frank L. Miklozek, Terre Haute, Ind., in place of J. F. Shandy, deceased.

IOWA

Samuel George Peterson, Archer, Iowa, in place of J. S. Benbow, deceased.

Melvin L. Larsen, Brandon, Iowa, in place of W. A. Fiester, retired.

Homer H. Beede, Kellerton, Iowa, in place of W. W. Farmer, retired.

Lola V. Haskins, Lawton, Iowa, in place of P. E. Stubbs, deceased.

KANSAS

Earnest L. Scott, Altoona, Kans., in place of A. G. DeBolt, retired.

Ralph K. Bohnert, Jewell, Kans., in place of W. C. Edwards, transferred.

Rozella W. Switzer, McPherson, Kans., in place of H. J. Schafer, retired.

KENTUCKY

Henry E. Hudson, Hopkinsville, Ky., in place of Leslie West, resigned.

LOUISIANA

John N. Jones, Bastrop, La., in place of Jack Bostwick, resigned.

Naideen J. Sevier, Ferriday, La., in place of H. E. Knight, retired.

MAINE

John H. Clark, Ocean Park, Maine, in place of H. H. Hanscom, resigned.

MASSACHUSETTS

Francis J. O'Neil, Attleboro, Mass., in place of G. A. Sweeney, retired.

George M. Galliher, Sr., Dalton, Mass., in place of R. F. Pender, retired.

Robert W. Pearson, Eastham, Mass., in place of O. H. Barton, deceased.

Frank L. Hardy, Nantucket, Mass., in place of A. E. Roberts, retired.

Thomas J. Hurley, Northfield, Mass., in place of L. D. Quinlan, transferred.

Richard C. Taft, Oxford, Mass., in place of J. G. Woodbury, retired.

William E. Murphy, Stoughton, Mass., in place of J. F. Finn, retired.

MICHIGAN

Owen J. Breece, Cassopolis, Mich., in place of E. B. Sill, retired.

John R. Vincent, Eloise, Mich., in place of H. L. Nixon, resigned.

MINNESOTA

George Haines, Hinckley, Minn., in place of J. D. Brennan, transferred.

MISSISSIPPI

Frederick L. Herlihy, Bay Saint Louis, Miss., in place of L. G. Ford, removed.

Margaret S. Washington, Handsboro, Miss., in place of S. F. Myers, retired.

Henry J. Monroe, Mississippi City, Miss., in place of A. E. Olivier, resigned.

Sophie G. Jackson, Tougaloo, Miss., in place of M. R. Rice, deceased.

MISSOURI

James O. Finney, Bucklin, Mo., in place of S. B. McCollum, retired.

Horace M. Cash, Warrensburg, Mo., in place of W. S. Moore, deceased.

NEBRASKA

Robert A. Frank, Carleton, Nebr., in place of W. H. Leff, transferred.

Bruce B. Bohlken, Coleridge, Nebr., in place of A. B. Hassmann, deceased.

Donald W. Crews, Guide Rock, Nebr., in place of T. H. Vaughan, retired.

Willis H. Wills, Shelby, Nebr., in place of H. F. Taddiken, transferred.

NEW JERSEY

Eleanor M. Latzo, Dayton, N. J., in place of I. S. Luttman, retired.

NEW MEXICO

Ollie W. McDowell, East Vaughn, N. Mex., in place of S. C. Hoy, resigned.

Frederick J. Roach, Los Alamos, N. Mex., office reestablished May 16, 1947.

NEW YORK

William J. McInerney, Buskirk, N. Y., in place of J. F. Pappas, deceased.

Philip Gerard Donahue, Gardiner, N. Y., in place of J. D. George, transferred.

Audrey Miller, Harris, N. Y., in place of Manuel Fisher, resigned.

NORTH CAROLINA

Walter G. Ratledge, Advance, N. C., in place of E. P. Bailey, resigned.

NORTH DAKOTA

Chester C. King, Donnybrook, N. Dak., in place of A. E. Bean, retired.

Joseph P. Roubal, Lawton, N. Dak., in place of E. L. Powers, retired.

Lawrence J. Petz, Ryder, N. Dak., in place of H. J. Campbell, deceased.

OHIO

Randall B. Craven, Brilliant, Ohio, in place of Robert Waugh, resigned.

Ulrich A. Sinkora, Dillonvale, Ohio, in place of J. J. Zerla, transferred.

Bessie R. Waite, Kipton, Ohio, in place of N. O. Ayliffe, deceased.

Albert R. Matuszak, Lorain, Ohio, in place of W. J. Moriarity, retired.

OKLAHOMA

Rosalie E. Clover, Nash, Okla., in place of N. W. Kingsley, declined.

Opal M. Rone, Smithville, Okla., in place of C. O. Lester, retired.

Orval T. Smelser, Washington, Okla., in place of L. E. Weeden, resigned.

OREGON

Parker T. Hess, Ashland, Oreg., in place of E. E. Vail, resigned.

Howard C. Nutt, Shady Cove, Oreg., in place of E. N. Mee, resigned.

PENNSYLVANIA

Lawrence M. Mulligan, Bristol, Pa., in place of J. P. Duffy, deceased.

Howard W. Harrison, Chambersburg, Pa., in place of G. E. Diehl, retired.

Anthony J. Teti, Toughkenamon, Pa., in place of C. E. Reese, retired.

SOUTH DAKOTA

Joseph G. Ruzicka, Miller, S. Dak., in place of C. P. Corcoran, retired.

TEXAS

Oliver N. Bruck, Austin, Tex., in place of R. L. Phinney, resigned.

Charles T. Rushing, Jr., Calvert, Tex., in place of A. K. Tyson, retired.

Thomas W. Duncan, Frisco, Tex., in place of W. R. Ginnings, resigned.

Percy C. Williams, Hufsmith, Tex., in place of F. C. Bogs, retired.

Julia E. Pryor, La Ward, Tex., in place of O. E. Burditt, resigned.

VIRGINIA

Benjamin A. Williams, Jr., Courtland, Va., in place of P. L. Davis, Jr., deceased.

Frances M. Bryant, Henry, Va., in place of A. M. Goode, transferred.

WASHINGTON

Eulalia J. Stafford, Chelan Falls, Wash., in place of L. M. Tostevin, resigned.

Hans P. Greggersen, Olalla, Wash., in place of G. M. Pearson, resigned.

WEST VIRGINIA

Howard F. Courtney, Grafton, W. Va., in place of J. T. Murphy, retired.

Dorothy P. Bitzer, Reed, W. Va., in place of W. T. Bitzer, resigned.

WISCONSIN

Frederick E. Shidell, Vesper, Wis., in place of R. R. Behling, transferred.

WYOMING

Mary E. Busko, Winton, Wyo., in place of E. K. Galloway, resigned.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 11, 1952

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, we are daily approaching Thy throne of majesty and mercy, compelled by our many needs, constrained by Thy love, and encouraged by every gracious invitation in Thy holy word.

Grant that our aspirations and actions, our plans and purposes, our deliberations and decisions may all witness to our sincere longing to provide and share with mankind a larger measure of health and happiness, of peace and prosperity, of safety and security, and the blessings which we so richly enjoy.

May the members of the human family be more closely united in the bonds of friendship and good will and mutual service as they seek to build a nobler civilization.

To Thy name we give all the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 97. An act to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River in Tennessee.

FEDERAL-AID ROAD ACT

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of a House concurrent resolution (H. Con. Res. 221) which I send to the desk.

The Clerk read the resolution, as follows:

Resolved, That in the enrollment of the bill (H. R. 7340) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes, the Clerk of the House is authorized and directed to make the following corrections:

In the first sentence of section 5 of the bill strike out "$4,000,000," and insert in lieu thereof "$2,000,000," and strike out the word "completing."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONSTRUCTION OF AERONAUTICAL RESEARCH FACILITIES

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6336, an act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 13, strike out "such sums of money as may be necessary" and insert "not to exceed $19,700,000."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand this does not materially change the bill?

Mr. DURHAM. It does not change it in any way at all.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

LAW-ABIDING PEOPLE IN DISTRESS

Mr. MAGEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MAGEE. Mr. Speaker, just a few minutes ago I received the following communication from a constituent of mine:

CHILLICOTHE, MO., *June 4, 1952.*

Subject: Good law-abiding people in distress.
Senator MCGEE,
Washington, D. C.:

I am in receipt of your valued letter of sympathy after my husband's death, February 25 this year.

At present I am confined to a bed in a nursing home here at 406 Walnut. This is being written with my knowledge and consent by my nephew, Ruel Glover, who is being held in the county jail here, charged with untrue charges, and because we cannot raise necessary bail money he has to stay in jail until September circuit court because he is not and will not plead guilty to any of the four charges. He is needed by me for assistance and help because I am almost helpless.

He does not have a lawyer and very little money. Please help us in some way, and if I live until November I will make Chula and Farmersville Republican again.

Yours truly,

MRS. L. L. WORTMAN.
By RUEL GLOVER.

I would like to ask my friends, if I have any, and especially my Republican friends on the left: How is a New Deal Democrat going to answer that kind of letter?

SPECIAL ORDER GRANTED

Mr. AUCHINCLOSS asked and was given permission to address the House for 30 minutes on Monday, June 16, following the legislative business of the day and any special orders heretofore entered.

PUBLIC HOUSING PROGRAM IN LOS ANGELES, CALIF.

Mr. POULSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. POULSON addressed the House. His remarks appear in the Appendix.]

COMMITTEE ON EDUCATION AND LABOR

Mr. BARDEN. Mr. Speaker, the Committee on Education and Labor is now considering a mine safety bill. I ask unanimous consent that the committee may have permission to sit during the session of the House this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. H. CARL ANDERSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 100]

Aandahl	Engle	Morton
Abernethy	Fenton	Nelson
Adair	Fine	O'Neill
Albert	Frazier	O'Toole
Allen, Ill.	Fulton	Potter
Anfuso	Gamble	Powell
Bates, Ky.	Gavin	Prouty
Beckworth	Gore	Rabaut
Belcher	Hall, Edwin Arthur	Reece, Tenn.
Blackney	Halleck	Reed, Ill.
Blatnik	Harden	Richards
Brehm	Harvey	Riehlman
Brooks	Havenner	Rooney
Brown, Ohio	Hedrick	Sabath
Buckley	Heffernan	Sasscer
Burdick	Herter	Shelley
Butler	Johnson	Short
Carlyle	Jonas	Simpson, Pa.
Carnahan	Kennedy	Springer
Chiperfield	Kerr	Stanley
Cole, Kans.	Klein	Stigler
Coudert	Lesinski	Stockman
Crawford	Merrow	Sutton
Dawson	Miller, Calif.	Tackett
Denny	Morano	Teague
Dolliver	Morgan	Welch
Donovan	Morris	Williams, Miss.
Ellsworth	Morrison	Wood, Ga.
Elston		

The SPEAKER pro tempore. Three hundred and forty-seven Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMERICAN NATIONAL RED CROSS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7345) to

exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, with Senate amendments thereto, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DOUGHTON, COOPER, DINGELL, MILLS, REED of New York, WOODRUFF, and JENKINS.

OWYHEE IRRIGATION PROJECT

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5633) to approve a contract negotiated with the irrigation districts on the Owyhee Federal project, to authorize its execution, and for other purposes, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the contracts referred to in sections 2 to 5 of this act, which have been negotiated by the Secretary of the Interior, pursuant to section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187), are hereby approved, and the Secretary is authorized to execute them on behalf of the United States.

"OWYHEE PROJECT, IDAHO-OREGON

"SEC. 2. The amendatory repayment contract dated August 29, 1951, with the Gem irrigation district, the Ridgeview irrigation district, the Owyhee irrigation district, the Ontario-Nyssa irrigation district, the Advancement irrigation district, the Payette-Oregon Slope irrigation district, the Crystal irrigation district, the Bench irrigation district, and the Slide irrigation district.

"RIVERTON PROJECT, WYOMING

"SEC. 3. The contract with the Midvale irrigation district, which contract was approved by the electors of the district on May 14, 1952.

"MILK RIVER PROJECT, MONTANA

"SEC. 4. The contract with the Malta irrigation district which was executed by said district pursuant to the laws of the State of Montana and in conformity with the order of the District Court of the Seventeenth Judicial District of the State of Montana, in and for the county of Phillips, dated March 6, 1951, in the confirmation proceedings on said contract before said court; and the contract with the Glasgow irrigation district which was executed by said district pursuant to the laws of the State of Montana and in conformity with the order of the District Court of the Seventeenth Judicial District of the State of Montana, in and for the county of Valley, dated October 1, 1951, in the confirmation proceedings on said contract before said court.

"(a) The 1947 reclassification of the lands of the Malta irrigation district and the Glasgow irrigation district of the Milk River project, Montana, made in accordance with the provisions of section 8 of the Reclamation Project Act of 1939 and approved by the board of commissioners of the Malta irrigation district by resolution, dated June 24, 1948, and by the board of commissioners of the Glasgow irrigation district by resolution, dated July 1, 1948, is approved.

"(b) Contingent upon the execution of the contract with the Malta irrigation district, approved in this section, there shall be deducted from the total costs of the project, as the Malta irrigation district's share thereof, the sum of $663,644 on account of 12,128 acres, within the Malta irrigation district, found to be permanently unproductive by the 1947 reclassification of lands.

"(c) Contingent upon the execution of the contract with the Glasgow irrigation district, approved in this section, there shall be deducted from the total costs of the project, as the Glasgow irrigation district's share thereof, the sum of $5,691 on account of 104 acres within the Glasgow irrigation district, found to be permanently unproductive by the 1947 reclassification of lands.

"(d) There shall be deducted from the total costs of the project on account of nondistrict lands found to be permanently unproductive by the 1947 reclassification of lands, which reclassification as to nondistrict lands is hereby approved, the sum of $7,661 on account of 140 acres formerly excluded from the Glasgow irrigation district and not intended to be included within said district.

"(e) The Secretary is authorized, in his discretion, to cancel and deduct from the total costs of the Glasgow division of the Milk River project, Montana, the construction charge obligation against any of the lands within said division of said project which are not actually included within the Glasgow irrigation district. The amount of said cancellation and deduction shall be computed by the Secretary by multiplying the total number of acres of land formerly intended to be included within the irrigation district but not so included by the sum of $54.72 per acre.

"(f) The Secretary, at any time subsequent to the execution of the contracts approved in this section, and not later than January 1, 1960, shall reclassify and designate as either class 1, 2, 3, 4a, 4b, or 6, as provided in said contracts, all lands within the Malta and Glasgow irrigation districts designated as class 5 by the 1947 reclassification of lands, and the reclassification and designation as class 6 of any of said lands shall reduce the construction charge obligation of the district in which such class 6 lands are situated by the sum of $54.72 per acre.

"(g) The amounts deducted from the construction charge obligation of either or both the Malta and Glasgow irrigation districts, and from the total costs of the Milk River project, as provided for herein and adjusted in the contracts approved in this section, shall be charged off as a permanent loss to the reclamation fund, but no adjustment shall be made by the United States by reason thereof with any individual landowner by way of refund of or credit on account of sums heretofore paid, repaid, returned, or due and payable to the United States, by way of exchange of land, or by any other method.

"FRENCHTOWN PROJECT, MONTANA

"SEC. 5. The contract dated September 6, 1951, with the Frenchtown irrigation district.

"SEC. 6. All costs and expenses incurred by the United States in negotiating and completing the contracts approved under sections 3 and 4 of this act and in making the investigations in connection therewith and in future determinations under said contracts with respect to the productivity of temporarily unproductive lands shall, contingent upon the final confirmation and execution of the contracts, be nonreimbursable and nonreturnable under the Federal reclamation laws. The water rights formerly appurtenant to the permanently unproductive lands referred to in the contracts aforesaid shall be disposed of by the United States under the reclamation laws with a preference right to the water users on the respective reclamation projects.

"SEC. 7. This act is declared to be a part of the Federal reclamation laws as those laws are defined in the Reclamation Project Act of 1939."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the amendment?

Mr. MURDOCK. Mr. Speaker, this is a Senate amendment combining four closely related House bills. Let me say first that I have cleared this request with the leadership on both sides and also with three members of the Interior Committee whose bills were combined.

This bill, now an act from the Senate, combines four House bills approving repayment contracts on certain projects. The amendment is acceptable to the authors of the bills on the House side.

Mr. MARTIN of Massachusetts. How about the general public? What does it do to them?

Mr. MURDOCK. I think the amendment is quite satisfactory and the measure is in the public interest.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield.

Mr. HINSHAW. The gentleman says the amendment is acceptable to the authors of the House bills. Has each of these bills been considered and approved by the gentleman's committee?

Mr. MURDOCK. Three of these bills have been approved by the committee. Four bills are included. I will ask the gentleman from Montana [Mr. D'EWART] to answer the question and also that of the minority leader, if he will.

Mr. D'EWART. Three of the bills were enacted by the House and sent over to the Senate. The Senate included one in Wyoming that had not been enacted by the House and which our committee refused. I think the one in Wyoming is a minor readjustment of repayment of a contract there. They have to do with adjustment of repayment contracts. They have nothing to do with new projects or new authorizations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDMENT TO SECTION 331 OF THE PUBLIC HEALTH SERVICE ACT, AS AMENDED

Mr. MURDOCK submitted a conference report and statement on the bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy.

COMMITTEE ON BANKING AND CURRENCY

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have permission to sit this afternoon during general debate in the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

ROLL CALLS ON MONDAY NEXT TO GO OVER UNTIL TUESDAY

Mr. PRIEST. Mr. Speaker, due to the fact there is a primary in the State of Maine on Monday next, I ask unanimous consent that if roll calls should develop in the House consideration of legislation on Monday that they may go over to Tuesday, with the further understanding, Mr. Speaker, that if a roll call should be demanded on the bill H. R. 7800, which is scheduled to be brought up under suspension of the rules, the roll call on Tuesday would be under the same conditions as if it occurred on Monday, requiring a two-thirds vote of the House membership to suspend the rules and pass the bill.

The SPEAKER pro tempore. Or any other suspension?

Mr. PRIEST. Or any other suspension that might be considered under the same conditions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1952

Mr. FALLON. Mr. Speaker, I call up the conference report on the bill (H. R. 7340) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. No. 2132)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7340) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: Strike out all after the enacting clause and insert "That, for the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of $550,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955.

"The sum herein authorized for each fiscal year shall be available for expenditure as follows:

"(a) $247,500,000 for projects on the Federal-aid primary highway system.

"(b) $165,000,000 for projects on the Federal-aid secondary highway system.

"(c) $137,500,000 for projects on the Federal-aid primary highway system in urban areas.

"The sums authorized by this section for each fiscal year, respectively, shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (53 Stat. 838).

"Any sums apportioned to any State under the provision of this section shall be available for expenditure in that State for two years after the close of the fiscal year for which such sums are authorized, and any amount so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds for any fiscal year shall be deemed to have been expended if a sum equal to the total of the sums apportioned to the State for such fiscal year is covered by formal agreements with the Commissioner of Public Roads for the improvement of specific projects as provided by this Act.

"SEC. 2. For the purpose of expediting the construction, reconstruction, and improvement, inclusive of necessary bridges and tunnels, of the national system of interstate highways, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), there is hereby authorized to be appropriated the additional sum of $25,000,000 for the fiscal year ending June 30, 1954, and a like additional sum for the fiscal year ending June 30, 1955. The sum herein authorized for each fiscal year shall be apportioned among the several States in the manner now provided by law for the apportionment of Federal-aid primary funds: *Provided*, That the Federal share payable on account of any project provided for by funds made available under the provisions of this section shall be determined in the same manner as now provided by law for projects on said Federal-aid primary system.

"SEC. 3. For the purpose of carrying out the provisions of section 23 of the Federal Highway Act (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of $22,500,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955; and (2) for forest development roads and trails the sum of $22,500,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955: *Provided*, That with respect to any proposed construction or reconstruction of a timber access road, advisory public hearings shall be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction: *And be it further provided*, That the appropriation herein authorized for forest highways shall be apportioned by the Secretary of Commerce for expenditure in the several States, Alaska, and Puerto Rico in accordance with the provision of section 3 of the Federal-Aid Highway Act of 1950.

"SEC. 4. (a) For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955.

"(b) For the construction, reconstruction, improvement, and maintenance of parkways, authorized by Acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955: *Provided*, That the limitation of $13,000,000 on the cost of construction of the Baltimore-Washington Parkway prescribed by the Act of August 3, 1950 (64 Stat. 400), is hereby increased to $14,500,000 and the additional sum of $1,500,000 hereby authorized shall be available for contract immediately upon the passage of this Act.

"(c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Commissioner of Public Roads before any expenditures are made thereon, and all such construction shall be under the general supervision of the Commissioner of Public Roads.

"SEC. 5. Recognizing the mutual benefits that will accrue to the Republic of Nicaragua and to the United States from the completion of the road from San Benito to Rama in said Republic of Nicaragua, the construction of which road was begun and partially completed pursuant to an agreement between said Republic and the United States, there is hereby authorized to be appropriated $4,000,000 for the fiscal year ending June 30, 1953, and a like sum for the fiscal year ending June 30, 1954, for completing the construction of such road, to be available until expended. No expenditure shall be made hereunder for the construction of said road until a request therefor shall have been received by the Secretary of State from the Government of the Republic of Nicaragua nor until an agreement shall have been entered into by said Republic with the Secretary of State which shall provide, in part, that said Republic—

"(1) will provide, without participation of funds herein authorized, all necessary right-of-way for the construction of said highway, which right-of-way shall be of a minimum width where practicable of one hundred meters in rural areas and fifty meters in municipalities and shall forever be held inviolate as a part of the highway for public use;

"(2) will not impose any highway toll, or permit any such toll to be charged for the use of said highway by vehicles or persons;

"(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said road by vehicles or persons from the United States that does not apply equally to vehicles or persons of such Republic;

"(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with the provisions of the Convention for the Regulation of Inter-American Automotive Traffic, which was opened for signature at the Pan American Union in Washington on December 15, 1943, and to which such Republic and the United States are parties; or any other treaty or international convention establishing similar reciprocal recognition; and

"(5) will maintain said road after its completion in proper condition adequately to serve the needs of present and future traffic.

"(b) The funds appropriated pursuant to this authorization shall be available for expenditure in accordance with the terms of this Act for the survey and construction of the said road from San Benito to Rama and for the survey but not for the construction

of a road from Rama to El Bluff in the Republic of Nicaragua without being matched by said Republic, and all expenditures made under the provisions of this Act for materials, equipment, and supplies, shall, whenever practicable, be made for products of the United States or of the Republic of Nicaragua.

"SEC. 6. For the purpose of carrying out the provisions of section 1 of the Act entitled 'An Act to provide for cooperation with Central American Republics in the construction of the Inter-American Highway' approved December 26, 1941 (55 Stat. 860), as amended by section 11 of the Federal-Aid Highway Act of 1950, approved September 7, 1950 (64 Stat. 785), there is hereby authorized to be appropriated, in addition to the sums heretofore authorized, the sum of $8,000,000 for the fiscal year ending June 30, 1953, and a like sum for the fiscal year ending June 30, 1954, to be available until expended, to enable the United States to cooperate with the Governments of the American Republics situated in Central America—that is, with the Governments of the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama—in the survey and construction of the Inter-American Highway within the borders of the aforesaid Republics, respectively. Not to exceed one-third of the appropriation authorized for each fiscal year may be expended without requiring the country or countries in which such sums may be expended to match any part thereof, if the Secretary of State shall find that the cost of constructing said highway in such country or countries will be beyond their reasonable capacity to bear.

"SEC. 7. There is hereby authorized an emergency fund in the amount of $10,000,000 for expenditure by the Commissioner of Public Roads, in accordance with the provisions of the Federal-Aid Highway Act, as amended and supplemented, after receipt of an application therefor from the highway department of any State, in the repair or reconstruction of highways and bridges on the Federal-aid highway systems, which he shall find have suffered serious damage as the result of disaster over a wide area, such as by floods, hurricanes, tidal waves, earthquakes, severe storms, landslides, or other catastrophes in any part of the United States. The appropriation of such moneys as may be necessary for the initial establishment of this fund and for its replenishment on an annual basis is hereby authorized: *Provided*, That, pending the appropriation of said sum, or its replenishment, the Commissioner of Public Roads may expend, from existing Federal-aid highway appropriations, such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriation herein authorized when made: *Provided further*, That no expenditures shall be made hereunder with respect to any such catastrophe in any State unless an emergency has been declared by the Governor of such State and concurred in by the Secretary of Commerce: *And provided further*, That the Federal share payable on account of any repair or reconstruction project provided for by funds made available under this section shall not exceed 50 per centum of the cost thereof.

"SEC. 8. For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785) there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the sum of $2,500,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955, to remain available until expended.

"SEC. 9. The Commissioner of Public Roads is authorized and directed to assist in carrying out the action program of the President's Highway Safety Conference and to cooperate with the State highway departments and other agencies in this program to advance the cause of safety on the streets and highways: *Provided*, That not to exceed $150,000 shall be expended annually for the purposes of this section.

"SEC. 10. For the purpose of carrying out the provisions of section 6 of the Defense Highway Act of 1941 (55 Stat. 765), as amended, and section 12 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), as amended, there is hereby authorized to be appropriated the additional sum of $50,000,000 to remain available until expended: *Provided*, That whenever any project for the construction or improvement of a circumferential highway around a city or of a radial intracity route thereto submitted by any State, is certified by the Secretary of Defense, or such other official as the President may designate, as being important for civilian or military defense, such project may be constructed under the authorization in this section and in accordance with the conditions contained therein: *And it be further provided*, That with respect to any proposed construction or reconstruction of a timber access road under the authority contained in this section, advisory public hearings shall be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction.

"SEC. 11. All provisions of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838); the Federal-Aid Highway Act of 1948, approved June 29, 1948 (62 Stat. 1105); and the Federal-Aid Highway Act of 1950, approved September 7, 1950, not inconsistent with this Act, shall remain in full force and effect.

"SEC. 12. If any section, subsection, or other provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of such section, subsection, or other provision to other persons or circumstances shall not be affected thereby.

"SEC. 13. That all Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed, and this Act shall take effect on its passage.

"SEC. 14. This Act may be cited as the Federal-Aid Highway Act of 1952."

And the Senate agree to the same.

GEORGE H. FALLON,
JAMES W. TRIMBLE,
JOHN J. DEMPSEY,
ROBERT E. JONES, JR.,
GEO. A. DONDERO,
J. HARRY MCGREGOR,
HOMER D. ANGELL,
Managers on the Part of the House.

DENNIS CHAVEZ,
SPESSARD L. HOLLAND,
ROBERT S. KERR,
HARRY P. CAIN,
FRANCIS CASE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7340) to amend and supplement the Federal Aid Highway Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

The Senate struck all after the enacting clause of the House bill and inserted in lieu thereof an amendment which was a complete substitute for the text of the House bill. However, the provisions of the House bill and the Senate amendment were in large part identical. The following statement indicates the differences between the House bill and the Senate amendment and the action of the conferees with respect to these differences.

BILL AS AGREED CARRIES AMOUNTS IN HOUSE BILL FOR PRIMARY, SECONDARY, AND PRIMARY ROADS IN URBAN AREAS

Section 1 of the conference agreement and section 1 of the House bill authorize $550,000,000 for appropriations for the fiscal years ending June 30, 1954, and June 30, 1955, on the basis of 45 percent for the Federal-aid primary system, 30 percent for the Federal-aid secondary system, and 25 percent for the Federal-aid urban system, thus authorizing $247,500,000 for the primary highway system, $165,000,000 for the secondary highway system, and $137,500,000 for the primary system in urban areas.

The House conferees prevailed upon the Senate conferees to agree to the House authorizations for the Federal-aid highway system and the House conferees further prevailed upon the Senate conferees to accept the 2-year grace period for matching funds provided for in the House bill in lieu of the 18-month period in the Senate amendment.

The Senate amendment did not carry any provision relative to permission to transfer up to 25 percent of the primary and secondary funds in either direction and after conference the House conferees agreed to the Senate amendment in this respect.

INTERSTATE HIGHWAYS

Section 2 of the Senate amendment authorized the sum of $50,000,000 for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955, for projects on the interstate highway system. No such authorization was contained in the House bill and the conferees finally compromised on the sum of $25,000,000 for each fiscal year.

FOREST HIGHWAYS, FOREST DEVELOPMENT ROADS AND TRAILS

The conferees agreed to the authorization of $22,500,000 for forest highways in lieu of $22,000,000 authorized by the House bill and $25,000,000 authorized in the Senate amendment.

The House conferees accepted the authorization of $22,500,000 for forest-development roads and trails contained in the Senate amendment with the understanding that not less than $5,000,000 of this amount will be applied to timber-access roads, as stated in the Senate committee report on S. 2497.

PARK SERVICE ROADS, PARKWAYS AND INDIAN ROADS

The only difference between the House and Senate versions with respect to section 4 was the provision in the House bill to increase the authorization for the Baltimore-Washington Parkway to $14,500,000, an increase of $1,500,000. The Senate amendment did not contain this provision and the Senate conferees agreed to its inclusion.

RAMA ROAD

Section 5 of the House bill provided funds for construction of the Rama Road. The Senate amendment did not contain such a provision and the Senate conferees agreed to its inclusion.

INTER-AMERICAN HIGHWAY

The Senate amendment provided an authorization of $56,000,000 to complete this project. The Senate conferees agreed to the House version providing for $8,000,000 for each of two fiscal years, reducing the total authorization by $40,000,000. The House conferees accepted certain technical drafting improvements.

EMERGENCY FUND

The Senate amendment carried an authorization of $15,000,000 for an emergency fund.

The 1950 act carried a similar provision. The Senate language, therefore, is in effect a reauthorization of the previous emergency fund to establish it upon an annual replenishment basis. The House version had no such provision but the conferees agreed to its inclusion with a reduction of the annual limit of expenditure from $15,000,000 to $10,000,000. Since under the 1950 act there remains a balance of $8,000,000 in the emergency fund, the new language in effect results in an increase of only $2,000,000 at the present time.

PUBLIC LANDS ROADS

Section 8 of the conference agreement (sec. 7 of the Senate amendment) is the same as section 10 of the 1950 act but with the authorization reduced from $5,000,000 to $2,500,000. There was no such authorization in the House bill. The House conferees agreed to the Senate amendment with respect to this section.

HIGHWAY SAFETY CONFERENCE

The House version authorized $200,000 annually for the President's Highway Safety Conference. The Senate amendment authorized $100,000 annually for the same purpose and the conferees agreed to an authorization of $150,000.

DEFENSE ACCESS ROADS

The House bill authorized the sum of $12,000,000 for access roads to timber and mineral resources with the expectation that the subject needs for defense access roads generally would be considered in separate legislation. The Senate amendment authorized the sum of $50,000,000 to be applied generally to all types of defense access roads. The Senate felt that it was too late in the session to hold this matter up for separate legislation. Its authorization was, therefore, based upon consideration of the entire subject of defense access roads generally. The House conferees took into consideration that there would have to be separate legislation if the matter was not included in the manner in which the Senate had provided for it in its amendment. In agreeing to the Senate amendment the House conferees felt that the subject of access roads to timber and mineral resources, as provided for in the House bill, was adequately covered in the language with respect to forest-development roads and trails appearing in the Senate Report S. 2437.

There was no disagreement among the conferees on the remaining sections (secs. 10, 11, 12, and 13) of the Senate amendment.

GEORGE H. FALLON,
JAMES W. TRIMBLE,
JOHN J. DEMPSEY,
ROBERT E. JONES, Jr.,
GEO. A. DONDERO,
J. HARRY MCGREGOR,
HOMER D. ANGELL,
Managers on the Part of the House.

Mr. FALLON. Mr. Speaker, the House conferees receded in connection with that portion of section 1 of the bill which would have permitted the transfer up to 25 percent of the primary and secondary funds in either direction. In the same section the Senate agreed to the House version of the bill which permits the States 2 years beyond each fiscal year in which to complete their matching program.

With respect to section 2, the House conferees receded and agreed to an annual authorization of $25,000,000 for projects on the Interstate Highway System. This sum is half the amount authorized by the Senate amendment.

As to section 3, the House conferees agreed to the Senate language and the authorization of $22,500,000 for forest highways in lieu of $22,000,000 voted in the House and $25,000,000 voted in the Senate.

In the same section the House conferees agreed to the Senate authorization of $22,500,000 for forest development roads and trails in lieu of $19,250,000 provided in the House bill. This agreement was reached with the understanding that not less than $5,000,000 of this amount will be applied in each of two fiscal years—or a total of $10,000,000—to timber access roads as outlined in the Senate committee report on S. 2437.

In connection with section 4, there was no disagreement as to amounts and the Senate conferees agreed to the House proviso with respect to the Baltimore-Washington Parkway.

With respect to section 5, relating to the Rama Road, the Senate amendment did not contain provision for this authorization and the Senate agreed to its inclusion at the House figure of $2,000,000 for each fiscal year, June 30, 1953 and 1954.

As to section 6, relating to the Inter-American Highway, the Senate amendment provided $56,000,000 to complete this project. The Senate conferees agreed to the House version providing $8,000,000 for each fiscal year, June 30, 1953 and 1954, thus reducing the Senate amendment authorization by $40,000,000.

In section 7, concerning the emergency fund, the Senate authorization was $15,000,000. The 1950 act carried a similar provision. The Senate language is, in effect, a reauthorization of the previous emergency fund to establish it upon an annual replenishment basis. The House conferees agreed to its inclusion but reduced the annual limit of expenditure from $15,000,000 to $10,000,000. There is a balance of $8,000,000 in the emergency fund under the 1950 act so the new language, in effect, results in an increase of only $2,000,000.

Section 8 of the conference agreement relates to public lands roads and is the same as section 10 of the 1950 act but with the authorization reduced from $5,000,000 to $2,500,000. The House bill had no such authorization but the House conferees agreed to the Senate amendment.

Section 9 of the House bill authorized $200,000 annually for the President's Highway Safety Conference. The Senate authorized $100,000 for this purpose, and the conferees agreed to a compromise figure of $150,000.

Section 10 deals with defense access roads. The House authorized $12,000,000 for access roads to timber and mineral resources. The Senate authorized $50,000,000 to be applied generally to all types of defense access roads.

The House conferees took into consideration that there would have to be special legislation for this item, as we did last October when we raised the amount from $10,000,000 to $45,000,000. We had no hearings on this in the House, but the Senate, which had their hearings at a later date, had the Defense Department officials appear before them. It was necessary for it to be included in the Federal highway bill because time was of the essence and they were afraid it would be impossible, in view of the lateness of the session, to get a special bill carrying this amount of $50,000,000.

In agreeing to the Senate amendment the House conferees felt that the subject of access roads to timber and mineral resources, as provided in the House bill, was adequately covered by this section and in the language with respect to forest development roads and trails in the Senate report on S. 2437.

Of course, all of you know the importance of the Federal highway system today. We are a Nation on wheels, and the number of automobiles continues to increase each day. When this bill was before the House just about a week ago, the matter of the increase in traffic in the United States was brought out. It was shown that we have increased the number of vehicles by 12,000,000 in the past 10 years. With the seriousness of the road conditions today, it is absolutely necessary that we have all the funds possible to put our roads in a condition where they are not only safe but where we can move commerce.

It is estimated that in the next 2 years, and I think the estimate might be low, that the Federal Government will collect from the automobile and truck users $4,000,000,000 in taxes.

Mr. Speaker, on behalf of the conferees, who unanimously agreed to this conference report, I wholeheartedly urge this body to adopt this report.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman has been appealing to the Congress to meet this deplorable situation that is developing in our traffic throughout the Nation. Does the gentleman feel we ought also to give some consideration to the very alarming situation that has arisen in regard to the school systems of the country?

Mr. FALLON. That does not come within the jurisdiction of our committee. I am in favor, however, of these roads which aid school busses to get to and from their destinations safely and help to protect the children.

Mr. BAILEY. I just wanted the gentleman's opinion on that.

Mr. FALLON. I thank the gentleman.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Illinois.

Mr. JONAS. What disposition was made of the Rama Road authorization? Was that reduced from $8,000,000 to $4,000,000 or was it extended over a period of 4 years at $2,000,000 a year?

Mr. FALLON. The authorization for the Rama Road was reduced to $2,000,000 for each fiscal year June 30, 1953 and 1954 by action of the House when we brought in the bill. The Senate receded and agreed to the House language.

Mr. BAILEY. That is the status of the authorization right now?

Mr. FALLON. That is right.

Mr. SECREST. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Ohio.

Mr. SECREST. May I point out that this is important in rural areas throughout the whole United States to the operation of the school buses, for they go over the roads that will be improved under this farm-to-market road program and the access road program.

Mr. FALLON. That is very true. I thank the gentleman.

Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. DONDERO], the ranking minority member of the committee.

Mr. DONDERO. Mr. Speaker, the gentleman from Maryland [Mr. FALLON] has covered the ground completely and adequately. There is very little that can be said in addition to what he has already said. It might be pointed out or at least emphasized that while this bill grants to the roads of this country some $690,000,000 a year for 2 years, nevertheless in the same period of time we are collecting from the people for the same purpose, $2,000,000,000 a year. Or in other words all that we are giving back from the gas tax and the oil tax to put on the roads of this country, which the motorists use, is about one-third of the money that they pay in. I think that the increase that was placed in the bill in the other body is of a moderate nature. We agreed to it. As I say, I think it is a good bill, and it is a necessary bill. It has a bearing on our national defense because so much of the Nation's traffic today travels over good roads, particularly the primary roads of the Nation. Of course, that contributes to the defense effort of the country. Coming from a section of the country, as I do, where we make a majority of the automobiles which are manufactured in the United States, you can well understand my interest in roads. As I said at the time the bill was on the floor, if we want to go back to the philosophy of an English statesman 300 years ago, we know and realize that good roads are one of the three things which make a nation great and strong. That is what we are dealing with in this conference report. I hope the report will be adopted without a dissenting vote. There is no bill more important to the Nation's welfare than this bill to keep up the highway system of this country, especially in view of the fact that we are told that we are wearing out the roads faster than we are building them today.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. CUNNINGHAM. The conference report does not in any way reduce the amount as fixed by the House for farm to market roads in urban areas; does it?

Mr. DONDERO. It does not.

Mr. HARRISON of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. HARRISON of Nebraska. I want to ask a question relative to the moneys to be allotted to each State in the event that the State should have snowstorms, or some other sort of emergency condition, to the extent that the State would not be able to match the Federal funds. Would they lose their funds under this bill?

Mr. DONDERO. I think that is held over so that they would not lose it immediately, however, I think they would have to act within a reasonable time, although I cannot tell the gentleman just what the length of time is.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. McGREGOR. We have set up in the bill $10,000,000 for an emergency fund, and in addition they have 2 years in which they can avail themselves of the matching opportunities.

Mr. DONDERO. That is correct.

Mr. HARRISON of Nebraska. If they do not take advantage of it in 2 years, then they can avail themselves of the $10,000,000 in the emergency fund?

Mr. ANGELL. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. ANGELL. It is true, is it not that the conference report recognizes that there is almost complete agreement between the Senate conferees and the House conferees with reference to the three main categories of roads provided for in the bill?

Mr. DONDERO. That is correct, and that is not changed.

Mr. ANGELL. That is not changed, and the allotments are not changed, nor is the rule changed.

Mr. DONDERO. Nor the amount of money so far as the three original categories for roads is concerned.

Mr. ANGELL. It is also true, is it not, that a considerable portion of the increase suggested by the other body is due to the national defense effort?

Mr. DONDERO. That is correct. The $50,000,000 which they added, and which was not in the House bill, when it left this Chamber, is due to that.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. McGREGOR. Is this statement not correct? That this legislation does not satisfy all groups, nor does it satisfy all the conferees. But, it is a matter of negotiation, and shall we say of agreement, and it is a give and take program so that we can get something back to the Congress and pass it prior to June 30, which is the date covered by the appropriation bill?

Mr. DONDERO. That is correct.

Mr. McGREGOR. It is really a compromise, and the conference report was signed by all members of the conference committee of the House and Senate.

Mr. DONDERO. That is correct, a few of the items were the subject of compromise.

Mr. FALLON. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN.]

Mr. RANKIN. Mr. Speaker, of course, I am for this conference report. If we can afford the money which the Congress has been appropriating to build roads, power dams, flood-control and reclamation projects in foreign countries, surely we can afford to improve our highway systems to meet modern demands.

We are told that 37,000 people were killed in automobile accidents on our public highways last year, which is far more than our war casualties amounted to in Korea. We are going to have to improve our highways in order to give more security to the people who travel them.

This measure provides for improvement of primary road systems and also for the improvement of our secondary roads. I am for both. First I want to talk to you for a moment about the secondary roads. It is becoming more and more important every day that we build more and better secondary roads for the use of the people in the rural districts. I happen to live in one of the outstanding dairy districts of the South, and I know that the milk trucks, and other heavy vehicles, go over these highways every day. They are going to need more and better roads, in every section of the country where they are used as they are, especially in the dairy sections. So I sincerely trust that you will not only approve this conference report, but that the Congress will come to realize the necessity of constructing more and better roads for the people in the rural areas, and also of improving our through highways, and protecting the people who have to travel them from the disasters that are now occurring, and at the same time provide transportation highways for the people who have to ship their products every day by truck in order that the rest of the American people may have the benefits of them.

I called attention the other day to the fact that we are trying to finish the Natchez Trace. That is a park highway, extending from Nashville to Natchez. Nashville is about halfway between our two atomic-bomb plants, the one at Paducah, Ky., on the Ohio River, and the one at Oak Ridge, on the Tennessee. If we were to get into another war, no highway in America would be of more importance than this Natchez Trace road which has been under construction now for 18 years. There are no surface crossings on it. Therefore it could be opened up for through traffic from Nashville to the Gulf, and at the same time not interefere with the traffic in the areas through which it passes.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Does this Natchez Trace road have any defense significance?

Mr. RANKIN. It is probably the most important road, from a standpoint of national defense, there is in this country.

Mr. JONES of Alabama. I agree with the gentleman.

Mr. RANKIN. It will give us a highway connection between our atomic bomb plant at Oak Ridge, and the one at Paducah, and the Gulf at all times, without interfering with the traffic in the local areas.

When Andrew Jackson started to New Orleans he picked out the safest and the most direct route. What did he pick out? The Natchez Trace, the way the Indians had traveled for centuries. He marched down that route to New Orleans where he fought the last winning

battle of the War of 1812. If we should get into a war with a foreign power, no highway in American would be more important than this Natchez Trace route, hundreds of miles of which have already been built, and the construction of which should be speeded up with all possible haste. It is going to be finished, no matter how long it takes. The longer it takes the more it will cost. Therefore we should speed up its construction, and make it available at the earliest possible date.

In addition to its value from a standpoint of national defense, this Natchez Trace, when completed, will save the lives of untold thousands of human beings who are now being killed on our public highways, for the reason that it will be confined to passenger traffic only and, as I said, there will be no surface crossings on it from one end to the other, because the highways that cross it will either go over it or under it. It will be one of the finest passenger highways in the whole country, and will take care of a vast amount of the north and south traffic that is now crowding our highways with such disastrous results.

I sincerely hope that we can get the necessary appropriation to speed up the completion of this great project with all possible haste.

Mr. FALLON. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, this conference report is 95 percent good.

When the President of the United States in January came before the Congress with his budget message, he requested that the Congress authorize only $400,000,000 for the construction of roads during each of the next 2 years. That would be 20 percent less than the amount authorized during each of the seven preceding years.

This conference report allows $550,000,000 per year. This does not necessarily mean that we are going to build more roads in the United States than we have been building, because highway construction costs, according to the Bureau of Roads have increased 150 percent since 1946. In other words, $550,000,000 during each of the next 2 years will not build any more roads than $400,000,000 would have built in the years 1945 and 1946.

On the whole, this is a good bill. I am disappointed, however, that the House conferees did not see fit to delete the appropriation for the construction of the Rama Road in Nicaragua. We are already engaged in the building of a $15,000,000 or $20,000,000 stretch of road in Nicaragua from the northern boundary to the southern boundary of that country and this road is a link in the Inter-American Highway. The Senate in its wisdom rejected the whole proposition that we should appropriate money for the Rama Road, and I think very properly so.

The Rama Road absurdity arose out of three letters. On May 22, 1939, President Somoza, of Nicaragua, sent a letter to Franklin Roosevelt, the President of the United States, in which he said that he wondered if the United States would assist Nicaragua in the building of a small, shallow-draft canal from the ocean into the interior of Nicaragua. President Somoza asked specifically that the United States Army Engineers be directed to survey the route of this canal to see whether the project were feasible.

The second letter was President Roosevelt's letter saying that he would make the survey for the proposed Nicaragua canal and without cost to Nicaragua.

Then there came into existence the third letter. The engineers reported that the canal was not feasible. Then the State Department wrote a letter to President Somoza, of Nicaragua, saying that inasmuch as the United States was not going to build this canal, a very small shallow-draft canal for barges and small boats into the interior of Nicaragua, that the United States would give Nicaragua a road. President Somoza had asked for a survey. He received a survey, and then the State Department by letter authorized the building of a road into the interior of Nicaragua.

My position is that I think it is a mistake for the Congress to permit the Secretary of State or any other executive official of the Government to authorize projects by the mere process of letter-writing. I feel that the Congress should disapprove of that sort of procedure. I regret the Rama Road has been left in the bill by the conferees.

Mr. FALLON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Speaker, I rise in support of H. R. 7340, the Federal aid to highways bill, which was under consideration for several months by the Public Works Committee.

The bill as first introduced called for an authorization of $400,000,000 a year for the next 2 years, which was $100,000,000 less per year than had been authorized 2 years previously. Extensive hearings were held, and it was developed beyond a shadow of doubt that the highways of our country were in need of much greater assistance than had been previously given. The information the committee had, was that the Federal Government would collect during the coming fiscal year about $800,000,000 from Federal gas tax. It was felt that the very least that we could do in support of our highways was to provide as much money as had been granted 2 years ago, and, in order to make up for some of the increased cost, to add 10 percent; therefore, this bill carries an authorization for $550,000,000 per year for the ensuing 2 years.

We also provided that this money should be allocated in accordance with the formula which had been in effect for many years. Realizing the necessity for forest highways and roads and trails, these amounts were increased accordingly. Special provision has been made to increase the funds for access roads to military installations and also has been provided for the construction and improvement of roads and trails in our national forests and parks.

There has also been earmarked moneys for the access roads, to develop timber and mineral resources, which I am sure, will be highly beneficial in the harvesting of timber, particularly where overripe and inacessible stands are located, besides the developing of many of our mineral resources.

The versions of the two bodies have been well coordinated in the development of this report, and I fully support the conference report.

Mr. FALLON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EMERGENCY POWERS CONTINUATION ACT

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 677 and ask for its immediate consideration.

The Clerk read the House resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953. That after general debate which shall be confined to the joint resolution and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. LYLE. Mr. Speaker, this resolution makes in order consideration of House Joint Resolution 477 reported by the Committee on the Judiciary. The purpose of the House joint resolution is to extend some 48 powers which are now exercised by the President of the United States, called emergency war powers.

The report filed by the committee, in my judgment, is the best done of any report that has come to my hands from any committee of the House. I want to commend the committee for the excellent manner in which it has presented this subject matter.

Starting on page 6 of the report there are set out all of the provisions which it is sought to extend. They are discussed in a very brief but excellent manner and reasons are given why they should be extended.

There are one or two of these powers which the bill seeks to extend upon which I am sure there must be some controversy. Particularly I call attention to that provision which seeks to extend the liability of inductees to serve in the reserve components and to be ordered to active duty in time of war.

I am sure there will be some controversy about that.

The rule provides for 2 hours of general debate on the bill, after which the bill will be read for amendment.

There is one quite interesting provision in this bill to which I would like to call attention, and it may be that it will set a pattern for the consideration of other items that will soon be before this body. I read from the report:

Another problem which was of considerable concern is item 1 (a) (27) which empowers the President in time of war to seize the transportation systems of the country. It was under this authority that the President took possession of certain railroad lines in 1950, control of which he released only a few days ago. When Congress enacted the basic law back in 1916, empowering the President to seize the transportation industry, it intended that he should exercise this tremendous grant of power in time of war only. It is the considered opinion of the committee that Congress should be cautious and slow in extending this tremendous grant of power in the Executive to a period where there is no state of actual declared war. Therefore, it has omitted this item 1 (a) (27) from the bill.

CALL OF THE HOUSE

Mr. MASON. Mr. Speaker, in view of the fact that we have no representative of the Rules Committee on our side, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 101]

Aandahl	Flood	Morris
Abernethy	Frazier	Morrison
Adair	Fulton	Morton
Albert	Gamble	Nelson
Allen, Ill.	Gore	O'Neill
Anfuso	Hall,	Osmers
Bates, Ky.	Edwin Arthur	O'Toole
Beckworth	Hall,	Potter
Belcher	Leonard W.	Powell
Bender	Halleck	Rabaut
Blackney	Harden	Reece, Tenn.
Brehm	Harvey	Reed, Ill.
Brooks	Hébert	Richards
Brown, Ohio	Hedrick	Riehlman
Buckley	Heffernan	Rooney
Burdick	Herter	Ross
Butler	Jarman	Sabath
Carlyle	Johnson	Short
Carnahan	Kennedy	Spence
Coudert	Kerr	Stanley
Crawford	Klein	Stigler
Dawson	Lesinski	Stockman
Dolliver	McMillan	Sutton
Donovan	Mansfield	Tackett
Elsworth	Merrow	Thomas
Elston	Miller, Calif.	Vinson
Fenton	Morano	Welch
Fine	Morgan	Williams, Miss.

The SPEAKER pro tempore. Three hundred and forty-three Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

EMERGENCY POWERS CONTINUATION ACT

The SPEAKER pro tempore. The gentleman from Texas [Mr. LYLE] is recognized.

Mr. LYLE. Mr. Speaker, as I stated a moment ago there will unquestionably be controversial matters in the bill to be considered when it is read for amendment, but I am quite certain there will be no controversy about the adoption of the rule or the consideration of the bill. The rule provides for 2 hours of general debate and that amendments may be offered to any provision of the bill.

Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. LATHAM].

Mr. LATHAM. Mr. Speaker, as the gentleman from Texas has so ably stated, this is an extension of the emergency powers of the President. There are some sixty-odd provisions in the bill. I believe there are some differences of opinion with regard to certain of these provisions, and under this open rule amendments will be offered. I know of no objection, however, to the consideration or adoption of the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. LYLE. Mr. Speaker, I yield 11 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

TIDELANDS

Mr. POAGE. Mr. Speaker, the Washington Post, in an editorial printed yesterday morning, attempted to discredit the effort of the Congress to return the title to submerged lands within State boundaries by stating that the States never had title to these lands. To make its point the Post makes the utterly unfounded statement that "the resolution adopted by Congress and vetoed a fortnight ago by the President had nothing to do, in point of fact, with lands within State boundaries."

Since this statement is so typical of the deliberate misrepresentation which has characterized the entire effort to grab these lands for the benefit of a bunch of claim-jumpers, I want to analyze it. It shall confine my statements to the State of Texas. Other facts substantiate the rights of other States but I shall presume to speak only for Texas.

Before I go into the historic facts let me explain my statement that the effort to take these lands from the States was primarily for the benefit of a bunch of claim-jumpers. By "claim-jumping" I mean those private groups and individuals who have filed on lands already leased to private interests. These speculators have been locating old Government script on the already developed offshore oil fields, particularly in California. They hope to reap billions where someone else has sowed. If successful they will get seven barrels of oil for every one which goes to the Federal Government. They are in fact the oil lobby which should excite the fears of the Post and of all honest Americans, but strangely enough these are the people who are turning up with connections in the strangest places.

But back to the question of ownership within State boundaries, the Post says:

Texas enjoyed such rights and dominion during the decade of her independence but relinquished them upon relinquishing her national sovereignty when she joined the United States.

What historical fact, if any, justifies such a statement? Even Justice Douglas agreed in his opinion that the Republic of Texas owned these lands.

There may be some question as to just how far State boundaries extend in some cases, but in the case of Texas the boundaries of the Republic of Texas were clearly fixed at a point 3 leagues, not 3 miles, but 3 leagues—about 10½ miles—seaward. That the United States recognized these boundaries was positively stated by three Presidents of the United States while seeking to induce Texas to join the Union. In 1848 the United States referred to these boundaries in the Treaty of Guadalupe-Hidalgo, and described our southern border as beginning, not at the mouth of the Rio Grande, but "a point 3 leagues seaward from the principal mouth of the Rio Grande." Unless the true boundaries of the Republic of Texas extended 3 leagues seaward, how could the boundary of the United States near the mouth of the Rio Grande extend 3 leagues seaward? Clearly, the only claim the United States has ever had to any territory anywhere near the mouth of the Rio Grande comes through the title and sovereignty of the Republic of Texas.

Now how did this Texas title pass to the United States? This transfer of title is what Justice Frankfurter says "to me remains a mystery." Every lawyer in this House will agree that if title, as distinguished from the sovereignty, was once in the Republic of Texas, it must have passed to someone when Texas came into the Union. It could have gone only to the United States or to the State of Texas.

The Post says it passed to the United States. Let us see. Let us read the record—the abstract of title, if you please.

We started with title admittedly in the Republic of Texas. Now follow me closely, please.

In 1844 the Republic of Texas sent its Secretary of State to Washington to negotiate a treaty of annexation. Such a treaty was in fact negotiated and was submitted to the United States Senate for ratification. This proposed treaty did provide that the United States should acquire title to all unappropriated public lands. But it also provided that the United States should pay the public debts of the Republic. These debts then amounted to about $10,000,000—they increased to nearly $13,000,000 before Texas was finally admitted. The United States had paid the prestatehood debts of each of the original 13 colonies and later paid the debts of each Territory as it was made a State. The opinion was, however, expressed in the Senate that it would be a great mistake to assume the debts of the Texas Republic. It was suggested that Texas should keep her lands and pay her own debts. In fact, one Senator said that "all the lands in Texas are not worth $10,000,000."

The United States Senate after thorough consideration, deliberately rejected this treaty.

The Republic of Texas then withdrew its request for annexation, but the next

spring the United States advocates of annexation made another effort. They introduced a joint resolution in Congress and offered Texas annexation on the terms therein set out. In order to get more support for the proposal they changed the provisions which had been contained in the ill-fated treaty draft of the preceding year, and specifically provided that the State of Texas should pay all the debts of the Republic of Texas, and that the State of Texas should retain all vacant and unappropriated public lands. This resolution finally passed both Houses, and was submitted to the Republic of Texas by President Tyler. Texas accepted the proposal. The State of Texas paid the debts of the Republic of Texas.

Texas is the only State that paid its pdestatehood debts, and yet the President had the effrontery 2 weeks ago to refer to Texas as having entered the Union on an equal footing with all other States. This phrase was contained in the original decision of the Court, but when the inapplicability of the phrase was called to the Court's attention in Texas's motion for rehearing, the Court withdrew it. Texas did not enter the Union on an equal footing.

I hold in my hand a copy of the annexation resolution. I offer it in evidence, Mr. Speaker, as a muniment of title. It is in fact a deed of conveyance from the admitted titleholder. It clearly passes title to the submerged lands from the Republic of Texas to the State of Texas. True, it imposed burdens on the State of Texas. The State has met those burdens in full. The State paid a valuable consideration for these lands. Is the United States now to use its wealth and power to repudiate its solemn agreement? Is the United States to make an offer to a small nation and induce that nation to give up its very existence as the Republic of Texas did in reliance on the honor and honesty of the United States, and then when time—and oil—has proven that the Yankee traders of 1845 were not as shrewd as they thought they were, is the United States of America to then declare its solemn obligations to be no more than Kaiser Wilhelm's "scrap of paper"?

And if indeed our country has sunk so low, where are we to look for the deed, the mortgage, or other instrument of title which could pass title from the Republic of Texas, or from anyone else for that matter, to the United States? Again I ask, if there is but one deed, if that deed was prepared by the United States Congress, if that deed passed title from the admitted owner, the Republic of Texas, to the State of Texas, if the State of Texas paid the full obligation set out in the deed and never conveyed the land to anyone else, and finally, if the United States holds no evidence of title whatsoever, how, oh how, can the most callous advocate of confiscation without compensation, claim that title has actually passed to the Federal Government?

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Illinois.

Mr. VURSELL. Is it not a fact that if the Congress would take away this property from the State of Texas we would indeed be robbing the State of Texas?

Mr. POAGE. Why, of course. The State paid for these lands just as truly as any farmer in Illinois ever paid for the land he holds, and the State holds a title deed written by the Congress of the United States and executed by the President of this country under the laws of this Congress.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. WERDEL].

Mr. WERDEL. Mr. Speaker, I take this time because I was very much interested in the remarks of the gentleman from Texas who just preceded me. We, too, in California, do not like claim jumpers. In California we have many people that came from the old Republic of Texas, and they have not changed their political alinement in expressing themselves about claim jumpers.

I would point out to the gentleman from Texas, though, when he talks about the great republic of Texas, that we in this Republic have a two-party system of government. That by its very nature it requires that the party out of power draw the issues on election day, so that the people may relegate the party in power to the position of loyal opposition.

It is the party out of power in our great Republic that represents the only vehicle by which our people can remove the decayed footings of our pillars of state and replace with sound material. Like the wagon wheels that carried our covered wagons west and spread the Republic that the gentleman from Texas is now representing—like the vehicle that took our Republic west—so also it is the party out of power, the Republican Party today and its machinery, that represents the only vehicle by which free Americans can carry the taxers, the spenders, the fixers, the usurpers of power, the claim jumpers, the entrenched subversives, the undereducated intellectuals, and the demagogues in statesmen's dress, to the railroad station in Washington, and replace them with Americans of the caliber and ability of the gentleman from Texas [Mr. POAGE].

The gentleman from Texas has expressed the sentiments of us in California in great detail about the usurping of the water rights of the land owners and other rights, including oil. I only hope the gentleman will find it within his power to join with us and use that vehicle that can give us back Americanism for the people of California and the people of Texas.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, some of my colleagues have been telling me that the days of a Webster, a Clay, a Calhoun, a Hiram Johnson, a Borah, and other great orators of the past are gone; that no longer do we hear eloquent, scholarly statement debate from the well of the House. After listening to the gentleman from Texas [Mr. POAGE], who just addressed the House, I know that those people who so contend are completely mistaken. In clear, concise, logical, convincing statements of fact, the gentleman from Texas presented the case for the State of Texas on the tidelands issue. He deserves the thanks of the House.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for the remainder of his time.

Mr. HOFFMAN of Michigan. I yield back the balance of my time.

Mr. LYLE. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to proceed somewhat out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. Mr. Speaker, I listened to the distinguished gentleman from California [Mr. WERDEL] in his analysis of a situation, which he contends confronts the American people at this particular time. I was rather interested, knowing that he is a student of government and of political matters, to note that he referred to the Republican Party as the party of opposition. As I understand the situation, in a democracy or a government under a constitution such as we have, there is a majority party and a minority party. Under the parliamentary system, as I understand it, there is a government party and an opposition party, sometimes referred to as the loyal opposition.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. PRICE. Perhaps the gentleman from California refers to the Republican Party as the party of opposition advisedly since he has just come through a primary campaign where his views out there were repudiated by his own party.

Mr. PRIEST. Well, the gentleman from Illinois has at least reached a subject which I had in mind, not with reference to the gentleman from California, because I have no desire, as he knows, to enter into any personal controversy with him, but simply to emphasize a point already emphasized by the gentleman from Illinois. Perhaps the gentleman from California did use words that more properly describe the minority party, as we refer to it here in the House, and that it has been for some years an opposition party.

Granting, of course, that everybody has the right to his own viewpoint, there have been times when I thought the opposition was somewhat blind opposition.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. HOFFMAN of Michigan. Does the gentleman disagree with Senator KEFAUVER that we should oppose sin?

Mr. PRIEST. I believe we should oppose sin.

Mr. HOFFMAN of Michigan. We have been doing that.

Mr. PRIEST. Mr. Speaker, I do not desire to delay the proceedings of the House in the consideration of this legislation on this question, which has somewhat of a political tinge, and which has come before the House. It is inevitable that, day after day, as we approach the

time of the national conventions of the two great political parties of this country—one a majority party at the present time, and the other, as I see it, a minority party, but described by the gentleman from California as the "opposition party"—political questions will be brought up.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. MARTIN of Massachusetts. The gentleman says the Republican Party is the minority party; did I hear him correctly?

Mr. PRIEST. I believe that for quite a number of years, yes, it has been the minority party.

Mr. MARTIN of Massachusetts. Then will the gentleman refrain, when he goes out on the stump next year, from blaming or chastising the Republicans? Of course, the Republicans are in the minority, and therefore cannot be held responsible for what happens in Congress. The responsibility is, of course, with the majority party.

Mr. PRIEST. The gentleman will meet all of the issues of the campaign on the stump, I am sure, as candidly and as frankly as the distinguished gentleman from Massachusetts [Mr. MARTIN], the minority leader——

Mr. MARTIN of Massachusetts. You do admit, then, that we, of course, as the minority, cannot be held responsible for either the program or the results of this Congress. The gentleman might confide that thought to the President.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. YATES. I do not believe the gentleman from Tennessee stated that the actions of the Republican Party were those of a responsible party; did he?

Mr. PRIEST. The gentleman made no such statement.

Mr. MARTIN of Massachusetts. The gentleman from Illinois will find out next year whether we are responsible.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. McCARTHY. I think we should be grateful to the gentleman from California for telling us what the function of the minority party is because his party has had so much experience in that capacity. But, I want to make this further point about the minority party, which may clear this up. Very recently, a prominent Republican had an article in Harper's magazine in which he said that we could not hold the Republicans accountable for what they did while in the minority. Now, what can we hold them accountable for?

Mr. PRIEST. That is a rather profound political question that I feel I do not have the time to answer right now.

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. FEIGHAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 477, with Mr. FORAND in the chair.

The Clerk read the title of the House joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Ohio [Mr. FEIGHAN] will be recognized for 1 hour and the gentleman from Delaware [Mr. BOGGS] for 1 hour.

Mr. FEIGHAN. Mr. Chairman, I yield myself 10 minutes, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FEIGHAN. Mr. Chairman, House Joint Resolution 477 contains 48 emergency statutes that have been in effect, in some instances since 1939, and subsequently. All of these statutes expire June 15 of this year or, in some instances, within a fixed period thereafter.

There were originally presented to this Congress 60 emergency statutory powers which were sought to be extended. I shall take this opportunity to express my deep gratitude and appreciation for the tireless and industrious efforts by the gentleman from Georgia [Mr. FORRESTER], the gentleman from Delaware [Mr. BOGGS], the gentleman from Texas [Mr. PICKETT], and the gentleman from California [Mr. HILLINGS], members of the subcommittee considering this resolution; also to the able staff members.

Our subcommittee very carefully went over all 60 of these statutes and we have eliminated 11. One additional item which pertains to the manufacture and disposition of gold star buttons has already become permanent law.

There has been very serious discussion with reference to the continuation of the statute providing authority for the extension of the period in the Reserve Corps of Reserve officers. They originally accepted appointments for a period of 5 years or the period of World War II plus 6 months, and these appointments may now be extended during the period of the present crisis. Now that the war with Japan has been concluded on April 28, the 6 months' period thereafter would expire on October 28. Our subcommittee and the full committee feel, even though we are very cognizant of the difficulties and hardships that come upon many of these reservists by extending the time of service, the exigencies of the world situation are such that it is absolutely necessary that we extend that power at least until June 30, 1953.

I would like to make it very clear that under no circumstances, under the terms of this resolution, will any one of these 48 statutes be operative beyond June 30, 1953.

I may state that each of the 60 items submitted to the committee by the President for its consideration is set out in House Report 2041 which accompanies this bill. These items begin on page 6 of the House report. At each instance where an item appears in the report there is also parallel reference to the page of the hearings where that item was taken up by the committee. In addition, parallel reference is also made to the particular item as it appears in the present bill, House Joint Resolution 477, and to House Document No. 368 which is the instrument through which these items were submitted to the Congress by the President.

Under each item as it appears in the House report is a statement of the present law on the particular subject, followed by the committee's recommendations and reasons therefor.

As you probably know, many of these statutes— in fact, most of them—had their origin in various committees of the House other than the Committee on the Judiciary. The Committee on the Judiciary felt that by June 30, 1953, the various governmental agencies concerned with these particular statutes would have ample opportunity to present their request for either temporary extension or permanent legislation on their particular statutes so that they would become operative after June 30, 1953 if the committee of original jurisdiction and the Congress so willed.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Iowa.

Mr. GROSS. I find running through the report the phrase "of the present war." To what does that phrase refer? Does it refer to the present conflict in Korea or what?

Mr. FEIGHAN. I may state to the gentleman from Iowa that the committee was cognizant of the fact that although we feel that we are engaged in hostile action against belligerent forces we are not in a declared state of war; consequently, in this resolution the wording has been so phrased. For instance, the word "enemy" which is very easily understood in time of war is defined in this resolution to mean any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or any of its allies.

Mr. GROSS. The first paragraph on page 15 contains the phrase "during the existence of the present war." Then in the first paragraph of what may be termed the second section on page 15 there is the phrase "during the present war and for a period of 1 year thereafter." I am asking the gentleman whether he is referring to the conflict in Korea as the present war or what he is referring to there?

Mr. FEIGHAN. We are not referring to the Korean war; we are referring there to the statute as it existed and presently exists, and it was drafted while we were at war. We are continuing that statute. We are not in a de-

clared state of war; consequently we have changed the verbiage in this resolution to make it appropriate to a period where there is no declared state of war.

Mr. GROSS. I understand the language of the bill, but I am looking at the language used in the report and am just wondering if at last we have come around to the point where we call what is going on in Korea by what it is, a war; and whether we are for the first time officially recognizing in language on the part of a committee of Congress that we are in war. That is the question I am asking the gentleman from Ohio.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield.

Mr. FORRESTER. I may say that the phrase "during the existence of the present war" is simply a quotation, or simply the law as it was passed in World War II; that is the language of the statute. When we deal with it we deal with the national emergency and with the provision that would expire on June 30, 1953. The words "war powers" appear only in the original statute, and those are the ones that are to be effective, but only continued for the national emergency and provided that they are not continued after June 30, 1953, but could be discontinued earlier by the President or by the Congress.

Mr. FEIGHAN. I appreciate the gentleman calling the attention of the House to that language because I realize the importance of it and that the word "war" is not used in this bill that we have before us.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I am trying to understand particularly in reference to page 7 of the report which has to do with the prohibition against the selling of Tennessee Valley Authority products. The present statute reads "or to its allies in case of war." The committee recognizes this provision by continuing with the addition of language permitting sale to nations associated with the United States in defense activities. Will that still be limited to cases in time of war?

Mr. FEIGHAN. No; it extends the authority to nations associated with the United States in defense activities. Page 11 of the resolution, line 20, states: "To nations associated with the United States in defense activities."

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FEIGHAN. Mr. Chairman, I yield myself five additional minutes.

Mr. CURTIS of Missouri. Then to make this even clearer, because I am very much disturbed about this, I want to be certain, at least as far as my own vote is concerned, that the Congress here is not affirmatively recognizing the action the President has taken in Korea from the standpoint of whether or not it is a war. On page 3, second paragraph, the committee states:

> The proposed legislation as submitted by the President was predicated on two legal assumptions: (1) That the military action in Korea does not constitute a state of war within the meaning of the statutes conferring authority in time of war.

I know it goes further, but I want to call attention to that particular language. Are we accepting the President's legal assumptions and are we predicating this legislation upon the proposition that the military action in Korea is not a war? In other words, is this Congress in the gentleman's opinion taking a position through this legislation, either indirectly or by innuendo in regard to this situation in Korea which Congress has yet to show the courage, in my opinion, to face up and either declare it a war or declare it not to be a war?

Mr. FEIGHAN. We are taking no action whatever directly. We are recognizing that we are in a national emergency and as such we are requesting that these powers, many of which have come into existence either under a declaration of the existence of a state of war or a national emergency, be extended. We are requesting the extension of these statutes on the basis of the national emergency.

Since most of the provisions that are to be extended in this bill concern legislative matters outside the scope of jurisdiction of the Judiciary Committee, it is recommending their continuation only on a temporary or nonpermanent basis. Nothing contained in this bill is to be construed or interpreted as definitely and finally deciding the continuation of any of the authorizations on a permanent basis. However, because of the urgency, caused by world conditions, for the present continuation of many of these wartime provisions, the committee was chiefly interested in satisfying itself that there was justification for continuing the provisions until such time as the Government agencies concerned could seek, before the proper congressional committees, legislation either on a permanent basis or for a further extension on a temporary basis. We are not recognizing, even by innuendo or inference, any declaration of war or any existence of a state of war.

Mr. CURTIS of Missouri. In other words, the Congress is really hiding from the facts.

Mr. FEIGHAN. We can argue back and forth on that. I am just stating the facts.

Mr. CURTIS of Missouri. I appreciate that and I am not trying to draw anything further than what I think we can from the situation that exists. Congress is not facing up to the fact that there is a war in Korea through this legislation; is that not an accurate statement?

Mr. FEIGHAN. In terminology, yes. However, we are recognizing that we are engaged in open conflict or hostilities in Korea, and that grave situation requires the continuation of these emergency powers.

Mr. CURTIS of Missouri. Well, that is what I mean, and also as it affects our status and how we are going to proceed in the future on this?

Mr. FEIGHAN. It is further defining how we are going to proceed in the future.

Mr. CURTIS of Missouri. Our whole trouble is the fact we do not recognize the situation in Korea to be a state of war when everybody in this country, particularly people who have sons who have been killed or wounded over there, knows it is a war.

Mr. FEIGHAN. Everybody is cognizant of the fact we are in a war.

Mr. PICKETT. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Texas.

Mr. PICKETT. In connection with the question raised by the gentleman from Missouri, let me say that there is no place in this piece of legislation to raise the issue of whether the Korean episode or whatever you may call it is a war or is not a war. If you want to raise that question, it ought to be done through a separate piece of legislation that meets the issue square on the nose, and that everybody would meet on that basis, without having to involve most of these questions in it.

Mr. CURTIS of Missouri. I appreciate those remarks. I did not want my position to be misunderstood, so that no one can come along and say that I passively have agreed to the legislation, which I think is just indefensible.

Mr. PICKETT. In that connection the whereas clauses would, I think, make it abundantly clear to the gentleman just exactly what is meant by this legislation.

Mr. CURTIS of Missouri. Well, it was not very clear, and neither is it clear in anybody's mind.

Mr. PICKETT. Well, it is clear in my mind.

Mr. CURTIS of Missouri. The answer really is that we are ducking an issue, and it is probably true that we might not want to bring it up in this piece of legislation, but I wanted to know what the effect of it would be if we adopted it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Iowa.

Mr. GROSS. On page 11 of the report I notice this language:

> During the continuance of the present war and for 6 months after the termination of the war, or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate, the Secretary of War is authorized to provide for entertainment and instruction in connection with the welfare of enlisted personnel.

What is meant by "entertainment of enlisted personnel?" Will the gentleman please explain?

Mr. FEIGHAN. Yes. The gentleman, I am sure, is cognizant of the fact that in many of the camps where the Armed Forces personnel are located, that they have recreation facilities such as movies, bowling alleys, dance and meeting halls, and baseball diamonds; places for their entertainment and recreation.

Mr. GROSS. Why must they be dealt with under emergency legislation?

Mr. FEIGHAN. Because under the basic statute this item depends for its validity upon "the continuance of the present war" which is World War II and if we do not continue it under this resolution, the authority to provide entertainment will expire.

Mr. GROSS. Should that not be taken care of in regular appropriation bills or an ordinary authorization in an appropriation bill?

Mr. FEIGHAN. You must understand this, as I pointed out previously, that many of these are statutes which originated under the jurisdiction of other standing committees of the Congress, and they have been brought to the Judiciary Committee en masse for continuation. Now we have continued them only until June 30, 1953, in order to give an opportunity to the various agencies involved to present their case to the regular standing committees. You must have some authorization, of course, before you can have an appropriation, otherwise it would go out on a point of order.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Would the gentleman from Ohio say that the Committee on the Judiciary was no more ducking the issue of whether or not we are in a technical war than did the Committee on Appropriations, or the Members of the entire House, when the members of the committee in one instance and in the House in the other instance voted to appropriate money for producing artillery, planes, pay for officers and other expenditures in connection with the armed conflict in Korea?

Mr. FEIGHAN. I think that is very well taken.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from New York.

Mr. CELLER. The gentleman from Missouri said that for all practical purposes we are in a war. If this fracas we are in now and these new difficulties in which we now find ourselves might be determined to be a war, then there is no need for this legislation we are offering today, because the basic statute provides "during the continuance of the present war and for 6 months after the termination of the war or until such earlier time as the Congress by concurrent resolution or the President may designate." Then all these powers are in existence so that we would not need this legislation at all.

Mr. FEIGHAN. Except at the conclusion of the Japanese Peace Treaty we are no longer in a declared state of war.

Mr. CELLER. That is correct, but if we were in a war——

Mr. FEIGHAN. Then there would be no need for it.

Mr. CELLER. That is correct.

Mr. CURTIS of Missouri. In regard to that particular point, that is the issue, because Congress alone has the authority to declare war. I think we are all in pretty much of a box here, because the President, instead of coming before the Congress in June of 1950, when the Korean conflict broke out, might well have regarded that as a police action at that time, but some time in the ensuing months it became very obvious that that conflict became a war.

We have to look to the Executive for leadership on those things—to come before the Congress with a message, with recommendations as to what he thinks is necessary. That has not been done. Here Congress is hobbling along with a situation that actually is a war, but that we have not termed a war. The result is that we have legislation of this nature which is really patchwork, and I think everyone must realize it is patchwork legislation.

Mr. FEIGHAN. Congress alone has the power to make a declaration of war.

Mr. CURTIS of Missouri. Yes; but on the recommendation and usually after an address by the Executive telling us what the situation is, because the Executive alone is the one who really knows the picture.

Mr. FEIGHAN. I think we have a pretty fair idea of what is going on in Korea.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from New York.

Mr. CELLER. There is no need for the Congress to await as a condition precedent to a declaration of war that a President come to address us or even send a message to us. We have a constitutional right to declare war.

Mr. CURTIS of Missouri. Yes; but it is usually done on the recommendation of the Executive, because the Congress does not have access to all the information that is available to the State Department, the Central Intelligence Bureau, and everything else that he has to know in a situation like that.

Mr. CELLER. Does the gentleman feel that he has sufficient information in his mind so that he can declare this a war?

Mr. CURTIS of Missouri. I certainly do. I think everyone in this country knows it is a war.

Mr. CELLER. Then the gentleman should offer a resolution for a declaration of war.

Mr. CURTIS of Missouri. There are several resolutions, not only here in the House but in the Senate, to try to clarify it, but the leadership of neither the House nor the Senate will bring those resolutions before this body. I submit we should clear this thing up.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Iowa.

Mr. GROSS. I certainly do not agree with the gentleman from New York [Mr. CELLER] that we are in what he calls a difficulty or a fracas. We have lost more men in this war than in almost every other war we have been engaged in that was officially proclaimed to be a war. He can call it a fracas if he wants to.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Georgia.

Mr. FORRESTER. With respect to whether or not we are in a war, I believe the Members will concede that that certainly was not a matter directed to us. The subcommittee dealing with this bill was dealing purely with a bill as to whether emergency powers would or would not be granted. Consequently, the technical question of whether or not we are in war is not in point. The question is whether we are going to address ourselves to granting these emergency powers.

May I take this opportunity to say that for approximately 2 months this subcommittee No. 4 has worked exceedingly hard. There were five members on that committee, three Democrats and two Republicans, but partisan politics never manifested itself within the entire time we were studying these questions. With one or two exceptions, the bills which are codified here for us to pass on today reflect the judgment of all five members of that committee.

I believe you will find that when we went into these matters we considered every one of these things most seriously. There were some of them that we passed out almost with bowed heads, but we did it on the idea that the circumstances and the requirements of the hour absolutely demanded that.

I take this occasion also to pay tribute to the gentleman from California [Mr. HILLINGS] and the gentleman from Delaware [Mr. BOGGS], as well as the Democrats who participated in this committee.

If the gentleman will indulge me a little further, I would like to say that the gentleman from Texas [Mr. PICKETT] has my profound gratitude for the tireless work he has done on this matter. He has worked days and days, and I think it would probably be better to say he has worked week after week on this particular matter. I certainly hope the gentleman will operate with the idea in mind, that we did give this the very noblest part of our natures, and we did the very best we could under the circumstances.

Mr. CURTIS of Missouri. I, too, think the committee has done a very fine job, but in bringing up this point, I hope no one has believed that I have taken it up in any sense in the way of partisanship. I am deeply concerned about the problem with which the Congress now finds itself confronted, and has found itself involved in for many months now, that we actually have what everyone in this country knows is a war, yet we have not faced the fact from a legal standpoint. That is the difficulty, I think, that we find ourselves in here—not only on this bill, but, and I have forgotten which gentleman pointed it out, our appropriations, too. I agree we have the same problem there. My remarks were not made in any way from a partisan standpoint. But I am concerned with the authority of Congress that is involved here. I do not care whether it might be a Republican President or whoever it might be, we still have to face up to this as Members of the Congress.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield.

Mr. CELLER. I agree with the gentleman that we ought to approach this matter calmly and dispassionately and objectively, and in a nonpartisan way. It is too important to do otherwise. I may have used the word "fracas" before. I used that word inadvertently. The committee, however, has amended the basic statutes and instead of using the word "war," use the words "period of hostility." That probably is the best way to describe the gravity and nature of the situation.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield.

Mr. GROSS. I should like to say to the gentleman from Georgia that I was in no sense trying to inject partisan politics into this discussion. The question I raised as to the phraseology in the bill was very sincere. I should like to say that the Korean war is a vital issue in this legislation. I should like to ask the gentleman from Georgia how many of these war powers he would be here trying to get today if it were not for the war going on in Korea?

Mr. FORRESTER. That is what I was trying to get across. Perhaps I did not make myself understood. Of course, the fact that we are in a national emergency, declared by the President, and he is the only one who has declared a national emergency, is why we are approaching these things. Certainly I do not intend to intimate in the slightest that the gentleman was approaching this matter from a partisan standpoint. I think I know the gentleman too well for that, and I am sure the gentleman is not doing that. The remarks I made were simply to let everyone know that this subcommittee and this committee did approach it in a most nonpartisan manner, and that this is the result of the serious and combined thinking of all of the fine members of that committee. I am sure the gentleman from Iowa [Mr. GROSS] certainly did not intend to intimate in the slightest that the committee did otherwise, because I know he does not intend to do that.

Mr. FEIGHAN. Mr. Chairman, I hope the committee will see fit to approve legislation in its entirety. As I said before, there is only one controversial statute. It relates to reservists and there may be an amendment offered regarding it.

Mr. BOGGS of Delaware. Mr. Chairman, I yield myself 13 minutes.

Mr. Chairman, this subcommittee chairmanned by the distinguished gentleman from Ohio [Mr. FEIGHAN] was presented with a very difficult job of going over this request for continuance of certain statutory emergency powers.

I want at this time to compliment the chairman [Mr. FEIGHAN] and all the majority members of this committee, the gentleman from Texas [Mr. PICKETT] and the gentleman from Georgia [Mr. FORRESTER], three very able and distinguished Members of this body, for their efforts in developing the facts justifying these various requests for emergency power.

I would certainly be remiss if I did not mention my own colleague on this side, the distinguished and able gentleman from California [Mr. HILLINGS] who has worked very hard and displayed outstanding ability in meeting the problems of this legislation. This committee put in over 2 months of hard work, and the members of the staff gave us great assistance and deserve our thanks.

I also want to point out that the Bureau of the Budget and their representatives, and the various Government agencies that were heard, many times did not have sufficient information and facts to satisfy the committee. But in response to our requests for more information and facts, they cooperated well in bringing the material to our attention and making it a part of the RECORD, as this volume of hearings will show.

So that the membership of this committee and of the House will know fully about every individual item here, I call to your attention the fact that it is made up in the hearings, printed and available to you, and available, of course, for future reference.

This subcommittee approached this problem rather with the thought that we did not want to operate under emergency powers, and we put the burden of proof on those who were requesting these powers. Many of us, including the gentleman from California [Mr. HILLINGS] were rather hard to convince that these powers were necessary, but as the facts were presented and tied in to the situation with which we are confronted today—some people may call it a war in Korea, some may call it a police action, but, in any event, we know that our men are fighting and dying today in behalf of our country, that calls upon us to favor the continuance of these emergency powers.

I want to point out, in connection with these emergency powers, that they, in each instance, are acts of the Congress, enacted by the Congress to meet a situation. We on the subcommittee and on the full committee have found a situation today that justifies a continuance of these acts to help support the effort which we are making in Korea, and our effort toward production as well as mobilization here at home.

There are many technical items, and I do not propose to discuss each one individually at this time. I think we can approach them individually under the 5-minute rule, where there may be some questions.

I want to point out that one of the big recommendations made by the committee was the question of the 1-year extension. The request had been made for the present emergency, and 6 months thereafter. Some felt that probably 2 years would be more desirable, with that definite time limitation. However, the committee, after careful consideration, thought that 1 year, taking it up to the end of the fiscal year June 30, 1953, would be the proper time, and that would give the various agencies of the Government an opportunity to come in before the regular standing legislative committees and present these problems, so that they could be tied in with other statutory law, with which the committee is familiar.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield.

Mr. FORRESTER. I was interested in the gentleman's explanation about the time limit being put upon these emergency powers, and I certainly appreciate the gentleman's calling that to the attention of the Congress. I believe that the gentleman would agree that when this bill came before us the President was asking for these powers for the duration of the emergency and 6 months thereafter; that there was a complete meeting of the minds of all five members of the subcommittee that we were not going to do that; that we took the position that we might be in a national emergency for 5 years, 10 years, 15 years, or such period that it could become a way of life, and that the only question before us was whether it would be for 2 years or 1 year; and the majority view was to fix it for 1 year. That view prevailed, so that is the provision that is in this bill.

Mr. BOGGS of Delaware. The gentleman is correct and I thank him for that observation.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I am glad to yield to the distinguished gentleman from Michigan.

Mr. FORD. On page 9 of the committee report you refer to the liability of inductees to serve in Reserve components and be ordered to active duty in time of war. Could the gentleman explain just what the committee recommends in reference to this proposal? I am not entirely clear from a reading of the report.

Mr. BOGGS of Delaware. The committee recommends that this item not be extended. The committee reached that conclusion after consultation with members of the staff of the House Armed Services Committee, which, I think, is considering the over-all problem; and also because this particular question, we were advised, could be met administratively by the Director of Selective Service.

Mr. FORD. On page 10 of the report, the last paragraph, involving this particular point, states:

> Even though it is eliminated from this bill, this law will remain in the statute books, and those reservists can be called back in any event without their consent during war or in national emergency declared by the Congress.

Does that mean that hereafter reservists can be recalled only when Congress has declared war, or specifically declared a national emergency?

Mr. BOGGS of Delaware. My understanding of that, I may say to the gentleman, is that when Congress actually declares war there is no question about their being called back.

Mr. FORD. What I am concerned about most is this point: If these recommendations go into effect then there can be no further recall of a reservist unless Congress does one of two things: Either declares war or specifically declares a national emergency.

Mr. BOGGS of Delaware. The gentleman is correct.

Mr. FORD. In other words, hereafter following the enactment of this bill there cannot be any indiscriminate recall of reservists by the Department of Defense without some affirmative act by the Congress.

Mr. BOGGS of Delaware. The gentleman is correct on that, exactly correct. I do not know whether the gentleman is fully aware that this particular section to which he has referred applied only to a very limited number of personnel, that is the group that was called in by Selective Service in 1948. I think there were about 266,000. You remember they were called in and some time later it was decided to let them all out. Many of them served less than a month and a great many did not serve even 90 days. This particular section applies only to that particular group.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield.

Mr. GROSS. This statement is contained in the concluding paragraph on page 10 of the report: "Even though it is eliminated"—and I take it this emergency power is referred to—"Even though it is eliminated from this bill that law will remain on the statute books and those reservists can be called up in any event," and so on, and so forth.

If that can be eliminated from the bill, why was it not eliminated if the law provides that the same thing could be done without these emergency powers? Why not eliminate it, why not take it out of here?

Mr. BOGGS of Delaware. It is my understanding that they can be called back under the Selective Service Act by administrative regulation under the Selective Service Act. I stand to be corrected if that is not a correct statement.

Mr. FORD. On page 10 there is this statement:

> There are in all 272,000 enlisted reservists; 109,000 reservists have been recalled since the Korean conflict, 163,000 have not been. This latter figure does not necessarily include the reservists in this special category, that is people inducted, and so forth, from June 1948 through June 1951, but it may do so.

I am not so sure that the effect of the deletion of this particular provision has the same result that the gentleman has indicated; at least, the language in the report does not spell it out entirely clear.

Mr. BOGGS of Delaware. I may say to the gentleman that the hearings were rather extensive on that part and the impression I have just given to the gentleman from Michigan is certainly in line with all of the advice and testimony we had from the authorities and experts representing the Defense Establishment on that subject. I would rather think they would be bound by their expressed views as contained in the hearings.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. BOGGS of Delaware. Mr. Chairman, I yield myself two additional minutes.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield to the gentleman from New York.

Mr. CELLER. I want to say that in all of my experience as a member of the Committee on the Judiciary I have never found a subcommittee that worked more arduously, with greater wisdom and with more patience than the subcommittee that brought in this bill. I have nothing but praise for the chairman of the subcommittee, the gentleman from Ohio [Mr. FEIGHAN] and his colleagues, the gentleman from Georgia [Mr. FORRESTER], the gentleman from Texas [Mr. PICKETT], the gentleman from Delaware [Mr. BOGGS], and the gentleman from California [Mr. HILLINGS]. Their work was presented to the full Committee on the Judiciary and that committee labored for almost two full days during its regular periods of sessions of the Committee on the Judiciary and accepted almost without change the work that was submitted by this very exemplary subcommittee of the Committee on the Judiciary.

Mr. BOGGS of Delaware. I thank the gentleman.

Mr. Chairman, I now yield 3 minutes to the gentleman from California [Mr. HILLINGS].

Mr. HILLINGS. Mr. Chairman, I wish to associate myself with the remarks of the distinguished leader on the minority side of the subcommittee, the gentleman from Delaware [Mr. BOGGS]. I would like to say without any desire to embarrass him that it has been a particular pleasure to serve under his able leadership on the minority side of this distinguished subcommittee.

I understand the gentleman from Delaware is going to leave this House at the end of the present session to possibly occupy the governor's mansion in the State of Delaware. I know his colleagues in the House, particularly those on the Committee on the Judiciary, wish him well in his desire and ambition to become chief executive of the great and sovereign State of Delaware.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from New York.

Mr. KEATING. Mr. Chairman, having served for a good many years on the same committee with the gentleman from Delaware, I would like to join in the remarks which the gentleman from California has just made about the outstanding contribution the gentleman from Delaware [Mr. BOGGS] has made to the deliberations of this Congress and to the work of our committee. We will certainly miss him very sorely in this body, and I am sure that all of us wish him the best of success in his effort to become governor of the sovereign State of Delaware. So far as I am concerned, I know that the citizens of that great State of Delaware will not be disappointed if they elect the gentleman from Delaware [Mr. BOGGS] to the governorship, but, on the contrary, will be proud of his achievements as governor of that great State.

Mr. GRAHAM. Mr, Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. Mr. Chairman, I, too, would be remiss at this time if I did not say a word of commendation not only of this subcommittee, but of the distinguished gentleman from Delaware [Mr. BOGGS], who is about to leave us. It was at my suggestion, after speaking to our minority leader, the gentleman from Massachusetts [Mr. MARTIN], that he was placed upon our committee, where he has served so faithfully and well. I was associated with him for a number of months in our particular subcommittee, and he gave unstintingly of his time and service. There was always an earnest desire on his part to perform the duties assigned to him; he has been an able legislator, and I think has been one of the great contributors to the Congress of the United States, and in his passing from our midst we will sorely miss him. Now for the members of this particular subcommittee, while I did not take part in much of this work, I feel that they have done an excellent, remarkable job and that due credit should be given them for the good work that they have done.

Mr. HILLINGS. I thank the gentleman from Pennsylvania for his very fine remarks.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Mr. Chairman, I would not want the impression left that only the members of the Committee on the Judiciary are very sorry to see our distinguished friend the gentleman from Delaware [Mr. BOGGS] leave us. I think that that expression of sorrow should include everyone in the House. The gentleman from Delaware has been one of the outstanding Members of the Congress, and we all wish him well in the newer and higher job that he is going to undertake in the coming year.

Mr. HILLINGS. I thank the distinguished minority leader.

I also wish to express my appreciation to the majority members of the committee. We have heard many fine things said about them today, especially by the distinguished chairman the gentleman from New York [Mr. CELLER]. They have worked conscientiously to bring before this Congress this extremely fine piece of legislation, and they have done so after a great deal of care and long and extensive hearings and discussions. I join in support of the legislation which we are considering this afternoon. The gentleman from Ohio, the gentleman from Georgia, and the gentleman from Texas have all done an outstanding job on the committee. I would also like to pay tribute to the members of the committee staff, Miss Smedley and Mr. Brickfield, who assisted the committee in an exceedingly fine manner, giving us the opportunity to study carefully a very technical piece of legislation.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from New York.

Mr. CELLER. I am sure the gentleman will join with me in placing an accolade of distinction also on a member of the subcommittee who has served with

us so faithfully, the gentleman from Texas [Mr. PICKETT]. He, too, is leaving these honored Halls after this Congress has concluded its labors. He is going back to his State to practice law. Not only shall we miss him in the House, but we shall miss him in the Committee on the Judiciary of which he has been a very valuable member, and all I can say for him is hail and farewell.

Mr. HILLINGS. I, too, join the gentleman from New York in paying a word of praise for the distinguished services rendered not only to the committee, but to the House as a whole, by the distinguished gentleman from Texas [Mr. PICKETT]. It has been a distinct honor to serve with him on this committee, and I know that the House is going to miss his services following his retirement this session.

Mr. FEIGHAN. Mr. Chairman, if the gentleman will yield, I feel it is most unfortunate for Congress that these two gentlemen have seen fit to leave our midst, but I am sure that they will carry with them the good wishes and the fondest hopes of all of us for their success. I am sure that the industry, the personality, the character, and the sterling qualities which they have exhibited in committee and on the floor of the House will carry them to even greater triumphs. They have devoted themselves faithfully and untiringly to the duties of their office, and it is certain they will continue their pursuits in the splendid tradition of the House of Representatives, to which they have so generously contributed.

Mr. HILLINGS. I heartily agree with the gentleman in his remarks.

Mr. Chairman, I wanted to make some brief observations concerning the legislation before us which, as I said earlier, I am joining in supporting.

I hope that in the new Congress which will meet here in Washington in January of 1953 a very careful attempt will be made to review seriously all of these 48 wartime emergency powers that are being extended by this legislation. It is extremely important that, while we recognize the serious emergency facing our country—recognize it as the basis for continuing a large number of the wartime powers as requested by the President—we must also realize the great danger in extending such emergency powers. I hope the Congress will be ever diligent and on guard to see that at any time when it is possible to remove any of the powers such action will be taken in the best interest of our democracy—our republican form of government. I hope the next Congress will not avoid the opportunity to review these powers thoroughly when it meets in January of next year.

I also wish to point out that the committee deserves a great deal of credit for meeting head-on one of the important issues of the day—an issue which the Congress has been criticized for not meeting—that is, of course, the question of Government seizure of private property. The subcommittee decided, after long and extensive hearings, during which all of the leaders of the various railroad brotherhoods appeared before the committee—and I should like to pay tribute to the fine, frank, and straightforward testimony given by the leaders of the great railroad brotherhoods of our country—not to extend the statutory authority for the Executive to seize the railroads. I think this is an important point. The committee deserves a great deal of credit for meeting head-on an important issue of the time, which I know was very much in the public eye, and which Congress has been criticized for not facing.

With that in mind, I hope the Congress will seriously consider and approve this legislation.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand, now, that there is only one major industry left subject to Presidential seizure—that being the public utilities?

Mr. HILLINGS. The transportation utilities, of course, were actually removed from being subject to seizure by the Executive as the result of this legislation.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Georgia.

Mr. FORRESTER. I am glad the gentleman from California brought out the fact that our subcommittee did consider the request to seize the railroads. Particularly am I delighted that the gentleman expressed his opinion concerning the testimony set forth by the various witnesses of the different brotherhoods. Of course, I know the Members of Congress are quite busy, but I believe if they would get those reports and read that testimony it would be illuminating to them. When those witnesses were on the stand the members of our subcommittee questioned them quite closely, particularly as to what they would do if this power were not continued. I believe you will find testimony in the record to the effect that they said that first, last, and always they were Americans, that they would not strike if it jeopardized the public welfare, and that at all times they could be counted on to do their part in any emergency that arose.

I feel that as a member of that subcommittee I should tell the Members of the House that that kind of testimony did come from those fine organizations. I was delighted to witness it and to hear that testimony myself.

Mr. HILLINGS. I thank the gentleman from Georgia and concur in his comments.

I should like to emphasize to my colleagues the point which was raised earlier by the gentleman from Georgia. It would be very worthwhile for all Members of the House on both sides of the aisle to read very carefully and very seriously the testimony offered by the railroad brotherhoods before our committee. Every single one of those representatives of the great railroad labor organizations of the United States testified against granting the authority to any President to seize the railroads. They pointed out the very serious problems that had arisen, problems affecting bargaining rights and working conditions of the employees of the railroads as a result of the Government seizure. I do not believe that proper attention has been focused on the testimony given by the members of organized labor in the railroad industry during our committee hearings, but I hope the Members of the Congress will take time to study that testimony.

Mr. FEIGHAN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the joint resolution.

The Clerk read as follows:

Whereas certain statutory provisions dependent upon the existence of a state of war and upon the national emergencies proclaimed in 1939 and 1941 were continued in effect until June 1, 1952, by Public Law 313, approved April 14, 1952, and were subsequently further continued in effect until June 15, 1952, by Public Law 368, approved May 28, 1952, in order to permit further consideration of a more extended continuation; and

Whereas the last of the states of war of World War II and the national emergencies proclaimed by the President in 1939 and 1941 were terminated on April 28, 1952; and

Whereas a more extended continuation of the statutory provisions herein dealt with is needed to insure the national security and the capacity of the United States to support the efforts to establish and mainain world peace: Now, therefore, be it

Resolved, etc., That notwithstanding the termination on April 28, 1952, of the existence of a state of war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—

(a) The following statutory provisions, and the authorizations conferred and liabilities imposed thereby, in addition to coming into full force and effect in time of war or otherwise where their terms so provide, shall remain in full force and effect until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950 (Proc. 2914, 3 CFR, 1950 Supp., p. 71), or until such earlier date or dates as may be provided by the Congress by concurrent resolution either generally or for a particular statutory provision or by the President either generally by proclamation or for a particular statutory provision, but in no event beyond June 30, 1953, notwithstanding any other terminal date or provision of law with respect to such statutory provisions and notwithstanding any limitation, by reference to war or national emergency, of the time during or for which authorizations or liabilities thereunder may be exercised or imposed; and acts or events of the kind giving rise to legal consequences under any of those provisions when performed or occurring during the state of war which terminated on April 28, 1952, shall give rise to the same legal consequences when they are performed or occur during the period above provided for:

(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201); and, effective for the period of time provided for in the opening paragraph of this subsection, section 1 of said act of December 17, 1942, is amended by inserting "or the maintenance of the national defense" after "the prosecution of war".

(2) Act of March 27, 1942 (ch. 199, secs. 1301–1304, 56 Stat. 185–186; 50 U. S. C. App. 643, 643a, 643b, 643c).

(3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

(4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 1171, (a), 1171 (b)); and the authority thereby granted to the Secretary of the Army is hereby conferred on the Secretary of the Navy, to be exercised by him on behalf of the Department of the Navy, using naval appropriations for the purpose.

(5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

(6) Act of January 2, 1942 (ch. 645, sec. 7), as added by the act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 224i).

(7) Act of March 7, 1942 (ch. 166, secs. 1–12, 14, and 15, 56 Stat. 143–147), as amended (50 U. S. C. App. 1001–1012, 1014, and 1015), and as extended by section 4 (e) of the act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the period of time provided for in the opening paragraph of this subsection, sections 2, 6, 9, 12, and 14 of said act of March 7, 1942, as they read immediately before the enactment of Public Law 313, Eighty-second Congress, are amended as follows, and, as so amended, are further extended in accordance with section 4 (e) of said act of June 24, 1948:

(A) Section 2 (50 U. S. C. App. 1002) is amended by deleting "interned in a neutral country, captured by an enemy" and inserting in lieu thereof "interned in a foreign country, captured by a hostile force."

(B) Section 6 (50 U. S. C. App. 1006) is amended by deleting "in the hands of an enemy or is interned in a neutral country" and inserting in lieu thereof "in the hands of a hostile force or is interned in a foreign country."

(C) Section 9 (50 U. S. C. App. 1009) is amended by deleting "in the hands of an enemy" and inserting in lieu thereof "in the hands of a hostile force" and by deleting "such enemy" and inserting in lieu thereof "such hostile force."

(D) Section 12 (50 U. S. C. App. 1012) is amended by deleting "interned in a neutral country,, or captured by the enemy" and inserting in lieu thereof "interned in a foreign country, or captured by a hostile force."

(E) Section 14 (50 U. S. C. App. 1014) is amended to read as follows:

"SEC. 14. The provisions of this act applicable to persons captured by a hostile force shall also apply to any person beleaguered or besieged by a hostile force."

(8) Act of December 4, 1942 (ch. 674, secs. 2, 3, and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

(9) Act of October 26, 1942 (ch. 624, 56 Stat. 987; 50 U. S. C. App. 836).

(10) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

(11) Act of June 25, 1942 (ch. 447, 56 Stat. 390–391; 50 U. S. C. App. 781–785).

(12) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said act of October 14, 1940, continue to exist during the period of time provided for in the opening paragraph of this subsection.

(13) Act of December 2, 1942 (ch. 668, titles I and II, 56 Stat. 1028), as amended (42 U. S. C. 1701–1706, 1711–1717). Effective for the period of time provided for in the opening paragraph of this subsection, the following terms, as used in titles I and II of said act of December 2, 1942, and the terms "allies" and "war effort," as used in the statutory provisions referred to in section 101 (a) (1) of said Act (42 U. S. C. 1701 (a) (1)), have the following meanings: The term "enemy" means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any of its allies. The term "allies" means any nation, government, or force participating with the United States in any armed conflict. The terms "national war effort" and "war effort" include national defense. The term "war activities" includes activities directly related to military operations.

(14) The paragraph designated "(2)" which was inserted into the act of March 3, 1909 (ch. 255, 35 Stat. 753), by the act of April 9, 1943 (ch. 39, 57 Stat. 60! 34 U. S. C. 533).

(15) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the Act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

(16) Act of December 23, 1944 (ch. 716, 58 Stat. 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

(17) Act of July 28, 1945 (ch 328, sec. 5 (b), 59 Stat. 505; 5 U. S. C. 801); and, effective for the period of time provided for in the opening paragraph of this subsection, the term "enemy" as used in section 5 (b) of said Act of July 28, 1945, means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any nation, government, or force participating with the United States in any armed conflict.

(18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

(19) Act of October 17, 1942 (ch. 615, secs. 1–4, 56 Stat. 796; 36 U. S. C. 179–182).

(20) Act of July 15, 1949 (ch. 338, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

(21) Act of October 14, 1940 (ch. 862, title V, sec. 503), as added by the Act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

(22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

(23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

(24) The eighth paragraph (designated "Military traffic in time of war") of section 6 of the act of February 4, 1887, chapter 104, as that section was amended by section 2 of the act of June 29, 1906 (ch. 3591, 34 Stat. 586; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

(25) Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

(26) Aot of February 4, 1887 (ch. 104, sec. 420), as added by act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284, 298; 49 U. S. C. 1020).

(27) Act of June 6, 1941 (ch. 174, 55 Stat. 242–245), as amended (50 U. S. C. App. 1271–1275).

(28) Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).

(29) Title 18, United States Code, sections 794, 2153, 2154, and 2388. Effective in each case for the period of time provided for in the opening paragraph of this subsection, title 18, United States Code, section 2151, is amended by inserting "or defense activities" immediately before the period at the end of the definition of "war material" and said sections 2153 and 2154 are amended by inserting the words "or defense activities" immediately after the words "carrying on the war" wherever they appear therein.

(30) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223–226b).

(31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013; 35 U. S. C. 89 and note and 90–96); and, effective for the period of time provided for in the opening paragraph of this subsection, the terms "prosecution of the war" and "conditions of wartime production," as used in said act of October 31, 1942, include, respectively, prosecution of defense activities and conditions of production during the national emergency proclaimed by the President on December 16, 1950.

(32) Title 28, United States Code, section 2680 (j).

(b) The following statutory provisions which are normally operative in time of peace shall not be operative by reason of the termination of a state of war on April 28, 1952, but rather (in addition to being inoperative, in accordance with their terms, in time of war) shall continue to be inoperative until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no event beyond June 30, 1953, any other provision of law with respect thereto to the contrary notwithstanding:

(1) Those portions of section 37 of the act of June 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C. 353), which restrict the appointment of Reserve officers in time of peace.

(2) The second sentence of section 40b of the act of June 3, 1916, as added by section 33 of the act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).

(3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 850i).

(4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

(5) Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).

(6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).

(7) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)–(d)).

(c) The President is authorized to continue in effect until and including June 30, 1953, all appointments as officers and as warrant officers of the Army and of the Air Force which under the following provisions of law would terminate after April 27, 1952, and before June 30, 1953;

(1) Sections 37 and 38 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C. 358, 32 U. S. C. 19), and section 127a of that act as added by the act of June 4, 1920 (ch. 227, 41 Stat. 785), as amended (10 U. S. C. 513).

(2) Section 515 (e) of the act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

(3) Section 3 of the act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a).

SEC. 2. (a) Section 5 (m) of the Act of May 18, 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is amended by inserting before the period at the end thereof "or, until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide but in no event after June 30, 1953, to nations associated with the United States in defense activities."

(b) The second proviso of section 1 of the act of May 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), is amended to read: *"Provided*, That if such accident or incident occurs in time of war, or if war intervenes within 2 years after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established, but if such accident or incident occurs after December 6, 1939, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within 1 year after the termination of that national emergency or June 30, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 2 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 222e).

(c) The second proviso of section 1 of the act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), is amended to read: "*Provided*, That if such accident or incident occurs in time of war, or if war intervenes within 1 year after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established, but if such accident or incident occurs after June 23, 1950, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within 1 year after the termination of that national emergency or June 30, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 1 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d).

SEC. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this joint resolution is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

SEC. 4. Nothing in this joint resolution shall be construed to repeal or modify section 601 of Public Law 155, Eighty-second Congress, first session, relative to coming into agreement with the Committee on Armed Services of the Senate and of the House of Representatives with respect to real-estate actions by or for the use of the military departments or the Federal Civil Defense Administration.

SEC. 5. If any provision of this joint resolution, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this joint resolution, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 6. Public Laws 313 and 368, Eighty-second Congress, are repealed without effect upon rights accrued, liabilities incurred, or actions taken thereunder.

SEC. 7. Sections 1 through 6 of this joint resolution shall take effect June 16, 1952.

SEC. 8. This joint resolution may be cited as the "Emergency Powers Continuation Act."

Mr. ARMSTRONG. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I appreciate this opportunity and the courtesy of the chairman and Members of the House. I do this in order to question the wording of this resolution. I am against this resolution because I am against granting wartime powers except in time of war. In the discussion, which we have heard here this afternoon, it has not been brought out as it should for the record whether or not we actually are at war in Korea. I do not think we should pass this chance to make it clear, as everyone knows, that we are at war in Korea within the meaning of the Constitution of the United States. The President of the United States took us into that war under his so-called inherent power as Commander in Chief of the Armed Forces of this Nation. I say to you, and I measure my words this afternoon at the conclusion of debate on this important resolution, that the President had no more inherent power as Commander in Chief of the Armed Forces of this Nation, to take this Nation into an undeclared war than he did under his so-called inherent powers to seize the steel mills. Members of the committee, even though we should have gone into Korea, the Congress of the United States should have said whether we go or not. So far as I am concerned, if in order to meet and put down aggression it was necessary to use Armed Forces and thus to continue the state of existence, as brought out repeatedly in this bill, requiring wartime powers, then it should have been done openly, and, shall I say, honestly. So far as I am concerned, to continue to support this undeclared war is an act of political dishonesty. I say so far as I am concerned. I do not say that if the President had asked for a declaration of war that I would vote for one, but I do protest this continuation of a subterfuge, which has caused us the lives of thousands of our boys every month. If this is not war, then what do you call a conflict that has continued—in a few days it will be 2 years, much longer than the First World War, in which I, and so many of you, my colleagues, had the honor to wear the uniform of our country. I am pleading that the time has come to face up honestly to this matter. The wording of this bill continues a subterfuge which I, in all honesty and decency, cannot support.

Furthermore, as far as I am concerned I am going to refuse to support a war unless we untie the hands of our boys fighting there and permit them to win it. I think it is an absolute disgrace to have sent our boys into a war and then say to them, "You cannot win it. It has got to be a stalemate." Never before has the Commander in Chief of the Armed Forces of this great Nation proclaimed such a war. Never before have we forced our fighting men into battle with their hands tied behind their backs. As far as I am concerned it is an utter disgrace not to permit them to stand shoulder to shoulder with the Chinese and others who are willing to fight for their freedom.

I am putting the House on notice, and again I measure my words when I say it, I hope that men and women of honor—and when I say honor I mean those who cherish constitutional provisions, placing upon us the responsibility for declaring war—will have a chance to reevaluate this thing before this session closes, and say to this Nation at least we are going to clear our skirts of this question whether we are at war or at peace.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, I offer an amendment.

Mr. CELLER. Mr. Chairman, a point of order. The amendment comes too late. I understood the Chairman has recognized the gentleman from Missouri as a matter of grace.

The CHAIRMAN. The Chair must say the Committee was still in session and had not risen. The gentleman from Georgia is recognized.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Georgia: Page 14, after line 2, insert the following:

"SEC 8. The Congress hereby finds that, by reason of the work stoppage now existing in the steel industry, the national safety is imperiled, and therefore the Congress requests the President to immediately invoke the national emergency provisions (secs. 206 to 210, inclusive) of the Labor Management Relations Act, 1947, for the purpose of terminating such work stoppage."

And renumber section 8 as section 9.

Mr. FEIGHAN. Mr. Chairman, I raise the point of order that the amendment is entirely new legislation and not germane or relevant to the resolution under discussion, or any of the 48 statutes included therein.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman reserve his point of order?

Mr. FEIGHAN. Yes, I will reserve the point of order.

Mr. DAVIS of Georgia. Mr. Chairman, on yesterday in his message to the joint session, the President said:

Our national security depends upon our total economic strength, and steel is a basic element in that strength.

Consequently, we are faced with the imperative need for getting most, if not all, of the Nation's steel mills back into production very promptly.

There are several possible courses of action that might be followed. However, I believe there are two main possibilities. One of these is Government operation of the steel mills. The other is the use of a labor injunction of the type authorized by the Taft-Hartley law. The Congress can choose either of these two courses. I cannot. I could only use the Taft-Hartley approach. In my judgment, that is by far the worse of the two approaches.

Consequently, I feel that I should put the facts before the Congress, recommend the course of action I deem best, and call upon the Congress—which has the power to do so—to make the choice.

The President squarely put the question to Congress to inform him as to the wishes of Congress regarding the method to be used in bringing about a resumption of steel production. He emphasized the need for quick action on our part. I think no one will dispute the fact that the President wants the decision of Congress as quickly as he can get it.

The other body gave him its decision yesterday.

Here in the amendment I am offering is an opportunity for the House to give him its decision today.

The immediate need of this country is not to initiate new legislation which must be referred to a committee, heard by the committee, and brought to the floor of the House through the various stages of parliamentary procedure involved in the progress of every bill. The immediate need of the country is for the production of steel to be resumed. The President on yesterday emphasized that need. He told us that there are two principal methods open to achieve that goal: Namely, first, Government operation of the steel mills; and, second, the use of the Taft-Hartley law. He specifically asked Congress to make a choice between these two methods. The question then presents itself: Why delay the decision?

In my opinion, the use of the Taft-Hartley law in this present emergency is the quickest method by which steel production can be resumed.

In the first place, that law is intended to be used only in a state of emergency. The present situation is certainly such a state of emergency. There never was a

more appropriate time for the provisions of that law to be brought into effect for the benefit of the country. I do not need to emphasize the need for steel for planes, tanks, and munitions. Every day which goes by without steel production weakens us and strengthens our enemies.

The Taft-Hartley law was and is intended to be used when negotiations have reached a stage of deadlock and when all available means of mediation have broken down. This is such a time. Negotiations have now reached a stage of deadlock, and we face the very situation which was contemplated when the Taft-Hartley law was drawn. Production has stopped. Negotiations have stopped. What is needed at this moment is not an opportunity to debate controversial legislation. What is needed today is to produce steel quickly and abundantly for our security abroad and for our economy at home.

By bringing this law into effect now steel production can be resumed, and that is one of our major needs. Hundreds of thousands of workingmen will go back on the payroll and their incomes will be resumed. The means of furnishing food, clothing, shelter, and the necessities of life for themselves and their families will again be available to them. It has been suggested that the workers should not be required to work at their old wages while the steel industry makes profits during the period of negotiation. I think there is very little possibility of that being done. The offer made by the steel companies provided that wage increases would be retroactive to April 1, 1952. I believe it is a reasonable presumption to presume that whatever settlement may finally be made will carry a provision that it will be retroactive at least to April 1, 1952. If that is the case, no one can say that use of the Taft-Hartley law would be unfair to workers because it would require them to continue to work at their old wages while the steel companies continue to make profits by reason thereof.

So far as the question of quick action is concerned, I believe that use of the Taft-Hartley law is the quickest method available to us to begin steel production again. The first step is the appointment of a board by the President to determine one question, and that question is whether a national emergency exists. That is one question about which there is no controversy whatever. Any board which the President might name could determine in 5 minutes after it met and organized that an emergency does exist. When the board reports that fact to the President, he has the right under the law immediately to ask the courts for an injunction. In one instance an injunction was granted under the Taft-Hartley law 4 days after the board was appointed. No method which has been suggested would be as effective and as quick as the action possible under the Taft-Hartley law. I believe a board could be appointed and make its report to the President now in much less time than 4 days. As a matter of fact, I think the board could be appointed, convene in Washington, and make its report to the President, possibly in 1 day.

If that action is taken it is possible to quickly start the steel furnaces and resume production of steel, put the idle steel workers back to work, and start their income again, and last but not least, bolster the confidence of our Armed Forces in Korea who need so much at this moment to know that the country is united behind them.

All these things could be realized if the Taft-Hartley law is invoked.

It is of the utmost importance that this question be determined as quickly as possible. It can be determined today by this amendment. What can be gained by putting off a vote on this question? We are going to have to vote on it either today or several days later as soon as the parliamentary machinery can be followed. We can vote on it today if this amendment can be brought to a vote. As to whether or not it is subject to a point of order I am constrained to believe, of course, that if the point of order is insisted upon, it probably will be good. But I ask this question: What is to be gained by insisting on a point of order when we must either now or later face this very question which is presented now in this amendment?

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. FEIGHAN. I may say that in my opinion the gentleman is presenting new legislation, and that is under the jurisdiction of the Committee on Education and Labor. Both the subcommittee and the full committee of the Committee on the Judiciary have had no disposition to try to invade the jurisdiction of any standing committee, and I think the amendment the gentleman presents may properly come before Congress but it first should be acted upon by a committee after thorough and deliberate hearings.

Mr. DAVIS of Georgia. There are questions facing us in this House today that are of far more importance than the question of the jurisdiction of a committee of this House. The Senate voted upon it under practically the same conditions that face us here this afternoon. We have soldiers on the battlefield in Korea needing the steel, the production of which has been stopped because of a strike. The President himself has come and has asked us to decide this question and to decide it as quickly as possible. This amendment will afford an opportunity to decide it. Hundreds of thousands of men are out of work all across this Nation; their incomes have stopped, their means of furnishing food, clothing, shelter, necessities of life for themselves and their families is at a standstill.

I hope we can have a vote on this amendment.

Mr. FEIGHAN. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard on the point of order?

Mr. DAVIS of Georgia. No, Mr. Chairman.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Georgia offers an amendment to House Joint Resolution 477. The Chair has examined the amendment and has examined the resolution under consideration. The Chair finds that the amendment of the gentleman from Georgia pertains to the invoking of permanent law under certain circumstances, whereas the joint resolution under consideration refers to the extension of certain specified temporary powers. The subject matter contained in the amendment offered by the gentleman from Georgia is, under the rules of the House, within the jurisdiction of the Committee on Education and Labor and not within the jurisdiction of the Committee on the Judiciary which reported the pending resolution. The Chair finds therefore that the amendment is not germane to the pending joint resolution.

The point of order is sustained.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 9, after line 18, insert the following new items:

"(33) Act of July 1, 1944 (ch. 373, sec. 212, 213, and 216, 58 Stat. 689–691; 42 U. S. C. 213, 214, and 217).

"(34) Act of July 1, 1944 (ch. 373, ch. 211 (c), 58 Stat. 688), as amended (42 U. S. C. 212 (c))."

Mr. MULTER. Mr. Chairman, at the suggestion of our distinguished majority leader and acting Speaker, I ask unanimous consent to withdraw the amendment which I have just offered, in order to facilitate action on the resolution, so that it can be sent to the other body as soon as possible for action there. I am hopeful that my amendment will be considered by that body and adopted so that the conferees may then consider it, and so that it may be included in the final version of the resolution under consideration.

The message sent to the Congress by the President of the United States requesting the continuation of the Emergency Powers Act is House Document No. 368. It was received February 19, 1952, and referred to the Judiciary Committee. The message contains a letter from the Secretary of Defense, the Honorable Robert A. Lovett, dated February 16, 1952, and a draft of a resolution as prepared by the Secretary of Defense in collaboration with the Attorney General, the National Security Resources Board, and the Bureau of the Budget.

At page 23 thereof appears an explanation of the reasons it is essential to continue the Emergency Powers Act with reference to the Public Health Service.

Unfortunately the resolution as presented to us omits the provisions with reference to the Public Health Service. My amendment seeks to correct that omission.

The reason for the omission of those provisions appear on page 12 of the House Committee Report No. 2041. I submit that the reason is utterly fallacious. The committee said the compulsory retention of Public Health Service personnel is not vitally necessary to our immediate national security as are the regularly established components of the Armed Forces.

Unfortunately, the committee has overlooked some very vital facts.

The Public Health Service has 2,556 commissioned officers on active duty, consisting of medical officers, dental officers, sanitary engineers, pharmacists, scientists, nurse officers, dietitians, therapists, and veterinarians. Of that number, about 200 medical and dental officers are serving their 2 years' obligated service under the Doctor-Dentist Draft Act. There are 118 medical interns in the Public Health Service. Any or all of these men can resign from the Service upon the expiration of the Emergency Powers Act this month, unless my amendment is included in the instant resolution. Under existing law members of the Public Health Service, including all of its commissioned officers, must retire when they reach 64 years of age. They have no choice in the matter. No matter how fit they may be, no matter how desirous they may be of continuing in the Service, no matter how anxious the Service may be to keep them, or how great its need may be, except for the Emergency Powers Act, those men must be retired at 64. Those now in the Public Health Service who are beyond that age are being kept there only by virtue of the Emergency Powers Act, and they will be discharged this month by operation of law unless my amendment prevails.

The Public Health Service has the responsibility for furnishing medical care, not only to the Maritime Service but to the Bureau of Prisons, to the Coast Guard, and to the Department of Justice. With the tremendous shortage of professional men in these categories, we can be sure that a great many of them will resign their commissions in the Public Health Service in order to obtain the benefits now available to them outside of Government. It would be a tremendous tragedy not to continue the Public Health Service as a part of the Armed Forces during the existing emergency.

It is only by virtue of the Emergency Powers Act that the Public Health Service has a right to order its commissioned officers to whatever part of the world the Service demands. If we allow this power to lapse the Service's right to court martial its commissioned officers ceases and these men are civilians who can quit the Service at will. Even the medical interns, upon completing their internship, instead of continuing to serve in the Public Health Service, will be able to immediately resign for better positions in private hospitals or to engage in private practice.

The demands on the Public Health Service require that it send its medical officers all over the world: to Korea, Indochina, Pakistan, and to other distant places fraught with danger. Today the order is issued and the man must go. Let these powers lapse as to the Public Health Service and immediately upon receiving such an order we can be sure that the man will resign from the Service in order to stay at home where he can engage in the specialty of his choice and stay at the side of his family.

The emergency is far too great to permit such personal considerations to disrupt the Service.

Mr. Chairman, I ask unanimous consent to withdraw the amendment at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, pursuant to House Resolution 677, he reported the same back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 285, nays 69, not voting 77, as follows:

[Roll No. 102]

YEAS—285

Abbitt	Buchanan	Doughton
Addonizio	Burnside	Doyle
Allen, Calif.	Burton	Durham
Allen, La.	Bush	Eaton
Andersen H. Carl	Byrnes	Eberharter
Anderson, Calif.	Camp	Elliott
Andresen, August H.	Canfield	Engle
Andrews	Cannon	Evins
Angell	Carrigg	Fallon
Arends	Case	Feighan
Aspinall	Celler	Fernandez
Auchincloss	Chatham	Fisher
Ayres	Chelf	Flood
Baker	Chudoff	Fogarty
Bakewell	Clemente	Forand
Barden	Cole, Kans.	Ford
Baring	Cole, N. Y.	Forrester
Barrett	Colmer	Fugate
Bates, Mass.	Combs	Furcolo
Battle	Cooley	Gamble
Beall	Cooper	Garmatz
Bender	Corbett	Gary
Bennett, Fla.	Cresser	Gathings
Bennett, Mich.	Cunningham	Gavin
Bentsen	Dague	Goodwin
Berry	Davis, Ga.	Gordon
Blatnik	Davis, Tenn.	Graham
Boggs, Del.	Dawson	Granahan
Boggs, La.	Deane	Granger
Bolling	DeGraffenried	Grant
Bolton	Delaney	Green
Bonner	Dempsey	Greenwood
Bosone	Denton	Gregory
Boykin	Devereux	Hale
Brambiett	D'Ewart	Hand
Brown, Ga.	Dingell	Hardy
Brownson	Dollinger	Harrison, Va.
Bryson	Dondero	Hart
	Donohue	Havenner
	Dorn	Hays, Ark.
Hays, Ohio	McCulloch	Rodino
Heller	McGrath	Rogers, Colo.
Herlong	McGuire	Rogers, Fla.
Heselton	McIntire	Rogers, Mass.
Hess	McKinnon	Rooney
Hill	McMullen	Roosevelt
Hillings	Machrowicz	Rosa
Hinshaw	Mack, Ill.	Sadlak
Hoeven	Mack, Wash.	Sasscer
Holifield	Madden	Saylor
Holmes	Mahon	Scott, Hardie
Hope	Martin, Mass.	Scott, Hugh D., Jr.
Horan	Meader	Secrest
Howell	Miller, Md.	Seely-Brown
Hull	Miller, N. Y.	Sheehan
Hunter	Mills	Shelley
Ikard	Mitchell	Sheppard
Irving	Moulder	Sieminski
Jackson, Calif.	Multer	Sikes
Jackson, Wash.	Mumma	Simpson, Pa.
James	Murdock	Sittler
Jarman	Murphy	Smith, Miss.
Javits	Murray	Smith, Va.
Jonas	Norblad	Spence
Jones, Ala.	Norrell	Springer
Jones, Mo.	O'Brien, Ill.	Staggers
Jones, Hamilton C.	O'Brien, Mich.	Steed
Jones, Woodrow W.	O'Brien, N. Y.	Taylor
Judd	O'Hara	Thomas
Karsten, Mo.	O'Konski	Thompson, Tex.
Kean	Osmers	Thornberry
Kearney	Ostertag	Tollefson
Kearns	Passman	Trimble
Keating	Patman	Van Zandt
Kee	Patten	Vinson
Kelley, Pa.	Patterson	Vorys
Kelly, N. Y.	Perkins	Vursell
Keogh	Philbin	Walter
Kersten, Wis.	Pickett	Watts
Kilday	Poage	Weichel
King, Calif.	Polk	Wheeler
King, Pa.	Preston	Whitten
Kirwan	Price	Wickersham
Kluczynski	Priest	Widnall
Lane	Prouty	Wier
Lanham	Rains	Wigglesworth
Lantaff	Ramsay	Willis
Larcade	Rankin	Wilson, Tex.
Latham	Reams	Winstead
Lind	Redden	Withrow
Lovre	Regan	Wolcott
Lyle	Rhodes	Wolverton
McCarthy	Ribicoff	Wood, Ga.
McConnell	Riley	Yates
McCormack	Rivers	Yorty
	Roberts	Zablocki
	Robeson	

NAYS—69

Adair	Hagen	St. George
Armstrong	Harrison, Nebr.	Schenck
Beamer	Harrison, Wyo.	Scrivner
Betts	Hoffman, Ill.	Scudder
Bishop	Hoffman, Mich.	Shafer
Bow	Jenison	Simpson, Ill.
Bray	Jenkins	Smith, Kans.
Budge	Jensen	Smith, Wis.
Buffett	Kilburn	Taber
Burleson	LeCompte	Talle
Busbey	Lucas	Teague
Chenoweth	McDonough	Thompson, Mich.
Chiperfield	McGregor	Vail
Church	McVey	Van Pelt
Clevenger	Martin, Iowa	Velde
Cotton	Mason	Vursell
Crumpacker	Miller, Nebr.	Werdel
Curtis, Mo.	Nicholson	Wharton
Curtis, Nebr.	Phillips	Williams, N. Y.
Davis, Wis.	Poulson	Wilson, Ind.
George	Radwan	Wood, Idaho
Golden	Reed, N. Y.	
Gross	Rees, Kans.	
Gwinn	Rogers, Tex.	

NOT VOTING—77

Aandahl	Crawford	Hedrick
Abernethy	Denny	Heffernan
Albert	Dolliver	Herter
Allen, Ill.	Donovan	Johnson
Anfuso	Ellsworth	Kennedy
Bailey	Elston	Kerr
Bates, Ky.	Fenton	Klein
Beckworth	Fine	Lesinski
Belcher	Frazier	McMillan
Blackney	Fulton	Magee
Brehm	Gore	Mansfield
Brooks	Hall, Edwin Arthur	Marshall
Brown, Ohio	Hall, Leonard W.	Merrow
Buckley	Halleck	Miller, Calif.
Burdick	Harden	Morano
Butler	Harris	Morgan
Carlyle	Harvey	Morris
Carnahan	Hébert	Morrison
Coudert	Nelson	Morton
Cox		

O'Neill	Richards	Sutton
O'Toole	Riehlman	Tackett
Potter	Sabath	Welch
Powell	Short	Williams, Miss.
Rabaut	Stanley	Woodruff
Reece, Tenn.	Stigler	
Reed, Ill.	Stockman	

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. O'Toole with Mr. Halleck.
Mr. Rabaut with Mr. Leonard W. Hall.
Mr. Magee with Mr. Short.
Mr. Welch with Mr. Allen of Illinois.
Mr. Sabath with Mr. Coudert.
Mr. Kerr with Mr. Butler.
Mr. Klein with Mr. Brown of Ohio.
Mr. Anfuso with Mr. Potter.
Mr. Abernethy with Mr. Reece of Tennessee.
Mr. Albert with Mr. Fenton.
Mr. Carnahan with Mr. Crawford.
Mr. Heffernan with Mr. Nelson.
Mr. Hébert with Mr. Merrow.
Mr. Stanley with Mr. Burdick.
Mr. Stigler with Mr. Morano.
Mr. Mansfield with Mr. Brehm.
Mr. Morris with Mr. Morton.
Mr. Marshall with Mr. Denny.
Mr. O'Neill with Mr. Reed of Illinois.
Mr. Lesinski with Mr. Dolliver.
Mr. Donovan with Mr. Riehlman.
Mr. Fine with Mr. Ellsworth.
Mr. Frazier with Mr. Stockman.
Mr. Gore with Mr. Elston.
Mr. Brooks with Mr. Fulton.
Mr. Harris with Mr. Woodruff.
Mr. Bailey with Mr. Harden.
Mr. Richards with Mr. Johnson.
Mr. Kennedy with Mr. Belcher.
Mr. Bates of Kentucky with Mr. Blackney.
Mr. Cox with Mr. Herter.
Mr. McMillan with Mr. Harvey.
Mr. Powell with Mr. Edwin Arthur Hall.
Mr. Carlyle with Mr. Aandahl.

Mr. ROGERS of Texas and Mr. RADWAN changed their vote from "yea" to "nay."

Mr. O'KONSKI changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill just passed may have permission to revise and extend their remarks and that all Members may have five legislative days in which to extend their remarks on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter immediately after my offering of an amendment in the Committee of the Whole on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5678) entitled "An act to revise the laws relating to immigration, naturalization, and nationality, and for other purposes."

ALTERATION OF CERTAIN BRIDGES OVER NAVIGABLE RIVERS

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8127) to amend the act of June 21, 1940, relating to the alteration of certain bridges over navigable waters, so as to include highway bridges, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. FALLON]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. FALLON. Mr. Speaker, this bill is designed to reimburse the States where alterations are made to highway bridges or in case they are moved under orders of the Federal Government for navigational purposes. For instance, if a channel is widened in a stream and it is necessary to move the structure or widen the uprights of the structure, the Federal Government makes a contribution.

Mr. MARTIN of Massachusetts. That is if the Federal Government initiates the program?

Mr. FALLON. Yes; if the Federal Government initiates the program.

Mr. MARTIN of Massachusetts. This has a unanimous report from the gentleman's committee?

Mr. FALLON. That is right.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the third, fourth, and fifth paragraphs of section 1 of the act of June 21, 1940, entitled "An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes" (33 U. S. C., sec. 511), are amended to read as follows:

"The term 'bridge' means a lawful bridge over navigable waters of the United States, including approaches, fenders, and appurtenances thereto, which is used and operated for the purpose of carrying railroad traffic, or both railroad and highway traffic, or if a State, county, municipality, or other political subdivision is the owner or joint owner thereof, which is used and operated for the purpose of carrying highway traffic.

"The term 'bridge owner' means any State, county, municipality, or other political subdivision, or any corporation, association, partnership, or individual owning, or jointly owning, any bridge, and, when any bridge shall be in the possession or under the control of any trustee, receiver, trustee in bankruptcy, or lessee, such term shall include both the owner of the legal title and the person or the entity in possession or control of such bridge."

SEC. 2. Section 6 of such act of June 21, 1940 (33 U. S. C., sec. 516), is amended by strking out the following: "*Provided*, That the part of the cost of alteration of any bridge for both highway and railroad traffic, attributable to the requirements of traffic by highway, shall be borne by the proprietor of the highway:".

SEC. 3. In the administration of this act, hearings and other procedures shall be exempted from the provisions of the Administrative Procedure Act (60 Stat. 237), except as to the requirements of section 3 thereof.

SEC. 4. Section 13 of such act of June 21, 1940 (33 U. S. C., sec. 523), is amended by striking out the words "used for railroad traffic."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. CURTIS of Missouri asked and was given permission to address the House on Monday next for 45 minutes, following any special orders heretofore entered.

Mr. HAND asked and was given permission to address the House today for 5 minutes, following any special orders heretofore entered.

Mr. HOFFMAN of Michigan asked and was given permission to address the House today for 10 minutes, following any special orders heretofore entered.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. SHELLEY. Mr. Speaker, I ask unanimous consent that Subcommittee No. 3 of the Committee on Merchant Marine and Fisheries may sit tomorrow during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

FURTHER MODIFICATION NEEDED OF REGULATION X

Mr. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORD. Mr. Speaker, the recent modifications in regulation X are unsatisfactory. The changes will not be helpful in those geographical areas where the most aid to home purchasers is needed. In the price range where the greatest help was needed the revisions in regulation X do the least.

Let's take several practical illustrations. Under the old regulations on FHA on a $10,000 home the minimum down payment was $1,500. Under the new set the minimum down payment is $1,450. This change will hardly benefit the low cost home purchaser in Michigan.

The changes in theory and in practice are difficult to understand. Again under FHA for an $11,000 home the new rules provide a minimum down payment of $1,900. Formerly it required a $2,200 down payment. I fail to comprehend the differences in the revisions for a $10,000

and $11,000 home. The same peculiarities involve the changes for $12,000 and $13,000 homes.

It appears to me that those who prepared the revised regulation X schedules have failed to appreciate the conditions in the Northern States. Those who live in Michigan and other States in the same geographical area who want and badly need reasonably priced homes are not helped to any appreciable degree. In my judgment the House of Representatives when it considers the proposed extension of the Defense Production Act should provide for legislation for further modification of regulation X.

CIVIL RIGHTS

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, the recent report on civil rights in the United States in 1951 published jointly by the American Jewish Congress and the National Association for the Advancement of Colored People points out the alarming fact that there was during the year increasing resort to the private use of violence and that if such violence is permitted to continue unchecked, greater disorders are likely to occur. Because of my earnest conviction that the time is overdue to end the continued intimidation and suppression of racial minorities in their struggle to win full rights as citizens, I introduced in this Congress a bill, H. R. 6075, designed to strengthen and secure the civil rights of all the people of the United States. This bill would make lynching a Federal offense and require governmental subdivisions responsible for a lynching to compensate victims of the crime. It would penalize anyone who hinders another in the enjoyment of constitutional rights, including the right to political participation. Broadly speaking, it would outlaw discrimination in employment, segregation in the Armed Forces or in interstate opportunities for higher education.

Since the outbreak of the conflict in Korea, more than 100,000 American boys have given their lives or spilled their blood in defense of freedom and democracy. Beneath the white crosses in that devastated land lie sons of all the races, creeds, and nationality groups that have made this Nation great. Yet here at home we mock their sacrifices by denying to many of their fathers and mothers, their wives and children, the full measure of equality and justice which is their constitutional heritage.

Our failure to realize in practice the democratic principles we proclaim is more than a breach of faith with the men on the fighting front, more than a gross injustice to the individual victims of discrimination. It is a grave threat to our moral leadership throughout the world. How can we expect the submerged millions of other races to rally to our standard of democracy while our own minority groups are treated as second-class citizens? In the eyes of the rest of the world we convict ourselves of hypocrisy when we plead for free elections behind the iron curtain and denounce the mock trials and persecutions carried out in satellite countries at the same time that lynching is tolerated and citizens are deprived of the right to vote in the United States because of their color.

Moreover, the discriminations practiced against minority groups dangerously undermine both our physical and spiritual strength at home. To win the prolonged cold war against totalitarianism, the best talents and energies of every citizen must be mobilized. The Nation suffers as well as the individual whenever a young man or woman is blocked in the effort to secure an education by segregation laws, quota systems, or other forms of discrimination. Our defense effort is weakened every time any person is denied the opportunity to use his highest skills on the basis of race, religion, or national origin. Our grip on our national ideals is loosened by every lynching, every intimidation of any human being in the exercise of his civil rights, every exclusion of an American family from a decent place to live because he belongs to a minority group.

The importance of the individual person is the central theme in our American heritage, and the welfare of the individual is the final goal of group life. To be secure in the rights he wishes for himself, each man must be willing to respect the rights of other men. From this principle, that all men are created equal as well as free, stems the obligation to build social institutions that will guarantee an equality of opportunity. Since it is a purpose of government in a democracy to regulate the activity of each man in the interest of all men, it follows that every mature and responsible person must be able to enjoy full citizenship and have an equal voice in his government. In order to adequately insure the protection of civil rights, legislation is essential as a basic authority. And according to the report of the President's committee on this subject:

> The National Government of the United States must take the lead. * * * Our forefathers saw the need for such protection when they gave us the Bill of Rights as a safeguard against arbitrary government. But this is not enough today. We need more than protection of our rights against government; we need protection of our rights against private persons or groups, seeking to undermine them.

H. R. 6075 does not embody any novel doctrine or break any new paths in the development of the law. It would do no more than put into practice the principles long ago enshrined in the Constitution. Our neglect of these ideals has already cost us dearly in the support of world public opinion. To keep faith with our own citizens, to win the confidence of freedom-loving people throughout the world, to deprive the forces of totalitarianism of their most powerful propaganda weapon against us, civil rights legislation should have long since been enacted. The failure to do so rests wholly with the Republican-Southern Democrat coalition in the Congress. The American people must elect a Congress this year that will enact legislation to implement the strong and uncompromising 1948 platform of the Democratic Party:

> We call upon Congress—
>
> It said—
>
> to support our President in guaranteeing these basic and fundamental American principles: (1) the right to full and equal participation; (2) the right to equal opportunity of employment; (3) the right to security of person; (4) the right of equal treatment in the service and defense of our Nation.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. HAND] is recognized for 5 minutes.

SAVE THESE SHIPS!

Mr. HAND. Mr. Speaker, I am impelled by strong personal feeling to bring before you in protest the matter of the bill to destroy some of the almost sacred relics of our honorable past.

I refer to the proposal contained in H. R. 7812, introduced by the chairman of the House Armed Services Committee on May 12, which, if enacted into law, would see four naval vessels of the most historic importance—ships in which this Nation's history was shaped—sold for scrap.

The *Constellation*, at 155 years of age the Nation's oldest warship—her decks trod by Stephen Decatur, Thomas Truxton.

The *Olympia*, Admiral Dewey's flagship at Manila Bay—bearer home from France of the remains of the Unknown Soldier.

The *Hartford*, from whose rigging David Farragut successfully directed the Battle of Mobile Bay.

And lastly the *Oregon*, whose dash clear around South America to bolster the Atlantic Fleet for battle with the Spanish off Cuba electrified the Nation.

I know I risk the charge of pandering to sentiment. But my district in New Jersey is a maritime district, where we know that ships have souls—and I beg the Congress for at least a decent end for these old vessels.

If a way cannot be found to preserve them—and I insist one can be—let them nevertheless be spared the ignominy of the cutter's torch or the ship-breaker's calculating eye.

Let them instead be towed offshore with fitting ceremony and there, with their pennants flying, be sent to an honorable grave.

But these ships should not be lost.

To preserve relics of an honorable past is one of the most civilized of instincts, blessed by centuries of precedent in church and state. And not for reasons of sentiment alone—but for the very real value that resides in them as inspirers of noble deeds, as monuments to heroes and as gages of spiritual and political advance.

Let us save these ships.

Section 1 of the bill, in the first place, provides for the restoration and maintenance of the U. S. S. *Constitution*.

But section 3 of the bill makes the following provision: That the Secretary of the Navy is authorized to dispose of the U. S. S. *Constellation*, the U. S. S. *Hartford*, the U. S. S. *Olympia*, and the U. S. S. *Oregon*, in his discretion by sale or by scrapping.

Now there are further paragraphs in that section which do make some provision for the preservation of such historic parts of those ships as might be preserved at the discretion of the Secretary, but I am inclined to think it is a grave mistake to scrap ships which have a very historic value to this Nation, and I am further inclined to think that we can afford both the material and the money involved by preserving those ships for posterity so that they may serve as a continual inspiration for the American people.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. HAND. I yield to the gentleman from Ohio.

Mr. SCHENCK. Is the U. S. S. *Constitution* to which the gentleman referred the one which has been recently completed and in operation by the Export Lines?

Mr. HAND. No; and the *Constitution* is really not involved in the scrapping. Apparently they are going to save the *Constitution*, but the *Constellation*, the *Olympia*, the *Hartford*, and the *Oregon* are going to be scrapped, and I think care ought to be taken before we pass those bills so that these ships will not be scrapped.

Mr. SCHENCK. Apparently there are two *Constitutions*, then.

Mr. HAND. That may be.

Mr. SCHENCK. I thank the gentleman.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HAND. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The gentleman mentioned the U. S. S. *Constellation*.

Mr. HAND. That is correct.

Mr. BATES of Massachusetts. The U. S. S. *Constellation* is the oldest ship in the United States today. It was commissioned in 1797, even before the time of the *Constitution*.

Mr. HAND. I think that is so, but the gentleman, with his distinguished career in the Navy, probably knows more about ships than I do.

Mr. BATES of Massachusetts. The gentleman from Massachusetts is certain that the *Constellation* is the oldest ship in the United States Navy today.

Mr. HAND. With him, I intend to oppose this bill when it comes before the Armed Services Committee. I thank the gentleman because he is a valuable member of the committee, and I think he can do us some good. My notes indicate that the *Constellation* is 155 years of age; that it is the Nation's oldest warship, and that her decks were trod by the great Admirals Stephen Decatur, Thomas Truxton, and others.

I think the bill ought to have deep consideration before it is reported by the Committee on Armed Services, and I expect to oppose it if it is reported.

COMMENCEMENT ADDRESS AT AMERICAN UNIVERSITY BY MRS. DOROTHY HOUGHTON

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks and include a letter from Mrs. J. W. (Ida B.) MacGregor, and the commencement address of Mrs. Dorothy Houghton at the commencement exercises at American University.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, following is the letter from Mrs. J. W. (Ida B.) MacGregor:

BETHESDA, MD., *June 9, 1952.*

Hon. BEN JENSEN,
Old Office Building,
Washington, D. C.

DEAR MR. JENSEN: Last evening Dorothy Houghton gave an excellent address at the commencement at the American University. She also received an honorary degree of doctor of letters from the university. Many of her friends and I feel this address should be printed in the CONGRESSIONAL RECORD. I am enclosing it and hope you will agree with us and attend to the matter for us.

Iowa—your State and hers—has every reason to be very proud of Dorothy Houghton.

Sincerely and respectfully,

(Mrs. J. W.) IDA B. MACGREGOR.

The commencement address is as follows:

COMMENCEMENT ADDRESS, AMERICAN UNIVERSITY, WASHINGTON, D. C., JUNE 8, BY MRS. HIRAM COLE HOUGHTON

You are to be congratulated upon being graduates of a great university. You are to be congratulated upon being a graduate of the American University. In some way that word is the most precious word in the English language to me, and certainly a great heritage is yours. You are the heirs of a great tradition. You are the citizens of a great republic; you are the trustees of civilization of generations yet unborn. Flying into Washington as I did last night seeing first the Washington Monument then the Lincoln Memoral and then the Capitol of these United States of America, I said to myself "Breathes there a man with soul so dead who never to himself has said, This is my own my native land." Your university bears the great name America. Maybe I have appreciated it more because I have just flown in from my small home town where we practice the American way of life. We firmly believe that we are our brother's keeper. If the farmer is ill, the other farmers in the neighborhood move in. The women cook the meals and take care of the children and the men bring in the farm machinery and plant or harvest the fields whatever the season demands. Such a spirit of cooperation and helpfulness would be a good pattern for the world to follow, if we care enough to share with our neighbors. And then my great love for my country may again come from the world cooperation tours that I have led the clubwomen of America, to nine countries of Western Europe, to the Near East, to our neighbors to the south, Guatemala; and last January we spent the entire month in nine republics of South America. We saw how other people lived. We made everlasting friendships. We saw the excellent results of the ECA missions and the 4 point program. We were proud of our country and all we had done for restoration and rehabilitation and to stop the cold war. We are proud that the milk of human kindness flows in our veins. But what a responsibility. We are the leaders of the freedom-loving nations of the world. Great and wonderful America. I pray for the strengthening of the moral fiber of our people. For upon our mind and spirit depends the fateful experience of mankind on this shrinking planet.

The situation in American higher education was summed up a few years ago by a well-known educator who began an address to a university audience as follows: "There are only three things wrong with higher education in America. First, our students; second, our alumna; and third, our faculties." If as is likely this discouraged professor has since read Chancelor Hutchins' Higher Education in America, he would add one further depressing item to his diagnosis. He would include the curriculum or course of study at present being offered by our colleges and universities. But we do not believe any of this. We do believe that never in the history of higher education have our colleges and universities faced such appalling responsibilities as they encounter in the year 1952. Always our colleges and universities were supposed to preserve, disseminate, and advance knowledge. Today our colleges have these three tasks to perform, but in addition they find themselves confronted now with a new and awesome list of other responsibilities. These additional responsibilities result when the present state of world affairs and are due principally to the splitting of the atom and the threat of communism. Higher education must shoulder its 1952 responsibilities, for if the colleges fail now, the result might be catastrophic and the catastrophe could be the collapse of our civilization. This is true because it is only our higher educational institutions which can properly cope with today's national and international problems. This is so because a university is essentially a thinking institution and to solve today's global problems requires thought—a great amount of unbiased, independent, and critical thought—and colleges are the only institutions man has yet devised which are still centers of independent and critical thinking. I believe that every educated person should have accumulated a storehouse of facts; trained his mind to think straight; acquired mental humility; has found a fine philosophy for living with a correct sense of values and developed within himself a sense of a fitness of things which we call judgment. Therefore, you as college graduates are a privileged group who must immediately help solve the problems of the world by the preserving and extending our democratic civilization; by bringing about a peaceful resolution of conflicting ideologies without resorting to world war III; and by the determination to solve the needs and obligations of the individual. Your great challenge is to build as if peace were to reign for a century and to prepare as if war were to come tomorrow. Today we have atomic power, jet propulsion, miracle drugs, synthetic cloth, and life expectancy at a new peak. But at the same time we have bribery in national defense, gamblers in city halls, youthful dope addicts, basketball and West Point cribbers. Your business is to bridge this ever-widening gap between our great abilities, inventors, and builders, and our moral and spiritual disintegration.

For, indeed, today we face a triple threat—the threat of conquest by military might, the threat of capture by an alien and tyrannical idealogy, and, finally, the most dangerous of all, the threat of destruction by the anarchy of our own minds and actions. The paramount question is not whether our Armed Forces will be brave or even victorious in open war. The question is whether we, both in civilian and military life, possess the stamina, the insight, the faith, and the will to see that freedom and order, and not tyranny and chaos, possess the minds and souls of men. It follows that you and I, that every one of us, must achieve a degree of understanding and responsibility never required of us before. Today the attention

of the world is focused on this country, and the conduct of every citizen becomes a matter of general concern because it affects the general welfare. We no longer live to ourselves alone. Our every act is fraught with consequences that circle the globe. Your appearance in uniform is evidence of our resources in war. Your wisdom and courage are a measure of our strength in peace. If they are great, we are strong. If they are weak, we are in danger. It is my hope that you may prove adequate to the times in which we live—that you have the courage of mind and heart to stand against, understand, and counter those forces which threaten and undermine our moral foundations, our faiths, and the very concepts which differentiate us from the lower forms of animate life. In America, with our preoccupation with the material things, we have lived with, enjoyed the advantages of a society founded on high moral, ethical, religious, political, and economic concepts, and have never understood. Now we must understand them; we must live by them; we must defend them; we must revitalize them. If we don't, we are decadent; we are jellyfish, without any semblance of backbone of spiritual strength; we're nothing—like a great glob of tapioca, indistinguishable as individuals, a messy, formless, mushy mass.

To our great surprise, we find ourselves the most potent force for peace in the world, a world which doesn't know whether or not it is at war, but which is now engaged in a total phychological clash which it hasn't thus far fully recognized as a war. The Nation is mighty in its preparations and potentials for a shooting war, and really doesn't know its own strength. However, the arsenals of psychological warfare are depleted, and one hates to attempt to guess our national potential. The largest stockpile in the psychological arsenals must be in human strengths, in the self-disciplines of the people who have cherished the concepts from which flow our individual and national stability. These things are not mass produced overnight. They aren't made in factories. These are the products of a heritage; these are the real strengths which psychological war tests—found wanting, nothing is left.

Today, the United States must expect and receive from its citizens the same devotion to democratic ideals, the same respect for law and order, the same respect and observance of the correlative rights and duties inherent in our system upon which our Nation rests. But this speaks only of nations, human kind for survival must return with greater conviction and adherence to the principles which underlie these political concepts, the essential dignity of man, the existence of and guidance of a divine power, and the essentiality of freedom.

The first challenge which I should like to give you, the graduates of American University, this evening is bridging the gap between man's scientific advancement and his moral behavior is to accelerate a system of communication, which will eliminate confusion and bring about understanding. We talk so much about saving the world and so little about understanding the world. By communication, I mean the process whereby individuals, groups, organizations, institutions, and even nations express their opinions and make known their needs and desires. The principal means are the use of speech and writing. Too often, these instruments prove unsatisfactory and sometimes they are the actual cause of misunderstanding. Therefore, if we hope to bridge the gap between science and ethics, we must improve our system of communication. Sometimes, communication is difficult and sometimes almost impossible. We found this true in a recent trip to South America when 28 of our club women spent the month of January in nine republics to the south of us. And yet so many times we were unable to make ourselves understood, even though only two languages, Spanish and American, with a little Portuguese thrown in are spoken in this great hemisphere of ours. With their untapped natural resources and our technical know-how and communications that make for hemispheric solidarity we could be the greatest pattern of peace and harmony in the world today. Never did we have such mass media of communication with newspapers, radio, and television. But even on college campuses there are problems of communications. Students, faculty, administration, trustees, alumna, and townspeople are frequently misunderstanding one another because of ineffective communications. And again quite often the chemist cannot understand the sociologist, the businessman cannot understand the professor, the Republican cannot understand the Democrat, and almost nobody can understand the lawyer and the psychologist. And it is said, that we will become a Nation of listeners with all art of conversation gone with families watching television every night. Perhaps, we can have more effective communications by not so much perusing of comic books, picture magazines, and silly novels and study such models of simplicity and clear messages as the Gettysburg Address and the Lord's Prayer. Both of these eternal classics are brief and comprehensive yet no one fails to understand them. There are college-trained specialists who cannot understand each other. There are bureaucrats with their miles of red-tape memoranda. If only we could teach people to use language clearly and effectively, and if all specialists would get together and agree on exact meanings for such words as democracy, liberty, freedom, private enterprise, and many other words that we all use so glibly but with so many different meanings—then we could make tremendous progress in improving our communications.

And there is still the problem of illiterates, the 70,000,000 in Latin America and 500,000,000 in Asia. How can we explain Americanism and liberty to people who cannot read and write. And we can imagine the problems which rise internationally and in the United Nations where so many different languages are spoken and there must be dependence on translations. So I challenge you as college graduates to bring about a more efficient system of communication, to bring about better understanding in our own communities and college campuses in America and in the world. Not long before he died, the famous South African statesman, Jan Smuts, said, "This is the most fateful hour in a thousand years." The man who played such an important role in the creation of both the League of Nations and the United Nations meant that the decisions our generation is called upon to make will have more far-reaching consequences than those any preceding generation has had to make for ten centuries.

Whether there is another world war and another dark age or men find ways of living together in peace, security, and freedom is being decided here and now. It is not being decided solely by a few statesmen or even a few nations. Many wills enter into the making of this fateful decision—your will and mine among them. Your country's will as well as my country's will. To make wise decisions individuals and nations must have correct information about each other. They must know what governments and peoples really think and do as distinguished from what they are said to think and do. Such indispensable knowledge can be obtained only if there is a free flow of information between peoples. Accurate information about what goes on abroad is more important than at any time in history. Unfortunately it is more difficult to obtain than at any time since modern communications were developed. While the radio, telephone, and airplane have been eliminating barriers to quick communication a number of governments have been raising barriers to the exchange of correct information. As a result of these barriers the people of the United States know much less about what is going on in vast areas of the world such as Russia, China, and Eastern Europe, than they knew 30 years ago. The people of those countries have a more distorted idea of what the United States is doing and would like to do than ever before. This is a dangerous state of affairs for all. It creates dangerous misunderstandings and fears. It permits evil governments to bring the world dangerously close to total war. It prevents peacefully disposed governments from making just and lasting settlements. These barriers to the freedom of information prevent the United Nations, mankind's greatest hope of peace with security, freedom, and justice, from mobilizing the forces of collective security with maximum effectiveness. They prevent the United Nations from acquainting people living under censorship with United Nations' decisions affecting their well-being. There is no more important task today than lowering these dangerous barriers to the free flow of information and increasing the volume and quality of news available to the peoples of the world. The United Nations has formerly condemned jamming of foreign broadcasts, and this is an excellent thing because the United Nations was founded on the peoples' right to know, to speak, and to publish freely. The United Nations must be kept faithful to those basic human rights, otherwise the lights will go out in country after country and a new dark age will set in for humanity. There will be nothing ahead for mankind but the night. To prevent such a catastrophe everyone should join in the effort to remove barriers to the free flow of information. It is your cause as well as mine.

The second challenge is to maintain and perpetuate, this means freedom of thought and expression not only here in America but in everywhere in the world. It is for you as graduates to make freedom a reality. Through the long struggle to build American democracy, we have learned that freedom is never easy. Freedom is never secure. Freedom is desperately difficult to maintain and very easy to lose. Freedom is nurtured and self-sustained by opportunity and its future depends upon what we do on what it alone provides. Freedom must be won and anewed by every generation. The task is not an easy one. We are fighting a world-wide conspiracy bent upon dominating the world: communism. It is an atheistic idolatry, denying there is a God, holding man is merely an animated clod with no soul, no honor, no inalienating rights, no need for liberty, existing only to do the will of an all-powerful regime. Communism rules by fear and terror, punishes by torture, respects no sentiments of charity, cooperation, meekness of fair dealing. It twists the tune to fit the party line of the moment. It holds that the end justifies the need. Surely now we know that there can be no collaboration with communism by the free world. It cannot be appeased. It cannot be contained. So long as the world-wide conspiracy exists, it will seek to destroy human liberties. There remains only one conclusion; communism must be defeated. It must be destroyed. Its virus must be irradicated. Its grip upon the people must be broken. Its victims must be liberated. Until this is done freedom will die, slowly but inevitably all over the world and this does not mean a world-wide atomic war for the struggle against communism is a struggle of the minds and hearts of mankind. It cannot be won by guns and bombs alone. The strongest weapon we hold in our hands is truth itself. Our primary weapons are ideas. We should give assurance to the millions of captive peoples that we shall work unceasingly for their liberation, and we should find the best methods of strengthening resistance amongst Soviet enslavement, for as Abraham Lincoln said, "This Nation cannot exist half slave and half free." We cannot let the enslaved people lose hope and the neutral

people lost faith. We should build a psychological strategy that will bring hope to millions of enslaved. I say let the timid and indifferent step aside and those who believe we can overcome this Soviet tyranny and still save our civilization from the horrors of an all-out war stride forward like brave men and women, comrades in a great crusade of truth and freedom for all mankind. This calls for men of courage. Let us pray:

"God, give us men! A time like this demands
Strong minds, great hearts, true faith, and ready hands;
Men whom the lust of office cannot buy;
Men who possess opinions and a will
Men who have honor; men who will not lie;
Men who can stand before a demagog
And damn his treacherous flatteries without winking!
Tall men, sun-crowned, who live above the fog
In public duty, and in private thinking;
For while the rabble, with their thumb-worn creeds,
Their large professions and their little deeds,
Mingle in selfish strife, lo, freedom weeps,
Wrong rules the world and waiting justice sleeps."

Now, the third challenge is for us to put our own house in order. We must not forget that our founding fathers built sturdy houses of solid foundations, based on honesty, courage, and spiritual values. They passed on to us clean houses, principles that produced freedom. It is our obligation to pass on the same heritage for our children. The best way to pay our debt to the past is to make future generations indebted to us. I suggest an honest-to-goodness old-fashioned house cleaning. Whether we start in the basement or the attic, we must wield the broom vigorously.

1. We must get rid of the cobwebs—this is no time for fuzzy thinking.

2. We must stop sweeping our errors out of sight under the corner of the living room rug and shoving unpleasant incidents into a dark closet.

3. We must be militant with the broom and get rid of the rats and termites that are gnawing at the foundations of our house and spreading germs of crime and corruption and dope. If we don't do something about this situation right away we won't have any house left to clean.

4. We will have to call in a termite inspector. There are so many kinds of termites that we will need expert advice to help identify them. Just as a few examples, we will have to look for tax termites, inflation termites, graft termites, smear-tactics termites, huge-debt termites, moral-turpitude termites, extravagant Government-spending termites, just-inside-the-law termites, spy termites, Socialist-Fascist-Communist termites, failure-to-vote termites, and one of the most reprehensible of the species—termites that play politics with our boys' lives in Korea.

5. We must be sure to get our brooms under the bureau to make a clean sweep of the bureaucrats. We'll need to make more than one trip to the incinerator with the dust pan; the bureaucrats are as numerous as the termites.

6. In sweeping out the closets we will find some shoddy clothes. However, we will find some old clothes that still have good lines and never go out of style, like honesty and integrity. We must see that our rabbit fur coats are free from moths. They may not be as elegant as mink, but the wearing qualities are above reproach.

7. Let's not clutter up the house with a machine that sews a crooked political seam.

8. We should use a spray gun in the library to clear the air of false propaganda and foreign ideologies. Tidy the shelves and toss out the books and magazines that are poisoning our children's minds with destructive "isms."

9. When we reach the kitchen with our brooms, we must be sure to move the deep freeze. We never can tell what is behind it.

10. Before using the brooms in the pantry, we should look over our canned goods carefully.

(a) Throw out the cans of red herring.

(b) Check to be sure that we have enough cans of individual initiative and free enterprise.

(c) Pick up each can and read carefully the analysis of the contents to see if they conform with the Pure Food and Drug Act. Check to see how many ounces each contains of American constitutional principles, how many ounces of unquestioned honesty and high moral standards, how many ounces of balanced budget and lower taxes. Is it free of artificial red coloring?

12. How the dust has been allowed to accumulate on our moral and spiritual values. Let's remember to ask for divine guidance and to thank God for our many blessings. In the world meetings in which we have participated in the past few years, prayer has been shut out.

This is your year to show your interest in America by voting. Remember when a woman asked Benjamin Franklin what kind of a government he had formed and he answered "A republic if you can keep it." I beg of you to become a participating citizen. Only 50 percent of the people of our Nation who are eligible to vote for President in the United States were sufficiently concerned to go to the polls and cast their ballots 4 years ago so remember if you think there are crooked people in place of responsibility, they were put there by the good people who stayed home and didn't go and vote. Let us not forget that if every community in America were to clean up their own local situation and if each and every citizen in their community in America were to assume responsibility of citizenship, then the major problems in America would become minor because the Government is you. As each community meets its responsibility then the State must reach its responsibility and that in turn assures us of a national picture that is healthy and wholesome and secure. We must never have defeat from within. A soldier in Korea asked us to look out our window on our front lawn and see there in a fox hole a cold tired hungry soldier, alert, defending our home. That is exactly what every man in Korea is doing. What a mockery it would be if you and I through our neglect lose here what our defenders are fighting for over there. It is your community. It is your State. It is your Government. It will be as honest, decent and great as you will want to make it, or it will degenerate into the depths you force upon it through your failure to exercise your citizenship intelligently and to participate in the operation and support of your Government.

Stephen Vincent Benet's poem rings in my ears:

"There are certain words
Our own and others we're used to—words we've used,
Heard, had to recite, forgotten * * *
Liberty, equality, fraternity.
* * * * * *
I am merely saying—what if these words pass?
What if they pass and are gone and are no more,
They were bought with belief and passion, at great cost.
They were bought with bitter and anonymous blood
Of farmers, teachers, shoemakers and fools
Who broke the old rule, and the price of kings * * *
* * * * * *
It took a long time to buy these words.
It took a long time, and much pain."

If we have of late been forming habits of fear, not hope; if we have been attempting to discover the road to peace only through powers of resisting that which is evil instead of that which is good, then we shall have sent our sons all over the globe for a mess of pottage.

And so as a challenge to you today, we beg of you to bring about a better understanding between peoples of all countries through a more efficient system of communications. And we also beg of you to hold on to freedom with a deathlike grip and defeat communism by a campaign of truth. And we are counting on you to clean house in our own country. We trust that every one of you, man or woman, will show your living for our country by eliminating apathy, and indifference in your living and being an active participating citizen because you live in America. And last to be public relations men and women with strong moral concepts in order that America may be able to shine again as a hope for the world. May I give to you last this challenge for a perspective on human relations in a free world:

"Let me not shut myself within myself
Nor dedicate my days to petty things,
Let there be many windows in my life,
The entrance to my heart a door that swings,
Where through I go and come with eyes that smile,
And folk without as gladly come to me,
That, haply I may learn the thing worthwhile,
The art of human hospitality.
Save me from self-preferment, that would gain
Its cloistered place, safe sheltered from the strife.
But purposeful and calm and sweet and sane,
Lord, keep me in the Living Room of Life."

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. KELLEY of Pennsylvania and to include an editorial from the Pittsburgh Post-Gazette on mine safety.

Mr. EBERHARTER and to include extraneous material.

Mr. BOGGS of Delaware in two instances, in each to include extraneous matter.

Mr. AUCHINCLOSS and to include a statement.

Mr. MACHROWICZ and to include a letter he received from Governor Williams, of Michigan.

Mr. MURRAY and to include an address delivered by the Postmaster General entitled "Know Your Postal Service," notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $252.

Mr. RADWAN and to include an address.

Mr. VURSELL and to include a telegram.

Mr. WEICHEL and to include extraneous matter.

Mr. JUDD in two instances and to include extraneous matter.

Mr. WICKERSHAM in two instances and to include extraneous matter.

Mr. MCCORMACK (at the request of Mr. KELLEY of Pennsylvania) and to include an editorial.

Mr. CANNON and to include an address entitled "Education and Our Civil Liberties," by V. C. Coulter, professor emeritus of English, University of Wyoming,

delivered at the annual alumni banquet of the Central Missouri State College on June 6, 1952.

Mr. DINGELL and to include an editorial appearing in the Washington Post of June 10 captioned "The tidelands veto."

Mr. MACK of Illinois and to include an editorial.

Mr. MACHROWICZ and to include extraneous material.

Mr. SADLAK and to include a report which he recently made in connection with the International Materials Conference.

Mr. SCHENCK and to include a resolution passed by the Knights of Columbus of Ohio.

Mr. CANFIELD and to include a prayer by Rev. James Keller.

Mr. WOLVERTON and to include extraneous matter.

Mr. HUGH D. SCOTT, JR., in five instances and to include extraneous matter.

Mr. THORNBERRY and to include extraneous matter.

Mr. FARRINGTON and to include a newspaper article.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 97. An act to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River in Tennessee.

BILLS PRESENTED TO THE PRESIDENT

Mr. STANLEY, from the Committee on House Administration, reported that that committee did on June 10, 1952, present to the President, for his approval, bills of the House of the following titles:

H. R. 6133. An act to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation;

H. R. 6661. An act to amend the Foreign Service Buildings Act, 1926; and

H. R. 7005. An act to amend the Mutual Security Act of 1951, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SASSCER, for an indefinite period, on account of hospitalization.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock) the House adjourned until tomorrow, Thursday, June 12, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1557. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1953, in the amount of $585,750, and for the fiscal year 1952, in the amount of $113,000, for the District of Columbia (H. Doc. No. 502) was taken from the Speaker's table and referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REDDEN: Committee of Conference. H. R. 1739. A bill to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy (Rept. No. 2144). Ordered to be printed.

Mr. ASPINALL: Committee on Interior and Insular Affairs. S. 2610. An act providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental or regulated water supply from the San Luis Valley project, Colorado; without amendment (Rept. No. 2145). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 2646. An act to cancel irrigation maintenance and operation charges on the Shoshone Indian Mission School lands on the Wind River Indian Reservation; without amendment (Rept. No. 2146). Referred to the Committee of the Whole House on the State of the Union.

Mr. REDDEN: Committee on Interior and Insular Affairs. H. R. 5226. A bill to approve act 178 enacted by the Legislature of the Territory of Hawaii in the regular session of 1951, relating to University of Hawaii and the powers of the board of regents thereof, and to vest in said board of regents the fee simple title of all university property; with amendment (Rept. No. 2147). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 5803. A bill to prevent the shipment in interstate commerce of illegal undersized fish; with amendment (Rept. No. 2148). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENTSEN: Committee on Interior and Insular Affairs. H. R. 6544. A bill to amend the act of June 28, 1948 (62 Stat. 1061), relating to the establishment of the Independence National Historical Park; with amendment (Rept. No. 2149). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6723. A bill to approve contracts negotiated with the Gering and Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district, and to authorize their execution; to authorize the execution of contracts with individual water right contractors on the North Platte Federal reclamation project and with the Northport irrigation district, and for other purposes; with amendment (Rept. No. 2150). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENTSEN: Committee on Interior and Insular Affairs. H. R. 7298. A bill to authorize the consolidation of the area of Vicksburg National Military Park, in the State of Mississippi, and for other purposes; with amendment (Rept. No. 2151). Referred to the Committee of the Whole House on the State of the Union.

Mr. REDDEN: Committee on Interior and Insular Affairs. H. R. 8086. A bill to govern the hospitalization of the mentally ill of Alaska, and for other purposes; without amendment (Rept. No. 2152). Referred to the Committee of the Whole House on the State of the Union.

Mr. REDDEN: Committee on Interior and Insular Affairs. House Joint Resolution 421. Joint Resolution to continue authority for the Trust Territory of the Pacific Islands; with amendment (Rept. No. 2153). Referred to the Committee of the Whole House on the State of the Union.

Mr. POULSON: Committee on Interior and Insular Affairs: H. R. 3624. A bill to confer jurisdiction on the State of California with respect to offenses committed on Indian reservations within such State; with amendment (Rept. No. 2161). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAHAM: Committee on the Judiciary. H. R. 4590. A bill for the relief of Jose Luis Segimont de Plandolit and Fuencisla Segimont; without amendment (Rept. No. 2154). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 8052. A bill for the relief of Ai-Ling Tung Tsou and her son, Moody Tsou; without amendment (Rept. No. 2155). Referred to the Committee of the Whole House.

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 5917. A bill authorizing the Secretary of the Interior to issue a patent in fee to William Big Day; with amendment (Rept. No. 2156). Referred to the Committee of the Whole House.

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 6681. A bill authorizing the issuance of a patent in fee to John B. Cummins; without amendment (Rept. No. 2157). Referred to the Committee of the Whole House.

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 7009. A bill authorizing the issuance of a patent in fee to Franklin Yarlott; without amendment (Rept. No. 2158). Referred to the Committee of the Whole House.

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 7301. A bill authorizing the Secretary of the Interior to issue a patent in fee to Viola Delaney; without amendment (Rept. No. 2159). Referred to the Committee of the Whole House.

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 7303. A bill authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation; without amendment (Rept. No. 2160). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHEEHAN:

H. R. 8165. A bill to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois waterway; to the Committee on Public Works.

By Mr. ANGELL:

H. R. 8166. A bill to provide for a study and survey as the basis for the establishment of publicly owned natural grassland areas, to assure the preservation of typical areas of each of the major grasslands types, and for other purposes; to the Committee on Agriculture.

By Mr. BATTLE:

H. R. 8167. A bill for the creation of an Advisory Commission to study ways and means of improving organized effort for the achievement and maintenance of world peace; to the Committee on Foreign Affairs.

By Mr. BEALL:

H. R. 8168. A bill to provide for a commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H. R. 8169. A bill to declare that the United States holds certain lands in trust for the Crow Creek Sioux Tribe of Indians of the Crow Creek Reservation, S. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. COOLEY:

H. R. 8170. A bill relating to burley tobacco farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. CROSSER:

H. R. 8171. A bill to provide for a commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD:

H. R. 8172. A bill to provide that National Guard units called into active Federal service shall be maintained intact, and for other purposes; to the Committee on Armed Services.

By Mr. POULSON:

H. R. 8173. A bill to amend section 15 (7) of the United States Housing Act of 1937 so as to provide for more complete local determination of the need for low-rent housing; to the Committee on Banking and Currency.

By Mr. ROGERS of Florida:

H. R. 8174. A bill to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, repeal the retirement test, and for other purposes; to the Committee on Ways and Means.

By Mr. TEAGUE (by request):

H. R. 8175. A bill to amend section 2 of the Missing Persons Act, so as to provide that benefits thereunder shall be available to members of the organized military forces of the Commonwealth of the Philippines who were inducted into the United States Army Forces in the Far East (USAFFE) pursuant to the military order of the President of the United States dated July 26, 1941; to the Committee on Armed Services.

H. R. 8176. A bill to amend section 2 of the Missing Persons Act, so as to provide that benefits thereunder shall be available to certain members of the Philippine Scouts and to members of the organized military forces of the Commonwealth of the Philippines who were inducted into the United States Army Forces in the Far East (USAFFE) pursuant to the military order of the President of the United States dated July 26, 1941; to the Committee on Armed Services.

By Mr. VINSON:

H. R. 8177. A bill to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes; to the Committee on Armed Services.

By Mr. WICKERSHAM:

H. R. 8178. A bill to revoke regulation X; to the Committee on Banking and Currency.

By Mr. JACKSON of California:

H. Con. Res. 222. Concurrent resolution to request the Administrator of the Public Housing Administration to abandon its public housing undertaking in Los Angeles, Calif.; to the Committee on Banking and Currency.

By Mr. McDONOUGH:

H. Con. Res. 223. Concurrent resolution to request the administrator of the Public Housing Administration to abandon its public housing undertaking in Los Angeles, Calif.; to the Committee on Banking and Currency.

By Mr. POULSON:

H. Con. Res. 224. Concurrent resolution to request the Administrator of the Public Housing Administration to abandon its public housing undertaking in Los Angeles, Calif.; to the Committee on Banking and Currency.

By Mr. SMITH of Virginia:

H. Con. Res. 225. Concurrent resolution requesting the President to make use of emergency provisions of the Labor-Management Relations Act to terminate the steel strike; to the Committee on Education and Labor.

By Mr. GOODWIN:

H. Res. 683. Resolution for the relief of the estate of Lawrence Mitchell, late an employee of the House of Representatives; to the Committee on House Administration.

By Mr. YORTY:

H. Res. 684. Resolution relative to establishment of the seaward boundary of inland waters; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H. R. 8179. A bill for the relief of Karin Stauber; to the Committee on the Judiciary.

By Mr. BEALL:

H. R. 8180. A bill for the relief of Henry William Brady; to the Committee on the Judiciary.

By Mr. BUDGE:

H. R 8181. A bill for the relief of Authur Oppenheimer, Jr., and Mrs. Jane Oppenheimer; to the Committee on the Judiciary.

By Mr. FLOOD:

H. R. 8182. A bill for the relief of Mrs. Helen Kon; to the Committee on the Judiciary.

By Mr. HEFFERNAN:

H. R. 8183. A bill for the relief of Hildegard Sbaschnik and Ernest Sbaschnik, Jr.; to the Committee on the Judiciary.

By Mr. HOFFMAN of Illinois:

H. R. 8184. A bill for the relief of Dr. Augustine J. Fitzgerald and his daughter, Pamela Fitzgerald; to the Committee on the Judiciary.

By Mr. KING of California:

H. R. 8185. A bill for the relief of Joe Pinneri; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 8186. A bill for the relief of Andrija Artukovic and family; to the Committee on the Judiciary.

By Mr. VINSON:

H. R. 8187. A bill to authorize the appointment of James A. Pfeiffer, chief pharmacist, retired; Rudolph E. Mass, chief boatswain, retired; and Paul Jackson, chief pay clerk, retired, as lieutenants on the retired list of the Navy; to the Committee on Armed Services.

By Mr. WALTER (by request):

H. R. 8188. A bill for the relief of Viktor Palango, Agnes Palango, and Toivo Palango; to the Committee on the Judiciary.

By Mr. LANE:

H. Res. 685. Resolution providing for sending to the United States Court of Claims the bill (H. R. 8159) for the relief of P. Diacon Zadeh; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

759. By Mr. ANDERSON of California: Petition of Mrs. A. M. Blumer, and others, of San Mateo County, Calif., requesting passage of H. R. 2188; to the Committee on Interstate and Foreign Commerce.

760. By Mr. HORAN: Petition of residents of Chelan, Douglas, and Spokane Counties, Wash., for favorable consideration and enactment of the Bryson bill, H. R. 2188; to the Committee on Interstate and Foreign Commerce.

SENATE

THURSDAY, JUNE 12, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, eternal, immortal, invisible, we would hush our busy thoughts to silence as we wait for Thy word. Make us vividly aware that Thou art the living God, who didst not cease to guide and to speak when a holy book was closed centuries ago, but who today is the Kindly Light for those who will follow and who today is speaking to those who will listen. While we wrestle with the questions that have to do with the necessities for a changed world, help us to be solemnly conscious that we ourselves need to be transformed, and that unchecked selfishness can and will wreck any radiant social scheme for the rebuilding of our torn and tortured earth.

In the midst of our political, diplomatic, and economic plans and policies, give us to see the necessity of changed hearts, changed desires, changed motives, and changed objectives, if Thy kingdom is to come and Thy will be done on earth as it is in heaven. We ask it in the name of the Master of us all who, as He fronted the deepest needs of the individual and of society, declared, "You must be changed." Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 11, 1952, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 8127. An act to amend the act of June 21, 1940, relating to the alteration of certain bridges over navigable waters, so as to include highway bridges, and for other purposes; and

H. J. Res. 477. Joint resolution to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 226) authorizing

changes in the enrollment of the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 5633. An act to approve contracts negotiated with irrigation districts on the Owyhee, Riverton, Milk Rivers, and Frenchtown Federal reclamation projects, to authorize their execution, and for other purposes;

H. R. 6336. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research; and

H. R. 7340. An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may make insertions in the RECORD and transact other routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HAYDEN, from the Committee on Rules and Administration:

S. Res. 326. Resolution to investigate problems connected with emigration of refugees from Western European nations; with an additional amendment (Rept. No. 1740).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. 1876. A bill to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.; without amendment (Rept. No. 1742);

S. 2909. A bill to amend the act entitled "An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona," approved August 18, 1941 (55 Stat. 630); without amendment (Rept. No. 1743); and

H. R. 1853. A bill to authorize the granting to Kaiser Steel Corp. of rights-of-way on, over, under, through, and across certain public lands, and of patent in fee to certain other public lands; with amendments (Rept. No. 1745).

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

S. 3296. A bill to provide for a commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, District of Columbia; without amendment (Rept. No. 1746); and

H. R. 5767. A bill to amend the Federal Trade Commission Act with respect to certain contracts and agreements which establish minimum or stipulated resale prices and which are extended by State law to persons who are not parties to such contracts and agreements, and for certain other purposes; without recommendation (Rept. No. 1741).

By Mr. CASE, from the Committee on the District of Columbia:

S. 3179. A bill to provide for a Delegate from the District of Columbia to the House of Representatives; without amendment (Rept. No. 1750).

CONTINUATION OF EFFECTIVENESS OF CERTAIN STATUTORY PROVISIONS—REPORT OF A COMMITTEE

Mr. EASTLAND. Mr. President, from the Committee on the Judiciary, I report favorably an original joint resolution to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war, and I submit a report (No. 1744) thereon.

The VICE PRESIDENT. The report will be received, and the joint resolution will be placed on the calendar.

The joint resolution (S. J. Res. 165) to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war, reported by Mr. EASTLAND, from the Committee on the Judiciary, was read twice by its title and placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE:

S. 3319. A bill to amend section 6 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide increased benefits in cases of disabling injuries, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. GILLETTE:

S. 3320. A bill to extend the time for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.; to the Committee on Public Works.

By Mr. DIRKSEN:

S. 3321. A bill for the relief of Ami Kanagaki and her child; to the Committee on the Judiciary.

By Mr. CASE:

S. 3322. A bill to amend the Defense Production Act of 1950, as amended; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CASE when he introduced the above bill, which appear under a separate heading.)

By Mr. MAYBANK:

S. 3323. A bill to amend title IV of the Defense Production Act of 1950, as amended; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MAYBANK when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S. 3324. A bill to reduce from 20 to 15 years the period of service required for permissive retirement of judges of the municipal court, the municipal court of appeals, and the juvenile court, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'MAHONEY (for himself and Mr. HUNT):

S. 3325. A bill to authorize enrolled members of the Shoshone and Arapaho Tribes of the Wind River Reservation, Wyo., to acquire trust interests in tribal lands of the reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 3326. A bill for the relief of certain construction firms; to the Committee on the Judiciary.

By Mr. JENNER:

S. 3327. A bill for the relief of William B. Garner; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 3328. A bill for the relief of Josef Foti (also known as Josef Friedman); and

S. 3329. A bill for the relief of Taeko Noguchi; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. J. Res. 165. Joint resolution to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war; placed on the calendar.

(See the remarks of Mr. EASTLAND when he reported the above joint resolution, which appear under a separate heading.)

CONSTITUTION OF PUERTO RICO—AMENDMENTS

Mr. JOHNSTON of South Carolina submitted amendments intended to be proposed by him to the joint resolution (S. J. Res. 151) approving the constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952, which were ordered to lie on the table and to be printed.

HOUSE BILL REFERRED

The bill (H. R. 8127) to amend the act of June 21, 1940, relating to the alteration of certain bridges over navigable waters, so as to include highway bridges, and for other purposes, was read twice by its title and referred to the Committee on Public Works.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. CLEMENTS:

Address entitled "Living With Ourselves," delivered by Senator MORSE at the commencement exercises of Centre College, Danville, Ky., June 1, 1952.

By Mr. LEHMAN:

Address prepared by him for delivery at dinner of New York County Democratic Committee, New York City, June 12, 1952.

By Mr. O'MAHONEY:

Correspondence between himself and Secretary of the Interior Oscar L. Chapman, with relation to the leasing of oil and gas deposits in the Continental Shelf.

By Mr. MAGNUSON:

Series of three articles prepared by Senator KILGORE on the subject of juvenile delinquency.

By Mr. HUMPHREY:

Article prepared by him entitled "The Case for Fair Trade."

Address delivered by Dwight R. G. Palmer, chairman of the board, General Cable Corp., at annual dinner of National Urban League and Urban League of Greater New York, on January 21, 1952.

Editorial entitled "Catholics Endorse FEPC," published in the Catholic Interracialist for June 1952.

Editorial entitled "Urge Congress Vote 'No' on McCarran-Walter Bills," published in the Michigan Catholic of May 22, 1952.

Editorial entitled "Immigrant Bill Has Race Bias," published in the Catholic Interracialist for June 1952.

Editorial entitled "Do We Hoard Liberty?" published in the Indianapolis News of May 23, 1952.

Editorial entitled "Veto the McCarran Bill," published in the Milwaukee Journal of May 23, 1952.

Letter from Michigan Committee on Immigration to Senator HUMPHREY, dated June 3, 1952, and referring to the Walter-McCarran omnibus immigration bills.

By Mr. BENTON:

Three addresses delivered on the occasion of the anniversary of Armenian independence at New Britain, Conn.

By Mr. SCHOEPPEL:

Address entitled "Fair Trade Legislation," delivered by George J. Burger, vice president of the National Federation of Independent Business, at Kansas State College, Manhattan, Kans., on June 9, 1952.

By Mr. MORSE:

Editorial entitled "A Fight Against Power," published in the St. Louis Post-Dispatch of May 3, 1952.

Article entitled "Electric Power and National Security," published in the St. Louis Post-Dispatch of June 12, 1952.

By Mr. BRIDGES:

Article entitled "Koje and Washington," written by Walter Lippmann, and published in the New York Herald Tribune of June 12, 1952.

Article entitled "Rhee Regime Stops Voice of America," published in the Washington Star of June 12, 1952.

FAIR TRADE LAWS

Mr. MORSE. Mr. President, there appeared in the Portland (Oreg.) Journal of Monday, May 12, 1952, a penetrating, sound editorial entitled "Nullifying Antitrust Laws." In my judgment, the editorial presents such a strong argument against the McGuire bill that I wish to associate myself with it and make it a part of my remarks. Therefore, I ask unanimous consent to have the editorial published at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NULLIFYING ANTITRUST LAWS

Members of the Congress who holler loud and clear for the protection of the courts—when it serves their political purposes—think nothing of riding down the courts when that suits their political purposes.

Take the fair-trade laws.

Last May the Supreme Court knocked the props from under 42 State laws (including Oregon's) which require retailers to conform to price-fixing agreements between manufacturers and retailers—whether or not they are parties to such agreements.

Nothing daunted, the House now yields to the fair-trade pressure group by adopting an act once more giving legal respectability to all fair-trade acts. With no regard for antitrust principles and the interests of consumers, it went all-out for the measure which binds nonsigners as well as signers of minimum price agreements with manufacturers.

This sorry spectacle is remindful of the willful manner in which the Congress recently overrode three previous Supreme Court decisions holding that offshore oil is vested in the United States, not California, Texas, and Louisiana. This bill, now on the President's desk, deserves the veto treatment. So does the Fair Trade Act—if it wins approval of the Senate.

All fair-trade legislation (it is anything but fair) is defended on the grounds that it helps small business by protecting it from price cutting. Child of the depression, when price cutting was a problem for small retailers, it has no place in a normal economy and it is particularly objectionable in these inflated times, because it is essentially inflationary. Retailers who support it seem to forget that when you "build in" high prices, you tend to price yourself right out of the market.

Active competition is fundamental under the free-enterprise system. Political monkey business with prices in restraint of trade is an attempt to reverse the free-enterprise system which has made America great.

Placing artificial floors under brand merchandise and forcing merchants to observe the price agreements of manufacturers with other merchants not only violates basic American antitrust principle; it also becomes a denial of fundamental rights. And it penalizes all consumers.

The fair-trade acts deserve just what the Supreme Court gave them—the death sentence. Congressional commutation is not in the public interest.

OBSCENE LITERATURE—LETTERS OF WISCONSIN ORGANIZATIONS

Mr. WILEY. Mr. President, I have received several letters from various splendid groups—civic, religious, and fraternal—in my State on the issue of the passage of S. 2976, to permit the Postmaster General to impound mail suspected of containing obscene literature.

I am glad that the House of Representatives has already acted on this issue in the form of H. R. 5850, and I earnestly trust that before the conclusion of this session of Congress the Senate will have done likewise.

There is no question but that countless American parents are deeply concerned about the bombardment of offensive items through the mails, particularly as such items poison the thinking of our youngsters.

I send several of these grass-roots letters supporting S. 2976 to the desk, and ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DIOCESAN COUNCIL OF CATHOLIC WOMEN,
Superior, Wis., June 6, 1952.

Hon. ALEXANDER WILEY,
Wisconsin Member of the United States Senate, Washington, D. C.

DEAR SENATOR WILEY: Bill No. S. 2976 is at present in committee, before coming up before the Senate. We are asking you to do everything in your power to assist its consideration and passage, before the adjournment of Congress.

This is a most important piece of legislation and postal authorities have stated that it would plug loopholes in present obscene-literature legislation and complete their legislative enforcement.

The Superior City Council has passed an ordinance to prohibit the sale of obscene, immoral, and indecent literature on the newsstands. It provides for a 5-man advisory board on publications to determine the offensive material. Our organization appeared 3 times before the city council in support of it and in debate on it. We succeeded in having it passed. We feel that the cleaning up of our news racks is as vital as any other matter before the country; a whole generation of youth will be affected directly or indirectly by the legislation.

Thanking you for the support of this bill and every future bill that will be considered to make right this deplorable situation, from the 12,000 women of our diocese.

Respectfully,

MAGDALENE PATTERSON
(Mrs. Thos. R.),
President, Superior DCCW.

MILWAUKEE ARCHDIOCESAN COUNCIL OF CATHOLIC WOMEN,
Milwaukee, Wis., June 9, 1952.

United States Senator ALEXANDER WILEY,
United States Senate, Washington, D. C.

DEAR SENATOR: The board of directors of the Milwaukee Archdiocesan Council of Catholic Women has voted that we request from you speedy action on S. 2976 before Congress adjourns.

We believe this is a very important piece of legislation and will be of tremendous assistance to the post office authorities in meeting the problem of pornographic material transmitted through the mails.

Sincerely,

GERTRUDE W. OTT
(Mrs. A. J. Ott),
President.

SOCIAL-SECURITY BENEFITS FOR MUNICIPAL EMPLOYEES—RESOLUTION AND LETTERS

Mr. WILEY. Mr. President, when the social security law was liberalized, I made an effort to secure coverage under the Federal old-age and survivors insurance system of those public employees who were already eligible under the Wisconsin retirement fund.

I pointed out that Wisconsin was the only State of the Union which, with vision and enterprise, had made provision for such supplementary coverage.

I pointed out further, however, that in accordance with present social security law, the State of Wisconsin was actually being penalized for its foresight in that those of its employees already previously covered under the State retirement fund by 1950 would not be covered under the supplementary Federal coverage.

This year, I introduced Senate bill 1670, for the purpose of once more providing for such supplementary coverage.

It appears that the best chance for attainment of this objective is in the form of the omnibus social security amendments of 1952, which have been put forth in various forms by members of the House Ways and Means Committee. According to House Report 1944, on page 31, provision is made for such supplementary coverage "to apply to States such as Wisconsin the retirement fund law of which contains provisions for coordinating the State system with old-age and survivors insurance."

Unfortunately, to date, certain highly controversial portions of the principal House bill, H. R. 7800, have stymied action on that over-all bill.

I trust, however, that the relatively noncontroversial issue affecting Wisconsin can be satisfactorily met, irrespective of the outcome over the larger controversy, and that this particular Wisconsin feature will be retained in the ultimate social security amendment which I feel sure we will pass prior to the end of this session of the Congress.

As an indication of the earnest desire of the people of my State for the incorporation of this Wisconsin amendment to the present law, I send to the desk now several messages from Badger municipal officials and ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the resolution and letters were ordered to be printed in the RECORD, as follows:

"Be it resolved, That it is the opinion of this board that Congress should forthwith adopt that bill, known as H. R. 7800, making it possible for municipal employees to participate in the Federal social security program; be it further

"Resolved, That a copy of this resolution be mailed by the clerk of this board to Hon. ALEXANDER WILEY, Wisconsin Senator; Hon. JOSEPH MCCARTHY, Wisconsin Senator; and Hon. JOHN BYRNES, Representative of this district."

The undersigned, being the duly elected, qualified, and acting village clerk of the village of Niagara, hereby certifies that the above resolution is a true and exact copy of the original, passed by the Village Board of the Village of Niagara at its regular monthly meeting on the 2d day of June 1952.

OLAF HILDAHL,
Village Clerk.

VILLAGE OF SAUK CITY,
Sauk County, Wis., June 6, 1952.

Hon. ALEXANDER WILEY,
Member United States Senate,
Washington, D. C.

DEAR MR. WILEY: Our village board on behalf of all our municipal employees kindly ask you to support bill H. R. 7800, providing for increased social security benefits.

We will appreciate it very much if you will do everything you can to procure quick favorable action on this bill.

Thanking you for your best efforts in the matter, we are,

Yours very truly,
THE VILLAGE BOARD,
HENRY DRESEN, *Village Clerk.*

SPARTA WATER COMMISSION,
Sparta, Wis., June 6, 1952.

Hon. ALEXANDER WILEY,
Hon. JOSEPH MCCARTHY,
Senate Office Building,
Washington, D. C.

GENTLEMEN: I am writing you in behalf of the officers and employees of the city of Sparta. There are at least 45 in number, and the city of Sparta elected to come under the Wisconsin retirement plan in 1945 for city officers and employees, and therefor set up a system for compensation under the Wisconsin retirement fund.

As you are fully aware the present Federal old age and survivors system does not include persons who are under the Wisconsin retirement system and the city is very emphatic in saying that this is a discrimination against governmental units that thought they were farsighted enough to provide for a retirement plan for their officers and employees.

Bill H. R. 7800 which was introduced on behalf of the House Ways and Means Committee on May 12 and recommended for passage by that committee on May 16 would include our officers and employees at Sparta, who are under the Wisconsin system and I am therefore addressing you in behalf of the city and all the officers and employees who are under the Wisconsin retirement system, respectfully asking your support for the passage of bill H. R. 7800. We also trust that you will see fit to strongly favor this bill and do all in your power to see that the bill is enacted into law, so that persons under the Wisconsin retirement system will not be discriminated against in the Federal old-age and survivors insurance system.

Yours very truly.

CHARLES A. ERICKSON.

MENASHA, WIS., *May 29, 1952.*

Senator ALEXANDER WILEY,
Washington, D. C.

SENATOR WILEY: It has been brought to my attention that bill H. R. 7800 is pending. This bill provides for social-security benefits for municipal employees.

We have many people on the payroll who are covered by the Wisconsin retirement fund and they feel that this coverage is not adequate and would like very much to be covered by social security. This is already provided for by the Wisconsin law.

I would like to call your attention to a quotation in a letter I received from the League of Wisconsin Municipalities:

"There is no reason to continue the present discrimination against employees by not letting them have social-security coverage in addition to their retirement plan. Already about 14,000 retirement plans, covering some 10,000,000 employees, have been established in private business and industry to supplement social security."

I have yet to find anyone in the city of Menasha who would object to bringing municipal employees under social security.

We cannot urge you too strongly to do whatever you can to bring about the passage of this bill.

Sincerely yours,
WALTER J. DOUGHERTY,
City Clerk.

EVERY STATE HAS A STAKE IN THAT TIDELANDS FIGHT — ARTICLE FROM THE SATURDAY EVENING POST

Mr. HOLLAND. Mr. President, I note in the Saturday Evening Post of June 14, 1952, an excellent article entitled "Every State Has a Stake in That Tidelands Fight." In view of the importance of that question and of the interest which it now commands in the Senate, I ask unanimous consent that the article may be printed in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EVERY STATE HAS A STAKE IN THAT TIDELANDS FIGHT

The science of semantics has advanced so far that it is now possible to permit the thief to change places with his victim. For example, Fair Deal columnists and statesmen have of late been denouncing the "tidelands grab." The inattentive reader might suppose that these gentry had really experienced a change of heart and were against the effort of the Interior Department to upset land titles all over the country by moving into the State-owned oil lands along the shores of Texas, Louisiana, and California. But read on, and you find out that the boys haven't changed their minds at all, but only their vocabularies.

What the anti-tidelands people mean by a grab is the effort of the States to get back what the Federal Government has grabbed from them. In view of the fact that the States' titles had gone unchallenged since the founding of the Nation, and indeed had been confirmed by a series of Supreme Court decisions, it is extraordinary that even a Fair Deal commentator should have the nerve to describe the efforts of the States to resist Federal encroachment as a grab.

President Truman, in his provocative speech before the ADA (Americans for Democratic Action) last month, described the efforts of Congress to protect the American system of land ownership as a scheme to "rob" the people of their oil. He said he could understand why the representatives of States like California and Louisiana, which have tidelands oil, voted as they did, but he was baffled by the attitude of the Members from the other States. The possibility that every State might be concerned for the validity of property titles issued under their authority did not interest Mr. Truman at all. At any rate, this crass appraisal of the motives of Congressmen is 100 percent Truman.

Unfortunately some conservative newspapers like the New York Times, ordinarily sensitive to attacks on property rights, fall for this Fair Deal propaganda. The Times accused Congress of attempting to "hand over to the States of California, Texas, and Louisiana a multi-billion-dollar asset that now belongs to the United States." If the so-called tidelands do belong to the United States, so does a lot of territory in and about New York. As Gov. Allan Shivers, of Texas, puts it, "I have been told that New York, its political subdivisions and citizens have more money invested beyond low tide in ports, piers, playgrounds, and Long Island homes (on reclaimed land) than any other State." In a letter to the New York Times, Robert Moses, New York's construction coordinator, declares that the grab of the tidelands from the States has clouded titles to New York's municipal parks and recreational areas, and put us on "the legal road to Federal ownership in the Hudson and Mississippi, in Lake Michigan, Lake George, and Lake Tahoe, in New York Harbor and San Francisco Bay."

The truth is—and we're back to Governor Shivers again—that "the governmental philosophy reflected in the tidelands cases is cause for concern on the part of all who are opposed to overcentralization of Government at State expense." The effort to represent the States' defense of their long-time rights as a grab is as phony as a 7-dollar bill. It is depressing to see the defense split by such obviously dishonest tactics.

CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President, if there is no further routine business, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Butler, Md.	Hayden	Martin
Capehart	Hendrickson	Maybank
Case	Hill	Monroney
Dirksen	Hoey	Morse
Frear	Ives	Pastore
George	Johnson, Tex.	Schoeppel
Gillette	Knowland	Seaton
Green	Lehman	Williams

Mr. JOHNSON of Texas. I announce that the Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. CAIN], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. CARLSON], the Senator from Pennsylvania [Mr. DUFF], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Montana [Mr. ECTON] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The VICE PRESIDENT. A quorum is not present.

Mr. JOHNSON of Texas. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. ANDERSON, Mr. BENNETT, Mr. BENTON, Mr. BRIDGES, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CHAVEZ, Mr. CLEMENTS, Mr. CONNALLY, Mr. CORDON, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. FERGUSON, Mr. FLANDERS, Mr. FULBRIGHT, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. HUNT, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KEM, Mr. KERR, Mr. KILGORE, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. McCARRAN, Mr. McCARTHY, Mr. McCLELLAN, Mr. McFARLAND, Mr. McKELLAR, Mr. MILLIKIN, Mr. MOODY, Mr. MUNDT, Mr. NEELY, Mr. NIXON, Mr. O'CONOR, Mr. O'MAHONEY, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, Mr. SMITH of North Carolina, Mr. SPARKMAN, Mr. STENNIS, Mr. THYE, Mr. TOBEY, Mr. UNDERWOOD, Mr. WATKINS, Mr. WELKER, and Mr. WILEY entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The VICE PRESIDENT. The Senator from South Dakota is recognized for 30 minutes.

Mr. CASE. Mr. President, I understand that the chairman of the Committee on Rules and Administration, the distinguished Senator from Arizona, has a few very brief matters he would like to present, and it is agreeable with me that he do so.

Mr. HAYDEN. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield 5 minutes to the Senator from Arizona, and I shall yield more if he needs it.

GABRIEL B. NAPISA

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration of the Senate, I report favorably Senate Resolution 320, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 320), submitted by Mr. KERR on May 26, 1952, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay, from the contingent fund of the Senate, to Gabriel B. Napisa, widower of Minnie E. Pool-Napisa, an employee of the Senate at the time of her death, a sum equal to 1 year's compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration of the Senate, I report favorably Senate Resolution 322, and ask unanimous consent for its present consideration. The resolution would provide $10,000 additional for the printing of hearings.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 322), submitted by Mr. JOHNSTON of South Carolina on May 28, 1952, was considered and agreed to.

Resolved, That the Committee on Post Office and Civil Service hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-second Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

ADDITIONAL EXPENDITURES BY SELECT COMMITTEE ON SMALL BUSINESS

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration of the Senate, I report favorably Senate Resolution 329, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. HAYDEN. This resolution would provide the Select Committee on Small Business the same amount as that provided last year.

Mr. SALTONSTALL. I understand this amount would continue the committee until July 1953; is that correct?

Mr. HAYDEN. That is correct.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 329), submitted by Mr. SPARKMAN on June 4, 1952, was considered and agreed to, as follows:

Resolved, That the Select Committee on Small Business is authorized to expend from the contingent fund of the Senate the sum of $60,000 for the purpose of discharging obligations incurred by it prior to June 30, 1953, in carrying out the duties imposed upon it by Senate Resolution 58, Eighty-first Congress. Such sum shall be in addition to any other moneys available to the committee for such purpose, and shall be disbursed upon vouchers approved by the chairman.

ADDITIONAL FUNDS FOR COMMITTEE ON RULES AND ADMINISTRATION

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration of the Senate, I report favorable Senate Resolution 333, and ask unanimous consent for its present consideration. The resolution would provide additional funds for the Committee on Rules and Administration, and it is reported with an amendment, to strike out "$75,000" and insert "$100,000." This would provide an additional $100,000 for the Privileges and Elections Subcommittee of the Committee on Rules and Administration, to carry it over to the first of the year.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SALTONSTALL. Reserving the right to object, could the Senator from Arizona give us some indication of the amount the Subcommittee on Privileges and Elections has had in past election periods?

Mr. HAYDEN. The amount provided by the resolution represents about the average, although in the Maryland case, approximately $250,000 was spent. The idea of having this money available is in order that, if there are contests or complaints made in the course of the campaign, the committee will not be without funds.

Mr. SALTONSTALL. In other words, this is similar to what the Senate has done in previous election years, and it would provide about the same amount for the use of the Subcommittee on Privileges and Elections, in conducting ordinary investigations. Is that correct?

Mr. HAYDEN. That is correct.

Mr. SALTONSTALL. But additional money might be required in extraordinary cases?

Mr. HAYDEN. That is correct. That would have to be taken up next year.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 333), which had been submitted by Mr. GILLETTE on June 10, 1952, and re-

ported by the Committee on Rules and Administration, with an amendment, in the last line of the resolution, to strike out "$75,000" and insert "$100,000," so as to read:

Resolved, That the limit of expenditures authorized under Senate Resolution 262, Eighty-second Congress, second session, agreed to January 24, 1952 (authorizing the expenditure of funds and the employment of assistants by the Committee on Rules and Administration, or any authorized subcommittee thereof, in carrying out the duties imposed upon it by subsection (o) (1) (D) of rule XXV of the Standing Rules of the Senate), is hereby increased by $100,000.

The amendment was agreed to.

The resolution, as amended, was agreed to.

REAPPOINTMENT OF DR. VANNEVAR BUSH AS CITIZEN REGENT, BOARD OF REGENTS, SMITHSONIAN INSTITUTION

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration of the Senate, I report favorably House Joint Resolution 449, to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the joint resolution (H. J. Res. 449) was considered, ordered to a third reading, read the third time, and passed.

PRINTING OF DOCUMENT ENTITLED "COMMUNIST DOMINATION OF CERTAIN UNIONS"

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 323, submitted by the Senator from Minnesota [Mr. HUMPHREY] on May 28, 1952. I ask unanimous consent for its immediate consideration. The cost involved is $1,180.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Subcommittee on Labor and Labor-Management Relations 1,600 additional copies of parts II, III, and IV of the committee print and Senate Document No. 89, Eighty-second Congress, first session, all entitled "Communist Domination of Certain Unions."

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The VICE PRESIDENT. The Senator from South Dakota [Mr. CASE] has the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I should first like to have an understanding with the chairman of the committee, Mr. MAYBANK, that the time yielded may be divided equally between the Senator from South Carolina and myself.

Mr. MAYBANK. I shall be only too pleased to agree. The time consumed by the Senator from Arizona [Mr. HAYDEN] may be charged to me, and if the remarks of the Senator from Texas [Mr. JOHNSON] run into much time——

Mr. CASE. Half of the time may be charged to me.

I now yield to the Senator from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. President, I should like to ask if the Senator from South Dakota would agree to lay aside temporarily his amendment in order that the Senate may consider a noncontroversial amendment to which the chairman of the Committee on Banking and Currency and the ranking minority member of that committee have agreed?

Mr. CASE. I have no objection.

Mr. JOHNSON of Texas. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment offered by the Senator from Texas.

The LEGISLATIVE CLERK. On page 5, after line 21, it is proposed to add the following new section:

SEC. —. Section 402 (k) of the Defense Production Act of 1950, as amended, is further amended by adding at the end of the first sentence thereof the following proviso: "*Provided however*, That if the antitrust laws of any State have been construed to prohibit adherence by sellers of materials for wholesale or retail to uniform suggested retail resale prices, the President shall issue regulations giving full consideration to the customary percentage margins of such sellers during the period hereinbefore set forth."

Mr. JOHNSON of Texas. Mr. President, this amendment is acceptable to the committee. It is designed to correct a serious injustice to the automobile dealers in my State. The OPS has assured the junior Senator from Texas that if this amendment is adopted there can and will be no question that OPS will grant to the seller of automobiles and all the automobile dealers of Texas their customary percentage margins over costs as I thought, and we all thought, was guaranteed under section 402 (k) of the Defense Production Act. I ask the Senate to approve the amendment.

Mr. MAYBANK. Mr. President, the amendment, so far as I am concerned, is acceptable, and I shall take it to conference. I understand that the administrators were giving consideration to this problem from the point of view of the regulations, so far as the antitrust laws of Texas are concerned.

Mr. JOHNSON of Texas. That is correct.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. JOHNSON].

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, I understand that the Senator from South Carolina [Mr. MAYBANK] is agreeable to yielding a few minutes' time to me.

Mr. MAYBANK. If it meets with the wishes of the Senator from South Dakota, I have no objection.

Mr. CASE. I have no objection.

Mr. MAYBANK. The time will be charged to me. The Senator from South Dakota had that understanding with me.

Mr. CASE. Of course, I should like to have the remarks I propose to make appear unbroken in the RECORD.

Mr. MAYBANK. Mr. President, I yield 3 minutes to the Senator from Arkansas [Mr. MCCLELLAN].

The VICE PRESIDENT. The Senator from Arkansas is recognized for 3 minutes.

Mr. McCLELLAN. Mr. President, I wish to thank the Senators from South Carolina and South Dakota. I am a member of the Appropriations Committee, and that committee is in session now morning and afternoon undertaking to mark up an important appropriation bill. It is impossible, of course, for me to be in the Senate Chamber and attending the committee at the same time when these various amendments are being discussed and debated. Therefore, I wish to state my position with reference to these seizure amendments and seizure legislation.

I have voted against the seizure amendments which have so far been offered to the pending bill. I am not unalterably opposed to seizure. I believe the situation may be such as to make it imperative that the Congress enact appropriate seizure legislation; but I believe, Mr. President, that Congress, in enacting such legislation, should make the law so explicit and spell out the conditions so clearly that there can be no arbitrary discretion used in the exercise of the powers granted or in the enforcement of the statute.

Mr. President, I do not believe it is possible for the Congress to draft or to enact sound legislation on the floor by amendment procedure that is now being attempted in connection with this bill. I believe all these proposed amendments should be introduced in the form of a bill and should be referred to the appropriate committee, that immediate hearings should start thereon, and that as early as may be possible the committee should make its report to the Senate and give us an opportunity to consider the proposed legislation independently, with time to deliberate upon it, and to study it so that when and if it is passed, it will be sound and fair to both labor and management, and, above all, Mr. President, so that the legislation we may enact will adequately protect the public interest.

Mr. CASE. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I am glad to yield.

Mr. CASE. I hope, in the light of the Senator's statement, and his recognition that there may be a need for some end solution, he will give careful consideration to the amendment now pending.

Mr. McCLELLAN. I should like to, but it is impossible with the pressure of work we have upon us, and when we

are operating under a unanimous-consent agreement of limited debate.

Mr. CASE. The Senator will find on his desk a very brief statement concerning a very brief amendment, which he can read in half a minute.

Mr. McCLELLAN. Yes; I know that.

Mr. CASE. I am sure that he is aware of the fact that my amendment provides a simple solution which would take care of the situation until Congress may be in regular session again or called back into extraordinary session.

Mr. McCLELLAN. I have heard of simple solutions of most intricate and complex problems, but usually they do not work out so adequately as to protect the public interest. I am perfectly willing to remain here all summer if it takes that long to help work out sound legislation dealing effectively with this very grave problem.

Mr. President, there appeared in yesterday's Washington Star an editorial entitled "Vote of No Confidence." This editorial does not wholly express my views, but it expresses them so substantially that I ask unanimous consent that the editorial may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VOTE OF NO CONFIDENCE

The Senate was fully justified in rejecting President Truman's request for legislative authority to seize the steel mills and change wage rates and working conditions.

Mr. Truman is just about the last person who should be given any discretionary authority in this dispute. He has played politics with it from the beginning. He has revealed himself as an extreme partisan. He has done everything in his power to discredit the law that he is supposed to administer—the Taft-Hartley Act—and, by virtue of his own bungling, a dispute that should have been settled months ago has now developed into one of the most difficult and dangerous strikes in recent history.

The President's message was designed to put Congress on the spot. It was more of a political harangue, filled with distortions of fact, than a good-faith appeal for legislation, and it proposed nothing that could be expected to lead to a settlement, unless it would be a settlement on terms dictated by Mr. Truman. In the past he has repeatedly endorsed the full recommendations of the Wage Stabilization Board, which included the union shop, and Philip Murray, taking his cue from the President, has stated time and again that the union would not accept less. Actually, during negotiations, the parties were close to agreement, with the union shop being the major, if not the only, issue standing in the way of settlement. Mr. Truman took no account of this in his message to Congress. He preferred to stick to his role as special pleader for the union.

He made one statement, however, that is incontrovertibly true. The issue, he said, is squarely up to Congress. That is a fact and Congress must face up to it.

The Senate has sought to meet the issue by adopting the Byrd amendment requesting the President to invoke the Taft-Hartley Act. If this procedure had been adopted at the outset, as it should have been, it might have been successful. But as of this late date it is of doubtful value.

Mr. Truman, although the Constitution directs him to take care that the laws be faithfully executed, has done everything in his power to discredit this statute. He has repeatedly said that it would be unfair, harmful, and futile. To invoke the law, he says, would be to take sides with the companies and against the workers. He has expressed doubt that the courts would issue an injunction under it, and he has even pointed to the one case in which the law was successfully flouted. In short, he has come very close to inciting the steelworkers to defy an effort to apply the law to them.

In these circumstances, it is at least doubtful that the Taft-Hartley Act can bring any lasting solution. Perhaps it ought to be tried, there being no other readily available means of coping with the situation. But Congress cannot forever dodge the obligation to deal effectively with strikes which undermine the national welfare and safety. A Taft-Hartley injunction at this time might bring 80 days of grace. But there will not be any real relief from these intolerable shutdowns until Congress musters enough political courage to forbid strikes in essential industries, while providing fair and effective machinery for settling the disputes that are bound to arise.

The VICE PRESIDENT. Under the unanimous-consent agreement entered into yesterday the Senator from South Dakota [Mr. CASE] may offer two amendments to the bill, one of which is now pending. The following Senators are authorized to offer one amendment each:

The Senator from Texas [Mr. JOHNSON], whose amendment has already been disposed of; the senior Senator from New York [Mr. IVES]; the junior Senator from New York [Mr. LEHMAN]; the Senator from South Carolina [Mr. MAYBANK]; and the Senator from California [Mr. KNOWLAND].

No other Senator can be recognized to offer an amendment unless it be an amendment to one of the amendments offered by the Senators designated.

Mr. CASE. Mr. President, let me say to the distinguished Senator from Arkansas that I am glad he put the editorial into the RECORD. I have it before me, and I expect to cite the concluding paragraph of it in support of the amendment which I have offered.

Mr. McCLELLAN. Mr. President, I agree substantially with the editorial. The responsibility for seizure legislation is now upon the Congress, but, in the meantime, there is a statute now in effect which can be executed by the President. Whether he will refuse to use it, or if it will succeed or not, I do not know. Whether it would have succeeded in the beginning, no one can disprove; but if the President will put into effect the law now on the statute books the Congress in the meantime can get busy and enact appropriate legislation to meet similar situations in the future.

Mr. President, I do not believe it is possible for us to legislate intelligently, safely, soundly, and wisely on such a vital issue as this, by the amendment process and procedure here being attempted.

Mr. CASE. I am very glad to have the Senator from Arkansas make his observation, because he brings out the basic point that I would like to emphasize and have understood by every Senator in relation to my amendment.

The amendment I have offered is not an alternative to the Taft-Hartley Act, and will come into operation only after resort has been made to the Taft-Hartley, not before. I think it meets precisely the suggestion of the Senator from Arkansas.

The President ought to use the present law. The Senate has voted at least four times upon the issue whether it would substitute something else for Taft-Hartley and four times the Senate has said, "Use Taft-Hartley." I accept that verdict. I voted for that verdict. My amendment is designed to take up the situation that arises after Taft-Hartley.

Mr. McCLELLAN. Mr. President, will the Senator yield for an observation?

Mr. CASE. I yield.

Mr. McCLELLAN. Do not misunderstand the Senator from Arkansas. I am not criticising the amendment of the Senator from South Dakota. I have simply stated it is impossible, I believe, for the Senate to act wisely in this case by the amendment process, rather than by introducing a bill or bills and letting them take their proper and prescribed course in committee, in deliberation and debate here in this chamber. The gravity and complexities of this problem, and the importance of wise and judicious rather than ill-advised and hasty action is much preferred. To me it is both required and compelling.

I thank the Senator from South Dakota for permitting me to make this observation.

Mr. STENNIS. Mr. President, will the Senator yield to me for 2 or 3 minutes in the time of the Senator from South Carolina, who does not seem to be in the Chamber at the moment?

Mr. CASE. I will yield 2 or 3 minutes of my own time to the Senator, if necessary.

Mr. STENNIS. I appreciate the willingness of the Senator to yield.

Mr. President, the Senator from Arkansas has come so near to expressing the way I feel about the very grave and serious situation that is confronting the Nation that I desire to be associated with his remarks, and to add a brief statement.

From the very beginning of the steel seizure issue, I have thought a duty rested on Congress. I did not believe the President had power to seize the steel mills, and said so at the time. I said the problem was one that belonged to the Congress, and that it should provide additional machinery to control such situations, for I did not think the Taft-Hartley law was adequate, although, of course, I thought it should be invoked and all its remedies exhausted, so far as they could be, under the law. I most seriously doubt the ability of one or two Members of the Senate to draft legislation in the form of an amendment that would be sound; I believe we ought to have working on the solution of the problem the best legal minds in the Nation, the best economists, the best financial thought, the best thinking in labor relations from the viewpoint of labor. I believe it would require weeks to enable them to prepare a sound plan, in cooperation with a committee of the Senate versed in the subject

matter, and then, of course, such findings would be subject to consideration by the whole Senate.

With great deference to the Senator from South Dakota—and I am sure he has gone as far as anyone could go in view of the limitation he is working under—I seriously feel that we would be moving too fast if we adopted the method he suggests. I think the problem is one that ought to be tackled in accordance with the outline I have suggested.

I am sorry I cannot remain to hear the address the Senator from South Dakota will make, but I am engaged in committee and will have to leave the Chamber. I appreciate the Senator's yielding to me, and I congratulate him upon his very fine efforts to cope with the problem.

Mr. CASE. Mr. President, I hope the Senator will indulge me to the extent of listening to me for just half a minute.

Mr. STENNIS. Certainly.

Mr. CASE. I hope the Senator will look at the little blue sheet on his desk which describes what the pending amendment does. I should like to point out that it does not propose an all-time solution to the problem of "after Taft-Hartley—what?" All it does is propose a solution which would take care of the situation for at least 150 days—30 days for investigation and 120 days for operation of the award. That would take care of the immediate situation. The amendment and all of its powers would expire with the expiration of the Defense Production Act.

I appreciate that it is difficult to write legislation upon this subject. I do not hold myself up as an expert. There are no great labor problems in my State. However, I was associated with some labor legislation passed by Congress in 1946, which would have become law except for the President's veto—and it almost became law despite the veto.

Growing out of that experience and the debate of the past few days, I have offered a proposal which I believe would take care of the situation, at least for the summer.

Mr. STENNIS. I appreciate greatly the fine work the Senator from South Dakota is doing in connection with this important matter.

The VICE PRESIDENT. The Senator from South Dakota is now recognized in continuity until his time expires.

Mr. CASE. Mr. President, the amendment which I have proposed does not pretend to be a complete answer to the problem as to what should be done after the operation of the Taft-Hartley law is exhausted, but it would take care of the situation we now confront and which Congress must face.

I call the attention of Senators to the blue sheets which lie on their desks and which in eight brief sentences state what the amendment would do.

First of all, it would only operate after the procedures of the Taft-Hartley law had been exhausted, not before. It is the verdict of the Senate, heretofore registered four times, that the Senate does not want to authorize an alternative procedure until the Taft-Hartley Act has been used.

The second amendment offers limited arbitration rather than outright seizure.

Third, the arbitration award is limited, because it would come from an impartial board chosen from an emergency production council previously approved by the Senate. The amendment provides that five members appointed by the President, but confirmed by the Senate, would be named as an Emergency Production Council. They would be named without respect to a particular dispute, but would constitute a panel or council that would be available and could be drawn upon when needed—that is, if the procedures of the Taft-Hartley had been exhausted, and if the President found that a threatened work stoppage imperiled national security. The application of the amendment is limited to a situation which would imperil the national security. Then the President might call for an award board of five members taken from the Production Council which had been approved by the Senate. They would have 30 days in which to investigate the problems at issue.

Then, as the fourth point recites, they would make an award, good for 120 days, that would be limited to wages, hours, and working conditions. We leave other issues to solution by collective bargaining.

The fifth point is that the plan preserves incentives for both sides to reach settlement by themselves. It does not make it inviting for either side to throw their hands up and say, "Let the Government do it."

The sixth point is that the amendment does not invite seizure. The award by the board would be impartial. It would not be open to the objection that was made regarding the award of the Wage Stabilization Board, namely, that some members of the board might have prejudice.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. SCHOEPPEL. I understand what the Senator has said about the findings with respect to working conditions. In my own thinking, it would not include the closed shop or union shop. Does the Senator from South Dakota think that the reference to working conditions would include the troublesome proposition of the union shop, the closed shop, or questions such as that?

Mr. CASE. No; under my interpretation and understanding, the words "working conditions" would not include the union shop. It may be that in some local situations "working conditions" have been interpreted to cover that; but, under my interpretation, "working conditions" would refer to such things as safety factors, sanitation, sick benefits, and the like, the idea being to encourage research and collective bargaining.

Bearing in mind the limited time for which such an award would be effective, I feel there would be no particular injustice to either management or labor in asking them to work for at least 120 days under the conditions of an award made by a quasi-judicial board, impartial and disinterested, having been previously selected by the President, and confirmed by the Senate. There would be no hardship. Consequently, we could ask them to work for that period of time, if the stoppage of work was of such a character that it would imperil the national security.

The seventh point which I have listed on the blue sheet is that this provision would work when Congress was not in session and would take care of the situation if there should arise any dispute which imperiled the national security.

At this time I point out that it is generally thought that Congress will recess or adjourn in time for the national political conventions. We might as well recognize that fact. Something may happen during the time Congress is in recess or adjournment for the conventions. Some Members may want to come back in August or September. Frankly, the Senator from South Dakota does not relish the idea of coming back if we can do the job now which we ought to do; and I think it is possible to act now, so that we shall not have to come back at that time.

The eighth point which should be mentioned, and which I should like to have Senators clearly understand, is that the powers and authorities covered by my amendment would expire with the expiration of the Defense Production Act. In fact, the whole procedure would be limited, and tied up with the Defense Production Act.

Mr. President, when I listened to the President's message the other day I had the feeling that the President had an attitude of security in his position. That is, he delivered his address to us, if I may say so, with a certain jauntiness, as though to say, "You may disregard me now, but I will have the laugh on you in August or September if I have to call you back into special session."

Frankly, I do not want to fall into any such booby-trap as that. I do not want to come back in August or Sepetmber and listen to the President say to Congress, "I told you so." I do not relish that sort of procedure. I remember when we were called back in special session in 1948. The President obtained the sounding board of a special session to say, "You did not do what I thought was necessary." I disagreed with him as to the necessity for doing some of the things which he listed at that time. However, it is difficult today to disagree with the thesis that the Nation needs some legislative machinery which may be resorted to after Taft-Hartley is used and its procedures are exhausted.

Furthermore, as the railway strike demonstrated, we need some provision of law when the procedures of the National Railway Labor Act have been tried and exhausted. Railway employees are not amenable to the provisions of the Taft-Hartley Act.

These conclusions are not merely conclusions of the junior Senator from South Dakota. They are conclusions which are stated repeatedly in the best editorials of the day. The editorial from the Washington Evening Star, which the Senator from Arkansas [Mr. McCLELLAN] previously introduced into the RECORD, concludes with a very forceful

paragraph. After saying that the Senate was justified in rejecting President Truman's request for legislative authority to seize the steel mills and change wage rates and working conditions, and after saying that the procedures of the Taft-Hartley law should have been adopted, and that the President has come very close to inciting the steel workers to defy an effort to apply the law to them, the editor concludes with the following paragraph:

In these circumstances it is at least doubtful that the Taft-Hartley Act can bring any lasting solution. Perhaps it ought to be tried, there being no other readily available means of coping with the situation.

I agree that it ought to be tried. I have so voted, and my amendment does not preclude trying it. The editorial continues:

But Congress cannot forever dodge the obligation to deal effectively with strikes which undermine the national welfare and safety. A Taft-Hartley injunction at this time might bring 80 days of grace.

Those 80 days would bring us, perhaps, to the 1st of September.

Continuing with the editorial:

But there will not be any real relief from these intolerable shut-downs until Congress musters enough political courage to forbid strikes in essential industries, while providing fair and effective machinery for settling the disputes that are bound to arise.

Mr. President, there is the duty of Congress. That is the responsibility which the country sees in Congress today, to say to the President, "Use the law you have, and then we will provide something for that no man's land which may occur after you have exhausted those procedures, or to take care of the situation in respect to transportation, or any other field in which there is no controlling law."

The Star editor says:

But there will not be any real relief from these intolerable shut-downs until Congress musters enough political courage to forbid strikes in essential industries, while providing fair and effective machinery for settling the disputes that are bound to arise.

At this point I should like to inquire how much time I have left.

The VICE PRESIDENT. The Senator has 11 minutes.

Mr. MAYBANK. Mr. President, I understand that during my absence while making a long-distance telephone call, the Senator from Mississippi [Mr. STENNIS] took some time from the Senator from South Dakota. I should be only too glad to have that time charged to me.

The VICE PRESIDENT. It was only 2 minutes, and the Senator from South Dakota said he was glad to yield.

Mr. MAYBANK. If the Senator from Dakota needs more time, I shall be glad to yield to him.

Mr. CASE. I thank the Senator. Mr. President, I yield the floor at this time, and reserve the remainder of my time.

Mr. MAYBANK. Mr. President, I will speak at this time, if I may. Some visitors are waiting for me in the reception room, and I should like to leave the Chamber to see them.

Mr. CAPEHART. Mr. President, may I have 5 minutes?

Mr. MAYBANK. If the Senator will permit me to say a few words, I shall then be glad to yield to him.

The VICE PRESIDENT. The Senator from South Carolina is recognized. Theoretically, he is in control of 30 minutes. He has 24 minutes remaining.

Mr. MAYBANK. Mr. President, what the distinguished Senator from South Dakota said, and what he read from the editorial, is what I have been trying to say since I offered the first amendment. That amendment was overwhelmingly defeated. As a matter of fact, I expected it would be; but at least it brought to the attention of the country the responsibility of the Congress under the decision of the Supreme Court.

I regret that I must oppose the amendment of the Senator from South Dakota. I agree with him that we may be back here in September or October, trying to write a law. There may be no other way out. I wish to make it perfectly clear that I did my part when I offered my amendment. The Senate saw fit to defeat it overwhelmingly. That is what the Senate should have done, if that was the way it felt about it. It must have felt that way; otherwise it would not have defeated the amendment.

The Taft-Hartley Act has no teeth in it to put the steel industry back into production. I agree with what the Senator from South Dakota has said, but I must oppose his amendment, because I am going to oppose all amendments to the bill which may hereafter be offered.

I now yield to the Senator from Indiana [Mr. CAPEHART] whatever time he wishes.

Mr. CAPEHART. I shall require 5 minutes or less.

Mr. MAYBANK. I yield 10 minutes to the Senator from Indiana, and he can yield to other Senators.

Mr. CAPEHART. Mr. President, this amendment has merit if any amendment of this kind can have merit. I point out to the Senate, however, that this amendment would not cure anything, for the simple reason that we have a law today, the Taft-Hartley Act, under which the President can protect the American people, the consuming public, for 80 days. At the end of 80 days, of course, it is all over, so far as the Taft-Hartley Act is concerned. The pending amendment would provide an additional 120 days. At the end of 80 days under the Taft-Hartley procedure and 120 days under the provisions of the pending amendment, or a total of 200 days, it would be all over.

It seems to me that all we are doing when we enact legislation of the sort now proposed is to encourage either labor or management to go for 80 days under the Taft-Hartley law and 120 days under the Case provision; but that would not settle anything. What is the difference between 80 days and 120 days, or 200 days? The fundamentals are the same in any case.

Mr. President, I do not place any dependence on the idea that Congress will not be in session, because if there were an extreme emergency Congress ought to be in session. So I do not quite understand how we can solve the problem with this kind of legislation.

My position on this entire question has been, from the very beginning, that it is a matter which ought to be handled by the Committee on Labor and Public Welfare. It is a subject which ought to stand on its own bottom; that is, it calls for separate and distinct legislation. The Committee on Labor and Public Welfare ought to hold extended hearings upon the subject and listen to all the interested parties. Then Congress ought to enact a law, if a law should be enacted.

Frankly, I do not know how we can get a better law to deal with this kind of situation than the Taft-Hartley law, unless, of course, we give the President the right to seize private property. When he seizes it he takes it over and runs it, and I suppose compensates the owner on some sort of basis which is to be decided later. When he takes it over the employees continue to work at the same wages and under the same working conditions.

Mr. CASE. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. CASE. It seems to me that there is a distinction. I appreciate the Senator's bringing up his points, because they help to get a clear picture before the Senate. Under the Taft-Hartley law, if operations of an industry were continued under it, it would be a status quo arrangement; there would be no changes in hours, wages, or working conditions. If there should be an election under the Taft-Hartley law to consider the last offer of the employer, conceivably there might be a change. But still it would be limited to the last offer of the employer. If we resort completely to seizure, with the Government fixing the operating conditions, we have gone the whole route. In between the two extremes it seems to me there is a logical place to consider the creation of an opportunity for industry to continue under a quasi-judicial award. That is what my amendment seeks to make possible. There is a difference between the 80 days and the 120 days, because during the 80 days the industry would be continuing under a status quo arrangement.

During the 120 days they would be operating, not on the basis of an award by the Wage Stabilization Board or any other board which might be accused of prejudice, but under an award of a quasi-judicial board, which would be impartial and disinterested, and whose members would be drawn from a panel which had been approved by the Senate. Therefore, I see a distinct difference in the two situations.

Mr. CAPEHART. My point is that under the Senator's amendment there would be a total of 200 days. Under the Taft-Hartley Act there would be 80 days. The fundamental situation is the same in both instances. We ought to find some method of settling these disputes by collective bargaining between the employees and the employers. I do not see anything in the Senator's amendment which helps to bring that about.

Mr. CASE. That is exactly what I am trying to do. I am trying not to make seizure inviting to either side and so my amendment would continue a situation in which there would be established no

prejudice for one position or the other. It would permit operations to continue under as impartial a situation as it would be possible to provide, and thereby would encourage settlement of the dispute through collective bargaining.

Mr. CAPEHART. Many of the amendments offered on the floor during the past few days have been good amendments; that is, they certainly had some merit to them. Last Wednesday or Thursday I made a motion to recommit the bill on the ground that if we are going to tack seizure legislation on the Defense Production bill, we ought to reconsider the bill and study it further. I have not changed my position that that is the way we ought to handle the situation.

Mr. CASE. I voted in favor of the Senator's motion.

Mr. CAPEHART. I know the Senator did.

Mr. CASE. I voted against seizure proposals.

Mr. CAPEHART. I commend the able Senator for offering his amendment, because it shows that he is vitally interested in the subject and is trying to do something about it. Something ought to be done about it. My position on the subject is that a bill should be introduced and referred to the Committee on Labor and Public Welfare, so that the committee could hold hearings on the whole subject and hear testimony from persons who are interested on both sides of the question. The committee should then report such proposed legislation as it believes is needed. Perhaps legislation can be written to cover the subject, but I am not certain that it can be done. I mean I am not certain we can do anything if labor and management are stubborn beyond 80 days or 120 days or 200 days, or beyond a year. I am not certain that we can write any kind of legislation except to give the Government the power to take over private properties and to own them and to operate them. I hope I have made myself clear on this point. That is the way I see the picture.

If management and labor do not eventually get together in 80 days, or 200 days, or 6 months, there is no alternative except for business in America either to go out of existence or for the Government to take it over and own it and operate it.

When it is said that the problem cannot be settled under the Taft-Hartley law because it provides a breathing spell of only 80 days, I say that it cannot be done with a breathing spell of 200 days or 400 days or perhaps 800 days.

The whole problem goes deeper than all that. We must find a plan whereby the two sides can get together, because the alternative of not getting together is Government ownership. In that event it would be a Government operation, and no one knows for how long the Government would operate the industry. Would it be 6 months, 6 years, or 16 years?

Mr. CASE. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. CASE. It would seem to me that management normally would prefer to operate its own industries under an impartial award, than to permit it to be operated by bureaucrats who would be appointed by bureaucrats, with power to determine wages, and so forth. It seems to me that there is a no man's land which has not yet been invaded, where a quasi-judicial board could very well function.

Mr. CAPEHART. My complaint with respect to the present Board is that when it reached certain conclusions in the steel dispute it immediately told the whole world what its conclusions were. In other words, they told the whole world about the increase in wages and the granting of the union shop. They should not have done that.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The time of the Senator from Indiana has expired.

Mr. MAYBANK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Eleven minutes.

Mr. MAYBANK. I yield one additional minute to the Senator from Indiana.

Mr. CAPEHART. For example when the Board announced its recommendations they placed Mr. Murray, the head of the union, in a very embarrassing position. He could not take less than the Board had awarded. How could he take less and satisfy 650,000 of his union members, when the Government Board had stated that they were entitled to so much? He was placed in a very embarrassing position. Even though he may have wanted to bargain collectively, he would have had trouble doing it. Fundamentally it all stems back to—I am not going to say the inefficiency of the Board, but to the blundering of the Board, in making its decision public, and the lack of cooperation and coordination between Mr. Wilson's office, Mr. Putnam's office, and Mr. Feinsinger's office. A series of errors of judgment occurred.

The PRESIDING OFFICER. The time of the Senator from Indiana has again expired.

Mr. MAYBANK. I yield the remainder of my time to the Senator from Illinois [Mr. DIRKSEN].

Mr. CASE. Would the Senator from South Carolina object to my taking 1 minute of my own time now?

Mr. MAYBANK. Certainly not.

Mr. CASE. I shall use only a minute, and want to be reminded of it at the expiration of the minute. In response to the point which was raised by the Senator from Indiana a moment ago, with respect to the bungling of the award by the Wage Stabilization Board, I would agree that the making of the award public was fatal to any expectation that the union would take anything less than the Board had suggested. But that Board was suspect from the outset. Members of the Board were suspected of having prejudice in the matter. The device suggested in my amendment, which is now pending before the Senate, is an effort to get away from the suspicion of partiality, by creating a board consisting of men whose appointments would be confirmed by the Senate.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MAYBANK. Mr. President, I yield 5 minutes to the Senator from Illinois [Mr. DIRKSEN].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 minutes.

Mr. DIRKSEN. Mr. President, while I believe that the premise of my good friend from South Dakota [Mr. CASE] is a valid one, I think it is dubious in this case. The President could call Congress back for other reasons than would emanate from the steel dispute.

As a matter of fact, the President said very recently to a conference in Washington that if he failed to obtain from Congress all the appropriations he requested in connection with the military budget or in connection with the foreign-aid budget, he probably would summon Congress back every day and every day until he got what he wanted.

So let no one rely on this situation as a possible instrumentality for bringing Congress back some time in September.

The amendment of my friend, the Senator from South Dakota, is in some respects, I think, even a little worse than the amendments which previously have been offered because his amendment would provide for a one-way street, in that by the award which might be made under the provisions of the amendment, management could be penalized, but there would be no penalty on the other side.

If at long last the Senate is going to intrude itself very much into this business, I believe the real casualty will be collective bargaining. As I recall, the Senator from Oregon [Mr. MORSE] pointed that out the other day. After all, if the Government is constantly to be an intervenor in all labor scraps and controversies, at long last, one side or the other will constantly be looking to a Federal agency to pull the chestnuts out of the fire. So, Mr. President, in proportion as we tinker and in proportion as we intrude ourselves, collective bargaining will become the real casualty and will go out the window.

In brief, Mr. President, the amendment of my friend and colleague, the Senator from South Dakota, provides for the appointment of the usual fact-finding board, after the various remedies have ben exhausted. I do not want such a course to be followed unless first we try the other remedy that is available. In short, I am in agreement with the Senator from Virginia [Mr. BYRD], in that I believe the President should first try the procedures made available by the Taft-Hartley Act.

The amendment of the Senator from South Dakota would create a panel of 15 persons; and in case of a dispute, a board of five would be designated from that panel. Within 30 days after its appointment, the board of five would make its recommendation. Incidentally, Mr. President, the board would have subpena powers, also. How far those powers might be exercised is, of course, always a guess.

The amendment contains a recital to the effect that it is the duty of the parties to observe the award for 120 days while mediation continues. I think that is the duty of the parties under every circumstance, regardless of whether such a recital is contained in the solemn law.

However, thereafter the difficulty would be reached: in short, if the management violated the board's award, the President could seize and operate the plant or industry for 120 days. On the other hand, if labor violated the award, the amendment does not provide an equal penalty or any reciprocity insofar as a penalty is concerned. The result is to make the amendment a one-way street. Thereafter, at the end of 120 days, we would find ourselves in a long, dark, dismal alley, without any lights.

So the question is simply whether we select a period of 120 days or a period of 130 days or a period of 118 days or a period of 51⅔ days. Actually, the particular number of days specified would not change at all the spirit that is involved, because the dark alley would still lie at the end of the course.

Therefore, Mr. President, I say the amendment provides for a one-way street; and the approach it offers is not particularly different from the approaches which have been offered before by means of other amendments.

Furthermore, Mr. President, I am one Member of the Senate who, if he is "on the hook," does not wish to get "off the hook" in this way. The President flouted the Constitution by assuming powers he did not have. The President provoked the mess we are in today. I am willing to stand by it and say it is a baby on his doorstep. I am not at all interested in the political implications that are involved. Of course, it is very easy for editorial writers and newspapermen to say that Congress is "on the hook" or that someone else is "on the hook."

At this time we are facing a political campaign of almost volcanic intensity; and at the end of that campaign the American people not only will select a President but they may change the membership of the Senate itself, if I may be pardoned for making that statement.

I am willing to return here after the campaign and work on this problem, because I do not want us to farm out our responsibility and our duty by means of the adoption of an amendment which provides a pillar of support that is all too slender, and actually offers no real hope.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The time of the Senator from Illinois has expired.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, I wish to say a few words in opposition to the amendment of the Senator from South Dakota [Mr. CASE].

I speak good humoredly and quite facetiously when I say that this particular amendment reminds me of a cross between a zebra and a donkey, with the resultant offspring neither one nor the other.

I have three principal criticisms of the pending amendment.

First, I wish to call attention to page 2, line 7, where the amendment proposes that the Director of the Bureau of the Budget be given authority to decide whether the personnel, services, and facilities of other Federal agencies may be used by a board which the amendment proposes to create in an effort to settle an emergency dispute. I say such a provision would give legislative power and discretion to the Director of the Bureau of the Budget, and I believe that would be a great mistake. Certainly, under the provision-of-power theory, the President of the United States should be allowed to retain his power to determine the assistance which various branches of the executive department of the Government should be allowed to contribute.

In the second place, the amendment would violate the principle of collective bargaining, for the amendment would actually provide a guaranty of arbitration by a Government agency. Of course, the point might be reached where action which would have the effect of arbitration would finally come under the procedure to be followed; but that should not be set forth in the law as a direct guaranty by the Federal Government to the parties. The result would be that they would simply "sit tight" and look out the window and wait for arbitration to arrive, and finally have a Government board bring an end to the dispute. The weakness of such a provision is that in such a case one of the parties would decide that such arbitration procedure would be to its advantage, in which event that party would sit tight throughout the collective-bargaining processes and would wait for the Government to take over and to impose a Government award.

One of my principal objections to out-and-out compulsory arbitration is that I can think of no better way to walk down the road toward Government ownership and operation of basic industries in the United States than the adoption of an out-and-out compulsory-arbitration program, which is what the pending amendment is, in essence.

In the third place, Mr. President, I am opposed to the pending amendment because, as the Senator from Illinois [Mr. DIRKSEN] has just pointed out—and I wish to supplement his comments—there really would be in an emergency dispute no sanctions after the expiration of the Taft-Hartley Act processes by means of which this amendment would compel anyone to do anything. My colleagues will notice that even when the author of the amendment comes to use in it the word "duty", he uses it in relation to the officials of the union, and he says it shall be their duty to try to persuade the workers not to become involved in a work stoppage. But not even by the use of the word "duty" does the author of the amendment place any such obligation on the workers themselves.

Mr. CASE. Mr. President, will the Senator from Oregon yield to me at this point?

Mr. MORSE. I prefer not to yield now, in view of the limitation on time. After I have finished my argument, I shall be glad to yield.

Then, Mr. President, after the procedures under the Taft-Hartley law have expired, if a union wished to defy even its own officials, its members could engage in what would be called a wildcat strike, and the officials of the union would be keeping faith with the provisions of this amendment if they urged their members to go back to work. But if the workers did not go back to work, the Government would be powerless to obtain an injunction against them, so far as this amendment provides.

My last point is that we might just as well face the ugly fact that if there should arise an emergency situation so serious that it would be in the interest of the national security for the Government to take steps to bring to an end a stoppage of production in an industry whose operation would be necessary to the security of the United States, we would have to pass a bill with some teeth in it; but the bill must be in such form that neither party could figure out that the application of the provisions of the bill would be to its advantage. The bill must be in such form that it would be to the advantage of the parties to settle their dispute without having Government intervention in the first place.

I sought to do that by means of my amendment, but the Senate—as it certainly had a right to do—rejected it. I hope that in due course of time, when independent proposed legislation can be considered on the floor of the Senate, the Senate will give more careful consideration to my seizure bill than was possible yesterday. I believe the Senate will do that after the Committee on Labor and Public Welfare has time to vote that bill either up or down.

Mr. President, I close by pointing out that in my judgment this amendment is a "head-in-the-sand" amendment. It contains nothing which would be effective, if we take into consideration the realities involved in connection with the settlement of a labor dispute. The amendment contains nothing which would effectively settle a labor dispute. On the other hand, the amendment would invite a drag-out fight for all the days provided for in the amendment—a drag-out fight ending, in my judgment, in the last analysis, with a continuation of the strike.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

All time under the control of the Senator from South Carolina has expired.

The Senator from South Dakota has 11 minutes remaining.

Mr. CASE. Mr. President, I should like to take up, in sequence, the points raised by the Senator from Oregon.

First of all, with respect to having the Director of the Bureau of the Budget make arrangements for personnel, services, and facilities, let me say that such an arrangement is not new in legislation; there have been many instances in which the availability of certain funds or of certain personnel has been subject to approval by the Director of the Bureau of the Budget for periods of time when Congress might not be in session.

It might be better to permit the President to provide the personnel, as is pro-

posed in some of the amendments which have been offered. However, after sensing the tenor of the debate which has occurred in the Senate, it seemed to me that there was a definite desire to avoid giving too much arbitrary power to the President. The Director of the Bureau of the Budget is under the President, to be sure; but still the amendment would give the fiscal branch of the Government an opportunity to adjust or take into consideration the personnel and facility availability of the various agencies which might be called upon. However, I do not regard that as particularly material to the merits of the whole question.

The second point which the able Senator from Oregon raises goes to the question of putting some sanction upon labor. I was somewhat puzzled, Mr. President, to find the Senator from Oregon in the role of suggesting some way to compel specific performance by labor in the field of employment. It has always been my understanding that it was very difficult under the Constitution to require specific performance of a labor contract, or to require individual laborers to work if they did not want to work; and I have always felt that one of the basic things we had to recognize was that we simply could not require people to work if they did not want to work, or that we could not require them to work any faster, if they did not want to work faster.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CASE. In a moment. But I have some faith in American labor, Mr. President. I believe that in a situation growing out of an emergency, which is imperiling the national security, we can call upon labor and ask them to do something as their patriotic duty, and that they will respond, if they think that a fair proposition is presented to them.

I have sought in my amendment to have a fair proposition presented to both management and labor through an award by an impartial board, and I think that both management and labor would respond to an award which they felt to be fair and impartial. I now yield to the Senator from Oregon.

Mr. MORSE. The Senator from South Dakota is aware, of course, that the Taft-Hartley Act, which would be operating prior to the application of the Senator's amendment, has within it an injunction provision that would give labor a choice of either performing its duty in an emergency or going to jail.

Mr. CASE. The choice between accepting either the status quo or the last offer of the employer with sanctions, perhaps, against the officers of a union, but hardly jail for workers as individuals. I would give them the opportunity to accept the award of an impartial board.

As to the suggestion that the amendment would actually lead to a one-way street, Mr. President, there are certain precedents for saying that when we have prescribed it as the duty of labor to accept or to do certain things, the status of the employees under the National Labor Relations Act or the Labor-Management Act of 1947 could be invoked. We might say that an employee's organization could lose its status as a bargaining agent if it failed to observe an award. I thought of writing such a provision in my amendment; but I decided that was unnecessarily suggesting something which might be harmful in winning cooperation and might lay some foundation for the suggestion that this was an attempt to destroy the right of labor to work or not work.

At the same time, I believe that the needs of the country expressed in the form of an impartial award would appeal both to labor and management. Yesterday I heard it stated on the floor of the Senate that our Commissioner to Germany, Mr. McCloy, before the Appropriations Committee, spoke of the need for steel in the position we are taking in Western Europe. It requires no emphasis on my part to say that both in Western Europe and in our effort in Korea steel is essential. If it is essential, I have sufficient faith in the patriotism both of management and labor to believe that they would work under an impartial award to produce what is needed.

Mr. President, having said that, I recognize, I think, the situation which has developed here as a result of the various amendments which have been offered and of the speeches which have been made, as well as the positions which have been taken. I know that when Senators or Members of the House get on record with respect to a particular issue that is before them, either by their votes or by letters or by statements to constituents, they like to be consistent to those positions. There has developed here a definite feeling that this whole field having been opened by these amendments, the matter should be given study by the proper committee. I see in the present situation no prospect of the Senate giving deliberative consideration to the language of this amendment, or any other in this field. I have sought to suggest an approach which would not be inconsistent with positions already taken by a majority of the Senators. I trust it may receive consideration when the Labor Committee meets. Therefore, Mr. President, if I may, I shall withdraw the amendment at this time.

The PRESIDING OFFICER. The Senator from South Dakota is within his rights in withdrawing his amendment. The amendment is withdrawn.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. MAYBANK. If I were to call up my amendment, and later withdraw it, and if an amendment should later be taken up under the unanimous-consent agreement entered into yesterday, would I not have the right to offer my amendment again?

The PRESIDING OFFICER. Under the unanimous-consent agreement, a Senator may offer an amendment to any one of the amendments provided for in the unanimous-consent agreement. The Senator from South Carolina would have the privilege of offering his amendment as an amendment to another amendment, or as a substitute.

Mr. MAYBANK. I thank the Presiding Officer.

The PRESIDING OFFICER. Or the Senator from South Carolina might again offer his amendment separately.

Mr. MAYBANK. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The Senator from South Carolina at this time calls up his amendment. Does the Senator desire to have the amendment read?

Mr. MAYBANK. No. I merely want to say that in view of the decision of the Supreme Court reaffirming the power of Congress to legislate in the premises, I realize that something must be done. I submitted the first seizure amendment, but as I said then, I did not think it would be adopted. I submitted it in order that it might be considered by the Senate and discussed. I submitted it in all sincerity. I believe that it was a fair and just amendment. Arguments have been raised on both sides that the Committee on Labor and Public Welfare should consider matters pertaining to labor-management legislation. To that I have never dissented.

My amendment was to extend only until March 1, unless by concurrent action, or action by either House, it was repealed. I feel in my heart that some law on the subject must be passed. The American people are going to demand it. They cannot continue to sit idly by while the steel mills are closed, as a consequence of which highways cannot be built, and many industries cannot operate. I am pleased with the small part I had in bringing the matter to the attention of the American people. I appreciate the action of the Senator from South Dakota in presenting his amendment as I appreciate the action of other Senators in presenting their amendments, particularly the Senator from Oregon [Mr. MORSE], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Oklahoma [Mr. MONRONEY]. I realize the great amount of good they have done in bringing before the country the plight in which we find ourselves.

I do not know what the Committee on Labor and Public Welfare will do, but I believe that my amendment is in the nature of a compromise, and, before final passage of the bill, I am going to ask that my amendment and the other amendments on the subject be referred to the Committee on Labor and Public Welfare, there to be studied, to the end that, when we meet again, perhaps in September or perhaps in August, an adequate bill may be reported. I hope the committee will at least give consideration to my amendment, as well as to the amendment of the distinguished Senator from South Dakota [Mr. CASE], which he so ably discussed but has now withdrawn; the amendment of the distinguished Senator from Minnesota [Mr. HUMPHREY], which applied only to the local situation; and the other amendments I have mentioned.

But, Mr. President, since I realize the temper and the attitude of the Senate and of the Congress—and I also appreciate the President's point of view following the Supreme Court decision—I am going to withdraw my amendment.

Before withdrawing the amendment I shall be glad to yield time to any Senator who desires to address the Senate.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. HUMPHREY. Mr. President, the Senator from South Carolina has performed a distinct service in pointing out the urgent need of legislation with reference to emergency labor disputes. The service he performed in introducing his bill concentrated our attention upon the subject. It is the intention of the Committee on Labor and Public Welfare to take each and every one of the amendments and hold extensive and exhaustive hearings——

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MAYBANK. I hope they will not be too extensive. Of course, everyone who desires to appear should be heard. We must take action, and take it quickly. We cannot afford to have the steel mills closed for 2 or 3 months.

Mr. HUMPHREY. That is correct. I told the Senator from South Dakota [Mr. CASE] that I felt that his proposal was a constructive one. He has been before our committee with a similar bill. His amendment is an adaptation of the bill which he originally introduced.

The Morse bill, which the Senator from Oregon offered on the floor as an amendment, I will say at this point, is as close to a point of agreement as the committee has been able to come. We have had 5 weeks of hearings. We do not need to hold many more hearings, but it is as difficult to get a quorum in the committee as it is to get a quorum on the Senate floor.

Mr. MAYBANK. The members of the Banking and Currency Committee, on both sides of the aisle, have always cooperated, and when the committee has a meeting we have a quorum. So I wish the Senator from Minnesota good luck.

Mr. HUMPHREY. The Senator from South Carolina has powers of persuasion which exceed those of ordinary men. That is why I am standing so close to him, so that by a process of osmosis I may be able to absorb a little of his persuasive power.

Mr. LEHMAN. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. LEHMAN. Mr. President, I have felt for a long time that it is essential to the security and welfare of this Nation that sound legislation be enacted to give the President the right of seizure, of course, safeguarding the interests of both management and labor, and particularly the interests of the American people as a whole. I am disappointed that we could not agree on a formula within the past 2 or 3 days. Obviously it is impossible to do so.

As a member of the Committee on Labor and Public Welfare I want to say that undoubtedly we shall give careful and immediate consideration to the various sugestions which have been submitted. As the Senator from Minnesota has already stated, we have been considering the Morse bill for approximately 5 weeks. Many of us have thought it was sound and should be adopted. We also gave consideration to other bills.

The distinguished Senator from South Carolina has suggested that the committee report a bill so that when the Senate meets again, possibly in August or September, we can give consideration to it. I feel that it would be unfortunate if we delayed the consideration of proposed seizure legislation until August or September. We do not know what is going to happen. The difficulty must be resolved.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. MAYBANK. I am only hoping that there will be some bill on the subject before us next week. I feel, as does the Senator from New York, that what we have to do we must do quickly. We cannot afford to delay until August or September.

Mr. LEHMAN. I thank the Senator from South Carolina. I am sure that our minds are in absolute agreement. I think the committee must give immediate consideration to and report a bill with as little delay as may be possible. The Senate must take action even though it means holding the Senate in session longer than is now contemplated. I know of nothing more important before the American people than is the consideration and enactment of adequate legislation on this subject.

Mr. CASE. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield to the Senator from South Dakota.

Mr. CASE. Mr. President, did I correctly understand the Senator from Minnesota to say that the amendments presented on this subject will be considered by his committee without the necessity of reintroducing them as separate bills?

Mr. HUMPHREY. That is my intention.

Mr. CASE. I should like to have my amendment so considered.

Mr. HUMPHREY. I consider the Senator's amendment as an amended version of his original bill, and I think it is a much improved version.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MAYBANK. Can the amendments offered by the Senator from Oregon, the Senator from Minnesota, the Senator from South Dakota, and other Senators be referred to the committee without introducing separate bills?

The VICE PRESIDENT. They should be introduced as separate bills. An amendment to a bill which is pending in committee may be introduced and referred to the committee, but an amendment proposed to a bill which is before the Senate cannot be referred to a committee.

Mr. MAYBANK. Therefore, Senators should introduce separate bills which would incorporate their amendments?

The VICE PRESIDENT. That would be the more orderly process.

Mr. CASE. Mr. President, may I be recognized so that I may have my amendment so introduced?

Mr. MAYBANK. Mr. President, I yield to the Senator for that purpose.

Mr. CASE. Mr. President, I ask unanimous consent that the amendment which I offered and which was withdrawn may be introduced as a separate bill and be referred to the appropriate committee.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3322) to amend the Defense Production Act of 1950, as amended, introduced by Mr. CASE, was read twice by its title and referred to the Committee on Labor and Public Welfare.

Mr. MAYBANK. Mr. President, I make the same request as to my amendment.

The VICE PRESIDENT. The Senator can introduce it and it will be referred to the appropriate committee. The Senator has not actually withdrawn his amendment, has he?

Mr. MAYBANK. No; I have not.

The VICE PRESIDENT. It does not require unanimous consent. The amendment can be introduced in the form of a bill and automatically go to the committee by reference.

Mr. MAYBANK. Under the circumstances, I withdraw my amendment and introduce it as a bill.

The bill (S. 3323) to amend title IV of the Defense Production Act of 1950, as amended, introduced by Mr. MAYBANK, was read twice by its title and referred to the Committee on Labor and Public Welfare.

The VICE PRESIDENT. There is no amendment now pending.

Mr. NIXON. Mr. President, I call up my amendment, which is identified as "6–11–52–B," and ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment offered by the Senator from California.

The legislative clerk stated the amendment.

Mr. SMITH of New Jersey. Mr. President——

The VICE PRESIDENT. The Senator from California has 15 minutes. Does he yield to the Senator from New Jersey?

Mr. SMITH of New Jersey. Mr. President, I rise to a matter of personal privilege.

The VICE PRESIDENT. The Senator from New Jersey cannot be recognized unless the Senator from California yields to him.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Chair cannot recognize the Senator from South Carolina for a parliamentary inquiry.

Mr. NIXON. I do not yield for that purpose.

The VICE PRESIDENT. The Chair would suggest to the Senator from California that he might ask unanimous consent that the Senator from New Jersey may introduce distinguished members of other parliaments, without having the time charged to either side.

Mr. NIXON. I yield for that purpose.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MAYBANK. Mr. President, reserving the right to object, I wish to

ask the Senator from New Jersey and the Senator from California if they can advise me how long they will take, because I should like to keep a very important engagement. Some gentlemen are waiting for me now.

The VICE PRESIDENT. The Senator from California has 15 minutes in his own right. He has yielded to the Senator from New Jersey, in order that he may present distinguished guests. The Chair cannot tell how long it will take.

Mr. MAYBANK. I think I am entitled to know how long it will take, because I have made an engagement in connection with a meeting with certain persons.

Mr. SMITH of New Jersey. I simply wish to call the attention of the Senate to the fact that we have present some very distinguished guests.

Mr. MAYBANK. Mr. President, I will object unless I can have an understanding that there will not be a vote taken in the next 30 minutes. The bill which is the unfinished business has been before us for several days, and I have been here from 10 o'clock in the morning until 10 o'clock at night. I shall object unless I understand that until 12:30 there will not be any votes.

Mr. McFARLAND. Mr. President, I hope the distinguished Senator from South Carolina will not object. I believe the Senator from New Jersey does not intend to use more than 1 or 2 minutes.

Mr. SMITH of New Jersey. I shall take but a short time. However, other Senators may desire to express a word of welcome.

Mr. MAYBANK. Mr. President, I have asked only a simple question: How long will the Senator from New Jersey speak in the introduction of the guests, and how long will the Senator from California speak?

The VICE PRESIDENT. The Senator from California has 15 minutes—no more.

Mr. SMITH of New Jersey. The Senator from New Jersey will take probably not more than 5 minutes in presenting the guests.

Mr. MAYBANK. That would make 20 minutes. I do not object.

RECEPTION OF OVERSEAS DELEGATES TO MORAL REARMAMENT ASSEMBLY

Mr. SMITH of New Jersey. Mr. President, I wish to announce to the Senate that there are in the Capitol today a number of guests. Many of them are in the gallery of the Senate. As delegates, they have been attending the Moral Re-Armament World Assembly at Mackinac Island, Mich. Among the delegates are 13 members of national parliaments. At the moment they are outside the door of the Senate. I should very much like to have unanimous consent to invite them into the Chamber, to be on the floor for the next few minutes while we are expressing our welcome.

The VICE PRESIDENT. Under the rules, it is not necessary to have unanimous consent for that purpose. The members of national parliaments are entitled to come upon the floor of the Senate. The Senator from New Jersey may escort them himself, or the Chair will direct the Secretary of the Senate or the Sergeant at Arms to do so.

Mr. SMITH of New Jersey. Mr. President, I ask that the Secretary of the Senate escort the delegates to the floor.

The VICE PRESIDENT. The Secretary of the Senate will escort the delegates to the floor.

(The members of the delegation were thereupon escorted to the floor of the Senate by the Secretary of the Senate [Leslie L. Biffle].)

Mr. SMITH of New Jersey. Mr. President, I wish to present to my colleagues in the Senate the following members of parliaments of foreign countries:

Mr. Heinrich Hellwege, Minister for Affairs of the Upper House, Bonn; officially representing Dr. Konrad Adenauer, Federal Chancelor of Germany and the German Government.

Sir Douglas Savory, Member of Parliament for Antrim South, Great Britain.

Mr. S. Messel, Member of the Norwegian Parliament.

Mr. E. Stavang, Member of the Norwegian Parliament.

Mr. Christian Kuhlemann, Chairman, Foreign Trade Committee, Federal Parliament, Bonn, Germany.

Mrs. Shidzue Kato, Member of the House of Councilors, Japan.

Mr. Isao Matsudaira, Member of the House of Councilors, Japan.

Mr. Yoshio Domori, Member of the House of Councilors, Japan.

Mr. Saichi Yamada, Member of the House of Councilors, Japan.

Mr. Hideo Yamahana, Member of the House of Councilors, Japan.

Mr. Shinkichi Ukeda, Member of the House of Representatives, Japan.

Hon. K. S. Lim, Member of the Commonwealth Legislative Council of Malaya.

Mr. Luang Vichien Patayakorn, Director General of the Department of Culture, Government of Thailand, officially representing the Prime Minister.

Mr. President, in addition to those whose names I have just read, there are in the gallery delegates who have attended the conference. Without reading their names, I ask unanimous consent to have them published in the RECORD at the close of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. SMITH of New Jersey. Mr. President, as a Member of the Senate, I am very happy to express a cordial welcome to these guests of the Senate, who have been engaged in some very important conferences looking toward moral recovery of the world in these terrible times. They bring evidence of spiritual forces that are at work in the world. They come from different countries, the names of some of which I have given—altogether, 33 nations.

At Mackinac there were 1,300 representatives. Some of the problems there considered are of such vital importance that I am happy to bring them to the attention of my colleagues.

In the first place, members of the Moral Re-Armament Conference are dealing directly with communism—not talking about it, but talking to Communists, and in many cases bringing Communists over to the ideals of freedom which the delegates are advocating.

Theirs is a program of deep spiritual recovery. They are endeavoring to bring about unity among nations. I am advised that Mr. Robert Schuman, the Foreign Minister of France, and Dr. Konrad Adenauer, Chancelor of Germany, have both given their testimonies to the importance of the service these men and women have rendered in bridging the barrier of a thousand years between France and Germany. They are working on the personal relationship level, which is so important.

They are working in the Far East to bring the democratic forces of Asia into an area of unity, as far as that can be accomplished.

I stress as very important the point that they have been working on the question of class war in industry, and have been successful in bringing about positive peace between management and labor, especially in the docks, the factories, the mines, and mills of Europe, South America, and Asia, and in the airlines and other industries of this country.

They have been studying the problems of labor-management relationships from the standpoint of human conditions and human understanding, with emphasis on the deeper spiritual values in dealings between men. They are emphasizing the very important truth that in controversies of this kind the question is not who is right, but what is right. That emphasis, I think, they have been successful in imparting to those with whom they are dealing.

Finally, Mr. President, they are bringing to the attention of all men the decisive importance of the fight for absolute moral standards and obedience to the guidance of Almighty God in personal and national affairs. They are emphasizing those moral authorities in which at this time of crisis, it seems to me, we should all be particularly concerned.

For myself, I wish to welcome these eminent guests of ours, and I know that every Member of the Senate will be glad to pay tribute to those who have given their time and are devoting their lives to bringing about the important results to which I have alluded.

I might add that they expect to meet in the Hall of the Americas, at the Pan American Union, tonight, where many of them can be met face to face, and where a number of them will discuss some of the work they have been doing.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I am very glad to yield.

Mr. SMATHERS. If I may, I should like to take one moment to add my warm welcome to the members of foreign parliaments who sit here on the floor with us, who come to us from all over the world, as well as those in the

galleries, who play such an active part in the Moral Re-Armament program.

The Senator from New Jersey spoke of the fact that these men and women were trying to work out ways and means of solving labor-management disputes. Let me say to the Senator from New Jersey that I have personal knowledge of the valuable work they were able to do in two of the bitterest strikes which ever occurred in the State of Florida. A strike in the aviation industry had been in progress for almost 2 years. It seemed as though it would never be settled. This group of young people moved into the difficult situation in Miami, and in the space of about 3 weeks the strike was settled.

A similar situation arose in connection with a bus dispute. It seemed as though it could not be solved. There was bitterness on both sides. A Moral Re-Armament team moved into that critical problem and, with the methods they have perfected, they were able to bring about a solution.

I am one of those who for a long time has looked upon them with some skepticism and doubt, but I am frank to say, in view of what I have seen them do, and in the light of my own personal observation in recent years, that I know that they are rendering a distinct service to this Nation and to the world.

I thank the Senator from New Jersey for the privilege of allowing me to say these few words.

Mr. SMITH of New Jersey. I thank the Senator for his comments.

EXHIBIT 1

AUSTRIA

Dr. Alois Lugger, Chairman, Austrian People's Party in the Tyrol.

BELGIUM

Mr. and Mrs. Alfred Dupont, Personnel Director, Solvay Chemical Co.

Mr. Philippe Orts, Textile Industrialist, Verviers, Belgium.

BRAZIL

Rio de Janeiro

Dr. Victor Nunno de Souza Lima, son of the Minister of Transport.

Mr. Luis Jose Alves, Assistant to Public Relations Officer, Central Railways of Brazil (50,000 workers), and editor of the "Folha Carioca."

Mr. Anaxilio Evangelista Barbosa, Machinist of Central Railways of Brazil.

Mr. Claudemiro Gualberto da Silva Rita, Foreman of Central Railways of Brazil.

Mr. Joao Ferreira Guimaraes, Representative of the 8,000 Rio dockers.

Mr. Gervasio Ramos de Nascimento, Representative of the 8,000 Rio dockers.

Mr. Oswaldo Garcez de Araujo, President of Shipworkers' Union (17,000).

Mr. Jorge da Silva, President of the Coffeeworkers of the Port of Rio (1,300).

Mr. Joao Ribeiro das Chagas, Representative of the National Union of Warehouse Port Workers (80,000).

Mr. Orlando da Silva Martins, Representative of the City Transport Union workers (12,000); and of the Utility Workers Union (50,000).

Dr. Francisco Dillon de Figuereido, Doctor; represents officially the National Union of Seamen (160,000).

Mr. Galileu de Matos Pestana, Official Representative of the National Union of Seamen (160,000).

Dr. Fernando da Silva Gomez, Journalist; represents 45 newspapers.

Mr. Octavio Lourenco, Secretary of the Port Controllers of Rio (900).

Dr. Evandro Manhaes, Lawyer; Official Representative of the National Union of Port Workers (120,000).

Official Delegates From the Air Ministry:

Maj. (Air Force) Deoclecio Lima de Siqueira.

Maj. (Air Force) Luiz Felipe Perdigao Medeiros da Fonseca.

Maj. (Air Force) Joao Paulo Moreira Burnier.

First Sgt. Jose Adolpho Teixeira.

First Sgt. Moacyr Rodrigues dos Santos.

First Sgt. Arthur Rodrigues Alves.

Santos

Mr. and Mrs. Eduardo Gama, Director of Traffic in the Port of Santos (10,000 workers).

Mr. Carlos Wysling, former Director of the Chamber of Commerce of Santos; Director Superintendent of Cia Armazens Gerais.

Mr. Fritz Gut, Managing Director of the coffee firm, Max Wirth & Co.

Mr. Alipio Rodrigues, President of 2,500 Union Warehouse Workers of Santos.

Mr. Julio Bargas, Docker.

Mr. Lima de Campos Filho, Docker.

Mr. Carlos Anselmo, Trade Union Official of National Union of Port Workers.

Mr. Antonio Bispo dos Santos, Docker.

Mr. Joaquim Augusto de Oliveira, Treasurer of the Port Controllers of Santos (500).

Mr. Durval Janeiro, Secretary of the Stevedores Union of Santos (2,500).

Mr. Nelson Lustosa Freire, Head of Identification Department of the Port of Santos.

Mr. Roberto Correa, Vice President of the Social Welfare Association of the Port of Santos (7,000).

Santo Andre

Mr. Noemio Spada, Official Representative of the Workers Association (2,500); Municipal Councillor for Santo Andre.

Mr. Pericles Martins, Teacher.

Mr. Giovanni Rosset, Textile Shop Steward.

Mr. Figueroa, Merchant.

Jundiai

Mr. Romeu Marchi, Accountant, Textile Factory, Argos Industrial.

Mr. Antonio Augusto de Oliveira, Accountant, Textile Factory, Lanificio Argos.

Mr. Carlos Cezar Reali, Foreman, Argos Industrial.

Sao Paulo

Mr. and Mrs. Ernesto Diederichsen, President of the Argos Industrial and Lanificio Argos.

Mr. Brenno Silveira, Secretary of the Brazilian Institute of Education, UNESCO, Official of the University of Sao Paulo.

BURMA

Daw Nyein Tha, former Principal, Morton Lane High School, Moulmein.

CANADA

G. Cecil Morrison, former Bread Administrator.

CHINA

Dr. Carson Chang, Chairman, Democratic Socialist Party.

Mr. C. K. Tseng, Station Manager, Civil Air Transport, Tokyo.

DENMARK

Mr. Aage Schultz, Metal Worker, Odense; former Member, Danish Communist Party.

EGYPT

Prince Ismail Izzet Hassan.

FINLAND

Mr. Viljo Lampela, Motion Picture Director and Producer.

Mr. Kai Snellman.

FRANCE

Mr. Henri Deloof, Mechanic, Motte-Meillassoux, Roubaix.

Mr. Raymond Duyck, Works Manager, Motte-Meillassoux, Roubaix.

Mme. Felix Eboué, former Senator for Guadeloupe.

Mr. and Mrs. Louis Glaenzer, Director, Glaenzer-Spicer, Poissy-sur-Seine.

Mr. Louis Laure.

Mr. Victor Laure.

Mrs. Victor Laure, formerly Deputy for Marseilles; until 1948 Secretary, Socialist Women of France.

Count Armand de Malherbe.

Colonel Bruno de Malleray.

Mr. and Mrs. Emile Meeschaert, Banker, Roubaix.

Mr. and Mrs. Maurice Mercier, National Secretary, Textile Workers' Union, Force Ouvrière.

Mr. Louis Naillod, National Vice President, Christian Trade Unions.

Mr. Robert Speyser, National Vice President, Engineers and Technicians Union.

GERMANY

Mr. Max Bladeck, former Chairman, Works Council, Rheinpreussen Coal Mining Co., Moers; formerly Member of State Executive, North Rhine Westphalia (Ruhr) German Communist Party.

Dr. and Mrs. Paul Frings, Journalist, Cologne.

Miss Rose Grabe, Student from the Eastern Zone.

Mr. Rudolf Henschel, Secretary, Economic Department, German Trade Union Federation, Berlin.

Mr. Fritz Hirschner, Editor-in-Chief, "Essener Allgemeine Zeitung," Essen (Ruhr).

Mr. Paul Kurowski, Member, Works Council, Rheinpreussen Coal Mining Co., Moers; former Political Official of the West German Communist Party.

Dr. Otto Schmidt, Minister of Reconstruction, Officially Representing the State Government of North Rhine-Westphalia (Ruhr).

GREAT BRITAIN

Mr. R. M. S. Barrett.

Dr. Ernest Claxton, Assistant Secretary, British Medical Association.

Mr. Duncan Corcoran.

Mr. Frank Eden, Delegate, Birmingham Trades Council; Member, National Union of Operative Heating, Domestic and Ventilating Engineers and General Metal Workers, in Dunlop Rubber Co., Fort Dunlop.

Mr. Leo Exton, Company Director, Hotel Proprietor.

Mr. James Haworth, Treasurer, Transport Salaried Staffs Association; Chairman, Conference Arrangements Committee, Labor Party.

Colonel the Honorable Malise Hore-Ruthven, C. M. G., D. S. O., formerly of "The Black Watch."

Mr. Lionel Jardine, C. I. E., formerly British Resident, Baroda State, India.

Mr. A. Edward Jones, Director, Gee & Watson, Ltd., Process Engravers; Chairman, British Direct Mail Advertising Service; Member of Council, London Rotary.

Mr. Tom Jones, Member, Dockers' Executive, National Amalgamated Stevedores' and Dockers' Union; Docker, Plymouth Wharf, London.

Mr. Leonard G. Lawrence, Wharf Manager, Charterhouse Cold Store, Plymouth Wharf, London.

Mr. Frank Limb, Managing Director, Appleyards Automobile Distributors, Leeds.

Councillor and Mrs. John Moncrieff, Mayor of Folkestone; President, Merchant Tailors' Federation.

Mr. Arthur Morrell, Shop Steward, Assembly Building, Ford Motor Co., Dagenham.

Mr. John McNally, Member, Transport and General Workers' Union; Docker, Liverpool; Member, Liverpool Portworkers' Committee, 1945–51.

Miss Saidie Patterson, Women's Organizer, Textile Section, Transport and General Worker's Union; Treasurer, Conference of Women's Organizations, Northern Ireland.

Dr. Edward H. Richards, F. R. C. S., Ear, Nose, and Throat Surgeon; Secretary, Staf-

fordshire Branch, British Medical Association.
Lady Savory.
Mr. Frank Smith, Member, National Executive, National Union of Mineworkers; General Secretary, Leicestershire Miners; Chairman, Bosworth Labor Party.

INDIA

Mr. and Mrs. Shanker Hegde, President, All-India Aeroemployees' Federation.

REPUBLIC OF IRELAND

Miss Eleanor Butler, Member of the Senate, 1948–51; Secretary of the Irish Labor Party, 1948; Executive Member of the Irish Labor Party, 1949–50.

ITALY

General Count Lovera di Maria, former Military Attaché, Italian Embassy, Washington.
Mr. Angelo Pasetto, Chemical Worker, Montecatini Chemical Industries, Milan.

JAPAN

Mr. and Mrs. Taji Fukusaku, President, Japan Lawyers' Association.
Dr. Kiichiro Hasumi, Cancer Specialist, Tokyo.
Mr. Jiro Ishihara, Deputy Mayor, Kobe City.
Mr. Kanju Kato, former Minister of Labor, Member of the National Executive of the Right Wing Socialist Party.
Mr. Yito Iino, President of the Iino Shipping Lines.
Mr. Jurata Konishi, Assemblyman of the Osaka Prefecture.
Mr. Juichiro Mamiya, Member, Central Executive, National Textile Workers.
Mr. Takasumi Mitsui, President, Mitsui Foundation.
Mr. Shunichiro Nakagawa, Labor Relations Chief, Mitsubishi Electric Co.
Mr. Sen Nishiyama, United States Embassy, Tokyo.
Dr. and Mrs. Ohno, Surgeon, Osaka.
Mr. Goro Sakurai.
Mr. Keizo Shibusawa, former Minister of Finance, former Governor of the Bank of Japan.
Mr. Shozo Shimizu, President, Student Body, Osaka University.
Mrs. Yukika Sohma, Daughter of Japan's Elder Statesman, Yukio Osaki, who gave the cherry trees to Washington.
Mr. Kenzo Takekoshi, President, National Association of Architects.
Mr. Kennosuke Tanaka, Director, National Railways.
Mr. Hiroshi Tsukamoto, Air Lines Section, Nippon Express Co.
Mr. Sozaburo Yamada, President, Tokyo Shipbuilding Co.
Mr. Shinichi Yoda, The Bank of Tokyo.

THE NETHERLANDS

Commander J. van der May, Chief of Personnel, Royal Netherlands Navy.
Mr. W. Vogt, Director, Avro Radio.

SWITZERLAND

Mr. Georges Fiechter.
Mr. Henrik Schaefer.

THAILAND

Mr. Nai Sang Pathonothai, Secretary General of the Trades Union Congress.

The VICE PRESIDENT. On behalf of the entire Senate, the Chair welcomes our distinguished guests to the floor of the Senate. Under our rules members of all parliaments in the world are entitled, as a matter of right, to come on to the floor of the Senate, and they are welcome to remain as long as they wish. We are very glad to have you, not only in this Chamber, but in this country. I have a deep conviction that if democracy is to be preserved in the world where it now exists, and if it is to be extended into portions of the world where it does not exist, it will in all likelihood be done by the elected representatives of the people in the various countries who are seeking and would relish free institutions, democratic processes, and the dignity that goes with self-government.

We all know that civilization and democracy cannot be preserved alone by military strength, important as such strength is in the present posture of the world. We know that it cannot be preserved entirely by economic success and economic prosperity. We know that it cannot be preserved alone by intellectual processes, important as are all those things.

I think it might be well to quote a great American President, Woodrow Wilson. He said, "If civilization is ever destroyed it will be destroyed by the destruction of the spirit of man."

Therefore, in that spirit, with the deep conviction of the moral concepts which must actuate people in all countries who are seeking, in a groping fashion, to find their way out of the morass of frustration, chaos, and fear, we cannot overlook the moral and spiritual aspects of civilization. It is in that spirit, therefore, as Presiding Officer of the Senate, that I am glad to welcome members of parliaments who come to us as guests, as well as their friends and associates in the galleries who, under our rules, are not entitled to come in on the floor, but who are welcome as our guests in the galleries.

I hope that your visit with us will be long and mutually profitable to you and to us, and that you may take back with you renewed strength in the processes of democracy, and that we may gain something in the same field.

Personally, I thank you for your appearance here. About 4 years ago I happened to be in Europe and attended one of your meetings at Caux, Switzerland, which I enjoyed very much. You are entitled to remain as long as you wish. We hope that you will enjoy your visit to us and to this country. Thank you very much. [Applause.]

Mr. SMITH of New Jersey. Mr. President, I thank the Senator from California [Mr. NIXON] for yielding to me time to introduce these distinguished guests.

Mr. NIXON. Mr. President, before I discuss the amendment which I wish to present to the Senate, I desire to join in the remarks previously made concerning the delegation which is visiting us on the floor of the Senate today. There is no question that in the final analysis the great struggle in which we are engaged in the world, between the forces of freedom on the one side, and communism, dictatorship, and totalitarianism on the other side, will be decided in the minds and hearts and souls of men. The Moral Re-Armament movement is one of the greatest factors which is winning that struggle for our side.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The VICE PRESIDENT. The Senator from California [Mr. NIXON] is now recognized for 15 minutes on his amendment, which will again be stated.

The LEGISLATIVE CLERK. On page 12, after line 16, it is proposed to insert the following:

SEC. 302. The Public Housing Administration shall not, after the date of approval of this act, authorize or proceed with the construction of any public housing projects initiated before or after March 1, 1949, in any locality in which such projects have been or may hereafter, at any time prior to such authorization or construction, be rejected or previous approval rescinded by the governing body of the locality through resolution or otherwise or by public vote, nor shall any part of any appropriation be used to pay annual contributions on any housing unit of any project so rejected or with respect to which the governing body of the locality votes by resolution or otherwise, or the locality votes by referendum, to rescind its approval at any time prior to actual commencement of construction, unless in either case such projects have been subsequently approved by the same procedure through which such rejection was expressed; provided that in any such case where such public housing projects have been rejected, the local community shall refund any amounts contributed by the Federal Government.

Mr. NIXON. Mr. President, I wish to modify my amendment, in line 3, after the word "projects" by inserting the words "including the award of any construction contracts."

The VICE PRESIDENT. The Senator may modify his amendment.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. NIXON. I cannot yield at this time. After I complete my remarks I shall be glad to yield.

Mr. President, the purpose of this amendment is very simple and very clear. The independent offices appropriation bill last year was amended to read as follows:

Provided further, That the Public Housing Administration shall not, after the date of approval of this act, authorize the construction of any projects initiated before or after March 1, 1949, in any locality in which such projects have been or may hereafter be rejected by the governing body of the locality or by public vote, unless such projects have been subsequently approved by the same procedure through which such rejection was expressed.

During the debate on the independent offices appropriation bill, on August 16, 1951, there was a colloquy on the floor of the Senate concerning the effect of this particular provision. In that colloquy the chairman of the subcommittee handling the bill, the senior Senator from South Carolina [Mr. MAYBANK], made the following statement interpreting that section of the bill:

If a community desires, through its governing body, to vote not to have housing projects, it may do so; and * * * they may, if they wish—and I desire to make this perfectly clear, so that there will be no misunderstanding—cancel a contract which has been made for public housing. But, of course, they will be responsible for any money which the Government has put into the project.

A few days ago, when I submitted the amendment before us as an amendment to the independent offices appropriation bill, the Senator from South Carolina objected, on the ground of lack of germaneness. However, during the colloquy which took place between myself and the Senator from South Carolina, he reiterated his position. He stated that it had not changed on the point which he had made last year. I read from the RECORD of June 3, 1952, on that point. I was speaking at the time, and I said:

I wanted to have the RECORD at this point perfectly straight, so that it will be clear that that is still the interpretation of the chairman of the subcommittee, regarding this provision of the bill, as it reads presently, namely, that both subsequent and prior action is to be recognized by the courts. Is that correct?

Mr. MAYBANK. The Senator from California is correct.

Under the circumstances, Mr. President, my colleague from California [Mr. KNOWLAND] and I have been concerned over the interpretation of this particular section of the bill. We are concerned both over its application by the administrative branch of the Government, and its interpretation by the Supreme Court of the State of California, because the Supreme Court of California, in a decision which was handed down concerning the effect of this particular provision as it applied to the city of Los Angeles, stated a few months ago:

It is quite apparent that the local rejection referred to is that by which the city might withhold approval of the project. It deals with the future action of the agency. It does not contemplate a case where, as here, the city has approved the project and the Federal agency has authorized the construction.

Mr. President, I think it is clear from the colloquy which took place both last year and this year concerning the interpretation of this provision that the Supreme Court of the State of California did not interpret the bill according to the legislative intent as expressed in the Senate debate. I think it is clear that if a local authority, whether the city council of a political subdivision, or the voters in a referendum, find that they want to rescind a public housing authorization which had previously been given that that rescission should be given effect by the courts.

That is exactly what happened in the city of Los Angeles. A referendum was held on June 3, on the public housing project which had been previously authorized by the city council, and which the city council had subsequently attempted to rescind. The question was clearly stated on the ballot, so that the voters could understand what they were doing. On that vote the people of Los Angeles voted by 378,343 to 258,718 to rescind the authorization on which the city council of Los Angeles had given to the public-housing project.

The purpose of the amendment, Mr. President, is very simple. It is to give effect to the will of the people of Los Angeles in this particular case and also to give effect to the will of the people in any other city, county, or State, who may decide that they do not want a public housing project which may have been previously authorized.

Mr. KNOWLAND. Mr. President, will my colleague yield?

Mr. NIXON. I yield.

Mr. KNOWLAND. Mr. President, I ask my colleague to yield so that I may ask unanimous consent to have printed in the body of the RECORD at this point the actual wording of the referendum which was submitted to the people of the city of Los Angeles, together with the official explanation which was sent to all registered voters in the city of Los Angeles, as it appeared in the Appendix of the CONGRESSIONAL RECORD at page A3530.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

SPECIAL MUNICIPAL ELECTION

B. Shall initiation or reinstitution of a low-rent public housing project or projects, consisting of approximately 10,000 dwelling units, on sites selected by the Housing Authority of the city of Los Angeles, and the development, construction, acquisition, ownership and administration of said project or projects by said authority, be approved, and the proposed resolution declaring the need for and approving the development, construction and ownership of such project or projects within the city, approving application to the Public Housing Administration for preliminary loan, and authorizing cooperation agreement by the city and local authority, be adopted?

LOS ANGELES VOTERS REJECT FEDERAL PUBLIC HOUSING

(Speech of Hon. GORDON L. MCDONOUGH, of California, in the House of Representatives, Monday, June 9, 1952)

Mr. MCDONOUGH. Mr. Speaker, because public housing has been a matter of controversy and a subject of long debate in the House of Representatives on several occasions. I am sure the Members of the House would be interested in the vote cast by the people of the city of Los Angeles on this question at the primary election on June 3.

The proposition submitted to the people of Los Angeles to vote upon was presented in very understandable terms. A "yes" vote meant that the Los Angeles City Housing Authority would be authorized to continue with its contract with the Federal Government and to build 10,000 low-rent public housing units, and a "no" vote meant that the people of Los Angeles wanted to terminate any further contract with the Federal Government to build any low-rent Federal housing units in the city of Los Angeles.

The vote of the people was as follows: "No," 387,343; "Yes," 258,718, or a majority of 128,625 of "no" votes over "yes" votes.

In order to further remove any doubt that the people knew exactly what they were voting upon, under the California Election Code, it is permitted to include in the sample ballot to each voter on any proposition submitted to the people to vote upon a statement from the proponents urging support of the proposition and a statement from the opponents urging opposition to the proposition.

The following is the statement submitted to the voters by the opponents of public housing:

"DON'T PAY SOMEBODY ELSE'S RENT, VOTE 'NO' ON PROPOSITION B

"On June 3 the people of Los Angeles are to decide whether they want to saddle themselves with the socialized public-housing scheme rejected and canceled by their city council December 26, 1951.

"Proposition B is the name of the measure that would force upon the taxpayers at least a $205,000,000 burden to build 10,000 Government-owned and operated housing units.

"Everybody knows we are an overtaxed Nation already. If we are going to spend this kind of money, just where do we get it? At a time when the most patriotic thing we can do is to save Government money, is it justifiable to spend hundreds of millions for public-housing projects? You not only are asked to spend tax money to build public housing, but then you must help pay the rent of the families living in them for the next 40 years.

"Here are the facts:

"1. Public housing is pure socialism: The Government would own the land, build the units, collect the rent, select the favored tenants, decide how much or how little rent the tenants pay, and decide how much of the rent you must pay in tax subsidy. That is socialism, pure and simple.

"2. It will increase taxes by hundreds of millions: The city housing authority official estimate, as of August 15, 1951, set the total cost of $205,000,000. Now there is an election coming, so city housing authority has revised the figure downward. Nonetheless, here are some of the figures involved:

"They want $110,000,000 for land and construction.

"They want $53,968,000 for interest to bondholders.

"They want $124,320,000 for the 40-year expense of their bureau.

"They want $67,274,000 subsidy from Los Angeles (tax exemption).

"They want $137,856,000 Federal subsidy to cover operation losses.

"(All figures are those of the housing authority published August 15, 1951).

"3. These projects will not clear slums: All of us hate slums—so the public-housing bureaucrats advertise their program as slum clearance. Yet only a few of the 10,000 units would actually replace substandard dwellings. These 11 new projects would be built on that averages 80-percent vacant.

"4. Slum clearance under way without public housing: The city department of building and safety reports that approximately 3,500 substandard dwelling units can be rehabilitated annually under present conditions by proper enforcement of the law. Last year 3,500 units were so rehabilitated at the owners' expense. With only 10 new inspectors and 3 other new employees, the department plans to initiate a comprehensive program to eliminate substandard dwelling units at a trifling inspection cost, compared with the untold millions which public-housing projects would devour.

"5. Adoption of this program would further entrench a dangerous bureaucracy: The city housing authority at present operates some 10,000 units as landlord of 45,000 tenants and maintains more than 500 employees. This bureaucratic empire would instantly double if proposition B passes. Yet the city housing authority is under no direct control by Congress, the State legislature, the board of supervisors or the city council. The city housing authority tells you and your representatives where to get off. It sued, in the courts, to prevent the people from voting on proposition B. In every country where public housing was allowed a good start, public housing ended up by taking over all housing.

"6. Public housing breeds crime and other social evils: Chief of Police W. H. Parker wrote to Samuel Leask, Jr., city administrative officer:

"'A high percent of delinquents in this area reside in public-housing projects. It is estimated by the division that 40 percent of the total juvenile investigation time in Hollenbeck division is spent in public-housing projects. By contrast, the Wyvernwood private-housing project shows no ar-

restees residing in the project, and the slum area known as The Flats also reflects a lower number of resident delinquents.' Calls per police car are higher from public-housing projects, the chief said.

"Police calls per 1,000 population for November 1951, were as follows: Private-housing project (Wyvernwood), 0.8; temporary housing, 6.75; Flats (slum area), 7.0; public-housing project, 13.75.

"We find permanent public-housing projects reflecting almost twice as much crime as an adjoining slum area, and 16 times more than, Wyvernwood, an adjoining private-housing project.

"7. Cancellation of these projects is legal, moral, and financially practical: The city council canceled the housing agreement in compliance with Public Law 137, passed by Congress August 31, 1951, granting home-rule powers to the governing bodies of Los Angeles and other cities to cancel public-housing agreements. We have no sacred duty to maintain a contract to spend money, particularly when Congress set up the procedure for cancellation.

"Public-housing proponents contend the city will lose money by abandoning the project. The city housing authority has invested some $12,900,000 of which $9,000,000 went for land. This land can be sold at a profit on today's market, which will guarantee recovery of the $9,000,000, and conceivably could recover moneys spent by the housing authority for salaries and other expenses. The legal procedure is to get an outside appraisal, which would constitute the minimum acceptable bid and then sell the land in open auction.

"8. This scheme does not provide low-rent housing for the poor: The lowest income families generally are not accepted in public housing. Families receiving allotments are almost uniformly excluded. In practice, only families with steady jobs are admitted. Maurice Saeta of the housing commission on February 12, 1951, put it in writing that out of 10,123 families, only 29 percent were required to have a minimum income to live in public housing. The city administrative officer reported that 23 percent of the families earned from $3,000 to $4,199 a year. A later survey limited to Rodger Young Village, showed nine families earned better than $600 per month. Yet thousands of other Los Angeles families with identical incomes are required to help pay the rent of the favorites of the housing authority.

"9. Thirty-four height-limit buildings are planned: Concrete and steel buildings 13 stories high are included in the housing authority plans for Rose Hills and other areas. This is what the social planners conceive to be ideal housing for families. Packed into these "tenement towers" will be approximately 15,000 men, women, and children needing playgrounds, shools, sewers, police and fire protection, garbage collection and elevator service—all at your expense.

"No one has been able to explain just why concrete and steel construction should be provided at public expense by taxpayers who themselves live in frame and stucco houses.

"10. We do not need 10,000 new units: Surveys show a vacancy factor of up to 8 percent in Los Angeles. There is more housing available today than in 1940, a year of surplus. Analysis of the 1950 census shows that we have more low-rent dwellings than there are low-income families. One-fifth of our citizens live in dwellings renting for less than $30, and two-fifths of them live in dwellings renting for less than $40. Half of them pay rent of $43 or less.

"The history of public housing is that it is socialistic, it imposes huge tax burdens on the people, it does not clear slums, it gradually displaces the private home, it entrenches dangerous bureaucracies in power, it breeds crime and social evils, and it destroys the spirit of self-reliance which made America great.

"It has been proved that we have no need for such a program at the present time when we have a housing surplus and also have a successful program of slum clearance through rehabilitation of substandard dwellings at owners' expense by enforcement of existing laws and codes.

"Proponents of public housing are attempting to misrepresent the facts and mislead the public through emotional propaganda methods. Under no circumstances should the city of Los Angeles add a $205,000,000 socialist housing program to the fires of inflation and soaring taxes in the critical year of 1952.

"Vote 'no' on proposition 'B.'

"Issued by:

"Frederick C. Dockweiler; James L. Beebe; J. P. Bradley; Rupert Hughes; Mrs. Leiland Atherton Irish; Mrs. Justus A. Kirby; Mrs. James K. Lytle; Russel W. Starr, M. D.; Rev. Jesse Randolph Kellems, D. D."

Here is the statement submitted by the proponents of the proposition:

"DO NOT BE FOOLED INTO A $13,000,000 TAX INCREASE

"Housing proposition B is deliberately worded to mislead you. Actually, a 'yes' vote costs you nothing; a 'no' vote will boost your tax rate considerably.

"Proposition B reads: 'Shall initiation or reinstitution of a low-rent public-housing project * * * be adopted?' thus leading you to believe that you are merely voting on whether or not to begin a new public-housing program.

"This is not the fact: The low-rent, slum-clearance housing program was begun 2½ years ago. Land has been acquired, some of it under condemnation proceedings; families have been removed; a great many slum structures have been destroyed; approximately $13,000,000 has been spent—none of it city funds. The program has cost you nothing to date.

"If you vote 'yes' on proposition B—if the program is allowed to proceed in a normal manner—it will continue to cost you nothing.

"If you vote 'no,' all action on the program will cease and the Federal Government will immediately institute suit to get its money back. It will cost you, as a local taxpayer, $13,000,000 added to your property taxes and/or your city sales taxes.

"There is no question that the city will be liable for full damages under its breach of contract. Even those opposed to public housing have conceded that.

"There is likewise no doubt that the misleading wording of the ballot question is deliberate. When the resolution to put the matter on the ballot was before the city council, Councilman Timberlake, speaking for the seven councilmen who voted against breaching the contract, asked that the proposition be presented to the voters in its true light: That it be in the form of a bond issue, repaying the Federal Government the money that had already been spent.

"This honest suggestion was shouted down. Indeed, one councilman openly stated: 'We can't put it on like that. The people would never vote for a bond issue.'

"But that is what you are voting on. You are voting on whether or not to assess yourself $13,000,000 in order that the city may breach a legally binding contract—something no reputable businessman would dream of doing.

"Do not be misled by loose talk that the city can sell the land and recover the money it will lose. The city cannot sell the land. Land that has been assembled for a public purpose, by condemnation and under threat of condemnation, cannot be sold to private speculators for a private profit. No court would allow that. And while litigation over the disposal of the land stretches out for years, you will pay the $13,000,000.

"Do not be confused: The slum-clearance, low-rent housing program does not compete with legitimate private business. The people cared for in public housing are too poor to afford decent accommodations offered by private landlords. The program will cost you nothing, for the off-site costs provided by the city will be more than repaid by the first year's taxes from the new program. And slum clearance will mean lower taxes for you.

"Remember a 'yes' vote costs you nothing and clears your city's slums; a 'no' vote costs you $13,000,000—for the privilege of denying homes to poor families.

"Vote 'yes' on proposition B.

"W. J. BASSETT,
"Secretary-Treasurer, Los Angeles Central Labor Council, AFL.
"GEORGE A. BEAVERS, Jr.,
"President, Los Angeles Urban League.
"ALBERT T. LUNCEFORD,
"Secretary-Treasurer, Greater Los Angeles CIO Council.
"WILLARD MCCASLAND,
"Commander, Los Angeles County Council, Veterans of Foreign Wars."

With the above information, every voter was well informed as to just what he was voting on, and the results of the election indicate that the people of the city of Los Angeles definitely do not want any Federal low-cost housing projects subsidized with Federal funds built in the city of Los Angeles.

Los Angeles is the third largest city in the United States, and if public housing is needed anywhere in the Nation, Los Angeles, with its great increase in population, the greatest of any large city in the Nation since the 1940 census, is the type of city that would need it, but the people of the city of Los Angeles definitely said "No," they do not want it.

The following is a statement from the Los Angeles Times which indicates that the vote by the people of the city of Los Angeles on public housing on June 3 was of Nation-wide interest:

"EYES OF UNITED STATES ON VOTE

"For some weeks it has been conceded that the eyes of the Nation, as far as the future of public housing is concerned, would be on Los Angeles yesterday as it voted upon the highly controversial issue. Predictions have been made that the further development of subsidized housing schemes throughout the country would probably be vitally affected by the verdict of the voters here.

"Dissension began after the city council voted unanimously on August 8, 1949, to enter into an agreement with the federally sponsored city housing authority for construction of the 10,000 units. This agreement was represented to be a cooperation agreement.

"Attached to the ordinance approving the contract was an emergency clause which made it effective immediately. There was no move to submit the action to a vote of the people and there were no public hearings held regarding the move.

"Following a rising tide of opposition, the city council last December 26 voted 8 to 7 to cancel the contracts after a bitter and stormy parliamentary battle."

Following the vote on June 3, several civic leaders and city councilmen express themselves as to what the vote of the people indicated. I submit herewith some of these public statements:

"City councilmen and civic leaders who were in the forefront of the hotly controversial battle to defeat proposition B, the public-housing scheme, last night were unanimous in their acclaim of the vote repudiating the Federal project.

"Harold A. Henry, president of the city council and a leader in opposing the scheme, led the parade of comment with:

" 'On the basis of returns up to this hour, it appears that the people of Los Angeles have rejected the proposed federally subsidized housing program.'

"Verdict conclusive

" 'The city council submitted this question to the people for decision in accordance with State law. The verdict by the voters should be conclusive and no official or Government bureau should attempt to nullify it or set it aside.

" 'It represents a vote of confidence in the city council in halting this program and moving to solve the problem in the American way under our free-enterprise system.'

"Considered mandate

"Other comments on the proposition's defeat included:

"City Councilman John C. Holland: 'The people have weighed Government-owned and operated public housing and found it wanting. I consider this vote a mandate to the mayor and the city council to move full speed ahead in the slum-clearance program proposed as a substitute for the public-housing scheme.'

"City Councilman Charles Naarro: 'Mayor Bowron has been saying that no matter which way the vote turned out, he would personally go to Washington and negotiate a settlement with the Federal Government. The mayor has been one of the strongest advocates of public housing and I, for one, believe that the city council should participate in negotiating for the people.'

"Wants council action

" 'The majority members of the council are the ones who fought to save the city from this mess and we take it for granted that the mayor would not think of any such trip to Washington without at least two of the majority members of the council participating in it.'

"Attorney James L. Beebe, civic leader who moderated the anti-public-housing conferences at the chamber of commerce: 'Determination has been expressed by the people to back their city council in its cancellation of the 10,000 unit federally subsidized public-housing project. It now becomes the duty of Mayor Bowron and every city councilman and the city housing authority to execute this mandate of the people. The way is now clear for the renegotiation of this contract to the end of its total abandonment.'

"Congress action urged

"Donald B. Ayers, president of the Los Angeles Realty Board: 'If the public-housing bureaucracy refuses to accept the mandate of the people, Congress should take immediate action which will protect the rights and wishes of local communities. The voters of Los Angeles are to be congratulated for their opposition to this costly and socialistic scheme administered by uncontrolled bureaucrats. The Los Angeles Realty Board pledges its full support to the program now under way by the building and safety and health departments of the city to rehabilitate slum and substandard dwellings.'

"Attorney Frederick C. Dockweiler, chairman of the Committee Against Socialist Housing: 'It now becomes the duty of the mayor, city council, city housing authority, and the Public Housing Administration in Washington to execute the will of the people by negotiating the abandonment of this project. It becomes also the duty of the proper city agencies to proceed with the slum-clearance program announced last week by the department of building and safety. The Committee Against Socialist Housing pledges its continued efforts for slum clearance by private enterprise.' "

I also submit herewith an article from a recent edition of the Christian Science Monitor which is an excellent review on this whole controversial issue:

"LOS ANGELES VOTERS SPIKE PUBLIC HOUSING PROGRAM

"(By Kimmis Hendrick)

"LOS ANGELES.—By popular vote the people of this city overwhelmingly have repudiated their most ambitious public-housing program.

"This does not necessarily mean that Los Angeles turns its back forever on public housing. But it does mean that one of the country's largest and perhaps its fastest-growing city emphatically has reopened the debate on the concept's essential merits.

"Before the question was voted on here, it had been referred to the Supreme Court of the United States. In all likelihood, the awaited decision by that Court, not the voting, will settle at least the immediate issue.

"Eleven sites approved

"That issue is the right of the city council to cancel a cooperation agreement it signed with the Los Angeles Housing Authority in 1949.

"On that agreement the authority proceeded to obtain Federal financing for a $110,000,000 building program. So far, 11 sites have been approved, obtained, and cleared.

"Should the program be stopped, it would leave the housing authority operating other projects which it has developed since early in World War II and against which no objections currently have been voiced.

"The California Supreme Court has ruled that the 1949 cooperation agreement is a binding contract which the city council cannot cancel. Its status therefore is in suspension pending a ruling by the Nation's highest tribunal.

"Public-housing opponents say the latter could be influenced by the Los Angeles vote.

"Explanations offered

"Whatever happens, Los Angeles long will be looked upon by students of political science as a fascinating study in what makes a city adopt a program enthusiastically and then repudiate it vigorously a bare 5 years later.

"One obvious explanation is that the 1949 action by the city council did not reflect the people's attitude toward public housing.

"But such an explanation calls attention to numerous others. One is the determination with which the whole public-housing concept has been lately attacked by a national real-estate lobby. It became evident last year that Los Angeles was to be made the country's most significant battleground for this offensive.

"Although the program was adopted on the national level largely due to the efforts of Senator ROBERT A. TAFT, Republican, of Ohio, who called it an essential subsidy to free enterprise, Los Angeles critics characterize it precisely to the contrary.

"Wide publicity employed

"They used every available means of publicity for calling it a socialistic burden on taxpayers, and sought to identify it in public thought with corrupt bureaucracy, and even communism.

"Advocates found it difficult, or apparently impossible, to convince the public that low-rent public housing is a cure for slums and for the huge tax burden imposed by slum conditions.

"It is argued here that opposition to the city housing authority's newest and biggest program developed at about the time the private real-estate industry began to sense the end of the postwar building boom.

"This could mean it would have to face public-financed competition at the low-rent level.

"The view was expressed that private enterprise ought to do the whole slum clearance job. Many who supported the public-housing program in the recent election, including Mayor Fletcher Bowron, have said this would be the ideal answer.

"Like Senator TAFT, however, they came to feel that this was neither a likely nor a feasible course.

"Amendment sought

"One upshot of the heavy local controversy over the question has been agreement by the city council, the mayor, and various city departments that Los Angeles can effect much slum clearance by strict enforcement of safety and sanitation laws.

"Another is the indication that the legislature will be asked to amend its act constituting housing authorities to make them more responsive to local policy and government.

"It is felt that the Los Angeles Housing Authority's determined insistence on its virtual autonomy, perhaps more than anything else, explains the opposition to it that developed in the city council."

Mr. Speaker, I believe that the results of the vote of the people of the city of Los Angeles on the highly controversial question of Federal low-cost public housing should be very revealing to the Members of the House of Representatives, and should serve as a guide to them in their future considerations on this controversial subject.

Mr. NIXON. I thank my colleague for making the material available to the Members of the Senate.

Mr. President, what we are attempting to do through the amendment is to give effect to the intent of Congress as expressed in the debate last year and as reiterated by the senior Senator from South Carolina, the chairman of the subcommittee, in debate on this amendment a few days ago. It seems to me that no Member of the Senate under the circumstances could fail to support the amendment, because when the Senate passed the independent offices appropriation bill last year and when it passed it this year we all were aware of the fact that the local option provision to which I have referred was to apply both to those cases where a city council or a local authority decided that it did not want public housing in advance of an authorization and to those cases where a city council or local authority by way of referendum had decided they did not want public housing after it had been authorized and the housing project was initiated.

Mr. President, I make one further point, which I think is conclusive insofar as this particular matter is concerned, and that is that our amendment provides specifically that any funds which may have been advanced for the purpose of initiating a project must be repaid by the local governing agency when it rescinds the authority which has been granted. So the Federal Government, in other words, loses no money in case a previous authorization is rescinded by the city council or by the voters by referendum, as it was in this case.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. NIXON. I yield on the Senator's own time.

Mr. SPARKMAN. I should like to ask a question.

Mr. NIXON. I shall be glad to yield on the Senator's own time.

Mr. SPARKMAN. I have no time.

Mr. NIXON. Mr. President, how much time do I have remaining?

The VICE PRESIDENT. Six minutes.

Mr. NIXON. Mr. President, I yield 6 minutes to my colleague, the senior Senator from California [Mr. KNOWLAND].

The VICE PRESIDENT. The senior Senator from California is recognized for 6 minutes.

Mr. KNOWLAND. Mr. President, to reiterate what my junior colleague from California has stated, on June 3 the people of the city of Los Angeles voted by a majority of 128,625 votes that they did not desire to proceed with the construction of a public-housing project of some 10,000 units, which had been previously approved by the city council.

Briefly, Mr. President, under a resolution adopted by the city council on June 2, 1938, the housing authority of the city of Los Angeles came into being. On August 8, 1949, the city council, by ordinance, declared that there was a shortage of proper housing in excess of 10,000 housing units. As a result, an application was made to the public-housing authority for a preliminary loan to make plans and surveys by an ordinance of the city, which was authorized to enter into a cooperative agreement with the housing authority.

Since that time a preliminary loan contract has been entered into between the Los Angeles Housing Authority and the Federal Administration, and I understand that certain construction contracts have been awarded but that construction has not yet started.

The California Supreme Court has recently handed down a decision which in effect states that the city is not authorized to abrogate the contract and has ordered the city to proceed with the project.

On December 3, 1951, the City Council of the City of Los Angeles, by a vote of 8 to 7, adopted a motion that the housing authority be requested to desist from taking further action on the housing program pending a report from the city administrator, and asked advice of the city attorney as to how to stop the housing program until it could be submitted to the electors of the city. On December 26, 1951, the city council took action to rescind the prior approval of the low-rent housing project and to abrogate the agreement which had been entered into between the city of Los Angeles, the Los Angeles Housing Authority, and the Public Housing Administrator.

As I stated earlier, Mr. President, the people of the city of Los Angeles have upheld the city council by a vote of 387,343 to 258,718.

My colleague has mentioned the statement made by the chairman of the Committee on Banking and Currency in which he said:

> If a community desires, through its governing body, to vote not to have housing projects, it may do so; and they may if they wish—and I desire to make this perfectly clear, so that there will be no misunderstanding—cancel a contract which has been made for public housing.

Mr. MAYBANK. Mr. President, will the Senator yield on my time?

Mr. KNOWLAND. I am speaking on my colleague's time.

Mr. MAYBANK. Will the Senator from California yield on my time?

Mr. KNOWLAND. I should like to finish my statement.

Mr. MAYBANK. I did not suggest that they could enter into a $12,000,000 contract and cancel it.

Mr. KNOWLAND. I do not yield for that purpose. The statement concludes:

> Of course they will be responsible for any money which the Government has put into the project.

Subsequently the Senator from South Carolina inserted in the RECORD, at page 6498 of the CONGRESSIONAL RECORD of June 4, 1952, a copy of the correspondence between Mayor Fletcher Bowron and himself regarding the ability of a municipality to withdraw from a public-housing project.

In the case of the city of Los Angeles, Mr. President, between twelve million and thirteen million dollars of money has been expended in obtaining land, clearing land, and for the payment of salaries and services. The amendment presently under consideration provides for repayment of indebtedness and to that extent the Federal Government will not suffer any financial damage. It seems to me to be unreasonable, when the city council, supported by the people of a community, states in very positive terms that they do not desire to go through with the project that they should be denied the right to make restitution and withdraw from the contract.

Mr. President, we hear a great deal of discussion about States' rights and local rights. We hear a great deal of discussion from the other side of the aisle and on this side of the aisle about the will of the people being able to express itself. Here is a clear case in which the people of a great city, through their elected representatives, under our representative system of government, by the action of the official city council, have taken action. The question was submitted to referendum. The people themselves by democratic process by an overwhelming majority said that they want to stop a project which had been previously approved. It seems to me that, unless the amendment were adopted, the Senate of the United States and the Federal Government would set itself up over and above the will of the people of a community and force them to go ahead with a project which they themselves have determined they do not care to proceed with.

Mr. President, this amendment will not relieve the community of any financial liability to the Federal Government. However, certain local and State problems will have to be worked out before final action can be taken to implement the decision of the people of Los Angeles.

I make a plea to the Senate today that, even though some technical objections may be raised to the germaneness of the amendment, I believe that the amendment is germane to the general situation we are discussing, namely, the relationship of the Federal Government to the economy and the life of the Nation.

In view of all the circumstances which have been presented to the Senate by both my colleague [Mr. NIXON] and me—and we represent in the Senate the State of California—I hope the Senate will adopt the amendment and will make it a part of the pending bill.

Mr. MAYBANK. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina is recognized.

Mr. MAYBANK. Mr. President, no one has greater appreciation than I have for the distinguished Senators from California. However, in reality what they are asking us to do is to vote to have the Federal Government interfere in a local dispute between two local public bodies. I shall discuss the exact facts in the case. I have just received a telephone call about this matter from the mayor of Los Angeles.

I do not intend to get mixed up in a local dispute, and I trust that the Senate will decide not to do so, either. I hope the Senate will agree with me, after I have presented the facts which I have obtained.

First, however, I now yield several minutes to the Senator from Iowa [Mr. GILLETTE].

VISIT TO THE SENATE BY MR. AND MRS. THOMAS F. SULLIVAN OF WATERLOO, IOWA

Mr. GILLETTE. Mr. President, I ask for 1 minute.

The VICE PRESIDENT. The Senator from Iowa is recognized for 1 minute.

Mr. GILLETTE. Mr. President, I believe every Senator remembers very vividly the tragedy of 10 years ago, when the United States warship *Juneau* was sunk in the Pacific war, and there went down with it five brothers from Waterloo, Iowa, who were serving on that warship.

Mr. President, many distinguished visitors have entered this Chamber, but I believe the Senate Chamber has never been visited by anyone more entitled to recognition than are the mother and father of those five young men. Mr. and Mrs. Thomas F. Sullivan, of Waterloo, Iowa, gave their sons to the United States. Mr. and Mrs. Sullivan are in the gallery at this time, and I should like to have them stand, so that the Members of the Senate can recognize them.

[Prolonged applause, Members of the Senate rising.]

Mr. GILLETTE. I thank the Senator from South Carolina for yielding to me.

Mr. MAYBANK. Mr. President, I have been only too happy to yield to the Senator from Iowa, and I desire to join him in conveying our most sincere respects to Mr. and Mrs. Sullivan.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

The Senate resumed the consideration of the bill (S. 2594) to extend the provisions of the Defense Production Act of

1950, as amended, and the Housing and Rent Act of 1947, as amended.

Mr. McFARLAND. Mr. President——

Mr. MAYBANK. Mr. President, I yield to the Senator from Arizona.

Mr. McFARLAND. Mr. President, I plead with the Senators from California to withdraw the amendment. The amendment clearly is not germane to this bill.

Mr. MAYBANK. Mr. President, will the Senator from Arizona yield to me at this time?

Mr. McFARLAND. Yes.

Mr. MAYBANK. I merely wish to suggest that I shall make a point of order against the amendment, but I do not wish to do so until the proper time, because I wish to have the Senate understand what it is doing.

Mr. McFARLAND. Very well.

Mr. President, I simply wish to say to our good friends, the two Senators from California, that I think they do their cause an injustice when they offer this amendment to this bill, as it is not germane and has nothing to do with the bill pending.

When we obtain unanimous-consent agreements to the effect that only germane amendments may be submitted if we do not abide by those agreements, virtually anything could "come in the door" so to speak, under such agreements limiting debate.

So I hope the Senators from California will recognize that we must proceed in an orderly manner, and that it is important that we do so; and I trust they will withdraw their amendment. If this matter has not been given consideration by the Banking and Currency Committee, I hope it will be; but certainly it will not receive the proper consideration, in my opinion, by being submitted on the floor, as an amendment to the pending bill, under a unanimous-consent agreement limiting debate on each amendment to 15 minutes to a side.

So I hope the Senators from California will not insist upon the amendment.

Mr. MAYBANK. Mr. President, for the RECORD, I wish to have it understood that although this amendment appears to be general in nature, it is directed primarily to a single local situation in Los Angeles, Calif. I make that statement with the deepest respect and admiration for both Senators from California.

The Federal law relating to low-rent public housing made specific provisions to the effect that the governing body of each locality would be responsible for determining whether low-rent public housing was needed in that community, and that such determination should be made by the local governing body before the Federal Government entered into any contracts for low-rent public housing in any community.

In the case of Los Angeles, these requirements of laws were fully met. The City Council of Los Angeles by resolution approved the application of the local housing authority for a preliminary loan for its low-rent public housing program. Thereafter, the City Council of Los Angeles entered into a contract with the local housing authority providing for the required local cooperation, and thereafter the local housing authority entered into a loan and annual contributions contract with the Public Housing Administration of the United States.

After the local public housing program, which twice previously had been approved by the city council, was commenced, the city council, by a one-vote margin, voted to rescind its previous approval of the program and to terminate the contract for the local cooperation previously entered into.

The Supreme Court of California held that such action by the city council to terminate a valid contract by unilateral action and without the consent of the other party to the contract, was not authorized under the laws of the State of California and the Constitution of the United States. In this connection I want to call attention again to my colloquy with the late Senator Wherry last year. The Senator from California has referred to it several times. I said that, under the language in last year's independent offices appropriation bill, a contract could be canceled and the money paid back to the Federal Government. I did not mean—and I have consistently pointed this out to the Senators—that a contract could be canceled by one party to the contract. It would have to be a mutual cancellation—an agreement by both parties to terminate their contract and to pay back the Federal Government.

The city council also provided that the question as to whether the program of low-rent public housing previously approved by the city council and contracted for should proceed, was to be submitted to the voters at the June 3 election. The attorney general of California ruled that, in view of the previous approvals of the city council and the valid contracts entered into in reliance thereon, and the decision of the Supreme Court of California, such referendum would be of no legal force or effect, but that since the ballots had already been printed and there was not sufficient time for reprinting the ballots prior to the June 3 election, the proposition could not be removed from the ballot. The vote was about 378,000 to 258,000 against low-rent public housing.

There is no question but that if the city council had sought to ascertain the wishes of the voters before giving the required approvals and entering into valid contracts, the city would be entirely free to refuse to go ahead with any public housing. I think the city council should have sought to ascertain the wishes of the voters; but it did so too late, in my judgment.

In the situation which now prevails and under the decisions of the Supreme Court of California, the city council cannot, by unilateral action, terminate its valid contract.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield at this point?

Mr. MAYBANK. I shall be glad to yield to my colleague after I finish this statement.

At the same time, however, the city and the local housing authority have full power to mutually agree to terminate or to modify the existing contract in such manner as will most readily carry out the wishes of the citizens of Los Angeles as expressed in the June 3 referendum. In other words, the local housing authority and the city council can get together.

Similarly, the local housing authority and the Public Housing Administration have full authority to mutually agree on such modification of the present valid loan and annual contributions contract as would most readily carry out the wishes of the citizens of Los Angeles as expressed at the June 3 election, although, of course, any such agreement could not relieve either the local housing authority or the city of Los Angeles from their respective obligations concerning the repayment to the Federal Government of moneys advanced under such contract prior to its modification.

Therefore, it seems perfectly clear that this is a purely local situation where all of the parties involved have full authority and power under existing laws to take whatever action may be mutually agreed to in order to resolve satisfactorily the local controversy. Since it is a purely local situation, and I wish to emphasize this, and since the basic Federal legislation specifically places the primary responsibility for solving local situations with the local communities, where it belongs, the Congress of the United States should not enact national legislation to deal with a purely local situation.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield to me at this time?

Mr. MAYBANK. I am glad to yield.

Mr. KNOWLAND. I wish to make a plea to the distinguished Senator from South Carolina who heretofore has stood on this floor in the interest of States' rights: Here is a case in which the elected representatives of the people of that State have asked for an abrogation of the action taken by the city council.

Mr. MAYBANK. If the Senator from California will yield at this point, let me say that the voters of that city have not asked the Congress of the United States to relieve them from two previous actions taken by the city council.

Mr. KNOWLAND. Mr. President, with all due respect for my friend from South Carolina, I submit that the spokesmen of the State of California in this Chamber are the junior Senator from California and myself; and I have just been renominated in California by both of the great political parties.

Mr. MAYBANK. As I told the distinguished Senator from California, I marveled at the votes he got. But this is a local dispute that should be settled locally first before bringing it to the Federal Government or the Congress.

Mr. KNOWLAND. I want to say I think the Senator is establishing a very dangerous precedent.

Mr. MAYBANK. No; Mr. President.

Mr. KNOWLAND. It is a precedent which is violative of States' rights and of the will of the local people.

Mr. MAYBANK. No, Mr. President, the Supreme Court of California acted, as the Senator from California knows.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. I yield to the Senator from Alabama.

Mr. SPARKMAN. Is there any controversy whatever as between the Federal Government and the city of Los Angeles?

Mr. MAYBANK. There is none.

Mr. SPARKMAN. Is it not true that the controversy which exists is between the city council of the city of Los Angeles and the housing board of the city of Los Angeles, which is a State agency?

Mr. MAYBANK. That is exactly the case. The Federal Government is not involved at all. The city council voted for it twice. On a third vote, they reversed their previous votes. The people voted against it. I love to stand by the people, as I always have, but I do not think we should put ourselves in the position of going back on the rulings of the Supreme Court of California and the action of the council of the city of Los Angeles. They should be allowed to settle their own disputes without interference from the Federal Government.

Mr. SPARKMAN. Mr. President, if the Senator from South Carolina will yield to me at that point, since the question of States' rights has come up, I know the Senator from South Carolina is a believer in States' rights, and so am I.

Mr. MAYBANK. I am a believer in States' rights, that is why I wanted to make this statement.

Mr. SPARKMAN. But is not this the situation in effect: The very able and distinguished and good Senators from California——

Mr. MAYBANK. No better Senators are made, I may say.

Mr. SPARKMAN. The Senators from California come here to ask the Federal Government to intervene in a purely local dispute. Is not that true?

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I ask the attention of the Senator from South Carolina. Is not that true?

Mr. MAYBANK. Mr. President, how much time have I remaining?

The VICE PRESIDENT. The Senator from Alabama has asked the Senator from South Carolina a question.

Mr. SPARKMAN. I asked whether it is not true that what the able Senators from California have done is, in effect, to ask the Federal Government to intervene in a purely local dispute.

Mr. MAYBANK. That is my understanding.

Mr. SPARKMAN. Did not the Supreme Court of California say it was a local dispute?

Mr. MAYBANK. That is what it said.

Mr. SPARKMAN. And did not that court point out that the city council and the city housing authority should work out the problem between them?

Mr. MAYBANK. That is correct. And the Federal Government would agree to any sensible agreement reached by them, I am sure.

Mr. SPARKMAN. Is it not also true that the attorney general of the State of California has also ruled on the matter? Is it not the effect of this amendment that the Federal Government shall upset the ruling of the Supreme Court of California, and upset the ruling of the attorney general of the State and of everyone else who has had anything to do with it?

Mr. MAYBANK. Except the last vote of the city council.

Mr. President, I make a point of order against the amendment.

The VICE PRESIDENT. The Senator will state the ground of the point of order.

Mr. MAYBANK. It is on the ground that the amendment is not germane to the pending bill extending the Defense Production Act.

The VICE PRESIDENT. Under the unanimous-consent agreement, no debate is allowable on the point of order.

Mr. KNOWLAND. I ask for the yeas and nays.

The VICE PRESIDENT. Just a moment. There are no yeas and nays on the point of order. The Chair passes on the question, and from the decision of the Chair the Senator may take an appeal. The Chair will hear the Senator from California briefly on the point of order, and only on the point of order. The Chair has no function to pass on the merits of the amendment; the only question is on the germaneness of the amendment to the bill which is pending before the Senate.

Mr. KNOWLAND. Mr. President, I call the attention of the Chair to the fact that the bill we are considering, in title II, provides for amendments to the Housing and Rent Act of 1947, as amended. I also call the attention of the Chair to the fact that Public Law 96, Eighty-second Congress, chapter 275, first session, Senate bill 1717, an act to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, as amended, on page 15, provides—

Mr. MAYBANK. Mr. President, if the Senator from California, for whom I express my appreciation, will yield, rent control is only temporary. It was changed the other day, to make it expire March 1.

The Public Housing Act is a permanent law and "housing" in the "Housing and Rent Act" does not refer to the Housing Act of 1949 which includes the provision for public housing.

Mr. KNOWLAND. Continuing, I read from page 15, as follows:

> Notwithstanding the provisions of section 202 (c) the term "controlled housing accommodations" as applied to any such critical defense housing area shall include all housing accommodations in the area, without exception. In establishing any maximum rent for any housing accommodations under this subsection, the President shall give due consideration to the rents prevailing.

Then, on page 18 of the same Defense Production Act, it is provided as follows:

> SEC. 206. Section 202 (a) of the Housing and Rent Act of 1947, as amended, is amended to read as follows:
>
> "(a) The term 'person' includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing."

Since obviously it is impossible to build either public housing or private housing without materials, and since this act deals with the control of materials, I think it is a reasonable assumption that this amendment is germane under the general provisions of the act, and that the reason, as the Senator from South Carolina knows, the reason for including a provision as to germaneness in the unanimous-consent agreement was that the Senate itself has no rule of germaneness, except in the case of appropriation bills and cloture motions and it was desired to prevent something entirely extraneous, such as an anti-poll-tax measure, or something else, from being added to the bill. This is certainly within the general scope of what we are dealing with here.

Mr. MAYBANK. We have no poll-tax amendment. I have said nothing about the poll tax.

The VICE PRESIDENT. The Chair is ready to rule. The Chair has examined the amendment and the bill to which the amendment is offered. The only question for the Chair to pass on is, Is this amendment germane to the bill now under consideration? It is not a question of whether the amendment would be germane to some other act of Congress, which is now the law. The bill under consideration extends the Defense Production Act and the rent-control provisions of the Housing Act of 1947. It does not deal with housing projects or with the construction of housing projects.. It only extends the provisions of the 1947 Act, which deal with rent control and rent decontrol. The Chair thinks it is not germane to the bill in that respect, and therefore sustains the point of order.

Mr. NIXON. Mr. President, I appeal from the decision of the Chair.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. KNOWLAND. I ask for the yeas and nays.

The VICE PRESIDENT. On the appeal, 15 minutes to a side are available, if any Senator wishes to use the time. Otherwise, the yeas and nays having been requested and sufficiently seconded, the clerk will call the roll.

Mr. KNOWLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will still call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Gillette	Magnuson
Bennett	Green	Malone
Benton	Hayden	Martin
Bridges	Hendrickson	Maybank
Butler, Md.	Hennings	McCarthy
Butler, Nebr.	Hickenlooper	McClellan
Capehart	Hill	McFarland
Case	Hoey	McKellar
Chavez	Holland	Millikin
Clements	Humphrey	Monroney
Connally	Hunt	Moody
Cordon	Ives	Morse
Douglas	Jenner	Mundt
Dworshak	Johnson, Tex.	Neely
Eastland	Johnston, S. C.	Nixon
Ellender	Kem	O'Conor
Ferguson	Kerr	O'Mahoney
Flanders	Kilgore	Pastore
Frear	Knowland	Robertson
Fulbright	Lehman	Saltonstall
George	Long	Schoeppel

Seaton	Sparkman	Welker
Smathers	Thye	Wiley
Smith, Maine	Tobey	Williams
Smith, N. J.	Underwood	
Smith, N. C.	Watkins	

The VICE PRESIDENT. A quorum is present.

Mr. NIXON. Mr. President, may I be recognized?

The VICE PRESIDENT. The Senator from California is recognized for 15 minutes.

Mr. NIXON. Mr. President, I shall not use 15 minutes, but I shall take some time for the purpose of explaining to the Members of the Senate the technical question which is now before the Senate. The vote will come upon the decision of the Chair that the amendment which has been offered by the junior Senator from California is not germane to the bill pending. The question before the Senate is whether the decision of the Chair, to the effect that the amendment is not germane, shall be sustained. Of course, those Senators who believe the amendment is germane to the bill will vote "nay"; those who believe it is not germane will vote "yea."

So that Senators who were not on the floor when the debate took place a few minutes ago will understand the issue involved, I think it is necessary to explain, in a few words, just what the amendment does.

The people of the city of Los Angeles, in a referendum on June 3, by a vote of 378,343 against 258,718, a majority of more than 120,000, decided to rescind a public-housing contract which had been entered into by the City Council of Los Angeles with the Public Housing Authority of the Federal Government.

The question is whether the wishes of the people of the city of Los Angeles are to be respected in this matter. There are four other areas in the country at the present time awaiting a decision in the case which affects the city of Los Angeles, so that they may consider action to rescind public-housing contracts which have been previously entered into. So, it is not a matter which concerns only the city of Los Angeles and the State of California; it also concerns several other States, and, therefore, concerns the national interest, as well.

It is the contention of those of us who support the amendment that all the amendment proposes to do is to give effect to the legislative intent which was expressed by the senior Senator from South Carolina [Mr. MAYBANK] in the debate on the independent offices appropriation bill last year. The legislative intent was, we think, clearly expressed by the words of the Senator from South Carolina when he said, "a community may" and I desire to make this perfectly clear "cancel a contract for public housing, but they will be responsible for any money which the Government has put into the project."

This amendment provides for carrying out this expression of legislative intent. If a State or local government desires to cancel a contract which has been entered into for public housing, it will be able to do so either through referendum of all the people or through action of the city council, and that action by the local government will be given force and effect by the Public Housing Authority.

The amendment also provides that if cancellation takes place the local authority will refund the money that has been advanced for the construction project.

Mr. CASE. Mr. President, will the Senator from California yield?

Mr. NIXON. I yield to the Senator from South Dakota.

Mr. CASE. Mr. President, will the cancellation of the contract release certain materials so that they will be available for other purposes, conceivably defense production purposes?

Mr. NIXON. That is correct. Therefore, it bears on the question of germaneness.

Mr. CASE. It seems to me it will release some critical materials that must properly be considered to a bill dealing with defense produce.

Mr. NIXON. That is the contention we make on the question of germaneness, because the production and allocation of critical materials is, of course, one of the major subjects covered by the proposed legislation before us.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. NIXON. I yield.

Mr. KNOWLAND. During the earlier discussion by the Senator from South Carolina, he appeared to make a great deal of the fact that the City Council of Los Angeles, while it had taken action asking for abrogation of the contract, which was later supported by a vote of the people, had done so only by a one-vote margin.

Is it not true that in our representative form of government many bills passed by either House of Congress by a one-vote margin, and no one challenges the validity of such action? Is it not true that the submerged lands of the State of Texas were taken away from that State by a one-vote margin in the Supreme Court of the United States?

Is it not true that there are many instances in our representative system of government where a one-vote margin has been the determining factor?

I cannot see the validity of the argument of the Senator from South Carolina that margin makes any difference one way or the other, whether it was a 1-vote or a 10-vote margin.

Mr. NIXON. The Senator is exactly correct. And in addition the people of Los Angeles, in a referendum, voted by a margin of 120,000 votes, a majority of 3 to 2, in an election in which the issues were very clearly stated on the ballot, to rescind the public-housing contract which the City Council of Los Angeles had first approved, and then had been unable to rescind, due to the fact that the public housing authority would not agree to such rescission.

Much has been made of the point that what should be done in this instance is not to have Congress act but let the Public Housing Authority and the city council work this out by mutual agreement. The difficulty is that the City Council of Los Angeles tried to get the Public Housing Authority to agree to rescind the contract because the city council on reconsideration of the issue recognized that the people of the city of Los Angeles did not want the public housing project. But the Public Housing Authority has refused to agree mutually with the City Council of Los Angeles for its rescission.

Under the circumstances, the question of germaneness should be decided, I respectfully submit, against the decision made by the Chair, for several reasons. I think that when we have a bill which deals, as does this bill, with the control of rents for public housing projects, certainly an amendment which deals with whether we are going to have a public housing project or not is germane. I think that when we have a bill which deals with materials which would go into public housing projects, and the allocation of such materials, an amendment which will determine whether or not we are going to have a public housing project requiring such materials is germane.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. NIXON. I yield.

Mr. FERGUSON. Does not the question of germaneness arise solely because there is a unanimous-consent agreement which requires amendments to be germane in connection with a limitation of debate?

Mr. NIXON. The Senator is correct.

Mr. FERGUSON. The question of germaneness would not arise except for the agreement.

Mr. NIXON. This is not similar to the issue of germaneness raised against legislation upon an appropriation bill. This is a case where, if there were no unanimous-consent agreement and no limitation of debate, the amendment would unquestionably be germane.

Mr. FERGUSON. That is correct. Usually the wording as to germaneness is used in agreements limiting debate so as to make it impossible to propose civil-rights legislation or similar measures to a bill.

Mr. NIXON. That is exactly correct. That was the purpose of putting the provision as to germaneness in the unanimous-consent request. I do not believe the senior Senator from South Carolina could claim that this amendment even remotely involves anti-poll-tax or anti-lynching or civil-rights legislation.

I call the attention of the Senator from South Carolina to the fact that the major issue here involved is solely the question of whether Congress is going to recognize and give force and effect to the will of the people of the State of California and of a municipality in the State of California.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. NIXON. I yield to my colleague.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Will the Senator yield to the Senator from Michigan for a parliamentary inquiry?

Mr. NIXON. I yield for that purpose.

Mr. FERGUSON. On the question of germaneness, is it not true that there is unlimited debate?

The VICE PRESIDENT. There is not. Under the unanimous-consent agreement with respect to the appeal, it is

specifically provided that the 15-minute limitation applies.

Mr. FERGUSON. Then the order contains a provision that the limitation of debate applies to the question of germaneness?

The VICE PRESIDENT. It does.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. NIXON. I yield.

Mr. KNOWLAND. I should like to make one final plea to my colleagues on the other side of the aisle, particularly those who state that they believe in the rights of the States. I point out again that one of the issues in the senatorial campaign that has just taken place in California was the question of States rights and the encroachment of a bureaucratic Federal Government that fails to recognize the desires of the people of a State and the people of a locality not only as expressed by city councils but also by the voters of the community.

When the people of a great locality and the two United States Senators representing a great State come before the Senate and ask to have this action taken, I appeal to Senators not to establish a precedent by turning down their plea on the basis of upholding a Federal bureaucracy which is flouting the will of the people of that community and a State.

I appeal to Senators on the other side of the aisle to give us support because no man knows when he may be called upon to stand on the floor of the Senate with a problem and desire the Senate to support his plea. I would not hesitate for a moment to give my support if any other Senator should come before this body and plead for help in a case where a city council and the people of a locality desired certain action and both United States Senators advocated it.

Mr. NIXON. Mr. President, I can conclude in just a few words. What we are trying to do through our amendment is, first of all, to give effect to the interpretation of the public housing provisions of the law made last year by the chairman of the subcommittee, the Senator from South Carolina [Mr. MAYBANK], that when a State or local government acts to rescind a public housing contract the Federal Government shall agree to that rescission.

What we are doing, further, is giving effect to the will of the people of a locality, clearly expressed in a referendum where the issues were clearly stated.

The question before us, indirectly involved, of course, in the ruling of the Chair, is whether or not Congress believes the Federal Government should force down the throats of people of a local community a public housing project which they do not want, a contract which they have voted to rescind and on which they are willing to reimburse the Federal Government the sum of money that has been expended on the project.

It seems to me that the issue is clear; and under the circumstances Members on both sides of the aisle, regardless of how they may feel about public housing or its merits, because that is not what is involved here, should vote to recognize the clearly expressed intent of the law and the will of the people.

Mr. MAYBANK. I merely wish to say to the Senator from California that no one has any less respect for bureaucratic methods than has the Senator from South Carolina. I do not believe that either of my distinguished friends and great Senators can point to my having ever voted against local or States' rights. The Supreme Court of California, Mr. President, said that the Housing Authority was correct. The attorney general of California said that the ballots that were to be cast by the people were not in order and there was not time to reprint them.

There was a row between the city housing authority and the city council. I wish to say to my friends that with what little influence I have as chairman of the Banking Committee and with the Public Housing Agency—and it might not be much—I shall try to straighten out the matter. But I am not going to stand in the Senate and see the distinguished President of the Senate overruled on a point of germaneness as to a question on which the Supreme Court of California has ruled and the Attorney General of California has ruled, merely because there has been a row between the City Council of Los Angeles and the city housing authority.

We might as well pass a law that will change the lights from green to red in California for the housing development, so that traffic might be run according to traffic rules which are different than in any other locality.

This is a local matter, and I am for local matters. But I am for local matters only before the Supreme Court, the Attorney General, and others rule on them. This has to do with Los Angeles; not with California, nor with any other of the many cities in that great State which have public housing projects. It is not San Francisco. It is not Sacramento. This situation involves a local row in Los Angeles, which I regret. I I regret that the Committee on Banking and Currency and I have been drawn into it by letters, teelphone calls, and telegrams.

I hope that the ruling of the distinguished Presiding Officer will be sustained, because I do not see how the amendment could be considered germane.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. WELKER. Mr. President, I have listened with interest to the debate with respect to the ruling of the Supreme Court of California——

The VICE PRESIDENT. The Senator from South Carolina has not yielded to the Senator from Idaho.

Mr. MAYBANK. I yielded to the Senator from Arizona.

Mr. McFARLAND. Mr. President, what is the parliamentary situation?

The VICE PRESIDENT. The Chair ruled that the amendment offered by the Senator from California [Mr. NIXON], was not germane to the bill.

Mr. McFARLAND. I understand that; but how much time is left?

The VICE PRESIDENT. The Senator from California has 3 minutes left. The Senator from South Carolina has 12 minutes.

Mr. MAYBANK. Mr. President, I shall be glad to yield my time to the Senator from Arizona. First I should like to answer the question of the Senator from Idaho, who started to ask me a question.

Mr. McFARLAND. Very well.

Mr. WELKER. Mr. President, I have been interested in the remarks of the Senator from South Carolina with respect to the ruling of the Supreme Court of California. What is the difference between the ruling of the Supreme Court of California in this particular matter and the ruling of the Supreme Court of the United States with respect to the tidelands dispute?

Mr. MAYBANK. The Senator from Idaho knows more about tidelands than I do. Of course, I come from a State which borders on the ocean. The people of my State think that possibly oil will be discovered some day in the tidelands area. I doubt if that ever happens. The people of my State believe in States' rights. The State of California has a great deal of oil, as has the State of Texas.

I voted against the Supreme Court in the tidelands case because of the stipulations which were entered into at the time the great State of Texas came into the Union, and the constitutional provisions, which have been well set forth on many occasions by the distinguished Senators from Texas, as well as by the senior Senator from Florida [Mr. HOLLAND]. I understand that Texas could have had more Senators than it has. I know something about the history of the Lone Star State. I have been in that great State on many occasions. However, I do not see what that has to do with the germaneness of this amendment.

Mr. President, I yield the remainder of my time to the Senator from Arizona.

Mr. McFARLAND. Mr. President, this discussion is certainly very interesting and instructive, but it is all directed to other matters than those which concern the pending legislation. The Senators from California have both made very persuasive arguments in favor of their amendment. However, their argument has been on the merits of the amendment. It has not been on the question of germaneness, as I see it.

When the Chair makes a ruling on a matter of this kind he should be upheld unless he is wrong. We should not pass upon the question of whether the amendment is a good amendment or a bad amendment. Senators have a right to depend upon the rules of the Senate. Otherwise, some question might arise which they might wish to discuss for 2 or 3 hours or perhaps 2 or 3 days, and they would be cut off by a limitation of debate.

Mr. President, I cannot too strenuously insist on the orderly procedure of the Senate, and the Chair being upheld in this appeal. So far as I am concerned, after listening to the arguments which have been made I do not know which side is right and which is wrong. If we were voting on the merits, I would have to vote against the amendment, because

I do not think it has been given proper consideration or can be given proper consideration under the present circumstances.

The Senator from South Carolina [Mr. MAYBANK] and the Senator from Alabama [Mr. SPARKMAN] say that this is a local question, a quarrel between local authorities. The Senator from California [Mr. KNOWLAND] talked about bureaucrats. Perhaps the bureaucrats did not rule in favor of the side which the Senators from California consider to be right. But that is not the question before us. I think we ought to vote to sustain the ruling of the Chair and get down to business and pass this bill. We have been on it too long already.

SEVERAL SENATORS. Vote! Vote! Vote!

The VICE PRESIDENT. In order that Senators may understand what they are voting on, the Chair wishes to make a brief statement, not in the nature of an argument one way or the other. The Chair has no pride of opinion with respect to his rulings.

The Senator from California [Mr. NIXON] offered an amendment to the bill dealing with a housing project in Los Angeles. The pending bill is a measure extending the Defense Production Act and the Rent Control Act. The bill does not deal with housing projects.

Under the unanimous-consent agreement entered into, amendments not germane to the bill were not to be received. The Chair ruled that this amendment, regardless of its merits—and the Chair so stated at the time—is not germane to the bill, and therefore sustained the point of order made by the Senator from South Carolina [Mr. MAYBANK].

The only question before the Senate, therefore, is whether the ruling of the Chair was correct. The question is, Shall the decision of the Chair stand as the judgment of the Senate? On this question the yeas and nays have been ordered. Senators who favor the decision of the Chair standing as the judgment of the Senate will vote "yea" when their names are called. Senators who do not believe that the decision of the Chair should stand as the judgment of the Senate will vote "nay."

The clerk will call the roll.

The Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Colorado [Mr. JOHNSON], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. CAIN], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. CARLSON], the Senator from Pennsylvania [Mr. DUFF], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Montana [Mr. ECTON] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT] would each vote "nay."

The result was announced—yeas 44, nays 32, as follows:

YEAS—44

Anderson	Hill	McKellar
Benton	Hoey	Monroney
Chavez	Holland	Moody
Clements	Humphrey	Morse
Connally	Hunt	Neely
Douglas	Johnson, Tex.	O'Conor
Eastland	Johnston, S. C.	O'Mahoney
Ellender	Kerr	Pastore
Frear	Kilgore	Robertson
Fulbright	Lehman	Smathers
George	Long	Smith, N. C.
Gillette	Magnuson	Sparkman
Green	Maybank	Tobey
Hayden	McClellan	Underwood
Hennings	McFarland	

NAYS—32

Bennett	Hickenlooper	Saltonstall
Bridges	Ives	Schoeppel
Butler, Md.	Jenner	Seaton
Butler, Nebr.	Kem	Smith, Maine
Capehart	Knowland	Smith, N. J.
Case	Malone	Thye
Cordon	Martin	Watkins
Dworshak	McCarthy	Welker
Ferguson	Millikin	Wiley
Flanders	Mundt	Williams
Hendrickson	Nixon	

NOT VOTING—20

Aiken	Duff	McMahon
Brewster	Ecton	Murray
Bricker	Johnson, Colo.	Russell
Byrd	Kefauver	Stennis
Cain	Langer	Taft
Carlson	Lodge	Young
Dirksen	McCarran	

So the decision of the Chair was sustained.

SEVERAL SENATORS. Vote! Vote!

The VICE PRESIDENT. The bill is open to further amendment.

If there be no further amendment to be offered, the question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

DISTRIBUTION OF THE UNITED STATES MARKETS AND PRODUCTION—ADDRESS BY GEN. DOUGLAS MACARTHUR

Mr. MALONE. Mr. President, I move that the bill extending the Defense Production Act be recommitted to the Committee on Banking and Currency.

The bill as now amended approves a world cartel under the International Materials Conference, set up and operated without approval by Congress, as a means of distributing the markets and the production of our country among the nations of the world.

It presumes to operate on a world basis, but since this country is furnishing the only new money and the only substantial markets in the game, we are actually the only nation whose economy is being carved up to average the living standards of the world.

UTTERLY DESTROYS THE WORKINGMEN AND INVESTORS

It drives the final nail into the coffin of the working men and investors of the United States, through the simple medium of giving or withholding the materials needed for necessary production.

ESSENCE OF ARROGANCE

Mr. President, the British publicity director made a statement on June 10, appearing in the New York Journal of Commerce which is the very essence of arrogance. In that statement he gives this country the choice, in so many words, either of continuing the division of the markets of the United States with Britain through the so-called Reciprocal Trade Act, or to continue giving Britain the money to make up their trade balances, under the lend-lease, UNRRA, direct gift loans to Britain, the Marshall plan, ECA, point 4, or the Mutual Security Act. He condescends to ask which we prefer; that is the effect of his statement.

He severely criticized our manufacturers for daring to suggest that American workingmen and investors should be protected from the sweatshop labor of Europe and Asia.

His exact words were "whether the United States preferred to have dollars supplied [to Britain] by an already overloaded [American] taxpayer, or by a satisfied American buyer of British goods."

At last the real objective of the State Department's three-part free-trade program is openly admitted and a division of our markets, built up over a century of time, demanded by European manufacturers—after we have furnished the money to build up the industrial European structure to not only compete with our own labor and investors—but to brazenly sell to our potential enemies for their use in fighting world war III with us.

I now ask unanimous consent to have the article from the New York Journal of Commerce printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LINKS FREE TRADE, WESTERN SURVIVAL

The president of the Advertising Association of Great Britain yesterday said the survival of the western world depends on the freely flowing exchange of goods and services.

Sir Miles Thomas, who is also chairman of the British Overseas Airways Corp., criticized "the tendency of some United States manufacturers of competitive or related lines to seek home protection against competition."

Addressing the forty-eighth annual convention of the Advertising Federation of

America, Thomas asked whether the United States "preferred to have dollars supplied by an already overloaded taxpayer or by a satisfied American buyer of British goods."

He said the failure of British firms to do more advertising in the United States was in part due to the uncertainty as to the tariff changes which the British exporter might find.

Stating that the British in international trade do not want "crumbs from the rich man's table," Thomas warned that "peace will never be secured through the lowering of economic standards on the part of those countries to whom America has already been generous."

NINETEEN-YEAR PROGRAM—ONE ECONOMIC WORLD

Mr. MALONE. Mr. President, that statement by that British official is the final insult to the intelligence of the people of the United States. His statement relates to a situation. His statement refers to the 19-year program of the administration which I have debated over a period of 5½ years on the Senate floor. I have shown over that period that we have deliberately headed toward a "one economic world." Now the British claim it as a right—either our money or our markets.

SWEATSHOP LABOR COMPETITION

In short beginning with the 1939 Reciprocal Trade Act, under which we gave broad authority to the Secretary of State to destroy American industry at will—we deliberately set out to destroy the American workingmen and American investors through free and unlimited imports of the products of foreign industries in which labor is paid at sweatshop wages, as compared to American industries in which our labor is paid $10 to $12 to $15 a day. In contrast, much of the foreign labor is paid at the rate of 5 cents to $2.50 per day. The purpose of those who advocate such a program is to permit the goods manufactured in the United States to be displaced by the goods manufactured by the sweatshop labor of European and Asiatic countries. Such a situation would virtually be free trade.

UNLIMITED IMPORTS—SAME AS UNLIMITED IMMIGRATION

I point out that anyone who favors free trade—in short, the importation, without restraint, into the United States of goods manufactured by the low-cost labor of the world cannot be opposed to unlimited immigration.

The effect is exactly the same.

THIS BRITISH GIVE US A CHOICE

Mr. President, Britain now says we can take our choice between either continuing to make up, in cash, Britain's trade-balance deficits each year or continuing to throw open our markets to the goods produced by their low-cost labor.

NOW A WPA CABINET MEMBER

That entire situation is bolstered by a statement made by Mr. Hoffman in his published book recommending a Cabinet post for the distributor of American taxpayers' money throughout the world as a permanent program.

Mr. President, quoting Mr. Hoffman:

I should like to recommend most urgently to the American people and to Congress that an overseas economic administration be formed to administer all aid and technical assistance programs abroad; that this administration have a large measure of control over the policies of such lending agencies as the Export-Import Bank; that United States representatives to all international economic organizations be responsible to it; and that this administration have equal rank with the other departments of the Government such as State, Commerce, Interior, and that its administrator have Cabinet status.

TO HASTEN THE DISTRIBUTION OF WEALTH

Mr. Hoffman proposes that that new Cabinet post be made a permanent one, for the purpose of hastening the distribution of the United States wealth—and leveling the standard of living of the workers throughout the world.

Mr. President, I have pointed out the danger of the Defense Production Act, as amended, through its approval of the work of the International Materials Conference, which has been organized without the authority of Congress, and which obviously was to take the place of the proposed International Trade Organization, which was denied a report to the Senate floor by the Senate Finance Committee.

INDIA ACCEPTS OUR CASH AND BRAGS OF COMMUNISM

Now we have arrived at that set-up. In practically every newspaper we pick up today we find a statement to the effect that another large sum of money is being given by us to another foreign country. Mr. President, every day the press dispatches carry announcements of further distribution of our wealth to the nations of the world. For example, this morning it was announced that $25,000,000 will be contributed by our taxpayers to a point 4 program for India. The article states that that program was announced yesterday by the State Department, and that it calls for community development projects in 16,500 Indian villages with a population of 12,000,000 persons.

We are told that that project is the largest single point 4 project under the administration's plan for global aid to underdeveloped world areas.

Mr. President, directly in the face of that contribution the former India Ambassador to the United States states in another dispatch that the Communists in China are there to stay. We are told, Mr. President, that the people of India must deal with Communist China and that we must accept Communist China as a settled way of life.

Mr. President, another news dispatch informs us that the name of an important area in India has been changed to a Communist name.

All of this, Mr. President—it is needless for me to repeat at this time, in the face of more than $50,000,000,000 of lend-lease and approximately $40,000,000,000 distributed among the foreign nations of Europe during and since World War II.

Mr. President, at the moment everyone knows more Communist votes have been cast in Italy in recent elections than in 1947, before the Marshall plan.

Mr. President, it is time for us to call a halt; it is time for us to reassess the situation and to begin to consider the taxpayers of the United States of America.

A GREAT AMERICAN

Mr. President, a great American was removed from his command in the Far East for daring to tell a President the truth about a sensless, bloody war in Korea. He was discharged for daring to suggest that we win the war in the only way it could be won, and save Asia from Communist domination.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article written for the American Legion Monthly of January 1952, by Gen. Douglas MacArthur, entitled "The Citizen and His Role In Our National Military Policy."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CITIZEN AND HIS ROLE IN OUR NATIONAL MILITARY POLICY

(By General of the Army Douglas MacArthur)

One of the greatest contributions the American Legion has made to the Nation has been in the strengthening of the potentialities of the citizen soldier. Since the Minute Men of 1776 formed the ranks of the Continental Army and brought victory to its arms in the American Revolution, the security of the United States has rested more than all else upon the competence, the indomitable will and the resolute patriotism of the citizen soldier. The professional has had his role—and it has been a major one—providing trained leadership, initial security against surprise attack and the nucleus to an expanding force under conditions of national emergency. But in all of our wars, from the Revolution to Korea, the citizen soldier has met the full shocks of battle, has contributed all but a fraction of the dead and maimed and has accepted the responsibility for victory.

Yet, despite all of this, he has never received either from our political or military leadership full credit for his role in safeguarding the security of the Nation, nor the support in peace which would better prepare him to carry his responsibilities in war.

The tendency has existed—as it still now exists—to regard him as an auxiliary rather than the main pillar supporting our national military strength. Only in rare instances have his views been sought or considered in the shaping of high policy governing the conduct of war or plans to secure the peace. Indeed, only in the most exceptional cases has he been called to share the authority of higher command or staff administration.

The need for a closer integration of the civilian defense components with the Regular services was clearly understood by the American Legion following the close of World War I, and its efforts largely resulted in the reexamination of the then long-existing military policy of the United States. There followed enactment of the National Defense Act of June 4, 1920, providing for one army composed of the Regulars, the National Guard and the Organized Reserves. This was a long step forward, but experience demonstrates that it has not resulted in providing for the country the added security both intended and needed. Its results have been largely undecisive. We still enter wars tragically unprepared, and theretofore have found ourselves entirely lacking in that degree of military strength essential to preserve the peace. At war's end we still demobilize in haste and divest ourselves of accumulated war matériel with reckless abandon. We still

lack a realistic appraisal of future potentialities, and saddle our people with wholly uncalled for burdens to cover past errors by replacing anew the power we have squandered and dissipated in the afterglow of victory. There could be no more serious indictment of our political and military leadership than this failure to profit from the clear lessons of experience. It is a failure which following World War II, still vivid in the American mind, lost us the fruits of victory and brought to us a sense of insecurity hardly surpassed in midst of war itself.

Now our military policy again requires revision. Under Selective Service and other statutes, we have called up large increments of our citizen soldiery with which to prosecute the Korean war and to bolster our own defense and the defense of many other lands. We have adopted the principle of universal military training, and the outlook is toward maintaining for many years—even in peace—an armed readiness for war.

All this, while intended and designed to strengthen freedom's defense, carries within itself the very germs to freedom's destruction. For it etches the pattern to a military state which, historically under the control of professional military thinking in constant search for means toward efficiency, has found in freedom possibly its greatest single impediment, to brush it aside as inimicable to established military policy. To avoid this historic pitfall, it is essential that civilian control over the citizen army be extended and intensified. Particularly is this true in the administration of the program of universal military training, if the youth of our land is to avoid being corrupted into a legion of subserviency to the so-called military mind.

This calls for a reassessment of the role of the citizen soldier now to become the major element of our Military Establishment during peace as well as during war. It calls for a realistic appreciation of the potential in professional competence which the citizen soldier can bring to the fulfillment of our military policy and aims. It calls for the elimination of arbitrary restrictions upon the advance of the citizen soldier in the ranks of military leadership, for which he may be trained or is already reasonably qualified. It calls for a much broadened opportunity for the professional preparation of the citizen soldier to permit his integration into the higher staff studies and planning designed to avert war if possible, to prosecute it to early victory if not.

This requires a basic change in attitudes. It requires recognition of the fact long understood but covertly denied that our Army, as befits a republic, is a citizen army. It requires that leadership from the top down be selected upon merit, carefully avoiding arbitrary class discrimination. It requires that the citizen soldier, if otherwise professionally qualified, have the opportunity to voice his views in the formulation of military and related political policy—a recognition that none have any monopoly upon the attributes to military leadership. It requires that we carefully avoid yielding to professional ambition at the expense of the primacy of the national interest.

Unless these principles are recognized and adhered to, we shall find that our citizen army lacks the esprit essential to the building of invincible force—that its officers lack the incentive to advance their professional competence—that the people lack faith in the integrity of their military arm.

This poses possibly the American Legion's greatest challenge. Its membership for the most part have been and are citizen soldiers of the Republic. They have learned, some from bitter experience, of the restrictions inherent in the long prevailing relationship between the Army's several components. They must insist upon that degree of efficiency and morale essential to maximize the strength of the new citizen army, which alone can come from close integration, with leadership and rank selected solely upon the basis of merit.

The American Legion is in best position to guide this moral development. It must alert itself against political efforts already noticeable to suppress the voice and opinion of the citizen soldier, whether active or inactive. It must insist that the role of the citizen army be to serve no special interests, but rather the common welfare and protection of all of the people.

Our country is facing one of the grave crises in American history—not so much from external threat, although the forces of evil which our own political and military blunders have helped so much to build, must by no means be ignored—but from internal pressures which threaten the very survival of our liberties. These pressures have already made sharp inroads into our free way of life and impaired much of the incentive which has encouraged development of those basic virtues and traits of character from which has emerged our traditional American initiative, American energy and that indomitable American will which in past has preserved our moral balance and produced our material strength.

It is essential that the traditional role of the Army in these distressing times be carefully preserved—that it be not used as an instrument of tyranny or oppression—a form of pretorian guard—by those seeking to strengthen and entrench personal political power—but that it be used instead as a force of free men dedicated to its sworn purpose of "defending the Constitution of the United States against all enemies, foreign and domestic."

It is imperative that the citizen army now in the making be not corrupted by the same influences which have tended to corrupt the principle of representative government—that it be sustained on that high moral plane which befits the noble purpose it is organized to serve. This can only be if the service of the citizen soldier is held to a level of dignity and opportunity which commands his fullest measure of devotion.

To this purpose, the American Legion should enlist its wisdom and undeviating interest. It should utilize its full influence to the end that our military policy be so oriented as to insure a citizen army cast in the mold of our exalted traditions and dedicated to the primacy of the people's service.

Mr. MALONE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD the text of an address by Gen. Douglas MacArthur, delivered before the joint session of the Michigan Legislature at Lansing, Mich.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

From this rostrum located at the very heart of our country's industrial strength, I cannot fail to pay tribute to the vision and courage, the imagination and will, the initiative and energy which have gone into the leadership this State has given our commercial growth as a Nation and our material progress as a people.

Few men have had so poignant an opportunity to see and evaluate our great resource of industrial power. In the violence of our last three wars abroad, when our country's very destiny hung in the balance, I have seen the sinews of battle pour from your factories in massive quantities to bring victory to American colors where otherwise defeat might well have been. This has not sprung so much from great advantage in raw resource, nor, indeed, from any complete monopoly in wisdom and scientific knowledge, but more than all else, it has come from the character of this mighty blend of the universe known as the American people.

I have seen that character indelibly etched upon the faces of the millions I have met from north to south, from east to west; a spiritual character which seeks the supremacy of right over wrong; a determined character which will not yield the inalienable right of personal liberty; an aggressive character which has surmounted all obstacles in the forging upon this continent of a dynamic civilization which is at once the wonder, the inspiration, and the envy of the world.

The basic character of the American people is the energizing force behind America's past, the stabilizing influence to America's present, and the main hope of America's future.

Now it faces possibly its greatest modern test if our heritage of faith is to be preserved and our liberties survive. In this time of faltering leadership, it is the people themselves who must meet this challenge and rechart the Nation's course. For Lincoln's admonition has been proved and reproved through successive generations—that the people are wiser than their leaders.

Because of that which I have seen and heard since my return to this country more than a year ago, I have been impelled as a patriotic duty of simple citizenship—and a disagreeable duty it has been—to expose for public consideration the failures and weaknesses, as I view them, which have brought our once righteous and invincible Nation to fiscal instability, political insecurity, and moral jeopardy at home and to universal doubt abroad.

Those voices which have been raised in opposition to what I have said have avoided for the most part the merit of just argument. Instead, with narrow-minded petulence, they either chide my right to wear the uniform in which I have served for over 53 years, or imply I must supinely submit myself to a prevarication of truth by defending rather than criticizing those who have guided the Nation into its present tragic circumstances.

They even contend that my advocacy of a return of this Nation to constitutional direction, of a restoration of those noble and well-tested principles and ideals which we were formerly so proud to call American tradition, of a revitalization of the moral fiber which once commanded full faith in our public institutions, is merely the pleading of partisan politics—that it renders mine the voice of a biased politician.

There is no politics in me, nor none intended in what I say. I plead nothing but Americanism.

We have strayed far, indeed, from the course of constitutional liberty if it be seriously contended that patriotism has become a partisan issue in contemporary American life. Yet, only recently, the indifference, if not the contempt, held by some in high authority for the Constitution and the wisdom of its architects, and the high principles and moral codes which in past have guided and insured our national progress, was graphically emphasized by reference to the advocacy of their restoration to American life as an antiquated and outmoded point of view—"a dinosaur point of view" was the actual sarcasm employed.

They loosely charge reaction to all who seek a rededication to the course of America's past greatness, and yet the course they seek to substitute follows meticulously the oppressive despotism from which our forefathers sought the sanctuary of political independence. They are thus the real reactionaries in this speech of American history.

While none will dispute the need for a progressive and continuous revaluation of our procedures to meet new conditions, nor the absorption of sound and enlightened ideas designed to advance the general welfare, such a callous indifference to funda-

mental principles long and successfully standing as the bulwark to American progress finds support in neither statesmanship nor logic. Indeed, the masses of the people in their innate wisdom have sensed and resented the tragic mishandling of their public affairs and desperately sought a reorientation toward effective security, reasonable stability, and honest administration.

There is little need here to restate the tragic circumstances to which the country has been reduced by misdirection of public policy or to recount the errors through commission or omission which have brought about these circumstances. We cannot relive the past. All that we can do is from its lessons of failure redesign the present in order that we may provide needed safeguards for the future.

Nothing threatens us more acutely than our financial irresponsibility and reckless spendthrift policies which jeopardize all thrift and frugality. Our leaders seek to justify the high, unreasonable and burdensome cost of government on the grounds of its complexity under modern conditions. This is fallacious reasoning.

Government has indeed become complex, but it is largely a selfinduced complexity. It springs from its increasingly arbitrary nature and the labyrinth of governmental agencies created in the endless effort toward centralization and the imposition of new and expanding Federal controls upon community and citizen.

A return to a diffusion of the political power so wisely ordained by the Constitution, leaving to the community the management of its local affairs, and to the citizen the management of his personal life, would largely relieve this complexity.

We would at once revert to something of the directness of the past, when the primary test of sound administration lay in the simple determination of that which was right and that which was wrong. We would regain the Jeffersonian standard that the least government is easily the best government. Restore simplicity in public administration and you will at once not only drastically reduce the financial burden upon the people, but you will raise the standard of individual life and regain the level of community and personal dignity.

But, financially we must do much more than that. If the incentive to carry forward the dynamic progress this nation has registered in past is to continue and insure accelerating progress in future, the entire burden of taxation must be further materially reduced. Indeed, a reasonable limit must be placed upon the very exercise of the power to tax, easily the most abused and, as history has shown, the most dangerous of all sovereign powers. This power must be applied only for the purpose of defraying the legitimate expense of a frugal government, not with the ulterior motive of regulating and controlling our private lives and efforts.

It must be reorientated away from the Karl Marx Communist aim of redistributing the wealth and of sharing the fruits of private enterprise, not only internally, but externally.

We must avoid confiscating incomes and draining resources to the point that the private ownership of property will practically disappear from our economic system. We have so burdened our people with taxation that they are no longer able to build for old age and family security, and are rapidly losing the energizing incentive to work.

We are so heavily mortgaging the industry of our next generation that the heritage which we pass on will be but a hollow mockery of that which we ourselves received. We have so inflated the cost of the necessities of life that those depending upon social-security benefits, old-age pensions, and other fixed incomes are being reduced to desperate circumstances.

Indeed, it is part of the general pattern of misguided policy that our country is now geared to an arms economy which was bred in an artificially induced psychosis of war hysteria and nurtured upon the incessant propaganda of fear. While such an economy may produce a sense of seeming prosperity for the moment, it rests on an illusionary foundation of complete unreliability and renders among our political leaders almost a greater fear of peace than is their fear of war. A day of reckoning and adjustment is inevitably ahead when we find that the resources with which we might have cushioned the shock of readjustment and reconversion have been recklessly expended. Then, it will be crystal clear that the material cost and toll of so uneasy a peace has been almost as severe as that produced by war itself.

While we must rebuild the military strength irresponsibly dissipated at war's end, and honor our commitments to others who honor theirs to us, we must regain some degree of calmness, consistency, and common sense. We must reorient our economic policy toward reason and stability, or every man, woman, and child in America will share the bitter consequences. For on our present course, with neither forward planning nor sound and reasonable objectives, our economic structure could collapse with our great industrial centers becoming ghost towns almost overnight, and bitter, disillusioned, and resentful men forced to pound the streets in search of means by which to keep body and soul together.

Such an exhaustion of our economic health is what the leaders of the Kremlin most desire. It is what their disciples strive to achieve—these disciples who have infiltrated our press, radio, and television, our industrial plants, our banking institutions, our legal fraternity, our educational centers, our religious temples and every facet of American life, including Government itself. It is our gravest danger and it is internal, not external. As Lincoln once said:

"If this Nation is ever destroyed, it will be from within, not from without."

We must not underestimate the peril. It must not be brushed off lightly. It must not be scoffed at as our present leadership has been prone to do by hurling childish epithets, such as "red herring," "character assassin," "scandal monger," "witch hunt," "political gangster," and like vulgar terms designed to confuse or conceal the real issues and intimidate those who, recognizing the gravity of the danger, would expose it to the light of public scrutiny and understanding. For it is upon the shaking foundation stones of a complacent citizenry that minority pressures become controlling forces and liberty yields to tyranny.

Talk of imminent threat to our national security through the application of external force is pure nonsense. Our threat is from the insidious forces working from within which have already so drastically altered the character of our free institutions—those institutions which formerly we hailed as something beyond question or challenge—those institutions we proudly called the American way of life. They seek through covert manipulation of the civil power and the media of public information and education to pervert the truth, impair respect for moral values, suppress human freedom and representative government and, in the end, destroy our faith in our religious teachings. They remember what Thomas Jefferson said, "The Bible is the cornerstone of liberty," and will have none of it. These evil forces, with neither spiritual base nor moral standard, rally the abnormal as well as the subnormal elements among our citizenry and apply internal pressure against all things we hold decent and all things we hold right—the type of pressure which has caused many Christian nations abroad to fall and their own cherished freedoms to languish in the shackles of complete suppression. As it has happened there, it can happen here.

Our need for patriotic fervor and religious devotion was never more impelling. There can be no compromise with atheistic communism—no halfway in the preservation of freedom and religion. It must be all or nothing. We must unite in the high purpose that the liberties etched upon the design of our life by our forefathers be unimpaired, and that we maintain the moral courage and spiritual leadership to preserve inviolate that mighty bulwark of all freedom, our Christian faith. For, as Daniel Webster once said:

"If we abide by the principles taught in the Bible, our country will prosper and go on prospering; but if we and our posterity neglect its instructions and authority, no man can tell how suddenly a catastrophe may overwhelm us and bury all our glory in profound obscurity."

While many of our leaders seemingly have not as yet alerted themselves against this internal threat to our liberties, they do now acknowledge at long last that there is no immediate threat to our national security from the application of external force—that there is even no present danger to the units defending Western Europe from vastly superior Soviet and Soviet satellite forces to the east. This is not due to any material change in the military situation, as the relativity in air and ground forces in Europe is still so overwhelmingly to our disadvantage that no professional soldier would estimate our capability to even hold against determined attack with the force there in being.

But our leaders no longer issue alarming warnings that our great cities are about to be laid waste. They are coming perhaps to understand that the Communist technique is to reduce peoples by internal pressures, subversive infiltration, and psychological propaganda rather than by the much more costly and hazardous application of direct military force. Once this is fully understood the conclusion may not be avoided that with the inability for many years to mount sufficient force in Western Europe to match the superiority of Soviet force in Eastern Europe, peace and security in the west will rest in final analysis upon a spiritually and physically strong America.

We must preserve and conserve our industrial potential to counter any major threat against the general peace, with the invincible determination to meet any force hurled at us with adequate counterforce. This requires that we husband our own resources and carefully avoid their dissipation in line with Soviet hopes—that those resources be so applied as to maintain a spiritual and temporal power adequate to cope with the responsibilities of leadership and insure not only the security of our own Nation, but encourage maintenance of the universal peace.

Through the increasing centralization of the political authority in the Federal Government and the long tenure of one group in public office, the disease of personal power has become deeply rooted. The effort to perpetuate that power through the patronage of money against which Thomas Jefferson so clearly warned has made undeniable progress in corrupting the body politic.

It is now even proposed that our two-party political system be abandoned for all practical purposes and that both parties unite under the leadership of the same individual. Could there be a more shocking proposal?

It would destroy representative government and, by completely silencing all opposition, reduce us to a despotism. We would be entirely dependent upon the paternalistic will of one man, and liberty as we have known it would disappear. The people would no longer be the master of their government, but its servant. The hypocritical call for unity is always by those in power who seek by an appeal to the opposition's

patriotism to silence all objection to that which they may have in mind to do.

Indeed, so open and menacing have the efforts become in our country to stifle opposition, suppress the issues and enforce arbitrary and bi-partisan acceptance of entrenched public policy that we now find some of the leaders of one party openly endorsing their own selection as the nominee of the opposition party. They encourage segments of their rank and file to infiltrate the opposition's ranks to influence the selection of its nominee for the presidency.

We find many who traditionally have supported and identified themselves with one of the major political parties now throwing the full weight of their resources for persuasion and propaganda into the effort to influence and coerce the leaders and rank and file of the other in its nominee selection.

This is a practice heretofore unknown to American politics. It strikes at the very roots of our two-party system of government. It represents a political device, which, if successfully employed, would closely parallel the totalitarian practice of naming a single candidate for the public vote.

This form of political conniving is destructive to the very essence of true representative government and sets the stage for the emergence upon the American scene of the ugly threat of a military state.

The gravity of this danger cannot be overemphasized. The history of the world shows that republics and democracies have generally lost their liberties by way of passing from civilian to a quasi-military status. Nothing is more conducive to arbitrary rule than the military junta. It would be a tragic development indeed if this generation was forced to look to the rigidity of military dominance and discipline to redeem it from the tragic failure of a civilian administration. It might well destroy our historic and wise concept which holds to the supremacy of the civil power.

In foreign affairs our policies—or more truthfully our lack of policies—have been weak and vacillating and largely dictated from abroad. From the acknowledged leadership of the world 6 years ago, we have drifted into an equivocal position in which our main influence seems to be confined to that of paymaster.

Our leaders are unable to survey the world as a unit, but have become so infatuated with the one area of Western Europe that they have largely ignored the Communist assaults in many other sectors of the globe. However important Western Europe most assuredly is, this is a form of extreme isolationism—a term ironically enough with which they attempt to castigate all who oppose them. It is an isolationism which can only lead to confusion and bewilderment and blinds its disciples even to the impelling needs and interests of our own people.

Thus, we have but recently witnessed the stark reality of tragedy and distress brought to thousands of American homes over the area of eight States by the inundation of floodwaters from the Missouri and Mississippi Rivers. Such tragedy could and should have been avoided.

I recall over 40 years ago working as an engineer officer on plans for the control of just such flood conditions. Such plans have long been perfected and engineers, both military and civilian, time and time again have appealed for the funds needed for the control measures indicated. But such funds were never forthcoming for so essential a protection of our own people, even though we remitted funds in far greater amounts to the peoples of Western Europe for purposes which included the consummation of similar protective projects. Nor is it a case involving merely existing American surplus or superabundance as every dollar we send abroad must be extracted from the sweat and toil, sacrifice and venture, of all of the American people, not only of this generation, but of the generations yet to follow. This is but one of the many cases wherein policy has furthered the interests of others at the expense of our own.

In one sector of the world we oppose colonialism; in another we support it. In one sector we bristle; in another we appease. There is no continuity of purpose, no stability or determination of spirit. Our European preoccupation is so great we almost entirely ignore the enemy in other areas and even allow continental Asia to go by inertia and default—Asia, which encompasses half of the population of the world and more than half of its raw resources. As it was so quaintly put, "Let us wait until the dust settles."

In Korea, where victory was in our grasp, we go from bad to worse. Our Armed Forces, there, and the world has seen no braver, have been deprived of the soldier's greatest incentive—the will for victory. They have been forced to accept the defeatist attitude of mere defense. A mortal blow has thus been given to our military code and practice, the disastrous results of which in the future may be so far-reaching in our defense forces as to be beyond all calculation.

No need to blame our enemy for this sad commentary, for he has but taken full advantage of our own deplorable indecision and of our own rejection of victory, our historic military goal. Rather than revile him, we would do better to refortify the spirit which animates our fight, recrystallize that indomitable determination which evolved our great tradition, and regain faith in the invincibility of our cause.

Sooner or later a vital decision will have to be made. Will the United Nations, when no longer dealing merely with theory and propaganda, but actually facing fire and sword, finally sustain the integrity of the principle of collective security and thus justify the universal faith; or will they fail the dying gasps of those countless thousands who perished in that far-off land in their name?

This is a fundamental question as the answer in Korea will have a major influence everywhere. Indeed, by what other standard may we measure the determination of our European alliance to support the principle of collective security there if not by its record in Korea?

By what accomplishment may we justify the generous contribution we are making of our own material sustenance and the offer of the blood of our sons in support of the principle of collective security in Western Europe, if not by the record in Korea?

And if an uneasy cease-fire eventually does come in Korea, what then? No answer has been forthcoming, but the dreadful fear is growing in many patriotic hearts that the decision will finally be scuttle the Pacific—a yielding to the iron curtain of all of our traditional friends and alliances and the raw resources of that half of the globe so vital in the balance of world power. Then would our Pacific coastal areas—California, Oregon, and Washington—be forced to assume the hazards of a defense frontier and curtail existing commercial advantages as major gateways to international trade.

Everywhere the long arm of foreign influence dominates and controls even against our own national interests. Our will, our courage, and our initiative seem almost paralyzed.

If I could voice but one solemn warning in the lengthening shadows of life, I would point to the jeopardy of our independence by the high-handed and reckless course of foreign-dominated national policy, and urge thoughtful reflection upon General Washington's stern and realistic order at another crisis in America's past:

"Let none but Americans stand guard tonight."

TRIBUTE TO BRITAIN FOR PROTECTION

Mr. MALONE. Mr. President, we are told that we are world leaders, and, therefore, that we must pay the price.

I simply point out in closing that for 100 years prior to World War I, the British were supposed to control the world. Let us consider how they controlled it and acted as a world power. Britain made other nations pay tribute to her for her protection. At the present time we are protecting the British, Dutch, French, and Belgian colonial systems through the Atlantic Pact. Mr. President, our method of acting as a world power is to support the foreign nations through assessing our taxpayers.

SUPPORT NATIONS WE DEFEAT

Mr. President, every time we win a war, we add a few more nations to the list of those whom we must support. We are now headed, we are told, toward a fight with Russia; and if we have a war with Russia and win it, then I suppose that we shall follow the usual procedure and put Russia on our pay roll. How silly can we get.

So I close, Mr. President, by saying it is time that the taxpayers of America be considered. We are bleeding them white. For what? To build up industrial competition for ourselves in Europe, and in addition provide them with the material to sell the necessary processed and manufactured goods to Russia, China, and the iron curtain nations to fight world war III with us.

Mr. MAYBANK. Mr. President, I should like to have the attention of the majority leader. I do not know whether it is intended to have the yeas and nays ordered, but I merely want to say that we have struggled long and hard in the Committee on Banking and Currency in bringing this bill to the Senate. Weeks and months of hearings were held. I want to pay tribute to the staff of the committee who worked long and arduously. First, I mention Mr. McMurray, chief of staff of the committee. I want also to pay tribute to the legislative counsel, who was so generous in his advice on many occasions, Mr. Charles Boots.

I desire to pay tribute to the staff director of the committee, who has worked, not only all day but half the night. I merely wanted to make this statement in connection with the bill that was reported by the committee, to pay tribute to members of the staff and others who have worked with me, not only today, not only during the 8 days that the bill has been before the Senate, but also during the hearings.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I will yield, but I first want to complete this statement. I appreciate very much what the staff director, the other professional staff and the clerk of the committee have done, what Mr. Boots has done, and what the other members of the committee have done. I would be unfaithful to my duty did I not pay tribute to the staff, whose members continued their work into the early morning hours.

Mr. FREAR. If the Senator will yield, I assume he can also include the members

of the staff of his own office, who I know have worked hard on the bill.

Mr. MAYBANK. Of course—and the staff of the Senator from Delaware, as well.

But what I wanted to say, Mr. President, was that I have voted against certain amendments which have been proposed providing for the exemption of farm products. I understood there would be no difference over the change in the farm parity program from 75 percent to 90 percent, that is, to making it 90 percent as provided by the amendment adopted by the Banking and Currency Committee of the House on yesterday. I have talked to Representative BROWN, from the great State of Georgia, and others about the amendment. I do not want any misunderstanding in the Senate about my intention to agree to the House amendment relating to farm parity programs. I want to make that perfectly clear.

Unless some one desires to object to that, I have nothing more to say.

Mr. McFARLAND. I hope we can vote on this bill.

Mr. MAYBANK. We should vote.

Mr. McFARLAND. I join the distinguished Senator from South Carolina in the praises he has uttered, but I hope we may now vote.

Mr. MAYBANK. I only did that because we have had a long, hard job, and a very long hearing. I hope the Senator will agree with me about that.

Mr. McFARLAND. Yes; I agree with the Senator.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada to recommit the pending bill to the Committee on Banking and Currency.

Mr. WILEY rose.

The PRESIDING OFFICER. For what purpose does the Senator from Wisconsin rise?

Mr. WILEY. I desire simply to take 1 minute to place certain matters in the RECORD.

The PRESIDING OFFICER. Does either side yield time to the Senator from Wisconsin?

Mr. MAYBANK. Mr. President, I hope the Senator from Wisconsin will merely ask unanimous consent to place the matter in the RECORD. I am unable to yield time to him, since we have been here so long. I know that both the distinguished majority leader and the distinguished member of the Foreign Relations Committee know what stress we have been under. I suggest that the Senator from Wisconsin merely ask that the matter to which he refers be placed in the RECORD by unanimous consent and that his remarks be printed in the RECORD.

Mr. WILEY. I may say that the Foreign Relations Committee has been in session almost continuously.

Mr. MAYBANK. I have nothing but the highest regard for the members of the Foreign Relations Committee.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. MAYBANK. I yield for nothing but a vote.

The PRESIDING OFFICER. The Senator from South Carolina declines to yield.

The question is on agreeing to the motion of the Senator from Nevada to recommit the bill (S. 2594) to the Committee on Banking and Currency.

The motion was rejected.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. DIRKSEN and Mr. MAYBANK asked for the yeas and nays.

Mr. KEM. Mr. President, I have been seeking recognition for some time past.

The PRESIDING OFFICER. At the proper time, the Senator from Missouri will be recognized. The yeas and nays have been requested. Is the request sufficiently seconded?

The yeas and nays were ordered.

The PRESIDING OFFICER. One hour of debate is allowed on the bill, 30 minutes to each side, the time to be controlled by the Senator from South Carolina [Mr. MAYBANK] and the minority leader.

Mr. KEM. Mr. President, I should like to be recognized for a short statement.

Mr. MAYBANK. Mr. President, I hope the distinguished Senator from Missouri will make his statement after the vote is taken.

Mr. CAPEHART. Mr. President, we are now up to the vote on the final passage of the bill, and Senators are entitled to 30 minutes' debate, 15 minutes for those who favor the bill and 15 minutes for those who are opposed to it. I am opposed to the bill. Does the Senator from Missouri oppose the bill?

Mr. KEM. Mr. President, I should like one of the Senators to yield me not more than 5 minutes.

Mr. CAPEHART. Mr. President, I yield 5 minutes to the able Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 5 minutes.

Mr. KEM. Mr. President, so long as the administration continues to involve us in one emergency after another, controls of various types are likely to be imposed.

Perpetual emergency means perpetual controls.

We have learned from experience that price controls strike only at the effects of inflation, not at its basic causes.

The principal cause of present inflation is extravagant Government spending. I do not foresee an end to reckless squandering of the people's money so long as the Federal Government is controlled by those who embrace big Government as an end to be desired and adhere to the socialistic principles of the Truman program.

Mr. HUMPHREY subsequently said: Mr. President, I was momentarily absent from the Chamber when the yeas and nays were ordered on the passage of the Defense Production Act amendments, and I ask unanimous consent to insert in the RECORD, prior to the vote, a brief statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

So far as the disputes functions of the Wage Stabilization Board are concerned, I would have preferred the Douglas amendment to the Ives amendment. However, the Ives amendment as explained by the Senator from New York, an explanation with which I now agree, seems to be the best that we can get at this time. That is why I voted for the Ives amendment and that is one reason why I will be able to vote for the bill as a whole.

SEVERAL MEMBERS. Vote! Vote!

The PRESIDING OFFICER. The question is on the passage of the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Iowa [Mr. GILLETTE], the Senator from Colorado [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], the Senator from Nevada [Mr. McCARRAN], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

I announce further that the Senator from Nevada [Mr. McCARRAN] is paired on this vote with the Senator from Mississippi [Mr. STENNIS]. If present and voting, the Senator from Nevada would vote "nay," and the Senator from Mississippi would vote "yea."

I announce further that if present and voting, the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. KILGORE], the Senator from Connecticut [Mr. McMAHON], the Senator from Montana [Mr. MURRAY], and the Senator from Georgia [Mr. RUSSELL] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. CAIN], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. CARLSON], the Senator from Pennsylvania [Mr. DUFF], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Montana [Mr. ECTON] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

If present and voting, the Senator from Vermont [Mr. AIKEN] would vote "yea."

On this vote the Senator from Maine [Mr. BREWSTER] is paired with the Senator from Washington [Mr. CAIN]. If present and voting, the Senator from Maine would vote "yea," and the Senator from Washington would vote "nay."

On this vote the Senator from Ohio [Mr. BRICKER] is paired with the Senator from Montana [Mr. ECTON]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from Montana would vote "nay."

On this vote the Senator from Massachusetts [Mr. LODGE] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Kansas would vote "nay."

On this vote the Senator from Ohio [Mr. TAFT] is paired with the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from North Dakota would vote "nay."

The result was announced—yeas 58, nays 18, as follows:

YEAS—58

Anderson	Hoey	Neely
Benton	Holland	Nixon
Butler, Md.	Humphrey	O'Conor
Byrd	Hunt	O'Mahoney
Chavez	Ives	Pastore
Clements	Johnson, Tex.	Robertson
Connally	Johnston, S. C.	Saltonstall
Douglas	Kem	Seaton
Eastland	Kerr	Smathers
Ellender	Lehman	Smith, Maine
Ferguson	Long	Smith, N. J.
Flanders	Magnuson	Smith, N. C.
Frear	Martin	Sparkman
Fulbright	Maybank	Thye
George	McClellan	Tobey
Green	McFarland	Underwood
Hayden	McKellar	Watkins
Hendrickson	Monroney	Wiley
Hennings	Moody	
Hill	Morse	

NAYS—18

Bennett	Dirksen	McCarthy
Bridges	Dworshak	Millikin
Butler, Nebr.	Hickenlooper	Mundt
Capehart	Jenner	Schoeppel
Case	Knowland	Welker
Cordon	Malone	Williams

NOT VOTING—20

Aiken	Gillette	McMahon
Brewster	Johnson, Colo.	Murray
Bricker	Kefauver	Russell
Cain	Kilgore	Stennis
Carlson	Langer	Taft
Duff	Lodge	Young
Ecton	McCarran	

So the bill (S. 2594) was passed.

The title was amended so as to read: "A bill to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, and for other purposes."

Mr. MAYBANK. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized and directed to make all necessary clerical and technical changes, including changes of section numbers and cross-references, in the engrossed bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE STEEL DISPUTE

Mr. MORSE. Mr. President, I hold in my hand a press release dated June 10, 1952, issued by Mr. Ernest T. Weir, chairman of the National Steel Corp., in which he states:

President Truman, in a statement today, gave no recognition to the fact that only one real isue remains in the Steel case.

That is the issue which would require steel companies to impose compulsory union membership on employees who do not want to join the union. The steel companies can never be parties to such an action.

I shall ask that the whole statement be incorporated in the RECORD, but I wish to make one comment.

I understand, in the first place, that the National Steel Corp., of which Mr. Weir is president, is not even a party to the steel controversy. But it is nevertheless very interesting to have a press release from Mr. Weir.

In the second place, it is not my understanding that the union-shop issue is the only issue remaining unsettled in the steel case. It appears that there is not complete understanding on economic issues for the reason that apparently Mr. Fairless was not able to get a settlement of the steel dispute as to wages, hours, and conditions of employment at the meeting at the White House, as indicated by the press release issued in advance.

Therefore, Mr. President, I ask the chairman of the Commitee on Labor and Public Welfare to call before the committee at a very early date the representatives of industry and labor and the White House spokesman, Mr. Steelman, in connection with this controversy, for testimony on the issues involved. We are entitled to know whether this is an accurate statement of the situation. If it is, I cannot understand the failure of the union to get the strike settled.

I ask unanimous consent to have the press release printed in the RECORD as a part of my remarks.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

STATEMENT OF ERNEST T. WEIR, CHAIRMAN, NATIONAL STEEL CORP.

President Truman, in his statement today, gave no recognition to the fact that only one real issue remains in the Steel case.

That is the issue which would require steel companies to impose compulsory union membership on employees who do not want to join the union. The steel industry can never be a party to such an action.

We in the steel industry certainly believe that any employee has every right to become a union member by his own free choice. But we do not believe that steel companies or anyone else, including the President of the United States, has the right to force on him the alternative of joining a union or losing his job.

The wage increase and other benefits included in the third and final offer of the steel companies yesterday amount to a total cost of 24.6 cents per hour. This is more than 80 percent of the total amount recommended by the Wage Stabilization Board. This would be the largest wage advance in the history of the steel industry.

Obviously, the only reason that the union has rejected this offer, which goes so far toward meeting its economic demands, is because the steel companies refuse to become parties to the imposition of compulsory union membership.

In view of these facts, it is my opinion that the real reason behind Mr. Truman's request for statutory authority to seize the steel industry is to obtain the power for Government to grant the union's demand for this imposition of compulsory union membership.

In today's statement, as on previous occasions, President Truman chose to ignore the fact that one of the main provisions of the Taft-Hartley Act calls for a secret ballot vote by employees on whether they wish to accept the companies' final offer.

I believe that this is the democratic process which should be employed rather than the autocratic course of Government seizure.

MR. EISENHOWER'S ATTITUDE CONCERNING THE ST. LAWRENCE SEAWAY

Mr. THYE. Mr. President, many questions have been raised concerning the answer to a question asked of Dwight Eisenhower with reference to the St. Lawrence seaway. Because of those many questions I addressed a telegram to him on June 10, and on June 11 I received a reply to the question which I raised in my telegram. I ask unanimous consent to have the two telegrams inserted in the body of the RECORD at this point as a part of my remarks.

Mr. CONNALLY. Mr. President, reserving the right to object, why not put the telegrams in the Appendix? I do not think the body of the RECORD should be encumbered with matters not pertinent to the present business of the Senate.

Mr. THYE. Mr. President, I will say to the senior Senator from Texas that, instead, I shall read these telegrams.

Mr. CONNALLY. Very well. That is all right.

Mr. KNOWLAND. Mr. President, will the Senator from Minnesota yield?

Mr. THYE. I yield.

Mr. KNOWLAND. Mr. President, I think it is not an unreasonable request that the Senator from Minnesota has made. It concerns a telegram which a Senator of the United States addressed to a well known and distinguished American public servant, and it certainly seems to me it would be most unusual, under those circumstances, if the Senator were not permitted to have the material included in the body of the RECORD. After all, he is a United States Senator from the State of Minnesota, and I think the matter is pertinent to the public business of the Senate.

Mr. THYE. Mr. President, I thought the objection raised by the senior Senator from Texas was so unreasonable that I did not even want to make a reply, and for that reason I shall proceed to read two very brief telegrams into the RECORD. It will take only a few minutes to read the two telegrams. I endeavored to be brief by asking that they be inserted in the body of the RECORD, without taking time to read them, but inasmuch as the senior Senator from Texas has objected, I shall take time to read the telegrams.

First, Mr. President, I read the telegram which I addressed to Gen. Dwight D. Eisenhower on June 10, 1952:

JUNE 10, 1952.

Gen. DWIGHT D. EISENHOWER,
The President's House, Columbia University, Morningside Drive, New York, N. Y.:

Your quoted comment at Abilene concerning St. Lawrence seaway is being interpreted as favoring an all-Canadian project without full United States participation in construction and development. My understanding is that you favor joint action by our two Gov-

ernments. I would appreciate a clarifying wire from you which I may place in the CONGRESSIONAL RECORD.

EDWARD J. THYE,
United States Senator.

This is the reply which I received, addressed to me by General Eisenhower:

NEW YORK, N. Y., *June 11, 1952.*

The Honorable EDWARD J. THYE:
Senate Office Building,
Washington, D. C.:

Misunderstanding due to mistake in stenographic transcript of Abilene conference. What I said was that I would hate to see the United States excluded from such an agreement since it is my understanding that Canada is going ahead with the St. Lawrence seaway project anyway.

Sincerely,

DWIGHT D. EISENHOWER.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY—CORRECTION OF BILL

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 226, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality; and for other purposes, the Clerk of the House is authorized and directed to make the following corrections:

In section 263 (b) of the bill strike out "(14)" wherever it appears in the subsection and insert "(15)."

Mr. EASTLAND. Mr. President, the concurrent resolution is merely to correct a typographical error. I ask unanimous consent for its immediate consideration.

There being no objection, the concurrent resolution was considered and agreed to.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, if I may have the attention of the Senate, I should like to announce the legislative program.

Last week I stated that the next bill to be taken up would be S. 2968, the civil-service retirement bill, which provides for an increase in the retirement pay of retired Federal employees. The increase is very much needed, and I hope the Senate may speedily pass such legislation.

However, there is a House joint resolution which should come up before the civil-service retirement bill, namely, House Joint Resolution 477, to extend the emergency powers of the President.

After we have disposed of House Joint Resolution 477, dealing with emergency powers of the President, we shall take up S. 2968, to which I have just referred.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MAYBANK. I call the attention of the Senator from Arizona to Calendar No. 1551, H. R. 6909, an act to amend section 14 (b) of the Federal Reserve Act, as amended. That bill has to do with the expiration of authority under existing law for the Treasury to buy certain obligations of the United States in the market. The Secretary of the Treasury has called me on the telephone with reference to the bill, which was unanimously approved by the Committee on Banking and Currency. There is no opposition to it, and I hope the bill may be disposed of after we have concluded action on the War Powers Act.

Mr. McFARLAND. If there is no opposition, it can be passed in half a minute.

Mr. MAYBANK. It can be passed immediately.

Mr. EASTLAND. Mr. President, I object. I desire to have considered a conference report.

Mr. MAYBANK. I will ask later that we take up H. R. 6909, if the Senator will agree to let me ask unanimous consent to do so. That would follow action on the War Powers Act.

Mr. McFARLAND. Mr. President, Senators are desirous of knowing when we are going to vote on various legislative proposals, and when we shall begin consideration of the St. Lawrence seaway measure, Senate Joint Resolution 27. In order that the Senate may know what to count on, I believe we can very easily dispose this afternoon of the first two bills I have mentioned. Then we might take up the St. Lawrence seaway measure on Friday and debate it on Friday. If the Senators who are interested in it feel that they need to debate it an extra day, they could even debate it on Saturday. But I feel that on Tuesday we should start to vote on Senate Joint Resolution 27. In order that that may be done, and in order that Senators may know how to make plans, I ask unanimous consent that the St. Lawrence seaway measure follow the retirement bill, and that on next Tuesday there be a limitation of debate, starting at 12 o'clock, as follows: 2 hours on each amendment, 1 hour to a side, the time to be controlled by the proponent of any amendment, and the minority leader, or any Senator he may designate; 2 hours of debate on the bill, the time to be controlled by the Senator from Rhode Island [Mr. GREEN] and the distinguished minority leader, or any Senator he may designate.

Mr. KNOWLAND. Mr. President, at this time I shall have to object to the unanimous-consent agreement.

The PRESIDING OFFICER. Objection is heard.

Mr. FERGUSON. Could not the Senator from Arizona propose a longer time? Two hours seems short.

Mr. McFARLAND. There can be 3 days of debate. The vote would be taken next Tuesday, not before.

Mr. FERGUSON. Yes; but there are two other bills coming up.

Mr. McFARLAND. I merely want to say to Senators who are interested in the proposed St. Lawrence seaway measure——

Mr. FERGUSON. I am very much interested in it.

Mr. McFARLAND. That it will be necessary to lay it aside whenever an appropriation bill is ready. The St. Lawrence seaway measure may not be finished unless we can get an agreement of some kind relating to it.

Mr. FERGUSON. I want to have it finished. I would rather have a vote on it without debate than not to have a vote at all.

Mr. McFARLAND. There has already been objection on the Senator's side of the aisle anyway. I have done my duty in trying to get the measure up and have it considered.

Mr. McKELLAR. Mr. President, I believe the civil functions appropriation bill will certainly be reported and ready to be debated and passed by Tuesday. I think unquestionably it will be ready by Tuesday.

Mr. McFARLAND. That is the reason why I suggested a limitation on the debate starting on Tuesday on Senate Joint Resolution 27.

I hope the Committee on Appropriations will act speedily on appropriation bills. It is more important to act on appropriation bills than it is to act on the St. Lawrence seaway measure. I hope the Committee on Appropriations will speedily report the bills it is now considering in order that they may be passed.

Mr. McCLELLAN. I trust the majority leader will bear in mind the three reorganization plans that have been acted upon by the committee. Reports are in process of preparation. We hope to have them ready to file this afternoon. Tomorrow, after a conference with the majority leader, I should like to be able to designate some day next week when they may be taken up.

Mr. McFARLAND. Reorganization plans are privileged.

Mr. McCLELLAN. I know that.

Mr. McFARLAND. It was my understanding that the Senator desired to take them up next Wednesday, because they will have to be passed upon. If the civil functions bill is not disposed of speedily, of course, that is another matter. We would have had time, under the proposed unanimous consent agreement, to vote on the St. Lawrence seaway measure on Tuesday and take up the reorganization plans on Wednesday.

Mr. McCLELLAN. Mr. President, with respect to the reorganization plans, debate is limited by statute. Under the statute there is a special rule governing debate upon such plans or resolutions of disapproval. Ten hours are allowed on each plan. However, it is the purpose of the chairman of the committee to make a unanimous consent request for a much shorter time, in the hope that we may set aside a day for the three plans, and dispose of all three of them.

Mr. McFARLAND. I will say to my good friend from Arkansas that so far as I am concerned, he is entitled to bring up the reorganization plans at any time they are ready, and at his convenience. There is a time limit on them, and they must be disposed of. So whatever the Senate is engaged upon when they are ready will have to be laid aside.

Mr. McCLELLAN. Tomorrow I shall undertake to announce a day certain when the plans will be ready.

Mr. FERGUSON. Mr. President, I hope the Senator from Arizona will renew his unanimous consent request after the war powers bill and other measures have been disposed of.

Mr. McFARLAND. I do not expect to be here. Perhaps some other Senator can renew it for me.

Mr. FERGUSON. I hope it will be renewed.

Mr. McFARLAND. I think now is the time to agree to it. It would not interfere with the war-powers measure. It will be disposed of. After the conference report comes back on that measure, it will be privileged, and any agreement which is entered into will be temporarily set aside.

I hope the distinguished Senator from California [Mr. KNOWLAND] will not object at this time, because the proposed unanimous-consent agreement would not interfere with the war powers measure at all.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. KNOWLAND. I merely made a temporary objection in order that I might have an opportunity for some consultation. I am only temporarily acting as minority leader during the absence of the minority leader, and I desire to have opportunity for consultation.

Mr. McFARLAND. I hope the distinguished Senator from California will be able to reach a decision within the next few minutes. Senators on both sides of the aisle would like to know when the St. Lawrence seaway measure will be voted upon.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. McFARLAND. I yield.

Mr. KNOWLAND. I think there should be no undue delay in connection with the war powers measure. When that is out of the way, if the Senator will renew his request, or have some Senator renew it for him, probably we can arrive at some agreement.

I ask the distinguished Senator from Arizona what decision, if any, the Democratic policy committee and he have made relative to the statehood for Hawaii bill, with respect to which both great parties have declared their interest and support. I also ask whether the statehood for Hawaii bill is on the list of bills to be considered at this session of Congress.

Mr. McFARLAND. We gave considerable time to one of those bills. What further consideration is to be given will depend on when the Congress adjourns.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. McFARLAND. I yield.

Mr. KNOWLAND. As of the present time, has the Democratic policy committee listed the statehood for Hawaii bill for consideration by the Senate, in conformity with the pledges in the party platforms of both great political parties?

Mr. McFARLAND. I do not wish to enter into a discussion of political platforms. I did not help to write the platforms.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. McKELLAR. At least three appropriation bills will be ready for consideration by the Senate next week. I want the majority leader and the Senate to bear that in mind. Let us get through with them as soon as possible.

Mr. McFARLAND. We are waiting for them. The Senator from Tennessee brings us good news.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. ELLENDER. Am I to understand that the distinguished majority leader intends to submit a unanimous-consent agreement to take up the St. Lawrence seaway measure this afternoon?

Mr. McFARLAND. We had hoped to fix a time to vote.

Mr. ELLENDER. If a unanimous-consent agreement to vote at a specified time is proposed, I wish to say that if the Senator from California [Mr. KNOWLAND] does not object, I will. I hope the majority leader will not again ask for a limitation of debate on that measure. I expect to object at any time such a request is submitted.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. BUTLER of Maryland. Mr. President, I wish to file a permanent objection to any limitation of debate, at any time, in connection with the St. Lawrence seaway measure.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MOODY. I and other Senators who are interested in the St. Lawrence seaway project are very grateful to the majority leader for calling up that measure. He gave his word that he would call it up before the conclusion of the session, and in such a way that it could be voted upon. He is a man of his word, and he has kept his word. I join my colleague [Mr. FERGUSON] in urging that the majority leader renew his unanimous-consent request so as to reach a vote early next week.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. LEHMAN. I wish to associate myself with the remarks of the Senator from Michigan. I believe the proposal of the distinguished majority leader with regard to the limitation of debate was eminently fair, and I very much hope it will be agreed to.

EMERGENCY POWERS CONTINUATION ACT

The PRESIDING OFFICER (Mr. O'CONOR in the chair). The Chair lays before the Senate a joint resolution coming over from the House of Representatives.

The joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, was read twice by its title.

Mr. EASTLAND. Mr. President, I ask unanimous consent for the present consideration of House Joint Resolution 477.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. KNOWLAND. Mr. President, reserving the right to object—and I do not intend to object—I merely wish to make clear the parliamentary situation. The Senator from Mississippi is now requesting only unanimous consent to proceed to the consideration of the joint resolution, as I understand.

Mr. EASTLAND. That is correct.

Mr. KNOWLAND. It is not proposed to pass it at this time, is it? As I understand, it will be discussed and debated.

Mr. EASTLAND. The unanimous-consent request is merely to take it up. Then the Senator from Mississippi intends to offer a substitute, which has been reported by the Committee on the Judiciary.

Mr. KNOWLAND. On behalf of my colleague [Mr. NIXON] and myself, I wish to say to the able Senator from Mississippi that we intend to offer to House Joint Resolution 477 the same amendment which was ruled to be not germane with respect to the previous bill. We shall offer that amendment to the joint resolution. I wished to have it clear, from a parliamentary standpoint, that that could be done.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

Mr. EASTLAND. Mr. President, I offer an amendment in the nature of a substitute, to strike out all after the resolving clause and insert in lieu thereof the provisions of Senate Joint Resolution 139, reported today by the Committee on the Judiciary.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. Is the substitute subject to amendment?

The PRESIDING OFFICER. It is subject to amendment before being voted upon.

Mr. FERGUSON. It is subject to amendment before being voted upon; but if it is adopted as a part of the joint resolution, then, of course, it will not be.

The PRESIDING OFFICER. The Senator from Mississippi offers an amendment to strike out all after the resolving clause and insert the text of a substitute which the clerk will read.

Mr. EASTLAND. Mr. President, I ask unanimous consent that the reading of the substitute be dispensed with.

The PRESIDING OFFICER. Without objection, the reading will be dispensed with. Without objection, the substitute will be printed in the RECORD, at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Whereas the state of war with Japan is the last declared state of war to which the United States is a party and the termination thereof and of the national emergencies proclaimed

in 1939 and 1941 would render certain statutory provisions inoperative; and

Whereas some of these statutory provisions are needed to insure the national security and the capacity of the United States to support the United Nations in its efforts to establish and maintain world peace: Now, therefore, be it

Resolved, etc., That, notwithstanding the termination of the war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—

(a) The following statutory provisions shall remain in full force and effect until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950 (C. F. R., 1950 Supp. to title 3, p. 71), or until such earlier date or dates as the Congress by concurrent resolution either generally or for a particular statutory provision or the President either generally by proclamation or for a particular statutory provision may provide, but in no event beyond June 30, 1953, any other terminal date or provision of law with respect thereto to the contrary notwithstanding.

(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201).

(2) Act of May 18, 1933 (ch. 32, sec. 5 (m), 48 Stat. 62; 16 U. S. C. 831d (m)).

(3) Act of March 27, 1942 (ch. 199, secs. 1301–1304, 56 Stat. 185–186; 50 U. S. C. App. 643, 643a, 643b, 643c).

(4) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

(5) Act of June 22, 1944 (ch. 268, sec. 102, 58 Stat. 285), as amended (38 U. S. C. 693b). Any detail made hereunder may extend until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date as the Congress by concurrent resolution or the President may provide.

(6) Act of June 24, 1948 (ch. 625, sec. 4 (d), 62 Stat. 607), as amended (50 U. S. C. App. 454 (d)).

(7) Act of July 2, 1940 (ch. 508, secs. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 776, 1171 (a), 1171 (b)).

(8) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

(9) Act of July 1, 1944 (ch. 373, secs. 212, 213, and 216, 58 Stat. 689–691; 42 U. S. C. 213, 214, and 217).

(10) Act of January 2, 1942 (ch. 645, sec. 7), as added by the act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 224i).

(11) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

(12) Act of March 7, 1942 (ch. 166, secs. 1–12, 14, 15, 56 Stat. 143–147), as amended, and as extended by section 4 (e) of the act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 1001–1012, 1014, 1015).

(13) Act of December 4, 1942 (ch. 674, secs. 2 and 3, 56 Stat. 1039; 10 U. S. C. 904b, 904c).

(14) Act of October 26, 1942 (ch. 624, 56 Stat. 987; 50 U. S. C. App. 836).

(15) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

(16) Act of September 16, 1942 (ch. 561, secs. 1–3, 56 Stat. 753), as amended (50 U. S. C. 301–303).

(17) Act of June 25, 1942 (ch. 447, 56 Stat. 390–391; 50 U. S. C. App. 781–785).

(18) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said act of October 14, 1940, continue to exist during the continuance of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date as the Congress by concurrent resolution or the President may provide, but in no event beyond June 30, 1953.

(19) The paragraph designated "(2)" which was inserted into the act of March 3, 1909 (ch. 255, 35 Stat. 753), by the act of April 9, 1943 (ch. 39, 57 Stat. 60; 34 U. S. C. 533).

(20) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

(21) Act of December 23, 1944 (ch. 716, 58 Stat. 921–922; 50 U. S. C. App. 1705–1707).

(22) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

(23) Act of December 22, 1942 (ch. 803, 56 Stat. 1071; 48 U. S. C. 510 note).

(24) Act of October 17, 1940 (ch. 888, sec. 512, 54 Stat. 1190), as amended (50 U. S. C. App. 572).

(25) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

(26) Act of August 29, 1916 (ch. 417, 39 Stat. 604; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

(27) Act of August 29, 1916 (ch. 418, sec. 1, 39 Stat. 645; 10 U. S. C. 1361); and the President may exercise his authority thereunder through such officers or agencies as he may designate.

(28) Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

(29) Act of February 4, 1887 (ch. 104, sec. 420), as added by act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284, 298; 49 U. S. C. 1020), insofar as it refers to section 1 (15) of said act of February 4, 1887, as amended.

(30) Act of June 6, 1941 (ch. 174, 55 Stat. 242–245), as amended (50 U. S. C. App. 1271–1275).

(31) Title 18, United States Code, sections 794, 2153, 2154, and 2388.

(32) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223–226b).

(33) Act of October 31, 1942 (ch. 634, secs. 1 and 2, 56 Stat. 1013; 35 U. S. C. 89, 90).

(34) Act of July 1, 1944 (ch. 373, sec. 211 (c), 58 Stat. 688), as amended (42 U. S. C. 212 (c)).

(b) The following statutory provisions which are normally operative in time of peace shall not become operative upon the termination of the state of war with Japan but rather shall continue to be inoperative until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no event beyond June 30, 1953, any other provision of law with respect thereto to the contrary notwithstanding:

(1) Those portions of section 37 of the act of June 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C. 353), which restrict the appointment of Reserve officers in time of peace.

(2) The second sentence of section 40b of the act of June 3, 1916, as added by section 33 of the act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).

(3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 8501).

(4) Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).

(5) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).

(6) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)–(d)).

(c) The President is hereby authorized to continue in effect for the duration of the national emergency proclaimed by the President on December 16, 1950, and for 6 months thereafter all appointments under the provisions of sections 37 and 38 of the act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), and section 127a of said act as added by the act of June 4, 1920 (ch. 227 (41 Stat. 785)), as amended (10 U. S. C. 358, 32 U. S. C. 19, 10 U. S. C. 513); section 515 (e) of the act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)); and section 3 of the act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a), which are in effect on the date of the approval of this act as officers and warrant officers of the Army of the United States and as officers and warrant officers of the United States Air Force, including appointments as officers and warrant officers in the Organized Reserve Corps, the Air Force Reserve, the National Guard of the United States, and the Air National Guard of the United States, any other provision of law to the contrary notwithstanding.

(d) For the purpose of section 1 of the act of May 20, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), and for the purpose of section 2 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 222e), the date of the termination of a time of war and the establishment of peace shall be the date which the President shall prescribe for those purposes, notwithstanding any other termination of war or establishment of peace.

(e) For the purpose of section 1 of the act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), and for the purpose of section 1 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d), the date of the termination of a time of war and the establishment of peace shall, with respect to accidents or incidents occurring after June 23, 1950, to be the date which the President shall prescribe for those purposes, notwithstanding any other termination of war or establishment of peace.

SEC. 2. (a) The performance or occurrence, before 6 months after the termination of the national emergency proclaimed on December 16, 1950, or such earlier dates as the Congress by concurrent resolution or the President may provide, and not later than June 30, 1953, either generally or for a particular statutory provision, of acts or events of the kind giving rise to rights, benefits, or disabilities under a statutory provision cited in subsection (b) of this section shall, for the purpose of that statutory provision, give rise to the same rights, benefits, or disabilities as the performance or occurrence of those acts or events during the existing state of war.

(b) The statutory provisions referred to in subsection (a) of this section are the following:

(1) Act of December 2, 1942 (ch. 668, 56 Stat. 1028–1036), as amended (42 U. S. C. 1701–1706, 1711–1717).

(2) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59 Stat. 505; 5 U. S. C. 801).

(3) Act of October 17, 1942 (ch. 615, sec. 1, 56 Stat. 796; 36 U. S. C. 179).

(4) Act of August 1, 1947 (ch. 426, secs. 1 and 2, 61 Stat. 710; 36 U. S. C. 182a and 182b).

(5) Act of July 15, 1949 (ch. 339, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

(6) Act of October 14, 1940 (ch. 862, title V, sec. 503), as added by the act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

(7) Act of September 27, 1944 (ch. 421, sec. 1, 58 Stat. 747), as amended (43 U. S. C. 279).

(8) Act of December 21, 1928 (ch. 42, sec. 9, 45 Stat. 1063), as amended (43 U. S. C. 617h).

(9) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

(10) Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).

(11) Title 28, United States Code, section 2680 (j).

(c) The 10-year period provided for in section 4 of the act of September 27, 1944, cited in paragraph (7) of subsection (b) of this section, is extended to 2 years following the period of the national emergency proclaimed on December 16, 1950, or to such shorter period as the Congress by concurrent resolution or the President may provide.

SEC. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this act is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

SEC. 4. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 5. The act entitled "An act to authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war," approved August 7, 1946, as amended (the War Contractor's Relief Act), is amended by adding at the end thereof three new sections as follows:

"SEC. 7. Within the limitations stated in this act and no others—

"(1) for the purposes of this section and except as otherwise provided by paragraph (5) hereof, all departments, agencies, or the heads or duly designated representatives thereof authorized to consider, adjust, and settle claims under this act are hereby directed, on request filed not more than sixty days after the date of enactment of this section and after affording claimants reasonable opportunity to amend or supplement their claims, to reconsider claims heretofore filed in accordance with the provisions of this act and rejected or disallowed in whole or part;

"(2) nothwithstanding anything in section 3 of this act with reference to the necessity of a request for relief filed on or before August 14, 1945, claims otherwise payable under this act shall be allowed to the extent that they include losses with respect to which in a writing submitted to a department or agency concerned on or before August 14, 1945, the claimant (a) requested relief available under the First War Powers Act, whether relief was requested as of right or as of grace, (b) demanded payment thereof, or (c) gave notice of such sustained or impending loss; but nothing in this paragraph shall be taken to limit or exclude other requests for relief otherwise sufficient under section 3 of this act;

"(3) claims otherwise payable under this act as amended shall include those of subcontractors on the same basis as the claims of prime contractors if the request for relief, demand for payment, or notice of sustained or impending loss required by section 3 of this act or defined by paragraph (2) of this section was submitted in writing by such claimants on or before August 14, 1945, to either (a) a department or agency concerned of (b) the prime contractor or other subcontractor involved;

"(4) claims otherwise allowable under this act as amended shall include reasonable compensation for the services of working partners and proprietors of unincorporated claimants during the period of performance of the contracts or subcontracts involved;

"(5) the jurisdiction of courts over suits pending under this act on the date of enactment of this section is hereby preserved and, notwithstanding paragraph (1) of this section, no plaintiff in such action shall be required either to present his claim again to the department or agency concerned or to begin his action in court anew; but nothing in this act or amendment shall prevent any department or agency, in agreement with the plaintiff claimant from reconsidering any claim for the purpose of paying it or entering into an agreement for the compromise or settlement of the whole or any part thereof and, to the extent that hereafter such payments are made or such settlements are executed pursuant to any such agreement, court actions shall thereupon be limited accordingly or dismissed as the case may be;

"(6) where necessary to effectuate the purposes of this section the court in any case heretofore filed under this act shall, upon motion filed by the plaintiff not more than 60 days after the date of enactment of this section, (a) permit the plaintiff to amend his claim or pleadings, (b) vacate any adverse judgment or ruling, or (c) revive the action; but nothing in this paragraph shall be deemed to require any plaintiff to seek any such action where it is unnecessary for the preservation of his rights under this act and section in accordance with the existing practice, procedure, or course of judicial proceedings; and

"(7) as used in this act, as amended, the terms 'contractors,' 'subcontractors,' and 'materialmen' include individuals, partnerships, joint ventures, business associations, and corporations and mean with respect to partnerships, joint ventures, or business associations, the partnerships, joint ventures, or business associations themselves, and not the individual members thereof.

"SEC. 8. The provisions of this act, except section 7 (1), shall be applicable where work, supplies, or services have been furnished under a contract or subcontract between August 15, 1945, and December 15, 1950, in the same manner and to the same extent, so far as practicable, as in the case of work, supplies, or services furnished between September 16, 1940, and August 14, 1945. For the purpose of applying the provisions of this act to such work, supplies, or services—

"(a) references in the first seven sections of this act to September 16, 1940, shall refer to August 15, 1945;

"(b) references in the first seven sections of this act to August 14, 1945, shall refer to December 15, 1950;

"(c) references in the first seven sections of this act to 'the date of approval of this act' shall refer to the date of enactment of this section;

"(d) the requirements of section 3, as modified by section 7 (2), relating to the time for filing a request for relief, demand for payment, or notice of sustained or impending loss, shall be fulfilled if such request, demand, or notice is filed within 6 months after the date of enactment of this section; and

"(e) the provisions of this act shall be applied as if section 7 other than paragraph (1) thereof had been enacted as an original part of this act.

"SEC. 9. Upon the termination of the national emergency proclaimed by the President on December 16, 1950, the provisions of this act, except section 7 (1), shall be applicable where work, supplies, or services shall have been furnished under a contract or subcontract between December 16, 1950, and the date of termination of such national emergency, in the same manner and to the same extent, so far as practicable, as in the case of work, supplies, and services furnished between September 16, 1940, and August 14, 1945. For the purpose of applying the provisions of this act to such work, supplies, and services—

"(a) references in the first seven sections of this act to September 16, 1940, shall refer to December 16, 1950;

"(b) references in the first seven sections of this act to August 14, 1945, shall refer to the date of termination of the national emergency proclaimed by the President on December 16 1950;

"(c) references in the first seven sections of this act to 'the date of approval of this act' shall refer to the date of termination of the national emergency proclaimed by the President on December 16, 1950;

"(d) the requirements of section 3, as modified by section 7 (2), relating to the time for filing a request for relief, demand for payment, or notice of sustained or impending loss, shall be fulfilled if such request, demand, or notice is filed within 3 months after the date of termination of the national emergency proclaimed by the President on December 16, 1950; and

"(e) the provisions of this act shall be applied as if section 7 other than paragraph (1) thereof had been enacted as an original part of this act."

SEC. 6. Section 3 (c) of the Export Control Act of 1949 (50 U. S. C. App. 2021–2032) is amended by inserting a colon in lieu of a period at the end of the section and adding the following: "*Provided*, That in the absence of a state of war hereafter declared by the Congress the authority conferred by this section to prohibit or curtail the quantity of cotton which may be exported shall not be exercised if it is estimated that the carry-over at the end of the marketing year will be in excess of 2,000,000 bales and such authority if exercised shall be administered in such a manner as to provide an estimated carry-over of 2,000,000 bales. Not less than once each month the Secretary of Agriculture shall determine and publish the estimated carry-over of cotton at the end of the marketing year, and the basis upon which the estimate is made. The authority conferred by this section to limit the quantity of cotton shall be exercised only during a period of national emergency: *Provided further*, That nothing contained in this section shall be deemed to limit the President in carrying out foreign policy or national security objectives by restricting the nations to which cotton may be exported."

SEC. 7. Nothing contained herein shall be construed to authorize seizure by the Government of any privately owned plants or facilities under the authority of any act herein extended except as any such act may specifically provide therefor.

SEC. 8. This act may be cited as the "Emergency Powers Continuation Act."

Mr. EASTLAND. Mr. President, I should like to explain the substitute.

Mr. FERGUSON. Mr. President, I offer an amendment to the Eastland substitute, on page 8, to strike out lines 1 to 20, inclusive. The purpose of doing so is to get that particular section before the conference committee. I wonder whether the Senator has any objection to accepting my amendment to the substitute, in order that that subject may be in conference.

Mr. EASTLAND. I will accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON] to the amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. EASTLAND. Mr. President, the substitute extends the present War Powers Act, with certain exceptions. First, the extension is limited in any event to June 30, 1953; second, the substitute provides that no authority is conferred upon the Executive to seize or operate any in-

dustry, plant, or facility in the United States. There are two other amendments.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAGNUSON. Does it include public utilities?

Mr. EASTLAND. Yes; it includes public utilities.

Mr. MAGNUSON. Does it nullify the seizure of the railroads?

Mr. EASTLAND. There is express authority in the measure for the President to operate the railroads. The strike has been settled, and he no longer operates them. I understood that both management and labor wanted that provision repealed. The House has repealed it, as I understand, at the request of the brotherhoods and the railroad companies.

Mr. MAGNUSON. The Senator from Mississippi will recall that the Judiciary Committee, in the extension of the Second War Powers Act, unanimously decided that the President shall not have authority to seize any industry other than public utilities.

Mr. EASTLAND. That is correct.

Mr. MAGNUSON. That provision has been changed?

Mr. EASTLAND. Certain public utilities, for example, power companies, thought it constituted implied authority on the part of the Executive to seize them. Therefore, the provision was changed.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. HUMPHREY. What would the country do if the railroads were tied up and there was no way of settling the dispute involved?

Mr. EASTLAND. I thought I made it clear that the substitute contains a provision expressly authorizing the seizure and operation of the railroads. It was eliminated by the House. The substitute contains the provision:

> The President, in time of war, is empowered, through the Secretary of War, to take possession of and control the transportation system, or any part thereof, and utilize it to the exclusion, as far as necessary, of all other traffic for the movement of troops, war materials, and equipment, and for such other purposes of an emergency as may be needful or desirable.

Mr. HUMPHREY. Does the Senator from Mississippi consider the present situation a war?

Mr. EASTLAND. It is under this provision that the President of the United States operated the railroads for 2 years.

Mr. HUMPHREY. That is the point I wanted to have clarified, namely, that the provision is identical to or similar to the provision under the old War Powers Act.

Mr. EASTLAND. It is the same provision. I said the House had eliminated it; but it is contained in the Senate joint resolution which I have offered as a substitute.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAGNUSON. It does not apply, however, except to railroads.

Mr. EASTLAND. That is correct.

Mr. MAGNUSON. It does not apply to other utilities?

Mr. EASTLAND. It applies to transportation, not to other public utilities.

Mr. MAGNUSON. Not to communications or power?

Mr. EASTLAND. It applies to transportation.

Mr. MAGNUSON. It is contrary to the unanimous judgment of the Senate Committee on the Judiciary.

Mr. EASTLAND. The Senator from Washington says it is contrary to the unanimous judgment of the Committee on the Judiciary. The change was made unanimously by the Judiciary Committee of the Senate.

Mr. MAGNUSON. The Senator will recall that the committee did include such a provision in the measure.

Mr. EASTLAND. That was placed in a temporary extension. The provision I have read was placed in the joint resolution unanimously by the committee.

Mr. MAGNUSON. So that the point may be clear, if the joint resolution is passed, the President will have no authority under any circumstances, other than in the case of a declaration of war, to seize or take over any public utility?

Mr. EASTLAND. No; that is incorrect. He will not have the authority to seize or operate any public utility except transportation utilities.

Mr. MAGNUSON. It does not mention railroads. It says transportation.

Mr. EASTLAND. Transportation. But under that identical authority the railroads have been operated for 2 years.

Mr. MAGNUSON. That is correct.

Mr. EASTLAND. Aside from that amendment, I believe no other provision in the bill is controversial. I will read the provisions:

First. Providing for the acquisition and operation of buildings and facilities.

Second. Prohibition against the sale of Tennessee Valley Authority products for use outside the United States except to its allies in case of war.

Third. Authority of Government officials or agencies designated by the President to inspect plants and books of war contractors.

Fourth. Authorization to destroy records situated abroad.

Fifth. Authorization for detailing Armed Forces personnel to the Veterans' Administration.

Sixth. Entertainment and instruction of Army and Air Force enlisted personnel.

Seventh. Contracts for Army and Navy facilities.

Mr. President, those are typical of the powers which are renewed until June 30 of next year.

I judge there could not be any controversy as to any of them. The measure contains two other amendments. One amendment authorizes the executive department to make whole a contractor who, through no fault of his own, lost money.

That is the same right a contractor had during World War II. It merely gives him the same right as in the emergency which existed before.

The other amendment provides that in the case of cotton, export controls cannot be invoked when there is a surplus of 2,000,000 bales of cotton in the United States.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. CORDON. Mr. President, the Senator from Oregon is confused as to what is before the Senate at this time. Is the Senator from Mississippi presenting an amendment for himself or is he presenting something on behalf of the committee?

Mr. EASTLAND. I am presenting a substitute on behalf of the Committee on the Judiciary.

Mr. CORDON. Has such substitute been printed, and is there a report on it available?

Mr. EASTLAND. It was filed with a report.

Mr. CORDON. When was it filed?

Mr. EASTLAND. Today.

Mr. CORDON. In other words, the Senator is now discussing an amendment which he expects to offer when the report is before the Senate?

Mr. EASTLAND. I have offered the substitute to the House joint resolution.

Mr. CORDON. My understanding is that a report from a committee must lie over a day before consideration of it can be had on the floor of the Senate.

Mr. EASTLAND. House Joint Resolution 477 passed the House and came over from the House today. On behalf of the Judiciary Committee, I have offered a substitute to the House joint resolution, and I am discussing that substitute.

Mr. CASE. Mr. President, will the Senator from Mississippi yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Dakota?

Mr. EASTLAND. I yield.

Mr. CASE. A moment ago the Senator from Mississippi spoke of a proposal to give the President power to make whole contractors who had sustained certain losses. In what respect is it proposed that the President be given the power to make them whole, and for what losses?

Mr. EASTLAND. For losses incurred through no negligence or fault of their own.

Mr. CASE. For losses on contracts with the Government?

Mr. EASTLAND. Yes.

Mr. CASE. How would the President be able to make them whole?

Mr. EASTLAND. The procedure would be the same as that provided for under the Lucas Act, which was enacted during World War II.

Mr. CASE. I recall that some question arose as to how that act operated and whether certain tax benefits accrued to Government contractors by reason of losses they sustained in private operations, and whether they were permitted to make themselves whole by means of Government contracts. If that is the case, I think perhaps the matter should be explored a little further and we should know exactly what we are doing.

Mr. EASTLAND. Of course, that is not correct.

Mr. CASE. Just what is the proposed power or the provision? Is a printed copy of the Senate joint resolution available?

Mr. EASTLAND. It was filed with the substitute. The provision is that of the old Lucas Act, under which if a contractor suffers a loss through no fault of his own, he can be made whole, taking into consideration taxes and all other items.

Mr. CASE. What the Senator from Mississippi says does not reassure me very much. If a contractor can be made whole by means of certain tax benefits, for losses which he sustained in private operations, and can be made whole by means of some association he may have incident to a Government contract, I think such a power should not be extended.

Mr. EASTLAND. Of course a contractor could not do what the Senator suggests. Any loss a contractor sustains from private operations would not be deductible and would not be considered by the Government, and no such authority is proposed to be conveyed.

Mr. CASE. I do not intend to interrupt too much the presentation the Senator from Mississippi is making of this point. I understand that an effort is being made to obtain copies of the joint resolution for the Members of the Senate, to enable them to study this measure. In the absence of copies of the joint resolution, I believe it would be very questionable for us to accept, sight unseen, a measure proposing such an extension of powers as is described in such broad terms to the Members of the Senate.

Mr. KNOWLAND. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. KNOWLAND. I should like to have one matter cleared up. I noticed on the teletype in the anteroom what appeared to be a statement by the chairman of the Judiciary Committee that a measure to provide for a temporary, 15-day extension was being reported from his committee. Is that the measure to which the Senator from Mississippi has been referring?

Mr. EASTLAND. No.

Mr. KNOWLAND. How long would this measure run?

Mr. EASTLAND. Until June 30, 1953.

Mr. KNOWLAND. Then I must have misunderstood. I thought the teletype statement was to the effect that due to the fact that additional time was needed to study the measure, a 15-day extension was being requested.

Mr. EASTLAND. No. In the committee we offered such an amendment yesterday, when we did not believe the House would pass the joint resolution yesterday. However, when the House passed the joint resolution, and after it came to the Senate, we called up the Senate joint resolution and moved to have the text of the Senate joint resolution substituted, inasmuch as it is practically the same, except for the two amendments to which I have referred.

Mr. KNOWLAND. My misunderstanding was not due to anything said by the Senator from Mississippi; I evidently misinterpreted the statement carried on the teletype.

If I had realized that this joint resolution was a long-term measure, I probably would have objected temporarily, until we could have had some consultation, because the Senator from Oregon [Mr. MORSE] and some other Senators have raised a point relative to the availability of copies of the report on a measure, for examination by Senators, before action is taken on the joint resolution.

Because I believed the joint resolution provided for only a 15-day extension, I did not think it was so important as it now appears to be.

Mr. MAGNUSON. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. MAGNUSON. I am somewhat confused, too, about this matter, and I am somewhat adversely concerned about the failure to allow, in time of emergency, seizure of public utilities—not only transportation facilities, but particularly power facilities.

In this case I am somewhat confused about the proposed legislative procedure. If the joint resolution passed the House yesterday and if it has just come to the Senate, how can it be that the Senator from Mississippi says that on behalf of the Judiciary Committee he is offering a substitute? I am a member of that committee; and how can it be that the committee has already voted to offer a substitute for a joint resolution which passed the House just yesterday and has just come to the Senate?

Mr. EASTLAND. The Senator has been out of town. I offered a substitute.

Mr. MAGNUSON. But that was before the House passed the joint resolution.

Mr. EASTLAND. Yes.

Mr. MAGNUSON. How could the committee determine to propose a substitute for a joint resolution which had not been passed?

Mr. EASTLAND. I was instructed by the chairman of the committee to offer the substitute. The joint resolution was approved unanimously by the Judiciary Committee.

Mr. MAGNUSON. Does the Senator from Mississippi mean the Senate joint resolution was approved?

Mr. EASTLAND. Yes.

Mr. MAGNUSON. How could it be approved as a substitute for a House joint resolution which had not then even been passed by the House?

Mr. EASTLAND. The committee considered the similar Senate joint resolution which has been offered as a substitute for the House joint resolution.

Mr. MAGNUSON. The measure now being offered as a substitute is a Senate joint resolution; is that correct?

Mr. EASTLAND. Yes.

Mr. HUMPHREY. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. HUMPHREY. Mr. President, this procedure is most unusual. We are discussing a war powers act which would give the President tremendous powers, and we do not even have copies of the committee report, and we do not even have a copy of the substitute proposal.

It is simply inconceivable to me that we would proceed to legislate in this manner. It seems to me we should postpone action on this measure until tomorrow, until we can ascertain what it is.

I have all the respect in the world for presentations made by the Senator from Mississippi; but the simple fact of the matter is that in connection with such technical measure as this, we must have something to examine and to study.

Mr. EASTLAND. Very well. The present act will expire next Monday. After the joint resolution is passed by the Senate, there must be a conference between the House and the Senate.

Of course, if there is objection, we cannot proceed at this time to consider the joint resolution.

On the other hand, we must not permit the act to expire.

Mr. President, I now move——

Mr. HUMPHREY. Suppose we wait until Monday.

Mr. EASTLAND. No, because on next Monday, June 16, the present law will have expired.

I do not know how else the matter could have been handled.

Mr. KNOWLAND. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. KNOWLAND. Would not the suggestion which I understood had been made earlier by the chairman of the Judiciary Committee, and about which I had read on the teletype, be taken care of by means of the adoption of a resolution extending for 15 days the War Powers Act? By that means we would give the Senate time to study this matter.

Mr. EASTLAND. Yes. However, I was informed by the House—and this is the reason why this matter has been brought up today—that in all probability such a resolution would not be adopted by the House because of the absence of certain Members of the House. So I was advised by members of the House Judiciary Committee to move to have the Senate proceed to consider this joint resolution.

Mr. CASE. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. CASE. Regardless of what may be the parliamentary situation in the other body, it seems to me it is asking too much of the Senate to request it to approve the extension of war powers when we do not know what those powers are.

I do not know whether there is any relationship between the measure now under discussion and the talk about providing an additional $10,000,000 for some ships that are being built. On the other hand, if the President can make a contractor whole in the case of losses which he has suffered, presumably the President has power comparable to the power to say to a contractor who has lost $10,000,000, "I make it good to you." However, when we are asked in what way that is proposed to be done, we are not given a very definite answer. Certainly I do not believe we should proceed to legislate in that way.

Mr. EASTLAND. Very well; if the Senator from South Dakota will move or will offer a motion to strike out those provisions, I will accept it.

Mr. CASE. Does the Senator from Mississippi mean an amendment to the particular part of the joint resolution which would permit the President to make good the losses?

Mr. EASTLAND. That amendment was submitted by the Senator from Nevada [Mr. McCARRAN].

Certainly we must obtain prompt action on the joint resolution unless the act is to be permitted to expire.

It is immaterial to me. If there is objection to it, that is one thing. If there are questions about it, I shall try to answer them.

Mr. CORDON. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. CORDON. The Senator from Mississippi seems to be reading from a printed copy of something or other. Is a printed copy of an amendment, or of anything else by which we may advise ourselves whether we are coming or going, available to the other Members of the Senate?

Mr. EASTLAND. Certainly the committee print is available.

Mr. CORDON. Is the Senator from Mississippi saying that the committee print is available or that it would be available?

Mr. EASTLAND. Certainly it is available.

Mr. CORDON. Where can we secure copies of the committee print?

Mr. CASE. Mr. President, a little while ago I asked for a copy, but I was advised that none was available.

Mr. HUMPHREY. The only thing available is the House joint resolution.

Mr. CASE. I understand that the House joint resolution is the only thing that is available, but the text of that joint resolution is proposed to be stricken out by a substitute which has been mentioned. Let me ask whether we may have copies of the proposed substitute, so that we can see what is actually proposed.

Mr. EASTLAND. I cannot personally deliver copies to each of my colleagues. I do not know where the copies are, for I am not the custodian of the copies. The committee clerk tells me he has sent for copies.

Mr. CORDON. That is all right. We will wait.

Mr. CASE. Mr. President, will the Senator from Mississippi yield to me now?

Mr. EASTLAND. I yield.

Mr. CASE. I may say to the Senator from Mississippi that a page has just now handed me House Joint Resolution 477, as introduced in the House of Representatives; but in handing it to me, the page said, "This is not a copy of the joint resolution as it passed the House; it is a copy of the joint resolution as it was presented to the House." As I understand the legislative situation, we are asked to substitute for the joint resolution which was passed by the House an amendment which has been reported by the Senate Judiciary Committee. We do not even have a copy of the joint resolution as it passed the House, much less a copy of the joint resolution reported by the Senate Judiciary Committee.

Mr. EASTLAND. The Senate measure is identically the same as the one which the Senator from South Dakota has in his hand, excepting for the two committee amendments which I was discussing.

Mr. CASE. And the two committee amendments propose to do what to the House text?

Mr. EASTLAND. One amendment contains the provisions of the Lucas Act, and if the Senator objects to that, it will have to come out, because I do not think the present act can be permitted to die. Therefore, the joint resolution must be passed.

Mr. CASE. Can the Senator advise me where, in the committee print of the Senate joint resolution, the Lucas amendment appears?

Mr. EASTLAND. It appears in section 5, on page 11

Mr. CASE. Mr. President, if the Senator will yield, section 5 on page 11 reads:

> The act entitled "An act to authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war," approved August 7, 1946, as amended (the War Contractor's Relief Act), is amended by adding at the end thereof three new sections, as follows—

There then follow several pages, and what the Senator suggests is that the question I raised with respect to that particular section would be answered by eliminating section 5 from the joint resolution.

Mr. EASTLAND. I may say the amendment is of no great consequence, and certainly it will not hurt anyone; but if the Senator makes a point of it, I will accept a motion to delete it.

Mr. CASE. Without prejudice to the action of the Senator or to my own action with respect to the remainder of the joint resolution, I move that section 5 be eliminated, which, in the committee print, extends from line 20 on page 11, to and through line 3 on page 17.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

Mr. EASTLAND. Wait a minute. What line is it?

Mr. CASE. To line 3, on page 17.

Mr. EASTLAND. Oh, no; the Senator is taking in part of another section.

Mr. CASE. Section 6 immediately follows.

Mr. EASTLAND. Very well, just so that section 6 is not affected. I wanted to discuss that section.

Mr. HUMPHREY. Mr. President, I want to vote on this measure. That is why I have been staying here. But I venture to say there is not one Senator besides the Senator from Mississippi who knows what is in this joint resolution, and I think the only thing to do is to move to lay it aside until we get printed copies of it as it passed the House, printed copies of the joint resolution in the nature of a substitute as it came from the Judiciary Committee, and a printed copy of the report, so that we may know what we are doing. I so move.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota.

Mr. EASTLAND. Mr. President, the present act will expire next Monday. Unless this measure is passed in the meantime the President certainly will be embarrassed. We are working under pressure. The joint resolution has been brought up today because we were told by the House that it was not practical to obtain a 2-week extension. I read a number of the provisions of this joint resolution regarding the powers conferred. Those provisions certainly are not controversial.

Mr. ANDERSON. Mr. President, if the Senator will yield, why does he not then send to the House a resolution proposing a simple 2-weeks extension? The House has passed the joint resolution.

Mr. EASTLAND. Because it is impractical to get such an extension passed by the House.

Mr. ANDERSON. There is a deadline, is there not?

Mr. EASTLAND. We were requested by the House to proceed in this way.

Mr. ANDERSON. I realize that, but if we had requested the House to forego its wishes, and to pass a temporary extension, the House would have had the privilege and right of saying, "We do not intend to do that." I think the Senate has the same right.

Mr. KNOWLAND. Mr. President, if the Senator from Mississippi will yield at that point, I think the Senator from New Mexico is quite correct. I do not see why we could not adopt as a substitute for the House measure a resolution extending the powers for 15 days, take it to conference, and have it acted upon. The House in any event must act on the conference report, and the House would act on a 15-day extension, in any event.

Mr. ANDERSON. Certainly. The Senator from Mississippi was suggesting that something of that nature be done. Now he proposes to attach two amendments to the joint resolution on this. I do not know what they are. I should like to know what they are.

Mr. KNOWLAND. Mr. President, I again ask unanimous consent to ask the Senator from Mississippi for a copy of the statement which was made by the chairman of the Judiciary Committee. I read the press dispatch, to which I referred previously. It relates to war powers, and bears a Washington date line. It reads:

> Legislation to continue a limited number of President Truman's wartime powers stalled in the Senate today after quick House approval. The Senate Judiciary Committee has yet to act on the measure, and Chairman McCARRAN was expected to ask for a 15-day temporary extension of the President's emergency powers, which expire next Sunday, to give his committee time to act.

I assume that the committee staff has prepared, and that there is available with the committee a resolution providing for a 15-day extension. If the Senator would merely offer that as a substitute for the House joint resolution, rather than the substitute he is now offering, it would seem to me to take care of the situation; or, if the Senator himself, for any reason, would prefer not to offer it, if he could furnish me a copy of the 15-day-extension proposal, I

should be very glad to offer it as a substitute for the House joint resolution. It would go to conference, the conferees could accept it, and the House could act upon it. In a matter of this kind I simply do not think it is good legislative procedure to operate with a gun at one's head, on the theory that we must act immediately, without copies of the House and Senate joint resolutions being available, without a copy of the committee report being available, and with a deadline against which to operate.

Mr. EASTLAND. There would still be the deadline when the matter went to conference, of course.

Mr. KNOWLAND. No; there would not be. If a 15-day extension were provided, presumably the House would accept it.

Mr. EASTLAND. Very well. Mr. President, I move to strike out all after the resolving clause, of the House joint resolution and to substitute therefor Senate Joint Resolution 164.

Mr. ANDERSON. I second that motion. That is exactly what I have been trying to have done, and what the Senator from California advocated so ably. We certainly cannot expect the Senate to vote on a House joint resolution when copies of it are not available, when copies of the Senate resolution proposed as a substitute are not available, and when the report of the Senate committee is not available. The most we can hope to do is to pass a temporary extension resolution and send it to conference. I support the motion of the Senator from Mississippi.

Mr. HUMPHREY. Mr. President, is it not necessary for me, in order to clarify the parliamentary situation, to withdraw my motion to lay aside the joint resolution?

The PRESIDING OFFICER. The Chair was about to advise the Senator from Minnesota that his motion was not in order, under the present parliamentary situation. It would have to be a motion to lay aside to a day certain. So the motion of the Senator from Minnesota is not in order.

Mr. HUMPHREY. Very well, I drop that, because I favor the procedure which has been suggested by the Senator from California and the Senator from New Mexico.

The PRESIDING OFFICER. The question is on the motion of the Senator from Mississippi to strike out and insert.

Mr. CASE. Mr. President, reserving the right to object——

Mr. CORDON. I should like to know what is proposed to be inserted.

Mr. CASE. Reserving the right to object, What happens to the amendment offered by the Senator from South Dakota to strike portions of the original joint resolution?

The PRESIDING OFFICER. The amendment of the Senator from Mississippi will be read for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed to strike out all after the preamble and insert the text of Senate Joint Resolution 164, as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution to continue the effectiveness of certain statutory provisions until June 1, 1952," approved April 14, 1952 (Public Law 313, 82d Cong.), as amended by the act approved May 28, 1952 (Public Law 368, 82d Cong.), is further amended by striking out "June 15, 1952" wherever it appears in such joint resolution and inserting in lieu thereof "June 30, 1952."

Mr. CASE. Mr. President, that, of course, puts the deadline over to the 30th of June, and brings us right up against the prospective adjournment or recess of Congress ahead of the national conventions. I anticipate that at that time the gun will again be put at the head of the Congress and we shall be told, when we are about to adjourn, that we must take the joint resolution as it is. Therefore, I suggest to the members of the prospective conference committee that they give consideration to the elimination of section 5. I have gone over it very hurriedly, but I see that it contains something over six pages of detailed references and cross-references to various acts with reference to tax relief and contract relief in one form or another. Reference is made to the War Contractors Relief Act. It runs in my mind that Mr. Lindsay Warren has been very critical of some of the actions which have taken place under the War Contractors Relief Act, and I do not want the situation to arise that, on the 30th of June or a day or two before that time, a resolution will be presented to the Congress for continuation of the War Contractors Relief Act with the suggestion that we pass it without any specific information as to what is done.

I have no objection to the 15-day extension as a general proposition, but I think the conference should be on notice that if they come back and ask for a further extension, section 5 should be eliminated.

Mr. President, if the parliamentary situation calls for my withdrawing my amendment, I shall withdraw it.

The PRESIDING OFFICER. That would be helpful.

Mr. CASE. Then I withdraw it at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. EASTLAND].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

The title was amended so as to read: "Joint resolution continuing the effectiveness of certain statutory provisions until June 30, 1952."

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 164 is indefinitely postponed.

Mr. EASTLAND. Mr. President, I move that the Senate insist on its amendments, request a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MCCARRAN, Mr. EASTLAND, and Mr. FERGUSON conferees on the part of the Senate.

INCREASE IN FEDERAL EMPLOYEE ANNUITIES

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2968, to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2968) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with amendments.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Without objection, it is so ordered.

The clerk will proceed to state the committee amendments.

The amendments of the Committee on Post Office and Civil Service were, on page 2, line 21, after the word "On", to strike out "December 31, 1953" and insert "June 30, 1954"; in line 22, after the word "on", to strike out "December 31" and insert "June 30", and on page 3, after line 24, to insert a new section 3, as follows:

SEC. 3. Section 13 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following paragraph:

"Any person entitled to annuity from the civil-service retirement and disability fund may decline to accept all or any part of such annuity by a waiver signed and filed with the Commission. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect."

So as to make the bill read:

Be it enacted, etc., That section 8 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

"(c) (1) The annuity of any employee who, before the date of enactment of this amendment, was retired and is receiving or entitled to receive annuity from the fund, shall be increased, effective on the first day of the second month following enactment of this amendment, by $36 for each full 6-month period elapsed between the commencing date of annuity and October 1, 1952: *Provided*, That such increase in annuity shall not exceed the lesser of $324 or 25 percent of the present annuity: *Provided further*, That

the increases to retired employees provided by this subsection shall not operate to increase the annuities of their survivors.

"(2) The increases in annuity provided by this subsection shall be paid from the civil-service retirement and disability fund, and shall terminate, without subsequent resumption, under either of the following conditions:

"(A) At the end of the second month following the third consecutive month for which the Consumers' Price Index of the Bureau of Labor Statistics is less than 169.9, the index for the month of April 1948. In the event that the Bureau of Labor Statistics revises the basis of calculating the Consumers' Price Index, it shall immediately furnish to the Commission a conversion factor designed to adjust to the new basis the index figure of 169.9 described herein, and such adjusted index shall be used for the purposes of this subsection.

"(B) On June 30, 1954, or on June 30 of any subsequent year, unless before such date an appropriation has been made to the civil-service retirement and disability fund for the specific purpose of compensating said fund for the cost, as determined by the Commission, of increases provided by this subsection during the fiscal year immediately preceding such date."

SEC. 2. There is hereby created a body to be known as the Committee on Fiscal Policy for Federal Civilian Retirement Systems, which shall be composed of the Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, and the Director of the Bureau of the Budget, all ex officio. This Committee shall report to the Congress not later than June 30, 1953. Its report shall cover the following:

(A) A survey of existing methods of determining and funding the Government's portion of the cost of the retirement systems for civilian employees of the United States Government and of the District of Columbia government;

(B) A recommendation as to the desirability of a uniform method of cost determination and funding; and

(C) A recommendation of the uniform method of cost determination and funding (or varied methods applicable to the several systems, if found desirable), which, in harmony with budget and fiscal policies of the United States, will result in the proper discharge of the Government's liabilities under such retirement systems.

SEC. 3. Section 13 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following paragraph:

"Any person entitled to annuity from the civil-service retirement and disability fund may decline to accept all or any part of such annuity by a waiver signed and filed with the Commission. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect."

The amendments were agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. BRIDGES. Mr. President, before any further amendments are offered I think it would be very helpful if the distinguished Senator from Florida [Mr. SMATHERS], who I understand handled the bill in the subcommittee, under the direction of the distinguished Senator from South Carolina [Mr. JOHNSTON], would give us a general picture of the purpose of the bill, what it is proposed to do, and what the cost will be.

Mr. SMATHERS. Mr. President, in answer to the request of the distinguished minority leader let me say that it is a very simple, and I believe fair, bill. It does not call for any additional appropriations this year.

The bill is designed to give to retired Federal workers sufficient income so that they may be able to live in decency and under healthful conditions. It is a recognition that there has been an increase in the cost of living. It is a recognition that hertofore the Congress has recognized that retired workers under the Railroad Retirement System were entitled to an increase, and gave them an increase. It is a recognition that Congress gave to retired members of the Armed Services an increase in their annuities. Congress has also given increased annuities to persons in the Foreign Service.

This bill merely sets the same standard for retired Federal workers. It authorizes them to take from their reserve fund, of $4,700,000,000, $31,000,000 this year, which will be enough to give to the now retired Federal workers an increase of not more than $324 a year. The Bureau of Labor Statistics says that it costs something like $1,900 a year for an old couple to live in decency and in a healthful condition. However, the income which they are receiving today under the retirement system is only $1,153; and if they were to receive the maximum increase provided in the bill they would still be $600 short of what the Bureau of Labor Statistics says is needed by an old couple in order adequately to live under the present high prices.

Very briefly, that is what the bill provides for.

Mr. BRIDGES. I should like to ask the distinguished Senator from Florida a question. Can he tell the Senate the termination date of this legislation? I understand that the approach to this subject is that this is a temporary measure, based upon the cost of living index. We hope it will be temporary.

Mr. SMATHERS. There are two features which make it temporary. First, if the cost-of-living index, which is now 188, goes back to the level at which it stood in 1948, this increase will be automatically done away with. If, on the other hand, the cost-of-living index does not go back to where it was in 1948, the bill will automatically come to an end in June 1954, unless the Congress, by affirmative act, and by appropriation, sees fit to continue it. Two acts would be necessary to continue it, namely, an authorization act and an appropriation act.

Mr. BRIDGES. I have been asked another question which I have been unable to answer. I should like to have the Senator's explanation. I am not questioning the date, but why was the date of April 1948 selected as the date with respect to the index?

Mr. SMATHERS. That was the date on which the last increase was granted to members of the Federal civil-service system.

Mr. BRIDGES. So it is based upon a previous act, rather than any local condition which may have existed with respect to the index figure.

Mr. SMATHERS. That was the last date on which they received an increase.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JOHNSTON of South Carolina. We passed a somewhat similar bill at that time granting increases practically along the same lines as those proposed in the present bill.

Mr. BRIDGES. Mr. President, will the Senator explain another feature of the bill?

Mr. SMATHERS. I shall be glad to do so.

Mr. BRIDGES. The bill creates a committee, does it not?

Mr. SMATHERS. Yes.

Mr. BRIDGES. What is the purpose of the committee?

Mr. SMATHERS. A committee is provided for in the bill, which is to be established to determine whether or not this retirement system, the railroad retirement system, and the social-security retirement system should be fully funded systems. The great point in issue with respect to all these systems seems to be whether or not the retirement systems should at all times have sufficient money in reserve so that, if theoretically everyone should suddenly retire at the same time and claim the full amount, the necessary amount of money would be on hand. There is a dispute as to whether or not the system should be operated in that manner. There are many responsible persons on both sides of the question. So in the bill we provide for a committee to study the retirement systems and recommend to the Congress just what standard of funding should be followed in connection with all the retirement systems.

Mr. BRIDGES. My reason for the questions is to have a clear explanation in the RECORD of the purpose and intent of the bill, the basis on which the formula is fixed, and the termination date, or the basis of termination, if it is to be terminated.

Generally speaking, while I dislike to see the expenditures of Government go up, and while I do everything in my power to keep them down, I believe that inasmuch as we have adjusted the annuities of other groups, it is fair that the annuities of this group be adjusted. I shall support the bill, in view of the explanations which have been made.

The PRESIDING OFFICER. All the committee amendments having been disposed of, the bill is open to further amendment.

Mr. CHAVEZ. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The CHIEF CLERK. On page 9, after line 8, it is proposed to insert the following: "*Provided*, That, when established by affidavit, personal service rendered the Senate prior to July 1, 1935, as clerk to the secretary for the majority, or as clerk to the secretary for the minority, shall be creditable for civil service retirement purposes on the same basis as other Senate service."

Mr. SMATHERS. Mr. President, as chairman of the subcommittee, I accept that amendment.

Mr. CHAVEZ. Mr. President, the purpose of this amendment is to pick up 2 years and 5 months of service for one person, whose payroll status, through a technicality, was not such as to give credit under the Retirement Act, but who was actually serving the United States Senate as clerk to the secretary for the majority. The job was created July 1, 1935, and this service was rendered prior to that time.

A precedent for such action would be the employees in the official reporters' office, Public Law 98, Eightieth Congress, June 21, 1947.

Mr. President, I may say to the Senator from New Hampshire that I believe the amendment could apply to a case I have in mind, although I am not certain about it. In 1935 the Senate created the positions of secretary to the majority and secretary to the minority. My amendment covers only the young lady who was secretary to the majority. I do not know the name of whoever was the secretary of the minority, but I would have no objection to including that person.

Mr. SMATHERS. Mr. President, I have talked it over with the Senator from Illinois [Mr. DIRKSEN]. It was our intention to accept the amendment and that it would apply with regard to both sides.

Mr. CHAVEZ. I want it to apply to both sides.

Mr. BRIDGES. If that is the understanding, very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there being no further amendment to be proposed the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. The junior Senator from Illinois wishes to amend the amendment offered by the Senate from New Mexico and adopted by the Senate.

Mr. DIRKSEN. I believe certain language should be incorporated in the amendment.

Mr. CHAVEZ. That is what I had in mind.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senate reconsider its action in adopting the amendment offered by the Senator from New Mexico and ordering the engrossment and third reading and the passage of the bill, and that the amendment offered by the Senator from New Mexico be amended by adding certain language, which I offer as an amendment to the amendment offered by the Senator from New Mexico.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will state the amendment.

The CHIEF CLERK. The Senator from Illinois [Mr. DIRKSEN] proposes to amend the amendment proposed by the Senator from New Mexico [Mr. CHAVEZ], by adding the following: *"Provided further,* That, when established by affidavit, personal service heretofore or hereafter rendered as an employee of a senatorial campaign committee shall be creditable for civil-service retirement purposes on the same basis as other Senate service."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DIRECT PURCHASE AUTHORITY FOR FEDERAL RESERVE BANKS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1551, H. R. 6909.

The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 6909) to amend section 14 (b) of the Federal Reserve Act, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MAYBANK. Mr. President, the bill before us provides for a temporary extension of the authority of the Federal Reserve Board to buy bonds directly from the Treasury for a temporary period. The bill was unanimously reported by the committee.

The Federal Reserve banks have authority under existing law to buy directly from the Treasury, rather than in the open market, direct obligations of the United States, or obligations fully guaranteed by the United States, in an amount not to exceed $5,000,000,000 held at any one time. The Federal Reserve banks had such authority without limitations on holdings from 1913 to 1935. Temporary authority was provided by the Second War Powers Act of 1942, which authority was extended by the Congress in 1944, 1945, 1946, 1947, and 1950. Under the terms of the present law the authority will expire on June 30, 1952.

The direct purchase authority furnishes the Treasury an important instrument for smoothing out the effect of short-run peaks in Treasury cash receipts and disbursements so that the disturbing effect of their flow through the banking system may be held to a minimum. During concentrated tax-collection periods it is the practice of the Treasury to let its balances at the Federal Reserve banks fall to relatively low levels immediately prior to the time tax receipts begin to be received. By the use of the direct purchase authority the Treasury avoids withdrawals from Treasury deposit accounts with its commercial bank depositories at a time when they would exert pressure on the reserves of such banks in addition to that occasioned by withdrawals made by other depositors for tax-payment purposes.

In addition, lacking the direct purchase authority, the Treasury would have to maintain larger cash balances than is now the case in order to be in a position to meet any unanticipated redemptions of public-debt obligations payable on demand and without notice at the option of the owner, or other large cash outlays of which the Treasury had not received previous notice. Your committee is informed that an increase in the amount of cash held for these payments would entail a higher amount of outstanding public debt. While the authority is used only occasionally, it is apparent that the direct purchase authority represents an essential fiscal mechanism to the Treasury in handling distribution and utilization of its cash balances and in holding them to a minimum.

The Treasury Department and the Board of Governers of the Federal Reserve System both recommend that the authority be made permanent; but your committee feels that such authority and the utilization of this authority should be subject to periodic review and that, therefore, the authority should be granted for a period of 2 years. At the end of this time the Treasury Department will report on the operation of the direct purchase authority when a request is made for a renewal of the authority.

The committee urges approval of this measure.

Mr. President, I ask unanimous consent that there may be printed as a part of my remarks the table appearing on page 2 of the committee report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Direct purchase authority holdings of special short-term Treasury certificates by the Federal Reserve banks, 1942 to present

1942:	
June 16	$58,000,000
June 19	70,000,000
June 20	47,000,000
June 22	34,000,000
June 23	94,000,000
Sept. 15	324,000,000
Sept. 16	189,000,000
Sept. 17	286,000,000
Sept. 18	76,000,000
Sept. 19	53,000,000
Nov. 27	139,000,000
Nov. 28	329,000,000
Nov. 30	422,000,000
Dec. 1	98,000,000
Dec. 10	16,000,000
Dec. 15	145,000,000
1943:	
Jan. 29	115,000,000
Jan. 30	202,000,000
Mar. 2	3,000,000
Mar. 4	174,000,000
Mar. 5	354,000,000
Mar. 6	543,000,000
Mar. 8	591,000,000
Mar. 9	648,000,000
Mar. 10	632,000,000
Mar. 11	790,000,000
Mar. 12	940,000,000
Mar. 13	1,043,000,000
Mar. 15	1,302,000,000
Mar. 16	1,250,000,000
Mar. 17	961,000,000
Mar. 18	836,000,000
Mar. 19	778,000,000
Mar. 20	768,000,000

Direct purchase authority holdings of special short-term Treasury certificates by the Federal Reserve banks, 1942 to present—Con.

1943—Continued	
Mar. 22	$803,000,000
Mar. 23	700,000,000
Mar. 24	512,000,000
Mar. 25	432,000,000
Mar. 26	384,000,000
Mar. 27	304,000,000
Mar. 29	104,000,000
Mar. 30	40,000,000
June 15	805,000,000
June 16	659,000,000
June 17	350,000,000
June 18	256,000,000
June 19	212,000,000
June 20	212,000,000
Sept. 8	11,000,000
Sept. 9	126,000,000
Sept. 10	243,000,000
Sept. 11	246,000,000
Sept. 12	246,000,000
Sept. 13	214,000,000
Sept. 14	179,000,000
Sept. 15	424,000,000
Sept. 16	258,000,000
1944	None
1945:	
Mar. 15	4,000,000
Dec. 4	107,000,000
Dec. 5	318,000,000
Dec. 6	374,000,000
Dec. 7	484,000,000
Dec. 8	484,000,000
Dec. 10	202,000,000
1946	None
1947	None
1948	None
1949:	
June 15	220,000,000
June 16	127,000,000
1950:	
Mar. 15	108,000,000
June 15	105,000,000
1951:	
June 1	100,000,000
Dec. 17	320,000,000
1952:	
Jan. 22	55,000,000
Jan. 23	22,000,000

Mr. DIRKSEN. Mr. President, if my good friend from South Carolina will yield, I should like to say that this is an authority which the Federal Reserve System enjoyed from 1913 to 1935, and which was reinstated in 1942. Because of the volume of the tax collections and the peaks and valleys which appear in the Treasury balances, it is necessary to maintain this power to smooth out, so to speak, the periods.

I agree with the Senator from South Carolina.

This is only a temporary extension, as I understand.

Mr. MAYBANK. That is correct.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. I yield.

Mr. SALTONSTALL. Is the purpose of the bill to permit the Federal Reserve banks to buy from the Treasury and to permit the Treasury, when there is a deficit or when it is low in cash, to sell directly to the Federal Reserve banks?

Mr. MAYBANK. If there is a temporary deficit. If the Senator from Massachusetts will change the word "deficit" to the words "temporary deficit," he will be eminently correct.

Mr. SALTONSTALL. It is a part of financing the deficit of the Government?

Mr. MAYBANK. That is correct.

Mr. DIRKSEN. It is also true that it makes it unnecessary for the Treasury to go to all the trouble of pulling down its deposit accounts all over the country.

Mr. MAYBANK. Yes. They could go into every Federal Reserve bank to do so if they so desired.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

THE ST. LAWRENCE SEAWAY

Mr. MOODY. Mr. President, I move that the Senate proceed to the consideration of Senate Joint Resolution 27.

The PRESIDING OFFICER. The clerk will state the joint resolution by title.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

Mr. CONNALLY. Mr. President, this joint resolution was not reported by the Committee on Foreign Relations with any recommendation whatever. It was a tie vote in committee, and under pressure the committee finally agreed to report it without recommendation. Is the motion which has been made a motion to have the Senate take up the joint resolution at once?

Mr. MOODY. That is correct; the motion is one to have the Senate proceed to consider the joint resolution.

Mr. CONNALLY. Ordinarily I could make a point on the question of consideration, but I shall not do so, because we shall vote on the question of taking up the joint resolution.

Mr. MOODY. I thank the Senator.

Mr. CONNALLY. It is not proposed to proceed with consideration of the joint resolution today, is it?

The PRESIDING OFFICER. The question is on agreeing to the motion for the present consideration of the joint resolution. [Putting the question.]

The motion was agreed to; and the Senate proceeded to consider the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

Mr. GREEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Rhode Island desire to be heard at this time?

Mr. GREEN. I desire to make a few remarks on this measure.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

1. BACKGROUND OF THE PROPOSED LEGISLATION

Mr. GREEN. Mr. President, plans for the United States and Canada jointly to develop the navigation and power resources of the St. Lawrence River have been actively considered for 50 years. Proposed legislation to authorize the United States to participate in St. Lawrence development has been before Congress for the past 20 years. Due to the opposition of sectional interests, this proposed legislation has not been enacted. The closest it came to enactment was in 1934, when a treaty was submitted to the Senate for ratification. A majority of the Senators at that time voted in favor of the treaty, but the two-thirds majority necessary for ratification was not secured.

In 1941 there was negotiated between the United States and Canada an executive agreement covering joint development of the St. Lawrence River. This agreement, in order to become effective, requires simple majority approval by both Houses of Congress. The measure before us, Senate Joint Resolution 27, provides basically for approving, with certain modification, the 1041 executive agreement with Canada and for initiating construction of the St. Lawrence project.

2. GEOGRAPHY AND ENGINEERING PLANS

The St. Lawrence River forms the international boundary between Canada and the United States for a distance of 114 miles, commonly referred to as the Thousand Islands and International Rapids sections of the river. Engineering agreements between the two countries provide that navigation and power facilities will be provided by constructing a large dam with twin power stations at Barnhart Island, near Massena, N. Y., and Cornwall, Ontario. This dam will raise the water level sufficiently, when accompanied by relatively simple channel-dredging operations, to make the Thousand Islands and International Rapids sections navigable by fully loaded oceangoing vessels drawing up to 25 feet of water, and by those drawing up to 29 feet of water full and down. The latter vessels will have to transit the waterway "light"; yet they will be sufficiently laden to operate profitably.

Engineering plans also contemplate a canal to bypass the Barnhart Island Dam, the deepening of connecting channels between the Great Lakes, and further improvement in the Canadian Rapids section of the river, but in the latter work the United States would not be a participant.

Detailed plans for building the St. Lawrence works have been available for some years. Numerous test borings and other studies have enabled firm engineering estimates of the technical construction problems involved to be made. Because of the preparatory technical work that has been done the cost estimates are as firm as may reasonably be expected for a project of this magnitude. This preparatory work will also enable actual construction to begin promptly once the project is authorized and appropriations for it are made available.

3. PROPOSED CHANNEL DEPTH IS ADEQUATE

The project before us contemplates the building of a 27-foot navigation channel. The criticism has been made that this depth was proposed many years

ago, but is now inadequate. The answer is that this depth is adequate for immediate requirements. The criticism is also made that there is a distinct trend toward deeper draft in oceangoing vessels. That is true, but it is not true as to vessels operating in inland waters. The criticism is also made that not all of the American merchant marine can use the waterway with this draft. The answer is that it would be uneconomic to build a waterway to accommodate all the ships carrying the American flag.

According to testimony given by the Secretary of Commerce and the Maritime Administrator, 75 percent of the existing American-flag oceangoing fleet could use a 27-foot channel with profitable loading. This figure allows a comfortable margin for clearance and safety, and does not represent an upper limit.—Hearings on the St. Lawrence seaway and power project before the Committee on Foreign Relations, United States Senate, Eighty-second Congress, second session, 1952, pages 501–506.

An operator of vessels in the Great Lakes fleet testified recently that many bulk-carrying vessels on the Great Lakes are loaded to less than 1 foot of the indicated draft of the dredged channels. He is prepared to risk his own vessels in the St. Lawrence seaway with no greater clearance.—Testimony of T. H. Browning, pages 624–626. Thus it would appear that the estimates of the Secretary of Commerce and the Maritime Administrator are conservative, and that the bulk of our merchant marine could use the waterway. In this connection one should bear in mind, however, that the bulk of the potential traffic through the seaway will move in lake-type vessels or in Liberty ships, now in mothballs, which could be converted to lake-type carriers. It would be extremely prudent to make use of our obsolescent merchant vessels in this fashion, thus saving both steel and money in amounts which within a few years could well outweigh the cost of the St. Lawrence project.

4. COST SHARING IN A JOINT PROJECT

The agreement of 1941 provided, in effect, that the cost of work remaining unfinished at that time would be shared between Canada and the United States in the following way: Navigation costs, in proportion to the benefits to be received, would be borne by each country; but power costs and the cost of facilities needed for both navigation and power would be shared equally. These principles of cost allocation date back to at least 1921. Canada opened the Welland Canal in 1932, at a cost to her of nearly $132,000,000. In 1941, completion of the St. Lawrence project would have cost the United States $285,000,000, and would have cost Canada about $144,000,000. The cost at present is considerably higher, namely, $566,000,000 to the United States, and $251,000,000 to Canada.

Since 1934, when the St. Lawrence treaty failed, construction costs have increased to nearly 2¾ times the then-prevailing level. The Engineering News Record index of heavy-construction cost averaged 198 for the year 1934, but by December 1951 had reached 541, an increase of 175 percent. This index is commonly used to measure the price factor in estimates of the Army engineers. In 1926, the proposed St. Lawrence development would have cost Canada and the United States together $275,000,000.

Today the figure is $818,000,000 or slightly less than 3 times the 1926 cost. The United States share is a little more than twice the Canadian. On a joint project, however, tolls from navigation will be divided between the two countries in proportion to the remaining investment. Hence the United States investment, although larger than the Canadian, will be liquidated at the same rate.

The investment necessary on the part of the United States was estimated by the Chief of Engineers, as recently as February 1952—at December 1950, cost levels—to be $566,000,000. This investment is large because Congress has procrastinated with this project for 20 years. The work might have been done much cheaper at any time during the past three decades.

Mr. MOODY. Mr. President, will the Senator from Rhode Island yield to me?

Mr. GREEN. I yield for a question.

Mr. MOODY. Is it not true that, even though, as the distinguished Senator from Rhode Island has said, the present cost of this project will be considerably greater than its cost would have been if Congress had previously authorized its construction, yet even with the greater cost, the entire expenditure required for the project can be absorbed by the income from the project itself?

Mr. GREEN. That is very true; I shall reach that point later in my remarks.

5. CANADA'S INTENTION TO FORGE AHEAD

Mr. President, Canada needs the St. Lawrence waterway for her economic development, and is determined that this improvement in the continental transportation net shall not be further delayed. She has been most patient in the face of United States alliance with this measure—a measure of benefit to both countries.

Last year, however, Canada decided she could wait no longer. In December 1951, the Canadian Parliament passed legislation setting up a St. Lawrence Seaway Authority to build the navigation works—without United States cooperation, if necessary—and authorizing the Ontario Hydroelectric Power Commission to build the power facilities jointly with an appropriate agency in the United States. In September 1951, the Canadian Prime Minister visited President Truman. He informed the President that Canada would construct the St. Lawrence project alone unless the American Congress acted quickly to authorize joint construction. The Canadian legislation just referred to followed closely on the heels of the Prime Minister's visit.

In April 1952 a second Canadian delegation visited the President to request his assistance in preparing an application to the International Joint Commission for authority to commence construction. The International Joint Commission is an agency created by the Boundary Waters Treaty of 1909 to safeguard the mutual interests of the two countries in the international waterway forming their border. Applications to the International Joint Commission are now being prepared by the respective countries, so that work authorized by recent Canadian, and, I hope, prospective American legislation can be started without delay.

6. THE PRESENT ISSUE IN THE PROPOSED LEGISLATION

These recent actions by the Canadian Government indicate clearly that they are determined to develop the St. Lawrence with or without the approval of the United States Congress. This they have the authority to do. Consequently the issue before us, as the President has pointed out in two special messages, is no longer whether this project shall be built but whether the United States shall participate as a good neighbor, or shall default on its opportunity, thereby becoming instead of a partner only a customer for the use of a vital new link in our transportation system.

By defaulting on our 1941 agreement we will also give up a measure of control over a strategic international waterway that may some day be not less important than the Dardanelles, Suez, or the Panama Canal. Canada will also have the right to impose whatever tolls she considers proper on United States shipping and on cargoes destined from United States factories passing through the waterway.

7. POTENTIAL IRON ORE TRAFFIC ON THE PROPOSED WATERWAY

Since the bulk of the traffic through the new waterway will be destined for the United States, this country will in the long run pay for the St. Lawrence development even if we choose not to help finance it. This is abundantly clear from the character of the traffic that will use the seaway.

The largest single item in potential St. Lawrence traffic, regardless of who builds the waterway, will be iron ore destined for American steel mills in the Great Lakes region. As we all know, the American steel industry since Korea has been expanding its capacity rapidly. By some time in 1953 it will have the facilities to produce in excess of 120,000,000 ingot tons per year. More than 75 percent of American steel-making facilities are located in the Great Lakes region, near such cities as Pittsburgh, Buffalo, Cleveland, Detroit, and Gary.

The American steel industry developed in the Great Lakes region because of the extensive deposits of iron ore in northern Minnesota and the cheapness with which this ore could be transported by water to such points as Gary and Cleveland.

However, the iron ore deposits of northern Minnesota have been badly depleted by two world wars. The output of easily mined open-pit direct-shipping ore can no longer be expanded step-by-step with the expansion of steel capacity.

To meet its ore needs the steel industry since World War II has been scouring the world for new reserves and has been preparing to make an enormous capital investment in processing facili-

ties to make magnetic taconite, a low-grade iron ore abundantly available in Minnesota, fit for use in existing blast furnaces. To get 1 ton of furnace charge, 3 tons of taconite must be processed. The investment required in processing facilities has been conservatively estimated at from $15 to $30 per ton of annual output.

If the steel industry is compelled to rely to any substantial extent on taconite it will unquestionably increase production costs and ultimately raise the price of steel. Such a price increase could cost the United States economy many times the cost of developing the St. Lawrence River.

Steel companies of the United States have located extensive reserves of high-grade iron ore on the Quebec-Labrador border, about 360 miles north of Seven Islands at the mouth of the St. Lawrence River. They are investing hundreds of millions of dollars in facilities to mine this ore and to transport it by rail to Seven Islands. From here its natural movement should be by water up the St. Lawrence to existing steel mills. This movement is now possible only in limited volume because the antiquated 14-foot canals now bypassing the International Rapids are a bottleneck. It is absolutely impossible to move the large tonnage of iron ore required by the American steel industry in future years through these old facilities, which are already operating close to capacity. Consequently, without the proposed seaway, the bulk of Labrador ore will have to move either to Atlantic ports or to Montreal and from these points can reach the Great Lakes steel-producing region only by rail.

Mr. LONG. Mr. President, will the Senator from Rhode Island yield for a question?

Mr. GREEN. I yield.

Mr. LONG. Does the Senator have any objection to the movement of iron ore to Atlantic coast ports?

Mr. GREEN. No.

Mr. LONG. The Senator seems to think there is something wrongful or harmful about it. I should think he would welcome the movement of iron ore to New England ports, for example.

Mr. GREEN. That is the best place, certainly. I am trying to look at this question from a national standpoint. I think all States, north, east, south, and west, should do the same.

Mr. MOODY. Mr. President, will the Senator yield for a question?

Mr. GREEN. I yield to the Senator from Michigan.

Mr. MOODY. I am sure the Senator from Rhode Island is very much concerned about the Atlantic ports. But I am glad to see that he is also concerned about the Middle West, where literally billions of dollars are invested in steel plants, and where, I believe, the great bulk of the steel industry will continue to be located. There is no movement, I believe, along the seacoast, or anywhere else, to tear down the steel industry of the Middle West; and that is where much of the iron ore will have to go, as the Senator from Louisiana knows.

Mr. LEHMAN and Mr. LONG addressed the Chair.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from Rhode Island yield; and if so, to whom?

Mr. GREEN. I yield first to the Senator from New York.

Mr. LEHMAN. Is it not a fact that while ore could come from Labrador down to Seven Islands, and up the St. Lawrence, and to the eastern seacoast ports, nevertheless, in order to get the iron ore to the great steel mills in Pittsburgh, Cleveland, Youngstown, and the other great steel centers, it would have to be reshipped by rail, at far greater expense, and undoubtedly with much greater delay?

Mr. GREEN. That is true.

Mr. LEHMAN. Mr. President, will the Senator yield for another question?

Mr. GREEN. I yield.

Mr. LEHMAN. Is it not a fact that, from the standpoint of national defense, it is of tremendous advantage to bring ore from Labrador, by way of the St. Lawrence River and the Great Lakes, which would be an inland passageway? The ships would not be required to put out to sea, and therefore would not be subject to the threat of attack by submarines or otherwise, threats which we, of course, know to have been a great menace in the past. We would have absolutely or substantially safe passage inland all the way to the great steel centers of the Middle West.

Mr. GREEN. The Senator is correct; and that is true of other possible sources of ore, such as Venezuela, where, at the time of the last war, passage through the adjacent waters was greatly threatened by submarines.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Louisiana.

Mr. LONG. Can the Senator assure us that there are arrangements whereby every American steel company may have that ore available, or is the ore to be available only to a certain limited number of steel companies?

Mr. GREEN. That would be under the jurisdiction of the commission which is proposed to be established by joint action of the United States Government and the Canadian Government, if we join with them; otherwise the Canadian Government will have sole control of everything connected with it.

Mr. LONG. Is it possible that one company may control all the iron ore?

Mr. GREEN. I suppose it is legally possible, but I think it is most improbable.

Mr. CONNALLY. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. CONNALLY. Does not one company already have it, and does it not have contracts for the building of a railroad to haul the ore to the canal?

Mr. GREEN. The company owns ore deposits and it must sell the ore to someone, and it cannot sell it to anyone else so profitably.

Mr. CONNALLY. If they have a monopoly they will haul the ore to the canal and fix their own prices for it.

Mr. LONG. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. LONG. If it belonged primarily to one company, it seems to me the situation would be different from one in which all companies could equally share.

Mr. GREEN. I do not know how transportation from the ore deposits to the St. Lawrence River is to be regulated. Unless we refuse to join, it would be for our Nation together with Canada to join in transporting the ore by river and to the Great Lakes.

Mr. MOODY. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. MOODY. Can the Senator from Rhode Island think of any reason why the United States should turn over the entire control of the St. Lawrence waterway, which Canada has announced it will build, whether we share in it or not, to a foreign power, even though it be a friendly power? Can the Senator think of any reason why the United States, which can share in the benefits, and whose shipping will certainly pay a large share of the costs in an economic way, should not also have a voice in the management and operation of the canal?

Mr. GREEN. From a global standpoint, I think it would be very unfortunate, even more unfortunate to our vital interests than any monopoly within the United States or within the Dominion of Canada.

Mr. HUMPHREY. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. HUMPHREY. Mr. President, I was interested in the observations of my esteemed friend from Louisiana [Mr. LONG], who is one of the greatest water-transportation men in the United States, so long as such transportation helps Louisiana. His efforts often go up the Mississippi River as far as Minneapolis; but I want to remind the Senator that there is something else that can go up and down the waterway besides iron ore. We have wheat in our section of the country, and people eat it. The railroads have charged excessive freight rates, and that is one of the reasons why we are in favor of the construction of the St. Lawrence seaway.

I want to say to my friend from Louisiana that, besides wheat, corn and even cotton come into the great industrial areas of the Midwest. We are no longer a colony; we are becoming an industrial empire.

I have always stood with my friend from Louisiana in the development of the Mississippi waterway. I have stood with him in connection with the progress of the Federal Barge Line as a means of water transportation. We have before us a great artery of water transportation to which the Senator from Michigan was referring. What does it need? It needs the touch of man's genius, of man's engineering ability. Nations have gone to war over questions of this kind, such as those involving the Danube River, the Rhine River, and other great arteries of transportation. Here we are with a friendly neighbor to the north who wants us to join with her people in the construction of a waterway which

will bring in commerce and take out commerce and make America, all the way across, from one ocean to another, a great integrated empire.

I only hope that my friend from Louisiana will take up the challenge, because if we can get him on our side, with his knowledge of water transportation, we shall have won a great victory.

Mr. LEHMAN. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. LEHMAN. The Senator from Louisiana has very inaccurately referred to the seaway as being a $2,000,000,000 project. Where he got his figures I do not know. I want to explode that statement, now. It is not a $2,000,000,000 or a $750,000,000 project, and I do not believe it is a $500,000,000 project. The figures which I have, from 1950—and I realize that costs may have increased somewhat—are that the net cost to the United States for its share of the cost of the seaway would be $374,000,000.

Mr. LONG. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield to the Senator from Louisiana.

Mr. LONG. I am under the impression that the cost of the project is all according to how it is figured. If it is figured at one depth, there will be another bill introduced providing for deepening it. If we deepen it sufficiently to allow larger ships to go through to the Great Lakes, another figure would apply. It all depends on how far we want to go with the project as to how much it is going to cost.

Mr. President, I should like to assure my friend from Minnesota that I have been happy to support projects to keep the barge lines in operation. The Senator from Minnesota has been on the board. I helped the Senator from Minnesota with a bill providing for more shipping on the Great Lakes. I feel that all these projects should be considered and justified on the same basis. We must consider the expense of these projects before we commit ourselves to them.

Mr. GREEN. Mr. President, if that was supposed to be a question, I should like to answer it by saying that earlier in my remarks the depth was stated. The reason why I dwelt particularly on ore is because that is of particular interest to Canada. We are making all sorts of extraordinary expenditures in connection with the national defense. I regard the project as a very desirable element in our defense, for reasons already stated, one of which is that traffic on the waterway is not likely to be interrupted by submarines.

Mr. MOODY. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. MOODY. Mr. President, like the Senator from Minnesota, I am glad my friend from Louisiana is present this afternoon, because I am hopeful that a man so intelligent and open-minded as he will be persuaded by the eloquence of the distinguished Senator from Rhode Island and will help us to put this project across.

I believe that every high official connected with the Department of Defense who has considered the matter, and all nominees for the Presidency in both the Democratic and Republican Parties, in the past 25 years, who have been in a position where they had to study the project, have been in favor of it and regarded it as a highly desirable project.

I agree with the Senator from Louisiana that the project should be considered on the basis of necessity and financing, as would any other project. It is very rarely that a project comes before us that will do as much for the country as will this project. The point can be made that it will never cost the taxpayers anything, and that is something which the Senator from Louisiana should study very carefully.

Mr. HUMPHREY. Mr. President, would the generous Senator from Rhode Island yield for another observation?

Mr. GREEN. I will yield for a question.

Mr. HUMPHREY. I will put it in the form of a question.

Mr. GREEN. The Senator from Minnesota is very competent to do that.

Mr. HUMPHREY. Does the Senator from Rhode Island recall, from the history of the Panama Canal, that identically the same arguments were used against that canal and its construction as have been used against the St. Lawrence waterway? The argument was made that it would hurt the ports on the seacoasts of our national terrain. An argument was made that it would hurt railroads. Another argument was that it would be too costly. It was argued that it would not be feasible. Does not the Senator recall that all those arguments were used in reference to the Panama Canal?

Mr. GREEN. That is very true.

Mr. HUMPHREY. Yet what has happened? Is not that canal perhaps one of the greatest aids to transportation and to the defense of this country that our Government has ever undertaken?

Mr. GREEN. All great international canals have proved to be useful.

Mr. HUMPHREY. Mr. President, will the Senator yield for another observation?

Mr. GREEN. I will.

Mr. HUMPHREY. We have not only contemplated digging canals, such as is proposed in this instance, or deepening channels, but as I see the distinguished senior Senator from Texas, who has, I may say, at times taken a rather dim view of the St. Lawrence waterway, if my memory serves me correctly, I remind him that the Government of the United States helped to dig a huge canal into some of the ports of Texas. I believe the port of Galveston received assistance at one time, as also did the port of Houston.

Mr. CONNALLY. Which they paid for themselves.

Mr. HUMPHREY. I am sure the Senator from Texas would not wish to deny the Great Lakes cities an opportunity to have the same kind of transportation the port of Houston has.

Mr. CONNALLY. So far as the city of Galveston is concerned, it is on the seacoast. Like other seacoast towns and harbors, it has received aid from the Government.

With regard to Houston's ship channel for navigation, Houston issued bonds and paid for the canal. Let the St. Lawrence advocates do that, too.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. CONNALLY. No, not yet. I have the floor at the moment.

Mr. GREEN. I will protect the Senator from Texas, since I have the floor. I yield for a question.

Mr. CONNALLY. I thank the Senator.

Mr. GREEN. He may speak as long as he desires.

Mr. CONNALLY. There is no parallel between the Panama Canal and the proposed St. Lawrence canal. We have heard estimates stated by the Senator from New York [Mr. LEHMAN]. It was estimated before the Panama Canal was dug that it would cost $140,000,000. What did it cost? $375,000,000, an increase of more than 250 percent.

The estimates referred to by the Senator from New York were estimates made by the proponents. They made persuasive arguments. They said, "Oh, because it is a little channel, it will cost only a little pocket money—just a little pocket change. Give it to us."

But when the people begin to pay for the seaway—when the taxpayers of New York, whom I thought the Senator from New York represented, and when the taxpayers of Minnesota are called upon to dig down into their jeans for the money with which to pay for the waterway, not for the benefit of the United States, but largely for the benefit of Canada and the benefit of the corporation that has a monopoly on the iron ore in Newfoundland—it will be found that the project does not belong to the people. They will not get anything out of the iron ore. The corporation will have a monopoly, financed by the Government of the United States, to enable it to assess everybody who gets a pound of the iron ore. They will go to the Treasury of the United States to get their profits. They will go to the taxpayers of the United States, who are putting up the money for this project.

Mr. President, it is my prediction that our part of the cost will be at least a billion dollars. However, I do not believe the measure will ever pass. If it does pass, I remind some of those Senators now listening who will be here when the costs fall due, that I told them in good time that it would cost a billion dollars out of the pockets of their constituents, not out of the pockets of the people of Canada, and not out of the pocket of the corporation that has a monopoly of the iron ore. How much are they putting up? All they are putting up is noise. All they are putting up is propaganda. All they are putting up is persuasive arguments that appeal to Senators who are desirous of having a seaway. That is all.

I yield. I thank the Senator from Rhode Island.

Several Senators addressed the Chair.

Mr. GREEN. I was glad to yield to the Senator from Texas for a question, but I did not yield the floor.

Mr. CONNALLY. I beg the Senator's pardon. I did not mean to transgress

the rules, and the Senator is so genial and so generous that I knew he would not become irritated by the Senator from Texas.

Mr. HUMPHREY. Mr. President, will the Senator from Rhode Island permit me to answer the question of the Senator from Texas?

Mr. GREEN. Has the Senator from Texas finished?

Mr. CONNALLY. I have finished for the moment. I may ask some other questions.

Mr. GREEN. The questions of the Senator from Texas seem to be whether there was justification for spending more to construct the Panama Canal than was originally estimated. I may say that I believe the Senator from Texas will join with all other Members of this august body in saying that the Panama Canal was worth to us all that it cost. No one would be willing to go back to the old days, when we did not have the canal.

Mr. CONNALLY. I am not arguing against the Panama Canal. Everyone knows there is no comparison between the Panama Canal and this little private canal that is proposed to be run up through Canada. The Panama Canal connected two great oceans, whose arms stretch out practically all over the navigable world. The Panama Canal was built largely so that the United States, having control of it, could send its warships, in time of peril, from ocean to ocean, instead of having to do as Magellan did—go around Cape Horn, at the tip of South America. That was why the Panama Canal was built. We did not build the Panama Canal for a private monopoly that owned iron ore up in Nova Scotia. We built it to protect the lives of our boys; to protect the security of this Nation; to protect the life of our Navy, which has the safety of this Government largely in its hands.

The Senator from Minnesota made a great explanation of his generosity in helping the Senator from Louisiana in the construction of the Barge Canal.

Mr. HUMPHREY. No; I was making an explanation of the Senator's generosity in helping me.

Mr. CONNALLY. Very well. Why did the Senator from Minnesota aid the Mississippi River Barge Canal?

Mr. GREEN. Is that a question which the Senator from Texas is asking me?

Mr. CONNALLY. Yes, I asked, "Why did the Senator do that?" It was because the Mississippi River rises in Minnesota, and the Senator grabbed a little tail of the Mississippi River and tried to project it all the way down to New Orleans, on the Gulf coast.

I am surprised at my eminent friend, the Senator from Rhode Island. Why does he need the St. Lawrence Canal? Rhode Island has ports. Does the Senator want the shipping of Rhode Island to be carried around on the Atlantic Ocean and up through the proposed canal? Is that what he desires? I do not know whether that is his desire or not, but it is what he is trying to have done. He is trying to divert commerce from the ports of Rhode Island by sending it through the St. Lawrence seaway, so that Canada can get some of the iron ore from the monopoly that controls it all. It is simply a bugaboo; it is simply an argument in the form of propaganda in favor of the St. Lawrence Canal.

I do not know the name of the company that has a monopoly on iron ore in Labrador, but it can be seen that that company is at the bottom of it all.

Of course Canada wants us to help her build a railroad. It is necessary to build a railroad, in order to haul the ore to the canal. If this is such a good project, why have a railroad? Why not send boats to get the iron ore.

I thank the Senator.

Mr. MOODY. Mr. President, will the Senator yield to me?

Mr. GREEN. Wait until I answer the question. I not only have the right to yield or not, as I see fit, but I also have the right to answer or not, as I see fit. I should like to answer the questions which were asked.

I think the first question was as to what special interest we in Rhode Island have in the project. I do not believe that we have any special interest. I am speaking as a citizen of the United States, as I have said. I am voting and acting as a United States Senator. We have an interest in it because the whole Nation has an interest in it. It is for the benefit of us all—great Texas as well as little Rhode Island.

Mr. CONNALLY. I thank the Senator very much. Will the Senator further yield to me?

Mr. GREEN. I yield.

Mr. CONNALLY. Of course, the Senator is legislating for the Nation. He is legislating to tax everyone in the Nation. He is voting to increase our taxes. He is voting to increase our budget. He is voting for a bigger Treasury deficit, to do what? To help a little group of people up in Canada. If Canada talks about building this canal if we do not do it, let her build it. What objection has the Senator to that? He will then have a free waterway, instead of one which would cost $1,000,000,000.

With respect to the companies to which reference has been made, if the Senator will pardon me, I will tell him about the companies.

Mr. GREEN. The Senator from Texas asked the question. Does he now propose to answer it?

Mr. CONNALLY. I propose to ask the Senator another question. He did not answer the first one.

Does the Senator know—and if he does not know I hope he will say that he does not know—that the M. A. Hanna Co., of Cleveland, is principal owner of the Quebec-Labrador iron-ore deposits, which are reported to be very extensive, and, therefore, require many ships to carry the ore along the St. Lawrence? Other private firms participating in the development are: Armco Steel Corp., National Steel Corp., Republic Steel Corp., Youngstown Sheet & Tube Co., and Wheeling Steel Corp., of the United States, and the Hollander-Hanna Co., Ltd., of Canada. Those are the people for whom it is proposed to legislate. Those are the people to whom it is proposed to hand over $1,000,000,000 to aid in their business and their prosperity.

Mr. President, I shall not take further time at the moment.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CONNALLY. The Senator from Minnesota is so anxious to get in that I think I shall take a little more time. [Laughter.]

Mr. GREEN. A little more of my time.

Mr. CONNALLY. It is my time after the Senator yields it to me.

Mr. GREEN. I loaned the time to the Senator. He must give it back.

Mr. CONNALLY. What do these great steel companies do—the poor little, weak, wobbling steel companies, the poor little infant industries, small business concerns? These companies together—all of them combined—have formed Iron Ore Co. of Canada, which is doing the actual work of development, and is building a 365-mile railroad from the St. Lawrence River north to the ore deposits. Iron Ore Co. of Canada has available $200,000,000, half in the form of insurance loans and half in subscriptions of its owners.

Do the people of the United States own any part of that steel organization? Not a cent. Do any of them own any of this railroad? Not a cent. But in order to make those ore fields prosper, in order to make the railroad prosper, we must dig up $1,000,000,000 and hand it over to that enterprise. I shall refer to these matters a little later, but I shall not take more of the time of the Senator from Rhode Island at this moment. I am very much obliged to the Senator.

Mr. GREEN. Mr. President, if I may answer the question of the Senator from Texas——

Mr. CONNALLY. The Senator may, if he can.

Mr. GREEN. The Senator from Texas asked whether these companies are owned by American citizens.

Mr. CONNALLY. I mean private citizens. I am not talking about big monopolistic corporations such as Inland Steel, Youngstown Sheet & Tube, and others of that kind.

Mr. GREEN. I believe that a number of the corporations are United States corporations.

Mr. CONNALLY. They are corporations——

Mr. GREEN. And a number of the stockholders are United States citizens.

Mr. CONNALLY. I have read the list to the Senator.

Mr. GREEN. Furthermore, I think the Senator spoke of the United States lending the money to build the railroad. I do not think the United States has loaned a dollar for that purpose, or expects to do so. The plan does not call for that.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Michigan.

Mr. MOODY. Some years ago—I think even before the time of the Senator from Texas, or even before the time of my eminent friend from Rhode Island, who has shown such a statesmanship in this situation—attacks were made on the floor of the Senate against the Panama Canal.

Mr. GREEN. Similar to this.

Mr. MOODY. Similar to this. I never expected, in the year 1952, to hear any eminent Senator rise to this feet and say, "Oh, my, the Panama Canal cost too much. They started to pay $140,000,000 for it, and it cost $375,000,000." That is precisely the sort of argument we are hearing today. It was heard then, when the Panama Canal was proposed. I think any American will agree that the Panama Canal was a pretty good investment.

The Senator from Texas [Mr. CONNALLY] pointed out that this project ought to be financed by bonds. As chairman of the committee he knows very well that there is pending an amendment to the joint resolution which would pay every cent from the electric power charges and tolls. There would be no increased deficit. The Government would not be put into the red. The project would pay for itself, if we had the foresight, vision, and statesmanship to do the job on a proper national basis instead of a local basis. If this project is voted today, it will cost many millions of dollars less than if it were put off, or if some foreign power were allowed to build it. If a foreign power should build it we would have nothing whatsoever to say about how much we would be charged in tolls. If we put it off, it will cost many times the amount it would cost at present.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from New York for a question.

Mr. LEHMAN. Is it not a fact that the cost of the seaway and power development would not in any way be assessed against the taxpayers of the country? As a matter of fact, it has been pretty clearly demonstrated that the seaway can be made more than self-liquidating, and the power development can show a tremendous profit, a profit which would accrue to the Government or to the consumers of power in this country. There is no question that the project would be profitable.

Let me say to the distinguished Senator from Rhode Island that I hope he agrees with me in my wish that the same concern which has been shown by some of my colleagues in the Senate for the interests of the common people of this country, a concern which has been voiced by my distinguished colleague from Texas, had been shown when we permitted a tax on the people by reason of a 21½-percent depletion allowance with respect to all the oil which is produced, not for 1 year, not for 2 years, not for 10 years, not for 100 years, but forever—a charge which is a direct loss to the Treasury of the United States.

I ask my distinguished colleague from Rhode Island whether he does not agree with me when I say that I wish the same concern had been shown by some of my colleagues in the Senate when it was proposed to turn over to three or four States the great assets involved in oil development upon submerged lands under the sea off the coasts of three or four States. That is a monopoly. By a decision of the Supreme Court of the United States, those assets belong to all the people, the 156,000,000 people of the country. I wish we could have the same concern shown for the people in that connection that has been expressed here this afternoon.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Idaho for a question.

Mr. WELKER. I appreciate the kindness of the Senator in yielding to me. Before I ask the question, I should say to the Senator that I do not come from a State which has many ports or seaways. I do not come from a State which is interested in tidelands, other than an academic interest in the questions involved. We have no tidelands off the shore of Idaho.

I believe that a moment ago the Senator stated that the St. Lawrence seaway was a very vital project to the defense of the United States. Is that correct?

Mr. GREEN. That is correct, to the extent that it involves transportation. We were discussing the transportation by water to the United States of oil and metals.

Mr. WELKER. Is the project considered by the Senator to be a defense project?

Mr. GREEN. Yes. There are two alternatives. The ore could be obtained in Canada and transported through the proposed seaway, or it could be transported from Venezuela. Those are the two most obvious places from which to bring ore to the United States in large quantities. The danger of bringing it from Venezuela in time of war is very great. The number of submarines which were off our coast during the Second World War almost annihilated shipping between our two countries. That is an additional reason why in time of war this seaway is even more desirable than at any other time.

Mr. WELKER. Mr. President, will the Senator yield further?

Mr. GREEN. I yield.

Mr. WELKER. Would the Senator from Rhode Island agree with the Senator from Idaho that we should not engage in giant construction expenditures unless such construction is vital to the defense of our country?

Mr. GREEN. But I believe this is vital to the defense of our country.

Mr. WELKER. The Senator from Rhode Island feels that it is vital to our defense?

Mr. GREEN. Yes; and the Secretary of Defense has said so also.

Mr. WELKER. How long would it take to complete the construction of the St. Lawrence waterway?

Mr. GREEN. I do not know. I do not know how long the war will last.

Mr. WELKER. What does the length of the war have to do with how long it would take to build the canal?

Mr. GREEN. We cannot give up the construction merely because it would not all be done this year. It should be started. We do not know for how many years we shall have to provide for our defense. I hope that the so-called cold war, which is on the verge of being a hot war, will be terminated in 2 years, but I would not promise it. The St. Lawrence seaway is valuable to us, in any event, but it is particularly vital to us in time of war.

Mr. WELKER. In other words, the Senator from Rhode Island does not contemplate that the construction of the seaway would be completed until the cold war is over?

Mr. GREEN. I do not contemplate its completion, but I hope it will be started as soon as possible.

Mr. WELKER. If the Senator from Rhode Island believes that it would help our defense establishment why was the construction of the canal not commenced during World War I or World War II?

Mr. GREEN. Because it was World War I and World War II which so largely depleted our supplies of ore in this country. They are practically exhausted, and we cannot see beyond very many years where we will get them, unless it be from abroad.

Mr. WELKER. All of this knowledge came to the Senator from Rhode Island after World War II?

Mr. GREEN. To me personally?

Mr. WELKER. To the sponsors of the joint resolution.

Mr. GREEN. Certainly. It is my joint resolution that we are discussing.

Mr. WELKER. The knowledge came to the Senator after World War II. Did I not hear the argument made on the floor of the Senate that the proposal has been sponsored for 24 years?

Mr. GREEN. Yes; and it has been defeated often. Year after year it becomes more urgent. Earlier in my remarks I gave a reason why I believe it is more urgent now than ever before.

Mr. WELKER. The Senator from Rhode Island cannot tell how long it will take to finish the project, whether it be a period of 1 year, 7 years, or 17 years?

Mr. GREEN. No, I cannot do so. I think that with all the subsidiaries connected with it, it will perhaps be partly useful before 5 years, but I suppose it could all be completed in 5 years.

Mr. WELKER. I hope the Senator from Rhode Island will bear with me. I come from a Western State, and I do not know very much about the St. Lawrence waterway or the St. Lawrence seaway. Is it not correct to say that the seaway would be frozen and therefore not available for transportation for 5 months out of the 12 months of the year?

Mr. GREEN. There is evidence to that effect.

Mr. WELKER. We would be in a great difficulty so far as shipping was concerned during those 5 months. Is that correct?

Mr. GREEN. Not in any greater difficulty than we are in now. During the other months of the year we would be much better off.

Mr. WELKER. During the debate I heard mention made of the fact that the expenses of the construction of the St. Lawrence seaway would be borne by the collection of power revenues. Is that correct?

Mr. GREEN. I did not hear the Senator's question.

Mr. WELKER. I heard it stated that power revenue would pay for some of the costs involved.

Mr. GREEN. It is planned that the revenues will amortize the original investment, so that ultimately it will cost the Government nothing.

Mr. WELKER. Who would generate and distribute the power?

Mr. GREEN. That is for the United States to determine. The State of New York will probably do it under an agreement with the United States Government.

Mr. WELKER. So, it is expected that the income from power will pay for the construction, but we do not know who will handle the power.

Mr. GREEN. Power is another issue. It is combined with the other issues. It is the water which will be dammed that will furnish the power. That is not the main reason for building the canal. The main reason is to provide transportation.

Mr. WELKER. I understand that it is the main reason, because power will pay for the vast expenditures involved.

Mr. GREEN. The tolls would pay for it.

Mr. WELKER. Did I not hear the argument made on the floor of the Senate that the power revenues would redeem the bonds?

Mr. GREEN. No; we said revenue. That includes power revenues and tolls.

Mr. WELKER. Let us segregate the tolls from power revenues. Do we know who will generate and sell the power which will be developed?

Mr. GREEN. I said I did not know. It is permissible for the United States to make a deal with the State of New York for that purpose. Other States are interested. Therefore there is no danger of it becoming such a terrible monopoly as the Senator from Texas has suggested.

Mr. WELKER. Would it not be fair to know who would generate the power?

Mr. GREEN. The State of New York, for one, wants to do it.

Mr. WELKER. Where would I find that information?

Mr. GREEN. There is not any information to be found on it yet. The United States Government would be given the power to determine that point. If we do not go into the project we will have nothing to say about it.

Mr. WELKER. It is a fact, is it not, that if the State of New York does not want to generate and sell the power, we will find the United States Government in the power business?

Mr. GREEN. No; not at all. There are plenty of others who want to assume that responsibility.

Mr. WELKER. Suppose the plenty of others did not want to take on the job. What, then, would happen?

Mr. GREEN. Suppose no ships sail on the canal and no power is generated. In that case it would be a dead loss.

Mr. WELKER. According to the argument made by the Senator from Texas, I am led to believe that the product of only one corporation would have the benefit, although, on the other hand, I heard the argument made by my friend from Minnesota that grain and many other commodities would be shipped on the canal.

Mr. GREEN. A great many different products of the Middle West and the far West as well as from the Atlantic coast would be shipped abroad through the canal.

Mr. WELKER. I am alarmed by what the Senator from Texas has said, because of the fact that the Nation is nearly $270,000,000,000 in debt, and is faced with a $14,000,000,000 deficit this year. We would be taking on a tremendous obligation in connection with this project, if I have correctly understood the debate so far. Frankly, I cannot see any other way of paying for this project except out of the pockets of the American taxpayers. I would appreciate it if the Senator from Rhode Island would give me what information he has which would assure the taxpayers of my State that they would not be saddled with another terrific tax burden.

Mr. GREEN. This canal will be built in any event. It has been proved feasible and it has been proved profitable by the experts, both engineering and financial.

Mr. WELKER. The Senator means that Canada would build it anyway?

Mr. GREEN. Canada would build it anyway. Canada has already passed legislation with respect to it. She is merely waiting to see whether we will go along with her. If we do not go along with Canada she will build it and she will then have the power to fix tolls without consulting with us at all.

Mr. WELKER. What is wrong with that? Why do we have to mix our ore with Canada's business?

Mr. GREEN. Because there is not enough ore in the United States for our purposes.

Mr. WELKER. We could ship ore through their canal.

Mr. GREEN. Not if they refused to allow us to ship it through their canal.

Mr. WELKER. Could we not pay their tolls?

Mr. GREEN. Yes; but we would be entirely at their mercy with respect to what the tolls should be.

Mr. WELKER. Would it not be better for us to pay their tolls, instead of investing billions of dollars in the project?

Mr. GREEN. It depends on what the tolls would be. Canada could set the tolls high enough to pay for the whole project if we did not go along with her.

Mr. WELKER. She can do that now.

Mr. GREEN. But Canada has agreed to go along with us.

Mr. WELKER. She has agreed?

Mr. GREEN. Yes.

Mr. WELKER. I appreciate the kind responses of the Senator from Rhode Island. I should like to say that I am one of the Senators who believe that it is about time that we let our neighborly nations do a little business of their own without paying out our millions of dollars year after year. I believe this is a perfect example of how we can save billions of dollars by minding our own business and letting Canada develop something she wants to develop.

Mr. GREEN. The American taxpayers would otherwise have to pay for it as tribute to Canada.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from New York.

Mr. LEHMAN. Mr. President, I hope I may be able to inform the Senator from Idaho about this matter. He has referred to a tax on the American people or a loss to the American people.

Of course, from this project there will be no loss to the American people or no tax on them. The figures which I and others have given in regard to the cost of construction of the St. Lawrence seaway are not the result of estimates by the proponents of this project, as the Senator from Texas has stated, but are the results of estimates by the Army engineers; and, on the whole, the Army engineers have been reasonably accurate.

It has been estimated that the tolls from the seaway will bring in $60,000,000—far more than is necessary for servicing the debt or for maintaining the seaway.

So far as power is concerned, under section 5 of the joint resolution the State of New York will, upon repayment of every cent to the Federal Government, be permitted to operate the power resources under certain limitations with regard to the method of distribution and equitable treatment to our neighboring States. That will be financed through the sale of Authority bonds. I believe I know what I am talking about in connection with this matter, because the Authority was set up away back in 1933, at the time when I was Governor of New York.

Mr. WELKER. Yes; I shall stipulate that the Senator from New York knows about it.

Mr. LEHMAN. The liquidation of this project to the State of New York can be had within any period of years which may seem desirable to the Federal Government and to the State—not in 40 or 50 years, as has been true in the case of many of the public developments, but in 15, 20, or 25 years; and at the same time there can be a very material reduction in the cost to the ultimate consumer and to our State of New York.

Mr. WELKER. Mr. President, if the Senator from Rhode Island will yield to me at this point——

Mr. LEHMAN. I should like to discuss this matter a little further at this time, if the Senator from Idaho will permit.

Mr. WELKER. Of course, I classify the Senator from New York as an expert on this question.

Mr. LEHMAN. The Senator from Idaho asked why, if this project is such an important one in the defense effort, it was not undertaken during World War I or World War II. I am very happy to inform him about that situation and to make a statement about it for the RECORD.

I came to Washington in 1941, when I was Governor of New York, and on several occasions I appeared before the House of Representatives Committee on Public Works; and there I made a very strong plea for this project. I believe that almost a majority of the members of that committee were in favor of authorizing construction of this undertaking in 1941. They realized and appreciated its great defense value.

However, the statement was made, "It will take 3 or 4 years to complete the project, and of course by that time the war will be over. So let us wait, for this project would not do us any good during this emergency."

So they postponed it.

Now the same old argument is being made, namely, that it will take 3 or 4 years to build this project or to complete this undertaking, so let us lay it aside.

Mr. President, if we had authorized this work and had undertaken it in 1941 we would have gained some benefit from it even during the days of World War II; furthermore, this great, most useful and constructive undertaking would be completed at this time to help us strengthen our defenses and the defenses of our allies, both today and for all time to come.

Mr. President, this business of saying that we should not undertake a new project because it cannot be completed as of a particular date or in regard to a particular goal; seems to me to be rather a horse-and-buggy idea. We cannot complete some of the flood-control works on the Mississippi or the Missouri Rivers in sufficient time to help the States bordering those rivers a month from now or a year from now or 2 years from now or perhaps for a longer period of time than that. Yet we undertake those projects because we have a point of view and a vision extending beyond the immediate future.

Mr. WELKER. Mr. President, will the Senator from Rhode Island yield to me?

Mr. GREEN. I yield for a question.

Mr. WELKER. I wish to ask a question of my friend, the Senator from New York.

Mr. GREEN. I yield for that purpose.

Mr. WELKER. Let me say that I appreciate the fact that the Senator from New York was Governor of the Great State of New York, and that he has been interested in in this seaway for many years—for which I commend him. Certainly he knows more about it than I do. Therefore, I should like to ask him a question about it.

He has told me that in section 5 of the joint resolution it is proposed to authorize the President to negotiate with the State of New York an agreement for the handling of the power developed from this project.

Mr. LEHMAN. Subject to approval by Congress and by the State of New York.

Mr. WELKER. Very well. However, I do not see in the joint resolution any provision by means of which the United States Government could enter into a contract with any private enterprise which would distribute the power. Is such a provision to be found in the joint resolution?

Mr. LEHMAN. No; the joint resolution does not contain such a provision. Certainly it is the intention of the State of New York to operate this project in the public interest. I believe it is the intent of the Congress of the United States to develop and operate this project in the public interest.

I am not disclosing any secret when I answer my colleague the distinguished Senator from Idaho by saying that I believe that water-power resources—particularly the water-power resources on international rivers such as the Niagara River and the St. Lawrence River—should be developed and operated in the public interest, so that the public in all parts of the Nation can obtain the benefit of those developments. I do not believe such great resources should, either now or at any other time, be turned over to private development, for private gain, and to the detriment of the 156,000,000 people of the Nation as a whole. I am perfectly frank with my colleague from Idaho on that point.

Mr. WELKER. I appreciate that.

In other words, the Senator from New York agrees with me that the facts are exactly as follows: That either the Government of the United States or the government of the State of New York will engage in the power business, as a result of the construction of this seaway. Is that correct?

Mr. LEHMAN. No; I do not say that. I believe that the State of New York should have the first opportunity to develop the project. If the State of New York did not avail itself of the privileges which are contemplated in the pending joint resolution, then I believe the Federal Government should build and operate this project, just as the Federal Government has built and operated the Grand Coulee project, the Boulder Dam project, the TVA projects, and the other great public hydroelectric projects of the Nation.

Mr. WELKER. Then, I conclude by saying that if this joint resolution is passed and becomes law and if the project is authorized and is developed, we shall find the United States Government engaged in the transportation business and collecting tolls from traffic on the river and through the canal.

Mr. LEHMAN. No, not at all. That has nothing to do with the power project.

Mr. WELKER. Who will collect the money which will be paid as tolls?

Mr. LEHMAN. That will be handled by a joint commission, to be formed jointly by the United States and Canada. The State of New York would have nothing whatever to do with that.

Mr. WELKER. What will happen to the money that is paid for operating vessels up or down the seaway?

Mr. LEHMAN. That money will go to the proposed joint commission, first for payment of administration costs; second, for the payment of service on the debt—whatever that may be in connection with this undertaking; and, finally, the money will go to the two countries—the United States and Canada.

Mr. WELKER. Then the Government of the United States will receive revenue from transportation on the seaway, and the Government of the United States will receive revenue from the power developed on the seaway; is that correct?

Mr. LEHMAN. No, not necessarily from the power.

Mr. MOODY, Mr. DOUGLAS, and other Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield; and if so, to whom?

Mr. GREEN. I yield first to the Senator from Michigan [Mr. MOODY]; but I should like to remind him and the other Senators who wish to ask questions that I myself, should like to have the privilege of making a few remarks. [Laughter.]

Mr. MOODY. I can understand that, Mr. President.

I merely wished to supplement the statement the Senator from Rhode Island has made in direct response to one of the many points which have been raised by the Senator from Idaho.

The Senator from Idaho has raised a very valid point regarding the fact that the canal is frozen over for 4½ months of the year.

Mr. WELKER. I understood the figure to be 5 months.

Mr. MOODY. I believe the time usually agreed upon is 4½ months.

I should like to have the distinguished Senator from Idaho know that the same situation holds true in the case of the great locks at the Soo, through which most of the iron ore which now is fabricated into steel in the United States passes on its way from the Mesabi Range to the steel plants at Detroit and, through the ports of Cleveland and Buffalo, to other steel plants in the Middle West. The Soo locks are frozen over on an average of 4½ months a year, and consequently are open only 7½ months of the year. But in spite of that fact, the actual operating schedules are so tight, and loading, unloading, and turnarounds are so speedily accomplished, that the total tonnage moving through the Lakes at Sault Sainte Marie, in 1948, was more than one-third of the total tonnage passing through the Panama, Suez, and New York State Canals combined. So while it is perfectly true that the St. Lawrence is a northern river which freezes over in the winter, nevertheless the fact remains that it could be a great artery for the transportation of ore.

If I may make one more point—if the generous Senator from Rhode Island will permit me to do so—I should like to call the attention of my friend from Idaho to the hearings on this bill before the Committee on Foreign Relations. With regard to the Senator's point on national defense, as I said a few moments ago, I believe that every important official in the top rank, having responsibility for the defense effort, has made a statement in favor of this project, citing various reasons, which I shall not take the time of the Senator from Rhode Island to recount. I should like merely to point out that not only did General Marshall, who was formerly Secretary of Defense, and Secretary Lovett, and Acting Secretary Foster approve this project at the time the question was before the committee, but it was also approved by General Bradley, in a letter to our friend, the Senator from Vermont [Mr. AIKEN], by Mr. Charles E. Wilson, who until recently was the Mobilization Director of the Government and by Mr. Jack Gorrie, who submitted an extensive and a fine analysis, from the National Security Resources Board. They have all gone into this project thoroughly, and they have all come to the net conclusion that it is

in the interest of the United States, and particularly in the interest of the national defense.

I should like to add a word further. The Senator from Idaho perhaps by inadvertence, said that the seaway might cost billions of dollars. There is no disposition to spend even $1,000,000,000 on it. The share of the United States would be considerably less, according to the best estimates; and the expert estimates indicate that the combination of the income from the tolls and from the power will be sufficient to pay off the investment without any cost to the United States at all. So it is not a question of using money of the taxpayers, or of increasing the deficit.

I thought, since the Senator from Idaho delved into that subject so penetratingly, that I should make that statement.

Mr. WELKER. Mr. President, I should like to answer the Senator from Michigan, but we have been very unfair to my distinguished friend from Rhode Island. I assume the Senator from Michigan will speak on this matter later, and at that time I shall ask him some questions.

Mr. MOODY. Yes, indeed.

Mr. WELKER. I want to thank my colleague from Rhode Island, and also to thank the Senator from Michigan.

Mr. GREEN. Mr. President, as I indicated earlier, the estimated cost to the United States now, which is probably more than it has even been before, is $566,000,000.

Mr. NEELY. Mr. President, will the Senator yield for half a minute?

Mr. GREEN. I must decline to yield further at present. I will yield later.

Mr. President, conservative calculations indicate that by 1960 the full operation of American steel-making capacity may require the import well in excess of 30,000,000 tons of ore a year from Labrador. This figure allows for maximum development of taconite-processing facilities according to present schedules of the steel companies. Thus in a very few years this country, which to date has been self-sufficient in iron ore, will suffer from a serious deficit in this commodity. This fact has a vital bearing not only on our national economy but also on our future national security.

The Canadians see this far more clearly than we do. They realize that iron ore alone may one day support the St. Lawrence navigation works. From this standpoint, the seaway is an excellent investment; they realize it. If, as someone has said, statesmanship is the ability to peer into the future and prepare for it, the Canadian Parliament has shown this quality. Our own Congress includes, I am sure, men of similar vision, able to see into the future equally clearly. Let us act accordingly.

8. OTHER STRATEGIC CONSIDERATIONS

Wholly apart from the fact that the St. Lawrence is the easiest and cheapest method of getting needed iron ore to existing steel mills, national defense considerations make this waterway strategic out of all proportion to its prospective cost. Should this Nation ever be involved in another war it would be extremely important to have a protected all-water route by which cargo could move to and from the eastern seaboard without overburdening the railroads. Our industrial strength during previous wars has rested heavily on the fact that the Great Lakes provided a secure, unmolested route for transporting raw material necessary to sustain war production. When the St. Lawrence is developed we shall have not one but two inland waterways—an important consideration in an era which will involve atomic bombing.

Opening the Great Lakes to deep-water navigation in time of war will also provide access to additional ship building and repair facilities. It will reduce the Navy's task of protecting American merchant shipping during hostilities. It will relieve the traffic burden on railroads and other forms of overland transport. For these military and logistic reasons the Department of Defense, including the Joint Chiefs of Staff, strongly favors St. Lawrence development by the United States as a partner with Canada.

These strategic considerations make the objections to the waterway by representatives of existing railroads and coastal ports appear both shortsighted and narrowly selfish. These objections are no longer relevant anyway since the waterway is going to be constructed by Canada, with or without our cooperation. The battle against the St. Lawrence project has been lost. The only question remaining is whether this country will miss its last opportunity to join in an investment which will effectively promote our long-range national interests.

9. THE WATERWAY AS AN INVESTMENT

The St. Lawrence is not an expensive project in relation to its importance or to other expenditures for national security. The necessary investment of $566,000,000 is only a little more than 1 percent of what we have spent for foreign aid since World War II. The whole investment, which will be spread over a 5- to 7-year period, is likewise only a little more than 1 percent of our prospective military expenditure for the single fiscal year 1953.

Moreover, the funds for St. Lawrence development are an investment and not an expenditure. Conservative calculations indicate that a sufficient volume of traffic is in prospect so that the imposition of reasonable tolls on traffic using the waterway can easily amortize the investment and cover all operating charges. The St. Lawrence is a self-liquidating proposition at tolls sufficiently low to attract traffic and produce substantial savings for American shippers. If tolls were to be set at the maximum level the traffic would bear the waterway could be made an extremely profitable investment, comparable to the Suez Canal.

The exact schedule of tolls to be charged has not yet been settled. Nor need it be so long in advance of the time the waterway will be open for service. Canada is more than willing to negotiate an agreement establishing equitable tolls if we become her partner. The important thing at this time is to get the work started and started jointly by the two countries. The construction period will provide ample opportunity for settling such administrative problems as the toll charges and the arrangements for marketing the power to be produced.

10. CHEAP POWER—AN IMPORTANT BYPRODUCT OF THE NAVIGATION WORKS

Power to be generated at Barnhart Island will amount to 12,600,000,000 kilowatt hours annually, to be divided equally between the two countries. The United States share of this power is only a small part of what will be needed to meet defense and other needs in the New York-New England region during the years ahead.

St. Lawrence power will be extremely cheap and can be delivered to consuming centers within a 300-mile radius for less than half the cost of steam power now available in this region. The total cost of St. Lawrence hydro power will be lower than the cost of coal alone to operate steam plants in New England.

Cheap hydro power will tend to limit the advance of power rates in northeastern United States and will contribute significantly to industrial development in New England, where new and expanding industries are badly needed. High power rates have for years retarded New England's economic progress.

Under the present bill as reported by the Foreign Relations Committee, St. Lawrence power facilities, although built in the first instance by the United States Government, will subsequently be sold to New York State, which will undertake to market the power. This arrangement is in accordance with understandings reached between the Federal Government and New York State many years ago. New York State feels she has the constitutional right to build the St. Lawrence power facilities. In 1948 she applied to the Federal Power Commission for a license to construct and operate these facilities. The Federal Power Commission refused this application and referred the matter to Congress because the Commission considered it preferable for the power project and the seaway to be built at the same time by the Federal Government.

The question of what government agency builds the power facilities in the first instance is rather unimportant; nor need it be settled at this time. The bill now before us provides that the period of construction can be used to make final arrangements for marketing the power as well as to reach an understanding on the level of toll charges. But to gain time in which to make these decisions objectively we must undertake the project as a partner now.

11. WHAT WE STAND TO LOSE BY NOT PARTICIPATING

If Canada builds the waterway alone, as she has indicated she will do, and as she can do legally, United States interests will be less well served than by a joint project. Canada would, according to her present plans, locate the canals around the International Rapids in her territory rather than on the United States side as was contemplated by the 1941 agreement. Moreover, Canada would not make any outlay to deepen the connecting channels

between the Great Lakes, as her jurisdiction does not extend over these shipping routes. Whatever expenditure is eventually required for Great Lakes harbor development will come entirely from the United States Treasury. This should be obvious to all.

12. THE SEAWAY AS BASIS FOR CONTINUED ECONOMIC EXPANSION

Aside from its value to the steel industry and to our national security generally, the St. Lawrence waterway will bring important benefits to the entire central area of the United States. It will give foreign commerce direct access to such ports as Chicago, Detroit, and Cleveland; it will lessen the costs of imported materials used by American industry; it will yield large dividends in the form of reduced shipping charges for farm produce and other exports leaving the American heartland; it will thus encourage both foreign and domestic trade.

Historically, major internal improvements in this country have been followed by periods of sustained economic growth. The St. Lawrence waterway will help to support another era of industrial expansion as well as contribute to the dispersion and potential strength of American industry, including agriculture.

Among the products other than iron ore which will use the St. Lawrence are grain grown in the agricultural Midwest, lumber, coal, and manufactured products. All savings in transportation charges on these products might be looked on as an offset to the investment in St. Lawrence development.

The best protection against aggression in the modern world is a strong and balanced military, air, and naval force backed by the ability to achieve another production miracle such as we witnessed during World War II. In the long run the interests of all groups, even those who are now endeavoring to block the St. Lawrence, will be best served by the cheap transportation and low-cost power the Great Lakes-St. Lawrence route will provide.

13. CONCLUSION

All these advantages may be obtained by a minimum investment which should not be confused with an expenditure of public money. Any appraisal in true perspective of the St. Lawrence problem, therefore, indicates that to help build this waterway would be a sound forward-looking venture as well as a milestone in United States-Canadian good relations. We hope and expect that these good relations which have hitherto existed between the two countries will continue but we should not take this for granted.

To vote against the St. Lawrence on the occasion of this final opportunity is to turn one's back on progress and to elevate mistaken and narrow economic or sectional interest above broad national interest. The vote on this project, in the final analysis, will be checked by history. Let each Senator, therefore, anticipate the verdict of history when casting his ballot.

Mr. WILEY subsequently said: Mr. President, this afternoon the St. Lawrence seaway was under discussion. I should like to request that I be recognized the first thing tomorrow, to carry on with the particular ideas which I have in mind.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Without objection, the Senator from Wisconsin will be recognized when the Senate convenes tomorrow and the discussion is resumed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed a joint resolution (H. R. 481) to continue the effectiveness of certain statutory provisions until June 30, 1952, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H. R. 5678. An act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes; and

H. J. Res. 449. Joint resolution to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution.

REORGANIZATION PLANS NOS. 2, 3, AND 4 OF 1952, RELATING TO POST OFFICE DEPARTMENT, BUREAU OF CUSTOMS OF TREASURY DEPARTMENT, AND DEPARTMENT OF JUSTICE—REPORTS OF A COMMITTEE

Mr. McCLELLAN. Mr. President, by direction of the Committee on Government Operations, I submit a favorable report on Senate Resolution 317, a favorable report on Senate Resolution 331, and a favorable report on Senate Resolution 330.

I may say that these resolutions disapprove Reorganization Plans 2, 3, and 4.

The PRESIDING OFFICER. The reports will be received and the resolutions will be placed on the calendar.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield.

Mr. JOHNSON of Texas. When does the Senator from Arkansas expect to have the Senate vote on these measures?

Mr. McCLELLAN. Earlier today I stated that I hoped to be in a position tomorrow to announce a definite day next week for voting on the resolutions. I may say that I expect to have another conference with the Senator from Florida [Mr. HOLLAND] in regard to another matter, before making a definite announcement; but these resolutions will be brought up one day next week. Tomorrow I expect to make a definite announcement as to the date. We wish to be able to give notice in that connection, so that Senators will be able to make their plans accordingly.

Mr. JOHNSON of Texas. I thank the Senator from Arkansas.

The resolutions reported by Mr. McCLELLAN were placed on the calendar, as follows:

S. Res. 317. Resolution disapproving Reorganization Plan No. 2 of 1952, relating to reorganizations in the Post Office Department (Rept. No. 1747);

S. Res. 331. Resolution disapproving Reorganization Plan No. 3 of 1952, relating to reorganizations in the Bureau of Customs of the Department of the Treasury (Rept. No. 1748); and

S. Res. 330. Resolution disapproving Reorganization Plan No. 4 transmitted to Congress by the President on April 10, 1952, relating to the Department of Justice (Rept. No. 1749).

CARE AND TREATMENT OF PERSONS AFFLICTED WITH LEPROSY IN TERRITORY OF HAWAII—CONFERENCE REPORT

Mr. LONG. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The report was read by the Legislative Clerk as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate insert the following:

"When so provided in appropriations available for any fiscal year for the maintenance of hospitals of the Service, the Surgeon General is authorized and directed to make payments to the Board of Health of the Territory of Hawaii for the care and treatment in its facilities of persons afflicted with leprosy at a per diem rate, determined from time to time by the Surgeon General, which shall, subject to the availability of appropriations, be approximately equal to the per diem operating cost per patient of such facilities, except that such per diem rate shall not be greater than the comparable per diem operating cost per patient at the National Leprosarium, Carville, La."

And the Senate agree to the same.

RUSSELL B. LONG,
GEORGE A. SMATHERS,
ZALES N. ECTON,
Managers on the Part of the Senate.

MONROE M. REDDEN,
LLOYD M. BENTSEN, Jr.,
FRED L. CRAWFORD,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG. Mr. President, the conference report is on a bill which was passed by the Senate on a call of the calendar some time ago. It authorized the Congress to appropriate money for the maintenance and treatment of patients suffering from leprosy in Hawaii, the theory being that those patients did not care to be transported to the leprosarium at Carville, La. It is only fair that we should pay for their treatment in Hawaii. It turns out that almost half the number of persons suffering from leprosy are in Hawaii. The bill would authorize the Congress of the United States to appropriate funds to pay for their treatment.

Mr. BRIDGES. Mr. President, will the Senator from Louisiana yield for a question?

Mr. LONG. I yield.

Mr. BRIDGES. How much will it cost?

Mr. LONG. The cost will be around $1,000,000.

Mr. BRIDGES. I agree as to the necessity of treating leprosy, but are we going to establish a new plan in Hawaii and incur a permanent expense which may be quite large?

Mr. LONG. The facts are that the Government has assumed the obligation of treatment of all American citizens who are suffering from leprosy. It pays the expense of transporting patients to the leprosarium at Carville, La., and sending them back, if they are successfully treated, to their homes. Persons in Hawaii who are suffering from leprosy do not, in most instances, desire to be transported to the United States. The Hawaiian Government is now treating them. It would be an obligation of the United States, and the Government would pay no more than the per diem cost at Carville, La. It seemed to the committee and it seemed to the Senate that it was fair that since the Federal Government has taken over as a national obligation the treatment of leprosy, those suffering from it in Hawaii are entitled to treatment.

As a practical matter, even if the United States should pay for the treatment, citizens of Hawaii who are afflicted with the disease simply did not care to be transported to Carville, La., away from all their relatives and surroundings.

Mr. BRIDGES. Where will they be treated in Hawaii? Will they be treated in a central place, in an institution the United States Government is to build, or the Government of Hawaii going to build it? How are those people to be treated?

Mr. LONG. The Government of Hawaii has been treating the lepers in its own borders since before the time Hawaii became a part of the United States by annexation. They are citizens who, for the most part, were unwilling to be transported to the United States. Some were willing to be brought over; some were not. The Hawaiian Government has very excellent facilities in Hawaii for the treatment of lepers, but the committee feels that it is a proper obligation of the United States Government, inasmuch as citizens suffering from leprosy in every State of the Nation are treated by the Federal Government, so the Federal Government should pay for the treatment of the lepers on Hawaii.

This bill was reported by the Senate and House committees, and in each instance it was passed on the consent calendar. The point was raised that the Surgeon General did not want to have his funds disbursed automatically, and he did not want to be liable for the obligation unless Congress saw fit to appropriate funds. Therefore, the bill was amended to provide that Congress should be authorized to appropriate funds, rather than have the cost regarded as an automatic expense of the Government.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. DOUGLAS. The Senator from New Hampshire will doubtless remember the very brilliant, skillful essay by Robert Louis Stevenson about Father Damien, who carried on his heroic work with lepers on the island of Molokai, Hawaii, certainly even in the days of the kingdom, provided treatment for lepers on Molokai, and I think that has continued to the present day.

Mr. LONG. I believe it is a fact that the cost for a biennium is about $1,150,000. So the expense would be somewhere between $500,000 and $600,000 a year.

Mr. BRIDGES. I am not arguing with the Senator from Louisiana about the objective that is sought. The point is that when we are trying to cut down costs of Government, I wonder whether the Government would be incurring a permanent expense, even though the authorization, if it is made, is subject to appropriation by Congress. As I understand, this is a burden which Hawaii itself has borne prior to this time.

Mr. LONG. That is true.

Mr. BRIDGES. Why should we now adopt a policy of paying bills for Hawaii, when Hawaii has always paid her own bills? Why should we change that procedure now?

Mr. LONG. As a member of the Committee on Interior and Insular Affairs, I have felt that there was some merit to the argument that Hawaii and Alaska have in some respects suffered from a lack of representation in the Halls of Congress. This is one example of citizens of a Territory who pay taxes being entitled to services that are performed for all American citizens on the continent, but the Territory being at a great distance from the continent, the citizens there do not enjoy the same advantages.

Undoubtedly, if Hawaii had been represented in the Congress at the time the leprosarium bill was passed originally, she would have been entitled to the same consideration and same treatment for her citizens that is proposed for them in this bill.

It would be unreasonable to ask Hawaii to transport lepers all the way to the United States, inasmuch as when we are willing to pay the expense, the afflicted persons do not come, but we should be willing to pay the cost, on a per bed and per patient basis, comparable with what we pay for our own citizens in the United States. The cost is about $600,000 a year. Even though the expense to the Government would be increased, I believe it is a fair expenditure, one that is justified. In some respects the bill would remedy what has in effect been discrimination against Hawaii.

Mr. BRIDGES. Mr. President, I do not like to be placed in the role of an objector, inasmuch as the bill has gone through the House and Senate committees, though apparently it was not before any committee of which I am a member. However, I am a member of the Committee on Appropriations, which would have to pass on the appropriation to implement the bill. My experience has been that when once we authorize something, it is pretty difficult not to appropriate for it.

Mr. LONG. There is no doubt about that.

Mr. BRIDGES. It is very easy to sit here and authorize, but it is then very difficult to eliminate the appropriation when the time comes to make it. I do not want to be an obstacle to the wheel of progress, of course. Nevertheless, I am a little skeptical about assuming the burden of the appropriation, unless some limitation is placed upon it. The only limitation, as I understand the Senator from Louisiana, is that the cost shall not exceed the price per patient or the price per bed for patients treated in Louisiana.

Mr. LONG. That is correct. As a matter of fact, the expenditures in the United States were slightly less per patient than they were in Hawaii for patients treated by the Hawaiian Government, although they are so nearly the same that we felt it would be fair to provide as a limitation that the price per patient would not exceed the cost in the United States. Only about 450 persons are involved in the treatment.

Mr. BRIDGES. I do not know exactly what to say.

Mr. LONG. The testimony is that the cost of this item will steadily decrease. The number of lepers is steadily decreasing, and it can be expected that over a period of time the number will be further reduced.

I wish to point out to the Senator from New Hampshire that the type of treatment afforded at Carville is one of many services which citizens of Hawaii do not receive, merely because there was no one in the Senate to insist that they receive comparable service when the Government provided such service for its citizens in the continental United States. I think it would be fair that that should be done.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Louisiana yield to me for a question?

Mr. LONG. I yield.

Mr. JOHNSON of Texas. When the bill was originally considered by the Committee on Interior and Insular Affairs, was it reported unanimously?

Mr. LONG. It was reported unanimously by the subcommittee and the committee, and was passed by the Senate on the consent calendar. I believe it also passed the House unanimously on the consent calendar.

Mr. JOHNSON of Texas. I know nothing about the merits of the proposed legislation. I may say to the distinguished minority leader that the first notice I had that the conference report would be called up was when the Senator from Louisiana addressed the Chair.

If it is agreeable to the Senator from New Hampshire, I hope we can dispose of the matter. If not, I hope the Senator from Louisiana will withhold his request temporarily.

Mr. BRIDGES. What is the history of the Louisiana station for the treatment of lepers? I ask first as to cost and then as to numbers. Has the Government by treating afflicted persons in a centralized place secured good results? Has the number of lepers decreased? What can we expect in return for taking on this new burden in Hawaii?

Mr. LONG. Leprosy is a disease which we can expect will eventually disappear.

Mr. BRIDGES. I know it is a dread disease.

Mr. LONG. According to the statistics of the Public Health Service, it is steadily decreasing. It has been possible to develop more effective treatment for it, although it is a disease from which many people never recover.

If the Senator desires to give further consideration to the matter, I will withdraw my request.

Mr. BRIDGES. Mr. President, this is a type of legislation as to which it is always difficult to know the answer. Apparently committees of the Senate and House have passed on it. I am always disturbed by efforts to chisel in or edge in for more money. It seems to me that this would be an added burden on the country, although it may be justified. Certainly the objective is most desirable, since leprosy is a dread disease.

Because of the previous action of Congress and because of the explanation made by the distinguished Senator from Louisiana, I shall not further object.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ALBERT LASKER

Mr. NEELY. Mr. President, last week, during my unavoidable absence distinguished Senators appropriately eulogized the celebrated Albert Lasker of New York, who on the thirtieth day of May drifted from the turbulent land of the living into the silent land of the dead. Today, I pay my heartfelt tribute to this remarkable man. He was my beloved, generous, just and faithful friend. To my greater regret and sorrow than any tongue can express or any pen can portray, he has passed from earthly vision. Now his shadowy form cannot be seen through the telescopes of science or the tears of grief.

As Shelley wept for Adonais, so we weep for Albert Lasker—

Till the future dares
Forget the past, his fate and fame shall be
An echo and a light unto eternity.

By virtue of his lofty ambition, tireless energy and unlimited industry, he rapidly ascended to great heights on the ladders of success and fortune and fame.

At the early age of 15 he was a cub reporter on a Galveston newspaper. Three years later he became a member of the Lord & Thomas Advertising Agency—the exclusive ownership of which he subsequently acquired. Under his skillful management, the business of this concern increased from $800,000 to $50,000,000 a year.

President Wilson appointed Mr. Lasker Assistant Secretary of Agriculture. The duties of this office he efficiently and faithfully performed. With outstanding ability, he served as Assistant Chairman of the Republican National Committee from 1918 through 1920. In 1921 President Harding appointed him Chairman of the United States Shipping Board. For 2 years he administered the affairs of this important agency with unsurpassed success.

Albert Lasker, as a public official, knew no dictator but his conscience, no guide but his judgment, and no purpose but to serve his country. He walked the rugged road of right, and never wandered from the way, to loiter in alluring shade, drink the bacchanalian draft, or pluck the idle flowers that fringe the banks wherein temptation's wooing tide forever flows. Where duty led, he followed—heedless of hardships, regardless of resistance and thoughtless of rewards. He was a devoted husband, an affectionate father, and a never-failing friend. He was a patriot who loved principle more than party, a statesman who worshiped at the shrine of truth, and a humanitarian who burned incense on the altar of universal good. After he had accumulated a vast fortune, untainted by a single dishonest dollar or a single sinful cent, he retired as a crown prince of the great empires of American politics, business and finance. He unconditionally dedicated all his ability, energy, wealth, and remaining life to the colossal tasks of winning the Nation-wide war against heart disease, the pitiless king of killers, and against cancer, the merciless monarch of terrors, and generally promoting the healing of the afflicted, aiding the underprivileged and relieving the distressed.

Mr. Lasker and his brilliant, charming wife Mary established the Albert and Mary Lasker Educational and Research Foundation. It makes awards through various health agencies to psychiatric and medical research and administration.

A gift to the Chicago University of $1,250,000, with which to promote the study, prevention, and conquest of the diseases of old age and alleviate the despondency and distress of those who are overburdened with the weight of years and another gift to the same institution of a $3,000,000 estate at Lake Forest, Ill., are typical examples of Albert Lasker's unusual generosity and unstinted humanitarian service. His life was a gracious benediction to the Nation; his death is an irreparable loss to the world.

Many times in recent years, Mr. and Mrs. Lasker have come to Washington to testify before Senate and House committees and confer with committee members in behalf of legislation designed to provide proper governmental assistance to the poor, the sick, the maimed, the halt, and the blind—regardless of race, rank, color, or creed.

In countless other ways these distinguished altruists have earned the undying gratitude of the Nation for their priceless service to the hosts of misfortune.

For Albert Lasker's outstanding success we admire him; for his spotless character and stainless reputation we love him; for his extraordinary devotion to duty and tireless ministrations to humanity we praise him.

With tear-dimmed eyes, loving hearts and grateful hands we, in imagination, place upon the heaving turf under which he silently rests and peacefully sleeps the golden amaranth—the fadeless emblem of immortality. We wreathe the ivy, the floral metaphor of devoted friendship, the unwithering token of brotherly love, above his voiceless dust and thus, so far as in our power lies, discharge our last sad duty to our loved and honored dead.

We fervently hope and devoutly pray—

That He who stills the raven's clamorous nest,
And decks the lily fair in flowery pride,
Will, in the way His wisdom sees the best

comfort all the departed's sorrowing relatives and friends, bind up their broken hearts, assuage their grief, and speak to their souls the peace that passeth all understanding.

And we further hope that eventually we may all be reunited with Albert Lasker—statesman, humanitarian, patriot, and friend—in "that fair and happy land, just across on the evergreen shore"—

Where it will be ours to see the whole
Of what on earth we see a part;
Where time shall ne'er surcharge the thought,
Nor hope deferred make sick the heart.

Mr. DOUGLAS. Mr. President, while I do not have the gift of eloquence of the Senator from West Virginia, nor his power of apt quotation, I hope that I may be permitted to lay a humble flower of eulogy on the grave of Albert Lasker, a great Illinoisian and a magnificent American. I do so merely by quoting some lines from the poem to which the Senator from West Virginia has referred, namely, Shelley's poem, Adonais, in honor of John Keats:

The One remains, the many change and pass;
Heaven's light forever shines, Earth's shadows fly;
Life, like a dome of many-colored glass,
Stains the white radiance of eternity.

And the concluding lines:

The soul of Adonais, like a star,
Beacons from the abode where the Eternal are.

Mr. NEELY. Mr. President, it is recorded that when Alexander the Great visited Diogenes in his tub he asked the cynical old philosopher what he could do for him. Diogenes replied: "Nothing except to get out of my sunshine." To this the conqueror of the world responded: "If I were not Alexander, I would be Diogenes." Let me, after hearing the eloquent words of my distinguished, scholarly, and beloved friend from Illi-

nois, observe that if I were not the junior Senator from West Virginia I would be the senior Senator from Illinois.

I sincerely thank him for his gracious remarks and warmly congratulate him upon being ever ready to speak the right word at the right time, and in the most pleasing, persuasive, and irresistible way.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, the junior Senator from Texas has been informed that the House has acted on the 15-day extension of the so-called War Powers Act and that the Senate will be expected to act on it tomorrow. I want the RECORD to show that some time tomorrow I am certain the chairman of the Committee on the Judiciary will bring the joint resolution to the attention of the Senate.

As Senators who are in the Chamber know, and as those who read the RECORD I hope will learn, the unfinished business before the Senate is the St. Lawrence seaway bill. It is planned to meet tomorrow at 12 o'clock, to debate that bill during the day, and to recess tomorrow evening until Monday. We hope that Senators who desire to speak for or against the St. Lawrence seaway bill will have their speeches ready and be on the floor to give the Senate the benefit of their views on Friday and Monday, because the distinguished chairman of the Committee on Appropriations has announced today that he expects the committee to have several appropriation bills ready for action next week. Of course, as appropriation bills become available they will be taken up by the Senate, and the unfinished business, if it is not disposed of, will be laid aside. Therefore I urge all Members of the Senate to be prepared to speak tomorrow and Monday on the St. Lawrence seaway, in the hope that we can dispose of it one way or the other before we are faced with the necessity of laying it aside.

NOTICE OF CONSIDERATION OF TREATIES

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). In his capacity as a Senator, the present occupant of the chair gives notice that in accordance with the understanding between the majority leader and the minority leader, it will be his purpose tomorrow to call up two consular conventions and a protocol, which are Nos. 11, 12, and 13 on the Executive Calendar.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar are in order.

Mr. JOHNSON of Texas. I ask that the call of the Executive Calendar begin with new reports.

The PRESIDING OFFICER. Without objection, it is so ordered, and the first nomination will be stated.

FEDERAL TRADE COMMISSION

The legislative clerk read the nomination of Albert A. Carretta to be a Federal Trade Commissioner.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FARM CREDIT ADMINISTRATION

The legislative clerk read the nomination of Ivy W. Duggan to be Governor of the Farm Credit Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Without objection the President will be immediately notified of the confirmations.

RECESS

Mr. JOHNSON of Texas. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p. m.) the Senate took a recess until tomorrow, Friday, June 13, 1952, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 12 (legislative day of June 10), 1952:

FEDERAL TRADE COMMISSION

Albert A. Carretta, of Virginia, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1947.

FARM CREDIT ADMINISTRATION

Ivy W. Duggan, of Mississippi, to be Governor of the Farm Credit Administration, term of 6 years from June 15, 1952.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 12, 1952

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, who hast created all things for our wonder and our delight, we pray that we may be faithful and worthy stewards of Thy manifold spiritual and material blessings.

Grant that the culture of our moral and spiritual life may keep pace with all the increase of material prosperity that we are privileged to achieve and enjoy.

Show us how we may enter more sympathetically and helpfully into the thoughts and feelings of those whose lives are less fortunate than ours and who are daily groping their way in search for happiness and blessedness.

May the principles and ideals of our blessed Lord animate and inspire our minds and hearts in our longings and endeavor to promote the spirit of peace and good will among all mankind.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment a joint resolution and a concurrent resolution of the House of the following titles:

H. J. Res. 449. Joint resolution to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution; and

H. Con. Res. 221. Concurrent resolution authorizing changes in the enrollment of the bill H. R. 7340.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7340) entitled "An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7345) entitled "An act to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American Red Cross," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. CONNALLY, Mr. BYRD, Mr. MILLIKIN, and Mr. TAFT to be the conferees on the part of the Senate.

IMMIGRATION, NATURALIZATION, AND NATIONALITY

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution (H. Con. Res. 226) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes.

The Clerk read the resolution, as follows:

Resolved, That, in the enrollment of the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes, the Clerk of the House is authorized and directed to make the following corrections:

In section 263 (b) of the bill strike out "(14)" wherever it appears in the subsection and insert "(15)."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ATOMIC BOMBS

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, on the first of this month I had a most extraordinary experience in being permitted to observe a test explosion of one of the atom bombs outside of Las Vegas. So appalling and so inspiring is that particular spectacle that I feel arrangements should be made, at least an opportunity should be given, so that every Member of this Congress could be permitted to see such a test explosion of one of these atom bombs. I am sure there is no more eloquent or persuasive thing to bring to the attention of this body the potential of fissionable material and the atom bomb, than that experience. All of the literature, all of the pictures, all of the conversations in the world will never equal or approximate the effect of such a visit and such an experience. I think it vital and essential that that opportunity be given to every Member of this body.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

PUBLIC HOUSING AUTHORITY DEFIES LOS ANGELES

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, the other day I referred to the vote of the people of Los Angeles on the public housing issue on June 3 at the California primary election. Since that time it appears that the city public housing authority apparently does not want to recognize the vote of the people; and, as a consequence, I have introduced a House concurrent resolution to request the Administrator of Public Housing to abandon its public-housing program in Los Angeles in order to effectuate the expressed wish of the people of Los Angeles, in order to clarify the position of the people of Los Angeles. We have no objection to a positive and specific slum-clearance program, but we are objecting to a 13-story concrete-and-steel construction type of tenement house at the excessive costs that the public-housing authority is attempting to build. We also are of the belief that a lot of slum clearance could be brought about by the enforcement of the building and safety regulations of the city of Los Angeles.

I trust that when my resolution comes to the House for consideration that it may receive favorable action.

Following is a copy of a resolution adopted by the Los Angeles City Council on June 9:

"Whereas the city council placed upon the June 3 ballot by unanimous vote, the issue of public housing; and

"Whereas both the Superior Court and the Supreme Court of California denied efforts made to remove said proposition; and

"Whereas there was a very thorough explanation of the proposal to the people for many weeks prior to the election, with arguments pro and con enclosed in the ballot, which were widely publicized over radio and in the daily press; also, there were 5 days of pro public housing argument presented over 5 television stations and 4 days of pro and con argument presented over 1 television station; and

"Whereas because of the wide publicity and national interest, there was a record-breaking expression of the people both in numbers and the percentage of the registered vote cast. Out of a total registration of 1,047,690, there were approximately 733,333 who cast their vote. On proposition B, the 'yes' vote was 358,718; the 'no' vote was 378,343. Proposition B was defeated by a majority of 119,625 votes. On the school bonds and tax-increase proposals which included extended territory beyond the city of Los Angeles with a substantial additional registration totaling 1,210,242, the total ballots cast were: Proposition G, 709,377; proposition H, 719,220; proposition I, 687,992; proposition J, 687,304, showing that there was a higher percentage of vote cast on proposition B in relation to total registration than on any of the school issues;

"Whereas proposition B fully set forth the issue, as it was prepared in conformity with the requirement under the Constitution, article XXXIV, enacted as proposition 10 of the election of November 7, 1950, and also designed to conform to a referendum of the action of the city council on December 26 rejecting the proposed housing program; and

"Whereas the decision of the people was against proposition B by an overwhelming majority, it would seem that under our representative form of Government, the council, the mayor, the local housing authority, and the Congress of the United States have no alternative but to proceed in accordance with the will of the people; and

"Whereas this city council and the city attorney do not accept the $13,000,000 figure widely publicized by the propublic housing advocates and included in their ballot argument, but rather feel that we must await the decision of the Supreme Court of the United States to determine legal financial liability: Now, therefore, be it

"*Resolved*, That the city council, as the governing body of the city of Los Angeles and as the elected representatives of the people of Los Angeles, do call upon the housing authority of the city of Los Angeles to forthwith declare its position as to cooperating with the city council and the mayor in negotiating with the agencies of the Federal Government for a complete cancellation and abandonment of the proposed public housing program in conformance with the expressed will of the voters on June 3, 1952; be it further

"*Resolved*, That copies of this resolution be sent to all Members of the Congress of the United States and to the proper agencies of the Federal Government."

Presented by: Councilman Holland.

Seconded by: Councilman Davenport.

I hereby certify that the foregoing resolution was adopted by the council of the city of Los Angeles at its meeting held June 9, 1952.

WALTER C. PETERSON,
City Clerk.

Following is a copy of my House Concurrent Resolution 223 urging the Administrator of Public Housing to cancel the present contract between the Federal Government and the Los Angeles City Public Housing Authority:

House Concurrent Resolution 223

Whereas the City Council of the City of Los Angeles, Calif., on December 23, 1951, adopted a resolution providing for the abandonment of the undertaking, development, and administration of a 10,000-unit federally assisted public housing program, and to abrogate and cancel its cooperation agreement of August 9, 1949, with the Housing Authority of the City of Los Angeles in connection with said program; and

Whereas the majority of the voters of the city of Los Angeles, Calif., on June 3, 1952, approved the action of the city council in abandoning such public housing program and to abrogate its agreement with the Housing Authority of the City of Los Angeles, Calif.: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Administrator of the Public Housing Administration be requested to authorize and direct the Housing Authority of the City of Los Angeles to cancel its cooperation agreement of August 9, 1949, with the city of Los Angeles, Calif.: *Provided*, That such cancellation does not impair the right of the Government or said Housing Authority to reimbursement for Federal funds already expended pursuant to said cooperation agreement or annual contribution contracts executed subsequent to said cooperation agreement.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS. Mr. Speaker, it was my intention to call attention to the same matter just referred to by the gentleman from California [Mr. McDONOUGH]. The City Council of Los Angeles sometime ago decided it did not want to go on with projects for public housing; by a majority vote it decided to do away with it. As a result of the discussion which followed, it was carried to the polls Tuesday a week ago. The matter was thoroughly discussed by those for and those against, and the idea of public housing in the Los Angeles area was defeated by a vote of over 100,000 majority.

If you will refer to the hearings of my subcommittee you will find that several months ago the Solicitor for the Housing Authority said that it was not the intention of the authority to try to impose public housing upon areas which did not want it, but only to make sure that the money advanced by the Federal Government was reimbursed by any area which wished to remove itself from a housing program. Instead, as the gentleman from California has just said, the Housing Authority seems very reluctant to move out of an area where the people by vote, the city council by action, and the solicitor by appearance before my committee has said they do not want or did not intend to go.

It seems it is time for the Congress to act, and I support the resolution introduced by the gentleman from California [Mr. McDONOUGH].

MINE SAFETY LEGISLATION

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, with the recent occurrence of another coal-mine tragedy at Ironwood, Mich., I feel the time has come—and is, in fact, long overdue—when we must take immediate steps in enforcing adequate mine safety standards.

It is too late to think of prevention laws after a disaster has occurred, and I am sure all of us are aware of the number of mine tragedies which have occurred in recent months, one in my own district at Morgantown, W. Va. Sympathy expressed by Members of Congress to the bereaved families of the dead is not enough. We must show our deep interest in the lives and welfare of our worthy coal miners and their families by a more tangible method—that is, by effective legislation for the elimination of unsafe conditions and practices in our mines.

The lives of many men are in our hands and they can be saved by enacting adequate Federal mine inspection laws immediately and strengthening the regulations which we now have in effect.

Needless to say, coal mining is the right arm of modern industry, and our fellow men work these mines not only to support their families but to keep our factories going and provide the necessities and luxuries of life.

Directly and indirectly 5,000,000 persons derive their living from the coal industry of America. In 1951 over 39,000 men were injured and killed in the bituminous and anthracite fields of our Nation. Can we afford to postpone any longer the strengthening and amending of our laws which affect so great a number of our citizens?

I feel it behooves each and every one of us as Representatives in Congress to do our utmost in taking action on the mine safety bill, and this action should be taken immediately.

AMERICA AND FREE ENTERPRISE

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker, recently the Chamber of Commerce of Rockford, Ill., conducted an essay contest on Our Economic System Name Contest: Capitalism or What? Statements submitted were restricted to 150 words or less. Competition was open to anyone in northern Illinois or southern Wisconsin. At the conclusion of the contest, four able members of the bench selected those who in their judgment were entitled to honorable mention; and from among these, three United States Senators determined the prize winner.

The successful contestant was Lee Ridgeway, of West High School in Rockford, an outstanding student and splendid young American who realizes the importance of clear thinking and precise understanding of what underlies our economic system. This young man is presently in Washington enjoying the fruits of his successful effort. I salute and congratulate him on his splendid contribution, which I am proud to place in the RECORD for all of my colleagues to read:

I think that free enterprise is a better word than capitalism to describe our economic system, because free enterprise really means something to our people. We know what free means; we know the feeling of being free; we know it's a good feeling. We know the meaning of enterprise, to win, to lose; we know that this winning when you do well, this losing when you do poorly, is the system that makes this country tick. But did you ever ask anyone the feeling of capitalism? If you did you might hear the words I've heard, words like, "A capitalist is the big wheel who controls the masses; capitalism is the kind of system permitting this." But wait! Look! Here's a dictionary; capitalism doesn't mean those things in here. And what matters more, the meaning in the dictionary, or the meaning to our people? I think you know. We'd best have a word that really means something to our people, a word like free enterprise.

LEE RIDGEWAY.

ROCKFORD, ILL.

NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, the weekly newspaper published by the American Federation of Labor, the AFL News-Reporter, recently had some interesting things to say about the propaganda of the National Association of Manufacturers' intent to destroy the stabilization program in the United States.

The editorial quotes Forbes magazine as saying:

> Those who believe in free enterprise would be far better off if the NAM would jump into one of the holes it is constantly digging.

That is good advice, Mr. Speaker.

Unfortunately, however, unless we all watch our step—unless Congress stays alert to the dangers that face us leading to further inflation, and unless the people make certain that their will prevails—the NAM might dig a hole into which the economy of this country could collapse.

This is the same organization, Mr. Speaker, which promised in 1946 that if controls were killed prices would quickly readjust themselves to reasonable levels. We all remember, Mr. Speaker, the spurt that prices took in 1946 when controls were crippled. Let us not allow ourselves to be fast-talked into another economic nightmare like that one.

The editorial from the AFL News-Reporter entitled "NAM Propaganda" is as follows:

NAM PROPAGANDA

The National Association of Manufacturers is leading the fight of big business against price controls. It wants the Defense Production Act, containing measures to hold down inflation, to die June 30 despite the fact that most of the money allotted the Government for defense buying remains to be spent.

Recently, criticism was leveled at NAM's propaganda from two quarters.

Forbes magazine, a business publication, said, "Those who believe in free enterprise would be far better off if the NAM would jump into one of the holes it is constantly digging."

And Rev. George A. Higgins, assistant director of the social action department of the National Catholic Welfare Conference, commented, "NAM propaganda is becoming more ridiculous and fatuous every day."

MINE SAFETY LEGISLATION

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, I want to commend the gentleman from West Virginia for suggesting that we ought to bring a bill to the floor of the House and give consideration to perfecting and passing the right sort of legislation that will help stop the great loss of human life in the coal mines.

I understand that long hearings have been held and very serious consideration has been given to such a bill in committee, and that the committee has developed what it believes to be a bill that does not go too far in giving increased power to the Federal Government but at the same time would permit the Federal Government to step in through an act of Congress that will give the Government an opportunity to help save human lives in cooperation with the States. I think the least that we can do at this session in discharging our responsibility is to try to see if we can do something to stop the appalling loss of life in the coal mines of America.

BUDGET OF THE FEDERAL GOVERNMENT

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. MCCARTHY addressed the House. His remarks appear in the Appendix.]

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 103]

Aandahl	Anfuso	Blackney
Abernethy	Bates, Ky.	Blatnik
Albert	Beckworth	Bosone
Anderson, Calif.	Belcher	Brehm
	Bender	Brooks

Brownson	Heffernan	Norblad
Buchanan	Herter	O'Neill
Buckley	Hinshaw	O'Toole
Burdick	Javits	Phillips
Butler	Johnson	Potter
Carlyle	Kennedy	Powell
Carnahan	Kerr	Prouty
Case	Kirwan	Rabaut
Coudert	Klein	Reed, Ill.
Crawford	Kluczynski	Richards
Curtis, Nebr.	Lesinski	Riehlman
Dingell	McCulloch	Sabath
Dolliver	McGrath	Sasscer
Dondero	McIntire	Scott,
Ellsworth	McKinnon	Hugh D., Jr.
Elston	Magee	Sheehan
Fenton	Mansfield	Shelley
Fine	Meader	Short
Frazier	Merrow	Smith, Wis.
Fulton	Miller, Calif	Stanley
Gore	Mitchell	Stigler
Gwinn	Morano	Stockman
Hall,	Morgan	Sutton
Edwin Arthur	Morris	Tackett
Harden	Morrison	Welch
Harvey	Morton	Williams, Miss.
Havenner	Murphy	
Hedrick	Nelson	

The SPEAKER. Three hundred and thirty-three Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MILITARY AND NAVAL CONSTRUCTION ACT

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 678 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8120) to authorize certain construction at military and naval installations, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may use.

The SPEAKER. The gentleman from Virginia is recognized.

Mr. SMITH of Virginia. Mr. Speaker, this resolution provides for the consideration of the bill H. R. 8120 from the Armed Services Committee which authorizes certain installations for the Army, the Navy, and the Air Corps.

The rule provides for 2 hours of general debate. I believe it is the hope of the chairman of the Armed Services Committee that consideration of this measure be concluded today.

This authorization is provided in the budget, and it is expected, it will be followed by a bill from the Appropriations Committee for the sum of money involved.

This authorization covers the construction of installations to the extent of $2,700,000,000. The bill has been given careful consideration, I am sure, by the Armed Services Committee. It was reported out last week, although the report was not available until this morning. I am not too familiar with what is in it.

Mr. Speaker, I would like to call attention to the fact that this report discloses a matter that is the subject of a good deal of controversy in the House in connection with appropriation bills. You will find that the report on page 19 gives the amount of unexpended and unobligated balances in connection with Army installations. As of April 30 it appears that there are unexpended balances estimated of $2,739,000,000. I do not know what that means. I do not know whether it indicates that we have been appropriating too much money or that the Armed Services have not been efficient in the expenditure of the funds that we have appropriated under the whip and lash that it was necessary to have these expenditures immediately. In any event these large unexpended balances which we find when we come to make appropriations or authorizations for further large sums are certainly, to say the least, an indication of the fact that we are in an unsatisfactory situation so far as the general membership of the House is concerned.

I have every confidence that the members of the Armed Services Committee have given this careful study and, for my part, I expect to go along with their judgment. But I do wish again to point out and to emphasize that those of us who are not members of that committee have to more or less act in the dark. I am glad to say that we do have an Armed Services Committee in which we can have every confidence.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Georgia.

Mr. VINSON. In connection with the statement the gentleman from Virginia has just made, I think it pertinent to point out that of the $3,890,000,000 made available by the Appropriations Committee for the fiscal year 1952, the authorization was not had until September of last year and the appropriation was not made until November. It was only in January and February of this year that the Bureau of the Budget began releasing the money. For that reason the unexpended obligation is rather larger than usually occurs.

Mr. SMITH of Virginia. In that connection I might say that the same schedule shows it is estimated that this fund to the extent of $1,800,000,000 as of the 30th of April has not even been obligated much less expended.

I shall support the bill. I know of no opposition to the rule itself.

Mr. Speaker, I reserve the balance of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, the gentleman from Virginia has explained the rule and, in my opinion, has given a true picture of the situation. I understand that the Armed Services Committee held hearings totaling nearly 30 days and that that committee has reduced the amount requested by approximately $280,000,000.

Like the gentleman from Virginia, I do not think that many Members, myself included, are in a position to say that they know more about what should be done from a military standpoint than the members of that committee. I am not unmindful of the fact, and I am sure that is true of all of you, that $2,700,000,000, together with the unexpended balances, is a considerable amount of money. But the fact still remains that they must come before the Committee on Appropriations and get the money, and I am sure that they will have to make a good case when they do come before that committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. The distinguished gentleman believes that perhaps the members of the committee know something about this bill, but about all the Members of the House have available is the cryptic language of the bill itself. No printed hearings are available, and the committee report was made available only a comparatively few hours ago. So, the Members of the House are working almost completely in the dark on this bill, and I do not like that.

Mr. ALLEN of Illinois. I will say to the gentleman that I am certain the members of the Committee on Armed Services will justify the figures in this bill.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Georgia.

Mr. VINSON. In regard to the printed hearings, I want to say that the security editing by the department just made it impossible to get the hearings here before today.

Mr. GROSS. The gentleman from Georgia knows very well that the hearings are not available today and will not be available for a week or longer. What we are running into more and more all the time in this House are secret agreements, secretly arrived at, and authorizations for appropriations secretly arrived at.

Mr. ALLEN of Illinois. In conclusion, Mr. Speaker, I will say that I know of no objection on this side of the aisle in regard to the passage of the rule, and I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LYLE].

Mr. LYLE. Mr. Speaker, it is, of course, no reflection upon the great committee headed by my friend, the gentleman from Georgia [Mr. VINSON], that I raise the questions which I am sure are in the minds of all of the Members of this body. During the past few months we have had occasion to read the reports submitted by our colleague from Texas in the other body, Mr. JOHNSON, chair-

man of a special investigating committee, in which he brought out that literally hundreds of millions of dollars have been wastefully and fraudulently spent in the construction of air fields and other military installations. Of course, every Member of this body wants those facilities built which are in the interest of our land and our freedom. I am certain that not a Member of the great Committee on Armed Services would for one moment condone fraud and waste in the construction of these facilities which are needed. I think, however, it is our responsibility in the authorization of such construction and in the voting of funds for such construction that we set up our system of checks and balances so that we will not next year have to pick up the papers and the reports of the great committees, including yours, Sir, and those of the other body, to see where people, contractors and workers, have defrauded this Government in its sincere effort to build a defense which can contain communism and can overcome it.

Mr. Speaker, this bill comes to you with the approval of this committee. It would be wrong for the House, in my judgment, to question their sincerity, their knowledge, and their ability in these matters. But, Mr. Speaker, I would like to try, with the other able Members of this body, to put some stops in these bills so that we can be assured that the dollars that we spend for the protection of the liberty of America and the lives of the young Americans who wear the uniform will not go into the pockets of fraudulent, cheating, dirty, unpatriotic traitors, who unfortunately seem to exist in our midst.

I want my country prepared. As a matter of fact, I want my country so prepared that it may crush and defeat and forever stamp out the philosophy that lives in the minds of the leaders and the rulers of Russia. I detest it and I hate it. I not only want to contain it but I want to stamp it out forever so that future generations of the world will not be faced with the terrible and horrible decisions that must be made from day to day by the able ladies and gentlemen of this body. It is a high responsibility, and we cannot escape it under the guise of military necessity or anything else.

I do not attempt, Mr. Speaker, to amend this bill. I shall, however, in the near future, submit a bill which seeks to control construction costs and practices involving Government contracts. It is my hope and my intent that the measure will expedite defense construction, but at the same time protect the American people from waste, fraud and extravagance.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. VINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8120) to authorize certain construction at military and naval installations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8120, with Mr. GRANGER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. VINSON. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, this base program is a very important part of our national defense. Another part is the men and another part is the materials. Therefore, this is a most important part, for if you do not have bases and facilities there would be no justification to have men and no justification to have materials. It is all part and parcel of the whole scheme for the proper defense of this country.

I deem it important at the very outset of this debate to call to your attention briefly that as of today the strength of the Army is 1,552,000 troops, the strength of the Navy is 1,056,000, and the strength of the Air Force is 965,900.

The objective and the purpose of a public works bill as I have just stated, is that these bases be used in connection with the proper training and the proper management of the personnel and the matériel.

This is the second major bill for construction that has been submitted to the House in the last 2 years. Last year we brought here a bill authorizing $5,086,000,000 of public works. Shortly afterward the appropriation committee, after considering all the items and the economic stability of the country, made available $3,890,000. This bill calls for an authorization of $2,758,000.

Mr. GROSS. Mr. Chairman, will the gentleman correct that figure, and make it billions instead of millions?

Mr. VINSON. Yes, that is $2,758,000,000. I am glad the distinguished gentleman from Iowa is listening to what I say, and if he continues to do so, I am satisfied I will convert him.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. GROSS. The gentleman from Iowa always listens to the gentleman from Georgia.

Mr. VINSON. I thank the gentleman.

Mr. Chairman, when this bill first originated in the department, it called for an authorization of some $6,000,000,000. It was sent to the Department of Defense, and there it was scrutinized, there it was reworked and gone over, and when they were ready to submit it to the budget, they came up with an authorization of $3,207,750,000. Then, the Committee on Armed Services began its hearings—taking this bill up line by line, and having witnesses here from all over the world who had anything to do with these establishments. After four long weeks of daily hearings, 2 hours in the morning and 2 hours in the afternoon, we reduced the appropriation in the amount of $269,434,000. So the bill before you now is for $2,785,318,000.

Mr. Chairman, at this time I want to publicly thank my colleagues on the committee for their aid and assistance rendered in the preparation of this bill. Four long weeks of constant grind on this is a hard job. The distinguished gentleman from Texas [Mr. KILDAY], Mr. RIVERS, Mr. PRICE, Mr. DURHAM, and every member of the majority—Mr. SHORT, Mr. ARENDS, and Mr. COLE of New York, Mr. SHAFER, and all others of the minority, worked day in and day out trying to reach an honest conclusion as to what the proper security of the country required with reference to a public-works bill. So, we have submitted to you a bill which has been scrutinized and reduced—not across the board, but item by item. For instance, when we had an officer from Okinawa who was justifying the expenditure of money at Okinawa, we would read off to him a list of the great amount of money which was going there, and he had to justify it. He had to give the military justification, and explain the need and necessity for it, and the reason why these installations ought to be built in Okinawa. The same thing happened all over the United States and outside the United States where we had bases.

You will see on an examination of this report that $383,291,000 is for the Army. Two hundred and eighty-five million and seven hundred and fifty thousand dollars is for the Navy; and $2,758,318,000 is for the Air Forces. Now, why is it necessary to have so much more money for the Air Force in proportion to the amounts the other two services receive? It is due to this. It is due to the fact that we are expanding our Air Force from a 95 wing force to 143 wings. What good would it do to have airplanes if you had no place to land them? What good would it do to have these 900,000 men in the Air Force unless you had accommodations for them and bases for the planes? So with the large expansion of the Air Force it becomes absolutely necessary that their shore establishments, their public works be expanded. Of course, everybody recognizes the major importance of the Air Force. Therefore, we are concentrating on it. We are expanding it, to insure an adequate defense for the country.

I now deem it pertinent to just touch the high points in this bill. I will be glad to stop at any time and yield to any Member to try to give them any information they desire with reference to this bill.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Tennessee.

Mr. EVINS. In view of the fact that the gentleman has been discussing the authorization for the Air Force, I wonder if he could tell us why more money was not appropriated for the development center in Tennessee, which is the great research laboratory for the Air Force.

Mr. VINSON. This bill is cut to the very bone. There is no surplus in this bill. Every item here is a priority item that the military people think is absolutely necessary. The reason why the item referred to in the gentleman's question was not dealt with in this bill is because, in the judgment of those who made up this bill and presented it to

the committee, there were more important items to be taken into consideration than the item to which he refers.

Mr. EVINS. Research and development is a matter of prime importance to the Armed Forces, if we are to have jets and other supersonic speed instruments. It is my information that General Partridge called for a larger appropriation in this instance, but it was trimmed down.

Mr. VINSON. I do not recall just what he asked for.

Mr. KILDAY. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Texas.

Mr. KILDAY. As I understand it, this center in Tennessee was not authorized in the general public-works bill but in a special bill relating to that subject only. It carried authorization of an amount of money that the Department deemed necessary for carrying it out. I do not know what appropriation may have been made for it. In this bill no authorization for funds was requested. So I assume the other authorization in the special legislation has not yet been exhausted.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from North Carolina.

Mr. DURHAM. If the gentleman will recall, that was authorized in what we call the unitary wind tunnel bill. All of these wind tunnels and operations that cover that field of research.

Mr. EVINS. I understand that, and I wish to commend the chairman and the members of the committee for this authorization. But I understand General Partridge had asked for more funds and for more rapid expansion of this important project.

Mr. VINSON. In the appropriation bill for research and development for the Air Force there is $500,000,000 made available. Of course, if it becomes necessary to build more wind tunnels, necessary to build more facilities to properly carry on the laboratory work under it, it will be submitted to the committee, and the committee will give it consideration.

Now, to get back, of the amount of money authorized in this bill, $1,180,418,000 is to be spent in the United States, $214,550,000 is outside of the United States. Ninety-five percent of this sum of money, $1,363,354,000 is classified and will be spent outside the United States.

Now, to understand what is in the bill, let me call your attention to a number of bases. There are 72 Army installations specifically mentioned in the bill; 65 naval installations; 136 Air Force installations.

A total of 273 bases are specifically referred to, but in addition there are a great many classified bases that are not specifically enumerated in the bill. The Army has no new installations in this bill.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. VINSON. With pleasure.

Mr. MASON. I am bothered with this problem in connection with this bill: We are providing a billion and a quarter or a billion and a half for installations outside of the United States. Some of those are to be in the Middle East, and our military leaders say we need them for our defense. But another department of our Government has been doing its best it seems to me to create enemies there in the Middle East, and I am worried for fear that after we spend our billions those people where we are going to spend them will take the installations over and use them against us.

I cannot understand why one department of the Government says we should do this and another department of the Government does its darnedest to spoil it.

Mr. VINSON. I may say to my distinguished colleague from Illinois that in the matter of the establishment of these military bases there is complete agreement on the part of the military and the State Department that these are the ideal places, the proper places for the bases to be established. As to whether or not, after the chips are down, we can get continued use of them, that is a horse of another color; I do not know. But I know that the proper thing to do is to put these air bases, and these military installations where the Department of Defense thinks the military requirements must be met, and that is what this bill seeks to do.

The other day some of my colleagues, with some of our colleagues from the Senate, were briefed in the Defense Department with reference to the locations of these bases. They are scattered all over the world, but are there for military objectives, military reasons. We must rely upon the military in preparing our defense, and that is what is done. While we scrutinize these items and try to winnow the chaff out of the wheat, the proper place to locate them is where the military men who will be charged with the defense of the country say they should go.

Mr. MASON. Mr. Chairman, will the gentleman yield further?

Mr. VINSON. I yield.

Mr. MASON. I agree entirely with what the gentleman has said. I think we have got to be guided by our military men as to the placing of them. But I cannot for the life of me see why another department makes it almost impossible to do so.

Mr. VINSON. Let me assure the gentleman that they are not interfering with any of these bases.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. ROOSEVELT. I think my friend from Illinois would be perhaps a little more happy about this situation if he were also assured by the chairman that these bases are being placed with complete agreement of the sovereign powers in control of those foreign lands.

Mr. VINSON. I am very glad the gentleman from New York suggested that. In nearly every place where any money is being spent agreements have already been entered into with the country in which these bases are going to be located. I am hoping, as I say, that when the chips are down those countries will be standing shoulder to shoulder with us in these fights.

The next thing of importance is housing. Three percent of this whole bill is devoted to housing. There are approximately 871 family quarters authorized for the three services in the United States and about a thousand family quarters outside of the United States. The Air Force and other departments limited the family housing to not more than five units on a base, and the key-men will live there. It is necessary, of course, to build barracks, and the bill calls for barracks space for 142,000 men. That is about 15 percent of the bill and would mean that approximately 900 barracks will be built to take care of our needs.

In this connection let me say that the distinguished gentleman from Virginia [Mr. HARDY] is making a very fine study with reference to sanitation of barracks space and the square footage needed per man. Today it is predicated upon 72 square feet per man in peacetime. It is to be hoped that after the survey is made by the gentleman from Virginia, head of the Expenditures Subcommittee, in cooperation with the staff of the Armed Services Committee, we may be able to reach a sound decision. Perhaps millions and millions of dollars could be saved in the construction of barracks facilities.

Mr. HARDY. Mr. Chairman, will the gentlemen yield?

Mr. VINSON. I yield to the gentleman from Virginia.

Mr. HARDY. I want to point out that the problem involved in this study with respect to troop housing is a little more than the question of a specified amount of space per man.

Mr. VINSON. That is right.

Mr. HARDY. Certainly, none of us want to have any mediocre quarters for our military men. We want to have good, satisfactory, healthful quarters; at the same time I think it will be shown sooner or later that there is a lot of duplication in this housing proposition, not to mention the question of square footage allowance. I am going to try to have something on that within a very short time.

Mr. VINSON. The House is indebted to the energetic gentleman from Virginia [Mr. HARDY] for the study he has made and the study that will continue. No doubt, in a short time we can save some money as a result of the study, but, for the time being, it is based upon the facts I have just given you. Of course, that can be reflected in the appropriation bill.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from California.

Mr. SHEPPARD. During the hearings that the gentleman is referring to, what, if anything, was taken into consideration on your various constructions being of one composition and not having to go into a particular group procedure for each project? I refer specifically to geographical areas where your climatic conditions are parallel.

Mr. VINSON. They are trying to work out a standard for barracks, taking

into consideration the local material and the cost of construction in a local area. For instance, in certain sections of the country where they can obtain cement block cheaper than they can wood, or cheaper than they can brick, it would be false economy not to use the cement block. In that way they are trying to bear in mind in all construction in the United States the local market and the available material for construction in that local market.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VINSON. Mr. Chairman, I yield myself 10 additional minutes.

Mr. SHEPPARD. I was addressing my inquiry to the fact that square footage within a house can be designed that will cover certain geographical areas and climates. If it is composed of brick, cement, or lumber is a material factor, but not insofar as design is concerned. Why have to have a special design and special architects on each one of these projects?

Mr. VINSON. I do not think they should. I think a great many of them are being standardized now.

Every Member of the House can rest assured there will be savings obtained by the investigation now going on, being conducted by the distinguished gentleman from Virginia [Mr. HARDY] on this whole subject of housing, duplication, and so forth.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman tell me if there are any funds in this bill for construction of global communications, otherwise known as globecom?

Mr. VINSON. Not that I recall.

Mr. Chairman, one of the wise bills that the Congress has passed in connection with defense is what is known as the Wherry housing bill. Bear in mind we are building 871 family houses by the Government in the United States, and we are building 1,000 of them overseas. The Wherry bill, which bears the name of the distinguished Senator, has been of great aid and assistance in furnishing accommodations for the armed services.

Today in all 3 services there are 31,000 Wherry units that have already been constructed, and there are 25,000 under construction. So by construction of Wherry houses the Government saves money. If the Wherry Housing Corporation did not do it, then there would be reflected in these bills a great deal more money and the cost would be much higher.

Now, in an examination of this bill I particularly invite your attention to this fact. It calls for an acquisition of approximately 200,000 acres of land. Now, that is a heap of land, but we have got to get land at these bases. The bulk of it is in connection with the Army bases. You must bear in mind that the Army now trains its personnel with live ammunition. We have to have rifle ranges; we have got to have artillery ranges; we have to have tank gunnery ranges. So the bulk of this land is for the Army. For instance, 36,000 acres will go in the neighborhood of Fort Knox, 25,000 in the neighborhood of Fort Bragg in North Carolina, and 63,000 acres at Fort Hood. Now, as far as the acquisition of land for the Navy is concerned, there are only 2,000 acres that the Navy is proposing to buy.

As far as hospitals, reflected in the bill, are concerned, the Navy proposes to add about 800 hospital beds. They are down here at Norfolk. The Air Force proposes seven new hospitals, of which two will be permanent. Five of them are temporary hospitals. And there are additional hospitals for the Army.

In view of the question raised by the distinguished gentleman from Virginia [Mr. SMITH], when he was presenting the bill, in regard to the unexpended balances, when the Committee on Armed Services was holding its hearings on this bill, we minutely inquired how much money was unobligated. Bear in mind that we appropriated last year $3,890,000,000. That $3,890,000,000 did not become available until January and February of this year. The Army has $700,000,000 of this $3,890,000,000 that had not been obligated when they testified; the Navy had $600,000,000 and the Air Force had $1,500,000,000 of public-works money that was appropriated in fiscal 1952 that had not been obligated when they testified. The reason, as I stated when the gentleman from Georgia was addressing the committee, was due to the lateness that the services began to get the money, and also due to the thoroughness with which they scrutinized the awarding of these contracts.

Now, we do not want to get into a position to hurry them up; to make a contract in a slipshod manner. We want them to scrutinize those contracts, so that the thing that the gentleman from Texas [Mr. LYLE] was referring to cannot happen. We want them scrutinized, and it takes time to spend these large sums of money. But at the same time that does not do away with the necessity of watching over these expenditures. So these monies will be spent, but I hope the mere fact that the issue has been raised, and it will be raised by others, will not cause them to jump in in a careless, indifferent manner and make obligations until they have made a thorough investigation.

Mr. Chairman, if you will take this report you will see on page 7 that the Army program is broken down in continental United States into seven Army areas. We took up this bill area by area:

The First Army Area embraces certain States in the northeastern part of the country, and it calls for $8,934,000.

The Second Army Area calls for $23,000,000.

The Third Army Area calls for $23,400,000.

The Fourth Army Area calls for $20,000,000.

The Fifth Army Area calls for $10,000,000.

The Sixth Army Area calls for $14,000,000.

Again, we broke it down further, as will be seen by this report. We broke it down into the various classifications. For instance $58,358,000, or 15 percent of the money requested by the Army, is for research. $17,000,000, or 4 percent, is for land acquisition.

I want to say again in connection with land acquisition that under the law which the Committee on Armed Services sponsored and which you passed, not a foot of land can be acquired by the Army, Navy, or Air Force until the data regarding the actual acreage is submitted to the Armed Services Committees of the House and the Senate and, therefore, we have another shot, if I may use that expression, at it, an opportunity to look over how much it is costing and find out all about the acquisition of additional acreage.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from New York.

Mr. KEATING. Will the gentleman explain, on page 44, section 303, what the significance is of striking out the provision for those installations there, particularly the Friendship Airport in Baltimore? Does this wording mean that we are now authorizing further construction at the airport?

Mr. VINSON. No; we have abandoned Friendship, and it has been put in another place. That is what it was. It was abandoned; it was stricken out. It was in what was known as Public Law 155, and we are striking it out and substituting McGuire.

Mr. KEATING. It was in the bill we passed in this Congress a short time ago?

Mr. VINSON. Exactly.

Mr. KEATING. For the same amount which is in here, or for a larger amount?

Mr. VINSON. The base is not located there now. It is for the same amount.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. GROSS. It is still in the bill I have.

Mr. VINSON. No; it is stricken out. If the gentleman will read the bill, it is stricken out. All those items were stricken out of Public Law 155.

You will see a complete breakdown in this bill of the types and how the money is allocated, $13,500,000, or 3.5 percent, for utilities; $13,500,000 for maintenance and shop facilities, and so forth. Here it is all itemized, all written out. The same thing is true with reference to each and every service.

I want to say to this House that these witnesses were brought here from all over the country. We have these confidential books, these breakdowns of the engineers, these estimates of the Department. These items were read off.

I want to say this, that I know of no more inquisitive men than there are on the Armed Services Committee. Some of my colleagues that are not on the committee now have served on the committee. They know how inquisitive they are. If there was any question that some member did not think about, I was unaware of it. They probed them, they got all the facts; and, as a result of careful investigation, they brought about a reduction of $276,000,000. On a roll call

the committee unanimously recommended that the bill be passed, after we had had four long weeks of hearings.

Mr. EVINS. Mr. Chairman, I want to further commend the distinguished chairman of the Armed Services Committee and the members for the excellent work which has gone into the preparation of this legislation. They have done an exhaustive job in this connection and are deserving of the appreciation of all.

I want to say, however, that the funds herein provided are certainly not in order with the budget recommended needs for the fullest development and construction of the AEDC to get this vast installation in operation at the earliest possible time.

Because this installation in its entirety has received the sanction and approval of the Congress, I do not fear that any action will be taken to cut off that far-sighted project short of completion. What I am fearful of is that we may withhold sufficient funds and thereby delay speedy completion of the project beyond the point of the original schedule, and beyond the point of safety and security of our Nation. What we must do is to give the AEDC the funds it needs, let this project have the funds as fast as they can be properly utilized, and get the job done properly.

All reports indicate that we are behind in aircraft experimentation in jets of all types. We should speed up this program of experimentation.

When this great installation at Tullahoma, Tenn., in the district which I am honored to represent, is completed it will be one of the greatest achievements of its kind in the world. But, while the Air Force is making substantial progress down there in my district on this project, it is a long way from being finished and rather than slow down this construction we ought, in the name of national security, to be speeding it up, or at least, we ought to be permitting it to proceed on schedule.

Construction has been going on for 2 years. In its original conception it was envisioned as an 8-year project.

Just briefly, I should like to list the construction accomplishments to date.

First, the engine-test facility for testing turbojets and ramjets is proceeding steadily and one unit is expected to be in operation by the coming November.

Second, the rail receiving and shipping facilities have been completed.

Third, the headquarters administration building is 90 percent complete.

Fourth, the foundation has been set for the propulsion wind-tunnel facility and the design completed.

Fifth, the gas dynamics is 25 percent complete.

Sixth, operational units for engine testing are scheduled for May of next year.

The complete operational set-up for the propulsion wind tunnel is scheduled for completion in 1958. I strongly feel that we should speed up this construction, that we complete this vast and vital job at AEDC at the earliest possible date—this in the interest of our national defense and security.

Mr. ARENDS. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman of the committee a few questions, but first I should like to make a brief statement:

The legislative history of this bill is dubious to say the least. In addition to being rammed through with little or no warning, it has become more and more classified or secret as it progressed from the Pentagon to the House Armed Services Committee.

In an 11-page news release dated May 1, the brass hats asked Congress for a little more than $3,000,000,000 for so-called military construction. Classified funds of $572,353,000 were asked for in this original Pentagon request.

On the same day of the 11-page Pentagon release, the chairman of the committee introduced H. R. 7694 which contained the amount of classified or secret funds requested by the military.

But this bill, H. R. 7694, was destined to blush unseen and die. It was superseded on June 9 by the bill now before us, H. R. 8120, also introduced by the chairman. This bill was reported under the 2-hour rule on June 10, the day after it was introduced. A report was filed that night—June 10. On the morning of June 11, yesterday, there were no reports available in the committee or in the document room. And, as of this moment, the hearings have not been printed. So we are practically in the dark. Now, to continue with the growth of classified funds. Remember, the original Pentagon 11-page request of May 1, and the chairman's first bill, H. R. 7694, contained a little more than a half billion dollars in classified fund authorizations. But now the bill before us contains $1,343,335,000 in classified or secret funds—about one hundred and forty-three million in title I, eighty-six million in title II, and more than a billion dollars in title III.

In other words, almost half the total authorizations in this bill are classified or secret. These classified or secret funds have more than doubled en route from the Pentagon to the floor of the House. Why? I do not know. That is what I am trying to find out. Neither the public nor rank-and-file Members of the House have been given any information whatsoever about this cast, closed door, and perhaps pap-loaded fund.

Maybe there was some open testimony about this, I do not know. Maybe some information will be in the hearings, but what good will that do us now, allowed, as we are, just 2 hours of debate? In a telephone conversation a few minutes ago, a committe official said the hearings will not be printed for another week, many days after the close of debate and the vote. The public has a right to know these facts—how their elected representatives have been kept virtually in the dark, how almost half the funds in a nearly $3,000,000,000 bill cannot be questioned.

The American people have a right to know that in all too many instances where military funds are concerned, they, the people, and Congress are in a concentration camp of secrecy.

I should like to ask the Chairman whether I understood him correctly to say that all of this classified money will be spent overseas, the amount being almost $1,500,000,000?

Mr. KILDAY. There are practically no funds classified for projects within the United States. The vast majority of it is outside the continental limits of the United States.

Mr. GROSS. Do I understand the gentleman to say that some of the classified funds may be spent in the United States?

Mr. KILDAY. About $6,000,000—I am not certain about that figure and will have to check it.

Mr. GROSS. May I ask the gentleman whether any of these classified funds, which may be spent in the United States, will be spent at Grandview, Mo.?

Mr. KILDAY. No sir, there is nothing in this bill for Grandview.

Mr. GROSS. Then I have the definite assurance from the gentleman that not a dime of these classified funds will be spent at Grandview, Mo.?

Mr. KILDAY. You have the definite assurance that there is nothing authorized in this bill for Grandview, Mo., and I will go further and say that there is nothing authorized in this bill at all for the Air Force in the State of Missouri—that is, in the entire State of Missouri.

Mr. GROSS. I thank the gentleman.

Mr. Chairman, I will probably support this bill on final passage but it will be with the greatest misgiving and only because the bulk of the funds to be authorized are, I hope, to strengthen the air arm. I warn, however, that the building of air bases and other military installations in foreign countries whose armies are still on paper may well play into the hands of Stalin.

Mr. VINSON. Mr. Chairman, I yield 13 minutes to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, this bill of course follows Public Law 155 of the last session. This is a progressive program. We all realize that the Military Establishment must be expanded, and in doing so we must provide facilities in connection with that expansion.

I believe that the Air Force has given us a concrete situation that is very easily understood. You will recall that quite some time ago we had a bitter fight in attempting to authorize a 70-group Air Force. We had gotten no further than about 45. Then we started on the 70-group program. Then it was revised, and we were going to go to 95 wings. We changed the designation from "group" to "wing." A wing is a group with the supporting elements. We had no more than started on the 95-wing program than world conditions made it apparent that we had to do better than that; so we are now working on 143 wings for the Air Force. I believe that is supported by the overwhelming majority of the American people. The American people want us to be self-sufficient, to be strong in air power.

I think we can take a great deal of consolation from the facts developed in the committee and the authority carried in this bill. In the past, emphasis has been on training. Most of the money went for training, because, as you will see if you look at page 18 of the report, you will see that the situation is changing. It is changing for the better, and this should give the American people a great deal more confidence in our strength in the air.

For the Strategic Air Command—of course, that is the fighting command—there is 48.6 percent of the money for the Air Force in this bill.

The Air Defense Command—and this, of course, is for the defense of continental United States—gets 7 percent.

The Tactical Air Command gets 11.2 percent.

So that these three fighting arms of the Air Force are now taking the lead with 67 percent of all the money, whereas the Air Training Command has now dropped down to 16 percent. So that as we progress with the program we are getting beyond the training stage and getting the combat force into being, and we are preparing the bases to take care of them.

This bill received very careful consideration. Naturally, much of the testimony given cannot be printed in the RECORD. I imagine the enemy's espionage in this country is such that it will be able to find out some of what we are doing. But I also understand the attitude of those officers in command of troops overseas, who do not want the enemy to be able to pick up a congressional document and find them revealing the location of bases and the purpose for which each base is to be used. Perhaps the enemy can find the location of the base by flying over the country, but the mission of it, the type of troops on the base, the type of planes, just what technical equipment is to be used certainly ought not to be set out in a congressional document, so that espionage will not even be necessary. If they are going to get it, we should at least make it as hard for them as possible.

We did go over each of these items as to the overseas classified bases. We went over them base by base, the purpose of the installation, the complement of men, the planes, and all that sort of thing were gone into completely by the committee. As the chairman stated, we not only had those members of the Armed Forces who are stationed in headquarters here, but we had men from the field wherever these bases are located overseas. The men from the field came in and testified in detail with reference to them.

The gentleman from Iowa [Mr. GROSS] has raised a question which I intended to speak on prior to his raising it. That is, the amount by which the classified overseas bases was increased in the bill as reported, over the bill as originally offered. In the bill as originally offered there were five titles. One, two, and three, relating to the various services: The Army, the Navy, and the Air Force. Title 4 was general provisions. Then, there was title 5 included in the bill. That provision sought to appropriate $1,000,000,000 to the Secretary of Defense. Bear in mind that there are no funds in this bill authorized for the Secretary of Defense; these funds go to the service Secretaries; they are to be used under the direction of the Secretaries of the Army, of the Navy, and of the Air Force. But title V of the bill would have authorized $1,000,000,000 for the Secretary of Defense, with two references as to the purposes for which he could use it. The title exempts these funds from audit by the General Accounting Office. That provision was in this bill. I think that this should in some wise reassure the committee as to the care with which your Committee on the Armed Services approached this bill. It was not too easy to learn exactly why that provision was in the bill, why it was tacked onto the end of the bill. But it was finally developed that included in that billion dollars were $250,000,000 to be used as the United States contribution to NATO, the North Atlantic Treaty Organization.

There was an agreement by the treaty nations as to the standard air force bases to be built in Europe, and it was divided into four contributions: Slice 1, slice 2, slice 3, and slice 4. Slices 1 and 2 have been made; they have been paid. The first slice was paid for by the other treaty nations and without any contribution from us; slice 2 involved a contribution from the United States. But the funds for that contribution were carried in the Mutual Assistance appropriation and authorization; they were never carried in the military budget. We had just completed action in the House on the foreign aid authorization bill. It included approximately $4,500,000,000 for military assistance to NATO nations. That is why it seemed to me to be inappropriate for this money now to be carried in the military public works bill. In other words, we found buried in our defense authorization bill an additional $250,000,000 which would have increased foreign aid by $250,000,000 over what the House and the Senate had decided should be our program of foreign aid in 1953.

Also included in title V was $750,000,000 for overseas bases of our own to places and facilities needed for standard NATO bases, and for bases which we established. Why they had them all lumped together was a mystery, and it was unusual and unsatisfactory.

We struck out title V of the bill in its entirety; we refused to allow the $250,000,000 item, but we took the $750,000,000 to be used on bases for our own Armed Forces and distributed it through titles I, II, and III, and without any sum being appropriated to the Secretary of Defense to be used in his discretion. Now, as charged by the Committee on Armed Services the funds will not be exempt from audit by the General Accounting Office. And they will be appropriated to the service secretaries to be spent in accordance with standard procedure, subject to audit, subject to control by the service secretaries. Therefore, as I say, we took out the $250,000,000 that was made up of $120,000,000 as a contribution of the United States to NATO for the fiscal year 1953, and $130,000,000 as the United States contribution to NATO for the fiscal year 1954.

We took the position in the committee, and I believe it was unanimous, that the Department was thoroughly unjustified in including in the military budget millions of dollars which in past years had been carried in foreign-aid measures, especially when we are staggering here under a military budget of $50,000,000,000 a year.

Mr. Chairman, when you get to discussing foreign participation, you get into language that we, of the Armed Services Committee, cannot understand. It is State Department language, it is Foreign Affairs Committee language. That explains why the classification of bases overseas has been increased. It has been distributed to the service Secretaries, it has been taken away from the Secretary of Defense, and we have eliminated that portion which sought to increase foreign aid by $250,000,000.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman has partially answered the questions I wanted to ask. But still I am not exactly clear. The gentleman spoke of a bill and the military budget. This came over in a bill or in the military budget?

Mr. KILDAY. All of the funds in this bill are included in this year's budget. This does not increase the budget which came from the President at the opening of the Congress.

Mr. GROSS. I was thinking in terms of the $250,000,000 they asked for NATO. Was that in a bill sent over from the Pentagon?

Mr. KILDAY. That was in a bill which came over, the original bill, and in the bill it was title V.

Mr. GROSS. In other words, the Pentagon wrote the bill that contained this?

Mr. KILDAY. Yes, and we rewrote it in committee and we took out the items that we believed should not be there.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Ohio.

Mr. VORYS. I have no comment to make about what the gentleman said. I merely want to remind the House that the Foreign Affairs Committee reported to the House that the administration had decided to put this in another bill.

Mr. KILDAY. The gentleman is correct, and I am glad he is here.

Mr. VORYS. I merely want it understood there were no shenanigans on the part of either the executive departments or the Foreign Affairs Committee in reporting this.

Mr. KILDAY. Yes, and I should modify my statement to that extent. The $250,000,000 was buried in a total of a round billion dollars, a round billion dollars appropriated for the Secretary of Defense.

Mr. VORYS. I want to ask the gentleman one other question, if I may. We presented a figure of $1,052,000,000 that

is to be expended by the Defense Department in 15 of the nations and their territories that are involved in the foreign-aid program, which will involve dollar aid to those countries because they will obtain dollars through their banks for the purchase of their needs. I wonder if before the gentleman's committee there was any breakdown of how much of that comes out of the $1,003,000,000 of bases that are to be built outside the United States, and whether there is any identification of the dollar money that was to be spent in these foreign countries under this bill?

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. ARENDS. Mr. Chairman, I yield the gentleman four additional minutes.

Mr. VORYS. Mr. Chairman, I want to point out that even though the committee has properly cut out this item that is so definitely a part of the mutual defense program, there is still involved in this bill a great deal of money which will incidentally or consequentially be economic aid to the countries in which the money is spent. I wonder if the gentleman can tell us how much that is?

Mr. KILDAY. No, I am not in a position to say. Of course, a great deal of the labor for construction, practically all of it, will be employed overseas, which will constitute assistance; most of the building that is to be done is of the European type, so the vast majority of the materials will be bought overseas.

Mr. VORYS. If materials can be bought overseas and if labor can be furnished overseas, I am wondering whether there is to be any overseas contribution to these bases which are not only for our own security but for the security of the free world?

Mr. KILDAY. No; the money we have in this bill does not contemplate contributions from other nations. The money we have in this bill will bring bases up to the standards which we must have. Some of the nations will not quarter their troops on bases. We must quarter our troops on the bases. We therefore take the runways, the storage facilities, and so forth, and we put on it the barracks and those things which we need for a usable base. That money is necessary.

Mr. VORYS. I want to point out, insofar as that is the case, that constitutes very substantial economic aid to those countries through this bill.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Illinios.

Mr. MASON. I have no questions to ask, sir. I want to make a statement, however, that when I came to the floor of this House I had grave, conscientious doubts as to whether I could vote for this bill. There were doubts that I had in my mind. Most of those doubts have evaporated as a result of the gentleman's clear-cut analysis and picture that he has given me, as well as the Chairman. I am now ready, and I am glad to say it, to vote for this bill.

Mr. KILDAY. I thank the gentleman; I am very pleased with that statement, but I am sure that neither the Chairman nor I knew that we were so persuasive.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from North Carolina.

Mr. DURHAM. I think the gentleman did not point out the fact that was developed in the committee that out of this request for $250,000,000 so-called second slice, that they would only use $20,000,000 this year.

Mr. KILDAY. The gentleman is correct, but that information did not come to us until the third appearance of the Department of Defense before the committee. Originally they tried very earnestly and diligently to get this $250,000,000 put into the military budget, and they did not get it done. At the last appearance of the Department of Defense before the committee we queried them, and they admitted that they could get the money out of the present foreign-aid program and carry out their commitment to NATO. So that the NATO commitment will be taken care of. It boils down to the fact that we made for a saving of $250,000,000 on foreign aid because of the diligence with which we pursued it, and I might say it took us an entire day to get the key to the situation involved in title 5, which carved $1,000,000 for the Secretary of Defense.

Mr. Chairman, I think you will find the bill in order.

Mr. ARENDS. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, it is hardly necessary to add anything as to the nature, purpose, and need for this bill than has already been brought out by our able chairman of the Committee on Armed Services [Mr. VINSON]. I am constrained to say that I always listen to his remarks with admiration for his ability and knowledge of defense matters and with pride of being a member of his committee.

There are a couple of points I should like to make, very briefly, if only for the purpose of reemphasis. Every one of us would prefer not to have to authorize the large expenditure for military and naval construction this bill provides. Every one of us is deeply conscious of the impact of extensive military spending on our economy and no little concerned over our present fiscal situation.

I, for one, take the position that no item of expenditure should be authorized or appropriated for unless it can be clearly shown to be absolutely necessary. This applies to defense proposals as well as to other Government expenditures. The existing threat to our national security compels us to give our defense requirements priority. It then behooves us to determine what, of the innumerable items that go to make up our defense, should have priority as between themselves in order to get the kind of defense we should have with maximum speed, a minimum of expenditure, and a minimum of impact on our whole national economy.

Such was my approach to the military and naval construction program recommended to our committee by the Department of Defense. And, in general, I think it was the approach of the entire committee. With painstaking care the committee examined every proposed construction, evaluating each item as to its actual need now or at some future date, whether it was essential at this time or something that could be postponed.

The bill before us is the result of these labors, and the committee report is unanimous. I would not dogmatically say that every single item authorized by this bill is necessary. I believe that it is, but in arriving at my conclusions on the respective items I naturally, as did the entire committee, relied upon the advice and explanations given us by our military people. I can only say that the committee's study was most searching, and this bill is our unanimous conclusion as to what should now be undertaken for our national defense.

The major part of the construction authorized by the bill is for the Air Force. It is largely for the construction of air bases and installations overseas. This program is designed to make it possible for us to retaliate immediately and effectively in the event of any move against us. No purpose would be served if we develop the best and largest quantity of atomic weapons but fail to provide the Air Force with adequate facilities to deliver this weapon.

In modern warfare the best defense is the best offense. We must be in a position to carry the fight to the enemy if and when that fateful time arises. And in this connection I should like to comment that in my opinion greater emphasis should be placed than is now being placed on naval aviation. It goes without saying that the mobile air base provided by an aircraft carrier is a defensive and offensive weapon of incalculable value. In my judgment, it is a serious mistake to overemphasize the land based air force at the expense of naval aviation.

In giving my endorsement of the program proposed by this bill for overseas air bases I do so with this reservation as to the kind of defense we should have. I believe that the air bases proposed to be constructed by the bill are necessary in meeting our strategic and tactical requirements in the existing world situation. At the same time, I earnestly feel that these requirements can be still more effectively met if we give more attention to the striking power, with the additional advantage of mobility, of the aircraft carrier in delivering the weapons on the enemy. We must have a balanced national defense, and it is well to bear in mind that we have become a maritime nation.

Mr. Chairman, this bill has been carefully prepared. We have sought to confine the bill only to that which is essential for our country's security. We have endeavored to authorize only that which is necessary. Our Committee on Armed Services voted unanimously to report this bill, and I hope it will have the unanimous approval of the House.

Mr. VINSON. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, this bill has been so well explained that it is not necessary for me to take up the time of the House. The one thing I

would like to point out is the fact, after having studied defense matters now for some 13 or 14 years, and having been on committees that have developed these programs, I feel like we have developed programs since the Korean war began on a much sounder procedure developing national defense than we have in years heretofore. If the Members of the House could get a true picture of actually what is involved in this bill, and the developments which will take place in the next 12 or 18 months under this measure and also under the appropriation, if the Committee on Appropriations grants the appropriation, it will, in my opinion, definitely stand America in a position where she has never stood before in the national-defense picture to take care of not only our own internal security but go a long ways toward securing the other countries of the world who desire to live under conditions like we do.

The development of this strategic pattern is a beautiful picture. It is one about which I cannot go into detail here, however. The development of the radar screen, the development of the fighter force, the development of these fields, the development of the strategic air force, where it sits and what it has to do, and its operation when it starts—this whole thing is integrated into that plan. You cannot simply take the question of one base, as to why it is not located here or not located there. When you get the over-all picture and get this operation in mind, you find that everything is well and definitely planned for the movement of the troops, for the carrying of the atomic weapons, and for the movement of the fighter forces; and all these things are integrated with the Navy and Army operations. It is a beautiful picture.

At the present time we all know that we have had to develop fields that cost money, because of the change in the operation of our planes. They are much larger. They require much longer base structures. They also require a good deal heavier structure in the concrete or blacktop or whatever you build them out of, because of the weight of the planes.

The money involved in this, of course, as pointed out by the chairman, is carried in the budget this year. In my opinion, the committee did an excellent job. Every member of this committee has always conscientiously tried to do a good job. We are just as much interested as anybody else in trying to save the taxpayers from overexpenditure of funds.

I guess we will have people that will try to squeeze the Government out of funds as long as we live. We have had that type of people, since the birth of men; we do get them, but they are few in number. The way the committee is set up to operate and survey each project and each operation under the laws that have been passed recently is entirely different from what it was a few years ago. We had to depend upon going out and getting the information by pulling it out and squeezing it out, in the old days of World Wars II and I, and it was not a good method. But now the reports have to come to this committee and we can discover these things much more quickly than we used to be able to.

I am sure the committee will always, at any time, investigate the complaints of Members. It does not make any difference what you have, if any Member of Congress has a complaint and brings it to us, we will go into it and try to find out if somebody is trying to beat the Government and the taxpayer out of funds. It is proper that we should do that. We should watch it at all times, because those things will happen and they create a scandal, which is not good for national defense.

I would like to speak to the secret part of this bill.

I guess the Soviet Union would like to know probably better than any one thing where the real center of our communications system, which operates world-wide is located. If we were to say in detail and at what place we are expending these funds for it would be the best information the Soviet Union could have. You who have served on these committees know how difficult it is at the present time to get any information whatever from behind the iron curtain. It is a difficult job. But if we in this country were to blueprint everything and put it in the hearings, with information as to every one of these secret bases, it would be an open book. We just cannot operate like that. I think it would be a mistake. However, if any Member of Congress wants to know what these funds are to be spent for, I am sure the committee will always inform him. However much of this is confidential information, and it should be confidential.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. SHAFER. Is it not true that this legislation provides for an expansion of the Air Corps to the point where we will be able to develop the number of groups, which all of us have wanted, and have sought since early in the Eightieth Congress?

Mr. DURHAM. The gentleman is exactly correct. If you do not do this, you can never have the 125 or 146 wing group for the Air Force.

Mr. SHAFER. That is what I think should be made clear here to the membership. I do not believe there is a Member on the floor of the House who has opposed the expansion of our Air Force to the point where we would have air superiority, and in order to have that necessary expansion, we must have this public-works program.

Mr. DURHAM. The gentleman is exactly correct. We must have that. In a few days, we are going to be asked, probably, for an expansion of facilities for production of fissionable material to the extent of approximately $3,000,000,000 more. The whole thing is integrated to fit into this plan.

Mr. SHAFER. It is true too; is it not that the entire Committee on Armed Services has spent a month and more in going over this entire program, and that we have been careful to weed out unnecessary expenditures, which we, in committee, thought might be unnecessary, but which we may yet find are actually necessary and should be included?

Mr. DURHAM. If any Member can get up on the floor of the House and justify taking anything out of this bill, which we have put into this bill, after they get the complete picture of the whole operation, personally I will be willing to go along with such action, if he can prove to me it is not justified. I am as deeply concerned as any American about waste of public funds, but I am also concerned about the security of my country.

Mr. ARENDS. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. HAND].

Mr. HAND. Mr. Chairman, I would like to emphasize what my colleague, the gentleman from Michigan [Mr. SHAFER] just said. In my opinion, the future of the United States, and certainly our physical safety and security depends largely on having an Air Force, which without question is superior to any potential enemy. I, therefore, propose, of course, to support this bill and I urge that it be adopted.

Among other important installations, the bill authorizes $73,523,000 for the establishment of the Hammonton Air Force Base. I have spent many hours with officials in the Air Force on this subject and I am persuaded that this base is destined to be a key base on the entire eastern seaboard. The Air Force thinks, and I agree, that location is strategic and otherwise ideal.

Among many incidental benefits which will arise if and when it is constructed is the ultimate creation of some 8,000 to 12,000 civilian jobs of almost every variety.

In an area where unemployment is chronic, this, I feel, will be of enormous benefit. Since the Committee on Armed Services unanimously reported this bill and thus concurred with the estimate of the Air Force as to the necessity of the Hammonton Base, I feel certain that it will meet with no opposition in the House, but I do urge your support of this authorization and the entire bill.

Mr. ARENDS. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I take this time to ask a question either of the chairman of the committee or any member of the committee about the matter that the Bonner subcommittee had been concerned with, namely, the attempt on the part of the Air Force to set up an independent supply system for common use items. Incidentally, there were orders that they were not to do that. But our experience and investigation in Europe showed that they were embarked upon that program. I am concerned in knowing whether or not the committee found any items for constructing warehouses abroad that could be pinned down to that particular program?

Mr. VINSON. We did not. I will say to the gentleman from Missouri, there is no such item. We have approached the matter in this way. Where there can be joint utilization, why then we have joint utilization. If you find a warehouse for the Army, Navy, or the Air Force alone, it is only due to the fact that we do not have facilities where a common warehouse could be used.

Mr. CURTIS of Missouri. But the committee did go into that?

Mr. VINSON. Oh, yes.

Mr. CURTIS of Missouri. Will that show up at all in the hearings, Mr. Chairman?

Mr. VINSON. The committee members are just as deeply interested in carrying out unification to its very letter as anyone in the House. We want to have one source, if possible, to get these supplies from. You have seen how this works in the hospital situation: We have complete joint utilization of hospitals. Wherever it is possible, with respect to warehouses or any other facilities, to have joint utilization it is our plan to have joint utilization. Where it is not possible, then we have to build separate warehouses.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. VINSON. Mr. Chairman, I yield such time as he may desire to the distinguished gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, I ask unanimous consent on behalf of my colleague the gentleman from Louisiana [Mr. BROOKS] that he may insert his remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Chairman, as the ranking Democratic member of the Armed Services Committee, I felt, as did the chairman of the committee, a strong and abiding sense of responsibility with respect to H. R. 8120. During the hearings on this bill I sat with the committee day after day, and on occasion presided at sessions. I was impressed as I have never before been impressed with the careful thought, the enlightened departmental planning, and the obvious need for the construction items set out in this bill. The back-up material was voluminous and highly detailed. Almost 2,000 pages of testimony were taken during the hearings on H. R. 8120.

The public-works authorization included in this bill reflects the committee's conception of the minimum construction necessary to supplement existing facilities and the maximum new development which can be presently undertaken and still permit the military expansion programs previously authorized to proceed in an orderly and efficient manner. We recognize that the programs developed and submitted by the military departments were considered to be the essential levels of construction necessary for the efficient operation of the approved Armed Forces. Keeping this in mind, the committee reviewed construction items and submitted each to detailed examination, and the individual construction items which now appear in H. R. 8120 are considered to be those which are of the utmost urgency at this time.

This bill is an essential step in building the defense of this country. Manpower and the courage of that manpower are of little use without the proper facilities to train and prepare it for battle. This country's great airplane productive potential is useless without fields from which to fly the planes. Operational bases are an absolute necessity.

H. R. 8120 is a good bill, a necessary bill, a bill for the strengthening of the national defense, and I urge the Congress to give it the most favorable consideration.

Mr. VINSON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I wish to preface my remarks on this legislation by saying it is my intention to support the pending legislation. I think it is a step in the direction, which will not only implement but perfect our defense efforts. However, I say in behalf of myself and my colleagues from West Virginia, I want to protest the apparent practice of some of our departments in Washington of making a stepchild out of the State of West Virginia. Despite the fact that my State of West Virginia has all of the raw materials, practically, needed to make war—and I am speaking of our bountiful supply of coal, oil, and gas, and the fact that we have the greatest chemical industry in the country in the Kanawha Valley in West Virginia—for some reason, both in the past and in the present, we have been totally ignored. We have a World War I naval installation in a naval armor plant at Charleston, W. Va. We have a World War II installation at Morgantown that is engaged in making ammonia for fertilizer purposes. That is all that the State of West Virginia has been accorded. I find on looking over this bill we are not accorded one new facility, despite the fact that there are installations in West Virginia, and I am speaking now of the chemical industry, that needs to have a cover screen of Air Force protection for that important industry. We have three or four major east-west railroads passing through the State of West Virginia, through numerous gorges, where a single bomb would close them for weeks or months. We have major east-west highways traversing this State. We need a cover airport.

I appeared before a committee of the Air Force and I also appeared before the Armed Services Committee, trying to sell them the idea. They seemed to be interested, but the bill turns up without any provision for the protection that we are asking for.

I would like to ask the distinguished chairman of the committee if there is a possibility that this situation might be remedied in the future.

Mr. VINSON. I will say to the distinguished gentleman that I certainly trust the Department of Defense is studying the proper defense of the country, and now looking over that section so important in industrial production, that it may be possible, if the military requirements warrant it, to put a base in that great industrial section of West Virginia. All the interceptor bases for the continental United States are keyed in to various factors. I assure the gentleman I will call it to the attention of the proper officials and make a most careful investigation.

Mr. BAILEY. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. VINSON. I have no further requests for time, Mr. Chairman.

Mr. ARENDS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I am glad there are several items in this bill for my district. There is an item for Fort Devens at Ayer, $2,350,000. For Watertown Arsenal, $320,000 at Watertown in my district. For Hanscom Field, Bedford Research Center, Bedford, Mass., in my district, $10,525,000. They are all very much needed authorizations and expenditures, and they should have been made a great many months ago.

Fort Devens is a reception center and also a separation center. It is not as large as it should be, and it should be increased to its former strength.

There is ample opportunity for a full division at Fort Devens. We had a full division and it was taken away by error, I believe.

Hanscom Field at Bedford is a fine airport. They have Massachusetts Institute of Technology, and other technical colleges nearby and at Lowell they have a fine technical course at the Lowell Textile Institute to help them greatly in their research work.

Then there is a $3,996,000 for the Boston Navy Yard. Part of metropolitan Boston is in my district.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. VINSON. Mr. Chairman, I have no further requests for time. I ask that the bill be read for amendment.

The Clerk read as follows:

Be it enacted, etc.—

TITLE I

SECTION 101. The Secretary of the Army, under the direction of the Secretary of Defense, is hereby authorized to establish or develop military installations and facilities by the construction, conversion, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances and utilities, as follows:

CONTINENTAL UNITED STATES

Field force facilities

(First Army Area)

Fort Devens, Mass.: Troop housing, covered storage and community facilities, $2,356,000.

Fort Dix, N. J.: Troop housing, and medical facilities, $5,007,000.

Fort Tilden, N. Y.: Community facility, $77,000.

Fort Totten, N. Y.: Utilities, $48,000.

Fort Wadsworth, N. Y.: Maintenance and closed storage facilities, $352,000.

Camp Wellfleet, Mass.: Troop housing, administrative, operational, maintenance, ammunition storage, and community facilities, $1,097,000.

(Second Army Area)

Fort Campbell, Ky.: Troop housing, operational, maintenance, and training facilities and utilities, $5,125,000.

Fort Knox, Ky.: Troop housing, training buildings and facilities, research and development facilities, maintenance facilities, land acquisition, and utilities, $16,794,000.

Fort George G. Meade, Md.: Administrative, operational, maintenance and communications facilities, ammunition storage and utilities, $1,454,000.

Camp Pickett, Va.: Training buildings and administrative facilities, $142,000.

(Third Army Area)

Fort Benning, Ga.: Administrative, operational, and maintenance facilities, ammunition, cold, covered, and open storage, and utilities, $5,753,000.

Fort Bragg, N. C.: Troop housing, maintenance and operational facilities, ammunition, liquid fuel, covered and open storage, and land acquisition, $15,325,000.

Camp Gordon, Ga.: Administrative, facility, $125,000.

Fort Jackson, S. C.: Administrative facility, training buildings, and utilities, $182,000.

Camp Rucker, Ala.: Ammunition storage facilities, $96,000.

Fort McClellan, Ala.: Administrative, operational, and maintenance facilities, covered storage, and land acquisition, $893,000.

Fort McPherson, Ga.: Ammunition storage, $42,000.

Camp Stewart, Ga.: Utilities, $1,024,000.

(Fourth Army Area)

Fort Bliss, Tex.: Training buildings, administrative and maintenance facilities, $5,036,000.

Camp Chaffee, Ark.: Maintenance facility, $461,000.

Fort Hood, Tex.: Maintenance facilities, utilities, and land acquisition, $10,516,000.

Camp Polk, La.: Administrative and maintenance facilities, open and covered storage, $608,000.

Fort Sill, Okla.: Troop housing, maintenance facilities, training buildings, open storage, and utilities, $4,374,000.

(Fifth Army Area)

Camp Atterbury, Ind.: Maintenance facility and open storage, $315,000.

Fort Custer, Mich.: Maintenance facility and ammunition storage, $115,000.

Camp Crowder, Mo.: Permanent troop and troop support facilities, $1,980,000.

Fort Benjamin Harrison, Ind.: Administrative facility and training building, $7,600,000.

Fort Riley, Kans.: Operational and maintenance facilities, $370,000.

(Sixth Army Area)

Camp Cooke, Calif.: Maintenance facility, $150,000.

Camp Hanford, Wash.: Troop housing, administrative facilities, ammunition and covered storage, and utilities, $528,000.

Fort Huachuca, Ariz.: Operational facility, training buildings and covered storage, $582,000.

Fort Lewis, Wash.: Operational and maintenance facilities, open and liquid fuel storage and utilities, $942,000.

Fort Ord, Calif.: Troop housing and utilities, $7,888,000.

Camp Stoneman, Calif.: Troop housing, $1,476,000.

United States Disciplinary Barracks, Camp Cooke, Calif.: Troop housing, $293,000.

Yuma Test Station, Ariz.: Troop housing, administrative, communications, medical, operational, maintenance and training facilities, research and development and test facilities, covered and ammunition storage facilities and utilities, $2,520,000.

(Military Academy)

United States Military Academy, N. Y.: Training building, $280,000.

Technical service facilities

(Ordnance Corps)

Aberdeen Proving Ground, Md.: Troop housing, training buildings and facilities, research and development and test facilities, ammunition storage, airfield pavements and utilities, $6,850,000.

California Institute of Technology, California: Research and development and test facilities and utilities, $897,000.

Detroit Arsenal, Mich.: Administrative and research and development facilities, $2,398,000.

Malta Test Station, N. Y.: Research and development and test facilities, land acquisition and utilities, $479,000.

Michaud Industrial Facilities, New Orleans, La.: Acquisition for conversion without reimbursement to General Services Administration for any interest it may have in the facilities.

Picatinny Arsenal, N. J.: Research and development and test facilities, and land acquisition, $1,356,000.

Redstone Arsenal, Ala.: Maintenance and operational facilities, research and development and test facilities and utilities, $6,447,000.

Watertown Arsenal, Mass.: Covered storage, operational facility and utilities, $320,000.

White Sands Proving Ground, New Mexico: Troop housing, training buildings, medical and maintenance facilities, research and development facilities, and utilities, $8,214,000.

(Chemical Corps)

Army Chemical Center, Maryland: Research and development and test facilities and ammunition storage, $800,000.

Camp Detrick, Md.: Research and development and test facilities, land acquisition, utilities, and deficiencies, fiscal year 1951 and fiscal year 1952 programs, $17,197,000.

Dugway Proving Ground, Utah: Research and development and test facilities, and land acquisition, $864,000.

Fort Terry, N. Y.: Administrative, operational and maintenance facilities, research and development and test facilities and utilities, $5,386,000.

(Signal Corps)

Fort Monmouth, N. J.: Troop housing and research and development facility, $8,600,000.

Tobyhanna Signal Depot, Pennsylvania: Deficiency fiscal year 1952 program, $352,000.

Two Rock Ranch, California: Troop housing and utilities, $564,000.

Vint Hill Farms, Virginia: Family housing, $341,000.

(Corps of Engineers)

Army Map Service, District of Columbia: Operational facility, $846,000.

Fort Belvoir, Va.: Administrative, operational, and maintenance facilities, training buildings, covered ammunition and open storage, research and development and test facilities and utilities, $2,968,000.

(Transportation Corps)

Brooklyn Army Base, N. Y.: Maintenance and operational facilities, $561,000.

Fort Eustis, Va.: Administrative and operational facilities, liquid fuel, open and covered storage, airfield pavements and utilities, $3,233,000.

New Orleans Army Base, La.: Covered storage, $60,000.

(Army Medical Service)

Madigan Army Hospital, Washington: Operational facilities and utilities, $274,000.

Walter Reed Army Medical Center, Washington, D. C.: Operational facilities and research and development facilities, $731,000.

OUTSIDE CONTINENTAL UNITED STATES

(Alaskan Area)

Big Delta, Alaska: Family housing, troop housing, ammunition, liquid fuel, open, closed, and cold storage, community, operational, research and development and test facilities, training building and utilities, $5,109,000.

Elison Air Force Base, Alaska: Administrative, operational and maintenance facilities, ammunition storage and utilities, $2,969,000.

Kenai, Alaska: Family housing, operational, maintenance, community and waterfront facilities, liquid fuel storage, training building and utilities, $3,907,000.

Ladd Air Force Base, Alaska: Family housing, administrative and maintenance facilities, ammunition storage and utilities, $4,737,000.

Fort Richardson, Alaska: Family housing, troop housing, administrative, operational and maintenance facilities, open, covered, ammunition and cold storage, and utilities, $20,257,000.

Whittier, Alaska: Family housing, troop housing, administrative, operational and maintenance facilities and utilities, $2,847,000.

(Far East Command Area)

Okinawa: Family housing, troop housing, administrative, operational, maintenance, training buildings and facilities, ammunition and coverage storage, and utilities, $20,700,000.

(Caribbean Area)

Corozal, C. Z.: Operational and maintenance facilities, open storage and utilities, $1,800,000.

Fort Buchanan, P. R.: Cold storage facility, $942,000.

Quarry Heights, C. Z.: Administrative facilities, $310,000.

(Hawaii)

Helemano Radio Station, T. H.: Communication facility, $39,000.

(General)

Various locations: For restoration or replacement of facilities damaged or destroyed and provision for other urgent construction requirements, $5,000,000.

SEC. 102. The Secretary of the Army, under the direction of the Secretary of Defense, is authorized to establish or develop classified military installations and facilities by the construction, conversion, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities in a total amount of $143,010,000.

TITLE II

SEC. 201. The Secretary of the Navy, under the direction of the Secretary of Defense, is authorized to establish or develop naval installations and facilities by the construction, conversion, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities, as follows:

CONTINENTAL UNITED STATES

Shipyard facilities

Naval Shipyard, Boston, Mass.: Water-front shop and storage building, barracks and bachelor officers' quarters, electronics and electric shop expansion, $3,996,000.

Naval Shipyard, Brooklyn, N. Y.: Reconstruction of drydock No. 3, construction of new crane tracks, $6,325,000.

Naval Shipyard, Charleston, S. C.: Extension to battery overhaul shop, barracks, galley and messing facilities, steam and electric services, addition and modifications to electrical system and new building for electronic and electric shops and electronic laboratory, $7,329,000.

Naval Shipyard, Philadelphia, Pa.: Submarine battery assembly and charging building, electrical services for pier C, $1,065,000.

Naval Shipyard, Portsmouth, N. H.: Increase of enlisted barracks capacity, $380,000.

Fleet facilities

Naval Base, Newport, R. I.: Fleet berthing facility, $5,140,000.

Commander in chief, Atlantic Fleet Headquarters, Norfolk, Va.: Expansion of facilities, $374,000.

Naval Base, Norfolk, Va.: Additional facilities for convoy escort vessels, including construction of one new pier, extension of three existing piers, and acquisition of land; ammunition barge mooring facilities and fleet landing, $5,043,000.

Aviation facilities

Marine Corps Auxiliary Landing Field, Beaufort, S. C.: Airfield pavements, operational facilities, and acquisition of land and easements, $3,792,000.

Naval Auxiliary Landing Field, Edenton, N. C.: Barge fuel delivery, including waterfront facilities, dredging, pipeline, pumping plant, and unloading facilities, $195,000.

Marine Corps Air Station, Miami, Fla.: Airfield pavements, land acquisition, fuel-storage facilities, ammunition storage, and roads, $3,734,000.

Naval Air Test Center, Patuxent River, Md.: Additional research and development and test facilities, operational facilities, and supporting facilities, $4,767,000.

Naval Air Material Center, Philadelphia, Pa.: Research and development and test facilities, $2,300,000.

Naval Air Station, Omaha, Nebr.: Land acquisition, operational facilities, airfield pavements, fuel storage, communication facilities, and roads, utilities, and services, $3,500,000.

Naval Air Missile Test Center, Point Mugu, Calif.: Guided-missile test and evaluation facilities, $3,717,000.

Naval Air Facility, Weeksville, N. C.: Sewage-treatment plant and helium-purification plant, $237,000.

Supply facilities

Naval Supply Center, Byron, Ga.: Administrative facilities, maintenance facilities and shops, medical facilities, storage and supply handling facilities, railroad facilities, security fencing and buildings, utilities, architectural and engineering services, and acquisition of land, $11,072,000.

Naval Supply Depot, Great Lakes, Ill.: Covered storage, utilities, security fence, and site preparation, $3,281,000.

Naval Supply Depot, Jacksonville, Fla.: Acquisition of land and architectural and engineering services, $632,000.

Naval Supply Center (Cheatham Annex), Norfolk, Va.: Training facilities and troop housing, $652,000.

Naval Supply Depot, Scotia, N. Y.: Covered storage facilities, utilities, acquisition of land, and security fencing, $3,625,000.

Naval Supply Depot (Point Loma), San Diego, Calif.: Aviation gasoline and jet fuel bulk storage facilities and distribution system to Naval Air Station, Miramar, Calif.; pumping plant, water-front facilities, utilities, acquisition of easements, and achitectural and engineering services, $3,933,000.

Naval Supply Depot, San Pedro, Calif.: Aviation fuel pipeline from bulk storage, Norwalk, Calif., to the Marine Corps Air Station, El Toro, Calif., including pumping plant, utilities, acquisition of easements, and architectural and engineering services, $1,670,000.

Puget Sound Area, Seattle, Wash.: Administrative and covered storage facilities, aviation gasoline and jet fuel bulk fuel storage facilities, utilities, water-front facilities, land acquisition, and architectural and engineering services, $2,204,000.

Marine Corps facilities

Marine Corps Depot of Supply, Albany, Ga.: Depot and Supply School facilities, $14,463,000.

Marine Corps Schools, Quantico, Va.: Communications Officers' School, $163,000.

Ordnance facilities

Naval Ammunition Depot, Charleston, S. C.: Improvement of ammunition issue and transshipment facilities, including dredging, $535,000.

Alleghany Ballistics Laboratory, Cumberland, Md.: Testing facilities, storage facilities, operating facilities, maintenance facilities and shop, administrative facilities, and security fencing, $593,000.

Naval Ordnance Test Station, Inyokern, Calif.: Electric power system extension and improvements, and runway extension, $1,629,000.

Naval Degaussing Station, Norfolk, Va.: Deperming facility, $2,000,000.

Naval Ammunition Depot, St. Juliens Creek, Va.: Quality evaluation laboratory, $326,000.

Naval Station, San Diego, Calif.: Deperming facility, $288,000.

Naval Ordnance Laboratory, White Oak, Md.: Underwater weapons assembly and test building, $428,000.

Naval Mine Depot, Yorktown, Va.: Barracks, $630,000.

Penn State College, State College, Pa.: Addition to Ordnance Research Laboratory, $915,000.

Various locations: Additional magazines and inert storehouses and guided-missile storage, test and conditioning facilities, $21,248,000.

Service school facilities

Naval Academy, Annapolis, Md.: Improvement of academic buildings, $1,800,000.

Naval Amphibious Base, Coronado, Calif.: Amphibious assault trainer and galley and messhall, $2,100,000.

Naval Amphibious Base, Coronado, Calif.: Am- and training building and acquisition of land, $3,279,000.

Post Graduate School, Monterey, Calif.: Completion of engineering school, $3,500,000.

Fleet Air Defense Training Center, Point Loma, Calif.: Purchase and installation of technical and collateral equipment, $3,300,000.

United States Naval Supply Schools, Athens, Ga.: Acquisition of real estate, including improvements, purchase and installation of technical and collateral equipment and construction of new buildings and improvement of existing buildings, $2,250,000.

Medical facilities

Naval Medical Supply Depot, Edgewater, N. J.: Site preparation, storage facilities, utilities and services, and transfer of stores and equipment, $1,155,000.

Naval Hospital, Norfolk, Va., area: Construction of permanent hospital, $12,815,000.

Communication facilities

Naval Communication Station, Annapolis, Md.: Site preparation, utilities and communications facilities, including building, $1,616,000.

Naval Communications Station, Snohomish County, Wash.: Super high power VLF facilities, collateral equipment, accessory construction and family housing, $1,520,000.

Naval research facilities

Naval Research Laboratory, Anacostia, D. C.: Fireproof chemistry laboratory, and modernization of electrical distribution system, $500,000.

Yards and docks facilities

Naval Construction Battalion Center, Davisville, R. I.: Site preparation, troop housing, brig, medical facilities, training buildings, covered storage and utilities, including heating plant, $2,670,000.

Key West Aqueduct, Key West, Fla.: Improvements to aqueduct system, $495,000.

Various locations: Construction of AFDL floating drydocks, $4,500,000.

Naval Observatory facilities

Naval Observatory Time Service Substation, Richmond, Fla.: Permanent facilities, $96,000.

Hydrographic facilities

Hydrographic Office, Suitland, Md.: Addition to existing Hydrographic Office, $687,000.

OUTSIDE CONTINENTAL UNITED STATES

Fleet facilities

Naval Station, Adak, Alaska: Marine barracks and facilities, $2,700,000.

Naval Operating Base, Guantanamo Bay, Cuba: Dredging, mooring, new pier, target-repair facilities, $3,185,000.

Naval Operating Base, Guam, Marianas Islands: Oxygen, carbon dioxide, and acetylene plants, $820,000.

Naval Base, Pearl Harbor, Territory of Hawaii: Submarine water lines, fresh-water lines, dock facilities, $2,442,000.

Naval Station, Subic Bay, Philippine Islands: Dock construction, sea-wall extension, $2,774,000.

Aviation facilities

Naval Air Station, Agana, Guam, Marianas Islands: Administration and operation facilities, troop housing and messing facilities, $1,482,000.

Naval Station, Argentia, Newfoundland: Airfield pavements, and family quarters, $2,084,000.

Naval Air Station, Barbers Point, T. H.: Airfield lighting, $346,000.

Naval Air Station, Guantanamo Bay, Cuba: Operational and maintenance facility, airfield pavement, $1,135,000.

Naval Air Station, Kodiak, Alaska: Airfield lighting, operational facilities, and water front facilities, $1,480,000.

Naval Air Station, Kwajalein, Marshall Islands: Family quarters, $1,131,000.

Naval Air Facility, London, England: Operational and administrative facilities, airfield pavements, utilities and storage facilities, $692,000.

Ordnance facilities

Naval Ammunition Depot, Oahu, T. H.: Quality evaluation laboratory, $847,000.

Communication facilities

Naval Communication Station, Guam, Marianas Islands: Permanent communication facilities, $1,721,000.

Yards and docks facilities

Various locations: Replacement of temporary family quarters, utilizing military construction of personnel and facilities, at no more than $5,000 per unit for cost of materials, supplies, and collateral equipment, including transportation thereof, $12,000,000.

SEC. 202. The Secretary of the Navy under the direction of the Secretary of Defense, is authorized to establish or develop classified military installations and facilities by the construction, conversion, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities in the amount of $86,397,000.

SEC. 203. Public Law 155, Eighty-second Congress, is hereby amended as follows:

Strike so much thereof under the heading "Continental United States" and subheading "Supply Facilities" in section 201 as reads as follows:

"Navy Shipyard, Boston, Mass. (Fuel Facility): Aviation gasoline and jet fuel bulk storage; $2,766,500."

and insert in lieu thereof the following:

"Harpswell Neck Fuel Facility, Portland, Maine, Area: Aviation gasoline and jet fuel bulk storage; $2,766,500."

SEC. 204. So much of title II, section 201, Public Law 910, Eighty-first Congress, approved January 6, 1951, as authorizes the construction of a dam at Camp Pendleton, Calif., is hereby repealed.

TITLE III

SEC. 301. The Secretary of the Air Force, under the direction of the Secretary of Defense, is hereby authorized to establish or develop installations and facilities by the construction, conversion, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities, as follows:

CONTINENTAL UNITED STATES

Strategic Air Command

Barksdale Air Force Base, Shreveport, La.: Airfield pavements, aircraft maintenance facilities, training facilities, troop housing facilities, and utilities, $3,356,000.

Biggs Air Force Base, El Paso, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications facilities, aircraft maintenance facilities, and utilities, $773,000.

Carswell Air Force Base, Fort Worth, Tex.: Airfield pavements, navigational aids, and airfield lighting facilities, operational facilities, troop housing facilities, utilities, and research, development and test facilities, $15,844,000.

Castle Air Force Base, Merced, Calif.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, and utilities, $1,029,000.

Clinton Naval Air Station, Clinton, Okla.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $13,556,000.

Davis-Monthan Air Force Base, Tucson, Ariz.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, operational facilities, utilities, and medical facilities, $5,339,000.

Dow Air Force Base, Bangor, Maine: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $8,890,000.

Fairchild Air Force Base, Spokane, Wash.: Liquid-fuel storage and dispensing facilities, operational facilities, aircraft maintenance facilities, training facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $9,471,000.

Forbes Air Force Base, Topeka, Kans.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications facilities, operational facilities, aircraft maintenance facilities, medical facilities, storage facilities, and shops, $15,737,000.

Homestead-Dade County Airport, Homestead, Fla.: Airfield pavements, liquid-fuel storage and dispensing facilities, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, medical facilities, and storage facilities, $31,516,000.

Hunter Air Force Base, Savannah, Ga.: Airfield pavements, liquid-fuel storage and dispensing facilities, operational facilities, training facilities, utilities, land acquisition, storage facilities, and shops, $5,027,000.

Lake Charles Air Force Base, Lake Charles, La.: Airfield pavements, liquid-fuel storage and dispensing facilities, troop housing facilities, utilities, and land acquisition, $12,098,000.

Lakeland Airport, Lakeland, Fla.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, medical facilities and storage facilities, $19,167,000.

Limestone Air Force Base, Limestone, Maine: Airfield pavements, communications and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, family housing, utilities and medical facilities, $23,971,000.

Limestone Air Force Base, Auxiliaries A and B, Limestone, Maine: Land acquisition, $596,000.

Lincoln Municipal Airport, Lincoln, Nebr.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, aircraft maintenance facilities, and land acquisition, $9,093,000.

Little Rock Air Force Base, Little Rock, Ark.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, utilities, medical facilities, and storage facilities, $31,165,000.

Lockbourne Air Force Base, Columbus, Ohio: Airfield pavements, navigational aids facilities, operational facilities, aircraft maintenance facilities, training facilities, administrative and community facilities, utilities, medical facilities, and storage facilities, $13,645,000.

MacDill Air Force Base, Tampa, Fla.: Airfield pavements, liquid-fuel storage and dispensing facilities, navigational aids and airfield lighting facilities, operational facilities, utilities, and land acquisition, $8,669,000.

March Air Force Base, Riverside, Calif.: Airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, utilities, land acquisition, and storage facilities, $3,798,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and navigational aids facilities, operational facilities, aircraft maintenance facilities, utilities, land acquisition, and medical facilities, $15,265,000.

Offutt Air Force Base, Omaha, Nebr.: Liquid-fuel storage and dispensing facilities, troop housing facilities, and utilities, $881,000.

Plattsburg Municipal Airport, Plattsburg, N. Y.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $36,261,000.

Rapid City Air Force Base, Rapid City, S. Dak.: Aircraft maintenance facilities, $3,185,000.

Selman Field, Monroe, La.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, medical facilities, and storage facilities, $23,755,000.

Sioux City Municipal Airport, Sioux City, Iowa: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, utilities, medical facilities, and storage facilities, $29,041,000.

Smoky Hill Air Force Base, Salina, Kans.: Airfield pavements, operational facilities, aircraft maintenance facilities, utilities, land acquisition, and storage facilities, $6,120,000.

Stead Air Force Base, Reno, Nev.: Liquid-fuel storage and dispensing facilities, troop housing facilities, family housing, administrative and community facilities, utilities, medical facilities, and storage facilities, $2,240,000.

Tye Field, Abilene, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $32,273,000.

Walker Air Force Base, Roswell, N. Mex.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, operational facilities, and aircraft maintenance facilities, $3,271,000.

Westover Air Force Base, Chicopee Falls, Mass.: Airfield pavements, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, utilities, land acquisition, and storage facilities, $24,334,000.

Air Defense Command

Burlington Municipal Airport, Burlington, Vt.: Operational facilities, utilities, and storage facilities, $634,000.

Duluth Municipal Airport, Duluth, Minn.: Navigational aids facilities, operational facilities, administrative and community facilities, utilities, and storage facilities, $843,000.

Geiger Field, Spokane, Wash.: Operational facilities, aircraft maintenance facilities, utilities, and storage facilities, $744,000.

Greater Pittsburgh Airport, Coraopolis, Pa.: Airfield pavements, operational facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $1,270,000.

Hamilton Air Force Base, San Rafael, Calif.: Air field pavements, communications and navigational aids facilities, and utilities, $588,000.

Houma Gunnery Range, Houma, La.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, operational facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $3,000,000.

Kinross Air Force Auxiliary Airfield, Kinross, Mich,. Liquid-fuel storage and dispensing facilities, navigational aids facilities, operational facilities, administrative and community facilities, utilities, and storage facilities, $879,000.

Larson Air Force Base, Moses Lake, Wash.: Airfield pavements, liquid-fuel storage and dispensing facilities, navigational aids facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, utilities, medical facilities, and storage facilities, $12,518,000.

Majors Field, Greenville, Tex.: Land acquisition, $23,000.

McChord Air Force Base, Tacoma, Wash.: Airfield pavements, navigational aids facilities, operational facilities, aircraft maintenance facilities, administrative and community facilities, utilites, and storage facilities, $6,730,000.

McGhee-Tyson Airport, Knoxville, Tenn.: Airfield pavements, navigational aids facilities, operational facilities, administrative and community facilities, utilities, and storage facilities, $1,355,000.

Minneapolis, St. Paul International Airport, Minneapolis, Minn.: Land acquisition and storage facilities, $450,000.

New Castle County Airport, Wilmington, Del.: Airfield pavements, liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, troop housing facilities, utilities, and storage facilities, $2,611,000.

Niagara Falls Municipal Airport, Niagara Falls, N. Y.: Airfield pavements, liquid-fuel storage and dispensing facilities, navigational aids facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $2,006,000.

O'Hare International Airport, Chicago, Ill.: Airfield pavements, liquid-fuel storage and dispensing facilities, operational facilities, aircraft maintenance facilities, administrative and community facilities, utilities, storage facilities, and shops, $4,146,000.

Oscoda Air Force Base, Oscoda, Mich.: Liquid-fuel storage and dispensing facilities, utilities, and storage facilities, $660,000.

Otis Air Force Base, Falmouth, Mass.: Communications facilities, operational facilities, aircraft maintenance facilities, utilities, medical facilities, and storage facilities, $2,576,000.

Oxnard Air Force Base, Oxnard, Calif.: Operational facilities, utilities, and storage facilities, $782,000.

Paine Field, Everett, Wash.: Operational facilities, utilities, and storage facilities, $1,299,000.

Palmdale-Los Angeles County Airport, Palmdale, Calif.: Airfield pavements and airfield lighting facilities, $380,000.

Portland International Airport, Portland, Oreg.: Airfield pavements, liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, utilities, and storage facilities, $973,000.

Presque Isle Air Force Base, Presque Isle, Maine: Utilities and storage facilities, $581,000.

Selfridge Air Force Base, Mount Clemens, Mich.: Airfield pavements, troop housing facilities, utilities, and storage facilities, $1,297,000.

Stewart Air Force Base, Newburgh, N. Y.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and navigational aids facilities, operational facilities, aircraft maintenance facilities, training facilities, utilities, land acquisition, and storage facilities, $3,520,000.

Suffolk County Air Force Base, Westhampton Beach, Long Island, N. Y.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and navigational aids facilities, operational facilities, administrative and community facilities, utilities, storage facilities, and shops, $2,805,000.

Truax Field, Madison, Wis.: Airfield pavements, liquid-fuel storage and dispensing facilities, operational facilities, troop housing facilities, utilities, storage facilities, and shops, $1,554,000.

Charlotte County Airport, Punta Gorda, Fla.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, administrative and community facilities, utilities, medical facilities, storage facilities, and shops, $3,000,000.

Yuma County Airport, Yuma, Ariz.: Airfield pavements, liquid-fuel storage and dispensing facilities, operational facilities, troop housing facilities, administrative and community facilities, utilities, storage facilities, and shops, $2,141,000.

Tactical Air Command

Alexandria Municipal Airport, Alexandria, La.: Liquid-fuel storage and dispensing facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, adminstrative and community facilities, utilities, land acquisition, and storage facilities, $4,324,000.

Ardmore Municipal Airport, Ardmore, Okla.: Airfield pavements, liquid-fuel storage and dispensing facilities, navigational aids facilities, operational facilities, aircraft maintenance facilities, land acquisition, and storage facilities, $4,237,000.

Blytheville Municipal Airport, Blytheville, Ark.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $16,203,000.

Bunker Hill Naval Air Station, Peru, Ind.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, aircraft maintenance facilities, troop housing facilities, utilities, land acquisition, medical facilities, and storage facilities, $24,777,000.

Clovis Air Force Base, Clovis, N. Mex.: Liquid-fuel storage and dispensing facilities, training facilities, troop housing facilities, utilities, land acquisition, and storage facilities, $1,152,000.

Galveston Municipal Airport, Galveston, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, administrative and community facilities, utilities, medical facilities, storage facilities, and shops, $6,269,000.

Myrtle Beach Airport, Myrtle Beach, S. C.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, and storage facilities, $9,243,000.

Raleigh-Durham Municipal Airport, Raleigh-Durham, N. C.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $18,895,000.

Seymour-Johnson Field, Goldsboro, N. C.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, storage facilities, and shops, $9,726,000.

Air Training Command

Big Spring Air Force Base, Big Spring, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, training facilities, troop housing facilities, utilities, land acquisition, and storage facilities, $6,270,000.

Bryan Air Force Base, Bryan, Tex.: Airfield pavement, liquid-fuel storage and dispensing facilities, airfield lighting facilities, aircraft maintenance facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, and shops, $3,791,000.

Craig Air Force Base, Selma, Ala.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, training facilities, utilities, land acquisition, and storage facilities, $2,402,000.

Ellington Air Force Base, Houston, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, training facilities, troop housing facilities, administrative and community facilities, utilities, and storage facilities, $4,787,000.

Foster Field, Victoria, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, training facilities, troop housing facilities, utilities, land acquisition, and storage facilities, $5,129,000.

Goodfellow Air Force Base, San Angelo, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, training facilities, troop housing facilities, utilities, land acquisition, and storage facilities, $3,741,000.

Harlingen-All-Valley Municipal Airport, Harlingen, Tex.: Airfield pavements, training facilities, troop housing facilities, utilities, and land acquisition, $11,488,000.

James Connally Air Force Base, Waco, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, training facilities, troop housing facilities, utilities, storage facilities, and shops, $7,829,000.

Laredo Municipal Airport, Laredo, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $4,943,000.

Laughlin Air Force Auxiliary Field, Del Rio, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, troop housing facilities, utilities, and storage facilities, $4,958,000.

Luke Air Force Base, Phoenix, Ariz.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, operational facilities, aircraft maintenance facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $5,174,000.

Mather Air Force Base, Sacramento, Calif.: Airfield pavements, communications and airfield lighting facilities, aircraft maintenance facilities, training facilities, troop housing facilities, utilities, and land acquisition, $8,372,000.

Moody Air Force Base, Valdosta, Ga.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, aircraft maintenance facilities, utilities, storage facilities, and shops, $2,112,000.

Moore Field, Mission, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, storage facilities, and shops, $10,858,000.

Nellis Air Force Base, Las Vegas, Nev.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $5,560,000.

Perrin Air Force Base, Sherman, Tex.: Airfield pavements, communications, navigational aids and airfield lighting facilities, aircraft maintenance facilities, training facilities, utilities, land acquisition, and storage facilities, $4,976,000.

Pinecastle Air Force Base, Orlando, Fla.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, training facilities, troop housing facilities, utilities, land acquisition, and storage facilities, $11,044,000.

Randolph Air Force Base, San Antonio, Tex.: Airfield pavements, communications and navigational aids facilities, aircraft maintenance facilities, and utilities, $2,693,000.

Reese Air Force Base, Lubbock, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, aircraft maintenance facilities, training facilities, troop housing facilities, utilities, land acquisition, and storage facilities, $8,239,000.

Scott Air Force Base, Belleville, Ill.: Airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, utilities, land acquisition, and storage facilities, $1,718,000.

Tyndall Air Force Base, Panama City, Fla.: Liquid-fuel storage and dispensing facilities, navigational aids facilities, aircraft maintenance facilities, training facilities, troop housing facilities, and utilities, $1,835,000.

Vance Air Force Base, Enid, Okla.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, aircraft maintenance facilities, training facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $7,621,000.

Wichita Air Force Base, Wichita, Kan.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, utilities, land acquisition, storage facilities, and shops, $9,871,000.

Williams Air Force Base, Chandler, Ariz.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, training facilities, utilities, and land acquisition, $1,776,000.

Air Matériel Command

Birmingham Modification Center, Birmingham, Ala.: Airfield pavements, liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, utilities, and storage facilities, $1,603,000.

Brookley Air Force Base, Mobile, Ala.: Airfield pavements, aircraft maintenance facilities, training facilities, and utilities, $4,935,000.

Hill Air Force Base, Ogden, Utah: Communications facilities, aircraft maintenance facilities, utilities, land acquisition, and research, development and test facilities, $1,750,000.

Kelly Air Force Base, San Antonio, Tex.: Airfield pavements, liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, administrative and community facilities, utilities, and medical facilities, $8,000,000.

Lynn Haven (petroleum storage area), Panama City, Fla.: Utilities, $72,000.

Norton Air Force Base, San Bernardino, Calif.: Airfield pavements, aircraft maintenance facilities, utilities, and land acquisition, $4,800,000.

Tinker Air Force Base, Oklahoma City, Okla.: Liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, and utilities, $2,642,000.

Military Air Transport Service

Palm Beach County International Airport, West Palm Beach, Fla.: Liquid-fuel storage and dispensing facilities, communications facilities, aircraft maintenance facilities, utilities, and shops, $1,200,000.

Continental Air Command

Dobbins Air Force Base, Marietta, Ga.: Liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, administrative and community facilities, utilities, medical facilities, and storage facilities, $1,083,000.

Godman Air Force Base, Fort Knox, Ky.: Troop housing facilities, utilities, and storage facilities, $1,145,000.

Long Beach Municipal Airport, Long Beach, Calif.: Liquid-fuel storage and dispensing facilities, navigational aids facilities, aircraft maintenance facilities, and utilities, $112,000.

Research and Development Command

Arnold Engineering Development Center, Tullahoma, Tenn.: Research, development and test facilities, $12,000,000.

Griffiss Air Force Base, Rome, N. Y.: Communications facilities, operational facilities, utilities, land acquisition, research, development and test facilities, and storage facilities, $1,806,000.

Hanscom Field (Bedford Research Center), Bedford, Mass.: Airfield pavements, liquid-fuel storage and dispensing facilities, operational facilities, aircraft maintenance facilities, training facilities, troop housing facilities, administratve and community facilities, utilities, research, development and test facilities, medical facilities, and storage facilities, $10,520,000.

Headquarters, Air Research and Development Command, Baltimore, Md.: Communications facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, and medical facilities, $1,646,000.

Holloman Air Force Base, Alamogordo, N. Mex.: Troop housing facilities, utilities, research, development and test facilities, $1,399,000.

Lockland Plant, Cincinnati, Ohio: Research, development and test facilities, $2,800,000.

Patrick Air Force Base, Cocoa, Fla: Airfield pavements, liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, troop housing facilities, utilities, research, development and test facilities, medical facilities, storage facilities, design planning, port facilities, and miscellaneous facilities, $40,770,000.

Special Weapons Command

Kirtland Air Force Base, Albuquerque, N. Mex.: Airfield pavements, communications facilities, aircraft maintenance facilities, troop housing facilities, administrative and community facilities, utilities, and land acquisition, $10,189,000.

Air Proving Ground Command

Eglin Air Force Base, Valparaiso, Fla.: Utilities, and research, development, and test facilities, $3,242,000.

Headquarters Command

Bolling Air Force Base, Washington, D. C.: Troop housing facilities, utilities, and storage facilities, $707,000.

Air University

Gunter Air Force Base, Montgomery, Ala.: Troop housing facilities and utilities, $1,971,000.

Maxwell Air Force Base, Montgomery, Ala.: Training facilities, troop housing facilities, and utilities, $12,114,000.

School of Aviation Medicine

Brooks Air Force Base, San Antonio, Tex.: Communications facilities, training facilities, utilities, and research, development and test facilities, $8,000,000.

Communications and navigational aids facilities

Various locations: $7,990,000.

OUTSIDE CONTINENTAL UNITED STATES

Alaskan Air Command

Elelson Air Force Base, Fairbanks, Alaska: Airfield pavements, liquid-fuel storage and dispensing facilities, communications facilities, aircraft maintenance facilities, administrative and community facilities, and utilities, $17,179,000.

Elmendorf Air Force Base, Anchorage, Alaska: Airfield pavements, liquid-fuel storage and dispensing facilities, communications facilities, administrative and community facilities, and utilities, $37,155,000.

Galena Air Force Auxiliary Field, Galena, Alaska: Utilities, $130,000.

Ladd Air Force Base, Fairbanks, Alaska: Airfield pavements, liquid-fuel storage and dispensing facilities, communications facilities, operational facilities, utilities, medical facilities, and storage facilities, $18,055,000.

Naknek Air Force Auxiliary Field, Naknek, Alaska: Liquid-fuel storage and dispensing facilities, communications and navigational aids facilities, operational facilities, utilities, and storage facilities, $4,756,000.

Various locations, Alaska: Communications facilities, administrative and community facilities, and utilities, $1,069,000.

Far East Air Force

Various locations, Pacific area: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, administrative and community facilities, utilities, medical facilities, storage facilities, shops, and miscellaneous facilities, $32,752,000.

Strategic Air Command

Ramey Air Force Base, Aquadilla, Puerto Rico: Land acquisition, $3,000.

SEC. 302. The Secretary of the Air Force, under the direction of the Secretary of Defense, is authorized to establish or develop classified military installations and facilities by the construction, conversion, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities in the total amount of $1,133,938,000.

SEC. 303. Public Law 155, Eighty-second Congress, is hereby amended as follows:

(a) Strike so much thereof under the heading "Continental United States" and subheading "Operational support facilities" in section 301 as reads as follows:

"Friendship International Airport, Baltimore, Md.: Airfield pavements, fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop facilities, family housing, administrative and supporting facilities, utilities, medical facilities, storage facilities, and shops, $43,478,000."

and so much as reads as follows:

"McGuire Air Force Base, Wrightstown, N. J.: Airfield pavements, fuel storage and dispensing facilities, hazard removal, operational facilities, troop facilities, administrative and supporting facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $23,773,000."

and insert in lieu thereof the following:

"McGuire Air Force Base, Wrightstown, N. J.: Airfield pavements, fuel storage and dispensing facilities, hazards removal, communications facilities, operational facilities, aircraft maintenance facilities, training facilities, troops facilities, administrative and supporting facilities, utilities, land acquisition, medical facilities (or medical facilities at Fort Dix, Wrightstown, N. J.), storage facilities, and shops $74,745,000."

(b) Strike so much thereof under the hearing "Continental United States" and subheading "Operational Support Facilities" in section 301 reads as follows:

"Hammer Field, Fresno, Calif.: Airfield pavements, fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop facilities, family housing, administrative and supporting facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $22,303,000."

and so much as reads as follows:

"Travis Air Force Base, Fairfield, Calif.: Airfield pavements, fuel storage and dispensing facilities, communications facilities, operational facilities, aircraft maintenance facilities, training facilities, troop facilities, administrative and supporting facilities, utilities, storage facilities, and shops, $17,561,000."

and insert in lieu thereof the following:

"Travis Air Force Base, Fairfield, Calif.: Airfield pavements, fuel storage and dispensing facilities, communication and airfield lighting facilities, operational facilities, aircraft maintenance facilities, training facilities, troop facilities, administrative and supporting facilities, utilities, land acquisition, medical facilities, storage facilities and shops, $36,362,000."

(c) Strike so much thereof under the heading "Continental United States" and subheading "Operational Support Facilities" in section 301 as reads as follows:

Offutt Air Force Base, Omaha, Nebr.: Airfield pavements, fuel storage and dispensing facilities, communications and airfield lighting facilities, operational facilities, aircraft

maintenance facilities, troop facilities, administrative and supporting facilities, utilities, land acquisition, medical facilities, and storage facilities, $19,063,000."

and insert in lieu thereof the following:

"Offutt Air Force Base, Omaha, Nebr.: Airfield, pavements, communications and airfield lighting facilities, operational facilities, troop facilities, administrative and supporting facilities, utilities, land acquisition, medical facilities, and storage facilities, $12,703,000.

"Sioux City Airport, Sioux City, Iowa: Airfield pavements, fuel storage and dispensing facilities, communications and navigational aids facilities, operational facilities, family housing, administrative and supporting facilities, utilities, and medical facilities, $1,746,000,"

(d) Strike so much thereof under the heading "Continental United States" and subheading "Operational Support Facilities" in section 301 as reads as follows:

"Hensley Naval Air Station, Dallas, Tex.: Airfield pavements, fuel storage and dispensing facilities, operational facilities, aircraft maintenance facilities, troop facilities, family housing, administrative and supporting facilities, utilities, and storage facilities, $3,022,000."

(e) Strike so much thereof under the heading "Continental United States" and subheading "Depots and Logistical Facilities" in section 301 as reads as follows:

"Olmsted Air Force Base, Middletown and Lancaster, Pa.: Airfield pavements, fuel storage and dispensing facilities, communications and airfield lighting facilities, operational facilities, aircraft maintenance facilities, administrative and supporting facilities, utilities, land acquisition, test facilities, storage facilities, and shops, $74,093,000." and insert in lieu thereof the following:

"Olmsted Air Force Base, Middletown, Pa.: Utilities, and storage facilities, $570,000.

"Hammonton Air Force Base, Hammonton, N. J.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications and airfield lighting facilities, aircraft maintenance facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilities, and shops, $73,523,000."

(f) In clause (3) of section 502 thereof delete the amounts "$1,993,603,800" and "$3,480,661,800" and insert in lieu thereof the amounts "$1,989,964,800" and "$3,477,022,800", respectively.

SEC. 304. In the prosecution of military public works projects authorized by this title, the Department of the Air Force may utilize the services of either the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, in such manner and to such extent as will promote efficiency in operation.

TITLE IV

General provisions

SEC. 401. (a) The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, under the direction of the Secretary of Defense, are respectively authorized, in order to establish or develop the installations and facilities authorized by titles I, II, and III of this act, to acquire lands and rights pertaining thereto, or other interests therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended. When necessary, construction of a public works project authorized by this act may be commenced prior to approval of title to the underlying land by the Attorney General as required by section 355, Revised Statutes, as amended.

(b) The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are respectively authorized, to the extent administratively determined by each to be fair and reasonable, under regulations approved by the Secretary of Defense, to reimburse the owners and tenants of land to be acquired for any public works project of the military department concerned for expenses and other losses and damages incurred by such owners and tenants, respectively, in the process and as a direct result of the moving of themselves and their families and possessions because of such acquisition of land, which reimbursement shall be in addition to, but not in duplication of, any payments in respect of such acquisition as may otherwise be authorized by law: *Provided*, That the total of such reimbursement to the owners and tenants of any parcel of land shall in no event exceed 25 percent of the fair value of such parcel of land as determined by the Secretary of the military department concerned. No payment in reimbursement shall be made unless application therefor, supported by an itemized statement of the expenses, losses, and damages so incurred, shall have been submitted to the Secretary of the military department concerned within 1 year following the date of such acquisition. The authority conferred by this subsection shall be delegable by the Secretary of the military department concerned to such responsible officers or employees as he may determine. All functions performed under this subsection shall be exempt from the operation of the Administrative Procedure Act of June 11, 1946 (ch. 324, 60 Stat. 237), as amended (5 U. S. C. 1001–1011), except as to the requirements of section 3 of such act (60 Stat. 238; 5 U. S. C. 1002). Any funds appropriated pursuant to any act authorizing civil or military public works projects for any military department, to the extent available, may be used to reimburse the owners and tenants of such acquired lands for such incurred expenses, losses, and damages. The authority for reimbursement of owners and tenants for moving costs conferred by this subsection shall be in addition to but not in duplication of authority contained in subsection 501 (b) of the act of September 28, 1951 (65 Stat. 365) for the reimbursement to owners and tenants of land acquired pursuant to authorization contained in said act. Any reimbursement made by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or their designees, under the authority of this subsection or subsection 501 (b) of the act of September 28, 1951 (65 Stat. 365) shall be final and conclusive upon the accounting officers of the Government, notwithstanding any other provisions of law to the contrary.

SEC. 402. There are hereby authorized to be appropriated such sums of money as may be necessary to accomplish the purposes of this act, but not to exceed—

(1) for public works authorized by title I: Inside continental United States, $171,664,000; outside continental United States, $68,617,000; classified facilities, $143,010,000; or a total of $383,291,000.

(2) for public works authorized by title II: Inside continental United States, $164,514,000; outside continental United States, $34,839,000; classified facilities, $86,397,000; or a total of $285,750,000.

(3) for public works authorized by title III: Inside continental United States, $844,240,000; outside continental United States, $111,099,000; classified facilities, $1,113,938,000; or a total of $2,089,277,000.

SEC. 403. Any of the approximate costs enumerated in titles I, II, and III of this act may, in the discretion of the Secretary concerned, be varied upward 10 percent and, with the concurrence of the Director of the Bureau of the Budget, by such further amounts as may be necessary to meet unusual cost variations, but the total cost of all work so enumerated under each of such titles shall not exceed the total appropriations authorized in respect of such title by section 402 of this act.

SEC. 404. No family quarters shall be constructed under the authority of this act with a net floor area in excess of 1,250 square feet, and the average net floor area of all such family quarters shall not exceed 1,080 square feet.

SEC. 405. Appropriations made to carry out the purposes of this act shall be available with respect to public works projects authorized by law for expenses incident to construction, including administration, overhead, planning, and supervision.

SEC. 406. Any public works project authorized by this act may be prosecuted under direct appropriations or authority to enter into contracts in lieu of such appropriations.

SEC. 407. The limitation on total aggregate net expenditures set forth in section 638 of the Department of Defense Appropriations Act, 1953, is hereby increased by the amount of appropriations heretofore or hereafter made available for expenditure during the fiscal year ending June 30, 1953, pursuant to this or any other act authorizing the establishment or development of installations and facilities.

Mr. VINSON (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent to dispense with further reading of the bill, that it be printed in the RECORD at this point and that it be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: On page 15, line 24, strike out "Coronado, Calif." and insert "Little Creek, Va."; and in line 25, insert the word "school" preceding the word "and" where it first appears.

Mr. VINSON. Mr. Chairman, I will state to the Committee that this amendment is to correct a typographical error. It was never intended for this installation to be at Coronado, Calif.; and as you see, it is a mere duplication of the name "Coronado, Calif." in line 22. Line 24 should be at Little Creek, Va. In other words, line 22 is the installation at Coronado and line 24 is a duplication.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: Page 24, line 22, strike out the words "Municipal Airport" and insert the word "Barracks."

Mr. JAVITS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. JAVITS to the amendment offered by Mr. VINSON: On page 25 strike out the period in line 3 and insert a semicolon and add "*Provided, however*, That the facilities required for the operation of Champlain College be not displaced thereby."

Mr. JAVITS. Mr. Chairman, this subject of Champlain College was debated in the committee. It is a matter of very great interest in my district, because I have a good many young people who are attending the college there. It was a matter of some interest to the committee

and the Air Force, and I think it would be quite wrong on my part, and all of us if we did not discuss it on the floor. I have offered the amendment for that purpose.

What is going to happen here is that if the amendment proposed by the distinguished chairman of the committee is adopted, Champlain College will be put out of business and terminated as a college insofar as its location in this particular place is concerned where it is occupying Plattsburg Barracks. With the end of this particular college year it will mean in practical effect that the program of the State of New York state associated colleges will be very materially impaired. Some 700 students will not be able to pursue their education in this fashion, and that is a very serious and a very sad thing.

There has been a good deal of discussion about this. One fact that I would like to clear up at once is the fact that the legislature of the State of New York has passed an enabling statute so that this property could be reconveyed to the Federal Government. The State Legislature was honoring a commitment, a commitment that the property would be turned back any time the Federal Government needed it in connection with the national emergency; that action on the part of the New York Legislature was therefore in order.

Why have I proposed this amendment, why am I here? I am here, and I think properly, because it is a question of our judgment and wise discretion that involves the question of public interest, as to whether Congress wishes to eliminate this educational facility despite the fact that the United States has right to do it. The Government has the right to do it under the reservation made with the State of New York. Congress has always traditionally at least been willing to test its discretion, and this amendment of mine is addressed to the question of testing the discretion of Congress on this vital issue.

I think it is a matter of some principle too, because it may happen again. Here is a State college at a time when educational facilities in the field of higher learning are extremely short—here is a State college which will be displaced. I understand that it is possible to locate the particular Air Force facility sought to be located in its place insofar as the Air Force is concerned at another place in Plattsburg that it will cost somewhat more money; it may cost as I understand, something between $4,000,000 and $5,000,000.

I think that the exigencies of the times are such that the order of events ought to be, first, to leave the college where it is, and, second, to see if it is possible to arrange for payment for the facilities or their acquisition, if that is feasible, on the part of the State of New York, and, third, that even in extemis we should not displace the college facilities but should exercise discretion and should, if necessary, even cause a little more money to be paid to have the air base where it will not displace this college.

Mr. WERDEL. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from California.

Mr. WERDEL. The State of New York acquired this property originally from the Government with the understanding that it could be reclaimed.

Mr. JAVITS. I made that very clear. As a matter of fact, the State legislature has passed a resolution saying that the State should return it. I am not arguing the thing on the substantive question at all as to right or authority. I am arguing only as to the sovereign discretion which the Congress has to stay or to move its hand in respect of the elimination of this college. I am arguing it on no other basis.

May I say that the committee, as I understand it, spent a good deal of time on this despite its other very heavy responsibilities. However, it is so serious to us in New York that I think the question should be raised on the floor and we should have an expression of the committee's reasons and the whole basis for this action; that it should not be permitted to go by without raising the question at all, and I have taken this means of doing that.

Mr. WERDEL. Has the State of New York made any permanent installations in the area at State expense regardless of the fact that they knew it might be reclaimed?

Mr. JAVITS. The State has made substantial investment, but the State's investment is principally only in the fact it has established a college with movable facilities, a teaching staff, and so forth.

The CHAIRMAN. The time of the gentleman from New York has expired.

(On request of Mr. HESELTON, and by unanimous consent, Mr. JAVITS was allowed to proceed for two additional minutes.)

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Massachusetts.

Mr. HESELTON. I want to add that this matter is not one confined entirely to the State of New York. I have received communications from perfectly reputable secondary schools whose students have gone to this college. They tell me it is an excellent college, a fine faculty, and I hope if there is any possibility of any alternatives the committee will explain what those alternatives are.

Mr. JAVITS. The officials of the State University of the State of New York are very much in favor of retaining this college. As a matter of fact, they have said they will carry on this effort because they feel so strongly about it.

Mr. KILDAY. Mr. Chairman, I rise in opposition to the substitute offered by the gentleman from New York [Mr. JAVITS].

Mr. Chairman, as the gentleman from New York indicated, the committee did give this very careful consideration. A large delegation of residents from that area of New York came to Washington to testify with respect to it. The delegation was divided, some advocating the reactivation of the barracks and some in opposition. It so happens that I presided over the committee during the time they were here. These people were very earnest and sincere in what they had to present.

Mr. Chairman, the Plattsburg Barracks is one of the old, old military establishments in the United States. You will recall that before World War I civilian military training camps originated at Plattsburg. On the other hand, it is one of those small Army barracks such as were practically eliminated after World War II, because it held such few troops that it was not possible to train and maneuver large bodies of men such as must be committed to combat during these times.

There is a very large question involved here, and it relates not only to Plattsburg and the State of New York, it relates to hundreds of pieces of property in every part of the United States.

Mr. Chairman, under the Surplus Property Act the services declared many pieces of property as surplus to their needs. These passed to the War Assets Administration and were disposed of. Some were sold. The Surplus Property Act contained a provision under which credits could be given in case installations could be used for educational purposes, public-health purposes, and a number of other very worthy purposes. One hundred percent credit was allowed in many instances, including this one. The State of New York asked for this property for the purpose of operating a college. At the time that it sought the property it understood that the deed would have to contain a recapture clause, so that it went into the property knowing that it was subject to a recapture clause by the Government if, in the event of an emergency, it was needed. They established a college there. The question was asked as to whether any improvements were made after the college went in. I think the record will show that there was probably $100,000 expended on the physical property by the State of New York.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from New York.

Mr. COLE of New York. Just to correct the record, I think the fact is that the State spent $1,500,000, of which about $100,000 might be reimbursable to the State.

Mr. KILDAY. I stand corrected. The gentleman was present at the hearings and probably remembers far better than I do on that.

In any event, any capital investment made by the State of New York on this property must be repaid to the State of New York if the Government takes it over. Now we must bear in mind that in every instance in which property was donated to these States or any other governmental subdivision, it had to be for very worthy causes—educational, public health, research, the sciences, or something like that—so that in every one of these instances you will find now some very worthy installations at this time.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Illinois.

Mr. PRICE. I think the gentleman should point out to the House that this

action in connection with the college out there, Champlain College, was approved by the New York General Assembly.

Mr. KILDAY. That is correct; and the gentleman from New York so stated. The matter was submitted to the New York General Assembly and it overwhelmingly passed a resolution that it should be turned over to the Government under the agreement by which it was acquired.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that this started when the GI bill of rights came into being?

Mr. KILDAY. As I understand, the original school was a school or part of a series of schools established under the GI bill of rights, and after it had been set up there the State of New York, through the State University of New York, which consists of a number of schools throughout the State, took it over, and put this liberal arts college there. I believe at one time it had an enrollment of 1,600, and it is down now to 600 or 700.

Mr. VAN ZANDT. And is it not true that the over-all total of students there has been shrinking annually?

Mr. KILDAY. Oh, yes. It has been going down constantly as the GI's petered out. The student body has been reduced.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from New York.

M. ROOSEVELT. Just to keep the RECORD straight, the figure on enrollment is comparable to the figure on enrollment of the college population round the country. This is not an unusual decrease, in other words. I would like to ask the gentleman if the committee had any testimony as to the additional cost of either the Point au Roche or municipal airport. As I understand the municipal airport would cost around $1,000,000.

Mr. KILDAY. More than that.

Mr. ROOSEVELT. And the Point au Roche would cost $5,231,000.

Mr. KILDAY. $5,231,600.

Mr. ROOSEVELT. Did the committee have any testimony as to how much it will cost the State of New York to duplicate these educational facilities?

Mr. KILDAY. I do not recall any evidence to that effect.

Mr. ROOSEVELT. I would like to add in that case that the information I have received is that the taxpayers of the State of New York will have to pay around $35,000,000 to duplicate these educational facilities.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(On request of Mr. VINSON, and by unanimous consent, Mr. KILDAY was allowed to proceed for five additional minutes.)

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Georgia.

Mr. VINSON. Answering the question of the gentleman from New York [Mr. ROOSEVELT], the State of New York took the property from the Government with the understanding that the Government could recapture it.

Mr. KILDAY. That is correct, and I want to develop that point further.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from New York.

Mr. JAVITS. Is it not a fact that the amendment of the chairman is what now changes this to cut out Champlain College? If the bill remained as it was, you would be developing the Plattsburg Municipal Airport.

Mr. KILDAY. I must explain this. It is purely and simply a typographical error in the bill. The bill had always intended to refer to the Plattsburg Barracks. That is proven by the fact that the people interested in Champlain College and the people from Plattsburg, N. Y., also understood, and they all came here to testify and did testify specifically with reference to the proposal to take Plattsburg Barracks and suggested either the Point au Roche or municipal airport.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from New York.

Mr. ROOSEVELT. Just to keep the record straight again, the original Air Force request was for the municipal airport. That is why this typographical error has twice appeared in your bills.

Mr. KILDAY. I cannot yield further to the gentleman.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from South Carolina.

Mr. RIVERS. With reference to the observation of the gentleman from New York [Mr. ROOSEVELT], I hope the gentleman from Texas will tell the committee how much investment the State of New York has in the Plattsburg installation.

Mr. KILDAY. I cannot yield further, because I want to develop the point I have in mind; I have never gotten to it, as a matter of fact.

I do recall quite well the testimony from Mr. Fitzpatrick, I believe is his name, a member of the New York State Assembly, who appeared here with the group from Plattsburg. I asked him specifically if the State of New York had taken any action toward replacing the facilities for Champlain College and he said they had not.

As I was saying a moment ago, every one of these bases which have been turned over to a State or municipality or county now has in it either a school or hospital or something equally as worthy. In my own State of Texas the State got a large air base from the Air Force and established in it a tuberculosis hospital, a very necessary installation in that part of the State. The Government has now exercised its right of recapture. In that instance, the Governor got busy and made arrangements to see to it that they would finance a new hospital, a permanent building properly equipped, to take care of the tuberculosis patients.

We put these recapture clauses in these deeds. It was understood by everybody who took any one of these installations, any one piece of this property, that in the event of a national emergency such as we are now confronted with the property would have to go back to the Government. They would get their capital investment in improvements which they placed on it after they took it over. Otherwise the Government was to get it.

This is going to create a matter of precedent. If we in this instance say we are abrogating the recapture clause in this deed, we are in effect abrogating the recapture clause in every one of these installations throughout the United States. You are creating a precedent here. This is a worthy purpose, operating that college, but on the other hand, they all had to be worthy purposes or they could not get them. It had to be a purpose for the public good, the general good of the community or the State, so that in each instance you will find these installations being used for very fine and very worthy purposes.

Are we going to say here that the tens and hundreds of millions of dollars of property which we permitted the various States and political subdivisions to use, with the express understanding that if we needed them in any national emergency they would have to come back, are not now to be returned to the Government?

The amendment offered by the chairman of our committee is to correct a typographical error. All of the discussion has been about Plattsburg Barracks. The people came here to oppose it. The gentleman from New York had his amendment prepared with reference to Plattsburg Barracks. Apparently it was to be offered as an original amendment, and then came in as a substitute when the chairman offered his amendment.

Therefore, I am urging, in the interest of the Government of the United States and the preservation of the millions of dollars worth of property which we have permitted others to use without any compensation, with the absolute understanding that we would have it back when we found ourselves in an emergency like the present situation, that you defeat the Javits substitute, and that the amendment offered by the chairman, to change from "Municipal Airport" to "Barracks," be adopted.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from New York.

Mr. KEATING. What is the basic reason the Air Force cannot use one of these other substitute bases instead of this one?

Mr. KILDAY. Neither one of them is desirable from the Air Force point of views as Plattsburg Barracks. In addition, the municipal airport will cost $4,204,900 more to utilize than the Plattsburg Barracks, and Point au Roche $231,600 more. The situation primarily is a question of establishing a precedent

by which we are going to abrogate the recapture clause in hundreds of transfers to States and municipalities.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. VINSON. Mr. Chairman, I note that several Members want to address the Committee on this amendment. Perhaps we can come to some agreement on limiting debate. I would suggest 15 minutes.

Mr. ROOSEVELT. Mr. Chairman, I object. Could the gentleman make it 30 minutes?

Mr. VINSON. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

Mr. ROOSEVELT. Mr. Chairman, I am sure the gentleman will see that there are seven Members on their feet.

Mr. VINSON. Yes, I see, and we are trying to do business in an orderly way.

Mr. Chairman, I move that debate on this amendment, and all amendments thereto, close in 15 minutes with 2 minutes being reserved for the committee.

Mr. JAVITS. Mr. Chairman, I make the point of order that the gentleman's motion is not in order as to the reservation of time for the committee.

The CHAIRMAN. The gentleman is correct.

Mr. VINSON. The gentleman is right. I stand corrected by the gentleman from New York [Mr. JAVITS].

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia [Mr. VINSON] that all debate on the pending amendment, and all amendments thereto, close in 15 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TAYLOR].

Mr. TAYLOR. Mr. Chairman, I first wish to express my gratitude to the gentleman from New York for having consulted me with reference to this amendment, which he has offered. Champlain College happens to be located in my district. I have attempted to assume what we might call a neutral attitude with respect to the disposition of this college, realizing, of course, that the defense of this Nation is paramount to every other interest which a Member of Congress must assume. But, I believe, too, that the education of the youth of America is vastly important and should receive our consideration. For the enlightenment of the Members of the House, let me say that Plattsburg became Champlain College after World War II. It was created for the purpose of educating GI's. An outstanding job has been done in that direction by the State of New York and by the officials and instructors at the college.

Something has been said about the fact that the enrollment has been depleted in recent years. That is a fact which I will not dispute. However, the House made provision not so long ago for GI rights for veterans of the Korean war. Let me say to the membership that the time is going to come when the veterans of the present conflict will want to be educated just as the veterans of other wars have wanted that advantage. It will be wise for us to continue this college and I think we can reconcile the difference between those of us who are in favor of having the college remain there, and those who are in favor of creating the installation. When you talk about money, let me recall to the House that in this particular report, which has been offered to us today, there is an unexpended Air Force balance of some $2,790,000,000, and there is authorized under section 302 $100,000,000, a part of which could be allocated for the construction of facilities to take care of the personnel at the air base.

We have spent billions for aqueducts, the repair of even gambling houses, and all other conceivable things in foreign countries and we can afford to spend a mite for the education of our youth in this country.

Mr. Chairman, Plattsburg should have the air base since it seems necessary for our defense it should likewise be entitled to keep Champlain College. It can keep that college if we are not today penny-wise and pound-foolish. Let us try to reach that objective by using a part of these three and a half billion that the Air Force has not yet encumbered.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from New York [Mr. DONOVAN] is recognized.

Mr. DONOVAN. Mr. Chairman, I take this time merely to ask a question of the committee. I should like to know whether there has been any expression or any indication on the part of the chief executive of the State of New York as to his personal position on this question.

Mr. VINSON. I will say to the gentleman that as far as the attitude of the chief executive of the great State of New York is concerned, I would assume that in view of the fact that he sent a message to the legislature and that the legislature passed a bill conveying title to this property back to the Federal Government, that it met with his approval; he signed the bill.

Mr. DONOVAN. That satisfies me.

The CHAIRMAN. The gentleman from New York [Mr. ROOSEVELT] is recognized.

(Mr. HOWELL, by unanimous consent, yielded the time allotted to him to Mr. ROOSEVELT.)

Mr. ROOSEVELT. Mr. Chairman, I feel very strongly that the defense of our Nation is the sole and guiding principle on this kind of a question, provided, of course, that there is no other alternative than that the Department of the Air Force must have the right to recapture this property.

It seems to me there is a question of discretion involved here. Is this the only way, is this the best way? There is no question but that this college performs a great service for the young people of our State, and the young veterans who are returning from the conflict in Korea. The real question, therefore, on which we must make up our minds—and I would like to pose this question to the chairman, and I will determine my judgment on this matter by his answer—will the chairman of the Armed Services Committee tell me whether the Air Force would not use either of the other two sites if we urged them to do it? In short, will the Air Force abandon the Plattsburg Air Base project if it cannot get the Champlain College site?

Mr. VINSON. Of course, the gentleman knows they could properly use either one. It would mean an expenditure of some 40 million dollars instead of 35 million dollars. The committee was trying to build in the northeastern part of the United States a strategic air base that is highly important, and they thought this was the proper place to build it. But they put the title to this property back in the Federal Government. We felt, after the hearings, that we were warranted, notwithstanding the fact that we might have to load up this school, we were warranted in taking back the property which the State of New York has offered to give us. Of course, we will reimburse the State of New York for the capital investment of $100,000.

Mr. ROOSEVELT. I thank the chairman and therefore I somewhat reluctantly support his position and his amendment.

I believe, to keep the record straight, the original purchase of the facilities after World War II was $100,000,000, paid by the State of New York to the Department of the Army. Since that time the facilities have been very greatly enlarged and improved. It is my understanding from the State University that about $1,400,000 has been spent by the State of New York in improving these facilities. I would like the record to show that I strongly urge that the State administration in transferring this property be completely reimbursed for every dime of the New York State taxpayers' money that has gone into it. The reason for that is this: I also understand that the State of New York will have to replace these educational facilities, and that an equivalent new institution will cost the taxpayers of the State of New York $35,000,000, as against about $5,000,000 that the Air Force would have to spend if it used either of the other two sites.

Mr. VINSON. Does not the gentleman think that is the State's responsibility?

Mr. ROOSEVELT. Of course, I think that it is the State's responsibility, and that is why I am not opposing it.

Mr. VINSON. I am perfectly willing, and so is the Department, that the actual investment of $100,000 be reimbursed to the State of New York. I may say that is all the State of New York has invested in capital investment.

Mr. ROOSEVELT. The only reason I say that is because Governor Dewey's message to the New York State Legislature talks about donation of this property, and I do not want it donated.

Mr. VINSON. It is not donated, in the sense that it is a capital investment.

The CHAIRMAN. The gentleman from New York [Mr. KEATING] is recognized.

Mr. KEATING. Mr. Chairman, I share the views regarding this proposition which I understand from his remarks are entertained by my friend from New York, Mr. ROOSEVELT. There seems to be no convincing proof in this record

that it is not perfectly possible for the Air Force to use equally well either of the other two airports in this immediate vicinity. It is true a slight additional cost for construction is estimated, if either of the other sites is selected, according to reports from the Air Force.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Not at this moment.

But as against that comparatively small cost, we should give some consideration to the enormous expense which must be incurred by New York State in relocating the school elsewhere to the tune of around $35,000,000.

New York State has taken it on the chin just about all it should be asked for in this Congress. Time and again we have had to bear a disproportionate share of the expense of this, that, and the other activity in other parts of the country, from which we could derive no possible benefit. It should be remembered that New York State puts up about one-fifth of all the Federal funds which are appropriated to assist various States in their enterprises or which are used for any other purpose.

In addition to that, in this case we have the argument that we are asked to disrupt this educational facility which is established in this particular site, without any adequate showing of necessity, I cannot understand why this particular site must be picked out which has these two disadvantages. Naturally, all of us want to put the defense of our country first, but it can be defended equally from either one of two other fields within a radius of a few miles.

I am not at all impressed with the argument made by the able gentleman from Texas that we are going to create a precedent here. What we do here is no precedent for the future. Obviously, the Federal Government has the right to take back the property. The question is whether we are going to insist that the Federal Government exercise that right. They can do it in any case in the future regardless of what we may authorize to be done in this specific instance. The argument of precedent is frequently advanced as a crutch when the intrinsic merit of a position is shaky. Perhaps that applies here.

The CHAIRMAN. The gentleman from New York [Mr. COLE] is recognized.

Mr. COLE of New York. Mr. Chairman, before the Committee passes on this issue I think it should be advised of what has transpired since the controversy arose. As has been explained by the gentleman from Texas [Mr. KILDAY], citizens of Plattsburg came down, some in protest, but a large proportion in approval of this project. In view of the fact that there was a disagreement and in view of the feeling of many of us that there was a doubt in our minds as to the feasibility of the Federal Government's exercising its right of recapturing this property if that resulted in the destruction of the university, it was suggested in the committee that the Air Force resurvey these three sites and the whole northeast area, taking these two factors into consideration: One, the dollar cost of the alternate sites; and the possibility that the State of New York might reimburse the Federal Government for the investment we have placed in Plattsburg which is about $2,500,000. The Air Force did that; they made their research. At any rate they came back and recommended to the committee that even considering the fact that the State can reimburse the Federal Government to the extent of approximately $3,000,000, still, from the standpoint of efficiency and dollar cost, this Plattsburg Barracks site was the proper one to take.

With respect to the expense which the State would incur in order to replace these barracks, I am advised by a State University official that they now have plans for the construction of a similar college at a cost of $6,000,000.

The CHAIRMAN. The gentleman from New York [Mr. JAVITS] is recognized.

Mr. JAVITS. I have already been heard on my amendment. I have no desire to take the additional time of this House except to make one point clear: If we were running this as a business we would do what the gentleman from New York [Mr. COLE] said, get the State of New York to reimburse the Federal Government for the excess cost of location of the Air Force facilities at another place that would not eliminate the college. If the amendment of my distinguished colleague from Georgia were adopted alone without any amendment to it the chances for Champlain College are ended. If on the other hand, my amendment is adopted, the matter is left open so it can be negotiated between the Federal Government and the State of New York and Champlain College will still exist. I think plain justice and logic require that my amendment be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, if you adopt the amendment offered by the gentleman from New York you will waste the amount of money that is appropriated for that item in here. It is absolutely essential that a strategic air force be established in the northeastern part of the United States. Our defense calls for it.

There is located at Plattsburg Barracks 730 acres of land that the United States Government acquired in 1914 and from that time down to 1950 title has been in the Federal Government. In connection with the GI programs and other educational facilities in New York, the State of New York in 1950 obtained the property. But just as soon as the State of New York found out the Federal Government needed this property for the defense of the Nation it did the right and proper thing, notwithstanding the fact they had built a college there, and the legislature, representing the people of New York, said: Turn this property back.

Mr. Chairman, if you want to practice economy, now is the time to practice $4,000,000 worth of it.

So I hope the amendment offered by my colleague from New York [Mr. JAVITS] will be rejected and that the committee amendment will be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS] to the amendment offered by the gentleman from Georgia [Mr. VINSON].

Mr. JAVITS. Mr. Chairman, I ask unanimous consent that the amendment upon which we are about to vote be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk reread the Javits amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS] to the amendment offered by the gentleman from Georgia [Mr. VINSON].

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 7, noes 84.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. VINSON].

The amendment was agreed to.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: On page 44, line 4, following the word "appurtenances" insert the words "family housing."

Mr. VINSON. Mr. Chairman, it is absolutely essential that in certain isolated places in this country there be some family housing in connection with this program.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from West Virginia.

Mr. BAILEY. Is any provision being made for taking care of the education of the children of those families?

Mr. VINSON. These involve such isolated areas that probably there will not be families with children.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word. I am glad to note in the committee's report that proper housing at outposts such as Kwajalein and Guam will be provided. Our subcommittee inspecting defense installations last December was shocked to see the old Quonset huts described in the report as deteriorating to the point where they are dangerous to our personnel. Certainly, Mr. Chairman, the boys stationed on Kwajalein, and other far-flung outposts, are entitled to decent housing and proper quarters to work in. That is the very least that Congress can do for them. These are very important naval installations and must be properly equipped.

While on Kwajalein, Mr. Chairman, our subcommittee also noted that the rations did not compare favorably with those at Pearl Harbor and other posts in that category. The mess on Kwajalein has to stand for the cost of 21 meals per week. On the less-isolated posts it is possible for the men to get into cities such as Honolulu and get meals whenever they wish, at their own expense, of course, and therefore these posts are not required to provide the full 21 meals.

I think, Mr. Chairman, that provision should be made for a 20-percent differential for such posts as Kwajalein and I would like to make that recommendation to the committee. It would go a long way toward helping our servicemen stationed on these posts get through their tours of duty.

May I further request, Mr. Chairman, that the Committee on Armed Services give us any possible information compatible with our national security, on a very important matter which I brought up in the House last February 14. I was disturbed then by Secretary Finletter's announcement that he was entering into an agreement with Canada under which she would receive from the United States jet motors which Canada would build into Sabre-jet planes and send to the British Air Force for their use. When we were in Korea last December, our subcommittee was asked repeatedly by officers and their men why they were being treated like stepchildren as far as receiving more of our best airplane construction was concerned. Now I want to ask this specific question, Mr. Chairman: Has the great Committee on Armed Services looked into this question of the allotment of our airplane production to other countries, as I requested last February 14?

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from North Carolina.

Mr. DURHAM. Of course, there are certain confidential things we cannot go into here on the floor of the House.

Mr. H. CARL ANDERSEN. Of course, I realize that, and only ask for information consistent with our national security.

Mr. DURHAM. But I would point out to the gentleman that we have received quite a sizable amount of production which in my opinion compensates us well in exchange for this material, jet engines, whatever it happens to be. That applies to fissionable material, as the gentleman well knows. On other things, so far as I know, the cooperation in the exchange has been very satisfactory.

Mr. H. CARL ANDERSEN. The gentleman knows that I do not want any information given here that could be of any possible value to the enemy, but I do want to urge that our best planes go to the men in Korea. Second-line production should, in my opinion, be sent to other points. Certainly, our fighting men are entitled to the best equipment we can give them. Certainly men serving in the desolate wastes of Korea should have priority on our production of planes, tanks, and any other needed equipment. After all, a war is being fought in Korea. Our first consideration should be for the American boys fighting that war.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Georgia.

Mr. VINSON. I am inclined to think that if the gentleman would inquire of the mentioned Department officials—Lovett, Foster, and Rosenberg, any of them—they would be of the opinion that probably sometimes the Armed Services Committee inquires too much. If there is anything that the Armed Services Committee has not inquired about, I would like to know what it is.

(By unanimous consent, Mr. H. CARL ANDERSEN was allowed to proceed for two additional minutes.)

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from North Carolina.

Mr. DURHAM. May I call to the attention of the gentleman, and also the chairman, that last year when NATO was first suggested to the Armed Services Committee that was one thing that was suggested to and impressed upon General Eisenhower when he began to set up NATO and all of its agreements.

Mr. H. CARL ANDERSEN. I thank the gentleman.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Illinois.

Mr. ARENDS. The other day General Ridgway, upon his return, appeared before our committee in executive session. Of course, I cannot divulge what he said. However, as to the point that has been raised, I might say that after leaving that committee meeting, after the many questions presented to General Ridgway, I felt much more secure about what was going on in the Orient.

Mr. H. CARL ANDERSEN. I am glad to hear that. However, I repeat, it was disturbing to our subcommittee to have these men in Korea ask us what was happening to our airplane production, and why they were not getting more of it. Frankly, I am again asking this great Committee on Armed Services to see to it that a larger allocation is given to the Korean war. I am in full agreement that we should help Western Europe militarily but I do think that we should put first things first. Winning the Korean war should either be given top priority or we should seriously consider abandoning that front, to which President Truman committed our fighting men without putting the question to the Congress. Remember, there is no actual war today in Europe but in Korea one of the bloodiest wars in our history is now being fought. Let us send our best planes there.

Mr. VINSON. Mr. Chairman, I ask for a vote on my amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: On page 51, line 25, strike out "$1,113,938,000" and insert "$1,133,938,000."

Mr. VINSON. That is a typographical error correcting the addition, Mr. Chairman.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. VINSON. Mr. Chairman, there are no further amendments from the committee.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: Amend title 4, general provisions, on page 53, after line 3, by adding a new section, as follows:

"SEC. 408. No funds authorized by this act shall be used for the construction at any United States military or naval installation of any flagpole or any other device for the display of any other flag than that of the United States of America: *Provided, however,* that nothing in this act shall prohibit the proper display of pennants and the colors denoting the various services and units within the United States establishment."

Mr. GROSS. Mr. Chairman, I think it is high time that we gave consideration to preserving the United States flag as the symbol of this Republic, and as the symbol of our military forces. My interest in offering this amendment is prompted to some extent by a letter inserted in the CONGRESSIONAL RECORD by the gentleman from Idaho [Mr. WOOD].

This letter was printed in the readers' forum of the Tablet, a national Catholic weekly, and was written by Helen P. Lasell, chairman, United States flag committee. I quote in part from her letter:

Not too long ago if anyone in this country hauled down the Stars and Stripes, and raised in place of it an alien banner, they would have been called a traitor and punished accordingly. It is stated that in 1947 a United World Federalist proclaimed at a meeting of several thousand persons that "we must haul down the American flag, haul it down, stamp on it, and spit on it."

Then the chairman of the United States Flag Committee quotes, in part, from an article appearing in the New York Times of April 11, 1952:

NORFOLK, VA., April 10.—Admiral Lynde D. McCormick, of the United States Navy, opened the headquarters here today of what is to become the greatest naval force in history. United States Navy men and a handful of foreign military and diplomatic figures stood at attention while the Stars and Stripes was hauled down from the staff in front of what has long been the United States Atlantic Fleet headquarters. A strange flag of blue and gold, the emblem of the new command, was broken out.

Admiral McCormick's command extends from the North Pole to the Tropic of Cancer, and from the shores of the Western Hemisphere to the coastal waters of Europe. The United States will supply 60 percent of these forces, Great Britain 30 percent, and the other nations 10 percent. All 14 NATO nations were represented as their flags were raised. The Navy Band played the national anthems. There is no anthem to go with the new Atlantic command flag, so marines fired a 16-gun salute.

Continuing, the chairman of the United States Flag Committee says:

This is shocking. It is the most disgraceful treatment ever given to Old Glory. Why send our boys to Korea and the far ends of the earth to fight while our admirals at home haul down our flag? What is this? What is happening to our country? Will our Americans allow such a disgrace? Only Congress has the power to declare any part of our country international territory and give away its sovereignty. Has Congress done this?

Mr. Chairman, I want to say that until these foreign nations show a real disposition to get into the war in Korea—not the "police action" or the "Korean

situation" as Harry S. Truman calls it, but the war in Korea, I see no reason why we should give them any position with reference to the flag of the United States of America. I am not unmindful of the fact that a few days ago we lost at least one American soldier going into a prison compound over there. I was under the impression that the British had troops in some of these prisoner-of-war camps. Where the devil are these British troops who are supposed to be guarding these prisoners? They are conspicuous by their absence in the front lines.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. RIVERS. Will the amendment offered by the gentleman prohibit the use of the Confederate flag?

Mr. GROSS. I think it would, but I hope not, because my intent is to stop the use of foreign flags at United States military installations. Nothing in my amendment would prevent the use of the Confederate flag or its proper display as the standard of any military or naval unit. Certainly it could not and should not take precedence over or rank with the display of the Stars and Stripes.

Mr. RIVERS. I would not want anything to come between us and the Confederate flag.

Mr. WOOD of Idaho. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. WOOD of Idaho. The gentleman is aware no doubt that Admiral Lynde D. McCormick stated that the flag was only hauled down long enough for the NATO flag to be hoisted in the center, and the United States flag received its place along one side with the flags of other nations of NATO, with the NATO flag having the position of honor in the center. Does the gentleman think that is the proper treatment to afford our Star-Spangled Banner?

Mr. GROSS. I certainly do not, or else I would not be offering this amendment.

Mr. WOOD of Idaho. Nor do I.

Mr. PRICE. I wonder if the gentleman could, with reference to the reply he gave to the gentleman from South Carolina [Mr. RIVERS], explain that further. His reply was, "I think it would, but I hope it will not."

Mr. GROSS. I do not think that needs any clarification, and I do not think you think it does.

Mr. PRICE. I think the House would. It sounds like double talk.

Mr. GROSS. I have no doubt that the gentleman is an authority on double talk. My amendment would not prohibit the Confederate flag from being used.

Mr. RIVERS. You know that the Confederate flag is American; don't you?

Mr. GROSS. That is right.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. BAILEY. Don't you imagine that there was a French flag flying down at Yorktown when America was trying to gain its independence?

Mr. GROSS. We had some fighting allies then. I am interested in preserving the United States of America for Americans, and in preventing the American Military Establishment from being swallowed by a spider-web organization or any alphabetical offshoot. I want no more foreign flags flying over our military establishments.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. VINSON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HARDY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time just to clear up the matter that has been raised by the gentleman from Iowa [Mr. GROSS].

I was present at the ceremonies to which the gentleman referred. I was the only Member of Congress who was present. I think it should be borne in mind that the headquarters of NATO, insofar as the Atlantic defense is concerned, was established at Norfolk, Va., in my district.

In the beginning of the ceremonies, and I think the Members ought to understand this, there was a flagpole in the center of a semicircle of flagpoles. The United States flag was flying from the center flagpole. No flags were flying from the others. In the course of the ceremonies the flags of members of the North Atlantic Treaty Organization were raised on the other flagpoles. The United States flag was raised at the honor position to the right of the center. At one time there were two United States flags flying. After the United States flag was raised at the right, the flag in the center was lowered and the NATO flag was raised on the center pole.

I do not know how in the world you can have any other sort of arrangement on an international post. Admiral McCormick's headquarters is an international headquarters. Insofar as I was able to determine there was no indignity to our flag, but I have photographs that were taken in the course of these exercises, and I shall be delighted to show them to any Member of the House who cares to see them.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Iowa.

Mr. GROSS. The Congress of the United States is responsible for these international organizations; is that not true?

Mr. HARDY. Responsible for the international organizations only insofar as our participation in them is concerned.

Mr. GROSS. Of course, we are the prime leaders in organizing these various international organizations.

Let me ask the gentleman this: Are we going to get two flagpoles on top of the House chamber and two on top of the Senate chamber and fly NATO flags over the Congress of the United States?

Mr. HARDY. The gentleman has already expressed himself in his own time. I should like to express my own views in my time. I do not subscribe to the argument which the gentleman has raised. God forbid that any other flag should be raised over the Capitol of the United States.

Mr. GROSS. Then, why establish them over our military bases in this country?

Mr. HARDY. As I conceive it, the headquarters of Admiral McCormack became the headquarters of the North Atlantic Treaty Organization, and as such our flag occupied a position of honor and will continue to occupy that position. It seems to me that to make any regulation which would not permit the flying of the NATO flag would make it impossible for us to serve as a member of that international organization.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

The gentleman from North Carolina is recognized.

Mr. BONNER. Mr. Chairman, I rise to ask a question of the chairman of the committee; whether or not the funds spoken of by the gentleman from Virginia [Mr. SMITH], as previously appropriated and not yet obligated, could be used under this authorization to build any facilities that would duplicate existing facilities that are supplied to the Air Force at any particular base.

Mr. VINSON. I would say we have tried to keep anything that is of a duplicating nature out of the bill. We do not want to duplicate and have two establishments doing the same thing. But duplication does not mean that one warehouse will serve for all three services. I think everyone knows what duplication means. There is no duplication in the bill as far as I know.

Mr. BONNER. That, of course, does not answer the question. As I understand, it was answered heretofore on a previous inquiry.

Mr. VINSON. The question of the gentleman from Virginia was in regard to unobligated funds.

Mr. BONNER. I understand, and we all understand, that in a recent appropriation bill this body went on record as directing that no funds in that appropriation bill be used to set up parallel supply systems, and I merely ask the question about the funds that exist I think and have not been obligated.

Mr. VINSON. I will say for the benefit of the committee that section 407 takes cut of the provision in the defense appropriation bill known as the Smith amendment limitation on the total aggregate:

SEC. 407. The limitation on total aggregate net expenditures set forth in section 638 of the Department of Defense Appropriations Act, 1953, is hereby increased by the amount of appropriations heretofore or hereafter made available for expenditure during the fiscal year ending June 30, 1953, pursuant to this or any other act authorizing the establishment or development of installations and facilities.

That deals with the unobligated funds. Now, as to the provision in any bill that there can be no duplication, there is nothing written in this bill that any money shall be spent if there is any duplication; I do not recall that being in the appropriation bill.

Mr. BONNER. The Meader amendment to the appropriation bill stated that

no funds therein appropriated should be used for the construction of warehouses that would duplicate existing warehouses functioning for the Air Force and operated by the Army. That was the intent of the amendment.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

The gentleman from Georgia is recognized.

Mr. VINSON. Mr. Chairman, to follow up the inquiry of the gentleman from North Carolina, if anything like that is applied to this bill you would require that because a warehouse is established for the Army you cannot establish a warehouse in that area for the Navy, the Marine Corps, or the Air Force. Is that it?

Mr. BONNER. The gentleman understands thoroughly what I mean. I do not wish to criticize at all.

Mr. VINSON. Let me get this across, then I will get to the other matter. We are doing everything we possibly can to eliminate duplication, and from the mere fact that you have a base at X and a base at Z it does not follow that they are duplications. To be duplications they must each be carrying on the same military activity. The Army, of course, must have its bases; the Navy must have its bases; the Air Force must have its bases. But wherever there can be elimination to keep down duplication, it is brought about.

Mr. Chairman, in view of what has happened here in regard to the amendment offered by the gentleman from Iowa and in view of what the gentleman from Virginia [Mr. HARDY] said about the custom and the practice of the Navy, I certainly trust this committee will vote the amendment down.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the majority leader.

Mr. McCORMACK. I might call attention, as showing the extremity of the amendment with regard to its effect on international custom which has existed for countless generations, that if the governor of a State were visiting an encampment the State flag could not be flown.

Mr. VINSON. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 2, noes 64.

So the amendment was rejected.

Mr. VINSON. Mr. Chairman, there are no further amendments from the committee.

Mr. HOWELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in title III of this bill there is an authorization for a considerable number of millions of dollars for additional facilities and so forth at McGuire Air Force Base adjacent to Fort Dix in my district. I am in favor of this authorization. I think it is needed to build up a mighty Air Force base, which will have important strategic value. It is located near the city of New York, a city that can be protected with an adequate fighter wing, and the establishment of an overseas military air transport service terminal there is undoubtedly justified. However, in connection with the plan for the expansion of these facilities, the Air Force is also requesting authorization for the acquisition of about 700 or 750 acres of additional land upon which to locate military housing, dependent housing and so forth. For these purposes they want to take some of the finest farm land in New Jersey, land that has been in the hands of families there for years and about the most productive farm land that we have in our small State of New Jersey.

It has been pointed out to the Air Force that there is land already in the vicinity, land within the reservation of Fort Dix, and that there is also additional land south of the air base, that can be just as efficiently used for this purpose. I was not advised that this project was going to be in this authorization until the committee had already dealt with the matter, so I do not think it is fair to offer an amendment at this time.

I do hope, Mr. Chairman, that the Air Force will give further and serious consideration to locating this housing at a different spot and that the Appropriations Committee in dealing with the authorizations granted under this bill will make the Air Force fully justify its need for this land which we in New Jersey think is vitally needed for farm production and make the Air Force consider the use of additional or other land near the base or land that it already owns at Fort Dix which is not now being used for any useful purpose.

The only answer that the Air Force was able to give me was that it would cost more to extend utilities to the alternate site, but when actually they were confronted with this answer it was proven that the land we recommended use of is closer to the utilities than the land the Air Force contemplates using under this acquisition.

I want to urge that the appropriations subcommittee, when it reaches this item, make the Air Force give some very good and substantial reasons for the acquisition of this additional land. I hope when that is done, some other alternative will be found.

Mr. CANFIELD. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the gentleman from Minnesota [Mr. H. CARL ANDERSEN] made some observations on the floor this afternoon based on things he saw in Korea last year. I was in Korea just a few weeks ago, and I came back home to the United States of America sick at heart.

Our boys over there need more of everything. No longer does our military leadership talk in terms of winning the war; they talk in terms of merely a holding operation. They say, we believe we can hold, and we think if the enemy indulges in a big offensive that we can make it the most costly in the world's military history.

Meanwhile our boys who fly the Sabrejets up MIG alley chasing the MIG's to the Yalu are told that they can go only to the Yalu and no farther. Figuratively, the boys who are flying the MIG's are thumbing their noses at our airmen as they fly to their sanctuary above the Yalu.

Now, Hanson Baldwin, military expert of the New York Times, perhaps the ablest military writer in our country, does not like the picture over in Korea either. In today's New York Times he says this:

> Enemy strength in Korea, which has steadily increased during the 11 months of futile cease-fire discussions, is now approaching a danger point.

He goes on further to say:

> Unless the United Nations and South Korean strength is increased at a faster rate than in the past, or unless a change in policy is made, time continues to be on the side of the enemy in Korea and the local initiative passed more and more into his hands.

Now, Mr. Chairman, if we adjourn in a few minutes I shall be taking a train home to New Jersey. As I go home every week end I make it a practice to talk to people on the train. They talk about the weather; they talk about politics; they talk about business, but do they ask questions about Korea? Not on your life. People back home in our United States are not concerned enough about the battles our boys are fighting for us over there. I am hoping that our military leadership here in Washington will properly reappraise the facts of life in Korea and will do something about the situation as I saw it.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Minnesota who was in Korea last year.

Mr. H. CARL ANDERSEN. Perhaps it is not so far afield when we heard our boys at the front above Seoul say that they think they are being treated as stepchildren.

Mr. CANFIELD. Do you know what they now say? "This is the darndest war we ever heard of."

Mr. H. CARL ANDERSEN. I know they were thoroughly disgusted when we were there in December.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Iowa.

Mr. GROSS. I am sure the gentleman was deeply impressed by the number of United Nations troops we had there.

Mr. CANFIELD. I saw those troops; mostly token troops. They were not there in real numbers, and our boys say they realize it is practically an American show. I know how hard it is to integrate into our forces those few foreign troops. Many of them have to have interpreters. It is a difficult job even though they are brave and anxious to do their part. It would be different if they were there in big strength. How consternated I was when I was in Hong Kong to learn that on a ship that had arrived from Australia there was a token force of troops bound for Korea to fight on our side and an equal number of salesmen concerned about another mission. Where were they going? Up to

Red Peiping to do business with the Red Chinese whom their Australian brothers are supposed to fight. I do not like that side of the picture, either.

Mr. WICKERSHAM. Mr. Chairman, the House Armed Services Committee, of which I am a member, has carefully considered every section of H. R. 8120 to authorize certain construction at military and naval installations.

We feel that the passage of this measure, coupled with previous authorizations, will insure the necessary state of readiness required by existing troublesome international conditions.

Mr. Chairman, I flew back to Washington yesterday morning in order that I might be here to vote for this important measure.

Included in this bill as a part of the authorization for defense construction in the fiscal year 1953 are the following items for Oklahoma:

Fort Sill, Okla.: Troop housing, maintenance facilities, training buildings, open storage, and utilities, $4,374,000.

Clinton Naval Air Station, Clinton, Okla.: Airfield pavements, liquid-fuel storage and dispensing facilities, communications, navigational aids and airfield lighting facilities, operational facilities, aircraft maintenance facilities, troop housing facilities, family housing, administrative and community facilities, utilities, land acquisition, medical facilities, storage facilites, and shops, $13,556,000.

Ardmore Muncipal Airport, Ardmore, Okla.: Airfield pavements, liquid-fuel storage and dispensing facilities, navigational aids facilities, operational facilities, aircraft maintenance facilities, land acquisition, and storage facilities, $4,237,000.

Vance Air Force Base, Enid, Okla.: Airfield pavements, liquid-fuel storage and dispensing facilities, airfield lighting facilities, aircraft maintenance facilites, training facilities, troop housing facilities, administrative and community facilities, utilities, land acquisition, and storage facilities, $7,621,000.

Tinker Air Force Base, Oklahoma City, Okla.: Liquid-fuel storage and dispensing facilities, aircraft maintenance facilities, and utilities, $7,642,000.

Total, $32,430,000.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GRANGER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8120) to authorize certain construction at military and naval installations, and for other purposes, pursuant to House Resolution 678, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. VINSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 332, nays 7, answered "present" 1, not voting 91, as follows:

[Roll No. 104]

YEAS—332

Abbitt	Dempsey	Jones,
Adair	Denny	Woodrow W.
Addonizio	Denton	Judd
Allen, Calif.	Devereux	Karsten, Mo.
Allen, Ill.	D'Ewart	Kean
Allen, La.	Dollinger	Kearney
Andersen, H. Carl	Donohue	Kearns
Anderson, Calif.	Donovan	Keating
Andresen, August H.	Dorn	Kee
Andrews	Doughton	Kelley, Pa.
Angell	Doyle	Kelly, N. Y.
Arends	Durham	Kersten, Wis.
Armstrong	Eaton	Kilburn
Aspinall	Eberharter	Kilday
Auchincloss	Elliott	King, Calif
Bailey	Engle	King, Pa.
Baker	Evins	Kirwan
Bakewell	Fallon	Lane
Baring	Feighan	Lanham
Barrett	Fernandez	Lantaff
Bates, Mass.	Fisher	Larcade
Battle	Flood	Latham
Beall	Fogarty	LeCompte
Beamer	Forand	Lind
Bennett, Fla.	Ford	Lovre
Bennett, Mich.	Forrester	Lucas
Bentsen	Fugate	Lyle
Berry	Furcolo	McCarthy
Betts	Gamble	McConnell
Bishop	Garmatz	McCormack
Blatnik	Gary	McDonough
Boggs, Del.	Gathings	McGregor
Boggs, La.	Gavin	McGuire
Bolling	George	McKinnon
Bolton	Golden	McMullen
Bonner	Goodwin	McVey
Bosone	Gordon	Machrowicz
Bow	Graham	Mack, Ill.
Boykin	Granahan	Mack, Wash.
Brambiett	Granger	Madden
Bray	Grant	Mahon
Brown, Ga.	Green	Martin, Iowa
Brown, Ohio	Greenwood	Martin, Mass.
Bryson	Gregory	Mason
Buchanan	Gross	Miller, Md.
Budge	Gwinn	Miller, Nebr.
Bolling	Hagen	Miller, N. Y.
Burleson	Hale	Mills
Burnside	Hall, Leonard W.	Mitchell
Burton	Halleck	Moulder
Busbey	Hand	Mumma
Bush	Hardy	Murdock
Byrnes	Harris	Murphy
Camp	Harrison, Va.	Murray
Canfield	Harrison, Wyo.	Nicholson
Cannon	Hart	Norblad
Carrigg	Havenner	Norrell
Chatham	Hays, Ark.	O'Brien, Ill.
Chelf	Hays, Ohio	O'Brien, Mich.
Chenoweth	Hébert	O'Brien, N. Y.
Chiperfield	Heller	O'Hara
Chudoff	Heselton	Osmers
Church	Hess	Ostertag
Clemente	Hill	Passman
Clevenger	Hillings	Patman
Cole, Kans.	Hoeven	Patten
Cole, N. Y.	Hoffman, Ill.	Patterson
Colmer	Hoffman, Mich.	Perkins
Combs	Holmes	Philbin
Cooley	Hope	Phillips
Cooper	Horan	Pickett
Corbett	Howell	Poage
Cotton	Hunter	Polk
Cox	Ikard	Poulson
Crosser	Irving	Preston
Crumpacker	Jackson, Calif.	Price
Cunningham	James	Priest
Curtis, Mo.	Jarman	Radwan
Dague	Javits	Rains
Davis, Ga.	Jenison	Rankin
Davis, Tenn.	Jenkins	Reams
Davis, Wis.	Jensen	Reece, Tenn.
Dawson	Jones, Ala.	Reed, N. Y.
Deane	Jones, Mo.	Rees, Kans.
DeGraffenried	Jones, Hamilton C.	Regan
Delaney		Rhodes
Ribicoff	Sikes	Vorys
Riley	Simpson, Ill.	Vursell
Rivers	Simpson, Pa.	Walter
Roberts	Sittler	Watts
Robeson	Smith, Miss.	Weichel
Rodino	Smith, Va.	Werdel
Rogers, Colo.	Spence	Wharton
Rogers, Fla.	Springer	Wheeler
Rogers, Mass.	Staggers	Whitten
Rogers, Tex.	Steed	Wickersham
Rooney	Taber	Widnall
Roosevelt	Talle	Wier
Ross	Taylor	Wigglesworth
Sadlak	Teague	Williams, N. Y.
St. George	Thomas	Willis
Saylor	Thompson, Mich.	Wilson, Ind.
Schenck	Thompson, Tex.	Wilson, Tex.
Scott, Hardie	Thornberry	Winstead
Scudder	Tollefson	Withrow
Secrest	Trimble	Wolcott
Seely-Brown	Vail	Wolverton
Shafer	Van Pelt	Wood, Ga.
Shelley	Van Zandt	Yates
Sheppard	Velde	Yorty
Short	Vinson	Zablocki
Sieminski		

NAYS—7

Buffett	Marshall	Wood, Idaho
Harrison, Nebr.	O'Konski	
Hull	Smith, Kans.	

ANSWERED "PRESENT"—1

Scrivner

NOT VOTING—91

Aandahl	Fraizer	Morano
Abernethy	Fulton	Morgan
Albert	Gore	Morris
Anfuso	Hall, Edwin Arthur	Morrison
Ayers	Harden	Morton
Barden	Harvey	Nelson
Bates, Ky.	Hedrick	O'Neill
Beckworth	Heffernan	O'Toole
Belcher	Herlong	Potter
Bender	Herter	Powell
Blackney	Hinshaw	Prouty
Brehm	Holifield	Rabaut
Brooks	Jackson, Wash.	Ramsay
Brownson	Johnson	Redden
Buckley	Jonas	Reed, Ill.
Burdick	Kennedy	Richards
Butler	Keogh	Riehlman
Carlyle	Kerr	Sabath
Carnahan	Klein	Sasscer
Case	Kluczynski	Scott, Hugh D., Jr.
Celler	Lesinski	Sheehan
Coudert	McCulloch	Smith, Wis.
Crawford	McGrath	Stanley
Curtis, Nebr.	McIntire	Stigler
Dingell	McMillan	Stockman
Dolliver	Magee	Sutton
Dondero	Mansfield	Tackett
Ellsworth	Meader	Welch
Elston	Merrow	Williams, Miss.
Fenton	Miller, Calif.	Woodruff
Fine		

So the bill was passed.

The Clerk announced the following pairs:

Mr. Sasscer with Mr. Smith of Wisconsin.
Mr. Brooks with Mr. Prouty.
Mr. Dingell with Mr. Morano.
Mr. Jackson of Washington with Mr. Meader.
Mr. Mansfield with Mr. Crawford.
Mr. Kennedy with Mr. Butler.
Mr. Keogh with Mr. Brownson.
Mr. Anfuso with Mr. McIntire.
Mr. Klein with Mr. Merrow.
Mr. Herlong with Mr. Case.
Mr. Rabaut with Mr. Burdick.
Mr. Morris with Mr. Potter.
Mr. Redden with Mr. Nelson.
Mr. Albert with Mr. Curtis of Nebraska.
Mr. Stigler with Mr. Coudert.
Mr. Holifield with Mr. Morton.
Mr. Buckley with Mr. McCulloch.
Mr. Carnahan with Mr. Dolliver.
Mr. Celler with Mr. Reed of Illinois.
Mr. O'Toole with Mr. Dondero.
Mr. O'Neill with Mr. Riehlman.
Mr. Miller of California with Mr. Fenton.
Mr. Magee with Mr. Ellsworth.
Mr. Welch with Mr. Sheehan.
Mr. McGrath with Mr. Elston.
Mr. Lesinski with Mr. Fulton.
Mr. Fine with Mrs. Harden.
Mr. Gore with Mr. Herter.

Mr. Frazier with Mr. Hinshaw.
Mr. Stanley with Mr. Johnson.
Mr. Bates of Kentucky with Mr. Jonas.
Mr. Abernethy with Mr. Belcher.
Mr. Richards with Mr. Ayres.
Mr. Kluczynski with Mr. Bender.
Mr. Morgan with Mr. Edwin Arthur Hall.
Mr. Sabath with Mr. Harvey.
Mr. Barden with Mr. Blackney.
Mr. Kerr with Mr. Woodruff.
Mr. McMillan with Mr. Stockman.
Mr. Morrison with Mr. Aandahl.
Mr. Carlyle with Mr. Brehm.

Mr. O'KONSKI changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. KILDAY. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the bill in the body of the RECORD prior to the roll call by which it was passed, and I ask unanimous consent also that all Members may have five legislative days in which to extend their remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 226. Concurrent resolution authorizing certain corrections in the enrollment of H. R. 5678.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested a joint resolution of the House of the following title:

H. J. Res. 477. Joint resolution to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

The message also announced that the Senate insists upon its amendments to the foregoing joint resolution, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. EASTLAND, and Mr. FERGUSON to be the conferees on the part of the Senate.

FLORENCE WRIGHT

Mr. DEANE. Mr. Speaker, by direction of the Committee on House Administration I ask for the immediate consideration of House Resolution 665.

The Clerk read the House resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Florence Wright, daughter of Minnie Wright, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate she was receiving at the time of her death and an additional amount not to exceed $350 toward defraying the funeral expenses of said Minnie Wright.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FRANCIS P. CASEY

Mr. DEANE. Mr. Speaker, by direction of the Committee on House Administration I ask for the immediate consideration of House Resolution 673.

The Clerk read the House resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Francis P. Casey, widower of Merle M. Casey, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate she was receiving at the time of her death and an additional amount not to exceed $350 toward defraying the funeral expenses of said Merle M. Casey.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LAWRENCE MITCHELL

Mr. DEANE. Mr. Speaker, by direction of the Committee on House Administration I ask for the immediate consideration of House Resolution 683.

The Clerk read the House resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to the estate of Lawrence Mitchell, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate he was receiving at the time of his death, and an additional amount not to exceed $350 toward defraying the funeral expenses of the said Lawrence Mitchell.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the special order granted the gentleman from Missouri [Mr. CURTIS] for 45 minutes on Monday next be transferred to Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would like to inquire of the majority leader if he could tell us the program for next week?

Mr. McCORMACK. I will be glad to announce to the House such program as I can at this time.

On Monday there will be the call of the Consent Calendar. Then there is one suspension, H. R. 7800, a bill amending in certain respects the Social Security Act. There are Maine primaries on that day, and we have already agreed that any roll calls will go over until Tuesday.

Mr. MARTIN of Massachusetts. That is in line with the policy heretofore established.

Mr. McCORMACK. Exactly.

Mr. MARTIN of Massachusetts. I would like to ask the gentleman if he could tell me about the bill coming up on Monday. Has there been any change in any material way since the last time it was rejected?

Mr. McCORMACK. There are two or three amendments. I would rather have some member of the Committee on Ways and Means on my side, who might be conversant with it, answer that question.

Mr. MARTIN of Massachusetts. I wonder if we could arrange to have it printed in the RECORD so that at least the people will know what they are voting on next Monday. That is a very important matter. The old people of this country are very much interested in this legislation, and we would like to see that they get adequate compensation.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from New York.

Mr. REED of New York. I would be very glad to explain any changes, but we were not invited into the meeting. You had a little secret meeting, and what you have done, I do not know.

Mr. McCORMACK. There is nothing unusual about that. I notice there is a fight on now in the Republican Committee on Arrangements as to whether it will be open or secret. And that is perfectly proper with me; either way. The gentleman from Massachusetts [Mr. MARTIN] has made a very proper inquiry, and insofar as I am able I will try and obtain the information desired and put it in the RECORD. I can only make one promise and do the best I can.

Mr. MARTIN of Massachusetts. I appreciate that. Will the gentleman explain the rest of the program?

Mr. McCORMACK. Of course, next week and the week after will be rather pressing weeks. I do not know what is likely to develop, but I have bracketed for the week this legislation:

On Tuesday the Private Calendar will be called.

Then S. 658, a bill amending the Communications Act of 1934, which was displaced. S. 2198, making airmail theft a felony. House Resolution 653, authorizing the Committee on Interstate and Foreign Commerce to file reports with the Clerk of the House when the House is not in session. Extension of control legislation, National Production Act, if it is reported out and a rule obtained, will be brought up next week, or just as quickly as possible after a rule is reported out. My understanding is that the next meeting of the Committee on Rules is on Tuesday.

The next meeting of the Committee on Rules will be on Tuesday, so the inference that could be drawn from that would be that the bill would not be considered on Monday or Tuesday in any event. Assuming the bill is reported out of the standing committee and a rule is reported by the Rules Committee, it

would not be before Wednesday that the bill would be taken up. I am making this statement now so that Members can govern themselves accordingly. Even if the bill is available for consideration before Wednesday, it will not be taken up before Wednesday.

I make the ordinary reservation that any further program will be announced later, and that conference reports may be brought up at any time.

Mr. MARTIN of Massachusetts. I thank the gentleman.

COMMITTEE ON BANKING AND CURRENCY

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight on Monday next to file a report on the bill H. R. 6546, the National Production Act.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CONTINUING THE EFFECTIVENESS OF CERTAIN STATUTORY PROVISIONS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 481) to continue the effectiveness of certain statutory provisions until June 30, 1952.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, and I am not going to object, I realize this is a precautionary measure so that in case the House is in recess when the Senate passes the bill these statutory provisions may continue in effect.

Mr. FEIGHAN. Yes. This will give us 15 additional days for the Senate to act.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution to continue the effectiveness of certain statutory provisions until June 1, 1952," approved April 14, 1952 (Public Law 313, 82d Cong.), as amended, is amended by striking out "June 15, 1952" wherever it appears in such joint resolution, as amended, and inserting in lieu thereof "June 30, 1952."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Reserving the right to object, Mr. Speaker, does this mean that we are not going to work tomorrow, and will take up the social-security bill on Monday, with 40 minutes of debate?

Mr. McCORMACK. All I can say to my friend is that there is no legislation in order for tomorrow. Monday is the only day the social-security bill can be taken up under suspension of the rules.

Mr. GROSS. So the T and T Club goes into operation again, and we are practically gagged Monday when the social-security bill comes up.

Mr. McCORMACK. I do not know anything about the T and T Club. That is a misnomer. My friend has the right to his own opinion. However, we have no legislation for tomorrow. We are caught up with everything. If the gentleman wants to object, he is perfectly within his rights.

Mr. GROSS. No, I am not going to object, but I do not think it is very good legislative procedure to take up a bill of the magnitude of the social-security bill with 40 mintues of debate, when we have nothing to do tomorrow. This bill should have been scheduled for tomorrow.

Mr. McCORMACK. We could not bring it up tomorrow because no rule has been reported on it. Monday is the only day on which the Speaker can recognize Members for suspensions. That is why this bill has to come up Monday.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Speaker, this is the bill carrying the $5-a-month payment for certain groups?

Mr. McCORMACK. One of the provisions is to increase the payments to annuitants by $5.

Mr. HOFFMAN of Michigan. If we put this bill through, will it get the Republican Party off the hook you hung them on when the bill was here before?

Mr. McCORMACK. I do not want to get into that. I think men voted in good faith. I do not know how my friend voted, but I certainly would not impugn his motives, no matter how sharply I disagree with his judgment. I am smiling, too.

Mr. HOFFMAN of Michigan. When I said "you," I did not mean you individually, I meant your party. We were hung higher than a kite on the thing, you know.

Mr. McCORMACK. If that is the gentleman's view, I am not going to challenge him.

Mr. HOFFMAN of Michigan. Well, we will vote for it when it comes along this time.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZATION TO SIGN ENROLLED BILLS AND RESOLUTIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next the Clerk be authorized to receive messages from the Senate and the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MEXICAN-AMERICAN FARM LABOR AGREEMENT

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, I take this time to announce to the House that at 1 o'clock this afternoon President Aleman of Mexico signed the amendments to the Mexican-American Farm Labor Agreement, which among other things provide that there shall be no unilateral determination of a blacklist; in other words, that the United States will have a hand in making such determinations, which has not been the case in the past. The amendments make a number of other changes in the agreement. I think these amendments substantially improve the existing agreement. It is not yet all that I would like, but we are surely making progress toward a fair and workable agreement. The agreement would have expired at the end of this month had it not been for these amendments. As it is, the amended agreement is extended until the 31st day of December 1952, which is the termination date of our law, but with the privilege of either nation terminating it on 30 days' notice. I felt the House would be glad to know we have an improved and more workable arrangement with Mexico.

Only as we are able to make this agreement fair and workable can we expect to eliminate the evils of wetback labor. I realize that the negotiation of such an agreement is a difficult undertaking. We cannot hope to attain a perfect instrument in a month or a year, but I do want to express my appreciation to all of those who have tried to make this agreement workable. These include representatives of the Department of Labor, of the State Department, of the Congress, of the Mexican Government, of the labor organizations, and particularly of the agricultural and livestock producers. They worked hard and long. They deserve our thanks.

SPECIAL ORDERS GRANTED

Mr. FLOOD asked and was given permission to address the House today for

30 minutes, following any special orders heretofore entered.

Mr. O'KONSKI asked and was given permission to address the House for 30 minutes on Tuesday next, following the conclusion of any special orders heretofore granted.

Mr. TOLLEFSON asked and was given permission to address the House for 10 minutes today, following any special orders heretofore entered.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

AIRCRAFT CARRIER

Mrs. ROGERS of Massachusetts. Mr. Speaker, first of all I would like to state that there is an error in the report of the Committee on Armed Forces regarding its bill. It speaks of the Massachusetts allotment of Fort Devens as being in Worcester, Mass. Fort Devens is not at Worcester, Mass., but is at Ayer, Mass., in my district.

Then the next item is the Watertown arsenal. The report mentions it as being located in Waltham, Mass. It is not located in Waltham, but at Watertown, Mass., in my district.

AIRCRAFT CARRIER

Mr. Speaker, I wish to speak about the second aircraft carrier that was not put in any appropriation bill in the House, but I am sure will be inserted as part of an appropriation in the other body. I hear very favorable reports regarding it, and I have every confidence that the other body will appropriate for the second aircraft carrier, and that the House will agree to it.

Mr. Speaker, I ask unanimous consent that I may extend my remarks regarding the carrier. Certainly, it might have been included in this bill. This bill authorizes for construction of facilities, and an aircraft carrier is a tremendous but important facility, a mobile air base and very vital to our national defense. The carrier carries the flag of the United States wherever it goes. It is always ours. It can go everywhere and no one knows today where the enemy will strike.

As there are to be additional airfields constructed in foreign countries, there is great need for an additional carrier.

WHY WE NEED THE NEW CARRIER AND THE CARRIER REPLACEMENT PROGRAM

Very recently the leaders of the Government have expressed their concern about the present world situation. The Secretary of State has stated firmly that the United States has stated its final terms in regard to an armistice in Korea. The Secretary of Defense has inferred that the Communist leaders are not acting in good faith. Because of this failure, it is believed peace is much farther away from final achievement. In view of these warnings which have been expressed by these two top level officials of Government, how can this Congress refuse the Navy, its greatly needed new carrier of the *Forrestal* class. I have talked at length regarding the urgent necessity for this carrier. I have stated several times the precise reasons this carrier must be constructed.

In the consideration of these reasons it is most important to bear in mind that 5 years ago when the National Security Act of 1947 was enacted by the Congress, the Navy was assigned in this law the responsibilty of controlling the sea and through naval aviation the air over the sea. In connection with this law the Navy also was assigned specific primary missions. The Navy's primary missions are:

First. To protect our sea and air communications.

Second. To support and sustain the operations our Army, Navy and Air Force overseas.

Third. To secure the sources of our raw materials necessary for the prosecution of war.

Fourth. Defend the United States, its Territories and areas for which the United States is responsible.

Fifth. Maintain control of the sea and the air over the sea.

This is a grave responsibility. The Nation's economic survival and security depends upon the Navy's ability to accomplish these tasks. Contrary to some popular opinions, the Soviet Union, today, has a capability of seriously challenging our control of the seas. It is time that the American people know this. The principle threats come from high speed, deep diving submarines and the aircraft.

To understand the serious nature of this problem, let us look at a map of the Soviet Union and the surrounding areas. Because of its geographical location, and because of the initial advantage accruing to an aggressor nation, the Soviet Union, today, is in a position to attack our shipping in the Atlantic, Mediterranean, the Persian Gulf, Indian Ocean and the Pacific Ocean. It is possible for the Soviet Union to deny us control of the sea without so much as launching a surface ship. Our economic survival and the ability to project and sustain our military forces overseas is directly dependent upon our ability to overcome these two threats.

The provision of mobile bases in the form of modern aircraft carriers capable of handling fighter aircraft, superior to the enemy's, is vital to the accomplishment of the Navy's repsonsibilities. Time does not stand still in Russian technological progress. Unless the Navy is permitted to carry out an orderly replacement program for our World War II carriers, your Navy will soon become inferior in the air to the Soviet Union. The newer carriers are necessary to operate the planes, with performance superior to the Soviets, now being developed.

The *Forrestal*-type carrier is not a super carrier, but merely a larger mobile air base at sea essential to the operations of larger-type aircraft now in production. The increase in the size and weight of aircraft carriers to date has not kept pace with the increased size and weight of the airplane.

There are seven major reasons why we must build these large modern aircraft carriers. These reasons are briefly:

First The increased weight of the aircraft.

Second. The need for increased fuel capacity due to jet propulsion.

Third. The need for more catapaults for launching modern fighters.

Fourth. The need for more aviation ordnance space.

Fifth. The increased over-all dimensions of modern aircraft.

Sixth. The increase in aircraft landing speeds.

Seventh. The need for better protection against torpedoes, bombs, and other weapons.

CONCLUSIONS

First. The offensive power of aircraft is so great that in order to control the seas a nation must first control the air over the seas. Since this task can only be accomplished from ships, the Congress has assigned the responsibility of controlling the air over the seas to the Navy. The carrier aircraft is the only instrument capable of creating that favorable air situation over the seas which will permit us to use the seas to our advantage. The task cannot be done by defensive measures, alone. It must be done by offensive operations. The modern carrier is the backbone of those offensive operations.

Second. Today, the fighter aircraft is the dominant weapon for control of the seas. If the Navy is to continue to be able to discharge its responsibilities to the Nation by protecting our shipping on the Seven Seas; by supporting our armies, air forces, and naval installations overseas and by protecting the source of critical materials necessary for our economic survival, the Navy must not be deprived of the principal means of accomplishing these tasks, that is, carriers capable of handling aircraft superior to those of our enemies.

Third. The freezing of carrier development will impose upon the Navy the necessity of freezing plane development as well. This would constitute a devastating blow to national security. A restriction on the development of new carriers would have the same effect on the Navy as would a restriction on the size of airfields and the length of runways for the Air Force. Both would result in air forces inferior to the enemy.

Fourth. It must not be forgotten that not one single foot soldier or one single landbased aircraft can be based overseas on other than a sacrificial basis, unless the Navy is in a position to guarantee the support or continued support of that man on that airplane. First things must come first. We cannot logically, as a Nation, undertake a program of billions of dollars in overseas bases, unless

we are capable of protecting and sustaining those bases. This can be accomplished only by the Navy having control of the seas and the air over the seas through modern carrier air power.

Fifth. For these reasons, it has been wisely determined that the development and the modification of the weapons of each service is an individual responsibility of that service.

Sixth. In the final analysis, the problem may be boiled down to this—is the Navy to be deprived of the tools which it considers vital to carrying out its primary missions?

Obviously the answer of every thinking American is that our country cannot afford to take the chance of causing irreparable damage to our ability to control the sea and the air over the sea by refusing to appropriate the funds required to carry out completely the carrier-replacement program.

This situation does not involve politics. This matter strikes deeply and at the center of our national survival. It is important that the Congress does not fail to make the necessary funds available. As I see responsibility, it is our duty to keep America strong. It is our duty to keep the forces of freedom more powerful than the forces of slavery. It is our duty to see that the free way of life shall never perish from this earth. This duty, this clear-cut duty, commands us to appropriate the funds for this new carrier of the *Forrestal* class and to support the entire carrier-replacement program.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

PERMISSION TO INSERT BILL TO BE CONSIDERED UNDER SUSPENSION OF THE RULES ON MONDAY AT THIS POINT OR IN APPENDIX

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that either I or some other Member may have permission to insert in the RECORD at this point a copy of the bill that will be taken up on Monday next under the suspension of the rules.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(The bill follows:)

H. R. 7800

A bill to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes

Be it enacted, etc., That this act may be cited as the Social Security Act Amendments of 1952.

INCREASE IN BENEFIT AMOUNTS

Benefits computed by conversion table

SEC. 2. (a) (1) Section 215 (c) (1) of the Social Security Act (relating to determinations made by use of the conversion table) is amended by striking out the table and inserting in lieu thereof the following new table:

"I If the primary insurance benefit (as determined under subsec. (d)) is:	II The primary insurance amount shall be:	III And the average monthly wage for purpose of computing maximum benefits shall be:
$10	$25.00	$45.00
$11	27.00	49.00
$12	29.00	53.00
$13	31.00	56.00
$14	33.00	60.00
$15	35.00	64.00
$16	36.70	67.00
$17	38.20	69.00
$18	39.50	72.00
$19	40.70	74.00
$20	42.00	76.00
$21	43.50	79.00
$22	45.30	82.00
$23	47.50	86.00
$24	50.10	91.00
$25	52.40	95.00
$26	54.40	99.00
$27	56.30	102.00
$28	58.00	120.00
$29	59.40	129.00
$30	60.80	139.00
$31	62.00	147.00
$32	63.30	155.00
$33	64.40	163.00
$34	65.50	170.00
$35	66.60	177.00
$36	67.80	185.00
$37	68.50	193.00
$38	70.00	200.00
$39	71.00	207.00
$40	72.00	213.00
$41	73.10	221.00
$42	74.10	227.00
$43	75.10	234.00
$44	76.10	241.00
$45	77.10	250.00
$46	77.10	250.00"

(2) Section 215 (c) (2) of such act is amended to read as follows:

"(2) In case the primary insurance benefit of an individual (determined as provided in subsection (d)) falls between the amounts on any two consecutive lines in column I of the table, the amount referred to in paragraphs (2) (B) and (3) of subsection (a) for such individual shall be the amount determined with respect to such benefit (under the applicable regulations in effect on May 1, 1952), increased by 12½ percent or $5, whichever is the larger, and further increased, if it is not then a multiple of $0.10, to the next higher multiple of $0.10."

(3) Section 215 (c) of such act is further amended by inserting after paragraph (3) the following new paragraph:

"(4) For purposes of section 203 (a), the average monthly wage of an individual whose primary insurance amount is determined under paragraph (2) of this subsection shall be a sum equal to the average monthly wage which would result in such primary insurance amount upon application of the provisions of subsection (a) (1) of this section and without the application of subsection (e) (2) or (g) of this section; except that, if such sum is not a multiple of $1, it shall be rounded to the nearest multiple of $1."

Revision of the benefit formula; revised minimum and maximum amounts

(b) (1) Section 215 (a) (1) of the Social Security Act (relating to primary insurance amount) is amended to read as follows:

"(1) The primary insurance amount of an individual who attained age 22 after 1950 and with respect to whom not less than six of the quarters elapsing after 1950 are quarters of coverage shall be 55 percent of the first $100 of his average monthly wage, plus 15 percent of the next $200 of such wage; except that, if his average monthly wage is less than $48, his primary insurance amount shall be the amount appearing in column II of the following table on the line on which in column I appears his average monthly wage.

"I Average monthly wage	II Primary insurance amount
$34 or less	$25
$35 through $47	$26"

(2) Section 203 (a) of such act (relating to maximum benefits) is amended by striking out "$150" and "$40" wherever they occur and inserting in lieu thereof "$168.75" and "$45", respectively.

Effective dates

(c) (1) The amendments made by subsection (a) shall, subject to the provisions of paragraph (2) of this subsection and notwithstanding the provisions of section 215 (f) (1) of the Social Security Act, apply in the case of lump-sum death payments under section 202 of such act with respect to deaths occurring after, and in the case of monthly benefits under such section for any month after, August 1952.

(2) (A) In the case of any individual who is (without the application of section 202 (j) (1) of the Social Security Act) entitled to a monthly benefit under subsection (b), (c), (d), (e), (f), (g), or (h) of such section 202 for August 1952, whose benefit for such month is computed through use of a primary insurance amount determined under paragraph (1) or (2) of section 215 (c) of such act, and who is entitled to such benefit for any succeeding month on the basis of the same wages and self-employment income, the amendments made by this section shall not (subject to the provisions of subparagraph (B) of this paragraph) apply for purposes of computing the amount of such benefit for such succeeding month. The amount of such benefit for such succeeding month shall instead be equal to the larger of (i) 112½ percent of the amount of such benefit (after the application of sections 203 (a) and 215 (g) of the Social Security Act as in effect prior to the enactment of this act) for August 1952, increased, if it is not a multiple of $0.10, to the next higher multiple of $0.10, or (ii) the amount of such benefit (after the application of sections 203 (a) and 215 (g) of the Social Security Act as in effect prior to the enactment of this Act) for August 1952, increased by an amount equal to the product obtained by multiplying $5 by the fraction applied to the primary insurance amount which was used in determining such benefit, and further increased, if such product is not a multiple of $0.10, to the next higher multiple of $0.10. The provisions of section 203 (a) of the Social Security Act, as amended by this section (and, for purposes of such section 203 (a), the provisions of section 215 (c) (4) of the Social Security Act, as amended by this section), shall apply to such benefits as computed under the preceding sentence of this subparagraph, and the resulting amount if not a multiple of $0.10, shall be increased to the next higher multiple of $0.10.

(B) The provisions of subparagraph (A) shall cease to apply to the benefit of any individual for any month under title II of the Social Security Act, beginning with the first month after August 1952 for which (i) another individual becomes entitled, on the basis of the same wages and self-employment income, to a benefit under such title to which he was not entitled, on the basis of such wages and self-employment income, for August 1952; or (ii) another individual, entitled for August 1952 to a benefit under such title on the basis of the same wages and self-employment income, is not entitled to such benefit on the basis of such wages and self-employment income; or (iii) the amount of any benefit which would be pay-

able on the basis of the same wages and self-employment income under the provisions of such title, as amended by this act, differs from the amount of such benefit which would have been payable for August 1952 under such title, as so amended, if the amendments made by this act had been applicable in the case of benefits under such title for such month.

(3) The amendments made by subsection (b) shall (notwithstanding the provisions of section 215 (f) (1) of the Social Security Act) apply in the case of lump-sum death payments under section 202 of such act with respect to deaths occurring after August 1952, and in the case of monthly benefits under such section for months after August 1952.

Saving provisions

(d) (1) Where—

(A) an individual was entitled (without the application of section 202 (j) (1) of the Social Security Act) to an old-age insurance benefit under title II of such act for August 1952;

(B) two or more other persons were entitled (without the application of such section 202 (j) (1)) to monthly benefits under such title for such month on the basis of the wages and self-employment income of such individual; and

(C) the total of the benefits to which all persons are entitled under such title on the basis of such individual's wages and self-employment income for any subsequent month for which he is entitled to an old-age insurance benefit under such title, would (but for the provisions of this paragraph) be reduced by reason of the application of section 203 (a) of the Social Security Act, as amended by this act,

then the total of benefits, referred to in clause (C), for such subsequent month shall be reduced to whichever of the following is the larger:

(D) the amount determined pursuant to section 203 (a) of the Social Security Act, as amended by this act; or

(E) the amount determined pursuant to such section, as in effect prior to the enactment of this act, for August 1952 plus the excess of (i) the amount of his old-age insurance benefit for August 1952 computed as if the amendments made by the preceding subsections of this section had been applicable in the case of such benefit for August 1952, over (ii) the amount of his old-age insurance benefit for August 1952.

(2) No increase in any benefit by reason of the amendments made by this section or by reason of paragraph (2) of subsection (c) of this section shall be regarded as a recomputation for purposes of section 215 (f) of the Social Security Act.

PRESERVATION OF INSURANCE RIGHTS OF PERMANENTLY AND TOTALLY DISABLED

SEC. 3. (a) (1) Section 213 (a) (2) (A) of the Social Security Act (defining quarter of coverage) is amended to read as follows:

"(A) The term 'quarter of coverage' means, in the case of any quarter occurring prior to 1951, a quarter in which the individual has been paid $50 or more in wages, except that no quarter any part of which was included in a period of disability (as defined in section 216 (i)), other than the initial quarter of such period, shall be a quarter of coverage. In the case of any individual who has been paid, in a calendar year prior to 1951, $3,000 or more in wages, each quarter of such year following his first quarter of coverage shall be deemed a quarter of coverage, excepting any quarter in such year in which such individual died or became entitled to a primary insurance benefit and any quarter succeeding such quarter in which he died or became so entitled, and excepting any quarter any part of which was included in a period of disability, other than the initial quarter of such period."

(2) Section 213 (a) (2) (B) (i) of such act is amended to read as follows:

"(i) no quarter after the quarter in which such individual died shall be a quarter of coverage, and no quarter any part of which was included in a period of disability (other than the initial quarter and the last quarter of such period) shall be a quarter of coverage;".

(3) Section 213 (a) (2) (B) (iii) of such act is amended by striking out "shall be a quarter of coverage" and inserting in lieu thereof "shall (subject to clause (i)) be a quarter of coverage."

(b) (1) Section 214 (a) (2) of the Social Security Act (defining fully insured individual) is amended by striking out subparagraph (B) and inserting in lieu thereof the following:

"(B) forty quarters of coverage,

not counting as an elapsed quarter for purposes of subparagraph (A) any quarter any part of which was included in a period of disability (as defined in section 216 (i)) unless such quarter was a quarter of coverage."

(2) Section 214 (b) of such act (defining currently insured individual) is amended by striking out the period and inserting in lieu thereof: ", not counting as part of such thirteen-quarter period any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage."

(c) (1) Section 215 (b) (1) of the Social Security Act (defining average monthly wage) is amended by inserting after "excluding from such elapsed months any month in any quarter prior to the quarter in which he attained the age of 22 which was not a quarter of coverage" the following: "and any month in any quarter any part of which was included in a period of disability (as defined in section 216 (i)) unless such quarter was a quarter of coverage."

(2) Section 215 (b) (4) of such act is amended to read as follows:

"(4) Notwithstanding the preceding provisions of this subsection, in computing an individual's average monthly wage, there shall not be taken into account—

"(A) any self-employment income of such individual for taxable years ending in or after the month in which he died or became entitled to old-age insurance, benefits whichever first occurred;

"(B) any wages paid such individual in any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage;

"(C) any self-employment income of such individual for any taxable year all of which was included in a period of disability."

(3) Section 215 (d) of such act (relating to primary insurance benefit for purposes of conversion table) is amended by adding at the end thereof the following new paragraph:

"(5) In the case of any individual to whom paragraph (1), (2), or (4) of this subsection is applicable, his primary insurance benefit shall be computed as provided therein; except that, for purposes of paragraphs (1) and (2) and subparagraph (C) of paragraph (4), any quarter prior to 1951 any part of which was included in a period of disability shall be excluded from the elapsed quarters unless it was a quarter of coverage, and any wages paid in any such quarter shall not be counted."

(d) Section 216 of the Social Security Act (relating to certain definitions) is amended by adding after subsection (h) the following new subsection:

"Disability; Period of Disability

"(i) (1) The term 'disability' means (A) inability to engage in any substantially gainful activity by reason of any medically determinable physical or mental impairment which can be expected to be permanent, or (B) blindness; and the term 'blindness' means central visual acuity of 5/200 or less in the better eye with the use of correcting lenses. An eye in which the visual field is reduced to five degrees or less concentric contraction shall be considered for the purpose of this paragraph as having a central visual acuity of 5/200 or less. An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.

"(2) The term 'period of disability' means a continuous period of not less than six full calendar months (beginning and ending as hereinafter provided in this subsection) during which an individual was under disability (as defined in paragraph (1)). No such period with respect to any disability shall begin as to any individual unless such individual, while under such disability, files an application for a disability determination. Except as provided in paragraph (4), a period of disability shall begin on whichever of the following days is the latest:

"(A) the day the disability began;

"(B) the first day of the 1-year period which ends with the day before the day on which the individual filed such application; or

"(C) the first day of the first quarter in which he satisfies the requirements of paragraph (3).

A period of disability shall end on the day on which the disability ceases. No application for a disability determination which is filed more than 3 months before the first day on which a period of disability can begin (as determined under this paragraph) shall be accepted as an application for the purposes of this paragraph.

"(3) The requirements referred to in paragraphs (2) (C) and (4) (B) are satisfied by an individual with respect to any quarter only if he had not less than—

"(A) six quarters of coverage (as defined in section 213 (a) (2)) during the 13-quarter period which ends with such quarter; and

"(B) twenty quarters of coverage during the 40-quarter period which ends with such quarter,

not counting as part of the 13-quarter period specified in clause (A), or the 40-quarter period specified in clause (B), any quarter any part of which was included in a prior period of disability unless such quarter was a quarter of coverage.

"(4) If an individual files an application for a disability determination after March 1953, and before January 1955, with respect to a disability which began before April 1953 and continued without interruption until such application was filed, then the beginning day for the period of disability shall be whichever of the following days is the later:

"(A) the day such disability began; or

"(B) the first day of the first quarter in which he satisfies the requirements of paragraph (3)."

(e) Title II of the Social Security Act is amended by adding after section 219 the following new section:

"DISABILITY PROVISIONS INAPPLICABLE IF BENEFITS WOULD BE REDUCED

"SEC. 220. The provisions of this title relating to periods of disability shall not apply in the case of any monthly benefit or lump-sum death payment if such benefit or payment would be greater without the application of such provisions."

(f) Notwithstanding the provisions of section 215 (f) (1) of the Social Security Act, the amendments made by subsections (a), (b), (c), and (d) of this section shall apply to monthly benefits under title II of the Social

Security Act for months after June 1953, and to lump-sum death payments under such title in the case of deaths occurring after March 1953; but no recomputation of benefits by reason of such amendments shall be regarded as a recomputation for purposes of section 215 (f) of the Social Security Act.

INCREASE IN AMOUNT OF EARNINGS PERMITTED WITHOUT DEDUCTIONS

SEC. 4. (a) Paragraph (1) of subsection (b) of section 203 of the Social Security Act and paragraph (1) of subsection (c) of such section are each amended by striking out "$50" and inserting in lieu thereof "$70."

(b) Paragraph (2) of subsection (b) of such section is amended by striking out "$50" and inserting in lieu thereof "$70."

(c) Paragraph (2) of subsection (c) of such section is amended by striking out "$50" and inserting in lieu thereof "$70."

(d) Subsections (e) and (g) of such section are each amended by striking out "$50" wherever it appears and inserting in lieu thereof "$70."

(e) The amendments made by subsection (a) shall apply in the case of monthly benefits under title II of the Social Security Act for months after August 1952. The amendments made by subsection (b) shall apply in the case of monthly benefits under such title II for months in any taxable year (of the individual entitled to such benefits) ending after August 1952. The amendments made by subsection (c) shall apply in the case of monthly benefits under such title II for months in any taxable year (of the individual on the basis of whose wages and self-employment income such benefits are payable) ending after August 1952. The amendments made by subsection (d) shall apply in the case of taxable years ending after August 1952. As used in this subsection, the term "taxable year" shall have the meaning assigned to it by section 211 (e) of the Social Security Act.

WAGE CREDITS FOR CERTAIN MILITARY SERVICE; REINTERMENT OF DECEASED VETERANS

SEC. 5. (a) Section 217 of the Social Security Act (relating to benefits in case of World War II veterans) is amended by striking out "World War II" in the heading and by adding at the end of such section the following new subsection:

"(e) (1) For the purposes of determining entitlement to and the amount of any monthly benefit or lump-sum death payment payable under this title on the basis of the wages and self-employment income of any veteran (as defined in paragraph (5)), such veteran shall be deemed to have been paid wages (in addition to the wages, if any, actually paid to him) of $160 in each month during any part of which he served in the active military or naval service of the United States on or after July 25, 1947, and prior to January 1, 1954. This subsection shall not be applicable in the case of any monthly benefit or lump-sum death payment if—

"(A) a larger such benefit or payment, as the case may be, would be payable without its application; or

"(B) a benefit (other than a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments) which is based, in whole or in part, upon the active military or naval service of such veteran on or after July 25, 1947, and prior to January 1, 1954, is determined by any agency or wholly owned instrumentality of the United States (other than the Veterans' Administration) to be payable by it under any other law of the United States or under a system established by such agency or instrumentality.

The provisions of clause (B) shall not apply in the case of any monthly benefit or lump-sum death payment under this title if its application would reduce by $0.50 or less the primary insurance amount (as computed under section 215 prior to any recomputation thereof pursuant to subsection (f) of such section) of the individual on whose wages and self-employment income such benefit or payment is based.

"(2) Upon application for benefits or a lump-sum death payment on the basis of the wages and self-employment income of any veteran, the Federal Security Administrator shall make a decision without regard to clause (B) of paragraph (1) of this subsection unless he has been notified by some other agency or instrumentality of the United States that, on the basis of the military or naval service of such veteran on or after July 25, 1947, and prior to January 1, 1954, a benefit described in clause (B) of paragraph (1) has been determined by such agency or instrumentality to be payable by it. If he has not been so notified, the Federal Security Administrator shall then ascertain whether some other agency or wholly owned instrumentality of the United States has decided that a benefit described in clause (B) of paragraph (1) is payable by it. If any such agency or instrumentality has decided, or thereafter decides, that such a benefit is payable by it, it shall so notify the Federal Security Administrator, and the Administrator shall certify no further benefits for payment or shall recompute the amount of any further benefits payable, as may be required by paragraph (1) of this subsection.

"(3) Any agency or wholly owned instrumentality of the United States which is authorized by any law of the United States to pay benefits, or has a system of benefits which are based, in whole or in part, on military or naval service on or after July 25, 1947, and prior to January 1, 1954, shall, at the request of the Federal Security Administrator, certify to him, with respect to any veteran, such information as the Administrator deems necessary to carry out his functions under paragraph (2) of this subsection.

"(4) There are hereby authorized to be appropriated to the Trust Fund from time to time, as benefits which include service to which this subsection applies become payable under this title, such sums as may be necessary to meet the additional costs, resulting from this subsection, of such benefits (including lump-sum death payments). The Administrator shall from time to time estimate the amount of such additional costs through the use of appropriate accounting, statistical, sampling, or other methods.

"(5) For the purposes of this subsection, the term 'veteran' means any individual who served in the active military or naval service of the United States at any time on or after July 25, 1947, and prior to January 1, 1954, and who, if discharged or released therefrom, was so discharged or released under conditions other than dishonorable after active service of 90 days or more or by reason of a disability or injury incurred or aggravated in service in line of duty; but such term shall not include any individual who died while in the active military or naval service of the United States if his death was inflicted (other than by an enemy of the United States) as lawful punishment for a military or naval offense."

(b) Section 205 (o) of the Social Security Act (relating to crediting of compensation under the Railroad Retirement Act) is amended by striking out "section 217 (a)" and inserting in lieu thereof "subsection (a) or (e) of section 217".

(c) (1) The amendments made by subsections (a) and (b) shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after August 1952, and with respect to lump-sum death payments in the case of deaths occuring after August 1952, except that, in the case of any individual who is entitled, on the basis of the wages and self-employment income of any individual to whom section 217 (e) of the Social Security Act applies, to monthly benefits under such section 202 for August 1952, such amendments shall apply (A) only if an application for recomputation by reason of such amendments is filed by such individual, or any other individual, entitled to benefits under such section 202 on the basis of such wages and self-employment income, and (B) only with respect to such benefits for months after whichever of the following is the later: August 1952 or the seventh month before the month in which such application was filed. Recomputations of benefits as required to carry out the provisions of this paragraph shall be made notwithstanding the provisions of section 215 (f) (1) of the Social Security Act; but no such recomputation shall be regarded as a recomputation for purposes of section 215 (f) of such Act.

(2) In the case of any veteran (as defined in section 217 (e) (5) of the Social Security Act) who died prior to September 1952, the requirement in subsections (f) and (h) of section 202 of the Social Security Act that proof of support be filed within 2 years of the date of such death shall not apply if such proof is filed prior to September 1954.

(d) (1) Paragraph (1) of section 217 (a) of such act is amended by striking out "a system established by such agency or instrumentality." in clause (B) and inserting in lieu thereof:

"a system established by such agency or instrumentality. The provision of clause (B) shall not apply in the case of any monthly benefit or lump-sum death payment under this title if its application would reduce by $0.50 or less the primary insurance amount (as computed under section 215 prior to any recomputation thereof pursuant to subsection (f) of such section) of the individual on whose wages and self-employment income such benefit or payment is based."

(2) The amendment made by paragraph (1) of this subsection shall apply only in the case of applications for benefits under section 202 of the Social Security Act filed after August 1952.

(e) (1) Section 101 (d) of the Social Security Act Amendments of 1950 is amended by changing the period at the end thereof to a comma and adding: "and except that in the case of any individual who died outside the 48 States and the District of Columbia on or after June 25, 1950, and prior to September 1950, whose death occurred while he was in the active military or naval service of the United States, and who is returned to any of such States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands for interment or reinterment, the last sentence of section 202 (g) of the Social Security Act as in effect prior to the enactment of this act shall not prevent payment to any person under the second sentence thereof if application for a lump-sum death payment under such section with respect to such deceased individual is filed by or on behalf of such person (whether or not legally competent) prior to the expiration of 2 years after the date of such interment or reinterment."

(2) In the case of any individual who died outside the 48 States and the District of Columbia after August 1950 and prior to January 1954, whose death occurred while he was in the active military or naval service of the United States, and who is returned to any of such States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands for interment or reinterment, the last sentence of section 202 (i) of the Social Security Act shall not prevent payment to any person under the second sentence thereof if application for a lump-sum death payment with respect to such deceased individual is filed under such section by or on behalf of such person (whether or not legally

competent) prior to the expiration of 2 years after the date of such interment or reinterment.

COVERAGE OF CERTAIN EMPLOYEES COVERED BY STATE AND LOCAL RETIREMENT SYSTEMS

SEC. 6. (a) Subsection (d) of section 218 of the Social Security Act (relating to voluntary agreements for coverage of State and local employees) is amended by striking out "Exclusion of" in the heading, by inserting "(1)" after "(d)", and by adding at the end thereof the following new paragraphs:

"(2) Notwithstanding paragraph (1), an agreement with a State may be made applicable (either in the original agreement or by any modification thereof) to service performed by employees in positions covered by a retirement system (including positions specified in paragraph (3) but excluding positions specified in paragraph (4)) if—

"(A) there were in effect on January 1, 1951, in a State or local law, provisions relating to the coordination of such retirement system with the insurance system established by this title; or

"(B) the Governor of the State certifies to the Administrator that the following conditions have been met:

"(i) A referendum by secret written ballot was held on the question whether service in positions covered by such retirement system should be excluded from or included under an agreement under this section;

"(ii) An opportunity to vote in such referendum was given (and was limited) to the employees who, at the time the referendum was held, were in positions then covered by such retirement system (other than employees in positions to which, at the time the referendum was held, the State agreement already applied and other than employees in positions specified in paragraph (4) (A));

"(iii) Ninety days' notice of such referendum was given to all such employees;

"(iv) Such referendum was conducted under the supervision of the Governor or an individual designated by him; and

"(v) Two-thirds or more of the employees who voted in such referendum voted in favor of including service in such positions under an agreement under this section.

"No referendum with respect to a retirement system shall be valid for the purposes of this paragraph unless held within the 2-year period which ends on the date of execution of the agreement or modification which extends the insurance system established by this title to such retirement system.

"(3) For the purposes of subsections (c) and (g) of this section, the following employees shall be deemed to be a separate coverage group:

"(A) All employees in positions which were covered by the same retirement system on the date the agreement was made applicable to such system;

"(B) All employees in positions which were covered by such system at any time after such date; and

"(C) All employees in positions which were covered by such system at any time before such date and to which the insurance system established by this title has not been extended before such date because the positions were covered by such retirement system.

"(4) Nothing in the preceding paragraphs of this subsection shall authorize the extension of the insurance system established by this title to service in any of the following positions covered by a retirement system—

"(A) any policeman's or fireman's position or any elementary or secondary school teacher's position; or

"(B) any position covered by a retirement system applicable exclusively to positions in one or more law-enforcement or fire-fighting units, agencies, or departments.

"For the purposes of this paragraph, any individual in the educational system of the State or any political subdivision thereof supervising instruction in such system or in any elementary or secondary school therein shall be deemed to be an elementary or secondary school teacher.

"(5) If a retirement system covers positions of employees of the State and positions of employees of one or more political subdivisions of the State or covers positions of employees of two or more political subdivisions of the State, then, for purposes of the preceding paragraphs of this subsection, there shall, if the State so desires, be deemed to be a separate retirement system with respect to each political subdivision concerned and, where the retirement system covers positions of employees of the State, a separate retirement system with respect to the State."

(b) Subsection (f) of section 218 of the Social Security Act (relating to effective dates of agreements and modifications thereof) is hereby amended by striking out "January 1, 1953" and inserting in lieu thereof "January 1, 1955."

TECHNICAL PROVISIONS

SEC. 7. (a) Section 215 (f) (2) of the Social Security Act (relating to recomputation of benefits) is amended to read as follows:

"(2) (A) Upon application by an individual entitled to old-age insurance benefits, the Administrator shall recompute his primary insurance amount if application therefor is filed after the twelfth month for which deductions under paragraph (1) or (2) of section 203 (b) have been imposed (within a period of 36 months) with respect to such benefit, not taking into account any month prior to September 1950 or prior to the earliest month for which the last previous computation of his primary insurance amount was effective, and if not less than six of the quarters elapsing after 1950 and prior to the quarter in which he filed such application are quarters of coverage.

"(B) Upon application by an individual who, in or before the month of filing of such application, attained the age of 75 and who is entitled to old-age insurance benefits for which the primary insurance amount was computed under subsection (a) (3) of this section, the Administrator shall recompute his primary insurance amount if not less than six of the quarters elapsing after 1950 and prior to the quarter in which he filed application for such recomputation are quarters of coverage.

"(C) A recomputation under subparagraphs (A) and (B) of this paragraph shall be made only as provided in subsection (a) (1) and shall take into account only such wages and self-employment income as would be taken into account under subsection (b) if the month in which application for recomputation is filed were deemed to be the month in which the individual became entitled to old-age insurance benefits. Such recomputation shall be effective for and after the month in which such application for recomputation is filed."

(b) Section 215 (f) of the Social Security Act is further amended by renumbering paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

"(5) In the case of any individual who became entitled to old-age insurance benefits in 1952 or in a taxable year which began in 1952 (and without the application of section 202 (j) (1)), or who died in 1952 or in a taxable year which began in 1952 but did not become entitled to such benefits prior to 1952, and who had self-employment income for a taxable year which ended within or with 1952 or which began in 1952, then upon application filed after the close of such taxable year by such individual or (if he died without filing such application) by a person entitled to monthly benefits on the basis of such individual's wages and self-employment income, the Administrator shall recompute such individual's primary insurance amount. Such recomputation shall be made in the manner provided in the preceding subsections of this section (other than subsection (b) (4) (A)) for computation of such amount, except that (A) the self-employment income closing date shall be the day following the quarter with or within which such taxable year ended, and (B) the self-employment income for any subsequent taxable year shall not be taken into account. Such recomputation shall be effective (A) in the case of an application filed by such individual, for and after the first month in which he became entitled to old-age insurance benefits, and (B) in the case of an application filed by any other person, for and after the month in which such person who filed such application for recomputation became entitled to such monthly benefits. No recomputation under this paragraph pursuant to an application filed after such individual's death shall affect the amount of the lump-sum death payment under subsection (i) of section 202, and no such recomputation shall render erroneous any such payment certified by the Administrator prior to the effective date of the recomputation."

(c) In the case of an individual who died or became (without the application of section 202 (j) (1) of the Social Security Act) entitled to old-age insurance benefits in 1952 and with respect to whom not less than six of the quarters elapsing after 1950 and prior to the quarter following the quarter in which he died or became entitled to old-age insurance benefits, whichever first occurred, are quarters of coverage, his wage closing date shall be the first day of such quarter of death or entitlement instead of the day specified in section 215 (b) (3) of such act, but only if it would result in a higher primary insurance amount for such individual. The terms used in this paragraph shall have the same meaning as when used in title II of the Social Security Act.

(d) (1) Section 1 (q) of the Railroad Retirement Act of 1937, as amended, is amended by striking out "1950" and inserting in lieu thereof "1952."

(2) Section 5 (i) (1) (ii) of the Railroad Retirement Act of 1937, as amended, is amended to read as follows:

"(ii) will have rendered service for wages as determined under section 209 of the Social Security Act, without regard to subsection (a) thereof, of more than $70, or will have been charged under section 203 (e) of that act with net earnings from self-employment of more than $70;".

(3) Section 5 (l) (6) of the Railroad Retirement Act of 1937, as amended, is amended by inserting "or (e)" after "section 217 (a)."

EARNED INCOME OF BLIND RECIPIENTS

SEC. 8. Title XI of the Social Security Act (relating to general provisions) is amended by adding at the end thereof the following new section:

"EARNED INCOME OF BLIND RECIPIENTS

"SEC. 1109. Notwithstanding the provisions of sections 2 (a) (7), 402 (a) (7), 1002 (a) (8), and 1402 (a) (8), a State plan approved until title I, IV, X, or XIV may provide that where earned income has been disregarded in determining the need of an individual receiving aid to the blind under a State plan approved under title X, the earned income so disregarded (but not in excess of the amount specified in section 1002 (a) (8) shall not be taken into consideration in determining the need of any other individual for assistance under a State plan approved under title I, IV, X, or XIV."

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business

in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 20 minutes.

MINE SAFETY LEGISLATION

Mr. FLOOD. Mr. Speaker, the basic fuel industry in the United States is coal. I have the privilege of representing the great anthracite coal center of Pennsylvania, and I use this time to emphasize to the House and the country the tragic and deplorable condition existing in both the hard and soft coal mines, which permits death, injury, and disaster to be worked upon the men who sweat and toil in the mines.

Recently in the other body a bill was passed which has as its purpose the rectification of mine inspection and safety regulations. There is now before a committee of this House similar legislation looking toward the same goal. Much has been said in the hearings in the other body and before the committee of this House, and I am advised today that the recently convened hearings of the House committee on this bill, by a vote of the committee, have been discontinued, and we who favor this legislation hope that it will be speedily brought to the floor and just as speedily placed upon the calendar, because we have every reason to believe that if and when such mine safety legislation is brought to the House the good will, the intelligence, and the record of this House is such that that law will be speedily enacted and sent to the White House for signature.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. I wish to compliment the gentleman from Pennsylvania for calling the attention of this body to the great need there is in this country for the passage of the legislation he is talking about. Recently in my area five miners, mining iron ore underground, were killed. I wonder if the Members of the House realize what it means to the families of these people when something happens in the mines, due to the lack of necessary safety precaution on the part of the mine owners, to be underground 5,000 feet without a chance to live. I hope that the iron-ore mines will also be included in this bill, and I hope the gentleman will continue to prod the committee and all Members of the House, as I intend to do, to see that this legislation is speedily enacted, because I think it is the most important piece of legislation that has come before this body.

Mr. FLOOD. I appreciate the remarks of the distinguished gentleman from Wisconsin. I may say this is not the first occasion that he has spoken to me in connection with mine-safety legislation generally, and more particularly with this safety legislation for mine inspection. I hope that insofar as the mines in his district are concerned, he will get his hope.

The roof is bad, the track is worse
The 15th North is on a "squeeze."
The South Old Works are full of gas
Coal dust on the main line to your knees
The air at the face is mighty slow
The loading machine is at its worst
The boss wants a 4-hundred ton today
Say, who in the hell said safety first?

The coal miner who wrote that verse was ridiculing the safety first sign at the top of a Pennsylvania mine shaft. In Pennsylvania and in other coal mining States of this country such signs abound. Some are more imaginative, having such bulletins as Think, Work, and Act Safely. Take Care and Be Careful, and so forth, grim reminders of the real, stark dangers that lurk in the earth's recesses, dangers which have reaped a ghastly toll of mining men over the years and which will continue to do so under our present system.

Many of this country's coal operators try to live up to the above-mentioned slogans but just as many do not. In times of good work and prosperity, a great deal of attention is given this problem. In times of poor work and stress, it is the first program to go by the board. In the hunt for profits and to meet the terrific competition that is always present in the coal industry, the safety program is the first to suffer. Well-intentioned producers are forced to cut corners and they do so wherever possible. Their greedy conscienceless competition, which is everywhere, then makes no pretense of a safety program and weak enforcement or none at all under our present inadequate system, soon leads to a Centralia, or a West Frankfort catastrophe. For a while the Nation gasps and demands the Congress take action. The Congress stirs, speeches are made, bills are introduced, hearings are held, each action coming with a slower and slower movement until suddenly it reaches a spot where it stops and remains on dead center, forgotten by all but a few Members of Congress, a small part of the public, the still-living coal miners, the widows and the orphans of Centralia, West Frankfort, Carpentertown, and all other mines where disaster overtook some of the Nation's coal miners. Not enough to attract attention, not enough to force the passage of legislation past the clutching hands of those who for one reason or another do not want to give the Federal inspectors the power to remove men from a mine when dangerous conditions prevail.

Mr. Speaker, I do not want to burden the RECORD with statistics. Over and over again have the tragic figures of the number of coal miners killed and injured each year been called to the attention of the Congress and the public. But I do want to call your attention to the heavy burden carried by the mining people of this country which is further shown in the report of Josephine Roche, administrator of the United Mine Workers welfare and retirement fund, who states that the average miner lives 8.4 years less than the average American. The average age at death of a miner is 55.8 years, as compared with 64.2 years for the country as a whole. The death ratio for the Nation is 10.3 per thousand. For the miners it is 15.1 While we have the most productive miners in the mining world, we also lead in the frequency of mine accidents.

It is time that something be done about this situation. America is stirring on the mine-safety problem in various ways. One of the most heartening developments is that parts of the industry itself are showing active leadership.

In many of the Nation's coal mines, safety first means what it says: careful, competent managers are present to lead and show the way to safer coal-mining methods. This progressive part of the industry believes it is more economical to to have "safety first"—to conserve manpower, protect human lives, create better public relations, develop happier customers, raise employees' morale and production, assure lower insurance rates; in brief, safety in the mines is sound economy. Safety first means something to the Union Pacific's Reliance mine No. 7, Reliance, Wyo., whose 575 miners have worked three consecutive years without a single lost-time accident. This, I believe, is a world record in coal mining, and the reassuring part of this example is that it is happening in our time—now. This is an example of real safety first.

By "safety first" we mean what the term implies; first in over-all consideration, first in specific application, first in expense. It means the acceptance of the inescapable factor that safety costs money and that it should have preference and priority over all other costs in the production of coal.

Another example of safety first is the rescue of 240 miners at Peabody mine No. 59, just on the outskirts of Springfield, Ill., on August 16, 1949. Some of you will recall the fire that broke out in that mine. The men were trapped from the normal routes of escape. The fire raged beyond control. In 1946—or 3 years before the fire—Federal mine inspectors had warned the company of the great distance that existed between the men and the air shaft, and they recommended an extra air shaft be constructed closed to the functional area of the mine to assure better ventilation and to be used in case of emergencies. The company complied. This proved to be one of the best investments the Peabody Coal Co. ever made. This new air shaft formed the means for 163 of the trapped miners to escape. There were no cages or elevators; no stairs or ladders for the miners to use. A movable hoist was rushed from a Taylorville, Ill. mine—some 30 miles distant—and used to lift the miners out of the pit in a bucket, three men at a time. While the rescue operations were going on, more than 100,000 people, unaware of the near disaster, were enjoying themselves at the Illinois State Fair adjacent to the stricken mine. All the men were saved with only six slight smoke injuries, but no fatalities. This is what we mean by safety first—safety by being prepared for eventualities.

The West Frankfort mine disaster of December 21, 1951, which destroyed the lives of 120 miners, is a example of safety last. It followed the Centralia mine disaster of 1947 which killed 111 miners and the Old Ben explosion which cost the lives of 28 men in the same year. According to the report of the United States Bureau of Mines, the catastrophe at Orient No. 2 was caused by a large accumulation of methane which oozed or was forced out of old works into the functional part of the mine. A nonpermissible machine—which means a machine without proper safeguards against fire, heat, and sparks—ignited the gas. The initial blast gained momentum as it fed on pulverized coal dust; it wrecked the operation and the men were doomed. One hundred and twenty men perished, and it could only have been worse if the blast had occurred just a few hours before when the day shift of over 1,000 men had been in the mine.

The C. W. & F. Coal Co. erred in three fundamental things:

First. It permitted large quantities of methane to accumulate and concentrate.

Second. It used nonpermissible mining machines.

Third. It failed to adequately rock dust the roadways so as to smother or localize a gas explosion.

All are in violation of the mining code.

The reports of J. J. Forbes, Director of the Bureau of Mines; Secretary of the Interior Chapman; and John L. Lewis clearly and unmistakably show that the managers of the New Orient mine were flagrantly negligent. The Governor of Illinois has said the company was at fault and so was the Illinois Department of Mines and Minerals. Congressman C. W. (RUNT) BISHOP, whose district includes the stricken mine, told us, his colleagues in Congress, that he was gravely concerned with the large amount of gas that had been permitted to accumulate in Orient No. 2. How the gas was set off was of minor significance, he said. Mine examiners have testified the gas conditions in this mine were a major subject of controversy months before the blast occurred.

The company was warned of the specific dangers. The Bureau of Mines had recommended the old works be sealed off, air driven into the old works, the gas diluted and driven out of the mine and in the process not to pass the lethal current into the functional part of the mine where fire and men could be exposed to it. The Bureau of Mines says it has documentary proof that this specific warning was made at least six different times—months, even years, before the explosion.

But I do not want to dilate on the failure of Illinois to protect its miners or to enforce its mining laws. Illinois is not the only mining State that is negligent in the performance of its duties. Every State in the Union where coal is being mined can tell the same story as Illinois. Poor enforcement of their mining laws, politics in their mining departments, inadequate laws or none at all, can be charged to every mining State in America. And the charges can be documented and proven.

I am a Pennsylvanian and proud of it. We frequently boast of the adequate and progressive laws of our great State. And they are adequate, they are progressive. But they are not the ultimate. They can be improved. And the knowledge that an experienced Federal inspector would be making a check of the condition of their mines, would act as a deterrent to any State inspector who might be inclined to shirk his duty or overlook a law violation. Of course, it might hurt his pride, but I prefer the injury to an inspector's pride to a mine explosion or mine injury. Were the Pennsylvania mining laws what some people claim them to be, we would not have had the Carpentertown explosion. Here the State inspection service claimed no gas existed, while the Federal inspectors claimed there was gas in explosive quantities. The death of six miners proved who was right, but the proof was poor recompense for the widows and orphans of these men. Another so-called nongassy mine blew up on March 24 at Gray, Pa., burning two miners severely. This was a "safe" mine operated as nongassy under our adequate Pennsylvania law without preshift examination and with open-type electrical equipment. Another good example that our laws are not perfect was the flooding of a so-called independent or bootleg mine, which drowned five miners near Forestville, Pa. Here was a small mine, one of the many which some of our colleagues are demanding be exempted from any Federal mine safety law. These men should have been protected, in their ignorance and in their shoestring, substandard operation by the Pennsylvania inspection service. They should have been warned of the presence of that body of water and forced to drill holes ahead of the face for their own protection. But they were not protected and they died, and I want to say right here, that I am opposed to the exemption of small mines as such, from the Federal Inspection Service. Because a man works in a small mine is no reason to declare open season on him. He is entitled to every protection we can give him and I submit that any operator who will not or cannot work his mine safely with every effort being made to protect his employees, should not be allowed to operate in any State in the Union.

In January 1952, Mr. Joseph J. Walsh, deputy secretary of the Pennsylvania Department of Mines, labeled the hard coal industry's fatality rate per million manhours of exposure for the year 1951 as 18 percent higher than the 1950 rate and bad. Ninety-one lives were lost in 1951, five more than in 1950. He further stated that—

> While the 1951 fatality rate for the anthracite industry is bad, nevertheless, notwithstanding the physical dangers that confront you—dangers not found in other coal fields—your record is much better than the bituminous coal industry of the Nation. • • •
>
> There must always be people better than others in the essentials respecting safety in coal mines—people more competent, more hopeful, more kind, and more disposed to service and to duty. So, likewise, it is with coal companies, as the record reveals year after year.
>
> No denying it, there is one practical remedy beckoning all of you, the good and the not so good. As I have said many times, ample and practical supervision on the part of the officials and the miners at the working face is the pivot on which our whole safety movement rests. It is the most powerful weapon that we have in our warfare against the 20,000 or 30,000 dangers which come into being each working day as a result of the orderly operation of the mines in the anthracite field.
>
> Meanwhile, let it be understood that practical supervision is the one indispensable element in a sound and efficient safety program.

I agree with Mr. Walsh. Ample and practical supervision on the part of the officials and the miners at the working face is the whole answer and upon which an adequate safety movement depends. So I am for a Federal mine safety bill. It means more supervision. It means more education. It provides a necessary check upon those States who do not or will not provide adequate protection for their miners. It can harm no one but can do a world of good. Over the years the States and the coal industry have proven either their inadequacy or unwillingness to provide safety for their coal miners. They have had every chance to prove their good faith and the Congress of the United States should at long last step into the picture they have been so reluctant to enter over these disaster-laden years. There is now before the House Education and Labor Committee, H. R. 7408, bearing the name of our colleague, SAM MCCONNELL. This bill written by a subcommittee of the Labor Committee, was prepared under the careful supervision of Congressmen MCCONNELL and Congressman KELLEY of Pennsylvania. It has the complete support of United Mine Workers of America, the Bureau of Mines and a majority of the coal industry. It is a good bill, a carefully prepared document which provides Federal protection only against five causes of major disasters. It leaves for the States the fertile field of fatalities and injuries that comprise 60 percent of all these. State inspection service is not interfered with except to a minor degree and this bill in no way would cause State inspection services to be eliminated. Personally, I would support a stronger bill. I hope the committee will vote this bill to the floor speedily and that the members of this House, Democrat and Republican alike, will join in a bipartisan move to enact into law, this humanitarian bill.

The SPEAKER. Under previous order of the House the gentleman from Washington [Mr. TOLLEFSON] is recognized for 10 minutes.

OUR TAX BURDEN AND THE NATIONAL ECONOMY

Mr. TOLLEFSON. Mr. Speaker, all indications point to the fact that the vast majority of American people believe their tax burden is now as heavy as their pocketbooks and our national economy can stand. With a minimum of complaint they have, through the years, paid for the costs of running the Government's business, both in peacetime and during national emergencies.

But they now very definitely believe that a limit on taxes has been reached,

and that if the Federal budget is to be balanced it must be by way of reduced Government expenditures and not through increased tax rates. Any new tax hike would not only place an impossible financial burden upon them, but would add to the inflationary processes which have already reduced the purchasing power of their remaining dollars.

Today the average American pays about 32 cents out of every dollar he earns to one tax collector or another. He knows the amount of his income tax, but rarely does he have any idea of the amount he pays by way of hidden taxes which are imposed on manufacturers and merchants, and passed along to the consumer in the form of higher prices. He is usually astounded to learn how large they are.

For instance, when an individual goes to an auto dealer and pays $2,000 for a car, about $625 of it represents the share of Federal, State, and local tax collectors who have taken their toll on about 200 transactions that went into the making of that automobile.

The same situation exists when a person buys a house, a refrigerator, a radio, a loaf of bread, or a package of cigarettes. In the case of a house—there are about 475 taxes on the construction and materials costs which go into it. A man's suit carries over 100 hidden tax levies. It is interesting to note the amounts of these taxes on items which are commonly used in every American community.

When a loaf of bread costs 14 cents the tax take is 5 cents. Twelve cents of the 21-cent package of cigarettes are tax levies. On a quart of milk which costs 23 cents there are 9 cents in taxes. Out of 90 cents paid for a pound of beef the tax collector gets 32 cents. They take 14 cents out of a 26-cent gallon of gasoline, and $3 out of a $4 quart of liquor.

The total cost of these hidden taxes to the taxpayer is staggering. If a man's income is $3,500 per year, he will pay about $800 in hidden taxes. These will include retail sales taxes and excises, merchants' and manufacturers' taxes, social-security payments, real estate and minor taxes. Incidentally, that person's income tax—which is an additional toll—amounts on the average to about $290. With a $7,500 income, the hidden taxes come to slightly more than $1,900, while the income tax is about $850. The larger the income, the larger is the tax take.

The President has asked for more taxes than are presently being collected. In his budget message he asked for authority to spend $85,000,000,000 during the fiscal year starting July 1, 1952. The anticipated revenues from taxes during the same period would amount to about $71,000,000,000, leaving a deficit for that fiscal year of about $14,000,000,000. Congress, however, has indicated that it will cut the budget requests by about $7,500,000,000. That would still leave a deficit of around $6,500,000,000. If the budget were to be balanced, that amount would either have to be raised by new taxes or Federal expenditures would have to be still further reduced to that extent.

Where can the Government raise an additional $6,500,000,000 in new taxes? Outside of a few so-called loopholes in the revenue laws there seem to be no other sources which can be safely tapped. It cannot "soak the rich" because there are not enough of them nor do they have sufficient income to yield the revenue necessary to cover the anticipated deficit. Secretary of the Treasury Snyder last year submitted some revealing figures to the House Ways and Means Committee on this subject. He testified that the total of the surtax net incomes in the brackets over $10,000 per year amounted to only $8,000,000,000. About $5,000,000,000 of this amount is already collected through income taxes, so that only $3,000,000,000 remains. If all of that remainder were taken through new taxes it could not meet the $6,500,000,000 deficit.

Snyder testified that the bulk of the Nation's taxable income was to be found in the taxable income brackets of $2,000 per year or less. According to his estimates there is a pool of about $60,000,000,000 in that tax bracket. The publication, Economic Intelligence, estimates the figure to be around $50,000,000,000. Whatever it is, the people in these lower income groups cannot tolerate more taxes. They know the burden of taxes from the things they have to do without because taxes have taken their money. If more taxes are forced upon them, it simply means more hardship, and lower productivity. It means that for them the economic system fails to provide a living. About nineteen million income-tax returns are estimated to have been filed covering single persons and families with income of less than $3,000 per year. The total taxes of these persons run about three times the ancient tithe; tax collectors take slightly more than $900 out of a $3,000 income. Such an income, or less, is not enough for an adequate level of consumption of an independent group.

The facts clearly indicate that except for closing some loopholes—which would not produce the revenue the administration requires—there is no place to shift the burden of new taxes. Neither low-income groups nor high, nor the whole of the taxpaying public, can pay higher taxes without impairment of productivity and without changing the form of organization of our economy. The tax burden cannot be shifted on to either the low or the high income taxpayers; and the economy as a whole will not benefit, but will only lose productivity and experience further inflation if taxes are raised again.

The figures illustrate quite forcibly how burdensome taxes have become. Today everyone pays taxes—the rich and the poor alike. Their burden can be relieved only by reducing Federal spending, and only by that means can the Federal Budget be balanced.

Waste and duplication in the operation of Government functions can be reduced. The Hoover Commission Report, which has general bipartisan support, indicates that if its recommendations are adopted savings to the extent of four or five billion dollars are possible. Savings can also be effected in military expenditures. Scores of instances of military waste have been brought to light in recent months. One of the Representatives of the Military Department, Rear Adm. Joseph Fowler, told members of the House Armed Services Committee that annual savings up to $4,000,000,000 could be made if the various branches of the Armed Services adopted a single procurement catalog. The Armed Services have been urged to do so for several years but have failed to act. Congress only now is seeking to compel them to do so through legislative action.

The Federal Government has grown too large, as the following figures indicate:

United States population in 1930	122,000,000
United States population in 1950	150,000,000
(Increase, 23 percent.)	
Federal civilian employment 20 years ago	570,000
Federal civilian employment today	2,539,045
(Increase, 345 percent.)	
Federal Bureaus and Agencies 20 years ago	300
Federal Bureaus and Agencies today	1818
(Increase, 500 percent.)	
Taxes in fiscal year 1933	$2,079,696,742
Taxes in fiscal year 1953 (estimated)	$71,000,000,000
(Increased, 3,450 percent.)	

According to a recent General Accounting Office report the Federal Government has 14 agencies handling its forest problems, 28 agencies employed in welfare matters, 29 agencies in lending funds, 34 agencies in acquiring land, and 65 agencies in the gathering of statistics. And speaking of acquiring land, the Government owns 54 percent of all the land in the 11 Western States.

Mr. Speaker, who can say that the time has not come for Congress to act quickly in the matter of reducing Federal bureaucracy and cutting Federal spending? Most certainly the people are insisting upon action. They know full well that their tax burden is heavy and they want relief. That relief can come only through reduction in Government spending.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted as follows to:

Mr. FLOOD and include a tribute to the twenty-fifth anniversary of a distinguished clergyman.

Mr. WALTER and to insert an article that appeared in the Wall Street Journal of June 10.

Mr. CELLER.

Mr. FOGARTY and to include a commencement address at Catholic University by Hon. Haurice Tobin, Secretary of Labor.

Mr. PRIEST and to include a magazine article by John R. Steelman.

Mr. SEELY-BROWN and to include extraneous matter .

Mr. LANE and to include extraneous matter.

Mr. LANE and to include an article entitled "Smoky Bear," notwithstanding it exceeds two pages and is estimated by the Public Printer to cost $196.

Mr. BEAMER and to include remarks he made over the Mutual Broadcasting System.

Mrs. ST. GEORGE in two separate instances, in each to include extraneous matter.

Mr. FOGARTY and to include an editorial.

Mr. CANNON and to include an address, notwithstanding it exceeds two pages and is estimated by the Public Printer to cost $210.

Mr. MCGREGOR.

Mr. KEARNS and to include a citation for Commissioner Earl J. McGrath at Allegheny College, Meadville, Pa.

Mr. BUSBEY (at the request of Mr. MARTIN of Massachusetts) and to include extraneous matter.

Mr. WIGGLESWORTH (at the request of Mr. MARTIN of Massachusetts) and to include extraneous matter.

Mr. MILLER of New York (at the request of Mr. MARTIN of Massachusetts) in three instances and to include extraneous matter.

Mr. SCHENCK (at the request of Mr. MARTIN of Massachusetts) in two instances and to include extraneous matter.

Mr. HOWELL and in include extraneous matter.

Mr. CHUDOFF (at the request of Mr. HOWELL) and to include extraneous matter.

Mr. KEOGH (at the request of Mr. HOWELL) and to include extraneous matter.

Mr. MCGUIRE (at the request of Mr. PRIEST) and to include an editorial.

Mr. REED of New York in three instances, in each to include extraneous matter.

Mr. BAKEWELL and to include a commencement address given by Dr. Ralph J. Bunche at St. Louis University.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5633. An act to approve contracts negotiated with irrigation districts on the Owyhee, Riverton, Milk River, and Frenchtown Federal Reclamation projects, to authorize their execution, and for other purposes;

H. R. 5678. An act to revise the laws relating to immigration, naturalization, and nationality, and for other purposes;

H. R. 6336. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7340. An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes; and

H. J. Res. 449. Joint resolution to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 6 minutes p. m.), under its previous order, the House adjourned until Monday, June 16, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1558. Under clause 2 of rule XXIV, a letter from the Attorney General, transmitting a letter relative to the case of Ludvik Tom Sefcik or Louis H. Sefcik, file No. A-6887953 CR 25999, and requesting that it be withdrawn from those pending before the Congress and returned to the jurisdiction of the Department of Justice, was taken from the Speaker's table, and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Georgia: Committee on the District of Columbia. S. 1283. An act to remove the limitation on the numerical strength of the White House Police force, without amendment (Rept. No. 2162). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on the District of Columbia. H. R. 7380. A bill to reduce from 20 to 15 years the period of service required for permissive retirement of judges of the Municipal Court, the Municipal Court of Appeals, and the Juvenile Court, in the District of Columbia; with amendment (Rept. No. 2163). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on the District of Columbia. H. R. 7502. A bill to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes; with amendment (Rept. No. 2164). Referred to the Committee of the Whole House on the State of the Union.

Mr. DEANE: Committee on House Administration. House Resolution 665. Resolution to pay a gratuity to Florence Wright; without amendment (Rept. No. 2165). Referred to the House Calendar.

Mr. DEANE: Committee on House Administration. House Resolution 673. Resolution for the relief of Francis P. Casey; without amendment (Rept. No. 2166). Referred to the House Calendar.

Mr. DEANE: Committee on House Administration. House Resolution 683. Resolution for the relief of the estate of Lawrence Mitchell, late an employee of the House of Representatives; without amendment (Rept. No. 2167). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 8189. A bill to provide loans for members of the Armed Forces who are entitled to national service life insurance dividends; to the Committee on Veterans' Affairs.

By Mr. CRUMPACKER:

H. R. 8190. A bill to amend the act of February 7, 1905, as amended, authorizing the Kensington & Eastern Railroad Co. to construct a bridge across the Calumet River; to the Committee on Public Works.

By Mr. GAMBLE:

H. R. 8191. A bill to amend section 127 (a) of the Internal Revenue Code and other statutes relating to the deduction of war losses; to the Committee on Ways and Means.

By Mr. KILDAY:

H. R. 8192. A bill to amend section 302 of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Armed Services.

By Mr. MCCARTHY:

H. R. 8193. A bill to amend section 206 of the Legislative Reorganization Act of 1946, so as to enable the Comptroller General more effectively to assist the Appropriations Committees in considering the budget; to the Committee on Expenditures in the Executive Departments.

By Mr. MARTIN of Iowa:

H. R. 8194. A bill to amend an act approved May 26, 1928, relating to a bridge across the Mississippi River at Bettendorf, Iowa; to the Committee on Public Works.

By Mr. MURRAY:

H. R. 8195. A bill to amend the act of April 23, 1930, relating to a uniform retirement date for authorized retirements of Federal personnel, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RADWAN:

H. R. 8196. A bill to amend title II of the Social Security Act so as to repeal the $50 work clause; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H. R. 8197. A bill to provide additional compensation for certain individuals who were prisoners of war during World War II; to the Committee on Armed Services.

By Mr. EATON:

H. R. 8198. A bill to amend section 112 (b) (7) of the Internal Revenue Code relating to the making and filing of elections; to the Committee on Ways and Means.

By Mr. HART:

H. J. Res. 480. Joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. DOUGHTON:

H. Res. 686. Resolution providing for the further expenses of conducting the studies and investigations authorized by House Resolution 78, Eighty-second Congress; to the Committee on House Administration.

H. Res. 687. Resolution providing for additional compensation to the messenger (Hughlon Greene) to the Committee on Ways and Means; to the Committee on House Administration.

By Mr. HART:

H. Res. 688. Resolution to provide for the payment of certain death and burial benefits to the estate of Helen Hogan Comley; to the Committee on House Administration.

By Mr. CELLER:

H. Res. 689. A Resolution to amend House Resolution 95, relating to the authority of the Committee on the Judiciary to investigate matters within its jurisdiction; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CURTIS of Missouri:

H. R. 8199. A bill for the relief of Mrs. Frieda Fleischer; to the Committee on the Judiciary.

By Mr. EVINS:

H. R. 8200. A bill for the relief of Mrs. Maggie Fields; to the Committee on the Judiciary.

By Mr. FLOOD:

H. R. 8201. A bill for the relief of Yacko Katabata; to the Committee on the Judiciary.

By Mr. FRAZIER (by request):

H. R. 8202. A bill for the relief of Pilar de Reyes; to the Committee on the Judiciary.

By Mr. GAMBLE:

H. R. 8203. A bill for the relief of Maria Sanz y Alfero Gibson; to the Committee on the Judiciary.

By Mr. KEARNS:

H. R. 8204. A bill for the relief of Mrs. Helen B. Lambropoulou; to the Committee on the Judiciary.

By Mr. LANE (by request):

H. R. 8205. A bill for the relief of Homer C. Boozer and others; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H. R. 8206. A bill for the relief of Badoui Antonios Massoud; to the Committee on the Judiciary.

H. R. 8207. A bill for the relief of Leon Piorkowski, Elzbieta Piorkowski, his wife and Maria Piorkowski, their daughter; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 8208. A bill for the relief of Leonore Evelyn Lazaga; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 8209. A bill for the relief of Nicolo Antonio Scrivinich; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

761. By Mr. HOEVEN: Petition of residents of Sioux City, Iowa, urging support of the President's veto of tidelands legislation and requesting adoption of legislation to divert tidelands oil revenue to the Social Security Administration; to the Committee on the Judiciary.

762. By Mr. MILLER of Maryland: Petition of 20 residents of Greensboro and Ridgely, Md., protesting alcoholic beverage advertising through magazines, newspapers, and over radio, and television; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, JUNE 13, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, who committest to us the solemn trust of life: Consecrate with Thy presence the way our feet may go, and the humblest work will shine and the roughest places be made plain. Grant us the grace of humility in all dealings with our fellow men. Deliver us from unlovely self-conceit. Make us forgiving and forbearing, gentle with others' failings and grateful for others' goodness to us. May we remember always that the time for loving and serving is so short, as swift to its close ebbs out life's little day. Teach us by honest toil to serve faithfully our day and generation, not asking for reward or applause but only for the assurance that we do the things that please Thee. So upon our quickly passing days may there rest the benediction of a faith that dares and a service that cares and shares, until by Thy grace we find ourselves by hands familiar welcomed into the Father's house. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 12, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 11, 1952:

S. 1855. An act for the relief of Joachim Volk, also known as Steven Craig Delano;

S. 1953. An act for the relief of Midori Sugimoto; and

S. 2089. An act for the relief of Debra Elaine Evans.

On June 12, 1952:

S. 1822. An act to amend the act creating a juvenile court for the District of Columbia, approved March 19, 1906, as amended;

S. 2554. An act for the relief of Eugene Richard Sushko;

S. 2643. An act for the relief of Kathleen Cowley; and

S. 2768. An act for the relief of Barbara Ann Sheppard.

On June 13, 1952:

S. 2462. An act for the relief of Teruo Uechi;

S. 2571. An act for the relief of Ernest Daniel Davis, Jr.;

S. 2593. An act for the relief of Jean Hamamoto, also known as Sharon Lea Brooks; and

S. 2805. An act for the relief of Susan Jeanne Kerr.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed a bill (H. R. 8120) to authorize certain construction at military and naval installations, and for other purposes, in which it requested the concurrence of the Senate.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, a subcommittee of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the RECORD and transact other routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF COMMERCE (S. DOC. NO. 147)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of $55,000, for the Department of Commerce, fiscal year 1953, in the form of an amendment to the budget for said fiscal year (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

CONCURRENT RESOLUTION OF PHILIPPINE CONGRESS

A letter from the Assistant Secretary of State, transmitting, pursuant to the request of the Ambassador of the Philippines, a copy of Concurrent Resolution No. 34 of the Congress of the Republic of the Philippines, relating to the 3-cents processing tax on coconut oil (with an accompanying paper); to the Committee on Finance.

ADMISSION INTO THE UNITED STATES OF CERTAIN DISPLACED PERSONS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Ludvik Tom Sefcik or Louis H. Sefcik, from a report transmitted to the Senate on March 1, 1951, pursuant to section 4 of the Displaced Persons Act of 1948, as amended, with a view to the adjustment of his immigration status; to the Committee on the Judiciary.

HOMER C. BOOZER, TERRY DAVIS, LEOPOLD A. FRACZKOWSKI, EARL W. KEATING, AND CHARLES A. PARIS

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation for the relief of Homer C. Boozer, Terry Davis, Leopold A. Fraczkowski, Earl W. Keating, and Charles A. Paris (with an accompanying paper); to the Committee on the Judiciary.

SHIPS BASE FOR COAST AND GEODETIC SURVEY

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the construction of a ships base for the Coast and Geodetic Survey, Department of Commerce (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF CLASSIFICATION ACT OF 1949, AS AMENDED

A letter from the Chairman of the United States Civil Service Commission, transmitting a draft of proposed legislation to amend the Classification Act of 1949, as amended (with an accompanying paper); to the Committee on Post Office and Civil Service.

REPORT ON VIOLATION OF REVISED STATUTES, RELATING TO OVEROBLIGATION OF ALLOTMENT ACCOUNTS

A letter from the Chairman of the United States Atomic Energy Commission, reporting, pursuant to law, of a violation of the Revised Statutes relating to overobligation of allotment accounts; to the Committee on Appropriations.

PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A telegram in the nature of a petition, signed by Robert E. Sharp, city manager, Anchorage, Alaska, praying for favorable action on a request for appropriations for the

Eklutna hydroelectric project, at Anchorage; to the Committee on Appropriations.

A letter in the nature of a memorial from Hughson-Miller Post, No. 71, Inc., the American Legion, West Haven, Conn., signed by John J. Joyce, adjutant, remonstrating against the disregard of veterans' affairs by the Congress; to the Committee on Finance.

The petition of Ruth E. White, and Victor H. White, of Seattle, Wash., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the City Council of the City of Chicago, Ill., relating to a survey of all waters of the Great Lakes Basin and to authorize the use of Federal funds to control lake levels on a long-term basis; to the Committee on Public Works.

A resolution adopted by the Common Council of the City of Algoma, Wis., favoring the enactment of legislation to provide for the St. Lawrence seaway; ordered to lie on the table.

LOAN OF TWO SUBMARINES TO THE NETHERLANDS GOVERNMENT—REPORT OF A COMMITTEE

Mr. LONG. Mr. President, from the Committee on Armed Services, I report favorably an original bill to authorize the loan of two submarines to the Government of the Netherlands, and I submit a report (No. 1751) thereon.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

The bill (S. 3337) to authorize the loan of two submarines to the Government of the Netherlands, reported by Mr. LONG, from the Committee on Armed Services, was read twice by its title, and placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 3330. A bill to provide for representation of independent labor organizations on the Wage Stabilization Board, Economic Stabilization Agency, and for other purposes; to the Committee on Banking and Currency.

By Mr. IVES:

S. 3331. A bill for the relief of Agosto Giampoali; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S. 3332. A bill for the relief of Arthur Oppenheimer, Jr., and Mrs. Jane Oppenheimer; to the Committee on the Judiciary.

By Mr. HUNT (for himself and Mr. O'MAHONEY):

S. 3333. A bill to vest title in the United States to certain lands and interests in lands of the Shoshone and Arapaho Indian Tribes of the Wind River Reservation and to provide compensation therefor, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ELLENDER (by request):

S. 3334. A bill to amend the Soil Conservation and Domestic Allotment Act; to the Committee on Agriculture and Forestry.

By Mr. MAGNUSON:

S. 3335. A bill for the relief of certain members of the Missionary Sisters of the Sacred Heart; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 3336. A bill for the relief of Clara E. Brown; to the Committee on the Judiciary.

By Mr. LONG:

S. 3337. A bill to authorize the loan of two submarines to the Government of the Netherlands; ordered to be placed on the calendar.

(See the remarks of Mr. LONG when he reported the above bill from the Committee on Armed Services, which appear under a separate heading.)

CEREMONIES IN ROTUNDA OF CAPITOL INCIDENT TO ACCEPTANCE OF BRONZE REPLICA OF DECLARATION OF INDEPENDENCE

Mr. GREEN submitted the following concurrent resolution (S. Con. Res. 84), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Library is hereby authorized to hold ceremonies in the rotunda of the United States Capitol for the acceptance of the bronze replica of the Declaration of Independence, the gift of Michael Francis Doyle, of Philadelphia, such ceremonies to be held on July 2, 1952, the one hundred and seventy-sixth anniversary of the adoption of the resolution of Richard Henry Lee for the Declaration of Independence by the Continental Congress in Philadelphia.

The Architect of the Capitol is hereby authorized to make the necessary arrangements for the ceremonies, the expenses of which shall not exceed the sum of $1,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Joint Committee on the Library.

AMENDMENT OF FEDERAL AIRPORT ACT, RELATING TO EXTENSION OF TIME FOR CERTAIN REQUESTS—AMENDMENT

Mr. McCARRAN. Mr. President, I submit an amendment in the nature of a substitute, intended to be proposed by me to the bill (S. 2815) to amend the Federal Airport Act in order to extend the time during which requests may be made for reimbursement for damages to public airports resulting from military operations. I ask unanimous consent that an explanatory statement by me be printed in the RECORD.

The VICE PRESIDENT. The amendment will be received, and printed, and referred to the Committee on Interstate and Foreign Commerce; and, without objection, the explanatory statement will be printed in the RECORD.

The statement is as follows:

STATEMENT BY SENATOR McCARRAN

What I am suggesting is, in effect, that my bill S. 2815, be amended by adding a new section which would repeal the proviso contained in the appropriation to the Department of Commerce, Civil Aeronautics Administration, headed "Claims, Federal Airport Act," in chapter II of the third supplemental appropriation act, 1951 (Public Law No. 45, 82d Cong.), reading as follows: "*Provided*, That no request for reimbursement of the cost of rehabilitation or repair of a public airport filed under section 17 of the Federal Airport Act shall be considered by the Secretary unless filed prior to July 1, 1951, and the Secretary shall make no certification to Congress after July 1, 1952, of the actual or estimated cost of such rehabilitation or repair."

Since the appropriation rider quoted above provides in effect for termination of the entire section 17 program, it is clear that such rider must be repealed if the program is to be continued. That it should be continued, with the other changes in applicable law suggested below, is seen in the fact that only in this way can the Government be assured that any civil airports damaged as a result of military operations during the present national emergency, will be suitably repaired or rehabilitated when they are returned to civil control and management.

Many such airports have recently been leased by the Government for military use during the national emergency and many others probably will be so leased in the near future. Such leases invariably obligate the Government to maintain the airport and some of them also provide for Government restoration of the leased premises to their original condition. However, experience shows that the military agencies normally perform only the airport maintenance work that is essential to military operations and that most military airport leases are terminated only if and when the lessor releases the Government from any contractual or other obligation with respect to restoration, reserving only any right it may have to receive reimbursement under section 17 of the Federal Airport Act. Where this occurs, a city that has leased its airport to the Government for military use at a nominal rental often finds itself with the airport returned to its possession in a damaged condition requiring expensive rehabilitation or repair if it is to serve civil aviation adequately and safely and be available for National Guard and Air Reserve purposes and other future military use, as agreed in the required lease termination agreement.

It is true that in some cases the lessor may receive a cash payment in settlement of the Government's obligation to restore the premises and that in many cases the lessor is given hangars and other improvements constructed with military funds, in lieu of restoration. However, any funds received by a lessor as a settlement may or may not be used to accomplish necessary rehabilitation or repair and such rehabilitation or repair obviously is not assured where the lessor merely is granted the ownership of Government improvements in lieu of restoration.

Generally speaking, it may be asserted that the accomplishment of such rehabilitation or repair is essential to civil aviation and national defense and therefore in the interest of the United States, and that the Federal Government therefore should encourage, and bear the costs of, such rehabilitation and repair. The method of providing for the payment of such costs provided for in section 17 of the Federal Airport Act has proved satisfactory in the past, and section 17 therefore should be made applicable to any damage to civil airports done by the military agencies during the present period of rapidly increasing military use of such airports.

My proposed substitute also would have the effect of amending the bill S. 2815 by adding another new section reading as follows:

"SEC. 3. Nothwithstanding the proviso cited in section 2 and the provisions of subsection (d) of section 17 of the Federal Airport Act, the Secretary of Commerce is authorized to consider, pursuant to the said section 17, any request for reimbursement of the cost of rehabilitation or repair of a public airport, which is submitted to him within 6 months following the effective date of this act, if such request would have met the time requirements of the said subsection (d) had it been filed subsequent to June 30, 1951, and prior to the effective date of this act."

Some such legislation would be necessary, if the Public Law 45 rider is repealed, in order to permit the filing of section 17 claims which probably would have been filed subsequent to June 30, 1951, had it not been for the provisions of Public Law 45 referred to above. If the section 17 program is to be continued, it seems inequitable not to provide for the inclusion of such claims.

My proposed redraft of the bill S. 2815 would also have the effect of changing its

proposed revision of section 17 (d) of the Federal Airport Act to read as follows:

"(d) No request for reimbursement of the cost of rehabilitation or repair of a public airport submitted pursuant to this section shall be considered by the Secretary unless such request was submitted to him within 6 months after the occurrence of the damage upon which the request is based, except that in the case of a request relating to damage occurring while the airport was under the control and management of the United States, such request may be submitted to the Secretary within 6 months after the transfer of such control and management of the airport to the public agency involved."

This proposed revision of subsection (d), like that contemplated by the original draft of S. 2815, would extend the time limit for the filing of claims for damage done by a military agency during the present national emergency, from a date 6 months after the occurrence of the damage, as is now prescribed by subsection (d), to a date 6 months following the termination of the national emergency or a date 6 months after the return of control and management of the airport by the military department to the airport owner, if the airport is under the control and management of the United States at the time of termination of the national emergency. The necessity for some such amendment lies in the fact that section 17 was designed primarily to furnish a means of providing reimbursement for the cost of repairing airport damage done during World War II (which war has been expressly terminated for purposes of sec. 17 as of October 10, 1949, by Public Law 343, 81st Cong.) and has only an extremely limited application to airport damage done subsequent thereto. For this reason, even if the Public Law 45 rider were repealed, the only way the owner of an airport damaged during the present national emergency could qualify for reimbursement under section 17 would be to file a request for such reimbursement within 6 months after the occurrence of the damage. This would not be feasible in many cases where the airport was under lease to the Government, either because the airport owner would not have any means of knowing that its airport had been damaged or because the damage might be of such a nature as to make it impossible to fix the exact time it occurred; as for example, damage resulting from lack of maintenance.

However, the revision of subsection (d), which I have suggested, in one respect goes further than that contemplated by S. 2815, and in one respect is more restrictive. It goes further in that it would authorize consideration of any request relating to damage occurring while the airport was under the control and management of the United States, which is submitted within 6 months after the transfer of such control and management to the airport owner, whether the airport was damaged during time of war or national emergency or not. It is more restrictive in that, if an airport were damaged by a military agency during time of war or national emergency while under the control and management of the United States and such control and management were returned to the airport owner prior to the termination of the war or national emergency, the petitioner would be given only 6 months from the date of such transfer of control and possession within which to file a request, rather than 6 months from the termination of the war or national emergency. These two changes in the provisions of S. 2815 are desirable both because they would make it possible to treat all civil airports alike, and because they would facilitate administration of the section 17 program.

Another result which my proposed amendment of S. 2815 would accomplish is to include a new amendment to section 17 of the Federal Airport Act which would delete the last sentence of section 17 (c) and insert in lieu thereof the following: "Appropriations made pursuant to this subsection shall remain available until expended."

This amendment is necessary whether the section 17 program is to be continued or not. If it is to be continued, it is obvious that there can be no such limitation on the availability of appropriations. If the program is not to be continued, the amendment will still be necessary for the reason that some of the funds appropriated for claims certified prior to June 30, 1952, in all probability will not have been expended prior to June 30, 1953. I am informed that representatives of the General Accounting Office have advised the CAA that the Comptroller General probably would construe the existing limitation to mean that all funds appropriated for the payment of section 17 claims will lapse on the date specified except those that have been actually expended prior to that date, as distinguished from those obligated. For these reasons, this amendment to section 17 is necessary whether any further action is taken to amend the section in other respects or not.

The existing limitation did not appear in section 17 as originally enacted but was added by Public Law 840, Eightieth Congress (62 Stat. 1111). Inasmuch as this change presumably was made in the belief that the section should terminate at the same time as the Federal-aid airport program authorized by other provisions of the Federal Airport Act, it is to be noted that the life of the program has since been extended to June 30, 1958, by Public Law 846, Eighty-first Congress. Instead of a corresponding extension of the availability of appropriations for rehabilitation and repair under section 17, I believe that the provision should be changed to make such appropriations available until expended, thus making the section permanent legislation once more; and my proposed amendment so provides.

My redraft of the bill S. 2815 also has the effect of amending it to include another new amendment to section 17 of the Federal Airport Act which would add a new subsection (e) as follows:

"(d) No certification pursuant to this section with respect to a request submitted to the Secretary after the date of enactment of this subsection (except a supplemental certification of the amount by which the actual cost of accomplished rehabilitation or repair exceeds the amount of a prior certification which was based on the estimated cost of such rehabilitation or repair) shall be made to the Congress after a date 1 year from the expiration of the period prescribed by law for the submittal of such request."

The purpose of this amendment is to avoid long delays on the part of petitioners in submitting necessary supporting information and materials. In the past the CAA has experienced great difficulty in persuading petitioners to submit supporting information once they have filed their original requests which, according to opinions of both the Attorney General and Comptroller General, need not be so complete as to provide a sufficient basis for determination of the amounts due. Despite every effort of the CAA to expedite the submission of the necessary supplementary information, many requests have had to be held in a pending status for long periods of time. These delays have made it difficult to establish the extent of the damages attributable to the Federal agency involved and have resulted in increasing the cost of the rehabilitation or repair to the Federal Government, due to rising costs of construction.

I realize that an amendment prescribing a time limitation for the submission of certifications to Congress may well place the CAA in a difficult position in some cases. However, it appears that this is the only feasible method of accomplishing the desired result, since it appears to be impossible, due to the variable nature of the supplementary information required, to state in statutory language any time limits on the submission of the supplementary information which would meet the requirements of all cases and at the same time be definite enough to be effective. I believe that the advantages in prescribing time limitations for the submission of certifications far outweigh the disadvantages.

HOUSE BILL REFERRED

The bill (H. R. 8120) to authorize certain construction at military and naval installations, and for other purposes, was read twice by its title, and referred to the Committee on Armed Services.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. IVES:

Proclamation by Gov. Thomas E. Dewey of New York, dated May 28, 1952, designating June as Dairy Month.

By Mr. BRIDGES:

Newspaper article regarding return of ex-Governor Murphy, of New Hampshire, to Republican registration.

Article from Washington Post of June 13, 1952, relating to employment of detectives in connection with District of Columbia Democratic primary.

By Mr. WELKER:

Editorial entitled "The Trained Seal," published in the Idaho Daily Statesman, relating to candidacy of Averell Harriman for the Presidency of the United States.

By Mr. SMATHERS:

Editorial entitled "Economy Too Complex for Controls to Work," published in the Tampa (Fla.) Daily Times of June 10, 1952.

By Mr. LEHMAN:

Letter from William Green, president, American Federation of Labor, on the subject of tidelands oil.

Articles from Colorado Times of May 5 and May 12, 1952, written by T. W. Tanaka, on the subject of the omnibus immigration bill.

By Mr. WILEY:

Editorial entitled "Race Prejudice Receding," published in New York Enquirer of June 2, 1952.

By Mr. CAPEHART (for Mr. CAIN):

Article entitled "Sports of the Times," regarding the team to be sent to Helsinki next month by the United States, written by Arthur Daley and printed in the New York Times, of June 10, 1952.

By Mr. THYE:

Address entitled "Reporters and Lawyers at Congressional Investigations," delivered by Nat S. Finney, editorial editor, the Minneapolis Star, at the University of Minnesota Law School banquet, April 28, 1952.

BALTIC GENOCIDE DAY

Mr. IVES. Mr. President, tomorrow, June 14, marks not only an important day in our own country—Flag Day; it also marks the eleventh anniversary of what has come to be known as Baltic Genocide Day. In the latter connection I have prepared a statement, the text of which I ask to have printed in the body of the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR IVES

The 14th day of June, now designated as Baltic Genocide Day, is marked in the annals

of civilization as one of the most infamous and darkest chapters of history.

Eleven years ago, on that tragic day, the Communist invaders of Latvia, Lithuania, and Estonia carried out the ruthless mass deportation of 56,000 Baltic people. These men, women, and children, innocent of any crime, were tragically uprooted from their homes, loaded on cattle cars, and sent to slave labor camps in Russia.

This foul act remains as a blot on the conscience of the free world. Untold suffering and misery have come to the brave people of Latvia, Lithuania, and Esthonia under the yoke of the Russian invaders who have reduced these proud nations to slave states.

The Government of the United States will never recognize the Soviet conquest of the Baltic nations. The people of the United States hope and pray that the freedom-loving people of Latvia, Lithuania, and Estonia, now bravely resisting the Soviet tyrants, will soon be freed from their oppressors.

Baltic Genocide Day is a tragic reminder of the inhumanity of godless communism. Let this day reinforce our determination to secure the ultimate liberation of the gallant Baltic peoples from their enslavement under the cruel and despotic rule of Soviet Russia.

MEASURES AFFECTING POSTAL EMPLOYEES

Mr. MOODY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a brief statement I have prepared on two measures which are of vital concern to employees of the Post Office Department.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MOODY

There are still pending before the Eighty-second Congress two measures of vital concern to employees of the Post Office Department. Unless something is done within the next few days, there is every possibility that these measures will die with this session—only to be revived again with the convening of the Eighty-third Congress next January.

Both measures have great merit, and are deserving of favorable consideration by the elected representatives of the people.

One would assure postal employees of at least keeping abreast of the constantly rising cost of living, without depending wholly upon the whim of Congress.

The other would give strength and dignity to the union which now represents the postal clerks—the National Federation of Post Office Clerks.

Neither should be lightly brushed aside by Congress.

In the first instance, H. R. 4981 would provide an immediate cost-of-living bonus to postal employees, and institute an escalator clause providing a modest increase for each point that the BLS cost-of-living index rises above the 185-point level.

Both Government and private industry have escalator provisions in industry contracts, and certainly should subscribe to the same practice in its dealings with its own employees.

I wholeheartedly endorse the theory of compensating postal employees regularly for periodic step-ups in the cost of living, and will do all that I can to obtain favorable consideration of this legislation.

In some ways, the other bill is of even greater importance to postal employees.

This bill would give statutory recognition to the employee organizations of postal and other Government departments.

It provides for the right of officers or representatives of a national organization representing a majority of the employees of a Federal department or agency to present grievances in behalf of their members without restraint, coercion, or reprisal.

Any violation of such right by an administrative official would be cause for punitive action by the head of the agency.

It provides further that administrative officers, on request of employee representatives, shall confer with them on matters of policy concerning working conditions, safety, labor-management cooperation, promotion, rates of pay, appeals, and other matters, and shall recognize the right of these union representatives to solicit membership, and carry on other activities without intimidation.

I realize that some spokesmen for the Government have suggested that such recognition of Government employee unions should come by Executive order. But how long must they wait?

It is high time that these unions of Government employees were accepted and not just categorized as a Government employee lobby.

EMERGENCY POWERS CONTINUATION ACT

The VICE PRESIDENT laid before the Senate the joint resolution (H. J. Res. 481) to continue the effectiveness of certain statutory provisions until June 30, 1952, which was read twice by its title.

Mr. McCARRAN. Mr. President, I ask unanimous consent for the present consideration of the joint resclution.

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

PROPOSED REVIEW OF DECISIONS OF PASSPORT DIVISION OF THE STATE DEPARTMENT—PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, in offering an article for insertion in the RECORD, I ask unanimous consent that I may speak for 3 minutes to explain it.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. Mr. President, I ask to have printed in the body of the RECORD as a part of my remarks an article which appeared in the New York Herald Tribune of Sunday, June 1, 1952, entitled "The Red Underground Bosses Order Speed Up in Attack on State Department Passport Policy," written by Herbert A. Philbrick and Newton H. Fulbright.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE RED UNDERGROUND—BOSSES ORDER SPEED-UP IN ATTACK ON STATE DEPARTMENT PASSPORT POLICY

(By Herbert A. Philbrick and Newton H. Fulbright)

Communist bosses last week ordered key underground party members to step up their attack on the State Department's policy of denial of passports for political reasons.

To sharpen their propaganda campaign, the comrades were ordered to launch a three-pronged attack. First, selected pro-group Communists were told to seek credentials from legitimate organizations such as schools, colleges, churches, and labor unions. Second, the credentials, together with fictitious or contrived reasons for travel abroad, were to be used in making passport applications.

The secret comrades were told to make the applications with full expectancy that they would be refused. Then, third, the refusals are to be used by "agitprop" (agitation and propaganda) experts in a coordinated campaign charging the Government with police-state control and intimidation of political minorities.

Party members were instructed to make use of an article in the February Yale Law Journal, entitled "Passport Refusals for Political Reasons." The article appeared among the unsigned student contributions, and states that the denial of a passport to its citizens has long been one of the principal instruments of intimidation and of control used by totalitarian government. The comrades were instructed to make their pitch along the same lines.

In the event some of the passports are granted, party functionaries plan to shift several of the pro-group members into one of the Soviet international espionage networks.

The Communists hope to lengthen the list of persons who have been denied passports by the State Department. Included among names that have been publicized are Leo Isacson, member of the American Labor Party; Paul Robeson, singer; Max Weiss, educational director of the Communist Party; Rockwell Kent; and Howard Fast.

Also Dr. Linus Pauling, chemist; William Patterson, Dr. W. E. B. DuBois, Dr. Martin Kamen, professor of biochemistry at Washington University, St. Louis, and two writers for the Daily Worker.

The party bosses have designated Mrs. Ruth B. Shipley, chief of the State Department's Passport Division, as the main target of their attack.

Mrs. Shipley assured the Red underground there will be no change in policy. Secretary of State Dean Acheson declared last week end that "a person whose activities, either at home or abroad, promote the interests of a foreign country or political faction * * * to the detriment of the United States or friendly foreign countries should not be the bearer of an American passport."

SPEED-UP FOR PARTY WRITERS

Communist authors and writers have received urgent demands from Red party bosses to step up their production. The comrades were told that additional material is needed for the Worker, the Daily Worker, Masses and Mainstream, Science and Society, and other party publications.

The comrades were also ordered to get into publications not completely dominated by the party. They were directed to use aliases and pen names to cover their increased output.

BRING THE BOYS BACK HOME

In obedience to party leader demands, the Communist subversive peace offensive was stepped up last week. More peace meetings, rallies, and festivals were held across the country.

As part of the campaign, the party in New York staged a welcome for a "heroic mother" to spark the Communist drive for "full exchange of all POW's," to "help bring our boys back home," and "halt the slaughter in Korea."

Selected was Mrs. Ida Schnur, of San Francisco, mother of a son in a North Korean prison camp, who said she had made the trip to New York by plane to seek an interview with United Nations officials and to ask for newspaper publicity. She presented a petition, signed by a list of POW's, asking for an "early end to the Korean conflict." Mrs. Schnur said the petition was from her son, Paul Schnur, Jr., who was captured by Chinese Communists early in November 1950.

Mrs. Schnur told reporters she had financed the trip "with the help of a few

friends." She denied any affiliation with the Communist Party.

Last Wednesday night Mrs. Schnur was the principal speaker at a "peace festival" in St. Nicholas Arena, Sixty-sixth Street and Columbus Avenue. It was sponsored by the American Peace Crusade, an organization cited as subversive by the House Un-American Activities Committee.

Mrs. Schnur is manager of the 22-story Clay-Jones Apartments, 1250 Jones Street, San Francisco, owned or controlled by Vincent Hallinan, Progressive Party Presidential candidate (currently serving a 6-month Federal prison sentence for contempt in the Harry Bridges case). Her husband, Paul Schnur, is nominally the manager of five additional apartment houses in San Francisco which are part of the Hallinan enterprise.

CONCERTS FOR PEACE

This coming month will wind up the Paul Robeson Nation-wide tour, Concerts for Peace. The Negro singer began the tour May 6 in Cleveland and has been appearing before Communist "peace" gatherings on the west coast, sponsored by Freedom, a monthly Negro publication issued by Freedom Associates, 53 West One Hundred and Twenty-fifth Street, New York City. Robeson will close with one-night stands in Pittsburgh, Detroit, Philadelphia, and Newark.

TRIAL DELAYED

At secret cell meetings in Boston and Cambridge last week, a high party functionary told Massachusetts Communist Party leaders that the Struik-Winner-Gilbert trial had been "successfully" delayed. The three were indicted September 12 on a charge of advocating the overthrow of the Government of the United States and the Commonwealth of Massachusetts.

Mr. MORSE. Mr. President, I am particularly desirous of having the article in the RECORD, especially in view of the fact that yesterday, in a long-distance telephone call, two writers of the New York Herald Tribune talked to my administrative assistant and asked whom I had talked to or what groups I had talked to prior to delivering on the floor of the Senate a few days ago a speech in which I criticized the Passport Division and the State Department because of the failure to provide any review procedure to pass upon the arbitrary discretion of those in charge of the Passport Division of the State Department.

In America we have gone such a long way in connection with political smears that it now appears that if a United States Senator, who is a firm believer in the constitutional principle of checks upon arbitrary discretion, rises on the floor of the Senate and makes a speech in support of putting into practice that very important constitutional check, there are those who jump to the conclusion that he must be a Communist or that he is a dupe of the Communists, or that he is in league with the Communists.

Mr. President, I do not have to defend my Americanism and my loyalty to anyone who knows anything about my record. I do not yield to a single person in the United States in my hatred for communism. But so that the record may be perfectly clear, let me say that if Communists in America object to the procedure in the Passport Division of the United States Department of State, that has nothing whatsoever to do with the objections of the junior Senator from Oregon to the unchecked power of the Passport Division of the State Department.

I suppose there are some Communists who happen to enjoy my favorite fruit, which happens to be strawberries. But, Mr. President, because some Communists also may like strawberries, it does not follow that, therefore, the junior Senator from Oregon is a Communist.

I wish to say for the benefit of the inquirers of the New York Herald Tribune that I rose on the floor of the Senate the other day and made my speech in regard to the procedure followed by the Passport Division of the United States Department of State without having talked to a single group or a single individual in regard to such procedure, save and except my own administrative assistant. He had brought to me the last letter I had received from Mrs. Shipley, the head of that Division, in which, once again, she had denied to me the information I felt I was entitled to receive in order to pass judgment on the question of whether or not the denial of a passport to a certain individual was based upon reasonable grounds.

Mr. President, in my address the other day I made very clear that I would be among the first to insist that no one in the United States should be given a passport if there were a scintilla of evidence that raised a question as to such person being a security risk. On the other hand, I consider it my duty, as the elected representative of a free people of a great State, to do what I can to see to it that no one division of this Government, even the Passport Division of the State Department, shall be allowed to exercise unchecked, discretionary, arbitrary power.

In keeping with the constitutional guaranties and protections I believe are due and owing to every man and woman in the United States, it is my opinion that we must adopt the kind of amendments I shall offer on the floor of the Senate Monday, which are designed to bring the Passport Division of the State Department also under the check of a fair review of the decisions made in denying passports. Those amendments would carry out a principle enunciated in the Hoover Commission recommendations for the review of arbitrary discretion in the administrative branch of the Government.

I repeat this morning, that until Dean Acheson takes some action to subject the discretion of the Passport Division of the State Department to proper review, I consider him derelict in protecting the American people from what may be unfair decisions rendered by the Passport Division.

I am aware of the fact that some very able and distinguished colleagues of mine in the Senate disagree with my view that an appeal procedure should be provided so as to make possible a review of the decisions of the Passport Division of the State Department and of other branches of the executive department of the Government. However, they must meet me on the issue of whether or not it is sound governmental administration to give to any mere man or mere woman in a Government position the right and authority to render a judgment dealing with the rights and liberties of the American people that cannot be subject to the review of independent minds.

Mr. President, so long as I may remain in the Senate, I shall continue to insist on that kind of review procedure. Incidentally, I believe it is in keeping with the spirit and intent of the Administrative Procedure Act which was passed by Congress not so many years ago and which I ardently supported.

Let me close by trying to make it clear to the New York Herald Tribune inquirers or anyone else that the protest by the Senator from Oregon about the procedure in the Passport Division of the State Department has nothing whatsoever to do with any Communist movement in the United States.

I repudiate communism in all its forms; but I shall continue, even in an era of hysteria, to keep faith with what I believe to be one of the great constitutional guaranties, namely, that the Government of the United States shall be one of laws and not of men. We cannot have a government of laws in a single instance if the mere discretionary decision of men and women in government on basic rights such as the right to obtain a passport cannot be subject to review.

The VICE PRESIDENT. The time of the Senator from Oregon has expired.

MRS. RUTH B. SHIPLEY AND THE PASSPORT DIVISION OF THE DEPARTMENT OF STATE

Mr. McCARRAN subsequently said: Mr. President, on June 6, 1952, the junior Senator from Oregon [Mr. MORSE] in an address in the Senate, attacked the Passport Division of the Department of State and the Chief of that Division, Mrs. Ruth B. Shipley.

I was not on the floor of the Senate at the time of this attack or I should have then and there undertaken to answer what I regard as unjust and unwarranted criticism of the Passport Division and of Mrs. Shipley.

Mr. President, in the course of my years of service in this body I have had numerous contacts with the Passport Division of the Department of State and with Mrs. Shipley. In addition, as chairman of the Internal Security Subcommittee of the Senate, I have had occasion to observe very closely the inward workings of the Division, and I testify here and now that the Division and the Chief of the Division, Mrs. Shipley, represent the highest type of public servants; that instead of being criticized, the Division and Mrs. Shipley should be commended for efficiency, courtesy, and fair play.

Mr. President, the long and distinguished record of public service which has been rendered by Mrs. Shipley is ample answer to those who would besmirch her official reputation. A splendid tribute to this fine lady appears in the October 1951 issue of the Reader's Digest. It is a relatively brief tribute and résumé of her worthy and wonderful career of public service. Accordingly, I ask unanimous consent that the article entitled "Ruth Shipley, the State Department's Watchdog" be incorpora-

ted in the body of the RECORD at this point.

The PRESIDING OFFICER (Mr. HUNT in the chair). Without objection, it is so ordered.

The article is as follows:

RUTH SHIPLEY, THE STATE DEPARTMENT'S WATCHDOG

(Condensed from Independent Woman)

(By Andre Visson)

One of the most respected and feared public officials in Washington is a grayhaired, blue-eyed, energetic woman named Ruth Shipley. Mrs. Shipley is Chief of the State Department's Passport Division, the only woman ever to attain the rank of division chief. She has had the post for 23 years.

Few women are invested with greater authority. No American can go abroad without her authorization. She decides whether the applicant is entitled to a passport and also whether he would be a hazard to Uncle Sam's security or create prejudice against the United States by unbecoming conduct. In addition to issuing or renewing passports—a record of 299,665 in 1950—she has under her jurisdiction some 430,000 Americans residing abroad.

Ruth Shipley is a woman of strong character. She will not be intimidated. One day during the war a new official in the State Department instructed her to issue a passport to a man who in her opinion was not entitled to it. She refused. "Mrs. Shipley," said the irritated official, "if you persist in your refusal I'll have to take the case to the White House." Mrs. Shipley remained unimpressed. "You can fire me but you can't make me issue a passport to the wrong person," she declared. The official gave up.

Long ago Ruth Shipley found a way to protect herself from personal or political pressure. Whenever anyone interceded for someone who in her opinion did not deserve a passport, she made it clear that she would issue a passport only provided the request was made in writing. And she let it be understood that the file might one day come up for investigation. This put an end to political pressures and won her great respect on Capitol Hill. Even the legislators most critical of the State Department have never questioned the appropriations for her Division.

Mrs. Shipley joined the State Department as a clerk in 1914. Her brother was the director of what is now the FBI. For 5 years she worked in the Records Division, where among other chores she kept the index of American citizens residing abroad. In 1919—the year her husband died—she became special assistant to Alvey A. Adee, an Assistant Secretary, acquiring an exceptional insight into State Department operations. She took over the Passport Division in 1928.

Her job requires world-wide correspondence and voluminous archives, and she has in Washington a staff of 212. Her division occupies the entire six-story Winder Building. Visitors are not permitted on the upper floors, where the confidential files are kept. The division also has six branch offices—in Boston, Chicago, New Orleans, and San Francisco, and two in New York.

Mrs. Shipley's daily routine consists chiefly of "headache" cases—people who for one reason or another cannot be permitted to go abroad. People with clean records are automatically cleared by her staff. All she has to do is put her signature on the passports. She becomes interested in these people only if they get into trouble while away.

There are only a few acts that cause Americans abroad to lose their citizenship. Although they may serve in a foreign army, they are not permitted to swear allegiance to a foreign power. American women who marry aliens do not lose their citizenship unless they formally renounce it. But voting in foreign elections automatically brings loss of American citizenship.

Mrs. Shipley was much distressed when 8,000 Italo-Americans in Italy in 1948 voted in the Italian elections. The elections were considered a crucial test of Communist strength in Italy, and Italo-American associations in the United States had been urging their Italian friends and relatives to bring out every possible anti-Communist vote. The State Department's Voice of America, in its Italian broadcasts, was daily hammering home the same appeal. The 3,000 Italo-Americans honestly believed that they were fulfilling their duty as patriotic Americans by voting for anti-Communist candidates. Now they are "aliens" under American law. Mrs. Shipley has pleaded with Congress for a bill to restore their citizenship.

A similar misfortune befell 2,000 Nisei (Japanese-Americans) who voted in the Japanese elections of 1946. But there is now hope that their citizenship will be restored. Congressman CHET HOLIFIELD, of California, has introduced a bill to this effect.

Several hundred American-born wives of Britons lost their citizenship because they voted in the British elections of 1945. One of them rushed to Washington. "Why?" she asked, bewildered. "All I did was to help good old Churchill." But Mrs. Shipley was not moved by this argument. If the women wished to recover their citizenship they could do so in the regular way by applying for naturalization papers.

Mrs. Shipley's name usually gets into the press only when she refuses a passport to someone with a pro-Communist record. She was aware of the Communist danger long before the war. Some 300 Americans who enlisted in the Lincoln Brigade for fighting in the Spanish Civil War reported that they had lost their passports while abroad. Mrs. Shipley immediately suspected that the papers had fallen into Communist hands. She contrived an ingenious device by which it was possible, over a period of years, to locate around the globe most of these passports. They had indeed been falsified for use by Communist spies.

Her firm attitude toward people with Communist leanings has made her a favorite target for criticism by Communist sympathizers and confused liberals, who see in her acts arbitrary attempts to curtail civil liberties. It is easy for them to attack her, because when turning down an application for passport all she is required to say is: "Your travel abroad would be prejudicial to the interests of the United States." Most of the time she cannot disclose the reasons behind her decision without revealing secret information.

People whose passports are turned down for other reasons are less eager to see their names in print. One day a Senator interceded in favor of a constituent who was having difficulty in obtaining a passport. Mrs. Shipley pointed out that the man had been indicted for embezzlement and that there was strong suspicion that he wanted to go abroad to collect part of the embezzled funds. "Good Lord," exclaimed the startled Senator. "Forget the whole thing."

Extremely security-minded, Mrs. Shipley does not expose herself to possible indiscretions at cocktail or dinner parties. Most of her entertaining consists of offering a cup of coffee to visitors who happen to be in her office around 11 a. m. Although one of the most energetic persons in the Government, she is definitely not a sports fan. "I have," she says, "one great aversion. I hate all physical exercise."

Ruth Shipley makes exceptional efforts to help in emergency cases, especially those requiring someone to fly overseas because of illness or death in the family. For such cases she is on duty 24 hours a day, ready to cut red tape with a determined hand.

Recently she received at home a despairing telephone call from California. The parents of a student in Oxford had just been cabled that their son was seriously ill. They wanted to fly at once to England, but had no passports. Mrs. Shipley took down their names and the personal data required. "Take the night plane to New York and bring your pictures," she told them.

It was 8 p. m. on a Saturday. Mrs. Shipley looked up the home telephones of the staff. By 11 p. m. she located one of the clerks. She gave him the necessary information and asked him to prepare the passports immediately.

The next morning at 8 a. m., when the parents arrived at La Guardia airport, a State Department clerk was waiting with the papers to be signed, and the passports needing only their pictures and the State Department seal—which the clerk had brought with him. He had even made reservations for them on a plane which was to leave for England in 45 minutes.

When she told this story to a high State Department official, praising the efficiency of the clerk, he said: "Why don't you recommend him for promotion?"

"That has already been done," snapped Mrs. Shipley, always a woman of blunt words and fast action.

Mr. McCARRAN. Mr. President, under date of December 18, 1951, the Internal Security Subcommittee released testimony respecting a number of cases in which passports had been issued to Communists but in the report of the subcommittee it was made abundantly clear that neither the Passport Division nor the Chief of the Division was at fault. Instead, it was pointed out that the Passport Division did not have the cooperation of the top flight officials of the Department who, by the way, Mr. President, allocate funds to the Department and establish over-all policies and procedures.

But let me point out, Mr. President, that the whole tenor of the testimony and of the recommendations of the Internal Security Subcommittee was that our system of issuance of passports must be strengthened, instead of weakened; that we must become even more vigilant, because the issuance of passports to citizens who are Communists facilitates the Cominform's courier system and international control of the Communist apparatus.

It was, therefore, with amazement that I read in the RECORD the attack on the Passport Division by the junior Senator from Oregon, because of what he termed its "tyrannical, arbitrary, and capricious exercise of discretion." The theme of the complaint by the Senator from Oregon is that the Passport Division will not publicly disclose the information which causes it to decline to issue passports to Communists.

Mr. President, need it be repeated, on this floor, that there is an international conspiracy which the courts of this land have branded as "a clear and present danger" to the United States? Need it be repeated, on this floor, Mr. President, that the Congress of the United States, in passing the Internal Security Act of 1950, for which the junior Senator from Oregon voted—and I compliment him for his vote—made a finding which I should like to read, as follows:

That there exists a world-wide Communist revolutionary movement, the purpose of which is by treachery, deceit, espionage,

and sabotage to establish a Communist totalitarian dictatorship in countries throughout the world; that, due to the world-wide scope of the movement, the travel of Communist members, representatives, and agents from country to country is a prerequisite for the carrying on of activities to further the purpose of this revolutionary movement; and that individuals in the United States, by participating in this movement, in effect, repudiate their allegiance to the United States and transfer their allegiance to the foreign country which controls the Communist movement.

Mr. President, no greater service could be rendered the Kremlin than to publicly disclose the security information of our intelligence agencies respecting the identity and operations of the Communist conspiracy in the United States. I assert categorically that passports are refused only on the basis of factual information developed by the investigative and security offices of this Government. If passports have been denied in certain cases in which the junior Senator from Oregon is interested, then the embarrassment is his, not that of the Passport Division of the Department of State.

Mr. MORSE subsequently said: Mr. President, before I proceed with the major speech which I intend to deliver this afternoon, I wish to make a very brief reply to the criticism of the junior Senator from Oregon made on the floor of the Senate this afternoon by the Senator from Nevada [Mr. McCARRAN].

I have before me a copy of the speech which the Senator from Nevada delivered. It was not my privilege to hear more than the last minute or so of the speech, but I note that on page 3 of the speech the Senator from Nevada, according to his manuscript, said:

> It was, therefore, with amazement that I read in the RECORD the attack on the Passport Division by the junior Senator from Oregon because of what he termed its "tyrannical, arbitrary, and capricious exercise of discretion." The theme of the complaint by the Senator from Oregon is that the Passport Division will not publicly disclose the information which causes it to decline to issue passports to Communists.

Mr. President, I wish to assume that the Senator from Nevada read my speech. If he would reread my speech, he would find that I did not request that there be public disclosure of the information which causes the Passport Division to decline to issue passports, unless by "public disclosure" he means that the Passport Division should not even take into its confidence and disclose its star-chamber proceedings and findings to an elected representative of the American people, namely, a Member of the United States Senate.

If the Senator from Nevada will reread my speech, he will find that I said that I would propose amendments to existing law which would establish an independent board of review to pass judgment, when a request for a review is made, on the question whether or not reasonable grounds exist for the denial of a passport to an American citizen by the Passport Division.

Mr. President, I am perfectly aware how a Senator, by innuendo and implication, can stay within the rules of the Senate and still leave an impression which has the effect of doing great damage to a colleague. I invite the attention of the Chair to the fact that the last sentence of the quotation which I have just read is subject to exactly that interpretation. The Senator from Nevada says:

> The theme of the complaint by the Senator from Oregon is that the Passport Division will not publicly disclose the information which causes them to decline to issue passports to Communists.

Again, if the Senator from Nevada would reread my speech he would find that I made it emphatically clear that I was opposed to the issuance of a passport to any individual with regard to whom there is a scintilla of evidence concerning his security risk. People who know me and my record are not going to be misled by what I interpret to be an intentional damaging innuendo in the remarks of the Senator from Nevada, when, in the last sentence of his statement he says that the junior Senator from Oregon is objecting because the Passport Division will not publicly disclose the information which causes them to decline to issue passports to Communists. I do not want any passports issued to Communists, any more than does the Senator from Nevada. But I would feel much better if I heard the Senator from Nevada, as chairman of the Judiciary Committee of the United States Senate, make a strong plea on the floor of the United States Senate for a checking procedure, by way of review, on the exercise of presently unchecked discretionary, decisive power in the Passport Division of the State Department of the United States.

I shall continue to support the sound American principle of judicial procedure that mere men, sitting in a position of decision—I care not whether it be in the Passport Division of the State Department or on the United States bench—must be subject to a review procedure which will check into the reasonableness and value of their judgments and determine whether or not they had any evidence, or sufficient evidence, or adequate evidence, or the weight of the evidence, to justify the decisions which they make.

I say there is nothing omnipotent about Mrs. Ruth Shipley of the Passport Division of the State Department. There is nothing infallible about Mrs. Ruth Shipley of the Passport Division of the State Department, which causes me to believe that it is in the interest of good government to give to her or to any other administrative officer of the Government of the United States the power to determine whether or not the liberties and the rights of an American citizen—to the extent that liberties and rights are involved in the issuance of a passport—shall be taken away without recourse. There is nothing in her situation which causes me to believe that she should be empowered to determine with finality, unchecked by an independent board, the question as to whether or not her findings of fact are based upon fact.

That is all there is to the position of the junior Senator from Oregon. I do not intend to be diverted from this course of action by innuendoes, implications, or smears which would seek to leave the false impression that the loyalty, the Americanism, or the patriotism of the junior Senator from Oregon is subject to the slightest question.

Mr. President, in the last statement of the Senator's comments on page 5 of his manuscript, he says:

> I assert here and now categorically that passports are refused only on the basis of factual information developed by the investigative and security offices of this Government. If passports have been denied in certain cases in which the junior Senator from Oregon is interested, then the embarrassment is his and not the Passport Division of the Department of State.

Mr. President, I reply to that sentence in the same spirit in which I replied to the previous sentence in the manuscript of the Senator from Nevada. The position of the junior Senator from Oregon is that a review procedure ought to be established to determine whether passports have been denied on supportable grounds. That is all. Let me assure the Senator from Nevada that the junior Senator from Oregon is not embarrassed by the denial of a passport by the State Department. But the junior Senator from Oregon, as a lawyer and as a defender of sound constitutional procedure, is shocked that the Secretary of State, Dean Acheson, supposedly an able lawyer, has been presiding over the State Department without seeing to it that the arbitrary procedure which exists in his Passport Division has not been checked. I criticize him again and repeat that I do not want to hear anything from Dean Acheson about smear tactics which are being used by some people in this country against the State Department until he himself cleans up a procedure in his own State Department which, unless checked, is subject at least to the possibility of abuse and of doing irreparable damage to the reputation and the character and the standing of American citizens.

I do not know, for example, whether Professor X, to whom I referred in my speech the other day, is a bad security risk. I said the other day I did not know whether he was a bad security risk. The truth is I know nothing about him except what is based upon the communications which have been sent to my office by people in my State, which communications say in effect, "This is an outrage."

Let me say, Mr. President, that the people of the State of Oregon on two occasions elected me to the Senate, charging me with the responsibility of using my office in the Senate to protect their rights. I propose to do it. The Senator from Nevada is not going to be successful in stopping me from doing it.

To the best of my ability, I shall continue to do what I can to get the Members of the Senate to stand up and be counted on the question whether they want to sanction an unchecked discretionary power in the Passport Division of the State Department whereby the decisions of the Division are treated with finality, and independent minds are not allowed to review the evidence on the basis of which that Division denies or grants passports.

There is no embarrassment to me, Mr. President, for standing for that sound rule of judicial process. It is the Senator from Nevada who ought to be embarrassed by his opposition, apparently, to a procedure which would keep faith with the Administrative Procedure Act, of which he was the able sponsor on the floor of the Senate not so many years ago, and to which the junior Senator from Oregon gave ardent support. It is the Senator from Nevada, the able chairman of the Judiciary Committee, who ought to be embarrassed for standing on the floor of the Senate and attacking by innuendo and implication a colleague who is doing no more than the junior Senator from Oregon is doing, namely, trying to keep faith with one of the great judicial safeguards of procedure in our system of government, which is that a mere man—or, in this case, a mere woman—shall not be given finality of decision over questions of fact determining the rights and freedoms and liberties of American citizens.

Mr. President, on that statement I rest my case. On Monday I shall proceed to offer the amendments to existing law which I believe are necessary in order to provide independent review in cases of appeal within the State Department itself, but by an independent board, in keeping with the principles and the policies of the recommendations on appeal procedures of the Hoover Commission, so that we will bring to an end what I think is an unfortunate abuse of power which has developed within the Passport Division of the State Department.

THE ST. LAWRENCE SEAWAY

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

Mr. WILEY. Mr. President, I expect to consume probably an hour of the time of the Senate. I have a prepared address. I should prefer not to be interrupted until I have concluded my address, because I feel that anyone who might be interested in reading my speech should at least see how the speech has been planned, so as to be able to judge whether or not it has validity in relation to certain issues which have been raised in this debate.

I should like to say a very sincere word in commendation of those of my colleagues who carried the ball yesterday. Their remarks evidenced anew their great ability and their deep devotion to what I consider to be the public interest. In this particular period it is well for us to remove the blinders from our eyes and, when matters of this kind arise, ask the simple question, Is this is in the interest of the public? Is it in the interest of the Republic?

When I speak of the efforts of my friends yesterday I particularly refer to my young friend from Rhode Island [Mr. GREEN] 84 years young. He is young in spirit. The senior Senator from Rhode Island and I have not always agreed. There are many domestic issues on which we differ. Each day I admire him more because of his balance. There is no three-ring-circus attribute in him. He posses equanimity and the ability to see and understand. There is nothing irrational or emotional about him when he approaches a large problem. If he attempts to persuade, it is through logic and through facts. We who favor the seaway are happy to number in our midst a great many of our colleagues who hold outstanding positions, not only in this Chamber, but in the Nation as a whole.

Recently a European said to me: "I cannot understand why the seaway does not become an actuality when every President"—I think it was from Garfield down—"and when every great American leader sensed long before present conditions arose that here was a project which should be built in the interest of the Republic. I cannot understand it." He said, "Why has it not been accomplished?"

The answer was simple. Provincial thinking, selfish interests, yes; but above all, fear that an injury might be caused by an action of this kind. People who feel that way are not afraid, apparently, that there is the possibility of a tremendous injury being caused by inaction of this kind.

I remember that in March 1941, when I was a comparatively new Senator, I referred on the floor of the Senate to the condition which existed in the world. I was classified then as a noninterventionist. I asked the administration to have the Secretary of State appear here in executive session to tell us about the conditions in the Far East, particularly in Hawaii and the Philippines, with reference to our defense. I spoke twice on that resolution, but no attention was paid. Yet in a matter of 7 or 8 months Pearl Harbor came upon us. There were those throughout the country who were kind enough to write editorials stating that if the suggestion made by an obscure Republican had been followed Pearl Harbor might not have happened and 4 years of war might have been avoided.

Today we face a situation in which once again we have before us the advisability of determining whether or not this great body should take the step necessary, as I see it, to enter into an arrangement with Canada to build this great artery of commerce and, what is more, this great artery of defense.

I said a few moments ago that certain elements have come into being which were not present before. It is unanimously agreed that within a matter of 5, 10, or possibly 15 years, the great ore deposits on the Mesabi Range will be exhausted. It is also agreed that our great and expanding Nation, with its growing pains, evidenced by the increase in population at the rate of five million every few years, is increasing its demands on the steel and iron, and that, whereas formerly we consumed 60,000,000 to 80,000,000 tons a year, we will soon be consuming 130,000,000 tons of ore, to say nothing of what we would consume if we were to get into a war. So the question is, Where is it coming from?

Fortunately nature has opened up another storehouse and in Labrador there have been found possibly 500,000,000 tons of the finest iron ore. This iron ore is needed to maintain the economic health of 50,000,000 people in the valley of the St. Lawrence and the Great Lakes. I know it is claimed that the ore could be shipped elsewhere and could serve to build up the South and the East. Mr. President, if I permit one of my arms to become paralyzed, I am not improving my body. Likewise, if we paralyze the great industrial section of the Middle West we will not improve the economic health of the rest of the country.

We particularly rejoice in the contribution which we know will soon be made by the senior Senator from Ohio [Mr. TAFT], who has spoken out unequivocally in behalf of the Aiken amendment for self-liquidating private bonds on this project. We know he will help further to enlighten this Chamber on the importance of this project at the appropriate time in the course of the Senate debate.

Mr. President, once more the Senate has arrived at an historic turning point in American and international history.

Once more we have been given the opportunity to take a decisive action for which future generations may bless us or, if we fail, for which future generations may lament our blindness. We have had several such opportunities in the past, and, unfortunately, we have muffed every single one of them.

GOLDEN OPPORTUNITY BEFORE US

Nations do not very often have these historic opportunities. England had such an opportunity when there arose the possibility of constructing the Suez Canal. She rose to the challenge. She had statesmen representing the entire nation, not merely segments of it. She rose to the challenge and made possible that great development.

The United States had the opportunity when the Panama Canal became a possibility. The United States rose to the challenge. There were those then who opposed it, as some now oppose the St. Lawrence seaway. Mr. President, all I can say is to repeat what the good Lord said, that when the blind lead the blind both of them fall into the ditch.

On each of those occasions, however, there were opposition forces—men filled by fear, by doubts, by needless anxiety, men who could not see any further than their own short-sightedness, men who feared the costs, men who could not see that the world of tomorrow was an expanding world, with expanding populations and needs.

Mr. President, history teaches us how iron-curtain minds would have impeded the progress of this country.

THE DOUBTERS; THE "FEAR-ISTS"

Throughout all of history, whenever some great forward step has been advanced, there have been such men who have been timid, doubting, racked with fear, and who have often infected others with that fear. Such men were of the

kind that said the "steamboat could not run," that "the idea of a railroad was an impossibility," that "men could never fly." Such men have tried to hold back every other forward step in the history of mankind.

Today, once more, short-sighted men are at the control of powerful lobbying organizations seeking to poison the mind of the Congress against the march of progress. In fact, there is probably no single issue in the Congress which has been sabotaged, torpedoed and undermined more effectively by selfish lobbyists than this great project unfortunately has been to date.

THE ISSUE BEFORE US

We are here confronted with a single issue: Shall a natural artery, the last great unfulfilled resource on the North American continent, a high speed highway for 2,300 miles, be completed by the authorization of certain works on but 50 miles of cowpath out of a 114-mile distance of obstacles?

Shall we permit this artery to be a high speed highway, so to speak, or shall we permit this 50-mile cowpath—this 50-mile stretch of rapids—to delay the world's transportation?

Shall we in America, hungry for electricity for industry and defense, authorize action which will assure the availability of 2,200,000 precious horse-power?

We talk about waste. We talk about men drinking themselves into oblivion by wasting their resources, physical and mental. What can be said about a nation which will continue to let 2,200,000 horsepower of electricity go to waste?

Not long ago it was my privilege to look at the rapids of the St. Lawrence. They are a magnificent sight, Mr. President, and I thrilled to what the future will be when America has sufficient vision, courage, foresight, and industry to proceed with this great development.

STALIN AND COMPANY SMILE AT OUR FAILURES

I ask these questions with no disrespect to those of my colleagues who see this issue from their opposition standpoint. I ask these question:

Shall we give Joe Stalin cause for glee by our blind failure to supplement our defense while he, Stalin, is constructing gigantic dams and navigation routes within Russia's borders?

Shall we blindly prove to Stalin the alleged suicidal tendencies of the capitalist democracies—suicide on the installment plan by failure to build for the future? I pray we shall not do so. I pray we shall signify to Stalin that we are leaving no stone unturned—literally and figuratively—to prepare against any emergency which the future may hold.

Mr. President, let me say here that the St. Lawrence seaway project is not simply a defense measure; it involves the building of increased earning capacity for our great Nation, which needs every dollar's worth of increased earning power it can produce, in order that adequate tax returns may flow into the coffers of the Government.

OUR MIGHTY NATION HAS ENGINEERED FAR MORE DIFFICULT WORKS

Mr. President, for the second time in 4 years, destiny is giving us another opportunity to rectify a shortcoming in nature and convert the Great Lakes into the inland Mediterranean which nature has intended them to be.

Why should we be blinded with fear? We are the mighty Nation that has undertaken to convert the wastelands of Washington State into fertile lands, through gigantic reclamation projects. We are the Nation that has converted central California into a paradise of productive capacity, feeding a great part of our people; the Nation that has had the courage to discipline wayward streams, such as the Missouri; the Nation that has converted the Ohio and the Tennessee Rivers into bee-hives of industrial activity. How can we possibly fail to appreciate the potentialities that lie in the great heartland of the United States, where 50,000,000 of our own people and nearly 10,000,000 of our Canadian neighbors live, work, and make their homes?

Why should we, a Nation that has waged war twice in our generation to save free peoples from tyranny, deny ourselves this resource to aid us in a third possible struggle? Why should America, which has dared to split the atom, at gigantic cost, and convert it into power of untold might, cringe before this undertaking? It is, after all, no more than carrying forward the pioneering traditions of the Panama Canal or the Grand Coulee or the Tennessee developments.

As a physical structure, the development of the St. Lawrence River, in order to generate power and to permit deep-draft vessels to travel at 27-foot depth into the Great Lakes, is hardly an unsurmountable task. It has been studied and restudied by both the best Canadian and American engineers, until now it is ready to go into construction within a short time after authorization by Congress.

TERRIBLE WASTE OF POWER NOW

As I have said, I personally viewed this gigantic river this spring and witnessed the blue waters tumbling irresistibly over the rocks, on their way to the sea. I saw with my own eyes how the labor of 100,000,000 coolies goes to waste, while we here debate and debate and endlessly talk this project to death.

The $566,000,000, which is the United States share of the project, is only 1½ percent of what this country has poured out in foreign aid since 1945. Over a 5-year period, the construction of this project, including both its power and its navigation features, would cost only $111,000,000 a year. Now that its construction is placed on a businesslike, self-liquidating basis, there seems no excuse for the dallying of this Congress and preceding Congresses for ever so long a period of time.

UNITED STATES COST: $374,000,000

Mr. President, what are the simple facts about the cost of the Great Lakes seaway? The total remaining cost for both nations, as estimated by the Corps of Engineers, is $818,000,000. Here is the simple breakdown: United States share, $566,000,000; Canadian share, $252,000,000.

The United States share consists of the following parts:

First. For power, $192,000,000.

Second. For navigation, $374,000,000.

The power cost will be completely assumed by the State of New York, leaving the United States $374,000,000 in cost over a 5-year or 6-year construction period. That will mean an annual cost of no more than $75,000,000 for navigation alone, which, in these days of an $85,000,000,000 budget, is infinitesimal. In fact, Mr. President, there is even discussion of the construction of aircraft carriers which would cost more than $200,000,000.

The Congress has just completed action on a $6,400,000,000 foreign-aid bill, and most of those funds are to be spent within the next fiscal year. In the case of the joint resolution for the St. Lawrence seaway, we are requesting, in effect, authorization of a project which will cost $374,000,000 over a 5-year or 6-year period, and which thereafter will be a boon to all future generations, and which, in my humble opinion, will be practically self-liquidating from the start.

SEAWAY ALREADY EXISTS

What some of the opponents do not see or are not quite willing to acknowledge is the fact that there already exists a Great Lakes-St. Lawrence seaway.

Even the present shallow channels of that artery carry around 10,000,000 tons, including something less than one-quarter of a million tons from foreign lands.

It has been estimated by the Department of Commerce that in a generation after the construction of the seaway the total traffic will be from 57,000,000 to 84,000,000 tons, with a toll income of from $36,000,000 to $40,000,000 a year. Around 11,000,000 tons will be composed of general high-grade cargo, on which the tolls will be high. Around 70,000,000 tons will be composed of low-grade or bulk cargoes of iron ore, grain, and petroleum.

At this time, Mr. President, let me just say a few words, aside from stating the basic engineering facts.

OUR EFFORTS TO SATISFY OBJECTIONS

Probably there is not a single issue in which more devious tactics have been used by the opposition lobbyists against a forward step of progress—an issue with more broken promises, more lame excuses.

The antiseaway lobbyists had promised that if the original St. Lawrence seaway proposal were revised so as to establish it on a self-liquidating basis they would support it. Let us understand that clearly. That was their position a few years ago—namely, that they would support the seaway project if it were revised so as to be on a self-liquidating basis. We did revise it. We have fully provided for the seaway to pay its own way, through ship tolls and power charges.

But were the antiseaway lobbyists content? Of course not. Did they stop their chicanery and their opposition? No, Mr. President; and now their tactics are fully exposed, and all America should realize just what the opponents have been resorting to.

They next contended that it would not be sufficient to make the seaway self-liquidating. They did not want the Government to put any money into it. They wanted private purchasers to assume the burden.

So the Senator from Vermont [Mr. AIKEN], in conjunction with other Senators, including myself, introduced proposed legislation to provide for the setting up of a St. Lawrence Development Corporation and the issuance of approximately some $485,000,000 worth of bonds to cover both the power and the navigation phases of the construction. Two hundred million dollars' worth of those bonds would, of course, be taken by the State of New York, through its assumption of the power project.

But were the antiseaway lobbyists satisfied? Of course not. A new excuse was invented. Now they are saying that even the Aiken amendment is insufficient. They do not like the idea of Government-guaranteed bonds, even though such bonds have been issued in conjunction with other Government agencies.

So, they are hatching plans to torpedo the Aiken amendment with a so-called unguaranteed revenue-bond amendment. But if we were to attempt to satisfy them by a new revision, would they be content? Of course not. The antiseaway lobbyists intend to stall and stall, sabotage and sabotage, with ever new alibis and flimsy, phony, but ever more numerous excuses. They will probably not even hesitate to try to block Canada's plans to go it alone—by saboteur court action if necessary.

Thus the dismal story of these lobbyist-wreckers goes. I respectfully urge my colleagues, however, not to allow these wreckers once more to derail the engines of progress.

WE SET POOR EXAMPLE OF UNITY BEFORE WORLD

Mr. President, I now ask: Why should we allow ourselves to be riddled with contradictions before the eyes of the world? Why should we so freely advise the western European countries to unite, to get together on economic, political, and military affairs when we ourselves set the miserable example of being unable to get together with the best friend any nation ever had, a nation which shares our culture, our aspirations, our pioneering spirit—Canada?

What a terrible example we set for the world by allowing selfish, blind interests here at home to torpedo North American unity.

When France and Germany are unable to come to agreement, some Americans are quick to point a finger of ridicule and denounce them. Yet those two nations have been bitter enemies in the past and three times within a lifetime they have been at war with one another.

On the other hand, the United States and Canada have been the closest of allies. Canadian and American boys have died together on the field of battle, and yet we are unable to consummate the 1941 agreement with our good friend.

BATTLE IS LOBBYIST'S DELIGHT AND PATRIOT'S NIGHTMARE

I say, Mr. President, that the history of the battle over the St. Lawrence seaway has been a lobbyist's delight and a patriotic citizen's nightmare, a nightmare in which national interests have been brutally murdered at the altar of private lust for selfish advantage.

Why is it a patriotic citizen's nightmare? Because the patriotic citizen sees the Nation unfortunately divided along regional and economic lines.

When the great flood disaster on the Missouri Valley occurred this year, as in previous years, there was no thought in any person's mind that a single United States Senator from the far West or from the Northeast would hesitate for one moment to grant flood-relief funds to the stricken folks of the Missouri Valley. We did not attempt to say, "Well, these funds do the Northeast, or the Southwest or the Pacific Northwest, little good; why should we concern ourselves with this damage done in the central part of our Nation?" Such a thought would have been absolutely inconceivable.

ECONOMIC DISASTER THREATENS MIDWEST

Yet here we are confronted with an issue where disaster in the long run will threaten the economic life of the heartland of this Nation, the great Midwest; and we are not asking for a gift to prevent it; we are merely asking for the right to issue private bonds to prevent this disaster. When the Mesabi iron ore range is depleted, we will find that the Midwest cannot possibly sustain the heavy industries which it has built up, that these industries will have to migrate if they are to have accessibility to inexpensive ore.

TACONITE ORE VERY COSTLY TO PROCESS

We must remember that the beneficiating plants for the taconite low-grade ore cost tremendous sums and that the inevitable trend will be to move industry toward the already over-congested and strategically vulnerable Atlantic Coast.

Such a move is suicidal from the standpoint of the national defense.

HISTORY OF THE LEGISLATION

Mr. President, it is a shocking commentary upon the power of the lobbies that are operating against this project that this is the fourth time in 20 years that legislation to authorize the construction of the project has reached the floor of the Senate, after clearing the Senate Foreign Relations Committee.

Have the railroad lobbies and other groups which blindly cooperate with them become so overpowering that the governments of two exemplary democracies must yield to their will?

As a treaty, this project was reported by the Foreign Relations Committee in 1933—Senate Executive Report No. 1, Seventy-seventh Congress, second session, February 23, 1933. At that time, the Senate Foreign Relations Committee in its report said:

> The enterprise is, in the very strictest sense, national in its scope. It would be to take an unjustifiably narrow view of it to consider it as of concern only to those States whose traffic passes through commercial centers on the Great Lakes.

The report continued:

> New England is not without a very direct interest in the project. A map submitted to the committee, showing the region within which the power to be developed in the St. Lawrence can be economically transmitted, indicated that Boston and Portland, Maine, are within the area that may be served.

A majority of the Senate voted for the approval of that treaty, but the measure failed of the two-thirds requirement.

The blatant application of political muscle by the railroads and allied interests was too much for the Senate even during those depression years. One is certainly amused to hear now the argument advanced that this must be held back until a depression time as a "make work" project. The same groups that advance this thought at the present time were busily promoting the theory then that there was too much unemployment at that time to risk the construction of this project.

Remember, Mr. President, that, at that time, the total project would have cost the United States in new funds only $258,000,000. Compare that with the present estimates of approximately $56,000,000. The blame for the higher cost of the project must be upon the opponents, who prevented this country from going ahead with it at bargain rates; and they were successful in keeping the country from reaping the benefits of this project during the war years that followed when the taxpayers, as former President Herbert Hoover tesified before the Foreign Relations Committee once, would have saved enough money during the war to have paid for it. That was Mr. Hoover's testimony; and, no matter what one may think of him otherwise, Mr. Hoover is a great engineer.

Those who advance the argument now that the country cannot afford to build this project at the present time, when our national income is five or six times as great as it was in 1933, must search their conscience deeply for the real reason motivating them.

Mr. President, the Foreign Relations Committee again in 1946 reported Senate Joint Resolution 104 by a vote of 14 to 8, approving a report by the subcommittee headed by Judge Carl Hatch, our former colleague from New Mexico. Let me read some of the conclusions of this report which was approved by the full committee by such an overwhelming vote:

> There is every reason to believe—

The report said—

> that the seaway will result in considerable savings in transportation costs, amounting to as much as 50 percent of present land and water transportation costs to overseas points for foreign commodities.

Mr. President, let us dwell upon the significance of this. A good deal of our foreign commerce since 1946 has been at Government expense. We know that under the postwar European relief program, the British loan, the Marshall plan, and now the mutual security program, the transportation costs of these shipments have been borne by the taxpayers of the United States. The savings that could accrue to the taxpayers directly from such substantial reductions in transportation costs would go a long way to pay for the project. Of course, the railroads that serve the eastern ports are not

interested in saving money for the taxpayer as long as they are the recipients of the revenues. I cannot help but take their tears over the taxpayer with considerable skepticism. They are not interested in saving money for the taxpayer, they are interested in keeping traffic crawling over land at higher and higher charges by the railroads.

The Congress of the United States has been made a party to a very ugly game being perpetrated by those interests that are more concerned with channelizing traffic over expensive routes and fighting the creation of less expensive transportation facilities. I, for one, am sorry to see the Senate of the United States, at any time, become party to the competitive interests of any one group where the public interest lies on the other side.

Mr. President, this is a fraud perpetrated upon the country. The opposition lobbies have used all kinds of stratagems to frighten the public in far-away places, from Bangor, Maine, to Brownsville, Tex., that the St. Lawrence seaway will destroy the business of every one of the ports on the Atlantic and Gulf coasts. Well, the committee in 1946 studied that problem in great detail and the record of hearings, then covering 1,400 pages, arrived at the following conclusion:

New York will lose some foreign traffic and Buffalo will lose some of its grain-transfer business. On the other hand, New York Harbor will acquire new water-borne traffic to and from the Great Lakes area. It will also benefit from the industrial development resulting from the power project. Similarly, Buffalo will also gain new traffic, both domestic and foreign. In each case the additional traffic resulting from the seaway will more than offset the losses. The net gain for Boston will be largest of all.

As for Providence's fear of the seaway, it was shown that this city is not a transshipment point for foreign traffic of continental origin or destination.

New Orleans need not fear the seaway, since a large part of New Orleans traffic feeds upon the tributary area in the Southern and Southwestern States which in no way would be affected by the seaway.

At that time the project would have cost a little more than in 1933, but not much more. It would have cost net, out-of-pocket to the United States Treasury, only $310,000,000. Again, compare that with the present estimate of five hundred and fifty-six millions, and, again I say, the blemish for the higher cost today rests with the opponents.

Those who were members of the Senate Foreign Relations Committee at that time can take satisfaction in the fact that they anticipated some of the problems that are now besetting the country, particularly in the matter of ore supplies.

The 1946 majority report, in its conclusions under the title "Resource Problems," had this to say:

Some of our natural resources are being depleted at a rapid rate. It was clearly shown that the seaway can play an important part in the conservation of natural resources.

It would be particularly helpful to the Great Lakes area to have a certain supply of foreign ores available to it if and when American ores are approaching depletion. The St. Lawrence seaway may ultimately save Great Lakes industry from dispersal toward the coastal regions.

Since then, Mr. President, these anticipations of our own committee have come to be realized. I say it is time for the Senate of the United States to wake up to the fact that the lobbyist opponents of the project have been perpetrating a fraud by continually denying these considered conclusions of governmental agencies, reliable private advisors, and congressional committees. It is time that we free ourselves from the rule of the unthinking and heavy-handed lobbies opposing this project and stand up to be counted in the national interest.

In 1946, the Senate again failed to take affirmative action on Senate Joint Resolution 104 so overwhelmingly reported by the Foreign Relations Committee. In 1947, during the Eightieth Congress, a new resolution was introduced by Senator Vandenberg, then chairman of the committee, and again extensive hearings were held, this time by a subcommittee of which I had the privilege of being the chairman. This time, in order to satisfy the railroads in their complaint that the St. Lawrence project is promoting subsidized competition at Government expense, we put the legislation, for the first time in the history of similar undertakings since the completion of the Panama Canal, on a self-sustaining basis by providing for the charging of tolls. The proponents of the project were so convinced of the economic feasibility that they were willing to put it on a self-supporting basis—a rare occurrence even in our enlightened country where the users of a Government service come forward with an offer to pay for that service.

Mr. President, the railroad lobbies came before our subcommittee and said this was a great improvement upon previous legislation, and that they favored the principle of self-liquidation but then they went to work and started belittling the facts and figures, and it did not make an ounce of difference in their brass-knuckled lobbying activities all over the country. At that time, Mr. President, I asked the witnesses for the railroads to come forward with suggestions to improve the legislation according to their views, but they would not pay the committee the respect due to us, and ignored the request completely. To this day, they have not made a single constructive suggestion.

Our subcommittee reported the resolution with a unanimous vote, including, I am glad to say, the senior Senator from New Jersey, and the full Senate Foreign Relations Committee reported a measure by a vote of 9 to 4.

The subcommittee's report, adopted by the full committee, then asserted:

The subcommittee is unanimous in concluding that the preponderance of the evidence presented to it shows beyond doubt that the St. Lawrence seaway and power project would contribute materially to the defense of North America.

This conclusion is based upon the following points:

1. Any future war in which the United States may be engaged will be a total war. Such a war effort would require total mobilization of manpower, technology, and industrial and natural resources. The St. Lawrence project, as a medium of transportation and an abundant supply of power would enhance the war potential of the United States.

2. The locks and powerhouse of the St. Lawrence project are no more vulnerable than many important installations in the northern third of the North American Continent, such as Grand Coulee, the Mesabi iron range, the Soo locks, the cities of Duluth, Milwaukee, Chicago, Gary, Detroit, Toledo, Cleveland, Pittsburgh, Buffalo, Rochester, the Niagara power plants, the Beauharnois power plant in Canada, the cities of Montreal, Boston, New York, or Washington. All of these centers are vitally strategic, and we must have an adequate system of defense. The St. Lawrence project may require a local system of protection against sabotage, but the strategic problem of defending it against air attack does not seem to create additional commitments substantially different or greater than the Armed Forces now confront in the defense of the centers above named.

3. The resources required for the construction of the St. Lawrence seaway and power project in manpower and materials, although substantial, will not create any serious drain upon our national capacity. It is estimated that direct and indirect labor on site and among the suppliers of equipment would be about 20,000 a year, and the materials required would consist, among others, of 100,000 tons of reinforcing steel and rails, and 100,000 tons of structural and miscellaneous steel for both United States and Canada combined, in addition to some 700,000 tons of cement and 84,000,000 board feet of lumber. It is true that some of these materials are in short supply for domestic needs at the present time, but it is not anticipated that this situation will last during the next 7 years.

4. The subcommittee believes that it is important to recognize that the economic health of the middle western region is a vital component of national defense. Were this region to be economically depressed, as might well occur in view of the potential depletion of iron-ore resources, there would result what would amount to a blighted area of the United States which, in turn, could only serve to weaken the productive potential of the Nation and to aggravate problems of national security.

Mr. President, some months ago, when Mr. Wilson was in the Government, it was my privilege to attend a conference at the White House. It will be remembered that previously Mr. Wilson was opposed to the St. Lawrence project, but he had his eyes opened. It is a remarkable thing that the greater a man is, the more simple he is in many respects. He was not ashamed to acknowledge that he had been mistaken. He saw the need of the Nation for this project, and he said it was imperatively necessary that we go forward with the undertaking.

I thrilled not only to the statement, because it represented my conviction, but to the bigness of a great American who would acknowledge that he had been mistaken.

I remember also that the Senator from Ohio [Mr. TAFT], who felt, until he became acquainted with certain vital facts, that it was not necessary to go ahead with the project, changed his mind. He, too, thereby indicates that consistency is not always a jewel. If the truth and the facts require that one change his mind, it is truly a big man who can change. So here we have two great Americans who have seen the light.

Again, Mr. President, I take pride in the fact that I was a member of a committee which had the foresight, 5 years ago, to anticipate the very developments

which are now agitating a large segment of our steel industry. It is significant that at that time not even the steel companies foresaw clearly what has now become a generally known fact, namely, that our iron ore resources will, within the decade, as I said before, be on the downgrade, and that we must open up new sources of iron ore to keep in operation our basic steel industries in the Middle West, the very foundation of our national defense.

Mr. President, I am proud to belong to a body that can often take a far-sighted view of national needs without being swayed by the misrepresentations of interested special pleaders. I am not reading from history for the sake of raking the past, but to point out that the combined wisdom of congressional committee members should not be lightly set aside. Often history has a way of bringing to judgment those who fail to take the advice of far-sighted wisdom.

Mr. President, in the 5 years since 1947 it has dawned upon the country that the United States will not have sufficient iron-ore resources to maintain its industrial system and military position unless new sources of ore are brought into use, and these are available in sufficient quantities in other countries, outside the borders of the United States. We are going to depend for a greater percentage of our iron ore requirements on Canada, Venezuela, Liberia, Brazil, Sweden, and other countries. Iron ore is joining copper, tin, lead, chrome, and many other basic materials in which this country has gradually become a "have not" country.

This is a new situation, Mr. President, for the United States and one that requires the most soul-searching examination of the prospects for the future. We must be concerned, not only in the sources and the new locations where iron ore is available, but also in the means of transportation, the logistics of bringing gigantic amounts of iron ore to our factories, by the safest and least costly routes. We cannot take the counsel of competing forms of transportation in deciding this issue in the national interest.

Unfortunately, in February 1948, when a similar measure came to a vote in the Senate, not enough of our colleagues had been sufficiently apprised of these developments, so that the matter was recommitted to the Foreign Relations Committee for further study. Again the heavy hand of the eastern railroads and their colleagues operated behind the scenes to confuse the issue, and, reinforced by letter-writing campaigns, telegrams, telephone calls from ofttimes innocent and uninformed constituents to Members of the Senate, they were again able to paralyze this important body into inaction. The project then would have cost $491,000,000 to the United States, higher than in 1946, almost twice as much as in 1933, but still it would have been a bargain in comparison with present costs. Again I say, Mr. President, that the blame for the greater costs of this project must rest with the opponents who have prevented congressional action repeatedly, and I hope we shall not make the mistake of listening to their advice again.

Mr. President, for the fourth time in 20 years and for the third time in the last 6 years, the Senate of the United States is given a chance, a last chance this time, to follow its own better judgment, in spite of the pressures which I know are being exerted even at this moment to prevent enactment of this measure for safeguarding our position of industrial supremacy.

This spring I sat through another series of hearings on the resolution now before the Senate, and the same group paraded before the committee their time-worn arguments, exaggerated and blown up into frightening proportions, that the seaway project will wreak havoc on their respective communities. To an impartial observer, it is difficult to understand what motivates these men who would not think of opposing the export of Texas cotton or peanuts, Kentucky or Maryland tobacco, or power-plant equipment produced in New York, dredges and machinery produced in Illinois, Wisconsin, Ohio, or Connecticut under the European recovery program or the mutual-security program, at taxpayers' expense, to come before congressional committees and raise a howl against the development of a project which is designed to strengthen the North American Continent.

It is particularly difficult to understand when one realizes that the parties at interest, those who have a pecuniary reason for opposing the project, are only the eastern trunk-line railroads and the power companies in New York, both of which fear competition from lower-cost water transportation and lower-cost hydroelectric power.

RAILROAD OPPOSITION

Mr. President, I have reviewed the record of past committee meetings, in which spokesmen for the railroad industry have come forward to attack the seaway project. I have analyzed their testimony, and I must frankly say that the railroads do themselves an injustice and prove themselves unworthy of their own record of previous service to the Nation.

Railroads from all over the country are pretending that the seaway would damage them, while actually the seaway would have but the barest effect on a handful of railroads, namely, the New York Central, the Pennsylvania, the Baltimore & Ohio, the Nickel Plate, and the Erie.

Why, then, have railroads from all over the Nation been attempting to pull strings to create an artificial sentiment in chambers of commerce and in other business and civic organizations?

Why should a tiny minority in one section of the Nation be able to throw a switch somewhere in Washington and New York and move innocent people, driven by imaginary fears of losing their jobs or losing their business, into lobbying activities to sabotage the national interest?

Mr. President, General Eisenhower stated in Abilene recently that he had studied the St. Lawrence project when he was Chief of Staff of the Army, and had come to the conclusion that it had military advantage, and that it was in the interest of national defense to construct it. I hope we shall have the wisdom to accept such military judgment, and to base our decision wholly on the question of national interest, disregarding the stimulated opposition, stimulated feverishly throughout the country by a small group of eastern railroads that seem to control the Association of American Railroads.

Mr. President, the eastern railroads, which are at the core of the opposition to the St. Lawrence project through their organized trade association, have appeared against this project eight times in eight congressional hearings, over a period of 20 years, and have not once had the forthrightness to present any facts to show in what way they would be adversely affected. There are no records in their possession or in the reports of eight hearings to show that the New York Central, the Pennsylvania, or the Baltimore & Ohio, the most vociferous opponents, will in any way be hurt by it.

The Association of Railroads stated before our committee that they have never made a study to determine how it is going to affect those railroads, and they do not have such records at their disposal to show the effect. I requested then that they submit what facts they had in their possession, and to this date they have failed to submit anything of the kind.

In a court of law, Mr. President, parties which could not establish their interest would be thrown out of the case.

Let me read for the benefit of my colleagues the responses of Mr. Prince, a very charming and able counsel for the Association of Railroads.

I asked him:

Would you mind naming the railroads that have a direct interest in opposing this St. Lawrence waterway?

He went all around Robin Hood's barn by replying:

You say the railroads? I will have to ask a question and perhaps answer it. Most of the railroads of the country are interested because they are affected. We are a national transportation system and what affects one segment of it affects the whole. Now if you mean by that the railroads that would be most directly affected and from whom the traffic would be diverted, I can name some of them. I am not sure whether I can give you the whole list but I can name some of them. Is that your question?

And I said:

Before the House committee you said there were three, the Pennsylvania, the New York Central and the Baltimore & Ohio. Do you want to add any more?

Mr. PRINCE. I think perhaps the Erie and the Nickel Plate would be affected by that, and perhaps others directly affected. I did not look it up and I cannot give it to you precisely.

Then I asked:

Have these railroads presented any factual studies to the Association of Railroads as to what kind of traffic and what amounts they would lose as a result of the St. Lawrence seaway?

Mr. Prince replied:

Senator WILEY, all I have gotten from them, at my specific request because I said I wanted to know, the best way I could, what the effect was going to be—we determined we did not have the facilities to study what actually would move via this waterway, if constructed. We took the estimates made by the Secretary of Commerce, and using that as a starting point, I did get from them information as to what the harmful effect would be on them.

Again, I asked:

Have such studies been made public, or have they been presented to any congressional committee?

Mr. PRINCE. No; they have not.

I said:

Your association appeared eight times before Government committees, four times before this committee—in 1932, 1936, 1947, and 1952—and three times before the House committee—1941, 1951—and once before the Senate Commerce Committee in 1944. In none of them did you present any studies or facts to show in what specific ways these railroads would be adversely affected. Is that not correct?

Mr. Prince replied:

I cannot go along with you because I think we are thinking along different lines. We have not presented any dollars-and-cents figures. We presented in every one of these hearings—and if I have not done it successfully here I would like to add a few words—as to the harm it will do the railroads.

I persisted:

As to the studies that you have made, the things you have put down in concrete form is what I am asking about.

Mr. Prince then said:

That is different. We have not presented any studies on dollars-and-cents figures.

I said:

As a matter of fact, in all these hearings you have found time to analyze and disagree with the constitutionality of the agreement, the Army engineers' estimates, the steel industry's iron-ore needs, a host of other issues, but you have, in 20 years, never presented any studies on the one business you are supposed to know, how water competition will affect the northeastern railroads. Is that not correct?

To which Mr. Prince replied:

We have put in no figures showing what we think will be the exact diversion of tonnage. Frankly, we have never been asked to, because that has never been the issue which was vital to the passage or determination of the outcome of the measure by the Congress.

That was not vital or important. Think of it. Yet they have created all this opposition. What is it all about?

I asked him:

In view of the fact that the New York Central, the Pennsylvania, and the B. & O. are the eastern railroads that it is claimed would be most affected, do you think it is too much now in view of the position that you people have taken throughout the years that you submit to this committee studies on how the St. Lawrence will affect these railroads?

And he replied:

We will, if you wish it. I would have to tell you I think those things are not apt to be very accurate no matter by whom they are prepared. But, if you wish that, we will be glad to try to do it.

Then my good friend from New Hampshire [Mr. TOBEY] asked the gentleman:

You must have some figures, must you not? You certainly must have had some before you took this action.

Mr. Prince said:

I do not believe they have any figures; no.

Mr. TOBEY said:

Just crying before they were hurt?

I must say that the man who represents the Association of American Railroads in Washington, Mr. Faricy, is a delightful personality. He is one of my personal friends. In fact, he was a principal attorney for the Chicago, Milwaukee & St. Paul Railroad when I was one of the little attorneys for that railroad. He is a brilliant man. Yet he is not interested from the standpoint of the railroads in the West. He is interested because he is employed by the Association. A great amount of pressure is being brought to bear in local communities through letters from far-away places, to try to frighten railroad labor.

What would happen to the railroads in the Middle West if this project were constructed? The answer is very simple. It needs only the exercise of common sense. The Lake ports would be opened. The railroads leading to those ports would carry all the products shipped by the seaway. It would mean more business for them. It would mean cheaper rates for transportation to Europe. Even now little ships from Scandinavia go up the St. Lawrence.

I talked with one of the small manufacturers in my State. He showed me, with respect to the machine which he manufactured, the difference in transportation costs. It amounted to about $90. Do the railroads get that difference? They do not. The difference arises largely because of the expenses of transshipment, when an article goes by rail and reaches the wharves in New York City. Senators know what a terrible situation exists on the wharves in New York. There are charges for all sorts of services, including repackaging, and many other services. This beloved country of ours, which has been the great exponent of freedom and expansion of industry now will not do what is necessary.

The railroads of our country which are fighting this project at the request of the eastern trunk lines have not made any studies to show that they would be hurt.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WILEY. I prefer first to conclude my remarks.

Mr. President, the railroads of the country which are fighting this project at the request of the eastern trunk lines have not made any studies to show that they would be hurt; they have not got the facilities, they say, to make such studies and, if they did make them, they would not be accurate. And on such insubstantial grounds, they have created a fundamental issue in our democracy, whether falsely stimulated fear and propaganda will prevail over the best judgment of the military and industrial advisers of the United States Government and will, in the bargain, willfully prevent the growth and development of our most trustworthy ally, Canada, our rampart on the northern frontier, risking a rift in our relations with a good neighbor, without peer in our international relations.

Let me say to my distinguished friend the Senator from Minnesota that I shall conclude very quickly, and then I shall be glad to submit myself to questions. At the outset, I stated that I wanted this particular speech, which I had prepared, in one bunch, as it were. If the Senator will abide for just a moment, I shall be glad to answer any questions he has in his mind.

CONCLUSION

Mr. President, I should like to sum up. The debate in the Senate will, of course, continue for several days.

We are not anxious to prolong it, but neither are we anxious prematurely to terminate it; rather we are anxious that the issue be carefully reviewed and be expedited for final vote on each of the successive amendments and on then the joint resolution itself.

ARGUMENTS HASHED AND REHASHED

It was not our intention to take a great deal of time of the Senate to review arguments which have long since been hashed and rehashed. It was not our idea that there should be an endless repetition of this controversy.

If ever an issue was thoroughly debated, analyzed, cross-examined, dissected, reviewed, studied, it is this issue.

The facts have been retold a thousand times.

The flimsy, phony arguments the anti-seaway lobbyists have raised have been debated a thousand times; always these lobbyists come back with new excuses, new allegations, new invented fears.

I say this in all candor and with no disrespect to those of my colleagues who have seen things in a different way.

HISTORY WILL VINDICATE OUR FIGHT

We in favor of the seaway believe in our innermost hearts that we are fighting for a great cause.

We know that already our efforts have been vindicated; but if any further indication is necessary, history will demonstrate it a thousandfold in times to come.

History has demonstrated the wisdom of those who completed the Panama Canal, the Suez Canal, and every other great forward step of man's progress.

It is not against us that the finger of history will critically point. It is not we who will be condemned as blind and shortsighted, as selfish, as provincial.

It is those of our brothers who allow themselves to be swayed by the tiny minority of selfish economic interests which are seeking to turn the hand of the clock back.

NO DESTRUCTIVE AMENDMENT SHOULD BE APPROVED

Mr. President, I respectfully urge that Senate Joint Resolution 27 be approved. I urge it be approved with no amendment which would defeat its ultimate purpose—with no amendment, for example, for unguaranteed high-interest

bonds which would tie this problem up in endless Wall Street negotiations and which could make impossible the prompt, economical realization of this dual-nation, dual-purpose project which is so necessary at this critical stage of history.

Now is the time for action. Not 5 years or 10 years from today, but now.

I am glad at this time to submit myself to questioning, and will be very happy to have the Senator from Minnesota ask me any questions.

Mr. THYE. Mr. President, the question which occurred to me was in connection with the reference which the distinguished Senator from Wisconsin made to Mr. Faricy. I am personally acquainted with Mr. Faricy. At that point in the Senator's remarks I was about to comment that I was acquainted with Mr. Faricy. He is a perfect gentleman, as the Senator from Wisconsin so well knows. He is also a very able representative of the Association of American Railroads.

I believe that the National Railroad Association and the railroads of the country have taken a very short-sighted view in their attitude toward and in their objection to the St. Lawrence seaway. I make that statement because, if the St. Lawrence seaway is made a reality and thereby water transportation is made available to the central part of the United States and to the central part of Canada, not only will the economy of those vast areas be developed but the railroads of the country will be benefited by the building up of the industrial economy thus brought about in the central part of the United States.

At the rate at which our population is growing, in the next 10 years the industrial economy of the Nation will have to be deployed. It will have to be deployed in the central part of this great Nation as well as in the central part of Canada. If it is not so deployed, there will result too great a congestion in our seaboard areas, especially along the Atlantic seaboard. The same would be true of Canada. In the event we were attacked—and world war III would naturally bring the attack to us—we would be too vulnerable in the highly congested seaboard areas of the Atlantic coast.

Therefore we have a twofold reason for advocating the building of the St. Lawrence seaway. First, it would make it possible for ocean-going vessels to sail into the central part of North America, thereby benefiting the United States and Canada. Second, the railroads would have an opportunity of bringing North Dakota, South Dakota, Montana, and Colorado, Nebraska, Iowa, and other States into our coastal-vessel transportation system, which would reach Duluth, Superior, and other points in Wisconsin, Illinois, and Michigan. The same would be true with respect to Canada.

That is a fact which I think the railroads should recognize, rather than deliberately endeavor to fight the project by bringing all the political pressure that can be brought to bear on the Members of Congress.

Were we to take the same attitude and examine what is being spent by the Federal Government in Texas for waterways to its cities and what is being spent elsewhere to increase water-transportation facilities of coastal cities, and were we to take the position that we should oppose such legislation, we could be quite a nuisance in Congress.

I serve on the Committee on Appropriations, and I know what appropriations are being requested for the improvement of coastal dock facilities and inland channels, both in Texas and elsewhere. If we wanted to be a nuisance, we could very easily become a great nuisance legislatively if we took the attitude that we would oppose anything which is not of benefit to the central part of the United States.

Therefore, I could not help but recognize the fact that the Senator from Wisconsin was touching on a question which needs to be touched on, when he said that the railroads were interfering with and endeavoring to prevent the construction of the St. Lawrence seaway.

Mr. WILEY. Mr. President, I thank the distinguished Senator from Minnesota for his contribution. I am glad to note that he agrees with me.

Mr. Faricy is a very fine gentleman, but, of course, he is in the employ of the railroad association, and he is doing his job. I still count him as a friend. I know of the great services he has rendered.

The great danger which America is facing today in what was called a few moments ago this hysterical age, is that too many people do not think a problem through. They do not distinguish between mere assertions or idle gossip or false newspaper stories, and the facts. Our friends of the railroad lobby have utilized that weakness in human nature and have scared people through the medium of the various facilities they have at hand. They have scared not only railroad employees, but people in the cities in the east and in the north and elsewhere, into thinking that they would be detrimentally affected by the construction of the St. Lawrence seaway. The fact is that the large revenues would result from the St. Lawrence seaway from an absolutely new source which the railroads have never enjoyed before. It is the tonnage which would come out of Labrador. It would be shipped to the river's edge, there placed in boats, transported to the Great Lakes area, and provide the ore which is necessary to keep alive the economy of Cleveland, Chicago, Milwaukee, and other cities. That fact was developed during the hearings. It was also developed that it would be impossible economically to ship that ore otherwise.

Does that mean that we will not get the ore? No; it means that if we do not pass the bill, the fight will continue. Right is right. Eventually we hope that our friends from Texas will realize that they would not be hurt by the St. Lawrence seaway. The larger issue is the issue of what is necessary for the general welfare and for the good of the Republic.

Mr. President, if no other Senators desire to ask me questions at this time, I yield the floor.

Mr. MOODY. Mr. President, a great many of us in the State of Michigan, and in other of the Great Lakes States, have been waiting a long time for the historic moment when the Senate of the United States gives approval to the St. Lawrence waterway project.

I am particularly glad that my distinguished senior colleague from Michigan [Mr. FERGUSON] is here to help in this fight, and I am sure he will do so. The overwhelming majority of the people of Michigan are a unit in support of this project.

Mr. President, never has so much evidence been accumulated, to be placed before the Congress, as to why one great project should be undertaken by the United States. In my judgment, never has so specious a series of reasons been advanced as to why any project should be blocked in the Congress of the United States, perhaps in times past there may have been somewhat comparable situations; there were persons who opposed the Panama Canal, and there were persons who opposed the building of the railroads from coast to coast, across America, to link together the various sections of our Nation. Those who opposed those great improvements were wrong then, and those who oppose the St. Lawrence are wrong now.

One of the groups opposing the St. Lawrence waterway is the railroads. I do not think the railroads need to worry, Mr. President. The St. Lawrence will not destroy, or even permanently injure, the railroads. The fact that we wish to open up the Middle West, that we wish to make the cities of our part of the country seaports, will not make the railroads obsolete and should not be a major source of concern to them.

Mr. President, I believe it can be said with entire accuracy that only rarely has there been such unanimous expression from so many persons who have studied a question, as has come from those who believe that the St. Lawrence waterway should be built without delay. I believe it to be highly significant that every President of the United States for more than a quarter of a century has taken a vigorous position in favor of this project.

Every presidential nominee of both the great parties, during that period, expressed his approval and support of this project.

So far as I know, all the principal contenders for the presidential nomination by both parties this year are advocates of this project. I submit that that is because these men are considering this proposal from the national viewpoint, and they realize that it is a great national undertaking.

Mr. President, I was very glad yesterday to hear the distinguished Senator from Minnesota [Mr. THYE] read a telegram from General Eisenhower. The other day some of us were rather dismayed to hear stated what at the moment seemed to be a rather lukewarm position on the part of General Eisenhower toward this project; but I see that

he was prompt to correct that impression and to say—if I correctly understood the statement made by the Senator from Minnesota—that he, General Eisenhower, would not wish to see the United States barred from its proper participation in the control and management of a project which is proceeding and will be carried forward by our ally, Canada, regardless of whether the Congress of the United States takes action.

The Senator from Ohio [Mr. TAFT], the other principal contender for the Republican presidential nomination, has openly expressed his support of this project.

A few days ago the Senator from Georgia [Mr. RUSSELL], who at times in the past has shown doubt, also expressed his approval, as has the Senator from Tennessee [Mr. KEFAUVER], and other principal contenders for the Democratic Presidential nomination.

So I would like to make the point, in opening, that the men who may be nominated this year by both of the great political parties, have the same view of this subject President Truman has, namely, that it is an essential project which should be undertaken as soon as we can undertake it.

Mr. President, every top-ranking civilian official in the Department of Defense has requested the Congress to act without delay on the St. Lawrence project. The Joint Chiefs of Staff have given their urgent approval. General Bradley, as the Senate knows, wrote the Senate Committee on Foreign Relations urging that this project be undertaken. We have from former Secretary Marshall, Secretary Lovett, Under Secretary Foster, Mr. Charles E. Wilson, the former Director of Mobilization, who took an active part in the discussion of this question, and from the National Defense Resources Board, cogent arguments which are unanswerable. They prove that the St. Lawrence waterway project must be undertaken for the good of the United States.

I realize, Mr. President, that some persons regard this as a sectional proposition. I might say that the Congress has in the past often taken action to develop great sections of the country. I make no secret of the fact that the completion of this project would result in great benefit to the northeastern section of the United States and to the Middle West. But this is not merely a sectional project, Mr. President; it is a project which would strengthen our country in time of war and in time of peace. I hope in my time this afternoon to be able to make that point clearly, and to document it.

Mr. President, billions of kilowatts of power are being bled from the North American Continent. They are flowing down through the cascades of the St. Lawrence River to the sea. They are being wasted. The iron ore resources of the Mesabi Range, which are the basis of our great steel industry in the United States—and, of course, steel is the fundamental of our industrial structure—are beginning to be drained. The great areas of the Middle West which for years have been shipping agricultural products abroad have never had an open outlet to the sea. All these conditions will be changed if the Congress now approves this great waterway and power project.

Mr. President, I should like to point out that if we fail to undertake the St. Lawrence project we shall be voluntarily relinquishing a measure of control over a strategic international waterway along our border. This would be an unprecedented policy for a major power to take in an uncertain world. It is as though Great Britain were to abandon the Suez Canal, or Turkey the Dardanelles, or the United States the Panama Canal. Wars have been fought over stretches of waterway of this sort of less importance to the world than the St. Lawrence would be if it were properly developed.

Mr. President, I think a point in regard to the St. Lawrence seaway which is not always understood, a point which I think should and will be of major importance in the consideration of this question by the Senate, is that we should be making no saving, not the saving of 10 cents, by refusing to go along with this project.

The St. Lawrence seaway is a self-liquidating proposition. Evidence to that effect has been submitted to the Senate committees, and it can be substantiated. In the long run the United States taxpayer will not have to put up a cent for the development of the St. Lawrence.

In order to put that point clearly before the Senate and before the people, a group of Senators, including the Senator from Vermont [Mr. AIKEN], the Senator from Minnesota [Mr. THYE], the Senator from Illinois [Mr. DOUGLAS], the Senator from Michigan [Mr. FERGUSON], the Senator from Ohio [Mr. TAFT], the Senator from Tennessee [Mr. KEFAUVER], myself, and certain other Senators, have prepared an amendment which would finance this project entirely from self-liquidating bonds, to be paid from the shipping tolls and from the power revenue.

There is some question among certain of the advocates of this project as to precisely how this financing should be carried forward; for example, whether the Government should guarantee the bonds, or whether they should be purely revenue bonds. In my judgment, that question is somewhat academic, since this is a self-liquidating project; and all the evidence, including all the expert testimony, shows that it is. It should be built and, in my opinion, it should be built on that basis.

I believe the Senate should pass legislation on this subject in a form which would make it very clear that Senators would not be voting to increase the deficit, as was said here yesterday, would not be voting to send our Government further into "red ink," but would be creating a great national asset, without costing the taxpayers a cent. When we can do a thing like this for the country, without having it cost the taxpayers anything, it would be very foolish for us to hesitate.

Canada has made it very clear, that if the Congress does not cooperate with her in this project, she will go ahead with it alone. That was not the act of an unfriendly power. Our relations with Canada could not be better. But I cannot blame the Canadians for being somewhat impatient. This project has been talked about for 25 or 30 years. It was before the Senate once, and a majority of the Senate votes were cast in favor of it. At that time, however, it was submitted in the form of a treaty, and therefore required a two-thirds vote, so that the four-vote margin by which a majority of the Senate favored the project 10 years ago was vitiated by the form in which the matter was presented.

Mr. President, if we do not now approve this project, I feel that we would draw rather heavily on the good will of Canada. It seems to me that even if this were to be a tax-financed project—and our amendment I believe will obviate that possibility—the cost of it would only be a fraction of 1 percent of the amount proposed to be spent on military defense this year and let it not be forgotten that this project has been declared by our top military officials to be essential for the defense of the country.

I should like to read to the Senate a few of the expressions of men who have no ax to grind, men who could not possibly gain or profit by the development of this project.

Yesterday it was stated by one of our distinguished colleagues that the project is for the benefit of a monopoly, that one Ohio company happens to have an interest in Labrador ore, and, therefore, that monopolists are trying to put the project through the Senate.

I cannot conceive of a more fantastic statement, when, as a matter of fact, the project was advocated and discussed long before ore was discovered in Labrador.

The draining of the Mesabi Range, Mr. President, has been accelerated by the fact that our industrial machine has been greatly expanded, not only during the Second World War but since that war. Particularly during the mobilization program the Federal Government has deliberately endeavored to increase our total capacity to produce steel. The St. Lawrence waterway would greatly strengthen the power of this Nation in that respect, for in order to produce steel it is necessary to have iron ore. Our resources of iron ore are great, but they are not inexhaustible.

We often hear on the Senate floor statements to the effect that we are doing a great deal to help our allies in the fight against world communism; and that is true. We are pumping abroad great quantities of our resources, and we are appropriating annually billions of dollars to build up the strength of the free nations of the world against the menace of an aggressive Red Russia.

Here is an opportunity for the Senate to get back from one of our good allies some of the resources we have been pumping out, among which is steel which we have been making from the iron ore which lies deep in our own ground.

There has been found on our continent, in Labrador, a new and fabulously rich deposit of iron ore. This is an added reason, and in the minds of many persons it has become the principal reason, why we should go forward with this

project, because if this waterway is developed, and ore can be transported through it to the great steel works of the Middle West, in Ohio, Pennsylvania, Michigan, and the other great industrial States of the Middle West, automatically the drain on our own ore resources will be reduced.

It is no secret, as has been testified before the Foreign Relations Committee, that the single set of locks at Sault Ste. Marie, Mich., which separate the Upper Peninsula of Michigan from Canada, on the St. Mary's River, which flows from Lake Superior into Lake Huron, constitute a bottleneck, which, if sabotaged or destroyed in a sudden attack, could shut off our entire resources of iron ore flowing down to the great steel plants, ore which is needed in order to activate not only our industrial system, but our production of military essentials. The St. Lawrence waterway would provide an alternate route for quick transportation of ore to those plants. Then we would not be dependent on one canal. We would have two different quick water courses through which ore could be transported to the steel plants. I believe that is a very important point and one which the Senate cannot afford to overlook.

Mr. President, the farmers of the Middle West, and, I believe, the farmers of the entire Nation, are interested in water transportation for their grain and other products. There are waterways to the Gulf which provide a quick water access for certain segments of our agricultural community, but the northern farm States do not have such an outlet. If there were ever a project in the interest of the American farmer it is this waterway. That is the reason why all the farm organizations, which often differ on questions of Government policy, are united in the recommendation that the Congress launch the St. Lawrence project.

It is true, Mr. President, that there are some differences as to details; for instance, on how the project should be financed. The American Farm Bureau Federation is insistent that it be done in a way which will not burden the general tax budget. I am in agreement with that point. I believe there is no necessity for burdening the tax budget with this project, because it will be self-liquidating. The record will show some of the statements these organizations have made during the past few years with regard to the St. Lawrence waterway.

Mr. Roger Fleming, secretary-treasurer of the American Farm Bureau Federation, in a letter to the House Public Works Committee, said:

> The development of the St. Lawrence seaway is desirable for the well-being of agriculture, industry, and labor, especially in the Northeast and Midwest. Furthermore, there are good reasons to believe that it is highly desirable from the standpoint of national security.

The National Grange, through J. T. Sanders, legislative counsel, said this:

> We are proud of our consistent support of the great project for over two decades, which we believe is one of the world's best undeveloped power and navigation projects.
>
> • • • our support of the project at all times has rested on the following, which to us seem to be irrefutable facts: (1) it is economically sound for power development; (2) it is an economically sound transportation development; (3) its development will add greatly to the strength of two of the world's strongest and most friendly democracies; and more recently (4) • • • its immediate development and its economic justification are accentuated by the present defense emergency.

Mr. President, we have heard from the National Milk Producers Association, whose members are of the unanimous opinion that the St. Lawrence project should be built because it is inevitable and right.

The Farmers Union, through Benton J. Stong, has this to say:

> In addition to whatever savings it may bring to the wheat producers of the spring-wheat area, the St. Lawrence waterway is urgently needed to help provide more adequate transportation facilities for the movement of the grain.

There are other statements, but I shall not take the time of the Senate to read them. The Cooperative League of the United States and other organizations have eloquently pleaded with the Senate to recognize the value to the entire country and to the agricultural economy of the St. Lawrence seaway. I cannot possibly understand how Senators from agricultural States—and there are farmers in most States, thank the Lord—can cast their votes against this project.

It is not, of course, simply a farmers' project. I have statements from business organizations. Here is what the Detroit Board of Commerce says:

> We support the proposal because it is progress—progress that will redound to the benefit of all, not just a few vested interests. It is a project that will not, in the final analysis, cost the American taxpayers a single penny. And yet it will shower its blessings, once constructed, on every sector of the United States economy—even on those now most vigorously opposing the seaway.

This great business organization further said:

> It will be an example of friendly cooperation between two of the greatest nations in the world in developing their mutual economies and resources to the advantage of both.

The Detroit Board of Commerce is, of course, particularly interested in the immediate impact of the St. Lawrence project on my city of Detroit, and its statement goes at length into the situation, pointing out that—

> The Detroit area is the center of mass production and the world's largest producer of industrial products destined for world markets. Members of this organization—
>
> The Detroit Board of Commerce—
>
> export over $1,250,000,000 in products each year to the markets of the world. This represents over 10 percent of the entire United States yearly exports. Detroit is likewise a major consumer of raw materials and products produced throughout the world. Over 300 imported items alone are needed for production of a single automobile.

Mr. President, I think there can be no question that from the standpoint of business the St. Lawrence project is a vital necessity.

Its construction would also be of great importance to labor. In that connection, I should like to read a statement which was presented on February 29 of this year by Mr. Walter P. Reuther, president of the United Automobile Workers of America, to the Senate Committee on Foreign Relations. Mr. Reuther said:

> Our endorsement of the St. Lawrence seaway and power project is grounded in the firm conviction that what helps one part of our Nation helps all. We believe that prosperity promotes prosperity. We totally reject the false philosophy that the economic advancement of one part of the country or one industry is achieved only to the detriment of other areas or industries.

Mr. President, in the past few years Congress, in helping our European allies to build back their power to produce and strengthen their economies, has endeavored to help the five nations of Europe to tear away the old sectionalism, the trade barriers which have existed between them. We have been asking them to form economic unions, financially and productive-wise. We have supported the great Schuman steel plan and other plans to bring about the union of the economy of free Europe. Why? Because we know it has been the free movement of trade and commerce in the United States that has made the United States the great industrial and commercial power it is.

It seems to me it is a pretty late date in our history for anyone to come forward and say that a project that will do as much for such large segments of the American people as the St. Lawrence project would do, is merely a sectional project. It is no such thing. It is a project which will, entirely aside from its essential defense aspects, increase the prosperity of the entire Nation.

On that aspect I believe Mr. Reuther made a very good point. He said:

> The railroad, coal, and port interests who oppose the St. Lawrence seaway and the development of St. Lawrence power serve neither themselves nor the Nation in their misguided effort to guarantee the future by perpetuating the past. Proceeding from a false premise, they rush headlong to a calamitous conclusion. Less, not more, railroad tonnage will be hauled—less, not more, coal will be burned—less, not more, ocean shipping will move in and out of Atlantic ports if Congress is persuaded by the short-sighted counsel of these special interests to hold back the economic development and the productive power of the entire Nation by failing to develop the natural resources that are available to us in the St. Lawrence.

Mr. President, I think I need not emphasize to the Senate the good judgment and patriotism of the man who relinquished an income of $400,000 a year as president of General Electric Co. to come to Washington to serve as Director of Defense Mobilization at about one-twentieth of his former salary. I am sure no one is going to charge Mr. Charles E. Wilson with having a special interest in this matter. Therefore, I should like to have the Senate hear some of the comments Mr. Wilson made on the subject. I read from page 27 of the hearings, from a letter addressed by Mr. Wilson to my distinguished friend the senior Senator from Texas [Mr. CONNALLY], who is chairman of the Committee on Foreign Relations:

> DEAR MR. CHAIRMAN: I would like to express to your committee my conviction that the

prompt construction of the St. Lawrence seaway jointly by the United States and Canada is extremely important to the security of the United States and to the long-range mobilization program which the Nation has undertaken. The need for this project today is more urgent from the point of view of our mobilization program than it was a year ago when I testified in support of it before the Committee on Public Works of the House of Representatives.

The steel industry, with the assistance of the mobilization agencies, through the various measures provided in the Defense Production Act and other acts, has made substantial progress in the program for the expansion of steel-making capacity from less than 100,000,000 ingot tons a year before Korea to about 120,000,000 ingot tons a year by 1954.

I think this is an extremely important point because it relates directly to the matter I was discussing a few minutes ago, namely, the draining of our iron-ore resources in the Mesabi Range, and the exceptional opportunity the St. Lawrence offers to provide a quick, direct route from the rich new ore deposits in Labrador to our own industrial system.

Mr. Wilson continued:

This increase in steel capacity will require an increase in the supply of iron ore. We estimate that the requirements of iron ore will go up from the 116,000,000 tons consumed in 1951 to about 139,000,000 tons in 1953. While the supplies of high-grade iron ore from domestic sources is ample at the present time, the annual supply will begin to decrease by the middle 1950's.

At another point in his letter, Mr. Wilson said:

The supplies of ore in Labrador which are now being developed offer the greatest promise for continuation of the economic and efficient manufacture of steel in the Midwest. These are high-grade deposits which can be mined by the cheap open-pit method in vast and easily expandable quantities.

The next sentence is very important:

But this ore will not be available to the Midwest steel industry at a reasonable cost without the St. Lawrence seaway.

Mr. President, what confronts us here? If we build the seaway, we will have a great supply of ore which will flow to our steel plants in the Middle West and will enable those plants to continue to increase their production, without tapping or draining to a point of exhaustion our Mesabi Range. But, if we do not develop the St. Lawrence project, we shall find ourselves continuing to drain our resources and still be barred from a method of transportation which, as Mr. Wilson said, would lay Labrador iron ore down in the mills of the Middle West at a reasonable cost.

Mr. Wilson also had something to say before the committee about the power aspect of the matter:

The power which would be developed by the project would also be of substantial assistance to the mobilization program. Our industrial economy is using increasingly greater amounts of electric power, particularly for aluminum and atomic energy, and the mobilization agencies have sponsored a large electric-power program. The power which would be generated at the St. Lawrence would help substantially to ease the present and prospective inadequacy of power in the northeastern part of the country.

While the requirements of the project must be considered in the light of other defense needs, I see no difficulty in view of its high defense priority in meeting the material requirements.

Mr. President, we have had one experience with what the development of our great continental water-power resources has done for our country. Senators may remember that in the middle 1930's a terrific clamor arose, on grounds of socialism and other specious objections, when it was proposed that the Tennessee Valley and the Columbia River Valleys be developed. The Congress very wisely in my judgment took the advice of President Roosevelt and launched those great multiple-purpose projects, which included, of course, flood control, irrigation, reclamation, and other features besides the development of power.

But let us consider their value from the power aspect alone. When we were attacked and got into a world war against Germany and Japan, it became necessary to build a greater air fleet than had ever existed before in the history of the world. In order to build such an air fleet we had to have supplies of aluminum vaster than anything ever conceived before in this or any other country. In order to have that aluminum we had to have power in great amounts, and in bunches so to speak, to a greater extent than ever before in the history of the country.

Where did we get the aluminum to build the air fleet which was indispensable to winning the Second World War? If Senators will look at the industrial maps they will see that the new aluminum plants were located largely in the Tennessee Valley and in the great Columbia River Valley of the Northwest.

The same is true of the great atomic weapon which saved perhaps 750,000 American casualties. It was once estimated that those would have been the probable losses if we had had to invade Japan on the ground in order to end the war. Because we had the atomic bomb we were able to bring the war to a very abrupt conclusion.

Where did we obtain the fissionable material which made it possible to bring the war to a conclusion? If Senators will look at the industrial maps again, they will see that the great fission piles are located at Oak Ridge, Tenn., and Hanford, Wash., where advantage could be taken of the great supplies of hydroelectric power.

It is well known that today power is being transported to an aluminum plant located near the great St. Lawrence Rapids, at great expense. That is like carrying coals to a modern, undeveloped Newcastle, Mr. President.

As the distinguished Senator from Vermont [Mr. AIKEN], who has been so active and aggressive in furthering this project, has pointed out, the production of the entire northeastern part of the United States would be greatly implemented by the development of the St. Lawrence power project. So I think Mr. Wilson is entirely correct.

Mr. Wilson also takes up another aspect of the subject which I mentioned a few minutes ago. I think we can accept his testimony with a great deal of confidence. He says:

The fact that this project will be constructed on a self-liquidating basis, with the full cost eventually repaid to the taxpayer, makes the project a sound business proposition.

I believe that if anyone knows what a sound business proposition is, Charley Wilson does. I think the Congress can believe him. He stated further:

Even if it were not self-liquidating, I would still consider it so important to the maintenance of our Midwest economy and our national defense that I would strongly urge we go forward.

Mr. President, there is no question that this project is important to the national defense. I point out that General Bradley, a man in whom I believe nearly every Member of Congress has the utmost confidence—I certainly have—has made a succinct and very fair-minded analysis of this problem. I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks. It consists of a letter from General Bradley to the Senator from Vermont [Mr. AIKEN] dated February 20, 1952.

The PRESIDING OFFICER (Mr. MORSE in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FEBRUARY 8, 1952.

Hon. GEORGE D. AIKEN,
United States Senate.

DEAR SENATOR AIKEN: I have read your recent letter and the enclosed material concerning the St. Lawrence seaway and power project with a great deal of interest. I welcome the opportunity to give you the reasons I feel the completion of the project continues to be important to our national defense. Some of these have previously been presented to Congress.

The St. Lawrence seaway will provide an additional continental line of communications with the following advantages to national defense:

(a) It affords access to additional shipbuilding and ship repair facilities.

(b) It affords access to additional sources of high-grade iron ore in Labrador.

(c) It affords access to additional ports by oceangoing shipping in quantity increasing in proportion to the depth of channel provided.

(d) It can be expected to provide a large source of cheap, dependable power.

(e) It may well encourage industrial dispersal from the eastern seaboard.

The project has the following military disadvantages:

(a) It will be closed for 4 to 5 months of the year because of ice conditions.

(b) It will be susceptible to traffic interruptions by enemy action; e. g., sabotage or air attack.

Since the project is important to our national security, it would appear that we could best maintain our national interest by participation and sponsorship. By our participation in the construction and operation of the seaway, we would maintain in our own hands some measure of control of the development of this important natural resource.

It appears also that the joint development will be constructed in a shorter period of time than the alternative All-Canadian seaway, because of the international divi-

sion of the work; accepting the desirability of the project, rapid completion is an additional advantage of the joint development.

It is conceivable even though improbable that at some future time a situation may arise whereunder the United States might find itself in a situation of international tension, with Canada neutral. In such an event United States ownership and operational control of the St. Lawrence seaway might make an important contribution to the security of the United States. It could be visualized that exclusive Canadian ownership of this seaway might well be embarrassing to the United States under such conditions.

I am convinced that the St. Lawrence seaway and power project should be supported to the extent that it does not seriously conflict in requirements for materials and manpower with current production programs essential to our national build-up of military strength.

Sincerely,

OMAR N. BRADLEY.

Mr. MOODY. Mr. President, in analyzing the value of this project to the national defense, a great many people lose sight of the fact that when we get into a war, anything that will reduce the extent of necessary coastwise shipping will save not only millions of dollars in property, but also many thousands of American lives. It is quite conceivable that if we should get into another war the failure of Congress to authorize the St. Lawrence waterway would cost the lives of thousands of our sons, because of the fact that iron ore would have to be brought all the way up the coast from Venezuela to augment our home supply.

Moreover, the St. Lawrence development would shorten the trans-Atlantic shipping route. It would decrease by about a thousand miles the distance in which our ships would be exposed to enemy action. If any Senator has ever been on a tanker—and it is well known how many of them were lost during the war—he knows how long a time is required to travel a thousand miles. One can well imagine the tension on shipboard when it is known that hostile submarines are infesting the surrounding waters. I think it should be quite clear that a route which would make it possible to be in danger for a thousand miles less is something which from that standpoint alone, we ought to consider.

The opposition to this project has contended that an atomic bomb exploded on a lock in the St. Lawrence River would put the waterway out of service. Of course that would be true if it were to land in the right, or rather the wrong place. It is also true of the Soo Locks, through which all our iron ore must pass now. As a matter of fact, the Soo Locks would be on a pretty direct route between certain points in the world and the city of Detroit, which might well also be the objective of such an invasion.

The fact that we had two sets of locks would leave us in a much better position than if we had only one which the enemy would have to hit in order to knock out our supply of ore. Of course, such pinpoint bombing as that would be difficult to achieve. It might well be that the enemy might choose broader industrial targets, rather than try to achieve such pin-point bombing.

Another important aspect of this subject, from the standpoint of our defense position, is the fact that the St. Lawrence seaway would allow shipbuilding and ship repair in the Great Lakes, in a relatively secure inland area. Certainly our experience during the Second World War should be evidence enough of the fact that shipbuilding and repair facilities on the Great Lakes are of importance to us in time of national emergency. If we could bring a great many of our ships into the Great Lakes, where adequate repair facilities exist, it would certainly be a much safer place than on the coast; and in addition, the facilities for such repairs would be expanded.

A very important point also, it seems to me, is the fact that the existence of such a direct sea route would ease the strain on congested rail facilities between the inland area and the east coast ports in time of emergency. It would certainly add to the capacity and flexibility of our Nation's transportation system.

Mr. President, one of the greatest Americans, a man who has had extensive experience in both civilian and military life, who has served as Secretary of State and Secretary of Defense, who was the great strategist who called the turns which enabled us to end the Second World War with an amazingly small total casualty list, Gen George C. Marshall, was a vigorous advocate of the St. Lawrence seaway when he served as Secretary of Defense. I have the statement before me. It is dated February 21, 1951. I shall not read all of it but I should like to read a few sentences, to indicate General Marshall's position. He said:

First, the seaway, when completed, will increase the flow of high-grade iron ore for the production of steel for munitions and other purposes from the Labrador-Quebec area which is now being developed.

Second, the power project in connection with the seaway will provide additional sources of cheap and independent power so necessary, especially in the case of an all-out mobilization.

I may add that that is one of the principal reasons why the Senator from Vermont [Mr. AIKEN] has been so very much interested in the construction of the seaway, because he is familiar with the acute shortage of power in the northern New England area.

The opportunity for development of the area, which would be made possible by the St. Lawrence power project alone, extending as far as 300 miles away from the development, would be a great boon to that whole section of the country.

General Marshall continues:

Third, the seaway will facilitate the transportation of munitions to overseas bases. Moreover, in case of atomic attack, transportation could be diverted from one city to another.

Fourth, the seaway will afford access to additional shipbuilding and repairing facilities, always very necessary in time of war to the maintenance of our supremacy on the high seas.

Finally, it should increase the capabilities of mutual defense between Canada and the United States.

He concludes:

It is urgent that this project be begun promptly, so that by the time we must depend heavily on foreign sources of ore supply it will be ready.

Mr. President, I think that any jury which listened to the evidence in the case would come to the same conclusion. Many distinguished Americans, including the nominees of both parties for President, every President, every man connected with national defense in a high and responsible position, the Joint Chiefs of Staff, the great labor organizations of the country, some of the great veterans' organizations of the country, nearly every great farm organization of the country, as well as men in high positions in Government, like Mr. Wilson, all say the canal should be built.

What is the objection? We have heard some objections raised, but I do not think that any of the objections are very convincing. Certainly they have not convinced me. I doubt that they would convince the American people.

One objection which has been raised is that the canal will be only 27 feet deep. Some misinformed persons made the statement that because it will be only 27 feet deep, instead of 30 feet deep, only 3 percent of our shipping could pass through the canal. Mr. President, no more ridiculous statement has ever been made anywhere. All experts say that while of course the canal would not be deep enough to take very large ships, like the *Queen Mary* or the *America*, it will take more than 75 percent of the merchant marine of the United States and of all foreign countries.

Mr. President, I should like to quote from a statement by Mr. Troy H. Browning, the head of the T. H. Browning Shipping Co. of Detroit, Mich.:

Mr. Browning says:

As one who is in actual operation at this time on the Great Lakes I am positive the proposed seaway is practical. Its feasibility in the operation and navigation of ships and the carriage of cargoes in and out of the Great Lakes to all parts of the world cannot be questioned.

Then Mr. Browning explains in considerable detail why vessels with approximately 27 feet of draft can pass through the channel by judicious loading of fuel and water after they have passed through rather than before they have passed through.

Then he says:

A large fleet of vessels, many of which are from 600 to 680 feet long with a breadth of from 55 to 75 feet, many worth from six to eight million dollars, are now transporting valuable cargoes through the present channels of the Great Lakes with far less clearance than the opponents claim is required.

I should like to submit at this time excerpts from testimony given on February 25, 1952—before the Senate Committee on Foreign Relations, by John D. Small, Chairman of the Munitions Board. After saying that he had been designated by the Department of Defense to explain why they considered it urgent that the seaway be built, Mr. Small said:

The Department of Defense and its predecessor departments have consistently supported legislation which would permit initiation of work on the St. Lawrence seaway and power project. We are favoring it now, even more strongly than in the past.

As the official spokesman for the departments that are charged with the responsibility of maintaining our national security, Mr. Small proceeded to explain why they consider construction of this project urgently necessary as a matter of national security.

Mr. President, a few moments ago I was referring to some of the objections or pseudo objections which have been made to this project. Of course, one of the objections is that the canal happens to be in the northern part of the continent, and therefore would be frozen over during the wintertime. That is true, Mr. President. It has been estimated that for three and a fraction months of the year the St. Lawrence will be frozen over. However, to say that therefore this project should not be built, would be similar to saying that there should not be any Soo locks, through which the iron ore resources of the Nation move at this time.

Therefore, Mr. President, I should like to quote again from the statement made by a shipping man, Mr. Troy H. Browning, as follows:

> Opponents of the seaway have emphasized that it will be frozen over 4½ months a year. This is true. It is also true that all operations on the Great Lakes are frozen over, including the vital transportation of iron ore from Duluth to Detroit, Cleveland, and Buffalo. Nevertheless, during the other 7½ months, actual operations schedules are so tight and loading, unloading, and turnarounds so speedily accomplished, that tremendous tonnages are transported on the Great Lakes. The total tonnage moving through the locks at Sault Ste. Marie, Mich., in 1948 was over one-third more than the combined total passing through the Panama, Suez, and New York State barge canals. The annual tonnage moving through the Soo locks in 1948 was approximately 115,500,000 tons. The same year the Panama Canal moved only 23,500,000 tons, the Suez Canal 55,000,000 tons, and the New York State Barge Canal approximately 4,500,000 tons.

Mr. President, this project is of such great importance to the country, and there are so many reasons why it should be built, that a person could well consume the entire afternoon in discussing it. I do not intend to do so; but I should like to point out that if any Senator has any justification in the public interest for voting against this project, it could only be for the reason that he did not feel that at this time the Congress should appropriate the amount of money which would be necessary for the building of this seaway and power project. Mr. President, it is to answer that point—completely, I believe—that an amendment will be submitted on this floor, to make it perfectly clear that this project will never cost the American taxpayers a red cent. The cost estimates—and I am quoting now General Pick, the able Chief of the Army Engineers—show that the estimated annual charges for the project will be $16,712,000, whereas the estimated tolls from ships will amount to between $36,500,000 and $48,000,000 a year. This is a safety factor of nearly 3 to 1. Experts who have had a great deal of experience with projects of this sort say that will be the safety factor. The expected revenue will easily cover the entire expense.

Mr. President, I know other Senators are waiting to speak, so I shall conclude by merely saying again that construction of this project is vital to the national defense; it is vital to the development of our resources; it is vital to the development of a great area of our country, which includes my State; it is vital to the development and conservation of our own resources, by the opening up from a friendly foreign power, of new resources which will conserve our own resources.

Mr. CHAVEZ. Mr. President, before the Senator from Michigan concludes, will he yield to me for a few questions?

Mr. MOODY. I am delighted to yield to my friend from New Mexico.

Mr. CHAVEZ. I think possibly I am one of the few persons in the Southwest, if not the only one, who favor the St. Lawrence project.

Mr. MOODY. I know that, and I think the Senator has shown a very statesmanlike attitude in regard to this project.

Mr. CHAVEZ. The project is, I believe, a good one. I believe it is sound and that it is in keeping with progress. I believe the Congress would display good judgment to undertake the project.

Mr. MOODY. I thoroughly agree wth the Senator.

Mr. CHAVEZ. There is but one thing that bothers me, from the standpoint of the philosophy of the project—and irrespective of what may happen, I am for it.

Mr. MOODY. Good.

Mr. CHAVEZ. I can understand to some extent why the railroads object to the project. Whether their reasons for opposing it are justified or not, they nevertheless have a right to their views in the matter.

Mr. MOODY. If I may interrupt the Senator, I should like to point out that the railroads also objected to the development of the Panama Canal, though, in the long run, it helped them more than it hurt them.

Mr. CHAVEZ. That is correct.

Mr. MOODY. I think that would be true in this case, also.

Mr. CHAVEZ. I think so. Some time ago, a representative of one of the railroads in my State came to see me and asked me to oppose the project. From past votes, he knew where I stood. I said to him, "Are you not in business for the purpose of making profits?" In this country, we believe in the profit system.

Mr. MOODY. We certainly do.

Mr. CHAVEZ. He said, "Yes." I said, "Would not this project inure to the benefit of your railroad, if it were constructed?" He said, "Yes." But, for reasons of their own, having to do with financial connections somewhere, no doubt, he said the railroads would have to be against the project. That is all right——

Mr. MOODY. Is it all right, I ask the Senator? I might question that statement.

Mr. CHAVEZ. I mean it is all right so far as the railroads are concerned.

Mr. MOODY. It is their business, of course.

Mr. CHAVEZ. It is their business. That is the point I should like to make.

Mr. MOODY. I would question whether their attitude is right.

Mr. CHAVEZ. I would question it, too; but so far as they were concerned, they felt that way; and if that is the way they feel, it is their business. With reference to the railroad brotherhoods, composed of men who operate the railroads for the railroad companies, is there any particular reason why they should oppose the St. Lawrence seaway?

Mr. MOODY. I think not.

Mr. CHAVEZ. The brotherhoods, as a whole, have taken a progressive stand, usually, or what I have thought to be a progressive stand. I am surprised that the railroad brotherhoods should now seem to be interested in fighting a project which would be in keeping with their general policies. Can the Senator from Michigan tell me why they should take that stand?

Mr. MOODY. I also have many friends in the brotherhoods, and I have talked with some of them about this project. I understand that most of them, although not all of the men to whom I have talked, who are members of the railroad brotherhoods, are against it. I would answer my distinguished friend from New Mexico in the same way I have answered them. I merely think they have taken the erroneous viewpoint that the development of a possible rival to portions of the lines of some of the railroads would take away business, and they have not gone into the matter further. I think the development of the St. Lawrence seaway would help the railroads.

Mr. CHAVEZ. Yes, in my opinion it would help the railroads.

Mr. MOODY. Any great project which aids in the development of the country is helpful in the long run to the whole United States. I may say that the distinguished Senator from New Mexico has been one of the Members of the Senate who have followed that philosophy with utmost consistency and sincerity—more so, perhaps, than any other Senator. He has been largely responsible for a great many developments in this country outside his own area.

Mr. CHAVEZ. That is correct.

Mr. MOODY. I compliment him for it.

Mr. CHAVEZ. Naturally, any development that inures to the benefit of the Nation as a whole inures to the benefit of my State.

Mr. MOODY. That is correct.

Mr. CHAVEZ. Anything that inures to the benefit of the working people also benefits the members of the railroad brotherhoods, who operate the trains.

Mr. MOODY. I think so.

Mr. CHAVEZ. In my opinion, the development of the St. Lawrence, instead of hurting the railroads or their employees, would help them. That is why I am for it. I am surprised at the attitude taken by the railroad companies.

Mr. MOODY. I thoroughly agree with the Senator from New Mexico. I point out that so far as the Middle West is concerned the development of this project would not drain away a part of the

traffic which would otherwise go to the railroads, but would expand business throughout the entire Nation, making more traffic for more railroads, in my judgment. They might as well have opposed any of the great developments which have taken place throughout the history of our country which have resulted in opening up new and quicker systems of transportation.

Mr. CHAVEZ. Indeed.

Mr. MOODY. They might as well have opposed the operation of airlines. The railroads are still very much alive, even though in the airlines they have a great rival, a new competitive system, or a comparatively new competitive system, of transportation. The St. Lawrence waterway would stand in the same position.

Mr. CHAVEZ. Mr. President, the railroads might take the same position with reference to any other method of transportation. I am one who believes that transportation has actually made this country; that it has not only united the country, but that it has also brought about its economic development. Whether it be on the highways or on the airways, or by ships and by seaways and by rivers, transportation has, in my mind, at least, been the means by which our country has really become united. The Constitution made reference to the United States of America; but we were not united. There were many sectionalists. For example, let me say a word further to my good friend, if he will be kind enough to yield to me for a moment.

Mr. MOODY. I am glad to yield further to the Senator from New Mexico.

Mr. CHAVEZ. As I say, the Constitution speaks of the United States. But, whether we liked it or not, we did have the War Between the States. Immediately following the war we had the Deep South, the Northern Yankees, and we had the West. The Yankees would be "cussing" the people of the South, and the people of the South would be "cussing" the Yankees of the North. Both would be "cussing" the "wild and woolly" people in the West.

Then came a gentleman from the Senator's State of Michigan, who developed the jalopy. As a result, it became necessary to build roads. The United States really became united following those developments. People from Alabama, Mississippi, Georgia, Arkansas, and other places in the deep South traveled northward.

Mr. MOODY. They had an opportunity to see the other portion of the United States.

Mr. CHAVEZ. They visited Maine, for example. On the other hand, residents of other sections of the country visited the South, where they found a fine class of people.

Mr. MOODY. I am glad the Senator paid such a fine compliment to Mr. Henry Ford and to the State of Michigan.

Mr. CHAVEZ. Moreover, the people of the other sections of the country found that we of the Western States were not so wild and woolly, but that we were actually people of their own class. That, Mr. President, is what actually united and made the United States So I believe in this seaway project. I sincerely believe it would be good for the whole of America.

Mr. MOODY. It would be good for America.

Mr. CHAVEZ. I think it would be good for America, from the standpoint of government, from the standpoint of economics, and from every other standpoint. But I was a little perturbed or confused by the fact that persons who hold a philosophy of life as a brotherhood would now be opposing the project as an organization. I do not think they all oppose it.

Mr. MOODY. No. I personally know some who are in favor of it. I believe that particular labor organization opposes it mistakenly.

Mr. CHAVEZ. It is not a question of favoring the railroads or the brotherhoods; it is a question of favoring the United States. It is because I believe in progress for the United States that I want to be on that side of the argument.

Mr. MOODY. I thank the Senator from New Mexico for his statesmanlike attitude.

Mr. McCLELLAN. Mr. President, will the distinguished Senator from Michigan yield in order that I may ask a question and make an announcement?

Mr. MOODY. I shall be glad to yield for that purpose.

Mr. SMATHERS. Mr. President, will the Senator from Michigan yield for a question?

Mr. MOODY. I yield.

Mr. SMATHERS. I should like to ask the Senator from Michigan whether it is true or not true that our Government has to guarantee the bonds for the Canadians as well as for the people of the United States?

Mr. MOODY. That is not my understanding at all. I think it should be made clear to my friend from Florida that the proposal for the financing of the project through a corporation was in the form of an amendment which was submitted to the Committee on Foreign Relations. It was never acted on by the committee, because that committee merely reported the bill by a vote of 9 to 4, without a recommendation, and it did not consider any amendments.

The method of financing the project through a separate corporation has been proposed by the Senator from Vermont [Mr. AIKEN], the Senator from Minnesota [Mr. THYE], the Senator from Illinois [Mr. DOUGLAS], and myself, later joined by the senior Senator from Michigan [Mr. FERGUSON] and other Senators. The corporation, as I understand, would merely provide for the payment of the share of the costs of the United States. We are not going to pay for the Canadian share.

A question has been raised by some advocates of the seaway as to whether the Government should guarantee the bonds at all. I should like to call the attention of the Senator from Florida to the fact that the prospective income from the project is so great that it really does not make very much difference whether the Government guarantees the bonds or not. I think that there would be a ready market for them whether guaranteed or not. The way the amendment now reads, the bonds are guaranteed——

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MOODY. In a moment. Under the amendment the bonds would be guaranteed by the Government. As the Senator knows, the power share of the project will be available for sale by the Government, or to the State of New York, which will take over the whole thing under the contemplated plan.

I said a few minutes ago, before the Senator from Florida entered the Chamber, that tolls are estimated at roughly three times the prospective economic charges per annum. Of course, there will be a time during the construction of the waterway when there would have to be some interim arrangement, naturally, before the seaway is completed and income begins to flow in from the new project. But I should like to assure the Senator from Florida that I am completely convinced that in the long run the project can be built and paid for with income from the project itself, just as surely as the Pennsylvania Turnpike, the San Francisco Bridge across San Francisco Bay, between Oakland and Berkeley, and the Merritt Parkway in Connecticut, have paid for themselves. All toll-carrying, self-liquidating projects, if they are soundly engineered and soundly financed, pay for themselves from the income from their own operations.

I believe we would be getting a great bargain in constructing the seaway. Even if the project should not produce the effects the officials in the Department of Defense foresee, it will certainly do part of it. I think it will do all the Department said it would, and perhaps more. I do not believe the Senator from Florida need be concerned at all on the point that the financing of the project would result in a burden upon the American taxpayer. I am convinced it would not.

Mr. President, I now yield to the Senator from Texas.

Mr. CONNALLY. I thought I understood the Senator to say a while ago that it would not make much difference whether the bonds were guaranteed or not.

Mr. MOODY. That is, from the standpoint that the bonds will be paid off out of revenue that will be coming in.

Mr. CONNALLY. Did not the Senator say he did not think it would make much difference whether the bonds were guaranteed or not?

Mr. MOODY. I said it was academic, from the standpoint of whether the American taxpayers would have to pay for the project or not.

Mr. CONNALLY. If that be true, why guarantee the bonds?

Mr. MOODY. The amendment as drafted by the Senator from Vermont [Mr. AIKEN] and others calls for a guaranty.

Mr. CONNALLY. Has the amendment been printed yet?

Mr. MOODY. Yes.

Mr. CONNALLY. Is it on the desk?

Mr. FERGUSON. Yes.

Mr. MOODY. I believe it has been printed and is lying on the desk.

I know that the distinguished chairman of my committee, for whom I have the greatest personal respect, differs with me on this question, but I submit to the Senator——

Mr. CONNALLY. I do not live in Michigan. The reason why the Senator wants this project is that the waterway will go through Michigan. That may be a very good reason. However, I do not live in Michigan.

Mr. MOODY. The Senator should live there; it is a great State.

Mr. CONNALLY. I am not running for reelection in Michigan.

Mr. MOODY. That makes no difference. I have been in favor of the seaway 25 years, and I know that my colleague, the senior Senator from Michigan [Mr. FERGUSON], has been in favor of it for 25 years.

Mr. CONNALLY. Neither Senator seems to have done so well with it.

Mr. MOODY. If the Senator from Texas would help us, we would do better.

Mr. CONNALLY. I am not going to help the Senator by "chunking" away a billion dollars of the people's money.

Mr. MOODY. It will not cost anything like a billion dollars.

Mr. CONNALLY. I still insist that if it does not make any difference whether the bonds are guaranteed, we should not guarantee them.

Mr. THYE. Mr. President, it is very interesting to take a look at what is requested by various Members of Congress for their respective States. Those of us who live in the central and northern regions of the United States have just as much responsibility for and interest in our own section of the country as have Senators who live either in Texas or some other area of the United States.

Mr. MOODY. Of course we do.

Mr. THYE. All the Senator needs to do is to look at the requests that have come to the Committee on Appropriations from the Bureau of the Budget for channels and widening of river beds to permit ships to proceed from the Gulf of Mexico to cities in Texas. In order to encourage new industrial projects at a certain place in Texas, a request is made for a new river project that involves a total amount of $13,400,000 for the channels on the Guadalupe River on to the city of Victoria. That is for the benefit of Texas. Yet when a sum of money is sought for the St. Lawrence waterway the Senator from Texas objects. If the facts are wanted I shall give some facts relative to projects which have been constructed in Texas. I shall read into the RECORD some figures that involve a good many million dollars. But those of us representing some of the northern States did not object on the basis that such projects were for particular regions or sections or States.

When it comes to the St. Lawrence waterway, that project will not only increase the industrial possibilities of the central part of the United States, but it will increase our defense potential by giving us the certainty of high-grade ore and minerals for the steel mills of the United States, without having to depend on shipment by railroad or by way of the open seas alone, subject to all the submarine and aerial attacks that could be made upon them. We are trying to increase the whole potential of the industrial capacity of the United States by asking for the St. Lawrence seaway.

It does not represent a cost of a billion dollars, but I shall read what is in the appropriation bill for the 1952–53 fiscal year for the rivers and harbors program for Texas.

The total estimated Federal cost is $117,215,000. There has been appropriated to date $200,000 for one project, the Guadalupe River at Victoria.

For the waterway at Galveston there has been appropriated to date $23,018,-500. The total request is for $29,341,000.

For the Houston ship channel, which contemplates transportation, the authorization is for $17,059,000. To date there has been appropriated $13,559,-000.

I will go down the list to another one, the McGee Bend Dam, a project estimated to cost $42,243,600, for which there has been appropriated to date $671,200. The people have pleaded for that project. Oh, dear, how they have pleaded.

Mr. President, I could continue to read the names of additional projects, to which Senators representing Northern States have not walked into the Appropriations Committee, or stood upon the floor, to raise objection, because we have recognized that when we voted for them, they would increase the potential industrial capacity of the United States.

Mr. MOODY. I should like to ask the Senator from Minnesota if he has ever heard of any project, either local or national in nature, which has been supported for more than a quarter of a century by every candidate for President, successful and unsuccessful, and by the Chiefs of Staff.

Mr. THYE. Six of the seated Presidents of the United States in the past several decades have supported the St. Lawrence seaway.

Mr. MOODY. Furthermore, it is a project which will pay for itself from tolls, so it will not cost the taxpayers anything, whereas the projects the distinguished senior Senator from Minnesota has mentioned will cost the taxpayers something.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MOODY. I yield.

Mr. CONNALLY. The Senator from Minnesota [Mr. THYE] has made a very passionate and eloquent attack on my State, in particular. He says that we have obtained certain waterways. Mr. President, the waterways which we obtained are within the United States. They are in conformity with the adopted policy of the Nation to deepen channels and establish deep water ports. They are not in Canada or some other foreign country. We are not spending a billion dollars of the people's money to provide a market for an iron-ore monopoly in Labrador.

Mr. MOODY. Mr. President——

Mr. CONNALLY. Just a moment. I am not through with the Senator from Minnesota.

The Senator from Minnesota said, "We never ask for anything." For one thing, Minnesota is not on the seacoast. That is one reason why Minnesota does not ask for more. If it were on the seacoast, it would want not only $1,000,000,-000, but $10,000,000,000, for Minnesota. There are no ports in Minnesota. There are no channels to the sea from Minnesota. It is not a State which is interested in seafaring activities.

The Senator from Minnesota speaks of Houston. The city of Houston has a ship channel. However, the people of Houston and the surrounding area taxed themselves. A navigation district was formed, and millions of dollars were appropriated to initiate that project. Previously the Port of Houston had been very insignificant. Since the construction of the channel it has become one of the largest ports in this Nation, in terms of volume of traffic. It serves the people of Minnesota. We ship their wheat through Houston to other points in the world.

Mr. THYE. Mr. President——

Mr. CONNALLY. Mr. President, I have the floor.

Mr. MOODY. No; I have the floor.

Mr. CONNALLY. The Senator from Michigan yielded to me. If he does not desire to continue to yield to me, I shall take my seat.

Mr. MOODY. I yielded only for a question.

Mr. CONNALLY. I have the floor, and I decline to yield.

Mr. MOODY. The Senator from Texas cannot yield to the Senator from Minnesota.

Mr. CONNALLY. That is what I am saying. I decline to yield.

The PRESIDING OFFICER. The Senator from Michigan has the floor, and he has yielded to the Senator from Texas.

Mr. CONNALLY. I should like to ask the Senator from Michigan a question.

Is it not true that the entire midwestern part of the country ships its wheat largely through the ports of Galveston and Houston in my State? If it were not possible to ship it through those ports it would have to be fed to the hogs in Minnesota. The people of Minnesota must have a market for their wheat. We provide a market. But in exchange for their votes in behalf of the deepening of channels and ports, they are hunting for other lands to conquer. They say, "We are going up into Canada. We are going up into Labrador, and spend $1,000,000,000 of the people's money to provide a market, not for wheat, which is raised in the United States, but for iron ore, which is owned by a monopoly." One cannot buy a barrel of it or 100 pounds of it or a spadeful of it unless he obtains the consent of the monopoly. That is what Michigan and Minnesota are demanding. That is the difference between the two projects.

Mr. MOODY. Mr. President, I am not quite sure what the question of the Senator from Texas is.

Mr. CONNALLY. I ask the Senator from Michigan if what I said is not true.

Mr. MOODY. No.

I should like to point out to the Senator from Texas that he is the last Member of the Senate I would ever suspect of isolationist leanings. I am very glad that I know him so well. The Senator from Texas says that it is proposed to build this project in a foreign land. He does not sound like himself.

The Senator from Texas has been responsible, in a statesmanlike way, for putting through the Senate the great mutual security program. The Senator from Texas was not afraid of the "furiners" then. Why is he afraid of them now?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MOODY. I am glad to yield.

Mr. CONNALLY. The projects of a foreign character which I have sponsored have been projects to guarantee the security and safety of the United States and its people, and to save lives of boys in Michigan who might be sent abroad to die on foreign battlefields.

Mr. MOODY. That is exactly the point——

Mr. CONNALLY. Just a moment.

Mr. MOODY. I should like to point out to the Senator from Texas——

Mr. CONNALLY. I take it the Senator from Michigan will not yield to me further. If he does not intend to yield to me, I will take my seat.

Mr. MOODY. I am glad to yield.

Mr. CONNALLY. We are trying to save the lives of boys in Michigan. Yet, I am called an isolationist because I do not want to go up into Canada, embrace the iron-ore monopoly, and help to build a railroad to Labrador; and because I will not support a project for a waterway which would be frozen up 5 months of the year, in spite of which the Senator says it is for national defense. If the proposed canal were dug and in operation and we should have a war, one little atomic bomb the size of my fist, dropped on the canal, would put it entirely out of business and destroy all the optimistic claims which have been made in its behalf.

The Senator from Michigan says that it is proposed to have the Government guarantee the bonds in connection with this project, but he says that it does not make much difference whether the Government guarantees them or not. If it does not make much difference, let us not guarantee them.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MOODY. I shall be glad to yield in a moment.

Mr. President, I have the greatest respect for the judgment of my friend from Texas on every question except this one. My friend from Texas talks about saving the lives of boys in Michigan. I am trying to save the lives of boys in Texas. Every single high official of the Defense Department, including the Joint Chiefs of Staff, General Bradley, and many others, say that this project is essential for the national defense.

Mr. CONNALLY. Why not let them dig it, then?

Mr. MOODY. The Senator from Texas is the chairman of the committee. He has opposed their advice on this matter. Why does he not let them dig it?

Mr. CONNALLY. According to the Senator's idea, we ought to bring the Chiefs of Staff here and sit them down in a row, as Members of this body——

Mr. MOODY. Not at all.

Mr. CONNALLY. According to the Senator from Minnesota, we ought to bring in, as Members of the Senate, all the men who have run for President and who have been defeated.

Mr. MOODY. How about those who have won?

Mr. CONNALLY. If all the candidates now running for President were seated in the Senate, the Senator might have enough votes to pass this measure, if it were voted upon before the nominating conventions or before the general election. However, it is most fortunate for the country that all the candidates for the Presidency are not seated in the Senate and entitled to vote on this question.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MOODY. I yield to my friend from New York.

Mr. LEHMAN. The Senator from Texas, for whom I have the greatest regard and affection, has, as always, put on a very fine show—a show which has been intriguing. However, we are trying to get at the facts of the case.

The Senator from Texas has talked about the great cost of the project.

Mr. CONNALLY. I am not so rich as is the Senator from New York. I would not bother about money if I had all that he has.

Mr. LEHMAN. Let me say to the Senator that I am perfectly willing to pay the taxes which are assessed against me because I have a reasonable amount.

Mr. MOODY. There would not be any taxes for this project. It would pay for itself.

Mr. LEHMAN. The Senator from Texas has implied that this project would cost a huge amount of money. He and the Senator from Louisiana [Mr. LONG] have talked about a burden of $1,000,000,000 or $2,000,000,000 being foisted on the taxpayers. As a matter of fact, this project would not cost the United States a red cent. The seaway, which is in support of our defense, our safety, and our security, would inevitably and indisputably be self-liquidating, so far as concerns the power which would be developed, which would be distributed for the benefit of the States of New York, Vermont, New Hampshire, and other New England States.

I am speaking now as a reformed banker. I would have liked to have nothing more profitable than this kind of proposal. It would not only be self-supporting but it would bring into the treasury of the State of New York, the Treasury of the United States, and the treasury of Canada a great amount of money. It would reduce the cost of power to consumers in the State of New York and in New England by 50 percent. It would not in the slightest degree put out of business private public utilities in New York. I would not want to do that.

Mr. MOODY. That is one of the many advantages of the project.

Mr. LEHMAN. I believe that the public utilities serve a very great purpose. They have a great field in the development of steam power. They can serve communities of tremendous size with unlimited possibilities. This project will be a yardstick. So far as concerns the power which we could develop on the St. Lawrence and on the Niagara, the cost of power to the ultimate consumer in the State of New York and in the States adjacent to New York would be reduced by about 50 percent.

This is not a new undertaking. I have been working on it for a very long time. It dates back to the days of Alfred E. Smith. It has been under discussion for nearly 30 years. I am convinced that there is nothing more important to the development of our section of the country than this project. I so stated long before the defense factor became important. Since the defense factor became important I have redoubled efforts to secure approval of the plan, because it is extremely important for the defense effort of our country. We will not only be able to ship the iron ore, to which the Senator from Texas referred so slightingly, but we will also be able to ship in and out textiles and wheat, for example, which fact will develop the entire Middle West.

New York has no great direct interest in the project. But, Mr. President, I have always believed that whenever one part of the country benefits, every other part of the country benefits. I believe that what benefits Michigan, Minnesota, Iowa, Arizona, New Mexico, or California also benefits New York. Time after time I voted for the development of irrigation and reclamation projects in those States, because I believed it would develop those areas and help also the entire country, of which New York State is still a part.

Mr. MOODY. Mr. President, my friend from New York is merely discussing the power and industrial side of the question.

Mr. LEHMAN. No.

Mr. MOODY. That is only one of the many facets involved, and it does have an effect on the general welfare, economy, and prosperity of the country. I should like to point out specifically, with respect to our national defense, that not only do we export commodities from the lake cities to all parts of the world but that some of the most urgently needed weapons of defense are manufactured in that area. For the manufacture of those weapons we must import, from all over the world, cobalt, columbium, copper, uranium, and other critical materials. It would constitute an economic saving to be able to bring those materials directly to the ports near the areas where they will be used.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MOODY. I yield.

Mr. LEHMAN. The Senator from Michigan, I believe, has misunderstood me if he has gained the impression that I was only speaking about power. That is by no means the fact. I am speaking about all the other aspects, including the ore which could be brought from Labrador to the great steel centers, such as

Detroit, Cleveland, Youngstown, Pittsburgh, Chicago, and Duluth. That fact is highly important. We would provide an inland passage which would be safe from attack in case of war.

However, beyond the mere question of the transportation of iron ore, which is highly important, I wish to say that free access by the Middle West and by Europe to necessary supplies and commodities—wheat and textiles among them—it is also highly important.

My good friend from Michigan has mentioned ore. Ore is of the greatest importance. I am from New York, but I want to see Michigan, Ohio, Nebraska, and other States develop also. When they develop it is to the interest of the entire Nation, and it is to the interest of my State. I am willing to go along with anything that will bring that about. In this particular case it will not cost the taxpayers of New York State a red cent. It will not cost the taxpayers of Texas, Michigan, Minnesota, or California a red cent. The project will be more than self-supporting. What is the use of kidding ourselves? What is the use of listening and possibly being convinced to some extent by the arguments which have no weight whatever?

Mr. MOODY. The Senator from New York, I am sure, does not mean my arguments.

Mr. LEHMAN. Of course not. I am talking about the arguments being made by the Senator from Texas and other Senators who object to the project. I want the development to go through. I know it is to the interest of this country, both from the standpoint of defense and from the standpoint of industrial and economic development.

I feel so strongly about it that I talked on the subject yesterday, I am talking on it today, and I shall talk on it tomorrow, on Monday, and on Tuesday.

I hope the Senate will pass the bill. I believe it is following a very short-sighted policy to object to this development. The Senator from Texas—and I am sorry he is not present and that I must make my remarks in his absence—talks about a foreign country. Mr. President, we have never had a better friend than Canada. We have been living at peace with Canada, with complete understanding, for 125 years.

Mr. President, I wish to say that for 125 years we have maintained the most cordial, most friendly, and most trusting relationship with Canada. We have with Canada a boundary line 3,000 miles long. Throughout the length of that entire boundary there is not one fortress or one military post. We have confidence in Canada, and Canada has confidence in us.

I only wish a similar situation could obtain in the case of other nations, between which there is distrust, suspicion, and fear.

I have the greatest admiration and the greatest feeling of friendship for the people of Canada and for the Government of Canada, with whom we have worked in brotherly love—and the use of that term in this case is no exaggeration—for more than one century and a quarter.

On the other hand, certainly there is no reason why we should be willing to place an important part of the commerce of our country into the hands of the Canadian Government, which does not want it. Canada has asked us to join her in constructing and controlling the seaway. In any event, Canada will build this seaway, regardless of what we do; there is no question of that. It is certain that Canada will build the seaway in any case.

Yet we seem to be willing to say to Canada, "Go ahead and build this project. We are going to abdicate our authority in this connection, despite the fact that if we were to join you in building the seaway, our action would not cost the taxpayers of our country one red cent. We are going to allow you to charge such tolls for use of the seaway, and to impose such regulations and conditions as may seem proper to you, and we are going to surrender our power and our authority to provide any conditions or to have any voice in the administration and management of the seaway."

Mr. President, such an attitude simply does not make sense to me. It does not make sense for 1 minute, because in that event we would be abdicating something of great importance to us; we would be abdicating a partnership arrangement for the administration of a great seaway which will open up the markets of our Middle West to Europe, and the markets of Europe to our Middle West—a great area, an area the development of which and the prosperity of which are of vital importance to our Nation.

I simply cannot understand such opposition, and I certainly hope those who have opposed will now agree with us that the building of this great seaway and power development on the St. Lawrence is of vital importance to our Nation as a whole.

Mr. MOODY. Mr. President, I should like to point out to the Senator from New York who has so eloquently expressed views with which I completely agree, that if we were to get into a war in which Canada did not happen to be involved, and if we now permit Canada to build this project without the cooperation of the United States, then there would be a question of whether we would be able to send our ships through the seaway, and thus make use of this invaluable asset, the use of which might save the lives of thousands of Americans. If we did not have the use of this seaway, but if we had to rely upon coastwise shipping, these men might very easily lose their lives. That situation could develop if we lost the present opportunity to share in the arrangement and to have control of part of the project, as a partner.

As the Senator from New York has just stated, there is no reason at all why this project should not be built, except for the reasons which have been advanced by those who are thinking in terms of the thought of some persons of decades ago, when they tried to prevent the development of the United States by the building of railroads and the Panama Canal and other great public improvements.

There is no reason at all why this seaway should not be built. There is every reason why it should be built; and its construction will not cost the taxpayers of the United States anything.

I agree with the Senator from New York. I cannot understand any real, sound basis for opposition to this project.

Mr. LEHMAN. Mr. President, will the Senator yield further to me?

Mr. MOODY. I yield.

Mr. LEHMAN. The Senator from Michigan has said that in case we became engaged in a war in which Canada was not engaged, we might be prevented from using this seaway, in that in such event it would be almost inevitable that Canada would refuse to permit our ships to pass through the seaway at such a time. Let me point out that Canada would have a perfect right to do so in that case, because she would have full control of the seaway, and we would not have any control of it.

Mr. MOODY. Canada would not take that position because of any unfriendly attitude toward us, but merely because if under such circumstances she allowed our traffic to use the canal, during a war in which we were engaged, but in which she was not engaged, her action in allowing our shipping to use the canal at such a time could very easily result in causing Canada to be drawn into a war which she wished to avoid.

Mr. LEHMAN. That is absolutely correct.

Mr. MOODY. Furthermore, in the event the seaway were built by Canada alone, without participation by the United States, the United States would then be unable to have anything to say, either in peace or war, in regard to control of the use of the canal or control of the tolls charged on shipping using the canal or regarding the charges for power developed from the power project. Our citizens then would have to pay those charges, which would be determined by Canada alone.

Mr. CHAVEZ. Mr. President——

Mr. MORSE. Mr. President, I rise to a point of order; I call for the regular order.

The PRESIDING OFFICER. The regular order has been called for; and the Senator from Michigan can yield only for a question.

Mr. MOODY. Mr. President, I yield to my friend, the Senator from New Mexico, for a question.

Mr. CHAVEZ. Mr. President, the argument of the Senator from New York [Mr. LEHMAN] is to the effect that some Senators have said this project will be of benefit to Canada—and it will be—but if this project will be beneficial to Canada, inasmuch as the St. Lawrence is an international river, will it not be beneficial to both the United States and Canada?

Mr. MOODY. Certainly, it will be.

Mr. CHAVEZ. Yes. I am trying to approach the matter from the standpoint of the United States as a whole, and the direct effect of the project on the entire Nation.

Mr. MOODY. I should like to remind my colleague from New Mexico that all he is saying is, I presume, a part of a

question which he is asking me. I yield only for a question, because I do not wish to lose the floor.

Mr. CHAVEZ. No; the Senator from Michigan will not lose the floor, for I wish to ask him a question. New Mexico is not directly affected by the St. Lawrence seaway project, but will not the project as a whole be beneficial to the entire Nation?

Mr. MOODY. Of course it will be; that is precisely the point I have been trying to make today.

Mr. CHAVEZ. Very well. Suppose we assume that Canada will build the seaway alone—and in my opinion, Canada will build it alone, if we do not cooperate with her——

Mr. MOODY. Certainly, Canada has said that she would build it.

Mr. CHAVEZ. Very well; and she should build it alone if we do not cooperate with her.

Mr. MOODY. I agree.

Mr. CHAVEZ. Very well. If that condition were to develop, would not the shippers of wheat from Montana and from Nebraska and from the Dakotas and the shippers of cheese from Wisconsin have to pay tribute to Canada alone?

Mr. MOODY. Of course; and in that case Canada could charge any tolls she wished to charge, and perhaps would charge tolls so high that the cost of building the canal would be paid three times over.

Mr. President, I conclude by saying again that it seems to me the universality of judgment regarding this project to build the St. Lawrence Canal and power project, the universality of the judgment among men who obviously have studied the matter carefully without any interest except the national interest, is so great that the Senate of the United States should take judicial notice of that fact. It has been stated here today that the railroads and certain other groups are now opposing this project, which, of course, is their right. But if Senators will study the record on this question, particularly if they will keep in mind the fact that they are not being asked to vote for an expenditure of money, but merely to clear the way for a development for which the entire northeastern section has been waiting for 25 or more years, a development which is now declared to be urgent and vitally necessary by our chief authorities on national defense—if they will study these facts, I believe Senators will vote to approve this project.

During the delivery of Mr. MOODY's speech,

Mr. HOLLAND. Mr. President, will the Senator from Michigan yield for an insertion in the RECORD?

Mr. MOODY. Mr. President, I shall be very glad to yield to the Senator from Florida provided that I do not lose the floor and that his remarks will be printed at the conclusion of my address.

The PRESIDING OFFICER (Mr. JOHNSON of Texas in the chair). Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, several days ago the distinguished junior Senator from Oregon placed in the RECORD an editorial from the Washington Post of last Tuesday, entitled "Tidelands Veto." I believe the Senator from Oregon stated that the editorial was what he regarded as an "unanswerable" statement of the case for those who oppose the position of the States and oppose the bill, generally spoken of as the Holland bill, which was passed recently by substantial majorities in both Houses of Congress and later vetoed by the President.

Mr. President, in the Washington Post of this morning, in the Letters to the Editor section, there appears an answer to the editorial which I have mentioned. I ask unanimous consent that the answer, which was written by me, may be incorporated in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIDELANDS VETO

I was surprised to note the inaccuracies included in your editorial of June 10 entitled "Tidelands Veto" which deals with the so-called tidelands controversy. Of course you are entitled to express your opinions editorially, but I seriously question your right to misstate to your readers the facts concerning the contents of the bill which bears my name and has been recently passed by substantial majorities of both Houses of Congress, and later vetoed by President Truman.

You say "the very title of the so-called tidelands oil bill is a fraud." You quote the title of the bill to show that it purports to relate "to lands beneath navigable waters within State boundaries." You base your charge of fraud upon further statements that "But the resolution adopted by Congress, and vetoed a fortnight ago by the President, has nothing to do, in point of fact, with lands within State boundaries. It has nothing whatever to do with inland waters or with tidelands—a term which is properly applied only to the narrow strip of land lying between high tide and low tide. It deals, rather, with land lying seaward of the tidelands, beyond the inland waters and wholly outside the State boundaries."

If you will read the bill you will discover that the above statements are completely incorrect, as the so-called Holland bill deals entirely with lands lying wholly within State boundaries and which fall within three classifications: (1) lands lying between the low-water mark and the constitutional limits of the States, generally 3 miles out, (2) lands under ordinary inland waters within all the States, including the technical tidelands between high-water mark and low-water mark, and (3) lands beneath the Great Lakes and extending from the shores to the State boundaries which in many cases are international boundaries with Canada.

And so your statement that the vetoed act has nothing to do in point of fact with lands within State boundaries is wholly wrong, as each of the three classes of lands covered by the act does lie and is included entirely within recognized and unquestioned State boundaries, and the act does not cover a single square foot of area lying outside of State boundaries.

As to the first class of submerged lands covered by the act, those lying between the low-water mark and the constitutional boundaries of the martime States, the principal controversy involved in this whole question deals with the ownership or proprietary rights of the various assets contained in that narrow coastal belt.

The maritime States claim these assets which they had enjoyed without question for 150 years after the founding of our Nation, whereas the advocates of Federal ownership claim these assets under the decisions of the Supreme Court in the California, Louisiana, and Texas cases, declaring that the Federal Government has "paramount right" in these assets.

The assets which are in question are not only the oil and gas which has been found in a few places and which does have a substantial value temporarily—that is, until it has been produced and used—but also the permanent values which apply to all portions of the coastal belt and which will continue to be invaluable to the coastal States over the entire period of their existence.

I refer to such values as the taking of fish, shrimp, oysters, sponges, kelp, and other forms of life, the use of sand, gravel, and shells, the use of outlets for sewage and industrial waste, the building of piers, bulkheads, and groins, the filling of submerged lands, and the building of multi-million-dollar developed values thereon, both public and private.

As to all of this part of the subject, I remind you that all of these values, quitclaimed to the States by the bill, exist within the recognized constitutional boundaries of the maritime States, and the major question in controversy is the ownership and control of these values and not the validity of the State constitutional boundaries.

The fact that this area is contained within the States has been recognized by numerous court decisions, as, for instance, in the determination of jurisdiction in criminal cases and in the upholding of State police and regulatory laws. Your error in this matter is based on the fact that you have confused the property question with questions of recognized legal boundaries and legal jurisdiction.

As to the other two classes of submerged lands covered by our bill, that is lands under inland waters and lands under the Great Lakes, there can again be no possible challenge of the fact that they lie wholly within the boundaries of the States and not wholly outside State boundaries as you so incorrectly state.

In your editorial you say that the interior States of the Union have nothing to gain and everything to lose from quitclaim legislation. This is only a statement of your own opinion in which you differ entirely from many conscientious public officials, including nearly all of the Governors and nearly all of the attorneys general of the various States, and likewise including many of the Representatives and Senators who come from inland or Great Lakes States. The American Bar Association feels so strongly on this point that it has expressed itself in no uncertain terms to Congress as feeling that the law regarding State ownership of submerged lands beneath inland navigable waters is threatened by the California decision.

Are you aware of the fact that the Federal attorneys in their brief filed with the Supreme Court in the original California case stated that the Supreme Court ruling that States owned inland submerged lands was unsound, wrong, a legal fiction, erroneous, and a fallacy?

Do you know that the Supreme Court itself in its majority decision in the California case held that the States had only a qualified ownership to these inland submerged lands?

Do you know that as to the submerged lands in the Great Lakes, Solicitor General Perlman in his testimony at the Senate hearing called attention to the fact that the case of the submerged lands under the Great Lakes is different from that of other ordinary inland waters because of the involvement of international boundaries?

These facts which I have cited and others are of such importance that the representatives of inland States have every right to be deeply concerned and to be unwilling to

content themselves with reliance upon the easy assurances of President Truman to the effect that he regards legislation quitclaiming submerged lands beneath inland waters and beneath the Great Lakes as wholly unnecessary.

SPESSARD L. HOLLAND,
United States Senator from Florida.

Mr. MORSE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I shall yield when I conclude.

Mr. MORSE. I wondered whether the Senator from Florida——

Mr. HOLLAND. I shall be glad to yield when I conclude. I refuse to yield at this time.

Mr. MORSE. I wondered——

Mr. HOLLAND. I refuse to yield at this time, Mr. President.

The PRESIDING OFFICER. The Senator from Florida declines to yield.

Mr. HOLLAND. Mr. President, the Washington Post published this morning in connection with my own answer, a second editorial, which bears the same title, namely, "Tidelands Veto." I ask unanimous consent to have that editorial printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIDELANDS VETO

Senator HOLLAND's letter, appearing elsewhere on this page today, exposes an inaccuracy in our editorial of Tuesday on the President's tidelands oil veto. We said that the congressional resolution vetoed by the President had nothing to do, in fact, with lands within State boundaries. The Senator is correct in attributing our error in this matter to the fact that we have confused the property question with questions of recognized legal boundaries and legal jurisdiction.

The term "boundary" refers properly to a limit of political jurisdiction; and the political jurisdiction of the coastal States extends, as Senator HOLLAND says, 3 miles out to sea—save, of course, in the case of Texas, which makes special claims, often justifiably, about almost everything. We confused the political limits with the limits of ownership as fixed by the Supreme Court. We regret the inaccuracy, even though it seems to us a somewhat legalistic one—and the more so since it contributes, if this be possible, another iota of confusion to a controversy already almost hopelessly obfuscated.

We continue to adhere firmly, however, to the view that the principal confusion stems from proponents of quitclaim legislation who persist in lumping together, as though they were indistinguishable, "inland waters," "tidelands" and the "marginal sea." "Inland waters" are lakes, rivers, bays, and the like, as distinguished from the open ocean. "Tidelands" is the term applied to the strip of submerged land lying between the ocean's high-tide and low-tide marks. The "marginal sea" refers to the open ocean seaward of the low-tide mark to the 3-mile limit within which the States exercise political jurisdiction but over which national dominion is recognized under international law. There is no ownership of this area.

The distinction among these is the essence of the controversy. Indeed, there is no controversy about "tidelands" and "inland waters." The Supreme Court has made it indisputably plain in a long line of decisions, respected and repeated in the recent cases, that these belong to the States. Moreover, the Solicitor General and the Attorney General and the Secretary of the Interior and even the President have declared repeatedly that the Federal Government makes no claim whatever to these areas. And finally, legislation formally renouncing any possible Federal interest there has been offered in Congress—with an explicit pledge by the President to approve it.

It is possible for Congress to "confirm" State titles to the "tidelands" and "inland waters" because the States have long had these titles. But it is impossible for Congress to "confirm" State titles to the marginal sea because the States, as the Supreme Court declared, have never owned the marginal sea. This is the core of the controversy. The significant part of Senator HOLLAND's bill—the only part of it respecting which there is any dispute—would give to the coastal States land which the Supreme Court says does not belong to them, and over which the United States has dominion as an attribute of its national sovereignty. We think a President of the United States could do no less than veto such a bill. We think a Congress of the United States can do no less than sustain him.

Mr. HOLLAND. Mr. President, it will be seen that the best answer to the original editorial, just mentioned, appears in the admission of error contained in the editorial of this morning, as stated by the able editorialist of the Washington Post, and in his statement of his regret at having been led into his earlier error.

Mr. President, the editorialist makes an additional error this morning when he repeats his earlier statement that there is "no controversy about tidelands and inland waters."

At this time I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, two excerpts from the 1951 committee reprint of the report of the Committee on the Judiciary on Senate bill 1988, Eightieth Congress, second session. The first excerpt is from pages 13 and 14 of the report, under the title "Uncertainty as to title of inland States to navigable waters within their boundaries."

I ask unanimous consent that the entire paragraph, beginning near the end of page 13 and ending at the middle of page 14, be printed at this point in the RECORD as a part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

[From committee reprint of report of the Senate Committee on the Judiciary (S. Rept. No. 1592, 80th Cong., 2d sess.) on Senate bill 1988, a bill to confirm and establish the titles of the States to lands and resources in and beneath navigable waters within State boundaries and to provide for the use and control of said lands and resources; 82d Cong., 1st sess., 1951]

UNCERTAINTY AS TO TITLE OF INLAND STATES TO NAVIGABLE WATERS WITHIN THEIR BOUNDARIES

State officials from every inland State in the Union, except three, testified or submitted statements that in their opinion the decision had clouded the long-asserted titles of the inland States to lands and natural resources below navigable waters within the boundaries of the inland States. Judge Manley O. Hudson, professor of international law at Harvard for the past 25 years and former member of the World Court at The Hague, testified:

"Was the rule as to State ownership of the beds of navigable inland waters transplanted to the marginal sea? Or was not the rule as to ownership of the marginal sea transplanted to the navigable water of the bays and rivers? I think even a casual reading of the judicial pronouncements will show it was the latter. In the English case of the Royal Fishery of the River Banne, decided in 1610 (80 Eng. Rep. 540), it was said:

" 'The reason for which the King hath an interest in such navigable river, so high as the sea flows and ebbs in it, is, because such river participates of the nature of the sea, and is said to be a branch of the sea so far as it flows.'

"To give an American interpretation to the same effect, the Supreme Court said in *Barney* v. *Keokuk* (94 U. S. 324) that the principles applicable to tidewaters 'are equally applicable to all navigable waters.' There is the progression. The original planting was in the marginal sea; the transplanting was in other navigable waters. Not from the inland waters to the marginal sea, but from the marginal sea and tidewaters to navigable waters inland."

The rationale of the so-called inland water rule was vigorously attacked by the Attorney General of the United States in the California case. Although he did not ask that it be overruled, he did state that "the tidelands and inland waters rule is believed to be erroneous."

The Supreme Court has as much power to overrule its prior decisions laying down the inland-water rule as it had power to change its belief regarding ownership of the marginal belt within the boundaries of the States; and it may well do so in view of its holding in the California case, unless Congress acts to establish the law for the future. There was testimony expressing the view that the Federal Government now had the right to take oil, gas, oysters, and other resources from under navigable inland waters, without compensation.

Mr. HOLLAND. Mr. President, in connection with the excerpt to which I have just referred I wish to call attention to one portion only, which shows how greatly in error is the editorial of the Washington Post in the statement that there is no controversy about inland waters. I now read from the committee reprint of the report, on page 13:

State officials from every inland State in the Union, except three, testified or submitted statements that in their opinion the decision had clouded the long-asserted titles of the inland States to lands and natural resources below navigable waters within the boundaries of the inland States.

The rest of the excerpt, which I have already requested to have printed in the RECORD, adds even further strength to the statement that before the Senate committee the strongest kind of showing was made to the effect that the titles of the States to the submerged lands below their inland waters were seriously jeopardized by the decision of the United States Supreme Court in the California case.

The second excerpt from the report which I desire to have printed at this point in the RECORD, as part of my remarks, appears on page 19. I now read it into the RECORD:

Representatives of the Federal Government have implied that the so-called gift will result to the detriment of inland States. If any great wrong were being done the inland States by S. 1988, the States being harmed would have protested its enactment. Not one State official appeared before the committee to oppose it. The governors, attorneys general, or other State officials of a total of 45 States have vigorously urged its enactment.

Mr. President, I may say that Senate bill 1988, of the Eightieth Congress, was practically identical with the so-called Holland bill, which recently has been vetoed by the Chief Executive.

I now yield to the Senator from Oregon [Mr. MORSE], if I may do so, although I do not have the floor.

Mr. MOODY. Mr. President, I shall be glad to yield for that purpose, provided I do not lose the floor.

The PRESIDING OFFICER. Without objection, the Senator from Michigan may yield to the Senator from Oregon, to permit him to ask a question of the Senator from Florida [Mr. HOLLAND], with the understanding that in doing so the Senator from Michigan will continue to hold the floor.

Mr. MOODY. Mr. President, let me inquire how long the colloquy will take.

Mr. MORSE. Mr. President, I was seeking to have the Senator from Florida yield to me before he inserted the editorial in the RECORD, because I was merely endeavoring to extend to him the courtesy which I always try to extend to opposing counsel, namely, to insert the editorial or article for him. I am sorry that I was unable to do so.

Mr. HOLLAND. I thank the Senator from Oregon, and I appreciate his courtesy. I regret that I did not understand what he had in mind.

DEVELOPMENT OF OIL AND GAS RESERVES OF CONTINENTAL SHELF—AMENDMENT RELATING TO OIL FOR EDUCATION

During the delivery of Mr. MOODY's speech,

Mr. HILL. Mr. President, I ask unanimous consent that at this time I may be permitted to submit an amendment and to make a brief statement regarding it.

Mr. MOODY. Mr. President, I have virtually concluded my remarks. I have yielded to some of my friends who wished to comment. I shall be glad to yield to the Senator from Alabama for the purpose he requests, if that will be satisfactory to the Chair.

The PRESIDING OFFICER. Without objection, the Senator from Michigan will be allowed to yield to the Senator from Alabama, for the purpose requested by the Senator from Alabama.

Mr. KEM. Mr. President, reserving the right to object, let me say that several other Senators wish to speak this afternoon. It seems to me that the Senator from Michigan has parceled out a great deal of the time. He has been on the floor for approximately 2½ hours and he has yielded to Senator after Senator.

I believe that in fairness to other Senators who wish to speak before the close of the day the Senator from Michigan should be permitted to conclude his remarks.

The PRESIDING OFFICER. The Chair will state that, unless unanimous consent is given, the Senator from Michigan is not allowed to yield to another Senator, except for the purpose of asking a question.

Mr. HILL. Mr. President——

The PRESIDING OFFICER. Is there objection to the request which has been made by the Senator from Alabama?

Mr. MOODY. Mr. President——

The PRESIDING OFFICER. The Chair hears none, and the Senator from Michigan may yield at this time to the Senator from Alabama.

Mr. MOODY. I yield to the Senator from Alabama.

Mr. HILL. Mr. President, on behalf of the Senator from Illinois [Mr. DOUGLAS], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. BENTON], the Senator from New Hampshire [Mr. TOBEY], the junior Senator from West Virginia [Mr. NEELY], my colleague, the junior Senator from Alabama [Mr. SPARKMAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Missouri [Mr. KENNINGS], the Senator from New York [Mr. LEHMAN], the Senator from Montana [Mr. MURRAY], the Senator from Iowa [Mr. GILLETTE], the Senator from North Dakota [Mr. LANGER], the Senator from Vermont [Mr. AIKEN], the Senator from Michigan [Mr. MOODY], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Dakota [Mr. CASE], the senior Senator from West Virginia [Mr. KILGORE], the Senator from Nebraska [Mr. SEATON], the Senator from Rhode Island [Mr. GREEN], the Senator from Washington [Mr. MAGNUSON], and myself, I submit an amendment intended to be proposed by us, jointly, to section 5 of the bill (S. 3306) to provide for the development of the oil and gas reserves of the Continental Shelf adjacent to the shores of the United States, to protect certain equities therein, to confirm the titles of the several States to lands underlying inland navigable waters within State boundaries, and for other purposes.

I ask unanimous consent to make a brief statement in connection with the amendment.

The PRESIDING OFFICER. The amendment will be received and printed, and will be referred to the Committee on Interior and Insular Affairs; and, without objection, the Senator from Alabama may proceed.

Mr. HILL. Mr. President, as Senators know, the principal purposes of S. 3306 are to provide for the development of the oil and gas reserves of the Continental Shelf adjacent to the shores of the United States, to protect certain equities therein, and to confirm the titles of the several States to lands underlying inland navigable waters within State boundaries.

In introducing S. 3306 on Monday for himself and the Senator from New Mexico [Mr. ANDERSON], and the Senator from Wyoming [Mr. O'MAHONEY], the distinguished chairman of the Senate Committee on Interior and Insular Affairs stated that the bill was the same as reported by the Interior Committee and perfected on the floor of the Senate before the Holland bill was substituted for it.

He stated that he expected the veto of the President to be sustained—and I and the other cosponsors of the amendment which I have just submitted agree with him. That being the case, the Senator from Wyoming said that he and the Senator from New Mexico would like to have Congress immediately enact the so-called interim legislation.

The amendment we submit is the amendment previously offered to Senate Joint Resolution 20. Its provisions are simple:

First. The money from this oil, this great natural resource of the Nation, is to be dedicated now for the long-range needs of the education of the Nation's children—all its children—and placed in a special account in the Treasury of the United States.

During the present critical period, the funds may be used for national defense purposes. They shall be employed only for urgent developments to be specifically determined by the Congress. Thereafter, this special account shall be devoted exclusively to our children's education as grants-in-aid of primary, secondary, and higher education.

Second. Every State or political subdivision which has issued any mineral leases or grants covering submerged lands of the Continental Shelf, and every grantee of such State or political subdivision shall file with the Attorney General of the United States by December 31, 1952, a statement of the money or other things of value received by such State, political subdivision, or grantee thereof from such leases or grants. The Attorney General shall submit those statements to the Congress not later than February 1, 1953. The object of this provision is to find out what benefit particular States have already had from this property which belongs to all the people. These two points are the essence of the amendment.

The amendment does not in any way change or affect the provision in the bill, which reads as follows:

> Thirty-seven and one-half percent of all moneys received as bonus payments, rents, royalties, and other sums payable with respect to operations in submerged coastal lands lying within the seaward boundary of any State shall be paid by the Secretary of the Treasury to such State within 90 days after the expiration of each fiscal year.

This is a generous grant to the oil States, and the President in his veto message indicated his approval of it.

The oil-for-education amendment was first submitted in the Senate just about this time last year, on June 7, with only 11 sponsors. The extent to which the amendment continued to gain support both in and out of Congress is indicated by the fact that the list of Senate sponsors had increased to 19 by April 2, when it was tabled by the close vote of 36 to 47. Senators will observe that a switch of six votes would have defeated the motion to table.

The number of sponsors of the amendment has now increased to 23.

The heavy mail that I and other cosponsors of the oil-for-education amendment are receiving shows how widespread and acute is public concern over the serious problems confronting American education today. The concern is also shown in the widespread editorial commendation of the amendment that has appeared in daily newspapers in every section of the country, including such well-known journals as the New York Times, Christian Science Monitor, the Washington Post, the Atlanta Journal, the

Denver Post, the St. Petersburg Times, and the Birmingham News.

The amendment is actively supported by a large number of local and national organizations, including the American Council on Education, the American Federation of Teachers, the American Library Association, the American Vocational Association, the National Grange, the National Farmers Union, the Co-op League of the U. S. A., the American Federation of Labor, the Congress of Industrial Organizations, the Oil Workers International Union, the Communications Workers of America, the Textile Workers Union of America, the Friends Committee on National Legislation, Americans for Democratic Action, the Consumers Cooperative Association, the Brotherhood of Maintenance of Way Employees, Switchmen's Union of North America, the Order of Railroad Telegraphers, Brotherhood of Railway Clerks, American Train Dispatchers' Association, International Association of Machinists, International Brotherhood of Boilermakers. International Brotherhood of Blacksmiths, Brotherhood of Railway Carmen of America, Sheet Metal Workers' International Association, International Brotherhood of Electrical Workers, International Brotherhood of Firemen and Oilers, Brotherhood of Railroad Signalmen of America, Railroad Yardmasters of America, Brotherhood of Sleeping Car Porters, Hotel and Restaurant Employees' and Bartenders' International Union, National Organization Masters, Mates, and Pilots of America, National Marine Engineers' Association, International Longshoremen's Association, the Order of Railway Conductors, and the Brotherhood of Locomotive Firemen and Enginemen.

I want to emphasize that the oil-for-education amendment proposes no new departures into uncharted seas. It is simply a continuation of one of our oldest and wisest national policies—the use of revenues from public lands for educational purposes.

Millions upon millions of acres of our public lands were in the early days granted to the States to establish and support grammar schools and high schools, State universities and our land grant colleges in every State. The use of public-lands resources set us on the road to realizing the dreams of Washington, Jefferson, Madison, Monroe, John Quincy Adams, Lincoln, and other great statesmen of our early history for a great system for the dissemination of knowledge such as we have today.

The Federal Government has today a huge debt; is unable, because of mounting military requirements, to achieve a balanced budget. The American taxpayer is already carrying a heavy tax burden and fears a still heavier one ahead. If he is a parent or teacher he says to himself that he knows our schools are in serious condition, but he does not for the life of him see where he is going to get the money to put them in the shape they should be.

Every Senator, every Congressman knows the desperate financial straits of American education from top to bottom—grammar schools, high schools, colleges, and universities—in every State in this Union.

Here we are given the opportunity—and this one, I can assure you, really does knock but once—to devote the Nation's wealth under the sea to our children.

Adoption of the oil for education amendment would be like placing an oil well on every school and college campus in America.

I urge the Senate to sustain the veto of Senate Joint Resolution 20, and pass S. 3306 with the oil for education amendment, that immediate development of all the Nation's vast undersea oil resources may proceed and yield, for our schools and the education of our children, the desperately needed millions of dollars in revenues—without taxes.

THE TIDELANDS VETO—ANNOUNCEMENT OF CONSIDERATION OF REORGANIZATION PLANS RESOLUTIONS

Mr. McCLELLAN. Mr. President, I should like to inquire of the acting majority leader with reference to any plans to bring up the tidelands oil bill for consideration in connection with the President's veto.

Mr. JOHNSON of Texas. I will say that that bill is in the hands of the senior Senator from Wyoming [Mr. O'MAHONEY] and the senior Senator from Florida [Mr. HOLLAND], who are attempting to determine upon a date which will be agreeable to both sides. It is hoped that it will be considered sometime next week. I know the majority leader expressed the desire, day before yesterday, that the Senator from Arkansas would call up his reorganization plans sometime next week. It may be that satisfactory arrangements can be worked out. We are pursuing inquiries now in an effort to ascertain whether it will be agreeable to bring up the tidelands bill and discuss it on Wednesday, and whether an agreement can be entered into to vote at 12: 30 or 1 o'clock on Thursday. Both sides are endeavoring to be ready to vote on Thursday, if that is possible. I am sure the Senator from Arkansas would like to follow the vote by bringing up a reorganization plan, because there will be more Senators on the floor at that time than there will probably be at any other time during the week.

But there is nothing definite that I can say. The Senator from Wyoming [Mr. O'MAHONEY] is out of town. As soon as he returns, the Senator from Florida will communicate with him and see whether Thursday of next week would be an agreeable time to vote, the understanding being that the veto would be discussed on Wednesday and a vote would be had on Thursday.

Mr. McCLELLAN. Mr. President, in view of the information from the acting majority leader, I should like to make this announcement with reference to the resolutions of disapproval relating to three reorganization plans. As all Senators know, those resolutions are privileged and can be brought up at any time, no matter what other question may be pending. But I had hoped to make a definite announcement today that they would be brought up on a day certain, so that Senators could make their plans accordingly if they were interested in being present and voting on those resolutions. In view of the statement just made by the acting majority leader, however, I shall make the announcement that the resolutions will be brought up next Wednesday, unless at that time the tidelands veto is before the Senate for consideration. If it is, the resolutions regarding the reorganization plans will be brought up immediately following or not later than sometime early Thursday afternoon, because Friday midnight is the deadline on those reorganization plans, and each resolution is subject to 10 hours' debate. I am hoping, of course, that the Senate will agree, by unanimous consent, to limit the debate to a much shorter period of time, because I do not think that much time will be required.

I make the announcement that on Wednesday of next week I shall call up for consideration the resolutions of disapproval of the reorganization plans. If, however, the veto issue is pending before the Senate at that time, I shall withhold calling up the resolutions until that question is disposed of.

Mr. JOHNSON of Texas. Mr. President, I assure the Senator from Arkansas that the Senator from Arizona [Mr. McFARLAND] is thoroughly conversant with the problems and wants to cooperate fully. He will be present in the Chamber on Monday, and I know he will be glad to agree to any arrangement that is satisfactory to the Senator from Arkansas.

Mr. McCLELLAN. I heard from the Senator from Arizona before he left, and he suggested that Wednesday would be the most appropriate time to bring up the resolutions.

EXTENSION OF RUBBER ACT OF 1948—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6787) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER (Mr. MORSE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6787) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amend-

ment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *"March 1, 1953"*; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

On page 1 of the House bill, line 8, strike out the date " 'January 15, 1954' ", and strike out the matter proposed to be inserted by the Senate amendment, and in each insert in lieu thereof the date *"April 15, 1953"*; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

On page 1 of the House bill, line 11, strike out the date " 'June 30, 1954' ", and strike out the matter proposed to be inserted by the Senate amendment, and in each insert in lieu thereof the date "March 31, 1954"; and the Senate agree to the same.

LYNDON B. JOHNSON,
LESTER C. HUNT,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

CARL VINSON,
PAUL J. KILDAY,
DEWEY SHORT,
PAUL W. SHAFER,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to extend the Rubber Act of 1948, which expires on June 30 next. The bill as passed by the House would have extended the act for 2 years, until June 30, 1954. The bill as passed by the Senate provided for a 1-year extension, or until June 30, 1953. The conferees have agreed on a 21-month extension, or until March 31, 1954.

As agreed to by the conference, the Reconstruction Finance Corporation will submit to the President and to the Congress a preliminary report on disposal of our synthetic facilities by March 1, 1953. The President is required to submit his recommendations for disposal to the Congress by April 15, 1953.

It was the consensus of the conferees that Congress must be satisfied that there is no longer any necessity for any Government controls with respect to production and consumption of synthetic rubber prior to the disposal of these facilities. The disposal program should envision a clean-cut separation of the Government from the rubber industry. It is believed that the bill as agreed to by the conferees will give every opportunity to the executive branch and to the Congress properly to consider a disposal program within the time limits provided.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE LANDING OF LAFAYETTE ON THE SHORES OF SOUTH CAROLINA

Mr. MAYBANK. Mr. President, I invite the attention of the Senate to the fact that today marks the one hundred and seventy-fifth anniversary of the landing of Lafayette on the shores of South Carolina. For a long time the Carolinas were one. Although the original colony now consists of North Carolina and South Carolina, we still stand together.

One hundred and seventy-five years ago Lafayette landed outside Georgetown, South Carolina. Every time I walk to the Hall of the House of Representatives to attend a joint session of Congress, and contemplate the portraits of Washington and Lafayette, there comes to me a feeling of pride because I am a Carolinian. I am reminded of the efforts of and the deeds those great generals performed.

I belong to the Masonic fraternity, and in the Solomon's Lodge in Charleston, the oldest Masonic lodge in the United States, we have what is known as the Lafayette jewel. I know something of the history of those early days of our country, which was taught to me by my grandmother, particularly about Lafayette and what he did.

I cannot do justice to that great figure, but at this very hour the French Ambassador, Mr. Bonnet, is in Georgetown, S. C., delivering the main address on the occasion of the one hundred and seventy-fifth anniversary of Lafayette's landing in South Carolina. I wish I could have gone with him. He ably represents France. I had the pleasure, along with my colleague [Mr. JOHNSTON], and the Members of the House from South Carolina, to invite Ambassador Bonnet to make the principal address on this occasion, the anniversary of the beginning of the friendship between the Carolinians and the French, which has lasted for more than 175 years. At this very hour, the Ambassador is speaking in Georgetown, S. C., to the people of the Carolinas, in memory of one of the greatest friends America has ever had.

I desired to pay Lafayette my humble tribute. I am certain that the Ambassador's speech will be available in printed form. I repeat my regret that I cannot be in Georgetown today for the celebration of such a great occasion.

Simultaneously, Mr. President, the Post Office Department, under the able leadership of the Postmaster General and other officials, is issuing a commemorative stamp in honor of the great General Lafayette, as well as again to emphasize the great tie which exists between France and America and between France and the Carolinas. In this connection, be it remembered that the first French Huguenot Church founded outside of France was established in Charleston in 1670. The French, led by Jean Ribault, settled at Beaufort, in what is now South Carolina, in 1525. Monuments still in existence attest the early settlements.

I conclude my remarks by asking unanimous consent that an editorial relating to this ceremony which appeared in the Evening Star this afternoon be printed as part of my remarks. Later I shall ask unanimous consent to have the text of the Ambassador's address dealing with the occasion printed in the RECORD. Lafayette is beloved by the American people for what France did for this country during the Revolutionary War. The French Ambassador is far more able and eloquent and better able to speak than I am. It is a matter of regret to me that I am unable to be in Georgetown with him.

However, Mr. President, it is my pleasure to be in the Senate of the United States, which exists because of the patriotic labors of Washington, Jefferson, Madison, Pinckney, and other great men who had the aid of Lafayette. They made possible the existence of this body, the last great bulwark of liberty, in which I am able to speak today.

The PRESIDING OFFICER. Without objection, the editorial will be printed in the RECORD, as a part of the remarks of the Senator from South Carolina.

The editorial is as follows:

LAFAYETTE ANNIVERSARY

One hundred and seventy-five years ago today the Marquis de Lafayette landed from his ship, the Victoire, at what is now Georgetown, S. C. He was accompanied by Baron De Kalb and 14 other officers who shared his desire to serve as volunteers under Gen. George Washington. These men were prompted by various personal objectives, but they were united in their wish to help in the American struggle for independence. Their aid was of value if only because it represented the potential development of an alliance with France. Other Europeans had crossed the Atlantic with similar intentions, but Lafayette excelled them in standing, position and importance. He was a noble—rich, skilled in military science, associated by marriage with the aristocracy yet motivated by progressive, humane, constructive ideals.

Congress voted him a commission as major general on July 31, 1777. He met Washington for the first time the following day—and was virtually adopted as a son. What ensued is a bright page in American history. Lafayette was wounded at the battle of the Brandywine, shared the hardships of Valley Forge, took part in the battle of Monmouth and in a campaign against Newport, R. I., and was a liaison officer between Washington and D'Estaing. Then he returned to France in 1779 to urge increased support for America. Back with Washington in 1780, he was an intermediary with Rochambeau. As commander of the Virginia light troops he saved Richmond in 1781 and cooperated with De Grasse, Rochambeau, and Washington against Cornwallis at Yorktown.

The rest of Lafayette's career is of minor significance to Americans, but he remained this country's friend to the end of his life. When he revisited the United States in 1824, he was received with "demonstrations of frenzied enthusiasm." News of his death a decade afterward was mourned in his "second homeland." He has a permanent status in twentieth century civilization as a great libertarian—an advocate of liberty for all men.

ST. LAWRENCE SEAWAY

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. KEM. Mr. President, I ask unanimous consent that I may yield 5 minutes to the Senator from Michigan [Mr. FERGUSON].

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator from Michigan is recognized for 5 minutes.

Mr. FERGUSON. Mr. President, the Senator from Michigan had intended to make extended remarks on the subject of the St. Lawrence seaway, but, in view of the fact that other Senators on the floor desire to address the Senate, not upon this particular issue, I am going to say only a few words at this time.

Mr. President, we now have an opportunity to debate and vote upon the question of whether we shall deepen the St. Lawrence River, and shall permit the inland waterways of the Great Lakes to become part and parcel of the great sea lanes of the world. I am positive that were any of these great bodies of water, the Great Lakes, in any other country than the United States of America and Canada, there would be very few votes in the Senate against this particular project.

Since the Great Lakes-St. Lawrence seaway touches a number of States, I feel that it has been a good thing today to have the distinguished Senator from Texas, chairman of the Foreign Relations Committee, bring out his real objection to the waterway. His real objection to it is that it would not serve the State of Texas as directly as he thinks it should. I view the subject of the waterway in an entirely different light. I look upon it as a project which would serve every State, and every part and parcel of the United States of America. When we built the Panama Canal, we wanted a shorter water route between the two great oceans. When it was understood that the Dardanelles, connecting with an inland waterways system, would serve Russia, there was no question but that the whole world thought it a good thing. The Suez Canal, built many, many years ago, connected the sealanes of the world, and no one questioned its desirability. Now the proposal for the St. Lawrence seaway comes before us, and because of sectionalism in certain parts of the United States, we find that there are objections to it.

Mr. President, the question I wanted to answer was why the railroad workers were opposed to the seaway. The only reason of which I can think is that many, many years ago when this country was developing and when the railroads were being built it was felt that there was not enough business for both the inland waterways and the railroad systems. I am sure that such views ceased to be entertained a quarter of a century ago. If our leaders would only think of the present, instead of thinking of the past, they would realize that there should be no objection to the St. Lawrence seaway.

A similar situation arose in the development of the coal fields. Competition was apprehended with coal coming from Newcastle, England. Those days, I am sure, are over. The world has become much smaller, and we now need this inland waterway for the purpose of serving all the States.

Mr. President, I shall make a more extended address at a later time. I yield back the remaining time to the distinguished Senator from Missouri.

PRESIDENTIAL USURPATION OF POWER

Mr. KEM. Mr. President, every citizen owes a duty to support his Government in every measure for the common good. It is not a pleasant task to criticize those in positions of governmental authority. It is much easier to bend the knee to those in high place and to join in the reverberating chorus of "Me, too." But the successful working of free government requires that the policies of those in control be subjected to constant, unremitting, searching examination. At no time in the life of anyone now living has this been more true than on this day, at this very hour.

When the Constitution of the United States was first framed, Aaron Burr predicted that it would last 50 years. Forty-seven years later, in 1835, Burr said:

> I was mistaken. It will evidently last longer than that. But I was mistaken only in point of time. The crash will come, but not quite as quickly as I thought.

Benito Mussolini thought that "the people are tired of liberty." The lips of man never uttered words more false. Liberty is one of the noblest, most universal of the hopes and aspirations of mankind. When there is liberty, its blessings are often not appreciated. When it is lost, the human soul cries out in pain and anguish.

Liberty is freedom under law. At Runnymede the English established in Magna Carta the principle that the law was supreme over ruler and subject alike. That rule has been the dominant principle of government for all English-speaking nations since 1215. Five articles in that document forbade the sovereign to seize the property of freemen unless the act was authorized by the courts and the legislature. When the government is under the law, the people are free. When the government is above the law, the people are subject to every whim of those in authority. That is not the American way; that is not freedom.

The illegal and unconstitutional seizure by President Truman of the steel industry is the second flagrant violation of the fundamental law of this country within 2 years. The first of these two brazen violations occurred on June 26, 1950, when President Truman ordered our American boys into war in Korea without the consent of the Congress as required by the Constitution. That breach of the Constitution has resulted, so far, in 109,000 dead and wounded, 401,000 in nonbattle casualties, and the expenditure of at least $10,000,000,000 of the people's money, and the end is not in sight.

Less than 2 years later we find this unlawful and unconstitutional usurpation of power by Mr. Truman cited as a precedent and a legal justification for another amazing act. On April 9, 1952, Mr. Truman seized the steel mills, without statutory authority.

TWO WRONGS DO NOT MAKE A RIGHT

When the steel-seizure case was heard in the Supreme Court of the United States, the Government lawyers argued that the fact that American troops were sent into the field in Korea by the order of the President alone was "the most forceful illustration of the scope of Presidential power."

Justice Jackson answered the argument in this wise:

> I cannot foresee all that it might entail if the Court should endorse this argument. Nothing in our Constitution is plainer than that declaration of a war is entrusted only to Congress. Of course, a state of war may in fact exist without a formal declaration. But no doctrine that the Court could promulgate would seem to me more sinister and alarming than that a President whose conduct of foreign affairs is so largely uncontrolled, and often even is unknown, can vastly enlarge his mastery over the internal affairs of the country by his own commitment of the Nation's Armed Forces to some foreign venture.

Justice Jackson's statement is not only good law but it is good sense. The Government's contention is neither reasonable nor right. The Supreme Court, by its decision in the steel-seizure case, has nourished the tree of liberty by a renewed assertion of a great American principle. The President has only such powers as conferred on him by the Constitution and the acts of Congress. When he arrogates to himself additional authority he usurps power that is not lawfully his.

IS THAT DICTATORSHIP?

When Mr. Truman directed the Secretary of Commerce to take over the steel plants, the steel controversy ceased to be a labor-management dispute. The issue suddenly became one which involved our basic constitutional freedoms: Shall a man who temporarily sits in the White House as President usurp powers that are not granted to him by our laws so that he becomes a one-man government?

On April 24, an Assistant Attorney General, Holmes Baldridge, appeared in Court on behalf of the Government and bluntly stated that the President of the United States had the right to seize the steel mills of the country under the vague phrase of "inherent powers" of the Chief Executive. He baldly stated that the President did not need statutory authority to act. If that is not dictatorship, what is it?

Mr. Truman can declare an emergency and then claim the right to act as he chooses. The history of the Presidency for the past 20 years has been one emergency after another, each following in rapid succession. For 20 years we have been in a state of perpetual emergency. It is no wonder that the people ask: When will we emerge from the emergency?

It is an amazing fact that all this is done by an administration sailing under a false flag of liberalism. All true lovers of liberty will denounce such liberalism as a phony. As Woodrow Wilson said:

> The history of liberty is the limitation of governmental power, not the increase of it.

The present constitutional crisis transcends partisan politics. A Maryland Democrat wrote a Washington newspaper that "the inherent right of the President sounds too much like 'the divine right of the king' to suit me."

Such actions have every characteristic of a police state. The palace guard around Mr. Truman believes that the people are tired of liberty. They have persuaded him to act accordingly.

If such action on the part of Mr. Truman in seizing the steel industry had not been repudiated by the Supreme Court of the United States, all property, real or personal, would be liable to seizure whenever this man, in his unbridled discretion, wished to take it. Recently it was the steel industry. Next it might be other basic industries, and then smaller industries, and farms from the farmers, or the cattle from the cattlemen.

Recent events bring to mind that President Truman once said when he was carrying out OPA orders that he had given consideration to the seizure of cattle on the farms and ranges of the United States. His reason for not doing so was that "it would be wholly impracticable, because the cattle are spread throughout all parts of the country."

In 1946 the group around Mr. Truman persuaded him to threaten to draft railroad workers into the Army when a strike was threatened. All this is a pattern of unconstitutionality.

WHEN SEIZURE COMES IN, COLLECTIVE BARGAINING GOES OUT

None stand to lose more from such violations of our basic liberties than workingmen and workingwomen, and their unions. When he seized the steel industry, Mr. Truman not only took over material property, such as buildings and machinery; he also took over the jobs of the steel workers. He provided that "the Secretary of Commerce shall recognize the rights of workers to bargain collectively * * * provided that such activities do not interfere with the operation of such plants, facilities, and other properties."

Many of unionism's stanchest friends believe that the decision of the Supreme Court of the United States holding President Truman's seizure of the steel mills to be unconstitutional saved the unions from a dangerous precedent.

Before the momentous decision was handed down by the Court, James P. Shields, grand chief engineer of the Brotherhood of Locomotive Engineers, had this to say:

> This Nation now is faced with the specter of continued and expanded involuntary servitude unless present seizure tactics are wiped out on constitutional grounds. * * * If men's earnings, profits, and collective bargaining all can be placed in deep freeze without restrictive legislation, we'd better know it as quickly as possible.

I do not believe that the working men and women of America desire that the present Chief Executive of the United States or any other President shall have power to seize industries and prohibit to the American people the right to strike. Let us remember that there were no strikes under Hitler, and there are no strikes now under Stalin. If the present Executive can seize properties and appropriate funds to force an increase in wages, a clear precedent is established by which some future Executive can, by a similar arbitrary action, force a decrease in wages.

Workers cannot strike against the Government in a seized industry. This has been amply demonstrated to union railroad workers. I was at home in Kansas City recently. I met with the Brotherhood of Locomotive Engineers and with their ladies' auxiliary. I heard strong protests against the seizure of the railroads. "Seizure," I was told, "has solved nothing; seizure can solve nothing."

During the stress and strain of the Civil War, the United States Supreme Court decided the famous case of Ex parte Milligan. It is one of the landmarks of our law. Speaking of the provisions of the Constitution regarding personal liberty, the Court said:

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances.

These words, used nearly 90 years ago, were prophetic. They fit our situation today like a glove. As Henry Clay said, over a hundred years ago:

> The Constitution of the United States was made not merely for the generation that then existed but for posterity—unlimited, undefined, endless posterity.

"THE FRIEND OF THE PEOPLE"

At a press conference, President Truman indicated that he feels he has power to seize the Nation's newspapers and radio networks in the same way he grabbed the steel mills. Mr. Truman declared that the President has the power "to do what is right for the people." In other words, he may do what he, and he alone, thinks is right for the people, regardless of the Constitution, the law, or the Congress.

Throughout history a dictator bent on exercising his tyranny has used as the excuse that he was acting in "behalf of" the people, or that he was "protecting" the people. Usually he says he is a "liberal." He is always "the friend of the people."

Julius Caesar, in B. C. 49, in a speech at Rimini, declared that it was his object to "defend the liberties of the people against the tyranny of faction."

Nero upon his accession to the throne at Rome promised to "protect the people from danger of oppression" and to "execute the national will."

Frederick the Great, of Prussia, said:

> You know that when anything in my dominions is beyond the ability of my subjects it behooves me to take the responsibility upon myself, so that they may have nothing to do but reap the fruit.

Kaiser Wilhelm II of Germany declared:

> The welfare of my people and my Empire was the goal of my actions.

Lenin, calling his fellow Communists to revolution in 1917, said:

> If we seize power today, we seize it not in opposition to the Soviets, but on their behalf.

Mussolini proclaimed:

> I place upon myself and on every beat of my heart, service to the Italian people. I proclaim myself their servant.

Adolph Hitler declared:

> Law is what benefits the people.

Once the ruler is no longer subject to the law, the people's liberty is dead.

I do not mean to imply that President Truman entertains thoughts of becoming a man on horseback. I do not think so. Mr. Truman is not our real danger. I believe he is a victim—a captive—of the power-thirsty coterie of bureaucrats around him.

If a totalitarian form of government arises in this country these will be the men responsible. In their hands, Mr. Truman has become a mere puppet.

These bureaucrats, appointed and not elected, gathered around President Truman, have, to a large extent, succeeded in insulating him from the people and their Representatives in Congress.

The people lose their liberties under two kinds of rulers—strong rulers and weak rulers.

Strong rulers arrogate to themselves the rights of the people.

Weak rulers are unable to protect the people in the enjoyment of lawful rights.

THE DRIVE FOR POWER

Secretary of State Dean Acheson and others in the palace guard have persuaded Mr. Truman that without consulting the Congress he, the President, has the power to commit this country to foreign military ventures of unlimited scope and possible costliness in terms of American blood and American treasure.

These nonelected bureaucrats persuaded him to suspend unlawfully the so-called Kem amendment barring economic aid to countries selling to Communist countries materials which could be used in building their war machine.

They persuaded him to send American troops to war in Korea without obtaining the consent of Congress, as required by the Constitution. It is now reported that in the event of a Chinese Communist attack on Indochina, he will again order our forces into battle without consulting Congress.

They have persuaded him to issue an order making it possible for nonelected bureaucrats to withhold and censor information from the press and public. They even deny to Congress information it needs to enable it to legislate properly.

And now they have persuaded him that he has the power to seize private property at his will.

Never in our history has the Constitution been so brazenly defied, the law so openly flouted, or the rights of the people so defiantly trampled under foot. The President may have the power to do these things, but he does not have the right.

I am convinced that our founding fathers never intended to give the President of the United States the powers of a dictator.

The decision of the Supreme Court of the United States that the President of the United States has no inherent power to seizure private property without due process of law is in accord with the law

as most of us have always understood it. It is gratifying that this question has now been determined in the only way that it could be done, that is, in the Supreme Court of the United States.

CONGRESS MUST MEET THE CHALLENGE

Under our system, the Constitution is what the judges say it is. The entire world awaited the decision of the Supreme Court of the United States in the steel case. President Truman said promptly that he would abide by the decision of the Court. That is to his credit. To that extent and in that respect he desires to be a constitutional President.

Hereafter Congress must make it the business of Congress to see that the power of the President is suitably, soundly, and constitutionally limited, defined, and circumscribed.

We have seen what dictators have done to Russia, Germany, Italy, and Argentina in our time. It must not happen here. This threat to our liberties is real. In 1776 our ancestors decided that there was no place in America for either an anointed king or the appointed representative of a king. They shed their blood for this principle. In the 175 years which have passed since, the more we Americans have observed the dictator principle in operation in other lands the less we have come to think of it.

The American people are not tired of liberty. The American people have a right to expect that Congress will do its duty to protect them in the enjoyment of their liberty. We must not fail them. We shall not fail them.

ORDER FOR RECESS TO MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it take a recess until Monday at 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO PRESIDING OFFICER TO SIGN ENROLLED BILLS, ETC., DURING RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Presiding Officer be authorized to sign enrolled bills and joint resolutions during the recess of the Senate.

The PRESIDING OFFICER (Mr. THYE in the chair). Without objection, it is so ordered.

HELLS CANYON DAM VITAL TO INTEREST OF FARMERS, BUSINESSMEN, AND ALL CONSUMERS

Mr. MORSE. Mr. President, I should like to say to my friends in the press gallery that it was not my will that this speech be delivered at this late hour. I have done my best to obtain the floor at a much earlier hour this afternoon. The speech has been released to the press, and I shall now proceed to make my record on the speech, and deliver it in the shortest possible time within the rules and procedures of the Senate.

SNAKE RIVER PROJECT

It has been more than 2 months since I appeared before the Senate in support of the authorization of the Snake River Project. The project embraces Hells Canyon Dam and Scriver Creek power plants, with great benefits in irrigation, power production, flood control, navigation and recreation. Naive as the thought may be, I had hoped that the hearing before a subcommittee of the House Interior and Insular Affairs Committee, would wipe away the smog of confusion that has attended public consideration of the vital issue of assuring for the Northwest full development of the land and water resources of its rivers. I had the belief that before a group representing the House of Representatives and the Congress there would be a halt to the bombardment of innuendos, half-truths, generalizations, engineering legerdemain and other mental gymnastics intended to overcome increasing public support which comes with understanding of this great project. The leadership of the opposition to Hells Canyon dam surely wouldn't attempt, I thought, to bewilder and mislead the Congress in the manner that they had attempted to bewilder and mislead the people of Idaho and Oregon.

But apparently I did not reckon with the ingenuity, the persistence, the energy and yes, with the financial strength which the Idaho Power Co. would throw into its efforts to delay Hells Canyon. Nor did I reckon with the ease with which some people could be misled by the company's tissue of misrepresentations. The falsifications, the threats, the dire forebodings, and the carefully manipulated statistics which have frightened some of the good people along the irrigation ditches into a state of anxiety that has not been rivaled since the Indians swept down out of the hills in wild attacks on white settlers, were repeated—and with added emphasis—before the committee of the House of Representatives that was trying to decide which of the rival plans for development of the Snake River would be in the best interests of the people.

Knowing full well that the only way the Hells Canyon project can be defeated is by a campaign of falsification and confusion that will obscure the truth, the private power interests have now extended their efforts in this direction, and, leaving no stone unturned in an irresponsible propaganda campaign, they have elected to attempt to sway public opinion throughout the entire Nation on the Hells Canyon issue. The initial step in this attempt was sponsorship of a full-page advertisement in the April 12 issue of Editor and Publisher, the trade publication of the fourth estate. This advertisement, characterized by misrepresentations, half-truths, and outright distortions, appearing as it did during the recess of the Hells Canyon project hearings, can only be regarded as a blatant attempt by the private power lobby to influence the free press of the Nation concerning this vital project.

The identical advertisement has appeared subsequently in magazines having wide national mass circulation, such as the Saturday Evening Post, Look, Colliers, and the American Magazine. From the known advertising rates charged by these magazines, it is obvious that this effort is a well-financed and carefully planned one, on a national scale, to further the artfully concealed objective of usurping a valuable public resource for the benefit of a private utility.

It is heartening to find evidence that this vicious campaign has backfired. On May 3, the St. Louis Post-Dispatch, in an editorial entitled "A Fight Against Power"—and I have already inserted that editorial into the RECORD—gives the lie to the Idaho Power Co.'s claim of free enterprise, and truly labels the fight over the Hells Canyon project as a struggle to determine whether the minimum or maximum use shall be made of our water resources. It is the kind of accurate observation and regard for the public welfare that has made the St. Louis Post-Dispatch one of the country's most respected newspapers and so deserving of the Pulitzer prize which recently was awarded to it for community service and journalistic enterprise.

That it was necessary for the House committee, in order to understand the real pros and cons of the issue, to continue the hearings to a later date beyond the original schedule, is not surprising. Those making the case against the Hells Canyon project found their own witnesses advocating absolutely contradictory proposals, which meant that if the committee believed one, it could not believe the others.

On the one hand, the opponents foresaw a tremendous expansion in irrigation. On the other, they sought to kill the Hells Canyon Dam, that would provide the financial aid that alone can make full-scale expansion of Idaho irrigation financially feasible. The opponents of the Hells Canyon project know, but of course they would not destroy their case by admitting such a truth, that the high cost of bringing water to the land is beyond the repayment ability of the water users. Again showing the inconsistency of the opposition presentation, I point out that while one or more of the opposition witnesses were declaring that all the water of the Snake would be used for irrigation, thus depriving Hells Canyon Dam of a water supply, others were recommending the construction by the Idaho Power Co. of five low dams which would require, to a much greater degree than the Hells Canyon project would, continuity of the natural flows of the Snake River during the irrigation season, in order to keep their generators running. In another instance, the Hells Canyon project was painted as a major obstacle to the migratory fish run—which, incidentally, simply is not true—while another person did all but recommend the high Nez Perce Dam, on the Snake River, below the Salmon River, which would blockade that principal spawning grounds of the Columbia River salmon.

The House Committee saw the spectacle of present and past officials of the Idaho Reclamation Association expressing great concern that the Bureau of Reclamation might place irrigation in jeopardy because power production downstream would, they said, rob farmers of their water rights. Yet these

were the same men who, when energetically supporting this same committee in authorizing the Palisades Dam, experienced no fears that the Bureau of Reclamation could operate the Palisades power plant to the detriment of irrigation. But, of course, the Idaho Power Co. did not oppose the Palisades Dam. So here were Reclamation Association officials of Idaho, who regard the Bureau of Reclamation as great friends and veritable angels in a case where the Idaho Power Co. did not object to Federal power, but who regard the Bureau of Reclamation as enemies and devils in another case where the Idaho Power Co. objects to Federal power.

The committee saw one witness, Mr. Holland Houston, an engineer of only limited familiarity with Columbia River Basin development, attempt to tear apart the comprehensive engineering plan for the full development of the Columbia River Basin, as prepared by engineers of the Department of the Army and the Department of the Interior. Persuasive as this man was through his personal charm, the committee heard him make one after another of the most bungling errors when he challenged the facts presented by the engineers of the two Federal agencies who have first-hand knowledge of the subject. In fact, so many of this man's statements were irrelevant and misleading that the House committee has now issued in a committee print a statement, prepared at its request, exposing the fallacy of Mr. Houston's remarks.

So much contradictory misinformation was spread on the record by the power company stooges that it takes real digging, even for a person familiar with all aspects of the project, to make heads or tails of it. This is exactly what the power company was trying to do. That is why I am glad that the House committee has issued its new committee print, for it also shows in simple terms what the real facts are. To a Member of Congress not acquainted with the region and the issues, the power company tactics were designed to make it impossible for him to establish a firm footing on which to base his judgment. To clarify for the Senate the issues and testimony presented I wish to take apart the elements of the case as presented to the House Interior and Insular Affairs Committee, and explain to the Senate the true worth of the proposed project, at the same time revealing the devious methods and strategy employed by those who, behind all of the smog and smokescreen they are spreading, seek to gain control of the Snake River for their own selfish ends, while all the time shouting that the other fellow, namely, the Federal Government, is the culprit who is about to perpetrate the crime. I shall show these things in a simple, forthright manner by demonstrating in practical terms:

That the attack on the constitutionality of the project is groundless.

That the attack on the adequacy of water supply for the Hells Canyon Dam is false, and that it disclosed its own fraudulent character by failing to make a similar attack on the availability of water for the five low dams proposed by the Idaho Power Co.

I shall show that if Idaho is to have any substantial amounts of new irrigated land in the future, it can be only through financial aids to irrigation, such as would be contributed by Hells Canyon Dam.

I shall show that the attack on the bill as endangering future water rights is groundless, and that the fraudulent nature of the attack is revealed by the failure to challenge the Idaho Power Co.'s power projects that would depend, to a much greater extent than would the Hells Canyon Dam, upon continuation of flow during the irrigation season.

I shall show that the benefits to flood control, and from low-cost power from the Hells Canyon Dam are genuine, and that the criticisms of these benefits are erroneous and are designed to mislead. The fraudulent nature of those criticisms is shown by the failure of the critics to question or even to volunteer the amount of power and the cost and price of power from the dams proposed by the Idaho Power Co. In particular, I shall point out how the critics ignore the tremendous benefits to western agriculture that will come from fertilizer developments based on Hells Canyon power—fertilizer developments that are presently blocked by the private utilities in the area.

I shall show that Federal dams proposed by the critics as alternatives in place of Hells Canyon Dam are not alternatives at all; they are simply poorer ways of using and usurping a resource that belongs to the Nation. In fact, one of the suggested alternatives was a dam on an entirely different river.

I shall show that the so-called engineering expert, Mr. Holland Houston, who was loaned by the Governor of Washington to the Governor of Idaho to testify against the Hells Canyon Dam, made so many fundamental mistakes that he either disqualified himself as an engineer, or else practiced unprofessionally for an ulterior purpose.

In summary, I shall show that the conflict over the Hells Canyon dam represents the clash of well organized and well financed, self-seeking private interest against the public interest in obtaining maximum benefits. The Congress cannot yield to private interest under these circumstances.

As a necessary foreword to my remarks, it should be clearly understood that the Idaho Power Co. has pending before the Federal Power Commission an application to build a dam called Oxbow, in the same reservoir area as the proposed Federal dam in Hells Canyon. The power company contends that it also will build four other dams in the same area. A choice has to be made between the implementation of the comprehensive plan by means of the Hells Canyon dam, with its great benefits, and implementation of the plan for the private dams, with their smaller benefits.

Mr. President, before I place in the RECORD certain material I have in mind in regard to the many misrepresentations which are contained in the statements and propaganda submitted to the House committee in the hearings recently held by the proponents of the Idaho Power Co., I wish to make a few comments in regard to the testimony of a citizen of the State of Oregon who testified before the House committee, a lawyer from Baker, Oreg., by the name of Blaine Hallock, who, in his testimony before the House committee, claimed to be the representative at the hearing of the Baker Chamber of Commerce, along with other organizations. It is interesting to note, Mr. President, that upon the return of Mr. Hallock to Baker, Oreg., his alleged representation of the Baker Chamber of Commerce was repudiated. It was denied that he ever had the right, the authority, the authorization, or the prerogative to appear before a congressional committee and represent himself to be the official representative of the Baker Chamber of Commerce, in opposition to the Hells Canyon dam project. In fact, I am informed that the controversy within the Baker Chamber of Commerce, which Mr. Blaine Hallock's representation before the House committee caused, has resulted in such a split within the Baker Chamber of Commerce that certain businessmen have broken away from the Baker Chamber of Commerce and have set up a businessman's organization of their own, now separate and independent of the Baker Chamber of Commerce. Thus I say, Mr. President, referring to Mr. Blaine Hallock's testimony, that a short time ago he submitted a statement to the House Committee on Irrigation and Reclamation, in which he did two things: First, he raised a question as to my veracity as an individual and a Senator, and second, made one of the most unfair attacks on rural electrification and public power to be made in recent years.

The challenges offered are ones which cannot be overlooked. I intend to meet them point by point, issue by issue, and, by comparing whole truths with half-truths, permit the public to be in a position to determine whose is the unseen hand which inspired the statement which Mr. Hallock signed.

Mr. President, in regard to the remarks made by Mr. Hallock before the House committee, which obviously were designed to give the impression that the junior Senator from Oregon does not represent the people of Oregon, I refer Mr. Hallock to the last election. If he thinks the junior Senator from Oregon does not represent the people of Oregon, I suggest that Mr. Hallock throw his hat in the political ring and submit himself to the people of Oregon for their political judgment and appraisal. I suggest that he look at the last election returns and take note of the fact that the junior Senator from Oregon received 76 percent of the votes cast by the voters of Oregon in that election, and then answer the question whether he thinks he was right when he sought to leave with the House committee the impression that the junior Senator from Oregon does not represent the people of Oregon. I suggest that in looking at the last election returns in Oregon he take note of the fact that the junior Senator from Oregon received a majority of the vote in each and every one of the counties of the State of Oregon. Furthermore, if he still has any question as to whether the junior Senator from Oregon represents

the people of Oregon, let him once again look at the election returns and take note of the fact that the junior Senator from Oregon received a majority of the votes in every single precinct of the State, save and except five, and in those five precincts—and they were precincts of very small population—the combined vote, as I recall, was in the neighborhood of 212 votes against the Senator from Oregon to 177 for him.

I am dumbfounded, Mr. President, that a member of the bar of the State of Oregon, appearing before a congressional committee, would testify in the first place that he appeared there as the official representative of the Baker Chamber of Commerce, when that was not the fact; and second, that he would be guilty of the snide tactic of attempting to discredit the junior Senator from Oregon for his position on the Hells Canyon Dam project by seeking in his testimony to give the impression that the junior Senator from Oregon does not represent the people of the State of Oregon. The junior Senator from Oregon will always be willing to leave that question to the people of the State of Oregon for their answer at the ballot boxes in 1956, when he runs again for reelection to the United States Senate, God willing.

Mr. President, speaking in Chicago on March 14 to the representatives of most of the 1,000 rural electric cooperatives which serve over 3,500,000 farm families, I said of the Idaho Power Co.:

> They have the unique record of being the only power company in the United States to wreck a rural electric cooperative, once the co-op got into operation. You can figure out for yourself what treatment any electric co-op can expect if the Idaho Power Co. gains control of the waters of the Snake.

I did not give the name of the rural electric cooperative involved because I could have given not one but several names had I been so inclined.

It is most interesting, therefore, that someone should have shown evidence of a bad conscience—a conscience so stricken that the name of the rural electric cooperative, most unfairly handled, somehow came to Mr. Hallock's lips without prompting.

This is how Mr. Hallock's statement reads:

> Well, the Senator was completely wrong. I know this because it was I who handled the transaction. I was employed by a group of Baker and Malheur County farmers whose ranches were served by the co-op. The service, if it may be so called, was wretched. The cost was staggering. The plant was falling apart. In desperation, this group of farmers contacted the Idaho Power Co. and requested it to bail them out if possible. After much negotiation, the power company took over the wreck, paid the co-op's large indebtedness in full, and reimbursed it for every cent it had invested. Needless to say, the co-op grabbed the proposition with eager hands. Then the company reconstructed the entire system and it is now extending excellent service at rates considerably lower than those previously charged by the co-op. These men are all personally known to me. I will be glad to supply their names if requested.

Mr. Hallock's conscience must have been giving him trouble. Even though I did not mention the name of the rural electric cooperative, Mr. Hallock had no difficulty in identifying the cooperative as the Malheur Cooperative Electric Association, of Vale, Oreg.

And I will say further that the only word of truth in Mr. Hallock's statement is his own confession:

> I know this because I handled the transaction.

Mr. Hallock, I say to you from this floor today that was not a transaction you handled. That was an economic murder—an economic murder of a small, farmer-owned, private enterprise by an unprincipled monopoly, the Idaho Power Co.

The story of this economic murder—calculated and cruel in the extreme—I propose to unfold in documented detail.

The interesting part about this economic murder is that it took place over a 10-year period. The progressive cutting away of the strength of the Malheur Cooperative Electric Association started about the same time that the cooperative was organized. It continued year in and year out for 10 long years.

Perhaps only Mr. Hallock could tell us what part he played in the 10-year struggle other than to appear on the scene in the final act of the tragedy of a farmer-owned private enterprise and perform the legal ceremonials incident to the co-op's final death struggle.

Is it possible that when Mr. Hallock assumed his macabre role that he did not know the 10-year campaign which the Idaho Power Co. had waged against Malheur?

It is a little startling, to say the least, that Mr. Hallock should picture himself and the Idaho Power Co. as champions of the farmers in a situation where the Malheur co-op, a farmer-owned private enterprise, was being put under the knife.

We might say that, like the storied Mark Antony, Mr. Hallock came there to bury the co-op and not to praise it.

But before I launch into this story, I think we had better remove a misimpression which might be gained from Mr. Hallock's statement as to his connection with the Malheur Electric Cooperative and its membership. One would get the impression from what he said that he was the attorney for the farmer-owned private enterprise. This is a long way from being the truth. The Malheur co-op, during its troubled existence, had only two attorneys of record. One of them was Mr. M. A. Biggs, who served until December of 1944. His successor, who served up to the date the Idaho Power Co. killed the cooperative, was Mr. Charles Swan, whose offices are located in the First National Bank at Vale, Oreg.

One may draw his own conclusion as to who employed Mr. Hallock. It is a fact, however, that he did not represent the farmer-owned rural-electric cooperative. There is a possibility that he represented instead a small group around the town of Bridgeport. These people wanted electricity and they wanted the co-op to serve them. The co-op was unable to do so for the simple reason that the Idaho Power Co. so cut up the cooperative's service area with duplicating lines and other obstructions that the co-op was unable to serve the Bridgeport area. And it is a matter of record that the impetus for the sale of the cooperative came from the Bridgeport area. And the question is, Where did Mr. Hallock fit into this movement?

Yes, Mr. Hallock handled the transaction.

Now that we have identified the cast of characters in this tragedy, we are able to turn our full attention to the detailed story of why the Malheur Cooperative Electric Association, a farmer-owned private enterprise, was murdered by the big Idaho Power Co. This is the same company, if you please, which Mr. Hallock and those of his persuasion want to have control of the power sources at Hell's Canyon on the Snake River.

How did Malheur Cooperative and the Idaho Power Co. compare in size? The answer to this question is found in the Federal Power Commission and REA's report for 1949.

Idaho Power Co. had a plant investment of $85,148,633, after taking into account their reserve for depreciation and amortization. The total REA loan commitment to Malheur was $630,720.

Idaho Power Co. had an annual revenue of $12,733,175. Malheur's revenues were $11,891 for the first quarter of 1949, the last figures available.

Idaho Power served 105,715 customers. Malheur served 621 farmers and other rural consumers, all of them owners of their local private enterprise.

The story of Malheur Cooperative Electric Association is a story which pits small private enerprise against a giant monopoly—a monopoly which wears two hats. Under one hat, Idaho Power Co.—a monopoly—seeks all the advantages of private enterprise, but under the second hat it claims and gets all the advantages of a regulated public utility.

We need to ask first: Why was the Malheur Cooperative Electric Association formed? The answer is because the farmers of the area wanted and needed electricity, and the Idaho Power Co. was unable or unwilling to serve them. The company was not interested in serving the rural areas on the same terms and with the same rates which they would make available to the more profitable urban and suburban areas. It would appear that the Idaho Power Co. did not want the business of the farmers in the area of the Malheur co-op. But when the farmers found a source of capital in the Rural Electrification Administration and organized their own enterprise to serve their own needs, then and only then did the Idaho Power Co. show interest. They did not want the business, but they did not want the farmers to serve themselves.

Hear what some of the farmers in the area had to say about the situation.

This is a statement by William J. Jacobsen, a farmer near Vale, Oreg.:

> I came to the valley in 1934. My farm was 2½ miles out of town and one-half mile from the Idaho Power line, but I couldn't get hooked up. Few of us could. But things changed in a hurry when we began to organize. Our line crew would set out stakes and the power company would set poles on that side. Once our boys knocked off in the evening, leaving a half mile of poles standing loose in the holes. Next morning when they came to work they found their

poles pushed to one side, Idaho Power poles set, line strung and energized right over them.

And here is the statement of E. P. McDole, of Ontario, Oreg. He says:

We came here in 1933 to get a start in a new country. A power-company line was three-eighths of a mile from the farm. Six of us met at Wes Blanton's place in 1937 and later attended the county-wide meeting in Boulevard Grange Hall, Ontario. The company had been asking a $15 minimum guaranty for 5 years. After we applied for an REA loan, the company line came out in a hurry and they offered service for a $5 minimum and then for a $3.50 minimum. This particular line went right on by six farms and hooked up the last one. The rest of us said we'd wait for the REA co-op line.

Speaking of the same situation, Mr. E. B. Metcalf, of Vale, Oreg., said:

Our farm was 10 miles northwest. The company rushed out to beat the REA co-op, offering us a $6 minimum, then $3, and then 90 cents. But we said, "No; thanks. We'll still wait for the REA."

Do not forget, Mr. President, that no such offer ever came from the Idaho Power Co. and that no such interest was ever manifested by the Idaho Power Co. in serving these farmers until they started to organize under REA. Then the Idaho Power Co., determined to crush any competition, proceeded with the tactics which the farmers in their testimony have so clearly described. I say their testimony of what the Idaho Power Co. did is a sample of what was happening to Malheur right in its earliest stages. Wherever the co-op started building a line the power company either duplicated it or rushed a line ahead to serve one or two farms, simply to prevent the farmer-owned private enterprise from being able to develop the revenue which it had a right to expect in its system area.

And there are some interesting photographs too. One is especially revealing in showing what Idaho Power did to the Malheur Cooperative. This photo shows the long, tortured, sprawling map of the area the co-op was trying to serve. It was published with the following caption:

This odd-shaped pin-up of township maps on the wall of Malheur Electric Co-op in Vale, Oreg., gages the 90-mile spread of its lines. A lopsided, overextended pattern? Some of the ranchers who came 70 miles to attend the meeting did not think so. Except for the REA-financed co-op they might have waited a hundred years for power.

Another published photograph bears the caption "Pattern." It says:

The old, old story of an REA co-op and its competition. This is the common pattern as repeated in Malheur County, Oreg. At this corner, on the fringe of Malheur Valley, near where the old Oregon Trail crosses the Malheur River, the Idaho Power Co. spite line turns to right and to left. Looking on up the road toward Henry Gulch continues the co-op line to reach the Ed Foiles farm. Down the road to the right are the three neighbors who spurned Idaho Power service after learning that the Foiles would not be served by the company.

That is not all. There is a third photograph with the headline "Knows the power of neighborliness." The caption published with this photograph reads:

C. Ed Foiles, shown with his son, Myron, 7, at the entrance of an electrified dugout milk shed, believes that his family owes as much to REA and the neighbors as anyone. He got his 160 acres when irrigation came to the White Settlement area of the Malheur River Valley in 1937. When Idaho Power raced in ahead of the co-op, its line came to three neighbors three-quarters of a mile down Henry Gulch from his place. "Hook up Foiles or jerk your wires off our houses" was the ultimatum from the neighbors. The company hung tough and so did they. The company refused to take down the wires and even after co-op service was installed, two sets of wires came into the houses for some months.

Those who own stock in the Idaho Power Co. have the right to wonder why the company should be so free with their money in such strange and unwarranted construction practices. The trustees of Harvard College, especially, might want to consider how wisely they have invested, since Idaho Power regularly boasts how much of its stock is owned by Harvard and other educational institutions.

But there was another and an even greater problem for the cooperative—that of getting a source of power. When the Malheur Cooperative approached Idaho Power Co. with the intent of buying power at wholesale, the Idaho Power Co. refused to sell power to the co-op. This is another example of how monopoly can operate. Idaho Power had electricity available to sell to other wholesale customers, but they would not sell to Malheur.

Yet, Mr. President, it is the private companies that squawk and cry when they are not able to get from a large Government-built dam the amount of power they would like to get. They want the system to work both ways. They want to be free economically to murder a co-op, or deny to a co-op any power which the private companies have in surplus. At the same time, they want to get from a Government-built dam such amounts of power as they wish to obtain.

It has been the position of the junior Senator from Oregon, despite his opposition to the business tactics too frequently resorted to by private utilities, that nevertheless, as American corporations, they are entitled to a fair opportunity to obtain Government contracts for such amounts of power as they must obtain in order to serve their consumers, consistent with public-policy provisions set forth in such acts as the Bonneville Administration Act.

However, I point out at this stage of my remarks that economic selfishness is the rule which characterizes those companies, as evidenced by the fact, for instance, that when they had an opportunity, as the Idaho Power Co. had, to sell power to the Malheur Farmers' Cooperative, at a time when the Idaho Power Co. had adequate power to sell, they refused to do so, because their real desire and objective was to drive cooperatives out of existence, as the Idaho Power Co. finally succeeded in doing to the Malheur Farmers' Cooperative power enterprise.

To serve the farmers who owned it, Malheur Cooperative was forced to install an expensive Diesel generating plant. This plant was the source of power until 1942, when the Federal Power Commission issued an extraordinary order on July 3, declaring that it was in the public interest for the Idaho Power Co. to sell wholesale power to Malheur. The order was issued pursuant to section 202 (c) of the Federal Power Act and is identified as docket IT-5792.

But even this intervention, a precedent-making one in public utility history, did not solve Malheur's problem of a power supply. Idaho Power was buying electricity at wholesale from the Bonneville Power Administration, power produced from dams built by Federal funds. They bought this power at 3 mills a kilowatt hour and sold it wholesale to Malheur at a rate of 10 and 11 mills a kilowatt hour. In the Malheur system area, Idaho Power was able to sell electricity lower than the co-op retail rate because of the high price charged the co-op for wholesale power. That is a sample of how Idaho Power passes on the benefits of cheap public power to the farmers of Oregon and Idaho.

The only chance the Malheur Cooperative saw for survival was the chance that Bonneville Power Administration would be able to build transmission lines to the area, which would give the cooperative the same power at the same wholesale price at which the Idaho Power Co. was getting it.

And who do you suppose led the opposition to the extension of the Bonneville transmission line? None other than the Idaho Power Co.

Let us look at the printed hearings on the Interior Department appropriation bill for 1949. On page 1183 of the Senate hearing we have Mr. Ralph Gale, general sales manager of the Idaho Power Co. testifying. He said:

I have filed a statement here in opposition to the appropriation of any funds to the Bureau of Reclamation, Bonneville, or any department of the government for the construction of any transmission lines in the area in which we operate.

That is as much against as you can get. What was the issue? Turn to page 1214 and the testimony of Mr. Clyde Ellis, executive manager of the National Rural Electric Cooperative Association. He said:

Practically every cut made by the House in the power facilities items adversely affects the rural electrification program. The specific elimination of the transmission line from Anderson Ranch plant to Mountain Home, Idaho, seems to be for the sole purpose of preventing the Bureau of Reclamation from reaching its own dam with its own lines and the purpose of permitting Idaho Power Co. to get in between the dam and the people. The rural electrification program has no more bitter enemy in the United States than the Idaho Power Co. It has successfully killed two of our rural electrification cooperatives, one in Oregon and one in Idaho. It could have saved both of them by simply selling them wholesale power at reasonable rates.

Mr. Ellis made this statement on June 3, 1948, almost a year before Malheur came to its end. It was the opposition of the Idaho Power Co. to the Bureau of

Reclamation transmission line which ended Malheur Cooperative's last chance to get a source of power at reasonable rates.

But there is something more in the Senate Appropriation hearings which should get our attention. You will recall that the Idaho Power Co. refused to sell electricity at wholesale to the cooperative until forced to do so by an order of the Federal Power Commission. The question might be raised. Did Idaho Power Co. have power to sell at the time the cooperative wanted to buy it?

Here is a quotation from the statement submitted by Mr. Gale, the sales manager of the Idaho Power Co. It appears on page 1195 of the hearings. He said:

> For over 31 years, Idaho Power Co. has provided facilities ahead of the requirements of the area which it serves. During two world wars and all the intervening years of peace there never has been a time when electric service was "too little or too late."

By their own admission, the Idaho Power Co. had electricity to sell to Malheur but they would not do so until ordered by the Federal Power Commission.

Idaho Power says that it is a regulated company. It is more than that; it is a public utility which exists as a monopoly by reason of the fact that the people of a State gave them a charter to do business under certain conditions.

Are those who speak for the Idaho Power Co. trying to tell us that the company as a public utility has the right to decide capriciously what customers they will serve and what customers they will not serve? To accept such reasoning is to acknowledge their right to refuse to sell electricity by reason of a person's religious faith, political beliefs, or even the color of his hair, or his support of or opposition to the public operation of power development.

Might we not raise a question here as to the applicability of the Sherman Antitrust Act to the Malheur situation? That act is supposed to be enforced where there is a prevention of competition as well as a destruction of competition through the exercise of monopoly. Malheur was not competing with Idaho Power, Malheur only wanted to serve its own farmer members. Idaho Power, on the other hand, did compete by the construction of duplicating lines, the invasion of the Malheur system area, by undercutting rates and by denying to Malheur the opportunity to buy power at wholesale until forced to do so.

The story of Malheur was not a battle between private enterprise and another form of enterprise. It was a battle of small farmer-owned private enterprise against a monopoly utility in which the latter, the Idaho Power Co., succeeded in driving the small farmer-owned enterprise out of business by use of the same tactics practiced by the unspeakable gangs of the underworld.

As I have said in various places in the State of Oregon on many an occasion—and today I repeat my pledge to the farmers of my State—I shall continue to fight to the maximum extent of my ability such encroachments upon the rights of the farmers of the State of Oregon as are represented by the tactics of the Idaho Power Co., as disclosed in these remarks today. I say to the farmers of the State of Oregon that they might just as well face the fact that this situation presents a great political issue in the State of Oregon. We are going to fight it out in the State of Oregon in the years immediately ahead. The issue is whether or not the rights and the interests of the farmers of Oregon are going to be protected by their elected officials against the economic raping policies of powerful business combines such as the Idaho Power Co. and its associates.

So far as I am concerned, Mr. President, I pledge to the farmers of the State of Oregon that I will not retreat one foot in this fight, and I will not compromise to any degree whatsoever with the private utility interests of that section of the country, which want to freeze out and destroy the development of farmer-owned cooperative power developments in the State of Oregon and the Pacific Northwest.

We are going to decide the issue at the ballot box. I serve notice to that effect today on the Idaho Power Co. We are going to decide whether or not they and their exploiting policies are going to take over the river resources of the Pacific Northwest and deny to the farmers of my State the maximum development of the power resources of the rivers of that area. I am satisfied that once the voters come to realize the basis of the fight and the facts in support of the fight which the junior Senator from Oregon is making on this issue, their verdict in 1956 will be the same as the verdict they rendered in 1950, so far as the political fortunes of the junior Senator from Oregon are concerned.

It is the exploiting utilities of the area who have picked this fight, and the junior Senator from Oregon, with the support of the voters of the State of Oregon, intends to finish the fight; and the finish of that fight will be in the interest of protecting the farmers and consumers of the State of Oregon.

It is one thing for a company to set itself up as a champion of free enterprise, but certainly anyone who takes this position owes it to himself and the people to make certain that the principles and practices of that specific enterprise are not aimed at the destruction of human rights or property rights. Free enterprise which puts itself above the law and above the accepted morals and ethics of American business is not the kind of free enterprise which has the right to ask for support or claim privileges denied to other decent private enterprises.

In his statement to the House committee, Mr. Hallock makes much of his position as a representative of farmers in his area.

I wonder. Does he recall the annual meeting of Malheur Cooperative Electric Association on August 10, 1948?

Let me refresh his memory. At this meeting it was brought out that Malheur co-op was doing its best to extend electric service to the village of Bridgeport and the mining camp nearby. The co-op had already constructed distribution lines there and was in the process of getting ready to construct a transmission line from Vale to Bridgeport, a distance of 21 miles. Before the co-op could start construction of the line, the Idaho Power Co. rushed work on a transmission line to Bridgeport. The effect of this was to make it impossible for the co-op to build its own transmission line to reach its potential consumers in Bridgeport because duplication of transmission lines is expressly forbidden by the Oregon Public Utilities Commission.

Oh, Idaho Power was as clever as one of the characters in a Clarence Budington Kelland novel. Clever, indeed; ethical? You be the judge, Mr. President.

This tactic of Idaho Power made it impossible for the co-op to reach the people in Bridgeport where the co-op had already built distribution lines.

So what happened at Vale on August 10, 1948? Mr. Hallock ought to remember. A group of 21 people from Bridgeport who were cut off from co-op power through the machinations of Idaho Power Co. made the suggestion that the co-op sell out to the Idaho Power Co.

Were these the people you represented, Mr. Hallock? By some coincidence three representatives of the Idaho Power Co. also attended the co-op annual meeting. When the question of what to do about the people in the Bridgeport area came up, the power company representatives made it clear that Idaho Power would not sell its spite line to the co-op. However, and listen to this, if the co-op would make a cash contribution of $30,000, Idaho Power would supply a maximum of 300 kilowatts of power in Bridgeport. The co-op, however, needed more than double that amount of power to serve the Bridgeport area and could see no reason why they should make a contribution of $30,000 to Idaho Power for the purpose of not getting enough electricity to meet their needs.

Does this tactic sound like something we have heard before? Paying a contribution under pressure has one name in international relations and it has another name at the lower levels of our society. It is a practice rarely associated with that part of American business which we are proud to call free enterprise.

I want to tell you now, Mr. President, how Malheur came to its end after a 10-year ordeal, 10 years of the most unrelenting attacks by the Idaho Power Co.

I quote from an article written by Kenneth McCandless, editor of the Pacific Northwest Cooperator. He was at Vale, Oreg., when Malheur Co-op came to its end. This is what he wrote in 1949:

> VALE, OREG., May 16.—Idaho Power Co. today evicted a "nester"—Malheur Electric Cooperative—after 10 years of unrelenting warfare.
>
> To make it legal and assuage the final bitterness it is paying $66,648 in interest and principal before REA sells the $472,000 mortgage on 365 miles of line and equipment. The 621 members mainly are located in the rich irrigated territory on the western edge of the Boise Valley, including part of Payette County, Idaho, and Malheur County, Oreg. Long, thin lines tap sparsely settled ranch country to the north and west.
>
> Actual construction cost of the lines was $527,863. Depreciation was estimated by REA at $69,000. Inasmuch as practically all the REA mileage was paralleled later by Idaho Power Co. spite lines, the cost of dismantling and integrating will be high. And

adding in the expense of its swarm of public-relations agents who intensified their switch-over pressure on REA patrons in recent months, the charge-off by Idaho Power to good will is estimated at beyond $200,000.

"A magnanimous gesture to a crushed rival" is expected to be the common comment. Certainly the co-op received no mercy in 10 years of power famine, spite lines, and undermining propaganda.

But the attack on Malheur Co-op does follow a pattern. The military-type pincers or the financial nutcracker applied by Idaho Power to struggling Malheur with precision speed and force has many familiar characteristics seen elsewhere. Isolated from low-cost Bonneville 3-mill wholesale power, it was forced to buy from Idaho Power at 10 and 11 mills. Through parallel spite lines, Idaho Power, drawing energy largely from Bureau of Reclamation dams, undercut co-op rates in the same area.

Not only did Idaho Power Co. plant duplicate meters on co-op members' property but the company finally agreed to sell the cooperative power not at the wholesale rate given other customers but only at irrigation rates. It was not until after the Federal Power Commission order that the co-op was able to get even this high-cost power.

So the inevitable happened May 16 as members' ballots upheld the Board decision and the REA recommendation to sell rather than face mounting deficits as consumers were picked off the lines.

This is just one of the many stories published about Malheur. Anyone who cares to inform himself in detail is invited to inspect the files of Rural Electrification magazine, the farmer-controlled and directed magazine of the National Rural Electric Cooperative Association, for 1948 and 1949 and the files of the Pacific Northwest Cooperator for the same period.

It can only be regretted that the story of Malheur did not get more attention in other sections of the press at the time the events were taking place.

Perhaps those educational institutions which have money invested in Idaho Power stock might do well to arrange a seminar for their investment counselors with the collegiate professors of ethics and history conducting the meeting.

Remember, Mr. Hallock told the House committee "I handled the transaction." If he was so proud of the part he played in this economic murder of a farmer-owned small enterprise, why did he not tell the committee the rest of the story? Why did he not tell them why Malheur Co-op was unable to serve the rural area around Bridgeport?

We can only conclude that Mr. Hallock had good reason for not going into the story. He and the people whose viewpoint he represents were banking on the probability that the story of Malheur had been forgotten—that there would be no one who would come forward with the facts.

Those forces of reaction with which Mr. Hallock has allied himself no doubt were so gravely concerned about killing the Hells Canyon power project that they let some wishful thinking color their view of history.

And we might surmise that it is not beyond the realm of possibility that some highly paid public-relations counsel with utility connections suggested the advisability of glossing over the history of Malheur.

Remember, Idaho Power is the principal opponent of Hells Canyon. Idaho Power wants a monopoly on all the power to be developed on the Snake River. The history of Idaho Power is that the company sells to whoever it pleases, wherever it pleases at whatever rate it pleases, if it can convince the rate-making officials that its excessive expenses ought to be included in the calculation of its proposed rates.

I knew the story of Malheur when I spoke in Chicago. The rural-electric co-op people there knew the story, too. That is why I said:

> They [the Idaho Power Co.] have the unique record of being the only power company in the United States to wreck a rural-electric cooperative, once the co-op got into operation. You can figure out for yourself what treatment any electric co-op can expect if the Idaho Power Co. gains control of the waters of the Snake.

I will now amplify my Chicago statement by telling you what is happening to the farmers in the former Malheur Co-op area. It is not quite the same picture as the one which Mr. Hallock presented to the House committee.

Fortunately that committee had an opportunity to hear the facts as given to them by His Honor, Judge S. Stanton, whose address is the Malheur County Courthouse, Vale, Oreg. Here is what he said in his statement to the House committee:

> We find that under the present private utility or private power company, namely, the Idaho Power, in 1933 only our cities were electrified. In 1951, we find the entire county electrified, the rural area as well.
>
> We find that during this period of electrification that we were forced to create an REA to get the services we felt were justly due and further find that prior to the REA we were forced by the private utilities to pay a large amount of the construction of the lines to the rural area, plus a guaranty of so much per month, and in many cases large deposits in advance for electricity.
>
> Upon the arrival, or with the completion of the organization of the REA, these practices immediately ceased and a strictly competitive basis was created whereas the private utilities hearing a REA line was approved for a rural area would immediately duplicate same, running their lines parallel to the REA; discontinued all deposits and cost of construction and making numerous offers in a competitive way, the result being that through competition and competition alone forced the private utilities to enter the rural areas and give the needed service in competition with the REA, which previously they were very reluctant to do or would not even consider, demanding deposits, price of construction, and guaranties of usage of so much power before any consideration would be given at all, and then only in rare cases would they make the extension. This condition ceased on the completion of the organization of the REA in Malheur County.

That is how Judge Stanton, of Malheur County, saw the story unfold. But what are conditions in Malheur County today, now that Idaho Power has killed the rural electric co-op and has full control? How are the farmers being treated now?

Let Judge Stanton tell us, as he told the House committee. He said:

> After due time of operation of the REA, they were approached by the Idaho Power Co. with an offer to buy them out, and a deal was completed. Upon the completion of this said deal, the previous tactics were reverted to, namely, charge to customers for rights-of-way and extension of lines, specific incidents I can give with a cost as high as $1,000 per individual, who have stated to me they were advised by this private utility that this cost did not cover stocks, bonds, or any interest whatsoever, but merely a cost they had to pay if they desired the electricity.
>
> I have one friend in our area who stated that I could use his name; that he had developed a well and it was necessary while the juice was served to his house, if he wished it for the well, it would be a cost of $5,000 for this utility before they would start the construction of the line to the well. I could name numerous other similar circumstances.

One of the saddest things about the economic murder of the Malheur Cooperative is what is happening to the farmers of the area now that the Idaho Power Co. has complete control. The Idaho Power Co. went right back to doing the things they were doing before the cooperative was formed.

This ought to be a stern object lesson to the members of any rural electric cooperative anywhere. The farmers who own and direct their local private enterprises in the form of rural electric systems had better take a good look at the farmers of Malheur County, Oreg., before they let a predatory utility try to undermine their enterprise with high-pressure propaganda.

Someone fumbled the ball, someone made a very big mistake when Mr. Hallock was advised to question my statement about the history of Malheur and the Idaho Power Co.

We are indebted to them for making this mistake. They would never have had any idea that more than three and one-half million rural families in the United States have made "Malheur" a battle cry. Big city public relations counselors usually hold farmers in contempt, but this time those public relations counselors led with their chin. They had no idea that 1,000 rural electric cooperatives, all of them private enterprises owned by farmers, know well the bitter lessons their neighbors at Malheur learned at the hands of the Idaho Power Co.

I am most grateful that someone's professional ineptness gives me this opportunity to bring the story of the Malheur Cooperative to an even wider audience.

I feel certain that the House and the Senate committees dealing with the Hells Canyon power project will welcome all the facts, not quarter-facts or half-facts. I believe they will give a great deal of consideration to the story of the Malheur Cooperative, and they will know how to evaluate the opposition of the Idaho Power Co.

It would be only simple justice if the ghost of murdered Malheur Cooperative would arise and by having its story made known to all would make the Hells Canyon power project a reality. Millions of farmers would like to see this type of justice done, not only in behalf of the farmers of the State of Oregon, but also in behalf of all the farmers of the great Pacific Northwest as a whole.

Mr. President, at this time I wish to continue my discussion of my reasons for answering on the RECORD, with the evidence which I now seek to place in the RECORD, the proponents of the Idaho Power Co., who, as witnesses before the House committee, sought to defeat by means of the presentation of misinformation, misrepresentation, and untrue propaganda, the proposal for the construction of the Hells Canyon Dam.

I support Hells Canyon Dam because by comparison with the proposed private dams, the Federal dam will contribute more than twice as much electric power; will offer the power to the public at a cost and a price much lower than the cost and price of private power; will provide navigation and flood-control benefits nonexistent in the case of the private dams; will afford to irrigation in the central and upper Snake Basin a basis for later financial aid not available in the case of private dams; will promote a large development of the phosphate fertilizer and other industry, not possible through the private dams; and will contribute to the national defense and to the full development of the resources of the Pacific Northwest and the country as a whole on a scale far greater than would be done by the contributions coming from the private proposal.

First, let us take up the constitutionality of the project.

In reading the transcript of the House hearings, as far as they have progressed, I was surprised to find a detailed series of questions having the evident purpose of questioning the constitutional authority of the Congress to authorize this project. The raising of a constitutional question concerning a project of this character merely signifies a lack of background in the matter of Federal water-resource-development projects. I trust sincerely that he who raised this question has since had opportunity to become more intimately acquainted with the facts as they pertain to such projects.

In the Hells Canyon Dam we have a great project, on a large interstate stream, that will have among its major purposes the generation of hydroelectric power for national defense, the control of floods, improvement of navigation, the creation of recreational opportunities, and the providing of financial assistance for the development of arid land in the central and upper Snake River Basin, including lands of the public domain. This project will be integrated, both electrically and waterwise, with the basic Federal multiple-purpose projects now operating or being built on the Columbia River drainage basin. It passes belief that one would seriously question the constitutional authority of the Congress to authorize such a project, in vew of the decisions of the Supreme Court in cases such as those of *Arizona* v. *California* (283 U. S. 423 (1931))—a case concerning the constitutionality of Hoover Dam; *Ashwander* v. *TVA* (297 U. S. 288 (1936)); *United States* v. *Appalachian Power Company* (311 U. S. 377 (1940)), the so-called New River case; *Oklahoma* v. *Atkinson Company* (312 U. S. 388 (1941)), a case involving Denison Dam, in Oklahoma; and *United States* v. *Gerlach Livestock Company* (339 U. S. 725 (1950)).

The Congress does have the authority to authorize the construction of such projects; it has acted many times under such authority, not only for many dams in the Pacific Northwest, but also for dams in other areas throughout the Nation. Authorizing legislation, such as Senate bill 2812 and House bill 5743, is naturally required; but there is no doubt about the constitutional basis.

To any lawyer who is working in sincerity for the best interests of this Nation, this, then, disposes of the constitutionality question.

Next, let us examine the allegations that there is not enough water in the Snake River for both the Hells Canyon Dam and existing and future irrigation developments.

During the House hearing, Governor Jordan of Idaho said:

> We recognize no limits to the upriver consumptive use and think it is entirely possible that in a few short years we might be utilizing as much more of the waters of this stream for irrigation as we are presently using, and in that case we think there won't be enough to justify the building of a high dam * * *. Our goal in Idaho is to dry that river up at the Hells Canyon site, to use it all on the land.

If that statement was made in the interest of furthering future irrigation development in Idaho, I would wholeheartedly join the good Governor in it. However, anyone who stops to consider the facts will realize at once that such a statement was made for the sole purpose of casting doubt upon the feasibility of constructing a high dam at the Hells Canyon site. Indeed, if the Governor meant what he said, then the Idaho Power Co. would not have enough water to justify any of the five dams it proposes, and the Governor could not have supported the power company's proposal, either.

In order for irrigation uses to have any effect on the feasibility of the dam at Hells Canyon the greater part of the potential future irrigation development must take place during the next 60 years. In estimating the power capability of the Hells Canyon Dam, the Department of the Interior has taken into account a considerable increase of irrigation in Idaho. I do not believe this can take place without the construction of the Hells Canyon Dam. The cold statistical facts issued by the 1950 census of irrigation and agriculture show that the acreage of irrigated lands in Idaho actually decreased 5 percent in the 10-year interval from 1939 to 1949. The financial assistance for future irrigation projects which could be provided by power revenues from the Hells Canyon Dam is the only way by which Idaho can get the desired full expansion of irrigation. I am convinced that the stream depletion estimated by the Department of the Interior during the pay-out period for the Hells Canyon project will not be exceeded. Undoubtedly, the full cooperation of Federal, State, and local developers will be required in order to create the continued expansion of irrigation in Idaho which is forecast by the Department of the Interior, including the power revenues from Hells Canyon Dam. In opposing that dam, the Governor is opposing full irrigation development of his State.

An examination of the physical limitations will show that Governor Jordan has been misinformed if he sincerely believes the river will be dried up and that there will not be enough water to justify construction of the high dam. The only appreciable amounts of unappropriated surface waters upstream from Hells Canyon which could be used for future irrigation of new land consist of the surplus flows of the Payette River, amounting to about 1,000,000 acre-feet annually, and the 6,000,000 acre-feet of annual flow in the Snake River, measured at King Hill, Idaho, which is downstream from major existing irrigated areas along this stream.

The amount of new land upon which this surface water supply could be used at and below King Hill is definitely limited to the sagebrush lands on the Bruneau and Mountain Home deserts which are suitable for irrigation. After those deserts are irrigated—and both of them will need financial assistance from the Hells Canyon project—the present green blanket will be extended to the foothills throughout the lower half of the basin—that is, the irrigable area below King Hill. Hence, the future depletion of the Snake River at and below King Hill will be limited to the water that can be consumptively used in irrigating those lands. Even with full development of all of that land, as planned by the Bureau of Reclamation, an appreciable part of the water used there in irrigation will flow back underground to the Snake River and into Hells Canyon.

I am quite aware of the recent expansion of irrigation on the Snake River plain, upstream from King Hill, Idaho, by pumping from large irrigation wells. I am informed, however, that the ground water movement that is being tapped by those wells is the same ground water that feeds the large springs in Hagerman Valley, and those springs are the major source of the 6,000,000 acre-foot annual flow in the Snake River, at King Hill. In other words, to the extent that this pumping above King Hill increases, the flow in the Snake available for irrigation below King Hill will decrease. Idaho has a choice, therefore, of using the river flow at King Hill directly on new land downstream, or of pumping it from wells on the plain upstream. Only a part of it can be used by pumping from wells upstream, because of the limitations on well depths and water table draw-down in the areas where good land is available.

Current estimates of the area that can be irrigated from ground water under these limitations ranges from the estimate of 300,000 acres, by the Department of the Interior, to the vague mention of a million acres, by Governor Jordan. On the chance that the Governor might be correct, I have made inquiry as to how much the irrigation of those 1,000,000 acres from wells and all of the other foreseeable future irrigation in the basin will reduce the river flows in Hells Canyon. The answer was that there would still be an average annual flow of 6,000,000 acre-feet in Hells Canyon during a series of

dry years, such as occurred during the drought of the 1930's. That is far from a dry river, even by an easterner's definition. That flow will be turning generators in the Hells Canyon plant and in downstream plants long after the original investment in Hells Canyon Dam has been repaid many times to the Nation.

Curiously enough, Governor Jordan, like Don Quixote, rides off in many and opposite directions from his asserted aim of drying up the Snake River at Hells Canyon. Although he boldly asserts that the Hells Canyon project is unfeasible because, so he says, there will not be enough water, nevertheless he endorses the proposed construction, on the same stretch of river, for the Idaho Power Co., of five plants which would be dependent on the same water for power generation. Certainly the Governor will want to clear up this seemingly inscrutable enigma.

In what directions is the Governor riding when he foresees a tremendous expansion of irrigation in his State, but is opposed to the one project that holds the greatest promise of bringing this about?

I am in wholehearted agreement with the Governor that the fullest possible use of water for irrigation in the central and upper Snake River basin, and in Idaho in particular, should be encouraged. More than that, I—seemingly unlike the Governor—wish to forward the prospect of that kind of development by urging authorization of Hells Canyon Dam on a basis that recognizes and provides for the relationship of that dam to future irrigation developments in the central and upper Snake River basin. We have in eastern Oregon additional lands which I hope can be developed in that way, too.

The Governor assumes that large new areas will be brought under irrigation, but he has not suggested how this be brought about. The fact is, as he must know, that additional large-scale irrigation developments, such as the Bruneau and Mountain Home projects, in his State, can, under present feasibility and repayment requirements, be brought about only if power revenues from Federal projects are made available to assist in the repayment of the initial capital investment. It is only through such arrangements that it has been possible, with financial assistance from such dams as Anderson Ranch and Palisades, recently to develop projects in Idaho. The main source of power revenues available for this purpose in Governor Jordan's State will be in Hells Canyon Dam. But the Governor opposes this dam, and in doing so he is seeking to kill the very dam that would make possible the irrigation he says he seeks for his State; and at the same time he is blocking the additional irrigation which I would like to see developed in eastern Oregon.

Now we come to the biggest bugaboo. Effort has been made to raise it along every irrigation ditch in Idaho. In every part of the State the Idaho Power Co., and the people it has misinformed are telling farmers to beware of Hells Canyon Dam, for it would steal—so they say—existing water rights and would prevent future irrigation of new lands.

Webster defines bugaboo as "an imaginary object of fright"; and the water threat is just that, with emphasis on the word "imaginary."

Much superficial opposition to the bill seems to have been engendered by fear—unfounded though it is—that Hells Canyon Dam, when built under an authorization such as that provided by Senate bill 2812 and House bill 5743, would jeopardize water rights, both existing and future. These fears have been carefully instilled and nurtured by the Idaho Power Co. for reasons totally unrelated to the protection of water rights. It is a basic tenet of mine that existing rights to the consumptive use of water, established under State law, shall be protected against encroachment by the exercise of Federal jurisdiction for power. Moreover, I believe that downstream power rights and other downstream nonconsumptive uses on our major western rivers, should be used so as not to block or make financially unfeasible projects based on upstream consumptive uses in reasonable amounts.

Let us examine section 2 of these bills. Let us see what it is intended to do; whether it is legally effective for that purpose; or whether some other provision should be drafted to carry out the objectives we seek to attain.

As to existing rights, the bill provides that—

> The operation of the Hells Canyon division shall be only such as does not conflict with any present beneficial consumptive use, valid under State law, of the upstream waters of the Snake River and its tributaries.

This language seems unmistakably clear to me, as a lawyer.

As to future rights, the measure of protection is stated in terms of the quantity of water reasonably required for the development of a large block of land, but not limited to specific lands. Quantities of lands are stated in terms of areas which, by reference to the report mentioned in section 2, are found to be 1,113,000,000 acres of new lands to be developed, and 1,233,000 acres of land to be provided with supplemental water.

These water-tight provisions present, as I see it, two basic questions:

First. Whether they would give legally adequate protection to existing and future upstream consumptive-use rights.

Second. Whether the protection for future rights is clear and is reasonable as to amount.

It has been argued by the opposition that "there is a grave question whether any language can be inserted in the bill which would give Idaho water rights the protection they would deserve against a great downstream Federal project."

A lawyer member of the Interior Subcommittee that has been holding hearings on House bill 5743, expressed the opinion, in those hearings, that "the reservation contained in section 2 is unconstitutional, it affords absolutely no protection to water users in the State of Idaho."

The argument that the provision is unconstitutional is so patently unsound as to raise doubts, under normal circumstances, as to the sincerity of those who present the argument. It is absolutely clear that the Congress, under the commerce clause of the Constitution, has authority to regulate and to develop navigable waters of interstate streams, such as the Snake River. It is in reliance primarily on this authority that the Federal Government has built and is building great developments, such as Grand Coulee Dam, Bonneville, McNary, Chief Joseph, and Hungry Horse, and those in other parts of the country.

From the same authority comes the clear constitutional authority to prescribe the limits and conditions to govern the operation of the Federal agencies. The Supreme Court is of that opinion, having said in the case of the *United States* v. *Appalachian Electric Power Co.* (311 U. S. 377 (1940)), that the Congress has the power "to deny the privilege of constructing an obstruction in those waters. It may likewise grant the privilege on terms."

Again, in the case of *United States* v. *Gerlach Livestock Co.* (339 U. S. 725 (1950)), the Court held that, with respect to a dam authorized under the Federal reclamation law, the United States was required to recognize irrigation rights established under State law. The Court said:

> By directing the Secretary to proceed under the Reclamation Act of 1902, Congress elected not "to in any way interfere with the laws of any State * * * relating to the control, appropriation, use or distribution of water used in irrigation, or any vested right acquired thereunder" (32 Stat. 388, 390, ch. 1093, 43 U. S. C. A., sec. 383, FCA, title 43, sec. 383).
>
> We cannot twist these words into an election on the part of Congress under its navigation power to take such water rights without compensation.

It is in reliance on this power to limit its agencies that the Congress has heretofore enacted provisions such as those of subsection (b) of section 1 of the Flood Control Act of 1944—Fifty-eighth Statutes at Large, page 887—a provision designed specifically to protect western water rights against conflicting claims to the use of those waters for navigation. Like provisions have been carried forward in every subsequent rivers and harbors and flood-control enactment of the Congress, and those provisions are the ones now relied on to protect upstream water rights in Idaho, Oregon, and Wyoming against claims to the use of water for navigation in connection with the four lower Snake River dams—section 1 (b) of the Rivers and Harbors Act of 1945—Fifty-ninth Statutes at Large, page 10. Do the opponents of Hells Canyon Dam and their counsel regard those provisions as unconstitutional and ineffective for the purposes stated? Certainly not—not if they are intellectually honest.

It is then argued by some that such provisions in Federal actions cannot be relied upon because the Congress might subsequently revise the law. Do they mean to suggest that the Congress has so little regard for western water rights that one day it would afford protection, and the next day it would take it away? That has not been the record of that

great deliberative body, and it certainly will not be its record while representatives of the 17 Western States are Members of this body.

The remaining question is, therefore, as to the adequacy of section 2 of the bill in terms of the amount of protection. As to existing rights, the protection is complete. As to future rights, the protection is in terms of the quantity of water that would be reasonably and equitably needed for the development of a stated area of new land and to provide supplemental water to a stated area of lands already having water rights. That formula sets up an objective standard, and would not, in my opinion, give to an executive officer of the United States the right to make the final decisions.

The testimony given in the House committee hearings indicates to me that the measure is a reasonable one; but that is a matter which is open to further adjustment by negotiation, such as would be the case if the seven States within the Columbia River Basin were to attempt to settle the matter of apportionment of water in connection with some form of interstate agreement. If the Idaho interests who are genuinely concerned about water rights and the adequacy of protection as to future rights, believe the amount of protection provided by the bill is not reasonable, and if they have a different proposal, let it be brought out and discussed. Strangely enough, they have not done so.

I am convinced that a reasonable and specific formula for the protection of future rights can be worked out. It was suggested during the hearings, by the way, that one solution might be this: To provide in H. R. 5743 a specific formula to govern until the interested States had agreed on a different one for the apportionment of the waters of the river among themselves. That, thereafter, by the terms of H. R. 5743, the agreed on formula would govern. That seems eminently reasonable and its possibilities should be explored.

Now, why has the Idaho Power Co. stumped the State of Idaho, by radio, by press, from public platform, warning the people that the Bureau of Reclamation, its neighbor for nearly 50 years, was going to do a complete about-face and instead of protecting irrigation water rights as it has been doing for nearly five decades, suddenly steal them away? I say the object of this waving of arms in alarm is simply to draw away the attention of Idaho farm people from the undeniable fact that the company is itself asserting rights to the use of water without regard to the future needs of irrigators upstream. When anyone points this out he is answered with the generalization that the company always obeys State law and gives highest priority to irrigation. But absent a restriction like that proposed in section 2 of H. R. 5743, State law means merely that subsequent irrigation has priority over an earlier power right only if the power right is brought out and paid for. Thus, that do-good halo which the company seeks to place over its head really does not mean much in terms of keeping the cost of irrigation developments down. This is borne out by at least one previous experience. When the water users in the upper Snake River area wanted to build a large storage dam at American Falls, they found that the company already had a water right at that site. The company did not voluntarily give up its water right gratis; nor did the provision of the State constitution giving irrigation first priority in use of water require it to. Instead, it cost the farmers of Idaho about three-quarters of a million dollars to purchase that right, this sum including the cost of providing storage space in the American Falls Reservoir for use by the company.

In this connection it is interesting to note that much reference is made to the company as being a local corporation, just "one of the local boys" so to speak. Let us look into this for a moment. I think you will find that the Idaho Power Co. is incorporated in the State of Maine while its principal place of business is in the State of Idaho. Insofar as the corporation is concerned it prefers the supervision of the corporate laws of the State of Maine to the supervision of the laws of Idaho. This is to me not very consistent with the idea of Idaho control of Idaho's resources, which people so strongly recommend in that section. Not one of the 10 largest stockholders in the company is an Idaho resident. One might, therefore, ask if these large out-of-State financial interests and insurance companies who own the controlling stock in the company—not Idaho people—would not be more interested in taking money out of Idaho in the form of dividends than in building up the State's industry through the provision of low-cost power.

The opposition has worked both sides of the stream to create this water-right bogeyman; contending on the one hand that the bill would not and could not give protection to water rights established under State law, and contending on the other hand that upstream consumptive uses will be so great as to make Hells Canyon Dam an unsound financial undertaking. The vacuity of the first contention being demonstrated, what about the second one?

The testimony already given to the House subcommittee by experts of the Department of the Interior demonstrates that, taking into account all irrigation developments that can, under even a most optimistic view, be expected to occur during the pay-out period of Hells Canyon Dam, the project will be a sound financial investment. Moreover, it appears that it will continue to be a highly efficient and sound financial undertaking long after the capital investment has been paid off, taking account of the amount of water that will continue to be available at that site even after all possible upstream irrigation developments have been completed.

In this connection, let me quote from a press account of a report by Acting District Engineer Anderson of the Corps of Engineers, Walla Walla, Wash., recently completed in connection with the Hells Canyon and a possible Mountain Sheep alternate:

> The fears of local interests that there would be inadequate water supplies for both irrigation and power were not confirmed by this analysis of future development. Any conflict between irrigation and other uses that might conceivably exist under multiple-purpose river development with holdover storage, would probably exist to equal or greater degree under development by low dams without storage.

Notwithstanding the attempts of the power company and its supporters to raise doubts about the feasibility of Hells Canyon Dam because future upstream diversions would deprive it of a water supply, it appears that the Idaho Power Co. is still most anxious to make an investment of its own in that stretch of the river in the form of run-of-the-river power plants. Presumably, the company's experts have made independent studies concerning the pattern and the rate of upstream development and the flow of the river at Oxbow for the next 50 years, that being the period of a Federal Power Commission license. It would be most instructive to the Congress to have the conclusions of those experts displayed in connection with the hearings on House bill 5743. It was suggested during the hearings that it was not possible to have the substantial future upstream development of water and at the same time make financial sound development at the Hells Canyon site. "You cannot have it both ways," it was said. Fortunately, the facts are in this case that you can have it both ways because we have a substantial water resource and there are physical and financial limitations that will, as a practical matter, govern the rate and amount of irrigation development that will take place upstream. And even with the fullest possible development there will continue to be a volume of water that will make this project a sound one. The power company knows this to be true, otherwise it could not justify its own proposed developments.

I was surprised to see that the Portland Chamber of Commerce, speaking through Mr. Chester K. Sterrett, objected at the hearings to the authorization on the ground of economic infeasibility.

My information is that the Portland Chamber of Commerce objected to Hells Canyon chiefly because it is afraid that construction of the Hells Canyon project and inclusion of southern Idaho in the area to be served by the Federal system might increase slightly the rate for power which would have to be paid by the utilities serving the Portland area. This was not stated in so many words by Mr. Sterrett, but he let the cat out of the bag.

On page 578 of the record, Representative ENGLE asked the following question:

> Mr. Sterrett, do you have any doubt that this project will pay out and pay the cost to the Federal Government, with interest?

Answer by Mr. Sterrett:

> We certainly do, without affecting the existing rate base of the Bonneville Power Administration.

If that is the basis of the objection by the Portland Chamber of Commerce, then the chamber is acting on the basis of ungrounded fears.

As a matter of fact, the record shows that Hells Canyon will not increase the cost of power as much as other developments. To be sure, Bonneville and Grand Coulee are two outstanding projects built during a time when prices were low and it is too much to expect that the very low rates based on these two projects can be continued indefinitely. When power from McNary, Chief Joseph, and other higher-cost projects is added to the system, the average cost of power production for the system will necessarily have to be raised. However, the power from Hells Canyon will cost less than the power from the other new plants and should come into the system at about the average cost possible at that time. Hence, although rate increases will undoubtedly be required in the future, they would not result from the construction of Hells Canyon and Portland should have no fears on that score.

The Portland chamber also objected to Hells Canyon on the ground that if a private utility were willing to go ahead it should be permitted to do so. This was apparently based on the assumption that the private company would develop the river to the same extent and with the same benefits as the Federal Government would. Mr. Sterrett, as the representative of the Portland Chamber of Commerce, testifying before the House committee, was extremely hazy as to the relative merits of the private utility development and the proposed development by the Federal Government. Certainly I think the people of Portland and the people of Vanport want the flood control that would come from Hells Canyon, and they know they will not get that from any of the Idaho Power Co.'s small dams. I do not think they are going to appreciate, therefore, the opposition of the Portland Chamber of Commerce to the construction of a great dam in the State of Oregon which would provide to the people of Oregon and Vancouver and the surrounding area the flood-control protection in which they are interested. I have a suspicion that this particular reason may stem from close personal relationships existing between officials of the Idaho Power Co. and prominent members of the Portland Chamber of Commerce. I do not believe that the Portland chamber is representing the best interests of Oregon or of the Portland area in taking the stand expressed by Mr. Sterrett. In my letter in reply to a letter which I received from the Portland Chamber of Commerce, I made as clear as I think the English language can make it clear that in my judgment the Portland Chamber of Commerce in its opposition to Hells Canyon Dam is not well representing the economic interests of the State of Oregon.

Mr. Sterrett's suggestion that the Nez Perce Dam would be more desirable is purely a dilatory and delaying tactic. Mr. Sterrett knows very well, or should know very well, that the Nez Perce Dam has been and would be bitterly opposed by the fishing interests of the Northwest, more so than almost any other project on the entire Columbia River system. There is no benefit in suggesting as an alternative a project which everyone knows is completely unrealistic at this time, and the officials of the Portland Chamber of Commerce know it very well. Some day, when the solution of the fish problem has progressed further, the Nez Perce Dam should no doubt be built, and, as I have pointed out before and will again later today, Nez Perce would not conflict in any way with nor displace Hells Canyon, but in the future it will be needed to supplement Hells Canyon Dam. It has always been planned as an additional development, not as a substitute one.

The one project today against which there is no valid complaint is the Hells Canyon project. It is a part of the Army engineers' main control plan for flood control which would benefit the Portland area as much as any other area. It is quite possible—and I would have the members of the Portland Chamber of Commerce take note of these facts—it is quite possible that if storage at Hells Canyon had been available in 1948, reducing the crest by seven-tenths of a foot, the Vanport disaster might have been avoided. If the 1894 flood is repeated—God forbid—Portland will wish it had Hells Canyon to take off an even larger volume from the crest. The Army engineers have time and time again indicated that there is always a possibility that a flood such as the 1894 flood may be repeated, and that we need to proceed to build the necessary flood-control dams now to protect a much greater population than in 1894 lived in the flood areas of the rivers of my State. That is one of the main purposes of the junior Senator from Oregon in making the fight he proposes to make in support of the Hells Canyon Dam. But I say, Mr. President, if we follow the Portland chamber's advice, it will be too late. I am advised that while the flood-damage reduction in 1948 that would have been achieved had Hells Canyon been in operation is not susceptible to positive evaluation, engineers do estimate, on what they call a smoothed-out-stage-damage curve, that the theoretical reduction in flood damage would have been between $10,000,000 and $12,000,000.

Enough has been said to demonstrate that the opposition of the Portland Chamber of Commerce, as expressed through Mr. Sterrett, is so lacking in substance as to merit no consideration whatsoever.

Let us now turn to a discussion of the cost of the project.

Of course, the Idaho Power Co. has been attempting to cast doubt on the reliability of the Interior Department's estimates. For example, a statement was inserted in the record of the Hells Canyon hearings by Mr. Roach, president, Idaho Power Co., from which I quote:

> Experience has demonstrated to the Congress that such departmental estimates, made for the purpose of obtaining project authorizations or appropriations, are notoriously inaccurate.

In support of his general statement, Mr. Roach, president of the power company, cited a list of projects inserted in the CONGRESSIONAL RECORD on August 20, 1951, by Representative POULSON, of California. This list includes only 11 projects, with the original estimates of cost in one column and the present estimate of cost in another. This type of presentation is misleading for several reasons:

First, the list fails to indicate the date of the original estimate and the effect of rises in costs caused by inflation. In many instances this factor is substantial. For example, the cost given for Davis Dam was estimated in 1941, while the bulk of the work was performed after the war. During this period the average cost index practically doubled. I venture to say no Member of the Senate would expect to build a home for himself today at the price for which such a home could have been built had 1941 prices prevailed. To accuse any engineer or group of engineers of bad faith or inaccuracy on this basis is hitting, intentionally, below the belt. Some original estimates referred to by Mr. Roach were made more than 30 years ago. The original estimate for the Riverton project in Wyoming, for instance, was made when the project was authorized in 1918.

Second, the list fails to indicate that the size of several of the projects was increased. For example, the generating plant at Davis Dam was increased from 180,000 kilowatts to the 225,000 kilowatts which has been installed. Consider also in this regard the Hungry Horse project, which was originally estimated on the basis of a reservoir of 1,500,000 acre-feet and a 142,000-kilowatt power plant, and when built comprised a 3,500,000-acre-foot reservoir and a 285,000-kilowatt power plant. This change in plan resulted from the fact that the authorizing legislation specified only that the dam store not less than 1,000,000 acre-feet and charged the Interior Department with the responsibility of constructing the dam to maximum usable and feasible height.

I do not say that the Bureau of Reclamation does not make mistakes in estimating—in this regard I am not even claiming that its performance is materially superior to that of other engineering organizations in like work either in or out of Government service. The point that I do make is that differences between the original estimates and subsequent figures are often explainable by changes in cost indices, changes in plan from which accrue increased benefits to the projects and yes, sometimes by honest errors in judgment which enter into all estimates of work of this type regardless of who is doing the estimating. Cost estimates made by private utilities are no different.

With respect to possible changes in the cost of constructing the Hells Canyon Division there is probably less likelihood for changes than is normal in projects of this magnitude. This is because the plan, as proposed, makes full use of the available head in the section of the river between Weiser and the Hells Canyon dam site and because the proposed installation of eight 100,000-kilowatt units with space and facilities for one additional unit, provides an installation with capabilities which will permit efficient use of the available water.

The possibility of serious foundation contingencies has been eliminated by extensive drilling of the dam site.

As to the question of the possible effect of future increases in construction cost indices, the fate of this project is similar to that of any other undertaking, large or small, being considered now or later. The Hungry Horse project is an excellent example of good estimating. Ever since that project was authorized, the Congress has provided ample funds to carry on the works as rapidly as possible. The result is that it is being completed ahead of the original schedule and the final cost will be very near the first estimate that was made for the dam of the size that is now being built.

And speaking of estimating, I wonder, as a layman, how accurate are the cost figures used by the Idaho Power Co. in its discussion of its five-dam plan. It is my understanding that to reach bedrock for a suitable foundation for a dam in the Hells Canyon area you must excavate to a point 100 feet below river level. Thus, to excavate foundations for five dams, you must remove the equivalent of 500 feet of material and replace it either with concrete or packed earth, and then you must add another 600 feet of height in the five dams to fully harness the available fall of the river. In addition, you must divert the very turbulent Snake River five times instead of once, as at the high Hells Canyon, and you must erect five construction installations, five sets of access roads, and you must repeat a number of other activities and facilities five times. How all this can be done for an estimated cost of $166,000,000 is something I would like some engineer to tell me.

I have never had access to any Idaho Power Co. figures as to its accuracy in estimating the costs of existing plants. It has stated, I might say with undue pride, that it has never missed its estimates by more than 2 or 3 percent. I have noted however that the company gave the Federal Power Commission an estimate in August 1950 as to the cost, including rights-of-way and transmission lines for its C. J. Strike development. The figure given was $18,500,000. But when the company made a request for a tax-amortization certificate in March 1951, it showed a cost of $21,108,000. This is an increase of 14 percent in 7 months. Perhaps the two estimates are not comparable, I do not know. I hope the question can be raised when the hearings are continued.

Those who are attacking Hells Canyon Dam and the legislation that would authorize it stop at nothing to gain their own ends. At the House hearings they even attacked the basic plan for comprehensive development of the Columbia River; a basic plan which by the way nearly all of these same opponents embraced with great love when the CVA was being discussed in the Northwest.

In my remarks to this body on the occasion of the introduction of the bill to authorize the Snake River project, I emphasized the faith in the comprehensive plan for development of the Columbia River Basin and in the architects of that plan which this Congress demonstrated through its authorization of most of the recommended features of that plan. The only recommended major feature not yet authorized, I pointed out, is Hells Canyon.

Effort has been made in presentations before the House committee to cast doubt upon that plan, and upon the Hells Canyon development as an integral part of it. Other proposals have been advanced as being equal or superior to Hells Canyon. Let us take a cold, hard look at these other proposals. When we do, you will agree that they are merely efforts to becloud the issue. When we get all through examining them, the comprehensive plan, with Hells Canyon as an integral part and the next logical step to be undertaken, will remain unshaken and unshakable.

The effectiveness of the Hells Canyon Reservoir as a key unit of the main flood control plan for reducing flood damage is not disproved by statements of its opponents that in 1 year flood flows were of greater magnitude on the Clearwater River than on the Snake River at the Hells Canyon site. Proof that Hells Canyon is needed as a flood control dam lies in the careful studies outlined to the House Committee by the Corps of Engineers, which explain the flood control value of the project taking into consideration flood flows over the long term, minimum storage requirements, and the best places to obtain such storage, with full recognition to all phases of water resource development.

Nor can the navigation benefits of Hells Canyon be brought into disrepute because the benefits currently in prospect differ from those in prospect as of the time an earlier report on Hells Canyon was being prepared. Even one of the most avid of the power company's congressional supporters conceded, and in fact expressed admiration for, the entirely logical basis for the change in benefits when it was explained to the committee by Mr. Gordon Fernald of the Corps of Engineers, the agency which made both estimates of benefits.

I am sure you understand that there are storage sites in the Columbia River Basin other than Hells Canyon, which would also contribute to flood control, navigation, and to power production. Testimony presented to the committee, notably in the statement submitted for the record by Mr. Fernald of the Corps of Engineers, indicates a number of such sites. The essence of that testimony, however, is the point I sought to bring home in my remarks when the Hells Canyon bill was introduced—that is, there are all too few remaining storage sites to bring about the degree of control of waters of the Columbia which is necessary. All sites must be developed ultimately if we are to obtain from our water resources the most flood control and other benefits for our money. Not one development potentiality can we afford to waste.

Confirmation of Hells Canyon as the best next major addition to the existing and authorized development, taking all factors into account, was given to the House committee in a conclusive manner but in so brief and casual a form that its significance might have been overlooked. Let me reiterate that information here. I refer to the testimony on the review report on Snake River recently completed by the division engineer of the Corps of Engineers, information from which was given to the committee by Mr. Gordon Fernald in response to questioning.

In my earlier remarks, I discussed three storage proposals in the reach of the Snake River covered by this new review report—Hells Canyon, Nez Perce on the Snake River just below the mouth of the Salmon River, and a Mountain Sheep Reservoir of 2,780,000 acre-feet storage capacity on the Snake River above the mouth of the Salmon. The point I made was that the Mountain Sheep development cannot be considered a substitute for Hells Canyon, but it must be considered only as an alternative to the Nez Perce project in the event a solution is not found to the fishery problem which would be created by Nez Perce in blocking the run of migratory salmon up the Salmon River.

The report referred to by Mr. Fernald in his testimony considered not only a Mountain Sheep project of essentially the same storage capacity as I previously mentioned, but also a much larger Mountain Sheep development. This larger Mountain Sheep development would drown out the Hells Canyon site and leave unflooded only the reach of the river upstream from Oxbow. In addition, this new report took into account the diversion of water by tunnel from the Salmon River to the Snake behind both of the Mountain Sheep dams. Whereas, the lower Mountain Sheep dam would displace the Nez Perce project, the higher Mountain Sheep development would displace both Hells Canyon and Nez Perce. After considering all these alternatives, the Army report came to the conclusion that the best plan would be to construct Hells Canyon and Nez Perce, and the next best would be to construct Hells Canyon and the low Mountain Sheep dam, with diversion of water from the Salmon. Thus it is shown that Hells Canyon is a part of the two best plans for developing this section of the Snake River.

The report further shows that the lower Mountain Sheep dam would be inadequate to meet immediate needs of the main flood-control plan. The high Mountain Sheep is found adequate for those immediate purposes but it has less favorable benefit-cost relationships than Hells Canyon. Thus, once again on the basis of an objective, impartial appraisal of the real facts, Hells Canyon emerges as the best development to meet immediate needs.

I submit that on the basis of this reappraisal, construction of Hells Canyon should begin at once.

A full comparison of Hells Canyon with the Idaho Power Co. plants, and of the several plans that are possible for development of the Snake River is given in the new committee print by the House Interior Committee, as exhibit B. It has an excellent 1-page summary graph that shows the situation at a glance. I hope that every Member of the Congress and every voter in the Northwest will get a copy and look at it. If they do, they will have no doubts on the matter. I

have a few copies in my office, and will be glad to make them available.

Assuming that the fishery problem created by Nez Perce may some day be solved, building of Hells Canyon now will allow the ultimate construction of the Nez Perce development. If, however, use of the Nez Perce site should not prove practicable, then the lower Mountain Sheep project could be build below Hells Canyon and Salmon River water diverted by tunnel to the reservoir. Although this would result in some loss of storage and power potential in comparison with the Hells Canyon-Nez Perce combination, that loss would be over a million acre-feet of storage and 300 kilowatts of prime power less than the one sustained if the high Mountain Sheep project were to be constructed. Any other course except that proposed in the comprehensive plan, which the bill before the Senate and the House will implement, by authorizing Hells Canyon, thus will result in lesser development at higher unit cost. All this is shown clearly in the committee print.

One man who took issue with the comprehensive plan, and for that matter, with a lot of other things, was Mr. Holland Houston, engineering adviser to Governor Langlie of Washington, who was borrowed by Governor Jordan, of Idaho.

I have read the testimony of the borrowed Mr. Houston. He gave quite a dramatic lecture on hydro and its workings. As far as the explanatory part of his testimony goes, explaining how hydro systems work, it was very good and very direct. However, unfortunately, his testimony, I am told, was extremely misleading in the application of the principles to the Hells Canyon situation, and in many cases he was either not informed on the facts, or in any event gave testimony that was misleading and erroneous. The borrowed Mr. Houston indulged himself in a numbers game in which he employed half-truths, garbled figures, inconsistent approaches and illogical conclusions in such a way as to show complete lack of that objectivity which should characterize an engineering approach. In short, by his numbers game he showed that he was intending to reach a predetermined conclusion instead of making an impartial engineering analysis. I would like to point out several obviously ridiculous conclusions which demonstrate this emphatically.

One of the borrowed Mr. Houston's numbers games involved flood flows. In response to questions regarding the reduction of power production on the Columbia River during the period of flood flow, he said:

> When we have got Bonneville flooded out, when we have got The Dalles flooded out, when McNary is flooded out, all those run-of-river plants, where are we going to get power if we don't run our high head storage projects? That is where it has to come from.

I am advised that while it is true that the capability of Bonneville dam to produce power was reduced from its normal maximum of 564,000 kilowatts to 140,000 kilowatts at the peak of the 1948 flood when the flow at Bonneville was 1,000,000 cubic feet per second, the borrowed Mr. Houston should have known, or could easily have found out, as I did, that the reduction under the same circumstances at The Dalles and McNary would have been only 25 percent, making possible a production of about 728,000 kilowatts at The Dalles and of about 789,000 kilowatts at McNary. In other words, these two dams, even when passing a flow of 1,000,000 cubic feet per second, would still be delivering more than 1,500,000 kilowatts of power to the system. That is a long, long way from being flooded out.

Actually the fallacy in the borrowed Mr. Houston's testimony is of even greater proportions. Competent engineers say the main control plan for flood storage in the authorized system would provide storage which, in itself, would reduce the magnitude of floods. For instance, if this system were complete, including Hells Canyon, the great flood of 1894 would be reduced by the operation of the storage reservoirs to 800,000 cubic feet per second at The Dalles. This means that instead of the power capability of Bonneville being reduced to 140,000 kilowatts at the peak of the flood, it would be reduced only to 410,000 kilowatts, and the capability at the other downstream plants would also be affected less than if the river were in an uncontrolled state.

The borrowed Mr. Houston also assured the House committee that the flood of the spring of 1894 would not be repeated because of storage in irrigation reservoirs on the Snake River. Perhaps if Mr. Houston had been borrowed earlier so as to have had time to study the operation of these irrigation reservoirs, he might have learned that these reservoirs would be filled too early during such a flood to have any appreciable effect upon the peak flow at The Dalles. The 1894 flood had a maximum flow of about 1,240,000 second feet at The Dalles. Perhaps the borrowed Mr. Houston was borrowed so fast he did not have time to find out that the Corps of Engineers is designing the spillways at McNary and The Dalles Dams for a possible flow of 2,200,000 second feet. If as the borrowed Mr. Houston thinks, the 1894 flood will not be repeated, the Army seems to be throwing away a lot of money on excessively large spillways, but then maybe even the borrowed Mr. Houston has had time to ponder the vagaries of nature in the light of the all-time maximum flood on the Missouri River just across the mountains from the Columbia River. If so, maybe he might now be just a little less positive in his guaranty that the flood which occurred in the spring of 1894 will never be repeated in the Northwest.

The borrowed Mr. Houston misused information contained in the Army engineers report to come to the fallacious conclusion, which he expressed to the House committee hearing early in April that the "maximum flow right now we can expect to have on the main stream of the Snake is 60,000 second feet." I wonder what color Mr. Houston's face is, now that the figures from the United States Geological Survey gaging station at Weiser, Idaho, show that the Snake River at that point attained a flow of 85,200 second feet on April 29. And at Oxbow, the point Mr. Houston was talking about, the flow was probably about 90,000 second feet. Mr. Houston has certainly allowed himself to be disqualified rather readily as a flood-control or river expert.

Another of the borrowed witness' numbers games revolved about the number of kilowatts Hells Canyon would add to the Federal system in the Northwest. In referring to the 1,430,000 kilowatt figure used by the Bureau of Reclamation as the prime power attributable to Hells Canyon by the allocation method Mr. Houston said: "The figure is all right, but one-half of the downstream gain in power should be allocated to the transmission." This is peculiar logic. The fact of the matter is that transmission facilities are required to integrate not only Hells Canyon with the balance of the Columbia River system, but to integrate Grand Coulee with Bonneville, and Grand Coulee and Bonneville with Hungry Horse and all three of them with McNary Dam. Hells Canyon is therefore no different from any of the rest and it is perfectly proper to say that the full 1,124,00 kilowatts of power is creditable to Hells Canyon Dam. Of course, transmission has to be provided and will be provided and paid for out of the rates to be charged for the power to be delivered from the system. Actually, the Bureau of Reclamation is not basing the pay-out of Hells Canyon on the 1,430,000 kilowatts, but on the incremental addition of Hells Canyon power to the system, 1,124,000 kilowatts, a figure with which Mr. Houston has expressed full agreement, as being production in the so-called C–2 level of development.

Yet another of the numbers games involved the cost of transmitting power from Hells Canyon to the phosphate beds. The borrowed Mr. Houston admitted that power could be transmitted from Hells Canyon Dam to the phosphate area in southeastern Idaho at 1 mill per kilowatt-hour, but, he says, "This is because the power is delivered at high load factor. If the load factor were 50 percent, the cost would be 2 mills per kilowatt-hour." Furnaces for the production of phosphate do, of course, use power at high load factor, and that is the way the transmission was figured. If the power was delivered at 50-percent load factor of course the transmission cost would go up, but then the revenues would also go up. Under the kilowatt-year rate, power at 100-percent load factor use costing 2 mills per kilowatt-hour would amount to 4 mills per kilowatt-hour at 50-percent load factor use. Accordingly, the increase in revenues if the load factor is decreased would more than compensate for the increase in transmission costs. In other words, power sold at 50-percent load factor is sold for higher revenues per kilowatt-hour. All this is mere playing with figures, but in stating a half-truth, as Mr. Houston does, without stating the other part of the equation, he gives, perhaps intentionally, a completely misleading impression. And the fact remains, when all of the explanations are given by the borrowed witness, that the Department's

figures stand up and power can be delivered to the phosphate beds at a transmission cost of 1 mill per kilowatt-hour. Another example of the numbers-game approach as employed by the borrowed Mr. Houston was his attempt to throw doubt on the figure of 1,124,000 kilowatts as the amount of prime power attributable to Hells Canyon. At this point he talked about a pre-C–2 system, the C–2 system, the true C–2 system, and the D system. All this symbol talk refers to the identification of various systems of operating projects. As even the borrowed Mr. Houston admits, Hells Canyon Dam will add 1,124,000 kilowatts to the capability of the Columbia River power system, at such time as Hells Canyon Dam and the presently authorized downstream plants are completed. This phase of development is known as the C–2 system less Glacier View.

The borrowed Mr. Houston and others taking the power company's side in this debate propose, however, to evaluate Hells Canyon on the basis of a different system, one not now planned or authorized and which may never be completed in its entirety. By doing this, they show a lower prime kilowatt figure for Hells Canyon because of the addition of more storage projects in that system.

As Chairman Engle of the House subcommittee pointed out at the hearing, the system would continue to receive the benefit of 1,124,000 kilowatts of additional power through the construction of Hells Canyon indefinitely if no further additions were made to the system. He is correct, of course, and under those circumstances, Hells Canyon would continue to pour those kilowatts onto the line. Yet, later and more costly additions to the system will and inevitably should be made, but each one will be evaluated on the basis of its net addition to the system power and the net cost thereof. That does not affect the feasibility of Hells Canyon. The benefits at Hells Canyon were conservatively stated, I am told, by crediting first and larger benefits in downstream powerplant production to storage at Hungry Horse, Albeni Falls, and Grand Coulee and crediting Hells Canyon with the later smaller amount of gain at downstream plants.

Another example of the numbers game as played by the borrowed Mr. Houston was his claim that 5,000,000 acre-feet of storage could be obtained at the Kooskia site on the Clearwater River. If this storage can be obtained and is usable at Kooskia, that is fine and I am all in favor of it. However, the idea that Kooskia would be in any way an alternative for Hells Canyon has no foundation whatever. Both dams can be built without conflict between them. It should be noted, however, that the average annual flow of record through 1948 at Kooskia is only 5,670,000 acre-feet, as compared with 13,330,000 acre-feet at Hells Canyon. The minimum annual flow of record at Kooskia was only 3,442,000 acre-feet, not even enough to fill the large reservoir which Mr. Houston suggests, while at Hells Canyon the minimum was over 8,000,000 acre-feet, more than twice the active storage capacity of the reservoir. This should clearly prove the superiority of Hells Canyon project over Kooskia for regulating the Columbia River for power production in low-water years. Mr. Houston's references to having worked with the Corps of Army Engineers in connection with a larger design for the Kooskia project are cleverly inserted in his statement to make it appear that his figures have been approved by the corps. Actually the Corps of Engineers has never made detailed surveys and cost estimates for a project at Kooskia the size of that which Mr. Houston recommends. So here the borrowed witness attempts to borrow—or should I say "appropriate"— the reputation of the Corps of Engineers. Kooskia is on another river and could, when it can be built, supplement, but not replace Hells Canyon. Furthermore, from information I have, it appears that there are many obstacles to the prompt construction of a dam at Kooskia and I am afraid his suggestion of Kooskia is merely a delaying tactic.

But for the finest example of the numbers game as played by the borrowed witness, let us consider his estimates of the kilowatt-year cost of power attributable to the construction of Hells Canyon and the four power plants on the Lower Snake-Ice Harbor, Lower Monumental, Little Goose, and Lower Granite. The borrowed witness referred to a figure of $31 per kilowatt of prime power at one point in the hearings and at another time he used a figure of $35.20, both apparently on the same basis. With the ordinary mortal, you might expect that only one would be wrong. But the borrowed witness is not an ordinary mortal when it comes to juggling figures. In his case both figures are wrong, as they are based, so I am told by engineers in whom I have faith, on completely erroneous computations. In arriving at these figures the borrowed Mr. Houston overlooked the kilowatts of production which would come from the four lower Snake plants, all of whose costs he included in the cost side of his computation. Specifically, he omitted the prime power generated from stream flow at all four of the lower Snake River plants, but he did include their costs. This represents an error on the order of 550,000 kilowatts. An error of this magnitude in itself disqualifies Mr. Houston as a competent witness.

Another slight error in this calculation by the borrowed witness comes about through the inclusion in the computation as power costs of the cost of navigation locks and all of the costs of joint facilities, although such facilities would provide substantial benefits to purposes other than power.

When these glaring errors are corrected, the cost per kilowatt turns out to be only about half of the $35.20 figure used by the borrowed Mr. Houston. At this point it looks to me as though the borrowed witness himself borrowed his figures right out of thin air. And even if correct figures are used, the method is not the correct one to evaluate the cost of Hells Canyon.

But, apparently, on the theory that his $35 figure was perhaps low, the borrowed witness also plucked the figure of $55.50 per kilowatt-year out of the atmosphere. This is the cost per year, according to the borrowed numbers man, for each kilowatt by which production he attributes to Hells Canyon exceeds what he estimates as the power capability of the Idaho Power Co.'s proposed five dams.

As is usual, the mathematical process is characterized by a few errors. The first error is in assuming that the increment in system prime power attributable to Hells Canyon amounts only to 715,500 kilowatts. That is what the increment will amount to, says Mr. Houston, under phase D—at some distant future date. I have already demonstrated the fallacy involved in reducing Hells Canyon system prime power at some future date because of the addition of other projects in order to fulfill phase D. Just how Mr. Houston comes to the conclusion that this is only 158,000 kilowatts of prime power more than the five low-head plants would produce under the same flow conditions is also hard to fathom.

A second error involves the costs associated with the claimed capability of prime power attributed to the five Idaho Power Co. projects. To that amount of power, the borrowed witness related only the annual costs directly incidental to the five company plants. Inasmuch as the isolated capability of these five plants, no matter how computed, would be materially less than 557,000 kilowatts apparently assumed by Mr. Houston, these plants must be integrated with other generating facilities in order to obtain that high a capability figure during the critical storage-control period. Therefore, a portion of the cost of such facilities would have to be added to the cost of the five plants to arrive at the cost per kilowatt of the prime power attributed to the five run-of-the-river plants.

A third error is made by the borrowed witness in assuming only $134,000,000 as the investment cost for the five run-of-the-river plants themselves. In its application to the Federal Power Commission for a license for the Ox Bow project, the Idaho Power Co. estimated the cost of the five plants as $166,100,000, not $134,000,000. Since the application is dated December 9, 1950, the $166,100,000 is itself not current, and is at price levels that antedate the higher ones used in the Government's estimate for the Hells Canyon development.

A fourth error is in assuming that the company's annual cost for the run-of-river plants represents only 4.4 percent of the investment. When you make an allowance for the usual return of approximately 6 percent after taxes, the figure for determining the company's annual costs becomes approximately 8 percent.

Correcting only for the third and fourth errors I have mentioned, the cost per kilowatt-year for the erroneously low increment of capability, 158,500 kilowatts, used by Mr. Houston becomes less than $10 per kilowatt-year instead of the $55.50 used by him. Obviously, if the first two errors also were corrected, the inaccuracy of the borrowed witnesses' conclusions become even more glaring.

Enough has been said, I believe, to demonstrate that the borrowed Mr. Houston's analyses and assumptions are entirely too speculative and vague—and

his manipulation of figures is entirely too crafty—to warrant serious consideration. These numbers games that Mr. Houston indulged in provide no help in arriving at the facts with respect to Hells Canyon. One might even suspect that this figure juggling was not intended to aid in ascertaining the true facts.

Before leaving the borrowed Mr. Houston, it is particularly interesting to note that neither he nor any other opposition witness before the House committee explained what the firm output of the five low-dam plants by themselves is supposed to be. As I have already pointed out, Mr. Houston's figure of 557,000 kilowatts does not represent the firm output of these five plants by themselves. My friends in Idaho and Oregon tell me that they have been unable to pin down the Idaho Power Co. as to what it believes to be the firm output. The company prefers to talk in the generalities of installed capacity. Now, even a rank beginner in the field of electric-power production realizes that in analyzing the output of a hydroelectric plant, from an economic and engineering standpoint, the firm power—the power you can deliver the year around regardless of the flow of the river—is the important thing. You cannot ask people to turn off their refrigerators in the heat of summer because the power plant cannot produce its full output when the runoff of the Snake River is at its lowest stage. It is still true that the output attributable to Hells Canyon, through at-site production, use of its storage in downstream power plants, and transmission integration is more than twice as great as the firm output of the five low dams proposed by the Idaho Power Co. No technical data presented to the House committee contradicts this fact.

If the five low plants were operated on an isolated basis without benefit of integration with other power systems, I am told that the prime power would be only 390,000 kilowatts, assuming the same upstream depletions that were assumed in figuring the output of Hells Canyon project. Hence, even for development of power alone, all five of them would be only one-third as productive as Hells Canyon.

The reason for the low prime-power figure attributable to the five low dams as compared with Hells Canyon is that they have no storage; no spring runoff water can be saved for use during the low-water periods of the year. For the same reason, they would not contribute to flood control or navigation.

In order to produce the maximum amount of electric energy, the resources of a hydro-power system must be integrated both hydraulically and electrically. This is accomplished hydraulically by storing water during flood runoff months for release during winter months to supplement low stream flows and increase generation to meet the higher power loads of those months. All hydroelectric projects are coordinated in the Federal system and storage releases are timed so that the maximum prime power is produced by the system. This can be accomplished only by use of a transmission system, since it is necessary to reverse the flow of power to and from projects in the system. The system serves system loads but specific loads are not assigned to any one project. Power may flow in various directions from a generating plant and in varying amounts throughout the year. For example, at the Hungry Horse project during winter months when storage is being released and generation at Hungry Horse is at its highest power will flow from the plant into western Montana and west to the Spokane area. During summer months when the plant is practically shut down in order to fill the reservoir power will flow east from Grand Coulee and other western plants to serve loads in Montana. A similar situation will exist at Hells Canyon. Hells Canyon will store water during the spring and summer months and release storage in the fall and winter. Loads served directly from the plant during months of storage release will be served in large part during summer refill months with power from other plants of the Columbia River system.

A great hue and cry was made in some Idaho newspapers when it was testified at the hearings that power generation at the Hells Canyon plant would be reduced to 66,000 prime kilowatts during the high water months when the reservoir would be refilling. As I have just explained, this occurs because large amounts of energy are available on the system from run-of-river plants and plants on the main stem of the Columbia River where storage is readily impounded. By some strange line of reasoning, or reasoning by people partially informed in power system operation, this type of operation is supposed to prove that Hells Canyon is not feasible. By the same token, Hungry Horse would not be feasible, as there the plant production will be reduced from about 200,000 kilowatts during the storage withdrawal period to 40,000 kilowatts during storage refill months. Nevertheless, the Bonneville Power Administration has already negotiated sound business contracts with Montana Power Co. and industries totaling 192,000 kilowatts. This type of operation will also be in effect at Libby. However, no such objections were ever raised by anyone when the Libby and Hungry Horse projects were before the Congress. And the argument is so specious that it was not even used by the borrowed witness, Mr. Houston.

At this point I should like to discuss the value of storage projects in the Northwest.

Since a run-of-river plant is dependent upon stream-flow conditions as they actually occur, the minimum annual production under the most adverse water conditions represents the amount of prime power that such a plant will add to a system. With the addition of upstream storage, coupled with hydraulic and transmission integration, the prime power that the same plant would add to the system or supply to an isolated load is materially increased.

The increase in system prime energy at five Columbia River plants—Grand Coulee, Bonneville, Chief Joseph, McNary, and The Dalles—which will result from storage will amount roughly to 100,000 kilowatts for each 1,000,000 acre-feet of usable storage developed above Grand Coulee. An important aspect in connection with the increase of system prime power by the addition of storage is that downstream run-of-river plants need only the minor improvement of additional generators to take advantage of the storage. This cost is usually small in comparison with the benefits derived. For example, under the oft-referred to "C" phase of development, Chief Joseph will have 18 generators which can later be increased to 27; McNary will have 14 generators with an ultimate of 20; and The Dalles will have 15 generators compared with an ultimate of 22. Powerhouse foundations will be poured at the time of the initial installations and as additional upstream storage is developed more units will be added at these plants. The selection of unit locations will depend upon the location of loads to be served. At the present time it appears that additional units will be added at McNary and The Dalles before additional expansion takes place at Chief Joseph.

Important as additional storage is, there are serious problems involving local and other interests in connection with all large potential storage sites in the United States portion of the Columbia Basin, with the single exception of Hells Canyon with its 3,880,000 acre-feet of active storage. These problems relate to fishery interests, mining, wildlife, irrigation, and local opposition due to flooding out towns and tillable lands. Other important difficulties consist of flowage damages to railroads and highways which often pose difficult and costly relocation problems.

But regardless of the difficulties and cost of developing storage, no hydro system can effectively function without large amounts of storage or equivalent amounts of costly steam-electric generation. Storage will increase system prime power and in the Columbia River Basin, the major increases in prime power will be at the main stem plants near large load areas.

It is because of this tremendous importance of storage to the region that we cannot permit the great site at Hells Canyon to be taken over by a private company which indicates correctly, right at the outset, that it could not, or would not, provide that storage, and therefore would rob the Northwest and the Nation of a much greater power development to meet its rapidly growing needs.

But let us return to the opponents of Hells Canyon and another of the spokesmen for that opposition who appeared at the hearings. I refer to a man from my own State, from Baker, Oreg., Mr. Blaine Hallock. He stated that he was an "accredited representative" of the Baker County Chamber of Commerce, a statement subsequently denied in writing by that group. Mr. Hallock also claimed he was representing the Baker County Farm Bureau, which that organization had denied, and the Baker County Taxpayers League, which has not functioned for the past 5 years. In view of that, perhaps Mr. Hallock would best be described as a "nonrepresentative" from Baker. In any event, he attempted to mislead the House committee into

believing that the destruction by the Idaho Power Co. of an REA in my State represented an act of charity to the farmers involved. I cannot let the RECORD remain so distorted. Let me give the full and truthful picture of this disgraceful episode.

The victory of the Idaho Power Co. over the 621 members of the Malheur Electric Cooperative in the spring of 1949 was not the "bailing out" of an unsuccessful enterprise by a more fortunate competitor nor the simple financial rescue of a group of misguided ranchers by the former Electric Bond & Share subsidiary as was suggested to the committee by the nonrepresentative from Baker.

Idaho Power—the only company which has taken over and absorbed—perhaps a better word would be "liquidated"—several operating electric distribution cooperatives—may choose to characterize its purchase of the Malheur cooperatives as a magnanimous gesture, but such a characterization cannot be squared with the facts. Rather, the story is a tragic one of how this small rural cooperative was forced into a corner by the private utility, after a 10-year struggle—a bitter and uneven struggle.

Yes; for a decade the Malheur Electric Cooperative fought its uphill battle against the Idaho Power Co.'s spite lines, undermining propaganda, and refusal to sell it power—the cooperative finally received power from Idaho Power only by reason of an order of the Federal Power Commission. And yet the nonrepresentative from Baker would have us believe that Idaho Power's purchase of the small cooperative was an action similar to that of the good Samaritan. But the good people of Payette County, Idaho, and Malheur County, Oreg., know the truth. They realize that the Idaho Power Co.—a giant privately managed monopoly—a Maine corporation which holds its annual stockholders' meeting in Augusta, Maine, over 3,000 miles from the people it purports to serve—is determined to post the borders of its empire with "no trespassing" signs and to squeeze competition of any nature in a financial vise.

The Malheur Electric Cooperative was isolated from the Bonneville Power Administration's supply of low cost wholesale power, and, as I have stated, could obtain it from the Idaho Power Co. only after first obtaining an order from the Federal Power Commission. Even then the cooperative was forced by Idaho Power to pay 9, 10, and 11 mills per kilowatt-hour for the power grudgingly furnished by the company after the failure of its initial plan to strangle the cooperative by refusing power.

Practically all of the transmission network constructed by the cooperative was later paralleled by the Idaho Power Co.'s spite lines.

In order to make what one director of the cooperative termed a horrible example of the cooperative, the power company persisted in its slow death tactics, with 150 miles of parallel spite lines over which energy—a substantial amount of which was drawn from Bureau of Reclamation dams, at rates one-fifth or less than those the company charged the cooperatives—was offered at rates undercutting those offered by the Malheur Electric Cooperative. The company put into effect an irrigation pumping rate for resale to farmers in the area lower than the wholesale rate the company charged the REA cooperative.

The cooperative obtained an allotment of $439,000 from the Rural Electrification Administration in 1939, on the basis of service to approximately 1,000 nonelectrified farms in the vicinity of Vale, Oreg., and Payette, Idaho. These were farmers and ranchers that the Idaho Power Co. had refused to serve. The rural expansion policy of the Idaho Power Co. had not kept pace with the desire of the farm people of Idaho and Oregon along the Snake River to have power in their homes and on their farms. But like a dog in a manger, the Idaho Power Co. suddenly became willing and eager to serve these people once they had banded together for their own betterment into an REA co-op. Many farmers who had been trying to obtain power from the Idaho Power Co. for many years felt that their long struggle had one good result at least—they had obtained power for their farms a generation ahead of the time they would have received it if the power company's monopoly had been left undisturbed. Unfortunately, a fighting "REA"—the Malheur Electric Cooperative—was destroyed in the process.

So that is the true story, the one that the nonrepresentative Mr. Hallock did not give.

Now let us return to one of the real issues of Hells Canyon—one of the most impelling reasons for its immediate authorization and construction. That is its relationship to the supply of power for production of badly needed fertilizer for the farmers of the Northwest and the Middle West at rates which they can afford to pay. Southeastern Idaho contains large deposits of phosphate rock, about 60 percent of the reserves in the United States. These deposits are being developed to a small extent by several chemical companies for the production of elemental phosphorus for chemical purposes. There is also one small fertilizer operation in southeastern Idaho using the sulphuric acid process.

Two farm organizations, namely, Pacific Supply Cooperative and Central Farmers Fertilizer Co., have acquired substantial holdings of phosphate rock in southeastern Idaho and have the necessary capital to go ahead with plants. But they need electric power. A power rate of not more than three mills per kilowatt hour is required in order for them to produce high concentrate fertilizer to be sold to the farmers of the Northwest and Middle West at reasonable prices which will enable the farmers to buy it. Hells Canyon Dam will provide this power at the required rate if the project is authorized and goes ahead.

In my opinion, among the most important evidence presented to the Committee on Interior and Insular Affairs in the hearings on H. R. 5743 was that dealing with the great need for additional phosphate fertilizer, especially in the Northwest and Middle West. Charles Baker, general manager and secretary of the Pacific Supply Cooperative, testified that his company, in concert with six other farm cooperatives in the Pacific Northwest, had formed the Western Fertilizer Association, which has under lease a deposit of phosphate rock containing some 30,000,000 tons of high-grade and some 75,000,000 tons of low-grade phosphate rock. This company has spent between $30,000 and $40,000 in research and study and Mr. Baker testified that—

> The answer was in every instance that * * * power and electric furnace to process the phosphate rock in southern Idaho will give us the lowest cost and most dependable long-time source of cheap fertilizer from the standpoint of the farmers of at least 17 to 20 western States * * *. We estimate that we will need at least 50,000 kilowatts of low-cost power for our own fertilizer development.

He also testified that his company had approached the Idaho Power Co. for power and that the rates quoted were prohibitive.

Mr. Glenn Bunting is the manager of the Central Farmers Cooperative of Chicago, Ill., owned by 15 agricultural cooperatives serving 1,420,000 farmers in the Midwest Corn Belt. This corporation has signed a contract for the purchase of 2,000 acres of phosphate land in southeastern Idaho for which power is essential for the development of fertilizer. This group has obtained survey reports from competent engineers showing that they must have low cost electric energy for their development. Mr. Bunting testified:

> We contemplate the use of the electric furnace which will utilize 55,000 to 57,000 kilowatts of power * * * which would mean an annual consumption of * * * about 369,000,000 kilowatts of power.

This company likewise has taken its problem to a power company—in this case, the Utah Power & Light Co.—which quoted rates that in the opinion of the cooperative's management are prohibitive.

Mr. Frank N. Calvin, manager of the fertilizer department of the Farmers Union Central Exchange, Inc., a member of Mr. Bunting's group, supported Mr. Bunting's testimony.

I cite these facts which are of record in the testimony before the House committee to demonstrate one aspect of the national significance of Hells Canyon, one which will have a profound effect upon the well-being of the agricultural economy of the entire country. Development of Hells Canyon and the phosphate deposits will mean a large, new industrial development in Idaho, new tax revenues to the State and local taxing bodies, greater supplies of fertilizer throughout the West, a lower cost for fertilizer to hundreds of thousands of farmers, increased farm output of higher food value, and a better grade of farm product available to consumers all over the country. Hells Canyon power can stimulate the fertilizer industry and benefit agriculture on a scale comparable to the world-famous accomplishments of the TVA in fertilizer development. The Idaho Power Co.'s plan to build the

five low-head dams would not only not provide these great benefits, it would, in fact, preclude them.

In the course of my remarks today, I have dwelt mainly on the lies, the distortions and the half-truths by which the opposition led by the Idaho Power Co. has attempted to discredit Hells Canyon. But these tactics of confusion cannot in the end prevail over the truth. And I venture to predict, Mr. President, that when Hells Canyon is built and it is providing its great public benefits, those who have been leading the opposition will forget their present stand. Some now in Congress who are opposing this authorization, or who are doubtful about it, including some from the very area that would be so greatly benefited, should know that they will be remembered for generations, not for any good they may have accomplished, but as the short-sighted men who fought Hells Canyon. It is so in the case of Grand Coulee. There are none to be found, no individual and no chamber of commerce or other group, who will admit to ever having opposed the building of the world's largest dam—the hub around which spins the peacetime economy of the Northwest and which has contributed so much to the wartime defense of the Nation.

And now, Mr. President, that we have examined and exposed the barrages of misleading information and double-talk which were presented to the House committee in an effort to hide the real facts in the case, let us return briefly to the advertisement by the so-called business-managed, taxpaying electric light and power companies. I want specifically to point out some of its misrepresentations and half-truths. About the only bit of really accurate information it contains is the statement that Hells Canyon would cost, in round numbers, $357,000,000. But the impression that the advertisement cleverly attempts to leave, which is that the local power company, that is, the Idaho Power Co., proposes to develop the same amount of power as Hells Canyon, we know to be a deliberate falsehood. The statement that the power company for more than 4 years—has been ready with plans for a series of five dams" we know to be a deliberate falsehood. The power company has applied for a license to build only one plant—Oxbow, and has not even applied for a preliminary permit for the other four. These facts also demonstrate the calculated attempt to deceive the public by such a statement in the advertisement as "All dams can be completed and power available in about 2½ years."

Mr. President, how brazen can selfish interests become? How audacious can selfish interests, such as the Idaho Power Co., become in respect to the use of the big lie technique? It will be necessary in protecting the public interest, Mr. President, to make speeches as tough as is this one. It is not pleasant to do so, but I do not propose to sit here in silence, while the electric power lobby spreads through the magazines of America, in huge advertising, gross misrepresentations in regard to the facts concerning the Hells Canyon Dam project, and then deducts the cost of those advertisements from its own tax bill. That amounts to putting its hands into the pockets of the taxpayers of America and committing larceny, so far as the morality of such tactics is concerned.

I was shocked when I read in the periodicals previously mentioned this misleading, misrepresenting advertisement.

And in stating that little or no taxes will be paid by the public development of Hells Canyon, the advertisement, of course, deliberately fails to mention that the increase in industrial development alone that Hells Canyon would make possible would result in many millions of dollars of additional tax payments annually.

I would have the members of the Portland Chamber of Commerce give careful note to that fact.

They represent to me in their communications that they are the great apostles of free enterprise and private enterprise. I do not yield to any member of the Portland Chamber of Commerce in defense of the desirability of maintaining free enterprise and private enterprise.

But why does not the Portland Chamber of Commerce take note of the fact that construction of the great multiple-purpose dams in the Pacific Northwest, such as McNary, Grand Coulee, and Bonneville, has been the greatest inducement to private enterprise in all the history of the Pacific Northwest? The electric power energy brought into the Pacific Northwest by the multiple-purpose dams also brought along in its wake a great number of new businesses, which created new jobs, resulting in a larger population, and producing economic prosperity the like of which the Pacific Northwest had never known theretofore.

Yet the Portland Chamber of Commerce is apparently on record, in the name of private enterprise, as favoring the turning over of the water resources of the Snake River, belonging as much to the people of Oregon as to the people of other States of the Pacific Northwest, to the monopolistic control of the Idaho private power company, for the purpose of building five low-head dams, which would produce about half the amount of power that this one single dam at the Hells Canyon site would produce.

Thus I say that the Portland Chamber of Commerce, in its shortsightedness, has proposed a program that would cheat the people of Oregon and future generations of Oregon boys and girls of the maximum development of resources of the rivers of that area, and, therefore, of the maximum development of new industry, new business, new private enterprise, and the opportunity of having thousands of more jobs for the population of that area.

I am at a loss to understand the shortsightedness of the officials of the Portland Chamber of Commerce in seeking to deny to the future of our State the great economic advantages which would accrue from development of the Hells Canyon project, and in going on record, in the name of private enterprise, as being in favor of turning over not to a private enterprise, but to a monopoly, control of the Snake River, which would produce so much less in the way of economic benefits to the people of Oregon than would accrue to them from the public development of the Hells Canyon project.

Mr. President, I believe the Portland Chamber of Commerce understand that the junior Senator from Oregon does not propose to do their bidding, but proposes on this issue, as on all other issues, as I have said to them in discussing other issues in the past, to place what I consider to be the public interest in the primary position of my consideration as I sit in the Senate of the United States.

Let us look at another claim in this advertisement of the power lobby—and that is really what is behind the advertisement—little or no taxes will be paid by the public development of Hells Canyon. The advertisement, of course, deliberately fails to mention that the increase in industrial development alone which Hells Canyon would make possible, would result in many millions of dollars of additional tax payments annually. This is demonstrated clearly by the experience of the States of Washington and Oregon and also by the Tennessee Valley area. And when we consider the wealth that would be added to Idaho and eastern Oregon by the irrigation developments that could come into being on the basis of repayment assistance from Hells Canyon power revenues, the small increase in taxes that the advertisement claims would result from private development in the Hells Canyou reservoir area pales into insignificance. And in speaking of property taxes it is claimed would be paid by the utilities, they are, of course, really paid by the power users. All such taxes are passed on by the company to its customers.

The inability of the phosphate fertilizer people to obtain power at a price that will enable them to operate except through the public development of Hells Canyon is itself a complete answer to the claim of the advertisement that "power produced will be shared by all." The "all" in this statement clearly means all who meet the terms imposed by Idaho Power Co. within what it hopes to keep as its tight little domain.

In these few comments, I have not even attempted to answer all the half-truths and the distortions that the copywriters managed to crowd into a one-page advertisement. I have, however, covered enough to enable an accurate appraisal of the merits of the case the advertisement attempts to make against Hells Canyon.

There is one more fact about the advertisement that I want to bring to public attention. This blatant attempt to confuse the public into permitting the power company to preempt from the public the benefits of full development of the Hells Canyon site is itself being carried on at the public's expense. On the one hand, the funds to meet the expense of such advertisements, as well as of the rest of the utilities' high-priced and high-pressure publicity campaigns, come from the rates they charge the public for electricity. On the other hand, the companies claim such expenses as business deductions when

computing their income-tax payments. So the public pays for these power-company vendettas not just once in the form of higher power rates, but twice in the form of reduced power-company income-tax payments as well.

In concluding my remarks, I desire once again to express my fullest support for Hells Canyon as a bulwark of free enterprise for which we of the Republican Party stanchly stand. For just as Grand Coulee has created new clusters of business through use of its power output in industries, big and little, and through the irrigation expansion on the Columbia Basin project, made possible through the use of its power revenues, so will Hells Canyon provide the means of livelihood for thousands of people now alive and thousands yet unborn on farms and in new communities. That is the answer to the cries one hears of socialism and Socialists, the scarewords used by the monopolists who want to gobble up the benefits of the Hells Canyon site.

But the best answer to those scarewords came from a farmer, Sam Fretwell, who had journeyed to Washington, D. C., from the small town of Parma, Idaho, in the Boise Valley, to testify at the House hearings. He said:

> Idaho, being a State of small towns and villages where your next-door neighbor may have lost his son in the fight against communism, you think twice before you call that neighbor a Socialist just because he happens to think that the building of Hells Canyon would be a good thing for the defense of our country.

This farmer was living evidence before that committee of the real meaning of free enterprise. Standing somewhat nervously before the committee, he told in simple words how he stood in 1929 "in a sea of sagebrush, shoulder high, with my wife and two little children, a shack that you could throw a cat through from any direction and hurt the building more than the cat."

He went on to say:

> As I stood there with my wife and those two little children there was just two things standing between me and complete failure. Those two things were an irrigation shovel and water; water, the precious lifeblood that flows through the veins of Idaho, and in the years that have elapsed since that time my hands have gripped that shovel handle until I can no longer straighten my fingers and during that time I have learned to love that water and I haven't learned to hate the Reclamation Bureau, either, for putting it there, and it is because I love that water and I want it saved for the people of the State of Idaho that I am here today, asking, begging that it be not turned over to a private monopoly.

Mr. President, the Republican Party, in convention assembled, is going to meet in Chicago in the not too distant future, to adopt a platform and nominate a candidate for President of the United States. I recommend to them the words of this typical American farmer. I recommend to the Republican Party that when it comes to writing a platform it use language which will not let down the thousands upon thousands of farmers such as Sam Fretwell, and that it write a power-development plank pledging, in language so clear that it cannot have a double meaning, that if the Republican Party comes into power as the result of the election in November 1952 it will stand four-square for the public development of water resources of the rivers of America; that it recognizes, as Sam Fretwell recognized, that doing that by the Government for its people is not socialism, but is keeping faith with the economic rights and opportunities of its people.

I warn the Republican Party today that if in Chicago in July it does not draft such a platform on the power issue and on the many other issues which are of such great concern to the American people it will find the Sam Fretwells in November 1952 voting against it. Once again the party will have lost a great opportunity to bring the Government of the United States back to the people. But the Republican Party must bring the Government back to the people, not back to the monopolies. The Republican Party must bring this country and its Government back to the people, not to the selfish economic interests who believe that by the use of such scare words as socialism they can steal an election in November 1952.

The Republican Party had better remember that the American people have their eyes open, and that there is little likelihood that they can steal an election with eyes of the voters open. They are going to be opened wide enough to read a platform, and to read whether or not that platform keeps faith with the Sam Fretwells on the farms of America. Any doubletalk in that platform about the development of the power resources of this country will not win the votes of the Sam Fretwells.

This man, this farmer, this great citizen from Parma, Idaho, alert in mind and body, and resentful of the strong-arm tactics of the power company, was only one of 20 or more alert farmers and businessmen who came clear across the country to support the Hells Canyon dam project. They had seen through the smog and were looking progressively ahead toward something better in their home country. They came from Idaho and Oregon alike. They knew what they were talking about. They made a real impression on the committee and the others of us who were fortunate enough to meet them.

While I have devoted most of my time, and properly, to debunking the bunk that is being purveyed by paid professionals and their inadvertent stooges, I want to close by telling Senators that a huge ground-swell of understanding is spreading.

The men I spoke of are but 20 of the growing thousands who are lending their full support to moving ahead with a progressive public benefit for the entire area. They are right, and they know they are right, these thousands of people. There are many, many thousands of supporters for Hells Canyon. They know the objectives of the self-seeking opposition and they are not fooled. The good people of Idaho and Oregon alike want progress, they want irrigation, they want industry, they want to produce this much-needed fertilizer, they want to develop their mines and their mineral resources, and they will not be stopped by unsupportable and distastefully inaccurate propaganda.

The support for the Snake River project, by the man-on-the-ground is tremendous; if not now overwhelming, it will be.

I am proud to stand shoulder to shoulder with farmers and with laboring people and with businessmen, large and small, who show judgment and character and realistic farsightedness in the national as well as in local matters by supporting Hells Canyon and the Snake River project bills before the Senate and the House.

I have but one bit of advice to give those supporters of the Hells Canyon project from this desk today: "Keep in mind your duty at the ballot box, and make clear to the candidates for office in the Pacific Northwest that you want them to stand up and be counted on the issue of the Hells Canyon Dam, because you intend to make them accountable when you go to the ballot box."

ST LAWRENCE SEAWAY

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

Mr. THYE. Mr. President, the adoption of Senate Joint Resolution 27—approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada and providing for making the St. Lawrence seaway self-liquidating—is of the greatest importance to our national defense at the present time and to our economic stability in the future.

No greater obligation rests upon the American people than to use wisely the great natural resources that are available to us.

Here by the construction of necessary canals on the St. Lawrence River we can connect our great inland water route, the Great Lakes, with the Atlantic.

Here the mightiest undeveloped source of hydroelectric power on the North American Continent awaits development.

We cannot afford to permit sectional interests, or selfish interests of any kind, to stand in the way of full cooperation with our neighbor, Canada, in the development of the St. Lawrence seaway project.

It is my sincere conviction, as a cosponsor of the resolution, that now is the time for action.

The defense, the economic well-being, and the future of America demand that there be no further delay.

There are many practical and compelling arguments for this great project, and they have been documented by convincing evidence over a period of years,

Five reasons for development of the St. Lawrence seaway and power project at this time seem compelling to me:

First. It will strengthen the security and defense of the United States and Canada by increasing the flow of high-grade iron ore for the production of steel, and by providing the two nations with better facilities for mutual defense.

Second. It will furnish additional sources of hydroelectric power for the great New York and New England area, some parts of which are now suffering from a shortage of power, and would permit increased productive capacity.

Third. It will permit 50,000,000 Americans to participate directly in world trade, and will mean expansion of industrial activity in the Great Lakes and upper Midwest areas, with more jobs available and without hurting any other area.

Fourth. It will save in shipping costs of agricultural products, food, raw materials, and defense equipment.

Fifth. It will bring a deep-water channel from the Atlantic Ocean to the heart of America, assuring an industrial expansion which our growing population requires and giving us a much better balanced inland transportation system.

To a very great extent our mechanical steel-using civilization is founded upon the iron-ore resources of the State of Minnesota. These mineral deposits, more extensive than those of the Ruhr Valley, have furnished nearly two-thirds of the Nation's iron ore.

Minnesota's chief port, Duluth, is outranked in the amount of tonnage carried by only one great harbor on the Atlantic seaboard.

Completion of the St. Lawrence seaway would increase the flow of high-grade iron ores from the newly developed sources in Labrador.

Against the background of Minnesota's contribution to our industrial civilization I believe this is desirable.

Minnesota will continue to supply for many years in the future an amount of iron ore equal to what has been shipped in the past, but we cannot expect production of high-grade iron ore from the Mesabi range to continue indefinitely into the future.

That is why the great developments now in progress for the utilization of taconite and other low-grade iron ores, of which there is an almost limitless supply, are so vital.

In my opinion, it is better for the economy and the security of this Nation to stabilize iron-ore production at a high level in Minnesota and to develop new sources for the additional amounts that our defense program requires in such large quantities.

The St. Lawrence seaway will help to bring the ore from both sources to the mills.

It is important to note that more than 70 percent of our steel industry—the foundation of all our defense effort—is located in an area between Pittsburgh and Chicago.

A very practical argument of our cooperation with Canada in this project relates to the cost.

According to the Army engineers' estimates, presented to the Senate Foreign Relations Committee this year, to complete the necessary remaining work to finish the St. Lawrence seaway and power project as spelled out in the 1941 agreement would require an investment by the United States of $567,000,000 and by Canada of $251,000,000, making a total for the two countries of $818,000,000.

The figures would be increased by about 6 percent at current construction costs.

The investment made by the United States breaks down into $192,000,000 to be recovered from sales of power, leaving the seaway cost to the United States of $375,000,000.

Thus, we have really to approve an investment of $375,000,000 to open the Great Lakes to ocean vessels.

About $90,000,000 of this—the Great Lakes connecting channels—will have to be made eventually, regardless of what happens to the seaway.

Thus, we are asked to place the sum of $285,000,000 in an investment which is to be wholly self-liquidating with tolls levied on traffic producing sufficient income to pay operating costs and to amortize the investment over a period of 50 years or less.

Compare that investment to the expenditures we are making for military preparations.

Compare it to the foreign-aid legislation which contemplates spending 20 times as much in the next fiscal year as the St. Lawrence seaway would cost.

Compare it to the appropriations that have been made over the years for reclamation projects, amounting to $2,750,000,000.

Compare it to the total cost of TVA, amounting to $1,300,000,000.

It is established by the very provisions of the legislation before us that the St. Lawrence project will be self-liquidating.

It will not be a charge against the American taxpayer, but will be paid from shipping tolls and from electric power revenues.

It is obvious that a major share will be paid by United States interests and citizens using the facilities.

The fact that the St. Lawrence seaway under the pending proposal would be placed upon a self-supporting and self-liquidating basis eliminates, in my opinion, the only reasonable doubt which has ever been brought forward in opposition to the project.

It used to be argued that the Federal Government was not justified, in terms of the expense involved, in embarking upon a public-works project of such magnitude.

It used to be argued that such a public works project would mean that the Government would in effect be subsidizing a form of transportation in competition with our railroads.

Now, however, it is proposed that the users of the new deep-water navigation works of the St. Lawrence seaway should pay for the construction and maintenance.

The joint resolution provides for the imposition of tolls on shipping and, according to detailed studies of the Department of Commerce the toll revenue should be sufficient to provide for amortization of the cost of construction and to cover also the annual maintenance charges.

Therefore, it seems to me only logical that we should share from the start in making this reimbursable investment, in shaping its development, and in having a necessary part of it on American soil.

There is present in this vital matter also the question of cooperating with Canada.

It is in the self-interest of our own country not merely to have a friendly people at our northern border, but to have a strong nation there.

We are apt to overlook what industrial expansion in Canada will mean to the United States.

We have felt justified in spending millions in nonreimbursable investments in power plants and navigation facilities in Western Europe.

Is it not equally in the interest of our national security to make this self-liquidating investment jointly with Canada in a resource that will benefit both nations?

Both nations would gain from that partnership.

The St. Lawrence seaway should have been built long ago.

It would have cost us far less had we done so.

Everyone of our last six Presidents has advocated it.

Our military and defense mobilization leaders urge action.

Canada is ready to go ahead.

An obligation rests on Congress to act promptly and favorably now.

Mr. President, I have before me a telegram from the Governor of Minnesota, the Honorable C. Elmer Anderson, in support of the St. Lawrence seaway. I ask unanimous consent that the telegram may be printed in the body of the RECORD at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

FEBRUARY 23, 1952.

Senator TOM CONNALLY,
Chairman, Foreign Relations Committee,
United States Senate,
Washington, D. C.:

The great inland empire of this continent, of which Minnesota is a part, urgently requests favorable vote on United States participation with Canada in construction of St. Lawrence seaway. Minnesota has supported such waterway projects as Panama Canal and harbor improvements on both oceans, even when not to our immediate benefit. Now reiterate position originally taken 1919 that national safety and broad scale national economic advantage requires affirmative action. No sectional or selfish economic interest of minority's group should obstruct this project affording deep-water navigation to continental interior.

C. ELMER ANDERSON,
Governor of Minnesota.

Mr. THYE. Mr. President, I also have before me a letter dated January 5, 1951, written by the then Governor of Minnesota, the Honorable Luther W. Youngdahl, now judge of the United States District Court for the District of Columbia, also in support of the St. Lawrence seaway.

I have before me also several other letters all in support of the seaway. A letter from Mr. J. T. Sanders, legislative

counsel, National Grange; a letter from William B. Pearson, Master of the State Grange of Minnesota, a letter from the Minnesota State Federation of Labor, signed by R. A. Olson, president, and George W. Lawson, secretary; a letter from the Duluth Chamber of Commerce, signed by Lewis G. Castle, chairman, Great Lakes-St. Lawrence Waterway Committee; and a letter from the Minnesota Department of Business Research and Development, signed by J. W. Clark, commissioner.

I ask that the letters be printed in the RECORD at this point in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT,
St. Paul, January 5, 1951.

THE EXECUTIVE COUNCIL,
American Federation of Labor,
Miami, Fla.

GENTLEMEN: The State of Minnesota wishes to reaffirm again her feeling of urgency in the authorization of a deep-water channel between the Atlantic Ocean and Minnesota lake ports as proposed in the St. Lawrence seaway.

For two generations this State has been active in furthering the Great Lakes-St. Lawrence seaway. To this entire section of the continent it would afford entrance to world commerce with resulting benefits to the advantage of all the other regions of the Nation with whom we deal.

To our own reasons for desiring this internal improvement, reasons which have been often stated and well substantiated, there have now been added many more. It is one which will pay for itself from revenue received from toll charges and the production of much needed electrical energy. It will afford a means by which high-grade iron ore from other sources can be brought to market to be combined with our low-grade ore, of which we have unmeasured amounts.

It will serve as a protected base for military operations in case of war.

Minnesota has long advanced the improvements of other waterways and harbors, of irrigation and power projects, of national parks and distant military bases. Most of these, though far removed from us in a geographic sense and in immediate economic benefit, have been to the advantage of the Nation as a whole. It is our hope that some of the interests now obstructing the St. Lawrence seaway will adopt a similar attitude of favor for this and similar projects which confer such advantage while paying their cost.

Sincerely yours,
LUTHER W. YOUNGDAHL,
Governor.

NATIONAL GRANGE,
Washington, D. C., June 2, 1952.

Hon. EDWARD J. THYE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: The St. Lawrence seaway and power project will soon come before you for a favorable or adverse decision. For nearly a quarter of a century, 23 years to be exact, the National Grange has been in favor of developing this great project. Throughout this period of support, I believe, an accurate analysis of why we have been continuously in favor would doubtless reveal three reasons, as follows: (a) That its completion would decidedly promote the national welfare; (b) that it is economically sound and, as a corollary, more recently is set up as a self-liquidating, self-financing project; (c) that even its opponents who are motivated by imaginary self-interest, we believe, will ultimately receive net gains from the project.

Besides these long-time more basic reasons in favor of this project, we believe there are some recent situations that constitute strong reasons why delay in this project is pointless and unjustified, as follows:

1. Canada, impatient at our unjustified delay, now proposes to go ahead and build the project without us, but Canada will not develop the project to give expanded service west of Toledo, Ohio.

2. If Canada builds the project alone, she necessarily can and will charge American shippers and users for all services we get from it—we, in the end, will lose all control and probably pay a far bigger bill.

3. The proposed Aiken-Douglas-Taft amendment even overcomes the groundless excuse that expanded Federal expenditures at this time should be avoided. This amendment will provide for use of private capital and puts this project clearly in the investment category. It also does away with the unbalanced budget inflationary claims of opponents.

With this array of logic before the Senate, it is indeed difficult for us to see how the Senate can now fail to approve this project for the earliest possible construction.

We sincerely hope you will agree with us and will use all your influence for earliest favorable action.

Very sincerely yours,
J. T. SANDERS,
Legislative Counsel.

STATE GRANGE OF MINNESOTA,
Ogilvie, Minn., June 3, 1952.

Hon. EDWARD J. THYE,
Senator from Minnesota,
Washington, D. C.

DEAR ED: As you know the Minnesota State Grange has supported legislation to authorize construction of the St. Lawrence seaway and power project for many years. At our last State convention in Spring Valley we again reaffirmed our stand.

We have studied this project carefully over many years of our support and are firmly convinced it is sound, and will pay for itself in a reasonably short period, and would have been built long ago in the national interest had it not been for well financed highly organized efforts of selfish interests opposed to it. This project is truly in the interest of national welfare and in the interest especially of Minnesota and the Midwestern States and the people of this State need your help.

Last December Canada, tired of waiting for action by the United States, unanimously passed legislation to build the seaway alone, entirely within her boundary, if our Congress did not see fit to go along at this session. Construction of this project by Canada alone would have two great disadvantages to our country. In the first place, if Canada builds it the deep water channel will only go as far west as Toledo, Ohio. Thus, our huge agricultural empire that lies west of there will be deprived of the benefits and new prosperity this great waterway will bring to the areas served by it farther east. Secondly, if Canada builds it she will own it and control it; will have the right to set and levy the tolls to be charged. With 11 times Canada's population a similar proportion of the traffic over the seaway will be either produced by, or destined for, United States agriculture, industry and consumers. Eventually Canada will end up not only owning and controlling it but the United States will have repaid them their investment from the tolls and still continue to pay tribute forever. We cannot stand aside and permit this to happen to so vital and strategic a waterway.

This is particularly true when you consider this will be a completely self-liquidating investment, will cause no drain on the United States taxpayer, will not affect the national budget nor increase the national debt. Under the Aiken-Douglas-Taft amendment to this bill there is created the St. Lawrence Development Corp. as an instrumentality of the United States, to finance and construct this project. This corporation will have a capital of $10,000,000 to be subscribed and owned by the United States. That is the limit of the demand upon the Treasury. Funds to finance the construction will be obtained from sale of this corporation's bonds to the investing public, and the United States Treasury is specifically prohibited from purchasing any of them. Thus any inflationary pressures due to the financing are eliminated. Retirement of the bonds, the interest on them, as well as the cost to operate and maintain will be met from the revenues the project will produce from the sale of electricity and tolls on navigation.

We believe this bill will be before the Senate early in June. The object of this letter is to review the facts and to urge you to support S. J. Res. 27 and the Aiken-Douglas-Taft amendment to it, for the joint construction with Canada of the St. Lawrence seaway and power project.

We trust that you will bend every effort to not only support this bill but to urge others to support it also.

Kindest regards.

Sincerely and fraternally,
BILL
WILLIAM B. PEARSON,
Master, State Grange of Minnesota.

MINNESOTA STATE FEDERATION OF LABOR,
St. Paul, January 15, 1951.

To the EXECUTIVE COUNCIL OF THE AMERICAN FEDERATION OF LABOR:

We of the Minnesota State Federation of Labor are deeply concerned with the development of the St. Lawrence seaway project for a number of reasons.

It will mean the expansion of industrial and business activity in this entire northwest section of the United States. It will provide jobs and homes for many of our tradeunionists, without injuring development in any other section of the country.

It will provide the means for large amounts of cheap power, permitting establishment of new industries in northern New York which, along with the navigation project, will increase productive capacity of the Great Lakes-St. Lawrence area.

It will provide 50,000,000 Americans in the tributary area of the Great Lakes to participate directly in world trade.

It will make possible a great contribution in a mighty strategic area to the defense needs of our country and in assisting free democratic people elsewhere to obtain materials without delay and at less cost.

It will save the taxpayers of our Nation untold sums through direct shipping of food, raw materials, and defense equipment. It will mean a greater diversification of industry, a need which has been recognized by numerous official bodies.

We therefore submit to the executive council that one of the greatest contributions that the American Federation of Labor can make to the welfare of our free democratic system, the extension of industrial and commercial frontiers to areas that are capable of building upon them and the solidification of our national defense, is through its approval of the St. Lawrence seaway project.

Fraternally submitted,
ROBERT, A. OLSON,
President.
GEORGE W. LAWSON,
Secretary.

DULUTH CHAMBER OF COMMERCE,
Duluth, Minn., January 2, 1951.

To the EXECUTIVE COUNCIL OF THE AMERICAN FEDERATION OF LABOR:

The Great Lakes-St. Lawrence waterway project has been endorsed by the Middle West for many years by responsible citizens and industrial groups. It is a project which will add greatly to the stabilization of our national economy.

Naturally it has been opposed by the eastern railroads and seaboard communities from fear that the construction of a waterway system through the St. Lawrence River would injure their particular interests.

However, with the dwindling reserves of iron ore in Minnesota, it is highly essential to our steel industry that Labrador ores be brought into our country by the quickest and cheapest route, and for this reason many iron ore and steel industries are strongly favoring the construction of this waterway channel. In addition, the development of power is necessary for the growing and expanding industries of the eastern seaboard.

Canada, our friendly neighbor, has long desired this waterway system and the development of power for their expanding industries and their increasing population. They agree to share generously in the cost of this dual project, and they agree with our country that from the point of view of national defense, industrial economy and the need of iron ore and electrical energy, the St. Lawrence Waterway Treaty should be an accomplished fact within the next several months.

LEWIS G. CASTLE,
Chairman, Great Lakes St. Lawrence Waterway Committee, Duluth Chamber of Commerce.

DEPARTMENT OF BUSINESS RESEARCH AND DEVELOPMENT,
St. Paul, Minn., January 5, 1951.

The EXECUTIVE COUNCIL,
American Federation of Labor, Miami, Fla.

GENTLEMEN: The people of Minnesota believe in and ardently support the St. Lawrence seaway.

Just as they believe in God, they believe He intended the 2,000 miles of water extending from the mouth of the St. Lawrence to Duluth to be put to good use. We know that the power which can be generated from water falling as rain in Minnesota and finally flowing back into the ocean can ease the task and increase the living standards of farmers and laboring men in the Northeast. We also know the highway to and from the world's markets should be open to those living in the midcontinent area or the Almighty would have put mountains in the place where a river, carrying our water, now flows to the sea.

We urgently petition that for the benefit of the Nation as a whole and, particularly for your many thousands of loyal members now living in this area, that you reverse your former position and aggressively promote this great project.

Respectfully yours,

J. W. CLARK,
Commissioner.

EXECUTIVE SESSION

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Without objection, the Senate will proceed to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SPARKMAN in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

CONSULAR CONVENTION WITH IRELAND

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive P (81st Cong., 2d sess.), a consular convention between the United States of America and Ireland, signed at Dublin on May 1, 1950, which was read the second time, as follows:

CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND IRELAND

The United States of America and Ireland,

Being desirous of regulating the consular affairs of one country in the territories of the other,

Have decided to conclude a Consular Convention and have appointed as their Plenipotentiaries for this purpose:

The President of the United States of America:

George A. Garrett, Ambassador Extraordinary and Plenipotentiary of the United States of America at Dublin;

and

The President of Ireland:

Seán MacBride, Minister for External Affairs;

Who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

PART I. APPLICATION AND DEFINITIONS

Article 1

The territories of the High Contracting Parties to which the provisions of this Convention apply shall be understood to comprise all areas of land, air and water subject to the sovereignty or authority of either state, except the Panama Canal Zone.

Article 2

For the purpose of this Convention

(1) the term "sending state" means, according to the context, the High Contracting Party by whom the consular officer is appointed, or all the territories of that party to which the Convention applies;

(2) the term "receiving state" means, according to the context, the High Contracting Party within whose territories the consular officer exercises the functions required by his office, or all the territories of that party to which the Convention applies;

(3) (a) the term "territory" means that particular territory of the receiving state in which the whole or part of a consular officer's district is situated;

(b) the States of the United States of America and the District of Columbia shall be regarded as a single territory, and each other territory subject to the sovereignty or authority of the United States of America shall be regarded as a separate territory, provided that for the purposes of Article 13 of the States of the United States, the District of Columbia, Alaska, and Hawaii shall be regarded as a single territory, and provided that for the purposes of Article 18 each State of the United States and the District of Columbia shall be regarded as a separate territory;

(4) the term "national" shall, according to the context, be deemed to include any natural person or juridical entity possessing, as the case may be, the nationality of the receiving state or the sending state, and the term "person" shall be deemed to include any natural person or juridical entity;

(5) the term "vessel" of a High Contracting Party means any ship or craft documented or registered under the law of that High Contracting Party;

(6) the term "consular officer" means any person who is granted an exquatur or provisional or other authorization, for the performance of functions to which this Convention relates, by the appropriate authorities of the territory;

(7) the term "consular employee" means any person employed at a consulate for the performance of executive, administrative, clerical, technical or professional duties, or as consular guard, messenger or driver of a vehicle whose name has been duly communicated, in accordance with the provisions of paragraph (2) of Article 6, to the appropriate authorities. It does not include any person employed on domestic duties;

(8) the term "archives" shall, where the context so permits, be deemed to include official correspondence, documents, papers, books, records, cash, stamps, seals, filing cabinets, safes and other office paraphernalia held or used for official purposes.

PART II. APPOINTMENTS AND DISTRICTS

Article 3

(1) Either High Contracting Party may establish and maintain consulates in the territories of the other at any place where any third state possesses a consulate and at any other place where the receiving state agrees to the establishment of a consulate. It shall be within the discretion of the sending state to determine whether the consulate shall be a consulate general, consulate, vice consulate, or consular agency.

(2) The sending state shall keep the receiving state informed of the district of each of its consulates and, subject to paragraph (3) of this Article, may prescribe the limits of these districts at its discretion.

(3) The receiving state shall have the right to object to the inclusion within the consular district

(a) of any area which is not within a consular district and is not open to the Trade Commissioners or commercial representatives of a third state;

(b) of any territory of a third state.

(4) A consular officer may, upon notification to the receiving state, perform consular functions outside his consular district unless the receiving state objects.

Article 4

(1) Subject to the provisions of the subsequent paragraphs of this Article, the sending state may assign to any of its consulates consular officers of such number and rank as it may deem necessary. The sending state shall notify the receiving state in writing of the assignment of a consular officer to a consulate.

(2) The exequatur or other authorization shall be granted as soon as possible and free of charge by the receiving state on presentation of the officer's commission or other notification of assignment. When necessary, a provisional authorization shall be accorded, pending the grant of an exequatur or other authorization.

(3) The exequatur or other authorization shall not be refused without good cause.

(4) The receiving state shall not be deemed to have consented to a consular officer's acting as such, or to have extended to him the benefits of the provisions of this Convention, until the receiving state has granted him an exequatur or other authorization.

Article 5

(1) The receiving state shall upon request inform without delay its appropriate authorities in such manner as it shall deem fit of the name of any consular officer entitled to act under this Convention.

(2) As an official agent of the sending state, a consular officer shall be entitled to special protection and to the high consideration of all officials of the receiving state with whom he has official intercourse.

(3) A consulate or a consular officer shall enjoy in the receiving state, in addition to the rights conferred by the terms of this Convention, and subject to reciprocity, treatment not less favourable than that accorded to a consulate or a consular officer of any third state, both as regards the privileges granted and the functions which may be performed.

(4) The receiving state may revoke the exequatur or other authorization of a consular officer whose conduct has given serious cause for complaint. The reason for such revocation shall, upon request, be furnished to the sending state through diplomatic channels.

Article 6

(1) A consular officer or employee may be assigned temporarily in an acting capacity to the duties of a consular officer who has died or is unable to act through illness, absence or other cause. Such acting officer may perform these duties and enjoy the benefit of the provisions of the Convention upon notification to the government of the territory, pending the assignment of a new officer or the confirmation of the acting officer.

(2) The sending state shall be free to employ the necessary number of consular employees at its consulates, whether its own nationals or nationals of the receiving state or of a third state. Consular officers shall keep the government of the territory informed of the names and addresses of these employees. It will be for the government of the territory to designate the particular authority to whom this information is to be given.

(3) The sending state may, with the permission of the receiving state, assign to the work of a consulate one or more members of its diplomatic mission accredited to the receiving state. In this event the provisions of Article 4 shall apply as regards their consular assignment. These officers shall be entitled in their consular capacity and with regard to the performance of consular functions, to the benefits, and be subject to the obligations, of this Convention, without prejudice to any additional personal privileges to which they may be entitled if they are recognized also as diplomatic officers by the receiving state.

PART III. LEGAL RIGHTS AND IMMUNITIES

Article 7

(1) The sending state may acquire under such form of tenure as it may choose, whether on lease, or in full ownership, or under such other form of tenure as may exist under the laws of the territory, and may thus hold and occupy, either in its own name or in the name of one or more natural or juridical persons acting on its behalf, land, buildings, parts of buildings, and appurtenances located in the territory and required by the sending state for the purpose of a consular office, or of a residence for a consular officer or employee, or for other purposes, to which the receiving state does not object, arising out of the operation of the consular establishment of the sending state. If, under the law of the territory, the permission of the authorities of the territory must be obtained as a prerequisite to any such acquisition, such permission shall be granted on request.

(2) The sending state shall have the right to erect, for any of the purposes specified in paragraph (1) of this Article, buildings and appurtenances on land which it so owns or holds on lease, subject to compliance with local building, zoning, or town planning regulations, applicable to all land in the area in which such land is situated.

Article 8

(1) There may be placed, on the outer enclosure and outer wall of the building in which a consulate is installed, the coat-of-arms or national device of the sending state with an appropriate inscription designating the consulate in the language or languages of the sending state. It shall also be permitted to place such coat-of-arms or national device and inscription on or by the entrance door to the consular office.

(2) The flag of the sending state and its consular flag may be flown at the consulate. A consular officer may also place the coat-of-arms or device and fly the flag of the sending state and its consular flag on the vehicles, marine vessels and aircraft which he employs in the exercise of his duties. These flags may also be flown at the consular officer's residence.

(3) If the offices of a consulate are situated in a building which is also used for other purposes such as, for instance, the residence of the consular officer, the room or rooms where the consular business is conducted and the archives of the consulate are kept shall be separate from those used for other purposes. This provision does not require the separation of diplomatic from consular rooms when a consular office forms part of a diplomatic mission.

(4) A consular office shall not be entered by the police or other authorities of the receiving state, provided such office is devoted exclusively to consular business, except with the consent of the consular officer or, if such consent is withheld or cannot be obtained, pursuant to appropriate writ or process and with the consent of the Secretary of State of the United States when the receiving state is the United States, or of the Minister for External Affairs of Ireland when the receiving state is the Republic of Ireland. The consent of the consular officer shall be presumed in the event of fire or other disaster or in the event that the authorities of the territory have probable cause to believe that a crime of violence has been or is being or is about to be committed in the consular office. The provisions of this paragraph shall not apply to a consular office which is in the charge of a consular officer who is a national of the receiving state, or who is not a national of the sending state.

(5) Neither a consular office, nor the flag of the sending state, shall be used to afford asylum to fugitives from justice or to defeat legal process. If a consular officer shall refuse to surrender a fugitive from justice on the lawful demand of the authorities of the territory, these authorities may, subject to paragraph (4) of this Article, if necessary, enter the consular office to apprehend the fugitive.

(6) Any entry into or search of a consular office pursuant to paragraphs (4) and (5) of this Article, shall be conducted with due regard to the inviolability of the consular archives, as provided in paragraph (1) of Article 10.

(7) A consular officer shall not take advantage of the privileges accorded to the consular office by this Convention for any purpose not connected with the exercise of his consular functions.

Article 9

(1) Land, buildings and parts of buildings, and appurtenances, including the furniture and equipment therein, held or occupied exclusively for any of the purposes specified in paragraph (1) of Article 7, as well as the vehicles, marine vessels and aircraft of a consulate, shall not be subject to military requisitions or billeting. Such land, buildings and parts of buildings, and appurtenances shall not be immune from expropriation or seizure for purposes of national defense or public utility in accordance with the law of the territory, but if it is necessary to take any such measure with regard to any such property, every consideration shall be shown to avoid interference with the performance of consular functions.

(2) In addition, a consular officer or employee, provided that in both cases he complies with the conditions set out in paragraph (5) of this Article, his private residence, furniture and other household articles, and all vehicles, marine vessels and aircraft held or possessed by him, shall enjoy exemption from all military requisitions, contributions or billeting. This privilege shall not be extended to other property belonging to him. The residence of a consular officer or employee shall not be immune from expropriation or seizure for purposes of national defense or public utility in accordance with the law of the territory.

(3) Further, due compensation shall be paid for expropriation or seizure in respect of all proprietary interests in a consulate, including all land, buildings, parts of buildings, and appurtenances, held or occupied exclusively for any of the purposes specified in paragraph (1) of Article 7, vested in the sending state or in a consular officer or employee who complies with the conditions of paragraph (5) of this Article. Such compensation shall be payable at the legally usable rate of exchange most favourable to the sending state at the time when the property was expropriated or seized, in a form readily convertible into the currency of and transferable to the sending state, and shall be paid not later than the date on which the consulate or consular officer or employee is deprived of possession.

(4) A consular officer or an employee, provided that he complies with the conditions set out in paragraph (5) of this Article, shall enjoy exemption from military, naval, air, police, administrative or jury service of every kind.

(5) The conditions referred to in paragraphs (2), (3), and (4) of this Article are that the person concerned should

(a) be a national of the sending state and not a national of the receiving state; and

(b) not be engaged in private occupation for gain in the territory; and

(c) not have been normally resident within the territory at the time he was appointed to the consulate.

Article 10

(1) The archives kept in a consulate shall at all times be inviolable and the authorities of the territory may not under any pretext examine or detain any of them. The archives of a consulate shall be kept separate from papers, books or correspondence of a consular officer or employee relating to other matters. This provision does not require the separation of diplomatic from consular archives when a consular office forms part of a diplomatic mission.

(2) A consular officer may communicate with his government, or with the diplomatic mission under whose superintendence he is, by post, telegraph, telephone and wireless, provided that when the receiving state is at war the right of communication with the diplomatic mission, if it is situated outside the territories of the receiving state, may be restricted. In addition, he may at all times send and receive official correspondence by sealed consular pouches, bags and other containers and may use secret language. This right shall also extend to correspondence with other consulates and diplomatic missions of the sending state, or with the authorities of other territories of that state, except that, when the receiving state is at war, this extended right may be restricted.

(3) The official consular correspondence referred to in the preceding paragraph shall be inviolable and the authorities of the territory shall not examine or detain it. Sealed consular pouches, bags and other containers shall be inviolable when they contain nothing but official communications and documents and are so certified by a responsible officer of the sending state.

(4) A consular officer or employee shall be entitled to refuse a request from the courts or authorities of the territory to produce any portion of his archives or to give evidence relating to matters within the scope of his official duties. Such a request shall, however, be complied with in the interests of justice if, in the judgment of the consular officer or employee, it is possible to do so without prejudicing the interests of the sending state. A consular officer is also entitled to decline to give evidence as an expert witness with regard to the laws of the sending state.

Article 11

(1) (a) A consular officer or employee shall not be liable, in proceedings in the courts of the receiving state, in respect of acts per-

formed in his official capacity, falling within the functions of a consular officer under this Convention, unless the sending state requests or assents to the proceedings through its diplomatic representative.

(b) A consular officer who is a national of the sending state and not a national of the receiving state and not engaged in private occupation for gain in the receiving state, shall be exempt from arrest or prosecution in the receiving state except when charged with the commission of a crime which, upon conviction, might subject the individual guilty thereof to a sentence of imprisonment for a period of one year or more.

(2) It is understood that the provisions of paragraph (1) (a) of this Article do not preclude a consular officer or employee from being held liable in a civil action arising out of a contract concluded by him in which he did not expressly contract as agent for his government and in which the other party looked to him personally for performance, and that the provisions of paragraph (4) of Article 10 do not entitle a consular officer or employee to refuse to produce any document or to give evidence relating to such a contract.

(3) A consular officer or employee may be required to give testimony in either a civil or a criminal case, except as provided in paragraph (4) of Article 10. The authorities and court requiring his testimony shall take all reasonable steps to avoid interference with the performance of his official duties. The court requiring the testimony of a consular officer who satisfies the conditions of paragraph (5) of Article 9 shall, wherever possible or permissible, arrange for the taking of such testimony, orally or in writing, at his residence or office.

(4) A consular officer and his wife and minor children who are residing with their parents shall be exempted in the territory from the requirements of the law of the territory with regard to the registration of foreigners and permission to reside, and shall not be subject to deportation while the consular officer holds his exequatur or other authorization.

(5) All motor vehicles, marine vessels, and aircraft owned by the sending state and used by the consulate or owned by a consular officer or employee will be adequately insured by policies against third-party risks. Any claim arising under any such policy shall be deemed to be a claim arising out of a contract involving liability in a civil action, as contemplated in paragraph (2) of this Article.

PART IV. FINANCIAL PRIVILEGES

Article 12

(1) No tax or other similar charge of any kind, national, state, provincial, municipal, or other, shall, in the territory, be collected from the sending state or any natural or juridical person acting on its behalf in respect of land, buildings, parts of buildings, or appurtenances owned or otherwise held or occupied by or on behalf of the sending state, or in respect of buildings or parts of buildings erected by or on behalf of the sending state, and used exclusively for any of the purposes specified in paragraph (1) of Article 7, except taxes or other assessments levied for services or local public improvements by which and to the extent that the premises are benefited.

(2) No tax or other similar charge of any kind, national, state, provincial, municipal, or other, shall, in the territory, be collected from the sending state, or any natural or juridical person acting on its behalf, in respect of the acquisition, ownership, possession, or use of movable property owned or used by the sending state exclusively for any of the purposes specified in paragraph (1) of Article 7.

(3) No tax or other similar charge of any kind shall, in the territory, be collected from the sending state in respect of transactions or instruments relating to the acquisition and holding of immovable property for any of the purposes specified in paragraph (1) of Article 7.

Article 13

(1) (a) No tax or other similar charge of any kind shall be imposed on or collected from the sending state in the territory by the receiving state, or by any state, province, municipality, or other local subdivision thereof, in respect of fees received on behalf of the sending state in compensation for consular services, or in respect of any receipt given for the payment of such fees.

(b) The sending state or a consular officer or employee thereof shall be exempt in the territory from all taxes and other similar charges of any kind imposed or collected by the receiving state, or by any state, province, municipality, or other local subdivision thereof, in respect of acts performed in the course of the officer's or employee's official functions. This exemption shall not apply to taxes or other similar charges in respect of which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to the sending state or the consular officer or employee.

(2) No tax or other similar charge of any kind shall be imposed or collected in the territory by the receiving state, or by any state, province, municipality, or other local subdivision thereof, in respect of the official emoluments, salaries, wages, or allowances received as compensation for his consular services by a consular officer, unless he is a national of the receiving state and is not also a national of the sending state.

(3) The provisions of paragraph (2) of this article also apply to the official emoluments, salaries, wages, or allowances received by a consular employee as compensation for his services at a consulate, unless such consular employee is a national of the receiving state and is not also a national of the sending state.

(4) Without prejudice to the preceding paragraphs of this Article, a consular officer or employee who is

(a) a national of the sending state and not a national of the receiving state,

(b) not engaged in private occupation for gain in the territory, and

(c) a permanent employee of the sending state,

shall, except as provided in paragraph (5) of this Article, be exempt in the territory from all taxes or other similar charges of any kind which are or may be imposed or collected by the receiving state, or by any state, province, municipality, or other local subdivision thereof.

(5) (a) The provisions of paragraph (4) of this Article shall apply only to taxes or other similar charges in respect of which the consular officer or employee would, in the absence of the exemption provided by this Article, be the person legally liable, and shall not apply to taxes or other similar charges in respect of which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to the consular officer or employee, or to duties or taxes payable on the withdrawal from bonded warehouses of goods the product, manufacture, or growth of the receiving state. If, however, a consular officer or employee who satisfies the conditions of paragraph (4) of this Article is entitled to income from sources outside the territory but that income is payable to him, or collected on his behalf, by a banker or other agent within the territory who is required to deduct income tax on payment of the income and to account for the tax so deducted, the consular officer or employee shall be entitled to repayment of the tax so deducted.

(b) The provisions of paragraph (4) shall not apply to

(i) taxes imposed or collected on the ownership or occupation of immovable property situated within the territory;

(ii) taxes on income derived from sources within the territory;

(iii) taxes imposed or collected on the passing of property on death, such as estate, inheritance and succession taxes, whether the consular officer or employee is the person who dies or the person to whom the property passes on death;

(iv) taxes on transactions or instruments effecting transactions, such as taxes on the sale or transfer of money or property, or stamp duties imposed or collected in connection therewith; and

(v) taxes and duties imposed upon, or by reason of, importation of articles into the territory which are dealt with exclusively in Article 14.

(6) Nothing in this Convention shall prejudice any claim for exemption from taxation which could be made under the Conventions signed September 13, 1949, between the United States of America and the Republic of Ireland.

Article 14

(1) All furniture, equipment, supplies, building materials and other articles, including vehicles, marine vessels and aircraft, intended for official use in the territory in connection with any of the purposes specified in paragraph (1) of Article 7 shall be permitted entry into the territory free of all taxes or duties imposed upon, or by reason of, importation.

(2) Baggage and effects and other articles, including vehicles, marine vessels and aircraft, imported into the territory by a consular officer or employee, provided that he fulfils the conditions specified in paragraph (4) of Article 13, exclusively for his personal use and the use of members of his family forming part of his household, shall be exempt from all taxes or duties, national, state, provincial, municipal, or other, imposed upon, or by reason of, importation, whether accompanying him to his consular post, either upon first arrival or upon subsequent arrivals, or subsequently consigned to him at his post and imported at any time while he is assigned to or employed at such post.

(3) It is, however, understood that

(a) the receiving state may, as a condition to the granting of the exemption provided in this Article, require that a notification of any importation be given in such manner as it may prescribe;

(b) the exemption provided in this Article, being in respect of articles imported for official or personal use only, does not extend, *inter alia*, to articles imported as an accommodation to others or for sale or for other commercial purposes. However, articles imported as samples of commercial products solely for display within a consulate, shall not be regarded as excluded from the exemption provided in this Article;

(c) the receiving state may determine that the exemption provided by this Article does not apply in respect of articles grown, produced or manufactured in the territory which have been exported therefrom, without payment of, or upon repayment of, taxes or duties, which would have been chargeable but for such exportation;

(d) nothing herein shall be construed to permit the entry into the territory of any article the importation of which is specifically prohibited by law.

(4) Articles the importation of which into the territory is subject to quantitative restriction may be imported by a consular officer or employee over and above any quota or other quantitative limit applicable at the same times and on the same conditions as would have entitled them, had they been liable for any taxes or duties imposed upon, or by reason of, importation, to exemption

therefrom under the foregoing provisions of this Article.

PART V. PROTECTION OF NATIONALS

Article 15

(1) A consular officer shall be entitled within his district to

(a) interview, communicate with and advise any national of the sending state;

(b) inquire into any incidents which have occurred affecting the interests of any such national;

(c) assist any such national in proceedings before or in relations with the authorities of the territory, and, where necessary, arrange for legal assistance for him.

(2) For the purposes of the protection of the nationals of the sending state and their property and interests, a consular officer shall be entitled to apply to and correspond with the appropriate authorities within his district and the appropriate departments of the central government of the territory. He shall not, however, be entitled to correspond with or to make diplomatic claims to the Department of State or the Department of External Affairs, as the case may be, except in the absence of any diplomatic representative of the sending state.

(3) A national of the sending state shall have the right at all times to communicate with the appropriate consular officer and, unless subject to lawful detention, to visit him at his consulate.

Article 16

(1) A consular officer shall be informed immediately by the appropriate authorities of the territory when any national of the sending state is confined in prison, is awaiting trial or is otherwise detained in custody within his district, unless such national shall request that such information not be given. A consular officer shall be permitted to visit without delay, to converse privately with and to arrange legal representation for, any national of the sending state who is so confined or detained. Any communication from such a national to the consular officer shall be forwarded without delay by the authorities of the territory.

(2) Where a national of the sending state has been convicted and is serving a sentence of imprisonment, the consular officer in whose district the sentence is being served shall, upon notification to the appropriate authority, have the right to visit him in prison. Any such visit shall be conducted in accordance with prison regulations, which shall permit reasonable access to and opportunity of conversing with such national. The consular officer shall also be allowed, subject to the prison regulations, to transmit communications between the prisoner and other persons.

PART VI. NOTARIAL ACTS AND OTHER SERVICES

Article 17

(1) A consular officer may, within his district

(a) receive such declarations, grant such certificates, make such registrations and perform such other acts as may be required to be made under the nationality laws of the sending state;

(b) issue such notices to, and receive such declarations from, a national of the sending state as may be required under the laws of the sending state with regard to compulsory national service;

(c) register the birth or death of a national of the sending state and record a marriage celebrated under the law of the territory when at least one of the parties is a national of the sending state;

(d) receive, draw up or execute any declaration, transfer, or other document prescribed by the law of the sending state in connection with the transfer to the register, or documentation, of the sending state of any vessel and its removal from the register, or documentation, and with the transfer of any vessel on the register, or documentation, from one owner to another, and with the registration, or documentation, of any mortgage or charge upon such a vessel;

(e) issue passports and travel documents to a national of the sending state and grant visas and other appropriate documents to a person seeking entry into the sending state;

(f) further the commercial, artistic, scientific, professional and educational interests of the sending state;

(g) serve or cause to be served judicial documents or take evidence on behalf of courts of the sending state in a manner permitted under special arrangements on this subject between the High Contracting Parties or otherwise not inconsistent with the laws of the territory.

(2) It is understood that consular registration of a birth or death and the recording by a consul of a marriage celebrated under the law of the territory in no way exempts a private person from any obligation laid down in the law of the territory with regard to the notification and registration of births, deaths, or marriages with the authorities of the territory.

(3) A consular officer may, within his district, draw up and receive declarations, and may legalize, authenticate, or certify signatures or documents, translate documents and perform other notarial acts in connection with documents in any case where these services are required by a person of any nationality for use in the sending state or under the law in force in the sending state. If under that law the administration of an oath or affirmation is required, the oath or affirmation may be administered. A consular officer may also perform these functions in connection with documents required by a national of the sending state for use elsewhere, but it is understood that this provision involves no obligation on the authorities of the receiving state to recognise the validity of notarial acts performed by a consular officer in connection with documents required under the law of the receiving state.

PART VII. ESTATES AND TRANSFERS OF PROPERTY

Article 18

(1) In any case where a deceased person leaves property in a territory and a legal or equitable interest in such property, such as that of an executor or beneficiary under a will or in case of intestacy, is held or claimed by a national of the sending state who is not resident in the territory and is not legally represented there, the consular officer in whose district the estate of the deceased person is being administered or, if no administration has been instituted, in which the property is situated, shall have the right to represent such national as regards his interests in the estate or property as if valid powers of attorney had been executed by him in favour of the consular officer. If subsequently such national becomes legally represented in the territory, the consular officer's position shall be as if he previously had from the national a power of attorney which ceased to be operative as from the date when the consular officer is informed that such person is otherwise legally represented.

(2) The provisions of paragraph (1) of this Article apply whatever the nationality of the deceased person and irrespective of the place of his death.

(3) In any case where a consular officer has a right of representation under paragraph (1) of this Article, he shall have the right to take steps for the protection and preservation of the interests of the person whom he is entitled to represent. He shall also have the right to take possession of the estate or the property unless another person, having superior interests, has taken the necessary steps to assume possession thereof. If under the laws of the territory a grant of representation or order of a court is necessary for the purpose of enabling the consular officer to protect or to take possession of the property, any grant or order which would have been made in favour of the person whose interests are represented by the consular officer, if that person had been present and applied for it, shall be made in favour of the consular officer on his application. On *prima facie* evidence of the necessity for the immediate protection and preservation of the estate and of the existence of persons with an interest which the consular officer has a right to represent, the court, if satisfied as to such necessity, shall make a grant or an order to the consular officer for the purpose of protecting and preserving the estate, unless another person with equal or prior rights makes the necessary application.

(4) (a) Subject to subparagraphs (b) and (c) of this paragraph, the consular officer shall have the same right to full administration of the estate to the same extent as a person whose interest he represents would have had if he had been present. If by the law of the territory a grant by a court is necessary, the consular officer shall have the same right to apply for and to receive a grant on his application as the person he represents would have had if he had been present and applied for it.

(b) The court may, if it thinks fit, postpone the making of a grant to the consular officer for such time as it thinks necessary to enable the person represented by the consular officer to be informed and to decide whether he desires to be represented otherwise than by the consular officer.

(c) The court may, if it thinks fit, order the consular officer to furnish reasonable evidence of the receipt of the assets by those entitled by law to them or to repay or return those assets to the court in the event of his being unable to furnish such evidence, or it may order that, the consular officer having otherwise fully administered the estate, the actual transmission of the assets to those persons shall be effected through such other channels as it may direct.

(5) Where in the territory it is permitted to receive and distribute an estate of small value without first obtaining a grant of representation, a consular officer of the sending state shall be allowed, without obtaining such a grant, to receive and dispose of such an estate of a national of the sending state in accordance with the laws of the territory.

(6) If a consular officer exercises the rights referred to in the preceding paragraphs of this Article with regard to an estate, he shall in that matter be subject to the law of the territory and to the jurisdiction of the courts of the territory in the same manner as a national of the receiving state.

(7) In any case where it is brought to the knowledge of the appropriate local authorities of the territory that

(a) there is an estate in the territory with regard to which the consular officer may have a right to represent interests under the preceding paragraphs of this Article; or

(b) a national of the sending state has died in the territory and it appears that there is not present or represented in the territory any person, other than a public administrator or similar official, entitled to claim administration of any property which the deceased may have left there, the consular officer shall be informed to this effect.

Article 19

A consular officer may receive, for transmission to a national of the sending state who is not resident in the territory, from a court, agency, or person, money or property to which such national is entitled as a consequence of the death of any person. Such money or property may include, but is not limited to, shares in an estate, payments made pursuant to workmen's compensation laws or any similar laws and the pro-

ceeds of life insurance policies. The court, agency or person making the distribution is not obliged to transmit such money or property through the consular officer, and the consular officer is not obliged to receive such money or property for transmission. If he does receive such money or property, he shall comply with any conditions laid down by such court, agency or person with regard to furnishing reasonable evidence of the receipt of the money or property by the national to whom it is to be transmitted and with regard to returning the money or property in the event that he is unable to furnish such evidence.

Article 20

Money or other property may be paid, delivered or transferred to a consular officer pursuant to the provisions of Articles 18 and 19 only to the extent that, and subject to the conditions under which, payment, delivery or transfer to the person whom the consular officer represents or on whose behalf he receives the money or property would be permitted under the laws and regulations of the receiving state. The consular officer shall acquire no greater rights in respect of any such money or other property than the person whom he represents or on whose behalf he receives the money or property would have acquired if the money or property had been paid, delivered or transferred to such person directly.

PART VIII. SHIPPING

Article 21

(1) When a vessel of the sending state visits a port, which includes any place to which a vessel may come, in the receiving state, the master and the members of the crew of the vessel shall be permitted to communicate with the consular officer in whose district the port is situated and the consular officer shall be permitted freely to perform the duties enumerated in Article 22 without interference on the part of the authorities of the territory. For the purpose of performing any of these duties, the consular officer, accompanied, if he desires, by consular employees on his staff, may proceed personally on board the vessel after she has received pratique. In connection with these duties the master and appropriate members of the crew may proceed to the consular office in the consular district within which the vessel lies, unless the receiving state shall, in its own initiative, object in cases involving unreasonable time or distance of travel.

(2) The consular officer may invoke the assistance of the authorities of the territory in any matter pertaining to the performance of these duties, and they shall give the requisite assistance unless they have special reasons which would fully warrant refusing it in a particular case.

Article 22

(1) The consular officer may question the master and members of the crew of a vessel referred to in Article 21, examine the vessel's papers, take statements with regard to the vessel's voyage and her destination and generally facilitate the entry and departure of a vessel referred to in Article 21. When Custom House brokers or shipping agents are available, the consular officer shall not undertake work normally within the scope of their activities.

(2) The consular officer or a consular employee may appear with the master or members of the crew of a vessel referred to in Article 21 before the local authorities and courts, may lend his assistance, including, where necessary, arranging for legal aid, and may act as interpreter in matters between them and these authorities. These rights may be withheld only in cases where questions of national security are involved.

(3) The consular officer may, provided the judicial authorities of the territory do not take jurisdiction in accordance with the provisions of Article 23, decide disputes between the master and members of the crew of a vessel referred to in Article 21, including disputes as to pay and contracts of service, arrange for the engagement and discharge of the master and members of the crew, and take measures for the preservation of good order and discipline on the vessel.

(4) The consular officer may take measures for the enforcement of the shipping law of the sending state.

(5) The consular officer may, where necessary, make arrangements for the repatriation and the treatment in a hospital of the master or members of the crew of a vessel referred to in Article 21.

Article 23

(1) Except at the request or with the consent of the consular officer, the administrative authorities of the territory shall not concern themselves with any matter concerning the internal management of a vessel referred to in Article 21. The judicial authorities of the territory may, however, exercise any jurisdiction which they may possess under the law of the territory with regard to disputes as to wages and contracts of service between the master and members of the crew of a vessel referred to in Article 21. The administrative and judicial authorities will not interfere with the detention in custody on a vessel referred to in Article 21 of a seaman for disciplinary offenses, provided such detention is lawful under the law of the sending state and is not accompanied by unjustifiable severity or inhumanity.

(2) Without prejudice to the right of the administrative and judicial authorities of the territory to take cognizance of crimes or offenses committed on board a vessel referred to in Article 21 when she is in the ports or in the territorial waters of the territory and which are cognizable under the local law or to enforce local laws applicable to vessels in ports and territorial waters or persons and property thereon, it is the common intention of the High Contracting Parties that the administrative and police authorities of the territory should not, except at the request or with the consent of the consular officer,

(a) concern themselves with any matter taking place on board a vessel referred to in Article 21 unless for the preservation of peace and order or in the interests of public health or safety, or

(b) institute prosecutions in respect of crimes or offenses committed on board a vessel referred to in Article 21 unless they are of a serious character or involve the tranquility of the port or unless they are committed by or against persons other than the crew.

(3) If, for the purpose of the exercise of the rights referred to in paragraph (2) of this Article, it is the intention of the authorities of the territory to arrest or question any person or to seize any property or to institute any formal inquiry on board a vessel referred to in Article 21, the master or other officer acting on his behalf shall be given an opportunity to inform the consular officer and, unless this is impossible on account of the urgency of the matter, to inform him in such time as to enable the consular officer or a consular employee on his staff to be present if he so desires. If the consular officer has not been present or represented, he shall be entitled, on his request, to receive from the authorities of the territory full information with regard to what has taken place. The provisions of this paragraph do not apply to routine examinations by the authorities of the territory with regard to customs, health and the admission of aliens, or to detention of a vessel referred to in Article 21 or of any portion of her cargo arising out of civil or commercial proceedings in the courts of the territory.

Article 24

(1) A consular officer shall have the right, so far as the authorities of the receiving state are concerned, to inspect, at ports within his consular district, a vessel of any flag destined to a port of the sending state, in order to enable him to procure the necessary information to prepare and execute such documents as may be required by the law of the sending state as a condition of entry of such vessel into its ports, and to furnish to the competent authorities of the sending state such information with regard to sanitary or other matters as such authorities may require.

(2) In exercising the right conferred upon him by this Article, the consular officer shall act with all possible despatch.

Article 25

(1) If a vessel of the sending state is wrecked in the receiving state, the consular officer in whose district the wreck occurs shall be informed as soon as possible by the appropriate authorities of the territory of the occurrence of the wreck.

(2) The appropriate authorities of the territory shall take all practicable measures for the preservation of the wrecked vessel, of the lives of persons on board, of the cargo and of other property on board, and for the prevention and suppression of plunder or disorder on the vessel. These measures shall also extend to articles belonging to the vessel or forming part of her cargo which have become separated from the vessel.

(3) If the vessel is wrecked within a port or constitutes a navigational hazard within the territorial waters of the receiving state, the authorities of the territory may also order any measures to be taken which they consider necessary with a view to avoiding any damage that might otherwise be caused by the vessel to the port facilities or to other vessels.

(4) If the owner of the wrecked vessel, his agent, or the underwriters concerned, or the master are not in a position to make arrangements, the consular officer shall be deemed to be authorized to make, as agent for the owner, the same arrangements as the owner himself could have made, if he had been present, for the disposal of the vessel in accordance with the relevant provisions of the law of the territory.

(5) No customs duties, including other duties imposed upon, or by reason of, the importation of goods into the territory, shall be levied by the authorities of the territory on the cargo, stores, equipment and fittings, or articles, carried by or forming part of the wrecked vessel, unless they are delivered for use or consumption in the territory, but the authorities of the territory may, if they think fit, require security for the protection of the revenue in relation to such goods.

(6) No charge, other than customs duties, when they are applicable in accordance with paragraph (5) of this Article, shall be levied by the authorities of the territory in connection with the wrecked vessel, any property on board, or her cargo, other than charges of the same kind and amount as would be levied in similar circumstances upon or in connection with vessels of the receiving state.

Article 26

Where any articles belonging to or forming part of a wrecked vessel of any flag, not being a vessel of the receiving state or belonging to or forming part of the cargo of any such vessel, are found on or near the coast of the receiving state or are brought into any port of that state, the consular officer in whose district the articles are found or brought into port shall be deemed to be authorized to make, as agent of the owner of the articles, such arrangements relating to the custody and disposal of the articles as the owner himself could have made, if,

(a) in the case of articles belonging to or forming part of the vessel, the vessel is a vessel of the sending state or, in the case of cargo, the cargo is owned by nationals of the sending state; and

(b) neither the owner of the articles, nor his agent, the underwriter, or the master of the vessel is in a position to make these arrangements.

Article 27

(1) If the master or a member of the crew of a vessel of the receiving state, being a national of the sending state, dies afloat or ashore in any country, the competent department of the receiving state shall furnish promptly to a consular officer copies of the accounts which may be received by it with respect to the wages and effects of the deceased master or seaman, together with any particulars at the disposal of the department likely to facilitate the tracing of persons legally entitled to succeed to the property of the deceased.

(2) In every case where the value of wages and effects of the deceased master or seaman, together with any other property of his which comes into the control of the competent department, does not exceed £100 Irish currency where the competent department is an authority of the Republic of Ireland, or, $300.00 where the competent department is an authority of the United States, and the competent department is satisfied that there is any person entitled to succeed to the property of the deceased, otherwise than as a creditor, and that this person is resident in the sending state, the competent department will hand over the wages, effects and property in its custody of the deceased master or seaman to a consular officer. However, the competent department will have the right, before handing over, to meet out of the master's or seaman's assets under its control any claim against his estate of any person resident elsewhere than in the sending state, which it considers to be legally due. Any claim against the estate of the deceased master or seaman, which is received by that department after handing over, shall be referred to the competent department of the sending state. In the case of the Republic of Ireland the competent department will be the Department of Industry and Commerce. In the case of the United States the competent department will be the Federal District Court for the port where the voyage on which the deceased master or seaman died is completed. It is understood that the Treasury Department, United States Coast Guard, will be prepared to receive and transmit to the appropriate court all correspondence relating to such claims.

(3) In any case where the competent department does not hand over to a consular officer the wages and effects and other property in its custody of a deceased master or seaman, when the conditions for this purpose stated in paragraph (2) of this Article are fulfilled, the competent department shall, before delivering the assets to any person considered to be entitled to succeed to the property of the deceased, give notice to a consular officer of its intention, stating the person to whom it is proposed to deliver them, in order to give the consular officer a reasonable opportunity to furnish information which may be relevant for the final decision as to the person entitled to receive the property or to the existence of other claims on the estate of which the competent department may be unaware.

(4) The provisions of paragraphs (2) and (3) of this Article do not apply where the competent department delivers assets in its custody to a person who has obtained a grant of representation from a court in the receiving state, but in this case it shall promptly inform the consular officer to this effect.

PART IX. FINAL PROVISIONS

Article 28

(1) The provisions of Articles 15 to 27 relating to the functions which a consular officer may perform are not exhaustive. A consular officer shall be permitted to perform other functions, involving no conflict with the law of the receiving state, which are either in accordance with international law or practice relating to consular officers recognized in the receiving state or are acts to which no objection is taken by the receiving state. A consular officer may levy the fees prescribed by the sending state for the performance of consular services.

(2) It is understood that in any case where any Article of this Convention gives a consular officer the right to perform any functions, it is for the sending state to determine to what extent its consular officers shall exercise such right.

(3) Without derogation to such rights and benefits as they have under international law, officers or employees with diplomatic status and diplomatic property shall be accorded rights, benefits and immunities no less favorable than those accorded under this Convention.

(4) The provisions of this Convention with regard to shipping shall apply mutatis mutandis to aviation except where inconsistent with aviation practice or the terms of any international agreement relating to aviation to which either of the High Contracting Parties is or may become a party.

Article 29

The provisions of Article IV of the Treaty of Commerce and Navigation, signed at London on July 3, 1815, and the provisions of Article III of the Convention relating to the Tenure and Disposition of Real and Personal Property, signed at Washington on March 2, 1899, are hereby superseded as regards relations between the High Contracting Parties in respect of the territories to which this Convention applies.

Article 30

(1) This Convention shall be ratified and the instruments of ratification thereof shall be exchanged at Washington. The Convention shall take effect on the thirtieth day after the date of exchange of the instruments of ratification and shall continue in force for the term of five years.

(2) Unless six months before the expiration of the aforesaid term of five years, either High Contracting Party shall have given notice to the other of the intention to terminate this Convention, the Convention shall continue in force after the aforesaid term and until six months from the date on which either High Contracting Party shall have given to the other notice of termination.

In witness whereof, the respective plenipotentiaries have signed this Convention and have hereunto affixed their Seals.

Done in duplicate, in the English language, at Dublin, this first day of May, one thousand nine hundred and fifty.

[SEAL] GEORGE A. GARRETT
[SEAL] SEÁN MACBRIDE

MINUTES OF INTERPRETATION CONCERNING CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND IRELAND, SIGNED AT DUBLIN, MAY 1, 1950.

During negotiation of this Convention, it was understood by the representatives of the High Contracting Parties that:

Ad Article 13, paragraph (4) (c)—

Reserve Officers and Reserve Staff personnel in the United States Foreign Service will be considered permanent employees of the United States; and officers and other personnel occupying comparable positions in the Irish Foreign Service will be considered permanent employees of Ireland.

Ad Article 23, paragraph (1)—

The provisions of this paragraph shall not prejudice the right of the Courts of either Party to grant a writ of Habeas Corpus in accordance with the Constitution and laws of such Party.

(Signed) G H
(Typed) G H
(Signed) S MacB.
(Typed) S MacB.

DUBLIN, *May 1, 1950.*

The PRESIDING OFFICER. The convention is open to amendment. If there be no amendment to be proposed the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive P, Eighty-first Congress, second session, the Consular Convention with Ireland, signed at Dublin on May 1, 1950.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] In the opinion of the Chair, two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

PROTOCOL SUPPLEMENTARY TO THE CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND IRELAND

The Senate, as in Committee of the Whole, proceeded to consider the protocol, Executive N (82d Cong., 2d sess.), between the United States of America and Ireland, signed at Dublin on March 3, 1952, supplementary to the Consular Convention, signed at Dublin on May 1, 1950, which was read the second time, as follows:

PROTOCOL SUPPLEMENTARY TO THE CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND IRELAND

The United States of America and Ireland,

Considering that it has become advisable to modify in certain respects the Consular Convention which was signed at Dublin on May 1, 1950,

Have decided to conclude a Protocol supplementary to the Consular Convention and have appointed as their Plenipotentiaries for this purpose:

The President of the United States of America:

Francis P. Matthews, Ambassador Extraordinary and Plenipotentiary of the United States of America at Dublin; and

The President of Ireland:

Proinsias Mac Aogáin, Minister for External Affairs;

who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

ARTICLE 1

(1) Article 18 of the Consular Convention between the United States of America and Ireland, signed at Dublin on May 1, 1950, is hereby canceled and shall be deemed to be deleted and of no effect.

(2) That part of Article 2 (3) (b) of the said Consular Convention which reads as follows: ", and provided that for the purposes of Article 18 each State of the United States and the District of Columbia shall be regarded as a separate territory" is hereby can-

celed and shall be deemed to be deleted and of no effect.

(3) Article 20 of the said Consular Convention is hereby amended so that the words "the provisions of Articles 18 and 19" shall be deemed to read "the provisions of Article 19".

ARTICLE 2

Article 5 (3) of the said Consular Convention shall not be considered as applying with respect to functions and activities of consular officers in relation to the administration of estates, transfers of property, or proceedings or transactions incident thereto or in connection therewith.

ARTICLE 3

That part of Article 29 of the said Consular Convention which reads as follows: "and the provisions of Article III of the Convention relating to the Tenure and Disposition of Real and Personal Property, signed at Washington on March 2, 1899," is hereby canceled and shall be deemed to be deleted and of no effect.

ARTICLE 4

Nothing herein shall be construed as affecting in any way the existing situation, or the continuance thereof, with respect to the functions and activities of the consular officers of either High Contracting Party in territory of the other High Contracting Party in relation to the administration of estates, transfers of property, or proceedings or transactions incident thereto or in connection therewith.

ARTICLE 5

The High Contracting Parties shall, when mutually convenient, undertake negotiations for the conclusion of a convention relating to reciprocal rights and authority of their respective consular officers in respect of the matters to which, except for its cancellation pursuant to Article 1 of this Protocol, Article 18 of the said Consular Convention would have related.

ARTICLE 6

This Protocol shall be ratified and the instruments of ratification thereof shall be exchanged at Washington. The Protocol shall enter into force simultaneously with the Consular Convention of May 1, 1950, and shall have the same duration as the Convention in accordance with the provisions of Article 30 of the Convention.

In witness whereof, the respective Plenipotentiaries have signed this Protocol and have hereunto affixed their seals.

Done in duplicate, in the English language, at Dublin, this 3rd day of March, 1952.

For the United States of America:
FRANCIS P. MATTHEWS [SEAL]
For Ireland:
PROINSIAS MAC AOGÁIN [SEAL]

The PRESIDING OFFICER. The convention with accompanying protocol is open to amendment. If there be no amendment to be proposed, the convention with accompanying protocol will be reported to the Senate.

The convention with accompanying protocol was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive N, Eighty-second Congress, second session, a protocol between the United States of America and Ireland, signed at Dublin on March 3, 1952, supplementary to the consular convention which was signed at Dublin on May 1, 1950.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] In the opinion of the Chair, two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the protocol is ratified.

CONSULAR CONVENTION WITH PROTOCOL OF SIGNATURE WITH THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The Senate, as in Committee of the Whole, proceeded to consider the consular convention with protocol of signature, Executive O (82d Cong., 1st sess.), between the United States of America and the United Kingdom of Great Britain and Northern Ireland, signed at Washington on June 6, 1951, which was read the second time, as follows:

CONSULAR CONVENTION WITH THE UNITED KINGDOM, JUNE 6, 1951

The President of the United States of America; and

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas;

Being desirous of regulating the position of consular officers of one party in the territories of the other;

Have decided to conclude a Consular Convention and have appointed as their Plenipotentiaries for this purpose:

The President of the United States of America:

Mr. Dean Acheson, Secretary of State of the United States of America, and

His Majesty, the King of Great Britain, Ireland and the British Dominions beyond the Seas (hereinafter referred to as "His Majesty"):

For the United Kingdom of Great Britain and Northern Ireland:

Sir Oliver Shewell Franks, K. C. B., C. B. E., British Ambassador to the United States of America,

Who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

PART I. APPLICATION AND DEFINITIONS

Article 1

This Convention applies

(1) on the part of the United States of America, to all territories subject to the sovereignty or authority of the United States of America, excepting the Panama Canal Zone;

(2) on the part of His Majesty, to the United Kingdom of Great Britain and Northern Ireland, Southern Rhodesia, to all His Majesty's colonies and protectorates, to all territories under His protection, and to all territories under trusteeship administered by His Government in the United Kingdom.

Article 2

For the purpose of this Convention

(1) the term "sending state" means, according to the context, the High Contracting Party by whom the consular officer is appointed, or all the territories of that party to which the Convention applies;

(2) the term "receiving state" means, according to the context, the High Contracting Party within whose territories the consular officer exercises the functions required by his office, or all the territories of that party to which the Convention applies;

(3) (a) the term "territory" means that particular territory of the receiving state in which the whole or part of a consular officer's district is situated;

(b) the United Kingdom of Great Britain and Northern Ireland, including the Channel Islands and the Isle of Man, shall be regarded as a single territory; and Southern Rhodesia and each of His Majesty's colonies or protectorates, each of the territories under His protection and each of the territories under trusteeship administered by His Majesty's Government in the United Kingdom shall be regarded as a separate territory; provided that for the purposes of Article 13 the Channel Islands and the Isle of Man shall each be regarded as a separate territory;

(c) the States of the United States of America and the District of Columbia shall be regarded as a single territory, and each other territory subject to the sovereignty or authority of the United States of America shall be regarded as a separate territory; provided that for the purposes of Article 13 the states of the United States, the District of Columbia, Alaska, and Hawaii shall be regarded as a single territory;

(4) the term "nationals"

(a) in relation to His Majesty, means all citizens of the United Kingdom and colonies, all citizens of Southern Rhodesia, and all British protected persons belonging to territories of His Majesty to which the Convention applies, including, where the context permits, all juridical entities duly created under the law of any of those territories;

(b) in relation to the United States of America, means all citizens of the United States and all persons under the protection of the United States, including, where the context permits, all juridical entities duly created in, or under the law of, any part of the United States of America or of any state or territory thereof to which the Convention applies;

(5) the term "vessel" of a High Contracting Party means any ship or craft documented (or registered) under the law of any of the territories of that High Contracting Party to which the Convention applies;

(6) the term "consular officer" means any person who is granted an exequatur or provisional or other authorization by the appropriate authorities of the territory;

(7) the term "consular employee" means any person employed at a consulate for the performance of executive, administrative, clerical, technical or professional duties, or as consular guard, messenger or driver of a vehicle whose name has been duly communicated, in accordance with the provisions of paragraph (2) of Article 6, to the appropriate authorities. It does not include any persons employed on domestic duties.

PART II. APPOINTMENTS AND DISTRICTS

Article 3

(1) Either High Contracting Party may establish and maintain consulates in the territories of the other at any place where any third state posseses a consulate and at any other place where the receiving state agrees to the establishment of a consulate. It shall be within the discretion of the sending state to determine whether the consulate shall be a consulate-general, consulate, vice-consulate, or consular agency.

(2) The sending state shall keep the receiving state informed of the district of each of its consulates and, subject to paragraph (3) of this Article, may prescribe the limits of these districts at its discretion.

(3) The receiving state shall have the right to object to the inclusion within a consular district

(a) of any area which it not within a consular district and is not open to the Trade Commissioners or commercial representatives of a third state;

(b) of any territory of a third state.

(4) A consular officer may, upon notification to the receiving state, perform consular functions outside his consular district, unless the receiving state objects.

Article 4

(1) Subject to the provisions of the subsequent paragraphs of this Article, the sending state may assign to any of its consulates, consular officers of such number and rank as it may deem necessary. The sending state shall notify the receiving state in writing of the assignment of a consular officer to a consulate.

(2) The exequatur or other authorization shall be granted as soon as possible and free of charge by the receiving state on presentation of the officer's commission or other notification of assignment. When necessary, a provisional authorization shall be accorded, pending the grant of an exequatur or other authorization.

(3) The exequatur or other authorization shall not be refused without good cause.

(4) The receiving state shall not be deemed to have consented to a consular officer's acting as such, or to have extended to him the benefits of the provisions of this Convention, until the receiving state has granted him an exequatur or other authorization.

Article 5

(1) The receiving state shall upon request inform without delay its appropriate authorities of the name of any consular officer entitled to act under this Convention.

(2) As an official agent of the sending state, a consular officer shall be entitled to special protection and to the high consideration of all officials of the receiving state with whom he has official intercourse.

(3) The receiving state may revoke the exequatur or other authorization of a consular officer whose conduct has given serious cause for complaint. The reason for such revocation shall, upon request, be furnished to the sending state through diplomatic channels

Article 6

(1) A consular officer or employee may be assigned temporarily in an acting capacity to the duties of a consular officer who has died or is unable to act through illness, absence or other cause. Such acting officer may perform these duties and enjoy the benefit of the provisions of this Convention upon notification to the government of the territory, pending the return to duty of the consular officer concerned, the assignment of a new officer, or the confirmation of the acting officer.

(2) The sending state shall be free to employ the necessary number of consular employees at its consulates, whether its own nationals or nationals of the receiving state or of a third state. Consular officers shall keep the government of the territory informed of the names and addresses of these employees. It will be for the government of the territory to designate the particular authority to whom this information is to be given.

(3) The sending state may, with the permission of the receiving state, assign to the work of a consulate one or more members of its diplomatic mission accredited to the receiving state. In this event the provisions of Article 4 shall apply as regards their consular assignment. These officers shall be entitled, in their consular capacity and with regard to the performance of consular functions, to the benefits, and be subject to the obligations, of this Convention, without prejudice to any additional personal privileges to which they may be entitled if they are recognized also as diplomatic officers by the receiving state.

PART III. LEGAL RIGHTS AND IMMUNITIES

Article 7

(1) The sending state may acquire under such form of tenure as it may choose, whether on lease, or in full ownership, or under such other form of tenure as may exist under the laws of the territory, and may thus hold and occupy, either in its own name or in the name of one or more natural or juridical persons acting on its behalf, land, buildings, parts of buildings, and appurtenances located in the territory and required by the sending state for the purpose of a consular office, or of a residence for a consular officer or employee, or for other purposes, to which the receiving state does not object, arising out of the operation of the consular establishment of the sending state. If, under the law of the territory, the permission of the authorities of the territory must be obtained as a prerequisite to any such acquisition, such permission shall be granted on request.

(2) The sending state shall have the right to erect, for any of the purposes specified in paragraph (1) of this Article, buildings and appurtenances on land which it so owns or holds on lease, subject to compliance with local building, zoning, or town planning regulations, applicable to all land in the area in which such land is situated.

Article 8

(1) There may be placed, on the outer enclosure and outer wall of the building in which a consulate is installed, the coat-of-arms or national device of the sending state with an appropriate inscription designating the consulate in the official language of the sending state. It shall also be permitted to place such coat-of-arms or national device and inscription on or by the entrance door to the consular office.

(2) The flag of the sending state and its consular flag may be flown at the consulate. A consular officer may also place the coat-of-arms or device and fly the flag of the sending state and its consular flag on the vehicles, marine vessels, and aircraft which he employs in the exercise of his duties. On suitable occasions these flags may also be flown at the consular officer's residence.

(3) If the offices of a consulate are situated in a building which is also used for other purposes such as, for instance, the residence of the consular officer, the room or rooms where the consular business is conducted and the archives and official papers of the consulate are kept shall be separate from those used for other purposes. This provision does not require the separation of diplomatic from consular rooms when a consular office forms part of a diplomatic mission.

(4) A consular office shall not be entered by the police or other authorities of the territory, provided such office is devoted exclusively to consular business, except with the consent of the consular officer or, if such consent cannot be obtained, pursuant to appropriate writ or process and with the consent of the Secretary of State for Foreign Affairs in the case of the territories referred to in paragraph (2) of Article 1 and of the Secretary of State in the case of the territories referred to in paragraph (1) of Article 1. The consent of the consular officer shall be presumed in the event of fire or other disaster or in the event that the authorities of the territory have probable cause to believe that a crime of violence has been or is being or is about to be committed in the consular office. The provisions of this paragraph shall not apply to a consular office which is in the charge of a consular officer who is a national of the receiving state, or who is not a national of the sending state.

(5) Neither a consular office, nor the flag of the sending state, shall be used to afford asylum to fugitives from justice. If a consular officer shall refuse to surrender a fugitive from justice on the lawful demand of the authorities of the territory, these authorities may, subject to paragraph (4) of this Article, if necessary, enter the consular office to apprehend the fugitive.

(6) Any entry into or search of a consular office pursuant to paragraphs (4) and (5) of this Article, shall be conducted with due regard to the inviolability of the consular archives, as provided in paragraph (1) of Article 10.

(7) A consular officer shall not take advantage of the privileges accorded to the consular office by this Convention for any purpose not connected with the exercise of his consular functions.

Article 9

(1) Land, buildings and parts of buildings, and appurtenances, including the furniture and equipment therein held or occupied exclusively for any of the purposes specified in paragraph (1) of Article 7, as well as the vehicles, marine vessels and aircraft of a consulate, shall not be subject to military requisitions or billeting. Such land, buildings and parts of buildings, and appurtenances shall not be immune from expropriation or seizure for purposes of national defense or public utility in accordance with the law of the territory, but if it is necessary to take any such measure with regard to any such property, every consideration shall be shown to avoid interference with the performance of consular functions.

(2) In addition, a consular officer or employee, provided that in both cases he complies with the conditions set out in paragraph (5) of this Article, his private residence, furniture and other household articles, and all vehicles, marine vessels and aircraft held or possessed by him, shall enjoy exemption from all military requisitions, contributions or billeting. This privilege shall not be extended to other property belonging to him. The residence of a consular officer or employee shall not be immune from expropriation or seizure for purposes of national defense or public utility in accordance with the law of the territory.

(3) Further, due compensation for expropriation or seizure, payable at the official selling rate of exchange most favorable to the sending state at the time when the property was expropriated or seized, in a form readily convertible into the currency of and transferable to the sending state, in respect of all proprietary interests in a consulate (including all land, buildings, parts of buildings and appurtenances, held or occupied exclusively for any of the purposes specified in paragraph (1) of Article 7) vested in the sending state or in a consular officer or employee who complies with the conditions of paragraph (5) of this Article, shall be paid not later than three months from the date on which the consulate or consular officer or employee is deprived of possession.

(4) A consular officer, who is not a national of the receiving state, and also an employee, provided that he complies with the conditions set out in paragraph (5) of this Article, shall enjoy exemption from military, naval, air, police, administrative or jury service of every kind.

(5) The conditions referred to in paragraphs (2), (3) and (4) of this Article are that the person concerned should

(a) be a national of the sending state and not possess the nationality of the receiving state; and

(b) not be engaged in private occupation for gain in the territory; and

(c) not have been normally resident within the territory at the time he was appointed to the consulate.

Article 10

(1) The archives and all other official documents and papers kept in a consulate shall at all times be inviolable and the authorities of the territory may not under any pretext examine or detain any of them. The archives and official papers of a consulate shall be kept separate from papers, books or

correspondence of a consular officer or employee relating to other matters. This provision does not require the separation of diplomatic from consular archives and official papers when a consular office forms part of a diplomatic mission.

(2) A consular officer may communicate with his government, or with the diplomatic mission under whose superintendence he is, by post, telephone, telegraph and wireless, provided that when the receiving state is at war the right of communication with the diplomatic mission, if it is situated outside the territories of the receiving state, may be restricted. In addition, he may send and receive official correspondence by sealed consular pouches, bags, and other containers and may use secret language. This right shall also extend to correspondence with other consulates and diplomatic missions of the sending state, or with the authorities of other territories of that state, except that, when the receiving state is at war, this extended right may be restricted.

(3) The official consular correspondence referred to in the preceding paragraphs shall be inviolable and the authorities of the territory shall not examine or detain it. Sealed consular pouches, bags and other containers shall be inviolable when they contain nothing but official communications and documents and are so certified by a responsible officer of the sending state.

(4) A consular officer or employee shall be entitled to refuse a request from the courts or authorities of the territory to produce any documents from his archives or other official papers or to give evidence relating to matters within the scope of his official duties. Such a request shall, however, be complied with in the interests of justice if, in the judgment of the consular officer or employee, it is possible to do so without prejudicing the interests of the sending state. A consular officer is also entitled to decline to give evidence as an expert witness with regard to the laws of the sending state.

Article 11

(1) (a) A consular officer or employer shall not be liable, in proceedings in the courts of the receiving state, in respect of acts performed in his official capacity, falling within the functions of a consular officer under this Convention, unless the sending state requests or assents to the proceedings through its diplomatic representative.

(b) A consular officer who is a national of the sending state and is not a national of the receiving state and is not engaged in any private occupation for gain in the receiving state shall enjoy the most favorable treatment possible under the laws of the territory with regard to arrest or prosecution in respect of acts performed otherwise than in his official capacity.

(2) It is understood that the provisions of paragraph (1) (a) of this Article do not preclude a consular officer or employee from being held liable in a civil action arising out of a contract concluded by him in which he did not expressly contract as agent for his government and in which the other party looked to him personally for performance, and that the provisions of paragraph (4) of Article 10 do not entitle a consular officer or employee to refuse to produce any document or to give evidence relating to such a contract.

(3) A consular officer or employee may be required to give testimony in either a civil or a criminal case, except as provided in paragraph (4) of Article 10. The authorities and court requiring his testimony shall take all reasonable steps to avoid interference with the performance of his official duties. The court requiring the testimony of a consular officer shall, wherever possible or permissible, arrange for the taking of such testimony, orally or in writing, at his residence or office.

(4) A consular officer and his wife and minor children who are residing with their parents shall be exempted in the territory from the requirements of the law of the territory with regard to the registration of foreigners and permission to reside, and shall not be subject to deportation while the consular officer holds his exequatur or other authorization.

(5) All motor vehicles, marine vessels and aircraft owned by the sending state and used by the consulate or owned by a consular officer or employee will be adequately insured by policies against third party risks. Any claim arising under any such policy shall be deemed to be a claim arising out of a contract involving liability in a civil action, as contemplated in paragraph (2) of this Article.

PART IV. FINANCIAL PRIVILEGES

Article 12

(1) No tax or other similar charge of any kind (national, state, provincial, municipal, or other) shall, in the territory, be collected from the sending state or any natural or juridical person acting on its behalf in respect of land, buildings, parts of buildings, or appurtenances owned or otherwise held or occupied, or in respect of buildings or parts of buildings erected by or on behalf of the sending state, and used exclusively for any of the purposes specified in paragraph (1) of Article 7, except taxes or other assessments levied for services or local public improvements by which and to the extent that the premises are benefited.

(2) No tax or other similar charge of any kind (national, state, provincial, municipal, or other) shall, in the territory, be collected from the sending state, or any natural or juridical person acting on its behalf, in respect of the ownership, possession, or use of movable property owned or used by the sending state, exclusively for any of the purposes specified in paragraph (1) of Article 7.

(3) No tax or other similar charge of any kind shall, in the territory, be collected from the sending state in respect of transactions or instruments relating to the acquisition of immovable property for any of the purposes specified in paragraph (1) of Article 7.

Article 13

(1) (a) No tax or other similar charge of any kind shall be imposed or collected in the territory by the receiving state, or by any state, province, municipality, or other local subdivision thereof, in respect of fees received on behalf of the sending state in compensation for consular services, or in respect of any receipt given for the payment of such fees.

(b) The sending state or a consular officer or employee thereof shall be exempt in the territory from all taxes or other similar charges of any kind imposed or collected by the receiving state, or by any state, province, municipality, or other local subdivision thereof, in respect of acts performed in the course of the officer's or employee's official functions. This exemption shall not apply to taxes or other similar charges in respect of which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to the sending state or the consular officer or employee.

(2) No tax or other similar charge of any kind shall be imposed or collected in the territory by the receiving state, or by any state, province, municipality, or other local subdivision thereof, in respect of the official emoluments, salaries, wages or allowances received as compensation for his consular services by a consular officer, unless he is a national of the receiving state and is not also a national of the sending state.

(3) The provisions of paragraph (2) of this Article also apply to the official emoluments, salaries, wages or allowances received by a consular employee as compensation for his services at a consulate, unless such consular employee is a national of the receiving state and is not also a national of the sending state.

(4) Without prejudice to the preceding paragraphs of this Article, a consular officer or employee who is

(a) not a national of the receiving state,

(b) not engaged in private occupation for gain in the territory, and

(c) a permanent employee of the sending state or, if not a permanent employee thereof, was not resident in the territory at the commencement of his employment in the consulate,

shall, except as provided in paragraph (5) of this Article, be exempt in the territory from all taxes or other similar charges of any kind which are or may be imposed or collected by the receiving state, or by any state, province, municipality, or other local subdivision thereof.

(5) (a) The provisions of paragraph (4) of this Article shall apply only to taxes or other similar charges in respect of which the consular officer or employee would, in the absence of the exemption provided by this Article, be the person legally liable, and shall not apply to taxes or other similar charges in respect of which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to the consular officer or employee, or to duties or taxes payable on the withdrawal of goods from a bonded warehouse. If, however, a consular officer or employee is entitled to income from sources outside the territory but that income is payable to him, or collected on his behalf, by a banker or other agent within the territory who is required to deduct income tax on payment of the income and to account for the tax so deducted, the consular office or employee shall be entitled to repayment of the tax so deducted.

(b) The provisions of paragraph (4) shall not apply to

(i) taxes imposed or collected on the ownership or occupation of immovable property situated within the territory;

(ii) taxes on income derived from sources within the territory;

(iii) taxes imposed or collected on the passing of property on death, such as estate, inheritance and succession taxes, whether the consular officer or employee is the person who dies or the person to whom the property passes on death;

(iv) taxes on transactions or instruments effecting transactions, such as taxes on the sale or transfer of money or property or stamp duties imposed or collected in connection therewith; and

(v) taxes and duties imposed upon, or by reason of, importation of articles into the territory which are dealt with exclusively in Article 14.

(6) Nothing in this Convention shall prejudice any claim for exemption from taxation which could be made under the Conventions signed April 16, 1945, and the Protocol signed June 6, 1946 between the United States of America and the United Kingdom of Great Britain and Northern Ireland.

Article 14

(1) All furniture, equipment, supplies, building materials and other articles, including vehicles, marine vessels and aircraft, intended for official use in the territory in connection with any of the purposes specified in paragraph (1) of Article 7 shall be permitted entry into the territory free of all taxes or duties imposed upon, or by reason of, importation.

(2) Baggage and effects and other articles, including vehicles, marine vessels and aircraft, imported into the territory by a consular officer or employee, provided that he

fulfills the conditions specified in paragraph (4) of Article 13, exclusively for his personal use and the use of members of his family forming part of his household, shall be exempt from all taxes or duties (national, state, provincial, municipal, or other) imposed upon, or by reason of, importation, whether accompanying him to his consular post, either upon first arrival or upon subsequent arrivals, or subsequently consigned to him at his post and imported at any time while he is assigned to or employed at such post.

(3) It is, however, understood that

(a) the receiving state may, as a condition to the granting of the exemption provided in this article, require that a notification of any importation be given in such manner as it may prescribe;

(b) the exemption provided in this article, being in respect of articles imported for official or personal use only, does not extend, inter alia, to articles imported as an accommodation to others or for sale or for other commercial purposes. However, articles imported as samples of commercial products solely for display within a consulate, shall not be regarded as excluded from the exemption provided in this article;

(c) the receiving state may determine that the exemption provided by this article does not apply in respect of articles grown, produced or manufactured in the territory which have been exported therefrom without payment of, or upon repayment of, taxes or duties which would have been chargeable but for such exportation;

(d) nothing herein shall be construed to permit the entry into the territory of any article the importation of which is specifically prohibited by law.

PART V. PROTECTION OF NATIONALS

Article 15

(1) A consular officer shall be entitled within his district to

(a) interview, communicate with and advise any national of the sending state;

(b) inquire into any incidents which have occurred affecting the interests of any such national;

(c) assist any such national in proceedings before or in relations with the authorities of the territory, and, where necessary, arrange for legal assistance for him.

(2) For the purposes of the protection of the nationals of the sending state and their property and interests, a consular officer shall be entitled to apply to and correspond with the appropriate authorities within his district and the appropriate departments of the central government of the territory. He shall not, however, be entitled to correspond with or to make diplomatic claims to the Department of State or the Foreign Office, as the case may be, except in the absence of any diplomatic representative of the sending state.

(3) A national of the sending state shall have the right at all times to communicate with the appropriate consular officer and, unless subject to lawful detention, to visit him at his consulate.

Article 16

(1) A consular officer shall be informed immediately by the appropriate authorities of the territory when any national of the sending state is confined in prison awaiting trial or is otherwise detained in custody within his district. A consular officer shall be permitted to visit without delay, to converse privately with and to arrange legal representation for, any national of the sending state who is so confined or detained. Any communication from such a national to the consular officer shall be forwarded without delay by the authorities of the territory.

(2) Where a national of the sending state has been convicted and is serving a sentence of imprisonment, the consular officer in whose district the sentence is being served shall, upon notification to the appropriate authority, have the right to visit him in prison. Any such visit shall be conducted in accordance with prison regulations, which shall permit reasonable access to and opportunity of conversing with such national. The consular officer shall also be allowed, subject to the prison regulations, to transmit communications between the prisoner and other persons.

PART VI. NOTARIAL ACTS AND OTHER SERVICES

Article 17

(1) A consular officer may within his district

(a) receive such declarations as may be required to be made under the nationality laws of the sending state;

(b) issue such notices to, and receive such declarations from, a national of the sending state as may be required under the laws of the sending state with regard to compulsory national service;

(c) register the birth or death of a national of the sending state and record a marriage celebrated under the law of the territory when at least one of the parties is a national of the sending state;

(d) receive, draw up, or execute any declaration, transfer, or other document prescribed by the law of the sending state in connection with the transfer to the register (or documentation) of the sending state of any vessel and its removal from the register (or documentation), and with the transfer of any vessel on the register (or documentation) from one owner to another, and with the registration (or documentation) of any mortgage or charge upon such a vessel;

(e) issue passports and travel documents to a national of the sending state and grant visas and other appropriate documents to a person seeking entry into the sending state;

(f) further the commercial, artistic, scientific, professional and educational interests of the sending state;

(g) serve judicial documents or take evidence on behalf of courts of the sending state in a manner permitted under special arrangements on this subject between the High Contracting Parties or otherwise not inconsistent with the laws of the territory.

(2) It is understood that consular registration of a birth or death and the recording by a consular officer of a marriage celebrated under the law of the territory in no way exempts a private person from any obligation laid down in the law of the territory with regard to the notification and registration of births, deaths, or marriages with the authorities of the territory.

(3) A consular officer may, within his district, draw up and receive declarations, and may legalize, authenticate or certify signatures or documents, translate documents and perform other notarial acts in connection with documents in any case where these services are required by a person of any nationality for use in the sending state or under the law in force in the sending state. If under that law the administration of an oath or affirmation is required, the oath or affirmation may be administered. A consular officer may also perform these functions in connection with documents required by a national of the sending state for use elsewhere, but it is understood that this provision involves no obligation on the authorities of the receiving state to recognize the validity of notarial acts performed by a consular officer in connection with documents required under the law of the receiving state.

PART VII. ESTATES AND TRANSFERS OF PROPERTY

Article 18

A consular officer may receive, for transmission to a national of the sending state who is not resident in the territory, from a court, agency, or person, money or property to which such national is entitled as a consequence of the death of any person. Such money or property may include, but is not limited to, shares in an estate, payments made pursuant to workmen's compensation laws or any similar laws and the proceeds of life insurance policies. The court, agency or person making the distribution is not obliged to transmit such money or property through the consular officer, and the consular officer is not obliged to receive such money or property for transmission. If he does receive such money or property, he shall comply with any conditions laid down by such court, agency or person with regard to furnishing reasonable evidence of the receipt of the money or property by the national to whom it is to be transmitted and with regard to returning the money or property in the event that he is unable to furnish such evidence.

Article 19

Money or other property may be paid, delivered, or transferred to a consular officer pursuant to the provisions of Article 18 only to the extent that, and subject to the conditions under which, payment, delivery, or transfer to the person whom the consular officer represents or on whose behalf he receives the money or property would be permitted under the laws and regulations of the receiving state. The consular officer shall acquire no greater rights in respect of any such money or other property than the person whom he represents or on whose behalf he receives the money or property would have acquired if the money or property had been paid, delivered, or transferred to such person directly.

PART VIII. SHIPPING

Article 20

(1) When a vessel of the sending state visits a port (which includes any place to which a vessel may come) in the receiving state, the master and the members of the crew of the vessel shall be permitted to communicate with the consular officer in whose district the port is situated and the consular officer shall be permitted freely to perform the duties enumerated in Article 21 without interference on the part of the authorities of the territory. For the purpose of performing any of these duties, the consular officer, accompanied, if he desires, by consular employees on his staff, may proceed personally on board the vessel after she has received pratique. In connection with these duties the master and appropriate members of the crew may proceed to the consular office in the consular district within which the vessel lies, unless the receiving state shall, on its own initiative, object in cases involving unreasonable time or distance of travel.

(2) The consular officer may invoke the assistance of the authorities of the territory in any matter pertaining to the performance of these duties, and they shall give the requisite assistance unless they have special reasons which would fully warrant refusing it in a particular case.

Article 21

(1) The consular officer may question the master and members of the crew, examine the vessel's papers, take statements with regard to the vessel's voyage and her destination and generally facilitate the entry and departure of the vessel. When custom house brokers or shipping agents are available, the consular officer shall not undertake work normally within the scope of their activities.

(2) The consular officer or a consular employee may appear with the master or members of the crew before the local authorities and courts, may lend his assistance (including, where necessary, arranging for legal aid) and may act as interpreter in matters between them and these authorities. These rights may be withheld only in cases where questions of national security are involved.

(3) The consular officer may, provided the judicial authorities of the territory do not take jurisdiction in accordance with the pro-

visions of Article 22, decide disputes between the master and members of the crew, including disputes as to pay and contracts of service, arrange for the engagement and discharge of the master and members of the crew, and take measures for the preservation of good order and discipline on the vessel.

(4) The consular officer may take measures for the enforcement of the shipping law of the sending state.

(5) The consular officer may, where necessary, make arrangements for the repatriation and the treatment in a hospital of the master or members of the crew of the vessel.

Article 22

(1) Except at the request or with the consent of the consular officer, the administrative authorities of the territory shall not concern themselves with any matter concerning the internal management of the vessel. The judicial authorities of the territory may, however, exercise any jurisdiction which they may possess under the law of the territory with regard to disputes as to wages and contracts of service between the master and members of the crew. The administrative and judicial authorities will not interfere with the detention in custody on the vessel of a seaman for disciplinary offenses, provided such detention is lawful under the law of the sending state and is not accompanied by unjustifiable severity or inhumanity.

(2) Without prejudice to the right of the administrative and judicial authorities of the territory to take cognizance of crimes or offenses committed on board the vessel when she is in the ports or in the territorial waters of the territory and which are cognizable under the local law or to enforce local laws applicable to vessels in ports and territorial waters or persons and property thereon, it is the common intention of the High Contracting Parties that the administrative and police authorities of the territory should not, except at the request or with the consent of the consular officer,

(a) concern themselves with any matter taking place on board the vessel unless for the preservation of peace and order or in the interest of public health or safety, or

(b) institute prosecutions in respect of crimes or offenses committed on board the vessel unless they are of a serious character or involve the tranquillity of the port or unless they are committed by or against persons other than the crew.

(3) If, for the purpose of the exercise of the rights referred to in paragraph (2) of this Article, it is the intention of the authorities of the territory to arrest or question any person or to seize any property or to institute any formal inquiry on board the vessel, the master or other officer acting on his behalf shall be given an opportunity to inform the consular officer, and, unless this is impossible on account of the urgency of the matter, to inform him in such time as to enable the consular officer or a consular employee on his staff to be present if he so desires. If the consular officer has not been present or represented, he shall be entitled, on his request, to receive from the authorities of the territory full information with regard to what has taken place. The provisions of this paragraph do not apply to routine examinations by the authorities of the territory with regard to customs, health, and the admission of aliens, or to detention of the vessel or of any portion of her cargo arising out of civil or commercial proceedings in the courts of the territory.

Article 23

(1) A consular officer shall have the right to inspect, at ports within his consular district, a vessel of any flag destined to a port of the sending state, in order to enable him to procure the necessary information to prepare and execute such documents as may be required by the law of the sending state as a condition of entry of such vessel into its ports, and to furnish to the competent authorities of the sending state such information with regard to sanitary or other matters as such authorities may require.

(2) In exercising the rights conferred upon him by this Article, the consular officer shall act with all possible despatch.

Article 24

(1) If a vessel of the sending state is wrecked in the receiving state, the consular officer in whose district the wreck occurs shall be informed as soon as possible by the appropriate authorities of the territory of the occurrence of the wreck.

(2) The appropriate authorities of the territory shall take all practicable measures for the preservation of the wrecked vessel, of the lives of persons on board, of the cargo and of other property on board, and for the prevention and suppression of plunder or disorder on the vessel. These measures shall also extend to articles belonging to the vessel or forming part of her cargo which have become separated from the vessel.

(3) If the vessel is wrecked within a port or constitutes a navigational hazard within the territorial waters of the receiving state, the authorities of the territory may also order any measures to be taken which they consider necessary with a view to avoiding any damage that might otherwise be caused by the vessel to the port facilities or to other vessels.

(4) If the owner of the wrecked vessel, his agent (or the underwriters concerned) or the master are not in a position to make arrangements, the consular officer shall be deemed to be authorized to make, as agent for the owner, the same arrangements as the owner himself could have made, if he had been present, for the disposal of the vessel in accordance with the relevant provisions of the law of the territory.

(5) No customs duties (including other duties imposed upon, or by reason of, the importation of goods into the territory) shall be levied by the authorities of the territory on the cargo, stores, equipment and fittings, or articles, carried by or forming part of the wrecked vessel, unless they are delivered for use or consumption in the territory, but the authorities of the territory may, if they think fit, require security for the protection of the revenue in relation to such goods.

(6) No charge (other than customs duties, when they are applicable in accordance with paragraph (5) of this Article) shall be levied by the authorities of the territory in connection with the wrecked vessel, any property on board, or her cargo, other than charges of the same kind and amount as would be levied in similar circumstances upon or in connection with vessels of the receiving state.

Article 25

Where any articles belonging to or forming part of a wrecked vessel of any flag (not being a vessel of the receiving state) or belonging to or forming part of the cargo of any such vessel are found on or near the coast of the receiving state or are brought into any port of that state, the consular officer in whose district the articles are found or brought into port shall be deemed to be authorized to make, as agent of the owner of the articles, such arrangements relating to the custody and disposal of the articles as the owner himself could have made, if,

(a) in the case of articles belonging to or forming part of the vessel, the vessel is a vessel of the sending state or, in the case of cargo, the cargo is owned by nationals of the sending state; and

(b) neither the owner of the articles, nor his agent, the underwriter, or the master of the vessel is in a position to make these arrangements.

Article 26

(1) If the master or a member of the crew of a vessel of the receiving state, being a national of the sending state, dies afloat or ashore in any country, the competent department of the receiving state shall furnish promptly to a consular officer copies of the accounts which may be received by it with respect to the wages and effects of the deceased master or seaman, together with any particulars at the disposal of the department likely to facilitate the tracing of persons legally entitled to succeed to the property of the deceased.

(2) In every case where the value of wages and effects of the deceased master or seaman, together with any other property of his which comes into the control of the competent department, does not exceed £100 sterling where the competent department is an authority of His Majesty (or $500.00, where the competent department is an authority of the United States) and the competent department is satisfied that there is any person entitled to succeed to the property of the deceased, otherwise than as a creditor, and that this person is resident in the sending state, the competent department will hand over he wages, effects and property in its custody of the deceased master or seaman to a consular officer. However, the competent department will have the right, before handing over, to meet out of the master's or seaman's assets under its control any claim against his estate of any person resident elsewhere than in the sending state, which it considers to be legally due. Any claim against the estate of the deceased master or seaman, which is received by that department after handing over, shall be referred to the competent department of the sending state. In the case of His Majesty the competent department will be the Ministry of Transport of the United Kingdom. In the case of the United States the competent department will be the Federal District Court for the port where the voyage on which the deceased master or seaman died is completed. It is understood that the Treasury Department (United States Coast Guard) will be prepared to receive and transmit to the appropriate court all correspondence from the Ministry of Transport relating to the matters dealt with in this Article.

(3) In any case where the competent department does not hand over to a consular officer the wages and effects and other property in its custody of a deceased master or seaman, when the conditions for this purpose stated in paragraph (2) of this Article are fulfilled, the competent department shall, before delivering the assets to any person considered to be entitled to succeed to the property of the deceased, give notice to a consular officer of its intention, stating the person to whom it is proposed to deliver them, in order to give the consular officer a reasonable opportunity to furnish information which may be relevant for the final decision as to the person entitled to receive the property or to the existence of other claims on the estate of which the competent department may be unaware.

(4) The provisions of paragraphs (2) and (3) of this Article do not apply where the competent department delivers assets in its custody to a person who has obtained a grant of representation from a court in the receiving state, but in this case it shall promptly inform the consular officer to this effect.

PART IX. FINAL PROVISIONS

Article 27

(1) The provisions of Articles 15 to 26 relating to the functions which a consular officer may perform are not exhaustive. A consular officer shall be permitted to perform other functions, involving no conflict with the law of the territory, which are either in accordance with international law or practice relating to consular officers recognized in that territory or are acts to which no objection is taken by the receiving state.

A consular officer may levy the fees prescribed by the sending state for the performance of consular services.

(2) It is understood that in any case where any Article of this Convention gives a consular officer the right to perform any functions, it is for the sending state to determine to what extent its consular officers shall exercise such right.

Article 28

The provisions of Article IV of the Treaty of Commerce and Navigation, signed at London on July 3, 1815, are hereby superseded in respect of the territories to which this Convention applies.

Article 29

(1) This Convention shall be ratified and the instruments of ratification thereof shall be exchanged at London. The Convention shall take effect on the thirtieth day after the date of exchange of the instruments of ratification and shall continue in force for the term of five years.

(2) Unless six months before the expiration of the aforesaid term of five years either High Contracting Party shall have given notice to the other of the intention to terminate this Convention, the Convention shall continue in force after the aforesaid term and until six months from the date on which either High Contracting Party shall have given to the other notice of termination.

In witness whereof, the above-mentioned Plenipotentiaries have signed this Convention and affixed thereto their seals.

Done at Washington, in duplicate, this sixth day of June, 1951.

For the President of the United States of America:

[SEAL] DEAN ACHESON.

For His Majesty:

[SEAL] OLIVER FRANKS.

PROTOCOL OF SIGNATURE

At the time of signing the Consular Convention of this day's date on behalf of the President of the United States of America, and His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, in respect of the United Kingdom of Great Britain and Northern Ireland, the undersigned, being duly authorized thereto, declare that they have agreed that the provisions of paragraph (1) of Article 7 of the Convention shall not apply to Bermuda, North Borneo, The Gold Coast, Hong Kong, Sarawak and Tanganyika until notice is given by the Government of the United Kingdom of Great Britain and Northern Ireland to the Government of the United States of America that the law of these territories or any of them has been amended to permit of effect being given to these provisions. The Government of the United Kingdom shall take all measures appropriate, having regard to its relationship with the Governments concerned, to obtain the consent of the latter to the prompt application of the said provisions to the aforesaid territories.

In witness whereof the undersigned Plenipotentiaries have signed the present protocol and affixed thereto their seals.

Done at Washington, in duplicate, this sixth day of June, 1951.

For the President of the United States of America:

[SEAL] DEAN ACHESON

For His Majesty:

[SEAL] OLIVER FRANKS.

The PRESIDING OFFICER. The convention with accompanying protocol is open to amendment. If there be no amendment to be proposed, the convention with accompanying protocol will be reported to the Senate.

The convention with accompanying protocol was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive O, Eighty-second Congress, first session, the consular convention and an accompanying protocol of signature between the United Staates of America and the United Kingdom of Great Britain and Northern Ireland, signed at Washington on June 6, 1951.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] In the opinion of the Chair, two-thirds of the Senators concurring therein, the resolution of ratification is agreed to, and the convention with accompanying protocol is ratified.

Without objection, the President will be notified forthwith of the ratification of respective conventions and protocol.

RECESS TO MONDAY

The PRESIDING OFFICER. The business of today's session having been concluded, the Senate, under the order previously entered, will now stand in recess until Monday next, at 12 o'clock noon.

Thereupon (at 6 o'clock and 31 minutes p. m.) the Senate, under the order previously entered, took a recess until Monday, June 16, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 13 (legislative day of June 10), 1952:

DISTRICT COURT OF THE VIRGIN ISLANDS

Hon. Herman E. Moore, of Illinois, to be judge of the district court of the Virgin Islands of the United States. Judge Moore is now serving in this post under an appointment which expired May 6, 1952.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Robert H. Kirksey, Aliceville, Ala., in place of Margie Gardner, deceased.

Harold D. Lyon, Bayou La Batre, Ala., in place of E. M. Bosarge, removed.

Frances Mae Mathis, Newville, Ala., in place of J. W. Roney, transferred.

James W. Davis, Town Creek, Ala., in place of C. A. Lee, retired.

ARIZONA

Richard P. Sherman, Naco, Ariz., in place of J. J. Newell, retired.

ARKANSAS

Albert M. Haberer, Ozark, Ark., in place of F. N. Johnston, retired.

Elmo R. Moss, State Hospital, Ark. Office established December 1, 1949.

CALIFORNIA

Martha W. Bost, Orangevale, Calif. Office established May 1, 1951.

Daisy M. Stanley, Parker Dam, Calif., in place of R. C. Moore, transferred.

Sidney F. Greenleaf, Rancho Mirage, Calif. Office established February 1, 1951.

COLORADO

Luella A. Drage, Lyons, Colo., in place of C. L. Drage, deceased.

CONNECTICUT

Joseph A. DePaolo, Jr., Plantsville, Conn., in place of C. W. Camp, retired.

FLORIDA

Donald B. Gray, North Miami, Fla., in place of M. J. Metz, resigned.

Lloyd A. Riden, St. Petersburg, Fla., in place of J. D. Pearce, retired.

Ward R. Bathrick, Valrico, Fla., in place of L. J. Moody, transferred.

GEORGIA

John W. Hammond, Jr., Griffin, Ga., in place of J. W. Hammond, retired.

Woodrow Wheeler, Kite, Ga., in place of B. E. Meeks, resigned.

ILLINOIS

Jessica P. Bartholmey, Bensenville, Ill., in place of A. E. Born, Jr., removed.

Stanley R. Piascyk, Depue, Ill., in place of E. B. Spaulding, retired.

INDIANA

Frederick M. Plummer, Windfall, Ind., in place of C. W. Zehner, resigned.

IOWA

Howard F. Whitman, Clarion, Iowa, in place of F. L. Porter, transferred.

James W. Miller, Plainfield, Iowa, in place of J. E. Cagley, retired.

KANSAS

William R. B. Perry, Alta Vista, Kans., in place of H. A. Simonton, transferred.

Luster W. Love, Bronson, Kans., in place of W. E. Love, retired.

David L. Kirsch, Chase, Kans., in place of F. M. Proffitt, retired.

Edna J. Lee, Englewood, Kans., in place of R. E. Lee, retired.

Jennie E. Nelson, Galva, Kans., in place of G. A. Small, retired.

Dale E. Rauscher, Goodland, Kans., in place of H. C. Atkinson, deceased.

George K. Shipley, Holyrood, Kans., in place of W. A. B. Murray, transferred.

Harry F. Brighton, Milford, Kans., in place of G. E. Wilson, deceased.

Freda F. Reed, Oil Hill, Kans., in place of G. D. Brooks, retired.

Mary Lee Thomas, West Mineral, Kans., in place of C. A. Johnson, transferred.

KENTUCKY

Elizabeth R. Paine, Guthrie, Ky., in place of H. L. Webb, resigned.

Helen F. Sprinkle, Loyall, Ky., in place of Ethel Hibbard, resigned.

Virginia T. Hamilton, St. Catharine, Ky., in place of M. E. Walsh, resigned.

LOUISIANA

Jesse E. Hicks, Morrow, La., in place of L. F. Crawford, resigned.

Nathan L. Haas, Opelousas, La., in place of L. S. Haas, deceased.

MASSACHUSETTS

Joseph P. W. Finn, Boston, Mass., in place of F. A. Crowley, retired.

Clifford J. Akey, Greenfield, Mass., in place of J. B. Kennedy, retired.

James H. Murphy, Woburn, Mass., in place of P. J. Gallagher, deceased.

MICHIGAN

Phillip N. O'Brien, Pentwater, Mich., in place of V. P. Weidensee, resigned.

Edward M. Verellen, Pinconning, Mich., in place of V. P. Ramsey, removed.

MISSISSIPPI

Dewitt V. Ferrell, Batesville, Miss., in place of R. B. Cox, retired.

MISSOURI

Homer T. Seaton, Lexington, Mo., in place of M. G. Ramsey, retired.

Harry B. Anderson, Seneca, Mo., in place of F. C. Murdock, retired.

NEBRASKA

Arnold H. Stuckwisch, Battle Creek, Nebr., in place of Anna Martin, retired.

Paul J. Smeall, Dodge, Nebr., in place of F. J. Srb, retired.

NEW HAMPSHIRE

Kellett V. Stockheimer, Woodsville, N. H., in place of F. L. Sargent, retired.

NEW JERSEY

Harold Vincent Ely, Avon by the Sea, N. J., in place of E. M. Cooney, declined.

NEW YORK

John L. Light, Avon, N. Y., in place of J. G. Mattes, retired.

Gerald LeRoy Church, Eaton, N. Y., in place of S. G. Potter, removed.

Caroline R. Bahnmuller, Farmingville, N. Y. Office established July 1, 1950.

George D. McMillan, Johnstown, N. Y., in place of McIntyre Fraser, deceased.

Ruth M. Darrah, Morrisonville, N. Y., in place of William Light, retired.

Elwyn D. Judd, New Woodstock, N. Y., in place of J. W. Lee, retired.

Mary O. Drury, Scarsdale, N. Y., in place of H. M. Drury, deceased.

NORTH CAROLINA

Dera K. Kirk, Badin, N. C., in place of W. R. Young, retired.

John E. Laughter, Horse Shoe, N. C., in place of J. L. Shipman, retired.

NORTH DAKOTA

Anna E. Schlabach, Driscoll, N. Dak., in place of A. M. Bruschwein, retired.

OHIO

Herman L. West, Canfield, Ohio, in place of C. J. Neff, resigned.

Donald E. Denver, Senecaville, Ohio, in place of H. B. Hague, deceased.

Jacob Paul Businger, Weston, Ohio, in place of P. N. Ney, retired.

OKLAHOMA

Tom H. Dunn, Ninnekah, Okla., in place of I. M. Duke, resigned.

Carl D. Chesmore, Ripley, Okla., in place of R. M. Rainwater, transferred.

PENNSYLVANIA

John A. Duffy, Elwyn, Pa., in place of L. E. Barry, retired.

George S. Thompson, Folcroft, Pa., in place of J. F. McAleer, deceased.

Clarence Chester Calvert, Pleasantville, Pa., in place of V. M. Coe, resigned.

PUERTO RICO

Olga Rivera de Rodriguez, Gurabo, P. R., in place of G. Q. Rieder, retired.

SOUTH CAROLINA

Henry L. Clyburn, Kershaw, S. C., in place of G. M. Palle, deceased.

SOUTH DAKOTA

John L. Donovan, Lake Andes, S. Dak., in place of R. I. Kern, resigned.

Kenneth A. Brown, Mount Vernon, S. Dak., in place of B. W. P. Oakley, transferred.

TENNESSEE

Oscar V. Smith, Gallatin, Tenn., in place of J. T. Franklin, deceased.

TEXAS

Thomas B. Coe, Jr., Kountze, Tex., in place of R. J. Crow, retired.

Daniel L. Boone, Saint Jo, Tex., in place of D. R. Stricklin resigned.

George W. Ramsey, San Augustine, Tex., in place of A. R. Wade, resigned.

VIRGINIA

Sherman L. Miller, Oakwood, Va., in place of Lauza Richie, resigned.

WISCONSIN

Walter G. Ready, Bagley, Wis., in place of S. L. Hall, removed.

Francis W. Hart, Glidden, Wis., in place of M. J. Hart, retired.

Marie T. Carns, Hazel Green, Wis., in place of H. L. Williams, retired.

Charles W. Kleist, Jr., Horicon, Wis., in place of K. C. Neubauer, deceased.

John C. Killeen, Slinger, Wis., in place of J. M. Kippenhan, retired.

Helen Northrup, Waupun, Wis., in place of J. C. O'Connell, transferred.

SENATE

MONDAY, JUNE 16, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Dear God and Father of us all, whate'er our name or sign, under the canopy of Thy goodness and mercy at the beginning of a new week we pause to seek Thy face. Before we talk to one another about our homes, our Nation, and our world, we would listen for Thy voice as with silenced hearts we wait for Thy word. Gather our wandering minds and our wayward spirits into the secret place of Thy presence, that we may have ears to hear those voices which tell us of the meaning and worth of life; for Thou only art light for life's meanings, Thou art wisdom for life's questions, Thou art strength for life's duties. Thou knowest that in our hearts there is a passion for the peace of the world and a holy hatred for the tyranny which threatens to degrade Thy sons and daughters. In the anxiety and agony of the present global struggle between slavery and freedom, make our own spirits as the candles of the Lord, and make our America more and more the beacon of liberty for all the world. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 13, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

ENROLLED BILL AND JOINT RESOLUTION SIGNED DURING RECESS

Under the order of the Senate of June 13, 1952,

The VICE PRESIDENT announced he signed the following enrolled bill and joint resolution during the recess, which had previously been signed by the Speaker of the House of Representatives:

H. R. 6909. An act to amend section 14 (b) of the Federal Reserve Act, as amended; and

H. J. Res. 481. Joint resolution to continue the effectiveness of certain statutory provisions until June 30, 1952.

LEAVES OF ABSENCE

On request of Mr. HILL, and by unanimous consent, Mr. HENNINGS was excused from attendance on the session of the Senate today because of official committee business.

On request of Mr. HILL, and by unanimous consent, Mr. KEFAUVER, Mr. KERR, and Mr. RUSSELL were excused from attendance on the sessions of the Senate this week.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. Without objection, Senators will be permitted to make insertions in the RECORD and transact other routine business, without speeches and without debate.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which (with the accompanying papers), was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the committee on the part of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Appropriations:

H. R. 7216. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, and for other purposes; with amendments (Rept. No. 1753).

By Mr. MCCARRAN, from the Committee on the Judiciary, without amendment:

S. 423. A bill for the relief of Orazio Balasso (Rept. No. 1755);

S. 1423. A bill for the relief of Michiko Yamamori Wilder and her minor child (Rept. No. 1756);

S. 1821. A bill for the relief of Dr. Manousos A. Petrohelos (Rept. No. 1757);

S. 1840. A bill for the relief of Tsuneo Tanigawa, also known as David Lawrence Rogers (Rept. No. 1758);

S. 1896. A bill for the relief of Mrs. Anni Faranchina (Rept. No. 1759);

S. 2395. A bill for the relief of Ioannis Dimitriou Cohilis (Rept. No. 1760);

S. 3140. A bill for the relief of Victor de la Bretoniere (Rept. No. 1761);

S. 3240. A bill for the relief of Ichiro Iida (Rept. No 1762);

H. R. 856. A bill for the relief of Dr. James F. Spindler (Rept. No. 1763);

H. R. 1097. A bill for the relief of Ethel White, Frankie Ezell, and Ralph James (Rept. No. 1764);

H. R. 1261. A bill for the relief of Alexander L. Wiesiolowski (Rept. No. 1765);

H. R. 1847. A bill for the relief of Margaret Frankel (Rept. No. 1766);

H. R. 2221. A bill for the relief of Gertrude Manhal (Rept. No. 1767);

H. R. 2595. A bill for the relief of Clarice D'Amico and Chiara Antonucci (Rept. No. 1768);

H. R. 2718. A bill for the relief of Enrique M. Orpilla (Rept. No. 1769);

H. R. 2719. A bill for the relief of Philip Fugh, Sarah Liu Fugh, and John Fugh (Rept. No. 1770);

H. R. 3501. A bill for the relief of Takae Nomura (Rept. No. 1771);

H. R. 4344. A bill for the relief of Clyde R. Sharp (Rept. No. 1772);

H. R. 4465. A bill for the relief of Angela Moniz McCracken (Rept. No. 1773); and

H. R. 5543. A bill for the relief of Mrs. Elisabeth Rosalia Haste (Rept. No. 1774).

By Mr. McCARRAN, from the Committee on the Judiciary, with an amendment:

S. 2166. A bill for the relief of Jo Ann Fosberg (Rept. No. 1775).

By Mr. McCARRAN, from the Committee on the Judiciary, with amendments:

S. 2096. A bill for the relief of Daniel Palusci (Rept. No. 1776); and

H. R. 3707. A bill for the relief of Edgar L. Dimmick (Rept. No. 1777).

By Mr. WILEY, from the Committee on the Judiciary:

H. R. 3589. A bill to amend title 17 of the United States Code entitled "Copyrights" with respect to recording and performing rights in literary works; with amendments (Rept. No. 1778).

ARMY CIVIL FUNCTIONS APPROPRIATIONS, 1952—REPORT OF A COMMITTEE

Mr. McKELLAR. Mr. President, from the Committee on Appropriations, I report favorably, with amendments, the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes, and I submit a report (No. 1754) thereon.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

Mr. McKELLAR. I hope we shall be able to consider the bill tomorrow, if possible. Indeed, I would now ask unanimous consent that the Senate consider the bill tomorrow, if that is possible. Early consideration of the bill is very important.

The VICE PRESIDENT. Is the Senator from Tennessee now requesting unanimous consent that the unfinished business be temporarily laid aside tomorrow, for the consideration of that appropriation bill?

Mr. McKELLAR. Yes, if that meets with the approval of Members on both sides of the aisle.

Mr. CASE. Mr. President, personally I should like to see the bill considered as soon as possible. However, in view of some things which have been said in regard to the procedure in connection with the handling of appropriation bills, I believe, that as acting minority leader I would not be free at this time to accede to such a request.

Mr. McKELLAR. Very well; I withdraw the request.

Mr. O'CONOR. Mr. President, before the Senator from Tennessee withdraws the request, will he permit me to make a brief observation?

Mr. McKELLAR. Certainly.

Mr. O'CONOR. I understand it is the wish of the majority leader to have early consideration given to the appropriation bills, but I believe it would save time if the Senator from Tennessee would withhold his request.

Mr. McKELLAR. I withhold it at this time.

The VICE PRESIDENT. The request is temporarily withheld.

ADDITIONAL APPROPRIATIONS FOR COMMITTEE ON APPROPRIATIONS—REPORT OF A COMMITTEE

Mr. McKELLAR. Mr. President, from the Committee on Appropriations, I report an original resolution.

The resolution is for the purpose of providing additional money for the taking and reporting of hearings, which during the present year have been voluminous. This would merely provide an additional amount. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the resolution, in order that provision may be made for additional stenographic fees.

The VICE PRESIDENT. The Chair is advised that the resolution proposes that money be paid out of the contingent fund.

Mr. McKELLAR. That is correct.

The VICE PRESIDENT. The Chair is also advised that the resolution has not been before the Committee on Rules and Administration.

Mr. McKELLAR. This is a resolution reported from the Committee on Appropriations, for the purpose of paying its own employees.

The VICE PRESIDENT. Under the rules of the Senate, all measures providing for appropriations from the contingent fund of the Senate must be referred to the Committee on Rules and Administration before being taken up on the floor of the Senate.

Mr. McKELLAR. Mr. President, in view of the statement by the Chair, I withdraw my request.

The VICE PRESIDENT. The Senator from Tennessee will be able to get action through the Committee on Rules and Administration.

Mr. McKELLAR. I am sure there will be no objection to it, and that we shall be able to consider the resolution at an early date.

I wish it to be understood that this resolution calls for the appropriation of only $15,000. I believe the requested amount would constitute the smallest appropriation measure submitted here.

Mr. GEORGE. A de minimus appropriation measure.

Mr. McKELLAR. Yes; it is de minimus, as my friend and colleague the senior Senator from Georgia says. I believe this measure is the smallest appropriation measure ever submitted by the Appropriations Committee.

The resolution (S. Res. 335) reported by Mr. McKELLAR, from the Committee on Appropriations, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate during the Eighty-second Congress $15,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946, Senate Resolution 162, agreed to June 29, 1951, and Senate Resolution 204, agreed to September 27, 1951.

REMOVAL OF CERTAIN DISCRIMINATORY PRACTICES OF FOREIGN NATIONS AGAINST AMERICAN-FLAG VESSELS—REPORT OF A COMMITTEE

Mr. MAGNUSON. Mr. President, from the Committee on Interstate and Foreign Commerce, I report favorably, with an amendment, the joint resolution (S. J. Res. 150) to provide for the removal of certain discriminatory practices of foreign nations against American-flag vessels, and for other purposes, and I submit a report (No. 1752) thereon. I ask unanimous consent that an explanatory statement pertaining to the report and joint resolution be printed in the RECORD.

The VICE PRESIDENT. The report will be received and the joint resolution will be placed on the calendar; and, without objection, the explanatory statement will be printed in the RECORD.

The explanatory statement is as follows:

STATEMENT BY SENATOR MAGNUSON

On April 4, 1952, the Subcommittee on Merchant Marine and Maritime Matters, under the chairmanship of Senator MAGNUSON, conducted hearings on discriminatory acts of foreign governments affecting our merchant marine.

Among the witnesses heard were Frazer A. Bailey, president, National Federation of American Shipping; Theodore Brent, president, Mississippi Shipping Co., New Orleans, La.; accompanied by Donald Macleay, Washington, D. C., attorney for Mississippi Shipping Co.; A. C. Cocke, vice president, Lykes Bros. Steamship Co., Inc., New Orleans, La.; Kenneth H. Finnesey, vice president, Pacific Argentine Brazil Line, Inc., San Francisco, Calif.; Vice Adm. E. L. Cochrane, Administrator, Maritime Administration, United States Department of Commerce; and Harold F. Linder, Deputy Assistant Secretary of State for Economic Affairs, Department of State, Washington, D. C.

As a result of these hearings, Senate Joint Resolution 150 was introduced, which directs the Department of State, the Department of Commerce, including the Maritime Board and Administration, and all other executive agencies having any jurisdiction with respect to the foreign commerce of the United States, to aggressively seek the removal of such unfair or discriminatory practices of any foreign country.

The President is further directed to transmit to the Congress, within 1 year after the date of enactment of Senate Joint Resolution 150, and semiannually thereafter, a report containing full and complete information upon the questions (1) whether any such discriminatory practices still exist; (2) the character and nationality thereof; (3) the steps which have been taken to eliminate them; and (4) the nature of any further steps deemed necessary to obtain fair and equitable treatment in foreign ports for American-flag shipping, including such recommendations for additional legislation as may be considered necessary for such purposes.

The type of these discriminatory practices, under which American shipping is denied equitable trading privileges vary in character in different countries, but there is a general pattern along the following lines:

1. Manipulations or prohibitions in foreign exchange.

2. The control of overseas cargoes, either directly by the governments themselves or

by policies of such governments which require or influence the forwarding of such shipments on vessels of national flag.

3. Preferential berthing facilities for ships of national flag.

4. Reduced port charges and consular and documentation fees for national ships and for cargo moving over national ships.

In this report the committee shall not endeavor to specify all such flag discriminations, but, rather, to call to the Congress' attention the nature, extent, and damaging effect of such upon American shipping in the foreign trades.

In its efforts to bring about an alleviation of this situation, shipping companies filed with the United States Maritime Commission in September 1949 and furnished copies thereof to the Department of State, petitions reciting the unfair trade practices complained of, thoroughly documenting the facts, and asking for relief under section 26 of the Shipping Act of 1916, and any other applicable statutes with respect to Argentina, Brazil, and Ecuador. These petitions are quite complete and, to some extent, voluminous.

The Maritime Administration and the Department of State have been most sympathetic concerning this inequitable treatment of American shipping, and have, within the limitations imposed by negotiation between sovereign governments, and the diplomatic channels through which these must pass, endeavored to bring about their elimination, as well as other discriminatory practices which have developed in other countries. In some instances these efforts have met with some success. In some trades, the difficulties have, to a substantial degree, been overcome. Inasmuch as these accomplishments have been effected—even though they relate in most instances, to offenses of a less damaging character—there appears justification for the belief that, in an atmosphere of fair play and cooperation, corrective measures can be effected. The committee is sorry to say that certain other countries have not demonstrated this attitude.

In the case of Argentina, some of the flag discriminatory practices indulged in which are the most damaging in character to American flag shipping are as follows:

1. By state decree, all Argentine imports and exports for governmental dependencies" are required to be carried in Argentine ships. This includes all governmental and quasi-governmental agencies. Due to the character of the state organization, a very large majority of the foreign trade of Argentina comes within this category. Nonnational ships are thus deprived of the opportunity of competing for a substantial portion of the foreign trade of this country, which is automatically routed on state-owned ships when available.

2. Residents of Argentina are required to secure United States dollars from the Argentine Central Bank to purchase goods in the United States, and to prepay south-bound freight charges in dollars. The significant fact that such goods are, almost without exception, shipped in Argentine vessels, brings the inescapable conclusion that there is a tacit arrangement which permits the obtaining of such funds on a preferential, if not exclusive, basis for Argentine ships.

3. In Buenos Aires, all of the docks and wharves are Government-owned and the right of assignment for exclusive use of particular docks by American and other nonnational operators has been consistently denied, although granted to Argentine state line vessels. Being unable to obtain the use of any of the more modern wharves and docks, and having to move from wharf to wharf on successive voyages, a condition unfavorable to the receipt and delivery of cargo and disadvantageous to the shipper and consignee is created, which further emphasizes the competitive disadvantage to the nonnational ships.

4. Preferential and discriminatory advantages are given Argentine vessels in the matter of life and health dues; entrance dues; permanency and wharfage dues; and pilotage. Complete exemption to Argentine vessels is granted in the case of manifest charges, bills-of-lading fees, consular invoice fees; buoy dues and stamp taxes.

In the case of Brazil, the following is a brief description of some of the discriminatory practices which have damaging effect upon American shipping in Brazilian ports and in competing for trade between Brazil and the United States.

1. Under Decree Law No. 347 of March 23, 1938, ships of the Lloyd Brasileiro, a state-owned steamship operation, were exempted from a previous decree which said that all those who utilize the installations of Brazilian ports will receive nonpreferential treatment. Thereafter vessels of this line are given priority in berthing facilities, and may dock promptly to discharge and load cargo while ships of nonnational flag have had to wait up to 40 days in the ports of Rio de Janeiro and Santos. During the period when these vessels are so anchored, as many as six to eight Brazilian vessels enter the port and dock ahead of the vessels awaiting berth. As of March 1952, it is reported in the press as not unusual for a ship to wait 30 days, or more, for docking facilities, and 27 such nonnational ships were anchored at Rio awaiting berth.

While this decree law has been suspended for short periods from time to time, it is presently in effect and American and other nonnational vessels are suffering serious delays, great expense, and are rendered noncompetitive in cargo deliveries.

2. Consular fees applicable to shipments to Brazil are payable by the shipper. On shipments forwarded by vessels of Lloyd Brasileiro, the charge is only one-half of the regular fees applicable to shipments on nonnational vessels. This charge, assessed against the shipper, places a nonnational vessel at a serious competitive disadvantage.

The Brazilian consulate is also required to certify manifests and other shipping documents for cargoes destined to Brazilian ports. The fees for such charges are reduced by 50 percent for service to ships of Lloyd Brasileiro at European, North and South American ports.

3. Brazil requires foreign vessels to pay lighthouse dues not imposed upon national vessels, and to pay considerably higher pilot charges. This discount amounts to 40 percent in the Port of Santos and 30 percent in the Port of Rio.

4. Other privileges granted to state-owned ships, but denied to nonnationals, relate to dues and taxes on property and services; complete exemption from consular charges on manifests of vessels in ballast; governmental privileges for telegrams and postal charges; exemption from paying stamp tax on ships' manifests, and on bills of lading for cargo shipped by the government when transported on vessels of the Lloyd Brasileiro line.

5. Brazil imposes a special stamp tax on the freight revenue declared on the ship's manifest on all nonnationl vessels departing from Brazilian ports which amounts to approximately one-half of 1 percent.

In the case of Ecuador, some of the flag discriminatio practices which are the most damaging in character to American flag shipping are as follows:

Legalization of consular invoices is charged at a fee of 7 percent of the f. o. b. value of the merchandise when transported on nonnational ships but only one-half thereof when shipped on Ecuadorian vessels.

To accentuate this discrimination, a further decree was issued on November 23, 1946, extending this discount to vessels of a shipping company created jointly by the governments of Venezuela, Colombia, and Ecuador and operating under the flags of all three countries; but denying this privilege to any other nonnational vessel.

In the case of Canada, there is one practice which, while relatively minor in a dollar and cent basis, is obviously discriminatory in character. Under section 338 of the Canadian Shipping Act of 1934, pilotage dues are not payable unless a pilot is actually employed by any vessel registered in any part of His Majesty's Dominions operating in the same service as certain American flag shipping lines on the Pacific Coast. Vessels of other than British Dominion registry are, however, required to pay pilotage dues whether or not they utilize the services of such pilots. Such a distinction is obviously discriminatory in favor of the dominion registry and against nonnational ships while operating in British Columbia waters.

The Philippine Government imposes a 17-percent tax on the conversion of pesos into United States dollars. This tax is imposed on all revenues accruing to American shipping companies in the Philippines when such are converted into United States dollars for remittance to the United States. While the act authorizing the imposition of this tax is applicable to all such foreign exchange conversions, the committee is informed by the American lines in the trade that it is not being enforced against Philippine flag operators. Therefore this constitutes an unfair trade practice and a flag discrimination against competing American lines.

Difficulties have been experienced in many European countries. The most important and damaging of these have resulted from currency restrictions, regulations or controls, the effect of which are to make it advantageous to ship upon vessels of ational flag. While these have been explained by these countries as a necessity for financial stability, there is strong reason to believe that there are motives of nationalism, support of their own merchant marine, and a profit motive involved.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado (by request):

S. 3338. A bill to authorize the construction of a ships' base for the Coast and Geodetic Survey, Department of Commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN:

S. 3339. A bill for the relief of Emmanouil Nomikos; to the Committee on the Judiciary.

By Mr. TAFT:

S. 3340. A bill for the relief of Yun Pun Ro; to the Committee on the Judiciary.

By Mr. BUTLER of Nebraska:

S. 3341. A bill to provide for the use, control, exploration, development, and conservation of certain resources of the submerged lands of the Continental Shelf lying outside traditional State boundaries; to the Committee on Interior and Insular Affairs.

By Mr. BENTON:

C. 3342. A bill to authorize certain beach erosion control of the shoreline of the State of Connecticut from the Hammonasset River to the East River; to the Committee on Public Works.

By Mr. MAGNUSON:

S. J. Res. 166. Joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above joint resolution, which appear under a separate heading.)

EXTENSION OF TIME FOR USE OF CERTAIN CONSTRUCTION RESERVE FUNDS UNDER MERCHANT MARINE ACT

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference a joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, at amended. I ask unanimous consent that the joint resolution, together with an explanatory statement by me be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and explanatory statement will be printed in the RECORD.

The joint resolution (S. J. Res. 166) to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended, was read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The joint resolution is as follows:

Resolved, etc., That section 5 of an act approved August 8, 1947 (Public Law 384, 80th Cong.), relating to merchant-marine construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended, is hereby amended by striking out "March 31, 1952" and inserting in lieu thereof "March 31, 1953."

The explanatory statement presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON

The joint resolution which I am offering would have the effect of extending until September 30, 1953, the time within which certain deposits in the construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended, may be committed for the acquisition or construction of new vessels without losing the tax deferment benefits prescribed for such funds by such section.

Section 511 provides for the commitment of deposits in such funds wthin 2 years from the date of deposit, with authority vested in the Commission [Maritime Administration] to grant extensions for additional periods not aggregating in excess of 2 years. During World War II, the Commission was authorized to grant further extensions ending not later than 6 months after the termination of such war. Subsequent legislation has fixed the termination of the war for the purposes of such authority at March 31, 1952, thereby permitting extensions of uncommitted deposits until September 30, 1952.

It is highly important that all available private shipping funds be invested in vessels for the American merchant marine. If this joint resolution is not enacted, deposits in large amounts will not be eligible for commitment under section 511 and may be lost as a source of funds for the construction or acquisition of new vessels.

Unsettled circumstances affecting the American merchant marine in general, and domestic shipping in particular, have prevented the commitment of these funds for the acquisition and construction of new vessels. Extension of time to commit the reserve funds as provided in this joint resolution seems reasonable and proper under the circumstances and I hope that the joint resolution will be enacted in the near future.

BALANCES IN 511 FUNDS AS OF JULY 31, 1951

American-Hawaiian, New Jersey, $7,576,-111.91 (of this, $6,866,527.75 available to September 30, 1951); American-Hawaiian, Delaware, $878,638.64 (available to November 30, 1952); Central Gulf Steamship Corp., $235,277.64 (available to December 8, 1952); Eastern Steamship, $3,162,825.97 (of this, $1,727,511.30 available to September 30, 1951); Isthmian Steamship, $450,000 (available to March 9, 1952); Ira Bushey & Sons, $7,495.92 (to be withdrawn); Pittsburgh Steamship, $852,000 (available to September 30, 1951); Pope & Talbot, Inc., $2,190.62 (to be withdrawn); Sabine Transport, $1.80 (to be withdrawn); Wilson Navigation, $727,500 (available to June 2, 1952); American Steamship, $163,400 (available to October 5, 1952); a total of $15,526,242.50.

(NOTE.—As of May 26, 1952, Pope & Talbot balance remains as shown; Isthmian added $300,000 January 25, 1952, now has $750,000 balance.)

ST. LAWRENCE SEAWAY—AMENDMENT

Mr. DIRKSEN (for himself, Mr. SALTONSTALL, and Mr. SMITH of New Jersey) submitted an amendment in the nature of a substitute, intended to be proposed by them, jointly, to the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes, which was ordered to lie on the table and to be printed.

PROHIBITION OF MOVEMENT OF CERTAIN ARTICLES IN INTERSTATE COMMERCE—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment in the nature of a substitute, intended to be proposed by him to the bill (S. 2918) to prohibit the introduction or movement in interstate commerce of articles of wearing apparel and fabrics which are so highly flammable as to be dangerous when worn by individuals, and for other purposes, which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

ESTABLISHMENT OF HOSPITAL CENTER IN THE DISTRICT OF COLUMBIA

Mr. JOHNSTON of South Carolina submitted amendments intended to be proposed by him to the bill (H. R. 7496) to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1957, the period for authorization for appropriations for carrying out the purposes of the act as amended, which were ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. KNOWLAND:

Address on the subject of State, Federal, and International Problems of Vital Interest to Every Citizen, delivered by him at San Diego, Calif., on May 26, 1952.

By Mr. MARTIN:

Two Flag Day addresses delivered by him, one at Warren, Pa., June 14, 1952, and one at Johnsonburg, Pa., June 15, 1952.

Article entitled "Either Way, General Ike Will Have a Pruning Job," written by John M. Cummings, and published in the Philadelphia Inquirer of June 16, 1952.

By Mr. WILEY:

Correspondence between him and the Attorney General of the United States with reference to alien property.

By Mr. MAGNUSON:

Address entitled "America's Security Resources," delivered by Jack Gorrie, Chairman of the National Security Resources Board, at the members' council luncheon of the Seattle Chamber of Commerce on May 16, 1952.

By Mr. MOODY:

Address delivered by Senator MCMAHON at the Connecticut Democratic State Convention, Hartford, Conn., June 14, 1952.

By Mr. SMITH of New Jersey:

Address delivered by him at the twenty-first annual convention of the fifth district, Order of Ahepa, Trenton, N. J., on June 8, 1952.

By Mr. JOHNSON of Colorado:

Editorial entitled "Gentlemen, You've Got To Put Jam on Their Bread," relating to the need to encourage civil aviation, published in the July 1952 issue of Air Trails.

By Mr. WILLIAMS:

Editorial entitled "Eight-Million-Dollar Grain Shortage Confirms Cover-Up Charges," published in the Cleveland News of May 22, 1952.

By Mr. HILL:

Editorial entitled "The Offshore Oil Bill," published in the New York Times of May 20, 1952.

Editorial entitled " 'Tidelands' Veto," published in the Washington Post of June 10, 1952.

Article entitled "What About Using the Income From the Nation's Undersea Oil Reserves for Education?" written by Elaine Exton, and published in the School Board Journal for May 1952.

By Mr. SEATON:

Editorial entitled "Exclusion Bill," relating to the omnibus immigration bill, published in the Washington Post of June 16, 1952.

By Mr. LEHMAN:

Excerpts from article entitled "Emigration and Ports," written by the Reverend Dinis da Luz, and published in the April 22, 1952, issue of Diario de Noticias.

Article entitled "Pilate's Washbowl," written by Prof. Halford E. Luccock, of Yale University Divinity School, and published in the Christian Century of June 4, 1952.

By Mr. BUTLER of Maryland:

Editorial entitled "The Muddled Talk About Seizure," written by C. P. Ives, and published in the Baltimore Sun of June 16, 1952.

By Mr. BENTON:

Article entitled "The McCarran Immigration Bill," published in the Commonweal of June 20, 1952, also editorial entitled "Exclusion Bill," published in the Washington Post of June 16, 1952.

NATIONAL MEMORIAL TO MARYLAND TWENTY-NINTH DIVISION

Mr. O'CONOR. Mr. President, there will be general support among the States surrounding the National Capital, and in many other sections of the country as well, I believe, of the resolution adopted yesterday by the members of the Twenty-ninth Division Association, Department of Maryland, at their annual reunion in Baltimore.

The resolution advocates the erection in Baltimore of a national memorial to the division, the memorial to be financed by subscriptions from veterans who fought in the Twenty-ninth Division of World War I and the Twenty-ninth Infantry Division, its successor in World War II.

Certainly, no division gave a better account of itself in crucial battles of the two great world conflicts. In the interval between the two wars likewise, the Twenty-ninth Division Association, with its membership mainly in the States of New Jersey, Maryland, Virginia, and the District of Columbia, carried on a program of support for adequate defense of our country and for protection of American institutions against subversion, that was in strict accord with the finest American traditions.

I ask unanimous consent that the account of the reunion and the resolution as published in this morning's Baltimore Sun be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEMORIAL URGED FOR TWENTY-NINTH DIVISION—REUNION RESOLUTION PROPOSES ERECTION IN BALTIMORE

The erection here of a national memorial to the Twenty-ninth Division was advocated yesterday in a resolution passed at the final session of the annual reunion of the Twenty-ninth Division Association, Department of Maryland.

The type of memorial was not specified in the resolution introduced at the request of Brig. Gen. William C. Purnell.

However, it was the consensus of a majority of the veterans of World Wars I and II attending the reunion that the memorial should be located in the center of the city. Some suggested the large triangle adjacent to the War Memorial and facing on Fallsway and Lexington Streets.

VETERANS WOULD PROVIDE FUNDS

The resolution pointed out that the Twenty-ninth Division, so called in World War I, and the Twenty-ninth Infantry Division, its successor in World War II, "participated in two decisive battles of the world," the Meuse-Argonne offensive in World War I and the landing on the Normandy Beach on D-day in World War II.

Funds for the memorial would be subscribed by veterans who fought in the two divisions in both wars. The resolution called Baltimore "the central point of the division's home territory."

Benjamin F. Cassell, Limestone Post No. 12, was elected State commander. Also unanimously elected were Samuel Kraus, Silver Spring Post No. 94, vice commander; Fred S. Sturm, Jr., Limestone Post, finance officer; Cornelius Vernon, post No. 63, chaplain; Guy H. Hare, post No. 51, welfare officer; Dr. Edmund Beacham, post No. 72, surgeon; Basil E. Moore, post No. 51, judge advocate; Charles Voluse, post No. 1, sergeant at arms; and Howard Warner, retiring State commander, national executive committeeman.

The Ladies' Auxiliary elected Mrs. Anna Waldt, department president. Others elected were Mrs. Anna Wagner and Mrs. Rose Voluse, vice presidents; Mrs. Sarah Horowitz, secretary; Mrs. Margaret Frederick, treasurer; Mrs. William Baldwin, parliamentarian; Mrs. Kathleen Eslin, chaplain; Mrs. Emma Voluse, historian; Mrs. Catherine Higgins, sergeant at arms; and Mrs. Beulah Donaldson, color bearer.

Elected to the auxiliary's executive committee were Mrs. Marie Di Leonardi, Mrs. Mary Simmons, Mrs. Anna Luckton, and Mrs. Margaret Kieff.

The auxiliary gave a tea during the men's election session at which women from auxiliaries of other veterans' organizations were guests.

A memorial service closed the reunion with the Rev. Dr. Don Frank Fenn, rector of Saint Michael and All Angels Protestant Episcopal Church, as the speaker. Taps were sounded by William Thompson and John Shade of the association's drum corps which, in new uniforms, entertained the veterans with a demonstration outside convention headquarters in the Lord Baltimore Hotel.

CONTROL OF EXCESSIVE BUTTER IMPORTS

Mr WILEY. Mr President, I have spoken repeatedly on the critical situation facing the American dairy industry commencing July 1 of this year, when there will be no protection for all intents and purposes, against unlimited imports of butter and other dairy items.

I have pointed out that butter, for example, is the balance wheel of American dairying, and that if the butter market is ruined for domestic producers, not just buttermakers of America, but the entire dairy industry can suffer a tremendous setback, whose indirect and harmful repercussions to the health of our Nation, the fertility of our Nation's soil are incalculable.

I have in mind hand two letters which describe this situation as graphically as I have seen from any source. They are messages from the distinguished president of the Wisconsin Farm Bureau Federation, Curtis Hatch, to the President of the United States and to the Administrator of the Production and Marketing Administration of the Department of Agriculture.

In these letters Mr. Hatch has requested that action be initiated under section 22 of the agricultural adjustment law to control excessive dairy imports. If section 22 is a living part of our Nation's statutes, well and good, and it should be invoked. If it is a dead letter, however, the members of the American dairying industry have a right to know it.

I present the letters and ask unanimous consent that they be printed in the body of the RECORD at this point. It is my earnest hope that the farm bureau's appeal will be heard and favorably acted upon.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WISCONSIN FARM BUREAU FEDERATION,
Madison, Wis., June 11, 1952.

Mr. HARRY S. TRUMAN,
White House, Washington, D. C.

MY DEAR MR. PRESIDENT: As you are aware, the dairy industry is very definitely concerned with the progress of legislation in respect to retention of section 104 of the Defense Production Act. The Wisconsin Farm Bureau Federation has, up to and including this time, believed that section 22 of the Agricultural Adjustment Act and section 7 of the Reciprocal Trade Agreements Act could provide the necessary protection to the dairy industry from excessive imports of dairy products from abroad. We were particularly pleased with your letter to Senator ERNEST W. MCFARLAND, of Arizona, last January in which you expressed your feeling that existing legislation provided the necessary authority for prompt and effective action to insure that imports will not cause serious injury to our domestic agricultural producers and, furthermore, that it was your intent that wherever such injury is caused or threatened by imports these procedures will be fully implemented and promptly applied in accordance with the spirit of the law.

Therefore, in an effort to bring about necessary protection under section 22 to the butter industry we have submitted a request to Mr. G. F. Geissler, Administrator, Production and Marketing Administration, United States Department of Agriculture, that action be taken immediately to control excessive imports of butter upon expiration of section 104 of the Defense Production Act. A copy of the request and statements supporting the request are enclosed. This request was sent by registered mail, receipt No. 9002, on June 3 to Mr. Geissler. We have been entirely disappointed in the results. Having received no reply as of this date, we telephoned Mr. Geissler this morning, and were very disappointed to find that he was not even aware that the request had been received.

The Wisconsin Farm Bureau Federation is an organization with a membership of over 32,000 farm families. The membership, as well as other parties interested in the well-being of the industry, are putting forth pressure upon the organization to take action and request retention of section 104 or the enactment of similar legislation in the event that existing authority proves to be unworkable or responsible officials of the Government are adamant to requests that we make under such authority.

As we have stated above, we are reluctant to take this action. However, you will understand that protection against excessive imports is important not only to the dairy farmer of the Nation, but it is essential to the welfare of our entire country to have ample quantities of dairy products domestically produced.

The board of directors of the Wisconsin Farm Bureau Federation in view of the tremendous pressure from dairymen of our State and the fact that no action or progress on this case is in evidence from the USDA have resolved:

"That in the absence by June 20, 1952, of satisfactory progress in the processing of this request filed with the USDA, the secretary be instructed to advise our entire congressional delegation immediately thereafter of our unqualified support of section 104 or the enactment of similar legislation to give the dairy industry the necessary protection from excessive imports of butter."

We respectfully request that you use your high office to assist us in procuring the prompt action which you indicated was your intent in event that such action was requested under existing law.

Respectfully yours,
WISCONSIN FARM BUREAU FEDERATION,
CURTIS HATCH, *President.*

WISCONSIN FARM BUREAU FEDERATION,
Madison, Wis., June 2, 1952.

Mr. G. F. GEISSLER,
Administrator, Production and Marketing Administration, United States Department of Agriculture, Washington, D. C.

DEAR SIR: The Wisconsin Farm Bureau Federation respectfully requests the United States Department of Agriculture to initiate action under legislative authority provided by section 22 of the Agricultural Adjustment Act to control excessive imports of butter after July 1, 1952.

An examination of the present dairy situation in view of the manner in which foreign trade is nowadays conducted indicates that action is advisable to place such controls on imports of butter as may be necessary to prevent serious damage to the price support program, disrupting of orderly marketing programs, depressing of prices, and discouragement of production and processing of butter and other dairy products.

The following findings of fact are presented in support of the request for action:

1. Protection to the dairy industry is important to our national welfare. The dairy industry supplies enormous quantities of essential foods to our growing population. Milk provides one of the cheapest sources of protein foods for our diet. No part of agriculture contributes more than dairying to a sound soil conservation program. It promotes and encourages the growing of legumes and grasses and returns to the soil large quantities of stable manure and other plant waste to build up the organic matter.

2. Butter industry is faced with the situation that on July 1, 1952, it will be without any protection against unlimited imports of butter. Imports of butter have been restricted to a very low quantity under powers granted the Secretary of Agriculture by the import licensing act and subsequently by section 104 of the Defense Production Act. These acts by the Congress and responsible Government officials lend evidence to the fact that the butter industry needs such protection. Upon expiration of section 104 only token protection will be accorded the butter industry under the terms of the General Agreement on Tariffs and Trade which permits 50,000,000 pounds of butter to enter the United States during the period November 1 to March 31 at 7 cents duty per pound and all other butter at 14 cents duty per pound, and 5,000,000 pounds to enter during each of the periods from April 1 to July 15 and July 16 to October 31 at 7 cents duty per pound and all other butter at 14 cents duty per pound. These import duties provide little or no protection since they are easily negated by currency devaluation or manipulation of exchange rates and State trading.

3. The tariff concessions granted by the United States under GATT have been substantial. In 1920, when the duty on butter was 2½ cents per pound, imports reached their record peak of 38,000,000 pounds. This duty was equal to an ad valorem equivalent of 4.2 percent. In 1922, when duty on butter was raised to 8 cents per pound, imports amounted to 21,000,000 pounds. The 8-cent rate that year equaled an ad valorem equivalent rate of 20.41 percent. The duty of 14 cents imposed in 1930 amounted to an equivalent ad valorem rate of 39.66 percent. Except for the drought years of 1935–37 imports averaged 1,100,000 pounds during the thirties.

In 1938 under the GATT, the rate was reduced from 14 cents to 7 cents for limited quantities of butter as stated above. The comparable ad valorem equivalent rate in 1948 was 9.31 percent on this limited quantity. Even the 14-cent rate would produce only an 18.62 percent ad valorem equivalent rate as compared to the 39.66 percent ad valorem equivalent rate of 1930. If the dairy industry was to be accorded the same relative protection as was provided in 1930 the duty should have been increased to about 30 cents per pound. The GATT concessions have given butter the lowest ad valorem rates since 1922.

4. The price of foreign butter is competitive with the current domestic price. The offices of the Canadian Consultant General in Chicago reported the Montreal f. o. b. price of butter (A creamery first grade solids) was 62⅝ cents for April 1952 and 59.75 cents for April 1950 and 1951. They also reported imports of nearly 17,500,000 pounds in the period January 1 to November 1, 1951, and nearly 4,500,000 pounds during January and February of 1952. The tariff on imported butter in Canada is 12 cents per pound. One may deduce that butter was being land down into the Canadian ports at about 50 cents a pound, duty not paid.

Butter prices f. o. b. Copenhagen, Denmark, had been reported at 48.9 cents per pound as of March 1, 1952. Considering ocean freight and other costs it is likely that Danish butter could be laid down into the port of New York at about 52 cents per pound.

Domestic butter is currently quoted at approximately 68.5 cents grade A, and 66.5 cents grade B, in Chicago. The New York price is usually about 1 cent higher than the Chicago price. The tariff duty as stated above is 7 cents per pound on limited quantities and 14 cents per pound in excess of such quantities.

It is therefore reasonable to assume that foreign butter could be laid down in this country with duties paid (7 cents per pound) at about 57 cents to 60 cents per pound. This price relationship is very attractive to the importing trade. The effect on the domestic price will be dependent, largely, upon the quantity of foreign butter imported. Nevertheless, it is very likely that even a small quantity would depress the domestic price down to the support levels, which are currently at 67.75 cents per pound for grade A butter and 65.75 cents per pound for grade B butter. To permit imports under these conditions would not only place our price-support program in jeopardy but would deny dairymen parity prices for their product and discourage production. It should be pointed out that the price differential between domestic and foreign butter will not be passed on to the consumer but will merely provide a larger margin of profit for the importer. Furthermore, with this price relationship existent at this time the importers' margin of profit is increased by the amount of the tariff concession.

We should also recognize at this point too that if the margin between the domestic price and the foreign price of butter was to shrink to a point where tariff duties would normally become effective and exclude foreign butter from the American market, it is relatively easy through managed exchange rates for countries to nullify the effect of the tariff duty.

5. We face a situation today in which the demand by foreign countries for American dollars is great. As we view this problem we must recognize that there is considerable pressure by foreign countries for loans from the United States and for direct economic assistance in order to obtain dollar exchange. This immense pressure to obtain dollars causes countries to pursue a national policy of pushing exports to the United States. The existence of regulated exchange rates creates opportunities for abnormal dealings which are very difficult to fully anticipate. The need for dollars is so great at this time that there is a tendency to divert commodities to the United States even at the expense of the country's own peoples' needs. We have cause to fear that this situation may be more conducive to imports than one would normally expect. It is reasonable to assume that if restrictions are removed from butter imports, and exporting countries choose to rig their exchange rates, that more butter would move into the United States than conditions may otherwise warrant. This threat is of great magnitude and is most unsettling to the dairy industry.

The dairy industry is a long cycle industry which cannot thrive on a fluctuating situation. This uncertainty and lack of assurance that it will be accorded protection from abnormal and excessive imports may cause a reduction or liquidation of herds. Once this happens it is extremely difficult to regain or rebuild the herds in a short period of time should imports taper off or be controlled later. The dairy industry needs to know whether or not we shall pursue a national policy which will give it protection from damaging and excessive imports and primarily those which may be induced by subsidized export trading.

6. The butter industry has been in a very difficult position for several years. The Government acquired enormous holdings of butter during the period January 1, 1949, to March 31, 1951, in order to support the price at approximately 90 percent of parity. During this period the Government purchased 158,385,410 pounds of grade A butter and 84,013,765 pounds of grade B butter. With the current butter price less than a cent above the announced support price for butter and with the flush milk period coming on it is very likely that purchases of butter will be resumed by the Government to hold prices at support levels. It is likely that this will happen even though no butter is imported from abroad. Imports would further aggravate the situation.

The per capita consumption of butter during the last 10 years has shown a steady decline. The per capita consumption of butter declined from 17 pounds in 1940 to an estimated 9 pounds in 1952. This decreased demand for butter has been affected by a general decline in the use of table spreads and in the increased use of alternative spreads such as margarine. Imports would further reduce the market for domestic butter and accelerate the reduction of milk production that has been occurring in the butter producing area of the country. Butter consumption during the first quarter of 1952 is estimated to be about 15 percent less than that of a year ago.

Competition from margarine will be even more keen in the future. Present supplies of cottonseed and soybean oils are relatively large. Prices of soybean oil and cottonseed oil have declined about 50 percent from a year ago. (Soybean oil 20.5 cents per pound to 10.5 cents per pound and cottonseed oil 23.5 cents to 12.1 cents per pound.) Further increases in supply are imminent due to requests for increased production of cotton and soybeans. This will make available a superabundance of oils at very low prices for the processing of margarine.

7. The available supply of butter for exporting to the United States is very large. The foreign dairy industry has recovered remarkably from war dislocations. During the past 3 years milk production increased in practically all countries of the world in which records are available. Production in all countries which are potential exporters of butter to the United States is above pre-World War II levels.

Great Britain's position as the principal importer of butter remains uncertain at the present time. Britain imported 741,054,000 pounds of butter in 1950 compared to 1,074,000,000 pounds as the annual average for the period 1934–38. The current imports of butter to England are through government negotiated contracts with the exporting countries which are due to expire within the next several months. Should England decide to import less butter and fail to renegotiate its contracts, substantial quantities of butter would be available for diversion to other ports. It is very likely that with the pressure to obtain dollar exchange that this butter would be attracted to the American markets should butter imports remain uncontrolled.

One should also note that the number of young dairy stock available for replacements is large relative to the number of mature cows in the United States, so that a significant increase in the number of milk cows could occur in the near future if economic incentives should warrant. Milk production per cow has shown a steady increase in recent years with the prospect for further increases in the future. United States exports of dairy products has declined substantially since the

war period and is likely to shrink more as production abroad increases and as United States funds for foreign aid decrease. We may again become a net importer of dairy products even though domestic supplies of dairy products are ample.

8. Any undesirable effects upon the butter industry will be borne by the entire dairy industry. Butter has been the mooring to which fluid milk prices have been tied. Butter prices are incorporated into the formulas establishing minimum prices under Federal milk marketing orders. Nevertheless, in order to maintain an adequate supply of fluid milk it may be necessary to readjust the formulas and increase the cost to the consumer for fluid milk to compensate for any price depressing effects on butter.

Furthermore, it should be noted that readjustments due to shrinking demand or outside competition such as imports in one segment of the dairy industry is not without its costs. These adjustments are usually accompanied by such things as lower prices to producers and losses both to plant operator and plant employees. Such conditions if caused by imports are most disturbing to the dairy industry.

We suggest that the foregoing illustrates the need for continued protection for the dairy industry from excessive imports of butter and believe that imports in excess of the annual average for the period 1947-51 would depress prices, place an unnecessary and unwarranted burden upon the Government price support program, interfere with programs of orderly storing and marketing, and reduce domestic production.

Remedial action is authorized under section 22 of the Agricultural Adjustment Act which requires the President to impose by proclamation such fees or such quantitative limitations whenever he finds by investigation that any article or articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, any program or operation undertaken by the United States Department of Agriculture, or any agency operating under its direction, or to reduce substantially the amount of any product processed in the United States from any agricultural commodity or product thereof with respect to which any such program or operation is being undertaken.

The President has requested the Congress not to extend section 104 of the Defense Production Act and has stated that other legislative authority was available and that "prompt and effective action can be taken to insure that imports will not cause serious injury to our domestic agricultural prowhereby any group of producers can initiate ducers. Procedures have been established whereby any group of producers can initiate action to this end. It is my intent that, wherever such injury is caused or threatened by imports, these procedures will be fully implemented and promptly applied, in accordance with the spirit of the law."

We pray that appropriate action be taken by the President of the United States under section 22 of the Agricultural Adjustment Act to limit imports of butter to a quota based on the average anual imports of the past 5 years (1947–51); and do believe that such action will demonstrate good faith and desire to carry out the intent and spirit of the existing law. Furthermore, it may preclude us from seeking alternative recourses which may be less desirable in view of our national policy on foreign trade.

Time is of the essence. Urgent action is requested.

Sincerely,

WISCONSIN FARM BUREAU FEDERATION,
CURTIS HATCH, *President.*

THE ST. LAWRENCE SEAWAY—TELEGRAM AND EDITORIALS

Mr. WILEY. Mr. President, I send to the desk a telegram from the State Commander of American Veterans of World War II, the splendid organization of ex-servicemen, which has once again gone on record on behalf of approval of the Great Lakes-St. Lawrence seaway.

I ask unanimous consent that the telegram, as well as two editorials from the Milwaukee Journal on the same vital issue, be printed in the body of the RECORD at this point.

There being no objection, the telegram and editorials were ordered to be printed in the RECORD, as follows:

LA CROSSE, WIS., *June 14, 1952.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: The AMVETS of Wisconsin meeting and State convention at La Crosse June 13 to 15 wish to congratulate you on your efforts in behalf of the St. Lawrence seaway. Please be advised that this convention has just resolved for a fourth time that the Congress of the United States be requested to enact legislation to promote developments of the seaway.

JOHN S. LEASON,
State Commander.

[From the Milwaukee Journal of April 28, 1952]

SEAWAY ENCOURAGES GROWTH

In the United States the railroads, some utilities, and seaboard ports have been fighting tooth and nail against the Great Lakes-St. Lawrence seaway.

Speaking in Detroit recently, Lionel Chevier, Canadian Minister of Transport, had this to say:

"It is not be noted that the combination of power and navigational development (of the seaway) would stimulate industrial expansion. Right here is, I think, the answer to those railways, ports, power interests and others who oppose the seaway for fear of harmful repercussions to themselves. I think the seaway will bring them new business out of this industrial development.

"But I will go no further into the matter than to quote Mr. Donald Gordon, president of our own Canadian National Railways. On being asked whether he foresaw injury to the railway from the seaway project, he is reported in the press as replying, 'Whatever tends to open up Canada and help it grow is good for this railroad.'"

That's the answer of a farseeing man who isn't afraid of growth. It's an answer that Amercian railroads and all other American interests could well copy—and probably would if they could forget their own immediate interests in preserving status quo and if they recognize this fact that has been proved over and over again: Nearly every gain in economic development helps everyone in the end.

[From the Milwaukee Journal of June 10, 1952]

DON'T LOSE SHARE IN SEAWAY

The rush is on in Congress to get all "must" legislation out of the way before the political conventions. Once the lawmakers leave Washington, they don't expect to return until after election—unless a crisis or President Truman calls them back.

Low down on the list of "must" bills is the Great Lakes-St. Lawrence seaway. Administration leaders have at last promised a vote on the seaway, but few observers feel that it will be approved. The last-minute rush and politics may prevent the seaway's supporters from clinching the extra votes they need to assure success.

The arguments for and against the seaway have been on the record for a long time. Lawmakers have had ample time and information to crystallize their support, opposition, or indifference. We do however, reemphasize the strongest and most recent argument.

The seaway is going to be built. All that America can decide is whether one of our greatest continental resources is going to be built with our help and operated with joint American-Canadian control or whether Canada is going to do the job alone.

There has been no doubt for a long time that Canada means business. W. D. Mathews, Canadian Minister to the United States, made that clear in Washington recently. Canada will be ready to start next spring, and intends to start, he said. Canadian industrial and economic expansion is booming and threatened only by lack of power and cheap transportation. Canada does not intend to let that threat continue. Canada is going, with or without our help, to get on with the job.

We hope that the lawmakers, as they push aside issues for politics, will pause to remember that this may be the last chance to join in constructing the seaway, and that it would be tragic if the United States deliberately gave up its chance for a voice in the development of our most valuable frontier resource.

BALTIC STATES FREEDOM DAY RALLY

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the RECORD a telegram I addressed yesterday to the chairman of the Baltic States Freedom Day rally, held at Town Hall, New York City, observing the twelfth anniversary of the enslavement of Estonia, Latvia, and Lithuania by the Soviet.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JUNE 15, 1952.

CHAIRMAN,
Baltic States Freedom Day Rally,
Town Hall, New York:

I wish I could be with you this year as I was a year ago to join in observing your annual Freedom Day. I would like to join you in your pledges to keep up and intensify the struggle and effort which must surely result in the restoration of freedom to the enslaved peoples behind the iron curtain. I think we have made some progress in this past year. We must make even more next year.

Twelve years ago the sordid power of an imperialist state was used to violate the territorial integrity of the neighboring states of Estonia, Latvia, and Lithuania. The freedom-loving peoples of these historic states were enslaved, exploited, and ruthlessly oppressed, as they still are today.

I am proud of the fact that our Government, under Franklin D. Roosevelt and Secretary of State Cordell Hull, steadfastly refused to recognize this shameless aggression. Under President Truman our Government has persisted in this policy of nonrecognition. We will never recognize that cruel act. We will continue our pressure for the restoration of freedom to these peoples.

Nor will we forgive or forget the crime of genocide which has been practiced in these lands in a vain effort to stamp out the love of freedom and of country. But this crime has been committed and continues to be committed in vain. The love of freedom and of independence still prevails in

the hearts of the people. That cannot be destroyed.

I am convinced that the day of liberation and restoration of basic freedoms in the Baltic is approaching; it is approaching because it cannot be denied. Whatever we can do to hasten that day, to bring freedom and a lasting and just peace to all peoples must be done.

Meanwhile, we must keep up our efforts to provide a haven here in this country for as many as practicable of those who escape and seek freedom in flight. This country must do its share. To do this, it is necessary to make changes in our immigration laws—to liberalize and humanize them, we must make available unused quota numbers from other countries to the refugees from the Baltic and elsewhere behind the iron curtain. This must be done on a long-range basis and on an emergency basis too. We must certainly avoid enacting restrictive and exclusionist legislation such as the McCarran bill now pending before the President. I hope you will join me in urging a veto and in working to sustain a veto of this measure.

My best wishes to you all. I know you will have a successful rally.

HERBERT H. LEHMAN,
United States Senate.

STRATEGIC EXPORTS

Mr. MAGNUSON. Mr. President, efforts of the Senate Subcommittee on Export Controls and Policies to prevent sale and shipment of strategic materials and products to the Communist countries have been highly effective, according to an article which recently appeared in the Washington Post by Marquis Childs.

Headed "Strategic Exports—Leaks Have Been Reduced to Trickle," Mr. Childs' column discusses particularly the activities of the senior Senator from Maryland [Mr. O'CONOR], as chairman of that subcommittee, toward tightening of controls in Western Germany, and states that movement of strategic goods from that area to the East now has been virtually stopped.

The long and vigorous campaign carried on by the Senator from Maryland, has been, to my mind, one of the most effective counterthrusts made against Communist aggression in the Far East particularly, and, I am sure, has had much to do with limiting the aggressive strength of the Communist forces in Korea.

I ask unanimous consent that the Washington Post article be inserted in the CONGRESSIONAL RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STRATEGIC EXPORTS—LEAKS HAVE BEEN REDUCED TO TRICKLE

(By Marquis Childs)

Although it has received little notice, the screws have been turned down in the American export control system so tightly that the leak of strategic materials has been reduced to a mere trickle. This explains the almost desperate measures being taken by the Communist bloc to try to obtain certain strategic goods and machines.

A new regulation is soon to be enforced which will make the blockade even tighter. Orders for strategic materials received from firms in non-Communist countries must after April 7 be accompanied by a certification from the government of the country. This is one more step in the effort to prevent the transshipment of goods from non-Communist to Communist countries.

The biggest advance in this direction has been in Western Germany. Six months ago Senator HERBERT O'CONOR (Democrat, Maryland), demanded that American occupation authorities headed by High Commissioner John J. McCloy, put an end to wholesale violation of export regulations. Vital materials were moving through Western Germany and into Communist Germany almost as quickly as they arrived from the United States at West German ports.

O'CONOR's denunciation of the way in which the Germans were circumventing the American control system made big headlines. The fact that this has now been virtually stopped has not been noted in the news.

The blockade imposed on American commerce has its detective story aspects. Some time ago the figures showed that larger than normal amounts of medicated vaseline were going to Communist China by direct or indirect means.

Export controllers in the Department of Commerce at first believed that this was being used as a lubricant in view of the acute shortage of petroleum products behind the bamboo curtain. Since it contained minerals in sufficient quantity to damage machinery if so used, such shipments were not stopped.

But one day an intelligence report from Hong Kong offered fairly conclusive proof that the vaseline was going into crude napalm bombs intended for use against United Nations forces in Korea. When he received this word, John S. Borton, Assistant Director of the Office of International Trade, was sitting in an office in the customs house in New York with a view of New York Harbor.

Borton knew that at that very moment a shipment of several tons of medicated vaseline was on a lighter in the harbor approved to go aboard an Asia-bound steamer. He phoned Washington and within 10 minutes an order had come back on the teletype forbidding all such shipments. With this order the transfer of the vaseline from lighter to steamer was prevented.

How vast the whole undertaking is can be seen from the fact that in theory at least the entire $15,000,000,000 total of export trade is covered by the control sytsem. Actually involved is $5,000,000,000 in strategic materials.

As might be expected, pressures on the 600 or more members of the control staff are very great from borderline exporters out for some of the big profits from deals that beat the regulations. Yet only a few instances of bribery or attempted bribery have been discovered.

One reason may be because all employees have been required to submit under oath detailed statements about any transactions either they or members of their family have had involving foreign trade and the gains from such trade. This is like the questionnaire that Newbold Morris, the President's cleanup man, is now asking all Government employees to fill out. But it is a far more sensible method to require such a statement at the beginning of employment rather than afterward when widespread suspicion of corruption has got abroad.

What the volume of strategic materials going to Communist countries from free nations other than the United States may be is a matter of guess work. According to one military source, ships under the foreign registry—Panamanian, British, German, Dutch, as well as Russian and Polish—carried 7,000,000 tons, much of it materials on the strategic list, to Communist China in one 12-month period since the start of the Korean war. But that estimate is put together from intelligence reports of varying degrees of reliability and is considered much too high.

The best evidence that the blockade is effective comes from inside the Communist half of the world. As the ring closes, the struggle to find absolutely essential materials is intensified. How great the urgency is and what result it may produce, whether for ultimate war or ultimate peace, one may only speculate.

NATIONALIZATION PROGRAMS IN FOREIGN COUNTRIES

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter I have received from the Department of State, signed by Mr. Jack K. McFall, Assistant Secretary, in answer to certain questions I had raised relative to the program of nationalization which has been conducted by certain European and other countries.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, June 3, 1952.

The Honorable WILLIAM F. KNOWLAND,
United States Senate.

MY DEAR SENATOR KNOWLAND: Reference is made to informal discussions between Mr. Jaeger of your staff and a member of the staff of the legal adviser concerning nationalization programs in foreign countries affecting the interests of American nationals possessing property interests in those countries.

You will recall that on June 28, 1918, the Soviet Government issued a decree which nationalized, on an extensive scale and without compensation, property interests in the Soviet Union, including, of course, those owned by American nationals.

While definite information is not available in all cases, it may be assumed that American-owned properties have been subjected to nationalization or confiscation in the following areas over which the Soviets have asserted and now maintain control:

1. In 1939, in the process of the partition of Poland by Germany and the Soviet Union, the Soviets occupied and later incorporated into the Union territory which had been part of Poland since about 1920. A bilateral treaty between the Soviet Union and Poland, signed on August 16, 1945, defined the line dividing eastern Poland, as now administered (with minor modifications) by the two governments.

2. After the defeat of Germany it was agreed at Potsdam that "pending the final determination of territorial questions at the peace settlement, the section of the western frontier of the Union of Soviet Socialist Republics which is adjacent to the Baltic Sea should pass from a point on the eastern shore of the Bay of Danzig to the east, north of Braunsberg-Goldap to the meeting point of the frontiers of Lithuania, the Polish Republic, and East Prussia." The territory affected (that is, that portion of east Prussia north of a line connecting Braunsberg near the Bay of Danzig, and Goldap, near the Lithuanian frontier), was placed provisionally under the administration of the Soviet Union.

3. An agreement of June 29, 1945, between the Soviet Union and Czechoslovakia, provided for the cession by Czechoslovakia of Carpathian Ruthenia (Podkarpatská Rus) to the Soviet Union.

4. On June 28, 1940, the Rumanian Government accepted the Soviet proposal that Rumania restore Bessarabia, and transfer northern Bukovina to the Soviet Union. The Soviet-Rumanian boundary resulting from these transfers was confirmed by the treaty of peace with Rumania, which was

signed on February 10, 1947, and proclaimed by the President of the United States in September of that year.

5. By the peace treaty with Finland signed on February 10, 1947, the province of Petsamo, previously ceded to Finland by the Soviet Union, was returned to the Soviet Union. By providing that, otherwise, the frontiers of Finland should be those which existed on January 1, 1941, the 1947 treaty confirmed the cession of the Sala (Salla) area and the Viipuri (Viborg)—Lake Ladoga area, both of which Finland ceded to the USSR by a treaty of March 2, 1940. The United States, not having been at war with Finland, was not a party to this treaty of peace.

6. Reference may also be made to the fact that in 1940 the Soviet Union incorporated into the USSR the states of Estonia, Latvia, and Lithuania, which incorporation has never been recognized by the United States.

The Department has been unable to obtain authentic information respecting American properties in the Eastern Zone of Germany, but understands that while those properties have been subjected to various controls by the Soviet occupation authorities, the properties have not been nationalized.

As you are aware, following the end of hostilities in World War II, there occurred extensive takings of property, including American-owned property, either through nationalization or agrarian reform programs, in the following countries: Poland, Czechoslovakia, Rumania, Bulgaria, Hungary, and Yugoslavia.

The enclosed information sheet, dated April 23, 1951, contains the latest information available to the Department with respect to American property interests in Communist China.

With reference to Mr. Jaeger's inquiries, with respect to Spain and Argentina, I may say that the Department has no knowledge of the expropriation of American-owned property in either of these countries pursuant to nationalization programs. Certain American-owned property has, however, been acquired by the Argentine Government in fulfillment of its programs as a result of agreements mutually satisfactory to the American owners and the Argentine Government. With respect to Mexico, as you know, a decree was issued in 1938 expropriating certain American-owned petroleum properties in that country, and both prior and subsequent to that date agricultural properties owned by American nationals were affected by the taking and distribution of such properties under the agrarian reform program adopted by that Government.

I trust that this communication contains the information you desired.

Sincerely yours,

JACK K. MCFALL,
Assistant Secretary.

INFORMATION SHEET REGARDING VARIOUS PROPERTY QUESTIONS ARISING WITH RESPECT TO COMMUNIST CHINA

1. BLOCKING CONTROLS ON ASSETS IN THE UNITED STATES

On December 17, 1950, the Treasury Department instituted blocking controls with respect to assets in the United States of residents of Communist China and North Korea. The blocking regulations forbid all transactions involving bank accounts and other United States assets of Communist China and the North Korean regime and their nationals unless Treasury approval is obtained. The purpose of these controls is to prevent financial transactions with these areas which would be inimical to the interest of the United States. Also, under the regulations issued by the Treasury a census was provided for with respect to certain Chinese and Korean property in the United States as of the opening of business on December 18, 1950. Any inquiry with relation to the effect of the Treasury regulations or with relation to licenses should be addressed to Foreign Assets Control, Treasury Department, Washington 25, D. C.

2. CONTROLS ON IMPORTS INTO THE UNITED STATES

The Treasury Department regulations also prohibit the importation without a license of merchandise in which Communist China or its nationals have had any interest since December 17, 1950, whether the importation is directly from China or by way of a third country. Importations from China are, in general, licensed only if the Chinese are willing to accept payment in dollars to be held in the blocked account in this country subject to jurisdiction of the Treasury Department. The one exception to this general policy concerns merchandise considered to be of high strategic importance to this country. Any inquiry with relation to this subject should also be addressed to Foreign Assets Control, Treasury Department, Washington 25, D. C.

3. CONTROLS ON EXPORTS FROM THE UNITED STATES

The export to foreign designations of commodities in short supply and of strategic materials is controlled by the positive list administered by the Department of Commerce. Commodities are put on that list by agreement among the Departments of Commerce, State, Defense, and other responsible agencies. Since the aggression by the Chinese Communists against the Republic of Korea, no licenses for exports to Communist China of commodities on the positive list have been granted. Further with respect to all commodities the Department of Commerce has announced that all proposed exports from the United States to the mainland of China or to Hong Kong and Macao (as possible transshipment points), requires screening to prevent the acquisition by Communist China of those commodities which may be against the national interest. Steps are also taken to screen shipments originating at points outside the United States which may pass through United States ports for Chinese Communist destinations. Transportation orders issued by the Under Secretary of Commerce for Transportation prohibit all ships and aircraft of the United States registry from entering Chinese Communist controlled areas and from carrying cargo believed to be destined directly or indirectly for Communist China. Any inquiry with relation to the effect of export controls and regulations should be addressed to the Office of International Trade, Department of Commerce, Washington 25, D. C.

4. CHINESE COMMUNIST CONTROLS OVER AMERICAN PROPERTY IN CHINA

According to a new China news agency despatch from Peiping the following order No. "Tsun Tsai" 412 of the "State Administration Council of the Central People's Government" was enacted by the Chinese Communist authorities on December 28, 1950:

"The United States Government announced on December 16, 1950, the control of the public and private property of the People's Republic of China within United States jurisdiction, and ban on the sailing of American registered ships to Chinese ports, in an attempt to further rob the property of the Chinese people economically, following its armed aggression on our Taiwan, bombing of our northeast and shelling of our merchantmen.

"The Central People's Government of the People's Republic of China, in view of such daily aggravated aggressive and hostile action of the United States Government toward our Nation, and in order to prevent it from carrying out economic sabotage on our territory and endangering the interest of our Nation and our people, takes herewith the following measures:

"1. The local people's government shall control and inventory all property of the American Government and American enterprises. They may not be transferred or disposed of unless authorized by the regional People's Government or the military and administrative commission. In the case of provinces and municipalities which are under the direct jurisdiction of the Central People's Government, such transfers and disposals should only be authorized by the financial and economic committee of the state administration council. The owners and those in charge of the property shall be responsible for the protection of the property and shall in no way cause damage to them.

"2. All American public and private deposits within the territory of the People's Republic of China shall be frozen. Necessary expenses to maintain lawful business and the living of individuals may only be withdrawn upon approval by the local people's government. The amounts are to be regulated by the financial and economic committee of the state administration council in a separate order.

"The above order takes effect immediately on the date of proclamation." (Unofficial translation.)

WASHINGTON, D. C., *April 23, 1951.*

THE STEEL STRIKE

Mr. HOEY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "No One Big Enough," published in the Washington Evening Star, and I also ask unanimous consent that I may speak on the subject of the editorial for not to exceed 2 minutes.

The VICE PRESIDENT. Is there objection to the request of the Senator from North Carolina? The Chair hears none. The editorial will be printed in the RECORD, and the Senator from North Carolina may proceed for 2 minutes.

The editorial is as follows:

NO ONE BIG ENOUGH

The truculent tone of Philip Murray's address to his union officials can be discounted. For he is on something of a spot himself. Having said repeatedly that he would not accept less than the Wage Stabilization Board's recommendations, Mr. Murray finds himself with a costly strike on his hands and no easy face-saving way out of it.

When full allowance is made for this, however, the fact remains that there is no comfort to be derived from some of the things Mr. Murray said.

He denied that the union shop was the sole issue still in dispute, as claimed by industry spokesmen. According to the union president, three other issues remain unsettled.

But even if his comments on these matters be taken at face value, it is hard to see any difference between the union and the industry which can possibly justify subjecting the country to a national steel strike. Certainly there is substantial agreement on wages. The other issues apparently are important to Mr. Murray. But they do not seem important enough to an outsider to justify this strike.

When the steel case was being argued in the courts, Government representatives put great stress on the catastrophic consequences which would flow from even a short strike in the vital steel industry. This may have been nothing more than an attempt to pressure the courts, but it is hard to believe that such men as Defense Secretary Lovett would have anything to do with such an unworthy effort as that. Presumably the forecasts of

disaster were sincere and the anticipated injury to the Nation's security is now being inflicted. Yet Mr. Murray says that he will not yield, and the President, who is responsible for safeguarding the national welfare, has done nothing to halt this strike since it began nearly 2 weeks ago.

In view of all this, the time has come to face up to the fact that the steel union is arrogantly abusing the enormous power over the life of the Nation that it has been allowed to accumulate. Mr. Murray was quoted as saying that no group or citizen in the country is big enough to whip this union. Just what is meant by that is not clear. But if Mr Murray thinks that his union is so big and so powerful that it can do as it pleases, a rude awakening is in store for him. The only question is when that awakening will come. Up to this time Congress has been acting as though Mr. Murray was right in saying that no group is big enough to whip the union. But as abuse of power is piled on abuse of power, the day will come when an outraged public will insist that Congress act to curb the excessive power of big unions, just as it was forced to act, some years ago, to curb the excessive power which big business then enjoyed, and which it was flagrantly abusing.

Mr. HOEY. Mr. President, the editorial quotes a statement made by Mr. Philip Murray to his union a few days ago in reporting on developments in connection with the steel strike, in which he is quoted as saying that no group of citizens in the country is big enough to whip this union.

This is the attitude in which Mr. Murray and his union has approached the whole steel situation, and unfortunately the union has had the support of Government agencies such as the Wage Stabilization Board, and including the President of the United States, in an effort to put over their demands regardless of the justice of the situation.

I think it should be made abundantly clear to the American people that the steel companies have agreed to practically all the demands of the union, and agreement has virtually been reached with Mr. Murray's union on everything except the union shop, and the steel companies would not yield on that point. Mr. Murray claims that other matters were in controversy, but according to his own statement they are trivial, and the steel companies even agreed to make the pay increase retroactive to April 1 in an effort to settle the strike and be able to produce steel to meet our crisis in the Nation.

The attitude of Mr. Murray and his union in trying to force the union shop is typical of the bulldozing methods which this union has persistently pursued, and the time has come when the American Congress should pass legislation to protect the American people. I would not be in favor of any measure adopted in a spirit of revenge or reprisal, but I would favor one that would justly and adequately defend this country against any group or organization that would tie up the Nation's productive power and prevent the country from obtaining the absolutely essential production in order to carry forward our national defense.

In my judgment it is going to become necessary for the Congress to pass a measure that will make big labor subject to the same statutes and penalties to which big business is amenable. This can be done by repealing the exemption which has been granted to the labor unions from the operation of the Sherman antitrust law. If these unions were made subject to this law and it should be applied to them in the same manner in which it was applied and is being applied to business organizations and corporations, we could prevent this monopoly in labor and the conspiracy by which a whole industry is closed down and forced out of business temporarily.

The right to call out on strike 650,000 workers is too much power for any one man, and Mr. Murray should be stripped of this power and his union should be denied the right to conduct an industry and Nation-wide strike, just as the steel companies could be indicted if they should for a conspiracy to shut down their plants and refuse to produce. There is no difference under the law, and should not be, between a conspiracy formed by labor bosses and a conspiracy formed by corporation bosses.

We shall not be able to solve the present problem unless we deal with it realistically. Labor needed the protection afforded by being granted exemption from the antitrust law when it was weak and struggling, but today it is strong and powerful, and there is no reason why the same law should not apply to its operations that applies to business. We split up the big corporations and made them divide and operate separately. We should either split up the big unions and make them divide and operate separately, or we should pass a law restricting a strike to the employees of one employer and not permit a Nation-wide strike in a whole industry at one time.

Under such a law, the employees of the United States Steel could strike but they could not conspire with employees of all other steel companies and thus operate a Nation-wide steel strike at the same time. A similar condition would exist with coal mines, or railroads, or any other group. Something will have to be done to protect the American public, and Mr. Murray should be taught that there is power enough residuary in the American people to control even his big union.

ANNOUNCEMENT OF CONSIDERATION ON WEDNESDAY OF REORGANIZATION PLANS 2, 3, AND 4

Mr. McFARLAND. Mr. President, the Senator from Arkansas [Mr. McCLELLAN] has asked me to announce that he expects to bring up Reorganization Plans 2, 3, and 4 next Wednesday. He expects to dispose of them as rapidly as may be possible.

Mr. CASE. Are those the plans having to do with the elimination of Presidential appointments in the Post Office and certain other Government agencies and placing employees on a civil-service basis?

Mr. McFARLAND. That is correct.

THE ST. LAWRENCE SEAWAY

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is Senate Joint Resolution 27.

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

Mr. AIKEN. Mr. President, for myself and Senators WILEY, LEHMAN, DOUGLAS, FERGUSON, MOODY, THYE, TAFT, KEFAUVER, and HICKENLOOPER, I send to the desk an amendment to Senate Joint Resolution 27, and ask that it be made the pending question.

The VICE PRESIDENT. Does the Senator wish to have the amendment read?

Mr. AIKEN. No. The amendment had been printed, and a week ago the copies were exhausted, but I think there has been a second printing, so that it is available to all Senators.

The VICE PRESIDENT. Without objection, the reading of the amendment will be dispensed with; and, without objection, the amendment will be printed in the RECORD at this point.

The amendment was, at the end of the joint resolution, to add a new title, as follows:

TITLE II—ST. LAWRENCE DEVELOPMENT CORPORATION

CREATION OF CORPORATION

SEC. 201. There is hereby created a body corporate to be known as the St. Lawrence Development Corporation (hereinafter referred to as the "Corporation"). The Corporation shall be an instrumentality of the United States and shall have the powers and duties hereinafter set forth.

BOARD OF DIRECTORS

SEC. 202. (a) The management of the Corporation shall be vested in a Board of Directors consisting of three members to be appointed by the President by and with the advice and consent of the Senate. Not more than two members of the Board shall be members of the same political party. One of the members shall be designated by the President as chairman at the time of appointment.

(b) The terms of office of members of the board shall be 6 years except that (1) the terms of office of the members first appointed shall run from the date of enactment of this joint resolution and shall expire one at the end of 2 years, one at the end of 4 years, and one at the end of 6 years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for which he shall have been appointed, shall be appointed only for the remainder of such term.

(c) Each member of the board shall be paid compensation at the rate of $15,000 per annum. No member shall, during his continuance in office, be engaged in any other business.

(d) Two members shall constitute a quorum for transaction of the business of the Board, and vacancies in the Board, so long as there are two members in office, shall not impair the powers of the Board to execute the functions of the Corporation.

FUNCTIONS OF CORPORATION

SEC. 203. The Corporation is authorized and directed to carry out on behalf of the

United States (a) the undertakings contained in article III of the agreement approved by section 1 of this joint resolution insofar as such undertakings relate to the works in the International Rapids section of the St. Lawrence River, (b) the authority of the United States under article IV (a) of such agreement, and (c) such other powers or duties under such agreement or under title I of this joint resolution as may be designated by the President.

CORPORATE POWERS

SEC. 204. (a) For the purpose of carrying out its functions under this joint resolution the Corporation—

(1) shall have succession in its corporate name;

(2) may adopt and use a corporate seal, which shall be judicially noticed;

(3) may sue and be sued in its corporate name;

(4) may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised;

(5) may make and carry out such contracts or agreements as are necessary in the conduct of its business;

(6) shall be entitled to the use of the United States mails in the same manner and upon the same conditions as the executive departments of the Government;

(7) shall be held to be an inhabitant and resident of the northern judicial district of New York within the meaning of the laws of the United States relating to venue of civil suits;

(8) may appoint and fix the compensation of such officers and employees as may be necessary for the conduct of its business, define their authority and duties, delegate to them such of the powers vested in the Corporation as the Board may determine, require bonds of such of them as the Board may designate, and fix the penalties and pay the premiums on such bonds; and

(9) may require by purchase, lease, condemnation, or donation such real and personal property and any interest therein, any may sell, lease, or otherwise dispose of such real or personal property, as the Board deems necessary for the conduct of its business.

CAPITAL STOCK

SEC. 205. The Corporation shall have a capital stock of $10,000,000 which shall be subscribed by the United States. There is hereby authorized to be appropriated to the Secretary of the Treasury the sum of $10,000,000 for the purpose of enabling the Secretary of the Treasury to make payment for such capital stock when payment is called by the Board. Receipts for payment by the the United States for or on account of such capital stock shall be issued by the Corporation to the Secretary of the Treasury and shall be evidence of stock ownership by the United States.

OBLIGATIONS OF CORPORATION

SEC. 206. (a) In order to finance its activities, the Corporation is authorized and empowered to issue, and to have outstanding at any one time in an amount not exceeding $485,000,000, its notes, debentures, bonds, or other such obligations. Such obligations shall mature not more than 50 years from the dates of their issue, shall be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations, shall bear interest at such rate or rates, not exceeding 3 percent per annum, and shall be subject to such other terms and conditions, as may be determined by the Corporation after consultation with the Secretary of the Treasury. Obligations of the Corporation shall not be purchased by the United States or any agency or instrumentality thereof.

(b) All such obligations shall be fully and unconditionally guaranteed both as to interest and principal by the United States and such guaranty shall be expressed on the face thereof. In the event that the Corporation shall be unable to pay the principal of or interest on any such obligations when due, the Secretary of the Treasury shall pay the amount thereof, which is hereby authorized to be appropriated, and thereupon to the extent of the amounts so paid, the Secretary of the Treasury shall succeed to the rights of the holders of such obligations.

(c) The Secretary of the Treasury is authorized and directed to prepare suitable forms for the notes, debentures, bonds, or other obligations, and otherwise to make the facilities and services of the Department of the Treasury available to the Corporation in the issuance and sale of such obligations. The Corporation shall reimburse the Secretary of the Treasury for any expenses incurred by the Department of the Treasury under this subsection.

DEPOSIT AND EXPENDITURE OF CORPORATE FUNDS

SEC. 207. (a) All moneys of the corporation not otherwise employed may be deposited with the Treasurer of the United States subject to check by authority of the Corporation or in any Federal Reserve bank, or may, by authorization of the Board, be used in the purchase for redemption and retirement of any notes, debentures, bonds, or other obligations issued by the Corporation, and the Corporation may reimburse such Federal Reserve Bank for its services in such manner as may be agreed upon. The Federal Reserve banks are authorized and directed to act as depositaries, custodians, and fiscal agents for the Corporation in the general performance of its powers.

(b) All expenses incurred by the Corporation in carrying out its functions, including administrative expenses, shall be paid from funds obtained from the sale of its obligations under section 206 or from revenues derived from its corporate activities, except that until such time as funds from such sources are available amounts paid by the Secretary of the Treasury under section 205 may be used for such purposes.

(c) Sections 105 and 106 of the Government Corporation Control Act, requiring annual audits by the General Accounting Office and reports thereof to the Congress, shall be applicable to the Corporation.

EXEMPTION FROM TAXATION

SEC. 208. The Corporation, its property, franchises, and income are hereby expressly exempted from taxation in any manner or form by the Federal Government or by any State, county, municipality, or any subdivision or district thereof.

SERVICES AND FACILITIES OF OTHER AGENCIES

SEC. 209. (a) The Corporation may, with the consent of the agency concerned, accept and utilize, on a reimbursable basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, except that any such agency having custody of any engineering or other data relating to any of the matters within the jurisdiction of the Corporation shall, upon request of the Board, make such data available to the Corporation without reimbursement.

MISAPPROPRIATION OF FUNDS

SEC. 210. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States shall apply to the moneys and property of the Corporation and to moneys and properties of the United States entrusted to the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 5 years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than 5 years, or both.

REPORTS TO CONGRESS

SEC. 211. The Corporation shall transmit to the Congress at the beginning of each regular session an annual report of its operations under this joint resolution.

SEPARABILITY OF PROVISIONS

SEC. 213. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

On page 1, between lines 2 and 3, insert "Title I—Approval of agreement."

On page 4, strike out lines 11 to 16, inclusive, and in line 17 strike out "(b)" and insert "SEC. 4.".

Mr. AIKEN. Mr. President, this amendment proposes to make the St. Lawrence seaway and power development a self-financing project through the creation of a corporation which would finance the project by means of the sale of bonds to the public. The only call on the Federal Treasury would be for $10,000,000 for the capital stock, to permit the corporation to get under way. It is intended that this great development, which has been delayed so long, shall not only be self-liquidating and self-sustaining, but also self-financing as well.

At a little later date I shall have more to say on this subject, as well as on the entire question of the St. Lawrence development. I do not ask for more time now.

Mr. O'CONOR. Mr. President, may I ask the able Senator whether this phase of the matter was considered at all by the committee?

Mr. AIKEN. This amendment was presented to the committee, I believe, on the day the hearings began. I, myself, presented it. No amendments were acted upon by the committee when it reported the joint resolution without recommendation. Consequently the joint resolution, as it appears to the public, calls for financing by the Federal Treasury, which is not now the intent of the sponsors at all. It is intended that, except for the $10,000,000 of capital stock, which will be wholly Government owned, the project will be entirely self-financing.

Mr. O'CONOR. I thank the Senator. At least this is not an entirely new proposal. It was known to the committee and considered by it.

Mr. AIKEN. It was presented to the committee. I believe I asked to have the amendment printed the day before the committee started hearings, and I presented it to the committee on the first day of the hearings.

Mr. LEHMAN obtained the floor.

Mr. O'CONOR. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum? I feel that a quorum ought to be present before the Senator begins his address, so that Senators may have an opportunity to hear him.

Mr. LEHMAN. I am glad to yield for that purpose.

Mr. O'CONOR. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. O'CONOR. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LEHMAN. Mr. President, some of us may not realize it, or refuse to acknowledge it, but we are standing in the full gaze of history as we conduct this debate on the St. Lawrence seaway and power project. It may well be that history will pay more attention to this debate than to any other in which we have participated in this Congress. And, should we fail to approve the pending legislation, the judgment of posterity will, I believe, deal harshly with us. Certainly it will be hard for posterity to understand, as it is very hard for me to understand today, how we could fail to see that this project is as vital to the future of our country—its security and its welfare—as any we have authorized in the past 50 years.

Mr. President, here we have our last chance. We have had many others, but have passed them by. Now we have our last opportunity to approve this project as a joint and cooperative undertaking with our good neighbor, Canada. Here is a project which is as vital to our defense and security, as necessary to our national growth and development as the Panama Canal itself, and more vital than most of the others we have undertaken in the past century.

Fifteen States—almost one-third of the States of the Union, and much more than a third of the Nation in population—would be directly benefited. The whole country would gain enormously. Yet we continue to hesitate, to procrastinate, and haggle and harangue, while time continues to pass its inexorable judgment upon our national destiny. Here we have a proposal that would link with the open sea the entire heartland of our country, that would give us more than 2,000 miles of added coastline, that would give us a waterborne connection between the great iron-ore pits of Labrador and the steel mills of the Middle West, that would connect the granaries and the mines of Canada, and of our own Middle West with the industrial centers of the East and the Middle Atlantic, a proposal that promises, from the seaway alone, the greatest internal expansion and development our country has known in the past 30 years.

Mr. CONNALLY. Mr. President, will the Senator from New York yield to me?

Mr. LEHMAN. I am glad to yield.

Mr. CONNALLY. The Senator from New York has mentioned the iron ore to be obtained from Labrador. Is the Senator from New York aware that Mr. George M. Humphrey, of Cleveland, is president of the M. A. Hanna Co., which owns a large part of that iron ore, and also is president of the Iron Co. of Canada. Is the Senator from New York aware that before the M. A. Hanna Co. acquired these iron-ore deposits in Canada, Mr. Humphrey was opposed to the St. Lawrence seaway, and appeared before congressional committees to denounce the proposed St. Lawrence seaway project?

Mr. LEHMAN. No, I did not know that. However, that would make no difference, for I am considering the situation which exists today. We know that in Labrador there are great, untapped resources of iron ore.

Mr. CONNALLY. We ourselves do not own them; the Government of the United States does not own them.

Mr. LEHMAN. Of course not, but they are available to the steel mills of the United States.

Mr. CONNALLY. Exactly.

Mr. President, will the Senator from New York yield further?

Mr. LEHMAN. I am very glad to yield.

Mr. CONNALLY. Mr. Humphrey testified before our committee that his company owns all the proven ore deposits in the Quebec-Labrador area. He admitted that as recently as 2 or 3 years ago he opposed the St. Lawrence seaway, but now that his company has the ore, he favors construction of the seaway. He said:

> I think this bill is very advantageous for the steel industry.

Mr. Humphrey also testified that if the seaway legislation should not pass—and this bears on the question of the Labrador development being dependent on action by the United States—

> If it should not pass, we are going right ahead, just the same—

with the Quebec-Labrador development.

Therefore, I say that the St. Lawrence seaway is not necessary for that development. It would, indeed subsidize Mr. Humphrey's private monopoly. Is not that true?

Mr. LEHMAN. I am very glad, indeed, to yield to the Senator from Texas for a question. I hope he will show me the same courtesy and will permit me to complete my answers.

What I wish to say is that I am very glad, indeed, that the head of the Hanna Steel Co. has seen the light because of the necessities for the defensive and economic development of our Nation; and, similarly, I hope the distinguished senior Senator from Texas will see the light, in view of the necessities of the situation.

It makes no difference who owns these properties. My thesis—and it is beyond question—is that the United States needs that ore. The Mesabi range, which has supplied our great steel mills in the Middle West, is running out. Not more than 10 or 15 or perhaps even as little as 5 years' supply of ore, capable of economic exploitation, remains in that range.

However, in Labrador there are unlimited quantities of iron ore which we wish to bring to the United States for use in our steel mills and for the defense of our country. We wish to have that iron ore as a defensive measure, because we believe it is essential to the economic development of our country and to its defense.

Mr. AIKEN. Mr. President, will the Senator from New York yield to me?

Mr. LEHMAN. I am very glad to yield.

Mr. AIKEN. I should like to point out that recently there has been a change of heart on the part of some of those who formerly opposed the construction of the St. Lawrence seaway, because of the interest in the Labrador iron-ore fields, which are a very recent development, so recent, in fact, that the railroad has not yet been extended to them.

I notice that attention has been called to what is assumed to be a fact, namely, that the Labrador iron-ore owners—who, I believe, are the Hanna Co. and the Republic Steel Co.——

Mr. LEHMAN. There are several of them.

Mr. AIKEN. Yes. It has been suggested that they would have a monopoly over the sale of ore to the Midwest steel mills. Of course, that statement is not in accord with the facts, because there is no reason why any midwestern steel plant could not use South American iron ore or Swedish iron ore or ore coming from any other part of the world. The Labrador ore fields will be in a highly competitive position with ore fields in other areas of the world. However, with the construction of the St. Lawrence seaway, the great steel centers of the Midwest will be able to buy their ore in a competitive market.

If I am correctly advised, practically all the Mesabi range is owned by one great steel company, but it sells the ore to the other users, as I understand. The competitive position of the purchasers of iron ore will be greatly strengthened by the development of the St. Lawrence seaway, so that they can have access to all the productive iron-ore fields in the world.

Mr. LEHMAN. The Senator from Vermont is absolutely correct.

Let me say that, in the first place, the Senator from Texas is wrong when he says that this is a monopoly for the Hanna Co. It is not. Five, six, or seven other companies have an interest in the Labrador ore deposits. But, quite aside from that, the ore deposits in Labrador are almost unlimited in extent, and, their development has scarcely commenced. Therefore, all other companies in the United States can gain access to these unlimited supplies of cheap ore, which can easily be reduced and can be used economically and with great benefit not only to the steel mills of the Middle West, but also to the entire Nation.

Mr. AIKEN. I believe the Senator from New York probably is aware of the fact that the people of his State are

interested in the possible development of a steel industry either on the Hudson River or at some other point in the eastern section of New York State, predicated on the use of iron ore from the Labrador range.

Mr. LEHMAN. Let me say to the Senator from Vermont that we are interested not only in that proposed new development, but also in the great steel mills in and around Buffalo and at Dunkirk, N. Y., and in other places in New York.

However, I wish to disavow the provincial point of view, that New York has an especial interest or that Vermont or Wisconsin or Tennessee or any other State has an especial interest in the development of the St. Lawrence seaway. I am a Senator of the United States, and I am considering this question from the standpoint of the United States as a whole, from the standpoint of a project which will be of benefit to the entire Nation. I believe that is the only way in which the Senate of the United States should approach questions of this kind.

Here we have a proposal which promises this continent 12,600,000,000 kilowatt-hours of low-cost power annually, power desperately needed in the northeastern section of the United States, power that would be of immeasurable benefit to New York and New England, premium power available at a sufficiently low cost to give fresh impetus to industry, new encouragement to rural electric cooperatives, and enable us to expand the production of aluminum and titanium for defense purposes.

Here we have this proposal before us; it has been before the Senate in one way or another for more than 30 years; but now we have it for the last time. If we do not act, the project is going forward anyway, but without our participation. Yes; this is our last chance. Yet there is still no sense or urgency in the Senate. The same arguments against the project continue to be made over and over again—that it is unfeasible and impractical, that the lakes will be frozen over most of the year, that our ships will be unable to use the seaway, and at the same time that it will ruin the railroads and the port cities and that it is too vulnerable to air attack, that it is too expensive, and that it is unconstitutional.

These arguments are wholly unconvincing, and they grow less convincing with repetition. If the seaway is impractical and will not function, then the railroads and the port cities need have no concern. If our ships will not be able to use the seaway, no enemy in his right mind would bother to attack it. The arguments made against the seaway cancel each other.

No, Mr. President; the time for perfunctory and dialectical arguments is past. The battle against the St. Lawrence project as such has been lost. It is over. The questions raised again and again are academic. The fact is that Canada is going to build the seaway. The seaway is going to be built. The only question before the Senate is: Are we to share with Canada, are we to cooperate with Canada, or are we to force Canada to go it alone? Are we to retain a partnership in the construction and management of this seaway, or are we to turn the seaway over to Canada? Are we to retain a measure of control over our own international boundaries, or are we to tell Canada, "Do as you like; the seaway is yours; the St. Lawrence is yours?"

It is inconceivable to me, Mr. President, that we should follow such a course. It is incredible that we should even consider it. What will history say to our generation, to this session of this Senate, if we play so loosely with our responsibilities? How can we even think for a moment of turning this great international artery over to Canada, and of forswearing—deliberately forswearing—an equal voice in its management?

Remember, Mr. President, that the decision we are about to make—and it will be a decision, whether we approve the St. Lawrence, reject it, or merely fail to act on it—this decision is not only for 1952, it is for all time. It is not merely a postponement until next year or the year after. Once this decision is made, I doubt very much if it can be recalled. It will be irrevocable.

Do we dare thus to play ducks and drakes with our national security, our national interest, our national destiny? Will the Senate presume to take that responsibility, and face the judgment of history in this matter?

I have a feeling that we are acting as in a dream, without either responsibility or accountability. Some of the Members of this body seem to be going through the motions of debate on this vital subject, but without really reflecting the vital, the urgent importance of the issue before us. True, this is an old issue, not a fresh or new one. The newspapers are giving this debate rather less attention than they are giving the games being played by the Washington baseball team.

But in my judgment, this debate will be recorded in the annals. The action we take on this issue will be remembered and discussed long after we here are gone. Of course, opposition to great new waterways and internal-improvement projects is nothing new in history. The forces of reaction have always opposed them, and then have proceeded to benefit from them.

The Panama Canal is a classic example. President Theodore Roosevelt had to use direct and high-handed methods to get that project approved, in the face of the concerted opposition of the railroad interests and the east coast port interests, who called it "Roosevelt's Folly," on the one hand, and protested that it would ruin them, on the other.

The Suez Canal, around which the entire diplomacy of the Middle East now revolves, was once laughed and jeered at as an utterly fantastic and unrealistic undertaking. When, in 1857, Ferdinand de Lesseps, the great architect and promoter of the Suez Canal, broached the subject to Lord Palmerston, the Foreign Minister of Great Britain, Lord Palmerston said it was the British Government's opinion that the project was a physical impossibility, that if it were constructed, it would injure British maritime supremacy, and that it was, in any event, a financially preposterous undertaking. But, Mr. President, the Canal was built, and somewhat later, another Englishman, Benjamin Disraeli, bought the controlling shares in it for the British Empire, and thus changed the course of all history. Today the Suez is one of the most profitable ventures in the world.

There is a basic parallel between the Suez Canal and the St. Lawrence seaway, and between the Panama Canal and the St. Lawrence seaway. All three projects needed to be built. And the St. Lawrence Seaway will be built, just as the Suez Canal and the Panama Canal were constructed.

Of course, the St. Lawrence seaway and power project is a much simpler and more obviously feasible project than either the Suez or the Panama Canal. The seaway project involves simply the improvement of an existing waterway—a great waterway, the Great Lakes-St. Lawrence waterway. It involves deepening the channels connecting the Great Lakes; it involves the improvement of certain stretches of the St. Lawrence wholly inside Canada; it involves dredging a 68-mile stretch known as the Thousand Islands section; it involves constructing a system of canals skirting the 46-mile International Rapids section, both of the latter being along the international boundary between Canada and the United States.

Mr. AIKEN. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I shall be glad to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, of course the Senator from New York is aware that the tactics in opposition to the St. Lawrence seaway are old tactics. We now hear that the seaway has never been properly studied. I believe the junior Senator from Illinois [Mr. DIRKSEN] has today proposed an amendment to the joint resolution, calling for a study of the St. Lawrence seaway by a seven-member commission. Of course, the effect of adopting that proposal would be to postpone the development past the deadline for the United States to participate in it.

Proposals for further study of the project have been the chief factor in delaying the construction of the seaway up to this time. The opposition does not like to come out directly against a development which means so much to the economic welfare of the United States and to our military security. The opposition says, "Let us have further study."

The opposition forgets that the St. Lawrence seaway is the most studied development in the entire world. In the 1920's it was studied by a group of business interests including the du Ponts, the General Electric Co., and General Motors. They found it so feasible that they offered to construct the whole project free of cost to the Governments of Canada and the United States if they were granted the power which would be developed. The power alone would pay for the entire cost.

Herbert Hoover studied the St. Lawrence seaway under the direction of President Calvin Coolidge, and he found it feasible. It has been studied by United States engineers. It is now proposed to study it some more—just to study it until the time has passed for the United States to participate in the joint development of this great waterway which leads from the head of the Great Lakes to the Atlantic Ocean, a waterway of which our early Secretaries of State and boundary commissioners were so jealous that they almost came to serious difficulty with Canada over the question of maintaining joint control; a waterway which Abraham Lincoln, in addressing the Congress in 1862, said must always be kept open to the people.

Further study is now proposed. I have heard that suggestion from Boston and New York utility interests for so long that it becomes almost a blur on the landscape. It now pops up again.

In 1926 New England business interests, now known as the New England Council, appointed a committee of five persons from each of the New England States to study the St. Lawrence seaway and its effect on New England. They submitted a rousing report, pointing out the great benefits to be derived by the people of New England and other sections by making transportation available to cities in the Midwest.

The suggestion of further study is merely parroting the cry of the Boston and New York railroad and power interests which we have heard for the past 20 years.

Mr. LEHMAN. The Senator from Vermont is absolutely correct in his statement that no project has ever been more carefully and extensively studied. I shall take up that point a little later in my discussion. But may I add that I do not know of any project that is nearer my heart than is the development of the St. Lawrence seaway and the development of the power of the St. Lawrence River. I have lived with it and slept with it for more than 25 years.

When I was Lieutenant Governor and Franklin D. Roosevelt was Governor of the State of New York he appointed a committee of impartial experts to look into the subject. Their report became the basis for the creation of a commission. At that time, just as at this moment, the project was opposed mainly by private power interests and railroad interests. They are the ones who opposed it in 1930 and they are the ones who are trying to block it in 1952. No project has ever been more carefully investigated and studied than has the St. Lawrence seaway, and no project has been so selfishly opposed, against the interests of the people of the United States and the people of the free world as has this project.

Mr. McFARLAND. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. McFARLAND. Mr. President, in regard to the amendment which proposes a further study of this project, that is all we have been doing in regard to the St. Lawrence seaway ever since it was first discussed in the Senate. At the end of this year the subject will have been studied for more than 12 years. I, for one, think the time has come when we should vote the proposed legislation up or down. If the Senate does not approve it, let it vote down the project. What is the use of adopting an amendment providing for a further study? That is sometimes a good way to kill legislation. I believe in the development of our natural resources, and for that reason I expect to support the group who are sponsoring the pending measure. I hope the vote will come on the question of passing or rejecting the joint resolution and not on a proposal providing for a further study of the project.

Mr. LEHMAN. I thank the distinguished majority leader for his remarks. I want him to be assured that so far as the proponents of the resolution are concerned, we shall cause no delay in bringing it to a vote.

Mr. McFARLAND. I understand. I hope we can reach a vote on some phase of it tomorrow.

Mr. LEHMAN. I wholly agree with the Senator from Arizona.

Mr. GREEN. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I am happy to yield to the Senator from Rhode Island.

Mr. GREEN. I was not in the Chamber at the time the discussion began. I heard only the end of it, but I should like to say that I agree with what the distinguished Senator from Arizona has said, that the Senate ought to vote on the measure, and vote it either up or down. We should dispose of the question. The debate should not be unduly prolonged, and the vote should not be postponed. I hope that we can very soon proceed to vote.

Mr. LEHMAN. Mr. President, the St. Lawrence seaway and power project is, as the name implies, a dual-purpose project, involving not only the seaway, but the development of vast hydroelectric power from the precipitate drop in the terrain in the International Rapids section, between Ogdensburg and St. Regis, N. Y. The power dam would be at Barnhart Island.

That is all there is to the project. A great share of the works necessary for the seaway have already been constructed. Channels have been deepened, and the Welland Canal, betwen Lake Erie and Lake Ontario, has been built, the latter wholly by Canada.

Even today there is an all-water passage which can be negotiated by vessels of 14-foot draft or less. But this is unsuitable for a major volume of traffic.

The seaway proposal, which has been studied and surveyed and resurveyed during the past 30 years, is ready to be built. Work could start tomorrow. The detailed specifications are ready.

I wish to say again, in connection with the point that has been raised by the distinguished Senator from Vermont [Mr. AIKEN], that the Corps of Engineers says it has 40 volumes of plans and specifications, weighing more than 50 tons, ready to be used as soon as Congress gives the word. They say, further, that the project has been investigated, studied, and re-studied by themselves and by statistical and other agencies time after time. The Corps of Engineers is ready to proceed just as soon as Congress gives the word. But Congress must give the word. I hope it will be given promptly.

The opponents of the seaway have been talking about how the Great Lakes are frozen over several months of the year, and that this circumstance makes the seaway impractical. That is so absurd that it scarcely deserves reply. The fact is that the Great Lakes today carry more traffic than any other inland waterway in the whole world. More cargo passes through the Great Lakes than through the Panama, Suez, Manchester, and Kiel Canals combined.

Yet this tremendous waterway of 2,500 miles is choked off at Ogdensburg, N. Y.; and thereafter for 114 miles, to the vicinity of Montreal, it is impassable to ships of major draft.

So Canada and the United States need to build shipways—canals—along this short stretch of 114 miles.

The work remaining to be done on the seaway—and as I have said, a major share of the work is already done—would cost the United States $375,000,000. Of this amount $90,000,000 would be for deepening the channels between the Great Lakes, and will have to be spent, regardless of whether the seaway is built. This work needs to be done to accommodate the increasing drafts of lake-going ships. So $285,000,000 is the cost attributable solely to the seaway. Over a 7-year period, this amounts to about $40,000,000 per year, an insignificant outlay for a project so vital to the security and welfare of our country.

For the power works, an outlay of $192,000,000 or about $30,000,000 a year is projected, but this money would be repaid in full by New York State when it takes over the power works, in accordance with the terms of the pending legislation. All these figures are based on December 1950 costs and, according to the engineers, are subject to an upward revision of perhaps 6 percent and no more.

The total project cost to both the United States and Canada would be $818,000,000, of which the United States would pay $566,000,000, and Canada $251,000,000. The reason Canada would pay less is that Canada has already built, at her own expense, a major part of the seaway, the Welland Canal. At the time, in 1932, it cost Canada $132,000,000, and this must be charged against her contribution. Of course, if we had built the seaway back in the early 1930's, when we should have done so, it would have cost us less than $200,000,000, but costs have much more than doubled since then.

I wish to emphasize how inaccurate, absurd, and wild have been the statements made on the floor by the Senator from Texas [Mr. CONNALLY], the Senator from Louisiana [Mr. LONG], and other Senators, that the building of the project would involve a cost to the taxpayers of this country, not of two or three hundred millllion dollars, not of $500,000,000, not of a $1,000,000,000, but of $2,000,000,000. Was there ever a more absurd and more inaccurate statement than that? I repeat, as I have said on the floor of the Senate many times in the last week of debate, that neither the seaway nor the

power project would cost the taxpayers one red cent. The seaway would not only be self-supporting, but its costs could be liquidated within a reasonable time, much more rapidly than the great developments in the Northwest, which were made in the interests of the Nation. Of course, the power project would not cost the taxpayers anything, because the State of New York will repay to the Federal Government every cent before it can take title and assume responsibility of operation.

I say now, as I have said before, from my experience as a banker, that there never has been a sweeter or a more attractive investment than the development of power on the St. Lawrence. It could be liquidated, not in 50 years, not in 40 years, not in 30 years; but, if we wished, it could be liquidated in 10 or 15 years.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield to the Senator from Vermont.

Mr. AIKEN. The Senator from New York has noticed, has he not, that some of the most bitter opposition to the St. Lawrence development comes from sections of the country which themselves have been benefited by expenditures from the Treasury amounting to hundreds of millions of dollars? Those sections also at the present time are asking for hundreds of millions of dollars more, to be paid from the Treasury. When that money is spent, then certain industries will benefit tremendously from it.

I might point out the proposal for an initial expenditure of $80,000,000 for a short cut at the mouth of the Mississippi River, which would benefit a few people, at the expense of the American taxpayer.

I might point out a request for an initial expenditure of almost $100,000,000 for deepening the Delaware River, so that heavy ocean-going vessels can go up the river to the $400,000,000 plant of the United States Steel Co. That project, too, will be contributed to by the American taxpayers.

I might point out that some of the bitter opposition to the St. Lawrence project from those living on the west bank of the lower Mississippi and along the lower Delaware River may be due to the fact that the St. Lawrence project is to be self-financed, self-liquidating, and self-sustaining. They may regard it as a precedent, and they may be worried that some day the taxpayers might ask them to pay a little toward the expenditures in other sections to which I have referred. I am afraid that our proposal to make the St. Lawrence stand wholly on its own feet, without cost to the United States Treasury or United States taxpayers, may distrub those people. They may fear that they, too, will be asked to make a contribution to the great developments, calling for the expenditure of hundreds of millions of dollars, in their areas, for the benefit of comparatively few people compared with the number who will benefit from the development of the St. Lawrence project.

Mr. LEHMAN. The Senator from Vermont is absolutely correct.

Mr. AIKEN. The people living in the areas where other projects are under way and in prospect do not want to share the costs. They want the taxpayers of New York, New England, and other States to pay all of those costs for them. When we say that we want the St. Lawrence project to pay its own way, naturally they are disturbed.

But if I have my way, they will share in the cost of their own developments, too. They have no right to oppose developments for the benefit of certain other areas of the country, while demanding everything without cost for themselves.

Mr. LEHMAN. The Senator from Vermont is absolutely correct. I think I may, without boasting, say a little about my attitude in connection with the developments voted by the Congress, which I believe to be in the interest of the country as a whole. In the 3 years I have been a Member of this body I have voted time and time again for water-power, reclamation, irrigation, and other developments which would benefit such States as Washington, Oregon, Idaho, New Mexico, and Arizona. Those developments, which were costly brought no immediate direct benefit to the people of my State, but I felt, as a Senator from New York, representing the Nation as a whole, that I was justified in voting for them. I believe that my constituents in New York would agree with my course, because I believe that what helps California, Vermont, Idaho, Iowa, Illinois, Nebraska, Washington, Mississippi, or Alabama helps New York State as well, because we are all parts of a great team, the United States. We shall prosper or we shall suffer as a nation. To me it is unthinkable that any Member of Congress should be so provincial and local in his point of view as to vote against a project merely because it did not directly benefit his little corner of the earth. Such a philosophy is all wrong. I am against it, and I shall continue to be against it.

Mr. AIKEN. Mr. President, will the Senator further yield?

Mr. LEHMAN. I yield.

Mr. AIKEN. I point out that the expenditures made for the great developments in the Pacific Northwest and in the Tennessee Valley area directly benefited the people of New York, because had it not been for such developments in the Tennessee Valley area and the Pacific Northwest we could not possibly have produced sufficient aluminum to provide the greatest Air Force in the world during World War II. If we had not done that, the war might have been prolonged for a considerable length of time; and if it had not been for the great power developments of the Tennessee Valley area the atom bomb might probably still be in the blueprint stage, unless some other country had got ahead of us in the meantime.

So we cannot say that such developments do not benefit other areas directly. We may not be able to see the direct benefit, but the whole country is benefited. As I have pointed out, such developments increase the security and the economic prosperity of the entire country.

I am sorry that there are some in the good Senator's State of New York who are bitterly opposing the St. Lawrence development, yet they themselves have greatly benefited by expenditures and developments which they have previously opposed. I believe that that will be true in the case of the St. Lawrence project. Some of those who now oppose it most strenuously will be the greatest beneficiaries from it when it is completed.

Mr. LEHMAN. I thank the Senator. I am sorry that there are not more Senators present in the Chamber to listen to the statement which I am about to make. I believe that nine-tenths of the opposition to the seaway and to the power development comes from two sources, namely, the railroads and the public utility companies. I say they are wrong; they are 100 percent wrong. I say to the railroads that the development of the seaway, which would build up the Middle West and open up great areas in the Middle West, extending over millions of square miles, would in the long run inevitably benefit them, just as the building of the Panama Canal benefited the transcontinental railroads, which so bitterly opposed the construction of that waterway.

I say to the private power companies that I am not opposed to private utility companies. I think they serve a great purpose. They have a broad field. They have a field which is almost unlimited in size and extent. To them I say that the building up of new communities, the development of new industries, and the increase in the productive and consumptive power of this country would help them very greatly. They would not suffer from this development any more than would the railroads. In my opinion, both the railroad companies and the power companies are wrong. They are shortsighted. They simply do not know where their real interest lies.

I have spoken mainly about the seaway. The main opposition to this project has been directed at the seaway, because it is the most dramatic aspect of this great project, and the most critical from a defense standpoint.

But there are selfish interests which work, more quietly, of course, against the power phases, too. These selfish interests would rather see the great power potential of the St. Lawrence go to waste than to see it developed by the public, in the public interest. Some private utility interests have been lobbying against this project, as I have said, simply on the grounds that it would be publicly developed.

Yes, it would be publicly developed. It must be publicly developed, in the interest of all the people of the country. This waterway is the heritage and the possession of all the people. It is an international boundary. It is part of a navigable waterway that drains a major part of the United States. This power potential is made possible by the nature of the terrain of our country, and by the rains and streams which feed the great system of waters emptying through the

St. Lawrence into the Atlantic. These gifts of providence should not be exploited for private profit, but should be preserved, in any development, for the benefit of all the people.

New York and New England need the power. This area needs low-cost power to feed into the great grid systems of the Northeast, and to supply low-cost power, at promotional rates, to rural cooperatives and to municipal bodies, and to supply essential power to existing and projected defense industries in the area.

New England and northern New York need an added source of low-cost power as much as farmers need the rain. There are many localities in this vitally important area which are constantly on the edge of economic distress, because industries are moving out, moving South and West to places where there is low-cost power. The St. Lawrence development can supply part of the power that is needed.

Approximately 900,000 kilowatts of installed capacity are planned on the United States side—1,800,000 kilowatts for both the United States and Canada—and we must not forget the Canadian share, for Canada's power needs are inseparable from our own, so great is the interdependence of our two economies.

There would be a dependable flow of an average of 1,400,000 kilowatts for both the United States and Canada, one of the greatest power potentials on the North American continent, and, indeed, in the world.

These power works would cost the United States and Canada together about $384,000,000, $192,000,000 to be laid out by the United States, and the same amount by Canada.

These cost estimates are based on the supposition that the power project will be built in conjunction with the seaway. If the power project is built separately the cost of the power project would be increased by about $100,000,000. Indeed, I understand that if Canada builds the seaway by herself she will insist that the power project bear a much greater share of the cost than if we build the entire project together.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LEHMAN. I gladly yield.

Mr. AIKEN. Does the Senator believe that perhaps the reason why the power interests and their allies, the rail interests, and their other cohorts are willing to give up joint control over navigation on the St. Lawrence River and require Canada to construct the seaway alone, is that in that way they can make the cost of the power development so much higher? We know that in our localities, in New England and in New York, the rates of the power companies are approximately twice as high as the rates in more favored areas, such as Nebraska, Montana, the Southern States, and in the Northwest. Apparently those interests believe that if they can force Canada to go it alone in constructing the seaway, the cost of generating the power may be increased so much that it will not make the present exorbitant rates of the power companies in New York and in New England appear very high by comparison.

Apparently they are willing to surrender the rights of the United States—and in effect that is what we would be doing—over navigation on the St. Lawrence River for the sake of the dollars which they take unwarrantedly, year after year, out of the pockets of New York and New England power consumers. In New York and in New England more than $500,000,000 a year in excess charges for power is taken from the consumers as compared with what they would have to pay if they lived in the area in which the present Presiding Officer, the Senator from Alabama [Mr. SPARKMAN] lives, the Tennessee Valley.

That is what the fight is all about. The power companies use the railroads and any one they can use, and they infiltrate into any organization in which they can infiltrate and use for their purposes. That is what is at the bottom of the opposition, Mr. President. It is the $500,000,000 in the form of excess power charges they collect from the people who consume electric power in New York and in New England. They feel that if they can force Canada to go it alone and make the power-development cost an additional $100,000,000, the threat to their exorbitant charges will not be so great as it would be if the power and seaway projects were constructed together.

Mr. LEHMAN. Mr. President, I think the Senator from Vermont is absolutely correct. I would go even further. I believe that the railroads and power companies have made up their minds that they are going to stop the public development of power and the building of the seaway by hook or crook, and to that end are willing to resort to any device.

Mr. President, for the same reason they are objecting to the development of power on the Niagara River, which would be definitely of great benefit to all the people of the United States and would reduce the cost of power without doing the power companies any harm or putting them in any uncomfortable position, because they, too, would gain by it. They want to stop all development of public power. In the last 12 to 24 months the power companies have been spending literally millions of dollars to kill the inevitable development by the public of the water resources of the United States. They are trying to do it in every way they possibly can.

Mr. AIKEN. Mr. President, will the Senator yield further?

Mr. LEHMAN. I am glad to yield further.

Mr. AIKEN. The Senator is not forgetting the multi-million-dollar propaganda campaigns of the railroads.

Mr. LEHMAN. No; I am not forgetting them.

Mr. AIKEN. Exorbitant power rates are the real prize for which the power companies are fighting. But we know that the power companies have interlocking directorates with many of the railroads in the United States, and that they are using the railroads as a front.

At this moment representatives of practically every railroad in the United States are in Washington and are getting in touch with Senators, trying to scare the daylights out of them so that they will not vote for the pending measure. The railroads have representatives in every congressional district in the United States. They are charging the cost of the campaign to the people who use the railroads, just as the power companies are charging the cost of their multimillion-dollar propaganda campaign to the users of electricity. I hope the time will come when the public service commissions in the 48 States will have nerve enough to stand up to them and tell them that that is not a proper operating expense.

Mr. LEHMAN. I share that hope. There can be no doubt that the consumers of power and the people who use the railroads are footing the bill for the propaganda campaign in the form of higher rates. They are footing the bill for the advertising campaigns and the other forms of propaganda.

Mr. AIKEN. They not only advertise, but the railroad association hires agents to work for them who can do them some good by contacting persons in authority. They place full-page advertisements in virtually every newspaper and magazine in the United States, and the advertising campaign has been going on for months. No one knows what the campaigns cost. They infiltrate every organization they can possibly infiltrate. I recall one small-business men's organization which was getting under way. The president of it told me they were offered $10,000 for their expenses by the local power company. The offer was refused. He had the courage to refuse it. However, judging by the attitude of the organization in recent months, I am wondering whether they are still refusing the offer. Untold millions of dollars are spent for such purposes and are being charged up to the users of the railroads and the consumers of electricity.

Mr. LEHMAN. Mr. President, if the power project is built separately, the users of power will have to pay higher rates, as my distinguished colleague from Vermont has pointed out, and the outlay by New York State will have to be considerably greater. The higher costs will have to be reflected in higher rates. I agree with my colleague from Vermont.

Mr. AIKEN. Mr. President, will the Senator from New York yield further?

Mr. LEHMAN. I am glad to yield.

Mr. AIKEN. The very fact that the power companies and railroads can spend millions upon millions of dollars, contributed by the electric light and railroad users, indicates in itself that the rates are too high. If they were not too high the companies would not be able to spend millions of dollars for propaganda campaigns. They would not have the millions of dollars available in the first place. They would not be able to send men all around New England and New York State to every little organization and ask its members to request Members of Congress to let the Niagara-Mohawk Co. have the Niagara Falls. They could not do it if they were not overcharging the consumers, because they would not have the money available for that purpose.

Mr. LEHMAN. The Senator from Vermont, the Senator from New York,

and the public in general must foot the bills in that area for the advertisements which in turn necessitate higher rates.

Of course, whatever money is laid out by the Federal Government for the power project under the terms of this legislation will be speedily repaid by New York State, which would acquire ownership of the power facilities on completion of the works. New York State is ready and willing and eager to make this investment, for the power facilities can pay for themselves in a very short time.

The whole project is completely self-liquidating and would be the finest investment this country could make.

Some of us are proposing an amendment to the pending bill which would provide for the issuance of revenue bonds to capitalize the initial investment, so that there would be no assessment against the ordinary revenues of the Government, and the taxpayers would not need to make even an initial outlay.

I am very happy that such an amendment has been proposed today by my colleague from Vermont. I am very proud and glad to be one of its cosponsors. It is another indication of the fact that the proposed development would not cost the taxpayers of the country as much as 1 cent.

I strongly urge the adoption of the amendment. It is a sound one, and it should relieve the minds of anyone who is disturbed by the prospect of an added charge being levied against the Federal budget.

I strongly support this entire joint resolution, as proposed to be amended in the manner I have just described. I especially support section 5, which provides for the power facilities to be turned over to New York State, with the full understanding that a fair share of the power is to be made available to New England areas within economic transmission distance of the power site. This is no more than fair. New York neither wants nor expects to retain all the benefits of this low-cost power. These benefits should be as widely shared as possible.

For many years New York has been working and planning for the day when this great project would be built. In 1930 a separate State agency, the New York Power Authority, was created, on the recommendation of the then Governor, Franklin D. Roosevelt, to promote the construction of the St. Lawrence seaway and power project. As lieutenant governor of New York at that time, it was my privilege to help guide this legislation through the State senate.

The New York Power Authority continued its activities, in support of the St. Lawrence project, all through the years when I was Governor, and has spent a great amount of money promoting the St. Lawrence seaway. The New York Power Authority is still an active agency of the State government, and its chief avowed function is still to promote the St. Lawrence seaway and power project.

This is part of the background justifying the special arrangement proposed in this joint resolution for the transfer to New York State of the power facilities of the St. Lawrence project. This arrangement is, in my judgment, wholly consistent with the public power policies of the Federal Government, for written into the basic agreement between the Federal Government and the government of the State of New York there are all the essential safeguards of the rights and interests of the other States, and of the eventual consumers of the power.

Mr. President, there is really no need for me to go into much further detail on this measure. The hearings are full of all the essential details, all the arguments, all the justifications. I appeared before the Senate Foreign Relations Committee earlier this year, as I have appeared before every committee which has held hearings on the St. Lawrence since I have been a Member of the Senate, and I appeared before congressional committees in the same cause five times during the 10 years when I was Governor of New York.

But while the St. Lawrence has long been one of my major enthusiasms, it is neither my, nor any one else's pet project. This is a national project, a national undertaking, a national need.

Its prosecution, in the immediate future, as a joint undertaking with Canada, is important for our national security, important for our national welfare, and important for our relations with Canada.

The Joint Chiefs of Staff say it is vital for the national defense. The Director of the Office of Defense Mobilization has said so. The Secretary of Defense has said so. The Secretary of Commerce has said so. The Secretary of State has said so.

We need this seaway, and we need the power facilities to continue the build-up of industrial and military might which is so important to preserve the free world and to uphold the cause of democracy.

The northeast is hungry for power. The power from the St. Lawrence represents only 10 percent of the power capacity now available in the northeast. But this additional 10 percent may represent the difference between victory and defeat. And it is low-cost power. It is premium power. It can be developed at the dam site and delivered to load centers in New England at a cost equivalent to the cost of the coal, alone, that would be needed to develop an equivalent amount of steam-generated power.

We cannot afford to let this power potential continue to go unharnessed. We cannot afford to let the seaway pass out of our control. We need the power, as I have said, and we need the iron ores from Labrador, as others, in addition to myself, have pointed out in the course of this debate. These ores are vital to the continued growth, without disruption, of our mighty steel industry. More than 75 percent of our steel capacity is located in the Great Lakes area. The steel plants cannot exist without an assured supply of ore. These plants will need about 30,000,000 tons of ore annually from the newly developed mine fields of Labrador. Only the seaway can assure such a supply to the steel mills.

Only the power project, which should be built in connection with the seaway, can provide us with a bloc of low-cost power that will make possible increased production of electrolytic metals such as aluminum, will promote the electrification of our farms, and will make available additional power for new industries, and for homes and farms.

Mr. President, the time is quickly passing for debate. This is not a question to be discussed much longer on the floor of the Senate. Our Canadian friends grow increasingly restive and impatient. They are eager and intent to get on with this project.

The development and expansion of Canada are being held back because of our indecision in regard to the seaway and power project. Canada will wait no longer. If we do not act at this session, the decision will be taken out of our hands.

To permit this to happen would be folly. It would be an historic tragedy. Let us act to authorize this project, to approve the 1941 agreement with Canada, already more than 10 years overdue, and overdue because of all the unwise, unjustified roadblocks which have been erected in order to prevent construction of this project. Certainly we cannot afford to delay action any longer. If we did, I believe we would be betraying our entire country; I believe we would be yielding to the influence of selfish interests; I believe we would be giving a great setback to our efforts to build up the defenses of the free world.

Mr. President, I hope with all my heart the Senate will reach an early vote on the pending proposal. I hope and strongly believe that when it comes to a vote the Senate will approve it. In my judgment there is no alternative, no other wise course for the Senate to take but to approve this joint resolution just as promptly as it possibly can be done.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed without amendment the following bills of the Senate:

S. 216. An act to amend section 631b of title 5, United States Code, by adding a new subsection to be cited as subsection (c);

S. 1536. An act to stabilize the economy of dependent residents of New Mexico using certain lands of the United States known as the North Lobato and El Pueblo tracts, originally purchased from relief program funds, and now administered under agreement by the Carson and Santa Fe National Forests, to effect permanent transfer of these lands, and for other purposes;

S. 1932. An act to authorize the establishment of facilities necessary for the detention of aliens in the administration and enforcement of the immigration laws, and for other purposes;

S. 2390. An act to amend section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, relating to penalties;

S. 2610. An act providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental or regulated water supply from the San Luis Valley project, Colorado;

S. 2748. An act authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952; and

S. 3019. An act to amend the Career Compensation Act of 1949, as amended, to extend

the application of the special-inducement pay provided thereby to physicians and dentists, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6787) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes.

THE ST. LAWRENCE SEAWAY

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The question is on agreeing to the amendment submitted by the Senator from Vermont [Mr. AIKEN].

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CASE. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

The PRESIDING OFFICER (Mr. FREAR in the chair). Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

Mr. CASE. Mr. President, five considerations persuade me that Congress should approve the proposal to authorize the construction of the St. Lawrence seaway project at this time.

First, it will bring ocean commerce and foreign markets to the doorway of the land-locked Northwest States. It will move my own State of South Dakota to within 300 miles of Atlantic Ocean traffic.

Second, it will make an ocean port, or a potential ocean port, of every port on the Great Lakes.

Third, it will create a gigantic source of low-cost hydroelectric power in an area in which there is a shortage of power and in which power costs are too high. Considering that this area embraces a section of the United States where there have been complaints that industry has been lost to other sections where more abundant power is available, it is difficult to understand some of the opposition expressed by persons from this area.

Fourth, national security has a vital, if not an altogether compelling interest in establishing a water route to the iron-ore reserves of Labrador, thus to supplement the dwindling reserves of the Mesabi range, as well as to serve the whole battery of blast furnaces and the entire industrial pattern of the Great Lakes region which has been built around the steel industry.

Fifth, Canada, we understand, proposes to go ahead with the seaway project alone, on her own terms, and at her own expense, if we do not join her. National self-interest would seem to dictate that we join in this venture, so much of which is on our common water boundary; and it would seem to offer far more to our greater area and population than it would offer to Canada. It would seem to me that we should make this a joint venture, in order that, when completed, there may be joint operation, and in order that we may have a voice in its control, its method of operation, and its utilization.

Thus, believing that the St. Lawrence seaway project is to our interest on general principles, I wish at this time to discuss certain of the fiscal or budgetary questions which naturally arise in connection with the initiation of any new projects at this particular time. The pending proposal, as outlined, contemplates the development of a 27-foot navigation canal from Duluth to Montreal, as the seaway portion of it. The second phase of the proposal contemplates the development of hydroelectric power, with a dam and a power plant having a generating capacity of 1,400,000 kilowatts, which would make it second only to the Grand Coulee among enterprises of that sort.

The total cost to the United States for the several phases of the project is estimated at $567,000,000. I understand that these figures should be increased 6 percent, since they are based upon the December 1950 index of costs. Of the $567,000,000 however, $192,000,000 would be for the power features. The power would be salable, and the amount would be immediately recoverable if sold to a corporation or to New York State, leaving a net cost of $375,000,000.

Of the $375,000,000, the sum of $90,000,000 represents the estimated cost of improving the connecting links between the several Great Lakes themselves and improving the Great Lakes harbors. Those are items with which we can expect to be confronted in any event and entirely independently of whether the seaway itself is developed jointly.

Subtracting the $90,000,000 from $375,000,000 leaves $285,000,000, which would be the net cost of the new navigation features. In other words, the entire project, when it is broken down, comes out not as a cash expenditure, but as a reimbursable project; and it is in that light that I wish to discuss it.

I have asked the Chief of Engineers for the calendar schedule of funds which would be needed for the project in case the St. Lawrence seaway is authorized. My understanding is that for the first fiscal year, which would be 1953, the Engineers would seek to get $5,000,000. That would be for the initial work. For 1954 they would seek $25,000,000; for 1955, $90,000,000; and the balance in the following year.

Mr. President, in considering the project from the cost standpoint, it should be kept in mind that we do not start from scrach to develop the power and navigation resources of the Great Lakes-St. Lawrence waterway system. On the contrary, present plans are built on the foundation of prior work. The remaining work will serve to make what has been done before fully usable by both Canada and the United States.

As we all know, the St. Lawrence seaway is not a new project. It has existed as a dream for nearly a century. As a practical possibility it has remained an unrealized opportunity for the past two decades. However, despite the opposition of competing transportation interests and the selfish particularism of legislators from regions of the country that would benefit only indirectly from the St. Lawrence development, work on this waterway has proceeded steadily, if more slowly than has been desirable.

The present 14-foot canals bypassing the St. Lawrence rapids were built entirely by Canada and opened to navigation about 1900. There can be little doubt that facilities constructed a half-century ago and designed to meet the navigation needs of that time are hardly adequate to serve present-day requirements.

Anyone who has followed the trend of ocean transportation in the past has realized, of course, that ships of deeper draft are being used, and many of our harbors are being deepened to accommodate them.

The United States has never made any substantial investment in improving the St. Lawrence River for navigation except the outlay of less than one-half million dollars to improve the Thousand Islands section of the river. When we deal with civil-functions appropriations, we note that projects which require less than half a million dollars are repeatedly referred to as minor or very small projects.

A half million dollars is a small sum compared with appropriations authorized by Congress for rivers in other regions of the United States. Moreover, our past St. Lawrence investment has been matched on an equal basis by Canadian expenditures in the same area. We have, however, done considerably more than that when it comes to deepening connecting channels between the several Great Lakes so that the five lakes could form and do now form an integrated water route serving the most heavily industrialized area of the United States. I think the fact should be more generally recognized than it is that our waterborne commerce on the Great Lakes today exceeds that on the world-famous Panama, Suez, Manchester, and Kiel Canals combined.

Mr. WILEY. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. WILEY. There is another factor which I think is tremendously significant. Not only does that tonnage travel

the Great Lakes, but it goes into the heartland of that area, provides employment, tax returns, and revenues in connection with literally millions of employable persons, and adds to the economic wealth of the Nation, because from that great section there comes a large percentage of the taxes that operate the Government and provide for the national defense.

Is it not the judgment of the distinguished Senator from South Dakota that, according to all the facts we can gather, if in the course of a few years the ore from the Mesabi range is exhausted and the St. Lawrence project is not constructed, a large part of that economic wealth and industry would be at least partially paralyzed, resulting in untold economic loss and a great number of unemployed persons?

Mr. CASE. Of course, I agree with the implied answer to the Senator's question. As I said at the outset of my remarks, the national security is a vital if not an altogether compelling interest in establishing this water route to the iron-ore reserves in Labrador to supplement the dwindling reserves in the Mesabi range; but, in addition to that, it must be recognized that a whole battery of furnaces and an industrial pattern and development have been built up around the Great Lakes area, which would be put under a severe depressing influence if the Mesabi range were completely exhausted and there were nothing to take its place. There has been developed in the great heart of the United States this industrial pattern and economy built upon the Mesabi range ore deposits. If this ore should become exhausted, and there were nothing to take its place, there would be first, a depression, and then perhaps some sort of industrial revolution in that area. To serve the industrial pattern in the region, some replacement of the Mesabi reserves is necessary, and I think the St. Lawrence River project offers the answer.

I appreciate the question of the Senator from Wisconsin in emphasizing that point in the discussion.

Up to this time the United States Government has expended more than $31,000,000 on improving the connecting channels. At present the connecting channels between Lakes Huron, Superior, Michigan, and Erie provide depths of at least 21 feet in up-bound lanes and 25 feet in down-bound and two-way lanes. The Welland Canal, between Lake Erie and Lake Ontario, also provides a 25-foot depth. Within each of the Great Lakes proper, natural depths are many times those in the now improved connecting channels.

The seaway project under the 1941 agreement calls for deepening all these connecting channels to a 27-foot project depth. When that happens, of course, it means that advantage can be taken of the greater depth in the Lakes themselves. Together with the planned development of the International Rapids and the Canadian section of the river, this will provide a 27-foot seaway from such cities as Duluth, Milwaukee, and Chicago to Montreal. Below Montreal depths exceeding about 35 feet obtain. There already exists a channel at least 25 feet deep in the Thousand Islands section of the St. Lawrence River. Thus from Duluth to Ogdensburg, N. Y., a 25-foot waterway exists and is being extensively utilized, despite its being virtually land-locked.

The cost of dredging the connecting channels between the Great Lakes has been estimated by the Chief of Engineers to be a little less than $90,000,000, at cost levels prevailing in December 1950. That is the $90,000,000 I spoke of earlier as the amount which in all probability we will be expected to provide for normal development of Great Lakes traffic itself, even if the Great Lakes continue to be landlocked so far as ocean transportation is concerned.

Since the $90,000,000 figure is based upon a cost index as of December 1950, the present cost, assuming a 6-percent increase, would be slightly more than three times the amount already expended to bring the connecting channels to the present project depths; that is, $31,000,000 has been expended up to this time, and 6 percent added to the $90,000,000 would total a sum just a little over three times the amount already expended.

At present the Great Lakes form an integrated inland waterway carrying a heavier volume of traffic than is carried on any other inland waterway in the world, but requiring for this traffic a specialized fleet of lake vessels which are capable of transiting a 27-foot channel in the St. Lawrence and operating in the Gulf of the St. Lawrence, but not on the high seas. The Great Lakes system is closed to oceangoing vessels except for a few foreign steamers specifically designed to navigate the 14-foot canals.

When the 27-foot channel is provided, lake-type vessels can extend their operations to the lower St. Lawrence and some 75 percent of our oceangoing merchant vessels can reach the major ports on the Great Lakes, thus discharging or picking up cargo without transshipment or without necessity for any rail haul.

With the growth and improved technical efficiency of shipping operations on the Great Lakes there has occurred a distinct trend toward deeper draft vessels, similar to the trend toward deeper draft on the high seas, for the purpose of lowering shipping costs per ton.

That is a natural development. The cost of labor and the cost of overhead for operating these lines remain the same, whether vessels are capable of going through a 14-foot channel or a 25-foot or a 27-foot channel. The overhead is substantially the same. So the trend of port development throughout the United States has been to increase the depths of waterways and harbors to accommodate ships based upon the use of 27-foot channels.

In the course of time connecting channels between the Great Lakes will have to be deepened to accommodate lake-vessel tonnage more economically even if the St. Lawrence River should not be open to ocean-going vessels.

However, we must confront the fact that the St. Lawrence is going to be opened by Canada alone if the United States does not join her. My point is simply that sooner or later we shall be called upon to make an outlay of $90,000,000, or a substantial portion thereof, in order to deepen the connecting channels between the Great Lakes. To the $90,000,000 figure, included in the $585,000,000 estimate, can be anticipated as a normal expenditure in the years to come, regardless of whether we get the benefits of joint construction of the seaway or not. Thus we shall not escape this cost by refusing to face it now, but will at best only postpone it—possibly until a time when construction costs will be even higher than they are at present. Similarly, Great Lakes harbors will have to be deepened as time goes on. Principal Lake ports already have channels 25 feet deep, and they will have to be deepened to accommodate vessels coming through 27-foot channels.

The deepening of connecting channels between the Great Lakes, like other river and harbor development work, is not done on a self-liquidating basis. The cost is small compared with the amount we are spending on other rivers and harbors throughout the United States. What is proposed is the spending of $90,000,000 on the Great Lakes over the next 5 to 7 years. This compares with nearly $900,000,000 spent for river and harbor development during the last five fiscal years, 1948–52, inclusive. So, taking a similar period of time, assuming we would do the work in 5 years, it would represent approximately 10 percent of what we are spending currently for rivers and harbors throughout the United States, and presumably will continue to spend annually for at least the next 5 to 10 years.

The expenditure of 10 percent for the improvement of channels connecting the several Great Lakes, providing a complete waterway for the entire Great Lakes area, does not seem out of proportion when account is taken of the industrial and agricultural production of the area served by the Great Lakes water route. On the contrary, it would seem to be a very modest item in proportion to the area served.

The principal item of cost, of course, comes from the works necessary to remove the main bottleneck in the Great Lakes-St. Lawrence system, namely, the 182-mile stretch of the river itself between Lake Ontario and Montreal. It is in this area that the major work to complete the seaway would be carried out, and the major part of the funds necessary to complete the seaway would be invested. Because of that, it may be well, in considering the proposed legislation, to review the history of negotiations with respect to the sharing of costs of the seaway.

The basic understanding between Canada and the United States as to how the portion of the river between Lake Ontario and Montreal should be developed goes back at least to 1921, more than 30 years ago. The logical basis for a cooperative undertaking in this area has always been for Canada to develop navigation facilities in the 68 miles of

the river extending above Montreal, entirely within her territory, and to share the cost in the 114 miles of boundary waters from Lake Ontario to Cornwall, Ontario, on roughly an equal basis with the United States. This was a proper understanding in 1921; and if appropriate account is taken of subsequent developments, it is still a proper basis for cost sharing between the two countries.

This understanding takes no account of the fact that the American economy is much larger than the Canadian, or that the preponderant part of the benefits from the projects will accrue to the United States rather than to Canada. These considerations would weigh in favor of the United States meeting far more than half the cost of navigation and power facilities common to the two countries. But these factors do not count. On the contrary, our smaller neighbor to the north is meeting us more than halfway in this venture, despite the fact that she understands fully her position as junior partner in the division of benefits.

At the time of the United States-Canadian treaty covering development of the St. Lawrence, which was negotiated in 1932, the understanding between the two countries concerning the relative sharing of cost was as follows:

Canada would undertake the work in her territory and would receive credit for the Welland Canal, which was built entirely at Canadian expense, and was opened to navigation in the year 1932. That was about 21 years ago. The United States, on the other hand, was to construct and finance work in the International Rapids and to deepen connecting channels between the Great Lakes. The United States would also make further necessary improvements in the Thousand Islands section of the river. Had the 1932 treaty been ratified, the cost of building the seaway and power project at that time would have been shared, dollarwise, almost equally between Canada and the United States.

However, our failure to ratify the treaty at that time, together with the change in costs, means that as of today the works which Canada completed at that time, and the absence of works to be completed by us, change the dollar division of costs.

When the 1941 agreement was negotiated it was negotiated on the basis that the physical work would be shared, as provided in the 1932 treaty, In other words, Canada was given credit for the Welland Canal, and we were given credit for certain work done in the St. Mary's River. Costs of the remaining work by the two countries are to be divided. The legislation before us provides for approval of the 1941 agreement, and thus for sharing the work and the cost between our two countries substantially on the same basis as was contemplated by the treaty of 20 years ago. That is the basis for the estimates of costs which I have used in my remarks.

This division of work was a logical one at that time, and is still sensible at present. The cost of the remaining work, however, is no longer equal in terms of dollars, as I have been explaining. According to the estimates presented by Gen. Lewis A. Pick, Chief of Engineers, to the House committee last year and to the Senate Foreign Relations Committee this year, completing the necessary remaining work to finish the St. Lawrence seaway and power project, as spelled out in the 1941 agreement, would require an investment by the United States of $567,000,000, and by Canada of $251,000,000, making a total for the two countries of $818,000,000. These estimates, again, are on the basis of the December 1950, levels.

Of the United States share of the $567,000,000, the sum of $192,000,000 would be recovered from sales of power in the International Rapids section, leaving the seaway cost of $375,000,000, as previously set forth. That figure is again subject to the 6 percent upward revision, because of the current cost index.

Had we approved the St. Lawrence treaty 20 years ago and gone ahead with our share of the work at that time, the International Rapids facilities could have been built for only a little more than half of what it would cost us to do the work today. Looked at from another standpoint, Canada's investment in the Welland Canal, made during a period when construction costs were low, is today worth considerably more than the cost at that time. It would require about $350,000,000 to duplicate the Welland Canal at present prices, as compared with its actual cost of $132,000,000.

I mention these facts only to indicate that delay has gained us nothing, and that the present sharing of costs between Canada and the United States is only the result of the respective policies which each country has followed up to this point. If it seems that we now advance twice as much as do the Canadians, it is merely the price we pay for our delay and the benefit they reap from their foresight in having gone ahead 20 years ago. The project, from a work standpoint, is still basically a 50-50 project between the two countries.

By purpose of work, the $567,000,000 outlay we are asked to authorize in this legislation breaks down as follows: $170,000,000 will be expended solely for navigation works; $217,000,000 will be expended in the International Rapids section for power facilities; the remainder, or about $179,000,000, is for work common to both navigation and power phases of the project in the Rapids section. This $179,000,000 of cost common to the navigation and power facilities is to be split 50–50 as between power and navigation.

These cost estimates, on December, 1950, levels, have been developed jointly by the Corps of Engineers and the Canadian Transport Department after thorough review of the estimates made by the many joint engineering boards over the last quarter century.

It has been suggested that in lieu of this legislation we propose a new study. Mr. President, the St. Lawrence project has received more extensive engineering analysis than has any other public-works project ever brought before the Congress for authorization. Engineering plans and cost estimates were prepared by joint American-Canadian engineering groups in 1926, again in 1932, again in 1941, again in 1942, again in 1947, and again in 1950. Thus these cost estimates have been confirmed by the studies of six different joint boards. So it seems at this time, that since we have cost indexes which can take the most recent study of 1950 and interpret it in the light of present-day costs, and since these figures are based upon cost studies of six different joint boards, the suggestion for further study is hardly a practical one.

The bulk of the remaining construction will be located in the 46-mile International Rapids section, including a larger powerhouse there. For that development detailed plans and specifications were developed in 1940 and 1942 by a separate field office established at Massena, N. Y. This office was staffed by 300 persons, including surveyors, land appraisers, draftsmen, civil engineers, hydraulic engineers, foundation experts, structural designers, and outstanding engineering specialists in all the fields of construction involved, including excavation, dikes, locks, dams, power houses, and all the appurtenant facil ities. Never has a water-resource development project been brought before Congress for authorization which has been covered by as many volumes of plans and specifications.

These estimates are based on present-day construction costs. Senators are aware that many years are required for preparation of survey reports, for legislative authorization, and finally for the appropriations process. General Pick has made it abundantly clear before the Senate committee that the Corps of Engineers' civil-works program involving navigation and flood-control work throughout the country over the past several years has been accomplished in line with the cost experience of the construction industry generally, or at less cost. That is why the 6-percent increase is regarded as adequate to meet the costs as of today. Thus what we are actually called upon to do today is to look at a proposal for an investment of $567,000,000, $90,000,000 of which we would probably pay out anyway for the improvement of the connecting channels of the Great Lakes, and $192,000,000 of which can be recovered by the sale of power directly, leaving a balance of $285,000,000 for the additional navigation features.

That $285,000,000 will be recoverable in the form of tolls. That feature is to be wholly self-liquidating, with tolls levied on traffic passing through the St. Lawrence deep-water channels, and it is estimated that they will pay the operating costs of the facilities and amortize the investment in 50 years or less. Compared with the venture the United States made when we undertook the Panama Canal, this seems to be a project at bargain rates. Canada's part of the investment would also be self-liquidating.

It is estimated by General Pick that the annual carrying cost of the navigation investment by the United States and Canada combined in the St. Lawrence River portion of the development would amount only to between $16,000,-

000 and $17,000,000 a year, including interest and amortization of the investment, operating costs, and all other charges against the facilities.

On the income side, the Secretary of Commerce has presented to both the Senate and House committees detailed calculations indicating that income from St. Lawrence tolls would probably be not less than $30,000,000 a year, and might run almost as high as $50,000,000. Obviously, if the carrying charges so far as the St. Lawrence portion is concerned amount to between $16,000,000 and $17,000,000 a year, and the tolls can yield from $30,000,000 to $50,000,000 a year, we should be able to retire the investment in record time and have a completely liquidated investment thereafter, to yield the earnings which a project of this sort would yield. When the income exceeds the financing and operating costs by such a wide margin as this, feasilibity must be assumed by any standard.

We do have a definite understanding with Canada concerning the principle of tolls, but a specific toll schedule remains to be worked out. An agreement will have to be negotiated if we join in the project, as provided for in the proposed legislation. If we do not join and Canada builds the facilities alone, she will have a free hand to impose whatever tolls she considers proper. It should seem elemental that the national interests of the United States will be better served if the United States has a voice in determining the tolls to be imposed and in deciding the policies of operation than if we merely use the Canadian facilities on Canadian terms.

If I may be so bold, I would say that it seems extremely shortsighted indeed not to buy this voice in toll policy by way of authorizing an advance of the comparatively small investment of $285,000,000 on a reimbursable basis. The sum of money is small in comparison with what we are spending every year on military preparedness and foreign aid. It cannot be stressed too strongly or pointed out too frequently that this is a reimbursable and self-liquidating investment, not an expenditure. Every cent is to come back into the Federal Treasury with interest.

We would be far better off having made the investment and paid it out than we would be if we had never joined Canada at all but were still renting use of her facilities on her terms.

The issue, therefore, comes down to a simple proposition. Basically, it is, can this Nation, with its vast resources and its commitments to the rest of the free world, afford not to undertake a $285,000,000 investment which will both strengthen our national security and be an invaluable addition to our transportation capacity, as well as paying for itself? I think the answer to the question is obvious. We certainly cannot afford to miss this final opportunity.

Mr. President, the Senate has recently passed foreign-aid legislation which contemplates spending in fiscal 1953 20 times what we are now asked to invest in the St. Lawrence. The authorization for the foreign-aid program contemplates providing for fiscal 1953 20 times what is sought in connection with the St. Lawrence seaway.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. CASE. I shall be glad to yield in a moment. It is difficult for me to understand that a proposal for a self-liquidating investment of only 5 percent of the foreign-aid authorization, and for the construction of facilities so close to home, with their important national security implications, should meet any opposition except where some special competitive interest appears. Even there, Mr. President, the long-range view would suggest acquiescence, if not active support.

I now yield to the Senator from Michigan.

Mr. MOODY. Mr. President, I could not possibly agree more wholeheartedly with the Senator from South Dakota. I should like to ask whether it is not correct to say that not only is the cost of the St. Lawrence seaway a very small proportion of what we are spending for national defense, but that it is a self-liquidating project which in the long run will not cost anything at all.

Mr. CASE. That is correct.

Mr. MOODY. I merely wanted to make the point that while the cost is not great as compared with the benefits, even the comparatively small cost will not have to be borne by the American taxpayers, but will be paid for by ship tolls and power charges. The question is really whether we are going to turn the entire project over to the management of another country, which will go ahead with it if we do not join her.

Mr. CASE. I think that is the question. I do not see how legislators of this day and generation could justify refusing to build this kind of project.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. AIKEN. I wish to say to the Senator from Michigan that this morning I offered the self-financing amendment, of which the Senator from Michigan is a sponsor.

Mr. MOODY. Yes; I know that the amendment has been offered.

Mr. AIKEN. Under the amendment the cost to the Government would be $10,000,000 for the entire project. The rest of the cost would be on a self-liquidating and self-supporting basis.

Mr. CASE. Mr. President, by this $285,000,000 investment we buy the assurance that the American steel industry will not become dependent on foreign raw material; we buy lower freight rates for midwestern industry and agriculture; and we buy cheap electric power in a region where power costs are above the national average, with deterrent effects on industrialization. It is difficult to imagine a better investment on a strictly business basis. If we fail to make it we shall have failed to display reasonable prudence in managing the Nation's economic affairs, in assuring its future business growth, and in maintaining the industrial basis for our present national security program.

Mr. President, I have sought to review the figures with respect to the cost of the project which the Government might be called upon to advance, because it seems to me that the fear of such costs could be the only reason anyone could have for not wishing to go ahead with the project at the present time. I have endeavored to show that it is a self-liquidating investment, and that the costs are not high in proportion to the benefits.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. MOODY. The distinguished Senator from Vermont pointed out a few moments ago that the self-liquidating amendment, of which I am a sponsor and of which I believe the Senator from South Dakota is also a sponsor, calls for the expenditure of $10,000,000 by the Government. I think it should be made clear that even that $10,000,000 will not be lost to the Government.

Mr. CASE. It is for corporate capital.

Mr. MOODY. It is for corporate capital, to make it legal to issue the bonds, which would pay for the entire cost of the project. There is no reason in the world why that $10,000,000 should not ultimately be paid back to the Treasury. Therefore, the actual cost will not be even $10,000,000. In fact, the cost will be nothing at all.

Mr. CASE. I am very glad to have the Senator from Michigan point out that fact.

Mr. President, in the consideration of many problems before Congress we are sometimes told, "This is a good proposition, but we cannot afford it at this time."

That is why I have spent as much time as I have on the fiscal or budgetary side of the proposal. Having disposed of that, I should like now to restate the five general considerations on the merits of the project itself, with which I began my discussion. It seems to me that the five considerations I mentioned alone should convince everyone of the importance of approving the legislation authorizing construction of the project at this time.

The first of the five considerations is that the St. Lawrence seaway will bring ocean commerce and foreign markets to the doorway of the landlocked Northwest States. It will move my own State of South Dakota to within 300 miles of Atlantic Ocean traffic.

Second, it will make an ocean port of every port on the Great Lakes.

Third, it will create a gigantic source of low-cost hydroelectric power in an area where there is a power shortage and where power now costs too much. Considering that some of this area has complained of a loss of industry to other sections where more abundant power is available, it is difficult to understand some of the opposition which has been expressed.

Fourth, national security has a vital, if not an altogether compelling, interest in establishing a water route to the iron-ore reserves in Labrador, to supplement the dwindling reserves of the Mesabi range, as well as the whole battery of furnaces and the industrial pattern of the Great Lakes region.

Fifth, Canada, we understand, proposes to go ahead with the seaway project alone on her own terms and plans, if we do not join her. National self-interest would seem to indicate that we should join in this venture, so much of which is on our common water boundary and which would seem to offer far more to our greater area and population than it does to Canada. We should make it a joint venture, so that it can be a joint operation when completed, with our having a voice in its controls, methods of operation, and utilization.

Thus, believing that the St. Lawrence seaway project is to our interest on general principles, I urge that the proposed legislation be passed.

Mr. MOODY. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. MOODY. I should like to compliment the Senator from South Dakota on a very fair, clear, and unanswerable presentation of the issue. I should like to refer to his fourth point, and ask whether it is not correct to say that in relation to the need for this project from the standpoint of national defense, every high official of the Department of Defense and of every other department which has an interest in the problem of assuring our national security—so far as I know, without exception—has declared that this project is vital, urgent, and essential in the interest of our national defense?

Mr. CASE. I may say that I know of no exceptions to the statement the Senator from Michigan has made. So far as I know, all those with responsibility in the field of national defense who have expressed themselves on this subject have taken the position suggested by the Senator from Michigan.

Mr. MOODY. Is it not also true that the Joint Chiefs of Staff have made a similar declaration?

Mr. CASE. Yes, and it has seemed to me that the declaration they made on that subject was made with considerably more emphasis than in the case of other statements which have come from them.

Mr. MOODY. Is it not also true that Gen. Omar Bradley, Chairman of the Joint Chiefs of Staff, has written a letter in which he stated that the construction of this project is highly desirable in the interest of the defense of the United States?

Mr. CASE. That is correct.

Mr. MOODY. Is it not also true that General Marshall wrote a very eloquent plea for the construction of this project?

Mr. CASE. That is true. When one studies the record of the past 20 years and finds the endorsements of this program which have come from persons on both sides of the political fence, one might say that this project stands before the country as a nonpartisan, nonpolitical measure of great national interest.

Mr. MOODY. I certainly agree with the Senator from South Dakota.

Is it not also true that during the past 20 years every President of the United States and every nominee for the Presidency of the United States, regardless of political party, has endorsed this program?

Mr. CASE. That is true. It seems a remarkable fact that throughout that period anyone who has had to answer to the entire Nation, from the standpoint of the national defense and the national interest, has endorsed this project.

Mr. MOODY. Yes. The only ones who have opposed this project—and I now refer to outside interests, not Senators—are those who have some particular interest, such as the railroads or the power utilities, or those whose opposition is based on some sectional consideration.

I think the point made by the Senator from South Dakota is very well taken, namely, that everyone who has considered this question carefully from the point of view of the entire Nation has favored this project.

As the Senator stated a moment ago, I have never known of any person who has been charged with a national-defense responsibility or any other responsibility on a broad national basis who has not favored this program.

Furthermore, I should like to point out that, on the other side of the aisle, my great predecessor in the Senate, the late Senator Vandenberg, and also the senior Senator from Wisconsin [Mr. WILEY], who now is the ranking Republican member of the Foreign Relations Committee, and other Republican Senators who have considered foreign policy from a bipartisan approach, have supported this project, which has been endorsed by every President of the United States ever since the project has been proposed.

So I cannot understand how any but a narrow, provincial objection could be raised to this project.

Mr. CASE. Mr. President, it certainly is a remarkable fact, and one worthy of serious consideration, that there has been no division of opinion in regard to this project when it has come to the attention of those who are or who have been in a position of complete national responsibility. That statement can hardly be made of any other proposal in the entire field of either public works projects or national defense programs.

There has been some difference of opinion regarding the St. Lawrence seaway, but I know of no difference of opinion about it among those who have or had total national responsibility.

Mr. MOODY. Mr. President, if the Senator from South Dakota will yield further, let me say that I believe it might well be said that never were the American people offered so much for so little, because, as a matter of fact, in the case of this project they are offered a great deal for absolutely nothing. Does the Senator from South Dakota agree with me?

Mr. CASE. I certainly do.

Mr. WILEY. Mr. President, will the Senator from South Dakota yield to me at this point?

Mr. CASE. I yield.

Mr. WILEY. I wonder whether the distinguished Senator from South Dakota was on the floor earlier today when our good friend, the senior Senator from Texas [Mr. CONNALLY], spoke of a certain person, who, so the Senator from Texas claimed, had changed his mind in regard to this project.

Mr. CASE. I do not recall hearing such a statement. I was at lunch for a few minutes, and perhaps the statement was made at that time.

Mr. WILEY. What occurs to me is that only the iced-in mind or the mind that is mortised in does not change with changes in facts and basic circumstances.

Today the world we face is entirely different from the one we faced 10 years ago. Today we face a world which calls for new vision, new judgment, and new manners of approach. That is true not only from the political viewpoint but also from the economic viewpoint and certainly from the national defense viewpoint.

I recall that Emerson once referred, long ago, to a mind that never changes.

So it seems to me that the distinguished citizens of the United States who raised approximately $150,000,000 when they sensed the danger to the United States from the exhaustion of the iron ores in the Mesabi range, and ventured into Canada to explore there and to find iron ore in Labrador, might well be compared with the Columbus of old, who sensed the need for wider horizons and for greater responsibility. They went to Labrador, found the iron ore, and then looked westward.

As the distinguished Senator has said, the basic supply of iron ore in the Mesabi range will be exhausted in 5 or 10 years. So, Mr. President, those men invested their money in the iron ore deposits in Labrador.

Earlier today one of the distinguished Members of the Senate referred to monopoly. That word is a red herring that has been drawn across the trail in many instances, to the detriment of great, valuable enterprises. There is no monopoly in connection with this project.

Earlier today the distinguished junior Senator from New York [Mr. LEHMAN] pointed out that five or six different companies got together and provided the wherewithal in order to venture forth to locate the deposits of iron ore which must be located, in the interest of the safety of our great Nation. They found those deposits of iron ore. Having found them, they now are making arrangements to bring the iron ore to the St. Lawrence River.

Despite all that, some Members of Congress hesitate to join with Canada to build a great artery, an international artery of commerce. That hesitation occurs in the name of provincialism, in the name of fear, in the name of serving selfish interests, as has been suggested by the distinguished Senator from Michigan [Mr. MOODY].

I wish to compliment the distinguished Senator from South Dakota [Mr. CASE]. He and many others of us have at times found it necessary to change our minds. That is as it should be, for our minds are not mortised in or confined to narrow pigeonholes, or cemented in. Instead, we recognize that new occasions demand new remedies.

So I desire to thank the Senator from South Dakota for his splendid contribution to this great effort to increase the safety and the economic health of the United States.

Mr. CASE. Mr. President, I take it that any Senator who in the past may have expressed some opposition to the St. Lawrence project will not hesitate, by reason thereof, to change his mind at this time and to take what is obviously the proper, sound position. I share in the hope that such a change will occur.

Mr. MOODY. Mr. President, will the Senator from South Dakota yield to me at this point?

Mr. CASE. I yield.

Mr. MOODY. I should like to point out that the Senator from South Dakota and many other Senators, including the Senator from Michigan, believed more than 10 years ago the St. Lawrence project to be a fine one. Perhaps I can speak for the Senator from Wisconsin [Mr. WILEY] when I say that if someone has changed his mind and has come to understand and to endorse our viewpoint, and has "seen the light," we should not worry about that. We should simply be thankful that that person has finally obtained a better understanding of this project. That is the way great political and economic decisions in this country are made.

I hope others will change their minds and, to that extent, will be a little inconsistent. I make that statement to my smiling friend the Senator from Wisconsin, who I know has not changed his mind in regard to this most desirable project.

Mr. CASE. Mr. President, when I first heard of this project it was in connection with the price paid to the farmers in the Dakotas for their wheat. When the price of wheat was based on the price paid at Liverpool it was stated that construction of the St. Lawrence project would mean an increase of 6 cents a bushel in the price paid to the farmers of the Dakotas for the wheat they raised.

I wish to point out that I always have been, and continue to be, in favor of this project.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. AIKEN. I may point out that at one time, perhaps more than 20 years ago, about 18 or 20 of the 48 States made annual appropriations of, as I recall, $2,000 each, for the purpose of promoting the St. Lawrence seaway. Among those States I am sure there was included the Senator's State of South Dakota. The most westerly State to make a contribution toward promoting the seaway was the State of Idaho; the most southernly State, the State of South Carolina. I recall that the State of West Virginia, in which Mr. John Lewis has succeeded in arousing a great deal of opposition during recent years, at one time made a contribution of $2,000 a year for the purpose of promoting the St. Lawrence seaway. Of the Central States, I believe that Kentucky was the most southerly State making a contribution, though I am not entirely sure about that. There were 18 or 20 States in all, and in most of the States the respective State legislatures appropriated $2,000 annually. I recall that Idaho was the most westerly of the States contributing, and that South Carolina was the most southerly State.

Mr. CASE. Mr. President, I yield the floor.

Mr. SALTONSTALL. Mr. President, let me say, first, that I favor the building the power phase of the St. Lawrence seaway project as soon and as rapidly as possible. I have always been in favor of the power phase of the project, and have believed that it should have gone ahead; and engineers say that it could go ahead entirely apart from the seaway project.

Second, I have opposed the seaway, and may continue to oppose the seaway until certain questions which I shall propound are reasonably and satisfactorily answered. I have joined with the Senator from Illinois in proposing an amendment in the nature of a substitute for Senate Joint Resolution 27, to provide for the appointment of an impartial body outside the Government, its members to be selected by the President, to consider and answer certain questions, and to report back at the next session of the Congress.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Vermont.

Mr. AIKEN. I notice that the amendment in the nature of a substitute offered by the Senator from Illinois [Mr. DIRKSEN] for himself and on behalf of other Senators, calls for the appointment of a commission, to be composed of representatives recommended by the Interstate Commerce Commission, the Maritime Commission—or what was formerly the Maritime Commission—and other commissions. I am wondering whether the Senator from Massachusetts feels that the Interstate Commerce Commission could obtain absolutely impartial examiners. I am also wondering why there were included in the amendment representatives of industries which are so strongly opposed to the St. Lawrence seaway. I did not observe that any representatives are to be included on behalf of those who might be considered to be strongly in favor of the project. I do not have a copy of the amendment in the nature of a substitute, since, unfortunately, it has not been printed.

Mr. SALTONSTALL. The amendment proposes that a panel of three persons shall be recommended by each of the following: the Federal Power Commission, the Interstate Commerce Commission, the Maritime Commission, or the Federal Maritime Board of the Department of Commerce, the American Society of Civil Engineers, the American Society of Mechanical Engineers, the American Society of Electrical Engineers, and the National Federation of American Shipping.

Mr. AIKEN. Why should we turn Government work over to private interests?

Mr. SALTONSTALL. It is not proposed to turn it over to those groups, but that each of those groups, including the three governmental organizations, shall select a panel of three citizens, whose names shall be submitted to the President, and that the President shall choose one person from each panel. The purpose is to provide a commission of seven members who would be competent to perform the work and who would be completely free, let us say, of past prejudices and uninfluenced by past decisions. The amendment provides that all Government records and data shall be made available to the Commission.

Mr. AIKEN. I agree with the Senator that the commissions referred to in the amendment should be impartial; but let us consider, for example, the first one named by the Senator—the Federal Power Commission. If the power interests and the utility interests succeed in defeating the reappointment of Mr. Buchanan to be a member of that Commission, and succeed in having one of their own partisans appointed instead, I am sure the Federal Power Commission would not function in the public interest. I would have no fear, if Commissioner Buchanan, or a man of his type, were to serve as a member of that Commission; but we know that some of those who are fighting the St. Lawrence seaway project tooth and toenail are also opposing the reappointment of Mr. Buchanan, who has been fair and who has been zealous of the public interest; they are determined to get rid of him.

So far as the Maritime Administration or Board is concerned, I would not trust it as far as I could throw this building. It is no better than the old Maritime Commission. It is openly violating the law, in defiance of the Comptroller General. Who is there to say that the person selected from the panel chosen by the Maritime Administration would be impartial?

Mr. SALTONSTALL. I may say to the distinguished Senator from Vermont that what he is disclosing is not too much confidence in the present Maritime Administration. Such groups represent the public. That is what they were set up to do. If they are not representing the public, then there should be a change. I base my argument not at all on partisan considerations, but upon matters of fact. That is what I am trying to do.

Mr. AIKEN. There is a measure of truth in what the Senator from Massachusetts just said about confidence in the appointment of commissioners; but why does the Senator want to postpone this project until after the election? Why does he want to keep Canada waiting, when it is necessary that she go ahead? Is not the time element of great importance?

Mr. SALTONSTALL. If the Senator would be willing to listen to me for a few moments, he would hear a statement of my reasons.

Mr. AIKEN. I shall be glad to listen to the Senator from Massachusetts.

Mr. SALTONSTALL. Or, if the Senator is too busy to listen, I shall be glad to give him a copy of my remarks.

Mr. AIKEN. For some time I have been trying pretty hard to listen without rising to my feet.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Michigan.

Mr. MOODY. As the Senator from Massachusetts knows, I have only the highest regard and respect for him. But I should like to ask him a question regarding his proposal.

Is it not true that the St. Lawrence project has been analyzed and reanalyzed, inspected and reinspected for the past quarter of a century and that it has been before the Congress in all of its aspects for many years? Is it not likely, therefore, that the only real result of the appointment of a brand new group would be delay?

As the Senator from Vermont has pointed out, certain members of the proposed commission would be proposed by Government agencies which, whatever their devotion to the public interest might be deal with particular interests. The Interstate Commerce Commission, for instance, deals particularly with the railroad problem, and the railroads, as we know, are very much opposed to this program, or at least some of them are. Would not the only effect of the amendment in the nature of a substitute proposed by the Senator from Massachusetts, be merely to delay?

Mr. SALTONSTALL. I may say to my colleague from Michigan that the groups designated by the amendment to suggest names for membership on the proposed commission were selected with the purpose of having appointed people of character and of fundamental and scientific knowledge, who would be helpful. If the Senator from Michigan, after considering the amendment in the nature of a substitute, can suggest other groups that are equally meritorious, I may say that, so far as I am concerned, I should be glad to try to work the matter out with him so as to obtain the services of those best qualified. I can speak, of course, only for myself; I cannot commit the cosponsors of the amendment.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Michigan.

Mr. MOODY. My question was not as to the identity of the groups. My question was as to the need at this time, when this matter has been so well engineered and so well analyzed, and, when we all know what the issue really is, of having a brand-new survey, as if no one had ever before heard of this project, thereby merely postponing the matter until next year; particularly when we know that the Canadians have said that, if the Congress does not act this year, they themselves will go ahead. Therefore, is it not true that the actual effect of the amendment in the nature of a substitute proposed by the Senator from Massachusetts would be to bar the United States from a share in the control and a share in the management of this great project?

Mr. SALTONSTALL. I would say to my colleague from Michigan that I do not agree that the project has been well engineered, and I shall try to discuss that point if the Senator will bear with me for a few minutes. The purpose is not to cause delay, but to try to ascertain facts which have not been studied for at least 10 years, from an engineering point of view.

So far as the loss of any rights is concerned, I believe I am correct in saying that I do not see how we would lose any particular rights, because we have the same rights by treaty as the Canadians have, from time immemorial. We are trying to work out an agreement with reference to the Great Lakes and the Great Lakes harbors, as I understand, and we shall certainly have some rights and can work them out in connection with a treaty.

Mr. MOODY. As the Senator knows, the question has been before the Congress for more than 20 years. It has been proposed for more than 30 years. It received a majority vote of the Senate some years ago when it was presented in the form of a treaty; but on that occasion the 46-to-42 majority vote was not adequate, because it was necessary to have a two-thirds vote. The subject has been before the Foreign Relations Committee of this body for 10 years. It seems to me we have the facts, and I hope the Senator will reconsider his suggestion that brand-new facts must be obtained.

Mr. SALTONSTALL. I will say to my friend and colleague from Michigan that a number of questions, which I think are perfectly factual and which involve no partisanship and no propaganda from either side, have not been answered in the 10 years of study to which the Senator has referred. I believe the subject has not been thoroughly studied since the Second World War. I believe conditions have changed very materially in relation to transportation and materials since that time. As I say, I have finished one paragraph of my speech. It is not a long speech, and in it I shall try to answer some of the questions which the Senator has propounded.

Mr. MOODY. If the Senator will yield to me at the conclusion of his speech——

Mr. SALTONSTALL. I shall be glad to yield at any time, because I think that is the best way to develop facts in the debate.

I have stated, Mr. President, that I am in favor of building the power phase of this project as rapidly as possible. I believe it can be constructed apart from the seaway. I am opposed to the construction of the seaway, and I shall continue to oppose it until certain questions which I propose to propound are satisfactorily answered.

Mr. LONG. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. LONG. Much of the Senator's logic appeals to me. It appears to me that the St. Lawrence is perhaps the best location in the Nation for the development of power, and it is tragic that such development has not gone forward in some form. I see no need for great haste in developing the waterway project.

It is my recollection that my father made a speech on this subject when I was a lad in high school, and it occurs to me that by this time it might be well for some impartial group to develop the facts and give us a fair and impartial statement in order that we may have them available to us. Certain statements have been made which have developed more heat than light.

Mr. SALTONSTALL. I thank the distinguished Senator from Louisiana.

Mr. WILEY. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. WILEY. After the statement of the distinguished Senator from Louisiana, I should like to ask this question: Does the Senator think that all the Presidents in the past 50 years have been wrong?

Mr. SALTONSTALL. No; but I do not think they had before them all the facts we have at the present time. They are bygones—they have gone by.

Mr. WILEY. Does the Senator mean that the Presidents are bygones?

Mr. SALTONSTALL. They have gone by. I believe there are new facts which have not been developed. It has been called to my attention since the question propounded by the Senator from Michigan [Mr. MOODY], that the engineers themselves say they have made no borings in the Great Lakes. So we have no accurate idea of what it would cost to dig a 35-foot channel in the Great Lakes.

Mr. WILEY. The Senator must acknowledge that conditions certainly have changed since the father of the distinguished Senator from Louisiana spoke on the subject. Does the Senator from Massachusetts dispute the fact that the ore in the Mesabi range is fast being exhausted?

Mr. SALTONSTALL. I do not question that. I am not an expert, and I cannot pretend to speak as an expert on the subject, but I am informed that there are methods of making good ore from poorer grades of ore at the present time. If those experiments are carried out there will be much ore left in the Mesabi range. I do not question the fact that there is a great quantity of ore in Labrador and that it should be used.

Mr. WILEY. Does the Senator feel, assuming the facts are as already stated and that in the course of from 5 to 10 years the Mesabi range ore will be gone, that it is necessary for the economic wealth of the Middle Western sections of this great country that it have ore shipped to it on a competitive basis, and that the only economic way it can be procured is through the St. Lawrence waterway?

Mr. SALTONSTALL. I would, most respectfully, dispute two of the Senator's statements. The first is that the ore of the Mesabi range will be exhausted in from 5 to 10 years. I have a letter in my office from a responsible authority saying that under new methods the time limit is nearer 25 or 30 years, and that perhaps it is unforeseeable.

I would very seriously question the second point of the Senator's question. I am in favor of developing the Middle West. I do not want to speak on the subject from a sectional point of view. I shall be glad to help in any way I can in developing any section; but we are proposing to undertake a project which will cost a great deal more than we have been advised it would cost, and there are a number of difficulties which have not been explored and which should be known before we embark upon the project.

Mr. WILEY. Does the Senator believe that if we now refuse to participate,

Canada will go ahead with the canal alone?

Mr. SALTONSTALL. My guess on that is no better than that of the Senator from Wisconsin and probably not so good.

Mr. WILEY. My statement is not a guess. I have assurance from the lips of Canadian officials, in Canada, that they intend to go ahead. I am wondering if the Senator has looked into that feature.

Mr. SALTONSTALL. If Canada goes ahead, I do not see how the United States will suffer.

Mr. WILEY. Now we are getting somewhere. Assuming Canada goes ahead, the Senator says he does not see how we will suffer. The canal will be built on the Canadian side. Canada will have full control of the tolls to be charged, and the United States will thus pay for the construction of the canal. That is only natural. It is the same as if the distinguished Senator from Massachusetts, with his Yankee shrewdness, had for sale something which was very good. He would probably want to charge all that the traffic would bear.

Mr. SALTONSTALL. It is my understanding that Canada will have to charge Canadian shippers absolutely the same that it charges United States shippers.

Mr. WILEY. Does not the Senator realize, however, that the traffic will consist of ore from Labrador?

Mr. SALTONSTALL. It will be Canadian ore.

Mr. WILEY. The cost of shipment will be added to the cost which American mills will have to pay for the ore at Cleveland, Milwaukee, Chicago, and other cities. That is merely common economics.

Mr. SALTONSTALL. I may say to the distinguished Senator from Wisconsin that it continually pops up in my mind that we are very much worried about newsprint, and Canada has pretty much of a monopoly of newsprint.

If our iron ore supply runs low and thus the Canadians get a partial monopoly—I do not question that perhaps that is possible—I say that, aside from the Mesabi range, other ranges in the Senator's own section which are not being developed as much as they could be developed, assuming that production of iron ore in Canada becomes an accomplished fact.

Mr. WILEY. What the Senator has in mind is mining inferior taconite ore and beneficiating it, as the process is called. The Senator admits that that is a matter of guesswork; does he not?

Mr. SALTONSTALL. I do not admit anything of the kind. I understand there are already means for handling such ore, and that better means are being provided. I do not pretend to be an authority on the subject.

Mr. WILEY. Does the Senator understand that the cost of the beneficiating process will probably run into billions of dollars, and that there is a question whether we can even then get a supply of ore that is dependable?

The testimony shows that we are consuming more than a hundred million tons of ore now, that the amount will run up to 130,000,000 tons a year, and that the challenge to American safety is now a big factor in getting ore to plants which are able to utilize it in the defense program and in providing steel for the expansion of America as she grows and develops. Does the Senator recognize that?

Mr. SALTONSTALL. Of course we need steel; and we have to have iron ore in order to produce it.

Mr. WILEY. Does the Senator want to see iron ore from Labrador go into the East and into the South?

Mr. SALTONSTALL. No, I do not at all. I want to see the iron ore distributed where it can be most economically distributed and used.

Mr. WILEY. I thank the Senator.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield first to the Senator from Vermont, if the Senator from Wisconsin has finished.

Mr. WILEY. I have finished temporarily.

Mr. AIKEN. Does the Senator from Massachusetts state that he is in favor of power development, but is opposed to development of navigation on the St. Lawrence?

Mr. SALTONSTALL. At this time, yes.

Mr. AIKEN. The Senator also said that if Canada develops navigation, he did not see that we would suffer. Will the Senator point out why he thinks the United States would suffer more from joint development of navigation than it would from purely Canadian development?

Mr. SALTONSTALL. That is a very good question. I would say that I am not today opposing all development. I am opposing development until certain questions have been answered. When those questions have been answered, I might possibly say that this country would benefit more by joint development than by Canada alone completing the project. But until we have certain questions answered, know where we are going, know how much traffic there will be, how much we shall benefit from the traffic, and how much it will cost to develop harbors, channels, and so on, and until we get the answers to certain other questions I would like to try to have developed, I cannot say we will not suffer more one way or the other.

Mr. AIKEN. But if the Senator's amendment should prevail, and there should be set up what has been termed a legal and impartial commission to make a study and report after the next election, and in the meantime Canada should say, "We will not wait any longer; we have now waited 10 years," would the Senator then object in any way to having Canada proceed with development of navigation? Would the Senator see any legitimate objection on the part of anyone in the United States, or in Congress, if we declined to give Canada a yes-or-no answer as to whether we were going to join with her in developing the project?

Mr. SALTONSTALL. I think that if we declined to give Canada a yes-or-no answer, she would be entitled to go ahead, if she felt it was to her advantage to do so. Of course, I would hope that if this problem were studied for another 9 months or a year, Canada might well refrain in the meantime, because she, as well as ourselves, would get the benefit of the study.

Mr. AIKEN. Is the Senator familiar with the study which was made by the president of the Boston Chamber of Commerce, Mr. Henry I. Harriman, in which he predicted that the business of the Port of Boston would increase from 6,000,000 to 12,000,000 tons a year if the St. Lawrence waterway were developed? Is the Senator familiar with that study?

Mr. SALTONSTALL. I have not read Mr. Harriman's report for several years.

Mr. AIKEN. The Senator would have confidence in a report by Mr. Harriman, would he not?

Mr. SALTONSTALL. Mr. Harriman was in the State government of Massachusetts, and I would say I would have a great deal of confidence in him.

Mr. AIKEN. Is the Senator familiar with the joint study which was made by a New England committee made up of Members from the New England States, I believe immediately preceding the formation of the New England Council, in which it was strongly urged that the seaway be developed for the benefit of New England industries?

Mr. SALTONSTALL. I may say to the Senator from Vermont that I have never read that study. It has been pointed out to me that the study was made probably about 1929.

Mr. AIKEN. I think it was about 1923.

Mr. SALTONSTALL. That was a number of years ago.

Mr. AIKEN. It was made about the time Secretary of Commerce Herbert Hoover made his study, and submitted a very favorable report to President Coolidge, who had requested that the study be made.

Mr. WILEY. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. WILEY. I wish to ask the distinguished Senator from Massachusetts whether those with whom he has been talking and associating agree, as I understand the Senator agrees, that if at this time the amendment is defeated, the Senator and each of his associates will lend all assistance possible to Canada, and put no stumbling block in the way of Canada's proceeding with this great undertaking?

Mr. SALTONSTALL. I do not see how it would be within my power to put any block in the way of Canada.

Mr. WILEY. The Senator has been informed and knows that there is great opposition, not only on the part of power companies, but also on the part of some municipal authorities in the eastern section of the United States.

Mr. AIKEN. The Northeast.

Mr. WILEY. In the northeastern section of the United States. They have even gone so far as to prepare legal instruments with which to start actions against the appropriate authority in case Canada proceeds alone.

Mr. SALTONSTALL. I can assure the Senator from Wisconsin that, to the best of my knowledge and belief, I have received no such communications, and I know I have talked to no one along those lines. If anyone should talk with me along those lines, I would say to him that

I would not, in the interest of good neighborliness, assist in blocking something Canada thought it was for her benefit to proceed with.

Mr. WILEY. I may say to the Senator from Massachusetts that I think that is a wonderful statement.

Mr. SALTONSTALL. I mean it.

Mr. WILEY. If the legislation now proposed should be defeated, I will remind the Senator of his promise, because with his influence and the influence of those with whom he is associated, it might be very important to be able to produce this record before certain commissions, and in connection with certain activities of this Government, if a stumbling block is placed in the way of Canada's going ahead with the project because she will have the vision to do so, and we will not.

Mr. SALTONSTALL. So far as I can see, except for the Senator's statement with regard to whether or not we have vision, I entirely agree with the Senator from Wisconsin. I should be very much surprised if he needed to remind me.

Mr. AIKEN. Mr. President, will the Senator yield for one further question?

Mr. SALTONSTALL. I yield.

Mr. AIKEN. Then I shall leave the Chamber in order that I may not be tempted again to interrupt.

Mr. SALTONSTALL. I hope the Senator from Vermont will not leave the Chamber. Knowing the distinguished Senator and his open-mindedness and willingness to go along when he sees the light, I hope he will stay.

Mr. AIKEN. The same question which was brought out by the Senator from Wisconsin arose in my mind, because of an editorial appearing in the New York Times about 6 weeks ago, in which it was intimated that legal obstacles would be placed in the way of Canada if she undertook to proceed with the development of the seaway. I am very glad to hear the Senator from Massachusetts say that he would have no sympathy whatever with such action.

Mr. SALTONSTALL. I have heard of no such proposal; and so far as I can see, I should have no sympathy with it.

Mr. AIKEN. I had heard of none until I saw it intimated in the New York Times editorial. The New York Times is probably closer to the opponents of the seaway than I am. It probably has better information.

The question which I should like to ask the Senator from Massachusetts is this: Does he believe that the development of the St. Lawrence seaway would hurt the business of the port of Boston or of that of other New England ports?

Mr. SALTONSTALL. I will say to the Senator that I believe some people feel that it would. From the studies I have made, I am not at all certain that it would. I know that there are some business interests in Massachusetts which feel that it would. Perhaps they are right. Perhaps they know more about that question than I do. I myself am not sure.

Mr. AIKEN. They have been told that it would.

Mr. SALTONSTALL. Certain business interests feel that it would.

Mr. AIKEN. They have had doubt put in their minds.

Mr. SALTONSTALL. That is correct.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. WILEY. There was once a distinguished gentleman from the Senator's State by the name of Calvin Coolidge. Has the Senator ever heard of him before?

Mr. AIKEN. He was from Vermont. He only passed through Massachusetts. [Laughter.]

Mr. SALTONSTALL. I have heard of that distinguished gentleman, who, I am confident, was a friend of the Senator from Wisconsin.

Mr. WILEY. The Senator will remember that his judgment, as well as the judgment of Herbert Hoover—and I believe they were both Republicans, as the Senator is—was that this project should be built.

Mr. SALTONSTALL. They were both Republicans, as is the Senator from Wisconsin.

Mr. WILEY. They did not mince words about where they stood with regard to this project, did they?

Mr. SALTONSTALL. I will say to the Senator that conditions today are very much different from conditions when Mr. Coolidge was President or when Mr. Hoover was President. I have the greatest confidence in the engineering abilities of Mr. Hoover. I do not know to what extent he has gone into some of the questions which I wish to raise in a few minutes, as soon as my colleagues will permit me.

Mr. WILEY. I understand that the Senator's position is that those gentlemen were ignorant of what the Senator calls the present-day engineering problems.

Mr. SALTONSTALL. The engineering problems of 1952, the traffic problems of 1952, and the costs of 1952.

Mr. WILEY. They were also ignorant at that time, were they not, of the great need for iron ore because of the exhaustion of ore in the Mesabi iron-ore range?

Mr. SALTONSTALL. I believe that in the days of Calvin Coolidge nothing was known of iron ore in Labrador. So far as I know, when Mr. Hoover was President, there was no investigation of ore deposits in Labrador. Certainly it was not proved. It has been proved only in the past 2 or 3 years.

Mr. WILEY. And there was no question in those days of the exhaustion of the ore in northern Minnesota.

Mr. SALTONSTALL. The Senator is more familiar with that subject than I am.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MOODY. The Senator from Massachusetts has mentioned the possibility of a different situation having developed since the St. Lawrence project was first advocated. Of course, that is true. Is is not also true that one of the greatest differences is the fact that the steel capacity of the United States has been increased from a capacity at that time of well below 80,000,000 ingot tons a year up to a point where today it is in excess of 100,000,000 tons a year? In another year or two it may be up to 120,000,000 tons a year. Is it not also true that that very increase alone has speeded up the draining of the Mesabi range, which has made much more important the discovery of ore in Labrador, much more important the possibility that in time of war we may have to import ore from Venezuela along a submarine-infested coast, and much more important, therefore, that there be available in time of war, as well as in time of peace, a direct route to bring ore from Labrador into this country? Is it not true that the draining of the Mesabi range is proceeding now at a much faster rate than ever before, and that that rate will be accelerated?

Mr. SALTONSTALL. Of course that is true. On the other hand, I think it is equally true, as I tried to point out to the Senator from Wisconsin, that the methods of treating lower grade ore have been improving. They have developed greatly since World War II, particularly in the past few years. I believe that the life of the Mesabi range is considerably longer than the Senator from Wisconsin has indicated. That is one question. I agree that steel must be manufactured. If there is to be another war, and the waters surrounding this continent are to be infested with submarines, we must also consider the question of the bombing of the seaway, thus putting it out of operation. That question is only incidental.

I should like to tell the Senator my main reason for opposition to the St. Lawrence seaway. I should like to read my second paragraph, of three sentences, to answer the Senator. I should like to state one of my fundamental reasons for opposing the seaway at this time.

At the start of my remarks let me state this: I have sailed small boats on the coast of New England ever since I was a small boy, and one of the first things I learned was that one cannot sail a boat with a 7-foot draft up a stream only 5 feet deep.

The St. Lawrence seaway project as presently proposed calls for a depth of 27 feet, with the vast majority of the American merchant marine drawing more than this. Boats presently building for the American merchant marine draw up to 35 feet. How we can get them through the seaway with a payload is something I cannot understand. I grant, of course, that smaller boats can go through, but the whole impetus of American ships in foreign trade is toward greater depths and greater speed in order to compete against foreign bottoms.

There is one question that must be clearly decided in any discussion of the St. Lawrence seaway. It is this: Are we talking about a seaway—which to my way of thinking means carrying ocean-going ships in world trade—or are we talking about a waterway, which means inland transportation of an entirely different nature and character?

Mr. MOODY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MOODY. I am very glad the Senator brought that point up, because

that has been one of the major objections which has been raised against the seaway. I feel that it is a fallacious objection. The statement has been made that not more than 3 percent of the seagoing traffic of the United States could go through the proposed seaway. The statement was not made by the Senator from Massachusetts, but that charge has been made. It has been analyzed by the Department of Commerce, which has reported that 75 percent of the merchant marine could well clear the proposed channel.

On the floor of the Senate on Friday afternoon I read into the RECORD a statement by Mr. Troy Browning, president of the T. H. Browning Steamship Co., of Detroit, in which he answered that argument in some detail. I do not wish to take the time of the Senator, except merely to point out that while some ships would be too large to go through the canal, certain other ships which, according to the statement of the Senator from Massachusetts, would be too large, actually would not be too large, because a ship starting from inland could load its oil and water after passing through the canal, thus making a difference of several feet in draft of the ship. The depth proposed is a practical one. The subject has been studied, and the Department of Commerce has stated that 75 percent of our seagoing ships could go through the canal.

Mr. SALTONSTALL. I would most respectfully say to the Senator from Michigan that his figures disagree completely with the figures I have with reference to our oceangoing merchant ships as of January 1, 1952.

Mr. President, later in my remarks I shall insert in the RECORD a table showing the United States-flag oceangoing merchant vessels by draft, on order and under construction in United States yards as of January 1, 1952. The table refers to the loaded summer draft, not the winter draft. Vessels which draw less than 25 feet, according to my rapid calculations, comprise 100 ships, as opposed to 1,822 which draw more than 25 feet. With respect to the reserve fleet the situation is about the same. Of the ships building there are 35 dry-cargo ships now building, all of which draw between 29 and 30 feet. There are 22 tankers now building, the shallowest of which draw between 29 and 30 feet. The remainder draw more than 35 feet. Of the 57 ships now building, 40 draw from 29 to 30 feet. The remainder draw more than that.

The figures were given to me as of February of this year by the National Federation of American Shipping, Inc.

Mr. MOODY. Is the Senator from Massachusetts familiar with the fact that the Department of Commerce analyzed the subject and stated that 75 percent of the shipping would be able to pass through the canal?

Mr. SALTONSTALL. I most respectfully dispute that figure. That may refer to tugs and small ships. However, I would dispute such figures with respect to oceangoing ships. As I say, the Senator from Michigan must draw a distinction between oceangoing ships and nonoceangoing ships. My figures refer to oceangoing ships.

Mr. MOODY. I readily agree that the St. Lawrence seaway should be an oceangoing shipping canal. On my desk I have a statement which I believe answers the Senator's contention. I shall go to my desk and get the statement.

Mr. LONG. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. LONG. A statement has been made with reference to taking off fuel and the ordinary fresh water which sailors drink, in order to lighten the ship. I believe such statement has been applied to conditions when a ship is in fresh water, which does not give a ship the same buoyancy as does salt water. Therefore, when a ship is sailing in fresh water an additional 10 percent would have to be taken off in order to make up for that difference.

Mr. SALTONSTALL. The Senator from Louisiana shows that he is not a small-boat sailor. I would remind Senators also that when a ship goes forward she sinks a couple of feet at the stern.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. WILEY. It appears now that the argument which the Senator from Massachusetts is making can be punched full of holes. We do not expect 25 percent of all the shipping in the world to trade with us in the Middle West. We do expect, however, since little Norway and Denmark now can send their own small ships through the present canal, that with a 27-foot channel we will have sufficient tonnage not only of ore, but of wheat as well. At the present time ships cross the ocean from Europe and tie up at Milwaukee. They carry commodities from Milwaukee directly to the northern countries of Europe and England. They are only small-draft ships. If we had a 27-foot channel a much larger percentage of ships would be able to use the channel. There are very few other ports or canals in the world which can accommodate the very large ships.

Mr. SALTONSTALL. If that is the Senator's argument I will say that we are apparently going to build the canal for foreign shipping. If the Senator intends to build it for foreign shipping, I have no answer to his argument; and he can go ahead with it. However, the question is whether we are going to put our money into the project for the benefit of foreign ships, or whether we are going to do something to build up our own merchant marine, which we are subsidizing today at the expense of our taxpayers, by way of capital construction costs and operating subsidies. The question is whether we are going to continue to build up the trade of foreign competing lines.

Mr. WILEY. Let me show the Senator from Massachusetts how fallacious his argument is. The undisputed testimony before the committee shows that there is greater tonnage moving through the Great Lakes today than is moving through the three great canals of the earth. We are in effect locking up the great ships which operate now on the Great Lakes. We do not permit them to get out into the ocean. We want Great Lakes ships to get out into the ocean. We want to build ships in the shipyards on the Great Lakes, and not confine shipbuilding operations to the east coast. If the ships could travel out of the Great Lakes and cross the ocean they could distribute abroad the goods which are now being produced in the Middle West.

Mr. SALTONSTALL. Then I will say to the distinguished Senator—and I say it as forcefully as I can, in answer to his forcefulness—that we should build the canal sufficiently deep to accommodate the right kind of ships in the proposed seaway. That is one of the questions which we must answer. A 27-foot seaway will not take one-tenth of the oceangoing merchant marine of the United States. The other nine-tenths of it is excluded before we even start to build the project.

Mr. WILEY. The figures the Senator has quoted can be disputed by testimony in the record. However, let me say that the Senator is setting up a straw man. I say that we should build the canal. Let us have the canal so that we can improve the economic health, and so that we can continue to grow in the Middle West. Fifty million people live in that area, and they are entitled to have what they are asking for and not have imposed upon them what other sections of the country want.

The cost of the whole project will be liquidated in a few years. It will not cost the Government one cent. It will not be like contributing a lot of money to eastern and Gulf ports, on which we have spent billions of dollars—as, for example, along the Mississippi and in other places—which money never came back to the Treasury. This project will be on a basis which will be self-liquidating. That is what it is proposed to do.

The Senator from Massachusetts is simply setting up a straw-man. The opposition may succeed. Then we will have to come back and ask for help for Canada, and we will see how we have wrecked this great country.

Mr. SALTONSTALL. The Senator from Wisconsin is making a speech in my time. I am perfectly glad to have him do so, but it is still on my time.

Mr. WILEY. I am sorry.

Mr. SALTONSTALL. That is perfectly all right with me. But I should like to point out to him that if by helping the Middle West we help the whole country well and good, but at the same time we should be practical. I think we should know what the answers to some very difficult questions are, and we should know what we are doing. The Senator from Wisconsin has stated that a great deal of money has been expended on rivers and harbors. I do not have the exact figures before me, but as a member of the Committee on Appropriations I believe that the total amount over a period of the last 20 years has been less than $1,000,000,000. The St. Lawrence seaway alone will cost pretty nearly that much, if we include all the municipal and State costs which will have to be met in addition to the Federal costs. If we can get the investment back, well and good, but I should like to have the Senator listen to me while I state some of the problems which are

involved. I know the distinguished Senator from Wisconsin has shown his youth and optimism by marrying a very fine lady, but I doubt that either of us will see the day when the money put into this project is paid back to the Treasury. Of course I do not know how long he or I will live.

Mr. WILEY. Why speculate as to how long we will live. Let us live now and go on. Let us do what our country requires and let us build the canal. Every President and every Secretary of State and every great engineer has been in favor of it. We should not further indulge in procrastination and in dilatory tactics.

I hope some day to be able to yield some of my time to the distinguished Senator from Massachusetts to make up for the time I have taken.

Mr. SALTONSTALL. I thoroughly argee with the first statement which the Senator has made. That is the only thing in his statement to which I agree.

Mr. LONG. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LONG. It is difficult to understand why the Senator from Wisconsin, who is so enthusiastic, could be against a 35-foot channel. Unquestionably a 27-foot channel would be inadequate. I anticipate, too, that such a channel would have to be dredged. It seems to me that at least a 35-foot channel would be needed.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. AIKEN. The suggestion for a 35-foot channel is merely a 35-foot red herring which is dragged out as an argument against the seaway. Those who say there must be a 35-foot channel are against the seaway, and that is all.

Mr. SALTONSTALL. I disagree with that statement.

Mr. AIKEN. I do not expect the *Queen Mary* to dock at Chicago.

Mr. SALTONSTALL. The *Queen Mary* draws more than 35 feet.

Mr. AIKEN. She cannot even get into Boston.

Mr. SALTONSTALL. She used to be able to get into drydock there because of the 40-foot channel. She cannot get in there any more.

Mr. AIKEN. A good share of the total shipping which goes in and out of Boston, Baltimore, and other ports, has less than 27-foot draft.

Mr. SALTONSTALL. With respect to foreign ships, yes; but not with respect to American ships. I would dispute such a statement. I have figures to prove my point.

Mr. LONG. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LONG. Having studied some of the economics of modern shipping, I would say that there are at least one or two channels in the State of Louisiana which are adequate to handle ships drawing 35 feet. We are absolutely convinced that anything less than 35 feet would be inadequate, particularly for the purpose of serving oil refineries, in connection with which the use of large tankers has proved to be most economical. I believe there are a great many refineries in the northern areas which would also want to be served.

Mr. AIKEN. There are very few ports which accommodate ships with more than 35-foot draft. I do not believe there are very many ports in the world which will accommodate a ship with more than 35-foot draft.

Mr. SALTONSTALL. I would say that the major harbors of the United States—and I am guessing now—would accommodate ships of more than 35-foot draft. I refer to Portland, Boston, New York, Philadelphia—I am not sure as to Philadelphia, although I believe that is so—Baltimore, New Orleans, San Francisco, San Diego, Seattle, and Los Angeles, although I am not sure as to Los Angeles.

Mr. AIKEN. However, ships which engage in world trade have difficulty finding many harbors which can handle a draft of 35 feet or more.

Mr. SALTONSTALL. I may say to the Senator from Vermont that today the great problem in connection with shipping is sufficient speed and a quick turnaround. Approximately half the time of a ship is spent in port. There must be proper dock and other facilities. Every day a ship spends at the dock is a day lost. A ship of 35 feet draft is capable of greater speed than a smaller ship.

If a merchant ship is to compete under present-day conditions, she must have a speed of between 19 and 20 knots. Today a speed of 16 knots is not sufficient; such a ship is outmoded.

Therefore, all these questions and factors enter into the situation. It is true that, as a rule, an increase in draft is accompanied by an increase in speed and power.

Mr. AIKEN. If a draft of 35 feet is necessary, why do not we hear a demand to that effect from the shipping interests which expect to use the St. Lawrence seaway?

Mr. SALTONSTALL. The Senator from Vermont raises a very interesting point, particularly in view of the fact that the Canadian authorities have just authorized the dredging of the St. Lawrence River to a depth of 35 feet to Montreal. The channel to Montreal is now 32½ feet in depth. In order to permit oceangoing ships to reach Montreal, that channel is now being increased to a depth of 35 feet. The contract for the deepening of the channel was let on April 8, 1952.

Mr. AIKEN. However, judging from the volume of traffic many of the larger ocean liners certainly must go to Montreal; in fact, the port of Montreal is second only to the port of New York in shipping in North America.

Mr. SALTONSTALL. The large British passenger ships cannot reach Montreal. I believe the *Queen Mary* and the *Queen Elizabeth* draw upward of 40 feet.

Mr. AIKEN. However, the fact that it might be desired to have such vessels reach Montreal is no indication that it would be desired to have them go as far as Detroit or Duluth. Vessels of that size are not needed at Detroit or Duluth.

Mr. SALTONSTALL. Let me point out that of the 1,922 American oceangoing ships in active service and the 1,418 in reserve, or a total of 3,340, approximately nine-tenths of them or, to be absolutely fair, at least eight-tenths of them, draw more than 26 feet of water. In comparison, the channel proposed for the St. Lawrence seaway is only 27 feet.

Mr. AIKEN. I believe the Maritime Administration's representatives testified that approximately 80 percent of American ships would be able to use this seaway.

Mr. SALTONSTALL. I disagree with that statement, if oceangoing ships are referred to.

The figures I am presenting come from the American Shipping Corp., as of February 4, 1952. Fifty-seven ships are being built in the United States today, under a construction subsidy by our Government. Nine of them draw less than 29 feet. Thirty-five of them are dry-cargo ships, and five of them are tankers. All ships in that group—a total of 40—draw 29 feet or 30 feet; and the rest of the 57 ships draw more than 30 feet of water.

Mr. AIKEN. The Senator from Massachusetts is aware, is he not, that today the largest oceangoing tankers deliver oil at Albany, N. Y.? Those ships unload a part of their oil cargoes at Newburgh, N. Y., I believe, and then proceed to Albany to unload the remainder of their cargoes.

I expect petroleum to be one of the significantly important commodities to be transported on the St. Lawrence waterway.

Mr. SALTONSTALL. I should like to argue that point a little later, in the course of my remarks.

At this point let me say that today, at Boston, we are trying to have the channel to the oil docks dredged to 32 feet, in order to permit tankers to reach those docks.

Mr. AIKEN. That would be for a large tanker with a full load.

Mr. SALTONSTALL. Yes, for the new modern tankers.

Mr. AIKEN. But in the case of the port of Albany, the largest oceangoing tankers can unload a part of their cargoes of petroleum at Newburgh, N. Y., I believe, and then can proceed to Albany with the remainder of their cargoes.

Mr. SALTONSTALL. That raises the question of how far it is practical for such a ship to go with half a load. A number of other questions arise in connection with that situation.

Mr. AIKEN. It seems to me it is begging the issue somewhat to say that a situation of perfection should be provided for in the case of an inland canal, so as to have it accommodate the largest ships which conceivably might be built somewhere in the world.

Mr. SALTONSTALL. Of course the Senator from Vermont already knows that there is a pipeline from Portland, Maine, to Montreal.

Mr. AIKEN. There are two of them.

Mr. SALTONSTALL. Yes, and there is another pipeline in the Middle West, and a fourth one is contemplated.

Mr. AIKEN. Yes; but we also know that during World War II, the flow of oil

in that pipeline had to be reversed, and we had to use Great Lakes shipping. How the oil got to Montreal from the Great Lakes, I do not know. I assume it went in small oil barges, through the 14-foot canal.

At that time, instead of pumping oil from Portland to Montreal, it was necessary to depend upon oil which was pumped from Montreal over the mountains to Portland.

Therefore, I believe we must give very serious consideration to such issues which involve the national security.

Mr. FERGUSON. Mr. President, will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. SALTONSTALL. I yield.

Mr. FERGUSON. Do I correctly understand that the Senator from Massachusetts would favor the construction of a 35-foot canal?

Mr. SALTONSTALL. I do not say that I would not favor it. Of course, thus far I have been able to read only four paragraphs of the first page of my speech.

Mr. FERGUSON. I realize how difficult it is to proceed in the Senate under such circumstances.

Mr. SALTONSTALL. On the other hand, I wish to answer any questions which my colleagues may desire to ask.

I would say to the Senator from Michigan, as I said to other Senators before the Senator from Michigan entered the Chamber, that I believe this project should be very carefully and thoughtfully studied in 1952; and that study should not be based on studies made before the war. The conclusion we reach should be based on a 1952 study, not upon studies made in previous years, and without giving consideration to the new developments.

When the 1952 study is completed, I would wish to examine the situation again, before forming my own best judgment.

Let me say that I do not wish to take a position arbitrarily against a 35-foot seaway.

Mr. FERGUSON. However, are not the Canadians planning to build the seaway to a depth of 27 feet if they have to build it alone?

Mr. SALTONSTALL. I assume so, although I do not know that to be a fact.

Mr. FERGUSON. Is it not the understanding of the Senator from Massachusetts that if the Canadians believed the seaway should be deeper, in order to be suitable for the purpose for which it is intended, they would be advocating the construction of a 35-foot channel?

Mr. SALTONSTALL. I believe the situation in Canada is slightly different from our situation. So far as I know, Canada has no large merchant fleet. On the other hand, we are endeavoring to build up and maintain an ocean fleet, with the aid of a Government construction subsidy and a Government operating subsidy, as the Senator from Michigan knows.

There is no question that the present seaway is handling some traffic made up of small foreign-flag ships. Many of the foreign-flag ships, which operate at smaller wage costs and smaller maintenance costs, will be able to go through the seaway.

For instance, in the case of a C-3 ship, the monthly wage bill as of January 1, 1949, for the United States was $21,000; and the closest figure to that was $8,300, in the case of a C-3 ship operated under Greek ownership. Thus, in that instance the ship operated under United States ownership had a monthly wage bill two and one-half times as large as the other.

In January 1949 the daily operating cost of a United States owned or operated Liberty ship was $928. The next highest figure was that in the case of a Liberty ship under Panamanian registry, with a daily operating cost of $618, and that operating figure ran down to $457, in the case of a Liberty ship operating under British ownership or registry.

Mr. FERGUSON. Of course, that has been true for a long time, and that is why our ships generally are operated on the basis of subsidies, which are paid to United States vessels because their payroll costs and other costs are larger.

Mr. SALTONSTALL. Yes.

Mr. FERGUSON. However, has not the proposed St. Lawrence seaway been surveyed by practically all the outstanding authorities, and have not they said that a 27-foot channel would accommodate these ships? Of course, it is true that not all the American ships could go through the canal.

Mr. SALTONSTALL. It depends upon whether we are talking about a seaway or a waterway. My interpretation of a seaway is one which can accommodate oceangoing steamers.

Mr. FERGUSON. That is my interpretation, too.

Mr. SALTONSTALL. A seaway which will accommodate the United States merchant marine, not one which will deny our merchant marine an opportunity to use it, must have a channel deeper than 27 feet.

Mr. FERGUSON. However, as has been stated, in the case of oceangoing tankers, for instance, has not it been customary for such vessels to unload a part of their cargoes of fuel oil before reaching the 27-foot channel? In that way, such vessels could make use of a 27-foot channel and still would be carrying a pay load.

Mr. AIKEN. That was the testimony on behalf of the Maritime Commission.

Mr. SALTONSTALL. Yes, I understand that they could not accommodate the shipping.

Mr. AIKEN. That was one time I agreed with the Maritime Commission.

Mr. SALTONSTALL. I would answer the Senator in this way: The National Federation of Shipping gave me this statement—perhaps they are prejudiced, but they also ought to know something of the facts in connection with what the Senator has said:

> The maximum drop of any of the standard types of the United States-flag vessels, attributable to fuel and fresh water, from completely empty to completely full tanks, is 2½ feet of the vessel's drop.
>
> The distance from Montreal to Chicago is approximately 1,000 miles.
>
> The consumed time in both directions, plus loading and discharging time in port, would equal 20 days. • • • It is very obvious that the differences in draft for the bunkering requirements could not account for more than 1½ feet of draft.

In other words, in the case of a vessel drawing over 27 feet, it would be necessary to lighten her so that she would not draw more than about 24 feet.

In the summer schedule, as I have said, to be conservative, of more than eight-tenths of the United States merchant marine, the ships draw over 27 feet, and would not be able to use that seaway unless the ships were not fully loaded.

Mr. SMITH of New Jersey. Mr. President, if the Senator will yield, I should like to give certain figures I have received.

Mr. SALTONSTALL. I yield to the Senator from New Jersey for that purpose.

Mr. SMITH of New Jersey. The United States Maritime Administration gave me these figures regarding vessels of the United States, showing draft, number of vessels, and total gross tonnage. This table shows:

Draft from 21 feet up to 25 feet; total, 351 vessels; total gross tonnage, 1,698,000. Those are the vessels that could be used in a 27-foot channel.

Draft of 26 feet, and up to 31 and over, a total of 3,074 vessels, with a tonnage total of 23,866,000.

So it indicates that out of a total of 3,425 vessels, only 351 of our present merchant marine vessels could use a 27-foot channel.

Mr. President, questions as to the depth of the channel, which the Senator is now discussing have disturbed me from the beginning. If the Senator would like me to do so, I shall be glad to ask unanimous consent to have this table printed in the RECORD at this point in his remarks.

Mr. CONNALLY. Do not do that. I want the table, myself. It is mine. I want to put it in the RECORD, and I desire to use it, myself.

Mr. AIKEN. I suggest that the Senator from New Jersey has it, and, if permitted, I should like to ask him a question about it.

Mr. SALTONSTALL. Would the Senator from Texas permit it to be printed in the RECORD at this point, and then have it returned to him?

Mr. CONNALLY. If it will be returned to me. I want to use it in my argument. It shows that with the depth proposed for this canal, it would be available to only something more than 1,000,000 tons of shipping.

Mr. SMITH of New Jersey. 1,698,000 tons.

Mr. CONNALLY. Only ships of that total tonnage could navigate the canal, whereas 23,000,000 tons could not navigate the canal at that depth.

Mr. SMITH of New Jersey. That is correct. I had these figures and I offered them to the Senator from Massachusetts

because I thought the figures would be enlightening at this point.

Mr. CONNALLY. I should like to have the table placed in the RECORD, but I would rather do it myself. I do not want it garbled before I get to it.

Mr. SMITH of New Jersey. I apologize to the Senator.

Mr. CONNALLY. That is all right.

Mr. AIKEN. Do those figures include ore carriers?

Mr. SALTONSTALL. I would say to the Senator from Vermont that they relate to seagoing ships, as I understand.

Mr. AIKEN. Does not the Senator understand that the major part of the shipping through the canal would either be ore boats or boats engaged in coastwise shipping? It is my understanding that the European markets do not have elevator space adequate to hold an entire season's supply of grain. So it is anticipated that great quantities of grain would probably have to be stored at Boston and other Atlantic ports for the winter, later to be shipped overseas, since England, France, and certain other countries do not have elevator space sufficient to hold an entire year's supply, which would permit its being shipped directly from Duluth or Chicago. I think Mr. Harriman pointed out in his survey of the situation that a great deal of the shipping would be from east coast ports, or from other United States ports, into Duluth, Cleveland, and other ports on the Great Lakes. There are several ports on the Great Lakes, as the Senator is well aware, each of which today does more business tonnagewise than is done by the port of Boston in a year—seven or eight of them, I think.

Mr. SALTONSTALL. I would hope that what the Senator says is correct. I do not think we ought to go forward with the project on the assumption that there is involved primarily an iron-ore problem or primarily a coastal-grain problem. If that is what the Senator from Vermont has in mind, I may suggest it is an entirely different concept from the one that has been advocated.

Mr. AIKEN. It is my understanding that the big freight tonnages would be ore, coal, and petroleum, and that grain would come about fourth or fifth in the tonnage of the various commodities. But as to coal and ore and petroleum, for instance, the coal industry has had a great deal of difficulty in making deliveries of coal in New England at competitive prices. If they were able to load at Ohio points, such as Lorain, Toledo, or any other lake ports, they could undoubtedly come into the New England market to a much greater extent than it is possible for them to do at present.

Mr. SALTONSTALL. I would say to the distinguished Senator that I have some figures on ore, which I plan to present a little later on.

Mr. AIKEN. I think we should consider the construction of the seaway in the light of the commodities which would generally make up the tonnage through it. In the case of manufactured commodities, it is my understanding that the ships ordinarily are not loaded anywhere near to capacity in terms of tonnage, because such commodities are so bulky.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I am very much interested in this subject, because I am trying to find out whether the project we are discussing is a canal which is to be limited to 27 feet, or whether we are thinking in terms of oceangoing vessels.

Mr. AIKEN. We are thinking ultimately in terms of 30 feet.

Mr. SMITH of New Jersey. My good friend, Mr. Julius Barnes, of Duluth, whom the Senator from Vermont knows very well——

Mr. AIKEN. That is correct.

Mr. SMITH of New Jersey. And whom I have known for years, has written me very voluminously on this subject. Obviously he is a great proponent of this project. He thinks in terms of a 27-foot canal. He does not want anything more. He has written me two or three times. He says the only sensible thing in the case of the ships we have on the Great Lakes is to break bulk at Montreal.

That was one of the reasons, 2 years ago, for moving to recommit this bill, because I never was satisfied that we had the right specifications for what was wanted. Some wanted a 35-foot depth. Others wanted to use the Welland Canal and limit the depth at all times to 27 feet. Do we want a 27-foot canal, or do we want something else? Let us get the answers to those questions.

Mr. AIKEN. If the Senator would yield, I understand we are arguing for a 27-foot canal, with 30-foot locks; so that the channel might be deepened to the depth of the Lakes, at a later date, if that should be found advisable. I should like to say that no man in the country knows more about the export of grain than does Julius Barnes, and few people in their lifetime have exported as much grain as has Julius Barnes. If he says 27 feet is adequate, I accept his word for it that 27 feet is entirely adequate.

Mr. SMITH of New Jersey. He says it is adequate, but that it necessitates the breaking of bulk at Montreal and changing to larger boats.

Mr. AIKEN. But breaking bulk at Montreal is a very small matter as compared with transshipping from Buffalo to the ports of New York and Baltimore.

Mr. SMITH of New Jersey. That is one of the very questions I asked 2 years ago when I moved to recommit the bill, and I have never received an answer.

Mr. AIKEN. Mr. Barnes gave me an estimate indicating that the western grain producers who exported by way of the St. Lawrence and the 27-foot canal would realize a saving of from 10 to 12 cents a bushel on their product.

Mr. SALTONSTALL. As I understand, we have specific figures as to the cost of breaking bulk. In competition with oceangoing commerce today, it would be absolutely out of the question.

Mr. AIKEN. The Senator from Massachusetts understands, does he not, that water shipments of grain to the East by way of the Erie Canal are controlled by a monopoly which owns all the barges on the Erie Canal?

Mr. SALTONSTALL. I do not know the answer to that question.

Mr. AIKEN. The answer is that they will put anyone out of business who undertakes to build barges to compete with them. That is the answer to that question.

But Mr. Barnes advises me that the savings to western farmers shipping out of Duluth or any Ohio port for export or to the east coast would amount to somewhere around 10 or 12 cents a bushel. That was a year ago. We know that freight rates have increased since then, and water-shipping costs have also increased.

Mr. MOODY. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. MOODY. I hold in my hand the figures I did not have a few moments ago, and I should like to point out that the official report of the Chief of Engineers, United States Army, shows that of the traffic in and out of Boston—this is not barges or garbage scows or rowboats and canoes; it refers to steamers—98 percent in the past year, of all the ships going in and out of the port of Boston, had an actual draft of 24 feet or less; out of the port of Baltimore, 90 percent had an actual draft of 24 feet or less; out of the port of Philadelphia, 99 percent had an actual draft of 24 feet or less; out of the port of New Orleans, 82 percent had an actual draft of 24 feet or less.

I think the discrepancy is in the fact that while there are deeper theoretical drafts than 27 feet, actually, these ships do not travel fully loaded and the extent of their draft depends upon the bulk and the density of their cargo. Since the depths and capacity of the canal will be well known, and since it is within the option of the captain of a vessel to decide when he is going to load his oil and when he is going to load his water, it is quite clear that ships that have a technical draft greater than 27 feet will be able to clear through the canal without any difficulty.

That is testimony given me not only by the Department of Commerce and the Army engineers, but also by practical shipping men who are anxious to see the canal developed because they feel it will open up as seaports Chicago, Milwaukee, Detroit, Cleveland, Erie, Buffalo, and all the other cities on the Great Lakes.

Mr. SALTONSTALL. I have not seen the figures for 2 or 3 years, but it is my understanding that those figures cover all traffic that goes in or out. During the summer months there is a steamer from Boston to Nantasket which sails half a dozen times a day.

Mr. MOODY. I have ridden on it, often.

Mr. SALTONSTALL. It seems to me these figures are not the figures on seagoing ships. There is only a small number of them.

Mr. MOODY. I think the Senator from Massachusetts is mistaken. The small craft are certainly excluded. While the large number of steamers going

out of Boston Harbor may be responsible for a percentage as high as 98 percent, I have another report from the Department of Commerce which says:

The bulk of the American merchant fleet as now constituted can operate on the St. Lawrence seaway as proposed.

That is a flat statement.

Statistics of the Maritime Administration show that approximately 85 percent of the present ocean-going fleet can be accommodated in the planned 27-foot channel with sufficient pay load for profitable operation. It is true that 75 percent of the fleet would have to engage a 27-foot channel with somewhat less than deadweight capacity load to reduce their draft.

It is quite clear, it seems to me, that a large percentage of the traffic would be able to pass through the canal.

Mr. SALTONSTALL. The figures which were obtained by the Senator from New Jersey [Mr. SMITH] from the United States Maritime Administration state that 351 out of 3,425 vessels of the United States Maritime Administretion draw under 25 feet of water and could use the seaway. Three thousand and seventy-four out of 3,425 vessels could not use the seaway. Of the total gross tonnage, 1,698,000 could use the seaway and 2,866,000 could not use the seaway.

Mr. President, I ask unanimous consent that the figures may be printed in the RECORD at this point in my remarks.

Mr. MOODY. Reserving the right to object—and I shall not object—I should like to point out that those figures indicate that there will be a full deadweight load on every ship. We have from the same Department a flat statement that approximately 85 percent of the ocean-going fleet can use the seaway. That is a flat statement which I believe should go into the RECORD at the same point or near the same point as the figures offered by the Senator from Massachusetts.

Mr. SALTONSTALL. The Senator from Michigan can put in his figures in his own time, but in my time I should like to put in my own figures.

Mr. MOODY. I shall not object.

There being no objection, the figures from the Maritime Administration on the draft of vessels in the United States were ordered to be printed in the RECORD, as follows:

Draft of vessels in United States

Draft	Number of vessels	Total gross tonnage
Under 21 feet	82	233,000
Do	49	168,000
22 feet	14	109,000
23 feet	134	736,000
24 feet	47	271,000
25 feet	25	161,000
Total	351	1,698,000
(The above vessels could use a 27-foot channel.)		
26 feet	96	774,000
27 feet	106	757,000
28 feet	2,027	14,694,000
29 feet	484	3,767,000
30 feet	304	3,155,000
31 feet and over	57	729,000
Total	3,074	23,866,000
Grand total	3,425	25,564,000

Most new tankers being built have a draft of 30 feet or more.

Mr. SALTONSTALL. Mr. President, completely full tanks of water and fuel on a ship take about 2½ feet of the vessel's draft. The distance from Montreal to Chicago is approximately 1,000 miles. With 20 days in port the quantity of fuel would account for approximately a foot in the draft of an oceangoing vessel. That statement is furnished by the American Federation of Shippers.

Mr. AIKEN. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. AIKEN. Chicago, however, would be the farthest distant point. Duluth and Chicago would be the great grain ports.

Mr. SALTONSTALL. I agree with the Senator.

Mr. CAPEHART. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. CAPEHART. I do not like to take up the Senator's time, but I think the debate has been very instructive. My question is, How many months of the year will it be impossible to use the seaway because of its being frozen?

Mr. SALTONSTALL. It will be used 7 months of the year and will be out of commission for 5 months.

Mr. CAPEHART. Is that a proven fact?

Mr. SALTONSTALL. That is a proven fact, as I understand.

Mr. CAPEHART. Does anyone dispute that fact?

Mr. SALTONSTALL. I understand that over a period of years that is the average.

Mr. CAPEHART. And it is during the period when the seaway will be frozen that cargoes will have to be handled in some other way.

Mr. SALTONSTALL. Or held up until the canal is no longer frozen.

Mr. CAPEHART. The Senator understands that during 7 months grain, iron ore, oil, and many other things that can be stored, can and will move, does he not?

Mr. SALTONSTALL. That is correct.

Mr. CAPEHART. But the figures show that the seaway will be in use 7 months and out of use 5 months.

Mr. SALTONSTALL. I believe that is indisputable.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the senior Senator from Michigan.

Mr. FERGUSON. I wonder if the Senator has read the statement by Troy H. Browning, of the T. H. Browning Steamship Co., Detroit, Mich., on the question of the use of the canal by 27-foot ships. He said:

The statement that vessels must have a minimum clearance of 2½ feet at Montreal is misleading. We have checked this statement with the officials of the Canadian Government in charge of the canals and waterways leading westward from Montreal. There is no requirement that westbound vessels must observe a minimum clearance of 2½ feet. On the contrary, there is absolutely no minimum clearance required. At a loaded draft of 26 feet our largest vessels operate at full speed in the famed 27-foot-deep Livingstone channel in the lower Detroit River. The 27-foot channels outside the locks are actually dredged considerably below that depth. And, of course, the 27 feet is measured at low-water datum.

At another point in his statement he said:

Experts state that the average loaded draft of the entire merchant fleet of the world is from 24 to 25 feet. Therefore there can be no doubt whatsoever that a 27-foot channel would be navigable by the vast majority of the existing dry-cargo vessels of the world, even when fully loaded with general cargo. Furthermore, I can tell you with authority that the bulk-cargo vessels now operating on the Great Lakes can and will pass through the proposed canals with full pay loads even though the controlling depths are 27 feet.

Mr. SALTONSTALL. I may say to the Senator from Michigan that I do not know what kind of ships Mr. Browning was talking about.

Mr. FERGUSON. He was talking about the average of all ships.

Mr. SALTONSTALL. It will be necessary for some ships to traverse the canal at full speed. I myself know enough about traveling in ships to understand that it is necessary to have at least 2 feet of clearance in order that a ship may travel at any speed. If a ship is to travel at a speed of a mile or 2 miles an hour, it does not need 2½ feet of clearance. But if it is to travel at 8 or 10 knots, it is necessary to have at least 2½ feet. That is proved by the type of ships that go up to Montreal. If ocean-going steamers are to be sent up the seaway at 3, 4, or 5 knots, the cost of doing business up the river will be increased enormously, because the distance is 1,000 miles.

Mr. FERGUSON. Mr. Browning also said:

The bulk-carrying vessels now operating on the Great Lakes are actually loaded to a draft within 6 to 12 inches of the indicated draft of the dredged channels connecting the various Great Lakes, and in the Detroit, the St. Mary's and the St. Clair Rivers.

Therefore the 24-foot maximum allowable draft asserted by witnesses opposing the seaway is false.

The same argument was used with respect to some of the channels, when it was said that a vessel of a greater draft than 24 feet could not be used.

Mr. SALTONSTALL. I do not know what the speed of an ore carrier would be. She would not be an ocean-going ship; she would be an inland ship, designed for inland waters. I do not believe she would sink low when she was traveling. The same is true of grain-carrying ships in the Great Lakes. I do not know what kind of ships they are, but if they are anything like iron-ore-carrying ships, I do not believe they sink low in the water. What we are here talking about is a seaway built for ships that would travel from Detroit to England. That is a different kind of ship entirely. Such a ship would have to travel 19 knots. It would stay in port a comparatively few days and be turned around, or it would lose money. It would be necessary for that kind of ship to travel at a greater speed when it was moving. It would not travel at one or two knots.

Mr. FERGUSON. Mr. Browning in his statement made the following comment:

The above discussion clearly demonstrates there is no advantage whatsoever to foreign vessels in the proposed seaway.

Then Mr. Browning continued by saying that as an American operator he was very anxious to have the seaway completed, and that he believed a 27-foot depth was sufficient.

Mr. SALTONSTALL. I wish to call the attention of my colleague to two figures which have been called to my attention. A lake ore boat draws 17 feet 6 inches. A Bethlehem Steel Co. seagoing ore boat draws 35 feet.

Mr. FERGUSON. Mr. President, for the benefit of Senators who may wish to read this testimony, it appears in the record of the printed hearings at pages 624, 625, 626, 627, and 628.

Mr. SALTONSTALL. I thank the Senator.

Mr. President, I shall repeat a short paragraph. There is one question that must be clearly decided in any discussion of the St. Lawrence seaway, namely, are we talking about a seaway which, to my way of thinking, means one capable of carrying ocean-going ships destined to any port in the world, or are we talking about a seaway that means inland transportation, an entirely different thing? Because I believe that the questions which I am about to ask must be satisfactorily answered before the St. Lawrence seaway is authorized, I am joining with the Senator from Illinois [Mr. DIRKSEN], the Senator from New Jersey [Mr. SMITH], and others, in filing as a substitute for Senate Joint Resolution 27 an amendment establishing a commission of citizens not holding Government positions of any kind, for the sole purpose of rendering a completely impartial report to the the American people concerning the St. Lawrence seaway and power project.

POWER PROJECT

Mr. President, I should now like to consider in some detail the project which we are asked to approve. Let me repeat, I wish to make it perfectly clear that I have been in favor of that part of the St. Lawrence project which we are discussing which has to do with power. I sincerely hope that the power dams and plants will be built as rapidly as possible, because we do need power.

The State of New York has applied to the Federal Power Commission for a permit to go ahead by itself with the power development. I hope that the Senate, Mr. President, will consider the request of New York with the greatest of care, particularly as to what the differences would actually be whether the development was constructed initially by the Federal Government or by New York. I say this because it is very refreshing to me that in these days when the Federal Government is asked to do so much in so many ways and is spending such vast sums for security and defense, the State of New York is willing to undertake the power project by itself. It is my understanding that if it should be decided that it is advisable for New York to do this, no further action of the Congress would be necessary. It is my understanding that New York could go ahead as soon as it received the necessary permission from the Federal Power Commission.

In this connection, I should like to point out that while I am certainly in favor of trying to get as much of the power to be developed as I can for Massachusetts and New England, the more I have studied the whole St. Lawrence power question in detail, the more convinced I am that a very small part of the prospective product in power will be available for Massachusetts and other parts of New England—I believe Vermont may get some, as it is the closest State. This appears so since it seems clear that a very high percentage of the power could be more economically used in New York by the time the power plants could possibly be built and in operation.

This is clearly indicated in the Foreign Relations Committee print, Eighty-first Congress, first session, March 2, 1949, entitled "The St. Lawrence Seaway and Power Project," under question 16 on page 52:

In the first place the 6,500,000,000 kilowatt-hours, which constitute the United States share of energy from the St. Lawrence project, must be considered in relation to the anticipated growth in the region's energy requirements from 30,500,000,000 kilowatt-hours in 1947 to 51,000,000,000 kilowatt-hours in 1960. Similarly the installation of 940,000 kilowatts of capacity on the United States side of the project, of which about 700,000 kilowatts will be dependable capacity, must be viewed in relation to a prospective increase from 6,292,000 kilowatts of assured capacity serving the region in 1947 to an estimated 10,190,000 kilowatts of assured capacity required to meet the demands of 1960.

Thus, while the St. Lawrence project will be one of the largest single developments in the East, it can supply less than one-fifth of the additional capacity which our estimates show will be required by this market area by 1960. At that time its capacity would represent less than 7 percent of the total capacity required to serve the area.

The figures which have been presented clearly illustrate to me that while the whole block of power is large, it represents only a small part of the needs of the next few years, as well as in relation to the total needs of the area.

If it is decided, after weighing all of the factors, that New York should be allowed to develop the power, I feel certain that an interstate compact can be worked out for fair distribution among the States and the protection of their rights for power developed in the International Rapids. This would require New York to make available to the other States power in accordance with that agreement, which must be approved by Congress before it becomes binding.

I urge, Mr. President, that the power development be built either by the Federal Government or the State of New York at the earliest possible moment.

It is important to note that the Army engineers have testified several times that the power project can be built separately and as economically when built separately as when built in conjunction with the seaway.

THE SEAWAY

In discussing the seaway, I wish most respectfully to raise some questions which appear to me as extremely important.

I base my questions, as I have stated, on a 27-foot-depth seaway because that is the depth that is in the present agreement between Canada and the United States. These questions, of course, are even more pertinent as respects a 30-foot or a 35-foot seaway, particularly as the problems of cost are involved.

COST

In the document of March 2, 1949, printed by the Senate Foreign Relations Committee, entitled "The St. Lawrence Seaway and Power Project," the United States Corps of Engineers estimates the total combined navigation-power development, at July 1948 cost levels, for a 27-foot channel, at $558,613,000, of which the United States share would be $483,206,000.

I am informed since that date costs have risen on a very approximate estimate 6 percent a year. This would make the 1952 cost approximately 25-percent greater, or around $735,766,250 for the total cost, and $604,007,000 for the United States share.

This $604,007,000 does not include the cost of excavating channels in the Great Lakes to a 27-foot depth. It does not include excavating harbor entrances and turning pools and sufficient depth at docks. It does not include adequate dock facilities for oceangoing vessels.

I know of no major canal that has ever been built even closely to the original estimate. I submit herewith a table from which I draw this conclusion:

Major canals—estimated and actual cost

	Estimated cost	Actual cost
Manchester ship canal	$40,000,000	$80,000,000
Suez Canal	30,000,000	80,000,000
Panama Canal	100,000,000	375,000,000
Welland ship canal	50,000,000	131,000,000
Chicago drainage canal	16,000,000	53,000,000
National Transcontinental Railway (Canada)	61,415,000	[1] 170,000,000

[1] 1931.

(From: Great Lakes-St. Lawrence Basin, hearings before Committee on Rivers and Harbors, House of Representatives, 77th Cong., 1st sess.: The Improvement of the Great Lakes-St. Lawrence seaway and power project—pt. 2, July 14-Aug. 6, 1941—p. 1701.)

It will be noted from this table that the three canals which the United States helped to build—the Panama Canal, the Welland ship canal, the Chicago drainage canal—have cost from two to three times their original estimates.

The Panama Canal is perhaps the canal best known to all of us. The total paying traffic handled by it in 1950 was 28,100,000 tons. This canal is operated on a 12-month basis. It has a depth of 40 feet, 12 feet more than the seaway which is planned, which is capable of handling any merchant vessel in the world.

The proposed seaway, on the other hand, would have only a 27-foot depth and would be open to traffic only from 7 to 8 months a year. Yet on the present basis of estimates of cost, in order to be self-liquidating, it will have to handle at

least twice as much paying tonnage as the Panama Canal.

A 27-foot depth would only permit to go through it fully loaded 6.6 percent of the active merchant fleet of the United States and only 8.3 percent of the reserve fleet.

It would not accommodate a single one of the 57 United States merchant vessels now under construction in United States yards.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. CONNALLY. In addition to the figures which the Senator quoted a while ago, I have before me a note to the effect that most of the new tankers now being built have a draft of 30 feet or more.

Mr. SALTONSTALL. That is correct.

Mr. CONNALLY. Of course, none of them could navigate the proposed St. Lawrence seaway.

Mr. SALTONSTALL. Those tankers are included in the figures which I have given; and I have a detailed list of them which I shall submit a little later.

Mr. CONNALLY. I thank the Senator.

DEEPENING OF CONNECTING CHANNELS AND GREAT LAKES HARBORS

Mr. SALTONSTALL. If a 27-foot channel is built up the St. Lawrence, it is obvious that there would be large additional expense in the Great Lakes because, first, there is not now a 27-foot channel through the Great Lakes; and, second, there is not a single harbor that could accommodate a 27-foot-draft ship.

I pose the question: Has anyone really adequately figured up what this additional cost will be for deepening connecting channels, the Great Lakes harbor channels, turning basins, and the additional dockage space that must be built to accommodate oceangoing ships?

I submit a few figures to show why I do not believe the question I have just posed can be answered without a great deal more study.

The Corps of Engineers in answering questions asked by the Senate Foreign Relations Committee on March 2, 1949, estimated, based on July 1948 cost levels, that to complete a 27-foot channel through the Great Lakes would cost $88,691,000.

Based upon the approximate 25-percent increase since July 1948—and I agree this is a very rough estimate—the present cost on their own figures would be $110,863,750.

The Corps of Engineers estimate that it would require 6 years to dredge this connecting channel to a 27-foot depth in the Great Lakes.

For certain selected harbors they estimated that to provide entrance channels and turning basins would cost $9,172,000.

I submit that these figures are far too low.

In 1929 the Brookings Institution, in a very careful study of the whole project, figured that to improve the interconnecting lake channels and to make the harbors and ports of the Great Lakes capable of handling the ships that might get through a 27-foot seaway would cost $340,000,000. This is as of 1929. I believe that without question it would be at least double that figure today.

At that time the Brookings Institution estimated that $25,000,000 would have to be spent on each of 10 Great Lakes ports alone to meet only minimum requirements.

In 1940 the engineering department of the city of Buffalo estimated that complete improvement of Buffalo Harbor would cost $46,890,000 for both private and public expense.

Today the harbor of Buffalo has an entrance channel—at the northern entrance—of 21 feet. After studying the latest chart of the harbor of Buffalo I believe that this would still be the controlling depth for boats using the southern entrance.

Mr. President, I ask whether a single harbor in the Great Lakes is known that would permit a ship capable of going loaded through a 27-foot channel to enter and unload at its docks as of today.

I have gone over all the charts of the Great Lakes from Tibbets Point, where the St. Lawrence leaves Ontario, to Duluth, at the western end of Lake Superior, and have failed to find such a harbor.

COST AND OPERATION OF MODERN PIER FACILITIES IN THE UNITED STATES

If oceangoing vessels are to sail the Great Lakes, they will demand and need modern pier facilities. The most modern pier for handling general cargo in operation in the United States today is pier 80 in Philadelphia. This pier could not be duplicated today for less than twelve to fifteen million dollars.

There are two factors which are involved in modern pier facilities. First, the most efficient pier is in a restricted waterfront and is called a "finger pier" because it sticks out from the shore. The most modern and efficient pier is a doubledeck which permits the unloading of the holds simultaneously. As 30 to 50 percent of the merchant ship's time is spent in port, depending on the type of vessel, the more this time can be cut down the more economical is the ship to operate.

The second type of pier is the so-called marginal pier. This is one which runs parallel to the river or harbor. Naturally it requires a greater amount of water the full length of the ship and is, therefore, not so economical.

In either event, the cost of modern, thoroughly up-to-date, efficient pier handling facilities is large.

The Brookings Institution in its study of the St. Lawrence seaway, in 1929, on page 97 states that the provision of harbor and port facilities is estimated to be $250,000,000.

Piers are most successfully operated where there is constant uninterrupted regularity of shipping services throughout 12 months of the year in order to produce a sufficent amount of volume of cargo ingress and egress to keep freight rates at a reasonable level and still produce the operating revenues needed for such an expensive installation.

Actually such a pier would operate on the seaway on a 7-month basis and the problem of stevedores must be considered in this connection. If a pier is only operated 7 to 8 months a year, what becomes of the help to load and unload for the other 4 months? Are they put on an unemployment compensation basis or do they go to other employment? If they go to other employment, what brings them back when the pier is operating again in the spring?

Modern port facilities are even more complicated where a diversity of cargoes are to be handled, such as bulk cargoes of grain, coal, limestone, cement, and so forth, and general cargoes, such as boxed, bagged, cased, of palletized articles. If a port is anticipating the handling of both types of cargoes, basic cost of pier handling facilities would be quite tremendous, and from a business standpoint would never pay off unless they could be guaranteed a substantial volume of cargo moving regularly each of the 52 weeks of the year.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LEHMAN. I realize perfectly well that for 4½ months of the year the proposed seaway would be frozen and that the Lakes would be frozen. The same situation obtains at the present time. In spite of that fact more traffic, as I said in my remarks earlier today is being carried on the Great Lakes than goes through all the well-known canals of the world, including the Panama Canal, the Suez Canal, and the Kiel Canal. There is no question about operating 52 weeks of the year at the present time. The Great Lakes ports are operated only for 7½ or 8 months a year. Yet they are economical in their operation, and they take care of a tremendous amount of freight. I do not believe the Senator from Massachusetts would claim that they are not of great service to the steel industry in the production of steel, which is so greatly needed both for defense purposes and in our national economy as a whole.

Mr. SALTONSTALL. I do not question what the Senator from New York is saying. What I am trying to point out is an entirely different matter. The Senator from New York is familiar with the port of New York and the municipal piers in that city. He is familiar with the cost of operating them. What I am trying to point out is that if this seaway is to be established as a seaway there are involved an immense number of costs which have not been considered or brought out at all in the debate. All I am trying to do is to bring out some questions with the thought that answers should be forthcoming and more information should be furnished.

Mr. LEHMAN. Mr. President, will the Senator yield further?

Mr. SALTONSTALL. I yield further.

Mr. LEHMAN. The Senator from Massachusetts is talking about New York and has made the suggestion that I have some knowledge about the docks at the port of New York. I hope I have some information about the subject. He has

also discussed the modern dock in Philadelphia, which cost $12,000,000 to construct, and which is very effective in loading and unloading freight. However, when freight comes to Philadelphia from Labrador or Venezuela, what happens then? How is the freight shipped to Youngstown, Toledo, Cleveland, Pittsburgh, or Gary, where our great steel furnaces operate? We are trying to make it possible for ore, which is only one commodity, of course, to get through the canal and into the Great Lakes. I mentioned ore, but that is only one commodity. The ore is particularly important, of course, because it is needed to feed the great steel furnaces of the Middle West, which are producing steel for the entire world.

Mr. SALTONSTALL. I would say to the distinguished Senator from New York, particularly in view of the fact that he has mentioned Venezuela, that the ship that would bring the ore from Venezuela is a completely different type of ship than the ship that would be used to bring ore from Labrador. If we are talking about Labrador, or an inland waterway in connection with it, that is one thing. That is an entirely different proposition, however, from a seaway proposition. The seaway argument is based on a 27-foot channel, not an inland waterway with a 27-foot channel. If we are to have an inland waterway 27 feet deep, it is an entirely different proposition than if we are talking about a seaway with a 27-foot channel. If we are talking about a seaway, we must have certain depths in the harbors of the Great Lakes and we must have the necessary wharves to handle the ships. There is not one harbor from Buffalo to Duluth which will take a ship of 27-foot draft.

Mr. LEHMAN. Mr. President, will the Senator yield further?

Mr. SALTONSTALL. I yield further.

Mr. LEHMAN. I stated earlier in my remarks today that it has been reported to me by reliable authority that 75 percent of the American bottoms now in commission could use the seaway if it were built with a 27-foot channel. I believe that is so. It is perfectly possible that in the future ships will have a 30, 32, or 35-foot draft. I do not think we can completely provide for that contingency. We are living in a period of progress. Certainly of all the ships under the American flag now in commission, I am advised, 75 percent could use the seaway. While it is perfectly true that a certain amount of dredging might have to be done in the harbors of Buffalo, Duluth, Cleveland, and of other cities along the Great Lakes, that would have to be done under any circumstances. There is no avoiding it if we are to keep pace with the times.

Mr. SALTONSTALL. I would say most respectfully to my colleague from New York that if he had been present earlier today he would have heard the very long discussion which I had with the Senator from Michigan [Mr. MOODY] with respect to the same subject. There seems to be a complete difference of opinion as to the size of our merchant marine. I have some figures which I shall read a little later. I have before me some figures which were called to my attention by the Senator from New Jersey [Mr. SMITH] and by the Senator from Texas [Mr. CONNALLY]. They were given to the Senators by the Maritime Administration as of today. They would seem to show—and I hope the Senator from New York will follow my reading of these figures, because the 75-percent figure has been used before—that the figure of 75 percent is utterly wrong if the figures I have before me are correct. I say that most respectfully.

The figures which I have before me show that of the total number of vessels, 3,425, flying the United States flag, 351 have a 25-foot draft or less; 3,074 vessels have a draft of 26 feet or more. The 351 vessels represent 1,369,000 tons. The 3,074 vessels represent 23,866,000 tons.

Mr. LEHMAN. I should like to inquire with reference to the 26-foot-draft vessels. If I understood the Senator from Massachusetts correctly, 3,074 vessels have a draft of 26 feet.

Mr. SALTONSTALL. Twenty-six feet or more.

Mr. LEHMAN. We are talking about a 27-foot channel. Why should it not be possible for a ship with a draft of 26 feet to use a 27-foot channel?

Mr. SALTONSTALL. Because a seagoing ship sinks about half a foot at the stern when she moves forward, and the faster she moves forward the more she sinks at the stern. At Montreal ships are required to have a 2½ foot clearance. Two and a half feet of clearance is the very minimum.

If the fuel and water supplies of a vessel going from Montreal to Chicago were reduced, her draft possibly could be reduced 1 foot. Her consequent reduction in draft would not be greater than that, in view of the fact that the trip each way would be 1,000 miles, and would take 20 days.

Mr. LEHMAN. Mr. President, certainly the draft of the vessel would be reduced considerably more than that, if she did not carry a full load of fuel when she began her voyage on the Great Lakes, en route to Europe.

Mr. SALTONSTALL. The reduction in draft would be only 1 foot.

Mr. LEHMAN. Additional fuel could be taken on at Montreal, if necessary.

Mr. SALTONSTALL. Nevertheless, the reduction in draft would be only 1 foot.

Mr. LEHMAN. I would be inclined to question that figure, because certainly it does not coincide with the figures I have received.

Mr. SALTONSTALL. That is why I say that the Senator from Michigan, who favors construction of this project, has used the same figures which have been used by the Senator from New York.

On the other hand, the figures I have obtained come from the American Shipping Corp., and the figures obtained by the Senator from New Jersey [Mr. SMITH] and the Senator from Texas [Mr. CONNALLY] come from the Maritime Administration. Those figures completely disagree with the figures submitted by the Senator from New York.

Mr. LEHMAN. It seems to me they do not completely disagree with our figure, when we show that a great number of ships with a draft of 27 feet could use the proposed channel. Certainly no convincing proof has been given to me to show that such ships could not use the channel.

Although I realize that a ship with a draft of 28 feet or 29 feet probably could not use the channel, yet it seems to me——

Mr. SALTONSTALL. I would say to the Senator from New York that I would hate to be the captain of a ship drawing 26 feet of water, and trying to use a 27-foot channel, if that ship were operated at a speed in excess of 1 knot. Under such circumstances, if the ship were operated at a speed in excess of 1 knot, insurance on the ship could not be obtained.

Mr. CONNALLY. Mr. President, will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. LONG in the chair). Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. SALTONSTALL. I yield.

Mr. CONNALLY. Is it not true that the figures submitted by the Senator from Massachusetts, which are similar to those which have been used by the Senator from New Jersey [Mr. SMITH] and myself, are not based on a fly-by-night estimate, but come from the United States Maritime Administration? In connection with those figures, every United States ship which can navigate a 27-foot channel is listed; and the total number is approximately one-tenth, or a little more, of all the ships belonging to the American merchant marine. Practically nine-tenths of the ships in the American merchane marine could not navigate a 27-foot channel. Is not that true?

Mr. SALTONSTALL. That is true. A 27-foot channel would encourage foreign competition. Under such circumstances, foreign vessels, as opposed to the American merchant fleet, would use the channel. As we realize, the American merchant marine is subsidized, both in respect to construction and in respect to operation, as of today.

Mr. CONNALLY. Is it not also true, on the basis of the figures the Senator from Massachusetts has obtained, that the construction of a 27-foot channel would amount to a veto against 90 percent of the American merchant marine, because it could not use such a channel?

Mr. SALTONSTALL. I am not sure the Senator from Texas uses the word "veto" in the correct way, in that connection; but certainly a 27-foot channel would prevent 90 percent of the American merchant marine from navigating those waters.

Mr. CONNALLY. If we are not to use the word "veto" in that connection, then I shall use the word "decapitate." Would not the construction of a 27-foot channel result in "decapitating" practically nine-tenths of the American merchant marine, so far as the use of that 27-foot channel was concerned? [Laughter.]

Mr. LEHMAN. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. LEHMAN. I wish to reply to my very highly respected colleague from Massachusetts.

Mr. SALTONSTALL. I thank the Senator from New York.

Mr. LEHMAN. It seems to me that he is proceeding on the wrong assumption. After all, this seaway will be built. It matters not what any Senator may say about it; the seaway will be built. It will be built either by Canada, acting alone, or by Canada in partnership with the United States.

So the competition from foreign bottoms, to which the Senator from Massachusetts has referred, will exist under any circumstances, regardless of whether we like it. The only difference is whether we choose to have Canada build the canal by herself. If so, Canada will be in complete administrative control of the canal and will be able to charge whatever tolls she may wish to charge, and will be able to do, in that connection, whatever may seem desirable or expedient to her. In that case we shall not have a word to say about the matter.

We cannot prevent the competition which will develop as a result of the construction of this canal.

The railroads have been shouting their heads off in opposition to this project. As I said earlier today, the railroads and the power companies and the private utility companies are the main opponents of this project; but all the objection and opposition in the world will not prevent construction of this project, for in any case it will be constructed by Canada.

Personally, I believe the railroad companies are completely wrong in their opposition, because I do not believe construction of this canal and the competition coming from it will hurt them any more than they have been hurt by construction of the Panama Canal and the competition coming from it or construction of the Houston-Galveston Canal and the competition coming from it.

I do not believe that the construction of those canals has hurt the railroads competitively; in fact, I believe the construction of those canals has resulted in increasing the railroads' business.

However, regardless of whether we like it or whether we do not like it, this canal will be built.

The only question is whether the United States, by means of a very small investment, or without any investment at all—because I am convinced that construction of this project will not cost the United States a single cent—is going to abdicate completely its authority and its power to Canada. Canada always has been and always will be friendly to the United States, but I do not wish to have Canada given complete control of this tremendously important project.

Mr. SALTONSTALL. Mr. President, I wish to state once more that I am simply trying to point out that I believe that if we contribute to the building of the seaway, we should have it built as a seaway which will be helpful to us from the point of view of use by the American merchant marine. In that case, I believe we must know what the cost will be.

If Canada wishes to proceed by herself, that is her privilege.

As I have said to the Senator from Vermont, I certainly would be the last one to try to prevent Canada from doing what she wishes. On the other hand, Canada does not have a particularly large merchant marine of her own. So her problems are quite different from ours.

If the investigation which I am joining in advocating—and in doing so, my purpose is, not to kill this project, but to try to obtain the necessary facts—is made, I do not know whether Canada will go ahead with this project or will not do so. After all, we cannot prevent her from doing so.

Mr. HUMPHREY. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. HUMPHREY. I have had an opportunity to listen to much of what the Senator from Massachusetts has said, and he certainly has presented a very persuasive documentation of facts. I am sure all of us will wish to study it very carefully.

The point he has made in regard to the draft of vessels and the depth of the channel or the canal is one which already has received careful consideration by the committee. Of course, that point will be a subject of debate all the way through the further consideration of the pending joint resolution.

I should like to call the attention of the Senator from Massachusetts to page 524 of the hearings on the St. Lawrence seaway and power project held by the Senate Committee on Foreign Relations in February, 1952. At that point in the hearings it will be found that the chairman of the committee asked a question, as a result of testimony given by a representative of the American Federation of Shipping. It will be noted that further down on page 524 appears a supplemental statement by Lt. Gen. Lewis P. Pick, Chief of Engineers, United States Army. I happened to be present in the committee when the matter of the depth of the channel and the draft of the vessels was under consideration.

If the Senator from Massachusetts will turn to page 526 of those hearings, he will observe, beginning about the middle of that page, a paragraph under the subhead "Adequacy of 27-foot project."

General Pick had been interrogated in regard to the depth of the channel and the possibility of the use of such a channel. In his supplemental statement, General Pick said, first, in referring to the present shipping on the Great Lakes:

> The present Great Lakes fleet could operate over a 27-foot seaway without restriction. The great bulk of seaway traffic will be handled in Great Lakes-type vessels.

At that point he was giving a summary of the tonnage carried by Great Lake-type vessels.

Then he said:

> With regard to seagoing vessels, only a relatively small percentage of the present United States flag seagoing ships have a registered draft, fully loaded, of less than 26 feet.

That is what the Senator from Texas had in his memorandum, which was brought to the attention of the Senate by the Senator from Massachusetts.

Then General Pick continued as follows:

> Certain practical considerations involved in operating seagoing vessels, however, tend to increase appreciably the number of such vessels that could profitably transit the seaway if a 27-foot controlling depth were provided. The Maritime Administrator has stated that under such practical operating conditions 75 percent of the American merchant seagoing fleet could transit the 27-foot seaway when laden from 75 to 100 percent of capacity, and that a 30-foot channel would permit very much more effective utilization by a greater number of vessels of the United States merchant fleet.

I am pointing out that in terms of the practical operation of such seagoing vessels 75 percent of the presently registered American merchant marine would be able to use the 27-foot channel.

Then let me say a word to the Senator from Massachusetts in regard to the present depth of the harbors on the Great Lakes. For instance, at the present time the harbor at Duluth and the harbor at Buffalo have a depth of 25 feet. By dredging those harbors to a depth of an additional 2 feet—I understood that could be done at an estimated cost of $28,840,000 for 17 harbors; there are 17 harbors in the Great Lakes system; and let me say that I obtained these figures from General Pick—we would have an integrated 27-foot channel all the way from the mouth of the St. Lawrence River to the second largest port in the United States, second only to the port of New York. That second largest port is not the port of Boston, not the port of Galveston, not the port of New Orleans, but the port of Duluth, Minn., which is the second largest port in the United States, in terms of tonnage. By dredging its harbor until it is an additional 2 feet in depth, that port will be able to accommodate vessels of 27-foot draft.

I submit that the $28,840,000 involved in that case is far exceeded by the millions of dollars the United States Government has spent on the port of Boston or the port of New York or the port of New Orleans, the millions of dollars the United States Government has spent on port after port in the United States which constantly have to be dredged. Those ports would not be usable at all if it were not for the fact that the Government of the United States has conducted dredging operations in them year in and year out.

I bring this matter to the attention of the Senator from Massachusetts because I believe the engineering practicability of this project has been studied for years. My own personal desire would be to have a 30-foot channel constructed, but such a channel will cost an additional amount of money. A 27-foot channel at least would be able to accommodate the majority of vessels which would have to be accommodated for this shipping.

Let me say that I appreciate the courtesy of the Senator from Massachusetts in yielding this much time to me.

Mr. SALTONSTALL. I have been glad to yield to the Senator from Minnesota.

Let us consider the depths at the port of Duluth, in the Senator's own State. The chart shows that at the present time it has depths of 32, 26, 25, 24, 22, 21, 20, 32 to 28, 32 to 26, and 28 to 25 feet. Practically all parts of the harbor would have to be dredged an additional 2 feet in order to obtain an over-all depth of 27 feet, except in the case of one spot, where a depth of 32 feet now exists. That spot is at the entrance of the harbor. Except for that one spot, the entire harbor at Duluth would have to be dredged.

Mr. HUMPHREY. At present the average depth of most of the harbor is 25 feet.

Mr. SALTONSTALL. I believe it is a little less than that, to judge from a hasty examination of the chart.

Mr. HUMPHREY. I would say that under present circumstances the practicability of the situation depends on the port of Duluth.

The port of Duluth ships 85 percent of all iron ore produced in the United States of America, and it seems to me it would involve only a minor expenditure to dredge that port. I know that I have voted for bills to dredge to a depth suitable for yachts in harbors, so I say it would be a small problem. I do not say it is a minor problem, or that it would not cost money. But I hope to speak this afternoon on the subject of the iron ore problem, which should pose a serious question to the Senate.

Mr. SALTONSTALL. I may add that the Brookings Institute in 1929 estimated the cost of 10 harbors at $25,000,000 a harbor, or $250,000,000. In addition to that, there are the docks and municipal problems, as well as the State and Federal problems. The 1929 figure is now probably 50 percent greater, perhaps 100 percent so. The figures stated would have to be increased.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Texas.

Mr. CONNALLY. The Senator from Minnesota has made a very eloquent, appealing, touching, and bewitching statement regarding the importance of the city of Duluth and the tremendous amount of iron ore which comes from Duluth. I may say that if industries were to go to Labrador to obtain iron ore, the result would be that the great port of Duluth would have no iron ore to ship.

Mr. SALTONSTALL. I would say, having the floor, that the last thing in the world that a New Englander would want to do would be to get between Texas and Minnesota. [Laughter.] I yield to the Senator from Vermont.

Mr. AIKEN. If the Senator will permit, I should like to point out why we should give the Canadians an answer now and should not require them to wait many months more. Canada not only wants to sell her ore to the United States, but she must also find some means of moving her enormous grain crop, which as the Senator knows, is produced in the western Provinces. Last year, the wheat crop alone was not far short of 600,000,000 bushels; and they have correspondingly large crops of rye, oats, and barley.

Canada must export 90 percent of her wheat crop. I do not know the export percentages of the other crops. The 90 percent of wheat which must be exported has to be shipped from inadequate ports. Canada simply does not have the facilities to get her grain crop to market, so she does the only thing she can do with it: she puts it into the lighter boats at Fort William, or some other ports. I think Fort William is the largest one. She sends it into the United States of America. Our large grain dealers have been charged with filling orders with Canadian grain only, while the American-grown grain is unloaded on our own Commodity Credit Corporation; and we have to maintain the price. Of course, the price may not stand up, as I think the junior Senator from North Dakota [Mr. YOUNG] said early last week. The Senator from North Dakota brought out the fact that so many Canadian oats are coming into the United States now that they have depressed the price of American oats pretty well below the support level. It is to our own advantage to help Canada get her grain crop into the world market, where it properly belongs, instead of having it all unloaded on our own market, and breaking down our own price-support programs. That is one reason, I may say, for Canadians feeling the necessity of proceeding with the St. Lawrence project without delay. Whatever we do, I hope we shall give her a yes or no answer, so that she may go ahead in calling for bids, as she has announced she would do this summer, and so she may start on the actual construction work next spring. I think we owe it to Canada, as a good neighbor, to tell her whether we are going to join in the project, because it means a very great deal to the great country to the north of us, which is destined to become one of the greatest countries in the world.

Mr. SALTONSTALL. I do not question that. I think Canada is now one of the greatest countries in the world. I have the greatest respect far her, and I do not want to retard her progress. But I want to know, and it seems to me that it is our responsibility in regard to this matter to know, what we are getting into.

Mr. AIKEN. The Canadians certainly have demonstrated their business acumen. They are not going into any business venture with us, even if we pay half the cost, that is not likely to prove advantageous to them.

Mr. SALTONSTALL. No, except that their problem is quite different from ours.

Mr. AIKEN. Their problem may be more urgent at the present moment than ours. Ten years from now, it will not be more urgent than ours; and, so far as the power problem is concerned, it is not more urgent than ours, now.

Mr. SALTONSTALL. No. I think we ought to go ahead with the power project.

Mr. AIKEN. The St. Lawrence power should be made available. As a matter of fact, New England is short of power today, as the Senator knows, and as he has already pointed out.

Mr. LEHMAN. Mr. President, will the Senator yield briefly for an observation?

Mr. SALTONSTALL. I yield to the Senator from New York.

Mr. LEHMAN. I desire to read briefly from the hearings before the Committee on Foreign Relations, on the St. Lawrence seaway and power project, at page 526:

> Principal commodities were iron ore downbound in an average amount of 80 million tons and upbound coal at 14 million tons. Those tonnages were carried in vessels with drafts ranging from 18 to 24.6 feet. The 80 million tons of ore handled during the 1950 calendar year was moved in vessels ranging in draft from 20 to 24.6 feet. The average load was 12,500 tons, ranging from 10,500 to 17,100 tons. About 70 percent of the 1950 ore tonnage, namely 56 million tons, was carried in vessels with drafts ranging from 21 to 23 feet. The present Great Lakes fleet could operate over a 27-foot seaway without restriction. The great bulk of seaway traffic will be handled in Great Lakes-type vessels.

The Great Lakes vessels which would carry most of this heavy load, the present ore carriers on the Great Lakes, have a draft of 26 feet or less, and certainly they could be made available. The Senator from Texas asked the Senator from Minnesota, "What is going to happen to Duluth, if this ore is shipped in from Labrador?" Certainly we do not want anything to happen to Duluth, but the fact remains that the Mesabi range which feeds Duluth, is becoming exhausted. The cheap, economically mined ore which is available has a life of less than 15 years, perhaps 10, perhaps 5 years, or less; so that, unless we make ore from Labrador available, we are going to find ourselves in an extremely strained and difficult position.

The Senator from Massachusetts has referred to the report of the Brookings Institute in 1929. I am glad he has done so, because that shows how much time we have consumed on this matter, how many delays there have been in connection with it. I have been connected with it in a small way since 1929. My interest began in 1924, and my public interest started in 1928, when I first became Lieutenant Governor of the State of New York. But for 25 or 30 years we have been dilly-dallying and shilly-shallying, allowing people to bring up this objection and that, and doing not a single thing, when as a matter of fact there was never any risk entailed so far as this country is concerned, because both the power project and the sea project certainly could be made self-supporting.

It seems to me, if I may say so with all respect to my colleague from Massachusetts, for whom I have great admiration

and affection, that instead of bringing up amendments, motions, and resolutions to make further investigations, to delay here and there, which will inevitably mean that we are not going to accomplish anything this year, we should proceed to vote the pending joint resolution up or vote it down. That is all we are asking for. I think that by so doing we would be accomplishing something and fulfilling the mission for which our constituents sent us to the Senate.

Mr. SALTONSTALL. I should like to finish my speech, if I may.

Mr. LEHMAN. I thank the Senator very much for yielding.

Mr. SALTONSTALL. I have been happy to yield. I would say to the Senator that I should like to get the facts. I said, when the Senator was not in the Chamber, I think, that I did not want to take the position of blocking the project indefinitely, but I think we want to be factual and to know where we are going. That is why I am raising these questions which I have studied for the past 3 or 4 years pretty consistently, and I have had difficulty in getting answers to them.

In any operation where only 7 months is contemplated, suggestion has been made that the basic capital investments for modern pier handling facilities would be so tremendous as to make the operation a virtual failure or else would produce a freight rate so high as to discourage cargo movements in- and out-bound from such a port. There seems to be no question that the average large-scale shipper in the United States today would not be interested in shifting his base of transportation from one to another port for a 7-month operating period.

It is stated quite unequivocally that the the successful operation of pier 80 in Philadelphia is predicated upon a terrific and constant volume of cargoes, whether bulk or packaged, and that such a pier would find it virtually impossible to operate successfully on a 7-month basis.

The depth of the seaway in the agreement between Canada and the United States and in the resolution which the committee is considering is 27 feet.

Is it not generally accepted by the United States merchant marine that a vessel must have at least a 2-foot clearance and preferably more? This would make it possible to only take a boat drawing 25 feet through the projected 27-foot seaway.

In fresh water a vessel draws more than in salt water. How many underwriters would insure a boat drawing 25 feet going up a 27-foot seaway?

I am submitting a table which shows the draft of 3,346 vessels in the United States oceangoing merchant marine and a list of the 57 vessels now under construction.

Mr. President, at this point I should like to submit table A, showing the draft of United States oceangoing merchant vessels as of January 1, 1952, and table B, showing United States flag oceangoing merchant vessels by draft on order and under construction in United States shipyards as of January 1, 1952.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE A.—*Draft of United States oceangoing merchant vessels as of Jan. 1, 1952 (according to number)*

Draft [1]	Active [2]	Reserve fleet	Total
Under 12			0
12–13	12		12
13–14	9	8	17
14–15	1		1
15–16	6		6
16–17	3	41	44
17–18	3	11	14
18–19	2	2	4
19–20	6		6
20–21	13	10	23
21–22	42	61	103
22–23	14	6	20
23–24	9	11	20
24–25	7		7
25–26	105	9	114
26–27	20		20
27–28	914	1,122	2,036
28–29	387	123	510
29–30	278	1	279
30–31	48		48
31–32	9		9
32–33	18	19	37
33–34			
Over 34	16		16
Total	1,922	1,424	3,346

[1] Loaded summer draft.

[2] Includes active privately owned vessels, Maritime Administration owned vessels, and 3 Panama Canal Company vessels, but excludes those merchant ships controlled by the military.

Source: Letter from National Federation of American Shipping, Inc., Washington, D. C., dated Feb. 4, 1952, to Senator Leverett Saltonstall.

TABLE B.—*United States-flag oceangoing merchant vessels by draft [1] on order and under construction in United States yards as of Jan. 1, 1952*

Draft	Dry cargo	Tanker	Total
29–30	35	5	40
30–31		1	1
31–32		10	10
32–33		2	2
33–34		2	2
34–35		2	2
Total	35	22	57

[1] Loaded summer draft.

NOTE.—Excludes passenger liner *United States* as draft is restricted information.

Source: From letter from National Federation of American Shipping, Inc., Washington, D. C., dated Feb. 4, 1952, to Senator LEVERETT SALTONSTALL.

Mr. SALTONSTALL. Mr. President, it will be noted that the shallowest of any of the ships under construction is 29 or 30 feet with the largest ranging up to 34 or 35 feet. This additional draft is due, I understand, to two factors: first, heavier loads make the ships more economical to operate; second, greater speed is required to unload today with the higher costs of operation.

Is not the channel bound to silt in so that it would be extremely difficult to be sure that the project depth of 27 feet was maintained at all times? I have just mentioned the percentage of the United States merchant fleet which could go loaded through a 27-foot channel on the basis of drawing 25 feet.

Again, I have just discussed the fact that not one single United States merchant vessel of the 57 under construction in the United States yards as of January 1, 1952, could go through a 27-foot channel. The shallowest draft of any of these boats is 29 or 30 feet, with the largest ones ranging up to 34 or 35 feet.

Before leaving the question of depth, I should like to point out that on April 8 of this year a contract was let for deepening the entrance channels to Montreal Harbor to 35 feet from 32½ feet. They were originally dredged at 27 feet and had been increased to 30 feet, then to 32½ feet, and now 35 feet. I consider this very pertinent information when we are considering a 27-foot depth from Montreal to the Great Lakes.

I ask, What United States shipping companies will use this canal if built?

I have been in correspondence over the last 3 or 4 years with representatives of American shipping companies. I communicated last with them only a year ago. I have yet to find a single American steamship company operator who states affirmatively that he will use this canal.

For this reason, has not this question got to be studied with considerable care, or is the Congress going to rely on new companies being formed with a new type of vessel that can be economically operated in a seaway of this character?

Let me now present a very few statements from steamship operators to point out their attitude toward the seaway.

I quote first in part from a communication typical of many, this being a statement from Mr. James A. Farrell, Jr., president, Farrell Lines, Inc., of New York:

> It is my continued considered opinion that the proposal is neither a defense project nor a commercial practicality * * *. Even if the project were adopted at fantastic, unknown cost, I cannot believe it would result in any substantial increase in use of Great Lakes waterways by oceangoing tonnage since short navigation season, longer voyage time, increased fuel expenditure, and geographical advantages of tidewater ports are controlling economic factors.

Here is another significant statement, this one from Mr. John Morel, president of the South Atlantic Steamship Line, Inc., of Savannah, Ga.:

> Since the beginning of World War II, private industry has invested heavily in American-built and American-manned vessels. These are mostly large vessels with speed averaging better than 15 knots. If this project were to be completed to where ships of large size could be used, the American owner would find himself with vessels which have been given speed at high cost to use on a voyage one-third of which would be limited to a speed of about 6 knots.
>
> Vessels now using the St. Lawrence for foreign commerce during its open season are small-sized Scandinavians whose operating costs are far below the costs of the American-flag owners. By reason of these higher costs, there are now no American-flag services competing for this foreign commerce from our Great Lakes ports; and if a seaway is provided for the navigation of large vessels, there is no reason to expect to see the large-sized American vessels competing where the small-sized ones cannot do so.
>
> In order for American-flag vessels to compete with the foreigners, it would be necessary for the Federal Maritime Administration to establish essential trade routes from

the Lake ports in order to assist the American owner with an operating differential subsidy, and how any route only operative for 7 months out of the year could be rated essential would be difficult to understand.

If the project were to be completed, it is my firm belief that vessels using it for foreign commerce would be confined to those of foreign registry.

I could quote from many other letters which I have received, but they sum up a belief that the canal would not be used by the American merchant marine, that terminals would have to be built in the Great Lakes that do not now exist and that controlling depths to get to these terminals would have to be deepened at great expense. The American steamship companies would have to open offices to handle their business which would be busy only part of the year. I know from my experience in Boston that the question of adequate stevedore facilities is of the highest importance. How could such facilities be profitably maintained only in the ice-free months?

I should like to call attention particularly to a paragraph from a letter from Hans Isbrandtsen, the owner of the late *Flying Enterprise*, which received so much publicity because of the heroic conduct of Captain Carlsen. Mr. Isbrandtsen states:

To sum up, I think the chief effort should be on this coast first before giving way to abandonment (or partial abandonment) of existing facilities. Certainly a modern, efficient export port here available at all times and under all conceivable conditions would be far and away preferable to a half-time proposition such as the seaway would perforce be.

In this regard, let me refer to the statement of Mr. Thorkil Host, president of the Moller Steamship Co., Inc., of New York, which appears in a letter he has written to me:

It is our view that the proposed seaway will not be of material value to United States movements, but will rather cause severe dislocation and temporary unemployment of types of labor that are not easily employable at other tasks. We are presuming that it is not intended to attempt to navigate the waterway during the 12 months of the year, and we presume that it will be unsafe or at least unattractive for high-class ships from the middle of November to about the early part of May each year. During that period the present facilities on the eastern seaboard with piers, tugs, barges, lighters, trucks, and stevedore labor will be required to the same extent as if the waterway did not exist. The railways to the eastern seaboard will be similarly taxed. However, after April 15 each year those functions should, if the seaway attains its purpose, move to ports on the Great Lakes. Those ports have not yet the pier facilities and the many complementary facilities that are required to handle large volumes of general cargo moving overseas. The labor is also not available and if it were made available it would receive employment only on a seasonal basis.

It seems clear to me, therefore, that in order to build up stevedoring companies to handle oceangoing steamships that might come through a 27-foot seaway, such stevedoring facilities would have to be available to the shipping companies on a year-round basis, even if the seaway were closed by ice 4 or 5 months a year. I know from experience with the port of Boston that one cannot simply hire stevedores when it happens that they are needed. In order to retain their services on a year-round basis, either the companies would have to pay them in one form or another during the frozen season, or else what is much more likely, they would simply receive unemployment insurance from the States and the Federal Government.

Mr. AIKEN. Mr. President, I should like to ask the Senator if it is not a fact that the steamship companies which are opposing the St. Lawrence seaway have facilities already available in Atlantic coast ports for handling bridge traffic from the Great Lakes to coast ports. Is it not a fact that they just do not like the prospects of any added competition? So far as shipping through the winter is concerned, they will have to use the facilities just the same, except, as I pointed out, interested persons have told me they anticipate shipping a great deal by water through the open season for storage at Boston and other Atlantic ports, to go overseas during the winter months. I believe they now have to store the goods somewhere.

Of course, steamship companies with facilities already provided in the ports of Baltimore, New York, and Savannah, or even Boston, do not desire any new competition. But we should not adjust the economy of North America to suit the convenience of people who are already in business. We should view the project from the standpoint of what is good for the country as a whole.

Mr. SALTONSTALL. I agree with the Senator completely.

Mr. AIKEN. I do not believe they would be hurt. I think the new business which would be developed by 13,000,000,000 kilowatt-hours of new electricity from the St. Lawrence would develop far more tonnage than it would take away from anyone. They would have to make adjustments in their business. There is no use saying that they will not, but they do not want to do it.

Mr. SALTONSTALL. I have written, so far as I know, to all the oceangoing steamship companies, and, with one possible exception, they have all answered in the negative.

I agree with the Senator from Vermont that we should not base our future economy on what business firms may desire. We should base our future economy on a consideration of the prospects of what may be produced by existing concerns.

Furthermore, steamship companies, as I understand, do not own the stevedoring companies. One of the great problems we have had in Boston is the stevedore question. Lack of stevedoring facilities has lost the port of Boston some business.

What we must do is not only provide the steamship companies with a means of going up the seaway, but we must also provide facilities which will enable them to turn their vessels around as quickly as possible; otherwise, the voyages will become less and less profitable and the companies will not send their ships through the canal.

Mr. AIKEN. Almost all the groups opposing the St. Lawrence development have interlocking directorates. Banks in New York City have interlocking directorates with power companies and railroads. That is also true of banks in the Senator's home city of Boston. One of the Boston banks is tied in with eight different utility companies, not counting railroads. They are tied in with the stevedoring companies, beyond doubt. There is such a tie-in through interlocking directorates that it is difficult sometimes to analyze the reason why a certain group will oppose a development which, on its face, would be advantageous to them. So I believe it is easy to explain why companies shipping out of the ports of Galveston, New Orleans, Savannah, Baltimore, or New York—I almost added Boston, but the companies have drastically curtailed their shipping out of the port of Boston—would oppose the seaway.

Mr. SALTONSTALL. I do not agree with the Senator in that statement.

Mr. AIKEN. New York has that business now. It is easy to understand their opposition. They just do not want competition. They want the Midwest farmers to pay them 10 cents a bushel tribute on every bushel of grain shipped overseas.

Mr. SALTONSTALL. As I have said a dozen times, I think power facilities on the St. Lawrence should be built as soon as possible, and we ought to provide for all the power that can be developed. On the other question, we shall have to be as practical as we know how to be, if we are going to put the money of our constituents into this very substantial project.

Mr. AIKEN. The Senator does not believe it would be possible to get Congress to vote to develop power without the seaway, does he? Of course, the old tactics, which have been used for the past 15 or 20 years, have been to divide and conquer—to divide the power-starved Northeastern States from the navigation-hungry Midwestern States, and to lick them both.

Mr. SALTONSTALL. A vote of Congress is not necessary in order to get the prower project started. All that is needed is a vote of the Federal Power Commission to permit the State of New York to begin. Then there would have to be a vote of Congress to determine where the power should be used. If it is to be a Federal-power program, a vote of Congress is needed.

Mr. AIKEN. The reason why joint development is desired, as I understand, is that the cost will be somewhere between $70,000,000 and $100,000,000 less if both facilities are developed together. I know that is not what the Senator said this afternoon, but I learned from officials of the State of New York that there would be a definite saving in cost if both projects were developed at the same time. Of course, it will be necessary to construct a dam before there can be navigation. It will be necessary to have a power potential. I call it a potential. However, it will be necessary to have a dam before there can be either power or navigation.

Mr. SALTONSTALL. Let me emphasize at this point, with regard to labor, that the American merchant marine

fears that ships operated by cheap foreign labor are the only ones that would be likely to utilize the proposed seaway. In this connection, it must be remembered that the Government is paying large sums in subsidies to American shipping so that it can endeavor to compete with foreign bottoms. Would we, by building this seaway, have to pay even higher subsidies to the American merchant marine so that it could build and operate boats drawing 25 feet to go up the seaway? If we want United States vessels to handle such business, it seems clear to me that we would.

I call attention again, in view of the last sentence of Mr. Host's letter, to the problem of stevedoring companies and the people who work for them.

OIL BY TANKERS

Mr. President, I have also been in touch with large tanker operators, and I find that they have no plans to move oil up the St. Lawrence seaway, in spite of the fact that the United States Department of Commerce would lead us to believe that petroleum would be one of the major items of transport.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. First, I should like to finish this topic.

As regards the transport of oil on the St. Lawrence seaway, let me say that there are today two pipelines from Portland, Maine, to Montreal. Portland, remember, is an ice-free port, and these pipelines can operate the year round, whether the St. Lawrence River is frozen or not. With the expanding of production of Canadian oil, I submit that it will move by pipeline. It is already moving by pipeline from Alberta to the Toronto area. Oil moves by pipeline from some of our southern oil-producing States to the Great Lakes area. I believe that the estimate of six to twenty million tons of petroleum moving over the seaway cannot be justified.

I ask the Senate, Mr. President, whether its Members know of a single American company that is prepared to ship petroleum products through the proposed seaway.

Mr. President, I now yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, I merely wish to call to the attention of the Senator what I quoted a while ago during his remarks, namely, that tankers now being built will draw more than 30 feet. So none of the new tankers being built to transport oil could navigate the St. Lawrence Canal.

Mr. SALTONSTALL. That is correct.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LEHMAN. The Senator from Massachusetts has said the situation should be studied carefully. Of course, I believe that any situation should be studied carefully before large commitments are made. But I wish to point out to the distinguished Senator from Massachusetts that we have been investigating, investigating, and investigating the St. Lawrence seaway project since 1929. I personally have appeared seven times before congressional committees regarding it. Long before I became a Member of the Senate I came to Washington and appeared before congressional committees. I do not know how many hearings have been held on this matter—hearings lasting for weeks.

I believe the subject has been studied from every angle most intensively, conscientiously, and thoroughly. I cannot conceive that anything would be gained by again delaying action on the St. Lawrence seaway by a further study, which would probably not result in anything that has not been disclosed in the last 20 years.

Mr. SALTONSTALL. I say most respectfully to the Senator from New York that the questions I am asking are questions to which I have been unable to get factual answers, answers which I believe would be of value. I am submitting my questions, and I hope I give the impression that if they are answered satisfactorily, then perhaps I may feel quite differently about the whole proposition. But I do want the questions answered.

Mr. AIKEN. What are the specific questions? The Senator from Massachusetts has been asking many questions this afternoon, and he has come right back with what has appeared to be an answer to each one of them. I disagree with most of his answers. But what answers does the Senator expect to get which he does not already have available to give the proponents of the project when they ask questions? It seems to me that the Senator has it all down in detail, although he does not agree with the details.

Mr. SALTONSTALL. I do not agree with the Senator. On agricultural matters I would accept the Senator's opinion 100 percent. But sometimes on other matters, particularly this one, I am not so sure about his opinion.

Mr. AIKEN. I tried to point out to the Senator from Massachusetts how the inability of the Canadians to move their wheat and oat crop to the Atlantic coast ports is breaking down the American price-support programs here in the United States. This subject is tied in with agricultural matters. I will admit that my decisions are probably colored by the agricultural needs of this country, but certainly agriculture is as basic an industry as we have in America. Both the agricultural industry and the steel industry would be vitally affected by the St. Lawrence seaway.

Mr. SALTONSTALL. I agree with the Senator. I do not wish to start any argument. However, my primary problem is how to get a 30-foot ship up a 27-foot channel.

Mr. AIKEN. It is being done. I understand that the largest oceangoing tankers are delivering oil in Albany. Of course they unloaded a part of it before they get there.

Mr. SALTONSTALL. It is a question of the difference between 200 miles and 1,000 miles.

PRESENT 14-FOOT CHANNEL AND WHO USES IT

At the present time there is a 14-foot channel into the Great Lakes, and through it go foreign ships, very largely of Canadian and other registry. In fact, I find that in 1951 not a single American-flag ship sailed up or down this channel.

This is the situation, as quoted from a memorandum prepared by Walter J. Kelly for the board of directors of the Detroit Board of Commerce, dated December 7, 1951:

> There now exists direct general cargo service between the Great Lakes and Northern European, Scandinavian, Baltic, Holland, Mediterranean, Central American, and South American ports. This service—after a wartime lapse—was resumed with the opening of navigation in 1949 and was expanded in 1950 and 1951. In 1951 two new lines, the Hamburg-Chicago and the Fabre (French), commenced operation. The Hamburg-Chicago Line started through service to and from Northern Europe, using six newly constructed oceangoing vessels; and the Fabre Line operated between Detroit and the Mediterranean with two newly constructed oceangoing vessels. Next year the Fabre line expects to add two or three additional ships. This raises to six the overseas shipping lines serving Detroit. Fjell Line operates to and from Scandinavian, Baltic, and Central American ports; Oranje Line to and from Antwerp, Amsterdam, and Rotterdam; and the Swedish Chicago Line to and from Scandinavian ports. The ships of all six of these lines use the existing canals, and presumably would continue to do so—toll-free—even if an additional channel were to be built.

I have before me a list of foreign-flag vessels which in recent years have used the 14-foot channel on the St. Lawrence.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks table C, showing foreign vessels transiting the St. Lawrence.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE C.—*Foreign vessels transiting St. Lawrence*

Season	Number of ships	Number of trips (round)
1946	12	21
1947	15	37
1948	25	58
1949	28	73
1950	44	85
1951	40	100

SOURCE: From letter from National Federation of American Shipping, Inc., dated Feb. 4, 1952, to Senator LEVERETT SALTONSTALL.

Mr. SALTONSTALL. It will be noted that in 1951 only 40 ships used the channel, making 100 round trips. The average draft of these vessels is approximately 12 feet. Their average carrying capacity is approximately 2,000 tons.

I believe it is of importance to note that there are some 3,000 foreign-flag vessels engaged in commerce currently capable of navigating a 14-foot seaway, but during 1951 only 40 did so. If the cargo were available, is it not fair to suppose a far greater number would have utilized this seaway?

Foreign operators are able to use profitably these smaller vessels while American operators, because of high labor and other costs, have been forced to develop larger and larger, and faster and faster types of vessels in order to be able to compete. As an example, today, the labor differential between a vessel manned with American labor and a vessel manned with British labor is 3 to 1. It

must be remembered that the Congress recognizing the competitive factors has provided construction subsidies and operating subsidies for the American merchant marine.

As only foreign ships now use the 14-foot channel, I submit that they would probably be the ones who would use any seaway that is built, if they were to expand their services in the Great Lakes beyond what they already can handle toll-free through the 14-foot channel. This, I think, is particularly true in the case of a 27-foot channel.

IRON AGE

When the seaway was first proposed and for many years thereafter, no one knew that there was a large iron ore deposit in Labrador. Nevertheless, the Department of Commerce made up a list of potential traffic to justify the cost of the seaway. Now, we find a shift of emphasis to the potential traffic in iron ore, and this traffic has become perhaps the foremost argument offered for the seaway.

There is no question about our need for a supply of iron ore to assure that our blast furnaces are kept in operation, but where that iron ore is to come from and in what part of the country it is to be used I think is a question that needs much further exploration.

I have been in communication with many of the steel companies of America. I certainly find no unanimity of opinion as regards the needs for this seaway for the transportation of iron ore except among those who have made an investment in Labrador.

The proponents of the seaway estimate the revenue from tolls between $36,500,000 and $49,000,000 annually. Of the $49,000,000 they estimate that $29,200,000 is to come from iron ore.

We have just seen the construction of some large steel mills near the eastern seaboard. I believe there is no question that Labrador ore could be delivered to the Pittsburgh area and eastern mills more economically by large oceangoing ore carriers through eastern United States ports and thence by rail than via the seaway.

There are large ore deposits in Venezuela. There is also the Steep Rock field in western Ontario being rapidly developed, and others. The utilization of all these ore deposits must be considered in connection with our national defense, and which ores can be most economically transported to which steel mills in the United States.

Finally, must we not have adequate research to make complete use of millions of tons of taconite in the Great Lakes? I stress the question of the development of taconite because it would seem to me, if we are talking defense measures, that adequate research for the greatest possible use of taconite, which is actually within our borders, is essential so that we are not dependent on ore supplies from overseas that can be cut off.

I should like to ask these questions:

What studies have been made to convince us that every ton of ore produced in Labrador cannot be delivered economically to United States steel mills over existing transportation routes without the St. Lawrence seaway?

I believe that an adequate study will show that this can be done. On this point I quote the following, taken from a pamphlet published in August 1951 by the Chicago Association of Commerce and Industry—Arthur H. Schwietert and Leverett S. Lyon—page 67:

> The requirements for ore of steel mills, Pittsburgh and east, are almost twice the amount of ore produced in the eastern district and imported from foreign countries, including Labrador. To meet these requirements interior eastern steel mills must obtain part of their ore supply from the Lake Superior district. It would appear more economical to supply the interior eastern steel mills from Labrador rather than from Lake Superior. If Labrador ore is shipped to Great Lakes steel mills, it will increase the amount of Lake Superior ore which must be shipped to interior eastern mills. It is highly possible that the competitive situation will force the use of most of the Labrador ore in the eastern area.

Again, in considering the transportation of ore, I submit that an atomic attack would put the seaway out for an indefinite period, whereas adequate rail facilities could be put back into operation very quickly. And, if we are discussing the seaway as a defense measure for the transportation of iron ore, it does not meet the necessary defense criteria, namely, continuous operation under enemy attack. It does not meet the defense criteria of continuous operation under any circumstance as it is icebound 4 to 5 months a year.

Is it not perfectly clear if Labrador iron ore is the big reason for the seaway that an all-rail route would still have to be provided?

The question of providing rail transportation is not only true for iron ore, but it is true for any other product that the proponents state will be potential traffic on the seaway. The railroads must be ready to handle all traffic during the winter season when the seaway is frozen. This means that they must have the cars ready, the engineers ready, and the crews ready to do this.

Before I leave the subject of iron ore, I should like to point this out: The owners of the Labrador mines state, at page 108 of the Senate hearings of 1952:

> We expect to mine about 10,000,000 tons to start with.

I presume of course they intend to mine more than this later on, but let us look a moment at the initial production. In the document submitted to the Senate Foreign Relations Committee by the engineers in 1949, they estimated that 9,000,000 tons of iron ore, Canadian traffic, will come down the seaway. I call this particularly to the attention of the Senator from Texas [Mr. CONNALLY]. If one of the reasons to build this seaway is to send iron ore up it, it seems to me a very interesting question to ask: Why bring iron down it? and if 10,000,000 tons is the initial output of Labrador, we might well have the situation of a net gain of 1,000,000 tons of iron ore going into the Great Lakes at the start. I mention this simply as another reason why I believe a much more careful study should be made than has been made to date of the traffic that might use a 27-foot seaway.

CANADA'S POSITION ON THE COMPLETION OF THE ST. LAWRENCE SEAWAY

While the amount of shipping that would use the seaway is mere conjecture, the present operational 14-foot canal with its 21 locks carries the major part of Canada's huge wheat exports down to the sea.

Canada has stated it desires to complete the seaway. I believe that without any question it will be found that Canada will benefit more from this seaway than will the United States.

The Canadian Parliament, in creating the St. Lawrence Seaway Authority with power to complete the deep seaway, has given it the right to borrow $30,000,000 under Canadian Government guarantee.

It has already been stated that if we do not join Canada in completing the seaway, we will lose certain rights and Canada will assess certain tolls on the ships.

Mr. President, is not the Treaty of Washington, signed in 1871, which gives the rights to ascend and descend the St. Lawrence from and to the seas, still in being? If it is, it gives in perpetuity rights to the citizens of the United States to use this seaway whether it be all-Canadian, all United States, or a joint venture on the same basis to the ships of the United States as it does to those of Canada and other foreign countries.

On the other hand, Mr. President, at the present time there is no treaty in perpetuity for the use of the channels on the Great Lakes. Such a treaty, I understand, is now in process of negotiation. So it comes down to this: our rights are protected on the St. Lawrence channels; Canada's rights are not protected on the Great Lakes channels. It is perfectly clear to me that in this particular instance if Canada were to build the seaway alone, they would probably not start until they were assured that their rights were protected as ours are now protected.

ATOMIC ATTACK ON A CANAL

Do you know of a single study which does not come to the conclusion that any canal is critically vulnerable to atomic attack? Since the study made in 1947 and forwarded to the Congress on December 1, 1947, which stated that a sea-level canal was less vulnerable than a lock canal, additional studies have shown that even a canal at sea level would be closed for long periods by an atomic attack—closed beyond any hope of speedy restoration.

CONCLUSION

Mr. President, let us not be led astray by estimated guesses.

Let us not be led astray with the thought that the best estimated guesses will not be greatly exceeded. First, because they are only guesses, and, second, because we all know costs have gone up enormously.

Let us not be led astray with the idea that only we in the United States of America can supply the money and credit to build such projects.

Let us not be led astray by sentiment or emotion as to our fine relations with

our sister nation to the north of us. Those relations will not be helped or hurt in my opinion by our going into or failure to go into this project.

I know, Mr. President, that the Senate will give this problem the same thoughtful consideration it gives all the matters that come before it.

I trust it will not approve this joint resolution until it is convinced that it has the satisfactory factual answers to the vital questions that I have raised in this brief statement.

Each of these questions is basic; each of them deserves, I feel, the most thoughtful and thorough consideration by the Senate and by all persons elsewhere concerned with this proposal. Let me repeat certain of the questions that, to my mind, illustrate this point:

First. At a time when we are spending billions for national security and survival, is this the time to build at such a tremendous expense a seaway that is frozen approximately 4 to 5 months of each year?

Second. Is this the time to build a seaway that cannot accommodate fully loaded more than 6.6 percent of the active merchant fleet of the United States and only 8.3 percent of the reserve fleet?

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. AIKEN. The Senator from Massachusetts has mentioned that this is not the time to build a seaway which would cost such a tremendous amount of money. The Senator is probably familiar with the amendment under which some Senators propose to make the seaway and power development self-financing, by not calling on the Treasury for any more than an initial $10,000,000 for capital stock in a corporation. Would the Senator from Massachusetts look with favor on an amendment of that nature?

Mr. SALTONSTALL. I would not do so for this reason: I have not read the amendment carefully, but I have read the portion which says that the United States must guarantee the interest and principal.

Mr. AIKEN. The Senator is aware of the fact, is he not, that for the past few years the United States Government has guaranteed more than $16,000,000,000 in bonds without the loss of 1 cent of the guaranteed bonds or interest.

Mr. SALTONSTALL. There are various types of guaranties.

Mr. AIKEN. The RFC is about as a precarious an investment as any that could be cited as an example.

Mr. SALTONSTALL. A great many questions of the type I am asking now will have to be asked and answered before bonds of that character can be floated.

Mr. AIKEN. If the amendment is modified so as to put the project on a straight revenue-bond basis and let it stand on its own feet, will the Senator from Massachusetts support the amendment?

Mr. SALTONSTALL. I would say that if there were no United States guarantee behind it I would feel very differently about the Senator's amendment.

Mr. AIKEN. If it were on a straight revenue-bond basis, would the Senator support the amendment? I am perfectly satisfied that the bonds would sell like wildfire. The Treasury itself did not want to have the St. Lawrence bonds in competition with their own United States bonds.

Mr. SALTONSTALL. The Senator from Vermont has asked me a question.

Mr. AIKEN. I wonder whether I could get the Senator's support for a seaway-power project if the amendment were changed as I have suggested.

Mr. SALTONSTALL. I would say that if the United States Government and the taxpayers of the country were not involved in the amendment under any guaranty I might feel completely differently about it.

Mr. AIKEN. The Senator from Massachusetts would not object to an appropriation of $10,000,000 by the United States to buy stock; would he?

Mr. SALTONSTALL. If that were the ultimate appropriation of the United States Government, with all of the balance of the money needed to be provided by private investors, and with no guaranty behind it by the United States Government, I would say—and I would not want to commit myself until I see the exact language of the amendment—that I might not object to it.

Mr. AIKEN. The Senator realizes that this Congress cannot bind succeeding Congresses.

Mr. SALTONSTALL. That is correct.

Mr. AIKEN. If succeeding Congresses wanted to make any improvements in the project, I do not know how anyone could give assurance now that such future Congress might not make an appropriation to improve the seaway or Great Lakes harbors.

Mr. SALTONSTALL. No. But the Senator from Vermont has asked me a question. I would say that I would probably feel quite differently about it. I would not say at this time that I would not join in the amendment if the ultimate responsibility of the United States Government was $10,000,000.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MOODY. I think that my friend from Massachusetts has raised in the final words of his statement the one objection which might be raised soundly to the seaway, namely, the objection of having to put up a great deal of money in connection with the seaway at this time, when we have to spend so much money for other phases of our national defense.

The Senator from Vermont has just pointed out that the objection would be completely removed by the amendment which he has offered. I think the Senator from Massachusetts has raised the one valid objection. I have listened carefully this afternoon to most of what the Senator from Massachusetts has had to say. I should like to point out to him that with respect to the freezing of the canal for 3 or 4 months of the year——

Mr. SALTONSTALL. Four or five months.

Mr. MOODY. I think it is three and seven-eighths months exactly. However, even if it is 4 months of the year, the same situation obtains with reference to the Soo locks. I believe the Senator from Massachusetts earlier pointed out that an atomic attack might destroy the St. Lawrence locks. At the present time we have one path through which almost all of our domestically produced ore must flow down from the Mesabi range into the steel plants of the Middle West. Therefore, one atomic hit could knock out most of our steel industry. It is true that any plant or canal or any other establishment in our country is vulnerable to atomic attack. It is also true, therefore, that the St. Lawrence locks would be vulnerable to atomic attack. I merely wish to point out to my friend from Massachusetts that the seaway would give us a 100-percent increase in the course through which ore must flow to American steel plants.

Mr. SALTONSTALL. I would say most respectfully that iron ore today could be sent by rail, although not so economically, if the Soo locks were put out of commission. If the Soo locks were out of commission, there would have to be some other form of transportation.

Mr. MOODY. I was very glad to hear the Senator from Massachusetts indicate that he might give support, as I understood, to the proposed seaway project if the amendment proposed by the Senator from Vermont and other Senators were changed so as to eliminate the Government guaranty. I do not think it makes very much difference whether the Government guarantees the bonds, because the estimate of the income from the seaway is roughly three times or more the estimate of the debt charges and the total over-all economic charges for 1 year.

I see no reason why private investors should not take these securities off the market. If that is the point which basically is troubling the Senator from Massachusetts, I believe the amendment submitted by the Senator from Vermont completely answers that objection.

Mr. SALTONSTALL. As I view this matter, two points are involved: First, the United States Government's guaranty would have to be completely removed, because otherwise the bonds would be sold, and the private investors would purchase them on the basis of that guaranty.

In the second place, if the guaranty is removed, then, in my judgment, there would have to be a very careful examination of the proposal before the SEC or any similar group would authorize the issuance of a circular in connection with the proposal to sell the securities. Of course, I am not an authority in that field.

Mr. MOODY. In the light of that statement, are we to understand that if the Senator from Vermont rewrote his amendment so as to remove the provision for the Government's guaranty, this project then would have the support of the Senator from Massachusetts?

Mr. SALTONSTALL. I would not wish to give my support to it until I can see the amendment as actually drawn up and submitted, at which time

I would wish to consider it very carefully. At that time I think the amendment would be quite different in form as compared to the amendment now before us. At that time a factual study would be required, either by the Government or by some other group or agency.

Mr. MOODY. The point the Senator from Massachusetts has made is the very one the Senator from Vermont [Mr. AIKEN] and I and other Senators had in mind at the time when the amendment was drafted. We felt that possibly there would be a valid objection against the seaway on the ground that in some way it might not pay for itself, and as a result might become a drain on the American taxpayers.

Of course, even under the self-liquidating arrangement, there would be at this time a temporary cost to the Government, at a time when we are trying to reduce the Government's expenditures. We realize that under the proposed arrangement the income from the seaway would not begin to accrue until a subsequent period, but, under the amendment of the Senator from Vermont, I believe that objection is answered. As a result, I believe that the Senator from Massachusetts and other Senators who take the position he takes, might very well consider giving their support to this project, on the basis of the amendment as redrafted.

Mr. AIKEN. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. AIKEN. I should like to ask the Senator from Massachusetts what his attitude would be in respect to requiring other public developments to be self-liquidating and self-sustaining and self-financing. I would refer particularly to a proposal to make an initial appropriation of $80,000,000, as, I believe, the amount for a canal in Louisiana, and a proposal for an appropriation of approximately $80,000,000 to deepen the channel of the Delaware River. We already have spent billions of dollars, in the aggregate, I suppose, on projects of that nature. Certainly we have spent an enormous sum of money on the Rio Grande, between Texas and Mexico.

What would be the attitude of the Senator from Massachusetts in regard to requiring all such projects to be self-sustaining and self-liquidating?

For instance, let us consider the highway situation. In particular, let us consider the New Jersey Turnpike, which is paying off much more rapidly than was anticipated. In connection with this point, we might also consider the Delaware River Bridge.

I do not know how this point would apply to the Merritt-Chapman Parkway and the Wilbur Cross Parkway; but perhaps it would be well, would it not, to put more developments of that sort on a self-financing, self-liquidating basis?

Mr. SALTONSTALL. Of course, that point raises the question of what public-service projects should be completely financed by all the taxpayers of the Nation and what projects of that sort should be financed by those who use them.

In the old days, 20 years or more ago, the highways—at least those in my section of the country—were supposed to be for the benefit of all the people. That criterion has gradually been changed, because of the construction of the so-called speedways; and today the cost is more and more being charged to the users.

A similar development is occurring in the case of other forms of transportation or other public-service developments.

In each case we must determine whether the development will be of such value that all the taxpayers of the United States should pay for it, or whether the development is one which should be paid for by those who use it. An absolute line of demarcation cannot be drawn; each case must be considered by itself.

Mr. AIKEN. Let us consider the proposed canal from the Mississippi River to the Gulf of Mexico. As proposed, that canal would constitute a heavy financial burden upon all the taxpayers of the United States, although the canal itself would be of benefit primarily to the States in the lower Mississippi valley, and especially to the States on the west side of the Mississippi River, as I understand.

Mr. SALTONSTALL. I have not heard any discussion of that project.

Mr. AIKEN. Would not it be a good idea to put that project also on a self-liquidating, self-financing basis? Then if it were not economically feasible, people would not buy the bonds.

I am sure the Boston banks would be canny enough not to buy any more bonds in connection with projects in that part of the country. Those banks buy only bonds from which they are almost certain to obtain a sizable income.

Mr. SALTONSTALL. I know nothing about that matter, and I do not wish to become sidetracked.

Mr. AIKEN. However, I thought that matter related to the one now before us, because the present proposal is to put the St. Lawrence project on its own feet. Certainly that project will pay off beautifully.

Mr. FERGUSON. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. FERGUSON. In going over the amendment which calls for the creation of a Government corporation to finance this project, let me inquire whether the Senator from Massachusetts believes that would be a reasonable way to proceed in this case, and thus to make the liability a contingent one, rather than a direct one.

Mr. SALTONSTALL. At the present time I could not vote for such a proposal, in view of the knowledge I have as to the uncertainty of the Government guaranty, because I believe in such case the securities which were sold would be sold completely on the basis of the Government guaranty.

Mr. FERGUSON. Does not the Senator from Massachusetts believe that in this case the securities would be amortized by the income from the St. Lawrence waterway?

Mr. SALTONSTALL. I hope they would be, but I should like to know more about some of these matters, first.

Mr. FERGUSON. I have such great faith in the United States and such great faith in the use of this canal that I do not believe the contingent liability would ever become a real liability. If it did in the beginning, or for a few years, the government would then take the bonds; and as the revenues increased and as the United States and Canada developed, the bonds naturally would be paid off by the income from the project. The result would be that in the end, under the contingent liability arrangement, the Government of the United States would not be subject to any liability.

I hope that the Senator from Massachusetts, who represents in part that great State in the Senate, believes that the day will come when even Boston and Massachusetts will look at the United States in the way that the Midwest does, namely, as a country that is just beginning, rather than as one that is ending.

Mr. SALTONSTALL. I am confident of that, and I am confident that Detroit has made great progress in that direction.

Mr. FERGUSON. We have helped to put the country on wheels.

Mr. SALTONSTALL. Absolutely.

Mr. FERGUSON. I am sure that Boston, Detroit, and all other parts of the Nation move just a little faster because of that fact, and, as a result, have a higher standard of living.

Mr. SALTONSTALL. I agree that all of us have benefited.

Mr. CONNALLY rose.

Mr. SALTONSTALL. Mr. President, let me say to the Senator from Texas that I have only a few more remarks to make, if he will permit me to conclude them.

Mr. CONNALLY. Certainly. We merely have in mind having the Senate take a recess when the Senator from Massachusetts concludes his remarks.

Mr. SALTONSTALL. I shall need only 3 minutes more, or perhaps even a little less than that.

Mr. CONNALLY. Very well.

Mr. SALTONSTALL. Furthermore, Mr. President, my third question, in presenting my conclusion, is this: Is this the time to build a seaway that could not accommodate a single one of the 57 United States merchant vessels which now are under construction in the United States yards?

Fourth. Is this the time to undertake—as would be necessary if such a seaway were constructed—the construction of effective modern pier facilities to accommodate oceangoing vessels that could go through a 27-foot seaway which would cost many millions of more dollars, in order to make the seaway of practical use?

Fifth. Are we undertaking a project which at best would be extremely vulnerable to attomic attack?

Sixth. Are we prepared to undertake the extraordinary and perhaps continuous deepening and maintenance of all connecting channels and Great Lakes harbors which must be an integral part of any such seaway if it is to be practical?

Seventh. What assurance have we that any United States shipping companies will be interested in using this seaway, if and as completed?

Mr. MOODY. Mr. President, will the Senator from Massachusetts yield on this point?

Mr. SALTONSTALL. Yes.

Mr. MOODY. Somewhat earlier this afternoon I quoted the testimony of Mr. Troy Browning, of the Browning Steamship Co., of Detroit. I noticed that later my colleague from Michigan [Mr. FERGUSON] also quoted Mr. Browning.

Mr. Browning is a shipping man; the ships of his company transport a great deal of ore from Duluth to the steel plants. Mr. Browning has other shiping interests. He is very much interested, as I understand, in the St. Lawrence project, as are other shipping concerns in the Great Lakes area. All of them are interested because this project would, when built, make the Great Lakes ports seaports, for the first time. In that case, some of the interests on the Atlantic coast which have opposed construction of the seaway would not have the same position in relation to industry that the ports on the Great Lakes would have.

Mr. SALTONSTALL. As I understand, Mr. Browning at the present time has large interests in connection with Great Lakes shipping.

Mr. MOODY. That is correct.

Mr. SALTONSTALL. My correspondence has been entirely with ocean-going shipping companies, because, as I understand, to them this is an important issue.

Mr. MOODY. Mr. Browning and others, I understand, contemplate having vessels go directly from lake ports to foreign ports overseas through this channel.

Mr. SALTONSTALL. I have received a statement from the American Shipping Association, Inc. I would not say my colleague from Michigan would agree with it, but I should merely like to cite it to him as another example. The statement is made that the Great Lakes Carriers Association, representing 95 percent of Lakes vessels, are neither for nor against the seaway. They seem to think that the ocean-going values are very questionable. I say undoubtedly the Senator will not agree with that statement, but that is a statement I have received, and I give it to the Senator for what it is worth.

Mr. MOODY. I may say to the Senator, I believe there is some difference of opinion, and therefore, as sometimes happens in deliberative bodies, they did not reach a conclusion about it; but I know that there are shippers on the Great Lakes who are interested.

Mr. SALTONSTALL. I continue.

Eighth. To what extent are we certain, in view of the conflicting testimony to date from a variety of sources, that construction of the seaway is vital to the proper distribution of iron ore admittedly essential as that ore is in our economy?

Ninth. Are we quite certain that it is necessary for America always to take the lead and to take the maximum expenses of such gigantic projects today?

I cannot see how I can vote favorably for this waterway until these questions are satisfactorily answered, for to me they go to the basis of the question as to whether or not we should go ahead in this joint venture with Canada in these times of huge expenditures and Federal deficits.

I do hope a way may be found to authorize the building of the power project as rapidly as possible. Mr. President, I yield the floor.

Mr. CONNALLY. Mr. President, I compliment the Senator from Massachusetts upon his very able, thorough, and exhaustive discussion of this question. I think he has shown a great deal of research, he has displayed splendid judgment, and, with all due regard to the proponents of this measure, he has exhibited a fine readiness in his reply to questions. I compliment the Senator very highly.

Mr. SALTONSTALL. I appreciate very much the remarks of the Senator from Texas, particularly since he is the chairman of the committee.

PRESIDENT MIGUEL ALEMAN VALDEZ OF MEXICO PROPOSED AS CANDIDATE FOR THE NOBEL PEACE PRIZE

Mr. CHAVEZ. Mr. President, I have listened rather faithfully to the debate this afternoon and, irrespective of the merits of the St. Lawrence seaway, one thing which has impressed me more than anything else is the fact that practically every Senator present indicated a desire to be friendly and to be a good neighbor to Canada. I am one who believes that it is to our interest, and that the best thing that can be done for world peace is to have friends from the Arctic shores clear to Patagonia. I merely want to take about 3 minutes of the Senate's time as I speak of certain other neighbors who are also good neighbors.

Mr. President, today, when all the world waits in fear and terror for the start of a new war, when the Congress of the United States is appropriating unprecedented billions for defense, when we are developing new means of destruction, laying keels for atom-powered submarines, and at a time when the American people are waging a major war in Korea, it behooves us to pause and reaffirm our conviction that the American people and the peoples of the Americas are unequivocally dedicated to the cause of peace. True, we are forging a mighty war machine to bring destruction on our enemies if they upset the peace and attack us. We seek to live with the peoples of the world exactly as we live in relation to our neighbors in the new world, in an atmosphere of peace and harmony and good will.

For this reason, I call the attention of the Senate to a situation which warrants our careful consideration, because it is so intimately connected with our own welfare, and because it relates to peace.

Spontaneously throughout the Latin American world, legislative bodies, governments, educational institutions, and social organizations are recommending to the Legislative Assembly of Norway that it consider the President of Mexico, Licenciado Miguel Aleman Valdez, for the award of the Nobel Peace Prize. The movement is also arousing interest in the Arab world. The council of ministers of Syria and the Government of Lebanon have recommended his candidacy.

I call attention to this because it is notable that, while our minds are obscured by the war in Korea and by the possibility of another blockade of Berlin, and when the air is tense with rumors of Russian aerial reconnaissance missions over Alaska and Canada, in our very midst a man has risen whose leadership of his nation and whose constant championship of peace have won him recognition throughout the world.

I am proud to call the President of Mexico my friend. I am proud of the great work he has done in strengthening his country, spiritually and materially. In the field of education, Mexico has made immense strides. The program for eradicating ignorance has met with tremendous success under his leadership. The great University City which Mexico is building on the outskirts of Mexico City is a work of herculean proportions, and will serve as an example of the great cultural attainments of the Mexican people. It will also serve as perpetual testimony of the humanitarian principles of its great leader. Industrially, Mexico has also made great advances under President Aleman's administration. Hydroelectric power has been increased five-fold; millions of acres of parched and useless soil have been brought under irrigation. These have been the domestic triumphs. In world affairs during the 6 years of his administration, which is now closing, the international policies of Mexico have been dedicated exclusively to peace. In the international conferences which have taken place during his administration, his ministers have taken the lead in demanding justice and equality for all states—small as well as large. They have opposed aggression and have resolutely fought for peace.

We in the United States are prone to forget the powerful role which our friends and neighbors play in international public opinion. That is why, as an individual Senator, I am recommending to the Nobel Peace Prize Committee that President Aleman be considered for the award. I sincerely hope that my colleagues in the Congress and other interested Americans will consider the importance of rewarding the President of Mexico for his tireless efforts in behalf of world peace. I hope that they too will help cement the ties that bind us to Mexico, as well as promote the cause of peace by recommending Mexico's great President, Licenciado Miguel Aleman Valdez, for the Nobel Peace Prize.

RUTH B. SHIPLEY AND THE PASSPORT DIVISION OF THE STATE DEPARTMENT

Mr. JOHNSON of Colorado. Mr. President, according to newspaper reports,

our colleague, the able and distinguished junior Senator from Oregon [Mr. MORSE], has registered a complaint against the Passport Division of the State Department. I do not know what may be the experiences of other Senators, but in all the years I have been in Washington no one in all the Government service has been so completely cooperative and helpful as has Mrs. Ruth B. Shipley. I marvel at her uniform courtesy, her patience, her careful compliance with the law, and her fairness and sound judgment. Every few days we have a constituent problem with her office. Sometimes she cannot grant the request, but always she explains her limitations. There is nothing harsh or arbitrary or indifferent about her. The law places on her the responsibility of employing discretion. There is no one in Government or out whom I would prefer to her to exercise discretion. I am absolutely certain she could never be "tyrannical, arbitrary, and capricious." It is not her nature to be any of those things. Her whole attitude points in the opposite direction. But she can be firm and she can say "no" if a request for a decision is, in her opinion, out of line.

Quite naturally, information with respect to passport requests must, by its very nature, be confidential. Otherwise, great harm might be done and individuals and foreign states might be embarrassed. To make all data supporting applications for passports public properly would be very unwise, in my opinion. At any rate, if that is what we want, we should change the law and not charge faithful employees who follow the law with being arbitrary. As I understand, the able junior Senator from Oregon contemplates introducing a bill which would change the present law. While I would probably oppose passage of his bill, I think that is the way to go about correcting whatever one may think is in error in the law.

FILING OF MINORITY VIEWS ON RESOLUTIONS DEALING WITH REORGANIZATION PLANS 2, 3, AND 4

Mr. HILL. Mr. President, I ask unanimous consent that the Senator from Minnesota [Mr. HUMPHREY], who is a member of the Senate Committee on Government Operations, may have until midnight tonight to file minority views on resolutions dealing with the President's Reorganization Plans Nos. 2, 3, and 4.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. HILL. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. LONG in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AGREEMENTS ON STATUS OF FORCES BETWEEN PARTIES TO NORTH ATLANTIC TREATY—REMOVAL OF INJUNCTION OF SECRECY

Mr. CONNALLY. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from Executive T, Eighty-second Congress, second session, a certified copy of an agreement between the parties to the North Atlantic Treaty regarding the status of their forces, signed at London on June 19, 1951, and Executive U, Eighty-second Congress, second session, a certified copy of an agreement on the status of the North Atlantic Treaty Organization, national representatives and international staff, signed at Ottawa on September 20, 1951, together with a signed extract from the summary record of a meeting of the North Atlantic Council deputies held on December 12, 1951, correcting certain errors in the French text of that agreement.

The PRESIDING OFFICER. Without objection, the injunction of secrecy will be removed from the agreements, and the agreements, together with the President's messages of transmittal, will be referred to the Committee on Foreign Relations, and the President's messages will be printed in the RECORD.

The President's messages are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of an agreement between the parties to the North Atlantic Treaty regarding the status of their forces, signed at London on June 19, 1951.

I also transmit, for the information of the Senate, the report made to me by the Secretary of State with respect to the agreement.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 16, 1952.*

(Enclosures: (1) Report of the Secretary of State. (2) Certified copy of agreement.)

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of an agreement on the status of the North Atlantic Treaty Organization, national representatives and international staff, signed at Ottawa on September 20, 1951, together with a signed extract from the summary record of a meeting of the North Atlantic Council Deputies held on December 12, 1951, correcting certain errors in the French text of that agreement.

I transmit also, for the information of the Senate, a copy of an arrangement between the United States and the Council acting on behalf of the North Atlantic Treaty Organization, concluded pursuant to Article 19 of the agreement, whereby the United States Government will employ and assign to the Organization all United States nationals who are to serve on the international staff of the Organization and pay the salaries and emoluments of such persons from its own funds at a scale fixed by it with the result that no United States nationals will qualify for exemption from tax exemption on their salaries and emoluments.

I transmit also, for the information of the Senate, the report made to me by the Secretary of State regarding this matter.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 16, 1952:*

(Enclosures: (1) Report of the Secretary of State. (2) Certified copy of agreement. (3) Signed extract from summary record of meeting of December 12, 9451. (4) Copy of an arrangement between the United States and the North Atlantic Council.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Jon Wiig, of Hawaii, to be United States district judge for the District of Hawaii, vice Delbert E. Metzger; and

Clemens F. Michalski, of Wisconsin, to be United States marshal for the eastern district of Wisconsin, vice Anton J. Lukaszewicz.

TREATIES

Mr. HILL. Mr. President, the first treaty on the executive calender is Executive I—Eighty-second Congress, first session—Protocol dated in London August 31, 1950, prolonging for 1 year after August 31, 1950, the international agreement, regarding the regulation of production and marketing of sugar, signed at London on May 6, 1937.

Mr. BRIDGES. Mr. President, the minority leader has an agreement with the majority leader that whenever a treaty is to be taken up, 24 hours' notice shall be given. I should prefer that the notice be given now and that we consider the treaties tomorrow, in conformity with that general agreement. So far as I know, there is no objection in this instance.

Mr. HILL. The distinguished Senator from Texas [Mr. CONNALLY] states that he has no objection.

The PRESIDING OFFICER. Without objection, the treaties will be passed over.

Mr. HILL. With the understanding that they will be considered tomorrow. I understand the Senator from Texas would like to have all the treaties considered tomorrow.

Mr. CONNALLY. No, Mr. President; only the first three treaties.

The PRESIDING OFFICER. The treaties will remain on the calendar.

The clerk will read the nominations on the Executive Calendar. The first one listed is reported adversely. So the next one will be stated.

POSTMASTER

The Chief Clerk read the nomination of James F. Hughes, to be postmaster at Boise, Idaho.

Mr. HILL. Mr. President, I understand there is objection to the nomination of James F. Hughes, of Boise, Idaho, to be postmaster. In view of that objection, I ask that the nomination be passed over.

The PRESIDING OFFICER. Without objection, the nomination of James F. Hughes will be passed over.

RECESS

Mr. HILL. As in legislative session, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, June 17, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 16 (legislative day of June 10), 1952:

DIPLOMATIC AND FOREIGN SERVICE

Donald R. Heath, of Kansas, now Envoy Extraordinary and Minister Plenipotentiary to the State of Vietnam and to the Kingdom of Cambodia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Vietnam and to the Kingdom of Cambodia.

G. Lewis Jones, of Maryland, now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

William P. Maddox, of the District of Columbia, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Theodore J. Hohenthal, of California.

Donald W. Lamm, of the District of Columbia.

The following-named persons, now Foreign Service officers of class 5 and secretaries in the diplomatic service, to be also consuls of the United States of America:

John D. Gough, of Colorado.

Charles M. Urruela, of Ohio.

Frank J. Wathen, of Texas, a Foreign Service staff officer, to be a consul of the United States of America.

Frank R. LaMacchia, of Maryland, a Foreign Service reserve officer, to be a consul of the United States of America.

Thomas A. Lane, of the District of Columbia, a Foreign Service reserve officer, to be a secretary in the diplomatic service of the United States of America.

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major generals

Maj. Gen. Thomas Wade Herren, O7430, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Alonzo Patrick Fox, O6434, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. William Arthur Beiderlinden, O10309, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Reuben Ellis Jenkins, O11658, Army of the United States (brigadier general, U. S. Army).

To be brigadier generals

Brig. Gen. Robert Alwin Schow, O12180, Army of the United States (colonel, U. S. Army).

Brig. Gen. John Harrison Stokes, Jr., O12181, Army of the United States (colonel, U. S. Army).

Brig. Gen. Kester Lovejoy Hastings, O12219, Army of the United States (colonel, U. S. Army).

Brig. Gen. Herbert Bernard Loper, O12243, Army of the United States (colonel, U. S. Army).

Brig. Gen. John Bartlett Murphy, O12338, Army of the United States (colonel, U. S. Army).

Maj. Gen. Edmund Bower Sebree, O12376, Army of the United States (colonel, U. S. Army).

Maj. Gen. Joseph Sladen Bradley, O12428, Army of the United States (colonel, U. S. Army).

POSTMASTERS

The following-named persons to be postmasters:

Charles Edward Wilson, Keene, Calif., in place of N. H. Wilson, resigned.

Benjamin E. Hopkins, Washington, Ga., in place of C. H. Orr, retired.

Victor A. Burger, Kendallville, Ind., in place of H. A. Merkling, retired.

Osborne K. Owens, Carlisle, Iowa, in place of A. E. Owens, retired.

Jack G. Metcalf, Tecumseh, Mich., in place of W. A. Wright, declined.

Jerry Crane, Ashland, Mo., in place of L. T. Sapp, retired.

Harold H. Hester, Malden, Mo., in place of S. G. Downing, retired.

Loren M. Parker, Meta, Mo., in place of J. J. Nacke, deceased.

John D. Megivern, Jr., Apalachin, N. Y., in place of D. E. Dodge, deceased.

Paul H. Irving, Skaneateles, N. Y., in place of W. F. Herrling, retired.

James Alfred Marquet, Pottstown, Pa., in place of M. E. Sassaman, Sr., deceased.

George Clair Cochran, Quarryville, Pa., in place of H. B. Wimer, retired.

Melvin W. Kincheloe, Burnet, Tex., in place of Heinz Ulrich, removed.

Frank L. Roark, Jr., Cleveland, Tex., in place of E. B. Cummins, transferred.

R. V. Welch, Jr., Lufkin, Tex., in place of W. C. Binion, retired.

Ralph A. Bush, Bolivar, W. Va., in place of M. J. Rau, retired.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 16, 1952

The House met at 12 o'clock noon.

Rev. Edward P. Dosher, of Galveston, Tex., offered the following prayer:

Our Father, in this day of superficiality and selfishness we sincerely pause to acknowledge Thee, and we thank Thee for this great country of ours, and we thank Thee for this group of men that have gathered here together today. We pray that You will guide them and encourage them in their work. But, most of all, our Father, our thanks go to Thee for the living Christ, Thy Son and our Saviour. We pray that the spirit of this Christ shall radiate here today and that His guidance shall be upon all things that are done. We pray that the spirit of Christ may lead us in our Nation as a whole so that back to Thee we may go and that Thy will may be done throughout the land.

Guide us today, we pray in Jesus' name. Amen.

The Journal of the proceedings of Thursday, June 12, 1952, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2594. An act to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, and for other purposes; and

S. 2968. An act to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 1739. An act to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy; and

S. 6787. An act to extend the Rubber Act of 1948 (Public Law No. 469, 80th Cong.), as amended, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk, which was read:

JUNE 13, 1952.

The honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority heretofore granted, the Clerk received today from the Secretary of the Senate the following messages:

That the Senate has passed without amendment House Joint Resolution 481, entitled "Joint resolution to continue the effectiveness of certain statutory provisions until June 30, 1952."

That the Senate has passed without amendment the bill H. R. 6909, entitled "An act to amend section 14 (b) of the Federal Reserve Act, as amended."

Very truly yours,

RALPH R. ROBERTS,
Clerk of the House of Representatives.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had on June 13, 1952, examined and found truly enrolled a bill and joint resolution of the House of the following titles:

H. R. 6909. An act to amend section 14 (b) of the Federal Reserve Act, as amended; and

H. J. Res. 481. Joint resolution to continue the effectiveness of certain statutory provisions until June 30, 1952.

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, June 12, 1952, he did on Saturday, June 14,

1952, sign the following enrolled bill and joint resolution of the House:

H. R. 6909. An act to amend section 14 (b) of the Federal Reserve Act, as amended; and

H. J. Res. 481. Joint resolution to continue the effectiveness of certain statutory provisions until June 30, 1952.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation, which was read by the Clerk:

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 15, 1952.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I am today informed that I am appointed to the Committee on Agriculture, a position to which I have aspired because of my past training and experience.

In view of this information, may I respectfully tender my resignation from the Committee on Merchant Marine and Fisheries.

Sincerely,
CLIFFORD G. MCINTIRE,
Member of Congress, Third District, Maine.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTION TO COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a privileged resolution (H. Res. 690) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That CLIFFORD G. MCINTIRE, of Maine, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Agriculture.

The resolution was agreed to.

A motion to reconsider was laid on the table.

OLD-AGE BENEFITS

Mr. SECREST. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SECREST. Mr. Speaker, today we will consider badly needed changes in the existing Social Security Act. I intend to support these changes.

Over 4,500,000 workers, widows, and orphans receive social-security payments. The payments to a single, retired worker average $42 per month. Payments to a retired worker and his wife average $70 per month and the average payment to a widow is $36. All of these would get at least a $5-per-month increase.

Four hundred and fifty thousand retired workers receive the minimum of only $20 per month. Under the proposed law this minimum would be increased to $25. In my opinion, this increase is not sufficient, but it will help. These increases can safely be accomplished without increasing the social-security tax because present payments are based on the wage levels of 1947. 1951 wage levels were 20 percent higher which means a greater amount of contributions to the social-security fund.

Under present law the average worker retires at age 68½ rather than age 65. This bill provides that a worker can earn $70 and still draw social-security benefits. At the present time he is limited to $50 per month.

These amendments are badly needed and I hope they will become law before this Congress adjourns.

SOCIAL SECURITY ACT

Mr. MOULDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

[Mr. MOULDER addressed the House. His remarks appear in the Appendix.]

COMMITTEE ON BANKING AND CURRENCY

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Banking and Currency Committee may have until midnight tonight to file a report on the bill H. R. 8210.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

TIDELANDS OIL LAND

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and that they appear as a speech in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. MCDONOUGH addressed the House. His remarks appear in the Appendix.]

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE BIRTHDAY OF THE STARS AND STRIPES

Mr. RADWAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RADWAN. Mr. Speaker, in tribute to the one hundred and seventy-fifth birthday of our Stars and Stripes, I had the honor and occasion during the past week end to make several public addresses as well as to meet, personally, with hundreds of patriotic leaders who all helped make Flag Day, 1952, one of the most prominent and successful in recent American history. Throughout the various ceremonies many complimentary comments were bestowed upon the Buffalo Courier-Express for its colorful publication on the morning of June 14 of Old Glory's Romance Recalled on Flag Day. The timely publication of the morning of Flag Day set the pattern for the sparkling activities of the day. In behalf of numerous organizations participating in the various ceremonies, and in behalf of the many people who personally applauded this excellent tribute to Americanism, and in behalf of the people of the congressional district that I am privileged to represent, I want to extend my commendations to the Buffalo Courier-Express for this patriotic gesture.

I submit from the Buffalo Courier-Express, as published this past Flag Day, Old Glory's Romance Recalled on Flag Day. It is unfortunate, Mr. Speaker, that this insertion cannot be set up in color as western New York's readers had a chance to view it:

OLD GLORY'S ROMANCE RECALLED ON FLAG DAY

OLD GLORY, 1952

Today, June 14, is Flag Day. Honor our flag by displaying it today, the close of Know Your America Week. The flag should be displayed only from sunrise to sunset. Raise it briskly, lower it slowly. It should not touch the ground.

THE STAR SPANGLED BANNER, 1814

This was the flag that inspired the writing of the Star Spangled Banner in 1814 by Francis Scott Key. This was when America began to expand. Congress added two stars and stripes on July 4, 1795. Stripes were reduced from 15 to the original 13 under a bill passed April 4, 1818.

THE BETSY ROSS FLAG, 1777

Adopted by Congress in Philadelphia June 14, 1777, this was the first flag of the American Republic. It had 13 stars and 13 stripes, for the Thirteen Original Colonies.

THE CAMBRIDGE FLAG, 1776

Raised with a 13-gun salute at Washington's headquarters in Cambridge, Mass., January 1, 1776, this was the first flag of American independence. In old New England, it was called "the thirteen rebellious stripes."

THE FIRST LIBERTY FLAG, 1774

This, the Union Jack, was raised in 1774 at Taunton, Mass. The Red Union English flag common at the time had, as an addition, the watchword "Liberty."

THE FLAG OF THE PILGRIMS, 1620

This was the first flag to fly over permanent settlements in America. The King's colors, a union between the White Cross of Scotland under King James I and the Red Cross of St. George of England. It was the flag of the Mayflower in 1620.

SPECIAL ORDER GRANTED

Mr. HARRISON of Nebraska asked and was given permission to address the House on tomorrow for 15 minutes, following any special orders heretofore entered.

SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

The SPEAKER. Pursuant to the provisions of House Resolution 558, Eighty-second Congress, the Chair appoints as members of the Special Committee To Investigate Campaign Expenditures the following Members of the House: Mr. BOGGS of Louisiana; Mr. KARSTEN of Missouri; Mr. ROONEY, of New York; Mr. KEATING, of New York; Mr. MCCULLOCH, of Ohio.

RUBBER ACT OF 1948

Mr. VINSON submitted the following conference report and statement on the bill (H. R. 6787) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2168)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6787) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "March 1, 1953"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows:

On page 1 of the House bill, line 8, strike out the date " 'January 15, 1954' " and strike out the matter proposed to be inserted by the Senate amendment, and in each insert in lieu thereof the date " 'April 15, 1953' "; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

On page 1 of the House bill, line 11, strike out the date " 'June 30, 1954' " and strike out the matter proposed to be inserted by the Senate amendment, and in each insert in lieu thereof the date " 'March 31, 1954' "; and the Senate agree to the same.

CARL VINSON,
PAUL J. KILDAY,
DEWEY SHORT,
PAUL W. SHAFER,
Managers on the Part of the House.

LYNDON B. JOHNSON,
LEVERETT SALTONSTALL,
LESTER C. HUNT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6787) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill extended the Rubber Act of 1948 until June 30, 1954. It likewise required a preliminary report on a disposal program to be submitted to the President and to the Congress by April 1, 1953; and in addition required the President to recommend to the Congress legislation with respect to the disposal of the Government-owned rubber-producing facilities not later than January 15, 1954.

The Senate amendments, on the other hand, would have extended the Rubber Act of 1948 until June 30, 1953. In addition they would have required a preliminary report on disposal to be submitted by December 1, 1952, and a legislative disposal program to be submitted by the President by January 15, 1953.

The conferees agreed to extend the Rubber Act until March 31, 1954.

In addition the conferees agreed to require a preliminary report on a disposal program to be submitted by March 1, 1953, and to require the President to recommend to the Congress legislation with respect to the disposal of the rubber-producing facilities not later than April 15, 1953.

The result of the agreement of the conferees is that the Rubber Act will be extended for 21 months from its present termination date of June 30, 1952. The preliminary disposal report will be submitted by March 1, 1953, at which time a new administration and a new Congress will have an opportunity to study the preliminary disposal program. Then not later than April 15, 1953, the President will be required to submit to the Congress a legislative proposal for the disposal of the synthetic-rubber facilities. The agreed dates will give the Congress an opportunity to carefully study the disposal program submitted by the President prior to the expiration of the Rubber Act on March 31, 1954.

The conferees recognize the desirability of placing this great industry in the hands of private enterprise. At the same time, the conferees recognize the fact that the security of the Nation and particularly its security with respect to rubber must be foremost in the consideration of any disposal program. Before the Congress enacts legislation authorizing the disposal of these facilities the conferees are of the opinion that the Congress must be satisfied that there is no longer any necessity for any Government controls with respect to the production and consumption of synthetic rubber. The disposal program should envision a clean-cut separation of Government from the rubber industry. Once the Government is out of the rubber business there should no longer be any required consumption or guaranteed market. Favorable action on the disposal of the plants must depend entirely upon existing world conditions. If world conditions and our national security indicate the desirability and advisability of selling the present Government-owned rubber facilities to private industry then the Congress will undoubtedly look with favor upon the complete disposal by sale of the rubber-producing facilities. If, on the other hand, the natural-rubber-producing areas of the world are in jeopardy, or if world conditions indicate the necessity for continuing the authority to require the production and consumption of synthetic rubber, then undoubtedly the Congress must act with these considerations uppermost in mind.

CARL VINSON,
PAUL J. KILDAY,
DEWEY SHORT,
PAUL W. SHAFER,
Managers on the Part of the House.

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 6787) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ARENDS. Mr. Speaker, reserving the right to object, will the gentleman from Georgia please explain the conference report?

Mr. VINSON. The Senate bill extended the act to June 30, 1953; the House bill extended it to June 30, 1954. The conferees agreed on March 31, 1954, which is a 21 months' extension, contrasted with the House provision of 24 months.

The Senate bill required a preliminary report on the disposal program by December 1, 1952; the House bill, April 1, 1953. The conferees agreed on March 1, 1953.

The Senate required the disposal legislation program to be submitted by the President not later than January 15, 1953; the House required this disposal legislation to be submitted on January 15, 1954. The conferees agreed upon April 15, 1953, as to the date upon which the program must be submitted to the Congress.

Mr. ARENDS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

Mr. VINSON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF QUALIFIED WOMEN AS PHYSICIANS AND SPECIALISTS IN THE MEDICAL SERVICES OF THE ARMY, NAVY, AND AIR FORCE

Mr. VINSON submitted the following conference report and statement on the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical service of the Army, Navy, and Air Force:

CONFERENCE REPORT (H. REPT. No. 2169)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and agree to the same.

CARL VINSON,
DEWEY SHORT,
Managers on the Part of the House.

LESTER C. HUNT,
JOHN C. STENNIS,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

The Committee on Armed Services reported S. 2552 without amendment. The bill was placed on the Consent Calendar and on the

first call of the Calendar met objection. On May 19, 1952, the bill again came up and was amended as follows:

"On page 2, line 22, add the following: The second, third, and fourth sentences of section 201 of the act of August 5, 1947 (61 Stat. 777), are amended by inserting the words 'or osteopathy' immediately after the word "medicine'."

The Senate disagreed with the House amendment and asked for a conference. The House agreed and appointed conferees.

The amending language of the House amended section 201 of the Army-Navy-Public Health Service Medical Office Procurement Act of 1947 which reads as follows:

"SEC. 201. Subject to any limitation of the commissioned strength of the Army and Navy prescribed by law the President, by and with the advice and consent of the Senate, is hereby authorized to make original appointments to permanent commissioned grades, with rank not above that of colonel in the Medical and Dental Corps of the Army, and not above that of captain in the Medical and Dental Corps of the Navy in such numbers as the needs of the services may require. Such appointments shall be made only from qualified civilian doctors of medicine and dentists who are citizens of the United States, and who shall have such other qualifications as the Secretary of War and the Secretary of the Navy may prescribe for their respective services. The doctors of medicine and dentists so appointed in the Navy shall be carried as additional numbers in rank, but shall not increase the authorized numbers of commissioned officers of the Medical and Dental Corps of the Regular Navy. The doctors of medicine and dentists so appointed in the Army shall be credited for purposes of promotion with the minimum number of years of service now or hereafter required for promotion of officers of the Medical and Dental Corps to the grade in which appointed."

The effect of the House amendment was to include doctors of osteopathy within the provisions of the foregoing section and thereby authorize their appointment in the medical corps of the Army and Navy.

The Senate conferees were of the opinion that it has been, and is, a policy of the Armed Forces to limit appointments in the medical corps of the services to persons who possess, among certain other qualifications, the degree of doctor of medicine. This policy is based on the administrative and professional necessity arising out of the very nature of the military service.

The matter of possible utilization of osteopathic physicians as members of the medical corps of the Armed Forces has been a subject of study by the Armed Forces Medical Policy Council and the Surgeons General, charged as they are with the preservation of the physical and mental health of the members of the Armed Forces. It has been considered that this responsibility cannot be discharged in the absence of fixed standards of preventive measures, diagnostic procedures, and therapy.

The vital necessity for the fixed and uniform standards referred to above has precluded the use of two distinct therapeutic systems in the Armed Forces. This can be more fully appreciated when it is realized that under many situations—ashore, aboard ship and with the Air Force—a lone medical officer's work and responsibilities include the entire gamut of medical practice: preventive medicine, neuropsychiatry, the treatment and management of contagious diseases, the prescription and administration of therapeutic drugs and biologicals, operative surgery, and public health and sanitation. In view of these facts, doctors of osteopathy who do not also have the degree of doctor of medicine are not qualified for all the duties which all medical corps officers must be able to discharge in accordance with generally acceptable medical standards throughout our world-wide military service. At this time, the Department of Defense is opposed to the use of oseopaths as such by the Armed Forces for the foregoing reasons.

The Army, Navy Medical Service Corps Act of 1947 (Public Law 337, 80th Congress, 61 Stat. 734) would authorize the appointment of doctors of osteopathy in the medical service corps of the Army or Navy. However, at this time there is no requirement for osteopaths in the Armed Forces.

The clear purpose of S. 2552 is to make full utilization of manpower resources in those fields in which there are acute shortages. This bill is intended to provide additional physicians, dentists, and other specialists for which there is an acute military need because of the expansion of the Armed Forces in the present emergency. Therefore, it would seem that an amendment which recognizes the status of osteopaths in the medical service should not be made a part of this bill. The House recedes.

CARL VINSON,
DEWEY SHORT,
Managers on the Part of the House.

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and the Air Force.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ARENDS. Mr. Speaker, reserving the right to object, will the gentleman explain the conference report?

Mr. VINSON. The result of the conference is, when the bill passed the House, the House inserted a provision that osteopaths would be allowed to go into the medical service. The conferees left out "osteopaths" so the bill is now in its original form and applies only to women who are qualified as physicians and specialists in the medical services.

Mr. ARENDS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the conference report.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Minnesota.

Mr. WIER. Did I correctly understand the gentleman to say that the word "osteopaths" was removed from the bill?

Mr. VINSON. Yes. We decided that was a matter that should probably be dealt with in separate legislation, because osteopaths are already authorized in the medical service corps, and this refers to the medical services. Probably we can work it out a little bit later.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PRESERVING HISTORIC PROPERTIES, OBJECTS, AND BUILDINGS IN BOSTON, MASS.

The Clerk called the joint resolution (H. J. Res. 254) to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas there are located within the city of Boston and vicinity a number of historic properties, buildings sites, and objects of the colonial and Revolutionary period of American history which, because of their historical significance or their architectural merit, are of great importance to the Nation; and

Whereas at this critical period, as well as at all periods in our national life, the inspiration afforded by such prime examples of the American historical heritage and their interpretation is in the public interest; and

Whereas it is proper and desirable that the United States of America should cooperate in a program looking to the preservation and public use of those historic properties that are intimately associated with American colonial solidarity and the establishment of American independence: Therefore be it

Resolved, etc., That a Commission is hereby created for the purpose of investigating the feasibility of establishing a coordinated program in which the Federal Government may cooperate with local and State governments and historical and patriotic societies for the preservation and appreciation by the public of the most important of the colonial and Revolutionary properties in Boston and the general vicinity thereof which form outstanding examples of America's historical heritage.

SEC. 2. The Commission shall be known as the Boston National Historic Sites Commission, and shall be composed of seven individuals, who shall serve without compensation, to be appointed as follows: One Member of the United States Senate, to be appointed by the President of the Senate; one Member of the United States House of Representatives, to be appointed by the Speaker of the House; one member to be appointed by the Secretary of the Interior, and four persons, at least one of whom shall be a resident of the city of Boston, to be appointed by the President of the United States. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

SEC. 3. The Commission shall meet for the purpose of organizing within 90 days after the enactment of this act. The Commission shall elect a chairman and executive secretary from among its members.

SEC. 4. The Commission shall (a) make an inventory and study of the historic objects, sites, buildings, and other historic properties of Boston and the general vicinity thereof, including comparative real estate costs; (b) prepare an analysis of the existing condition and state of care of such properties; (c) recommend such programs by local, State, or the Federal Government and cooperating societies for the future preservation, public use, and appreciation of such properties as the Commission shall consider to be in the public interest; and (d) prepare a report containing basic factual information relating to the foregoing and the recommendations of the Commission thereon. Such report shall be transmitted to the Congress by the Secretary of the Interior within 2 years following the approval of this act and the securing of appropriations for purposes hereof. Upon submission of the report to the Congress, the Commission shall cease to exist.

SEC. 5. (a) The Secretary of the Interior may appoint and fix the compensation, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended, of such experts, advisers, and other employees, and may make such expenditures, including expeditures for actual travel and subsistence expense of members, employees, and witnesses (not exceeding $15 for subsistence expense for any one person for any one calendar day), for personal services at the seat of government and elsewhere, and for printing and binding, as are necessary for the efficient execution of the functions, powers, and duties of the Commission under this act. The Commission is authorized to utilize voluntary and uncompensated services for the purposes of this act. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, including printing and binding, to carry out the provisions of this act.

(b) The Commission shall have the same privilege of free transmission of official mail matter as is granted by law to officers of the United States Government.

With the following committee amendments:

Page 1, first line of the second "Whereas" paragraph, insert the word "at" following the words "as well as."

Page 3, line 12, insert the word "the" following the word "by."

Page 3, line 13, strike the word "the" following the word "or." Strike the word "Government" and insert in lieu thereof the word "governments."

Page 4, line 3, strike the figure "1923" and insert in lieu thereof the figure "1949."

Page 4, line 16, strike the words ", including printing and binding.".

Page 4, line 17, change the period to a comma and add the words "including printing and binding."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUMMIT LAKE INDIAN RESERVATION, NEVADA

The Clerk called the bill (H. R. 4285) to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation.

Mr. BARING. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

GRANTING CIVIL-SERVICE STATUS TO CERTAIN EMPLOYEES OF THE JUDICIAL BRANCH

The Clerk called the bill (S. 216) to amend section 631b of title 5, United States Code, by adding a new subsection to be cited as subsection (c).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of November 26, 1940, chapter 919, title 1, section 2 (54 Stat. 1212), as amended (U. S. C. 1946 edition, title 5, sec. 631b), is hereby amended by adding thereto a new subsection (c) as follows:

"(c) From and after the date of approval of this act any person who shall have served for 4 years as a secretary, law clerk, or secretary and law clerk to any justice or judge of the United States, and whose separation from the service is involuntary and without prejudice, shall acquire, upon passing such suitable noncompetitive examination as the Civil Service Commission may prescribe, a classified civil-service status for transfer to a position in the classified civil service, notwithstanding any contrary provisions of the civil-service laws or regulations; but any individual who may hold such a position in the judicial branch must obtain such a transfer within 1 year from the date of separation and nothing in this act, as amended (U. S. C., 1946 edition, title 5, secs. 631a, 631b, 632, 635, 669, 681–684), shall be construed to impair any right of retransfer provided for under civil-service laws or regulations made thereunder."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHEYENNE-ARAPAHO TRIBES OF INDIANS OF OKLAHOMA

The Clerk called the bill (H. R. 1631) to set aside certain lands in Oklahoma, formerly a part of the Cheyenne-Arapaho Reservation, for the Cheyenne-Arapaho tribes of Indians of Oklahoma, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, one of our colleagues spoke to me concerning this bill, requesting that I ask unanimous consent to have it passed over without prejudice, inasmuch as he could not be here to do so himself today. Therefore, I withdraw my reservation of the right to object, and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INTERSTATE COMPACT RELATING TO MUTUAL MILITARY AID

The Clerk called the bill (S. 968) granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress, is hereby given to an interstate compact, relating to mutual military aid in an emergency, negotiated and entered into by the States of New York and New Jersey, which reads as follows:

"AN INTERSTATE COMPACT FOR MUTUAL MILITARY AID IN AN EMERGENCY

"ARTICLE I

"1. The purposes of this compact are:

"a. to provide for mutual military aid and assistance in an emergency by the military forces of a signatory State to the military forces of the other signatory States or of the United States, including among other military missions, the protection of interstate bridges, tunnels, ferries, pipelines, communications facilities, and other vital installations, plants, and facilities; and the military support of civil defense agencies;

"b. to provide for the fresh pursuit in case of an emergency, by the military forces or any part or member thereof of a signatory State into another State, of insurrectionists, saboteurs, enemies, or enemy forces or persons seeking or appearing to seek to overthrow the Government of the United States or of a signatory State;

"c. to make provision for the powers, duties, rights, privileges, and immunities of the members of the military forces of a signatory State while so engaged outside of their own State.

"2. a. 'Emergency' as used in this compact shall mean and include invasion or other hostile action, disaster, insurrection, or imminent danger thereof.

"b. 'State' as used in this compact shall include any signatory State.

"c. 'Military forces' as used in this compact shall include the organized militia, or any force thereof, of a signatory State.

"ARTICLE II

"This compact shall become effective as to the signatory States when the legislatures thereof have approved it and when the Congress has given its consent either before or after the date hereof. Any State not a party to this compact at the date hereof may become a party hereto.

"ARTICLE III

"The Governor of each signatory State or his designated military representative shall constitute the Committee for Mutual Military Aid for the signatory States. It shall be the duty of the Committee for Mutual Military Aid to make joint plans for the employment of the military forces of the signatory States for mutual military aid and assistance in case of emergency.

"ARTICLE IV

"1. It shall be the duty of each signatory State to integrate its plan for the employment of its military forces in case of emergency with the joint plans recommended by the Committee for Mutual Military Aid and with the emergency plans of the Armed Forces of the United States.

"2. In case of emergency, upon the request of the Governor of a signatory State, the Governor of each signatory State, to the extent consistent with the needs of his own State, shall order its military forces or such part thereof as he, in his discretion, may find necessary, to assist the military forces of the requesting State in order to carry out the purposes set forth in this compact. In such case, it shall be the duty of the Governor of each signatory State receiving such a request to issue the necessary orders for such use of the military forces of his State without the borders of his State and to direct the commander of such forces to place them under the operational control of the commander of the forces of the requesting State or of the United States which may be engaged in meeting the emergency.

"3. The Governor of any signatory State, in his discretion, may recall the military forces of his State serving without its borders or any part or any member of such forces.

"ARTICLE V

"In case of an emergency, any unit or member of the military forces of a signatory State which has been ordered into active service by the Governor may upon order of the officer in immediate command thereof continue beyond the borders of his own State into another signatory State in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces, or persons seeking or appearing to seek to overthrow the Government of the United States or of any one of the signatory States, until they are apprehended by such unit or member. Any such person who shall be apprehended or captured in a signatory State by a unit or member of the military forces of another signatory State shall

without unnecessary delay by surrendered to the military or police forces of the State in which he is taken or to the forces of the United States. Such surrender shall not constitute a waiver by the State of the military forces making the capture, of its right to extradite or prosecute such persons for any crime committed in that State.

"ARTICLE VI

"1 Whenever the military forces or any part thereof of any signatory State are engaged outside of their own State in carrying out the purposes of this compact, the individual members of such military forces so engaged shall not be liable, civilly or criminally, for any act or acts done by them in the performance of their duty.

"2. The individual members of such forces shall have the same powers, duties, rights, privileges, and immunities as the members of the military forces of the State in which they are engaged, but in any event,

"3. Each signatory State shall save harmless any member of its military forces wherever serving and any member of the military forces of any other signatory State serving within its borders for any act or acts done by them in the performance of their duty while engaged in carrying out the purposes of this compact.

"ARTICLE VII

"1. Each signatory State shall provide, in the same amounts and manner as if they were on duty within their own State, for the pay and allowances of the personnel of its military forces, and for the medical and hospital expenses, disability and death benefits, pensions and funeral expenses of wounded, injured, or sick personnel and of dependents or representatives of deceased personnel of its military forces, in case such personnel shall suffer wounds, injuries, disease, disability, or death while engaged without the State pursuant to this compact and while going to and returning from such other signatory State. Each signatory State shall provide in the same amounts and manner as if they were on duty within their own State for the logistical support and for other costs and expenses of its military forces while engaged without the State pursuant to this compact and while going to and returning from such other signatory State.

"2. Any signatory State rendering outside aid in case of insurrection or disaster not the result of invasion or hostile action, shall, if it so elects be reimbursed by the signatory State receiving such aid for the pay and allowances of its personnel, logistical support, and all other costs and expenses referred to in section 1 of this article and incurred in connection with the request for aid. Such election shall be exercised by the Governor of the aiding State presenting a statement and request for reimbursement of such costs and expenses to the Governor of the requesting State.

"ARTICLE VIII

"Nothing in this compact shall be construed to limit or restrict the power of any signatory State in case of an emergency affecting that State only, to provide for the internal defense of any part of the territory of said State or for the protection and control of any bridge, tunnel, ferry, installation, plant, or facility or any part thereof within the borders of such State or to prohibit the enforcement of any laws, rules, and regulations or the execution of any plan with regard thereto.

"ARTICLE IX

"This compact shall continue in force and remain binding on each signatory State until the legislature or the Governor of such State gives notice of withdrawal therefrom. Such notice of withdrawal shall not be effective until 6 months after said notice has been given to the Governor of each of the other signatory States.

"In Witness Whereof, the States whose Governors have signed below have become parties to this compact.

"12 December 1950.

"Approved December 11, 1950.

"NATHANIEL L. GOLDSTEIN,
"Attorney General of the State of New York.
"By KENDALL P. BROWN,
"Solicitor General.

"THOMAS E. DEWEY,
"Governor of New York.

"Attest:

"THOMAS J. CURRAN,
"Secretary of State of the State of New York.

"ALFRED E. DRISCOLL,
"Governor of New Jersey.

"Approved December 11, 1950.

"W. J. DOUGHERTY, for the State Comptroller,

"Approved December 12, 1950.

"THEODORE D. PARSONS,
"Attorney General of the State of New Jersey.
"By LEON S. MILMED,
"Deputy Attorney General and Counsel to the Governor.

"Approved December 12, 1950.

"J. LINDSAY DE VALLIERE,
"Director, Division of Budget and Accounting and State Comptroller of the State of New Jersey.

"By the Governor:

"LLOYD B. WARD,
"Secretary of State of the State of New Jersey."

SEC. 2. Without further submission of the compact, the consent of Congress is given to any State to become a party to it in accordance with its terms.

SEC. 3. The right to alter, amend, or repeal this act is expressly reserved.

With the following committee amendments:

Page 1, line 3, after the word "Congress", add a comma and insert the words "subject to the limitation of section 2 of this Act" and insert a comma after the word "act."

Page 1, line 6, after the words "New Jersey,", add the following "in which compact the Commonwealth of Pennsylvania joined and became a party on December 14, 1951."

Page 2, line 5, change the word "installation" to "installations."

Page 5, line 18, change the period after the word "event" to a comma.

Page 8, line 1, change the name "Kendall" to "Wendell."

Page 8, line 23, change the name "Ward" to "Marsh."

Page 9, line 2, after the word "State", add the words "having a common boundary with either the State of New York or the State of New Jersey."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN CLAIMS OF THE STATE OF CALIFORNIA

The Clerk called the bill (H. R. 1508) conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UNLOADING OF MAIL FROM VESSELS

The Clerk called the bill (H. R. 7877) to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1699 of title 18 of the United States Code is amended (a) by inserting after "post office," in the first paragraph "except where waybilled for discharge at other ports in the United States at which the vessel is scheduled to call and the Postmaster General does not determine that unreasonable delay in the mails will occur,"; (b) by inserting before the period at the end of the first paragraph a comma and the following: "except where waybilled for discharge at other ports in the United States at which the said vessel is scheduled to call and which the Postmaster General has not determined will be unreasonably delayed by remaining on board the said vessel for delivery at such ports"; and (c) by striking out in the last paragraph "before he has delivered such letters", and inserting in lieu thereof "before he has arranged for such delivery or onward carriage."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VESSELS OF CANADIAN REGISTRY

The Clerk called the bill (S. 2743) authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, by reason of emergency conditions in transportation on the Great Lakes, notwithstanding the provisions of section 27 of the act of June 5, 1920 (41 Stat. 999), as amended by the act of April 11, 1935 (49 Stat. 154), and by act of July 2, 1935 (49 Stat. 442), or the provisions of any other act, or regulation, vessels of Canadian registry shall be permitted to transport iron ore between United States ports on the Great Lakes until December 31, 1952, or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COUNCIL OF THE ORGANIZATION OF AMERICAN STATES

The Clerk called the bill (S. 2042) to extend certain privileges to representatives of member states on the Council of the Organization of American States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Reserving the right to object, Mr. Speaker, I wonder if someone would explain just what privileges are being extended to representatives of member states on the Council of the Organization of American States.

Mr. HAYS of Arkansas. This bill is to extend the same privileges to a group of ambassadors from eight countries that are now enjoyed by the other

American Republics. It was unanimously reported by the Committee on Foreign Affairs. It affects 28 persons, however, and gives them the same rights accorded other representatives, Ambassadors, from Pan American States.

Mr. MILLER of Nebraska. Is this in connection with the United Nations exemptions?

Mr. HAYS of Arkansas. It has nothing to do with the United Nations.

Mr. MILLER of Nebraska. I am glad to know that, because I think the Congress has been rather liberal in making exemptions to people in the United Nations Organization, as to whether they are governed by civil law when they come into this country. I was hoping that these exemptions did not extend to the American States Council. If they are going to live in the United States of America they ought to observe the laws of this country.

Mr. HAYS of Arkansas. Without this legislation we would permit these Ambassadors to be embarrassed because of the fact that other Ambassadors have diplomatic immunity and other privileges which these do not. It only extends to this group of representatives from Central and South America the same privileges that the other Ambassadors have, and is not affected, of course, by the United Nations.

Mr. MILLER of Nebraska. I withdraw my reservation of objection.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, does the gentleman not think we ought to tighten down on some of these privileges that are being abused by representatives of foreign countries now, instead of liberalizing them? It seems to me you ought to look into the propositions and check up on the abuses that are being carried on right here in the city of Washington by representatives of foreign countries.

Mr. HAYS of Arkansas. The gentleman may be right about that, but I am sure he would agree that if we were restricting privileges, the provisions should apply equally to all. The only purpose of this bill is to extend to the excluded ambassadors the same privileges such as the signs carried on their cars, and the same privileges when they come into our ports, such as entering without routine examinations that apply to those who do have diplomatic immunity. We have been embarrassed by these discriminations against countries that are generous with our representatives. It is only to achieve uniformity.

Mr. RANKIN. Mr. Speaker, I am going to ask unanimous consent that this bill be passed over for the time being without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

SACKETS HARBOR MILITARY CEMETERY

The Clerk called the bill (H. R. 4305) to authorize the use of the Sackets Harbor Military Cemetery for the burial of war and peacetime veterans of the Armed Forces of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the village of Sackets Harbor, Sackets Harbor, N. Y., is authorized to use the Sackets Harbor Military Cemetery which was conveyed to such village by the Secretary of the Army under authority of the act entitled "An act to preserve historic graveyards in abandoned military posts," approved July 1, 1947, for the burial of persons who have served in the Armed Forces of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAWAIIAN ORGANIC ACT

The Clerk called the bill (H. R. 6581) authorizing the President to exercise certain powers conferred upon him by the Hawaiian Organic Act in respect of certain property ceded to the United States by the Republic of Hawaii, notwithstanding the acts of August 5, 1939, and June 16, 1949, or other acts of Congress.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the act of August 5, 1939 (53 Stat. 1029, ch. 444), the act of June 16, 1949 (63 Stat. 176, ch. 218), or any other act of Congress, the President is hereby authorized to exercise, in respect of the land described in section 2, all those powers which, by the second sentence of section 91 of the Hawaiian Organic Act, as amended, are conferred upon him in respect of other ceded property taken for the uses and purposes of the United States.

SEC. 2. The aforementioned land, which is the subject of section 1, consists of two parcels below described, containing areas of two and eighteen one-hundredths acres and three one-hundredths of an acre, more or less, respectively, now under the jurisdiction of the General Services Administration as successor to the Federal Works Agency, the same being parcels 3 and 7 of a harbor improvement project of the Territory of Hawaii, and one parcel below designated, containing an area of sixteen one-hundreds of an acre, more or less, now a portion of the Fort Armstrong Military Reservation, the same being part of parcel 2 of said harbor improvement project.

Parcel 3 now under the jurisdiction of the General Services Administration, and being a portion of the land described in section 203 of the act of June 16, 1949.

Beginning at the north corner of this parcel of land, and on the southeast side of Channel Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being four thousand four hundred twelve and twenty-two one-hundredths feet south and five thousand six hundred and seventy-eight and thirty-nine one-hundredths feet west, and running by azimuths measured clockwise from true south; three hundred and nine degrees three minutes one hundred sixty-seven and one one-hundredth feet along portion of Executive Order 10309, tract 1; thirty-eight degrees fifty-eight minutes twenty seconds ninety-six and seventy one-hundredths feet along same; three hundred and eight degrees forty-eight minutes thirty seconds twenty-five and ninety-eight one-hundredths feet along same; thirty-eight degrees forty-eight minutes thirty seconds four hundred seven and fifty-two one-hundredths feet along portion of United States Military Reservation Fort Armstrong (Presidential Executive Order 5487) and along portion of quarantine station site (act of June 16, 1949); one hundred and twenty-nine degrees no minutes one hundred ninety-four and forty-three one-hundredths feet along portion of quarantine station site (act of June 16, 1949); two hundred and nineteen degrees no minutes five hundred four and twenty-eight one-hundredths feet along the southeast side of Channel Street to the point of beginning. Area two and eighteen one-hundredths acres.

Parcel 7 now under the jurisdiction of the General Services Administration, and being a portion of the land described in section 203 of the act of June 16, 1949.

Beginning at the north corner of this parcel of land, the west corner of the land described in Governor's Executive Order 1081 (pier 2) and on the southeasterly side of the Honolulu Harbor line, the coordinates of said point of beginning referred to Government Survey Triangulation Station Punchbowl being four thousand six hundred fifty-two and sixteen one-hundredths feet south and six thousand two hundred twenty-two and twenty-five one-hundredths feet west, and running by azimuths measured clockwise from true south; three hundred and nine degrees no minutes sixty feet along Governor's Executive Order No. 1081; thirty-nine degrees no minutes twenty feet along portion of quarantine station site (act of June 16, 1949); one hundred and twenty-nine degrees no minutes sixty feet along same; two hundred and nineteen degrees no minutes twenty feet along the Honolulu Harbor line to the point of beginning. Area three one-hundredths acre.

Portion of parcel 2 now part of the Fort Armstrong Military Reservation, and being a portion of the land mentioned in the act of August 5, 1939, and the same land excluded from tract No. 1 of Executive Order No. 10309 (16 Fed. Reg. 12304), containing six thousand nine hundred and twenty square feet or sixteen one-hundredths acre.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert "That, notwithstanding the act of August 5, 1939 (53 Stat. 1209, ch. 444), the act of June 16, 1949 (63 Stat. 176), or any other act of Congress, the President is hereby authorized to exercise, in respect of the following-described land required for completion of a harbor improvement project in Honolulu, Hawaii, all those powers which, by the second sentence of section 91 of the Hawaiian Organic Act, as amended, are conferred upon him in respect of other ceded property taken for the uses and purposes of the United States:

"1. The following-described land now under the jurisdiction of the General Services Administration and being portions of the land described in section 203 of the act of June 16, 1949 (63 Stat. 176):

"(a) Beginning at the north corner of this parcel of land, and on the southeast side of Channel Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station 'Punchbowl' being four thousand four hundred twelve and twenty-two one-hundredths feet south and five thousand six hundred seventy-eight and thirty-nine one-hundredths feet west, and running by azimuths measured clockwise from true south: Three hundred and nine degrees three minues one hundred sixty-seven and one one-hundredth feet along portion of Presidential Executive Order 10309, tract 1; thirty-eight degrees fifty-seven minutes twenty seconds ninety-six and seventy one-hundredths feet along same; three hundred and eight degrees forty-eight minutes thirty seconds twenty-five and ninety-eight one-hundredths feet along same; thirty-eight degrees forty-eight minutes thirty seconds four hundred seven and fifty-two one-hundredths feet along portion of United States Military Reservation Fort Armstrong

(Presidential Executive Order 5487) and along portion of quarantine station site (act of June 16, 1949); one hundred and twenty-nine degrees no minutes one hundred ninety-four and forty-three one-hundredths feet along portion of quarantine station site (act of June 16, 1949); two hundred and nineteen degrees no minutes five hundred four and twenty-eight one-hundredths feet along the southeast side of Channel Street to the point of beginning. Area two and eighteen one-hundredths acres;

"(b) Beginning at the north corner of this parcel of land, the west corner of the land described in governor's excutive order 1081 (pier 2) and on the southeasterly side of the Honolulu Harbor line, the coordinates of said point of beginning referred to Government Survey Triangulation Station 'Punchbowl' being four thousand six hundred fifty-two and sixteen one-hundredths feet south and six thousand two hundred twenty-two and twenty-five one-hundredths feet west, and running by azimuths measured clockwise from true south: three hundred and nine degrees no minutes sixty feet along governor's executive order No. 1081; thirty-nine degrees no minutes, twenty feet along portion of quarantine station site (act of June 16, 1949); one hundred and twenty-nine degrees no minutes sixty feet along same; two hundred and nineteen degrees no minutes, twenty feet along the Honolulu Harbor line to the point of beginning. Area three one-hundredths acre.

"2. That land, now part of the Fort Armstrong Military Reservation, which was transferred by the Secretary of Labor to the control and jurisdiction of the Secretary of War (now Secretary of the Army) by letter dated December 16, 1939, pursuant to the act of August 5, 1939 (53 Stat. 1209, ch. 444). Area sixteen one-hundredths acre."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING CERTAIN 10-YEAR OIL AND GAS LEASES

The Clerk called the bill (H. R. 5788) to extend certain 10-year oil and gas leases.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any lease issued for a 10-year term in exchange for an oil and gas prospecting permit pursuant to sections 13 and 17 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended by the act of August 21, 1935 (49 Stat. 674), and prior to amendment by the act of August 8, 1946, and upon which drilling operations are or were being diligently prosecuted on the expiration date of such lease, is hereby extended for a period of 2 years from the date of enactment of this act, or from the date of such expiration, whichever is later, and so long thereafter as oil or gas is produced in paying quantities. This act shall not be applicable to any lands which, subsequent to such expiration and prior to the enactment of this act, have been withdrawn from leasing, leased, or otherwise disposed of.

With the following committee amendments:

Page 1, line 10, strike out "are or."

Page 1, line 11, after the word "lease," strike out the balance of the line and all of the lines 1, 2, and 3, on page 2, and insert "prior to the effective date of this act, is hereby reinstated effective from the expiration date of the lease and shall continue in effect for a period of 2 years after the effective date of this act and so long thereafter as oil or gas is produced in paying quantities, if, within 90 days after the enactment of this act, payment is made under the terms of such lease as reinstated and extended, of any sums due the United States for prior years."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORGANIC ACT OF THE VIRGIN ISLANDS OF THE UNITED STATES

The Clerk called the bill (H. R. 7393) to revise the Organic Act of the Virgin Islands of the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, will some member of the committee or the author of the bill answer a question?

Is this at the request of the legislative body of the Virgin Islands?

Mr. MILLER of Nebraska. I am a member of the committee. I will try to answer the question. I think the committee adopted some amendments that they did not like to have in the bill, but we felt it was for the best interests of the people of the Virgin Islands and the people of this country to make some amendments.

Mr. CUNNINGHAM. Are those in authority seriously objecting to the amendments that you did approve?

Mr. MILLER of Nebraska. In the Virgin Islands there are two groups of people. The dissenters, who do not agree, although I think they are in the minority; most of them live in New York City. They came down and objected to some of the things we were doing for the Virgin Islands. They had some very serious objections.

Mr. CUNNINGHAM. You mean they came down from New York City?

Mr. MILLER of Nebraska. They came down from New York City and from the Virgin Islands, and we held hearings in the Virgin Islands.

Mr. CUNNINGHAM. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Organic Act of the Virgin Islands of the United States (49 Stat. 1807; 48 U. S. C., sec. 1405, and the following), as amended, is revised as hereinafter set forth. The provisions of this act, and the name the Virgin Islands as used in this act, shall apply to and include the Territorial domain, lands, and waters acquired by the United States through cession of the Danish West Indian Islands by the convention between the United States of America and His Majesty, the King of Denmark, entered into August 4, 1916, and ratified by the Senate on September 7, 1916 (39 Stat. 1706).

SEC. 2. The capital and seat of government of the Virgin Islands shall be located at the city of Charlotte Amalie, in the island of St. Thomas.

BILL OF RIGHTS

SEC. 3. No law shall be enacted in the Virgin Islands which shall deprive any person of life, liberty, or property without due process of law or deny to any person therein equal protection of the laws.

In all criminal prosecutions the accused shall enjoy the right to be represented by counsel for his defense, to be informed of the nature and cause of the accusation, to have a copy thereof, to have a speedy and public trial, to be confronted with the witnesses against him, and to have compulsory process for obtaining witnesses in his favor.

No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any crimial cause to give evidence against himself; or shall any person sit as judge or magistrate in any case in which he has been engaged as attorney or prosecutor.

All persons shall be bailable by sufficient sureties in the case of criminal offenses, except for first-degree murder or any capital offense when the proof is evident or the presumption great.

No law impairing the obligation of contracts shall be enacted.

No person shall be imprisoned or shall suffer forced labor for debt.

All persons shall have the privilege of the writ of habeas corpus and the same shall not be suspended except as herein expressly provided.

No ex post facto or bill of attainder shall be enacted.

Private property shall not be taken for public use except upon payment of just compensation ascertained in the manner provided by law.

Nothing contained in this act shall be construed to limit the power of the legislature herein provided to enact laws for the protection of life, the public health, or the public safety.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

The right to be secure against unreasonable searches and seizures shall not be violated.

No warrant for arrest or search shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Slavery shall not exist in the Virgin Islands.

Involuntary servitude except as a punishment for crime where the party shall have been duly convicted, shall not exist in the Virgin Islands.

No law shall be passed abridging the freedom of speech or of the press or the right of the people peaceably to assemble and petition the Government for the redress of grievances.

No law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and the free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed, and no political or religious test other than an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands, and the laws of the Virgin Islands, shall be required as a qualification to any office or public trust under the government of the Virgin Islands.

The contracting of polygamous or plural marriages is prohibited.

No money shall be paid out of the treasury except in accordance with an act of Congress or money bill of the legislature and on warrant drawn by the proper officer.

The employment of children under the age of 14 years in any occupation injurious to health or morals or hazardous to life or limb is hereby prohibited.

FRANCHISE

SEC. 4. The franchise shall be vested in residents of the Virgin Islands who are citizens of the United States, 21 years of age or over. Additional qualifications may be prescribed by the legislature: *Provided, however,* That no property, language, or income qualification shall ever be imposed upon or required of any voter, nor shall any discrimination in qualification be made or based upon difference in race, color, sex, or religious belief.

LEGISLATIVE BRANCH

SEC. 5. (a) The legislative power and authority of the Virgin Islands shall be vested in a legislature, consisting of one house, to be known as the Legislature of the Virgin Islands, herein referred to as the legislature.

(b) The legislature shall be composed of members to be known as representatives, who shall be elected by the qualified electors in the District of St. Thomas, the District of St. Croix, and the District of St. John, which districts are hereby established. Two representatives shall be elected from the District of St. Thomas; two representatives shall be elected from the District of St. Croix; one representative shall be elected from the District of St. John. In addition, there shall be six representatives at large to be elected by the qualified electors of the Virgin Islands from the Virgin Islands as a whole: *Provided,* That in the election of representatives at large, each elector shall be entitled to vote for but one candidate, and the candidates receiving the largest number of votes shall be declared elected up to the number to be elected at that election.

SEC. 6. (a) The term of office of each member of the legislature shall be 4 years, except that in the first election to be held after the effective date of this act, one representative from St. Thomas, one representative from St. Croix and three representatives at large shall be elected for 2-year terms.

(b) No person shall be eligible to be a member of the legislature unless he is a citizen of the United States, over 25 years of age, is a qualified voter in the Virgin Islands, has not been convicted of a felony or of a crime involving moral turpitude, has been a bona fide resident of the Virgin Islands for at least 3 years prior to his election: *Provided,* That persons convicted of a felony, or of a crime involving moral turpitude shall regain their civil rights after 5 years, beginning on the day after the penalty has been served in full, and shall be eligible for membership in the legislature. Persons employed in the executive or judicial branches of the government of the Virgin Islands shall not be eligible for membership in the legislature.

(c) All officers and employees charged with the direction of administration of the electoral system of the Virgin Islands and its representative districts shall be appointed in such manner as the legislature may by law direct: *Provided,* That appointment shall be made according to merit and fitness to be determined, so far as practicable, by competitive examination.

(d) No member of the legislature shall be held to answer before any tribunal other than the legislature for any speech or debate in the legislature and the members shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the legislature and in going and returning from the same.

(e) Each member of the legislature shall be paid by the United States, out of sums to be appropriated annually by the Congress, the sum of $15 per day for each day's attendance while the legislature is in session. Each member of the legislature who is away from the island of his residence shall also be allowed for each day's attendance while the legislature is in session, in lieu of his actual expenses for subsistence, a per diem allowance and a travel allowance in accordance with the provisions of the Travel Expense Act of 1949 (63 Stat. 166; 5 U. S. C., 1946 ed., Supp. IV, sec. 835, and the following): *Provided,* That the Government of the Virgin Islands shall assume the payment of the salaries, per diem, and travel allowances of the members of the legislature at such time as the provision of section 25 with respect to the disposition of the proceeds of the United States internal revenue taxes goes into effect.

(f) No member of the legislature shall hold or be appointed to any office which has been created by the legislature, or the salary or emoluments of which have been increased, while he was a member, during the term for which he was elected, and for 1 year after the expiration of such term.

(g) The legislature shall be the sole judge of the elections, and qualifications of its members, shall have and exercise all the authority and attributes inherent in legislative assemblies, and shall have the power to institute and conduct investigations, issue subpenas to witnesses and other parties concerned, and administer oaths. The rules of the Legislative Assembly of the Virgin Islands existing on the date of approval of this act, as amended, shall continue in force and effect for sessions of the legislature, except as inconsistent with this law, until altered, amended, or repealed by the legislature.

(h) The Governor shall fill any vacancy in the office of member of the legislature by appointment from the district from which the member whose office is vacant was elected, but the person so appointed shall serve only until the next regular election, at which time the office shall be filled by election for the balance of the unexpired term.

SEC. 7. (a) Regular sessions of the legislature shall be held annually for a period or periods not to exceed in the aggregate 60 calendar days, as the legislature may determine: *Provided,* That the Governor may call special sessions of the legislature at any time when in his opinion the public interests may require it, but no special session shall continue longer than 15 calendar days, and the aggregate of such special sessions during any calendar year shall not exceed 30 calendar days. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session.

(b) The first regular session of the legislature shall be held in the capitol of the Virgin Islands at Charlotte Amalie, St. Thomas, and thereafter regular sessions shall alternately be held in Christiansted, St. Croix, and Charlotte Amalie, St. Thomas.

SEC. 8. (a) The legislative authority and power of the Virgin Islands shall extend to all subjects of local application not inconsistent with this act or the laws of the United States made applicable to the Virgin Islands, but no law shall be enacted which would impair rights existing or arising by virtue of any treaty or international agreement entered into the United States, nor shall the lands or other property of nonresidents be taxed higher than the lands or other property of residents: *Provided,* That the laws of the United States applicable to the Virgin Islands on the date of approval of this act and all local laws and ordinances in force on such date in the Virgin Islands not inconsistent with this act, shall continue in force and effect: *Provided further,* That the legislature shall have power, when not inconsistent with this act and within its jurisdiction, to amend, alter, modify, or repeal any law of the United States of local application only, or any local law or ordinance, public or private, civil, or criminal, continued in force and effect by this act, except as herein otherwise provided, and to enact new laws not inconsistent with this act and not inconsistent with the laws of the United States hereafter made applicable to the Virgin Islands, subject to the power of Congress to annul the same.

(b) The President of the United States shall appoint a commission of seven persons, at least three of whom shall be residents of the Virgin Islands, to survey the field of Federal statutes and to make recommendations to the Congress within 12 months after the date of enactment of this act as to which statutes of the United States not applicable to the Virgin Islands on such date shall be made applicable to the Virgin Islands, and as to which statutes of the United States applicable to the Virgin Islands on such date shall be declared inapplicable.

(c) The Governor of the Virgin Islands shall arrange for the codification of the laws of the Virgin Islands, such codification to be undertaken initially under the supervision of the commission appointed by the President under the preceding subsection.

SEC. 9. (a) The quorum of the legislature shall consist of an absolute majority of all its members.

(b) The enacting clause of the laws shall be as to acts, "Be it enacted by the Legislature of the Virgin Islands".

(c) The Governor shall submit at the opening of each regular session of the legislature a message on the state of the islands and a budget of receipts and expenditures, which shall be the basis of the ensuing annual appropriation bill.

(d) Every bill passed by the legislature shall, before it becomes a law, be entered upon the journal and presented to the Governor. If he approves it he shall sign it, but if not he shall, except as hereinafter provided, return it, with his objections, to the legislature within 10 days (Sundays excepted) after it shall have been presented to him. If he does not return it within such period, it shall be a law in like manner as if he had signed it, unless the legislature by adjournment prevents its return, in which case it shall be a law if signed by the Governor within 30 days after it shall have been presented to him; otherwise it shall not be a law. When a bill is returned by the Governor to the legislature with his objection, the legislature shall enter his objections at large on its journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the legislature agree to pass it, it shall be sent to the Governor. If he then approves it, he shall sign it; if not, he shall within 10 days transmit it to the President of the United States. If the President approves it, he shall sign it. If he shall not approve it, he shall return it to the Governor so stating, and it shall not be a law. If he neither approves nor disapproves it within 90 days from the date of transmittal to him by the Governor, it shall be a law in like manner as if he had signed it. If any bill presented to the Governor contains several items of appropriation of money, he may object to one or more of such items, or any part or parts, portion or portions thereof, while approving the other items, parts or portions of the bill. In such a case he shall append to the bill, at the time of signing it, a statement of the items, or parts or portions thereof, to which he objects, and the items, or parts or portions thereof, so objected to shall not take effect. Copies of all laws enacted by the Legislature of the Virgin Islands shall be transmitted annually by the Governor to the Secretary of the Interior and by him to the Congress of the United States, which hereby reserves the power and authority to annul the same. If at the termination of any fiscal year the legislature shall have failed to pass appropriation bills providing for payments of necessary current expenses of the government and meeting its obligations for the ensuing fiscal year, then the several sums appropriated in the last appropriation bills for the objects and purposes therein specified,

so far as the same may be applicable, shall be deemed to be reappropriated item by item.

(e) The legislature shall keep a journal of its proceedings, and publish the same, and the yeas and nays on any question shall be entered on the journal.

SEC. 10. The next general election in the Virgin Islands shall be held on November 4, 1952. At such time there shall be chosen the entire membership of the legislature as herein provided. Thereafter the general elections shall be held on the first Tuesday after the first Monday in November, beginning with the year 1954, and every 2 years thereafter. Members of the legislature shall take office on the first day of January following their election. The Municipal Council of St. Thomas and St. John, and the Municipal Council of St. Croix, existing on the date of approval of this act, shall continue to function until December 31, 1952, at which time all of the functions, property, personnel, records, and unexpended balances of appropriations of the governments of said municipalities shall be transferred to the government of the Virgin Islands.

EXECUTIVE BRANCH

SEC. 11. The executive power of the Virgin Islands shall be vested in an executive officer whose official title shall be the "Governor of the Virgin Islands," and shall be exercised under the supervision of the Secretary of the Interior. The Governor of the Virgin Islands shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office at the pleasure of the President and until his successor is chosen and qualified. The Governor shall reside in the Virgin Islands during his official incumbency. He shall have general supervision and control of all the departments and bureaus of the government of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against the local laws, and may grant respites for all offenses against the applicable laws of the United States until the decision of the President can be ascertained. He may veto any legislation as provided in this act. He shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Virgin Islands and of the United States applicable in the Virgin Islands. Whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in the islands, or summon the posse comitatus, or call out the militia, to prevent or suppress violence, invasion, insurrection, or rebellion; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus, or place the islands, or any part thereof, under martial law, until communication can be had with the President and the President's decision thereon made known. He shall annually, and at such other times as the President or the Congress may require, make official report of the transactions of the government of the Virgin Islands to the Secretary of the Interior, and his said annual report shall be transmitted to the Congress. He shall perform such additional duties and functions as may, in pursuance of law be delegated to him by the President, or by the Secretary of the Interior. He shall have the power to issue executive regulations not in conflict with any applicable law. He may attend or may designate another person to represent him at the meetings of the legislature, and may give expression to his views on any matter before that body. He may introduce bills in the legislature.

SEC. 12. The President shall appoint a Government Secretary for the Virgin Islands, who shall have custody of the seal of the Virgin Islands and shall countersign and affix such seal to all executive proclamations and all other executive documents. He shall record and preserve the laws enacted by the legislature. He shall promulgate all proclamations and orders of the Governor and all laws enacted by the legislature. He shall have such executive powers and perform such other duties as may be assigned to him by the Governor.

SEC. 13. In the case of a vacancy in the office of Governor or the disability or temporary absence of the Governor the Government Secretary shall have all the powers of the Governor.

SEC. 14. The Secretary of the Interior may from time to time designate the head of an executive department of the government of the Virgin Islands to act as Governor in the case of a vacancy in the offices, or disability or temporary absences, of both the Governor and the Government Secretary, and the person so designated shall have all the powers of the Governor for so long as such condition continues.

SEC. 15. (a) The following executive departments are created: a department of justice, the head of which shall be designated as the attorney general; a department of finance, the head of which shall be designated as the treasurer; a department of public works, the head of which shall be designated as the commissioner of public works; a department of education, the head of which shall be designated as the commissioner of education; a department of commerce, the head of which shall be designated as the commissioner of commerce; and a department of health, welfare, and labor, the head of which shall be designated as the commissioner of health, welfare, and labor.

(b) The Governor shall transfer to and consolidate with the executive departments created by the preceding subsection the duties and functions of all departments, independent boards, agencies, authorities, commissions, and other instrumentalities of the government of the Virgin Islands or of the municipal governments existing on the date of enactment of this act, except for independent bodies whose existence may be required for continued participation in Federal programs. No executive department not provided for by the act, nor any independent board, agency, authority, commission, or other such body shall henceforth be created by the Legislature of the Virgin Islands without the approval of the Governor.

(c) The heads of the executive departments created by this act shall be appointed by the Governor, by and with the advice and consent of the legislature. Each shall hold office during the continuance in office of the Governor by whom he is appointed and until his successor is qualified, unless sooner removed by the Governor. They shall have such powers and duties as may be prescribed by the legislature, except that the Attorney General shall be the legal adviser to the Governor.

SEC. 16. (a) There shall be appointed by the Governor, with the advice and consent of the legislature, an auditor who shall hold office for a term of 6 years and until his successor is appointed and qualified. The auditor shall examine, adjust, decide, audit, and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of the Virgin Islands, and he shall examine, audit, and settle, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to or held in trust by the government of the Virgin Islands.

(b) The auditor shall in general have authority similar to that exercised by the Comptroller General of the United States, and, with the approval of the Governor, shall from time to time promulgate general and special rules and regulations not inconsistent with law covering the methods of accounting for public funds and property, and funds and property held in trust by the government or any of its branches. As soon after the close of each fiscal year as the account of said fiscal year may be examined and adjusted, the auditor shall submit to the Governor an annual report of the fiscal concern of the government, showing the receipts and disbursements of the various departments and bureaus of the government, and make such other reports as may be required of him by the Governor, the Comptroller General of the United States, or the Secretary of the Interior.

(c) The decisions of the auditor shall be final, except that appeal therefrom may be taken by the party aggrieved or the head of the department concerned within 1 year, to the Governor, which appeal shall be in writing and shall specifically set forth the particular action of the auditor to which exception is taken, with the reasons for and authorities relied upon for reversing such decision. The decision of the Governor in such case shall be final, subject to such right of action as may be otherwise provided by law.

SEC. 17. (a) The Governor shall receive an annual salary at the rate provided for Governors of Territories and possessions in the Executive Pay Act of 1949.

(b) The Government Secretary and the heads of the executive departments shall receive an annual salary at a rate established by the Secretary of the Interior in accordance with the standards provided in the Classification Act of 1949.

(c) The salaries of the Governor, the Government Secretary, and the heads of the executive departments shall be paid by the United States: *Provided*, That at such time as the government of the Virgin Islands shall receive the proceeds of the United States internal revenue taxes as provided in section 25, it shall assume payment of the salaries of the aforesaid officials; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor.

JUDICIAL BRANCH

SEC. 18. The judicial power of the Virgin Islands shall be vested in a court of record to be designated the District Court of the Virgin Islands, and in such court or courts of inferior jurisdiction as may have been or may hereafter be established by local law.

SEC. 19. The District Court of the Virgin Islands shall have the jurisdiction of a district court of the United States in all causes arising under the Constitution, treaties, and laws of the United States, and shall have general original jurisdiction in all causes arising under the local law in force in the Virgin Islands. The district court shall also have appellate jurisdiction to review the judgments and orders of the interior courts of the Virgin Islands to the extent now or hereafter established by local law.

SEC. 20. The inferior courts now or hereafter established by local law shall have jurisdiction concurrently with the district court of all civil causes in which the principal sum claimed does not exeed $500, all criminal causes wherein the punishment that may be imposed does not exceed a fine of $100 or imprisonment for 6 months, all violations of police and executive regulations, and all causes, civil or criminal, in which jurisdiction may hereafter be conferred upon them by local law. The inferior courts shall hold preliminary investigations in charges of felony and charges of misdemeanor in which the punishment that may be imposed is beyond the jurisdiction granted to the inferior courts by this section, and shall commit offenders to the district court and grant bail in bailable cases. The rules governing the inferior courts and precribing the duties of the judges and officers thereof, oaths and bonds, the times and places of holding court, the disposition of fines, costs and forfeitures, the enforcement of judgments, and the procedure for appeals therefrom to the district court, and the dis-

position and treatment of prisoners shall be as established by law or ordinance in force on the date of approval of this act or as may hereafter be established by the district court.

SEC. 21. The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of the Virgin Islands, who shall hold office for the term of 8 years and until his successor is chosen and qualified, unless sooner removed by the President for cause. The salary of the judge of the district court shall be at the rate of $15,000 per year. The Chief Justice of the United States may, with the consent of the judge so assigned, assign any United States circuit or district judge to serve as a judge in the District Court of the Virgin Islands whenever it is made to appear that such an assignment is necessary for the proper dispatch of the business of the court. The provisions of chapter 49 of title 28, United States Code, shall apply to the District Court of the Virgin Islands. The compensation of the judge of the district court and the administrative expenses of the court shall be paid from appropriations made for the Judiciary of the United States. The Attorney General shall, as heretofore, appoint a marshal for the Virgin Islands to whose office the provisions of chapter 33 of title 28, United States Code, shall apply.

SEC. 22. The District Court of the Virgin Islands shall consist of two divisions, one constituted by the island of St. Croix, and one constituted by the islands of St. Thomas and St. John. The district court shall hold sessions in each division at such time as the court may designate by order, at least once in 3 months in each division. The practice and procedure in the district court shall be as prescribed by rules and orders of the court. The process of the district court shall run throughout the Virgin Islands.

SEC. 23. In any criminal case originating in the district court, no person shall be denied the right to trial by jury on the demand of either party: *Provided*, That if no jury is demanded the case shall be tried by the judge of the district court without a jury: *Provided further*, That the judge of the district court may, on his own motion, order a jury for the trial of any criminal action: *Provided further*, That the legislature may provide for trial in misdemeanor cases by a jury of six qualified persons.

SEC. 24. The President shall, by and with the advice and consent of the Senate, appoint a district attorney for the Virgin Islands, who shall hold office for the term of 4 years and until his successor is chosen and qualified, unless sooner removed by the President for causes. The district attorney shall conduct all legal proceedings, civil and criminal, for the Government of the United States in the District Court of the Virgin Islands and in the inferior courts of the Virgin Islands. Offenses against the laws of the Virgin Islands shall be prosecuted by him in the name of the people of the Virgin Islands. The district attorney shall perform his duties under the supervision and direction of the Attorney General of the United States. The Attorney General may appoint one or more assistant district attorneys and may authorize the employment of necessary clerical and other assistants. The compensation of the district attorney and his assistants and employees shall be fixed by the Attorney General and their salaries and the other necessary expenses of the office shall be paid from appropriations made to the Department of Justice. In the case of a vacancy in the office of the district attorney, the District Court of the Virgin Islands may appoint a district attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

MISCELLANEOUS PROVISIONS

SEC. 25. (a) All taxes, duties, fees and public revenues collected in the Virgin Islands shall be covered into the treasury of the Virgin Islands: *Provided*, That the proceeds of customs duties, the proceeds of the United States income tax, the proceeds of any taxes levied by the Congress on the inhabitants of the Virgin Islands, and the proceeds of all quarantine, passport, immigration, and naturalization fees collected in the Virgin Islands, less the cost of collecting all of said duties, taxes, and fees, shall be covered into the treasury of the Virgin Islands, and shall be available for expenditure as the Legislautre of the Virgin Islands may provide: *Provided further*, That the term "inhabitants of the Virgin Islands" as used in this section shall include all citizens of the United States whose permanent residence is in the Virgin Islands, and such persons shall satisfy their income-tax obligation under applicable taxing statutes of the United States by paying their tax on income earned both within and outside the Virgin Islands into the treasury of the Virgin Islands.

Subchapter B of chapter 28 of the Internal Revenue Code is amended by adding to section 3350 thereof the following subsection:

"(C) Disposition of Internal Revenue Collections: Beginning with the fiscal year ending June 30, 1953, the Secretary of the Treasury shall determine the amount of all taxes imposed by and collected during the fiscal year under the internal revenue laws of the United States on articles produced in the Virgin Islands and transported to the United States, or consumed in the islands. The amount so determined shall be disposed of in the following manner:

"(i) For every dollar of revenue collected by the Government of the Virgin Islands during the fiscal year, as certified by the treasurer of the Virgin Islands, there shall be transferred and paid over to the Government of the Virgin Islands $2: *Provided*, That the total of locally collected revenues and the Federal contribution out of the internal revenue tax proceeds shall not exceed $3,500,000 in any one fiscal year.

"(ii) Any balance remaining of the internal revenue tax proceeds shall be deposited in the miscellaneous receipts of the United States Treasury."

(c) Of the total revenues of the Government of the Virgin Islands for the fiscal year (locally collected revenues plus the Federal contribution made pursuant to the preceding subsection), 80 percent thereof shall be available for appropriation and expenditures by the Legislature of the Virgin Islands in accordance with the annual budget. The remaining 20 percent shall be invested by the Government of the Virgin Islands in United States Government bonds, which may be liquidated only upon prior approval of the President, firstly, to make up the amount of the Federal contribution as prescribed by the preceding subsection in any year in which the proceeds of the internal revenue taxes collected on Virgin Islands articles are not sufficient to make up such contribution, and secondarily, for the undertaking of useful public projects in the Virgin Islands.

SEC. 26. Taxes and assessments on property and incomes, internal revenue taxes, license fees, and service fees may be imposed and collected, and royalties for franchises, privileges, and concessions granted may be collected for the purposes of the Government of the Virgin Islands as may be provided and defined by the legislature herein established; *Provided*, That all money hereafter derived from any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury of the Virgin Islands and paid out for such purpose only, except when otherwise authorized by the legislature after the purpose for which such fund was created has been accomplished. Until Congress shall otherwise provide, all laws concerning import duties and customs in the Virgin Islands now in effect shall be in force and effect in and for the Virgin Islands: *Provided*, That the Secretary of the Treasury shall designate the several ports and subports of entry in the Virgin Islands of the United States and shall make such rules and regulations and appoint such officers and employees as he may deem necessary for the administration of the customs laws in the Virgin Islands of the United States; and he shall fix the compensation of all such officers and employees and provide for the payment of such compensations and other expenses of the collection of duties, fees, and taxes imposed under the customs laws from the receipts thereof. The export duties in effect on the date of approval of this Act may be from time to time reduced, repealed, or restored by act of the legislature: *Provided further*, That no new export duties shall be levied in the Virgin Islands except by the Congress.

SEC. 27. All officials of the Government of the Virgin Islands shall be citizens of the United States, and before entering upon the duties of their respective offices shall take an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands and the laws of the Virgin Islands.

SEC. 28. All reports required by law to be made by the Governor to any official of the United States shall hereafter be made to the Secretary of the Interior, and the President is hereby authorized to place all matters pertaining to the Government of the Virgin Islands under the jurisdiction of the Secretary of the Interior, except matters relating to the judicial branch of said government which shall be as heretofore provided under the supervision of the Director of the Administrative Office of the United States Courts.

SEC. 29 The Secretary of the Interior shall be authorized to lease or to sell upon such terms as he may deem advantageous to the Government of the United States any property of the United States under his administrative supervision in the Virgin Islands not needed for public purposes.

SEC. 30. This act shall take effect upon its approval, but until its provisions shall severally become operative as herein provided, the corresponding legislative, executive, and judicial functions of the existing government shall continue to be exercised as now provided by law or ordinance, and the incumbents of all offices under the Government of the Virgin Islands shall continue in office until their successors are appointed and have qualified unless sooner removed by competent authority.

SEC. 31. This act may be cited as the Revised Organic Act of the Virgin Islands of the United States. The act of June 22, 1936 (49 Stat. 1807), the former Organic Act of the Virgin Islands, and any other laws inconsistent with this act, are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISSUANCE OF GENERAL OBLIGATION BONDS BY THE CITY OF ANCHORAGE, ALASKA

The Clerk called the bill (H. R. 5327) to amend the act of July 26, 1946 (Public Law 551, Seventy-ninth Congress), relating to the issuance of general obligation bonds by the city of Anchorage, Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first two sections of the act entitled "An act to authorize

the city of Anchorage, Alaska, to issue bonds in a sum not to exceed $5,000,000 for the purpose of constructing, reconstructing, improving, extending, bettering, repairing, equipping, or acquiring public works of a permanent character, and to provide for the payment thereof, and for other purposes," approved July 26, 1946 (Public Law 551, 79th Cong.) are amended to read as follows:

"That the city of Anchorage, Alaska, is hereby authorized to issue and sell its bonds in an amount not to exceed $12,500,000, for the purpose of constructing, reconstructing, improving, extending, bettering, repairing, equipping, or acquiring public works of permanent character for said city.

"SEC. 2. Such public works shall include but not be limited to water facilities, sewers and sewage-disposal facilities, heating plants, and distribution facilities, electric and steam power and light plants and distribution facilities, telephone plants, and distribution facilities, streets and street improvements, corporation or equipment yards, city hall additions, jails, fire halls, libraries, and school buildings."

SEC. 2. The third sentence of section 3 of such act is amended to read as follows: "Not less than 20 days' notice of such election shall be given to the public by posting notices of same in three conspicuous places within the corporate limits of the city of Anchorage, Alaska."

SEC. 3. Section 8 of said act is amended to read as follows:

"SEC. 8. The city of Anchorage is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof to obtain a grant or loan of money funds to aid in the construction of water facilities, sewers and sewage-disposal facilities, heating plants and distribution facilities, electric and steam power and light plants and distribution facilities, telephone plants and distribution facilities, fields, gymnasia, auditoria and athletic fields, streets and street improvements, corporation or equipment yards, city-hall additions, jails, fire halls, libraries, and school buildings."

With the following committee amendment:

Page 2, line 10, strike out "plans" and insert "plants."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTRA COMPENSATION FOR OVERTIME FOR EMPLOYEES OF IMMIGRATION SERVICE

The Clerk called the bill (S. 1539) to amend an act entitled "An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service," approved March 2, 1931.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the proviso in section 2 of the act entitled "An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service," approved March 2, 1931 (U. S. C., title 8, sec. 109b), is amended by inserting "highway vehicles," after the word "aircraft,".

With the following committee amendment:

Strike out all after the enacting clause, and insert in lieu thereof the following: "That the proviso in section 2 of the act entitled 'An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service,' approved March 2, 1931 (U. S. C., title 8, sec. 109b), is amended by striking out '*Provided*, That this section shall not apply to the inspection at designated ports of entry of passengers arriving by international ferries, bridges, or tunnels, or by aircraft, railroad trains, or vessels on the Great Lakes and connecting waterways, when operating on regular schedules.', and insert in lieu thereof the following: '*Provided*, That this section shall not apply to the inspection at designated ports of entry of persons arriving by motor vehicles, trolley car, on foot, or by other means of highway travel upon, over, or through any international highway, bridge, tunnel, or ferry, or when operating on regular schedules, by aircraft, railroad trains, or vessels on the Great Lakes and connecting waterways.' "

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POOLING OF ROYALTIES FROM SCHOOL LANDS BY NORTH DAKOTA, SOUTH DAKOTA, AND WASHINGTON

The Clerk called the bill (S. 1032) to authorize each of the States of Montana, North Dakota, South Dakota, and Washington to pool royalties derived from lands granted to it for public schools and various State institutions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the fourth paragraph of section 11 of the act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended (47 Stat. 151), is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this section, any State may pool the royalties received by it from oil and gas and other mineral leases on said lands. The royalties so pooled shall be apportioned among the public schools and the various State institutions in such manner that the public schools and each of such institutions shall receive an amount which bears the same ratio to the total amount apportioned as the number of acres (including any that may have been disposed of) granted for such public schools or for such institutions bears to the total number of acres (including any that may have been disposed of) granted by this act. Not less than 50 percent of each such amount shall be covered into the appropriate permanent fund."

With the following committee amendments:

Page 1, line 8, strike out the words "any State" and insert in lieu thereof the following: "each of the States of North Dakota, South Dakota, and Washington."

Page 1, line 9, strike out the word "royalties" and insert in lieu thereof the following: "moneys."

Page 1, line 10, strike out the words "leases on" and insert in lieu thereof the following: "leasing of."

Page 1, line 10, strike out the word "royalties" and insert in lieu thereof the following: "moneys."

Amend the title to read as follows: "To authorize each of the States of North Dakota, South Dakota, and Washington to pool moneys derived from lands granted to it for public schools and various State institutions."

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to authorize each of the States of North Dakota, South Dakota, and Washington to pool moneys derived from lands granted to it for public schools and various State institutions."

A motion to reconsider was laid on the table.

THE FIVE CIVILIZED TRIBES

The Clerk called the bill (H. R. 4683) to provide for distribution of moneys of deceased restricted members of the Five Civilized Tribes not exceeding $500, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the area director for the Muskogee area, Office of Indian Affairs, is hereby granted authority to disburse to the heirs of deceased members of the Five Civilized Tribes who have died prior to the date of the passage of this act, any sum of money on deposit to the credit of such deceased Indian or Indians, not exceeding $500, where said decedent died, seized of no lands, or the lands have since been lawfully alienated. Said funds shall be disbursed on proof of death and heirship satisfactory to the area director and his finding thereon shall be final and conclusive.

SEC. 2. The act of Congress, approved December 24, 1942 (56 Stat. L. 1080), is hereby repealed.

SEC. 3. That portion of subsection E of section 6 of the act of Congress, approved August 4, 1947 (61 Stat. L. 731), is hereby amended to read as follows:

"On or before the 1st day of January of each year following the date of this act, the superintendent of the Five Civilized Tribes shall file with the country treasurer of each county in the State of Oklahoma where restricted Indians' lands of any type of members of the Five Civilized Tribes are situated, a list of nontaxable lands which have been sold during the year."

With the following committee amendments:

Page 1, lines 3 and 4, delete the following words: "area director for the Muskogee area, Office of Indian Affairs," and insert in lieu thereof: "Secretary of the Interior."

Page 1, line 5, after "heirs" insert "or legatees."

Page 1, lines 5 and 6, delete the following words: "who have died prior to the date of the passage of this act."

Page 2, line 1, after the word "heirship" insert "or bequest."

Page 2, line 1, delete "area director" and insert in lieu thereof "Secretary of the Interior."

Page 2, lines 3 and 4, delete all of section 2.

Page 2, lines 5 through 14, delete all of section 3 and insert in lieu thereof:

"SEC. 2. The first sentence of subsection (e) of section 6 of the act of August 4, 1947 (61 Stat. 731), is hereby amended to read as follows: 'On or before the 1st day of January of each year the Secretary of the Interior shall cause to be filed with the

county treasurer of each county in the State of Oklahoma where restricted lands of members of the Five Civilized Tribes are situated a list of the nontaxable lands that have been sold during the preceding year.'"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CIVIL GOVERNMENT OF ALASKA

The Clerk called the bill (H. R. 5328) to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 191), as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, I would like to inquire of the Delegate from Alaska if this will have any material effect on the present populations? That is, will the changing of the boundaries of division 2 of Alaska shift the population to any appreciable extent?

Mr. BARTLETT. The answer to that is that the bill would not; it corrects the boundary only for a short distance in the Arctic, and I suppose there are not more than a hundred people in the neighborhood.

Mr. CUNNINGHAM. I notice this report does not comply with the Ramseyer Rule. I am not going to object or ask that it be passed over without prejudice because of that, but I do wish to impress upon the committee that they should comply with the Ramseyer Rule in the future.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended, is amended to read as follows:

"Division No. 2 shall consist of all territory lying west of a line commencing in the Beaufort Sea midway between Cross Island and Midway Island, approximate latitude seventy degrees thirty minutes, longitude one hundred and forty-eight degrees ten minutes, thence in a southwesterly direction to Heald Point, thence down the westernmost shoreline of the Sagavanirktok River to a point opposite the junction with the Ivishak River, approximate latitude sixty-nine degrees thirty-one minutes, longitude one hundred and forty-eight degrees thirty minutes, thence in a westerly direction approximately two miles to the divide between the Sagavanirktok River and Kuparuk River, thence in a southwesterly direction down the height of land to a point on the Rocky Mountain Divide between the headwaters of the Colville River on the north and west and the waters of the Chandalar River on the south; thence southwesterly along the divide between the waters of the Colville River, Kotzebue Sound, and Norton Sound on the north and west and the waters of the Yukon on the south to the one hundred and sixty-first meridian of west longitude, thence along said meridian to a point midway between the Yukon River and the Kuskokwim River; thence southwesterly to the point of intersection of the sixty-first parallel of north latitude with the shore of Bering Sea; the said division to include all the islands lying north of the fifty-eighth parallel of north latitude and west of the one hundred and forty-eighth meridian of west longitude, excepting Nelson Island, all islands in Kuskokwim Bay, all islands in Bristol Bay, and all islands in the Gulf of Alaska, north of the fifty-eighth parallel of north latitude."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LAND IN OTTAWA NATIONAL FOREST, ONTONAGON COUNTY, MICH.

The Clerk called the bill (H. R. 5055) to authorize the exchage of certain lands of the United States situated in Ontonagon County, Mich., for lands within the Ottawa National Forest, Mich., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, a reading of the report on this bill aroused my interest, because I noticed that the bill authorizes the transfer of 5 acres of land owned by the Federal Government for land owned by a private company, which is perfectly all right. But I noticed that the Forest Service recently paid $75 for the 5 acres and that the committee report says the land is now estimated to be worth 5 to 10 times as much. Assuming it is $10, it would be worth $750. Probably the expenses incurred in connection with the passage of this bill, the time of the different departments in making reports, and so forth, would be all of that amount, if not more. If this land had been originally purchased from regular Forest Service funds, special legislation of this type would not be necessary, but it was purchased by emergency funds.

My purpose in reserving the right to object is to call attention to the fact that this is not economy, and to suggest that the proper committee in the next Congress give consideration to establishing the policy of lodging somewhere power to make such exchanges up to a certain amount, for it is quite likely that from time to time throughout the years many similar bills will be presented for consideration. We might fix a limit; the limit could be fixed at $10,000, $25,000, or $50,000—just picking an amount out of the thin air for purpose of my suggestion—and we would not have to go through all this process to effect a legal transfer.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. RANKIN. The gentleman's mention of economy makes me want to paraphrase Shakespeare's lines with reference to eternity, substituting "economy" for "eternity":

And intimates "economy" to man.
"Economy!" thou pleasing, dreadful thought!

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, with the approval of the National Forest Reservation Commission as established by section 4 of the act of March 1, 1911 (36 Stat. 961), the Secretary of Agriculture is hereby authorized to exchange a parcel of land situated in the northwest quarter of the southwest quarter of section 4, township 50 north, range 42 west, Michigan meridian, in Ontonagon County, Mich., comprising five acres, more or less, and being that same tract of land acquired by the United States by deed dated April 2, 1937, and recorded at page 492 of Book 21 of Deeds, records of Ontonagon County, Mich., for lands of at least equal value situated within the exterior boundaries of the Ottawa National Forest in the State of Michigan: *Provided*, That any lands conveyed to the United States under the provisions of this act shall be subject to all of the laws, rules, and regulations applicable to lands acquired under the aforementioned act of March 1, 1911, as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING ADMINISTRATIVE PROCEDURE ACT

The Clerk called the bill (S. 1770) to amend the Administrative Procedure Act, and eliminate certain exemptions therefrom.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

NEW MEXICO LAND TRANSFER

The Clerk called the bill (S. 1536) to stabilize the economy of dependent residents of New Mexico using certain lands of the United States known as the North Lobato and El Pueblo tracts, originally purchased from relief program funds, and now administered under agreement by the Carson and Santa Fe National Forests, to effect permanent transfer of these lands, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the provisions of Public Law 499, Eight-first Congress, approved May 3, 1950, the Secretary of Agriculture, with the consent of the New Mexico Rural Rehabilitation Corp. so to do, evidenced by an appropriate resolution of its board of directors, is hereby authorized and directed to convey, grant, transfer, and quitclaim, not later than May 3, 1953, to the United States for subsequent administration subject to the laws, rules and regulations applicable to national forest lands acquired under the Act of March 1, 1911 (36 Stat. 961), as amended, all right, title, claim, interest, equity, and estate in and to the following-described lands administered by the Secretary as trustee, under an agreement of transfer dated May 16, 1937, as amended Jaunary 20, 1939, with the New Mexico Rural Rehabilitation Corp., and situated in the counties of Rio Arriba and San Miguel, respectively, State of New Mexico, together with the improvements thereon and the rights and the

appurtenances thereto belonging or appertaining, to wit:

That part of the Juan Jose Lobato Grant Numbered 164, as shown on plat approved by decree of court of October 13, 1895, and filed in volume 4, page 12, New Mexico Private Land Claims Records of the Bureau of Land Management, which lies northerly of the Chama River, as conveyed to the United States by William S. Jackson on the 30th day of December 1942, and as more specifically described in the deed of conveyance recorded in volume 25-A of deeds, at pages 463-472 of the records of Rio Arriba County, New Mexico.

That part of the Anton Chica Grant Numbered 29, as described on plat of survey approved February 15, 1882, and filed in volume 1, page 18, of New Mexico Private Land Claims Records of the Bureau of Land Management, which has been acquired by the United States as part of the El Pueblo project, from Gross, Kelly, and Company, of Las Vegas, New Mexico, by deed dated October 23, 1939, and recorded in book 128 of deeds at pages 534-537, records of San Miguel County, New Mexico, on February 27, 1940, and north half section 3; lot 1, southeast quarter northeast quarter section 4, township 12 north, range 15 east; south half of fractional section 14; east half southeast quarter section 22; fractional section 23; fractional section 26; east half northeast quarter, northeast quarter southeast quarter, south half southeast quarter, southeast quarter southwest quarter, section 27; north half, east half west half southwest quarter, east half southwest quarter, southeast quarter section 34; section 35; township 13 north, range 15 east; south half southwest quarter section 17; lots 1, 2, northwest quarter northeast quarter section 20; southwest quarter section 26; lot 5, northeast quarter southeast quarter section 27; lots 1, 2 of section 35, township 13 north, range 16 east, New Mexico principal meridian, containing twenty-six thousand four hundred sixty-four and forty-six one-hundredths acres, more or less.

SEC. 2. The lands conveyed to the United States under this Act shall, subject to adequate protection and conservation of soil and vegetative resources and the forests therein, be administered with due regard to the purposes for which the lands were originally acquired by the United States in its program of rural rehabilitation.

SEC. 3. That pending said transfer of the above land to the Forest Service and thereafter, mineral deposits within said tracts of land, whether acquired by purchase with said land or reserved to the Government in the original patent, shall be administered under the Mineral Leasing Act of August 7, 1947 (61 Stat. 913; 30 U. S. C. 351), as to the minerals specified therein, and as to any other minerals in the manner prescribed by section 402 of the President's Reorganization Plan Numbered 3 of 1946 (60 Stat. 1099). Applications for mineral leases at any time heretofore or hereafter filed with respect to said mineral deposits shall be considered and acted upon in the manner prescribed, notwithstanding the provisions of Public Law 499 of the Eighty-first Congress, approved May 3, 1950.

SEC. 4. The following public domain lands are hereby reserved for administration under the act of June 4, 1897 (30 Stat. 35, 16 U. S. C., 1946 edition, sec. 475), as amended or supplemented: Lot 1, section 25, and lots 1, 2, 3, and 4, section 36, all in township 13 north, range 15 east, New Mexico principal meridian, containing one hundred sixteen and three one-hundredths acres, more or less.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING ESTABLISHMENT OF FACILITIES NECESSARY FOR DETENTION OF ALIENS AND ENFORCEMENT OF IMMIGRATION LAWS

The Clerk called the bill (S. 1932) to authorize the establishment of facilities necessary for the detention of aliens in the administration and enforcement of the immigration laws, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 20 of the Immigration Act of 1917 (39 Stat. 890; 57 Stat. 511; 8 U. S. C. 156), as amended by section 23 of the Internal Security Act of 1950 (Public Law 831, Eighty-first Cong.), is hereby amended by adding at the end of subsection (a) the following language: "Where no Federal buildings are available or buildings adapted or suitably located for the purpose are available for rental, the Attorney General is hereby authorized, notwithstanding section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), or section 322 of the act of June 30, 1932, as amended (40 U. S. C. 278a), to expend, from the appropriation provided for the administration and enforcement of the immigration laws, such amounts as may be necessary for the acquisition of land and the erection, acquisition, maintenance, operation, remodeling, or repair of buildings, sheds, and office quarters (including living quarters for officers where none are otherwise available), and adjunct facilities, necessary for the detention of aliens.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT AMENDMENT

The Clerk called the bill (S. 2390) to amend section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, relating to penalties.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (56 Stat. 772, 50 U. S. C. War App. 532 (4)), is amended to read as follows:

"Any person who shall knowingly make or cause to be made any sale, foreclosure, or seizure of property, defined as invalid by subsection (3) hereof, or attempts so to do, shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed 1 year or by fine not to exceed $1,000, or both."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE CAREER COMPENSATION ACT OF 1949, AS AMENDED, WITH RESPECT TO PHYSICIANS AND DENTISTS

The Clerk called the bill (S. 3019) to amend the Career Compensation Act of 1949, as amended, to extend the application of the special-inducement pay provided thereby to physicians and dentists, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Career Compensation Act of 1949, as amended, is further amended by—

(a) Amending subsection 203 (a) to read as follows:

"(a) The term 'commissioned officer,' as used in this section, shall be interpreted to mean only (1) those commissioned officers in the Medical and Dental Corps of, or designated as medical or dental officers in, the Regular Army, Navy, and Air Force and commissioned medical and dental officers of the Regular Corps of the Public Health Service who were on active duty on September 1, 1947; (2) those commissioned officers in the Medical and Dental Corps of, or designated as medical or dental officers in, the Regular Army, Navy, and Air Force and commissioned medical and dental officers of the Regular Corps of the Public Health Service, who were retired prior to September 1, 1947, and who thereafter but prior to July 1, 1953, have been or may be assigned to active duty; (3) those officers who, heretofore but subsequent to September 1, 1947, have been or who, prior to July 1, 1953, may be commissioned in the Medical and Dental Corps of, or designated as medical or dental officers in, the Regular Army, Navy, and Air Force or as medical and dental officers of the Regular Corps of the Public Health Service; (4) such officers who on September 1, 1947, were or who thereafter have been or may be commissioned in the Medical and Dental Corps of, or designated as medical or dental officers in, the Officers' Reserve Corps, the United States Air Force Reserve, the Naval Reserve, the National Guard, the National Guard of the United States, the Air National Guard, the Air National Guard of the United States, the Army of the United States, the Air Force of the United States, or as medical and dental officers of the Reserve Corps of the Public Health Service and who heretofore, but subsequent to September 1, 1947, have been called or ordered to extended active duty of one year or longer, or who may, prior to July 1, 1953, be called or ordered to extended active duty of 1 year or longer; (5) general officers appointed from the Medical and Dental Corps of, or previously designated as medical or dental officers in, the Regular Army, the Officers' Reserve Corps, the National Guard, the National Guard of the United States, the Army of the United States, the Regular Air Force, the United States Air Force Reserve, the Air National Guard, the Air National Guard of the United States, and the Air Force of the United States who were on active duty on September 1, 1947; and (6) general officers who, subsequent to September 1, 1947, have been or who may be appointed from those officers of the Medical and Dental Corps of, or from those officers designated as medical or dental officers in, the Regular Army, the Officers' Reserve Corps, the National Guard, the National Guard of the United States, the Army of the United States, the Regular Air Force, the United States Air Force Reserve, the Air National Guard, the Air National Guard of the United States, and the Air Force of the United States who are included in parts (1), (2), (3), or (4) of this subsection."

(b) Deleting the second proviso of subsection 203 (b) and inserting in lieu thereof the following: "*Provided further*, That the commissioned officers described in subsection (a) (4) of this section who are called or ordered to active duty without their consent shall not be entitled to receive the pay provided by this subsection for any period prior to September 9, 1950."

SEC. 2. Section 2 of the act of September 9, 1950 (64 Stat. 828, ch. 939), is hereby repealed.

SEC. 3. Section 1 of this act shall be effective as of October 1, 1949. Appropriations

currently available for pay and allowances of members of the uniformed services shall be available for retroactive payments authorized under this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the eligible bills on the calendar. However, the gentleman from Colorado has informed the Chair that he has secured approval of the Objectors Committee in the case of one bill.

SAN LUIS VALLEY PROJECT, COLORADO

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2610) providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental or regulated water supply from the San Luis Valley project, Colorado.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the excess-land provisions of the Federal reclamation laws shall not be applicable to lands or to the ownership of lands which receive a supplemental or regulated supply of water from the San Luis Valley project, Colorado: *Provided, however*, That, in lieu of the acreage limitations contained in such provisions, no landowner shall receive from such project a supplemental or regulated water supply greater in quantity than that reasonably necessary to irrigate 480 acres of land served by such project: *Provided further*, That the provisions of this act are intended to meet the special conditions existing on the lands served or to be served by the San Luis Valley project, Colorado, and shall not be considered as altering the general policy of the United States with respect to the excess-land provisions of the Federal reclamation laws.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA COMMITTEE

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the District of Columbia Committee may have permission to file a supplemental report on the bill H. R. 7502.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SOCIAL SECURITY ACT AMENDMENTS OF 1952

Mr. DOUGHTON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7800) to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes, with amendments that I send to the Clerk's desk.

Mr. CURTIS of Nebraska. Mr. Speaker, I make a point of order against the motion.

The SPEAKER. Does the gentleman make a point of order against the motion to suspend the rules?

Mr. CURTIS of Nebraska. Against the motion to suspend the rules and to offer an amendment. My point of order is that an amendment cannot be offered under a motion to suspend the rules.

The SPEAKER. This rule has been in effect for a long time. As long as the Chair recognizes a Member to suspend the rules, the one in charge has the right to offer the motion to suspend the rules. A point of order would not lie in a case like that.

Mr. CURTIS of Nebraska. Mr. Speaker, may I be heard?

The SPEAKER. The Chair will be glad to hear the gentleman but will perhaps repeat the decision when the gentleman gets through.

Mr. CURTIS of Nebraska. Mr. Speaker, I regret that situation very much and perhaps I should not take the time. I shall try to be brief.

It is my contention that the procedure to suspend the rules and pass a bill is that we must take the bill as is in a motion to suspend the rules and by the very nature of the limited time involved for debate the motion must be to pass without amendment.

There are two or three decisions that are reported in the Fifth Volume of Hinds' Precedents. I will not at this time refer to all of them, but I call attention to paragraph 5322 of Hinds' Precedents where it is stated in the caption:

The motion to amend may not be applied to a motion to suspend the rules.

That involved a case where a resolution was called up on January 14, 1840. Mr. Edward J. Black, of Georgia, asked if the motion of the gentleman from South Carolina, Mr. Thompson, to suspend the rules should prevail it would be in order for him to offer an amendment to the resolution. The Chair replied in the negative.

Now there are two or three other similar decisions that would indicate that it was the intent that the measure be considered without an amendment. Now I am willing to grant that there is one section and in the same volume, paragraph 6849, where it was permitted, that a motion to suspend the rules whereby a resolution had been passed was reconsidered, the resolution was amended, and the amendment passed. Now that was a situation where a measure had passed the House on a previous day. The record is not too much in detail, but it would indicate that they wanted a correction in the record and so they used the vehicle of a motion to suspend the rules and reconsider the resolution with an amendment, and that was permitted. I am unable to find any precedent whereby an amendment can be offered to a bill that is considered under suspension of the rules. I believe, Mr. Speaker, that unless a bill is to be accepted by the House as it comes from the committee, that the right to amend must either be defined by the Committee on Rules sending a rule here or else it be considered under a procedure whereby any Member can offer an amendment which definitely is not the case with reference to suspension of the rules.

I submit, Mr. Speaker, that there are no precedents for this procedure.

Mr. McCORMACK. Mr. Speaker, I think my friend fails to differentiate between a motion to suspend the rules with an amendment and a motion to suspend the rules and an attempt by someone else to offer an amendment. They are two entirely different cases. The precedent that the gentleman referred to at the opening of his remarks apparently relates to an attempt of a Member to offer an amendment on the floor, which is entirely different, and cannot be in order, as I understand the rules. But any Member can, if the Chair recognizes him on a proper day, offer an amendment to suspend the rules with an amendment, and that is not only provided for definitely in the rules but it has been a time-honored custom of this body.

Mr. CURTIS of Nebraska. I call attention to the fact that there is no committee amendment; that this is a situation where a Member is permitted to offer an amendment, and the precedents very clearly provide that it is not subject to amendment. The legislative effect of a motion to suspend and consider with an amendment is the same as suspending and then offering an amendment.

Mr. McCORMACK. The gentleman fails to distinguish again the differentiation. This is a motion offered by the chairman of the committee with an amendment, and that is clearly, as I see it, and respectfully submit to the Chair, within the rules of the House and the time-honored custom of this body.

The SPEAKER. The Chair is ready to rule again.

Suspension of the rules is a matter that can come up only twice a month, either on the first and third Mondays, or the last 6 days of the session if an adjournment date has been fixed. There can be no amendment offered to the motion to suspend the rules and pass a bill, but it is entirely in order for the Speaker to recognize a Member to move to suspend the rules and pass a bill with amendments and recognition for that is entirely within the discretion of the Chair. The Chair can recognize a Member to move to suspend the rules on the proper day and pass a bill with an amendment that has been authorized by a committee, or if the Chair so desires he can recognize a Member to move to suspend the rules and pass a bill with his own amendment.

The Chair overrules the point of order made by the gentleman from Nebraska.

Mr. CURTIS of Nebraska. Mr. Speaker, a further parliamentary inquiry. Would it be possible to offer a substitute

motion to suspend the rules in reference to the motion now before the Chair?

The SPEAKER. Well, the Chair would not recognize the gentleman for that purpose.

Mr. CURTIS of Nebraska. Perhaps I could induce another Member to offer the amendment.

The SPEAKER. The Chair would not recognize any other Member to make that motion.

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. Assuming that this bill on which it is now proposed to suspend the rules for action should be passed by the House, go to the other body, be changed there somewhat, and subsequently go to conference, and then after the conferees agreed the matter came back to the House for action, would a motion to recommit with instructions be in order as to the conference report that would be so reported to the House?

The SPEAKER. A motion to recommit would be in order if the House acts first on the conference report. If the Senate acts first on the conference report then a motion to recommit would not lie in the House of Representatives.

Mr. HALLECK. A further parliamentary inquiry, and I think it is properly so, under the normal procedures of the House would not the papers come to the House first on this measure, in the event of conference action?

The SPEAKER. That would depend upon whether the Senate asked for a conference after they amend the bill or pass it as is.

Mr. HALLECK. Would that be a matter that would be within the control of the leadership of the House, if the leadership chose to act in that direction?

The SPEAKER. It is in the control of the Senate and the House.

Mr. MILLS. Will the Chair indulge me for just a moment on the question raised by the gentleman from Indiana?

I think I am correct, Mr. Speaker, in the observation that on matters originating in our committee, almost without exception, where the House is entitled to act first on a conference report, the House has acted first. In this particular instance, no one could commit the committee of conference at this time because no one yet knows who will be on the committee of conference, but I did want to observe the past record of the conferences between the House Committee on Ways and Means and the Senate Finance Committee.

Mr. REED of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. REED of New York. I fear I am not too much up on the rules, especially as we have gotten into this situation here, but I assume the rules are based very much on common sense, as law is supposed to be. I would suppose that the motion to suspend the rules would be used in those cases where it was felt there was no great opposition to a bill, otherwise they would not have the two-thirds rule and the short debate, 20 minutes on each side. It has developed here that there is intense opposition to this bill, yet we are resorting to a suspension of the rules, which under these circumstances strike me really as a gag rule.

The SPEAKER. The Chair does not know anything about how much opposition there is to this bill, until the roll is called.

Mr. REED of New York. We did have one roll call on it, and that did not develop a two-thirds vote in favor of the bill, so there must be opposition to it.

The SPEAKER. The Chair was advised by the gentleman requesting recognition on this motion that this is a different proposition than the one considered recently.

Mr. REED of New York. This is not something that was reported by the committee.

The SPEAKER. The Chair recognized the gentleman from North Carolina on the motion he made, which he had a right to make, and on which the Chair had a right to recognize him.

CALL OF THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 105]

Aandahl	Goodwin	Miller, Md.
Abbitt	Granahan	Morgan
Abernethy	Green	Morris
Addonizio	Greenwood	Morrison
Albert	Gwinn	Morton
Anfuso	Hall,	Murphy
Armstrong	Leonard W.	Nelson
Aspinall	Hardy	O'Brien, N. Y.
Barrett	Hart	O'Konski
Bates, Ky.	Harvey	O'Neill
Battle	Hays, Ohio	Osmers
Beckworth	Heffernan	O'Toole
Belcher	Heller	Patman
Bender	Herter	Philbin
Bolton	Hoffman, Ill.	Potter
Bow	Holifield	Powell
Buckley	Howell	Rabaut
Burdick	Jackson, Wash.	Redden
Burleson	James	Reed, Ill.
Burnside	Javits	Richards
Burton	Jonas	Rogers, Colo.
Butler	Jones, Mo.	Rogers, Mass.
Camp	Jones,	Sabath
Canfield	Hamilton C.	Sasscer
Cannon	Judd	Scott, Hardie
Carlyle	Kelley, Pa.	Shafer
Carnahan	Kelly, N. Y.	Sheehan
Case	Kennedy	Shelley
Celler	Keogh	Stanley
Chatham	Kersten, Wis.	Steed
Chudoff	Kilburn	Stigler
Church	Kilday	Sutton
Corbett	King, Pa.	Tackett
Coudert	Kirwan	Taylor
Crumpacker	Klein	Teague
Dawson	Kluczynski	Thornberry
Dempsey	Latham	Van Pelt
Dollinger	Lucas	Vorys
Donovan	Lyle	Watts
Durham	McConnell	Weichel
Ellsworth	McCulloch	Welch
Elston	McGrath	Wharton
Evins	McMullen	Whitten
Fallon	Machrowicz	Wickersham
Fenton	Mack, Ill.	Widnall
Fine	Madden	Wilson, Ind.
Flood	Mansfield	Wolcott
Fulton	Mason	Wolverton
Gamble	Meader	Zablocki
Garmatz	Merrow	

The SPEAKER. On this roll call 280 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SOCIAL SECURITY ACT AMENDMENTS OF 1952

The SPEAKER. The Clerk will read the bill as amended.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Social Security Act Amendments of 1952."

INCREASE IN BENEFIT AMOUNTS

Benefits computed by conversion table

SEC. 2. (a) (1) Section 215 (c) (1) of the Social Security Act (relating to determinations made by use of the conversion table) is amended by striking out the table and inserting in lieu thereof the following new table:

"I If the primary insurance benefit (as determined under subsec. (d)) is:	II The primary insurance amount shall be:	III And the average monthly wage for purpose of computing maximum benefits shall be:
$10	$25.00	$45.00
$11	27.00	49.00
$12	29.00	53.00
$13	31.00	56.00
$14	33.00	60.00
$15	35.00	64.00
$16	36.70	67.00
$17	38.20	69.00
$18	39.50	72.00
$19	40.70	74.00
$20	42.00	76.00
$21	43.50	79.00
$22	45.30	82.00
$23	47.50	86.00
$24	50.10	91.00
$25	52.40	95.00
$26	54.40	99.00
$27	56.30	109.00
$28	58.00	120.00
$29	59.40	129.00
$30	60.80	139.00
$31	62.60	147.00
$32	63.30	156.00
$33	64.40	163.00
$34	65.50	170.00
$35	66.60	177.00
$36	67.80	185.00
$37	68.90	193.00
$38	70.00	200.00
$39	71.00	207.00
$40	72.00	213.00
$41	73.10	221.00
$42	74.10	227.00
$43	75.10	234.00
$44	76.10	241.00
$45	77.10	250.00
$46	77.10	250.00"

(2) Section 215 (c) (2) of such act is amended to read as follows:

"(2) In case the primary insurance benefit of an individual (determined as provided in subsection (d)) falls between the amounts on any two consecutive lines in column I of the table, the amount referred to in paragraphs (2) (B) and (3) of subsection (a) for such individual shall be the amount determined with respect to such benefit (under the applicable regulations in effect on May 1, 1952), increased by 12½ percent or $5, whichever is the larger, and further increased, if it is not then a multiple of $0.10, to the next higher multiple of $0.10."

(3) Section 215 (c) of such act is further amended by inserting after paragraph (3) the following new paragraph:

"(4) For purposes of section 208 (a), the average monthly wage of an individual whose primary insurance amount is determined under paragraph (2) of this subsection shall

be a sum equal to the average monthly wage which would result in such primary insurance amount upon application of the provisions of subsection (a) (1) of this section and without the application of subsection (c) (2) or (g) of this section; except that, if such sum is not a multiple of $1, it shall be rounded to the nearest multiple of $1."

Revision of the benefit formula; revised minimum and maximum amounts

(b) (1) Section 215 (a) (1) of the Social Security Act (relating to primary insurance amount) is amended to read as follows:

"(1) The primary insurance amount of an individual who attained age 22 after 1950 and with respect to whom not less than six of the quarters elapsing after 1950 are quarters of coverage shall be 55 percent of the first $100 of his average monthly wage, plus 15 percent of the next $200 of such wage; except that, if his average monthly wage is less than $48, his primary insurance amount shall be the amount appearing in column II of the following table on the line on which in column I appears his average monthly wage.

I Average monthly wage	II Primary insurance amount
$34 or less	$25
$35 through $47	$26"

(2) Section 203 (a) of such act (relating to maximum benefits) is amended by striking out "$150" and "$40" wherever they occur and inserting in lieu thereof "$168.75" and "$45," respectively.

Effective dates

(c) (1) The amendments made by subsection (a) shall, subject to the provisions of paragraph (2) of this subsection and notwithstanding the provisions of section 215 (f) (1) of the Social Security Act, apply in the case of lump-sum death payments under section 202 of such act with respect to deaths occurring after, and in the case of monthly benefits under such section for any month after, August 1952.

(2) (A) In the case of any individual who is (without the application of section 202 (j) (1) of the Social Security Act) entitled to a monthly benefit under subsection (b), (c), (d), (e), (f), (g), or (h) of such section 202 for August 1952, whose benefit for such month is computed through use of a primary insurance amount determined under paragraph (1) or (2) of section 215 (c) of such act, and who is entitled to such benefit for any succeeding month on the basis of the same wages and self-employment income, the amendments made by this section shall not (subject to the provisions of subparagraph (B) of this paragraph) apply for purposes of computing the amount of such benefit for such succeeding month. The amount of such benefit for such succeeding month shall instead be equal to the larger of (i) 112½ percent of the amount of such benefit (after the application of sections 203 (a) and 215 (g) of the Social Security Act as in effect prior to the enactment of this act) for August 1952, increased, if it is not a multiple of $0.10, to the next higher multiple of $0.10, or (ii) the amount of such benefit (after the application of sections 203 (a) and 215 (g) of the Social Security Act as in effect prior to the enactment of this act) for August 1952, increased by an amount equal to the product obtained by multiplying $5 by the fraction applied to the primary insurance amount which was used in determining such benefit, and further increased, if such product is not a multiple of $0.10, to the next higher multiple of $0.10. The provisions of section 203 (a) of the Social Security Act, as amended by this section (and, for purposes of such section 203 (a), the provisions of section 215 (c) (4) of the Social Security Act, as amended by this section), shall apply to such benefit as computed under the preceding sentence of this subparagraph, and the resulting amount, if not a multiple of $0.10, shall be increased to the next higher multiple of $0.10.

(B) The provisions of subparagraph (A) shall cease to apply to the benefit of any individual for any month under title II of the Social Security Act, beginning with the first month after August 1952 for which (i) another individual becomes entitled, on the basis of the same wages and self-employment income, to a benefit under such title to which he was not entitled, on the basis of such wages and self-employment income, for August 1952; or (ii) another individual, entitled for August 1952 to a benefit under such title on the basis of the same wages and self-employment income, is not entitled to such benefit on the basis of such wages and self-employment income; or (iii) the amount of any benefit which would be payable on the basis of the same wages and self-employment income under the provisions of such title, as amended by this act, differs from the amount of such benefit which would have been payable for August 1952 under such title as so amended, if the amendments made by this act had been applicable in the case of benefits under such title for such month.

(3) The amendments made by subsection (b) shall (notwithstanding the provisions of section 215 (f) (1) of the Social Security Act) apply in the case of lump-sum death payments under section 202 of such act with respect to deaths occurring after August 1952, and in the case of monthly benefits under such section for months after August 1952.

Saving provisions

(d) (1) Where—

(A) an individual was entitled (without the application of section 202 (j) (1) of the Social Security Act) to an old-age insurance benefit under title II of such act for August 1952;

(B) two or more other persons were entitled (without the application of such sec. 202 (j) (1) to monthly benefits under such title for such month on the basis of the wages and self-employment income of such individual; and

(C) the total of the benefits to which all persons are entitled under such title on the basis of such individual wages and self-employment income for any subsequent month for which he is entitled to an old-age insurance benefit under such title, would (but for the provisions of this paragraph) be reduced by reason of the application of section 203 (a) of the Social Security Act, as amended by this act,

then the total of benefits, referred to in clause (C), for such subsequent month shall be reduced to whichever of the following is the larger:

(D) the amount determined pursuant to section 203 (a) of the Social Security Act, as amended by this act; or

(E) the amount determined pursuant to such section, as in effect prior to the enactment of this act, for August 1952 plus the excess of (i) the amount of his old-age insurance benefit for August 1952 computed as if the amendments made by the preceding subsections of this section had been applicable in the case of such benefit for August 1952, over (ii) the amount of his old-age insurance benefit for August 1952.

(2) No increase in any benefit by reason of the amendments made by this section or by reason of paragraph (2) of subsection (c) of this section shall be regarded as a recomputation for purposes of section 215 (f) of the Social Security Act.

PRESERVATION OF INSURANCE RIGHTS OF PERMANENTLY AND TOTALLY DISABLED

SEC. 3. (a) (1) Section 213 (a) (2) (A) of the Social Security Act (defining quarter of coverage) is amended to read as follows:

"(A) The term 'quarter of coverage' means, in the case of any quarter occurring prior to 1951, a quarter in which the individual has been paid $50 or more in wages, except that no quarter any part of which was included in a period of disability (as defined in sec. 216 (i), other than the initial quarter of such period, shall be a quarter of coverage. In the case of any individual who has been paid, in a calendar year prior to 1951, $3,000 or more in wages, each quarter of such year following his first quarter of coverage shall be deemed a quarter of coverage, excepting any quarter in such year in which such individual died or became entitled to a primary insurance benefit and any quarter succeeding such quarter in which he died or became so entitled, and excepting any quarter any part of which was included in a period of disability, other than the initial quarter of such period."

(2) Section 213 (a) (2) (B) (i) of such act is amended to read as follows:

"(i) no quarter after the quarter in which such individual died shall be a quarter of coverage, and no quarter any part of which was included in a period of disability (other than the initial quarter and the last quarter of such period) shall be a quarter of coverage;".

(3) Section 213 (a) (2) (B) (iii) of such act is amended by striking out "shall be a quarter of coverage" and inserting in lieu thereof "shall (subject to clause (i)) be a quarter of coverage."

(b) (1) Section 214 (a) (2) of the Social Security Act (defining fully insured individual) is amended by striking out subparagraph (B) and inserting in lieu thereof the following:

"(B) forty quarters of coverage,

not counting as an elapsed quarter for purposes of subparagraph (A) any quarter any part of which was included in a period of disability (as defined in section 216 (i)) unless such quarter was a quarter of coverage."

(2) Section 214 (b) of such act (defining currently insured individual) is amended by striking out the period and inserting in lieu thereof: ", not counting as part of such 13-quarter period any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage."

(c) (1) Section 215 (b) (1) of the Social Security Act (defining average monthly wage) is amended by inserting after "excluding from such elapsed months any month in any quarter prior to the quarter in which he attained the age of 22 which was not a quarter of coverage" the following: "and any month in any quarter any part of which was included in a period of disability (as defined in sec. 216 (i)) unless such quarter was a quarter of coverage."

(2) Section 215 (b) (4) of such act is amended to read as follows:

"(4) Nothwistanding the preceding provisions of this subsection, in computing an individual's average monthly wage, there shall not be taken into account—

"(A) any self-employment income of such individual for taxable years ending in or after the month in which he died or became entitled to old-age insurance benefits, whichever first occurred;

"(B) any wages paid such individual in any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage;

"(C) any self-employment income of such individual for any taxable year all of which was included in a period of disability."

(3) Section 215 (d) of such act (relating to primary insurance benefit for purposes of conversion table) is amended by adding at the end thereof the following new paragraph:

"(5) In the case of any individual to whom paragraph (1), (2), or (4) of this subsection is applicable, his primary insurance benefit shall be computed as provided

therein; except that, for purposes of paragraphs (1) and (2) and subparagraph (C) of paragraph (4), any quarter prior to 1951 any part of which was included in a period of disability shall be excluded from the elapsed quarters unless it was a quarter of coverage, and any wages paid in any such quarter shall not be counted."

(d) Section 216 of the Social Security Act (relating to certain definitions) is amended by adding after subsection (h) the following new subsection:

"Disability; period of disability

"(i) (1) The term 'disability' means (A) inability to engage in any substantially gainful activity by reason of any medically determinable physical or mental impairment which can be expected to be permanent, or (B) blindness; and the term 'blindness' means central visual acuity of 5/200 or less in the better eye with the use of correcting lenses. An eye in which the visual field is reduced to 5° or less concentric contraction shall be considered for the purpose of this paragraph as having a central visual acuity of 5/200 or less. An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.

"(2) The term 'period of disability' means a continuous period of not less than six full calendar months (beginning and ending as hereinafter provided in this subsection) during which an individual was under a disability (as defined in par. (1)). No such period with respect to any disability shall begin as to any individual unless such individual, while under such disability, files an application for a disability determination. Except as provided in paragraph (4), a period of disability shall begin on whichever of the following days is the latest:

"(A) the day the disability began;

"(B) the first day of the 1-year period which ends with the day before the day on which the individual filed such application; or

"(C) the first day of the first quarter in which he satisfies the requirements of paragraph (3).

"A period of disability shall end on the day on which the disability ceases. No application for a disability determination which is filed more than 3 months before the first day on which a period of disability can begin (as determined under this paragraph) shall be accepted as an application for the purposes of this paragraph.

"(3) The requirements referred to in paragraphs (2) (C) and (4) (B) are satisfied by an individual with respect to any quarter only if he had not less than—

"(A) six quarters of coverage (as defined in sec. 213 (a) (2)) during the 13-quarter period which ends with such quarter; and

"(B) twenty quarters of coverage during the 40-quarter period which ends with such quarter,

not counting as part of the 13-quarter period specified in clause (A), or the 40-quarter period specified in clause (B), any quarter any part of which was included in a prior period of disability unless such quarter was a quarter of coverage.

"(4) If an individual files an application for a disability determination after March 1953, and before January 1955, with respect to a disability which began before April 1953, and continued without interruption until such application was filed, then the beginning day for the period of disability shall be whichever of the following days is the later:

"(A) the day such disability began; or

"(B) the first day of the first quarter in which he satisfies the requirements of paragraph (3)."

(e) Title II of the Social Security Act is amended by adding after section 219 the following new section:

"DISABILITY PROVISIONS INAPPLICABLE IF BENEFITS WOULD BE REDUCED

"SEC. 220. The provisions of this title relating to periods of disability shall not apply in the case of any monthly benefit or lump-sum death payment if such benefit or payment would be greater without the application of such provisions."

(f) Notwithstanding the provisions of section 215 (f) (1) of the Social Security Act, the amendments made by subsections (a), (b), (c), and (d) of this section shall apply to monthly benefits under title II of the Social Security Act for months after June 1953, and to lump-sum death payments under such title in the case of deaths occurring after March 1953; but no recomputation of benefits by reason of such amendments shall be regarded as a recomputation for purposes of section 215 (f) of the Social Security Act.

INCREASE IN AMOUNT OF EARNINGS PERMITTED WITHOUT DEDUCTIONS

SEC. 4. (a) Paragraph (1) of subsection (b) of section 203 of the Social Security Act and paragraph (1) of subsection (c) of such section are each amended by striking out "$50" and inserting in lieu thereof "$70."

(b) Paragraph (2) of subsection (b) of such section is amended by striking out "$50" and inserting in lieu thereof "$70."

(c) Paragraph (2) of subsection (c) of such section is amended by striking out "$50" and inserting in lieu thereof "$70."

(d) Subsections (e) and (g) of such section are each amended by striking out "$50" wherever it appears and inserting in lieu thereof "$70."

(e) The amendments made by subsection (a) shall apply in the case of monthly benefits under title II of the Social Security Act for months after August 1952. The amendments made by subsection (b) shall apply in the case of monthly benefits under such title II for months in any taxable year (of the individual entitled to such benefits) ending after August 1952. The amendments made by subsection (c) shall apply in the case of monthly benefits under such title II for months in any taxable year (of the individual on the basis of whose wages and self-employment income such benefits are payable) ending after August 1952. The amendments made by subsection (d) shall apply in the case of taxable years ending after August 1952. As used in this subsection, the term "taxable year" shall have the meaning assigned to it by section 211 (e) of the Social Security Act.

WAGE CREDITS FOR CERTAIN MILITARY SERVICE; REINTERMENT OF DECEASED VETERANS

SEC. 5. (a) Section 217 of the Social Security Act (relating to benefits in case of World War II Veterans) is amended by striking out "World War II" in the heading and by adding at the end of such section the following new subsection:

"(e) (1) For purposes of determining entitlement to and the amount of any monthly benefit or lump-sum death payment payable under this title on the basis of the wages and self-employment income of any veteran (as defined in par. (5)), such veteran shall be deemed to have been paid wages (in addition to the wages, if any, actually paid to him) of $160 in each month during any part of which he served in the active military or naval service of the United States on or after July 25, 1947, and prior to January 1, 1954. This subsection shall not be applicable in the case of any monthly benefit or lump-sum death payment if—

"(A) a larger such benefit or payment, as the case may be, would be payable without its application; or

"(B) a benefit (other than a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments) which is based, in whole or in part, upon the active military or naval service of such veteran on or after July 25, 1947, and prior to January 1, 1954, is determined by any agency or wholly owned instrumentality of the United States (other than the Veterans' Administration) to be payable by it under any other law of the United States or under a system established by such agency or instrumentality.

The provisions of clause (B) shall not apply in the case of any monthly benefit or lump-sum death payment under this title if its application would reduce by $0.50 or less the primary insurance amount (as computed under section 215 prior to any recomputation thereof pursuant to subsection (f) of such section) of the individual on whose wages and self-employment income such benefit or payment is based.

"(2) Upon application for benefits or a lump-sum death payment on the basis of the wages and self-employment income of any veteran, the Federal Security Administrator shall make a decision without regard to clause (B) of paragraph (1) of this subsection unless he has been notified by some other agency or instrumentality of the United States that, on the basis of the military or naval service of such veteran on or after July 25, 1947, and prior to January 1, 1954, a benefit described in clause (B) of paragraph (1) has been determined by such agency or instrumentality to be payable by it. If he has not been so notified, the Federal Security Administrator shall then ascertain whether some other agency or wholly owned instrumentality of the United States has decided that a benefit described in clause (B) of paragraph (1) is payable by it. If any such agency or instrumentality has decided, or thereafter decides, that such a benefit is payable by it, it shall so notify the Federal Security Administrator, and the Administrator shall certify no further benefits for payment or shall recompute the amount of any further benefits payable, as may be required by paragraph (1) of this subsection.

"(3) Any agency or wholly owned instrumentality of the United States which is authorized by any law of the United States to pay benefits, or has a system of benefits which are based, in whole or in part, on military or naval service on or after July 25, 1947, and prior to January 1, 1954, shall, at the request of the Federal Security Administrator, certify to him, with respect to any veteran, such information as the Administrator deems necessary to carry out his functions under paragraph (2) of this subsection.

"(4) There are hereby authorized to be appropriated to the Trust Fund from time to time, as benefits which include service to which this subsection applies become payable under this title, such sums as may be necessary to meet the additional costs, resulting from this subsection, of such benefits (including lump-sum death payments). The Administrator shall from time to time estimate the amount of such additional costs through the use of appropriate accounting, statistical, sampling, or other methods.

"(5) For the purposes of this subsection, the term 'veteran' means any individual who served in the active military or naval service of the United States at any time on or after July 25, 1947, and prior to January 1, 1954, and who, if discharged or released therefrom, was so discharged or released under conditions other than dishonorable after active service of 90 days or more or by reason of a disability or injury incurred or aggravated in service in line of duty; but such term shall not include any individual

who died while in the active military or naval service of the United States if his death was inflicted (other than by an enemy of the United States) as lawful punishment for a military or naval offense."

(b) Section 205 (o) of the Social Security Act (relating to crediting of compensation under the Railroad Retirement Act) is amended by striking out "section 217 (a)" and inserting in lieu thereof "subsection (a) or (e) of section 217".

(c) (1) The amendments made by subsections (a) and (b) shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after August 1952, and with respect to lump-sum death payments in the case of deaths occurring after August 1952, except that, in the case of any individual who is entitled, on the basis of the wages and self-employment income of any individual to whom section 217 (e) of the Social Security Act applies, to monthly benefits under such section 202 for August 1952, such amendments shall apply (A) only if an application for recomputation by reason of such amendments is filed by such individual, or any other individual, entitled to benefits under such section 202 on the basis of such wages and self-employment income, and (B) only with respect to such benefits for months after whichever of the following is the later: August 1952 or the seventh month before the month in which such application was filed. Recomputations of benefits as required to carry out the provisions of this paragraph shall be made notwithstanding the provisions of section 215 (f) (1) of the Social Security Act; but no such recomputation shall be regarded as a recomputation for purposes of section 215 (f) of such act.

(2) In the case of any veteran (as defined in section 217 (e) (5) of the Social Security Act) who died prior to September 1952, the requirement in subsections (f) and (h) of section 202 of the Social Security Act that proof of support be filed within 2 years of the date of such death shall not apply if such proof is filed prior to September 1954.

(d) (1) Paragraph (1) of section 217 (a) of such act is amended by striking out "a system established by such agency or instrumentality," in clause (B) and inserting in lieu thereof:

"a system established by such agency or instrumentality. The provisions of clause (B) shall not apply in the case of any monthly benefit or lump-sum death payment under this title if its application would reduce by $0.50 or less the primary insurance amount (as computed under section 215 prior to any recomputation thereof pursuant to subsection (f) of such section) of the individual on whose wages and self-employment income such benefit or payment is based."

(2) The amendment made by paragraph (1) of this subsection shall apply only in the case of applications for benefits under section 202 of the Social Security Act filed after August 1952.

(e) (1) Section 101 (d) of the Social Security Act Amendments of 1950 is amended by changing the period at the end thereof to a comma and adding: "and except that in the case of any individual who died outside the forty-eight States and the District of Columbia on or after June 25, 1950, and prior to September 1950, whose death occurred while he was in the active military or naval service of the United States, and who is returned to any of such States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands for interment or reinterment, the last sentence of section 202 (g) of the Social Security Act as in effect prior to the enactment of this act shall not prevent payment to any person under the second sentence thereof if application for a lump-sum death payment under such section with respect to such deceased individual is filed by or on behalf of such person (whether or not legally competent) prior to the expiration of 2 years from the date of such interment or reinterment."

(2) In the case of any individual who died outside the 48 States and the District of Columbia after August 1950 and prior to January 1954, whose death occurred while he was in the active military or naval service of the United States, and who is returned to any of such States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands for interment of reinterment, the last sentence of section 202 (i) of the Social Security Act shall not prevent payment to any person under the second sentence thereof if application for a lump-sum death payment with respect to such deceased individual is filed under such section by or on behalf of such person (whether or not legally competent) prior to the expiration of 2 years after the date of such interment or reinterment.

COVERAGE OF CERTAIN EMPLOYEES COVERED BY STATE AND LOCAL RETIREMENT SYSTEMS

SEC. 6. (a) Subsection (d) of section 218 of Social Security Act (relating to voluntary agreements for coverage of State and local employees) is amended by striking out "Exclusion of" in the heading, by inserting "(1)" after "(d)", and by adding at the end thereof the following new paragraphs:

"(2) Notwithstanding paragraph (1), an agreement with a State may be made applicable (either in the original agreement or by any modification thereof) to service performed by employees in positions covered by a retirement system (including positions specified in paragraph (3) but excluding positions specified in paragraph (4)) if—

"(A) there were in effect on January 1, 1951, in a State or local law, provisions relating to the coordination of such retirement system with the insurance system established by this title; or

"(B) the Governor of the State certifies to the Administrator that the following conditions have been met:

"(i) A referendum by secret written ballot was held on the question whether service in positions covered by such retirement system should be excluded from or included under an agreement under this section;

"(ii) An opportunity to vote in such referendum was given (and was limited) to the employees who, at the time the referendum was held, were in positions then covered by such retirement system (other than employees in positions to which, at the time the referendum was held, the State agreement already applied and other than employees in positions specified in paragraph (4) (A));

"(iii) Ninety days' notice of such referendum was given to all such employees;

"(iv) Such referendum was conducted under the supervision of the Governor or an individual designated by him; and

"(v) Two-thirds or more of the employees who voted in such referendum voted in favor of including service in such positions under an agreement under this section.

No referendum with respect to a retirement system shall be valid for the purposes of this paragraph unless held within the 2-year period which ends on the date of execution of the agreement or modification which extends the insurance system established by this title to such retirement system.

"(3) For the purposes of subsections (c) and (g) of this section, the following employees shall be deemed to be a separate coverage group:

"(A) All employees in positions which were covered by the same retirement system on the date the agreement was made applicable to such system;

"(B) All employees in positions which were covered by such system at any time after such date; and

"(C) All employees in positions which were covered by such system at any time before such date and to which the insurance system established by this title has not been extended before such date because the positions were covered by such retirement system.

"(4) Nothing in the preceding paragraphs of this subsection shall authorize the extension of the insurance system established by this title to service in any of the following positions covered by a retirement system—

"(A) any policeman's or fireman's position or any elementary or secondary school teacher's position; or

"(B) any position covered by a retirement system applicable exclusively to positions in one or more law-enforcement or fire fighting units, agencies, or departments.

For the purposes of this paragraph, any individual in the educational system of the State or any political subdivision thereof supervising instruction in such system or in any elementary or secondary school therein shall be deemed to be an elementary or secondary school teacher.

"(5) If a retirement system covers positions of employees of the State and positions of employees of one or more political subdivision of the State or covers positions of employees of two or more political subdivisions of the State, then, for purposes of the preceding paragraphs of this subsection, there shall, if the State so desires, be deemed to be a separate retirement system with respect to each political subdivision concerned and, where the retirement system covers positions of employees of the State, a separate retirement system with respect to the State."

(b) Subsection (f) of section 218 of the Social Security Act (relating to effective dates of agreements and modifications thereof) is hereby amended by striking out "January 1, 1953" and inserting in lieu thereof "January 1, 1955."

TECHNICAL PROVISIONS

SEC. 7. (a) Section 215 (f) (2) of the Social Security Act (relating to recomputation of benefits) is amended to read as follows:

"(2) (A) Upon application by an individual entitled to old-age insurance benefits, the Administrator shall recompute his primary insurance amount if application therefor is filed after the twelfth month for which deductions under paragraph (1) or (2) of section 203 (b) have been imposed (within a period of 36 months) with respect to such benefit, not taking into account any month prior to September 1950 or prior to the earliest month for which the last previous computation of his primary insurance amount was effective, and if not less than six of the quarters elapsing after 1950 and prior to the quarter in which he filed such application are quarters of coverage.

"(B) Upon application by an individual who, in or before the month of filing of such application, attained the age of 75 and who is entitled to old-age insurance benefits for which the primary insurance amount was computed under subsection (a) (3) of this section, the Administrator shall recompute his primary insurance amount if not less than six of the quarters elapsing after 1950 and prior to the quarter in which he filed application for such recomputation are quarters of coverage.

"(C) A recomputation under subparagraphs (A) and (B) of this paragraph shall be made only as provided in subsection (a) (1) and shall take into account only such wages and self-employment income as would be taken into account under subsection (b)

if the month in which application for recomputation is filed were deemed to be the month in which the individual became entitled to old-age insurance benefits. Such recomputation shall be effective for and after the month in which such application for recomputation is filed."

(b) Section 215 (f) of the Social Security Act is further amended by renumbering paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

"(5) In the case of any individual who became entitled to old-age insurance benefits in 1952 or in a taxable year which began in 1952 (and without the application of section 202 (j) (1)), or who died in 1952 or in a taxable year which began in 1952 but did not become entitled to such benefits prior to 1952, and who had self-employment income for a taxable year which ended within or with 1952 or which began in 1952, then upon application filed after the close of such taxable year by such individual or (if he died without filing such application) by a person entitled to monthly benefits on the basis of such individual's wages and self-employment income, the Administrator shall recompute such individual's primary insurance amount. Such recomputation shall be made in the manner provided in the preceding subsection of this section (other than subsec. (b) (4) (A)) for computation of such amount, except that (A) the self-employment income closing date shall be the day following the quarter with or within which such taxable year ended, and (B) the self-employment income for any subsequent taxable year shall not be taken into account. Such recomputation shall be effective (A) in the case of an application filed by such individual, for and after the first month in which he became entitled to old-age insurance benefits, and (B) in the case of an application filed by any other person, for and after the month in which such person who filed such application for recomputation became entitled to such monthly benefits. No recomputation under this paragraph pursuant to an application filed after such individual's death shall affect the amount of the lump-sum death payment under subsection (i) of section 202, and no such recomputation shall render erroneous any such payment certified by the Administrator prior to the effective date of the recomputation."

(c) In the case of an individual who died or became (without the application of sec. 202 (j) (1) of the Social Security Act) entitled to old-age insurance benefits in 1952 and with respect to whom not less than six of the quarters elapsing after 1950 and prior to the quarter following the quarter in which he died or became entitled to old-age insurance benefits, whichever first occurred, are quarters of coverage, his wage closing date shall be the first day of such quarter of death or entitlement instead of the day specified in section 215 (b) (3) of such act, but only if it would result in a higher primary insurance amount for such individual. The terms used in this paragraph shall have the same meaning as when used in title II of the Social Security Act.

(d) (1) Section 1 (q) of the Railroad Retirement Act of 1937, as amended, is amended by striking out "1950" and inserting in lieu thereof "1952."

(2) Section 5 (l) (1) (ii) of the Railroad Retirement Act of 1937, as amended, is amended to read as follows:

"(ii) will have rendered service for wages as determined under section 209 of the Social Security Act, without regard to subsection (a) thereof, of more than $70, or will have been charged under section 203 (e) of that act with net earnings from self-employment of more than $70;".

(3) Section 5 (l) (6) of the Railroad Retirement Act of 1937, as amended, is amended by inserting "or (e)" after "section 217 (a)."

EARNED INCOME OF BLIND RECIPIENTS

SEC. 8. Title XI of the Social Security Act (relating to general provisions) is amended by adding at the end thereof the following new section:

"EARNED INCOME OF BLIND RECIPIENTS

"SEC. 1109. Notwithstanding the provisions of sections 2 (a) (7), 402 (a) (7), 1002 (a) (8), and 1402 (a) (8), a State plan approved under title I, IV, X, or XIV may provide that where earned income has been disregarded in determining the need of an individual receiving aid to the blind under a State plan approved under title X, the earned income so disregarded (but not in excess of the amount specified in section 1002 (a) (8)) shall not be taken into consideration in determining the need of any other individual for assistance under a State plan approved under title I, IV, X, or XIV."

The SPEAKER. Is a second demanded?

Mr. REED of New York. Mr. Speaker, I demand a second.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Speaker, you will recall that on May 19th last, the House considered the question of whether or not it would suspend the rules and pass the bill H. R. 7800. On that occasion a majority of the membership of the House voted in favor of the bill, but the required two-thirds majority was lacking. The matter is now back before the House this morning under suspension of the rules with an amendment which was not offered on May 19.

My main purpose today is to confine my remarks exclusively, if I may be permitted to do so, to the change in this motion today and the motion which was made on May 19 last. Members have been offered the opportunity of studying the bill (H. R. 7800) since May 19, and in the last few days they have been supplied with copies of the committee print on H. R. 7800 which discloses the amendment which has been offered in connection with the bill today.

I would like to have the attention of the Members, if I may, as to the exact amendment which is now being offered for the first time. You will recall that when the matter was before the House last the American Medical Association resoluted against certain language in the bill. That language is contained in section 3 where this amendment is to be offered. On pages 13, 14, 15, 16, and 17 of committee print of the bill you will find the amendment to which I am referring.

Now there is a fundamental change made in section 3 of the bill by the amendment which is being offered. It has been said by some that it is merely window dressing; that there is no actual change made in section 3 of the bill as a result of this amendment. In my opinion nothing could be further from the actual fact of the situation.

The doctors raised objection to one section in particular on page 16 of the bill, section 220, which provided for an examination of disabled individuals. They raised objection to the fact that Mr. Ewing, as Administrator of this program, would have authority to select doctors; that he could pay these doctors for examining the applicants; that he could pay mileage fees, and so on, of the applicants in going to and from the doctors. Now that language of the bill has been stricken.

It is said by some that that makes no difference at all because section 205 of the Social Security Act grants to the Administrator a whole lot of authority with reference to evidence, procedure, and certification for benefits.

Now, let us understand exactly what the Social Security Act provides in section 205:

> The Administrator shall have full power and authority to make rules and regulations and to establish procedures, not inconsistent with the provisions of this title, which are necessary or appropriate to carry out such provisions, and shall adopt reasonable and proper rules and regulations to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits hereunder.

This authority contained in section 205 is limited in its application, and the lawyers will catch this point, "in order to establish the right to benefits hereunder." This does not to me mean that the Social Security Administrator must pay the mileage fees of the applicant, or that he must pay the fee of a doctor for making the examination. Certainly, there is no authority in the bill, there is no authority in the Social Security Act, as I understand it, for any such payment to be made for the exercise of any control over the medical profession or any other profession, but there is authority contained in the law with reference to the question of proof. On page 13 of the bill, line 13, appear these words:

> An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.

I am certain the Members would not want anything passed by this Congress that would make available Federal funds, either out of the General Treasury or out of this trust fund, except that someone reached the conclusion that the applicant was entitled thereto. We have done that with reference to the Civil Service, the Railroad Retirement, the Employees' Compensation systems, and so forth. Someone within the agency has to be charged with the responsibility for making a finding, and definitely that is contained here in this law.

This amendment was prepared by our good friend, the gentleman from New Jersey [Mr. KEAN] from whose bill this entire section was taken originally. What we thought we were doing, and what he thought he was doing, was removing any legitimate excuse that anyone could have for opposing this provision. Now I am advised that the entire section has been characterized as socialized medicine.

I find myself in a position that I do not ever like to be in, of course. No one has any higher regard for the med-

ical profession than I do. No one has any closer associates within that profession than I. Some of my strongest friends at home, political and personal, are doctors. I think they recognize the fact that I would not do anything here or elsewhere, and I am sure you realize the fact, Mr. Speaker, that would in any way destroy or threaten to destroy that association or that group of high-minded professional men. I would not do it to lawyers or anyone else. I am just as opposed to socialized medicine as any human being can be. But I have studied this provision, and I think that all in the world that we are doing here is saying that the individual to whom the gentleman from New York refers, who becomes disabled because of blindness while on a job covered by social security, shall not have that period of blindness figured in to reduce the amount of the benefits to which he will be entitled when he gets to be 65 years of age or to eliminate entirely his eligibility for benefits. Yes, it is a wonderful provision for those individuals, some 500,000 of them who are now permanently and totally disabled and whose benefits are rapidly diminishing or are being taken away from them as well as the 75,000 to 100,000 who become disabled each year.

I certainly hope the Members of the House will pass the bill with this amendment to section 3.

Mr. REED of New York. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, let no person on this floor be deceived. You have the same old H. R. 7800 here before you. While the socialized medicine advocates pretend to remove the specific instructions to the Administrator, they now give him more powers under general provisions of the law than he had before. You have socialized medicine here stronger in this bill than was H. R. 7800, heretofore defeated. This is the same old Oscar Ewing socialized medicine provision before you today, and you have before you the most unfair bill to the old people than can be imagined.

You pretend to give the old people $5, yet there are hundreds of thousands of people, single and married, that are drawing only from $10 to $20 under social security. You know from experience what happened before—the States took that $5 away from them under old-age assistance.

I want to warn you today that what you are doing is going contrary to the wishes of one of the most noble professions in history. Many men and women on this floor would not be alive today if it were not for the medical profession.

There has been a campaign going on around here against the medical profession, charging that all they are interested in is a fat fee. In my district where we have these heavy winter storms there are country doctors—I know one who has a plane on runners. A call comes by telephone from a farmer living on a side road. The main roads are open but the side roads are blockaded with snow. The doctor will say, "Stand out in the field and wave a red tablecloth and I will be there." In 15 minutes he is there, his plane glides along the snow, he treats the patient, and in emergency cases he operates right then and there.

I know a boy whom I coached in football who became a noted surgeon in this country, one of the great surgeons and bone specialists. Coming through Pennsylvania in the early days he drove into a farmyard in a wheezing old car. The farmer said, "Stop this noise." The young doctor said, "What is the matter?" He said, "My son is very sick." He said, "Where is your local doctor?" He said, "We have none. He passed on shortly." The young doctor said, "Put a spool of linen thread in a teakettle and start it boiling. I will be with you in a few minutes." This courageous doctor drove to a district village and procured the surgical instruments of the deceased doctor. He spread the boy out on the kitchen table and operated on him, and saved his life. You smear artists berating the doctors might ask that man who is living today, who was sewed up with a linen thread, if all the doctor is interested in is a fat fee. The service was rendered without any fee.

Now, in the short time we have here today, it is impossible to read this bill in all of its details, but I repeat that while they have removed specific instructions to the Administrator, under the general law he can do more to promote socialized medicine than he could before. He can do all the examining. He can select the doctors. He can run the whole gamut. So I do not want you to be deceived in regard to this and H. R. 7800.

Another thing about this bill is the work clause. You know what inflation is doing to the purchasing power of the old people. If I were to call for a show of hands of those who would remove this work clause entirely if they could, I believe it would be 100 percent. But we are limiting it to $100. You have increased it to $70, and when you reduce that by half, with the 50-cent dollar, who is going to live on that? They cannot do it. All they ask is to supplement their meager income by working. When they work that increases the national income. That is helping everybody. I say the time has come in this age of Democratic inflation when we know that these old people are not getting enough to live on—they cannot buy clothes, they cannot have proper shelter. I wish I could pass these pictures around to all of you people and give you some idea of the snowbound conditions up in our country during the severe winter months. All you are doing in this bill is to put them in the hands of Oscar Ewing under this bill.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. JENKINS. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. REED of New York. That will give me time to read a little bit in regard to this examination of disabled individuals.

This is no time for people to be faint-hearted. This is the time to stand up and be counted. Were you right before when you voted? Are you going to admit you were wrong, when the same provisions are in here? I like to see people fight. I am wondering what the people are going to say when we on this side, now in the minority, do not have the courage to stand up and vote against iniquitous pieces of legislation. What are they going to expect if we ever get into the majority? I tell you the people want some courage in this Congress. They do not want to be betrayed by a fraudulent bill. That is what this dressed-up H. R. 7800 is.

I have a bill pending which could be reported out in 2 minutes which would satisfy everybody, for I have changed the work clause, given all the benefits to soldiers, to everybody; and we would not be here with this type of a contest under a gag rule.

This change in H. R. 7800 was all done in secret, Mr. Speaker; we were not even called in, and I think we have shown great cooperation with the chairman and his committee. You will see my stand, and that of others on this side who have gone along by unanimous consent on dozens and dozens of bills to save the annoyance of getting rules. Now what happens? They meet in secret session and bring out this amendment of which I believe the author is none other than Oscar Ewing. I repeat that it has now become well known throughout the country that the Democratic members of the Ways and Means Committee met in secret conclave to dress up H. R. 7800 to obscure so far as possible the socialized-medicine provisions.

As I have said, instead of deleting the socialized-medicine provisions, it gives Oscar Ewing far more power to socialize our medicine than was carried in the original H. R. 7800.

It was because of the iniquitous changes contemplated that the secret conclave was held.

The offered amendments simply delete from the measure (a) the specific administrative machinery and (b) the express grant of rule-making power which are involved in the administrative determination of permanent and total disability status. But it was not necessary that these items be included in the first instance. Without them Mr. Ewing would already have had ample authority under his general regulatory powers to issue rules and regulations and take other necessary steps for the purpose of carrying out the program as established by the Congress. The fact is that a deletion of the specific authorizations as proposed by the amendments would give Mr. Ewing even more unbridled discretion. Under H. R. 7800 as it stood on May 19 and as it is presented today, Monday, June 16, with the offered amendments, the Social Security Administrator will have the power to, first, determine what constitutes permanent and total disability; second, establish the types of proof necessary to establish permanent and total disability; third, provide by regulation when and where physical examinations should be taken; fourth, be authorized to prescribe the examining physician or agency—including Federal installations; fifth, establish the fees; and sixth, be authorized to pay travel expenses and subsistence incident to the taking of such physical examinations.

The House should resist this attempt to introduce socialized medicine into the OASI program by coupling it with needed

benefit increases. It should demand a clean bill—one entirely devoted to giving needed increases to old-age benefit recipients and increasing the work clause to $100. There is such a bill now pending providing this direct and straightforward treatment—H. R. 7922.

I condemn the secret method employed by the Democratic members of the Ways and Means Committee to exclude the Republican members of the committee from the secret political conclave. It was only by accident that the Republican members of the Ways and Means Committee found out that such a meeting had been held for the purpose of making changes in the once defeated H. R. 7800. I repeat again that now the defeated H. R. 7800 socialized-medicine bill is again presented to the House under suspension of the rules.

Under this gag procedure the Members of the House cannot amend the bill to permit the retired old people to earn $100 a month to keep the wolf from the door and keep their social-security benefits. The Republican bill, known as the Reed bill, H. R. 7922, not only contains every benefit included in H. R. 7800 but in addition, if it had been reported and passed, would let every old retired person under social security earn $100 a month without loss of benefits.

What is more honorable than for a retired person to work and produce if he is so inclined? Why treat a person like a criminal to be penalized to the extent of losing his benefits if he or she is willing to work and earn after retirement? No honest man can say that even a single person who retires under the maximum pay of $43 a month can out of that meager amount pay for rent, fuel, food, clothes, and medicine. He or she certainly cannot do it if there is another member of the family to support.

The purchasing power of the $43 is of course reduced by inflation to about $22. What do the leading economists say to this penalty against an old person working and earning enough to live? Referring to the penalty provision for continuing to work and earn, a leading economist has this to say: I qoute from the Keys to Prosperity by Dr. Willford I. King, professor emeritus, New York University, as follows:

> This provision of the law was evidently inserted by economic illiterates who believed that the number of jobs in the Nation was fixed and that it was unfair for a man having a pension to take away another man's job. They did not realize that their action not only condemned the aged to poverty but also reduced the national income by cutting off the goods which the elderly could and should produce.

Under the work clause proposed by the Democrats in H. R. 7800 the retired person can earn only $70 a month without losing all his benefits. It must be remembered that $70 under inflation has a purchasing power of only $35. Under the Republican bill, H. R. 7922, which is opposed by the Democrats the retired worker could draw $100 in salary, which when reduced by inflation would at least permit him to earn the equivalent of $50 in purchasing power without loss of his benefits. Thus H. R. 7800 sought to be forced down the throats of the membership of the House under a gag rule will rob the old people of $30 a month.

This is meager enough and if these bills had been brought in under a rule permitting amendments or motion to recommit, the work clause could have been eliminated altogether and even the meager $5 could have been increased to $10 by a Republican amendment.

The only purpose of the dressed-up H. R. 7800 is not to benefit the old people but to implant socialized medicine in our system of government. Those advocating this socialized medicine completely ignore what a similar system has done to the economy of England. Were it not for our billions of dollars flowing into England this great empire would have been staggering under financial impoverishment.

As you know, H. R. 7800 was rejected by this body on May 19 for three reasons:

The first and principal reason was that the bill established a new Federal program under which the Federal Security Administrator was given broad and sweeping powers over the medical profession of our country.

The second reason was that many Members of the House believed that amendments to the bill liberalizing the work clause and making other improvements in our social-security system should have been permitted.

The third reason was the strong resentment by Members of the House against the technique of using the commendable benefit-increase provisions of the bill as a vehicle for the opening wedge of Oscar Ewing's pet socialized-medicine program.

Every Member of the House should now clearly understand that none of these three objections has been removed by the proposed amendments to H. R. 7800. Let me impress upon the Members again that the plain fact is that every power given to the Federal Security Administrator under H. R. 7800 as it was rejected by the House on May 19 is still contained in H. R. 7800 as it is now proposed to be amended. Because this is the only issue before the House today let me repeat this statement: Every power given to the Federal Security Administrator under H. R. 7800 as it was rejected by the House on May 19 is still contained in H. R. 7800 as it is now proposed to be amended.

The offered amendments simply delete from the measure (a) the specific administrative machinery and (b) the express grant of rule-making power which are involved in the administrative determination of permanent and total disability status. But it was not necessary that these items be included in the first instance. Without them Mr. Ewing would already have had ample authority under his general regulatory powers to issues rules and regulations and take other necessary steps for the purpose of carrying out the program as established by the Congress. The fact is that a deletion of the specific authorizations as proposed by the amendments would give Mr. Ewing even more unbridled discretion.

Let me show you what I mean. The proposed amendments strike from the bill the following language:

> EXAMINATION OF DISABLED INDIVIDUALS
>
> SEC. 220. The Administrator shall provide for such examination of individuals as he determines to be necessary to carry out the provisions of this title relating to disability and periods of disability. Examinations authorized by the Administrator may be performed in existing facilities of the Federal Government if readily available. Examinations authorized by the Administrator may also be performed by private physicians, or by public or private agencies or institutions, designated by the Administrator for the performance of such examinations; and the cost of such examinations shall be paid for by the Administrator, in accordance with agreements made by him, either directly or through appropriate Federal or State agencies. In the case of any individual undergoing such an examination, he may be paid his necessary travel expenses (including subsistence expenses incidental thereto) or allowances in lieu thereof. Payments authorized by this section may be made in advance of or as reimbursement for the performance of services or the incurring of obligations or expenses, and may be made prior to any action thereon by the General Accounting Office.

Instead, however, of limiting the scope of the Federal Security Administrator's power in this field by substituting for the stricken language new language, the amendments make no provision whatsoever as to the medical examination of disabled individuals.

Obviously, therefore, if the bill is amended so that it now fails to provide how persons shall be examined for disability, where they shall be examined, who shall examine them, how payments to doctors shall be made—if the bill fails to provide how these things shall be done, the Federal Security Administrator must of necessity make his own determination and his own rulings. This is exactly the principal objection which was raised to H. R. 7800 as it was originally presented to the House, and this objection is just as, and even more, valid today.

As another example of how the amendments now proposed to H. R. 7800 do not change the fundamental character of the bill, take the language on page 13. Line 5 through line 8 on page 13 of H. R. 7800 reads as follows:

> An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required by regulations of the Administrator.

The proposed amendment simply strikes out the words "by regulations of the Administrator."

Obviously when the bill provides that an individual "shall not be considered disabled unless he furnishes such proof as may be required" it means required by the Federal Security Administrator.

In brief, H. R. 7800 as it is now amended provides that the Social Security Administrator will, first, determine what constitutes permanent and total disability; second, establish the types of proof necessary to establish permanent and total disability; third, provide by regulation when and where physical examinations should be taken; fourth, be au-

thorized to prescribe the examining physician or agency, including Federal installations; fifth, establish the fees; sixth, be authorized to pay travel expenses and subsistence incident to the taking of such physical examinations.

If this is not the basis of socialized medicine, then I should like to know what is.

I say today, as I said May 19, we should resist this attempt to introduce socialized medicine into the OASI program through the back door by coupling it with needed and meritorious benefit increases. We should assert our legislative prerogative and demand a clean bill—a bill entirely devoted to raising the amount of benefit payments and increasing the work clause to $100 instead of to only $70 as is proposed in H. R. 7800. The increase from $50 to $70 in the amount which a person may earn without losing his benefits provided for in H. R. 7800 is entirely too low.

The motion before us to suspend the rules and pass H. R. 7800 with the proposed amendments should be defeated. If this is done the Ways and Means Committee can bring forth in 24 hours a bill stripped of the controversial section 3. This would avoid the necessity of long public hearings by the Senate Finance Committee and assure that increased benefits will be provided OASI recipients without delay.

I deplore the attempt to smear the medical profession. This time-honored noble profession seeks to save the people of this Nation from the devastating effect of socialized medicine.

The 5-percenters, the deep freeze, the influence peddlers can operate within the Government, but must a great profession devoted to a great humanitarian life-saving service remain silent when they see a legislative move to destroy their profession as well as the solvency of the country?

The devotion and the responsibility of physicians to their patients are measured by the beautiful Oath of Hippocrates, which each physician takes as he enters upon the practice of medicine:

THE OATH OF HIPPOCRATES

I swear by Apollo the physician, and Aesculapius, and health, and all-heal, and all the gods and goddesses, that according to my ability and judgment I will keep this oath and this stipulation—

To reckon him who taught me this art equally dear to me as my parents;

To share my substance with him and relieve his necessities if required;

To look upon his offspring in the same footing as my own brothers and to teach them this art if they shall wish to learn it without fee or stipulation, and that by precept, lecture, and every other mode of instruction I will impart a knowledge of the art to my own sons, and those of my teachers, and to disciples bound by a stipulation and oath according to the law of medicine, but to none others.

I will follow that system of regimen which, according to my ability and judgment, I consider for the benefit of my patients, and abstain from whatever is deleterious and mischievous;

I will give no deadly medicine to anyone if asked, nor suggest any such counsel. And in like manner I will not give to a woman a pessary to produce abortion.

With purity and with holiness I will pass my life and practice my art. I will not cut persons laboring under the stone, but will leave this to be done by men who are practitioners of this work.

Into whatever houses I enter I will go into them for the benefit of the sick, and will abstain from every voluntary act of mischief and corruption—and further, from the seduction of females or males, of freemen and slaves, whatever.

In connection with my professional practice, or not in connection with it, I see or hear in the life of men which ought not to be spoken of abroad, I will not divulge as reckoning that all such should be kept secret.

While I continue to keep this oath unviolated, may it be granted to me to enjoy life and the practice of the art respected by all men in all times, but should I trespass and violate this oath, may the reverse be my lot.

AMERICAN MEDICAL ASSOCIATION,
HOUSE OF DELEGATES,
June 12, 1952.

RESOLUTION ON H. R. 7800 ADOPTED BY THE HOUSE OF DELEGATES

Whereas Congressman DOUGHTON, Democrat, North Carolina, on May 12 introduced in the Congress an omnibus measure, H. R. 7800, Eighty-second Congress, providing for various amendments to title II of the Social Security Act, which bill was reported favorably by the Ways and Means Committee of the House of Representatives on May 16 and brought before the House of Representatives on May 19 under a suspension of the rules; and

Whereas section 3 of this measure provided for the introduction of a new theory in the social-security program which in its implementation could result in the socialization of the medical profession inasmuch as it would provide that the Federal Security Administrator should (a) determine what constitutes permanent and total disability; (b) establish the types of proof necessary to establish permanent and total disability; (c) provide by regulation when and where physical examinations should be taken; (d) be authorized to prescribe the examining physician or agency (including Federal installations); (e) establish the fees; (f) be authorized to pay travel expenses and subsistence incident to the taking of such physical examinations, and (g) have power to curtail Old Age and Survivors' Insurance benefits because of noncompliance with regulations of this section; and

Whereas the American Medical Association strongly protested against its adoption without full and complete hearings with respect to the controversial provisions of section 3 of the bill; and

Whereas following the rejection of the bill on May 19 by the House of Representatives, certain amendments were made to the bill by the House Ways and Means Committee which purport to eliminate the objectionable features of section 3; and

Whereas notwithstanding certain deletions from section 3 the fundamental purpose of this bill to extend the power and authority of the Federal Security Administrator remains unchanged, and the deletions which have been made are only another attempt to hoodwink the public into believing the section is completely altruistic; and

Whereas the attempt is again being made to present this bill to the House of Representatives next Monday (June 16) under a suspension of the rules; and

Whereas the defeat of H. R. 7800, depriving social security beneficiaries of numerous additional benefits, was a direct result of the Truman administration's attempt to play politics by tying in a socialized medicine scheme with an otherwise popular measure: Therefore be it

Resolved, That the American Medical Association condemns the breach of faith by this administration with those who would benefit from this bill in a flagrant attempt to railroad through a provision to aid in the socialization of medicine, which could not possibly be adopted if considered openly and fairly; and be it further

Resolved, That the American Medical Association urges that Congress refer this bill to the committee where it should be subject to the ordinary democratic processes of leigslation.

NEW YORK, N. Y., *June 16, 1952.*

DANIEL A. REED,
House of Representatives,
House Office Building,
Washington, D. C.:

Medical Society of the State of New York urges H. R. 7800 be referred to committee for study and public hearings. We object to its extending power of Federal Security Administrator regarding medical matters.

J. STANLEY KENNEY, M. D.,
Chairman, Legislative Committee.

MORRIS, N. Y., *June 15, 1952.*

Hon. DANIEL A. REED,
House of Representatives,
Congress of the United States of America, Washington, D. C.:

Livingston County Medical Society, 44 members, unanimously opposed to socialized medicine features contained in social-security bill being introduced in House Monday.

V. L. BONAFEDE, M. D.,
Secretary.

NEWBURGH, N. Y., *June 15, 1952.*

DANIEL REED,
House of Representatives,
Washington, D. C.:

Am unalterably opposed to passage of socialized-medicine bill.

Rt. Rev. STEPHEN P. CONNELLY.

NEWBURGH, N. Y., *June 15, 1952.*

DANIEL REED,
House of Representatives,
Washington, D. C.:

Am opposed to passage of socialized-medicine bill.

Rev. JOHN D. SIMMONS.

KINGSTON, N. Y., *June 15, 1952.*

Congressman DANIEL REED,
Washington, D. C.:

This is in support of your stand on bill H. R. 7800, also amendment 7922.

W. S. BUSH, M. D.

PORTLAND, OREG., *June 7, 1952.*

Hon. DANIEL A. REED,
House Office Building,
Washington, D. C.:

Understand attempt being made reintroduce H. R. 7800 under suspended rules. Section 3 this bill socialized medicine bill should be recommitted to committee for study hearings and introduction through regular procedure. Urge you again oppose section 3 and bills introduction under suspended rule tactics your past help deeply appreciated.

OREGON STATE MEDICAL SOCIETY.

CHICAGO, ILL., *June 7, 1952.*

Hon. DANIEL A. REED,
House of Representatives,
Washington, D. C.:

The American Medical Association strongly urges deletion of section 3 from H. R. 7800 for reasons indicated in telegram previously transmitted from Washington office. The association has taken no action with reference to other sections of the bill which it does not consider within its purview.

BOARD OF TRUSTEES,
AMERICAN MEDICAL ASSOCIATION.

KINGSTON, N. Y., *June 14, 1952.*
Congressman REED,
Washington, D. C.:
Ulster County supporting your opposition to H. R. 7800.
EMIL S. GOODYEAR.

DUNKIRK, N. Y., *June 13, 1952.*
Hon. DANIEL A. REED,
House of Representatives:
Chautauqua County Medical Society, representing 130 physicians, definitely opposed to socialized medicine as contained in social security bill.
EDGAR BIEBER, *Secretary.*

FRIENDSHIP, N. Y., *June 13, 1952.*
Representative DANIEL A. REED,
House Office Building, Washington, D. C.:
The Medical Society of Allegany objects to the socialized medicine provisions in the social-security bill coming up before the House Monday. Social security has no funds, therefore their collections are a tax. Taxation and the use thereof are prerogative of the people.
JAMES H. GRAY, Jr., M. D.,
Secretary.

ATLANTA, GA., *June 13, 1952.*
Representative DANIEL REED,
House Office Building, Washington, D. C.:
H. R. 7800 very dangerous. If Oscar Ewing and his Communists want to give old people $5 more per month, put in a separate bill to do so. Surely we do not need the Federal Government operating an insurance agency under the Social Security Act or any act. Please do not be deceived when bill comes up Monday.
NEEDHAM B. BATEMAN, M. D.

NEW ORLEANS, LA., *June 13, 1952.*
Representative DANIEL REED,
United States House of Representatives:
The Louisiana State Medical Society recognizes your past achievement in opposing H. R. 7800 and we hope that you will be successful in preventing its passage on Monday, June 16.
P. H. JONES, M. D.,
Chairman, Committee on Congressional Matters, Louisiana State Medical Society.

KINGSTON, N. Y., *June 16, 1952.*
Congressman DANIEL REED,
House Office Building, Washington, D. C.:
Ulster County Medical Society backs you on H. R. 7800.
B. J. DUTTO, M. D.,
Secretary.

Mr. DOUGHTON. Mr. Speaker, I yield such time as he may care to consume to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. As I spoke at considerable length when this bill was under consideration on May 19, and my remarks appear at page 5476 of the RECORD, realizing that time is limited and that many members of the committee have not had a chance to speak, I shall only ask your indulgence long enough to say that I am still supporting the bill H. R. 7800 and that I think it should pass promptly.

DEFEAT THE AMERICAN MEDICAL ASSOCIATION BY PASSING THE SOCIAL-SECURITY BILL WHICH HELPS THE DISABLED

Mr. DINGELL. Mr. Speaker, the American people have lost faith in the ossified and reactionary leadership of the American Medical Association.

In the past several weeks we have again seen how the American Medical Association fights against the welfare of the people. It is abusing its professional responsibility by injecting itself into a matter which it falsely charges involves socialized medicine.

AMA OPPOSES PROGRESS

The AMA is again opposing progress. The reactionary leadership of the AMA does not have a constructive policy of its own for improvement of the health and welfare of the American people. It has been "agin" every important piece of social legislation which would be helpful to millions of people.

The obstructionist policies of the AMA are evident today when they are lobbying in opposition to the passage of this social-security bill.

AMA IS A POLITICAL GROUP

The AMA is a closed shop, monopolistic lobby which is trying to dictate to the American people and to the Congress. It is trying to foist its do-nothing philosophy on the Congress.

There is no question that the AMA is a political group. It has been and still is a reactionary political outfit.

Dr. Paul B. Magnuson, an outstanding doctor and Chairman of the President's Commission on the Health Needs of the Nation, has said:

When you speak of the American Medical Association, you're speaking to me of a political group. (New York Times, June 4, 1952, p. 24.)

INDEPENDENT DOCTORS OBJECT TO THE AMA PARTY LINE

I believe the events of the last few days involving the American Medical Association are singularly in point in this debate. All of us have read with astonishment about the indignation shown by the American Medical Association leadership over the work of the President's Commission on the Health Needs of the Nation. Apparently, even a study of the health needs of our people, headed by a doctor of such renown as the former Chief Medical Officer of the Veterans' Administration, Dr. Magnuson, is considered by the AMA an insult and a threat to the rights of doctors. The Commission is defamed by the AMA and they try to discredit its work when it has just stated on its assigned task.

I believe, as do many other people in Congress, that the AMA is taking a narrow-minded, selfish, and, in the long run, exetremely unwise attitude. Said Dr. Magnuson:

It has gotten to the point that any health legislation proposed to Congress no sooner is introduced than highly paid publicists spew forth a stream of invective which has little or no relation to the issue at hand.

I dare say that the cry of "socialized medicine" is even more farfetched in connection with the waiver of premium provision in this bill than it is in connection with an inquiry into the health needs of the Nation. But, as the Washington Post put it very aptly in its editorial, "AMA in Its Place," of June 12, 1952, "apparently you either agree with the leadership of the AMA all the way or you are a Socialist."

I propose, Mr. Speaker, that we pay no more attention to the false issues raised by the AMA and go on with the business of pasing the bill on its merits.

AMA AND REPUBLICANS IN CAHOOTS

In considering and reporting out the social-security bill, H. R. 7800, the members of the Ways and Means Committee had thought—and had good reason to think—that they were dealing with a thoroughly noncontroversial piece of legislation. Equally clear to anyone who does not choose to close his eyes to it is the need for its provisions. As far as I know, no responsible voice had ever been raised up to that time in protest against the disability waiver. In fact, there was definite and clear testimony in the Senate hearings at the time of the 1950 amendments to indicate that even the opponents of a disability benefit program felt that a waiver provision of this kind would be just and reasonable. Its application and use is commonly accepted by all line insurance companies. Then all of a sudden the day H. R. 7800 was reported the AMA had a bright idea. By wantonly misconstruing the language and intent of one portion of this bill the AMA was able to see in it socialized medicine. I dare say this novel interpretation born on or about May 17 in the Washington office of the AMA was as much a surprise to the opposition Members of this House as it was to the majority Representatives. Certainly, when Mr. KEAN, the Republican Member from New Jersey, introduced his bill on H. R. 7549 on April 23, containing the same provision, no Republican then professed to see dangers of any sort lurking in that bill. Nor did any Republican member of the Ways and Means Committee ever see any such dangers in the bill prior to May 19. It was only after the bombshell of socialized medicine was manufactured and thrown by the reactionary AMA leadership that we got all this spontaneous excitement and these indignant protests. Then the Republican Party lined up with the AMA to attack the disability provisions of the bill.

CHICAGO TRIBUNE SPREADS FALSE INFORMATION ON THE BILL

At the same time the AMA bombarded Congressmen with telegrams, they apparently sent word back to the several State medical societies and to some newspapers—with insufficient information on the facts of the matter—and thus started an avalanche of misrepresentation. The Chicago Tribune, for example, on the day preceding the debate on the floor, made the false report that the bill would "for the first time have the Federal Government make direct medical payments for the care of totally disabled persons, on the condition that they submit to medical care as directed by the Social Security Administrator."

An utter and complete fabrication.

FALSE INFORMATION SPREAD IN MICHIGAN AND COLORADO

More nonsense was spread in a telegram sent out by the secretary of the medical society of my own State and is erroneously supported by a Republican gentleman from Detroit, declaring section 3 in H. R. 7800 to be an attempt to

introduce a new undesirable compulsory health-insurance program. These fabrications snowballed into even more fantastic versions. Thus, the Denver Post reported on the 22d day of May statements made by a spokesman for the Colorado State Medical Society in which he interpreted this bill as bringing compulsory state medicine to millions of our citizens. The way he read H. R. 7800—if he ever read it at all, which I have every reason to doubt—it would pay benefits for permanent and total disability not just to indigents but to all enrollees of social security and the medical care of citizens found eligible for such compensation would be handled by the Federal Government. To top it all off, he alleged that the taxpayers would be footing the bills for millions of social security enrollees including many with more than sufficient means to pay for their own medical care.

If anybody here can recognize the remotest similarity between this interpretation of the bill and its true content, I challenge him to get up and explain how.

THE BILL IS 100 PERCENT AMERICAN

Now let us leave the land of fancy and revert to sanity as we take another look at section 3 of this bill. There is no provision here for socialized medicine or for State medicine or for health insurance—compulsory or otherwise—or for medical care or for the payment for such medical care—be it to doctors or private institutions. Nor, I am sorry to say, does the bill provide benefits for the permanently and totally disabled, whether they be indigent or not. All this bill can ever do and ever purported to do is to keep retirement rights and life insurance benefits already earned in years of covered employment from being whittled down or wiped out as a consequence of long periods of incapacity preceding death or attainment of age 65. The only medical aspects involved are examinations and laboratory tests needed to find out if an applicant is really permanently and totally disabled as he claims to be. The only control over these activities consists in having the proper authorities look into a questionable case to make sure that a disability adjudged as permanent has in fact turned out to be permanent.

AMA HAS 20-YEAR OBSTRUCTIONIST RECORD

The AMA is lobbying today to oppose the social-security bill. Just as they have been lobbying against Federal aid to medical education. Just as they opposed voluntary health-insurance plans for many years.

The record of the AMA is one of unparalleled opposition to economic and social progress. They have shown themselves to be stubbornly opposed to helping improve the welfare of the American people.

They are blind to human needs and they resist any reforms whatsoever.

Yet at the same time they recently came before the Ways and Means Committee and asked for special provisions in the tax laws to permit doctors to buy permanent and total disability insurance and deduct such expenses from their income taxes.

AMA WANTS SPECIAL PRIVILEGES FOR DOCTORS

The AMA asks for special privileges from the Congress for tax deductions for the doctors. But the AMA is oppposed to preserving the social-security rights of other persons who become disabled.

What a mockery the AMA is making of the Hippocratic oath.

They favor tax deductions for the rich and they oppose social security for the poor.

They ask for special privileges for themselves and at the same time ask that we deny simple justice for the rest of the American people.

They ask for social security for themselves but wish to deny it to millions of others.

AMA BELIEVES IN THE BIG LIE

The AMA said that the defeat of the bill "was due to the fact that its sponsors sought to trick their fellow Congressmen by a hidden section in the act, designed to establish a legal basis on which the Federal Security Administrator could begin to exercise political control over the care of the sick and the practice of medicine."

This statement by Dr. Lull, AMA secretary and general manager, is a stupid, foolish, reckless pack of misstatements.

There was nothing hidden in the bill. This provision had been public since April 23 when it was introduced in H. R. 7549.

It was contained in H. R. 7800 as introduced which was not opposed by the Republicans in executive session in the Ways and Means Committee.

It did not give any powers to exercise political control over the practice of medicine.

These reckless charges show why you cannot believe what the AMA says. They have become skilled in the dissemination of the "big lie."

MANY OTHER FEDERAL AND STATE LAWS HAVE DISABILITY PROVISIONS

The AMA is of the opinion that the waiver of premium provision does not belong in an insurance bill. I wonder how thousands of doctors would react if the waiver clause in their own life insurance policies were declared not to belong there. It is all right for them to have this protection but they want to deny it to millions of other people.

Furthermore, if the AMA really thinks that the bill gives the Administrator unusual powers in the medical field, then they have not taken note of the Federal and State statutes and commercial insurance contracts that have been with us for decades, which provide for precisely the same administrative and financial safeguards as does H. R. 7800 and under which, incidentally, many private physicians have netted considerable income in performing examinations governed by comparable rules and paid for in comparable ways—usually on a fee basis negotiated with and acceptable to the local medical societies. I am referring to our veterans laws, our civil service retirement law, our Federal statutes providing compensation for injuries to employees of the United States and for longshoremen's and harbor workers' compensation and for railroad retirement; I am referring further to our State cash sickness programs and many of our State workmen's compensation plans. There is no reason to believe that individual doctors will find it repugnant to perform an examination on a fee-for-service basis for the Bureau of Old-Age and Survivors Insurance. They already do it under standard provisions for many other Government agencies.

"THE ISSUE RAISED BY THE AMA WAS ENTIRELY FALSE," SAYS THE CHARLOTTE (N. C.) NEWS

Fortunately for the intelligence of our people and in particular our press, this red herring raised by our medical lobbyist has been readily recognized for what it is, a smoke screen, a false and sham issue. I should like to quote from but two or three of many similar editorial accounts that have come out attacking the AMA. Take, for instance, the Charlotte (N. C.) News of May 22, 1952:

> It was a distressing display by the House. The issue raised by the AMA was entirely false. The Government, as the insurer, has the full right to lay down the rules that would govern applications for premium relief by disabled persons, the same right that a private insurance company exercises. To call this socialized medicine is to abuse the English language.

The editorial in the Charlotte (N. C.) News continues:

> The House—and the AMA—merit the strongest possible rebuke from the American people for * * * this hand-in-hand conspiracy to defeat a worthy piece of legislation on entirely false grounds.

IS CATFISH CAVIAR?

The Louisville (Ky.) Times of May 24 points out that:

> The section in question proposed, reasonably enough, that Federal Security Administrator Oscar Ewing be authorized to set rules and select physicians or agencies to examine persons claiming total and permanent disability. If this is socialized medicine or anything approaching it, then catfish is caviar.

The Denver Post of May 25, said:

> The point at issue in this instance is only how disability is to be determined and how rehabilitation is to be supervised. Those are administrative problems which Congress should be able to solve.
>
> Meanwhile paying up the disabled person's insurance out of social-security funds, at a rate prevailing at the time he is removed from the labor force, will not cost the general taxpayer a dime.

BILL ASSURES FULL FREEDOM TO INDIVIDUAL DOCTORS

It looks, indeed, as though the American people are finally getting wise to the high-powered obfuscations of the AMA. They refuse to swallow its malicious propaganda any longer. No doctor needs to cooperate with the program we are discussing today, if he does not want to. Those who do wish to cooperate will not in any respect whatsoever yield any of their present freedom of action or their proper medical functions performed as medical examiners, diagnosticians, and advisers on medical prognoses.

CONGRESS SHOULD SEE TO IT THAT THE PROVISION PROTECTING THE RIGHTS OF THE DISABLED ARE INCLUDED IN THE BILL

Instead of worrying about the whims of the AMA hierarchy it is about time

that the Congress started worrying about the needs of the hundreds of thousands of present and potential insurance beneficiaries whose working lives have been shortened by prolonged disability and who, therefore, cannot get an adequate old-age insurance benefit that in fairness is due them. After all, they have contributed their share of the social-security tax for many years. When this proposal becomes law, these hundreds of thousands of insured people and their eventual survivors will at least be guaranteed old-age and death benefits undiminished by the period of their disability. It is time we worried about the thousands of insured persons newly entering the ranks of the disabled each year who would partake of this same opportunity to preserve their old-age and survivors benefit rights. Last, but not least, it is high time that we worried about the present old-age and survivors' insurance beneficiaries—nearly 5,000,000 of them—who are aged and widowed and orphaned. They have been eyeing Congress with anxiety in the hope that long-overdue action will be taken to bring their benefits in line with the increased cost of living.

I strongly urge the House to pass this measure and pass it now and as it stands.

AMA OBJECTIONS ANSWERED

The opposition of the American Medical Association to the disability waiver of premium provision in H. R. 7800 apparently is limited to the fact that the program would be administered at the Federal level. Dr. Louis H. Bauer, president of the association, in a statement to the press following the recent adoption of a resolution by the House of Delegates opposing the provision, stated that, and I quote:

> The AMA is not necessarily opposed to payments to the permanently disabled. We are, however, opposed to any such benefits administered at a Federal level.

This statement by Dr. Bauer is extremely significant for two reasons. First, it points up again that the AMA has completely misunderstood the purpose of the disability section of H. R. 7800. This bill does not provide any cash benefits for permanently and totally disabled workers. It simply preserves their rights to retirement and survivors benefits.

Secondly, Dr. Bauer's statement makes it clear that the AMA is not concerned about the medical aspects of disability administration. It is not the program's administrative practices per se that bothers the Association—not even its program content, for Dr. Bauer confirms the official AMA endorsement of benefits for the disabled which was adopted by the House of Delegates in 1938. Rather, the sole objection to the provisions of H. R. 7800 is the fact that it is administered by the Federal Government.

The American Medical Association sees no control of doctors in disability programs whose scope and authority are much more comprehensive than that provided under H. R. 7800. Apparently there is no control of doctors under the State workmen's compensation programs or the State cash sickness benefit programs. Apparently there is no interference in the usual doctor-patient relationship in their administration. Apparently there isn't even any socialized medicine in the disability waiver of premium provision in the National Service Life Insurance for Veterans—a Federal program whose provisions, purpose and concomitant administrative aspects are the same as the provisions of H. R. 7800 as revised by the committee.

The whole issue and the only issue is that the AMA does not want the Federal Security Agency to exercise the reasonable administrative authority that it admits is proper for a State agency or bureau to have. In other words, the AMA's entire argument is simply a political maneuver. The AMA has taken the indefensible position of trying to dictate governmental policy in an area that is completely outside the medical field. They would deprive hundreds of thousands of disabled workers of their earned rights, not because of any danger to the medical profession, but in reality only because the present Federal Security Administrator has advocated health insurance.

Workers under old-age and survivors insurance have as much right to their earned protection as holders of Government insurance or private insurance. The AMA in trying to deprive these workers of their rights is trying to dictate social policy. The membership of the house of delegates has been misled by a distortion of the facts and by an unseeming and frenzied fear on the part of its leaders that anything that strengthens our social security law per se is wicked and to be opposed. The misguided and ill-conceived opposition of the AMA's leadership to H. R. 7800 should be fairly assessed and discounted as having no bearing whatsoever on the merits of this bill.

The bill which we are considering today is a bill which should be passed. The rights of the disabled are preserved in the bill. We have not accepted the unreasonable arguments of the AMA. We have rejected their unwarranted demands for deletion of the entire disability waiver section. We have retained the responsibility of the administrative agency to determine who is permanently and totally disabled.

LIBERALS WILL CONTINUE TO FIGHT FOR FURTHER IMPROVEMENTS IN SOCIAL SECURITY

Mr. Speaker, I favor improvements in the social security program. I am for increasing the insurance benefits.

I have introduced a bill, H. R. 6750 which would greatly expand and liberalize the insurance program. I introduced this bill on February 21, 1952, along with Senators LEHMAN, HUMPHREY, MURRAY, MAGNUSON, and Representatives ROOSEVELT, JACKSON, and MITCHELL.

We are going to continue to fight for these necessary and essential changes in our social security program.

We are going to reintroduce our bill in the next Congress and keep on fighting for these improvements until we get them.

We will fight the AMA-Republican coalition.

We will oppose the reactionary vested interests which are trying to halt the progress we have made in the last 20 years under Democratic leadership.

[From the Washington Post of June 12, 1952]

AMA IN ITS PLACE

Dr. Paul B. Magnuson was in an enviable position to rebuke the leadership of the American Medical Association at its meeting in Chicago, and he made the most of his opportunity. He charged, with eminent justification, that the outgoing president of the AMA, Dr. John W. Cline, "has done more to harm the AMA public relations and the American doctor than anything that has happened in the last 10 years." The AMA has sponsored an almost unparalleled campaign of propaganda designed to stigmatize as "socialized medicine" anything faintly smacking of an effort to meet health needs on other than AMA's terms: As Dr. Magnuson put it:

"It has gotten to the point that any health legislation proposed to Congress no sooner is introduced than highly paid publicists spew forth a stream of invective which has little or no relation to the issue at hand."

Particularly Dr. Magnuson has cause to resent the tactics of the AMA leadership. No sooner had he agreed last winter to take the chairmanship of the new President's Commission on the Health Needs of the Nation than Dr. Cline blasted the commission as a political move and an AMA representative withdrew. Yet the virtue of the new commission is that it is making a fresh and independent survey; it has carte blanche to suggest new methods, and it has no connection with any previous scheme. Dr. Magnuson, an outstanding surgeon in his own right and the man responsible for the veterans' medical program after World War II, has himself been an outspoken critic of the Ewing plan for compulsory health insurance.

Apparently, however, you either agree with the AMA leadership all the way or you are a Socialist. The approach is most unbecoming for men who have taken the Hippocratic oath, and it is refreshing to have a doctor whose own position is unimpeachable speak out for the traditional right of Americans to advocate new ideas without having their motives questioned. We strongly suspect that Dr. Magnuson also speaks for the rank and file of AMA members who, despite the propaganda, know in their hearts that the pressing health needs of Americans are not being met.

Mr. REED of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, this is a very important piece of legislation; it is a part of the second most impressive and most complicated legislative structure of any with which Congress deals. Here is what I mean: Tax legislation is probably the most complicated and far-reaching of any class of legislation with which we deal; social security is the next most complicated.

It has been the policy of the administration during this present session of Congress not to consider any legislation dealing with tax laws or social-security laws.

The Ways and Means Committee, under the guidance of the gentleman from North Carolina [Mr. DOUGHTON], our distinguished friend, has during this session of Congress given the impression that they would not be much inclined to consider bills the purpose of which would be to amend the tax laws or the social-security laws. I have written many letters telling people that it was

the policy of the Ways and Means Committee we would not touch the tax structure this year, and neither would we touch the social-security structure this year, because they were too big and too complicated. But one day out of a clear sky the gentleman from North Carolina [Mr. DOUGHTON] introduced H. R. 7800. I cannot prove this, but I dare say that nobody on the Ways and Means Committee had anything to do with the writing of H. R. 7800; it came up from downtown, and the committee considered it in executive session for a few hours. We Republicans made a strong demand that the committee hold public hearings on this subject. The medical associations should have been given an opportunity to express their views, and the old-age pensioners should have had a chance to ask why they were not considered, and the representatives of 200,000 State employees and teachers in Ohio should have been permitted to express their views, but the committee reported it out with only a few hours' explanation from Oscar Ewing's boys. When the bill was reported out, it was accompanied by a beautiful big report. I daresay that nobody on the Ways and Means Committee wrote a line of that report, containing 51 pages of very illustrative tables and figures. And nobody saw that report as far as I know; I know I did not see it. And what does this report say? Here is a summation of what this report says about this important legislation:

PURPOSE AND SCOPE OF THE BILL

This bill provides for six urgently needed changes in the old-age and survivors insurance program:

1. Benefit increases.
2. Liberalization of the retirement test.
3. Wage credits for military service during emergency period.
4. Preservation of insurance rights for those permanently and totally disabled.
5. Removal of bar to coverage for certain persons under State and local retirement systems.
6. Correction of defects in benefit computation provisions.

Now, there is much more in this bill than socialized medicine; there is a whole lot more in it.

It deals with benefit increases, purely political; liberalization of retirement tests—purely political; wage credits for military, for the soldiers, in this case—purely political. It deals with six or seven very important matters, all of which should have come before the committee—all of which should have been discussed fully, but none of which was considered but very briefly.

What is the hurry about this legislation today? Why not let it come up in the regular way so that we can give it thorough consideration? Just think of it—only 20 minutes of discussion on each side. I am much in favor of the $5 provisions in this bill, but it must be remembered that not one penny of that money is going to go to the aged people, I mean the old-age pensioners; and none goes to the widows and dependent children; and none of it goes to the blind. Whom does it go to? It goes to those persons who are getting social-security payments. They are getting what they paid for. I would be perfectly willing to vote to provide $5 per month additional because the fund can stand it, although it will amount to about $20,000,000 a month.

Let us talk a minute about this matter of socialized medicine. I agree with Mr. REED of New York. There is no doubt that this legislation is the first step in socialized medicine, and when this same bill was up for consideration in the House last week and when we defeated it overwhelmingly, those who are favoring the bill today said that there was no socialized medicine in it then. They came back today and said that they have cut out from the bill of last week about 25 lines that dealt with socialized medicine. I say most emphatically that this bill yet contains much language that is considered as socialized medicine.

Take for instance the first bill. It carries the following language: "an individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required by regulations of the Administrator."

The new bill carries the same language except that it strikes out the words "required by regulations of the Administrator" and inserts in lieu thereof the word "require." The new bill, therefore, reads: "an individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required."

This language of the new bill means in effect that Oscar Ewing and his crowd will determine what the proof must consist of and they will have the full control of it.

It stands to reason that the medical men of the country will know more about this matter of what will be socialized medicine and what will not be than anyone else. They have been watching this legislation. The American Medical Association in its national meeting in Chicago last week, being entirely familiar with all of the provisions of the first bill and of the new bill, adopted a resolution which is as follows:

AMERICAN MEDICAL ASSOCIATION,
HOUSE OF DELEGATES,
June 11, 1952.

RESOLUTION

Whereas Congressman DOUGHTON on May 12 introduced in the Congress an omnibus measure, H. R. 7800, Eighty-second Congress, providing for various amendments to title II of the Social Security Act, which bill was reported favorably by the Ways and Means Committee of the House of Representatives on May 16 and brought before the House of Representatives on May 19 under a suspension of the rules; and

Whereas section 3 of this measure provided for the introduction of a new theory in the social-security program which in its implementation could result in the socialization of the medical profession inasmuch as it would provide that the Federal Security Administrator should (a) determine what constitutes permanent and total disability; (b) establish the types of proof necessary to establish permanent and total disability; (c) provide by regulation when and where physical examinations should be taken; (d) be authorized to prescribe the examining physician or agency (including Federal installations); (e) establish the fees; (f) be authorized to pay travel expenses and subsistence incident to the taking of such physical examinations, and (g) have power to curtail Old Age and Survivors' Insurance benefits because of noncompliance with regulations of this section; and

Whereas the American Medical Association strongly protested against its adoption without full and complete hearings with respect to the controversial provisions of section 3 of the bill; and

Whereas following the rejection of the bill on May 19 by the House of Representatives, certain amendments were made to the bill by the House Ways and Means Committee which purport to eliminate the objectionable features of section 3; and

Whereas notwithstanding certain deletions from section 3 the fundamental purpose of this bill to extend the power and authority of the Federal Security Administrator remains unchanged, and the deletions which have been made are only another attempt to hoodwink the public into believing the section is completely altruistic; and

Whereas the attempt is again being made to present this bill to the House of Representatives next Monday (June 16) under a suspension of the rules; and

Whereas the defeat of H. R. 7800, depriving social-security beneficiaries of numerous additional benefits, was a direct result of the Truman administration's attempt to play politics by tying in a socialized medicine scheme with an otherwise popular measure: Therefore be it

Resolved, That the American Medical Association condemns the breach of faith by this administration with those who would benefit from this bill in a flagrant attempt to railroad through a provision to aid in the socialization of medicine, which could not possibly be adopted if considered openly and fairly; be it further

Resolved, That the American Medical Association urges that Congress re-refer this bill to the committee where it should be subject to the ordinary democratic processes of legislation.

The great State of Ohio, of which I am proud to be a citizen, has encouraged State and county employees and the teachers to organize themselves for their own protection when they would reach the age of retirement or when they would become incapacitated. The State teachers' fund and the fund of the State and municipal employees have been guarded with great care and have been well managed. Today these funds run into the millions. For instance the public employees' funds in Ohio amounts to $115,000,000.

The following is a letter that I received a few days ago from the Public Employees Retirement Board of the State of Ohio:

In re H. R. 7800.

The Honorable THOMAS A. JENKINS,
Congressman, the Tenth Ohio District,
New House Office Building,
Washington, D. C.

We understand that this legislation will be brought out this week, possibly on Wednesday, for vote on the House floor.

Section 6 of this legislation denies the more than 105,000 employees of the State of Ohio and of all units of local government the protection from indiscriminate social-security extension that is provided for Federal employees, for teachers and for fire and police personnel. We contend this is discriminatory and we urge that you insist on the deletion of section 6 or of modification to specifically include public employees who have their own sound retirement system such as the public employees retirement system of Ohio.

Please understand we are not opposed to H. R. 7800 in its entirety but only to section 6, which threatens the continued solvency

of the Ohio program, which has a reserve fund of more than $115,000,000. Our program will not add to the load of future taxpayers, as will social security, for our funds are invested in high-grade interest-bearing bonds and are not spent (as soon as collected) for a variety of purposes other than for retirement benefits.

We plan to be in Washington on Wednesday and Thursday and hope to be able to report to our membership your support in deleting or modifying objectionable section 6.

PUBLIC EMPLOYEES RETIREMENT BOARD,
FRED J. MORR, *Chairman.*
FRED L. SCHNEIDER, *Secretary.*

The following is a copy of a telegram which I received from the executive secretary, Ohio State Medical Association, who is a competent and very sincere gentleman:

COLUMBUS, OHIO, *June 15, 1952.*

Hon. THOMAS A. JENKINS,
House Office Building, Washington, D. C.:

Objectional features still in section 3 of amended H. R. 7800 as it still gives Social Security Department power to establish a socialized-medicine plan. Unfortunate that leaders insist on no public hearings, suspension of the rules, and no floor amendments on measure of such vital importance. Please seriously consider referral back to committee so hearings can be held and corrective amendments considered. This is not an objection to certain pension provisions provided for in other sections of bill.

CHARLES S. NELSON,
Executive Secretary, Ohio State Medical Association.

The following is a copy of a telegram that I received from Mr. Switzer, president of Ohio Civil Service Employees Association:

COLUMBUS, OHIO, *June 9, 1952.*

In re H. R. 7800 social-security amendments.
Hon. THOMAS A. JENKINS,
House Office Building,
Washington, D. C.:

Vigorously opposed to passage of this resolution in present form. Approximately 200,000 public employees in Ohio already covered by existing retirement plans under which benefits provided exceed those of social security. These workers and their interests require that opportunity be afforded them to be heard before action is taken. No public hearings on this resolution were held.

RALPH J. SWITZER,
President, Ohio Civil Service Employees Association.

The following is a telegram that I received from the president of the Public Accountants Society of Ohio:

TOLEDO, OHIO, *June 16, 1952.*

THOMAS A. JENKINS,
House of Representatives,
Washington, D. C.:

House bill 7893, section 302, far too discriminatory against many hundred Ohio public accountants. Your good judgment we trust will prevail in favorable consideration of recommendations made by National Society, Public Accountants; my regards.

CLINTON C. VAN WORMER,
Spitzer Building, Toledo, President, Public Accountants Society, Ohio.

The following is a telegram received from Dr. Dixon, president, Ohio State Medical Association:

COLUMBUS, OHIO, *May 18, 1952.*

Congressman THOMAS A. JENKINS,
House Office Building,
Washington, D. C.:

Have been advised that H. R. 7800 before you for immediate action has provision in connection with disability and rehabilitation benefits which would compel beneficiaries to secure examinations from physicians selected by Social Security Administrator in addition to other questionable procedures. Looks like another back-door attempt at socialized medicine program. Please check on those sections carefully and support amendments to correct which will be submitted. Highly desirable that hearings on this bill be held which is not contemplated, we understood, because of special rule. Respectfully.

FRED W. DIXON, M. D.,
President, Ohio State Medical Association.

The following is a telegram that I received from Mr. Howard, president of the Ohio Association of Public School Employees:

COLUMBUS, OHIO, *June 9, 1952.*

Re H. R. 7800, social-security amendments.
THOMAS A. JENKINS,
House Office Building,
Washington, D. C.:

We strongly protest passage of this bill in what we understand present form of section 213 to be regarding extension of coverage to public employees. Every public employee in Ohio is covered by a retirement system providing more ample benefits than social security. There are approximately 200,000 public employees in Ohio who could have present retirement benefits affected by the results of this legislation on which they haven't even had the opportunity to be heard.

HAROLD L. HOWARD,
President, Ohio Association of Public School Employees, Columbus, Ohio.

I have received many other telegrams from similar organizations in other States.

Mr. Speaker, let us not be mistaken. This is very important legislation which should have had thorough consideration by the Ways and Means Committee. This is purely a political bill and it is intended to serve two purposes. First, it will seek to distribute about $20,000,000 a month to our people, most of whom are very deserving. Second, it will give Mr. Altmeyer and Mr. Cohen and Mr. Oscar Ewing, three of the smartest legislative manipulators I have ever seen, an opportunity to socialize our social-security program and to socialize medicine. I have repeatedly said that the doctors of our country do more for nothing than any other class of people and that the school teachers do more for less than any other class of our people. Neither of these two great groups is in favor of this legislation. The Ohio Chamber of Commerce—the largest State chamber of commerce in the country is opposed to this legislation. The Insurance Federation of Ohio is also opposed to it.

Mr. Speaker, for all these reasons and some more cogent reasons I cannot in good conscience support this bill. Let's write a fair bill and support it.

Mr. DOUGHTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. EBERHARTER].

SOCIAL SECURITY FOR ALL THE AMERICAN PEOPLE

Mr. EBERHARTER. Mr. Speaker, I am wholeheartedly in favor of the social security bill we are considering today. The bill provides for increasing the insurance benefits of nearly 5,000,000 persons. It liberalizes various provisions. It preserves the insurance rights of persons who become disabled. I want to say that the amendments which have been offered to the disability section of the bill are really self-explanatory. I want to say that, in my opinion, they do not involve one single concession to any of the unreasonable demands of the American Medical Association. They do not diminish any rights of those persons who become permanently and totally disabled. They do not take away any of the basic administrative responsibility of the Social Security Administration to see that the rights of the disabled are fully protected and that the Federal Government is properly protected at the same time.

The leadership of the American Medical Association has made, and is continuing to make, unsubstantiated charges about this one section of the bill. The amendments offered by Chairman DOUGHTON would delete the sections which related to examinations and physicians so that the AMA could not continue to distort and misrepresent the effect of this provision of the bill.

However, it should be clear to everyone that not one bit of administrative responsibility is taken away from the Bureau of Old-Age and Survivors Insurance to see to it that only persons who are bona fide permanently and totally disabled have their rights protected and preserved.

It is absolutely clear under H. R. 7800, as amended, that the disabled individual must still furnish full proof of his disability. The bill specifically requires that this be done. The bill specifically provides that the final finding that the individual is permanently and totally disabled must be made by the Federal agency.

The bill does not create any authority to establish socialized medicine or provide continuing medical care to anyone. Medical examinations obviously have a necessary part in making a finding of permanent and total disability. No one has been or would be socialized by such examinations. No one could be forced to undergo any examination.

The leadership of the AMA called for deletion of the entire disability provision of the bill. We have absolutely refused to bend to this unjustified demand of the AMA. I am sure that most private doctors throughout the United States do not share this unwarranted demand of the American Medical Association.

But we have eliminated some of the superfluous language so the leadership of the AMA could not continue its false and misleading campaign against the bill.

The Bureau of Old-Age and Survivors Insurance will at times find it necessary to have medical examinations and medical tests made in order to protect the workers' interests. Under this program, the burden of proof is on the person claiming disability. Thus, the Bureau must always disallow claims when the evidence which the worker submits does not clearly establish the disability. By authorizing additional tests and examinations in doubtful cases, the Bureau will be able to make a fair examination of the facts. If such additional tests were not made, the claimant would always lose

out when the evidence submitted by the patient's own physician was inconclusive.

The passage of this bill, H. R. 7800, will be a great victory for those, like the gentleman from North Carolina [Mr. DOUGHTON], who has fought for preserving the rights of the disabled. I am sure that nobody here will charge that the gentleman from North Carolina [Mr. DOUGHTON], who sponsored the bill, is in favor of socialized medicine.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman from Ohio and the gentleman from New York talked about socialized medicine in this bill. This bill covers an insurance program. The National Service Life Insurance Act, which is the act providing insurance for veterans, also covers an insurance program.

Mr. EBERHARTER. The provisions of the two are the same.

Mr. YATES. No complaint has been made that examinations covered by that act would result in socialization of medicine, and yet it, too, provides for regulations by one administrator. In section 802 (n) of the National Service Life Insurance Act it is provided:

> The Administrator shall provide by regulations for examination or reexamination of an insured claiming benefits under this subsection and may deny benefits for failure to cooperate.

Is it not elementary that the Government or a private insurance company or any organization which provides an insurance system incorporating waiver of premium for total disability should have the right of examination of the insured in order to check and prevent fraudulent claims?

Mr. EBERHARTER. The answer is obviously "Yes." To prevent fraud, proper check must be made.

The social-security program first was enacted in 1935 under the sponsorship of a Democratic administration. The program was liberalized in 1939 under the sponsorship of a Democratic administration.

In 1950 the social security program was broadened and expanded as a result of the initiative and leadership of a Democratic administration. And today again, under the sponsorship of a Democratic administration a social security bill has been drafted which will aid millions of persons throughout the entire United States.

Four weeks ago this same bill was brought before the House of Representatives for a vote. But as a result of Republican opposition the bill was defeated. Today, we are giving the Republicans another chance to vote for improving the social security law.

THE REPUBLICAN OPPOSITION TO SOCIAL SECURITY

The recent action of the Republicans in opposing necessary improvements in the social security law is not something unusual. They have opposed the insurance provisions of the law from the very beginning.

On May 19 of this year the American people saw again that the Republicans take every opportunity to oppose improvements in the social-security program to help the disabled. Responding to the whip-lash of the American Medical Association, the Republicans voted against the social security bill which would have increased social security benefits and would have preserved the social security rights of persons who become permanently and totally disabled. As a result of this opposition, the entire social security bill was defeated, and 4,500,000 beneficiaries are in danger of losing the increase they so desperately need.

This action of the Republicans is not just an isolated performance. It is part and parcel of their program for the last 20 years.

It is part of the 20-year campaign of the Republicans to delay, emasculate and defeat the Democratic effort to improve the social security protection of the American people.

THE REPUBLICAN OPPOSITION IN 1935

When the Democratic members of House Committee on Ways and Means reported out the social-security bill in 1935, the Republican members of the committee strongly opposed the old-age insurance provision of the bill. In their minority report on the bill every single one of the Republican members of the committee attacked the old-age insurance provisions on the grounds that—

First. It was unconstitutional.

Second. It would not in any way contribute to the relief of present economic conditions, and might in fact retard economic recovery.

Third. It would impose a crushing burden upon industry and upon labor.

Fourth. It would establish a bureaucracy in the field of insurance in competition with private business.

Fifth. It would destroy old-age retirement systems set up by private industries.

All of these fantastic objections by the Republicans turned out to be wrong. The old-age insurance plan is now enthusiastically endorsed by leading representatives of the insurance companies, employers, bankers, and labor.

The Republicans then attempted on the floor of the House to eliminate the old-age insurance program from the bill. Mr. Treadway, the ranking Republican member of the Ways and Means Committee, moved to strike out the insurance program.

In attacking the old-age insurance provisions of the bill on the floor of the House in 1935 the gentleman from New York [Mr. REED], now the ranking Republican member of the Ways and Means Committee, said:

> Now, my colleagues, you know that what you are attempting to do is unconstitutional, and you know that for that reason title II and title VIII ought to be eliminated from the bill. They are not relief provisions, and they are not going to bring any relief to the destitute or needy now nor for years to come. It is more of your compulsory, arbitrary program. * * * This title ought to be removed from the bill.

The gentleman from Ohio [Mr. JENKINS], one of the three ranking Republicans on the Ways and Means Committee at the present time, said in his attack on old-age insurance:

> We are by title II saying to every young man that if he does not save, if he does not provide for himself and pay for an annuity there will be no old-age pension for him and that charity will have vanished from America. In other words, you enact title I and you boast that you are charitable, and in title II what do you do? You seek to compel every wage earner to pay for an insurance policy even though he cannot afford it. You should not mistake this for a voluntary annuity. They took out the voluntary annuity title, but they retained the compulsory title. You do not say to these people, "If you want to do so we will provide a system whereby you may save." You say, "You have got to save." Thrift is as far from compulsion as freedom is from slavery. * * *
>
> This is compulsion of the rankest kind. Do not be misled by the title. The title says "Old-age benefits." Shame on you for putting such a misleading and unfair label on such a nefarious bill. Old-age benefits? Think of it. Oh, what a travesty. Yes; if you work and sweat and scheme and drive yourself for a generation or for all your life, this title says that the Government will then pay you a little annuity when you are 65 years of age. Who knows who is going to become 65 years of age? Who knows about the uncertainties of life?

The motion by Mr. Treadway to eliminate the old-age insurance title was defeated on a division of the House 41 to 131 and then by a teller vote 49 to 125. Under the vigorous leadership of the Democrats, the bill was passed in the House by a vote of 372 to 33.

Three of the Republican members of the committee who opposed old-age insurance in 1935 are members of the House Ways and Means Committee today—Messrs. REED, WOODRUFF, and JENKINS.

The Republicans' effort to eliminate the old-age insurance provision was defeated in the House of Representatives in 1935. The gentleman from New York [Mr. REED], the present ranking Republican member in the Ways and Means Committee, voted against the entire social security bill. The gentleman from New York [Mr. TABER], the present ranking Republican on the Appropriations Committee, also voted against the entire social security bill.

When the original social security bill was being considered in the Senate, the Republican opposition continued. Senator Hastings, the Republican Senator representing the du Ponts, of Delaware, moved in the Senate Committee on Finance, to strike out the old-age insurance provision. When Senator Hastings was defeated in this move in the committee he then made another final effort to get the provision struck out on the floor of the Senate. He was soundly defeated by a vote of 63 opposed to only 15 in favor, 12 of whom were Republicans.

On the final vote on passage of the social-security bill in the Senate there were 77 in favor and 6 opposed. Five of the six opposition votes were Republicans.

Some influential representatives of insurance companies and business interests supported Senator Hasting's efforts to strike out the insurance program. They used the argument that there should be more time for consideration of

some of the problems and that the Congress should delay action on the insurance program and take action only on the program providing old-age assistance to needy persons. The Democratic Congress refused to heed this advice.

Although the Democratic Congress passed the social-security bill, the Republican opposition did not stop. The Republicans then started a two-pronged drive to prevent the program from going into operation.

THE REPUBLICAN OPPOSITION: 1936 AND 1937

The Republicans then began a two-front war against the insurance provisions of the social-security law—

First. To get the insurance provisions repealed by Congress before it went into effect; and

Second. To try to get the insurance provisions declared unconstitutional.

They started this two-pronged attack simultaneously. The first part of the program broke down completely in November 1936. Governor Landon, as the Republican presidential candidate in 1936, came out against the social-security program as a "cruel hoax." Governor Landon had the nerve to advocate repeal of the social-security law. John G. Winant, the Republican Chairman of the Social Security Board, was so incensed and disgusted with this unfair attack on the social-security program that he resigned in protest of Landon's action.

During the 1936 campaign the Republican National Committee purchased radio time to fight the social-security program. The Republican National Committee, through its industry committee composed of representatives of big business, had stuffers put into pay envelopes during the last week in October 1936 to try to frighten the workers into voting for repeal of the social-security program. These pay-envelope notices were printed in such a way as to give the false impression that the Social Security Board in Washington had issued them officially. They were grossly misleading, untrue and, of course designed to frighten the voters. But their effort was a total failure.

Another effort to frighten the people was also unsuccessful. In cooperation with many of the reactionary newspapers, the Republicans began a campaign to make people believe that if social security went into effect each person would have to wear a dog tag around his neck. There were false rumors that individuals would have to have their social-security numbers tatooed on them. There were false rumors that all of the information received by social security would be made public and would be used as a black list. It was a vicious campaign which backfired. The voters of the country were not deceived. The first part of the Republican attack went down to defeat at the polls.

The second part of the attack was defeated May 24, 1937, when the United States Supreme Court completely rejected the Republican contention that the law was unconstitutional.

THE 1939 AMENDMENTS TO THE SOCIAL SECURITY ACT

Despite the Republican opposition, the Democrats continued to urge improvements in the social-security program. In 1939, under sponsorship of the Democrats, the social-security program was liberalized and expanded. The vote on passage of the bill in the House was 361 to 2. The two opposing votes were both Republican.

In the Senate, the vote on the bill was 57 to 8. Six of the eight votes in the opposition were Republican. Senator TAFT voted against the bill, as did Senator BRIDGES, the present minority leader in the Senate.

THE REPUBLICAN OPPOSITION: 1940–47

The Republican opposition to the old-age insurance provisions of the law did not stop when they were defeated in both the 1936 Presidential campaign and in the 1937 ruling of the United States Supreme Court.

They then started a campaign to freeze the payroll taxes which provide the income for the payment of the insurance benefits. They argued that if the payroll taxes were not frozen the reserve fund would become too big and there would be demands for liberalizing the insurance benefits. The movement to freeze the taxes was led by the Republican Senator from Michigan, Mr. Vandenberg. On several occasions the provision to freeze the contribution rates was added on as a rider to a general tax bill where it was almost impossible to defeat. In this way, the income to the social-security fund was frozen and the liberalization of social-security benefits was delayed. At the same time the Republicans took advantage of the preoccupation of the Congress in winning the war to prevent action during 1940–45 to improve the insurance benefits.

Shortly after the war had ended the Democratic members of the House Committee on Ways and Means instituted extensive hearings on proposals to improve the social-security program. Several important improvements were adopted in 1946.

THE REPUBLICAN-CONTROLLED EIGHTIETH CONGRESS: 1947–48

The Republican-controlled Eightieth Congress again showed its true views on social security by passing two laws aimed at emasculating the old-age and survivors insurance program. The first of these was enactment of a law excluding a large number of persons from the insurance program. The second was passage of an appropriation bill making it impossible for the Commissioner for Social Security to carry out effectively his statutory responsibilities for studying needed changes in the program.

The Gearhart resolution: Shortly after the second session of the Eightieth Congress convened in 1948, Representative Gearhart, Republican, of California, introduced a resolution to exclude some 500,000 to 750,000 salesmen from the insurance provisions. Under the leadership of Congressman Knutson, at that time the Republican chairman of the Ways and Means Committee, the bill was reported out of committee. I opposed this action, along with three other Democratic members of the Ways and Means Committee, who signed a minority report opposing adoption of the bill. I led the opposition to the bill on the floor of the House of Representatives. In the House of Representatives, every one of the 13 Republican members of the Ways and Means Committee who voted favored and voted for the Gearhart resolution.

After the Republican-controlled Congress passed the resolution, President Truman vetoed it. The resolution was passed over the President's veto. On the vote to sustain the President's veto, all of the 15 Republican members of the Ways and Means Committee voted against the veto and in favor of excluding the salesmen from the insurance law.

President Truman vigorously opposed the Gearhart resolution in the presidential campaign of 1948 and both Congressman Gearhart and Congressman Knutson, the Republican chairman of the Ways and Means Committee, were defeated for reelection. The people of their districts saw that they were not working for the people's welfare.

In 1950, under a Democratic Congress, the social-security law was amended to include all of the 500,000 to 750,000 salesmen under the insurance program. The Democrats showed that they were concerned with the welfare of these people.

Emasculation by appropriation reductions: Emasculation of the insurance program by direct legislation turned out to be a difficult job for the Republicans. However, they were successful in the Eightieth Congress in almost entirely eliminating the appropriation to the Social Security Administration for the over-all direction and development of a coordinated social-security program. In this way they hoped to nullify section 702 of the Social Security Act, which specifically provides that the Administration shall have the responsibility for studying and making recommendations as to the most effective methods of providing economic security through social insurance, and as to legislation and matters of administrative policy concerning old-age pensions, unemployment compensation, accident compensation, and related subjects.

Despite the fact that the Republicans were in complete control of Congress for the 2 years, 1947 and 1948, they did not enact a single bill improving or expanding the social-security program.

During these 2 years the cost of public assistance continued to increase, while the social-insurance benefits became wholly inadequate because of the increased cost of living. But the Republicans did not increase the social-security benefits. They were more interested in reducing the taxes of the millionaires. They were more interested in helping big business. They did not have time to pass legislation for the people of the United States.

1949–50

With the election of a Democratic President and Congress, steps were taken immediately to improve and expand the social-security program. Based upon recommendations of the President, the Democratic members of the House Committee on Ways and Means reported out a social-security bill in 1949. The opposition to the bill in the committee was led by three Republican members of the committee—CURTIS, MASON, and BYRNES—who in a minority report opposed the social-insurance program in its entirety.

However, the official view of the majority of the Republicans endorsed the insurance principle but proposed to restrict and limit the benefits in a number of ways. They proposed that benefits be limited by cutting the maximum basis on which contributions and benefits would be computed from $3,600 to $3,000 a year, by completely eliminating the provision for increasing benefits for each year of contributions, by eliminating the provision for payment of a lump-sum death benefit in certain cases, and by eliminating the provision for payment of insurance benefits to persons permanently and totally disabled.

The Republican strategy was first directed toward voting against the closed rule on the bill. In this way, they believed they could offer their restrictive amendments to each of the various sections of the bill. Their effort to kill the rule was defeated, however, 189 to 135. All of the nine voting Republican members of the Ways and Means Committee voted for a rule to permit restrictive amendments to be offered to the bill.

Next, they attempted to offer as a substitute their bill which contained all the restrictions and limitations. Due to the Democratic leadership this restrictive Republican bill was fortunately defeated, 112 in favor, 232 against.

All of the nine voting Republican members of the Ways and Means Committee voted for the restrictive substitute bill.

On final passage of the bill in the House of Representatives, 12 Republicans voted against the bill. The bill was passed 333 to 14 in the first year of the Democrats' return to power in the House of Representatives.

In the Senate Committee on Finance the fight for liberalizing amendments was led by two Democrats—Senators Lucas and Myers—who issued a statement of supplemental views and reservations. Minority views opposing the entire social-insurance program were issued by Senator BUTLER, a Republican.

Senator BUTLER advocated his program for repeal of the social-insurance program and substitution of the means-test program. This proposal of Senator BUTLER's was opposed by Senator MURRAY, Democrat from Montana. Opposition to the social-insurance plan was led on the floor of the Senate by Senator CAIN, a Republican.

In the Senate all the important and constructive and liberalizing amendments were offered by Democrats. The only restrictive amendment adopted on the floor was offered by a Republican, Senator KNOWLAND. The vote was 45 to 37 for the Knowland amendment. Republicans voted 33 for it while 34 of the Democrats voted against it.

The final Senate vote on the bill was 81 in favor, 2 opposed. Both opposition votes were Republican — BUTLER and CAIN.

The main action on the conference report took place in the House. There, under the leadership of a Democrat, Congressman Lynch, a motion was made which would have permitted the House to vote on whether to restore the provision for paying insurance benefits to persons permanently and totally disabled and to strike out the Knowland amendment. The opposition to this motion was led by a Republican, Congressman BYRNES. The motion was defeated by a close vote, 186 to 188.

On this vote every one of the nine Republican members of the Ways and Means Committee who voted opposed giving the Members of the House an opportunity to vote to improve the bill.

On final adoption of the conference report the vote in the House was 374 to 1. The one vote against the bill was by a Republican—BYRNES.

THE 1952 OPPOSITION

What is the Republican record on social security in 1952?

On the vote 4 weeks ago on the social-security bill only three of the Republican members of the Ways and Means Committee voted in favor of the bill. The other seven Republican members of the committee voted against the bill.

The three Republican members—REED, WOODRUFF, and JENKINS—of the Ways and Means Committee who opposed old-age insurance in 1935, who are still members of the committee today, also opposed H. R. 7800—17 years later.

The gentleman from New York [Mr. REED], the present ranking Republican member of the Ways and Means Committee, who voted against H. R. 7800 on May 19, 1952, voted against the entire social-security bill in 1935. Nevertheless, the gentleman from New York [Mr. REED] now contends he has always been for social security and presents us with a bill to take the place of the one presented by the Democrats, who, the record shows, have been for social security from the beginning.

But Mr. REED's bill eliminates the provisions for preserving the benefit rights of persons who become permanently and totally disabled. The Republican bill is a farce. The Republicans say they are for social security but take every opportunity to oppose it, to cut it back, to prevent it from being improved.

It is the Democrats who have consistently shown that they are in favor of sound social security. It is the Democrats who have consistently fought for the liberalizations and improvements.

THE DEMOCRATS ARE WORKING FOR FURTHER IMPROVEMENTS IN SOCIAL SECURITY

The sweeping improvements in the social-security law which the Democrats made in 1950 were very important. The improvements we have made in the bill before us today are another forward step.

But the Democrats are working for still further improvements which are vitally needed. They are:

First. More adequate insurance benefits so that people who retire can be assured of having an American standard of living.

Second. More adequate insurance benefits for widows and orphans.

Third. Insurance benefits for persons who, prior to age 65, became permanently and totally disabled and cannot work.

Fourth. Abolition of the old-fashioned poorhouse. Better homes for the aged for those who cannot care for themselves.

Fifth. More adequate public assistance benefits for all needy aged persons, the blind, dependent children and the helpless disabled.

Sixth. Better health and welfare service for children, regardless of race, creed or color.

I pledge myself to fight for these improvements. I believe we can achieve these goals under the leadership of a Democratic administration.

I am in favor of decent wages which will permit all of the American people to save for their old age. Our social security system is now part of our American way of life. It is part of our economic and social system. We must fight off all attacks to cripple and destroy it.

THE FALSE CHARGE OF SOCIALISM AND THREAT OF FREEDOM

Many Republicans have tried to pin the label "socialism" to social security as they have tried to pin this label to other improvements the Democrats have sponsored for the people. This is their way of proclaiming that if they ever return to power they will try to tear the heart out of social security—or, at best, stand in the way of needed improvements.

Many Republicans charge that the Democratic emphasis upon security threatens individual freedom. This is merely a way for people with millions of dollars behind them—either in their pockets or in the coffers of their campaign contributors—to say that they want more security for themselves but less for everyone else. This is merely another device for obscuring the rather obvious fact that social security under the leadership of the Democratic Party has both strengthened our free enterprise system and provided a stronger base than ever before for human dignity and individual freedom.

Mr. REED of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Speaker, H. R. 7800, now before us under a procedure we call suspension, limits debate on this very important bill to 40 minutes. We defeated this same bill on May 19, principally because it was considered under a suspension rule at that time, and amendments could not be

made. It was a case of accepting or rejecting the bill in its entirety, and the House chose to reject the bill. It is now before us again, and this time the chairman of the Ways and Means Committee has moved that the rules be suspended for the passage of the bill with an amendment.

Thus, we are now witnessing a drive for passage of very important legislation without due consideration on the floor of the House of Representatives. We are witnessing a very good example of why a political party should not bring embarrassment upon itself by the willy nilly acceptance of legislation written in the executive departments of Government downtown. H. R. 7800 was unquestionably written by the administrator, or his assistants, of the Federal Security Agency, and handed to the distinguished chairman of Ways and Means for introduction. No public hearings were ever heard on this bill which vitally affects millions of our citizens who are covered by social security. Nevertheless, the bill was reported favorably by a majority of the committee after discussion with proponents of the legislation from the Federal Security Agency.

When the bill originally came to the floor without adequate study, members of both the committee and the House, or both political parties, found that they had been sold a bill of goods, and in H. R. 7800 the Democratic Party was supporting legislation which inadequately helps the aged, while damaging all of our citizens. This is true, for concealed in the bill is a sleeper which marks the beginning of socialized medicine in the United States.

The Federal Security Agency, in preparing H. R. 7800, worded it so that that agency could issue regulations which would designate doctors, fix their pay, define procedures and findings they must make, and otherwise restrict the practice of medicine in the conduct of their profession. By urging passage of H. R. 7800, the Democratic majority in the House of Representatives, most of whose Members oppose socialized medicine, give it their blessing. Fortunately, on May 19 the deception was discovered, and sufficient Democrats joined the Republicans to defeat H. R. 7800 in its original form.

Today, H. R. 7800 is called up with an amendment. The purpose of the amendment, according to the Democrats, is to remove from the bill the provision which spelled out socialized medicine. thus, under fire, the leadership seeks to clear their skirts of any lasting charge that they support socialized medicine. Unfortunately, it can be argued effectively, and I believe accurately, that the large delegation of power to make regulations, contained in the bill even with amendment, will permit Mr. Oscar Ewing, Mr. Altmyer, and Mr. Cohen to make a beginning in socializing the practice of medicine.

Hereafter, bills from departments should be more carefully scrutinized, and above all on important legislation public hearings should be held, when all interested persons may present their arguments for and against the proposed measures.

I am opposed to H. R. 7800 for another reason. Many social security payments are as low as $10 or $15 per month, and the average payment is approximately $40. In the light of our Government's poor fiscal policies, which have brought about a high degree of inflation through which the dollar value has decreased 50 percent in the last 10 years, it is ironical to offer a man $5 per month and expect him to be pleased. This bill is political, and is designed by the Democratic administration to attract votes based upon a $5 increase in social security payments.

This money was earned by the workers in past years, and it is his by right, and both the condition of the social security fund, and the needs of the retired workers, demand that a realistic increase be granted.

Wages are a lot higher today, with a result that tax receipts from social security are higher. The committee should study the entire situation, and will I am sure find that $5 is merely a stab in the dark. It is intended more to attract votes than it is to pay the insured worker what he has earned, and what the fund can afford. As a matter of fact, the excess money collected from the workers, and not paid back to retired individuals, has all been spent for Government expenditures. The money is gone—all the social security fund has is a lot of I O U's. These I O U's are bonds which will have to be sold to pay our social security obligations.

Further, the Federal Security Agency refuses to admit that a man should be permitted to receive his social security payment if he earns more than $70 a month. This is a ridiculous and unfair limitation, for in effect the Federal Security Agency, under Oscar Ewing, is saying that a man can live on $70 a month. This limitation should be stricken from the bill, so that a man can earn any amount and at the same time receive social security which he has bought and paid for.

The great trouble with this legislation is that it was not considered by the Ways and Means Committee, nor is it brought before us today under a rule permitting the Members of the House to amend it on the floor. It should be sent back to committee with instructions to report a bill immediately striking out the provision which permits socialized medicine, and including a realistic increase in benefits to retired workers, while eliminating the provision that a man cannot receive social security benefits if he earns $70 per month. We are the trustees of money taken in taxes from the workers of our country. We must handle it wisely.

Mr. DOUGHTON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. KEAN].

Mr. KEAN. Mr. Speaker, I am somewhat embarrassed in getting this time from what I consider the wrong side of the House, but I understand that all the senior Members of my committee on my side wanted all the time, so there was none left.

I want to join with my good friend, the gentleman from New York [Mr. REED], in his eulogy of the doctors. They are a wonderful group. I am especially cognizant of this point today, because for the past 2 or 3 weeks I have talked to a good many doctors on this point, and every single one of them has agreed with the position I have taken except one doctor who called me on the telephone on Sunday, and I said, "Why do you object to this?" He said, "Well, I was asked to telephone you by the people in Washington." He did not not know the exact provisions of the bill.

No one seems to be finding fault with the objectives of this controversial section, with the proposal to freeze the insurance benefits under OASI of those, who, having contributed for at least 5 years to the trust fund, are so unfortunate as to become totally and permanently disabled. Where the objection seems to lie is entirely on the question of by whom and how shall this section be administered. In the original bill the method of administration was spelled out, but this was objected to in the telegram which we all received from the Washington representative of the American Medical Association.

I could not see any objection to the bill as originally presented. However, all legislation is a matter of compromise and in order to as far as possible meet the objections made in the telegram, all sections which were objected to have been stricken from the bill as it is presented to you today.

Now how does this leave the situation? The only reference to administration is in line 13, page 13, which reads, "An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required." There is even still objection to this from certain quarters. They say some one will have to decide what proof is required, and that this will necessarily be the Social Security Board. Of course it will. Who else could do it? You would not ask that it be done by the Bureau of Internal Revenue or the Farm Board. Some Government bureau must check a man's statement that he is permanently and totally disabled. The American Medical Association is on record in agreement with this. The house of delegates passed the following resolution on September 17, 1938:

> It is, however, in the interest of good medical care that the attending physician be relieved of the duty of certification of illness and of recovery, which function should be performed by a qualified medical employee of the disbursing agency.

Some say, what is the difference between the original bill and this one, if the Social Security Board will administer this anyway? There is a great deal of difference. Under the original bill, methods of administration were spelled out in law, and as we all know, laws are most difficult to amend. With these amendments, administration will be by regulation, and regulations, if distateful, can easily be changed.

Frankly, how this section will be administered is not to me the important question. The important issue, in my mind, is shall this inequity continue by which those who become totally and

permanently disabled or blind after having regularly and faithfully paid their tax toward their retirement benefits, now find themselves, when they reach the age of 65, receiving much lower social-security benefits owing to their misfortune. That is the issue on which you will be called upon to vote tomorrow.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. KEAN. I yield to the gentleman from Michigan.

Mr. DINGELL. May I ask this question for the benefit of the Members? Is not this waiver of premium, which we are now discussing, a common and an old practice of many years standing in the old-line life-insurance companies?

Mr. KEAN. Certainly, but of course the old-line life-insurance companies do have their doctors look at the people, and that is exactly what we would have to do.

Mr. DINGELL. I say it is a desirable thing.

Mr. KEAN. Very desirable.

Mr. DINGELL. Anyone who has a lick of sense in taking out a policy generally tries to take out a waiver of premiums so in case he breaks down he at least does not have to worry whether or not his insurance goes on.

Mr. KEAN. The gentleman is absolutely correct. It is something which has been in insurance policies for a long time.

Mr. REED of New York. Mr. Speaker, I yield to the gentleman from New York [Mr. OSTERTAG] for a unanimous-consent request.

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, our social-security system is full of inequities, and the present amendments, so far from correcting them, only accentuate them.

One of the least justifiable of these inequities is the provision in section 4 of the present bill, which puts a ceiling of $70 monthly on the amount a person of 65 can earn, without loss of his benefits, while removing this ceiling entirely at age 75.

In the interests of good faith, in the interests of fair play, in the interests of the health and happiness of our old people, and in the interest of our economy, this ceiling should be removed entirely. It does not belong in the Social Security Act.

It is preposterous to tell a man who has contributed to this system through many years of his life that the only way he can draw benefits is to retire from productive work and live on the pittance that it affords him. At a time of life when he needs to be encouraged to make full use of his capacities, lest they deteriorate and make him a burden to himself, his friends, and his relatives, our so-called social-security insurance system provides that he shall have no help from it, unless he becomes economically a second-class citizen, dependent upon the Government for his main support.

Furthermore, the system is not even consistently even-handed in laying down this arbitrary ruling; on the contrary, it compounds injustice by providing that if a man has an independent income at 65, he can draw his full social-security benefits without hindrance. It is only if he is gainfully occupied at 65 that he is penalized. Thus, as in so many other ways, this administration encourages indigence while it penalizes the industrious.

Mr. Speaker, every possible consideration—hunmanitarian, economic, psychological—points to the urgent importance of eliminating this wage ceiling in the social-security system, as would be done under my bill, H. R. 6810.

I have been seeking for many months to get full and adequate data from the Social Security Administration on this matter, and I am still waiting for it, but certain statistics which have been vouchsafed to the public are indicative of the size of the injustice perpetrated by the imposition of the wage ceiling in the Social Security Act. I am informed that 1,200,000 men and women over 65 who would otherwise be eligible for social-security benefits are today being deprived of them because they have the initiative, the spirit, and the capacity to continue working at 65. Another 300,000 widows and children who would also be eligible for social security are prevented from collecting it because they have elected to work at productive jobs rather than live on social security's inadequate benefits.

It cannot be argued that there would be a net economic loss if those 65 and older were encouraged to continue at productive work rather than being penalized for it. On the contrary, medical men and economists are both agreed that the arbitrary fixation of the retirement age at 65 is damaging to the individual both physically, psychologically, and economically. Dr. Thomas Parran, former Surgeon General of the United States, estimates that the potential economic gain to the country of keeping 1,500,000 people of 65 or more gainfully occupied would be about $4,500,000,000 annually. Wilbur J. Cohen, technical adviser to the Social Security Administrator, himself estimated that "the value to the national economy of the services of the aged who are now working is about ten to twelve billion dollars a year," and he further estimates that if another 500,000 older workers were added to the work force, as during World War II, "it would increase the national production about $1,500,000,000 annually." Thus there is ample evidence that it is greatly to the country's advantage, economically, to keep old people gainfully employed.

By contrast, the report on H. R. 7800 estimates that the cost of removing the wage ceiling would be about one billion dollars a year. This, I should like to point out, is about one-fifth of the estimated saving to be achieved by the establishment of a carefully planned central buying agency for the Armed Forces. It is less than one-sixth of the amount we are now planning to give to foreign governments during the next fiscal year. It is about one eighty-fifth of this year's budget.

The Social Security Administration takes the position that removal of the wage ceiling would be expensive. Yet the history of this program is that it started paying benefits earlier than was anticipated; the benefits are already much higher than was expected; the social-security fund has continued to grow, and the wage ceiling has already been raised from $15 to $50 a month and is now, under this bill, to be raised to $70 a month. In other words, the Social Security Administration has been consistently raising its sights as to the extent and amount of benefits, while consistently resisting this one adjustment, which, aside from consideration of equity, would tend to further reduce supplementary relief payments under old-age assistance, and augment the social security fund itself through continued deduction of the tax on the earnings of those between 65 and 75 who elect to continue at work.

But the most important reason, in my judgment, why the ceiling on earnings should be removed, is that the social security fund is made up of money exacted by this Government from its citizens on the promise of providing them with insurance; yet when they become eligible for it, they are deprived of it, if they elect to continue as independent, self-supporting members of the community. Could anything be more cynical, more misguided, or more irresponsible?

I expect to support the legislation which is before the House today, but I deplore the steam-roller tactics which are being employed, to lump desirable with undesirable provisions, and stampede the measure through the House, without preliminary hearings and with no opportunity for amendment or even ample consideration of the provisions involved. This is no answer to the grave inequities in which our social-security system abounds, but rather a hastily contrived campaign-year adjustment, which, in the long run, particularly with respect to the disability clauses, has the most questionable connotations. I earnestly hope that a more orderly, far-reaching and sound analysis and adjustment of this vastly important program will be undertaken in the near future.

Mr. RADWAN. Mr. Speaker, I want to join with the distinguished gentlemen from New York [Mr. REED] and the distinguished gentleman from Arkansas [Mr. MILLS] in the deserving tribute paid to the medical practitioners of this country.

I want to make it unmistakably clear, and my record as a public official will bear me out, that I have been, I am now, and I will continue to be opposed to socialized medicine for the evil that it is, to the same degree that I will oppose any socialism. On May 19, this year, I voted for this measure because it meant an increase, a needed increase in social security benefits. Some say that increase is not enough and this I say, Mr. Speaker, is the only justification for a vote against the bill before us. A vote against this bill because the increase is not

enough, could be defended. I want to join with my colleague from New York [Mr. OSTERTAG] in opposing the present work clause in the bill before us. I agree also with the gentleman from New York [Mr. REED] that his legislation is a far better bill from every standpoint than the legislation before us.

However, the good must be balanced against the undesirable, and that being so, I urge the entire membership of this House support the legislation before us as a needed step in the upward revision of benefits.

I have hope, Mr. Speaker, that when a Republican majority takes control and responsibility of the Congress next January, that along the lines as suggested by the gentleman from New York [Mr. REED], we will give to the American people a good, a fair, and equitable social-security law, and more than that, we may remove the present work-limitation clause in its entirety, in order to give the few who are fortunate in finding work, the opportunity to earn as much as they please by their own labor.

I earnestly support this legislation.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks following those of my colleague, the gentleman from Tennesee [Mr. COOPER].

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that all members who desire to do so may extend their remarks at this point in the RECORD, and that all members of the House may have five legislative days in which to extend their remarks in the RECORD on the bill H. R. 7800.

Mr. JENKINS. Reserving the right to object, Mr. Speaker, does that mean we may include extraneous matter with those remarks?

Mr. COOPER. I will include in my request, Mr. Speaker, such material as is appropriate to the consideration of the pending bill.

Mr. SPEAKER. With that understanding, is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SPRINGER. Mr. Speaker, the Committee on Ways and Means has reported out for amendment the Social Security Act and provides for six urgently needed changes in the old-age and survivors insurance program. It is my belief that all of these changes require attention this year. They will not require any amendment of the present contribution schedule, nor will they disturb the self-supporting basis of the system.

A. BENEFIT INCREASES

The rapid rise in wages and prices during the last few years has made many benefit adjustments necessary. While other segments of population have received increases in income since Korea the benefit rates of over 4,500,000 persons now on the old-age and survivors insurance rolls were determined in the early part of 1950, prior to the beginning of the Korean war. As a result retired aged persons and widows and orphans are finding it difficult to meet the rising cost of living.

Today the average old-age insurance benefit for a retired worker is about $42 a month. For an aged couple the average is $70; for an aged widow it is $36. These incomes must be used almost entirely to procure the bare essentials of existence. Consequently, unless the old-age and survivors' insurance program is kept constantly adjusted to major economic developments, many more beneficiaries will have to turn to public assistance to make up the deficiency between their income and the minimum necessary to meet living costs.

Adjustment of the program to keep the provisions of this law in line with major changes in economic conditions is of great personal significance to over 60,000,000 people in America who are covered by these benefits.

B. LIBERALIZATION OF THE RETIREMENT TEST

Although it is not a desirable use of social insurance funds to pay benefits to persons employed full time, it is desirable to allow old-age beneficiaries and dependent and survivor beneficiaries to supplement their benefits with part-time work. In the light of current wage levels a $70 test rather than the present $50 test is more in keeping with this objective.

Under the bill, a beneficiary will be able to earn $70 of wages in a month, rather than $50 as in existing law, and still receive his benefits for the month. Similarly, a beneficiary may derive net earnings from self-employment averaging $70 a month in a taxable year, rather than $50 as in existing law, and receive all his benefits for the year.

The objective of the retirement test should be to prevent the payment of benefits to a large number of persons working full time. However it should not prevent beneficiaries from working part time to supplement social-security benefits. This is a good provision and in my opinion should have been raised to $100 rather than the $70 set out in this bill.

C. WAGE CREDITS FOR MILITARY SERVICE DURING EMERGENCY PERIOD

The Korean conflict has made urgently necessary an adjustment to protect servicemen's rights under the system. The 1950 amendments to the Social Security Act provided wage credits of $160 for each month of active military or naval service during World War II. No credit was provided for any month after the end of World War II. The millions of men and women who will have served their country during the present emergency, especially those who have fought in Korea, should have the same opportunity to build up old-age and survivors insurance rights as people in covered employment and those who served in World War II. I believe that credit should be given, also, for service between the end of World War II and the beginning of the Korean hostilities. If such credit is not given the survivors of many of the men already killed in Korea would not be able to qualify for benefits.

D. PRESERVATION OF INSURANCE RIGHTS OF PERMANENTLY AND TOTALLY DISABLED INDIVIDUALS

Each year several hundreds of thousands of workers under 65 are forced into premature retirement by diseases of the heart, arteries, cancer, kidney disease, crippling arthritis, and other chronic ailments.

In 1950 the Committee on Ways and Means made an exhaustive study of this aspect of disability assistance in connection with the amendments offered that year to the Social Security Act. The program at that time was passed by the House but not approved in the Senate. The present recommendation is much more limited since it merely preserves the insurance rights of qualified workers who become permanently and totally disabled.

The bill would maintain benefits for qualified workers who are totally disabled not less than six consecutive months and whose physical and mental impairment can be expected to be permanent.

This particular provision will eliminate the dependency of the worker upon local relief agencies.

E. REMOVAL OF BAR TO COVERAGE OF CERTAIN EMPLOYEES UNDER STATE AND LOCAL RETIREMENT SYSTEMS

The 1950 amendments to the Social Security Act bar coverage under old-age and survivors insurance of members of State and local retirement systems. As a result, in a number of States the desire of both employees and employers for old-age and survivors insurance coverage has led to the liquidation of State and local retirement plans. In other States such action is under consideration. It is imperative to take action now so that employees in positions covered by a State or local retirement plan can have old-age and survivors insurance without liquidation of the existing plan.

In private industry the combination of old-age and survivors insurance and a supplementary system has been a common pattern. About 14,000 retirement plans, covering some 10,000,000 employees, have been established to supplement the basic protection of old-age and survivors insurance. Similarly since the passage of the 1950 amendments, most employees of nonprofit organizations covered by retirement plans have had the advantage of combined protection under these plans and under old-age and survivors insurance.

There is no reason why State and local governments and their employees and employers should not have the advantages enjoyed by employers and employees in private employment. The fact that this is generally not possible under present law is discriminatory. The bill would remove this discrimination against State and local governments and their employees.

Old-age and survivors insurance coverage should be extended to members of a retirement system only after they have formally expressed a desire to be covered. The bill therefore makes coverage of retirement systems subject to a favorable vote of the members of the sys-

tem by a two-thirds majority in a written referendum.

F. CORRECTION OF DEFICITS IN BENEFIT COMPUTATION PROVISIONS

The bill contains several technical amendments. The most important of these would correct inequities arising in 1952 under the benefit computation provisions of the present law. One such amendment permits self-employment income derived in any taxable year beginning or ending in 1952, to be used in benefit computations made for persons who die or become entitled to benefits in 1952 or in a fiscal year beginning in 1952. This is a good change in the law and brings it up to date in many respects.

G. EARNED INCOME OF RECIPIENTS OF AID TO THE BLIND

In 1950 the provisions of the Social Security Act relating to State plans for aid to the blind were amended to provide that such plans (a) could provide for disregarding the first $50 of earned income of needy blind recipients in determining their need, and (b) had to provide for disregarding such income after June 30 of this year if the plans were to continue to be approved. However, this income is disregarded only in determining the need for aid to the blind of the individual who earned it.

SUMMARY

The actuarial study shows that these provisions are sound and will not put an undue burden upon the fund that has been created for this purpose, provided that we continue to have full employment with average annual earnings of about the level prevailing in 1951, or probably somewhat below current experience.

The program as outlined in these amendments has been adopted in an effort to moderize the social-security system and to bring it up to date. These amendments also have eliminated the possibility of abuses of the system especially in the disability section. This will eliminate fraud and malingering and insure that only those who genuinely qualify for this type of payment will receive credit.

Mr. RODINO. Mr. Speaker, from the time the social-security program was enacted in 1935, it has been the intent of Congress to establish contributory social insurance, with benefits related to individual earnings, as the basic framework of social security. Old-age and survivors insurance benefits are payable without a means test. The cost of those benefits is met by the earmarked contributions of covered workers and their employers. A major objective of the amendments we adopted in 1950 was to strengthen the insurance program and so cut down the need for public assistance.

In 1950, we broadened the coverage of old-age and survivors insurance. We also increased the benefits and we changed the eligibility requirements so that aged people could qualify sooner. In 1951, for the first time since the establishment of the social-security programs, more people were getting old-age insurance payments than were getting old-age assistance. But if we want to maintain this position and to prevent more and more people from having to turn to the assistance program, we will have to increase benefits under old-age and survivors insurance now.

The average old-age benefit today for a retired worker is about $42 a month. For an aged couple, where both man and wife are retired, the average is $70; for an aged widow it is $36. These incomes must be used almost entirely to procure the bare essentials of existence. Unless the old-age and survivors insurance program is kept dynamic and is constantly adjusted to major economic developments, many more beneficiaries will have to turn to public assistance to make up the deficiency between their incomes and the minimum necessary to meet living costs.

Prices and wages have both gone up substantially since old-age and survivors insurance was last amended. The Consumers' Price Index, which stood at 172 in July 1950, had risen to 188 in March of this year. From 1947, the year on which cost estimates for the 1950 amendments were based, to 1951, wage levels increased between 20 and 25 percent. We must move immediately to increase old-age and survivors insurance benefits and restore the balance.

We can meet this problem with no change in the tax whatsoever. As wages rise, the income of the old-age and survivors insurance trust fund rises faster than outgo. This is because the higher a person's earnings, the lower the benefits are as a percentage of his earnings. Under the 1950 formula, the benefit is 50 percent of an average monthly wage of $100, but only 27 percent of an average monthly wage of $300. The rising wages and cost of living that have made the benefits under the 1950 law inadequate for today have also brought in the funds to make those benefits more adequate.

None of the other changes provided by the bill requires an increase in the tax rate. In fact, all the changes can be financed well within the present tax structure.

Other developments since the 1950 amendments were enacted require immediate change in the program. In 1950 none of us could foresee that after 2 years we would still be involved in hostilities in Korea. Now we realize that we need to expand the provisions for veterans of World War II to protect the men who have served and are serving during the Korean emergency.

The bill makes the same provision for members of the Armed Forces between July 1947 and January 1954 that the 1950 amendments made for those who served in World War II. It provides these men and women with wage credits of $160 for each month of service in the Armed Forces.

Mr. Speaker, one of the most important provisions of this bill in which I am most interested is the provision which corrects a grave injustice for the halt, the lame and the blind—the permanently and totally disabled people of this country who today are the truly forgotten men and women of our social insurance system.

Today not only are these people denied benefits when they become disabled, but they may lose the protection they have against the risks of old age and death. There is now no "waiver of premium" provision for the permanently and totally disabled in old-age and survivors insurance as there is in private life insurance. For these poor people to be denied benefits when they become disabled, and in addition to lose the rights previously built up, is cruelly disillusioning. Many of them find it hard to believe that a democratic society—concerned as it is with the welfare of each individual—would allow such a loss to occur. This bill corrects this injustice.

This additional protection would be given only under carefully worked-out conditions. Preservation of eligibility for old-age and survivors insurance benefits and protection of the amount of benefits against reduction would be given only to those who have had both substantial and recent covered employment. A person's rights would be protected only if he was disabled for any kind of substantially gainful work. Moreover, if the disabled person for any reason receives covered wages or self-employment income such earnings will show up on the old-age and survivors insurance records. The reporting of wages and self-employment income provides a safeguard against abuse of the provision which is not available under other disability programs.

Our social-insurance system must be such as to encourage production. After all, the security of every American depends in the last analysis on whether our economic system provides a sufficient volume of goods and services. We must be careful, for example, that the social-insurance program is not a barrier to part-time productive activity on the part of those who have retired. Since the time of the passage of the original act the number of persons age 65 and over has risen from less than 8,000,000 to about 13,000,000. In another 25 years there will probably be 20,000,000 aged persons in the United States. It is important to economic production that under these circumstances the test of retirement be kept under constant scrutiny.

Under the present program the average age at which people first claim old-age insurance benefits is 68½ rather than 65. The contribution schedule which supports the program takes this into account. The increased cost resulting from paying all eligible persons at 65 would be over 1 percent of the payrolls. If the retirement test were eliminated the program would immediately start paying over a million workers and their dependents. The million workers added to the beneficiary rolls would be largely people who are employed full time and who are no more in need of benefits than regularly employed people at younger ages. To pay benefits in such cases is not the best use of the funds available for social insurance.

The retirement test probably has little effect on the willingness of older persons to continue in full-time employment or on their willingness to take

full-time jobs after they have once retired. Benefits are so much less than earnings that they are no real inducement to retirement. The present $50 restriction on earnings, however, probably does discourage some of those who are retired from their regular jobs from making the contribution to production through part-time employment that they are capable of making. This bill, therefore, provides for an increase from $50 to $70 in the amount which tests retirement under the program.

The bill contains other amendments which permits certain members of State and local retirement systems to obtain coverage under old-age and survivors insurance if the State wants this coverage and if a two-thirds majority of those under the retirement system want it. This will permit coordination of old-age and survivors insurance with staff systems for public employees. It will afford public employees the same advantages as those now available to many employees in private industry who are covered both by old-age and survivors insurance and by an industrial pension plan.

There is one amendment in H. R. 7800 which affects the public assistance programs. This amendment will correct an injustice in the treatment of certain blind people under the present law. In the 1950 amendments we adopted a provision which permits the States to leave out of account, in determining the need of a blind person for assistance, his first $50 of earned income. Under present law, however, it is not clear that where another person in the family, for example, the man's wife, is also getting assistance, that $50 does not have to be counted in her case. As a result the Social Security Administration has held that in such a case the wife's assistance payment must be reduced. This is a clear injustice to these families which ought to be corrected. H. R. 7800 will correct it.

Benefit payments under this system are today the chief source of income for 4,500,000 people. Most of the working population are covered, and will rely heavily upon it in the future to provide income for themselves in old age and for their families in case of their death. Old-age and survivors insurance is the keystone of the social-security system of this country.

The improvements contained in this bill are vitally necessary to keep this basic system up to date. The increases in benefit payments—at least 12½ percent for retired beneficiaries and corresponding increases for survivors and dependents—are required by today's conditions. We all know what the rise in prices over the last few years has meant to people who have been living on fixed incomes.

Old-age and survivors insurance beneficiaries need an increase in their income to meet living costs as much as anyone else.

I urge that H. R. 7800 be passed.

Mr. BRAY. Mr. Speaker, the manner in which this bill has been handled has subjected the Congress to just criticism. Everyone on this floor knows that there are worth-while improvements to the social-security system in this bill. The present-day high cost of living has put many of our older citizens in actual want. I do not believe that the Congress is justified in spending billions abroad, regardless of how worth while this spending may be, while allowing unnecessary suffering on the part of America's aged.

This bill came before the House last month under a suspension of the rules, which prohibits amendments from the floor. While an overwhelming majority of the Members of this House favor the small increase in payments granted by this bill, many objected to what they believed to be the injection of socialized medicine into the social-security program. The bill was defeated.

Many groups, through misinformation or deliberate misrepresentation, have since charged that the Congressmen who so voted wished to deny this small assistance to the aged. Nothing could be further from the truth. This vote was to prevent the fettering of social security with a dangerous bureaucratic experiment.

In presenting this bill to the Congress again, the leadership has again refused to have public hearings on this bill, or to allow amendments to the bill. It would seem that it is fearful of allowing the public or the Congress, as a whole, to properly investigate or pass on the individual features of this important bill. Some of the objectionable parts of the bill have been removed, but it is still far from being a proper bill.

If the House defeats the bill again today, however, I fear that we will not be able to get a better bill through this year. So the gag rule, by refusing to allow a fair discussion of this bill and proper amendments, is working against the best interests of the American people.

There are several important amendments to this bill which many Congressmen believe would benefit the workers of this country, as well as the general public. I would like to mention just two such changes that should be seriously considered by this body.

This bill will allow social-security recipients between the ages of 65 and 75 to earn only $70 a month and still be eligible for their benefits. Although this is better than the present $50 a month limit, I believe that a majority of this body would unhesitantly vote to raise this limit to $100 a month, if they could do so. The recipient and his employer have paid for these benefits, and these restrictions not only injure the recipient, they also reduce the productive capacity of our economy.

Secondly, while a person may work in some jobs far beyond the age of 65, there are several especially strenuous trades in which a person cannot work beyond age 60 without great difficulty. There is considerable sentiment in Congress to allow social-security retirement in these jobs at age 60.

There are other changes which should be given a complete hearing, but as long as the leadership refuses to hold committee hearings, and refuses to allow amendments from the floor, the will of the people will continue to be thwarted. I imagine that this bill will be passed—not because it is a good bill, or because it meets the present needs—but because it is the best bill that can be gotten through under this gag rule.

It is hoped that the other body who works under different rules may be able to make some of the needed changes in this bill, and if so, we may be able to finally adopt a really good bill.

Mr. SMITH of Mississippi. Mr. Speaker, I wish to protest against the action of the Ways and Means Committee in bringing this legislation to the floor under the suspension rule, which prevents any attempt being made to offer amendments which might alleviate some of the present inequities in the Social Security Act that have developed since the law was amended in 1949.

The provisions in the Social Security Act of 1949 in regard to agricultural labor are especially in need of clarification. Under the present law, many types of agricultural workers who are required to be covered under the bill are not employed on a transient basis. They are very much confused about the purpose of social-security deductions, and apparently, in many cases, they are not being covered under the law because of the confusion resulting from shifts in employment, and their unwillingness to have any part of their salary taken as a regular contribution to the fund.

It would be in the best interests of the farm workers involved if the present language of the bill in regard to present agricultural coverage could be revised to make some type of agricultural labor coverage on a permissive basis, or at least under terms where there would be no question of the benefits being eventually returned to the employee. The entire social-security program would be best served by such an amendment.

Under the rules of the House under which this rule is being considered, it is impossible for me to offer such an amendment, nor to take any step which would bring about a decision on the floor of the House about the necessity of reviewing the present law. In view of this fact, I shall vote against suspension of the rules, in the hope that by refusing to suspend the rules we can secure consideration of this legislation in such a fashion to enable the presentation of clarifying amendments on farm-labor coverage, and any other aspect of the present social-security system that is in need of revision.

Failure to suspend the rules will prevent the immediate passage of this bill, but it will not prevent properly constituted efforts to bring the whole social-security law before the Congress for review.

If this suspension is granted, I hope that the Ways and Means Committee in the next Congress will act to give the House a chance to review certain provisions of the social-security law, such as the one which I have brought to the attention of the House.

Mr. DAVIS of Georgia. Mr. Speaker, there are three things I want to say about this bill:

In the first place, I think it is a great mistake to bring this bill to the floor of

the House for action under a motion to suspend the rules. The bill ought to be brought before us under the regular procedure, which would permit full and free discussion, and which would permit amendments to be offered, discussed, and voted upon.

As it is, the bill comes to us now under procedure which gives us only 40 minutes debate, and that means that only a few Members will have the opportunity to express themselves on the bill, and that expression will be hurried and incomplete. The bill cannot be amended. We must either take it in whole or vote against it in whole. There are some good provisions in this bill, which I would not like to vote against. But there are other provisions in the bill which I do not like, and which I think should be amended. However, we are prevented from offering any amendments because the bill comes up for consideration under a motion to suspend the rules.

I think this social-security law should be amended so that a person who has paid his social-security tax will be permitted to draw his social-security benefits when he reaches the age of retirement, and be permitted to earn more than $50 or $70 per month. I think he ought to be allowed to earn as much as he can earn, and still draw his social-security benefits.

The committee report states that the average amount now being paid to beneficiaries under this law is $42 a month. Many beneficiaries do not receive as much as $42 a month. If a beneficiary draws $42 a month social-security benefits and is allowed to earn only $70 per month in addition, that means that this law restricts him to $112 from the two sources. That is not fair. I do not think it is right. At present prices, it is a most difficult thing for a person to live in any degree of comfort upon $112 a month, particularly if he experiences ill health, or has other unexpected expense.

I think that the law should be amended to permit people who have paid their social security taxes to work and earn whatever they are able to earn, and still draw these meager social-security benefits.

I would like to say also, that the increase of $5 per month which is permitted under this bill is so small that no material benefit will be derived from it. I think a study sould be made of the entire social-security law, and every effort be made to work out a program under which social-security might become something more than a mere phrase. As it is now, the program certainly does not offer social security.

I think that this bill has been hurriedly gotten up without proper care or study being given to it. I certainly hope that other efforts will be made to improve this program, and that when a study of that kind has been made, that the bill will be brought before the House in regular procedure which will permit free discussion, and which will permit amendments to be offered.

Mr. CURTIS of Nebraska. Mr. Speaker, there are several points in reference to the social-security bill, H. R. 7800, which I would like to make for the record.

There are provisions in this bill which I favor and which should be enacted into law. Some of these older people need an increase in benefits and they ought to have it. I am anxious that the provision relating to social security coverage for instructors in higher institutions of learning be enacted. There are a few other provisions to which there is no objection.

There are some things very definitely wrong with H. R. 7800. I cannot refrain from again condemning the way in which this legislation was brought here. The Committee on Ways and Means held no public hearings on this bill. We did not have the benefit of qualified witnesses concerning some of the intricate and technical features of the bill. This procedure to limit the debate to 20 minutes per side is not an intelligent way to legislate in reference to such a complicated matter. The depriving of the minority of their right for a motion to recommit is not good legislative procedure. The point of order that I previously raised and the parliamentary inquiries that I propounded were for the purpose of pointing out the unwise procedure which the House leadership has chosen to follow in respect to this legislation.

My main objection to the social security law is not based on a desire to deprive our worthy older citizens of just treatment. It is because I believe the present system is unjust and discriminatory and that the present system is basically unsound. There is not a single non-Government actuary who will vouch for the soundness of OASI. The passage of this act complicates the situation and does not make the program any fairer.

This bill increases the benefits of those few of our older people who are eligible to draw benefits under the OASI. It does nothing for the majority of the older people who are not recipients of OASI checks. This bill does nothing for the people under old-age assistance.

Our social-security law provides for the sending of OASI benefits checks to retired corporation executives regardless of the amount of their other income or property. This bill would increase their benefits by $5 a month or 12½ percent or whichever is the greater. It does nothing for the aged person who may be in distress and who was already out of the labor market when the social-security law went into effect a few years ago. This last-mentioned person may be not only needy but exceedingly worthy. H. R. 7800 does nothing to correct this discrimination. We must not lose sight of the fact that this corporation executive as well as a lot of other people receiving checks under the OASI have paid only a tiny portion of the cost of their benefits.

This raise of benefits provided for in H. R. 7800 is not a temporary raise to meet the needs due to inflation. It is a permanent change in the alleged insurance benefits. A child born today will have his benefits raised 12½ percent when he reaches retirement age. There was not a single actuary or other witness called to determine the cost in terms of payroll tax for such a permanent raise of benefits. Certainly if such a permanent increase in benefits is to be voted we should know what the ultimate cost will be in terms of increased payroll tax. Such a far-reaching measure should not be considered under a gag rule, with 20 minutes debate on a side, with no chances for amendments and no motion to recommit. How can the House of Representatives defend such a procedure?

Mr. Speaker, I realize that some Members will be impelled to vote for H. R. 7800 even though they too deplore the method under which it is considered and that they are anxious for a better program for the older citizens. By the same token a vote against this measure cannot in all fairness be construed as a vote against worthy old people but rather as a vote for a better and fairer and sounder system.

Mr. BLATNIK. Mr. Speaker, I rise to speak in support of this measure, H. R. 7800, to liberalize old-age and survivors insurance benefits now payable under the Social Security Act. I take this opportunity to state for the record my full and absolute support for this bill and I call upon the House to pass it without further delay.

H. R. 7800 is no new innovation to the present Social Security Act—it makes no major changes in the provisions of existing law, but instead, it merely amends the present act to remove certain inequities and to adjust benefits payable so that they are more in keeping with rising price levels. In brief, the bill makes the following changes in the present social-security system:

First. It increases old-age and survivors benefits by $5 per month or 12½ percent, whichever is greater.

Second. It raises the minimum benefit payable to the retired worker from $20 to $25 per month.

Third. It increases the maximum benefit payable to a family from $150 to $168.75 per month.

Fourth. It liberalizes the retirement test by providing that annuitants may earn up to $70 a month—instead of the present $50 per month—and still be eligible for social security benefits, and

Fifth. It contains provisions relative to wage credits for military service, extends the time whereby State and local government employees may secure coverage under the Social Security Act and corrects certain defects in the benefit computation provisions of existing law.

In other words Mr. Speaker, the purpose of this bill is to give some relief to about 4,500,000 old folks who now depend for their livelihood upon social-security benefits. At the present time the average old-age benefit for a retired worker is about $42 per month. The average old-age insurance benefit for an aged couple is about $70 a month and the average benefit payable to an aged widow is about $36 a month. No one could deny the fact that such benefits are wholly inadequate for a retired person to live decently, and the increases authorized by this bill would give some relief to our old folks who certainly need such relief. It is unfortunate that the House rejected the measure on May 19

and I do hope that this body will today redeem itself for its disregard of the welfare of our old people by passing H. R. 7800 with a big majority.

As I stated before, I am in full support of this measure. In giving my support to the bill now under consideration, I do not mean to imply that I consider H. R. 7800 as the last word in old age pension legislation—it is only a step in the right direction. The inadequacies and weaknesses of the present social-security system are well known. Only about one-third of the Americans over 65 years of age are covered by the Social Security Act, which means that a majority of our old folks must depend upon old-age assistance, charity, or money from their children, for support during their retirement years. It should also be pointed out that social security benefits even with the increase provided for in this bill are wholly inadequate for any person to live decently. In short, inadequate coverage and inadequate benefits are the prime weaknesses in the Social Security Act.

It is my contention Mr. Speaker, that Congress should, and eventually must, adopt a liberal and comprehensive old-age pension law which will provide an adequate pension as a matter of right to all persons who have reached retirement age. It was this conviction that caused the gentleman from Oregon [Mr. ANGELL] and I to cosponsor the Townsend pension bill—H. R. 2678, 2679—a bill which would give real security to our senior citizens by providing a decent pension to all retired and disabled persons in America. Unfortunately, the House Ways and Means Committee has failed to report this bill, and we have been forced to file discharge petition No. 4—a petition which now has been signed by over 180 Members of the House.

I maintain that the only final and satisfactory solution to the problem of old-age security is the enactment of legislation embracing the universal pension principle of the Townsend bill. I urge those Members of the House who have not signed Discharge Petition No. 4 to do so without further delay.

In the meantime, however, I am prepared to support any measure that will represent an advance toward the goal of real economic security and it is on this basis that I support H. R. 7800. I support it because it will give some relief and some protection to our old folks who need our aid and I hope that the House will approve it today so that it may be enacted into law during the present session. I am going to vote for it and I hope each and every one of my colleagues will do likewise.

Mr. PRICE. Mr. Speaker, today the House will take favorable action on H. R. 7800 to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits.

I wholeheartedly support this legislation and if I have any fault to find it is that we are not going far enough with the increases and particularly we are not meeting the problem regarding the amount of earnings permitted as we should. In this latter case there should be no limitation. Beneficiaries earn their social security payments and since they do—they pay their own way during the years they earn—there is no reason why they should forfeit their annuities should they choose to augment their social security income by accepting employment after they reach 65.

Under existing law there is a restriction—in my opinion a very unfair and unjust restriction—which prohibits beneficiaries from earning more than $50 per month in addition to his social security payment. In fact, it was only a little over a year ago that this figure was raised to $50. It used to be $15. This restriction on earnings of social security beneficiaries was placed in the law in 1934 because in those days of depression it was considered a good idea to discourage elderly people from entering the labor market. Unemployment was high when the law was passed.

Even then the restriction was unfair. It is more so now. It will help to increase the amount a beneficiary may earn to $70, as this legislation we are considering today does, it will help quite a bit—but the fact remains any restriction is unfair and unjust because the beneficiary has earned his annuity by paying his own way and there should be no limit at all on his additional earnings, if he chooses to remain in employment.

Since the Federal old-age and survivors insurance is paid for by a contribution on the employee's wage and the self-employed person's earnings from his trade or business, along with equal contribution from the employer, the Government has no business placing strings or limitations on what other income the beneficiary has or how he earns it. So we are not fully correcting an injustice here today when we increase the amount a beneficiary may earn to $70. We will not correct this unfair treatment until we completely eliminate the limitation and I hope that in the next consideration of the Social Security program that this will be done.

I support this bill before us today because I believe it is an improvement over existing Social Security legislation. It increases benefits and the additional compensation will be welcomed by the beneficiaries, who are finding it increasingly difficult to live on their present income.

This bill contains a much-needed provision for the benefit of the totally and permanently disabled and the blind. It protects them from losing benefits which should be theirs under a social-insurance program.

This bill also provides $160 a month social security credit for military service since July 24, 1947, taking care of veterans of the Korean war. World War II veterans are already covered.

The objective of our social security program is in line with a modern advancing Christian democratic civilization, as opposed to the inhumane communistic slave state regimentation. Through this program America gives a concrete demonstration of our ability to reasonably protect our older citizens' enjoyment of American life. We prove to the rest of the world that our democratic system is inherently Christian.

In my judgment, adequate social-security legislation is an even more sound barrier, than military preparation, against the advancing scourge of commusistic propaganda. How much stronger, how much more vitally resistent to Communist intrigue our people will be when they are assured our great free-enterprise system and our Government, working harmoniously together, have established a humane way to make them eligible for that which every loyal citizen of this great democracy is entitled to receive, namely, economic security in time of adversity and need. In this hour of extending charitable assistance to the security of friendly allies, it would be the height of national foolishness to disregard the plight and neglect to provide for our older citizens against the blameless misfortunes of sickness and unemployment in the sunset of their patriotic lives.

I urge you, my colleagues in the House, to vote in favor of this measure and to continue to work for further liberalizations of our social-security program.

Mr. DORN. Mr. Speaker, I am going to support this bill because it is a step in the right direction. It is not what I would like to see passed. I have advocated for years that the social-security retirement age be lowered from 65 to 60 years. I know many people in the district it is my honor to represent, who have labored for 45 and 50 years in the cotton mills and who must continue to work for another 5 or 6 years before they reach the age of 65. After paying into this program for many years they should begin to receive payment at the age of 60.

I have thoroughly studied this problem in my section of the country and have found that both capital and their employees desire that the retirement age be lowered to 60. It was pointed out to me not long ago by management that they would like to see many of their workers retired at the age of 60 so they could give employment to younger men, thereby benefiting both the elder workers who are struggling to hold down their jobs after many years of service, and the younger men who, in many cases, are unemployed and who desire the right to work.

Also, Mr. Speaker, I do not think this bill increases the benefits enough. The increased benefits should be at least $10 per month more than benefits being paid at the present time. I also think when one is drawing social security retirement benefits that, if he is able and willing to do so, he should be allowed to earn as much on the side as his health and energy will permit, certainly up to $100 per month and still be eligible to draw social security benefits.

Gentlemen of the House, increased social security benefits are not a handout from the Government. They do not cost the general taxpayers 1 cent. In fact, social security payments help to lower the burden of the taxpayers by lessening the need to draw old-age pensions and public relief money.

Again, Mr. Speaker, let me say that this bill is not what our people deserve,

but it is an improvement over the present situation. This bill does provide for monthly benefit increases and a liberalization of the retirement tests. This bill also provides for wage credits for military service after World War II through the calendar year 1953. This certainly is a worth-while provision. Our men serving in the military forces should certainly be given social-security credit for that period.

Inflation and the increased cost of living make it imperative that some bill be passed at this time. Many people throughout the country over 65 years of age are just barely existing. This bill is a step toward alleviating that situation.

There is absolutely no truth to the charge that this bill is socialized medicine. I have fought socialized medicine in every form, and if this bill were a step in that direction I would be the first to vote against it.

The last time increased social-security benefits were considered was in the early part of 1950, before the Korean war. Since then and because of this national emergency prices and wages in other categories have skyrocketed, thus placing a double burden on our people over 65 who are drawing benefits. We should not wait longer. I hope this House will pass this beneficial legislation.

Mr. MARTIN of Iowa. Mr. Speaker, H. R. 7800 comes before Congress today under parliamentary procedure that requires Members of Congress to vote on the bill in the form in which it is presented to us and without opportunity to consider any amendments to the bill as so presented to us.

H. R. 7800 was introduced by Congressman DOUGHTON on May 12 and in its original form it was reported to the House of Representatives May 16. It was brought up for consideration by the House on May 19 under suspension of the rules at which time it failed to receive the two-thirds vote required. Some changes have been made by the proponents of this legislation without again referring the bill to the Ways and Means Committee, which had jurisdiction of H. R. 7800 under the rules of the House of Representatives until the Committee on Ways and Means reported the bill May 16. It is rather striking that important amendments of this kind can be brought before the House of Representatives without ever having been considered by any committee of this body.

The proponents of H. R. 7800 in the form it has been submitted to us today claim that their amendments to the bill answer all objections that caused its defeat on May 19, but this point is vigorously denied by the opponents to section 3 of the bill, who contend that the deletion by the amendments of specific administrative machinery does not eliminate socialized medicine from the bill. The opponents of section 3 of the bill contend that the proposed extension of the social-security law to the permanently and totally disabled without any restrictions of the Federal Social Security Administrator under his general regulatory powers would give him the power, first, to determine what constitutes permanent and total disability; second, to determine the types of proof necessary to establish permanent and total disability; third, to provide by regulation when and where physical examinations should be taken; fourth, to prescribe the examining physician or agency, including Federal installations; fifth, to establish the fees; and, sixth, to pay travel expenses and subsistence incident to the taking of such physical examinations. The opponents of this legislation condemn these powers as direct steps in the socialization of medicine.

Even the proponents make no claim of improving section 4 of the bill. The work test provided by section 203 of our Social Security Act is $50 per month and H. R. 7800 increases that figure to $70 per month. However, many Members of Congress, including myself, favor increasing the permanent earnings to $100 per month in fairness to qualified beneficiaries of title II insurance, because of the impact of inflation and taxation on the living costs of these beneficiaries.

It is a strange procedure, indeed, that denies our citizens who are interested in this legislation the right to present their case to a committee of Congress on these important issues before the House of Representatives engages in the brief 40 minutes of debate permitted and final approval or disapproval.

Nearly all Members of Congress strongly favor increasing OASI benefits at least $5 per month as provided in this bill and most of the beneficiaries of title II insurance are desperately in need of a much greater increase in their insurance benefits. The social planners and the advocates of the concentration of unlimited power in Federal bureaucracy have tied together this issue of increased benefits for all title II insurance and the granting to the Social Security Administrator the far-reaching powers enumerated above over the permanently and totally disabled. It is no credit to Congress that this procedure today is such that these issues cannot be voted on separately and it is no credit to the proponents of H. R. 7800 that they are willing to take advantage of the situation to the extent of denying the American citizens a proper hearing.

Many of us in Congress want to liberalize title II insurance benefits and to liberalize the permitted earnings of title II insurance beneficiaries and many of us desire also to protect properly from bureaucracy the permanently and totally disabled whenever social-security coverage is extended to them along the lines provided in H. R. 7800. We are here faced with the opportunity only to vote for this inadequate bill without proper provision for those in need of good social-security legislation. Of course we can hope also that the Senate will pass a bill covering the needed points, avoiding especially the pitfall of socialized medicine. Then let us hope further that the Senate bill is accepted by the committee on conference and finally enacted into law.

Mr. McCORMACK. Mr. Speaker, on May 16 the Committee on Ways and Means reported out H. R. 7800, a bill to amend the Social Security Act. This bill was considered by the House on May 19 under suspension of the rules, but due to a misunderstanding relating to one part of the bill it failed to receive the necessary two-thirds vote.

In spite of the fact that there are many urgent matters yet to be settled by the Congress in the short time remaining in this session, we feel that H. R. 7800 is so important that we are bringing it before the House again. The bill should be passed without delay so that the Senate may consider this legislation in the next few weeks.

As you know, this bill provides for seven urgently needed improvements in the Social Security Administration program and corrects several inequities.

The seven urgently needed improvements are:

First. An increase in benefits for the aged, the widows, and the orphans receiving old-age and survivors insurance and for those who will receive benefits in the future.

Second. Extension of protection under old-age and survivors insurance to the men and women serving in the Armed Forces during this emergency period.

Third. A liberalization of the retirement test under old-age and survivors insurance so as to permit beneficiaries to continue to receive their benefits while at the same time getting higher part-time earnings than are now permitted.

Fourth. Extending the opportunity for coverage under old-age and survivors insurance to State and local employees who have retirement systems of their own.

Fifth. Clarifying and strengthening the exemption of a limited amount of income earned by blind persons receiving assistance under the Federal-State assistance program.

Sixth. Technical changes which will simplify the administration of the insurance program.

Seventh. One of the most important provisions of all, the preservation of rights under old-age and survivors insurance for the person who becomes permanently and totally disabled or blind after having contributed to old-age and survivors insurance over a period of several years.

Because of misunderstanding of some of the sections of the bill dealing with this latter provision, the amendments offered in the motion would make several changes in language. Section 220 of the bill and the proposed new subsection 216 (i) (4) of the act would be eliminated. These were the two parts of the bill that led the American Medical Association to allege that the bill provided for socialized medicine.

I want to emphasize, however, that the type of protection afforded disabled persons under the previous version is still provided under the bill as it is now before you. The changes are limited solely to sections dealing with the administration of these provisions.

Let us be perfectly clear also about the type of protection we are talking about. The provision in this bill merely protects the previously acquired benefit rights of insured persons who become permanently and totally disabled and can no longer work and contribute to the system. Such a provision is as necessary and

beneficial for old-age and survivors insurance as are the waiver of premium provisions in life-insurance contracts. Under present law a person who has contributed to old-age and survivors insurance for many, many years may lose all protection or have it greatly reduced if he suffers heart disease or goes blind or if something else happens to him that makes it impossible for him to work. The present law needs improvement in this respect; it should be corrected.

Obviously, in administering this provision, the Bureau of Old-Age and Survivors Insurance must have medical evidence to determine whether a person is permanently and totally disabled and therefore eligible for this waiver of premium. The Veterans' Administration, the Civil Service Retirement System, the Railroad Retirement Board, the Federal employees compensation program, and private insurance companies all obtain evidence of this kind in the administration of their disability programs. They either provide the facilities and personnel by which examinations are performed, or they obtain examinations on a fee-for-service basis from local private physicians who submit their findings to the company or agency requesting the examination.

The Bureau of Old-Age and Survivors Insurance in administering a disability waiver of premium may need only a statement which the worker's own doctor would give him as sufficient evidence of disability, for instance in blind cases. But there will be less clear cases where such a statement alone will not be sufficiently complete to make a determination that the individual is permanently and totally disabled for all gainful employment. The attending physician himself may disclaim sufficient knowledge of the patient's condition or medical history or may be unable to make a diagnosis and prognosis concerning the condition. A specialist may be needed to help in the determination, or laboratory tests may be called for. And in still other instances the disabled person may be unable to contact the physician who treated him and will have no readily available medical evidence.

If, in addition to the attending physician, a special examination or a special test is needed and is performed by a private physician or a private clinic or hospital, the doctor or facility performing such an examination would be paid the regular fee through standard type arrangements with the Government. Doctors would in no way be controlled or socialized. The examinations would be confidential and would be used by the Bureau of Old-Age and Survivors Insurance solely for the purpose of making disability determinations. The doctor-patient relationship between the disabled worker and his regular physician would not be affected in any way.

Section 220 of the original bill was designed to facilitate the securing of this necessary medical evidence. It would be deleted from the bill we are considering today because it was misunderstood and was a source of apprehension on the part of some Members of this body. Some Members evidently thought that the language allowed broader interpretation of the authority granted than was intended. Under the bill as it would be amended the Bureau of Old-Age and Survivors Insurance will depend on existing statutory authority to reimburse agencies and individuals who provide advice or factual information for making disability determinations and will depend on the existing authority of the agency to make regulations as needed to administer this provision.

I am very much surprised at the opposition of the American Medical Association to giving the Bureau of Old-Age and Survivors Insurance authority to perform independent medical examinations to determine if a worker is permanently and totally disabled. Do they now want to have the authority for the final determination to rest with the claimant's private physician? This is a far cry from the position they took in 1950. Dr. R. L. Sensenich presenting the official statement of the American Medical Association on the disability provisions of H. R. 6000 before the Senate Finance Committee on February 28, 1950 complained that—

> If in a border-line case, and certainly many such cases will arise, the physician resolves a doubt in favor of the worker, who is also his patient, he may be accused of conniving to defraud the Government. If he resolves that doubt in favor of the Government, he will most assuredly invite the animosity of his patient and will thereby make it impossible for him to function efficiently thereafter in the treatment of his patient's condition. (P. 1327, hearings before the Committee on Finance, United States Senate, 81st Cong., 2d sess. on H. R. 6000).

By giving the administering agency authority to secure additional medical evidence in these border-line cases the heat would be taken off the worker's own physician. It is strange that the AMA would now oppose a provision which, according to their previous testimony, would protect the doctors' own interest.

A proposed new subsection to the act, 216 (i) (4), has also been deleted. This subsection provided for the termination of the period of disability of an individual who fails to comply with regulations governing examinations or reexaminations or who refused without good cause to accept rehabilitation services available to him under a State plan approved under the Vocational Rehabilitation Act. Again, in order to avoid any misunderstanding or apprehension and because it is not essential for the operation of the program, this provision has been stricken out.

The board of trustees of the AMA, in a report on the Washington clinical session of the association published in the December 17, 1949, issue of the Journal of the American Medical Association, stated:

> The American Medical Association recognizes the need for assistance to the disabled-needy but believes that this need should be administered always on a local level and not through a system of compulsory Federal taxation or control.

In 1950 Congress enacted our present Federal-State program of aid to the permanently and totally disabled. Under this program, which the doctors now favor, determinations of permanent and total disability are made just as they would be made under the provisions of H. R. 7800. Medical evidence is obtained either from the individual's own physician or from medical evidence obtained by the welfare department. The basic administrative practices of the State disability programs differ in no substantial way from the practices which would be used under the bill we are considering. The AMA's inconsistency in opposing the provisions of this bill while it seemingly supports the present State programs of aid to the permanently and totally disabled clearly reveals that the association's opposition is a political maneuver entirely divorced from real medical issues.

Mr. Speaker, I believe that this waiver-of-premium provision is one of the most important parts of this bill. It is necessary that it be included in the legislation if justice is to be done the half-million unfortunate workers who have already established insurance rights and who have lost their sight or their limbs or who are prevented from performing further work by reason of heart disease or some other crippling illness. In addition to this half-million of workers who would have their rights preserved upon becoming disabled, the thousands and thousands who become disabled each year would also be benefited. This provision has absolutely nothing to do with "socialized medicine" and would in no way result in control of the medical profession. With the clarifying changes which have now been offered to the bill these facts should be completely clear to all. I urge immediate passage of H. R. 7800.

Mr. WIER. Mr. Speaker, I have received the following letter and editorial in connection with the pending legislation:

> JUNE, 14, 1952.
>
> FROM: James N. Hutchinson,
> 1337 Thomas Avenue, North Minneapolis, Minn.
>
> TO: Mr. ROY WIER, United States Congressman, Third District, Minnesota, Washington, D. C.
>
> MY DEAR CONGRESSMAN: After receiving your kind letter, with pages of CONGRESSIONAL RECORD giving details of defeat of recent social-security bill, which I see by items in morning and evening papers is due to come up for reconsideration in the House again Monday, June 16, I wrote several letters to Senators, Congressmen, and my brother-in-law in Wisconsin also wrote, enclosing this clipping from the editorial page of the Minneapolis Morning Tribune. I also mailed two letters, one with a copy of this editorial by Sylvia Porter, to chairman of the House Ways and Means Committee, Mr. ROBERT DOUGHTON, I attach enclosed copy of same editorial on this page.
>
> Perhaps, by sending this to you by air mail you may receive this letter with the same editorial clipping before the House completes consideration of the revised bill Mr. DOUGHTON is reported to reintroduce Monday. If you receive this in time perhaps you can get some of the Members of Congress to read this editorial.
>
> I believe if all Senators and Congressmen who consider the revised bill could read this article by Sylvia Porter, they could not fail to see their duty is to either vote for Mr. DOUGHTON'S revised bill, or get Senator WALTER F. GEORGE to introduce Senator HUMPHREY'S bill No. S. 3121, instead, for immediate consideration and swift action.

I hope you'll do all in your power to try to get this brutal clause knocked out soon, as August is coming with five Saturdays in it, and I don't want to face another moneyless, starvation week without being permitted to work that one day, without losing my pitifully inadequate pension.

I will appreciate everything you can do for me in this hour of dire need. I brought the executive council's notice to your letters on social-security legislation and our veterans' organization, with many aged members who, like me, are suffering under this cruel provision in the law, beg me to tell you that our State department will endorse you for reelection to all our members, our families, relatives, and friends. We will show our gratitude by many hundreds of votes in the coming election.

Sincerely,

JAMES N. HUTCHINSON,
State Adjutant (8 years).

WE SHOULD RID PENSION LAW OF $50-A-MONTH JOKER

(By Sylvia Porter)

There's one brutally unfair, stupidly uneconomic, obviously archaic provision in our social-security law that cries out for correction at once.

That's the clause saying a 65-year-old receiving social-security benefits cannot earn more than $50 a month in addition; for if he does hold or get a job paying over that piddling sum, he forfeits his old-age pension.

Even if Congress does nothing else to improve our old-age pension system this session, it should—in fact, for the sake of common decency, it must—knock out that cruel clause.

It's a peculiar thing, but I've found that relatively few Americans, under the social-security system for years but not yet at retirement age, are aware of this joker in the law.

Yet millions who have reached 65 and are now drawing benefits are painfully aware of it.

The law declares that we are entitled to old-age benefits when we reach 65. About 46,000,000 of us are under the system and already are or will be entitled to the pensions.

But the law also declares that if we want to keep working between 65 and 75, we must not earn more than $50 a month—or we will lose our benefits. If you can't make ends meet on your pension plus $50 a month extra, that's too bad for you.

Why was this clause included in the first place? What could Congress have had in mind?

The social-security law was a depression baby, a product of the mid-30's. At that time, one of the law's aims was to help remove older folks from the working force in order to make room for younger workers. (The original limit on earnings was $15 a month.)

Another strong theory was that a 65-year-old was ready for the scrap heap, wasn't capable of earning much, if anything.

A third idea was that an individual receiving a Government pension shouldn't have the privilege of working, too.

But surely it is clear how far we've outgrown these three theories. We're not trying to slash our work force today; we're discarding the concept of "aged at 65"; we're recognizing that the idea of "either work or get your pension" is uneconomic.

And the inconsistency of the clause should make any observer wince. In addition to your pension, you can get any amount from securities—$500 a month if you're that wealthy. But you can't earn $51.

Under the social-security bill just defeated in the House, the earnings limit would have been raised to $70 a month. But $70 is still an unsatisfactory limit. The average payment to a retired worker now is $42 a month; the average for an over-65 couple is $70 a month. The earnings ceiling just doesn't permit enough leeway in this era of high prices.

Actually, social-security experts I've queried would have all maximums abolished. Let a man or woman earn what he or she can. Our lawmakers will have to come to it.

THE SOCIAL-SECURITY BILL SHOULD BE PASSED NOW

Mr. STAGGERS. Mr. Speaker, I believe that the increased old-age and survivors insurance benefits provided in H. R. 7800 is a matter of the greatest urgency. There are 4,500,000 people—old people, widows, and orphans—depending on these insurance benefits to buy the necessities of life. Three and a half million of them are retired aged persons. Old-age and survivors insurance is many time larger than all the other retirement systems in the country put together, so that the action we take on it is of the utmost importance to a very large number of people, both those now receiving benefits and those who will qualify in the future.

The present insurance benefits were fixed in 1950, just at the outset of the Korean conflict. Since that time, the cost of living has risen steadily, and this has meant increasingly difficult adjustments for retired people living on fixed incomes. The Consumers' Price Index stood at 188.7 in April of this year—an advance of 19 points or 11.2 percent since October 1949 when this House first acted on the 1950 amendments. The present bill increases the current benefit rates by either $5 or 12½ percent and amends the benefit formula to give a similar increase to persons who qualify in the future. This is a very modest and justifiable increase, and one which those protected by the program have a right to expect, particularly in view of the higher incomes received by many other groups in the population.

The average old-age insurance benefit being paid today is $42 a month. This, of course, is the average for retired workers. The individual benefits for other types of beneficiaries are even less. An aged widow or an aged parent, for example, gets about $36 a month. These amounts are very low in relation to today's living costs. For an aged couple receiving old-age and survivors insurance benefits, the average for the two of them is about $70 a month, or $840 a year. Compare this with the Bureau of Labor Statistics estimate that elderly couples living in cities needed to have for a moderately comfortable living at October 1950 prices—$1,600 to $1,900. And remember that for most of these old-age and survivors insurance beneficiaries the monthly insurance payments are their chief source of dependable income and often their only source. The least we can do, it seems to me, is to act now on the benefit increase proposed in this bill.

Unless we do act now, we are going to find that more people will have to apply for relief under the Federal-State public assistance programs. This is a hard thing to do for people who up to now have been able to live independently without having to ask for public aid and without having investigations made into their personal financial resources. Expansion of public assistance, moreover, means a further burden on the general taxpayer, whereas the old-age and survivors insurance benefit increase contained in H. R. 7800 can be financed within the tax contributions already scheduled for the maintenance of the insurance system. It does not require any increase in tax rates.

Other provisions of the bill are clearly necessary from the point of view of maintaining the level of benefits under the program now and in the future. It is not enough just to increase the benefit formula; it is important also to get at some of the continuing causes of low benefit rates. That is the real significance of the provision to freeze the benefit rights of workers who become disabled so that they can no longer keep up their contributions into the insurance system. It has nothing whatever to do with "socialized medicine." All this provision does is to specify that if a person becomes permanently and totally disabled, the time he loses from work on account of his disability will not be counted against him in the determination of his eligibility for or the amount of his old-age or survivors benefits. There is no reason why this cause for low benefit rates cannot be eliminated along with the individual hardship it creates.

The provision for establishing wage credits for veterans of the Korean conflict to cover the time they spend in the Armed Forces and therefore outside the old-age and survivors insurance system is also a measure to maintain the adequacy of benefit protection under the system. Unless an adjustment of this kind is made, the time spent in the service of our country will inevitably operate to reduce or completely remove the benefits a veteran can receive under old-age and survivors insurance, or the benefits to his survivors in the event of his death.

These amendments to strengthen the benefit structure of old-age and survivors insurance are essential to the retention of this system as the main reliance of our citizens for income in case of death or retirement in old age. In enacting the 1950 amendments, Congress made it quite plain that this was to be the function of the system, and the amendments proposed in this bill are clearly in line with that intent.

The provision giving an opportunity to certain members of State and local retirement systems to come under the coverage of the program is an entirely reasonable one. Those affected are given the chance to vote on whether they want to come in. In some States, existing retirement systems have been liquidated for the sole purpose of establishing the right of the members to acquire coverage under old-age and survivors insurance. This type of action should not have to be made a preliminary to coverage, and this bill will make it unnecessary. State and local government employees, like those in private industry, should have the opportunity for combined, coordinated protection under the old-age and survivors insurance system and their own retirement systems, if they want it, and not be limited to having only one or the other.

Many more improvements in the old-age and survivors insurance system should, of course, be made than are made by this bill. The benefits should be increased still further. More needs to be done on extending the coverage of the program, for many groups still remain outside its protection and indeed without protection under any type of retirement system. These are matters which require further consideration by Congress. But in the meantime, we should not wait to make the urgent and unquestionable improvements provided in the present bill, H. R. 7800.

Mr. VORYS. Mr. Speaker, I have decided to vote for H. R. 7800, amending the social-security law. I resent the administration scheme of bringing up this bill under gag rules that permit no amendments, for much needs to be done to improve our social-security system. Under the circumstances, these improvements will have to be deferred until next year.

Under this gag rule, this vote becomes a "yes" or "no" proposition. I am voting "yes."

The modest increases in benefits are certainly needed by the millions of retired workers over 65 whose present pensions average $42 apiece per month, and who will receive from $5 to $8 monthly increase under this bill.

The provisions which threatened to open the door to socialized medicine have been eliminated. Even though certain representatives of the AMA still criticize the bill, I note that the six doctors in Congress, four Republicans and two Democrats, who support the AMA in its struggle against socialized medicine but who know exactly what this bill now provides and excludes, are supporting the present bill.

The bill and the report show clearly that it does not extend its coverage to policemen, firemen, and school teachers who have their own retirement systems under State laws, without their consent.

The bill permits retired workers to earn $70, instead of $50, as at present, without interfering with their pensions. I think this amount of earnings should be far larger, in view of our need for workers, and the relative inadequacy of pensions in this inflationary period, but this bill is at least a step in the right direction.

Increased contributions caused by increased wage levels will more than cover the increases provided in this bill.

The rights of disabled workers will be protected, under adequate safeguards to protect the fund.

Wage credits for military service, and correction of defects in computation provisions, together with the other good features in this bill outweigh its deficiencies and cause me to vote for it, in spite of the way it was brought up and the problems it leaves unanswered.

Mr. REED of New York. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. BUSBEY].

Mr. BUSBEY. Mr. Speaker, in my 6 years of service in the House of Representatives I have never seen such high-handed, dictatorial procedure as is now being used by the Democrats to railroad through the House of Representatives legislation which will open the door for socialized medicine. Why are the Democrats on the Ways and Means Committee not willing to let H. R. 7800 take the usual course in handling legislation? Their action is proof of their desperate attempt to get their socialized-medicine program under way by attaching it to much needed and worth while legislation to increase the benefits in the old-age and survivors insurance funds.

Will one of the Democratic members of the Ways and Means Committee explain to the House, first, why they met in secret session on this bill without the knowledge of the Republican members of the committee? Why was the bill they are sponsoring not discussed in full committee as should be done? Second, Why did they not report the bill out of the Ways and Means Committee to the Rules Committee in usual procedure? In this way the Rules Committee could vote the bill to the House and fix the time for general debate. Then it would have been opened for amendments from the floor and the entire membership of the House of Representatives would have been able to pass upon the merits and demerits of the various features of the bill and all amendments thereto.

The reason, Mr. Speaker, is quite obvious. The Democrats are using the people of this country who are fast approaching the twilight of life as hostages to start the administration's program of socialized medicine. It appears that the Democrats are determined to get some form of socialized medicine in operation before they get out of office. For several days now certain newspaper reporters and columnists, along with radio commentators, have been telling their audiences that the Republicans dare not vote against H. R. 7800 because the Democrats will accuse them of being against giving the old people the $5 increase per month which is carried in the bill. In addition, they are conveying the idea that the objectionable features have been eliminated. Not once have I heard or read a word about the trickery and unfairness of the Democrats in using the beneficiaries of the old-age and survivors security fund to obtain the first step in their program of socialized medicine. If the Democrats who are in control of the House of Representatives, and consequently of the committees, are so concerned about the aged of this country they could have brought out a bill over a year ago in the regular legislative way. But did they do it? No. This is just another exhibition of their insincerity and hypocrisy. They chose to play cheap politics with the plight of the aged and at the expense of the beneficiaries of social security.

Every person who is entitled to old-age and survivors insurance should resent bitterly the manner in which the Democrats are exploiting him. If the Democrats are so concerned about the welfare of the aged of our country why does the bill limit the amount of money they can earn to $65 instead of taking the Republican position as offered by Representative DANIEL A. REED, of New York, which would permit them to make $100 per month before losing their social security benefits. Personally, I think even the $100 work clause is not enough and that Congress should enact legislation at an early date increasing the maximum to $125 or even $130. That would be just double what the Democrats want to do for them. If this bill had been handled in the usual way the Democrats know full well that not only would the sections pertaining to socialized medicine have been voted out of the bill by an overwhelming majority but an amendment by the gentleman from New York [Mr. REED], would be adopted increasing the work clause from $65 per month to $100 per month.

With the suspension of rules we must vote yes or no on the entire bill with no chance of offering an amendment to take out the provision for socialized medicine. If the Democrats had in their hearts the least desire to be fair they would eliminate the part pertaining to socialized medicine from H. R. 7800. If this were done, I am sure every Member of this body, Republicans as well as Democrats, would vote unanimously for this legislation. But the Democrat leadership did not choose or want this procedure.

Mr. Speaker, the reason the Democrats resort to this cheap political maneuver is quite apparent. The idea is to "jockey" the Republican Members into a position where they vote against the bill because of the features which would start socialized medicine. Then, in the campaign, the Democratic candidate can accuse the Republican candidate of voting against the old people by voting against the $5 increase provided for in the bill. Again I say, the Democrats are penurious and niggardly in dealing with the aged. The increase should be at least a minimum of $10 instead of $5, as provided in this bill by the Democrats. This again is double what the Democrats want to do for our old people.

The only reason the Democrats cooked up this legislation to be brought out under suspension of the rules is in order for the Democratic candidates to use the story in the campaign this fall that the Republican candidates voted against an increase for the aged. I hope no Member of this body will compromise his honest and sincere judgment for political expediency. I do not think the good people whom I have the honor to represent in the Third Congressional District of Illinois, located in the Democratic stronghold of Chicago, expect or want me to cast a single vote for political reasons in order to keep from losing a few votes or gaining a few at the polls next November. That is one of the reasons our country is in the predicament it is today. We have been letting the left-wing, pro-Communist group that surrounded Roosevelt and Truman usurp the prerogatives of Congress and write and pass our legislation for us. This, in turn, is responsible for our highly centralized government, run by a group of individuals who will never be happy until their plans for a Socialist dictatorship have been realized.

Frankly, I do not subscribe to the thinking of some of the Republican Members of the House who say we either vote for this bill or be accused of being against the increase in benefits to the aged, which, in turn, would mean defeat in November.

Mr. Speaker, I wish to state right here and now that at no time have I ever compromised my conscience with any vote I have ever cast. I do not intend now to sacrifice principle for political expediency, even if I should be defeated in November. Furthermore, I do not subscribe to the reasoning of some that it will be all right to vote for this bill because the Senate will never let it be enacted into law with a socialized-medicine clause remaining in it. We should vote for what we believe is right, fair, and honest and not for something we think the Senate will do to take us off the hook.

If this bill should pass and is reported back to the House for action after conference with the Senate, I propose to offer a motion to recommit the conference report to the committee on conference with instructions to the conferees of the House to substitute H. R. 7922, the Reed bill, for H. R. 7800. In this manner, the Members will be given a bill minus the socialized-medicine feature but with increased provisions for the aged over H. R. 7800. Such a bill, I predict, will pass with an overwhelming majority. Therefore, Mr. Speaker, if the Members of this House want to pass a bill that will give increased benefits to the old people of this country who have been caught in this spiral of inflation and not only need but are entitled to increased benefits, they will vote down H. R. 7800 and, at the proper time, vote for the Reed bill.

The Democrats tell us, on page 13 of H. R. 7800, starting with line 13, they have removed the objectionable part giving the Administrator of the Federal Security Agency, Mr. Oscar Ewing, such power. They hope the Republicans will bite for the language they have substituted. But let us read it very carefully. The original language was as follows:

> An individual shall not be considered to be under a disability unless he secured such proof of the assistance thereof as may be required by regulations of the Administrator.

They struck out the language "required by regulations of the Administrator" and substituted the word "required." To show the fallacy of their argument, the old language confined the regulations to the Administrator, but under the new language the Administrator or anyone else could write the regulations. No, Mr. Speaker, instead of improving the bill they have made it more objectionable.

Although the bill that was voted down on May 19 was objectionable, the bill the Democrats have presented to us today is even more objectionable. A vote for this bill today is a vote that will start the Truman-Ewing program of socialized medicine on its way. I warn everyone who is against socialized medicine to think twice before voting for this bill or he will live to see the day in the not too distant future when he will be accused of having voted for socialized medicine.

In an analysis of the revised version of H. R. 7800 that is before us today, Mr. DANIEL A. REED, the ranking minority member of the House Committee on Ways and Means, has made the following comprehensive statement on the so-called amendments that have been made in the bill by the Democrats since May 19:

> The offered amendments simply delete from the measure (a) the specific administrative machinery and (b) the express grant of rule-making power which are involved in the administrative determination of permanent and total disability status. But it was not necessary that these items be included in the first instance. Without them Mr. Ewing would already have had ample authority under his general regulatory powers to issue rules and regulations and take other necessary steps for the purpose of carrying out the program as established by the Congress. The fact is that a deletion of the specific authorizations as proposed by the amendments would give Mr. Ewing even more unbridled discretion. Under H. R. 7800 as it stood on May 19 and as it will be presented on Monday, June 16 with the offered amendments, the Social Security Administrator will have the power to (1) determine what constitutes permanent and total disability; (2) establish the types of proof necessary to establish permanent and total disability; (3) provide by regulation when and where physical examinations should be taken; (4) be authorized to prescribe the examining physician or agency (including Federal installations); (5) establish the fees; and (6) be authorized to pay travel expenses and subsistence incident to the taking of such physical examinations.

The gentleman from New York [Mr. REED] has served 34 consecutive years in the House of Representatives and is recognized as an outstanding authority on social-security legislation. He is to be congratulated for having given the Members of the House the benefit of his wisdom and sound judgment in this case.

While we all know the Democrats have resorted to many political tricks to gain their objectives, the manner, means and methods used by the Democrat members of the Ways and Means Committee in their attempt to by-pass the regular legislative procedures of the House of Representatives with this bill has made an all-time low.

The provision in the rules of the House of Representatives to bring legislation before the entire membership for passage under suspension of the rules was placed there to expedite passage of legislation where there is very little or no opposition to a bill. A splendid example of this was when, on the GI bill reported by the Veterans Affairs Committee, we suspended the rules and on June 5, 1952 passed H. R. 7656 by a roll-call vote of 361 to 1. There was no controversy—no opposition. But when H. R. 7800 was voted upon on May 19, 1952 the recorded vote was about equally divided between those who favored the bill and those who opposed it.

It is not only very apparent, but this procedure is ample proof of my original contention that the Democrats are resorting to the lowest kind of political trickery to use the beneficiaries of social security for cheap political gain, as well as trying to pry open the door in their efforts and determination to eventually saddle the American people with the socialized-medicine program. If they were honest and sincere in their contention that they want to increase the old-age benefits, they would have accepted the Reed bill, which increases the work clause to $100 and eliminates the socialized-medicine feature contained in H. R. 7800. If the Senate does not let this legislation die by refusing to take any action on it whatsoever, and there is an opportunity for me to make a motion to recommit H. R. 7800 and substitute the bill of the gentleman from New York [Mr. REED] H. R. 7922, you will then see Mr. Speaker, that the Republicans are the ones making a real, honest and sincere attempt to increase the benefits of the aged of this country.

This is one of the most important pieces of legislation to be considered by this Congress and the Democrat members of the Ways and Means Committee should be severely censored for reporting out such an important bill under suspension of the rules without one single minute of testimony in open hearings.

H. R. 7800 is totally inadequate and an insult to the intelligence of not only the aged of our country but the membership of the House of Representatives. It is in situations such as this that we should not be afraid to stand up and be counted in honest, sincere opposition to the Democrats for that which we believe and know to be right. This bill is inadequate because the $5 increase in benefits provided under it is but a small percentage of the benefits the Democrats have taken away from the beneficiaries because the New Deal has taken away far more than this through inflation.

Let us give our older people, who, through no fault of their own are compelled to rely upon old-age and survivors insurance for existence, a chance for improvement without making them pawns for the Democrat administration to foist socialized medicine upon the Nation.

Mr. REED of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I, too, think it is a most unfortunate thing that this bill should be brought in under suspension of the rules. I think the bill is highly inadequate. I think it is an insult to those of our people on social security to offer them $5 more. In other words, a munificent raise from $42 a month to $47. We should hide our heads in shame.

Besides that, the work clause is also inadequate. I would like to see no work clause at all in the bill, but if there must be one I certainly wish to subscribe to that in the bill offered by the distinguished gentleman from New York [Mr. REED], H. R. 7922. I think we have nothing to be proud of when we pass this bill today.

I want to go on record with my people as telling them I certainly am ashamed of the bill.

Mr. REED of New York. Mr. Speaker, I yield one-half minute to the distinguished gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, when this bill was up for consideration by the House a few days ago under the suspension of the rules, I voted against the suspension of the rules and against considering the bill under the suspension of the rules for several reasons. The first reason why I voted

against suspension of the rules was because of the fact there were certain provisions in this bill that I thought should be eliminated; second, that under the suspension of the rules debate was limited to 40 minutes, divided on the basis of 20 minutes to the Republicans and 20 minutes to the Democrats. Since this was controversial legislation it should not have been presented to the House under a suspension of the rules and the membership should have had an opportunity to propose amendments to the bill. However, under the suspension of the rules no amendments could be offered or proposed by any Member, and even though the bill had some bad provisions, which I did not favor, I would have to vote for such provisions in order to get an increase of $5 benefits to our aged citizens who had retired under the social-security system.

One of the main objectionable features of the bill was, in my opinion, that it did not increase the benefits enough to be of much value to our retired persons. As a matter of fact, since the vote on this bill a few days ago, I have introduced a bill which would bring about two important changes in the social-security law. The changes are, first: To increase by $10 or 25 percent, whichever is higher, the benefit payments to all persons who are now receiving benefit payments, or who may become entitled to these benefits in the future, and, second: To repeal what is known as the "work-clause" which limits a person who has retired and who has paid his social security taxes, from making more than $50 a month without losing his benefit payments.

The law declares we are entitled to old-age benefits when we reach 65, but it further declares that if we want to retire at age 65 that we must not earn more than $50 a month by self-employment or otherwise—or else lose our benefits. I think that if Congress did nothing else to improve the old-age retirement system than to knock out and repeal this cruel provision that it would be doing a great service for our aged citizens. I, for one, believe that when a person under the social-security system pays his taxes that he should be entitled to enjoy the benefits when he arrives at age 65 even though he might by self-employment or otherwise earn some additional money upon which to live. This clause should have never been in the social-security law.

I have discussed my proposed bill, H. R. 8174, which provides for increased benefit payments by $10, or 25 percent, with the Federal Security Administration officials, who have been administering this act for the past 15 years. I am advised that such increased benefits can be paid without necessitating any increase in the withholding-tax schedules of the present law or without impairing the fund.

The withholding tax levied to finance the social-security fund is 3 percent on all wages and salaries up to $3,600 received by employees. This withholding tax is paid one-half by employee and one-half by employer. You might be interested to know that the 3-percent withholding social-security tax last year collected some $3,367,000,000. The benefits paid out in monthly payments totaled $1,885,000,000. Thus, there was collected and added to the fund some $1,482,000,000 more than the total benefit payments made to the beneficiaries.

In view of the high cost of living at this time it seems only just and fair that this $10 monthly increase in benefit payments should be granted. There is a total of 4,512,000 persons who are now drawing social-security payments. And I know of no time that they would need this small increase more than at the present time. It should be noted social-security benefit payments are not gifts and are not charity—the worker pays for these benefits by withholding taxes taken out of his pay check every pay day. He is not getting something for nothing—he is paying for what he gets—and is, therefore, entitled as a matter of right to such payments.

If it be a fact that those who administer the social-security fund say that this increase in additional benefits can be paid now without endangering the soundness and solvency of that fund, there is no excuse for failure to pay these larger benefits.

I regret very much and I am disappointed that H. R. 7800, which we are now considering under the suspension of the rules, was not brought to the House under the general procedure of obtaining a rule from the Rules Committee, whereupon we would have the right and privilege of offering amendments to this bill along the lines that I have above discussed. I would much prefer to have this bill amended by providing a greater increase in benefit payments and doing away with the work clause which is incorporated in the bill I introduced a few days ago; however, since we cannot amend this bill to include these provisions, and since this is the only opportunity we will be given this session to give some additional benefit payments to our aged citizens who so badly need it at this time, I have no alternative but to vote for the suspension of the rules. That I am doing with the hope that at the next session of Congress the provisions of my bill might be enacted into law and further aid and assistance be given to those of our citizens who are eligible under the social-security system to retire at age 65, and who may earn any sum of money they can without forfeiting their social-security benefit payment.

The SPEAKER. The gentleman from North Carolina has 5 minutes remaining.

Mr. DOUGHTON. Mr. Speaker, the bill under consideration has been so fully explained and so well defended by those who have preceded me that it is not too unfortunate that I have so little time remaining in which to express my views touching this legislation.

H. R. 7800 was considered in the House on May 19, 1952, under a motion to suspend the rules. The bill received a majority of the votes cast, but it failed to receive the necessary two-thirds vote and it is again before the House under a motion to suspend the rules and pass the bill with amendments. These amendments strike out certain language in section 3 of the bill which caused the chief objections to and the misunderstanding of the bill when it was formerly considered.

Section 3 was put in this bill at the request of the gentleman from New Jersey [Mr. KEAN] and it originally, and as it would be amended in the motion, merely preserves the insurance rights of persons who become permanently and totally disabled. The amendments offered in the motion were also recommended by the gentleman from New Jersey to clarify section 3 and remove any possible misunderstanding as to the effect of this provision.

There are now approximately 500,000 permanently and totally disabled persons who would be benefited by section 3 by having their insurance rights preserved and there are from 75,000 to 100,000 workers who become permanently and totally disabled each year who will be benefited. This section does not add any new concepts whatever. As we all know, the Veterans' Administration, the Civil Service Retirement Commission, the Railroad Retirement Board and various State compensation laws have for years dealt with the problem of disability determination. It removes an inequity in the present social security system whereby disabled persons are penalized because of the counting of the period in which they are disabled in determining their eligibility for benefits and the size of their benefits.

If I were called upon to name the one piece of legislation which I have sponsored in my more than four decades of service in the Congress of which I am proudest and which has brought the most far reaching benefits to the people of the country, I would unhesitatingly say that it is the legislation establishing the social security system. I am also proud to say that I have introduced and sponsored all the legislation since the establishment of the social security system which has brought about the many improvements in the system.

The importance of the old-age and survivors insurance program can be seen from a few statistics. Over 60,000,000 persons are now insured for retirement and survivors' benefits. Nearly 8 out of 10 jobs in the country are covered. There are now 4,500,000 persons drawing monthly insurance benefits amounting to about $2,000,000,000 a year. This bill would increase this amount to about $2,300,000,000 a year.

Notwithstanding my record of work for and devotion to the great cause of social security legislation, I am accused by my friend, the able and distinguished gentleman from New York [Mr. REED], in a recent press release of being motivated by politics and of engaging in trickery in my efforts to further improve the social security system by sponsoring this bill. Now, since the gentleman from New York admits that he has never had a political thought, nor committed a political act, he assumes that he is in a position to cast stones at his colleagues on the committee.

You can judge a person better by what he has done than what he has said he has done. I shall not question the motives of the gentleman from New York, nor of any other Member of this body,

but I invite a comparison of the records of the gentleman from New York and myself on social security legislation as being the only way to determine which of us has tried the harder and done more to establish and improve the social security system. The gentleman from New York very strenuously opposed the legislation which I introduced in 1935 to establish the social security system. In the committee and when the bill reached the floor, he sought to get the old-age and survivors insurance provisions stricken from the bill on the ground that it was unconstitutional and besides would not be of any benefit to the workers for years to come.

When the gentleman from New York had a chance to really do something to improve the old-age insurance program while the Republicans were in control of the Eightieth Congress, he introduced a bill which made a feeble attempt to improve the system, but it was not brought up in the House until June 14, 1948, and the Congress adjourned on June 20, 1948. What reasonable man could expect action by the Senate within 6 days. This was a very feeble bill. It did not provide for any general increase in benefits and the one point which he now complains so bitterly about which he covered in his bill, namely, the work clause, would have only raised the money amount which a worker would have been permitted to earn without loss of benefits to $40 a month.

When the Democrats regained control in the Eighty-first Congress, we raised the money amount to $50, $10 more than his bill would have raised it and H. R. 7800 would raise the money amount to $70, which is $30 more. It is now stated that it is trickery to bring H. R. 7800 up under a suspension of the rules. That is exactly the way the bill of the gentleman from New York was brought up in the Eightieth Congress. All of a sudden such procedure now becomes a trickery and political. What about throwing stones while living in glass houses?

Now let us see what the gentleman from from New York has done to improve the system in this Congress. He glorifies the provisions of his bill, H. R. 7922. I would like to point out that this bill was not introduced until after H. R. 7800 was voted on in the House. All of a sudden, the gentleman from New York became keenly aware of the fact that improvements were needed in the insurance system and decided to introduce a bill.

It has been charged here today that not a line of this bill was written by members of the Ways and Means Committee. I assert without any fear of contradiction, that every line of it was written by members of the Ways and Means Committee. As far as Oscar Ewing is concerned, I would not know him if I met him in the road. I have never heard a word from him. He has never appeared before our committee at any time or made one single suggestion as to this bill.

The facts as to H. R. 7800, the bill under consideration, are that several bills were introduced and referred to our committee providing for amendments to the social-security laws. The gentleman from Arkansas [Mr. MILLS], the gentleman from Michigan [Mr. DINGELL], the gentleman from Rhode Island [Mr. FORAND], the gentleman from California [Mr. KING], the gentleman from New Jersey [Mr. KEAN], and the gentleman from Wisconsin [Mr. BYRNES], were authors of these bills. The committee met to consider these bills. It was decided that in order to save time and to insure enactment of these much-needed provisions in this session of Congress, it would be better to introduce a single bill embodying the provisions in the various bills. I then introduced H. R. 7800. No requests for hearings were made on these various bills when the committee was considering them.

The gentleman from New York immediately became interested in hearings when the committee met to consider my bill. As a matter of fact, lengthy hearings on all the subjects contained in H. R. 7800 were held during the Eighty-first Congress when the 1950 amendments were being considered.

Section 3 of the bill which has been subjected to the baseless charge that it is socialized medicine was taken from a bill which was introduced by the gentleman from New Jersey [Mr. KEAN]. The amendments to this section, which were made in the motion to suspend the rules today, were also suggested by the gentleman from New Jersey [Mr. KEAN], in order to clarify any possible misunderstanding as to the effect of this section. No suggestion whatever was made during the committee's consideration of H. R. 7800 that it had anything to do with socialized medicine. As a matter of fact, there was so little opposition to the bill that a roll call was not even asked for and it was ordered reported on a voice vote with but one or two opposing votes. No minority report was filed on the bill. It was only after the bill had been reported to the House and the American Medical Association let loose an avalanche of telegrams to the Members of the House that anyone even thought such a charge as socialized medicine could be made against its meritorious provisions. There is no more socialized medicine in section 3 of the bill than there is frost in the sun. This section merely protects the previously acquired benefit rights of disabled persons. If the American Medical Association had a greater devotion to duty and less to politics and a greater passion for the public good, its members would support rather than oppose this effort to alleviate the lot of permanently and totally disabled persons.

I have never been in favor of socialized medicine, I am not in favor of socialized medicine now, and I never shall be in favor of socialized medicine.

They say that we are trying through deception, and trickery, and for political expediency to foist socialized medicine upon this country. Mr. Speaker, if I were guilty of the charges that have been made about me with respect to this legislation then I have been in Congress 40 years too long.

I do not believe there is a single Member of this House who knows my record in Congress who would believe that I would ever introduce a bill providing for socialized medicine or for purely political reasons.

Let us now consider the nonpolitical motives of the gentleman from New York. As I have stated, not a single member of our committee mentioned socialized medicine when we were considering this bill. However, when the bill was considered on May 19, 1952, the gentleman from New York was greatly distressed about the so-called back-door approach to socialized medicine which purportedly was contained in section 3. It strains one's credulity to believe that there was nothing political in the fact that he decided to introduce a bill on May 20, 1952, which was quite similar to my bill but struck out section 3.

An indication of his sudden change of heart can be gathered from a statement which he included in the CONGRESSIONAL RECORD on May 19, 1952, at page A3066 entitled "Republican Social Security Bill." He apparently had every intention of introducing a bill containing section 3 because his explanation of the bill which he introduced that day states "section 3 of the bill is a very important improvement which preserves the insurance rights of persons permanently and totally disabled. Blind persons are included in this provision. This provision is the same as that included in section 103 of Mr. KEAN's bill, H. R. 7549."

As further evidence of his sincerity in requesting hearings on H. R. 7800, I would like to quote for you an excerpt from a letter dated May 21, 1952, which Mr. REED sent me as chairman of the committee. It reads:

> I am writing to urge you to call a meeting of the Ways and Means Committee at your earliest convenience for the purpose of taking favorable action on my bill, H. R. 7922.

You will note that he does not ask for hearings. You will also note that he requests a meeting "for the purpose of taking favorable action" on his bill. Never since I have been chairman of the Committee on Ways and Means have I received such a request.

The question which faces us now is whether or not we will pass this much needed legislation to increase social security insurance benefits and preserve the rights of those unfortunate workers who become permanently and totally disabled. The trust fund can afford to pay the increases without any change in tax rates. Old-age and survivors insurance is paid for by the employees and employers. It will not cost the taxpayers one cent, as would an increase in benefits under the public-assistance titles.

We must either pass this bill or do nothing to improve the lot of the beneficiaries. After I introduced H. R. 7800, I received scores of letters from the old people complimenting me on its introduction, and expressing their appreciation for my interest in their lot.

The bill received a majority vote on May 19. Now that the objectionable language is eliminated from the bill, there are no grounds for opposition to it.

This is one bill in which there certainly should be no politics. This is probably the last social security bill which I will ever introduce for, as you know, I am going out of Congress and what political

motives could I have? No one can justifiably claim that I have done it for political reasons.

I urge every Member of the House to consider the merits of this bill, the plight of the old needy and disabled people, and the urgent need for improvement in their lot. I am sure that with these considerations in mind you will vote favorably on this bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill as amended?

Mr. REED of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. REED of New York. I understood that this vote was coming tomorrow.

The SPEAKER. If there is a roll-call vote it will.

Mr. CURTIS of Nebraska. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CURTIS of Nebraska. Has the amendment been offered?

The SPEAKER. It was included in the motion.

Mr. CURTIS of Nebraska. Has the amendment been read?

The SPEAKER. The reading of the bill was dispensed with by unanimous consent in the presence of the gentleman from Nebraska.

The question is, Will the House suspend the rules and pass the bill as amended?

The question was taken and the Speaker announced that in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. FORD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will state that the vote will go over until tomorrow. Does the gentleman from Michigan desire to withdraw his point of order?

Mr. FORD. I am perfectly agreeable.

The SPEAKER. The vote on the motion will go over until tomorrow.

Does the gentleman withdraw his point of no quorum?

Mr. FORD. That is correct.

VICKSBURG NATIONAL MILITARY PARK, MISS.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to return to Calendar No. 662 for the purpose of considering the bill (H. R. 7298) to authorize the consolidation of the area of Vicksburg National Military Park, in the State of Mississippi, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of consolidating the area of Vicksburg National Military Park for the mutual benefit of the park and the city of Vicksburg, and to preserve and protect the essential historical features of said military park, the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he may deem advisable and in the public interest—

(a) to convey to the city of Vicksburg, without cost, approximately eighty-one and forty one-hundredths acres of land including the roadways thereon to be used by the city for a park-like right-of-way to improve the city road system, the land so to be conveyed to comprise portions of Wisconsin Avenue, Illinois Avenue, Iowa Avenue, South Confederate Avenue, and Indiana Avenue but excluding from the land so to be conveyed, parcels Nos. 1 to 13, all of the foregoing properties being shown on an official map of the United States Department of the Interior, identified as "Drawing No. NMP-VIC, 2028-A, 15AUG.51", consisting of four sheets carrying such identification: *Provided*, That there shall be excluded from such conveyance or conveyances the monuments and the land on which they are situated which monuments shall be retained by the United States and be preserved and maintained as a part of Vicksburg National Military Park; and

(b) to sell to the city of Vicksburg those particular tracts of land comprising approximately 52.83 acres and identified on the aforesaid map as parcels 1 to 13, inclusive, such sale to be made for the sum of $14,500: *Provided*, That the sale of parcels Nos. 3 to 13, inclusive, shall be made upon condition that the use of such parcels, in the future, shall be restricted to residential or other noncommercial uses as may be prescribed by the Secretary of the Interior in the conveyance. The funds obtained by the Secretary of the Interior from the sale of the said properties shall be retained in a special fund and may be used by him, without further authority, for the procurement of additional property for the Vicksburg National Military Park within the limits of the park as authorized by the Act of October 9, 1940 (54 Stat. 1061).

With the following committee amendments:

Page 2, line 7, strike the comma after the word "conveyed."

Page 2, lines 14 and 15, strike the words "situated which monuments" and insert in lieu thereof the words "situated, and such monuments and land."

Page 2, line 25, following the word "to" insert the word "such."

Page 3, line 2, strike the word "conveyance." and insert in lieu thereof the following: "conveyance: *Provided further*, That the Secretary of the Interior and the city of Vicksburg shall enter into an undertaking that in the event the city of Vicksburg obtains from a resale of parcels 1 to 13 referred to herein a consideration in excess of 10 per centum of the sum of $14,500 and all costs borne by the city in connection with such resale (including development costs), then such excess shall be paid to the United States."

Page 3, line 6, following the word "procurement", insert the words "by purchase only."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. AUCHINCLOSS] is recognized for 30 minutes.

THE POST OFFICE AT ASBURY PARK, N. J.

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain letters.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I have asked for this time to report to the House a most serious situation at the Asbury Park, N. J., post office and its administration by the present postmaster, Edward Brodstein. I do this with a great deal of reluctance because I do not like to wash dirty linen in public, but in spite of pleas to the Postmaster General, addressed to him by representatives of the association of postal employees and other individuals, together with my own efforts, there has been little or no indication of any desire on his part to correct this outrageous state of affairs which covers a period of 3 years or more.

Under date of April 30 of this year I wrote a long letter to Postmaster General Donaldson, in which I reviewed this matter that I wish to discuss this afternoon, and while reading this letter I will stop from time to time to support the statements made therein with various letters and memoranda from responsible sources. I received no reply to this letter and so under date of May 12, I spoke with Postmaster General Donaldson over the telephone and he admitted he had received my letter and had referred it for investigation. I mentioned this complaint had been investigated before, and I begged him to give it his personal attention because the situation was serious. He promised to do so and that I would hear from him in the near future. Not having heard anything further, I sent him a telegram under date of June 2, as follows:

WASHINGTON, D. C., *June 2, 1952.*

Hon. JESSE M. DONALDSON,
The Postmaster General,
Post Office Department,
Washington, D. C.:

I have waited patiently since April 30 for some action on your part to correct the serious and unsavory situation in the post office at Asbury Park, N. J., and unless I received notice of some positive action being taken, I propose to present the whole matter to the House of Representative on Monday next, June 9. The Post Office Department has been aware of the situation which exists for over 2 years and the delay on your part to correct it has caused an increasing lack of confidence in your Department. I hope I may receive a prompt reply as to your plans.

JAMES C. AUCHINCLOSS,
Member of Congress.

The Postmaster General replied to this telegram in a letter dated June 5, 1952, in which he acknowledged its receipt and stated:

The additional complaints made against the postmaster have been referred to the field for further investigation which is being expedited. It is expected that the inspector's report will be received in the Department by June 9 or 10. You will be advised promptly of the action contemplated.

Under date of June 9, upon my return to my office from a brief visit to New Jersey, I acknowledged his letter and stated that I would withhold my report to the House of Representatives, which I am now making, until today and I urged that I might be advised promptly about developments. On June 11, I re-

ceived a telephone call from Clinton B. Uttley, executive director of the Bureau of Post Office Operations, in which he advised me that charges had been submitted to Postmaster Brodstein by the Postmaster General as a result of the report the Department had received from the postal inspectors detailed to make the investigation and that Postmaster Brodstein would be given about 10 days in which to reply. I pointed out to Mr. Uttley that this matter had been before the Postmaster General for the past 3 years and that I was not disposed to withhold my report any longer. In this connection, I wish to state again that I could find no evidence of any desire on the part of the post-office authorities to clean up this unsavory situation in Asbury Park which I am about to report to the House.

The letter I wrote to the Postmaster General dated April 30, reads as follows, and I have indicated with appropriate markings the communications referred to therein which are printed at the conclusion of my remarks:

APRIL 30, 1952.

Hon. JESSE M. DONALDSON,
The Postmaster General,
Post Office Department,
Washington, D. C.

MY DEAR MR. POSTMASTER GENERAL: I regret that the operation of the post office in Asbury Park, N. J., by the present postmaster, Edward Brodstein, makes it necessary for me to write you this letter but the conditions that exist there are so disturbing and have caused so much unrest that it is imperative that something be done about it. I will review the whole situation and outline the facts of the case.

On or about November 29, 1949, I telephoned Mr. V. C. Burke, Assistant Postmaster General, and discussed with him the complaints that I had received about the operations of the post office at Asbury Park. He stated that he had heard something about the unrest there and would send an inspector to look into the situation and report, and that when such a report was received he would discuss the matter further with me. After a lapse of 3 months, not having heard from Mr. Burke, I wrote him a letter under date of March 2, 1950 (exhibit A), asking him if anything had been done and if he would submit a report to me. In a letter dated March 3, 1950 (exhibit B), Mr. Burke replied that a report had been received from the inspectors and that it appeared that the postmaster and assistant postmaster were making charges and countercharges against each other, and that some other employees were involved. He went on to state that the facts did not indicate any condition which might become a public scandal or which would justify severe disciplinary action against any of the participants, and he further stated that the Department felt that it can and will straighten out matters at Asbury Park without doing particular harm to anyone. I replied to Mr. Burke's letter under date of March 4, 1950 (exhibit C), expressing the fear that he did not appreciate the seriousness of the situation there, where practically the entire staff was at variance with the postmaster, and I expressed the hope that something would be done promptly in order to keep the matter out of the press. That was the last I have heard from anyone in the Post Office Department concerning this highly unsatisfactory situation.

On October 31, 1949, William J. Clayton, former Assistant Superintendent, with 28 years of service, although only 47 years of age, signed a statement (exhibit D) charging Mr. Brodstein with being an advocate of hatred and that he was incapable of handling men; several instances were quoted to substantiate his statement.

I will quote from exhibit D one or two of these instances:

I witnessed the cruel treatment William D. Lyon received which led to his resignation as assistant postmaster in October 1943. I was offered the vacated position, but would not accept it under any circumstances, knowing full well that it would be just a question of time before I, too, would be forced to undergo the gestapo style of treatment accorded most employees, particularly the assistant.

Again I quote from the same statement:

Edward Brodstein's knowledge of post-office work is pathetic and deplorable. I have seen him many times sign important involved reports without the slightest knowledge of what he was signing.

The few hours he spent in his office each day made his trip from home to the post office seem utterly useless. In fact, the office was more efficiently, certainly more happily, run when he did stay home.

He has done more to antagonize employees and patrons of his office than I ever thought possible.

My letter continues:

Under date of November 9, 1949, Percy P. Eldridge, the assistant superintendent of mails, submitted a signed statement (exhibit E) charging the postmaster with being unfit to supervise and with creating a mental hazard among the employees. Mr. Eldridge retired on June 30, 1949, although he would like to have continued working for several more years.

I quote briefly from Mr. Eldridge's statement—exhibit E—as follows:

My retirement was forced on me by conditions that existed in the Asbury Park, N. J., post office where I was employed 36 years. I could have stayed on, as my physical condition is good.

The mental hazard was too much for me to remain, as I never knew when I would be called into the postmaster's office, before witnesses, and take an insulting bawling out for some trifling supposed act or error that happened weeks and sometimes months before. I could not know if I was guilty or innocent, so much time had elapsed. I was never told of anything I did wrong at the time it happened. It would have been very much to my interest to work 2 years more, thereby increasing my retirement allowance, which anyone can find out from the records.

My letter continues:

On November 1, 1949, Kenneth O. Hankins, a clerk with 12 years of post-office service, who had served as a captain in the Army, signed a detailed statement (exhibit F) in which, among other things, he charged that while he had charge of the postal-note stock, amounting to $2,160, the postmaster frequently insisted that he permit others to handle his stock. Mr. Hankins resigned on May 30, 1949.

I quote briefly from his statement—exhibit F—as follows:

My final decision to resign was prompted by the state of confusion and disgust in which employees were kept which permitted the handling of personnel problems in an arbitrary manner.

My letter continues:

The former assistant postmaster, William D. Lyon, who held every position up to and including the assistant postmastership, voluntarily stepped out of that position after 42 years of service to take a regular clerical position. All of these employees attributed their actions to the ruthlessness and inefficiency of Postmaster Brodstein.

Under date of November 16, 1949, Branch 117 of the National Association of Letter Carriers, Asbury Park, N. J., filed a protest (exhibit G) against Postmaster Brodstein, at which time they charged that the morale at the Asbury Park post office was extremely low because of the retailiatory action taken by the postmaster against a number of employees. At this time, on November 16, 1949, three employees in the Asbury Park office had charges preferred against them.

I quote briefly from this statement—exhibit G:

We, the board of management of Branch 117, N. A. of L. C., located in Asbury Park, N. J., have been instructed by unanimous vote of the branch, to work in conjunction with the rest of the employees, and contact the Post Office Department in Washington, D. C., to ask for a correction of the conditions which exist at the Asbury Park, N. J., post office. Because of this deplorable condition in which the morale of the whole office has been undermined by the actions of the postmaster, we are asking you to take the necessary steps to remedy this situation for the betterment of the postal service. This situation did not arise overnight but has been gradual and progressive development until it has now reached a point where the health and welfare of all employees is at stake.

I continue reading my letter to the Postmaster General:

On November 15, 1949, the National Federation of Post Office Clerks filed a protest (exhibit H) with you as Postmaster General asking for a thorough investigation of Postmaster Brodstein, in which petition they made the following charges:

1. His treatment of subordinates is unreasonable, unfair, uncivil, cruel, and debasive.

2. He is despised and mistrusted by a great majority of the employees and the people served by the office.

2. He has promoted dissension and mistrust among the employees.

4. He does not possess qualities of leadership but seeks to control by fear and intimidation.

5. He prohibits his supervisors from making decisions in even the most trivial matters.

This complaint was signed by 26 out of 30 clerks employed in the Asbury Park office and on November 11, 1949, Edmund W. Layton, the assistant postmaster, filed with you as Postmaster General, a vigorous set of charges (exhibit I) against Postmaster Brodstein charging Mr. Brodstein with the following:

1. That for personal reasons he assigned an additional employee, whose services were not required, to the office of the assistant postmaster, at a cost in excess of $2,500.00 a year.

2. That he neglected his duty because he was seldom in his office more than 4½ hours a day, except when post office inspectors were in the vicinity.

3. That he conducted a business in the post office in violation of postal regulations.

4. That he practiced gross favoritism toward his sister, Sarah Brodstein, a junior clerk.

5. That he was cruel to employees. On one occasion, Thomas B. Ryan, a veteran clerk, was forced to unload parcel post when he was so ill that he could scarcely stand up.

6. That he was ruining the home and office life of seven employees and also wrecking their physical health.

7. That he disregarded the rules on competitive bids for contracts, granting contracts to people he favored, regardless of the law in the matter.

8. That he curtailed the responsibility of supervisors.

9. That he refused to see or talk to any patron of the office who was not known to him personally or who was not an insurance client.

Following the receipt of these charges, the Post Office Department conducted an investigation. I am advised that the inspectors conducting the investigation and some of the officials of the Post Office Department recommended the removal of Postmaster Brodstein, but that the orders for removal were withdrawn by some other authority in the Post Office Department.

Mr. Speaker, I am still reading from my letter to the Postmaster General. I continue:

Following this investigation, Mr. Brodstein called on President William Ehrig, of Branch 117, NALC, on August 2, 1951, and asked him to sign a statement which he had prepared that read as follows:

"Whereas the relations between the postmaster and this association have always been mutually pleasant and satisfactory, and mindful of the fact that mutual difficulties occasionally due to a misunderstanding of our common problems arise in the average office: Now, therefore, be it

"*Resolved*, That this association takes this means of extending our confidence in our postmaster, Mr. Edward Brodstein, for a continuation of the same degree of pleasant relationship and cooperation that we have had the pleasure to enjoy in the past.

"The foregoing is a copy of a motion passed at a meeting of the Local —, National Association of Letter Carriers held in Asbury Park, N. J., on August —, 1951.

"Attest:

"——— ———, *President.*

"——— ———, *Secretary.*"

The Asbury Park branch of the National Association of Letter Carriers and Mr. Ehrig refused to accede to Mr. Brodstein's request. Later the supervisors at the post office were called in and also were asked to sign similar statements and it is reported that some of these supervisors signed them under duress. On March 26, 1951, Mervin B. Wise, a retired carrier, submitted a signed statement (exhibit J) to Post Office Inspector Creedon, pointing out the hardships under which the employees worked in Asbury Park and submitting various charges against the postmaster.

I quote briefly from this report to Inspector Creedon—exhibit J—it is dated March 26, 1951:

Many of the personnel in our office have served under three postmasters representing both political parties. They were active in the public and social life of the community and were highly honored and respected by the postal force. We felt the new postmaster was going to uphold the traditions and high standards created by these men but our hopes were soon blasted. His unfitness to be over men soon became apparent by his unscrupulous and untactful attempts to discipline the employees. His insulting and uncouth methods soon lost for him the respect and confidence his predecessors had enjoyed. With each succeeding year the morale of the office reached a new low.

Again:

He has caused some capable employees to leave the service prematurely and has broken the health of others by his despicable acts. He has stifled all initiative among the employees. Recognition of meritorious service is unknown. Men who should be at the top are holding menial assignments. Preference comes only to those who are willing to sacrifice their individuality.

My letter continues:

On Saturday, July 28, 1951, Mr. Brodstein received a communication from the Post Office Department. After reading this communication, he became ill, called for aromatic spirits of ammonia and went home for the day. On his return, he called in the supervisors and asked them to sign statements similar to the one he requested President William Ehrig of Branch 117, NALC, to sign as quoted above. On Thursday, August 2, 1951, he called into his office Clerks Thomas B. Ryan and Howard A. Yerkes and, after what is described as a very violent interview, he finally made the statement he was sick mentally and physically and had decided to make amends, but despite his statement, conditions in this office were not improved.

In a signed statement of December 9, 1951 (exhibit K) Howard Yerkes, president, local 1703, NFPOC, reported that the mismanagement in this office still continued, stating that the postmaster spend only 3 hours a day in his office and still discriminated against employees.

A brief quotation from this exhibit K is as follows:

The members requested that I advise you that everything he has done has been detrimental to the best interests of the membership of the local. All of our charges and complaints have stressed that, and to date not one corrective action has been taken.

In another quotation from the same letter:

He continues to do as he pleases in his slick way but is careful he does not do anything too openly that would create an incident that would put the finger on him.

He continues to spend no more than 3 hours daily in the office, only 1 on Saturdays. He continues to use the post office as his private business (insurance) address and office. He still does not have any knowledge of post-office matters or procedure. He still shows partiality toward certain female employees regardless of the needs of the office. He is still trying to buy off the supervisors by telling the assistant postmaster he was going to retract his charge against him, and by recently recommending that the three clerks in charge (who he not too long ago had sign statement favoring him) be made foremen. This is still pending in the Bureau of Personnel. We need three foremen like we need three arms. This was done to repay them for their statements and also create three vacancies in the clerk-in-charge roster that he could fill with certain junior men who he knows he can dictate to.

My letter continues:

On February 2, 1952, Charles B. Quinn, Jr., Charles H. Bryde, and James A. Stelluto, employees in the Asbury Park post office, received official letters, addressed to them personally, from the post office department at Newark, N. J. Mr. Brodstein, in accordance with his custom, had these letters placed in the postmaster's box, and these sealed, first-class letters were opened by him and the contents noted before being delivered to the employees to whom they were addressed (exhibit L). This is a gross violation of law, and he should have been removed immediately for this offense.

I quote from this exhibit L:

In connection with the Asbury Park case there is submitted herewith additional information to prove that the Postmaster has no respect for postal laws, the rights of the postal employees, nor the privacy of their mail that is given to every American citizen by law.

In previous correspondence with you we have charged him with intercepting, delaying, and otherwise abusing the personal mail of the employees that was inadvertently addressed to them at the post office.

The three specimens enclosed were sent to these employees February 2, from the postmaster, rural section, Newark, N. J., containing their W-2 (tax withholding forms) for the year in connection with service on the rural route while substituting for the regular rural carriers.

They were addressed to them personally, but instead of being delivered to them direct, were placed in the postmaster's box as per his instructions and were deliberately opened by him and the contents noted before being given back to a supervisor for distribution to the employees. The postmaster is the only one that can open the daily mail regardless of the time he reports to the office.

In the past the same procedure has been passed off with the excuse that it was opened in error. This case proves that it is deliberate. The letters were identical, if one of them was opened in error there would be no need to open all three, therefore it was done purposely.

I continue to read from my letter to the Postmaster General:

To sum up the complaints against Postmaster Brodstein, I would enumerate that he is specifically accused of:

(1) Conducting personal business from the office of the postmaster in the post-office building.

(2) Abuse of authority and breaking down the morale of the employees.

(3) Extending special favors, practicing favoritism to clerks, particularly in reference to the employment of his sister.

(4) Lack of attendance and attention to his duties as postmaster.

(5) Tampering with the mail; the opening of letters addressed to other persons than himself.

I request that you advise me as promptly as possible what you propose to do in this case, and if you are content to retain in Government employment a man of this character.

Very truly yours,

JAMES C. AUCHINCLOSS,
Member of Congress.

Mr. Speaker, there is the whole sordid story and I assure you that reporting this to the House has been a most distasteful task. I do not like to criticize but when it is justified I believe it is the function of a representative of the people to do so; that is his duty and the people he represents expect it of him. I can assure you with all sincerity that my action is not based in the remotest way on partisan politics. As a matter of fact, I have asked the aid of members of the Democratic Party to secure some constructive action on the part of the Postmaster General in correcting this most unsavory situation.

I can find no excuse for such laxity in the administration of the Post Office Department which this record so clearly displays, and I am shocked to have learned that similar situations exist in different parts of the country. I was very much impressed by the remarks made by the distinguished gentlewoman from New York [Mrs. ST. GEORGE], on Tuesday, June 10, in which she pointed out a number of instances of lax discipline and deteriorated morale on the part of post office employees in different stations of the country, due to the incompetency of the present administra-

tion of this great Department. It is interesting to note that in the course of the distinguished gentlewoman's remarks she was interrupted on many occasions by other Members who gave evidence of similar distressing experiences in their own districts. House Resolution 681, which was introduced by Mrs. ST. GEORGE, authorizing the Committee on Post Office and Civil Service to conduct a thorough investigation of the Post Office Department's operations and which was referred to the Committee on Rules, should be given early and favorable consideration.

Indifference on the part of public officials charged with the operation of such an important public trust as the post office is to be unequivocally condemned and it is shocking to think that anyone who violates the law of the land by opening another citizen's mail is not promptly prosecuted to the fullest extent of the law. This is additional evidence of the shameless moral laxity which has been permitted to creep into the administration of public responsibilities and the only antidote is to cut this cancer out without fear or favor. We need strong and determined American citizens in places of trust who will not be swayed by political influence, friendship or any other factor when the standard of public service is impaired or even jeopardized. There are many men and women in public service with the highest moral principles and who live up to them; it is a pity that a few should bring discredit on them. Indeed, it is not fair that a comparative few individuals who lack moral responsibility should bring disgrace to the host of loyal employees in the Post Office Department who carry out their tasks with zeal and a devotion to duty that is second to none in the Government service.

(The exhibits referred to follow:)

EXHIBIT A

MARCH 2, 1950.

Mr. V. C. BURKE,
Assistant Postmaster General,
Post Office Department,
Washington, D. C.

DEAR MR. BURKE: You may recall that in the latter part of November of 1949 I talked with you over the telephone about the unrest existing in the Asbury Park, N. J. post office. At that time you told me that you had heard something about the situation and would send an inspector there to look into it and would furnish me with a report, so I am writing to find out just what has happened. I have heard nothing from you and the unsatisfactory state of affairs still exists at Asbury Park.

This matter should be settled without further delay because the service will be impaired and the situation might well become a public scandal.

I hope I may hear from you soon, and with kind regards, I am

Sincerely yours,

JAMES C. AUCHINCLOSS,
Member of Congress.

EXHIBIT B

MARCH 3, 1950.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives

DEAR CONGRESSMAN AUCHINCLOSS: This will acknowledge your letter of March 2, 1950, concerning the unrest existing in the post office of Asbury Park, N. J.

The report of inspectors making investigations of conditions at this office has been received. It appears that the postmaster and the assistant postmaster are making charges and countercharges against each other and that some of the other employees are involved. However, the facts disclosed did not indicate any condition which might become a public scandal, nor conditions justifying severe disciplinary action against any of the participants. The Department feels that it can and will straighten matters out at Asbury Park without doing particular harm to anyone.

Sincerely yours,

V. C. BURKE,
Deputy Postmaster General.

EXHIBIT C

MARCH 4, 1950.

Mr. V. C. BURKE,
Deputy Postmaster General, Post Office Department, Washington, D. C.

DEAR MR. BURKE: I have your letter of March 3 in reply to my letter of March 2, and thank you for your prompt attention.

I am afraid you do not appreciate the situation at Asbury Park where practically the entire staff is at variance with the postmaster there, and it is not a squabble confined to two men, as you would indicate. To date this matter has been kept out of the press, but I cannot assure you that it will not be aired publicly in the near future and that is a matter I want to avoid if possible.

This situation merits closer attention on your part.

With kind regards, I am

Sincerely yours,

JAMES C. AUCHINCLOSS,
Member of Congress.

EXHIBIT D

AVON-BY-THE-SEA, N. J.,
October 31, 1949.

To Whom It May Concern:

I, William J. Clayton, a former employee of the Asbury Park, N. J., post office wish to make the following statement concerning Edward Brodstein, postmaster at that office:

I entered the post office service in Asbury Park on June 28, 1918, served in the Marine Corps during World War I, resuming my duties in the post office upon my discharge from the Armed Forces. It was my desire to make the post office my life's work, but after 31 years of service, I was compelled to resign on March 6, 1946, due to the deplorable conditions I had to work under at that office. The postmaster's ruthless tactics were rapidly ruining my health to such an extent that I reluctantly gave up my position as assistant superintendent of mails to seek outside employment.

During my years of service, I observed and experienced the following:

Edward Brodstein has for many years been a stanch advocate of hatred. His favorite topics of discussion are the four freedoms, brotherhood, the four chaplains, and tolerance. He pretends to be a living symbol of them all but nothing could be further from the truth.

He is happy only when he is preferring charges against some employee and most of the others live in constant dread, wondering whether they will be next on his purge list.

He is incapable of handling men. I feel I can speak from experience, as for many years I was first sergeant in the National Guard, handling all types of men.

The employees of the Asbury Park post office, with the possible exception of a few, have little respect for their postmaster, resent his tactics, distrust him, and in general actually dispise him. Their proven loyalty is to the post office service only—not to their postmaster.

I witnessed the cruel treatment William D. Lyon received which led to his resignation as assistant postmaster in October 1943. I was offered the vacated position but would not accept it under any circumstances, knowing full well that it would be just a question of time before I too would be forced to undergo the Gestapo style of treatment accorded most employees, particularly the assistant.

A typical example of the lengths he will go to in attempting the removal of an employee occurred some years ago. In his desperate efforts to remove a former charwoman, he assessed many demerits because he discovered a tiny cobweb in his lavatory one morning. He finally succeeded in removing this excellent employee, only because it was within his power to abolish the position completely. The offices she cleaned so well have ever since been actually dirty, but the postmaster doesn't care. He accomplished what he so fervently desired.

Edward Brodstein's knowledge of post office work is pathetic, and deplorable. I have seen him many times sign important involved reports without the slightest knowledge of what he was signing.

The few hours he spent in his office each day made his trip from home to the post office seem utterly useless. In fact the office was more efficiently—certainly more happily run when he did stay home.

He has done more to antagonize employees and patrons of his office than I ever thought possible.

A postmaster I have always believed, is supposed to be a leader in his community. This man is totally lacking in that respect. He has never been even a member of any local service club such as the Rotary, Kiwanis, or Lions Club. Those organizations will have nothing to do with him. Even his fellow postmasters throughout the State dislike him intensely. There is something wrong somewhere when an individual is as cordially disliked as Edward Brodstein. He realizes his unpopularity and unfortunately his defenseless employees must bear the brunt of his hatred toward them and others not connected with the post office.

Any postmaster who is not even on speaking terms with many of his employees, most of them true PO veterans, is not a good postmaster. His sneaky actions in spying on carriers serving their routes has never been conducive to respect. He has been observed on several occasions slinking behind trees and buildings with a notebook in hand. It is my firm conviction that he was doing his spying with no intent to detect means of improving the service but rather to "get something" on some carrier to use at some future date when that employee's turn came to be purged.

It is the common knowledge of many employees that he maintains a file on every person working in the office for ready reference whenever he decides to remove someone.

His own brother, a former employee of the Asbury Park post office, told me, and others, on more than one occasion that he could not work under the supervision of Edward Brodstein any longer. He sought outside employment, as I was forced to do, and resigned several years ago.

I understand from several sources in Asbury Park that there is a concerted move under way to have Edward Brodstein removed from the service. In my estimation, there is nothing which would please his employees and the people of Asbury Park any more than if that were accomplished.

If a departmental investigation of his administration is conducted, I can and will be pleased to give any PO inspector some very interesting information not discussed in the foregoing statement.

WILLIAM J. CLAYTON.

EXHIBIT E

MIAMI, FLA., *November 9, 1949.*

To Whom It May Concern:

My retirement was forced on me by conditions that existed in the Asbury Park, N. J., post office, where I was employed for 36 years. I could have stayed on as my physical condition is good.

The mental hazard was too much for me to remain as I never knew when I would be called in the postmaster's office, before witnesses and take an insulting bawling out for some trifling supposedly act or error that happened weeks and sometimes months before. I could not know if I was guilty or innocent so much time had elapsed. I was never told of anything I did wrong at the time it happened. It would have been very much to my interest to work 2 years more, thereby increasing my retirement allowance, which anyone can find out from the records.

I was never allowed to mark all employees as I saw them at work. The rating slips of employees the postmaster did not want to have a good mark were handed back with the information the postmaster would not accept them, as it was no use to hand them in as I saw them.

In making schedules, vacations or other, I had to find out who would be allowed to serve in place of the one absent. About half of the employees was not allowed to work certain sections and I never knew when a new name would be added to the list.

Once an employee came under the displeasure of the postmaster, his punishment continued on and on. He was not demerited and given a chance to correct his ways, he was placed on undesirable tours and given the heavy work to do, even though he had many years service.

I am writing this that the employees at Asbury Park, N. J. post office may have some happiness in their work which means better work and better service to the public.

PERCY P. ELDRIDGE,
Former Assistant Superintendent of Mails.

EXHIBIT F

NOVEMBER 1, 1949.

To Whom It May Concern:

I have recently been questioned concerning the reason for my resignation from the Post Office Department after a long and apparently successful career. The reason given was valid inasmuch as the state of my wife's health was questionable and might require a transfer, which I feel could have been accomplished in an office where a better personnel condition existed.

My final decision to resign was prompted by the state of confusion and disgust in which employees were kept, which permitted the handling of personnel problems in an arbitrary manner.

The only apparent policy which was strictly adhered to according to my observation, was one to prevent any employee from appearing to be efficient, in order that at any time said employee fell from favor a minor irregularity could cause punitive action or verbal abuse to be heaped upon him without defense.

The situation where the postmaster condones the actions of a grossly overambitious supervisor (who has no leadership qualifications) to verbally abuse, berate, threaten, and embarrass an employee, who is following the instructions of said supervisor, is intolerable. Similar situations have occurred in which the same supervisor has sought favor by blasting another supervisor, in the presence of the postmaster. The ambitious supervisor was out of his section and in no way concerned with what the other supervisor was doing.

Clerks with seniority who are inclined to be ethical and fair and who possess many leadership qualifications are relegated to unimportant positions and in some cases punitive schedules to make room for clerks who are fawning, overambitious, and lack the ability to get others to work either for or with them.

In my own case, I was charged with a $2,160 postal note stock and two clerks were assigned to work with me without stock and told to use mine. I, of course, was responsible for all shortages. On another occasion, I was ordered off the money order window to write up returned c. o. d. parcels while another clerk worked the window with my stock and accumulated money order funds without myself first being cleared. I complained to the supervisor at the time and also to the postmaster upon my resignation, and was told by the postmaster that he did not believe it and if it did happen, it must have been my fault. Here we have two men authorized to give orders and to question either would have led to a charge of insubordination which definitely would have been upheld by the kangaroo court justice dispensed in this office.

Who could work under conditions such as these, except one motivated by blind loyalty to an idea or fear.

Respectfully yours,

KENNETH O. HANKINS.

EXHIBIT G

NOVEMBER 16, 1949.

To Whom It May Concern:

We, the board of management of Branch 117, NA of LC, located in Asbury Park, N. J., have been instructed by unanimous vote of the branch, to work in conjunction with the rest of the employees, and contact the Post Office Department in Washington, D. C., to ask for a correction of the conditions which exist at the Asbury Park, N. J., post office. Because of this deplorable condition in which the morale of the whole office has been undermined by the actions of the postmaster, we are asking you to take the necessary steps to remedy this situation for the betterment of the postal service. This situation did not arise overnight but has been gradual and progressive development until it has now reached a point where the health and welfare of all employees is at stake.

The present condition at the Asbury Park Post Office is one which every employee is worried that he may be the "Next on the list."

At present there are three employees have charges against them and one just settled.

A clerk, Kenneth O. Hankins who also was a captain in the Army Post Office, and had 12 years service to his credit, resigned May 30, 1949, because he could not take it any longer.

The assistant superintendent of mails, Percy P. Eldridge, also found it unbearable and retired June 30, 1949, when he would have preferred to continue in the service for 3 or 4 more years, as he still had 9 months sick leave to his credit.

The preceding assistant superintendent of mails, William J. Clayton, with 28 years service and only 47 years of age, resigned because the same pressure was impairing his health.

The former assistant postmaster, William D. Lyon, who held every progressive position up to and including the assistant postmaster, resigned that position of assistant postmaster to take the job of a regular clerk, in the mailing division, and one of his daily duties after 42 years of service, is unloading and loading sacks of parcel post while subs are available.

Three other senior clerks all with over 25 years of service are also assigned to the same strenuous duties, namely, Thomas Ryan, C. Wyman, and M. B. Wise.

In 1947, John Corbo, a disabled veteran, who had approximately 5 years service as a custodian before going into the Navy, and qualified as a postal supervisor, Fleet Record Office, Guam, resigned under pressure. This man, upon returning from the service, was given an opportunity to become a carrier. He was brought up on charges for dismissal and upon the Department's orders was allowed to resume his duties as a custodian. Even though he had done this work for approximately 5 years before going into the service, the postmaster found such fault with him he found it necessary to resign for his health's sake.

In the case of the charwoman, Mrs. Nora Castro, who was subjected to considerable discipline, and the department records will show this case was debated by the inspection service for some time, and when dismissal was not possible, the position was abolished to obtain the end.

In reference to the four men on charges mentioned above:

Ernest Harris (colored) who was a captain in the Army postal service, is presently on charges for dismissal. These charges are of a domestic nature and were not made public issue. This man was a victim of circumstances in his marriage.

Clement V. Corbo was charged with sending anonymous letters to the postmaster. The average person would have ignored such trifling matters, and forgotten it. Instead inspectors singled out Mr. Corbo and accused him of being the culprit, thus forcing him to make a statement of denial which is now considered a "falsification of fact." We who know him for years are satisfied the man is innocent and the point at issue: How can he prove it? Can justice be properly meted by circumstantial evidence?

Howard Yerkes, who is also civil-service secretary has numercus charges against him which are of minor nature, highly inflated.

Assistant Postmaster Edmund Layton's charges are of a similar caliber.

All the above mentioned employees have rendered many years of faithful and efficient service to the Post Office Department. Their character and integrity are held in high esteem by their fellow workers and townspeople.

There are other cases which we have not mentioned, some of which we do not question.

However, there is one other case, that of Louis Lusardi, whose brother Daniel was working as a temporary and then dropped. Louis was told by the postmaster that he should have his uncle stop bothering him about Daniel or he (Louis) would be brought up on charges and dismissed the same as John Corbo was. This sure does not sound like a democratic way of life.

We carriers feel we have a just grievance in that the postmaster has taken the attitude that a letter carrier may have the ability but is not qualified to transfer directly to a supervisory position. He feels a carrier should serve a 5-year period as a junior clerk before being allowed to try for a supervisory position, while the regulations provide for a 3-month trial period, and we feel it is unfair and discriminatory to require 5 years' clerkship before even being considered for a 3-month trial period. Under this procedure a carrier could lose his seniority for 10 years, if he did not make the grade and wished to return to carrier.

In closing we wish to again request the Department to look into these and the facts submitted by the other employees, so that as Postmaster Donaldson said at the letter carriers' convention in Florida, "I would like to see the conditions such that a carrier and a postal employee would come to work in a happy frame of mind and that he would go home at the end of his day's work feeling that he had accomplished something and with a feeling that the supervisor, his postmaster, and fellow people have the same

kind of a feeling, that he had really accomplished something. And then they have a desire to come back to work the next morning."

Very truly yours,

BOARD OF MANAGEMENT OF BRANCH 117, NALC,
RICHARD W. TAYLOR, *President*.
CALVIN R. PATTERSON.
WM. M. DROUT.
ARTHUR F. TURNER.
CLEMENT V. CORBO.

EXHIBIT H

NOVEMBER 15, 1949.

Hon. JESSE M. DONALDSON,
Postmaster General, Washington, D. C.

DEAR SIR: Driven to this extreme by the long and continued tyranny and harassment of Postmaster Edward Brodstein, the undersigned clerks of the Asbury Park, N. J., postoffice, hereby petition for his removal.

To such end we ask a thorough investigation of his administration and his almost inexplicable official conduct, responsible for serious impairment of personnel morale, loss to him of the respect of his subordinates, and deterioration in the high quality of service for which the Asbury Park post office, in keeping with the fine traditions of the Department, so long deserved and enjoyed.

This petition is approved by Local No. 1703, National Federation of Post Office Clerks.

We complain specifically as follows:

1. The postmaster's treatment of subordinates, borne now through many years, is unreasonable, unfair, incivil, cruel, and debasing; destructive of morale and pride in service and in violation of rights of seniority and the requirements of common decency in human relations.

2. He is despised and mistrusted by a great majority of the employees and the people served by the office.

3. He has promoted dissension and mistrust of one another among us.

4. He has no quality of leadership but seeks to control by fear and intimidation.

5. Charges against clerks, carriers, supervisors, or custodians are almost continuous. Presently the assistant postmaster, one clerk, and two carriers are under charges. His persecution has already driven, prematurely, several excellent men from the service. An assistant postmaster took a voluntary reduction to a clerkship. An assistant superintendent of mails resigned. Another assistant superintendent of mails retired as soon as eligible, although he would have liked to remain in service. A clerk with 12 years of service, a captain in the Army postal service during the war, resigned because he could not endure conditions under which he was obliged to work in this office. Every man thus lost to the service was a loyal, competent, experienced, and efficient employee.

6. The word and the spirit of seniority rules and rights are violated with contempt. Men with service records of from 20 to 40 years are assigned to work, duties, and schedules rightfully and sensibly those of newly appointed junior clerks, in accordance with departmental requirements. Men with these long years of service are in the mailing division while junior men with 2 or 3 years of service are on window assignments.

7. Violations of the rules of seniority are planned. Vacancies and preferred assignment opportunities were not posted in this office until 1948, and then only at the insistence of local 1703, NFPOC, which directed the postmaster's attention to the postal bulletin of April 13, 1945.

8. Competency is not the measure of preferment in position as evidenced by the continuation in office of a superintendent of mails whom the postmaster himself, in the presence of numerous clerks and other employees, has denounced as "stupid" and "a liar," and whom on many occasions, in a loud voice and before other supervisors and employees, he has reprimanded in scathing language. Explanation of this paradox lies in the utter subservience of this supervisor to the scheming practices of the postmaster and his circumvention or violation of the department's standards and requirements.

9. Two senior men, on the clock from 5 a. m. to 2 p. m. with a 1-hour swing were, in a further demonstration of official displeasure, recently put on a tour from 5 a. m. to 3 p. m., with two 1-hour swings. Another senior, singled out for more subtle punishment, gets the least desirable tour in the office, from 10:15 a. m. to 7:45 p. m. By orders of the postmaster, men over 50 years of age and with from 25 to 40 years of service to their credit, are required to load parcel post while substitute and junior men are available.

10. Discrimination is evident in the schedules and assignments; in holiday schedules, compensatory-time schedules, and allotment of annual leave. For example: The postmaster's sister is favored with annual leave in a period prohibited to all others, between December 2 1949, and January 6, 1950. This favored employee gets leave from December 27 to January 6, a total of 8 days, and, inasmuch as she is never required to work Saturdays, Sundays, or holidays, she gets the advantage of a 16-day leave with only 8 days charged against her annual-leave allowance.

11. We charge the postmaster with waste of manpower and excessive use of auxiliary help by overmanning certain divisions of the office, lack of competent supervision, and poor arrangement of schedules.

12. Not as an honored local representative of the Government of the United States is the postmaster at Asbury Park respected, but as an equivocating and vindictive despot; he is scorned by the employees of the office and by the people the office serves. He has no place in the civic affairs of the community, and no civic club claims him as a member.

13. He is uncooperative with local officials.

14. He has falsely accused local civil-service secretaries with divulging confidential information in the civil-service registers.

15. Without reason he has demanded increases in employees' surety bonds from $2,000 to $5,000.

16. Such demands have been made in a loud voice in the hearing of other employees, thus reflecting on the integrity of the supervisor or employees on whom the demand is made.

17. By subterfuge he avoids contact with patrons of the office desiring appointments on official business.

18. His supervisors are prohibited from making decisions in even the most trivial matters.

19. He personally controls the efficiency rating of every employee, refusing to take recommendations from supervisors, to the end that efficiency ratings reflect the postmaster's personal animosities rather than an impartial judgment of quantity and quality of performance.

In support of our complaint against the intolerable conditions in this office, we attach copies of letters of former employees disclosing the reasons they were impelled or compelled to leave the service. Originals of these letters are available, if required.

The personnel of this office are sincere, conscientious American citizens who have chosen to make the post office their life's work. Many have served in the Armed Forces of our country in time of war only with the thought that the wrong be righted. We are now working under conditions for which many of us have fought to have corrected. The employees of this office maintain good American homes and only wish for the pleasure of going home at the end of their day's work to enjoy the pursuits of American tradition which have been taken away by the actions of this one person.

We, therefore, for the good of the service, petition most earnestly for the correcting, without repercussions to any employee, the conditions that exist in this office under Postmaster Edward Brodstein.

Respectfully yours,

Howard A. Yerkes, President; George H. H. Voll, Vice President; Gordon Dunlop, Secretary-Treasurer; Mervin B. Wise; William D. Lyon; Thomas B. Ryan; Irvin E. Evertz, Jr.; W. Richard Lyon; Walter B. Travis; William C. Bateman; Curtis R. Wyman; C. W. Simonson; Glendon C. Redden; Charles Shafto; Austin L. Dellett; Ruth H. Kondla; Albert J. Bowne, Jr.; Earl F. Hendrickson; Victor F. Wells; Charles J. Hoffman; Frank C. Greb; Eugene Shafto; Robert F. Angerole; Harry Bolger; Sydney McDevitt; Wilbur Smock.

EXHIBIT I

ASBURY PARK, N. J., *November 11, 1949.*

Hon. JESSE M. DONALDSON,
Postmaster General,
Washington, D. C.

MY DEAR SIR: In accordance with section 135.43, Postal Laws and Regulations, 1948 and pertinent material in the Federal Personnel Manual, I charge Edward Brodstein, postmaster at Asbury Park, N. J., with the following offenses which I consider to be against the interests of the postal service and respectfully request that his removal be considered by the Post Office Department to promote the efficiency of the postal service.

1. Complete disregard of paragraph 2, page 15 of the manual and the Department's repeated instructions to postmasters to exercise economy:

Due strictly to personal reasons, his assigning an additional favored employee to my office—a person definitely not needed, wanted, or requested by me. The net cost of his services so far is in excess of $2,500 and the waste is steadily increasing.

Secondly, he personally chose to train a clerk for money order duty, at great cost to the Department, when he could easily have reassigned, as I suggested, the best money-order clerk we have ever had to resume his duties in that department. His reason for not doing so was "I will not give him the satisfaction of asking him to return to his former job." The clerk referred to would gladly have returned to his former duties if he had been asked to do so. There are other flagrant examples of the wasting of Government funds, which I am prepared to prove.

2. Neglect of duty:

Mr. Brodstein has for years, seldom been in his office more than 4½ hours daily, except when he is aware of Post Office inspectors in the vicinity or when he is preparing his frequent charges against some unfortunate employee.

3. Conducting a business in violation of chapter III, article 43, change No. 41 of the Manual.

4. Gross favoritism among a certain few employees, particularly his sister, a junior clerk.

This close relative is assigned to a position highly preferred by veteran employees but steadfastly denied them.

Miss Sarah Brodstein, the employee referred to has—

1. Never worked Saturdays.
2. Never worked Sundays.
3. Never worked holidays.
4. Has taken but a primary sorting test, while practically every other employee has been compelled to take either the State or city district scheme. Has been allowed to take vacation time during periods when all

other employees have been denied the privilege.

During the past, a stamp clerk was expected to assist in the distribution of mail whenever the need for the window to be open has disappeared. Miss Brodstein has never sorted letters in this office. Whenever she has a slack period at the stamp window she spends her time engaged in conversation with other employees, thereby wasting her time and that of others, too.

5. Cruelty to employees.

I have seen with my own eyes several of our post office veterans compelled day after day, at the postmaster's insistence, to unload heavy parcel post shipments while young (even temporary) substitutes wait for the mail to come in the office. I have seen Clerk Thomas B. Ryan, a veteran with many years of service, forced to unload parcel post when he was so ill he could scarcely stand up. The postmaster takes great delight in closely watching the unloading to see that his strict orders are carried out. Mr. Ryan was severely injured in carrying out that assignment one day. He collapsed and fell between the truck and the loading platform, cutting his head.

I have also personally witnessed former assistant postmaster, William D. Lyon, a most faithful and competent employee, forced to do his assigned MVS work in the summer at a desk directly under a skylight which admitted glare and heat to such an extent that he was unable to stand the torture any longer. He moved the desk to a shady spot on the spacious workroom floor and was promptly assessed 200 demerits.

The postmaster has insisted that a female employee (not his sister) cover the parcel post window frequently, despite the fact that there are several experienced male stamp clerks on duty at the same time. This assignment was made strictly because of his dislike of the woman.

I am prepared to prove that Edward Brodstein has not only ruined the home and office life of seven employees but has also been successful in actually wrecking their health.

6. Disregard of Post Office Department rules on competitive bids.

A bid on hauling coal cannot, under any circumstances be solicited from Hess & Co., due to the postmaster's dislike of Mr. Hess. The exorbitant rate charged by other dealers for this service could in all probability be prevented, for the Hess Co. was usually the low bidder in former years.

Key, lock, and vault work at the Asbury Park post office is restricted solely to B. W. Sherman, Bradley Beach, N. J., a relative of the postmaster's, despite the fact that there are local expert locksmiths anxious to do the work.

I have in my possession evidence of irregularities in the opening and awarding of recent bids.

7. Failure to establish contract and substations where they are needed, due to personal reasons—not the good of the service and the public.

Important station No. 5 on the boardwalk in this city was not opened at all during the summer of 1945 and half of 1946, due to the postmaster's unwarranted objection to the location offered by city authorities. The station has always been of great importance but through Mr. Brodstein's stubbornness, the heavily populated hotel district was without postal facilities during the periods referred to. The matter was of such seriousness that the Department finally had to order him to open the station.

Mr. Brodstein has consistently refused to open station No. 8 in the heavily populated Wanamassa section, due solely to his hatred of G. Fred Beegle, a respected real-estate agent, who is the only one willing to conduct the station. The postmaster admitted to Mr. Beegle that the station was definitely needed in that location. However, he bases his objection to Mr. Beegle's offer on the fact that there are several steps leading up to it. He completely forgets that this main office has five steps and is visited daily by hundreds of patrons. There are never any complaints from the public.

8. Supervisors have never been permitted to rate an employee according to their personal judgment.

A rating of "outstanding," which is descriptive of several employees under my personal supervision is denied me.

The only supervisor who ever dared rate an employee in the manner objected to by the postmaster was one Percy P. Eldridge, former assistant superintendent of mails, who rated for the period ending June 30, 1949, according to his judgment. He knew he was going to retire on June 30 and therefore did not fear any consequences. I have since learned that his retirement was due to his reluctance to further tolerate the unbearable conditions at the Asbury Park post office.

I doubt whether there is an office in the United States the size of this one which has no "outstanding" clerks. Despite the postmaster's belief that there are no outstanding clerks the office consistently receives excellent ratings.

9. Mr. Brodstein refuses to see or talk to any patron of the office who is not known to him personally or who is not an insurance client.

The information section of this office is familiar with the names of those he will see. He is "out" or "in conference with inspectors" to all others and some supervisor is compelled to stop his work and handle all such inquiries or complaints. This practice has proven embarrassing to employees and has been insulting to many patrons.

10. Almost complete disregard of departmental letters marked "Personal attention." All such letters are quickly given to me or another supervisor for attention and there are seldom if ever, the personal conference requested in the letters. The most recent of these instances are letters from the First Assistant dated September 6, 1949, and one from the Fourth Assistant (MVS) dated October 7, 1949.

11. Postmaster Brodstein has not made the diligent study of the Postal Service at this office with a view to acquiring a thorough knowledge of all phases of the service, as required in paragraph 7, page 15 of the Manual of Instructions.

I charge him with violating paragraph 7 in practically its entirety.

He does not:

1. Have direct contact with the public on administrative matters.

2. Personally sign all departmental correspondence.

3. Assist with the handling of the Postal Account.

4. Personally analyze all accounts and requests for allowances.

5. Personally check the main stamp stock once each month.

12. Edward Brodstein uses decided discrimination in making appointments from the civil-service register. The regulation which states that such appointments should be made strictly on the basis of merit and fitness is completely ignored.

13. Custodial employees of this office are used illegally at the postmaster's direction. One employee is used in cleaning the leased quarters occupied by the Neptune Branch.

Custodial employees are also used in erecting mail boxes throughout the city and are also required to repair street letter boxes and letter box posts.

14. Complete disregard of departmental rules governing the accumulation of annual leave. He has at the present time 44½ days to his credit, although the regulations state clearly that no more than 35 days may be retained by any employee. All of his employees are compelled to keep within the prescribed limits.

15. The postmaster has not visited the Neptune branch frequently as required in paragraph 3, page 15 of the manual. Neither has he visited station No. 5 within the past 2 years.

16. The postmaster creates and encourages hatred and distrust, not only between himself and his employees, but even between employees in many instances. His attitude toward most employees, particularly the post-office veterans, is not friendly. In fact, there are at least 10 employees here to whom he will not speak when he meets them in the office or on the street.

17. Paragraph 1, page 15 of the manual states that the respect and loyalty of the employees and the confidence of the public should be assured. This is not accomplished by Postmaster Brodstein. He is neither respected by the majority of the employees or the public. In fact, in the 15 years I have served under him, I have yet to hear a patron of the office speak favorably of him.

The morale of the employees of the Asbury Park post office is at an all-time low. When competent, long-service employees freely state that they dread coming to work each day, something is definitely lacking in administration. I know they are extremely loyal to the service and would actually enjoy their work, as I feel they should, under a more humane postmaster.

I can no longer silently watch day after day, the morale of an excellent personnel completely ruined by one person—Edward Brodstein.

Respectfully yours,

EDMUND W. LAYTON,
Assistant Postmaster.

EXHIBIT J

MARCH 26, 1951.

P. H. CREEDON,
Post Office Inspector,
Harrisburg, Pa.

DEAR INSPECTOR CREEDON: Your letter of March 21, instant, has been received and I welcome the opportunity to express my opinion on conditions in the Asbury Park, N. J., post office, particularly as they have affected me personally.

I was a carrier 23 years, transferring to a clerk soon after Mr. Brodstein had been appointed postmaster. I had undergone a minor operation at which time the doctor discovered I had a slight heart condition and suggested inside work if possible. After some discussion with the postmaster the transfer was arranged.

Many of the personnel in our office have served under three postmasters representing both political parties. They were active in the public and social life of the community and were highly honored and respected by the postal force. We felt the new postmaster was going to uphold the traditions and high standards created by these men but our hopes were soon blasted. His unfitness to be over men soon became apparent by his unscrupulous and untactful attempts to discipline the employees. His insulting and uncouth methods soon lost for him the respect and confidence his predecessors had enjoyed. With each succeeding year the morale of the office reached a new low.

I heard the complaints of fellow employees who over a period of years had fallen victims to his abusive tongue. While I had no fear of the man mentally or physically I made it a practice to contact him only when the routine of my work made it necessary. I was approaching the retirement age and felt this would be an avenue of escape. But I did not quite make it. The climax came one day when he yelled a reproach at me from his office that I heard distinctly

without the aid of the telephone extension to the workroom floor over which he had been talking. I said, "P. M., you can't yell at me like that."

The following day I learned I was wrong. He could yell at me or any employee and get away with it. I was called into his office where I was scourged and humiliated with his insolence for 1½ hours. Often wonder since what kept me glued to the chair. He told me my arrogance had disturbed him so that he could not sleep and had walked the floor from 3 a. m. until daylight. He said he wanted me to understand no one could talk to him like that. He confronted me with all the "crimes" I had supposedly committed in my work during his tenure. He has a personal file which he maintains to embarrass an employee at an opportune time. He told me my transfer to a clerk had been perpetrated through fraud, and that there was nothing wrong with my heart. He told me a supervisor had informed him that some of the boys refused to work with me in the rack. After questioning my fellow workers, found this to be false. This is one of his subterfuges to create suspicion and distrust among the employees.

From this time on, I was subjected to the vindictiveness of this man who has made working conditions in the Asbury Park post office unbearable. Many times I have glanced up from my work and caught him glaring at me with a maniacal stare. In our last open skirmish, I asked him to prefer charges against me, feeling he might accuse me of insubordination or incompetency. I was anxious to learn through a fair and open trial who was right.

The postmaster has continued his persecution and vindictiveness in a very recent action. At the conclusion of the holiday rush, I became ill and went to the doctor for an examination. He told me if I wanted to hang around a while, it was necessary that I get out of the post office immediately and take it easy. He wrote the postmaster recommending that I be granted an extended sick leave because of an aggravated physical condition. The postmaster sent the doctor's letter to the Department with the recommendation that I be granted sick leave without pay, even though I had an accumulation of approximately 200 days sick leave to my credit. The Department recommended that I be given 3 months' leave without pay. This decision was later reversed when the true facts were given to the Department through the National Federation of Post Office Clerks.

I will soon have another physical check by the doctor here in Miami. If he finds I have regained my health sufficiently and can again resume my duties in the Asbury Park post office, I will be called upon to make an important decision. If I return to Asbury Park where I know working conditions are deplorable, it would jeopardize all I have gained in health. The alternative is retirement. I will then parallel the case of a former assistant superintendent of mails in the Asbury Park post office, Mr. Eldridge, who retired July 1, 1949, just when he had reached the retirement age, but could no longer endure the hounding and abuse of Mr. Brodstein. He sacrificed a large amount of his retirement pay since he benefited very little from the advantages of the new retirement law. This former fellow employee is now residing here in Miami, and is bitter in his feelings toward Mr. Brodstein.

It is my opinion, if the employees of the post office have been interviewed and there has been no fear of repercussions, their experience would follow along similar lines. The factual evidence should prove beyond a reasonable doubt that this man has undermined the morale of the office. He has caused some capable employees to leave the service prematurely and has broken the health of others by his despicable acts. He has stifled all initiative among the employees. Recognition of meritorious service is unknown. Men who should be at the top are holding menial assignments. Preference comes only to those who are willing to sacrifice their individuality.

Trusting that conditions may be changed for those who have chosen to spend their lives in the Asbury Park post office, I am

Very truly yours,

MERVIN B. WISE.

EXHIBIT K

DECEMBER 9, 1951.

JOHN M. TORKA,
Assistant Secretary-Treasurer,
Washington, D. C.

DEAR BROTHER TORKA: Your letter of November 13 relative to our case against the Asbury Park postmaster was read to our members at our December meeting and was received by them unfavorably.

The members requested that I advise you that everything he has done has been detrimental to the best interests of the membership of the local. All of our charges and complaints have stressed that, and to date not one corrective action has been taken.

He continues to do as he pleases in his slick way but is careful he does not do anything too openly that would create an incident that would put the finger on him. He knows he is on the spot nevertheless he continues to abuse the rights of seniority; to mismanage the office by improper assigning of employees and excessive use of unnecessary auxiliary at the Government's expense (a post-office inspector stated, when on a recent inspection that he would hate to have the job of making a survey at this office).

He continues to spend no more than 3 hours daily in the office, only one on Saturdays. He continues to use the post office as his private business (insurance) address and office. He still does not have any knowledge of post-office matters or procedure. He still shows partiality toward certain female employees regardless of the needs of the office. He is still trying to buy off the supervisors by telling the assistant postmaster he was going to retract his charge against him, and by recently recommending that the three clerks in charge (who he not too long ago had sign statements favoring him), be made foremen. This is still pending in the Bureau of Personnel. We need three foremen like we need three arms. This was done to repay them for their statements and also create three vacancies in the clerk in charge roster that he could fill with certain junior men who he knows he can dictate to.

These things go on continuously and they certainly are not in the best interests of this membership nor do they help morale in the office. This has been going on for years and will continue to for years unless a stop is put to it. We cannot at this time furnish any additional information. We feel that enough has been submitted in the past 2 years for this case to have been settled properly by hi removal and we believe that the National Federation of Post Office Clerks should be able to do it as an organization rather than have some small time politician do it and get the credit.

We have learned that the only thing holding this man in office is the fact that a certain small time politician in this locale will not send in the name of an acting postmaster to the Congressman who is waiting for it and will request his removal as soon as it is received. The politician happens to be a personal friend of the postmaster so the matter lies dormant. It is a sad state of affairs when a small time politician can hold the destiny of 80 employees in the palm of his hand. Surely it is not necessary for an acting postmaster to be appointed, an inspector could be appointed and would readjust this office the way it should be, before a new, green man took over.

We are now going out full force on the political angle of this case and if we don't break it successfully we will then turn it over to the Republican side for investigation and the breaking of the condition publicly in the press. We have gone along with the department and all concerned long enough to have received corrective action in this case.

It is sincerely hoped that in the meantime our national organizations can successfully bring this case to a close and receive the credit for protecting the rights, morale, and welfare of its membership.

Fraternally yours,

HOWARD A. YERKES,
President.

DECEMBER 18, 1951.

HOWARD A. YERKES,
President, Local No. 1703, NFPOC,
Elberon, N. J.

DEAR HOWARD: This will acknowledge receipt of your letter of December 9, in which further reference is made to mine of November 13, regarding the present status of the charges registered with the Department against the postmaster of Asbury Park, N. J.

There has been no change in the postmaster's attitude. That is, he continues to do as he pleases, and does it in such a manner so as not to create an incident. Also, he knows that he is on the spot and it is evident that due to mismanagement, the office uses more auxiliary hours than necessary. Moreover, he continue to spend not more than 3 hours daily in the office and only 1 hour on Saturday. He still continues to use the post office as his private business (insurance) address and office. In addition, the supervisors who stood by him during the investigation, it is rumored, he will recommend them for promotion to foremen so he could secure three additional clerk-in-charge positions to reward others who are favorites with him.

I will acquaint the Department with the above facts and again urge them to do something about replacing the postmaster.

The last time we discussed the matter with Mr. C. B. Uttley, Executive Director, Bureau of Operations, we told him that we would submit additional evidence with the hope that appropriate action be taken soon. You are aware that everything possible is being done at this end to replace the postmaster. In the meantime, should you have any additional information which might be helpful, do not hesitate to pass it along to me.

With the season's greetings, I am

Sincerely and fraternally yours,

JOHN M. TORKA,
Assistant Secretary-Treasurer.

EXHIBIT L

FEBRUARY 6, 1952.

MR. JOHN M. TORKA,
Assistant Secretary-Treasurer,
Washington, D. C.

DEAR BROTHER TORKA: In connection with the Asbury Park case there is submitted herewith additional information to prove that the postmaster has no respect for postal laws, the rights of the postal employees, nor the privacy of their mail that is given to every American citizen by law.

In previous correspondence with you we have charged him with intercepting, delaying, and otherwise abusing the personal mail of the employees that was inadvertently addressed to them at the post office.

The three specimens enclosed were sent to these employees February 2, from the postmaster, rural section, Newark, N. J., containing their W-2 (tax withholding forms) for the year in connection with service on the rural route while substituting for the regular rural carriers.

They were addressed to them personally, but instead of being delivered to them direct, were placed in the postmaster's box as per his instructions and were deliberately opened by

him and the contents noted before being given back to a supervisor for distribution to the employees. The postmaster is the only one that can open the daily mail regardless of the time he reports to the office.

In the past the same procedure has been passed off with the excuse that it was opened in error. This case proves that it is deliberate. The letters were identical, if one of them was opened in error there would be no need to open all three, therefor it was done purposely.

Regardless of how mail is addressed or who it is from a postal employee has as much right to the protection and privacy of his personal mail as any other citizen and the postmaster is violating his oath of office and breaking the law by his actions.

The employees the mail was addressed to did not make the complaint as they are substitutes and fear the consequences but the organization is making the complaint to show what goes on here and to try and protect the privacy of the employees' mail. The same violation has happened in the past and can happen to any mail in the future.

Kindly return the enclosed envelopes when you have taken all information necessary from them as they will be needed as evidence in other channels if the proper action is not taken by the Department. The action taken by the Department should be the same as would be taken if an employee was discovered opening mail other than their own.

With kindest personal regards.

Fraternally yours,

HOWARD A. YERKES.

ELBERON, N. J.

FEBRUARY 12, 1952.

HOWARD A. YERKES,
President, Local No. 1073, NFPOC,
Elberon, N. J.

DEAR HOWARD: This will acknowledge receipt of your letter of February 6, together with three enclosures.

The enclosures are from the postmaster of Newark, N. J., Division of Rural Delivery, addressed to Charles H. Bryde, Charles B. Quinn, Jr., and James A. Stelluto, substitute employees in the Asbury Park, N. J., post office. These envelopes contained withholding tax forms, W-2, for the cashier in connection with service on the rural route while substitute for the regular rural carriers. These envelopes, as all mail addressed to employees, is placed in the postmaster's box. The postmaster opened these three letters and then gave them to a supervisor to distribute to the above-named employees. The envelopes were postmarked "Newark, N. J., February 2, 1952, 12 m."

Of course, I will acquaint the Department with the facts, but without the envelopes as evidence, much value will be lost. However, I will tell the Department that the envelopes may be produced upon request.

Appreciating your keeping me posted of developments there and with all good wishes, I am,

Sincerely and fraternally yours,

JOHN M. TORKA,
Assistant Secretary-Treasurer.

MARCH 5, 1952.

Mr. JOHN M. TORKA,
Assistant Secretary-Treasurer, NFPOC,
Washington, D. C.

DEAR BROTHER TORKA: In further reference to our letter of February 6 and your letter of February 12 please be advised that it is imperative that the envelopes in question are not submitted to the Department but held in your possession or returned to us, as we requested as soon as you have finished with them. They were not returned in your letter of February 12 as the letter seemed to indicate. These envelopes will be needed as substantial evidence with our Congressman if the Department declines to act against this postmaster as they have with all other evidence submitted in the past.

We have been informed that the postmaster has received a letter from the Department relative to the latest complaint of opening mail other than his own. We have also been informed that he is now in the process of replying to this letter. He has already had two of the substitutes whom the letters were addressed to, into his office and had them sign statements prepared and typed by himself. He also tried to get a supervisor to falsely state that the envelopes were obtained by our former president Howard Yerkes without the knowledge of that supervisor and submitted without the knowledge of the substitutes the mail was addressed to. The supervisor refused to submit a false statement and the substitutes knew why the envelopes were obtained from them regardless what they had to sign in the statement.

The postmaster's defense in trying to accuse Mr. Yerkes and the organization of attempting to undermine him with the Department is we believe an attempt to have the Department take some action against Mr. Yerkes for personal reasons only. Since when is it a crime for an organization man to obtain evidence against a person who is breaking the law?

We refer you to our letter of July 5, 1950, in which we accused the postmaster of doing the very same thing we have again charged him with. It was passed off at that time and he still continued his violation of the privacy of personal mail. We charge him with violation of section 41.1 and 130.47 of the Postal Laws and Regulations by intercepting, delaying, and also tampering with the employees mail.

This information is being passed on to you not as additional charges, but as further developments in the Asbury Park case and is for your information only.

Respectfully yours,

GEORGE H. VOLL, Jr.,
President.

OCEAN GROVE, N. J.

WEST NEW YORK, N. J., *March 8, 1952.*

HOWARD YERKES,
Elberon, N. J.

DEAR HOWARD: I have been in Washington this past week, and of course I checked on the Asbury Park case. Torka showed me the latest with reference to the mail that the postmaster opened, and told me that he had taken it up with the Department. I went over to the Department with Handman and saw Mr. Lawler and discussed the Asbury Park situation. I reminded him of his statement to us of last August and June with reference to the dismissal of the postmaster. He stated that a committee of business people had been in to see him and that coupled with the statements from the supervisors that the department had decided to give the postmaster another chance. I told him that conditions were no better, in fact, much worse; also told Lawler that the supervisors were pressured into writing the statements, and in one case the postmaster returned a statement to a supervisor with instruction to write a better one. The organizations refused to give him statements which he dictated. This brought on a lively and vigorous discussion; Lawler could not see how or why a supervisor could be pressured into submitting statements. I certainly set him straight (Handman was giving me the sign to take it easy). I also told him of the opened mail, and Mr. Lawler was indignant; stated that the department will not stand for it, that it was grounds for dismissal and criminal action, and would certainly look into the matter. Also discussed the political aspects of the Asbury Park case with reference to Hart and Kiernan, which I believe is the real meat of the situation. Mr. Lawler promised to write to me with reference to the complaint.

I called Torka but he was out, left word with the secretary that Torka should see that Lawler has the opened-letter complaint with the envelopes or copies.

Stopped in to see Mr. Hart, and the secretary showed me your latest letter that arrived that morning. According to his secretary, Mr. Hart has been ill and has not been in either his Union City office or the Washington office since the first of the year; stays in Washington. Will bring the matter to his attention. Looked up Mr. AUCHINCLOSS, who was out, but the secretary, who I believe is his wife, did not know about the opened mail, and said the Congressman would be glad to know of such matter. I would suggest that you send him a letter with a résumé of the past grievances, and with full details of the latest case. I would also appreciate a copy.

Let me know if there is anything further I can do, and count on me to keep pitching until this case is settled to Asbury Park's satisfaction.

Fraternally yours,

V. JAMES YACONO, *President.*

MARCH 10, 1952.

GEORGE H. VOLL, Jr.,
President, Local No. 1703, NFPOC,
Ocean Grove, N. J.

DEAR BROTHER VOLL: I have your letter of March 5, in which further reference is made to mine of February 12, regarding the envelopes you sent me and disposition to be made of same.

Vice President Ephraim Handman and Brother James Yacono, president of the New Jersey Federation of Post Office Clerks, were in Washington last week and told me they were going to see Mr. Joseph J. Lawler, Assistant Postmaster General, regarding the status of the Asbury Park, N. J., case. They did call on Mr. Lawler and mentioned the fact that the postmaster opened official mail addressed to employees, and Vice President Handman phoned me and suggested I submit the envelopes to Mr. Lawler. However, I told Vice President Handman that I could not do this, because the local told me not to give these envelopes to the Department, but they wished the envelopes returned. Therefore the envelopes in question are herewith returned.

The postmaster received a letter from the Department regarding the complaint I registered with them against his opening official mail addressed to employees. In this connection you state he has already had two of the substitutes to whom the envelopes were addressed, sign statements prepared and typed by himself. That is, the statements signed by these employees would absolve him from any such wrongdoings. These employees should not have signed any statement. If they did sign one, they should have stated the statement was being signed under protest and not of their own free will.

The postmaster also tried to persuade a supervisor to falsely state that the envelopes were obtained by our former president, Howard Yerkes, without the knowledge of that supervisor and presented to us without the knowledge of the substitutes. The supervisor, however, refused to furnish the postmaster with such a statement.

In the event the postmaster should take any action against former President Howard Yerkes, of local No. 1703, kindly let me know.

I appreciate the information contained in your letter and will be guided accordingly.

With all good wishes and kindest regards, I am,

Sincerely and fraternally,

JOHN M. TORKA,
Assistant Secretary-Treasurer.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. AUCHINCLOSS. I yield.

Mrs. ST. GEORGE. I would like to commend the gentleman for his very painstaking search into this very distasteful condition existing in his district,

and I also would like to ask the gentleman if he is not very much impressed and struck by the fact that most of the employees are suffering from the abuse of one man; in other words, that the rank and file of the employees are trying to do a good job and are being prevented from it by this particular postmaster and by the Department that is upholding him?

Mr. AUCHINCLOSS. I heartily agree with the gentlewoman; she is absolutely right, and it is a shame that a situation like that should be permitted to exist.

Mrs. ST. GEORGE. I thank the gentleman for having brought this to the attention of the House.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. AUCHINCLOSS. I yield.

Mr. REES of Kansas. I want to join the distinguished gentlewoman from New York in thanking the gentleman from New Jersey for bringing this matter to the attention of the House and having presented it in the shape as he has done. He has put it in categorical order and I want to commend him for first having brought this matter to the attention of the Post Office Department and having given that Department ample time during which to make an investigation and to dispose of it one way or the other. It seems rather strange that the Department would wait until the last day almost before it finally states that possible action may be taken with respect to this matter. If one single post office clerk had been charged with opening some individual's mail he would long ago have been dealt with. It is not fair or right that a man who holds a job as postmaster in a big post office like Asbury Park should be permitted to be shielded all of this time and nothing done. I again thank the gentleman.

Mr. AUCHINCLOSS. I appreciate very much the remarks of the gentleman.

SELECT COMMITTEE TO CONDUCT AN INVESTIGATION AND STUDY OF OFFENSIVE AND UNDESIRABLE BOOKS, MAGAZINES, AND COMIC BOOKS

The SPEAKER. Pursuant to the provisions of House Resolution 596, Eighty-second Congress, the Chair appoints as members of the Select Committee To Conduct an Investigation and Study of Offensive and Undesirable Books, Magazines, and Comic Books the following Members of the House: Mr. GATHINGS, Arkansas, chairman; Mrs. BOSONE, Utah; Mr. CELLER, New York; Mr. WALTER, Pennsylvania; Mr. MILLER, California; Mr. REES, Kansas; Mr. GRAHAM, Pennsylvania; Mrs. ST. GEORGE, New York; Mr. KEARNS, Pennsylvania.

FIVE POINTS

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, I should like to note five points and to develop them later in the Appendix of the RECORD.

First. Six weeks ago I visited Korea for the second time, the first being in the fall of 1950. I left Korea in defeat in December of 1950. Tenth Army Corps evacuated Hungnam.

Six weeks ago Eighth Army had the situation under control; it is under control today. Our men are on a defensible line, far enough south of the Yalu to afford an ample apron of fire to offshore naval and overhead fire power. Our fleet ranges north of the combat line on both sides of Korea. Our Air Force covers a target from the combat line to the Yalu. We have unified action—ground, naval, and air.

The enemy is blanketed. The choice is his: to keep feeding men, money, and materials into the meat chopper, or to pull out under honorable terms.

The issue is the freedom of Korea, its sovereignty as a nation, guaranteed by the U. N.

Second. I should like to congratulate Gen. Mark Clark and his field commander, General Van Fleet, for the great job they are doing.

General Clark, splattered with the hot grease of Koje, is a natural target of Communist hatred. He put the Reds in their place in Vienna. He did the same on Koje. He has got their number, and they know it. We must parry the campaign of hate that will grow with intensity against General Clark.

Lord Alexander, defense minister of Great Britain, yesterday gave the U. N. commander and his forces a clean bill of health. This is a marked tribute to General Van Fleet, to General Boatner, and to U. N. negotiators at Panmunjom.

I trust the U. N., and the Pentagon and the Department of State will keep sawing wood in spite of Red and other unfriendly harassment.

Third. The Syngman Rhee situation: I think Mr. Rhee fights for the people of Korea and for their place in the free world. He is a target of hatred. Has been for over 40 years. Occasionally, he blows on his fingers to cool them. Years ago, Japanese jingoists tortured Mr. Rhee, Korean patriot. I have every confidence that he will succeed in his fight for the rights of the people of Korea. Mr. Rhee was graduated from American University, here in Washington. He received his master's degree at Harvard, and his doctor of philosophy degree at Princeton, where he resided with President and Mrs. Woodrow Wilson, and absorbed Wilson's idea of democracy, that true governments exist by the consent of the governed.

Yet, a friendly word to Mr. Rhee.

These are days of collective security and of economic integration, to be accomplished with a respect for the rights of man.

It is unthinkable that Belgium and Holland will again wage war or that Venice will fight Florence. Must France fight Germany? Germany fight England?

I think that our effort in the Congress of the United States, and in the U. N., and for the blood we shed in World War II and in Korea, is to make it as ridiculous for England, France and Germany to fight each other as it would be for Belgium to fight Holland.

In the Pacific, Korea and Japan will get along, each respecting the other's needs. China, coming to her senses, will stop being a catspaw for the Soviets; her future rests with a free and democratic Japan and Korea.

Red Russia can give China, Japan, and Korea nothing but bloodshed, degradation, poverty, ignorance, and disease. Such has been the Red record since June 25, 1950.

Fourth. Formosa is a potential gem of the Pacific, showcase of democracy; beacon of hope for China and southeast Asia.

I was impressed with what I learned in Formosa. I am sure that my friends, Mr. K. C. Wu, Governor of Formosa, Princeton graduate student, and "George," Minister of Foreign Affairs, graduate of Amherst, sense how Formosan democracy can spark that area of the Orient. The Philippines and Indonesia, short of rice, might well learn a few things from Formosans. I trust "K. C." and "George" will more than help if asked.

Yet, as Admiral Radford recently stated, Formosa needs more military hardware. General Chace and his mission is doing a fine job.

However, I am not pleased with the ammunition ration for Chiang Kai-shek's men. The more target practice each soldier can get, the better fighter he becomes, fancy hardware notwithstanding.

Fifth. The five A areas of the world—Asia, Africa, Australia, Alaska, and America: As men, women, and children enjoy greater benefits of peace and prosperity, these A areas are destined for greater strength and hope.

With the people of Asia and Africa living in knowledge and in health, Europe is safe. England, Germany, and France need not fight each other again. Markets and food will be available for all. Once 400,000 American Indians slaughtered each other for hunting grounds. Today, 155,000,000 Americans live where 400,000 Indians could not.

When the red froth on the Kremlin is blown away, and democracy at long last comes to the people of Russia, Alaska will no doubt become America's bridge to Russia and Russia's bridge to America.

Australia, southern anchor of a harmonious Pacific, will come into its own.

This concludes my five points, Mr. Speaker: Korea, praise of field commanders and personnel, Mr. Rhee, Formosa, and the five A areas of the future.

By way of passing, I thought the below-listed news item points up what also happens to people and nations, as it has in the past, when denied the necessities of life:

THIRST-CRAZED BEASTS HARASS KENYA TOWNS

MOMBASA, KENYA, June 16.—The worst drought in years has driven thirst-maddened wild animals out of the hills into Kenya towns.

Residents have had to barricade themselves in their houses as elephants in search of

water wander unchecked through the city streets.

At Vol, a small town about 100 miles from here, over 400 elephants have been harassing the residents for 2 weeks.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I would like to ask the gentleman what is the answer to the publicity that is being put out about the shortage of ammunition in Korea from his investigation?

Mr. SIEMINSKI. I observed that in Korea our ammunition situation was satisfactory. I heard no complaints on this score. However, I point out to the distinguished gentleman the recent remarks of Admiral Radford that Formosa needs more military aid, this includes ammunition. I believe the Pacific no less important to our defense than the Atlantic. Both are areas of great peoples and tremendous resources, strategic, tactical, and economic.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JONES of Missouri (at the request of Mr. MILLS), for today and tomorrow, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. SIEMINSKI in three instances.

Mr. FOGARTY and to include two newspaper articles.

Mr. YATES and to include an editorial on the work of Mr. PRICE, of Illinois.

Mr. RHODES and to include an editorial.

Mr. PRICE and to include an address by the President of the United States at the laying of the keel of the first atomic submarine on Saturday last.

Mr. PRICE and to include a speech of the Chairman of the Atomic Energy Commission, Mr. Gordon Dean, at the same ceremony.

Mr. BRYSON and to include an editorial.

Mr. REAMS and to include an editorial from the Toledo Blade.

Mr. CRUMPACKER.

Mr. MILLER of New York in three instances and to include two editorials.

Mr. HINSHAW and to include extraneous matter.

Mr. KEARNEY and to include an article.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I shall make today on H. R. 7800, the socialized medicine bill, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILSON of Texas and to include two editorials.

Mr. MCGREGOR in three instances and to include two editorials.

Mr. PATTERSON in two instances and to include extraneous matter.

Mr. COLE of Kansas in two instances and to include extraneous matter.

Mr. COLE of New York and to include the commencement address delivered by Thomas J. Watson, Elmira College, and an editorial in connection therewith.

Mr. BERRY and to include extraneous matter.

Mr. BOGGS of Delaware and to include an essay.

Mrs. ST. GEORGE in two instances and to include extraneous matter.

Mr. AYRES and to include a newspaper article.

Mr. HILLINGS in two instances and to include extraneous matter.

Mr. MCCORMACK and to include the text of a declaration by 10 exiled leaders from Communist-dominated countries, made recently at Williamsburg, Va., also an editorial from the New York Times of June 13 on the same subject.

Mr. SITTLER and to include extraneous matter.

Mr. ROONEY in two instances, in one to include an address by Herve J. L'Heureux at exercises held at Columbus University on June 11, 1952, and in the other to include remarks on the passing of Albert Lasker.

Mr. WIER and to include the text of the address by President Truman at the Howard University commencement exercises.

Mr. BEALL and to include an address by the Governor of Maryland.

Mr. BENNETT of Florida and to include extraneous matter.

Mr. VAN ZANDT (at the request of Mr. KEATING) and to include an editorial.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2968. An act to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. STANLEY, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On June 13, 1952:

H. R. 5633. An act to approve contracts negotiated with irrigation districts on the Owyhee, Riverton, Milk River, and Frenchtown Federal Reclamation projects, to authorize their execution, and for other purposes;

H. R. 5678. An act to revise the laws relating to immigration, naturalization, and nationality, and for other purposes;

H. R. 6336. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research.

H. R. 7340. An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes; and

H. J. Res. 449. Joint resolution to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution.

On June 14, 1952:

H. R. 6909. An act to amend section 14 (b) of the Federal Reserve Act, as amended; and

H. J. Res. 481. Joint resolution to continue the effectiveness of certain statutory provisions until June 30, 1952.

ADJOURNMENT

Mr. SIEMINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly at 2 o'clock and 41 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 17, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1559. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1953 in the amount of $90,000 for the Federal Security Agency (H. Doc. No. 503); to the Committee on Appropriations and ordered to be printed.

1560. A communication from the President of the United States, transmitting the budgets for the fiscal year 1953, in the amount of $168,360,000, for administrative expenses of defense production and stabilization activities, and $5,000,000 for a revolving fund for the Small Defense Plants Administration (H. Doc. No. 504); to the Committee on Appropriations and ordered to be printed.

1561. A letter from the Chairman, United States Atomic Energy Commission, transmitting a report on overobligations reported in one of our allotment accounts, pursuant to section 1211 of the General Appropriation Act, 1951 (Rev. Stat. 3679); to the Committee on Appropriations.

1562. A letter from the Assistant Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to authorize and direct the Administrator of General Services to transfer to the Department of the Air Force certain property in the State of Alabama"; to the Committee on Expenditures in the Executive Departments.

1563. A letter from the Assistant Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend the act of July 26, 1947 (61 Stat. 493), relating to the relief of certain disbursing officers"; to the Committee on the Judiciary.

1564. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to authorize the construction of a ships' base for the Coast and Geodetic Survey, Department of Commerce"; to the Committee on Merchant Marine and Fisheries.

1565. A letter from the Assistant Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend section 5 of the act of June 29, 1888, relating to the office of supervisor of New York Harbor"; to the Committee on Public Works.

1566. A letter from the Assistant Secretary, Department of State, transmitting a copy of Concurrent Resolution 34 of the Second Congress of the Republic of the Philippines, in respect to House bill 6292 to eliminate the 3-cent processing tax an coconut oil; to the Committee on Ways and Means.

1567. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

1568. A communication from the President of the United States, transmitting a pro-

posed provision pertaining to appropriations of the Federal Security Agency for the fiscal year 1953 (H. Doc. No. 505); to the Committee on Appropriations and ordered to be printed.

1569. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1953 in the amount of $16,870,000 for the Department of Labor (H. Doc. No. 506); to the Committee on Appropriations and ordered to be printed.

1570. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1953 in the amount of $77,500,000 and increases in limitations in the amount of $2,700,000 for the Housing and Home Finance Agency (H. Doc. No. 507); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 or rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on the District of Columbia. Supplemental report on H. R. 7502. A bill to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes (Rept. No. 2164). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee of conference. H. R. 6787. A bill to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.) as amended, and for other purposes; without amendment (Rept. No. 2168). Ordered to be printed.

Mr. VINSON: Committee of conference. S. 2552. A bill to authorize the appointment of qualified women as physicans and specialists in the medical services of the Army, Navy, and Air Force; without amendment (Rept. No. 2169). Ordered to be printed.

Mr. LARCADE: Committee on Public Works. H. R. 6007. A bill to authorize the improvement of Humboldt Bay, Calif., as recommended by the Chief of Engineers in House Document No. 143, Eighty-second Congress, first session; without amendment (Rept. No. 2170). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 6175. A bill to provide for a preliminary examination and survey of Port Mansfield Harbor in Texas and the channel connecting such harbor to the Gulf of Mexico for the purpose of determining action necessary to enable such harbor and channel to accommodate deep-draft navigation; without amendment (Rept. No. 2171). Referred to the Committee of the Whole House on the State of the Union.

Mr. BUCKLEY: Committee on Public Works. H. R. 7855. A bill for improvement of Gowanus Creek Channel, N. Y.; without amendment (Rept. No. 2172). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 8165. A bill to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois waterway; without amendment (Rept. No. 2173). Referred to the Committee of the Whole House on the State of the Union.

Mr. KING of California: Committee on Ways and Means. H. R. 6245. A bill to amend section 3115, Revised Statutes, as amended; without amendments (Rept. No. 2174). Referred to the Committee of the Whole House on the State of the Union.

Mr. THORNBERRY: Committee on Interstate and Foreign Commerce. S. 2357. An act to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act; without amendment (Rept. No. 2175). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 2360. An act to amend the Interstate Commerce Act to increase the amounts of securities issued by motor carriers without requiring approval by the Interstate Commerce Commission; without amendment (Rept. No. 2176). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H. R. 8210. A bill to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended; without amendment (Rept. No. 2177). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SPENCE:

H. R. 8210. A bill to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended; to the Committee on Banking and Currency.

By Mr. BREHM:

H. R. 8211. A bill to provide for the issuance of a special postage stamp in honor of Henry Holcomb Bennett and in commemoration of Flag Day, 1953; to the Committee on Post Office and Civil Service.

By Mr. ELLIOTT:

H. R. 8212. A bill to amend the Vocational Education Act of 1946 to authorize the appropriation of additional funds to cover reductions, occurring as a result of the 1950 United States census, in Federal funds apportioned for expenditure in the States and Territories; to the Committee on Education and Labor.

By Mr. GOLDEN:

H. R. 8213. A bill to amend the programs on the watersheds authorized by section 13 of the Flood Control Act of December 22, 1944; to the Committee on Public Works.

H. R. 8214. A bill to amend the programs on the watersheds authorized by section 13 of the Flood Control Act of December 22, 1944; to the Committee on Public Works.

By Mr. HAGEN:

H. R. 8215. A bill to amend the Social Security Act (1) to provide an increase of $10 in the maximum monthly expenditure for any individual for purposes of determining the amount of the Federal payments to the States for old-age assistance, aid to the blind, and aid to the permanently and totally disabled, and (2) to increase from $50 to $75 per month the amount of earnings permitted under title II of the Social Security Act without deductions from benefits; to the Committee on Ways and Means.

By Mr. JAVITS:

H. R. 8216. A bill to establish as a branch of the Smithsonian Institution an American Academy of Music, Drama, and Ballet, for the education of selected pupils in all the various phases of these arts, and for other purposes, as a part of a national war memorial (to include a theater and opera house); to the Committee on House Administration.

By Mr. McDONOUGH:

H.R. 8217. A bill to provide for the issuance of a special postage stamp in honor of the American school teacher; to the Committee on Post Office and Civil Service.

H. R. 8218. A bill to amend section 15 (7) of the United States Housing Act of 1937 so as to provide for more complete local determination of the need for low-rent housing; to the Committee on Banking and Currency.

By Mr. MACK of Washington:

H. R. 8219. A bill to amend the act of August 25, 1916, with respect to the exchange of timber and other resources within the national parks; to the Committee on Interior and Insular Affairs.

By Mr. RANKIN:

H. R. 8220. A bill to appropriate funds for flood control on the Tombigbee River and its tributaries in Mississippi and Alabama; to the Committee on Appropriations.

By Mr. ROGERS of Texas:

H. R. 8221. A bill to provide increases in the rates of death compensation payable to certain widows and children of veterans of World War I, World War II, or of service on and after June 27, 1950; to the Committee on Veterans' Affairs.

By Mr. VINSON:

H. R. 8222. A bill to authorize the loan of certain naval-patrol-type vessels to the Government of Japan; to the Committee on Armed Services.

By Mr. BOGGS of Louisiana:

H. Res. 691. Resolution to provide expenses for special committee authorized by House Resolution 558; to the Committee on House Administration.

By Mr. GATHINGS:

H. Res. 692. Resolution to authorize an appropriation not to exceed $25,000 to conduct the study called for in House Resolution 596, Eighty-second Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Massachusetts (by request):

H. R. 8223. A bill for the relief of William Winchester Geertsema; to the Committee on the Judiciary.

By Mr. GRANGER:

H. R. 8224. A bill for the relief of David Yang and wife, Katherine Louise Yang; to the Committee on the Judiciary.

By Mr. GRANGER (by request):

H. R. 8225. A bill for the relief of George H. Crow; to the Committee on the Judiciary.

By Mr. HAGEN:

H. R. 8226. A bill for the relief of Peter Borgesen; to the Committeee on the Judiciary.

By Mr. HILLINGS:

H. R. 8227. A bill for the relief of Michael Woon Sam, Neal Woon Sam, and Jackqueline Woon Sam; to the Committee on the Judiciary.

By Mr. HINSHAW:

H. R. 8228. A bill for the relief of Hebbani Krishnamurthi Jairaj; to the Committee on the Judiciary.

By Mr. KEARNEY:

H. R. 8229. A bill for the relief of Alexander Malcolm MacCormick; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 8230. A bill for the relief of Primitivo A. Cuenca; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 8231. A bill for the relief of Ivan Grbin; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 8232. A bill for the relief of Li Ming; to the Committee on the Judiciary.

By Mr. SABATH:

H. R. 8233. A bill for the relief of Mami Arita; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII.

763. Mr. HOEVEN presented a petition of residents of Sioux City, Iowa, regarding the President's veto of tidelands legislation and social-security benefits, which was referred to the Committee on the Judiciary.

SENATE

TUESDAY, JUNE 17, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord our God, who hath set us in a world that tests our powers to do and to endure: We beseech Thee to enlighten our minds and to strengthen our hearts. In days when so much of our earth lies in dense shadows may we see the silver lining through every dark cloud and the good that lies hidden in every apparent evil. As we make our pilgrimage in this world of beauty and wonder may we find joy in the loveliness of nature, in the satisfactions of friendship, in the conquest of difficulties, and in the compensations of service. Let Thy spirit rise upon us with the gladness of morning, that in Thy light we may see light. Through Jesus Christ, our light and our salvation. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 16, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 16, 1952, the President had approved and signed the act (S. 2383) to amend the act entitled "An act to create a board of accountancy for the District of Columbia, and for other purposes," approved February 17, 1923.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 968. An act granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency; and

S. 1032. An act to authorize each of the States of Montana, North Dakota, South Dakota, and Washington to pool royalties derived from lands granted to it for public schools and various State institutions.

The message also announced that the House had passed the bill (S. 1539) to amend an act entitled "An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service," approved March 2, 1931, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1114) for the relief of Edward Charles Cleverly.

The message also announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. FEIGHAN, Mr. FORRESTER, Mr. BOGGS of Delaware, and Mr. HILLINGS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 4305. An act to authorize the use of the Sackets Harbor Military Cemetery for the burial of war and peacetime veterans of the Armed Forces of the United States;

H. R. 4683. An act to provide for distribution of moneys of deceased restricted members of the Five Civilized Tribes not exceeding $500, and for other purposes;

H. R. 5055. An act to authorize the exchange of certain lands of the United States situated in Ontonagon County, Mich., for lands within the Ottawa National Forest, Mich., and for other purposes;

H. R. 5327. An act to amend the act of July 26, 1946 (Public Law 551, 79th Cong.) relating to the issuance of general obligation bonds by the city of Anchorage, Alaska;

H. R. 5328. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 5788. An act to extend certain 10-year oil and gas leases;

H. R. 6581. An act authorizing the President to exercise certain powers conferred upon him by the Hawaiian Organic Act in respect of certain property ceded to the United States by the Republic of Hawaii, notwithstanding the acts of August 5, 1939, and June 16, 1949, or other acts of Congress;

H. R. 7298. An act to authorize the consolidation of the area of Vicksburg National Military Park, in the State of Mississippi, and for other purposes;

H. R. 7393. An act to revise the Organic Act of the Virgin Islands of the United States;

H. R. 7877. An act to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels; and

H. J. Res. 254. Joint resolution to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 216. An act to amend section 631b of title 5, United States Code, by adding a new subsection to be cited as subsection (c);

S. 1536. An act to stabilize the economy of dependent residents of New Mexico using certain lands of the United States known as the North Lobato and El Pueblo tracts, originally purchased from relief program funds, and now administered under agreement by the Carson and Santa Fe National Forests, to effect permanent transfer of these lands, and for other purposes;

S. 1932. An act to authorize the establishment of facilities necessary for the detention of aliens in the administration and enforcement of the immigration laws, and for other purposes;

S. 2390. An act to amend section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, relating to penalties;

S. 2610. An act providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental or regulated water supply from the San Luis Valley project, Colorado;

S. 2748. An act authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952;

S. 3019. An act to amend the Career Compensation Act of 1949, as amended, to extend the application of the special-inducement pay provided thereby to physicians and dentists, and for other purposes; and

H. R. 6787. An act to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes.

REORGANIZATION PLAN NO. 3 OF 1952—MINORITY VIEWS SUBMITTED DURING RECESS

Under authority of the order of the Senate of June 16, 1952, Mr. HUMPHREY (for himself, Mr. O'CONOR, Mr. MONRONEY, Mr. UNDERWOOD, and Mr. MOODY), members of the Committee on Government Operations, submitted on June 16, 1952, minority views on the resolution (S. Res. 331) disapproving Reorganization Plan Numbered 3 of 1952, relating to reorganizations in the Bureau of Customs of the Department of the Treasury, which were printed as Part 2 of Report No. 1748.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. HAYDEN, and by unanimous consent, the subcommittee on Labor and Labor-Management of the Committee on Labor and Public Welfare was authorized to continue its hearings today during the session of the Senate.

On request of Mr. JOHNSTON of South Carolina, and by unanimous consent, the Committee on the District of Columbia was authorized to meet this afternoon during the session of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. MCFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to make insertions in the REC-

ORD and transact other routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

MILITARY HIGHWAY IN LOUISIANA—CONCURRENT RESOLUTION OF LOUISIANA LEGISLATURE

Mr. ELLENDER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a concurrent resolution adopted by the Legislature of the State of Louisiana, requesting the Army to build a military highway from Camp Polk to the Peason Range in the State of Louisiana.

There being no objection, the concurrent resolution was referred to the Committee on Armed Services, and, under the rule, ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 14

Whereas Camp Polk, one of the leading training camps of the United States, is situated near the town of Leesville, Vernon Parish, State of Louisiana; and

Whereas the strength of said camp runs to approximately 30,000 men with total capacity used during maneuver periods; and

Whereas a part of this camp is devoted to the training in tank warfare requiring the use of tanks and other heavy vehicular equipment; and

Whereas it is the common practice of the training units at said Camp Polk to travel with heavy equipment at various times to a point in northern Vernon and lower Sabine Parishes in the State of Louisiana known as the Peason Range; and

Whereas the route presently traveled in order to reach said range is State Route C-2040, a paved or concrete highway for a distance of about 4½ miles to the intersection of said route with State Route 39 at a point just north of Leesville, La., and to proceed thence in a northeasterly direction on Route 39, a distance of approximately 14 miles to the said Peason Range, and which latter road, State Route 39, is a plain graveled road with narrow rights-of-ways and built on sandy loam soil for practically the whole distance; and

Whereas living along said Route 39 are many residents of Vernon Parish, La., who have their homes established along said road, and which homes have been there for many years prior to the establishment of Camp Polk and the Peason Range; and

Whereas in traveling said road with the said heavy Army vehicles, including heavy tanks and other extra heavy equipment, said road has been severely damaged and the traffic on same is so heavy until permanent maintenance by the department of highways is almost utterly impossible; and

Whereas while said vehicles are traveling on Route 39, a dusty, gravel road, they continually keep the air and atmosphere heavy with dust and, in addition to jeopardizing the lives and property of the citizens traveling along said road, they jeopardize the living conveniences of all people residing near said highway; and

Whereas the civilians traveling said highway are not only themselves handicapped by said Army traffic but are a serious problem to the Army vehicular traffic usually traveling in convoys, said road being too narrow, too dusty, and too improperly alined to meet the needs of either the Army or the civilians in this locality; and

Whereas the civilians living in this community are no more desirous of interfering with the said Army travel than of the Army having them to interfere with said Army vehicles; and

Whereas it is the practical solution to this problem that a military highway to be used exclusively for that purpose be constructed on an airline from Camp Polk to the Peason Range, which can be done by covering a distance of 12 miles over rights-of-way which the citizens of Vernon Parish have themselves agreed to negotiate for; and

Whereas the commanding officer of Camp Polk and his aides have been especially courteous and cooperative in this matter, and it is the desire of this body that their reports, recommendations, and views be recognized and considered; and

Whereas as an alternative proposition, it is only fair and just that the United States Army initiate, through the Bureau of Public Roads of the United States Government, the use of Federal-aid access road funds for a greater percentage of the expense for the paving, widening, and improving of Route 39 from Leesville to the Peason Range, a distance of approximately 14 miles: Now, therefore, be it

Resolved by the House of Representatives of the State of Louisiana (the senate concurring), that the United States Army, through its proper offices, be requested to build a military highway from Camp Polk to the Peason Range or to provide road facilities along another route, other than State Route 39, to the Peason Range in order to accommodate exclusively military traffic between said Camp Polk and said Peason Range; and that as an alternative, the Department of Highways of the State of Louisiana be requested to initiate the reconstruction of State Route No. 39 with a concrete highway and that the United States Army, through its proper officers, initiate the use of Federal-aid access road funds, through the Bureau of Public Roads of the United States, in order to furnish any and all assistance available and possible through use of said Federal-aid access road funds for the construction, widening, and concreting of State Route 39 northeast out of Leesville, Vernon Parish, La., to what is known as the Peason Range, a distance of approximately 14 miles; be it further

Resolved, That this matter be considered as a grave emergency and be given preference and priority according to the rank of its gravity; be it further

Resolved, That copies of this resolution be sent to the Secretary of the United States Army at Washington, D. C., and all other proper officers thereof; the commanding officer of Camp Polk at Leesville, La.; to the Honorable Thomas MacDonald, Commissioner, Bureau of Public Roads, Washington, D. C.; to the members of the Armed Services Committees of the United States Congress, and to all Members of the United States Congress representing the State of Louisiana.

RESOLUTIONS OF BOARD OF DIRECTORS OF BALTIMORE (MD.) ASSOCIATION OF COMMERCE

Mr. O'CONOR. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD two resolutions adopted by the board of directors of the Baltimore Association of Commerce which have reference to pending legislation in the Congress.

One relates to the matter of seizure of plants by the Government during work stoppages. The other concerns the $500,000,000 Hells Canyon power project.

Both resolutions well merit the consideration by the appropriate committees of the Congress, and attention of all the people of the United States.

There being no objection, the resolutions were ordered to be printed in the RECORD, and referred, as indicated:

To the Committee on Labor and Public Welfare:

"RESOLUTION ON GOVERNMENT SEIZURE OF INDUSTRY ADOPTED BY THE BOARD OF DIRECTORS OF THE BALTIMORE ASSOCIATION OF COMMERCE, JUNE 11, 1952

"Whereas there is now pending in Congress various legislative proposals relating to Government seizure of industry in times of national emergency; and

"Whereas we believe that the enactment of any legislation for Government seizure of industry would hamper and inevitably undermine collective bargaining, which is essential to voluntary action in industrial relations, and would lead to compulsory arbitration which would open the way to more Government intervention in business and damage this country's free competitive enterprise system, and contribute to the monopolistic powers of unions controlled by a few men; and

"Whereas we do not feel there is any real need at this time for legislation for seizure of industry, it being our strong belief that the existing law provided by the Labor Management Relations Act now prescribes a project course which may be used and given a fair trial in time of industrial strife; Now, therefore, be it

"*Resolved*, That the board of directors of the Baltimore Association of Commerce is convinced that the provisions of the Labor Management Relations Act of 1947 should be fully utilized before any other course is attempted; that sound industrial relations can best be achieved through free collective bargaining; and that so long as there is eventual resort to Government intervention and Government dictation of terms, collective bargaining will fail. Therefore, Government seizure should be opposed in any form.

"If the Labor Management Relations Act should prove inadequate, Congress might then consider supplementary legislation directed against industry-wide bargaining which is largely responsible for national emergency strikes.

"In the event that additional legislation is required to strengthen the Labor Management Relations Act, we believe that consideration should be given to that provision of the O'Conor bill which would authorize Congress to invoke the Taft-Hartley Act if the President fails to do so, and other provisions to require the use of the Taft-Hartley injunction clause for a longer period than 80 days with court permission, and authorize fact-finding boards composed of retired Federal judges; and be it further

"*Resolved*, That copies of this resolution be sent to (1) all Members of Congress and (2) the members of the association of commerce and to chambers of commerce and trade organizations throughout the State."

To the Committee on Interior and Insular Affairs:

"RESOLUTION ON HELLS CANYON DAM POWER DEVELOPMENT ADOPTED BY THE BOARD OF DIRECTORS OF THE BALTIMORE ASSOCIATION OF COMMERCE, JUNE 11, 1952

"Whereas there is now pending before the Congress of the United States proposed legislation to authorize the expenditure of approximately $500,000,000 by the Federal Government for the construction of a Hells Canyon power project, including transmission lines, on Snake River in southern Idaho to develop new hydroelectric power; and

"Whereas the construction of this proposed Hells Canyon Dam is being advocated by the Federal Government notwithstanding the fact that private enterprise is ready, able

and willing to develop the stretch of Snake River between Weiser and Hells Canyon site, including necessary transmission lines for less than $200,000,000; that private industry could do this job better, faster and cheaper; that dams can be built with private capital as needed by the local area without cost to the taxpayers of the Nation; and that privately constructed dams would pay annually an estimated $3,000,000 in real property taxes for the direct benefit of the local Snake River Valley area in addition to needed Federal taxes which would contrast with a Government-owned Hells Canyon project that would require a direct expenditure of taxpayers' funds and would contribute nothing in taxes for local and State government; and that the spending of such huge sums on Hells Canyon, when private enterprise can do the job better without cost to the Government, could only weaken our Nation at a critical time and result in unwarranted burdens on further Federal taxation: Now, therefore, be it

"*Resolved*, That the board of directors of the Baltimore Association of Commerce is opposed to and strongly urges the defeat of the pending Hells Canyon Dam bills (H. R. 5743; S. 2812) which would authorize the Federal Government to develop and transmit new hydroelectric power; and be it further

"*Resolved*, That copies of this resolution be sent to—(1), all Members of Congress; and (2), the members of the association of commerce and to chambers of commerce and trade organizations throughout the State."

TABLE ROCK RESERVOIR PROJECT, MISSOURI—RESOLUTION

Mr. HUMPHREY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Board of Directors of the Missouri State Rural Electrification Association. The resolution urges an appropriation by the Congress of $2,000,000 for the initial construction of the Table Rock Reservoir project.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas the rural electric cooperatives in Missouri, along with similar groups in the States of Arkansas, Louisiana, Kansas, Oklahoma, and Texas, foresaw some 4 years ago that one of the major problems certain to confront the rural electric coperatives would be that of being able to purchase plenty of wholesale electricity at a reasonable rate; and

Whereas the Missouri State Rural Electrification Association joined with State associations of the five afore-mentioned States in the formation of a six-State Power Advisory Committee for the express purpose of planning collectively for adequate wholesale electric power for the Southwest area; and

Whereas after months of deliberation, careful study and planning, the most feasible and practical solution seemed to be that of contracting with the Southwestern Power Administration for eleceric energy being developed at Government dams; and

Whereas we have negotiated contracts with SPA for electric energy to be produced at the Bull Shoals Dam, but only recently find that the equivalent of the entire output of the dam has been allocated to an aluinum plant in Arkansas; and

Whereas the chairman of the six-State Power Advisory Committee, realizing the rapidly approaching power shortage in the Southwest area as a result of the equivalent output of Bull Shoals Dam no longer being available to the rural electric cooperatives, appointed a subcommittee to work with the Corps of Engineeers and SPA to determine which of the dams in the Southwest area, already authorized by Congress, would come nearest to replacing the 150,000 kilowatts being lost to the aluminum plant; and

Whereas the subcommittee, the Corps of Engineers and SPA, in joint consultation, have unanimously agreed that the dam most feasible and economical for power output is the proposed Table Rock Reservoir project, planned on the White River in southwest Missouri;

Whereas this subcommittee with municipal representatives, national farm organizations and other interested parties appeared before the special subcommittee of the Senate Appropriations Committee on Army Civil Functions, May 21, 1952, and the CONGRESSIONAL RECORD of that date will furnish facts and figures justifying the proposed dam; and

Whereas we know of no organized opposition to immediate construction of Table Rock Dam; and since it takes from 3 to 6 years to complete construction of a project comparable in size: Now, therefore, be it

Resolved, That the board of directors of the Missouri State Rural Electrification Association, assembled this 23d day of May 1952, go on record as urging the Congress of the United States appropriate $2,000,000 for the initial construction of the Table Rock Reservoir project.

JULIUS HELM,
Executive Manager, Missouri State Rural Electrification Association.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY—RESOLUTION

Mr. HUMPHREY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution unanimously adopted by the New England Conference at Worcester, Mass., on May 24, 1952, entitled "New England Methodists Oppose McCarran Immigration Bill: Urge Presidential Veto."

There being no objection, the resolution was referred to the Commitee on the Judiciary, and ordered to be printed in the RECORD, as follows:

NEW ENGLAND METHODISTS OPPOSE MCCARRAN IMMIGRATION BILL: URGE PRESIDENTIAL VETO—RESOLUTION PASSED UNANIMOUSLY BY NEW ENGLAND CONFERENCE AT WORCESTER, MASS., MAY 24, 1952

Whereas there is need for thorough revision and codification of our laws relating to immigration and naturalization: (1) to correct the utter confusion resulting from piecemeal amendments and changes over many decades, (2) to enable our country to meet her great responsibilities in a new and rapidly changing world in a more realistic and equitable manner, and (3) to correct certain flagrant injustices which are a hangover from our past isolation and which now seriously hamper our influence for liberty in a troubled world; and

Whereas the Senate bill S. 2842, known as the Humphrey-Lehman bill, introduced by these two and ten other Senators, would meet the present needs in a liberal and progressive manner in that it would among other things:

(1) Remove all racial discrimination,

(2) Revise the quota system on the basis of the 1950 census, instead of the 1920 census as at present,

(3) Provide for pooling the unused quotas of countries which do not use their quotas among those which are very limited and which are "mortgaged" for decades to come by the displaced persons legislation, and

(4) Liberalize our laws and provide for judicial review of arbitrary actions by consular officials; and

Whereas the Walter bill, H. R. 5678, passed in the House on April 25 and the McCarran bill, S. 2550, passed in the Senate on May 22, while making a few improvements such as those relating to the admission of a few orientals, not only fail utterly to meet the need of this hour but contain many reactionary provisions, since specifically, among other things:

(1) They would continue the practices of discrimination against certain racial and national groups,

(2) They continue using the census of 1920 as the basis of quota apportionments for immigration,

(3) They would give consular officials arbitrary power in the matter of visas, with no provision for judicial review: Therefore, be it

Resolved, That we deplore and protest the passage of the Walter bill in the House and the McCarran bill in the Senate, and that specifically

(1) We urge the President, Harry S. Truman, to veto the Immigration bill which comes from the Conference Committee, embodying the provisions of these bills.

(2) We urge our Massachusetts Senators and Representatives to support such a Presidential veto if it is given.

(3) We urge our Senators and Representatives to start work immediately for a statesmanlike revision of our immigration legislation in harmony with the general principles of the Humphrey-Lehman bill, S. 2842.

(4) We commend our two Massachusetts Senators, LEVERETT SALTONSTALL and HENRY CABOT LODGE, Jr., for their votes on May 21 in favor of the motion to substitute the Lehman bill for the McCarran bill; and be it further

Resolved, That we especially urge our people to study carefully the whole matter of immigration to the end that we may help to build the alert and informed public opinion necessary to secure and to sustain a new immigration policy in harmony with our highest ideals of Christian democracy.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

H. R. 7202. A bill to amend section 16 of the act entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929 (46 Stat. 25; 13 U. S. C. 216); with an amendment (Rept. No. 1779).

By Mr. MCKELLAR, from the Committee on Appropriations:

H. R. 7860. A bill making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes; with amendments (Rept. No. 1780).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 17, 1952, he presented to the President of the United States the following enrolled bills:

S. 216. An act to amend section 631b of title 5, United States Code, by adding a new subsection to be cited as subsection (c);

S. 1536. An act to stabilize the economy of dependent residents of New Mexico using certain lands of the United States known as the North Lobato and El Pueblo tracts, originally purchased from relief program funds, and now administered under agreement by the Carson and Santa Fe National Forests, to

effect permanent transfer of these lands, and for other purposes;

S. 1932. An act to authorize the establishment of facilities necessary for the detention of aliens in the administration and enforcement of the immigration laws, and for other purposes;

S. 2390. An act to amend section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, relating to penalties;

S. 2610. An act providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental or regulated water supply from the San Luis Valley project, Colorado;

S. 2748. An act authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952; and

S. 3019. An act to amend the Career Compensation Act of 1949, as amended, to extend the application of the special-inducement pay provided thereby to physicians and dentists, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPEHART:

S. 3343. A bill for the relief of Hannah Crumet; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 3344. A bill for the relief of Mrs. Jane P. Myers; to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 3345. A bill for the relief of Alambert E. Robinson; to the Committee on the Judiciary.

By Mr. CLEMENTS:

S. 3346. A bill to amend the zoning law of the District of Columbia to authorize the Zoning Commission to permit the restoration or reconstruction of certain unsightly buildings; to the Committee on the District of Columbia.

By Mr. JOHNSTON of South Carolina (by request):

S. 3347. A bill to amend the Classification Act of 1949, as amended; to the Committee on Post Office and Civil Service.

By Mr. HUMPHREY:

S. 3348. A bill for the relief of Irene C. Karl; to the Committee on the Judiciary.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 4305. An act to authorize the use of the Sackets Harbor Military Cemetery for the burial of war and peacetime veterans of the Armed Forces of the United States;

H. R. 4683. An act to provide for distribution of moneys of deceased restricted members of the Five Civilized Tribes not exceeding $500, and for other purposes;

H. R. 5327. An act to amend the act of July 26, 1946 (Public Law 551, 79th Cong.), relating to the issuance of general obligation bonds by the city of Anchorage, Alaska;

H. R. 5328. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 5766. An act to extend certain 10-year oil and gas leases;

H. R. 6581. An act authorizing the President to exercise certain powers conferred upon him by the Hawaiian Organic Act in respect of certain property ceded to the United States by the Republic of Hawaii, notwithstanding the acts of August 5, 1939, and June 16, 1949, or other acts of Congress;

H. R. 7298. An act to authorize the consolidation of the area of Vicksburg National Military Park, in the State of Mississippi, and for other purposes;

H. R. 7393. An act to revise the Organic Act of the Virgin Islands of the United States; and

H. J. Res. 254. Joint resolution to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area; to the Committee on Interior and Insular Affairs.

H. R. 5055. An act to authorize the exchange of certain lands of the United States situated in Ontonagon County, Mich., for lands within the Ottawa National Forest, Mich., and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 7877. An act to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels; to the Committee on Post Office and Civil Service.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. SPARKMAN:

Address entitled "The Power Lobby of 1952," delivered by Senator HILL before the Electric Consumers' Conference at Washington, D. C., on May 26, 1952.

News release by Defense Production Administration with reference to copper allocations.

By Mr. SMITH of North Carolina:

Commencement address delivered by Dr. Grayson Kirk, acting president of Columbia University, at Duke University, Durham, N. C., June 2, 1952.

By Mr. DWORSHAK:

Article on the fiftieth anniversary of the signing of the Reclamation Act, written by Roscoe Fleming, and published in the Washington Post of June 15, 1952.

By Mr. MARTIN:

Editorial entitled "Oil in the Commonwealth," published in the Harrisburg (Pa.) Evening News of June 16, 1952.

By Mr. WATKINS:

Editorial entitled "A Forester Retires," published in the Salt Lake City Deseret News of June 9, 1952, relating to the service of Lyle F. Watts, retiring head of the Forest Service.

Editorial entitled "When Charity Doesn't Begin at Home," published in the Salt Lake City Deseret News of June 9, 1952, relating to the Weber Basin reclamation project.

By Mr. LEHMAN:

Article entitled "Urge Mr. Truman To Veto McCarran-Walter Bill," published in the Michigan Catholic of May 29, 1952.

Article entitled "Monsignor O'Grady's View: Lists Objections to McCarran Bill," published in the Washington (D. C.) Catholic Standard of June 13, 1952.

Editorial entitled "Immigration Unimproved," published in the Boston Herald of June 13, 1952.

Article entitled "Politics and Immigration," written by Marquis Childs and published in the Washington Post of June 17, 1952.

ST. LAWRENCE SEAWAY

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is Senate Joint Resolution 27.

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and further proceedings under the call be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. O'CONOR obtained the floor.

Mr. McFARLAND. Mr. President, before the Senator proceeds, will he yield to me in order that I may submit a unanimous-consent request?

Mr. O'CONOR. I yield.

Mr. McFARLAND. Mr. President, we have been debating the pending joint resolution for two whole days. Today is the third day. This subject has been before the Senate for as long as I have been a Member of the Senate. At the end of this session that will be 12 years. I think the Senate is pretty well acquainted with the problems which are involved in the St. Lawrence seaway. I believe that most Senators are ready to vote on this question. I hope we can reach some votes today.

Yesterday I made the announcement that the reorganization plans would have to be taken up tomorrow because the time for action on them is running out. In order that there may be at least some votes in connection with the pending measure before we take up the reorganization plans, I have suggested to both sides that the Senate convene at 10 o'clock tomorrow and that the debate be limited to 30 minutes, 15 minutes to a side, on each amendment or motion to the St. Lawrence seaway joint resolution. I understand that there may be a motion to recommit. I propose that the voting continue until 12 o'clock. I hope it may be possible to dispose of the joint resolution by that time and pass it. If that is not possible, it can be laid aside and taken up later.

I wonder if that suggestion meets with the approval of Senators.

Mr. SALTONSTALL. Mr. President, reserving the right to object, am I to understand that the Senator's proposal is to have no votes today, but to begin the limitation of debate tomorrow, taking up the amendment of the Senator from Vermont [Mr. AIKEN] and any other amendments which may be offered, beginning at 10 o'clock?

Mr. McFARLAND. No. I did not suggest that there be no votes today. I hope we may be able to reach some votes today, although I understand that quite a number of Senators wish to speak. The proposal is that beginning tomorrow

the debate be limited, in order that there may be at least two or three votes between 10 o'clock and 12 o'clock.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. SALTONSTALL. I understand informally that the majority leader has agreed that the Senate should take a recess tonight not later than five-thirty.

Mr. McFARLAND. I understand that our friends on the other side of the aisle desire to have a little get-together. I think they should have an opportunity to console each other over the loss they will suffer in November. I have to agree to that.

Mr. SALTONSTALL. Mr. President, I asked a straight parliamentary question of the majority leader. He has brought politics into the issue.

Mr. McFARLAND. I beg the Senator's pardon. I am sure that he would not mention politics.

Mr. SALTONSTALL. Under the circumstances, would it not be wiser, if there is to be voting this afternoon, to agree to a limitation of debate this afternoon, perhaps limiting speeches to an hour, and voting on the amendment of the Senator from Vermont at 5 o'clock, say?

Mr. McFARLAND. That would be agreeable to me.

Let me state the unanimous-consent request, and see what happens.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. AIKEN. I do not see the need of a unanimous-consent agreement for voting on the amendment which several of us proposed yesterday. If a vote is reached today, I shall be glad to have a vote on it. I should have no objection to a unanimous-consent agreement with respect to tomorrow. I hope we can complete consideration of the joint resolution tomorrow. This subject has been before the Senate in one form or another for about 20 years. Now we have reached the point where our Canadian neighbors to the north, who are vitally important to our own national security and welfare, feel that they cannot wait any longer. They have asked us to give a yes-or-no answer to the question of whether we will cooperate with them in building the canal. I hope we will be able to vote on the joint resolution itself and settle the question once and for all.

I understand that Canada wants to call for bids very soon and apply for the licenses which will be necessary for them to have in order to call for bids on the construction, so that the work can get under way early next spring. I think we owe it to Canada to give her an answer. I would rather have the joint resolution voted down than to keep side-stepping the question all the time, particularly in view of the fact that international relations cannot help but be affected by this dallying on the part of Congress.

Mr. McFARLAND. Mr. President, would the Senator from Vermont have any objection to voting on his amendment at 5 o'clock today?

Mr. AIKEN. I have not consulted with any of the nine other sponsors of the amendment; but I will say that I do not think so. I do not want to assume responsibility for giving an answer at this time, however.

Mr. O'CONOR. Mr. President, may I interpose one observation at this point, which may simplify the problem? The Senator from Maryland intends to propose a motion to recommit the joint resolution to the Committee on Foreign Relations. Inasmuch as the discussion is going ahead with respect to voting on the amendment of the Senator from Vermont, I think it is only fair that that statement be made. I understand that I have the floor.

Mr. McFARLAND. The Senators who are sponsoring the proposed legislation would like very much to have a vote on the amendment offered by the Senator from Vermont before the motion to recommit is made. Would the Senator from Maryland object to having the Senate vote on the amendment offered by the Senator from Vermont at 5 o'clock this afternoon? Following the disposition of the amendment the Senator from Maryland could make his motion to recommit, and the Senate could vote on his motion in the morning.

Mr. O'CONOR. I do not intend to do anything to deprive the Senator from Vermont and his cosponsors of an opportunity to vote on their amendment. I do think, however, that the motion to recommit, taking precedence, as it does, ought to be presented first.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. O'CONOR. I yield.

Mr. DIRKSEN. Of course we have a major substitute pending. I think it is the only major substitute. It should not be difficult to dispose of it. So far as I am concerned, a half-hour debate on each side should dispose of it. I am speaking about my substitute, of course.

Mr. O'CONOR. I understand the Senator from Illinois to refer to his amendment as a substitute. I understand the Senator from Massachusetts and the Senator from New Jersey join the Senator from Illinois as cosponsors of the amendment.

Mr. DIRKSEN. That is correct.

Mr. O'CONOR. I believe that the motion to recommit, if it is to be made at all, ought to be made now, because there is no disposition on the part of any Senator with whom I have discussed the motion to delay a vote or to have extended debate on it. We are willing to have debate on it at an early hour.

Mr. AIKEN. I understand that the Senator from Maryland will object to a unanimous-consent agreement to vote at 5 o'clock this afternoon on the amendment which has been proposed by me on behalf of myself and nine other Senators.

Mr. O'CONOR. I do not understand that such a proposal has been made, but I do feel constrained to object.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. O'CONOR. I yield.

Mr. GREEN. I should like to make a suggestion. My suggestion is that as many speeches be made on the subject this afternoon as it is possible to have made, and to have all the votes tomorrow morning, beginning at 10 o'clock and ending at noon. I agree with the statement of the Senator from Vermont that as a matter of international courtesy we ought to let Canada know one way or the other. We should let her know whether we will join with her in this great enterprise. Without regard to the merits of the proposal, it seems to me that Senators on both sides of the aisle should show such international courtesy and thus avoid the occason for hard feeling.

My principal interest—although I am the author of the joint resolution—is to have it disposed of for that reason. I think one way to do it would be to have debate this afternoon and proceed with the votes tomorrow morning.

Mr. McFARLAND. I should like to make a unanimous-consent request.

Mr. AIKEN. I should like to say that if the Senator from Maryland regards our international relations so lightly that he will insist on making his motion to recommit, I will certainly object to any limitation on debate on the motion to recommit. International relationships are at stake. It is too serious a question to settle in 15 minutes of debate to a side.

Mr. McFARLAND. Mr. President, I have worked hard in the effort to push the Senate to consider the joint resolution. If the proponents of the measure now object to a unanimous-consent agreement, I do not think it is showing proper cooperation. If they insist on their objection, it will be necessary after a while to lay aside the joint resolution and proceed with other business. I am trying to get an agreement to vote, but if the proponents object, there is no use trying to do so.

I shall propose a unanimous-consent agreement and give an opportunity to any Senator to object if he wants to object. A vote on the measure is very important. I think it makes no difference whether the limitation on debate is 5 minutes or an hour to a side, for the debate will have no effect on the outcome of a vote. It will not change the result one way or the other.

The only purpose of setting a limitation on debate is to fix a time when Senators will know that a vote is to be had. I regret that it is necessary to set a time. However, for some reason or other, it has become the custom in the United States to elect a President every 4 years. Therefore, about this time of year some Senators go forth and indulge in the pastime of either running for President or helping to elect a President.

Mr. SALTONSTALL. How about running for the Senate?

Mr. McFARLAND. Some Senators are running for reelection to the Senate.

The VICE PRESIDENT. There is nothing pending before the Senate.

Mr. McFARLAND. I am talking. I think I have the floor.

The VICE PRESIDENT. The Senator from Maryland has the floor.

Mr. McFARLAND. When the Chair recognized the Senator from Maryland I still had the floor.

The VICE PRESIDENT. The Senator from Maryland has the floor.

Mr. McFARLAND. Very well. I will take my seat.

Mr. O'CONOR. The Senator from Maryland is not in the habit of indulging in obstructionist tactics. I will pass over the implications in the statement of the Senator from Vermont. The pending joint resolution has been before the Senate since last Thursday, and has been discussed for a period of days, although I admit that the attendance of Senators was not very great during the debate.

The motion I am about to make is a clear-cut one. It will indicate the sense of the Senate. I have no desire to have the debate on it prolonged. I shall not urge that it be extensively debated, and am perfectly willing to have any suggestion made as to a limitation of debate with respect to it. First, the Senator from Maryland asks unanimous consent to have a statement outlining his views incorporated in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR O'CONOR

In the field of advertising, in which America has always shown the way to the rest of the world, there is a generally accepted axiom that "repetition is reputation."

Experience has shown quite clearly, and advertisers are taking advantage of the fact, that if a statement is repeated often enough, great numbers of people will believe it.

It seems pertinent to refer to this typically American procedure, in connection with the discussion of Senate Joint Resolution 27, which would give Senate approval to proposals for construction of the St. Lawrence seaway project. I say it is pertinent to mention that advertising axiom here, because the proponents of the seaway resolution seem to follow this policy, that if they keep making and repeating certain claims about this proposal, Members of the Senate and of the Congress ultimately will come around to their way of thinking.

I cannot believe, and I do not believe, that this will ever happen. Members of the Senate are too well versed in the art of distinguishing between claims and valid arguments to accept such contentions as has been demonstrated time and again on this project. They have seen the St. Lawrence seaway claims refuted so often and so completely that it is hardly possible that a majority today would go along with those who are clamoring for this highly expensive and uneconomic project.

The arguments against the seaway are too well known to need detailing here. Briefly, however, the arguments pro and con might be stated in very few words.

Proponents contend that the seaway is needed principally because it will be necessary to bring into the Great Lakes, from foreign sources, a great proportion of the iron ore necessary to supply the expanding steel industry of this country.

They contend also that our country's security is tied up with the seaway—that it is necessary to have a passage to the sea so that in the future war vessels can be built there if needed.

Third, and the argument that is being stressed strongly at the moment, because it is the one claim that has some newness to it, is that Canada is ready to go ahead and build the seaway and that we can't afford to be counted out. In this connection it is claimed that we would lose certain rights in the St. Lawrence, and that Canada could make us pay for the cost of construction eventually, by charging rates in which we would have no say.

In opposition to the project, it has been cited that the seaway would be open only about 7 months each year and, in hard winters, for lesser periods of time. This would mean, of course, that vessels would be restricted to possibly 6 or 7 months' usage of the seaway, because they could not afford to go in in the late fall and run the risk of being caught in the ice and held over the winter.

The second argument against it is the 27-foot channel. There are various claims as to what proportion of United States oceangoing shipping could use a 27-foot channel profitably. Some of these estimates run as low as 5 percent.

Third, the cost estimates—or rather, I should say, the cost guesses—are disputed. Inevitably in the past it has happened that the costs of such construction projects have run far beyond estimates. In today's rising market, it is hardly likely that construction experience would be any different from previous experience.

Calm analysis of the revenue and redemption prophecies by proponents of the seaway affords every reason to question claims that the seaway can ever pay for itself.

It is interesting and I believe, rather illuminating, to note the ingenuous ways in which proponents have attempted to answer certain of the objections raised.

In this body during this debate attempt has been made to dispose of arguments against the 27-foot channel. It is said that this 27-foot depth would be suitable for immediate requirements. It would be interesting to learn just what is meant by immediate requirements, particularly inasmuch as the project, if ever approved, would certainly take some years to construct.

Going on to further discussion the criticism of the 27-foot channel, the statement is made that there is a distinct trend toward deeper draft in oceangoing vessels, but that this is not true as to vessels operating in inland waters.

But it is not to be forgotten that one of the great claims made for the seaway is that it will be used by oceangoing vessels. Back in January, Army engineers were reported in press dispatches from Albany to have approved proposals for deepening the Hudson River channel from New York City to Albany from the present 27-foot depth, the proposed seaway depth, to 32 feet. And what was the reason they gave? The Army engineers gave as their reason for wanting a deeper channel that many of the freighters now using the port of Albany cannot enter or leave fully loaded because of the inadequate 27-foot channel.

With regard to the percentage of oceangoing American vessels which could use a 27-foot seaway, there was a wide divergence of opinion in hearings before the House and Senate. Testimony before the Senate Foreign Relations Committee is quoted to the effect that 75 percent of the existing American-flag oceangoing fleet could use a 27-foot channel with profitable loading. Note that it is not claimed fully loaded, but merely "profitable loading." As stated by me previously, shipping industry estimates place possible usage at 5 to 10 percent.

Seeking further to justify the contention that a large proportion of United States-flag vessels could use the waterway, it is suggested that the bulk of the potential traffic will move in Lake-type vessels or in Liberty ships, now in mothballs, which could be converted to Lake-type carriers.

Of course, the reason these Liberty ships are now in mothballs is that they are so slow as to be uneconomic in competition with more modern vessels. Certainly it will not be contended that they would be economic in the St. Lawrence when experience has proven that they are uneconomic elsewhere.

Other interesting contentions of opponents deserve comment here. It is said, among other things, that Canada will have the right to impose whatever tolls she considers proper on United States shipping and on cargoes from United States factories passing through the waterway. Since the bulk of such traffic through the waterway would be destined for the United States, we are warned that this country would, in the long run, pay for the development of the St. Lawrence development, even if we choose not to help to finance it.

With reference to such claims it might be cited that the United States shipping operators would have just as much right to refuse to pay those tolls as Canada would to levy them. And we may be sure that Canada would soon find her seaway little used if she attempted to extort unreasonable tolls.

Coming back to the original statement that proponents of the seaway are relying upon the old maxim that "repetition is reputation," our opponents discuss what they term the potential traffic that would pass through the seaway. I would like to discuss that myself for a few minutes, together with some other equally unsubstantiated claims and alleged facts that have been presented throughout the many years during which proponents have tried unsuccessfully to foist upon the country a seaway which would benefit only a relatively small section of the country at great expense to the entire country.

Over the past year or more, there has been developed in congressional hearings on this proposal a voluminous record which has made it possible, by thorough sifting of the evidence, to obtain a better perspective regarding the merits of the project and its limitations.

Careful analysis of this record and of accumulating evidence brought out in other recent studies regarding the seaway, rather than affording any convincing justification for the proposal, points strongly instead to the very dubious desirability of the undertaking either as a matter of security or of any real transportation economy.

This much is absolutely certain: The utter impossibility of shipments through such a proposed waterway during the five winter months, and the vulnerability of the seaways bottleneck—the Welland Canal locks—to hostile attack offer little assurance that the seaway could be maintained on a going basis for any great length of time, should any prospective enemy consider it important enough to sabotage.

On the question of cost, the latest official estimate by the Army engineers, based on conditions in 1950, is that the total cost of a seaway and power project to provide a channel 27 feet deep would amount to $962,175,000. However, the eventual cost of the project would probably prove to be much greater, for several reasons. In the first place, the estimate noted above does not encompass a complete Great Lakes seaway project, inasmuch as it does not include any allowance for the costs of improving harbors on the Great Lakes to accommodate oceangoing vessels. Apart from that omission, moreover, it has not infrequently been true that the actual cost of constructing public works of this general type has been substantially greater than had been indicated by preliminary estimates.

Take, for instance, the Welland Canal, which would be such an important part of the St. Lawrence seaway. It was estimated to cost $40,000,000. Actually it cost three times that much, or $120,000,000. Or consider the Bonneville Dam, estimated to cost $42,000,000, actual cost $80,000,000. Expenditures for the Hoover Dam originally were placed at $70,000,000. Total expenditures, however, were $116,000,000. The same drastic rise in costs over estimates has resulted in the Suez Canal, the Panama Canal, the Chicago drainage canal, the New York State barge canal and practically every other major undertaking of this nature.

If we rule out the great number of American vessels that would be unable to use the St. Lawrence seaway profitably because of its 27-foot channel, and eliminate all traffic small or large, American or foreign, that could not use the seaway at all for 5 months of the year, then the estimated Army engineers construction cost would be entirely uneconomical.

Despite the high costs and the limited time it would be usable, perhaps it might still be concluded as a matter of public policy that the seaway project should be undertaken if the advantages and economies claimed for it by the proponents could be adequately supported. It is precisely at this point, however, that basic infirmities in the contentions advanced by the seaway advocates are found to lie beneath the surface of the glamorous cloak of generalities with which they sought to surround it.

The present drive to build the seaway is centered predominantly on the contention that it will be essential to facilitate the movement of imported iron ore into this country, in order to supplement the remaining reserves available in the region of Lake Superior. Actually, this premise is unsound, even though our imports of iron ore from foreign sources, including Canada, will increase in the future. But it is not at all likely that the seaway would at any time in the foreseeable future be an important, much less an indispensable, factor in the movements of such ore to steel mills in this country.

Let us consider briefly, first, the iron-ore requirements of steel mills in the Midwest area. At present, this area produces more iron ore than the steel mills located there consume. It is a surplus ore-producing area which sends iron ore in large volumes to steel mills in the East and elsewhere. There is no reasonable prospect that iron ore of any substantial volume would move into the Midwest via the St. Lawrence seaway or otherwise for many years to come, if ever. To meet the needs of this area, there are large reserves of high-grade ores remaining in the Lake Superior region of the United States. In addition there are virtually unlimited reserves of taconite and other iron-bearing materials already in the initial stage of development, and mining operations also are going forward in the promising Steep Rock area north of Lake Superior in Canada.

Eastern steel mills, on the other hand, depend heavily upon iron ore produced outside that area. At present, much of it is Lake Superior ore, but the prospect is that the eastern steel plants will rely in the future more and more upon imported ores—from Venezuela, Labrador, and other foreign sources. It is altogether evident, however, that the eastern steel mills have made and are continuing to make their forward plans involving large additional investments without reliance upon the possible development of a St. Lawrence seaway.

Obviously, ores from South American or African sources will not move to Atlantic seabord plants via the St. Lawrence, nor would such ores destined for the Pittsburgh area take the long haul up through the St. Lawrence rather than be transshipped by rail from Baltimore or Philadelphia. Ore imported from Labrador, where contemplated plans and facilities call for total iron ore production at a rate of approximately 10,000,000 tons a year, would logically be expected to move largely by ocean to the eastern steel mills where it can be utilized more economically than elsewhere. If ore from this source were to be transported via the proposed seaway to steel mills on the Great Lakes, the result would be to deprive the eastern steel plants of such ore and consequently to increase their deficit requirements, which could then only be made up by wasteful cross-hauling movements of ore from the Lake Superior district.

It seems clear, that, except for some possible movements of Labrador ore to interior eastern steel mills such as those in the Pittsburgh and Youngstown areas, prospects for the movement of iron ore in any appreciable volume via the proposed seaway are very remote. Even as to these destinations, it is at least doubtful that ore could be delivered cheaper via the seaway, with toll charges included, than it could be by other existing methods of transportation, including transshipments by rail from Baltimore or by using the existing canal facilities on the St. Lawrence. Possible movements of iron ore are thus shown to furnish a slender thread upon which to hand an attempted justification of the St. Lawrence seaway project.

Apart from the well established fact that the whole seaway proposal is still in a very dubious state with regard to the matter of actual costs, estimated receipts and the like, the situation has changed so completely in the past year with regard to its proponents' trump card—namely, the need for additional iron ore—that it is difficult to see how construction of this project could ever be considered economically sound. Certainly it cannot be so considered in the light of the enormous and far more urgent defense demands now facing the country.

When it became apparent a few years back that the high-grade ores of the great Mesabi Range were diminishing rapidly, there arose a loud demand for importation of iron ore from abroad. The dire predictions of the prophets, however, have by no means been realized. By a new demonstration of its oft-proven spirit of enterprise, the great American steel industry has arisen to the challenge, and totally upset the prediction of more pessimistic members by developing processes to make use of the vast supplies of lower-grade iron ores that abound in the Great Lakes area.

It now appears that the huge deposits of jasper, or taconite, in the upper peninsula of Michigan have relieved the threat of ore depletion. In fact, as a result of the new process for reducing this jasper or taconite it seems evident, from estimates of authorities in the iron and steel field, that there is enough iron ore in the Mesabi and Marquette Ranges to take care of Great Lakes steel needs for generations to come. Certainly the steel people in the Great Lakes region must be confident of continuing adequate supplies of ore without the seaway. They are adding, we are informed, $100,000,000 worth of additional ore vessels to handle ore transportation on the Great Lakes.

Admittedly, reduction of these lesser-grade ores will cost a few dollars more per ton, under present beneficiating processes. But these processes already have been greatly improved and will continue to be bettered, we may be sure. And against the additional processing costs, which can be definitely figured—and, as I said, may well be lowered as new processes are developed—are the presently immeasurable costs of the seaway and of the long water hauls. Plus—and this is deserving of the utmost consideration—plus the disruption of the presently established transportation system serving the vast area from the Atlantic coast to the Great Lakes.

Is it to be expected that this transportation system, vital as it is to the economy of this important industrial and thickly populated area, could survive if deprived of a major portion of its bulk freight during the 6 months or so each year when the seaway would be open for traffic? Certainly, if the predictions of proponents of the seaway with respect to expected traffic were fulfilled to any appreciable degree, the resulting decrease in freight now traveling over land routes would be disastrous to the carriers involved and to the thousands of employees engaged thereon and in and around the port facilities of the Atlantic seaboard ports.

We are told that current vast defense expenditures will have to be continued for some years, because of explosive world political conditions. People in all sections of the country are alarmed even now over the huge and ever-mounting national debt, and the resulting burdensome taxes.

Under the circumstances, how can such a project as the seaway be justified? Against its vast cost and its demands on strategic materials and manpower, there is little more than a vague expectation as to benefits expected, and a positive certainty of extensive damage to established transportation and port facilities.

The conclusion seems inescapable that the St. Lawrence seaway would provide cheap transportation only in the sense that it would make available to certain shippers a heavily subsidized transportation facility. No real basis has been shown for hoping that the seaway project could be self-supporting or that it would fulfill the glowing promises of its advocates.

Mr. O'CONOR. Mr. President, I move that the pending joint resolution, Senate Joint Resolution 27, be recommitted to the Committee on Foreign Relations.

Mr. McFARLAND. Mr. President, inasmuch as that motion has been made, I ask unanimous consent that beginning at 10 o'clock tomorrow morning debate on the motion be limited to 20 minutes to a side, to be controlled by the proponent of the motion, the Senator from Maryland [Mr. O'CONOR], and the Senator from Rhode Island [Mr. GREEN]; that thereafter, and until 12:10 o'clock p. m., debate be limited to 30 minutes on each amendment, the time to be divided equally and to be controlled by the proponent of the amendment and the Senator from Rhode Island [Mr. GREEN] if he is opposed to the amendment, and in the event he is in favor of the amendment the time in opposition to be controlled by the minority leader or by any Senator designated by him; provided further that all amendments must be germane.

The VICE PRESIDENT. As the Chair understands the request, the Senator from Arizona asks unanimous consent that beginning at 10 o'clock tomorrow morning, debate on the motion of the Senator from Maryland [Mr. O'CONOR] be limited to 20 minutes to a side, to be controlled by the Senator from Maryland and the Senator from Rhode Island [Mr. GREEN]; that thereafter on all amendments and other motions the limitation on debate be 30 minutes; that all amendments must be germane; and that such limitation is to be in force between 10 o'clock a. m. and 12:10 o'clock p. m. Is that the request?

Mr. McFARLAND. Yes; with one exception, namely, that if the substitute should be reached before 12 o'clock, there would be a limitation of 20 minutes to a side on the substitute.

Mr. AIKEN. Does the request carry any limitation of debate on the bill itself?

Mr. McFARLAND. I shall include a limitation of debate on the bill.

At 12:10 p. m. tomorrow, the Senate will proceed with other business. At this time I modify the request by including a provision that all debate on the bill be limited to a total of 1 hour, or 30 minutes to each side.

Mr. AIKEN. Does the request carry assurance that there will be no votes on any amendment until tomorrow?

Mr. McFARLAND. The request does not carry such assurance. I have found that Senators who do not wish to have votes taken have a way of preventing the taking of votes.

Mr. O'CONOR. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. I yield.

Mr. O'CONOR. I should like to ask the majority leader whether, if it is agreeable to all Senators to have a vote taken this afternoon on the motion to recommit, that might be done, irrespective of the request the Senator from Arizona has made.

Mr. McFARLAND. The proposed agreement does not carry such a provision. On the other hand, if all the Senators agree to have a vote taken this afternoon on the motion, and if they do not wish to debate it further, the Senate will naturally come to a vote on it.

Mr. O'CONOR. I wish to make it clear that the proposed agreement, if entered, will not obviate the possibility of the taking of a vote this afternoon on the motion to recommit.

Mr. McFARLAND. The proposed agreement, if entered, would not obviate that possibility.

Mr. O'CONOR. I make that statement because the Senator from Vermont [Mr. AIKEN] and the Senator from Illinois [Mr. DIRKSEN] have amendments which they are entitled to have discussed if there is opportunity to do so.

Mr. DIRKSEN. I am agreeable to the proposed limitation.

Mr. McFARLAND. A request has already been made—and I am agreeable to it—that the Senate take a recess at 5:30 this afternoon.

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. I yield.

Mr. SALTONSTALL. I understand that the present proposal is to have the session of the Senate tomorrow begin at 10 a. m., with a limitation of 20 minutes to a side, or 40 minutes altogether, on the motion to recommit; and thereafter the amendment of the Senator from Vermont [Mr. AIKEN] will be before the Senate, and on that amendment, if we assume that the joint resolution is not recommitted, debate will be limited to 40 minutes, or 20 minutes to a side.

Mr. McFARLAND. No; debate on the amendment would be limited to 30 minues, if that is agreeable.

Mr. AIKEN. I think the amendment can be explained in 15 minues on each side.

Mr. SALTONSTALL. Very well.

Then the Senator from Illinois [Mr. DIRKSEN] has an amendment which would require another 30 minutes, let us say. The time allowed for debate on those amendments, plus the 1 hour allowed for debate on the bill, would make a total of approximately 160 minutes.

The Senator from Arizona has said the Senate would proceed to consider other business at 12:10 p. m., tomorrow. The program stated by the Senator from Arizona can be worked out if he will arrange to have the Senate proceed to consider the other business at 1 p. m., tomorrow, instead of at 12:10 p. m. Otherwise we would not be able to complete the suggested program in connection with St. Lawrence seaway joint resolution by the time we would proceed to other business, at 12:10 p. m. If, on the other hand, the time for proceeding to the other business is set at 1 o'clock, instead of 12:10 p. m., the program can be worked out.

Mr. McCLELLAN. Mr. President——

Mr. McFARLAND. I yield to the Senator from Arkansas.

Mr. McCLELLAN. In view of the pending unanimous-consent request, if it is agreed to as modified by the modification suggested by the acting minority leader, I should like to announce at this time that at 1 o'clock tomorrow I shall move that the Senate proceed to consider the resolution of disapproval of one of the pending reorganization plans. It will be my purpose to call up first the resolution of disapproval of Reorganization Plan No. 2, which relates to the Post Office Department. At that time I shall request—or I shall request as soon as the pending unanimous-consent request is disposed of—that debate on each of the three reorganization plans be limited to 2 hours, or 1 hour to each side.

The VICE PRESIDENT. The Chair understands the Senator from Arkansas to request that when the resolutions of disapproval are taken up, the limitation he has suggested at this time will be proposed; is that correct?

Mr. McCLELLAN. I am making this announcement now, so that Senators may be governed accordingly.

The VICE PRESIDENT. The Senator from Arkansas is not making an additional unanimous-consent request at this time, is he?

Mr. McCLELLAN. No; because the other unanimous-consent request is pending.

The VICE PRESIDENT. The Chair understands.

The Chair would say to the Senator from Arizona that the form of the pending unanimous-consent request, as proposed, would preclude the possibility of disposing today of the motion of the Senator from Maryland. On the other hand, the Senator from Arizona could modify the request, so as to permit the disposition today of that motion.

Mr. McFARLAND. Mr. President, I modify the request to that extent.

Mr. O'CONOR. That is the point I had in mind.

The VICE PRESIDENT. Is there objection to the modified unanimous-consent request of the Senator from Arizona?

Mr. ELLENDER. I object.

The VICE PRESIDENT. The Senator from Louisiana objects.

Mr. McCLELLAN. Mr. President, since that unanimous-consent request has been disposed of, I should like to pursue the announcement I was undertaking to make a moment ago, namely, that tomorrow at noon, or as soon thereafter as is convenient, I shall move that the Senate proceed to consider Senate Resolution 317, Calendar 1677, a resolution to disapprove Reorganization Plan No. 2 of 1952. At that time I shall ask unanimous consent that debate on the resolution be limited to 2 hours, or 1 hour on each side, in the hope that we can dispose of that resolution between 2 and 3 p. m. tomorrow.

Immediately thereafter, if that is agreeable, I shall move that the Senate proceed to the consideration of Senate Resolution 330, Calendar 1679, a resolution of disapproval of the reorganization plan for the Department of Justice; and I shall make the same unanimous-consent request in connection with that resolution, in the hope that we can dispose of it tomorrow.

Thereafter, if there is sufficient time before the taking of a recess or the adjournment tomorrow, I shall move to have the Senate proceed to consider Senate Resolution 331, a resolution disapproving Reorganization Plan No. 3 of 1952. That reorganization plan deals with the Bureau of Customs. At that time I shall undertake to have the same arrangement made in regard to it, in the hope that we may dispose of all three resolutions or all three reorganization plans on tomorrow.

Mr. SALTONSTALL. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I am glad to yield.

Mr. SALTONSTALL. I know of no objection on the part of Senators on this side of the aisle to the proposed limitation of debate. The only suggestion I have, in addition to what the distinguished Senator from Arkansas has stated, is that no doubt be left, but that it be stated definitely that all three resolutions of disapproval of the reorganization plans will be taken up tomorrow, which will mean that we would begin to consider them at 1 p. m. and would finish their consideration by 7 p. m.

Mr. McCLELLAN. That is what I intended, because these resolutions are privileged. I am saying now that in view of the rejection of the other unanimous-consent request, as proposed, immediately after the Senate convenes tomorrow, at 12 o'clock, I intend to call up the first of the resolutions of disapproval of the three reorganization plans.

Mr. SALTONSTALL. The Senator from Arkansas intends to call them up, one after the other; is that correct?

Mr. McCLELLAN. Yes, in the order I have indicated.

The VICE PRESIDENT. The question at this time is on agreeing to the motion of the Senator from Maryland [Mr. O'CONOR] that the pending joint resolution (S. J. Res. 27) be recommitted.

Mr. CHAVEZ. Mr. President, I should like to ask a question of the Senator from Arkansas.

Mr. McCLELLAN. Certainly.

Mr. CHAVEZ. The Senator from Arkansas has referred to three different resolutions disapproving three different reorganization plans.

Mr. McCLELLAN. Yes.

Mr. CHAVEZ. Can the Senator from Arkansas tell us what the committee has recommended in regard to each of those plans?

Mr. McCLELLAN. My recollection is—and if I am in error, I ask that I be

corrected by other committee members who are present at this time—that in the case of Reorganization Plan No. 2, which provides for reorganization of the Post Office Department, the committee voted 9 to 3 in favor of the resolution of disapproval of the reorganization plan.

The committee also voted by a vote of 9 to 3, as I recall, in favor of the resolution of disapproval of the reorganization plan for the Department of Justice, which applies to United States marshals.

In the case of the reorganization plan for the Bureau of Customs, Treasury Department, the committee's vote, as I recall, was 7 to 5 in favor of the resolution of disapproval.

Mr. SCHOEPPEL. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. SCHOEPPEL. Let me ask the Senator from Arkansas whether it is his intention to request a 2-hour limitation of debate on the resolution of disapproval of each of the three reorganization plans?

Mr. McCLELLAN. I have announced that I shall ask unanimous consent that the time available for debate on each resolution be limited to a total of 2 hours, or 1 hour to each side. I hope we can dispose of all those resolutions tomorrow.

Mr. McFARLAND. Mr. President, of course, in the case of the reorganization plans, in accordance with the law Congress has passed, if unanimous consent is not obtained, the Senator from Arkansas can move, if he has to, to limit the time available for debate on the plans.

Mr. President, I desire to make one more attempt to obtain a unanimous-consent agreement for a limitation of debate on the pending joint resolution, Senate Joint Resolution 27. I ask unanimous consent, that beginning at 10 o'clock a. m. tomorrow, if the pending motion to recommit shall not have been disposed of before that time, there be a limitation of debate on it of 20 minutes to a side, the time to be controlled by the Senator from Maryland [Mr. O'CONOR] on one side, and by the Senator from Rhode Island [Mr. GREEN] on the other; that on all amendments there be a limitation of debate of 20 minutes to a side, to be controlled by the proponents of the respective amendments, and the Senator from Rhode Island, in the event he is opposed to an amendment; and that, if he is in favor of an amendment, that the time then be controlled by the distinguished minority leader, or by any Senator whom he may designate; that upon the amendment in the nature of a substitute, there be the same limitation of debate, the time to be controlled in the same manner; that all amendments must be germane and that appeals and motions shall be subject to the same limitation of debate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

Mr. SALTONSTALL. Reserving the right to object—and I do not intend to object—is it the understanding of the Senator from Arizona, in connection with the possibility of a vote this afternoon on the motion to recommit, that the Senate will recess at approximately 5:30 o'clock?

Mr. McFARLAND. Yes; I have made a promise to that effect.

Mr. SALTONSTALL. I merely bring that up in order that Senators may know of the situation.

Mr. McFARLAND. Mr. President, the request just made by me is the same as the one of a few moments ago, except that there is no limitation of debate proposed on the final passage of the bill.

The VICE PRESIDENT. Is there objection?

Mr. HUMPHREY. Mr. President, reserving the right to object, does the majority leader propose that this limitation shall apply to debate today?

Mr. McFARLAND. The limitation is to apply beginning at 10 o'clock a. m. tomorrow.

Mr. HUMPHREY. Tomorrow?

Mr. McFARLAND. Yes.

Mr. HUMPHREY. How long would the limitation apply, in view of the priority given to the Senator from Arkansas?

Mr. McFARLAND. It would apply until the Senator from Arkansas moves to proceed to the consideration of one of the resolutions regarding the reorganization plans.

Mr. HUMPHREY. In other words, there is no assurance that the Senate will consider resolutions regarding the reorganization plans tomorrow. Am I correct in that?

Mr. McFARLAND. There is assurance that the resolutions regarding the reorganization plans will be before the Senate tomorrow.

Mr. HUMPHREY. I merely wanted to be sure. In other words, the Senate is to take up the resolutions regarding the reorganization plans tomorrow.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Arizona?

Mr. MOODY. Reserving the right to object, I desire to ask the majority leader a question.

The VICE PRESIDENT. The Senator from Michigan.

Mr. MOODY. Would it be in order this afternoon preceding the vote on the motion to recommit, to offer an amendment or must the vote on the motion to recommit come first?

Mr. McFARLAND. That is a parliamentary question, which the Chair may answer, or I may answer by saying that the motion to recommit is the pending question, and will be voted on first, unless it is withdrawn.

Mr. MOODY. I thank the Senator.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Arizona?

Mr. AIKEN rose.

Mr. McFARLAND. Mr. President, may we have a ruling?

Mr. AIKEN. Mr. President, I am not rising for the purpose of objecting. I realize that the majority leader has had to propose an agreement limiting debate in order to obtain a vote on amendments to the joint resolution and to prevent a filibuster.

I think the vote on the first amendment will be very important. Should the motion of the Senator from Maryland to recommit the joint resolution prevail, the result would be that the St. Lawrence seaway would be dead, and in that event Canada might as well go forward with her plans to construct the dam and the works next week. I should prefer to have a vote on the joint resolution rather than to keep this matter dragging along. Our international relations are of far more importance than the desires of any power companies, railroads, or port authorities, or considerations of that nature. I want an early decision of the question. So I have no objection. However, if I may make a unanimous-consent request——

The VICE PRESIDENT. One unanimous-consent request is pending. Is there objection to the request of the Senator from Arizona [Mr. McFARLAND]? The Chair hears none, and it is so ordered.

The question now is on the motion of the Senator from Maryland [Mr. O'CONOR] to recommit the pending joint resolution.

Mr. McFARLAND. Mr. President, I do not care to use more than a few moments of the Senate's time. I merely want to say in reply to the statement of the Senator from Vermont regarding a possible filibuster on the pending measure, I have seen no inclination to conduct such a filibuster. I have known the question of the St. Lawrence seaway to be debated much longer than it has been debated at this time. I think the fact that we have entered into a unanimous-consent agreement regarding the disposition of all amendments certainly precludes the possibility of a filibuster on the pending joint resolution. My experience has been that, when a pending measure is to be filibustered, those who are interested in conducting the filibuster usually have a large number of amendments piled on their desks, and that the time is used largely on those amendments.

It is our intention to keep the pending measure before the Senate until it is disposed of. It may be necessary to lay it aside temporarily, as we shall do tomorrow; but I want the Senate to understand that we expect to dispose of it. If the motion to recommit should prevail, of course, that would end it; otherwise we shall vote on the joint resolution. I hope that the motion to recommit will not prevail. I think the Senate should vote upon the St. Lawrence seaway legislation, voting it either up or down. It has been pending before the Senate, as I said a few moments ago, for a very long time, and I think it time that the Senate pass upon the merits of the proposal. I certainly hope the motion to recommit will not prevail.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I should like to cooperate with the majority leader. I know the trouble he is having in trying to get action on the pending measure, either one way or the other. As the Senator from Arizona has said, if the motion of the Senator from Maryland to recom-

mit prevails, that ends the matter; but, if the motion to recommit is rejected, it would then be easier for us to dispose of the merits of the pending measure, one way or other, and to do that at an early date.

I agree with the Senator from Arizona that the Senate should "count noses" to ascertain whether Senators are for the St. Lawrence seaway or against it, and that that could be done without a further study of the project. I believe it has already been studied sufficiently. How would extended debate on the motion of the Senator from Maryland to recommit assist in getting action on the joint resolution? I want to cooperate, and I want to assist the majority leader; but I think the best thing we could do, not only in regard to the pending measure, but in regard to all legislation, would be to vote. Even if the debate on the motion to recommit were to continue for 8 hours, no votes would be changed by it. So why should we waste 8 hours of the time of the Senate in order to get action?

Mr. MOODY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from Michigan.

Mr. MOODY. I think the situation is quite clear. As we all know, it is the policy, when Senators are away from the Capital, to afford them proper notice when a vote is to be taken, so that they may be present. This is a year when certain Members are running for President.

Mr. CHAVEZ. And some of them are running for reelection as Senators.

Mr. MOODY. That is correct.

Mr. CHAVEZ. That includes my good friend from Michigan and myself.

Mr. MOODY. I think the suggestion of the majority leader was very much in order. I was very much pleased to note that he opposed the motion to recommit. For the RECORD, I should like to say that the majority leader has given the proponents of this measure cooperation of the finest sort, and that I, personally, am very grateful to him for what he has done. But I think he is entirely correct when he says that Senators who are away should have an opportunity to return, to participate in a real consideration by the Senate of the pending measure.

Mr. CHAVEZ. What assurance has the Senator from Michigan that Senators who are now away will be back?

Mr. MOODY. I may say to the Senator from New Mexico that I think a number of them will be back in time.

Mr. O'CONOR. Mr. President, will the Senator yield?

Mr. CHAVEZ. Very well, some of them will be back, but suppose there are others who have business away from Washington, who might feel exactly as the Senator from Arizona and the Senator from Michigan feel. Why should we remain here in order to suit the convenience of those Senators?

Mr. MOODY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from Michigan.

Mr. MOODY. The Senator from Maryland made a very important motion.

Mr. CHAVEZ. Of course he did, and I am ready to vote on it.

Mr. O'CONOR. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I am not quite through.

The motion is to kill the St. Lawrence seaway. If that is the first question to be voted on, instead of voting on the amendment of the Senator from Vermont, it should be debated, because if the motion is agreed to, the St. Lawrence seaway project is dead.

Mr. O'CONOR. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes; I will yield; but I think we should be scolded. Politically it is not so easy for me to be on the side of the Senator from Michigan as it is for some Senators from other sections of the country, but I believe in the philosophy of the St. Lawrence seaway. I have sided with the Senator from Vermont [Mr. AIKEN], and I think he is possibly as good a Democrat as there is on the other side of the aisle. [Laughter.]

Mr. O'CONOR. The Senator from Michigan has stated very accurately and, I think, very fair-mindedly, the situation as it exists.

Mr. MOODY. I think we may as well be frank about it.

Mr. O'CONOR. Exactly so.

I had in mind exactly the situation which the Senator from Michigan has explained. He desires not to take advantage of the absence of any Senator. Reasonable notice has been given of the time when a vote will be had, and any Senator who is sufficiently interested can be present in time to vote. On the other hand, if time can be saved by debating the question today, and if other Senators who desire to be here return, an opportunity can be given to be heard. But it is not compulsory. In any event, the interests of Senators are protected either way, so that no advantage can be taken of any Senator.

That is exactly what I had in mind, and I agree entirely with the Senator from Michigan.

Mr. LEHMAN. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. In a moment.

Let me say that I have no intention of obstructing; I want to vote; I want to take action; I want to help, too.

Mr. McFARLAND. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. McFARLAND. I should like to say to my good friend from New Mexico that I appreciate what he has said, but I want to correct him in one respect. I was not asking unanimous consent in order to give Senators an opportunity to get back to vote. So far as I am concerned, from now on I am ready to vote on any measure which comes before the Senate, and I hope that every other Senator will be ready. I went to Arizona last week end, stayed there a day and a half, and returned to Washington in order to be present at the session of the Senate beginning yesterday. I must go back to Arizona again this coming week end. I may miss some votes, but if that should occur, I shall just have to miss them. If we are not on the floor we must take our chances as to whether a bill is voted up or down.

Mr. CHAVEZ. I recall the announcement of the Senator from Arkansas [Mr. MCCLELLAN]. He has given notice that tomorrow he will move to take up some privileged resolutions. I, too, have business in the West, but I should like to help the proponents of the St. Lawrence seaway.

Mr. AIKEN. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield to the Senator from Vermont.

Mr. AIKEN. I may say to the Senator from New Mexico that the purpose of the opponents of the St. Lawrence seaway in making a motion to recommit is to prevent the adoption of an amendment to put the St. Lawrencec seaway on a self-financing basis.

Mr. CHAVEZ. That is the amendment which the Senator from Vermont was discussing with the Senator from Massachusetts [Mr. SALTONSTALL] yesterday.

Mr. AIKEN. Yes. The opponents say that the measure carries authority for appropriating $500,000,000 from the Treasury. If that provision remains in the measure, the opponents can go to the public and say, "The proponents of the St. Lawrence seaway want $500,000,000 of your money." They forget the fact that they have had billions of dollars of the taxpayers money themselves.

Mr. CHAVEZ. The Senator from Vermont knows that I am in favor of the seaway, but I am not doubting the sincerity of purpose of the opponents of the measure. I think they are wrong, but they have a right to be wrong. There is no doubt of their sincerity of purpose in my mind at all.

Mr. O'CONOR. Mr. President, will the Senator from New Mexico yield?

Mr. AIKEN. May I complete my statement before the Senator from Maryland answers?

Some of the seaway opponents who are supporting the motion to recommit are great economizers—not economists; there is a great difference. They want the joint resolution to carry the maximum amount of expenditure in the hope of obstructing the project.

Mr. CHAVEZ. That is one of the reasons I am ready to vote now. Both sides have already made up their minds, so that it is time to count votes. I am trying to be fair about this matter; I am trying to be impartial about it. I believe in my heart and conscience that the seaway is in the interest of the American people, of national defense, of better economy, and better standards of living. Some of my best friends in political life are opposed to it, but I cannot stultify myself and vote against a thing which I believe is good. But in my heart I believe that there is not a single Senator who does not know what he is going to do, either as to the motion of the Senator from Maryland or the amendment of the Senator from Vermont. To delay might please the convenience of some Senators who are not present, and I want to help them, too.

But I should like to see every Senator present and be counted one way or the other, without doubting the sincerity of purpose of those who are against the measure. But I believe the Senate has reached the point where it should vote on the amendment or on the motion which has been made.

Mr. LEHMAN. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. I ask the attention of the Senator from Maryland [Mr. O'CONOR].

I believe I have been as regular in my attendance on the sessions of the Senate as has any other Member. I have not missed a single recorded vote, save last week when there was a death in my family and I was compelled to be absent for a day.

On a question of this importance I think Senators should have the right to know a little in advance when a measure will come up for a final vote. The motion to recommit, if it shall prevail, will kill the entire seaway and power project on the St. Lawrence River.

Mr. CHAVEZ. I do not agree that it should be killed, but, nevertheless, if this body wants to kill it, why should it not do so?

Mr. LEHMAN. I may have misunderstood the Senator from Maryland in the remark he made.

We have arrived at a unanimous-consent agreement to vote tomorrow, and I am very happy that we have. I strongly urge that course. I think it is important in the interest of saving time. I know how fair the Senator from Maryland is. He has shown his fairness throughout his career in the Senate. I had the privilege of knowing him many years before that time, when he was governor of his State, and I was governor of mine.

The Senator says he does not desire to work a hardship to anybody by compelling a vote. The fact that he has made that statement, the fact that a unanimous-consent agreement has been arrived at and no Senator will be compelled to vote until the unanimous-consent agreement becomes effective, would indicate to me that the Senator from Maryand does not intend to press his motion for recommittal this afternoon, but rather intends to bring it up under the limitation of debate tomorrow. It seems to me that would be a fair arrangement, and would be a way of permitting certain Senators who are compelled to be absent today to return in time to vote tomorrow, both on the motion to recommit and on the amendments to the bill itself.

Mr. O'CONOR. The Senator from New York could not be more accurate in his understanding. That is exactly what I had in mind. In a matter of this importance I would feel that it would be most unfortunate—it would be, I think, reprehensible—to vote on a motion such as the one now pending, which would be summary action, which would cut off any Senator from either speaking upon the joint resolution or from being here to vote upon it. It was for that reason that I discouraged any suggestion about a limitation of debate today. Indeed, I did not even propose a limitation of debate at any time, but did agree to one starting tomorrow, with the distinct understanding, at least on my own part, or rather in the belief, that there would be time between now and then for Senators to discuss the subject and not be forced to vote. So there would be no disposition on my part to force a vote today.

Mr. LEHMAN. Am I correct in my understanding that the distinguished Senator from Maryland will not press his motion to recommit today?

Mr. O'CONOR. That is certainly my understanding, although I did append to my statement the suggestion that if all debate shall be completed, and there is no other business, and if it is the will of the Senate that a vote should be taken, then, of course, I should not stand in the way.

Mr. CHAVEZ. That is the point I had in mind.

Mr. O'CONOR. I believe the Senator from New Mexico had expressed the same sentiment, and I subscribed to it. But in commending the Senator from Michigan upon his statement, I at least attempted to make it abundantly clear that I was not in any sense moving to do anything which would deprive any Senator of the opportunity to vote. So I entirely concur in what the Senator from New York has said with reference to the propriety of affording all Senators opportunity to express their views.

Mr. LEHMAN. I thank the Senator.

Mr. CHAVEZ. Does the Senator from Maryland, from his understanding of the unanimous-consent agreement, feel satisfied that there will be a vote tomorrow on either the motion or amendments?

Mr. O'CONOR. Yes; I think so, unquestionably. I do not think a vote can be prevented.

Mr. MOODY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOEY in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hennings	Monroney
Anderson	Hickenlooper	Moody
Bennett	Hill	Morse
Benton	Hoey	Neely
Bricker	Holland	Nixon
Bridges	Humphrey	O'Conor
Butler, Md.	Hunt	O'Mahoney
Byrd	Ives	Pastore
Capehart	Jenner	Robertson
Case	Johnson, Colo.	Saltonstall
Chavez	Johnston, S. C.	Schoeppel
Clements	Kem	Seaton
Connally	Kerr	Smathers
Cordon	Kilgore	Smith, Maine
Dirksen	Knowland	Smith, N. J.
Douglas	Lehman	Smith, N. C.
Duff	Lodge	Sparkman
Dworshak	Long	Stennis
Eastland	Magnuson	Taft
Ecton	Malone	Thye
Ellender	Martin	Tobey
Ferguson	Maybank	Underwood
Flanders	McCarran	Watkins
George	McCarthy	Welker
Gillette	McClellan	Wiley
Green	McFarland	Williams
Hayden	McKellar	
Hendrickson	Millikin	

Mr. McFARLAND. I announce that the Senator from Delaware [Mr. FREAR] and the Senator from Texas [Mr. JOHNSON] are absent on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent because of illness in his family.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a delegate from the United States to the International Labor Organization Conference.

Mr. SALTONSTALL. I announce that the Senator from Maine [Mr. BREWSTER] and the Senator from Kansas [Mr. CARLSON] are necessarily absent.

The Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from North Dakota [Mr. LANGER] and the Senator from South Dakota [Mr. MUNDT] are absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. HUMPHREY. Mr. President, it is my privilege to be one of the cosponsors of Senate Joint Resolution 27, approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; and providing for making the St. Lawrence seaway self-liquidating.

The preamble of the joint resolution states very clearly its objective and the purpose of its proponents. We are interested in the development of one of the greatest natural resources any continent has ever possessed, the great St. Lawrence waterway, as it ties in with the greatest inland body of water in the world, the Great Lakes. The Great Lakes have served as a major artery of transportation in the United States of America, and have made possible the great industrial and agricultural development of mid-America. The eastern portion of this great system, the St. Lawrence River, leading out into the Atlantic Ocean from the Great Lakes, serves as a continuation of the inland water transportation system, making it possible, with cooperation on the part of the United States of America and Canada, for seagoing traffic to reach the heart land of the United States.

Of course, I have a vital interest in the seaway project, inasmuch as I represent the State of Minnesota. I stated on the floor of the Senate yesterday that one of the strangest facts of American economic life is that a port which is approximately 1,200 miles from the Atlantic seaboard and approximately 2,000 miles from the Pacific Ocean is the second largest port in the terrritorial limits of the United States of America. It is the port of Duluth, Minn. It is the second largest port in terms of tonnage.

It is out of that port that the fabulous quantities of iron ore, the lifeblood

of our entire industrial system, flow. Any means and any effort which can be made to guarantee the safe flow of such a valuable product as iron ore surely should be undertaken by the Government of the United States. At a time when we are building the defense of our country; at a time when we can look back upon history and understand what happened in two World Wars in terms of our water-borne transportation, because of attacks by enemy submarines on our coastal shipping and on our Atlantic and Pacific shipping; at a time when we consider that experience in terms of the past and the requirements of the future, it appears to me that in the interest of the national security and national defense, every effort should be made by the people of the United States to develop this mighty potential force, the St. Lawrence waterway system.

Mr. President, I testified before the Committee on Foreign Relations with respect to the joint resolution. I have spoken all over the country about the St. Lawrence waterway and the possibilities of its development. As long as I can remember, ever since I was a little boy, I have heard about the development of a St. Lawrence seaway, the dredging of certain harbors and channels, and the construction of a canal which would bridge the rapids and make possible a flow of water which would be navigable for oceangoing freighters and other seagoing ships to the very heartland of the United States. It is inconceivable to me that Congress would turn down such an opportunity.

Mr. President, it has been stated by several Senators, and it is a matter of public record, that the Dominion of Canada is prepared to go ahead with the St. Lawrence waterway. It has been said by the opponents in reply that if Canada is prepared to go ahead, let her go ahead and let her undertake this enterprise by herself. I should like to make a few comments with respect to that statement.

First of all, for 100 years we have had peaceful relationships with our neighbor to the north. The two nations have developed a pattern of cooperation which has set an example for the whole world. Prior to that 100-year period many controversies arose between the United States, the British Empire, and Canada over our boundary line to the north. The St. Lawrence river has been the subject of innumerable international conferences. The rights on that river have been decided by treaty. It serves as a natural boundary between the United States and Canada. It also serves as a natural roadway between the two nations and as a bridge which binds us together. The Canadian people have looked forward to a cooperative relationship with the United States and its people. For almost half a century we have had in mind the joint building of a great seaway system on the St. Lawrence River and the Great Lakes.

The people of Canada and their Government have become a little impatient, and they have made it quite clear to the President of the United States and to Congress and to our people generally that they are going to take action. So the question is no longer whether the seaway will be built, but how. Unless we resolve immediately to participate in building a seaway jointly Canada will build it herself. We cannot ask the Canadians to put up with our procrastination any longer, even if they wanted to do so.

In 1933 we negotiated a treaty with Canada, which failed to receive the necessary two-thirds vote in the Senate. In 1941 there was made an executive agreement upon which the present plans are designed and based. The seaway has been advocated by every President since the days of Warren G. Harding, and has been supported by private and public groups and public commissions. Innumerable hearings have been held on it.

When I hear a request made by Senators who oppose the pending measure that the project ought to receive further study, I would ask them, How much study they think should be given to a project such as this? It has been studied for 25 years or longer. The State of Minnesota, by legislative resolution in 1919, after months of study, went on record in favor of the St. Lawrence seaway. I think it is an insult to the intelligence of the American people to say that further study is needed of a project which has been under study for more than a quarter of a century, which has been studied by every President since 1920; which has been studied by engineers in and out of the Government and by private groups in the United States and in Canada. The talk about additional study is nothing but a delaying action, and ought to be so branded. Senators who want to recommit the joint resolution to the committee for the purpose of further study of the project ought to say that what they want to do is kill it. The need of further study cannot possibly be documented. Studies have been made, plans have been drawn, engineers have been consulted, the financing has been worked out, every mile of the river system has been carefully studied by those who want to develop the river and the great interior water-transportation system.

Mr. President, I know who wants the program studied further. It is the Association of American Railroads. I say to the Association of American Railroads that they are blind; that they are showing bad economic judgment; and that they fail to recognize the fact that the prosperity of the railroad systems depends upon the prosperity of the Nation.

I say with equal candor that the American railroads have become accustomed to coming before the Interstate Commerce Commission and asking for higher rates and then giving less service. I do not expect the railroads to like me one bit for what I am saying. What is more, I do not care. They have become accustomed to coming before the Interstate Commerce Commission and demanding a 15-percent increase in freight rates and getting 8 percent; or demanding 10 percent and getting 6 percent. They have worked out a formula.

I think it is about time for the Congress to look into the freight-rate increases and look into the caliber of service being given. Some of the railroads have equipment which dates back to the times of General Grant. Something needs to be done about the railroad system. The railroads themselves should be doing something about their own system, instead of attempting to block our efforts to have the St. Lawrence waterway constructed.

Of course, I realize that in the old days men who operated livery stables opposed automobiles, and in subsequent years those who operated busses opposed air transportation, and those who were in the phonograph business took a dim view of the radio, and a little later, those who were in the radio business took a dim view of television, and so on, right down the line. We can rest assured that there are always a number of persons with lead in their feet, persons who are willing to drag their feet and stand in the way of progress. We need not worry about whether we move too rapidly, because the powerful, well-organized interests will always work very, very hard to make sure that we do not move rapidly. In fact, they will do their utmost to see that we do not move at all.

I have documentation which I bring to the Senate in regard to the Association of American Railroads and in regard to some other groups. This subject is not a new one. It has been examined by congressional committees. In 1948 the Association of American Railroads forced through Congress, over the President's veto, the Reed-Bulwinkle bill. That measure scrapped the application of the Sherman antitrust laws to the rate-making activities of the railroads, and permitted the Interstate Commerce Commission to legalize rates arrived at by concerted action on the part of the railroads, contrary to the Sherman antitrust laws. The result was a definite, sharp increase in freight rates and in passenger fares.

Mr. President, the railroad lobby is a powerful organization whose constituent elements reach into every major voting district in the Nation. For instance, I recall when Congress had before it the reorganization plan for the Interstate Commerce Commission. At that time I was contacted, not once, but a dozen times, by railroad executives and lobbyists who asked me to vote against that reorganization plan. However, I voted for the plan, for I do not think the railroads should be immune from regulation, and I do not think their agency, the Interstate Commerce Commission, is immune from being reorganized. I have always been amazed to find that the Interstate Commerce Commission is the only regulatory body of the Federal Government that can escape any criticism; it always seems to be loved. Whenever a regulatory body is held in such high respect and affection by those it regulates, it warrants careful scrutiny.

I say today the program for construction of the St. Lawrence seaway is being fought with every weapon at the command of the Association of American Railroads, and its sole purpose is to throttle progress in the United States.

Mr. President, the entire financial structure of the railroads is managed by a handful of financial enterprises. That

can be documented, as it has been documented in the past by various congressional committees. In that connection I refer to a report entitled "The Structure of the American Economy," part 1, page 161. That report was made by the National Resources Committee, and was made public. The report sets forth what I have just stated. It points out that the financial interests back of the Association of American Railroads are controlled by a group headed by the Morgan Co. That company stands out as one that is attempting to monopolize, once again, the transportation facilities of the Nation.

A little later I shall discuss in more detail the Association of American Railroads and its organization, and no doubt I shall be questioned about it, because I am sure some of my colleagues will wish to ask me a few questions along that line.

At this time I merely wish to say that if the Association of American Railroads is successful in blocking the passage of the pending joint resolution, that association will stand guilty of jeopardizing the defense of the United States. That association fought the upper harbor in my city, and fought water transportation on the Mississippi; yet the railroads always are short of boxcars when we need them, and the railroads and their association are always full of apologies. Now, when we need more water transportation because it is impossible to move all the commerce of the Nation by means of the existing transportation facilities, the railroads and their association have sent their representatives to Washington, to fight that effort. The railroads and their organization put their selfish greed above the national need; and that statement also applies to the private utility lobbies that have ganged up with the railroads to fight the construction of the St. Lawrence seaway and power development.

All of them are controlled by a handful of little trusts in the East. All of them are controlled by a handful of persons who, above all, want to maintain high private-utility rates. New England is suffering from a power drought and a high rate structure: New England is suffering basically from a financial monopoly which controls credit, and from the fact that a very few persons who have been able to suck the blood from the American economy, have never been able to get enough of it; they have, indeed, an insatiable appetite. For years they have been sucking the blood of the Midwest; their endeavor has been to make an agricultural colony of that area. The blood has been sucked from the economy of my section of the country by reason of the fact that those powerful, small groups have been successful in their attempts to prevent the development of the economy of that section. A few years ago those groups sponsored the basing-point bill, which would have blocked the economic progress of the Midwest, the South, and Southwest.

The pending joint resolution authorizing construction of the St. Lawrence waterway is being blocked by the same group. If they had their way, there would not be any progress in the Midwest; they would control and manage that part of our Nation and would make an agriculture colony of it. Similarly they would, if they could, make an agricultural colony of the southern portion of the Nation. That has been the record of this railroad-utility group for far too long, and some of us are going to speak and act against it.

Mr. LEHMAN. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. Is it not a fact that the private-utility companies have been spending millions upon millions of dollars in advertising and propaganda and lobbying, in an effort to prevent the public development of waterpower in various parts of the Nation? The millions of dollars which have been spent for that nefarious purpose are charged to the consumers by means of the rate structure on the basis of which the consumers have to pay their bills for electric power or other utilities.

Mr. HUMPHREY. The Senator from New York is correct.

Mr. LEHMAN. Is it not also a fact, in the opinion of the Senator from Minnesota, as it is in my opinion, that the present effort to prevent construction of the St. Lawrence seaway and waterway is but a part of a concerted, deliberate, well-thought-out, well-planned campaign to stop public development of water power all over the Nation—not only on the St. Lawrence, but also on the Niagara River, where it is possible to generate power which can be sold at rates half of those now being charged to the consumers in New York and to the consumers in the contiguous States in New England.

There is also a plan to prevent the development of the Hells Canyon Dam and many other outstandingly available waterpower resources—resources which, if developed publicly and operated publicly, can bring great prosperity to wide areas and to the Nation as a whole, just as the development of TVA and Bonneville and Boulder Dam and the other great waterpower resources which came into being in the interests of the people of the Nation have brought prosperity and have led to the upbuilding of those great areas and have been of benefit to all the people of the Nation, not simply to one small, selfish group.

Mr. HUMPHREY. The Senator from New York has told the story of progress in the United States. The fight he has made for many years for the St. Lawrence waterway and for power developments is but a further indication of his vision and his statesmanship. He has had to fight some powerful interests in his State; but, Mr. President, he fought them, and he won in that fight. The Senator from New York served as Governor of his State, and in that service he had a record second to none. He now serves in the United States Senate, where he has a record second to none. Why, Mr. President? Because the Senator from New York has courage, and he tells the special interest groups where to head in. He is not willing to jeopardize the security of the United States because of the greed and selfishness of a small handful of powerful interests. I pay tribute to the Senator from New York. The fact that he is here today as a servant of the American people, after having served his State for years with outstanding devotion, based on policies in the interest of the Nation as a whole, indicates that the American people will support and honor men who have courage and vision.

Mr. President, if we depended upon some of these social and economic crocodiles of special privilege, our country would not have reached beyond the Allegheny Mountains. In the early days some persons who were in the stagecoach business opposed the first railroad, and did everything they could to stop. There have always been those who have fought progress. However, thank goodness, our Nation has had more people who were in favor of growth and expansion. When those who favor progress see the light and learn the truth about the present program for the development of the St. Lawrence waterway and seaway, they will ask in definite terms that that project be completed.

At this time, Mr. President, let me point out that the St. Lawrence seaway has been advocated by every President who has served in recent years. This issue is not at all a partisan one. I see on the other side of the Chamber my distinguished friend, the Senator from New Hampshire [Mr. TOBEY], who has taken a strong position in behalf of St. Lawrence seaway legislation. As one who has served his people for years with courage, integrity, and distinction, he knows, that when we stand up to fight for these issues, the people join with us, and they get behind good leadership. So, whether Republicans or Democrats, throughout the entire history of this country, particularly within the past 30 years, leading men of both political parties have stood for this project.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from New Hampshire.

Mr. TOBEY. Does the Senator from Minnesota not feel that, whereas Almighty God has put upon the face of the earth great bodies of water, and has endowed men with skill, particularly engineering skill, with which to bless mankind, it is a sin to thwart Him?

Mr. HUMPHREY. I surely do.

Mr. TOBEY. Let me go a little further. If the opposition to the St. Lawrence project coming from banks and power interests were withdrawn, the project would be approved overnight, would it not?

Mr. HUMPHREY. In my opinion, the Senator from New Hampshire has touched the keystone of the situation.

Mr. TOBEY. There would be no doubt about the outcome of it.

Mr. HUMPHREY. Not at all. I think the Senator from New Hampshire pointed that out when he was Chairman of the Banking and Currency Committee and some of these same pressure groups were before his committee. And how the Senator from New Hampshire went after them and exposed them! I salute him for his courageous leadership, as he has always demonstrated it, year in and year out.

Mr. President, as the Senator from New Hampshire has just said, God Almighty has blessed this continent with this tremendous water resource. He has practically given it all, God made, and He says to mankind, "Take care of about 100 miles out of the 1,200, and everything will be all right."

The St. Lawrence seaway, Mr. President, represents not a problem, not a financial expenditure; but it represents an opportunity, a tremendous opportunity. If we cared to take the time to do so, we could show that practically every war between great powers has been over the issues of boundaries, ports and harbors, and transportation. Transportation is the life line of any national economy. The railroad system of our country—and I pay credit to it for all the good things it has done—is the life line of the American economy. But it needs to be supplemented. And here is this great seaway, a natural arterial highway extending halfway through the United States—to the coal fields, to the iron-ore mines, to the bread basket of the United States, into the heart of the American Empire. All that needs to be done is some dredging and some construction work over a stretch of 100 miles in this 1,200- or 1,300-mile waterway, and this great seaway becomes as a practical operating engineering project.

Mr. President, if we should turn this seaway project down there are certain consequences involved at which I think we need take a look. Seven consequences will follow if the United States should fail to join Canada in the development of the St. Lawrence project. This is not new; others have stated it, I am sure; but I should like to restate it, so that it may be fresh in our minds, as to what can happen if we are so foolish and so short-sighted as to reject this proposal.

Number 1. If we do not take part in this project we shall voluntarily relinquish a share of control over a strategic international waterway along our border. I venture to say, Mr. President, that no nation on the face of the earth would relinquish voluntarily control over a great international waterway. I repeat that the history of the world is filled with examples of nations that have gone to war year after year and have spent millions upon millions of dollars, and thousands of lives, in order to get control of a waterway. I cite such examples as the Rhone River, the Danube, the Elbe, the Rhine, and many other rivers which could be mentioned. For these rivers people would lay down their lives today, because a river is a life line, and a great river system, such as the St. Lawrence seaway and the Great Lakes, is the greatest life line in the world; there is nothing comparable to it.

Mr. President, a few days ago I read an article pointing out what is being done by the Soviet Union in providing water transportation. The Soviet Union have certain projects under way, indicating that, by 1954, and 1955, they will have developed a tremendous waterway system. Why are they developing this tremendous waterway system? Because they consider it a part of their internal defense, they consider it a part of their national security, they consider it a part of their national strength. It is important to note that their industrial development and their water transportation development go hand in hand. It is interesting to note that they have certain target dates, too, and I would not be a bit surprised if the development of the great water transportation system within the domain of the Soviet Union, plus their atom bomb plants, their industrial development, and their aircraft defense, plus the manner in which they are tightening up with their satellites, is all designed to further their great aggressive schemes. In the meantime what are we doing? We are going to wait for the railroads to tell us that we can defend America; indeed, they have the gall to come before committees of the Congress with their lobbyists, to tell us that the St. Lawrence project is going to cost us too much, when they have already received hundreds of millions of dollars of tax-exempt certificates from the Government.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. Perhaps the Senator from Vermont desires to make a comment on that point.

Mr. AIKEN. The last statement of industrial tax-deferred certificates issued showed that about $2,250,000,000 had been issued to the railroads. The amount issued to the power companies, according to my latest information, which was a few weeks ago, was about $2,500,000,000. That does not mean that they get the $2,250,000,000 and the $2,500,000,000: It means that they can write off a certain percentage of those amounts from their income-tax payments over a 5-year period. Instead of amortizing their costs over a 30- to 33-year period, they amortize the entire amount within 5 years. The average amount permitted to be amortized is about 50 percent. In some cases it goes up to 90 percent; in others, down to 25 percent.

So the actual amount which can be written off by the power companies is a little more than $1,000,000,000 on the certificates issued to date—and more are being issued almost every week. The amount which can be written off by the railroads, to date, is more than that—I think probably 60 percent in the case of railroads, or approximately $1,500,000,000. Between them, the railroads and the power companies are getting advantages which amount to several times the estimated total cost of the St. Lawrence seaway, assuming that the taxpayers are to be called upon to pay any of the cost—which they are not, if the proponents of the project have their way.

So I think it ill becomes anyone connected with the railroads and the power companies to come here and engage in lobbying activities with Members of Congress. I have never seen such a lobby as that which is around the Capitol at the present time. Yesterday I looked in the galleries and I saw railroad lobbyists, not only on one side, but on four sides of this Chamber, looking down on the Senators who were present.

Mr. HUMPHREY. I hope they are still around today.

Mr. AIKEN. It ill becomes them to come before the Congress to oppose a project which would be advantageous to the country as a whole, when they, themselves, are receiving billions of dollars in the way of benefits at the expense of the taxpayers.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from New Hampshire.

Mr. TOBEY. They remind one of Tennyson's Charge of the Light Brigade—paraphrasing:

> Lobbyists to the right of them,
> Lobbyists to the left of them,
> Volleyed and thundered.

All around us the air is surcharged with their meddlings, their threats, and their promises.

Mr. AIKEN. Think of the charge that some of them make. The chief lobbyist says he works for nothing. He is in the coal business. The Consolidated Edison Co. is his largest customer. We can imagine what 10 cents a ton added to the coal he sells would amount to—probably millions of dollars a year.

Mr. HUMPHREY. Mr. President, I recall a couple of years ago when the Senator from New Hampshire was conducting some hearings before the Banking and Currency Committee, there was a colloquy which I took out of the records of the hearing, wherein one of the vice presidents of the Association of American Railroads was commenting on the great job which had been done, and he said, "We have two or three little amendments we would like to have adopted, and if they are included we will let it go through." This led the Senator from New Hampshire to comment as follows:

> This is a thing I do not like. We do not like to hear a little group of men saying they will let legislation go through Congress. What have we come to in this country, that they tell the Congress what they will permit to be done?

Mr. AIKEN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. AIKEN. When the St. Lawrence seaway was before the Senate 4 or 5 years ago the president of one of the larger New England power companies visited my office. When he went home he wrote me a letter stating that if the proponents of the St. Lawrence would agree to let the power companies have all the power which would be developed there, requiring the municipal systems and the REA to buy through them, they would not only withdraw their objection to the seaway but they would get behind it and help us put it through. All they wanted was for us to give them a little more than a million horsepower which would be generated on the American side of the falls. They did not object at that time to the Federal Government paying the cost of the whole project, so long as they were given the power. If they could have the power, they would withdraw their objection and get behind the project and help us put it over. They thought

that was a magnificent offer. I did not think so.

Mr. HUMPHREY. Mr. President, we have been working for this project for years, and the best thing about the whole fight we are putting up is the company in which we find ourselves, including the Senator from Vermont [Mr. AIKEN], the Senator from New Hampshire [Mr. TOBEY], and the Senator from New York [Mr. LEHMAN]—men who have a record second to none. I am a newcomer, Mr. President; I am a youngster compared with their years of service. They have had to fight the railroads, the banks, and the utility companies, but they have been reelected again and again. I know we are on the right side of the issue, and I pay tribute to the kind of men who are supporting the St. Lawrence project. I think it is time we served warning, and I join as a buck private in the ranks in serving it.

Mr. TOBEY. We should tell them, "Take your dirty hands off these things and get out of here."

Mr. LEHMAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the distinguished Senator from New York.

Mr. LEHMAN. Mr. President, an amendment was offered yesterday providing for the appointment of a commission to study the subject for a year and then to report. A proposal of that kind comes to me as almost a nightmare, Mr. President, because I have lived with this project for many years and I have known all the steps which have been sought to be taken in opposition to the proposal.

I wonder whether my colleagues in the Senate know that this subject has been studied in the State of New York for upward of 30 years.

The thing that first attracted me to a very great governor of New York, one of my distinguished predecessors, Alfred E. Smith, was his interest in the development of the water-power resources of the St. Lawrence River and the building of the seaway. That is one of the things that made me such an ardent admirer and supporter of Governor Smith.

He was succeeded by a man who was, I think, the greatest governor and one of the greatest Presidents of the United States, Franklin D. Roosevelt. I had the honor of serving for 4 years as his lieutenant governor. We came in contact with the selfish opposition of the railroad companies and private utility companies. He recommended and secured the enactment by the Legislature of New York, after a hard fight, of a measure providing for the creation of a power authority for the State of New York which was expected to undertake the building of this power development promptly and without loss of time. But again opposition was encountered which was so strong that we could not make a move. There was opposition in New York City and elsewhere in the Nation, including Washington, and we were blocked. The development of the St. Lawrence project has been blocked for nearly 30 years. Every phase of the subject has been studied and restudied, debated, and weighed, and we are again discussing it. Again a motion has been made to appoint a commission to study the subject. Again a motion was made, within the past 2 hours, to recommit the measure to the committee, which, of course, if agreed to, would completely destroy any possibility of legislation on the subject during this year.

I wonder how long the patience of the American people is going to hold out. They are the losers; they are the ones who are sacrificing an opportunity to bring security to the Nation; they are the ones who are losing the opportunity to bring increased prosperity, not only to the Northeast, not only to the Middle West, not only to the section from which my distinguished colleague from Minnesota comes, but to the entire Nation, because the development of those great areas will bring prosperity to the Nation as a whole.

To me it is the most arrant nonsense to talk about restudying the subject after it has been studied for 30 years and to suggest recommitting the resolution to the committee for the purpose of killing it, when the project is so palpably in the interests of the people and so definitely one that will not cost the American taxpayer a single red cent, because the seaway can be made self-liquidating within a reasonable number of years, while the power developed, of course, will be highly profitable and will bring large sums of money into the treasury of the States and of the United States.

Mr. HUMPHREY. Mr. President, the argument about recommitting the measure is like asking Professor Einstein to go back and study simple arithmetic.

Mr. AIKEN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. AIKEN. Mr. President, mention has been made frequently of the interlocking directorates in connection with investment banking houses and power and railway companies. Much of the opposition stems from investment bankers and railroad and power people. I became very much interested last year in checking upon interlocking directorates among banks, power companies, and gas companies. I did not check the railroads, although we know that they do have interlocking directorates.

I should like to read merely as samples names from the Boston, New York, and Chicago areas, showing how investment banking companies are interlocked with utility interests, not including railroads.

For instance, beginning with New York, I select the Guaranty Trust Co., whose directors have also directorates in utility companies.

Mr. George Allen is a director of Duke Power Co.

Mr. F. W. Charske is trustee of Consolidated Edison Co. of New York.

Mr. Winthrop M. Crane, Jr., is a director of Western Massachusetts Electric Co., which, I believe is a part of the New England power system.

Mr. Stuart M. Crocker is also a director of Columbia gas system. He also is a director of Central Kentucky Natural Gas Co., of Manufacturers Light & Heat Co., and of United Fuel and Gas Co.

Mr. Charles S. Munson is trustee of Consolidated Edison Co., of New York.

Mr. Carroll M. Shanks is director of Public Service Electric & Gas Co.

So we find that, excluding railroads and telephone companies, the Guaranty Trust Co. has interlocking directorates with eight different utility companies.

Referring to Chicago, I select the First National Bank of Chicago, and I find that of the directors, Mr. Leopold E. Block is also director of Commonwealth Edison Co.

Mr. Edward E. Brown is also director of Peoples Gas, Light and Coke Co.

Mr. James S. Knowlson is also director of Peoples Gas, Light and Coke Co.

Mr. James F. Oates, Jr., is also chairman of the board of Peoples Gas, Light and Coke. Co.

Mr. A. H. Wetten is also a director of Commonwealth Edison Co.

Mr. C. J. Wipple is a director of Northern New York Power Corp.

So those men were tied in with several utility companies, and we know of the opposition to the St. Lawrence waterway which comes from the city of Chicago. I am trying to point out where the opposition comes from. The people in Chicago who oppose it are not opposing it in the interest of Chicago; they are opposing it in the interest of power and other utility companies with which they are connected.

Mr. CASE Mr. President, will the Senator yield for a statement related to the matter he is discussing?

Mr. AIKEN. I yield.

Mr. CASE. The information which the Senator from Vermont is giving at this time is of special interest to me, because it has been very difficult for me to understand why there should be in the Chicago region any opposition to the St. Lawrence seaway proposal. As I understand, the Chicago industrial pattern and the economy of that whole area has been tied in with development of the steel industry at Gary, Ind., and other points close by. If the ores of the Mesabi Range should become exhausted—and we are told they are dwindling—then I wonder what would happen to the entire industrial pattern which has been developed around Chicago and northern Indiana, based upon access to a dependable supply of iron ore.

It would seem to me that the possible injury which may occur to the Chicago region would be tremendous if the Mesabi Range played out. Consequently, I should think the Chicago region would have an unusual stake in the construction of the St. Lawrence seaway. Of course, the additional fact should be borne in mind that Chicago would become practically an ocean port, if the seaway were accomplished. That is why it has been so difficult for me to understand the opposition from Illinois or Chicago. Perhaps the information which the Senator from Vermont is providing at this time explains the situation.

Mr. AIKEN. Of course, there should be no opposition whatever to the seaway from Chicago or any of the great Central States. In fact, the future welfare of that area may well depend upon an open access to the seven seas of the world.

But so far as the opposition to the seaway is concerned, I am stating these names to show that the investment companies in Chicago have investments in companies in other parts of the United States, where they will profit by maintaining high prices for the power which they sell and the services they perform.

I have here a list of 15 or 20 banks, but I shall not take the time to complete a reading of the list. I have selected the name of one bank each in Chicago and New York. I have the name of one bank in Boston. We all know of the opposition to the St. Lawrence seaway that comes from Boston. I mention the name of the First National Bank of Boston.

Of the directors of the First National Bank of Boston, I find that Mr. John S. Ames is a director of Boston Edison Co.

Mr. Thomas D. Cabot is a member of the advisory board of Gas Industries Fund, Inc., and also vice president and governor of Natural Gas Products Association.

Mr. T. J. Coolidge is a director of Boston Edison Co.

Mr. Robert G. Emerson is a director of Consolidated Gas, Electric Light & Power Co.

Mr. Halfdan Lee is president and trustee of Eastern Gas and Fuel Associates; member of executive committee and director of Boston Consolidated Gas Co.; and director of Old Colony Gas Co.

Mr. I. L. Moore is president and director of New England Electric System; president and director of International Hydroelectric System; vice president and director of Gatineau Power Co.; and president and director of Eastern New York Power Corp.

James V. Toner is also president and director of Boston Edison Co.

So the First National Bank of Boston has interlocking directorates with 10 different utility companies, not including telephone companies or railroads. I did not check those companies at all last year when I checked the others I have referred to.

This information shows what we mean when we say that the real opposition to the St. Lawrence development stems from the higher echelon of finance. I could give any number of other examples. In fact, two or three banks in the United States were conspicuous from the fact that they had no interlocking directorates with power companies.

I could not find any director of the Central Hanover Bank and Trust Co. of New York who was also a director in a power company.

I could not find any director of the Mellon National Bank and Trust Co. who was connected with any power company. Those two banks were conspicuous because they were not interlocked in any way.

Such information explains why certain interests in certain areas will oppose a development which on its face would be very helpful to those areas. It is simply because they have money invested elsewhere.

Mr. HUMPHREY. Of course.

Mr. AIKEN. For instance, there is a large amount of Boston money invested in developments in Texas. I am sure that Boston investment houses, which have placed so much money in Texas, will be delighted with the attitude of the senior Senator from Texas [Mr. CONNALLY] with reference to the St. Lawrence seaway—probably more delighted than the people of Texas will be. But the information I have just disclosed explains why. They are looking for income from their investments, even at the expense of other areas, where they were born, reared, and attained success.

Mr. HUMPHREY. I thank the Senator from Vermont. His documentation is the very kind of detail we need to support what I believe are very revealing and factual statements as to the nature of his opposition to this seaway.

I said in the beginning of my remarks that the St. Lawrence seaway project is being fought publicly by the Association of American Railroads, which is controlled by the New York Central, the Pennsylvania, the Baltimore & Ohio, and the Nickel Plate. Of the many railroads in the United States, it is those four that really manage the whole business.

Mr. AIKEN. Mr. President, will the Senator yield briefly?

Mr. HUMPHREY. I yield.

Mr. AIKEN. I simply wish to point out that I have not been stating the interlocking directorates for the purpose of reflecting on the directorates, because, so far as I know, the directors are all upright and honorable men, doing business as they think it should be done. But their methods happen to come into conflict with my own ideas of how they should do business. I know some of them personally. I respect them personally. But when they get together and act as investment houses, I do think they could do a much better job for their country, and for the economy and security of their Nation, than they are doing now.

Mr. HUMPHREY. Let me say to the Senator from Vermont that my comments with reference to the Association of American Railroads were not in the nature of condemnation of railroads. I think we have the most wonderful railroad system in the world. I am not at all displeased by the fact that the railroads have been able to do very well, and that they have made great progress. That is all to the good. All I am saying is that they take a very negative, shortsighted attitude on the St. Lawrence seaway. They are of the opinion that if there is anything even remotely resembling competition, it means that it will be restrictive, and ultimately kill them off. Yet they are the same people who place advertisements in the newspapers about competition being the spice of economic life. Indeed, competition keeps the economy going. What the country needs is more competition, because with competition comes greater progress.

It has been said again and again that the same arguments which are being used today and were used last week were used at the time of the consideration of the Panama Canal. As a matter of fact, they are made by representatives of some of the same interests. They never seem to die. They never seem to fade away. We hear from the same type of lobbyists. We receive the same kind of literature. We hear the same kind of voices and the same words; and they are just about as far behind the times as ever.

With respect to private utilities, what the investment bankers have done is highly commendable. They have invested money in private utilities. That is what money is for. It is not to sit on. It is to invest. It must be invested for constructive purposes.

However, the private utilities have felt that any semblance of public power was a direct threat to their solvency, when, in fact, they have made more money year after year, and have experienced greater expansion year after year, with greater security, since the advent of public power. Private utilities are moving ahead by leaps and bounds, but they continue to cry out that someone is trying to destroy them. I have never seen so many big people with such timid hearts as we find in the ranks of big industry, which continuously feels that it is about to be destroyed. If this is a testimonial to their courage, they seem more like shrinking violets. They have nothing to be afraid of. The St. Lawrence seaway would mean millions of dollars of new business to the railroads. It would mean millions of dollars to American business all over the Nation.

The same thing can be said of other projects which we have built. I have never looked upon such projects from a sectional point of view. The Senator from Vermont knows that I am with him all the way down the line in the development of the resources of the area which he represents. The same thing can be said of the Senator from New York [Mr. LEHMAN]. We have worked with the people of the Far West. Consider the amounts of money which have been appropriated for reclamation, irrigation, and public power in the Far West. Why? Because the United States of America is one Nation, one Union, indivisible; and it must be built up as a unit. We must move up the ladder together. That is exactly what we are trying to do as we discuss and work toward the fulfillment of a great seaway such as the St. Lawrence seaway.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I think the documentation which the Senator from Vermont [Mr. AIKEN] gave is most interesting, and I am sure it is accurate. I think we should take note of the interlocking directorates of various banks and other companies.

What impresses me more than anything else is that the opposition is so stupid. It is based on fallacies. Of course, it is perfectly unavoidable, if one can judge by history, that the development of the great new areas in the Middle West, in northern New York, in New England, and in other parts of the country, will not only not be harmful to the railroad companies, but will actually bring them greatly increased revenues, exactly as the building of the Panama Canal did, as the building of the Galveston-Houston, Texas Canal did, and as

the building of other great water facilities has done. There is not the slightest doubt about it. I believe that the position of the opponents is stupid and shortsighted, in their own interest. They are hurting the 150,000,000 people in the country. They are also hurting themselves, their own stockholders, and the development of their railroad empire.

In the same way, private-utility companies would gain by the development of waterpower. When additional power is developed in New York State, the State will not distribute it to the householders. The great private utilities will do that. It will be their responsibility and their task. No one thinks for a moment that we can bring power down from the Niagara and the St. Lawrence to New York and establish a competing system of distribution. By no means. That power will be distributed by the Consolidated Edison Co.; and when it reaches Rochester, Syracuse, Utica, or Albany, it will be distributed there by the private companies, thus bringing a profit to the private companies, and at the same time bringing about a tremendous saving to the consumers, because the power generated on the St. Lawrence and on the Niagara can be produced for about half of what is charged consumers today. We want to bring about such a saving for the benefit of consumers, and also to have a yardstick for the distribution of other power resources.

Mr. HUMPHREY. Mr. President, a little later I shall go into details with respect to the movement of iron ore. I shall ask those who are lobbying against the St. Lawrence development how they would take care of the impending problem which is upon us in connection with increased use of iron ore for expanded steel production. I have some statistical material which I think will be very interesting to my colleagues.

I digressed during our colloquy. A while ago I mentioned the fact that at the very time we have the opportunity to build this great arterial highway to strengthen the defenses of this country there are movements on foot to set it aside, to beat it down, and destroy it.

I have before me an Associated Press dispatch dated December 28, 1950, which was published in the Washington Evening Star. The dateline is Moscow. What is the headline? New Russian Canal To Link Four Seas and Aid Fleet Mobility. What else? Reference is made to great new hydroelectric projects. Are the dates 1955 and 1956 significant? They relate to great new hydroelectric projects in the Soviet Union.

It seems to me that when some of our people want to demonstrate their great anti-Communist fervor they just shout that they are anti-Communist. They make speeches about it. They wrap themselves in Old Glory and say, "I am a 100-percent American. I am anti-Communist." However, the moment they are called upon to put something on the line to prove it, such as strengthening the resources of the country, building up our industry and our transportation system, and expanding our power so that we shall have the strength, resiliency, and resourcefulness to withstand pressure from the Soviet areas of the world, they say, "That costs too much." They are what I call bargain-basement anti-Communists.

We must realize that we are in for a long pull, and that the resources of the country must be intensively developed. There are only 156,000,000 of us. There are 800,000,000 in the world already enslaved under the Communist system. Our hope is in intensive development within our own midst, among our own friends and allies. The St. Lawrence seaway is a part of that intensive development. I ask the opponents of this measure; I ask the Association of American Railroads; I ask the private utilities; I ask the private investment banking houses, who have their fingers interlaced through private utilities, other banks, credit houses, and railroads, why they oppose this program. Any 15-year-old high-school child knows what the situation is with respect to interlocking directorates. The reports of the Temporary National Economic Committee contain 101 famous investigations and research studies made by Berle and Means with respect to interlocking directorate control of the American economy. I ask those who say that they are all for the defense of the country, who believe that we art threatened with the most sinister force the world has ever known, why they oppose a program and a project whose value for the defense of this country has been so forcefully pointed out by the Joint Chiefs of Staff, the Secretary of Defense, and by every President since 1920, as well as by all the leaders of our military forces who are so vitally concerned with the security of the country. They all say that the St. Lawrence waterway is vital to our defense. I ask them how they justify their opposition—on what grounds? Is it an insatiable desire for profit at the expense of security? How does the opposition to this seaway propose to refute the statements of our defense officials?

Mr. AIKEN. The Senator from Minnesota might add to his list of noted citizens who favor the St. Lawrence seaway all would-be Presidents in this year 1952; with one exception, and I have always assumed that he was in favor of it and therefore I have never bothered to ask him. All would-be Presidents favor the seaway. So unless a very dark horse appears it looks as though the next President of the United States will be in favor of the St. Lawrence seaway, as of this time.

Mr. HUMPHREY. I will say to the Senator from Vermont that it would not be a dark horse but a blind horse if he were opposed to it. Of course everyone favors it who is concerned about the future of America. Everyone who thinks in terms of the development of our resources is in favor of it. Both political parties and all candidates for President are in favor of it. All those who are concerned with our national security should be in favor of it. I have before me the statement of Mr. Charles E. Wilson, which he made on February 21, 1951, before the House Committee on Public Works. Charles E. Wilson, the president of General Electric and former Defense Production Administrator said:

> I am here this morning to support legislation that will enable construction to begin as soon as possible on the St. Lawrence seaway and power project as one that is both vital to our national economic strength and urgent in terms of our mobilization requirements.

Those who are opposed to the St. Lawrence seaway project are the coupon clippers. They are running around with their scissors clipping off 5 and 6 percent dividends. They would not know the difference between a bucket of iron ore and a corncob. They do not know what it means to have water transportation. They have been in their offices clipping coupons. The investment bankers and the Association of American Railroads, which is controlled by bankers, are opposed to it. The financial operations of the Association of American Railroads are anything but what I would call clean. A little odor has become manifest during the years of their watered stock operations.

The private utilities are involved because of the public power factor. As the Senator from Vermont has stated, if we did away with the public-power aspect of the proposal they would be in favor of the seaway. It is about time that the American people wake up to the fact that there is a need for the development of our public power resources and that there is a need for the development of our transportation resources. When I conclude this afternoon some people will wake up to the fact that there is need for the development of iron ore resources in the United States or outside the United States where we can have our fingers on them. We are told to stockpile everything except what is needed to provide for the operations of our industrial system. Mr. President, let me make it perfectly clear that we will not need to worry about a steel strike if we do not undertake the construction of the St. Lawrence seaway, because there will not be any steel. It takes iron ore to make steel.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MOODY. We hear a great deal of talk in generalities about special interests in and out of the Halls of Congress. It is the opinion of the Senator from Michigan that we have in this instance a most flagrant example of the contrast between public interest and narrow, provincial, selfish, and sectional interests. Does not the Senator from Minnesota agree with me?

Mr. HUMPHREY. I not only agree with the Senator from Michigan but I commend him for bringing out the point. I think the facts have been documented. It has been said to me, "You always talk about special interests. Why don't you name them?"

Mr. President, I will name them. It is the Association of American Railroads, the private utilities, the investment bankers, they represent special privilege. They have been lobbying the American Congress for years seeking to check progress at every turn. It is about time they were put in their place.

Mr. MOODY. Mr. President, will the Senator yield further?

Mr. HUMPHREY. I yield.

Mr. MOODY. A few moments ago I was very glad to hear the Senator from Minnesota point out that a great many

people, some of them in Congress, who tell us how much they hate the Communists, are not always willing to help strengthen the United States against communism. Then the Senator from Minnesota said that we must do all we can do in order to actually build up our strength. Is it not correct to say that in this case the taxpayers of the United States in the long run will not have to put up one red cent, because, as the Senator from Vermont has so often and so eloquently pointed out, the project will be completely self-financing and completely self-liquidating from the payment of ship tolls and electric power charges?

In the amendment which was offered yesterday by the Senator from Vermont, for himself and other Senators, including the Senator from Minnesota, it is spelled out that the project will pay for itself. The only advance which the Government would have to make would be $10,000,000 for the capital stock of the St. Lawrence Development Corporation. Even that $10,000,000 would be paid back to the Government. Therefore the project would not cost the taxpayers anything. I cannot understand how anyone can stand up in the Senate or anywhere else and say that he is opposed to the project, when every President for the past 30 years, every would-be President for the past 30 years, every candidate for President this year, and every official who has looked at the situation from the standpoint of national defense, instead of from the standpoint of sectional interest or special interest, is in favor of it.

Mr. HUMPHREY. Mr. President, I thank the Senator from Michigan. He summarizes the case very nicely. Referring to expenditures on the part of the Federal Government, one gentleman, a distinguished public servant in the life of America, who was well known for his economy, for his frugality, was the late President Calvin Coolidge. He was not a New Dealer or a Fair Dealer. He was not a Democrat or a radical. He did not believe in boondoggling. He was not a public-works man. He was a good, substantial, conservative American who became President of the United States. When he became President of the United States, he saw the necessity for the St. Lawrence seaway. What did he say about the seaway? President Coolidge, in a message delivered to Congress on December 6, 1923, said:

> This is not incompatible with economy, for their nature does not require so much a public expenditure as a capital investment which will be reproductive, as evidenced by the marked increase in revenue from the Panama Canal. Upon these projects depends much future industrial and agricultural progress. They represent * * * the addition of a great amount of cheap power and cheap freight by use of navigation, chief of which is the bringing of oceangoing ships to the Great Lakes.

I do not think it is necessary to labor the point by citing the names of the witnesses who are in favor of the project. Everyone who has ever been interested in the future welfare of our country has been in favor of the project. The burden of proof seems to lie with the opponents of the project.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I think the Senator from Minnesota has given us a very interesting quotation from the late President Coolidge. It is very convincing, I am sure. As a matter of fact, the case has been vastly strengthened since the time of Calvin Coolidge, because at the time the late President Coolidge made the statement there was not any question about using the Canal as a defense measure. We were not a bit worried about the Soviet Union. We were not worried about being attacked, as we are today. Certainly whether an attack comes next year or in 5 years or in 15 years, there is certainly a potential threat. It was not a threat at all at the time Calvin Coolidge made the statement which the Senator from Minnesota has quoted. When he made the statement, the great iron-ore resources of Labrador had not been discovered. We did not know anything about them. In addition to the arguments used by former President Calvin Coolidge, there are now involved the terribly important defense factor and the equally important factor of being able to transport safely and economically the great iron-ore resources in Labrador.

Mr. HUMPHREY. I thank the Senator from New York. He has certainly brought the case up to date. As he has pointed out, the defense needs of our country and likewise the needs of our industrial system have greatly expanded, necessitating greater and greater use of steel and the iron ore which makes steel possible. It is not only true that in the days of Calvin Coolidge iron ore had not been discovered in the Labrador area, but there was a substantial quantity of iron ore left in the Mesabi range. I think it would be a very good idea for every Senator to make a trip to northern Minnesota to view the great holes in the ground there, to see what has happened to the rich ore in those open-pit mines, and make up his mind whether he wishes to preserve some of that ore as a stockpile for the security of our Nation or whether he merely wishes to have the ore ripped out, and whether he never wishes to think in terms of the future of our country. The latter is what was done in the case of our forests and in the case of too much of our land—never thinking of conserving it for a day of need.

I said there would be seven consequences of refusing to join with Canada in the development of the St. Lawrence seaway project. I said the first was that we would voluntarily relinquish control of a strategic waterway along our border—an action unprecedented in the case of a major power, particularly in the uncertain world of today. Such action on our part would be similar to action by Britain in giving up the Suez Canal or action by Turkey in giving up the Dardenelles or action by the United States in giving up the Panama Canal.

No doubt the opponents of the St. Lawrence seaway think the United States should give up the Panama Canal, for the logic of their argument would lead one to believe that we have no real interest at all in these projects.

Mr. AIKEN. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from Minnesota yield to the Senator from Vermont?

Mr. HUMPHREY. I yield.

Mr. AIKEN. Of course the Senator from Minnesota is familiar with the fact that the same ones who oppose the development of the St. Lawrence waterway also opposed the development of transcontinental highways in the United States and the development of airports.

Mr. HUMPHREY. Yes; and they are the same ones who were against the 5-cent cigar. [Laughter.]

Mr. AIKEN. Perhaps some of them would like to return to the 5-cent cigar.

Mr. HUMPHREY. No; I am not so sure of that.

Mr. AIKEN. They are opposed to any other form of transportation, even though it has been proved time and again that the development of an area increases the income of those who have investments in transportation into the area—those who now would obstruct progress as much as they can.

Mr. HUMPHREY. The Senator from Vermont is absolutely correct.

Mr. AIKEN. Let us consider for a moment the "Pennsylvania Railroad gang," as it is familiarly known. It is one of the backbones of the opposition to the St. Lawrence seaway. The Pennsylvania Railroad is always in the "black." It has every conceivable form of competition, but that competition has built up the parts of the country served by it, with the result that today the Pennsylvania Railroad makes more money than any other railroad in the United States.

The Senator from Minnesota has referred to the Galveston waterway, on which the United States spent $77,000,000 of the taxpayers' money. That waterway is in the area of some of the Senators who now violently oppose construction of the St. Lawrence seaway. Construction of the Galveston waterway or canal increased water traffic in that area approximately 3,500 percent, but the business of the railroads there also increased tremendously because of the general building up of the area.

In that connection let us consider for a moment the development of the Tennessee Valley Authority area. The use of coal in that area doubled soon after the TVA began to operate, and the railroads in that area also soon began to do more business than they had ever done before.

In short, whenever a community is built up to the point where better living and more production in that community are possible, no one profits from that development more than do the transportation companies and the power companies in the area.

Mr. HUMPHREY. There is no doubt about that; certainly the Senator from Vermont is correct.

Mr. AIKEN. I daresay, as I have said time and time again, that when the St. Lawrence development is completed, those who will profit most from it will

be the ones who now fight it most violently. The small power companies, and also the large one, of the northeastern States will be assured a stand-by supply of power, so they will not have to continue to invest millions of dollars in new steam plants. There will be a development of that area which will create for the railroads many, many times the tonnage they think they will lose as a result of water shipments, because the commodities which will be shipped by water on the St. Lawrence seaway are not the commodities which can be carried by the railroads in a competitive field.

The Senator from Minnesota knows that it costs 10 times as much to ship ore from Minnesota to the Great Lakes steel centers by rail as it does to ship it by water.

Mr. HUMPHREY. Certainly that is true.

Mr. AIKEN. We also know that the petroleum companies use water transportation wherever possible. They use water transportation all the way to northern Vermont, by means of the Hudson River and then through the 30-mile barge canal to Lake Champlain. Practically all the petroleum used in northern New York, Vermont, New Hampshire, and western Massachusetts is transported by water. No longer can the oil companies afford to move oil by rail.

Other commodities, such as coal, are affected by the availability or lack of availability of water transportation. For instance, in our part of the country we cannot use very much coal. Certainly we are unable to use coal to the extent to which we would use it if water transportation for coal to our part of the country were available.

If it were possible to transport coal by water from Lorain or Toledo to New England, the New England States would use a great deal more coal than they use at the present time. Yet the coal interests are fighting the very project and development which would result in increasing their business—although I am glad to say that some of the coal companies no longer oppose the St. Lawrence waterway. I understand that the largest coal company in the world is not now opposing the St. Lawrence waterway, but recognizes that construction of the waterway would increase the sale of coal and would increase the tonnage carried by the existing transportation facilities and would increase the power sales by the power distribution systems which now have to depend on very high-priced standby power.

In fact, under present conditions the small power distribution companies cannot afford to establish the low rates which they should establish in that area, if it is to be developed as it should be. Those power companies are unable to establish such low rates because if they did and if they were caught short of power, and had to buy power from the power monopolies in that area, they would have to pay as much as 2 cents a kilowatt hour, as compared with the rate of 4 or 5 mills a kilowatt hour for the power which will be available from the St. Lawrence project.

Mr. HUMPHREY. Of course, the St. Lawrence project represents the difference between industrial expansion and industrial stagnation in the New England States; and the power development aspects of the St. Lawrence project represent the difference between profit and loss.

Mr. AIKEN. Of course that is so. The investment companies which are opposing development of the St. Lawrence seaway have been investing money from New England all over the world, in areas where there is cheap power and cheap labor, whether those areas are in the United States or out of the United States. Undoubtedly much of the loss of industry in New England is due to the fact that the New England investment companies have exported to other areas the means for maintaining that industry.

Mr. HUMPHREY. I thank the Senator from Vermont for the statement he has just made, for in it he has demonstrated some of the illogical reasoning indulged in by the opponents of the St. Lawrence project. He has shown how the money of New England investors has been invested by New England banks in areas where there is cheap power and cheap transportation; and yet those same investment companies wish to prevent the investment of the funds of New England investors in such projects in the New England area, from which the money has come originally.

Mr. AIKEN. I thank the Senator.

Mr. LEHMAN. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I wish to discuss the question of competition between cheap water transportation and the railroads. I do not believe such so-called competition hurts the railroads in any way.

The Senator from Vermont has referred to the water-borne traffic through the New York State Barge Canal into Lake Champlain and then to Vermont, New Hampshire, northern New York, and Canada. The New York State Barge Canal connects with the Hudson River, at Schenectady and Albany, with the Great Lakes, at Buffalo; and there is a side canal which goes by way of Whitehall to Lake Champlain, and thus feeds the contiguous States. If anything could be real competition to the railroad companies, that barge canal should be, because by constitutional provision the State of New York is not permitted to charge any tolls on the canal. Any boat or barge which comes from any place in the world can use that barge canal without paying a single cent of tolls to the State of New York. The result is that transportation on that barge canal is so cheap that it certainly should constitute real competition for the railroads, if anything of that sort possibly could.

However, although the traffic on the barge canal has increased greatly over the past 15, 20, or 25 years, at the same time the traffic on the New York Central Railroad and the other railroads which go from New York City to Albany and to Buffalo has increased to a greater extent than has the traffic on the barge canal, despite the fact that the barge canal—quite different from the St. Lawrence seaway—charges no tolls and is not permitted to charge tolls. The result is that the barge canal is available, free of charge, to all who would use it. If anything could possibly prove to be hard, severe competition for the railroads, the barge canal should. Yet, despite that situation, the traffic on the railroads has increased steadily every year, just as traffic on the barge canal has.

Mr. HUMPHREY. I thank the Senator from New York. The experience to which he has referred is similar to the experience in the case of the 9-foot channel on the upper Mississippi River. When that 9-foot channel was proposed, one would have thought it marked the end of the world, and that every railroad in that area would immediately be destroyed or put out of business, and that the engines and cars would be taken to the Smithsonian Institution, for exhibit as museum pieces, and that all the tracks would be scrapped and torn up and taken away. But the fact of the matter is that today powerful, new trains are running on the tracks. Rail transportation has improved. Instead of some of the old has-been equipment I see so often, there is new equipment, there are new Diesels new tracks, new boxcars. The railroads are carrying on transportation and are making money. The river transportation is supplemental to the rail transportation. I think it should be made crystal clear that water transportation routes will never take the place of the network of railroads or of highways across this land. They can be only supplemental and auxiliary. They are links in the chain protecting the national welfare, the national interest in carrying some of the great bulk commodities, such as grain, oil, and coal.

Speaking of coal, most of the coal for Minnesota, at least for the power company, the great utility in the State, comes up the river. If it had to be brought all by rail, I am afraid the rates would be a little burdensome.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Vermont.

Mr. AIKEN. The Senator from Minnesota is undoubtedly aware that there are certain grain dealers in Minneapolis who are opposed to the St. Lawrence seaway.

Mr. HUMPHREY. There is no doubt about that.

Mr. AIKEN. The largest company dealing in grain is the Cargill Co.

Mr. HUMPHREY. Yes.

Mr. AIKEN. They use the New York barge canal extensively; in fact, they have almost a monopoly in the movement of grain through that canal, and can charge whatever rates they see fit to charge for water transportation, although they hold their prices a little below the rail price. They have a monopoly over the transportation of grain from Lake Ontario and from all the other Great Lakes, to Albany, because they own all the barges. Anyone who might undertake to enter into competi-

tion with them would soon be put out of business; and they know it. While the farmers of the Dakotas and of Minnesota can now save money by transporting via the New York Barge Canal, yet they have to pay whatever rates the Cargill Co. sees fit to charge them—if it will carry their grain at all. If the St. Lawrence seaway is developed, the farmers of the Dakotas, of Minnesota, Iowa and Nebraska——

Mr. HUMPHREY. And Montana.

Mr. AIKEN. Will no longer have to pay tribute to Cargill Co. for carrying grain through the New York Barge Canal. That will explain why this monopolistic company is opposed to the St. Lawrence seaway. It could deprive them of their monopoly, as it should. This is the same company that had no hesitation in taking advantage of the Federal Government to the tune of $1,000,000 on each of two contracts, one for the storage of grain, the other for the sale of wheat. Why should we enable them to maintain a monopoly, so they can collect extra tribute from every farmer upon the grain he ships into the American market? What is right about that?

Mr. HUMPHREY. There is nothing right about it.

Mr. AIKEN. The railroads do not get the business of the Cargill Co. Why should they play along with them at all? The company keeps just below the rail rate, anyway. It is not the function of the Congress to maintain monopolies for certain big interests of that kind.

Mr. HUMPHREY. What the Senator from Vermont has pointed out here is an answer to some of the opposition, as of yesterday, as to just who would benefit by the St. Lawrence seaway. The argument was made that it would be only the steel companies; when, in fact, the farm population, as the Senator from Vermont has indicated, would be given an alternative. It would be given the public highway of the St. Lawrence system, and the Great Lakes.

Mr. AIKEN. They would have people bidding for their business.

Mr. HUMPHREY. Yes; they would have people bidding for their business, and there would be rate reductions. Perhaps we would finally get the discriminatory rates which have been plaguing us adjusted, so that some of our commodities would be shipped at a reasonable price.

I read a headline story in the Minneapolis Star, as of 2 days ago, in which it was said that the increased freight rates for this year would be $3,000,000, just $3,000,000 upon one class of agricultural commodities. I cannot recall the particular class, at the moment, but it seems to me that it was a perishable commodity. I will get it for the RECORD. But that is what we are up against.

Mr. AIKEN. I may point out that the $3,000,000 comes out of the price.

Mr. HUMPHREY. Indeed.

Mr. AIKEN. Because the world market price is going to remain the same.

Mr. HUMPHREY. That is correct.

Mr. AIKEN. It comes out of the producer.

Mr. HUMPHREY. It is a part of the cost which the producer has to pay, in order to ship over a controlled, monopolistic transportation system.

Now, Mr. President, I desire to continue with what I consider to be the consequences of our failure to join with Canada in the development of this project. We shall realize no saving by refusing to join in this project. This is a self-liquidating proposition. There is not need of my further expanding on that. The Senator from New York and the Senator from Vermont have demonstrated that the project is self-liquidating, through the tolls and through the power charges.

The Department of Commerce made an estimate as to what the project would cost. The cost of the entire project was estimated in 1951, after a new study, to be in the total amount of $818,100,000, for the remaining work required for a 27-foot canal. Of this, Canada would pay $251,300,000 and the United States $566,800,000. This includes the cost of power development as well as the cost of the seaway. This investment would more than pay for itself within 50 years, even estimating very conservatively. Assuming an amortization period of 50 years and a fixed rate of 2½ percent, the estimated annual carrying charge for the navigation works alone would be $20,360,000. The Department of Commerce has estimated the toll revenues would run from $36,500,000 to $49,000,000 annually; in other words, almost 100 percent more than the estimated carrying charge; and in some instances from 50 to 100 percent more than the actual amortization carrying charge for the navigation works.

So far as power is concerned, it will more than pay for itself. The power will be a sound economic investment, self-liquidating, and at the same time give low power rates to the consumers. This is exactly why Calvin Coolidge talked about the St. Lawrence seaway as being "a capital investment."

Mr. President, another consequence of our failure to join in this development would be its effect on national defense. The amount required to provide this great value to our country is pitifully small, compared with what we are spending in other ways for our defense and our security.

The total investment on the part of the United States, both for navigation and power, assuming that we would never get back one cent of it, is a little more than 1 percent of our prospective military budget for the fiscal year 1953. In other words, the total amount of money involved developing this project on the part of the United States is about 1 percent of our total military budget for 1953—1 percent for developing the heartland of America—1 percent of our military budget for really making our country stronger within its economic, its industrial, and its agricultural systems.

A fourth consequence of our failure to join in this development with Canada would be that if we are not associated with this undertaking, we shall give up any role of administering the waterway, and any right to fix an appropriate structure of tolls for different types of cargo; and this is again easily a matter of interest to particular American industries or groups of shippers at some future date. I want to make this clear, and I should like to have the opposition to this program answer me this question: Why should we turn over to Canada this entire project, putting control of this waterway within actual Canadian jurisdiction, in terms of their area, when the majority of the ships that will go down the waterway—or up it—will be American bottoms, serving American needs? We would thereby, by our failure to join in the project, deny ourselves any opportunity to determine the tolls and to fix rate classifications for different kinds of cargo and different kinds of commodities? Mr. President, how foolish can we become and still call ourselves intelligent persons in a big country? It is simply inconceivable to me that we should turn over, even to a friendly nation like Canada, the complete right to set toll charges, rates, and cargo specifications, when we have it right in our hands.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Vermont.

Mr. AIKEN. Perhaps the Senator yesterday heard the long oration of the senior Senator from Massachusetts [Mr. SALTONSTALL] in opposition to the St. Lawrence development, and his statement that all the freight would be carried in foreign bottoms.

Mr. HUMPHREY. I heard that.

Mr. AIKEN. We know that the major part of the freight will be carried from one part of the United States to another. Foreign bottoms are simply prohibited from carrying freight from one American port to another. They can carry it only from ports in their own country. As I undertook to point out yesterday, the ports in foreign countries, for the most part, will not accommodate ships of more than 24 or 25 feet draft. So why should it be said that the canal will have to be built with locks which will accommodate ships with a draft of 35 feet in order to meet foreign competition, when ships of 35-feet draft could not possibly dock at the ports where the foreign ships now ply their trade? Such a contention is ridiculous. So far as the question of foreign ships getting business between the ports of New York, Boston, Savannah, Cleveland, Chicago, and Duluth is concerned, traffic of that kind is entirely prohibited by law. It is just another case of a dried Boston red herring, and not even a good, palatable herring.

All those points are brought up simply because the opponents do not want the seaway built and the power developed, because they might have to reduce the exorbitant rates which they now charge the people of New York and New England.

Mr. HUMPHREY. I think the opposition would be more honest if it would simply say, "We do not want the seaway because it might take money out of our pockets."

Mr. AIKEN. They would be more honest if they said, "We do not want the project to go through because it might cause us to give the people fair rates."

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. The Senator from Vermont made the point that the ships which would pass through the St. Lawrence waterway would be fundamentally American ships; even if they were not American ships, and the international waterway were under the control of Canada, the tolls which Canada would levy would be charged against freight which would go into the United States, and, therefore, the American cousumers would pay the bill. Is not that correct?

Mr. HUMPHREY. The Senator is right.

Mr. DOUGLAS. So, if we turn the international waterway over to Canada, that nation can fix such rates as she chooses; she can fix the price, and American consumers will have to pay the bills, even though the goods might be carried in foreign bottoms.

Mr. HUMPHREY. I think the Senator from Illinois is correct. With all due deference to our friends in Canada—and they have been wonderfully good friends—I remind the Senate of what happened when Canada got a virtual monopoly of newsprint. Our country protested, but Canada said, "We are going to set the price."

Canada does not want to construct the St. Lawrence project alone. She has been our friend. There has never been a finer friendship in the world. Canada says, "Let us develop it together." Under the plans, it would be available for joint operation. We would have this hundred-mile canal literally in American territory, and it would help us in our defense in times of emergency. Believe me, that is important.

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. A day or two ago I flew to New York over the area in Baltimore where the new steel mill is to be located, and then I flew over the area just south of Trenton, on the Delaware River, where a new mill is to be located. If those mills receive iron ore it will have to come from Labrador or from Venezuela, and in both instances it will be subject to submarine attack. If the St. Lawrence seaway is constructed, iron ore can be taken up the canal and into the Great Lakes and be protected against submarine attack. It would be an inland waterway.

Mr. HUMPHREY. The Senator is 100 percent correct. In addition to the statement which has just been made, the Secretary of Defense has testified as to the importance of the project. We lost thousands of ships in World War II along the coast line of the United States, not far out in the Atlantic, but 7 or 8 or 10 miles off the coast. The ocean bottom is filled with our cargo ships destroyed by Nazi submarines. During the war when we brought cargoes in from Venezuela or any other place in the Caribbean area, we tried to protect our ships, but had it not been for the almost unlimited supply of rich iron ore in the Mesabi Range, the Cuyuna, and Vermillion Ranges, we would not have had enough ore to make a can opener. To be sure, there is taconite; new processes are being developed, but who can visualize what the need will be for steel a few years hence? I happen to be one who believes in the future of America; I am not going to talk about its past. I believe we shall not only need a hundred million tons of steel production, but we shall need 150,000,000 tons. In my lifetime, the production has come up from 40,000,000 tons to 110,000,00 tons. I am no spring chicken, and I am not an octogenarian either, but before my children are of voting age the output of steel may be 150,000,000 tons. It will be more than anyone here thinks it will be; we can rest assured of that.

As wonderful as are the resources of this country, we are not going to have enough iron ore, insofar as we now know, from our present mineral deposits in the United States, but there are unlimited quantities in Labrador, which is right next door to us. Canada says to us, "We want to grow, and you want to grow bigger. You can use the St. Lawrence waterway. We can build new projects, and you can build new projects in the Great Lakes area and along the seaboard."

Many of the people who are opposing the waterway are the very ones who would be proposing a new steel mill for their area. They might construct a mill but have no ore, and that mill would be only another monument to man's folly unless they were assured of a flow of ore.

Mr. LEHMAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. Under the agreement with Canada, as I understand, if we join with Canada in building the seaway, we will have an equal voice in the fixing of tolls. Besides that, there is in the agreement a definite limitation on the maximum tolls that may be charged. Of course, if we do not join with Canada in the building of the seaway, that agreement would go out the window. We would have absolutely no control whatsoever. But over and above that, and over and above the safety enjoyed by an inland waterway, it seems to me there is a very important factor for if we abdicate, give up our voice in the administration and control of the canal, as of course we would have to do if we refused to become a partner in the enterprise, Canada would obviously have full control. In that event, Canada could completely shut off the use of the canal by American shipping, whether of a civilian or military character, and we would have no recourse whatsoever.

I hope we never will become involved in a war in which Canada will not side with us. I believe Canada in all probability would side with us, because I know of no other country that has been more firmly our friend than Canada has been, and of no other country for whom we have greater admiration. Nonetheless, it is very much of a possibility in the future, and we would be giving up completely any right we had to the use of the canal, and would be placing ourselves entirely in the hands of Canada. Canada alone would make the decision, and we would be powerless to object to her decision or to take any steps to nullify it. I think we would be giving up an advantage of untold benefit to the United States if we should refuse to join Canada in developing the St. Lawrence seaway.

Mr. HUMPHREY. I thank the Senator. I should like to supplement what has been said about the matter of shipment of ores, particularly iron ore. I have some material which I believe will be somewhat helpful in pointing out the urgency of the problem as it relates to the construction of the St. Lawrence seaway.

Our steel industry turned out 105,000,000 net tons of steel last year and, in doing so, consumed over 115,000,000 long tons of iron ore. The magnitude of that figure is difficult to visualize. Imagine 2,500,000 railroad cars of iron ore. That is what it amounts to in terms of tons—2,500,000 railroad cars of iron ore.

By 1954 we will be able to manufacture 120,000,000 tons of steel, and iron ore requirements will be 145,000,000 long tons. Not even the opposition suggests that we should tax our remaining reserves of commercial grade iron ore for that quantity at an annual rate.

The iron ranges of the Lake Superior region still supply a little more than 80 percent of the Nation's iron-ore requirements. Over 60 percent comes from the Mesabi Range alone, and last year nearly 60,000,000 tons came from our most strategic reserve—the high-grade, open pits of the Mesabi Range. There lies the crux of the significance of iron ore with respect to the Great Lakes-St. Lawrence seaway.

The continuing drain upon these highly strategic reserves must be relieved as soon as possible. It is natural to ask why these particular ores are so strategic. They constitute a natural stockpile on the surface, above ground, or covered by a mantle of soil that may be removed easily. These ores may be mined with a minimum of equipment and manpower. It is not necessary to go down deep. All that is necessary is to scoop off 2 or 3 feet of dirt, and there is the iron ore. Such ores are adapatable to rapid, large increases in output. Ores that are mined from underground or subjected to treatment before shipment entail a much greater outlay of manpower and equipment. Moreover, in times of slack demand, the production facilities must be maintained. In short, the open pits lend themselves to flexible operation; others do not.

The remaining reserves of these ores are listed officially at less than 500,000,000 tons. If we were to use only those ores, there would be enough for only four full years of maximum output of steel furnaces—500,000,000 tons. It must be remembered that as the reserve diminishes, mining difficulties will increase, so that long before the pits are exhausted, the flexibility or expandability will be lost—and with it the most strategic advantages.

One other aspect must be recognized in respect to iron ores of the Lake Superior region. Much has been heard about

taconite as a future source of iron ore for our furnaces. The development of taconite ores has necessitated the construction of some wonderful new processing plants. This material has great potentialities for the future, but manpower and equipment requirements for processing this material to an acceptable furnace feed are so great that present plans call for only 15,000,000 tons output capacity by 1960. The rise of taconite production is not expected to offset the decline in other production in the Lake Superior region. It will be a long time before the region loses its preeminent position as a source of iron ore. On the other hand, the current production can be maintained for but a very few years. Not only do we need a maximum output from our own mines during an emergency, but also, and in addition, we need the maximum quantity of ore that will come from the Quebec-Labrador deposits.

Opponents of the seaway make no attempt to deny that ore from Labrador is required. They offer the weak argument that the ore could be transported as well by rail from Montreal or by open sea routes to east coast ports, and then to the furnaces in western Pennsylvania and Ohio. Plans of the Iron Ore Co. of Canada call for shipment of 5,000,000 tons in 1954 and increases to 10,000,000 tons per year as rapidly as transportation facilities will permit. When the seaway is completed, they expect to increase the shipment to 20,000,000 tons, and can supply 30,000,000 tons if needed. Twenty million tons would be 400,000 railroad carloads. The cars are not available, and to build additional cars for this purpose would add an unnecessary burden upon our already phenomenal requirements for steel, not to mention the fact that in times of emergency our railroads are extended to the limit. Such large tonnages moving over regular routes would cause unimaginable congestion at the various junctions already overcrowded. I suppose we would never be able to get a boxcar if that many new cars were put on the rails.

During 1951 a concerted effort was made to move large tonnages all rail from the Lake Superior region. I know about that because I have talked with people who handled the movement. The total transported, including all that normally moves all rail to consuming furnaces and that moved on Canadian roads, was 7,500,000 tons, or less than 8 percent of all shipments from the Lake Superior district. The cost of moving something by rail is really very considerable. The necessity for such shipping is one of the reasons why the cost of steel has risen.

The cost of moving the ore by rail to the Pittsburgh area was over $1 per ton higher than by water. If all of the 97,000,000 gross tons from the district had been moved by rail, it would have added $100,000,000 to the cost of producing steel. That would have been $100,000,000 the consumer would have had to pay. I may say to the Senator from Michigan that that $100,000,000 would have paid one-fifth of the total cost of America's contribution to the St. Lawrence seaway and power project.

There is no question that the people of this country will pay for steel products if water transportation can be provided.

I should like to refer to what the Senator from Illinois pointed out about the security of a water transportation system and of being able to maintain shipments of ore from Labrador to the great furnaces, and even expanding those facilities in the Great Lakes area in order to give some protection to the Superior district iron-ore area, so that it will not all be drained out, so that there will be some stockpiles left for our security.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MOODY. I should like to point out to the Senator from Minnesota that during the last few years, since the end of the Second World War, we have been expending vast amounts, not only of money appropriated by Congress, but also of our natural resources, in order to build up our allies and help them build economic and military strength to enable them to resist communism. We have poured out to our allies overseas vast sinews of strength, and the principal sinew—the leading one—has been steel. That is one of the factors that is beginning to drain the great Mesabi Range, to which the Senator from Minnesota referred a few moments ago.

By joining in the construction of the seaway we have an opportunity to get something in return from one of our good allies, not in terms of money, but in terms of a real natural resource, in terms of strength. It will enable us to prevent the draining of our own resources, which, as the Senator pointed out a few minutes ago, would leave us in a very precarious situation if the Mesabi Range were depleted to such an extent that we had to import iron ore from overseas. We have an opportunity to build this project at a low cost, because the ore can be mined very inexpensively, provided there is a direct and cheap route of transportation to bring the ore from the rich Labrador deposits into the great steel mills of Michigan, Ohio, Pennsylvania, and other States. Yet we have a situation in which some of the interests we have been talking about are preventing this development, even though, as I say, it can be done without cost to the American taxpayer. I should like to say to the Senator from Minnesota that, as in a great many other instances involving public issues, he has made a wonderful contribution to the information of the Senate on this question. I hope he will continue to give the Senate the benefit of his wisdom.

Mr. HUMPHREY. I thank the Senator from Michigan. I do not claim any great wisdom on this question. I do not believe that one even has to be smart to be on the right side of this issue.

Mr. MOODY. I agree.

Mr. HUMPHREY. All one has to do is to have a little interest in the welfare of the country. Should a nation as big and powerful as this ignore the opportunity at its fingertips to develop the greatest transportation artery God ever gave to man? That is exactly what the St. Lawrence seaway, in combination with the Great Lakes, amounts to. There is nothing like it on the face of the earth. All that is required is to dredge out about 17 harbors in the Great Lakes to a depth of 2 feet greater, on the average, and provide a 100-mile canal to bypass the rapids of the St. Lawrence River so as to utilize that great river and the great system of inland lakes to give us a transportation system the like of which man has never dreamed of before. It is incredible that we should be here debating the question.

However, the fact that it is necessary for us to debate it proves a point which always causes some people to lift their eyebrows. There are special interests. There are greedy interests. There are selfish interests in this country; and they are doing their best to prevent the country from growing. They are doing their best to kill off this project. I say that it is about time for those who have any doubt as to whether there are special interests to listen. The special interests are at work, Mr. American Citizen. Those special interests consist of a handful of financiers, a handful of private utilities, and a handful of railroads. How in the name of common sense railroads in my part of the country can be opposed to this project is more than I can understand. I have reason to suspect why they are opposed, however. They are dominated by capital from somewhere else. They are not owned by local people. They are dominated by investment banking houses—and by only a handful of those.

All those interests are tied together. I say on the floor of the Senate today that the Association of American Railroads is dominated by a half a dozen railroads—the Pennsylvania, the New York Central, the Baltimore & Ohio, the Erie, and the Nickel Plate. They are the principal ones. The Santa Fe Railroad is supposed to be opposed to the St. Lawrence seaway. Why should the Santa Fe be opposed to the St. Lawrence seaway? What are they thinking about? The Santa Fe Railroad comes into Chicago. It will have an opportunity to bring commerce into Chicago and out through the Great Lakes system. Why should the Santa Fe Railroad be opposed to the St. Lawrence seaway? The reason is that it is dominated by the Pennsylvania Railroad. The Pennsylvania Railroad and the New Central Railroad tell the Santa Fe to oppose it. The Santa Fe Railroad is merely a little appendage on the great Association of American Railroads.

Why is it that some of the private utilities in the Midwest, where the St. Lawrence seaway means millions of dollars to the people, and better living, are opposed to this project?

Mr. MOODY. It also means millions of dollars to the companies, as well.

Mr. HUMPHREY. It means millions of dollars to the companies, too. We should tell them that we are not going to be browbeaten and robbed for 50 years on the question of the St. Lawrence seaway. The opponents of this development have blocked America for 30 years. They have made a mockery of congressional processes. They have been able to defeat the wishes of Warren G. Harding,

Calvin Coolidge, Herbert Hoover, Franklin D. Roosevelt, and Harry Truman—every President since 1920. Who has been able to do it? The powerful moneyed interests in this country.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MOODY. Does not the Senator agree that the yea-and-nay vote tomorrow on the question of recommitting the bill may well be very revealing? I have not heard on the floor of the Senate a single valid argument—at least not one that seemed valid to me—as to why this project should not be built, when it can be constructed at no expense to the American taxpayer.

Mr. HUMPHREY. The vote will be very significant. The Senator is correct.

Mr. MOODY. Is it not true that the very same interests which are now opposing the St. Lawrence seaway opposed the Panama Canal? Why? Because they are men who do not have a broad conception of America. They never would have pioneered in developing the country. As a matter of fact, the very railroads which did pioneer in the early development, and which, during the period of their own expansion in the early days of America, took the position which advocates of the St. Lawrence seaway now take, that what is good for all the country is good for all parts of the country, have since opposed not only the St. Lawrence seaway, but other projects, including the Panama Canal, which have proved a great boon to them.

Mr. HUMPHREY. The Senator is correct. I thank the Senator from Michigan.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I shall be glad to yield in a moment. I wish to make a summation of certain points which I think should be tied together.

Mr. LEHMAN. This entire debate has been carried on in a most disingenuous way, it seems to me. Statements have been made which have had absolutely no basis of fact. Two or three days ago one of our colleagues on the floor of the Senate threw up his hands in horror and said, "The country cannot afford this project. It would cost the taxpayers $1,000,000,000." Ten minutes later another Senator, not satisfied with the incorrect, inaccurate, and false statement with respect to a cost of $1,000,000,000, raised the ante and said, "This is going to cost the taxpayers $2,000,000,000." As a matter of fact, as has been pointed out by me and other Senators very frequently on the floor of the Senate, this project would not cost the taxpayers anything whatsoever, for two reasons.

First, it can be financed through revenue bonds, without any responsibility for budgetary appropriations on the part of the Federal Government, provided the amendment offered by the Senator from Vermont [Mr. AIKEN] and a number of other Senators, including the Senator from Minnesota, and myself, is adopted. It would provide for the financing of the project through revenue bonds.

Secondly, there is no question that this project could be made self-liquidating within a reasonable number of years, a number of years which would be no greater than the period with respect to many of the irrigation, reclamation, and power projects which Congress has authorized during the past 20 or 25 years.

In addition to the fact that this project would not cost the Federal Government anything, it is interesting to note that it would not cost the taxpayers anything. The entire amount involved is less than is involved in the building of the throughway in my own State of New York. That is estimated to cost approximately $500,000,000. Revenue bonds will be issued. This entire project involves only about $400,000,000.

Within the past 2 or 3 weeks bonds in the amount of $300,000,000 were sold in the State of Ohio for a throughway. They were revenue bonds, the same type of bonds which we propose shall be issued in this case.

To demonstrate the magnitude of the expenditure and how little effect it could possibly have on the economy of the country, or how little effect it could have in bringing about inflation, which has been charged, I point out that the entire cost of the seaway would be less than the cost of building the throughway in my State of New York, and only about a third greater than the cost of building the throughway in the State of Ohio. That shows how small an amount is involved and how little effect it could possibly have on the economy. The throughway in New York is a fine thing. The same is true of the throughway in Ohio. I favored the throughway in New York. I believe in developing our road system. I believe that such development breeds prosperity, greater comfort, and greater happiness for the people. If we can build a throughway costing $500,000,000 in one State, we certainly can afford to build a seaway which will benefit and affect the lives of 150,000,000 people in our country, the cost of which would be less than the cost of building a throughway in the State of New York and hardly more than the cost of building a throughway in the State of Ohio.

Mr. HUMPHREY. I think the Senator from New York has tied the argument down to some practical examples. I believe it would be well for me to summarize what we have tried to do this afternoon. I recognize the fact that nothing new has been said. It has all been said year after year. The Senator from Vermont [Mr. AIKEN] and the Senator from New York [Mr. LEHMAN] were saying these things years ago in their efforts to convince and persuade people. I may say to them that they have done a mighty good job.

Mr. President, what are some of the arguments which are being made by the opponents? Let us examine them. The first argument is that it costs too much. It is estimated by the studies that the project will cost about $818,000,000. The share of the United States would be $567,000,000, as against Canada's share of $251,000,000 or $252,000,000. This cost includes both the navigation and power projects. However the cost should be interpreted not as an expenditure but as a capital investment.

I cited as my authority none other than the most frugal of all Americans, Calvin Coolidge, who called it a capital investment, and pointed out very clearly and with great wisdom that the expenditure in the form of capital investment would yield many times its capital cost in dividends and in rewards to the people of the United States.

Furthermore, as has been pointed out by the Senators who have participated in the colloquy this afternoon, the toll charges which would be derived from the operation of the seaway would more than liquidate the cost of the construction of the project. The only carrying charge, as estimated by the Department of Commerce, is approximately $20,000,000. The Department of Commerce also estimates that the toll charges, on the basis of modern tolls, would come to about $36,000,000 to $49,000,000, which means that figured over a 50-year period of amortization at 2½ percent interest we would more than liquidate the cost of the project from tolls alone. Added to that should be the amount of money that would be derived from the development of low-cost hydroelectric power.

I believe that the argument with respect to the expenditure can be set aside as a fallacious argument. This would be a capital improvement and a capital investment which would yield true dividends both to the project and to the people it would serve.

Another argument has been made. It is that the seaway would be open only 8 months out of the year. I have heard that argument made a good many times. In other words, there would be 3½ or 4 months during the year when the seaway would be frozen over and when some of the ports on the Great Lakes would be frozen over. The answer to that argument is that during the remaining 8 months of the year the ports are very busy, and that the amount of commerce carried up and down the Great Lakes is of tremendous significance. As a matter of fact, I believe the record shows—and I checked into the record for my testimony before the committee—that Duluth-Superior is already the second largest port of the Nation in terms of tonnage handled. Six of the other 15 largest United States ports are on the Great Lakes; Agate Bay, Chicago, Detroit, Cleveland, Toledo, and Buffalo. These ports handle a tremendous amount of shipping. That fact is illustrated very clearly when one realizes that the Soo Locks, despite the fact that they are closed for 4 months during the year—and this is the same transportation system on the Great Lakes—handle more shipping in the remaining 8 months during which they are open than is handled by the Panama, Suez, and Kiel Canals combined. To deny this tremendous amount of traffic access to the open ocean is economic blindness.

To those who say that the seaway would be closed 4 months of the year I would say that one set of locks on the Great Lakes, the Soo Locks, handle more traffic in 8 months than the Panama Canal, the Suez Canal, and the Kiel Canal handle together during 12 months. I do not think I heard anyone say that

we should close up the Panama Canal because it is not very busy, or that we should ask the British to close up the Suez Canal because it is not very busy. Oh, no; we do not say that at all. It should be realized that this water transportation system can very easily and readily become an integral part of the entire transportation system of the country.

Another argument is made against the project. I heard it made the other day. It is said that the main reason why the St. Lawrence seaway should be opposed is because it is only the steel companies who are in favor of it. The steel companies belatedly have come to the support of the seaway project. It is true, however, that for years the steel companies were not in favor of it. Why not? Because the steel companies thought for a period of time that the iron ore resources in northern Minnesota were inexhaustible. They know better now. All they are asking is that Congress catch up with what they know now, namely, that the resources are exhaustible. They know that they are not inexhaustible. The steel companies have come around to recognizing the fact that they must protect their investment in the steel mills. It is an investment of the American people as well. Likewise they realize that America must protect her investment in her industrialized economy by being assured of a continuous flow of steel and iron ore. With the discovery of iron ore in Labrador the steel companies of course have taken a new look at the St. Lawrence seaway, and it has become perfectly obvious to them that the St. Lawrence seaway would provide a protected route down which they could bring barges and ore boats to the furnaces in the Great Lakes-inland area with the ore which is so desperately needed. Let us be quite clear, therefore, that the steel companies support the project. It is a support which is based upon good business judgment. Whatever be the basis of their support they have joined in protecting the American economy.

What other argument is used by the opposition? They use the argument that the bigger ships could not use a 27-foot channel. What an argument that is, Mr. President. In fact, the Administrator of the Maritime Administration stated that approximately 75 percent of the merchant marine of the United States could use the 27-foot channel. What is more, the Great Lakes boats, which handle a tremendous volume of traffic, would all be able to use the channel. I never noticed anyone worrying about our conditions in that part of the country until recently. I never heard anyone crying crocodile tears that we could not get ships with 35-foot draft into the Great Lakes.

Two years ago when we tried to get a few package cargo freighters to the Great Lakes, and we had a difficult time getting them.

Mr. President, what it all amounts to is that the St. Lawrence seaway will permit the use of the overwhelming majority of the merchant marine of the United States for shipments up and down the waterway of the Great Lakes and the St. Lawrence River, when the 100 miles of canal are properly constructed. Therefore the argument about the draft of ships is a phony argument. The Army engineers, the finest engineers in the world, have studied the project for years. Do not Senators believe that the Army engineers found that it would be ships which would be using the waterway? Of course, they knew that we would send ships on the St. Lawrence seaway, and the Army engineers knew what kind of ships would go up and down the seaway. What is another argument that is made against the project? Mainly it is that the estimate of the cost is not a definite estimate and it is not an accurate estimate. Needless to say no one can be positive about such matters, but it is the best estimate which the Government has been able to make.

The next argument is that it would be necessary to dredge harbors so as to accommodate 27-foot draft ships, and that it would be necessary to deepen some of the harbors on the Great Lakes. The answer to the argument is that in some cases it would be necessary to deepen the harbors.

The cost of deepening those harbors was estimated by General Pick, of the Corps of Army Engineers. Yesterday I placed that figure in the RECORD. Although momentarily it has slipped my mind, I believe it is $35,000,000 or $38,000,000 for the 17 harbors.

I repeat that we have been dredging harbors all up and down the coastline of the United States. We have not been preventing the improvement of harbor facilities, by means of dredging or other operations. Similar improvements should be carried out in the harbors in the area affected by the St. Lawrence seaway development.

The final argument which has been leveled against this project—and it is a peculiar argument—goes like this: "We are not really opposed to this project, but we wish to study it some more."

Mr. President, some persons and some Members of this body would have to live to be literally older than Methuselah, as well as wiser than Solomon, if we were to study this project for as long a time as they would like us to study it. They would have us study it from now until eternity.

Mr. President, there is a time when we must make up our minds and must say either "Yes" or "No." There is a time when we must reach a decision. We had to reach decisions in connection with the development of atomic energy. I am sure that at that time there were those who said to Franklin D. Roosevelt, "Mr. President, we had better wait and study this some more."

Mr. President, I am in favor of study. Certainly there is nothing to prevent the making of further studies while the St. Lawrence project is being constructed. It is not unusual for studies to be made and for plans to be changed while construction is under way. That is true in the case of the building of a house or the building of an airplane or the building of almost anything else.

I admit my inadequacies in the field of detailed knowledge of the St. Lawrence seaway project. However, even as poorly informed as I am as to some of the details, I am aware of the basic advantages afforded by construction of the project. My information comes primarily from what I have been able to read and from what I have heard others say and from what I have felt in my own heart about this matter.

At this time I have before me the record of the hearings, and from it I learn that the chairman of the Munitions Board, the Secretary of Defense, the head of the National Security Resources Board, and the chairman of the Joint Chiefs of Staff are among those who favor construction of the St. Lawrence seaway.

In fact, Mr. President, practically every person involved with and having responsibilities for the defense of the United States has gone on record as saying, "Start construction now." All of them say construction of the seaway is vital to the security of the United States. There is page after page of testimony to that effect.

For instance, in that connection I shall read now from a letter dated February 25, 1952, from the Acting Secretary of Defense, Mr. William C. Foster. That letter appears at page 25 of the hearings and reads as follows:

> The Department of Defense, including the Joint Chiefs of Staff, supports the resolution now before your committee which would approve the agreement between the United States and Canada with respect to the St. Lawrence seaway project. In recommending its adoption, the Department of Defense would like to point out the following important advantages to the national defense that this project offers.
>
> First, the seaway, when completed, will increase the flow of high-grade iron ore for the production of steel for munitions, and other purposes, from the Labrador-Quebec area which is now being developed. Unless the seaway is built, obtaining ore from this new source will present serious problems of transportation, including inland transportation and the hazards of wartime sea transportation. On the other hand, the accessibility of the Labrador-Quebec area made possible by the seaway would supplement our present source to augment the greatly diminished reserves of open-pit ore from present sources.
>
> Secondly, the power project to be constructed in connection with the seaway will provide additional sources of necessary cheap power in a region whose industrial potential is vital to our mobilization program.
>
> Thirdly, the seaway will facilitate the transportation of munitions to oversea bases. For example, it would shorten by 1,000 miles the open-sea route to the British Isles.

Just think of it, Mr. President; construction of the seaway would shorten by 1,000 miles the communication line from the United States to Britain, our greatest ally.

Then the Acting Secretary of Defense wrote:

> Fourthly, the seaway will provide access to additional shipbuilding and ship-repair facilities which are always very necessary in time of war for our supremacy on the high seas.
>
> Since the seaway project is most important to our national security, I consider participation by our Government in the management of the seaway to be of the utmost importance. Only by having an equal voice in the planning, building, and operation of the seaway project can we insure that we will

maintain in our own hands some measure of control over the development of this important natural resource. I urge the committee that the project be approved in order that its timely construcion may be soon achieved through the mutual efforts of Canada and the United States.

Very sincerely yours,

WILLIAM C. FOSTER,
Acting Secretary of Defense.

Gen. Omar Bradley, Chairman of the Joint Chiefs of Staff—a good soldier and patriot and, I say, a soldier-statesman—wrote this, in referring to the St. Lawrence seaway project:

DEAR SENATOR AIKEN: I have read your recent letter and the enclosed material concerning the St. Lawrence seaway and power project with a great deal of interest. I welcome the opportunity to give you the reasons I feel the completion of the project continues to be important to our national defense. Some of these have previously been presented to Congress.

The St. Lawrence seaway will provide an additional continental line of communications with the following advantages to national defense:

(a) It affords access to additional shipbuilding and ship-repair facilities.

(b) It affords access to additional sources of high-grade iron ore in Labrador.

(c) It affords access to additional ports by oceangoing shipping in quantity increasing in proportion to the depth of channel provided.

(d) It can be expected to provide a large source of cheap dependable power.

(e) It may well encourage industrial dispersal from the eastern seaboard.

The project has the following military disadvantages:

(a) It will be closed for 4 to 5 months of the year because of ice conditions.

(b) It will be susceptible to traffic interruptions by enemy action; e. g., sabotage or air attack.

Since the project is important to our national security, it would appear that we could best maintain our national interest by participation and sponsorship. By our participation in the construction and operation of the seaway, we would maintain in our own hands some measure of control of the development of this important natural resource.

It appears also that the joint development will be constructed in a shorter period of time than the alternative all-Canadian seaway, because of the international division of the work. Accepting the desirability of the project, rapid completion is an additional advantage of the joint development.

It is conceivable even though improbable that at some future time a situation may arise whereunder the United States might find itself in a situation of international tension, with Canada neutral. In such an event United States ownership and operational control of the St. Lawrence seaway might make an important contribution to the security of the United States. It could be visualized that exclusive Canadian ownership of this seaway might well be embarrassing to the United States under such conditions.

I am convinced that the St. Lawrence seaway and power project should be supported to the extent that it does not seriously conflict in requirements for materials and manpower with current production programs essential to our national build-up of military strength.

Sincerely,

OMAR N. BRADLEY.

Mr. President, the Chairman of the Joint Chiefs of Staff does not say everything about the St. Lawrence project is perfect; he says it has some limitations, but he says it is vital to the national security, the national welfare, the national productivity, and the national defense.

Mr. President, what more do we need to point out to justify construction of this project? I do not know.

The question before us is whether special privilege will have its way or whether the American people will decide what is best for their Nation.

Mr. AIKEN. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. MALONE in the chair). Does the Senator from Minnesota yield to the Senator from Vermont?

Mr. HUMPHREY. I yield.

Mr. AIKEN. It is noticeable that, in part, the demand for "More study, more study" of the St. Lawrence seaway emanates from New England. For years a propaganda campaign has been carried on by the railway and power interests, among the businessmen of New England, in an attempt to demonstrate to them that the St. Lawrence project, when developed, would be harmful to New England.

I wish to point out that after President Coolidge, in 1923, made his appeal to Congress to take some action to get the St. Lawrence project under way, a committee of New Englind businessmen was organized, with five members from each of the six States. Charles R. Gow was chairman of the committee. A few years ago I saw Mr. Gow, and at that time he told me that he still felt the same way about the St. Lawrence seaway. Business, agricultural, and professional groups were represented on the committee.

For instance, the Massachusetts committee was composed of Charles R. Gow, of Boston, formerly president of the Associated Industries of Massachusetts; Dr. Arthur W. Gilbert, of Boston, commissioner of agriculture for the State of Massachusetts; Allen Hubbard, of Boston, of the firm of Hollis, French & Allen Hubbard; Alton D. Edes, of the Edes Manufacturing Co.; and Bernard J. Rothwell, president of the Bay State Milling Co.

On the New Hampshire committee were three men who later became Governors of that State, namely, Robert P. Bass, Roland H. Spaulding, and John G. Winant. Also serving on the New Hampshire committee was Eaton D. Sargent, of the New Hampshire Manufacturers' Association; and Raymond B. Stevens, a former Member of Congress.

Similar prominent businessmen served on the Rhode Island committee.

Five businessmen also served on the Vermont committee.

Maine had five. Connecticut had five, including Samuel Ferguson, president of the Hartford Electric Light Co. This committee, in 1926, as I recall the date, submitted its report, which embodied the following unanimous conclusion:

The committee looks upon the proposed expenditure for developing the waterway as in the nature of a capital investment of a national character, upon which exceptionally liberal dividends will be returned in the form of reduced transportation costs and the general benefit and prosperity of a large and important section of the country which at the present time is laboring under a most serious and difficult economic handicap.

It will be observed that New England was beginning to feel the pinch of a decreasing industry even at that time, 20 years ago. I read further:

It further believes the net return of the development of such a waterway will incidentally be of considerable advantage to New England and the surrounding community, both from a broad national standpoint as well as that of purely local self-interest.

The committee, therefore, places itself definitely on record as favoring the early entrance of this Government into negotiation with the proper officials of the Canadian Government, looking toward the prompt consummation of a treaty which will make possible the undertaking of the enterprise, and urges upon all New England's local and national representatives the desirability of their full cooperation in every reasonable manner to bring this result about.

The unanimous conclusion of that committee of 30 prominent New England men, engaged in business and in agriculture, is a far cry from the attitude taken by the Boston investment houses, who as a matter of fact, no longer make many investments in New England. Their money goes to Texas, Africa, and almost everywhere else. The power and rail interests of today would do all within their power to block a development which would mean that New England and the Northeast could again occupy their once vaunted place in the industrial world.

I do not know when this change of heart took place. It took place about the time the power companies got the idea that, if they could stall off this project, they could grab the St. Lawrence and the Niagara for themselves. That is what they are working on today. I made the prediction 3 or 4 years ago on this floor that the power interests would undertake to steal Niagara Falls. My prediction has come true to an alarming degree, for that is what they are doing today. But in 1941, the Boston utility interests—and I call them utility interests meaning the utility interests and their sympathizers—sent a representative to a hearing in Washington. That was immediately after the agreement with Canada had been reached. This man had been for a long time previously an employee of the railroads, but he had been hired by the Boston Chamber of Commerce. He actually had the temerity to claim before the congressional committee that low-cost power would ruin Massachusetts.

One of the Representatives on the committee asked incredulously, "Do you mean that giving the people of New England electricity at reasonable rates, and relieving them of the overcharge of $9,000,000 a year, would ruin New England?" The witness replied, "Yes, I do."

Mr. President, how are we to argue with people who say that plenty of electricity at low cost would ruin their State? What they mean is that it would ruin the very sizable unearned income which a few of them accumulate. So, when they say that this project needs further study,

they see fit to overlook the fact that it was studied first by a committee of 30 of the most successful businessmen in New England, from the standpoint of New England. It was studied by three of the greatest corporations in this country, Dupont, General Electric, and General Motors. I think General Motors was the third one, but I am not entirely sure about that. It was studied by the Army engineers, and is was planned in detail by the Army engineers.

It was studied by the Commerce Department when Herbert Hoover was Secretary of Commerce, and under the direction of Calvin Coolidge, who, I suppose, would be regarded as quite a pink radical today, as a result of what he did at that time. Under the direction of Calvin Coolidge, Herbert Hoover made the study. In every instance, the project has been pronounced feasible, desirable, and, in recent years, necessary to the future welfare and security of the United States.

What is meant when it is said here, "We want a further study of the project?" I have heard the power and utility men say for 20 years that it has not been studied sufficiently. That is absolutely ridiculous. What they want to do is to study it until it falls down dead, or falls into their laps. It is simply a ridiculous proposition to say it should be studied further.

Then, Mr. President, we have the motion of the Senator from Maryland to recommit the joint resolution. That, I suppose, was prompted by the fact that the proponents intend to make this whole project not only self-liquidating and self-sustaining, but also self-financing; and they do not want that amendment in the nature of a substitute to be adopted. They want to be able to go forth to the public to say, "Here is a piece of legislation to authorize the spending of $500,000,000, and perhaps it will mean the spending of $5,000,000,000 before we get through." When their minds begin to move, there is no limit to where their exaggeration may take them. But they do not want this joint resolution to be put in such shape that no money, other than the $10,000,000 of initial capital, will have to come from the Federal Treasury. That is what we are trying to do today. The opponents of this measure have not a single argument in their favor. There is no argument against the St. Lawrence seaway. Every question that can be raised can be answered. They could all be engaged in something more worth while than undertaking to block this development, which would mean so much to the security, the economy, and the welfare of the people of the North American Continent.

Mr. HUMPHREY. I thank the Senator from Vermont.

Mr. President, at this point in the RECORD, I ask unanimous consent to have printed what I consider to be seven consequences of the United States not joining Canada in the development of the St. Lawrence project. This is the result of an analysis of the testimony given before the Senate committee.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

SEVEN CONSEQUENCES OF THE UNITED STATES NOT JOINING CANADA IN DEVELOPMENT OF THE ST. LAWRENCE PROJECT

1. If we do not take part in this project, we shall voluntarily relinquish a measure of control over a strategic international waterway along our border. This is an unprecedented policy for a major power in an uncertain world. It is as though Great Britain were to abandon Suez, or Turkey to assert no interest in the Dardanelles, or the United States to give up the Panama Canal.

2. We shall realize no saving by refusing to join in the project. This is a self-liquidating proposition. Our participation will not in the final analysis burden the United States taxpayer. Tolls on shipping using the navigation works will pay for these facilities while the power plant will be sold to New York State.

3. The amount required to provide this asset of inestimable value to our country is pitifully small when compared with what we are spending in other ways for our defense and our security. The total investment on the part of the United States, both for navigation and power, and assuming that we would never get back 1 cent of it, is a little more than 1 percent of our prospective military budget for the fiscal year 1953.

4. If we are not associated with this undertaking, we shall give up any role in administering the waterway and any right to fix an appropriate structure of tolls for different types of cargo. This can easily hamper particular American industries or groups of shippers at some future date.

5. If we do not join, we shall draw heavily on the good will of Canada. This good will has been preserved, although for approximately 20 years we have procrastinated about this development. We cherish and want to maintain our excellent relations with our northern neighbor, but we should not take them for granted.

6. We should be willing to bear our share of this enterprise on the basis of good sportsmanship, equity, and plain justice. This proposition will be self-liquidating in the opinion of objective observers who have analyzed this operation.

7. As has been well pointed out by the Department of Defense, the time may come when it will be of the utmost importance from the standpoint of national security for us to share the authority to make decisions as to the use of this great waterway.

Mr. HUMPHREY. I also ask unanimous consent to have printed in the RECORD at this point, as part of my remarks, material which was brought to my attention in reference to the St. Lawrence project's importance to national defense; and this again, represents an analysis of the testimony as presented before the Senate committee by officials of our Defense Department.

The PRESIDING OFFICER. Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

ST. LAWRENCE PROJECT'S IMPORTANCE TO NATIONAL DEFENSE

Strong support for the St. Lawrence project is being voiced by our highest military authorities—including the President, the Joint Chiefs of Staff, and the Department of Defense—for the following 10 reasons:

1. It will shorten the time in which trans-Atlantic shipping would be exposed to enemy action in wartime by reducing the open-water route from North American ports to Europe by 1,000 miles.

2. It will allow shipbuilding and ship repair in the Great Lakes, a relatively secure inland area.

3. It will ease the strain on congested rail facilities and east coast ports in time of emergency, provide an alternate route if enemy action disrupted existing facilities, and add to the capacity and flexibility of the Nation's transportation system.

4. It will develop a tremendous block of low-cost hydroelectric power, which will permit expansion of aluminum and other defense industries, together with meeting increasing power loads generally in northeastern United States and southeastern Canada.

5. It will encourage growth of midwestern industry and population both in the United States and Canada; that growth is being stifled by the outmoded half-century-old 14-foot canal in the St. Lawrence River, which virtually land-locks the Mediterranean of North America.

6. It will lessen our strategic vulnerability and end present dependence upon the Soo locks.

7. Our supply of high-grade open-pit Lake Superior district ore is running out. The St. Lawrence project will permit the delivery of high-grade Labrador ore to the backbone of the steel industry in the Middle West at competitive prices, reducing the tendency of the steel industry to migrate at tremendous sacrifice of economic and social values.

8. By aiding the Middle West it will provide better dispersal of our production capacity generally, since seaboard locations are more susceptible to enemy attack.

9. The project is more economic in manpower and strategic materials requirements than alternative measures.

10. Joint development with Canada under the 1941 agreement will place the 27-foot seaway canal facilities in the International Rapids section in the United States. Under the Canadian alternative, with the seaway canals located entirely within Canada, the United States would have no voice in the control of this important transportation artery.

Let's now take up one by one the arguments in behalf of the St. Lawrence project's value and need for national defense and security.

1. It will shorten the time in which trans-Atlantic shipping would be exposed to enemy action in wartime by reducing the open-water route from North American ports to Europe by 1,000 miles: This national-defense advantage is generally conceded by all. Further the economy in loading and discharging cargo of oceangoing vessels at Great Lakes ports cannot be realistically disputed. Of course, the opposition contends that an atomic bomb exploded on a lock in the St. Lawrence River would put the waterway out of service. Such pin-point bombing would first have to overcome our aerial defenses along this frontier. Would not the enemy choose to lay an atomic bomb on widespread Detroit or Manhattan, with assured disruption of dense population centers and important defense and shipping facilities, rather than to risk a miss on a single lock on the St. Lawrence River?

2. It will allow shipbuilding and ship repair in the Great Lakes, a relatively secure inland area: The seaway would permit the construction of larger ocean-going vessels than is now possible at Great Lakes shipyards, thus relieving the load on coastal shipyards and providing for greater dispersal of such activities. Opponents try to discredit this point on the ground that we have adequate shipbuilding and repair facilities now at seaboard locations. Certainly our experience during World War II is evidence enough that the

shipbuilding and repair facilities on the Great Lakes are an important asset in time of a national emergency. Located in a relatively secure inland area, close to sources of materials and manufactured components, they should be utilized to full advantage in time of national emergency.

3. It will ease the strain on congested rail facilities and east coast ports in time of emergency, provide an alternate route if enemy action disrupted existing facilities, and add to the capacity and flexibility of the Nation's transportation system: No nation ever had too much transportation in time of war. Also, no nation ever had too much economic transportation in peacetime upon which a strong economy could develop, ever ready to counter hostile action. The railroads admittedly did a magnificent job in World War II. Yet only the most careful coordination and cooperation avoided a transportation breakdown. In that emergency the Great Lakes and our inland rivers moved huge tonnages of critical materials which could not have been moved then by any other means. Both are necessary adjuncts of the Nation's transportation network. It is common knowledge that New York and certain other seaboard ports were overtaxed during World War II. We must avoid such overconcentration, bearing clearly in mind that seaboard ports now are subject to disruption by guided missiles launched from water. An alternate shipping lane by water direct out of such great centers as Chicago, Detroit, and Cleveland, with docking and stevedoring services on an established operating basis, would be a decided advantage.

4. It will develop a tremendous block of low-cost hydroelectric power, which will permit expansion of aluminum and other defense industries, together with meeting increasing power loads generally in northeastern United States and southeastern Canada: The entire power installation would produce an average of 12,600,000,000 kilowatt-hours annually, which would be divided equally between the two countries. The United States' share of the electrical energy would be high-load-factor energy directly usable without steam support on existing electric power systems, or by industries whose energy needs are fairly large and constant. Federal Power Commission studies indicate that the delivered cost to load centers within 300 miles would average less than the fuel cost component of the total cost of steam-electric energy. The economies of such a development cannot be denied.

In both World Wars I and II an inadequate supply of power limited expansion of production in the area which the St. Lawrence project would serve. During the last war and currently it has been necessary to transmit power from remote steam plants for production of aluminum at Massena at several times the cost of hydroelectric energy that could be developed in this vicinity. Power loads are constantly increasing in this area and elsewhere, both in the United States and Canada. Our portion of the St. Lawrence power installation represents no more than a single year's planned addition to the power capacity in the affected area. Mr. Thomas C. Buchanan, Chairman of the Federal Power Commission, has stated that this yearly rate of installation of new capacity is expected to continue for at least the next decade. Mr. Charles E. Wilson, in referring to this power project, has stated that "The power which would be generated at the St. Lawrence would help substantially to ease the present and prospective inadequacy of power in the northeastern part of the country." The Defense Department concurs with that statement. By not harnessing the hydropower near Massena, N. Y., the Canadians and ourselves are disgracefully wasting one of the greatest power resources on the face of the globe.

5. It will encourage growth of midwestern industry and population both in the United States and Canada; that growth is being stifled by the outmoded half-century-old 14-foot canal in the St. Lawrence River, which virtually land locks the "Mediterranean" of North America: Adjacent to the Great Lakes is a tremendous industrial plant including the backbone of our steel industry. Also tributary thereto is a vast agricultural hinterland, the "bread basket" of the United States and Canada. The population aggregates 50,000,000 persons. Industry has grown there for sound physical and economic reasons: A plentiful supply of salt-free water; low-cost shipping on the Great Lakes; and requisite basic raw materials at economic cost levels up to now have been at hand.

The spark which ignited the establishment of this industrial empire was the discovery of iron ore on the Mesabi Range before the turn of the century, coupled with low-cost transport via the Great Lakes to bring the ore downstream to centers where it could be fused with limestone with heat furnished by coal. Until recently all of the necessary ingredients were available in sufficient quantity and at economic cost. Now, however, the Mesabi Range can no longer continue to furnish abundant high-grade ore by the cheap open-pit methods. Consequently, new supply sources of proper quality ore at economic costs must be developed.

The 14-foot canal facilities in the St. Lawrence have long since been outgrown. They are no longer able to support economically present and growing demands. The 14-foot canal, built 50 to 75 years ago, is now a horse-and-buggy channel. During that period we have deepened the lock depths at the Soo from 12 to 30 feet, and ship drafts within the Great Lakes have increased from 11 to 24 feet. The world's greatest inland water, the Great Lakes, is now virtually land-locked.

Northeast Canada has great untapped resources, including iron ore. We have great supply requirements. Industry around the Great Lakes in both countries cannot remain strong and expand unless the blockade in the St. Lawrence River is overcome so as to extend Great Lakes navigation to the Gulf of St. Lawrence and give deep-draft access to the seven seas.

Under our foreign aid programs huge sums of United States money are financing construction of large-scale dams and other facilities in Europe to provide low-cost electric power and lost-cost water transportation for economic stabilization and growth and resistance to aggression. It is utterly ridiculous not to do the same thing for the heart of North America. Our neighbor to the north is waiting and pleading with us to carry out the St. Lawrence project on a joint sharing-of-the-cost basis.

To paralyze industrial development in the midcontinent area will have the backlash of weakening our national strength and security. Conversely, to permit that inland area to expand its industrial potential is wise from the combined standpoints of sound national economics and sound security planning.

6. It will lessen our strategic vulnerability and end present dependence upon the Soo locks: We must boldly recognize that practically all of our iron ore moved out of Lake Superior through the locks at Sault Ste. Marie, Mich. Should those locks, which are clustered together at one point, be immobilized, we would be greatly jeopardized. Obviously we should not continue to keep all of our eggs in one basket. The seaway will afford an alternative supply line for Labrador ore delivery, giving us two inland avenues for low-cost mass movement by Great Lakes ore carriers instead of one now.

Obviously the St. Lawrence is superior to reliance on water delivery from South America or Africa, or from Seven Islands to east-coast ports. Sinkings in World War II are still of vivid memory; ore deliveries from South America were quickly knocked out and never reestablished. As the Defense Department has stated, "Unless the seaway is built, obtaining ore from this new source (Labrador area) will present serious problems of transportation, including inland transportation and the hazards of wartime sea transportation."

7. By aiding the Middle West it will provide better dispersal of our production capacity generally. Concentrated seaboard metropolitan and industrial centers are more susceptible to aerial and guided-missiles attack: Our bastion of heavy industry, generally well dispersed throughout the Great Lakes area, is of inestimable logistical value to the defense build-up of this Nation. Migration of such industry to the already congested eastern seaboard will certainly tend to expose our Nation strategically. Chairman Small, of the Munitions Board, recently stated that there is growing danger that industrial plants on sea coasts may be subject to attack by guided missiles fired from submarines which would be able to approach fairly close to our coastline. To the extent that industries vital to our war machine can be maintained at locations remote from coastal areas the possibility of damage by such attacks will be reduced. General Bradley, Chairman of the Joint Chiefs of Staff, in discussing the national defense advantages of the St. Lawrence project has stated, "It may well encourage industrial dispersal from the eastern seaboard."

In a word, it is highly advantageous to keep Midwest industry back of the Alleghenies, where it is now well dispersed, and afford it the necessary implementation to grow there, serviced by a modernized St. Lawrence channel to the sea.

8. The project is more economic in critical material and manpower requirements than alternative measures: Critical material and manpower requirements for the International Rapids section, the major item of the over-all development involving heavy construction, are but a small fraction of our annual supply.

Opponents argue that construction of the seaway should be postponed because of the drain it would place on scarce materials. Defense Mobilization Director Wilson's testimony given on page 1361 of the 1951 House hearings reads:

"None of the materials requirements constitutes as much as one-half of 1 percent of our annual supply. For example, the 30,000 tons of steel a year required for the project is something less than three one-hundredths of 1 percent of our current ingot production. The copper requirements of 500 tons a year amounts to one-twentieth of 1 percent of the annual supply from domestic ores alone. Even in the case of cement where the fraction is largest, 750,000 barrels a year is approximately three-tenths of 1 percent of the annual supply that can be counted on during the 5-year period of construction. In each instance, therefore, the amount of materials required is so small as to be negligible in the total mobilization framework."

Mr. Wilson, in a letter this February to the chairman of the Committee on Foreign Relations of the Senate, has further stated, "The materials required to provide the facilities for transportation of the ore over alternate routes to the Great Lakes region would be much greater than the materials required for constructing the seaway."

Construction in the international section will require 7,000 workers on the site, about one-hundredth of 1 percent of our civilian labor force. Actually manpower as well as materials will be furnished jointly by the two countries. Concerning labor for han-

dling traffic, it is obvious that movement of Laborador ore direct from Seven Islands to Great Lakes ports by Great Lakes ore carriers is much more efficient than movement requiring transhipment at Montreal to the small size canal ships or to rail. The same holds for other commodities including oil, grain and coal.

Accordingly, there is no serious problem of materials and manpower. On the contrary, the St. Lawrence project will require less materials and labor from an operational standpoint than the alternative measures that will otherwise have to be adopted.

As pointed out at the beginning of these remarks, the vast importance to our national defense and security of joint construction of the St. Lawrence project has been stressed unanimously by our highest military authorities. Therefore, it would seem appropriate to cite some of exact language used in their official statements in vigorous support of the undertaking—on a full partnership basis with Canada.

Department of defense: "Participation by our Government in the management of the seaway is of the utmost importance. Only by having an equal voice in the planning, building, and operation of the seaway project can we insure that we will maintain in our own hands some measure of control over the development and use of this important natural resource. The project should be approved in order that its timely construction may be soon achieved through the mutual efforts of Canada and the United States."

General Bradley for the Joint Chiefs of Staff: "The joint development will be constructed in a shorter period of time than the alternative all-Canadian seaway, because of the international division of the work; accepting the desirability of the project, rapid completion is an additional advantage of the joint development."

Chairman John D. Small, of the Munitions Board: "We are favoring it now, even more strongly than in the past. The project is important from a Defense Department point of view, and has our full support for a number of reasons, all directly related to achieving a fuller measure of national security. The St. Lawrence seaway and power projects are assuming an ever increasing importance, especially from industrial and logistical viewpoints. We need the power which it can produce. We need this reasonably safe and sure means of supplying the steel industry of the size which our industrial progress warrants and our security demands."

PERMISSION TO FILE MINORITY VIEWS ON REORGANIZATION PLANS NOS. 2 AND 4

Mr. HUMPHREY. Mr. President, if I may digress for a moment—because I have some other work that I must get out very shortly—I would ask unanimous consent that I be permitted until midnight tonight to file minority views on Reorganization Plans Nos. 2 and 4. I have already filed the minority views on Reorganization Plan No. 3.

I merely want to serve notice at this time that when the resolutions regarding these reorganization plans come before the Senate, I am going to do everything I can humanly do to see that the plans for reorganization are approved. We think this is necessary, and I shall do everything in my power to see that it is accomplished.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

VIRGINIA'S LAW PROHIBITING THE WEARING OF MASKS

Mr. HUMPHREY. Mr. President, I have a brief statement which I should like to have printed in the RECORD, pertaining to a law which has been passed by one of the neighboring States, Virginia, which I think surely should be brought to public attention, and in connection with which I think the Governor of the State and the legislature should be commended.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

On April 2, the Governor of Virginia signed into law an act which prohibits the wearing of masks, except in certain clearly defined circumstances. By this action the Commonwealth of Virginia became the fifth Southern State to adopt a statute of this type. This marks another step forward in the protection of all citizens from terrorism and lawlessness. It is heartening that yet another great State has declared its official condemnation of anonymous intimidation.

My sincere congratulations to the Commonwealth of Virginia. I have faith that this enactment will encourage its sister States throughout the country to continue combating intolerance, bigotry, and other antidemocratic conduct with firmness and resolutions.

THE ST. LAWRENCE SEAWAY

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

Mr. TAFT. Mr. President, I do not intend to go into an extensive discussion of the St. Lawrence seaway. I only want to put on record the fact that I support the seaway project, that I oppose the motion of the Senator from Maryland to recommit the pending joint resolution, and that I approve the amendment in the nature of a substitute offered by the distinguished Senator from Vermont [Mr. AIKEN] and a number of other Senators, including myself, providing for a corporation to finance the project on a self-liquidating basis, so far as that may be possible.

I myself am convinced that in the long run it will be a self-liquidating project and, therefore, is not of the nature of some projects which have been constructed in the past which have cost the Federal Treasury many millions of dollars. It seems to me the development of the St. Lawrence River is bound to come sooner or later. Here is a natural waterway which is used to a large extent and which, at comparatively slight expense as compared with the amount of traffic it will carry and the power it will supply, can be made completely effective. In my judgment, we should not permit Canada to go ahead by herself, because I think we should have an interest in the project, both for our economic protection in order that we may have fair treatment in connection with tolls, and from the point of view of defense, because, in the matter of defense, it will be a very valuable asset for transportation purposes and one in which the United States should certainly have as much of an equal part as we can get under the treaty.

Some years ago, Mr. President, I voted to postpone the construction of the project, because I believed at that time, in the first place, that it was very doubtful that it would be self-supporting. In the second place, we were then in a period of inflation in which the expenditure of money on a non-self-supporting project would have added very greatly to the construction cost. Today I think the project would be economically self-supporting. I do not think anyone can successfully dispute that the power portion of the project will be self-supporting. It can be handled so that it will cost the United States nothing.

So far as the navigation aspect of the project is concerned, it had always seemed to me to be doubtful, until there arose the prospect of tremendous traffic from the Labrador iron ore deposits. That will far exceed all the rest of the traffic, so far as I am able to obtain figures on the transportation of ore.

We are all aware of the enormous traffic passing through the Soo locks. The necessity for ore is so great that I have no question whatever that it will make the entire seaway self-supporting.

Since the Senate last voted on the project the production of Labrador iron ore has been steadily extended, and the reserves are proved. A railroad is being constructed, and there will be a heavy traffic, as boats will be able to get the Labrador ore at the point on the St. Lawrence where the railroad takes it and transport it through the canal to Great Lakes ports. We would be in a very bad condition today if we did not have the Soo canal and the vast volume of from ore that is transported from Minnesota to Cleveland and other ports.

The basic industry in northeastern Ohio is the steel industry, as is also true of western Pennsylvania. It is the basis of our economic growth and it is the basis of many other industries in that section. It is exceedingly important to us that we have access to iron ore at a reasonably cheap price.

With the exhaustion of the high-grade iron ore in Minnesota, which is certainly in prospect within a few years, we shall have to turn to the development of much lower grade iron ore and the process of beneficiation, which is exceedingly expensive. It is doubtful whether it will be finally economic and self-supporting. Certainly the construction of plants to accomplish that purpose will cost more than will the construction of the entire seaway.

Mr. AIKEN. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. AIKEN. I should like to point out that the Government has issued, I believe, tax-amortization certificates in the amount of approximately $70,000,000 for the construction of plants

for experimental work in beneficiating low grade iron ore. As I understand, under the best methods available now that type of iron ore costs approximately eight times as much as high grade Mesabi ore.

Mr. TAFT. I have been told it would cost practically a billion dollars to build the necessary low grade ore plants in Minnesota to produce anything like the amount of ore now obtained from the high grade ore fields in Minnesota. That may be a guess; I do not know; I think the cost would be greater than the entire cost of the seaway. No doubt a great deal of it will be done anyway, but the more difficult the job, the more money must be spent, and the need of iron ore will increase steadily for many years.

Mr. MOODY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield to the Senator from Michigan.

Mr. MOODY. The expenditure of large amounts of money on the development of low-grade ore is indicative of the danger we are facing when our natural resources become exhausted by the greater use of ore in the production of steel. Is it not perfectly clear that it would be much more economical to get the ore from Labrador and bring it through the waterway by cheap transportation to the steel mills in the Great Lakes area?

Mr. TAFT. Yes; I think that is obvious. What I fear, of course, is that if we do not build the canal and if the expense of beneficiation proves to be even more than is figured, the entire steel industry will shift to the Atlantic coast. I do not think it is beneficial to any nation to move a great industry from one place to another. It upsets the lives of many persons. It involves throwing away a vast investment, and it seems to me to be exceedingly unwise when we can meet the situation successfully by constructing the seaway, which I think is bound to be constructed.

Mr. HUMPHREY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. HUMPHREY. In the light of what the Senator from Ohio has said about the eastern seaboard industrial development, I suggest to him that if the industrial development taking place in mid-America were to be faced with the penalty of the overland rail haul of the ore either from Labrador or from the docks on the Atlantic seaboard, those businesses would have to close up shop.

Mr. TAFT. I think the freight would be prohibitive. There is already an enormous steel development on the Delaware River. It seems to me important that we do not destroy an industry already existing and force it, for economic reasons, to the Atlantic coast, where, in the first place, it becomes more vulnerable to attack in case of war.

Mr. HUMPHREY. The Senator is correct. None of us is saying that the seaboard should not have industrial development in the line of mills. They are going ahead with them.

Mr. TAFT. I think there is half a billion dollars invested in the Delaware plants.

Mr. HUMPHREY. I hope they will be able to get ore from Labrador and Venezuela. But there is a great expansion in steel production all over the United States; the industry will continue to expand and will need more high-grade iron ore than it can possibly get from the Superior district or from the Mesabi area. The only other place we can get it is from the Labrador deposits. We can get it from there in two ways, by a water route which we are proposing, or by rail. If we must haul it by rail, we will go out of business.

Mr. TAFT. Rail transportation would be almost prohibitive for that distance. Along the shores of the St. Lawrence there is not one railroad long enough to transport Labrador ore. It would be necessary to ship by rail, by boat, and by rail again. I do not think that would be a feasible economic arrangement.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from New York.

Mr. LEHMAN. The distinguished Senator from Ohio has said that the cost of building a seaway would be far less than the cost of developing the use of low grade ores in Minnesota. To go a step further is it not fair to assume that if the amendment offered by the Senator from Vermont [Mr. AIKEN] and a number of other Senators should be adopted there would be no cost whatsoever to the United States?

Mr. TAFT. That is what I would hope. I do not think it can be proved one way or the other. I tried to get definite figures. We would have to conjecture. I can only say that if we indulge in conjecture, it seems to justify the idea today that the project will pay for itself from tolls charged on freight, if there is an enormous volume of freight. The extent of freight transportation is so great that many Lake Erie ports handle more traffic than Atlantic ports, simply because of the tremendous traffic in iron ore.

Mr. LEHMAN. Is it not a fact, too, that while the St. Lawrence project would stabilize the steel industry in Ohio and other States in the Middle West, it would not necessarily harm the Atlantic seaboard mills? It seems to me that ore from Labrador could be brought down economically by ship and landed in Connecticut, New York, Delaware, and other seaboard States.

Mr. TAFT. That is true. It could be done without the canal; but the canal is needed to get ore from Labrador to Ashtabula, Cleveland, and Conneaut.

Mr. LEHMAN. That is true. A canal would be needed, but there would still have to be a certain amount of dredging done.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. MOODY. Is it not true that even though it were possible to get Venezuelan ore, and even Labrador ore, by water to Atlantic ports, the thought of having to bring a major supply of ore for steel along a submarine-infested Atlantic coast in time of war is terrifying, if we consider the number of lives that might be lost in the sinking of ships along the coast, as occurred during the last war? It seems to me that above all other reasons, that is an urgent one why the inland route should be developed.

Mr. TAFT. It may be, although I daresay that submarines could get into the Gulf of St. Lawrence. I do not know of any way by which they could be kept out, except that in the St. Lawrence they might get themselves into a more vulnerable position.

Mr. MOODY. It seems to me that it would be much easier for us to protect shipping in the Gulf of St. Lawrence than along the coast.

Mr. TAFT. Mr. President, I merely desired to say a word to indicate that I believed the seaway should be constructed. I believe the joint resolution should be passed, and that the Senate should reject tomorrow the motion to recommit the measure to the committee.

Mr. FERGUSON. Mr. President, I stated last Friday that I would make a few more remarks concerning the important project now the subject of debate. I am glad the distinguished Senator from Ohio [Mr. TAFT] has taken the floor today to state his reasons why he believes the joint resolution should not be recommitted to the committee. The St. Lawrence seaway project has been considered by the committee on many occasions, and I cannot see how the committee could give it any more deliberation or study than it has actually had.

I believe that the amendment to construct the project by means of a bond issue, in which the people of the United States could invest, is the proper way to handle the financing, and much better than the method of making it purely a governmental function.

Mr. President, we must have some faith in America. If, in the future, we are to advance as a great nation and become even greater than we are today, we must proceed to build larger railroads; that is, we must have better rail transportation by the construction of better tracks and better trains.

I believe the highways of America are much too small to carry the present traffic, without giving thought to any of the future traffic. I have such faith that I believe that the construction of a transcontinental highway the length and breadth of the continent would not be a waste of funds.

Mr. President, the development of the St. Lawrence waterway would be one means of providing transportation. It would not be exactly the building of a new waterway. At the present time small ships that can use a 14-foot seaway are able to use Michigan ports. What is being proposed today in connection with the St. Lawrence is comparable to what would be necessary in the construction of a superhighway. I am sure that anyone who is familiar with the new highway in New Jersey, which provides quick transportation through that State,

would testify that it was a fine project, and should have been built long ago. Anyone who is familiar with the automobile highway in Pennsylvania, which bypasses the city of Pittsburgh, must realize how deficient were the highway facilities which existed in the years before the new highway was constructed. We find that highways which were thought to be extravagant a few years ago are now being used to capacity. My observation has been that when a highway is widened near the city of Detroit, there is generally more traffic seeking to use the highway than it can bear, even after it has been widened. That is because we are a growing nation. We are not only adding to our population every year, but as Americans we are raising our standards of living. We cannot go backward. We cannot contemplate the idea of not progressing. The St. Lawrence waterway will be built in the future, and I am satisfied that those who are now Senators and Representatives will some day look back and say, "Why did we not provide for construction of the seaway a long time ago?"

I really believe, as I have said before on the floor of the Senate that if the Great Lakes were located in some other continent and were connected with the ocean as they are connected with the Atlantic by the St. Lawrence River, there would, in line, with our program to assist the development of other nations, have been included in a mutual-aid bill long before this provision for a sufficient amount to develop such a water highway. All we are asking is that the St. Lawrence water highway be deepened.

Not long ago I was in Bangkok, Thailand. The people there were then talking about getting money from America and having dredges sent from America to deepen a river, so that larger ships could go to Bangkok. The United States Congress was not asked to approve that. That project was a part of a program to aid in the development of an international highway, which was a water route in that instance. That is what the St. Lawrence project amounts to.

It is well known that there are objections to the proposed water highway. Some of the objections come from those who operate vessels upon the ocean. But if we were to make a study of those who object, I think we would find they are people who receive subsidies for the transportation of freight and passengers. They are not the people, for example, who use the coastal waterway. I heard no complaint when the coastal waterway along the Atlantic coast was being deepened and widened, on the ground that it was not deep enough for all vessels which might be built in the future. Certain ships which could use the seaway into the Great Lakes could carry pay loads.

None of the transportation on the Great Lakes is subsidized at the present time, because under the circumstances the traffic is sufficient to pay its way, and those who operate transportation upon the Great Lakes are believers in free enterprise. They are the same people who will pay tolls to go through the St. Lawrence Canal. They will make it pay because they will provide the loads which can be taken through the canal. If the St. Lawrence waterway is built, they will be able to transport food and other commodities from the midcontinent area of the United States to the coast.

Today oil-burning steamers are not operated on the Great Lakes to any considerable extent because of the lack of supply of oil which would make its use economical. For example, fuel oil for ships on the Great Lakes today costs about $4 a barrel. If this new highway were constructed, those in the Southwest, in Louisiana, Texas, Oklahoma, and other places, who are interested in the sale of oil would be able to ship their oil for use on the Great Lakes. I am satisfied, from reliable sources, that fuel oil could be delivered for use on the Great Lakes at about $3 a barrel, which would represent a handsome profit to the producers of oil in Texas and Louisiana.

I wish to address a few remarks to the distinguished Senator who now occupies the chair [Mr. FREAR]. He comes from the east coast. His State is near Baltimore; and what helps Baltimore naturally helps not only the rest of Maryland, but also the State of Delaware. I am glad to note the presence in the Chamber of the Senator from Maryland [Mr. O'CONOR]. I desire also to address a few words to the Senator who has made the motion to recommit the joint resolution to the committee.

Today there are large shipbuilding facilities in Baltimore, and ships are being built in Baltimore which it would be advantageous to operate on the Great Lakes. The only way to get such ships into the Great Lakes at the present time is to bring them up the Mississippi River. On certain occasions when surplus ships were brought up the Mississippi to the Great Lakes it was necessary to cut off the decks and lower the height of the vessels. I am informed that an expenditure of approximately $400,000 is required to bring such a ship into the Great Lakes through the Mississippi River. Many ships are built on the east coast, and I feel certain that many such ships would be used on the proposed waterway. New ships will be built which will have sufficient speed to make their operation economical. They may not draw more than 27 feet of water, but they will be good ships. Many of such ships built on the east coast would be used on the Great Lakes, just as many of the things which are manufactured in Michigan are used in other parts of the country. If we are to have a future in America, we must use all of America.

Let me now refer to defense. We are spending billions of dollars for defense. We are spending between $7,000,000,000 and $9,000,000,000 for mutual aid. Requests are being made for $52,000,000,000 for our own national defense. Therefore, we ought to consider the question of transportation in relation to national defense. Everyone knows that if we should ever become involved in another world war the transportation of men and supplies from the arsenal of the world—much of it in the Midwest—will have to be by train to the seashore, unless the St. Lawrence seaway is built. I am told that in case of an emergency it would be feasible to load boxcars with supplies and transport the boxcars by ship over the proposed waterway, and that such an operation would be much more economical than the transportation of the cars by rail. This would certainly be a great advantage in our national defense plans.

There are those who say that a 27-foot channel is not deep enough; but I believe that an examination of the figures will disclose that it is. A 27-foot channel is capable of carrying a great deal of traffic. To a certain extent the traffic will accommodate itself to the depth of the channel. It is not an unusual thing for transportation to accommodate itself to tides. At times ships are held offshore waiting for the tide. If a ship has a deeper draft than can be accommodated at low tide, it must wait for high tide before entering the particular harbor.

The traffic which will come from the Midwest will not consist entirely of oil. It will include grain and general cargo. So far as general cargo is concerned, ships which normally draw more than 27 feet of water will be able to use this seaway, because general cargo is not heavy, and a ship loaded with general cargo does not draw the maximum depth. So far as oil is concerned, the amount of oil carried could be regulated so as to permit the ships to use the channel. Ships coming into Montreal and other ports beyond the seaway could carry the maximum tonnage, and discharge a part of their cargo before going through the seaway. I am informed that, with the exception of certain new types of supertankers, present day tankers would be able to use the seaway.

Mr. President, I wish to say a few words about the steel capacity of America, its iron ore capacity, and the iron ore of Labrador in relation to our national defense. It is very important that we continue to be the arsenal of the world. It is very important that we see to it that the steel production of America is maintained and expanded, rather than being allowed to deteriorate. It has been said that there is a limited amount of iron ore in Michigan and Minnesota. There is no reason why we should not obtain iron ore from Venezuela for the east coast mills, and iron ore from Labrador for mills which can be served through the Great Lakes, including the great steel mills of Gary and the Chicago district, the steel mills of Detroit, and the great steel mills of the Pittsburgh district.

The hearings before the Foreign Relations Committee on this matter held at the end of February reflect the unanimous conclusion of the top officials responsible for our defense program that the seaway and power project are vital to the national defense. The Acting Secretary of Defense, Mr. William Foster, said:

The seaway project is most important to our national security.

The Chairman of the Joint Chiefs of Staff, General Bradley, said:

> The completion of the project continues to be important to our national defense.

The then head of the Office of Defense Mobilization, Mr. Charles E. Wilson, expressed his—

> conviction that the prompt construction of the St. Lawrence seaway jointly by the United States and Canada is extremely important to the security of the United States and to the long-range mobilization program which the Nation has undertaken.

Today we are not using our full capacity of iron ore in the manufacture of instruments of war and in the stockpiling of them. What we are attempting to do is to build plants and get skilled workers into the areas where they are located so that we may be prepared to meet an emergency and conduct a war if war should be forced upon us. That is what we must look to in the future. That is why I believe Charles E. Wilson was looking ahead to the time when we would be in a position, if war came, of not losing the use of Labrador iron ore, but would be able to use it. Those who are engaged in developing Labrador iron ore felt that to be of such importance that they flew in the necessary rails and ties and other equipment with which to build a railroad, to bring out the ore. Of course, the Labrador ore could be used in the United States if the St. Lawrence project were completed.

A report of the National Security Resources Board said:

> In April 1950 the National Security Resources Board stated that the proposed St. Lawrence seaway and power project is extremely important to national security. * * * In February of 1951 * * * the deterioration of the international situation had accentuated the need for both the waterway and the power facilities. The events of the past year have reinforced this conclusion.

The Chairman of the Munitions Board, speaking for himself and the Department of Defense, said:

> We are favoring it now, even more strongly than in the past. The project is important from a Defense Department point of view, and has our full support for a number of reasons, all directly related to achieving a fuller measure of national security.

The statements I have read are not exaggerations. They are statements by people who are charged with the national defense and with meeting the steel needs of the country. We have developed our capacity to more than 100,000,000 tons of steel. It is almost up to 118,000,000 tons of steel a year. If we are to maintain that capacity, and even to expand it in the event of a war, we will have to get iron ore from every known source. Therefore the Labrador iron ore is very vital to our needs.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. MOODY. I should like to compliment my distinguished colleague on what he has said and I should like to ask him a question. Does the senior Senator from Michigan know of any responsible official of the Department of Defense, either on the Joint Chiefs of Staff or among the civilian officials of the Department of Defense, who has ever opposed the St. Lawrence waterway?

Mr. FERGUSON. No; I do not.

Mr. MOODY. Is it not a fact that former Secretary of Defense Gen. George C. Marshall, Acting Secretary of Defense William Foster, Secretary Lovett, Mr. Wilson, General Bradley, and all the men who are charged with the responsibility of the Nation's defense have stated that the St. Lawrence seaway is a very vital defense need?

Mr. FERGUSON. That is correct. I think it is well known why these men are in favor of the seaway. They know that it will cost money to construct, but they also know that if we ever become engaged in an all-out war we will have to win it as quickly as possible so as to save the lives of many of our people. One of the chief reasons is that the seaway is necessary to provide an economical, safe, and readily expansible outlet for Labrador iron ore which, in an emergency, would be vitally needed in increasing quantities to sustain capacity production in our steel industry, which is the foundation of the Nation's defense. Our oil in the Southwest is vital to us. We must keep developing it. There is need for all the oil we can get. The same is true of steel. We would be helpless if we could not transport oil by seaway. As needed for the development of the Midwest it must be shipped by seaway. We grant appropriations for waterways, harbors, and flood control, and we build dams for the generation of electric power. A certain amount of money is appropriated for the purpose of maintaining barge canals, and so forth.

Our whole defense effort rests upon our capacity to produce steel. Our production capacity stood at about 100,000,000 ingot tons in 1950. The Korean war launched a tremendous expansion program, which is estimated to increase this capacity to 110,000,000 tons by the end of this year, 120,000,000 or more by 1954, and 130,000,000 tons by 1960. Our iron-ore requirements for capacity operation—we used 107,000,000 tons in 1950 to produce 100,000,000 tons of steel—would increase more than in proportion, because the supply of scrap iron and scrap steel grow relatively shorter as steel production goes up. Government estimates indicate that we will need 145,000,000 tons of ore in 1954 and 160,000,000 tons in 1960 to operate our steel industry at capacity.

In the face of this rising demand, our domestic reserves are deteriorating. In the past, the ranges of the Lake Superior district have provided about 82 percent of our domestic ore supply and the Mesabi alone has accounted for about three-fourths of this. Less than 500,000,000 tons of the reserves in the Lake Superior district are in the form of high-grade, open-pit, direct-shipping ore—our highly strategic reserve of iron ore, production of which can be speedily increased by merely adding more mining and transportation equipment.

This high-grade ore which is capable of being shipped directly to the steel mills is now being mined at the rate of 50,000,000 tons a year. It is estimated that if a maximum effort is made, 100,000,000 tons of ore can be obtained annually, for several years more, from all sources in the Lake Superior district. But thereafter the difficulties will increase, the output will decline, and we shall have lost the capacity for rapid expansibility which was our great asset during former emergencies.

Mr. President, we must look to the future and to the preparedness of the Nation insofar as our children and our grandchildren are concerned. The St. Lawrence Canal will not be completed in a day, but we must look forward to the time when it will be completed, the time when it will be of tremendous value to the entire Nation.

In order to meet the enormous indicated deficit in our future supply of iron ore from domestic sources, the steel and the iron-ore mining companies have been spending vast sums of money for two purposes: first, to develop processes for using lower grades of iron ore; second, to find new sources of iron ore. But the utilization of lower grades of iron ore will not make it anywhere near possible to meet our needs.

Let me read to the Senate what Mr. Charles Wilson had to say on this subject:

> One alternative source of supply is taconite, a low-grade iron ore. In order to develop methods of beneficiation of taconite so that it can be used as a substitute for the high-grade ore now being used, vast sums of money are being spent, and Government financial assistance is being sought. This program is being carried along rapidly wth the hope that about 15,000,000 tons a year may be available by 1955. However, the facilities required for benefication are extremely expensive and require so much equipment that it is not practicable to look to taconite to supply all our iron ore for the Midwest steel centers. For these reasons, the production of iron ore from taconite cannot be rapidly expanded to meet emergency requirements.

Mr. President, those who look to the future of our country realize that in the future additional sources of iron ore will be needed. They realize that some means must be found to transport to our country additional supplies of iron ore. The St. Lawrence seaway project will provide such transportation facilities.

Mr. President, none of us wishes to decrease the efforts now being made to utilize low-grade iron ores. Obviously it is important that research and development be carried on constantly in that field.

In the case of iron ore, as in the case of other natural resources, conservation is most important. Oh for the time, Mr. President, perhaps 50 years ago, when emphasis upon the need for conservation would have meant so much to the timber resources of the State of Michigan. What a great blessing conservation would have been not only to Michigan but to the entire Nation. But, instead of actually conserving our timber, it was cut, and the top soil was burned. Today we face a difficult situation in the case of timber. Unfortunately, in the past we have not been sufficiently conscious of the need for conservation.

The owners of the iron-ore companies and the iron-ore mines in the United States should favor construction of the St. Lawrence seaway as a means of making it possible for our country to use iron ore which is obtainable in other parts of the world, with the result that the supplies of iron ore remaining in the United States may be conserved.

Similarily, Mr. President, today we are doing our utmost to conserve our forests. In the field of conservation we should do everything within our power.

Of course, marked progress has been made in the field of conservation of oil. Today there are regulations which require that a certain distance be maintained between oil wells, in order that the oil resources of the Nation may be conserved.

Certainly all of us must become very conscious of the need for conservation. Those who fear that, as a result of conservation activities, they may lose a few dollars at this time, should realize that if adequate attention is given to conservation, their interests will be enhanced in the future.

Mr. President, our Nation cannot possess too much iron ore or too much copper or too much of any other commodity, because the more we have and the more we use, the better will be the living of our people.

Important new sources of high-grade, open-pit iron ore have been found and are being developed in Venezuela, Liberia, and other distant places; but what the National Security Resources Board says about the Venezuela deposits is true of all the newly-developed sources which require a long overseas haul from abroad. The Board's report says:

> The Venezuela deposits are rich and production is being developed rapidly. In the absence of war, it is estimated that by 1960 at least 20,000,000 tons could be obtained annually from this source. However, the transportation of these ores to coastal points in the United States involves a long sea voyage subject to interruption in time of war.

Mr. President, we recall what happened as a result of the German submarine menace during the last war, and we recall the difficulty which was experienced in obtaining oil from Venezuela at that time. We must realize that there would very likely be a similar difficulty, under like circumstances, in obtaining iron ore from distant sources in times of future emergency. In case of war with Russia, there would be real difficulty in connection with obtaining commodities which have to be hauled long distances by sea.

Of course, today we hear various reports in regard to the number of Russian submarines. In any case, it is known that Russia has made use of the skill and talent of the German experts who developed the snorkel. Today Russia has developed a submarine fleet with which we would have to cope in case of war. I have no fear of the result of our coping with that fleet; but obviously it is wise for us to provide means of obtaining iron ore from Labrador, instead of having to obtain iron ore from Venezuela or Liberia or other distant points.

Mr. ELLENDER. Mr. President, will the Senator from Michigan yield to me?

The PRESIDING OFFICER (Mr. FREAR in the chair). Does the Senator from Michigan yield to the Senator from Louisiana?

Mr. FERGUSON. I yield.

Mr. ELLENDER. I am sure that the Senator from Michigan is familiar with the testimony, which is to be found in the hearings, to the effect that the dropping of one bomb on the locks which are a necessary part of this venture would put the entire canal out of business. Is not that true?

Mr. FERGUSON. There was no doubt that if a hydrogen bomb or an atomic bomb of sufficient size were dropped on one of the locks on the St. Lawrence seaway or on one of the locks at the Soo, the waterway could be blocked. However, if we were to drop a bomb on Joe Stalin, the result would probably be to put Russia out of commission. So the difficulty is in being able to strike the vital point.

Mr. ELLENDER. I was not trying to argue that question. I was endeavoring to show that the statement of the Senator from Michigan in respect to the difficulty, under wartime conditions, of obtaining iron ore from Venezuela applies equally to obtaining iron ore from Labrador; in fact, under the same circumstances it might be even more difficult to obtain iron ore from Labrador.

Mr. FERGUSON. Mr. President, of course, we can only guess as to the number of submarines Russia now has available, but certainly we know that she has many submarines; and we know that it would be much easier for a submarine to attack an ore boat than it would be for Russia to attack, by airplane or by any other means, a particular target such as the locks on the St. Lawrence or the locks at the Soo. Both Michigan and the entire Nation are aware of such a possibility in the case of the locks at the Soo, but we have never doubted that we could keep Russian planes from dropping pin-point bombs on those locks.

I believe that the American boys who will fly the jet fighters for the United States will be able to defend those locks and also the great cities of Detroit, Chicago, Cleveland, New York, Boston, and New Orleans.

Mr. ELLENDER. I certainly hope so. However, I should like to say to the distinguished Senator from Michigan that I believe our Navy can adequately maintain the security of water transport through the Gulf of Mexico.

Mr. President, there is another point I desire to bring to the attention of my good friend from Michigan. It is this: With respect to the iron ore that abounds in South American nations, particularly Venezuela, that ore can be transported to this country by way of existing waterways. These God-given waterways lie waiting for expanded use without the expenditure of millions of dollars. It occurs to me, as I have often said before, that what this country should do is to make the Gulf of Mexico our own inland lake, so to speak. I believe that in this day and time the United States Navy can make Gulf water transportation secure and can prevent submarines from coming into the Gulf. In this manner we can do away with the menace about which my distinguished friend has been talking.

Furthermore, the Mississippi River and its tributary streams constitute the finest natural transportation network in the Western Hemisphere. These streams are ready today; they are already funneling ore up to Pittsburgh. If millions of dollars are to be spent on waterways developments, the Mississippi River can certainly be improved to carry any amount of iron ore, and, for that matter, any amount of other commodities. There would be no locks to be knocked out by a single bomb. There would not be the question of undertaking a costly project on international territory without a treaty defining our rights and privileges. Let me remind the Senator from Michigan of certain advantages the Mississippi River possesses over the St. Lawrence project, even in its comparatively unimproved state.

As the Senator knows, commodities can be carried today from the mouth of Mississippi River to Pittsburgh. There is no reason why ore, which exists in greater abundance in Venezuela than Labrador, and which is of much better grade could not be brought through the Gulf of Mexico and into the Mississippi River to industrial plants of the great American heartland.

Mr. FERGUSON. The Senator from Louisiana is familiar with the whole route by way of the Mississippi River to Pittsburgh. What is the depth? Is it about 10 feet?

Mr. ELLENDER. It is from 10 to 12 feet. But the point is that ore, or any other commodity, can be brought to Pittsburgh, for instance, using facilities which already exist and which are available, without the expenditure of millions upon millions of dollars.

Mr. FERGUSON. I think the Senator would find that the amount of ore which could be transported over that particular route, which has a depth of 10 or 11 feet, would not be sufficient. It would not be a paying proposition, any more than would the 14-foot seaway of the Welland Canal. That is the point. Of course, if it could be made to pay, I would be in favor today of having the Mississippi and the Ohio used for the transportation of ore to the steel mills of Pittsburgh.

Mr. ELLENDER. I think the Mississippi River's shipping volume during and since World War II proves otherwise. But even granting that the Senator from Michigan is correct, the Mississippi could certainly exceed the St. Lawrence in usefulness by further improvement. I say to the Senator from Michigan, if streams are to be improved; if millions or billions of dollars are to be spent improving navigation and water transportation, then those funds should be spent on the most promising projects. Certainly, to my mind, the Mississippi River has much more to offer—dollar for dollar—than this extremely vulnerable St. Lawrence project. In addition, if money is to be spent it should be spent in our own country. If waterways are to be improved, they should be American waterways. I think the United States coud well first develop its own

God-given natural resources and waterways, rather than spend probably $1,000,000,000 to a canal in a foreign country.

Mr. FERGUSON. This would not exactly be the building of a canal in a foreign country.

Mr. ELLENDER. What would it be? Canada is certainly a foreign country.

Mr. FERGUSON. I would not think of Canada as being a foreign country so far as the building of a canal is concerned. We happen to be neighbors of Canada. The Senator from Louisiana may feel that Canada is far away, for Louisiana is a long way from Canada; but when a river is the boundary between the two countries, when Canada is so friendly that no fortifications have been erected on the either side of the line, and when we cross the border without passport, we do not look upon Canada as being a foreign country. For myself, I simply cannot think of Canada as being a far-away land. True, Canadians live under a different government, but they are neighbors, friendly neighbors, neighbors with whom we have found we can live at peace. I am satisfied that if we were to build a joint canal and thus develop a joint supply of power, we could rely upon the Canadians.

Mr. ELLENDER. Would the Senator from Michigan not agree that, assuming Canadians constructed this seaway, that Canada would accord us good treatment? I believe the waterways treaty between this country and Canada is even more specific. But, aside from that, I think the Senate should realize that the Canadian Government has offered to build the canal. I want to say to the Senator that, so far as I have been able to determine, Canada, with her resources, is in a better position to build the canal than is the United States Government. I believe the Senator will agree with me on that.

Mr. FERGUSON. Let me me say that if the Canadian Government were to build the canal, she would build it on money borrowed from American investors. Likewise, I think the Aiken amendment in the nature of a substitute, in which I have joined, would also result in the sale of bonds to the American investor. We would then have a joint enterprise with our neighbor on the north. The distinguished Senator from Illinois [Mr. DOUGLAS], who is present, knows how close Illinois is to Canada. We really do not look upon Canada as a foreign country. Does the Senator from Louisiana desire me to yield further?

Mr. ELLENDER. Yes. I should like to continue the discussion in regard to Canada's ability to construct the canal. According to the figures I have been able gather recently, the Canadian dollar today is worth more than our own dollar. The Canadian dollar is worth 102.01 cents, contrasted to our own dollar valued at 100 cents. Those are not arbitrary figures. The Canadian dollar is worth more than ours on the open market. In addition, taxes collected from the Canadians, on a yearly basis, amount to approximately $3,708,000,000, or an annual per capita taxation of $265. The per capita taxation in our own country, with a population of 155,000,000, is $458. We have been piling up deficit after deficit since 1931—except for 1948. The 1953 budget includes a forecast of a $14,000,000,000 deficit. Yet the Canadians have been able more or less to balance their budget since 1946. Their per capita debt amounts to $785, whereas our per capita debt is approximately $1,800.

Therefore, I am saying to my distinguished friend from Michigan that since the canal is to be built almost wholly within a foreign nation, although a friendly foreign nation, and because Canada is certainly better able to finance such a project, it strikes me that we should take up the challenge. If the Canadians are desirous of constructing the canal, I say let them construct it and charge whatever tolls may be necessary to amortize the debt. My distinguished friend has stated that he has a great deal of confidence in the Canadians, and that they are good, honest, square-shooting people. I fully agree with him. I am satisfied that if we just let well enough alone, the Canadians, who are well able to build the canal, will go ahead and build it. They will be fair in charging us shipping tolls commensurate with whatever it may cost to amortize the debt—and no more.

Mr. FERGUSON. No one regrets any more than I do the United States debt and the amount of taxes we have to pay. I think the increase of the debt is doing great harm to the United States of America. I think we shall have to change the trend. We shall have to have greater production in America. We must have a greater America, or we are going broke. That is the language of the street, but that is exactly what will happen.

I answer the Senator's question by saying that I honestly believe, as I see the America of the future, that there will be no loss on the bonds. I am in favor of the Aiken amendment, because I believe that if the American people will buy the bonds, even though the Federal Government guarantees them as to principal and interest, which is being done with reference to other loans in the United States, for instance, the GI loans, there will be no actual loss. It is only a contingent liability of the taxpayer, so far as the building of the canal is concerned. If we should have a bad year, the provisions in the amendment are such that if a bond were due in that particular year, the United States would pay the bond and would become the owner of it, entitled to the interest in the future, and would be entitled to payment whenever the canal made money.

I think I am a liberal-conservative. I do not want the United States taxpayers to pay the bill. I have faith in the United States of America; I have faith that the traffic through the seaway, for the benefit of the Canadians and the benefit of Americans will be sufficient so that there will be no direct liability upon the American taxpayer.

Mr. ELLENDER. Mr. President, will the Senator from Michigan yield further?

Mr. FERGUSON. I yield.

Mr. ELLENDER. The same argument which my good friend is now making with respect to the construction of the St. Lawrence seaway—that it will be paid for through tolls—was made years ago when the Panama Canal was constructed. The Panama Canal is now being operated almost at full capacity. It is operated for 12 months a year. Yet the Panama Canal has continuously shown an operating deficit. In the St. Lawrence seaway, we have a project which will cost much more than the Panama Canal cost, and which will be operated only about 7 months in the year. If my distinguished friend thinks the tolls which will be collected from the operation of the project will retire the bonds, he is more of an optimist than I am. When such a policy has not worked out in respect to the Panama Canal, where the traffic keeps the canal continuously in operation, I do not see how the distinguished Senator from Michigan can argue that by operating the St. Lawrence Canal for only 7 months in the year it will not cost the American taxpayers any money.

Mr. FERGUSON. As a young lawyer, I located in the city of Detroit. My office window faced the Detroit River. I knew how much traffic was carried on that river, and I knew the amount of ore which is transported from the north through the Soo Canal. I feel certain that the Labrador ore which will go through the St. Lawrence seaway is not to be compared with the traffic through the Panama Canal.

Mr. ELLENDER. Does the Senator think there will be more traffic passing through the St. Lawrence Canal than passes through the Panama Canal?

Mr. FERGUSON. Yes.

Mr. ELLENDER. The Senator cannot be serious. The Panama Canal is the only link between the Atlantic and the Pacific Oceans outside of the tortuous trip around Cape Horn. Certainly the Senator is not serious in stating that a 27-foot St. Lawrence channel, open to only a fraction of our merchant fleet, and frozen over 5 months of the year, can possibly expect more traffic than the Panama Canal.

Mr. FERGUSON. Oh, yes; I am serious.

Mr. MOODY. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. MOODY. I was surprised to hear my friend from Louisiana arguing that the construction of the Panama Canal was a bad thing for the United States.

Mr. ELLENDER. I was not arguing that. I was merely stating that I believe my good friend from Michigan [Mr. FERGUSON] is a little bit overoptimistic when he says the cost of the proposed St. Lawrence Canal will be paid for by the tolls collected from it.

Mr. MOODY. My distinguished colleague and other Senators have pointed out that the estimated tolls on the tremendous traffic arising from the transportation of iron ore and other products—and, incidentally, the St. Lawrence seaway will make all the Great Lakes ports seaports—will amount each year to an estimated $48,000,000, whereas the total charge for the amorti-

zation of the bonds will be roughly $16,000,000, with a safety factor of approximately 3 to 1.

But the reason why I asked the Senator from Michigan to yield a few moments ago was because the Senator from Louisiana asked whether there was any reason why we should not let the Canadians build the canal. All over the world wars have been fought at various times in history to keep control of strategic waterways. I am quite sure the Senator will agree with me that it would be quite ridiculous for Great Britain to propose the surrender of the Suez Canal, and I believe it would be equally ridiculous for us to surrender our opportunity to help construct the St. Lawrence seaway. If we should get into a war and have the alternative of bringing iron ore for the expanded capacity of our steel mills around by way of the submarine infested Atlantic Ocean, from Venezuela, or elsewhere, or through the proposed canal, it would be greatly to our advantage to use the canal as a joint owner. On the other hand, if Canada should build the canal alone and at that time she did not happen to be our friend—it would be very possible that by the very act of letting the ore go through the canal Canada might be involved in a war in which she did not want to become involved—a difficult situation would be presented. I think such questions as that should have careful and prudent attention in order to protect the interests of the United States. A contingency of that sort which might arise might be a very potent factor to our disadvantage, and might well make a difference of thousands of lives lost and hundreds of ships sunk off the Atlantic and Gulf coasts.

I thank my colleague for yielding.

Mr. ELLENDER. I am sorry to note that my good friend, the junior Senator from Michigan [Mr. MOODY] does not have the same high opinion of the Canadians as has the senior Senator from Michigan.

Mr. MOODY. Oh, I have a very high opinion of the Canadians, but that does not necessarily mean that they will be involved in any war in which we are involved. I think the Senator from Louisiana knows well that Canada is a neutral country.

Mr. ELLENDER. I do not see how Canada could ever be neutral in a war in which we are engaged.

Mr. MOODY. It may be that the Senator does not see it now, but it is a possibility and is something which we have to consider. It seems to me we cannot just simply throw away our rights.

Mr. FERGUSON. Mr. President, I do not think I am overenthusiastic about the volume of traffic that is expected to go through the proposed canal. If it is built, America will develop. I wish to read from the testimony in the hearings, at page 626:

> The total tonnage moving through the locks at Sault Ste. Marie, Mich., in 1948 was over one-third more than the combined total passing through the Panama, Suez, and New York State Barge Canals.
>
> A third more than the three of them.
>
> The annual tonnage moving through the Soo Locks in 1948, was approximately 115,500,000 tons. The same year the Panama Canal moved only 23,500,000 tons, the Suez Canal 55,000,000 tons and the New York State Barge Canal approximately 4,500,000 tons. Total tonnages moving or all the Great Lakes by water totaled 199,945,292 tons in 1950.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from Vermont.

Mr. AIKEN. May I ask the Senator from Michigan if it is not a fact that after $77,000,000 of Federal funds had been spent on the Galveston waterway, the tonnage carried over that waterway increased from about 1,500,000 tons to about 36,000,000 tons; while at the same time railroad traffic in the same area also increased?

Mr. FERGUSON. I am not familiair with that situation, but I take the Senator's figures as being accurate. I can foresee, in connection with the proposed St. Lawrence Canal, that railroad traffic will increase instead of decrease as soon as the project is established and begins to operate.

Mr. AIKEN. I cite the example of the Galveston waterway in order to show that the anticipated amount of tonnage on a meritorious waterway is almost inevitably underestimated, whereas the fears of competing modes of transportation are invariably exaggerated.

Mr. FERGUSON. That has been the history of the world. Mankind started with the oxcart, and as he continued developing transportation lanes, traffic has increased. As speed is increased and methods of transportation are improved, there is an increase in the volume of traffic.

Consider the volume of traffic now going by air to London, Paris, and other cities of Europe. A few years ago people said that eventually airplanes would carry all the traffic, that there would not be any ships on the Atlantic Ocean, because there would be no traffic for them, but we know that shipping has increased. The same development has occurred in respect to trains operating between Chicago, San Francisco, and Los Angeles. Traffic has increased on the railroads, but there is likewise a great amount of traffic going daily by air.

Mr. AIKEN. We can recall the fears of stockholders in telephone companies when radio first became popular.

Mr. FERGUSON. That is correct.

Mr. AIKEN. Fears were expressed that radio would eliminate the need for the telephones, and that the investments of stockholders in the telephone companies would be lost. Events have proved that radio is probably the best customer of telephone companies, and the amount of business done by those who feared competition has increased many fold.

Mr. FERGUSON. The situation is also comparable to that of the buggy maker of old. He thought he was going to lose all his business. Studebaker was one of the big makers of carriages and buggies. Today Studebaker manufactures automobiles, and the volume of business now being done practically makes the buggy business look like nothing.

Mr. AIKEN. It is difficult to understand why people who have been successful in their own lines of endeavor fear progress. Whenever I think of them, I recall the old saying that they do the most to bring about that which they fear most.

Mr. FERGUSON. There is great merit in the Senator's statement.

Mr. AIKEN. I see that viewpoint exemplified almost every day. In opposing the St. Lawrence seaway, railroads and power companies of the Northeast are fighting against a project which would insure perpetuation of some of the railroads, and probably double the earnings of the power companies.

Mr. FERGUSON. I believe that the earnings of railroads and power companies will actually increase, because I have great faith in America. Ours is a young Nation. It is growing, and we will continue to progress if we do what we should do. If we fail success will go to those who will take advantage of their opportunities. Therefore, if we are to be leaders, we must have vision.

Mr. AIKEN. Sometime ago I talked with the president of a power distribution system in my State. He has vision, but not liberty, because he is controlled by out-of-State interests. He said, "I know that if I could cut rates in half, we could double our income." But he could not do that. In the first place, if rates were cut even to a point comparable with those charged in Detroit, the supply of power would be inadequate. We all agree to that. The power companies could not supply power if they could sell it at a reasonable rate. The only way in which they are able to boast that they have power enough to go around—which they do not have—is by maintaining rates so high that people use only a minimum amount.

Mr. FERGUSON. I thank the Senator from Vermont for bringing these matters to our attention today.

Mr. MOODY. Mr. President, will the senior Senator from Michigan yield?

Mr. FERGUSON. I yield to my distinguished colleague.

Mr. MOODY. In connection with the excellent statement made by my colleague a few moments ago, about his vision of the growth of America, during recent years we have seen a great expansion of the steel industry, and it is continuing to expand. Only a few years ago in the United States there was a capacity to produce less than 80,000,000 ingot tons of steel a year. Now the capacity is well over 100,000,000 tons, and the steel industry is headed for a capacity of 120,000,000 tons, in connection with the program for defense the Senator outlined a few moments ago.

In that connection, the very process about which we are speaking is the one which is draining our natural resources. It will place us in a position of either having to go abroad to get ore, or to obtain it in a more expensive way through the development of taconite.

It seems to me that in time of peace the transportation of ore from Venezuela and other countries to plants located on the east coast is an economic

proposition. A part of our expansion program is the development of east-coast plants. It seems to me there is no reason for the people of any section to oppose the development of the St. Lawrence seaway for that reason, because their own development is moving ahead. The St. Lawrence development will prevent the draining away of our own resources by making it possible to use Labrador ore, which we will be able to obtain from an ally, thereby making it possible for the United States, in time of crisis, to become much more self-sufficient than it would otherwise be. Is that correct?

Mr. FERGUSON. I agree with that statement, and I am glad to have it as a part of these remarks. I think that is the way we must look at this problem.

There seem to be some doubters on the floor of the Senate today. I may have been innoculated with a certain spirit by reason of seeing things develop. When I went to Detroit as a young lawyer it was a town of about 300,000 people. Today the metropolitan area has a population of more than 2,000,000. We have developed the automobile. In effect, we have placed the world on wheels. Perhaps we do not see the world as others see it. Perhaps, as a result of living in a rapidly developing section, we see the world through rose-colored glasses. Perhaps we see a glorious bright world in the future because Michigan has been so kind to us. Anyone who goes to Michigan and associates with the pioneers who developed the automobile and made possible the growth of Detroit and other Michigan cities will understand what I am saying. The pioneers who fared forth and cut the timber had within them a spirit which has probably innoculated us. We have never gotten over it. I thank God for that innoculation, and I am thankful that I do see the world through rose-colored glasses. I see the proposed canal bringing ships from all our coastal cities and from other cities in the world. Michigan and the Midwest will be better places in which to live.

I was discussing the question of the iron ore which we can produce. We expect to continue to manufacture automobiles. Many people in the world will be disappointed—including a great many people in the United States outside Michigan—if we do not obtain sufficient iron ore to make automobiles, airplanes, and various other things used by the people today.

I do not want to go back to the day when I was a schoolteacher, when I had to saddle a horse and ride him on a muddy road. I should dislike to go back to that day. We want to be able to use the highways—and byways, for that matter. We must have iron and steel if we are to do it.

The new source of ore which I was discussing is Labrador. Other sources may be found in other parts of the world. We are not through finding resources and raw materials for use in America.

The most important new source of iron ore on this continent is the deposits now being developed on the border between Labrador and Quebec, about 300 miles north of the St. Lawrence River. A railroad, which will be finished next year, is now being built from these deposits to the St. Lawrence at a point about 500 miles east of Montreal. Much of this material was flown in. Recently I saw a motion picture showing the development of this section.

Already, although only a small portion of the area has been explored, over 400,000,000 tons of high-grade, open-pit ore has been proved, about four-fifths of the total quantity of the same kind of ore that remains in the Mesabi range. Let me quote again from Mr. Charles Wilson as to the significance of these deposits to the steel-making capacity of this country:

> The supplies of ore in Labrador which are now being developed offer the greatest promise for continuation of the economic and efficient manufacture of steel in the Midwest. These are high-grade deposits which can be mined by the cheap open-pit method in vast and easily expandable quantities. But this ore will not be available to the Midwest steel industry at a reasonable cost without the St. Lawrence seaway. Shipping the ore to Atlantic ports or transshipping it by rail to the Midwest would be much more costly, and if done in large quantities would undoubtedly increase the prices and change the structure of the steel industry.
>
> Accordingly, aside from any other commodities which may be carried on the seaway, the transportation of iron ore from Labrador to the Midwest steel center makes the St. Lawrence seaway a vital necessity to our mobilization program and to the entire Midwest economy, particularly the steel and steel-using industries in this region.

The quantity of ore from these deposits that can be carried up the St. Lawrence and transshipped through the existing 14-foot canals is limited to 2,000,000 or 3,000,000 tons per year—an insignificant quantity in comparison with our probable requirements.

The same thing may be said in reply to the distinguished Senator from Louisiana [Mr. ELLENDER]. If we are to ship ore from Venezuela in small boats with a draft of only 10 feet, naturally we shall not be able to do it in an economical way.

The opposition contends that an atomic bomb exploded on a lock in the St. Lawrence River would put the waterway out of service. Such pinpoint bombing would first have to overcome our aerial defenses along this frontier. Would not the enemy choose to lay an atomic bomb on widespread Detroit or Manhattan, with assured disruption of dense population centers and important defense and shipping facilities, rather than to risk a miss on a single lock on the St. Lawrence River? No one knows where they will try, but certainly we should be prepared to defend the Soo Canal, the St. Lawrence Canal, and our cities. That is one of the things we must be prepared to do. That is why I have advocated a large air force, a competent, efficient air corps. We must be prepared to defend ourselves.

Furthermore, it is clear that the construction of the seaway would lessen rather than increase the hazard of an A-bomb interruption to waterborne transportation of iron ore, because at present we have all our eggs in one basket, in the Soo Canal. We must bring all our iron ore for the Midwest down through that canal. With the proposed waterway, we would have at least two routes.

The seaway will afford an alternative supply line for Labrador ore delivery, giving us two inland avenues for low-cost mass movement by Great Lakes ore carriers instead of one now.

Obviously, the St. Lawrence is superior to reliance on water delivery from South America or Africa, or from Seven Islands to east coast ports. Sinkings in World War II are still of vivid memory; ore deliveries from South America were quickly knocked out and never reestablished. As the Defense Department has stated, "Unless the seaway is built, obtaining ore from this new source—Labrador area—will present serious problems of transportation, including inland transportation and the hazards of wartime sea transportation."

For these reasons, the construction of the seaway is vital to insure capacity operation of our expanded steel industry, which is the foundation and the backbone of our defense effort.

Mr. President, the hour is getting late. I could speak of many other items, but I have tried to outline the item of defense, because I see on the horizon what we are up against today. I certainly hope that the Senate will have the vision to refuse to recommit the joint resolution to committee. Further study will not change the minds of the American people nor of any Senators. Studies have been made for years. The first year I came to the Senate the problem was before this body. We should act now. We should not recommit the joint resolution. We should vote down the motion to recommit. I hope the Senate will do so and then adopt the amendment offered by the distinguished Senator from Vermont, of which I am a cosponsor. Then we should pass the joint resolution and send it to the House of Representatives so that the Members of the House may act in their wisdom, and finally have it signed into law by the President.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. AIKEN. I should like to point out that the opponents of the proposed legislation are fully aware of what they are doing. Their first purpose apparently is to eliminate the steel industry of the Midwest. The reason I say they know what they are doing is because they have started a campaign in New York City to provide a fairly deep waterway from New York City to the St. Lawrence River by way of Lake Champlain and the Hudson River. I am in favor of such a waterway. But the arguments being made in promoting it are that if we get into another war there will be available an inland passage from Labrador to the plants on the east coast which would not be exposed to submarine attack, as was shipping in the Atlantic Ocean during World War II.

Mr. President, I am in favor of the development they propose, but I certainly have no sympathy with the motives back of their proposal. While they propose to construct an inland waterway

to carry the ore to their mills, they are equally determined to shut off any access from the Midwest steel mills to the same source of iron ore.

Mr. FERGUSON. In other words, let us have real competition.

Mr. AIKEN. In other words, they are looking after their profits instead of looking after our country. Some of those people spell country c-o-m-p-a-n-y. I do not know of any more selfish motive. I hope the waterway will be achieved from New York to the St. Lawrence River, even though the sponsors are promoting it under the most selfish methods imaginable. At the same time they undertake to block the Midwest steel mills from their source of supply. It is not laudable; it is not patriotic. They ought to be censured in the strongest terms.

Mr. FERGUSON. I am very glad that the Senator from Vermont has made that statement for the RECORD.

Mr. AIKEN. I think it ought to be in the RECORD, because while they are trying to wreck the Midwest steel industry, which is so vital to the Nation, they are at the same time recognizing the dangers involved in case of war and are trying to provide an inland waterway for themselves.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. MOODY. To add to what the Senator from Vermont has just stated, in the hearings there is contained a chronology of the St. Lawrence project, which was inserted in the RECORD by the distinguished chairman of the Committee on Foreign Relations. On page 6 of the hearings the chronology shows that as long ago as December 6, 1926, a report was submitted by the Chief of Engineers of the United States Army. It is one of the many reports which have been submitted. This report dealt with a waterway from the Great Lakes to the Hudson River. At that time the report was to the effect that the St. Lawrence route was much to be preferred to the Hudson River route. The record shows that not less than 58 reports have been submitted since 1830.

Now the opponents are asking for a new report. Not only are they asking for a new report, but they are taking up this old route which was discarded more than 25 years ago as inferior to the St. Lawrence route, as a means of drawing attention away from the St. Lawrence seaway. I thoroughly agree with what my friend from Vermont has said.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. LEHMAN. My memory does not go back to 1830, but within my memory I know that surveys and studies and investigations of the St. Lawrence seaway have been made since 1924. That is approximately 30 years ago. I know that they have been made because I participated in more than half of them. I was deeply interested in the subject. Investigations and studies were made by the Corps of Army Engineers and also by the State of New York during the time that I was Governor. The Corps of Engineers have testified that 50 tons of reports have been made.

Mr. MOODY. Mr. President, will the Senator yield further?

Mr. FERGUSON. I yield.

Mr. MOODY. The first report on this proposition, and I was not around here at that time either, was brought out on December 18, 1834. It is the report of Engineer J. D. Mills to the Commissioners for the Improvement of Navigation on the St. Lawrence River. It recommended that the Province of Ontario proceed at once with the canalization of Canadian waterways. Fifty-eight separate reports have been submitted on the project. Now we are faced with an attempt to block it by the use of the argument that we do not know anything about it and that we should get a new report.

Mr. FERGUSON. Mr. President, I have been talking about iron ore and how vital it is to the country. I have just been handed a press release dealing with copper. I have taken the floor a number of times since last February in relation to the small amount of copper which is being allotted to the manufacturers of America with which to produce civilian goods as well as military matériel. We entered into an international cartel, which I violently opposed, because I am against monopolies and cartels whether they be operated by governments or by individuals or corporations. The news article states:

> The Government is preparing to allocate an additional 100,000,000 pounds of copper to American industry to help ease one of the tightest material shortages, it was learned today.

In February I began to tell the State Department and persons in control of the cartel what they were doing to America. They were providing copper for other countries in order to lift their standards of living, but at the same time they were pressing down the standard of living in America. This is good news.

The news article goes on to say:

> Highly placed sources said the NPA is expected to announce details of the increased allocation this week, possibly tomorrow. The allocation would be based on the premise that the United States mills will be able to buy an additional 50,000 tons of copper a month from Chile at the highest price recently authorized by the Government.

Mr. President, there is now in the defense production bill, as passed by the Senate, an amendment which I hope the House will consider very carefully, because by means of it we are trying to get for American industry, large and small, the right to go into the world market and compete for some of the raw materials.

Mr. President, it is good to know that at last the National Production Authority and the State Department have opened their eyes and their ears, and realize that the cartel they created has been holding down the standard of living in the United States. Let us hope that now they will permit competition, and will eliminate the cartel. Britain never placed her tin or her rubber under the cartel, but we included our copper and our other commodities, with the result that the standard of living in the United States has been held down, rather than elevated.

Mr. DOUGLAS. Mr. President, I have prepared a statement on the subject of the St. Lawrence seaway, and I ask unanimous consent that it be printed in the body of the RECORD at the conclusion of the remarks of the Senator from Michigan.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE ST. LAWRENCE SEAWAY AND THE NATIONAL INTEREST

(By Senator PAUL H. DOUGLAS)

HISTORICAL BACKGROUND AND PRIOR DEVELOPMENT

Senate Joint Resolution 27 presents a question so fundamental that no independent, first-rank nation has ever met it except in one way—by asserting its sovereignty and its jurisdiction over the development of the resources along its national boundaries.

When we deal here with the Great Lakes-St. Lawrence system we are dealing with a part of the original boundary of the United States, the vital part which, once fixed, determined the northern limits of this country after the American Revolution.

The boundary line was drawn in the definitive Treaty of Peace of 1783 with Great Britain. Beginning at the intersection of the St. Lawrence River with the forty-fifth parallel, it ran west through the international section of the St. Lawrence, and west and north through the Great Lakes and their connecting rivers to the headwaters of the Mississippi. Thus it emerged near the forty-ninth parallel and was ultimately extended along this parallel west to the Pacific coast.

It was the establishment of this line that gave us equal access with Canada to the Great Lakes and the St. Lawrence River. It left Lake Michigan wholly within the United States. It gave us undisputed possession of the Northwest Territory, with all its wealth of resources in land, water, timber, and coal. It brought within our national domain the yet undiscovered deposits of copper and iron ore in the Lake Superior district, including the Mesabi Range.

It is this boundary line through the Great Lakes-St. Lawrence system, and the rich resources it opened up for development that were gained for us in the Revolution and held for us under the Treaty of 1783 through the foresight of Benjamin Franklin, John Adams, and John Jay, acting as our Commissioners under a mandate from the Continental Congress.

Every President and every Congress of the United States in the last 169 years has recognized the vital importance of the Great Lakes-St. Lawrence system to our national existence. Our sovereignty and our jurisdiction over these boundary waters have been asserted and enforced again and again, often against violent opposition.

In the early stages of our second War for Independence, Fort Mackinac, Fort Dearborn, and Detroit fell to the British. These reverses were retrieved largely by naval victories on Lake Erie that held our foothold on the Great Lakes. Until those victories were won in this theater, it was seriously proposed at London that the terms of peace to be imposed upon the United States should include (1) the cession of northern New York to Canada, excluding the United States from the St. Lawrence and Niagara Rivers; (2) the creation of a buffer zone, excluding the United States from access to the Great Lakes north of a line drawn from Sandusky, Ohio, to Kaskaskia at a point south of St. Louis on the Mississippi; and (3) the cancellation of the Louisiana Purchase of 1803 and its cession to Spain.

Had we not regained and held control of Lake Erie in 1814, the United States might thus have lost the greater part of our territory. But in the negotiation of the Treaty of Ghent, our American Commissioners, Henry Clay, John Quincy Adams, James A. Bayard, Jonathan Russell, and Albert Gallatin, stood fast and the original boundary line of 1783 through the Great Lakes-St. Lawrence system was again preserved inviolate.

This natural waterway has been undergoing development for more than a century, with the progressive improvement step by step of the connecting channels of the Great Lakes. We have completed these channels on the upper Lakes to depths of 25–27 feet at the Soo, at the Straits of Mackinac, and at Detroit, until today the great iron-ore and coal movements which sustain our steel industry utterly depend upon navigation over this system. The Dominion of Canada, meanwhile, has provided a 32-foot channel from the Atlantic 1,000 miles inland to Montreal and built the fourth Welland Canal with a depth of 25 feet between Lake Erie and Lake Ontario to bypass Niagara Falls.

It is only in the 180-mile section of the St. Lawrence River above Montreal and chiefly in the International Rapids section that extensive works are needed to complete the seaway project to minimum depths of 27 feet with a depth of 30 feet over the sills of short-side canals and locks.

In this 46-mile stretch of the St. Lawrence River, the International Rapids section, all the hydroelectric power will be developed, 1,890,000 kilowatts of new capacity, under the terms of the 1941 United States-Canadian agreement and under the terms of the joint resolution, Senate Joint Resolution 27. More than 70 percent of the cost of all the works needed to complete the seaway and power project, from Duluth to the Atlantic, will be incurred in the joint development of this section of the St. Lawrence River for the dual purpose of navigation and power.

In the draft St. Lawrence Seaway Treaty of 1932, which a majority of the Senate voted to approve in 1934, but which failed for lack of a two-thirds majority, the vital canals and locks in the International Rapids section were to be located on the United States side of the St. Lawrence River. The same provision is made by the 1941 agreement which will be implemented by Senate Joint Resolution 27. This would give us joint control with Canada of the entire seaway, an equal voice over the construction and operation of the project, and an equal voice in the fixing by mutual agreement of tolls on navigation through the canals and locks of this system.

BASIC CONSIDERATIONS SUPPORTING THE ST. LAWRENCE SEAWAY AND POWER PROJECT

I want to state briefly why other economy-minded Senators and I feel that it is important to move the St. Lawrence project ahead at this time.

1. In the first place, the maintenance and expansion of our iron and steel industries, and all the other defense and civilian production dependent upon them, require that we secure access to foreign sources of ore. The Mesabi Range in Minnesota will not last forever. Its quality is already declining, and within 20 years it is estimated that the output from the open-pit operations of the Lake Superior region will drop to less than one-half its present volume. New discoveries in Venezuela will feed some of this needed ore into the United States, and new mills are being constructed on the eastern seaboard to use it. The necessary, but expensive, conversion of domestic taconite will also help. But the proven ore deposits of 400,000,000 tons in Labrador are also essential, and the St. Lawrence seaway would provide the economical means of transportation that would bring this within reach of the Middle West and Pittsburgh areas, where three-fourths of our steel industry is located. The seaway would, of course, also facilitate the transit of grain, coal, and other bulk commodities and open up commerce which the present 14-foot channel cannot accommodate. It would also permit the shipment of automobiles and the manufactured goods from the Middle West directly to Europe without passing over the railways and being transshipped by water from the Atlantic ports.

2. In the second place, the St. Lawrence seaway would provide an inland water route which, in case of war, would be a much safer channel than the open sea to South America and Africa, which otherwise we would have to use to bring ore up from Venezuela and Liberia along the Atlantic seaboard. It would also shorten the open sea route to the British Isles by 1,000 miles, and thus increase the safety and reduce the convoy escorts needed both for ore imports and for the transportation of munitions overseas. Defense leaders also point out that this added route would lessen the vulnerability of the steel industry to enemy sabotage by ending our present utter dependence upon the Soo locks through which the bulk of our present ore now flows.

3. In the third place, the project would bring urgently needed electrical power, at reasonable costs, within reach of New York and New England and even parts of Pennsylvania and New Jersey. The great volume of water which goes down the St. Lawrence and the evenness of flow make this a first-rate power project, with no dry months to require stand-by steam plants.

CANADA'S DECISION TO PROCEED: UNITED STATES LAST CHANCE

4. All of these basic considerations fade into the background, however, in the face of the one big issue that is now before the Congress as a result of decisions made in Canada late last year:

In December 1951, after waiting 10 years for us to act on the 1941 agreement, the Parliament of Canada took decisive steps to complete the seaway project.

The bills of 1951, unanimously approved by the Canadian House of Commons, set up a seaway authority, voted it a credit of $300,000,000, and directed it to proceed with the completion of the 27-foot navigation project (1) under the joint development plan of the 1941 agreement, or (2) in the alternative, by the relocation of the proposed canals and locks of the International Rapids section from the United States to the Canadian side and for the construction by Canada alone of an all-Canadian seaway from Lake Erie to Montreal. In the same legislation, Parliament provided for the construction of all the works primarily for power and all the works common to navigation and power in the International Rapids section by the Ontario Hydro Electric Power Co. and an appropriate authority in the United States, subject to approval by the International Joint Commission.

This procedure before the International Joint Commission, under the Boundary Waters Treaty of 1909, would not require any further action by the Congress of the United States but would, in fact, entirely remove the seaway project from the jurisdiction and the control of Congress.

There is, therefore, no longer the slightest doubt that Canada is going to build the seaway alone if we do not join in the project under the joint development plan which is before us. In the acts of 1951, Canada has presented a feasible engineering plan and given that plan the necessary legislative authorization.

With her budget balanced and the Canadian dollar for the first time over the par of the American dollar, there can be no question that Canada commands the resources to complete the seaway, that she can sell her bonds, largely in the American market, to raise the construction funds, and that she can levy and collect tolls, largely on American commerce, to liquidate the entire cost of the project.

When it is considered that revenues from these tolls are estimated by our own Department of Commerce at about $36,000,000 a year, and that Canadian expenditures on the seaway would amount to less than $300,000,000, one cannot doubt that Canada has the obvious will and a compelling incentive to complete this development. Her power to levy tolls unilaterally on canals built wholly within Canada and to collect tolls without agreement with or interference from the United States, has already been granted by the Senate in approving the Boundary Waters Treaty of 1909. That power is specifically asserted and implemented in the Canadian legislation of 1951.

In short, Canada is going to build the seaway alone if we do not join in the project. She has a feasible engineering plan and necessary legislative authorization. She, likewise, has the financial resources that are needed and the obvious will to proceed. The Canadian Government has the machinery ready and is all set to go.

Our choice today, therefore, is not between having a 27-foot channel and a new power project, on the one hand, and getting along with the present facilities on the other hand. There is going to be a St. Lawrence seaway and power project, in any case.

Our choice now is between (a) having a 27-foot seaway with its vital new links located in Canadian territory and operated and controlled by Canada and, on the other hand, (b) having such a seaway with its new links located in United States territory and with the United States sharing in the ownership and control. The seaway competition which other means of transportation and ocean-harbor interests have long opposed and blocked is now going to be a reality, whether we like it or not. The only question now is, How shall this project be controlled?

COMPELLING REASONS FOR UNITED STATES PARTICIPATION

Before casually surrendering our share of the control even to such a good neighbor as Canada, I believe Congress must give heed to the following considerations:

(a) Both commercial and defense factors make it most unwise to relinquish control of a major waterway to another nation no matter how friendly. Import and export waterways have great strategic, as well as business importance. We cannot afford to discard such a position of strength, especially in the current unsettled state of international relations.

(b) Why should we allow Canada alone to determine the navigation tolls? The practical impact of this waterway on other transportation systems will depend substantially upon the level of its charges. If too low, it may be unfair competition. If too high, it may be unjust enrichment at the expense of United States industry and agriculture. Surely business leaders, as well as Members of Congress, appreciate that freight rates can make or break an enterprise. These charges must be fair. It is essential that we have some say on this rate structure.

(c) If the Canadian proposal is limited to deepening the channels to 27 feet only into Lake Erie, then Chicago and all other points west and north of Lake Erie would be unable, without additional works, to secure the benefits of the Seaway which will be available to the eastern cities. Is it fair to our own area, to Minnesota, Michigan, Wisconsin, Illinois and other nearby States that would benefit directly from the joint project, or to the national interest in well-dispersed industrial and transit facilities to resign ourselves to such limitations?

(d) Since the Government itself may make extensive use of the new shipping route, is it wise to let Canada alone determine what the United States taxpayers will have to pay?

(e) When we recognize that United States shipping, agriculture, and manufacturing interests will generate the major share of the traffic over the seaway, is it not most short-sighted to permit our people to pay the major cost of the development through their tolls and thus complete the liquidation of these costs with another country in ownership and control? Why should not Congress save for the people of the United States a partnership interest in this great project which dollars from American business and American farmers are going to finance?

(f) Canada's development plans call for the allocation of a much greater share of the project costs to the power phase of the work than is provided in the joint plans developed under the agreement of 1941. If this adds almost $60,000,000 to the amount the State of New York will have to pay for its share of the power project, as predicted, the rates charged to consumers of electricity in the United States will certainly be substantially greater.

In my opinion, it does not make sense for the United States to surrender the partnership rights which it can have in this great project. And the time for that decision, whether we like it or not, is now. In view of the tremendous benefits which the Canadians will also derive from it, and in view of the delays and obstruction already encountered, we cannot expect the Canadians to hold off again while we make further surveys. A vote to recommit and to embark on further investigations of a project we have studied for over 50 years is clearly a vote to throw away the United States share in the control of this great waterway link.

BURDEN ON FEDERAL BUDGET IS SMALL

5. The present financial situation of the country is the only consideration, in my judgment, which should give us pause, but I think the proposed legislation, with an amendment which Senator AIKEN and I and eight other Senators are sponsoring, fairly meets the situation.

The total estimated remaining costs of the project are about $867,000,000, of which about $600,000,000 is estimated to be the United States share. Of this, a little over $203,000,000 is allocated to the power phase. The rest is Canada's, and Canada has been credited with work it has previously done on the project in the Welland Canal. (Figures are based upon General Pick's estimates plus an allowance of 6 percent for the rise in construction costs since December 1950.)

Now, even if spread over the 5 years of construction, this is a gigantic sum, $600,000,000, although relatively modest in comparison with other authorized projects of much less value in peacetime, and of less urgency for defense.

But, two other factors must be kept in mind: First, the legislation requires the project to be self-liquidating. The tolls collected from shipping and charges for electricity must pay back these construction costs. Incidentally, this will be an excellent precedent which I hope will be followed in some of the other authorized rivers and harbors projects—to let the shippers that use a waterway pay for its improvement with tolls. And I would like to point out that the St. Lawrence project is the only one where tolls will be charged because at present shipping that passes up the Mississippi, the Missouri, and the Ohio pays no tolls although great governmental investments are made to deepen those rivers.

But a second factor is Senator AIKEN's new amendment to separate this huge construction cost almost completely from the Federal budget. Under the amendment a separate St. Lawrence Development Corporation would be created to carry out the United States part of the agreement, and it would be authorized to issue up to $485,000,000 in bonds to finance the Federal share of the work. It is anticipated that these would be sold in the open market and the financing would be thus secured primarily from private sources. It would not be inflationary—merely the savings of individuals and corporations would be diverted to provide a much-needed improvement. The costs of the power development would no doubt be shared by New York State.

There would be some Federal financial participation, of course. The United States would guarantee the obligations of the Corporation, and the amendment also provides for the Treasury to put up the $10,000,000 for the capital stock of the Corporation. The Government could thus protect our primary national interests in the development of the project, but the direct Federal outlays would be small. I think we have found a feasible way to undertake the St. Lawrence project without unreasonably adding to our current budget headache.

I would also like to add that the estimated ratio of benefits to cost is 2.95 to 1 (namely, about 3 times the cost) for the navigation features of the St. Lawrence project. I wish some of our other big waterway projects could show the same.

While I know that the Corps of Engineers have commonly—in fact generally—been low in their cost estimates and high in their shipping tonnage predictions, there seems to be a substantial margin of safety in the figures on the St. Lawrence. Tolls from shipping there are estimated to run from 1.8 to 2.5 times the annual maintenance and amortization costs.

FEARS OF RUINOUS COMPETITION ARE EXAGGERATED

6. Perhaps the big underlying question in this debate is this: Do all the people who orate about our great free, competitive system really believe in it?

From the arguments against the St. Lawrence project, it would appear that many of these people do not believe in competition and will fight to the limit to prevent it. The railroads fear the competition of freight carriage by water. Ocean port authorities quake at the prospect of lake ports receiving some foreign shipping. Utilities appear to fear the coming of a substantial quantity of cheap power. Coal interests fear the competition of imported fuel and possible reduction in railroads' coal consumption. And behind the scenes it would appear that some steel companies with great new ore developments in South America are reluctant to see other steel companies secure reasonable access to large ore resources in Labrador (though they would doubtless be glad to have the Government spend close to $100,000,000 in a non-self-liquidating project to improve their own navigation on the Delaware River).

I just wish some of these leaders would read again the noble speeches they have made, or applauded, on the virtues of competition.

But I also wish they would take another look at the picture and see how exaggerated those fears really are.

Much of the traffic on the seaway would be new traffic. The tolls will lessen the competitive advantage of this waterway over rails. And the increase in population and industrial expansion at home, as well as hoped for gains in international commerce in the 5 years needed for construction, will require substantial additions to our transport facilities. It is not just a question of cutting up a pie of fixed size, so that any newcomer reduces the share of those already at the feast. Our American economy is dynamic and growing, and I believe will make full use of both the old and the new transit facilities, ports, fuels, and power-generating plants.

In any case, as I have pointed out before, the competition of the seaway is coming, whether these interests want it or not. And the only question for Congress to decide now is whether we shall keep some measure of control over that competition, or relinquish it all to Canada.

NATIONAL, AS WELL AS SECTIONAL, INTERESTS WILL BE ADVANCED

7. It only remains to ask a final question of those who see injury to their own regional or rail or port interests in the maintenance of the Midwest steel industry, in the ability of Central States farmers to secure cheaper freight rates into world markets, in the furnishing of new power resources to New York and New England, in the development of ocean freight terminals in our great inland lakes water system, and in the improvement of our national defense production and transit facilities.

Is it really bad for the Southwest, for the Gulf and Atlantic ports, and for anyone else that the Central States should prosper? Is the welfare of other regions to be advanced only by limiting the opportunities of the Eastern Central States to protect their investments, to prevent a costly decline, and to make modest gains?

In his testimony before the committee, General Pick, head of the Army engineers, warned of the effects of declining ore reserves in the Midwest. He said, "Without the seaway, the Midwest steel industry faces migration to the seaboard. The economic consequences to the Midwest could be tragic."

Surely this is not what makes the Union of our 48 States strong. And surely, in our expanding economy it should be clear that a self-liquidating project by which the Northeastern States are enabled to maintain their great production facilities and to help themselves in other ways is just as vital to national welfare as a southern or southwestern or Atlantic seaboard waterway project for which the taxpayers of the whole country pay. I shall not, just because I live there or for other reasons, place the interest of the people in this section above the interests of those in any other section—even though the population of the area directly served by the St. Lawrence seaway and power project numbers 68,000,000.

I merely ask Senators to consider whether the real interests of the entire Nation will not be advanced by this project, particularly now that Canada has decided to build the seaway alone if we will not join her? For all these reasons, I hope the Senate will approve this bill, with the Aiken amendment and send it on for prompt action in the House.

Mr. THYE. Mr. President, during the past week end I was in Minnesota, where I learned that approximately 40 businessmen from Houston, Tex., had come to Minnesota to call on the businessmen of Minneapolis and St. Paul, in an effort to persuade them to increase shipments by waterway to the south, in order that Houston, Galveston, and Dallas, Tex., might enjoy the benefit of increased shipments by sea, as well as the benefit of increased shipping facilities following the deepening and widening of channels, and so forth.

Inasmuch as the distinguished Senator from Texas [Mr. CONNALLY] and I had a little discussion last week in regard to that point, I wish to call the attention of the Senate to the fact that that group of businessmen from Houston, Tex., was in Minnesota and was endeavoring to persuade the businessmen

of Minneapolis and St. Paul to increase the tonnage of shipments by waterway to the South.

Last week the senior Senator from Texas took issue with the statement I made, and said that if it were not for the shipping facilities available in Texas, those of us who live in the Northwest would have to feed to the hogs the wheat grown in our States.

I wish to state to the Senate that some of the greatest milling facilities in the world are located in Minnesota. Furthermore, the milling industries of the Twin Cities have mills in the East. Our mills use great quantities of wheat grown in the Southwest; and it would not be necessary for us to feed to the hogs the wheat grown in Minnesota, in the event that Texas could no longer make available the shipping facilities which the businessmen of Houston recently have recommended that the businessmen of the Twin Cities use to a greater extent.

Mr. President, among my colleagues in the Senate are some who express doubt whether the magnificent St. Lawrence seaway and power project would be self-liquidating. I believe there is overwhelming evidence that it will be self-liquidating.

In making this brief statement, I do not propose to examine all the self-liquidating phases of the entire project, and demonstrate their validity; but since I come from one of the Nation's greatest agricultural States, I propose to discuss briefly the agricultural aspects of the self-liquidation features of the St. Lawrence project.

First, Mr. President, I wish to present irrefutable evidence that the transportation features of this project will be of great value to the richest, most concentrated food-production area the world has or ever will have. At this time I shall refer only to the 14 States in the east-north-central area and the west-north-central area, and also to the States of Wyoming and Montana—that is to say, the States north from Kansas, and between Montana and Ohio.

In 1949, these 14 States produced more than one-half of the Nation's livestock products that were sold, more than one-third of the Nation's crops, and almost one-half of the Nation's total farm products. In that year, Mr. President, the farmers of these States received slightly less than one-half of the Nation's realized net farm income. In these 14 States will be found more than one-half of all farm real estate, livestock, and machinery value, and three-fourths of all hog and other meat-animal value. In 1949, these States produced almost three-fourths of the combined value of the corn, wheat, soybean, and oat crops of the Nation.

Mr. President, in those 14 States, approximately three-fourths of 1 percent of the farm people of the world live; yet they produce approximately 30 percent of the world's supply of bread and feed grains, approximately 10 percent of the world's supply of fats and oils, and approximately 20 percent of the world's supply of meats. They produce almost two-thirds of our Nation's basic bread, feed, fat, and meat supplies, and from one-fifth to one-fourth of the world's supplies of these basic foods.

The St. Lawrence seaway will make it possible to provide new sea transportation facilities, not to the edge, but into the geographical center of the world's greatest present and potential food-producing area—an area which now is producing between one-fifth and one-fourth of the total tonnage of these basic foods.

Furthermore, Mr. President, the Department of Agriculture, in making a thorough study of the potentials of increased food production in the next two decades, has estimated that the Missouri Basin portion of this group of States can increase its output by 25 percent. Certainly it appears reasonable to estimate that the eastern portion of this group of States can do as well. Such increased production by all 14 of these States will result in increasing by approximately 6 percent the entire world's supplies of food.

When we complete the St. Lawrence seaway, we shall have provided cheap transportation not only into the very center of the world's most fertile agricultural area, but also into the center of an area manned by the world's most capable, most efficient producers of food. Today the total amount of food they produce, per man, is from 20 to 25 times as great as the amount of food produced, per man, by the rest of the world's farmers. Furthermore, since the farmers in this heartland of the world's food-production area will, without doubt, increase by one-fourth, within the next 20 years, their present astounding output of food, how can anyone, I ask my colleagues in the Senate, doubt the soundness and the good business sense of building this project without delay?

Before concluding my remarks, Mr. President, let me give a concrete illustration of the value of this project to the farmers and the farmlands in the agricultural heartland of the world which is to be served by the St. Lawrence seaway: The transportation benefits of the St. Lawrence project will be far more widespread and far greater than its power benefits will be. It is estimated that each year a total of from 200,000,000 to 400,000,000 tons of grain will be shipped over the St. Lawrence seaway, and that the result will be a net saving of from 3 cents to 8 cents a bushel, as compared to present transportation costs. The estimated saving of 3 cents a bushel, to be made as a result of using the facilities of the St. Lawrence seaway, is based on the present transportation charges on Kansas City wheat when shipped via the Gulf ports. The estimated saving of 8 cents a bushel, as a result of using the new seaway, is based on the present transportation charges on wheat shipped from the prairie Provinces of Canada via Pacific ports.

The farmers will benefit in two ways from the St. Lawrence seaway: First, Mr. President, their agricultural products will sell at higher prices; second, the things that farmers must purchase for the operation of their farms and in order to live will be available to them at lower prices. The exact amounts of these benefits have not been estimated, but it is obvious that they will be very large.

The resultant saving of from 3 cents to 8 cents a bushel in transportation charges on grain is estimated on the basis of the lowest transportation rate, largely by water, presently available, whereas today most of the grain moves by rail, at rates much higher than the ones I have used in preparing the comparative figures I have just submitted to the Senate.

If we assume, for the Wheat Belt, an average saving of 5 cents a bushel and an average yield of 25 bushels to the acre, the result will be that the wheat farmers will make a net gain of $1.25 an acre each year. In short, each year the farmer will enjoy an increase of $1.25 in the profit he makes from each acre of his wheat land. In order to earn approximately $1.25 a year, the farmer would have to invest $31 in 4-percent bonds. To state the matter in another way, let me say that if the annual net gain of $1.25 an acre were capitalized at the rate of 4 percent, the result would be that each acre of the farmer's wheat land would increase in value to the extent of $31 an acre each year.

I believe the foregoing is a sound and valid illustration of the tremendous increase in wealth which the St. Lawrence seaway, when constructed, will bring to most of the areas it will serve.

In addition, the cost of the seaway will be liquidated by means of the tolls which will be paid. The final result, Mr. President, will be that the increase in the capitalized value of the farm lands to which I have just referred will be a net gain to the Nation.

To me, a sincere unbiased analysis of these facts, reveals irrefutable evidence of the urgent need and the economic soundness of the St. Lawrence project. Especially is this true of its agricultural aspects.

I feel certain that every Senator who now votes for this great project will within a decade after its completion be proud indeed of having been a part in helping to bring this boon to the Nation; and conversely, that every Senator who now opposes it, will within the same time come to a place where he will recall his opposition to the project only with embarrassment.

FLOOD-CONTROL ACTIVITIES OF THE PEOPLE OF UTAH

Mr. BENNETT. Mr. President, I had planned to make a statement today in tribute to the people of my native State of Utah, and to salute them for their success, in a time of stress and crisis, in meeting the terrific problems caused by the recent great floods which swept down from the mountains into the most thickly settled areas of our State. However, it is now 5:30, and announcement has been made that the session of the Senate for today will end at this time.

Therefore, I now ask unanimous consent to have my statement in its entirety printed at this point in the body of the RECORD.

There being no objecion, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT

I am proud of the people of my native State of Utah, and arise today to salute them for their success in meeting a time of stress and crisis. During the last month they have again revealed that they possess the same strong and vital attributes with which their pioneer grandfathers conquered a desert and made it blossom as the rose.

Last month a succession of great floods swept down out of the Utah mountains in the most thickly settled areas of our State. These floods were not gigantic in comparison with those in the great Midwest watercourses, but their very appearance in Utah was an unexpected phenomenon, because normally we face a constant threat of drought. But last winter, in the mountains behind these, our most populous, thickly settled areas, the greatest snowfall in Utah's weather history was recorded, and an unusually warm and early spring brought it down in melted torrents that did tremendous damage.

In Ogden, where two transcontinental highways were washed out and defense industries were threatened, minimum damage has been estimated at $2,000,000. In the little town of Thistle, 75 out of the 85 homes were under water. In Salt Lake City itself more than 50 residential blocks encompassing 570 acres, or about one-tenth of the city, were inundated, and other areas were only saved because it was possible to turn a main crosstown street into a river 4 feet deep and 100 feet wide. Many other communities in Utah, Morgan, Juab, and San Pete Counties had roads, power plants, bridges, and other facilities wiped out.

In the rural areas the damage was extremely heavy because our farmers are dependent upon irrigation for the development of most of their crops. River beds were raised to new levels, some of them 3 or 4 feet above the previously existing level, and some rivers took entirely new courses. This has prevented the farmers from using existing diversion facilities and canals to get the water to the crops. Some of the rivers, such as the Spanish Fork, Hobble Creek, and Strawberry and the Duchesne, will require extensive emergency and long range corrective action. Indeed, the impact of the floods on the rural areas has been severe.

Between the time the snow fell and the time it melted, our people worked hard to prepare to face the challenge of the expected floods but, of course, they appeared in unexpected places. The people of these communities met them with courage. They threw all of their community resources of funds and manpower into the fight and only when these were exhausted did they call for outside help.

Many municipalities exhausted their resources. Morgan City and County used all of the funds in their highway, flood, and general accounts. Springville City used every available dollar in its treasury and contracted additional obligations. Nephi City did the same. Floods destroyed the water system of the city of Fairview and the cost of fighting them left the city no money with which to restore their water supply. Nine counties virtually or completely exhausted their financial resources and reached the limit of their bonding power and exhausted normal sources of credit.

Not until they thus reached the end of their own resources did they look to the Federal Government for help. While the floods were at their height the military establishments did yeoman service. The Army engineers furnished plans, men, and equipment, and the various military installations in Utah backed up the engineers with their own supplies and equipment. The officials and facilities of the Department of Agriculture were especially helpful to our people in rural areas.

After the immediate danger was passed and the damage assessed, other agencies came in to provide loans and help in repairing roads, fields, and other facilities. In this experience the people of Utah were little different from those of any other State that faced flood damage in this or any other year, but in one important respect they were more fortunate. They not only had the leadership of special State and community committees appointed by the Governor for the emergency, but they also had available to them the resources of the welfare program of the Church of Jesus Christ of Latter Day Saints. This is an organized active force, not only with supplies available, but with the means of calling into immediate action the leadership, facilities, and manpower of a great organization. Its record in this time of crisis is a proud one.

At the outset of the floods, the welfare organization displayed such outstanding preparation for emergency and ability to meet the needs of the situation that it was requested to handle all evacuation within the State and to take preliminary action on rehabilitation matters. The functions of the welfare organization reflect creditably upon not only the genius of its organizational pattern but upon the cooperation and self-reliance shown by the individual persons who make the program successful.

In carrying out its work in Salt Lake City, for example, the welfare organization reached and evacuated 496 families with their household goods between the time evacuation became necessary and the time the floods made evacuation impossible. Fifty-two of these families had no friends or relatives to whom they could turn and were housed by the church in church property. To do this job and to protect other areas from inundation 9,445 church members turned out and donated 63,604 manhours of work. Under the welfare program 303 pieces of motorized equipment, most of them fully serviced with a driver, were used for 8,940 hours. Realizing the risk to life and health that always comes in such a situation, the welfare organization provided an immunization program through which 5,835 people were given typhoid and other "shots." Doctors worked for 81 hours and registered nurses for over 200 hours to give 12,698 "shots." This was the record made at the height of the flood.

Since the waters have receded, rehabilitation work is now in progress and thousands of additional hours of work are being donated by these church workers and other public-spirited citizens of Utah who are working with them without special solicitation or hope of reward in an attempt to wipe out the damage.

It is a great source of sustaining comfort for the people of Utah to know that there is such an activity as the Church Welfare Organization, tested by this and many previous experiences, available on immediate notice to solve such problems as the flood disaster on a basis of neighborly participation of individuals and their sharing the risks. I take this opportunity to add my tribute to the people of Utah for the modern manifestation of the pioneer spirit of their fathers.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 365. An act for the relief of Jean Krueger and Edith Krueger;

S. 587. An act for the relief of Sotirios Christos Roumanis;

S. 779. An act for the relief of Ziemowit Z. Karpinski;

S. 1360. An act to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of John J. Snoke;

S. 1363. An act for the relief of Ceasar J. (Raaum) Syquia;

S. 1527. An act for the relief of Sisters Dolores Ilia Martori, Maria Josefa Dalmau Vallve, and Ramona Cabarrocas Canals;

S. 1555. An act for the relief of Rosarina Garofalo;

S. 1566. An act for the relief of Constantin Alexander Solomonides;

S. 1637. An act for the relief of Doreen Iris Neal;

S. 1676. An act for the relief of Helen Sadako Yamamoto;

S. 1681. An act for the relief of Sister Maria Seidl and Sister Anna Ambrus;

S. 1715. An act for the relief of Else Neubert and her two children;

S. 1776. An act for the relief of Sister Stanislaus;

S. 1843. An act for the relief of John Kintzig and Tatiana A. Kintzig;

S. 1903. An act for the relief of Toshiko Minowa;

S. 2256. An act for the relief of Col. Julia O. Flikke and Col. Florence A. Blanchfield;

S. 2561. An act for the relief of Susan Patricia Manchester;

S. 2566. An act for the relief of Niccolo Luvisotti;

S. 2635. An act for the relief of Mrs. Marie Y. Mueller;

S. 2696. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of The Cuban-American Sugar Co. against the United States; and

S. 2706. An act for the relief of Sister Julie Schuler.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy, and it was signed by the President pro tempore.

APPOINTMENT OF QUALIFIED WOMEN AS PHYSICIANS AND SPECIALISTS IN MEDICAL SERVICES OF ARMED FORCES — CONFERENCE REPORT

Mr. HUNT. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

LESTER C. HUNT,
JOHN C. STENNIS,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

CARL VINSON,
DEWEY SHORT,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HUNT. Mr. President, the House receded from its amendment and accepted the position of the Senate. The House has agreed to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AMENDMENT OF CIVIL DEFENSE ACT OF 1950—CONFERENCE REPORT

Mr. HUNT. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5990) to amend the Civil Defense Act of 1950. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5990) to amend the Civil Defense Act of 1950, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments.

LESTER C. HUNT,
JOHN C. STENNIS,
RUSSELL B. LONG,
STYLES BRIDGES,
RALPH E. FLANDERS,
Managers on the Part of the Senate.

CARL VINSON,
CARL T. DURHAM,
DEWEY SHORT,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. HUNT. Mr. President, this conference report has to do with allowing the civilian defense service to lease certain properties. The Senate provided for purchase. The House disagreed. The Senate receded. As the bill now stands leases may be made.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

POOLING OF ROYALTIES DERIVED FROM CERTAIN LANDS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1032) to authorize each of the States of Montana, North Dakota, South Dakota, and Washington to pool royalties derived from lands granted to it for public schools and various State institutions, which were, on page 1, line 8, strike out "any State" and insert "each of the States of North Dakota, South Dakota, and Washington"; on page 1, line 9, strike out "royalties" and insert "moneys"; on page 1, line 10, strike out "leases on" and insert "leasing of"; on page 1, line 10, strike out "royalties" and insert "moneys", and to amend the title so as to read: "An act to authorize each of the States of North Dakota, South Dakota, and Washington to pool moneys derived from lands granted to it for public schools and various State institutions."

Mr. CASE. The principal amendment of the House is to eliminate the State of Montana from coverage by the bill. That was done at the request of the Representative from Montana, and is agreeable to the sponsors of the bill. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

EXECUTIVE SESSION

Mr. MOODY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CLEMENTS in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

One hundred and thirteen postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Hon. Jon Wiig, of Hawaii, to be United States District Judge for the District of Hawaii.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Clemens F. Michalski to be United States marshal for the Eastern District of Wisconsin.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MOODY. I ask that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

RECESS

Mr. MOODY. As in legislative session, I move that the Senate take a recess until 10 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 44 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, June 18, 1952, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 17 (legislative day of June 10), 1952:

DIPLOMATIC AND FOREIGN SERVICE

Lionel M. Summers, of the District of Columbia, for appointment as a Foreign Service officer of class 2, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Frank Snowden Hopkins, of the District of Columbia.

Richard E. Kleinhans, of New Jersey.

Irwin M. Tobin, of Maryland.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Andrew E. Hanney, of Massachusetts.

J. Phillip Rourk, of California.

LeRoy Makepeace, of Connecticut, for appointment as a Foreign Service officer of class 5, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

INTERSTATE COMMERCE COMMISSION

Martin Kelso Elliott, of Indiana, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1956, vice Clyde B. Aitchison.

Anthony F. Arpaia, of Connecticut, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1957, vice John L. Rogers, resigned.

UNITED STATES DISTRICT JUDGE

Ashton H. Williams, of South Carolina, to be United States district judge for the eastern district of South Carolina, vice J. Waties Waring, retired.

IN THE NAVY

The following-named officers of the Navy for permanent appointment to lieutenant

(junior grade) in the line, subject to qualification therefor as provided by law:

LINE

Roy E. Clymer Jr.	John L. Murphy
Chester E. Elliott	John F. Pierce
George Hamilton	Walter A. Walden
Helmuth A. Ludwig	Richard O. Wetmore
Raymond K. Marker	

SUPPLY CORPS

Robert L. Breeden

CIVIL ENGINEER CORPS

Donald O. Taber
Romeo E. Wilcox

CONFIRMATIONS

Executive nominations confirmed by the Senate June 17 (legislative day of June 10), 1952:

UNITED STATES DISTRICT JUDGE

Hon. Jon Wiig, of Hawaii, to be United States district judge for the district of Hawaii.

UNITED STATES MARSHAL

Clemens F. Michalski, to be United States marshal for the eastern district of Wisconsin.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 17, 1952

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty and Eternal God, wilt Thou hallow and sanctify, guide and strengthen our lives during this day as we seek to solve our many difficult national and international problems.

Expand and enlarge our minds and hearts with a healing sympathy for needy humanity. Deepen and widen our interest in every effort and plan to minister to its safety and security, its sorrows and struggles.

Grant that we may stand in the noble succession and the sublime tradition of all, who in every generation, have given themselves so sincerely and sacrificially for the liberties and welfare of mankind.

May we have an eye single to Thy glory and hold our own wishes in abeyance until Thou dost declare Thy will.

Hear our prayer in the name of Him who is the Lord and Master of us all. Amen.

The Journal of the proceedings of yesterday was read and approved.

SPECIAL ORDERS GRANTED

Mr. DOLLIVER asked and was given permission to address the House on July 1, 1952, for 30 minutes following any special orders heretofore entered.

Mrs. ROGERS of Massachusetts asked and was given permission to address the House today for 5 minutes, following any special orders heretofore entered.

SPECIAL ORDER VACATED

Mr. HARRISON of Nebraska asked and was given permission to vacate his special order for today.

EXTENSION OF WAR POWERS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CELLER, FEIGHAN, FORRESTER, BOGGS of Delaware, and HILLINGS.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

COL. JULIA O. FLIKKE AND COL. FLORENCE A. BLANCHFIELD

The Clerk called the bill (S. 2256) for the relief of Col. Julia O. Flikke and Col. Florence A. Blanchfield.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. Julia O. Flikke, Army of the United States (retired), formerly Superintendent of the Army Nurse Corps, the sum of $1,534.44, and to Col. Florence A. Blanchfield, United States Army (retired), formerly Assistant Superintendent of the Army Nurse Corps, the sum of $1,865.05, in full satisfaction of their claims against the United States for reimbursement of pay and allowances lost by them as a result of the ruling of the Comptroller General on June 1, 1942 (21 Comp. Gen. 1073), which interpreted Public Law No. 252, Seventy-seventh Congress, first session (55 Stat. 728), to the effect that women could not draw pay as officers by virtue of temporary appointments in the Army of the United States made pursuant to said public law: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN J. SNOKE

The Clerk called the bill (S. 1360) to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of John J. Snoke.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear, determine on the merits, and to render in accordance therewith, judgment upon the claim, with such interest as the court may determine, of John J. Snoke and Thomas F. Christman (assignor to said John J. Snoke) against the United States for the use, during the occupancy and operation of the plant and facilities of the Goshen Veneer Co., Inc., Goshen, Ind., in the period from April 17, 1944, to November 5, 1944, of an invention covering methods and apparatus for forming wood veneer plywood tubes described in a patent application (serial No. 525,672) theretofore filed by said John J. Snoke and Thomas F. Christman, in conformity with the terms of a contract executed by and between said John J. Snoke and Thomas F. Christman and the said Goshen Veneer Co. on March 18, 1944, under which said company agreed to pay specified royalties to said John J. Snoke and Thomas F. Christman for the use of such invention. Suit upon such claim may be instituted at any time within 6 months after the date of enactment of this act, notwithstanding the lapse of time, laches, or any statute of limitations. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which said court has jurisdiction under section 1491 of title 28 of the United States Code: *Provided*, That enactment of this act shall not be construed to raise any implication of liability by the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CUBAN-AMERICAN SUGAR CO.

The Clerk called the bill (S. 2696) conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear, determine, and render judgment on the claim, together with interest thereon, of the Cuban-American Sugar Co. against the United States for a refund of taxes erroneously and illegally assessed and collected as excess-profits taxes for the period from January 1, 1917, to September 30, 1917. That, for the purpose of arriving at the correct determination of the tax for this period, the Court of Claims is to apply the method of computation under sections 201 and 203 of the Revenue Act of 1917, based upon the invested capital of the corporation amounting to $39,848,530.85, which was the invested capital of the Cuban-American Sugar Co. according to the decisions of the Board of Tax Appeals, all dated December 16, 1932, which decisions were based upon the stipulation entered into between the Cuban-American Sugar Co. and the Commissioner of Internal Revenue, whereby it was agreed that the sum of $29,848,530.85 was the invested capital of the Cuban-American Sugar Co. for the calendar year 1917.

SEC. 2. In the proceedings upon such claims before the Court of Claims the United States shall not avail itself of the defense that the general counsel for the Bureau of Internal Revenue acted without legal authority in making such stipulation of settlement.

SEC. 3. Suit upon such claim may be instituted at any time within 6 months after the date of enactment of this act, notwithstanding the lapse of time, laches, the form or any content or the time of filing of claims

for the refund and alleged amendments thereto, heretofore filed or any statute of limitations. Proceedings for the determination of such claim and appeals from the payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 1346 of title 28, United States Code, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. KATHERINE L. SEWELL

The Clerk called the bill (H. R. 2278) for the relief of Mrs. Katherine L. Sewell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Katherine L. Sewell the sum of $40,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Katherine L. Sewell against the United States on account of personal injuries sustained by her when the automobile in which she was riding was struck by a Government vehicle on Okinawa Island, on April 3, 1949: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$40,000" and insert "$10,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF WILLIAM MOONEY

The Clerk called the bill (H. R. 3705) for the relief of William Mooney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Mooney, 431 West Twenty-fifth Street, Manhattan, New York City, N. Y., the sum of $1,000. The payment of such sum shall be in full settlement of all claims of the said William Mooney against the United States on account of the injuries sustained by him on August 26, 1943, when he was struck by a United States Coast Guard truck while said truck was on the sidewalk abutting upon 439 West Twenty-fifth Street, Manhattan, New York City, N. Y.

With the following committee amendments:

Page 1, line 5, after "to", insert "the legal guardian of."

At the end of the bill insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of William Mooney."

A motion to reconsider was laid on the table.

CLEMMER CONSTRUCTION CO., INC.

The Clerk called the bill (H. R. 3983) for the relief of the Clemmer Construction Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Clemmer Construction Co., Inc., Akron, Ohio, the sum of $50,276.02, in full settlement of all claims of such company against the United States arising out of the construction of project O. H. 33013 Wilbeth-Arlington Homes, Akron, Ohio. Such company sustained losses (1) of $40,459.68 as the result of Executive Order No. 9310, which changed the minimum workweek from 40 hours to 48 hours after the contract for such construction had been signed on February 6, 1943, and (2) of $9,816.34 as the result of the confiscation by the United States, after the contract for such construction had been signed, of lumber consigned to such company for use in such construction: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon, notwithstanding the bar of the statute of limitations, the claim of the Clemmer Construction Co., Inc., of Akron, Ohio, against the Government of the United States on account of construction contract between the claimant and the Federal Housing and Home Finance Agency; said construction contract being numbered OH 33013, Wilbeth-Arlington Homes, Akron, Ohio: *Provided*, That it shall not be a defense on the part of the Government that the acts of the Government which are alleged to have harmed the claimant are acts done by the Government in its sovereign capacity."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to confer jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Clemmer Construction Co., Inc."

A motion to reconsider was laid on the table.

FRANCIS C. DENNIS AND MARVIN SPIRES

The Clerk called the bill (H. R. 4163) for the relief of Francis C. Dennis and Marvin Spires, of Eastover, S. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $11,950 to Francis C. Dennis; and the sum of $1,000 to Marvin Spires, both of Eastover, S. C., in full settlement of all claims against the United States for personal injuries and expenses incident thereto sustained as the result of an accident involving a United States Army vehicle on August 9, 1946, in Columbia, S. C. The operator of such vehicle was not acting within the scope of his authority.

With the following committee amendment:

Page 1, in line 11, after "South Carolina", strike out the remainder of the bill and insert the following: " : *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SANTOS SANABRIA ALVAREZ

The Clerk called the bill (H. R. 4502) for the relief of Santos Sanabria Alvarez.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to Santos Sanabria Alvarez, who was injured on December 1, 1940, when struck in Aguadilla, Puerto Rico, by a United States Army truck. The payment of such sum shall be in full settlement of all claims against the United States on account of such accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$1,000" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUCIAN ROACH

The Clerk called the bill (H. R. 5126) for the relief of Lucian Roach, doing business as the Riverside Lumber Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucian Roach, doing business as the Riverside Lumber Co., Savannah, Tenn., the sum of $465.81. The payment of such sum shall be in full settlement of all claims of the said Lucian Roach against the United States for refund of taxes erroneously paid by him under the Federal Unemployment Tax Act for the years 1942 and 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF RAYMOND GIBSON, A MINOR

The Clerk called the bill (H. R. 5127) for the relief of Mrs. Eleanora O. Gibson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Eleanora O. Gibson, Lakeland, Md., the sum of $2,500. The payment of such sum shall be in full settlement of all claims of the said Mrs. Eleanora O. Gibson against the United States arising out of the personal injuries sustained by her minor son, Raymond Gibson, on May 7, 1949, when he was struck by a Government vehicle being negligently operated by an enlisted man of the Army near the intersection of Lakeland Road and Fifty-fifth Street in Lakeland, Md. Recovery under the Federal Tort Claims Act was denied by the Department of the Army on the ground that the driver of the vehicle was not acting within the scope of his employment at the time of the accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after "to", strike out the bill down to the colon in line 6, page 2, and insert in lieu thereof the following: "the legal guardian of Raymond Gibson, a minor, of Lakeland, Md., the sum of $1,000, in full settlement of all claims against the United States on account of the personal injuries sustained by the said Raymond Gibson, the pain and suffering undergone by him, the medical and hospital expenses incurred for his treatment, and the damage caused to his bicycle, as the result of an accident, involving an Army vehicle, which occurred at the intersection of Lakeland Road and Fifty-fifth Street, in Lakeland, Md., on May 7, 1949; the driver of the said Army vehicle was not acting within the scope of his employment at the time the said accident occurred: *Provided*"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of Raymond Gibson, a minor."

A motion to reconsider was laid on the table.

NORMAN E. DOLE, JR., ET AL

The Clerk called the bill (H. R. 5481) for the relief of Norman E. Dole, Jr., William F. Smith, John G. Harris, and James E. Chamberlain.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Norman E. Dole, Jr., Weaverville, Calif., the sum of $38.55; to William F. Smith, Eureka, Calif., the sum of $45.15; to John G. Harris, Weaverville, Calif., the sum of $89.15; and to James E. Chamberlain, Missoula, Mont., the sum of $33.25. The payment of such sums shall be in full settlement of all claims of such persons against the United States for compensation for personal property destroyed by fire on September 4, 1950, while they were employed by the Forest Service as fire fighters in the Plumas National Forest, Calif. No part of the amount appropriated in this act for the payment of any one claim in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY C. BUSH AND OTHERS

The Clerk called the bill (H. R. 7711) for the relief of Henry C. Bush and other Foreign Service officers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry C. Bush, $6,000; Anna Charlton, $2,656.50; Thomas J. Cory, $85; Helene E. Fischer, $1,000; Clive E. Knowlson, $851; Edwin W. Martin, $2,506.15; J. Hall Paxton, $1,010.50; Bertrand L. Pinsonnault, $73. Such sums are designated in full satisfaction of such foreign officers' or employees' claims against the United States for compensation for reasonable and necessary personal property lost while in the course of their duties as a result of war and conditions resulting from war: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CORRINA ARENA

The Clerk called the bill (H. R. 7859) for the relief of Mrs. Corrina Arena.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the late Pfc. Virgil A. Arena, who died of service-incurred disease on August 25, 1942, while serving in the Army of the United States, shall be held and considered to have had in effect at the time of his death national service life insurance in the amount of $10,000. The Administrator of Veterans' Affairs shall pay such insurance to Mrs. Corrina Arena, of North Bergen, N. J., mother of the said Virgil A. Arena. Although the said Virgil A. Arena stated before his death (and the statement was later corroborated by the adjutant of the station to which he was assigned for duty) that he had applied for such insurance in that amount, no such application and no such insurance policy has been located.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF PUELIC LAND IN ALASKA

The Clerk called the bill (H. R. 1558) to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Victory Bible Camp Ground, Inc., is hereby authorized for a period of 1 year from and after the effective date of this act to file with the Secretary of the Interior an application to purchase, and the Secretary of the Interior is hereby authorized and directed to issue patent to it, for use as a recreational camp for young people, the northwest quarter southwest quarter, section 23, township 20 north, range 8 east, Seward meridian, Alaska, containing 40 acres.

SEC. 2. The patent shall not be issued until after payment has been made by the Victory Bible Camp Ground, Inc., to the Secretary of the Interior for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary, and shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes. The patent shall reserve to the United States the coal and other mineral deposits in the land together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

With the following committee amendments:

Page 2, line 4, strike the figure "$1.25" and insert in lieu thereof the figure "$10."

Page 2, line 11, following the word "under" insert the words "applicable laws and regulations." Strike the words "regulations to be prescribed by the Secretary of."

Page 2, strike all of line 12.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF PUBLIC LANDS OF THE TERRITORY OF HAWAII

The Clerk called the bill (H. R. 4810) authorizing the Commissioner of Public Lands of the Territory of Hawaii to issue a right of purchase lease to Edward C. Searle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Public Lands of the Territory of Hawaii, notwithstanding any provision of section 73 of the Hawaiian Organic Act, as amended, to the contrary, is hereby authorized and directed to issue immediately to Edward C. Searle a right of purchase lease, providing for rentals based upon current appraised values, of all lands for which application was made by him on or before November 27, 1940, for homesteading, such lands being identified by letter dated April 22, 1941, on file in the office of the Commissioner of Public Lands of the Territory of Hawaii.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF PUBLIC LAND TO THE CATHOLIC SOCIETY OF ALASKA

The Clerk called the bill (H. R. 3494) to authorize the sale of certain public land in Alaska to the Catholic Society of Alaska for use as a mission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Catholic Society of Alaska, a nonprofit corporation, organized and existing under the laws of the Territory of Alaska, whose ex officio president and general manager is the Catholic bishop of Alaska, is hereby authorized for a period of 1 year from and after the effective date of this act to apply for the purchase of, and the Secretary of the Interior is hereby authorized and directed to convey to the corporation, for use as a mission, the following-described public land situated in Alaska: Northeast quarter northeast quarter section 30, township 4 north, range 1 west, Copper River meridian, Alaska, containing 40 acres.

SEC. 2. That the conveyance shall be made upon the payment by the said corporation for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary of the Interior: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under applicable laws and regulations to be prescribed by the Secretary of the Interior.

With the following committee amendments:

Page 1, line 3, strike the words "Society of Alaska, a nonprofit" and insert in lieu thereof the words "Bishop of Northern Alaska, a religious."

Page 1, line 4, insert the word "sole" preceding the word "organized."

Page 1, lines 5 and 6, strike the words "whose ex officio president and general manager is the Catholic bishop of Alaska,."

Page 1, line 11, strike the words "Northeast quarter northeast" and insert in lieu thereof the words "Southeast quarter northeast."

Page 2, line 5, strike the figure "$1.25" and insert in lieu thereof the figure "$10.00."

Page 2, line 8, strike the word "laws:" and insert in lieu thereof the word "laws."

Page 2, strike all of lines 9 to 13, inclusive.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the sale of certain public land in Alaska to the Catholic bishop of northern Alaska for use as a mission."

A motion to reconsider was laid on the table.

SALE OF PUBLIC LAND TO THE KENAI (ALASKA) TROOP 653 OF THE BOY SCOUTS OF AMERICA

The Clerk called the bill (H. R. 6385) to authorize the sale of certain public lands in Alaska to the Kenai (Alaska) Troop 653 of the Boy Scouts of America.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Troop 653 of the Boy Scouts of America, Kenai, Alaska, is hereby authorized for a period of 1 year from and after the effective date of this act to apply for the purchase of, and the Secretary of the Interior is hereby authorized and directed to convey to the organization for a camp site and other public purposes, the following-described public lands situated in Alaska:

Lots 1, 2, 6, 7, and 8 of section 10, township 5 north, range 9 west, Seward meridian, embracing approximately 133.86 acres.

SEC. 2. That the conveyance shall be made upon the payment by the said troop for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary of the Interior: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under applicable laws and regulations to be prescribed by the Secretary of the Interior.

SEC. 3. That such conveyance shall contain the further provision that if Troop 653 shall at any time cease to use the property so conveyed for a camp site and other public purposes title thereto shall revert to the United States.

With the following committee amendments:

Page 1, lines 3 and 4, delete "Troop 653 of the Boys Scouts of America, Kenai, Alaska," and substitute the words "the Alaska Council of Boy Scouts of America."

Page 2, line 4, delete the word "troop" and add the word "council."

Page 2, line 5, delete "$1.25" and add the figure "$10."

Page 2, line 10, delete all after the word "public" and delete lines 11 to 18, inclusive, and insert the word "purposes."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes."

A motion to reconsider was laid on the table.

JEAN KRUEGER AND EDITH KRUEGER

The Clerk called the bill (S. 365) for the relief of Jean Krueger and Edith Krueger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Jean Krueger and Edith Krueger shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct appropriate numbers from the first available appropriate quota or quotas.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOTIRIOS CHRISTOS ROUMANIS

The clerk called the bill (S. 587) for the relief of Sotirios Christos Roumanis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Sotirios Christos Roumanis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ZIEMOWIT Z. KARPINSKI

The Clerk called the bill (S. 779) for the relief of Ziemowit Z. Karpinski.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Ziemowit Z. Karpinski shall be held and considered to have been lawfully admitted to

the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAESAR J. (RAAUM) SYQUIA

The Clerk called the bill S. 1363) for the relief of Caesar J. (Raaum) Syquia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Caesar J. (Raaum) Syquia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SISTERS DOLORES ILLA MARTORI ET AL.

The Clerk called the bill (S. 1527) for the relief of Sisters Dolores Illa Martori, Maria Josefa Dalmau Vallve, and Ramona Cabarrocas Canals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Sisters Dolores Illa Martori, Maria Josefa Dalmau Vallve, and Ramona Cabarrocas Canals shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to each such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSARINA GAROFALO

The Clerk called the bill (S. 1555) for the relief of Rosarina Garofalo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of section 6 (a) (2) of the Immigration Act of 1924, as amended, Rosarina Garofalo shall be held and considered to be under 21 years of age.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTANTIN ALEXANDER SOLOMONIDES

The Clerk called the bill (S. 1566) for the relief of Constantin Alexander Solomonides.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Constantin Alexander Solomonides shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOREEN IRIS NEAL

The Clerk called the bill (S. 1637) for the relief of Doreen Iris Neal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Doreen Iris Neal shall be deemed to have been born in Great Britain.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELEN SADAKO YAMAMOTO

The Clerk called the bill (S. 1676) for the relief of Helen Sadako Yamamoto.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Helen Sadako Yamamoto, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, as amended, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 301 of the Nationality Act of 1940, as amended, or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335 of the said act. From and after naturalization under this act, the said Helen Sadako Yamamoto shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SISTER MARIA SEIDL ANI SISTER ANNA AMBRUS

The Clerk called the bill (S. 1681) for the relief of Sister Maria Seidl and Sister Anna Ambrus.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws, Sister Maria Seidl and Sister Anna Ambrus shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to each such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELSE NEUBERT AND HER TWO CHILDREN

The Clerk called the bill (S. 1715) for the relief of Else Neubert and her two children.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, Else Neubert, the German fiancée of Sgt. Clyde E. Fritz, a United States citizen now serving in the United States Army, and her two children shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Else Neubert is coming to the United States with a bona fide intention of being married to the said Sergeant Fritz, and that she and her two children are found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Else Neubert, she and her two children shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of the said Else Neubert, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Else Neubert and her two children as of the date of the payment of the required visa fees and head taxes.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SISTER STANISLAUS

The Clerk called the bill (S. 1776) for the relief of Sister Stanislaus.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws, Sister Stanislaus shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN KINTZIG AND TATIANA A. KINTZIG

The Clerk called the bill (S. 1843) for the relief of John Kintzig and Tatiana A. Kintzig.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, John Kintzig and Tatiana A. Kintzig shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOSHIKO MINOWA

The Clerk called the bill (S. 1903) for the relief of Toshiko Minowa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of section 13 (c) of the Immigration Act of 1924, as amended, relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Toshiko Minowa, the Japanese fiancée of Edward W. Roselle, a citizen of the United States, and that the said Toshiko Minowa may be eligible for a nonquota immigration visa if she is found otherwise admissible under the immigration laws: *Provided*, That the administrative authorities find that marriage between the above-named parties occurred within 3 months immediately succeeding the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUSAN PATRICIA MANCHESTER

The Clerk called the bill (S. 2561) for the relief of Susan Patricia Manchester.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Susan Patricia Manchester, shall be held and considered to be the natural-born alien child of Lt. Col. and Mrs. B. B. Manchester, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICCOLO LUVISOTTI

The Clerk called the bill (S. 2566) for the relief of Niccolo Luvisotti.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Niccolo Luvisotti shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIE Y. MUELLER

The Clerk called the bill (S. 2635) for the relief of Mrs. Marie Y. Mueller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond which may have been issued in the case of Mrs. Marie Y. Mueller, of Spokane, Wash. The said Mrs. Marie Y. Mueller, who has resided in the United States since 1933, shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or such warrants and order have issued.

SEC. 2. Notwithstanding any provision of the immigration laws, the said Mrs. Marie Y. Mueller shall be considered as having been lawfully admitted into the United States for permanent residence as of the date of the enactment of this act, upon the payment by her of the visa fee of $10 and the head tax of $8.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SISTER JULIE SCHULER

The Clerk called the bill (S. 2706) for the relief of Sister Julie Schuler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Sister Julie Schuler shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the resolution (S. Con. Res. 72) favoring the suspension of deportation of certain aliens.

There being no objection, the Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-5500365, Arlia, Giuseppe or Joe Ross or Jim Ross or Vincenzo Rosso.
A-3523625, Au, Tai Yuen or Au Fook.
A-6979681, Ball, William Walter.
A-5712357, Barendsz, Fytse or Sidney.
A-7197065, Baron, Judith.
A-4464789, Bedyneck, Joseph, or Richard Jensen.
A-7991493, Bernard, Monica Mary Brooks (nee Monica Mary Brooks).
A-1547901, Bernardo, Ralph Ciddio or Raffaele Ciddio Bernardo or Ciddio Raffaele Salvadore Bernardo.
A-4951559, Bettaglio, Antonio.
A-7293023, Bhacca, Nari Sarosh or Norman Sarosh Bhacca.
A-2935597, Brunetti, Margherita.
A-7350065, Bryant, Marie Margaret or Margaret Marie Bryant or Margaret M. Glass or Marie Margaret Glass or Marie Margaret Smith or Marie Margaret McDonald.
A-7687528, Buchanan, Mollie Macfie.
A-5460611, Capela, Manuel Esteves.
A-1979014, Carriere, John Cyprien or Jack Carriere or Jack Currie.
A-4872936, Cazes, Albert Ascher.
A-3486718, Cerecero, Maxima vda. De Duran or Maxima Cerecero Vda, De Reina.
A-7241654, Chan, Annie Maria Siu (nee Annie Maria Siu).
A-1669099, Chang, Tun Yin.
A-7476974, Chang, Wang Kuo or James Kuo-Chang Wang.
A-7457090, Wang, Tsai-Lu Wang or Janie Tsai-Lu Chang.
A-9655778, Cheng, Tim Chee or Tim Chen Cheng or Ting Chin Cheng.
A-5371509, Chivers, Oswald.
A-5891452, Chun, Gordon.
A-4816198, Clarke, Archibald.
A-1223634, Cominsky, Jacob.
A-4121674, Cominsky, Rose.
A-1269971, Sharkey, Betty or Sharky or Sharkansky (nee Claff) also known as Betty Clark or Cummings.
A-2025705, Coris, Costas or Gust Coris or Constantinos Kalouris.
A-1890635, Cosenza, Maria (nee La Verde).
A-6039091, Cruz-Valencia, Ramon.
A-3483694, Czarov, Alexander Ivanovich.
A-2445361, Daniele, Peter or Peter Daniel or Vito Pietro Daniels.
A-5709219, De Duran, Dolores Gutierrez.
A-4825320, De Garcia Florentina Gonzalez.
A-7948714, De Vela, Consuela Salas.
A-4569398, Diaccumakos, Demetrius Thomas or James Thomas Dimaxos.
A-6840142, Dimmick, Mary Jane or Mary Jane Murphy or Patricia Schooley.
A-6808021, Murphy, Terence Noel.
A13852013, Dong, Tung or Wing Tong.
A-4588836, Dugack, Teodoska (nee Fedorka).
A-7427979, Ehrenberg, Arthur formerly Arnold Otto Paul Czabzeck.
A-4666503, Eng, Eleuteria Suarez-de.
A-3893284, Essa, Louis or Louis Essa Douyh.
A-5257777, Fernandez, Luis Antonio or Luis Antonio Fernandes.
A-2128182, Fidalgo, Manuel Gonsalves.
A-3298393, Flannery, Michael Joseph.
A-3564513, Florinchi, Todor or Theodore Florinchi.
A-5012501, Florinchi, Savetta (nee Savetta Varge) formerly Savetta Fontu or Stella Fantu or Elizabeth Florinchi.
A-6774195, Florinchi, Valeria.
A-4720344, Ganczarski, Mary (nee Juwa).
A-6016094, Garcia-Gomez, Pedro Manuel or Peter M. Garcia.
A-7890141, Gardner, Gordon Terence.
A-6744391, Garza-Moreno, Nicholas.
A-6861972, Gaudillat, Josiane Francoise.
A-4674943, Goldberg, Nathan Bernard.
A-5718309, Gomez, Ana or Ana Gomez Ontiveros.
A-6057420, Guerrero-Uballe, Juan.
A-7140234, Han Yu Shan.
A-5388854, Heeren, Arthur.
A-1297509, Hing, Chow Ling or Chow Shee or Wong Chow Ling Hing or Mrs. Junng Tai Wong.
A-3210708, Hosaki, Totaro.
A-7140421, How, Louie or How Louie.
A-6694208, Hsu, Yao Tung Wu.
A-6509198, Hurtado, Felipe Dominguez or Felipe Dominguez.
A-4692608, Iacovides, Theodosios.

A-5082127, Isbell, Gertrude Hedwig Martha (nee Breuer) or Gertrude Hedwig Martha Adams.
A-6435652, Jio-Gonzalez, Ruben or Ruben Gio or Ruben Puio or Ruben Guion.
A-4187777, John, Hugo Paul.
A-5906641, John, Marcel Jean.
A-5907429, Johnson, Norma Laurine (nee Norma Laurine Shannon) formerly Norma Woolfinden or Norma Arthur.
A-4649510, Kajiwara, Utako.
A-6309614, Kalisher, David.
A-7205704, Karjanis, Lee (nee Sio Lien San).
A-7991497, Kasaper, Kiyork Nabet.
A-3880753, Kerim, Demir or Damir Kerim or Dayan Dalep or Beyram Dalip.
A-7240409, Kidd, Uirike Amalie Hofer.
A-5055926, Klein, Johann.
A-1283526, Kokkolis, Panagiotis or Pete Kokkolis.
A-4978555, Krenn, Tony.
A-5974267, Kutty, Mossa.
A-7594525, Kwoh, Sih-Ung or Edwin Sih-Ung Kwon.
A-6905015, Landa, Samuel.
A-8021645, Larkin, Joyce Muriel.
A-7469583, Laudadio, Rocco.
A-7235225, Lawther, Werner Krethe, formerly Werner Krethe.
A-6474031, Le Borious, Valma May.
A-4050394, Ledakis, Helen E. or Helen Leandris (nee Tbiganos Helen Gus Leandris).
A-3612342, Lee, Kok Sing.
A-7193918, Lemacks, Gisele Gabrielle, formerly Lhirondelle.
A-5108671, Locher, Adolf or Adolph Paul Locher.
A-5379238, Locher, Emma Maria.
A-7044048, Lulic, Victor Benjamin or Victor B. Lulic.
A-6859251, Luna-Luna, Hector or Hector Salazar.
A-2893543, Mac Lean, James Fulton.
A-3018255, Madonis, Barashos Antoin or Peter Madonis Parshos or Baraschos Mandonis.
A-7056866, Manesiotis, Maria Nina, formerly Marusopulos.
A-6780705, Markowitz, Irene (nee Neufeld).
A-1009811, Mavrogiannis, Angelos or Gianis.
A-9021476, Mawro, Krist Grgo or Mavro.
A-1627117, Mazzulla, Gertrude Barnet (nee Black).
A-2452703, McCord, William Samuel.
A-5970774, McEachon, Mary Aan (nee Williams).
A-4665414, Medford, Eric George.
A-1319482, Michaud, Dirk or Dick.
A-5877467, Mininni, Luigi.
A-1883042, Molas, Angelos, or Spyroevangelas Malataras.
A-7962241, Monroe, Henry Charles.
A-7980333, Montoya-Ramirez, Carmen.
A-7980332, Montoya-Ramirez, Gonzalo.
A-5470657, Moreno, Guadalupe vda. De Martinez.
A-4617917, Nakao, Mataichi.
A-7371653, Nalbandian, Frederik (nee Martin).
A-2672460, Navarreta, Salvatore, or Rocco Moiliaro.
A-5210566, Neukum, Konrad.
A-5612607, Neukum, Helen.
A-7130386, Neukum, Elizabeth Victoria.
A-5040210, Niksich, Mile John.
A-6019389, Niles, Lyra (nee Penn).
A-7483180, Niphoratos, Spiros, or Spiros Nifotatos.
A-4635358, Norrgran, Lydia Ranghild.
A-4927772, Papaionnou, Epaninondas Konstantine, or Papas.
A-5273178, Paquette, Marie Alberta.
A-2792231, Pentarakionos, Markos or Markos Bentarakiianos or Marcus Thomas or Marcos Thomas.
A-5720965, Phelan, Clara Ann (nee McCarthy) or Clara Ann Gerard.
A-4550272, Ponte, Severino Rilo.
A-3508958, Promichliansky, Klara.
A-4189890, Quan, Kwan Hung or Kwan Lai Hung or Kwan Yee Sun.
A-8001109, Quon, Chin or Charlie Chin or Chin Shew Yiou.
A-7864679, Raschke, Irmgard Helen Harriett.
A-5385101, Richter, Hans Edwin or Edwin Richter or Johannes Richter.
A-5111744, Robert, Balere.
A-2924233, Robin, Jeannette or Jennie Robinowitz.
A-6989531, Rojas, Melquiades Romero.
A-3784905, Rondini, Carmela or Carmella Camilucci Rondini.
A-7387531, Rubalcaba-Gutierrez, Zenaido or Epolito Reza-Gonzalez.
A-3715561, Sanchez, Juan.
A-8031686, Shay, Evelyn, Mavis.
A-4288667, Simko, Michael or Michael Yovnas.
A-5770761, Smith, Arthur Wellesley.
A-5282778, Smith, William Wallace Ellis.
A-3857451, Spangberg, Carl Arvid.
A-4718938, Sprovieri, Salvatore or John Sam Perri.
A-1305125, Stefan, Petru.
A-6798840, Steinberg, Lila (nee Kruszewska).
A-7177877, Stoll, Pamela.
A-4523882, Tai, Gong Hing or Gong Shee or Mrs. Hing Tai Shing.
A-6065947, Young Shum.
A-4377216, Thomas, Ethelbert Elias.
A-7039534, Thomasova, Donata Christina.
A-5764453, Tong, Lee.
A-3627969, Too, Sing Samm.
A-3554845, Torihara, Fumiko or Fumiko Hirai.
A-4630985, Tsurudome, Hiroshi.
A-3404541, Tsurudome, Yaye or Yae (nee Yunoni).
A-3341977, Valles-Alvarez, Agustin.
A-4310944, Veilleux, Magloire Armidas.
A-5018260, Vianello, Domenico Sperindeo or Domenico Vianello.
A-4832140, Vine, Marie Louis Benson or Mrs. Reginald Scmmers or Summers.
A-3246562, Virgili, Andrea.
A-7826091, Voyce, Christine Evelyn.
A-5418284, Wada, Iwao.
A-7879632, Wang, Gung Hsing.
A-3870264, Wilson, Wilhelmina Anna (nee Mehner).
A-3199265, Wing, Choken Raise.
A-4684757, Wolfgarten, Johann or John Wolfgarten.
A-7491363, Wong, Kim Tong.
A-3357787, Wong, Shiu Yiu.
A-5344488, Wright, George Fred Henry or Harry Wright.
A-6709273, Yu, Jung-Chien.
A-5374158, Zachara, Stanislaw or Stanley.
A-6569477, Alexas, Hariklea George.
A-5533704, Arnold, Arthur.
A-2396445, Ayala-Cortes, Froylan.
A-8001562, Bachman, Ada Alson or Ada Alson Tight.
A-8001561, Bachman, John Francis or John Tight.
A-5725345, Barles, Ann.
A-5695788, Beilin, Sonia.
A-4305632, Bianchi, Gaetano Carmelo.
A-4134714, Bires, George.
A-2139426, Bousoulas, John or John Evangelos or Ioannis Bousoulas.
A-1482700, Brander, Vera nee Jadviga Galisky or Virginia Brander.
A-7847331, Brantley, Elizabeth Lucien.
A-2303919, Breen, Michael or Melville Borsuk.
A-7476981, Briones-Barrientos, Martin.
A-7476151, Briones, Frances Hermandez de.
A-7999139, Bryan, Henry Tolenard.
A-4399177, Buttner, Harry Herbert Oscar.
A-4509405, Busch, Julius.
A-5113476, Cacciola, Giovanni.
A-3629914, Caravela, Manuel.
A-7274292, Castro, Wilfredo.
A-7364834, Castro, Maria Elena.
A-7355873, Castro, Francisca.
A-5954837, Cavalas, Ioannis Demetrios or John Gavalas.
A-7450290, Cela, Sali or Amarra Sila or Charles Schiller.
A-6918458, Chang, Raymond Lu Yu.
A-7415094, Chang, Regina Marie.
A-2651635, Chiang, Hwang Yung.
A-6420096, Chun, Ki-Kwan or KiKwee Chun.
A-4657808, Creque, Elvin Augustus or Elwin Creque.
A-5938288, Creque, Idalia Sylvanita.
A-5653239, Dangl, Karl or Charles Denny.
A-3561532, De Durazo, Esperanza Diega Tyler-Chavez or Esperanza Diega Tyler de Traslavina.
A-5641241, De Gonzalez, Maria Salas.
A-7978775, De Guitierrez, Elodia Morales or Elodia Morales de Mosa or Elodia Morales de Caribay.
A-4787642, Dell, Susanna (nee Vogel).
A-5727520, De Lopez, Juana Concepcion Acosta Vda.
A-6919715, De Lugo, Damiana Concepcion Monte.
A-7469556, De Medina, Amalia Martinez or Molly Martinez Medina.
A-7983505, De Rascon, Sofia Perez.
A-3446280, De Romero, Carmen Trejo-Saenz or Carmen Saenz de Romero.
A-7640419, De Sierra, Carina Mancebo or Carina Sierra.
A-4268177, De Vallejo, Jesusa Hinojosa.
A-2697484, Dos Santos, Jose or Joseph Santos or Dos Santos.
A-7463596, Eldridge, Claudia Tour.
A-4019727, Elmer, Harty Laurier.
A-6949324, Ergun, Sabri.
A-3834739, Ericsson, Thor Gustav.
A-7372121, Falter, Christel or Christel Mueller.
A-3273354, Felactos, Nick S.
A-7389936, Francone, Frank.
A-1134757, Friedman, Alice (nee Gold).
A-3195130, Fung, Jan.
A-7273938, Galanakis, Catina Jean.
A-4146757, Ganz, Valentine or Wally Ganz.
A-7130271, George, Peter or Panagiotis Georgiou Iosif or Panagiotis Georgiou.
A-3043291, Gettinger, Rifka (nee Weinrieb).
A-5049631, Godfryd, Violet (nee Stuart).
A-6069444, Goodden, Alexandra or Alexandra Dickerson.
A-7927395, Graves, Margaret Isobel.
A-7978840, Greenberg, Jack.
A-4074268, Grinberg, Dora or Greenberg.
A-2474659, Grossman, Miriam.
A-4863957, Gutierrez-Roca, Ruben Oscar.
A-5505419, Gutierrez, Maria Josefa Morales de.
A-7445427, Habig, Frank Peter Michael.
A-7277540, Hamel, Marie Therese Ghislaine.
A-5223286, Hannivig, Linda (nee Linda Louise Phillipps) alias Rose Carroll.
A-5476760, Huang, Paul Chang-Chih.
A-937986, Hunter, Hugh Howard.
A-7915552, Infante, Giuseppe.
A-4972756, Jamieson, Lilian Edeline (Edna) Ruth.
A-5416948, Jansch, Karl Ernest.
A-4557518, Jensen, Alice Erna (nee Shawcross) or Alice Erna Shawcross Panette.
A-7982541, Joe, Barbara Pao-Ying Chan or Barbara Pao-Ying Chan or Barbara Chan.
A-2241075, Johansson, Hedvig Elisabet.
A-7450417, Judice, Elvira.
A-4538554, Kampetsis, George.
A-5541308, Kelemeczky, Mary or Marishka Kelemczky (nee Zwillinger).
A-8001105, Kincaid, Robert George alias Hanns George Stahl.
A-1283525, Kokolis, Androgianos Soterios or Androgianos Sam Kokolis.
A-3525155, Kosciow, George.
A-5794313, Kostelac, Nilola.
A-3463906, Krause, Sonia (nee Globerson) or Sonia Krutchik.
A-3482042, Krause, Herman or Krutchik.
A-1419929, Laes, Eleonore Juliane formerly Tiisma (nee Eleonore Juliane Randorf).

A-6420096, Chun Ki-Kwan or Ki-Kwee Chun.
A-3484114, LaVega, Jose De or Jose De La Vega Ruiz.
A-7367020, Lee, Chi Yuan.
A-7193917, Lemacks, Jackie Pierre formerly Lhirondelle.
A-5280689, Lentsky, Fred or Fred Lenett.
A-7982152, Leonard, Henry Osborne.
A-7957312, Leung, Dot alias Leung King Do.
A-4447058, Lipkus, Lena (nee Libka Puszczefsky) alias Libko Richefsky.
A-5054348, Lowe, Mary (nee Jansa).
A-5054349, Lowe, Thomas Walker.
A-7031238, Lowe, Vivian Valerie.
A-6054492, Lucido-Aguilar, Angel Francisco.
A-8015826, Lui, Coon alias Goon Lui alias Chong Louie.
A-2736882, Madsen, Robert Angelov.
A-5369683, Marketos, Angelos Haralambos.
A-5435529, Marshall, George Henry.
A-9825369, McCormick, James Hilbert.
A-5801734, McLellan, Daniel.
A-4597364, McLellan, Mary.
A-4346684, Michalovic, Frantizek alias Frank Michalovic.
A-7267742, Miranda, Nelson.
A-3323703, Morais, Duarte Seabra.
A-3561589, Morett, Angelina Eva (nee Traslivina).
A-7821135, Muratis, John Stylianos.
A-6739614, Nadeau, Christiane Helena or Christiane Splingaerd Nadeau.
A-4054890, Naeyaert, Marguerite.
A-3373711, Nelson, Egil Hans.
A-2474658, Nemoy, Margery.
A-4002895, Nicholas, Athanasios Nicholaos.
A-2747140, Omachi, Tsuku.
A-7367024, Ortega-Rodriguez, Rafael.
A-3759192, Pardo, Henry Vasquez or Enrique Vasquez-Pablo.
A-4701047, Pellini, Attilio.
A-7978974, Pennington, Adolphis Barry alias Barry Pennington.
A-4439971, Perfetti, Marco Michael alias Caspare Corsi.
A-3179978, Perez, Ursula Monica.
A-7984786, Perez, Juana Francisca Gonzalez De.
A-8017514, Perez-Castillo, Maximino.
A-7984763, Perez-Gonzalez, Felipe.
A-5693987, Pineda, Maurilio or Maurilio or Maurilio Pineda Sanchez.
A-4399528, Polydor, Charlie J. or Theophilos Jerry Polydoros.
A-4622799, Prehn, Anna (nee Kettner) formerly Strauss.
A-7140739, Puskaritz, Justina alias Mary Angela Marcks.
A-2310519, Radosevich, Charles Joseph alias Joseph Charles Radosevich.
A-6389821, Rao, Sanadi Dattatreya.
A-7115201, Reid, Dorothy Ann.
A-5082673, Reid, Joseph Francis.
A-7178066, Rios-Pena, Andres.
A-5421022, Rodriguez-Benites, Jenadio.
A-4707387, Rubin, Esther.
A-8015271, Russell, Brenda Valeria.
A-3359625, Sakihara, Ikumori alias John Sakihara.
A-1416420, Sakur, Samat Pary.
A-7358559, Sankey, Orville David Joseph.
A-4528629, Senesi, John or Jan or Josef or Jozef Senesi.
A-7948706, Sham, Kung.
A-7436930, Shepard, Wolfram Werner or Wolfram Werner Schlicht.
A-7115200, Sheppard, Rebecca Cohen.
A-5393248, Silva, Augusto Luz.
A-5404553, Smimmo, Frances Donahue.
A-4188714, Smith, Vera alias Glekeria Kitsul alias Vera Cossack alias Vera Kitzul alias Vera Kitsel.
A-5597753, Spaulding, Myrta Louise.
A-4870986, Strassman, Hirsch.
A-4940039, Suarez Juan De Dios Alvarez.
A-4367483, Sumampow, Philip or Hassan Bin Summampow or Hassan Bin Sambang.
A-2949357, Tai, Suekichi.
A-2948231, Teixeira, Augusto Martins.
A-8021681, Thomas, Randolph.
A-7962124, Trejo, Vicenta.
A-7962125, Trejo, Maria Ausilio Haro.
A-5876019, Tzetzias, Epamindondas Dimitrios alias Paul Georgis.
A-4863022, Valdez-Nuncio, Raymundo.
A-7476651, Valerino, Vincenza Parello.
A-4268179, Vallejo-Hernandez, Antonio.
A-4679896, Vaz, Francisco Maria alias Juan Antonio Carranone.
A-2772267, Veis, Hassim alias Sam Veis alias Assim Veis alias Hassim Bekolli Veis.
A-3256738, Vlisides, Nicholas Zanne or Polites.
A-7848405, Vogt, George.
A-6576413, Voutyras, Kyriakos Constantine.
A-9764898, Vurgun, Hasan Hayri or Bill Hayri or Bill Vurgun or Hayri Vurgun.
A-7128707, Watson, June Eileen.
A-6972998, Way, Huie Tai.
A-5461080, Webster, Felicia Grace (nee Hoffman) formerly O'Neil.
A-8021499, Westerman, Elsie Josephine alias Elsie J. Chapman.
A-4698119, White, Anna Juliana.
A-3863628, White, Gladstone Joseph alias Ziggy White.
A-9767795, Wilk, John Hilmar.
A-1558566, Williams, Rafael Torsten alias Rafael Torsten Lindquist.
A-7821930, Wilson, Brian Douglas formerly Maurice Guimont.
A-7983226, Woo, Carole Kwan.
A-8021646, Wright, Florence Louise Wright (nee Kilpatrick).
A-7283661, Xydas, Maria Emmanuel (nee Chryssakis) (Hrisakis).
A-8039500, Yee, Frank Hung Jen.
A-7222512, Yu, Thomas Ho-Lung.
A-5395963, Zutshi, Triloki Nath alias Nath Zutshi Tiriloki.
A-3855823, Amourgis, Christos or Christ Amour.
A-5464060, De Zavadski, Joseph or Giuseppe.
A-2433555, Spigai, Attilio Oreste ar Apigai Attilio.
A-5056170, Embiricos, Andrew Michael.
A-5500963, Katzenmayer, Jacob.
A-5500964, Katzenmayer, Katherine (nee Strictel).
A-6682185, Schulgasser, Lew or Lew Shulgasser.
A-6675072, Schulgasser, Luba or Luba Schulgasser (nee Golante).
A-5205272, Embericos, Ecaterina Mihail or Catherine Nina Embiricos.
A-9764776, Xydias, Peter or Panagiotes Xideas or Panagiotis Xidias.
A-7203946, Croy, Frances Ada or Frances Morton or Frances Manning or Anna Hall.
A-3150155, Stolz, Margaret Lily or Margaret Egerer (nee Margaret Karner).
A-5238396, Kopsinis, Peter or Panagiotis Kopinis.
A-6359300, Fong, Rosa An (nee Rosa An Gonzalez).
A-6535690, Hadjipateras, Constantin John or Constantinos Hadjipateras or Costis Ioannis Hadjipateras.
A-6897748, Lentakis, John Elias or Jean Elie Lentakis.
A-6605501, Chu, Florence Chien-Hwa.
A-6994582, Tung, Pao Chi or Percy Pacchi Tung.
A-5857472, Grosara, Antonio or Nino Crimani.
A-7802711, Lisotto, Vittorio Americo.

With the following committee amendment:

Page 5, strike out line 4.

The committee amendment was agreed to.

The concurrent resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOKUKO KOBAYASHI AND HER MINOR SON

The Clerk called the bill (H. R. 1793) for the relief of Tokuko Kobayashi and her minor son.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Tokuko Kobayashi, the Japanese fiancée of Ernest C. Fehlhaber, a United States citizen and former member of the Armed Forces of the United States, and her minor son, George William Kobayashi, and the said Tokuko Kobayashi and her minor son shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided*, That the administrative authorities find that the said Tokuko Kobayashi is coming to the United States with a bona fide intention of being married to the said Ernest C. Fehlhaber and that she is otherwise admissible under the immigration laws. In the event that the marriage between the above-named parties does not occur within 3 months after the entry of the said Tokuko Kobayashi and her minor son, she and her minor son shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of the said Tokuko Kobayashi and her minor son, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Tokuko Kobayashi and her minor son as of the date of the payment by her of the required visa fees and head taxes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INEZ PRYER (SISTER MARY CARMEL)

The Clerk called the bill (H. R. 2860) for the relief of Inez Pryer (Sister Mary Carmel).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Inez Pryer (Sister Mary Carmel) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VITO AIUTO

The Clerk called the bill (H. R. 3071) for the relief of Vito Aiuto.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Vito Aiuto, who lost United States citizenship under the provisions of section 404 of the Nationality Act

of 1940, as amended, may be naturalized by taking, prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 301 of the Nationality Act of 1940, as amended, or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335 of the said act. From and after naturalization under this act, the said Vito Aiuto shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGELA TRINIDADE

The Clerk called the bill (H. R. 3134) for the relief of Angela Trinidade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Angela Trinidade shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax, following which arrangements shall be made for cancellation of the outstanding departure bond. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Page 1, lines 7, 8 and 9, change the comma in line 7 to a period and strike out "following which arrangements shall be made for cancellation of the outstanding departure bond."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KAZUKO SHIMAMURA

The Clerk called the bill (H. R. 3140) for the relief of Kazuko Shimamura.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Kazuko Shimamura, nee Kazuko Katsura, the wife of Akimitsu Shimamura, a United States citizen, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIHAI HANDRABURA

The Clerk called the bill (H. R. 3377) for the relief of Mihai Handrabura.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, the alien, Mihai Handrabura, 211 Dithridge Street, Pittsburgh 13, Pa., shall be held and considered to have been lawfully admitted at New York, N. Y., on September 27, 1949, to the United States for permanent residence, upon the payment of the required visa fee and head tax. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate immigration quota.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That, for the purposes of the immigration and naturalization laws, Mihai Handrabura shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETRUS VAN KEER

The Clerk called the bill (H. R. 3389) for the relief of Petrus Van Keer.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FRANK A. WEFEL

The Clerk called the bill (H. R. 3896) for the relief of Frank A. Wefel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Frank A. Wefel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALFREDO MARIO MATTERA

The Clerk called the bill (H. R. 3928) for the relief of Alfredo Mario Mattera.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Alfredo Mario Mattera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACK KAMAL SAMHAT

The Clerk called the bill (H. R. 4385) for the relief of Jack Kamal Samhat.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Jack Kamal Samhat, shall be held and considered the natural-born alien child of Robert Charles Phillips, a citizen of the United States.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That, for the purposes of the immigration and naturalization laws, Jack Kamal Samhat shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AYAKO KIMURA

The Clerk called the bill (H. R. 4630) for the relief of Ayako Kimura.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child Ayako Kimura shall be held and considered to be the natural-born alien child of Capt. and Mrs. Donald F. Pidgeon.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONNIE MARIE SMITH

The Clerk called the bill (H. R. 5321) for the relief of Connie Marie Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provision of section 13 (c) of that act, the minor child, Connie Marie Smith, shall be held and considered to be the natural-born alien child of Sgt. and Mrs. Leroy Smith, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JOYCE OERLEMANS HAUG

The Clerk called the bill (H. R. 5458) for the relief of Joyce Oerlemans Haug.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child, Joyce Oerlemans Haug, shall be held and considered to be the natural-born alien child of Sgt. John E. Haug, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TAMAKI SAKASAI CORDOVA

The Clerk called the bill (H. R. 5499) for the relief of Tamaki Sakasai Cordova.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Tamaki Sakasai Cordova, a minor Japanese child, shall be considered the alien natural-born child of Sgt. Alfred N. Cordova, citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HIROKO DOKI AND TAKAKO DOKI

The Clerk called the bill (H. R. 5539) for the relief of Hiroko Doki and Takako Doki.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Hiroko Doki and Takako Doki, minor daughters of Mrs. Fusano Jacobs (formerly Mrs. Fusano Doki), Japanese wife of Douglas Meleverne Jacobs, a citizen of the United States. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Hiroko Doki and Takako Doki shall be held and considered to be the natural-born alien minor children of the said Douglas Meleverne Jacobs.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOKUSABURO IMAMURA GLASSCOCK

The Clerk called the bill (H. R. 5624) for the relief of Tokusaburo Imamura Glasscock.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child, Tokusaburo Imamura Glasscock, shall be held and considered to be the natural-born alien child of Sgt. Robert L. Glasscock, citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANASTASIA VASILIADU

The Clerk called the bill (H. R. 5918) for the relief of Anastasia Vasiliadu.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Anastasia Vasiliadu, shall be held and considered to be the natural-born alien child of Mr. Vasil Gitsoff, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KEIKO TASHIRO

The Clerk called the bill (H. R. 5921) for the relief of Keiko Tashiro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child Keiko Tashiro, shall be held and considered to be the natural-born alien child of Juro and Shizuko Yoshioka, citizens of the United States, and as such admissible to the United States as a nonquota immigrant.

With the following committee amendment:

Page 1, line 4, after "amended", strike out down to and including the word "immigrant" on line 8, and insert "and notwithstanding the provisions of section 13 (c) of the said act, the minor child, Keiko Tashiro, shall be held and considered to be the natural-born alien child of Juro and Shizuko Yoshioka, citizens of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT MAYOTTE

The Clerk called the bill (H. R. 5934) for the relief of Robert Mayotte.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Robert Mayotte, Jr., shall be held and considered to be the natural-born alien child of Robert Mayotte, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YIP SOY NAUM AND YIP KUG YOW

The Clerk called the bill (H. R. 5973) for the relief of Yip Soy Naum and Yip Kug Yow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the aliens, Yip Soy Naum and Yip Kug Yow, children of Yip Yock Som, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TSUYOSHI NAGAHAMA

The Clerk called the bill (H. R. 6011) for the relief of Tsuyoshi Nagahama.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1917, as amended, shall not apply to Tsuyoshi Nagahama, natural-born Japanese minor child of Mrs. Martha Kie Pollock, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL GUST WILLIAMS

The Clerk called the bill (H. R. 6070) for the relief of Paul Gust Williams.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Paul Gust Williams (formerly Paavo Luomaranta), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Clarke M. Williams, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMALIA ARCHITETTO

The Clerk called the bill (H. R. 6083), for the relief of Amalia Achitetto.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Amalia Architetto, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Vito Architetto, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JUNKO KUBO

The Clerk called the bill (H. R. 6234) for the relief of Junko Kubo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provision of section 13 (c) of that

act, the minor child, Junko Kubo, shall be held and considered to be the natural-born alien child of Hugo Schildhauer, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KAZUKO SHIRAI

The Clerk called the bill (H. R. 6260) for the relief of Kazuko Shirai.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Kazuko Shirai, the minor child of Yoshio Shirai, an alien permanently residing in the United States, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JANE LORAINE HINDMAN

The Clerk called the bill (H. R. 6270) for the relief of Jane Loraine Hindman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Jane Loraine Hindman, shall be held and considered to be the natural-born alien child of Lieutenant and Mrs. Robert E. Hindman, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was passed, and a motion to reconsider was laid on the table.

FRANCESCA SERVELLO

The Clerk called the bill (H. R. 6355) for the relief of Francesca Servello.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Francesca Servello, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank Servello, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE RODNEY GILTNER

The Clerk called the bill (H. R. 6415) for the relief of George Rodney Giltner (formerly Joji Wakamiya).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to George Rodney Giltner (formerly Joji Wakamiya), Japanese minor child in the case of William H. Giltner. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said George Rodney Giltner (formerly Joji Wakamiya) shall be held and considered to be the natural-born alien child of the said William H. Giltner.

With the following committee amendment:

Page 1, line 6, strike out "case" and insert "care."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUSSELL WILLIAM KARBACK

The Clerk called the bill (H. R. 6423) for the relief of Russell William Karback.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the alien Russell William Karbach shall be held and considered to be the natural-born alien minor child of Captain and Mrs. Nelson W. Karbach, Jr., citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YOUNG YUK HO AND YOUNG YUK KUE

The Clerk called the bill (H. R. 6450) for the relief of Young Yuk Ho and Young Yuk Kue (Young Sue Mei).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the aliens Young Yuk Ho and Young Yuk Kue (Young Sue Mei), the minor, unmarried children of Young Kim Hong (Ted Young), a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GAETANA GIAMBRUNO TOMASINO

The Clerk called the bill (H. R. 6637) for the relief of Gaetana Giambruno Tomasino.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and (9) of the Immigration Act of 1924, as amended, the minor child, Gaetana Giambruno Tomasino, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Ignazio Tomasino, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HITOMI MATSUSHITA

The Clerk called the bill (H. R. 6640) for the relief of Hitomi Matsushita.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child, Hitomi Matsushita, shall be held and considered to be the natural-born alien child of Paul C. Henry, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEU WAI UNG AND LEU WAI CHIU

The Clerk called the bill (H. R. 6641) for the relief of Leu Wai Ung (Wong Wai Ung) and Leu Wai Chiu (Wong Wai Chiu).

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the aliens Leu Wai Ung (Wong Wai Ung) and Leu Wai Chiu (Wong Wai Chiu), the minor, unmarried children of Leu Hoon Oi, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WONG YANG YEE AND WONG SUE CHEE

The Clerk called the bill (H. R. 6869) for the relief of Wong Yang Yee and Wong Sue Chee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of section 4 (a) of the Immigration Act of 1924, as amended, pertaining to unmarried children under 21 years of age of a citizen of the United States, shall be held to be applicable to the aliens Wong Yang Yee and Wong Sue Chee, minor children of Eddie Huie, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUTH ANN HOLECEK

The Clerk called the bill (H. R. 7095) for the relief of Ruth Ann Holecek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child, Ruth Ann Holecek, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank G. Holecek, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JUAN ANTONIO RIVERA ET AL.

The Clerk called the bill (S. 214) for the relief of Mrs. Juan Antonio Rivera, Mrs. Raul Valle Antelo, Mrs. Jorge Diaz Romero, Mrs. Otto Resse, and Mrs. Hugo Soria.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Juan Antonio Rivera, of La Paz, Bolivia, widow of Col. Juan Antonio Rivera, the sum of $7,500; to Mrs. Raul Valle Antelo, of La Paz, Bolivia, widow of Maj. Raul Valle Antelo, the sum of $7,500; to Mrs. Jorge Diaz Romero, of La Paz, Bolivia, widow of Maj. Jorge Diaz Romero, the sum of $7,500; to Mrs. Otto Resse, of La Paz, Bolivia, widow of Maj. Otto Resse, the sum of $7,500; and to Mrs. Hugo Soria, of La Paz, Bolivia, widow of Maj. Hugo Soria, the sum of $7,500. Such sums are in full settlement of all claims against the United States on account of the deaths of Col. Juan Antonio Rivera, Maj. Raul Valle Antelo, Maj. Jorge Diaz Romero, Maj. Otto Resse, and Maj. Hugo Soria, who were killed as the result of an accident in which a C–54 transport plane of the United States Air Force crashed in the Pacific Ocean approximately 1 mile off the Peruvian coast near the town of San Juan, Peru, on September 19, 1947: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the payments authorized by this act, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all after the enacting clause and substitute the following: "That Mrs. Juan Antonio Rivera, of La Paz, Bolivia, widow of Col. Juan Antonio Rivera; Mrs. Raul Valle Antelo, of La Paz, Bolivia, widow of Maj. Raul Valle Antelo; Mrs. Jorge Diaz Romero, of La Paz, Bolivia, widow of Maj. Jorge Diaz Romero; Mrs. Otto Resse, of La Paz, Bolivia, widow of Maj. Otto Resse; and Mrs. Hugo Soria, of La Paz, Bolivia, widow of Maj. Hugo Soria, are authorized to present their claims against the United States on account of the deaths of Col. Juan Antonio Rivera, Maj. Raul Valle Antelo, Maj. Jorge Diaz Romero, Maj. Otto Resse, and Maj. Hugo Soria, who were killed as the result of an accident in which a C–54 transport plane of the United States Air Force crashed in the Pacific Ocean approximately 1 mile off the Peruvian coast near the town of San Juan, Peru, on September 19, 1947, under the Foreign Claims Act (55 Stat. 880), as amended, and that for the purpose of such claims the deaths shall be considered as having happened in Bolivia: *Provided*, That no part of any settlement in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such settlement, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILAGROS AUJERO

The Clerk called the bill (H. R. 1913) for the relief of Milagros Aujero.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purpose of the immigration and naturalization laws, Milagros Aujero shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHANN KOMMA

The Clerk called the bill (H. R. 4634) for the relief of Johann Komma.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Johann Komma shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MILDRED G. KATES AND RONALD KATES

The Clerk called the bill (H. R. 4644) for the relief of Mrs. Mildred G. Kates and Ronald Kates.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Mrs. Mildred G. Kates, who was born in the Union of Soviet Socialist Republics, and her minor son, Ronald Kates, who was born in Cuba, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendments:

On page 1, lines 4 and 5, strike out the following language: "who was born in the Union of Soviet Socialist Republics,".

On page 1, line 6, strike out the following language: "who was born in Cuba."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YEE CHIN-YING AND YEE WON-YI

The Clerk called the bill (H. R. 4719) for the relief of Yee Chin-ying and Yee Won-yi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to Yee Chin-ying and Yee Won-yi, the minor unmarried Chinese daughters of Chow H. Yee, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DONALD JAMES DARMODY

The Clerk called the bill (H. R. 4758) for the relief of Donald James Darmody.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Donald James Darmordy, St. Paul, Minn., the sum of $427.82. The payment of such sum shall be in full settlement of all claims of the said Donald James Darmody against the United States arising out of personal injuries and property damage sustained by him on February 1, 1950, when his car, while legally parked near the intersection of East Seventh Street and Maria Avenue, in St. Paul, was struck by an Army vehicle being operated by an enlisted man of the Army. The Department of the Army, on August 28, 1950, disallowed such claim on the ground that the operator of the Army vehicle was not acting within the scope of his employment at the time of the accident, and the Under Secretary of the Army, on December 8, 1950, sustained such disallowance on the same ground: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH MANCHION

The Clerk called the bill (H. R. 4842) for the relief of Joseph Manchion.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $144.07 to Joseph Manchion, of 392 Pacific Avenue, Jersey City, N. J., in full settlement of all claims again the United States and satisfaction of a judgment rendered in Hudson County Court, No. 107556, entered on October 18, 1949, in favor of Dario A. Bogni, sustained as a result of a collision between a United States mail truck operated by said Joseph Manchion and an automobile operated by the said Dario A. Bogni on July

18, 1948. Such claim is not cognizable under the Federal Tort Claims Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMMA GAZZANIGA ET AL.

The Clerk called the bill (H. R. 4866) for the relief of Emma Gazzaniga, Cecelia Trezzi, Clelia Mainetti, Bonosa Colombo, Emma Baldisserotto, Lina DalDosso, Lucia Paganoni, and Regina Pagani.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Emma Gazzaniga, Cecilia Trezzi, Clelia Mainetti, Bonoso Colombo, Emma Baldisserotto, Lina DalDosso, Lucia Paganoni, and Regina Pagani, nuns of the Order of the Missionary Sisters of Verona, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota officer or officers to deduct appropriate numbers from the first available appropriate quota or quotas.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. RUTH R. EKHOLM

The Clerk called the bill (H. R. 4890) for the relief of Mrs. Ruth R. Ekholm.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, the alien Mrs. Ruth R. Ekholm shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF EMIL A. PESHEK

The Clerk called the bill (H. R. 4891) for the relief of the estate of Emil A. Peshek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,946 to the estate of Emil A. Peshek, deceased, in full settlement of all claims against the United States for medical and funeral expenses and the death of Emil A. Peshek caused by injuries received in an accident involving a United States mail truck in November 1940, in Pittsburgh, Pa.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out the amount and insert "$1,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SILAS B. MORRIS

The Clerk called the bill (H. R. 4921) for the relief of Silas B. Morris.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is hereby directed to waive the collection of $505.46 from Silas B. Morris, Route 3, Temple, Tex., which is the amount paid him, less taxes, as a substitute rural mail carrier. Mr. Morris is a permanent employee at the Veterans' Administration Hospital, Temple, Tex., and was advised by officials of the Post Office Department that he could act as a substitute rural mail carrier notwithstanding the fact his salary with the Veterans' Administration exceeds $2,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAROSLAV, BOZENA, YVONKA, AND JARDA ONDRICEK

The Clerk called the bill (H. R. 5111) for the relief of Jaroslav, Bozena, Yvonka, and Jarda Ondricek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Jaroslav Ondricek, Bozena Ondricek, Yvonka Ondricek, and Jarda Ondricek shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to make the appropriate quota deductions for the first year that such quotas are available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PIA BIONDI

The Clerk called the bill (H. R. 5188) for the relief of Mrs. Pia Biondi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Mrs. Pia Biondi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this Act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARTIN A. DEKKING

The Clerk called the bill (H. R. 5442) for the relief of Martin A. Dekking.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Martin A. Dekking shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL MYUNG HA CHUNG

The Clerk called the bill (H. R. 5570) for the relief of Paul Myung Ha Chung.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Paul Myung Ha Chung, who entered the United States as a student from Seoul, Korea, on August 28, 1947, and is now attending the University of Kentucky and residing at 918 Darely Drive, Lexington, Ky., shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Page 1, line 4, strike out "who entered the United States as a student from Seoul, Korea, on August 28, 1947, and is now attending the University of Kentucky and residing at 918 Darely Drive, Lexington, Ky."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN EMPLOYEES OF THE ALASKA RAILROAD

The Clerk called the bill (H. R. 5578) for the relief of certain employees of the Alaska Railroad.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the persons enumerated below the sums specified, in full settlement of all claims against the Government of the United States, as reimbursement for personal effects and work tools destroyed as a result of the fire which occurred on January 15, 1951, in the Anchorage Terminal Mechanical Building of the Alaska Railroad: Rollins F. Baker, $46.45; Claire G. Spensley, $132.05; Weston A. Hillman, $401.99; Walter W. Summers, $199.51; Richard C. Catherwood, $380.05; Dolores D. Runner, $2.35; Marcia Zahrobsky, $10.75; Arthur R. Strong, $100; Irwin C. Rasmussen, $50.95; Calvin L. Barr, $50.95; Everett L. Shroll, $37.25; Harry A. Johnson, $38; Eske Eskesen, $41.60; Clinton R. Jenkins, $255.75; Richard D. George, $85.25; Dan A. Kraft, $42.25; Lemuel J. Smith, Jr., $54.25; Charles W. Smith, $94.01; Alvin W. Bratten, $73.50; Cary D. Everhart, $536.60; Phillip Kolganko, $71.90; Billie J. Hubert, $45.70; Floyd R. Baker, $46.75; Fred M. George, $211.20; Botvid L. O. Kallman, $147.92; Lyle F. McDermott, $98; Michael A. Jacobs, $30.70; Fred W. Bender, $238.47; Duane M. Woods, $91.50; Richard L. Moyer, $38.50; Harry R. Rank, $128; Ann G. Rewolinski, $212.20; Joseph Fowler, $30; Guy Williams, $44.50; Charles S. Somers, $13.52; David H. Andrews, $96.50; Eugene W. Johannes, $22.98; Lewis G. Firmin, $52.78; Fred W. Nilsen, $76.40; Andrew E. Dennis, $111.06; Lester P. Corliss, $166; Russel W. Goddard, $176.30; Braham Latch, $96.55; Eugene McBride, $44.35; Estel S. Phelps, $67.32; Albert N. Deary, $108; Neal E. Osgood, $244.60; Joseph Schneider, $97.80; Ralph R. Thomas, $1,071.65; Robert L. Sellers, $53.69; Howard E. Michou, $42.40; C. G. Barnett, $398.85; William H. Miller, $147.18; Harvey M. May, $568.65; William F. Cairns, Jr., $229.20; Daniel M. Leonard, $45.50; Donald C. Barnett, $423.40.

SEC. 2. No part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Rollins F. Baker and other employees of the Alaska Railroad."

A motion to reconsider was laid on the table.

FRIEDA MARGARETE ECKERT

The Clerk called the bill (H. R. 5961) for the relief of Frieda Margarete Eckert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of the eleventh category of section 3 of the Immigration Act of 1917, as amended, Frieda Margarete Eckert may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM J. MARTIN

The Clerk called the bill (H. R. 6356) for the relief of William J. Martin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $146.86 to William J. Martin, of Arlington, Va., in full settlement of all claims against the United States for reimbursement for expenses in shipping household goods from Leland, Miss., to Arlington, Va., while an employee of the United States Department of Agriculture, September 1947: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the Comptroller General of the United States is hereby authorized and directed to cancel the indebtedness of William J. Martin, in the amount of $146.86, arising out of the transportation of his household goods from Leland, Miss., to Arlington, Va., while he was an employee of the United States Department of Agriculture in September 1947."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACOB ATHIAS ROBLES AND ESTHER DE CASTRO ROBLES

The Clerk called the bill (H. R. 6445) for the relief of Jacob Athias Robles and Esther de Castro Robles.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 404 of the Nationality Act of 1940 (54 Stat. 1137, 1170; 8 U. S. C., 1946 ed., sec. 804) shall not be applicable to Jacob Athias Robles and Esther de Castro Robles.

With the following committee amendments:

Page 1, line 3, strike out "404" and substitute "404 (c)."

Page 1, line 4, strike out "804" and substitute "804 (c)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ILONA LINDELOF

The Clerk called the bill (H. R. 6732) for the relief of the alien Ilona Lindelof.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, the alien Ilona Lindelof, residing temporarily in the United States and in the District of Columbia, shall be considered to have been lawfully admitted to the United States for permanent residence at New York City, N. Y., on January 1, 1950, the date she arrived at that port. Upon enactment of this act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the quota of Czechoslovakia of the first year that such quota numbers are available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That for the purposes of the immigration and naturalization laws, Ilona Lindelof shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YOSIKO NAKAMURA

The Clerk called the bill (H. R. 6884) for the relief of Yosiko Nakamura.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Yosiko Nakamura, the Japanese fiancée of Horace Thompson, a citizen of the United States serving in the Armed Forces of the United States, and that the said Yosiko Nakamura shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find the said Yosiko Nakamura is coming to the United States with a bona fide intention of being married to the said Horace Thompson, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Yosiko Nakamura, she shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of the said Yosiko Nakamura, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Yosiko Nakamura as of the date of the pay-

ment by her of the required visa fee and head tax.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAYOKO UCHIDA

The Clerk called the bill (H. R. 6940) for the relief of Sayoko Uchida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Sayoko Uchida, the Japanese fiancée of Sgt. James D. Lombard, a citizen of the United States, and that the said Sayoko Uchida shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Sayoko Uchida is coming to the United States with a bona fide intention of being married to the said Sgt. James D. Lombard and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Sayoko Uchida, she shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of said Sayoko Uchida, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Sayoko Uchida as of the date of the payment by her of the required visa fee and head tax.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MASUKO KOSAKA

The Clerk called the bill (H. R. 7052) for the relief of Masuko Kosaka.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Masuko Kosaka, the Japanese financée of Raymond V. Prueitt, a citizen of the United States serving in the Armed Forces of the United States, and that the said Masuko Kosaka shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find the said Masuko Kosaka is coming to the United States with a bona fide intention of being married to the said Raymond V. Prueitt, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Masuko Kosaka, she shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of the said Masuko Kosaka, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Masuko Kosaka as of the date of the payment by her of the required visa fee and head tax.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARY CAMPION

The Clerk called the bill (H. R. 7235) for the relief of Mrs. Mary Campion.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940, edition, title 5, secs. 765–770, the Department of Labor (Bureau of Employees' Compensation) is hereby authorized and directed to receive and consider, when filed, the claim of Mrs. Mary Campion, mother of Lucy Campion, deceased, for compensation under such act, within 6 months from the date of enactment of this act, on account of the death of the said Lucy Campion sustained on March 3, 1945, while in the performance of her duties at Indiantown Gap Military Reservation, Pa.; and the Bureau, after such consideration of such claim, shall determine and make findings of fact thereon and make an award for payment of compensation to Mrs. Mary Campion, as mother of Lucy Campion, provided for in such act of September 7, 1916, as amended: *Provided*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendment:

1. Strike out everything after the enacting clause, and insert in lieu thereof the following: "That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Thomas J. Campion, of Pottsville, Pa., the sum of $8,280, in full settlement of all claims against the United States arising out of the death of their daughter, Lucy T. Campion, on March 3, 1945, from injuries sustained by her in an accident, involving an Army vehicle, which occurred on the same date on the Indiantown Gap Military Reservation, Pa.; the driver of the said Army vehicle was not acting within the scope of his employment at the time the said accident occurred: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

Mr. ASPINALL. Mr. Speaker, I offer an amendment to the title of the bill.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Amend the title so as to read: "For the relief of Mr. and Mrs. Thomas J. Campion."

The amendment was agreed to.

A motion to reconsider was laid on the table.

ANDRIANNE LUIS AND JOHN LUIS

The Clerk called the bill (H. R. 7331) for the relief of Andrianne Luis and John Luis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Andrianne Luis of North Massapequa, N. Y., the sum of $25,000, and to pay to John Luis, of North Massapequa, N. Y., the sum of $5,000, in full settlement of all claims against the United States for personal injuries to Andrianne Luis, and for medical and hospital expenses paid for, and for loss of services to, John Luis, sustained as a result of an accident involving a United States Post Office vehicle, occurring in New York City, N. Y., on October 26, 1943: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "Luis" and insert "Luiz."

Page 1, line 6, strike out "$25,000" and insert "$1,250."

Page 1, line 7, strike out "Luis" and insert "Luiz."

Page 1, line 8, strike out "$5,000" and insert "$250."

Page 1, line 9, strike out "Luis" and insert "Luiz."

Page 1, line 11, strike out "Luis" and insert "Luiz."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Andrianne Luiz and John Luiz."

A motion to reconsider was laid on the table.

ERIKA O. EDER

The Clerk called the bill (H. R. 7366) for the relief of Erika O. Eder.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, Erika O. Eder, the fiancée of James D. Van Dyne, a citizen of the United States serving in the United States Armed Forces, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Erika O. Eder is coming to the United States with a bona fide intention of being married to the said James D. Van Dyne, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Erika O. Eder, she shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that

the marriage between the above-named parties shall occur with 3 months after the entry of the said Erika O. Eder the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Erika O. Eder as of the date of the payment by her of the required visa fee and head tax.

With the following committee amendments:

On page 1, line 6, after the words "Armed Forces", insert "and her son, James Robert Eder."

On page 1, line 6, after the words "eligible for", strike out the words "a visa" and substitute the word "visas."

On page 1, line 7, after the word "as", strike out the word "a."

On page 1, line 7, after the word "temporary", strike out the word "visitor" and substitute in lieu thereof the word "visitors."

On page 1, line 11, strike out the words "she is" and substitute in lieu thereof the words "they are."

On page 2, line 3, after the name "Erika O. Eder", insert in lieu thereof "and her son, James Robert Eder, they."

On page 2, line 4, strike out the word "she."

On page 2, line 10, after the name "Erika O. Eder", insert "and her son, James Robert Eder."

On page 2, line 11, strike out the word "the" and insert in lieu thereof the word "their."

On page 2, line 12, strike out the words "of the said Erika O. Eder,".

On page 2, line 13, strike out the word "her" and substitute the word "them."

On page 2, line 13, and 14, strike out the words "visa fee and head tax." and substitute in lieu thereof the words "visa fees and head taxes."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Erika O. Eder and her son, James Robert Eder."

A motion to reconsider was laid on the table.

JOSE LUIS SEGIMONT DE PLANDOLIT AND FUENCISLA SEGIMONT

The Clerk called the bill (H. R. 4590) for the relief of Jose Luis Segimont de Plandolit and Fuencisla Segimont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Jose Luis Segimont de Plandolit and Fuencisla Segimont shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AI-LING TUNG TSOU AND HER SON, MOODY TSOU

The Clerk called the bill (H. R. 8052) for the relief of Ai-Ling Tung Tsou and her son, Moody Tsou.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 2 of the act of December 17, 1943, as amended (8 U. S. C. 212 (a)), Ai-Ling Tung Tsou and her son, Moody Tsou, may be admitted to the United States as preferential quota immigrants in accordance with section 6 (a) (2) of the Immigration Act of 1924, as amended, if they are otherwise admissible to the United States.

The bill was ordered to be engrossed and read third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM BIG DAY

The Clerk called the bill (H. R. 5917) authorizing the Secretary of the Interior to issue a patent in fee to William Big Day.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue to William Big Day a patent in fee to the following-described land on the Crow Indian Reservation, Mont.: The northwest quarter of the southeast quarter, the northeast quarter of the southwest quarter, and the west half of the southwest quarter, section 4, township 6 south, range 31 east, Montana principal meridian.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That the Secretary of the Interior, upon application in writing, is authorized to sell, under applicable regulations, the homestead land contained in allotment No. 1997 of William Big Day, described as the northwest quarter of the southeast quarter, the northeast quarter of the southwest quarter, and the west half of the southwest quarter, section 4, township 6 south, range 31 east, Montana principal meridian, containing 160 acres."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the sale of land on the Crow Reservation, Mont., allotted to William Big Day."

A motion to reconsider was laid on the table.

JOHN B. CUMMINS

The Clerk called the bill (H. R. 6681) authorizing the issuance of a patent in fee to John B. Cummins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to John B. Cummins a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Mont.: The southeast quarter of section 12, township 6 south, range 36 east; lot 3, the east half of the southwest quarter, and the southeast quarter of section 7, township 6 south, range 37 east; and lots 2 and 3, the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, and the north half of the north half of the north half of the southeast quarter of section 18, township 6 south, range 27 east, Montana principal meridian, containing seven hundred ninety-seven and twenty-one one-hundredths acres, more or less.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANKLIN YARLOTT

The Clerk called the bill (H. R. 7009) authorizing the issuance of a patent fee to Franklin Yarlott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Franklin Yarlott a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Mont.: The south half of the southeast quarter of section 4, the north half and the north half of the southwest quarter of section 9, township 8 south, range 38 east, Montana principal meridian.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VIOLA DELANEY

The Clerk called the bill (H. R. 7301) authorizing the Secretary of the Interior to issue a patent in fee to Viola Delaney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Viola Delaney a patent in fee to the following-described lands allotted to her on the Blackfeet Indian Reservation, Mont.: Lot 4 and the southwest quarter of the northwest quarter of section 2, township 36 north, range 11 west, Montana principal meridian, containing eighty-seven and fifty-eight one-hundredths acres.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE CROW INDIAN RESERVATION

The Clerk called the bill (H. R. 7303) authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to the following-named persons patents in fee to their allotted lands on the Crow Indian Reservation, Mont.:

Reba Yarlott, northeast quarter and the southeast quarter of the northwest quarter of section 7, township 3 south, range 35 east; northwest quarter of section 33, township 7 south, range 38 east; southwest quarter and the south half of the southeast quarter of section 3; lot 8, section 2, and the north half of section 10, township 8 south, range 38 east, Montana principal meridian, containing nine hundred sixty-two and fifty-nine one-hundredth acres.

Florence Mary Yarlott, the northeast quarter of section 32, township 7 south, range 38 east; the northwest quarter of the southwest quarter of section 2, and lots 1, 2, 3, and 4, and the south half of the north half and the north half of the southeast quarter of section 3, township 8 south, range

38 east, containing five hundred eight and eighty one-hundredths acres.

Charles Edward Yarlott, south half of the northeast quarter and the south half of section 33; south half of section 34; south half of section 35, township 7 south, range 38 east, Montana principal meridian, containing one thousand and forty acres.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

EDWARD CHARLES CLEVERLY

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1114) for the relief of Edward Charles Cleverly, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Line 6, strike out "Cleverly" and insert "Cleverley."

Amend the title so as to read: "An act for the relief of Edward Charles Cleverley."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SOCIAL SECURITY ACT AMENDMENTS OF 1952

The SPEAKER. The unfinished business is on suspending the rules and passing the bill (H. R. 7800) to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; there were—yeas 361, nays 22, answered "present" 2, not voting 46, as follows:

[Roll No. 106]

YEAS—361

Abbitt	Battle	Bryson
Addonizio	Beall	Buchanan
Allen, Calif.	Beamer	Budge
Allen, Ill.	Belcher	Burnside
Allen, La.	Bender	Buckley
Andersen, H. Carl	Bennett, Fla.	Burton
	Bennett, Mich.	Bush
Anderson, Calif.	Bentsen	Byrnes
Andresen, August H.	Berry	Canfield
	Bishop	Cannon
Andrews	Blatnik	Carrigg
Anfuso	Boggs, Del.	Case
Angell	Boggs, La.	Celler
Arends	Bolling	Chelf
Aspinall	Bolton	Chenoweth
Auchincloss	Bonner	Chiperfield
Ayres	Bosone	Chudoff
Bailey	Bow	Church
Baker	Boykin	Clemente
Bakewell	Bray	Cole, Kans.
Barden	Brooks	Cole, N. Y.
Baring	Brown, Ga.	Colmer
Barrett	Brown, Ohio	Combs
Bates, Mass.	Brownson	Cooley
Cooper	Holmes	Passman
Corbett	Hope	Patten
Cotton	Horan	Patterson
Coudert	Howell	Perkins
Cox	Hull	Philbin
Crosser	Hunter	Poage
Crumpacker	Ikard	Polk
Cunningham	Irving	Potter
Curtis, Mo.	Jackson, Calif.	Poulson
Dague	Jackson, Wash.	Preston
Davis, Tenn.	James	Price
Davis, Wis.	Jarman	Priest
Dawson	Javits	Prouty
Deane	Jensen	Rabaut
DeGraffenried	Johnson	Radwan
Delaney	Jonas	Rains
Dempsey	Jones, Ala.	Ramsay
Denny	Jones, Hamilton C.	Rankin
Denton		Reams
D'Ewart	Jones, Woodrow W.	Reece, Tenn.
Dingell		Reed, Ill.
Dollinger	Judd	Rees, Kans.
Dolliver	Karsten, Mo.	Regan
Dondero	Kean	Rhodes
Donohue	Kearney	Ribicoff
Donovan	Kearns	Riehlman
Dorn	Keating	Riley
Doughton	Kee	Rivers
Doyle	Kelley, Pa.	Roberts
Durham	Kelly, N. Y.	Robeson
Eaton	Kennedy	Rodino
Eberharter	Keogh	Rogers, Colo.
Elliott	Kerr	Rogers, Fla.
Ellsworth	Kersten, Wis.	Rogers, Mass.
Engle	King, Calif.	Rogers, Tex.
Fallon	King, Pa.	Rooney
Feighan	Kirwan	Roosevelt
Fernandez	Klein	Ross
Fine	Kluczynski	Sadlak
Fisher	Lane	St. George
Flood	Lanham	Saylor
Fogarty	Lantaff	Schenck
Forand	Larcade	Scott, Hardie
Ford	Latham	Scott, Hugh D., Jr.
Forrester	LeCompte	
Frazier	Lesinski	Scrivner
Fugate	Lind	Scudder
Fulton	Lovre	Secrest
Furcolo	McCarthy	Seely-Brown
Gamble	McConnell	Shafer
Garmatz	McCormack	Shelley
Gary	McCulloch	Sheppard
Gathings	McDonough	Short
Gavin	McGrath	Sieminski
George	McGregor	Sikes
Golden	McGuire	Simpson, Ill.
Goodwin	McIntire	Sittler
Gordon	McKinnon	Smith, Va.
Gore	McMillan	Smith, Wis.
Graham	McMullen	Spence
Granahan	McVey	Springer
Granger	Machrowicz	Staggers
Grant	Mack, Ill.	Stockman
Green	Mack, Wash.	Talle
Greenwood	Madden	Taylor
Gregory	Magee	Teague
Gross	Mahon	Thomas
Hagen	Mansfield	Thompson, Mich.
Hale	Marshall	
Hall, Edwin Arthur	Martin, Iowa	Tollefson
	Martin, Mass.	Trimble
Hall, Leonard W.	Meader	Vail
	Merrow	Van Pelt
Halleck	Miller, Calif.	Van Zandt
Hand	Miller, Md.	Velde
Harden	Miller, Nebr.	Vinson
Hardy	Miller, N. Y.	Vorys
Harris	Mills	Vursell
Harrison, Nebr.	Mitchell	Walter
Harrison, Va.	Morano	Watts
Harrison, Wyo.	Morgan	Weichel
Hart	Morrison	Wharton
Harvey	Moulder	Wheeler
Havenner	Multer	Whitten
Hays, Ark.	Mumma	Widnall
Hébert	Murdock	Wier
Hedrick	Murphy	Williams, Miss.
Heffernan	Murray	Williams, N. Y.
Heller	Nelson	Willis
Herlong	Nicholson	Wilson, Ind.
Heselton	Norblad	Wilson, Tex.
Hess	Norrell	Winstead
Hill	O'Brien, Ill.	Withrow
Hillings	O'Brien, Mich.	Wolverton
Hinshaw	O'Hara	Wood, Ga.
Hoeven	O'Neill	Wood, Idaho
Hoffman, Ill.	Osmers	Yates
Hoffman, Mich.	Ostertag	Yorty
Holifield	O'Toole	Zablocki

NAYS—22

Adair	Brehm	Curtis, Nebr.
Betts	Buffett	Devereux
Blackney	Clevenger	Elston
Bramblett	Crawford	Jenison
Jenkins	Simpson, Pa.	Thompson, Tex.
Mason	Smith, Kans.	Werdel
Reed, N. Y.	Smith, Miss.	
Sheehan	Taber	

ANSWERED "PRESENT"—2

Busbey Woodruff

NOT VOTING—46

Aandahl	Gwinn	Redden
Abernethy	Hays, Ohio	Richards
Albert	Herter	Sabath
Armstrong	Jones, Mo.	Sasscer
Bates, Ky.	Kilburn	Stanley
Beckworth	Kilday	Steed
Burdick	Lucas	Stigler
Burleson	Lyle	Sutton
Butler	Morris	Tackett
Camp	Morton	Thornberry
Carlyle	O'Brien, N. Y.	Welch
Carnahan	O'Konski	Wickersham
Chatham	Patman	Wigglesworth
Davis, Ga.	Phillips	Wolcott
Evins	Pickett	
Fenton	Powell	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Herter and Mr. Wigglesworth for, with Mr. Woodruff against.

Mr. Fenton and Mr. Butler for, with Mr. Phillips against.

Until further notice:

Mr. Sasscer with Mr. Burdick.
Mr. Bates of Kentucky with Mr. Gwinn.
Mr. Evins with Mr. O'Konski.
Mr. Davis of Georgia with Mr. Wolcott.
Mr. Chatham with Mr. Kilburn.
Mr. Wickersham with Mr. Armstrong.
Mr. Camp with Mr. Aandahl.
Mr. Steed with Mr. Morton.

Mr. WOODRUFF. Mr. Speaker, I have a live pair with the gentleman from Massachusetts, Mr. WIGGLESWORTH, and the gentleman from Massachusetts, Mr. HERTER, who if present would vote "aye." I therefore withdraw my vote of "no" and vote "present."

The result of the vote was announced as above recorded.

Mr. ROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSS. Mr. Speaker, I voted for the passage of bill, H. R. 7800, to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, because I have advocated for a long time liberalizing our social-security system.

This bill provides for an increased payment of approximately $5 and raises the income limit to $70 per month. Even with this pitiful increase, benefits under the social-security system are far from being adequate in providing any measure of security to our aged people; nor does the raising of the income from $50 to $70 make this provision equitable.

Where a person has paid into the system for years, it seems to me most unfair and unreasonable to penalize that person by withholding social-security benefits if they are able to obtain a job which pays them more than $70 per month.

I strongly favor removing entirely this income limitation, or at least raising it to $100.

Also I strongly advocate increasing the payments under the social-security system by an additional 50 percent, or, certainly a minimum of an additional 25 percent. Inflation has raised the cost of living to such a degree that the aged people who have over the years paid their hard-earned dollars into this system, believing that in their retirement they would be provided with some security, are entitled to and deserving of this increase.

I hope when the Senate considers this bill that they will increase the benefits and eliminate the income limitation.

Mr. Speaker, I am unqualifiedly and totally opposed to socialized medicine, and I have been one of the strongest opponents of every attempt by this administration to extend its control over our medical profession; and if I believed that the section pertaining to the preservation of insurance rights of the permanently and totally disabled in any way conferred upon the Federal Security Agency the authority to socialize medicine, I would have voted against this bill.

It is most unfortunate that the committee brought this bill before the House under a suspension of the rules, which forbids the House from offering an amendment spelling out the exact procedure to be followed by the Federal Security Agency in administering this program.

However, I feel certain when the Senate considers the bill, where it will be open for amendment, that they will write into this section specific language directing the Federal Security Agency as to the proper administration of this program.

Mr. Speaker, may I in closing express the hope and the confidence that next year the Congress will conduct an exhaustive study of our entire social security program, with a view to enacting legislation which will provide adequate benefits for our aged.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, it is to be regretted that H. R. 7800, which is known as the Social Security Act, is again before us for action under the same rule known as the "gag" rule, which allows no amendments. I think that it is the right of every Member of Congress to be allowed to submit his views in the form of amendments to legislation when it is before us for our consideration. We should not be forced to vote "yes" or "no" on a bill from a committee without having the opportunity to make changes in the legislation.

When H. R. 7800 was before us under a "gag" rule on May 19 I charged then that it contained a clause which would definitely establish socialized medicine. I think it was wise for the Members of this House to return the bill to the committee for changes. I now note that at least many of the paragraphs referring to the procedure of socialized medicine have been stricken. Yet I believe that there are some sections which are questionable and should be debated on the floor, but, under the "gag" rule, we have only 20 minutes on each side to debate and no chance to amend. I concur in the statements made by many Members of this Congress that this bill, H. R. 7800, as now presented to us is much better than when it was considered on May 19. I have contacted several members of the committee and have been assured that sections (a) and (b), on page 28 of the bill, definitely eliminates police, firemen, and elementary and secondary school teachers' retirement programs now in effect from this legislation. In my statement on May 19 I took the position I was definitely opposed to any attempt to put the teachers, police, and firemen, and other retirement systems now in operation in the various States under Federal jurisdiction, and I am happy to say that, in my opinion, H. R. 7800, as now written, and I am assured that this is the fact, this legislation does not jeopardize the retirement systems in effect referred to above.

I am sorry that the benefits incorporated in this bill are not greater than they have set forth, and it is to be regretted that the recipients are not allowed to work to bring revenue for themselves in excess of $70 per month. To me this is a penalty on initiative and thrift. It must be remembered that recipients of this program have contributed their own money and are certainly entitled to its benefits. In my opinion, they should be allowed to work in order to have an income comparable, at least, to living costs.

It is unfair, too, that extensive hearings were not held on this legislation and that we who believe in social security are forced to accede to the dictates of only a majority of the committee of 25, or be faced with the situation of not having any legislation passed at this session of Congress. If this bill is defeated, the social-security recipients will get no increase and not be allowed to work where revenues were in excess of $50 a month.

I am voting for H. R. 7800 today because I definitely feel that it is much better than when it was before us on May 19 and with the hope that the other body—the Senate—will have extensive hearings and bring out a more equitable and just piece of legislation. In these closing days of this Congress it seems we cannot hope for anything better.

TREATMENT OF PERSONS AFFLICTED WITH LEPROSY

Mr. MURDOCK. Mr. Speaker, I call up the conference report on the bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2144)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate insert the following:

"When so provided in appropriations available for any fiscal year for the maintenance of hospitals of the Service, the Surgeon General is authorized and directed to make payments to the Board of Health of the Territory of Hawaii for the care and treatment in its facilities of persons afflicted with leprosy at a per diem rate, determined from time to time by the Surgeon General, which shall, subject to the availability of appropriations, be approximately equal to the per diem operating cost per patient of such facilities, except that such per diem rates shall not be greater than the comparable per diem operating cost per patient at the National Leprosarium, Carville, Louisiana."

And the Senate agree to the same.

MONROE M. REDDEN,
LLOYD M. BENTSEN, Jr.,
FRED L. CRAWFORD,
Managers on the Part of the House.

RUSSELL B. LONG,
GEORGE A. SMATHERS,
ZALES N. ECTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1739) to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy, submit the following statement in explanation of the action agreed upon by the conferees and recommended in the accompanying conference report:

As passed by the House, the bill provided that States, Territories, or possessions outside the continental limits of the United States which have facilities for the care of persons afflicted with Hansen's disease (leprosy) and which conform to reasonable standards for patient care may make application to the Surgeon General of the United States Public Health Service and he shall arrange to make payments to the health authority of the State, Territory, or possession, as the case may be, for treatment of those patients "subject to the availability of appropriations."

The Senate struck out all of the House bill after the colon on page 1, line 8, and inserted an amendment in the nature of a substitute. The Senate amendment confined treatment under this bill to persons in Hawaii afflicted with leprosy and provides that payment for the same shall be made "out of funds available for the maintenance of hospitals of the Public Health Service."

The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

The substitute amendment agreed upon by the conferees is similar to the Senate amendment, confining treatment under this bill to lepers in Hawaii except such treatment shall be available "when so provided in appropriations for any fiscal year for the maintenance of hospitals of the Service."

Thus, under the conference substitute, treatment would be available in Hawaii only when provided for that purpose in appropriations to the United States Public Health Service.

MONROE M. REDDEN,
LLOYD M. BENTSEN, Jr.,
FRED L. CRAWFORD,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATIONS ACT AMENDMENTS, 1952

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 620 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 658) to further amend the Communications Act of 1934. That after general debate which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COX. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and at this time I yield myself 5 minutes.

Mr. Speaker, House Resolution 620 provides for the consideration of the House version of the bill S. 658, to amend the Communications Act of 1934, and since there is general recognition of a need for improving the act, I take it that we can assume that the pending resolution will be accepted.

But, Mr. Speaker, I would remind Members that no law, however good it may be, will produce satisfactory results unless it is administered by good and competent men. The Communications Commission has been the subject of great controversy since it was brought into existence. Unfortunately, it has never enjoyed in large measure public confidence and respect.

The powers of the Commission have been on many occasions misused, to the detriment of the public interest and the harrassment of all media of communication. In 1939 Lawrence Fly was promoted to the Chairmanship of the Commission, and it was then that the already bad reputation of the agency began to grow worse, all due to the manner in which he discharged the duties of his office. He was an extreme leftist of long standing and immediately upon his becoming chairman he set out to indoctrinate other members of the commission and its staff with his kind of thinking. During his chairmanship he ran the Communications Commission as if he had been a Russian commissar.

In his appointment the Kremlin was given no reason to believe that its wishes were being ignored, and certainly he gave none for disappointment for he consistantly behaved as would be expected of a good and faithful fellow traveler. Mr. Fly left the Commission and went into private practice with the blessings of the President bestowed upon him; with the remark, in effect, that he was only being let go on loan, that there might come an occasion which would necessitate his being recalled into service.

Mr. Fly was succeded by Paul Porter. I have no criticism to make of Mr. Porter. He was an ultra liberal. After he served as Chairman for a short while he resigned and went to OPA.

Following Mr. Porter I believe Mr. Denny, one of Mr. Fly's men, belonging to the same school of thought, and who had served with the Commission as counsel for a good long time, was promoted to the chairmanship, with Mr. Fly's blessing, and probably at the instance of Mr. Fly. After serving for some time he resigned and went to NBC at $75,000 a year.

Then came Mr. Jett, who had been the Chief Engineer of the Commission for a good long while, and as the Chairman of the Commission he performed admirably. He was and is a good man. He left the Commission and went into private practice, and at the moment I believe is with some Baltimore Sun broadcasting station.

Then came Mr. Wayne Coy. Mr. Coy had been for a good long while a protégé of Mr. Eugene Meyer of the Washington Post. He had served both Mr. Meyer and the Post for some time before he went to the Commission, and after he took the chairmanship he continued to serve them. He is pretty much the same type of man as Mr. Fly. After having been there for some time, he left the Commission, and made arrangements with Time, Inc., to serve as its consultant on radio-TV matters soon to develop with the purchase of KOB–AM–TV, Albuquerque, N. Mex., at a salary of $25,000 per year.

He was able to get the Commission to approve the transfer of title to the station within 30 days while others had been held up for years. He was given the management of the New Mexico station at $26,000 a year, and bought a half interest in the station that cost Time, Inc., $900,000 for $75,000. In other words, he secured two good jobs both paying high salaries and half interest in a station costing nearly a million dollars out of the deal he put across. So he pretty well took care of himself.

Now I mention these matters for the purpose of calling the attention of the House to the fact that the Senate bill, of which the pending amendment is a rewrite, carried a provision to the effect that certain employees of the Commission would not be permitted to practice before the Commission until after 1 year following their severance of connection with the Commission. The House amendment eliminated that provision. In my opinion the provision should be rewritten, that is broadened to include members of the Commission who resign before the expiration of their term, to form these kinds of connections, and put back in the bill.

There has been pretty much of a racket going on in the Commission for a good, long while, that is, a racket in the sense that members of the Commission have resigned and accepted employment with broadcasters, most of whom had been having trouble with the Commission, and the next day they were practicing before the Commission of which they had been members. I believe that provision of the Senate bill should be rewritten and incorporated in the pending measure.

Let me make this observation; there has been little free radio in this country since 1939. There was none during the service of Mr. Fly. Through abuse of power, through intimidation and other hostile attitudes, he brought about a state of terrorism. The broadcasters were bullied and had to concede to the Commission the right to control the type of broadcasting they did. Broadcasters had to submit to the demands of the Commission, no matter how outrageous they might have been, or else incur the hazard of the loss of their property.

The Commission, however, has, I am convinced, been gradually improving. Members of the Commission who are there now that served with Mr. Fly, and who acceded to his demands, were to some extent under the necessity of finding security, they conformed in order to keep their jobs, but with him gone and with those threats removed, I am convinced that they take a better view of matters falling within the jurisdiction of the Commission than has heretofore been the case.

Paul Walker, who has served on the Commission since it was put together, is now the Chairman. I never thought that he was a man of any extraordinary ability or any great power. He was, I know, intimidated into doing whatever Mr. Fly said do while Fly was there. However, I believe he is a very much better man than circumstances have indicated, and with the new Commissioner, Mr. Bartley, that has gone there recently, the same type of man as our Republican friend, Bob Jones, whose appointment put character into the Commission, that working together the bad mess that has prevailed there for a good long while will be soon cleaned up. The staff of the Commission has been bad. It is bad. I am told that the process of washing it out is very rapidly going forward. Mr. Speaker, if I have said anything, which I think could be of value, it is the suggestion which I have offered that there be written into the bill a prohibition against Commissioners resigning to take employment in broadcasting. There is no objection to Commissioners practicing before the Commission, after

their terms normally expire, but for those who resign to take jobs with broadcasters there should be a prohibition against their practicing before the Commission for 1 year after resigning. The committee sponsoring this bill has given a great deal of time and study to all of the problems involved, as is perfectly evident. They have filed a magnificent report, and I believe they have come forward with a meritorious proposal—one that is reasonable and one that is fair and one which promises free radio and the enjoyment of the freedoms which broadcasters and other people engaged in the different media of communication work have been denied.

Mr. Speaker, I wish to emphasize the importance of adopting the pending amendments to the existing law, and at the same time make the observation that what this great Committee on Interstate and Foreign Commerce proposes serves present needs.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such times as I may require.

Mr. Speaker, the gentleman from Georgia [Mr. Cox] has not only explained this rule, but he has explained the bill in a way which, I think, has made clear to the Members of the House the purposes of this measure and the reasons for it. Perhaps there is no Member of the House who has not served on the Committee on Interstate and Foreign Commerce, or on the Subcommittee on Communications of the Committee on Interstate and Foreign Commerce, who has the knowledge and detailed information as to our radio laws, and the operation of the Federal Communications Commission, its rulings and regulations, as has the gentleman from Georgia [Mr. Cox]. He has long made a study of the Federal Communications Act and of the activities and the rulings of the Federal Communications Commission. He served with great distinction on a special committee of the House, which at one time investigated the Commission.

Mr. Speaker, I would like to join with the gentleman from Georgia, if I may, in complimenting the membership of the Committee on Interstate and Foreign Commerce for the exceptionally splendid work they have done in rewriting S. 658, and in bringing before the House this legislation which is long overdue—legislation which, I believe, will spell out in statutory law not only the rights of those engaged in radio and television, but also the duties and responsibilities of the Federal Communications Commission, and to give direction to congressional intent as far as that great industry and the Commission are concerned. Certainly both radio and television have become a part of our daily life. Every person in America is, or shoud be, vitally interested in free radio and free television. When I use the word "free," I mean a free radio and television service that is not dominated, or dictated to, or controlled by, any bureaucratic agency of Government, but is regulated only in the interest of the public to guarantee a free flow of information and that will be impartial and fair in the use of the air waves of this Nation for the benefit of all the people.

As the gentleman from Georgia [Mr. Cox] has so well pointed out,, and, as I believe my old colleagues on the Committee on Interstate and Foreign Commerce will testify, there has been in the past a great deal of misuse of power, may I say, by those who have temporarily served on the Federal Communications Commission. So it is only right and proper that the Congress write into this new code or law the intent of Congress, and include therein provisions which experience dictate are necessary to protect free radio and free television in America, and to see to it that the communications act is administered fairly and impartially.

There are a great many provisions written into this law that have been needed in the past. I am specifially interested in one particular section of the bill that I would like to mention, because I have heard some rumors within the last 2 or 3 days which give me some cause for alarm. I would like to refer, if I may, to paragraph (d) on page 46, beginning on line 6, which provides that—

> The Commission shall not make or promulgate any rule or regulation, of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information and no application for a construction permit or station license, or for the renewal, modification, or transfer of such a permit or license, shall be denied by the Commission solely because of any such interest, association, or ownership.

I believe the great Committee on Interstate and Foreign Commerce acted wisely in writing this section into the bill in order to make certain that in the future some individual who temporarily rises to power in the Federal Communications Commission shall not attempt to do that which has been done in the past under the administration of Chairman Fly, if I may be explicit, when it was suddenly decided, without any logic, right, or reason, that if anyone should be interested in ownership of a newspaper, if anyone should be a publisher, that he was unfit to engage in radio; that he should not be permitted to operate a radio station, or to have any ownership in a radio station; that he could not be trusted—perhaps that was the idea—with a license for a radio. I want to say first of all, if I may, Mr. Speaker, that while I am a newspaper publisher, I have no interest in radio of any kind; I own no radio station, no stock in any radio or television station; I never expect to own any radio or television station or to have any interest in any corporation or partnership owning one. So with no self interest involved, I say to you that if the Federal Communications Commission, through an arbitrary ruling, can say an American citizen who happens to have an interest in a newspaper or magazine, or who is engaged in the publishing business, shall be considered unfit to receive a radio or television license, then just as easily the Commission might rule that if a man has red hair he shall be considered unfit to own a radio station or to engage in television; or the Commission can say, if you please, that if a man belongs to the Methodist Church or the Catholic Church he shall be barred from radio and television.

There should be just one test, Mr. Speaker, for every individual who applies for a license for a radio or television station, or to engage in that industry, and that is the kind of service he can and will render to the people of America; whether or not he will keep faith and abide by the laws and regulations of this Commission properly; whether or not he will give the adequate service that we have a right to expect of those to whom we grant more or less of a Government monopoly of the air.

I am hoping that this particular section, which prohibits discrimination by the Commission in the granting of radio and television licenses, will be kept in this bill, because if it is stricken out, by the very act of striking it out through amendment, this House will be placing its stamp of approval upon the idea at least that the Federal Communications Commission has the right to discriminate. I contend that it does not have the right to discriminate and should not be permitted to discriminate, and that this committee acted wisely and well when it wrote into the law a prohibition against any such discrimination. I shall oppose any such amendment to strike out this provision of the bill, and I hope the gentleman from Georgia will support me.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. COX. The gentleman will recall that the hostile position of the Commission toward newspaper broadcasting was taken during the chairmanship of Mr. Fly.

Mr. BROWN of Ohio. Yes; as I mentioned a moment ago.

Mr. COX. With his leaving, the Commission abandoned, as I recollect, completely that position; and since then there has been no kind of discrimination against the newspapers acquiring facilities or engaging in broadcasting activities.

Mr. BROWN of Ohio. The same individuals engaged in newspaper publishing.

Mr. COX. Yes.

Mr. BROWN of Ohio. But I hope the gentleman from Georgia will agree with me that such a situation existed, and that we did have a commission dominated by an individual who did discriminate. That is a situation which should not be tolerated.

Mr. COX. Yes; I agree with the gentleman.

Mr. BROWN of Ohio. And that this committee has acted fairly in writing this prohibition into the bill so that such a situation cannot arise again in the future.

Mr. COX. I agree with the gentleman.

Mr. BROWN of Ohio. Certainly those engaged in publishing in this country have the right to be served on the same basis as any other citizen.

Mr. COX. The gentleman is, of course, right.

Mr. BROWN of Ohio. I hope my colleague will support me.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. BENDER. Would the gentleman care to comment on this being an unnecessary discrimination?

Mr. BROWN of Ohio. I think I know to what the gentleman refers. This is not an unnecessary discrimination, but it is a very necessary provision in this law, for, in my opinion, it will protect not only the publishers but other citizens of America against discrimination by some bureaucrat who may for a few short months or years be in a position of power.

Mr. ELLSWORTH. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to my colleague from Oregon.

Mr. ELLSWORTH. I agree entirely with what the gentleman is saying with reference to the value of the section of the bill on page 46 which definitely provides that the commission shall not make any rule or regulation which prevents newspaper publishers or any other publishers from owning radio stations. I think it is pertinent to point out to the gentleman and to the House that when the Commission was previously discriminating against publishers and newspaper owners, it never at any time actually issued an order which prevented an application being granted to a newspaper publisher. All it did was simply refuse to act on such applications.

Mr. BROWN of Ohio. Because their position could not be sustained in a court of law, they took the other method of just simply sitting on the applications and never granting the licenses. In hearing after hearing they would not face the issue so that you could get the case in court and get a decision.

Mr. ELLSWORTH. I want to call the attention of the gentleman to subsection (g), on page 42, which provides that the Commission must act within a reasonable time; in fact it sets out in that subsection that under certain circumstances the Commission shall act within 3 months, and under other circumstances within a 6 months period, and should an application be not granted in the 3- or 6-month period, a report shall be made to the Congress as to why action has not been taken.

Mr. BROWN of Ohio. I think that is a very good section.

Mr. ELLSWORTH. In my opinion, that section is as important as the one mentioned by the gentleman.

Mr. BROWN of Ohio. Oh, yes.

Mr. ELLSWORTH. We should also watch in the course of reading the bill for amendment to be sure that the other section on page 42 is not made ineffective. I may say to the gentleman that subsection (g), page 42, should be made a little stronger. Rather than to say it is the objective of the law to accomplish this thing, it should be made the law.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. With reference to subsection (g), does not the gentleman think this Commission could meet more than once a month?

Mr. BROWN of Ohio. I think they might be able to get together once in a while in the cooler seasons of the year.

Mr. GROSS. I do not think twice a month would be too much.

Mr. BROWN of Ohio. I want to point out in conclusion that the committee has done a splendid piece of work, and is to be complimented on this legislation. From my past experience on the Interstate and Foreign Commerce Committee I know something about the difficulties encountered in attempting to draft legislation like this.

I have brought out in my talk the special sections referred to simply because of the strong feeling I have that the committee has acted properly and because I have heard that some attempt might be made to take away or to strike out this particular section or provision of the bill. I want to say that if we permit discrimination in the granting of radio licenses in one field, there is no reason why we may not soon reach a situation where others will be discriminated against, and the whole intent and purposes of the Congress in connection with the issuance of radio licenses and television licenses on a fair and impartial basis will be destroyed.

I hope this rule will be adopted and that the bill will be passed by the House without any crippling amendments.

Mr. COX. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore [Mr. MILLS]. The question is on the resolution.

The resolution was agreed to.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 658) to further amend the Communications Act of 1934.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 658, with Mr. BONNER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself 40 minutes.

Mr. Chairman, the Committee on Interstate and Foreign Commerce brings to you today amendments to the Communications Act of 1934.

I should like to say, Mr. Chairman, for myself and my colleagues on the Committee, that we appreciate the compliments that have been extended to us by Members of the great Committee on Rules for our efforts to bring to the House desirable and necessary amendments to the Federal Communications Act. We recognize this to be a very difficult and complicated problem. This is a highly technical question in that it is so far reaching, and because it affects practically every home in the United States I shall endeavor to explain to the Committee just what we have tried to do.

Mr. Chairman, the field of communications throughout the history of mankind has been a necessary adjunct to the life and welfare of all people. Communication was as important and necessary in the dark and middle ages as it is today. Life depends on some form of communication.

In more recent years the types and forms of communication have added tremendously to the progress of the world. Since the advent of electricity given to us in a form or manner that could be used by that grand old American with great ingenuity, one of our forefathers and outstanding statesman, Benjamin Franklin, we have seen rapid development in this field, which has made possible the progress we have achieved in so many other ways. Navigation and most all forms of transportation, free speech, expression, and so many phases of our vast activities are all dependent on communication. Our national defense, our security, are as dependent upon communication today as mortar fire or bomb.

LEGISLATIVE HISTORY OF COMMUNICATIONS IN UNITED STATES

The history of communications by wire and radio which today includes television in the United States is most interesting indeed. This bill, amending the Communications Act, is another step in our progress. It is to keep step with the times in the rapid advancement of the radio and television industry. It is for the protection of almost every home in America because today you will find either radio or television or both in practically all of the homes of our great country.

It was not until 1912, I believe, that legislation was necessary affecting this form of communication. The Congress provided the first radio act at that time. There was not much radio at that time but being in its infancy some action apparently became necessary. Authority was given to the Secretary of Commerce, but it was not of a regulatory character.

The next legislation on the subject was in 1927. This action resulted after several years of study and consideration and made necessary by the advent of commercial broadcasting. The Radio Act of 1927 established a temporary Federal Radio Commission. It broadened the authority of the Secretary of Commerce. There were a few minor amendments the following two or three years.

In the early thirties, it became apparent that the field of radio was to develop as a service to the American people. The industry was destined to advance and grow and to become a vital segment of each community. To meet this marvelous expansion, the Congress passed the Communications Act of 1934, that gave this country the basis on which radio and television were to develop under orderly processes.

It was apparent that due to the technicalities necessarily involved in communications that division between radio on the one hand and the wireless, such as telephone and telegraph, on the other was not being promoted in the public interest. In 1933 President Roosevelt requested a study of the problem. A recommendation was made for the establishment of a Federal Communications

Commission vested with the authority which had been formerly given to the Federal Radio Commission or Secretary of Commerce and the Interstate Commerce Commission.

Our beloved Speaker was the chairman of our great Committee on Interstate and Foreign Commerce which reported the 1934 act. This was the first act establishing a commission with complete regulatory authority over this industry, providing standards for this industry to come into your home and mine.

There have been very few amendments to the Communications Act of 1934 and those relatively minor. This clearly indicates and is positive proof of the magnificent job performed by the Speaker and his committee. I might say, Mr. Chairman, the country owes a debt of gratitude to Speaker RAYBURN for the marvelous leadership in giving us not only the Communications Act of 1934 but many other important acts affecting the welfare of our people.

With the rapid advancement we have made in the last 18 years, it is only to be expected that some changes be made in this program as with almost all programs. The amendments that we bring to you today do not change the basic pattern of the original act of 1934. It does provide for some very striking changes to meet the problems of today which were not present nor could likely be foreseen 20 years ago. As has been the experience in previous legislative amendments on this subject, this bill, S. 658, has a long legislative history. It is, in fact, the result of more than a decade of congressional investigations, studies, hearings, and reports by committees in both Houses of Congress. Some of the provisions of the bill we bring to you today were recognized as necessary as far back as the Seventy-seventh Congress, in a proposal known as the Sanders bill; then there was a White-Wheeler proposal in the Seventy-eighth Congress on which hearings were held by Senate Interstate and Foreign Commerce Committee in 1943. Again, there were amendments proposed in various bills, including the White-Wolverton bills in 1947. During the Eighty-first Congress the Senate committee held hearings on and reported a bill which subsequently passed that body. Hearings were held by our House committee on the bill but it was not reported.

This bill we have before us, S. 658, is sponsored by the eminent majority leader of the United States Senate, Senator MCFARLAND. It is to a large extent the same as S. 1973 just referred to which passed the Senate in the Eighty-first Congress. Extensive hearings on this proposal were held by our Committee on Interstate and Foreign Commerce last year, 1951.

We received lengthy testimony from the Federal Communications Commission. The Commission was unanimous with respect to some of the provisions but divided as to others. The Commission opposed many of the provisions contained in the bill as was before us at that time.

We heard testimony from representatives of the broadcasting industry. It is interesting that some of the representatives of the industry as well as the Commission oppose certain provisions in the bill as was brought to us which while largely procedural in nature, they thought could or might effect basic changes in policy with respect to radio and television broadcasting and related matters.

We had representatives of the Federal Bar, and many others in and out of Government in an effort to make a complete record and do the best possible job with a very involved and highly technical problem.

It is interesting to note that following the hearings our committee held 23 days of executive session in consideration of this measure. We have earnestly endeavored to resolve the conflicts with which we were confronted as a result of the differing views presented during the hearings to us. We recognized that the provisions we have here are largely of a technical and helpful nature and although what we have done in reporting this bill has not resolved these differences and is not satisfactory to all viewpoints, we have resolved it in a manner and made every effort to bring to this Congress legislation, some of which recognized by most everyone as being necessary and to fit these amendments into existing law, so as to achieve a consistent and workable statutory pattern.

As already stated, there have been very few minor changes in the Communications Act since its passage in the Congress in 1934.

In the meantime, it is well recognized that tremendous changes have taken place in the broadcast media. The number of licensees has skyrocketed. New applications of the electronic arts have made possible the introduction of completely new techniques of presenting information and entertainment to the public at large.

Furthermore, television has been launched as a major industry with potentials of public service and economic ramifications beyond comprehension. During this development, the Federal Communications Commission and the act under which it regulates the communications industries of the country have been beset with ever-increasing administrative and judicial challenges arising out of the nature of the business so regulated and the interests of the parties seeking expeditious and fair treatment at the hands of the Government. Therefore, in reporting this amendment to the Communications Act, our committee concurs with the position taken by the Senate, the Federal Communications Commission, and the industry that the time for adjustment of pressing needs is at hand.

PURPOSE OF THIS LEGISLATION

The principal objective of this bill is to clarify the meaning and intent of the Communications Act. It is designed to remove ambiguities; to make definite certain administrative and legal steps, as well as procedures in the interest of expeditious handling of both license applications and law-making functions; to separate as far as administratively possible, the prosecutory and judicial functions of the Commission; to provide for administrative reorganization of the Commission in the interest of more effective and speedy handling of the cases; to better arm Commissioners to handle decisions by providing personal legal assistants; and, generally, to make clear and definite administrative actions and appellate procedures in accordance with the Administrative Procedure Act.

It is believed and we are strongly of the opinion that this amendment to the Communications Act would be a major step forward in the evolution of the regulation of radio and wire communications in both the field of broadcasting and common carrier. This legislation should be of inestimable value toward providing greater certainty that regulation of the industry should be in the public interest, convenience, and necessity.

This bill as we have reported proposes a substantial number of changes in the present Communications Act relating to a large variety of matters. There is much detailed information available on the provisions of this bill and, therefore, I shall undertake to explain what I believe the major items and the reasons for the committee's position in proposing them.

In the first place, after the committee had carefully considered the bill as passed the Senate and made so many changes, it was thought best to strike out the provisions of the Senate bill and report the committee's version in one amendment to the House.

Therefore, you will see by observing the bill that we struck out all of the language as presented to us and bring to you a clean bill in the form of an amendment.

TO IMPROVE ORGANIZATIONAL SET-UP AND ADMINISTRATIVE FUNCTIONING FEDERAL COMMUNICATIONS COMMISSION AND STAFF

First, with respect to the internal organization of the Federal Communications Commission, the bill establishes by law a requirement that the Commission organize its staff into integrated bureaus to function on the basis of the Commission's principal workload operations. At the same time the Commission is to establish such other divisional organizations as it may deem necessary to handle that part of its workload which cuts across more than one integrated bureau. It is well to note in this connection that during the time this bill has been under consideration, the Commission has undertaken a functional reorganization substantially similar to that required in this bill.

Additionally, an important new provision calls for the establishment of a staff of employees to be known as the "review staff" consisting of such legal, engineering, accounting, and other personnel as the Commission deems necessary. This review staff shall be directly responsible to the Commission and shall not be made a part of any bureau or division. It is further provided that the review staff shall perform no duties or functions other than to assist the Commission, in cases of adjudication which have been designated for hearing, by preparing, without recommendations, a summary of the evidence presented at any such hearing; by preparing without recommendations, after an initial deci-

sion but prior to oral argument, a compilation of the facts material to the exceptions and replies thereto filed by the parties; and by preparing for the Commission or any member or members, without recommendation and in accordance with specific directions from the Commission or its members, opinions, decisions, memoranda, and orders.

The committee earnestly recommends this new procedural set-up to the House, recognizing that in so-called adjudication or quasi-judicial proceedings it is desirable for the Commission to have competent technical assistants, but, at the same time, that it is appropriate to circumscribe the extent to which, and the manner in which, employees of the Commission may participate with the members of the Commission in the making of decisions which it is the responsibility of the Commissioners to make on the basis of the record made in public hearings.

It has been a long-standing complaint of the Federal Communications bar that in the all important so-called contested cases in which the Commission is supposed to act in a quasi-judicial capacity the Commission actually does not function like a court. It is argued that the Commission has complicated factual questions to decide in these cases and that, therefore, it must rely heavily on the unrestricted advice of its staff experts. However, the Committee on Interstate and Foreign Commerce felt that the courts have to determine exceedingly difficult questions of fact in patent cases, rate cases, and antitrust cases, for example. In those cases courts do reach their decisions without resort to expert advice in camera. All expert advice available to the courts is rendered in open court in the form of expert testimony. The Commission, however, permits its experts in case of conflicting technical testimony to "evaluate" behind closed doors evidence given by other experts in open hearings.

The Commission in a forceful letter addressed to the Speaker has renewed the contention made before the Interstate and Foreign Commerce Committee that this "evaluation" is necessary to the Commission's expeditious functioning. The committee, however, felt that such "evaluation" of conflicting technical testimony is tantamount to a delegation of the Commission's decision-making function to staff experts.

In its letter to the Speaker, which I just mentioned, the Commission warns that adoption of the sections of the amendment which I have just discussed would result in serious disruption of the Commission's processes and in substantial and unnecessary delays in deciding hearing cases.

The committee gave careful consideration to the Commission's contention. It felt, however, that a delegation of the decision-making power to the staff is completely out of line with the kind of procedure which fairness and equity require to be followed.

NEW PREHEARING AND PROTEST PROCEDURE

The committee amendment, just like the bill passed by the Senate, contains provisions for a new prehearing and a new protest procedure. Let me explain, briefly, the purpose of these provisions.

It means a great deal to an applicant whether the Commission grants his application for a new station or for the renewal of a station license or for a transfer of such station license without a hearing or whether a hearing is required. Months, if not years, may pass before the Commission can set a case down for hearing. Therefore, it is provided that in case the Commission feels that it cannot grant an application without a hearing, it must notify the applicant and must give the reasons why the Commission cannot grant the license or the renewal of the transfer without a hearing. The applicant then is afforded an opportunity to reply in writing and the Commission must consider the applicant's reply before it may set down the application for hearing. It is hoped that this provision in many instances will save the time of the applicant and of the Commission and will make unnecessary in many cases the holding of hearings by the Commission.

The protest procedure relates to cases in which an application has been granted without a hearing. In those instances, parties in interest may submit to the Commission a statement of facts why the license in question should not have been granted, and the Commission, after consideration of such statement, must set down the license for hearing if the facts stated by the protesting parties warrant a hearing. With respect to these two new procedures, the Commission has expressed severe criticism in its letter to the Speaker.

In the case of the prehearing procedure, the Commission is fearful that it will result in double processing of all applications. The protest procedure, on the other hand, the Commission feels, may require a large number of unnecessary additional hearings. The Commission warns that this would impose on it an unnecessary additional procedural workload which is certain to delay all grants of radio and television applications and increase substantially the Commission's budgetary requirements.

The Committee on Interstate and Foreign Commerce has carefully considered the Commission's objections. The Committee feels, however, that in many instances the prehearing procedure provided for in the Senate bill and in the committee amendment will render unnecessary Commission hearings, and there will be infrequent occasions only in which the protest procedure will require an additional hearing.

REPORT TO CONGRESS ON DELAYS

Members of this body are familiar with efforts on the part of applicants for licenses before the Commission to discover reasons for delay and seeming inactivity in the processing procedures. This bill contains a provision requiring the Commission to report to the Congress the reasons for delay on all original applications, renewals, and transfer cases in which it is not necessary to hold a hearing, going beyond a 3-month period, and with respect to the disposition of all cases requiring a hearing the reasons for Commission deliberations going beyond a 6-month limit. The causes of delay shall thus be made a matter of public record.

RENEWAL OF LICENSES

S. 658 amends the Communications Act of 1934 with regard to the manner in which license renewals shall be handled. Presently, the Commission is under statutory obligation to substantially duplicate original processing procedures with all renewals. This is necessitated by the section of the Communications Act which provides that Commission action on renewal applications is "limited to and governed by the same considerations and practice which affect the granting of original applications." The bill would change this to authorize the Commission to renew licenses for a 3-year period "if the Commission finds that public interest, convenience, and necessity would be served thereby." The bill also provides that the Commission shall not require any applicant for renewal to file information which has previously been furnished to the Commission or which is not directly material to the considerations that affect the grant or denial of his application. The enactment of this provision would greatly relieve the administrative load of the Commission and would be of substantial benefit to the licensees in simplifying their periodic license renewals by avoiding costly and tedious duplication of previously submitted records.

COMPENSATION FOR UNSUCCESSFUL RENEWAL APPLICANT

We have also inserted a provision in the bill that if the Commission grants the facilities to a new applicant rather than to the applicant for renewal and if the renewal applicant has been operating substantially in accordance with the license and the rules and regulations of the Commission and so requests, the grant of the station license to the newcomer shall be conditioned upon the purchase by the latter of the physical plant and equipment of the renewal applicant at a price equal to the fair value of such plant and equipment, as determined by the Commission. I want to say candidly that many members of the Interstate and Foreign Commerce Committee, including myself, have a serious question with respect to the desirability of this provision. On the one hand, it should be admitted that the granting of facilities to a new applicant rather than to the applicant for renewal might work a great financial hardship on the applicant for renewal. On the other hand, the provision appears to recognize some sort of a right of the applicant for renewal in the wavelength for which he was granted a limited franchise. Other provisions of the act specifically provide that the grant of a license shall not be considered as giving the incumbent any rights to the frequency in question. Furthermore, it appears to be doubtful whether the Commission is in a position to determine what constitutes a fair value of the plant and equipment of the unsuccessful renewal applicant. Finally, even if the Commission was able to determine the fair value of such plant and equipment, it is dubious whether payment of this value is adequate in many instances and is justified in others.

NEWSPAPER AMENDMENT

A new subsection has been added by the committee which provides that the

Commission shall not make any rule or regulation which would effect a discrimination between persons based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information, including newspapers. It is also provided that no application for a construction permit or a station license, or for the renewal, modification, or transfer of such a permit or license shall be denied by the Commission solely because of any such interest, association, or ownership. This amendment, which has been referred to as the newspaper amendment has occasioned considerable discussion in our committee. In adopting this amendment, the committee was influenced by the history of the Commission's policy with respect to the granting of broadcast licenses to newspapers, and by the legislative history of prior legislative proposals designed to deal with the same problem.

A predecessor bill to S. 658 contained a provision to the effect that the Commission may not adopt any rule which would result in a discrimination between persons based upon race, religious, or political affiliation or kind of lawful occupation or business association. This provision was dropped from the bill and the Senate committee report stated that the section had been dropped because the Commission practice and procedure had been in accord with that which had been intended by the language of this section.

While the Commission has never again attempted to adopt a rule disqualifying or discriminating against newspapers, there have been from time to time statements made in Commission decisions which indicate that the Commission considers newspaper applicants for radio or television licenses especial problem children. Different Commissioners have stated the Commission's policy in different terms. However, it appears that newspaper applicants somehow enter the field with some strikes against them. It was the sole purpose of the amendment inserted by the House committee to make sure that newspaper applicants will be treated on a par with other applicants for radio and television licensees, and that the Commission does not follow any arbitrary policy which discriminates against those who are engaged in the gathering and dissemination of information.

INTERVENTION

The present law contains no provision for intervention in proceedings before the Commission by parties who may have an interest in such proceedings. While the Commission has issued some regulations providing for such intervention under certain circumstances, we have felt it advisable to make specific provision in the law for intervention by parties in interest.

TRANSFERS

With respect to the transferring of licenses and construction permits, in applying the test of public interest, convenience and necessity, the Commission under this bill must do so as though the proposed transferee or assignee were applying for the construction permit or station license and as though no other person were interested in securing such permit or license. Under present law, the Commission, in passing on a transfer, takes into account the qualifications of or operation of the facilities by the transferor and at one time it was its practice to consider the relative merits of the proposed transferee and anyone else who indicated a desire to obtain the facilities.

NEW SANCTIONS AS AID TO ENFORCEMENT

Under present law, the Commission, confronted with violation of its rules and regulations, the act, or a treaty, has available to it the sole recourse of revocation of license which is, in effect, the death penalty for station licensees. This leaves the Commission with no choice in case of minor violations other than to overlook the violations or undertake the drastic action of revocation of license. This bill S. 658 makes possible the use of other remedial devices in the form of license suspension for a period of not to exceed 90 days, the issuance of cease and desist orders, and the imposition of penalties in the nature of fines. It is believed that this will greatly aid the administration of the Commission and result in more equitable disposition of the violations charged against licensees.

JUDICIAL REVIEW

Section 402 of the Communications Act relating to judicial review of the decisions and orders of the Commission has been rewritten in S. 658. The amendments bring this section into harmony with Public Law 901 of the Eighty-first Congress, which resulted from the recommendations of the judicial conference. A clear line of appeal for all cases arising out of Commission actions, together with a description of the types of appeals that may be taken are set forth. Experience in the past has indicated the necessity for clarifying existing law in this respect.

QUASI-JUDICIAL PROCEEDINGS

A most vital new provision of this bill relates to the quasi-judicial proceedings of the Commission as distinguished from its rule-making functions. The bill provides that in every case of adjudication—as defined in the Administrative Procedure Act—in which a hearing is to be held, the hearing must be conducted either by the full Commission or by one or more examiners. The principal result of this amendment is that an individual member, or a panel of members, of the Commission, or a board of employees could not, as is permissible at present, conduct the hearing. Guarantees are provided in the bill to insure that an examiner conducting the hearing will reach his decision in an impartial and judicial manner, on the basis of the record of the public hearing. In order to obtain this result, the bill contains prohibitions against consultation by the examiner with any other person on any fact or question of law in issue unless upon notice and opportunity for all parties to participate; it provides that the examiners shall not be responsible to or subject to the supervision of any person engaged in the performance of investigative, prosecutory, or other functions for the Commission or any other agency of the Government; and it also prohibits consultation between the examiner and any member or employee of the Commission with respect to the examiner's initial decision or any exceptions taken to it.

Similar prohibitions against consultation, except to the extent required for the disposition of ex parte matters, are imposed upon the commissioners themselves. This means that the members of the Commission are still free to get the advice and counsel of any of its experts in order to assist in the interpretation of technical data and testimony contained in the hearing record, but such advice and counsel can be obtained only in open court, not in private.

The committee believes that this will have a very salutary effect on the operations of the Commission and will make it act in a manner similar to that of a court in these contested proceedings. Of course, there is no prohibition against consultation among commissioners or between a commissioner and his professional assistant. Similarly, the commissioners will be able to obtain the assistance from the review staff which is provided for in this bill. The committee regards this particular provision of the bill of vital importance in guaranteeing fair and open hearings in cases involving applications for licenses.

I want to say, however, in connection with this provision as I did when I discussed the provision which would set up the review staff, that the Commission is opposed to the enactment of these provisions and that it has expressed its opposition in its letter to the Speaker.

It is provided that the procedural changes shall not be mandatory as to any agency proceeding initiated prior to the date on which this act takes place.

The author of S. 658 is the distinguished Senate majority leader, Senator MCFARLAND. The Senate and House committees have given serious and faithful consideration to the very important subject of modernizing our Communications Act, much of which has continued in effect since the original Radio Act of 1927. In some respects, the House version of S. 658 does not correspond to the bill as it passed the Senate. I firmly believe that these differences can be worked out in conference, and that we will have, before the end of this Congress an improved communications act, which will more adequately meet the problems faced in this dynamic communications industry. Right now we are beginning to notice the effect of the lifting of the television freeze. The Commission will be faced with an unprecedented workload in the months to come, with more than 2,000 television channels available for licensing. It is our belief that passage of S. 658 will be an added guaranty for the fair and efficient conduct of the numerous hearings which will involve conflicting applicants for these facilities, and that it will insure the bringing of television broadcasting service to the public in an expeditious manner.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. On page 43 of the bill there is this language:

> No license granted for the operation of a broadcasting station shall be for a longer term than 3 years and no license so granted for any other class of station—

And so forth. I am at a loss to understand what is meant by "any other class of station."

Mr. HARRIS. That refers to radio stations other than broadcasting station as defined in the Communications Act.

Mr. GROSS. I do not see that definition and what the license shall be.

Mr. HARRIS. You will find that broadcasting means the dissemination of radio communications intended to be received by the public. There are other kinds of radio stations, such as police establishments for controlling forest fires and various others for safety purposes.

Mr. GROSS. I can understand that, but I do not understand what they mean by "any other class of station."

Mr. HARRIS. That is what we mean.

Mr. GROSS. I was simply asking for clarification. If that is what it means, I am perfectly satisfied.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California.

Mr. HINSHAW. Answering the question of the gentleman from Iowa [Mr. GROSS] may I refer him to the language of the bill, page 32, lines 22 to 25 and lines 1, 2, and 3 on page 33.

Mr. HARRIS. For clarification, that will answer the question.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Utah.

Mr. GRANGER. I think the gentleman has made a very fine statement and has answered some of my questions. Will the gentleman tell me in a few words really the function of the Commission with respect to radio and television? Are they considered in the category of public utilities the same as the telephone and telegraph?

Mr. HARRIS. The Commission is a regulatory body set up by the Federal Government for the issuance of licenses throughout the United States for radio stations and for administering the Communications Act of 1934, as amended.

Mr. GRANGER. Then, as I understand it, this bill has to do with procedural matters entirely; is that the reason?

Mr. HARRIS. That is one major purpose. There are others which this amendment contains, and I do not want to minimize their importance at all.

I think I will say to the gentleman that perhaps the organizational set-up down at the Commission and the Commission procedures have been the object of the most consistent complaints among the people in the industry and the public throughout the country.

Mr. GRANGER. One more question. Was there evidence that the Commission had acted outside of the hearings that it held; that it did not act on the evidence before the Commission?

Mr. HARRIS. The Federal Bar and many others, in long hearings and testimony, complained rather severely about the fact that hearings would be ordered, and they would go before an examiner. They would complete the hearings. Then it comes to the Commission for oral argument and then after the oral arguments the Commission goes into executive session and will call in certain staff experts, and they will recommend what the final result should be. Consequently the applicant or whoever is interested on the opposite side, has no way of knowing what is going on and has no opportunity of protecting himself.

Mr. GRANGER. I thank the gentleman.

Mr. HARRIS. In other words, it boils down to this: The complaints have been rather severe that the Commission has not been making the decisions; that they are being made by the staff.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Tennessee.

Mr. PRIEST. With further reference to the question asked by the distinguished gentleman from Utah on the question of public utility, the fundamental basis of a public utility is a question of rate making. The Commission, of course, has no jurisdiction whatsoever in fixing any rates for advertising charged by a radio station or television station, and that differentiates it from any other public utility that is subject to a regulatory body. I thought I would make that observation.

Mr. HARRIS. I appreciate the remarks made by my distinguished colleague.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Ohio.

Mr. BOW. Does not the gentleman feel that this bill will prevent the practice going on in the past of the legal staff and the attorneys, who try these cases, writing the opinions, and then submitting those opinions directly to the Commission?

Mr. HARRIS. That is precisely what I have been trying to explain.

Mr. BOW. I just want to make sure that there is a separation of the legal department from the Commission, so that the legal department does not act as the Commission and the Commission substituted by the legal staff.

Mr. HARRIS. I certainly would like to refer the gentleman to the report on this subject that I have discussed here at length and advise him how we set up here the review staff and the administrative assistants that go to the Commission with the intention of doing exactly what the gentleman has just mentioned.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. ROGERS of Colorado. This has reference to action of the Federal Communications Commission in the past, particularly as it affects the district I represent. The Federal Communications Commission issued a freeze order where they would not accept applications for television in the city and County of Denver, Colo. Is there anything in this bill that would compel the Federal Communications Commission to accept applications and proceed promptly?

Mr. HARRIS. Yes. The Federal Communications Commission in 1948 issued a freeze order on television applications.

Mr. ROGERS of Colorado. That is right.

Mr. HARRIS. Only recently have they lifted that freeze, and they are accepting applications and, as of July 1, I believe, will start processing.

Mr. ROGERS of Colorado. Yes; but what I should like to know, Is there anything in this bill that would compel the Federal Communications Commission to proceed expeditiously in the hearings and not issue another freeze order or refuse to proceed and grant the license if the applicant meets all requirements?

Mr. HARRIS. Subsection (g) on pages 42 and 43 has as its objective to accomplish what the gentleman has just referred to.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. Right on this subsection (g) again, does not the gentleman from Arkansas think we ought to say here that instead of the Commission meeting once each calendar month they should meet at least twice each calendar month?

Mr. HARRIS. The gentleman knows we cannot get down to establishing the days and the hours and the time that any commission shall meet. We say here they shall meet at least once a month. That is certainly no prohibition against the Commission's meeting every day.

Mr. GROSS. If we are going to put any time element in at all, why not say at least twice each calendar month?

Mr. HARRIS. There has to be some practical approach to what the Commission does if it performs the duty we have put on it and carries out its responsibility.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California.

Mr. HINSHAW. I think the gentleman from Iowa would be interested to know that the Commission may operate by divisions or by individual members or by boards. The actions of these individual members or boards or divisions are intended to be those of the Commission. They will be taken every day in the week. But as to the Commission sitting in a formal meeting of the entire Commission, that meeting is merely directed to be held not less than once a month.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Connecticut.

Mr. MORANO. Is there anything in this bill that would control the rantings

of certain disk jockeys who operate after midnight and allegedly libel persons, and then no record is kept of what they say, so that the person who is allegedly libeled cannot get redress or even find out what was said about him so that he can get him into court? I will cite a specific example if the gentleman wants me to.

Mr. HARRIS. I do not believe there is anything in this proposed amendment that would have for its purpose trying to reach that problem.

Mr. MORANO. For example, there was a disk jockey in New York who allegedly attacked a newspaperman in Connecticut. The newspaperman in Connecticut called the radio station but could not get a transcript of what was said so that he could sue if he were really libeled. What control does the Commission have over that sort of situation, if any?

Mr. HARRIS. The gentleman knows if he has any legal rights he can go into court and there protect his rights.

Mr. MORANO. The station was not required to keep a tape record of what was said, so how can you go into court when you do not know what was said except from a listener?

Mr. HARRIS. As I just said to the gentleman a moment ago, there is nothing in this proposal that would attempt to meet that problem.

Mr. MORANO. Could I send the correspondence I have on this matter to the gentleman's committee to see whether something could be done?

Mr. HARRIS. Surely, we would be glad to have it. We will be glad to have all information possible, because we get that every day. As chairman of this special television-radio committee set-up here, I am getting hundreds and hundreds of letters every day. We will be glad to have any such complaint.

Mr. Chairman, I have further explanations of the additional items in this bill, which I will include in my remarks with my full statement in the RECORD.

In order that we might have further a complete report as to the entire matter, I will include in my remarks at their conclusion a memorandum provided by our staff as to the power of the Commission's staff under the House committee amendment to this bill, and under the present law under the administrative procedures act, which I think will be helpful.

Mr. Chairman, I shall also include the stated opposition of the majority of the Federal Communications Commission in a letter to the Speaker, and also a letter from Commissioner Jones who takes the opposite viewpoint in order that we may have for the RECORD as clear and complete information as is available on this amendment, and the subject matter we have before us.

Mr. WOLVERTON. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I desire to commend the gentleman from Arkansas who has just spoken for the very complete explanation he has made of the bill. It is characteristic of the care and study which is given to matters which come before our committee by the gentleman from Arkansas.

Mr. Chairman, the Committee on Interstate and Foreign Commerce has labored hard and long before reporting the present bill, amending Communications Act, S. 658, to the House.

It is exceedingly technical in character. To fully understand its details I recommend that the Members give close study to the report (No. 1750) that has been made by the committee. It is only by a comparison of what the law now is, with what the committee recommends that the changes, as to the reason therefor and the effect thereof, can be understood and fully appreciated. And, in view of the diversity of views expressed during the hearings on several important questions, it would be well to study the hearings before the committee. The committee has done the best it could to report a bill that will adequately and correctly meet the situation as it exists today. We feel that the bill is a good one and deserves the support of the House.

I can say without any hesitancy that no bill has come before the House during this session that has had more careful study and consideration than the one now before us. Furthermore, the study that has been given to the subject matter is one that has occupied the attention of Congress, either in House or Senate, or both, for upward of 10 or more years. There have been many bills before us during this period of time that have been given careful study.

The bill as reported by the House committee is a rewriting of S. 658 as passed by the Senate on February 5, 1951.

Hearings on S. 658 were held before the House Committee on Interstate and Foreign Commerce during April 1951, and the printed volume of such hearings comprises 419 pages. The hearings were followed by extensive executive consideration of the bill.

In the course of the extended hearings held by this committee, lengthy testimony was presented by the Federal Communications Commission—unanimous with respect to some provisions, divided as to others—opposing many of the provisions contained in these bills. Furthermore, the testimony offered by some broadcasters and by the Commission was to the effect that several of the provisions, while largely procedural in nature, would or might effect basic changes in policy with respect to radio and television broadcasting and related matters.

These circumstances compelled your committee to scrutinize with the greatest care the conflicting views expressed by the broadcasting industry, the Federal communications bar, and the Commission itself with respect to the meaning and effect of the provisions contained in S. 658, in order to determine the merits of each of the changes in existing law proposed by the bill as it passed the Senate.

The committee has earnestly endeavored to resolve the conflicts with which it was confronted as the result of the views presented to it during public hearings. Furthermore, although many of the provisions are very complicated and technical, a diligent effort has been made to fit the proposed amendments into the existing law so as to achieve a consistent and workable statutory pattern.

PURPOSE AND EFFECT OF THE LEGISLATION

The report of the committee has sought to set forth in a clear and logical way the changes that have been made. In doing so it has divided its consideration into the several objectives it had in mind.

The bill, as amended, proposes a substantial number of changes in the Communications Act of 1934. The proposed changes relate to a large variety of matters.

It may be stated generally that most of the proposed changes in existing law fall into the following broad categories:

First. Amendments calculated to improve the organizational set-up and administrative functioning of the Federal Communications Commission and its staff.

Second. Amendments designed to clarify and improve the procedure and law relating to the granting of construction permits and licenses for radio (including television) stations, the granting of renewals of such licenses, and the transfer or modification of such permits and licenses.

Third. Amendments giving the Commission certain new administrative powers which can be used to secure compliance, by holders of construction permits or station licenses, with duties and requirements to which they are subject under the law. The only such power now possessed by the Commission is the power to revoke licenses, which is too severe a penalty in the case of many violations. With the new powers the Commission will be able to adjust the penalty to fit the seriousness of the offense.

Fourth. Amendments to clarify, and to modify in some respects, the provisions relating to (a) rehearings on orders and decisions by the Commission, and (b) judicial review of Commission orders and decisions.

Fifth. Amendments which impose special requirements applicable to proceedings involving the exercise of quasi-judicial functions (as distinguished from rule-making functions), designed to insure that in proceedings of this character the officers performing the decision-making function shall render their decisions on the basis of the record made in public hearing.

THE MORE IMPORTANT CHANGES

It would be impossible in the limited time available to make reference to all the changes that the House committee has made, in existing law or in S. 658, as it passed the Senate. However, I do make reference, in a brief manner, to some of the changes that have been made and are entitled to special consideration.

On March 12, 1952, the Committee on Interstate and Foreign Commerce ordered reported favorably to the House S. 658—commonly known as the McFarland bill—with amendment.

A general amendment strikes out everything after the enacting clause of the bill as passed by the Senate and inserts a substitute.

In many respects the amended bill so reported is the same as the bill passed by the Senate. The more important differences, as well as the principal changes which the amended bill would make in the present law, may be summarized as follows:

The provisions of the Senate bill relating to the reorganization of the Commission have been retained substantially intact. These provisions constitute a statutory confirmation of the reorganization already effectuated by the Commission which divides the Commission staff into four functional bureaus (namely, the Broadcast Bureau, the Common Carrier Bureau, the Safety and Special Radio Services Bureau, and the Field Engineering and Monitoring Bureau) and four staff offices (Office of Chief Engineer, Office of General Counsel, Office of Chief Accountant, and the Office of Secretary). Each Commissioner would be provided with a professional assistant of his own choice.

The members of the Office of Opinion and Review—formerly known as the Office of Formal Hearing Assistants—as well as other employees of the Commission staff—except the professional assistants of the Commissioners—would be prohibited from making recommendations to the Commission with respect to the disposition of adjudication cases in which hearings are held—for example, cases involving the granting, renewal, or revocation of station licenses.

The provisions of the Communications Act authorizing the Commission to divide itself into panels which would have been eliminated by the Senate bill are retained in the amended bill.

The amended bill retains the Senate provision requiring the Commission to report to the Congress any case of an original application for a broadcast license, or renewal or transfer thereof, which has not been finally decided by the Commission within 3 months from the date of filing of the application, or 6 months wherever a hearing is required.

The amended bill provides several procedural safeguards not contained in the present law. Before the Commission may formerly designate for hearing an application for a license or a renewal thereof—or for a construction permit, it must notify the applicant and other known parties in interest of the grounds and reasons for the Commission's inability to grant the application without a hearing. The applicant must be given an opportunity to reply and the case may be set down for hearing by the Commission only after consideration of such reply.

The Commission must notify the applicant and all other known parties in interest of the grounds and reasons for setting an application down for hearing. Parties in interest, if any, whom the Commission fails to notify may file a petition for intervention.

In cases in which an application is granted by the Commission without a hearing, the grant remains subject to protest for a period of 30 days by any party in interest. After the Commission has satisfied itself that the allegations of fact set forth in the protest show that the protestant is a party in interest, the Commission must set the application down for hearing on the issues set forth in the protest.

With respect to the renewal of broadcasting licenses, the committee amendment provides that such renewal shall be granted if the Commission finds that the public interest, convenience, and necessity would be served thereby. The amendment also provides that the Commission shall not require an applicant for renewal to furnish any information previously furnished by such applicant or not directly material to the question of renewal. A special procedural provision contained in section 13 of the Senate bill dealing with cases of renewal in which the Commission must hold hearings, has been eliminated. The present law provides that applications for renewal shall be governed by the same considerations and practice which affect the granting of original applications.

The amended bill modifies the provisions of the Communications Act governing transfers of station licenses and construction permits by providing that the Commission shall, in cases of transfers, proceed as if the transferee was the only applicant for an original license or permit. The Commission must approve the transfer if it determines that the public interest is served thereby.

The amended bill does not change section 311 of the Communications Act, which authorizes the Commission to refuse a license to persons who have been finally adjudged guilty by a Federal court of unlawfully monopolizing radio communications. The Senate bill would have eliminated this authority from present law.

The amended bill gives the Commission power to issue cease and desist orders, to suspend licenses for not to exceed 90 days, and to levy fine up to $500 per day for violations of the Communications Act, Commission regulations, or treaties. The Commission's present power, under the Communications Act, to revoke licenses for similar offenses is limited by the amended bill so that it may be exercised only in case of violations which are willful or repeated. The Senate bill provides for the issuance of cease and desist orders but does not contain the additional powers of suspending licenses or levying fines.

With respect to review by the Supreme Court in cases of license revocation or failure to renew a license, the amended bill retains the present law that such review is discretionary with the Supreme Court. The Senate bill would have granted such appeals as a matter of right.

Finally, the amended bill prohibits the Commission from adopting any rule or regulation of substance or procedure which discriminates against any person based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information. No application for a construction permit or station license—or for the renewal, modification, or transfer thereof—may be denied by the Commission solely because of any such interest, association, or ownership. No comparable provision is contained in the present law or in the Senate bill.

This concludes my explanation of the purposes and objectives of the bill. I think you will agree with me, as I stated in the commencement of my remarks, that the bill is of a highly technical character. Therefore the subject has been given very long and careful consideration by the committee before it made its report to the House.

We feel that the bill as reported to the House is entitled to your favorable consideration.

Mr. Chairman, I yield 15 minues to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, the gentleman from Arkansas and the gentleman from New Jersey have adequately explained the general purposes and intent of this bill and there is no need for me to go further into the subject except to accent again that the provisions of the bill, as anyone can tell who reads it, are extremely technical.

The committee worked in executive session on this bill for 2 months last fall and for 2 months more upon resumption of the session of Congress on January 3 this year, a total of something like 40 or 45 days in executive session in working out the difficult complicated procedural matters related to this subject. I shall not go into these difficult matters. They are largely procedural. The committee report deals with these matters in detail.

But I think that the Members should know that the original Federal Communications Act of 1934 contained six titles. This bill amends title I, III, and IV. The other titles, I believe, are not seriously affected. We should realize also that while the purpose of this bill is to effect the issuance of licenses and the procedure of the Commission in respect to broadcasting, the Commission also has other functions and duties which are very highly important in nature, because in addition to regulating broadcasting, they must regulate the transmission of messages by wire communications and wireless communications where they are person to person, where it is not a public dissemination of information; as, for example, the wireless telegraph companies, the ship-to-shore telephones, the amateur radio business, which is very widespread in the United States, the issuance of licenses for the operation of such things as radio on aircraft as well as radio on ships, and a great many other similar purposes.

In addition to all of these, they must, in effect, license equipment that is used for the transmission of messages, such as airplane to ground or ship to shore, and so on. In addition, it is up to the Commission to regulate the use of devices which will emanate radio waves that may interfere with communications; for

example, the so-called diathermy machines, electric ovens, and all that sort of thing have to be approved as pieces of electrical equipment by the Federal Communications Commission, because in the past so many of them have been found to emit strong and what might may be termed stray wave lengths as to practically destroy certain kinds of general public as well as more and less private communications.

There are many applications which are of an extremely serious nature and which have been dealt with by other bills which this committee has presented to the House in the past. Among them are devices which might be used by an enemy as a homing device in the case of an air raid on our country. For example, an electric oven, with the radio energy which they might throw off into space, could very well be used as a homing device. Through another bill passed by this House and the Senate some time ago powers were given to control that sort of thing.

In addition there is the question that has arisen many times of interference between the emanations by radio from stations located in the United States and stations located in foreign countries. Consequently treaties have been entered into with foreign countries for the allocation of wavelengths in certain areas of transmission. Those treaties are, of course, a part of the law of the land and are as effective as any act passed by this House and the Senate when such treaty has been duly ratified by the United States Senate. So, all in all, the Federal Communications Commission has a tremendous task to perform, one of great and intricate detail.

It is the purpose of our committee in presenting this bill to you today, as I said in the beginning, to implement facilitation of the work of the Commission and also fairness in the allocation of these wavelengths and the licenses and the permits granted pursuant thereto by the Commission to persons who may apply.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from New York.

Mr. DONOVAN. I notice that there is a new subsection added, designated as subsection (b) of section 6, which provides that in the case of an application for renewal of a station license, if there should be another applicant on the scene for a broadcasting station in the same area, that the applicant for the renewal, in case he is unsuccessful, can force the successful applicant to buy his plant, lock, stock, and barrel, at a price to be fixed by the Commission. Now I was just wondering whether or not the committee had any particular broadcaster in mind who might be on his last legs, and wrote this section to ameliorate his financial embarrassment; or whether this is to be adopted as a general principle covering the whole industry.

Mr. HINSHAW. In reply to the gentleman I will state that the principle involved in this amendment was presented to the committee by its chairman, the gentleman from Ohio [Mr. CROSSER], and agreed to by the committee. The purpose, I believe, behind it was to take care of a situation which arose in a total of three cases that had arisen in the United States where a mutually exclusive license was granted to another broadcaster but not in the same city.

Mr. DONOVAN. Would the gentleman mind disclosing to the committee the identity of those three cases?

Mr. HINSHAW. I would, if I had the information here. I can obtain it. They are in the hearings, I believe. That certainly came up in the committee discussion. Does the gentleman from Arkansas know whether we have those three cases listed in the hearings?

Mr. HARRIS. I am not sure that they are listed in the hearings. We will be glad to undertake to get the information and supply it to the gentleman from New York.

Mr. HINSHAW. The information is available, but I do not have it at my tongue's tip at the moment, but one of them was in northern Indiana, where a station license was applied for by someone in one of the cities at a relatively high power.

Mr. DONOVAN. Suppose we wait until we get the specific name.

Mr. HINSHAW. I would like to complete the statement since I started it—and that it involved a much smaller station which was operating in a nearby town. It was felt it would be in the public interest that the larger station and its license should be granted, thereby freezing out the smaller station and its licensee. Now, there was no fault, apparently, found with the smaller station and its licensee. However, in order to protect the public interest it was felt that the big city license should be granted. At that point it seemed highly unreasonable to expect that a person who normally could expect to have his license extended was denied that opportunity for the benefit of someone else, and the public, on a higher power basis mutually exclusive in wavelength to the one so frozen out.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Arkansas.

Mr. HARRIS. I am inclined to think the gentleman is speaking of information that was supplied to us by the Commission. There were a very few applications that were granted for new facilities which required the deletion of other facilities. The idea here, I believe, with specific reference to the case that the gentleman mentioned in the Midwest, was that the person who got the new facility would have to pay for the facilities in the nearby community which were to be deleted. Consequently the intention of the distinguished chairman of our committee in proposing this was that if certain conditions like that did arise the established station would certainly be protected if the application for a new station in the nearby town is granted.

Mr. HINSHAW. There were only three such cases in the history of the Commission, as I remember.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from New York.

Mr. DONOVAN. I did not have anything particular in mind, but in going through this report this subsection stuck out, to my humble mind, like a sore thumb, which would actually permit, if it remains in the bill, a tottering broadcaster to make a token application for a renewal of his license and at the same time permit him to force an enterprising broadcaster who wanted to get into that area to take over his whole apparatus lock, stock, and barrel at a price that might be very favorable to the failure.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Minnesota.

Mr. O'HARA. Let me say to the gentleman that I think if he reads the language contained in the report he will find it is so unduly restrictive that I do not think anybody is going to do very well about it who is in that position. I think the subsection does not give the operator of the so-called affected radio station the fair and reasonable value of his property. I think it is very restrictive. It is not going to give him a chance to cash in on such a provision.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Maine.

Mr. HALE. If I correctly understood the implication of the gentleman from New York, I rather got the impression that he was suggesting that the committee was deflected in its high purposes by some important figure in the radio world to whom we were friendly or willing to show unjust favoritism. I can assure the gentleman that if he entertains any such suspicions they are entirely unfounded.

Mr. HINSHAW. I think the gentleman from New York [Mr. DONOVAN] did make a reference which might be construed to cast some undue criticism upon the committee. I am sure the gentleman did not intend to do so.

Mr. DONOVAN. The gentleman is exactly correct, sir.

Mr. HINSHAW. Actually there was no such thing brought to the attention of the committee, as the gentleman apparently thought there might have been. The only thing which was brought to the committee was a case in which the Commission, by its own order, actually froze out a small station, and, of course, in that event the owner of the small station was completely at the mercy of anyone who wanted to come in and bid on his equipment.

Mr. DONOVAN. Under the circumstances, may I have the gentleman's assurance that sometime this afternoon there will be placed in the RECORD the names and identities and locations of these three broadcasting facilities, which the committee has some knowledge of?

Mr. HINSHAW. Mr. Speaker under authority granted to extend my remarks, may I say that I have ascertained that the case in point is that in which station WJKS in Gary, Ind., was granted a license which deleted the facilities of stations WPCC and WIBO in Chicago.

The Supreme Court later upheld the right of the Commission so to do on May 8, 1933.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. HARRIS. I think, perhaps, we can furnish the gentleman with some examples. I assure the gentleman we will do our best to give him whatever information is available as to any specific case.

Mr. DONOVAN. Did I understand the gentleman to say that there were three cases?

Mr. HINSHAW. I think so. That is according to my memory. Of course, we considered this matter some months ago.

Mr. HARRIS. Mr. Chairman, the gentleman perhaps might be able to give the House any information that is available with reference to the North American Regional Broadcasting Agreement. Does the gentleman have any information on that? I have had some inquiry about it on this side of the aisle.

Mr. HINSHAW. That was a treaty negotiated, I believe, at Habana, which apportioned among the various American continental countries and others, the use of those frequencies and high energy which would penetrate over long distances. In my opinion, of course, although others might hold another view, it did not deal entirely fairly with our own country. But, as I say, that is a matter of personal opinion.

Mr. HARRIS. It had to do with the clear channel stations did it not?

Mr. HINSHAW. Yes.

Mr. HARRIS. Does the gentleman know what the status of the agreement might be?

Mr. HINSHAW. No, I am sorry I do not. I think it has been ratified, but I am not sure.

Mr. HARRIS. My information is that it has not been ratified.

Mr. HINSHAW. The gentleman could be correct. Those matters do not come before the House, and hence we are not apt to know about them except by due notice in the CONGRESSIONAL RECORD as to whether or not such treaties have been ratified by the other body. At all events, I think we got the short end of the stick on that treaty. But, that is a matter of personal opinion although others might disagree with that opinion entirely.

Mr. Chairman, if there are no further questions, I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. MCKINNON].

Mr. MCKINNON. Mr. Chairman, I want to express my appreciation for the good work that this committee has done on this bill. I think something of this sort has been needed for a long time. I think the committee made a good effort in that direction. I want to point out to the committee, however, that one of the ways of implementing efficiency of the FCC and helping the radio industry would be for the House to be a little more realistic in the apportionment of funds for the operation of the FCC. We have lost a lot of money, and a lot of good business in the radio industry because applications have been needlessly delayed, because the FCC did not have the funds to expedite applications. Congress, I think, sometimes has been pennywise and pound-foolish in not providing the FCC with sufficient funds to operate efficiently and with good speed, and as a result of that we have denied a lot of people the right to be in business who would otherwise be serving the public and making tax money for Uncle Sam.

Mr. Chairman, I would like specifically to touch on section 7, paragraph d, page 46, as it relates to the publishers in their application for radio broadcasting permits.

Before coming to the Congress, I was the publisher of a good-sized metropolitan daily newspaper, and the owner of a 5,000-watt radio station in San Diego. So what I say may not fit exactly with my best interests as an individual, but I notice that this bill places a rightful emphasis on public interest, convenience, and necessity. I think we should keep this in mind at all times—the public interest, the public convenience, and the public necessity because when these licenses in the radio field are handed out, they provide a man an excellent opportunity for a good income. Basically what we are trying to do, however, is to serve the public and provide competition of ideas in every way possible. Now when you get into markets where you have real competition in the newspaper business, and where you also have two, three, or four channels for television licenses, I think this section should apply just as it is now worded. But, where we move into an area where you have a newspaper monopoly, and where in that area you are going to have only one TV channel, then I think this wording should be softened or else we should have some understanding on the floor today that the word "solely" is a qualified word. We should be sure that we have competition of ideas, if our democracy is going to function. Too often we give a lot of lip service to free enterprise without really meaning it. I am all for free enterprise, but I think democracy can function only when we likewise have freedom and competition of ideas for the public.

When we come to an area like Los Angeles for instance, where we have seven TV channels and three distinctive competitive newspaper ownerships, then I would say that this provision is good. But where we move up to a city like Oakland, where we have one newspaper monopoly, dominating the newspaper field in that area, where you have only one TV channel to be granted in that area, then, in cases like that, the FCC should not allow the newspaper monopoly to also own the sole TV broadcasting outlet. This section (d) should not apply in a case like this for it leads to a complete dissemination of ideas in that area. To do so would defeat the basic concept of this bill; to wit, public interest, convenience, and necessity. I wonder how the committee feels on problems of this kind and how that word "solely" should be interpreted by FCC.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. MCKINNON. I yield to the gentleman from Tennessee.

Mr. PRIEST. I am in full accord with the gentleman's view against granting a monopoly on sources of gathering and disseminating information. But with reference to the amendment, particularly that part of it which provides that no rule or regulation shall be promulgated that would result in discrimination solely on the basis of an interest in or connection with a newspaper, I wonder if it is not the gentleman's opinion that the Commission, getting back to the question of public interest, cannot make a decision in the public interest against a monopoly, and use that as a basis for a decision if such a monopoly situation presented itself. In other words, it seems to me that the public interest, as the gentleman has already emphasized, will govern at all times. I believe that, with this amendment in the bill, the Commission still might refuse a license that would result in a monopoly, because a monopoly would not be in the public interest.

Mr. MCKINNON. I thank the gentleman.

I would like to ask further: If the Federal Communications Commission were to turn down an application of a publisher for a TV station in an area that would grant him a monopoly in news dissemination and information, would not the FCC be right in turning down that application, based upon the public necessity and public convenience, rather than on the strict interpretation of the word "solely" in that particular paragraph?

Mr. PRIEST. It is my opinion that that is true.

Mr. MCKINNON. Is that in accord with the views of the chairman of the subcommittee?

Mr. HARRIS. I do not believe it is involved in this amendment. I should like to say that the amendment which the gentleman is discussing is an amendment offered by our distinguished friend from Tennessee [Mr. PRIEST], a member of the committee, who has just given you what his intention in the amendment was. It is my feeling and I think it is the general position of the committee that all of these matters should be taken into consideration in determining what would be in the public interest, convenience, and necessity. If there is a question of monopoly involved, where you have two applicants, then certainly the Commission could not say that it would be in the public convenience and necessity to give it to a station that would bring about a monopoly in this field. In other words, it was the feeling of the committee to not necessarily bring about a situation where the Commission would have to favor one applicant over another, but to try to say to the Commission that it should not discriminate against one applicant over another. But the important thing, as the gentleman from Tennessee has just said, is that the Commission should determine these applications solely on what is best for the convenience and necessity of the public.

Mr. McKINNON. I thank the gentleman.

Mr. PRIEST. If the gentleman will yield further, I wish to add just one sentence to what the distinguished gentleman from Arkansas has just said: Not only shall the Commission determine it solely on the basis of public interest, but on the other hand, no applicant shall have two strikes against him solely because of his interest in a news-gathering organization, corporation, or partnership, or whatever it might be.

Mr. McKINNON. With that explanation I think the paragraph is sound. I do not think a publisher should be discriminated against because he happens to own a newspaper. I think it is the philosophy of this bill that it should be the interpretation of the FCC that the public interest is best served when you have competition of ideas rather than a monopoly of ideas.

Mr. PRIEST. And with that I fully agree. That was my own thinking in offering the amendment to the committee.

Mr. McKINNON. I thank the gentleman, Mr. Chairman, and yield back the balance of my time.

Mr. WOLVERTON. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Chairman, as one member of the Committee on Interstate and Foreign Commerce, I do want to state that the committee gave a great deal of consideration to this highly technical bill not only in rather long hearings but in long executive sessions and in writing the bill and presenting it to the floor.

It is often amazing to me how on a technical subject one quickly forgets the contents of the bill on which we have spent a great deal of time. Generally speaking, I think my distinguished colleagues who have preceded me have touched upon many features of the bill which I think are perfectly appropriate and proper amendments to the present Communications Act. There are, however, one or two provisions on which I had my reservations, but I shall not spend any time on them at this moment. In connection with the operations of the Federal Communications Commisson they also exercise certain supervisory powers over the hazards to air navigation in the construction of radio and television stations, and towers. This has been somewhat of a problem in our committee from the viewpoint of both Federal Communications and also the CAA and CAB, which likewise come under the jurisdiction of our committee.

I ask unanimous consent to extend at this point in the RECORD two letters, one written by Mr. C. G. Tipton, of the ATA, addressed to Hon. ROBERT CROSSER, chairman of our committee, and the reply of Mr. Hyde, the Acting Chairman of the Federal Communications Commission, on this subject.

The CHAIRMAN. Without objection they may be included.

There was no objection.

(The letters referred to follow:)

MARCH 6, 1952.

Re S. 658, an act to further amend the Communications Act of 1934.

Hon. ROBERT CROSSER,
Chairman, Interstate and Foreign Commerce Committee, House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: The above bill now before your committee permits you to deal with the hazards to air navigation created by the erection of radio and television towers. The enormous height of proposed television towers makes them a special problem, and the large number of applications now being or soon to be filed with the Federal Communications Commission for tower-construction permits makes it an urgent matter requiring immediate consideration.

The Federal Communications Act in its present form does not deal directly with this problem; it provides, in section 303, that the Commission shall "(q) Have authority to require the painting and/or illumination of radio towers if and when in its judgment such towers constitute, or there is a reasonable possibility that they may constitute, a menace to air navigation." There is not, however, specific authority to deny permits to construct such towers, and the mere illumination of them does not necessarily eliminate the hazard. Although the Commission in at least one case denied an application for a license to reconstruct a radio station in part because the antenna would constitute a hazard to air navigation and was sustained by the courts in *Simmons* v. *Federal Communications Commission* (145 Fed. 2d 578 (1944)), this was decided under the Commission's general powers to issue, renew, or modify licenses contained in section 309 of the Federal Communications Act, and not on specific statutory authority. Congress has not specifically authorized the Commission to deny applications when such towers constitute a hazard to air navigation.

In the absence of precise statutory authorization the Commission is employing an administrative procedure of referring doubtful cases to the other Government agencies interested in air safety. The agencies often hear the applicants' proposals and recommend an approval or disapproval. This procedure has little, if any, statutory basis, and is advisory only. If the recommendations by the agencies responsible for air safety are rejected by the applicant, he can demand a hearing before the Commission.

I recognize that this comment on S. 658 comes late in your consideration of the bill, but the immediacy of this problem has arisen recently and will be so pressing within the coming months that it is urgent to consider it while this bill is before your committee. The Federal Communications Commission has already referred several proposed applications for construction permits for television towers which are now being studied by the Air Force, the Navy, the Coast Guard, the Civil Aeronautics Administration, and the Civil Aeronautics Board. These applications will not only continue but are expected to increase when the freeze on new television licenses is lifted. Out of fairness to the applicants an early disposition of them should be made. The applicants want prompt decisions to permit them to find other locations for the tower in sufficient time to permit the operation of the broadcast stations at the earliest time authorized by the Commission. At the same time, the potential hazards to air navigation should also receive the consideration to which they are entitled. We recommend, therefore, that the Communications Commission be given clear authority to deal with them by amending the Federal Communications Act by inserting a provision in this bill which would add to section 303 of the Communications Act a new paragraph (s) which would read as follows:

"(s) Have authority and be required to refuse to issue or modify any license or construction permit when such license or permit would authorize the operation or construction of radio or television towers which in its judgment, after consultation with the Civil Aeronautics Administration, the Civil Aeronautics Board, the Department of Defense, and the Treasury Department, constitute, or there is a reasonable possibility that they may constitute, a hazard to air navigation."

Such a provision would remove any doubt that the Commission could deny construction permits where towers are a hazard to air navigation after consultation with agencies responsible for air safety. Each of the departments to be consulted operate aircraft or have a responsibility for the operation of aircraft. The Treasury Department's interest is due to the Coast Guard's operation of aircraft in rescue operations, and the Civil Aeronautics Administration and the Civil Aeronautics Board are responsible for safety in civil air navigation.

Very truly yours,

S. G. TIPTON,
General Counsel.

APRIL 18, 1952.

Hon. ROBERT CROSSER,
Chairman, Interstate and Foreign Commerce Committee, House of Representatives, Washington, D. C.

DEAR CONGRESSMAN CROSSER: This is with reference to the letter of Mr. S. G. Tipton, General Counsel of the Air Transport Association of America, concerning hazards to air navigation created by the erection of radio and television towers, which you referred to the Commission for comment. In his letter, Mr. Tipton proposes that your committee amend S. 658, a bill now pending before the House after being reported out with amendments by your committee, which would amend the Communications Act of 1934 by adding the following provision to section 303 of the act:

"(s) Have authority and be required to refuse to issue or modify any license or construction permit when such license or permit would authorize the operation or construction of radio or television towers which in its judgment, after consultation with the Civil Aeronautics Administration, the Civil Aeronautcs Board, the Department of Defense, and the Treasury Deparment, constitute, or there is a reasonable possibility that they may constitute, a hazard to air navigation."

The Commission has carefully considered this proposal and wishes to submit the following comments to your committee.

Mr. Tipton has made his proposal in light of his stated belief that it is necessary to remove any doubt as to the Commission's authority to deny applications which involve radio or television towers which might constitute a hazard to air navigation. The Commission is of the belief that it already has full authority, under the existing provisions of the Communications Act, to deny any applications which may involve a hazard to air navigation. The question of hazards to air navigation is clearly one element of public interest which sections 307, 309, and 319 of the Communications Act direct the Commission to consider in granting applications for licenses and construction permits. Section 303 (q) of the Communications Act gives the Commission specific authority to require the painting and/or illumination of radio towers where they may constitute a menace to air navigation. That section does not purport to limit in any way the licensing power of

the Commission and the Commission's duty in the exercise of that power to determine whether or not in individual cases the grant of an application would serve the public interest. The authority contained in section 303 (q) certainly does not mean that the Commission is powerless to deny an application on the ground that the hazard of air navigation created by a proposed antenna is such that it would not be eliminated or sufficiently minimized by painting or illumination. Moreover, the Commission's authority in this field was specifically upheld in the case of *Simmons* v. *Federal Communications Commission* (79 App. D. C. 264, 145 F. 2d 578), where the Court of Appeals stated (79 App. D. C. at 286): "We think that public convenience, interest, and necessity clearly require the Commission to deny applications for construction which would menace air navigation."

Pursuant to its statutory powers and duties, the Commission has promulgated rules which prescribe certain procedures and standards with respect to the Commission's consideration of proposed antenna structures which are designed to serve as a guide to persons intending to apply for radio station licenses. These rules are contained in part 17 of the Commission's Rules and Regulations, a copy of which is enclosed, and were formulated in conjunction with the Civil Aeronautics Administration, the Department of Defense, other Government agencies and the radio industry after exhaustive consideration of all facets of the problems and in light of many years of experience in this field of the parties concerned. We would also like to point out that the Civil Aeronautics Administration and the Federal Communications Commission are now jointly considering the possibility that part 17 of the Commission's rules may have to be amended or amplified in light of the expected filing of a vast number of applications for new television stations as a result of the lifting of the Commission's television "freeze."

In accordance with part 17 of the Commission's rules, proposed antenna structures, which in light of the criteria set forth in the rules, require aeronautical study, are referred by the Commission to the Airspace Subcommittee of the Air Coordinating Committee for its recommendation as to whether a proposed tower will constitute a menace to air navigation. The Air Coordinating Committee was created in 1946 by Executive Order No. 9781 to provide for the development and coordination of aviation policies. The voting members of the Airspace Subcommittee are representatives of various Government agencies and representatives of the aviation industry sit on the subcommittee but do not have a vote.

It is important to note that while the Airspace Subcommittee makes recommendations with respect to proposed antenna structures, the final determination as to whether an application must be denied because it proposed a tower which will be a menace to air navigation must necessarily be made by this Commission in accordance with its statutory duties. If the Airspace Subcommittee recommends denial of an application, and no adjustment satisfactory to both the subcommittee and the applicant can be reached, the applicant must be afforded a hearing as specified by section 309 (a) of the Communications Act.

As explained above, the Commission believes that it now has adequate authority to deny applications which may involve hazards to air navigation and that the procedures established by part 17 of the Commission's rules are functioning satisfactorily, and therefore, we are of the opinion that no amendment to the Communications Act vesting the Commission with specific authority to deny such applications is necessary. The amendment suggested by the Air Transport Association provides for procedures which are similar to those now followed by the Commission in part 17 of its rules, but the Commission considers that it would be unwise to freeze these procedures unnecessarily by making them part of the Communications Act. Both the aviation and radio industries are now undergoing unprecedented growth and change which may require reevaluation and readjustment of the Commission's procedures for dealing with the problem of hazards to air navigation caused by antenna towers.

The Commission appreciates your action in affording us an opportunity to comment on this proposal and we shall be happy to furnish any additional comments or information that your committee may desire. The Bureau of the Budget has informed us that it has no objection to the submission of these comments to your committee.

By direction of the Commission:

ROSEL H. HYDE, *Acting Chairman.*

Mr. O'HARA. Mr. Chairman, there is one other phase which I think probably no one is more responsible for than I. I am not speaking in any criticism of the committee. It deals with the subject of political broadcasts. During the hearings upon the bill there was considerable testimony as to the hiatus and the confusion which exists at the present time relative to section 315 of the Federal Communications Act referring to political broadcasts.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Arkansas.

Mr. HARRIS. Did I understand the gentleman to say that in connection with political broadcasts we had considerable testimony?

Mr. O'HARA. Oh, yes. There were a number of questions asked the Commission with reference to the Port Huron decision and some of that sort of thing which was going on or had gone on by reason of the rulings of the Commission. From 1927 until the year 1948 it was not only the position of the Commission but the decision of the courts, at least in the one instance, the Sorenson case in Nebraska where the question of liability of a radio station for statements made in a political broadcast was fixed, that the station exercised the right to eliminate defamatory or obscene language from the script of a political broadcaster.

In 1948 the Federal Communications Commission made a decision which completely upset the long-existing law that had been recognized by everyone, and by those who were candidates for political office who used the radio station or the broadcasters themselves; namely, that the radio station would exercise censorship. In practically every jurisdiction they were responsible, the radio station as well as the speaker, for defamatory statements.

In 1948 the Port Huron decision came out of the Federal Communications Commission which completely upset that which had been traditional, in that the Federal Communications Commission held that the station or the broadcaster had no power of censorship over any matter, defamatory or otherwise, in a political speech. This was a completely shocking decision from the viewpoint of consideration of all the factors involved and has since kept the broadcasting industry on the horns of a dilemma.

On the one hand, the broadcasters are liable for defamatory statements which may be made over their facilities. If they delete that which they consider defamatory under the Federal Communications Commission ruling in the Port Huron case they are subject to having their license revoked by the Federal Communications Commission. My colleague from Washington [Mr. HORAN] has offered a bill which would give the whitewash brush to the radio station or the television station. It would provide that no station shall be responsible for any statements made in a political broadcast.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Washington.

Mr. HORAN. You have to distinguish between the two, what is politically partisan and what is defamatory.

Mr. O'HARA. I realize that is the difficulty the broadcaster is in; but, on the other hand, he is going to go one road or the other.

Mr. HORAN. I like the dilemma part of it because he would find himself between the courts and the FCC.

Mr. O'HARA. I have a bill which would cure that. I will give the station the power to censor. I think it should have it. Up to 1948 every radio station in the country exercised the right of censorship over any political speech that was made containing defamatory or obscene matters, and not until the Port Huron decision in 1948 did anybody ever claim they did not have that right; until the Federal Communications Commission, as the result of the action of two Commissioners who wrote that opinion. The Federal Communications Commission has been blowing hot and cold ever since as to what it meant.

Now, I intend to offer an amendment which will, in plain language, say that in a political broadcast the radio station shall exercise the right of censorship as to defamatory or obscene matters in the script; it shall have the right to delete it.

After all, in the old days, when a man stood down on the street corner and made a political speech, and he said something that was defamatory, that was slanderous, it was only to a small group that that statement was made. Do not get the idea that there is just the radio station involved and a political candidate or political candidates. The vicious individual who turns loose in a radio broadcast, under the guise of political expediency, can ruin the family of the candidate or can ruin the lives and the families and the reputation of perfectly innocent people.

On three different occasions in the history of radio legislation the Congress of the United States has refused to give the exemption of liability to radio, and rightfully so; this great, tremendous instrumentality that enters into 50,000,000

to 75,000,000 American homes. This instrumentality that is in the business of selling radio time and political time should also take some responsibility, because so often the vicious character assassins who may attempt in a political campaign to ruin someone's reputation may not be worth a dime, so far as civil liability is concerned. However, that radio station must treat both sides alike and give both of them time. That is provided for in my amendment. But, if they are going to permit broadcasts, then they are going to have to assume also some of the liability and some of the responsibility of controlling the vicious types of statements that are made that are defamatory or obscene.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Ohio.

Mr. VORYS. How would the gentleman's amendment operate in case of a radio forum or debate or question and answer period where obviously the material could not be submitted in advance, or would the gentleman's amendment eliminate the possibility of that sort of thing?

Mr. O'HARA. No; it would not eliminate it. On the other hand, that is a responsibility the station would have to take when it takes on that sort of program. I want to say frankly that just because it is a round table discussion does not mean that the station would not be liable for defamatory statements that were made over it. It is true there would be a different defense to that if they were completely surprised by the statement that was made by the individual on such a broadcast. You would not have the right to censor the script because there would not be any script, but that is one of the responsibilities they would have to take. As a matter of fact, I do not know how you could write any bill to take care of that. I do not think the amendment of the gentleman from Washington [Mr. HORAN], would cover that, nor mine. I do not see how you could write one.

Mr. HORAN. My bill would eliminate his liability.

Mr. O'HARA. Yes; the gentleman would eliminate all liability on the part of the station.

Mr. HORAN. And place it on the guilty party, who was the individual who uttered the libelous words.

Mr. O'HARA. Yes. He is also liable under my bill, too. Do not worry about that.

Mr. HARRIS. The gentleman does recognize that some action should be taken on this immediate problem?

Mr. O'HARA. I say it is a problem on which action should be taken. I intend to offer my amendment and the gentleman from Washington [Mr. HORAN], will offer his, and we will then have the horns of the dilemma presented for you to decide.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Michigan.

Mr. MEADER. I was intrigued by the gentleman's statement that surprise might be a defense made by the radio station. I am not familiar with that type of defense to a libel action.

Mr. O'HARA. I think it would make a difference as to whether they had an opportunity to know what the person speaking was going to say.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Chairman, I really take a great deal of pleasure in supporting this bill. Now and then a bill comes out of the Committee on Interstate and Foreign Commerce about which I have some qualifications or misgivings, but this is a good one. The committee has worked extraordinarily hard on it and has devoted a great deal of time, not only to the hearings, which take up four-hundred-odd pages, but to the consideration of the bill line by line, comma by comma, semicolon by semicolon, in executive session. I question gravely whether any Member of the House will be ingenious enough to suggest an amendment which has not had at least some consideration in the committee, if not in respect to the exact words which may be offered at least in respect to the principle.

I myself, I may say, gave a lot of thought in committee to the problem of the term of the license and as to what happens when a license expires and is up for renewal. I think there is a great deal to be said for granting licenses for an indeterminate period so that the Commission and its staff do not have to waste an enormous amount of time going over renewals, as to which generally there is really no serious question.

Of course, if a license failed of renewal for some trivial or capricious reason, it would be a very grave injustice to the license holder.

I regret to say it was not possible to work out any provision in the bill for indeterminate licenses which met all the objections which could be urged, so we were obliged to stay with the license for a specific term of years.

As the report specifies, the bill contains amendments to the act calculated to improve the organizational set-up and administrative functioning of the Commission. Unfortunately, the members of the Commission were not all in accord on what it would be desirable to do in this connection. From my experience here with administrative commissions, many of which have occasion to come before our committee from time to time, unanimity of opinion is decidedly the exception and not the rule.

The committee did make a very faithful and conscientious effort to give due weight to every point of view which could be found on the Commission.

There are some members of what is called the Federal Communications Bar, that is, members of the District of Columbia Bar who appear frequently before the Commission, who have the feeling that the decisions by the Commission are not based entirely upon the evidence presented to the Commission and the law; but are influenced by extrinsic considerations and particularly by private urgings on the part of members of the Commission's staff. I, myself, thought that was a very serious situation. We ought to have a situation such that anybody who appears before the Commission should have confidence that his case will be decided upon the evidence that is actually presented of record. I believe we have greatly ameliorated the provisions of the present law in that respect.

Then, we have added amendments giving the Commission new administrative powers which can be used to secure compliance by holders of construction permits or station licenses. The only power now possessed by the Commission is to revoke licenses, and that is too severe a penalty in most cases.

I call the attention of the Committee of the Whole to what appears on pages 21 and 22 of the committee report, which shows the manner in which we have modified the provisions of the Senate bill. To all of those modifications, our committee gave very extensive considerations, and I think the committee has done nothing without very good cause shown. I certainly hope that nobody will feel impelled to want this bill recommitted because, if it is recommitted, it will put the Committee on Interstate and Foreign Commerce out of business for a long time. This I should very much regret because we have a lot of other legislation before us on which I want to make progress.

Mr. Chairman, I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, we do not have any further requests for time.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Chairman, I propose to use the time as allotted to me, not particularly in the discussion of the details of this bill, but in discussing with you the general complexities of the whole broadcasting industry.

I can well remember when broadcasting was in its infancy. I see some others in this Chamber who appear to be as old as I am, and who likewise doubtless remember back to the days of the early nineteen twenties when we used ear muffs and tried to get remote and distant stations. Those are the days of unrestricted broadcasting. There was no limitation whatsoever on anybody.

Any person could set up a broadcasting station and start shooting the air full of music or sound or anything he wanted to. He could choose any wave length that he wanted.

But before long it became obvious that that kind of system would not work. Because of the very scientific basis of broadcasting and radio waves, that kind of free system absolutely would not operate successfully. The fact is there are just a certain number of wave lengths that can be used in the radio industry. In fact, some of the mysteries of radio broadcasting have baffled even the most skilled engineers in the field. They have not completely explored all the scientific intricacies of what goes on when a radio wave is sent forth to carry some kind of message on its wings.

So, when that period of unrestricted broadcasting was going on, the industry

iself, those who were engaged in it and who were trying in a feeble way to make a living out of it, finally came to the Congress and said, "Something must be done about this, because there never can be an industry erected upon a scientific basis of sending out human intelligence over the air waves unless there is some regulation to it."

Congress was called upon to do something about it. Obviously, the Congress was the only legislative body that could do anything about it. You could not go to a county board of supervisors or a city council or even a State legislature, because these waves of the ether pay no attention to political boundaries. So they had to come to Congress, and the Congress was requested to act in this field.

I suppose it might have been possible for the Congress itself to have allocated these various wave lengths to the various applicants. They could have done it by a series of private bills. We do have private bills in this House, as all of you know. Congress could have established a system of assigning certain wave lengths to a certain applicant by a private bill. But that was a cumbersome way to do it.

So back in the late nineteen twenties at the request of the industry, and with the acquiescence of everybody who knew anything about the industry, the Radio Commission was established. Its first duty was the assignment of allocation of various wave lengths to broadcasters.

The first interest to be served in such allocation was the public interest. The legal concept was that the ether waves used for sending out these messages over the air belonged not to any individual who might perchance have preempted it, but belonged to the public itself.

That is a very important concept of all this legislation that we have concerning radio, namely, that the electrical waves that serve as this medium of communication belong not to the individual who uses them as a broadcaster but belong to the public. It is the public interest, necessity, and convenience that is to be served. That concept, Mr. Chairman, is the basis of this legislation.

There has not been a revision of the communications law as it affects radio for more than a decade. In the interval great changes have taken place, both scientifically and economically, and legally, which necessitate at this time another look by Congress and a revision of the Communications Act as it affects the radio industry. Having sat through the hearings on this bill and having participated actively in the lengthy executive hearings which we held to perfect this legislation, I earnestly and heartily recommend this legislation to you. Every line, every paragraph, the whole bill itself was carefully and meticulously considered by the Committee on Interstate and Foreign Commerce. I hope the bill will be passed without any crippling amendment.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, I take this time merely to point out to the Members of the House that we have three possibilities here: The first one is existing law, and I would like to read into the RECORD, if I may, section 315 which deals with facilities for candidates for public office; that is part of the question before us:

SEC. 315. If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station he shall afford equal opportunities to all other such candidates for that purpose in the use of such broadcasting station, and the Commission shall make rules and regulations to carry this provision into effect;

Provided, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section—

That is the thing that was involved in a decision of 1948—

Provided further, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section.

No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate; it is a completely confusing, conflicting, and contradictory section as it now stands.

My colleague, the distinguished gentleman from Minnesota [Mr. O'HARA] proposes to offer an amendment when the bill is read under the 5-minute rule which will take care of censorship, but it will exempt from all censorship by the radio station of partisan or political matters.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. DONDERO. Suppose the material were libelous?

Mr. HORAN. The bill does not involve censorship to that extent. If it is obscene, or libelous, or otherwise, the station may censor it, but the trouble would come in the matter of deciding what was partisan or political, because most defamatory statements would come in political broadcasts. The result would be that the radio station would find itself between the courts and the FCC.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. HORAN. Surely.

Mr. O'HARA. Does the gentleman think the Congress could pass an act which would amend and change the police powers of the States as affecting libel or slander?

Mr. HORAN. I am not sure about that, but I do know that you have interstate, even national broadcasts which come within the purview of the National Government in the matter of the morals concerned in any such broadcast; and I believe that we will have to make a final, factual, and statutory determination one way or the other after considerable study until we can answer that question authoritatively, and that is a matter with which the gentleman's committee must deal.

We must do what we can to clarify the status of radio stations. Some of them are going to refuse to carry political broadcasts, or so they tell me, if this matter is not clarified. I would simply relieve them of a lot of that liability, which should be the individuals, so they could feel free to go ahead.

The bill is going to be read for amendment in a few minutes and you are going to vote for the amendment to be offered by the gentleman from Minnesota, and either carry it or you are going to defeat it; you are going to vote for my amendment, carry it or defeat it; but something must be done to correct what is generally considered to be an intolerable situation in the present Communications Act of 1934. We should keep in mind that whatever we do here we will have to finally meet this problem in some succeeding session of the Congress.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Arkansas.

Mr. HARRIS. Is it the gentleman's intention to offer his bill, H. R. 7062?

Mr. HORAN. That is correct.

Mr. HARRIS. With an additional amendment?

Mr. HORAN. Yes, one proposed by the majority leader [Mr. MCCORMACK].

Mr. HARRIS. That is, providing that the price of political broadcasts shall not be higher than the regular commercial rates?

Mr. HORAN. Yes. I have been informed privately that the reason they have a double rate for political broadcasts is because of the liability feature.

Mr. HARRIS. I am trying to get clear what the gentleman proposes to offer. I understood he had two bills.

Mr. HORAN. Let me explain why I am here, although I am not a member of the Interstate and Foreign Commerce Committee. I want to make this very clear. I introduced my first bill, H. R. 5470, on September 25 last. That was later revised and two important changes were made at the beginning of the present session. I reintroduced the bill again in March of this year.

Mr. HARRIS. That is H. R. 7062?

Mr. HORAN. Yes.

Mr. HARRIS. Which the gentleman proposes as a substitute for the amendment that will be offered by the gentleman from Minnesota [Mr. O'HARA]?

Mr. HORAN. That is what I anticipate.

Mr. HARRIS. With the inclusion of the amendment suggested by the majority leader [Mr. MCCORMACK]?

Mr. HORAN. That is correct.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Massachusetts.

Mr. MCCORMACK. There is a sharp issue drawn between the amendment that the gentleman will offer and the amendment to be offered by the gentleman from Minnesota. I have considered both of them. It seems to me that the principle involved in the amendment that my friend who has the floor will offer is a sound one, not that the other is unsound. However, there are two schools of thought; there is a sharp division on the issue. It seems to me that our speeches should not be censored by any station. I recognize that there are some who will make statements that

should not be made; on the other hand, to permit censorship of speeches is rather far-reaching. We all know there is a twilight zone. What one station might think is libelous another station might not. Furthermore, partisan considerations might enter into the interpretation or the evaluation of a speech as to whether or not it is libelous.

I feel also that the stations themselves should not be liable. They are more or less in an innocent bystander position. They are operating under a license. As a matter of fact, no station can stop me from shooting in something if I want to get it in. They can cut me off, but I can get it in before they cut me off. The question of libel is one that concerns a very small percentage of those who might be candidates for public office. As I stated, it seems to me that the station itself is in more or less of an innocent bystander position and that the station should be removed from being liable for certain statements. The person who makes them is liable. Why the station is made liable is hard for me to understand. If that follows, then the other proposition follows that there should not be censorship.

Also, there should not be two different sets of rates. A political party or an individual during a political campaign should not be required to pay more for a political speech than commercial interests over the same station. It seems to me this is something that should concern each and every one of us as individuals. If we are going to do something about the matter now is the time to do it, because it is going to be difficult after a bill of this kind is enacted into law to correct the situation.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Minnesota.

Mr. O'HARA. I call attention to the fact that up until 1948, the time of the Port Huron decision, every radio station in the country exercised censorship and still has the right to do so in deleting not partisan or political matter but defamatory, libelous, slanderous, or obscene matters.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield further?

Mr. HORAN. I yield.

Mr. McCORMACK. This amendment confines itself, as I understand it, to political speeches.

Mr. HORAN. And to section 315, which I read into the RECORD.

Mr. McCORMACK. What the gentleman said is true. I have always resented that. I remember back a few years ago when a Boston radio station came to Members of the House, of both parties, and asked them to make some kind of a report each week on the doings here in Washington. I said that I would participate, and after the second or third week of my utterances the man in charge of the radio station came to me and said that there had been complaint made that some of my utterances were political in nature. Well, I will be frank to say they might have been. Whether I intended them to be or not, I do not know now, and I simply said to him, "Rather than subject my remarks to censorship, and I appreciate very much your invitation, I shall not exercise the privilege any more." He wanted me to continue, but I told him I would not continue under any form of censorship of my remarks. That is one reason why I have never accepted an honorarium in all my years of public life, from any group I spoke to, because they might expect me, if I accepted an honorarium, to say something to please them. I wanted complete freedom of expressing my thoughts. Now I do not object to anyone accepting an honorarium, because they have a right to. But as far as this particular incident was concerned, I had no dispute with the station, but I exercised my individual rights and I refused to continue those broadcasts, because I was not going to be subjected to criticism or censorship on a matter of that kind, in a field of that kind, in the United States of America.

Mr. HARRIS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as "Communications Act Amendments, 1951."

SEC. 2. Subsection (o) of section 3 of the Communications Act of 1934, as amended, is amended to read as follows:

"(o) 'Broadcasting' means the dissemination of radio communications intended to be received directly by the general public."

SEC. 3. Section 3 of such act is further amended by adding after subsection (aa) the following:

"(bb) The term 'license,' 'station license,' or 'radio station license' means that instrument of authorization required by this act or the rules and regulations of the Commissioner made pursuant to this act, for the use or operation of apparatus for transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission.

"(cc) The term 'broadcast station,' 'broadcasting station,' or 'radio broadcast station' means a radio station equipped to engage in broadcasting as herein defined.

"(dd) The term 'construction permit' or 'permit for construction' means that instrument of authorization required by this act or the rules and regulations of the Commission made pursuant to this act for the installation of apparatus for the transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission."

SEC. 4. (a) Subsection (b) of section 4 of such act, as amended, is amended by striking out the last two sentences thereof and inserting in lieu thereof the following: "Such Commissioners shall not engage in any other business, vocation, profession, or employment but this shall not apply to the preparation of technical or professional publications for which reasonable honorarium or compensation may be paid. Any such Commissioner serving as such after 1 year from the date of enactment of the Communications Act Amendments, 1951, shall not for a period of 1 year following the termination of his services as a Commissioner represent before the Commission in a professional capacity any person, including all persons under common control, subject to the provisions of this act, except that this restriction shall not apply to any Commissioner who has served the full term for which he was appointed. Not more than four members of the Commission shall be members of the same political party."

(b) Subsection (f) (1) of section 4 of such act is amended to read as follows:

"(f) (1) Without regard to the civil service laws or the Classification Act of 1949, as amended, (1) the Commission may appoint and prescribe the duties and fix the salaries of a secretary, a chief engineer and not more than two assistants, a chief accountant and not more than two assistants, a general counsel and not more than two assistants, and counsel temporarily employed and designated by the Commission for the performance of specific special services; and (2) each Commissioner may appoint and prescribe the duties of a legal assistant at an annual salary to be fixed by the Commissioner but not to exceed $10,000 and a secretary at an annual salary not to exceed $5,600. The chief engineer, the chief accountant, and the general counsel shall each receive an annual salary of not to exceed $11,200; the secretary shall receive an annual salary of not to exceed $10,000, and no assistant shall receive an annual salary in excess of $10,000: *Provided*, That on and after 1 year from the date of enactment of Communications Act Amendments, 1951, the secretary of the Commission, the chief engineer and his assistants, the chief accountant and his assistants, the general counsel and his assistants, the chief of each integrated division and his assistant, and the legal assistants to each Commissioner shall not, for the period of 1 year next following the cessation of their employment with the Commission, represent before the Commission in a professional capacity any person, including all persons under common control, subject to the provisions of this act. The Commission shall have authority, subject to the provisions of the civil service laws and the Classification Act of 1949, as amended, to appoint such other officers, engineers, accountants attorneys, inspectors, examiners, and other employees as are necessary in the execution of its functions."

(c) The first sentence of subsection (g) of section 4 of such act, as amended, is amended to read as follows:

"(g) The Commission may make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for office supplies, law books, periodicals, and books of reference, for printing and binding, for land for use as sites for radio monitoring stations and related facilities, including living quarters where necessary in remote areas, for the construction of such stations and facilities, and for the improvement, furnishing, equipping, and repairing of such stations and facilities and of laboratories and other related facilities (including construction of minor subsidiary buildings and structures not exceeding $25,000 in any one instance) used in connection with technical research activities), as may be necessary for the execution of the functions vested in the Commission and as from time to time may be appropriated for by Congress."

(d) Subsection (k) of section 4 of such act is amended to read as follows:

"(k) The Commission shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain—

"(1) such information and data collected by the Commission as may be considered of value in the determination of questions connected with the regulation of interstate and foreign wire and radio communication and radio transmission of energy.

"(2) such information and data concerning the functioning of the Commission as will be of value to Congress in appraising the amount and character of the work and accomplishments of the Commission and the adequacy of its staff and equipment: *Provided*, That the first and second annual reports following the date of enactment of Communications Act Amendments, 1951,

shall set forth in detail the number and caption of pending applications requesting approval of transfer of control or assignment of a station license, or construction permits for new stations, or for increases in power, or for changes of frequency of existing stations at the beginning and end of the period covered by such reports;

"(3) information with respect to all persons taken into the employment of the Commission during the year covered by the report, including names, pertinent biographical data and expetience, Commission positions held and compensation paid, together with the names of those persons who have left the employ of the Commission during such year: *Provided*, That the first annual report following the date of enactment of Communications Act Amendments, 1951, shall contain such information with respect to all persons in the employ of the Commission at the close of the year for which the report is made;

"(4) an itemized statement of all funds expended during the preceding year by the Commission, of the sources of such funds, and of the authority in this act or elsewhere under which such expenditures were made; and

"(5) specific recommendations to Congress as to additional legislation which the Commission deems necessary or desirable, including all legislative proposals submitted for approval to the Director of the Budget."

SEC. 5. Section 5 of such act, as amended, is amended to read as follows:

"ORGANIZATION OF THE COMMISSION

"SEC. 5. (a) The member of the Commission designated by the President as Chairman shall be the chief executive officer of the Commission. It shall be his duty to preside at all meetings and sessions of the Commission, to represent the Commission in all matters relating to legislation and legislative reports except that any Commissioner may present his own or minority views or supplemental reports, to represent the Commission in all matters requiring conferences or communications with other governmental officers, departments or agencies, and generally to coordinate and organize the work of the Commission in such manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission. In the case of a vacancy in the office of the Chairman of the Commission, or the absence or inability of the Chairman to serve, the Commission may temporarily designate and appoint one of its members to act as Chairman until the cause or circumstance requiring such service shall have been eliminated or corrected.

"(b) Within 60 days after the enactment of the Communications Act amendments, 1951, and from time to time thereafter as the Commission may find necessary, the Commission shall organize its legal, engineering, and accounting staff into (1) integrated divisions, to function on the basis of the Commission's principal workload operations; and (2) into such other divisional organizations as the Commission may deem necessary to handle that part of its workload which cuts across more than one integrated division or which does not lend itself to the integrated division set-up. Each such integrated division and divisional organization shall include such legal, engineering, accounting, administrative, and clerical personnel as the Commission may determine to be necessary to perform its functions. The general counsel, the chief engineer, and the chief accountant and their respective assistants shall carry out their respective duties under such rules and regulations as the Commission may prescribe. The Commission shall establish a staff, directly responsible to it, which shall include such legal, engineering, and accounting personnel as the Commission deems necessary, whose duty shall be to prepare such drafts of Commission decisions, orders, and other memoranda as the Commission, in the exercise of its quasi judicial duties, may from time to time direct: *Provided*, That no member of such staff shall participate in a hearing or represent the Commission directly or indirectly, in any prosecutory or investigatory function or proceeding.

"(c) Except as provided in section 409 hereof, the Commission, when necessary to the proper functioning of the Commission and the prompt and orderly conduct of its business, is hereby authorized and directed to assign or refer any portion of its work, business, or functions to an individual Commissioner or Commissioners or to a board composed of one or more employees of the Commission, to be designated by such order for action thereon, and by its further order at any time to amend, modify, or rescind any such order or reference: *Provided*, That this authority shall not extend to duties otherwise specifically imposed by this or any other act of Congress. Any order, decision, or report made or other action taken pursuant to any such order or reference shall have the same force and effect and may be made, evidenced, and enforced as is made by the Commission: *Provided, however*, That any person aggrieved by any such order, decision, or report may file a petition for review by the Commission, and every such petition shall be passed upon by the Commission. The Secretary and seal of the Commission shall be the secretary and seal of such individual Commissioner or board.

"(d) Meetings of the Commission shall be held at regular intervals, not less frequently than once each calendar month, at which times the functioning of the Commission and the handling of its work load shall be reviewed and such orders shall be entered and other action taken as may be necessary or appropriate to expedite the prompt and orderly conduct of the business of the Commission with the objective of rendering a final decision (1) within 3 months from the date of filing in all original application, renewal, and transfer cases and (2) within 6 months from the final date of the hearing in all hearing cases; and the Commission shall promptly report to the Congress each such case which has been pending before it more than such 3- or 6-month period, respectively, stating the reasons therefor."

SEC. 6. Subsection (d) of section 307 of such act is amended to read as follows:

"(d) No license granted for the operation of a broadcasting station shall be for a longer term than 3 years and no license so granted for any other class of station shall be for a longer term than 5 years, and any license granted may be revoked as hereinafter provided. Upon the expiration of any license, upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed 3 years in the case of broadcasting licenses and not to exceed 5 years in the case of other licenses if the Commission finds that public interest, convenience and necessity would be served thereby."

SEC. 7. So much of subsection (a) of section 308 of such act as precedes the second proviso is amended to read as follows: "The Commission may grant instruments of authorization entitling the holders thereof to construct or operate apparatus for the transmission of energy, or communications, or signals by radio or modifications or renewals thereof, only upon written application therefor received by it: *Provided*, That (1) in cases of emergency found by the Commission involving danger to life or property or due to damage to equipment, or (2) during a national emergency proclaimed by the President or declared by the Congress and during the continuance of any war in which the United States is engaged and when such action is necessary for the national defense or security or otherwise in furtherance of the war effort, the Commission may grant and issue authority to construct or operate apparatus for the transmission of energy or communications or signals by radio during the emergency so found by the Commission or during the continuance of any such national emergency or war, in such manner and upon such terms and conditions as the Commission shall by regulation prescribe, and without the filing of a formal application, but no such authority shall be granted for a period beyond the period of the emergency requiring it nor remain effective beyond such period:".

SEC. 8. Section 309 of such act, as amended, is amended to read as follows:

"HEARINGS ON APPLICATIONS FOR LICENSES; FORM OF LICENSES; CONDITIONS ATTACHED TO LICENSES

"SEC. 309. (a) If upon examination of any application provided for in section 308 the Commission shall determine that public interest, convenience, and necessity would be served by the granting thereof, it shall authorize the issuance of the instrument of authorization for which application is made in accordance with said finding.

"(b) If upon examination of any such application the Commission is unable to make the finding specified in subsection (a) of this section, it shall forthwith notify the applicant and other known parties in interest of the grounds and reasons for its inability to make such finding. Such notice, which shall precede formal designation for a hearing, shall advise the applicant and all other known parties in interest of all objections made to the application as well as the source and nature of such objections. Following such notice, the applicant shall be given an opportunity to reply. If the Commission, after considering such reply, shall be unable to make the finding specified in subsection (a) of this section, it shall formally designate the application for hearing on the grounds or reasons then obtaining and shall notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally. The parties in interest, if any, who are not notified by the Commission of its action with respect to a particular application may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest at any time not less than 10 days prior to the date of hearing. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate but in which both the burden of proceeding with the introduction of evidence upon any issue specified by the Commission, as well as the burden of proof upon all such issues, shall be upon the applicant.

"(c) When any instrument of authorization is granted by the Commission without a hearing as provided in subsection (a) hereof, such grant shall remain subject to protest as hereinafter provided for a period of 30 days. During such 30-day period any party in interest may file a protest under oath directed to such grant and request a hearing on said application so granted. Any protest so filed shall contain such allegations of fact as will show the protestant to be a party in interest and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. The Commission shall, within 15 days from the date of the filing of such protest, enter findings as to whether such protest meets the foregoing requirements and if it so finds the application involved shall be set for hearing upon the issues set forth in said protest, together with such further specific issues, if any, as may

be prescribed by the Commission. In any hearing subsequently held upon such application all issues specified by the Commission shall be tried in the same manner provided in subsection (b) hereof but with respect of all issues set forth in the protest and not specifically adopted by the Commission, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the protestant. The hearing and determination of cases arising under this subsection shall be expedited by the Commission and pending hearing and decision the effective date of the Commission's action to which protest is made shall be postponed to the effective date of the Commission's decision after hearing, unless the authorization involved is necessary to the maintenance or conduct of an existing service, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing.

"(d) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject: (1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein; (2) neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this act; (3) every license issued under this act shall be subject in terms to the right of use or control conferred by section 606 hereof."

SEC. 9. Subsection (b) of section 310 of said act is amended to read as follows:

"(b) No instrument of authorization granted by the Commission entitling the holder thereof to construct or to operate radio apparatus and no rights granted thereunder shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such instrument of authorization, to any person except upon application to the Commission and upon finding by the Commission that the proposed transferee or assignee possesses the qualifications required of an original permittee or licensee. The procedure for handling such application shall be that provided in section 309."

SEC. 10. Section 311 of such act, as amended, is amended to read as follows:

"SEC. 311. The Commission is hereby directed to refuse a station license and/or the permit hereinafter required for the construction of a station to any person (or to any person directly or indirectly controlled by such person) whose license has been revoked by a court under section 313."

SEC. 11. Section 312 of such act, as amended, is amended to read as follows:

"REVOCATION OF LICENSES; CEASE-AND-DESIST ORDERS

"SEC. 312. (a) Any station license may be revoked (1) because of conditions coming to the attention of the Commission since the granting of such license which would have warranted the Commission in refusing to grant such license, or (2) for violation or failure to observe any of the restrictions or provisions of a treaty ratified by the United States, or (3) for violation of or failure to observe the terms and conditions of any cease-and-desist order issued by the Commission pursuant to subsection (b) hereof. The Commission may institute a revocation proceeding by serving upon the licensee an order to show cause why its license should not be revoked. Said orders shall contain a statement of the particulars and matters with respect to which the Commission is inquiring and shall call upon the licensee to appear before the Commission at a time and place therein stated, but in no event less than 30 days after receipt of such notice, and give evidence upon the matter specified in said order: *Provided*, That where safety of life or property is involved, the Commission may by order provide for a shorter period of notice. If, after hearing, or a waiver thereof by the licensee, the Commission determines that a revocation order should issue, it shall make a report in writing stating the findings of the Commission and the grounds and reasons therefor and shall cause the same to be served on said licensee, together with such order.

"(b) Where any person (1) has failed to operate substantially as set forth in an instrument of authorization, or (2) has failed to observe any of the restrictions and conditions of this act or of a treaty ratified by the United States, or (3) has violated or failed to observe any rule or regulation of the Commission authorized by this act, the Commission may institute a proceeding by serving upon such person an order to show cause why it should not cease and desist from such action. Said order shall contain a statement of the particulars and matters with respect to which the Commission is inquiring and shall call upon such person to appear before the Commission at a time and place therein stated, but in no event less than 30 days after receipt of such notice, and give evidence upon the matter specified in said order. If, after hearing, or a waiver thereof by such person, the Commission determines that a cease-and-desist order should be issued, it shall make a report in writing stating the findings of the Commission and the grounds and reasons therefor and shall cause the same to be served on said person, together with such order."

SEC. 12. Part I of title III of such act is amended by adding the following new section:

"MODIFICATION BY COMMISSION OF CONSTRUCTION PERMITS OR LICENSES

"SEC. 330. (a) Any station license granted under the provisions of this act or the construction permit required thereby may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this act or of any treaty ratified by the United States will be more fully complied with: *Provided*, That no such order or modification shall become final until the holder of such outstanding license or permit shall have been notified in writing of the proposed action and the grounds and reasons therefor, and shall have been given reasonable opportunity, in no event less than 30 days, to show cause by public hearing, if requested, why such order of modification should not issue: *Provided*, That where safety of life or property is involved, the Commission may by order provide for a shorter period of notice.

"(b) In any case where a hearing is conducted pursuant to the provisions of this section or section 312, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission."

SEC. 13. Part I of title III of such act is amended by adding the following new section:

"LIMITATIONS ON QUASI-JUDICIAL POWERS

"SEC. 331. No license granted and issued under the authority of this act for the operation of any radio station shall be modified by the Commission, except in the manner provided in section 330 (a) hereof, and no such license may be revoked, terminated, or otherwise invalidated by the Commission, except in the manner and for the reasons provided in section 312 (a) hereof. When application is made for renewal of an existing license, which cannot be disposed of by the Commission under the provisions of section 309 (a) hereof, the Commission shall employ the procedure specified in section 309 (b) hereof, except that in any hearing subsequently held upon such application the burden of proceeding with the evidence and of substantiating the grounds and reasons specified by the Commission in the formal notice of hearing issued pursuant to section 309 (b) hereof shall be upon the appropriate division established by the Commission under the provisions of section 5 (b) hereof or upon any party or parties who may oppose such renewal; but as a condition precedent to the renewal the Commission shall affirmatively find that the public interest, convenience, and necessity will be served by such renewal. Pending such hearing and final decision pursuant thereto the Commission shall continue such license in effect."

SEC. 14. The heading of section 401 of such act is amended to read:

"JURISDICTION TO ENFORCE ACT AND ORDERS OF COMMISSION; DECLARATORY ORDERS"

and such section is amended by adding at the end thereof a new subsection (e) as follows:

"(e) The Commission is authorized, in its sound discretion and with like effect as in the case of other orders, to issue a declaratory order to terminate a controversy or remove uncertainty. Notwithstanding the provisions of section 5 (d) of the act of June 11, 1946 (60 Stat. 239), declaratory orders shall be issued only upon the petition of, and after notice to and opportunity for hearing by, persons who are bona fide applicants for, or the holders of, construction permits or licenses, or otherwise subject to the jurisdiction of the Commission, and shall not bind or affect the rights of persons who are not parties to such proceedings. Such orders shall be available to declare rights and other legal relations arising under the provisions of any treaty ratified by the United States, under any provision of this act, or under any order, rule, regulation, term, condition, limitation, or requirement issued, promulgated, or adopted by the Commission, whether or not involving failure to comply therewith."

SEC. 15. Section 402 of such act is amended to read as follows:

"SEC. 402. (a) The provisions of the act of June 25, 1948 (62 Stat. 992), as amended, relating to the enforcing or setting aside of orders of the Interstate Commerce Commission are hereby made applicable to suits to enforce, enjoin, set aside, annul, or suspend any order of the Commission under this act (except those appealable under the provisions of subsection (b) hereof), and such suits are hereby authorized to be brought as provided in that act. In addition to the venues specified in that act, suits to enjoin, set aside, annul, or suspend, but not to enforce, any such order of the Commission may also be brought in the United States District Court for the District of Columbia.

"(b) Appeals may be taken from decisions and orders of the Commission to the United States Court of Appeals for the District of Columbia in any of the following cases:

"(1) By any applicant for any instrument of authorization required by this act, or the regulations of the Commission made pursuant to this act, for the construction or operation of apparatus for the transmission of energy, or communications, or signals by radio, whose application is denied by the Commission.

"(2) By any applicant for the renewal or modification of any such instrument of authorization whose application is denied by the Commission.

"(3) By any party to an application for authority to assign any such instrument of authorization or to transfer control of any corporation holding such instrument of au-

thorization whose application is denied by the Commission.

"(4) By any applicant for the permit required by section 325 of this act whose application has been denied by the Commission or any permittee under said section whose permit has been revoked by the Commission.

"(5) By the holder of any instrument of authorization required by this act, or the regulations of the Commission made pursuant to this act, for the construction or operation of apparatus for the transmission of energy, or communications or signals by radio, which instrument has been modified or revoked by the Commission.

"(6) By any other person who is aggrieved or whose interests are adversely affected by any order of the Commission granting or denying any application described in paragraphs (1), (2), (3), and (4) hereof.

"(7) By any person upon whom an order to cease and desist has been served under section 312 (b) of this act.

"(8) By any party to a proceeding under section 401 who is aggrieved or whose interests are adversely affected by a declaratory order entered by the Commission.

"(9) By any radio operator whose license has been suspended by the Commission.

"(c) Such appeal shall be taken by filing a notice of appeal with the court within 30 days after the entry of the order complained of. Such notice of appeal shall contain a concise statement of the nature of the proceedings as to which the appeal is taken; a concise statement of the reasons on which the appellant intends to rely, separately stated and numbered; and proof of service of a true copy of said notice and statement upon the Commission. Upon filing of such notice, the court shall have exclusive jurisdiction of the proceedings and of the questions determined therein and shall have power, by order, directed to the Commission or any other party to the appeal, to grant such temporary relief as it may deem just and proper. Orders granting temporary relief may be either affirmative or negative in their scope and application so as to permit either the maintenance of the status quo in the matter in which the appeal is taken or the restoration of a position or status terminated or adversely affected by the order appealed from and shall, unless otherwise ordered by the court, be effective pending hearing and determination of said appeal and compliance by the Commission with the final judgment of the court rendered in said appeal.

"(d) Upon the filing of any such notice of appeal the Commission shall, not later than 5 days after the date of service upon it, notify each person shown by the records of the Commission to be interested in said appeal of the filing and pendency of the same and shall thereafter permit any such person to inspect and make copies of said notice and statement of reasons therefor at the office of the Commission in the city of Washington. Within 30 days after the filing of an appeal, the Commission shall file with the court a copy of the order complained of, a full statement in writing of the facts and grounds relied upon by it in support of the order involved upon said appeal, and the originals or certified copies of all papers and evidence presented to and considered by it in entering said order.

"(e) Within 30 days after the filing of an appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party, together with proof of service of true copies of said notice and statement, both upon appellant and upon the Commission. Any person who would be aggrieved or whose interest would be adversely affected by a reversal or modification of the order of the Commission complained of shall be considered an interested party.

"(f) The record and briefs upon which any such appeal shall be heard and determined by the court shall contain such information and material, and shall be prepared within such time and in such manner as the court may by rule prescribe.

"(g) At the earliest convenient time the court shall hear and determine the appeal upon the record before it in the manner prescribed by section 10 (e) of the Act of June 11, 1946 (60 Stat. 243).

"(h) In the event that the court shall render a decision and enter an order reversing the order of the Commission, it shall remand the case to the Commission to carry out the judgment of the court and it shall be the duty of the Commission, in the absence of the proceedings to review such judgment, to forthwith give effect thereto, and unless otherwise ordered by the court, to do so upon the basis of the proceedings already had and the record upon which said appeal was heard and determined.

"(i) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, or other interested parties intervening in said appeal, but not against the Commission, depending upon the nature of the issues involved upon said appeal and the outcome thereof.

"(j) The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States as hereinafter provided—

"(1) an appeal may be taken direct to the Supreme Court of the United States in any case wherein the jurisdiction of the Court is invoked, or sought to be invoked, for the purpose of reviewing any decision or order entered by the Commission in proceedings instituted by the Commission which have as their object and purpose the revocation of an existing license or any decision or order entered by the Commission in proceedings which involve the failure or refusal of the Commission to renew an existing license. Such appeal shall be taken by the filing of an application therefor or notice thereof within 30 days after the entry of the judgment sought to be reviewed, and in the event such an appeal is taken the record shall be made up and the case docketed in the Supreme Court of the United States within 60 days from the time such an appeal is allowed under such rules as may be prescribed;

"(2) in all other cases, review by the Supreme Court of the United States shall be upon writ of certiorari on petition therefor under section 240 of the Judicial Code, as amended, by the appellant, by the Commission, or by any interested party intervening in the appeal, or by certification by the Court pursuant to the provision of section 239 of the Judicial Code, as amended."

SEC. 16. The heading of section 405 of such act is amended to read:

"REHEARINGS BEFORE COMMISSION

and such section is amended to read as follows:

"SEC. 405. (a) After a decision, order, or requirement has been made by the Commission in any proceeding, any party thereto, or any other person aggrieved or whose interests are adversely affected thereby, may petition for rehearing. Petitions for rehearing must be filed within 30 days from the entry of any decision, order, or requirement complained of and except for those cases in which the decision, order, or requirement challenged is necessary for the maintenance or conduct of an existing service, the filing of such a petition shall automatically stay the effective date thereof until after decision on said petition. The filing of a petition for rehearing shall not be a condition precedent to judicial review of any such decision, order, or requirement, except where the party seeking such review was not a party to the proceedings resulting in such decision, order, or requirement, or where the party seeking such review relies on questions of fact or law upon which the Commission has been afforded no opportunity to pass. Rehearings shall be governed by such general rules as the Commission may establish: *Provided*, That, except for newly discovered evidence or evidence otherwise available only since the original taking of evidence, no evidence shall be taken on any rehearing. The time within which an appeal must be taken under section 402 (b) hereof shall be computed from the date upon which orders are entered disposing of all petitions for rehearing filed in any case, but any decision, order, or requirement made after such rehearing reversing, changing, or modifying the original determination shall be subject to the same provisions with respect to rehearing as an original order."

SEC. 17. Section 409 (a) of such act is amended to read as follows:

"SEC. 409. (a) Notwithstanding the provisions of section 7 (a) of the act of June 11, 1946 (60 Stat. 241), all cases in which a hearing is required by the provisions of this act or by other applicable provisions of law shall be conducted by the Commission or by one or more examiners provided for in section 11 of the act of June 11, 1946 (60 Stat. 244), designated by the Commission. The officer or officers presiding at any such hearing shall have the same authority and duties exercised in the same manner and subject to the same conditions specified in section 7 of that act.

"(b) Notwithstanding the provisions of section 8 of the act of June 11, 1946 (60 Stat. 242), the officer or officers conducting a hearing shall prepare and file an intermediate report. In all such cases the Commission shall permit the filing of exceptions to such intermediate report by any party to the proceeding and shall, upon request, hear oral argument on such exceptions before the entry of any final decision, order, or requirement. All decisions, including the intermediate report, shall become a part of the record and shall include a statement of (1) findings and conclusions, as well as the basis therefor, upon all material issues of fact, law, or discretion, presented on the record; and (2) the appropriate decision, order, or requirement.

"(c) Notwithstanding the provisions of section 5 (c) of the act of June 11, 1946 (60 Stat. 239), no officer conducting a hearing pursuant to (a) and (b) hereof shall, except to the extent required for the disposition of ex parte matters as authorized by law, consult any person or party on any fact or question of law in issue, unless upon notice and opportunity for all parties to participate; nor shall such officer be responsible to or subject to the supervision or direction of any other person engaged in the performance of investigative, prosecuting, or other functions for the Commission or any other agency of the Government. No person or persons engaged in the performance of investigative or prosecuting functions for the Commission or for any other agency of the Government shall participate or advise in the proceedings described in (a) and (b) hereof, except as a witness or counsel in public proceedings. The Commission shall not employ attorneys or other persons for the purpose of reviewing transcripts or preparing intermediate reports of final decisions, except that this shall not apply to the review staff provided by subsection 5 (b) and to legal assistants assigned separately to a Commission member who may, for such Commission member, review such transcripts and prepare such drafts. No intermediate report shall be reviewed either before or after its publication by any person other than a member of the Commission or his legal assistant, as above provided, and no examiner, who conducts a hearing, shall advise or consult with the Commission with respect to his intermediate

report or with respect to exceptions taken to his findings, rulings, or recommendations."

(b) Subsections (b), (c), (d), (e), (f), (g), (h), (i), and (j) of section 409 are amended to read subsections (d), (e), (f), (g), (h), (i), (j), (k), and (l), respectively.

SEC. 18. Section 414 of such act is amended by adding at the end thereof the following: "Except as specifically provided in this act the provisions of the act of June 11, 1946 (60 Stat. 237) shall apply in all proceedings under this act."

SEC. 19. Chapter 63 of the Criminal Code, title 18, is amended by inserting a new section as follows:

"FRAUD BY RADIO

"SEC. 1343. Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, shall transmit or cause to be transmitted by means of radio communication or interstate wire communication, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, or whoever operating any radio station for which a license is required by any law of the United States, knowingly permits the transmission of any such communication, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both."

SEC. 20. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

With the following committee amendment:

Strike out all after the enacting clause and insert "That this act may be cited as the 'Communications Act Amendments, 1952.'

"SEC. 2. Paragraph (o) of section 3 of the Communications Act of 1934, as amended, is amended to read as follows:

"'(o) "Broadcasting" means the dissemination of radio communications intended to be received directly by the public.'

"SEC. 3. Section 3 of such act is amended by adding after subsection (aa) the following:

"'(bb) "Station license," "radio station license," or "license" means that instrument of authorization required by this act or the rules and regulations of the Commission made pursuant to this act, for the use or operation of apparatus for transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission.

"'(cc) "Broadcast station," "broadcasting station," or "radio broadcast station" means a radio station equipped to engage in broadcasting as herein defined.

"'(dd) "Construction permit" or "permit for construction" means that instrument of authorization required by this act or the rules and regulations of the Commission made pursuant to this act for the construction of a station, or the installation of apparatus, for the transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission.'

"SEC. 4. (a) Subsection (b) of section 4 of such act is amended by striking out the last two sentences thereof and inserting in lieu of such sentences the following: 'Such Commissioners shall not engage in any other business, vocation, profession, or employment; but this shall not apply to the preparation of technical or professional publications for which a reasonable honorarium or compensation may be accepted. Not more than four members of the Commission shall be members of the same political party.'

"(b) Paragraph (2) of subsection (f) of section 4 of such act is amended by striking out '(2)' and inserting in lieu thereof '(3)'; and such subsection (f) is further amended by striking out paragraph (1) thereof and inserting in lieu of such paragraph the following paragraphs:

"'(f) (1) The Commission shall have authority, subject to the provisions of the civil-service laws and the Classification Act of 1949, as amended, to appoint such officers, engineers, accountants, attorneys, inspectors, examiners, and other employees as are necessary in the exercise of its functions.

"'(2) Without regard to the civil-service laws, but subject to the Classification Act of 1949, each Commissioner may appoint and fix the compensation of a professional assistant who shall perform such duties as such Commissioner shall direct.'

"(c) The first sentence of subsection (g) of section 4 of such act is amended to read as follows: 'The Commission may make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for office supplies, law books, periodicals, and books of reference, for printing and binding, for land for use as sites for radio monitoring stations and related facilities, including living quarters where necessary in remote areas, for the construction of such stations and facilities, and for the improvement, furnishing, equipping, and repairing of such stations and facilities and of laboratories and other related facilities (including construction of minor subsidiary buildings and structures not exceeding $25,000 in any one instance) used in connection with technical research activities), as may be necessary for the execution of the functions vested in the Commission and as from time to time may be appropriated for by Congress.'

"(d) Subsection (k) of section 4 of such act is amended to read as follows:

"'(k) The Commission shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain—

"'(1) such information and data collected by the Commission as may be considered of value in the determination of questions connected with the regulation of interstate and foreign wire and radio communication and radio transmission of energy;

"'(2) such information and data concerning the functioning of the Commission as will be of value to Congress in appraising the amount and character of the work and accomplishments of the Commission and the adequacy of its staff and equipment: *Provided*, That the first and second annual reports following the date of enactment of the Communications Act Amendments, 1952, shall set forth in detail the number and caption of pending applications requesting approval of transfer of control or assignment of a broadcasting station license, or construction permits for new broadcasting stations, or for increases in power, or for changes of frequency of existing broadcasting stations at the beginning and end of the period covered by such reports;

"'(3) information with respect to all persons taken into the employment of the Commission during the year covered by the report, including names, pertinent biographical data and experience. Commission positions held and compensation paid, together with the names of those persons who have left the employ of the Commission during such year: *Provided*, That the first annual report following the date of enactment of the Communications Act Amendments, 1952, shall contain such information with respect to all persons in the employ of the Commission at the close of the year for which the report is made;

"'(4) an itemized statement of all funds expended during the preceding year by the Commission, of the sources of such funds, and of the authority in this act or elsewhere under which such expenditures were made; and

"'(5) specific recommendations to Congress as to additional legislation which the Commission deems necessary or desirable, including all legislative proposals submitted for approval to the Director of the Bureau of the Budget.'

"Sec. 5. Section 5 of such act is amended to read as follows:

"'ORGANIZATION AND FUNCTIONING OF THE COMMISSION

"'Sec. 5. (a) The member of the Commission designated by the President as chairman shall be the chief executive officer of the Commission. It shall be his duty to preside at all meetings and sessions of the Commission, to represent the Commission in all matters relating to legislation and legislative reports, except that any commissioner may present his own or minority views or supplemental reports, to represent the Commission in all matters requiring conferences or communications with other governmental officers, departments, or agencies, and generally to coordinate and organize the work of the Commission in such manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission. In the case of a vacancy in the office of the chairman of the Commission, or the absence or inability of the chairman to serve, the Commission may temporarily designate one of its members to act as chairman until the cause or circumstance requiring such designation shall have been eliminated or corrected.

"'(b) Within 6 months after the enactment of the Communications Act Amendments, 1952, and from time to time thereafter as the Commission may find necessary, the Commission shall organize its staff into (1) integrated bureaus, to function on the basis of the Commission's principal workload operations, and (2) such other divisional organizations as the Commission may deem necessary to handle that part of its workload which cuts across more than one integrated bureau or which does not lend itself to the integrated bureau set-up. Each such integrated bureau shall include such legal, engineering, accounting, administrative, clerical, and other personnel as the Commission may determine to be necessary to perform its functions.

"'(c) The Commission shall establish a special staff of employees, hereinafter in this act referred to as the "review staff," which shall consist of such legal, engineering, accounting, and other personnel as the Commission deems necessary. The review staff shall be directly responsible to the Commission and shall not be made a part of any bureau or divisional organization of the Commission. Its work shall not be supervised or directed by any employee of the Commission other than a member of the review staff whom the Commission may designate as the head of such staff. The review staff shall perform no duties or functions other than to assist the Commission, in cases of adjudication (as defined in the Administrative Procedure Act) which have been designated for hearing, by preparing, without recommendations, a summary of the evidence presented at any such hearing, by preparing without recommendations, after an initial decision but prior to oral argument, a compilation of the facts material to the exceptions and replies thereto filed by the parties, and by preparing for the Commission or any member or members thereof, without recommendations and in accordance with specific directions from the Commission or such member or members, memoranda, opinions, decisions, and orders. The Commission shall not permit any employee who is not a member of the review staff to perform the duties and functions which are to be performed by

the review staff; but this shall not be construed to limit the duties and functions which a professional assistant appointed pursuant to section 4 (f) (2) may perform for the commissioner by whom he was appointed.

"'(d) (1) The Commission is hereby authorized by its order to divide the members thereof into not more than three panels, each to consist of not less than three members. Any commissioner may be assigned to and may serve upon such panel or panels as the Commission may direct, and each panel shall choose its own chairman. In case of a vacancy in any panel, or of absence or inability to serve thereon of any commissioner thereto assigned, the chairman of the Commission or any commissioner designated by him for that purpose may temporarily serve on said panel until the Commission shall otherwise order.

"'(2) Except as provided in section 409, the Commission may by order direct that any of its work, business, or functions arising under this or any other Act of Congress, or referred to it by Congress or by either branch thereof, be assigned or referred to any of said panels for action thereon, and may by order at any time amend, modify, supplement, or rescind any such direction.

"'(3) In conformity with and subject to the order or orders of the Commission in the premises, each panel so constituted shall have power and authority by a majority thereof to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to it for action, and in respect thereof shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any of said panels in respect of any matters so assigned or referred to it shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the Commission, subject to rehearing by the Commission as provided in section 405 of this act for rehearing cases decided by the Commission. The secretary and seal of the Commission shall be the secretary and seal of each panel thereof.

"'(e) (1) Except as provided in section 409, the Commission may by order assign or refer any portion of its work, business, or functions arising under this or any other act of Congress, or referred to it by Congress or either branch thereof, to an individual commissioner, or to a board composed of an employee or employees of the Commission, to be designated by such order for action thereon, and may by order at any time amend, modify, supplement, or rescind any such assignment or reference. In case of the absence, or inability for any other reason to act, of any such individual commissioner or of any employee designated to serve upon any such board, the chairman of the Commission may designate another commissioner or employee, as the case may be, to serve temporarily until the Commission shall otherwise order.

"'(2) In conformity with and subject to the order or orders of the Commission in the premises, any such individual commissioner, or board acting by a majority thereof, shall have power and authority to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned, or referred to him or it for action, and in respect thereof shall have all the jurisdiction and powers conferred by law upon the Commission and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any such individual commissioner or board in respect of any matters so assigned or referred shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the Commission, subject to rehearing by the Commission as provided in section 405 of this act for rehearing cases decided by the Commission. Every petition for such a rehearing shall be passed upon by the Commission. The Commission may make and amend rules for the conduct of proceedings before any such individual commissioner or board. The secretary and seal of the Commission shall be the secretary and seal of such individual commissioner or board.

"'(f) Nothing in this section contained, or done pursuant thereto, shall be deemed to divest the Commission of any of its powers.

"'(g) Meetings of the Commission shall be held at regular intervals, not less frequently than once each calendar month, at which times the functioning of the Commission and the handling of its workload shall be reviewed and such orders shall be entered and other action taken as may be necessary or appropriate to expedite the prompt and orderly conduct of the business of the Commission with the objective of rendering a final decision (1) within 3 months from the date of filing in all original application, renewal, and transfer cases in which it will not be necessary to hold a hearing, and (2) within 6 months from the final date of the hearing in all hearing cases; and the Commission shall promptly report to the Congress each such case which has been pending before it more than such 3- or 6-month period, respectively, stating the reasons therefor.'

"SEC. 6. (a) Subsection (d) of section 307 of such act is amended to read as follows:

"'(d) No license granted for the operation of a broadcasting station shall be for a longer term than 3 years and no license so granted for any other class of station shall be for a longer term than 5 years, and any license granted may be revoked or suspended as hereinafter provided. Upon the expiration of any license, upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed 3 years in the case of broadcasting licenses, and not to exceed 5 years in the case of other licenses, if the Commission finds that public interest, convenience, and necessity would be served thereby. In order to expedite action on applications for renewal of broadcasting station licenses and in order to avoid needless expense to applicants for such renewals, the Commission shall not require any such applicant to file any information which previously has been furnished to the Commission or which is not directly material to the considerations that affect the granting or denial of such application. Pending any hearing and final decision on such an application and the disposition of any petition for rehearing pursuant to section 405, the Commission shall continue such license in effect.'

"(b) Section 307 of such act is amended by adding at the end thereof the following subsection:

"'(f) If the Commission, instead of granting the application of a licensee for the renewal of its station license, grants to another applicant a station license for the same or mutually exclusive facilities, and if the applicant for renewal has operated substantially as set forth in the license and has not wilfully violated or failed to observe any of the restrictions and conditions of this act or of any regulation of the Commission authorized by this act or by a treaty ratified by the United States, then, if the applicant for renewal so requests, the grant of the station license to the other applicant shall be conditioned upon the purchase, by the other applicant, of the physical plant and equipment theretofore used for station purposes by the applicant for renewal, at a price equal to the fair value of such plant and equipment, as determined by the Commission.'

"SEC. 7. (a) So much of subsection (a) of section 308 of such act as precedes the second proviso is amended to read as follows: 'The Commission may grant construction permits and station licenses, or modifications or renewals thereof, only upon written application therefor received by it: *Provided*, That (1) in cases of emergency found by the Commission involving danger to life or property or due to damage to equipment, or (2) during a national emergency proclaimed by the President or declared by the Congress and during the continuance of any war in which the United States is engaged and when such action is necessary for the national defense or security or otherwise in furtherance of the war effort, or (3) in cases of emergency where the Commission finds, in the nonbroadcast services, that it would not be feasible to secure renewal applications from existing licensees or otherwise to follow normal licensing procedure, the Commission may grant construction permits and station licenses, or modifications or renewals thereof, during the emergency so found by the Commission or during the continuance of any such national emergency or war, in such manner and upon such terms and conditions as the Commission shall by regulation prescribe, and without the filing of a formal application, but no authorization so granted shall continue in effect beyond the period of the emergency or war requiring it:'.

"(b) The first sentence of subsection (b) of section 308 of such act is amended by striking out the words 'All such applications shall set forth' and inserting in lieu thereof 'All applications for station licenses, or modifications or renewals thereof, shall set forth.'

"(c) Section 308 of such act is amended by adding at the end thereof the following subsection:

"'(d) The Commission shall not make or promulgate any rule or regulation, of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information and no application for a construction permit or station license, or for the renewal, modification, or transfer of such a permit or license, shall be denied by the Commission solely because of any such interest, association, or ownership.'

"SEC. 8. Section 309 of such act is amended to read as follows:

"'ACTION UPON APPLICATIONS; FORM OF AND CONDITIONS ATTACHED TO LICENSES

"'SEC. 309. (a) If upon examination of any application provided for in section 308 the Commission shall find that public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.

"'(b) If upon examination of any such application the Commission is unable to make the finding specified in subsection (a), it shall forthwith notify the applicant and other known parties in interest of the grounds and reasons for its inability to make such finding. Such notice, which shall precede formal designation for a hearing, shall advise the applicant and all other known parties in interest of all objections made to the application as well as the source and nature of such objections. Following such notice, the applicant shall be given an opportunity to reply. If the Commission, after considering such reply, shall be unable to make the finding specified in subsection (a), it shall formally designate the application for hearing on the grounds or reasons then obtaining and shall notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally.

The parties in interest, if any, who are not notified by the Commission of its action with respect to a particular application may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest at any time not less than 10 days prior to the date of hearing. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate but in which both the burden of proceeding with the introduction of evidence upon any issue specified by the Commission, as well as the burden of proof upon all such issues, shall be upon the applicant.

"'(c) When any instrument of authorization is granted by the Commission without a hearing as provided in subsection (a) hereof, such grant shall remain subject to protest as hereinafter provided for a period of 30 days. During such 30-day period any party in interest may file a protest under oath directed to such grant and request a hearing on said application so granted. Any protest so filed shall contain such allegations of fact as will show the protestant to be a party in interest and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. The Commission shall, within 15 days from the date of the filing of such protest, enter findings as to whether such protest meets the foregoing requirements and if it so finds the application involved shall be set for hearing upon the issues set forth in said protest, together with such further specific issues, if any, as may be prescribed by the Commission. In any hearing subsequently held upon such application all issues specified by the Commission shall be tried in the same manner provided in subsection (b) hereof, but with respect to all issues set forth in the protest and not specifically adopted by the Commission, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the protestant. The hearing and determination of cases arising under this subsection shall be expedited by the Commission and pending hearing and decision the effective date of the Commission's action to which protest is made shall be postponed to the effective date of the Commission's decision after hearing, unless the authorization involved is necessary to the maintenance or conduct of an existing service, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing.

"'(d) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject: (1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein; (2) neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this act; (3) every license issued under this act shall be subject in terms to the right of use or control conferred by section 606 hereof.'

"SEC. 9. Subsection (b) of section 310 of said act is amended to read as follows:

"'(b) No construction permit or station license, or any rights thereunder, shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such permit or license, to any person except upon application to the Commission and upon finding by the Commission that the public interest, convenience, and necessity will be served thereby. Any such application shall be disposed of as if the proposed transferee or assignee were making application under section 308 for the permit or license in question; but in acting thereon the Commission may not consider whether the public interest, convenience, and necessity might be served by the transfer, assignment, or disposal of the permit or license to a person other than the proposed transferee or assignee.'

"SEC. 10. Section 312 of such act is amended to read as follows:

"'ADMINISTRATIVE SANCTIONS

"'SEC. 312. (a) Any station license may be revoked, or may be suspended for a period not to exceed 90 days, and any construction permit may be revoked—

"'(1) for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to section 308;

"'(2) because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license or permit on an original application;

"'(3) for willful or repeated failure to operate substantially as set forth in the license;

"'(4) for willful or repeated violation of, or willful or repeated failure to observe, any provision of this act or any rule or regulation of the Commission authorized by this act or by a treaty ratified by the United States; and

"'(5) for violation of or failure to observe any cease and desist order issued by the Commission under this section.

"'(b) Where any person (1) has failed to operate substantially as set forth in a license, or (2) has violated or failed to observe any of the provisions of this act, or (3) has violated or failed to observe any rule or regulation of the Commission authorized by this act or by a treaty ratified by the United States, the Commission may order such person to cease and desist from such action.

"'(c) Before revoking or suspending a license or revoking a permit pursuant to subsection (a), or issuing a cease and desist order pursuant to subsection (b), the Commission shall serve upon the licensee, permittee, or person involved an order to show cause why an order of revocation or suspension or a cease and desist order should not be issued. Any such order to show cause shall contain a statement of the matters with respect to which the Commission is inquiring and shall call upon said licensee, permittee, or person to appear before the Commission at a time and place stated in the order, but in no event less than 30 days after the receipt of such order, and give evidence upon the matter specified therein; except that where safety of life or property is involved, the Commission may provide in the order for a shorter period. If after hearing, or a waiver thereof, the Commission determines that an order of revocation or suspension or a cease and desist order should issue, it shall issue such order, which shall include a statement of the findings of the Commission and the grounds and reasons therefor and specify the effective date of the order, and shall cause the same to be served on said licensee, permittee, or person.

"'(d) Except insofar as other provisions of this act provide for specific forfeitures, in any case where subsection (a) or (b) of this section authorizes the revocation or suspension of a license, the revocation of a construction permit, or the issuance of a cease-and-desist order, and in any case where section 303 (m) of this act provides for the suspension of an operator's license, the Commission may, in lieu of revoking or suspending the license, or revoking the permit, or issuing the cease-and-desist order, or in addition to issuing the cease-and-desist order, direct the payment of a forfeiture to the United States of the sum of $500 for each day during which any offense specified in subsection (a) or (b) of this section, or in section 303 (m), occurred, or such lesser sum as the Commission may find appropriate in the light of all of the facts and circumstances of the particular case. Before the imposition of any forfeiture herein provided for, the Commission shall serve a notice of apparent liability for the forfeiture of a specific sum of money, which sum may be determined by the Commission on the basis of information then before it. Such notice shall give a reasonable opportunity to apply for a hearing, or, if a hearing is waived, to submit a written request for remission, or reduction in the amount, of the forfeiture, such written request to be supported by a statement of the facts warranting remission or reduction. The Commission, upon final determination of the amount of any forfeiture, shall give notice thereof and specify the time, not less than 30 days after receipt of notice, within which to pay such sum into the Treasury of the United States. If not paid within the period specified, suit may be brought as provided in section 504 of this act for recovery of a forfeiture. In any case where the Commission has served an order to show cause pursuant to subsection (c) of this section, the Commission, after hearing or waiver thereof as therein provided, may, in lieu of revoking or suspending a license, or revoking a permit, or issuing a cease-and-desist order, or in addition to issuing a cease-and-desist order, in such proceeding, impose the forfeiture provided for in this subsection. If a hearing is waived, a reasonable opportunity shall be given to submit a written request for remission, or reduction in the amount of the forfeiture, supported by a statement of the facts warranting remission or reduction. Any forfeiture ordered after the service of an order to show cause shall be collected as provided above.

"'(e) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission.

"'(f) The provisions of section 9 (b) of the Administrative Procedure Act which apply with respect to the institution of any proceeding for the suspension or revocation of a license or permit shall apply also with respect to the institution, under this section, of any proceeding for the issuance of a cease-and-desist order or for the imposition of a forfeiture.'

"SEC. 11. Such act is amended by adding after section 315 the following section:

"'MODIFICATION BY COMMISSION OF CONSTRUCTION PERMITS OR LICENSES

"'SEC. 316. (a) Any station license or construction permit may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this act or of any treaty ratified by the United States will be more fully complied with. No such order of modification shall become final until the holder of the license or permit shall have been notified in writing of the proposed action and the grounds and reasons therefor, and shall have been given reasonable opportunity, in no event less than 30 days, to show cause by public hearing, if requested, why such order of modification should not issue: *Provided*, That where safety of life or property is involved, the Commission may by order provide for a shorter period of notice.

"'(b) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission.'

"SEC. 12. (a) The first sentence of subsection (a) of section 319 of such act is amended by striking out the words 'upon written application therefor.'

"(b) Subsection (a) of section 319 of such act is amended by striking out the second sentence thereof, and the third sentence thereof is amended by striking out 'This application shall set forth' and inserting in lieu thereof 'The application for a construction permit shall set forth.'

"(c) Subsection (b) of section 319 of such act is amended by striking out the second sentence thereof.

"(d) Such section 319 is amended by striking out the last two sentences of subsection (b) thereof, and by inserting at the end of such section the following subsection:

"'(c) Upon the completion of any station for the construction or continued construction of which a permit has been granted, and upon it being made to appear to the Commission that all the terms, conditions, and obligations set forth in the application and permit have been fully met, and that no cause or circumstance arising or first coming to the knowledge of the Commission since the granting of the permit would, in the judgment of the Commission, make the operation of such station against the public interest, the Commission shall issue a license to the lawful holder of said permit for the operation of said station. Said license shall conform generally to the terms of said permit. The provisions of section 309 (a), (b), and (c) shall not apply with respect to any station license the issuance of which is provided for and governed by the provisions of this subsection.'

"SEC. 13. Section 402 of such act is amended to read as follows:

"'PROCEEDINGS TO ENJOIN, SET ASIDE, ANNUL, OR SUSPEND ORDERS OF THE COMMISSION

"'SEC. 402. (a) Any proceeding to enjoin, set aside, annul, or suspend any order of the Commission under this act (except those appealable under subsection (b) of this section) shall be brought as provided by and in the manner prescribed in Public Law 901, Eighty-first Congress, approved December 29, 1950.

"'(b) Appeals may be taken from decisions and orders of the Commission to the United States Court of Appeals for the District of Columbia in any of the following cases:

"'(1) By any applicant for a construction permit or station license, whose application is denied by the Commission.

"'(2) By any applicant for the renewal or modification of any such instrument of authorization whose application is denied by the Commission.

"'(3) By any party to an application for authority to transfer, assign, or dispose of any such instrument of authorization, or any rights thereunder, whose application is denied by the Commission.

"'(4) By any applicant for the permit required by section 325 of this act whose application has been denied by the Commission, or by any permittee under said section whose permit has been revoked by the Commission.

"'(5) By the holder of any construction permit or station license which has been modified, suspended, or revoked by the Commission.

"'(6) By any other person who is aggrieved or whose interests are adversely affected by any order of the Commission granting or denying any application described in paragraphs (1), (2), (3), and (4) hereof.

"'(7) By any person upon whom an order to cease and desist has been served under section 312 of this act.

"'(8) By any radio operator whose license has been suspended by the Commission.

"'(c) Such appeal shall be taken by filing a notice of appeal with the court within 30 days from the date upon which public notice is given of the decision or order complained of. Such notice of appeal shall contain a concise statement of the nature of the proceedings as to which the appeal is taken; a concise statement of the reasons on which the appellant intends to rely, separately stated and numbered; and proof of service of a true copy of said notice and statement upon the Commission. Upon filing of such notice, the court shall have jurisdiction of the proceedings and of the questions determined therein and shall have power, by order, directed to the Commission or any other party to the appeal, to grant such temporary relief as it may deem just and proper. Orders granting temporary relief may be either affirmative or negative in their scope and application so as to permit either the maintenance of the status quo in the matter in which the appeal is taken or the restoration of a position or status terminated or adversely affected by the order appealed from and shall, unless otherwise ordered by the court, be effective pending hearing and determination of said appeal and compliance by the Commission with the final judgment of the court rendered in said appeal.

"'(d) Upon the filing of any such notice of appeal the Commission shall, not later than 5 days after the date of service upon it notify each person shown by the records of the Commission to be interested in said appeal of the filing and pendency of the same and shall thereafter permit any such person to inspect and make copies of said notice and statement of reasons therefor at the office of the Commission in the city of Washington. Within 30 days after the filing of an appeal, the Commission shall file with the court a copy of the order complained of, a full statement in writing of the facts and grounds relied upon by it in support of the order involved upon said appeal, and the originals or certified copies of all papers and evidence presented to and considered by it in entering said order.

"'(e) Within 30 days after the filing of any such appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party, together with proof of service of true copies of said notice and statement, both upon appellant and upon the Commission. Any person who would be aggrieved or whose interest would be adversely affected by a reversal or modification of the order of the Commission complained of shall be considered an interested party.

"'(f) The record and briefs upon which any such appeal shall be heard and determined by the court shall contain such information and material, and shall be prepared within such time and in such manner as the court may by rule prescribe.

"'(g) At the earliest convenient time the court shall hear and determine the appeal upon the record before it in the manner prescribed by section 10 (e) of the Administrative Procedure Act.

"'(h) In the event that the court shall render a decision and enter an order reversing the order of the Commission, it shall remand the case to the Commission to carry out the judgment of the court and it shall be the duty of the Commission, in the absence of the proceedings to review such judgment, to forthwith give effect thereto, and unless otherwise ordered by the court, to do so upon the basis of the proceedings already had and the record upon which said appeal was heard and determined.

"'(i) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, or other interested parties intervening in said appeal, but not against the Commission, depending upon the nature of the issues involved upon said appeal and the outcome thereof.

"'(j) The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 1254 of title 28 of the United States Code, by the appellant, by the Commission, or by any interested party intervening in the appeal, or by certification by the court pursuant to the provisions of that section.'

"SEC. 14. Section 405 of such act is amended to read as follows:

"'REHEARINGS BEFORE COMMISSION

"'SEC. 405. After a decision, order or requirement has been made by the Commission in any proceeding, any party thereto, or any other person aggrieved or whose interests are adversely affected thereby, may petition for rehearing; and it shall be lawful for the Commission, in its discretion, to grant such a rehearing if sufficient reason therefor be made to appear. Petitions for rehearing must be filed within 30 days from the date upon which public notice is given of any decision, order, or requirement complained of. No such application shall excuse any person from complying with or obeying any decision, order, or requirement of the Commission, or operate in any manner to stay or postpone the enforcement thereof, without the special order of the Commission. The filing of a petition for rehearing shall not be a condition precedent to judicial review of any such decision, order, or requirement, except where the party seeking such review (1) was not a party to the proceedings resulting in such decision, order, or requirement, or (2) relies on questions of fact or law upon which the Commission has been afforded no opportunity to pass. Rehearings shall be governed by such general rules as the Commission may establish. The time within which a petition for review must be filed in a proceeding to which section 402 (a) applies, or within which an appeal must be taken under section 402 (b), shall be computed from the date upon which public notice is given of orders disposing of all petitions for rehearing filed in any case, but any decision, order, or requirement made after such rehearing reversing, changing, or modifying the original order shall be subject to the same provisions with respect to rehearing as an original order.'

"SEC. 15. (a) Section 409 (a) of such act is amended to read as follows:

"'SEC. 409. (a) In every case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, the hearing shall be conducted by the Commission or by one or more examiners provided for in section 11 of the Administrative Procedure Act, designated by the Commission.

"'(b) The officer or officers conducting a hearing to which subsection (a) applies shall prepare and file an initial decision, except where the hearing officer becomes unavailable to the Commission or where the Commission finds upon the record that due and timely execution of its functions imperatively and unavoidably require that the record be certified to the Commission for initial or final decision. In all such cases the Commission shall permit the filing of exceptions to such initial decision by any party to the proceeding and shall, upon request, hear oral argument on such exceptions before the entry of any final decision, order, or requirement. All decisions, including the initial decision, shall become a part of the record and shall include a statement of (1) findings and conclusions, as well as the basis therefor, upon all material issues of fact, law, or discretion, presented on the record; and (2) the appropriate decision, order, or requirement.

"'(c) (1) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, no examiner conducting or participating in the conduct of

such hearing shall, except to the extent required for the disposition of ex parte matters as authorized by law, consult any person (except another examiner participating in the conduct of such hearing) on any fact or question of law in issue, unless upon notice and opportunity for all parties to participate. In the performance of his duties, no such examiner shall be responsible to or subject to the supervision or direction of any person engaged in the performance of investigative, prosecutory, or other functions for the Commission or any other agency of the Government. No examiner conducting or participating in the conduct of any such hearing shall advise or consult with the Commission or any member or employee of the Commission (except another examiner participating in the conduct of such hearing) with respect to the initial decision in the case or with respect to exceptions taken to the findings, rulings, or recommendations made in such case.

"'(2) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, no commissioner, and no professional assistant appointed by a commissioner as authorized by section 4 (f) (2), shall (except to the extent required for the disposition of ex parte matters as authorized by law) consult on any fact or question of law in issue, or receive any recommendations from, any other person, unless upon notice and opportunity for all parties to participate; except that the foregoing provisions of this paragraph—

"'(A) shall not restrict consultation, or the making of recommendations, between a commissioner and another commissioner or commissioners or between a commissioner and the professional assistant appointed by him under authority of section 4 (f) (2); and

"'(B) shall not restrict commissioners in obtaining from members of the review staff the limited assistance authorized by section 5 (c).

"'(3) No person or persons engaged in the performance of investigative or prosecuting functions for the Commission, or in any litigation before any court in any case arising under this Act, shall advise, consult, or participate in any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, except as a witness or counsel in public proceedings.

"'(d) To the extent that the foregoing provisions of this section are in conflict with provisions of the Administrative Procedure Act, such provisions of this section shall be held to supersede and modify the provisions of that Act.'

"(b) Subsections (b), (c), (d), (e), (f), (g), (h), (i), and (j) of section 409 are hereby redesignated as subsections (e), (f), (g), (h), (i), (j), (k), (l), and (m), respectively.

"SEC. 16. Section 410 (a) of such Act is amended by striking out the first sentence thereof, and by inserting in lieu of such sentence the following: "Except as provided in section 409, the Commission may refer any matter arising in the administration of this Act to a joint board to be composed of a member, or of an equal number of members, as determined by the Commission, from each of the States in which the wire or radio communication affected by or involved in the proceeding takes place or is proposed. For purposes of acting upon such matter any such board shall have all the jurisdiction and powers conferred by law upon the Commission, and shall be subject to the same duties and obligations.'"

"SEC. 17. This Act shall take effect on the first day of the first month which begins more than sixty days after the date of its enactment, but—

"(1) Insofar as the amendments made by this Act to the Communications Act of 1934 provide for procedural changes, requirements imposed by such changes shall not be mandatory as to any agency proceeding (as defined in the Administrative Procedure Act) initiated prior to the date on which this Act takes effect.

"(2) The amendments made by this Act to section 402 of the Communications Act of 1934 (relating to judicial review of orders and decisions of the Commission) shall not apply with respect to any action or appeal which is pending before any court on the date on which this Act takes effect.

Mr. O'HARA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA to the committee amendment: On page 55 after line 9, insert the following:

"SEC. 11. Section 315 of such act is amended to read as follows:

"'BROADCASTS BY CANDIDATES FOR PUBLIC OFFICE

"'SEC. 315. (a) If any licensee shall permit any legally qualified candidate for any public office to use, in person, a broadcasting station, such licensee shall afford equal opportunity to all other such candidates for that office, to use, in person, such broadcasting station.

"'(b) In any case of such use of a broadcasting station, the licensee shall have no power to censor the material broadcast; but the license may require deletion of any defamatory, obscene, or other matter which would subject the licensee to any civil or criminal liability in any Federal, State, or local court.

"'(c) Except to the extent expressly provided in subsection (a) of this section, no obligation is imposed upon any licensee to allow the use of its broadcasting station by any person.

"'(d) The Commission shall issue regulations to carry into effect the provisions of this section, and such regulations shall be issued initially not later than 1 year after the date of the enactment of the Communications Act Amendments, 1952.'"

Mr. O'HARA. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. O'HARA. Mr. Chairman, I think this is a fair and honest approach and a clear-cut approach to the problem which confronts those engaged in broadcasting and those who may exercise the right of speaking in political campaigns.

In the first place, the gentleman from Massachusetts expressed his views that he resented censorship and therefore, under the Horan bill, which he favored and which I doubt the constitutionality of very much, he felt it was wrong to censor, no matter what the statement was. This is a radio station which broadcasts all over the country. Why should it not apply to radio stations? If a newspaper took a political advertisement that was libelous, it would be responsible if it carried it in the newspaper. Here is the great instrumentality of the radio. This gives the political candidate the right to come on there and speak in whatever partisan or political sense he wants to. What he may say may affect his political opponent. If it is defamatory or libelous or slanderous, whichever it may be, under certain decisions it is subject to a charge of being libelous or slanderous. But the point is that the damage is done after that instrumentality has been used.

I think probably every one of us as political candidates has been solicited at double the commercial rates to take all the time we can on the radio. Let them take some of the responsibility. In all the years that I have been in political campaigns, up to and including the present time, I have never had a script of mine censored in the sense of any of the language I proposed to use in a political broadcast being stricken, and as far as I know none of my opponents were ever censored. The only right of censorship that my amendment gives is the right to eliminate defamatory or obscene matter. Defamatory matter means libelous or slanderous matter, not the partisan statements or the viewpoints of the gentleman from Massachusetts or any other political person speaking upon a political subject. What is decency in a campaign, in a political broadcast?

The amendment clears up one other thing in the present section 315, and that is, if a radio station lets one candidate speak, it must afford the other candidate the same amount of time at the same rates, I would assume, without any question.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from New Jersey.

Mr. HAND. Is it not true that under the language of the gentleman's amendment, as I heard it, the amendment absolutely prohibits censorship as such, but merely gives the broadcaster the right to delete not the whole speech but that part of it that may be defamatory or obscene?

Mr. O'HARA. The gentleman is completely right.

Mr. HAND. Is not that exactly analogous with the situation in the public press where the editor of a newspaper in perfect good faith might print a letter to the editor, and if that letter happens to be libelous, without the editor's knowledge, the editor of that paper and his newspaper are liable in civil damages?

Mr. O'HARA. Exactly.

Mr. HAND. Can the gentleman think of any reason why the great radio means of transmission of thought should be in a different category from the press and have greater advantages than the press?

Mr. O'HARA. I cannot see where there should be any difference in it at all.

Mr. HAND. I hope the gentleman's amendment will be supported. I think it is reasonable and just.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman's amendment, I believe, is somewhat different from the bill he introduced.

Mr. O'HARA. That is right. Two questions have been cleared up. One was, who was a legally qualified candidate. The language in my bill was not plain. Mr. Perley of our staff, our legislative counsel, has assisted me in drafting this. We cleared that up so

that it applies to the primaries as well as to the general elections.

Mr. HARRIS. Does the amendment apply to the political candidate, or does it also apply to a spokesman of a political candidate?

Mr. O'HARA. It limits it solely and exclusively to the political candidate.

Mr. HARRIS. The Horan proposal, I believe, does extend it to a spokesman for a political candidate.

Mr. HORAN. The Federal district court in the Felix case held that the station was liable where someone other than the candidate was speaking so I do not think that makes a great deal of difference.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. MEADER. The question asked by the gentleman from New Jersey, which the gentleman from Minnesota answered, was that there was no difference between a newspaper and radio and television. I think probably legally that is correct. But, there is certainly a physical and a mechanical difference, and it is in that difference that I am concerned. A newspaper always must make a record before it is of any use to anybody. It cannot be read until it is printed, and there is an opportunity to edit it. But, where you have these extemporaneous programs, some of them being the most interesting programs on the radio and television as compared to the canned programs, it seems to me you are placing a terrific liability on the publisher of the news broadcast or the television broadcast, and not giving him exactly the same position as the editor of a newspaper who will see it in writing first before he publishes it.

Mr. O'HARA. Are you in favor of libel and slander if it is over a radio station, and not if it is in a newspaper?

Mr. MEADER. No, I was asking the gentleman, or at least I wanted to ask him when I made my position clear, how he would deal with the protection of the owner of the telecast or broadcasting studio, where something unforeseen or unpredictable comes out in one of these spontaneous or extemporaneous programs?

Mr. O'HARA. The only thing I can say is that the station is the agency which is distributing and publishing the libel, even though it may be perfectly innocent and without any intent to do so. Under the law, as you know, when a libelous statement is made, it is intended to be made. That is the presumption in law. Now, how are you going to protect the individual? How are you going to protect him in that sort of situation? What about the individual who is slandered, or the group that may be slandered or libeled? What rights have they? It is not just the political candidate who might be affected. It is everybody else—innocent people may be libeled and slandered over such a program. I am not for abolishment of their rights. I am not going to say that simply because there is this instrumentality, we should turn it loose. It is like handing a man a shotgun and loading it, and having it already to shoot, and then say "Pull the trigger, brother" and then have you say that there is no liability because the injury has been done.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. ELLSWORTH. As I recall the reading of the gentleman's amendment it specifically states that equal time shall be given to candidates.

Mr. O'HARA. That is equal opportunity.

Mr. ELLSWORTH. That equal time or opportunity shall be given to candidates in person?

Mr. O'HARA. That is correct.

Mr. ELLSWORTH. To clarify the intent of the gentleman's amendment, does that mean that the person broadcasting must be present in the studio?

Mr. O'HARA. No, I mean the candidate himself.

Mr. ELLSWORTH. In other words, he could not make a tape recording or transcription, but he must be in the studio itself.

Mr. O'HARA. No, no. It is the candidate himself, whether he makes a tape recording or any kind of record. It is the candidate himself speaking.

Mr. ELLSWORTH. That is the candidate's voice is what you are getting at.

Mr. O'HARA. That is right.

Mr. ELLSWORTH. I thank the gentleman. That is the point I wanted cleared up.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. VORYS. Does the gentleman have anything in his amendment about reasonableness of time that the station must take in exercising its censorship? I am frankly concerned that the gentleman in attempting to protect the candidate from defamatory statements is setting up a system of censorship that could merely, through the time element, require the script to be in the hands of the station a week beforehand when it was just a week before election.

Mr. O'HARA. There is nothing like that involved here I will say to the gentleman. I think the gentleman is feinting on my amendment. But there is nothing to require that. It used to be 24 hours until the Port Huron decision. But, I have walked into a station an hour before.

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'HARA. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VORYS. But the gentleman has no limitation of time in his amendment.

Mr. O'HARA. There is no limitation of time in my amendment. I provide that the Commission shall within 1 year make rules and regulations, something which they have not done yet under section 315.

Mr. Chairman, in this amendment, I think there is a clear-cut and honest approach to this problem, which should be dealt with forthrightly. I say to you on three different occasions the Congress since 1927, including the original Radio Act, has turned down what I call, and I do not mean any reflection upon it, the whitewash amendment that was offered by the gentleman from Washington [Mr. HORAN], which permits broadcasts without any censorship, no matter how libelous or how defamatory they may be. I think the Congress should continue that same position, place the responsibility to eliminate that libelous or obscene matter before it is broadcast, and not worry about it afterward.

Another thing I would like to call attention to—I do not want belabor the Horan amendment, but I doubt the constitutionality or the right of Congress to affect by Federal act the civil or criminal libel laws of the several States. I do not see how you can make it stand up. I feel as positive as I can, with our court situation, that the courts are going to hold the Congress has no right to abolish the police power or the libel or slander laws of the States.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Washington.

Mr. HORAN. By excepting political or partisan statements, you effect the same approach to the constitutionality of the amendment, as far as libel is concerned.

Mr. O'HARA. Oh, no; I do not. It does not affect it one bit. I say when they are subject—that is a definition of the type of defamatory statement I am talking about. Either defamatory or obscene matter. The gentleman does not understand the language. That is his trouble. I say defamatory, obscene, or other matter which would subject the licensee, that is the broadcaster, to any civil or criminal liability in any Federal, State, or local court.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from New Jersey.

Mr. HAND. What the gentleman does is to affirm the law of libel and slander?

Mr. O'HARA. Exactly.

Mr. HORAN. Except in political matters.

Mr. O'HARA. No, no. It means what it says; the gentleman is confused.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. HARRIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARRIS. In order that we may have the situation clear, I would like to ask whether or not the gentleman from Washington [Mr. HORAN] could offer a substitute amendment to the O'Hara amendment.

The CHAIRMAN. No. That would be in the third degree.

Mr. HARRIS. Since both of these proposals have been discussed, in order to have an opportunity to get the Horan proposal, the O'Hara amendment then would have to be voted down?

The CHAIRMAN. It would have to be voted down. Or, if a substitute was offered and no point of order was raised against it, it could be considered.

Mr. HORAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HORAN. Would it not be better to consider the O'Hara amendment at this time and either accept it or reject it?

The CHAIRMAN. If the O'Hara amendment is rejected, then the gentleman could offer his amendment to the committee amendment.

Mr. HORAN. In view of the parliamentary situation, I think the best procedure would be to go ahead that way. If I might be recognized now, I would like to rise in opposition to the O'Hara amendment.

The CHAIRMAN. The gentleman is recognized for that purpose.

Mr. HARRIS. Mr. Chairman, will the gentleman yield for a moment?

Mr. HORAN. I yield to the gentleman from Arkansas.

Mr. HARRIS. I do so to see if we might arrive at some time for debate on this amendment.

I ask unanimous consent that all debate on the O'Hara amendment close in 5 minutes, following the gentleman from Washington [Mr. HORAN].

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HORAN. Mr. Chairman, I think, as I said in my opening remarks in general debate, that this is a clear case. Section 315 in conjunction with section 326 of the Communications Act of 1934 imposed upon your ethical and responsible broadcasters and operators of broadcasting stations a dual conflicting and confusing programing responsibility. Section 326 states this:

Nothing in this act—

The Communications Act of 1934—

shall be understood or construed to give the Commissioin the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communications.

Section 315 qualifies that and forbids the right of censorship over political broadcasts.

We are here, as I pointed out, to do one of two things. The O'Hara bill suggests one, and my amendment, if we reach it, by defeating his amendment, will do the other.

The gentleman from Minnesota [Mr. O'HARA], raised the point that radio stations should be the same as the press, but let me point this out: When copy is submitted to a newspaper they do not have to accept it; secondly, the copy itself can be investigated and stopped if it is libelous or subject to court action later on.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. McCORMACK. Stations operate under a license; newspapers do not.

Mr. HORAN. That is correct, too. Then, further, they can stop the presses. But in the case of radio broadcasting and particularly panels—and we have plenty of them—once a word goes out on the ether you cannot pull it back, and you can talk about monitoring and hanging on to the lever and stopping broadcasts as much as you want, but there it is. The words will go out despite this.

There are two people subject to being responsible when you talk about a radio broadcast; one is the broadcasting station, the other is the individual who makes the broadcast; I feel that it should be the individual who is responsible.

The O'Hara amendment will cause no end of controversy, because it makes a distinction between two types of broadcast material which should be restricted: In one the FCC as such said one thing: that there should be no censorship at all; then the O'Hara bill says there shall be complete censorship except as to political or partisan material. You would be leaving the broadcasters between the horns of the dilemma of the O'Hara bill. It will not do as good a job as he says it will.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. MEADER. What bothers me about the gentleman's proposal is that it seems to take away a cause of action which is granted under State law. Is that the effect of the gentleman's amendment?

Mr. HORAN. I think that is not necessarily true, but it is not clear in my mind that the gentleman from Minnesota has completely eleminated the constitutional questions in his amendment.

Mr. MEADER. Can the gentleman point out where the Congress has the authority to repeal the libel and slander statute enacted by the legislature of my State?

Mr. HORAN. I do not think it can, but there is nothing in my bill that would take away the personal responsibility of the individual who utters the words, or of the radio station if they participated in the program.

Mr. MEADER. Under the law of the State of Washington, for example, if a defamatory statement is made against Walt Horan by the radio station, the gentleman would have a cause of action against the broadcasting station as well as against the author of the statement.

Mr. HORAN. That is right.

Mr. MEADER. How can we in Congress amend the law of the State of Washington so as to take a right of action away from an individual?

Mr. HORAN. We actually do not take away the responsibility of the station if it participates in a political broadcast and defames an individual; it does not do that. My amendment does several things; for instance, it allows you to authorize somebody in writing to speak for you in a political broadcast which is rather important, I think, in the coming elections to both sides of the House. The O'Hara bill does not do that. The *Felix* v. *Westinghouse* case states that under existing law we can do that, if I am correct in my interpretation, but there is complete liability involved on the part of the station.

Mr. MEADER. The Felix case held that the political candidate who was broadcasting and the station were subject to any laws of libel and slander.

Mr. HORAN. As I understand, it was a man by the name of Mead who was speaking for the candidate for mayor and the action included the station.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, the committee is between two viewpoints presented. Unfortunately, the committee did not have the opportunity to take this subject up in the course of hearings and consideration, though it was referred to more or less from time to time in the course of hearings and in the discussion of the Port Huron case in 1948; consequently the committee has not had opportunity to pass on this problem. I am not in position to say, therefore, that our Committee on Interstate and Foreign Commerce can take a position one way or the other. The issue simply was not presented to us and we did not have the opportunity to pass on it.

I can give my personal viewpoint. Everyone recognizes that there is a dilemma in connection with section 315, the section which refers to political broadcasts, and section 326 which refers to other types of broadcasts and censorship. This ought to be cleared up, and I make that statement very frankly.

In connection with political broadcasts I personally go along with the viewpoint of the Horan proposal because the question of censorship of political broadcasts is something that the station operator should not have control over any more so than it should with any other type of censorship. I believe also that the question of liability in connection with political broadcasts should not be on the station operator because so much may be ad libbing, so much consists of statements that are made on an individual political basis; consequently no station operator can possibly determine what the candidate or his spokesman might say over that station broadcast.

There is another difference. The O'Hara proposal applies only to the candidate himself. The Horan proposal will likewise apply to a spokesman of the candidate. That is my understanding of the two proposals.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Massachusetts.

Mr. HESELTON. This matter was discussed briefly in committee and it was definitely brought out, as the gentleman from Massachusetts indicated, that a radio station license, when up for renewal, took into consideration the radio station permitting libelous matter to go out.

Mr. HARRIS. That is true.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The Horan amendment also has the additional provision that candidates for public office cannot be gouged or charged double or

more than commercial rates in connection with political speeches?

Mr. HARRIS. I understood from the gentleman from Washington [Mr. HORAN] that he intended to offer that with his amendment.

Mr. O'HARA. Mr. Chairman will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Minnesota.

Mr. O'HARA. Of course the matter of charges has to come up in connection with another section which would not affect this one.

Mr. HORAN. I might say that is in the amendment I will offer if the O'Hara amendment is voted down.

Mr. HARRIS. That is my understanding. Some action I think is necessary now although our committee did not have an opportunity to go into it. It should be cleared up. I appreciate the feeling of the gentleman from Minnesota and I respect him. I know he is sincere, but I feel in this instance the responsibility should not be imposed upon the station operator and put him in position where he knows not what he can do and subjects himself to something that he has nothing to do with whatsoever.

Mr. VORYS. Mr. Chairman will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Ohio.

Mr. VORYS. It seems to me that the O'Hara amendment gives a candidate two prospective lawsuits, neither of which are of much value because of the time involved. It gives him a chance to sue the station if they turn down or delay a script or a broadcast, because they disapprove of something in it, and it gives him a chance to sue them for libel if something comes out later, neither of which are of much value in the campaign.

Mr. HARRIS I think the gentleman from Ohio has stated the practical situation. It emphasizes the need for clarification. I speak personally, however, in support of the Horan proposal. I ask that this amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. O'HARA] to the committee amendment.

Mr. HORAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HORAN. If the O'Hara amendment is voted down, may I then offer the so-called Horan amendment?

The CHAIRMAN. The gentleman is correct.

Mr. HAND. Mr. Chairman, I ask unanimous consent that the O'Hara amendment be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

(The Clerk again read the O'Hara amendment.)

The CHAIRMAN. The question is on the amendment.

The question was taken; and the Chair being in doubt, the Committee divided and there were—ayes 37, noes 59.

So the amendment to the committee amendment was rejected.

Mr. HORAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HORAN: On page 55, after line 9, insert the following new section:

"SEC. 11. That section 315 of the Communications Act of 1934 (47 U. S. C. 315) is amended to read as follows:

" 'FACILITIES FOR CANDIDATES FOR PUBLIC OFFICE

" 'SEC. 315. (a) If any licensee shall permit any legally qualified candidate for any public office in a primary, general, or other election, or any person authorized in writing by such candidate to speak on his behalf, to use a broadcasting station, such licensee shall afford equal opportunities in the use of such broadcasting station to all other such candidates for that office or to persons authorized in writing by such other candidates to speak on their behalf.

" '(b) The licensee shall have no power to censor the material broadcast by any person who is permitted to use its station in any of the cases enumerated in subsection (a) or who uses such station by reason of any requirement specified in such subsection; and the licensee shall not be liable in any civil or criminal action in any local, State, or Federal court because of any material in such a broadcast, except in case said licensee shall willfully, knowingly, and with intent to defame participate in such broadcast.

" '(c) Except to the extent expressly provided in subsection (a), nothing in this section shall impose upon any licensee any obligation to allow the use of its broadcasting station by any person.

" '(d) The charges made for the use of any broadcasting station for any of the purposes set forth in this section shall not exceed the minimum charges made for comparable use of such station for other purposes.

" '(e) The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section'."

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes on his amendment.

Mr. HORAN. Mr. Chairman, I do not seek recognition at this time. We have discussed this quite fully, I think, so I will reserve my time.

The CHAIRMAN. The gentleman cannot reserve his time. If he desires to speak on his amendment, he must speak now.

Mr. HORAN. Not at this time, Mr. Chairman.

Mr. O'HARA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just want to call your attention to the fact that you are creating another dubious ambiguity in your statute and also raising a very grave constitutional question in what you are trying to do here. I do not believe, and I assure you I say this in all sincerity, that the Congress of the United States could pass an act which would exempt someone—or a broadcaster from the libel laws, either civil or criminal, of the States, and that is just what you are going to be passing on in this provision.

Further, I think it is completely wrong to permit a tremendous instrumentality to act in the manner that a radio station acts in broadcasting to thousands and millions of homes and then to say that the station does not have to exercise judgment as to the type of broadcasts that are made. Just because it is a political broadcast, that it should be exempted from any liability is so completely and inherently wrong that I cannot see how the Congress of the United States would vote to whitewash such an operation.

I hope that if you are going to vote for this you will understand what you are doing and the light in which you are placing yourselves and the light in which you are placing the people who will be the victims of libelous and slanderous statements made over a radio station if you exempt that instrumentality from any responsibility or liability. If you want to do that, I am going to be completely amazed. Among the exceptions to freedom of speech is, libel, slander, and obscenity. Are you inviting all of these under the guise of special privilege? If so, then I say: "Father forgive us, for we know not what we do."

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the amendment offered by the gentleman from Washington is a very carefully thought-out one. The issue has been presented to the members of the Committee of the Whole today. The principle involved in the amendment offered by the gentleman from Minnesota was not approved by the committee. This amendment sets forth the other principle involved. I have already expressed myself on it.

It seems to me that a radio station should not be held accountable for political speeches made. We are all practical persons. We know as a result of our own experience participating in radio programs just what the situation is. There are occasions when I have spoken on a radio program without a note. I do not like to do it, but sometimes when you are rushed and pushed and have not had time to reduce your thoughts to writing and you are booked for a radio speech you just have to take the chance. I have even gone in occasionally and made a radio speech from a few notes hastily put on a piece of paper prior to going on the air. There is nothing to stop a person from ad libbing. It seems to me that where the possession of a license is a condition precedent to a business enterprise, and that is important to my mind, to impose the laws of libel upon the station under such conditions in respect to political speeches would be imposing a liability upon an innocent person. I am speaking today for business. I try to apply my thoughts in the way which I think is in the right direction, and in this case I think it is only fair and right that the amendment offered by the gentleman from Washington [Mr. HORAN] should be incorporated into law. Then there is the other aspect. Certainly, if we are going to do anything now about proper and justifiable protection of men and women who aspire to public office in the use of radio stations and television stations, now is the time to see that we are not charged more than the minimum commercial rate charged to others.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GROSS. I think that is one of the most important provisions in this amendment.

Mr. McCORMACK. I agree with the gentleman.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. ELLSWORTH. I agree with the gentleman regarding the matter of gouging political candidates, but I call the attention of the gentleman to the wording of the amendment, which says that the charge shall not exceed the minimum charge made for comparable use of such station for other purposes. In practical operation, that goes way beyond what the gentleman has mentioned, namely, giving political candidates the same rights as anyone else.

Mr. McCORMACK. I may state to my friend that that can be worked out in conference. There are two rates—the national rate and the local rate. The national rate, as I understand it, is higher than the local rate. There is no reason in the world, if we talk over local stations, they should charge us the national rate.

Mr. ELLSWORTH. Yes, but the practical effect of the wording of this amendment, as I am calling it to the attention of the gentleman, is that it would require stations to give to political candidates its lowest contract rate given to anybody for any other purpose.

Mr. McCORMACK. I might say it is going to conference. What I have in mind is that the national rate is higher than the local rate, and I do not think they ought to charge candidates for political office more than they charge on the national level for commercial advertisers or on the local level for commercial advertisers. But, I agree that there is something to that wording and that can be considered in conference.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment, and all amendments thereto, close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. VORYS. Mr. Chairman, in this puzzling dilemma I find that I am in support of the Horan solution. On the question of free speech, it seems to me that it offers a better solution. There are four different rights involved here: First, the right of the candidate to have his say; second, the right of the public to hear what he has to say; third, the right of the transmitter or the radio station; and fourth, the right of the candidate not to be legally defamed and have the defamation multiplied and spread by this wonderful contraption called television or radio.

If we were to adopt the method of imposing on the radio station legal liability for what is said, we would then perforce have to give them, as the O'Hara amendment did, a degree of censorship over what is said, and if they overcensor our speeches or delay censoring them so that we cannot get on the air, we could sue the station, and if a libelous statement or defamatory statement of an opponent went over the air, a candidate would have a lawsuit against the station. In a political campaign neither of those lawsuits would amount to much. They would be tried long after the campaign damage had been done. We know that defamatory statements do come out in campaigns. Lies are circulated, published, spoken in the course of a campaign against us. I have had that happen this year and in preceding years. Legal remedies are not very effective. On the other hand, anything that tends to cut down on free speech for me or my opponent is not a very good solution. I regret that this great committee did not see fit to go into this most important and perplexing matter, but they did not. The best solution, it seems to me, that we have a chance to vote on today is the one proposed by the Horan amendment. I therefore support it.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Michigan.

Mr. MEADER. Does the gentleman believe as a matter of constitutionality that the Congress can do anything about the causes of action under a State law? Is he satisfied that the Horan amendment is constitutional?

Mr. VORYS. I have not had time to give much thought to it, but I would think that as to the Federal courts it is a constitutional limitation. I would think as to a State court action it would probably constitute a defense, in that this is an immunity that goes along with a Federal license granted under Federal law in an interstate transaction. It would be necessary to plead this immunity to permit it to be a defense to a State action. I have not given a great deal of thought to that phase of it.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Michigan.

Mr. DONDERO. Suppose your political opponent said over the air that you were a secret thief; purely false. Do you think the radio station should be placed in any different position than a newspaper for spreading that lie?

Mr. VORYS. I think if the radio station people knew beforehand of the statement, and therefore participated in it, they should be liable, and they are, under the Horan amendment. The difference between a newspaper and a radio station is this: A newspaper does not have two rival candidates walking into the composing room and composing whatever they please that is going to be printed in the paper. That is what a radio station does when it permits a panel discussion or debate on its station, with questions and answers. I believe those debates and discussions are of great value. There is some dirty work done in the course of them, but I do not believe that sort of thing should constitute liability on the part of the station. On the other hand, if the station in any way participates—and that wording is in the Horan amendment—if they have taken any part in broadcasting any libelous or defamatory matter, I am of the opinion that they would be liable under the Horan amendment.

Mr. O'HARA. The Horan amendment makes them exempt.

Mr. VORYS. No. There is an exception in the Horan amendment, in cases where a radio station willfully participates, imposing liability on the station.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Washington [Mr. HORAN] to the committee amendment.

Mr. HARRIS. Mr. Chairman, I understood the gentleman from Michigan [Mr. HOFFMAN] was attempting to offer an amendment to the amendment.

The CHAIRMAN. The time has been fixed by the gentleman himself.

Mr. HARRIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARRIS. The fact that the time has been fixed and has expired does not prohibit the gentleman from offering an amendment to the amendment, does it?

The CHAIRMAN. The gentleman is correct, if the amendment is otherwise in order. I understood the gentleman from Michigan was offering an amendment to this amendment.

Mr. HOFFMAN of Michigan. That is right.

The CHAIRMAN. The Chair will state to the gentleman that that was the same ruling the Chair made on the Horan amendment to the O'Hara amendment. The Chair therefore must make the same ruling, that it would be an amendment in the third degree and is not in order.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry. The O'Hara amendment having been defeated, is not the Horan amendment an amendment in the first degree, and my amendment would be an amendment to that?

The CHAIRMAN. The present amendment is an amendment to the committee amendment. So your amendment would be an amendment in the third degree and is not in order.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent that the Horan amendment be again read for the information of the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

(The Clerk again read the Horan amendment.)

The CHAIRMAN. The question is on the Horan amendment to the Committee amendment.

The question was taken; and on a division (demanded by Mr. HOLIFIELD) there were—ayes 92, noes 27.

So the amendment was agreed to.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just voted against this amendment; and while I realize it will not do any good to talk now about it, it may not be the first occasion that I have

spoken when it did not do any good but the adoption of this amendment cannot be permitted to pass unnoticed. I wonder if the Members of the House realize what has been done here. The adoption of the Horan amendment is an invitation to conduct a dirty campaign, though no doubt its author and those who voted for it thought it would contribute to fairness and free speech.

For more than 2 years I have had pending before the Judiciary Committee a bill to make one who libels or slanders another—and the courts have not finally decided whether a defamatory statement over the radio is libel or slander—to make the one who utters either liable in the district—that is, the Federal Court district—where the libel is heard and the victim of the false defamatory statement resides. I offered that bill and was promised a hearing by a subcommittee several years ago, but I have never been able to get it.

Think where you are under this amendment and where you were before. Somebody in New York, irresponsible financially, gets time and broadcasts anything he wants to, any false, malicious statement he can persuade the station to accept, about you as a candidate, your wife or children if he wants to bring them into it, and what can you do about it? If you live in California you can come down to New York, if that is where the broadcast was made, if you have the money and can hire a lawyer, and if you think you can get a fair trial in New York on that particular issue as to whether or not you are a skunk or a crook, and can get service, you can sue. Will you get a verdict? Will you get justice? If the broadcaster happens to go to California and you catch him there, you formerly could sue him and the station, but not the station under this amendment. If another citizen in California, or someone being in California, libels or slanders you, you may sue him in the district where he lives or where you live if he comes into your district. You have him. Suppose someone libels me and he comes to my district, to my home county, I can sue him if I can get service, but under the Horan amendment I cannot sue the station unless it acted willfully. If the broadcaster comes to the western district of Michigan and I can catch him there I can sue him, but if he stays down in New York I cannot do a thing about it. Now with this amendment—if it be valid law, and that I doubt—my right to sue the station is taken from me unless I can prove those operating it acted with malice. The maker of the statement can call me everything and anything he thinks of or anything anyone can tell him he thinks of me and I am absolutely without a remedy if he is financially irresponsible. I say that is a most outrageous situation and I do not know why Members of Congress do not protect themselves and all other good citizens from these vile, vicious slanderers who may be able to get some station to let them broadcast over the whole Nation.

The rule with reference to newspapers is this and always has been under the statute and common law: If a newspaper in Detroit, for example, prints a libel about me and they sell the paper in the Fourth Congressional District of Michigan or in my county, I can get service by joining the local man who sells the paper, and sue them and make them answer in damages. But over the radio station in Detroit, New York, or anywhere else, a chronic liar can say anything he wants about me, and I am without remedy, if he is not financially responsible, unless I can show the station intended to vilify me.

This amendment not only takes away the right to sue the station in the local court, but it takes away the right to sue in your own local court when someone slanders you and the broadcast is heard there, unless you can bring the statement within the exception. The rule should be that wherever a broadcaster, who utters libel or slander, is heard, there a man may have his remedy in his own court, in his own district before a jury, against both the speaker and the station which makes it possible.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from California.

Mr. HINSHAW. As the gentleman knows, the Committee on the Judiciary of the House recently brought a bill out relating to fraud over the radio. It seems to me it would be appropriate indeed for the same committee to consider the subject the gentleman has outlined and assist us in preventing such terrific slander as has been going on and which we have been unable to combat, as the gentleman has outlined.

Mr. HOFFMAN of Michigan. I hope that the Members who voted for this amendment will never be slandered or libeled by someone who is financially irresponsible and who lives so far away you cannot get service on him or the station over which he puts out his dirt, and make him answer. This amendment, as I said in the beginning, is an invitation to a foul, dirty, vilifying campaign over the radio.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Michigan.

Mr. DONDERO. I think the amendment which the committee has just adopted is an invitation for the lowest kind of a political campaign. Those who, without any financial responsibility, desire to defame another just places a candidate, no matter what party, in a very absurd position.

Mr. DONOVAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. A member of this Committee who voted in the negative on this amendment as I did cannot, under any circumstances, make a motion to reconsider the vote by which the amendment was adopted, can he?

The CHAIRMAN. A motion to reconsider is not in order in the Committee of the Whole.

Mr. SHEPPARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHEPPARD: Page 46, line 4, strike out lines 4 through 15, inclusive.

Mr. SHEPPARD. Mr. Chairman, I have offered this amendment because upon investigation, I have found that such a clause would in the minds of many, and particularly in the eyes of the Federal Communications Commission, immunize the newspaper, radio, or TV applicants to a point where the FCC could not consider the serious problem of whether licensing a newspaper to also operate a radio or TV station was not in the public interest, because in so doing it would put in the hands of the newspaper a tremendous monopolistic control of the public opinion, information and public news dissemination channels.

I have learned from radio stations that the past history of some newspaper-operated stations, was definitely not in the public interest, in so that they create an unbalance in the competitive structure and economy of the non-newspaper stations serving the same community.

At present, the FCC has reported to me that about 25 percent of the radio stations are already owned by newspapers.

At this point, I would like to go on record that I have nothing against newspaper ownership of radio stations, when such ownership is in the public interest, convenience and necessity, but if a radio or TV facility is requested by a non-newspaper applicant as well as a newspaper applicant for the same channel, I feel that the FCC should be free to decide which application is in the best public interest, and grant it to that applicant.

Section 7 (c) of S. 658, as amended by the House Interstate and Foreign Commerce Committee would prevent the Federal Communications Commission from doing just that. Therefore, I urgently request that this section 7 (c) be deleted from the proposed legislation, because it immunizes newspaper radio or TV station applicants from the above considerations.

I think that it is well to point out the view of the Department of Justice in regard to the attempts of the newspaper lobbyists to immunize them from certain provisions of the Communications Act. In the original—McFarland bill—S. 1973 there appeared section 14, which attempted to make newspaper, radio, and TV applicants a privileged group. The original bill, S. 1973, was reintroduced and passed in the Senate in this session, and became S. 658, however section 14 of the bill was deleted. Now we find this dangerous provision in new wording in the form of section 7 (c) of S. 658, now before the House, the effect of which is the same as former section 14 of the bill which was deleted by the Senate and on which, the Department of Justice clearly testified against.

I, am I am confident most of you here, are definitely opposed to the setting up of any one privileged group, by any

provisions of the Communications Act, which would privilege and immunize that one group in such a way as to prevent the FCC from considering all the aspects of the Communications Act, as it relates to the public interest, convenience, and necessity, on which factors the entire concept of the act is founded.

I, and I know many of the radio station operators sincerely hope that such a setting up of a privileged few, will not happen in this House, and that section 7 (c) of S. 658 will be deleted from the House version of the bill, the same as a similar provision was deleted from the bill in the Senate at the recommendation of the Justice Department and several other testifying witnesses.

Serious consideration must be given this deletion of section 7 (c), as well as the Federal Communications Commission recommendation, that the intent of Congress on the rebroadcast provision section 325 (a) be clarified by legislation in light of the recent developments of network or chain broadcasting.

Consequently, Mr. Chairman, I ask the Members to consider seriously and vote in behalf of the amendment I have presented.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Arkansas.

Mr. HARRIS. The Committee on Interstate and Foreign Commerce gave serious consideration to the amendment to which the gentleman refers, which he would strike out by his amendment. The committee reported this amendment to the Federal Communications Act in view of the fact that recently members of the Federal Communications Commission have insisted that the intention of the original law would be to deprive an applicant who is in the business of disseminating news of a license if there is another applicant who is applying for that same facility.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. HARRIS, and by unanimous consent, Mr. SHEPPARD was allowed to proceed for three additional minutes.)

Mr. HARRIS. Our intention in reporting the amendment was to see that there would be no discrimination against an applicant because he might be in the newspaper business, solely because he was in that business of disseminating news. It was in no way to give any preference to newspaper applicants.

Would it be the intention of the gentleman to strike this provision to give further emphasis to the contention of some in the Commission that the intent of the law was to discriminate against a newspaper applicant?

Mr. SHEPPARD. My answer to the gentleman is definitely "No." I think very frankly that if the Congress in its present conversations would clearly indicate that that is not the intention, by the striking of this section as my amendment proposes, you would answer the same purpose and do away with the nullifying language that presently obtains. I do not want my amendment in any manner to lend any justification or credence to the position of the Federal Communications Commission that there should not be equity in the consideration of applicants. That is why I am offering this amendment.

Mr. HARRIS. In other words, the gentleman and I have the same intention; we want to accomplish the same objective. We feel as a committee that this objective would be accomplished by this amendment, but the gentleman is fearful of what it would do. The gentleman thinks the objective we have in mind will be accomplished without it?

Mr. SHEPPARD. I am definitely of that opinion, not only within myself but based on legal decisions I requested prior to taking this amendment to the floor.

Mr. PRIEST. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe this amendment has been discussed in general debate and since we started reading the bill for amendment until its purpose is very clear. I think the gentleman from Arkansas in a very few words stated the position of the committee in his colloquy with the gentleman from California.

I respect the gentleman from California and regard him very highly. I feel certain he and I have the same objective in mind, although we see it from different viewpoints. This is an amendment that I offered in the Committee on Interstate and Foreign Commerce and it was adopted. I want to read the language of the amendment. It might help to clarify the situation just a bit:

> The Commission shall not make or promulgate any rule or regulation, of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information and no application for a construction permit or station license, or for the renewal, modification, or transfer of such a permit or license, shall be denied by the Commission solely because of any such interest, association, or ownership.

Mr. Chairman, I am just as strongly opposed as any Member of the House to any proposition that would authorize and establish or encourage a monopoly of news-gathering and news-disseminating agencies in a community. I believe that competition is an extremely healthy thing in this field. I feel at the same time that simply because an individual is a publisher of a newspaper, and applies for a license to operate a radio or television station, there should not in a sense be two strikes against him to begin with. For that very reason I offered this amendment in the Committee on Interstate and Foreign Commerce.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. SHEPPARD. I wonder if the gentleman can tell me any specific case or cases in which an applicant, being a newspaper was rejected by the Federal Communications Commission, which would justify the language that the gentleman offers in this instance.

Mr. PRIEST. In response to the gentleman, may I say that I feel that the language in this amendment is the best language that could be developed to deal with a situation in which a majority of the committee felt needed some expression of congressional intent. Earlier in the day in a colloquy with the gentleman from California [Mr. MCKINNON], I tried to emphasize in response to some questions which he asked, that the public interest must always be paramount; that in deciding between various applicants for licenses, the Commission must first of all be governed by the public interest. I do not believe that the public interest is best served by granting a monopoly to news-gathering or news-disseminating agencies. Therefore, it seems to me that this amendment emphasizing that applicants shall not be discriminated against solely because they have an interest in the operation of a newspaper, is necessary in the bill. The public interest is still paramount, and the public interest will still guide the Commission, and the public interest, cannot best be served by granting a monopoly.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. MARTIN of Massachusetts. As I understand the gentleman's amendment, it does not give the owners of newspapers any special privileges? It does not provide that any monopoly should exist, but simply says that because a man happens to own a newspaper, he shall not be discriminated against when he applies for a license to operate a radio or television station; is that correct?

Mr. PRIEST. That is certainly the purpose of my amendment, and that is what I had in mind in offering it. I believe the language of the amendment does just that.

Mr. MARTIN of Massachusetts. And the defeat of the amendment at this time might well be interpreted as a go-ahead signal to discriminate against them; is that not correct?

Mr. PRIEST. I feel it might be so interpreted.

Mr. MARTIN of Massachusetts. I hope the amendment offered by the gentleman from Tennessee [Mr. PRIEST] will prevail.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

(Mr. PRIEST, at the request of Mr. SHEPPARD, was given permission to proceed for two additional minutes.)

Mr. SHEPPARD. May I say to my colleague, for whom I have a great affection, that I would expect the newspaper interests to manifest their views on the floor of the House. However, in order that we may not have any confusion about the intent of section 7, or what it may mean, I ask the gentleman at this time to clearly define for the CONGRESSIONAL RECORD how the words "association or ownership" would be interpreted. If the gentleman will do that, or clarify that, I would be quite pleased. I think those two words should be defined for the benefit of the practice of the Commission.

Mr. PRIEST. The gentleman refers to the words "any such interest, association, or ownership." Of course, I think the ordinarily accepted definition of the words would apply in this case. There is not any meaning of the words intended other than the regularly accepted mean-

ing. An applicant might be associated with a newspaper. He might have an association with it simply because he is an employee. He might be an editor, and he might apply for a license as an individual. He has an association with a newspaper because he is the editor-in-chief, or the managing editor, or the executive editor.

Mr. SHEPPARD. Will the gentleman assert in his statement that the word "association" here to the full extent of its meaning means an association with or a comember of a newspaper making application and as such might be objectionable to the Commission so far as the granting of a permit to operate a radio or television station? Would the gentleman go so far in defining those words?

Mr. PRIEST. I am not quite certain that I understand the gentleman's question. I tried to follow him, but frankly I do not quite get the purport of his question.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. PRIEST] has expired.

(By unanimous consent, at the request of Mr. SHEPPARD, Mr. PRIEST was granted five additional minutes.)

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from California.

Mr. SHEPPARD. To define what I am trying to clarify, here is an association that is a functioning entity and it is a copartnership with a newspaper. The conduct of the newspaper within itself is quite acceptable, but insofar as the operations of said association are concerned, they are not acceptable for the purpose of granting a license for the purpose of disseminating news.

Mr. PRIEST. That goes back to the fundamental basis for granting any license, that is, the public interest. I think the question of serving the public interest would answer the gentleman's question fully and completely and in every respect in that connection. Bear in mind always that that must be the first guide of the Commission. The purpose of this amendment simply was to say that solely because of this interest there should not be discrimination.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Georgia.

Mr. LANHAM. Does the gentleman think that the Commission could refuse to grant a license, if it tended to create a monopoly, to a newspaper?

Mr. PRIEST. As far as the gentleman from Tennessee is concerned, he does feel that they could, on the basis that granting a monopoly is not in the public interest.

Mr. LANHAM. Even under the gentleman's amendment?

Mr. PRIEST. Even under the gentleman's amendment. I am fully satisfied that they can do so.

Mr. ARMSTRONG. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Missouri.

Mr. ARMSTRONG. I want to compliment the gentleman on his amendment and ask him if he does not think that the antitrust laws will be sufficient to take care of any monopoly that might arise?

Mr. PRIEST. Yes. I do feel so.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DOLLIVER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California [Mr. SHEPPARD]. It seems to me that his amendment and his remarks about it display what seems to be a misconception of the purpose of the provision appearing on page 46, section (d).

This is not a provision to give a special privilege to newspapers or any other media of dissemination of information. It is to secure to them the same treatment that other applicants may have. Perhaps you think that the committee in putting this provision in, leaned over backwards in an attempt to prevent discrimination against other media of information, in applying for radio licenses. The fact is there was some discussion before our committee which indicated that in years gone by there was a definite move in the Radio Commission to cut off or cut out any newspapers from operating radio stations.

True, that move did not come to any real fruition; that is, no rule was adopted at the close of those hearings; but, certainly, the very fact that the hearings were held by the Commission, even so, raised some apprehension and some fears in the hearts of people who are engaged in the dissemination of information, and they could not see why they should be picked out as the object of discrimination by the Communications Commission when it came to the granting of radio licenses.

The committee went into this matter very carefully and made some revision of the original proposed amendment to take care of this situation and came up with the language which you now see before you on page 46.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DOLLIVER. I yield.

Mr. HALLECK. As the gentleman will perhaps recall I served on the Interstate and Foreign Commerce Committee for a great many years. Through those years we frequently had occasion to deal with legislation concerning the radio industry; through those years we constantly heard threats to deprive all newspaper people of the right to have radio stations. As I listened to those arguments I then became convinced that the imposition of any such arbitrary rule would not be fair and would not be right and I have consistently opposed that proposition. So, certainly, here today I shall not support this amendment; as a matter of fact I am in opposition to it and I hope that it is not adopted.

Mr. DOLLIVER. Mr. Chairman, the gentleman from Indiana has expressed very succinctly the background behind this provision. Over the years there has been a trend or tendency on the part of some members of the Commission to take an arbitrary attitude. Again, I say that this provision, as was pointed out by my colleague from Tennessee, does not give any special privilege to newspapers or other people engaged in the dissemination of news; it does not give them any special privilege, because the primary thing in granting licenses is the public interest, convenience, and necessity. All this provision does is to prevent the Commission from taking an arbitrary stand that solely because an applicant is engaged in the dissemination of news otherwise, he shall not be denied the right to have a radio license.

I hope the amendment offered by the gentleman from California [Mr. SHEPPARD] to delete provision (d) on page 40 will be defeated.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. DOLLIVER. I yield.

Mr. HINSHAW. I think it might be explained that this matter arose due to a decision which was rendered on June 18, 1951, when the Chairman of the Commission and one of the members made a statement to the effect that there should be no multiple ownership of news-disseminating agencies. The whole Commission did not go along with this, but in view of the fact that a part of the Commission had taken this other viewpoint and the majority ruled against them we decided to consider the matter in committee.

Mr. DOLLIVER. That illustrates the fact I mentioned a moment ago, that there has been a threat on the part of some members of the Commission to take that position.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The gentleman from Florida [Mr. ROGERS] is recognized.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Arkansas.

EXPLANATION AND LEGISLATIVE HISTORY OF NEWSPAPER AMENDMENT

Mr. HARRIS. The so-called newspaper amendment—which is contained in section 7 (c) of the amendment proposed by the House Committee on Interstate and Foreign Commerce to S. 658—reads as follows:

> The Commission shall not make or promulgate any rule or regulation, of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information and no application for a construction permit or station license, or for the renewal, modification, or transfer of such a permit or license, shall be denied by the Commission solely because of any such interest, association, or ownership.

The following explanation of the newspaper amendment is contained on page 9 of House Report No. 1750 which accompanied S. 658 as reported by the committee:

> The new subsection deals with the question of how newspapers ought to be treated

with respect to the granting of construction permits and station licenses.

The intended effect of this new subsection is to prohibit the Commission from adopting any blanket rule or from following any arbitrary policy with respect to the granting of radio and television licenses the effect of which would be to reject newspaper applications for such licenses—or to prefer nonnewspaper applications for such licenses over newspaper applications—solely because the newspaper applicant is primarily engaged in the gathering and dissemination of information.

The language used in section 7 (c) has been interpreted by some persons as dealing with radio stations and motion picture companies as well as newspapers. Whether this construction of section 7 (c) is proper, is open to argument. It is clear, however, that in adopting this section the committee was influenced by the history of the Commission's policy with respect to the granting of broadcast licenses to newspapers, and by the legislative history of prior legislative proposals designed to deal with the same problem.

A predecessor bill to S. 658, namely, S. 1973, Eighty-first Congress, first session, contained in section 14, the following provision:

LIMITATION ON RULE MAKING POWERS: DISCRIMINATION PROHIBITED

SEC. 332. No sanction shall be imposed or substantive rule or order be issued except within jurisdiction delegated to the Commission and as authorized by law. The Commission shall make or promulgate no rule or regulation of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon race, religious or political affiliation or kind of lawful occupation or business association.

S. 1973, as reported by the Senate Committee on Interstate and Foreign Commerce omitted this provision and the report accompanying S. 1973—Senate Report No. 741, Eighty-first Congress, first session—on page 2 contained the following explanation as to why this section was dropped from the bill:

The committee desires to call particular attention to one amendment—namely, section 14—which was contained in the measure as first introduced and has now been eliminated. This section read as follows:

"No sanction shall be imposed or substantive rule or order be issued except within jurisdiction delegated to the Commission and as authorized by law. The Commission shall make or promulgate no rule or regulation of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon race, religious or political affiliation, or kind of law occupation or business association."

The committee deems it important to point out why this section was dropped from the bill. This language was first proposed nearly 6 years ago during hearings on a Communication Act amendments bill, solely because the Federal Communications Commission at that time had under consideration a rule which would prohibit newspapers from becoming holders of radio licenses. While the Commission may have been motivated, in part at least, by the best intentions in seeking to prevent monopolistic control of organs of public expression in a community, its threatened action was of questionable constitutional validity, particularly in the absence of specific authority in the basic act to adopt such a rule. However, the net effect of the Commission's proposed antinewspaper rule was to deny consideration of applications from newspapers, all such applications having been placed in a pending file. After reflection for some 2 years, the Commission dropped all plans for such a rule and began processing of newspaper applications in the same manner as other applications.

In testimony on the bill (S. 1973) before this committee, the Commission spokesman pointed out that present Commission practice and procedure has been in accord with that which had been intended by the original language, some question was raised as to whether or not the proposed new language might not be construed or interpreted to provide a different or modified procedure from that now being followed. The committee, therefore, decided to eliminate the proposed section. It should be distinctly understood that in eliminating this section the committee has done so solely because the Commission is now following the procedure which was outlined in the section, has testified that it intends to follow that procedure, and that it is of the opinion that it has no legal or constitutional authority to follow any other procedure.

S. 1973 subsequently passed the Senate, and the House Interstate and Foreign Commerce Committee held hearings on S. 1973, but the bill was not reported.

During the hearings on S. 658 held in August 1950 and April 1951 by the House Committee on Interstate and Foreign Commerce, and in executive consideration of the bill, the subject of the Federal communications policy with respect to newspaper applicants was discussed by witnesses and members of the committee. Fear was expressed that the Commission might at some future date attempt to adopt a blanket rule or follow a blanket policy of denying applications for radio or television station licenses solely because the applicant is engaged in the gathering and dissemination of information. This apprehension was strengthened by a statement of the Commission's policy concerning newspaper applicants contained in a dissenting opinion of the then Chairman—in which he was joined by Commissioner Webster—in the case of the application of Hearst Radio, Inc.—WBAL—and Public Service Radio Corp. which was decided on June 18, 1951. Chairman Coy's statement read as follows:

The Commission is committed to the principle that unless there are overriding considerations, preference should be given to a nonnewspaper, nonmultiple-owner applicant as against an applicant which publishes a newspaper or has other broadcast stations in order to encourage the greater diversification of control of the media of mass information. This principle, unlike that of integrated and local ownership, is not grounded on the fact that there is any basis for assuming that one applicant is more likely to carry out its program proposals than the other, but is a reflection of the congressional policy expressed by the Communications Act, and that the public interest is best served by having as wide an ownership as possible of the media of mass communications.

The majority of the Commission failed to go along with the views expressed by the then Chairman Coy and Commissioner Webster. It had the following to say with respect to newspaper applications:

Newspaper ownership does not automatically disqualify an applicant. It is a factor which is considered, but only in relation with the other aspects of comparative determination and as it bears upon the final decision of whether a grant to the applicant in question is in the public interest. The record does not show that the common control of WBAL and the Baltimore newspaper, has been employed adversely to the interests of the listening public, and an inference can reasonably be drawn that these conditions which have previously obtained will continue.

The views held by the Commission majority with respect to the interpretation of the Communications Act in connection with newspaper applications for radio and television licenses accurately reflect the views on this subject held by the House Committee on Interstate and Foreign Commerce. However, because a substantially different exposition of the Commission's policy with respect to newspapers was made by the then Chairman Coy and by Commissioner Webster, and because it was claimed that this exposition of the Commission's policy reflected congressional policy expressed in the Communications Act, the House committee felt it desirable to include in S. 658 the so-called newspaper amendment. It is the purpose of this amendment to make it clear beyond any reasonable doubt that the Communications Act does not authorize adoption by the Commission of any blanket rule or any arbitrary policy with respect to the granting of radio or television stations to newspapers.

Mr. ROGERS of Florida. Mr. Chairman, we discussed this problem in detail in the Interstate and Foreign Commerce Committee. As stated by the gentleman from Tennessee [Mr. PRIEST] he offered the amendment and after long discussion of it I do not believe there was any opposition at all when it came to a final vote on the amendment. All of us concurred in the viewpoint that there should be no discrimination against newspapers. That is all it means. It is simple. It says that the Commission shall issue no rules or regulations that will discriminate in any way against newspapers, newspaper owners, or those associated with the newspaper business. That is all that is provided. It is in the negative, it states they shall not refuse to issue a license solely because of the fact that one may have an interest in a newspaper. I think that is a fair provision. If a man owns a newspaper and shows that it is in the public convenience and necessity for him to operate a station in his vicinity I do not think the Commission should hold that against him. I do not think they should say to him: "You have a newspaper down there, so we will not give you a license to operate a radio station."

Mr. Chairman, that is all this amendment means and I hope that the Committee of the Whole will not adopt the amendment offered by the gentleman from California.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. There has been the contention in many communities of the country that the people would be without any radio service at all unless someone connected with a newspaper applied for a license.

Mr. ROGERS of Florida. That is correct. The newspapers render a great public service and if they can continue to render a great public service, if they can increase their public service through the radio field, they should not be discriminated against in that effort.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Then the gentleman is opposed, as I understand him, to the Sheppard amendment?

Mr. ROGERS of Florida. Absolutely.

Mr. BROWN of Ohio. He is for the provision in the bill?

Mr. ROGERS of Florida. I supported it in committee.

Mr. BROWN of Ohio. That is my understanding.

Mr. ROGERS of Florida. I am wholeheartedly for it, I think that the provision should be left in the bill and not taken out, and I therefore oppose the amendment offered by the gentleman from California [Mr. SHEPPARD].

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, the Sheppard amendment to strike out paragraphs (c) and (d) on page 46 of this bill is the amendment which I warned against in my discussion of the rule making this bill in order. I told you at that time I had been advised attempts would be made to strike out this section, which would prevent discrimination against those who might be engaged in or associated with the publishing industry in connection with the granting of radio and television station licenses.

At that time I pointed out to you that a number of years ago, when I served on the Committee on Interstate and Foreign Commerce, we had a situation where a chairman in control of the Federal Communications Commission was so utterly opposed to the granting of any sort of radio license to anyone engaged in the publishing business that he simply sat on the applications for licenses throughout his entire term of office.

What this committee has done wisely and well in preparing this new communications code or law is to write into the law a provision that there shall be no discrimination because of a person being engaged in any particular business or profession. Now that provision does not discriminate in favor of anyone engaged in publishing, but it simply provides that any person engaged in any other business shall not be discriminated against in the issuance of licenses. As the gentleman from Tennessee so ably pointed out, if there is any reason why, in the public interest, any individual or any concern, whether a publisher or a publishing concern, should not be given a radio station license or television license, and that reason can be substantiated in a court of law if it becomes necessary, then the license can be withheld.

Now remember, if we do not keep this provision in the law, if we strike it out, if the Sheppard amendment is adopted, we will be saying by our action that the House does believe in discrimination and that by your votes we have arranged it so that the Federal Communications Commission can discriminate if it pleases and desires to do so. If the Commission can discriminate against one individual in the granting of radio licenses, or one business or one industry, then there is nothing in the world to keep the Commission from discriminating against any other individual or person, or any other industry or business.

What we want to do—and I believe it is the desire of this House, and I know that it has been the desire of this great Committee on Interstate and Foreign Commerce—is to provide in the law that all American citizens, all individuals, who may apply for a radio station license or television station license shall be treated the same; that there shall be no discrimination; that the Commission shall reach its final judgment and decision only on the basis of what is in the best interest of the public, and as to which applicant can best serve the public. In some instances I agree with you that a newspaper should not have a radio license, but there are many small communities where you cannot have a good radio station unless you have ownership by the small local newspaper. I have no radio connection of any kind, but unless there is a newspaper that can help furnish the news service and can work the two together, the community cannot support a small radio station properly, and it cannot furnish properly good service, so, in many instances, that is to the best interest to the public to have a newspaper also operating a radio station.

Mr. Chairman, I hope his amendment to strike out this section will be voted down and that the action of this great Committee on Interstate and Foreign Commerce which has had many long years of experience with radio law and radio problems will be sustained.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made a moment ago when my distinguished colleague, the gentleman from Florida [Mr. ROGERS] yielded to me.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. SHEPPARD].

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendent as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BONNER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 658) to further amend the Communications Act of 1934, pursuant to House Resolution 620, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

Mr. O'HARA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'HARA. Is the question on the Horan amendment?

The SPEAKER. The question is on the Committee amendment as amended.

Mr. O'HARA. The Horan amendment was adopted. May I inquire whether a separate vote can be demanded on the Horan amendment?

The SPEAKER. Not on that amendment. It was an amendment to the committee amendent.

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. In view of the fact that the matter before us is a Committee amendment, a complete amendment to the whole bill, would any motion to recommit, except a straight motion to recommit, be in order?

The SPEAKER. That is the only motion that would be in order under the rule.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the bill just passed be printed with the amendment of the House numbered.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

COMMITTEE ON EDUCATION AND LABOR

Mr. SMITH of Virginia. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. BARDEN], I ask unanimous

consent that the Committee on Education and Labor may have until midnight tonight to file a report on the Allen resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, is there a minority report that might also be filed, or is this a unanimous report?

Mr. SMITH of Virginia. I am unable to inform the gentleman about that. I am just complying with a request I had from the gentleman from North Carolina [Mr. BARDEN] that I make this request for him, that the committee have until midnight tonight to file a report.

Mr. MARTIN of Massachusetts. I do not object to that, but if the Republicans want to file minority views I would like that to be included in the request.

Mr. SMITH of Virginia. I will include that in my request, Mr. Speaker, that the minority on the Committee on Education and Labor may have until midnight tonight to file minority views.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EMERGENCY APPROPRIATIONS FOR ERECTION OF POST OFFICE AND FEDERAL COURT BUILDINGS

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 694, Rept. No. 2185), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7778) to authorize emergency appropriations for the purpose of erecting certain post office and Federal court buildings, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDING LEGISLATIVE REORGANIZATION ACT OF 1946 TO PROVIDE FOR MORE EFFECTIVE EVALUATION OF FISCAL REQUIREMENTS OF EXECUTIVE AGENCIES OF THE GOVERNMENT

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 695, Rept. No. 2186), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7888) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDMENT AND EXTENSION OF DEFENSE PRODUCTION ACT OF 1950

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 696, Rept. No. 2187), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended. That after general debate which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON AGRICULTURE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on the bill H. R. 8122.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PROGRAM FOR TOMORROW

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I think the majority leader would like to make a statement with regard to the program for the remainder of the week.

Mr. McCORMACK. The program for tomorrow will be the bill extending the National Production Act—the so-called controls bill.

Mr. MARTIN of Massachusetts. As I understand it, it is going to be just general debate?

Mr. McCORMACK. Exactly. There will just be general debate on the bill tomorrow.

MANPOWER POLICY

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SHELLEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SHELLEY. Mr. Speaker, on February 7, 1952, the Office of Defense Mobilization issued defense manpower policy No. 4 entitled "Placement of Procurement in Areas of Current or Imminent Labor Surplus." Briefly, the policy directs that special consideration be given in placement of Government contracts to firms in areas which are certified to suffer from a surplus of labor and to have available facilities for the production of goods required by the Government. The primary spur to promulgation of policy No. 4 was the situation in areas such as Detroit, which suffered a dislocation of production because of cut-backs in steel and the resultant decrease in automobile manufacture. This was due, of course, to the defense emergency and the need for increased arms production. The policy was strongly supported in other areas, such as those in New England producing textiles, whose industrial dislocation can be traced more directly to other fundamental economic ills. It is generally the type of policy I ordinarily support. However, its execution is creating situations harmful to my area. Policy No. 4 was laudable in its announced purposes. As written, it need not have produced serious ill effects. But in its actual implementation it has worked real economic damage. It has also caused actual delay in the defense-production program in many instances. That is true of individual industries in areas not certified as surplus labor areas; it is true of the whole economy of such areas.

In the first place, if aimed at this temporary dislocation, policy No. 4 came too late to cure the condition which precipitated it. Any Member of Congress knows that the most serious effects of the shift to defense production were felt shortly after the allotment system first went into effect. This was while the placement of huge Government contracts was in the planning stage. There had been a tapering off of the volume of complaints from consumer-goods producers, and more liberal allotments of critical materials, before the policy became effective. The automobile industry's production goals for the remainder of this year—aside from defense contracts—are now at gratifyingly high levels. Barring a prolonged shutdown in steel, there are plenty of materials in sight to achieve them. The

same thing is true of other consumer goods producing industries.

Secondly, the written policy contains provision for analysis of the specific ills of particular areas as regards types of labor skills in surplus, and the nature of and suitability of production facilities available. In its actual operation—and I am speaking now from personal experience in checking into award of specific contracts—these considerations have been allowed to go by the board. As long as an area has been declared a distress area, all other relevant factors are apparently disregarded. This condition opens the way for disastrous effects within industries, within areas, as far as groups of skilled labor are concerned; and on individual plants which have geared their operations to defense needs. These effects are now being felt in San Francisco, and they will be felt in every congressional district and in every area not certified as a distress labor area unless the policy is rescinded or applied on an industry basis.

Let us examine its operation as applied to one particular industry—the shipbuilding industry. I am sure that the policy's effect there can be applied to the predominant industry in any area represented here in the House today. San Francisco happens to be a shipbuilding center. San Francisco has not been declared a surplus-labor area. Indeed no city west of the Rockies, and only one west of the Mississippi, has been certified. San Francisco, however, has long suffered from a dearth of shipbuilding contracts—Government or otherwise. The same situation prevails on the entire west cost as far as shipbuilding is concerned. A large force of skilled shipbuilding labor there depends on almost day-to-day jobs—or has been dispersed into other industry. Much of the vital shipbuilding and ship repair facilities lie idle for long periods at a time. Contrasted with this general condition we find that the east coast shipbuilding industry has not suffered nearly as much for lack of work. Its yards are consistently more active. Many of the Members of the House have received invitations to ship launchings in recent months or years. If those Members will look back they will not be able to recall any such invitations emanating from the west coast, but plenty from the east. In any anticipated war the west coast yards and the west coast labor supply would be immediately requisitioned for war work. It is absolutely vital to the national defense that they be ready for such a call. Yet, observe the operation of the policy.

When the Navy plans to negotiate contracts for vessels it asks firms on all three of our coasts to offer bids. At present if the contract price offered by a west coast firm is low, that firm cannot be awarded the contract immediately if a bid has been received from a firm or firms in an eastern labor surplus area. The east coast builder must first be given the opportunity to meet the low bidder's price. If he does, he gets the contract and the west coast firm is frozen out. It makes no difference how closely the western company may have figured its bid and how high the eastern yard's original bid may have been. It makes no difference whether the west coast yard is completely idle and starving for contracts and the eastern yard is running at capacity. It makes no difference if skilled shipbuilders in the West are digging ditches because of lack of work in their craft while the east coast firm is using ditch diggers to build ships because they cannot get qualified help. So long as the one area has been certified to have an over-all surplus of labor, and the west coast area has not, then the contract goes east. That has happened in a number of cases, and it is just the beginning. Congress had better act without delay to prohibit the practice or we will be faced with an increasing flow of complaints from manufacturers in our home districts who are closing shop or running on a limited basis because they cannot get the Government contracts they have built their shops around.

I have used the situation in shipbuilding as an example. The application of the policy does not stop there. It hits electronic equipment, clothing, chemicals, and all of the things the Defense Department and the General Service Administration buys. In many cases plants have tooled up their equipment, bought special machinery, and built special buildings after consultation with Government officials, solely to meet specific purchase needs of the Government. Under policy No. 4 they find themselves with tools, equipment, and buildings on their hands and no contracts. Despite the heavy investment, and even though they conscientiously submit low bids, the Government agency with whom they have been doing business cannot make an award to them so long as a qualified bidder in a distress area wants the contract and is willing to meet the price.

That situation is now confronting an electronics equipment manufacturer located just outside San Francisco. After study of Signal Corps needs and discussion with Signal Corps procurement officials, they have set up their plant to service Army requirements in their field. They are nearing the end of work on certain large volume contracts obtained before the policy went into effect. They have bid on another large contract in the hope of keeping the plant in operation and hanging on to their specially trained employees. Yet they are now faced with the prospect of losing that contract to a firm in a surplus labor area—a condition which may occur on a succession of contracts until they are forced to shut their doors. That is a senseless waste of money, time, skill, and equipment expended in gearing the company's capacity to anticipated defense needs.

We find other examples of the ridiculous manner in which the policy operates. New York City has been declared a surplus labor area. Areas directly across the river in New Jersey have not. They draw their skilled labor from the same labor pool. Yet an electronics equipment manufacturer in New York, as an example, can take a contract from a plant in shouting distance across the river, under the conditions I have outlined.

The policy as now operated not only saves the Government no money, it actually costs money in added administrative costs, and it delays the entire procurement procedure.

As I have said, the conditions which seemed to require the policy have largely corrected themselves. It may be the only practical solution now is to abandon Manpower Policy No. 4 as another "noble experiment."

The continued operation of the policy is a threat to the industrial stability of every community in the United States which has not been approved by the Office of Defense Mobilization as a surplus labor area. Only one area west of the Mississippi has been so approved. Only one area in all of the Southern States is included. Those eastern, and midwestern cities designated comprise relatively limited sections of their own States. Thus, the dislocations caused by the policy bid fair to become far greater than any it might hope to correct. I have asked the California delegation in Congress to support a move to remedy the situation. I believe such a move demands the added support of Members from every other section of the country adversely affected by the operation of policy No. 4.

As the best method of dealing with the problem I may introduce a bill in the House as an amendment to the Defense Production Act which will prohibit the use of Defense Manpower Policy No. 4. Although the Banking and Currency Committee have completed their consideration of the 1952 amendments to the act and have reported their recommendations to the House, I should be very happy to have my bill accepted as a committee amendment to the act. I am prepared to discuss the matter with the distinguished chairman of the committee, the gentleman from Kentucky, and to cooperate with the committee in securing acceptance of my amendment.

Mr. Speaker, I believe it to be of extreme importance that Congress move on this matter before adjournment. If we do not act now the cumulative effect of the policy's operations will have made the problem far more acute by the time Congress next meets. The cure should be applied before we have an epidemic.

I am submitting for printing in the CONGRESSIONAL RECORD at the end of these remarks a copy of the bill which I am introducing to nullify Defense Manpower Policy No. 4:

A bill to amend the Defense Production Act of 1950, as amended

Be it enacted, etc., That section 704 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new sentence: "No rule, regulation, order, or policy issued under this act shall direct the placement of procurement in areas of current or imminent labor surplus, and any such rule, regulation, order, or policy heretofore issued is hereby rescinded."

SPECIAL ORDERS GRANTED

Mr. MORRISON asked and was given permission to address the House for 1

hour today, following the conclusion of any special orders heretofore entered.

Mr. COLE of New York asked and was given permission to address the House today for 10 minutes, following the conclusion of special orders heretofore entered.

IMPEACHMENT OF THE PRESIDENT

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SHAFER. Mr. Speaker, on April 28 of this year I introduced House Resolution 614, to impeach Harry S. Truman, President of the United States, of high crimes and misdemeanors in office. This resolution was referred to the Committee on the Judiciary, which committee has failed to take action thereon.

Thirty legislative days having now elapsed since introduction of this resolution, I today have placed on the Clerk's desk a petition to discharge the committee from further consideration of the resolution.

In my judgment, developments since I introduced the Resolution April 28 have immeasurably enlarged and strengthened the case for impeachment and have added new urgency for such action by this House.

First. Since the introduction of this resolution, the United States Supreme Court, by a 6-to-3 vote, has held that in his seizure of the steel mills Harry S. Truman, President of the United States, exceeded his authority and powers, violated the Constitution of the United States, and flouted the expressed will and intent of the Congress—and, in so finding, the Court gave unprecedented warnings against the threat to freedom and constitutional government implicit in his act.

Second. Despite the President's technical compliance with the finding of the Court, prior to the Court decision he reasserted his claim to the powers then in question, and subsequent to that decision he has contemptuously called into question "the intention of the Court's majority" and contemptuously attributed the limits set on the President's powers not to Congress, or to the Court, or to the Constitution, but to "the Court's majority."

Third. The Court, in its finding in the steel case, emphasized not only the unconstitutionality of the Presidential seizure but also stressed his failure to utilize and exhaust existing and available legal resources for dealing with the situation, including the Taft-Hartley law.

Fourth. The President's failure and refusal to utilize and exhaust existing and available legal resources for dealing with the emergency has persisted since the Court decision and in spite of clear and unmistakable evidences of the will and intent of Congress given in response to his latest request for special legislation authorizing seizure or other special procedures.

In my remarks on April 23, I expressed the belief that the only hope for the resolution of the constitutional issues created by the official acts of President Truman lies in the process of impeachment provided by the Constitution. The developments I have briefly summarized give new import and urgency to that warning. They make it deplorably evident that only thus can be reestablished the supremacy of the Constitution and of government of law over the defiant stubbornness, the contemptuous willfulness, and unrepented usurpations of the man who took the Presidential oath and who is charged by the Constitution, to "take care that the laws be faithfully executed."

Let us take a more detailed and searching look at the situation as it stands today, 30 legislative days after my introduction of the resolution of impeachment.

First. The import of the June 2 ruling of the United States Supreme Court in the Steel case.

This Court ruling establishes categorically that the President violated the Constitution of the United States by his issuance of Executive Order 10340 seizing the steel mills.

The majority opinion, rendered by Mr. Justice Black, held that there was no statutory authority for the President's act. It held that there was no express constitutional language granting this power to the President. It held that "the order cannot properly be sustained as an exercise of the President's military power as Commander in Chief of the Armed Forces." It rejected the argument that the seizure order could be sustained "because of the several constitutional provisions that grant executive power to the President."

Not content with denying any and all claims for statutory or constitutional authority for the Executive order, Mr. Justice Black's opinion held specifically that the President's act constituted a definite usurpation by the Executive of legislative power conferred by the Constitution upon Congress exclusively. Here is the exact wording of the decision:

> The President's order does not direct that a congressional policy be executed in a manner prescribed by Congress—it directs that a Presidential policy be excuted in a manner prescribed by the President. The preamble of the order itself, like that of many statutes, sets out reasons why the President believes certain policies should be adopted, proclaims these policies as rules of conduct to be followed, and, again, like a statute, authorizes a Government official to promulgate additional rules and regulations consistent with the policy proclaimed and needed to carry that policy into execution. The power of Congress to adopt such public policies as those proclaimed by the order is beyond question. It can authorize the taking of private property for public use. It can make laws regulating the relationships between employers and employees, prescribing rules designed to settle labor disputes, and fixing wages and working conditions in certain fields of our economy. The Constitution did not subject this lawmaking power of Congress to Presidential or military supervision or control.

Mr. Justice Black also emphasized the fact that Presidential power of seizure was specifically withheld by the Congress:

> The use of the seizure technique to solve labor disputes in order to prevent work stoppages was not only unauthorized by any congressional enactment; prior to this controversy, Congress had refused to adopt that method of settling labor disputes. When the Taft-Hartley Act was under consideration in 1947, Congress rejected an amendment which would have authorized such governmental seizures in cases of emergency.

Finally, Mr. Justice Black clearly and directly related the unconstitutional act of the President to the fundamental, historical concern of the founding fathers over safeguarding the people against excessive concentration of power in, or usurpation of power by, the Government and the Executive, thereby underscoring the gravity and fundamental threat of the President's unconstitutional act:

> The founders of this Nation entrusted the lawmaking power to the Congress alone in both good and bad times. It would do no good to recall the historical events, the fears of power, and the hopes for freedom that lay behind their choice. Such a review would but confirm our holding that this seizure order cannot stand.

In equal or greater degree the basic findings and the cardinal principles incorporated in Mr. Justice Black's opinion found repetition and reemphasis in the separate concurring opinions of the five other Justices comprising the majority of the Court.

Never in American history has a President of the United States by conscious, willful and premeditated usurpation of power subjected himself to such a condemnation as is contained in these words of Mr. Justice Frankfurter:

> It is one thing to draw an intention of Congress from general language and to say that Congress would have expressly written what is inferred, where Congress has not addressed itself to a specific situation. It is quite impossible, however, when Congress did specifically address itself to a problem, as Congress did to that of seizure, to find secreted in the interstices of legislation the very grant of power which Congress consciously withheld. To find authority so explicitly withheld is not merely to disregard in a particular instance the clear will of Congress. It is to disrespect the whole legislative process and the constitutional division of authority between President and Congress.

I shall ask you to bear in mind that terrible judgment—the judgment that by his official action Harry S. Truman, President of the United States, did "disrespect the whole legislative process and the constitutional division of authority between President and Congress"—at a later point in this discussion when I will have occasion to discuss the defiant and contemptuous comments of Harry S. Truman upon the findings of the Supreme Court.

I call your attention to the fact that Mr. Justice Frankfurter, in discussing the clear and explicit refusal of the Congress to grant seizure powers to the President, further said of that decision by the Congress:

> A proposal that the President be given powers to seize plants to avert a shut-down where the health or safety of the Nation was endangered was thoroughly canvassed by Congress and rejected.

And again:

On a balance of considerations Congress chose not to lodge this power—

That is, the power of seizure—

in the President. It chose not to make available in advance a remedy to which both industry and labor were fiercely hostile.

And still again:

Nothing can be plainer than that Congress made a conscious choice of policy in a field full of perplexity and peculiarly within legislative responsibility for choice. In formulating legislation for dealing with industrial conflicts, Congress could not more clearly and emphatically have withheld authority than it did in 1947. Perhaps as much so as is true of any piece of modern legislation, Congress acted with full consciousness of what it was doing and in the light of much recent history. * * * Instead of giving him (the President) even limited powers, Congress in 1947 deemed it wise to require the President upon failure of attempts to reach a voluntary settlement, to report to Congress if he deemed the power of seizure a needed shot for his locker. The President could not ignore the specific limitations of prior seizure statutes. No more could he act in disregard of the limitation put upon seizure by the 1947 act.

The profound implications of the issue created by the President's usurpation are clearly stated by Mr. Justice Frankfurter. After pointing out the concern of the founding fathers over the hazards of concentrated power and the need for limitations on the power of governors over the governed, Mr. Justice Frankfurter offered this solemn warning—a warning which Harry S. Truman lacks either the capacity or the will to recognize and heed:

The accretion of dangerous power does not come in a day. It does come, however, slowly, from the generative force of unchecked disregard of the restrictions that fence in even the most disinterested assertion of authority.

Consider now certain key statements in the concurring opinion of Mr. Justice Douglas:

We * * * cannot decide this case by determining which branch of Government can deal most expeditiously with the present crisis. The answer must depend on the allocation of powers under the Constitution. * * *

The method by which industrial peace is achieved is of vital importance not only to the parties but to society as well. A determination that sanctions should be applied, that the hand of the law should be placed upon the parties, and that the force of the courts should be directed against them is an exercise of legislative power. In some nations that power is entrusted to the executive branch as a matter of course or in case of emergencies. We chose another course. We chose to place the legislative power of the Federal Government in the Congress. The language of the Constitution is not ambiguous or qualified. It places not some legislative power in the Congress; article I, section 1, says, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The legislative nature of the action taken by the President seems to me to be clear. * * *

If we sanctioned the present exercise of power by the President, we would be expanding article II of the Constitution and rewriting it to suit the political conveniences of the present emergency. * * *

* * * We could not sanction the seizures and condemnations of the steel plants in this case without reading article II as giving the President not only the power to execute the laws, but to make some. Such a step would most assuredly alter the pattern of the Constitution.

The implications of the claims of power made by the President in his seizure—claims which he has since reasserted, claims of which he stands before the Nation defiantly unrepentant—are eloquently summed up by Mr. Justice Douglas in these words:

We pay a price for our system of checks and balances, for the distribution of power among the three branches of Government. It is a price that today may seem exorbitant to many. Today a kindly President uses the seizure power to effect a wage increase and to keep the steel furnaces in production. Yet tomorrow another President might use the same power to prevent a wage increase, to curb trade-unionists, to regiment labor as oppressively as industry thinks it has been regimented by this seizure.

The concurring opinion of Mr. Justice Jackson forcefully expounds the issues posed by Mr. Truman's unconstitutional act:

Emergency powers are consistent with free government only when their control is lodged elsewhere than in the Executive who exercises them. That is the safeguard that would be nullified by our adoption of the "inherent powers" formula.

* * * * *

In view of the ease, expedition and safety with which Congress can grant and has granted large emergency powers, certainly ample to embrace this crisis, I am quite unimpressed with the argument that we should affirm possession of them without statute. Such power either has no beginning or it has no end. If it exists, it need submit to no legal restraint. I am not alarmed that it would plunge us straightway into dictatorship, but it is at least a step in that wrong direction.

* * * The executive action we have here originates in the individual will of the President and represents an exercise of authority without law. * * * With all its defects, delays, and inconveniences, men have discovered no technique for long preserving free government except that the Executive be under the law, and that the law be made by parliamentary decisions.

Such institutions may be destined to pass away. But it is the duty of the Court to be last, not first, to give them up.

Because the impeachment resolution which I introduced on April 28 cites the unconstitutional action of the President in committing the United States and its Armed Forces to war in Korea, without act or authorization of Congress as required by the Constitution, one phase of Mr. Justice Jackson's discussion of Presidential powers has a particular interest and relevancy. Referring to "the logic of an argument tendered at our bar—that the President, having, on his own responsibility, sent American troops abroad derives from that act affirmative power to seize the means of producing a supply of steel for them," Mr. Justice Jackson further quotes this line of argument:

To quote, "Perhaps the most forceful illustrations of the scope of Presidential power in this connection is the fact that American troops in Korea, whose safety and effectiveness are so directly involved here, were sent to the field by an exercise of the President's constitutional powers." Thus, it is said he has invested himself with war powers.

Respecting this reasoning, Mr. Justice Jackson says:

I cannot foresee all that it might entail if the Court should indorse this argument. Nothing in our Constitution is plainer than that declaration of war is entrusted only to Congress. Of course, a state of war may in fact exist without a formal declaration. But no doctrine that the Court could promulgate would seem to me more sinister and alarming than that a President whose conduct of foreign affairs is so largely uncontrolled, and often even is unknown, can vastly enlarge his mastery over the internal affairs of the country by his own commitment of the Nation's Armed Forces to some foreign venture. I do not, however, find it necessary or appropriate to consider the legal status of the Korean enterprise to discountenance argument based on it.

It is significant that in a footnote to this paragraph, Mr. Justice Jackson asserts that "how widely this doctrine espoused by the President's counsel departs from the early view of Presidential power is shown by a comparison." He then relates that at the time of the naval action against the Tripolitan fleet in 1801, President Jefferson limited that action to a defense of American commerce and placed before Congress the decision of whether offensive action should be pursued. And Mr. Justice Jackson quoted these lines from President Jefferson's message to Congress:

Unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense, the (Tripolitan) vessel being disabled from committing further hostilities, was liberated with its crew. The Legislature will doubtless consider whether, by authorizing measures of offense, also, they will place our force on an equal footing with that of its adversaries. I communicate all material information on this subject, that in the exercise of the important function confided by the Constitution to the Legislature exclusively, their judgment may form itself on a knowledge and consideration of every circumstance of weight.

There is no mistaking the import of this citation and of the attendant remarks of Mr. Justice Jackson, with respect to the usurpation by Mr. Truman of the power to declare war vested solely in the Congress by the Constitution.

Mr. Justice Jackson also specifically rejected the argument that the President acted under his powers as Commander in Chief of the Army and Navy, pointing out that this title did not "constitute him also commander in chief of the country, its industries, and its inhabitants." And he added.

That military powers of the Commander in Chief were not to supersede representative government of internal affairs seems obvious from the Constitution and from elementary American history.

No penance would ever expiate the sin against free government of holding that a President can escape control of Executive powers by law through assuming his military role.

Mr. Justice Burton, in his concurring opinion, pinpointed the issue by citing the omission of the seizure power from the Taft-Hartley Act. He said:

For the purpose of this case the most significant feature of that act is its omission of authority to seize an affected industry. The

debate preceding its passage demonstrated the significance of that omission. Collective bargaining rather than governmental seizure was to be relied upon. Seizure was not to be resorted to without specific congressional authority. Congress reserved to itself the opportunity to authorize seizure to meet particular emergencies.

Mr. Justice Burton continues:

In the case before us Congress authorized a procedure which the President declined to follow. Instead, he followed another procedure which he hoped might eliminate the need for the first. Upon its failure he issued an Executive order to seize the steel properties in the face of the reserved right of Congress to adopt or reject that course as a matter of legislative policy.

And he concludes:

The controlling fact here is that Congress within its constitutionally delegated power has prescribed for the President specific procedures, exclusive of seizure, for his use in meeting the present type of emergency. Congress has reserved to itself the right to determine where and when to authorize the seizure of property in meeting such an emergency. Under these circumstances, the President's order of April 8 invaded the jurisdiction of Congress. It violated the essence of the principle of the separation of governmental powers.

Mr. Justice Clark summed up his conclusions in these brief propositions:

I conclude that where Congress has laid down specific procedures to deal with the type of crisis confronting the President he must follow those procedures in meeting the crisis. * * * I cannot sustain the seizure in question because here * * * Congress has prescribed methods to be followed by the President in meeting the emergency at hand.

The finding of the Supreme Court was explicit and emphatic. It held that the President, by his seizure order, had not only acted without statutory authority and in violation of fundamental principles and requirements of the Constitution but had also directly flouted the expressed will and intent of the Congress. So much for the judgment of the Court. What of Mr. Truman's position as to the authority and decision of the Court?

Second. The import of Mr. Truman's attitude toward the authority and decision of the Supreme Court.

The President has complied technically with the decision of the Supreme Court in the Steel case. In his June 10 message to the Congress he reported:

This case reached the Supreme Court, and on Monday, June 2, a majority of that Court decided that the President did not have the power, in this instance, to operate the mills. I immediately ordered that Government possession of the mills be relinquished.

Any suggestion, however, that this technical compliance with the decision of the Court absolves the President of guilt so far as his previous unconstitutional act is concerned should, I think, be firmly challenged. This is particularly so in view of the fact that while the issue was before the Court Mr. Truman defiantly asserted that the Court could not take away the power of seizure from the President, and in view of the further fact that since the Court decision Mr. Truman has contemptuously called into question the "intention of the Court's majority" and has likewise contemptuously attributed the limits set on the President's powers, not to the Congress, or to the Court, or to the Constitution, but to "the Court's majority." Mr. Truman has made abundantly clear that he is wholly unrepentant of the usurpation of which the Court has adjudged him guilty.

The Supreme Court is clear and explicit on one point above all in its decision, namely, in its reaffirmation of the constitutional principle that the President, as much as any other citizen, is subject to the government of law. By the same token, certainly, the President, quite as much as any private citizen, is accountable for a transgression of the law of the land. Discontinuance of a violation of law does not absolve a President, any more than it absolves any other citizen, of responsibility or accountability for that violation.

In the 1948 strike of the United Mine Workers, the union and its president, John L. Lewis, were found guilty on April 19 of contempt of court for failure to terminate a strike which had been enjoined by an injunction issued April 3. They were found guilty, and subsequently subjected to heavy fines, notwithstanding the fact that on April 12, a week before the guilty verdict was rendered, Mr. Lewis and the union had terminated the strike in compliance with the injunction.

The guilt of April 3 to 12 was not erased or expunged by the defendants' act of April 12, even though that act preceded the finding of guilt by a full week.

How can it be held, then, that the act of executive usurpation of which the president was adjudged guilty by the Supreme Court—an act extending from the issuance of Executive Order 10340 on April 8 until June 2—was erased or expunged by Presidential revocation of the unlawful act following the Court decision?

But let us look to the spirit as well as the letter of the matter.

Here there is no room for doubt as to the attitude of the President of the United States.

In a press conference at the White House—while the steel case was pending before the Supreme Court—Mr. Truman emphatically affirmed the power then being challenged before the highest Court. I cite the transcript of that press conference as quoted by a responsible reporter, Mr. Roscoe Drummond, chief of the Washington News Bureau of the Christian Science Monitor, issue of May 23, 1952:

Question. Do you think the rail settlement might be a good pattern for the steel settlement?

Answer. The President replied that he could not comment on the steel situation until the big Court down the street acts.

Question (on emergency strike legislation). Would you have the authority to seize a vital industry or would you have the President go to Congress in each emergency?

Answer. The President has that power and they can't take it away from him.

Question. Did I understand you to say that the President has the power and "they can't take it way from him"? Who do you mean by "they"?

Answer. Nobody can take it away because he is the Chief Executive of the Nation and has to be in a position to conserve the welfare of the people when necessary. You study your history. President Hayes and Teddy Roosevelt and President Wilson and President Franklin Roosevelt and the present occupant have taken whatever steps are necessary to meet an emergency when it comes to the country, and that is what the Executive is supposed to do.

Another reporter asked that the question be repeated.

Question. I will ask it again. You said the President has this power, talking about seizure and "they can't take it away from him." What do you mean by "they"?

Answer. Nobody can take it away. Nobody can take it away from him.

Question. But if the position of the Supreme Court is that the seizure is illegal, then where do we stand?

Answer. I cannot speculate on what might happen after that. Let's wait and see.

Question. You said on a previous occasion on the same subject that you would abide by whatever decision the Court makes.

Answer. Mr. Truman said that was exactly what he intended to do.

Question. Suppose it says that the President does not have that power?

Answer. The President said he would turn the steel industry back to the companies and see what happens.

Question. It does sound as if you were prejudging the Supreme Court. You say that the President has the power and nobody can take it away from him.

Answer. That is correct, but I am not prejudging the Supreme Court. I am going to abide by the Court decision, whatever that action may be.

Question. Suppose they say that you haven't the power?

Answer. The President said he would cross that bridge when he came to it.

Such was the position of the President of the United States prior to the Court decision—if such a maze of inconsistent and contradictory statements may properly be designated a "position."

Now let us appraise the President's attitude, after the Court decision.

In every reference to the decision of the United States Supreme Court in his June 10 message to Congress, Mr. Truman has pointedly spoken of it as the decision of "a majority of the Supreme Court." And the attitude of the President with respect to this decision is clearly revealed in one sentence from that message:

Whatever may have been the intention of the Court's majority in setting limits on the President's powers, there can be no question of their view that the Congress can enact legislation to avoid a crippling work stoppage in the steel industry.

In the face of the clear, vigorous, and forthright exposition of historic and fundamental constitutional principles contained in the majority opinion of Mr. Justice Black and the concurring opinions of five other Justices, Mr. Truman implies a lack of certainty as to "the intention of the Court's majority."

Mr. Truman, with poorly disguised contempt and scorn, charges "the Court's majority" with "setting limits on the President's powers." By his version, it is not the Supreme Court which set the limits—only "the Court's majority." It is not the Constitution which set the limits. It is not the Congress which set the limits. No—in Mr. Truman's petty, spiteful, contemptuous, obdurate, recalcitrant, resentful judgment it is the doing of "the Court's majority," acting with intentions which he would have Congress believe, are obscure and mystifying to him. This is the sober and reasoned response of the President of the

United States to the reminder given him by Mr. Justice Frankfurter's quotation from Chief Justice John Marshall—"it is a Constitution we are expounding." Thus are wasted upon Mr. Truman—though not upon the Nation or the Nation's liberties—the pearls of judicial and constitutional wisdom contained in the Court's opinion.

Permit me to point out the patent hypocrisy of Mr. Truman's professed ignorance or uncertainty as to the "intention" of the "Court's majority."

When Mr. Truman undertook, in his message to Congress on April 9, to justify his seizure, he emphasized that he "took this action with the utmost reluctance." He said that "the idea of Government operation of the steel mills is thoroughly distasteful to me." He pictured his action as a choice of "the least undesirable of the courses of action which lay open." These protestations he affirmed in his communication of April 21 to the Vice President of the United States.

Again, in his message to Congress on June 10, Mr. Truman described his action as "the extraordinary step of seizure in the absence of specific statutory authority."

Now if there was any semblance of sincerity in these protestations of reluctance and in the acknowledgment of the extraordinary character of his action, there cannot be any sincerity in the implied doubt or uncertainty expressed in his words, "Whatever may have been the intention of the Court's majority." Especially is this so when the Court decision spelled out with unmistakable clarity and with unequaled eloquence its clear purpose and intent of expounding the Constitution.

Here, then, is how the matter stands: The President has acceded technically to the mandate of the Court. But he has done so grudgingly. He has not repented his usurpation or disclaimed his reckless assertion that "they can't take the power away from him." Thus the challenge still stands. And therein lies the peril, a peril which offers the most compelling reason for the impeachment of Harry S. Truman, President of the United States, of high crimes and misdemeanors in office.

Permit me to revert, for a moment, to the warning given by Mr. Justice Douglas:

> Today a kindly President uses the seizure power to effect a wage increase and to keep the steel furnaces in production. Yet tomorrow another President might use the same power to prevent a wage increase, to curb trade-unionists, to regiment labor as oppressively as industry thinks it has been regimented by this seizure.

Impeachment, of course, is beyond the purview of the courts, and I infer no hint or reference to that procedure in the opinion of Mr. Justice Douglas. Yet implicit in the peril against which he warns lies the most compelling grounds of all for the impeachment of Harry S. Truman.

As we have seen, by his own assertions the man who today temporarily occupies the Office of President of the United States remains unconvinced of the validity of this warning, unpersuaded by the judgment of the Supreme Court, and unrepentant of the usurpation of which he has been adjudged guilty—notwithstanding that expediency has dictated his technical compliance with the finding of the Court.

It is not inconceivable that there will be a future President of the United States who may undertake to duplicate this exercise of unconstitutional powers under the guise of some compelling emergency. It is not inconceivable that there will be a future President of the United States who, together with his lust for unconstitutional powers, may have also the opportunity of naming a majority of the Supreme Court amenable to his will and whim. And it is not inconceivable that in such tragic circumstances this historic judgment of the Supreme Court, rendered in the year 1952, may be reversed. Then could come to pass the very situation envisioned by Mr. Justice Douglas wherein "tomorrow another President might use the same power" to commit new and grievous wrongs against the Constitution and the people of the United States.

How better can we safeguard against such a contingency than by calling to account in a high court of impeachment the President of the United States whose violation of the Constitution and usurpation of powers have been so clearly established, and whose offense has been so grossly compounded by his scornful reassertion of those unconstitutional powers and by his contemptuous references to the "intention" of the "the Court's majority"?

Dare this House fail to interpose this added safeguard for the future? I think not because, as I said in my April 28 speech, the action of this House which I would invoke is concerned with the future quite as much, indeed more, than with the immediate present.

Third. Judicial recognition of the failure of the President to utilize the legal resources provided by the Taft-Hartley Act and other existing legislation.

Abundant judicial recognition has been accorded the failure of the President to invoke the Taft-Hartley Act and other available legislation in the steel controversy. Because this failure is one of the grounds for impeachment cited in my Resolution of April 28, and because of the persistent refusal, since the Court decision, of the President to invoke the Taft-Hartley Act, these judicial comments deserve particular attention.

It will be recalled that this failure received the attention of United States District Judge David Pine in the lower court ruling on the seizure. Judge Pine tartly reminded the Government that the defendant's warning of "the disastrous effects on the defense effort" or a steel strike "presupposes that the Labor Management Relations act, 1947, is inadequate when it has not yet been tried, and is the statute provided by Congress to meet just such an emergency."

Mr. Justice Black, in the majority decision, takes note of the fact that—

> There are two statutes which do authorize the President to take both personal and real property under certain conditions.

A footnote identifies these statutes as "The Selective Service Act of 1948" and "the Defense Production Act of 1950." The opinion continues:

> However, the Government admits that these conditions were not met and that the President's order was not rooted in either of them.

Mr. Justice Black, as heretofore shown, outlined in detail the procedures provided under the Taft-Hartley Act, noting that the plan for settling labor disputes adopted by Congress eschewed the seizure power because "apparently it was thought that the technique of seizure would interfere with the process of collective bargaining."

Mr. Justice Burton, in his concurring opinion, is particularly explicit in his reminders of the President's failure to utilize existing and available legal resources for dealing with the steel controversy. He notes that—

> The Constitution has delegated to Congress power to authorize action to meet a national emergency of the kind we face. Aware of this responsibility, Congress has responded to it. It has provided at least two procedures for the use of the President.

With respect to one of these procedures, the Taft-Hartley Act, Mr. Justice Burton notes that—

> The accuracy with which Congress there describes the present emergency demonstrates its applicability.

Continuing, Mr. Justice Burton says:

> The President, however, chose not to use the Taft-Hartley procedure. He chose another course, also authorized by Congress. He referred the controversy to the Wage Stabilization Board.

In a footnote, Mr. Justice Burton also observes that—

> Section 18 of the Selective Service Act of 1948 authorizes the President to take possession of a plant or other facility failing to fill certain defense orders placed within the manner there prescribed.

And adds:

> No orders have been so placed with the steel plants seized.

It is Mr. Justice Clark, however, who is most emphatic in challenging the failure of the President to utilize all available legal resources and in challenging the claim that the Government had accomplished more without invoking the Taft-Hartley Act than would have been accomplished by invoking it.

Mr. Justice Clark is emphatic, also, as to the obligation upon the President to exhaust these resources. He says:

> I conclude that where Congress has laid down specific procedures to deal with the type of crisis confronting the President, he must follow those procedures in meeting the crisis. * * * I cannot sustain the seizure in question because here * * * Congress had prescribed methods to be followed by the President in meeting the emergency at hand.

Continuing, Mr. Justice Clark points out:

> Three statutory procedures were available: those provided in the Defense Production Act of 1950, the Labor Management Relations Act, and the Selective Service Act of 1948. In this case the President invoked the first of these procedures; he did not invoke the other two.

This concurring opinion describes the three procedures. It says, with respect to the Taft-Hartley Act, that the legislative history of the act demonstrates Congress' belief that the 80-day period would afford it adequate opportunity to determine whether special legislation should be enacted to meet the emergency at hand.

With reference to the Selective Service Act of 1948, Mr. Justice Clark notes that it gives the President specific authority to seize plants which fail to produce goods required by the Armed Forces or the Atomic Energy Commission for national defense purposes. He also observes that the Government made no effort to comply with the procedures established by this act, and in a footnote caustically adds that the Government has offered no explanation, in the record, the briefs, or the oral arguments as to why it could not have made both a literal and timely compliance with the provisions of that act. Thus the opinion clearly implies nonfeasance if not misfeasance on the part of the Executive in this particular.

By way of summing up, Mr. Justice Clark has this to say regarding the contention offered repeatedly by the President throughout the controversy and repeated by the Government in its argument before the Court:

> These three statutes furnish the guideposts for decision in this case. Prior to seizing the steel mills on April 8 the President had exhausted the mediation procedures of the Defense Production Act through the Wage Stabilization Board. Use of these procedures had failed to avert the impending crisis; however, it had resulted in a 99-day postponement of the strike. The Government argues that this accomplished more than the maximum 80-day waiting period possible under the sanctions of the Taft-Hartley Act, and therefore amounted to compliance with the substance of that act. Even if one were to accept this somewhat hyperbolic conclusion, the hard fact remains that neither the Defense Production Act nor Taft-Hartley authorized the seizure challenged here, and the Government made no effort to comply with the procedures established by the Selective Service Act of 1948, a statute which expressly authorizes seizures when producers fail to supply necessary defense matériel.

Thus the Supreme Court is on record that the President failed to take care that available and applicable laws be faithfully executed, that he failed to qualify the Government to act under the one law which provided a lawful basis for seizure, and that he failed to invoke a law specifically designed to deal with such a crisis while, at the same time, exercising power specifically and deliberately withheld by the Congress at the time the law was enacted.

Fourth. The President's record with respect to the Taft-Hartley Act, especially since the Supreme Court decision.

I address myself now to Mr. Truman's still persistent refusal to invoke the Taft-Hartley Act, to the specious reasons he has given for that refusal, and particularly to his flagrant disregard of the will and intent of Congress as that will and intent have been made clear since the President's June 10 message.

On at least six specific occasions since last December 18, Mr. Truman has elected not to invoke the Taft-Hartley Act.

He elected not to do so on that date, when the United Steelworkers of America, CIO, gave original notice of their intention to strike December 31.

He elected not to do so on December 22, when efforts of the Federal Mediation and Conciliation Service in that dispute proved unavailing.

He elected not to do so at any time between April 4, 1952, when the union gave notice of intention to strike at 12:01 a. m., April 9, and the night of April 8 when he issued his unconstitutional seizure order.

He elected not to do so on June 2, when the union struck following announcement of the Supreme Court decision.

He elected not to do so on June 9, when negotiations between the companies and the union broke down, and instead, on the day following, addressed Congress with his request for seizure power or congressional authorization of an injunction.

Finally, he has elected not to invoke the Taft-Hartley Act since June 10, when Senate adoption, on that very day, of the Byrd amendment to the Defense Production Act, requesting the President to invoke the Taft-Hartley Act, showed unmistakably the will and intent of the Congress.

In this last instance the President's obdurateness has been the most insufferable of all, since it has been displayed in the face of a direct answer to his imprudent and impudent request of June 10.

Today is June 17. It is 15 days since the steel strike began. It is a full week since the President addressed the Congress. Compare this pointless loss of time, loss of vital steel production, with the complaint which Mr. Truman registered against the Taft-Hartley procedure in his June 10 speech:

> Previous experience indicates that it could take as much as a week or 10 days for such a board to complete its task.

In a word, as much or more time has already been sacrified on the altar of Executive recalcitrance than would have been lost under the tardy use of the law Congress prescribed for the handling of such an emergency.

In his June 10 message, Mr. Truman cited specious arguments for his failure to invoke the Taft-Hartley law. The speciousness of these arguments is relevant here only as they underscore the arbitrariness of his refusal to take care that the laws be faithfully executed.

He argues that "the Nation has already had the benefits of whatever could be gained by action under the Taft-Hartley law." This is an obvious untruth. The Nation has not had the benefit of the last-resort protection against a strike the law was designed to provide. It has not had the benefit of a final Presidential report and request—prior to a strike—for added authority to deal with the emergency, the "adequate opportunity—for Congress—to determine whether special legislation should be enacted to meet the emergency at hand" to which Mr. Justice Clark referred in his concurring opinion. The Nation has not had the benefit of the secret strike vote on the companies' "last best offer" prior to a strike. The Nation has not had the benefit of the incentives to peaceful settlement of the issues by the contending parties which derives from prompt and firm execution of the Taft-Hartley law and procedures.

Mr. Truman, in his June 10 message, also contended that the effect of a Taft-Hartley injunction "would be to require the workers to continue working for another period without change in their wages and working conditions," which, he held, "would be grossly unfair." He chose to ignore the fact that normal negotiation procedure calls for retroactive effect being given to any final settlement terms. He also chose to ignore the fact that a major stumbling block in the negotiations has been the union-shop issue.

Mr. Truman did even worse in his June 10 message. In effect he cast himself in the role of legal strategist against the very law he is sworn to enforce and execute.

Thus he offered, as an argument against invoking the law, the proposition that—

> If • • • the Attorney General were directed to seek an injunction against a strike, the question would arise whether a court of equity would grant the Attorney General's request, in view of the union's previous voluntary 99-day postponement.

Think of that.

But Mr. Truman went even further. In that same message he tacitly invited sabotage and defiance of the law and of a lawful injunction. Here are his exact words:

> Furthermore, even if an injunction were granted, there is no assurance that it would get the steel mills back in operation. I call the attention of the Congress to the fact that such an injunction did not get the coal mines back in operation in 1950.

This is the counsel of defiance, of lawlessness, and of anarchy, offered by the President of the United States. This is the shocking spectacle of the Chief Executive offering as the alibi for his own disregard of the law the possibility that thousands of his fellow citizens will emulate his shameful example. This is an unpardonable insult to the loyalty and law-abiding character of many thousands of members of organized labor. And, incidentally, it glibly ignores the fact, daily becoming more and more evident, that even the delay in steel production which might ensue from such defiance—should such defiance occur—may actually be less than the delay consequent upon Mr. Truman's own defiance of the law and of the will of the Congress.

The conclusion of the whole matter must be stated in blunt terms.

The President of the United States already has been adjudged guilty, by the highest Court in the land, of violation of the Constitution and of flagrant disregard and defiance of the expressed will and intent of the Congress.

He has shown himself unrepentant of his usurpation, contemptuous of the Court's decision, and of the motives for

that decision. Himself incurably addicted to the government of men, rather than of laws, he pettishly chides the Court for insisting upon the restoration of a government of laws and attributes the ruling to some inexplicable intention of the Court's majority, as individuals, to exert their wills in restraint of his own will.

His defiance of the law and of the will of the Congress has been compounded by his repeated failures and refusals to invoke the Taft-Hartley law. He has repudiated even his own better counsel and violated his own pledge, given June 26, 1947, upon the enactment of that law, when he said:

> For my part, I want to make it unmistakably clear that, insofar as it lies within my power as President, I shall see that the law—
>
> Specifically, the Taft-Hartley law—
>
> is well and faithfully administered.

Instead, by his record in this steel controversy, Mr. Truman has made it unmistakably clear that he is on strike—on strike against his oath of office, on strike against the law he is sworn faithfully to execute, on strike against the plainly stated will and intent of the Congress, on strike against the public interest and the national security.

That is one strike that cannot be tolerated.

The only recourse, the imperative answer to that strike, is for this House to impeach Harry S. Truman, President of the United States, of high crimes and misdemeanors in office.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. McDONOUGH addressed the House. His remarks appear in the Appendix of the RECORD.]

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the time allotted to me may be vacated, and I may use that time tomorrow following the conclusion of special orders heretofore granted.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 45 minutes.

HOOVER COMMISSION RECOMMENDATIONS AND COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. CURTIS of Missouri. Mr. Speaker, I have requested a special order to proceed for 45 minutes. I do not expect to consume all of this time but I wished to have sufficient time available to permit my colleague from Illinois [Mr. DAWSON], the chairman of the Committee on Expenditures in the Executive Departments, time to ask questions of me or to make whatever statement he cares to make in regard to the matter which I propose to discuss. Also I wished to extend the same opportunity to my colleagues, Mr. LANHAM, of Georgia; Mr. KARSTEN, of Missouri, who are chairmen of subcommittees of the Expenditures Committee; Mr. MCCORMACK, the majority leader, who is a member of the committee, or any other member of the Expenditures Committee.

It is academic to point out that the House even more than the Senate operates largely through committees. When a bill comes to the Committee of the Whole or on the floor for debate and amendment, from the committee to which it has been assigned, the membership relies very heavily upon the hearings, report, and statements of the committee and its members.

It is, therefore, of basic importance to consider the rules and procedures under which the various committees of the House conduct their hearings and their meetings, transact and conduct their business, and write and adopt their reports. There are specific rules governing the procedures of the committees adopted by the House. The committees themselves also adopt additional rules of procedure as they see fit. In reviewing the code of procedure, I find that on paper it is sound. But I have also observed in practice the rules and procedure are more observed in their breach than in their compliance. Even the public has become aware of the peculiarities of congressional hearings through their interest in the sensational subjects congressional committees have gone into in the past 2 years. And lawyers and persons concerned with civil rights have become somewhat alarmed about the lack of procedural protection available to witnesses appearing before congressional committees. In fact, a system has grown up in this House which permits the chairman of the committee to proceed somewhat as an autocrat, if he so desires. This is not an original observation on my part but a confirmation of the observation made by many students of the procedures of the United States Congress.

The breach of the Rules of the House under which committees are required to proceed, plus the accepted custom of committees not sticking to the additional rules of procedure they occasionally adopt for themselves, has resulted in a situation where a Member who wishes to follow orderly procedure is forced to make himself somewhat obnoxious to his committee colleagues when he insists upon following correct procedures. I have constantly been embarrassed in my committee, for example, by refusing to approve a committee report on the ground that the first opportunity I have had to even look at a lengthy report was at the very minute the committee met for the purpose of adopting or rejecting the report. I should not have to state here the obvious fact that it should be routine procedure that lengthy written reports be furnished to the committee members at least a few hours before meeting time in order to give them an opportunity to study the report before the meeting. However, I must state even this obvious fact inasmuch as not only have I been embarrassed to have to make a point of order in insisting on this right, but then, having made it, I have had the chairman ride roughshod over the objection. In one instance, I might state, copies of the report which the committee was asked to approve were not even furnished or available to the committee at the time of meeting; instead the written report was read by the clerk to the committee members. In the objection I raised to this procedure I stated an even more obvious fact that it is impossible for a person to properly consider and weigh the words of a written report or an oral recitation. To my surprise the chairman overruled this objection.

Calling committee meetings without adequate notice is another procedure which is so customary that one who objects is placed in embarrassment to object and the objection when made frequently does not even receive the courtesy of a negative ruling. The negation is apparently considered so obvious that it need not be stated.

I am not going to go into all the ramifications of correct committee procedure other than to make a general observation, which, too, should not have to be stated, that when procedural rights are lost substantive rights disappear. The history of the freedoms gained in the western world is the history of acquiring and preserving procedural rights. With such basic issue as this involved, I feel no embarrassment in bringing this entire matter before the House for consideration. However, having observed some of the actions on the floor of the House and in the Committee of the Whole in regard to the necessities for preserving the integrity of procedure, I wonder if I don't waste my breath here also. How many times have we proceeded on the floor in the debate of a bill without the hearings of the committee reporting the bill available to the Members and the report of the committee just becoming available the very hour of the meeting?

There are two specific matters I wish to present not only to the House membership, but, likewise, to the citizens of the country. I regret to say that these two specific matters are not unusual examples of committee procedure. Unfortunately, they seem to be common and so all the more serious.

The first matter has to do with the procedures adopted by the chairman of the Subcommittee of the Expenditures Committee on International Relations, Mr. LANHAM. This committee had under consideration H. R. 3406 and H. R. 3697, identical bills designed to create a commission along the lines of the Hoover Commission to study the overseas administration of the United States. The appointment of such a commission, incidentally, was one of the recommendations of the Hoover Commission itself.

This was and is a serious piece of legislation and, in my own opinion, a badly needed one. As Mr. McCormick, Director of Research for the Citizens Committee for the Hoover Report, stated in urging the passage of this bill when I asked him if the United States had spent $100,000,000,000, as some say, or only $20,000,000,000, abroad during the past 5 years, no one knows what the real figure is, and that is why a commission is needed to study this. Be that as it may, our subcommittee held hearings. Our last hearing was August 2, 1951. This was also the last meeting of the subcommittee. Since that date, I have many times endeavored to persuade the chairman of the subcommittee to call the subcommittee together without avail. I have finally made myself so obnoxious on this point that on Wednesday, June 11, 1952, the chairman had the committee clerk call my office—but let me read the letter of protest I sent to the chairman of the subcommittee, which is self-explanatory:

JUNE 12, 1952.

Hon. HENDERSON L. LANHAM,
House of Representatives,
Washington, D. C.

DEAR COLLEAGUE: My office received a call from Mr. ROGERS asking if I could make a meeting of the Subcommittee on International Relations Thursday, June 12. My office replied that I could. Shortly thereafter, I received a call asking whether 2 o'clock would be agreeable. My office informed Mr. ROGERS and I had an engagement for Thursday afternoon. Actually, the reason I find 2 Thursday unacceptable is that we have a very important bill coming on the floor of the House, H. R. 8120, the military public works bill, calling for the expenditure of almost $3,000,000,000. I am very much interested in this bill and I have, of course, for some time maintained the position both in our full committee and in our subcommittee that we should not meet except under unusual circumstances while the House is in session.

I have repeatedly, as you know, expressed deep concern over the fact that our subcommittee has had no meeting since August 2, 1951, when we completed hearings on H. R. 3406 and H. R. 3697, to create a commission to study overseas administration. In all frankness, it is my opinion that no meetings were held because you polled the subcommittee members and found that the majority of the committee members were in favor of voting these bills out favorably and, for some reason or other, you did not want to vote them out favorably.

I can make any meeting of the subcommittee Thursday morning or Monday, Tuesday, Wednesday, or Thursday morning, June 16, 17, 18, or 19, or any morning or afternoon of the following weeks when the House is not in session. I am certain that my colleagues, Mr. BROWNSON and Mr. BUSH, the other Republican members of this subcommittee, can be available at almost any time.

I trust that a meeting will be called in the immediate future so that we can proceed with this matter.

Sincerely,

THOMAS B. CURTIS.

P. S.—Since dictating this letter, it is my understanding that you have definitely set a meeting for Thursday afternoon, June 12, 1952, at 2 p. m., at the very time the House is considering H. R. 8120, the military public works bill. My office was informed that "I could take my choice as to whether I wanted to be on the floor of the House or be present at the subcommittee meeting." In view of the history of this situation, it is obvious that a protest on my part is rather futile. Nonetheless, I hereby register a protest against these tactics, which I regard as a serious abuse of discretion on your part as subcommittee chairman.

So much for this incident.

The other matter involves a series of bills pertaining to recommendations made by the Hoover Commission on the organization of the executive branch of the Government. The group includes 27 House bills and 2 Senate bills. The bills, however, contain many duplicates and cover only eight subjects. Bills covering five of the subjects, all having to do with executive department reorganization, were introduced on March 19, 1951, by Mr. HOFFMAN of Michigan, the ranking minority member of the Expenditures Committee. Mr. DAWSON, of Illinois, chairman of the committee, introduced identical bills on these five subjects on April 12, 1951. The bill designed to create a commission to study overseas administration previously referred to was introduced on March 21, 1951, by Mrs. CHURCH, of Illinois, with Mr. DAWSON introducing an identical bill, April 12, 1951. Thirteen identical bills to reestablish the Commission on Organization of the Executive Branch of the Government were introduced on February 26, 27, and 28, 1951. H. R. 6243, to provide for the reorganization of the executive branch of the Government as it pertains to matters of water control, was introduced 9 months after bills on the other seven subjects were introduced, on January 28, 1952. The two Senate bills, identical with the House bills, introduced in March 1951, were referred to the Expenditures Committee on July 24, 1951, the other April 10, 1952.

For many months certain members of the Expenditures Committee of the minority party, myself included, and possibly members of the majority party, although I have no information about this, approached the chairman of the committee, the gentleman from Illinois [Mr. DAWSON], asking that these bills implementing the recommendations of the Hoover Commission be brought up for hearings, with no results. Finally, these requests were made at official committee meetings so that they might become matters of record. Still no results. At the same time the records of the Committee on Expenditures will reveal that hardly one meeting a month was held from April 1951 through May 1952 by the committee. From January 1952 through May 1952 the activities of the committee were at the lowest ebb.

On H. R. 6243, to reorganize the executive department pertaining to water control, the chairman appointed a special subcommittee chairmaned by the gentleman from Missouri [Mr. KARSTEN], who had introduced the bill. Actually this committee had been appointed some time in July 1951, with full publicity, immediately following the disastrous floods on the Kansas and upper Missouri Rivers. I was appointed a member of this special subcommittee. We met once to see President Truman. Since that date we met once in February 1952, largely, I suspect, as the result of my needling, for 10 minutes. This has been the extent of the subcommittee's work. Yet the bill includes, among its very sweeping provisions, the transfer of the Army engineers to the Interior Department. Imagine starting hearings on a matter of this scope the first week of June 1952 with a July 3 adjournment in the offing, along with seven other measures, with the full committee acting as a special committee, with any sincere hope of giving real and serious consideration to it.

Finally, with a burst of newspaper publicity in the city of Chicago, the home of the chairman of the committee, in the first week of June 1952, the Expenditures Committee began holding hearings on the bills covering these eight subjects recommended by the Hoover Commission. It was not exactly the full committee that was holding these hearings. There was a special New Deal-Fair Deal set-up about it. The chairman announced that the committee holding the hearings consisted of whoever of the membership was present. The chairman admitted that he had never heard of such procedure before, but just because it was new was no reason it should not be tried because, after all, we wanted to get these bills heard. The committee, needless to say, had nothing to say about these methods.

The need for holding these hearings was so important in the chairman's mind that meetings were scheduled during the time the House was meeting and debating some very important and serious measures on the floor of the House. For example, on June 10 we were considering the adoption of the conference report on the immigration and naturalization bill, H. R. 5678. The next day, June 11, we had under consideration the conference report on the Federal Highway Act of 1952, H. R. 7340, and consideration of House Joint Resolution 477, the Emergency Powers Continuation Act. And the next day, June 12, 1952, we were considering the Military and Naval Construction Act, H. R. 8120, which called for the authorization of almost $3,000,000,000 expenditure. On all three of these days I specifically objected to the committee meeting during the session of the House. The chairman overruled my objections, stating that the Expenditures Committee was one of the few committees which had authority to sit while the House was in session. This, of course, was true, but it is likewise true that the rule anticipated that the chairmen of committees having this special power would exercise proper discretion in availing themselves of such privilege. Parenthetically, I might state that I was not present at these committee hearings, but on the floor of the House following the debates.

Under the circumstances of a delay of 14 months on the part of the chairman in holding hearings on these bills, plus the importance of the legislation on the floor of the House, I feel no hesitancy at all in suggesting that the discretion exercised by the chairman was flagrantly abused.

The 14 months' delay in holding hearings on these bills implementing the

Hoover Commission recommendations must also be viewed in the light of the possibility of hearings begun the first week of June 1952, being of any value as far as assisting legislation before a Congress which the majority whip has stated publicly probably will adjourn the first week of July 1952. Anyone familiar with congressional procedure the last month before adjournment knows full well that hearings on subjects of such general scope begun that month will result in no legislation being brought on the floor of the House.

Inasmuch as the chairman of the committee through press releases has claimed credit for holding hearings on these Hoover Commission bills, I think it is only proper to point out that with his wide experience in congressional procedure, he is fully aware of the fact that the hearings he is holding, even if properly held, are of no practical value. Inasmuch as Mr. DAWSON is vice chairman of the Democratic National Committee, and the majority leader of the House, Mr. MCCORMACK, is a member of the expenditures committee, I think it is also proper to suggest that the administration leaders have deliberately planned the handling of the bills implementing these recommendations of the Hoover Commission in such a way that they could not possibly be considered by this Congress, and become law. Nontheless, credit has been claimed publicly for their party being in favor of and pushing this program implementing the Hoover Commission recommendations. In light of this record and with Mr. MCCORMACK, in addition to his duties as majority leader of the House, now the chairman of the Democratic platform committee which will write the party's 1952 platform, and, as stated, Mr. DAWSON being vice chairman of the Democratic Party, let them say, and let the platform of the Democratic Party state, based on the record, just what the position of the Democratic Party is toward the Hoover Commission and its recommendations, and, in particular, these bills which have been so neatly bottled up in committee for 14 months.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. When I finish my statement.

Mr. LANHAM. I just want to ask the gentleman about one statement he made about adjournment. Does the gentleman guarantee that July 3 adjournment?

Mr. CURTIS of Missouri. No. I am only quoting Mr. PERCY PRIEST, the whip of the majority party, who said that was his estimate. That appeared in the Washington papers last Sunday. That is his estimate. Of course, I do not know.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I asked the gentleman to yield merely because of a previous statement he made. The gentleman was asked whether he would guarantee that July 3 adjournment. As I understood the gentleman's remarks here—and I think they will aid materially in improvement of both House and committee procedure—he has frankly admitted that while he has made many vigorous protests which, if regarded and followed, would have resulted in improved procedure and constructive action by the House, he is thoroughly convinced he does not have any control over the situation, and in particular he does not have anything to do with what the majority may decree to be the procedure of the House or House committees.

Mr. CURTIS of Missouri. That is quite obvious. I am low man on the totem pole, I am a freshman Member of the minority party in the House, and I cannot imagine a single Member having less influence.

Mr. HOFFMAN of Michigan. With that last statement as to my colleague's lack of influence, I cannot agree. He has far more influence than he realizes. As I understand it, the gentleman is just exercising his right of free speech in the hope that if his suggestions are constructive the majority will sometime listen and, being convinced, act. It may be a vain hope, but I think that was the gentleman's purpose, and he is to be commended for fighting what he may think is a losing battle.

Mr. CURTIS of Missouri. That is my main purpose, frankly. I think these matters of procedure as I express them are basic, and if we do not follow procedure we will soon lose, if we have not already lost, our substantive rights, and one reason I think the accusation that the Congress has been a rubber stamp in the past has been made with some justification.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Virginia.

Mr. HARDY. The gentleman has been making a pretty full discussion on this matter of procedure, and while quite fully understanding the feeling of frustration that the individual member of a committee sometimes feels when meetings are not held on matters in which he is interested or not held at times which he feels is the proper time——

Mr. CURTIS of Missouri. They have not been held at all, that is my objection.

Mr. HARDY. That is the point I was about to bring out. Of course, there is a procedure under which it is possible for members to require the chairman to call a meeting, and I just wonder if the gentleman from Missouri followed those procedures.

Mr. CURTIS of Missouri. I am aware of that, but there is also another procedure which I have chosen to follow, which I am now embarking upon; in other words, I have tried, through personal persuasion of the chairman or other members of the committee, and inasmuch as I will go on in my statement to point out, that since this matter has been carried in the public press recently, I think that the best answer is to make the thing public rather than attempt it through the committee. You are talking really, I might add, about specific bills. I am talking about a large group of bills. I am talking about the recommendations of the Hoover Commission, and there are many of them, and I do not want to single them out, and all I want to do is to conduct timely hearings on those bills, so that all those bills that seem meritorious can be brought forward to a successful conclusion.

Mr. HARDY. I want to commend the gentleman for his decision to employ the powers of persuasion, and personally I have found him very persuasive in the past.

Mr. CURTIS of Missouri. Well, I have not been very lucky. The thing I do not like is that when I express myself, as I many times do, as the gentleman knows, in committee, it is an embarrassing thing to be objecting on grounds that we are so obviously not following good procedure, and then to have the objections overruled, or completely ignored. I do not believe I have been unreasonable in any of the objections I have made.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Just for an observation. I venture, if the gentleman will permit, having been here a few years longer than he has, to suggest that perhaps part of it grows out of the fact that he came down here young, capable, and an enthusiastic Member of the House, expecting to do certain things, thinking that perhaps by his ability, which he possesses in so ample a degree, and by his eloquence, which we are all cognizant of, he might have some appreciable effect upon the action of the committee to which he was assigned, and upon the action of the House, and now he discovers, because of long, established practice, things do not go as they should; I do not say as you think they should, but as they really should, and as the overwhelming majority will admit they should go, that is to say, that we obviously do not take actions on propositions that are only sensible but that everyone knows action should be taken on, might that not be it? I hope the gentleman has not become too hardened now and is going to abandon as futile his efforts to get through legislation for the benefit of all the people.

Mr. CURTIS of Missouri. I thank the gentleman for his kind and flattering remarks. I doubt that I deserve them. But, I will say this, that as a freshman Member I like to begin at the beginning, and the beginning, incidentally, means right in the committee hearings, and the committee hearing is the beginning line of any procedure, and if the committees do not follow proper procedure, the rights of the individual Members, no matter how new they might be, or whether they are majority or minority Members, are completely lost. This is not just a plea on the part of just another Member of the House who feels, by not following the ordinary procedures that many Members are not actually permitted to get their views across, but this is something basic and the entire country is concerned about it. That is the only reason I have taken the trouble to take the floor.

Mr. PRICE. Mr. Speaker, will the gentleman yield at this point?

Mr. CURTIS of Missouri. I would like to finish first, and after I have completed my statement, I will be glad to yield to the gentleman.

Mr. PRICE. If the gentleman will yield on that particular point, where are these meetings or hearings being held?

Mr. CURTIS of Missouri. The hearings were being held in the Expenditures Committee room, 1501.

Mr. PRICE. I thought that is what the gentleman wanted—hearings—I thought he wanted committee meetings. Now he is complaining because they are being held.

Mr. CURTIS of Missouri. I will be glad to yield when I finish my statement.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. PRICE. We would be only too glad to have a statement from the vice chairman of the Democratic Congressional Committee, or the majority leader, as the gentleman requests but we could take a statement from a Member on your side, would that be satisfactory to the gentleman?

Mr. CURTIS of Missouri. We want your own party position. What is your party position in the light of this record?

Mr. PRICE. This will speak for itself, but at one of your own hearings, I do not know whether the gentleman was present or not, the gentleman from Ohio [Mr. BROWN], pointed to the good record of the committee with which the gentleman from Missouri should be familiar. It appears to me that the gentleman's concern is that these meetings are not held at his convenience.

Mr. CURTIS of Missouri. No, I disagree. I have not said that.

Mr. PRICE. Apparently, that seems to be the gentleman's concern.

Mr. CURTIS of Missouri. No, the gentleman misunderstood.

Mr. PRICE. That may not be the very thing that the gentleman said, but that is the substance of it.

Mr. CURTIS of Missouri. No, it is not.

Mr. Speaker, I cannot yield further on that until I correct what the gentleman has just said.

Mr. PRICE. Does the gentleman want an answer to his question?

Mr. CURTIS of Missouri. No, not the answer you gave me.

Mr. Speaker, I decline to yield further.

Mr. KARSTEN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I will in just a minute. I just want to clear up one statement that has been made. I am not objecting to meetings being held at my inconvenience.

Mr. PRICE. Apparently the gentleman is. I cannot gather anything else from the gentleman's remarks.

Mr. CURTIS of Missouri. I cannot help the gentleman then, if he could not understand the statement any better. Now, I am glad to yield to my colleague the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN of Missouri. Mr. Speaker, the gentleman from Missouri has made a number of statements. In my opinion, most of them are incorrect and inaccurate and I cannot agree with them.

Mr. CURTIS of Missouri. Can the gentleman specify any one of them now that are incorrect or inaccurate?

Mr. KARSTEN of Missouri. I cannot agree with you at the outset.

Mr. CURTIS of Missouri. Just a moment. Mr. Speaker, I decline to yield further as long as the gentleman is making statements accusing me of making incorrect and inaccurate statements.

Mr. KARSTEN of Missouri. I am trying to answer the gentleman. He made the statement twice that he was obnoxious and I cannot completely agree with that, Mr. Speaker. He also made a statement about the rules of the House and the procedure of the Committee on Expenditures. I am concerned about that. If the gentleman will take the time to open the rules book and read it, he will read this language.

Mr. CURTIS of Missouri. I have read it very carefully, but let us read it again.

Mr. KARSTEN of Missouri. The language is as follows:

> For the purpose of performing such duties, the committee, or any subcommittee thereof, when authorized by the committee, is authorized to sit, hold hearings, and act at such times and places within the United States, whether or not the House is in session or is in recess, or has adjourned, and to require by subpena or otherwise the attendance of such witnesses and the production of such papers, documents, or books.

There you have the rules of the House of Representatives which set forth the special authority of the Committee on Expenditures in the Executive Departments.

Mr. CURTIS of Missouri. Which, incidentally, I have pointed out. The committee had authority, but as I also pointed out, that was an abuse of discretion and it was a serious abuse of discretion in proceeding in this fashion. That is a matter of judgment.

Mr. KARSTEN of Missouri. I might say that under the procedure of the House, the chairman is authorized to call meetings at any time.

Mr. CURTIS of Missouri. If the gentleman will permit, I will state that the point is this. He has failed to get it. I am objecting to the abuse of discretion, which is, of course, a matter of judgment, but I have placed before the House the reasons why I have said this was an abuse of discretion.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mrs. CHURCH. I had not intended to enter into this discussion this afternoon. I do so now merely in the interest of establishing certain facts. I feel that the gentleman from Missouri is sincere and conscientious in his attempt to call attention to the failure of the Committee on Expenditures in the Executive Departments to give sufficiently early consideration to the Hoover Commission recommendations, even though I deem it among the strongest and most conscientious committees of the House. I do think that the gentleman should correct one statement or one inference, namely, that the committee was not at work during those months to which he refers as months in which meetings were held "only once a month." I am sure that the gentleman from Missouri, whose integrity is unquestionable, will gladly testify that the subcommittees during all that time were on their own business. I am sure that the gentleman will be glad to insert a statement to that effect in the RECORD.

Mr. CURTIS of Missouri. I am glad the gentlewoman mentioned that. When I said that the committee had not met, I was referring to the whole committee. The Bonner subcommittee, the Hardy subcommittee, and the Holifield subcommittee, and possibly others certainly have been meeting and have been doing a tremendous amount of work.

Mrs. CHURCH. Perhaps I should also state to the gentleman that the chairman last week assured me that there was still a chance of passage for these bills; and I would therefore feel that the majority side should accept the challenge of bringing them to the floor before adjournment.

Mr. CURTIS of Missouri. I thank the lady for those remarks. I might say that that is my main purpose in taking the floor, to call attention to the situation, and also so that the public will be aware of what has actually occurred in the Committee on Expenditures in regard to consideration and hearings on the Hoover Commission bills.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Georgia.

Mr. LANHAM. The gentleman has referred to me as chairman of one of the subcommittees, but I am not replying to that part of his statement at all, because I consider his charges merely the irresponsible statement of a frustrated egotist, and I would not reply at all except for the fact that I think the gentleman's statement leaves a wrong impression about the committee and its work on the Hoover Commission reports as well as my own stand on these important recommendations.

I think the gentleman from Michigan [Mr. HOFFMAN], has analyzed the gentleman's situation. I admire his enthusiasm, and I can understand something of the feeling of frustration he has, but I think we ought to review for a moment just what this committee has done.

I came to this body with the Eightieth Congress, and the gentleman from Michigan [Mr. HOFFMAN] was chairman of that committee. It was under his able leadership that the Hoover Commission was set up. I supported the bill which set up the Hoover Commission; I supported practically all of the legislation which has been put into effect. The Citizens' Committee says, I believe, that approximately 60 percent of the Hoover Commission reports have been put into effect, and most of that legislation was sponsored by this committee under the able leadership of the gentleman from Illinois [Mr. DAWSON]. Now, the gentleman from Illinois does not need any defense on my part, and I am not making it; he is amply able to take care of himself. I think it is a case of the gentle-

man's simply not being aware of what the committee has done.

Mr. CURTIS of Missouri. Just a minute at that point.

Mr. LANHAM. Please let me proceed; the gentleman referred to me and at the outset said he wanted to give us time to answer; let me complete my statement, please. I am not attacking the gentleman.

Mr. CURTIS of Missouri. Go ahead.

Mr. LANHAM. He has attacked me in a way; I am not attacking him at all because I understand his situation. He is young, ambitious, self-assured, and naturally rebels and feels a sense of frustration that he cannot always have his own way.

This committee has worked diligently to try to put into action or into actuality the recommendations of the Hoover Commission. As I have stated, 60 percent of those recommendations have been put into effect, and largely through the work of this committee. It was this committee that promoted the adoption of these recommendations, and I took an active part in the activities of the committee. We did get passed the bill that allows the President to send plans down which become law unless vetoed by one of the Houses of Congress. That was the work of this committee. This piece of legislation has resulted in the adoption of many of the Hoover recommendations—many of them this year, and three others are now pending and will become law unless the other body vetoes them.

We have now come to the very controversial plans or recommendations of the Hoover Commission, and I just wonder if the gentleman is in favor of some of them himself. I wonder if he is in favor, for instance, of the plan that would combine the veterans' hospitals with all the other hospitals. We held hearings on that problem last year and the year before, and the testimony was almost unanimous that that was an unwise recommendation of the Hoover Commission.

I wonder if the gentleman is in favor of transferring the work of the Army engineers to the Department of the Interior? Does the gentleman from Missouri believe that the Congress should act on these very controversial issues during an election year? The fact that the committee has not attempted to push these recommendations on which there is much disagreement may be the very wisest thing for the ultimate consideration and adoption of those of the recommendations that are really wise ones.

Mr. CURTIS of Missouri. Now, I believe I get the gentleman's statement.

Mr. LANHAM. I think the gentleman is speaking in his enthusiasm without a real knowledge of what this committee did under the leadership first of the gentleman from Michigan [Mr. HOFFMAN], and then the gentleman from Illinois [Mr. DAWSON]—of what the committee has accomplished.

Mr. CURTIS of Missouri. I get the gentleman's point, and in answer I would like to say, of course, I must confine myself to that which is within my own knowledge, and that is the Eighty-second Congress. What the Eightieth Congress did and what the Eighty-first Congress did is something else. I am aware of the record, but I was not a Member of Congress at that time. I do know, however, about the Eighty-second Congress, and it is to that record that I directed my remarks.

The gentleman asks if I am in favor of this and in favor of that; I would like to say that I am in favor of holding hearings on the different bills so that we can determine it.

My objections have been that you do not even hold hearings, and I have particular reference to the recommendation to create a commission for the study of overseas administrations. What about that?

Mr. LANHAM. The gentleman knows that the committee did not take that up until just about the time the Committee on Foreign Affairs was setting up the Mutual Security Administration, perfecting the plan by which the Mutual Security Administration would take the place of ECA. The investigation which that bill provided for could not possibly have been made in time to help the committee in any sense in drafting a bill, and the cost would have been between $500,000 and $1,000,000. We were busy trying to write the mutual security bill and frankly I have not seen the necessity for holding further hearings on the bill.

Mr. CURTIS of Missouri. Let the record speak for itself on that, if you please.

Mr. LANHAM. I would like to speak, too. The gentleman has made certain charges and I think I have a right to answer him. I am trying to do so but he objects.

Mr. HOFFMAN of Michigan. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. CURTIS of Missouri. I do not yield at this point. I have been trying to give the House some facts.

Mr. LANHAM. The gentleman wanted me to set a committee hearing at a time that suited him but did not suit me and other members of the committee.

Mr. CURTIS of Missouri. I do not yield any further.

Mr. KARSTEN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Missouri.

Mr. KARSTEN of Missouri. The gentleman has sought to create the impression that the Expenditures Committee is not a good committee. I have refrained from making a point of order against the gentleman but I do want the RECORD to show the facts.

Mr. CURTIS of Missouri. What would be the gentleman's point of order?

Mr. KARSTEN of Missouri. He is speaking disrespectfully of a committee.

Mr. CURTIS of Missouri. I pointed out specific things and if those specific things amount to disrespect, you be the judge.

Mr. KARSTEN of Missouri. It may be that the gentleman from Missouri just does not know.

Mr. CURTIS of Missouri. Does the gentleman agree that these things occurred?

Mr. KARSTEN of Missouri. I want to cite some facts. One of your leaders, the distinguished gentleman from Ohio, was before our committee the other day, and incidentally the gentleman from Missouri was not there.

Mr. CURTIS of Missouri. It was probably during a session of the House.

Mr. KARSTEN of Missouri. I was interrogating the gentleman from Ohio [Mr. BROWN] on the Hoover Commission bills and I told him I was very much impressed that Congress had approved almost 80 bills and reorganization plans, and stated:

> And these place on the books approximately 60 percent of the recommendations of the Commission. I think that is a very fair average.
>
> I wondered if you have any idea how much money was saved?
>
> Mr. BROWN. Yes; somewhere between two and two and a half billion dollars a year in operation.

That is the annual saving and that was the work of the Committee on Expenditures.

Mr. CURTIS of Missouri. What has the Eighty-second Congress done?

Mr. KARSTEN of Missouri. And Mr. BROWN is to furnish a breakdown showing the actual savings.

Mr. CURTIS of Missouri. I am asking the gentleman one question, What has the Eighty-second Congress done? I know the Eightieth Congress has a splendid record.

Mr. KARSTEN of Missouri. I am going to get down to that. The gentleman probably does not know, because I have gone through the hearings. The gentleman is given to making many speeches. I have read them all and I have tabulated his speeches.

Mr. CURTIS of Missouri. I am very glad of that.

Mr. KARSTEN of Missouri. On over a hundred occasions the gentleman from Missouri has used the expression "I do not know" or he has been in error, just as he is in error in this instance.

Mr. CURTIS of Missouri. Who does not know?

Mr. KARSTEN of Missouri. You do not know. Read the RECORD.

Mr. CURTIS of Missouri. There are many things I do not know. I am willing to say that.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. BENDER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Ohio.

Mr. BENDER. The observations made by the gentleman from Missouri [Mr. CURTIS] are 100 percent correct. This could be the most important committee of the House. If we were properly implemented, if we had the tools to work with, if we had the money to hire investigators, and the staff the committee requires under the rules of the House we

could save the taxpayers billions of dollars. This committee is charged with the responsibility to investigate all governmental expenditures. We are not doing this. We have not functioned as the rules of the House provide and as the House intended when this committee was created. Ever since I first joined this committee, and this is my twelfth year as a member, it has been the burying ground of the House. Most of the hot potatoes that come up during the course of a session are referred to our committee. The membership of the committee on the Democratic side are the most influential administration stalwarts in Washington. They are all administration people, but they are on our committee to do a job for their party.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. BENDER. Now, I asked for this time and I appreciate the opportunity to make a statement and I would like to continue. The gentleman who is attempting to interrogate me came in as a Member of the Eightieth Congress. During the Eightieth Congress the gentleman from Virginia and the gentleman from Massachusetts were Members of my subcommittee, and I never knew two more alert members of that committee than were the gentlemen from Virginia and Massachusetts. They were on the job watching all of the administration's interests and they did a perfectly grand job and I admire them for it. I consider them to be two of the hardest working Members of the House, and I think the Committee on Expenditures in the Executive Departments in the Eightieth Congress did one of the best jobs under the leadership of CLARE HOFFMAN of Michigan. He had us in session all the time, every day almost, even including Saturdays.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I am very glad to hear the praise coming from our dear friend from Ohio about our dear friend the gentleman from Michigan [Mr. HOFFMAN] when he was chairman of the Committee in the Eightieth Congress, because CLARE HOFFMAN and I remember well, as well as other members of the committee then, that there was a little Republican conspiracy to take his power away from him. You remember? We would not let them do it, would we?

Mr. HOFFMAN of Michigan. Did the gentleman ask me a question?

Mr. McCORMACK. We Democrats did not let them do it.

Mr. HOFFMAN of Michigan. Well, but they put six Members from the Committee on Rules on our committee in an obvious effort to hamstring the Marine Corps but it did not work out that way—with the gentleman's help—that attempt was blocked, and I thank him for that aid.

Mr. McCORMACK. But we Democrats supported you, did we not?

Mr. HOFFMAN of Michigan. Sure. And it was in a worthy cause—the preservation of the Marine Corps.

Mr. BENDER. Mr. Speaker, if the gentleman will yield, I hope the gentleman will clarify the RECORD and say that the gentleman from Ohio was not part of that conspiracy.

Mr. McCORMACK. We served on the subcommittee, and we worked hard, did we not?

Mr. BENDER. Yes.

Mr. HOFFMAN of Michigan. And on occasion you disagreed beautifully and kindly, though sometimes vigorously.

Mr. McCORMACK. And we loyally supported the chairman of the committee and the organization work of the committee, and whether he was right or wrong, we supported him; is that not right?

Mr. BENDER. True. The point I am endeavoring to make is that in the Eightieth Congress—our committee really functioned. When I first became a member of the Expenditures Committee, I too had the idea that this committee really was necessary—we had work to do. But I quickly discovered that it was a burial ground. Now, my subcommittee chairman, the gentleman from Virginia [Mr. HARDY], is an excellent legislator and a fine chairman and does a grand job in matters he selects to investigate, and they are really investigated, but the only observation I want to make is that he does not take on more, and that the committee of the House that has the money to provide does not provide more funds to the gentleman to pursue the fine work that he does to a far greater extent if they provided the funds.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Virginia.

Mr. HARDY. I should like to comment on the remarks of my good friend from Ohio. I am deeply grateful to him for the work he has put in on our subcommittee. I had the privilege of having learned under his chairmanship in the Eightieth Congress. I did learn a few things, and maybe if there had not been so much partisanship I would have learned more. But I want to thank him especially for his interest in expanding the activities of our subcommittee. There is just one major limitation in respect to funds, and I think we will have more funds within the next day or two. However, because of the limitations of time it has been almost impossible to go much further. I wonder if the gentleman is prepared to devote a little more time to some of the activities of the subcommittee.

Mr. BENDER. I do not like to waste my time on innocuous matters and things that are of little value when we are not really getting into the meat of the coconut, when we discuss matters that we generally agree upon and that are not disturbing anyone.

Mr. HARDY. I know the gentleman does not mean to leave the impression that when he and I work on the coconut we do not get the meat out of it.

Mr. BENDER. We got the meat in Detroit, but apart from that I do not know where we got any more meat.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I will not ask my friend from Missouri this, but I want to ask my friend from Ohio about this. One of the bills that is before us is to transfer the United States Army engineers to the Department of the Interior. I wonder how many Members would vote that out. I am not asking any Member how he would vote on it, though.

Another matter before the committee is to establish a Department of Public Health and transfer all the hospital facilities to one department. That means the Veterans' Administration hospitals, and so forth. Just let us be practical.

Mr. BENDER. I am not sure how I would vote, but I would want to hear the issue discussed. I think it is desirable to hold hearings on all issues.

Mr. BURNSIDE. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from West Virginia.

Mr. BURNSIDE. We know that this committee has carried on largely on a nonpartisan basis in the last 2 years, in all fairness to the chairman. This is my fourth year on the committee, but I do not think we have had so many scraps in our committee on a purely partisan basis. In all fairness to him and to the other Members in the Eightieth Congress, we passed this reorganization plan and it was an excellent plan, with six Democrats and six Republicans, Mr. Acheson as vice chairman and Mr. Hoover as chairman. In all fairness to the chairman in the Eighty-first Congress and the Eighty-second Congress, according to the gentleman from Ohio [Mr. BROWN], who was on the Hoover Commission, and also a very able Member of this House, we have saved two to two and a half billion dollars, which is a very large sum.

Mr. CURTIS of Missouri. The gentleman will note that was not done in the Eighty-second Congress, which is the only Congress of which I have been a Member. I am directing my remarks to specific instances in the Eighty-second Congress.

TRANSPORTATION OF FIREWORKS

Mr. DELANEY, from the Committee on Rules, submitted the following privileged resolution (H. Res. 697, Rept. No. 2189) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4528) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State or political subdivision thereof in which the sale of such fireworks is prohibited. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage

without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. FURCOLO). Under previous order of the House, the gentleman from Louisiana [Mr. MORRISON] is recognized for 60 minutes.

HENRY J. KAISER AND ASSOCIATES

Mr. MORRISON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include affidavits, letters, and other extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MORRISON. Mr. Speaker, I take the floor today to place in the RECORD at this time a sworn document prepared by Henry J. Kaiser and his associates which completely refutes all of the charges made against them on May 21, 1952, by Congressman ALVIN E. O'KONSKI, Republican of Wisconsin. Mr. O'KONSKI's charges were inserted in the RECORD on that date.

The gentleman from Wisconsin [Mr. O'KONSKI] notified the press last week that he was prepared to put this information in the RECORD today. However, my distinguished colleague has been unavoidably detained in Wisconsin and will be unable to be present today.

I believe that in all fairness to Mr. Kaiser and his associates, as well as to the press and radio correspondents who have worked so hard preparing stories on this information that it should be included in the RECORD today.

Prior to giving you the text of Mr. Kaiser's document, I would like to read a news release from Mr. O'KONSKI's office, covering this matter as well as some remarks he prepared for inclusion in the RECORD:

WASHINGTON.—Congressman ALVIN E. O'KONSKI, Republican, of Wisconsin, said today that he had received an 85-page document from Henry J. Kaiser and his associates in reply to charges against the industrialist and his companies which the Congressman inserted in the CONGRESSIONAL RECORD on May 21, 1952.

"I have studied the document closely," Mr. O'KONSKI said, "and I am entirely satisfied that it completely refutes all of the charges I inserted in the RECORD. To be fair and consistent, I have devoted equal time and asked that equal space be given the reply as was accorded the charges."

Mr. O'KONSKI emphasized that the "very fact the reply by Mr. Kaiser and his associates was made under oath should be given complete and serious consideration as to its validity and truthfulness."

"Unless information to the contrary is supplied to me," the Congressman said, "I am completely satisfied with Mr. Kaiser's repudiation of my charges. However, if any contrary information is supplied me or one of my colleagues, I sincerely believe that to serve any useful purpose it must be given under oath.

"That is the only fair approach and one that would be consistent with the complete integrity and cooperation displayed by Mr. Kaiser and his associates in this matter."

The following are the introductory remarks of Congressman ALVIN E. O'KONSKI, Republican, Wisconsin, made prior to reading a statement by Henry J. Kaiser and associates into the CONGRESSIONAL RECORD on June 17, 1952:

Mr. Speaker, I firmly believe that no individual against whom charges are made should be refused his just and fair day in court.

The answers given to me by Henry J. Kaiser and several of his associates in reply to a list of charges which I inserted in the CONGRESSIONAL RECORD on May 21, 1952, pages 5694 to 5698, will give Henry J. Kaiser his due and his just and fair day in court.

The very fact that these answers, which I will present to you in a few minutes, were made under oath adds to the strength and validity of Mr. Kaiser's reply.

Unless information to the contrary is supplied to me, I am entirely satisfied that Mr. Kaiser's reply completely refutes every one of the charges I inserted in the RECORD on May 21. If any contrary information is supplied me or any of my colleagues, I sincerely believe that to serve any useful purpose it must be given under oath. That is the only fair approach and one that would be consistent with the complete integrity displayed by Mr. Kaiser in this matter. Mr. Kaiser's reply to my charges follows—

Now Mr. Speaker, the following is a letter from Mr. Henry J. Kaiser:

HENRY J. KAISER CO.,
Washington, D. C., June 12, 1952.

Congressman ALVIN E. O'KONSKI,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN O'KONSKI: Enclosed are our sworn refutations of the false charges made against me and the Kaiser industries in the statement you inserted in the CONGRESSIONAL RECORD on May 21, 1952 (pp. 5694-5698).

The charges supplied to you were distortions and falsehoods from start to finish. Congressional committees have investigated most of these allegations in the past. Sworn evidence and public records have proved their falsity.

There is no doubt that the clandestine source of these reckless falsehoods is a group of selfish interests ruthlessly conspiring to cripple the Kaiser enterprises and ruthlessly bent on preventing the manufacture of airplanes by Kaiser-Frazer Corp.

They have used the big lie technique to the utmost to achieve their ends.

The charge that I am a "bloodsucker" and a "human leech" who "swindles the Government out of millions of dollars a year" infiltrates the tactics of Pravda into the pages of the CONGRESSIONAL RECORD.

Unconscionable men have misled you and misused you—in order to escape swift and sure retribution in a court of law for their malicious slanders. They will not escape.

The following are some high lights of the facts, as contrasted with the incredible untruths supplied by your undercover informants:

The principal charges made are that Kaiser was a flop as a plane builder in World War II; that Kaiser men in Government have improperly given airplane contracts to Kaiser during the present rearmament program; and that Kaiser is not now properly fulfilling these contracts.

The facts are exactly the opposite. Our aircraft production record in World War II was officially proclaimed by the Government as excellent; our present airplane-building contracts did not come to us through Kaiser men in Government; and we are performing these contracts to the letter.

Here is the truth:

PAST AIRPLANE-BUILDING RECORD

Against the claim that Kaiser aircraft production for World War II was "a complete and dismal flop," the facts are—

At Brewster Aeronautical Corp., our management was drafted by the Navy to rescue the plants from complete chaos; our services were donated free; we multiplied Corsair production 30 times; cut man-hours to only one-third of the starting figure and reduced the Navy-guaranteed debt from fifty to twenty-five million dollars. C. E. Wilson, James Forrestal, and the Navy unstintingly commended the Kaiser plane-building records at Brewster.

Kaiser Fleetwings, Inc., produced more than $73,000,000 of aircraft parts, accessories and advance design airplanes during the war and many times won the "E" award and Air Force citations.

We were blocked by Government opposition from mass-producing giant cargo airplanes to fly over the enemy submarine packs in the last war, but we did succeed in the second part of our plan; namely, we built small aircraft carriers at the rate of one a week for a year. This was recognized as one of the major contributions to the war effort.

"MEN IN GOVERNMENT" CHARGE

The charge that I have gained advantages "by placing key men in proper departments of the Government" is diabolically untrue. I have made a practice of refusing to release men for Government service, feeling that to do so would make them the targets for exactly the same kind of malicious attack now made on Clay Bedford. Mobilization Director C. E. Wilson actually drafted Mr. Bedford under demands of patriotic duty. Both Kaiser-Frazer and Chase airplane contracts were entered into by the Air Force before Mr. Bedford was loaned temporarily to defense service. In fact, cut-backs in K-F plane orders occurred after he went to Washington. During Mr. Bedford's entire service in the Defense Department, not a single Defense Department contract, except a minor experimental project, was received by Kaiser-Frazer, Chase, or any Kaiser company. Similar innuendoes about other persons were likewise ridiculous and unfounded.

AIRPLANE PRODUCTION

Against the charge that Kaiser-Frazer has had a contract for a year to produce Chase C-123 assault transport planes, but in that time has not produced a single plane—the facts are that Kaiser-Frazer does not now, nor has it ever had, an Air Force contract to produce C-123's. On August 7, 1951, Chase Aircraft awarded a subcontract to K-F for the building of C-123's at Willow Run. The first C-123 under the Chase contract is scheduled to be delivered during September of this year—only 14 months after contract award. This is fast, being considered about two-thirds normally required time. The first C-123's from Willow Run are scheduled to be delivered 18 months after award to Kaiser-Frazer. Likewise, this is fast, being considered about three-fourths of the normally required time.

Against charges concerning Kaiser-Frazer's manufacture of C-119 cargo planes, the facts are: The Air Force awarded K-F a contract to build C-119's at Willow Run in order to develop a second source in the interest of national defense. Common practice was followed in establishing the second source at Willow Run. Fairchild, the prime contractor, supplied parts at the outset, thereby saving the Government money and accelerating production from the second source. The first C-119's from Willow Run were delivered to and accepted by the Air Force in the month of May. Total recorded costs are not yet available. Therefore, it's impossible for anyone to draw conclusions as to K-F's total costs on the first aircraft. Cost records to date evidence that K-F's aircraft costs on C-119's are following normal industry cost averages on this type aircraft. K-F's costs are not excessive.

Against the untrue charge that a "great extravaganza" was held at Willow Run at dedication of the first C-119—actually a substantial saving of money was made on the airplane dedication ceremony by combining

it with the annual Kaiser-Frazer Employees' Family Day Open House; no champagne or liquor of any kind was served; and there was no lavish entertaining in connection with the ceremony. The costs were borne by Kaiser-Frazer and are not reimbursable by the Air Force.

SHIPBUILDING

The preposterous and long ago refuted claim was revived that "Kaiser was paid the rather handsome sum of $192,287,284" for World War II shipbuilding. The seven Kaiser-managed shipyards actually earned net profits, after taxes and after deducting losses on production of steel and magnesium of less than one-tenth of 1 percent of dollar volume.

MAGNESIUM

Against the claim that Kaiser's magnesium operation was wastefully inefficient, the facts are that we entered the magnesium industry at private risk, while the Government spent $370,000,000 on wartime magnesium plants; our plant was paid for in full with interest; the Government was saved $7,518,000 to $16,951,000 compared with what it would have cost to make the same amount of magnesium we produced in Government-owned plants. Kaiser Magnesium perfected and produced goop incendiaries, which the Army Chemical Warfare Service reported was "the fourth and highest step in the development of incendiaries." We saved the Government $15,000,000 in goop.

ALUMINUM

Against the claim that Kaiser made a "risk-proof" entry into the aluminum industry, the truth is that it was considered such a complete risk that no takers could be found for the war-built aluminum plants among more than 200 concerns. The Government even considered subsidizing some company if it would bring new competition into the industry.

RFC LOANS AND PAYMENTS

The records clearly refute charges made concerning RFC loans to Kaiser companies. The Senate Subcommittee on the RFC, headed by Senator FULBRIGHT, reported there was no evidence that Kaiser-Frazer, directly or indirectly, ever sought or engaged outside aid in negotiations with RFC. An unprecedented fact is that the Kaiser interests, owning less than 10 percent of Kaiser-Frazer stock, have guaranteed $20,000,000 of the Kaiser-Frazer loan, or almost 10 times the current market value of such stock interest. In addition, the subcommittee reported that it does not question the Kaiser-Frazer loans from the standpoint of their repayment.

Kaiser Steel Corp. repaid its wartime RFC loan in full—100 cents on the dollar, plus about $23 million interest; whereas the Government spent $1,300,000,000 for other war steel plants that were sold back to other steel companies for as low as 21 cents on the dollar.

FOUR HUNDRED AND SIXTY-FIVE MILLION DOLLARS SAVINGS

Against unsupported claims that the Government lost money on Kaiser war work, evidence presented to a congressional inquiry showed that Kaiser saved the Government more than $465,000,000 in World War II production of ships and shipyards, magnesium, goop, steel, and bulk cement.

Indicative of liquidation or secret purge, the statement which you inserted in the CONGRESSIONAL RECORD ended by demanding my elimination. It is beyond belief that this could happen in America.

Yet in fairness to you, Congressman O'KONSKI, I want to say that when I publicly denounced these false statements, you promptly replied that you gladly would correct any specifically false charges in the CONGRESSIONAL RECORD. When I personally conferred with you and briefly gave you the facts which refute each charge, you expressed great regret that you had not checked as to the accuracy of the charges before you made them; you declared that you had not intended to inflict the harm that has been done to our dealers, employees, and stockholders.

You declared that you did not propose to be a sucker or tool for any sinister plotters. You agreed that the undercover purveyors of falsehoods should be brought out in the open and unmasked, in order that they could be placed under oath before the bar of public opinion and answer to the Congress, the public and press as to the selfish purposes of their cowardly attacks. You will be deserving of commendation for carrying out your avowal to repudiate the false statements.

I earnestly appeal to the Congress and law-enforcement authorities to protect the public, the American enterprise system and the Government against conspirators who perpetrate the kind of outrageous falsehoods exposed by us in the accompanying statement.

Sincerely yours,

HENRY J. KAISER.

KAISER'S ANSWER TO CONGRESSMAN O'KONSKI'S CHARGES

Henry J. Kaiser's answers, subject by subject, to the statements inserted in the CONGRESSIONAL RECORD of May 21, 1952—pages 5694 to 5698—are as follows:

The charge: A year ago the procurement office of the Defense Department awarded a contract to Kaiser-Frazer to produce 150 Chase C–123 airplanes. Despite the fact that Kaiser-Frazer had a contract for a year, not a single plane has been produced.

The facts:

First. This contract is being performed on schedule.

Second. The prime contract is held by Chase Aircraft Co. Kaiser-Frazer does not now, nor has it ever had a contract from the Air Force to produce the C–123 plane. Chase Aircraft, not Kaiser-Frazer, had a letter of intent to produce production engineering drawings only for the C–123. On June 5, 1951, this was amended to include a production contract for a substantial number of C–123 airplanes.

Henry J. Kaiser Co. owns 49 percent of Chase Aircraft. Henry J. Kaiser Co. also owns less than 10 percent of Kaiser-Frazer.

Third. On August 7, 1951, Chase Aircraft awarded a subcontract, with the approval of the Air Force, to Kaiser-Frazer to build C–123's at Kaiser-Frazer's Willow Run plant, and these planes were to be "phased in" to Willow Run's production of C–119's.

Fourth. The number of C–123's to be produced by Chase was reduced substantially by amendment to the letter of intent on August 14, 1951, and was increased on February 14, 1952. The new total, however, was about 60 percent of the original number of planes that was awarded on June 5, 1951.

Fifth. The first C–123 is scheduled to be delivered during September 1952; or 14 months after the date of the award of the contract. It is our understanding that 20 to 22 months is considered by the aircraft industry as the normal period of elapsed time between award of a production contract for an airplane on which the drawings have been completed and the date of first delivery.

CONCLUSION

Kaiser-Frazer had no contract from the Air Force to build C–123's.

If Congressman O'KONSKI intended to refer to a subcontract between Chase and Kaiser-Frazer, and not with the Air Force, then the number of airplanes quoted was not only incorrect, but the publication of the number is a violation of security regulations. Referring to the subcontract, however, the schedule calls for delivery approximately two-thirds faster than the normal time, and Chase believes that schedule will be met.

The charge:

A few weeks ago the procurement officers of the United States Air Force sent a letter of intent to the Munitions Board which would award this same Kaiser-Frazer outfit a contract to produce 250 more C–123's.

For obvious reasons, the Munitions Board questioned this letter of intent. The Air Force procurement admitted that the letter was unusual—but said it was necessary in order to help Kaiser-Frazer in its other negotiations.

The facts:

Neither Kaiser-Frazer nor Chase knows of any such letter of intent, nor of any other negotiations for which such a letter would be necessary. We are aware of no facts even remotely consistent with this report. We hope the report of an increase in the C–123 program is true. It is a good airplane, and we would be happy to turn out as many as the Air Force wants us to build.

The charge:

A great extravaganza was held at Willow Run plant of Kaiser-Frazer Corp. 2 months ago. Air Force officials and the press lavishly entertained. Champagne overflowing the banks of Willow Run at the dedication ceremony. Planes really built at Fairchild and assembled at Willow Run, and press was led to believe the entire job was done under the C–123 contract at Willow Run.

The facts:

First. No extravaganza was held. The Air Force and press were not lavishly entertained. No champagne or liquor of any kind was served. One bottle of low-priced domestic carbonated wine was used by the sponsor of the first plane for christening.

Second. Traditionally, K-F holds an employees' family day open house. On March 8 the dedication of the first K-F assembled Fairchild C–119 plane and the traditional family day open house were combined with the dedication ceremony, thus saving substantial money on the aircraft dedication. These costs were borne by Kaiser-Frazer and are not reimbursable by the Air Force.

These traditional open houses have been held every year since K-F began operating at Willow Run. A luncheon honoring the sponsor of the first plane and her family—the sponsor was a plant worker whose son, Corp. Robert L. Williams, was killed in Korea, and the plane was named in his honor—was held in the company's courtesy garage for approximately 70 members of the press and

150 invited guests, the majority of whom were suppliers to K-F.

A limited number of Air Force officials from the local Air Force group at Willow Run, the Detroit area, and Wright Field were included in the 150; the Air Force group numbered approximately 20 to 30.

No liquor of any kind was served at the luncheon and the Air Force representatives did not participate in the ceremony, except that they were introduced as guests.

Third. The press was specifically advised by Mr. Edgar Kaiser and Mr. Henry Kaiser at the news conference preceding the luncheon that the first two planes were to be assembled from Fairchild major assemblies; the next three planes would be assembled from Fairchild minor assemblies; the next 25 would be assembled from K–F major assemblies and minor assemblies. Fairchild will furnish small parts in diminishing amounts on subsequent aircraft until plane No. 31. Plane No. 31 and all subsequent aircraft will be built entirely of K–F major assemblies, minor assemblies, and small parts.

At the news conference, great emphasis was placed on the assistance that had been rendered under the technical assistance agreement between the Air Force, K–F, and Fairchild. Public recognition of Fairchild's part in the program was also made by Mr. Henry Kaiser in his remarks at the dedication ceremony.

Fourth. Neither the people nor the Air Force were fooled by the building of the first C–119 at Willow Run from Fairchild major assemblies. This was a specific part of the Air Force's plan. Even more absurd is the charge that Fairchild components were used to prevent an accusation that Kaiser-Frazer had not built any planes under the Chase C–123 contract. This is a different contract for a different plane, and has no connection whatever with Fairchild or with Fairchild components.

CONCLUSION

No great extravaganza was held at the dedication. To the contrary, it was combined with the traditional employees' family day open house, resulting in a substantial saving on the dedication ceremony. Kaiser-Frazer paid the bills.

No champagne and no liquor of any kind was served at the ceremony. One bottle of wine was used by the sponsor to christen the ship.

The press was clearly informed, in detail, as to the relationship under the technical-assistance agreement between the Air Force, Fairchild, and Kaiser-Frazer. Instead of inferring that Kaiser-Frazer was building the entire plane, detailed information was given as to the parts being furnished by Fairchild.

Furthermore, a detailed explanation was given as to why this was done, the reason being it effected substantial savings to the Government because of tool try-out and expedited delivery by the second source, namely, Kaiser-Frazer.

The charge: All Kaiser can do is assemble planes from parts made at Fairchild so why give him contracts for 400 planes. It costs more to build planes at Kaiser-Frazer.

The facts:

First. The number of C–119's under contract with Kaiser-Frazer is not 400. It is less, but release of the exact figure would be a violation of security regulations.

Second. The reason the Air Force awarded a contract to Kaiser-Frazer to build C–119's at Willow Run is because the Air Force considered it necessary to develop a second source in the interests of national defense. Proof of the Air Force's need for additional capacity was that subsequently they awarded a contract to Fairchild to build C–119's at Chicago at the Government-owned Chicago plant—formerly operated by Douglas Aircraft—so as to have a third source.

The understanding between the Air Force, K–F, and Fairchild in connection with the third source at the Government-owned Chicago plant was that K–F at Willow Run would supply parts to Fairchild's Chicago operation in order to accelerate the third source.

Third. It is common practice in developing second sources that they be supplied with parts in the initial stages of production by the prime contractor. The purpose of following this procedure is to save the Government money and accelerate production of the second source.

Fourth. Since a second source for the production of C–119's was considered essential to national defense, the reason Kaiser-Frazer's Willow Run plant was selected was because the Willow Run plant had space available, and thus no new bricks and mortar would be required to build the space necessary for the second source.

Almost 1,200,000 square feet of space is required at Willow Run. This amount of space could not have been built for less than a minimum of $15,000,000.

Fifth. In addition, the fact that civilian work is being performed at Willow Run further reduces the cost because a number of departments can serve both aircraft and automotive. Consequently, the costs to aircraft are less than they would be if only airplanes were being built at Willow Run. Also, manpower was available and housed at Willow Run.

Sixth. If an existing Government-owned plant were available to the Air Force and had to be reactivated, it would cost substantially more if only aircraft had to be undertaken than if it were mixed with civilian work. There also would be an additional cost of securing manpower and housing it.

Seventh. A survey of the available labor force at Willow Run showed that 23 percent had previous aircraft experience, in Willow Run, in World War II. Top management at K-F also had previous aircraft experience in World War II at Brewster, Hammond Aircraft, and Fleetwings.

Eighth. The first C–119's were delivered to and accepted by the Air Force in the month of May. Therefore, recorded costs on the first C–119's are not yet available. It is obvious, therefore, that statements quoting the costs of the first airplane are incorrect, since total recorded costs are not yet available.

Ninth. Extensive cost records are available from the Air Force and industry as to costs on various types of aircraft. K-F's recorded costs to date evidence that the costs are not in excess of industry average costs for this type of aircraft. It is correct that both Fairchild and K-F are building C–119's but apparently those who furnished Congressman O'KONSKI his information do not know that the C–119's built by K-F have numerous engineering and design changes, as well as a completely different power plant, from those being built by Fairchild at Hagerstown. The number of changes, including detailed items, is in excess of 6,000.

CONCLUSION

The number of Fairchild airplanes to be built under contract by K-F was grossly misstated. The statement that it costs more to build planes at K-F, without saying anything else, appears to be intentionally misleading. No reference was made to the fact that the Air Force wanted a second source for C–119's and subsequently, even a third source. Therefore, development of a second source at K-F with the available plant, manpower, and management, plus civilian work in the plant, resulted in the Air Force's being able to have a second source considerably cheaper than if it had to reactivate a Government-owned plant, if it was available, or build a new facility.

Since the first C–119's from Willow Run were delivered in the month of May, actual complete recorded costs are not yet available, so no one could correctly state total cost of the first aircraft delivered from Willow Run.

Fairchild and K-F are both building C–119's, but there are numerous differences in design, detail and power plant between the C–119 built at Hagerstown and the C–119 built at Willow Run. Any cost comparison, therefore, would have to take these numerous changes into consideration. Substantial records evidencing industry average costs are available. K-F's costs to date evidence that K-F's costs are not excessive and, to the contrary, they are following normal industry average trends.

The charge: Henry J. Kaiser announced Kaiser-Frazer would built 17 C–119 cargo planes during 1952.

The facts: Neither Mr. Henry Kaiser nor Mr. Edgar Kaiser made any disclosure of production schedules. Such disclosure would be a violation of security regulations.

There has never been any announcement about how many C–119's Kaiser-Frazer has contracted to produce nor how many would be delivered in 1952 because these figures are classified and to release them would be to violate security regulations.

The present forecast is that Kaiser-Frazer will be on schedule with its contract.

FLYING BOAT

The charge: That Kaiser proposed mass production of 5,000 fabulous flying

boats; that War Production Board refused, but agreed when Howard Hughes' aid was enlisted; that funds to Kaiser were cut off after an investigation; that when Kaiser had to put up a dollar of his own, he got out as fast as he could; that this dream of Kaiser's cost taxpayers $18,000,000 and Hughes $10,000,000; that in this plane project Kaiser was a complete flop.

The facts: In 1942, when Nazi submarine wolf packs were sinking allied shipping faster than ships could be built, Henry Kaiser proposed mass production of both giant cargo planes and of small aircraft carriers.

Our offer to mass produce the big transport planes was given a complete official brush-off and rejected. However, Kaiser did produce the baby flattops, which were a tremendous help in turning the tide of war.

Sworn testimony before a congressional committee—Senate War Investigating Committee, headed by Senator BREWSTER; inquiry conducted by Subcommittee Chairman Senator FERGUSON, July 1947—refutes the above charge. Instead of setting up the Kaiser-advocated mass-production program of planes the Government entered an experimental research and development project, which was in the hands of Howard Hughes. Kaiser withdrew from the project when it became apparent that mass production of the planes had been blocked by the opposition, and that Mr. Hughes could carry forward the only portion of the plan that was not effectively stopped.

However, in the present defense program the military have come to accept the necessity for the mass production of large transport planes.

The small mass-produced aircraft carrier conceived and pioneered by Kaiser proved to be, in the words of British Prime Minister Churchill, one of the decisive weapons toward winning victory in the last war.

Kaiser initiated the program to mass produce aircraft carriers in 1942, despite the fact that the Navy and Government at first rejected the proposal. We pushed for this answer to the heavy enemy submarine toll, despite the fact that it meant reducing Kaiser shipbuilding earnings, since it required discontinuing the building of Liberty ships at Vancouver, Wash., and converting to escort carriers.

Kaiser delivered the aircraft carriers at the rate of one per week for 1 year. High Navy officers later testified that these carriers played a decisive part in the war.

KAISER MANAGEMENT OF BREWSTER AERONAUTICAL CORP.

The charge: That at Brewster "production went even lower under Kaiser's supervision—Kaiser again proved a complete flop."

The facts: The truth is just the opposite. Kaiser donated management of Brewster free to the Government; he multiplied Corsair production 30 times; cut man-hours to one-third of the starting figure and reduced debts 50 percent.

NAVY CALLS ON KAISER

In 1943, Kaiser was asked by the Navy and the Government, specifically by the Under Secretary of the Navy, James Forrestal, to help rescue Brewster Aeronautical Corp., which at that time was described as "the scandalous crazy-house of United States war production."

For more than 18 months prior to the time that Kaiser help was sought, Brewster Corp., in which the Navy had invested millions of dollars, was considered the Navy's prime production headache. Seven different managers had resigned, and chaotic labor-management relations had brought about a congressional investigation.

In more than 1 year under previous managements, the Brewster Corp. had produced only 8 Corsair fighting planes, vitally needed by the Navy.

Kaiser initially declined the Navy's request to take over the management, but Henry Kaiser did agree to become chairman of the board, and on March 16, 1943, assumed the office. Within 6 months Navy officials requested that Mr. Kaiser assume a more direct control of Brewster and take over the active management.

On October 7, 1943, Henry Kaiser yielded to an urgent appeal from Navy Department officials to become president of Brewster Corp. and brought in his own staff. Two weeks later, the Kaiser organization staked its reputation in a pledge to the House Naval Affairs Subcommittee that he would boost Brewster production many times over.

We ironed out labor-management strife, dissolved a strike threat that hung over Brewster, reduced the number of employees, cut down the number of man-hours per plane, reduced the cost of each plane to the Navy, and—most important—increased plane production tremendously.

KAISER'S PRODUCTION RECORD AT BREWSTER

The September 1943 production record under the old management at Brewster was four Corsair fighter planes.

Under the Kaiser staff, the delivery record was as follows:

1943:	
October	14
November	40
December	73
1944:	
January (plant was reorganized this month)	60
February	74
March	101
April	123

In September 1943, prior to the time Kaiser took over, the man-hour record per plane was 24,000.

In October, after Kaiser assumed control, the figure was dropped to about 20,000; in March 1944 it was decreased to 10,000; and in May to 8,000, or one-third that achieved before he took over.

From October 1943 to May 17, 1944, personnel was reduced from 21,500 to 11,500—nearly a 50 percent cut—and yet plane production steadily increased as shown above.

During the 7 months that Kaiser managed Brewster executive and administrative payrolls were reduced by approximately $2,750,000 a year, and a Navy-guaranteed bank loan to Brewster was reduced from $50,000,000 to $25,000,000.

During these 7 months, in addition to the production of Corsairs, existing contracts with Holland and Great Britain for other types of planes also were fulfilled.

By May 1944 the monthly rate of production at Brewster was stabilized at approximately 120 planes—a standard acceptable to the Navy Department—and Mr. Kaiser asked to be relieved.

Kaiser refused any fee or profit from the Brewster operations, which were undertaken only as a public service to the country.

Charles E. Wilson, Chairman of the World War II Aircraft Production Board, wired Kaiser as follows at different times on records established at Brewster:

February 3, 1944: "The Aircraft Production Board is pleased to note that you met your January schedule, and looks forward with confidence to your ability to sustain this achievement in future months."

March 3, 1944: "The Aircraft Production Board notes with pride that our confidence in your company's ability to meet your February schedule has been wholeheartedly proven as indicated by your fine production record for that month."

April 1, 1944: "The Aircraft Production Board recognizes your steady record of sustained production in recent months and congratulates you for your new high in March."

May 3, 1944: "For your April on-schedule performance the Aircraft Production Board extends its congratulations."

Other commendations were received from the Undersecretary of the Navy, James Forrestal and Artemus Gates, the Assistant Secretary of the Navy for Air, as follows:

James Forrestal, Under Secretary of the Navy, wrote Henry Kaiser March 14, 1944: "We are deeply appreciative of the patriotic task which you and the other members of the board of directors and operating committee have undertaken in improving production at Brewster. For the past several months the rate of production of Corsairs at Brewster has steadily increased and there is every indication that further improvement in production would be made under the present management."

Artemus L. Gates, Assistant Secretary of the Navy for Air, wrote Henry Kaiser May 17, 1944: "I would like to thank you for the fine work which you have done at Brewster and the very real contribution you have made to the war effort. You may be sure that the Navy Department is very appreciative of the task performed by you."

FLEETWINGS

The charge: Kaiser Fleetwings was organized in 1942 to manufacture airplanes, and this company never produced any planes. The total capital investment is $500,000, and Henry Kaiser and the Kaiser companies own 75 percent of stock. The balance is held by friends of Kaiser. Also, this venture into the plane business by Kaiser, like all others, was a complete and dismal flop.

The facts: Kaiser Fleetwings—formerly Kaiser Cargo, Inc.—was not organized to manufacture airplanes. At the time it purchased all of the assets of Fleetwings, Inc., of Bristol, Pa., Kaiser Cargo, Inc., operated a wartime shipyard at Richmond, Calif., and produced ships under contract with the Maritime Commission.

The Fleetwings Co., which Kaiser Cargo purchased in 1943, at that time was operating two plants producing component parts for wartime airplanes. These parts were supplied for the World

War II Corsairs, Avengers, B–17 Flying Fortresses, Havocs, Seawolf, and Hughes F–11. This company also made hydraulic valves for aircraft. In addition, it made various experimental aircraft, including a confidential experimental dive bomber, experimental helicopter, several experimental planes, and a secret radio-controlled flying bomb. All told, the company built over $73,000,000 worth of aircraft parts and components during World War II.

The plants operated by Fleetwings were never constructed, tooled, or laid out for the production of entire airplanes in quantity, but were established and operated primarily to provide the component parts, such as wings, fuselage sections, tail sections, and so forth, under subcontract for the types of planes mentioned above.

After the end of the war, when wartime plane procurement was drastically cut back, the company reconverted to peacetime production. It manufactured commercial articles for General Electric, Sears, Roebuck, Kaiser-Frazer, and other companies. In addition, during the postwar years, it did classified work for the United States Navy.

The company is now owned jointly by the Kaiser interests and Sears, Roebuck. In addition to producing automobile doors and deck lids for Kaiser-Frazer, it also manufactures bathroom and kitchen equipment for Sears, Roebuck. Some time ago the name of the company was changed to Kaiser Metal Products, Inc.

The stockholders of Kaiser Metal Products have invested and advanced cash in the aggregate amount of $10,490,000, all of which remains in the company as of this date. In addition, the company, with the cooperation of the stockholders, arranged for a $4,500,000 bond issue for private placement in 1949. The common stock of Kaiser Metal Products, Inc., is owned approximately 40 percent by Sears, Roebuck and 60 percent by Henry J. Kaiser Co. There are no other stockholders.

In 1943 an RFC 10-year loan for $1,000,000 at 4 percent interest was obtained. This loan was paid off in full in 2 years and 9 months.

In addition to the nonmilitary items which the company produces, it currently has under subcontract two very substantial aircraft component programs, namely a subcontract with Martin Aircraft for the production of wings for the Canberra jet and a subcontract for major component parts for the Republic F–84–F jet.

The Kaiser Fleetwings Co. under Kaiser management in World War II received praise and commendations from the Army Air Corps for its production records and was awarded the E many times. One of the major reasons that this company was selected to provide the wings for the important Canberra jet and the tail sections for the outstanding Republic F–84–F was the record of achievement it made in such aircraft component production during World War II.

The charge:

So it contracted with Kaiser-Frazer Corp. to produce automobile doors and deck lids. The price on a cost-plus basis was 75–100 percent higher than previous Kaiser-Frazer suppliers.

The facts: Kaiser-Frazer purchases of automobile doors and deck lids are not made from Kaiser metal products on a cost-plus basis. They are made at fixed prices. Such prices are as low as or lower than competitive prices.

"MEN IN GOVERNMENT" CHARGE

The charge: "How does Kaiser do it? Simply by placing his own key men in proper departments of the Government."

The facts: This statement was manufactured out of whole cloth.

Libelous charges were made against four persons. Here are facts concerning each of the persons named:

CLAY P. BEDFORD

The charge:

Clay Bedford took a leave of absence from the position of vice president of Kaiser-Frazer. He became a special assistant to Director Charles E. Wilson, of the Office of Defense Administration. Later Bedford became Deputy Administrator for Procurement and Production of the Defense Department. Still later Bedford becomes special assistant, believe it or not, to the Secretary of Defense. What a beautiful position to see that certain people get the easy money from the defense billions. Where is Bedford now? You guessed it. After being Secretary of Defense Lovett's expert on breaking production bottlenecks, Bedford suddenly and miraculously became president of Kaiser's Chase Aircraft Corp.

The facts: Clay P. Bedford is one of the foremost production engineers in the United States. He has been associated with the Kaiser organization for over 25 years in numerous dam, highway, and bridge construction projects, such as Hoover and Grand Coulee Dams, the operation of the Richmond, Calif., shipyards during World War II, where Liberty ships were assembled in record time and in as little as 4½ days, and in the manufacture of Kaiser automobiles at Willow Run.

Mr. Bedford did not seek Government employment. Mr. Kaiser did not seek it for him. After Mr. Charles E. Wilson, former president of General Electric Co., became Director of Defense Mobilization, he asked Mr. Kaiser to release Mr. Bedford temporarily from his post as executive vice president of Kaiser-Frazer to serve as a special assistant to the Director of Defense Mobilization. Mr. Wilson will confirm that both Mr. Kaiser and Mr. Bedford resisted the proposal until it was pressed upon them on the ground of patriotic duty.

Mr. Kaiser explained why he felt that Government service would expose Mr. Bedford and the entire Kaiser organization to the type of irresponsible and unjustified attack that is now being made, but Mr. Wilson and Sidney Weinberg, assistant to Mr. Wilson, convinced him under great pressure that even this obvious risk should not interfere with acceptance of a call to duty at a time when younger men were being drafted for military service.

Mr. Bedford originally accepted this assignment with Mr. Wilson for a period of 6 months, beginning in late June of 1951. When the 6-month period was drawing to a close—well before Mr. Bedford had any connection whatever with the Department of Defense—Mr. Kaiser asked Mr. Bedford to become president of Chase Aircraft Co., Inc., in which the Kaiser interests had acquired a substantial interest.

Mr. Kaiser and Mr. Bedford asked Mr. Wilson to approve Mr. Bedford's release in November 1951, and Mr. Wilson refused approval. He prevailed upon Mr. Kaiser and Mr. Bedford to have Mr. Bedford remain with the Government again on the ground of patriotic duty.

Shortly thereafter the Government decided that Mr. Bedford's services were critically required to improve the planning and execution of the procurement programs of the Department of Defense. Again the Kaisers were persuaded to extend his leave of absence.

On January 1, 1952, he was appointed by Secretary of Defense Lovett as a special assistant to work on these problems. After he had remained the agreed length of time—and had extended his 6-month Government commitment to nearly a year—he resigned to become president of the Chase Aircraft Co., as originally planned.

During the entire period of Mr. Bedford's service in the Department of Defense, except for one small development project, neither Kaiser-Frazer Corp., Chase Aircraft Co., nor any other Kaiser firm received a single Defense Department contract.

Mr. Bedford was not even in Government service at the time the Air Force entered into letters of intent for Kaiser-Frazer or Chase Aircraft to build either the C–119 or the C–123.

As a matter of fact, Kaiser-Frazer and Chase had contracts for a larger number of planes before Mr. Bedford entered Government service than they have today.

During the entire period of his Government service Mr. Bedford served without compensation.

In times of national emergency the Government obviously needs the best executive and production talents it can get. The best qualified men are usually found in private industry. The Government often requisitions their services, at great personal sacrifice to these men and at great inconvenience and expense to their companies.

Our Government has been well served by such men as Charles E. Wilson, of General Electric; Harold Boyer, of General Motors; K. T. Keller, of Chrysler; Edwin V. Huggins, of Westinghouse; and Clay Bedford, of the Kaiser organization. Although the companies which employ these men have numerous defense contracts, these companies would have greatly preferred to retain the direct benefit of their services. They are prohibited from taking part in any actions affecting their companies by Executive order of the President and by Federal statute, and they obey these rules.

Charges such as have been made against an able and selfless person like Clay Bedford can only serve to discourage such men from accepting calls to Government duty, and to discourage

their companies from consenting to make them available.

JOHN C. M'CONE

First. Mr. McCone did not at the conference on December 5, 1950, award any contracts to Kaiser-Frazer Corp. Contracts for aircraft were negotiated with and awarded by the headquarters air matériel command at Patterson Air Force Base, Dayton, Ohio, in accordance with usual procedures followed by the Air Force.

Second. Mr. McCone at no time has been in the employ of Kaiser-Frazer Corp. or any company which is owned or controlled by Henry J. Kaiser.

Third. Mr. McCone is not at the present time nor was he at the time of the award of the C–119 or C–123 contracts an officer or director of Kaiser-Frazer Corp. or any of the so-called Kaiser interests.

Fourth. Stock records show that Mr. McCone is not at present nor was he at the time of the C–119 or C–123 contracts a stockholder of Kaiser-Frazer Corp. or any of the so-called Kaiser interests.

Fifth. Neither Mr. Kaiser, Kaiser-Frazer Corp., nor any corporation owned or controlled by Mr. Kaiser has now or ever had any interest in Bechtel-McCone Corp.

Sixth. It is understood that Bechtel-McCone Corp. was liquidated prior to any sale of Kaiser-Frazer Corp. stock to the public. Bechtel-McCone Corp. does not now own nor has it ever owned any stock in Kaiser-Frazer Corp., and none of its officers or directors are now or ever have been officers or directors of Kaiser-Frazer Corp.

Seventh. We have no knowledge regarding Mr. McCone's entry into Government service, except to say that Kaiser-Frazer Corp., Mr. Kaiser, and none of the companies owned or controlled by the Kaiser interests had anything whatsoever to do with Mr. McCone's appointment.

WALSTON S. BROWN

First. Mr. Brown did not leave the Maritime Commission to become secretary of Kaiser-Frazer at the same time. Mr. Brown left the Maritime Commission in October of 1945 to practice law privately in New York with the law firm of Willkie, Owen, Farr, Gallagher & Walton. In September of 1946, this firm became general counsel of Kaiser-Frazer Corp. and Mr. Brown became secretary and a director of the corporation. He does not receive any compensation directly from Kaiser-Frazer Corp.

Second. The conversion of cost-plus-a-fixed-fee contracts to fixed-price contracts was made on the initiative of the Maritime Commission, and was imposed equally on all companies. It was not obtained by Kaiser through assistance and the good offices of Mr. Brown, as incorrectly alleged.

Third. Mr. Brown did not use his good offices to obtain any contracts for any Kaiser companies.

WARREN HUFF

First. Warren Huff is not on leave of absence from Kaiser-Frazer Corp. He has definitely severed all connection with that company.

Second. Warren Huff did not leave the War Production Board toward the end of World War II to go directly to Kaiser-Frazer. Kaiser-Frazer Corp. was organized in August 1945. Mr. Huff joined Kaiser-Frazer Corp. in November 1946 after having served with the OPA.

SUMMARY

No executive officer of Kaiser-Frazer Corp. or any other corporation managed by Kaiser interests has ever taken a leave of absence from any such company for an appointment in Government service, with the one exception of Clay P. Bedford. Kaiser's policy has been that company officers would not accept Government position for the very reason that to do so would subject them and Government to the type of unfair attacks directed against Mr. Bedford. In a few cases where some Kaiser employees—not officers, directors, officials, or top executives—have contributed temporary advisory services to defense agencies; they did so only upon most urgent request of such defense agencies. As to Mr. Bedford, an exception was made to the general Kaiser policy against such leaves and appointment because of urgent pleas from Office of Defense Mobilization Director, C. E. Wilson, and others that he be made available for patriotic service.

The charge:

There is an old saying around Kaiser headquarters. It goes like this: Defense billions of dollars must defend Kaiser first, his friends in Government second, and the Nation third.

The facts: The so-called old saying around Kaiser headquarters is a childish, silly figment of someone's imagination. The charge is absolutely false.

KAISER PREWAR EXPERIENCES

The charge:

Until the outbreak of World War II, Henry Kaiser's only business experience was as a cement contractor building public dams and bridges in the western part of the country.

The facts:

Kaiser organized his own contracting company in 1914, and prior to World War II had, among other things, done the following:

First. Established the largest sand and gravel business in northern California—this business was started in 1921.

Second. Built what became the largest cement plant in the West and one of the two largest in the world, with a capacity of 7,000,000 barrels a year, and distribution the length of the Pacific coast and to Alaska, Hawaii, and other Pacific islands.

Third. Kaiser and associates engaged in more than 1,000 projects as general contractors. These projects aggregated $383,000,000 before the war and included the following:

(a) Numerous road building and paving projects done on a competitive-bid basis for State, local, and foreign governments, including the building of 200 miles of highway and 500 bridges in Cuba.

(b) Performance of large construction jobs for private industry, including many natural gas pipelines.

(c) Participation in the construction of some of the world's largest dams, including Hoover-Boulder, Bonneville, and Grand Coulee, on a competitive-bid basis, at savings over the next lowest bidders amounting to as much as $5,000,000 to $7,000,000 per project.

All of these enterprises were privately financed—Fortune Magazine, July 1951; Appendix of the CONGRESSIONAL RECORD, volume 97, part 14, page A4840.

SHIPBUILDING

The charge: That Kaiser invested nothing and took no risks in shipbuilding:

He merely acted as manager of the Government facilities and for this service he was paid the rather handsome sum of $192,287,284.

The facts: The claim that Kaiser earned $192,000,000 on shipbuilding was exploded in hearings before the House Merchant Marine and Fisheries Committee in September 1946.

The Kaiser-managed companies which built ships also constructed steel and magnesium facilities that supplied essential wartime materials at a loss. Three of the shipbuilding companies earned $22,398,044 after taxes during the five war years, but the fourth lost $18,579,040. Thus, the combined net profit after taxes of the four companies for the five war years was only $3,819,004. This amounted to less than one-tenth of 1 percent of dollar volume.

Even if the losses of the fourth company are not taken into account, the $22,398,044 earned by the other three companies after taxes amounts to about 0.9 percent of the delivered cost of the vessels constructed by these companies, as compared to Bethlehem-Fairfield Shipyard, Inc.'s record of earnings after taxes equal to 1.3 percent of the delivered costs of the vessels built by that company.

The Congressman's statement alleges that the Kaiser shipbuilding earnings were too high, as compared with earnings allowed to other war contractors in the range of 10 percent of gross sales after renegotiation. The shipbuilding fees earned by the four Kaiser-managed companies, after renegotiation, but before taxes, and without any regard whatever for the losses of these companies on nonshipbuilding businesses, were well under the 10 percent mentioned by the Congressman as having been allowed under other war contracts; in fact, they were under 5 percent.

It is also false to state that Kaiser invested no capital and took no risks. The Kaiser-managed shipbuilding companies had an aggregate invested and borrowed capital in excess of $30,000,000, consisting of cash paid for capital stock and private bank loans not guaranteed by the Government. Many of the shipbuilding contracts were for a fixed price, involving substantial risks and even on the cost-type contracts more than $15,000,000 of nonreimbursable costs were incurred.

The above facts were established as a matter of record under oath at the House Merchant Marine and Fisheries Committee hearings into shipyard profits in September 1946.

The charge: That Kaiser arranged with United States Maritime Commission to change his shipbuilding contracts to a fixed-price basis and this enabled

Kaiser to "realize tremendous profits as compared with the modest return of cost-plus contracts."

The facts:

The United States Maritime Commission, not Henry Kaiser, initiated the conversion of cost-plus-a-fee contracts to fixed-price contracts. The Maritime Commission requested all contractors in 1944 who had cost-plus-a-fee contracts to convert to fixed-price contracts. It was in accordance with this request that the conversion of the Kaiser shipbuilding contracts took place. At that time there were conversions of other shipbuilding contracts of such companies as Bethlehem, Newport News, and Consolidated Steel Corp.

Mr. Walston Brown was one of the United States Maritime Commission officials who helped to work out these conversions, which were imposed equally on all companies. Mr. Brown had no connection of any kind with the Kaiser organization, nor did he have any connection whatsoever with Kaiser or do any legal work for any Kaiser company until 1946.

It is absurd to criticize Kaiser for giving full cooperation to the Maritime Commission's cost-saving fixed-price policy, when the fact of the matter was that chief criticism heretofore has been directed at some companies which allegedly abused the cost-plus-a-fixed-fee system.

The Kaiser shipyard contracts with the United States Maritime Commission were on the same terms and conditions as contracts the Commission had with other shipbuilding companies for the same type of vessel.

Liberty ship cost-plus-a-fixed-fee contracts with man-hour incentives, the so-called price-minus-target-price contracts for C-4's and tankers and Victory ship contracts, all carried the same fee and the same man-hour bogey or target price for identical ships awarded at the same time.

When conversion was made to fixed price or selective price, the same prices and the same recapture of profit provisions were contained in all contracts covering the same type of ships.

The truth is that Kaiser vigorously combated and eliminated wasteful practices in war work generally. He publicly advocated that war contractors be put on a competitive basis and be forced to eliminate hoarding, waste of labor, and other costly inefficiencies that might be bred under cost-plus contracts.

Charges that the Government lost money through World War II shipbuilding contracts with Kaiser have been riddled by sworn testimony and evidence in every congressional inquiry into such allegations.

The investigation by the House Merchant Marine Committee in 1946 produced the following as to dollar and time savings to the Government brought about by Kaiser shipbuilding operations, as compared with the average performance of other companies:

Dollars saved on Liberty ships and shipyards (up to June 1, 1944)	$263,077,000
Time saved on Liberty ships (days per ship)	27.6

STEEL

The charge:

Kaiser's next Government-sponsored project, the steel industry, was a wonderful deal, not only because it yielded him a tidy return on almost no investment, but also because it provided a wonderful device for rendering his shipbuilding profits practically exempt from Federal taxes. The shipbuilding company paid $100,000 for all of the capital stock of the Kaiser Steel Co. The United States Government loaned the steel company $125,000,000 and also permitted it the privilege of accelerated depreciation on its facilities. Thus, during the early years, while the Kaiser Steel Co. was being organized on Government funds and was not returning a profit on its own, the profits of the shipbuilding company were being written off for tax purposes by amortization of the steel facilities. While other taxpayers earning a comparable income were being taxed at 90 percent, Henry Kaiser merely converted his profits into lucrative steel-producing facilities and thus retained nearly 100 percent. Kaiser always has friends in every department of the Government who take care of him.

The facts:

When steel for shipbuilding was in short supply in World War II, Henry Kaiser took the initiative to increase the supply of steel on the west coast.

At a time when the Government was spending $1,300,000,000 for building wartime steel plants, principally for and by the big steel companies, Government officials denied Henry Kaiser's proposal for a west-coast steel plant to aid the war effort.

Frustrated and disappointed in his efforts to get an assured west-coast source of steel, so that shipbuilding in west coast yards would not continue to suffer because of shortages and delays from eastern mills, Henry Kaiser tried another method.

With courage, he undertook the risk of borrowing money for a west-coast wartime steel plant. At a time when the Government was paying for new steel plants, Kaiser borrowing a total of $111,805,000 from the RFC—in 1945 the RFC loaned an additional $111,500,000 for a moderate postwar reconversion program, bringing the total to $123,305,000. This was a national-defense loan and was recommended by the War Production Board and officially certified by the Board as being necessary for war.

Kaiser Co., Inc.—renamed Kaiser Steel Corp.—was then operating three west coast shipyards. It had a paid-in capital of $100,000; but, in addition, $13,750,000 of private funds was supplied for operating capital. This was all brought out and is in the record of the extensive public hearings on shipbuilding profits held in September 1946 by the House Merchant Marine and Fisheries Committee.

A certificate of necessity was granted to Kaiser Co. for the wartime Fontana, Calif., steel plant, authorizing accelerated amortization. Jesse Jones, then head of the RFC required as a condition of the loan that Kaiser obtain a certificate of necessity and pledge the profits from the Kaiser Co., Inc., shipyards to the RFC.

Congressman O'KONSKI failed to state that other taxpayers received a total of over $6,000,000,000 of certificates of necessity authorizing accelerated amortization. Accelerated amortization was authorized by Congress in late 1940 to induce the expansion of defense facilities. The companies, both large and small, and especially some of the largest in America, obtained large amounts of accelerated amortization and applied it against their wartime profits. The large corporations in Mr. O'KONSKI's own State of Wisconsin received substantial accelerated amortization and Government money—for example: A. O. Smith Corp., Milwaukee, $51,600,000; Allis Chalmers, $37,570,000. Industries in Wisconsin obtained a proportionate share of accelerated amortization granted in World War II—CPA report on War Industrial Facilities Authorized July 30, 1946.

Kaiser was far from being unique in this. Thousands of companies followed this practice which Congress authorized for defense purposes—report on War Industrial Facilities Authorized July 1940–August 1945, Civilian Production Administration, July 30, 1946.

Contrary to Congressman O'KONSKI's statement that "Kaiser always has friends in every Department of the Government who take care of him," Kaiser had extreme and violent opposition to his plan to build a west-coast steel plant. The Government's Defense Plant Corporation built and supplied Government steel plants for operation by United States Steel to the extent of $440,000,000; Republic Steel, $194,000,000; and the entire steel industry to a total of $1,300,000,000 without risk to the steel companies of any of their own capital.

What happened to Kaiser's Fontana steel plant?

Henry Kaiser rushed construction in 1942. Even though he was held up until months after the Government-owned plants by the big steel companies were authorized, his Fontana plant, half the size of the gigantic Geneva, Utah, plant—cost to the Government, $191,000,000—was rushed to completion and outproduced it during the war.

Fontana Kaiser plant wartime production, 1,209,000 tons.

Geneva, Government owned. Built for Government and operated for Government account at no risk by United States Steel. Wartime production, 1,148,600 tons.

The Government took a huge loss on the Geneva, Utah, plant:

Construction cost [1]	$191,210,000
Sale price to United States Steel	40,000,000
Total	151,210,000
Income on wartime operation (United States Steel took no risk—it operated the plant for the Government under a management contract)	8,109,000
Government loss	143,101,000

Loss per ton of steel produced in wartime (1,148,000) tons, per ton: $124.60.

[1] Defense Plant Corporation (a wartime Government corporation) records show this plant cost at over $200,000,000. The Surplus Property Administration report to Congress dated Oct. 8, 1945, shows the Geneva project cost the Government $202,493,208. The $191,000,000 figure is from a 1946 War Assets report on the sale of the Geneva plant to United States Steel Corporation.

This $124.60 is what the steel cost the Government over and above the wartime OPS price for the steel.

At the same time, Kaiser's Fontana plant was producing and selling steel at the established OPS ceiling price. Kaiser had taken the risk and lost money.

In addition, Kaiser paid interest at 4 percent to the Government, a total of $9,380,000 in wartime or for each of the 1,209,000 tons produced $7.75 per ton. The Government absorbed no loss on Fontana, but instead, was paid interest.

Note: Total interest paid to RFC by Kaiser Steel was $22,989,604.

The steel produced at the Geneva, Utah, plant cost the Government $124.60 more per ton than did the steel Kaiser produced at his Fontana plant—a total additional cost of approximately $143,000,000.

Then what happened after the war?

Henry Kaiser was stuck with a big one-product steel plant and a $100,000,000 RFC loan at 4 percent. Government officials had only allowed him to build a plant primarily for the production of ship plate. His competitors, the big steel companies, purchased most of the best Government-owned plants at very favorable prices.

Notable was the Government sale to United States Steel of the $191,000,000 Geneva, Utah, plant for $40,000,000—21 cents on the dollar—Senate Subcommittee Print No. 8, Seventy-ninth Congress, report of the Surplus Property Subcommittee, Committee on Military Affairs, May 24, 1946. Defense Plant Corporation's reports show this plant cost over $200,000,000.

Altogether United States Steel picked up a total of $328,000,000—War Assets Administration quarterly reports to Congress—in Government-owned plants for 33 cents on the dollar; Republic Steel, $91,000,000—Senate Subcommittee Print No. 13, Seventy-ninth Congress, report of the Surplus Property Subcommittee of the Committee on Military Affairs, December 30, 1946—for 30 cents on the dollar; Inland Steel, $35,000,000 for 38 cents on the dollar, and so on.

Six hundred million dollars' worth of the Government-owned steel plants were sold after the war to various steel companies—other than Kaiser—for $197,000,000—an average of 33 cents on the dollar—War Assets Administration quarterly reports to Congress.

Kaiser's alleged friends could not approach that. The best they could do was to hold Kaiser at 100 cents on the dollar, plus 4 percent interest.

Kaiser, since the war ended, has paid back every cent he borrowed from the RFC for the wartime Fontana plant, $123,305,000 plus $22,989,604 in interest—Appendix of the CONGRESSIONAL RECORD, volume 97, part 12, page A2789; part 14, page A4840; RFC records on this loan.

Since the war ended Kaiser Steel Corp. has privately financed a total of $180,000,000. Postwar plant expansion at Fontana completed and under way—all with private funds—is in excess of $80,000,000.

This private financing is all a matter of record with the Securities and Exchange Commission, Washington, D. C., and was carried Nation-wide in daily papers and news magazines. Also see Appendix of the CONGRESSIONAL RECORD, volume 97, part 14, page A4840.

The Kaiser Steel Corp.'s Fontana plant has been a boon to the economy of the west coast, particularly to hundreds of small businesses who depend upon it as a source of steel.

MAGNESIUM

The charge: That Kaiser heard the War Production Board had ordered RFC to build a magnesium plant and so he rushed to Washington with a proposal that RFC loan him the money to do it; that Kaiser's operation was wastefully inefficient, and so forth, and that, of course he and his fellow shareholders received handsome dividends.

HOW KAISER ENTERED THE MAGNESIUM INDUSTRY

The facts:

Kaiser, through Permanente Metals Corp., entered the magnesium industry at private risk. In the fall of 1940, Kaiser, realizing magnesium's importance for defense, initiated the idea of building a magnesium plant, but military and Government authorities resisted and said "No," claiming there was enough capacity. RFC finally granted Permanent Metals a loan in January 1941, to build the magnesium plant, when the need for more magnesium was recognized by the newly formed Office of Production Management as necessary for defense. The War Production Board did not authorize or order the RFC—Defense Plant Corporation—to build any magnesium plant until several months later. The Jesse Jones book from which Congressman O'KONSKI quoted has several other misstatements in it regarding the Permanente magnesium plant. At the time Kaiser initiated the Permanente magnesium plant, Kaiser had not yet built a single wartime ship, no person or agency had ordered RFC to build a magnesium plant anywhere, let alone at the site near Los Altos, Calif., which Kaiser alone selected.

It was not until months after Kaiser had initiated this magnesium project that the Office of Production Management—predecessor of the War Production Board—authorized a $370,000,000 Government-owned magnesium program. Meanwhile Kaiser's privately owned plant was well under way—Surplus Property Administration Report to Congress, December 7, 1945.

KAISER'S PERFORMANCE

Kaiser's plant produced 20,597,528 pounds of magnesium ingot and 82,000,000 pounds of magnesium "goop" incendiary material during the most critical stage of the war period—Truman Committee Report March 1944, part 17—while the Government-owned plants were being built.

The Government did not lose 1 penny on the Kaiser Magnesium operations. Kaiser paid the $28,475,000 RFC loan in full plus $3,262,761 in interest. No one received any dividends whatsoever from the magnesium operations.

The security requirements of the RFC loan were established by RFC's Jesse Jones. They included mortgage on all facilities, a pledge to RFC of Permanente's shipbuilding profits and the obtaining of a certificate of necessity authorizing accelerated amortization.

Permanente had a wartime paid-in capital of $100,000 to $460,000 plus $8,500,000 of private funds used for operating capital.

COMPARATIVE OPERATION AND CAPITAL COSTS

Permanente's operating costs were not nearly as high as they were for most of the Government-owned magnesium plants. Actually they were much lower than for most of the Government plants built at a cost of $370,000,000.

For example, the Las Vegas, Nev., Government-owned magnesium plant which the gentleman from Wisconsin, Congressman O'KONSKI, referred to cost $132,700,000. It produced 162,000,000 pounds of magnesium from its inception to VJ-day.

The average production cost at the Las Vegas plant was much greater than the 18 cents per pound stated by the gentleman from Wisconsin, Congressman O'KONSKI. The fact is the lowest direct operating cost—exclusive of overhead, interest, and depreciation—was 18.02 cents per pound and that was reached in only one month—July 1944—of the entire wartime production. Operating costs at Las Vegas were higher in preceding and subsequent months and the average per pound operating costs for all of the wartime production was nearer 30 cents per pound than the 18-cent figure used in the O'Konski statement—Part 47, Future of Light Metals hearing before the Special Committee To Study and Survey Problems of Small Business Enterprises, United States Senate, Murray committee, Surplus Property Administration Report to Congress, December 7, 1945, page 24, and records of the Government Defense Plant Corporation.

Also in this operation the Government assumed all the bills. The managers of the plant originally, Basic Magnesium, later succeeded by Anaconda Copper, took no risk and were paid a management fee at so much per pound of magnesium produced.

The Government sold the Las Vegas magnesium plant which cost $132,700,000 for $24,000,000 and took a loss of $108,700,000 or 68 cents additional cost every pound of magnesium produced. This loss, added to the operating costs, brings the total cost to over $1 per pound and gives some idea of the millions the Government lost on the Las Vegas operations with magnesium then selling at 22 cents per pound.

The approximate 10 cents per pound—$2,500,000—the Government paid to assure much-needed wartime magnesium from Permanente was small indeed compared with the huge losses the Government absorbed on the Las Vegas operation.

Large operating losses were also incurred on several of the other Government-owned plants such as Mathieson, Lake Charles, La.; Ford Motor, Dearborn, Mich.; Anico, Wingdale, N. Y.; International, Austin, Tex.; Dow Magnesium, Government part, Marysville, Mich.; New England Lime, Canaan, Conn.; Electrometallurgical, Spokane, Wash.; and so forth. The operating

costs of these plants were in excess of the OPA ceiling price and the Government subsidized—absorbed—the difference. In addition the Government has taken a large facility loss on many of them—Surplus Property Report to Congress, December 7, 1945, War Assets Administration Reports and Records and Reports and Records of Defense Plant Corporation.

The following table shows the comparative cost to the Government for magnesium obtained from Kaiser's Permanente plant and from Government-owned plants as given below:

Wartime magnesium cost to Government per pound: From Kaiser plant, 33.8 cents; from Government-owned plants, 70.3 cents to $1.161.

Per pound magnesium ingot: Kaiser production was 20,597,528 pounds. Total cost to Government, $6,961,964; equivalent cost from Government-owned plants would range from 20,597,528 times 70.3, $14,480,062, to 20,597,528 times 1.161, $23,913,730.

Net savings to Government on Kaiser ingot from $7,518,098 to $16,951,766.

The 33.8 cents per pound cost from Kaiser's plant includes the premium paid by the Government—through Metals Reserve Corporation, a Government corporation which in wartime paid premium prices for strategic metals totaling hundreds of millions of dollars to induce and assure adequate supplies—over the OPA ceiling price to maintain production at Permanente on a break-even basis. This was done at a time when the Government was absorbing far higher costs per pound in most of its own plants.

The costs shown for the Government plants include the operating costs plus the net loss the Government absorbed on the cost of the facilities. The 70.3 cents to $1.161 per pound range cost for the Government plants represents the range from the highest to the lowest.

MAGNESIUM GOOP

In the production of magnesium "goop," incendiaries, Kaiser technicians perfected the "goop" at Kaiser expense. This "goop" was credited by the military with being "the fourth and highest step in the development of incendiaries for the Army and Navy Air Forces." The Permanente plant operated at capacity until VJ-day.

Kaiser saved the Government at least $15,000,000 on the "goop" produced at Permanente compared with what it would have cost the Air Force to have the incendiary produced synthetically elsewhere.

The Truman committee reports on Kaiser's operations in the magnesium field gave the following findings:

Even during the period when the Metals Reserve contract was in operation, the cost per pound paid to Permanente was materially less than the costs incurred in operating various facilities constructed and operated with Government funds.[1]

The production by Henry J. Kaiser had been of great value to the program because it was obtained when the scarcity was great.

Subcommittees of the committee have twice inspected the facilities being built by the Kaiser organization at Permanente, Calif., and were impressed with the speed and efficiency with which the facilities were built, the future possibilities of a low-cost process for production of pure magnesium, and likewise believe that the Kaiser organization is to be commended for its attempts to provide magnesium for the defense program so vitally needed.[2]

The Chemical Warfare Service, United States Army, through Capt. G. E. Dawson, on August 29, 1945, issued the following appraisal of the Kaiser-developed magnesium incendiary:

The goop bomb was really the fourth and highest step in the development of incendiaries for the Army and Navy Air Forces. To shorten up a long story, the goop bomb and other incendiaries did so well against the industrial strongholds of Japan that nearly 160 square miles of industrial areas were bombed out. You helped immensely to shorten the war and save thousands of American lives.

Congressman O'KONSKI also stated that Kaiser and his fellow shareholders—in the magnesium plant—"did not end up with anything in the way of valuable Government assets which is usually the case."

Since the Permanente magnesium plant was privately owned and entirely paid for by Kaiser and his fellow shareholders there were no Government assets involved.

ALUMINUM

The charge:

Permanente died as far as magnesium was concerned in 1945, but it was revitalized in 1946 when Henry got his hands on some very valuable aluminum facilities. The facilities in question were built by the Government and operated by Alcoa during the war. Kaiser obtained these facilities on a risk-proof lease-purchase arrangement from the War Assets Administration, along with below-cost contracts for Federal power to operate the facilities from the Federal Bonneville Power Administration.

The facts:

The aluminum leases were not risk-proof. They were 100-percent risk to Kaiser.

The Government had a great deal of difficulty in persuading private enterprise to operate the aluminum plants built during the war. Because of the Government's then pending antitrust suit against the Aluminum Co. of America—the wartime operator of the plants and the sole primary aluminum producer in the United States up to 1940—the Government decided not to lease or sell the plants to Alcoa, and, beginning in the summer of 1945, sought to persuade other companies to enter the aluminum business.

During 1945, the RFC, then in charge of surplus-property disposal, sent telegrams to 220 nonferrous and other metal firms to solicit their interest in operating the aluminum plants. RFC received little encouragement in the few replies it received and, on August 2, 1945, Mr. Sam Husbands, an RFC director, went so far as to propose that the plants be leased under arrangements which would require the Government to bear all losses in exchange for a share in the profits. In hearings conducted by a joint Senate committee—hearings on aluminum plant disposal conducted by subcommittees of the Committee on Military Affairs, and of the Special Committee on Postwar Economic Policy and Planning, and by the Special Committee To Study and Survey Problems of Small Business Enterprises—in October 1945, a number of prominent industrialists testified that they would not consider entering the aluminum business in competition with Alcoa under any circumstances.

Even today the enormous investment and experienced organizations required, as well as the risks, have created great difficulties since the start of the conflict in Korea for efforts on the part of the Federal Government to interest new operators in entering the primary aluminum industry.

The responsibility for disposing of the aluminum plants after World War II was transferred in succession to the Surplus Property Administration, the War Assets Corporation and the War Assets Administration. These agencies continued their efforts to dispose of the plants.

The Surplus Property Administration in September 1945 submitted a report to Congress, setting forth in considerable detail both the risks and opportunities facing anyone ready and willing to enter the aluminum business and to operate the Government plants.

WAA made vigorous efforts to dispose of the plants through the winter of 1945–1946, but the only responsible bidders it could find were the Reynolds Metals Co., which had entered the aluminum business in 1940, and the Permanente Metals Corp., a Kaiser-managed corporation.

During 1946, Permanente leased the Baton Rouge alumina plant, the Mead reduction plant and the Trentwood rolling mill, while Reynolds Metals leased four comparable plants. The terms of all seven leases were substantially identical, and were in no sense risk-proof.

(a) Permanente was not accepted as a lessee until it established a $15,750,000 line of credit from a commercial bank. The bank would not extend such line of credit until an agreement was given to it by the existing stockholders of the Permanente Metals Corp., including the Henry J. Kaiser Co., guaranteeing that through additional investment or subordinated loans, such corporations would maintain current assets at least equal to current liabilities.

(b) Under the leases, the lessee was required to pay a substantial minimum annual rental, regardless of profit or loss or rate of production. In addition, the lessees were required to pay substantial production rentals based on the volume of production achieved at the plants, regardless of the rate of profit or loss.

The power contracts with the Bonneville Power Administration were in no sense below cost. They were the usual contracts issued by Bonneville to industrial users, at the identical rates charged to others, such as the Aluminum Co. of America for the operation of its reduction plant at Vancouver, Wash.

[1] Annual report, Truman committee, March 1944, part 17.

[2] Truman committee report, March 1944, part 17.

The power contracts included no special concessions of any kind. Moreover, while the plant leases permitted the company to cancel after a reasonable period if the operation was unprofitable, the power contracts were for a period of 10 years—at a minimum obligation to the company of approximately $7,000,000.

These facts can readily be confirmed by references to the hearings conducted before the Senate Small Business Committee—Murray committee—in March 1945; the Senate Special Committee Investigating the National Defense Program—Truman committee—in August 1945; and the joint hearing of the Subcommittee on Surplus Property of the Committee on Military Affairs; Special Committee To Study and Survey Problems of Small Business Enterprises; and Industrial Reorganization Subcommittee of the Special Committee on Postwar Economic Policy and Planning—the O'Mahoney committee—in October 1945; the Surplus Property Administration's report on aluminum plants and facilities dated September 21, 1945; the War Assets Administration's First Supplementary Report to Congress dated February 12, 1947; and the Attorney General's Report to Congress on the Aluminum Industry dated September 19, 1945. Pertinent facts are also set forth in the Appendix of the CONGRESSIONAL RECORD, volume 97, part 14, page A4840.

The charge:

The rights were first given to Kaiser-Frazer but as soon as their potential value was realized, they were quietly transferred to Permanente Metals wherein Kaiser personally had a much larger share. In the first 11 months of operating these facilities, Kaiser and associates reported a net profit before taxes of over $8,000,000. The original investment in Permanente Metals, now Kaiser Aluminum & Chemical Corp., has never been added to by Henry Kaiser or associates, but at the market close on March 8, 1952, their stock was worth $87,780,000 and they had received cash dividends in excess of $11,000,000 since 1946. The United States gave him these assets for next to nothing. No matter what department of our Government had something to hand out Kaiser was always the first to be taken care of.

The facts:

Of the Government aluminum plants leased or purchased by Permanente, only one had any connection with Kaiser-Frazer. The original contingent letter of intent for the Trentwood rolling mill, really no more than a hunting license, was issued to Kaiser-Frazer, but shortly thereafter the Kaiser-Frazer board of directors, and particularly the members of the board not affiliated with the Kaiser interests, objected to the use of corporate funds for an aluminum venture, when these funds had been obtained by the sale of securities to the public for the purpose of manufacturing automobiles.

As a result, Kaiser-Frazer assigned to Permanente its rights and liabilities—including the duty to make substantial rental payments—under the contingent letter of intent for Trentwood in exchange for the right to purchase from Permanente up to 40 percent of Trentwood's output of aluminum sheet for use in Kaiser-Frazer's manufacturing operations for a period of up to 7 years.

No more was known about the potential value of these rights at the time the assignment was made than was known at the time the so-called letter of intent was issued. The assignment was authorized by Kaiser-Frazer only 2 months after issuance of the letter of intent, prior to the time the plant had been occupied and the lease had been executed. At that time, no one, other than Henry Kaiser and some of his immediate staff, had any confidence in the aluminum business.

It is also worth noting that the decision to put Permanente Metals in the aluminum business in 1945 and 1946 was opposed by some of the non-Kaiser directors and stockholders of Permanente. One substantial group of stockholders felt so strongly that they sold their stock interest in Permanente to the Kaiser group and left the company. When the Permanente board considered accepting the assignment of the Trentwood letter of intent from Kaiser-Frazer, three non-Kaiser directors of Permanente dissented on the ground that the risks of competing with Alcoa were too great.

The transfer of these rights from Kaiser-Frazer to Permanente has been attacked by a minority group of Kaiser-Frazer stockholders. Both the legal validity of the transfer and the conduct of Mr. Kaiser and his associates throughout the course of these developments have been approved by the United States District Court for the Eastern District of Michigan. See the opinion of Judge Picard reported at Ninety-third Federal Supplement, page 13 (E. D. Mich. 1950). Judge Picard summarized his findings as follows:

Objecting stockholders assert that Trentwood was Kaiser-Frazer's corporate opportunity and now insist that Kaiser-Frazer should get all three plants. They claim that everybody knew that there were large profits awaiting anyone who could get Trentwood.

As for this theory these facts are overwhelming:

1. That Kaiser-Frazer never had any rights in Mead or Baton Rouge at any time;

2. That Kaiser-Frazer never had the possibility of giving the Government what it wanted—an integrated aluminum industry;

3. That Permanente had the first legal corporate opportunity to get each and all three plants;

4. That Permanente was in the field for Trentwood 4 years before Kaiser-Frazer was born;

5. That Kaiser-Frazer's most powerful stockholder, Henry Kaiser, worked to take Trentwood away from Permanente and give it to Kaiser-Frazer although he had started out only interested in Trentwood as a source of supply for Kaiser-Frazer;

6. That three of Permanente's largest stockholders refused to go along with Henry Kaiser on Permanente's leasing of Trentwood. The letter of intent represented no corporate opportunity to them;

7. That Kaiser-Frazer's directors, other than Henry and possibly Edgar Kaiser, didn't want Trentwood;

8. That only Henry Kaiser's complete control over Permanente compelled Permanente to accept the letter of intent with misgivings;

9. That Trentwood, alone, presented no corporate opportunity for Kaiser-Frazer; and

10. That the Trentwood letter of intent was of doubtful value—even a possible liability.

We believe and hold that the corporate opportunity was Permanente's—not Kaiser-Frazer's.

It is not true that the original investment in Permanente Metals has never been increased by Henry Kaiser or associates. When Permanente went into the aluminum business it already had a net worth of over $4,000,000. In order to qualify as an eligible lessee for the Government plants, Permanente also had to obtain a line of credit of $15,750,000 from commercial banks.

This line of credit was obtained only on the condition that the existing stockholders of Permanente, including Henry J. Kaiser Co., would, under certain conditions, invest additional funds subordinated to the bank's loan. This was done at a time when other responsible businessmen, far more experienced in the nonferrous metal business, were saying they would not take the risk of leasing the Government plants and entering the aluminum business in competition with Alcoa.

It is also false to state that the United States gave him these assets for next to nothing. Through July 1, 1949, when Permanente—now Kaiser Aluminum & Chemical Corp.—purchased the Mead, Trentwood, and Baton Rouge plants, the company had paid substantial annual rentals to the Government. The purchase price of the three plants was $36,000,000, and this sum has been paid in full.

The company has also purchased the Tacoma aluminum reduction plant for $3,000,000, and the Newark, Ohio, rod and bar mill for $4,500,000, and these amounts have also been paid in full. Rental, purchase, and interest payments to the Government on all five plants have totaled $56,303,798. These aluminum plants were purchased at prices and upon terms and conditions comparable with or less favorable than prices and terms of sale of surplus plants to others. Instead of having five idle white elephants on its hands when the rearmament effort began in 1950, the Government has had the benefit of five efficient, well-managed aluminum plants operating at 100 percent of capacity.

In addition, it has had a company which could and did embark on a plant-expansion program since the Korean conflict began. This will increase its capacity by more than 100 percent. The total private financing of Kaiser Aluminum since 1948 is in excess of $215,000,000.

The story of Kaiser Aluminum & Chemical Corp. exemplifies the best traditions of our free-enterprise system. It proves that even today a new postwar company, with capable and efficient management, with the imagination to visualize a business opportunity where others could see only failure, and with the willingness to risk private capital on the strength of its own judgment, can still succeed.

AUTOMOBILES

The charge: Kaiser's genius falls short when it comes to producing automobiles; Kaiser-Frazer took advantage of Graham-Paige facilities and a starving automobile market; from 1948 on production and sales declined steadily and losses were incurred.

PRODUCTION—SALES

The facts: Our automobile production record is one of our proudest achievements. Kaiser-Frazer today has more than 700,000 automobiles on America's highways in less than 6 years of production.

When this figure is compared with the Ford Motor Co.'s record of 350,000 units in its first 10 years of production, and the fact that it took General Motors 6 years and Hudson, one of the independent producers, more than 10 years to turn out their first 400,000 automobiles, the Kaiser-Frazer production record is good.

It is true that conditions under which Kaiser-Frazer began operations were different from those in the early part of the century. But they were not any easier.

It is true that Kaiser-Frazer inherited from the war a ready-made market, a Nation eager to buy automobiles. But this fact was in no way an aid to production. To the contrary, abnormal demand for cars and other manufactured goods was matched by an equal demand for raw materials and tools with which to make them. Kaiser-Frazer, the newcomer, was at a distinct disadvantage in the drive for production material. Nevertheless, the company surmounted obstacle after obstacle to take its place in the most competitive industry in America. It is the first independent to break into the industry in more than 20 years.

The early history of General Motors is replete with struggles for survival and success comparable to Kaiser-Frazer's struggles.

In 1948—December 20—General Motors executive vice president, M. E. Coyle, testified as follows before the Senate Subcommittee on Profits of the Joint Committee on the Economic Report:

So the first period of about 1908 to 1920 was the formative period in General Motors, rather troublous times. There were a couple of periods when it might have checked out, as a lot of others have done.

However, no attempt was made in the unfounded charges read into the CONGRESSIONAL RECORD to explain why Kaiser-Frazer lost money during the last 3 years. There was no effort to tell the American people that Kaiser-Frazer had been struck a serious financial blow by the Cleveland investment banking firm of Otis & Co. which defaulted on a contract to underwrite a Kaiser-Frazer public stock offering in 1948. The impression left by the statement in the CONGRESSIONAL RECORD was one of sheer mismanagement and failure. Nothing could be more removed from the truth.

Unparalleled in financial history, Otis & Co.'s failure to perform under the terms of its contract completely disrupted Kaiser-Frazer's plans for orderly financing and development.

Failure on the part of Otis & Co. to fulfill its contractual obligations specifically caused postponement of Kaiser-Frazer's second phase of financing which would have made it possible to solidify the company's position in the automobile industry on the basis of the tremendous progress, financial and otherwise, which had been made in the first two and one-half years of operation.

Because the Otis & Co. action resulted in the collapse of the stock offering it was impossible for Kaiser-Frazer to increase its production to a total of 1,500 cars a day as it had contemplated or to make the basic 1949 model change-over that had been planned. Consequently, the company was deprived not only of the funds that were to be obtained from the sale of the stock, but also the additional working capital and profits resulting from increased production and sales. And when the buyers market developed in 1949, Kaiser-Frazer was at an extreme competitive disadvantage because of the lack of a new model.

In the light of the facts, it is not difficult to see why production and sales fell off. The Otis & Co. default was the blow which eventually made it necessary for Kaiser-Frazer to seek RFC aid.

The unfavorable publicity that followed the default of the underwriters shook public confidence in Kaiser-Frazer. In addition, a systematic propaganda campaign was started against the company which is quite obviously still operating today. It is a campaign of harassment based on malicious falsehoods and the "big lie" technique. It is designed to embarrass and discredit the management of Kaiser-Frazer.

Despite the enormous difficulties which have beset it since 1948, Kaiser-Frazer has made progress. It has consistently reduced its losses in the last 3 years and is looking forward, on the basis of present sales and production forecasts, to a modest profit on its automobile operation in 1952.

The charge: Government gave K-F a big boost into automobile business by selling $42,000,000 Willow Run plant for a paltry price of $15,100,000.

The facts: Kaiser-Frazer leased the Willow Run plant from the Government in 1945, and purchased it in 1948. Kaiser-Frazer was the highest and, so far as is known, the only responsible bidder who offered to lease the plant when it was first placed on the market.

The rental terms paid by Kaiser-Frazer under the lease, as well as the purchase price when the plant was purchased, compare very favorably from the Government's standpoint with comparable leases and sales of manufacturing plants. Taking the automobile industry alone, the following tables illustrate the rentals per square foot realized by the Government on leases of plants to automotive companies, and the percentage of original cost realized on sales to such companies. As can be seen, the amounts paid by Kaiser-Frazer were among the highest paid by any automotive company.

TABLE A.—*Examples of War Assets facility leases to automotive companies*

Lessee and location	Plancor No.	War cost (millions of dollars)	Reproduction cost (millions of dollars)	Manufacturing area (square feet)	Annual rental per square feet	National security clause
					Cents	
General Motors, Flint, Mich	317	4.2	3.6	563,000	43.6	No.
Electric Auto Lite, Kings Mills, Ohio	Nobs-1399	3.2	2.1	134,000	37.2	No.
Portable Products Co., Philadelphia, Pa.	NOrd 1137	.4	.5	122,000	32.8	No.
A. C. Spark Plug Co., Milwaukee, Wis	220	2.1	1.9	405,000	31.2	Standard.
General Motors, Kansas City, Mo	Navy Aircraft Plant 2.	17.4	8.5	1,751,000	38.6	No.
General Motors, Ambridge, Pa	Nobs-464	9.3	4.8	410,000	36.8	No.
Kaiser-Frazer, Willow Run, Mich	151	43.6	(1)	[2] 3,090,000	45.3	No.

[1] Not available.
[2] Includes 430,000 square feet of warehouse building.

Source: War Assets Administration.

TABLE B.—*Examples of war assets facility sales to automotive companies*

Purchaser	Plancor No.	NSC	Location	War cost (millions of dollars)	WAA fair value (millions of dollars)	Sales price		Percentage	
						Per square foot	Millions of dollars	To war cost	To fair value
Studebaker	40	Yes	South Bend, Ind	16.1	4.0	2.48	3.6	22	90
Ford	284	No	Dearborn, Mich	14.3	4.5	(1)	4.8	34	106
Briggs	282	No	Detroit, Mich	3.3	2.8	(1)	2.3	70	82
Kelsey-Hayes	1277	No	Monroe, Mich	13.5	3.6	(1)	2.5	19	70
General Motors	1033	No	Cleveland, Ohio	6.2	(1)	(1)	1.9	31	(1)
Nash	719	No	Kenosha, Wis. (engine).	4.6	(1)	(1)	1.1	24	(1)
Autolite	10	Yes	Lockland, Ohio	41.0	10.5	1.49	8.4	20	80
Bendix	14	Yes	South Bend, Ind	(1)	1.5	(1)	1.1	(1)	73
K-F	151	Yes	Willow Run, Mich	43.6	16.7	5.00	15.1	34.5	90.5
General Motors	(1)	(1)	Kansas City, Mo	17.4	(1)	4.00	[2] 7.0	40	(1)

[1] Not available.
[2] Option.

Source: War Assets Administration.

The charge: Kaiser-Frazer got a tremendous boost by purchasing from War Assets Administration a Utah blast furnace and arranging a lease on a Cleveland blast furnace; despite these subsidies the company couldn't compete.

BLAST FURNACES

The facts:

It already has been pointed out that Kaiser-Frazer did not enter the automobile business in times that were normal, both from the viewpoint of demand and manufacturing problems.

The abnormal demand for automobiles and other manufactured items in the immedate postwar period was tremendous. Consequently, the machines and raw materials needed to produce them were also in tremendous demand.

A newcomer to the automobile industry, Kaiser-Frazer found itself an outsider when it sought to place orders for steel. It was told that it had no historical position in the industry and, consequently, would have to take what was left after all the established car manufacturers received their allotments of steel.

In the spring of 1946 Mr. Henry Kaiser, Edgar F. Kaiser, and Mr. Joseph W. Frazer personally called on the presidents of most of the major steel companies to determine what amount of steel could be made available to Kaiser-Frazer for its new line of cars. Not a single major steel company would make a commitment to Kaiser-Frazer.

It became apparent that if Kaiser-Frazer was to begin operating its assembly lines, it would have to invest some of its resources in steel producing facilities. This was done.

In December 1947, Kaiser-Frazer decided to buy the Provo, Utah, blast furnace from the Government. The purchase was consummated in the spring of 1948 for $1,150,000, with 10 percent down payment, not for $782,000 fully deferred as Mr. O'KONSKI charged in the CONGRESSIONAL RECORD. The highest competing bid was $300,000—hearing before the Joint Committee to Study Problems of American Small Business, August 25, 1948, and records and reports of War Assets Administration.

This blast furnace was an old second-hand one owned and operated by United States Steel at Joliet, Ill. United States Steel sold it to the Government—Defense Plant Corporation—during World War II in 1942. The Government assumed the cost of dismantling, shipping, and reerection at Provo, Utah, and the building of appurtenance and beehive coke ovens.

United States Steel operated the plant without risk under a wartime management contract. Operational difficulties made production costs high and production was low. Production started July 1, 1943, and ceased February 14, 1944—even in the midst of war—because production costs were very high.

The furnace only produced 68,000 tons of pig iron in its 7½ months of operations. The average production cost—exclusive of interest and depreciation—was $33.88 per ton. Sixty-seven thousand eight hundred and eighty-four tons were sold—by the Government—at the OPA ceiling price which averaged $19.80 per ton—records of Defense Plant Corporation and Surplus Property Administration report to Congress, October 8, 1945. The Government subsidized, that is, absorbed the difference of $956,906. It is evident that Kaiser-Frazer took a white elephant off the Government's hands.

Kaiser-Frazer spent almost $2,000,000 on renovating the facility and adding equipment to it. In addition, a housing project was built for workers in the coal mines and in the coke-oven plant.

The furnace was brought into blast in the first half of 1948 and was operated until the end of April 1949. Pig iron from the furnace was sold largely at market prices to the Bethlehem Steel Co. for use in its west-coast plants in return for which Bethlehem sold to Kaiser-Frazer on the east coast hot- and cold-rolled sheets and hot bands.

The Federal Housing Administration called on Kaiser-Frazer at that time to supply considerable tonnages of pig iron to west coast cast-iron soil pipe producers. We accepted these allocations as a public responsibility even though, so far as we knew, we were the only captive furnace called upon to supply the housing program.

In August of 1948 we were advised by the War Assets Administration that a large blast furnace at Cleveland was up for sale. This blast furnace, Plancor 257, had been built by Republic Steel in World War II for the Government. Republic had operated it under lease. War Assets took bids; received two—Republic Steel and Tucker—and after deliberation rejected these bids. Efforts were made by War Assets to then negotiate a satisfactory lease or purchase with Republic Steel. These negotiations reached a stalemate in August 1948, when Republic refused to meet the War Assets terms and gave notice it was closing down the furnace on August 31, 1948—hearings of August 25, 1948, before a joint Senate and House committee. The property was a scrambled Government-owned facility being operated at the time under month-to-month lease by Republic Steel Corp.

Kaiser-Frazer notified WAA that it was not interested in bidding to buy the furnace. War Assets Administration then proposed a 20-year firm lease, with option to purchase, to Kaiser-Frazer. It was a 20-year lease giving an option to purchase the facilities at $15,200,000 and calling for monthly rentals based on the production of pig iron and coke. Kaiser-Frazer accepted the proposal.

Contrary to Mr. O'KONSKI's misleading charge in the CONGRESSIONAL RECORD, however, there were no valid offers in excess of the terms of the firm 20-year lease War Assets made with Kaiser-Frazer.

War Assets had previously received and rejected proposals from Tucker and Republic Steel which were lower than the terms of the lease made with Kaiser-Frazer. The following is quoted from congressional hearings on disposition of the furnace conducted by a Special Joint Committee to Study Problems of American Small Business on August 25, 1948:

Mr. Jess Larson (then Administrator of the WAA): "I would like to make this point clear, that at no time did Republic Steel Corp. ever make an offer to purchase for $13,600,000. They made an offer to lease for 20 years and after they paid us $13,600,000, plus some depreciation and less some interest, that the plant would then be theirs, but that they would not be obligated to take it."

Congressman BENDER, Republican, Ohio: "How much better is Kaiser's deal for the Government than the Republic deal?"

Mr. LARSON: "Well, this deal which we are getting ready to firm up now will bring into the War Assets Administration $1,549,500 a year (over a 10-year contract)."

Congressman BENDER: "How much better is that than the Republic deal?"

Mr. Larson: "That is about $280,000."

After the lease on the blast furnace was consummated with War Assets, Kaiser-Frazer completed an operating agreement with Republic and leased the furnace to the steel company. By this arrangement, there was no loss in production, and production was not stopped by Republic on August 31, 1948. Republic also received from Kaiser-Frazer $2,375,000 to build a new open hearth furnace and certain other facilities. In turn, Kaiser-Frazer received an option to purchase fixed amounts of pig iron at market prices as well as sheet steel for the life of the contract. The furnace was subsequently purchased by Republic Steel Corp., to which Kaiser-Frazer had assigned its rights.

RFC LOANS

The charge: Kaiser could not compete despite War Assets Administration subsidies. Kaiser went to RFC for help but had a $16,000,000 bank loan which RFC Review Committee doubted could be repaid. Pledged Willow Run plant as collateral on RFC loan while Kaiser-Frazer still owed the Government on the plant. The loan was fantastically ill-advised and dishonest to the core. Irregular procedure used in loan negotiations. Second loan granted to Kaiser-Frazer Sales Corp. although RFC doubted the ability of the company to make cars. Kaiser-Frazer being operated to line the pockets of Kaiser executives and ex-Government officials.

The facts:

There were no War Assets Administration subsidies. The blast furnaces which Kaiser-Frazer obtained from War Assets were purchased or leased at better prices than the Government could get elsewhere.

Kaiser-Frazer did apply to the RFC in September 1949 for a loan of $30,000,000. The reasons for this all stem from the Otis & Co. default on its underwriting contract in early 1948. Kaiser-Frazer also had an outstanding bank loan of $16,000,000, but contrary to the statement in the CONGRESSIONAL RECORD the banks were satisfied as to the prospects of repayment.

The Willow Run plant constituted only a small part of the collateral which the Kaiser-Frazer Corp. gave for the RFC loan. Equipment and installations in the Willow Run plant which were the property of Kaiser-Frazer and not previously mortgaged to the Government, had a loan greater than the purchase price of the plant itself.

In addtion to a chattel mortgage on this equipment the RFC received mortgages on other plants of K-F and a pledge of notes and other securities.

Furthermore, the first $15,000,000 of loss on the loan was guaranteed by Henry J. Kaiser Co., such guarantee in turn being secured by a pledge of marketable securities.

To say that the loan was fantastically ill-advised and dishonest to the core indicates only one thing—complete ignorance of the facts and the wholly malicious intent of the person supplying the Congressman this charge.

The Subcommittee on the Reconstruction Finance Corporation of the Senate Banking and Currency Committee stated in its report on July 19, 1951, after a complete and comprehensive review of K-F negotiations with the RFC:

> The alternative to approve of the first Kaiser-Frazer loan application was liquidation of the applicant's enterprise. Liquidation would have had serious effects on the company's employees, on its dealers, its distributors and suppliers and their employees, on its investors, and at least insofar as reputation was concerned, on Henry J. Kaiser and his associates in what are known as the Kaiser interests. "The effects which liquidation of the automobile company would have had on the Kaiser interests would undoubtedly have been felt in important American industries other than the automobile industry and they might have had important repercussions in those other industries. In the circumstances it was a difficult decision which the RFC was called upon to make.

The subcommittee also stated in its report:

> The subcommittee does not question the Kaiser-Frazer loans from the standpoint of their repayment, though repayment may ultimately be made from the proceeds of defense contracts and other operations not contemplated by the borrower or the RFC when the first loan was made.
>
> It is impressive that the other RFC loans to Kaiser-managed companies[3] have been repaid and that these enterprises have refinanced themselves by obtaining capital from private sources.

The accusation that the Kaiser-Frazer loan was not negotiated through proper channels also is erroneous. Every step in the loan negotiations was carried on properly and honestly. On February 22, 1951, Mr. Edgar F. Kaiser, president of Kaiser-Frazer, appeared before the subcommittee on the RFC and testified under oath concerning the manner in which Kaiser-Frazer's negotiations with the RFC had been conducted. Mr. Kaiser said:

> I want to state positively that neither I nor any executive of our company ever sought or engaged outside aid, directly or indirectly, to enter into or further negotiations with the RFC. We have always dealt directly and exclusively with officials of the agency, both at the regional office in Detroit and at the RFC headquarters here. There is no question about the facts on this subject because all of these negotiations were carried on either by me or by members of my executive staff.

In its report on the Kaiser-Frazer loans on July 19, 1951, the subcommittee stated:

> The validity of this statement (Mr. Edgar Kaiser's) has not been challenged by any evidence presented to the subcommittee or found in its staff studies on the Kaiser-Frazer loans, and nothing in this report is to be construed as a challenge to its validity.

The CONGRESSIONAL RECORD statement asks what happened to the "smelly Kaiser RFC deals exposed by the Senate Investigating Committee." There was nothing to expose and the subcommittee's report is evidence of this fact.

The attempt to make it appear as though Kaiser-Frazer considered itself so fortunate to get the first loan that it immediately ran back for more distorts the facts. Actually, the RFC knew at the time Kaiser-Frazer asked for the first loan that it proposed to ask for an additional line of credit. In the letter of transmittal applying for the first loan Mr. Edgar F. Kaiser advised the RFC that "we propose to make a further application for a line of credit in the amount of $15,000,000"—report of Subcommittee on Reconstruction Finance Corporation of Senate Banking and Currency Committee, July 19, 1951—for Kaiser-Frazer Sales Corp.

The charge that a question had arisen as to whether Kaiser-Frazer was being operated to make money as a corporation or to line the pockets of Kaiser and the ex-Government officials who arranged the deals and the loans is ridiculous.

The Henry J. Kaiser Co. would hardly have given a $20,000,000 guarantee to the RFC on the Kaiser-Frazer loans if an attempt was being made to drain Kaiser-Frazer of its assets and line some pockets.

There probably has never been another case in the history of the RFC, or in American industry, where a group owning 10 percent interest in a company pledged $20,000,000 of the group's own resources, or nearly 10 times the current market value of its stock ownership to protect the investment of those persons holding a 90 percent interest in the same company.

MISCELLANEOUS CHARGES AGAINST K-F

The charge: That Kaiser-Frazer stockholders' equity has virtually been wiped out and that the company faces insolvency.

The facts:

This is untrue. Those who supplied the Congressman with this story apparently did so for the calculated purpose of shaking confidence in the financial status of Kaiser-Frazer.

The charge that 1952 will be a loss year for Kaiser-Frazer—the statement placed in the CONGRESSIONAL RECORD claimed in one place that Kaiser-Frazer losses in the last 3 years ending December 31, 1951, exceeded $60,000,000 and in another place it states this loss as $65,000,000; both figures are incorrect; the 3-year loss was $55,898,000. The cumulative loss since the company started operations has been $46,578,000—does not conform to the outlook reported to the annual stockholders' meeting by Edgar F. Kaiser, president.

He stated that K-F was in the process of adjusting its automotive organization to Willow Run's present rate of auto production, so that, if presently forecast sales of Kaiser and Henry J's are maintained in the ratio forecast, automotive operations, independent of defense operations, will show a modest profit in the last half of this year.

As for over-all operations, Edgar Kaiser told the stockholders:

> Our forecasts show, on the basis of present schedules of production and estimated sales, a profit will be made for the year as a whole.

As a matter of fact, were the assets of Kaiser-Frazer to be revalued at their present-day worth, the net worth of Kaiser-Frazer would be considerably more, and not less, than that shown on its balance sheet. For instance, physical properties carried on the balance sheet at $52,000,000 were recently valued by the independent engineering firm of Coverdale & Colpitts at $99,000,000.

In fact, Congressman O'KONSKI charges that the Willow Run plant carried on the Kaiser-Frazer books at less than $15,000,000 actually has a worth of $105,000,000. If the Congressman is right in his valuation of the Willow Run plant, Kaiser-Frazer actually had a net worth at the end of the year of more than $100,000,000.

The charge: Judge Augustus Hand held that "the Kaiser-Frazer prospectus with respect to its 1948 issue was definitely misleading and fraudulent."

The facts:

This is not true. The United States Court of Appeals for the Second Circuit did not find any fraud in connection with the prospectus. It merely held that an earnings table in the prospectus was misleading on the grounds that a footnote was not sufficiently explicit.

The decision of the court of appeals leaves undisturbed the findings of the District Court that Otis & Co. conspired to cause a lawsuit to be brought in order to have an "out" under its underwriting contract.

Application is being made by Kaiser-Frazer to the United States Supreme Court to review the decision of the court of appeals.

The charge:

> Can it be that Henry Kaiser also has friends in the Securities and Exchange Building?

The facts: This is typical of the innuendoes and untruths which pervade all of the accusations made by Congressman O'KONSKI. There has never been any doubt about the thoroughness with which the SEC checked the prospectus. So far as Kaiser-Frazer was concerned, it had nothing to hide, as the Congressman tries to intimate, and consequently did not have to resort to friendships, a method he seems to know a great deal about, to have its prospectus approved.

The charge: That defense money is being used to bail out Kaiser-Frazer.

The facts: No funds have been advanced by the Air Force to Kaiser-Frazer. Kaiser-Frazer does have a regulation V loan from three private banks on which repayment of principal and interest is guaranteed in part by the Air Force.

There has been no attempt by the Air Force or any other procurement agency to bail out Kaiser-Frazer. Contracts were awarded on the basis of the plants which Kaiser-Frazer owned and could make available for the performance of

[3] Fontana steel plant, $123,305,000 plus interest of $22,989,604; Permanente Magnesium, $28,475,000 plus interest of $3,262,761; Fleetwings, $1,000,000 plus interest of $77,500; total, $152,780,000 plus interest of $26,329,565.

defense work and the production record of its executive staff.

The CONGRESSIONAL RECORD statement gives an erroneous impression that Willow Run was suddenly designated for airframe manufacturing in order to bail out Kaiser-Frazer financially. More than 2 years prior to the award of the C–119 plane contract the Air Force had designated the Willow Run plant for the production of military aircraft.

This designation and all negotiations and discussions were based on the fact that Willow Run, in World War II, was an airframe—B–24 bombers—manufacturing plant for the Air Force. When the plant was purchased by K-F, the Government insisted on including a national security clause in the deed, giving the Government the right to convert the plant to defense production at any time.

The Air Force initiated discussions in the fall of 1948, culminating in negotiations for an industrial preparedness study in the fall of 1949. At the outset, prior to the commencement of the Korean conflict, the Kaiser-Frazer Willow Run plant was designated by the Air Force for potential manufacture of the B–50 bomber. Then in April 1950, prior to the Korean outbreak, Willow Run was designated in the industrial mobilization planning to build the more modern B–47 bombers.

However, when the Air Force proposed to have C–119's built at Willow Run, instead of bombers, Kaiser-Frazer officials were informed that the air experience in Korea made it imperative to switch plans for Willow Run from bombers into cargo planes. Kaiser-Frazer accepted the new assignment that Air Force strategy and requirements dictated for Willow Run, having done nothing whatever to influence the decision as to which type of aircraft K-F should build.

The above facts are a matter of public record and can be checked by reference to the Senate Banking and Currency Subcommittee's Report on Loans to Kaiser-Frazer, issued July 19, 1951.

RFC LOANS TO KAISER ENTERPRISES

The charge:

With the granting of the above two loans, the total indebtedness of Kaiser interests to the RFC reached a figure of approximately $140,265,000. In November 1949, loans to Henry J. Kaiser and his breed amounted to 32.4 percent of the total amount of such RFC loans. A Government representing over 150,000,000 people has no business operating a finance company to support 1 out of that 150,000,000 citizens, and I cannot believe that objective thinking motivated the RFC when it committed its funds in this ridiculously overbalanced fashion. It was merely a plot of Government officials saying, "Kaiser, we will take care of you—but you must take care of us."

The facts:

The above figures grossly distort the proportion of RFC loans made to Kaiser-managed companies, either in November 1949 or any time before or since.

At the end of its fiscal year on June 30, 1949, RFC had loans and participations in loans outstanding to private corporations and individuals of about $1,200,000,000, including bank, railroad, real estate, and industrial loans.

Of this total, the only outstanding loan to any Kaiser enterprise was the remaining unpaid balance of about $95,000,000 on the wartime loan for the construction of the Kaiser steel plant at Fontana, Calif., or approximately 7.9 percent of the total loans outstanding.

At the end of its fiscal year on June 30, 1950, RFC had loans and participations outstanding to private corporations, railroads, financial institutions, industrial and commercial enterprises, and individuals of about $1,900,000,000.

Of this total, the only loans to any Kaiser enterprise were the remaining balance of the Kaiser Steel loan—about $90,000,000—and loans of $44,400,000 to Kaiser-Frazier Corp. and its subsidiaries, or approximately 7.1 percent.

The Kaiser Steel loan was paid off in full in November 1950 long before its maturity. At the end of its fiscal year on June 30, 1951, RFC had loans and participation in loans outstanding to private corporations and individuals of approximately $740,000,000.

Of this total, the only loans to any Kaiser enterprise were loans of approximately $60,000,000 to Kaiser-Frazer Corp. and subsidiaries. This amounted to about 8.1 percent of the total loans outstanding.

At the most recent date available—March 31, 1952—RFC had loans and participations outstanding to private corporations and individuals of approximately $720,000,000.

Of this total, the only outstanding loan to any Kaiser enterprise was the remaining unpaid balance of approximately $54,793,350—of the $54,793,350 total outstanding March 31, 1952, $7,682,000 of the amount available to the borrower was then in cash collateral account held by RFC making the net outstanding $47,111,000; as of May 21, 1952, the net had been reduced to $44,527,000—on the loans to Kaiser-Frazer Corporation and subsidiaries. This amounted to about 7.6 percent of the total RFC loans outstanding.

This may be compared with the Baltimore & Ohio Railroad's outstanding indebtedness to the RFC of approximately $73,000,000, which is approximately 10.1 percent of the total RFC loans outstanding.

Three of the Kaiser loans, aggregating $152,780,000 were World War II defense loans, of which the steel plant—Fontana—loan—$123,305,000—was certified as necessary for war by the War Production Board; the magnesium plant loan—$28,475,000—was certified by the Office of Defense Production as necessary for war, and the third loan—Fleetwings—for $1,000,000 was certified by the War Department as necessary and essential to increasing war production of fighter and bomber plane subassemblies, and all have been paid off in full with interest at 4 percent. Interest alone paid on these three loans totaled $26,329,865.

The subsequent loans made to the fourth company, Kaiser-Frazer Corp., are in good standing and are not in default. The Senate Banking and Currency Subcommittee—Fulbright—Report on these loans, published July 19, 1951, stated:

The subcommittee does not question the Kaiser-Frazer loans from the standpoint of their repayment.

The above figures can be checked from the published annual reports of the RFC and published financial statistics of the Kaiser companies concerned. Some of the congressional hearings and reports which refer to those RFC loans are given below:

Hearings before Senate Banking and Currency Committee, March 27, 28, 1946.

Hearings before Special Subcommittee To Investigate the RFC, Senate Banking and Currency Committee, December 3, 11, and 12, 1947; January 14, 15, 16, and 22, 1948.

Hearings before the Senate Banking and Currency Committee on the Fontana Steel Loan, January 22, and 23, 1948.

Hearings before Subcommittee of Senate Banking and Currency Committee to study operations of the RFC, May 8, and 9, 1950; February 21, 22, 23, 26, 27, and March 1, 1951.

Report of Subcommittee of Senate Banking and Currency Committee to study operations of the RFC, entitled "Loans to Kaiser-Frazer Corp. and Kaiser-Frazer Sales Corp.," July 19, 1951.

GENERAL CHARGES

The charge: That Henry Kaiser is a "bloodsucker" and a "human leech" and should be "eliminated."

The facts:

The reckless nature of these statements indicates that the persons and interests who instigated the baseless charges are engaged in a conspiracy to do great damage to the work of Henry Kaiser and the Kaiser industries.

Other drives have been made in the past to eliminate the competitive force of Kaiser; other ferocious attacks have been made under cloak of congressional immunity, but repeatedly the truth has overcome the attacks.

Yet here in a free land which does not engage in liquidation and secret purges without trial, there is printed in the CONGRESSIONAL RECORD a brazen, startling demand that Henry J. Kaiser be eliminated.

The wildness of the falsehoods and of this demand to eliminate Kaiser indicates that hidden parties and selfish interests are now resorting to violent, undercover plotting aimed against the defense contributions being made by the Kaiser industries.

Such efforts rightly become a direct concern of the Government, particularly of the Congress, which has it within its power to investigate, expose, and stop the perpetrators of these injustices.

The charge: It is known that at this very moment negotiations are under way for further RFC loans.

The facts: The Congressman's statement is completely erroneous. There has not been nor is there now an application pending with RFC. Harry A. McDonald, RFC Administrator, has categorically denied within the last week

that a loan application is pending. His denial was carried by the Detroit Times.

AFFIDAVIT

STATE OF CALIFORNIA,
County of Alameda, ss:

Henry J. Kaiser and E. E. Trefethen, Jr., being duly sworn, depose and say:

1. We are officers of Henry J. Kaiser Co., Kaiser-Frazer Corp., Kaiser Steel Corp., Kaiser Aluminum & Chemical Corp., and other companies managed by the Kaiser organization.

2. We have read the account beginning on page 5694 of the CONGRESSIONAL RECORD for May 21, 1952, of the speech delivered by Congressman O'KONSKI, of Wisconsin making various charges against the Kaiser organization.

3. We have personal knowledge of certain matters referred to by Congressman O'KONSKI and have caused a careful investigation to be made with respect to other matters mentioned by him, and we have read the statement to which this affidavit is attached. Based on our personal familiarity with those matters within our knowledge and our investigation of other matters, we hereby affirm that the facts set forth in the foregoing statement are true to the best of our knowledge and belief.

In witness whereof we have hereto set our hands and seals this 9th day of June 1952.

HENRY J. KAISER,
E. E. TREFETHEN, Jr.

Subscribed and sworn to before me this 9th day of June 1952.

[SEAL] MARIE E. SCHWAB,
Notary Public in and for the County of Alameda, State of California.

My commission expires May 26, 1954.

AFFIDAVIT

Edgar F. Kaiser and Chad F. Calhoun, being duly sworn, depose and say:

1. We are officers of Henry J. Kaiser Co., Kaiser-Fraser Corp., Kaiser Steel Corp., Kaiser Aluminum & Chemical Corp., and other companies managed by the Kaiser organization.

2. We have read the account beginning on page 5694 of the CONGRESSIONAL RECORD for May 21, 1952, of the speech delivered by Congressman O'KONSKI, of Wisconsin, making various charges against the Kaiser organization.

3. We have personal knowledge of certain matters referred to by Congressman O'KONSKI and have caused a careful investigation to be made with respect to other matters mentioned by him, and we have read the statement to which this affidavit is attached. Based on our personal familiarity with those matters within our knowledge and our investigation of other matters, we hereby affirm that the facts set forth in the foregoing statement are true to the best of our knowledge and belief.

In witness whereof we have hereto set our hands and seals on the dates shown below.

EDGAR F. KAISER.
CHAD F. CALHOUN.

Subscribed and sworn to before me in the County of Washtenaw, State of Michigan, by Edgar F. Kaiser, this 11th day of June 1952.

[SEAL] GERTRUDE A. HEWITT,
Notary Public in and for the County of Washtenaw, State of Michigan.

My commission expires October 16, 1953.

Subscribed and sworn to before me in the District of Columbia, by Chad F. Calhoun, this 12th day of June 1952.

[SEAL] CATHERINE A. COPPOLA,
Notary Public in and for the District of Columbia.

My commission expires August 31, 1956.

The SPEAKER pro tempore. [Mr. PURCOLO]. Under previous order of the House, the gentleman from New York [Mr. COLE] is recognized for 10 minutes.

LEASING MILITARY AIR TRANSPORT PLANES TO PRIVATE OPERATORS

Mr. COLE of New York. Mr. Speaker, I would like to call to the attention of the House another clear-cut example of a short-sighted policy on the part of the military leaders that is costing the taxpayers of this Nation millions of dollars annually. I refer, Mr. Speaker, to the present policy being followed by the Air Force in leasing military air transport planes to private operators for ridiculously low monthly rentals. These rentals are agreed on by the Air Force and the lessee without any consideration of competitive bidding and result in a waste of almost $4,000,000 a year.

Mr. Speaker, I have long been concerned about this matter and, as I shall detail, I have been in communication with the Air Force in an attempt to obtain an understanding of their policy and to make them do everything possible to lease these costly transport planes on a basis fair to everyone—especially the taxpayer.

In early January it came to my attention that the market value of transport type aircraft, both new and used, had increased substantially. Specifically, aviation trade publications indicated that C–54 airplanes were selling as high as $600,000 each and were being leased at a rate in excess of $150,000 per year.

Knowing that the military services were leasing C–54 aircraft to individuals and air carriers, I directed a letter on January 14, 1952, to Hon. Thomas K. Finletter, Secretary of the Air Force, asking the number of C–54 aircraft the military had out on lease, the lease rate, lease terms, and other data pertinent to a determination of whether the Air Force was reflecting the increased value and demand for C–54 aircraft in the rates they were charging.

On February 19, 1952, I received a reply from Mr. R. L. Gilpatric, Undersecretary of the Air Force detailing the information I had requested.

The Air Force has out on lease 38 C–54 aircraft for 30 of which they are receiving a monthly rental of $4,821 each, and for 8 of which they are receiving a monthly rental of $3,000 each.

Mr. Gilpatric indicated in his letter that due to the great increase in value of C–54 aircraft, he had been giving much thought to changing the present leasing policy. He advised that he has asked the Air Staff to make a complete review of the entire problem, and, as part of that study, to consider whether the existing leases should not be terminated, either all at one time, phased over the period, or allowed to continue until their present terms expire, which is August, September, and December of 1954.

Among other considerations enumerated, was the possibility of leasing the aircraft on a competitive bid basis rather than attempting to adjust rentals to current commercial rates, which may change during the term of the particular lease.

On June 9, 1952, a check with the Air Force indicated that the above study was not yet complete, and that there had been no increase in these rates on C–54 aircraft.

To determine the present lease rates being charged by individuals and air carriers among themselves on the open market, I obtained from CAB public records the present lease rates for 13 such aircraft, and found that the monthly rental per C–54 ranged from $8,000 to as high as $20,000. The average monthly rental for these 13 aircraft was $13,000.

It is a matter of simple arithmetic to determine that the Air Force is receiving a monthly rental of $168,630, or a yearly rental of $2,023,560. If the Air Force charged the present rate charged by commercial lessors of C–54 aircraft, they would receive $494,000 per month instead of $168,630, or $5,928,000 a year instead of $2,023,560—resulting in an increased annual income of $4,000,000 a year.

I submit, Mr. Speaker, that the information I have made public here shows that the present Air Force policy in leasing these aircraft is not only wasteful and unwise but a disservice to the American taxpayer. This situation should be corrected immediately. Certainly the Air Force has had sufficient time to complete the study which Mr. Gilpatric said it was making. The study has been going on for at least 6 months, and in the meantime another $2,000,000 has been wasted. The entire situation warrants, in my opinion, an immediate change of policy, which will result in a saving to the taxpayer of some $4,000,000 annually.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted as follows:

Mr. CHELF and to include a statement by Mr. John Watts before the Committee on Agriculture.

Mr. LANE in three instances and include extraneous matter.

Mr. HERLONG and to include a speech delivered by a distinguished citizen in his district.

Mr. MULTER in three instances and to include extraneous matter.

Mr. FORAND and to include editorials.

Mr. PRICE in three instances and to include extraneous matter.

Mr. SMITH of Wisconsin in two instances and to include extraneous matter.

Mr. DONDERO and to include a short article.

Mr. D'EWART.

Mr. AUCHINCLOSS and to include three short poems.

Mr. TOLLEFSON and to include extraneous matter.

Mr. MURDOCK in two instances and to include extraneous matter.

Mr. VAIL (at the request of Mr. MARTIN of Massachusetts) and to include extraneous matter.

Mr. O'HARA to revise and extend remarks he made in the Committee of the Whole today and to include two letters.

Mr. SHELLEY (at the request of Mr. PRIEST) and to include a copy of a bill introduced by Mr. SHELLEY.

Mr. DONOHUE.

Mr. LECOMPTE and to include extraneous matter from a series of letters.

Mr. OSTERTAG and to include an editorial.

Mr. COLE of New York and to include two editorials.

Mr. SCUDDER and to include a newspaper article.

Mr. CRAWFORD and to include a statement by a prisoner of war.

Mr. POULSON in two instances and to include extraneous matter.

Mr. VAN ZANDT in two instances and to include extraneous matter.

Mr. BLATNIK.

Mr. BENDER in three instances.

Mr. MCCORMACK in three instances, in one to include an address made by him recently and in another to include addresses recently made at the Armenian Independence Day meeting in Boston.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1739. An act to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy; and

H. R. 6787. An act to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 216. An act to amend section 631b of title 5, United States Code by adding a new subsection to be cited as subsection (c);

S. 1536. An act to stabilize the economy of dependent residents of New Mexico using certain lands of the United States known as the North Lobato and El Pueblo tracts, originally purchased from relief program funds, and now administered under agreement by the Carson and Santa Fe National Forests, to effect permanent transfer of these lands, and for other purposes;

S. 1932. An act to authorize the establishment of facilities necessary for the detention of aliens in the administration and enforcement of the immigration laws, and for other purposes;

S. 2390. An act to amend section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, relating to penalties;

S. 2610. An act providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental or regulated water supply from the San Luis Valley project, Colorado;

S. 2748. An act authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952; and

S. 3019. An act to amend the Career Compensation Act of 1949, as amended, to extend the application of the special-inducement pay provided thereby to physicians and dentists, and for other purposes.

ADJOURNMENT

Mr. MILLER of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 18, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1571. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1953 in the amount of $1,042,400 for the Federal Security Agency (H. Doc. No. 509); to the Committee on Appropriations and ordered to be printed.

1572. A communication from the President of the United States, transmitting estimates of appropriation for the fiscal year 1953, in the amount of $6,447,730,750, to carry out the purposes of the Mutual Security Act of 1952 (Public Law 165, 82d Cong.) (H. Doc. No. 510); to the Committee on Appropriations and ordered to be printed.

1573. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1953 in the amount of $80,000,000 for the Federal Security Agency (H. Doc. No. 511); to the Committee on Appropriations and ordered to be printed.

1574. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to authorize the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

1575. A letter from the Assistant Secretary, Department of State, transmitting a letter dated May 14, 1952 from Mr. A. de las Alas, president of the Chamber of Commerce of the Philippines, in respect to House bill 6292, a bill to eliminate the 3-cent processing tax on coconut oil, pursuant to the request of the Ambassador of the Philippines, Carlos P. Romulo; to the Committee on Ways and Means.

1576. A letter from the Attorney General, transmitting the report of activities of the Department of Justice for the fiscal year ended June 30, 1951; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KILDAY: Committee on Armed Services. H. R. 5065. A bill to authorize payment for transportation of dependents, baggage, and household goods and effects of certain officers of the naval service under certain conditions, and for other purposes; with amendment (Rept. No. 2178). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee of Armed Services. H. R. 5198. A bill authorizing and directing the Secretary of the Army to transfer certain property located in St. Thomas, V. I., to the control and administrative supervision of the Department of the Interior; without amendment (Rept. No. 2179). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 6601. A bill to amend the act of July 16, 1892 (27 Stat. 174, ch. 195), so as to extend to the Secretary of the Navy, and to the Secretary of the Treasury with respect to the Coast Guard, the authority now vested in the Secretaries of the Army and Air Force with respect to the withholding of officers' pay; without amendment (Rept. No. 2180). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIMPSON of Pennsylvania: Committee on Ways and Means. H. R. 7255. A bill to amend section 165 (b) of the Internal Revenue Code (relating to employee stock-purchase plans); without amendment (Rept. No. 2181). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Select Committee To Investigate the Use of Chemicals in Foods and Cosmetics. Report pursuant to House Resolution 74 and House Resolution 447, Eighty-second Congress, first session; without amendment (Rept. No. 2182). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interstate and Foreign Commerce. H. R. 7126. A bill to authorize and direct the Secretary of Commerce to convey certain land and grant certain easements to the State of California for highway-construction purposes in Richmond, Calif.; with amendment (Rept. No. 2183). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 7993. A bill to authorize the loan of two submarines to the Government of the Netherlands; with amendment (Rept. No. 2184). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 694. Resolution for consideration of H. R. 7778, A bill to authorize emergency appropriations for the purpose of erecting certain post office and Federal court buildings, and for other purposes; without amendment (Rept. No. 2185). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 695. Resolution for consideration of H. R. 7888, A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; without amendment (Rept. No. 2187). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 696. Resolution for consideration of H. R. 8210, A bill to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended; without amendment (Rept. No. 2186). Referred to the House Calendar.

Mr. COOLEY: Committee on Agriculture. H. R. 8122. A bill to continue the existing method of computing parity prices for basic agricultural commodities, and for other purposes; without amendment (Rept. No. 2188). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 697. Resolution providing for the consideration of H. R. 4528, a bill to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State or political subdivision thereof in which the sale of such fireworks is prohibited; without amendment (Rept. No. 2189). Referred to the House Calendar.

Mr. BARDEN: Committee on Education and Labor. Report pursuant to House Reso-

lution 532, Eighty-second Congress, second session, to direct the Committee on Education and Labor to conduct an investigation of the Wage Stabilization Board; without amendment (Rept. No. 2190). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H. R. 8234. A bill to amend section 5 of the act of June 29, 1888, relating to the office of supervisor of New York Harbor; to the Committee on Public Works.

By Mr. COLE of New York:

H. R. 8235. A bill to amend title II of the Social Security Act to provide that ministers may elect to receive old-age and survivors insurance coverage by treating service performed in the exercise of their ministry as self-employment, and for other purposes; to the Committee on Ways and Means.

By Mr. DAWSON:

H. R. 8236. A bill to authorize and direct the Administrator of General Services to transfer to the Department of the Air Force certain property in the State of Alabama; to the Committee on Expenditures in the Executive Departments.

By Mr. RANKIN (by request):

H. R. 8237. A bill to amend the Social Security Act, as amended, to provide for the payment of monthly insurance benefits to widows of individuals who died before January 1, 1940; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 8238. A bill to authorize payment of the servicemen's indemnity to survivors of members of the National Guard who die while engaged in any training duty under competent orders; to the Committee on Veterans' Affairs.

By Mr. REAMS:

H. R. 8239. A bill to amend the Annual and Sick Leave Act of 1951 to eliminate a discrimination against spouses who are themselves Federal employees; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H. R. 8240. A bill to amend section 23 (x) of the Internal Revenue Code with respect to the amount of medical expenses allowed as a deduction; to the Committee on Ways and Means.

By Mr. WALTER:

H. R. 8241. A bill to amend the Internal Revenue Code to exempt certain beneficiary associations from the tax on corporations; to the Committee on Ways and Means.

By Mr. WICKERSHAM:

H. R. 8242. A bill to authorize research work in weed control, grass culture, and soil-fertility maintenance at Panhandle Agricultural and Mechanical College, Goodwell, Okla.; to the Committee on Agriculture.

By Mr. POAGE:

H. R. 8243. A bill to authorize the Secretary of Agriculture to cooperate with the States and local agencies in the planning and carrying out of works of improvement for soil conservation, and for other purposes; to the Committee on Agriculture.

By Mr. WINSTEAD:

H. R. 8244. A bill to amend the Universal Military Training and Service Act, as amended; to the Committee on Armed Services.

By Mr. BECKWORTH:

H. R. 8245. A bill to provide for the issuance of a special postage stamp in commemoration of the organization of the National Rural Letter Carriers' Association; to the Committee on Post Office and Civil Service.

By Mr. RHODES:

H. R. 8246. A bill to adjust rates of postage on publications of religious, educational, philanthropic, agricultural, labor, veterans', and fraternal organizations or associations entered as second-class matter; to the Committee on Post Office and Civil Service.

By Mr. HAYS of Arkansas:

H. Res. 693. Resolution to authorize the printing of the Road to Industrial Peace as a House document; to the Committee on House Administration.

By Mr. SHAFER:

H. J. Res. 482. Joint resolution to authorize the American Battle Monuments Commission to prepare plans for, erect, and maintain a suitable monument commemorating the battle between the *Bon Homme Richard* and the *Serapis*; to the Committee on Foreign Affairs.

H. J. Res. 483. Joint resolution to authorize the American Battle Monuments Commission to prepare plans for, erect, and maintain a suitable memorial to Commodore Stephen Decatur; to the Committee on Foreign Affairs.

H. J. Res. 484. Joint resolution to authorize the American Battle Monuments Commission to prepare plans for, erect, and maintain a suitable monument commemorating the great sea battle between the *Alabama* and the *Kearsarge*; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Montana, relative to transmitting a certified copy of House bill No. 329, the Interstate Civil Defense and Disaster Compact Act, which was ratified by the 1951 session of the Montana Legislative Assembly; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8247. A bill for the relief of Giovanni DeLuca; to the Committee on the Judiciary.

H. R. 8248. A bill for the relief of Vincenzo Damiano; to the Committee on the Judiciary.

H. R. 8249. A bill for the relief of Filiberto Staderini; to the Committee on the Judiciary.

H. R. 8250. A bill for the relief of Mario Iannuzzi; to the Committee on the Judiciary.

H. R. 8251. A bill for the relief of Peter Goestel; to the Committee on the Judiciary.

By Mr. BARRETT:

H. R. 8252. A bill for the relief of Garabed Meghrigian; to the Committee on the Judiciary.

H. R. 8253. A bill for the relief of Hemayak Meghrigian; to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 8254. A bill to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. BETTS:

H. R. 8255. A bill for the relief of the Cooper Tire & Rubber Co.; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 8256. A bill for the relief of Andrew Trittner; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. R. 8257. A bill for the relief of Henry Sauber; to the Committee on the Judiciary.

H. R. 8258. A bill for the relief of Wadih Bakhos Boula; to the Committee on the Judiciary.

By Mr. McGRATH:

H. R. 8259. A bill for the relief of Ohan Evrenian and Mrs. Vehanoush Evrenian; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 8260. A bill for the relief of Sisters Elvira Stornelli and Augusta Sale; to the Committee on the Judiciary.

H. R. 8261. A bill for the relief of Emilio Federico Aikler; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 8262. A bill for the relief of the Fulton Trouser Co., Inc.; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 8263. A bill for the relief of Soly S. Bencuya; to the Committee on the Judiciary.

By Mr. RICHARDS:

H. R. 8264. A bill for the relief of J. Wilson Laney; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 8265. A bill for the relief of Charles G. Friedman; to the Committee on the Judiciary.

By Mr. SASSCER:

H. R. 8266. A bill for the relief of Mrs. Ann Elizabeth Caulk; to the Committee on the Judiciary.

By Mr. SHELLEY:

H. R. 8267. A bill for the relief of Mate Derokov (also known as Matt Derokov); to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 8268. A bill for the relief of George W. Fuller, Jr.; to the Committee on the Judiciary.

By Miss THOMPSON of Michigan:

H. R. 8269. A bill for the relief of George A. Ferris; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 18, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord our God, who hast fashioned all hearts to love Thee, created all desires to be satisfied in Thee, and made all paths to lead to Thee: For this hallowed moment we would bow, waiting for the benediction of Thy grace for the work committed to our hands. We thank Thee for the revelation of Thyself in the beauty and glory of nature, and for the greater knowledge of Thee found in the lives of noble men and women; but above all we lift our Te Deum for the Word that was made flesh, and dwelt among us, full of grace and truth.

Subdue the clamor of our hearts, soften every alien note, dispel every evil mood, and grant Thy servants here devotion and wisdom to write in this Chamber of the people's trust and prayer a record of faith and hope and care for the plight of humanity under all skies. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., June 18, 1952.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERBERT R. O'CONOR, a Senator from the State of Maryland, to perform the duties of the Chair during my absence.

KENNETH MCKELLAR,
President pro tempore.

Mr. O'CONOR thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 17, 1952, was dispensed with.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. MAYBANK was excused from attendance on the sessions of the Senate for the remainder of the week following today.

CALL OF THE ROLL

Mr. MCFARLAND. Mr. President, I ask unanimous consent that there be a quorum call without the time being charged to either side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hickenlooper	Monroney
Anderson	Hill	Moody
Bennett	Hoey	Morse
Benton	Holland	Mundt
Brewster	Humphrey	Neely
Bricker	Hunt	Nixon
Bridges	Ives	O'Conor
Butler, Md.	Jenner	O'Mahoney
Case	Johnson, Colo.	Pastore
Chavez	Johnston, S. C.	Robertson
Clements	Kefauver	Saltonstall
Connally	Kem	Schoeppel
Cordon	Kerr	Seaton
Dirksen	Kilgore	Smathers
Douglas	Knowland	Smith, Maine
Duff	Langer	Smith, N. J.
Dworshak	Lehman	Smith, N. C.
Eastland	Lodge	Sparkman
Ecton	Long	Stennis
Ellender	Magnuson	Taft
Ferguson	Malone	Thye
Flanders	Martin	Tobey
Frear	Maybank	Underwood
George	McCarran	Watkins
Gillette	McCarthy	Welker
Green	McClellan	Wiley
Hayden	McFarland	Williams
Hendrickson	McKellar	Young
Hennings	Millikin	

Mr. MCFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. JOHNSON], and the Senator from Montana [Mr. MURRAY] are absent on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent because of illness in his family.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

The Senator from Georgia [Mr. RUSSELL] is absent by leave of the Senate.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is detained on official business.

The VICE PRESIDENT. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. MCFARLAND. Mr. President, I ask unanimous consent that Senators may be permitted to present routine matters for the RECORD, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

REORGANIZATION PLANS NOS. 2 AND 4 OF 1952—MINORITY VIEWS SUBMITTED DURING RECESS

Under authority of the order of the Senate of the 17th instant,

Mr. HUMPHREY (for himself, Mr. O'CONOR, and Mr. MONRONEY), members of the Committee on Government Operations, submitted, on June 17, 1952, minority views on the resolution (S. Res. 317) disapproving Reorganization Plan No. 2 of 1952, relating to reorganization in the Post Office Department, which were printed as part 2 of Report No. 1747.

Mr. HUMPHREY (for himself, Mr. MONRONEY, and Mr. O'CONOR), members of the Committee on Government Operations, submitted on June 17, 1952, minority views on the resolution (S. Res. 330) disapproving Reorganization Plan No. 4 transmitted to Congress by the President on April 10, 1952, relating to reorganizations in the Department of Justice, which were printed as part 2 of Report No. 1749.

PROPOSED SUPPLEMENTAL APPROPRIATION, CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY (S. DOC. NO. 148)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of $3,000,000, for the Department of Defense for Civil Functions, Department of the Army, fiscal year 1953, in the form of an amendment to the budget for said fiscal year, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

JOINT COMMITTEE ON THE BUDGET—RESOLUTION OF WYOMING TAXPAYERS ASSOCIATION, CHEYENNE, WYO.

Mr. MCCLELLAN. Mr. President, on May 29, 1952, the Wyoming Taxpayers Association adopted a resolution endorsing S. 913 and H. R. 7888, which would set up a Joint Committee on the Budget.

I ask unanimous consent that the resolution be appropriately referred and printed in the RECORD as part of my remarks. At the same time I wish to announce that on yesterday the House Rules Committee reported the House version of S. 913, which is basically the same as S. 913. The prospects are that we will get favorable action on the proposed legislation during this session of Congress.

There being no objection, the resolution was referred to the Committee on Government operations, and ordered to be printed in the RECORD, as follows:

Whereas the Nation's future depends substantially on whether the United States can control run-away Federal expenditures, which unchecked will lead us to ruinous inflation or equally ruinous taxation; and

Whereas congressional desire to reduce Federal spending through the appropriation process is continually thwarted by prior legislative commitments, with the result that Congress has direct control over only $28,700,000,000 of the President's proposed $85,400,000,000 budget for fiscal 1953; and

Whereas Congress must have not only the power but the machinery to suspend or eliminate expensive peacetime programs that have no place in our mobilization for defense; and

Whereas Federal commitments to costly new programs often arise out of congressional and public ignorance of the immediate and prospective costs of proposed legislation: Now, therefore, be it

Resolved by Wyoming Taxpayers Association, That Congress, through passage of bills S. 913 and H. R. 7888, or a combination of these, shall establish a permanent staff of qualified experts to assist Appropriations Committees and to give Congress fiscal information that will help restore to Congress its constitutional control over Federal spending; it is further

Resolved, That the chairman of this meeting be directed to transmit the sense of this resolution to Members of Congress representing Wyoming.

Adopted by unanimous vote at Cheyenne this 29th day of May 1952.

F. W. MARBLE, *Presiding.*

APPROPRIATIONS FOR BUREAU OF LABOR STATISTICS—RESOLUTION

Mr. WILEY. Mr. President, there is now pending in a Senate-House conference committee the question of future appropriations for the Bureau of Labor Statistics of the Department of Labor. I present a resolution received from the Milwaukee Board of Supervisors on the matter of continued inclusion of the city of Milwaukee in the Consumers Price Index.

I ask unanimous consent that the resolution be printed in the RECORD and be thereafter appropriately considered by the conference committee.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Mr. Ewan Clague, Commissioner of Labor Statistics, has informed all users of the Consumers' Price Index that the Bureau of Labor Statistics of the United States Department of Labor plans on discontinuing the publication of local indexes due to insufficient appropriations for this purpose; and

Whereas the publication of the Consumers' Price Index for the city of Milwaukee is not only of great interest to a large proportion of its population, but has many applications in the determination of local wage scales,

which would not be properly established in relation to any national index: Now, therefore, be it

Resolved, That the County Board of Supervisors of the County of Milwaukee does hereby urge the Secretary of Labor and our congressional Representatives to prevail upon the Bureau of Labor Statistics of the United States Department of Labor to continue the publication of the Consumers' Price Index for the city of Milwaukee; and be it further

Resolved, That the county clerk be, and is hereby, directed to send a copy of this resolution to the Secretary of Labor, to Representatives CLEMENT J. ZABLOCKI and CHARLES J. KERSTEN, and to Senators JOSEPH R. MCCARTHY and ALEXANDER WILEY.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SMITH of North Carolina, from the Committee on the District of Columbia:

S. 2384. A bill to amend the District of Columbia Credit Unions Act; with an amendment (Rept. No. 1781).

By Mr. HUNT, from the Committee on the District of Columbia:

S. 3188. A bill to provide for granting to officers and members of the Metropolitan Police force, the United States Park Police force, the White House Police force, and the Fire Department of the District of Columbia days off in lieu of regular days off suspended during emergencies; with amendments (Rept. No. 1782);

H. R. 6635. A bill to exempt from taxation certain property of the AMVETS, American Veterans of World War II, in the District of Columbia; without amendment (Rept. No. 1783); and

H. R. 6943. A bill to fix the seniority rights and service of Albert O. Raeder as sergeant in the District of Columbia Fire Department; without amendment (Rept. No. 1784).

By Mr. PASTORE, from the Committee on the District of Columbia:

S. 3190. A bill to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes; with amendments (Rept. No. 1785); and

H. R. 7253. A bill to authorize the conveyance to the Columbia Hospital for Women and Lying-in Asylum of certain parcels of land in the District of Columbia, and for other purposes; without amendment (Rept. No. 1786).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

H. R. 7205. A bill to amend section 3841 of the Revised Statutes relating to the schedules of the arrival and departure of the mail, to repeal certain obsolete laws relating to the postal service, and for other purposes; without amendment (Rept. No. 1790); and

H. R. 7471. A bill to authorize the modernization and enlargement of the mail equipment shops in Washington, District of Columbia, and for other purposes; without amendment (Rept. No. 1791).

By Mr. UNDERWOOD, from the Committee on Post Office and Civil Service:

H. R. 6754. A bill to provide that salaries of rural carriers serving heavily patronized routes shall not be reduced by reason of increases in the length of such routes; without amendment (Rept. No. 1787);

H. R. 7030. A bill to amend certain acts and parts of acts which require the submission of documents to the Post Office Department under oath, and for other purposes; without amendment (Rept. No. 1788); and

H. R. 7204. A bill to amend section 5 of the act entitled "An act to credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion," approved June 19, 1948; with amendments (Rept. No. 1789).

RECOGNITION OF SERVICE OF COL. J. CLAUDE KIMBROUGH—REPORT OF A COMMITTEE

Mr. KEFAUVER, from the Committee on Armed Services, reported an original bill (S. 3359) to give proper recognition to the distinguished service of Col. J. Claude Kimbrough, which was read twice by its title, and ordered to be placed on the calendar.

CEREMONIES IN ROTUNDA OF CAPITOL INCIDENT TO ACCEPTANCE OF BRONZE REPLICA OF DECLARATION OF INDEPENDENCE

Mr. HAYDEN, from the Committee on Rules and Administration, reported favorably, without amendment, Senate Concurrent Resolution 84, authorizing the holding of ceremonies in the rotunda of the Capitol for the acceptance of a bronze replica of the Declaration of Independence, submitted by Mr. GREEN on June 13, 1952, which was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Library is hereby authorized to hold ceremonies in the rotunda of the United States Capitol for the acceptance of the bronze replica of the Declaration of Independence, the gift of Michael Francis Doyle, of Philadelphia, such ceremonies to be held on July 2, 1952, the one hundred and seventy-sixth anniversary of the adoption of the resolution of Richard Henry Lee for the Declaration of Independence by the Continental Congress in Philadelphia.

The Architect of the Capitol is hereby authorized to make the necessary arrangements for the ceremonies, the expenses of which shall not exceed the sum of $1,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Joint Committee on the Library.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER:

S. 3349. A bill for the relief of Dr. Arthur Tye; to the Committee on the Judiciary.

By Mr. BUTLER of Maryland:

S. 3350. A bill for the relief of Pantelis Morfessis; to the Committee on the Judiciary.

By Mr. HUNT:

S. 3351. A bill to establish a policy with respect to the granting of special exemptions to organizations and corporations from taxes imposed by the laws of the District of Columbia; to the Committee on the District of Columbia.

By Mr. SALTONSTALL:

S. 3352. A bill for the relief of Elie Joseph Hakim; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 3353. A bill for the relief of Michael Carter; to the Committee on the Judiciary.

By Mr. CASE:

S. 3354. A bill for the relief of the McMahon Co., Inc.; to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 3355. A bill to prevent corrupt practices in connection with Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. MCCARRAN (by request):

S. 3356. A bill for the relief of Homer C. Boozer, Terry Davis, Leopold A. Fraczkowski, Earl W. Keating, and Charles A. Paris; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 3357. A bill for the relief of Louis Joseph Rago; to the Committee on the Judiciary.

By Mr. HILL (for himself and Mr. MURRAY):

S. 3358. A bill to improve and extend the duration of Public Law 874 of the Eighty-first Congress, to extend the period during which appropriations may be made to pay entitlements under title II of Public Law 815 of the Eighty-first Congress, to provide temporary supplementary aid for schools in critical defense housing areas, to make grants to States to assist distressed school districts in construction of urgently needed school facilities, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. KEFAUVER:

S. 3359. A bill to give proper recognition to the distinguished service of Col. J. Claude Kimbrough; ordered to be placed on the calendar.

(See the remarks of Mr. KEFAUVER when he reported the above bill from the Committee on Armed Services, which appear under a separate heading.)

By Mr. MOODY:

S. J. Res. 167. Joint resolution to grant the consent of the Congress to the entry of certain States into compacts and agreements for the improvement of navigation on the boundary waters of States within the Great Lakes-St. Lawrence River drainage system, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. MOODY when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF AGRICULTURAL ACT OF 1949, RELATING TO GRADE OF COTTON FOR DETERMINING PARITY AND PRICE SUPPORT FOR 1952 CROP—AMENDMENT

Mr. MCFARLAND (for himself and Mr. HAYDEN) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 5713) to amend the Agricultural Act of 1949 to provide that Low Middling 7/8-inch cotton shall be the standard grade for the purposes of determining parity and price support for the 1952 cotton crop, under certain conditions, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

ARMY CIVIL FUNCTIONS APPROPRIATIONS — AMENDMENTS — NOTICES OF MOTIONS TO SUSPEND THE RULE—STATEMENT BY SENATOR DOUGLAS

Mr. DOUGLAS. Mr. President, I submit amendments intended to be proposed by me to the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and

for other purposes. I ask unanimous consent that the amendments be printed in the body of the RECORD.

The VICE PRESIDENT. The amendments will be received and printed, and will lie on the table, and, without objection, will be printed in the RECORD.

The amendments are as follows:

On page 7, line 9, strike out "$277,135,600" and insert in lieu thereof "$177,135,600."

On page 10, line 5, strike out "$294,077,200" and insert in lieu thereof "$244,077,200."

Mr. DOUGLAS submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7263) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 15, after line 14, insert the following:

"The Secretary of the Army shall not commence or proceed with any feature of any flood-control or drainage project if he determines that such feature will be of direct and substantial benefit to any lands or area definable with reasonable certainty, unless the owners of such lands or a State, municipality, conservancy district, or other responsible party shall, by contract with the Secretary, have agreed to repay or to advance to the Secretary one-half of the cost of constructing such feature. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts."

Mr. DOUGLAS submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to this bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes, the following amendments, namely: On page 21, after line 10, insert the following new section:

"SEC. 105. (a) To the end that inland waterway improvements in aid of navigation heretofore or hereafter made at the expense of the United States may be rendered self-supporting and, so far as practicable, self-liquidating, it is hereby declared to be the policy of Congress (1) to impose reasonable user charges for the use of the improved inland waterways of the United States by means of vessels operated for commercial purposes, and (2) to discontinue further Federal expenditures in the maintenance and operation of any improved inland waterway which, after a reasonable development period, proves to be incapable of yielding revenues from user charges sufficient to meet the costs of its maintenance and operation. The term improved inland waterway as used in this section includes any inland or costal canal and any natural inland waterway and the connecting channels thereof, constructed or improved in aid of navigation at the expense of the United States, except that the term does not include the Great Lakes and their connecting channels or such portion of any improved inland waterway as is used regularly and to a substantial extent by oceangoing vessels engaged in foreign commerce.

"(b) The Interstate Commerce Commission is hereby authorized and directed to prescribe and promulgate on or before September 1, 1952, user charges which, on and after January 1, 1952, shall be imposed by the United States for the use of each improved inland waterway by means of vessels operated for commercial purposes.

"(c) The user charges to be prescribed by the Commission hereunder for the use for commercial transportation purposes of each improved inland waterway shall be at a rate or rates calculated to cover, as nearly as practicable, all costs of providing, maintaining, and operating the improvements made thereon in aid of navigation, including reasonable allowances for interest on the investment and amortization thereof over such reasonable period as may be determined by the Commission: *Provided*, That in determining the level of user charges to be prescribed for any such waterway the Commission shall take into consideration not only the present, but also the reasonably prospective, use thereof for commercial transportation, and the Commission may divide the waterway into different sections and prescribe different user charges for the use of different sections, and shall also have authority to change from time to time the level of user charges for any such waterway or section thereof and to rearrange any sectional division thereof which it may have made: *And provided further*, That, upon application and after affording opportunity to all interested parties for a hearing, the Commission shall exempt any user of any such waterway from the payment of user charges for any use thereof which it finds to be of such nature as not to be facilitated or benefited by the improvements on account of which the user charges are imposed.

"(d) Before prescribing or changing the user charges to be imposed for the use for commercial transportation purposes of any such waterway or section thereof, or dividing or redividing any such waterway into sections for the purpose of prescribing user charges therefor, the Commission shall hold a public hearing for the purpose of determining the just and reasonable user charges to be prescribed. It shall give notice of the nature and scope of each such hearing at least 30 days in advance thereof by publishing a notice thereof in the Federal Register and by serving a copy of said notice upon each carrier subject to its jurisdiction operating on the waterway or waterways involved and upon all other carriers which in its opinion might be interested in the proceeding, and shall give such further notice of said hearing as to it appears advisable.

"At any such hearing, it shall be the duty of the Secretary of the Army, upon request of the Commission, to make available to the Commission all information in his possession with respect to the expenditures made by the United States in the construction, improvement, maintenance, and operation of the waterway or waterways under consideration, the nature and volume of the traffic moved thereover, and any other matter pertinent to the purpose of the hearing.

"(e) After user charges shall have been prescribed by the Commission for any inland waterway and shall have become effective, the owner or operator of any vessel (including any Government, State or Federal, and any corporation or instrumentality owned or controlled thereby) who shall use such waterway for commercial transportation purposes shall, unless exempted therefrom by the Commission, pay to the United States the prescribed and effective user charges. It shall be the duty of the Secretary of the Treasury to collect such user charges and to prescribe reasonable rules and regulations relating to the payment and collection thereof.

"(f) Any person or corporation who shall fail or refuse to pay the user charges prescribed in accordance with the provisions of this section or to comply with the regulations which shall be promulgated by the Secretary of the Treasury relating to the payment and collection thereof shall be guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine of not less than $100 and not more than $2,000, and every failure of any such person to pay such user charges or to comply with said regulations shall be deemed a new and separate offense and subject such person to additional penalties therefor. In addition to the criminal action provided for in this section and in addition to all other civil remedies which may be possessed by the United States of America, the United States of America shall have a lien for the user charges upon any vessel for the movement of which user charges are not paid as provided for in this section.

"(g) This section shall not apply to naval or other noncommercial vessels of the United States, and no user charges shall be imposed under the authority of this section on account of the use of any of the navigable inland waterways which form boundaries between the United States and any foreign nation, except such as may be permitted by treaties."

Page 21, line 11, strike out "Sec. 105." and insert in lieu thereof "Sec. 106."

Mr. DOUGLAS also submitted amendments intended to be proposed by him to House bill 7268, making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes, which were ordered to lie on the table and to be printed.

(For text of amendments referred to, see the foregoing notices.)

Mr. DOUGLAS. Mr. President, I ask unanimous consent that a statement which I have prepared, indicating the nature of the reductions, amounting to $185,000,000 in the Army civil functions appropriation bill, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOUGLAS ON AMENDMENTS TO CIVIL FUNCTIONS APPROPRIATIONS BILL

	Reduction
Rivers and harbors	$100,000,000
Flood control	50,000,000
User charges on waterways	35,000,000
Require local beneficiaries of flood-control projects to share costs	(1)
Total	185,000,000

[1] Not available

DOUGLAS AMENDMENT FOR FLOOD-CONTROL REDUCTION

By stopping Senate committee increases over amounts allocated by the House on projects listed below, $36,800,000 would be saved. A further $13,200,000 in miscellaneous reductions would bring total savings on flood-control appropriations up to $50,000,000. This would still permit an extra $30,000,000 over amounts allowed by the House. The $9,900,000 added by the Senate committee as a result of supplemental estimates submitted because of recent floods would thus be permitted as well as an extra $20,000,000 for other projects.

Saving of $50,000,000 by stopping Senate committee increase on projects listed below and miscellaneous

Project:	*Saving (millions)*
California:	
Folsom Reservoir	$2.0
Los Angeles County drainings area	4.1
Pine Flat Reservoir	1.5
San Antonio Reservoir	2.3

Saving of $50,000,000 by stopping Senate committee increase on projects listed below and miscellaneous—Continued

Project—Continued.	Saving (millions)
Florida: Central and southern	$1.0
Idaho: Albeni Falls Reservoir	2.0
Kansas: Tuttle Creek Reservoir	10.0
Arkansas and Missouri: Table Rock Reservoir	3.0
North Dakota: Garrison Reservoir	2.0
Oregon: Lookout Point Reservoir	1.2
South Dakota:	
Fort Randall Reservoir	5.0
Oahe Reservoir	2.8
Miscellaneous	13.2
Total reductions, flood control	50.0

Senator Douglas' proposed means of reducing rivers and harbors appropriations by $100,000,000

REDUCTION OF PROJECTS INCLUDED IN HOUSE BILL

Project or item:	Reduction (millions)
Demopolis lock and dam, Alabama	$4.5
Arkansas River, Ark. and Okla.	7.0
Jim Woodruff Dam, Fla.	10.3
Intercoastal Waterway, Jacksonville to Miami, Fla.	2.0
Buford Dam, Ga.	3.0
Missouri River, Kansas City, Mo., to Sioux City, Iowa	5.0
Missouri River, Kansas City, Mo., to mouth	3.5
Cleveland Harbor, Ohio	6.0
Schuylkill River, Pa.	1.0
Old Hickory lock and dam, Tenn.	14.8

REDUCTIONS IN SENATE COMMITTEE BILL BY HOLDING TO HOUSE FIGURES

Project or item:	
Mississippi River between Illinois and Iowa—Lock 19, near Keokuk, Iowa	$2.5
Cheatham lock and dam, Tenn.	5.2
McNary lock and dam, Oreg.	6.0
Operation and maintenance	8.2
Miscellaneous	21.0
Total reduction	100.0

RIVER AND HARBOR ITEMS RECOMMENDED FOR REDUCTION WITH DOUGLAS AMENDMENT

Demopolis Lock and Dam, Ala.

	Millions
Total cost	$20.8
Allotment to date	7.4
1953 budget estimate	5.5
House	5.0
Senate committee	4.5
Douglas proposal	0
	Percent
Completion 1952	36
Completion with 1953 estimate	62

House hearings, pages 54–58.

This is a project to improve an already existing waterway. The channel is now in use and 2,600,000 tons were shipped over it in 1950. Benefit-cost ratio not stated in House hearings, but General Chorpening agreed that it was low.

Since navigation facilities are already available, further improvement of this project can easily be postponed. The new locks are in the planning stage so that work already in place will not be hurt by postponement.

Arkansas River, Ark. and Okla.

	Millions
Total cost of whole project	$800
Benefit cost ratio	1.05 to 1
Total cost of bank stabilization	12.8
Allotment to date	6.1
1953 budget estimates	4.0
House	2.0
Senate committee	7.0
Douglas	0

House hearings, pages 58–64.

This project is designed to control the erosive action of the Arkansas River. It will be helpful to the navigation feature of the project.

This has been called an emergency project. But it appears, since no levees are involved, and only bank stabilization and channel rectification work will be done, that we are using flood justification to further the navigation features of the highly questionable Arkansas project. For, at page 61 of the House hearings, General Chorpening has said:

"I would like to say also that when you are dealing with a river of this type and you say what work you will have to do to correct a certain place, you hope you are right and it is your best judgment. But we cannot outguess what a river of a certain type will do, in the way of attacking structures.

"So, what I am trying the say is, that as the years go by there are going to be other emergency locations breaking out on the river, I am certain, and will require additional funds. I say that so there will be no misrepresentation on our part, to you gentlemen. This may clean up all the emergencies; I don't know. Emergencies are things you cannot completely foresee. If not, they would not be emergencies. There may be other places, and I expect there will be, that will break out."

The Senate committee increased the amount for this project from $2,000,000 to $7,000,000. This is partly based on a supplemental estimate which caused the total requested by the budget to be $4,000,000. The committee figure is thus $3,000,000 over the budget estimates.

Jim Woodruff Lock and Dam, Fla.

	Millions
Total cost	$46.2
Allotment to date	21.2
1953 budget estimate	11.3
House	11.0
Senate committee	10.3
Douglas	0
	Percent
Completion 1952	46
Completion 1953	70

House hearings, pages 69–75.

This project is part of a larger project of four dams. The over-all total cost will be nearly $150,000,000. The over-all benefit-cost ratio is only 1.12 to 1.

The Jim Woodruff Dam, by itself, is not, according to General Chorpening, economically justified. Less than 2 percent of the benefits of the over-all projects are for flood control. The estimated traffic for the Jim Woodruff project alone is only 33,000 tons.

The 10,000-kilowatt capacity of the Jim Woodruff Dam is only eight-tenths of 1 percent of installed capacity of Georgia, Alabama, and Florida.

Because of the low benefit-cost ratio and the negligible flood-control benefits, the whole four-dam project should never have been started. Ultimately, we will have to spend more on the Jim Woodruff Dam to protect our investment. But we can postpone it now.

Intracoastal waterway, Jacksonville to Miami, Fla.

	Millions
Total cost	$25.8
Allotment to date	10.3
1953 budget estimate	2.2
House	2.0
Senate committee	2.0
Douglas	0
	Percent
Completion 1952	40
Completion with 1953 estimate	48

House hearings, pages 65–68.

The whole project calls for a channel 125 feet wide and 12 feet deep from Jacksonville to Miami. There is already in existence a channel 100 feet wide by 8 feet deep.

The new project is completed from Jacksonville to New Smyrna. The 1953 estimate would continue it to Cocoa, opposite Cape Canaveral, where the Air Force has a proving ground. Thus the project is presumed to have a defense connection. Such a justification will not stand up for two reasons:

1. Navigation facilities to the Air Force proving ground are already available with a depth of 8 feet.

2. Deepening the Jacksonville to Miami waterway to 12 feet will not help the Air Force since the Canaveral Harbor is only 8 feet deep and no requests have been made to deepen it.

In 1948, of the 35,000 motor vessels using this waterway, 32,000 drew less than 4 feet. Of the 2,200 barges using the waterway, less than 10 percent drew over 16 feet.

The lack of defense justification shows that this project can easily be postponed.

Buford Dam, Ga.

	Millions
Total cost	$41.0
Allotment to date	3.2
Budget estimate	3.0
House	3.0
Senate committee	3.0
Douglas	0
	Percent
Completion 1952 [1]	8
Completion with 1953 estimate	15

[1] This includes engineering. Land acquisition is only 4 percent complete.

House hearings, pages 75–79.

This project is another in the over-all four-dam project of which Jim Woodruff is a part. Benefit cost ratio is only 1.12 to 1 for this over-all project.

Buford Dam is a substantially new start. It has not been certified by the President as being essential to national defense. Power would not be available until 1957. The project would provide a more stable water supply for the city of Atlanta, Ga., but that city will contribute nothing toward the cost of the project. For all these reasons, the project should be postponed.

Missouri River, Kansas City, Mo., to Sioux City, Iowa

	Millions
Total cost	$179
Allotments to date	106.6
1953 budget estimate	5.0
House	4.25
Senate committee	5.0
Douglas	0
	Percent
Completion to date	59
Completion with 1953 estimate	62

House hearings, pages 81–83.

According to General Chorpening, this is basically a bank stabilization project in connection with the navigation project. It is intended to restore the navigation channel and stop erosion of the river banks. During World War II nothing was done on this project. In 1950, nearly 80 percent of the traffic was Government traffic.

This is not a flood control item. It is for navigation, the feasibility of which is highly questionable. It has previously been postponed in periods of financial stress and it can be postponed now.

Missouri River, Kansas City to mouth

	Millions
Total cost	$115.7
Allotment to date	91.4
1953 budget	3.5
House	2.3
Senate committee	3.5
Douglas	0
	Percent
Completion to date	79
Completion with budget estimate	82

House hearings, pages 93–98.

This is a navigation project. According to General Chorpening, it has nothing to

do with flood control. No work was done on this project during World War II. In 1950 over half of the tonnage shipped consisted of material for the construction of rivers and harbors work.

Like the same type of work above Kansas City, this can be postponed.

Cleveland Harbor, Ohio

	Millions
Total cost	$25.3
Allotments to date	11.2
Budget	6.0
House	3.0
Senate committee	6.0
Douglas	0
	Percent
Completion to date	44
Completion with budget request	68

House hearings, pages 110–118.

This is a project to improve navigation facilities. Nearly 80 percent of the benefits will go to three steel companies: Jones & Laughlin, Republic, and American Wire & Cable. Eighty percent of tonnage consists of iron ore and steel products. Actually, all benefits would accrue to these companies, since the ore boats are the only ones which need the facilities. These companies pay no contributions.

The project would make navigation easier and permit bigger ore boats to use the facilities.

Funds for this project will go for the replacement of bridges. Production has not been held up. If the project is to be carried out, these private companies which benefit should share the cost. For now, it can be postponed.

Schuylkill River, Pa.

	Millions
Total cost	$12.6
Allotments to date	1.9
Budget	1.2
House	1.0
Senate committee	1.0
Douglas	0
	Percent
Completion to date	18
Completion with estimate	28

House hearings, pages 153–155.

This project calls for the removal of culm or coal waste. The budget request will be devoted entirely to dredging the Flat Rock pool portion of the river. This can be postponed.

Old Hickory Lock and Dam, Tenn.

	Millions
Total cost	$50.6
Allotment to date	2.5
Budget	16.0
House	8.0
Senate committee	14.8
Douglas	0
	Percent
Completed to date	5
Complete with new request	36

House hearings, pages 161–170.

This is a navigation-power project on the Cumberland River. TVA and FPC favor construction to get more power in order to build up power reserve in the area. No claim was made that the power would be used for atomic energy.

Lock 19, Mississippi River between Iowa and Illinois, near Keokuk, Iowa

	Millions
Total cost	$18.0
Allotment to date	0
1953 budget estimate	2.5
House	0
Senate committee	2.5
Douglas	0

The budget contained a request of $2,500,000 to initiate a project for the replacement of the Keokuk lock and dam which is located on the Mississippi between the Missouri River and Minneapolis, Minn. The House committee omitted this request.

This is probably the best justified navigation project of all. Four million tons a year go through this lock, which was built in 1913. Tests have shown that the lock is literally falling apart. If this were to happen it would practically wreck navigation on that part of the Mississippi River. The total cost of the project is $18,000,000 based on present construction costs. The Army engineers will spend $250,000 on the lock this year just in an attempt to keep it from falling apart.

The House committee justified the omission of this project on the grounds that it would take construction materials needed elsewhere. This reasoning is difficult to understand in view of the fact that they permitted progress to be made on the Demopolis lock and dam and other projects of a highly questionable nature.

However, I cannot propose reductions for other areas without reducing those close to my interests. Therefore, if my other recommendations for reductions are carried out, I am willing to abide by the House decision.

McNary Lock and Dam, Oreg.

	Millions
Total cost	$281.7
Allotments to date	155.1
Budget estimate	66.0
House	60.0
Senate committee	66.0
Douglas	60.0

House Hearings, pages 118–125.

This is considered a defense power project for the Northwest where an acute power shortage exists. However, the project should be able to absorb a $6,000,000 reduction as approved by the House.

Cheatham Lock and Dam, Tenn.

	Millions
Total cost	$14.2
Allotment to date	6.6
1953 budget estimate	6.0
House	0
Senate committee	5.2
Douglas	0
	Percent
Completion to date	47
Completion to date	89

House hearings, pages 155–160.

This project is designed to improve an already existing waterway, and can be postponed. The House eliminated funds for this project because of the uncertainty of adding power features which would affect dam design.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. MAYBANK:

Address delivered by Senator Fulbright at the testimonial dinner in honor of Bruce K. Brown, in Washington, D. C., on May 20, 1952.

By Mr. NEELY:

Address delivered by Senator Kerr before the State convention of the Young Democrats of West Virginia, at Clarksburg, W. Va., on June 13, 1952.

By Mr. WILEY:

Address entitled "Menaces to the United States Flag," delivered by him over Station WGN, Chicago.

By Mr. BENTON:

Letter from the President in regard to endorsement by the Democratic-Farmer-Labor State Central Committee of Minnesota of certain of the Minnesota Members of Congress.

By Mr. KEFAUVER:

Address entitled "The Federal Grand Jury: Its Powers and Duties," delivered by Anthony W. Fitzgerald, counsel of the Federal Grand Jurors' Association for the Eastern District of New York, on November 26, 1951, which appears in the Appendix.

By Mr. DIRKSEN:

Article entitled "These Days," written by George Sokolsky.

By Mr. MARTIN:

Editorial entitled "Purpose Restated," published in the Harrisburg Evening News of June 12, 1952.

Editorial entitled "They Forgot Their Country," published in the Altoona Tribune of June 2, 1952.

By Mr. SPARKMAN:

Editorial entitled "Bypassing the U. N.?" from a recent issue of the Christian Science Monitor.

By Mr. SCHOEPPEL:

Editorial entitled "A Season for Devotion," published in the Farm Journal for July 1952.

ADDRESS DELIVERED BY THE FRENCH AMBASSADOR AT GEORGETOWN, S. C., TO COMMEMORATE THE ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE LANDING OF LAFAYETTE

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the body of the Record an address delivered on June 13, 1952, at Georgetown, S. C., by the French Ambassador, M. Henri Bonnet, on the occasion of the one hundred and seventy-fifth anniversary of the landing of Lafayette.

There being no objection, the address was ordered to be printed in the Record, as follows:

The ceremony taking place today in Georgetown will evoke a deep and sympathetic response in France. This ceremony commemorates an event which, in the relations between our two countries, has played a part for which it would be difficult to find a precedent in history. It is very moving for my compatriots as well as for myself to see this event commemorated here where the young Lafayette, an enthusiast of liberty, inspired, as were the founders of this great country, with the most generous ideas of that century, landed from France; it is also very moving to find united symbolically on the stamp which the Government of the United States has specially issued on that occasion the Star-Spangled Banner and the Tricolor. On that day was born a friendship which has had a great historical significance.

The lessons that could be drawn from the friendly relations between George Washington and Lafayette are just as valuable today. Beneath the sympathy between these two men there was the deep and irresistible community of convictions and of aspirations of two strong peoples. During the eighteenth century, a doctrine, a whole set of ideas which were to blossom into a system of government had slowly matured on both sides of the Atlantic, in France as well as on this soil. George Washington, with Benjamin Franklin and Thomas Jefferson, were imbued with the principles which our moralists and philosophers had developed and which fired the imagination of young Lafayette and of many others like him on the eve of the French Revolution. This strong web formed by an identity of ideals can be found throughout all the history of Franco-American relations. It still exists today and the state of the world continues to stress dramatically its value and its need.

I do not have to recall here the sacrifices made by the citizens of the United States to insure, throughout the world, the defense of those democratic freedoms which they themselves conquered 175 years ago. But I would like to take this opportunity to affirm

solemnly here that in the struggle being waged for the defense of these sacred rights, the people of France are no less determined than their American brothers. We are, both of us, engaged in a common enterprise—the defense of the free world. For this defense, France has made, in a recent past, unbelievable sacrifices. In spite of the generous aid you have extended to her, she still has many ruins to repair, and, though hardly recovered from the disasters which befell her, she is however, once again, with you and like you, at the forefront of the struggle against totalitarian imperialism. Without her, this form of tyranny would have won yesterday, and indeed, without her, it would win tomorrow. You know that bolshevism has conquered half of Asia. Its weight is being brought to bear upon the still free regions of that continent, upon the ones richest in the raw materials so badly needed by the whole free world. This pressure stops at the frontiers of Indochina, for the defense of which 30,000 of our soldiers have given their lives. In this country, to which we have given independence—an independence it is unfortunately not yet able to defend by itself, we maintain 350,000 men under arms. There are at the present time in Indochina both in officers and men 10 crack French divisions. And, should you hear unfair criticism—I would even say heartless criticism—expressed about the so-called weakness of our effort in Europe where, right now, we have lined up 12 other divisions for the Atlantic Army under the command of General Ridgway, I ask you, in all friendship, to remember that, against bolshevism, in the Far East, on the shores of the Pacific Ocean, we are making an effort equal to your own effort in Korea, and one which is, in proportion to the resources of France, a greater one.

This struggle for democratic freedom does not stop at merely raising the might needed to protect them against destruction by violence. You all know here in America that Bolshevik extremism thrives upon misery and suffering. Your Government, your Congress, the people of all this great country, have shown vision and a high degree of awareness of their political responsibilities in helping France and your other allies, through the Marshall plan, to repair their ruins, to prime their shattered economies. To this aid we have responded by hard work which has pushed French production to more than 40 percent above the level that existed before the First World War. But new progress is still needed to face the excessive burdens which weigh upon my country. It is a mistake, one too widespread here, to believe that the French citizen does not pay his share of taxes. It is an error difficult to correct. In fact, according to the reports of the financial experts of NATO, France, among all Atlantic nations, has the unenviable privilege of coming first in the evaluation of taxes as compared to national income. Thirty percent of this income goes to the Government—a greater proportion than that paid by the American citizen. It is true that most of these sums come from indirect taxation and a smaller proportion than in the United States from income tax. But the fact remains that in the final analysis the French taxpayer today carries a load equal or superior to that of his allies. For Indochina alone he has paid out more than he has received from America through the Marshall plan. Far from being discouraged, conscious of the need to seek and to achieve both restoration and security, the government of Prime Minister Pinay pursues a policy of broad investments destined to increase the productive capacity of the country and the income of its inhabitants. It is by a call to confidence and patriotism, through a large loan to be subscribed with French savings, that this policy of expanded production—the most effective of all answers to the insidious propaganda of the Communists—will succeed. A vigorous campaign is now being waged in France against this propaganda. And it is more and more glaringly evident for my countrymen that the unrest sought by Bolshevik leaders does not aim at improving the life of the workers but rather at serving the interests of the imperialist policy of a foreign power, at preventing the consolidation, the strengthening, and the unity of the Western World. The call for a political strike has failed. The strong measures recently taken against communism in France have the approval of the Nation. They represent a crushing defeat for international bolshevism.

There is another field in which Frenchmen and Americans are solidly united—the search for peace, for a strong and lasting peace. The international situation forces us to build up this peace stone by stone. The hopes awakened on the morrow of the Second World War have disappeared. The world is divided into two camps. For free countries the only remaining solution is to create a material strength superior to that of the adversary and capable of deterring aggression. It is mainly in the strength of the United States that, at the present time lies this power to prevent war. But how is it possible to add to its mighty industrial and military potential still another source of strength, one which will definitely assure victory to the forces of freedom and of peace?

That is what French policy seeks to realize, and it seeks it through means that have the full approval of public opinion in the United States: By means of a federation which is a source of wealth, of strength, and of prosperity. In order to create on the other shore of the Atlantic a group of nations capable of counterbalancing the power of Soviet Russia and her satellites—which we would be wrong to underestimate—it is essential that these nations unite. It is by forming a union, a federation, that they will recover the power they represented in international politics at the beginning of the century, a power which was superior to that of the Empire of the Czars. Here is a daring and bold enterprise, one fraught with problems. It is always difficult for a nation to initiate an entirely new policy, to break off with ancestral traditions, and to put its trust in the enemy of yesterday. This boldness, the French Government has shown when, against numerous objections, it took the initiative of launching the Schuman plan, which integrates the heavy industries of six western nations—France, Germany, Italy, the three Benelux countries—and will create for them a market free of customs barriers, open to 150,000,000 people—comparable to that of the United States—a plan making war between France and Germany impossible. This plan is to be governed by European institutions, enjoying true powers—an executive, a legislative, a judiciary. To this, we have added another plan, no less daring, which bears the name of our Minister for National Defense. I speak of the Pleven plan for the creation of a European army, of a federal army, which will mark another decisive step toward western unity, the realization of which will guarantee the triumph of the international policy we pursue in common.

These are the ideas, these are the French plans which provoke the wrathful opposition of the Kremlin. The Communist upheavals of these last weeks, the calls made to German opinion, are destined only to stop this integration of Europe, this formation of a European unity; the main object of Bolshevik policy is, at this hour, to maintain, before the Bolshevik bloc, a Europe divided, and, because of that, a weak one. France also practices this federalist policy, this will for association, outside of Europe. She does not believe that at the very time she is striving to unite the free nations of the Old Continent, she should allow local ambitions to divide Africa in a mosaic of powerless units. What she seeks is the association of these peoples endowed with internal autonomy, with France, and, through France, with Europe, for the good and the progress of all.

These are a few of the reasons why I am convinced that the solidarity which arose, after the arrival of Lafayette on your shores, between the United States and France, rests today as then not only upon a mutual understanding—an unusual occurrence in the world—but also upon a total community of views and of objectives. The results obtained in the past are a token of the ones the future holds for us, if we are wise enough to continue on the road we have freely chosen. Lafayette had the rare privilege of returning to a country where, in company with Rochambeau and de Grasse, he had fought for freedom, almost a half century after these famous battles. Instead of the Colonies he had left, he found a Nation already great, united, happy, full of promise for the future, and the crowds from North to South welcomed him with enthusiasm. Could the old statesman he then was, schooled by the experience of the French Revolution and of the empire, imagine the glory that is the United States today? True, the pioneers, the forerunners, had won remarkable victories over nature in these lands; their leaders, in uniting the dispersed States to form one single Nation, had given to the world a great example of their wisdom, their foresight, and vision. However, could the most daring of them have foreseen that a century later, from the shores of the Pacific to the shores of the Atlantic, this magnificent and powerful country of yours would arise, with its cities crowned with skyscrapers, with its works of art, its industrial plants, its universities and art and science institutes, and its flourishing countryside?

These are the fruits which were made possible by our common struggle for democratic freedom during the eighteenth century. In the period of wars, revolutions, and unrest which began in 1914, and of which we have not yet seen the end, the solidarity uniting us remains a bulwark which nothing can break down against the adverse forces which threaten the democracies and would destroy their way of life. It safeguards for humanity a prosperous future, comparable to the one it has made possible for the free citizens of the United States.

Allow me to tell you, in conclusion, that it is a sound policy in international matters, when conducting a vast and difficult enterprise with multiple facets, to support success whenever it appears. Your aid to Western Europe and to the federative action inaugurated there by France does not run any danger of being useless or in vain. It is a support given to a success which is indispensable to the entire world, and which is assured if we do not relax our common effort, if we do not retreat before the sacrifices which are the same for all, as it should be. France, profoundly grateful to the United States for the liberation of her territory by the American armies, for the aid which later on was extended to her in her hour of need, France has no greater ambition than to carry out with you, united with you today as always, the good fight for freedom, progress, and peace.

ST. LAWRENCE SEAWAY

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, Senate Joint Resolution 27.

The Senate resumed the consideration of the joint resolution (S. J. Res. 27) approving the agreement between the United States and Canada relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes.

The VICE PRESIDENT. Late yesterday afternoon the Chair received a letter from the President, enclosing a copy of a letter the President had written to the Senator from Georgia [Mr. RUSSELL] with regard to the pending measure. The Chair is sure the President meant that the letter should be read to the Senate. The Senator from Georgia is out of the city, and if it is agreeable to the Senate the Chair will ask the clerk to read the letter, the time consumed in the reading of it not to be charged to either side.

The legislative clerk read the letter, as follows:

THE WHITE HOUSE,
Washington, June 17, 1952.

Hon. RICHARD B. RUSSELL,
United States Senate,
Washington, D. C.

DEAR DICK: I am sending you this memorandum hoping that you can do something to help the St. Lawrence seaway.

It will be one of the worst economic mistakes the country has ever made to allow that great project to go by default. If Canada constructs the waterway then no doubt some future administration will allow New York and Quebec to obtain all of the power. This is one of the worst things that could happen in the northeast section of the country.

I have had in mind a northeast power pool, a southeast power pool, which is almost completed, a southwest power pool and, of course, we have a great one in the northwest and one developing in the middle of the country, so that eventually we will have a power network that will give the country a balanced program fair to every section.

How any midwest or lake bordering State or New England could not see the necessity for this wonderful project is more than I can understand. If Canada builds the waterway, and they expect to build it, we will pay a toll on every ton of steel that comes from the iron deposits in Labrador. It has become necessary for us to import nearly all our iron from Labrador, Liberia, and Venezuela. This waterway would prevent our steel mills in the midwest from moving to the east coast. That situation happened to the textile mills of New England and I don't want to see it happen in the case of the midwest steel mills. Of course, the southern steel mills will be taken care of by the Venezuela ore deposits and are not in any danger from lack of future ores.

I hope you will consider this situation carefully. I think the best showing possible was made before the committee when the project was being considered.

Sincerely yours,

HARRY S. TRUMAN.

The VICE PRESIDENT. There is pending before the Senate the motion of the Senator from Maryland [Mr. O'CONOR] to recommit the joint resolution to the Committee on Foreign Relations. Twenty minutes for debate on each side is allowed, the time to be controlled by the Senator from Maryland, the mover of the motion, and the Senator from Rhode Island [Mr. GREEN], in opposition to the motion.

The Chair announces that hereafter during the remainder of the debate on the pending measure any Senator who wishes to make insertions in the RECORD must have time yielded to him by a Senator who is in control of time.

During the transaction of routine business,

Mr. MAGNUSON. Mr. President, some controversy has been raised on the pending measure regarding the ability of the American merchant marine to use the proposed St. Lawrence seaway. Inasmuch as the American merchant marine, if the measure were passed and the seaway were constructed, would wish to use the so-called 27-foot channel, and inasmuch as there is great controversy with respect to the seaway, I went to the trouble of gathering a great many statistics with respect to our present merchant marine and its ability to use the proposed channel.

The time for debate on the measure is pretty well taken up. Therefore I ask unanimous consent that there be placed in the RECORD at the beginning of the debate on the seaway a statement regarding the ability of the American merchant marine to use the channel.

Without objection the statement was ordered to be printed in the RECORD, as follows:

USE OF ST. LAWRENCE SEAWAY BY THE UNITED STATES MERCHANT MARINE

The bulk of the American merchant fleet as now constituted can operate on the St. Lawrence seaway as proposed. Statistics from the Maritime Administration show that approximately 85 percent of the present oceangoing fleet can be accommodated in the planned 27-foot channel with sufficient payload for profitable operations.

It is true, however, that 75 percent of the fleet would have to navigate a 27-foot channel with less than full deadweight capacity loads to reduce their drafts. Ten percent of the total fleet could use the channel fully loaded. At first glance, this would appear to discriminate against a large number of the ships flying the American flag. But an analysis of the number of trips and drafts of vessels arriving and departing from six principal Atlantic and Gulf coast seaports indicated that, of all the vessels that drew more than 20 feet, 60 percent actually were drawing between 20 and 26 feet in salt water. In fresh water these ships would draw nearly 6 to 10 inches more. It is thus obvious that there would be little, if any discrimination against even many of the larger ships now in use on the ocean sealanes. Prudent regard, however, for the developments of the not too distant future dictates that the fixed structures of the seaway should be built to permit the clear channel depth to be increased to not less than 30 feet merely by dredging.

Completion of the seaway would thus provide hundreds more ports of call for the merchant marine, enabling American flag cargo vessels to reach directly into the heartland—the agriculture and production centers—of mid-America. It would offer expanded opportunity for the fleet of Great Lakes vessels now in use. In fact, all present United States lakers could use a 27-foot channel fully loaded with one possible exception, the steamship *Willard Sykes*. It has a 26-foot draft fully loaded which would leave small clearance in a 27-foot channel were she to attempt to transit the canal when fully loaded.

Some operators of oceangoing steamships have argued that the smaller foreign vessels would benefit more than would American-owned ships. This is only true to the extent that American shipping abandons the field to foreign competitors in serving a vast area that now must depend upon transshipment of raw materials, agricultural commodities and manufactured goods to and from the great overseas markets of the world.

In connection with the prospects for use of the St. Lawrence seaway, the Department of Commerce has projected figures of estimated traffic in 1960. These show that 35,000,000 tons of iron ore can be expected to be carried by ship during that year. At present, it would be impossible to estimate the per-ton cost of these shipments as compared to the use of existing facilities. But with the clouded international situation as it is, and with the constantly expanding need by American industry for this vital ore for commercial as well as defense needs, there seems little point in going into the great and real benefits that would result from completion of the seaway project in this field.

To amplify this aspect of the seaway's importance, and the use to which it can be put by shipping, it should be noted that the ingot steel capacity of United States mills will be about 120,000,000 tons at the end of 1953. To produce this will require the processing of 145,000,000 tons of virgin ore and 38,000,000 tons of scrap metal. The shortage of scrap poses a problem in the production of steel, a problem which can only be solved by the use of more ore. Because of this factor, the estimated ore requirements for American industry for 1960 amount to 160,000,000 tons. This is a deficit of 50,000,000 tons from present sources of supply—50,000,000 tons of ore which could be carried on the St. Lawrence seaway.

The Great Lakes ports long have been centers of grain shipping. Crops flowing into elevators from the farms of the Midwest have traditionally been carried by both lake vessels and overland transportation for transshipment to foreign consumers. It is estimated by the Department of Commerce that by 1960 at least 6,500,000 tons of grain would be transported annually on the seaway. The Department further estimates that the lower expenses of shipping will result in a saving of 5 to 7 cents a bushel over rail costs. This obviously is a powerful factor for attracting grain traffic to the worldwide seaway.

This also is a vast potential source of shipping traffic in the carriage of petroleum. The development of oilfields in the Province of Alberta, Canada, for instance, has increased from less than 7,000,000 barrels annually in 1947 to nearly 47,000,000 barrels in 1951. With the ever increasing global demand for crude oil as well as refined petroleum products, ships most certainly would be employed in mounting numbers because of their efficiency in this type of operation.

Estimates of general cargo from the Department of Commerce place the tonnage in 1960 at 13,000,000 tons. Of this, 4,000,000 tons are expected from Canadian sources and the remaining 9,000,000 from American producers. This estimate is based on a survey of areas immediately adjacent to the Great Lakes and does not take into consideration the probable traffic generated in at least 12 additional States in this country.

All things considered, however, what is perhaps the best argument for the seaway from the point of view of the merchant marine is in the field of national security. It will permit greater dispersion of the shipyards used in the construction in time of emergency of ships needed in the national interest. The seaway will be added insurance that this country can have an uninterrupted flow of vessels, to carry the men and materials to safeguard ourselves and our friends. There is no thought that this would enable us to do away with the efficient and greatly needed facilities along the Atlantic, Gulf, and Pacific coasts.

History has proved that the opening of an area to ocean traffic always has benefited both the area and the merchant marine that provides transportation facilities to it. The seaway would provide a stimulus to increase production and develop the economy of the heartland of the United States and North America. Such a step would be reflected in increased traffic both by rail and water. To cite just one example: When the Houston, Tex., ship canal was completed it opened

that city's door to global commerce. Since 1920, traffic over the waterway has increased from 1,200,000 tons annually to nearly 37,000,000 tons in 1946.

On another aspect of having the United States participate in completion of the seaway, it should be pointed out that joint control would give this country a voice in determining toll rates and would also give taxpayers a direct saving in making certain that official United States traffic would be exempted from tolls.

Completion of the St. Lawrence seaway opens up the longest coastline in the United States. The project should be completed in close cooperation with our neighbors to the north who, for more than two centuries, have proved their friendship by having in common with us the longest unprotected frontier that history has ever seen. The St. Lawrence seaway can—and will—be used by the American merchant marine because it will open new frontiers for ocean-going vessels. The St. Lawrence seaway represents progress and, since the days of Robert Fulton's steamship and the earlier time of the clipper ships, the American merchant marine has always carried its colors where new opportunity appeared.

Mr. O'CONOR. Mr. President, I yield 5 minutes to the Senator from Texas.

Mr. CONNALLY. Mr. President, we are nearing a vote on the motion to recommit the joint resolution to the Committee on Foreign Relations. Similar measures dealing with the St. Lawrence seaway have been reposing in committees for a great many years. If we do not send the joint resolution back to committee it will get lonesome, or the committee will get very lonesome. The subject has been before Congress a great many times, and has always been defeated.

I wish briefly to summarize the objections to the waterway. Do Senators know how much it will cost their individual States? I have before me a list showing the amount it will cost each State, most of which will get nothing out of it at all. There are various estimates of the cost. Every new estimate is larger than the preceding one. That shows that the original estimates were wrong, and that the cost of building the seaway as it is planned would be colossal.

Why do some Senators favor construction of the seaway? Some say, "We wish to have the seaway built so that ships can go up the St. Lawrence River to the Middle West, to Minnesota, or other States."

Mr. President, what is the fact in regard to the number of ships which would be able to use this waterway, if it were constructed? I have before me data showing that practically only 10 percent of ships of United States registry could ever navigate the waterway, if it were constructed. These estimates have not been made by Senators who are enthusiasts either for or against construction of the canal, but the estimates have been made by the Maritime Administration of the United States, the official body or agency which has jurisdiction of maritime matters. The estimates of that Administration show that just a little more than 10 percent of ships of American registry could ever navigate the canal if it had a depth of only 27 feet.

Do Senators wish to have money contributed by their States used to build a canal, ostensibly for the purpose of use by American shipping, when, as a matter of fact, all Senators know now that only approximately 10 percent of ships of American registry could navigate the canal if it were constructed?

I cannot understand how any Senators would favor having the money contributed by their States to the Federal Government thrown away on such a project, inasmuch as it would be of no practical utility to approximately 90 percent of ships of American registry.

Mr. President, what is back of the proposal for the construction of this project? The sponsors of the project have accused those of us who oppose its construction of all sorts of affiliations and of all sorts of selfish interests. But, Mr. President, what about the selfish interests in favor of construction of the canal? I make no charge of selfishness, except to offset some of the charges which have been made up to now.

Mr. President, oceangoing ships of American registry could never navigate this canal. Even if the canal were made deep enough to permit of considerable use by our oceangoing ships—and that could be done only at a greatly increased cost—those ships still could not enter most of the Great Lakes ports, unless the Government of the United States spent vast additional sums of money to deepen all the Great Lakes ports.

Mr. President, I hold in my hand a statement coming from the United States Maritime Commission. It is a classification of the vessels of American registry, and is entitled "Draft of Vessels in the United States Merchant Marine."

I read from the list:

Number of vessels under 21-feet draft, 82.

Another listing of vessels under 21 feet draft shows that there are 49.

Vessels under 22 feet draft, 14.
Vessels under 23 feet draft, 134.
Vessels under 24 feet draft, 47.
Vessels under 25 feet draft, 25.

In short, Mr. President, only 351 of all ships of American registry could navigate the canal if it were constructed.

What about the other ships of American registry? I read further from the list:

The vessels below this line could not use 27-foot channel:

Ships of 26 feet draft, 96.
Ships of 27 feet draft, 106.
Ships of 28 feet draft, 2,027.
Ships of 29 feet draft, 484.
Ships of 30 feet draft, 304.

After that, the ships of American registry having a draft of 31 feet or more are listed.

The total is 3,074. Mr. President, 3,074 American ships could not use the canal, if it were constructed, whereas 351 ships of American registry could use the canal. In other words, practically only 10 percent of American ships could navigate the canal.

The total gross tonnage of American ships which could navigate the canal is 1,698,000.

The total gross tonnage of American ships which could not navigate the canal is 23,866,000.

Do Senators wish to vote to authorize the construction of a canal if only American ships having a total gross tonnage of 1,698,000 could navigate it, as compared to American ships with a total gross tonnage of 23,866,000 which could not navigate it?

For whom would Senators be voting if they voted for the construction of this canal? Would they be voting for the American people or for the majority of American shipping?

Mr. President, the fact of the matter is that Senators who voted for the canal would be voting against a majority of American shipping—in fact, against almost nine-tenths of it. Senators who voted for construction of the canal would be voting to prevent almost nine-tenths of American ships from using the waterway.

In terms of taxes paid on the operation of ships, almost 90 percent of American ships from whose operations taxes are paid to the Government would not be able to use the canal. In short, although the taxes paid as a result of the operation of all American ships would be used in part for construction of the canal, it could be used, when completed, by practically only 10 percent of American shipping. What kind of statesmanship would be demonstrated by Senators who voted for such a project?

Mr. President, let us consider the change of sentiment which has occurred in regard to this matter. I hold in my hand excerpts from the testimony of Mr. George Humphrey, president of the M. A. Hanna Co., of Cleveland, and also president of the Iron Ore Co. of Canada. The interests he represents are the principal interests which would benefit from construction of the canal. Mr. Humphrey testified that a number of years ago these interests were opposed to the St. Lawrence canal and waterway. He stated, as the reason for their previous opposition, that at that time it did not appear that there would be sufficient resulting benefits to justify construction of the canal.

At the present time, however, Mr. Hanna and the interests he represents favor construction of the canal, because they say the situation has changed and because they say there is now sufficient tonnage to justify the building of this waterway.

Mr. President, what is that change? It is a change which has occurred in the situation of Mr. Hanna's company. He expects his company to furnish the tonnage which would be shipped over this waterway, if it were constructed. His company would furnish the tonnage, but the Government of the United States would furnish the money which would be required to construct the canal, so that Mr. Hanna's company would have a monopoly of the use of the iron-ore deposits in Labrador.

Let me refer to the actual testimony. The Senator from Connecticut [Mr. McMAHON] was asking questions of Mr. Humphrey.

The VICE PRESIDENT. The time of the Senator from Texas has expired.

Mr. CONNALLY. I am sorry, Mr. President. I have a great deal of other

data which I am prepared to submit to the Senate, and which I should like very much to submit. I shall give it to my colleague, in the hope that he will be able to use it.

Mr. O'CONOR. Mr. President, I yield 4 minutes to the Senator from Illinois [Mr. DIRKSEN].

The VICE PRESIDENT. The Senator from Illinois is recognized for 4 minutes.

Mr. DIRKSEN. Mr. President, it was 125 years ago that a Canadian by the name of John Smith first suggested the improvement of the St. Lawrence waterway. For one century and a quarter this matter has been bruited around the country, but in all that long time it has not been "sold" to the people of the United States of America.

As a matter of fact, Mr. President, after 870 pages of testimony it was not even "sold" to the Foreign Relations Committee of the Senate. Can we fancy the spectacle of having a project which involves so much money and so long a commitment come to the Senate of the United States without a recommendation on the part of the Foreign Relations Committee? The vote in the Foreign Relations Committee was 6 to 6. So the joint resolution had to come before the Senate without recommendation. That is a strange position for a measure of such transcendent importance to occupy, and it is the best reason I know for the recommittal of the joint resolution.

I desire to call the attention of the Senate to the fact that the Aiken amendment which is pending fully and unconditionally guarantees the bonds the development corporation is to issue, and, if they are not paid as to principal and interest, the Aiken amendment is as clear as crystal that the Treasury of the United States will pay them; indeed, it becomes an automatic obligation.

One interesting bit of language on page 6 of the Aiken amendment reads:

> All such obligations shall be fully and unconditionally guaranteed both as to interest and principal by the United States and such guaranty shall be expressed on the face thereof.

Now:

> In the event that the Corporation shall be unable to pay the principal of or interest on any such obligations when due, the Secretary of the Treasury shall pay the amount thereof, which is hereby authorized to be appropriated—

Therefore, Mr. President, if the Aiken amendment were adopted, we would be authorizing a permanent, automatic, indefinite appropriation for whatever the amount might be. It would become a contingent liability of the Treasury.

Mr. MOODY. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I cannot yield, for I have but 4 minutes.

In 1929 the Brookings Institution, when Harold Moulton was its president and when Edwin Norris was a member, made a survey of the St. Lawrence seaway project. It is contained in a report consisting of 670 pages. In it the Brookings Institution said that a 27-foot waterway would take care of only a portion of the American shipping, and that, in their judgment, the project was not economically feasible.

As is shown by the record, General Wheeler, Chief of Army Engineers, who comes from my home town, refused to testify as to the cost because it was too indefinite. Captain Bradley, of the Navy, indicated it would be an expensive proposition. In 1929 the Brookings Institution said the cost would be $999,000,000 on the basis of 1929 values. What would it be, starting in 1952? General Breene was before the committee. His estimate of the cost of the harbor improvements, which he puts at $577,000,000, is 2½ times greater than the estimate of the Army engineers. Frazier Bailey, who represents most of the dry cargo and tanker shipping of the country, testified that the 85 new ships which today are on the ways and under construction have a draft in excess of 29 feet, and would not be able to use the canal. In modern shipbuilding the trend is toward deeper-draft and larger vessels, because of the cost of operation. The Federal Government pays a construction subsidy and also an operation subsidy; and, in order that the maximum revenue from now on may be derived, larger ships must be built. A 27-foot waterway would not admit the first-class cargo liners.

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. I hope the joint resolution will be recommitted, because the record before the House and Senate committees is entirely against the proposition in its present form.

Mr. O'CONOR. Mr. President, I yield 2 minutes to the Senator from Louisiana [Mr. ELLENDER].

The VICE PRESIDENT. The Senator from Louisiana is recognized for 2 minutes.

Mr. ELLENDER. Mr. President, the Senate has heard many reasons why the proposed St. Lawrence seaway is impractical, a "white elephant," and an economic luxury this country cannot afford.

I have listened carefully to some of the debate during the past week and to many previous debates. I have heard advanced no reasons sufficiently valid to make me change the position I assumed on this question in 1948. On the contrary, the reasons cited as to the so-called "necessity" for this project are the same reasons I heard in 1948—and today, not only are they just as fallacious as 4 years ago, but their age has only served to make them less convincing.

The Senate is discussing a 27-foot channel. I think the facts show beyond all doubt that a 27-foot channel is not sufficient. Actually, statements as to a 27-foot channel are misleading, for 27 feet is not deep enough to enable more than a trickle of our merchant marine to make use of this so-called seaway.

Proponents have leaned heavily on the old argument of diminishing iron ore supplies in this country. They claim the St. Lawrence seaway would open up the Labrador ore fields to our steel mills.

There is indeed a vast amount of iron ore in Labrador; but I contend that the virgin reserves of taconite in this country offer our steel industry a fertile and productive source of iron ore. Furthermore, our neighbor nation, Venezuela, boasts untold deposits of this vital material. The Venezuelan deposits, which have never been carefully surveyed, are already being tapped by several American steel manufacturers. They have invested millions of dollars of their profits, already hard-hit by taxes, in this venture. I ask Senators if this cannot be considered a clear-cut indication that the steel manufacturers believe Venezuelan ore is more susceptible to quick and profitable development than the ore from Labrador fields?

I should like to remind my colleagues of a fact I brought out on the floor of the Senate yesterday. Our own military men have testified that one bomb could destroy—for all practical purposes—the usefulness of the St. Lawrence seaway. Just one bomb would mean an end of a costly project, and it would terminate this channel's usefulness just when the country needed it most.

The Mississippi River, however, does not present such a problem. The only thing a bomb could do to the Mississippi would be perhaps to make it a little deeper. There are no locks to be destroyed in a split second. And today the Mississippi lies ready and waiting to be used as it is, with no further improvement. I maintain that the sensible thing for this country to do is to make the Gulf of Mexico our own "inland lake." I say we should use the Mississippi River and the Gulf ports to increase trade with our Latin American neighbors. If iron ore is needed, then it can be brought by ship, through deep water, into the Gulf ports. From this point, it can be funnelled up the Mississippi River to Pittsburgh or other industrial centers. Again I point out that this can be done today without the expenditure of millions or billions of our scarce tax dollars.

I realize that the expenditure called for on this project approximates a half billion dollars. But I should like to remind my colleagues that this half billion is only a rough estimate. There has been no complete engineering survey made. There have been few if any borings or subterranean samplings taken of the area under consideration. All we have before us is an "educated guess" as to about how much this project will cost. Since I have been in the Senate I have not seen one canal built for its original estimated cost. Usually, the charges are much higher.

There is this angle to be considered also: Shipping experts have pointed out that a 27-foot channel is not adequate to be used by the bulk of our merchant marine. I believe if Senators will realize this, they can see the next step. If this project should be approved—and I, indeed, hope it is not—work on a 27-foot channel would begin. Then, along about half way through the project, when the country has several millions of dollars invested in the seaway, the cry will go up from our bureaucrats that the 27-foot channel is outmoded and that the seaway should be deepened to 30 or 32 feet. That would have to be done, of course. It would be either that or lose the money already invested. I cannot see this 27-

foot channel as anything except a wedge, one that will be used to pry more money out of the Congress after work is once begun.

Mr. President, this country simply does not have the money to spare. It should not assume obligations in any form for the building of this project. I ask my colleagues to consider our national debt. That debt will hit the statutory limit of $275,000,000,000 by the end of 1953 fiscal year. Our people will be supporting a per capita national debt of nearly $1,800. Yet, there is a cry raised for the expenditure of our already scarce and inflated dollars to build a project that has been knocking around Capitol Hill for more than 30 years. Even if this project could be justified, I would say now is no time to build it. I would say, let us use our existing waterways. There has been no concrete economic justification shown for the St. Lawrence seaway. On the contrary, it has been ably pictured by those who know shipping and steel production best as a "white elephant," an economic liability.

Canada wants to build the seaway. I say let her do so. She has no staggering national debt. Her people are not burdened by the heavy load of taxes our people must bear. Canada is in excellent financial condition. If Canada wishes to build the seaway, then I say let her go ahead. I do not think we need be afraid of our neighbor to the north levying exorbitant toll charges upon American vessels. If Canada thinks the project can be justified, then I am all for letting Canada—whose dollar is worth more in the world market than ours—build the project alone.

We must be frank with ourselves, Mr. President. This country just does not have the money to invest in unproven and untried schemes. If millions or billions are to be invested in improving navigation, then let us invest them in our own country—on the Mississippi River, for example—where there is no international territory in question and where there is no necessity for locks which could be knocked out by a single bomb.

It is time for the Senate to be sensible about this project. My first thought is to forget it, let it go by the board, and let the Canadians profit by our own experience in Panama, where the annual balance sheets have shown us the futility of expecting a canal ever to be self-liquidating.

I believe the Senate and the people of the United States represented in this Chamber can expect at the least more than merely a guess as to how much such a project would cost. If proponents are determined to bring this matter to a final vote, then I would first like to see some concrete, specific engineering estimates. I do not like to buy a pig in a poke, so to speak.

But, above all, I would recommend that this Nation develop fully its God-given natural waterways before entering upon any project on someone else's doorstep.

These are the reasons why I oppose the St. Lawrence seaway project, Mr. President. I believe they are sound and fair reasons, and I believe the Senate of the United States can best do justice to our own people by letting Canada build this project by herself. Economic facts are economic facts. We cannot afford to ignore them.

The VICE PRESIDENT. The time of the Senator from Louisiana has expired.

Mr. O'CONOR. Mr. President, I yield 2 minutes to the Senator from New Jersey [Mr. SMITH].

The VICE PRESIDENT. The Senator from New Jersey is recognized for 2 minutes.

Mr. SMITH of New Jersey. Mr. President, I have decided that I shall vote to recommit the joint resolution, and in support of my position I ask unanimous consent to have printed in the RECORD at this point in my remarks a statement submitted by me to the Committee on Foreign Relations on the question of the 27-foot canal and the comparative costs of canals of 27, 30, and 35 feet, respectively.

Mr. CONNALLY. "Ditch" is correct.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT MADE BY SENATOR SMITH BEFORE THE FOREIGN RELATIONS COMMITTEE IN REGARD TO THE ST. LAWRENCE SEAWAY AND POWER PROJECT, APRIL 22, 1952

After a careful review of the testimony placed before our committee for and against the construction of the St. Lawrence project, I find myself with two strong reservations against undertaking the program at this time.

In the first place, I am not persuaded of the feasibility of constructing a channel of only a 27-foot depth when the Maritime Commission has stated that loaded drafts of almost all ships of the United States merchant-marine fleet require 30 to 37 feet for safe and economical operation. If the seaway is to be of any real value to ocean-going shipping it must ultimately approach a depth of 35 feet. I do not wish to have the project approved on a 27-foot basis only to discover that the executive branch will later return for funds to deepen the channel.

If we were to build the project at this time with a 35-foot channel it would cost this Nation at least a billion dollars. This outlay would come at a time when it is essential that we limit our expenditures to only those projects which are essential to our national defense. I am not convinced that the seaway falls within the category of essential projects. We have other means of transporting the ore required by our steel industry.

The Army engineers in a report to the Committee on Foreign Relations in the hearings of 1948 estimated the cost of new construction of the canal as follows:

	1948	Based on 1950 cost estimates
For a 27-foot channel..	$802,566,000	$818,063,000
For a 30-foot channel..	1,048,128,000	1,078,813,000
For a 35-foot channel..	1,755,079,000	1,840,889,000

The proportion of the estimated costs of new construction to be borne by the United States was as follows:

	1948	Based on 1950 cost estimates
For a 27-foot channel..	$373,461,000	$566,794,000
For a 30-foot channel..	765,764,000	767,629,000
For a 35-foot channel..	1,048,909,000	1,052,923,000

Obviously construction costs have increased rather than decreased since 1948, and therefore the foregoing figures would have to be increased on the basis of 1952 costs. Furthermore, I am advised that the Corps of Engineers has recommended a 40-foot canal for the Delaware River in order to accommodate deep-draft oceangoing vessels needed to serve the United States Steel plant at Morrisville, Pa. Obviously if a channel of this depth is necessary for the steel plant at Morrisville, certainly the proposed 27-foot canal would be inadequate on the St. Lawrence.

It is my feeling that we should separate the power aspect of the project from the seaway proposal. I see no necessary interrelationship between the two.

For the foregoing reasons, I am unable to vote for the project as it is now being considered by the committee.

Mr. SMITH of New Jersey. Mr. President, I should like to call the attention of my colleagues to the fact that on February 27, 1948, on my motion, the Senate voted, 57 to 30, to recommit Senate Joint Resolution 111, pertaining, to the St. Lawrence seaway and power project, which was then pending. For that reason I have hesitated to ask that the joint resolution be recommitted again. However, at that time a small subcommittee of the full committee prepared, as I recall, 16 questions on this subject. Those questions were submitted to the various departments of the Government for answers. I have never been satisfied with the answers. I have been trying to get more specific answers. Therefore, I joined with the Senator from Illinois [Mr. DIRKSEN] and the Senator from Massachusetts [Mr. SALTONSTALL] in submitting an amendment in the nature of a substitute, for the purpose of having an independent survey made by engineers who are not Army engineers and who are not a part of the administration.

I ask unanimous consent to have printed in the RECORD at this point in my remarks a study I have made of these 16 questions, an analysis of the answers, and the reasons for my feeling that those answers are not satisfactory.

The VICE PRESIDENT. Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

COMMENTS ON GOVERNMENT DEPARTMENTS' REPLIES TO QUESTIONS RAISED WITH REGARD TO THE ST. LAWRENCE SEAWAY PROJECT AT THE TIME OF THE RECOMMITTAL OF SENATE JOINT RESOLUTION 111 (80TH CONG., 2D SESS.)

On February 27, 1948, on my motion, the Senate voted 57 to 30 to recommit Senate Joint Resolution 111, pertaining to the St. Lawrence seaway and power project. At that time, I listed 16 questions which I believed required an answer before I could vote a resolution on the St. Lawrence seaway up or down. A study committee was set up by Senator Vandenberg, and that committee obtained what purported to be answers from the executive branch to those 16 questions.

I find those answers unsatisfactory in several respects. They are all obviously slanted in the direction of supporting the seaway and omitting vital information which should have been presented. Specifically, however, I find the answers unsatisfactory in the following respects:

Question 1: Detailed estimates of the cost of constructing the St. Lawrence seaway with channels of the following depths: 27 feet, 30 feet, and 35 feet.

Assigned to United States Army Corps of Engineers.

Comment: The figures submitted are detailed but based on qualifications which destroy their reliability. They are qualified by the following statement:

"These cost estimates except for the international section are based on the best information available without entailing the costs of subsurface investigations."

In addition, the engineers state that no soundings or borings were taken. No detailed studies were made regarding the St. Clair River compensating works, or the Detroit River lock planned for the projects of 30 and 35 foot depths.

The Thousand Islands section figures are based on the following qualifications:

"Meager hydrographic data available thereon. No soundings or borings taken. Estimates therefore should not be considered to be accurate."

In the testimony before our committee on the present resolution, Senate Joint Resolution 27, the figures of the Army engineers were challenged as they have been challenged on the floor.

There is no need to labor the point. The answers given to question I are unsatisfactory.

Question II: Detailed estimates (based on the channel depths referred to in paragraph (1) of the cost of deepening harbors, and approaches thereto, on the United States side of the Great Lakes which may be needed to accommodate the traffic it is estimated will use the St. Lawrence seaway.

Assigned to United States Army Corps of Engineers.

Comment: The figures here are misleading. They are confined to only 10 harbors which are designated as typical United States harbors which are on the Great Lakes. They cover only entrance channels and turning basins to outer docks at these selected harbors. They are not addressed to realities of ocean shipping reaching the Great Lakes. Again no borings were taken and these figures from the Army engineers are described as preliminary. The number of harbors selected was wholly insufficient, and the area within each of the selected harbors was wholly inadequate. The estimate is preliminary and unreliable.

(These criticisms apply to the figures presented in connection with Senate Joint Resolution 27 and they are only adaptations of the figures submitted to us in connection with our study. Furthermore, they are based on December 1950 costs, and not on 1952 costs. From 1948 to 1950, there was an increase in the construction costs index of approximately 15 percent, but the Army engineers' figures for a 27-foot channel dropped from an estimate of $573,000,000 for the United States share in 1948 to $567,000,000, according to the 1950 index.)

Question III: The estimated tonnage which will use the St. Lawrence seaway (based on the channel depths referred to in paragraph (1)) with a view to determining if the proposed new deep-water-navigation works on the St. Lawrence River and the Great Lakes can be made self-liquidating by charging tolls.

Assigned to Departments of Commerce, State, and Interior.

Comment: The figures supplied by the Departments of Commerce, State, and Interior on this item are unrealistic and evasive. The Department of Commerce figures do not answer the question of "the estimated tonnage which will use the St. Lawrence seaway," but are addressed to the theoretical potential traffic which could use the seaway. The Department of Commerce evidently was aware of the inadequacy of the figures because it attempts to advocate the seaway in its discussion of the tables, stating among other things that "it is worth noting at this point that the estimates that have been made are referred to as potential. Some commodities, of course, which would appear to represent seaway tonnage will be slow to shift from existing Atlantic ports because of seasonal factors or because of long-established distribution practices and institutions. Nonetheless, the prospect of transportation savings will undoubtedly cause shippers to change their transportation routings."

There is no need to go further. The flavor of the report is contained in these few words.

There is another fallacious assumption in these figures—namely, that lower transportation costs will outweigh all of the other factors in every case. Thus specifically, the Department of Commerce fails to present the offsetting items of traditional customs of purchase, distribution, financing and storage, and investments in present plant and equipment, to mention only a few. The figures do not take into consideration that the seaway will not be usable for 5 months of the year. In short, the figures in the report are inadequate to use as a basis for estimating the possibility of making the seaway self-liquidating by reason of toll charges on specific items that it is reasonable to adopt to use the seaway once it is constructed. There is no need to go into all details of why I find the answer unsatisfactory. The traffic estimates were arrived at in a way calculated to destroy confidence in the reliability of the results. Here, for example, is the type which is encountered in the report:

"Another item of traffic which the Department expects will move via the seaway is petroleum, although in the case of this traffic it is impossible to predict with any assurance the timing, the direction, or the volume of movement.

Question IV: An analysis of the estimated traffic on the St. Lawrence seaway (based on the channel depths referred to in par. (1)) with a view to determining its effect on various areas in the United States.

Assigned to Departments of Commerce, State, and Interior.

Comment: This is one of the most important questions of all. It is assigned to three Departments. Yet not a single one of them answered the question. If any aspect of the departmental reports shows the need of an impartial survey by people not committed to one or another point of view, this is the question.

Question V: The advisability and feasibility of making the St. Lawrence seaway self-liquidating through tolls, together with sample tables of tolls on selected commodities representative of those to be transported over such seaway.

Assigned to United States Army Corps of Engineers and other agencies as they desire.

Comment: The answers to this question are inadequate. They fail to show a businesslike basis on which one could calculate the feasibility of making the seaway self-liquidating with tolls. They fail to recognize the pressure for domestic tonnage for exemption and the figures in general are subject to the same deficiencies as I have made clear in my comments relative to the answers to question III.

Question VI: Sample tables of over-all transportation costs of selected commodities representative of those to be transported over the St. Lawrence seaway (based on the channel depths referred to in par. (1)) from inland points in the United States to selected points both inside the United States and abroad.

Assigned to Department of Commerce.

Comment: The Department of Commerce made no effort to answer this question.

Question VII: The estimated diversion of traffic to the St. Lawrence seaway from existing transportation facilities and the effect thereof.

Assigned to Department of Commerce.

Comment: The Department of Commerce made no effort to answer this question.

Question VIII: The most advantageous engineering method or methods to be used in constructing the St. Lawrence seaway, together with the reasons therefor.

Assigned to United States Army Corps of Engineers.

Comment: The answers given by the Army engineers in its figures failed to present logical alternatives for congressional consideration.

Question IX: Estimates as to the equitable share of the construction costs of the St. Lawrence seaway and power project to be borne by this country, together with detailed studies as to alternative plans of financing such share on the basis of various applicable interest rates.

Assigned to Departments of State and Commerce, Corps of Engineers, and Federal Power Commission.

Comment: No answer is given except that the State Department observes that the 1941 agreement between the United States and Canada provides an equitable basis. There are no detailed studies of financing for the other items referred to.

Question X: Estimates as to the equitable share of tolls to be received by the United States.

Assigned to Departments of State and Commerce, Corps of Engineers, and Federal Power Commission.

Comment: No satisfactory answer is given here. The Department merely states that at best this is a matter to be worked out gradually during the period of construction.

Question XI: An analysis of the effect of the St. Lawrence seaway on the American merchant marine and the American ship construction industry.

Assigned to Maritime Commission.

Comment: The answer is confined to matters which are not exactly on the point. It fails to take note of the wartime laying down of oceangoing vessels in the Great Lakes shipyards and it takes no account of the tremendous surplus of shipbuilding facilities and the means and ways of keeping those facilities going.

Question XII: Evaluation of the St. Lawrence seaway and power project in terms of national defense and resource mobilization, including supply and procurement of strategic and essential materials.

Assigned to Secretary of Defense, Corps of Engineers, Federal Power Commission, Departments of Commerce and Interior.

Comment: This is by far one of the most unsatisfactory replies. It is meager and ignorant of a number of important factors which go into national defense. It ignores the Great Lakes shipyards for building vessels in wartime. It fails to discuss the effect of the seaway on railroads and industry. It fails to reflect the problems encountered by the Defense Department in this area during the last war.

Question XIII: Effect of construction of the St. Lawrence seaway and power project on manpower and materials in short supply.

Assigned to National Security Planning Board and Commerce Department.

Comment: The answer is unconvincing and short. It does not provide adequate information on which to base legislation.

Question XIV: An analysis of alternative arrangements for construction of the power project separately by the Federal Government, or otherwise, and estimates of the costs of construction on the basis of each alternative.

Assigned to Federal Power Commission, Corps of Engineers, and Interior Department.

Comment: I have no comment on this answer.

Question XV: The potential power output of the plants proposed to be constructed, the areas that could be served by such power plants, and the market for and the need for power in such areas.

Assigned to Federal Power Commission and Interior Department.

Comment: I have no disagreement with this reply.

Question XVI: An analysis of equitable plans for distribution of power generated at such plants throughout the entire area which could be served by such plants and with particular emphasis on safeguarding the interests of all States included in such area.

Assigned to Federal Power Commission and Interior Department.

Comment: This answer is inadequate and cannot be said to be addressed to safeguarding the interests of all States included in the area.

CONCLUSION

There are a number of details in connection with the answers to most of these questions that I have deliberately omitted. My only purpose in presenting the subject in this way is to show why I still remain unsatisfied. Many of the questions I propounded when I made the motion to recommit remain unanswered. I repeat the Congress has not received the fair, unbiased, unslanted, complete, and adequate answers it was entitled to receive from the executive branch of the Government. I am convinced under present conditions that it would be possible for the Congress to secure those figures from the executive branch. That is the reason why I now join with Senators DIRKSEN and SALTONSTALL in the motion to create a study commission on which the Congress can rely for adequate, informed, and unbiased figures and information.

Mr. SMITH of New Jersey. Mr. President, I had hoped that this joint resolution could be presented to us on a self-financing basis. I told the Senator from Vermont that if such a scheme could be worked out, I would be glad to cooperate in trying to obtain its adoption. But I think the only way by which there can be a proper approach to such a plan would be to have the joint resolution recommitted to our committee in the hope that the committee may work with the Senator from Vermont [Mr. AIKEN] and other Senators in an effort to perfect such a plan.

The VICE PRESIDENT. The time of the Senator from New Jersey has expired.

Mr. O'CONOR. Mr. President, I yield 2 minutes to the Senator from North Carolina [Mr. SMITH].

The VICE PRESIDENT. The Senator from North Carolina is recognized for 2 minutes.

Mr. SMITH of North Carolina. Mr. President, a few days after I came to the Senate, I subscribed to this joint resolution, because I thought from what I knew of it that it was a good thing. I do not want to oppose it, but I must confess that during the past few weeks I have learned more about the subject than I knew at the time I subscribed to the joint resolution. I am not ready to say that I am against it, though I subscribe heartily to the suggestion made by the distinguished Senator from Massachusetts [Mr. SALTONSTALL] in his amendment.

It seems to me that if we could have an impartial investigation by a group that would look at the matter objectively, and not from a political viewpoint at all, it would be well worth while.

I know that the project has been studied time and time again for 30 years. But the fact that it has been studied and considered for 30 years is to me evidence that there may be valid reason for legislation of this character not having been passed heretofore. So, while I do not wish to oppose the joint resolution itself on its merits, I am entirely in accord with the suggestion made by the Senator from Massachusetts, and, therefore, I shall vote to recommit the joint resolution in order that further study may be made by an impartial, fact-finding body, not by a political body.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. SMITH of North Carolina. I yield to the Senator from Illinois.

Mr. DIRKSEN. General Pick testified that the Army engineers never made an economic survey of the seaway as now proposed.

Mr. SMITH of North Carolina. I am glad to be told of that, because I have read the debate, and yesterday I listened to the debate. I found so much emotion in the debate that it was difficult for me to really get down to the facts involved.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. SMITH of North Carolina. I cannot yield, for I have but 2 minutes. I do not know as yet what the facts are and I wish to find out what the true facts are. I think it the duty of the Senate to get the facts.

The VICE PRESIDENT. The time of the Senator from North Carolina has expired.

Mr. O'CONOR. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the mayor and city council of Baltimore, Md., opposing the St. Lawrence seaway.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Federal Government is again fostering the development of the St. Lawrence seaway project; and

Whereas it would cost over $1,000,000,000 to complete said project and would divert such sums from much more pressing needs and projects directly connected with the defense effort, and would also require many years for completion; and

Whereas the records show that this seaway would be closed at least 5 months of each year due to ice conditions; and

Whereas the completion of such a project would divert much traffic from Baltimore and be a serious threat to our economy as well as the plans now in progress for the development of the port of Baltimore; and

Whereas the income of labor engaged in port work will be greatly affected; and

Whereas many associated industries dependent upon the port may be required to lay off personnel; and

Whereas United States flag steamship lines have indicated it will be uneconomical to use said seaway even if complete: Therefore be it

Resolved by the mayor and City Council of Baltimore, That the United States Congress be, and it is hereby, requested not to enact any legislation or make any appropriations for the construction of the St. Lawrence seaway; and be it further

Resolved, That copies of this resolution be sent to the Speaker of the United States House of Representatives, and the President of the United States Senate, and to each of the Representatives from Maryland in the United States Congress.

Mr. GREEN. Mr. President, there are a couple of comments I should like to make on the remarks of my distinguished colleague, the senior Senator from Texas [Mr. CONNALLY]. In the first place, he spoke about similar measures having been previously defeated when they came before the Senate. In one sense he is correct, but in another sense he is not correct. The subject came before the Senate the last time in the form of a treaty. That required a two-thirds vote for its ratification. There was not a two-thirds vote, but there was a majority in favor of it. The vote at that time was 46 in favor of it and 42 against it. I hope that is a premonition of what will be the vote today.

There is another matter to which the Senator from Texas referred, namely, the number of millions of dollars which each State would have to pay toward making up the total sum. If the expense is divided among all the States they will receive specific benefits from it. The amount of money involved is only 1 percent of the total sum which has been expended for foreign aid since World War II. The other 99 percent might be divided among the States. We are interested in anything which benefits the whole Nation——

Mr. CONNALLY. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I cannot yield at this time.

Mr. CONNALLY. The Senator referred to me. If he does not want to yield, all right.

Mr. GREEN. Mr. President, the St. Lawrence seaway project is like the Panama Canal and the great dams constructed in the western part of the United States. Although they cannot attribute to each State any particular benefit, a great benefit comes to them as members of this great American union of States.

I shall not speak longer at this time, but I shall yield 3 minutes to the Senator from Wisconsin [Mr. WILEY].

The VICE PRESIDENT. The Senator from Wisconsin is recognized for 3 minutes.

Mr. WILEY. Mr. President, I have listened to much that has been said, and I am reminded of the fact that the Good Book says something to the effect that when the blind lead the blind, they both fall into the ditch.

Mr. President, let the responsibility be where it may, if this great project is defeated at this time the future will certainly say to those who have been blind that they have done a pretty poor job for this great Nation. We can build a thousand barriers, but we can never build the St. Lawrence canal by simply erecting barriers.

Mr. President, I have prepared a very brief statement, and I ask unanimous consent that it be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WILEY

WHY WE SHOULD DEFEAT MOTION TO RECOMMIT ST. LAWRENCE SEAWAY BILL

I want to respectfully urge the Senate to defeat the motion made by the senior Senator from Maryland [Mr. O'CONOR] to recommit Senate Joint Resolution 27 to the Senate Foreign Relations Committee.

I do not believe that the Senate can with good grace recommit for further study an issue which has been studied, examined, analyzed, reviewed for three decades as this bill has been.

I do not believe that we need any further commissions to review this project, as the junior Senator from Illinois [Mr. DIRKSEN] has recommended. I believe that we of the Senate should stand up and be counted on this issue for it or against it, but that we should not adopt any of these devices to further stall, further delay.

The issue is clear-cut. Shall we build for an expanding America, or shall we adopt a static concept which refuses to recognize that the 50,000,000 people in the valley of the Great Lakes are entitled to additional transportation facilities? Shall we build for America's future defense needs, as our Joint Chiefs of Staff have recommended?

Never have I seen an issue in which the proponents have made more effort to make every reasonable compromise. I pointed out in my speech the other day how we had made the seaway project self-liquidating, how through the Aiken amendment we had provided for issuance of private bonds. Now after all of our effort we are told that the subject requires further study.

We might just as well be told that it requires further study to determine whether every American should salute the flag, or whether every American should sing the Star Spangled Banner.

This is an issue where the survival of the Nation is at stake. I believe that the Senate should decisively reject the motion to recommit this bill to committee.

Four years ago a similar motion was made, and regrettably it carried. Let us not make the mistake again. We have lost 4 years in time; costs have risen in the interim. If this motion succeeds, I predict that we of the Senate will regret the day as will the people of our Nation as a whole.

Mr. GREEN. Mr. President, I yield 3 minutes to the junior Senator from New York [Mr. LEHMAN].

The VICE PRESIDENT. The Senator from New York is recognized for 3 minutes.

Mr. LEHMAN. Mr. President, in the first place, I deny categorically that the seaway and power project will be a charge on the people of the various States. I make the assertion now, as I have on many other occasions during the debate, that neither the power project nor the seaway project will cost a single red cent to the taxpayers of this country, particularly if the Aiken amendment is agreed to.

Mr. CONNALLY. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I am sorry; I cannot yield. I have only 3 minutes.

Mr. CONNALLY. The Senator made a statement which is not justified by the facts.

Mr. LEHMAN. Mr. President, the construction of the canal and the development of power will not only not cost the taxpayers of this country any money, but it will bring a very handsome return to them.

Mr. President, this is a historic moment. If we vote to recommit the joint resolution or fail to pass it, this great undertaking will be dead, possibly forever. That will be a tragic blow to our country and to the entire free world. Here is a project which is vital to our defense and to our security and absolutely necessary for our economic development—the development of the great agricultural and industrial area that lies in the Middle West.

Mr. President, we dare not abdicate our authority or our responsibility. If we lose what may be our last opportunity, we shall inevitably have to answer to posterity. Posterity will not understand, and we shall never be able to explain to our children and to our grandchildren why we have failed them. They will hold the Members of the United States responsible for failure to act in the interest of the security of our Nation and in the interest of the peace of the world.

I urge, with all the strength at my command, that the Senate reject the motion to recommit and that it pass the proposed legislation authorizing us to join with our great friendly neighbor to the north in the building of the seaway and power project.

Mr. GREEN. Mr. President, I yield 1 minute to the junior Senator from Arizona [Mr. MCFARLAND].

The VICE PRESIDENT. The Senator from Arizona is recognized for 1 minute.

Mr. MCFARLAND. Mr. President, in regard to the motion to recommit, I desire to say that I do not think the joint resolution should be handled in that manner. I think it should be voted up or down; it ought to finally disposed of.

Much has been said as to whether Canada is going to build the canal alone or whether the United States is going to assist in building it. In my humble judgment, the people of the United States will build it, regardless of who has charge of the building. If we turn this project down, Canada will undoubtedly sell bonds to construct the project, and those bonds will be bought by the people of the United States and by the people who ship goods to the United States, and the consumers in the United States will, in the end, pay the bill. The question is whether we want to be a partner in the control of the project, or whether we want to turn it over to Canada to operate and let the people of the United States pay for it.

I hope the motion to recommit will be defeated.

Mr. GREEN. Mr. President, I yield 1 minute to the senior Senator from Ohio [Mr. TAFT].

The VICE PRESIDENT. The Senator from Ohio is recognized for 1 minute.

Mr. TAFT. Mr. President, four Presidents of the United States examined this project and recommended it. Since that time a great deal more can be said for it because of the development of iron ore traffic, which, in my opinion, will make the project completely self-liquidating in the end. It seems to me that all the rest of the argument is immaterial. Here is a project which will finally be built; there can be no question about that, and it seems to me that the United States should participate in its building. The question today is whether we are for it or whether we are against it. All the other arguments seem to me to be immaterial. I believe very strongly that the only way to go ahead is to go ahead. If the motion to recommit is agreed to, it will kill the project for another 12 months, at least. It may deprive us of any part in it whatsoever. It may be turned over to Canada, to our economic and defense disadvantage.

I believe very strongly, Mr. President, that we should go ahead and try to work out methods, by amendment or otherwise, which will meet such objections as there may be to the project.

The VICE PRESIDENT. The Senator's time has expired.

Mr. GREEN. Mr. President, I yield 3 minutes to the junior Senator from Tennessee [Mr. KEFAUVER].

The VICE PRESIDENT. The Senator from Tennessee is recognized for 3 minutes.

Mr. KEFAUVER. Mr. President, for 20 years the Congress has been debating the question of whether or not to construct the St. Lawrence seaway. I have always been one of those who favored joint American-Canadian construction of such a deep-water seaway linking the ocean with the Great Lakes.

Others—no doubt for good reasons of their own—have opposed the project and have so far blocked doing anything about it.

I do not intend at this time to review the arguments, pro and con, for I regard that debate is closed. The terms of the problem have been changed. We are faced with a new question, and we should concentrate on that.

We are not here debating whether the St. Lawrence seaway should be built or not. Regardless of what we decide here, the seaway is going to be built. There can be little doubt of that, for Canada has announced her intention to proceed with its construction, with or without our cooperation.

The question before us is this—since the seaway is going to be built in any case, would it be better for us to make it a joint project? Or should we let Canada go it alone?

I believe on every score that it would be much better for us to make the seaway a joint project so that we can have a voice in its development, operation, and control, as Canada has repeatedly invited us to do. Though she has every right to proceed on her own, she would welcome our cooperation. Under the circumstances, I believe we cannot afford to refuse it.

The question, I say, is this—shall we be a partner in the enterprise? Or shall we merely be its chief customer, having nothing to say about how it is built and run?

If we are to retain our economic preeminence, we must constantly extend and improve our transportation network. We must search ceaselessly for new, better, and cheaper means of getting raw materials to our factories, and of getting our farm and factory products to markets both at home and abroad.

The St. Lawrence seaway offers such a means. Evidence indicates that within a few years of completion, it will be one of the busiest waterways in the world. It will bring oceangoing ships into the Great Lakes and give us a whole new coast line hundreds of miles inland.

This development will be a national asset of the utmost value. The project

must therefore be weighed on a national scale in terms of its contribution to the country as a whole, and not on any narrow interest.

In February of this year, the Secretary of Commerce testified before the Senate Foreign Relation. Committee that studies indicated the seaway's potential traffic to be 64,000,000 to 84,000,000 tons a year. The largest part of this, perhaps as much as 80 or 90 percent, will be American goods moving in and out of the Great Lakes.

Much of the traffic will consist of iron ore being transported to our Great Lakes steel plants from the new mines being developed on the Quebec-Labrador border. The iron ore reserves in this country are declining. The steel companies realize this, and since the war have been scouring the earth for new iron deposits. In addition to the new field in Labrador, substantial reserves have been found in Venezuela and Liberia. Increasing amounts of iron ore are being shipped from foreign fields to our steel plants.

The St. Lawrence seaway would facilitate this shipping and keep transportation costs low. This in turn would tend to keep down the price of steel, which has an effect upon other prices. As a matter of good economy, quite as much as a matter of national defense, we must keep iron ore flowing as cheaply as possible to keep all our steel plants going, and the St. Lawrence seaway would help provide the means.

As the seaway will be a self-liquidating project through the collection of tolls to pay the original cost and operating expenses, American goods will pay most of the charge.

Let me repeat—there is going to be a seaway in any case. Opposition here cannot block it. American ships and goods will be using the seaway. The only question is, on what terms? Shall we have a voice in making those terms, or shall we not?

Studies of potential traffic at reasonable toll rates indicate that the revenues from the St. Lawrence navigation works can be reasonably estimated at $39,000,000 to $48,000,000 a year. General Pick, Chief of the Army Engineers, has testified that to maintain the navigation facilities and to amortize their cost over a 50-year period would require only $20,000,000 a year. This figure includes all navigation costs borne by both Canada and the United States. It would thus appear that toll income might well be from two to two and one-half times the cost of the St. Lawrence navigation works.

These calculations indicate that the waterway is indeed an excellent investment, as Canada has realized for some time. In addition, the development of the seaway would provide a large amount of cheap hydroelectric power needed for the expansion of an important industrial area. Do we want to be cut off from that power?

The Secretary of Commerce has pointed out that the investment required of us to participate in the project, including both the waterway and power plant, is less than 1 percent of our proposed military budget for next year, and little more than 1 percent of all foreign aid since the war.

I am convinced that our Government could not make a better investment than in the St. Lawrence seaway, on which the bulk of the traffic will be ours. It seems to me absurd that this country, with 10 times Canada's population and a higher per capita income, should not be even a minor partner in a project of such great benefit to both.

Mr. President, we need the transportation facilities the St. Lawrence will provide. We need them to keep our steel industry, and our whole complex of manufacturing activities dependent upon steel, strong and self-sufficient in the event of an emergency. We need this waterway so that the great agricultural Midwest can have cheap transportation for its grain and other products that are sent abroad. Since our economy is bigger than that of Canada, we need this transportation route more than Canada does.

The St. Lawrence seaway will be developed. The only remaining question is by whom.

I believe that to let Canada build it alone would be both shortsighted and foolish.

The waterway will be primarily used by us. By any reasonable test we should be an active partner.

The VICE PRESIDENT. The time of the Senator from Tennessee has expired.

Mr. GREEN. Mr. President, I yield 2 minutes to the senior Senator from Illinois.

Mr. DOUGLAS. Mr. President, I hope the Senate will defeat the motion to recommit and will, instead, proceed to approve the St. Lawrence seaway and power project on the sound, self-liquidating basis now proposed in the bill, with the Aiken amendment.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I have only 2 minutes; I cannot yield.

I am against recommittal because this is the last chance for the United States to keep a share of the control of one of the world's great waterways.

I am against recommittal because I am unwilling to surrender even to a friendly country the exclusive control of a strategic waterway which will be financed largely by the payments of American shippers, a waterway which is needed to bring iron ore to the steel mills of this country and to take manufactured goods and grain out.

I am against recommittal because I want our country to have a full partner's voice in the fixing of the tolls to be charged and the regulations to be enforced on the seaway, and in the making of the cost allocations to the power project, and resulting electric rates to be paid by United States consumers.

I am against recommittal because it would surrender a historic bulwark for our national security and retard the growth of friendly relations with our closest and most friendly neighbor.

I hope the Senate will defeat recommittal, and serve notice on the economic and sectional groups which oppose the pending measure that in dealing with this great potential asset the national interest comes first.

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. GREEN. Mr. President, I yield 1 minute to the senior Senator from North Dakota.

The VICE PRESIDENT. The Senator from North Dakota is recognized for 1 minute.

Mr. LANGER. Mr. President, for a great many years the Middle Western States have been very much interested in having the St. Lawrence seaway constructed. State legislatures have time and time again appropriated money in the interest of encouraging development of the waterway. One of the reasons why the Middle Western States have been unable to move grain to market in larger quantities is that the railroads are short of boxcars. There is always a great demand for boxcars.

If the St. Lawrence waterway were constructed, it would mean that ultimately the railroads would be relieved of shipping by boxcar. Furthermore, the farmers would be saved a large amount of money, roughly about 7 cents a bushel on grain which would be shipped from South Dakota, North Dakota, Montana, and other States.

For many years the feeling in that region has been unanimous that the St. Lawrence waterway should be completed. Therefore, I hope that the motion to recommit will be defeated.

Mr. GREEN. Mr. President, I yield 1 minute to the senior Senator from Minnesota.

Mr. THYE. Mr. President, I am opposed to recommital of the joint resolution. Recommital would mean definitely that there would be no opportunity to vote on the measure at this session.

Each of the past six Presidents of the United States has supported the St. Lawrence waterway project. Surely those Presidents, after having given study to the question, could not have been wrong.

Mr. President, those who review the expenditures which have been made for improvements in shipping facilities elsewhere in the United States, must realize that the expenditure proposed for the St. Lawrence waterway is not excessive. Development of the project certainly would increase not only the industrial possibilities of the Central West, but it would promote national security and safety by permitting dispersal of industrial plants throughout the United States.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. GREEN. Mr. President, I yield 1 minute to the senior Senator from Michigan.

Mr. FERGUSON. Mr. President, I hope the Senate will not vote to recommit the joint resolution to committee. I favor the joint resolution and intend to vote for it when the time comes. If the intent of the Senate is to kill it, let it be killed in the open. Let there be a vote against the joint resolution rather than have it recommitted to the committee.

I think Senators ought to have an opportunity to express themselves on the joint resolution.

Since 1888, when the first examination of the project was made by the Corps of Engineers, enough studies have been made. If the desire to recommit were based on the particular point that further study were needed, that would be one thing, but the main issue should now be decided, since really the question is one of defense. It involves the obtaining of iron ore from Labrador and bringing it to the mills of the United States for fabrication in connection with our defense program. We should start the project immediately.

If the joint resolution is recommitted to the committee, naturally it will be killed there.

The VICE PRESIDENT. The time of the Senator from Michigan has expired.

Mr. GREEN. Mr. President, how much time have I remaining?

The VICE PRESIDENT. The Senator from Rhode Island has 3 minutes.

Mr. GREEN. I yield 2 minutes to the junior Senator from Michigan [Mr. MOODY].

Mr. MOODY. Mr. President, I think the Senate should ask itself two questions: Who is for the joint resolution, and who is against it? Every President and every nominee for President, in the last quarter of a century, every civilian who has been called to Washington to lead our defense program, and the Joint Chiefs of Staff of the United States, have said the St. Lawrence project is urgently necessary, not for any special interest, but for the defense and security of the United States of America. Is the Senate going to vote against those views? I hope not. I trust the Senate will not vote to recommit the joint resolution to the committee.

All sorts of excuses, none of them tenable, have been given for voting against this project. Another report has been suggested. There was placed in the record of the hearings by the senior Senator from Texas [Mr. CONNALLY] a list of reports which have been made on the project since 1834. No less than 58 reports have been made.

Evidence has been submitted that the project will pay for itself three times over. Economic income from the project is estimated at $48,000,000 a year, and economic costs are estimated at $16,000,000 a year.

The United States Government has placed its guaranty behind $16,000,000,000 in bonds during the past few years, and not a single bond has been in default.

Mr. President, I think that failure to construct the seaway would be a crime against the welfare of the United States and against the boys whose lives might be lost in another war if it became necessary to ship ore from Venezuela up through the submarine-infested Atlantic Ocean, in order to get it to our steel plants for the benefit of our national security.

Again I ask, Who is for the project, and who is against it? I ask Senators to examine their consciences, ask themselves these questions, and then to vote against recommittal.

The VICE PRESIDENT. The time of the Senator from Michigan has expired.

Mr. GREEN. Mr. President, I yield the remainder of my time to the senior Senator from Vermont.

Mr. AIKEN. Mr. President, let the Senate make no mistake about what it is asked to vote upon. If the motion to recommit is agreed to, it will be the last time the St. Lawrence waterway will come before Congress in the form of a proposal for joint development by the United States and Canada. The vote about to be taken will be one of the most vital ever taken in the Senate. It will determine whether we shall kill the joint venture once and for all. It will determine whether Congress is to be a party to crippling the Midwest steel industry and forcing its removal to the exposed coastal region. It will determine whether Congress is to be a party to requiring the Midwest farmers to continue paying tribute to monopoly carriers in order to get their grain to the Atlantic coast. It will determine whether Congress will agree to whittling away the joint defenses of the United States. It will show to the world whether we are sincere in our protestations that we want to cooperate with foreign nations. If we fail to cooperate with Canada, what can the other countries expect of us?

The VICE PRESIDENT. The time of the Senator from Vermont has expired. All time for debate has expired.

The question is on agreeing to the motion of the Senator from Maryland [Mr. O'CONOR] to recommit the joint resolution to the Committee on Foreign Relations.

Mr. O'CONOR, Mr. FERGUSON, and other Senators asked for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. JOHNSTON of South Carolina (when his name was called). I have a pair with the senior Senator from Virginia [Mr. BYRD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. KNOWLAND (when his name was called). I have a pair with the senior Senator from Indiana [Mr. CAPEHART]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. HICKENLOOPER (when his name was called). I have a pair with the senior Senator from Nebraska [Mr. BUTLER]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The roll call was concluded.

Mr. McFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. JOHNSON], and the Senator from Montana [Mr. MURRAY] are absent on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent because of illness in his family.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

The Senator from Georgia [Mr. RUSSELL] is absent by leave of the Senate.

I announce further that the Senator from Arkansas [Mr. FULBRIGHT] is paired on this vote with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Arkansas would vote "yea," and the Senator from Montana would vote "nay."

I announce also that the Senator from Texas [Mr. JOHNSON] is paired on this vote with the Senator from Connecticut [Mr. MCMAHON]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Connecticut would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother and his pair has been previously announced by the Senator from Iowa [Mr. HICKENLOOPER].

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON] is necessarily absent and, if present, and voting, he would vote "yea."

The Senator from Indiana [Mr. CAPEHART] is detained on official business and his pair has been previously announced by the Senator from California [Mr. KNOWLAND].

The result was announced—yeas 43, nays 40, as follows:

YEAS—43

Bennett	Hunt	O'Conor
Brewster	Ives	O'Mahoney
Bricker	Jenner	Robertson
Bridges	Johnson, Colo.	Saltonstall
Butler, Md.	Kem	Schoeppel
Connally	Kilgore	Smith, Maine
Dirksen	Lodge	Smith, N. J.
Duff	Long	Smith, N. C.
Dworshak	Malone	Stennis
Ecton	Martin	Underwood
Ellender	Maybank	Watkins
Frear	McCarran	Welker
George	McClellan	Williams
Hendrickson	Millikin	
Hoey	Neely	

NAYS—40

Aiken	Hennings	Morse
Anderson	Hill	Mundt
Benton	Holland	Nixon
Case	Humphrey	Pastore
Chavez	Kefauver	Seaton
Clements	Kerr	Smathers
Cordon	Langer	Sparkman
Douglas	Lehman	Taft
Eastland	Magnuson	Thye
Ferguson	McCarthy	Tobey
Flanders	McFarland	Wiley
Gillette	McKellar	Young
Green	Monroney	
Hayden	Moody	

NOT VOTING—13

Butler, Nebr.	Fulbright	McMahon
Byrd	Hickenlooper	Murray
Cain	Johnson, Tex.	Russell
Capehart	Johnston, S. C.	
Carlson	Knowland	

So Mr. O'CONOR's motion to recommit was agreed to.

Mr. MURRAY subsequently said: Mr. President, I now wish to enter a motion to reconsider the action of the Senate this morning in recommitting Senate Joint Resolution 27.

The PRESIDING OFFICER. The motion will be entered.

Mr. MOODY. Mr. President, I ask unanimous consent to introduce for appropriate reference a joint resolution which would permit the building of a St. Lawrence waterway by compacts and agreements between certain States.

The VICE PRESIDENT. Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 167) to grant the consent of the Congress to the entry of certain States into compacts and agreements for the improvement of navigation on the boundary waters of States within the Great Lakes-St. Lawrence River drainage system, and for other purposes, introduced by Mr. MOODY, was received, read twice by its title, and referred to the Committee on Public Works.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 214. An act for the relief of Mrs. Juan Antonio Rivera, Mrs. Raul Valle Antelo, Mrs. Jorge Diaz Romero, Mrs. Otto Resse, and Mrs. Hugo Soria; and

S. 658. An act to further amend the Communications Act of 1934.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 72) favoring the suspension of deportation of certain aliens, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3140. An act for the relief of Kazuko Shimamura;

H. R. 3377. An act for the relief of Mihai Handrabura;

H. R. 3705. An act for the relief of the legal guardian of William Mooney;

H. R. 3983. An act to confer jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Clemmer Construction Co., Inc.;

H. R. 4644. An act for the relief of Mrs. Mildred G. Kates and Ronald Kates;

H. R. 4866. An act for the relief of Emma Gazzaniga, Cecelia Trezzi, Clelia Mainetti, Bonosa Colombo, Emma Baldisserotto, Lina DalDosso, Lucia Paganoni, and Regina Pagani;

H. R. 4890. An act for the relief of Mrs. Ruth R. Ekholm;

H. R. 4921. An act for the relief of Silas B. Morris;

H. R. 5111. An act for the relief of Jaroslav, Bozena, Yvonka, and Jarda Ondricek;

H. R. 5127. An act for the relief of the legal guardian of Raymond Gibson, a minor;

H. R. 5188. An act for the relief of Mrs. Pia Biondi;

H. R. 5321. An act for the relief of Connie Marie Smith;

H. R. 5442. An act for the relief of Martin A. Dekking;

H. R. 5481. An act for the relief of Norman E. Dole, Jr., William F. Smith, John G. Harris, and James E. Chamberlain;

H. R. 5917. An act to authorize the sale of land on the Crow Reservation, Mont., allotted to William Big Day;

H. R. 5918. An act for the relief of Anastasia Vasiliadu;

H. R. 5921. An act for the relief of Keiko Tashiro;

H. R. 5934. An act for the relief of Robert Mayotte;

H. R. 5961. An act for the relief of Frieda Margarete Eckert;

H. R. 5973. An act for the relief of Yip Soy Naum and Yip Kug Yow;

H. R. 6234. An act for the relief of Junko Kubo;

H. R. 6260. An act for the relief of Kazuko Shirai;

H. R. 6270. An act for the relief of Jane Loraine Hindman;

H. R. 6355. An act for the relief of Francesca Servello;

H. R. 6423. An act for the relief of Russell William Karbach;

H. R. 6450. An act for the relief of Young Yuk Ho and Young Yuk Kue (Young Sue Mei);

H. R. 6637. An act for the relief of Gaetana Giambruno Tomasino;

H. R. 6641. An act for the relief of Leu Wai Ung (Wong Wai Ung) and Leu Wai Chiu (Wong Wai Chiu);

H. R. 6732. An act for the relief of the alien Ilona Lindelof;

H. R. 6869. An act for the relief of Wong Yang Yee and Wong Sue Chee;

H. R. 6884. An act for the relief of Yosiko Nakamura;

H. R. 6940. An act for the relief of Sayoko Uchida;

H. R. 7009. An act authorizing the issuance of a patent in fee to Franklin Yarlott;

H. R. 7052. An act for the relief of Masuko Kosaka;

H. R. 7095. An act for the relief of Ruth Ann Holecek;

H. R. 7235. An act for the relief of Mr. and Mrs. Thomas J. Campion;

H. R. 7301. An act authorizing the Secretary of the Interior to issue a patent in fee to Viola Delaney;

H. R. 7366. An act for the relief of Erika O. Eder, and her son, James Robert Eder;

H. R. 7800. An act to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes;

H. R. 7859. An act for the relief of Mrs. Corrina Arena; and

H. R. 8052. An act for the relief of Al-Ling Tung Tsou and her son, Moody Tsou.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 3140. An act for the relief of Kazuko Shimamura;

H. R. 3377. An act for the relief of Mihai Handrabura;

H. R. 3705. An act for the relief of the legal guardian of William Mooney;

H. R. 3983. An act to confer jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Clemmer Construction Co., Inc.;

H. R. 4644. An act for the relief of Mrs. Mildred G. Kates and Ronald Kates;

H. R. 4866. An act for the relief of Emma Gazzaniga, Cecelia Trezzi, Clelia Mainetti, Bonosa Colombo, Emma Baldisserotto, Lina DalDosso, Lucia Paganoni, and Regina Pagani;

H. R. 4890. An act for the relief of Mrs. Ruth R. Ekholm;

H. R. 4921. An act for the relief of Silas B. Morris;

H. R. 5111. An act for the relief of Jaroslav, Bozena, Yvonka, and Jarda Ondricek;

H. R. 5127. An act for the relief of the legal guardian of Raymond Gibson, a minor;

H. R. 5188. An act for the relief of Mrs. Pia Biondi;

H. R. 5321. An act for the relief of Connie Marie Smith;

H. R. 5442. An act for the relief of Martin A. Dekking;

H. R. 5481. An act for the relief of Norman E. Dole, Jr., William F. Smith, John G. Harris, and James E. Chamberlain;

H. R. 5918. An act for the relief of Anastasia Vasiliadu;

H. R. 5921. An act for the relief of Keiko Tashiro;

H. R. 5934. An act for the relief of Robert Mayotte;

H. R. 5961. An act for the relief of Frieda Margarete Eckert;

H. R. 5973. An act for the relief of Yip Soy Naum and Yip Kug Yow;

H. R. 6234. An act for the relief of Junko Kubo;

H. R. 6260. An act for the relief of Kazuko Shirai;

H. R. 6270. An act for the relief of Jane Loraine Hindman;

H. R. 6355. An act for the relief of Francesca Servello;

H. R. 6423. An act for the relief of Russell William Karbach;

H. R. 6450. An act for the relief of Young Yuk Ho and Young Yuk Kue (Young Sue Mei);

H. R. 6637. An act for the relief of Gaetana Giambruno Tomasino;

H. R. 6641. An act for the relief of Leu Wai Ung (Wong Wai Ung) and Leu Wai Chiu (Wong Wai Chiu);

H. R. 6732. An act for the relief of the alien Ilona Lindelof;

H. R. 6869. An act for the relief of Wong Yang Yee and Wong Sue Chee;

H. R. 6884. An act for the relief of Yosiko Nakamura;

H. R. 6940. An act for the relief of Sayoko Uchida;

H. R. 7052. An act for the relief of Masuko Kosaka;

H. R. 7095. An act for the relief of Ruth Ann Holecek;

H. R. 7235. An act for the relief of Mr. and Mrs. Thomas J. Campion;

H. R. 7366. An act for the relief of Erika O. Eder, and her son, James Robert Eder;

H. R. 7859. An act for the relief of Mrs. Corrina Arena; and

H. R. 8052. An act for the relief of Al-Ling Tung Tsou and her son, Moody Tsou; to the Committee on the Judiciary.

H. R. 5917. An act to authorize the sale of land on the Crow Reservation, Mont., allotted to William Big Day;

H. R. 7009. An act authorizing the issuance of a patent in fee to Franklin Yarlott;

H. R. 7301. An act authorizing the Secretary of the Interior to issue a patent in fee to Viola Delaney; to the Committee on Interior and Insular Affairs.

H. R. 7800. An act to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes; to the Committee on Finance.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 18, 1952, he presented to the President of the United States the following enrolled bills:

S. 365. An act for the relief of Jean Krueger and Edith Krueger;

S. 587. An act for the relief of Sotirios Christos Roumanis;

S. 779. An act for the relief of Ziemowit Z. Karpinski;

S. 1032. An act to authorize each of the States of North Dakota, South Dakota, and Washington to pool royalties derived from

lands granted to it for public schools and various State institutions;

S. 1360. An act to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of John J. Snoke;

S. 1363. An act for the relief of Ceasor J. (Raaum) Syquia;

S. 1555. An act for the relief of Rosarina Garofalo;

S. 1566. An act for the relief of Constantin Alexander Solomonides;

S. 1637. An act for the relief of Doreen Iris Neal;

S. 1676. An act for the relief of Helen Sadako Yamamoto;

S. 1681. An act for the relief of Sister Maria Seidl and Sister Anna Ambrus;

S. 1715. An act for the relief of Else Neubert and her two children;

S. 1776. An act for the relief of Sister Stanislaus;

S. 1843. An act for the relief of John Kintzig and Tatiana A. Kintzig;

S. 1903. An act for the relief of Toshiko Minowa;

S. 2256. An act for the relief of Col. Julia O. Flikke and Col. Florence A. Blanchfield;

S. 2561. An act for the relief of Susan Patricia Manchester;

S. 2566. An act for the relief of Niccolo Luvisotti;

S. 2635. An act for the relief of Mrs. Marie Y. Mueller;

S. 2696. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States; and

S. 2706. An act for the relief of Sister Julie Schuler.

REORGANIZATION PLAN NO. 2 OF 1952, PROVIDING FOR REORGANIZATION IN THE POST OFFICE DEPARTMENT

Mr. McFARLAND. Mr. President, I should like to inquire of the Senator from Arkansas which resolution of disapproval he wishes to call up first. I yield to the Senator from Arkansas for the purpose of making a motion.

Mr. McCLELLAN. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1677, Senate Resolution 317.

The VICE PRESIDENT. The clerk will state the resolution by title.

The CHIEF CLERK. A resolution (S. Res. 317) disapproving Reorganization Plan No. 2 of 1952, providing for reorganization in the Post Office Department.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arkansas. The motion is not debatable.

The motion was agreed to; and the Senate proceeded to consider the resolution, which is as follows:

Resolved, That the Senate does not favor the Reorganization Plan No. 2 of 1952 transmitted to Congress by the President on April 10, 1952.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to proceed for approximately 5 minutes in order to place in the RECORD some information which I believe the Senate should have.

I have a brief statement before me which I should like to read before the Senate proceeds further with the consideration of the resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, as Members of the Senate are well aware, there has been a great amount of misrepresentation as to the savings which might result from implementation of the recommendations of the Hoover Commission.

Some estimates of organizations which so vociferously advocate overnight enactment of the Hoover Commission's Recommendations have run as high as $5,500,000,000 annually. In fact, some irresponsible press releases issued by these organizations have made estimates as high as $10,000,000,000 based on a potential $80,000,000,000 Federal budget. Savings already achieved, according to these private organizations who profess to speak for the Hoover Commission, total some $2,000,000,000.

I have always held a view contrary to these extravagant, nonsubstantiated estimates. They are grossly unfair to the Congress, which has the responsibility of implementing the Hoover Commission reports, and to the American people, who have every right to expect the truth about them. On January 17, at the direction of the Committee on Government Operations, I forwarded a request to the Director of the Bureau of the Budget to supply the committee with factual estimates as to savings in expenditures from reorganization plans approved by the Congress since enactment of the Reorganization Act of 1949.

I have just today received a detailed reply from Budget Director Frederick J. Lawton which I wish to bring to the attention of every Member of this body. To only 1 of the 29 reorganization plans approved by the Congress at the request of the President since 1949 is Mr. Lawton able to cite any specific economies. That was Reorganization Plan No. 22 of 1950, which transferred the Federal National Mortgage Association from the Reconstruction Finance Corporation to the Housing and Home Finance Agency, and which Mr. Lawton reports resulted in a reduction in administrative expenses of "about a million dollars" during fiscal 1951. To not one other of the 28 reorganization plans approved does he attribute specific economies, stating:

> It is impossible to estimate the savings accomplished from many of the reorganization plans and statutes which have been approved.

Mr. Lawton in his report does cite additional economies totaling approximately $33,473,000 which have come about from enactment of other legislation recommended by the Hoover Commission. Most of these economies resulted from consolidation of Federal supply services in the General Services Administration along with improvements in records management, traffic management, and space control. But these savings are far removed from the astronomical economy estimates with which the public has been deliberately misled since the Hoover Commission reports were made.

The Bureau of the Budget report does point to sizable savings of approximately a half billion dollars or more which have resulted during the past several years from the President's management improvement program, citing among other examples an equipment rebuilding program by the Army Ordnance Corps which has saved some $439,000,000 in the price of the equipment if purchased new. Such examples, however, cannot be identified as stemming directly from the Hoover Commission's recommendations or from legislation enacted by the Congress in implementation thereof. Other examples such as annual savings of $2,500,000 anticipated from improved auditing procedures in the Post Office Department may have been facilitated by reorganization plans based upon the Hoover reports.

I also requested from the Bureau of the Budget an estimate as to savings which would follow implementation of the recommendations of the Hoover Commission which have not yet been acted upon. Although required by the Reorganization Act of 1949 to specify the reduction of expenditures which would be effectuated by reorganization plans submitted to the Congress, the President has in but 1 of the 41 plans submitted predicted the precise dollar savings expected to be achieved. That one is plan No. 3 of 1952 relative to the Bureau of Customs in the Department of the Treasury, the adoption of which the President estimates will result within a few years in annual savings of approximately $300,000, a prediction, incidentally, which is disputed by several qualified authorities.

As a result of the President's inability to specify economies which might be expected to flow from reorganization plans which he has submitted in the past, Mr. Lawton reports he is unable to estimate savings which might be obtained by the adoption of future plans, stating, "it is impossible" to furnish the committee with such detailed estimates.

I bring the report of the Bureau of the Budget to the attention of the Senate at this time, to dismiss with finality, I hope, the exaggerations, misrepresentations, and, in my opinion, deliberate distortions relative to potential economies which may be expected to come from reorganizations such as those pending in this body today. Senators may recall that less than a year ago—on August 1, 1951—Mr. Lawton, at the request of the distinguished Senator from Delaware [Mr. WILLIAMS], provided an estimate on Hoover Commission savings. That estimate approximated $28,000,000, and the report appeared in the CONGRESSIONAL RECORD, volume 97, part 9, pages 12378–12380. Thus, we have the benefit of two separate reports, prepared less than a year apart by the Bureau of the Budget, as to the actual economies which have been achieved as a result of the Hoover Commission reports. They give us an indication of what may be expected in the future.

The VICE PRESIDENT. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for 2 minutes more.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I wish to ask unanimous consent to have printed in the RECORD the recent letter

from Mr. Lawton to me, dated June 16, 1952, in response to my request to the Bureau of the Budget, under date of January 17, 1952; and also an analysis of estimates upon Hoover Commission savings, as those estimates have been made by various individuals, organizations, and other groups since 1948, even before the Hoover Commission made its reports. The analysis was prepared by the staff of the Committee on Government Operations.

Mr. President, I point out that a gross exaggeration of the facts has been indulged in by those who have engaged in widespread publicity in reference to the alleged benefits to be obtained from following the recommendations of the Hoover Commission.

Mr. MONRONEY. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I shall be glad to yield if I have sufficient time to do so.

The VICE PRESIDENT. The Senator from Arkansas has any amount of time he wishes, up to 5 hours, under the law, in the absence of any agreement to the contrary.

Mr. McCLELLAN. Very well, Mr. President, first I ask unanimous consent that the letter and analysis to which I have referred be printed at this point in the RECORD.

There being no objection, the letter and analysis were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., June 16, 1952.

Hon. JOHN McCLELLAN,
Chairman, Committee on Government Operations, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of January 17, 1952 in which you request that the committee be provided with the following specific data regarding savings effected or obtainable through the implementation of recommendations of the Hoover Commission:

"1. An estimate of savings in expenditures by the Federal Governmnet under reorganization plans which have become effective since the approval of the Reorganization Act of 1949.

"2. Which of these reorganization plans have been fully activated by administrative action and those on which final administrative action still remains to be taken.

"3. Estimated savings accomplished under other reorganization legislation approved by the Congress based on Hoover Commission recommendations.

"4. A detailed estimate relative to the estimated savings that would follow the enactment of the remaining recommendations of the Hoover Commission."

Last July I received a somewhat similar request from the Senator from Delaware, the Honorable JOHN J. WILLIAMS. In my reply to him I included a statement which I had presented to the Senate Finance Committee in answer to questions raised in hearings held on June 29, 1951. This statement explained in some detail why it is not usually possible either in prospect or in retrospect to estimate precisely the savings realized through reorganizations.

At the outset it should be kept in mind, as you have noted in your remarks before the Senate, that the Commission on Organization of the Executive Branch of the Government deliberately refrained from estimating economies in terms of reduced expenditures. A few of the "Task Force" reports did contain dollar estimates of savings, but those were usually not supported in detail. Most of the claims of large savings for particular reorganizations have appeared in the speeches and writings of certain former members of the Commission and in the materials and statements of orzanizations advocating the adoption of the various recommendations or reports. Many of these estimates lack supporting evidence.

Because the Reorganization Act of 1949 requires that the President specify the reduction of expenditures which will be brought about by the taking effect of a reorganization plan, messages transmitting plans to Congress contain estimates of what the President believes can be achieved in the way of savings. Although the President has often forecast long-range economies, he has in but one case predicted the precise dollar savings expected to follow the approval of a plan. The exception was Plan No. 3 of 1952, for which the President estimated that, within a few years, annual savings of about $300,000 would be realized from reforms in the customs service made pursuant to that plan. There is little reason to expect that what could not be done for most all of the 41 reorganization plans submitted to date could be done for any substantial proportion of the plans which he may submit in the future. I have, therefore, no choice but to advise you, with regard to the fourth item in your request, that it is impossible to furnish the committee with "a detailed estimate relative to the estimated savings that would follow the enactment of the remaining recommendations of the Hoover Commission."

The second item on which you request information concerns the extent to which approved reorganization plans have been activated. Final administrative action has been taken upon most of the plans. There are a few plans, such as Nos. 8, 9, 10, and 13 of 1950—which established strong chairman positions for various regulatory commissions—that will require administrative actions for an indefinite period of time. In addition, there are, of course, instances where agency heads have not had occasion or found it necessary to use certain authorities extended to them by reorganization plans. The Secreatary of Labor, for example, has not found it necessary to fill the position of Administrative Assistant Secretary provided under Reorganization Plan No. 6 of 1950.

The first and third types of information requested in your letter deal with specific data relating to the reduction in expenditures which has been accomplished through the reorganization plans and statutes which have been approved either pursuant to the Reorganization Act of 1949 or for the purpose of effectuating recommendations of the Commission on Organization of the Executive Branch of the Government.

A number of reorganization plans and acts of Congress have led to sufficiently evident and tangible economies to permit their use as illustrations. I am setting forth a few of these examples in the following paragraphs.

Reorganization Plan No. 22 of 1950 transferred the Federal National Mortgage Association from the Reconstruction Finance Corporation to the Housing and Home Finance Agency. This transfer had the immediate positive result of assuring close coordination between the secondary market operations of the Association and national housing policies. In addition, an active program of consolidation of field offices and related streamlining reduced the annual administrative expenses of the Asssociation by about a million dollars during the fiscal year 1951, at a time when the portfolio of Government-held mortgages was increasing.

Public Law 152, approved July 1, 1949, and Reorganization Plans Nos. 18 and 20 of 1950 created the General Services Administration and pulled together in this one agency numerous central service functions previously scattered throughout the executive branch. Although it will require many years to realize the full benefits of such a complex and large-scale reorganization, specific examples of savings already achieved can be cited. These savings are discussed in greater detail in the annual report of the General Services Administration for fiscal year 1951. During the 1951 fiscal year supplies were furnished to Federal agencies at a total cost nearly $26,000,000 less than the probable cost had the same supplies been purchased by the using agencies individually. During the same fiscal year over 520,000 square feet of space and 8,000 filing cabinets were released through the transfer of inactive records to the new Federal records centers; the annual saving for these records management operations are estimated at $1,400,000. Tightening up on space utilization by the Federal agencies resulted in savings of annual rentals in excess of $3,700,000. The traffic management program led to various agreements with carriers which saved the Government $2,240,000 during fiscal year 1951. Changes in the methods of publication of slip laws and other documents led to savings estimated at $133,000 over the same period.

Detailed estimates of the savings realized through activation of the Hoover Commission recommendations are extremely difficult to prepare for a number of reasons, the most important of which are the following:

(1) Many of the recommendations of the Hoover Commission were aimed at improving the effectiveness of executive supervision of Federal agencies: The purpose of many recommendations of the Hoover Commission was to provide an opportunity for efficient, responsible administration by providing clear lines of authority and responsibility from the President, through the heads of the departments and agencies, down to the most subordinate units of the executive branch. It was the view of the Commission and the theme of many of the messages transmitting reorganization plans that once the head of an agency is given the authority and staff required to coordinate the bureaus and programs for which he is responsible his capacity to eliminate poor management within his organization is increased. Reorganizations of this type provide an opportunity for more economical administration. What is actually accomplished will depend upon how aggressively the responsible officials take advantage of the opportunity. Even for known improvements, it is often difficult to determine whether or not they took place because of reorganization action or simply as a part of the normal process of executive supervision.

(2) A substantial number of the recommendations of the Hoover Commission were designed to facilitate the coordination of Federal programs by bringing together those related to a common major purpose in a single department or agency: Very frequently little duplication existed prior to organization action, and therefore no immediate savings in terms of reduced program costs resulted. Yet the improved grouping of related activities increases the likelihood that the various programs of the Government will be carried out in a consistent and coordinated manner. For example, the Hoover Commission recommended that the major nonregulatory transportation activities of the Federal Government be grouped in the Department of Commerce. Reorganization plans have since transferred the functions of the Maritime Commission and the Bureau of Public Roads to the Department of Commerce and have created the post of Under Secretary of Commerce for Transportation. The major benefit to be derived from these reorganizations is not immediate savings but rather the more effective development of a national transportation system designed to meet the needs of

commerce, industry, agriculture, the general public, and the national defense.

(3) The changing nature of Federal programs and agencies makes difficult the identification of specific savings resulting from reorganization actions: Since the activities of the Federal Government are designed to meet the needs of the people, changes in economic conditions, international developments, significant population growth, and other factors frequently compel adjustments in Federal programs. It is thus possible to consolidate functions to produce more economical administration; yet, because the programs involved may increase in tempo, the next year's appropriations may be larger than those required to carry out the activity under less efficient arrangements. For example, one of the major reorganizations from which savings have been anticipated is the replacement of the National Military Establishment by a more effectively unified Department of Defense. Since that reorganization took effect there have been important reforms relating to sea transportation, air transportation, procurement activities, and personnel utilization. However, whatever savings may have resulted from these actions have been obscured by an increase in expenditures for the military program from $11,900,000,000 in the 1950 fiscal year to an estimated $39,000,000,000 for 1952.

(4) The measuring of the effectiveness of reorganization plans and legislation in terms of reduced expenditures is complicated by the fact that the chief effect of some reorganizations is improved service to the public: The cost of a program involved in a reorganization may remain constant and there may be little or no reduction in administrative expenses, but the improvements in the quality of the service rendered may still fully justify reorganization. The transfer of functions relating to the maintenance and operation of schools affected by Federal activities from the General Services Administration to the Federal Security Agency probably saved little in the cost of administration (and any savings which might have resulted have been completely obscured by subsequent enlargement in the scope of the program). Yet this transfer added to the convenience with which State and local school officials can deal with the Federal Government by concentrating Federal responsibility in a single agency. The improved lines of supervision established by various plans may also result in better service to the public without leading to tangible savings.

(5) A number of the recommendations of the Hoover Commission proposed additional studies or investigations, in areas such as Federal-State-local relations and overseas administration: Obviously no savings could result immediately from the authorization of such studies, for they must be completed and findings must be implemented before it becomes possible to estimate the benefits.

Because of the factors mentioned above it is impossible to estimate the savings accomplished from many of the reorganization plans and statutes which have been approved. In other instances it would be feasible to come up with reasonably firm estimates if the agencies involved were to undertake extensive studies of the effects of the reorganizations. Such studies would in some instances call for the expenditure of so many man-hours as to offset the benefits attributable to reorganizations.

Many of the identifiable savings in the administration of Federal programs achieved during the last 2 years stem from the President's efforts to promote improved management in all the departments and agencies. Executive Order 10072, issued July 29, 1949, requires that each agency head systematically review the effectiveness of his agency's programs and the economy of its operations. Annual reports of management improvement activity are submitted to the Bureau of the Budget. Many economies have been reported. Some of these may have been facilitated by the various reorganization plans strengthening the authority of the heads of certain agencies and the chairmen of several regulatory commissions. The improvements realized to date, examples of which are cited in the following paragraphs, are more often the result of efforts over a long period.

The Treasury Department has reported numerous examples of management improvement actions leading to tangible savings, including the following:

(a) During 1950 the Fiscal Service, working through the Fiscal Services Management Committee, effected management savings totaling more than $6,000,000, including some economies resulting from improvements initiated during the period 1947 to 1949.

(b) The Bureau of Public Debt reduced the number of regional offices from five to three with a resulting annual savings of $250,000 in 1950.

(c) A depository receipt procedure was developed by the Bureau of Internal Revenue in cooperation with the Fiscal Services to cover employment taxes as well as income taxes. During the first half of 1950, when the new procedure was first put in operation, savings from the elimination of compensation to commercial banks amounted to $500,000.

(d) The modernization of the intaglio presses in the Bureau of Engraving and Printing in 1950 led to savings estimated at over $1,000,000 a year.

(e) The Bureau of Engraving and Printing also reported that improvements in the printing of currency installed during fiscal year 1951 would lead to the abolition of 300 positions and an annual savings of $963,000.

The Housing and Home Finance Agency reported numerous improvements during the 1951 fiscal year, many of which resulted in individually small but cumulatively significant savings. Changes in FHA title I claims payment and recovery procedures produced annual personnel and materials savings estimated at $61,000. Improvements in the procedures used in the termination of insured mortgages brought about an estimated annual saving of $60,000. HHFA records disposal activities saved another $50,000 during the year.

Many actions to improve the organization and efficiency of the military services have been taken by the Department of Defense. Numerous consolidations have been made and a number of joint activities for the three services have been established since enactment of the National Security Act. Examples of consolidations and joint operations now in effect include the Military Air Transport Service, the Military Sea Transport Service, the Military Traffic Service, the Armed Forces Technical Information Agency, the National War College, the Industrial College of the Armed Forces, the Armed Forces Special Weapons Project, the Armed Forces Institute of Pathology, the Aeronautical Standards Group, the Armed Services Medical Regulating Office, the Electronics Production Resources Agency, the Physical Security Equipment Agency, the Armed Services Petroleum Purchasing Agency, the Armed Services Medical Procurement Agency, and other single purchasing and service arrangements. These actions have enabled considerable progress in providing common procedures and in reducing duplications of effort, and they have enabled such specific dollar economies as those resulting from the consolidation of printing facilities, the curtailment of certain printing, and the installation of working capital funds in printing plants, which in the fiscal year 1950 saved over $2,000,000.

Also illustrative of actions being taken by the Department of Defense is the development of a plan, for operation by the military departments, providing for preferential bulk insurance rates on a uniform basis for workman's compensation and public liability on defense contracts; this plan is similar to one developed during World War II which enabled a saving of $193,000,000 from standard insurance rates. A saving in funds and personnel is to be realized from the consolidation of the examination and classification activities of the 192 main recruiting stations of the services into a total of 71 Armed Forces examining stations. Large savings are also being made from the establishment by the Army Ordnance Corps of the largest rebuild program in history, which has rebuilt for about $161,000,000 equipment which today would cost $600,000,000; typical quantities rebuilt are over 10,000 combat vehicles, over 22,000 artillery pieces, and over a million and a half small arms.

The Veterans' Administration, by arranging for a consolidation of insurance and death claims offices in Philadelphia, at an initial one-time cost of about $1,800,000, will henceforth realize annual savings estimated at $2,700,000. Similar insurance office consolidations at Fort Snelling and Denver will permit a reduction in annual operating costs of about $2,500,000; the Fort Snelling and Denver moves will, however, necessitate a one-time cost of about $2,400,000.

The introduction of a new money order punch card to replace that previously used in post office auditing procedures has resulted in a saving of over 300,000,000 forms and other gains. Although this new money order system has not been in operation long enough to permit an accurate estimate of ultimate savings, it has already led to the elimination of 700 positions. The annual savings from the personnel reductions alone will exceed $2,500,000.

In December 1947 the Bureau of the Budget, the Treasury Department, and the General Accounting Office undertook a joint program to improve accounting in the Federal Government. A large number of significant accomplishments has been reported under this program, some of which were facilitated by the Budget and Accounting Procedures Act of 1950. Illustrations of improvements which have produced specific recurrent savings include: (a) The elimination in the General Accounting Office of certain operations which were common to the General Accounting Office and the Treasury Department, with a resultant saving of nearly $1,000,000; (b) the revision of accounting procedures for public debt coupon interest and related operating procedures in the Treasury Department, with a saving of at least $150,000; and (c) the adoption in the Department of Defense of a simplified method of scheduling disbursements and collections on electrical accounting machines and the revision of related procedures, which are expected to result in the elimination of more than 100 clerical positions in regional accounting offices of the Department of the Navy, with comparable savings possible in the field disbursing activities of the Departments of the Army and the Air Force.

While the above examples of savings from reorganization legislation and plans and from management improvement activities of the departments and agencies fall short of your request for the reasons which I have already indicated, it is my hope that the examples cited above will make clear that Government reorganization efforts frequently result in reduced costs of operations, including identifiable dollar savings in some cases. While this is the best we can do by way of identifying tangible savings without investing considerably more staff time and money, we are confident that, as a result of both the Hoover Commission studies and the President's management improvement program, there are many additional savings not listed herein.

Even if examples of reduced expenditures were totally lacking, it would not, however, mean that the reorganization legislation passed by Congress and the plans submitted by the President have failed to serve useful purposes. Much of what has been done in the last 2 years has been in the direction of

improving the lines of responsibility and accountability within the executive branch. Improvements of this type and many of the regroupings of functions which have taken place will add to the capacity of the Government of the United States to carry out its immense responsibilities at home and overseas. The provision of executive machinery organized to do well whatever it is called upon to do is the most important objective of the reorganization program. The dollars saved in particular instances are among the beneficial results of improved organization, but they are by no means the sole criterion by which the accomplishments since the passage of the Reorganization Act of 1949 and the publication of the reports of the Commission on Organization should be judged.

Sincerely yours,

F. J. LAWTON,
Director.

Chronology of estimates upon Hoover Commission savings

When made	Made by whom	Estimate
1948		
Dec. 1, $3 billion	Former President Herbert Hoover, in press release issued by Hoover Commission, Washington, D. C.	Mr. Hoover stated that if the whole of the Commission's program could be carried through * * * there should be a saving of about $3 billions a year in rendering the same governmental services at present.
1949		
May 7, $4 billion	Dr. Robert L. Johnson, chairman, Citizens Committee for Hoover Report, in speech before Massachusetts Federation of Taxpayers Associations, Inc., Boston.	Mr. Hoover has personally expressed belief that at least $3 billions a year could be saved without damage to essential services. * * * An estimate of $4 billions might be closer to the truth, if reorganization is vigorously prosecuted.
June 1, $3 billion	Reorganization News, published by the Citizens Committee for the Hoover Report, June 1949 issue.	The report (Hoover report) is a magnificent blueprint for lasting good government. If vigorously adopted it can save $3 billions a year according to very conservative estimates.
June 12, upward of $3 billion	Dr. Robert L. Johnson at Washington, in press release marking official termination of Hoover Commission, June 12, 1949.	Through their (the Hoover Commission's) recommendations, upward of $3 billion can be saved annually * * *.
July 25, $3 to $4 billion	W. R. Castle, chairman pro tempore of Greater Washington Citizens Committee for Reorganization. Letter to Washington citizens also distributed to press.	With our annual Federal tax burden averaging $275 per capita * * * it is imperative that the $3 to $4 billions of potential savings from the Hoover report be realized.
Aug. 13, $3 to $4 billion	Citizens Committee for the Hoover Report press release.	The (Hoover) report points the way not only to savings of from $3 to $4 billions a year, but to a financially stable * * * Government.
October, $4 billion	Reorganization News, October 1949 issue	It (the Hoover Commission) points out the when, the where, and the why of waste. It tells how waste can be eliminated to the tune of approximately $4 billions a year.
Nov. 25, $3 to $5 billion	Dr. L. D. White of Chicago, Chairman, Education Committee of the Citizens Committee for the Hoover Report, at Washington.	There can be no doubt that with the elimination of waste, inefficiency and overlappings in the executive branch of the Federal Government, savings of from $3 to $5 billions a year are possible if the Commission's recommendations are vigorously pursued.
December, $3 to $4 billion	Reorganization News, December 1949 issue	Three to $4 billions a year, possibly more, can be saved in the operating cost of Government through full application of the report's recommendations.
Dec. 21, $3 to $5 billion	Dr. Robert L. Johnson, in Citizens Committee press release, New York City.	Dr. Johnson and other members of the Commission's research task forces estimate that if the Hoover Commission's recommendations are fully adopted and vigorously applied, from $3 to $5 billions a year can eventually be saved in Federal operating costs.
1950		
July 24, $1.25 billion (already achieved).	Dr. Robert L. Johnson, letter to Senators Scott W. Lucas and Robert A. Taft, released to press.	To the eternal credit of the Members of Congress of both parties, some 35 percent of the Commission's recommendations have been enacted with eventual savings in excess of $1.25 billions a year." (Referring to Armed Services Unification Act, General Services Administration Act and partial reorganization of other agencies).
Oct. 1, $6 to $10 billion	Reorganization News, October-November 1950 issue	The potential savings indicated by the Commission (Hoover Commission) will increase as the budget expands. The originally indicated economies of $3 to $5 billions (on a budget of $42 billions a year) can easily be doubled with a budget of $70 to $80 billions.
Dec. 7, $5 to $6 billion	Citizens Committee press release relating to Speakers Handbook.	Approximately 50 percent of the Hoover Commission's recommendations have been adopted to date with consequent savings up to $2 billion a year. Another $3 billion to $4 billion could be saved * * * by adoption of the balance of the recommendations.
Dec. 17, $2 billion (already achieved).	Citizens Committee press release on its pamphlet, "A Report to the American People."	The Citizens Committee announced that * * * 50 percent of the recommendations of the Hoover Commission have been approved. It estimated that eventual economies of $2 billion a year will be shown in operating costs of the Federal Government.
1951		
January, $2 billion (already achieved.	Reorganization News, January 1951 issue	Status of the Hoover Report (a Citizens Committee pamphlet) shows that 50 percent of the Hoover Commission's recommendations have been approved legislatively. * * * Annual savings in Government operations of not less than $2 billion will result. * * * The great work of the Hoover Commission and its task force is paying off today. It is paying off in dollars. The Commission did its job with a congressional appropriation of less than $2 million. Its recommendations have so far saved $2 billion.
Feb. 26, $7 billion	Citizens Committee for Hoover Report, press release, New York City.	This was an official press release of the Citizens Committee for the Hoover Report issued Feb. 25, 1951, by its New York offices. The release stated that a New York advertising copy writer who also is an amateur folk singer "has turned a talent he discovered in the Pacific theater of war into a way of telling the American people how they can save upwards of $7 billion a year in the operating costs of the Federal Government" (by presenting the Hoover Report to the public through folk songs).
Mar. 9, $5.5 billion	Dr. Robert L. Johnson in telegram to Senators McClellan, O'Conor, and Aiken, released to press.	The Congress can well be proud of the fact that 50 percent of the Commission's recommendations have already been adopted with eventual savings of $2 billions a year. We believe that the remaining recommendations can have a vital part not only in making possible an estimated total of at least $5.5 billions a year of savings but in greatly strengthening the structure of the Federal Government in a time of emergency.
Mar. 11, $5.5 billion	Dr. Robert L. Johnson in releasing Hoover Commission task force estimates of savings by separate categories revised upward in relation to the $71.6 billion 1952 budget. Press release.	The Task Forces * * * estimated that over $3 billion could be saved annually * * * But these estimates were based upon the 1949 budget of $40 billion. Many items can be upgraded considerably to cover the larger items composing $71.6 billions requested in the 1952 budget. The Research Department of the Citizens Committee has revised these estimates of the Hoover Commission's task forces. So far about 50 percent of the Commission's recommendations have been enacted. These should produce eventual savings of well over $2 billions, some of which are already being realized. We may be erring on the side of conservatism, therefore, in estimating a total of $5.5 billion in savings on a budget 75 percent higher than the one on which the task forces based their estimates.
Mar. 11, $5.5 to $7.5 billion	Citizens Committee Research Department estimate of specific savings from each of the 19 Hoover Commission reports. Press release.	The possible savings from the Hoover Reports are estimated herein at $5,554,000,000. Those savings are administrative, not "cutbacks." Estimates of $7,000,000,000 and $7,500,000,000 have been made (no indication by whom). These include in addition to the above mentioned savings of $5,554,000,000, certain cut-backs or diminutions of programs many of which would be possible only if the Hoover Commission recommendations were first enacted.
Mar. 11, over $5 billion	Former President Herbert Hoover, in letter to Senator Lodge dated Jan. 26, 1951, New York City, distributed to press Mar. 11, 1951.	Savings from those reforms already authorized should eventually approach $2,000,000,000 annually, according to estimates of the Commission's task forces. Those recommendations not yet adopted should provide additional savings of similar proportions. These savings estimates were based upon a $40,000,000,000 budget. A budget of $70,000,000,000 could well increase certain items in these estimated savings pro rata. Although it is difficult to estimate such increases without complete research, it would not be unreasonable to hope that full enactment and faithful execution of the recommendations could bring total savings of over $5,000,000,000 to the Nation's taxpayers. It must be realized, however, that such vast changes take time.
May 16, $5.5 billion	Dr. Robert L. Johnson, Citizens Committee press release, New York City.	If fully enacted the Commission's report would result in total savings of $5,500,000,000 or $220 a year per average American family, he (Dr. Johnson) added.
October, $5.4 billion	Reorganization News, November 1951 issue	As a laggard Congress prepared to adjourn, Dr. Robert L. Johnson, national chairman of the Citizens Committee, called for "plain talk" on the "snail's pace" of legislative activity during 1951. Johnson frankly pointed out that the 82d Cong., having increased the Federal budget by 70 percent, faces the public almost empty-handed as to action on "a perfectly plain blueprint for efficiency and economy which could save a total of $5.4 billion a year."

Chronology of estimates upon Hoover Commission savings—Continued

When made	Made by whom	Estimate
Dec. 29, more than $5 billion	Former President Herbert Hoover in broadcast over radio station WEEI, Boston. From press release.	The only living ex-President of the United States contended that the Hoover Commission reforms could save the country more than $5 billion a year.
1952		
Jan. 14, $5.4 billion	Dr. Robert L. Johnson in a telegram to the President of the United States urging prompt action on remaining Hoover reports not previously acted upon.	About 55 percent of the Commission's recommendations have so far been adopted with great benefit to the Nation. * * * Actual economies of approximately $2 billion a year will eventually be realized from these measures. * * * The first term of the 82d Cong., however, was deeply disappointing to advocates of reorganization who were hoping for prompt action on the remaining reorganization and for realization of the potential savings of $5.4 billion a year which this would entail.
January, $5 to $7 billion	Citizens Committee pamphlet	At least $5 billions and up to $7 billions.

Source: Prepared by Miles Scull, Jr., professional staff member, Committee on Government Operations, June 15, 1952.

Mr. MONRONEY. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I am glad to yield, if I have sufficient time to do so.

Mr. MONRONEY. I should like to inquire of the distinguished chairman of my committee, who has done such faithful work in bringing about enactment of most of the reorganization plans of the Hoover Commission, whether the staff report and the report by the Bureau of the Budget take into consideration the savings which have been made as a result of unification of the armed services. As all of us know, that unification was not accomplished by a reorganization plan, although the legislative enactment made by the House and the Senate paralleled the reorganization plan.

I am almost positive that economies have been effected by providing for the joint use of military hospitals; by combining the three world-circling airlines which the three branches of the armed services were operating into the present Military Air Transport Service; by placing in one agency all overseas shipping operations of the armed services, thus merging the Navy transport service with the Army transport service; and by many of the other consolidations which have been effected under that legislation. It seems to me that the total savings made in that way undoubtedly exceed the $28,000,000 or the $33,000,000 which the committee staff and the Bureau of the Budget have, respectively, attributed to the rorganizations made on recommendations of the Hoover Commission.

My point is that, regardless of whether Congress chose to enact a reorganization plan as such, or whether Congress enacted a statutory measure which had the end result of accomplishing the recommendations which were made by the Hoover Commission, perhaps those savings would not have occurred if it had not been for the activities of the Hoover Commission.

In short, it seems to me that to state that the work of the Hoover Commission has resulted in no economies or in infinitesimal economies, is scarcely in line with the facts.

Mr. McCLELLAN. The purpose of having the letter and analysis printed in the RECORD is to enable each Senator to determine for himself what has been taken into account and what has been omitted.

In the letter which I addressed to the Director of the Bureau of the Budget, I requested the specific information which is outlined in his reply. Every Senator who now reads the RECORD will find that what has been taken into account and what has not been taken into account are very apparent.

Mr. President, I served on the Hoover Commission. I know that from the beginning of its operations there were extreme exaggerations of the savings which would result. I am in favor of many of the plans and many of the recommendations, but I believe it is unfair to have a so-called citizens committee publicize claims of enormous gross savings, when there is not the slightest possibility that such savings would be effectuated, even if every recommendation of the Hoover Commission were, in the main, put into effect.

I believe the American people should be told the truth, instead of being propagandized to put pressure on Congress to take action hurriedly to let the proposed reorganization plans go into effect, without giving sufficient consideration to the legislative matters within our jurisdiction.

Mr. MONRONEY. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. MONRONEY. Inasmuch as three important reorganization plans will soon be before us, and inasmuch as the Senate will not have an opportunity to read the documents which my distinguished chairman has just had placed in the RECORD, if he would explain, before the end of the debate, whether the alleged $33,000,000 in savings includes those which Congress has accomplished by statutory enactment, I think it would be very helpful.

Mr. McCLELLAN. I believe my distinguished friend from Oklahoma will find that the savings to which he has referred are not specifically included, and that the Director of the Bureau of the Budget is unable to give us any estimate regarding them and is unable to tell us now what savings have resulted. I think that is the position he takes.

Mr. MONRONEY. I thank the Senator.

Mr. McCLELLAN. Mr. President, three of the reorganization plans—Nos. 2, 3, and 4—will go into effect Friday night at midnight, unless the Senate or the House of Representatives takes the action prescribed under the Reorganization Act to prevent them from going into effect. Let me say that I know of no action contemplated by the House of Representatives in that connection.

In the Senate a resolution of disapproval has been submitted to each of the three plans. Under the law and the rule governing the procedure in connection with the consideration of such plans, 10 hours of debate are available for each plan.

In the hope of expediting the procedure in connection with these plans, and having in mind the intention of allowing what I consider to be reasonably adequate time for discussion of the plans by such Senators as may be interested in speaking either for or against them, I shall ask unanimous consent that on plan No. 2 debate be limited to 2 hours, with 1 hour for the proponents of the resolution of disapproval and 1 hour for the opponents of the resolution of disapproval.

I shall make a similar request in regard to plans 3 and 4 when we reach them—and I intend to call them up immediately after this plan is disposed of—in the hope that in that way we can expedite the handling of these matters and can dispose of all three of these plans today.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield to me?

Mr. O'CONOR. Mr. President, reserving the right to object, let me ask the distinguished chairman of the committee whether he would consider an arrangement whereby debate on the first plan would continue for a somewhat longer time, let us say, for 1½ hours to a side, and less time would be given for debate on the other two plans. I make that suggestion because it occurs to some of us that possibly the major argument will occur in connection with the first plan, and perhaps not so much time will be needed for debate on the other two plans.

Mr. McCLELLAN. Let me ask whether the opponents of the resolution of disapproval desire more time than 1 hour.

Mr. MONRONEY. Mr. President, reserving the right to object, let me say that we feel that since plan No. 2 is of more vital interest to the Congress than are the other two plans, inasmuch as plan No. 2 embraces a greater number of employees and a greater number of appointments, if the time could be increased 1½ hours to each side on the first plan, and perhaps reduced on the other two plans to 30 minutes to a side, inasmuch as it may be that the action taken by the Senate on the remaining two plans will be determined by the action the Senate takes on the first plan, I think that would be desirable.

Mr. McCLELLAN. Mr. President, in view of the suggestion made by my colleagues on the committee who are interested in the plan and who favor the plan, and who oppose the resolution of disapproval, I now modify the unanimous-consent request I have made, so as to provide that debate on Reorgani-

zation Plan No. 2 and Senate Resolution 317, the resolution of disapproval, be limited to 3 hours, to be divided 1½ hours to a side; that the time available to the proponents of the resolution of disapproval be controlled by myself, and that the time available to the opponents of the resolution of disapproval be controlled by the Senator from Minnesota [Mr. HUMPHREY], if that is agreeable.

The VICE PRESIDENT. The Chair understands that the request applies only to the first resolution.

Mr. McCLELLAN. It applies to Senate Resolution 317 only.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered. The time begins now.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. McCLELLAN. Would it be proper at this time to present a unanimous-consent request with respect to the other resolutions and plans, which are not yet technically before the Senate?

The VICE PRESIDENT. The Senator may submit the request, if and when the other resolutions are taken up.

Mr. McCLELLAN. I think that would be preferable. But I announce that when the other resolutions are taken up, I shall present a unanimous-consent request for a limitation of time as to each resolution.

The VICE PRESIDENT. The Senator from Arkansas, if he desires, may make that request now.

Mr. HUMPHREY. Mr. President, I suggest to the Senator from Arkansas that he make the request now. Let us bind it all up at once.

Mr. McCLELLAN. I propounded a parliamentary inquiry as to whether it would be proper to submit the requests on the other resolutions at this time.

The VICE PRESIDENT. The Chair stated that it would be in order.

Mr. McCLELLAN. I misunderstood the Chair. I beg the Chair's pardon.

The VICE PRESIDENT. The Senator may submit a request at this time that when the other resolutions regarding the reorganization plans are taken up, the time shall be limited.

Mr. McCLELLAN. I thank the Chair. I now ask unanimous consent that when Senate Resolution 331, disapproving the Reorganization Plan No. 3 of 1952, and Senate Resolution 330, disapproving Reorganization Plan No. 4, transmitted to Congress by the President on April 10, 1952, are taken up for consideration, following the disposition of Senate Resolution 317, disapproving Reorganization Plan No. 2 of 1952, the time be limited on each resolution to one hour and a half, the time to be divided equally, and to be controlled as required in connection with the consideration of Senate Resolution 317, disapproving Reorganization Plan No. 2 of 1952.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas?

Mr. HUMPHREY. Reserving the right to object, am I correct in my understanding that the request of the Senator from Arkansas would be that 45 minutes to a side be allowed on Senate Resolution 331 and on Senate Resolution 330, respectively.

Mr. McCLELLAN. That is correct.

Mr. HUMPHREY. That is generous. I doubt whether we need that much time; but if it should develop that we do not need the time, we could discontinue the debate and call for a vote.

The VICE PRESIDENT. Is there objection to the requests of the Senator from Arkansas? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. Mr. President, I yield myself 10 minutes.

Reorganization Plan No. 2, submitted by the President, would go into effect at midnight, Friday, June 20, unless the Senate by a constitutional majority vote today adopts Senate Resolution 317, disapproving Reorganization Plan No. 2 of 1952.

That resolution, I wish to call to the attention of the Senate, was submitted by the Senator from South Carolina [Mr. JOHNSTON], chairman of the Committee on Post Office and Civil Service. The resolution is cosponsored by the Senator from Tennessee [Mr. McKELLAR], the Senator from West Virginia [Mr. NEELY], the Senator from North Dakota [Mr. LANGER], and the Senator from Kansas [Mr. CARLSON], also members of the Committee on Post Office and Civil Service, who are vitally interested in the proposed change in the method of appointing postmasters.

The Committee on Post Office and Civil Service has legislative jurisdiction over the subject matter of Reorganization Plan No. 2 of 1952. That committee has pending before it, I think, three or four bills—the chairman of the committee may correct me in his remarks if I am in error—designed to accomplish the same purpose. The Eightieth Congress had the same bills before it. The committee has never reported those bills favorably. Obviously, the legislative committee having jurisdiction of the subject matter does not favor this proposed change in the manner of appointing postmasters.

Mr. President, in view of the limited time, it shall not by my purpose to go into very minute detail regarding Reorganization Plan No. 2 of 1952, but at the outset I may say, without fear of successful contradiction, that this plan would accomplish but one purpose, namely, the removal of the requirement of Senate confirmation of postmasters. What is the purpose of that, Mr. President? It would not change the qualifications of applicants desiring to become postmasters. It would in no manner change or affect the method of establishing eligibility under the civil-service laws, rules, and regulations governing the appointment of postmasters.

If this plan were put into effect, the same process would be followed, that is now followed in determining eligibility. When a list of eligibles is established, it will be certified, as at present, to the Postmaster General. Then, as now, the Postmaster General would select one of three from the list. I say that, notwithstanding the fact that the appointing power is now in the President of the United States. Mr. Donaldson, the Postmaster General, testifying before our committee, stated that during his entire experience in the Post Office Department, in but two instances had the President of the United States ever indicated his preference in the matter of the appointment of a postmaster. In theory, the President appoints, but in practice, the Postmaster General of the United States actually names the postmasters. He sends the list to the President, who transmits it to the Senate for confirmation of the appointments. Mr. President, under Reorganization Plan No. 2 no change would be made in that practice, except that the list would be certified as a list of appointments by the Postmaster General, and would not be sent to the Senate for confirmation.

Mr. President, there is in the Post Office Department no corruption. The issue which was injected into our consideration of Reorganization Plan No. 1, having to do with the Treasury Department, is not involved here. The Treasury Department was riddled with corruption and inefficiency, and the President of the United States said he wanted to clean it up. We have assisted him in accomplishing the clean-up. But against the Post Office Department there is no charge of inefficiency, corruption, waste, or extravagance.

I am sure the Post Office Department is not perfect, but it is recognized by the Congress and throughout the land as being our most efficient Department, and as being as free from corruption as any department of the Government. I desire to pay tribute at this time to the postmasters of the United States and to the postal employees, who on the whole have so conducted the affairs of this, the largest business of the Government, other than the military, that throughout the past years it has not been pointed to as an agency in need of a house-cleaning because of the existence of corruption and inefficiency. They are to be praised and not condemned.

Mr. President, what is proposed by Reorganization Plan No. 2 of 1952? The whole theory of the plan may be stated briefly. No saving is involved. It is not proposed in the interest of greater efficiency. The sole purpose of the plan and the whole theory of it is to remove the appointments of postmasters from Senate confirmation, which is the only check and balance we have on such appointments.

Why is such a proposal made? The argument is that it is desired to take the appointments out of politics. I challenge any Senator to read the reorganization plan, putting any interpretation on it he wants to, and show me one sentence, word, or syllable that would remove the appointments from politics. If the plan should go into effect, the Postmaster General could still consult whomever he might choose. There is no law requiring him to consult a Member of the Congress. He could consult whomever he might choose. There is nothing in the plan to prevent him from consulting a Member of Congress who plays politics and votes as the administration wants him to vote, and at the same time disregarding the views and

recommendations of a Member of Congress who does not follow the party line.

What is the purpose of it, Mr. President? It is to obviate Senate confirmation, so that those in charge may consult whom they want to and disregard those whom they do not want to consult.

Mr. President, this plan would not eliminate politics from the matter. The politics in post office appointments is exposed, revealed; we know where it is; we can put our finger on it; we can call it to account. In a given community, if the advice of their representative in Congress is taken, or if, when the opposite party is in power the advice of the local committeemen is taken——

The VICE PRESIDENT. The time of the Senator has expired.

Mr. McCLELLAN. I yield myself five more minutes.

The VICE PRESIDENT. The Senator from Arkansas is recognized for five additional minutes.

Mr. McCLELLAN. The citizens of the community can hold their local representative responsible.

It is now proposed, Mr. President, to put the matter behind an iron curtain of bureaucracy in a department where no one can know what goes on behind that iron curtain. I can give the Senate an example of it. We had such an example of it in Mississippi a year or two ago. We had an opportunity to check on whether it was open politics or secret politics. Mr. Donaldson, testifying before our committee, said that he was ordered to do what was done. What happened? In less than a year there was a national scandal. Do we want to invite it again? The Senators from Mississippi submitted to the Senate a resolution asking the committee to investigate a certain situation in that State. When we investigated we received revelations as to how politics is played with appointments when they are taken away from the elected representatives of the people.

What, in effect, does Reorganization Plan No. 2 say, Mr. President? It says, "There is to be no change in the manner of selecting or establishing eligibility, but the Postmaster General, an appointed officer, not an elected one, is better able, more capable intellectually and morally, to name the person who is to serve the community than is a man who lives there, who knows the local conditions, and for whom the people vote."

If we approve the plan it is another abdication of power to bureaucracy, Mr. President. It is a surrender of a prerogative which the Congress should never relinquish. It is taking the Government further and further away from the people and from the elected representatives of the people. The plan would destroy the democratic process that keeps the Government close to the people.

We all know how these appointments are made, Mr. President. The plan amounts to an assault upon the intellectual competency and honesty of the Members of the United States Congress and the personal integrity of many individual Members of the Congress.

There is an effort in the United States, Mr. President, to discredit the Congress. What would come nearer to discrediting the Congress than to take away from it a "look-see," a check on the action of the administrative branch, a check on appointments? Do we want to surrender such powers? We talk about bureaucracy and the encroachment of the executive branch. The executive branch is asking us to let it encroach by granting it this power. The Senate may grant it, but, Mr. President, I am pleading for the retention of the system of balances and checks which is an extremely important part of our democratic processes. I plead with the Senate not to abdicate its responsibility.

Mr. HUMPHREY. Mr. President, I yield myself 10 minutes.

The minority views on the resolution of disapproval were filed on behalf of the Senator from Maryland [Mr. O'CONOR], the Senator from Oklahoma [Mr. MONRONEY], and myself, as three members of the Committee on Government Operations.

The reorganization plan presents a basic issue as to whether the Congress of the United States is going to agree to an effective administrative organization, or whether it is going to cling to some of the tenets and habits of the past. It is an issue which centers around the development, the progress, and the forwarding of the civil service. Stripped of all talk and verbiage, what it amounts to is whether or not the United States will still be involved in the spoils system or whether it will engage its efforts in policy-making legislative programs for the people of the United States.

What we are fighting on the floor of the Senate is nothing new in American life. In every town, village, city, and State, throughout the Nation forces at work for good and decent Government, and for honest administration are calling on governors, mayors, city councils, and State legislatures for the extension of the civil-service merit system. I want to say, with all the sincerity at my command, that while this reorganization plan may not be politically popular, because there are powerful voices and forces lined up against it, it is essentially a test as to whether we in the Congress of the United States believe that we have to have our fingers in every appointment or whether we can rely upon those who are entrusted with the responsibility of administration to select persons on the basis of merit and civil service for the handling of the administrative posts of the Government.

What reason is there why a Member of Congress should select postmasters? We have on our hands problems relating to the peace and security of the world. We have on our hands problems relating to the fiscal policy of the Government. The Congress of the United States would better spend its time on taxation, agricultural policies, labor legislation, social welfare legislation, foreign policy, the St. Lawrence waterway, public works, flood control, and the host of other legislative problems that confront it, rather than utilize its time and energy looking after political patronage. Political patronage is a hangover from the politics of yesterday. A political party that has to depend upon patronage to maintain itself in political power is a party which has lost any claim to the confidence and respect of the American people.

Mr. MONRONEY. Mr. President, will the distinguished Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. Is it not a fact that with the Hatch Act and other laws denying officials of the Government participation actively in politcs, the preservation of a patronage system is self-defeating, so far as Members of Congress are concerned? An appointment could be only a reward for past favors, and once a man is placed in a postmastership, he is forever frozen into inactivity because of his apointment, is he not?

Mr. HUMPHREY. The Senator is correct. At least, that is what the law provides. But I shall have a few words to say about that.

Mr. MONRONEY. By and large, I believe that in many States there has been a violation of the intent of the law, but what I am trying to say is that we are hanging on to an obsolescent piece of political machinery in our desire to retain a hold on patronage, which today is self-defeating. We tie up our offices with postal matters. We try to divide our time between balancing a $70,000,000,000 budget and determining what person should be named postmaster in Ninnekah, a town of perhaps 1,500 people. We may have more correspondence, more trouble, and more difficulty, perhaps, in connection with such a post office appointment than with the McClellan measure, which seeks to give Congress a means of balancing the budget.

Mr. HUMPHREY. The Senator is absolutely correct. What I was trying to emphasize was that Congress today has tremendous responsibilities, and to those responsibilities our full time should be devoted.

At the time the Government of the United States was established, referring now to Senate confirmation of postal employees, there were so few offices, there were so few employees, that the ledger books of the Government, which are on display at the Library of Congress, contained from 10 to 15 pages covering the total accounts of the Government.

I repeat, the patronage system is a hangover from the political yesterdays. The patronage system was created at a time when Congress would be in session for from 6 weeks to 2 or 3 months in a year. The patronage system was established at a time when political parties were working on the old principle of "to the victor belong the spoils." I submit that the American people do not desire that kind of political organization. They want the parties to stand up on the great national issues. They want Congress to concentrate its attention on the legislative problems of the day.

Mr. O'CONOR. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. O'CONOR. I wish to ask the Senator from Minnesota a question, because I recognize in him an ardent advocate of efficiency in Government and the elimination of those things which are working against the proper functioning of the Federal governmental system. I recall distinctly that the Senator from Minnesota has voted consistently along this line from the start.

Mr. HUMPHREY. I thank the Senator.

Mr. O'CONOR. The question I wish to ask is, Does not the Senator feel that under the existing system, which is sought to be changed, virtually one-half of the population, or at least a large segment of it, are told that they need not apply, or that their offer to serve the Government will be meaningless, because if they are not members of the political party in power, their chances of ultimate selection are quite negligible?

Mr. HUMPHREY. I believe the Senator is correct. I am sure that has been said by political advisers of one State after another. I am going to talk about the way the system works. It does not work as it has been painted.

Mr. O'CONOR. That is very true. Does not the Senator feel that the proposal is consistent with what has been recommended from the outside unanimously by the Hoover Commission? I have in mind a statement by the acting chairman:

> Primary responsibility for recruiting and examining Federal employees should be placed on the departments and agencies.

Does not the Senator feel that the proposal now made is consistent, that we can under it place the responsibility at one point and hold responsible for the selection of postal officials those who are to administer the postal service?

Mr. HUMPHREY. Indeed I do. I wish to say to the Senator from Maryland that his analysis of the testimony and recommendations of the Hoover Commission Report as it relates to this reorganization plan is, to my mind, sound. It meets with every requirement which has been outlined with respect to administrative officers in the selection of personnel acting in accordance with the civil service merit system.

Mr. O'CONOR. I thank the Senator.

Mr. HUMPHREY. The Senator from Maryland is entirely correct with respect to the critical point involving the large number of people who today wish to get into the postal service, but feel there is no use applying. I shall go into the mechanics of that, because I am a politician, and I publicly confess it. I know how people are selected for employment in the Post Office Department.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. I wish to amplify what the distinguished Senator from Maryland has said. He indicated that it was his belief that perhaps half the people who were seeking jobs in the Post Office Department knew there was no use in applying. The percentage probably is 90 or 95 percent, because merely being a member of the majority party is not enough to qualify one for a postmastership, under the normal process of appointment. Not only must one qualify as a member of the majority party, but he must demonstrate his loyalty to the party by leg work, action, and sometimes political contributions. Furthermore, he must be a part of the faction of the majority party that is in charge, and a part of the leadership of the particular political party or faction in the county or city in which the postmastership might happen to be vacant.

So the choice is narrowed down, not to 50 percent of the people, but to five or ten percent of the people, who might be eligible, qualified, and equipped to assume the duties of leadership of the postal service in the particular community.

Mr. HUMPHREY. I thank the Senator. Again he has documented, by detailed analysis, what we are trying to do in explaining the problem.

I should like now to spend a few minutes on the question of the merit system in the Civil Service as it relates to the Post Office Department. First of all, let me make it quite clear that the Post Office Department has steadily improved. Year after year there have been improvements in the merit system of the Civil Service as applied to the Post Office Department.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, I yield myself an additional 5 minutes.

Beginning with Grover Cleveland, every President has declared his support of the merit system, and in nearly every campaign in recent years both major parties have likewise declared for the extension of the merit system through the classified civil service. In addition, all of the major studies, by both public and private agencies interested in improving the management of the Federal Government, have recommended and urged the elimination of politics from the appointment of postmasters.

In 1935 the Commission of Inquiry on Public Service Personnel recommended "the inclusion of all postmasterships in the Civil Service System and their recruitment primarily by promotion." In 1937 the President's Committee on Administrative Management stated that—

> The continued appointment by the President of field officials, such as postmasters, * * * is not only antiquated, but prejudicial to good administration.

It recommended that—

> All civilian positions in regular departments and establishments now filled by Presidential appointment should be filled by the heads of such departments or establishments, * * * except under secretaries and officers who report directly to the President or whose appointment by the President is required by the Constitution.

In 1949, after an exhaustive study, the Commission on Organization of the Executive Branch of the Government, the Hoover Commission, in its report on the post office, recommended that the confirmation of postmasters by the Senate be abolished. In arriving at this recommendation, the Commission stated:

> The post office should be taken out of politics. Of the 470,000 persons employed, over 22,000 are in fact politically appointed. They are the strategic positions of first-, second-, and third-class postmasters and some top officials. Under Presidential orders beginning in 1932, and now under a law passed in 1938, the selection of candidates for postmasters has been limited to a list approved by the Civil Service Commission based upon merit examinations. This method has lessened the appointment of unqualified officials. However, the choice from the list usually results in appointments from the political party in power. A deleterious effect has been to create a political barrier to promotion within the service and thus deprive it of a great incentive to good work.

The Commission then stated that the primary responsibility for personnel selection and management other than the Postmaster General should rest in the service. In this connection, it stated:

> The Post Office Department is alone able to determine and find the skills required. The selection of postmasters should be, as far as possible, from the local community and in consultation with community leaders. * * * All selection of personnel should be subject to merit standards set by the post office and approved by the Civil Service Commission and subject to enforcement by that body.

The Senator from Arkansas [Mr. McCLELLAN], to whom I pay great tribute as a fine chairman of our committee, stated very pointedly that the purpose of plan No. 2 is to take away Senate confirmation. He is correct. I submit that there is not one reason for Senate confirmation. Why does not the Senate confirm the appointments of wage and hour officials in the respective regions? Why do we not confirm the appointments of social-security officers? Why do we not confirm the appointment of narcotics agents? Why do we not confirm the appointments of 101 different classifications of people who work closely with our Government? Why is it that the last vestige of the politics of the past, namely, the political appointment of postmasters, must be sacrosanct? There is no argument for it, except to say that we want it that way. I submit that any Senator has something more to do than that. Frankly, why any Senator should want to have his finger in the appointment of postmasters is more than I can understand. He makes 50 enemies for every friend he makes. Various forces in the community set upon him like vultures, demanding that he appoint this person or that person. Senators know that I am telling the truth.

Let me say with equal candor that the selection of a postmaster in a community is not made by the Postmaster General. It is made by what is called a postal adviser. Let us tell the people in the galleries and the American people who selects postmasters. It is the political adviser. Usually it is the State chairman of the political party.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. McCLELLAN. Will the Senator tell me who will do the advising if this plan should go into effect? It would not prevent the appointing officer from consulting with others.

Mr. HUMPHREY. It will be done as it is done in every other department of Government. The administrator in charge will select those to be appointed from the top of the list.

Mr. McCLELLAN. At the present time we know who the adviser is.

Mr. HUMPHREY. Yes.

Mr. McCLELLAN. But we shall not know if this plan goes through.

Mr. HUMPHREY. Often the adviser is a Member of Congress who is trying to build a political organization through the Post Office Department, or the State chairman who appoints persons who have been loyal to the political party. I am not against loyalty to a political party, but I do not believe that loyalty to the political party alone qualifies a person to become a postmaster.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. I believe the point brought out by the distinguished chairman of the committee is very significant. We know that a Member of Congress will perhaps accept the recommendation of his political lieutenant in the community as to the character, responsibility, and political standing of the man proposed to be appointed postmaster.

There is some degree of responsibility; but, unfortunately, there are certain States which do not have the benefit of Democratic Senators or Representatives. With respect to postmasters appointed in cities and towns in such States, there must be advisers. They must be good Democratic advisers. If the Republicans should happen by sheer accident to take over the leadership of the country, the same system would work with the Republican Party. In vast areas there would be no Republican Representatives or Senators holding office. So who would make the appointments? The responsibility would be where the distinguished chairman has said it would be. It would be with the boys in the back rooms of the political clubs. They would make the nominations. I happen to serve on the Civil Service and Post Office Committee. I know who would approve the nominations and send them to the Senate for confirmation.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I yield myself five more minutes.

Mr. MONRONEY. Mr. President, will the Senator further yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. How much debate and consideration can this august body give to the confirmation of the nomination of a postmaster if there is only one Senator, or perhaps two, in the Chamber when the great process of Senate confirmation, which is supposed to protect the public, takes place? I do not believe that I am misstating the situation with regard to attendance at such sessions.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Let us keep the record clear. We are operating under the law known as the O'Mahoney law, enacted in 1938. It is Public Law 720. That law does not give to anyone the right to tell the Postmaster General whom to appoint and whom not to appoint. The O'Mahoney law placed certain positions under civil service. Today the Postmaster General has no law telling him how to make such appointments. If this plan should go through, he could act then as he is acting now, could he not?

Mr. HUMPHREY. No.

Mr. JOHNSTON of South Carolina. Why not?

Mr. HUMPHREY. Because of the lack of Senate confirmation. Any Senator can block the nomination of a postmaster in his State if he wishes to do so.

Mr. JOHNSTON of South Carolina. The Senate does nothing but confirm or not confirm the nomination sent to it. It has no right of choice whatsoever.

Mr. HUMPHREY. The Senator knows that no one can become a postmaster if a Senator from his State says that he should not become one.

Mr. JOHNSTON of South Carolina. So far as I am concerned—and I am chairman of the committee—at no time has any postmaster been appointed on my recommendation. I think the same statement is true of the Senator from Minnesota. When the Senator from Minnesota was a member of the Committee on Post Office and Civil Service, he had a voice in deciding whether or not a nominee had the necessary qualifications to operate the post office in a given locality.

Mr. HUMPHREY. That is correct.

Mr. JOHNSTON of South Carolina. The Senator from Minnesota was formerly a member of the Committee on Post Office and Civil Service. I ask the Senator if it is not true, in connection with the scandals in Mississippi, that certain persons would have been appointed postmasters if it had not been for the necessity of confirmation by the Senate?

Mr. HUMPHREY. No. As a matter of fact——

Mr. JOHNSTON of South Carolina. We held up the nominations in the Senate. Is it not true that the nominations were held up on the recommendation of the Senators from Mississippi, because they thought something wrong was going on down there?

Mr. EASTLAND. What the Senator from South Carolina says is absolutely correct.

Mr. HUMPHREY. Let the Senator from Minnesota say that had there not been the political system in Mississippi there would have been no money-grabbers.

Mr. JOHNSTON of South Carolina. The Postmaster General is the one who handled the situation.

Mr. HUMPHREY. Let me say to the Senator that the Mississippi investigation reveals one thing, and only one thing. Wherever there is political interference with appointments to administrative jobs, there is the opportunity to grab off a contribution.

Mr. HUMPHREY. The jobs are sold.

Mr. JOHNSTON of South Carolina. Is it not true that the investigation disclosed that 99 out of 100 of those who were investigated were civil service employees?

Mr. STENNIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I yield myself another 5 minutes, so that we may hear from the opponents. I now yield to the Senator from Mississippi.

Mr. STENNIS. I appreciate the Senator's courtesy in yielding to me.

The Senator from Minnesota is undertaking to pass upon the situation in Mississippi. Has he informed himself as to the facts, as disclosed in the sworn testimony taken by the subcommittee?

Mr. HUMPHREY. I did not attend the hearings, but I read the report and I signed it. No aspersions are being cast upon Mississippi. All I say is that there was a group there who saw fit to try to sell jobs, because of their alleged political power. I submit that the sooner the political parties get away from the field of appointment of persons to public office, the better off they will be.

Mr. STENNIS. The fact is that the Postmaster General had refused to follow the recommendations of the elected representatives of the people of Mississippi. Is not that true?

Mr. HUMPHREY. That is correct.

Mr. STENNIS. On the other hand, he was taking the recommendations of irresponsible persons whom the people had not chosen.

Mr. HUMPHREY. The Senator is correct.

Mr. STENNIS. That led to fraud, and the selling of jobs.

Mr. HUMPHREY. The Senator is correct.

Mr. STENNIS. As to the postmasterships themselves, those persons never did take office, because they could not be confirmed by the Senate. Is not that correct?

Mr. HUMPHREY. That is correct.

Mr. STENNIS. If it had not been for the requirement of Senate confirmation, they would have gone into office, would they not?

Mr. HUMPHREY. Wait a minute. That is not the conclusion to be drawn——

Mr. STENNIS. Will the Senator permit me to ask one further question?

Mr. HUMPHREY. Let me answer the observation of the Senator from Mississippi.

The conclusion to be drawn from the Mississippi job selling is this: The practice of political interference with appointments to Government jobs leads to political corruption. That is the lesson to be drawn. The fact of the matter is that, if Senators were able to protect the good name of Mississippi, that is only to say that they had some work to do which they would not have had to do if the postal service were operated under the civil service merit system, under which politicians are eliminated. There is no excuse for any Member of the Senate trying to appoint postmasters. If that is all this body has to do, it had better close up shop.

Mr. President, we have a Civil Service Commission. We have a merit system. We have rules and regulations. Nevertheless the sad story comes from State after State about financial contributions and political interference and political patronage which have tended to lower the standards of the Government service.

Mr. STENNIS. Mr. President, will the Senator yield for one more question?

Mr. HUMPHREY. I yield.

Mr. STENNIS. As distinguished from postmasters, who must be confirmed, is it not a fact that all the rural letter carriers were put in office and served as rural letter carriers and continued to serve as such until investigation disclosed the facts after hearings, and then they were all dismissed under civil service?

Mr. HUMPHREY. That is correct. I thank the Senator. The whole business of appointment of persons to the postal service has been infiltrated with political considerations. The fact is that every Member of this body knows that no rural letter carrier ever comes to him for appointment. I submit the present system does not contribute to good government. Why do we never hear from people who want to be appointed regional social-security directors, or from people who want to be appointed to the Wage and Hour Division? It is an established fact, for example, that a county agent in the Agricultural Extension Service is appointed on the basis of merit. The political parties never think of interfering with such appointments. However, political parties do think of interfering with appointments in the Post Office Department.

Mr. President, I submit the time is at hand to stop this kind of political patronage and political back-door spoils system.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. EASTLAND. Mr. President, I should like to ask the Senator a question for information. Under Reorganization Plan No. 2 is not the Postmaster General authorized to consult with anyone with whom he desires to consult?

Mr. HUMPHREY. Of course he can consult with his wife or his relations, or anyone else.

Mr. EASTLAND. The Senator from Minnesota knows that he must have advice in his State as to the best men who are eligible. I am thinking about the situation in Mississippi.

Mr. HUMPHREY. If the merit system is established the Postmaster General will be limited to making his selection from among the top three. Political parties will not be able to tell him which one of the top three men to select.

Mr. EASTLAND. In Mississippi the appointee is selected from the top three men on the eligible list.

Mr. HUMPHREY. That is correct. The difference is that when confirmation by the Senate is involved we inject politics into the situation. Why are Members of the Senate trying to kid the American public? We must be elected to office. We are not appointed to office.

Mr. EASTLAND. Is that not the point involved?

Mr. HUMPHREY. Senators and Representatives must be elected by the people. Unfortunately the Post Office Department has been a part of the political organization. I do not like to say it, and it will hurt me personally, because some people will not like it, but it is true.

Mr. EASTLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. (Mr. HUNT in the chair). The additional 5 minutes of the Senator from Minnesota have expired.

Mr. HUMPHREY. I cannot yield any further.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I cannot yield further on my time. I yield myself five additional minutes.

Mr. President, let us try to get this subject down on the ground again. Let us discuss it on the floor of the Senate and not in an atmosphere supercharged with politics.

What are we talking about, Mr. President? We are talking about a merit system. We are merely saying that the management of the post office in a small community is an administrative problem. We say it is a job of handling personnel and handling mail. It is a job of handling mail schedules. It is one that should be based primarily on the experience and qualifications of the individual involved. The Civil Service Commission checks into the integrity and character of individuals. Every Member of the Senate knows that if a person is not of good moral character and integrity, he cannot be appointed, even under the present sytem. The Civil Service Commission will make the investigations.

I am not saying that the proposed plan will be foolproof. I am saying, however, that Congress is a busy body, and Congress has many more things to do than follow the precepts of the past. Senate confirmation of postal employees is a hangover from the days of the spoils systems. The Senate confirms 21,000 first-, second-, and third-class postmasters. No Senator will be able to convince me that those postmasters have all been personally examined. To be sure, some of them are confirmed one year, and others the following year. How many of the 21,000 postmasters are personally known to the Senators?

I heard the comment: "We know them in our State." As a matter of fact, we do not know them in our State. As a matter of fact, we rely all too often on someone who is called a political adviser. I am not saying that the present system operates very poorly or that it is terribly bad. I do say that it can be improved. I ask Senators, What are you hanging on to? The system goes back to the spoils system. It is like hanging on to old almanacs and old catalogs.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. HUMPHREY. Not at this point. First of all we interfere with what I consider to be an administrative function. Secondly, we deny the results of the investigations made by unbiased and unprejudiced commissions which have examined the functions of the Government since 1935. Commission after commission has gone to work on the problem, the Hoover Commission among them. Such commissions have had only one objective, namely, the improvement of the Federal service. They have all stated, without exception, that postmasters should be selected on the basis of merit, without Senate confirmation. The issue has been pointed out clearly. It is whether there should be Senate confirmation or not be Senate confirmation. The Senate should confirm ambassadors, which are limited in number, and confirm department heads, and persons who are appointed to major policy determining jobs.

Mr. President, we go through the procedure of confirmation in the Senate, and all too often it is a routine procedure. We get lists of appointees in the Public Health Service, for example; lists of appointees in the Army; and lists of appointees in the Navy. They are all confirmed, hundreds of them, in 5 seconds. What kind of scrutiny is that?

The PRESIDING OFFICER. The time of the Senator from Minnesota has again expired.

Mr. HUMPHREY. I yield myself an additional 2 minutes. Unfortunately in the Post Office Department the present system, in effect, tells many people who would like to work their way up to be postmasters: "You haven't got a chance unless you play politics." Unfortunately, Mr. President, if they play politics they will be discharged, because the Hatch Act tells them they cannot do it. There are thousands of people who aspire to be postmasters. Thousands of them begin as mail sorters and work their way up to clerk, letter carrier, chief of the mails, and superintendent of mails. Under the present system it is almost impossible for a man to work himself up to the top in the Post Office Department. Everyone knows that the political adviser makes a choice from the top three. It is not done by the Civil Service Commission or the Postmaster General. The selection is not made by someone who is looking at the situation from the standpoint of the country as a whole. It is all done by the political adviser.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. It is quite interesting to note that at this time of the 21,438 postmasters in first-, second-, and third-class post offices, only 1,231 are of the career postal service. In other words, only 5.7 percent of the postmasters serving in 21,000 post offices had any previous experience in the postal service before appointment to the top postal job in their community. When the postal unions and other organizations purporting to represent the postal employees tell me that the proposed legislation is unfair to the postal workers, I should like to know why they propose to protect a system which through the

years has given only 5.7 percent of the top jobs to men who know the most about the mail service.

Mr. McCLELLAN. Mr. President, the postal workers are against the plan.

Mr. MONRONEY. That is what I cannot understand, when only 5.7 percent of all the postmasterships are filled by career postal workers.

Mr. McCLELLAN. They gave their reasons. I would suggest that the Senator read the RECORD.

Mr. MONRONEY. What they said did not sound to me like a good reason. It sounded to me as though they were "a-feudin' and a-fightin'" with Postmaster General Donaldson and wanted to take it out on this plan.

Mr. HUMPHREY. Mr. President, I understand that my time has expired.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I wish to have some editorials printed in the RECORD, and in that connection I yield additional time to myself.

The PRESIDING OFFICER. The Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, I hold in my hand an editorial entitled "Patronage or Statesmanship?" The editorial was printed in the Washington Evening Star on June 16, 1952. I believe the editorial points out very nicely the difficulty we are facing.

I now read part of the editorial:

This will be a crucial week for the remnants of the Federal spoils system. Vestiges of political patronage in three important branches of the Government will go into discard next Friday unless the Senate or the House interposes an objection before then.

Mr. President, I ask that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PATRONAGE OR STATESMANSHIP?

This will be a crucial week for the remnants of the Federal spoils system. Vestiges of political patronage in three important branches of the Government will go into discard next Friday unless the Senate or the House interposes an objection before then. The threat of such a defeat for the merit system hangs over the Senate as a result of rejection of Presidential Reorganization Plans 2, 3, and 4 by the Senate Committee on Government Operations. It is evident that the patronage forces are stubbornly resisting the Hoover Commission's assault on their domain.

Plan No. 2 is the more important of the trio, because its effect would be more far-reaching than the others. This plan would remove more than 21,000 postmasterships from the field of political selection. These appointments now are made by the President "by and with the advice and consent of the Senate." Testimony in the recent Mississippi scandals revealed that politicians there promised appointments to party henchmen who made the largest gifts to the campaign chest. It is no secret that similar favors have been bestowed in other States in the past. Fitness for the job to be done has been generally a secondary consideration. Under the merit plan the postmasters would be recruited, examined, and appointed like other civil-service employees—without regard to political affiliation or services to the party in power.

Plans 3 and 4 would apply similar civil-service-selection standards and procedures to customs officials and United States marshals. These officers, like internal-revenue collectors, hereafter would be required to demonstrate their ability to fill their posts with efficiency and integrity. These plans also were rejected by the Senate committee.

So far there have been no adverse resolutions on the House side and there is no indication that a veto will arise there. The Senate is the Chamber which has a direct stake in these antipatronage plans and it is there that the danger lies. Fortunately, the Reorganization Act prevents a veto except by vote of a constitutional majority of either House. That will make it a bit more difficult to muster the necessary votes to kill the plans. The air is surcharged with politics these days, but it would reflect discredit on the Senate if politics were allowed to interfere with reforms which the Hoover Commission, the Civil Service Commission, the President, and numerous outside advocates of good government have joined in supporting. The next few days will tell whether politics or statesmanship will prevail.

Mr. HUMPHREY. Mr. President, I also submit an editorial entitled "Senate Clings to Patronage." The editorial was published in the Milwaukee Journal on June 12. I read the first paragraph of the editorial:

It was too much to expect that the Senate would let the President's proposal for Senators to give up some 22,000 patronage plums go quietly into effect without a murmur.

Mr. President, I ask that the editorial be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATE CLINGS TO PATRONAGE

It was too much to expect that the Senate would let the President's proposal for Senators to give up some 22,000 patronage plums go quietly into effect without a murmur.

It was just short of 60 days ago, you will remember, when the President proposed putting 21,438 postmasters, 64 United States marshals, and 51 collectors of customs and other miscellaneous customs officials under civil service. Each of these officials represents a patronage appointment for some Senator. Most were chosen not for any special qualifications for the job they might have had, but for political reasons.

The Hoover Commission, insisting that these are jobs for which officials need more than political "it," recommended long ago that they be put under the merit system. The President subsequently proposed it. If neither House of Congress disapproves before June 15, the President's plan will become law.

The Senate, chief citadel of patronage, has been quiet these last 57 days. But it hasn't been inactive or asleep. That was proved Tuesday when the Senate Governmental Operations Committee announced that it had voted 8 to 2 against putting postmasters under civil service without Senate confirmation. It disapproved civil service for United States marshals by a 7 to 2 vote and of customs officials by a 6 to 4 vote. Now the Senate itself must act.

Desire to retain patronage can be the only excuse for any Senator refusing to vote for the Hoover Commission and Truman plans for extending the merit system to these three classes of officials. It is ridiculous to argue, as some Senators argue, that they are better judges of appointees than civil service is.

The Senators often don't even know the men they recommend. They take the word of politicians back home for their recommendations. Civil service is no cure-all. But it at least sets a minimum standard for prospective officials to meet. And it's a standard that has something to do with the job and not with politics.

The Senate has long been shouting for efficiency and honesty in Government. Here's a chance to help get some of both. The voters will have a right to be angry if the Senate doesn't take the chance.

Mr. HUMPHREY. Mr. President, on June 15, the New York Herald Tribune carried an editorial entitled "Postmasters and Politics." That editorial points out what the Hoover Commission said, as follows:

The Hoover Commission said: "We recommend that the confirmation of postmasters by the Senate should be abolished."

I ask unanimous consent that the entire editorial be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POSTMASTERS AND POLITICS

The Hoover Commission said: "We recommend that the confirmation of postmasters by the Senate should be abolished." A reorganization plan to this effect, removing from the realm of political patronage 21,348 postmasters along with customs collectors and United States marshals were finally submitted this year by President Truman and automatically takes effect unless voted down in either House of Congress by June 20.

A good many Senators are indisposed to take the Post Office out of politics; Mr. Truman, for that matter, may be primarily interested in taking postmaster insurance against November. The proposed reorganization does not operate against the loyal Democrats now in office. The full operation of a more or less ideal merit system, with the Postmaster General making his own appointments from civil service and not having to ask approval of the reigning political bosses, is postponed until such time as the present postmasters are dead or retired. Obviously, it would be better if reform could be instant and complete. But, unfortunately, there is strong opposition in the Senate to any kind of reform, now or for the long pull. The committee voted 8 to 2 against reorganization, which shows how strongly some Senators want to hold on to postmaster spoils.

Now there is no question but that the whole Post Office would be improved by removing the hide-bound system by which every postmaster's job depends on political rightness. Put these 21,348 offices into the career system, with the Postmaster General and civil service in actual command, and departmental improvement seems unavoidable. Every Senator who values reform over politics should vote for reorganization plans 2, 3, and 4, the implementing forces for change, without regard to party lines.

Mr. HUMPHREY. Mr. President, the St. Louis Post-Dispatch published on June 10 an editorial entitled "Postmasters or Politicians?" I ask unanimous consent that this editorial be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POSTMASTERS OR POLITICIANS?

Adverse committee action on President Truman's proposal to change the method of selecting postmasters is disappointing, but should not be allowed to cloud the Senate's

view. The proposal, taking the 21,438 postmasterships of the first, second, and third class out of political patronage, can still become effective unless House or Senate votes against it before June 20. The objections which have been raised against it by Senators McCLELLAN of Arkansas and JOHNSTON of South Carolina could easily be dealt with, and were in fact met by the recommendations of the Commission on Organization of the Executive Branch of the Government, headed by former President Hoover.

These two Senators object that having the Postmaster General name the appointees through civil-service machinery would give that official too much power, particularly if he were also chairman of the political party then in charge of the Government. As McCLELLAN is chairman of the Government Operations Committee and JOHNSTON chairman of the Post Office and Civil Service Committee, their opinions carry extraordinary weight.

The point they make is, moreover, a good one, but the Hoover Commission showed the way to deal with it by recommending a proviso that the Postmaster General should not be an official of a political party. The proposed method of appointment would then surely be a decided improvement over the present method of leaving the postmasterships as political plums.

For the chairman of the winning party's national committee to be rewarded by appointment as Postmaster General is, admittedly, a custom of long standing. The present Postmaster General, however, Jesse M. Donaldson, is not a patronage appointee but a career man. This precedent could give impetus toward a new custom dedicating the Postmaster Generalship to the career service.

A positive stipulation to that effect in the reform act should nail down that point effectively.

Mr. HUMPHREY. Mr. President, I shall not burden the RECORD by submitting a great number of editorials; but all up and down America, regardless of whether the press has been favorable or unfavorable to the present administration, regardless of whether the press has been Republican or Democratic, all the press of America has said quite clearly that it believes this reorganization plan will bring about an advance.

I do not wish to be understood as saying that I believe that the adoption of this plan will bring about the millennium. I do not believe the enactment of any measure relating to the civil service will bring about the millennium. I merely say as a Member of the Senate, that the Senate, which is supposed to concentrate its attention upon matters of public policy, should actually do just that; and the spoils or patronage system has no place in the framework of the Senate's activities and duties.

The PRESIDING OFFICER (Mr. MAGNUSON in the chair). The time of the Senator from Minnesota has again expired.

Mr. HUMPHREY. Mr. President, I yield a little more time to myself; I ask the Chair to "check it off."

The PRESIDING OFFICER. The Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, I heard the chairman of the committee say that this reorganization plan would, if adopted, destroy the democratic process; those were his words.

Mr. President, the democratic process is not a process of political patronage. There used to be a time when the aldermen in the local communities appointed the street cleaners and determined whether a snowplow would go on your street or on my street or on some other street. Those things, thank goodness, are leaving municipal government. All over America, municipalities are being reorganized upon the basis of the merit system, the civil service system for the civil servants. The old patronage system has proved to be a curse—wasteful at times, extravagant, and at times corrupt. In State after State the patronage system is being destroyed because it has been found for instance, that State mental hospitals cannot be run properly with politically selected doctors, and because it has been found that State penal institutions cannot be run properly with politically selected wardens, and because it has been found that State highway departments cannot be run properly with politically selected engineers. To the contrary, it has been found that qualified persons selected by means of a merit system are necessary for the successful operation of all such agencies.

In that connection, Mr. President, certainly the Federal Government should set a proper example.

I should like to have someone tell me why it is that a United States Senator must find time to select or help select a postmaster in a town having a population of 600. Why should a United States Senator have that responsibility, when it can be handled by the established personnel agencies of the Government?

If any corruption arises in connection with the system now proposed, there are sufficient congressional investigating committees to check the operations of the system. Congress has never been short of investigating committees. The present Congress is loaded with them; we have an abundance of them, and we can have two or three new ones anytime we wish to have them.

Mr. President, the essence of democracy is to have the elected representatives of the people establish the public policy, and not to have them appoint every Tom, Dick, and Harry to every job which can be found. The political-appointment system is the system of yesterday. Politics of that sort were what caused the assassination of one President of the United States. As a result, the civil-service system was established.

Mr. President, the days of "to the victor belong the spoils" in terms of patronage were the days of yesterday.

The essence of democracy is that the policy-making power shall be in the hands of the legislative branch. The essence of democracy is that those who represent the people in the Government shall be the freely-elected representatives of the people. The essence of democracy is also responsible administration, responsible executive power.

I submit that those of us who are in political life know of the burdens and of the grief of political patronage. Political patronage, with all its assets in terms of building a political organization, still has more liabilities than assets. Frankly, Mr. President, all of us realize that once a man obtains a job, he forgets the one who helped him get it. All of us have learned that.

Mr. President, who will be hurt by this plan, when it is adopted? Will it hurt the postal workers, who are some of our finest public servants? I am a friend of the postal workers, and I believe in their wonderful organizations. I submit that the postal workers have a right to expect that they will be able to get the finest jobs in the Post Office Department and that they will be judged on the basis of their merit and their qualifications. Once they find that Congress has removed politics from that system, once Congress has removed political preference from that system, I submit that the postal workers' organizations will be much happier.

I submit that the lesson brought out in the Mississippi case was the lesson to be learned from a situation in which some persons were selling Government jobs. In that case some persons were saying to others, "If you work with me and give me a contribution, you will get a job."

Once we do away with that kind of philosophy and once we "put the spike" into it for once and all, and say there will be no politics in the civil-service merit system, but that the only way a person can obtain a job under that system is to qualify for it, and that the only way he can qualify for it is to be experienced and talented and to have sufficient ability to hold the job, then the applicants for such jobs will not be worried about whether they have contributed to the local finance director or whether they have smiled at their Congressman.

Mr. President, I do not believe that a proper credential for running a post office is to be a friend of a Senator or to be on good terms with a Member of the House of Representatives.

I believe it is essential that the postmaster be a good bookkeeper and be honest and be efficient and know the postal service from top to bottom, and give good service to the community. If he gives good service to the community, believe me, Mr. President, his Senator or his Congressman will like him, and they will get along just fine.

We should no more be worried about whether a postmaster is on friendly terms with his Senator or with his Member of Congress than we should be worried about whether a local social security officer is a friend of his Senator or his Congressman.

Mr. President, for the moment I yield the floor.

Mr. McCLELLAN. Mr. President, I yield 2 minutes to myself.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 minutes.

Mr. McCLELLAN. Mr. President, it is strange that the defenders of the postal employees are today greatly worried about what will be the fate of the postal employees if this reorganization plan does not go into effect, whereas all the postal employees are opposed to the plan and are much concerned about it. They do not want a dictatorial power to be established. They do not want to

have the postal system placed beyond the exercise of the proper power and control, beyond the reach of their elected representatives. The postal employees want to have the system remain under its present control and on the present basis, out in the open.

Mention has been made of the desirability of having a merit system. In that connection, I point out that today there is a merit system in the postal service. No postmaster can be appointed unless he qualifies under the merit system.

The issue now before the Senate simply resolves itself into that of who is to have the appointive authority? Under this plan the appointive authority would actually remain where it is at the present time. The only result of adopting the plan would be to remove any possible check against abuses. Adoption of the plan would result in abolishing the system of confirmation by the Senate of postmaster nominations, with the result that the people could no longer have an advocate at the court of justice and the people could not have there a representative who would have power to stop abuses.

Mr. President, I should like to submit for the RECORD, as a part of my remarks at this point, a letter I have just received from Mr. Jerome J. Keating, secretary of the National Association of Letter Carriers, together with a memorandum which he submits in opposition to the reorganization plan.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
LETTER CARRIERS,
Washington, D. C., June 12, 1952.

Hon. JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.

DEAR SENATOR MCCLELLAN: Enclosed you will find a brief memorandum covering three points in connection with Reorganization Plan No. 2, which has for its purpose the elimination of Senate confirmation of postmasters. Our organization is opposed to Reorganization Plan No. 2.

Proponents of this plan have, among other things, suggested that Reorganization Plan No. 2 would provide greater promotion opportunities to career employees. This is not true. Reorganization Plan No. 2 does not change the type of examination given to postmaster applicants in any way, and the method of rating applicants by the Civil Service Commission makes it almost impossible for letter carriers and other postal employees to qualify among the first three eligibles. This is thoroughly covered in the first point of the enclosed memorandum.

The second point has to do with the legality of Reorganization Plan No. 2, and the third point is a brief statement of the political implications that will follow the adoption of such a plan.

I hope that this information will be helpful to you, and that you will see your way clear to support Senate Resolution 317. The Senate Committee on Government Operations has favorably reported out Senate Resolution 317 which, as you know, is opposed to Reorganization Plan No. 2.

Sincerely,

JEROME J. KEATING,
Secretary.

REORGANIZATION PLAN NO. 2—MEMORANDUM

POINT NO. 1. POSTAL EMPLOYEES STAND LITTLE CHANCE FOR APPOINTMENT TO POSITION OF POSTMASTER UNDER CIVIL-SERVICE REGULATIONS

Under the examinations conducted by the Civil Service Commission, all postal employees find it extremely difficult to qualify for the position of postmaster and, in the case of clerks and carriers, it is almost impossible for them to qualify. In first-class offices, an investigation is conducted by the Civil Service Commission. There is no written examination. The applicants are rated on the following basis: Twenty points, education; 80 points, business and professional experience and qualifications.

Postal employees are rated low on the basis of business experience and only a limited number of postal supervisors are able to qualify. This is the reason there are so few career postmasters. The fact that the choice is made by the Senator or Congressman has little to do with limiting the number of career postmasters. The method used in rating the applicants is the principal factor in limiting the selection of career men for the position of postmaster.

In the case of second- and third-class post offices, the examination is given the applicants and they are rated on the basis of 50 points for the written examination and 50 points for education and business experience. Again this method of rating reacts against the postal employee, and few qualify for the position of postmaster even in second- and third-class post offices, although the proportion is slightly higher than it is in the case of first-class post offices.

POINT NO. 2. QUESTION OF LEGALITY OF REORGANIZATION PLAN NO. 2

There is very good evidence that Reorganization Plan No. 2 is illegal. Attorney Frank J. Delany, former Solicitor of the Post Office Department, in testifying before the Senate Committee on Government Operations, in referring to section 2 of the Reorganization Act, which is section 133 z-2 of the United States Code, title 5, stated:

"Now, in subsection 2, it is there stated that any reorganization plan transmitted by the President may include provisions for the appointment and compensation of the head and one or more other officers of any agency, if the President finds, and in his message transmitting the plan, declares, that by reason of a reorganization made by the plan such provisions are necessary. In other words this authorizes provisions for appointment as a corollary and a subordinate part of other structural changes in the agency to be affected.

"The CHAIRMAN. There is actually no structural change in this plan."

The committee staff of the Senate Committee on Government Operations has also pointed out that there is no actual reorganization involved in Reorganization Plan No. 2. They produced evidence to the effect that President Truman, former President Hoover, the Postmaster General, and the Director of the Bureau of the Budget had previously stated that to transfer the authority of selecting postmasters from nomination by the President and confirmation by the Senate to the Postmaster General would require legislation and could not be done under the Reorganization Act. We believe that this is entirely correct and that the present proposed procedure set forth is improper.

POINT NO. 3. TRANSFER OF AUTHORITY TO POSTMASTER GENERAL WILL CREATE GREAT POLITICAL PATRONAGE ORGANIZATION

This contention is clearly borne out by the past experience of the Government when the Postmaster General did have the authority to select the individual postmasters. Under Reorganization Plan No. 2, the applicant who has the highest grade will not be automatically appointed, but the selection will be made from one of the top three by the Postmaster General. In addition to the potential patronage exercised by an administrator who is operating a $2,000,000,000 business, he will also have the authority to select almost 22,000 representatives in every major city in the United States. Those of us who have spent a long time in Government are well aware of the fact that there is a great deal of personal politics in any administrative set-up, and it is fear that politics under the proposed set-up will be far worse than the politics that we have at the present time. The Postmaster General will have power exceeding any other single official in Government, with the possible exception of the President. The President, however, is elected by the people and is compelled to face the electorate every 4 years. The Postmaster General could operate without restraint and with little or no control from the Congress under this plan.

The proponents of Reorganization Plan No. 2 point to the sale of postmaster positions in the State of Mississippi as evidence that this reorganization plan is needed. Actually, however, the reverse situation is true. The sale of postmasterships in Mississippi was brought about because of the fact that the Postmaster General did not consult with the legally elected representatives of the people in Mississippi, but designated authority for the selection of postmasters to a special, hand-picked group in the State. The reason this discrimination was made against the Senators and Congressmen of Mississippi was to punish the State for their support of another candidate for the Presidency in the last general election. The scandals would never have existed if the elected representatives of the people had been consulted relative to the appointments.

This situation well illustrates what can happen if administrative authority unlimited is given to the executive branch of the Government.

Mr. McCLELLAN. Mr. President, the American Federation of Labor employees in the postal service oppose adoption of this plan.

Other organizations oppose adoption of this plan. I do not know of one organization in the Post Office Department that favors the plan.

I now yield 2 minutes to the senior Senator from Mississippi [Mr. EASTLAND].

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 2 minutes.

Mr. EASTLAND. Mr. President, adoption of this plan would simply mean that postmasters would still be politically selected. Today we have the merit system in the Post Office Department. Each postmaster is selected from the three highest on the eligible list, and the person who is nominated then has his nomination come to the Senate for confirmation.

The only result of adopting the plan would be to deprive the Senate of the power to confirm postmaster nominations.

The Senator from Minnesota has said there would not be scandals such as the one which occurred in Mississippi; he says that the lesson which has been learned as the result of that scandal is that postmasters should be selected on the basis of merit.

Mr. President, what are the facts as to what the situation will be if the plan is adopted? In that case the Postmaster General still will have to have advisers in the States, and he still will have political committees in the States, and he still will have in the States individuals to whom he will look for advice.

In the State of Mississippi there was such a committee. Various persons made contributions as a consideration for obtaining jobs; that was common knowledge. The ones whose contributions were the largest were nominated, and their nominations came to the Senate. The Senate committee held up action on the nominations because corruption was disclosed; but that did not prevent the postmaster nominees who were under the civil service from securing temporary appointments. They received temporary appointments, and then, after investigation, they were removed. But had it not been for Senate confirmation, each of them would have been installed permanently as postmasters—a lifetime job.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. McCLELLAN. I yield one more minute to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for one more minute.

Mr. EASTLAND. Mr. President, a very bad feature of Reorganization Plan No. 2, is that, with respect to the selection of postmasters, it would deprive the Senate of the opportunity to check to see that honest men were appointed. The Senator from Minnesota hit the nail on the head when he said that Senators must be elected. That is the meat of the coconut. That gives us responsibility to the people for good government. The responsibility is upon our shoulders to see that there is good government. I submit that good government is promoted and, in fact, is secured when the elected representatives of the people, having direct responsibility to them, must pass upon these matters. In the case of the selection of postmasters it is very helpful, it is very wholesome that Senators, elected by the people of the respective States, and that men who have a direct stake in good government within the respective States must pass upon the appointments of postmasters.

Mr. President, I therefore think this resolution should be agreed to.

Mr. O'CONOR. Mr. President, the Senator from Minnesota [Mr. HUMPHREY] has assigned to the Senator from Maryland control of the time, temporarily, in his absence. I therefore yield to myself 10 minutes.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 10 minutes.

Mr. O'CONOR. Mr. President, I rise to state reasons for opposing Senate Resolution 317 and permitting Reorganization Plan No. 2 to become law.

The sole effect of this plan would be to terminate the power of the President to appoint postmasters of the first three classes, with Senate confirmation, and to transfer that power to the Postmaster General under the classified civil service. That is the whole plan. Henceforth, postmasters would be appointed in the same manner as all other civil servants in the Federal Government, and the archaic device of Senate confirmation would be eliminated.

Why is that important? It is important because, in the words of the President of the United States, the present method of appointing postmasters "injects a hybrid mixture of political and merit considerations into appointments to offices which should be in the career service."

What is the present method of appointment and how does it work?

Under the present system, all postmasters are appointed in the civil service after competitive examination, pursuant to rules and regulations prescribed by the Civil Service Commission, and once appointed they enjoy the same status and tenure as all other civil servants. The difference, however, between postmaster appointments and all other civil-service appointments lies in the fact that after a list of qualified eligibles has been certified to the Postmaster General by the Civil Service Commission he does not now actually make the appointment. Instead, he sends a list of three names to the Member of Congress in whose district the vacancy exists, if he is of the same political party as the administration, for a recommendation with respect to character and residence of one of the top three eligibles. There are two exceptions to this: If the vacancy is in the home district of a Senator, the list is sent to him; and if no Members of Congress belonging to the party in power reside in that State, the list is transmitted to the national committee of the party in power, which contacts local political officials for recommendations.

Although the political adviser—the name given to Members of Congress or other political officials making the recommendation—purports to be making a recommendation with respect to character and residence only, what he is actually doing is choosing a member of the "right" political party. He then recommends the appointment of that individual to the Postmaster General, who transmits the name to the President for appointment.

Of course, there is nothing to compel the Postmaster General to follow the "recommendation" of the political adviser. If he does not follow it, however, the political adviser will almost certainly see to it that the nominee is not confirmed.

Now, there may be some among us who will say, "What is wrong with this system? Postmasters are examined by the Civil Service Commission; and when the Member of Congress makes his choice, he is choosing a man who has been found qualified."

The trouble with this system is that it cloaks, under the guise of civil service, what is, in fact, a patronage system. The essence of a merit system is that an opportunity exists for all qualified persons, regardless of political affiliation or activity, to seek and obtain, if found qualified, a position in the civil service. A further essential of a true merit system is that an opportunity be afforded for within-grade promotions so that persons with experience and ability may make a career of governmental service.

Neither of these essentials of a merit system is possible under the present procedure.

First, prospective applicants for postmaster positions, who are not of the party in power, simply do not bother to take examinations, since they know that regardless of their qualifications, experience and position on the list of eligibles certified by the Civil Service Commission, they will not be appointed. As stated most cogently by Dr. Arthur S. Flemming, former Civil Service Commissioner and an outstanding personnel expert. "At the present time, any Republican with good sense in any community in the country will not file for a civil-service examination for postmaster, because he knows it is a complete waste of time on his part."

The second difficulty with the present system is that qualified individuals within the postal service, who desire to seek in-service promotion to the position of postmaster, but who are not of the right political faith, are simply barred from appointment. Thus, a postal clerk with long experience and genuine ability, who, in a similar position in another Government agency, would have an opportunity for promotion to the top of the ladder, has no opportunity whatever for such promotion, in the absence of a change in party control. Mr. President, in that connection I wish to repeat what the Senator from Oklahoma has already said, namely, that as a result of the present system, only 1,231 of the 21,433 postmasters now serving are career men. The Senator from Oklahoma stressed that point. I should like to emphasize it again. I may also say that one thing which I have found difficult to reconcile, or to see any consistency in, is the differentiation between fourth-class postmasters and third-class postmasters. As Senators know, the present system calls for outright civil-service appointment of fourth-class postmasters, that is, postmasters who serve in post offices with receipts up to $1,500. Yet we proceed under the theory that possibly the fate of the Republic hangs in the balance, if the receipts are $1,499 as against $1,501. I find it impossible to understand why there should be that difference. I think there should be consistency in the all-out appointments under the patronage system and in appointments under the merit system.

Mr. MONRONEY. Mr. President, will the Senator from Maryland yield?

Mr. O'CONOR. I yield.

Mr. MONRONEY. The hybrid system which we would endorse and continue if we adopt the majority position will still leave half the postmasters outside of confirmation and half of them under

confirmation. If a postmaster is a Presidential appointee he cannot transfer to civil-service status. Perhaps that is one reason why, unless there is political preference, or a man is a member of the right party in the community, he does not want to become a postmaster. As the Senator says, only a very small number of the 150,000 skilled, trained postal workers have been appointed to these higher offices. No wonder the morale in the Post Office Department is low when only such a small number of persons have been able to aspire to be bosses.

Mr. O'CONOR. I agree with the statement made by the Senator from Oklahoma, and I believe he has emphasized very impressively the important point involved. The only reason why I cited the situation which exists between the third and fourth class postmasters is that, to me, it shows utter inconsistency. Of the total number of postmasters about 20,000 are fourth class postmasters as of this time. If the receipts of the post office go above a certain point an entirely different system prevails.

The PRESIDING OFFICER. The time of the Senator from Maryland has expired.

Mr. O'CONOR. I yield myself two additional minutes, Mr. President.

I believe that these brief remarks make it quite clear that whatever its proponents call the present system, and regardless of its civil-service elements, it effectively bars the basic essentials of the merit system by making impossible the appointment of the most qualified individuals; and by eliminating one of the essential morale factors—the opportunity for deserving individuals within the service to achieve promotion to the top of the ladder.

Mr. President, the vital reform, sought to be accomplished by plan No. 2 is a recommendation of the Hoover Commission which fully evaluated the problem of political appointment of postmasters and made the specific recommendation that it be terminated. It is supported and endorsed by the National Civil Service League, by the Citizens Committee for the Hoover report, and by all proponents of good government. It will place the appointment of postmasters under the same procedures as the appointment of all other civil servants and it will insure that postmaster appointments will operate under a genuine merit system in which opportunities for both appointment and promotion will be open to all qualified persons, regardless of political affiliation.

Mr. President, the issue before us is clear. Are we to have a genuine civil-service system in the appointment of postmasters; or are we to continue the present method which is nothing but lip-service to the merit system and which cloaks under the respectability of civil service, what is nothing more than political patronage. The choice is ours. Let us not lose this opportunity to keep faith with the people of the Nation.

I feel impelled to vote against Senate Resolution 317 and permit plan No. 2 of 1952 to become law.

Mr. STENNIS. Mr. President, will the Senator from Maryland yield?

Mr. O'CONOR. I am sorry, but I do not have any time remaining.

Mr. STENNIS. Mr. President, I should like to speak about 7 minutes.

Mr. JOHNSTON of South Carolina. Mr. President, the Senator from Arkansas [Mr. McCLELLAN] asked me to act in his absence. I yield 7 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 7 minutes.

Mr. STENNIS. Mr. President, one fundamental fact has not been emphasized as yet in this debate. I refer to the basic American principle involved, in that anyone filling a public position, particularly a postmaster, should have a sense of responsibility to the people of the community he serves. That is essentially an American principle, and it is one of the main reasons why our republican form of government in the United States has worked so well. There is danger of its being surrendered in toto to the largest governmental organization within the United States Government. I believe a failure to exercise our responsibility will show up immediately, and over the years such conditions will result that the Post Office Department will become a tangled mass of bureaucracy beyond the control of the President of the United States or of the Congress.

I do not have anything to do with the selection of postmasters in my State, so that I am not affected one particle by editorials concerning the selection of appointees being a political liability rather than an asset.

Mr. McCLELLAN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. McCLELLAN. The present system is not a liability to the citizenship in the community.

Mr. STENNIS. That is correct.

Mr. McCLELLAN. It is a liability to their public servants, just as every other duty may be a liability.

Mr. STENNIS. The Senator is eminently correct.

Mr. McCLELLAN. Since when are Senators afraid to face up to their obligations? May I point out, also, that under the present system the people of the community know to whom to turn to make their recommendations, to make their voice heard, and to have an influence? Take that away and put it behind an iron curtain, and to whom can they then turn?

Mr. STENNIS. The Senator is eminently correct. I am not speaking in the abstract, but from actual experience in my home State, where the Post Office Department refused to consult with or to consider any recommendations from the elected representatives of the people. Almost in a matter of hours, certainly in a matter of days, the positions were being offered to the highest bidder, as proved by sworn testimony. Ninety-nine cases were investigated, after the conditions were exposed on the Senate floor, and 29 persons were removed for actual fraud committed by those who were making the selections. There was not a single one of the postmaster appointments that went into effect, for the sole reason that the Senate Committee on Post Office and Civil Service stood guard and would not let those nominations come to the floor.

Mr. CHAVEZ. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I shall be glad to yield briefly. I have only 7 minutes.

Mr. CHAVEZ. I think the Senator is contributing a great deal to our way of life. What would anyone in Washington know about whether in a little country town in Mississippi a postmaster selected from Washington would meet the wishes and ideas of the patrons of the post office of that community? The person closest to the American people is the one who delivers mail daily. An appointment might please Washington, but it might not please the patrons in either Mississippi or New Mexico.

Mr. STENNIS. The Senator is correct. Senate confirmation is the only thing that prevents such nominations from going into effect.

On the other hand, rural mail carriers do not require Senate confirmation. When a number of them were removed, the men themselves were not so much responsible; the responsibility was on those who were operating the system. The people were absolutely helpless with reference to an important officer in their midst. They had to turn to their elected representatives who were finally able to get results. That is a fair illustration of what could happen under Reorganization Plan No. 2.

Mr. President, I emphasize that there is no reason why a postmaster should be isolated from people in the community he serves. To insure a sense of responsibility, postmasters should be required to come in through a door of some kind upon the recommendation of those who are chosen representatives of the masses of the people. Then the people will have a remedy through their chosen representatives and it will be a remedy that will work.

Mr. CHAVEZ. Is it not a fact that the chosen representatives, whether they do so correctly or otherwise, generally know the patrons of a particular post office?

Mr. STENNIS. That is correct.

Mr. CHAVEZ. It is essential that the postmaster, besides his ability to read and write, should be able to get along with the patrons of a post office, whom he serves.

Mr. STENNIS. The present system, with all its defects, has been working very well, by virtue of the fact that it does act partly through the representatives of the people. I attended a convention of postmasters in Washington. I know the postmasters in my State. As a whole they are very high-grade people and render a very fine service. I think we labor under a delusion if we believe that the proposal before the Senate will increase the ability or the character of the men and women who, on the average, fill these most responsible positions in a most creditable way.

I believe we would greatly regret the day the Senate surrendered its power with respect to postal appointments. I

believe the only reason why it would do it, if it should do it, would be because of the pressure of publicity campaigns and the taunting of editorials. As I see it, it behooves the Members of the Senate to stand up today and protect the people who sent them here.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. CHAVEZ. May I ask that the Senator from Mississippi be allowed 1 minute more?

The PRESIDING OFFICER. The Senator from Mississippi is recognized for one more minute.

Mr. CHAVEZ. Does not the Senator from Mississippi agree with me that as a general rule editorial opinion is entirely different from public opinion in the community which a postmaster serves?

Mr. STENNIS. The Senator is eminently correct.

I wish to use the remainder of my minute by referring to the point at which I started. The responsibility of postmasters to the people of the communities they serve is one of the essential bedrocks of American constitutional government, and, of all places, should not be abandoned in the United States Post Office Department, which serves all the people.

Mr. McCLELLAN. Mr. President, I yield 10 minutes to the distinguished Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, at the start let me say that the reorganization plan now being discussed does not carry out the Hoover plan in full. The Hoover plan suggests that the Postmaster General be removed from politics. The proposal before the Senate would still leave the Postmaster General in politics, and he would be the man who would appoint all postmasters in the United States.

Let us consider the present law. The Post Office now operates under civil service. In 1938 the senior Senator from Wyoming [Mr. O'MAHONEY] was instrumental in the passage of what is known as the O'Mahoney plan or the civil-service law covering postmasters. Let us see what that law provides. In effect, it says that first-, second-, and third-class postmasters selected through civil-service examinations shall be confirmed by the Senate. Approximately 21,400 postmasters are covered under that provision.

There are approximately 21,000 postmasters in the fourth class. At the present time fourth-class postmasters are not confirmed by the Senate. They are required to take a different kind of civil-service examination. It is not so comprehensive as the examination for first-, second-, and third-class post offices. The reason behind that is believed that the duties of postmasters in first-, second-, and third-class post offices are more complicated than are the duties of the postmasters in the small offices, which are largely engaged in the sale of stamps, and do an annual business of $1,500 or less.

The Civil Service Commission holds examinations and certifies the three highest candidates to the Post Office Department. Sometimes 20 or 25 applicants take the examination, and so far as the three highest are concerned the Postmaster General, not according to law, but because he thinks it to be in the best interests of all the people, will consult with someone in the local district as to the choice to be made. That person may be a Member of Congress, or he may be a party leader within the district.

Can the Postmaster General himself know all the people in the United States? When the three names at the head of the list are sent to him, he cannot always afford to select the one who is first on the list. If he did, he would sometimes be putting a round peg into a square hole, and the efficiency of the Post Office Department would be impaired if that were done. So it is then necessary to consult with someone in order to choose the best from among the three highest candidates. That consultation is not done according to law, it is not because the law now in effect requires that it be done, but it is done only because the Postmaster General sees fit to follow that course.

Mr. CHAVEZ. Mr. President, will the Senator yield to me for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. Is it not a fact that the first reason for the existence of the Post Office Department is service to the American people?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. CHAVEZ. Is it not a fact that consideration should be given not only to the person who can read, write and pass an examination, but also to the person who can give the best service to patrons of a particular post office?

Mr. JOHNSTON of South Carolina. Yes, and it is necessary to take into consideration the ability of a person to work with the employees of the particular post office. That also is an important factor in making an appointment.

Mr. CHAVEZ. That is correct.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MAGNUSON. There is one phase of the plan which bothers me, namely, that with respect to operation under the present system. I should like to call the attention of the Senator from Oklahoma to the fact that under the present system, where three persons are chosen, and there is a process of selection, if there is the name of a woman on the register, she at least has an opportunity to become a postmistress if she qualifies and becomes one of the registrants. But if we phrase the language of the law as it is proposed under the plan under consideration, the Civil Service Commission and the Postmaster General would have to select only veterans, if they were on the register, and no woman, unless she were a war veteran, would have a chance to become a postmistress. I may be incorrect in my understanding.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MONRONEY. With the rule in effect as to three names being submitted it would make absolutely no difference who would be eligible. A woman may attain eligibility under the present system, or under the system that is proposed, because the "rule of three" would not be changed. The difference is in the manner of selection under the rule of three, whether it will be made on purely political considerations, as I believe is the case today, or made on the basis of ability, experience, background, training, and knowledge of the postal service, on a nonpolitical basis.

As I see the whole issue, the proposal would in no way deprive or injure the opportunity of any woman to become a postmistress, because if she should be eligible under the "rule of three," either now or in the future, she would be considered.

Mr. MAGNUSON. But if a woman were on the list, and a veteran were also on the list, under present civil-service rules it would be necessary to choose the veteran.

Mr. MONRONEY. Under the present system the veteran would have to be selected. If a woman happened to be a veteran's widow——

Mr. MAGNUSON. Suppose there is a woman on the list. Her name could be submitted, and she would have some chance of appointment.

Mr. MONRONEY. She has absolutely no chance, I will say to the distinguished Senator. I should be very much surprised if the Senator could show me one case in which a woman has been appointed, or a case in which a man has been appointed when he was topped by a veteran with veteran's preference, since the enactment of the Starnes Act in 1944. If the Senator can show me a single instance involving the appointment of a postmaster in which a man with veteran's preference has been skipped over in favor of a nonveteran, I will welcome the information.

Mr. JOHNSTON of South Carolina. Let us keep the record straight. He must have the highest mark or be a disabled veteran.

Mr. MONRONEY. Yes. There is very little chance that a veteran's widow would be disabled, or that a woman member of the armed services would be disabled. However, the situation would be in no way changed. The substantive law would not be changed.

Mr. MAGNUSON. My point is that in the administrative appointment of postmasters, when veteran's preference exists in the law, if a change is made from the system we now have the effect will be to freeze nothing but veterans in the postal service, and in my opinion shut out women. Under the present system, leaving aside the question of disability, or the question of the highest mark, there is some opportunity to select a woman. In my opinion the effect of the proposed plan would be to shut out women from the possibility of ever becoming postmasters.

Mr. MONRONEY. If a woman is on the list of three and is not topped on the list by a veteran, she can be appointed now, or she could be appointed by the appointive authority in the post office, as provided by this plan. No change whatsoever is made.

Mr. MAGNUSON. No one but veterans would be appointed if the situation were frozen under the proposed plan. The appointive authority is not going to dig down into second place.

Mr. MONRONEY. If the woman were found to possess a better quality of experience or a higher rating in the community, or if other nonpolitical factors in her favor existed, she would have just as much chance of appointment.

Mr. MAGNUSON. She would not receive such treatment.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. MAGNUSON. I should like to ask one further question.

The Senator from Maryland [Mr. O'CONOR] made the statement, in supporting the plan, that no Republican in his right mind would take the examination. As I recall, he read a statement by Dr. Flemming.

Mr. MONRONEY. He stated that no Republican in his right mind would take the examination.

Mr. MAGNUSON. He said that no Republican in his right mind would take the examination, because one had to belong to the right party. I ask the Senator from Oklahoma if that is not correct.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. JOHNSTON of South Carolina. I yield myself 10 more minutes.

Mr. MAGNUSON. If I were selfish about this matter, I would want the proposed plan to go through, but it so happens that in my State, where most of the post offices are located there are no Democratic representatives. So all the troubles come to my office.

However, I have recommended the appointment of many Republicans to postmasterships. I ask the Senator from Oklahoma if it is not true that many Republicans are appointed to postmasterships every month, and their nominations are confirmed by the Senate. I refer both to Republicans and to other non-Democrats. They may be veterans, or they may be at the top of the list, or it may be that the people of the community want them. That is often an important factor, particularly in a small community. I think the record ought to be clear in that respect, because I, for one, have recommended the appointment of many Republicans to postmasterships in my State.

Mr. MONRONEY. Mr. President, if the Senator from South Carolina will allow me to answer the observation of the Senator from Washington, I will say that in most congressional districts very few Republicans ever bother to take the examinations, in the first place, just as very few postal workers ever bother to take the examinations, because they know that by custom and tradition, no matter which party is in power, in 95 percent of the cases the appointments go to political favorites. The Senator might find that perhaps 5 percent of those who are appointed to postmasterships may be Republicans, but I very seriously doubt if the percentage would exceed 5 percent.

Mr. MAGNUSON. That is not correct in the State of Washington. When I see an eligible list, I have not the faintest idea whether they are Republicans or Democrats.

Mr. MONRONEY. Does not the Senator from Washington, for whom I have the greatest respect, rely upon local advisers as to the standing of the candidates; and is not their standing measured by local advisers?

Mr. MAGNUSON. No. If there are veterans on the list, they are appointed.

Mr. MONRONEY. Certainly; but I know that the Senator does not make a personal investigation of those on the eligible list.

Mr. MAGNUSON. That is correct.

Mr. MONRONEY. Assume that there are three veterans on the list for appointment as postmaster at Wenatchee, Wash., and the Senator asks the local adviser to tell him who is the best of the three. It would not be unreasonable to expect that the local adviser, being the good Democrat that he must be, could very easily determine that one of the three veterans, who is a Democrat, was the best man.

Mr. MAGNUSON. Yes; that is true as between veterans. But the point I am trying to make is that many eligible lists do not contain the names of either Republicans or Democrats who have been active politically. That is particularly true with respect to veterans.

Mr. MONRONEY. I agree with the Senator.

Mr. MAGNUSON. As between the three veterans on the list, the Senator from Oklahoma is correct. However, I do not think that constitutes a patronage system. The fact that a man happens to be a Democrat, or the fact that I may happen to know him, does not mean that he is not qualified.

Mr. MONRONEY. Let us try to bring the subject into focus. I agree with the distinguished chairman of the Committee on Post Office and Civil Service that no one can rig the selection of the top three on the civil-service list.

Mr. MAGNUSON. That is correct.

Mr. MONRONEY. After the race has been run, and the first three horses have come in, the Representative or the Senator is the one to determine who wins the race. I should like to see the race decided on the basis of the ability of the horses.

Mr. MAGNUSON. Mr. President, will the Senator from South Carolina yield to me for half a minute?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MAGNUSON. Leaving aside the other advantages or disadvantages, I believe that this plan would have the effect of freezing no one but veterans in the position of postmaster. I would not mind that too much. I myself am a veteran.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield to me briefly?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. I know of a case in Walsenburg, Colo., in which a career girl was named acting postmaster. A veteran who had been away from the city for 3 years took the examination. No consideration was given to the fact that this girl had four brothers in the war, and that two of them did not come back. She did not have a Chinaman's chance.

So I think the so-called merit system is badly abused occasionally. In the case to which I refer, the girl who was acting postmaster had four veteran brothers, two of whom died on foreign battlefields; but because a veteran who had been away from the city for 3 years was on the list, under the law he was eligible for appointment.

Mr. MAGNUSON. The proposed plan would freeze that situation.

Mr. JOHNSTON of South Carolina. Mr. President, let us not fool ourselves into thinking that we are getting away from politics. We are still leaving the appointments in the hands of someone. That someone is the Postmaster General.

I am not running for President. I am one Senator who is not a candidate. But if I were to be elected President of the United States and this reorganization should go into effect, the first thing I would do would be to appoint as Postmaster General one of the best politicians in the United States. I would select a man like James A. Farley. He, in turn, would have the appointment of 42,000 postmasters in the United States. There would be approximately 500,000 people under him. He would operate the system. He would make the selections of those who could do the most political good in the local districts. He would be the one to look after my political interest.

Mr. President, we are building up one of the biggest bureaucracies in the United States, loaded with political dynamite. Let no one say in the future that the chairman of the Committee on Post Office and Civil Service did not consider this subject, or that hearings were not held on this particular question. It was under consideration in the Eighty-first Congress, and exhaustive hearings were held. We did not report the bill then pending, because we did not consider it to be in the best interest of the people of the United States to set up such a bureaucracy. The sponsors of this reorganization plan did not even do what the Hoover Commission suggested. Of course I now am firmly convinced that the interests of the public can be better served by opposing anything the Citizens Committee for the Advancement of the Hoover Commission Plans advocates. I warn Senators again. Who have been the Postmasters General in the past? They have been the managers of the Democratic Party ever since 1933, when our party came into office. The present Postmaster General is the first career man.

Mr. McCLELLAN. Mr. President, will the Senator yield at that point?

Mr. JOHNSTON of South Carolina. I yield.

Mr. McCLELLAN. Notwithstanding the fact that he is a career man, in the Mississippi scandal he took directions from higher up.

Mr. JOHNSTON of South Carolina. Yes. In Mississippi, when investigation was made of the 99 persons appointed, 29 were thrown out of office. Sixteen postmasters in first-, second-, and third-class post offices came before the Senate for confirmation. Not one of them was confirmed.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The Senator stated what he would do if he had been elected President. Does the Senator believe that if either of the nominees for President, Republican or Democrat, is elected to office he would do differently?

Mr. JOHNSTON of South Carolina. I should like to say to the Senator that when a man becomes President he does not stop playing politics. That makes him play politics all the more. I believe Senators will agree with me that they do play politics for their party whether it be the Democratic or the Republican Party.

Mr. CHAVEZ. They should do so.

Mr. JOHNSTON of South Carolina. Of course. I am not blaming them. So far as I am concerned, I play a little politics myself for my party. However, when it comes to appointments, I have nothing to do with them until they come to the Senate. Then I scrutinize every nomination to see whether the nominee has anything against his character which would bring reflection upon the Post Office Department or the Government in general. I shall give one illustration. The President appointed a postmaster. A Senator called up the committee and said, "I do not think this man ought to be confirmed. I think he is dishonest." We sent a committee to investigate him further. During our investigation we found that he was a kleptomaniac, and the man for whom he had been working so stated to us.

The PRESIDING OFFICER (Mr. SCHOEPPEL in the chair). The time of the Senator from South Carolina has expired.

Mr. McCLELLAN. I yield two additional minutes to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. The Senate did not confirm that man. If Senate confirmation had not been required he would have been in the Post Office Department as postmaster. What harm does it do for us to check and recheck on postmaster appointments? I know they are not all perfect. Is the Civil Service Commission perfect? Is the Postmaster General perfect? None of us is perfect. However, we do catch a few mistakes on occasion.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MOODY. I believe the Senator from South Carolina has made an excellent point when he says that the Postmasters General in the past have been the political officers in the Cabinet. I am sure that his reason for opposing this plan is that he feels it would not be a step toward the merit system. I should like to ask him whether, as the distinguished chairman of the Committee on Post Office and Civil Service, he does not feel that a real merit system, if it could be set up, would be preferable to the present system of appointing postmasters?

Mr. JOHNSTON of South Carolina. I do not see how we can improve very much on the present system. The Civil Service Commission holds examinations, and the top three on the eligible list are reported to the Postmaster General. All the reorganization plan would do, and the only thing it would do, would be to prevent confirmation by the Senate. There is no law today which directs the Postmaster General to call on anyone for advice. However, he has thought that is the best way to get an efficient man.

The PRESIDING OFFICER. The time of the Senator from South Carolina has again expired.

Mr. McCLELLAN. I yield one more minute to the Senator from South Carolina.

Mr. MOODY. Mr. President, I should like to ask the Senator from South Carolina whether he would not feel it to be advisable to have the appointment of postmasters placed on a merit system under an Assistant Postmaster General who was himself selected on the merit basis, and also to open the examinations to persons who are to be appointed to the very important position of postal inspector; in other words, not to have examinations only for employees of the Post Office Department but for all offices in the Post Office Department, including also letter carriers. Under such a merit system anyone entitled to be advanced would be advanced. I realize that such a provision is not included in the reorganization plan.

Mr. JOHNSTON of South Carolina. It is not included. I would not want to answer the question of the Senator from Michigan unless I knew all the contents of such a bill. Neither would I want to answer his question unless some hearings were held by my committee. I do not believe in passing on such matters on the floor of the Senate.

The PRESIDING OFFICER. The time of the Senator from South Carolina has again expired.

Mr. JOHNSTON of South Carolina. For the information of the Senate, I wish to state that the following large post offices have career postmasters: Washington, D. C.; Philadelphia; Baltimore; Boston; Detroit; Cleveland, Ohio; Columbus, Ohio; Indianapolis; Atlanta, Ga.; and Austin, Tex.

I ask unanimous consent to have printed in the RECORD at this point a statement which I had prepared for delivery on the floor of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

In the beginning let me say that this is no Hoover plan. If it were, it would have made it impossible for the Postmaster General to be in politics. As you will remember the Hoover plan recommended first, that the Postmaster General be prohibited from being in any way connected with any political party. This plan, in my way of looking at it, sets up one of the most dangerous bureaucracies we have ever had any dealings with. I do not say that you are for bureaucracy and at the same time vote for this plan. Why do I say this? Because it, in effect, leaves within the hands of one man the right to appoint 42,000 postmasters and have control, either directly or indirectly, with the employment of 1,000,000 people. Let us imagine for a minute that this bill becomes a law, and let me imagine that I should become President, and I am one Senator that is not a candidate, but should I be elected, I would certainly look after my party's interest, so the first thing I would do would be to appoint the best politician in America as Postmaster General. A master politician, someone in the class of James A. Farley, then I could be reelected and reelected and you cannot tell me that the 1,000,000 employees in the Post Office would not have anything to do wth the election. Hatch Act notwithstanding.

So briefly my opposition to the proposed plan is based on the following five points:

1. This change should be effected, if at all, by passage of a specific bill and not the introduction of a reorganization plan.

2. The plan does not place postmasters under civil service. Public Law 720, Seventy-fifth Congress, the O'Mahoney Act of 1938, does this by express language.

3. Whatever politics, good or bad, now existing in the appointment of postmasters, are not removed by this plan.

4. The present law with regard to postmasters in offices of the first, second, and third class (Presidential offices, 21,618 on January 1, 1952) has given to us a high standard of efficient public officials. To change this procedure is, I think, unwise.

5. There is an important protection to the public by this final review on the part of the Senate with regard to the appointment of such important public officials.

Permit me briefly to discuss these five points. First, I am thoroughly convinced that if this change should be effected it should be by this Congress introducing a bill and the bill being referred to the appropriate committee and thoroughly studied before any action is taken thereon. This sort of action was taken, but what happened when it got into my committee, the Post Office and Civil Service Committee, we voted it down overwhelmingly.

1. If my only objection to Reorganization Plan No. 2 of 1952 were solely on the ground that it is not a matter for consideration in a reorganization plan, I would not take up your valuable time but I think at the very outset the question of the legality of the plan should be considered. The Senate Committee on Government Operations has ably considered this matter in staff memorandum No. 82–2–28 and has reviewed the testimony of the Postmaster General and the Chairman of the Commission on Organization of the Executive Branch of the Government, the Honorable Herbert Hoover. I will only add that when appropriate legislation was introduced in the Eighty-first Congress and reintroduced in the Eighty-second Congress to accomplish exactly what is contemplated in this plan, public hearings were held thereon, and the full committee overwhelmingly voted down the proposal, in the Eighty-first Congress.

2. Prior to the enactment of Public Law 720 of the Seventy-fifth Congress, presidential postmasters were appointed to 4-year terms, by being nominated by the President and confirmed by the Senate. For many years before that time, however, the Civil Service Commission held competitive examinations in connection with such nominations. However, Public Law 720 (the

O'Mahoney act) reads as follows: "That postmasters of the first, second, and third classes shall hereafter be appointed in the classified service without term by the President by and with the advice and consent of the Senate."

It is misleading to state that a change in the appointing officer changes the rigid requirement of pending law as to the civil-service requirements under which postmasters are presently selected.

3. Much has been said about this plan and the companion bills taking politics out of postmaster appointments. It is well, I think, that we examine the only existing statute that I know of on this point. I refer to 5 United States Code 642, which reads as follows:

"Recommendations by Senators or Representatives: No recommendation of any person who shall apply for offices or places under the provisions of sections 632, 633, 637, 638, 640, 641 of this title which may be given by any Senator or Member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under said sections."

If I am correct that there is no other law on the subject, then any extension of advising with Members of Congress by the Postmaster General is not based on enacted legislation. This much is quite clear: that no part of above quoted statute, which deals with all applicants for civil-service positions, not just postmasters, is modified or repealed by this plan. I am quite familiar with the plan and the existence of advisers to the Post Office Department and that, generally, such advisers are Members of the House and not the Senate. My colleague, the senior Senator from South Carolina, and myself are content to leave to the six Representatives from my State the functions permitted under this law although it gives the same privilege to Senators as to Representatives.

I cannot let this opportunity pass without saying that I know of no one who is in better position to express an opinion on the qualifications of an applicant for postmaster than the duly elected and accredited Representatives of a given State. It has been said that to remove Senate review of such nominations will take postmaster appointments out of politics. Certainly those who make such absurd statements have overlooked the fact that the State and my committee are restricted to the one person nominated. Whatever politics that have been exercised, and I would be very much surprised if there are not some in certain cases, have been on the level of the original selection from the eligible register of the three highest.

4. It is significant that one of the recommendations of the Hoover Commission included in pending legislation and which has been stressed so much by them is not contained in any of the President's reorganization plans. I refer to recommendation 3 that the postal service be decentralized into 15 regions. In his illuminating testimony opposing this recommendation, the Postmaster General emphasized that in a strict sense each of the 21,618 Presidential post offices represents a decentralized service. In this I agree.

A postmaster is a very important public official. Of late, there has been a tendency to down-grade the importance of this most frequent top Federal official in a given community. It is rather loosely said at times that he makes no policy, inferring that he is somewhat of a rubber stamp to carry out instructions from Washington. Of course, there must be standards in all business set at the top and the Post Office Department is our biggest business.

To illustrate the importance of a local postmaster take the New York City office from which originates nearly 10 percent of all of our postal revenues. This now approaches $200,000,000 annually, considerably more than the total annual revenue of the entire Canadian postal service. While it is true that many of Presidential offices are much smaller than New York or Chicago, but to these communities the prestige of the postmaster is just as important. I don't want to overemphasize this matter for I realize that you don't cure incompetence with a Presidential commission, but by the same token you don't change a man's morals just by putting him under civil service, although I am in thorough accord with the present law that all postmasters are now in the classified service and should continue under civil service and this can be accomplished without a new plan or a new law.

5. Personally I think the best place to start in having competent, honest, and upright postmasters is in the original appointment. No one has argued that we don't get such officials under the present plan. No convincing argument has been made that to change the appointing officer will insure better officials. I do want to say this, that the United States Civil Service Commission, where the prime responsibility rests as to character and qualification of a potential postmaster, does a fine job of investigation. They should have the necessary funds to make a personal investigation in connection with all size offices and not the larger as is the present case. I recall a case in a rather small second-class office in a Midwest State where one of the Senators, a very high-class man no longer in the Senate, rather reluctantly raised the question as to the applicant's honesty. Both the Commission and the Post Office Department had given the green light as to the man's fitness but these rumors persisted. The Congress was not in session but I directed the appropriate staff member to make an investigation in person. This was done quietly and it developed that the very persons who had given a clean bill of health in writing to the Commission told our representative an entirely different story that this man was a confirmed kleptomaniac. Our representative confirmed this by talking to the former employer of the nominee. When the information secured by the committee was submitted to the proper persons, this nomination was never resubmitted.

The Members of the Senate are, I am sure, quite familiar with the recent Mississippi scandals involving civil-service employees.

According to my information, 12 persons were indicted for conspiracy to sell Federal jobs—2 pleaded guilty. Five were indicted for perjury and four for selling Federal jobs.

Of the 99 cases investigated by the Post Office Department, 29 persons were removed from office, later 4 of the removal orders were revoked. Two cases are still pending on appeal after removal orders, and two cases now involve men who will face charges on separation from military service.

All 99 cases were civil-service appointees, but none of the 99 had been appointed by the President or confirmed by the Senate.

Let us look at the picture with regard to postmasters nominated by the President. During both sessions of the Eighty-first Congress and the first session of this Congress 16 Mississippi nominations were submitted to the Senate. Of these, only 4 were finally confirmed, and that not until both Mississippi Senators had satisfied themselves that the nominees had no connection with the postal scandals, after which these Senators forwarded their approval of these four nominees to my committee. Of the remaining 12, 5 were withdrawn by the President, and the remaining 7 became ineffective because they could not get Senate confirmation.

Mr. McCLELLAN. I trust that the opposition will use some of its time.

Mr. HUMPHREY. Mr. President, I yield 5 minutes to the Senator from Michigan.

Mr. MOODY. Mr. President, I voted to report the resolution because I believe the Senate should have an opportunity to pass on a question of this importance. The plan itself leaves much to be desired. I feel, however, that it does take a step forward, even though an inadequate step, toward a real merit system. Certainly there are other procedures which should be put into effect to bring about the appointment of postmasters and other important officials of the Post Office Department on the basis of merit.

Mr. McCLELLAN. Mr. President, will the Senator yield for a question?

Mr. MOODY. I yield.

Mr. McCLELLAN. Will the Senator from Michigan point out how this plan strengthens in any way the present merit system? We have a merit system at the present time. What does Plan No. 2 add to it? All it does is to take away the legislative check against an appointment being made that should not be made.

Mr. MOODY. The distinguished Senator from Arkansas, the chairman of the committee, knows the great admiration I have for him. I have worked with him on many bills, particularly the bill which in my judgment is the most important measure in the interest of Government economy that has been presented in this century. I regret that I must finally differ with him on an issue. To answer his question, I believe that if we can take even so much as a short step toward taking post office appointments out of politics we have made a constructive contribution. I should like to point out, as I started to say, that I believe there should be a bill introduced which would make all postmasters appointive officers, to be appointed by an official of the Government who himself had been chosen under the merit system if such a procedure is possible under the law. I believe the point made by the Senator from South Carolina [Mr. JOHNSTON] is an excellent point, namely, that by tradition in American politics the Postmasters General have been the political managers for Presidents. That is true.

However, I feel that the appointment of postmasters should be taken out of politics. I believe that the way to do that is to take the step now proposed, which will be a step toward the establishment of a nonpolitical system. We can augment this step by placing these appointments in the hands of a person who himself is selected on a merit basis; and we must be sure that the very key positions of postal inspectors are available, not alone to postmasters, but also to letter carriers or postal clerks, or other employees of the postal service, persons inside the Post Office Department, who, on a merit basis, may be able to qualify for those positions.

So I believe the present plan is an incomplete one. I do not like all the features of the plan, and I recognize the validity of some of the criticisms the chairman of the committee has made of the plan. I do not believe the plan goes far enough. However, all in all, the plan

provides a step forward toward the merit system.

Therefore, I believe we should permit the plan to go into effect; and thereafter, under the leadership of my distinguished friend, the chairman of the committee, we may act to improve the system still further.

Mr. McCLELLAN. Mr. President, I thank my distinguished friend, the Senator from Michigan. Let me say to him that the plan will do only one thing, according to the testimony of the Postmaster General, Mr. Donaldson, and according to the interpretation which anyone must make of the plan, namely, it will merely remove provision for Senate confirmation of postmaster appointments.

On the other hand, the plan, if it goes into effect, will not remove politics from the postal system. Politics will still be in the system. Nothing about the plan will remove politics from the system. The only effect of the plan will be to make the politics in the system one-sided.

Mr. MOODY. Mr. President, I should like to ask my distinguished friend, the chairman of the committee, how postmasters are appointed at this time. Are they appointed politically?

Mr. McCLELLAN. Yes; and under this plan they will continue to be appointed in that way. The difference is that today the politics of the system is exposed and is in the open, whereas under this plan politics will be placed behind an iron curtain, and it will take a dozen investigating committees to search them out.

Mr. MOODY. I say this plan will be a forward step. I think we should take this step to remove politics from the postal system.

Mr. McCLELLAN. Mr. President, a step can be taken in either of two directions—either forward or backward. I believe my friend is advocating a step backward.

Mr. MOODY. I do not believe so.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield further time to me at this point?

Mr. MOODY. First, I should like to say that I think the forward step proposed by this plan should be taken.

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. MOODY. I yield two more minutes to the Senator from Minnesota.

Mr. HUMPHREY. I should like to know how the Senator from Arkansas justifies the statement that at the present time postmasters are appointed by a political system, when we realize that more than 19,000 postmasters in the smallest post offices already are appointed by the Postmaster General. I am sure all Senators are familiar with the fact that already almost 50 percent of the postmasters—namely, those in the fourth-class post offices—are appointed by the Postmaster General.

Mr. MOODY. That is correct.

Mr. HUMPHREY. Is it not also true that at this time letter carriers are appointed by the Postmaster General from the civil-service list, and that all other postal employees, except postmasters in the first- and second-class post offices, are appointed under the civil-service system by the Postmaster General?

Mr. MOODY. That is correct.

I believe we should be certain that there is provided a means of giving hope to all those who enter the postal service, to make it a career, that they will be able to achieve promotion to the position of postal inspector. Why should not all postal employees be able to rise in the postal organization in the same way that those who have been appointed postmasters are able to rise?

Of course, as the chairman of the committee has just conceded, at this time the postmasters in the first-class and second-class post offices are appointed by political means.

We realize that the present system makes use of an arrangement by which the person who is appointed postmaster is selected from a group of three persons who have qualified.

The PRESIDING OFFICER. The time of the Senator from Minnesota has again expired.

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield further time to me?

Mr. MOODY. Yes, but first I wish to say that it is true that at this time a person who is appointed postmaster must first qualify to the extent of having his name included in the list of three eligibles. Nevertheless, it is true that at the present time the postmaster appointments to first-class and second-class post offices are made politically.

I am inclined to agree with the chairman of the committee that politics will continue to exist under the postal system if the plan now before us is adopted. That is why I questioned the advisability of adopting the plan. On the other hand, it is clear that this plan represents a forward step. Therefore, I believe the plan should be permitted to go into effect.

At the same time I hope the chairman of the committee will seriously consider my proposal to put the system really beyond the reach of politics, which is where it should be, so far as is possible.

Mr. HUMPHREY. Mr. President, I may say to the Senator from Michigan that I do not say this plan is any panacea; it is no holy writ; it is not something which has come down to us from on high. This plan is a man-made proposal. Obviously, the only way to take all politics out of government is to take all people out of government. On the other hand, we can minimize the amount of politics in the government service.

Mr. MOODY. That is correct.

Mr. HUMPHREY. I still say that the opponents of the plan will have to demonstrate why the postmasters in the fourth-class post offices should not be subject to confirmation by the Senate. I have just pointed out that at the present time such postmasters are appointed by the Postmaster General. In that way almost 50 percent of the postmasters are appoinetd under the civil-service system by the Postmaster General.

I say the burden of proof rests upon the opponents of this plan to point out that there has been any malfeasance in office or any dereliction of responsibility on the part of the Postmaster General in connection with the appointment, under the civil-service system, of thousands upon thousands of persons who are now in the postal service.

The only effect of adoption of the plan now under consideration will be that under it anyone will have an opportunity to take the examination for appointment as postmaster in a first-class or second-class post office. Under this plan any employee of the postal service, whether he be the lowliest mail handler or whether he be employed in the railway mail service, will have an opportunity to take the examination for appointment as postmaster in a first-class or second-class post office; and if he qualifies he will be available for selection as one of the group of three.

How in the name of common sense the postal employees, who today are literally blocked from appointment as first-class or second-class postmasters, could be opposed to this plan is more than I can understand, unless it is that they do not wish to become postmasters.

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. MOODY. Mr. President——

Mr. HUMPHREY. I yield an additional minute to the Senator from Michigan.

Mr. MOODY. Mr. President, I merely wish to point out to the Senator from Minnesota that I believe the plan should apply, not alone to postmaster appointments, but also to appointments to the higher positions which have so much to do with controlling the postal administration of the United States. I believe the positions in the postal-inspection service should be open to the letter carriers and to other employees of the postal service on a merit basis, not on a political basis.

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. HUMPHREY. Mr. President, how much time now remains?

The PRESIDING OFFICER. The Senator from Minnesota has 28 minutes remaining under his control, and the Senator from Arkansas has 37 minutes remaining.

Mr. MONRONEY. Mr. President, will the Senator from Minnesota yield 15 minutes to me?

Mr. HUMPHREY. I yield 15 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 15 minutes.

Mr. MONRONEY. Mr. President, I should like to discuss the reason for the action we seek to have the Senate take, namely, by refusing to adopt the resolution of disapproval we can put into effect one of the greatest forward strides for a real merit system that it has ever been my opportunity to vote for.

I believe the integrity of the entire civil service merit system is at stake in the action we take today, Mr. President.

By the votes Senators cast on this question today, they will determine whether an outmoded, antiquated system, which is a liability to the Members of the Senate and to the Members of the House of Representatives, is to be preserved. The question before us is whether we wish to vote to keep in the Government career service this special showcase of "political patronage."

If the resolution of disapproval is adopted by the Senate, the Senate will be announcing that in 1952 it is more interested in the power of patronage than it is interested in efficiency in Government work or in the functioning of a genuine, practical merit system.

Mr. LONG. Mr. President, will the Senator from Oklahoma yield to me for a question?

Mr. MONRONEY. I yield to my distinguished friend, the Senator from Louisiana.

Mr. LONG. Does the Senator from Oklahoma believe the President has a right to change the substantive law of the Nation by means of a reorganization plan?

Mr. MONRONEY. I believe that point is fully covered in the minority views report we have submitted. They include the opinion of the Attorney General, the chief officer designated with the responsibility of interpreting these matters.

My understanding of the reorganization plan and of the situation in connection with it is that it is entirely within the boundaries of the Reorganization Act which Congress has passed in order to effect reorganization in the Government service.

Mr. LONG. Of course the Attorney General stated that a reorganization such as the one now proposed would require the passage of a law, inasmuch as a previous law provides that the Senate shall have the power of confirmation in the case of these nominations.

Mr. MONRONEY. I believe that was the Postmaster General, and he said it before the approval of the reorganization plan of 1950 delegating the statutory powers of the local postmasters to the Postmaster General. The Senator is not saying that he asked the Postmaster General recently, is he?

Mr. LONG. In point of time, I do not recall.

Mr. MONRONEY. The postal reorganization of 1950 transferred the statutory powers of the local postmasters to the Postmaster General in line with the recommendation of the Commission on Organization of the Executive Branch of the Government. Therefore I believe that under this plan of reorganization, since the previous one has been adopted giving the Postmaster General these powers, within the reorganization plan, and since those statutory provisions were stripped from the local postmasters by the previous reorganization, the President now has the right to determine the manner of appointment of postmasters in the future.

Mr. LONG. Are we to understand the Senator as saying that something which is against the law insofar as its accomplishment by one reorganization plan is concerned, might not be against the law if it were done through a series of reorganization plans?

Mr. MONRONEY. I am saying that in the transfer of the statutory authority, which this Congress approved under the previous reorganization plan, it put the matter in a different position.

The highest law officer in the land, the Attorney General, who is designated by law to interpret these matters, has approved this plan as to the law.

In fact, the finding of the Attorney General is incorporated in the minority report, which the distinguished Senators from Minnesota and Maryland and myself have signed. It will be found there, and it would probably more clearly explain it to the Senator than the Senator from Oklahoma can do.

Mr. LONG. It is my recollection, however, that the Postmaster General appeared before the committee, of which I was a member, perhaps 3 years ago, to testify that the passage of a law by the Congress was necessary in order to achieve such a reorganization as this, and we are now confronted with what he regarded as a change of substantive law. He testified that he thought an amendment of the law was required, rather than the approval of a reorganization plan.

Mr. MONRONEY. I may say to the Senator that the Postmaster General is not a lawyer. He was testifying before the committee in regard to another reorganization plan. The question was asked him at that hearing on a new and different matter concerning which he had not previously been briefed, because it was not the matter which was then before the committee for discussion. He stated his off-hand opinion then. I would much prefer to have the studied opinion of the Attorney General of the United States to the effect that this would be a proper use of the Legislative Reorganization Act, than the off-hand guess made 2 years ago by the Postmaster General.

Mr. McCLELLAN. Mr. President, will the distinguished Senator from Oklahoma yield?

Mr. MONRONEY. Would the Senator from Arkansas yield me about 5 minutes of his time?

Mr. McCLELLAN. I yield the Senator from Oklahoma 2 minutes of my time.

Mr. MONRONEY. I thank the Senator.

Mr. McCLELLAN. In order that we may keep the record straight, which I know we all desire to do, let me point out merely one thing. At the time Mr. Donaldson testified, as shown in the report of the committee hearings, concerning two pending bills, which would accomplish what is intended to be done through this reorganization plan. Reorganization Plan No. 3 of 1950 was pending. The question was raised as to why Senate confirmation of appointments was not eliminated in the plan. It was on that occasion that Mr. Donaldson gave the answers that legislation would have to be enacted to accomplish that end.

Mr. MONRONEY. What I was saying to the distinguished Senator from Louisiana, and what I now say to the distinguished chairman of the committee is, that the Postmaster General, not being a lawyer, was merely giving a curbstone opinion on a matter upon which he had not been previously briefed.

Mr. McCLELLAN. If the Senator from Oklahoma will yield—and I have yielded him 2 minutes—I would answer by saying that at the same time, former President Hoover testified that it would have to be done by means of legislation. The Bureau of the Budget also submitted a statement in which it expressed the opinion that it had to be done by means of legislation.

Mr. MONRONEY. I still say that the matter was not under careful study at that time. It was a matter of reorganization, a proposal to transfer the powers of the local postmasters to the Postmaster General, and that those opinions, expressed in an offhand manner before a congressional committee, do not bear weight with me as against a studied opinion of the highest law officer of the land.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. MONRONEY. I yield to the Senator from Louisiana.

Mr. LONG. The junior Senator from Louisiana is not the Attorney General, or anything of that sort, but he is an attorney. I may say that is what I had in mind when I asked the question of the responsible official. The junior Senator from Louisiana at that time was a member of both the Committee on Expenditures in the Executive Departments, created under the Legislative Reorganization Act, and the Committee on Post Office and Civil Service, which was conducting a hearing on this matter. I asked the question, "Why is it necessary to have this piece of legislation?" It was explained that a change in the law was required, and that this could not be done by way of a reorganization plan.

Mr. MONRONEY. I would suggest to my distinguished friend from Louisiana that he read the opinion of the Attorney General, and, in his own time which I am sure the distinguished Senator from Arkansas will yield him, that he discuss on a legal basis any deficiencies he might find in regard to the opinion of the Attorney General.

I believe it would be much more instructive than for the junior Senator from Oklahoma to state his opinion. I do not happen to be a lawyer.

Mr. President, I was saying that I believe the integrity of the civil-service merit system is at stake. We try to tell the people who take examinations under the Civil Service Commission that it is a genuine merit system, that the man who is best qualified and who can best measure up to the yardstick employed by the Civil Service Commission will have the opportunity of obtaining the job.

I remember the time, back in 1938, when Federal jobs were in great demand, as the result of a lack of economic opportunity. Every Member of Congress, as well as every Senator, was worried by the demand for patronage. When we would write to these people who were applying for jobs, telling them that they would have to file an application with the Civil Service Commission and be cer-

tified as eligible under the merit system, their answer would be, "Do not give me that old stuff—you can fix it if you want to." And why did they say, "You can fix it if you want to"? Because Senators and Members of the House of Representatives have long maintained a showcase of political patronage, masquerading under a civil-service system. Thus it would be impossible to convince anyone throughout the length and breadth of this land that we have a genuine career civil-service system that embraces almost 2,000,000 employees; and I believe every Senator knows it is a career service with appointments made without regard to politics.

But it is impossible to make the people believe it when they know, or think they know, that someone is "pulling a phony" in their home town, and when they know that the postmaster who serves in the home town does so as the result of political patronage, coupled with a hybrid system which includes an eligibility list of three persons.

It is impossible to maintain the integrity of the merit system if every man knows that in his home town we are not doing what we say we are doing.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to my distinguished colleague from Minnesota.

Mr. HUMPHREY. The distinguished Senator from Oklahoma knows that whenever the question of the appointment of a postmaster comes up in any town of his State, he hears from the local veterans' organization, from the chamber of commerce, and from the local representatives of the party. He may write to them saying, "Look, we have a law on the books that requires a type of civil service in the case of such appointments." They have been told again and again that the merit system applies. The reply comes back, as the Senator from Oklahoma has suggested, "You are a Senator; you can take care of it. We want our man placed in the job."

I point out to the Senator from Oklahoma that the Secretary of Defense, under the law passed by the Congress, has the complete hiring authority with respect to applicants for employment in the Department of Defense. There are 1,278,000 civilian employees in the Department of Defense—the greatest number of Federal employees of any department, far exceeding the Post Office Department. Does any Senator make the charge that the Secretary of Defense has developed a political machine, although he retains the sole hiring authority for 1,278,000 persons under the civil-service merit system?

Do Senators receive letters from political committees, saying, "I want you to get John Smith a job, now. You can fix it with the Department of Defense, as you do with the Post Office Department"? Of course not. It used to be that the Department of Agriculture, the Department of the Interior, the Defense Department and all other departments were subject to political influence. But today I venture to say that of the hundreds of thousands of employees in these departments, the average Senator or Representative seldom if ever hears about them on a job basis. Applicants go to the Civil Service office, where they get application blanks. They take the examinations. If they qualify, they are placed on a register. If they get on the list of the top three eligibles for a job that is open, the selection is made by the personnel officer of the particular department. That is exactly what would happen under this plan.

Mr. MONRONEY. I thank the distinguished Senator from Minnesota for his contribution. I have endeavored to show that this political patronage system can cast a blight on the true merit system.

Now I should like to discuss the situation inside the post offices of this land. I think the men who give a lifetime to knowing how to route mail to 10,000 or 20,000 localities on the right railroad or on the right airline should have a right to rise, as their skills dictate, to promotion to higher positions.

Yet I am sure that every Member of the Senate who has served as a Representative knows how pathetic it is for those honorable men, who know more about the postal service than does anyone else in the United States, to come as supplicants to a Member of the Senate or a Member of the House and ask him to intervene with a politically minded postmaster to get them assigned to top positions.

I cannot understand why the postal unions are advocating the continuation of a system which effectively bars so many persons from obtaining top positions in the postal service, or why they want a political appointee to determine who shall come up through the ranks to some higher assignment.

With a political patronage appointee sitting there as top man, everyone knows that subsidiary jobs in the postal ladder are going to have a political complexion instead of a merit complexion.

Mr. MOODY. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. MOODY. Is it not also true that the persons in the rank and file of the postal service, including letter carriers, do not have an opportunity to work into the position of postal inspector, which is perhaps the most important position in the entire Department? Does not the Senator feel that the system should be so adjusted that any employee who has the requisite ability and merit, regardless of politics, should be able to qualify for postmaster or postal inspector or any other position in the postal department?

Mr. MONRONEY. I certainly agree with the Senator from Michigan as to job opportunities being open to all. But I do not believe there is any politics connected with the appointment of post office inspectors.

Mr. MOODY. I am not saying there is. But I believe workers in the postal service should be permitted to qualify for the position of inspector.

Mr. MONRONEY. I think that if a man can work his way up to postmaster or postal inspector, under our American system a person has a right to go from the lowest post to the highest if he can demonstrate his merit to do so.

Any system that puts an artificial ceiling on a man's opportunity to do so should be taken out of the framework of government.

Mr. MOODY. It prevents rising above a certain level.

Mr. MONRONEY. That is a bad system and it should not be tolerated. That is why I am fighting against the political determination of who is going to receive the top positions in the Post Office Department.

Mr. HUMPHREY. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. HUMPHREY. I think we should come to grips with the statements being made with reference to political advisers in the Post Office Department. Why are not the same points made with reference to the Veterans' Administration? As many persons are employed there as there are in the Post Office Department. Why do they not have political advisers appointed? It is because the American people would not tolerate it. We have had enough trouble as it is, without having more. Why do we not have political advisers in the Department of Defense? There are more than a million civilians employed in the Department of Defense. We are merely having a carry-over from the past, and it is about time to put the entire Government on an efficient working basis. No one can say that civil service is foolproof. No one will say that it does not make plenty of mistakes. But the only agency of the Government where the political-patronage system still remains is the Post Office Department. I submit that it is not good for the employees, for the Government, or for the taxpayers. What the Senator from Oklahoma is fighting for is a reasonable degree of efficiency and economy within the civil service merit system.

Mr. MONRONEY. I thank the Senator from Minnesota.

Mr. DWORSHAK. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I have very little time.

Mr. McCLELLAN. I shall yield the Senator 2 or 3 minutes, if he needs it, but, first, I should like to call attention to the legality of the plan. I think it should be understood that the Attorney General has signed no opinion; it is not an official opinion of the Attorney General.

On the other hand, the law section of the Library of Congress, upon whom we greatly rely for counsel in these matters, has stated that the plan does not come within the purview of the Reorganization Act.

Mr. MONRONEY. I think I would call the statement of the Attorney General as nearly an opinion as it can be under the law.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Idaho.

Mr. DWORSHAK. Does the Senator from Oklahoma believe that the Civil Service Commission acts on a nonpolitical basis?

Mr. MONRONEY. I certainly do, and it will continue to do so unless interfered with by the Congress of the United States or the President of the United States.

Mr. DWORSHAK. At any time during the past 20 years has the Civil Service Commission ever had two Republicans of the three Commissioners? Is it not a fact that that so-called nonpolitical Commission has always had two members of the Democratic Party?

Mr. MONRONEY. It is a question of whether the administration happens to be Democratic or Republican. Is the Senator charging on the floor today that the Civil Service Commission is beholden to politics, and is running that organization in a political manner?

Mr. DWORSHAK. I am not making any charges of political manipulation, but does not the Senator agree that the Civil Service Commission is under the control of the majority party?

Mr. MONRONEY. It is not under the control of the majority party. It is not beholden to any political party.

Mr. DWORSHAK. In the past 20 years have we had two Republicans serving on the Commission?

Mr. MOODY. I do not think we are going to have two Republicans serving on that Commission in the next 20 years, either.

Mr. DWORSHAK. The Senator from Michigan is quite a prophet, so I suppose I should accept his forecast.

Mr. MOODY. In the administration of nonpartisan aspects of this Government there have been many distinguished Republicans who have served well and who have been sufficiently broad-minded and sufficiently dedicated to the public interest to do so without regard to politics. Mr. Paul Hoffman, who administered the Marshall plan so brilliantly, is a Republican. General Eisenhower, the director of NATO, is another one.

Mr. DWORSHAK. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I decline to yield further. I have very little time.

Mr. MOODY. I should like to say to the Senator from Idaho that either he is charging that the Civil Service Commission is acting politically or that it is not. He rises on the Senate floor and makes an innuendo and then he backs away.

Mr. DWORSHAK. I am asking a question. Answer it.

Mr. MONRONEY. The Senator from Oklahoma will answer the Senator from Idaho by calling his attention to the law which requires that the majority party name two members of the Commission and that the minority party name one.

Mr. DWORSHAK. It is not political then? I am glad to have that information.

Mr. MONRONEY. As I understand, the Senator from Idaho is not charging the Civil Service Commission with political activities.

I wish to continue with a discussion of matters pertaining to an outmoded, antiquated system that works an undue burden and hardship on the Congress, a system that should not be allowed to continue.

I go back to postmasters whom I have known. Most of them were fine people and did an excellent job in keeping the mails moving and in getting along with the people they serve. But every once in a while some of the postmasters I inherited from my predecessor in the House—and I had the job of appointing postmasters for 12 years while I was a Member of the House—turn out to be distinct liabilities.

In one town, which was about 10 to 1 Democratic——

The PRESIDING OFFICER. The additional time of the Senator from Oklahoma has expired.

Mr. MONRONEY. May I have additional time?

Mr. HUMPHREY. Mr. President, how much time have we left?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. HUMPHREY. I yield 4 minutes to the Senator from Oklahoma.

Mr. MONRONEY. In place after place, the appointment of postmasters has become a liability upon Members of Congress.

One woman who was appointed managed to make everybody angry. It was in a town which was Democratic by 10 to 1. The next time I ran for election, I lost by 10 to 1, because of the ability of that woman to make people angry.

I have had calls at midnight because another postmaster whom I had inherited had gone horseback riding with a woman employee of the post office, and he had to be fired. All his friends became angry. Then all the friends of the person who was disappointed in not receiving the postmastership were angry.

I have seen towns vote the opposite ticket—this is an old story, but it is true—because the postmaster was an old man and people suspected he was reading all the postal cards. In towns where there were smaller post offices, people suspected that their mail was not being delivered.

In my campaign for election to the Senate, I lost one town because a young man, a career civil-service worker, who had joined the Army and was in charge of the postal service for General Eisenhower, dared to wear an Eisenhower badge around town in 1948. All my Democratic friends said, "If you appoint that man, who is ostensibly a Republican, you will never get another Democratic vote in this county." Nevertheless, the young man was the best person for the job. He was a career man; I appointed him, and he is doing a fine job.

I call attention to the fact that the present system is outmoded and is an absolute liability. We are tenaciously hanging on to a system that is absolutely no good for the public or for Congress itself.

Senate confirmation is largely a hoax. Yesterday in the Post Office and Civil Service Committee, with a bare quorum present, we approved, in less than 30 seconds, about 100 nominations of persons for lifetime appointments as postmasters. I presume the names had gone through routine committee checks and approval by Senators, but I fail to see how such a process is any great guarantee of the security, integrity, or infallibility of persons who are to handle the mails.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JOHNSTON of South Carolina. Did the committee approve any nominations to offices in Florida?

Mr. MONRONEY. I do not remember any. There were about 2 from Oklahoma and about 30 from Massachusetts. The names were not even read. There was just a list of States from which the nominees came, and, without objection, they were approved.

Mr. JOHNSTON of South Carolina. What about Oklahoma?

Mr. MONRONEY. There were two from Oklahoma who were confirmed. I do not know who they were; their names were not on the list.

Mr. JOHNSTON of South Carolina. The Senator had sent in his card approving the nominations, had he not?

Mr. MONRONEY. The nominations had come up through the Representatives, who also had approved them.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield further to the Senator from South Carolina?

Mr. MONRONEY. I have only a limited time.

Mr. JOHNSTON of South Carolina. I yield to the Senator from Oklahoma 1 minute of my time, in order that he may answer a question. If the Senator had received an unfavorable report about any appointee from Oklahoma, he would have called it to the attention of the committee, would he not?

Mr. MONRONEY. Not necessarily, unless it were a serious matter.

Mr. JOHNSTON of South Carolina. If it were sufficient to reflect upon character or reputation of the applicant, something which would prevent the person from making a good postmaster, the Senator would have called it to the committee's attention, would he not?

Mr. MONRONEY. Yes, indeed; if I had received any information which reflected on his integrity.

Mr. JOHNSTON of South Carolina. Sometimes that happens, does it not?

Mr. MONRONEY. I suspect that it sometimes happens.

Mr. JOHNSTON of South Carolina. The Senator expects the confirmation of postmasters who have been nominated, does he not?

Mr. MONRONEY. In 99 out of 100 cases, the character of the class of person referred to by the Senator is discovered by skilled investigators before his name ever reaches a civil-service list.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. McCLELLAN. Mr. President, I yield 4 minutes to the distinguished Senator from Minnesota [Mr. THYE].

Mr. THYE. Mr. President, I have been trying to follow the remarks of the distinguished Senator from Oklahoma in his explanation of how postmasters are selected. Practically all of the time I have been in the Senate, the Republi-

can Party has been in the minority. Therefore, I have not had the privilege of making any specific recommendations, because nominations were always handed to us by the Administration.

While I have served on the Post Office and Civil Service Committee, and have been privileged to observe how the selection of postmasters has been made, I understand that first the applicants must take a civil service examination. If that is not a fact, I should like to have the Senator from Oklahoma explain the process.

Mr. MONRONEY. It is certainly a fact, and only the top three on the list can be considered for appointment.

Mr. THYE. As many persons who desire to do so may take the examination. It is the top three who are certified by the Civil Service Commission as eligible and qualified. From those first three, one person is selected. That is where the Administration has introduced politics. When the nomination comes to the Senate the Senators from each State are asked to approve or disapprove confirmation but the committee acts on the nominations before they come to the Senate for confirmation.

During my service in Congress, I have never seen politics played anywhere as I have seen it played in the Post Office Department in connection with appointments of postmasters.

I know of occasions where an examination has been set aside in order that another examination might be given, to try to have political friends qualify.

This reorganization plan will not correct the situation. Therefore I cannot be in favor of the plan.

When the Postmaster General appeared before the committee at a hearing, I asked him whether he thought the proposed reorganization plan would correct political abuses in the selection of postmasters. The Postmaster General stated that the proposed plan would not correct the situation.

If the Democratic administration were honest in its desire to elminate politics from the Post Office Department and place the appointments on a merit system it has had ample opportunity to do so under the existing law without eliminating the desirable check on the fitness of appointees which now resides in the Senate.

Going back to the method of selecting postmasters, if minority Members of the Senate oppose the appointment of a certain postmaster, and we do not have the number of votes to reject the nomination, confirmation will take place over and above the objection. Some appointments are undesirable and unwise, even though the nominee may not be "personally obnoxious" to a Senator.

I had that happen to me, where the committee simply overrode my objections, by a 7-to-6 party vote, in the case of a very worthy woman, the widow of a disabled veteran. She was acting postmaster in a Minnesota town, succeeding her husband, who had died. When the political party came into the picture—in this case the Farmer-Labor Democratic Party—they arranged for their candidate to take a special examination as a disabled veteran, and then proceeded to set aside the application of this woman who had raised the efficiency of the post office most commendably while she served as acting postmaster. She was first in the civil-service examination. She was made to stand aside in order that the political party could accommodate its political friends. When they came before the Civil Service Committee, and I objected, they finally raised the question of whether I would object because the person to be nominated was personally obnoxious to me. Of course, I would not state that the person was personally obnoxious to me. Consequently the woman who had held the office was denied the postmastership of the city and the political friend was given the job.

I am aware of such things, and if an avenue could be found to correct political abuse in the appointment of postmasters, I would be the first to vote for such a measure.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. THYE. The Senator from Oklahoma declined to yield to me. I shall finish my time, and the Senator can answer me in his own time.

Mr. President, if I could find an avenue by which to correct the political abuse in the appointments of postmasters, I would do so.

May I have one more minute?

The PRESIDING OFFICER. The Senator from Minnesota is yielded one more minute.

Mr. THYE. The proposed reorganization plan will not correct the abuse. All it will do will be to permit the Postmaster General to make appointments behind an imaginary iron curtain. We will not be able to examine into the question or even object and make known to the public that we are objecting.

I was able to make it known when I objected to the procedure setting aside the widow to whom I have referred, and the appointment of another person to that postmastership. I made it known to the entire community. Under the proposed reorganization plan, such appointments would be made and none of us would have an opportunity to voice an objection. That is the reason why I am opposed to this reorganization plan.

Mr. McCLELLAN. Mr. President, I yield 10 minutes to the Senator from Kansas [Mr. SCHOEPPEL].

Mr. SCHOEPPEL. Mr. President, I have listened to much of the argument with reference to the plan which is before us for acceptance or rejection. Frankly, it is impossible for me to go along with some of the statements which have been made, to the effect that to reject this plan would mean scuttling or tossing aside the merit system, as it has been known to exist in the departments, in choosing employees. That argument is a little too much for the senior Senator from Kansas to follow or agree with.

My opposition to this plan is based upon several considerations, all of which are ably set forth in the report of the majority in this case. I have examined that report. I listened to the great majority of witnesses who appeared in reference to the acceptance or rejection of this plan as it came before our committee, and I commend to Members of the Senate a careful reading of the testimony which was taken. I commend to Senators a review of the majority report in this case. By that I do not mean to disregard or discredit the views of the minority; but I say that if this type of plan is to be sent to Congress and justified, the citizens committee with reference to the Hoover Commission reports had better take a second look before propagandizing the country, as they have done in the instance of this plan. I say that charitably. I say it forcefully, and I say it factually.

First, we are told that the adoption of the plan would eliminate politics from the appointment of postmasters. I do not know how many Senators were in the Chamber a few minutes ago when the Senator from South Carolina [Mr. JOHNSTON] discussed this plan. It was more than a speech. He never said a truer thing in his life than the statement he made to the effect that if he were President he would want a Postmaster General like Jim Farley. Perhaps some Republicans would make a similar statement with reference to the man who occupied the office of Postmaster General during some Republican administration. Consider what he could do with the great postal system if he had exclusive appointment of postmasters, without Senate confirmation, without scrutiny, and without opportunity to go behind the scenes and throw out into the open the right to look well to these appointments and not confine it to one individual, an appointee of a President. The distinguished Senator from Minnesota [Mr. THYE] has pointed out the type of situation which exists in the smaller communities and what his experience has been and why he is against this plan.

First of all, we are told that the adoption of this plan will eliminate politics from the appointment of postmasters. Nothing could be further from the truth. The present system of appointing postmasters is admittedly a hybrid system. After the Civil Service Commission has examined applicants for a particular vacancy, the Commission's examiners in Washington certify the names of the three applicants making the highest grade. This list of the top three eligibles is then given to the Postmaster General. Up to this point the system is purely civil service.

The Postmaster General would submit a list to the Member of Congress in whose district a vacancy existed, and he would make a recommendation with respect to character and residence. I can see nothing wrong with that system. The Member of Congress is choosing one of three eligibles who have been found qualified by the Civil Service Commission. What is wrong with that? To begin with, a competent man or woman should be obtained. I am convinced that the rank and file of appointments under the present system have been fair. They have been appointments of people who, generally speaking, have been competent.

But the individuals listed for appointments have been subject to review on the part of the local people, through their elected Representatives.

We talk about eliminating Senate confirmation. What is the result of that? The result is to build up another bureaucracy. Many of us are prone—I hope I do not indulge in it—to give lip service to local self-government, and then come into this Chamber and vote for such a proposal as the one before us, or stand on the floor of the Senate and extol the virtues of a plan to place the appointment of postmasters behind an iron curtain, leaving it solely within the power of one man to say what is right with respect to the 40,000 post offices in the Nation. We are losing something. If we want more local self-government, this type of plan is the thing to stay away from, in my humble opinion, if we are interested in more local self-determination and less of the bureaucratic trend now in full force and effect.

What would the plan do to change the system? Plan No. 2 would simply eliminate congressional check by doing away with Senate confirmation. This means that the appointment of 21,438 postmasters would rest solely and entirely in the hands of the Postmaster General, who already appoints some 20,000 fourth-class postmasters.

This means that the power of appointment of 40,000 postmasters would be centralized in one man, the Postmaster General, instead of being divided between him and the majority members of Congress, including 96 Senators, as is now the case. If a proposal is made to take the Postmaster General out of politics and make him strictly a businessmen, I will go along; but I quit at this stage of the game, when that man is a political appointee.

No one could possibly contend that the Postmaster General would be able to appoint 21,438 postmasters without consulting someone. He would still have the same leeway which now exists, and he would have to choose one of the three eligibles on the list certified by the Civil Service Commission. Is it reasonable to believe that no political considerations would enter into his choice? In my judgment it is not.

Mr. President, if this plan were to change the so-called rule of three to a rule of one, so that the Postmaster General would be required to appoint the top man on the list of eligibles, there might be some justification for the plan. However, plan No. 2 definitely does not do this. It makes no change whatever in the present method of examining. The only change it makes in the present method of appointment is that it gives this tremendous appointment power to the Postmaster General, who is himself a politically appointed official.

Mr. President, this is not reorganization within the meaning and purpose of the Reorganization Act of 1949. It reorganizes absolutely nothing. It makes a change in the basic structure of the Federal Government, which competent authorities agree requires substantive legislation.

If Senators will examine the provisions of the plan they will find that section 1 abolishes the office of postmaster of the first three classes; and section 2 establishes a new office, entitled "Postmaster." It then provides for the transfer of the appointment of postmasters from the President, with Senate confirmation, to the Postmaster General. That is the whole plan. That is all that it does.

Mr. President, I assure you that if the plan is permitted to become law, and you walk into any post office in your State or throughout the land, you will find absolutely no change whatever. It will be the same post office. It will be the same postmaster for quite a long while, I suppose; and it will be about the same in every other way.

What, then, is the purpose of the plan? The answer to that question is found in the President's message transmitting the plan, and in the testimony of the Postmaster General before the Committee on Government Operations, of which it is my privilege to be a member.

In his message transmitting the plan, the President described it as follows:

> This reorganization plan provides for the gradual elimination of presidential appointment and Senate confirmation of postmasters at post offices of the first, second, and third class, and the institution of appointment by the Postmaster General under the classified civil service.

Testifying before the Committee on Government Operations on May 14, 1952, the Postmaster General stated:

> I can see nothing in this reorganization plan that changes anything in existing law, except eliminating the necessity of confirmation by the Senate of Presidential postmasters.

We talk about centralizing Government authority. We talk about taking away some local determination and self-government, and the opportunity for local review. The Postmaster General, in appearing before our committee and answering questions, was honest enough to say exactly what the plan would do. I have just read his words.

Some may say, "What is wrong with that?" There are many things wrong with it, in my humble opinion. First, as a member of the committee which handled the legislation which became the Reorganization Act of 1949, let me say that it was never the intention of the Congress to permit the President, by reorganization plan submitted under the authority of that act, to make a basic change in governmental structure. Nor was it our intention to permit the President to submit a plan which did nothing else but change the method of appointment.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I am glad to yield.

Mr. McCLELLAN. Does the Senator agree with me that at the time the Reorganization Act was passed no Member of the Senate ever conceived that it would give to the President of the United States the right to submit a reorganization plan which would merely deprive the Senate of the right of confirmation? That is all that Reorganization Plan No. 2 would do.

Mr. SCHOEPPEL. The Senator from Arkansas has stated the actual fact. I have talked to many Members of the Senate who were Members of the Senate long before I came to the Senate. They are unable to understand how the President could go this far and expect Congress to follow him.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The time of the Senator from Kansas has expired.

Mr. McCLELLAN. I yield two additional minutes to the Senator from Kansas.

Mr. SCHOEPPEL. In fact, since the first reorganization act, enacted by the Congress in 1932, there has never been a plan submitted which did anything else but change the method of appointment of personnel from appointment by the President, subject to Senate confirmation, to appointment by the head of the department or agency.

Mr. President, this is not merely my own conclusion. This is fact which appears in the hearings and the majority report of the Committee on Government Operations and which is contained in an opinion of the American Law Section of the Legislative Reference Service of the Library of Congress, which made a careful study of all reorganization plans ever submitted by the President since 1932, and advised our committee to that effect.

Mr. President, because of lack of time I ask unanimous consent that the remainder of my prepared statement be printed in the RECORD as a part of my remarks.

There being no objection, the remainder of Mr. SCHOEPPEL's address was ordered to be printed in the RECORD, as follows:

> Furthermore, in the hearings which are now before you, there are found extracts of statements and testimony of the Director of the Bureau of the Budget, the Postmaster General, and Mr. Herbert Hoover, all to the effect that a change in the method of appointment of postmasters, by eliminating Senate confirmation and transferring the appointment power to the Postmaster General requires affirmative substantive legislation and cannot be accomplished by reorganization plan, under the provisions of the Legislative Reorganization Act of 1949.
>
> This so-called reorganization plan is not a reorganization at all. It makes absolutely no change whatever in the structure and organization of the Post Office Department. It will result in absolutely no increased economy or efficiency.
>
> What it will do is to centralize in one man—one politically appointed man—the Postmaster General, absolute authority to appoint, as he sees fit every single postmaster in the United States, its Territories, and possessions. It will give to that individual, who is often the national head of the political party in power, an unprecedented opportunity to build up a political machine which will be absolutely unprecedented in the history of the Nation. Instead of consulting the elected representatives of the people, the Postmaster General will consult whom he pleases.
>
> Finally, this plan, which will clearly not take politics out of postmaster appointments, is simply a further attempt to usurp the constitutional functions and powers of the Congress.
>
> The Constitution provides that "* * * the Congress may by law vest the appointment of such inferior officers, as they think proper, in the heads of departments."
>
> During the Eighty-first Congress, the Congress rejected, through its appropriate committees, legislative measures which

would have accomplished the purposes of this plan. In the Eighty-second Congress there are six measures, designed to accomplish the same objectives, now pending in the appropriate committees. The Congress has not thought it proper to take action on any of these. Despite this fact, and showing a customary disregard of both the Constitution and the laws of the land, the President has submitted by way of a reorganization plan a measure which would accomplish what the Congress has twice rejected during the past 3 years under normal legislative procedures.

Why has he done this? Because he realizes that late in June in an election year it will be very difficult to obtain the necessary 49 votes to defeat this plan.

I solemnly warn the Members of the Senate that if this plan is allowed to become law, we can expect the President to submit any number of so-called reorganization plans which, although not authorized by the Reorganization Act of 1949, may well become law, despite their illegality of purpose, simply because of the lack of the necessary number of votes on the Senate floor to defeat it.

In conclusion, I suggest that the Senate reject this plan and thus preserve the integrity of our postal service and, more important, preserve the integrity of our institutions and our constitutional heritage.

Mr. SCHOEPPEL. Mr. President, I trust that the Senate will reject the plan.

Mr. McCLELLAN. Mr. President, I yield 10 minutes to the distinguished Senator from Georgia.

Mr. GEORGE. Mr. President, I do not believe I will need 10 minutes, but I should like to take a few minutes to express myself about this plan and about plan No. 3 and plan No. 4. They all stand on the same basis. They do not effect any economy. They do not even pretend to effect any economy. They merely change the method of appointing executive officers, first, in the postal service, second, in the Customs Service, and third, with respect to United States marshals.

Mr. President, if this matter were heard in a justice court with an intelligent and common-sense justice presiding, the plan would be rejected on a general demurrer. It is not a reorganization plan at all. It is merely a plan to transfer the appointive power from where it presently resides to the executive branch of the Government.

That leads me to say that if we want to destroy human freedom in this Nation the one sure way of doing it is to remove Government farther and farther and farther away from the people. Freedom, Mr. President, rests at last upon local self-government administered by a local authority which is responsible to local public opinion.

I know that is not a very wholesome doctrine to some who now think they are running this country. It is nevertheless the truth. If we want to give away our freedom, let us relinquish to the central Government the absolute power to determine the officers who are to serve the people in the various communities of the country in positions which are closest to them.

What I am now saying is literally true not only of plan No. 2, but also of plan No. 3 and plan No. 4.

Not one of them does anything but further centralize power in the executive branch of the Government. That is all that the plans do. I think that is all that they are intended to do, with all due respect to Senators who take an opposite view. Logically that is all they can possibly accomplish. Are we not willing to pass upon the qualifications of postmasters in our villages, towns, and cities? Of course, they are already under civil service. We would not be purifying the service by adopting this plan. All we would be doing would be to give the Postmaster General the power to build up the most corrupt machine that has ever been conceived in American history.

I speak plainly because I do not want to speak any other way. What we would be doing would be to move our Government further and further and further away from the people. I regret to say that the Democratic Party, to which I have always given allegiance, is taking the lead in that movement. I would bring Government closer to the people. That is the way to get rid of corruption. I would bring it back to the local community, and I would let the people who are served day by day by Federal officials determine what sort of officials they want. It would not be long before they would get rid of the wrong kind of officials.

Mr. President, what is the proposal which is before us? The proposal is to deprive the Senate of the right to confirm appointments. I do not care anything about confirming any postmasters, unless objections are filed to his appointment. When objections are filed I always transmit them to the chairman of the committee. Invariably the chairman of the committee after looking into the objections, passes upon their validity, and as a rule we do not hear anything further about them on the floor of the Senate.

Mr. President, this is a proposal to further concentrate power in the hands of the executive branch; not even in the hands of the President, but in the hands of an appointee of the President, who generally is confirmed solely because we have developed the philosophy of saying that the President ought to have the right to make up his official family. Perhaps there is something to it. Perhaps there is something to be said in favor of it; but there is nothing to be said in favor of giving to the President further and further and more and more power. Every step in that direction goes against the basic philosophy under which human freedom has lived in this world for a thousand years. When we have pushed Government back from the people far enough, that is the end of freedom.

Mr. President, think of the concentrated Government in Washington appointing a postmaster in a village or town who is obnoxious to 99 percent of the people of the community, with the representatives of the people, chosen by them, unable to be heard on the floor of the Senate.

That is all there is to it. As I have said, Mr. President, if the plan were considered in a justice court which could entertain a motion to dismiss, a general demurrer to all three of the reorganization plans would have to be sustained, because they do not propose to reorganize anything; all they do is vest a little more power in an executive officer appointed by the President.

Mr. President, it seems to me this is a ridiculous proposition. It seems to me it is trifling. I have geat respect for former President Hoover. On the other hand, I wish to refer to the numerous telegrams I have received from many good people in my State who are members of the so-called Citizens Committee for the Hoover Report. The Citizens Committee for the Hoover Report has become—and let my reform brethren here take note—the chief lobby in this Nation. I have received from the so-called Citizens Committee for the Hoover Report 10 times as many telegrams as I have received in regard to the St. Lawrence seaway or the tidelands bill or any other measure. The members of the so-called Citizens Committee for the Hoover Report know absolutely nothing about this program. It is true that they have in Washington an executive secretary who knows all about the program and who keeps them advised; but every bit of the advice they receive is to drive government in America further and further and further away from the people.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. McCLELLAN. Mr. President, does the Senator from Georgia desire to have additional time?

Mr. GEORGE. No; no more, Mr. President.

Mr. McCLELLAN. Mr. President, if the opponents of the resolution of disapproval will use their time, I shall conclude in about 2 minutes.

Mr. HUMPHREY. Mr. President, I believe we have 3 minutes remaining; is that correct?

The PRESIDING OFFICER. The Senator from Minnesota has 4 months remaining.

Mr. HUMPHREY. I yield the remainder of our time to the Senator from Oklahoma [Mr. MONRONEY].

I understand that the Senator from New York [Mr. LEHMAN] wishes to speak briefly, and will be yielded to by the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. MONRONEY] is recognized.

Mr. MONRONEY. Mr. President, I yield to the Senator from New York.

Mr. LEHMAN. Mr. President, because of the limitation of time, I ask unanimous consent to have printed at this point in the body of the RECORD a statement in support of the President's Reorganization Plan No. 2.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

The issue which the President's Reorganization Plans 2, 3, and 4 of 1952 places before the Senate is a simple and clear one which I think the whole country understands. Will the Senate take this opportunity to show—as it did on Reorganization Plan No. 1 affecting collection of internal

revenue—that it cares more about improving the administration of the public's business than it does about clinging to patronage privileges? Will the members of both major parties rise above the interests of political job traders and take another step away from the spoils system? I hope and believe that we will.

It is my conviction that both major parties, the legislative branch of the Government and the executive branch of the Government will all benefit from these plans. Above all, their adoption will be an important antidote to a certain amount of cynicism about the merit system bred by the present way of choosing more than 21,000 postmasters. What I am about to say about Reorganization Plan 2 applies equally to plan 3 which will do the same things for customs officials, and plan 4 which will do the same thing for United States marshals.

I believe that the President deserves great praise for transmitting to us in plan 2, a proposal which is carefully drawn so neither party can reasonably except to benefit at the expense of the other. The President himself said in his message transmitting the plans "I want it clearly understood that this gradual application of the full merit system to these offices as they become vacant grants no partisan advantage or disadvantage to any political party. These plans cannot, therefore, rightfully he opposed on the ground that they help or harm any political group."

Actually, I am persuaded that both parties will profit from this step, just as I believe that they profit from every step to unload from our politics the baggage of patronage. Our party system should be geared to providing the electorate with a clear choice on policies to be followed, and on leadership to carry out those policies. Administrative positions however which do not call for policy making should be outside the political arena. To use these positions as a reward for service to party or faction is to encourage political profiteers in both parties, and to discourage those who view political participation as an expression of civic responsibility.

This plan will not affect postmasters, customs officials and others who hold their positions now, and who obtained their appointments under existing law. Nor will these reorganization plans in any way extend the tenure of these officeholders under this or future administrations. A new administration—under either party—will be limited with respect to these positions, under these plans, in only one way. The administration will have to fill vacancies that now exist or occur in the future exclusively on the basis of the civil-service merit system, and I believe that to be a good thing.

We should consider these plans on the same nonpolitical basis as the Hoover Commission on Organization of the Executive Branch of the Government which recommended them. Presidents of the United States belonging to both major political parties have called for this step, as have nonpolitical good government groups like the Citizens Committee for the Hoover Report and the National Civil Service League.

One of the questions which has been raised about these plans is whether they provide a true guarantee of the end of patronage in filling these positions. For example, some question has been raised as to whether the Post Office Department can possibly change the traditional way of clearing postmaster nominations with party officials. I do not see how that practice can survive the enactment of these plans. If efforts are made to continue such clearances, responsibility will lie squarely with the President, the Postmaster General, and the Civil Service Commission.

There is nothing about these postmasterships which makes it necessary or desirable to have them filled by presidential appointment and Senate confirmation. Postmasters are the same kind of administrative field officials that are found in other departments. They should, according to sound administrative practice, be answerable to the Postmaster General. It is in him that both the President and the Congress should place responsibility and accountability for filling those places, and seeing that the postmasters do their jobs satisfactorily. It is the Postmaster General whom we should hold accountable for the recruitment of the best people available. His responsibility for these things should be clear, and uncomplicated by extraneous political considerations.

There is one lesson which I have learned from a not inconsiderable experience with the effort to abandon the old spoils system. That lesson is this: You must never miss a chance to hit at the spoils system merely because you hope for a better opportunity some other time. The best opportunity is the first opportunity. I would urge this especially on those who feel that the objective should be accomplished by legislation rather than by a reorganization order. This is not, in my judgment, a substantial reason. We are free, as always, to take other measures by additional legislation. But if we fail to adopt this plan, we will seem to the country to have voted for the spoils system. The country's response to our adoption of Reorganization Plan 1 should have convinced us of that.

There is no doubt in my mind as to the desirability of this plan and of the others before us today. There is no doubt in my mind that its adoption will be heralded as a statesmanlike action on the part of the Senate.

Mr. MONRONEY. Mr. President, I have the deepest respect for the great and distinguished senior Senator from Georgia [Mr. GEORGE]. However, I believe the argument he made about removing power from the representatives of the people could be made equally well against all civil-service procedures. Why should anyone single out this one category and say that to apply the civil-service system to it will mean that power will be taken from the people, when 99 percent of the Government workers are now under the civil-service system, under what the Senator from Georgia terms centralized control.

Frankly, Mr. President, I am amazed at some of the speeches which have been made today by Senators on the other side of the aisle, when practically every great Republican President in our history has advocated abolishing the rotten patronage system at the top of our postal service. These politically appointed officers today are spending $2,000,000,000 to hire postal employees, and yet they are purely political appointees who are placed at the top of that system, although many of the persons thus appointed are without the necessary qualifications for the operation of the intricate, difficult business of distributing Uncle Sam's mail.

I believe such a system makes no more sense than to have the commissioners of each county name the local managers of the Safeway stores in those counties.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. MONRONEY. Mr. President, I do not have time to yield. If the Senator from South Carolina wishes to speak in the time available to the other side, I am willing to have him do so at this time.

Mr. JOHNSTON of South Carolina. I should like to have the Senator from Oklahoma name one postmaster who did not pass the civil-service tests and was not appointed on the basis of the civil-service system.

Mr. MONRONEY. The point the Senator from South Carolina makes is absolutely legitimate. It is true that three persons are named, but then the majority Member of Congress sits back and decides, on a political basis, which of the "three horses" came in first. Under the present system, no arrangement is made to have the man who "comes in first," so to speak, obtain the job. The one who obtains the job, obtains it if he has the necessary political affiliations or connections and if he is of the "correct" political faith.

Mr. President, an effort has been made to becloud the importance of the legal opinion which has been submitted by the Attorney General in connection with this matter. Members of the Senate know that a legal opinion was given by the office of the Attorney General, to the President of the United States, before this reorganization plan was approved by the President. A memorandum incorporating the same legal opinion from the highest legal officer of the Nation, whose services are available either to the Congress or to the President, is on record in this case.

Certainly the effort to becloud the issue by stating that under this plan the Postmaster General will build up a gigantic patronage machine, does not deserve serious consideration by this body. The Postmaster General now under the present system appoints more than 450,000 employees.

The same charge could be made against every other Cabinet member and every other Government official. That argument is made merely in an effort to preserve a system which gives to the political favorites the top post office positions, and very effectively denies those top jobs to 95 percent of the postal workers.

Mr. President, in view of the charge of centralization in the Government, it will be interesting to ascertain whether Senators who are members of the Republican Party—those who have claimed as the outstanding achievement of their control over the 80th Congress the Hoover reorganization program—will now oppose one of the most outstanding recommendations of the Hoover Commission.

It will also be interesting to ascertain whether the nine Republican Members of this body who have introduced bills to do away with Senate confirmation, intend to stand by their bills, or whether they will turn their backs on President Hoover and will turn their backs on former President Taft, who in his administration long ago saw these patronage dangers, and whether those Senators will vote to preserve a rotten political system in control of the post offices.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. McCLELLAN. Mr. President, how much time remains to me?

The PRESIDING OFFICER. The Senator from Arkansas has 6 minutes remaining.

Mr. McCLELLAN. Mr. President, it would be difficult for me to add anything to the force of the argument which has been made by the senior Senator from Georgia [Mr. GEORGE] in regard to the real issue involved in these three reorganization plans.

I dare say that each Senator who has been present in this Chamber throughout the discussion of these measures today is now convinced that, as reorganization plans, all three of them are "phonies." They reorganize nothing—not one function of the Government, not one department, not one agency.

What would these plans do, Mr. President? They would simply take from the elected representatives of the people—the Members of this body—the power to check against the executive action, the action of the executive branch of the Government, in making these appointments.

Mr. President, Congress never intended, by the passage of the reorganization bill, to have it used as a device by which a substantive law would be repealed, and another substantive law would be enacted in its place.

One of the most effective ways to destroy constitutional government, Mr. President, is to make an assault upon the legislative branch, so as to bring it into disrepute among the people. The present effort is nothing more or less than another assault upon the competency and integrity of this body. That is exactly what it amounts to. The reason advanced for doing so, so we are told, is that those who support that effort wish to have politics taken out of these appointments.

Mr. President, one of the greatest guaranties of liberty is politics, if it is kept wholesome. Wholesome politics is synonymous with true democracy. Where shall we place the politics if we adopt this plan? The plan does not contain a word providing that politics must be done away with. The plan does not contain one word of admonition to the Postmaster General not to play politics. The plan does not contain one word of admonition to him not to consult whomever he may wish to consult.

Today, Mr. President, as I said in my opening remarks, the politics in these appointments—and we all know that politics to some extent enters into them—that politics today, Mr. President, is out in the limelight. It is known where it is. The source of it is known. It is observed in operation. This plan proposes to take politics away from local control and place that politics in bureaucratic control.

Mr. President, there will always be politics in a democracy. Let us keep the politics which is associated with these appointments in the sunlight of public scrutiny, not put it into chambers of darkness and secrecy.

Mr. President, Reorganization Plan No. 2 should be defeated. I say that Senators who vote for this plan acknowledge that they do not want the responsibility of representing their people in making a check against executive abuses in connection with the appointments. They want to shirk that responsibility. They would go further to say, "We want to transfer all power, all responsibility, to the executive branch of the Government."

Mr. President, I trust that reorganization plan No. 2 will be rejected. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hennings	Monroney
Anderson	Hickenlooper	Moody
Bennett	Hill	Morse
Benton	Hoey	Mundt
Brewster	Holland	Neely
Bricker	Humphrey	Nixon
Bridges	Hunt	O'Conor
Butler, Md.	Ives	O'Mahoney
Capehart	Jenner	Pastore
Case	Johnson, Colo.	Robertson
Chavez	Johnston, S. C.	Saltonstall
Clements	Kem	Schoeppel
Connally	Kerr	Seaton
Cordon	Kilgore	Smathers
Dirksen	Knowland	Smith, Maine
Douglas	Langer	Smith, N. J.
Duff	Lehman	Smith, N. C.
Dworshak	Lodge	Sparkman
Eastland	Long	Stennis
Ecton	Magnuson	Taft
Ellender	Malone	Thye
Ferguson	Martin	Tobey
Flanders	Maybank	Underwood
Frear	McCarran	Watkins
George	McCarthy	Welker
Gillette	McClellan	Wiley
Green	McFarland	Williams
Hayden	McKellar	
Hendrickson	Millikin	

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the resolution disapproving Reorganization Plan No. 2.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. McCLELLAN. Is it correct to state that on the pending question a vote in the affirmative would be a vote against Reorganization Plan No. 2, and that a negative vote would be a vote in favor of the reorganization plan?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. McFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. JOHNSON], and the Senator from Montana [Mr. MURRAY] are absent on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent because of illness in his family.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that the Senator from Tennessee [Mr. KEFAUVER] is paired on this vote with the Senator from Connecticut [Mr. MCMAHON]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Connecticut would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate and, if present, he would vote "yea."

The Senator from Kansas [Mr. CARLSON] is necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The yeas and nays resulted—yeas 56, nays 29, as follows:

YEAS—56

Bennett	Hickenlooper	McClellan
Brewster	Hill	McFarland
Bricker	Hoey	McKellar
Bridges	Holland	Millikin
Butler, Md.	Ives	Mundt
Capehart	Jenner	Neely
Case	Johnson, Colo.	Pastore
Chavez	Johnston, S. C.	Saltonstall
Connally	Kem	Schoeppel
Cordon	Kerr	Smathers
Douglas	Kilgore	Smith, Maine
Duff	Langer	Smith, N. C.
Dworshak	Lodge	Sparkman
Eastland	Long	Stennis
Ecton	Magnuson	Thye
Ellender	Martin	Underwood
George	Maybank	Watkins
Hayden	McCarran	Welker
Hendrickson	McCarthy	

NAYS—29

Aiken	Hennings	O'Conor
Anderson	Humphrey	O'Mahoney
Benton	Hunt	Robertson
Clements	Knowland	Seaton
Dirksen	Lehman	Smith, N. J.
Ferguson	Malone	Taft
Flanders	Monroney	Tobey
Frear	Moody	Wiley
Gillette	Morse	Williams
Green	Nixon	

NOT VOTING—11

Butler, Nebr.	Fulbright	Murray
Byrd	Johnson, Tex.	Russell
Cain	Kefauver	Young
Carlson	McMahon	

The VICE PRESIDENT. On this vote the yeas are 56; the nays 29. A majority of the authorized membership of the Senate having voted in the affirmative, the resolution of disapproval is adopted.

REORGANIZATION PLAN NO. 4 OF 1952, PROVIDING REORGANIZATION IN THE DEPARTMENT OF JUSTICE

Mr. McCLELLAN. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 330, Calendar No. 1679.

The VICE PRESIDENT. The clerk will read the resolution.

The resolution was read as follows:

Resolved, That the Senate does not favor the Reorganization Plan No. 4 transmitted to Congress by the President on April 10, 1952.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, I should like to announce to Senators present that earlier today unanimous consent was given that there should be an hour and a half devoted to the consideration of the resolution, to be equally divided between the proponents and the opponents. In other words, in an hour and a half a vote will be taken on the resolution. The division of time has already

been agreed to, 45 minutes to a side, as I understand, and the Senator from Minnesota [Mr. HUMPHREY] is in control of the time in opposition to the resolution.

The VICE PRESIDENT. The Senator is correct, and the Senator from Arkansas has control of the 45 minutes in favor of the resolution, and the time is running.

Mr. McCLELLAN. Mr. President, I yield 20 minutes to the distinguished senior Senator from Nevada.

Mr. McCARRAN. Mr. President, let me say at the outset that unless my resolution, Senate Resolution 330, is approved by a vote of at least 49 Members of the Senate before midnight, June 20—Friday of this week—Reorganization Plan No. 4 of 1952 will become effective. Theoretically speaking, disapproval by the House would have the same effect. However, I am informed that there is no practical possibility of House action in that regard, and no attempt is being made to secure such action. Therefore, the question rests with the Senate.

Reorganization Plan No. 4 of 1952 would affect every judicial district of the United States. It would abolish the offices of 87 United States marshals in the continental United States, 4 United States marshals in Alaska, and 1 each in Guam, the Virgin Islands, and the Canal Zone. Thus it would abolish the offices of 94 United States marshals. It would then reestablish 94 new offices covering the same judicial districts, and authorize the Attorney General to make appointments, under the classified civil service, to fill those offices.

Thus, the net effect of the plan would be to take away from the President the power to appoint, and from the Senate the right to confirm, United States marshals; and to vest the sole appointment power in the Attorney General, subject to the Civil Service Act and the classification laws.

Mr. President, the Committee on Government Operations has correctly concluded that plan No. 4 is not, in fact, a reorganization plan as prescribed by the provisions of the Reorganization Act of 1949. What is proposed here is not a legitimate reorganization, designed to accomplish any of the objectives of the Reorganization Act which Congress can be presumed to have intended. As the committee points out, the only real effect of this reorganization plan would be to remove the requirement for Senate confirmation of United States marshals, authorize their appointment by the Attorney General under the classified civil service, and extend the term of such offices from 4 years to an indefinite period.

In theory, the right to appoint United States marshals would be affected also, being transferred from the President to the Attorney General. However, in practice, the President would retain complete control, because the President controls the Attorney General.

In the message which he sent to the Congress, accompanying this reorganization plan, the President himself pointed out that the plan makes no changes whatever in the operation of the offices of United States marshal. Therefore, it cannot properly be deemed a reorganization plan within the intent of the Reorganization Act of 1949. It is simply a device for accomplishing a purpose never contemplated by the Reorganization Act. As the committee refers to it, it is "an attempt to make use of reorganization powers granted to the President in order to accomplish an entirely different objective, which it is doubtful that the Congress would approve under normal legislative procedures."

Mr. President, if the Reorganization Act is to be used in this way, if attempts are to be made to use it in this way, then the act should be wiped off the books.

Mr. President, the Committee on Government Operations has reported to the Senate that approval of Reorganization Plan No. 4 of 1952 would be a disservice to the country. The committee has called the plan itself a grave misuse by the President of the reorganization power granted to him by the Congress. Both of those statement, Mr. President, are entirely correct, in the opinion of the senior Senator from Nevada; and I congratulate the committee upon its forthrightness in reporting to the Senate.

Mr. President, one of the major evils of the plan is the fact that it centralizes appointive power for all United States marshals in the hands of the Attorney General. It eliminates entirely the safeguard of confirmation by the Senate. At the present time, Mr. President, the appointment of a United States marshal is a matter of little national concern, but a great deal of local concern. Local concern is reflected through the Members of the Senate from the State in which the appointment is pending. Through their Senator, residents of the locality who will be directly concerned with the marshal who gets the appointment can express their views with regard to eligible candidates and their objections, if any, to persons who may be suggested for the post. In this way the local people have a voice in the selection of their United States marshal. But under the provisions of Reorganization Plan No. 4 of 1952, this will no longer be true. The Attorney General in Washington will determine upon these appointments. The basis for his determinations will be unknown to the local people. The local people will not know who is under consideration for appointment. They will have no opportunity to voice any objections. The first time they will learn about it will be when the appointment is made. I submit that this is a step away from truly democratic procedure.

Mr. President, a United States marshal is a personage of some importance. The present state of the law recognizes the importance of the position by requiring that United States marshals must be confirmed by the Senate and by placing responsibility for the nomination of a United States marshal directly upon the President. If Congress assents to Reorganization Plan No. 4, United States marshals no longer will have the prestige of Senate confirmation; and while the President will in fact still have authority to state who shall be named as United States marshal, in any particular instance in which he is interested, the President will no longer have the direct responsibility for naming United States marshals. That responsibility will rest with the Attorney General.

This demeaning of the position of United States marshal and this removal of direct Presidential responsibility for the nomination of United States marshals are both among the bad effects of Reorganization Plan No. 4 of 1952.

Under present law, Mr. President, a United States marshal is appointed from and for a particular judicial district. The United States Code requires that the United States marshal shall reside within the judicial district for which he is appointed. In practice, this means that a marshal is selected from the particular district which he is to serve. Under Reorganization Plan No. 4 of 1952, however, at the most it would only be required that a marshal establish a residence in the district after his appointment. The Attorney General could name to all vacancies persons now employed in the Department of Justice in Washington; and the local people in the districts to be served would have no way to air their protest. Under this plan, we might have "carpetbag marshals" in every judicial district in the country. We might have every office of United States marshal in the South filled by appointees who were northerners; or we might have every office of United States marshal in the north filled by appointees who were southerners. A New Englander could be named a United States marshal in California; or a man from Puget Sound might be named United States marshal in New York State. I do not mean to imply, Mr. President, that I have anything against possible appointees to the office of United States marshal from the south or from the north, from New England or from Puget Sound; but I do seek to convey, as strongly as possible, my feeling that it would be extremely unwise to adopt a policy of appointing as United States marshals, persons not residents of the judicial districts which, as marshals, they are to serve. Furthermore, Mr. President, if such a procedure is not to be followed, I can see no reason for authorizing it, as Reorganization Plan No. 4 of 1952 does authorize it.

Mr. President, the Committee on Government Operations goes even further, in its report, than I have gone in picturing the prospective evils of "carpetbag marshals" under this plan. The committee points out that the Justice Department has actually given contemplation to a system of appointing persons to the office of United States marshal without any limitation as to judicial districts, thus making it possible to transfer marshals from one judicial district to another judicial district without the necessity of a new appointment. The committee report quotes from a memorandum furnished to the committee by the Department of Justice, over the signature of an Assistant Attorney General of the United States; and the committee report declares that the committee interprets the statements in this memorandum "to mean that in the absence of confirmation by the Senate there would be no prohibition against the At-

torney General appointing a United States marshal for a judicial district in which he has not been a previous resident, or, if the appointment system is changed, of transferring a United States marshal from one judicial district to another anywhere in the country provided he established residence there." What the committee means, of course, Mr. President, by its reference to establishing residence, is only that the appointee must go to live in the judicial district where he is to serve, whether he is originally appointed there or merely transferred there under some transfer system which the Department of Justice may work out.

The committee report points out that certain unnamed spokesmen for the Department of Justice expressed to the committee their belief that it would not be the intent of the Attorney General to make any changes in the present appointive system, and that marshals would continue to be assigned to the respective judicial districts, in the future, on the same basis as at present. But, Mr. President, as the committee in its report asks, if that is the intent, why should not such a requirement have been clearly set forth in the President's reorganization plan? And why should the department have bothered to concern itself at all with the matter of a possible system under which marshals could be transferred from one judicial district to another? It is a dangerous thing, Mr. President, for the Congress to authorize a system which it does not approve, a system for appointing and transferring "carpetbag marshals," in reliance merely upon the expressed opinion of certain subordinate officials that their chiefs, or those who may come into power in the Department of Justice in the future, never will use this new authority. If Congress does not want this done, Mr. President, Congress must refuse to grant authority for it. That means that if the Senate does not want "carpetbag marshals," the Senate must disapprove Reorganization Plan No. 4 of 1952 by voting a constitutional majority in favor of Senate Resolution 330.

Mr. President, perhaps it should not be stressed, because this is an era when increased costs of Government seem to mean little; but there is a cost factor involved in Reorganization Plan No. 4 of 1952; and it is a cost factor which is not favorable to approval of the plan.

Although one of the objectives of the Reorganization Act of 1949 was to reduce the cost of operation of the Federal Government, the Committee on Government Operations has correctly pointed out, in its report to the Senate that Reorganization Plan No. 4 of 1952 would not reduce expenditures or promote economy in any way. On the contrary, as the committee points out, this plan is extremely likely to increase Federal costs in the maintenance of marshals' offices.

At the present time, United States marshals do not receive overtime pay for extra hours of work above the standard 40-hour workweek.

Instead, they are permitted to take compensatory time off. The average United States marshal never can tell when it may be necessary for him to work after normal business hours during the week, or on a Sunday, or on a holiday. This is a situation which a marshal understands when he accepts appointment to the office. But under Reorganization Plan No. 4, a marshal would only be required to be on duty for 40 hours during the week; 8 hours a day from Monday through Friday. The rest of the time the marshal would be off duty. If he were forced to work overtime, he would draw extra compensation on the basis of the Federal Overtime Act. But the General Accounting Office frowns upon excessive payments of overtime, and so does the Budget Bureau.

The pressure would be on the marshals not to work overtime. Probably they would not work overtime. The net effect would be that each judicial district would have a marshal for just one-third of the time, during 5 days of the week, and for none of the time the other 2 days of the week. Of course, there would probably be a deputy marshal around when the marshal was off duty; and perhaps, if the office of United States Marshal is to be demeaned as this reorganization plan proposes to demean it, it may not make very much difference in the future whether there is a marshal on duty or available, or only a deputy marshal or assistant. But it is going to make a lot of difference, Mr. President, to the person who has business with the United States Marshal, and wants to transact that business with a responsible official who has authority and discretion to make decisions.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. McCARRAN. The Senator from Arkansas stated that I might take as much time as I needed. I shall take only a little more time.

The PRESIDING OFFICER. The Senator from Nevada may proceed.

Mr. McCARRAN. Of course, Mr. President, what probably will happen if Reorganization Plan No. 4 becomes effective is that marshals will work a substantial amount of overtime, but not as much as United States marshals work today. They will work overtime enough to increase their compensation substantially over the basic compensation which their classification will give them; but we shall still find that in many cases, when local people find it important to have access to a United States marshal, the United States marshal will be off duty and unavailable. We shall thus find that the reorganization plan has not only cost the Government a substantial amount over and above the present costs of maintaining United States marshals; but, also, that it has resulted in decreased efficiency in the office of marshal, and decreased availability of the United States marshal to the people of his district, in many cases.

Mr. President, in bringing this reorganization plan to Congress, the President has made some broad generalizations about "improving lines of authority, accountability, and responsibility." But, Mr. President, as the Committee on Government Operations points out, the President has given no real justification for the change which he proposes in the method of appointment of marshals. He has not claimed that any such change is necessary because of corruption in the offices of marshal, or in the office of any marshal. As a matter of fact, the committee points out in its report that no evidence whatsoever of fraud, inefficiency or even extravagance in the operation of the marshals offices, which would justify such a reversal in the method of appointment, was presented to the committee. According to the committee, the spokesman for the Department of Justice, who came before the committee, said that he knew of no single instance of mismanagement in the office of United States Marshal, could recall no specific example of such mismanagement in the past.

Mr. President, I have already made the point that Reorganization Plan No. 4 is not such a change in Government organization as was contemplated by the Reorganization Act of 1949. As the American Law Section of the Library of Congress has pointed out, the Reorganization Act of 1949 does not authorize plans comprised exclusively of a change in the method of appointment.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. McCLELLAN. The present term of office is 4 years. It that correct?

Mr. McCARRAN. That is correct.

Mr. McCLELLAN. How would the term of office be changed by the adoption of the reorganization plan before us?

Mr. McCARRAN. I shall touch on that point in a moment.

Mr. President, I want to make one more point before I close. The Reorganization Act of 1949 specifically prohibits any reorganization plan from increasing the term of any office beyond that provided for such office by law. But Reorganization Plan No. 4 would change the term of office of a United States marshal from the present statutory term of 4 years to an indefinite term of office. Certainly, an indefinite term is longer than a fixed term of 4 years. Clearly, therefore, this reorganization plan is in direct violation of section 5 (a) (5) of the Reorganization Act of 1949, which is the section prohibiting a reorganization plan from increasing the term of any office. The Department of Justice has sought to get around this fact, and to justify the reorganization plan in this regard, by telling the Senate Committee on Government Operations that this is not in fact the extension of the term of office, it is only the creation of a new office in each judicial district, to replace the office of United States marshal now in existence. Mr. President, this is sheer subterfuge. We have a United States marshal in each judicial district at the present time. We shall have a United States marshal in each judicial district if Reorganization Plan No. 4 of 1952 is approved. The duties of the new marshal will be identical with the duties of the present marshal. The scope of his authority will be the same as the scope of authority of the present marshal. But he will have been appointed differently; and he will hold office for an indefinite term, instead of for a term of 4 years. The assertion that

this does not constitute an increase in the term of the office is not and cannot be a sincere and honest contention; it is, at best, only a technicality.

In closing, Mr. President, let me say this: While it is true, as the committee has pointed out, that the only appropriate safeguard whereby the Congress can insist upon compliance with the Reorganization Act of 1949, so far as this question of marshals is concerned, is by adoption of the present resolution to disapprove the plan, the question will not be settled even if the Senate fails to take that action and the plan becomes effective. The way will still be open, when a proper case arises, to question the authority of any marshal appointed under this plan, by questioning the validity of the plan itself. Thus, permitting this plan to go into effect will establish in this country a group of persons holding the title of United States marshal, but whose authority will be subject to challenge.

Mr. President, this must not be allowed to happen. We have here before us a reorganization plan which is not valid under the plain terms of the Reorganization Act of 1949; a plan which unwisely centers the appointive power with respect to United States marshals in Washington, takes away Presidential responsibility for such appointment, takes away the Senate's right of confirmation of such appointments, and removes appointments of United States marshals from the influence of the local people. We have here a reorganization plan which would authorize and make possible a corps of "carpetbag marshals" throughout the United States. We have here a plan which will not save money, but which will actually cost more money, while at the same time providing more rather than less inefficiency in the offices of United States marshal. We have here a plan for which there is no valid reason, for which no justification has been offered to the committee or to the Congress, except vague generalities. We have here, furthermore, a plan which, if permitted to go into effect, will establish a precedent under which the Chief Executive can in the future seek to usurp still further the legislative functions of the Congress. Mr. President, I predict that if this plan ever gets before the courts in a proper case, it will fall of its own weight; and the authority of any marshals appointed under it will fall with it, at that time. But, Mr. President, we must not wait that long. The legal effects of having this plan declared invalid after it had been, de facto, in effect for months or years might amount to a catastrophe, or a series of catastrophes. The only course for the Congress to take, Mr. President—the only course for this body to take—in the interests of the country, and in the interests of the people, and in the interests of preserving the powers and the prerogatives of the Congress, is to disapprove Reorganization Plan No. 4 of 1952, by voting "yea" on Senate Resolution 330.

Mr. McCLELLAN. How much time have I remaining?

The PRESIDING OFFICER. Fifteen minutes remain.

Mr. McCLELLAN. Then I suggest that the opposition take some time now.

Mr. HUMPHREY. Mr. President, I yield 5 minutes to the Senator from Connecticut [Mr. BENTON].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. BENTON. Mr. President, I merely wish to state briefly—I shall not take more than a minute or two to do so—that I have a speaking engagement tonight, and it has been scheduled for a great many weeks. Therefore, I must choose between catching a 4 o'clock plane, if I am to keep that engagement, or missing the plane in order to remain here to vote on the two remaining reorganization plans.

I have decided to catch the plane and miss the votes, because on these two particular questions a Senator who is absent will, for all practical purposes, be in the position of voting in favor of these reorganization proposals, for unless in each case the resolutions of disapproval of these two reorganization plans are voted for by 49 Senators, the reorganization plans automatically will go into effect.

Therefore, by being absent, I shall do what, in effect, I would do if I were to remain here.

I wish to state to the Senate that I strongly favor these two reorganization plans, in line with the recommendations of the Hoover Commission.

I thank the Senator from Minnesota for yielding this much time to me.

Mr. HUMPHREY. Mr. President, I yield 10 minutes to myself.

Am I correct in assuming that each side has 45 minutes, under the arrangement which has been made?

The PRESIDING OFFICER. The Chair is so advised.

Mr. HUMPHREY. I doubt that we shall need all that time. I wish to proceed to discuss Reorganization Plan No. 4 and to make clear my opposition to the resolution disapproving this plan.

Needless to say, Mr. President, it is not very heartening or encouraging to see these plans defeated. I have favored every one of the reorganization plans which has come before us since the first session of the Eighty-first Congress. I have watched to see what happens when the pressure is brought to bear. I am a little discouraged, I must say. I have watched plans for the reorganization of some of the regulatory agencies of the Government come before the Congress; and when the pressure is brought to bear, Congress does not vote to reorganize the agencies.

Congress did vote to have the Bureau of Internal Revenue reorganized. In that case Congress was willing to have placed in the Commissioner of Internal Revenue some of the power which the plan first considered by the Senate today would have placed in the Postmaster General. Congress favored the plan for reorganization of the Bureau of Internal Revenue because the American people demanded that that plan go into effect. The American people took that position because they were sick and tired of corruption and political patronage. So am I, Mr. President.

I submit that the argument in favor of adoption of the civil service merit system cannot legitimately be opposed, particularly in the case of non-policy-making positions.

Furthermore, I submit that Congress has something else to do except piddle around with little jobs and spend a great deal of time on them. Congress does not have machinery to handle them and it does not have available a staff which could properly check into the details.

Unfortunately, Mr. President, the Post Office reorganization plan has been rejected. Those of us who favored that plan took a licking in our efforts for reorganization in that case. Nevertheless, I think the day will come when we shall win this fight. I make that statement because there has been a constant improvement in the civil-service standards of the Post Office Department.

The plan now before the Senate relates to the appointment of United States marshals. Mr. President, if anyone can tell me why a Senator or a Member of the House of Representatives or a political party should have anything to say about the appointment of a United States marshal, I am ready to be persuaded. United States marshals have law-enforcement jobs, non-policy-making jobs, jobs which are strictly administrative in nature. A United States marshal has the job of bringing in crooks, serving subpenas, and performing the work of a policeman on the beat, so to speak, for the Government of the United States. The United States Marshal works for the district attorney, and he works with the courts. He helps, in an administrative capacity, to enforce the laws.

I say with all the conviction at my command that the sooner we take United States marshals out of politics and out of political patronage and the sooner we place them under the civil-service merit system, the better off we shall be.

Mr. MONRONEY. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. Can the Senator from Minnesota make any sense out of a system under which deputy United States marshals must qualify under the merit system, whereas their bosses, the United States marshals, remain strictly in the field of patronage politics?

Mr. HUMPHREY. I certainly cannot.

Mr. MONRONEY. Does the Senator think the argument that the plan would not result in the saving of money, which argument was advanced by the distinguished Members of the Senate who opposed the reorganization plan for the postal service, and which also has been advanced against the plan now before the Senate, has been advanced in line with the theory that the ones who pay the most money get the jobs which are considered to be political sinecures, and that the persons who secure such jobs are likely to consider them as rewards for past services rendered, and therefore are not likely to work on the jobs, whereas if those who serve as United States marshals and those who serve as postmasters were appointed under the civil-service merit system—as they would be if the Senate were wise enough to

provide for a real merit system in each case—they would have to put in a real day's work, and that would be the case all along the line?

Mr. HUMPHREY. The Senator from Oklahoma is correct. The political appointees really are not "on the job." If the Government wishes to give men a pension, let it be called such.

Mr. MONRONEY. Many of them operate full-time businesses of their own, while ostensibly they serve as United States marshals or as postmasters or in other sinecure jobs, under the political-patronage system.

Mr. HUMPHREY. There can be no doubt about that. If they wish to hold those jobs, they should work full time at them, every hour, for a 40-hour week. I favor the 40-hour workweek; and I favor the "work" in it, not just the "week." I believe persons should have a right to obtain these jobs on the basis of merit. I want those who have the jobs to be on the job. I submit that such law-enforcement officers should not be appointed on the basis of any political preference.

Mr. McCLELLAN. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. McCLELLAN. Is there any reason they they should not be on the job now? If they are not on the job, why cannot the administration fire them at once. The administration can fire them in a moment, if they are not on the job.

Mr. HUMPHREY. I can tell the Senator one of the reasons is that we have learned that there is a considerable amount of byplay between the legislative and the executive branches of the Government. If a person is appointed under the political system, a great deal of politics is involved, of course, as has been stated.

Mr. GEORGE. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. GEORGE. I should like to have the Senator from Minnesota name the United States marshals who are conducting full-time businesses of their own while they are in office. The distinguished Senator from Oklahoma injected that note into the debate, and the Senator from Minnesota agreed to it.

Mr. HUMPHREY. Yes.

Mr. GEORGE. I would be pleased to have the Senator submit a list of those marshals.

Mr. MONRONEY. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. I have some personal knowledge of that practice. I do not wish to be unfair to any person, and I would suggest that the Senate might do well to have the Judiciary Committee or whatever committee is deemed to be the proper one look into that matter and ascertain how many United States marshals are operating full-time businesses on the outside.

Mr. GEORGE. I myself do not know of any. I can assure the Senators that none in Georgia are. There are three marshals in Georgia, and they are not operating anything except their official office, all the while.

I am curious to know where there may be found the United States marshals who are said to be carrying on full-time, outside businesses. I do not think it should be embarrassing to them, if they are doing that. I should like to have that information, if the Senator from Minnesota can give it to me.

Mr. HUMPHREY. Let me say to the Senator from Georgia that the Senator from Oklahoma made that charge, and I take his word for it.

I also know that in connection with the investigation of the Bureau of Internal Revenue, there were examples of such a situation in California. I have before me at this time a clipping from the San Francisco Chronicle, dated April 13, 1951; it is a report on a forthcoming book by Dr. Harris, of the University of California. His book deals with Government administration, and it is important——

Mr. GEORGE. The Senator from Minnesota now is speaking of——

Mr. HUMPHREY. Mr. President, I decline to yield further.

Mr. GEORGE. I thank the Senator from Minnesota. However, he is speaking now about some other officers. I wished to know about the United States marshals.

Mr. HUMPHREY. I am about to speak of the United States marshals.

The point I make is that the burden of proof for keeping the marshals on political patronage rests upon those who place them on it.

As a matter of fact, the only argument which can be made in favor of keeping United States marshals on political patronage is that such a system provides political patronage.

On the other hand, the real issue is whether the men who are appointed have the talents or the qualifications required for such service. Certain talents are required, if one is to be a good law-enforcement officer. For instance, he should be absolutely honest; he should have ability as a law-enforcement officer; he should be a good detective or a good administrator.

Mr. McCLELLAN. Mr. President, will the Senator from Minnesota yield to me at this point?

Mr. HUMPHREY. I yield.

Mr. McCLELLAN. I wish to say to the able Senator from Minnesota that in my State of Arkansas the two United States marshals I recommended for appointment had been sheriffs in their counties for three terms before I recommended them.

Mr. HUMPHREY. I thank the Senator from Arkansas for making that observation, and I am sure a similar situation has existed again and again. But I am also sure that on the basis of a merit system and a civil-service examination designed to obtain those who have the best talents for the job, the odds are much better that better officials will be obtained.

Certainly there is no use in picking on people because of the present situation. As a matter of fact, all of us have recommended persons for these jobs. We have done so because of the existence of the present system. I merely say that the present system needs improving.

I submit that it does not make sense to have United States marshals appointed on a basis of political patronage. The job of United States marshal is not a policy-making job; it is not a job which has any great importance in the community except for the importance of being able to perform the duties and being able to perform them well.

Mr. President, why is it that the deputy United States marshals are under civil service? It is because someone in that office must know how to do the work; someone in that office must know the details of the work.

The simple fact of the matter is that not everyone is equipped by temperament or background or experience to be a United States marshal, any more than everyone is equipped to be a violin player or to be an automobile salesman. Different persons have different talents.

I submit that the only argument which can be advanced in favor of retaining United States marshals under the political patronage system is that those who favor that system wish to have the right to appoint United States marshals. The same argument could be made with respect to every one of these top Federal jobs. Why do we have assistant postmasters?

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I yield five more minutes to myself.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes more.

Mr. HUMPHREY. Why do we have assistant postmasters? Because, when a new postmaster is appointed, there must be someone who knows how to run the office, someone who knows where the stamp drawer is, someone who knows how to deliver the mail, someone who knows how to set up a new route. It is quite an intricate job. I am familiar with the postal service. I know many of those connected with it. I am familiar with the office of United States marshal. I happen to have been very much engaged in the law enforcement business, and I know that there are abuses in that office, under political patronage. I submit it is time that the law-enforcement agencies of this Government be immune from political influence.

What further examples are needed more than we have already had? The cry of corruption goes forth from the Congress, and we would put the finger on the administration. Very well, Mr. President, let Congress say, "We will clean it up." One way to clean it up is to dissociate political preference from every law-enforcement officer. Put them under the civil service merit system. Let them be responsive to the high standard of the merit system.

Every Member of the Senate knows that a man who is appointed as a United States marshal, or to any other political job, can be removed by political pressure. I do not want that. I submit that marshals can, and should be, appointed on the basis of the merit system of Civil Service. The question we are

now considering is not comparable to that which was debated a while ago, affecting the Post Office Department. The argument was used with respect to postmasters, "Well, they are all recruited by Civil Service methods; the only difference is that the Postmaster General would be selecting them from the top three, using the Civil Service merit system, as compared to the political adviser." That argument appealed to the Senate—some argument must have, since we lost the vote—but with the appointment of United States marshals the Civil Service has nothing to do. It is simply a case of the old political gravy train operating. It is the spoils system without one scintilla of the Civil Service merit system.

It appears to me, since the Department of Justice is about to be reorganized and since the finger has been pointed at this department, that we should give to the Attorney General such administrative control throughout that department, on the basis of Civil Service and the merit system, that the men who are now there will continue to be there so long as they perform their work well—not according to what some political adviser may think, but according to Civil Service Commission standards, supervision, and surveillance.

Some of us prepared minority views on the pending resolution. I must say that, whether this plan is approved or is not approved, the Republic will be neither ruined nor saved, but it does propose an improvement. In our minority views we tried to point out what we considered to be the valid reasons for urging the approval of Reorganization Plan No. 4. I read:

> First, we are convinced that almost 70 years of experience have proved that the civil service system of recruiting nonpolicy public servants on the basis of proven merit is superior to the patronage spoils system.

For example, in recruiting immigration officers, would it not be a great thing for the Immigration Service to have its investigators selected by the local county committee of the Republican Party or of the Democratic Party? Would that not be a fine way to enforce the immigration laws? Would it not be a shame to have the FBI's top agents selected on the basis of whether the political parties are for them?

Here is a United States marshal, who has worked with the FBI. He has a job. He is a law-enforcement official, and a very important law-enforcement official. He is the right arm of the district attorney He is the left arm of the FBI. He is a fundamental part of an integrated law-enforcement system on the part of the Federal Government. I assert again, Mr. President, that the sooner we get law-enforcement activities completely divorced from the spoils system, the better off we shall be. Mr. President, do not misunderstand me. I heard some talk here a while ago about politics and the statement that, after all, politics is an honorable profession. It is—it can be—but the function of politics in this day and age is not to say who is going to be the local garbage collector. The responsibility of a legislator is to legislate not hand out jobs to deserving political workers, relatives, or friends.

The PRESIDING OFFICER. The time of the Senator from Minnesota has again expired.

Mr. HUMPHREY. I yield an additional 5 minutes to myself.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for an additional 5 minutes.

Mr. HUMPHREY. The duty of politicians and the duty of a political party today is to outline, promulgate, and finally pass on matters of political policy. That is the duty of the legislative branch. I must say I do not want to keep bearing down on this point, but let me tell my colleagues something: For every friend they make by filling a political-patronage job, they make 20 enemies. I think it was the late George Norris who said, "More Members of Congress have been defeated because of patronage problems than because of their votes." And that is correct. Mr. President, why should a Member of Congress be whittled away on the basis of patronage in connection with matters to which he does not even have his mind applied? He must leave those fields to his lieutenants. I say to the Democratic Party now that if its success depends upon who gets to be United States marshal or who gets to be postmaster, the Democratic Party is as dead as the dodo—and I say the same thing to the Republican Party.

Mr. MONRONEY. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. When it is said that Senators should know whom they appoint, and all that, the fact should not be overlooked there will always be States whose Representatives in the United States Senate do not belong to the dominant political party, and in such States the United States marshal, an arm of the Federal court, but a local official after all, is going to get the nod and the nomination from the boys in the smoke-filled back room of the political clubhouse. The Senate would proceed to confirm him within 5 or 10 minutes, putting its stamp of approval on a man whom no one in the Senate knew. Is it not also true that we have to depend upon political leaders, who transmit approvals through the various stages of the political organization? That is what we are talking about in connection with this program, which the able Senator from Minnesota has discussed so well. That is what we are talking about in connection with United States marshals, and it is what we shall be talking about in connection with customs collectors.

The time has come for the Congress to shed the worn-out, discredited, useless liability of political patronage. It is no more in harmony with the times and with the tempo of the tasks of today than are the pictures which hang upon the walls of the committee rooms—for example, the picture of a man with a big, handlebar mustache and sideburns, with a high-top black hat and an ascot tie.

Let us get up to date on the job we have, in trying to administer the affairs of a $70,000,000,000 or a $75,000,000,000 Government. Let us put in our time on the business management of the Government, and forget about trying to run the executive department from the legislative branch. The Constitution intended that the Executive should run his own segment of Government. We resent it when he tries to run the legislative branch. Then why should we continue to hang on because of worn-out traditions in trying to run the executive department by having a system of confirmation of nominations of United States marshals, postmasters, and customs officials?

Mr. HUMPHREY. I thank the Senator. I was just trying to touch on some of the main points in support of our views. I said that, first, we are convinced that almost 70 years of experience have proved that the civil service system of recruiting nonpolicy public servants on the basis of proven merit is superior to the patronage spoils system.

Second, United States marshals are an important part of our system of Federal law administration and enforcement. Reorganization Plan No. 4 will give the American people greater assurance that these men will be selected on a competitive basis of relevant experience and proven competence.

Third, the fact that hundreds of deputy United States marshals are now completely under civil service makes this a natural step forward. Reorganization Plan No. 4 will make it possible for these men to be promoted on the basis of achievement.

Fourth, there is every reason to expect that Reorganization Plan No. 4 will bring about precisely the kind of improvements in efficiency which the Reorganization Act was designed to provide. The ranking career officer of the Department of Justice, the Administrative Assistant Attorney General, testified to this effect before our committee. This officer, who has the most direct and the widest experience with supervising United States marshals, told the committee that the Department of Justice "will get some economy out of it; not so much in dollars and cents as we will out of the efficiency of the operation of the offices, the increased efficiency and the increased amount of work we will get out of the marshals themselves."

Fifth, the plan will provide an improved structure of accountability within the Department of Justice, and enable the Congress to improve the way in which it can hold the Attorney General responsible for the performance of all of the United States marshals. Again, Administrative Assistant Attorney General Andretta stated:

> The present position of marshal is of a political nature and as such the appointee sometimes seems to feel that his first allegiance is to the appointing officer, or to the party, or the person sponsoring his appointment, rather than to the duties of the position which he has sworn to perform * * * By removing the position from the class of political appointments and placing it on a competitive basis, the aspirant should have no delusions as to where his allegiance lies.

Sixth, extension of the merit system to United States marshals has been advocated by the most responsible students

of the administration of the executive branch. As long ago as 1912, President Taft's Commission on Economy and Efficiency, with his concurrence, recommended this step.

Mr. President, I conclude by saying that in 1937 the President's Committee on Administrative Management specifically recommended this plan. In 1949, the Hoover Commission implicitly repeated the recommendation. Although that body did not study the Department of Justice, it urged the application of general management reform to it. The Citizens Committee on the Hoover Report, and Dr. Arthur S. Flemming, a member of the Hoover Commission, and a former United States Civil Service Commissioner, both assured the committee that plan No. 4 is consistent with the recommendations of the Hoover Commission.

I shall take no further time of the Senate. I think the case is complete. It is not at all comparable to the Post Office case, in the sense that in the Post Office case there is civil-service merit up to a point. In this case there is no civil-service merit. This is the kind of politics Abraham Lincoln, when he became President of the United States, referred to when he cried out in agony, that he was besieged by would-be office seekers. It is the kind of patronage politics that brought about the reform in civil service after the assassination of President Garfield. It is the kind of politics the Government of the United States has been trying to combat for years. There has been consistent progress. Congress can again make a great forward step. No aspersions should be cast upon this honorable body for not participating in the appointment of officers. There is nothing within the constitutional framework of our Government that provides that legislators ought to be engaged in the appointment business. The job of United States marshal is not so significant that the Senate should have to confirm the nomination of a marshal.

I submit, Mr. President, there are hundreds of other persons whose positions we need to check into. The Government has many employees, all over the world, and we had better scrutinize their situations. They are the ones on whom we should spend our time, rather than horsing around with a lot of officers whose duties are not administrative.

I conclude by saying, let us put the law enforcement department of the Government on the highest plane of merit and the highest and best civil-service-merit system.

Mr. MONRONEY. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. Mr. President, in regard to the colloquy in which the Senator from Minnesota joined in connection with the remarks of the senior Senator from Georgia, I call attention to page 95 of the hearings, where it is stated that in some of the judicial districts it was found that marshals were running their own private businesses. It is stated that it is known to the Department and to many Members of the Senate that the job is not one that is considered to be so demanding that it is worthy of a man's exclusive talent. Many of these men are following their own employment.

Mr. HUMPHREY. We cannot expect a man to give up his business to take on a job as United States marshal because the local political organization feels he should be appointed. It is not in the books that he would have to give up his business. He must be provided with continuity of service on the basis of his efficiency and his merit, if we expect him to give up his business. I submit that one of the real tragedies today in American Government is the unwillingness of the American people and the unwillingness of Congress to pay our law enforcement officers as they should be paid. It is a shame to pay our assistant district attorneys the amount we pay them—$5,000, $6,000, or $7,000 to defend the public interest. Some day I shall talk about that. No wonder they have to keep their own law offices open and to divide their attention. With United States marshals being paid as they are now paid, no wonder they keep their cafes or their taverns operating, or continue their insurance business.

When the Government of the United States and the people of the country are willing to pay for clean Government, when we are willing to legislate for clean Government, we will get it. But the trouble is, we want to talk about it but not act. Whenever we are willing to stand for integrity in Government, we will get it. But we have not quite made up our minds yet. That is what we are fighting about here. We have not made up our minds as to whether we should continue to have a little of the past or to face up to the possibilities of the present. There are enough racketeers running around the country to give any United States marshal a full-time job, and there are enough to give any district attorney a full-time job. He should be paid a sufficient salary to do the work, and it would be economy for the American people. Whenever the Government of the United States and the people of America are willing to equip the law enforcement agencies of the Government with the manpower, the salaries, and the kind of job security which should be given, we will get rid of corruption. But so long as we are willing to do only half the job, we will never get rid of corruption.

I am willing to place all these positions under civil service and to pay double what is now being paid, and then we shall see the hoodlums and racketeers running for cover. We shall have good men, who are above reproach, for law-enforcement officers. When we have men who are above reproach, we must reward them adequately for their service.

Mr. President, I am glad I have had a chance to say a few words about law enforcement. We can have good law enforcement any place we want it, any time we want it, if we are willing to fight for it and pay for it. But we cannot have it unless we are willing to stand behind the law-enforcement officers and give them the kind of tenure, security, and salary they justly deserve for their sacrifices. I am not at all sure, but some day possibly we will get down to business.

The PRESIDING OFFICER. The Senator has consumed 30 minutes of his time.

Mr. McCLELLAN. Mr. President, may I inquire if the Senator from Minnesota desires to use any more time?

Mr. HUMPHREY. I may wish to retain 2 or 3 more minutes. I believe the Senator from Montana [Mr. MURRAY] wishes to file a statement.

Mr. McCLELLAN. If the Senator has concluded, I shall use 2 or 3 minutes, and then I shall suggest the absence of a quorum prior to a vote.

Mr. HUMPHREY. May I inquire if the Senator from Oklahoma has anything further he wishes to say?

Mr. MONRONEY. I have nothing further to say.

Mr. HUMPHREY. Then I think we shall be ready to vote at any time.

Mr. McCLELLAN. Mr. President, in the beginning, let me say that this is not a reorganization plan. I can add very little, if anything, to what has already been said by the able and distinguished senior Senator from Nevada [Mr. McCARRAN], who is chairman of the Senate Committee on the Judiciary. However, I believe the RECORD should show that the Reorganization Act, under the subheading "Limitations on powers with respect to reorganizations," provides, in section 5, subparagraph 5, as follows:

> (a) No reorganization plan shall provide for, and no reorganization under this act shall have the effect of—
>
> (5) increasing the term of any office beyond that provided by law for such office.

That is the act which granted the President of the United States power to submit a reorganization plan. It is the act of Congress which provided the rules under which we are now proceeding in considering this reorganization plan.

Mr. President, I would have just as much right, individually and as a Member of the Senate, to violate the rules under which we are operating at this moment as the President had to submit a plan which does nothing but change the term of office and change the appointive power. That is what is provided under this plan.

If Congress writes into the law an inhibition, a limitation, then we have a right to expect the President of the United States to observe that limitation and to operate within it.

Shall we, by a vote of record, sanction openly a usurpation of power which the statute plainly says is denied and is not granted?

I have never heard of any corruption in the offices of United States marshals. None was established at the hearings before our committee. I have heard of none anywhere. There has been talk about cleaning up corruption. It has been said that perhaps some marshals do not have to work full time. The truth is, according to the argument of the able and distinguished Senator from Minnesota, that marshals are not paid for full-time work. I may say that the two marshals in my State serve full time. They are competent, experienced, trained, and capable.

Whenever we hear it said that the patronage system does not work, we may

be sure the fault lies with the appointing authority. I take full responsibility for those whom I recommend. I appoint men of character, stature, and ability to perform their duties. Every Senator should be willing to take the same responsibility. No scandal is attached, and none will attach.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield.

Mr. JOHNSTON of South Carolina. Is it not true, under existing law, that when marshals work overtime they receive no extra pay?

Mr. McCLELLAN. That is absolutely correct.

Mr. JOHNSTON of South Carolina. Whereas under the proposed plan, if marshals worked overtime, they would receive extra pay.

Mr. McCLELLAN. They could stay in their offices all day until 5 o'clock, or quitting time, with not a thing in the world to do—and many marshals' offices do not have a thing to do. We all know that. That is the whole truth of the situation. They could stay in their offices until 5 o'clock in the afternoon, and if they had a summons or subpena to serve, they could be held to have worked 5 or 6 hours overtime in trying to serve the subpena.

The proposed reorganization plan definitely will increase costs. No greater efficiency would be provided under the proposed plan. The marshals would be no more efficient after the plan went into effect than they are now. They would be no more honest. As I have said today on the Senate floor, this is simply another assault on the check-and-balance power of the legislative branch as against the executive branch of the Government.

Mr. JOHNSTON of South Carolina. Is it not also true that it was brought out in the committee hearings that under the proposed reorganization plan marshals could be sent into Arkansas, South Carolina, Illinois, New York, or California, if that were desired?

Mr. McCLELLAN. Mr. President, there can be no question about that. The only requirement of residence that attaches to a marshal today is that he live—not be a resident for so long, but that he live—in the district where he is appointed. If a marshal were qualified in Arkansas under the proposed plan, the minute he was qualified, he could be sent to Minnesota, Montana, or New York, and we could not do anything about it to save our lives. That is not democracy. We want to keep the Government as close to the people as we can. I do not know what would happen to it under the proposed plan; I cannot predict; but I want to say that the political reprisals and political favors that are talked about do not all emanate from the grass roots. I have seen them start from the top. I have felt the effect of them. My desire is to keep government back with the people, where they can control it and keep the sun on the politics involved. Then we will keep control of the power. Speaking about the recommendations being made in dark rooms, where men are smoking cigars, this is the way to do it. This is the way to take public affairs away from the view, observation, and clear vision of the people who are to be served.

Mr. President, this plan should be defeated. If it is desired to place marshals under civil service, as postmasters are today, I have no objection. But as I listened to the very able Senator from Minnesota speaking—and I do not think he meant to say this—he suggested that we ought to be concerned about a number of higher officials, and that they should have Senate confirmation. I wish to say that there are too many appointments being made today, and not too few, without Senate confirmation. More appointments should be confirmed than is now the case. I know that confirmations occur rather quickly sometimes. Nevertheless, Senators have had an opportunity to consider them. If information has come to us that would tend to disqualify an applicant or a nominee, or that would cause us to raise an inquiry or a doubt about him, we have an opportunity to look into the matter. Perhaps there would be only one such case out of a thousand. Of all the appointments, I do not know what percentage is turned down by the Senate. Perhaps it is one out of a thousand among postmasters; perhaps it is one out of hundreds among marshals. But that one will justify the Senate in keeping an eye open, assuming its responsibility, and checking against abuses that could be committed if Senate confirmation were eliminated.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Moody
Anderson	Hoey	Morse
Bennett	Holland	Mundt
Brewster	Humphrey	Murray
Bricker	Hunt	Neely
Bridges	Ives	Nixon
Butler, Md.	Jenner	O'Conor
Capehart	Johnson, Colo.	O'Mahoney
Case	Johnston, S. C.	Pastore
Chavez	Kem	Robertson
Clements	Kerr	Saltonstall
Connally	Kilgore	Schoeppel
Cordon	Knowland	Seaton
Douglas	Langer	Smathers
Dworshak	Lehman	Smith, Maine
Eastland	Lodge	Smith, N. J.
Ecton	Long	Smith, N. C.
Ellender	Magnuson	Sparkman
Ferguson	Malone	Stennis
Flanders	Martin	Taft
Frear	Maybank	Thye
George	McCarran	Tobey
Gillette	McCarthy	Underwood
Green	McClellan	Watkins
Hayden	McFarland	Welker
Hendrickson	McKellar	Wiley
Hennings	Millikin	Williams
Hickenlooper	Monroney	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to Senate Resolution 330, disapproving Reorganization Plan No. 4 of 1952, relating to the Department of Justice.

Mr. HUMPHREY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Will the Chair please state, with respect to this resolution, as he did with respect to the prior resolution, how votes are to be cast either for or against the plan?

The PRESIDING OFFICER. The question is on agreeing to the resolution, which would disapprove Reorganization Plan No. 4. Senators who vote "yea" will vote against the reorganization plan. Senators who vote "nay" will vote to approve the reorganization plan.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. McFARLAND. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], and the Senator from Texas [Mr. JOHNSON] are absent on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent because of illness in his family.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

I announce further that, if present and voting, the Senator from Connecticut [Mr. BENTON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Connecticut [Mr. McMAHON] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON] is necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from Pennsylvania [Mr. DUFF] are detained on official business.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The yeas and nays resulted—yeas 55, nays 28, as follows:

YEAS—55

Bennett	Hill	McClellan
Brewster	Hoey	McFarland
Bricker	Holland	McKellar
Bridges	Hunt	Millikin
Butler, Md.	Ives	Mundt
Capehart	Johnson, Colo.	Neely
Case	Johnston, S. C.	O'Mahoney
Chavez	Kem	Saltonstall
Connally	Kerr	Schoeppel
Cordon	Kilgore	Smathers
Dworshak	Langer	Smith, Maine
Eastland	Lodge	Smith, N. C.
Ecton	Long	Sparkman
Ellender	Magnuson	Stennis
George	Malone	Underwood
Hayden	Martin	Watkins
Hendrickson	Maybank	Welker
Hennings	McCarran	
Hickenlooper	McCarthy	

NAYS—28

Aiken	Jenner	Robertson
Anderson	Knowland	Seaton
Clements	Lehman	Smith, N. J.
Douglas	Monroney	Taft
Ferguson	Moody	Thye
Flanders	Morse	Tobey
Frear	Murray	Wiley
Gillette	Nixon	Williams
Green	O'Conor	
Humphrey	Pastore	

NOT VOTING—13

Benton	Dirksen	McMahon
Butler, Nebr.	Duff	Russell
Byrd	Fulbright	Young
Cain	Johnson, Tex.	
Carlson	Kefauver	

The PRESIDING OFFICER (Mr. HOLLAND in the chair). On this vote the yeas are 55, the nays 28. A majority of the authorized Members of the Senate having voted in the affirmative, the resolution (S. Res. 330) is agreed to, and Reorganization Plan No. 4 of 1952 is disapproved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, notified the Senate that Mr. PICKETT and Mr. REED of Illinois had been appointed as additional managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1558. An act to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.;

H. R. 1793. An act for the relief of Tokuko Kobayashi and her minor son;

H. R. 1913. An act for the relief of Milagros Aujero;

H. R. 2278. An act for the relief of Mrs. Katherine L. Sewell;

H. R. 2860. An act for the relief of Inez Pryer (Sister Mary Carmel);

H. R. 3071. An act for the relief of Vito Aiuto;

H. R. 3134. An act for the relief of Angela Trinidade;

H. R. 3494. An act to authorize the sale of certain public land in Alaska to the Catholic Bishop of Northern Alaska for use as a mission;

H. R. 3896. An act for the relief of Frank A. Wefel;

H. R. 3928. An act for the relief of Alfredo Mario Mattera;

H. R. 4163. An act for the relief of Francis C. Dennis and Marvin Spires, of Eastover, S. C.;

H. R. 4385. An act for the relief of Jack Kamal Samhat;

H. R. 4502. An act for the relief of Santos Sanabria Alvarez;

H. R. 4590. An act for the relief of Jose Luis Segimont de Plandolit and Fuencisla Segimont;

H. R. 4630. An act for the relief of Ayako Kimura;

H. R. 4634. An act for the relief of Johann Komma;

H. R. 4719. An act for the relief of Yee Chin-ying and Yee Won-yi;

H. R. 4758. An act for the relief of Donald James Darmody;

H. R. 4810. An act authorizing and directing the Commissioner of Public Lands of the Territory of Hawaii to issue a right of purchase lease to Edward C. Searle;

H. R. 4842. An act for the relief of Joseph Manchion;

H. R. 4891. An act for the relief of the estate of Emil A. Peshek;

H. R. 5126. An act for the relief of Lucian Roach, doing business as the Riverside Lumber Co.;

H. R. 5458. An act for the relief of Joyce Oerlemans Haug;

H. R. 5499. An act for the relief of Tamaki Sakasai Cordova;

H. R. 5539. An act for the relief of Hiroko Doki and Takako Doki;

H. R. 5570. An act for the relief of Paul Myung Ha Chung;

H. R. 5578. An act for the relief of Rollins F. Baker and other employees of The Alaska Railroad;

H. R. 5624. An act for the relief of Tokusaburo Imamura Glasscock;

H. R. 6011. An act for the relief of Tsuyoshi Nagahama;

H. R. 6070. An act for the relief of Paul Gust Williams;

H. R. 6083. An act for the relief of Amalia Architetto;

H. R. 6356. An act for the relief of William J. Martin;

H. R. 6385. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes;

H. R. 6415. An act for the relief of George Rodney Giltner (formerly Joji Wakamiya);

H. R. 6445. An act for the relief of Jacob Athias Robles and Esther de Castro Robles;

H. R. 6640. An act for the relief of Hitomi Matsushita;

H. R. 6381. An act authorizing the issuance of a patent in fee to John B. Cummins;

H. R. 7303. An act authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation;

H. R. 7331. An act for the relief of Andrianne Luiz and John Luiz; and

H. R. 7711. An act for the relief of Henry C. Bush and other Foreign Service officers.

ENROLLED BILLS SIGNED

The message also further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 355. An act for the relief of Jean Krueger and Edith Krueger;

S. 587. An act for the relief of Sotirios Christos Roumanis;

S. 779. An act for the relief of Ziemowit Z. Karpinski;

S. 1032. An act to authorize each of the States of North Dakota, South Dakota, and Washington to pool moneys derived from lands granted to it for public schools and various State institutions;

S. 1360. An act to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of John J. Snoke;

S. 1363. An act for the relief of Ceasar J. (Raaum) Syquia;

S. 1555. An act for the relief of Rosarina Garofalo;

S. 1566. An act for the relief of Constantin Alexander Solomonides;

S. 1637. An act for the relief of Doreen Iris Neal;

S. 1676. An act for the relief of Helen Sadako Yamamoto;

S. 1681. An act for the relief of Sister Maria Seidl and Sister Anna Ambrus;

S. 1715. An act for the relief of Else Neubert and her two children;

S. 1776. An act for the relief of Sister Stanislaus;

S. 1843. An act for the relief of John Kintzig and Tatiana A. Kintzig;

S. 1903. An act for the relief of Toshiko Minowa;

S. 2256. An act for the relief of Col. Julia O. Flikke and Col. Florence A. Blanchfield;

S. 2561. An act for the relief of Susan Patricia Manchester;

S. 2566. An act for the relief of Niccolo Luvisotti;

S. 2635. An act for the relief of Mrs. Marie Y. Mueller;

S. 2696. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States;

S. 2706. An act for the relief of Sister Julie Schuler; and

H. R. 1114. An act for the relief of Edward Charles Cleverley.

ADDITIONAL HOUSE BILLS REFERRED

The following additional bills were severally read twice by their titles and referred as indicated:

H. R. 1793. An act for the relief of Tokuko Kobayashi and her minor son;

H. R. 1913. An act for the relief of Milagros Aujero;

H. R. 2278. An act for the relief of Mrs. Katherine L. Sewell;

H. R. 2860. An act for the relief of Inez Pryer (Sister Mary Carmel);

H. R. 3071. An act for the relief of Vito Aiuto;

H. R. 3134. An act for the relief of Angela Trinidade;

H. R. 3896. An act for the relief of Frank A. Wefel;

H. R. 3928. An act for the relief of Alfredo Mario Mattera;

H. R. 4163. An act for the relief of Francis C. Dennis and Marvin Spires, of Eastover, S. C.;

H. R. 4385. An act for the relief of Jack Kamal Samhat;

H. R. 4502. An act for the relief of Santos Sanabria Alvarez;

H. R. 4590. An act for the relief of Jose Luis Segimont de Plandolit and Fuencisla Segimont;

H. R. 4630. An act for the relief of Ayako Kimura;

H. R. 4634. An act for the relief of Johann Komma;

H. R. 4719. An act for the relief of Yee Chin-ying and Yee Won-yi;

H. R. 4758. An act for the relief of Donald James Darmody;

H. R. 4842. An act for the relief of Joseph Manchion;

H. R. 4891. An act for the relief of the estate of Emil A. Peshek;

H. R. 5126. An act for the relief of Lucian Roach, doing business as the Riverside Lumber Co.;

H. R. 5458. An act for the relief of Joyce Oerlemans Haug;

H. R. 5499. An act for the relief of Tamaki Sakasai Cordova;

H. R. 5539. An act for the relief of Hiroko Doki and Takako Doki;

H. R. 5570. An act for the relief of Paul Myung Ha Chung;

H. R. 5578. An act for the relief of Rollins F. Baker and other employees of The Alaska Railroad;

H. R. 5624. An act for the relief of Tokusaburo Imamura Glasscock;

H. R. 6011. An act for the relief of Tsuyoshi Nagahama;

H. R. 6070. An act for the relief of Paul Gust Williams;

H. R. 6083. An act for the relief of Amalia Architetto;

H. R. 6356. An act for the relief of William J. Martin;

H. R. 6415. An act for the relief of George Rodney Giltner (formerly Joji Wakamiya);

H. R. 6445. An act for the relief of Jacob Athias Robles and Esther de Castro Robles;

H. R. 6640. An act for the relief of Hitomi Matsushita;

H. R. 7331. An act for the relief of Andrianne Luiz and John Luiz; and

H. R. 7711. An act for the relief of Henry C. Bush and other Foreign Service officers; to the Committee on the Judiciary.

H. R. 1558. An act to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.;

H. R. 3494. An act to authorize the sale of certain public land in Alaska to the Catholic bishop of northern Alaska for use as a mission;

H. R. 4810. An act authorizing and directing the Commissioner of Public Lands of the Territory of Hawaii to issue a right of purchase lease to Edward C. Searle;

H. R. 6385. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes;

H. R. 6681. An act authorizing the issuance of a patent in fee to John B. Cummins; and

H. R. 7303. An act authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation; to the Committee on Interior and Insular Affairs.

OVERTIME PAY FOR EMPLOYEES OF IMMIGRATION SERVICE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1539) to amend an act entitled "An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service," approved March 2, 1931, which was to strike out all after the enacting clause and insert:

That the proviso in section 2 of the act entitled "An act to provide extra compensation for overtime service performed by immigration inspectors and other employees of the Immigration Service", approved March 2, 1931 (U. S. C. title 8, sec. 109b) is amended by striking out "*Provided*, That this section shall not apply to the inspection at designated ports of entry of passengers arriving by international ferries, bridges, or tunnels, or by aircraft, railroad trains, or vessels on the Great Lakes and connecting waterways, when operating on regular schedules.", and inserting in lieu thereof the following: "*Provided*, That this section shall not apply to the inspection at designated ports of entry of persons arriving by motor vehicles, trolley car, on foot, or by other means of highway travel upon, over, or through any international highway, bridge, tunnel, or ferry, or, when operating on regular schedules, by aircraft, railroad trains, or vessels on the Great Lakes and connecting waterways."

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate disagree to the amendment of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. JOHNSTON of South Carolina, Mr. PASTORE, and Mr. BENNETT conferees on the part of the Senate.

AMENDMENT OF COMMUNICATIONS ACT OF 1934

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 658) to further amend the Communications Act of 1934, which was to strike out all after the enacting clause and insert:

That this act may be cited as the "Communications Act Amendments, 1952."

SEC. 2. Paragraph (o) of section 3 of the Communications Act of 1934, as amended, is amended to read as follows:

"(o) 'Broadcasting' means the dissemination of radio communications intended to be received directly by the public."

SEC. 3. Section 3 of such act is amended by adding after subsection (aa) the following:

"(bb) 'Station license,' 'radio station license,' or 'license' means that instrument of authorization required by this act or the rules and regulations of the Commission made pursuant to this act, for the use or operation of apparatus for transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission.

"(cc) 'Broadcast station,' 'broadcasting station,' or 'radio broadcast station' means a radio station equipped to engage in broadcasting as herein defined.

"(dd) 'Construction permit' or 'permit for construction' means that instrument of authorization required by this act or the rules and regulations of the Commission made pursuant to this act for the construction of a station, or the installation of apparatus, for the transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission."

SEC. 4. (a) Subsection (b) of section 4 of such act is amended by striking out the last two sentences thereof and inserting in lieu of such sentences the following: "Such commissioners shall not engage in any other business, vocation, profession, or employment; but this shall not apply to the preparation of technical or professional publications for which a reasonable honorarium or compensation may be accepted. Not more than four members of the Commission shall be members of the same political party."

(b) Paragraph (2) of subsection (f) of section 4 of such act is amended by striking out "(2)" and inserting in lieu thereof "(3)"; and such subsection (f) is further amended by striking out paragraph (1) thereof and inserting in lieu of such paragraph the following paragraphs:

"(f) (1) The Commission shall have authority, subject to the provisions of the civil-service laws and the Classification Act of 1949, as amended, to appoint such officers, engineers, accountants, attorneys, inspectors, examiners, and other employees as are necessary in the exercise of its functions.

"(2) Without regard to the civil-service laws, but subject to the Classification Act of 1949, each commissioner may appoint and fix the compensation of a professional assistant who shall perform such duties as such commissioner shall direct."

(c) The first sentence of subsection (g) of section 4 of such act is amended to read as follows: "The Commission may make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere), for office supplies, law books, periodicals, and books of reference, for printing and binding, for land for use as sites for radio monitoring stations and related facilities, including living quarters where necessary in remote areas, for the construction of such stations and facilities, and for the improvement, furnishing, equipping, and repairing of such stations and facilities and of laboratories and other related facilities (including construction of minor subsidiary buildings and structures not exceeding $25,000 in any one instance) used in connection with technical research activities), as may be necessary for the execution of the functions vested in the Commission and as from time to time may be appropriated for by Congress."

(d) Subsection (k) of section 4 of such act is amended to read as follows:

"(k) The Commission shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain—

"(1) such information and data collected by the Commission as may be considered of value in the determination of questions connected with the regulation of interstate and foreign wire and radio communication and radio transmission of energy;

"(2) such information and data concerning the functioning of the Commission as will be of value to Congress in appraising the amount and character of the work and accomplishments of the Commission and the adequacy of its staff and equipment: *Provided*, That the first and second annual reports following the date of enactment of the Communications Act Amendments, 1952, shall set forth in detail the number and caption of pending applications requesting approval of transfer of control or assignment of a broadcasting station license, or construction permits for new broadcasting stations, or for increases in power, or for changes of frequency of existing broadcasting stations at the beginning and end of the period covered by such reports;

"(3) information with respect to all persons taken into the employment of the Commission during the year covered by the report, including names, pertinent biographical data and experience, Commission positions held and compensation paid, together with the names of those persons who have left the employ of the Commission during such year: *Provided*, That the first annual report following the date of enactment of the Communications Act Amendments, 1952, shall contain such information with respect to all persons in the employ of the Commission at the close of the year for which the report is made;

"(4) an itemised statement of all funds expended during the preceding year by the Commission, of the sources of such funds, and of the authority in this act or elsewhere under which such expenditures were made; and

"(5) specific recommendations to Congress as to additional legislation which the Commission deems necessary or desirable, including all legislative proposals submitted for approval to the Director of the Bureau of the Budget."

SEC. 5. Section 5 of such act is amended to read as follows:

"ORGANIZATION AND FUNCTIONING OF THE COMMISSION

"SEC. 5. (a) The member of the Commission designated by the President as chairman shall be the chief executive officer of the Commission. It shall be his duty to preside at all meetings and sessions of the Commission, to represent the Commission in all matters relating to legislation and legislative reports, except that any commissioner may present his own or minority views or supplemental reports, to represent the Commission in all matters requiring conferences or communications with other governmental officers, departments, or agencies, and generally to coordinate and organize the work of the Commission in such manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission. In the case of a vacancy in the office of the chairman of the Commission, or the absence or inability of the chairman to serve, the Commission may temporarily designate one of its members to act as chairman until the cause or circumstance requiring such designation shall have been eliminated or corrected.

"(b) Within 6 months after the enactment of the Communications Act Amendments, 1952, and from time to time thereafter as the Commission may find necessary, the Commission shall organize its staff into (1) integrated bureaus, to function on the basis of the Commission's principal workload operations, and (2) such other divisional organizations as the Commission may deem necessary to handle that part of its workload which cuts across more than one integrated bureau or which does not lend itself to the integrated bureau set-up. Each such integrated bureau shall include such legal, engineering, accounting, administrative, clerical, and other personnel as the Commission may determine to be necessary to perform its functions.

"(c) The Commission shall establish a special staff of employees, hereinafter in this act referred to as the 'review staff,' which shall consist of such legal, engineering, accounting, and other personnel as the commission deems necessary. The review staff shall be directly responsible to the Commission and shall not be made a part of any bureau or divisional organization of the Commission. Its work shall not be supervised or directed by any employee of the Commission other than a member of the review staff whom the Commission may designate as the head of such staff. The review staff shall perform no duties or functions other than to assist the Commission, in cases of adjudication (as defined in the Administrative Procedure Act) which have been designated for hearing, by preparing, without recommendations, a summary of the evidence presented at any such hearing, by preparing without recommendations, after an initial decision but prior to oral argument, a compilation of the facts material to the exceptions and replies thereto filed by the parties, and by preparing for the Commission or any member or members thereof, without recommendations and in accordance with specific directions from the Commission or such member or members, memoranda, opinions, decisions, and orders. The Commission shall not permit any employee who is not a member of the review staff to perform the duties and functions which are to be performed by the review staff; but this shall not be construed to limit the duties and functions which a professional assistant appointed pursuant to section 4 (f) (2) may perform for the commissioner by whom he was appointed.

"(d) (1) The Commission is hereby authorized by its order to divide the members thereof into not more than three panels, each to consist of not less than three members. Any commissioner may be assigned to and may serve upon such panel or panels as the Commission may direct, and each panel shall choose its own chairman. In case of a vacancy in any panel, or of absence or inability to serve thereon of any commissioner thereto assigned, the chairman of the Commission or any commissioner designated by him for that purpose may temporarily serve on said panel until the Commission shall otherwise order.

"(2) Except as provided in section 409, the Commission may by order direct that any of its work, business, or functions arising under this or any other act of Congress, or referred to it by Congress or by either branch thereof, be assigned or referred to any of said panels for action thereon, and may by order at any time amend, modify, supplement, or rescind any such direction.

"(3) In conformity with and subject to the order or orders of the Commission in the premises, each panel so constituted shall have power and authority by a majority thereof to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to it for action, and in respect thereof shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any of said panels in respect of any matters so assigned or referred to it shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the Commission, subject to rehearing by the Commission as provided in section 405 of this act for rehearing cases decided by the Commission. The secretary and seal of the Commission shall be the secretary and seal of each panel thereof.

"(e) (1) Except as provided in section 409, the Commission may by order assign or refer any portion of its work, business, or functions arising under this or any other act of Congress, or referred to it by Congess or either branch thereof, to an individual commissioner, or to a board composed of an employee or employees of the Commission, to be designated by such order for action thereon, and may by order at any time amend, modify, supplement, or rescind any such assignment or reference. In case of the absence, or inability for any other reason to act, of any such individual commissioner or of any employee designated to serve upon any such board, the chairman of the Commission may designate another commissioner or employee, as the case may be, to serve temporarily until the Commission shall otherwise order.

"(2) In conformity with and subject to the order or orders of the Commission in the premises, any such individual commissioner, or board acting by a majority thereof, shall have power and authority to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to him or it for action, and in respect thereof shall have all the jurisdiction and powers conferred by law upon the Commission and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any such individual commissioner or board in respect of any matters so assigned or referred shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the Commission, subject to rehearing by the Commission as provided in section 405 of this act for rehearing cases decided by the Commission. Every petition for such a rehearing shall be passed upon by the Commission. The Commission may make and amend rules for the conduct of proceedings before any such individual commissioner or board. The secretary and seal of the Commission shall be the secretary and seal of such individual commissioner or board.

"(f) Nothing in this section contained, or done pursuant thereto, shall be deemed to divest the Commission of any of its powers.

"(g) Meetings of the Commission shall be held at regular intervals, not less frequently than once each calendar month, at which times the functioning of the Commission and the handling of its work load shall be reviewed and such orders shall be entered and other action taken as may be necessary or appropriate to expedite the prompt and orderly conduct of the business of the Commission with the objective of rendering a final decision (1) within 3 months from the date of filing in all original application, renewal, and transfer cases in which it will not be necessary to hold a hearing, and (2) within 6 months from the final date of the hearing in all hearing cases; and the Commission shall promptly report to the Congress each such case which has been pending before it more than such 3- or 6-month period, respectively, stating the reasons therefor."

SEC. 6. (a) Subsection (d) of section 307 of such act is amended to read as follows:

"(d) No license granted for the operation of a broadcasting station shall be for a longer term than 3 years and no license so granted for any other class of station shall be for a longer term than 5 years, and any license granted may be revoked or suspended as hereinafter provided. Upon the expiration of any license, upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed 3 years in the case of broadcasting licenses, and not to exceed 5 years in the case of other licenses, if the Commission finds that public interest, convenience, and necessity would be served thereby. In order to expedite action on applications for renewal of broadcasting station licenses and in order to avoid needless expense to applicants for such renewals, the Commission shall not require any such applicant to file any information which previously had been furnished to the Commission or which is not directly material to the considerations that affect the granting or denial of such application. Pending any hearing and final decision on such an application and the disposition of any petition for rehearing pursuant to section 405, the Commission shall continue such license in effect."

(b) Section 307 of such act is amended by adding at the end thereof the following subsection:

"(f) If the Commission, instead of granting the application of a licensee for the renewal of its station license, grants to another applicant a station license for the same or mutually exclusive facilities, and if the applicant for renewal has operated substantially as set forth in the license and has not willfully violated or failed to observe any of the restrictions and conditions of this act or of any regulation of the Commission authorized by this act or by a treaty ratified by the United States, then, if the applicant for renewal so requests, the grant of the station license to the other applicant shall be conditioned upon the purchase, by the other applicant, of the physical plant and equipment theretofore used for station purposes by the applicant for renewal, at a price equal to the fair value of such plant and equipment, as determined by the Commission."

SEC. 7. (a) So much of subsection (a) of section 308 of such Act as precedes the second proviso is amended to read as follows: "The Commission may grant construction permits and station licenses, or modifications or renewals thereof, only upon written application therefor received by it: *Provided*, That (1) in cases of emergency found by the Commission involving danger to life or property or due to damage to equipment, or (2) during a national emergency proclaimed by the President or declared by the Congress and during the continuance of any war in which the United States is engaged and when such action is necessary for the national defense or security or otherwise in furtherance of the war effort, or (3) in cases of emergency where the Commission finds, in the nonbroadcast services, that it would not be feasible to secure renewal applications from existing licensees or otherwise to follow normal licensing procedure, the Commission may grant construction permits and station licenses, or modifications or renewals thereof, during the emergency so found by the Commission or during the continuance of any such national emergency or war, in such manner and upon such terms and conditions as the Commission shall by regulation prescribe, and without the filing of a formal application, but no authorization so granted shall continue in effect beyond the period of the emergency or war requiring it:".

(b) The first sentence of subsection (b) of section 308 of such act is amended by striking out the words "All such applications shall set forth" and inserting in lieu thereof "All applications for station licenses, or modifications or renewals thereof, shall set forth."

(c) Section 308 of such act is amended by adding at the end thereof the following subsection:

"(d) The Commission shall not make or promulgate any rule or regulation, of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information and no application for a construction permit or station license, or for the renewal, modification, or transfer of such a permit or license, shall be denied by the Commission solely because of any such interest, association, or ownership."

SEC. 8. Section 309 of such act is amended to read as follows:

"ACTION UPON APPLICATIONS; FORM OF AND CONDITIONS ATTACHED TO LICENSES

"SEC. 309. (a) If, upon examination of any application provided for in section 308, the Commission shall find that public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.

"(b) If, upon examination of any such application, the Commission is unable to make the finding specified in subsection (a), it shall forthwith notify the applicant and other known parties in interest of the grounds and reasons for its inability to make such finding. Such notice, which shall precede formal designation for a hearing, shall advise the applicant and all other known parties in interest of all objections made to the application as well as the source and nature of such objections. Following such notice, the applicant shall be given an opportunity to reply. If the Commission, after considering such reply, shall be unable to make the finding specified in subsection (a), it shall formally designate the application for hearing on the grounds or reasons then obtaining and shall notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally. The parties in interest, if any, who are not notified by the Commission of its action with respect to a particular application may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest at any time not less than 10 days prior to the date of hearing. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate but in which both the burden of proceeding with the introduction of evidence upon any issue specified by the Commission, as well as the burden of proof upon all such issues, shall be upon the applicant.

"(c) When any instrument of authorization is granted by the Commission without a hearings as provided in subsection (a) hereof, such grant shall remain subject to protest as hereinafter provided for a period of 30 days. During such 30-day period any party in interest may file a protest under oath directed to such grant and request a hearing on said application so granted. Any protest so filed shall contain such allegations of fact as will show the protestant to be a party in interest and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. The Commission shall, within 15 days from the date of the filing of such protest, enter findings as to whether such protest meets the foregoing requirements and if it so finds the application involved shall be set for hearing upon the issues set forth in said protest, together with such further specific issues, if any, as may be prescribed by the Commission. In any hearing subsequently held upon such application all issues specified by the Commission shall be tried in the same manner provided in subsection (b) hereof, but with respect to all issues set forth in the protest and not specifically adopted by the Commission, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the protestant. The hearing and determination of cases arising under this subsection shall be expedited by the Commission and pending hearing and decision the effective date of the Commission's action to which protest is made shall be postponed to the effective date of the Commission's decision after hearing, unless the authorization involved is necessary to the maintenance or conduct of an existing service, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing.

"(d) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject: (1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein; (2) neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this act; (3) every license issued under this act shall be subject in terms to the right of use or control conferred by section 606 hereof."

SEC. 9. Subsection (b) of section 310 of said act is amended to read as follows:

"(b) No construction permit or station license, or any rights thereunder, shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such permit or license, to any person except upon application to the Commission and upon finding by the Commission that the public interest, convenience and necessity will be served thereby. Any such application shall be disposed of as if the proposed transferee or assignee were making application under section 308 for the permit or license in question; but in acting thereon the Commission may not consider whether the public interest, convenience, and necessity might be served by the transfer, assignment, or disposal of the permit or license to a person other than the proposed transferee or assignee."

SEC. 10. Section 312 of such act is amended to read as follows:

"ADMINISTRATIVE SANCTIONS

"SEC. 312. (a) Any station license may be revoked, or may be suspended for a period not to exceed 90 days, and any construction permit may be revoked—

"(1) for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to section 308;

"(2) because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license or permit on an original application;

"(3) for willful or repeated failure to operate substantially as set forth in the license;

"(4) for willful or repeated violation of, or willful or repeated failure to observe, any provision of this act or any rule or regulation of the Commission authorized by this act or by a treaty ratified by the United States; and

"(5) for violation of or failure to observe any cease and desist order issued by the Commission under this section.

"(b) Where any person (1) has failed to operate substantially as set forth in a license, or (2) has violated or failed to observe any of the provisions of this act, or (3) has violated or failed to observe any rule or regulation of the Commission authorized by this act or by a treaty ratified by the United States, the Commission may order such person to cease and desist from such action.

"(c) Before revoking or suspending a license or revoking a permit pursuant to subsection (a), or issuing a cease and desist order pursuant to subsection (b), the Commission shall serve upon the licensee, permittee, or person involved an order to show cause why an order of revocation or suspension or a cease and desist order should not be issued. Any such order to show cause shall contain a statement of the matters with respect to which the Commission is inquiring and shall call upon said licensee, permittee, or person to appear before the Commission at a time and place stated in the order, but in no event less than 30 days after the receipt of such order, and give evidence upon the matter specified therein; except that where safety of life or property is involved, the Commission may provide in the order for a shorter period. If after hearing, or a waiver thereof, the Commission determines that an order of revocation or suspension or a cease and desist order should issue, it shall issue such order, which shall include a statement of the findings of the Commission and the grounds and reasons therefor and specify the effective date of the order, and shall cause the same to be served on said licensee, permittee, or person.

"(d) Except insofar as other provisions of this act provide for specific forfeitures, in any case where subsection (a) or (b) of this section authorizes the revocation or suspension of a license, the revocation of a construction permit, or the issuance of a cease and desist order, and in any case where section 303 (m) of this act provides for the suspension of an operator's license, the Commission may, in lieu of revoking or suspending the license, or revoking the permit, or issuing the cease and desist order, or in addition to issuing the cease and desist order, direct the payment of a forfeiture to the United States of the sum of $500 for each day during which any offense specified in subsection (a) or (b) of this section, or in section 303 (m), occurred, or such lesser sum as the Commission may find appropriate in the light of all of the facts and circumstances of the particular case. Before the imposition of any forfeiture herein provided for, the Commission shall serve a notice of apparent liability for the forfeiture of a specific sum of money, which sum may be determined by the Commission on the basis of information then before it. Such notice shall give a reasonable opportunity to apply for a hearing, or, if a hearing is waived, to submit a written request for remission, or reduction in the amount, of the forfeiture, such written request to be supported by a statement of the facts warranting remission or reduction. The Commission, upon final determination of the amount of any forfeiture, shall give notice thereof and specify the time, not less than 30 days after receipt of notice, within which to pay such sum into the Treasury of the United States. If not paid within the period specified, suit may be brought as provided in section 504 of this act for recovery of a forfeiture. In any case where the Commission has served an order to show cause pursuant to subsection (c) of this section, the Commission, after hearing or waiver thereof as therein provided, may, in lieu of revoking or suspending a license, or revoking a permit, or issuing a cease and

desist order, or in addition to issuing a cease and desist order, in such proceeding, impose the forfeiture provided for in this subsection. If a hearing is waived, a reasonable opportunity shall be given to submit a written request for remission, or reduction in the amount of the forfeiture, supported by a statement of the facts warranting remission or reduction. Any forfeiture ordered after the service of an order to show cause shall be collected as provided above.

"(e) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission.

"(f) The provisions of section 9 (b) of the Administrative Procedure Act which apply with respect to the institution of any proceeding for the suspension or revocation of a license or permit shall apply also with respect to the institution, under this section, of any proceeding for the issuance of a cease and desist order or for the imposition of a forfeiture."

SEC. 11. That section 315 of the Communications Act of 1934 (47 U. S. C. 315) is amended to read as follows:

"FACILITIES FOR CANDIDATES FOR PUBLIC OFFICE

"SEC. 315. (a) If any licensee shall permit any legally qualified candidate for any public office in a primary, general, or other election, or any person authorized in writing by such candidate to speak on his behalf, to use a broadcasting station, such licensee shall afford equal opportunities in the use of such broadcasting station to all other such candidates for that office or to persons authorized in writing by such other candidates to speak on their behalf.

"(b) The licensee shall have no power to censor the material broadcast by any person who is permitted to use its station in any of the cases enumerated in subsection (a) or who uses such station by reason of any requirement specified in such subsection; and the licensee shall not be liable in any civil or criminal action in any local, State, or Federal court because of any material in such a broadcast, except in case said licensee shall willfully, knowingly, and with intent to defame participate in such broadcast.

"(c) Except to the extent expressly provided in subsection (a), nothing in this section shall impose upon any licensee any obligation to allow the use of its broadcasting station by any person.

"(d) The charges made for the use of any broadcasting station for any of the purposes set forth in this section shall not exceed the minimum charges made for comparable use of such station for other purposes.

"(e) The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section."

SEC. 12. Such act is amended by adding after section 315 the following section:

"MODIFICATION BY COMMISSION OF CONSTRUCTION PERMITS OR LICENSES

"SEC. 316. (a) Any station license or construction permit may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this act or of any treaty ratified by the United States will be more fully complied with. No such order of modification shall become final until the holder of the license or permit shall have been notified in writing of the proposed action and the grounds and reasons therefor, and shall have been given reasonable opportunity, in no event less than 30 days, to show cause by public hearing, if requested, why such order of modification shall not issue: *Provided*, That where safety of life or property is involved, the Commission may by order provide for a shorter period of notice.

"(b) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission."

SEC. 13. (a) The first sentence of subsection (a) of section 319 of such act is amended by striking out the words "upon written application therefor."

(b) Subsection (a) of section 319 of such act is amended by striking out the second sentence thereof, and the third sentence thereof is amended by striking out "This application shall set forth" and inserting in lieu thereof "The application for a construction permit shall set forth."

(c) Subsection (b) of section 319 of such act is amended by striking out the second sentence thereof.

(d) Such section 319 is amended by striking out the last two sentences of subsection (b) thereof, and by inserting at the end of such section the following subsection:

"(c) Upon the completion of any station for the construction or continued construction of which a permit has been granted, and upon it being made to appear to the Commission that all the terms, conditions, and obligations set forth in the application and permit have been fully met, and that no cause or circumstance arising or first coming to the knowledge of the Commission since the granting of the permit would, in the judgment of the Commission, make the operation of such station against the public interest, the Commission shall issue a license to the lawful holder of said permit for the operation of said station. Said license shall conform generally to the terms of said permit. The provisions of section 309 (a), (b), and (c) shall not apply with respect to any station license the issuance of which is provided for and governed by the provisions of this subsection."

SEC. 14. Section 402 of such act is amended to read as follows:

"PROCEEDINGS TO ENJOIN, SET ASIDE, ANNUL, OR SUSPEND ORDERS OF THE COMMISSION

"SEC. 402. (a) Any proceeding to enjoin, set aside, annul, or suspend any order of the Commission under this act (except those appealable under subsection (b) of this section) shall be brought as provided by and in the manner prescribed in Public Law 901, Eighty-first Congress, approved December 29, 1950.

"(b) Appeals may be taken from decisions and orders of the Commission to the United States Court of Appeals for the District of Columbia in any of the following cases:

"(1) By any applicant for a construction permit or station license, whose application is denied by the Commission.

"(2) By any applicant for the renewal or modification of any such instrument of authorization whose application is denied by the Commission.

"(3) By any party to an application for authority to transfer, assign, or dispose of any such instrument of authorization, or any rights thereunder, whose application is denied by the Commission.

"(4) By any applicant for the permit required by section 325 of this act whose application has been denied by the Commission, or by any permittee under said section whose permit has been revoked by the Commission.

"(5) By the holder of any construction permit or station license which has been modified, suspended, or revoked by the Commission.

"(6) By any other person who is aggrieved or whose interests are adversely affected by any order of the Commission granting or denying any application described in paragraphs (1), (2), (3), and (4) hereof.

"(7) By any person upon whom an order to cease and desist has been served under section 312 of this act.

"(8) By any radio operator whose license has been suspended by the Commission.

"(c) Such appeal shall be taken by filing a notice of appeal with the court within 30 days from the date upon which public notice is given of the decision or order complained of. Such notice of appeal shall contain a concise statement of the nature of the proceedings as to which the appeal is taken; a concise statement of the reasons on which the appellant intends to rely, separately stated and numbered; and proof of service of a true copy of said notice and statement upon the Commission. Upon filing of such notice, the court shall have jurisdiction of the proceedings and of the questions determined therein and shall have power, by order, directed to the Commission or any other party to the appeal, to grant such temporary relief as it may deem just and proper. Orders granting temporary relief may be either affirmative or negative in their scope and application so as to permit either the maintenance of the status quo in the matter in which the appeal is taken or the restoration of a position or status terminated or adversely affected by the order appealed from and shall, unless otherwise ordered by the court, be effective pending hearing and determination of said appeal and compliance by the Commission with the final judgment of the court rendered in said appeal.

"(d) Upon the filing of any such notice of appeal the Commission shall, not later than 5 days after the date of service upon it, notify each person shown by the records of the Commission to be interested in said appeal of the filing and pendency of the same and shall thereafter permit any such person to inspect and make copies of said notice and statement of reasons therefor at the office of the Commission in the city of Washington. Within 30 days after the filing of an appeal, the Commission shall file with the court a copy of the order complained of, a full statement in writing of the facts and grounds relied upon by it in support of the order involved upon said appeal, and the originals or certified copies of all papers and evidence presented to and considered by it in entering said order.

"(e) Within 30 days after the filing of any such appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party, together with proof of service of true copies of said notice and statement, both upon appellant and upon the Commission. Any person who would be aggrieved or whose interest would be adversely affected by a reversal or modification of the order of the Commission complained of shall be considered an interested party.

"(f) The record and briefs upon which any such appeal shall be heard and determined by the court shall contain such information and material, and shall be prepared within such time and in such manner as the court may by rule prescribe.

"(g) At the earliest convenient time the court shall hear and determine the appeal upon the record before it in the manner prescribed by section 10 (e) of the Administrative Procedure Act.

"(h) In the event that the court shall render a decision and enter an order reversing the order of the Commission, it shall remand the case to the Commission to carry out the judgment of the court and it shall be the duty of the Commission, in the absence of the proceedings to review such judgment, to forthwith give effect thereto, and unless otherwise ordered by the court, to do so upon the basis of the proceedings already had and the record upon which said appeal was heard and determined.

"(i) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, or other interested parties intervening in said appeal, but not against the Commission, depending upon the nature of the issues involved upon said appeal and the outcome thereof.

"(j) The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 1254 of title 28 of the United States Code, by the appellant, by the Commission, or by any interested party intervening in the appeal, or by certification by the court pursuant to the provisions of that section."

SEC. 15. Section 405 of such act is amended to read as follows:

"REHEARINGS BEFORE COMMISSION

"SEC. 405. After a decision, order, or requirement has been made by the Commission in any proceeding, any party thereto, or any other person aggrieved or whose interests are adversely affected thereby, may petition for rehearing; and it shall be lawful for the Commission, in its discretion, to grant such a rehearing if sufficient reason therefor be made to appear. Petitions for rehearing must be filed within 30 days from the date upon which public notice is given of any decision, order, or requirement complained of. No such application shall excuse any person from complying with or obeying any decision, order, or requirement of the Commission, or operate in any manner to stay or postpone the enforcement thereof, without the special order of the Commission. The filing of a petition for rehearing shall not be a condition precedent to judicial review of any such decision, order, or requirement, except where the party seeking such review (1) was not a party to the proceedings resulting in such decision, order, or requirement, or (2) relies on questions of fact or law upon which the Commission has been afforded no opportunity to pass. Rehearings shall be governed by such general rules as the Commission may establish. The time within which a petition for review must be filed in a proceeding to which section 402 (a) applies, or within which an appeal must be taken under section 402 (b), shall be computed from the date upon which public notice is given of orders disposing of all petitions for rehearing filed in any case, but any decision, order, or requirement made after such rehearing, reversing, changing, or modifying the original order shall be subject to the same provisions with respect to rehearing as an original order."

SEC. 16. (a) Section 409 (a) of such act is amended to read as follows:

"SEC. 409. (a) In every case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, the hearing shall be conducted by the Commission or by one or more examiners provided for in section 11 of the Administrative Procedure Act, designated by the Commission.

"(b) The officer or officers conducting a hearing to which subsection (a) applies shall prepare and file an initial decision, except where the hearing officer becomes unavailable to the Commission or where the Commission finds upon the record that due and timely execution of its functions imperatively and unavoidably require that the record be certified to the Commission for initial or final decision. In all such cases the Commission shall permit the filing of exceptions to such initial decision by any party to the proceeding and shall, upon request, hear oral argument on such exceptions before the entry of any final decision, order, or requirement. All decisions, including the initial decision, shall become a part of the record and shall include a statement of (1) findings and conclusions, as well as the basis therefor, upon all material issues of fact, law, or discretion, presented on the record; and (2) the appropriate decision, order, or requirement.

"(c) (1) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, no examiner conducting or participating in the conduct of such hearing shall, except to the extent required for the disposition of ex parte matters as authorized by law, consult any person (except another examiner participating in the conduct of such hearing) on any fact or question of law in issue, unless upon notice and opportunity for all parties to participate. In the performance of his duties, no such examiner shall be responsible to or subject to the supervision or direction of any person engaged in the performance of investigative, prosecutory, or other functions for the Commission or any other agency of the Government. No examiner conducting or participating in the conduct of any such hearing shall advise or consult with the Commission or any member or employee of the Commission (except another examiner participating in the conduct of such hearing) with respect to the initial decision in the case or with respect to exceptions taken to the findings, rulings, or recommendations made in such case.

"(2) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, no commissioner, and no professional assistant appointed by a commissioner as authorized by section 4 (f) (2), shall (except to the extent required for the disposition of ex parte matters as authorized by law) consult on any fact or question of law in issue, or receive any recommendations from, any other person, unless upon notice and opportunity for all parties to participate; except that the foregoing provisions of this paragraph—

"(A) shall not restrict consultation, or the making of recommendations, between a commissioner and another commissioner or commissioners or between a commissioner and the professional assistant appointed by him under authority of section 4 (f) (2); and

"(B) shall not restrict commissioners in obtaining from members of the review staff the limited assistance authorized by section 5 (c).

"(3) No person or persons engaged in the performance of investigative or prosecuting functions for the Commission, or in any litigation before any court in any case arising under this act, shall advise, consult, or participate in any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, except as a witness or counsel in public proceedings.

"(d) To the extent that the foregoing provisions of this section are in conflict with provisions of the Administrative Procedure Act, such provisions of this section shall be held to supersede and modify the provisions of that act."

(b) Subsections (b), (c), (d), (e), (f), (g), (h), (i), and (j) of section 409 are hereby redesignated as subsections (e), (f), (g), (h), (i), (j), (k), (l), and (m), respectively.

SEC. 17. Section 410 (a) of such act is amended by striking out the first sentence thereof, and by inserting in lieu of such sentence the following: "Except as provided in section 409, the Commission may refer any matter arising in the administration of this act to a joint board to be composed of a member, or of an equal number of members, as determined by the Commission, from each of the States in which the wire or radio communication affected by or involved in the proceeding takes place or is proposed. For purposes of acting upon such matter any such board shall have all the jurisdiction and powers conferred by law upon the Commission, and shall be subject to the same duties and obligations."

SEC. 18. This act shall take effect on the first day of the first month which begins more than 60 days after the date of its enactment, but—

(1) Insofar as the amendments made by this act to the Communications Act of 1934 provide for procedural changes, requirements imposed by such changes shall not be mandatory as to any agency proceeding (as defined in the Administrative Procedure Act) initiated prior to the date on which this act takes effect.

(2) The amendments made by this act to section 402 of the Communications Act of 1934 (relating to judicial review of orders and decisions of the Commission) shall not apply with respect to any action or appeal which is pending before any court on the date on which this act takes effect.

Mr. MCFARLAND. Mr. President, I move that the Senate disagree to the amendment of the House; ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MCFARLAND, Mr. HUNT, Mr. JOHNSON of Colorado, Mr. TOBEY, and Mr. CAPEHART conferees on the part of the Senate.

REORGANIZATION PLAN NO. 3 OF 1952—RESOLUTION OF DISAPPROVAL

Mr. MCCLELLAN. Mr. President, I now call up Senate Resolution 331, Calendar 1678, a resolution disapproving Reorganization Plan No. 3 of 1952, and ask for the immediate consideration of the resolution.

The PRESIDING OFFICER. The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 331), Calendar 1678, disapproving Reorganization Plan No. 3 of 1952, relating to reorganizations in the Bureau of Customs of the Department of the Treasury.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 331).

Mr. MCCLELLAN. Mr. President, under the previous unanimous-consent agreement, 45 minutes were available to each side, or a total of 1½ hours, for debate on the plan.

However, in the present case, so far as I know, there will be very little debate on the resolution of disapproval of the plan. In all three cases the same principles are involved.

In order to expedite consideration of the resolution of disapproval, I shall ask unanimous consent to have the time available for debate on this resolution of disapproval shortened, in the hope that the Senate will act on the resolution in a few minutes, and thus will dispose of this matter.

Mr. HUMPHREY. Mr. President, let me suggest that since a majority of the Members of the Senate are now present, perhaps when the Senator from Arkansas makes his request, he will request

that the time be limited to 5 minutes to each side.

Mr. McCLELLAN That is what I have in mind.

Mr. President, I now ask unanimous consent that debate on Senate Resolution 331 be limited to 5 minutes to a side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. I simply state that the pending resolution involves the same issue involved in the other two resolutions of disapproval and in connection with the other two reorganization plans which have been considered by the Senate today.

At this time I yield the remainder of the time available to me to the distinguished senior Senator from Georgia [Mr. GEORGE], the author of the resolution of disapproval.

Mr. GEORGE. Mr. President, I merely wish to place in the RECORD a letter and statement which I have received from the president of the National Customs Service Association. He very strongly opposes this reorganization plan. I ask unanimous consent to have the letter and statement printed at this point in the RECORD.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

NATIONAL CUSTOMS SERVICE ASSOCIATION,
June 11, 1952.

Hon. WALTER GEORGE,
United States Senate,
Washington, D. C.

DEAR SENATOR: We are very grateful for your action in introducing Senate Resolution 331 in order that Reorganization Plan No. 3, as it relates to the Bureau of Customs, might be brought before the Senate for consideration.

We have had our legal counsel (Covington & Burling, Union Trust Building, Washington, D. C.) study the effects of Reorganization Plan No. 3 and I enclose, for your information, copy of a letter written by Mr. Wm. L. Reynolds of that firm on June 9 to Hon. JOHN L. McCLELLAN, chairman of the Senate Committee on Government Operations, outlining the result of that study. You will note that in the opinion of our attorneys Plan No. 3 presents a serious challenge to the right of judicial review of alleged mistakes in the administration of the custom laws.

I also enclose copy of my statement before the Senate Committee on Government Operations on June 4, 1952 during hearings on Reorganization Plan No. 3.

A special news bulletin and the May issue of the Customs Service News, published by our association, both of which have news items relating to the opposition of customs employees to the reorganization plan, are also sent you herewith.

Our chapter at Savannah, as well as our members elsewhere, appreciate the interest you are taking in this matter.

Yours very sincerely,

ALFRED F. BEITER,
National President.

STATEMENT OF ALFRED F. BEITER, NATIONAL PRESIDENT, NATIONAL CUSTOMS SERVICE ASSOCIATION, BEFORE SENATE COMMITTEE ON GOVERNMENT OPERATIONS, MAY 29, 1952, ON REORGANIZATION PLAN NO. 3 OF 1952, BUREAU OF CUSTOMS

Mr. Chairman, and members of the committee, I am Alfred F. Beiter, president of the National Customs Service Association, an organization composed of employees and officers of the United States customs service.

As you may know, Customs is a career service. All of its employees, with the exception of 52 top-level officers, are under civil service and nearly all of our members have 20 and more years of service.

We have given very careful study to Secretary Graham's clear exposition of the department's view on Reorganization Plan No. 3 relating to the customs service, and just last week, subsequent to the publishing of our special news letter and Mr. Graham's testimony, we sat in, at the invitation of the Bureau of Customs, at a conference in which we were given a rather full and frank discussion of what is intended to be done under this plan.

All of the foregoing has contributed greatly to our understanding of the plan, but it has not lessened our conviction that its approval would be harmful to the customs service.

One of our major concerns about this plan was our belief, based on informal legal opinion, that in the course of abolishing the various offices held by political appointees it destroyed the system set up in the Tariff Act whereby the determination, assessment, and collection of customs duties, is carried on by three interacting, coordinated, but independent, offices—that is, collector, comptroller, and appraiser. Since we feel very strongly that this system, and the checks and balances it provides, are one of the principal protections the customs service possesses against laxity, fraud, and corruption, we are anxious that this separation and independence be continued in the organizational structure of the customs service. Consequently, we urged our members to solicit congressional rejection of this plan for this and other reasons.

In a disturbing sort of way, the conference had with the Customs Bureau had relieved us of our fears in this connection, for the time being. The Bureau tells us that authority given the Secretary under plan 26 of 1950 is sufficient to scrap this system regardless of the fate of plan 3. It seems therefore that this particular horse fled the barn 2 years ago, and there isn't anything that can be done about it at this time. The Bureau has assured us, however, that there is no intention of using such authority to abandon this system. Present officials cannot bind their successors, and we can only hope that, as time goes on, successive Secretaries of the Treasury continue to exercise the same restraint.

The elimination of Presidential appointees from the various top level offices is, in our opinion, a political question and its effect on the over-all functioning of the customs service would not be of exceeding significance either way.

Section 3 of this plan eliminates vital duties of the Comptroller of Customs. In our opinion, these duties are so fundamental to a properly organized customs service that their continuance should be guaranteed by statute, that under no circumstances should administrative discretion be substituted for these tariff requirements. We are speaking now particularly of the requirement that comptrollers "verify all assessments of duties and allowances of drawback made by collectors in connection with liquidation thereof," (sec. 523 of the Tariff Act), and the obligation of masters of vessels from foreign ports to send a copy of each such vessel's manifest to the Comptroller for the district (sec. 439 of the Tariff Act.)

A ship's manifest must contain among other information a detailed account of all merchandise on board, the descriptive marks and numbers of each package of the same, be it case, package, bale, barrel, or other, and the names of the individual consignees of each piece or lot of merchandise in conformity with the bills of lading issued. This is a copy of the manifest which has been deposited with the collector at the port of entry and against which the merchandise unloaded from the vessel as checked as part of the procedure governing entrance and clearance of merchandise.

The Comptroller now completely checks the collector's report on the manifest of each such vessel to make certain that all incoming cargo is accounted for. The desirability of such a check is apparent. The direct receipt by the Comptroller of a copy of the vessel's manifest, listing all the cargo brought into the country, makes positive independent assurance that all merchandise brought into the country is in fact entered at the customhouse, that connivance to bypass customs entry and examination has small hope of success.

The Department plans to substitute for this a type of spot check by traveling field auditors on the original manifests in the collectors' offices. A fair-sized vessel, carrying general merchandise, will have thousands of tons of cargo, broken down into hundreds of lots varying from a small package to a hundred or more cases, or barrels. This on a single fairly representative ship's manifest. Multiply this by thousands of vessels and other carriers that arrive at United States ports in the course of the year and there is a staggering total of these manifests. Secretary Graham, in his statement, put the number of formal entries made in 1951 at 900,000. This, then, would be about the number of separate consignments of cargo contained in the many thousands of individual manifests to be spot-checked by field auditors. The mere statement of the numbers of transactions involved suggests the inadequacy of the spot check for this type of work. The protection needed here is not against error; lost cargo is rare and eventually turns up in most cases. The present system guards against diverted cargo and reducing it to a spot check is an invitation to smuggling and venality. Weakness invites attack.

It may be that there is a case for cutting down on the Comptroller's audit of the collectors' accounts, etc. Error or fraud are more likely to follow a pattern in disposition and disbursement of moneys and expendables. And these are more susceptible to control by a commercial type of internal check. This type of transaction is not peculiar to customs and does not differ materially from Government work in other agencies. Even here there is a real question whether it can be handled more effectively and economically than under the present system where all the Comptroller's functions for the United States and its possessions, including 100 percent verification and complete manifest control, are handled by slightly more than 200 employees at an annual cost of approximately $1,200,000.

Spot check is not suitable, however, for the Comptroller verification of the collectors' duty assessments and refunds. This is not, as has been suggested, merely a duplication of the collectors' work. It is a primary verification of the complex conclusion which the collector's liquidator makes when he makes the duty assessment on merchandise. A consideration of what is involved in the decision of the collector's liquidator, which is now completely checked by the Comptroller, will be valuable in appreciating the necessity for the Comptroller's check. The liquidator has before him the shipper's invoice, the entry papers (including the bill of lading and any affidavits or other documents that the nature of the particular importation may require), the appraiser's description of the merchandise, and report of its value and condition, the inspector's tally of over-all quantity or weights and perhaps a chemical analysis. Initially, he must satisfy himself that the various papers before him

are sufficient for his purposes and seek supplementary information when they are not. Then he determines the quantity of the merchandise to be assessed and ascertains the dutiable value thereof, after having reconciled any discrepancies among the shipping papers and the miscellany of official reports before him. Then from the maze of overlapping provisions and fine distinctions which characterize the enormously complicated present-day tariff, he selects the one category and rate of duty which is applicable to the merchandise and computes the duty down to the penny. This process applies for each commodity in the shipment and many invoices cover numerous commodities. The complexity of this process and the consequent need for a complete check of the assessments, etc., it produces is demonstrated by the fact that the errors found by comptrollers, though minute percentage-wise, still produce revenue differences running into six or seven figures annually. This takes no account of the value of a detected error as a means of correcting an erroneous practice. In this respect errors found have a value quite unrelated to whether the revenue difference in the particular verification is large or small. In this sense no error is too small to ignore.

The proposed new arrangement is not greatly different from that proposed by the McKinsey & Co. survey. And the objections which we raised to it then (in more detail than would be suitable for this presentation) are just as valid today. A copy of this material is being furnished the committee staff as background information.

Savings under this plan are put at $300,000 annually. Since half of this is attributable to the elimination of political appointees which could be effected by the President without this Plan if he so desires, the real money-saving value of the Plan is $150,000. For this we are to inject an element of weakness in a system which collects $800,000,000 in revenue yearly and has been free of major scandal. One or two cases of contraband slipped in as diverted cargo could make this the most expensive short-cut in customs history.

We think that a greater degree of accuracy and a higher level of integrity should be demanded of Government operations for the very reason that they are Government operations. The conduct of public business has greater significance and importance than corresponding activity of a commercial nature and the greatest care should be taken that the affairs of Government agencies, particularly an enforcement and revenue agency like the customs, be identified in the public mind with complete integrity and maximum effectiveness. The substantive provisions of Plan 3 would have quite an opposite effect. At a time when Customs controls should, if anything, be strengthened, they are proposed to be weakened.

Mr. GEORGE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD two articles about the reorganization plan, as published in the Customs Service News for May 1952. It is the official publication of the National Customs Service Association, which opposes this plan.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

REORGANIZED PLAN CLARIFIED

Since the publication of the special May issue of the News on Customs Reorganization, much more light has been shed on what is proposed to be done in the way of changing over the customs service. Perhaps even more important a frank statement has been made as to what is not proposed to be done. On Monday, May 19, President Beiter met with Bureau officials, at their invitation, for a full discussion of Plan 3, particularly with regard to the material on the subject set forth in the special Bulletin. The Bureau considers that the Bulletin unduly and unnecessarily alarmed all concerned over the implications of Plan 3.

The Bureau states categorically that the authority to combine under one officer, in one office, the separate functions now separately and independently exercised by the collector-appraiser-comptroller offices is even now available to the Secretary of the Treasury; that such authority was conferred by Reorganization Plan 26 of 1950 when it transferred all functions of all customs personnel to the Secretary. The association had informal legal opinion that such separation of functions as prescribed by the Tariff Act of 1930 had not been repealed by plan 26 but that plan 3 would have that effect. Feeling as we do, that this structure of interacting independent offices set up in the Tariff was one of the bulwarks of the integrity of the customs service, this is very bad news. We must accept the construction put on plan 26 by the treasury, and only hope that the Secretary, and all future Secretaries, will continue to display the wisdom which has been manifested in not using this destructive power.

Though all the various changes in the method of conducting customs business which we listed in the bulletin are still possibilities, the authority of the Secretary to make sweeping changes in customs organization being virtually unlimited, it is encouraging to pass along the Bureau's assurance that, aside from the gradual elimination of Presidential appointees, some enlargement of the internal checks in collectors' offices, and considerable change in the methods to be used in comptroller of customs operations, customs operations will be conducted pretty much as always.

Specifically the Bureau stated that the following are not contemplated:

Consolidation of ports.

Regrouping or elimination of present collection districts.

Diminution of the functions of collectors and appraisers.

Any alteration of the present distinct separation of collector and appraiser duties and responsibilities.

Any change in the Bureau's present policy of making no personnel transfers (customs agency excluded) without the employee's consent.

Adoption of the spot checking technique on baggage at seaports. (The Bureau advised that the decision against spot checking was arrived at on the basis of their own thorough consideration and study).

The $300,000 saving estimated after the changes are all in effect is attributable, in part ($150,000) to the elimination of Presidential appointees and the remaining $150,000 to the adoption of the spot-checking technique and other streamlining in the Comptroller's operations. The $150,000 thus saved in the Comptroller's office will flow from a reduction in personnel. The reduction in personnel in Comptroller offices will be greater than the $150,000 figure indicates, but some of the personnel released from Comptroller duties will be covered over into the collector's offices to staff the enlarged program of internal check to be set up there. The Bureau expects there will be no loss of jobs by employees by reason of this reduction since it is expected that the reduction will be more than offset by deaths, retirements, etc., over the 4- or 5-year period it will take to make the plan fully operative.

Just what form the stripped-down comptroller operations will take is still somewhat up in the air. The plan is to set up pilot operations in various offices and then work out the most suitable procedures on the basis of on-the-spot testing in actual operations. However, it is fairly certain that there will be little or no comptroller verification of liquidations of informal entries and that the collector's liquidations of formal entries will hereafter be spot-checked.

This streamlining of the comptroller's operations is highly regarded by the Bureau, the Treasury Department, and the General Accounting Office. We do not share their enthusiasm. To us this is a long step in the wrong direction. The weakening of present comptroller system of checks certainly does not strengthen the protection against fraud and corruption and the association will urge the Senate to reject this ill-advised plan. Details of President Beiter's presentation before the Senate Committee on Government Operations will be carried in the June issue.

CUSTOMS EMPLOYEES WILL FIGHT SHAKE-UP PLAN—SWEEPING CHANGES TO ELIMINATE CHECKS AND BALANCES OF PRESENT SYSTEM COULD LEAD TO SCANDALS FAR GREATER THAN THOSE OF INTERNAL REVENUE—REORGANIZATION PLAN BECOMES EFFECTIVE JUNE 20 UNLESS CONGRESS VOTES TO REJECT IT—WHY PLAN SHOULD BE REJECTED

The April issue of the News sets forth the text of Reorganization Plan 3 of 1952 for the customs service. Since the announcement of this move in early February, the entire Service has been anxious to learn the full meaning and effect of this move by the President. The power and authority given the Secretary of the Treasury herein used in conjunction with the authority already his by virtue of Reorganization Plan 26 of 1950, and other acts, will permit him to make the most sweeping changes in the organization and structure of the customs service as presently constituted and substitute therefor such new organizational arrangements as he deems advisable. There is a curious difference between this plan and plan 1 of 1952, by which the sister service, the Internal Revenue, was reorganized. The Internal Revenue reorganization was designed to provide greater safeguards against the faulty or fraudulent assessment of taxes and in general to institute an effective means of checking on the handling of public money. The changes which are possible under this plan for the customs service could have an entirely opposite effect. Eliminating the checks and balances of the present system would open the door to loose practices and fraud and could create in customs the same type of situation which made it necessary to reorganize the Internal Revenue.

Modern business and industry lean heavily on specialization and division of labor for their widely renowned efficiency. The customs service has adopted this practice both as an instrument of efficiency and as a safeguard against fraud and collusion. Jettisoning such a system is a step backward along the road back to the days when customs duties were arrived at, more or less, by rule of thumb by a single officer.

Our study of the possibilities under the plan have convinced us that it could wreck the effectiveness of the customs service, undermine existing safeguards against fraud and corruption, and seriously impair the career service in customs. Under these circumstances, we strongly urge the rejection of this plan, regardless of what specific changes the Secretary has in mind for the service at the present time. The widest publicity should be given the harmful potential of this plan and customs employees and others interested in the maintenance of a strong customs service should make their opposition known in the most vigorous terms.

Some consideration of the detail of the plan and its background are necessary for a full appreciation of its possible workings.

SECTION 1

Section 1 abolishes the offices of all collectors of customs, the six comptrollers of customs (the office at San Francisco was

abolished in 1943), the appraiser of merchandise and surveyor at New York. All appraiser and surveyor positions, except at New York, were abolished in 1932 and the duties imposed on them, their assistants, and deputies were transferred to and continued in positions existing in the customs service at the time—July 5, 1932. This much of the plan has the effect of eliminating political appointees in the customs service below the rank of commissioner. It also has another result which will be considered further on.

SECTION 2

Section 2 provides for not more than 20 new high-level positions. Though not so spelled out, it is evident from the President's letter transmitting the plan to Congress that to these positions will be delegated the functions of the offices abolished by section 1. Manifestly the new organizational units, not more than 20 in number, probably less, will supplant the fifty-odd collector and comptroller districts. Just as obviously more than half, in fact a majority, of the present headquarters ports will have to be eliminated. These new units will necessarily be, in almost every instance, along much broader lines than the present collection districts and will encompass a great deal more territory. The probability is also that some shifting and consolidation of ports will also result. Likewise there will be some shifting of personnel in these new districts or regions. Personnel shifting is likely to be much more common throughout the customs service. Some of the planning that has been advanced envisaged a wholly mobile force all over the country, with employees in all categories subject to transfer at any time, with or without their consent. The Secretary's power is a continuing one, to be exercised as, when, and to the extent, he sees fit. In approving this plan on top of the authority previously granted, Congress is abdicating to the Secretary its powers over the organization of the customs service and ratifying in advance any changes he, or his successors, may see fit to make, now or hereafter.

In the 1950 reorganization the functions of all Treasury personnel, including customs, were transferred to the Secretary of the Treasury. In substance an employee's functions are the sum of the duties and responsibilities accruing to him by reason of the position he holds. Consequently, since 1950, although the customs division of responsibility followed the familiar pattern of collector-appraiser-comptroller, etc., employees performing functions in these groups did so under the delegated authority of the Secretary of the Treasury. However, the tariff and other requirements that imposed certain duties on collectors, others on comptrollers, still others on appraisers, remained in force. Section 3 eliminates some of these functions and, to that extent, repeals the tariff and other congressional enactments. In the case of functions which are transferred to the Secretary, there is no question but that they will still be carried on by the customs service. Presently, and to date, they have been regarded as the functions of particular customs positions, such as inspector, liquidator, customs agent, marine officer, warehouse officer, etc. That will no longer be necessarily so under the plan. These functions reside in the Secretary and he will have almost complete authority to delegate them to whatever officers or groups of officers he sees fit. But they will still be customs functions. Not so with the functions repealed by section 3. These will no longer form part of customs work. The more important of these abolished customs functions are set forth in the appendix.

SECTION 3

The principal effect of section 3 appears to be the dropping of the inspectors' weighing and gaging of distilled spirits and the abandonment of certain of the duties of inspectors on cargo work, duties, which serve as controls to prevent fraud and error in the importation of merchandise not further examined by customs prior to its release to the importer. The probability is that the weighing and gaging would be done by the internal revenue. Also eliminated is the requirement that inspectors supervise and report on the lading for export of goods on which draw-back is being claimed. However, the new draw-back regulations have reduced the usefulness of that supervision to such an extent that this repeal is only a formality.

Rumors persist that widespread use of spot checking of baggage is in prospect at seaports. So far as we know, there is no statutory standard prescribing the manner in which baggage generally shall be checked. A possible stumbling block to the universal adoption of spot checking of baggage may have been the well-grounded reluctance of individual collectors to sanction this dubious technique. With collectors out of the picture via section 1, this obstacle, if it was one, will no longer exist. We certainly hope that no matter who calls the tune there will be no general adoption of true spot-checking technique. This was one of the poorer McKinsey & Co. recommendations, and the arguments we made against it then are just as cogent today.

Section 3 also eliminates vital duties of the Comptroller of Customs. In fact, abolition of some of these duties virtually cuts the heart out of Comptroller of Customs operations. Moreover, since these are abolished as customs functions—the very salutary and efficient check they provide upon the probity and legality with which other customs functions are conducted is tossed aside. The usefulness and desirability of such a check can hardly be overstated. The direct receipt by the comptroller of a copy of the vessel manifest, listing all the cargo brought into the country, provides means for positive independent continuing assurance that all merchandise brought into the country is in fact entered at the customhouse, that connivance to bypass customs entry and examination has small hope of success. The verification of the duty assessments made on such entries likewise provides continuing guaranty against erroneous duty assessments and against fraudulent ones. It may very well be that a case can be made for stripping comptrollers of their purely audit functions on collectors' accounts, etc. This work is not peculiar to customs and does not differ materially from audit work in other governmental agencies. However, even here there is real question that it can be handled more expeditiously, efficiently, and economically than it is at present when all the comptroller's functions, Nation-wide, are handled by a staff of slightly over 200 at a cost of about $1,200,000 annually. It is of course quite possible that the Secretary, as the single custodian of the functions of the customs service, may in his discretion devise some check to take the place of the merchandise controls and duty verification functions abolished by this plan. It is difficult to conceive of any properly organized revenue service without a self-operating system of checks of this kind. But despite that probability, we feel that an operation which is so fundamental to any proper customs structure should be imbedded in statute and not left to administrative discretion.

WHY SYSTEM OF CHECKS AND BALANCES SHOULD BE CONTINUED

Unofficially it has been stated that there are but two major changes to be made under the plan, i. e., the appointment procedure for collectors, etc., and the institution of a more modern accounting system replacing present statutory audits, and that the verification of collector's liquidations will hereafter be made on a spot-check basis. While this does not account for the twenty, or less, new positions in section 2, it must be taken as the broad outline of the changes contemplated as of the present. The protection afforded by the comptrollers' checks is not something to be lightly disregarded. Our views on this subject remain substantially as they are set forth in the association's comments on chapter VI of the McKinsey report (CONGRESSIONAL RECORD, May 26, 1949). The question as to whether collectors, etc., should be political appointees can be argued either way. Our opposition to plan 3 does not arise from any strongly held conviction on that score. However, the method by which this end is accomplished, the abolishment of the offices of collectors of customs, etc., strikes down the organization of customs along the lines of collector-appraiser-comptroller and we think that that is most unwise.

This separation of duties, this system whereby the basic purpose for which we have a customs service, the assessment and collection of duties on imports is carried on by three interacting, coordinating, but independent offices, is the reason why the operations of the customs service, conducted especially in recent years with subnormal staff and abnormal workload, have yet been carried on efficiently and with a marked freedom from major scandal.

The system of checks and balances which is inherent in this pattern of organization has evolved from many years of experience and has demonstrated its effectiveness to a superlative degree. We believe the continued existence of this system is in the public interest. Our concern for checks and balances may seem somewhat old-fashioned, but there is more involved here than possible loss of revenue, by fraud or error, serious though that is. In our opinion the operation of a Government agency, particularly a revenue agency, warrants much more protection against error or fraud than do the corresponding activities of a private business. Faulty work or fraud in business usually does not have ramifications beyond the reputation of the individual or firm involved. Scandal in a Government agency tends to destroy the confidence of the people in the very Government itself. Much more is at stake than the possible dollars-and-cents loss.

It misses the point to say that no such break-up of the present system is contemplated, that the suggestions put forth from time to time that appraising officers take over the classifying of merchandise as now performed by the liquidators, that such actions be no further checked or reviewed except to a very sketchy degree (see note), that the traditional separation of duties being broken down and all customs operations consolidated under one local or regional head makes possible the shifting of duties from one group of employees to another as circumstances seem to require (to mention a few), have not been adopted and thus have no official sanction.

Our concern is that the combined effect of the reorganization plan of 1950, and this plan make such changes possible; that the possibility of administrative adoption of such changes, or others equally sweeping, which are not even thought of now, would henceforth be ever present.

The continuing possibility of fundamental changes in the organization and structure of the service with the breaking down of established lines of promotion and advancement cannot fail to have a harmful effect on the morale of employees, especially those on the way up. It would be increasingly difficult for employees to set their sights on advancement in any particular field of customs work. The break-down of the present separation of customs functions would in time cost the service much of the specialized knowledge and experience that has thus far distinguished customs operations.

The why of this proposal puzzles us. The changes which are now contemplated could readily be accomplished by specific legislation without leaving the service open to continuing changes in organization and structure virtually unlimited in scope or time. Why work this potential harm on the customs service? Customs' record of performance is remarkable. Years ago McKinsey & Co. expressed the view that the affairs of customs were conducted at least as efficiently as those of the average private business. Since that time the flow of imports has enormously increased, the volume of all types of customs activities, many of which are not revenue producing, has greatly expanded and yet, despite a pronounced drop in the average rates of duty on imports by reason of various trade agreements and the greater technical difficulty of present-day customs work, the cost of customs operations, per $100 of revenue collected, is at its lowest point in years. There has been no widespread clamor for revamping the customs service, no loss or diminishment of public confidence in the integrity of the customs. Why then make it possible to so easily scrap the time-tested organizational structure which has made this fine record possible? Customs has nothing to be ashamed of. Customs has a proud record.

NOTE.—There is a further practical disadvantage flowing from an arrangement of this kind over and above the obvious systematic weakness in having so complicated a function as the determination of tariff rates of duty go substantially unreviewed. The customs actually has hundreds of ports of entry and stations. The majority of these do not have full-time appraising officers and this portion of the work is performed on a part-time basis by employees who are principally engaged in other duties. At present the rate determinations of these officers are reviewed by the liquidating staff in the headquarters ports—employees who are especially trained in this type of work. But if the initial determination of the rate of duty were made final and without systematic review, there quite probably would be a marked increase in erroneous assessments and just as serious, a marked lack of uniformity of duty assessment among the various ports.

Mr. GEORGE. Mr. President, I also ask unanimous consent to have printed in the RECORD a letter written to the chairman of the Committee on Government Operations, by William L. Reynolds, of the firm of Covington and Burling. As I understand, that firm represents the National Customs Service Association and the Government employees who belong to it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 9, 1952.

The Honorable JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations, United States Senate, Senate Office Building, Washington, D. C.

DEAR SENATOR MCCLELLAN: We are legal counsel for the National Customs Service Association and have been asked by the association to study the legal effects of Reorganization Plan No. 3 as it relates to the Bureau of Customs.

It is our opinion that this plan presents a serious challenge to the right of judicial review of alleged mistakes in the administration of the customs laws. The statutory right to judicial review, as now constituted, is predicated upon the existence of the collector of customs and his performance of certain functions. Abolition of the position of collector and the dissipation of his functions, as called for in the plan, cast substantial doubt upon future rights to judicial review.

At present, the collectors of customs have certain congressionally established mandatory duties which insure that the right to contest illegal customs exactions will be fair and effective. Collectors and appraisers must give adequate notice of their official action; such notice must be given at the port of entry; records must be kept at that port and appeals to reappraisement or protests against classification may be filed against their official action within a limited time after the notice is given.

All of the above functions are abolished by Reorganization Plan No. 3. The result is that the actual keeping of records as well as the place of keeping will be a matter of administrative discretion. Also discretionary will be the disclosure of the basic information necessary to implement the right of judicial review. This will substantially reduce, if not abolish, the standards of fairness and effectiveness which now prevail.

The present statutory basis for review, which can be of practical effectiveness only with notice and easily available records, is designed to function through the office of the collector. It is the decision of the collector which section 514 of the Tariff Act of 1930 states can be protested. After such protest it is the collector who must affirm or modify his original decision and forthwith transmit the entry and the accompanying papers to the United States Customs Court (19 U. S. Code 1515). The American manufacturer, producer, or wholesaler who complains about the application of too low a rate of duty must file his protest with the collector before going to the United States Customs Court, (19 U. S. Code 1516).

Reorganization Plan No. 3 abolishes the office of collector and thereby makes strict compliance with the technical requirements of the statute an impossibility.

In conclusion, the right to appeal is spelled out in detail in these statutes. It is based in the first instance upon the performance of certain functions by the collector. And it is based in the second instance upon a set procedure involving his office. It would seem probable that abolishment of the office which is a basic part of the statute would also destroy the right to independent judicial review which has evolved since 1890. Reorganization Plan No. 3 does not constitute progress, but to the contrary casts grave doubt on the continued existence of judicial review of alleged mistakes in the administration of the customs laws.

Respectfully yours,

WILLIAM L. REYNOLDS.

Mr. GEORGE. Mr. President, in the case of the resolution of disapproval of Reorganization Plan No. 3, which, in principle, involves essentially the same issue as that involved in the case of the other resolutions of disapproval and the other reorganization plans, I wish to point out that this plan would dissipate the functions of the collectors of customs in such a way as to make it impossible for anyone to obtain a judicial review of customs matters. The plan would virtually repeal the Tariff Act of 1930, insofar as that feature of the act is concerned.

I also desire to call attention to the fact that the customs service is strictly a career service. At the various ports, including inland ports throughout the United States, there are only 52 collectors of customs who are not strictly career men.

In my own State, it so happens that the collector of the port is a career man, a man whom I recommended—and my colleague joined me in the recommendation—as acting collector, upon the resignation of the former collector of customs.

Mr. President, there is no excuse for the proposed reorganization. It would effect nothing on earth but a further concentration of power in the Executive and a further removal of Government control from the people.

Mr. MONRONEY. Mr. President, I yield 5 minutes to myself.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

Mr. MONRONEY. Mr. President, this reorganization plan affects, as has been stated by the distinguished Senator from Georgia, only 52 offices in the Bureau of Customs, including 44 collectors, 6 comptrollers, 1 surveyor in New York, and 1 appraiser in New York.

Thus far today the Senate has overwhelmingly voted, largely by means of the vote of the Republican Members of this body, to refuse to remove the patronage system from the appointment of approximately 20,000 first-class, second-class, and third-class postmasters.

Following that action, the Senate refused to take the political patronage system out of the appointment of 87 offices of United States marshal.

If the Senate takes similar action in the present case, the Senate will refuse to abolish the patronage system as it applies to the Bureau of Customs, despite the fact that it is estimated that the reorganization plan now proposed will on the basis of simplifying the accounting procedures and techniques, result in a saving of $300,000 a year.

I should like to call attention to page 30 of a report, dated April 26, 1952, made by the professional staff member of our committee, in which it is set forth that the President has sent to Congress a message in which it is stated that the plan, if adopted, will end the present antiquated, cumbersome system, and, as a result, will cause a saving which it is estimated will amount to $300,000 a year.

Mr. President, I cannot go along with the distinguished senior Senator from Georgia in the suggestion that the creation and placement of top jobs under civil service is a withdrawal of power from the people. If that were true, then we should, in order to put the Government back in the hands of the people, abolish all civil service. I do not think any one of us would dream of doing such a thing. If we are to have a really workable civil service, the man who enters the Government service should be able under the merit system to aspire to the top job, and not be blocked through partisan policies all up and down the way, from his entrance upon the job to the final achievement of his desire for the highest position.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. What impresses me about this plan is the comment of the Senator from Georgia that in some way it would endanger the right of appeal. I think it very important that there be a checking procedure upon the decision of the President and other officials.

Would the proposal in any way take away the right of appeal?

Mr. MONRONEY. Does the Senator refer to the President's reorganization proposal?

Mr. MORSE. Yes.

Mr. MONRONEY. I am certain it would not. It deals primarily with the placement of these officers and with the accounting procedures. I think the suggestion that has been raised, as to the right of appeal, is only a bug-a-boo similar to many bug-a-boos which were raised in the past about the vast power of the Postmaster General, about the illegality of the Legislative Reorganization Act, and the various other things said on the Senate floor in an effort to defeat these three reorganization plans today.

Mr. MORSE. Would the plan in any way change the existing procedure on appeal?

Mr. HUMPHREY. Mr. President, if the Senator from Oklahoma will permit me, I should merely like to call the attention of the distinguished Senator from Oregon to page 4 of the minority views regarding Reorganization Plan No. 3 of 1952, and particularly to subsection 3, which relates to court appeals. I think the Senator will see that the opinion of the Attorney General, as well as the opinion of the counsel of the Treasury Department, indicates that there would be no loss of the right of appeal; because the function is not changed, but it would merely change the title of the employee.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. MONRONEY. I still have the floor, and I am glad to yield to the distinguished Senator from Georgia.

Mr. GEORGE. Mr. President, I placed in the RECORD a letter from counsel for the Customs Service Union, representing both the workers and the members of that organization, stating that in their judgment the plan would seriously impair if not repeal the right of appeal. The letter sets forth, I may say to the distinguished Senator from Oregon, who is a distinguished lawyer, that the office of collector of customs is abolished, and that, while the right of action may exist, the function is cut up into four or five different offices. Responsible attorneys say that, notwithstanding the technical correctness of the statement of Treasury counsel, that the right of action still exists, there would be no practical way of pursuing an appeal.

Mr. MONRONEY. I call the attention of the Senate to the minority views, on page 15, over the signature of Mr. Joseph C. Duggan, Assistant Attorney General, in which, in a letter addressed to the Secretary of the Treasury under date of June 13, 1952, he says:

> After consideration of the subject, I might say that, particularly in view of the provisions of section 9 of the Reorganization Act of 1949 (5 U. S. C. 133z-7), I concur in the opinion expressed by your General Counsel in his memorandum and by Acting Secretary Graham in the section of his letter captioned "Judicial review."

In other words, we have had every phase of this plan investigated, studied, and there is an attestation by high legal officers of the Government to the effect that this plan does not change the appellate rights of citizens.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired. The question is on agreeing to the resolution (S. Res. 331) disapproving Reorganization Plan No. 3 of 1952.

Mr. MONRONEY. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Senators voting in the affirmative would be voting to disapprove the Reorganization Plan No. 3. Senators voting in the negative would be voting to approve Reorganization Plan No. 3. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. McFARLAND. I announce that the Senator from Connecticut [Mr. BENTON] and the Senator from Virginia [Mr. BYRD] are absent on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent because of illness in his family.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

I announce further that if present and voting, the Senator from Connecticut [Mr. BENTON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Connecticut [Mr. McMAHON] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON] is necessarily absent.

The Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], and the Senator from North Dakota [Mr. LANGER] are detained on official business.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The yeas and nays resulted—yeas 51, nays 31, as follows:

YEAS—51

Bennett	Hickenlooper	McCarthy
Brewster	Hill	McClellan
Bricker	Hoey	McFarland
Bridges	Holland	McKellar
Butler, Md.	Ives	Millikin
Capehart	Johnson, Colo.	Morse
Chavez	Johnson, Tex.	Mundt
Connally	Johnston, S. C.	Neely
Cordon	Kem	O'Mahoney
Dworshak	Kerr	Schoeppel
Eastland	Kilgore	Smathers
Ecton	Long	Smith, Maine
Ellender	Magnuson	Smith, N. C.
George	Malone	Sparkman
Gillette	Martin	Stennis
Hayden	Maybank	Watkins
Hendrickson	McCarran	Welker

NAYS—31

Aiken	Green	Lodge
Anderson	Hennings	Monroney
Case	Humphrey	Moody
Clements	Hunt	Murray
Douglas	Jenner	Nixon
Ferguson	Knowland	O'Conor
Frear	Lehman	Pastore
Robertson	Taft	Wiley
Saltonstall	Thye	Williams
Seaton	Tobey	
Smith, N. J.	Underwood	

NOT VOTING—14

Benton	Dirksen	Langer
Butler, Nebr.	Duff	McMahon
Byrd	Flanders	Russell
Cain	Fulbright	Young
Carlson	Kefauver	

The VICE PRESIDENT. On this vote the yeas are 51, the nays are 31. A majority of the authorized membership of the Senate having voted in favor of the resolution of disapproval (S. Res. 331), it is agreed to.

Mr. MORSE subsequently said: Mr. President, I wish to make a very brief statement with regard to my vote on Reorganization Plan No. 3, and I ask unanimous consent that the statement be printed in the RECORD immediately following the vote.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I voted against the President's Reorganization Plan No. 3 because, after considering the contention of the distinguished Senator from Georgia [Mr. GEORGE], who I consider to be one of the most able lawyers in the Senate, after reading a confidential document in the form of a legal opinion which the Senator from Georgia made available to me, and after reading the statements both in the majority report and the minority views with regard to the point as to whether or not the plan in any way would limit or endanger the very important principle of judicial review, I came to the conclusion that there was doubt as to what the effect of the reorganization plan would be upon that very important safeguard.

I happen to hold to the opinion that the principle of judicial review is so important to the protection of the liberties of the American people, and that it is such an important check upon the exercise of arbitrary power and discretion, that I could not bring myself to vote for Reorganization Plan No. 3 so long as I had any doubt whatsoever as to the protection of the principle of judicial review.

I quite agree with the observation made by the majority of the committee in its report that it would have been a very simple matter for the President of the United States to have removed any doubt whatsoever in regard to the effect of the plan upon appeals to the courts. I would vote for the plan at any time it came to the floor of the Senate with the question of judicial review nailed down for a certainty, leaving no room for doubt as to its preservation.

I make these comments particularly in view of the fact that today the Secretary of State, in a very wordy statement in his press conference, completely evaded and ignored the fundamental point which the junior Senator from Oregon makes in regard to appeal procedures in respect to the Passport Division of the State Department. Dean Acheson did not come to grips with the basic objection which the junior Senator from Oregon has made with respect to the activities of the Passport Division of the State Department.

I have always considered the Secretary of State to be an able lawyer, but I certainly was disappointed in the statement which he issued today from his office, in which he sought to give the American people the false impression that there is an adequate review procedure with respect to decisions of the Passport Division.

The Secretary of State knows very well that there is no review procedure within the State Department over the arbitrary decisions of the Passport Division conducted by any independent committee or independent board. He knows full well that he has the authority, as Secretary of State, to set up such a review procedure. In my judgment, he is seeking to becloud the issue, because he knows that the junior Senator from Oregon has him pinned to the mat so far as the failure on the part of the Secretary of State is concerned to provide an adequate check on the exercise of abusive arbitrary discretion by the Passport Division.

In connection with Reorganization Plan No. 3 and my objections to it, I am applying the same principle for which I am fighting in connection with an improved procedure in the Passport Division of the State Department, and for which I have fought on the floor of the Senate during the past 7 years, with regard to the application of the principle of judicial review to other agencies of the Government. Whenever I have felt that there is in existence an unchecked, arbitrary discretion on the part of any administrative officer of the Government, I have sought to have a procedure adopted which would provide for an independent review of such decisions if they pertained to matters which involved basic rights and freedoms.

I shall continue to speak out against the maintenance of such unchecked power, and I shall continue to vote against proposals on the floor of the Senate which do not give to American citizens the right of review with respect to the decisions of mere men or women who have been given under legislation finality of decision without adequate review of their decisions.

Mr. President, for such reasons I voted against Reorganization Plan No. 3.

Mr. HUMPHREY subsequently said: Mr. President, I ask unanimous consent to have certain editorials printed in the RECORD concerning the reorganization plans, immediately following the vote on Reorganization Plan No. 3.

The VICE PRESIDENT. Is there objection?

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 13, 1952]

COMPLETING THE COURSE

The Senate this week will have an opportunity to strike three blows against the spoils system. One blow was struck in March when the Senate, by a vote of 53 to 37, approved the President's Reorganization Plan No. 1, which provided for the reorganization of the Bureau of Internal Revenue and for placing collectors under civil service. Now strong opposition has developed to three companion plans which would put postmasters, customs officials, and United States marshals under civil service.

These plans go into effect June 21 unless vetoed in the meantime by the House or Senate. No opposition to the proposals has been expressed in the House and no "veto bills" have been considered by House committees. But the Senate, jealous of its powers of patronage and confirmation, is expected to vote on all three measures. Already the Senate Committee on Government Operations has voted overwhelmingly against all three. A constitutional majority, or 49 votes, is required to kill the plans, which the Citizens Committee for the Hoover Report has said would mean the most important Federal personnel reform since passage of the Civil Service Act of 1883.

Whether such a sweeping statement is justified may be questioned, but there can be no doubt that the reforms proposed by the President would go far toward removing important officials from the patronage lists and far toward strengthening the Federal personnel system. As the Citizens Committee points out, the "present hybrid system of political choice of postmasters plus civil service combines the worst features of the spoils system and the merit system and undermines the morale and efficiency of the career employees." It would be a travesty for the Senate, which so often has condemned administrative inefficiency, to upset constructive efforts to extend the merit system.

[From the Washington Post of April 15, 1952]

MORE STREAMLINING

President Truman piled up such a pyramid of arguments in support of his three reorganization plans that it is difficult to see how Congress can find any excuse for turning them down. Of course, some Senators are always loath to lose any morsel of patronage. And there is likely to be special resentment because Mr. Truman is taking advantage of his few remaining months in office to bring about sweeping changes in the Government service. But the merits of the proposals themselves are so striking that they should be able to withstand even an election-year patronage stampede.

What the President has done is to transfer 20,000 jobs now filled by himself, with the advice and consent and sometimes the dictation of the Senate, to three departments to be staffed through the civil-service system. Included in the list are postmasters at first-, second-, and third-class post offices, several groups of customs officials, and the United States marshals. The transfer would be gradual as current terms expire or offices become vacant so as not to bring about a sudden turn-over. As these offices call for a high degree of administrative skill and are not concerned with policy making, they are precisely the type that should be filled on the basis of merit without regard to political affiliations.

In addition to enhancing personal efficiency, these plans will give department heads more complete control over their own agencies. The result should be a higher degree of accountability on the part of Cabinet officials. Relieved of the onerous chore of appointing thousands of officials whose qualifications he cannot study, the President, too, will be in a better position to give his attention to over-all policy, while holding the department head fully responsible for appointments along with other administrative details.

An important byproduct of these reforms should be reduced friction between the White House and Capitol Hill. "Relations between the President and Congress ought not to be complicated," Mr. Truman wrote, "by the need for coming to agreement on the selection of a host of field officials in posts where policy is not made." Some Presidents have attempted to bring pressure upon individual Senators by withholding patronage of this sort. Frequently rows over the filling of minor jobs have poisoned the discussion of major legislation. It will be a blessing to both the Senate and the President to be rid of this task. For both are now so hard-pressed by national and international problems that they cannot fritter away time on minor appointments without neglect of their primary functions.

[From the Washington Evening Star of April 16, 1952]

PATRONAGE IS HARD TO GIVE UP

A rough road lies ahead for the President's latest governmental reorganization plans in this politically surcharged election year. Mr. Truman did not improve the chances of obtaining congressional approval of the anti-patronage proposals when he waited so long to send them to the Capitol. Congress always has been reluctant to give up any of its patronage privileges. Now that there is a possibility of a change of administration before long an additional factor must be considered. This is the reported Republican suspicion that the President, foreseeing a Democratic defeat this fall, wants to "freeze" Democratic appointees into the civil-service system.

It is true that the plans for placing all postmasters, Federal marshals, and customs employees under the merit system, with no requirement for Senate confirmation, would cause no upheavals in present personnel. The new arrangement for departmental selection of such employees, according to civil-service standards, would be a gradual process of replacement in course of attrition. Not even the Hoover Commission, which strongly urged the elimination of political patronage from non-policy-making appointments, suggested that present holders of these jobs be swept out of office. As a matter of fact, these occupants of patronage jobs are appointed for stated terms, except that postmasters have indefinite tenure, subject to good behavior. All of the 21,000 postmasters who would be affected by the legislation were selected by a civil-service examining process, so that they have been certified as qualified for their duties. So even without the reform plans there will be no general upheaval of such appointees, regardless of who wins at the polls in November.

But all new appointments, under the plans, would be made by departmental heads, instead of the President, and would not be subject to Senate confirmation—hence not subject to patronage. The Hoover Commission stressed the necessity for thus removing nonpolicy jobs from the influence of politics, and so did a Presidential advisory commission as long ago as 1937. The Internal Revenue reorganization was the first move in carrying out these blows to the spoils system. There was strong opposition to this reform, but the reaction in Congress to scandals in the Internal Revenue Bureau helped to put the plan over. The corruption angle does not enter into consideration of the new plans, however. Therefore the prospect for their adoption is considerably less—unfortunately for the cause of better government.

[From the New York Times of June 12, 1952]

PATRONAGE VERSUS THE PEOPLE

The next 8 days will decide whether the Senate is willing to endorse a major governmental reform or whether the patronage boys will be allowed to ride high, wide and handsome over the national interest. For the Senate has only until June 20 to take action on the three Presidential reorganization plans that would deprive it of any say in the appointment of postmasters, customs collectors and United States marshals.

Under the proposals the three groups of Federal officials—numbering more than 21,000, of whom all but a handful are postmasters—would be selected for their jobs in

accordance with civil-service rules and without any question of advice and consent of the Senate. The proposals are entirely in accordance with Hoover Commission recommendations; and, in fact, the Citizens Committee on the Hoover Report calls the postmaster plan "the most significant personnel move" since establishment of the civil service system. Adoption of the proposals, which affect almost 90 percent of the politically appointed Federal officials, would largely eliminate the demoralizing influence of political patronage in the Federal service.

Nevertheless, the committee considering these plans has just reported them adversely. A tough fight is indicated on the Senate floor, because the clique of seniority-encrusted southern Democrats who are leading the opposition have the help of some Republicans watering at the mouth for the patronage plums that they see ripening after November 4. The issue should be frankly recognized for what it is: crude patronage versus improved Government.

There are many other Hoover Commission proposals of prime importance that are still awaiting Congressional action. One of the most fundamental, S. 1135, which is designed to modernize personnel practices within the Federal structure, has been languishing in the House Civil Service Committee ever since passing the Senate last year. It should be reported out, and now. One committee of the House has opened hearings on a group of 29 Hoover bills. Another committee has started hearings on the touchy subject of the Veterans' Administration. But progress is slow, and only constant pressure by the citizens of the United States can insure that progress will continue.

[From the New York Times of April 18, 1952]

POSTMASTERS AND POLITICS

True to his word, the President has sent up three more reorganization plans to Capitol Hill, and there are reports of others in the making. Mr. Truman has evidently determined at last that the final year of his administration shall be marked by a burst of effort to give effect to some of the major governmental reforms recommended by the Hoover Commission. It is very much in the public interest that he succeed in this undertaking.

First this year came the proposal to reorganize the Bureau of Internal Revenue, which Congress accepted despite some partisan opposition. And now there have followed the three plans to put the responsibility of appointing postmasters, United States marshals, and some customs officers where it belongs—in the hands of the respective departmental heads.

The historic Presidential power of naming thousands of subordinate officials (with advice and consent of the Senate) has traditionally been an important source of patronage. But it has also been an administrative headache to a long line of Presidents, it has guaranteed the injection of political considerations into branches of the Federal Government where political considerations should have no place, and it has unavoidably interfered with efficient execution of the public business.

More than 20,000 first-, second-, and third-class postmasters are affected by the President's proposal. Even now they are examined by the Civil Service Commission; but since under the present system their appointment is in the last analysis political, their loyalties can hardly be expected to be exclusively nonpolitical. The new plan will presumably result in filling vacancies in these positions strictly on a basis of merit, and—if it is too much to expect that it will entirely remove politics from the post office, at least it should go far toward encouraging the development of a professional career service right to the top of the ladder.

Furthermore, as the President pointed out, one of the basic objectives of the Hoover Commission recommendations was the creation of clear lines of accountability throughout the Federal establishment. A long step toward this end is taken by transferring the appointive power to the man who is directly responsible for the actions of his subordinates.

Another incidental but significant advantage is that this move wipes out an entirely unnecessary source of friction between the President and the Senate, of which there are far too many. While applying with especial force to the postmasters, these arguments extend with equal logic to the handful of customs officials in the Treasury Department and the few-score marshals in the Justice Department who also are affected by the proposed plans.

The attempt to get postmasters as far out of politics as possible has for scores of years been one of the prime objectives of almost all governmental reformers. Appointees of the party in power at the time of the change naturally profit from the change, but that is almost inevitable. The nonpartisan Citizens Committee for the Hoover Report has gone so far as to say that "this is the most important step in Federal personnel management since 1883," when the basic civil-service law was adopted. There are many more improvements to be made in the administration of the Post Office Department that this proposal does not even touch, and we hope that they will be coming along in time.

But at the moment these three plans are what the Congress has before it. Despite the temptations of an election year, it is up to Congress to support the President in this significant reform.

TIDELANDS BILL—SUGGESTED TIME FOR VOTE ON PRESIDENT'S VETO MESSAGE

Mr. O'MAHONEY. Mr. President, for several weeks there has been pending before the Senate the veto message of the President upon the so-called tidelands bill. The Senator from Florida [Mr. HOLLAND] and I have on numerous occasions sought to obtain a meeting of the minds as to when a vote should be taken upon that veto message. There has been up to this time only one aspect of the question on which we have been able to agree, and that is that the Members of the Senate ought to have a week's notice of the date upon which the vote is to take place, so that all who wish to be recorded upon the veto message may have that opportunity.

I had hoped that the vote might have taken place a week ago. I had hoped it might have taken place this week. But it seems that there is a possibility, with the agreement of the majority and minority leaders, that we might come to a unanimous-consent agreement to take up the veto message next week.

The Senator from Florida and I are in agreement on submitting a unanimous-consent request that the veto message may be made the special order of business on Wednesday next, the 25th of June, that the vote may be taken at 3 o'clock on the afternoon of the 26th of June, and that the time be equally divided between the proponents of the veto and those who seek to override it, and to be in charge of the Senator from Florida as to those who are objecting to the veto, and the time for the supporters of the veto to be in charge of the Senator from Wyoming.

The VICE PRESIDENT. Is the Senator from Wyoming making that request?

Mr. O'MAHONEY. I make the request for such unanimous-consent agreement.

The VICE PRESIDENT. Under the Constitution a roll call must be had.

Mr. McFARLAND. This is a unanimous-consent request as to the time for the vote.

Mr. LONG. Reserving the right to object, I have been making some study of the manner in which funds for public lands have been distributed and are being distributed under present law, and the amounts the States have received from revenues from public lands. I feel that Senators from those States would like to know how they stand. I am working on the figures and should like to make the information available to the Senate. Therefore, I must object at this time, until I know whether I shall have sufficient time to present this information to the Senate prior to the vote.

Mr. McFARLAND. Mr. President, I hope that the Senator from Louisiana will not object. He has a week in which to present his material, any afternoon or any evening he wants to present it.

We have been trying to reach an agreement as to a time to vote. Senators have been telephoning and requesting that a time be fixed for a vote. I hope the Senator from Louisiana will not object, because he can present the material he is preparing prior to the time suggested. There is nothing to prevent him from presenting it on Wednesday, on Monday, or even tomorrow.

Mr. LONG. I may be able to agree upon a limitation by tomorrow, but I must object at the moment.

Mr. McFARLAND. I do not believe the Senator understands the inconvenience that is being caused Members of the House by failure to fix a time to vote on the veto message. I am receiving numerous telephone calls every day inquiring when the veto will come before the Senate. I hope the Senator will not press his objection.

Mr. O'MAHONEY. If the Senator will yield, I may say that I do not think it will make any difference to Members of the House.

Mr. McFARLAND. It may not make any difference to Members of the House so far as the substance is concerned, but it makes a difference to them in connection with their plans, because they want to be present the day after the Senate votes.

Mr. O'MAHONEY. I do not think there would be any sense in that, because the veto will be sustained.

Mr. SMATHERS. If the Senator from Arizona will yield, I may say to the Senator from Louisiana that I have already looked up most of the information about which he is speaking. I shall be glad to supply it to him tomorrow on the floor. I join with other Senators in the hope that the Senator from Louisiana will not object to the unanimous-consent request.

Mr. CHAVEZ. Mr. President, I wish to reserve the right to object, for the reason that while I desire to vote on the veto, and I do not believe it would make any difference whether the date were fixed a week from today or 2 weeks from today, I wish to appeal to the Senate for the reason that I have invited and shall welcome to my State several aspirants to the Presidency of the United States on our side.

On Wednesday of next week, one of our colleagues who is much beloved, without any regard to his political thinking, the Senator from Georgia [Mr. RUSSELL], will be in my home town. I have invited him to be my guest there. I do not say that I am going to tell the people to vote for or against him. I have asked the Senator from Tennessee [Mr. KEFAUVER] to come, and we shall welcome Mr. Harriman and others.

So far as I am concerned, when the Senator from Georgia [Mr. RUSSELL] is going to be in my home town on the date suggested. I shall have to object to setting that date for a veto. If a date can be fixed a week from that time, it will be very agreeable to me.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HOLLAND. When the Senator from New Mexico approached me on this matter this morning, I told him that I had endeavored on two previous occasions to get together with him. I am willing to assume my share of delinquency for some of the faiure to get together, but the Senator from Wyoming was in his own State on two occasions. So the blame, if any, has been divided equally, for both of us have been equally anxious to have a date set sufficiently well ahead that Senators would be able to be present.

I call attention of the Senator from New Mexico to the fact that there might be a distinct possibility of arranging a pair in connection with his absence and that of the Senator from Georgia. I realize that a pair on this particular vote will be difficult to arrange, because a majority of two-thirds is required; but I believe it will be possible to do so. I hope the Senator will withhold his objection.

Mr. CHAVEZ. What particular objection could there be if the matter went over until the following Monday?

Mr. HOLLAND. I may say to the distinguished Senator that the difference is that the session is approaching a close. It is becoming more and more difficult for Senators who are candidates for office to be in Washington. Likewise, there are Senators who are not themselves candidates for office who tell me they will have to leave in connection with arrangements for one or the other of the conventions. So I believe the longer we put off the matter, the more difficult it will prove to be to set a date that will be acceptable to everyone.

Mr. CHAVEZ. I do not believe the Senate would suffer for one moment if the Senator from Florida and the Senator from Wyoming would agree to delay the matter at least until the following Monday. The Senator from Georgia [Mr. RUSSELL] will be in my State. I want to be fair to him. I do not say that I am for the Senator from Georgia, but I have already arranged to be in New Mexico, when he makes his visit, and I want to be there. But I also desire to vote on the veto message.

Mr. HOLLAND. The Senator from New Mexico makes it very difficult for the Senator from Florida, because the Senator from Florida is so strongly for the Senator from Georgia as a candidate for the Presidency, as I believe everyone knows.

Mr. CHAVEZ. I understand that.

Mr. HOLLAND. It seems difficult, if not impossible, to arrange a date when all Senators can be present. However, it would seem that the fact that the Senator from New Mexico and the Senator from Georgia will be together would make it easier than would normally be the case to arrange a pair, because we would have to look for one other Senator in that situation to pair with them.

Mr. CHAVEZ. Will the Senator from Florida pair with the Senator from Georgia or the Senator from New Mexico?

Mr. HOLLAND. No, the Senator from Florida will not, but he will undertake to try to locate someone who will pair.

Mr. CHAVEZ. I do not think I am asking anything unreasonable. The Senator wanted to give a week's notice. My suggestion would give 10 days' notice.

Mr. O'MAHONEY. Would it be possible for the Senator from New Mexico to return to Washington for the 27th? That would be a week from Friday.

Mr. CHAVEZ. I do not believe so, for the reason, as I have said, that I wish to be present when DICK RUSSELL is in my State. He will be there for 2 days, on the 25th and 26th.

I am not committing myself to the Senator from Georgia, but he is a fine, upstanding American. He deserves the same kind of treatment from the people of my State as that received by other Senators, who may represent my kind of political philosophy. But I can be here on the 28th.

Mr. HOLLAND. I am told by the Senator from Texas [Mr. JOHNSON] that the question of arranging a pair has already been discussed between the Senator from Georgia and himself, and that proceedings have gone far in that direction.

So far as Friday is concerned, I could not agree to change to that date, because, when approaching various Senators of both points of view on this subject, I was told by a good many of them that they had to leave in the afternoon of Thursday in order to keep appointments long made for the next day, Friday. I would have to reexamine the whole situation and approach a number of Senators before I could agree to a change.

Mr. McFARLAND. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. McFARLAND. Would Wednesday be agreeable?

Mr. HOLLAND. Wednesday is the day that was set for argument upon the veto.

Mr. McFARLAND. It could be set for a day earlier.

Mr. HOLLAND. There are several Senators who could not be present on that day. I would have to check my notes to determine the exact number. I am sure a pair could be arranged for the Senator from New Mexico. Not all could be here on Thursday, but that seemed to be a day when most Senators could be here.

I may say that some Senators, who do not expect to vote as I expect to vote on this matter, expressed a preference for Thursday rather than either Wednesday or Friday. I do not know what the experience of the Senator from Wyoming has been, but I suppose it has been somewhat the same.

Mr. O'MAHONEY. I may say to the Senator from Florida that the only question which has come to me recently has been that raised by the Senator from New Mexico. I would be quite willing to agree to vote at 4 o'clock on Friday, June 27. The Senator from New Mexico says that that would be agreeable to him.

Mr. HOLLAND. I am sorry to have to advise the Senator from Wyoming that there are at least three Senators who have advised me that they would be away on Friday.

Mr. O'MAHONEY. Would there be a possibility of reaching an agreement to take up the matter on Monday, June 23, and to vote on it at 5 o'clock, or 4 o'clock, on the afternoon of Tuesday?

Mr. HOLLAND. Mr. President, in view of the objection which has just been suggested, as coming from the Senator from Louisiana [Mr. LONG], and in view of the difficulty which is presented to the Senator from New Mexico, it seems to me that the most appropriate course now to follow would be for the Senator from Wyoming to withdraw his request for the moment and allow us to confer further between now and tomorrow, in the hope of finding a date which will be satisfactory to all Senators.

Mr. O'MAHONEY. Mr. President, in view of the fact that my principal purpose this afternoon was to advise Senators that an effort was being made to reach an agreement as to a date on which the vote could be taken, I am very glad to comply with the suggestion of the Senator from Florida and withdraw the request this afternoon, but I shall seek an opportunity tomorrow to present the request again.

The VICE PRESIDENT. The Senator from Wyoming withdraws his request.

Mr. LONG. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. I yield.

Mr. LONG. I have given further consideration to this subject and have conferred with my colleagues. Upon their urging, I personally will not object to voting on the day originally suggested, which was Thursday.

Mr. O'MAHONEY. The subject will be brought up again tomorrow.

URGENT DEFICIENCY APPROPRIATIONS ACT, 1952

Mr. McKELLAR. Mr. President, I move that the Senate proceed to the consideration of House bill 7860, a bill

making appropriations to supply urgency deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. McKELLAR. Mr. President, I merely wish to say that these deficiencies occur largely in the appropriations for the Army, the Navy, the Air Corps, and other defense agencies; also in connection with expenses in Korea. I believe the committee is in substantial agreement that these appropriations must be made. We are in a war, and they simply must be made. There is no way around it.

With that statement, I am willing to answer any questions.

The VICE PRESIDENT. Let the committee amendments be first considered. The clerk will state the first committee amendment.

The first amendment of the Committee on Appropriations was, under the heading "Chapter I—District of Columbia—(Out of revenues of the District of Columbia)," on page 2, after line 11, to insert:

COMPENSATION AND RETIREMENT FUND EXPENSES

DISTRICT GOVERNMENT RETIREMENT AND RELIEF FUNDS

For an additional amount for "District government retirement and relief funds," $113,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 18, to insert:

CHAPTER II

LEGISLATIVE BRANCH

SENATE

Contingent expenses of the Senate

Miscellaneous items: For an additional amount for "Miscellaneous items", fiscal year 1951, $350.

The amendment was agreed to.

ASSIGNMENT OF STATE DEPARTMENT OFFICERS TO STAFFS OF GOVERNORS

Mr. BRIDGES. Mr. President, recently I picked up an issue of a Washington newspaper. I was amazed and shocked to read the headline. The headline was, "Two State Department men assigned to governors."

I wondered what the State Department officers were going to do when assigned to governors. I read the article:

In an experiment to bring America's concern in international affairs closer to the State level, the State Department has assigned Foreign Service officers to the staffs of two Governors, Earl Warren, of California, and G. Mennen Williams, of Michigan.

The dual purposes foreseen for the program are:

1. To keep the Governors in closer touch with developments in foreign affairs, particularly those with economic consequences, which bear directly and increasingly on State activities.

2. To bring foreign-service officers into more intimate touch with public affairs at the State level.

Paul Paddock, Jr., a 45-year-old veteran of the Foreign Service and a former classmate of Williams, will go on the staff of the Michigan Governor.

John Page Hoover, a native of California, will join Warren's staff. Hoover, 42, is a graduate of Stanford and received a law degree from George Washington University. He has served in several Latin-American posts.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CAPEHART. Who is going to pay for these positions?

Mr. BRIDGES. That is the point I was bringing up. We have a budget of $85,600,000,000. We are called on to appropriate hundreds of millions of dollars for the State Department. I want to give them sufficient money to conduct a foreign service, but when it comes to appointing ambassadors from the State Department to States and paying them with Federal funds taken from taxpayers, it is going a long, long way.

Mr. CAPEHART. What are the duties of these gentlemen?

Mr. BRIDGES. I will say to the distinguished Senator from Indiana that I do not know what their duties are. I quoted from the article. Apparently their duties are "to keep the governors in closer touch with developments in foreign affairs."

Mr. CAPEHART. Why did the State Department pick out Governor Warren and Governor Williams?

Mr. BRIDGES. That I cannot tell the Senator from Indiana. I do not know why the Governor of Indiana or the Governor of New Hampshire was not picked. If the State Department is going to send ambassadors to California and Michigan, New Hampshire and Indiana certainly deserve some consideration.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HICKENLOOPER. Does that mean that the States will send ambassadors back to the State Department or to the Federal Government? Will there also be an exchange of diplomatic relations between the Federal Government and the State governors?

Mr. BRIDGES. I have always understood that when a country sends an ambassador to another country, the countries exchange ambassadors. So a new situation may have developed in this country.

Mr. HICKENLOOPER. It raises the question of protocol and diplomatic immunity, and such things. It is a fascinating subject which the Senator from New Hampshire has raised with respect to the proposal to exchange ambassadors with—what would we call them? Would they be the courts of other sovereign nations?

Mr. BRIDGES. I do not know. I am trying to explore the subject.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CASE. Did I correctly understand the Senator to say that the ambassadors to the State of Michigan and the Governor of Michigan are former classsmates?

Mr. BRIDGES. That is correct.

Mr. CASE. If an ambassador is to be appointed, it is very thoughtful of the State Department to select a former classmate of the Governor of Michigan for that position.

Mr. BRIDGES. Yes. I do not know whether the State Department will be able to find enough classmates of governors to send one to every governor in the country. In any event, it was very thoughtful in this case.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MORSE. I have two questions I should like to ask of the Senator from New Hampshire. Does he think that there might be the possibility of some politics being connected with the action of the Secretary of State?

Mr. BRIDGES. Oh, I would not believe that. I could not believe that for a moment.

Mr. MORSE. I do not consider my friend from New Hampshire to be so naive, and I do not consider myself to be so naive as to believe that politics is not involved. Is the Senator from New Hampshire a member of the Foreign Relations Committee?

Mr. BRIDGES. No; I am not a member of the Committee on Foreign Relations.

Mr. MORSE. Does not the Senator from New Hampshire think that Senators who are members of the Foreign Relations Committee should proceed without delay to make a request of the committee that the Secretary of State be brought before the committee forthwith to get the facts, if this newspaper story is not a correct statement of the facts?

Mr. BRIDGES. I certainly do.

Mr. MORSE. I strongly recommend that course to the committee, because I am one who believes we must be sure of the facts before we act.

Mr. BRIDGES. When the Senator from Oregon referred to politics, and asked whether politics was involved, and I said I did not think so, of course I was facetious.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. JENNER. I would not want the Senator from New Hampshire to pass on this subject too lightly. Does he not think that there might be some merit to the action of the State Department, in view of the fact that the State Department is so far away from the thinking of the American people that it may need ambassadors to find out what is going on in the country?

Mr. BRIDGES. The Senator's suggestion seems plausible.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FERGUSON. Does not the Senator from New Hampshire think that the Appropriations Committee can look into this matter and ascertain where the State Department is going to get the funds with which to pay the ambassadors to Michigan and California?

Mr. BRIDGES. Yes; I think the committee should do so. In the case of Michigan, undoubtedly there will be a cozy club of classmates whenever the governor and the ambassador get together, with the taxpayers of the country paying the bill.

Mr. FERGUSON. Mr. President, will the Senator yield further?

Mr. BRIDGES. I yield.

Mr. FERGUSON. I understand that the State Department is also very much indebted to Governor Williams and Governor Warren for their cooperation in the matter, since the appointment will require some of the personal time of the respective governors.

It may be that this is an ambassadorship not to the State of Michigan—I do not think we need an ambassador from Washington—but an ambassadorship to the governor personally.

Mr. BRIDGES. That might be the situation. In that way there would be a cozy club of two classmates.

Mr. FERGUSON. If they were classmates, there would be considerable cooperation and it would necessarily take some of the time of the Governor of Michigan.

Mr. BRIDGES. I understand the Governor of Michigan is a congenial gentleman.

Mr. FERGUSON. I am sure the Senator from Nevada [Mr. McCARRAN] will look into the question of whether the ambassador to the Governor of Michigan will have all the facilities of ambassadors, such as an embassy in Lansing.

Mr. BRIDGES. I would assume, of course, that as the Senator from Iowa has mentioned, certain protocol would be observed. When we send an ambassador to a foreign country that country sends an ambassador to us. Therefore, if Washington sends an ambassador to Michigan, Michigan will send an ambassador to Washington.

Mr. FERGUSON. Such an ambassador would be accredited personally to the Secretary of State, I assume.

Mr. BRIDGES. I do not know.

Mr. HICKENLOOPER. Mr. President, will the Senator yield further?

Mr. BRIDGES. I yield.

Mr. HICKENLOOPER. In defense of the Foreign Relations Committee, of which I am a member, I will say to the Senator from Oregon [Mr. MORSE] that the committee's rights will be kept inviolate. No doubt when we exchange ambassadors with another sovereign country—and California and Michigan are sovereign States—such appointments must come before the Committee on Foreign Relations for confirmation. If they come before the committee I assure the Senator from Oregon that we will investigate the matter very thoroughly. I want to give Senators the assurance that the Foreign Relations Committee will be very much interested.

Mr. HUNT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HUNT. The Senator from Oregon and the Senator from Iowa have made reference to referring the matter to the Foreign Relations Committee. I fail to understand where there is anything foreign about the situation. I should like to inquire whether there is not some way of making the appointments apply to former governors, instead of present governors. In that way the emissaries and diplomats would have to travel only from the State Department to the Senate Chamber, and everything could be handled here.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. DOUGLAS. I wonder whether the Senator from New Hampshire will agree that the following verse from William S. Gilbert's Bab Ballads is appropriate to the situation:

> Ambassadors cropped up like hay,
> Prime Ministers and such as they
> Grew like asparagus in May,
> And Dukes were three a penny.
>
> Lord Chancelors were cheap as sprats,
> And bishops in their shovel hats
> Were plentiful as tabby cats—
> If anything, too many.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. Unfortunately I came to the Chamber after the discussion had started. The attention of the Senator from California was called to the article by the senior Senator from Michigan either yesterday or the day before, which was the first information he had concerning the subject.

Mr. President, I have made some inquiries. I believe the statement I am about to make is an accurate statement of the facts as they have been presented to me. The person who was assigned to California was not assigned there on any basis whatsoever as a foreign-policy officer. I was informed that at the time the contact was made with the State of California—and I cannot speak for Michigan or any other State—the statement was made that we have a number of foreign-service officers who have been overseas for a considerable period of time.

I myself have heard criticism, from time to time, if not on the floor of the Senate certainly in the cloakrooms of the Senate, that it is not good for some of those who are in our Foreign Service to be overseas for so long a time that they lose contact with the political and economic life of the United States.

Therefore, in order to improve that situation and to bring about a reorientation of the members of the Foreign Service, so that the Foreign Service will not be completely dissociated from American life, it was suggested that for a brief period of time it might be of value to assign members of the Foreign Service to various States of the Union, where they could become acquainted with the agricultural, industrial, and political life of America, so that when they returned to their overseas assignments they would have a little better understanding of what makes America "tick," so to speak.

Certainly I have no objection to having the distinguished Senator from Nevada [Mr. McCARRAN], chairman of the Judiciary Committee, who is chairman of the Appropriations Subcommittee on Appropriations for the Departments of State, Commerce, and Justice, or the distinguished Senator from New Hampshire [Mr. BRIDGES], who is ranking minority member of that subcommittee, and also of the full Appropriations Committee, for both of whom I have the highest regard, proceed to have their subcommittee or the full committee look into the matter, to ascertain whether there is any validity to that suggestion.

It may be that it would be a mistake to have the State Department initiate such a program. Perhaps our Foreign Service officers should remain overseas for so long a time that they would lose all touch with the realities of American life. [Laughter.] On the other hand, perhaps that should not be done; but perhaps there is a better way to get them in touch with what is going on in America.

Although I do not wish to interfere with the manifestations of the spirit of facetiousness in connection with this matter, at least I believe the point of view I have stated should be expressed.

Mr. CAPEHART. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. CAPEHART. I would be very happy to offer a job to a few Foreign Service officers to work on my farm in Indiana or to work in my factory in Indianapolis.

Mr. KNOWLAND. That might be a very good thing for them.

Mr. HUMPHREY. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. HUMPHREY. I have been much interested in the remarks the Senator from New Hampshire has made. I believe his suggestion about this matter is worthy of discussion.

I wonder whether perhaps the Secretary of State has heard so much discussion of the inalienable rights of the States that he has become somewhat confused, and regards the States as independent nations, and believes the United States should exchange ambassadors with them.

Mr. BRIDGES. That could be.

Mr. HUMPHREY. Yes; it very well could be, for there has been considerable argument to the effect that such a state of affairs exists.

Mr. MORSE. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. MORSE. Does the Senator from New Hampshire agree with me that in view of this situation, it is all the more important that the suggestion I previously have made be adopted, namely, that the Secretary of State appear before the appropriate Senate committee

and testify regarding this policy, so that we may ascertain what his real policy is?

Furthermore, if the objective of the Secretary of State is what the Senator from California says it is, is there not a basic question of policy as to whether this matter should be handled in the way proposed by the Secretary of State? If the Secretary of State is assigning someone who, as seems to be indicated by the newspaper article, would be assigned to the office of governor of each State then I think he should be checked in that policy. Does the Senator agree?

In other words, there are a great many ways by which our Foreign Service officers could learn what is going on in the United States, without being assigned to political offices in connection with the State governments. Is not that true?

Mr. BRIDGES. Of course, I shall answer the Senator from Oregon by saying that what he has said is absolutely true. Such an arrangement would result in assigning the Foreign Service officers to political offices in the States—in that case, the office of the governor of each State—whereas probably there are 10,000 other ways by means of which such Foreign Service officers could obtain knowledge about America.

Of course I agree with what the Senator from California [Mr. KNOWLAND] has said, namely, that the Foreign Service officers should know more about what occurs in the United States. Certainly it is most important that they should.

Mr. WELKER. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. WELKER. I thank the Senator from New Hampshire for yielding.

I believe this matter is far more serious than some of us would seem to indicate we believe it to be.

The taxpayers back home will wonder why such a program is necessary. It seems to me that the program now proposed is just another attempt to engage in propaganda all over the United States, in an endeavor to sell the American people on the unwise schemes of the State Department.

So far as I am concerned, I should like to see the State Department send an ambassador to the very distinguished Governor of Idaho. I assure the Senate that when that ambassador returned to Washington, he would have more common, ordinary, horse sense than anyone in the State Department has at this time.

However, such a program would simply amount to another extravagance on the part of the State Department. Mr. President, it is time for us to call a halt to such willful and wanton squandering of the money of the taxpayers of the United States. There is no reason why we should permit such a waste of public funds to occur.

Mr. FERGUSON. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. FERGUSON. I have no objection to having a member of the Foreign Service come to Michigan. No objection at all would be made to that, because I think the State Department has much to learn about Michigan, particularly in view of the way the State Department treated Michigan in the case of the copper situation, when the State Department refused to allow the industries of Michigan to buy 3,000 tons of copper which, if purchased, would have permitted approximately 50,000 persons to continue at work. By means of the International Materials Conference, the State Department has exercised a cartel against the workers in Michigan.

So we would like to have a representative of the State Department come to Michigan. Probably Michigan is a foreign land, so far as the State Department is concerned.

However, I believe it should be pointed out that there already are in Michigan many agencies and representatives of the Federal Government. For instance, the Detroit directory lists approximately 200 telephones for various agencies of the Federal Government. If members of the Foreign Service wish to learn something about operations in Michigan, it would be wise for them to study some of the operations which are not purely political. If they would come to Michigan, even for a vacation, or if they would come to Michigan as representatives of some of the other agencies of the Federal Government, such as the Department of Commerce, the Department of the Interior, the Department of Justice, or various other agencies, they would be able to ascertain what is going on in the business life of Michigan and in the business life of the Nation as a whole.

As the Senator from California [Mr. KNOWLAND] has indicated, if the Foreign Service officers went to the various States on the basis of such an arrangement, they would learn a great deal about the Nation as a whole.

On the other hand, I believe they would obtain less knowledge if they simply went to the Governors' offices. It seems to me the Foreign Service officers would learn more about American life if they studied other activities in Michigan, rather than if they confined their studies to the office of the Governor.

Mr. MUNDT. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I was rather intrigued by the suggestion submitted by the senior Senator from California [Mr. KNOWLAND]. Perhaps it has considerable merit—namely, to have the Foreign Service officers who have been overseas for a long time, return to the United States and re-acquaint themselves with our country.

As I understand the concept which has been submitted by the Senator from California, it is that this program is one to Americanize our Foreign Service officers. Such a suggestion may deserve some study; possibly it deserves expansion and emulation.

If such a program is to be adopted and if Congress is to appropriate money to carry it out, it seems to me that what would be sauce for the goose should be sauce for the gander. If such a program would work effectively for the Foreign Service, it seems to me it would work even more effectively for the boss of that Service. So it seems to me we should farm out Dean Acheson to some good State, such as Kansas or South Dakota, for a while. [Laughter.]

Mr. BRICKER. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. BRICKER. The distinguished minority leader has served for a long time in Congress. Let me inquire whether he remembers a proposal, which was made in the early days of the New Deal, to create certain districts in the United States, and to incorporate into those districts the various States of the Union, and to have representatives of the Federal Government serve those districts, rather than the States.

Mr. BRIDGES. I remember that that was proposed at one time.

Mr. BRICKER. Might not this be a follow-up as a result of the failure of that proposal, with a view to further lessening the importance of the States and making them mere servants of the Government at Washington, more than they otherwise would be?

Mr. BRIDGES. That might very well be.

Mr. BRICKER. Might it not be that there is a feeling on the part of the Department of State that the States are beginning to realize their relationship to the Federal Union and are beginning to exercise their proper functions in their sphere of influence in the Republic, and that this is an effort to thwart a movement of that kind?

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. BRICKER. The Senator from New Hampshire has the floor.

Mr. BRIDGES. I ask unanimous consent that I may yield to the Senator from California for the purpose of addressing a question to the Senator from Ohio, without losing the floor.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BRICKER. I have a few more questions I should like to ask, after the Senator from California finishes.

Mr. KNOWLAND. I would say that if the thesis of the distinguished Senator from Ohio is correct, the Department of State must have decided that, in view of the revolt in California over the seizure of our submerged lands and the attempt to deprive us of our water resources, and in view of other things that have been done, perhaps California was leading the way in the matter of asserting States' rights, and that that was the reason they found it necessary to send someone to California.

Mr. BRICKER. It may have been that the nomination of the distinguished Senator from California by the Democratic Party also had some influence. That might have prompted the State Department to see whether they could recoup their losses in California. I appreciate the Senator's suggestion.

Mr. President, will the Senator from New Hampshire yield for a question?

Mr. BRIDGES. I yield.

Mr. BRICKER. Does the Senator agree with me that about the only purpose to be served by a program of this kind would be either to bring political influence to bear upon the Governors of the States, or to spread propaganda perhaps among the people of the States?

Mr. BRIDGES. That would be the most obvious explanation. If they wanted to do what the Senator from California indicated he was informed they wanted to do, namely, to have Foreign Service officers become acquainted with the various phases of American life, or, as the Senator from South Dakota expressed it, to re-Americanize the Foreign Service officers, they could have done through some of the regular channels of the Federal Government, or by accrediting them to important industries. But why pick out two political officers? Why pick out California? Why pick out Michigan? Why not pick out New Mexico, Utah, or some other State?

Mr. BRICKER. If the Federal Government desired to obtain information as to what was going on in the States in any phase or sphere of their activities, there are 108,000 Federal employees in my State. That should certainly be enough. Another representative of the State Department could not add much to the information coming to Washington. So it seems to be for political propaganda purposes that these Foreign Service officers are assigned to the governors of certain States. In the judgment of the Senator, could it be that this whole program is foundationed upon the old Hopkins theory that the people of the country are too dumb to know what they want, and have to be told by the State Department what they ought to do in their respective States?

Mr. BRIDGES. That is a very likely reason, I would say.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Utah.

Mr. WATKINS. Is the Senator aware of the fact that for many years the State Department has been receiving delegations from the various States? Is he aware of the fact that those delegations from the States have come to the State Department to listen to its propaganda, which is put out in these off-the-record meetings?

Mr. BRIDGES. I have heard of that, yes.

Mr. WATKINS. Is it not possible that Senators who have made these suggestions today are entirely mistaken as to the reasons for these men being sent to the States? Is it not possible that the State Department is only now returning the courtesy of these delegations in coming to Washington by sending its representatives into the various States?

Mr. BRIDGES. That sounds very reasonable and probable.

Mr. WATKINS. It is also possible, is it not, that the attendance at certain of these off-the-record meetings by distinguished people from the States is falling off, and that it is now necessary to have the State Department go to the people, rather than for the people to come to the State Department?

Mr. BRIDGES. That is very logical.

Mr. WATKINS. I should also like to point out that I hope the qualifications of a governor to receive one of these ambassadors does not require him to be a collegemate of the Secretary of State. As I recall, the Governor of Utah who probably could not be selected for that reason. Therefore, Utah might be left entirely without an ambassador.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Vermont.

Mr. AIKEN. Does the Senator from New Hampshire know of any restrictions in the Constitution against the employment of ambassadors to the States? As I read article II, section 2, of the Constitution, the President is authorized to appoint ambassadors. It does not say to whom the ambassadors are to be sent. However, it does say that he must have the advice and consent of the Senate. It seems to me that he has been somewhat amiss in appointing ambassadors to the States without having first obtained the consent of this body. I think we should feel slighted at having been bypassed in that manner. However, I presume that the two ambassadors who have been referred to were simply pilot ambassadors, so to speak, who were sent in order to try out the plan. The trial seems to have been on rather a small scale, in appointing ambassadors to subdivisions of the Government. What would the Senator from New Hampshire think of it, if the State Department should decide to appoint ambassadors to all the counties in the country, perhaps on a trial basis, let us say, from July 1 to November 15? Would not that be a more complete trial of the program?

Mr. BRIDGES. Yes. It is conceivable that the motives of the State Department in sending the ambassadors were as the Senator has intimated. That might be a very logical supposition. In other words, if the experiment in sending two ambassadors should prove satisfactory, the State Department might decide to send 1,000 ambassadors, from July 1 to November 4. It might prove constructive from the administrative point of view.

Mr. AIKEN. The whole thing is rather mysterious. After listening to the explanation of the Senator from California, I am sure that the ambassadors were sent to California and Michigan to become indoctrinated. That would seem to reverse the usual procedure. It might be a good thing if employees of the State Department were to go out and live among the people for a while and listen to what they said. It might prove helpful.

Mr. BRIDGES. I think the Senator is correct. There is no objection to officers of the State Department going to the State of Michigan or to the wheat fields of Kansas, or anywhere else, to learn more about America, because I agree with the Senator that that might be helpful. But what I am opposing is sending ambassadors to two governors, the chief political officers of two great States of the Union. How the Department happened to select those two governors, I do not know, although the reason may be the coincidence that the officer sent to California was a graduate of Stanford University and the one sent to Michigan was a college classmate of Governor Williams of that State. When are they going to get to the point of sending an ambassador to New Hampshire? I do not know whether Sherman Adams, governor of New Hampshire, has a classmate in the State Department or not.

Mr. AIKEN. Does New Hampshire have any political "dark horses" who might need instruction?

Mr. BRIDGES. I do not know. I hope not.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Ohio.

Mr. BRICKER. Mention has been made that the State Department might send ambassadors to the counties. Does the Senator realize that there is now an ambassador of the Federal Government in every county in the United States except one? The State of South Dakota has one county that does not have a Federal representative in it. I think possibly that is an oversight. But, in my opinion, the question is far more serious than anyone has thus far taken it to be, when the Federal Government begins to send representatives to the State governments, which are supposed to be independent and not subject to Federal control to influence them by appropriations or otherwise.

I think the Committee on Appropriations ought to look into it. It is possible that the committee should include a proviso in appropriations for the State Department that none of the funds shall be used for the purpose of sending representatives from the State Department to the offices of the governors of the various States. It is a complete breach of the Federal-State relationship, which is the foundation upon which this Nation has been built. By this activity the State Department has, in my judgment, violated all its responsibilities in an effort to propagandize further the people back home.

The State Department realizes, as the Senator from California suggested a moment ago, that it is rapidly losing its influence throughout the country, and the day is soon to come when the State Department's influence will have been reduced to a minimum.

Mr. BRIDGES. I thank the Senator for his suggestion. I shall conclude my remarks by saying that I think two things should be done. The Foreign Relations Committee should go very thoroughly into this innovation on the part of the State Department in sending ambassadors to the States. I believe also that the Appropriations Committee of the Senate should look into the matter, and, if necessary, write a restriction in the appropriation bill.

Mr. KNOWLAND. Mr. President, will the Senator yield for a brief observation?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. Perhaps the observation made by the distinguished Senator from Vermont is correct. Perhaps the ambassadors have been improperly characterized. Although I think that actually the situation in regard to the ambassadors developed a month or so ago, the State Department may have read the election returns from California, showing that a Republican Senator had captured the Democratic nomination as well as the Republican nomination, by means of an attack upon the administration's policies in seizing the steel industry and in seizing our submerged lands, as well as the mishandling of our far-eastern policy, and had determined that it was necessary to send a missionary there.

Mr. BRICKER. That may very well be.

Mr. HICKENLOOPER. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield

Mr. HICKENLOOPER. Mr. President, I find in the Foreign Service Act of 1946 some provisions, sections 572, 573, and 574, which deal with the assignment of Foreign Service officers. There is a provision in the Foreign Service Act contemplating that when the officers return to this country they may be assigned to industrial or other business organizations of various kinds for the purpose of learning at the grass roots during a certain period of time, to see what makes America go. That has been the practice for a considerable period of time, and, so far as I am concerned, I thoroughly approve of it. It gets them down into the mechanics of the American free enterprise operation. I find that only a very few persons are assigned to such organizations. However, it is certainly an innovation to assign a representative of the State Department to the office of the Governor of a State, or to the executive departments of at least two States. I have reason to believe it is contemplated to make a general assignment of Foreign Service officers to the offices of governors of various States.

I suggest to the Senator that whether that is the purpose or not, the assignment of a State Department official to the staff of the governor of a State makes a very convenient and persuasive pipeline for the transmission of allegedly secret, inside information, properly oriented, of course, and calculated to have the governor see the State Department's particular and peculiar view of the economy of the Nation and our international relations. It would make a magnificent transmission belt, as some persons might call it, for the State Department's philosophy to the chief executives of the various States.

Mr. BRIDGES. Mr. President, I notice that the distinguished chairman of the Foreign Relations Committee is now on the floor. He has heard only a part of what has been said. I would say to the distinguished Senator that it has been stated that the sending of State Department officials as ambassadors to the governors of States is an innovation. It has been stated that it is something which the Senator's committee should look into. I wondered if he had any comment to make.

Mr. CONNALLY. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield to the distinguished Senator from Texas.

Mr. CONNALLY. Mr. President, I do not know much about the matter. All I know is what the Senator from New Hampshire has said and what has been published in the newspapers. So far as I know about it, I wholly disapprove. I think the American Union is composed of States, that the States are independent, and that within their constitutional powers they are sovereign. I think there is too much scrambling of State functions and Federal functions in the legislation of the Congress. I wholly disapprove of the idea of assigning a State Department representative to the governor of a State. I understand the Department is limiting it to two States. I suppose they figure that California needs more information than it has, and the same is true with regard to Michigan. They are judicious, however. They select a Democratic governor and a Republican governor.

In reply to the comment of the senior Senator from California [Mr. KNOWLAND], who was making a great point of the fact that he himself had been nominated on both tickets, I understand that the Senator from Tennessee [Mr. KEFAUVER] received more votes in California than did the Governor of California who appointed the senior Senator from California to the Senate.

Mr. President, I did not know anything about the plan of the State Department until I read it in the newspapers. I know a great many people in the State Department who, I think, should be sent somewhere, but not out into the States.

URGENT DEFICIENCY APPROPRIATION ACT, 1952

The Senate resumed the consideration of the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, on page 4, line 1, to change the chapter number from "II" to "III."

The amendment was agreed to.

The next amendment was, on page 4, line 18, to change the chapter number from "III" to "IV."

The amendment was agreed to.

The next amendment was, on page 5, line 3, to change the chapter number from "IV" to "V."

The amendment was agreed to.

The next amendment was, under the heading "Department of Agriculture," on page 5, after line 4, to strike out:

BUREAU OF ANIMAL INDUSTRY

RESEARCH FACILITIES

For the establishment of a laboratory and related facilities for investigation of foot-and-mouth and other animal diseases, in accordance with the act of April 24, 1948 (21 U. S. C. 113a), $10,000,000.

Mr. CASE. Mr. President, I object to this amendment.

It is difficult for some of us to understand the reason for striking out the proposal to appropriate $10,000,000 for the establishment of a laboratory and related facilities for the investigation of foot-and-mouth and other animal diseases.

Mr. McKELLAR. Mr. President, I should be very glad to tell the Senator from South Dakota what happened.

Mr. CASE. I should be very glad to know.

Mr. McKELLAR. It was proposed that $10,000,000 be used to establish a laboratory for the study of the foot-and-mouth disease, to be constructed on a small island near New York City. No hearings were had on the matter. The committee had no information except what might be called secret information, although I do not know why there should be any secrecy about it. I may want to vote in favor of it when it again comes up, but I do not think we should make this appropriation without any evidence as to whether the island is the proper place for the construction of the laboratory. We should have testimony on the subject.

Mr. SALTONSTALL. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. SALTONSTALL. I agree with what the Senator from Tennessee has said. I was present in the committee room. Up to the time the item was voted on by the committee, we had no information as to where the laboratory should be placed. I realize the possible need of a laboratory. I considered this matter two years ago when a laboratory site in New England was suggested. There were many objections from persons in the vicinity who had dairy cattle.

This time the subject comes up without any knowledge to where the laboratory is to be located. I think it is to be on a small island off Long Island instead of off Staten Island.

My only point is that the people who live in that neighborhood should have an opportunity to discuss with the committee whether they wish to object to the location of the laboratory. There are many dairy herds nearby, as there are in New England. The laboratory may be necessary, but I think it should be provided for in a future supplementary bill. There should be an opportunity for people who live in the neighborhood to discuss the matter with the committee or with their Senators. That is the only reason that I, for one, objected.

I believe there is going to be another supplemental bill. Personally, I think this item should come in on another bill, so that the House committee and the Senate committee may hold hearings on it, and then it should be considered when it is decided where the laboratory is to be located.

Mr. CASE. Of course, the language of the appropriation bill as proposed by

the House does not specify where the laboratory is to be located. The cost to the United States of foot-and-mouth disease in Mexico has already run into millions of dollars. The outbreak of the disease in Canada has alarmed the livestock industry of the entire United States. Both to the south and the north the disease exists. Something ought to be done, but action is being continually postponed.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. SALTONSTALL. I thank the Senator for yielding. I am informed that there will be another supplemental appropriation bill before we adjourn in July. I agree with everything the Senator has said about the losses and the possible need for this laboratory, which is to be established on an island, to be sure, but if the Senator lived near the island, it seems to me he ought to have at least an opportunity to discuss the matter with his Senator or with a committee, and such an opportunity was not given at all in this instance to residents of the neighborhood. There was no knowledge until yesterday, except by a very few people, as to where the laboratory was to be located.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. MUNDT. I may say, in brief rejoinder to the suggestion advanced by the Senator from Massachusetts, that the laboratory would not have to be located at the particular spot on Long Island which has been indicated. If serious objection should develop, or good reason should appear why the laboratory should be located elsewhere, the language of the House report provides:

> These funds are made available on the condition that the laboratory be located on an island which will be entirely under the control of the Federal Government and is separated from the mainland of the United States by navigable waters, as provided by the enabling legislation.

While Plum Island might be the particular location now in mind, there would be good reason for changing it, if opposition should develop. The Bureau of Animal Industry of the Department of Agriculture could locate the laboratory where it could operate successfully.

Mr. SALTONSTALL. There is no question about that, but I believe I am correct in saying that under the authority of the enabling act the Secretary of Agriculture has discretion to place it anywhere when he gets the appropriation, and the people who live in the area selected may lose all opportunity for objection.

Several Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from South Dakota yield; and if so, to whom?

Mr. CASE. I yield to the Senator from Minnesota.

Mr. THYE. Five hundred thousand dollars was appropriated to the Bureau of Animal Industry, and the Bureau has expended some of that fund in the search for a proper location. I do not believe that we need have any fear about the Bureau of Animal Industry locating the laboratory at Plum Island in the event it were found that citizens of that island or representatives of the State of New York objected to the laboratory being located at Plum Island, because it is evident that the Bureau heeded objections raised by citizens in the vicinity of Prudent Island, when it was first contemplated placing the research laboratory at that location.

Mr. President, this question has been before the Congress for more than 2 years. On April 1 last, the legislative day of March 24, I introduced a bill on the subject, and joined with me were the junior Senator from South Dakota [Mr. MUNDT], the senior Senator from South Dakota [Mr. CASE], the junior Senator from Wyoming [Mr. HUNT], and the Senator from Kansas [Mr. CARLSON], all of whom had expressed a desire to be cosponsors after the bill had been printed.

Action upon this question has been delayed too long. In recent years we have seen outbreaks of foot-and-mouth disease in Mexico, and it has cost the United States over a hundred million dollars to combat the disease there. I do not know the exact number of millions, but I know the last report indicated that the amount was well over a hundred million dollars expended for assistance to the Mexican Government for the eradication of the disease in Mexico.

We know that Canada is experiencing an outbreak of the disease, and is today fighting it. The Bureau of Animal Industry of the United States Department of Agriculture is assisting Canada in its efforts. If we should have an outbreak in our great livestock industry, we have no knowledge of what tremendous expense would be entailed or what the possible loss to the Nation might be.

For these reasons, Mr. President, we should proceed to authorize an appropriation, as was done by the House, and then proceed to hold hearings. In the event the proposed location does not meet with the approval of Members of Congress from New York, we should proceed to consider some other island or location for the laboratory. I wish the laboratory could be placed in the Northwest, and I include the State of Minnesota. There are many islands in Rainy Lake. I do not know whether such a location would meet all the requirements of the Bureau, but Minnesota has islands where a laboratory could be established.

Mr. CASE. Mr. President, it occurs to me that we might obviate the objections which have been raised if we added to the language proposed by the House words such as these:

> At a location to be selected by the Secretary of Agriculture after a public hearing and in consultation with the committees on Agriculture of the Senate and House of Representatives, respectively.

Mr. IVES. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. IVES. I should like to have it definitely understood that I am in sympathy with what is proposed to be done by this appropriation. New York State has large herds of dairy cattle, and I think is second only to Wisconsin in the production of milk.

However, when there is discussion of the location of a laboratory of this kind on an island so near the great city of New York as is Plum Island, even though Plum Island is presumably at the end of Long Island, it should be remembered that on Long Island, as was pointed out in the discussion this afternoon, there are large dairies for the use of the people of Long Island. I am reasonably sure that the establishment of such a laboratory would not meet with the approval of the local people there.

The fact that there is apparently a difference in the attitude of people as to where the laboratory should be established indicates that hearings ought to be held on the subject. While everyone is in sympathy with having the work done somewhere, and while apparently the great State of Minnesota would be perfectly willing to have the laboratory in that State, and whereas perhaps the people of the State of New York, which might be more seriously affected by it might not want the laboratory at the particular spot selected, namely, Plum Island, it seems to me that hearings should be held before the question is finally decided.

I would suggest, however, in line with the amendment which has been suggested, that language be added to the effect that the location of the laboratory be subject to the approval of the people of the local area. Perhaps that is not the exact language which should be used, but it should be to that effect, in order to protect the people who would be directly affected by the laboratory.

I know that a few years ago, when there was a proposal to establish a laboratory on Long Island—a strong protest arose from that section, because the people were afraid of it. I do not see any particular reason for having the laboratory placed in an area where people would be fearful, in an area where possibly it could do more damage than in other areas, particularly when there are areas which presumably desire it, according to the evidence submitted in this discussion.

Mr. CASE. Mr. President, I desire to offer an amendment on page 5, at the end of line 10, to read as follows:

> Strike the period and add the following: "At a location to be selected by the Secretary of Agriculture after public hearing and with the approval of the Committees on Agriculture of the Senate and House of Representatives."

The VICE PRESIDENT. Is that an amendment to the committee amendment?

Mr. CASE. The committee amendment is an amendment to strike out certain House language. I believe the committee amendment has not yet been voted upon.

The VICE PRESIDENT. Then it would be an amendment to the text of the House bill?

Mr. CASE. Yes.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, at the end of line 10, it is proposed to strike the period and insert "at a location to be selected by the Secretary of Agriculture after public hearing and with the approval of the Committees on Agriculture of the Senate and House of Representatives."

Mr. CASE. Mr. President, I have endeavored to incorporate the suggestion made by the Senator from Massachusetts [Mr. SALTONSTALL], who thought that public hearings would give the people in any area proposed to be selected an opportunity to be heard. I do not see how we could effectively legislate to provide that the local community should have a veto power. There is no legislative machinery or election machinery that I know of whereby a community could function in that connection. However, it does occur to me that by placing the matter in the hands of the Agriculture Committees of the Senate and House, and requiring their approval before the selection is made, we would afford to the representatives of any State, either in the House or in the Senate, an opportunity for the local community to be protected.

Mr. IVES. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. IVES. I should like to point out that there are local instrumentalities of government which are perfectly capable of passing on questions of this kind. There are county governments. The particular island in question is in Suffolk County, N. Y., which has a governing body known as a board of supervisors. So there are governmental methods which could be used to ascertain the local attitude and feeling with regard to the question.

Mr. CASE. In connection with the presentation of projects by the Corps of Engineers in connection with rivers and harbors improvements, or for flood-control projects, the laws provide that there shall be consultation, and that opportunity shall be given for local people to be heard. But even in such cases I do not know of any instance in which a formal statement by the local community is required.

Mr. IVES. Mr. President, will the Senator yield on that point?

Mr. CASE. I yield.

Mr. IVES. I point out that this is not exactly a local project. This is a project for the entire country. It is part of an effort to combat a very terrible disease, the cure for which has not yet been found. I think the project does have a bearing locally, to the extent that a laboratory dealing with this subject might be very objectionable to the local people. It is not a local undertaking, in the sense of a local project.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. LEHMAN. I take it to be an unusual thing for a Senator to object to the creation of new facilities within his State. I am not at all certain that I wish to object.

I realize the importance of waging the fight against the foot-and-mouth disease of cattle. I would not interpose any objection to that fight. At the same time, I have heard—whether correctly or not—that this disease is highly contagious. I believe that the community or the State in which the laboratory is to be located should have the means of protecting itself, rather than to have a facility which may be very unwelcome foisted on it. Under those circumstances, I wonder whether the distinguished Senator from South Dakota would be willing to add to his proposed amendment a provision that, in addition to the requirement that hearings be held and that the proposal should receive the approval of the Agriculture Committees of the House and Senate——

Mr. CASE. That is in the amendment.

Mr. LEHMAN. I approve of that. I wonder if the Senator would be willing to add a provision that the proposal should receive the approval of the governor of the State in which the facility is proposed to be located. It seems to me that such a provision would give assurance that the State itself, whether it be the State of New York, the State of Texas, the State of South Dakota, the State of California, the State of Vermont, or any other State, does not object to the location of the laboratory.

Mr. CASE. The last suggestion seems to me perhaps to have some merit. I should like to have the opinion of my colleague from South Dakota [Mr. MUNDT] and of the Senator from Minnesota [Mr. THYE], both of whom have been keenly interested in this legislation.

Mr. MUNDT. Mr. President, if the Senator will yield, except for the fact that it probably would involve some extra delay, it seems to me that the proposal of the junior Senator from New York has merit. I do not believe that we want to foist the laboratory upon any State or area.

I point out, for the information of the Senate, that due and adequate safeguards are provided. The Bureau of Animal Industry has issued a statement regarding the safety features of the proposed research laboratory. That statement contains six criteria for safety. They are very brief, and I shall read them:

The first is isolation by location on an island, as provided for in this area.

The second is a protective wall around the compound, where infection will be contained.

The third is control of all personnel, animals, and material passing into or out of the compound.

The fourth is the selection of healthy animals and their dipping and quarantine before entering the compound.

The fifth is the sealing off of contaminated areas.

The sixth is the destruction of all waste materials.

Except for the fact that it would involve a delay, I believe that some machinery for obtaining the acquiescence of the local community probably would work for the betterment of the project in the long run. Perhaps the governor is the one who should express such acquiescence. However, I suggest to my colleague that if we are to add such a provision to the amendment, we should also fix a time limit, so that the governor would have to make up his mind within a fortnight, say, after the committees had acted. He would be kept advised of the developments in the hearings all the way through, so that the result would not be an interminable delay.

Mr. LEHMAN. That is satisfactory, so long as the governor makes the decision.

Mr. IVES. Mr. President, I thank the Senators from South Dakota for their agreement with us.

Mr. THYE. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. THYE. I believe that we should proceed with this authorization. If we do not, it will be postponed until next year. We have been postponing consideration of this project ever since the Eightieth Congress. Each year that we delay the commencement of this project means that our entire dairy industry is subjected to greater danger. If there should be an outbreak in the United States, with the great mobility of transportation and communication which exists in the country today, with trucks, automobiles, and railroad transportation, the disease could be scattered very rapidly, and we would be subjected to a terrific loss. For that reason I am hopeful that the proposed amendment will be adopted, and that the House language will be permitted to pass, so that we may take the necessary steps to commence actual construction of the research laboratory.

Mr. CASE. Mr. President, I desire to modify my amendment, by adding at the end thereof the words "and the governor of the State, if any, in which the site selected might be located." That language comes after the language which reads "with the approval of the Committees on Agriculture of the Senate and House of Representatives."

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. McKELLAR. So far as the committee is concerned, I believe there would be no objection to that amendment.

Mr. BRIDGES. Mr. President——

Mr. CASE. Mr. President, if this amendment is adopted the subject will be thrown into conference. The project will be in conference, and if the language needs tightening or straightening it can be adjusted in conference.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. CASE. I yield the floor.

Mr. BRIDGES. Mr. President, this question has been before the Appropriations Committee for a number of years. So far as I know, there is no member of the Appropriations Committee who does not realize the terror occasioned by this disease, and the possibility of terrific damage to this country from the spread of hoof-and-mouth disease. However, the project has been turned down for various reasons. This year an effort is made to sneak it into the urgent deficiency bill, without hearings or anything of the kind. So far as I am concerned, I am perfectly willing to see something

done, but I think there is a grave question involved in the location of the laboratory. The Senator from South Dakota [Mr. MUNDT] read certain safety criteria. However, according to the testimony which we have heard in previous years, no one knows how the disease spreads. Individuals who work in an area, for example, on Long Island, may go to New York City and to adjacent farms. No one knows just how the hoof-and-mouth disease is spread.

Mr. THYE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. THYE. The disease existed in Mexico, and I know we went on farms where the disease was prevalent. When we left the farm every precaution was taken. We took our rubbers off and we washed our shoes. We took all the necessary steps to properly disinfect ourselves after being on contaminated ground. I know there is a constant traffic between Mexico and the United States, and there was constant traffic while the disease existed in Mexico. I personally went to half a dozen Mexican ranches and farms. I left my clothes to be disinfected, cleaned up, and washed my shoes, and then boarded a plane and flew straight to the city of Washington. I know that passengers on transatlantic planes, from Holland, Germany, and Denmark come from places where the disease exists. I know that some of those people have been standing on land where the disease prevails and where the contamination from the disease existed at one time or another.

Our herds are threatened with this disease because it exists all over the world. It exists in Western Europe and in South America. It existed in Mexico until we broke the chain reaction of the infection during the past year. It has broken out in Canada. The first thing we know the disease will be brought here and infect cattle in the United States. For that reason we had better get the laboratory started. We will never get it started unless we appropriate the necessary funds in order that the issue may be raised so that hearings may be held to study the objections which might be raised by a locality which is selected by the Bureau of Animal Industry as a site for the laboratory. I think we must go ahead and work it out.

Mr. BRIDGES. The Senator has misunderstood what I have said. I am not opposing the amendment. I realize that the disease exists. However, I do not want to foist a laboratory on a State which does not want it. Secondly, it should have the approval of someone besides the Secretary of Agriculture, so that there will be some check on the proposition. I have seen the Secretary's operations before and I want to place some checks on them.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CASE. As the amendment is now before the Senate it requires approval by the Committees on Agriculture of the House and the Senate and the governor of the State involved.

Mr. BRIDGES. I believe the Senator's amendment is a good one, and I intend to support it. While I was addressing my remarks to the Senator from South Dakota [Mr. MUNDT], he listed certain precautions. I said that even if those precautions were followed the fact remains that we still do not know how the disease spreads.

Mr. MUNDT. The purpose of establishing the laboratory is to determine how the disease spreads and to make every conceivable scientific test the mind can contrive which may indicate means by which the germs may be destroyed.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. McKELLAR. I do not know of any member of the Committee on Appropriations who is not in favor of building the laboratory at the earliest possible moment. However, we do not want to put such a laboratory where it is likely to do great damage. Under the amendment that has been offered by the Senator from South Dakota [Mr. CASE], it seems to me that certainly the question could be worked out in conference so that the bill may be speedily passed and the laboratory speedily built.

Mr. THYE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. THYE. If the chairman accepts the amendment which corrects the objectionable feature of the item, which compelled the Committee on Appropriations to strike this provision from the House bill, I think we have cleared up all the questions involved.

Mr. McKELLAR. So it seems to me. So far as I can accept an amendment, I do accept it.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. SCHOEPPEL. I should like to commend the distinguished Senator from New Hampshire on the position he has taken. He recognizes the seriousness of the disease and believes that something should be done about it. Does not the Senator agree that if we failed to make an appropriation for this purpose—and I wholeheartedly agree with the safeguards provided—that we would encounter delay, which could carry us into next year and prove disastrous.

Mr. BRIDGES. My answer is "Yes;" and I want to say to the Senator from Minnesota and to the Senators from South Dakota that so far as the Senator from New Hampshire is concerned, he is not opposed to the appropriation. He is as much for it as they are. They have worked out the restrictions and the necessary formula for approval. All I am trying to do is to protect communities, because when the idea was first proposed for New England, there was not a day that went by that I did not hear some protests with respect to it.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MUNDT. We appreciate the valiant and splendid support of the Senator from New Hampshire for the great Republican concept of States' rights, in which my colleague and I believe 100 percent.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CASE. The Senator from Rhode Island [Mr. GREEN] has suggested that if the requirement of the approval of the governor of the State is retained in the amendment it would insure consideration of the interests of the local people. He also feels that if we require approval by the Committees on Agriculture of the House and Senate it may delay the matter, particularly if Congress should not be in session. I would be perfectly willing to modify my amendment by striking out the reference to the Committees on Agriculture but retaining the requirement for approval by the governor of a State, unless there is some objection.

Mr. BRIDGES. Mr. President, so far as I am concerned I want the Committees on Agriculture of the Senate and House to give approval, because we have seen the Department of Agriculture in action. The Senators have proposed a good amendment.

Mr. CASE. Mr. President, I merely want to get some action. In view of the statement of the Senator from New Hampshire I think the amendment ought to go to conference.

Mr. BRIDGES. I think the Committees on Agriculture have enough interest in the situation that, if it is necessary to get together in special session, they will do so.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FERGUSON. Does not the Senator from New Hampshire believe, in view of the manner in which this question was brought to the Appropriations Committee under the guise of a real emergency, requiring immediate action, without very much thought being given to it by the Committee on Appropriations, that it should be held up so that the Appropriations Committee can function on a question of such importance and thoroughly go into it? As I understand, we now have an arrangement with a laboratory in England and we are spending money in Mexico in connection with the eradication of the foot-and-mouth disease. It is a matter which we should study. It is of vital importance not only to the congested areas in New England and New York State, but to all States of the Union. Does not the Senator from New Hampshire feel that the matter should be given consideration by the committee?

Mr. BRIDGES. While the Senator from Michigan stepped out of the Chamber for a moment the Senator from New Hampshire expressed his thought as to how the item was sneaked through, so to speak, and pointed out the fears he had and the reasons why we needed a definite formula and public hearings, and so forth. The amendment before us has been changed several times, but as it reads now it takes care of some of the objections. There is a great deal to what the Senator from Michigan has said.

Mr. MUNDT. The difficulty is that cattle are dropping dead while we continue to study the subject. It has been studied ad infinitum and ad nauseam. I believe the time has come for action. While the Senator from Michigan was out of the Chamber the distinguished senior Senator from New Hampshire enrolled in the embattled army for the eradication of the foot-and-mouth disease. He said that he would go along. The battle is now in progress, and we need his sterling support now, while the enemy is in retreat.

Mr. FERGUSON. But the Senator from South Dakota does not believe this appropriation will solve the problem which exists today, does he?

Mr. MUNDT. Not at all; but this appropriation will provide for taking the first step. Unless we take the first step, the solution will never be reached.

I hope the Senator will accept the amendment.

Mr. SEATON. Mr. President, will the Senator from New Hampshire yield to me?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from New Hampshire yield to the Senator from Nebraska?

Mr. BRIDGES. I yield.

Mr. SEATON. In connection with the remarks which have been made by the distinguished Senator from Michigan [Mr. FERGUSON] I should like to point out that the 1951 value of the beef cattle on the farms of America was $13,441,384,000, and the value of the milk cows on the dairy farms of America at that time was $5,367,735,000—even without taking into consideration the billions and billions of dollars of value of the side products of the beef and dairy industries. Those figures are to be obtained from the official agricultural statistics, United States Department of Agriculture, page 537.

In connection with this matter, Mr. President, I point out that $10,000,000 is little enough to spend in the attempt to save the American beef cattle and dairy industry from the same fate which recently overtook the herds of both Mexico and Canada.

Of course, no one can guarantee that the expenditure of $10,000,000 will solve the problem, but certainly the expenditure of that amount of money is a very small gamble to make in endeavoring to obtain the terrifically large reward which will be gained if we are able to solve this problem.

Mr. KNOWLAND. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. The Senator has referred to Mexico and to other places where the foot-and-mouth disease has broken out.

Let me say, as one who comes from a State which experienced that disease in 1922, as I recall, that I can testify regarding the tremendous losses the disease caused the State of California and the cattlemen and dairymen of California. At that time it was necessary to have big trenches dug at many points in the State and to move the cattle to those trenches to be slaughtered there and to be buried in the trenches; and the same had to be done with all the deer and the other wildlife in the State, in order to stamp out this terrible disease.

Once the disease breaks out, the most drastic remedies are required in order to bring it under control.

Therefore, I certainly believe we dare not delay long.

As we know, at various times in the past this disease has hit certain areas of the United States. Failure to proceed promptly to combat the disease in its early stages would result in far more expense than that required to begin to take some action, and thus to obtain a little insurance against another outbreak of the disease in the United States.

Mr. SEATON. I certainly agree with the distinguished senior Senator from California.

Mr. President, I should like to add that I am thoroughly sympathetic with the work of combating the disease, and I understand the difficulties involved and the worries which have been expressed by the two Senators from New York and by the Senator from Massachusetts in regard to the proximity to their areas of the proposed laboratory. I favor any amendment which can be worked out to guarantee all possible protection to those areas.

On the other hand, I wish to say, in closing, that if the Congress does not establish this laboratory very soon and get the work on this problem under way, all of us may find that it will be necessary to have laboratories established in all the States where the beef-cattle industry or the dairy industry is in operation, if there is an outbreak in our States of this dreaded disease. Certainly we do not wish to have that happen.

Mr. HOLLAND. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. HOLLAND. First, I should like to say that I fully agree with the statement which has been made by the distinguished Senator from Minnesota [Mr. THYE] in regard to the nature of the disease. I had the privilege of going with him to Mexico, and I know that the account he has related to the Senate is factual. I know that completely effective ways of preventing the spreading of the disease were found, although a great deal still is not known about it.

Furthermore, it is known that there is more than one variety of the disease, although sufficient knowledge was obtained to permit very effective efforts to be made in proceeding in certain rather expensive ways to reduce or control one variety. There is at least one other variety, and possibly there are more, about which we need to gain knowledge.

In closing, Mr. President, I wish to point out that those who are in charge of our agricultural and defense programs, particularly as they relate to the production of the essential supplies of food, have informed our committee, not only once, but a number of times, that the most serious form of sabotage, one which would strike a particularly severe blow at the entire economy of our Nation, would be sabotage by means of causing an outbreak of this terrible disease. Such a form of sabotage would have an immediate effect of the most drastic nature upon the life of the Nation.

Certainly everything possible should be done to safeguard against any activities which might result in communicating and spreading the foot and mouth disease among our domestic animals.

Mr. BRICKER. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. BRICKER. I wish to ask the Senator from Florida a question, for information. Does he or does any other member of the committee, including the Senator from Minnesota [Mr. THYE] know of any laboratory work or any research work that is being done at this time in this field, among the various laboratories in the United States? In view of all the outbreaks of the disease which have occurred in the United States, certainly extensive work must have been done in this field by various research laboratories.

Mr. THYE. Mr. President, one reason why I believe we should proceed to develop the research laboratory is that when the United States first began to aid the Mexican Government in the eradication of the disease in Mexico, the usual, customary means of eradicating it were resorted to—namely, to slaughter the animals, to kill them outright, and then to bury them. Of course, such a program caused the average Mexican to lose his oxen, and as a result he was no longer able to till his land. The result was to create an entirely different problem.

Therefore, our Bureau of Animal Industry, with the aid of the Mexican Bureau of Animal Industry, proceeded to do a tremendous amount of research work in an effort to develop a sufficient amount of vaccine to make it possible to vaccinate the animals, and thereby to keep the disease in check and to confine it to the area then affected. That was a valuable step in the field of research.

In that way the disease was controlled and finally eradicated, by means of vaccinations. The vaccination operations were conducted every 6 months, for 3 years. At the end of that time the vaccinations were stopped, for all practical purposes; and thereafter the result was watched. In that manner the disease was stamped out.

If our Bureau of Animal Industry had not aided the Mexican Government in that way, in my opinion the disease would have spread all over Mexico, and we would have had it along the southern border of the United States. If our Bureau of Animal Industry had not aided the Mexican Government in the way it did, and had not engaged in a certain amount of research, it never would have discovered that the disease could be stamped out by means of vaccination, for the vaccination theory was not the

one which previously had been followed in attempts to eradicate the disease.

The last outbreak of the disease which occurred in the United States, was in California. In California, even the deer in the mountains were hunted down and slaughtered, and then buried. That program involved the expenditure of tremendous sums of money; the cost was terrific, not only to the agricultural economy of California, but, as a matter of fact, to the entire Nation; for, as I have said, it was necessary to hunt down and slaughter all the deer and other wildlife in the mountains.

Mr. KNOWLAND. Mr. President, will the Senator from New Hampshire yield to me at this point?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. As the Senator from Minnesota has pointed out, not only was it necessary to slaughter the deer and other wildlife, and then to place them in pits and cover the caracasses with quicklime, but there was also a severe economic loss by reason of the fact that it was necessary to stop all highway traffic and make all vehicles run through a solution of some sort.

Mr. THYE. That is correct.

Mr. KNOWLAND. In short, the disease resulted in tremendous economic losses of many kinds.

So it is most important that we proceed promptly with the necessary research work, and thus develop an effective serum which can be used in the future.

Mr. THYE. Mr. President, in addition, I should like to say that when I stated the names of the sponsors of the bill to establish a foot-and-mouth disease laboratory—the bill was introduced this spring—I neglected to state that the Senator from Nebraska [Mr. SEATON] wished to join in sponsoring the bill.

I wish to have the RECORD show that both the Senator from Kansas [Mr. CARLSON] and the Senator from Nebraska [Mr. SEATON] requested that their names be included among those of the Senators sponsoring the bill; but by that time the bill had gone to the printer, and there was no opportunity to have their names added to those of the other sponsors of the bill.

Mr. BRICKER. Mr. President, will the Senator from New Hampshire yield to me at this point?

Mr. BRIDGES. I yield.

Mr. BRICKER. I do not depreciate either the danger or the damage resulting from an outbreak of this disease, because in our State we experienced an outbreak of the disease. I remember it very well.

However, the argument now being made is predicated on the theory that nothing is being done at this time in the United States to prevent an outbreak of the disease, whereas I know that a great deal of research has been done, not only in connection with the outbreak of the disease in Mexico, but also in connection with the outbreaks of the disease which have occurred in the past in the United States. I know that various State laboratories are at work on it. I know the Bureau of Animal Industry of the Department of Agriculture has been working on it. What I am trying to ascertain is whether there is really an emergency of such nature as to justify this item being included in the pending bill, or whether the matter should have further attention by the Department of Agriculture.

Mr. HOLLAND. If the Senator will allow me to make a suggestion, I think there is an emergency, not only because of the very great extent of the cattle industry, as so ably stated by the Senator from Nebraska, but also because of the very real danger of spreading the disease, in the event we should get into either open war, or something that is worse than the cold war we are in now.

If I may answer the question of the Senator, as I understood it, I do not believe that there is under way in this country at this time any research, along that line, because there is no place to which the disease may safely be brought. In order to obtain the vaccine, for instance, it was necessary to inoculate live animals and to take the vaccine from them after giving them the disease. There was no leaving of diseased animals unkilled, in Mexico. They were all killed.

But the means by which the disease was brought to a halt was, first, the killing of animals that were diseased, and then the building up of great zones of insulated areas where all the cattle, including sheep and other animals, had been vaccinated within various periods of time. As I stated awhile ago, there is more than one variety of the disease, and in Mexico, so far as our committee was advised, only one form of the disease was dealt with. To answer further the Senator from Ohio, there are places where research is going on, but they are not in this country. As we were advised, they are in Europe. I believe Switzerland was the principal place, and England, where frequent outbreaks have occurred. A great deal of research is under way, and all the information and facts, or most of them, with which we started when we went into our campaign of eradication came from those research centers. But what we need is to set up a much more ambitious research program than anything that has been conducted heretofore. A good deal is involved. Because of the fact that we in this country would have to feed ourselves as well as others whom we are helping make ready to fight, if the foot-and-mouth disease should become generally scattered around our country, we might find ourselves in serious difficulty.

Mr. BRICKER. I have no doubt of that. The one question I wanted to ask and to have answered was whether the research that brought about the antitoxin which was mentioned by the Senator from Minnesota was conducted in this country?

Mr. HOLLAND. European research brought that about. It was followed in Mexico. But it involves infecting healthy animals with the disease.

Mr. BRICKER. And the research was conducted by the representatives of the Bureau of Animal Industry of our Department of Agriculture only; was it not?

Mr. HOLLAND. That is correct.

Mr. BRICKER. That answers my question.

Mr. HOLLAND. The Senator from Minnesota, the Senator from Florida, and other Senators went to the places where the vaccine was being produced. We visited the laboratory where they were conducting a vast amount of research. But that dealt with only one form of the virus, and it did not go far enough to show us how we could quickly and adequately protect ourselves in a vast expanse such as we have in this Nation, if an outbreak should occur at a particular spot.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Rhode Island.

Mr. GREEN. Mr. President, if I may join in this chorus, particularly in view of the remarks of the Senator from Minnesota and the Senator from Florida, I may say I looked into this matter quite fully. I have visited places throughout this country where cattle are raised. I also went to Mexico, where the experiments have been conducted, and I observed how successful the people there have been in eliminating the disease, though at enormous expense. I became convinced that if we are to protect even in peacetime, but especially in wartime, our great animal industry, which is perhaps the third or fourth largest industry in the country, and one of the most necessary for the supplying of food in time of war, we must take steps to perform our own experiments in trying to eradicate the disease by scientific methods. There are laboratories in England, France, Switzerland, and possibly elsewhere, but they are not adequate. Their facilities are not adequate, and their source of supply is not adequate. I refer to the supply of animals upon which to experiment.

Furthermore, the experiments which were conducted there would not satisfy us, since there are variations of the disease, and what might be a cure or a preventive in one case might not be so in another. In my opinion, the experimentation should have a wider scope than merely an investigation in connection with the foot-and-mouth disease. It ought to be extended to animal diseases generally, because a large part of the work of investigation might be of use in studying other diseases.

There is a great deal of prejudice against the location of these laboratories in certain places, because the people fear that the diseases which may be the subject of experimentation are infectious. Much is said about the foot-and-mouth disease, but the disease, itself, which we are talking about particularly, and the outbreak of which has aroused our anxiety, is limited to hoofed animals, and is only found in cloven hoofed animals. Horses do not have the disease, but cows, sheep, hogs, etc., which have cloven hoofs, do. No one knows why it is unique with respect to such animals, but it is; and it is not a human disease. Human beings come in contact with

animals infected with the disease, but never contract the disease; so that such prejudice should be restricted to hospitals and laboratories dealing with human diseases.

This matter has been under investigation for years. We feel that it is necessary to have such laboratories in America, if they are to serve our purpose. We have sent representatives to the laboratories abroad, I may say in reply to the question asked by the Senator from Ohio, and we have had men working there; but they cannot do what they should do. We have learned all we can learn from them; but we have learned also that we should have such institutions of our own. Furthermore, in time of war we do not want to be dependent upon Mexico or any other country. We must have our own laboratories to serve our own purposes and to deal with our own problems.

Mr. President, there is one point I should like to make, which is, that this matter has been under discussion for so long, and there have been so many hearings about it in past years, that the discussion apparently could go on indefinitely. I should like to see the authority to choose the site of the laboratories and plants left as far as possible to the Department of Agriculture itself. When such matters are left to committees, local prejudices find expression in the hearings. If it is believed to be necessary, we should devise some method of checking the work of the Department of Agriculture, but there ought to be a simpler procedure than referring it to committees of the Senate and House. No matter how efficient those committees may be, it would be difficult for them to get together for the purpose of conducting hearings. They would be subject to pressure from one direction and another; and not only that, but to popular prejudice, also.

So far as possible, let us appoint a body to select the proper site, the best place from the national point of view, and let us give them authority to go ahead. The sooner we can do that, the better off we shall be. As we all know, there are a great many delays incident to the passage of legislation, which must be considered by two committees, one a committee of the House, the other a committee of the Senate. A minority of either committee might exercise the veto power. Moreover, in the selection of a site for such a laboratory, there might be a veto power in the governor of a State. I think it would be extremely doubtful whether anything would ever be done by following such a course. I hope that such things may be eliminated as far as possible, and I sincerely trust that something may be done in the interest of this great industry, which affects all the people of the country.

Mr. McKELLAR. Mr. President, I desire to call the attention of the Senator from South Dakota to the fact that I do not believe his amendment included the rejection of the committee amendment. I think that should be done first. I therefore ask that the committee amendment be rejected.

Mr. CASE. I should have no objection to doing that, of course, but if my amendment were accepted as a substitute for the committee amendment, I think that would accomplish the same purpose. The committee amendment is an amendment to strike. If in lieu of that amendment, the amendment offered by the Senator from South Dakota were accepted as a substitute, it would accomplish the same purpose.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Could we not arrive at the solution which the Senator from South Dakota apparently desires by the Senate disagreeing to the committee amendment, which is to strike the language found on page 5 of the bill, and leaving the language as it came from the House?

Mr. McKELLAR. That is what I suggested to the Senator from South Dakota.

The PRESIDING OFFICER. The Chair thinks the proper method would be to adopt the perfecting amendment to the House language, and then the question would recur on agreeing or disagreeing to the committee amendment. In the event of disagreement, of course, the House language, with the amendment of the Senator from South Dakota, would become a part of the bill.

Mr. GREEN. Mr. President, there is language in the report of the House which I suppose the Department of Agriculture might be bound to respect, although it is not in the bill itself, namely, that such a laboratory will be built on an island under the control of the United States Government. There is another handicap. I think that so far as is possible we should omit the limitations. It might be that the language in the House report should be eliminated as well as the language in the House bill.

The PRESIDING OFFICER. The adoption of the language suggested would throw the matter into conference.

Mr. GREEN. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota, as modified.

The clerk will state the amendment as modified.

The LEGISLATIVE CLERK. On page 5, line 10, it is proposed to strike out the period and insert the following: "at a location to be selected by the Secretary of Agriculture after public hearing and with the approval of the Committees on Agriculture of the Senate and House of Representatives, and the governor of the State, if any, in which the site selected may be located."

Mr. IVES. Mr. President, does that mean that on Government property a laboratory of the kind suggested will be established, even though people in the vicinity might be very much opposed to it?

Mr. BRIDGES. I think we should certainly show the legislative intent. It would be my interpretation that the place in the State in which the laboratory is located, although Federal property, would be subject to the intent of this amendment.

Mr. CASE. I would agree to that.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. Without objection, the committee amendment is disagreed to.

The clerk will state the next amendment.

The next amendment was, on page 6, line 1, to change the chapter number from "V" to "VI."

The amendment was agreed to.

The next amendment was, under the heading "Department of Defense—Title I—Department of the Army—Maintenance and Operations", on page 6, line 10, after the word "Army", to insert "fiscal year 1953", and in the same line, after the figures "$618,000,000" to insert "of which $250,000,000 shall be immediately available".

The amendment was agreed to.

The next amendment was, on page 6, after line 16, to strike out:

MILITARY CONSTRUCTION, ARMY CIVILIAN COMPONENTS

The unexpended balance in the appropriation account "Military construction, Army civilian components, 1951–52," as established pursuant to section 403 (b) of the National Security Act of 1947, as amended, shall be merged with the appropriation "Military construction, Army civilian components," and shall remain available until June 30, 1954: *Provided*, That money available under this head and to be expended under the provisions of section 3 (c), Public Law 783, Eighty-first Congress, may be used for the construction of armory facilities for company or battery size and larger units.

The amendment was agreed to.

Mr. DWORSHAK. Mr. President, I should like to ask either the chairman of the committee or the ranking Republican member to cite the legislative authority for the appropriation beginning in line 13, for civilian relief in Korea, and also to give us a brief explanation as to how the program is being handled.

Mr. McKELLAR. Does the Senator refer to the language on page 6, line 17?

Mr. DWORSHAK. No; to the provision from line 12 to line 16.

The PRESIDING OFFICER. The Chair would invite attention to the fact that that is the House language.

Mr. McKELLAR. That is correct.

Mr. DWORSHAK. I still would like to have the legislative authority cited.

Mr. BRIDGES. Mr. President, I presume it is under the general provisions of the Defense Act, which permit relief to be accorded in some areas. May I point out to the Senator that I think in raising this question he has put his finger on a sore spot, because I remember that after we went to war, or into a police action, with North Korea, $100,000,000 for relief to North Korea was provided. Part of it was an item to provide diapers for North Korean babies. That was pretty far afield.

So I conceive that the Senator may have a legitimate objection.

Let me read from the justification:

Last June we requested $50,000,000 for civilian relief in Korea. Today we are requesting an additional $175,000,000 for this program. The purpose of this program, which the Army has been carrying on since September 1950, is to prevent disease and unrest among the civilians in Korea and to support military operations.

Mr. KNOWLAND. Mr. President, will the Senator from New Hampshire yield at that point?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. Mr. President, I think it is generally recognized that when we have a military operation the very security of our own forces depends upon not having unrest behind the lines. As Grover Cleveland once said, we have a condition and not a theory confronting us. We are in Korea engaged in a military operation. There has been great desolation and damage throughout the Republic of Korea, with several million persons having been made homeless. The committee, in order to prevent an UNRRA situation being created by these funds, received assurance from the military authorities that they would be spent under the American military authorities in Korea.

From the committee report, page 3, I should like to read as a part of the legislative history this language, which was adopted unanimously:

The committee approves of the appropriation for the relief of civilians in Korea, but it does so with two express understandings in mind. First, the committee requires a complete report from the Department of the Army on the manner in which all sums appropriated or to be appropriated have been or will be expended. Second the committee recommends the appropriation of these funds only on the understanding clearly expressed at the hearing on behalf of the Department of the Army that these funds are to be expended only by the Army and that no representatives of the United Nations Korean Reconstruction Agency will have any function or responsibility therewith.

Mr. DWORSHAK. Mr. President, I am assuming that the $175,000,000 is in addition to any funds authorized by the Mutual Security Act.

Mr. BRIDGES. That is correct.

Mr. DWORSHAK. Then I should like to have further clarification, because the Mutual Security Act stipulates that certain amounts, in one instance $67,000,000, shall be made available by the Department of the Army for expenditure by the Korean Relief Agency. May we have some clarification of that?

I think it is the responsibility of the Senate to determine whether we are expending millions of dollars for Korean relief under the Mutual Security Program, whether we are turning over $175,000,000 to the Department of the Army for civilian relief in Korea, or just what we are doing. In view of the fact that hardly a day passes when we do not hear spokesmen of the administration state that we are winning magnificent military victories in Korea, I should like to know if this is a part of the price we are paying for those military victories?

Certainly I believe in relieving some of the misery and destruction resulting from warfare in Korea, but I think we ought to know just how far we are going, how much we are spending, who is supervising the program, and whether it is being duplicated, first by the Department of the Army and then by the Mutual Security Administration.

Mr. McKELLAR. Oh, no. We had a definite understanding with the Department of Defense that they themselves would spend this money, not in connection with any other forces at all. It was to be done by them, and them alone. They were to be responsible and were to make reports as to what they had done.

Mr. KNOWLAND. I may say to the able Senator from Idaho that I am sure all members of the committee, on both the majority and minority sides, have this problem very much in mind. When the foreign-aid bill, which has not yet been acted upon, comes before our committee, we shall make certain that there is no duplication or overlapping of funds. I believe that is the general viewpoint of members of the committee.

Mr. DWORSHAK. I thank the Senator from California for that assurance, but I still would like to have cited the authority for this appropriation. Of course, it is contained in the House bill, but that is not adequate. I should like to know what the legislative authority is.

Mr. KNOWLAND. I think the authority arises from the fact that we are now fighting in Korean with an army. A part of the operation requires that, as a military matter, we preserve and maintain conditions of stability behind our lines. We have had to do that in connection with every military operation in which the United States has been engaged. There cannot be a situation of starvation and unrest behind the lines without its jeopardizing the security of our forces.

Mr. DWORSHAK. Then, I presume there is no legislative authority. Has the Committee on Armed Services, of which the Senator from California is a member, approved any bills authorizing this action, or is it merely a procedure that is to be followed as a part of the wonderful military victory which we are achieving in Korea?

Mr. KNOWLAND. The Senator from California has not spoken of a wonderful military victory, because candor requires the statement on the floor of the Senate that all that exists in Korea is a stalemate. Certainly no one should mislead the American people into believing that we have achieved a great military victory. It is a prolonged stalemate. That being so, it is a fact that we have some 350,000 American fighting forces in Korea. There are also approximately 35,000 troops of our United Nations allies, and some hundreds of thousands of Republic of Korea forces, all of which are engaged against a common enemy comprised of North Koreans and Chinese Communists, who outnumber us approximately 3 to 1, and outnumber us in the air more than 4 to 1. In my judgment, we should not jeopardize the security of those forces as long as this war—not police action—continues, by permitting to exist a condition which would arouse unrest among our allies.

Mr. DWORSHAK. At this point I should like to quote the Mutual Security Act of 1952, recently passed by the Senate, as follows:

(f) Immediately before the last sentence of section 303 (a) insert the following: "In addition, the United States Department of the Army is hereby authorized to make available to the United Nations Korean Reconstruction Agency, at the time when that agency assumes full responsibility for relief and rehabilitation in Korea, goods and services of a value not to exceed $67,500,000 which the Department of the Army then has on hand or on order for civilian relief in Korea and which the President determines should be contributed by the United States to the United Nations Korean Reconstruction Agency for use in its relief and rehabilitation operations in Korea."

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. KNOWLAND. The language which the Senator quotes, in the act to which he makes reference, relates to a condition after peace has been established in Korea. Such a condition has not been brought about. The committee itself had that fact in mind when the amount under debate was requested by the Army. To make sure that the funds would not be turned over to any United Nations or other agency, the committee specifically required that a complete report be made to the Appropriations Committee, and that none of the funds be turned over without both making a report and coming before the committee and making full justification, regardless of the language in the act to which the Senator has referred.

Mr. DWORSHAK. I am happy to have such assurances, because it is obvious that we are spending many millions of dollars for civilian relief in Korea. Probably much of that program is justifiable. On the other hand, I think there should be some clarification so that we may know we are not becoming involved in a program which involves duplication and are not spending money in various places without having an adequate check thereon.

Mr. McKELLAR. The committee received from the Army every assurance of such compliance. We had before the committee a general of the Army in charge of this matter, and questioned him about this very item. It was one of the most actively debated questions before the committee in connection with the bill. We received every assurance that there would be no duplication, and we have the understanding that the Army itself is to spend every dollar of this money and that it will not be turned over to any other department or agency, domestic or foreign.

Mr. DWORSHAK. I thank the distinguished chairman of the committee for his explanation.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. SCHOEPPEL. I should like to ask a question with respect to the $175,000,000, which, I note, "together with funds

previously appropriated under this head, shall remain available until June 30, 1953." Am I to assume that the United States is the only Nation which is contributing funds toward civilian relief in Korea? Can anyone enlighten me as to what our percentage is, or what nation, if any, is bearing additional costs?

Mr. McKELLAR. More than 90 percent of the funds are being contributed by our Government. I believe Great Britain and France are contributing a small portion, amounting to 9 or 10 percent.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. KNOWLAND. One of the reasons for the language in the committee report was certain information, which was placed in the committee hearings, contained in an Associated Press dispatch published on April 18, dated Tokyo, April 17, and reading as follows:

United Nations members have poured $471,500,000 into Korea for civilian relief and economic aid since the Korean war began.

I might say parenthetically that that was June 25, 1950. Continuing with the article:

The U. N. command program for civil assistance and economic aid, Korea, today said United States Government agencies spent $227,000,000 for supplies and equipment sent to Korea, and $225,000,000 for services.

The $227,000,000 for supplies and the $225,000,000 for services which the United States supplied make a total of $452,000,000.

If we take the figure of what the United Nations supplied, $471,500,000, and deduct what the United States supplied, $452,000,000, we find that all the other 59 members of the United Nations contributed $19,500,000.

Mr. SCHOEPPEL. I may say to the Senator from California that that is an enlightening statement, which ought to be brought out. I am glad it has been disclosed in these proceedings. I know that many people are under the illusion that a number of our allies in the Korean affair are contributing. Here is a clear example of exactly the load which the taxpayers of the United States are carrying.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I am delighted to yield.

Mr. KNOWLAND. The cold, hard facts of the situation are that 2 years after the outbreak of the Korean war, the people of the United States of America alone are supplying more than 90 percent of the armed forces of the United Nations membership which are fighting in Korea. As the Senator knows, the Republic of Korea is not a member of the United Nations, having been kept out by a Soviet veto. The United States, according to these figures, is supplying approximately 93 percent of the monetary aid for civilian relief. So when the American people are "kidded" from time to time by the statement that this is a United Nations operation, at least our taxpayers and citizens, and the people generally should thoroughly understand just what contribution the American people are making to the effort in Korea.

Mr. SCHOEPPEL. I thank the Senator from California.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, at the top of page 9, to insert:

TITLE IV

GENERAL PROVISIONS

During the fiscal years 1952 and 1953, the agencies of the Department of Defense may accept property and services and moneys from foreign countries for the use of the United States in accordance with mutual defense agreements; and such agencies may use the same for the support of the United States forces in such areas without specific appropriation therefor.

The amendment was agreed to.

The next amendment was, on page 9, after line 9, to insert:

The second proviso under the heading "Incidental expenses of the Army" in the Department of Defense Appropriation Act, 1953, is hereby amended by changing the period at the end to a comma and adding the words, "except for recruitment of personnel who cannot be obtained through Selective Service processes."

The amendment was agreed to.

The next amendment was, on page 9, after line 15, to insert:

The President is hereby authorized to continue during the fiscal year 1953 the 10 temporary positions authorized in section 630 of the Defense Appropriations Act of 1952: *Provided*, That five of such positions may be placed in the grade of GS-16.

The amendment was agreed to.

The next amendment was, on page 9, line 21, to change the chapter number from "VI" to "VII."

The amendment was agreed to.

The next amendment was, on page 9, line 23, to change the section number from "601" to "701."

The amendment was agreed to.

The next amendment was, on page 11, after line 6, to insert:

SEC. 702. Any annual appropriations granted to the Department of Commerce and the Department of Defense, for the fiscal year 1952, shall be respectively available for transfer, with the approval of the Bureau of the Budget, to the applicable appropriations within each of said departments in such amounts as may be required to meet increased costs of pay and allowances for said fiscal year authorized by the act of May 19, 1952 (Public Law 346), and any limitations on personal services, or for purposes involving personal services, for said fiscal year are hereby increased to the extent necessary to meet such increased costs.

The amendment was agreed to.

The next amendment was, on page 11, line 18, to change the section number from "602" to "703."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7860) was read the third time and passed.

Mr. McKELLAR. I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. HAYDEN, Mr. RUSSELL, Mr. McCARRAN, Mr. O'MAHONEY, Mr. BRIDGES, Mr. FERGUSON, Mr. CORDON, and Mr. SALTONSTALL conferees on the part of the Senate.

DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS, 1953

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of House bill 7268, Calendar 1708.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

ORDER FOR CALL OF THE CALENDAR ON SATURDAY

Mr. McFARLAND. Mr. President, I ask unanimous consent that on next Saturday, beginning at 12 o'clock noon, the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning at the place where the last call left off, and including measures which went over to be called at the next call, by unanimous consent.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, I do not know how long consideration of the civil functions bill will require, but there are two or three little bills with respect to which I should like to give notice, so that Senators may be informed as to our intention to have them considered.

The first is Senate bill 3061, Calendar 1605, a bill permit and assist Federal personnel, including members of the Armed Forces and their families, to exercise their voting franchise, regardless of State laws.

Another is Senate Joint Resolution 151, Calendar 1651, a joint resolution approving the Constitution of the Commonwealth of Puerto Rico, which was adopted by the people of Puerto Rico on March 3, 1952.

Another is House bill 7496, Calendar 1654, to extend to June 30, 1957, the authorization period for appropriations to establish a hospital center in the District of Columbia.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. FERGUSON. As I understand, the Senator is merely giving notice of intention to take up these measures at a later date.

Mr. McFARLAND. Yes. I wanted Senators to have notice that, when time permits, we shall take them up.

ST. LAWRENCE SEAWAY—PERSONAL STATEMENT BY SENATOR SPARKMAN

Mr. SPARKMAN. Mr. President, within a couple of hours after the vote was taken today on Senate Joint Resolution 27, I received a telegram from our colleague, the Senator from Kansas [Mr. CARLSON], which I should like to read into the RECORD. It is addressed to me, and is as follows:

DENVER, COLO., *June 18, 1952.*

Senator JOHN J. SPARKMAN,
Senate Office Building:

I am extremely interested in voting against Senate Joint Resolution 27 and for recommittal St. Lawrence seaway project. It will be very difficult for me to return for the vote. I would consider it a personal favor if you are so inclined to give me a live pair. I would be happy to return the favor someday.

FRANK CARLSON.

Several days ago I was in communication with the Senator from Kansas, and indicated that I might be able to give him a live pair if he should be unable to return in time for the vote. However, I had not received the telegram at the time the vote took place. I did not know that he wished to go through with the arrangement. Had I received the telegram in time I would have given a live pair to my friend the able Senator from Kansas, in order that his position might have been placed before the Senate. I regret that the telegram did not arrive in time. I wish to make this statement for the benefit of both the Senator from Kansas and myself.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1527. An act for the relief of Sisters Dolores Ilia Martori, Maria Josefa Dalmau Vallve, and Ramona Cabarrocas Canals; and

S. 2552. An act to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force.

EXECUTIVE SESSION

Mr. McFARLAND. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. JOHNSON of Texas in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the executive calendar.

POSTMASTERS (NEW REPORTS)

The Chief Clerk proceeded to read sundry nominations of postmasters under the heading "New reports."

Mr. McFARLAND. I ask unanimous consent that the nominations of postmasters under this heading be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations of postmasters under the heading "New reports" are confirmed en bloc; and, without objection, the President will be immediately notified.

RECESS

Mr. McFARLAND. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to, and (at 7 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Thursday, June 19, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 18 (legislative day of June 10), 1952:

FEDERAL TRADE COMMISSION

John Carson, of Michigan, to be a Federal Trade Commissioner for a term of 7 years from September 26, 1952. (Reappointment.)

UNITED STATES DISTRICT JUDGE

Joseph Earl Cooper, of Alaska, to be United States district judge for division No. 2, district of Alaska, vice Joseph W. Kehoe, resigned.

UNITED STATES ATTORNEY

Maurice Sanchez, of New Mexico, to be United States attorney for the district of New Mexico, vice Everett M. Grantham, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 18 (legislative day of June 10), 1952:

POSTMASTERS

ALABAMA

James A. Graham, Reform.

ARIZONA

Martin L. Brewton, Globe.
Don P. Smith, Kingman.

ARKANSAS

John N. Moore, Black Rock.
Orval E. Faubus, Huntsville.
Aubrey C. Willbanks, Williford.

CALIFORNIA

Harold S. Bullock, Big Bear Lake.
George J. Hickey, Bijou.
Jeannette L. Campbell, Descanso.
Breen E. Hildebrand, Manteca.
Eugene A. Glaab, Montalvo.
Jerome E. Kuenster, Orleans.
Richard E. Phillips, Patterson.
Luke A. Brazo, Pico.
Donald J. Spurlock, Yreka.

CONNECTICUT

Sutherland A. Beckwith, Litchfield.
Joseph A. DePaolo, Jr., Plantsville.

FLORIDA

William R. Rider, La Belle.
Donald B. Gray, North Miami.
Lloyd A. Riden, St. Petersburg.
Ward R. Bathrick, Valrico.

GEORGIA

Francis H. Kersey, Byron.
John W. Hammond, Jr., Griffin.
Woodrow Wheeler, Kite.
Charlie L. Bowden, Macon.

HAWAII

Kazutoshi Fujino, Honokaa.

IDAHO

Wendell J. Bailey, Albion.

ILLINOIS

Wayne N. Comp, Buda.
Reita M. Miller, Cabery.
Thomas A. Falese, Carpentersville.
John W. Hill, Cave in Rock.
George H. Pfalzgraf, Grand Ridge.
Helen F. Lieb, Pesotum.
Paul E. Reichert, Pleasant Plains.
George W. Hoffman, Winnebago.

INDIANA

Edward R. Fisher, Ligonier.
Charles R. Kilgour, Marion.
John B. Hupp, New Castle.

KANSAS

Earnest L. Scott, Altoona.
Joseph E. Brock, Dodge City.
Ralph K. Bohnert, Jewell.
Rozella W. Switzer, McPherson.

KENTUCKY

Margaret C. Durham, Anchorage.
Elizabeth R. Paine, Guthrie.
John J. Allen, Hickory.
Henry E. Hudson, Hopkinsville.
Benjamin H. Dean, Jeffersontown.
Helen F. Sprinkle, Loyall.
Virginia T. Hamilton, St. Catharine.
Richard A. Briggs, West Point.

MASSACHUSETTS

Francis J. O'Neil, Attleboro.
Joseph P. W. Finn, Boston.
Robert A. Burnett, Cummington.
George M. Galliher, Sr., Dalton.
Minnie E. Bateman, Dudley.
Robert W. Pearson, Eastham.
James J. Higgins, Fall River.
Clifford J. Akey, Greenfield.
Gerald F. Lennerton, Leicester.
William N. Sheehy, Middleboro.
Frank L. Hardy, Nantucket.
Thomas J. Hurley, Northfield.
Richard C. Taft, Oxford.
John Joseph Hayes, Sharon.
William E. Murphy, Stoughton.
John E. Reinhardt, Wareham.
John F. Cole, West Newbury.
Fernand P. Como, Wheelwright.
James H. Murphy, Woburn.

MISSISSIPPI

Frederick L. Herlihy, Bay St. Louis.
Margaret S. Washington, Handsboro.
Henry J. Monroe, Mississippi City.

MISSOURI

Luther G. Cravens, Hartville.
Horace M. Cash, Warrensburg.

NEBRASKA

Robert A. Frank, Carleton.
Donald W. Crews, Guide Rock.
Melvin A. Hagemeyer, Juniata.
Allen O. Wasenius, Oxford.
Willis H. Wills, Shelby.

NEW JERSEY

Charles F. Murray, Princeton.

NEW MEXICO

Ollie W. McDowell, East Vaughn.
Carl A. Terrell, Fort Stanton.
Frederick J. Roach, Los Alamos.

NORTH CAROLINA

Walter G. Ratledge, Advance.

OHIO

Frederick W. Deiner, Amherst.
Irene B. Culbertson, McClure.
Erna J. Kendall, Union.

OKLAHOMA

Edd Miskel, Camargo.
Rosalie E. Clover, Nash.

OREGON

Parker T. Hess, Ashland.
Howard C. Nutt, Shady Cove.

PENNSYLVANIA

Esie Blanche Wright, Cogan Station.
Stewart Zepp, Green Lane.
William E. Schissler, Harleysville.
James B. Lawler, Olyphant.
Mahlon O. Moyer, Weissport.
Edward T. Dodson, Weatherly.

SOUTH CAROLINA

Henry L. Clyburn, Kershaw.

TEXAS

Oliver N. Bruck, Austin.
Charles T. Rushing, Jr., Calvert.
Thomas W. Duncan, Frisco.
Percy C. Williams, Hufsmith.
Thomas B. Coe, Jr., Kountze.
Julia E. Pryor, La Ward.
George W. Ramsey, San Augustine.
Daniel L. Boone, St. Jo.

VIRGINIA

Benjamin A. Williams, Jr. Courtland.
Frances M. Bryant, Henry.
Sherman L. Miller, Oakwood.

WASHINGTON

Orland Ivarson, Bellingham.
Muriel A. Wheelock, Orchards.

WEST VIRGINIA

Howard F. Courtney, Grafton.
Dorothy P. Bitzer, Reed.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 18, 1952

The House met at 12 o'clock noon.

Commander Charles D. Beatty, Chaplain Corps, United States Navy, Quantico, Va., offered the following prayer:

Eternal Father, God of all nations, we invoke Thy blessing upon us as we set our hearts and minds toward the tasks of this day. We pray that Thy spirit may guide and direct us, that Thy love may motivate us, that Thy will may be made manifest in us.

We cannot come before Thee without giving Thee thanks for the many blessings Thou has bestowed upon us and our Nation. As we realize that our leaders derive their just powers by the consent of the governed, so we pray that Thy voice may be heard and made articulate in the choices of the people of this land.

In our successes make us humble; in our failures be merciful unto us, and give us the grace to try again. Strengthen and sustain those who stand between us and our enemies at this very hour, and support us and inspire us all to find the way of Thy peace.

Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5990) entitled "An act to amend the Federal Civil Defense Act of 1950."

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1032. An act to authorize each of the States of Montana, North Dakota, South Dakota, and Washington to pool royalties derived from lands granted to it for public schools and various State institutions.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2552) entitled "An act to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force."

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 52–23.

DESERVING CHILDREN

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include the names of the 100 most deserving children in my congressional district.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, this week I have as my guests in Washington 100 school children from my congressional district. These children have been selected by impartial committees appointed by the county superintendent of schools in each county. Recommendations for the educational tour were made by school teachers, principals, and superintendents in every school in my district. These young Americans are studying the legislative, judicial, and executive departments of our Government and visiting the shrines of our national history.

I deeply appreciate the splendid cooperation I have received from my colleagues and other Government officials. Nearly every request that I have made has been granted and everyone in Washington has been most anxious to cooperate. FBI Chief J. Edgar Hoover and the President of the United States have spent their valuable time with these children each year encouraging them to be good citizens and to become interested in the activities of the Government in future years.

I am proud of the group here today and I am proud of the record that the other children have made. Four hundred and five children have now been included on the Washington educational tours and while some of the children do not enjoy the most favorable circumstance in their homes nevertheless none of them has brought discredit to his family or to his community in any way since making the tour.

While I have many offers of financial assistance from people here in Washington and back in my congressional district, I have refused all these offers. This is my pet project and it is part of my contribution toward building a better America. I firmly believe that it is important to be interested in the welfare of our youth. These are our future citizens and the strength of our Nation in the future depends on them.

Mr. Speaker, these children have been chosen as the most deserving students from my district. Therefore, I wish to include their names in my remarks. Their names are: Melvin Boerckel; Ruth McKinnerney; William E. Kimberlin; Gertrude Hemkin; Marjorie Banning; Carolyn Culumber; Carole Sue Simpson; Carolyn Sue Kuntzman; James Driver; George Russel Trojack; Vernon Manion; Jack Lee Tipsword; John Louis Tabacchi; Mary Howard; Bernard Hake, Jr.; Charles Peters; Bobby Horn; Carlos Davidson; Janet Trees; Michael McCall; Eugene Curry; Samuel Jesse Brunk; Evelyn Brewer; Ronnie Pickett; Marion Gilbert; Robert Patrick; Eugene Speer; Laurence Stephens; Samuel Harris; Frank Nelson Fishburn; Shirley Anne Chandler; Eugene Farrow; Russell Lyons; Enola Bostic; Gordon A. Blauvelt; William Roy Trueblood; Evelyn Gates; Jane Lemme; Donald Wells; Ted Freeman; Paul Moore; James Wells; Shirley Taylor; Teresa Lyons; John W. Day; John Wesley Jackson; Betty Behl; Ronnie Sutton; George Folkerts; Jimmie R. Long; Theresa Muller; Theresa Radosevic; Leo Evans; Mary Joyce Fritcher; Dale Schafer; Edmund Capronica; Abraham Ramirez; Joan Adams; Eugene Shea; William Strayer; Susan Hay; William Otto Sumpter; Joyce Arlene Haley; Ann Downs; Paul Kaganich; Delores Jean Brown; Gerald Pakovich; Vernil Robbins; Kathleen Bednar; James Young, Jr.; William Lee Nicholson; Earl Dean Wilson; Robert Vernetti; Robert Canaday; Joan Jackson; James Boischel; Fred Godar; Barbara Steigleder; Alyce O'Brien; John Siebenborn; Harold Thomas; Jack L. Lawrence; Shirley Humphrey; Harlon Poteet; Robert Hendricker; James Louis Moore; Timothy Phillips; Geraldine Mae Rundle; Virginia Becker; Ray Dean Fraser; Nonna Garland; Linda Margaret Thomson; Raymond John Bellaver; Beverly

Ann Atterberry; Virgil Delano Short; Marjorie McLean; Dwight Lewey; Mary K. Durston; Delores Lewey; Veronica Ondrey.

REREFERENCE OF BILL

Mr. VINSON. Mr. Speaker, I ask unanimous consent that it may be in order for me to make a motion today to rerefer a bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. LANTAFF. Mr. Speaker, reserving the right to object, what is the bill?

Mr. VINSON. Mr. Speaker, I am simply trying to preserve my right so that the chairman of the committee may be here.

Mr. HALLECK. Mr. Speaker, reserving the right to object, if this unanimous-consent request is granted the gentleman proposes to make such motion later today?

Mr. VINSON. Yes; I am asking unanimous consent that later on during the day I may have the right to propound a unanimous-consent request or to move to rerefer a bill. I am doing this to preserve my rights and to give the chairman of the Expenditures Committee an opportunity to be here. He is just leaving his office.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, do I understand the gentleman to say that he is asking unanimous consent that he may make the same request later on?

Mr. VINSON. That is right exactly, because under the rules of the House this is the time it has to be made and I propound a unanimous-consent request now to be permitted during today to offer a motion to rerefer a bill.

Mr. HOFFMAN of Michigan. Why does not the gentleman ask it now?

Mr. VINSON. I am withholding the motion pending the arrival of the gentleman from Illinois [Mr. DAWSON].

Mr. HOFFMAN of Michigan. Mr. Speaker, if that is the only purpose, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 696 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended. That after general debate which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. COLE of New York. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Aandahl	Fenton	Rains
Abernethy	Frazier	Richards
Albert	Gore	Roosevelt
Anfuso	Hall, Leonard W.	Sabath
Barrett	Havenner	Sasscer
Bates, Ky.	Herter	Scott, Hardie
Beckworth	Hope	Scott, Hugh D., Jr.
Bolton	Kearney	Shafer
Boykin	Kennedy	Short
Budge	Kilday	Stanley
Buffett	Martin, Mass.	Steed
Burdick	Miller, Calif.	Stigler
Burleson	Miller, N. Y.	Stockman
Butler	Morris	Sutton
Canfield	O'Brien, N. Y.	Tackett
Carlyle	O'Konski	Vursell
Carnahan	O'Neill	Welch
Chatham	Patman	Wickersham
DeGraffenried	Powell	Wigglesworth
Dingell	Prouty	Wilson, Ind.
Evins		

The SPEAKER. Three hundred and sixty-six Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF WAR POWERS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to appoint two additional conferees on the part of the House in the conference between the House and the Senate on House Joint Resolution 477.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ALLEN of Illinois. Mr. Speaker, reserving the right to object, did the gentleman take this up with Mr. REED of Illinois?

Mr. CELLER. I did.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Illinois [Mr. REED] and the gentleman from Texas [Mr. PICKETT].

THE LOBBIES GANG UP TO KILL CONTROLS

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks as this point in the RECORD on price control.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, no one has to tell us in the Congress that there is a vast, well-organized, well-financed, ruthless conspiracy among many of the big business lobbies in the country to kill off the control programs which have been so sucessful up to now in holding off inflation.

We are bombarded every day by the propaganda of this organized group attack on the welfare of the people of this country. Our mail is full of inspired propaganda against price regulations or against rent controls, or against other aspects of the stabilization program.

Although we are very familiar with how this organized campaign is operating, and although we can remember how a similar campaign succeeded in 1946 and left the country helpless in the face of a terrible postwar inflationary spiral, we may not all be thoroughly aware of the manner in which this organized anticontrols program was begun.

The New Republic magazine recently carried an excellent article on this subject entitled "The Raid on Price Controls." It tells who is behind the drive to kill OPS and the other controls programs and how they planned to go about it.

It shows how the lobbies ganged together to promote a myth that controls are cutting production and causing shortages—yet all of us know production is at an all-time high. It shows how the lobbies, working both sides of the street, say on the one hand that controls are keeping prices high, and then on the other hand claim that controls are not necessary because so many prices are so low.

Mr. Speaker, I think it is important that no Member of Congress be tricked into believing the special interest propaganda of the selfish groups that want to kill controls in order to increase their profits. Any Member reading this article in the New Republic cannot help but realize that the crocodile tears being shed by some of these groups over the alleged hardships imposed by the controls are as synthetic as the gold-plating on a 10-cent store necklace.

The article in the New Republic magazine, The Raid on Price Controls, is as follows:

THE RAID ON PRICE CONTROLS

(By Mathew K. Amberg)

With the inflationary armaments drain on the economy approaching its peak, a cluster of quiet and determined drives go on to strip away what price-control protection now remains in effect.

These drives have been moving ahead under cover of the attention-distracting steel wage-and-price dispute. Deliberately avoiding the publicity tactics of former years in an apparent effort to let a sleeping public lie, a fairly well coordinated coalition of business and farm organizations has set out to kill price controls.

All this year the foes of the OPS have been feeding out horror stories on the problems and expenses facing businessmen who try to comply with OPS regulations, stories of the expensive staffing of OPS field offices, comparisons of the number of words in the Ten Commandments and in a fictional OPS cabbage-price regulation, and the like. Largely avoided were such gaudy promotional stunts as the National Press Club

dinner thrown last year by 19 meat-industry associations fighting against meat ceilings.

The line for some organizations was laid out at strategy sessions such as one which took place February 28 in the Crystal Room of Chicago's Hotel Sherman. There a group of farm commodity, retail, wholesale, and realty organizations met to pool efforts and plan their campaign to make the OPS unsavory to the public.

By order of the Corn Belt Livestock Feeders Association, which called the Hotel Sherman meeting, and in line with the CBLFA's pledge that it was to be "a confidential meeting without publicity," it was closed to the press. The names of most of the estimated 40-to-50 participants, as well as those selected to serve on the fund-raising and tactics coordinating committee, were not divulged to questioning reporters. Much of the press responded graciously—business publications like the Wall Street Journal and the Journal of Commerce and most metropolitan dailies carried no news stories on the meeting.

At the meeting, the CBLFA's invitation to 63 organizations said, a production, processing, and distribution council would be formed, to be composed of "all organizations opposed to the OPS who desire to work together in a hard, well-planned campaign during these next 10 months."

"Each organization would start an immediate campaign of its own through speeches, radio programs, press releases, etc., showing up the OPS program. Every failure, every reduction in production, every distress brought about by the OPS would be brought out. * * * Those [affiliates] with radio time would be asked to invite in the representatives of other organizations when some startling bit of information could be broadcast that would bring resentment against the OPS. The deliberate and planned attempt would be to make it as unsavory to the public as was the OPA. It would be emphasized and reemphasized that controls cut production and shortages in production bring high prices."

Other parts of the plan, according to the two-page confidential promotion, would make use of auto windshield stickers carrying the slogan, "Take the shackles off production—OPS must go" and election of State chairmen to stimulate a steady stream of letters to each Representative from people in his own State, of visitors to Representatives, and of all-industry delegate bodies to visit each delegate to the two major parties' national conventions. The efforts prior to extension of the controls bill after July 1 would be to have the OPS authority dropped from the law, leaving only allocations and some indirect control powers. If that failed, the next move would be to attempt to get both party platforms for 1952 to carry antiprice control planks.

The Livestock Feeders' confidential promotion proposed a coordination of testimony before Congress: "not only should there be a perfect flood of demands to be heard, but each appearance should be sure to contain material stressing: (a) Controls cut production. (b) Shortages of production bring high prices. (c) The OPS must go."

Mark W. Pickell, president of CBLFA, emerged from the February 28 meeting and told reporters that some 50 representatives of 30 different industries had been present, but declined to identify any participants except to say that cotton, butter, and eggs, retailing and wholesaling fields were represented.

Meanwhile other farm and business organizations were coordinated through various arrangements—interlocking memberships of associations and foundation boards of directors, informal strategy luncheons and meetings, and chamber of commerce and meat-industry conferences. Besides the dozen real-estate organizations which asked for the end of rent control, 60 business and farm groups paraded witnesses before the Senate committee hearings or sent statements, ringing the changes on one or both of two major themes: let price and wage controls die June 30, 1952; or, decontrol or suspend controls on new industry's products.

A repeat performance was put on before the House Banking and Currency Committee. The major argument advanced by those seeking the end of controls over their own products was deceptively simple: Our goods are selling at below-ceiling prices and are, therefore, "soft," and have been for some time, so please free us of burdensome recordkeeping and reporting requirements.

* * * * *

The big fallacies in the soft-price argument are twofold: Prices are not so soft, and they may be expected to go up. The so-called price softness claim is based on the fact that some prices are below ceiling or, in the case of products on which ceilings could not be set, below the peak prices. But these ceilings and peaks were reached under conditions of scare buying and wild profiteering before the administration got up gumption enough to order the freeze, and the drop from those ceilings and peaks is relatively slight.

The housewife well knows that her shopping bag is very costly to fill. According to the OPS and the Bureau of Labor Statistics, 58 percent of the weight of the consumers' budget was being spent for items which were at peak or ceiling prices at the very time these industry people spoke of "soft" prices to the Senators, and nearly 80 percent of the family budget was going for items priced within 2 percent of ceiling.

The businessman and the Government procurement officer shop for their supplies in a high-priced wholesale commodity market. On items of wide public interest accounting for $134,700,000,000 of transaction value (less than half of the wholesale market), only 41 percent were at peak prices, 20 percent were slightly below, and 39 percent significantly below the peak. In this group are such commodities as wool, cotton, grains, livestock, poultry, eggs, processed foods, clothing and textiles, passenger cars and tires, etc. Furthermore, the relatively soft prices of such items as pork products resulted largely from purely seasonal factors prevailing when the survey was taken. The price forecast for later in the year is much closer to ceiling.

But in the group of items of main interest to business, comprising $138,400,000,000 and including metals, machinery, chemicals, most fuels, lumber, trucks and busses, and other basic goods, a different picture emerges. Here 84 percent of prices were at peak, 12 percent "slightly" below, and only 4 percent "significantly" below.

The wholesale commodity figures may go far to explain why the heaviest decontrol pressures come from agricultural commodity and processing, textile and retailing groups, with support from the machine-tool and similar industry trade associations.

At the Senate hearings, NAM's president William J. Grede, summarized the argument for those who took the "let controls die June 30" line. He refused to consider advising the Banking Committee on proposed modifications of controls, taking the flat position that nothing short of wiping out price controls would do.

In completely unabashed fashion, Grede asserted that "An analysis of the present supply situation for consumer goods reveals no serious or significant inflationary pressures. Only artificially created shortages and emergencies could cause serious imbalance." To end the underlying inflationary pressures implicit in the Government's armaments build-up, he offered the usual NAM program: Cuts in Government spending (and in services to agriculture, resource development, and human welfare, budget-balancing partly by shifting the tax load to consumers via the sales tax, use of indirect controls like credit curbs, and letting businessmen do that which they find to be profitable.

Resolutely forgetting the 1946 NAM-sponsored full-page ads that promised lower prices with controls out of the way, and the ensuing price skyrocketing after the OPA was killed, Grede claimed that it was the threat of controls and consequent scare-buying that caused the post-Korea inflation, not scarcity. He did not mention deliberate profit-gouging, and no one asked him about that. But he did deny that corporate profits are excessive, or that they were in 1950 and 1951.

Grede and other business spokesmen also pitched much of their appeals on the burden of OPS compliance paper work, emphasizing how time consuming and expensive it is. But the judgment of those who suspected that the paperwork nuisance, real as it may well be, was being used as a front for other motives seemed to be confirmed by the cottonseed oil-price case.

The OPS rolled back the ceiling price on cottonseed oil from 23.5 cents a pound to 18 cents, and suspended controls on the product at the same time because it was selling well below ceiling. The OPS said controls would stay off as long as prices remained well below ceiling, but that if they approached it controls would go on again at the new ceiling. President Harold A. Young of the National Cotton Council asked Congress to forbid roll-backs below the ceilings in effect April 25, 1952, because he feared similar roll-backs on raw cotton and cotton textiles (which have since been announced). Demonstating that the chief concern is price, not paperwork, Young said that "the cotton industry would greatly prefer to operate under the present system rather than be subjected to an OPS roll-back type of suspension." The cotton council evidently expects prices to rise and wants room for them to do so.

Among groups which plumped for ending of all price controls, besides the Corn Belt Livestock Feeders Association and NAM, were: American Bankers Association, American Farm Bureau Federation, Chamber of Commerce of the United States, Machinery & Allied Products Institute, National Creameries Association, National Cotton Council, National Livestock Producers Association, National Retail Lumber Dealers Association, Texas and Southwestern Cattle Raisers' Association, and Western States Meat Packers Association.

The forty-odd trade associations asking for decontrol for their industries included those in petroleum, rubber tire, construction, textile, food production and processing, retail, and trucking fields.

In addition, retention of the Herlong and Capehart amendments to the 1951 act, or extension of their coverage to the respective industries, was sought by a number of industry spokesmen. The Herlong amendment, sponsored by Representative A. S. HERLONG, Democrat, of Florida, requires that traditional pre-Korea percentage mark-ups taken by merchants shall not be interfered with by the OPS. It is one of the built-in engines of inflation within the price-control law, especially since it permits retailers to figure a percentage mark-up for themselves even on the excise taxes they collect.

The Capehart amendment * * * allows cost increases incurred before July 26, 1951, to be passed along in higher ceiling prices at any time the manufacturer or processor decides to apply for such an increase. It has been a relatively unused gimmick thus far, but when other factors start to move prices upward and firms begin to feel sure they can get more for their products, hundreds of thousands of Capehart increases will be applied for as the July 26 cut-off date governs the cost increases, not the ceiling-increase applications. Some

business groups are asking for a roll-forward of the July 26 cut-off date to sometime this year, thus enlarging a loophole.

The Hudson, Kaiser-Fraser, Packard, Nash, and Studebaker auto manufacturers struck a curious note when they sent Senator Maybank a letter supporting retention of the Capehart amendment, partly on the grounds that repeal of that provision, plus a ceiling roll-back, would give the Big Three auto firms a competitive advantage over the smaller companies. They recalled that in December 1950 the Government rolled back General Motors and Ford prices and prevented Chrysler increases, while permitting the smaller firms, which had increased prices before the freeze, to sell at their higher prices.

Complained Hudson et al., "The abnormally low prices of General Motors, Ford, and Chrysler which they were forced to maintain by the OPS, had the effect of taking business from the smaller companies. This is a situation harmful to the smaller companies which we are certain Congress will not knowingly recreate." The layman might suppose that without the Capehart amendment the five firms were forbidden to decrease their prices competitively.

Senate and House action on price controls is coming to a head unless business-minded Congressmen can stall action long enough to create a parliamentary emergency for controls during which the bill can be completely emasculated. The groups supporting effective price control need help. Their memberships are larger than the kill-controls bloc, but they have less advertising money and fewer lobbyists.

SPECIAL ORDER GRANTED

Mr. SIKES asked and was given permission to address the House for 1 hour on Monday next, following the legislative program and any special orders heretofore entered.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Illinois [Mr. ALLEN] and at this time I yield myself 10 minutes.

Mr. Speaker, this rule provides for the consideration of the extension of the Price Control Act known as the Defense Production Act and provides for 4 hours general debate. It is an open rule with the usual permission to offer a motion to recommit.

I have made some little study and analysis of the bill and report since it was filed by the committee and it might be of some interest to the House if I ran over briefly what I regard as the major changes in the present Act.

The only material change in title I is clarification of the slaughter house restrictions that were put on by the House last year. As I understand it, some question arose as to whether the agency could restrict the killing of various types of animals and the committee clarifies that by providing that if a person has a license to slaughter any type of animal it covers all types of animals.

In the 1951 act the Congress inserted a provision with respect to the import control of agricultural products. There is a change in that which requires the Secretary of Agriculture to make an affirmative finding that it will not interfere with or reduce local production of the article in question; and when he makes that finding, then, and not until then, will imports be permitted.

Title III of the bill makes a change and includes newsprint in those articles that are manufactured that the President in order to increase production may authorize loans to be made for the purpose of increasing production in certain items. Title 5 of this bill is one that provided machinery for the settlement of labor disputes.

Mr. RAINS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Alabama.

Mr. RAINS. I would like to have the gentleman just tell us his ideas about the bill. I think it would be quite helpful.

Mr. SMITH of Virginia. Well, I will make an effort to do that.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. This is one of the most important bills to come before us. From my own district the messages on this bill are as strong as any bill coming before the House and I would request the gentleman to give us full and complete coverage relating to the provisions of the bill.

Mr. SMITH of Virginia. I thank the gentlewoman, whose close attention and intelligent interest, in the discussions on the floor are always inspiring to one who is addressing the House.

One thing I want to talk about is title 5, which is the provision relating to the control of labor disputes. The bill as presented makes no change in that provision. I reckon the committee, probably, in considering title 5, figured that the House was going to do something about it anyhow, and they might just as well leave it to the House to start from scratch. But the fact is that the bill as reported from the committee leaves us in exactly the same situation with the same Wage Stabilization Board. They can do exactly again the same thing that was done in the Steel dispute, and I am quite confident that the House would not want to leave that title of the bill as it is.

Now some weeks ago the President addressed a joint session and suggested that he would like to know what Congress would like for him to do about the Steel dispute. Well a lot of us thought that the thing to do was what the law said, namely comply with the Taft-Hartley Act. It is my purpose, at the proper point in the bill, to offer an amendment to the bill requesting that the President pursue that course, to invoke the injunction provisions of the Taft-Hartley Act.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman seems to know considerable about the Taft-Hartley Act. Suppose the Taft-Hartley Act is invoked and during this 80-day period one of the parties concerned in the dispute failed to carry on negotiations in good faith. Is that a violation or an unfair labor practice under the Taft-Hartley Act?

Mr. SMITH of Virginia. The gentleman inquires——

Mr. BAILEY. I would like to have a definite answer from the gentleman.

Mr. SMITH of Virginia. Well, when the gentleman gets through talking I will give him a definite answer, but I do not like to have two talk at the same time. When the gentleman gets through I will answer. The gentleman wants to know whether that would be a violation of the Taft-Hartley Act. It is a violation of the Taft-Hartley Act if either party to any dispute refuses or fails to bargain in good faith. Does that answer the gentleman's question?

Mr. BAILEY. If the gentleman is quoting the Taft-Hartley Act correctly, that answers my question.

Mr. SMITH of Virginia. That is my understanding of the law. So, as I say, I shall offer such an amendment to request the President to invoke the provisions of the Taft-Hartley Act.

I think I might say to the House that you will all be interested in knowing that the committee proposes to repeal entirely title 6 of the act which has to do with credit control. That is stricken out, as I understand it.

Now there is another provision in the bill that I would like to call to the attention of the House, and that I would like to offer an amendment to at the proper time. You know, there is a provision with respect to the stabilization of wages and salaries which makes it unlawful to increase wages. Then there is a penalty provided later on in the bill of a year in jail or $10,000 fine for violating that act or that provision of the act with reference to raising wages. That is one punishment that sounded to me like a pretty severe one, and it ought to be sufficient to deter people from violating the law.

However, there is another very important penalty provided in that act and that is that if a person should inadvertently increase the pay of one of his employees or all of his employees without having gotten the consent of the Agency, then all of the payments made shall be disregarded with respect to any other act of Congress. What that means, while it does not say so, is that if an employer raises wages some and pays more without the consent of the Agency, then all of his expenses of salaries and wages are stricken out when he goes to pay his income tax, and he is not entitled to any credit for the expense of those wages. Of course, that is an outrageous penalty and never should have been in the bill, in my humble judgment. I hope the House will agree with me that it ought to be stricken out, and that we should depend upon the penalty provisions of the bill itself to enforce it.

I happen to have had some experience with that particular thing. This Board has been terribly busy trying to give consent to or consider all of these applications where it is necessary to raise wages to keep employees. It is almost impossible, and has been, to get any action by that Board in any reasonable

time at all. People have found themselves in the situation where they were going to have to increase their wages or lose all their employees, and they have had to simply make the choice of whether they were going to violate the law or go out of business. This double penalty ought not to be imposed, and I hope the House will agree to strike it out.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Illinois.

Mr. MASON. I want to cite an example of just what the gentleman is talking about. Employer and union representatives came to my office last week. They had arrived at an agreement last October for an increase of 8 cents per hour in wages. They had been trying ever since last October to get it approved, and they could not. They wanted to know what they could do about it, because the next bargaining period will start in September and they have not got the other one approved yet, after they had arrived at an agreement.

Mr. SMITH of Virginia. That is right. It happens frequently.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman referred to the fact that title VI has been stricken by the committee. The gentleman, of course, is familiar with title V, which is the labor dispute section. I think the gentleman will agree with me that the present Wage Stabilization Board was not created under title V, as was the original Wage Stabilization Board, but under title IV and certain alleged inherent powers of the President. In view of that fact, what would the gentleman say as to whether or not we might as well strike out title V, the so-called labor dispute section, intending thereby to rely on other provisions of the act and other laws of the country now in effect?

Mr. SMITH of Virginia. I had hoped that the committee would give some careful consideration to some desirable changes in that situation. I am not prepared to state dogmatically what I think ought to be done about it. I think something ought to be done. I do not think we ought to leave the country in the position where the same Board can do the same thing they did in the steel strike, that put the country in the present situation.

Mr. HALLECK. I agree with the gentleman with respect to that. I am glad he agrees with me that consideration should be given to the matter of keeping title V in the act because, as I say, apparently there is no effort existing now to implement the provisions of that title.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Oregon [Mr. ANGELL] to make a unanimous-consent request.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Speaker, I want to take this opportunity to call to the attention of my colleagues that the Townsend organization is now holding its twelfth national convention in Long Beach, Calif. The convention convened on June 16 and the final session will be concluded on Friday of this week. I am advised that some 3,000 accredited delegates, coming from more than 40 States in the Union, are in attendance.

This outstanding organization, working for the betterment of the aged of America, was organized by Dr. Francis E. Townsend in September 1933 in Long Beach, Calif. Its activities have spread until now it covers our entire Nation, and thousands of loyal Americans of all age groups belong to the Townsend clubs scattered from coast to coast.

This great humane organization has one objective in view, and that is to bring about the enactment of an old-age security program that will be Nation-wide and will deal fairly and justly with all of our aged citizens. Unfortunately, under the social-security law that now exists, coverage is limited to certain segments of our population, and many of our elderly citizens similarly situated as those covered under social security and who are in want and need of social-security benefits are not covered.

On the Speaker's desk is discharge petition 4, which has for its purpose bringing on the floor for consideration H. R. 2678, which I introduced early last year, and which, if enacted into law, would provide a Federal program for old-age security dealing fairly with all our elderly citizens who are entitled to help from a grateful Government. I most sincerely urge again that all Members of the House interested in such a program sign this petition so that this legislation may come up on the floor for consideration.

I received an invitation to attend the Townsend convention now meeting in Long Beach, but owing to the fact that we have many important legislative bills now up for consideration in the House I felt that it would be inadvisable to leave my work here, which has first call upon my time. In accordance with leave granted, I include herewith an address which I prepared for delivery at the Townsend convention in the event my official duties here would have permitted me to attend. The text is as follows:

UNCLE SAM SPENDS BILLIONS AROUND THE WORLD BUT ONLY PENNIES FOR AMERICA'S AGED

Mr. Chairman, Dr. Townsend, distinguished guests, and Townsend friends, I want to bring to you my personal greetings and best wishes for success in this great annual Townsend convention. You are gathered here from the four corners of our Nation with one great objective in view—marshaling the forces of this great Republic behind the movement to bring about an old-age-retirement program that will deal justly and adequately with all the elderly citizens of our Nation. I especially want to express my personal appreciation to our revered stalwart and founder of this outstanding humanitarian movement, Dr. Francis E. Townsend. His great vision, courage, and indomitable will power and effective organization abilities have established the Townsend organization as the bulwark for old-age security. The advances we have made in the last decade in this broad field of human rights are due in a large measure to Dr. Townsend and you loyal supporters and the legion of faithful coworkers in the fight for justice and equal rights for America's aged citizens.

First of all, let me report on the status of the Townsend legislation now pending in the Eighty-second Congress. As you know, early in the beginning of this Congress my colleague, Representative BLATNIK, and I introduced the Townsend bills. These bills are numbered H. R. 2678 and H. R. 2679 and were referred to the Ways and Means Committee. Not being able to secure favorable action on the legislation by this committee, I filed Discharge Petition No. 4 and those of us who are sponsoring this worthy legislation in the Congress have—early and late, in session and out of session—done everything in our power to get 218 signatures required to bring the bill on the floor for a vote. We now have 182 signatures on the petition.

As I have said to you before, it is impossible for us here in the Congress to make over these Congressmen you folks back home send to us. If they are not Townsend minded and are not desirous of helping the old people in their distress, it is almost impossible for us to change their philosophy of life and line them up with us in the great crusade for an old-age retirement system that will give fair treatment to all of our old people. We have buttonholed every one of them repeatedly to sign the discharge petition without avail. Why are the old folks ignored? Why are they the forgotten ones in our economy? Why do Congressmen vote billions for foreign peoples and nations and refuse a meager pittance to our old folks at home? Many of these same Congressmen who refuse help to America's aged voted without hesitation for the $112,000,000,000 for foreign spending since World War II ended. These senior citizens were the workers of yesterday. They helped build our cities, our roads, our industries, and helped to clear our lands. They were the trail blazers, the pioneers. They built for us. Now that they are old, we cannot pass them by. They do not seek our charity. They only ask simple justice—a modest share in the fruits of American industry to the production of which their labors in the past have contributed. Let us prove to the whole world that these aged American citizens are entitled to and shall have vouchsafed to them by their country life, liberty, and the pursuit of happiness. Let us prove that humanity is still on the march here in America by enacting an old-age annuity plan that will provide for all of our old people, not only a selected few, annuities sufficient to maintain them in decency and health.

There is much confusion and misunderstanding as to the needs of our elderly citizens in America today. For the middle-aged, odds on reaching a ripe old age are about the same now as they were in George Washington's day. Chances of living from babyhood to 40 are getting better all the time. Most childhood diseases are about through as killers. From 40 on, life expectancy hasn't improved much. Old-age ailments still take about the same toll, year in and out. An individual aged 40 or over can look forward today to a life span only a shade longer than his grandfather expected at 40 a half century ago. A man aged 60 can expect to live no longer than his ancestor could after 60 at the close of the Revolution, 170 years ago. Middle-aged people, at this time, have been led to expect longer lives by reports of major gains in life expectancy. The facts do not show it.

New figures from the United States Public Health Service reveal that all the new drugs,

all the new techniques of surgery, all the scientific research, to date, are doing little to add years to the life of the individual who has reached middle age. What medical science has done, so far, is to add greatly to the child's chances of living to middle age and beyond.

Saving enough money to retire on is getting harder and harder. It is almost impossible for people without pensions. To retire on $5,000 a year takes $112,000 in investments. That income will buy old-age comforts that $1,500 bought in 1900.

Retirement habits are changing. Most people now look to social security and pensions to see them through old age. Back in 1900, just 52 years ago, $25,000 was considered enough capital for a man and his wife to retire on. Without much trouble, he could find safe mortgages or other investments to bring him a return of 6 percent. A $25,000 investment, at that rate, was good for $1,500 a year, which was enough to support a man and his wife comfortably at that time.

What are the chances now of a person 65 years old or more taking care of himself? Judged by the experience of our present 11,500,000 oldsters, they are not very good. According to recent surveys, almost half of them suffer some degree of economic hardship. Theoretically, a man during his working years should pile up a surplus adequate to carry him through retirement. But in 1948, only about 1,500,000 of those 65 and over could support themselves on income from investments and savings. About 3,500,000 had no incomes; another 4,500,000 had incomes of less than $1,000 a year. Only 1,500,000 received social-security pensions; 2,500,000 got old-age assistance payments. Chances of employment are poor. Even at the peak of the war effort only one-third of the people 65 and over were employed, many of them on farm jobs.

Fifty years ago, no one was troubled by this question. There were older people, it is true, but only some 3,000,000 Americans had passed the age of 65. Today that age group has grown to well over 11,000,000. Their number is expected to double in the next 25 years. At the same time, their proportion to the total population has been increasing. In 1900, one out of every 25 Americans had celebrated his 65th birthday. Today the figure is 1 out of 13.

The fundamental strength of our democracy is the recognition and appreciation of the fact that an individual living happily and enjoying the fulfillment of his hopes and dreams is our richest resource. This applies to individuals of all ages. The United States, the most prosperous nation on earth, can ill afford not to provide generous treatment for its aged. It is a Nation with only one-sixteenth of the earth's population and only 6 percent of the world's area, but it produces nearly seven-sixteenths of the world's goods. Our people own 46 percent of the world's electric power; 48 percent of its radios; 54 percent of its steel capacity; 60 percent of its life insurance; 85 percent of its automobiles; with the most schools, the most churches, and the best health record. Yet we refuse to provide meager subsistence for our aged.

We have attempted to solve the old-age security problem by the enactment of social-security legislation covering certain specified groups of employed persons, and requiring contributions to be made by both the employees and employers over a term of years, with fixed payments to begin at retirement age, in most cases 65 years, and continue through life.

According to the latest figures, the Government has collected from these workers and employers over $19,921,535,000, only a small portion of which has been returned as annuities. The balance of the so-called reserve fund has all been spent by our Government in the wasteful, and in many cases unnecessary, expenses in meeting our obligations here at home and the wars we have carried on around the world. When the time comes to pay these annuities these funds already spent will again have to be replaced by new taxes from you taxpayers of the United States.

The problem in its most aggravated form is illustrated by this fact: If 30,000,000 workers in the United States are to be promised pensions of $100 a month, and if those pensions are to be backed by reserves that actuaries consider adequate, then the reserves will grow to a total of about $375,000,000,000. That many billions of dollars will have to be invested in bonds or other fixed-interest securities of the United States. Yet all the marketable securities of the Federal Government total only $225,000,000,000. Pension reserves necessary for full funding amount to nearly eight times the total reserves of all life-insurance companies in the country. That's an indication of the size of the problem involved and the weakness of the social security reserve system.

Under the Townsend program this monstrosity would be obviated. The money would be collected from month to month to pay the annuities as needed and it would go back into the blood stream of commercial activities every month as spent.

The payments under the existing social-security law are based upon the amount of earnings received by the annuitant. While these payments in recent years have been very substantially increased they are still wholly inadequate to meet the living needs of these retired workers. Furthermore only favored groups coming under the law are entitled to participate in the program. The latest figures show that in March 1952 over 5,650,000 persons were on relief in the United States who were not taken care of by the social-security insurance system. There recently came up for consideration in the House H. R. 7800 which had for its purpose increasing by approximately $5 monthly the allowances to the recipients of old-age and survivors insurance under social security. It also increased the ceiling on outside earnings to $70 a month. I hold that annuitants under social security and old folks on relief should be permitted to earn over and above the meager monthly payments they receive, additional sums sufficient to give them ample funds for all their needs. Why enforce idleness on them and deprive them of needed food and care? Those on social security have paid for their small monthly payments and should be permitted to earn on the outside all they are fortunate enough to receive from employment. This bill, however, you should understand, did not provide any increase for those who were not under covered employment under social security. I voted for this bill because it did give some relief to the large number of our elderly citizens retired from employment who are covered under the law. However, it did not at that time receive the two-thirds vote required and was defeated. I have urged the leadership in the House to bring the legislation up again and pass it. Legislation should provide for assistance far greater in amount than that provided by this bill, which provides for a very meager sum to enable these retired workers to eke out a bare existence. The 53-cent dollar has cut in half old-age assistance. High living costs make their problem most critical. These elderly persons are up against it and something should be done for them at once. It would give them some help if we would put a stop to some of the administration's reckless spending policies which are deflating every dollar and which are putting these elderly people behind the eight ball.

We must not forget that those who are not covered by social security are likewise suffering, and would get no assistance from these amendments to social security. The United States should be willing to do its duty by these needy people, not only under social security but all others not covered by social security, regardless of what other Federal expenditures may be. I regret very much that this necessary increase in assistance has been delayed so long, because these needy aged and blind persons and dependent children should certainly be given increases now proposed. How anyone could object to it, I cannot understand.

During the past 18 months, since the war in Korea began, and during which time the elderly people of our country have been suffering from inflation which doubled the cost of living, the United States Government has been destroying large amounts of good, edible food which these needy people could have used. For instance, since the outbreak of the Korean war the Government has destroyed more than 58,000,000 bushels of potatoes. This is enough to make a solid trainload of potatoes over 500 miles long. Today the housewife cannot find potatoes, many of whom are in need of potatoes. At the same time, more than 300,000,000 dozen eggs have been destroyed at a cost of millions of dollars to the American taxpayers. Such maladministration and flagrant waste is a monumental blunder which should not be permitted.

Those who do not wish to have the Federal Government take care of these worthy persons can always find some excuse. As I have often said on the floor of the House, in my judgment, there is only one sound solution to this problem and that is the enactment of a Federal old-age security program, Nation-wide, which will provide security for all aged citizens who are unable to participate in industry or remunerative employment and who are without the bare necessities of life. H. R. 2678, which I introduced February 15, 1951, and its companion bill, H. R. 2679 introduced by my colleague, Mr. Blatnik, would, if enacted, provide such a program. This legislation would provide every adult citizen in the United States with equal basic Federal insurance, permitting retirement with benefits at age 60 or for total disability, from whatever cause, for certain citizens under 60; it would give protection to widows with children; it would provide an over-expanding market for goods and services through the payment and distribution of such benefits in ratio to the Nation's steadily increasing ability to produce, with the cost of such benefits to be carried by every citizen in proportion to the income privileges he enjoys. It would end for all time the unsound social-security trust fund, which puts a double burden on the taxpayers. If we are to preserve the American way of life and our economic and democratic processes under free enterprise, we must find a solution not only for our unemployment problems but also for the problems of providing adequate care for the aged and disabled. With an accelerating advance in technology in the postwar era, and with the commercial development of atomic energy presaging more rapid transitions in mass production, the social risks and hazards of unemployment and old age are increased. Rather than see workers pushed from active labor force, hit or miss, the logical policy to follow is one of selection. The older group has earned retirement. Many of them are not covered by the Social Security Act. By covering the entire group, the whole process of business activity will be stabilized. Retirement payments will provide continuous buying power, will provide the needed balance in market demand, and will help to provide mass consumption without which our mass-production economy cannot function successfully. It will lead the way to greater prosperity in our Nation.

It was by reason of these deficiencies in the old-age security program that those of us in the Congress interested in the problem introduced the legislation which is em-

bodied in H. R. 2678 and H. R. 2679. The aged, through no fault of their own, through the flat of industry, are denied a part in production. They toiled the longest in production and should not, when old, be deprived of taking part in consumption. They are the victims of an industrial system for which they are not responsible. Society owes a duty to these old folks, and it can only perform this duty by establishing a national annuity system providing against the hazards of old age and disability. There are now millions among us, 60 years of age and over, who are not now being cared for in an honorable and just way by the present system of social security, and are receiving no support from any source or hopelessly inadequate support. Our plan would replace the complicated, arbitrary, and inequitable provisions of the existing law. It is financed by a gross income tax in which all participate. It is a pay-as-you-go system, and annuities will be paid currently each month out of currently raised revenues, and the sums so received by annuitants must be spent within 30 days. Under the plan the existing system of old-age and survivors insurance and old-age assistance will be abolished and a new program substituted therefor. This proposal gives recognition to the past labors of the aged and would offer them dividends from the wealth of American industry which they helped to create. These annuities are provided for those self-respecting American citizens as a matter of right.

As I have repeatedly said, annuities should be offered with neither the stigma of charity nor of poverty. They should be offered as a matter of right as dividends from the national wealth the aged have helped to create. Such a program would replace the complicated, arbitrary, and inequitable provisions of the existing law. It would have a stimulative effect upon our economy and would help to make available jobs to all the young who will replace the aged as the latter move into retirement at a decent standard of living. Only noncontributory annuities will meet the needs of those now grown old who are in need because of past neglect in providing an adequate contributory retirement system.

Uncle Sam is the greatest spendthrift of all time throughout the entire world. He has disbursed or committed $112,000,000,000 since World War II in addition to $16,000,000,000 in loans to foreign nations that never will be repaid. This is $825 for every American citizen or $3,300 for an average family of four. Of this amount $389,000,000 is charged to my own Multnomah County of Oregon on a per capita basis. Uncle Sam has exacted in taxes from our cittizens in the last 7 years $307,000,000,000. In the whole 157 years from George Washington to 1945, there was collected in taxes only $254,000,000,000. In other words there was collected in the last 7 years $53,000,000,000 more in taxes than was previously collected in our whole history and at the same time we keep our elder citizens, who made America great, on a starvation diet.

Federal money does not grow on trees. It is not free money. The Government has no source of income except that which is taken from our workers. When the Government squanders taxes it is wasting your money, the money you earn by the sweat of your brows. Much of these enormous expenditures are due to war. In the Korean war alone which was not declared by the Congress, we have spent over $5,000,000,000 and suffered over 108,000 casualties, young Americans dead, wounded, or missing. When will wars end? When will the taxpayers be relieved of the huge burden from shooting their tax dollars in the air on foreign fields 10,000 miles from home? When will the red blood of our American boys cease to saturate the battlefields around the world?

With a judicious handling of our governmental affairs, more common sense, and less war and devastation, we could do our full share in bringing about world peace and at the same time be able, from savings alone without increasing the taxes, to take care of our own people here in America, provide a decent living retirement for all of our old people, the widows, the disabled, and the orphans and still have billions of dollars left over for schools, churches, libraries, hospitals, and for the upbuilding and rehabilitation of this great Republic.

In closing I repeat what I have said to you before, are we not overlooking the admonitions of the Sermon on the Mount and the great spiritual values of life and placing our dependence on material things, the war engines of destruction, and the atomic bomb?

"For heathen heart that puts her trust
In reeking tube and iron shard—
All valiant dust that builds on dust,
And guarding calls not Thee to guard."

The Great Architect of the universe has been good to America. He has given us the greatest country on earth. It is rich in natural resources; we have great fertile fields, broad rivers charged with almost boundless hydroelectric power, great forests, mineral wealth, and an industrial system with skilled workmen, the greatest and most productive for human welfare and human needs in all history, and a garden spot in which to spend our days during the short span we are permitted here on earth.

We have indeed, a wonderful world to live in, yet we are spending most of our time in petty, intolerant jealousies, selfish grasping for wealth and power, and in waging world-wide wars, preparation for war, or the sordid business of cleaning up the mess, and of restoration and rehabilitation after death and devastation wrought by war. As loyal American citizens who believe in the promises of a just God, we need in America today more good will among men and less war, more of the spirit of cooperation, brotherly love, and fellow feeling and less of selfishness, hatreds, animosity, and jealousies which are abroad in the world.

If we fortunate Americans could in this great freedom-loving Republic put into practice such a program, would we not be taking the most forward step toward abolition of war and the restoration of peace and brotherhood among the nations of the world? At best we will be here but a little while in this great adventure of life. We are admonished that we brought nothing into this world when we came and we can take nothing out when we go. It behooves us to garner our resources well and put them and our talents to good use and to extend the hand of friendship and good will to our neighbors before we are called home forever.

"When Earth's last picture is painted,
and the tubes are twisted and dried,
When the oldest colors have faded,
and the youngest critic has died,
We shall rest, and faith, we shall need it—
lie down for an eon or two.
Till the Master of All Good Workmen
shall set us to work anew."

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as one of the 15 Members who voted against the original National Production Act, I presume most of you know how I feel with regard to the continuation of this act. However, I am pleased to note that the gentleman from Virginia [Mr. SMITH] is going to offer the so-called Byrd amendment which will request the President to follow the provisions of the Taft-Hartley Act in the steel strike. The question was asked by the gentleman from West Virginia whether the Taft-Hartley Act can be effective. In reply may I point out that since its passage the Taft-Hartley Act has been effective in practically every instance.

Should the Taft-Hartley Act be invoked in the present steel difficulty, the steel seizure problem would soon be eliminated. I make that statement for the reason that in my considered judgment an overwhelming number of these men do not want to go out on strike. Why? They have certain obligations to meet, just as you and I have. These men who are on strike have certain installments to meet on their homes, they have obligations perhaps so far as their automobiles, their refrigerators, and other things are concerned. If these men had the opportunity to vote on the strike question by secret ballot, a vast majority of them would have voted against going out on strike.

There is a logical reason for this. After these men are out on strike for 3 or 4 weeks their families become a little short of money, and they become pinched. We know that in the past month when we held up the pay of Federal workers for a mere 4 or 5 days, those workers sent us telegrams by the hundreds that they did not have any money available with which to buy the necessities of life and as a result were suffering. So I think the steel workers would probably be in the same situation.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. SMITH of Virginia. In connection with this proposal that the gentleman is making that they ought to have an immediate vote on whether these strikers want to strike or not, I just would like to call the gentleman's attention to our experience with that sort of legislation. You remember we had such a provision in the Connally-Smith Act, and we have such a provision in the Taft-Hartley Act. Let me say to you that in every ihstance where you had an election as to what the union members wanted to do, they have unfalteringly and unanimously followed the wishes of their leaders. So that you might just as well ask Phil Murray to vote on what he wants to do. The reason I am intervening at this point is because I thought at that time it was a good thing to do if we would let these fellows vote on what they wanted to do. But, our experience has been that every time they have voted on what they wanted to do, they followed their leaders.

Mr. ALLEN of Illinois. Mr. Speaker, may I say to the gentleman from Virginia that we are cognizant of the fact, too, that when these steel workers are not on their jobs they draw no compensation. However, what is the fact with reference to their leaders? These labor leaders receive in salaries $15,000 or $25,000 a year, and they continue to draw this large sum of money while the people who are on strike receive nothing. Who suffers? The answer is obvious.

I want to refer now to the Committee on Education and Labor. Last night by a vote of 16 to 5 that committee voted to

abolish the Wage Stabilization Board. It is my understanding that an amendment will be offered to this bill to abolish the Wage Stabilization Board.

In the original Defense Production Act the Wage Stabilization Board was given authority to stabilize wages and prices. Then they got into the question of labor disputes, doing something that was not intended. I know the greatest supporters of the Taft-Hartley Act were the most ardent supporters of the original Defense Production Act, and I know they would not have voted for the Defense Production Act had they thought for a minute that the Wage Stabilization Board was going to compel someone to belong to a union against his wish.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to remind the membership of the House present that that action, to which the gentleman has referred, by the Committee on Education and Labor, was in connection with a report that followed an inquiry carried on by that committee. That inquiry was initiated by the so-called Allen resolution, of which the gentleman from Illinois [Mr. ALLEN] was the author. I want the RECORD to show that. I commend him for introducing that resolution and bringing it to passage in the House.

Mr. ALLEN of Illinois. I thank the gentleman.

Mr. Speaker, in conclusion, the general public is keenly aware of the fact that if Government can seize the steel mills it has equal authority to seize other mills, factories, newspapers, radios, or even the private homes of individuals. So I hope that this body will overwhelmingly vote for the so-called Byrd amendment, and that the Members will likewise vote to abolish the Wage Stabilization Board.

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, I could not sit idly by while the gentleman from Illinois [Mr. ALLEN] was singing the song regarding the right of the steel workers to have a vote as to whether they would make acceptance of a contract that has been proposed by the employers. His position is that in his opinion—in his opinion—the steel workers, with the obligations they have back home, would gladly accept, would gladly vote to forfeit any right to a union shop.

Let me remind the House that that is the song all of you sang in the Eightieth Congress. You wanted to free the workers from the union bosses. That was your position. Free the workers from the union bosses. You said that many of them were in the unions by coercion, or duress, and other illegal causes and that they were unable to work unless they became members of the union. As a result of that kind of thinking, there was included in the Taft-Hartley Act a provision that set up processes by which the workers could free themselves. First, by having 30 percent of the workers in any given plant sign a petition that they wanted an election to free themselves. After they had certified 30 percent to the National Labor Relations Board, an election would be held.

I do not need to remind this House what the results of those elections have been. They have been costly and time consuming, and a disavowal of the sentiment of those who wanted to free the workers. The record will show that 98 percent of the thousands of elections were for the union shop.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the remainder of my time to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I address myself today to this bill renewing the Defense Production Act for another year, because I think it is high time that we considered some basic concepts which it embraces.

The justification for this law and its renewal, as set forth by its supporters, is that it is necessary to impose stringent controls upon the American economy to facilitate the production of armaments for the preservation of liberty in the free nations of the world. It is contended that unless we supply sufficient quantities of armaments, many of these free nations, particularly in Europe and Asia, will succumb to communism, thus further shrinking the already-diminishing areas where liberty is still cherished.

Unless this proposition is held up to the light and examined fully, it has an appealing sound about it. The enormity of the powers granted under this act to the executive branch of our Government seems to fade into insignificance compared to the high-sounding objectives which are proclaimed in behalf of the law.

The trickery of masking misappropriation of power with appealing aims, objectives, and slogans is as old as despotism itself. Even the most ruthless and brazen of the kings, czars, and dictators have resorted to this device. Adolf Hitler and Benito Mussolini, to name two dictators in our time, never failed to adopt for their cruelest acts the protective coloration of high-flown goals and aims for the people they subjugated.

I think it is about time the House faced the truth and faced it unflinchingly. What we propose to do here is not to preserve liberty but to subtract from it. This bill does not broaden the rights of Americans; it narrows those rights and narrows them dangerously. It offers no charter for strengthening the American way of life; it forges a doctrine for the destruction of the American system.

In short, we are asked to give up basic American liberties in the name of protecting the liberties of peoples in other lands.

Think that over for one moment. Apply the test of logic to it.

By any sane course of reasoning you cannot escape the conclusion that the supporters of this bill are arguing that the best way to preserve freedom abroad is to promote the total state at home.

What kind of logic is that? What kind of specious political double talk do we have here? Could it be that we are burning down our own home in the mistaken notion that it will prevent a house several blocks down the street from catching fire?

Now let us assume for one moment—and mind you it is only an assumption—that the only way the free world can be saved is by arms which can only be produced by sacrificing our liberty. If the assumption is correct, then we have every right to expect the production of armaments to be at a maximum peak with quotas being met promptly and in full. Otherwise, why have this law? Why embrace this threat to our liberty unless we are achieving the aims proclaimed for it?

Therefore, it is proper for the House to discover how the production of armaments has fared under this law.

I do not need to tell the membership of this House that our armaments program so far has been a tragic disappointment. We are not getting the production we want and must have. The guns, tanks, planes, and ships are not rolling off the production lines as we were assured they would.

An exhaustive analysis made of the armaments production schedule last March showed that our over-all program was lagging behind schedule by from 30 percent to 50 percent.

In the field of jet propulsion, our production of planes lagged as much as 70 percent for fighters.

Production of jet bombers was 65 percent behind schedule.

Our light tanks were 25 percent behind schedule.

Our medium tanks were 70 percent behind schedule.

To state it another way, our armaments program, which was supposed to be completed by 1954, will not and cannot be completed until 1955.

The truth is this production lag became so embarrassing this spring that the Pentagon revised its production schedules by imposing what has been called a stretch-out. This is a polite word for substituting failure for success. Thus, when you read in the newspapers that our armaments production is up to schedule, they are talking about the so-called stretch-out schedule, not the original schedule.

In Korea our men fight a 1952 war with an obsolete 1949 Air Force, all because of this production breakdown. Gen. Hoyt S. Vandenberg, Chief of Staff of the Air Force, using the diplomatic language that the Pentagon deems necessary under such circumstances, terms the air picture—and I quote—"embarrassing"—unquote.

I say to this House that it is a disgrace—quote and unquote.

Thus, the facts show that the Defense Production Act has failed to reach the objectives claimed for it. I think it is incumbent upon us to examine this law thoroughly to discover why it has failed, and I propose to do so here today.

The fundamental weakness of this so-called Defense Production Act is that it attempts to convert a free market system into a managed, regimented, and controlled market. It attempts to suspend

or repeal the basic economic law of supply and demand and substitute, in its place, Government edicts controlling allocations, prices, and wages. Fundamental rights of individual citizens are in reality suspended and, to all intents and purposes, repealed.

Under this act, the renewal of which we are now considering, an individual no longer has the right to all proper means of sustaining his life.

The right to retain or dispose of what he has produced is circumscribed.

His right to private property is invaded.

The citizen's right to own and control the tools of production is diminished to the vanishing point.

The monarchs of old, the czars, the despots and the dictators—and, yes, the Communists and the Socialists—have all known that whoever controls the tools of production controls humanity. When our founding fathers drew up that greatest charter of human liberty, the Constitution of these United States, the fundamental distinction they sought to draw between freemen and chattels was the right to own the tools of production. Yet, here we consider a law to suspend that right, and, who knows, perhaps to permanently repeal it—all in the name of preserving liberty in other lands.

Could it be that our production of armaments has fallen a year behind schedule because we have suspended these basic rights? Could it be that when we remove the spirit of the American way of life we deaden the spirit of incentive?

But, let us go a step further.

What is the free market? How does it work? Does it work better or work worse than a government-controlled market? Does a free market inspire men to greater production or less production than a government-controlled market?

Every transaction, whether it be in commodities in the form of goods, or services in the form of labor or skill, has two parts—the buyer and the seller. It has been our historic policy in America to leave the relationship between the buyer and seller as free as possible.

If a worker wants to sell his services as a lathe operator to an employer across the street who is willing to pay more for those services than the worker's present employer, the worker is free to participate in the transaction with the man across the street. The employer across the street, as the second party to the transaction, has every right to seek the services of the lathe worker by enticing him with more money, and, of course, he does this because he knows that the lathe worker is an excellent producer and is worth more money. Otherwise he would not pay him the additional wages.

Thus we have seen incentive operate. The worker is moved to do better work because he will be rewarded in the form of better wages. The employer is moved to pay better wages because he knows he will get better work and, hence, realize better profits. Incentive has free play on both sides of the transaction. That is the essence of the free market so far as the individual is concerned.

I do not have to explain to the House that incentive works in exactly the same fashion in the case of commodities. The better the product, the greater the demand and the greater the rewards. The processor produces better goods because he is better rewarded, and the consumer buys the better goods because he is better served. The incentive is on both sides of the transaction.

There is a second all-important function in the free market—the stabilization of prices and the automatic regulations of supply and demand.

In all markets there is a constant flux of surplus and shortage.

When surpluses exist, prices tend to drop and labor and commodities seek new markets, thus helping to relieve the community of the surplus and the depressing effect on prices and wages.

When shortages exist, the price of both labor and commodities sometimes approaches the exorbitant level. The result is that labor and commodities are attracted to the new market, thus relieving the shortage and stabilizing prices of both wages and commodities.

This wondrous interplay of the forces in the free market is the greatest economic control that has ever existed. No man-made substitutes have ever approached the natural economic law of supply and demand in effectiveness.

Why?

Because the free transaction ceases to be free when man-made controls are imposed. A new element is added to every transaction—a third force, if you please. In addition to the buyer and the seller, we now have the third element, the third force of Government regulation. The bureaucrat says that the buyer can pay only so much and that the seller can charge only so much; that the seller can only deliver so much and the buyer only receive so much.

Incentive goes out the window. Automatic stabilization of prices goes out the window. Automatic regulation by the law of supply and demand goes out the window.

All the elements of economic stagnation have been introduced by the attempt of man to impose his own edicts on the free market.

The laborer finds himself without incentive. Why? Because his wages are fixed by edict.

The producer finds himself without incentive. Why? Because the price of his commodities is fixed by edict.

But that is not all. When governments start tampering with the price of commodities and services, they discover that they must go further. They discover they must allocate materials. Why? Since the allocation of goods by the law of supply and demand has been suspended, they must substitute man-made law, else face the threat of stagnation in the movement of goods. The human element in the form of bureaucratic judgment is substituted for the inexorable natural economic law of supply and demand. In other words, the element of human error is introduced, and believe me, experience has shown that Government bureaucrats have an unlimited capacity for human error.

Make a wrong calculation under man-made controls, and we do not eat potatoes.

Remove man-made controls and presto, overnight potatoes again are on the market.

Make a wrong calculation under man-made controls, and we do not eat meat.

Remove the man-made controls and presto, overnight we eat meat again.

The truth is that man-made controls encourage hoarding, promote shortages, inflate prices and destroy incentive.

When an economy suffers from hoarding, shortages, instability of prices, and a lack of incentive, production drops.

Let me repeat this fundamental truism: Introduce hoarding, shortages, instability of prices, and lack of incentive into our economy, and production drops.

The free market tends to become the black market. The heavy hand of Government controls stifles initiative, discourages invention, halts expansion, and corrupts the market place.

Is it any wonder, when you look the facts in the face, that this so-called Defense Production Act has failed?

Is it any wonder that our armaments program lags a year behind schedule, that our troops in Korea fight with antiquated weapons because the new ones are not being produced?

My colleagues, if the sponsors of this bill had the courage to give it its correct name, the title of this bill would not read the "Defense Production Act" but the "Defense Reduction Act."

Now let us further examine the effects of this misnamed piece of legislation. Let us take a look at the relations between labor and management under this law.

It requires no great amount of foresight and logic to understand that when a mere handful of men in the Executive Branch of our Government have conferred upon them vast powers over wages and prices, one side or the other in a labor dispute is going to take advantage of the human element involved in man-made controls.

We have witnessed this in the settlement of the railroad dispute where the Government seized the railroads, held them for 2 years, and then virtually enforced a settlement that labor found unsatisfactory.

We have seen it in the steel dispute which will probably go down as one of the most disgraceful examples of Government interference with collective bargaining in history. We need look no further than the steel dispute to see what happens when the third force of Government controls is capriciously used by the executive branch. Not economic factors, not the requirements of national defense, not the needs of our boys in Korea, but political considerations motivate the actions of the bureaucrats. Labor itself recognizes this. Philip Murray, president of the United Steel Workers of America and head of the CIO, declared last week that the dispute has become a political football.

We can call this an abuse of power if we please. We can protest that the executive branch is exercising powers it does not have. But the truth is that in

this one bill, this so-called Defense Production Act, we give the President of the United States powers that make him an absolute czar of our economy.

It is passing strange that when we do something evil ourselves, it never seems quite as bad as if the other fellow did it. It is so frequently easier to discover danger from a distance than at close range.

For example:

In 1943 there was published by the Department of State and printed by the United States Government Printing Office a document entitled "National Socialism: Basic Principles, and Application by the Nazi Party's Foreign Organization, and the Use of Germans Abroad for Nazi Aims." On one of the pages of this document there is a discussion of government edict. It is stated that the leader's "authority is supreme, his decisions are final and always right, and his followers owe him the duty of unquestioned obedience."

Is there a lesser grant of authority in this bill?

The truth is that our Government is run today and has been run for the past 20 years by persons who subscribe to an authoritarian philosophy. It is the Old World doctrine of the might of the state. It is the philosophy of the Marxists, both the Socialists and the Communists. The differences between them, if any, are not differences at all but similarities in degree. They subscribe to the same abhorrent set of principles—principles which are utterly foreign to the spirit of the American Declaration of Independence and the American Constitution.

Should we wonder that men who embrace such concepts should advocate this law which we are now considering? Not at all. It follows as naturally as night follows day—or to say it another way, as darkness follows light.

Should it occasion surprise that America is plunging down the road to the total state when such men as Lord Keynes and Harold Laski—one the high priest of compensatory spending, the other the prophet of Fabian socialism—were imported from England in the 1930's to be wined and dined at the White House?

Is it a matter of coincidence or wonderment that one Dr. Julius Hirsch, who was administrative head of the German Price Administration until 1923, when inflation finally destroyed the Weimar government—is it any wonder that Dr. Hirsch held the title of chief consultant to Leon Henderson, the head of the Office of Price Administration during World War II?

How better to destroy America than import the disciples of Old World statism from Europe—Europe, from whence our ancestors, our forefathers, and our fathers fled because America offered them greater opportunity than the oppressive governments which are now held up as models for a new oppression here in these United States.

This is what we call the new liberalism. Think of it. What a mockery. What an abuse of nomenclature.

Yes; these crimes against liberty are being committed in the name of liberalism. But crimes against humanity have a strange way of being uncovered. Perhaps our American police have something when they sometimes use criminals to catch criminals. Perhaps we would do well to listen to the words of one of the arch criminals of all time, Hermann Goering, a chief architect of nazism in Germany. Goering was interviewed in jail by an American commentator, Mr. Henry J. Taylor. Here is what a badly disillusioned ex-high potentate of nazism had to say, and I quote:

> Your America is doing many things in the economic field which we found out caused us so much trouble. You are trying to control people's wages and prices—people's work. If you do that, you must control people's lives. And no country can do that part way. I tried it and failed.
>
> No country can do it all the way, either. I tried that too, and it failed.
>
> You are no better planners than we. I should think your economists would read what happened here.

Those are the words of Hermann Goering, one of the fathers of nazism. The list of witnesses against the concepts which this administration embraces is endless. The very pages of history are crowded with testimony against the concentration of power in the state. Who can be so blind to argue that the way to save liberty abroad is to destroy it at home?

Now, it is said that a second great reason for the enactment of this legislation is the prevention of inflation. We are told that prices will soar and the spiral of inflation will move ever upward.

I think I have demonstrated beyond dispute that the best way to lick inflation is to allow the free market to function in all its ramifications. I think I have made it clear that the best way to prevent materials from being in short supply, to avoid hoarding, and to keep prices stable, is to permit the historical economic law of supply and demand to operate. I have uttered these arguments because I sincerely believe them. I speak in good faith.

The question may now be properly raised as to the good faith of those who claim they are fighting inflation by the employment of the vast economic powers granted under this legislation. In other words, the question becomes: Is this administration for or against inflation?

I think the record speaks for itself. Let us examine it for a moment.

The chief advocate of Government controls, President Harry S. Truman, began removing controls in September 1945, and he completed the job by October 1946. I might add that he removed them reluctantly at most steps along the way, taking his final action in October 1946 because he could see that the candidates of his political party were about to go down in defeat in the November 1946 elections, and he was trying to save them.

Mr. Truman argued that if controls were removed, the ravages of inflation would overwhelm the country. But for political reasons, he removed them anyway.

Now, let us see what happened.

Prices did rise because of the severe shortages which price controls had only aggravated instead of alleviating. And as prices rose, Mr. Truman changed his story and began talking about prosperity.

But regardless of the President's opinions, the inexorable law of supply and demand was working, and instead of the dreaded inflation which he had predicted, prices began leveling off as they always have when the free market is not inhibited by man-made controls.

What next did this chief advocate of man-made controls do?

In the 1948 election, he stumped this country from one end to the other telling farmers that the Republicans were to blame for the leveling process in prices. He warned them that if he were not elected, prices would drop further. Mind you, this was the same Mr. Truman who a few months earlier had been predicting that America would be ravaged by inflation.

I will leave it to the judgment of the House to measure the good faith of these contradictory positions taken by the President.

Elected in 1948, the President, in his State of the Union message to Congress in January 1949, demanded that we enact the so-called Spence bill, writing into law stand-by economic controls, many of which are in the pending legislation. Despite the fact that the members of his party were now in control of the Congress, Mr. Truman failed to get the stand-by powers he requested.

In 1950, in his State of the Union message, he again sought these extraordinary stand-by powers. Once more the Congress refused to give them to him.

With the outbreak of the Korean war in June 1950, the Congress, on its own initiative, enacted the Defense Production Act, now under discussion and sent it to the White House in September. The action was taken by the Congress because a hoarding wave had swept the country in anticipation of Government controls being slapped on all essential commodities. Prices were climbing by leaps and bounds. Shortages in critical materials appeared overnight because of the hoarding.

Did the President invoke the controls contained in the Defense Production Act laid on his desk in September 1950? He did not. He waited five long months while prices and the cost of living soared daily.

When he finally imposed them, on January 26, 1951, the over-all cost of living for the American people had risen 8 percent during the interval in which he failed to act.

Once again I will leave it to the judgment of this House as to the good faith involved in the events I have just described.

Today the President still inveighs against the ravages of inflation, and the sponsors of this legislation join him in his outcries. But once more, let's look at the record.

This is an election year, and with man-made controls, political considerations, not the requirements of national defense, not the needs of our boys in Korea, and not economic factors will determine how they are used—how the

Government-controls piano will be played—which notes will be pushed down and which notes lifted.

Thus far in 1952, the piano player, despite much inveighing against the threat of inflation, has removed one control after another in an obvious effort to send prices soaring once more.

Curbs on all installment buying have been completely removed, as have restrictions on all types of consumer credit by lifting the so-called regulation W.

Regulation X, affecting the credit requirements on housing, has been greatly eased.

The so-called voluntary credit-restraint program to hold down all borrowing, particularly bond issues by local and State governments, has been abandoned officially by President Truman.

Steel allocations for local construction have been eased, and the curbs on numerous minerals and metals have been eased or removed completely.

Price ceilings have been suspended on two-score items.

Secretary of the Treasury Snyder has announced that the Government will borrow up to $10,000,000,000 of new money between the Fourth of July and Christmas.

Military spending is scheduled to move into high gear by fall.

Does this sound like a Government that is fighting inflation?

Does this sound like an administration that is acting in good faith with the American people?

You, the Members of this House, know what is going on, and so do I. The American people are being made the victims of the biggest flim-flam game in American history.

I repeat—this is no Defense Production Act; it is a Defense Reduction Act. We do not have an Office of Price Stabilization under this bill; we have an Office of Political Spongers. This legislation is nothing more than a bench-warmer's paradise for 12,000 OPS political appointments who will man the river wards, the flop houses, and the vacant lots to help produce another phantom vote for this administration next November 4.

Talk about good faith. Anyone in his right mind knows that this administration is promoting inflation, not fighting it. Every move it makes is dedicated to that end.

Billions upon billions of dollars—almost $85,000,000,000 in all—are dumped into the economic life-stream, pushing prices ever higher and building up enormous pressure for still further increases. Government bond schedules, procurement schedules, and military spending are all pyramided one on the other to reach a vortex in the inflationary spiral next November.

The face of America will be flushed with the fever of inflation. False prosperity necessary to the reelection of those in power will have been created. But the good faith of all involved can best be judged by the fact that the day after the election, they will start slapping controls on again, one by one, if the American people should fall once more for this flim-flam game which has been so successfully promoted in the past.

What a picture. From the rigor mortis of price controls one day to the fevered inflation of Government spending the next and back to the rigor mortis of price control the next.

Since the model for these processes, these devices, these artifices is the statism of old Europe, perhaps this House would do well to recall the experience of the Weimar Government of Germany, to which I alluded earlier.

The Weimar government played the government-controls piano for five long years in Germany. All the tricks of artificial prices and artificial wages floated on the air like the notes from some Pied Piper's horn. As prices—both as a result of Government promotion and the rigor mortis of government controls—soared ever upward, Germany went into a sort a cataclysmic trance. Production came almost to a standstill. Farmers refused to sell their produce. Tenants refused to move. The labor market ceased to exist as wage controls froze jobholders to their jobs.

Those who had anything held on to it for dear life. Those lucky enough to have a job clung to it like drowning men. Those lucky enough to have a roof over their heads refused to move.

But each year during these five long years, more young people moved into the labor market, as they reached their majority. But there were no jobs.

Young couples continued to marry. But there were no homes.

Soaring prices made food dear. But there was little food.

The "haves" kept what they had. The "had-nots" had nothing to keep.

Need I remind this House that the "had-nots" were organized by Hitler?

My colleagues, how much longer are we going to continue this desperate business of defying economic law, destroying basic American principles and undermining our liberties? Rugged as this country's fabric is, great as the American people are, how much longer can either the American system or the American people withstand the political manipulations of these disciples of Old World doctrine?

I say it is time that the elected representatives of the people—the Members of this House—put a stop to this trend toward the total state and strike the first blow for liberty by defeating this socialistic monstrosity, misnamed the Defense Production Act, when it comes to a vote this week.

When we talk about saving the world, we had better talk about saving ourselves first, lest we become the first victims of that which we are fighting.

The resources of America are bountiful, but they are not unlimited. The ingenuity of Americans is unsurpassed, but it is not unlimited. The patience and the inherent good will of the American people are famed around the globe, but even those qualities are not unlimited.

Our friends in the executive branch of the Government speak eloquently of planned expansion, planned prosperity, and a planned new world. The truth is that what we have in operation is a planned exhaustion, and we are rapidly nearing the end of the road.

They cannot make the American system work because they do not believe in it; they do not understand it; they do not trust it; they want to destroy it.

How can a free market exist half free, half controlled? How can a free economy exist half free and half controlled? And finally, how can a free people exist half free and half controlled?

Any Marine can tell you that you can choke a man to death by wrapping your hands halfway around his neck.

It is time this Congress awakens to its real duty and stops forever the enactment of these vast grants of power to those who are slowly choking the life out of America.

We, as the elected representatives of the people, have an oath of office to uphold which commits us to the letter and spirit of the Constitution.

We, as elected representatives, have a duty not only to our constituents, but to the generations to come, to preserve and strengthen the free institutions for which men have fought, bled, and died for 4,000 years.

And above all else, we have a higher duty, a moral duty, to safeguard every single hard-won right that man has earned, to protect the individual dignity that freedom has bestowed on every human being, and to keep America the shining symbol of liberty in a world where the torches of liberty are slowly being extinguished, one by one.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HALLECK. First of all, I want to commend the gentleman for his very thoughtful and well-reasoned statement. Particularly, I wish to commend him for again calling to the attention of the membership of the House of Representatives the fact, and it should be constantly remembered, that it was not until 5 months after the price and wage control act was put on the books that President Truman saw fit to invoke its provisions, and in that time much of the damage that was done could have been avoided.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Indian Affairs may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. KELLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. KELLEY of Pennsylvania. A few moments ago when the gentleman from Illinois [Mr. ALLEN] was addressing the House, I asked him to yield to me for a correction and he refused to do so. I simply wanted to point out to him, when he said that the officials of the steelworkers' union were receiving high salaries while the men were not receiving anything, in the interest of fairness I wish to tell him that the officials of the

steelworkers' union voluntarily relinquished their salaries during the dispute.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. ALLEN of Illinois. All I can say is that the union members themselves say that the members of the executive board who decide these things still receive their salaries and expenses. I am not a union man. I am only taking the word of the union men themselves.

Mr. MADDEN. Mr. Speaker, I did not intend to say anything on this rule, but I was somewhat amazed by the speech made by the gentleman from Ohio [Mr. BROWN] when he was referring to the fact that in times like these we should revert back to a peacetime economy. In other words, the gentleman inferred that the economic situation in the Nation should be conducted on the same basis as in normal peace times. He advocates eliminating controls, and all other preventive measures, during this great armament producing period.

My friend from Ohio failed to mention that 85 cents out of every Federal tax dollar is diverted to the category of war. If we were living in the days of President Coolidge or President Hoover, or back maybe in the middle thirties, it would be a different situation. Today we are engaged in a mammoth armament production period. I represent a district that produces more steel than any congressional district in the United States and I happen to know what the steelworkers and their families are going through not only since the strike started but also before the strike.

If I could only impress upon some of the Members of this House that last fall instead of Congress aiding to keep the cost of living down for people in industrial areas, instead of trying to curb inflation, Congress voted for the Capehart, Herlong, and other crippling amendments to the stabilization legislation.

If we passed an effective Defense Production Act last year labor would not be demanding increases to meet the increased cost of living. I know my friend from Ohio did not mean what he stated when he said, "Remove price controls and, presto, everything goes down." We had an experience like that back in 1946 and 1947; some Members spoke on the floor and asked to have price controls removed and they all said everything would go down in price. We all know what happened. The consuming public defeated the Eightieth Congress on account of prices shooting up after regulations were removed.

I want to caution the Members of this House that we are in as serious an economic situation as far as the diversion of our economy into armament and war production is concerned as we were during World War II. We defeated inflation during World War II by enacting protection for consumers. Remember that millions of consumers over the country are watching what the Congress does on this legislation today and tomorrow. In industrial areas the situation is indeed critical from the standpoint of the high cost of living.

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. VURSELL. I would like to refer to the statement the gentleman just made to see if I can get him to answer a question. My question is this: Is it not a fact that the present is not analogous to 1946 or 1947 when controls were removed? Because we had gone through the hold-up of production by the OPA until production was at the lowest ebb in all history. Today it is at the highest it has ever been.

Mr. MADDEN. Let me answer the gentleman by stating that today the money that is being diverted into armament is practically on a par with the conditions we were going through back during the period of World War II. When price controls were taken off in 1947 immediately prices shot up. I know what the situation was in the industrial area in the Calumet region of Indiana.

Let me say in regard to the remarks of the gentleman from Virginia [Mr. SMITH] as to the amendment he proposes to offer, if there had been sincere collective bargaining, if there had been honest collective bargaining on the part of steel management beginning last January, there would not be any cause for invoking the Taft-Hartley Act or for seizing the steel mills. I say that management in steel has made no honest effort to bargain collectively. When the Wage Stabilization Board rendered its decision, immediately steel management did not want to comply. The Capehart amendment would give steel management the increase that the Wage Stabilization Board granted. They wanted to reap far greater profits during these days of unreasonable high profits. They immediately said: No; we do not want that $4 a ton which the increase would give us under the Capehart amendment. We want $12 a ton. In 1947 steel was making a profit of $11 per ton. In 1951 their profit was $19.50 per ton. If steel management accepted the Wage Stabilization Board recommendations and accepted the increase allowed by law under the Capehart amendment, they still would be making an approximate profit of about $9 per ton over 1947.

That is conclusive evidence that steel management was making no effort to honestly bargain collectively. The Members of this House have a serious problem on their hands in the next 2 days in connection with this legislation and especially in regard to the proposed amendment to be offered by the gentleman from Virginia [Mr. SMITH]. Let us not repeat the mistake of the Eightieth Congress.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

TO PROMOTE ECONOMY AND EFFICIENCY IN THE MILITARY DEPARTMENTS

Mr. VINSON. Mr. Speaker, I ask unanimous consent to rerefer the bill (H. R. 8130) to promote economy and efficiency through certain reorganizations and the integration of supply and service activities within and among the military departments, from the Committee on Expenditures in the Executive Departments to the Committee on Armed Services.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. BONNER. Mr. Speaker, reserving the right to object, on June 9 a subcommittee of the Expenditures Committee, of which I have the honor to be chairman, introduced as a result of their studies in the United States and abroad and their recent report a bill which is known as H. R. 8130. This bill was referred to the Committee on Expenditures in the Executive Departments of the Government, and referred by that committee to the subcommittee of which I am chairman.

On June 9, Mr. Speaker, I addressed the House and pointed out that extended investigations of a subcommittee of which I am chairman leads to the undeniable conclusion that there is less unity in supply management in the military set-up than there was in 1945 when our country was so aroused over waste in the Army and Navy. We now have triplication, Mr. Speaker, instead of duplication which we had at that time. We must have better management in the Department of Defense than we have at the present time.

Mr. Speaker, this bill covers reorganization of the national defense, particularly of the Office of the Secretary of Defense.

I hope the membership of the House will read the remarks that I made on June 9, read the report that was issued by the subcommittee, also the hearings that were conducted by the committee. The hearings and the report justify this bill and will prove conclusively to the House, the Congress, and to the country that this bill should become law.

Mr. Speaker, the bill has aroused national interest. There have been front-page stories in leading papers throughout the length and breadth of this country. So much interest has it caused that it has disturbed those who occupy high positions, those who enjoy the cushion chairs of the Pentagon. They do not care to have their present existence disturbed. They care nothing for the expense that is entailed in the defense of our country, they care not about the reckless abandonment that goes on there with respect to contracts and purchases and management, if you please, in the national defense.

It is high time, Mr. Speaker, that legislation of this type be brought to the floor of the House and enacted. The Munitions Board is in the Department of Defense. They are running around helter-skelter and there is no proper authority vested in the Chairman of the Munitions Board, and this bill, Mr. Speaker, sets up an Assistant Secretary of Defense with responsibility for all these things now vested in the Chairman of the Munitions Board and makes this Assistant Secretary responsible to the Secretary and the Nation for sound business practices. We can destroy this country just as quickly, Mr. Speaker, by unwanted waste of our wealth and

money and material as we can be destroyed from outside, by an enemy overseas.

Mr. Speaker, I have the highest regard and respect for the able Parliamentarian of this House. He is, without a doubt, one of the finest employees of the House of Representatives. When this committee received this bill, I naturally thought that he had carried out his responsibility and fulfilled it as he then thought should be done. Whatever his decision may be, Mr. Speaker, on the question that is now asked under unanimous-consent request, I will abide by. I hope, Mr. Speaker, if this bill is taken from this committee, which I represent, that it will receive proper consideration. This committee has already set up hearings on the bill. We will have the Secretary of Defense Tuesday of next week, and we are to have other leading figures of America who have had experience with this subject on the 24th, 25th, and 26th. We have asked for reports on the bill and the subcommittee has gone about carrying out the responsibility that has been delegated to it by the full committee as is expected by the Members of this House. So, Mr. Speaker, I do hope if this bill is taken from the Committee on Expenditures, which in all earnestness is trying to do a clear, concise job, that legislation will be immediately acted on by whatsoever committee it is referred to, and that legislation on this bill or another of its type will be brought to the floor of the House, for Heaven knows, the subject needs attention.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Georgia.

Mr. VINSON. I want to state to the distinguished gentleman from North Carolina that the subject matter of the bill is not in issue at this time; it is only a question of jurisdiction. If the Committee on Armed Services' request is granted, I know of no better witness, and the first one to be called, than the distinguished gentleman from North Carolina and other members of the subcommittee, and I can assure him that this subject matter will receive prompt consideration from the Committee on Armed Services.

Mr. BONNER. I wish to call the attention of the House to title 5 of this bill as well as to the title of the bill. The title of the bill reads:

To promote economy and efficiency through certain reorganizations and the integration of supply and service activities within and among the military departments.

Title 5 reads:

Promotion of economy and efficiency through certain reorganizations and integration of supply and service activities within and among the military departments.

"Reorganization," Mr. Speaker, under the rules of this House, certainly comes within the purview and the jurisdiction of the Committee on Expenditures in the Executive Departments of the House.

I have the highest regard and respect for the chairman of the great Committee on Armed Services. I know he has rendered a great service to the Nation. I want to point out also the Hébert committee which has discovered and brought to the attention of the American people misconduct, waste, and extravagance. This bill will take care of the things he pointed out as well as things that the Bonner subcommittee has pointed out. Whatever may happen to the bill, Mr. Speaker, as I said, I will abide by the decision, but I certainly hope action will be taken, for action is long past due.

Mr. HOFFMAN of Michigan. Mr. Speaker, further reserving the right to object, I want to endorse everything that has been said by the gentleman from North Carolina, who speaks not only from the heart but because of the knowledge he gained personally while making an investigation of what the armed services are doing abroad. In addition to that I wish to call the attention of the House to the fact that when the original legislative reorganization bill was adopted, it was the purpose of Congress to do away with special investigating committees. I might cite an example. The Committee on Expenditures in the Executive Departments at that time was not spending for clerk hire and assistants over $10,000. At the present time I venture the statement that the committee is spending at least $300,000 instead of $10,000. I do not say that by way of criticism but I do say that to call the attention of the House to the fact that instead of cutting down on the number of committees, instead of curtailing investigations, instead of channeling necessary ones into the committee where they belong, the Committee on Expenditures in the Executive Departments, which is charged with the duty of seeing that the tax money is not wasted, we are continually setting up new committees, giving them hundreds of thousands of dollars, and at the same time getting just nowhere with the program of economy.

When the reorganization bill was written in 1947 one of the purposes was to prevent the military services from obtaining control of and directing the activities of the Congress and our domestic economy. Notwithstanding that bill and the bill provided for civilian control in many instances and over many activities, the military are getting in and extending their power. If we do not watch our step we will have a military government. What some fear, if this goes to that particular committee, and I assume it will, is that notwithstanding the earnest efforts of that committee the first thing the country knows we will find ourselves completely under a military government. That is why I make this protest at this time.

Because an objection now will be fatal, I withdraw my reservation of the right to object, Mr. Speaker.

Mr. HOLIFIELD. Reserving the right to object, Mr. Speaker, I endorse the words of my colleagues, the gentleman from North Carolina [Mr. BONNER] and the gentleman from Michigan [Mr. HOFFMAN] in regard to this particular matter.

I also call the attention of the House to the fact that the uniform Federal cataloging legislation was initiated in the Committee on Expenditures in the Executive Departments and became law. Subsequent to the passage of the bill certain actions were taken by the Committee on Armed Services by which, through parliamentary maneuver and through changing a bill which had been referred to them in committee from its original status to another status, they obtained certain jurisdiction over the cataloging and split the uniform cataloging into two sections, a civilian catalog and a military catalog.

The Committee on Armed Services is now claiming jurisdiction over another area which the Committee on Executive Expenditures originally explored.

Mr. Speaker, since the chairman of the Armed Services Committee has taken issue with the decision of the Speaker to refer H. R. 8130 to the House Committee on Expenditures, I am reminded of the fact that the gentleman from Louisiana [Mr. HÉBERT], of the Armed Services Committee, gave warning some days ago that the jurisdiction of our committee would be challenged. In his appearance before a subcommittee of the Senate Armed Services Committee, on June 4, 1952, the gentleman from Louisiana [Mr. HÉBERT], in answering a question as to my committee position and interest in the Federal cataloging program, added:

I might say, too, Senator MORSE, the problem of jurisdiction is going to be settled sooner or later down the road, and I am just as willing to face it right now.

The gentleman from Louisiana [Mr. HÉBERT] also testified that, in his opinion, my objections to the cataloging legislation reported out by his committee were based a great deal on jurisdictional grounds. He also said "that if any jurisdictional dispute entered into this matter, it was not on the part of the Armed Services Committee of the House"—transcript of Senate hearings on H. R. 7405 and S. 3023, June 4, 1952, page 157.

Mr. Speaker, it is clear that the House Committee on Armed Services desires to "settle down the road" the jurisdictional issue, but it certainly is not true that the Committee on Expenditures raised the issue on jurisdiction with regard to Federal cataloging.

The first time that Federal cataloging received statutory recognition since 1929 was in Public Law 152 of the Eighty-first Congress—legislation which was handled by my subcommittee of the House Committee on Expenditures and created the General Services Administration. Section 206 of that law authorized the Administrator of General Services to establish and maintain a uniform Federal catalog system. The law contemplated that cataloging by the military and civilian agencies would continue under over-all civilian direction. Subsequently, by sanction of the law, the Administrator delegated full responsibility for the development of the uniform Federal catalog system to the Secretary of Defense and through him to the Chairman of the Munitions Board.

After the enactment of Public Law 152, Congressman ANDERSON of the Armed Services Committee proposed that Congress make a declaration of policy on Federal cataloging in the Armed Forces. This proposal was introduced in the

House of Representatives as House Concurrent Resolution 97. Since this resolution was objected to by both the military and civilian agencies concerned with cataloging, an amended version of House Concurrent Resolution 97 was drafted to include the cataloging activities of all Federal agencies rather than those of the military alone. This amended version was presented to the Armed Services Committee by the gentleman from California [Mr. ANDERSON] as a committee print. As Chairman VINSON explained:

> This is a committee print because under the rules of the House I doubt very seriously whether this committee would have jurisdiction if we introduced a new resolution, amended as it is. (House Armed Services Committee, Hearings (No. 154) on House Concurrent Resolution 97, January 17, 1950, p. 4913.)

In other words, Mr. Speaker, although the House Committee on Expenditures originally had jurisdiction over Federal cataloging by virtue of Public Law 152, Eighty-first Congress, which was reported by that Committee, and although a subsequent resolution of the Congress, in the form finally adopted, reaffirmed and was fully consistent with Public Law 152, Chairman VINSON is on record as acknowledging that the House Expenditures Committee properly should have had jurisdiction and that it was necessary to resort to a special committee procedure to retain that resolution in the Armed Service Committee.

It is significant that when the concurrent resolution went to the Senate for approval, it was referred to the Senate Committee on Expenditures.

Several years later, when the gentleman from California [Mr. ANDERSON], succeeded in reviving his military catalog bill and obtain House approval for it, after 20 minutes' debate on each side under suspension of the rules, he acknowledged his willingness to have it amended in the Senate. The gentleman from California [Mr. ANDERSON] testified before the Senate Armed Services Committee as follows:

> Now, Mr. Chairman, I have no particular pride of authorship in this particular piece of legislation. If amendments are desirable and if they will make more effective the legislation we are seeking to pass and if they will result in bringing more closely together the civilian agencies of the Government and the military establishment in doing this job, I would welcome such amendments.
>
> But under the rules of germaneness in the House which are different from in the Senate it was impossible for us to draw this bill so we could include the General Services Administration for the bill would have been referred to another committee. (Transcript of Senate hearings on H. R. 7405 and S. 3023, June 4, 1952, p. 64.)

In other words, the gentleman plainly admits that the primary consideration in the original drafting of his bill was to preserve the jurisdiction of the Armed Services Committee. I believe it is clear from what I have said, Mr. Speaker, that the jurisdictional issues were not raised by the House Committee on Expenditures in the field which I am discussing. The Congress decided the jurisdictional issue when it approved the basic Federal property legislation. The record shows that all jurisdictional challenges and maneuverings subsequently have emanated from the other committee.

I wish to emphasize there is nothing personal in these statements. I have the highest respect for the members of the Armed Services Committee. It seems to me that in the vast field of military activities there is enough work for all and that our Committee on Expenditures has been in the forefront of the fight for greater economy and efficiency in the executive agencies, including the military departments.

Mr. Speaker, I withdraw my reservation of the right to object.

Mr. LANTAFF. Reserving the right to object, Mr. Speaker, in connection with the legislation which has been so ably discussed by my subcommittee chairman, the gentleman from North Carolina [Mr. BONNER], may I point out that when the National Security Act was passed this Congress created a civilian component, the Munitions Board, to establish policies and to monitor procurement and logistics in the Department of Defense. However, the Secretaries of the Army, the Air Force, and the Navy have a veto power over the civilian Chairman of that Board. As a result, the military, notwithstanding the desire of this Congress to put civilian control in the procurement field, continue to control it. As late as July 17 of last year the Secretary of Defense was still issuing directives trying to clarify the position of the Munitions Board.

The purpose of the Bonner bill which was introduced and referred to his committee was to abolish the Munitions Board and to set up a new agency within the Department of Defense which would strengthen civilian control over procurement and logistics in the Department of Defense, as Congress originally intended when the National Security Act was passed. Unquestionably this legislation is probably one of the most important bills that has been introduced in this Congress, and its adoption can save the taxpayers millions of dollars.

It is my understanding that the Parliamentarian has ruled that this legislation properly belongs in the Committee on Armed Services. If that be the case, then I certainly hope the distinguished chairman of the Committee on Armed Services will give this legislation an early hearing so that the findings of the Bonner committee in the field of supply management can be considered by Congress.

Mr. VINSON. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky [Mr. SPENCE].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8210, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SPENCE. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I am so confident that this bill involves the economic stability of our nation in this time of peril, that I did not think it would be made entirely a political question. I have been here a good long while, and I have seen the gentlemen on the left select their issues—and it has brought them no success. They can select this as an issue, if they want to. In his stilted and oratorical style, the gentleman from Ohio, who represents at least one faction of the Republican party wants to kick out of the window all the controls, allocations and priorities, and everything that is in this bill and go back to the law of supply and demand. If you want to make that an issue, we can make it. What is the law of supply and demand—that law depends on the supply and demand for goods and services and the demand and velocity of money and credit. The Federal Government is spending a billion dollars a week for its national defense. The greater part of this goes into the pockets of the people but it results in no production of consumers goods. Is it worthwhile? I think it is. But, the gentleman says that the greatest peril to us is that the Congress is forging chains on the American people to take away our liberties and reduce us to serfdom. I think there is a far greater peril than that. The Archduke of Austria was assassinated in Sarajevo just before the first World War. It ignited a spark that started a flame which almost consumed the world.

A day or two ago a Russian plane shot down a Swedish plane in the Baltic, and it aroused those people to white heat. It would not take much in this disordered state of the world to bring about another great catastrophe. Is it worth while preparing for that? Is it worth while protecting our economy? Is it worth while channeling materials into our national defense? You must decide that. But this is no ordinary time. A peaceful world is very different from this world. There are men who have great power, and mighty nations behind them, who are as vicious as ravaging wolves. They have no principle. They would like to enslave the world. They want to make free people adopt their system of government. That is the only way the American people will ever be enslaved. The Congress of the United States will never enslave them. The American people, who are intelligent people, will never adopt voluntarily any other form of government than their own. The only way we will lose our liberties is by the imposition of the will of others upon us. That is what we are preparing against. Is there not danger?

I think there is. The world feels that way. I have been abroad, and I know the terror and uncertainty that some of those people feel. They are afraid every night when they go to bed that in the morning they may see a change in their institutions. They live in fear. We are far removed from them, and the only way we can preserve our liberties is by preparing curselves.

George Washington said:

To be well prepared for war is the best way of preserving peace. Eternal vigilance is the price of liberty.

Now, are we going to go back to the law of supply and demand? Are we going to let our Government fight in the open market for the necessary things for its protection? The gentleman who has spoken said that because the President did not use these powers within 5 months great injury came to the economy of our Nation when prices rose. Then in the next breath he said: "Price control has had no effect on prices." Of course it will have an effect on prices, and if we do not channel strategic and critical materials in the way they should go for our protection, the Government will be at a great disadvantage and the prices it will pay will be enormous.

I remember how Secretary Stimson during the last World War came before our committee and begged us to put price ceilings on the things that he needed, because the appropriations that were made would have to be supplemented all the time because of the rise in prices. If you want to make this a political issue, you can make it. If you want to say that the American people are in danger of having their liberties destroyed because the Congress is going to forge chains that will bind them, you can say that, too. I do not believe it. This bill is a much more liberal bill than we have had. It is a bill which I think will subserve the purpose for which it is passed. I do not believe that the specious arguments that have been made by the gentleman for political purposes are going to carry his party with him. I believe that the men upon that side of the aisle are just as patriotic as on this side, and I believe they want to maintain the stability of our institutions and the economy of this Nation as much as we do. I regret that it is attempted to make a political issue of this matter. If you have an honest difference of opinion about it, that is all right; but to say that because we are on this side of the aisle we are going to vote against it or we are going to vote for it is saying that you are paying no attention to the welfare of your Nation.

Nobody has talked much about the bill; they have talked mostly about what is going to be done to the bill.

I have never thought that labor was a commodity.

The third of the six great objectives as stated in the preamble of the Constitution was to insure domestic tranquillity, and it is impossible to have domestic tranquillity and industrial warfare at the same time. To introduce an amendment here providing that the President must invoke the Taft-Hartley Act in the settlement of the steel strike would be like throwing a lighted fuze in a powder keg. It would be taking away from a separate and coordinate branch of the Government the right of free choice. I think the President as long as he heads the executive branch of the Government can select what measures he may think fit within the law to accomplish the purpose.

We all know that the Taft-Hartley Act is anathema to labor. I agree that we want production; it is essential for our welfare and preservation, and we ought to do everything we can to see that production is increased to meet the necessities of our Nation. But there has been a 150-day cooling-off period in the steel industry and they have not cooled off a bit. Now to invoke the Taft-Hartley Act instead of cooling, would add more heat; that is my opinion, and therefore I am going to vote against it.

The only satisfactory way in which these things can be adjusted is by collective bargaining; I do not think seizure can accomplish a satisfactory result because the laborers of this country are part of the Government of this country. You cannot treat labor as a commodity. It is the only source of income to him who toils. He is dependent upon it for every necessity and every comfort for himself and his family.

What the settlement of this present strike will be I do not know; I know it is very essential that it should be settled; I know it is essential to the general welfare that the men should go back to work and that management should treat them fairly. You cannot compel those things by hard and fast legislation, and you had better realize that.

Mr. Chairman, this bill provides for an extension of all of the controls for 1 year. The Senate bill which we have not considered provides that rent control, price control, and wage control shall expire on the 28th of next February. The next Congress will not convene until January 3. The President will not be inaugurated until January 20. The House will not be organized much before the 28th of February. It will therefore be impossible to consider this bill as it should be considered before the 28th of February. However, the Congress will still have control, as it has over every law it passes. I think it would be a futility to make the expiration date conform to that in the Senate bill.

Inflation is the most insidious thief in all the world. It not only takes money out of your pocket, it goes into your safe deposit box, it takes away your earnings, and if we make no effort to stabilize our economy and to hold the purchasing power of our money at its present level we would be recreant to every duty we owe the American people. In France now you can get 360 francs for a dollar, in Italy 650 lire for a dollar. That could happen to us if we made no effort to enact legislation with the objective of the bill we are considering.

I quoted rates of exchange to you that I found a few months ago. I do not know what they are today. But when money becomes worthless the fruits of the labor of the past are gone. Men who thought themselves independent are paupers. We do not want that to happen here.

I am not going to read the various provisions of this bill. I may say to you that we heard 115 witnesses, 15 of whom were Members of Congress. We did not select the witnesses for their views. We heard all kinds of testimony giving all kinds of views as to this bill. There are nearly 1,700 pages in the hearings. We gave the matter careful consideration. We tried to make provision for the correction of inequities and hardships in the bill and I think we have brought in a bill that will generally meet the objections that were made before the committee.

We submit it to you with the confident hope that it will be passed, with the confident hope that you are going to continue these stabilizing forces that mean so much not only to the prosperity and happiness of our people at home but that mean so much in the way of preventing others from destroying those liberties and making the American people subservient to the will of those who are hostile to our institutions and to the freedom which is our most treasured possession.

Mr. Chairman, I ask for a favorable vote for the bill.

Mr. WOLCOTT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I think that there is one thing, probably many more, but at least one, in which the esteemed chairman of the Committee on Banking and Currency, the gentleman from Kentucky [Mr. SPENCE], and all of us on the minority side of that committee, are in agreement. I think every one in this House is against inflation. Everyone should be against excessively high prices. Everyone in America should be concerned about inflation. Many of us have been concerned about inflation throughout the years.

Now, in this act the controls which we authorized 2 years ago and continued last year have not prevented inflation. While these controls have been in effect and while the Administration and its followers have given reams and volumes of lip service to the control of inflation and have held this act out as the means by which inflation could be controlled, the value of the dollar has slipped about 7 percent, so that the value of the dollar is at least 7 percent below what it was when we passed the Defense Production Act of 1950. The selective application of credit controls has little or no bearing upon the volume and velocity of credit which controls the value of the dollar, which in turn controls prices.

There were two basic errors made in the administration of this law over which the Congress had little or no control. The first was that when the original act was passed in September, 1950, notice was given to business and agriculture and industry that possibly some time in the future price controls would be invoked.

It will be recalled that the President did not ask for price controls in 1950. When this Congress saw fit to authorize the imposition of price controls, the President in substance said, "Well, it is

all right for them to do it if they want to; we do not have to use them." But a price control administration was set up shortly after the enactment of this law, and the administrator of OPS said, "Now, boys, if you do not behave yourselves we are going to crack down on you, we are going to put price controls on."

The experience which agriculture, business, and industry had had during World War II taught them that there were inequalities and inequities involved in the administration of price controls, so there was encouragement on the part of everyone to put their prices sky high. The danger of inflation at that time, attending the Korean incident and our defense effort, caused our people to turn their dollars into goods, and the unusual demand at that time created the inflation.

Then we found that America had acquired new standards of production, that the American capacity to produce is almost illimitable. So in January, when the Office of Price Stabilization got around to putting on price controls, they found that inventories in consequence of this production capacity were the highest that they had ever been, the pipelines were full, and the inflation had taken place. Then was their opportunity to stabilize, and they lost a golden opportunity to stabilize.

Instead of rolling prices back to wages, prices which had increased between June of 1950 and January 26, 1951, instead of rolling those prices back to wages, which had not kept pace with prices, the stabilizers decided to raise wages up to prices, which was the only just thing to do if they were not going to roll prices back to wages. Therein lies the first basic error which was made in the administration of this law, and that error cost the American people literally billions of dollars.

The next basic error that was made was in the steel wage-price controversy. The Wage Stabilization Board, we are told, is not set up under the provisions of the Defense Production Act. The President claims to have certain inherent powers generally, outside the provisions of this act, by which he may set up advisory boards and commissions. Anyway, a Wage Stabilization Board was set up, and its jurisdiction was advisory only. It could only advise. It had no administrative powers. They could not function even semijudicially. It was purely advisory. So when the Wage Stabilization Board made its recommendations, the administration was apparently so anxious to let Phil Murray and labor in steel and aluminum, over which Phil Murray had absolute control, and he also has control over about 35 percent of labor in copper and brass—as I say, they were so anxious to let Phil Murray know that they were doing his bidding that they spread it all over the newspapers and the radio: "See, Mr. Murray, what this administration has done for your laboring man." Of course, after that, after this recommendation which was supposed to be the basis for negotiations was made public, then Mr. Phil Murray, because he is in competition with John L. Lewis and Walter Reuther could not very well back down. He was trying his case then before the public instead of at the conference table. That was the second basic error, and it has plagued us ever since to the point that now we are not getting steel production. What the effect of it will be nobody knows. A little more sense—just plain, unadulterated, common sense in the administration of this law would have saved the American people billions of dollars, and would have resulted in the filling of our warehouses so full of basic materials and manufactured goods that in a year's time, there would be no justification for continuing even the allocation provisions of this bill.

Let me say in respect to title 4, which is the price-control provision, it was never the intention of this Congress that price controls should be invoked unless and until there was such a shortage of consumer goods as to justify rationing. Now the history of the price-control provisions in this bill is simply this: From our experience in World War II we knew that if the President was to allocate basic materials for the defense effort—we did not know at that time that they never intended to use more than 20 percent of their production, and they are only using somewhere between 14 percent and 18 percent of this vital production at the present time in the defense effort—we did not know that because we were thinking in terms of World War II when we were using 50 percent and 60 percent and 70 percent—that it naturally would result if we allocated these basic commodities to the defense effort, the allocation would result in a shortage of consumer goods necessitating rationing which can be effectuated only if we have price controls. Now you are way ahead of me. We have never had rationing so there has never been any justification for the imposition of direct price controls. There is no economic justification for the continuance of title 4 at the present time. There may be a political reason, as the gentleman from Kentucky has said. He says that if you want to make this a political fight, all right you can do it. But, all I can say to the gentleman from Kentucky is that if it were not for the politics in this bill, and if this were not an election year, there would not be a chance that title 4 would be continued, and we all know it.

Let me reiterate there is no present economic justification for a continuance of direct price controls. Almost all of the commodities which 17,000 employees are administering are below ceilings; 635 or 640 food items are selling from 2 to 10 percent below ceiling prices. Of course, when we take prices of them, they are much more than that, but they are down that much below list prices.

A strange thing happened in the committee, to illustrate what I am getting at and what may result from the judicious administration of this law. There was a shortage of copper. We had an agreement with Chile to get copper from Chile at 27 cents. The domestic ceiling price is 24 cents. That agreement ran for a year and it expired on May 26. So Chile said, "No more copper at 27 cents. We will have to make a new agreement." So Mr. Fleischmann, and Mr. Fowler finally got the OPS to go along to take all price controls off imported copper, so that any copper or brass mill, any fabricator of copper and brass can buy copper today in foreign countries. There is no price control on it. There is still price control on domestic copper.

I said to Mr. Fleischmann, "Why did you do this?" I said, "Why was it necessary to take price controls off foreign copper to get it?"

He said, "We were up against the fact that unless we removed price controls on foreign copper we were not going to get production."

Of course, if the law of supply and demand works in one instance it works in other instances. Perhaps if you took price control temporarily off of domestic copper you would get greater production of domestic copper. You cannot have your cake and eat it too. You cannot set up one rule for one segment of our economy and another rule for another segment of our economy.

These issues in this bill are basic, and we have said to them: "You use them generally so that they will be fair and equitable."

I think the chairman of our committee should be a little concerned as to what might happen to this bill. I have a very unique situation. I am denounced by merchants for going along with price controls. I am dencunced by the CIO, PAC, and ADA for being against them. In making my position clear I hope I have not so confused you that you will not know where you are going when you vote on this bill. So I will clarify my position. I see no present economic justification for the continuance of price or wage controls. I think they should be joined. You cannot knock one out without knocking out the other. You have said in this bill that is what you wanted. There is no justification for a continuance of credit controls, but that is another subject. I believe at the present time there is a reason why we should continue the allocation of materials until we are very sure of our ground.

That is my position generally with respect to this bill. I hope I have not confused you too much, because I will admit I am a little dizzy myself on the whole subject.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. SPENCE. Mr. Chairman, I yield 18 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I am very happy to subscribe to all that has already been said on this subject by our distinguished chairman. Pursuant to leave granted to me in the House I include in my remarks an address made this very day by Governor Ellis Arnall, Director of OPS, on this very important subject that we are now considering. I hope that every Member of Congress will take the time to read it; it is important. I think it will eliminate much of the confusion that is attendant upon the debate of this bill, and will go far toward eliminating any doubt in the minds of any of you as to the need for continuing

the Defense Production Act for at least another year. His address follows:

Our Nation has experienced two opposite extremes of economic disruption within the brief period of one generation. First, we had a depression accompanied by widespread unemployment, and then an inflation resulting in excessive cost of living. Most of us remember what happened during the depression when jobs were scarce and prices were low. And, on the other hand, I'm sure we won't be blinded by the evils of depression and fail to see that inflation can be just as disastrous.

Inflation will thoroughly disrupt the economy of any country. If we believe what history teaches us, and if we can rely on past experience, we know that money and prices get out of hand in times of war or major rearmament. Increased military production, scarcity of materials, and stepped-up spending all tend to throw the economy out of balance. They all lead to inflation unless the Government takes appropriate measures to hold the price line.

We can prevent inflation by effective legislation, and with the full cooperation of every responsible citizen. And the free press—the business press—is surely one of the most important instrumentalities in insuring the cooperation of our people. I am sure all of us will agree that the financial and political future of our country is worth fighting for. We not only owe it to ourselves to lick inflation, but we have a joint responsibility with our friends and allies throughout the world. For it is most certainly true that a sound American dollar is the financial backbone of a free world.

An informed public will rise up against inflationary pressures. Excessive pressures can force us out of our way of life. By encouraging businessmen to work with Government in holding the price line, by showing that American business has a real stake in the financial security of our Nation, the business press is making a worthy contribution to the future of America.

The war against inflation must be fought on many fronts. We are all in this fight together. The consumer, the farmer, the laborer, the manufacturer, and the businessman all have a role in making stabilization work. Without the effective cooperation of any one of these segments of our economy, no system of controls is effective.

Some of the measures which must be taken to bring about stabilization create temporary hardships and some sacrifices. But these are steps we must take if we hope to preserve our freedom—our American way of life.

A strong stabilization program calls for higher taxes, restrictions on spending, wages and prices, and other restraints. Inevitably some hardships are caused by such measures.

There are some who object to paying more taxes to provide the tanks, the planes, the ships, the guns, and the men needed to strengthen the defenses of our country. But let these objectors answer this question: "Is any sacrifice too great to preserve the freedom of our great country?"

Wage and salary controls cause some handicaps, some temporary displacements. Nevertheless, by working harmoniously and productively under the wage and salary stabilization program, labor is making its contribution to the cause of freedom.

We have received some complaints from manufacturers, merchants, and businessmen who say that price controls are causing some disruptions, that controls call for more record keeping, and other discomforts. There may be some merit to these complaints because ours is a complicated economy—one not easily regulated by a few simple rules.

It would be fairly simple to stabilize prices if only a few products and services were involved and only a few manufacturers, retailers, and service establishments conducted the bulk of the Nation's commerce. But, as you know, the American economy is composed of more than a third of a million manufacturers and nearly 3,000,000 firms in the distributive trades and service establishments.

However, complicated as price control may be, the Office of Price Stabilization is doing its best to stabilize prices. The success of our efforts largely will depend upon the cooperation we receive from those who purchase the goods and services, those who sell them, those who make and furnish them, and from the entire business community of our country.

It is definitely to the advantage of every businessman to support the price-control program. For inflation will mean higher costs to him—and will destroy cost control for every business. If prices are not stabilized a firm may receive more for the commodities it sells, but its profits may be drastically reduced by rising costs of the materials and articles the firm buys for resale.

Indeed, I think it could be said that, for business, ours is also an office of cost stabilization. And it is just as important to hold the cost price line as it is to hold the selling price line.

Price control is not something apart from the normal functions of business. It is not something one businessman can ignore with the hope that all of his competitors will will keep their prices down while his are permitted to rise. Neither is the converse true, the case of the honest businessman who complies with the law but sits idly by and does nothing when a dishonest competitor violates the law. Of course, both examples are wrong. We are all in this stabilization program together. What one firm does wrongfully affects every other firm in that industry and ultimately the whole economy. We must all learn the rules—and we must all play the rules, if we want a sound economy.

Reputable business firms cannot afford damage to their names and good will by engaging in unlawful price practices. The honest businessman will abide by the law and not sell at more than ceiling prices. The honest, law-abiding businessman has every right to immediately report any unscrupulous competitors who may be trying to take business from him by selling at prices higher than ceilings or by other illegal means. In fact, it is his duty to help force the violator in line.

The consumer—by understanding how ceilings are determined, by watching for evasions, and by refusing to patronize merchants who do not live within the law—can do much toward stabilizing prices. When I speak of "consumer" I do not restrict the term to its everyday use; I include the manufacturer who must buy materials and machinery in order to make his products and the merchant who buys the manufactured article for resale. We are all consumers of some kind and whatever any of us buy has its impact on our economic life.

Our country is still confronted with many grave problems—both national and international. No one knows what the next few years will bring. Whether we like it or not, we are living in a world community and happenings in virtually every area of the globe have their effect on the American economy. Because of the unsettled world climate, we are forced to build our defenses and at the same time fight inflationary pressures. We are faced with the dilemma of having to create a situation that on one hand makes for inflation, and yet at the same time take steps to stop it.

So far, we have done a pretty good job of effecting a balance of power in this precarious situation. In other words, inflation has been checked, but it has by no means been licked. However, so long as Communist aggression continues, much of our national resources must go into armaments, the Federal budget necessarily will remain high, and the balance between purchasing power and civilian supplies will continue to create many dangerous economic problems. Some $65,000,000,000 will be spent on defense by sometime in 1953. This will be followed by several more years of high defense expenditures. With these conditions existing, the possibility of inflationary pressures cannot lightly be overlooked.

Of course you will find many businessmen today who will tell you that the need for price control is over. They have much to say about soft markets, declining prices, and other trends which they say indicate that price stabilization is no longer needed.

In some limited fields, one or more of these factors do exist, and the Government stabilization efforts have taken cognizance of them. We have suspended some products from price control and intend to suspend others soon. But the real truth is that there has been no significant change in the underlying causes which sent the cost of living soaring after Korea.

I am just as firmly convinced now that America's economic health is as seriously threatened today, and that the very safety of the Nation is endangered, as I was when I took the job of Price Director in February.

And may I add, this is not just a "scare" warning. I can support this statement by cold, hard facts.

But before I attempt to analyze some of the inflationary factors facing us, let me ask a few questions about price controls. Do you find the things you buy today any cheaper than they were 6 months ago or a year ago? I don't. Prices for everything I have bought recently are either higher or as high as they were before.

Have you checked with your wives or gone shopping with them and seen the prices they have to pay for food and other things? I have. And I want to tell you my wife is paying more for most of the things she buys than she ever did before. Where are those soft markets and those bargains these businessmen talk about? I don't seem to be able to find them when I make a purchase.

I am further convinced from the many letters, telephone calls, telegrams, and personal visits I have from businessmen that things are not getting cheaper. Do you know what they all want without exception? They want either one of two things. First, they ask me to decontrol whatever product they are making or selling, so that they can sell it for any price the market will bear. If they don't ask for decontrol, they ask for an increase in ceiling prices. Either way you look at it, if we grant the request, it means higher prices and greater inflation. And somebody has to pay the price.

Here's an example of what I've just been talking about. A few weeks ago, OPS had to authorize ceiling-price increases for a number of grocery items because the wholesale and retail grocers came to us and showed us that their profits had been reduced and therefore that they were entitled by law to increased ceilings. Under our Industry Earnings Standard, I had no alternative but to grant the increase. This standard, as you know, is based on the requirement of the Defense Production Act that our price ceilings shall be "fair and equitable."

We authorized the increased grocer ceilings and immediately following the announcement in the press that grocers could increase a number of canned foods from 1 to 2 cents per can, my office was deluged with telephone calls and letters from the trade associations representing food processors, wholesalers, and retailers. All of them said that the publicity they received from our announcement was bad for the grocery business and that the grocers did not intend to put the new ceilings into effect.

Well, I was very happy about this because we are doing everything we can to keep food

costs down. I felt, perhaps, that in a negative sort of way, we had made a little progress checking the rising cost of food. This illusion was dispelled 1 week later.

I was turning the pages of the Washington Evening Star and there played across two full pages was an ad from one of the large grocery chains stating "Over 1,000 items are priced lower than OPS ceilings."

We checked the ad for accuracy. We found that actually only 353 items advertised were priced below OPS ceilings. Of these, 102 sold at ceilings when purchased in single units. Prices lower than OPS ceilings were obtained only when the item was bought in multiple units. For example, an item on which the ceiling was 13 cents was offered for sale at two for 25 cents. Another with a ceiling of 7 cents was offered for sale at three for 20 cents.

Then we checked the list to see how the items on which OPS had recently granted increases in ceiling prices were selling. There were 81 of them advertised. Thirty-seven of these items had to be bought in multiple units of from 2 to a dozen in order for the buyer to purchase them at less than the new ceiling price. And even then, only a fraction of a cent was saved. In other words, the new selling price, while slightly lower than the new ceiling price, actually exceeded the former ceiling price. We found that 44 items were selling at 1 cent per unit less than the new ceiling, but again at a higher selling price than the former ceiling.

I'm afraid that the myth of soft prices has been repeated so often that many responsible businessmen have been deceived by it. Despite wide belief that the Nation is in a period of soft prices, with most items selling well below their ceiling levels, actually, most items that make up the cost of living are selling right up close to their 1951–52 high peaks.

A survey conducted recently by the Bureau of Labor Statistics showed that items making up 50 percent of consumer expenditures on the consumer index list were selling at 2-year peaks; another 21 percent at within 2 percent of these peaks, and only 10 percent were far enough below the 1951–52 highs to be considered significantly soft.

Among items selling at or very near record 2-year highs were, bread, baby food, milk, and many other foods; suits and hats and other items of apparel; automobiles and automobile repairs and insurance; rents, beer, beauty and barber-shop services. Rents, subject to only limited control in certain areas, were up 0.2 percent from March 15 to April 15, and are up 7.5 percent since Korea.

We are faced with additional price increases that by law we cannot avert. The law and OPS policy dictate that no ceilings shall be set that are not fair to the businessman affected. As I said before, OPS policy is laid down in what we call the "industry earnings standard." Under this standard, OPS is required to permit higher ceilings for an industry when the industry is earning less than a fair return of its investment. This fair return is measured roughly under the formula Congress adopted to apply the excess-profits tax.

The industry earnings standard has forced OPS to grant ceiling increases on such important items as wholesale and retail groceries, beer at wholesale, waxed paper, lead storage batteries, glass containers, certain bakery products and zinc die castings.

A great many more industries have applied for such increases, and surveys are under way or planned to consider their merits. Among them are milk, meat, machinery, steel, petroleum, and cement. Does this indicate that prices are soft or would decline if controls are lifted?

Wholesale prices, another market which indicates some softness, have now started to firm up. Average wholesale prices, which have declined rather steadily during 1951, have turned upwards again in the recent weeks. The BLS weekly wholesale price index for all commodities advanced 0.4 percent in the week ended May 20 and 0.1 percent the week before that. As of May 21, the BLS spot market index of sensitive prices was 1.3 percent above the 1951–52 low point reached a month earlier, and the food component of that index was up 4.1 percent from its 1951–52 low.

There is no indication of softness in the prices which make up industry's costs of production, or which the Government must pay in its vast defense armament program. Prices are generally right against the ceilings on petroleum and chemicals, metals, building materials, automobiles and trucks, machinery, and many other commodities.

The Government has recently been forced to permit importers to pay a higher price for Chilean copper. Canadian producers have announced their intention to raise the price of newsprint $10 a ton.

Another real threat to price stabilization exists in those areas in which we do not have the authority to regulate prices. Here are some examples of the dangers which exist in those segments of our economy not regulated by OPS. We cannot effectively stabilize the prices in the foreign markets of such things as wool, copper, rubber, tin, and many strategic materials. Since there are no ceilings on these items in the foreign countries where they are produced, these imports affect our domestic prices.

Freight rates have recently been permitted to increase again, bringing the total increase since January 1951 to 16 percent. This added cost must, in many instances, be passed on in higher ceiling prices to avoid an unfair cost-price squeeze. Retail coal dealers, for example, were recently granted a 6-percent increase to offset higher freights.

Certain items, such as real-estate transactions, utility rates, barber and beauty shop services are exempt by law from direct price controls.

An action is pending in Congress to remove ceilings on fresh fruits and vegetables, yet market prices for many of these items have been at record highs during the year. Because of legal exemptions, we have no control over the price of professional and medical services, domestic services, commuter fares, automobile insurance, and many other things which materially affect the cost of living.

Does this sound like the threat of inflation is over? Make no mistake of it, there is still a real need for price control.

The American business press is the best informed, most alert group of its kind in the world. Business publications in this country far outstrip the business publications of any other nation—in circulation, in editorial content, and in the number of industries covered. These publications are widely respected by the millions of readers in the various industries they serve.

American business has prospered, and no small part of that prosperity has been due to the excellent job which has been done by our business publications to make the American businessman the best informed in the world. The thousands of businessmen who take part in our OPS Industry Advisory Committee meetings will attest this fact. The informative articles and editorials on price control which you have carried in your publications have been referred to many times in our meetings with industry. American businessmen respect your judgment and will continue to look to you for information and guidance.

You can make a real contribution to the future of America by repeatedly stressing the simple economic fact that only a few people reap profits from inflation. The businessman, the laborer, the farmer, and the buyer all have a stake in our economic life. Inflation will hurt them all.

Some of our businessmen yet fail to realize that inflation decreases production and lowers the standard of living. They are not aware that inflation causes the standard operation yardstick to be mislaid, and permits waste and inefficiency to take over.

We want the American businessman to believe that we are all in this fight together. The Office of Price Stabilization was created to aid and help business—not to hurt, impede, or strangle it. We believe that the business community is a vital part of our economic future. OPS is mindful of its dual role in promoting the welfare of business and consumers.

It is not the intent of OPS to take any action, which, in the long run, would be destructive of business. We make no attempt to stand in the light of business progress. We will continue to concentrate our efforts in carrying out the will of Congress to promote and preserve American business.

The price stabilization program is dedicated to preserving our American way of life—our system of free enterprise. We want the businessmen of our country to realize this and to look to us as friends.

May I also direct your attention to the fact—and I am sure you will not accuse either of these gentlemen of having indulged in politics in making their statements—that the president of the District Bankers' Association and the president of the American Bankers' Association both agree and so stated publicly recently that we are still faced with a serious threat of inflation. To quote briefly from the president of the American Bankers' Association, he said:

The period ahead will be a critical one, and it is a good idea to have an insurance policy when inflammables are stored in the barn.

That is a good common-sense warning. There is not any doubt, and you know it that we are faced with deficit spending. You have authorized and appropriated the money for the purpose. We will spend at least another $65,000,000,000 on the defense effort alone during the next 12 months. I do not think you need stretch your imagination very far to come to the conclusion that pouring $65,000,000,000 of new money into the monetary stream of the country is certainly inflationary, and unless we continue this Defense Production Act we will be in very serious trouble in the days ahead.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield for a question at that point?

Mr. MULTER. Surely.

Mr. ROGERS of Florida. I just wonder if the gentleman saw the statement that was made by Mr. Martin, Chairman of the Reserve Board, that we had already passed over the hill of inflation.

Mr. MULTER. I did not see the statement, but I cannot believe that the gentleman means that the threat of inflation is entirely behind us; I cannot believe that he means that inflation has been licked; I cannot believe that he intends to imply that when we pour an additional $65,000,000,000 of money into the stream of circulation that that will not have a tendency toward inflation; that at least we must be prepared to control it as we did immediately after Korea.

Mr. ROGERS of Florida. The gentleman will admit, however, that Mr. Martin is in a position to know the effects of the present condition with regard to inflation.

Mr. MULTER. Yes; and let me remind the gentleman that Mr. Martin and the members of the Federal Reserve Board are unanimous in urging the extension of the Defense Production Act; and, despite what the gentleman from Michigan [Mr. WOLCOTT] has said, they also urged that credit controls be extended on a stand-by basis. I remember sitting in this House many a day hearing the same gentleman from Michigan propound that the way to control inflation is through credit controls, not price controls. I do not blame him for saying that there is terrible confusion about this problem, for he himself is more than slightly confused. A few moments ago he told us we did not need any credit controls any more and that price control is not going to do the job of controlling inflation. If you do not need credit controls, which he has always advocated as being the way to control inflation, and if we do not need price controls, then I wonder, is he prepared to sit back and let inflation take us by the throat and throttle the economy and enterprise of this country?

Let me remind the gentleman, too, that on August 1, 1950, the President of these United States sent a message to the Congress in which he urged that we give him the stand-by controls that he thought necessary on price and credit matters but that we give him the other powers immediately. He said:

> It would be tragic if the Congress were to reject the controls we need right now (August 1950) while voting stand-by measures which could neither do the current job nor be applied successfully to the contingencies which may arise.

Of course, those contingencies did arise. Do not forget that we wrote into the bill the provision that before he could invoke price control or credit control we must first try voluntary controls. The testimony before the committee prior to the time the bill reached the floor of the House, like the testimony that has been presented to the committee on each of the occasions when we heard those who were opposed to extension of controls, indicated that everybody was for control of the other fellow's business, that he needed no control, he is all right, he would voluntarily do the right thing. When we tried it in accordance with the bill we wrote, we found that everybody was trying to jump the gun, everybody wanted to get his price raised before there were compulsory controls, with the result that the voluntary controls you legislated into the law proved to be merely an additional incentive for the raising of prices and the bringing about of increased inflation that we were trying to prevent.

I would like to direct your attention at this time to some of the specifics with which we will have to deal in the bill now before us extending the Defense Production Act for another year.

I would like to discuss two of the problems which we must consider in relation to the extension of the Defense Production Act. I refer to the Ramsay bill, H. R. 6843, to establish quotas on the importation of certain articles which contain raw materials on which priorities or allocations have been made, and to section 104, the so-called cheese amendment, which with or without the committee amendment should be eliminated. Both of them are contrary to the security and economic interests of the United States and should be kept out of any extension of the Defense Production Act.

First let me give you my reasons for opposing the amendment sponsored by the distinguished gentleman from West Virginia [Mr. RAMSAY]. His bill would permit the establishment of quotas limiting the import of any product to 50 percent of the average quantity imported during the period 1947–49 whenever the product contains raw materials for which we in this country have established priorities or allocations which limit production in the United States. This is an unnecessarily drastic measure containing almost no safeguards against the indiscriminate application of restrictive barriers to trade. Under the bill import restrictions could be applied merely by having a substantial portion of American producers ask for them. There would be no need to show that anyone had been injured by imports. All that must be shown is that the product contains a material which is under allocation, even if the American producer is getting all of the material that he needs. Although an exception can be made to the bill's provisions when the Secretary of Defense certifies that a higher volume of imports is required to meet essential defense needs, this exception will not prevent needless hardship to American importers, consumers, and foreign producers in those cases where increased imports may not be justified on defense grounds but where there is no good reason to restrict imports.

The list of materials under allocation or priority in this country is so lengthy that almost every industry engaged in manufacturing could take advantage of the bill's provisions to shut out foreign competition. Just try to imagine all of the products which could be subject to the terms of this bill. Even if we take only a few of the better known metals that are under allocations, such as copper, nickel, steel and aluminum, I imagine that it would be difficult to find many industrial products which would not contain at least some small amount of one of them.

Although I find it difficult to envisage any circumstances under which we should want to open the gate to such a flood of restrictionist measures as this amendment would make possible, under present conditions it just does not make sense. In general, we are now over the worst of the materials shortages, and restrictions on the civilian use of materials are being eased. Just recently, for example, controls were removed on bismuth, cadmium, lead, and antimony and relaxed considerably on zinc. It is anticipated that further relaxation will occur within the next few months. Therefore, it seems logical to expect that there will be even less possibility in the future than there has been in the past for competitive inequities arising from raw materials shortages.

Furthermore, we already have legislation adequate to impose import restrictions where they are justified in connection with the allocation and conservation of scarce materials. Section 101 of the Defense Production Act gives the President authority to apply import restrictions in these cases, and I do not believe that any further legislation is either necessary or desirable.

Another reason why we should reject the amendment is that it would not contribute to a better world-wide distribution and conservation of materials which are in short supply. I understand that the Western European countries have made considerable progress through OEEC in instituting controls limiting the end uses of scarce materials. It seems to me that cooperative effort of this type is more effective in achieving the desired objective.

Nor will this bill conserve or increase the supply of scarce raw materials. In fact, if its end result would be to affect adversely the attitude of other countries toward cooperation with us, as seems highly probable, they might be less willing to continue sending us supplies of certain raw materials for which we depend on them. Practically every important industry is dependent upon imports to supply at least some of its essential raw materials. This is true of the bulk of factories in every industrial community in this country.

The cases which have been used to illustrate the need for such legislation provide no real evidence of the need for these drastic measures. Several of these cases, for example, the spring clothespins, chinaware, and glassware industries, represent instances of industries which have been making efforts to exclude foreign competitors long before shortages of materials entered into the picture. This fact gives rise to the question whether raw materials shortages are the real reasons for the competitive problems which these industries are facing.

These industries have complained that competition is forcing them to close down plants and lay off workers. I find it difficult to see how this bill would provide any relief where unemployment is due to inadequate quantities of raw materials. It does not assure anyone of an increased quantity of raw materials. Instead it would serve only to keep imported goods out of this country and deprive the American consumer of products he may need and would like to buy.

The most serious objections, however, are on foreign policy grounds. I have already mentioned the damage that it might do to our efforts to bring about an equitable world-wide distribution and conservation of scarce raw materials. It could also do serious damage to our efforts to deprive the Soviet bloc of strategic goods. For if our allies cannot sell their goods to us they will be obliged to look to other markets. Furthermore, if this bill were applied to its full extent, it could result in a considerable loss

in the dollar earnings of the other free-world countries, particularly in Western Europe.

In 1951 United States exports exceeded $15,000,000,000 in value. These exports were a source of significant income to many thousands of Americans in cities and on farms throughout the country. But because our economy is so large, it is easy for us to overlook the role of exports to the economies of other countries, even though the value of their trade may be quite small in relation to our own. To many countries foreign trade is indispensable even to the maintenance of the most modest standards of living. To such countries their foreign trade is even more vital when considered in relation to the requirements of their defense efforts. In the case of the United Kingdom, for example, of every $100 worth of goods produced she exports $21 worth. In the case of Belgium, the figure is $30. Even in the case of Canada, with its vast resources, exports account for $22 of every $100 of her production.

Let us now devote a little attention to section 104. I believe that the import restrictions it sets up on cheese are not only unnecessary but are actually harmful to the American consumer and to American agriculture as a whole. The testimony before our committee showed that domestic production of most types of cheese would not be hurt by the termination of section 104. Practically all of the testimony, given by those interested in maintaining import quotas on cheese has related only to blue-mold cheese, and I do not know whether removing import quotas would or would not result in injury to those producers. I do know, however, that there is other legislation which authorizes import controls where necessary, legislation which can be applied in a more selective manner and therefore would probably do less harm to the interests of the consumers. I refer, of course, to section 7 of the Trade Agreements Extension Act and to section 22 of the Agricultural Adjustment Act. The importation of blue-mold cheese is in fact now being investigated by the Tariff Commission under section 7 of the Trade Agreements Extension Act, and if the Commission finds that imports would cause serious injury it can take remedial action, either in the form of a quota restriction or a rise in the tariff rate.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Would the gentleman be willing to leave it to the Secretary of Agriculture and the President to determine the quotas on imports?

Mr. MULTER. I do not think that is the way to do it.

Mr. AUGUST H. ANDRESEN. Well, section 104 in the bill leaves it entirely to the Secretary of Agriculture to fix quotas, and he can select any type of cheese and leave it uncontrolled; he can take in only the cheese that causes the difficulty in this country, like blue-mold cheese, which the gentleman mentioned, but any other type of cheese the Secretary of Agriculture has the complete discretionary authority to handle the entire matter in accordance with the way the administration and the gentleman wants it done. The gentleman should be satisfied when he leaves it to the Secretary of Agriculture and the President to handle this.

Mr. MULTER. Tell me this: What objection would there be on behalf of the cheese producers in this country to having it, if there is to be such a limitation, done on a price basis? Why should they object to a cheese being brought in here that sells at from 10 to 100 percent more than a similar domestic cheese? What objection should there be to bringing in any type which is not even made here?

Mr. AUGUST H. ANDRESEN. I have no objection, but let me answer the gentleman. The gentleman knows that in all of these countries they have devalued their currencies by 30 percent, which makes the American dollar 30 percent more valuable in those countries.

The tariffs really do not mean anything. Does the gentleman want these imports to come in here under a foreign valuation, not under an American valuation, to be dumped on our market, to close down domestic industries and to do damage to the consumers of the country?

Mr. MULTER. No, I do not, and that is not being done and was not being done before we wrote section 104 into the bill, and it will not be done if you take the section out. The price of imported cheese has been invariably much higher than that of the domestic type. Let me quote this very brief sentence from a letter received by me from a gentleman who has been in the import industry, importing cheese, for 50 years, and who is known as the dean of the cheese importers:

> Our firm has imported from Italy, for over 50 years, pecorino romano cheese made from sheep's milk, which is only manufactured in Italy, with a consumption in this market of about 10,000,000 pounds per year, selling at a higher price than any similar type of cheese made in this country, and yet we can only import a limited quantity.

There is no competition with that cheese. Why should those importers, American citizens all, be limited in the quantity they can bring in, if the people are willing to take it and pay for it at the higher price? We know that this is helping Italy. We have been talking about saving Italy from the Communists. When it comes to helping them with a few dollars, not by grants, not by loans, but helping them build up their own industry through importing some of the cheese that our American people are willing to buy, you come along and say, "Under section 104 you cannot do it."

Mr. AUGUST H. ANDRESEN. I am willing to leave it to the Secretary of Agriculture. Probably some of these different types of cheese are not competitive, but the Secretary of Agriculture has absolute authority under that provision in the bill to eliminate them from any import controls whatsoever. Is not that correct?

Mr. MULTER. I am sure the gentleman will agree with me that, by section 104 which he authored and sponsored, he has succeeded in limiting the importation of cheeses into this country that are not in competition with any domestic cheese.

Mr. AUGUST H. ANDRESEN. Yes, but the Secretary did that. We do not administer the law up here. I was in hope the Secretary would not show that discrimination.

Mr. MULTER. Then to be fair, you should agree to take this section out.

Mr. AUGUST H. ANDRESEN. No; you will have difficulty on that subject.

Mr. MULTER. As regards other types of cheese, I find it difficult to see why the domestic producers need protection from imports. Consumption per capita has increased considerably compared to prewar while the absolute quantity of cheese imported has not increased, and the percentage of imports as compared to domestic production has even decreased. Furthermore, with respect to most types of cheese, the imported variety does not now compete on a price basis, and did not before this legislation was passed.

Aside from the fact that section 104 is not necessary and does not serve our security interests, the required restrictions are harmful to American agriculture as a whole. Income earned from agricultural exports is essential to the continued well-being of the American agricultural community. In 1951 agricultural exports amounted to more than $4,000,000,000. This is more than the farm cash income of any State of the Union. It is more than four times the farm cash income of New York—$1,000,000,000. It is also four times as great as the cash farm income of such other important agricultural States as North Carolina, Ohio, and Indiana. United States exports of each of such important United States products as fruit, vegetables, corn, and wheat exceeded $100,000,000 in 1951. United States exports of eggs, poultry, and pork products were also valued at many millions of dollars. The share of New York alone, in these exports approximated $45,000,000. Exports are vital to producers of many other major American farm products. For example more than one-half of United States production of cotton, wheat, rice, dried whole milk and dried peas, and about one-quarter of our production to tobacco, soybeans, plums, and prunes, hops, and lard were sold in foreign countries in 1951. When we restrict imports from other countries, we reduce their ability to buy from us, and agricultural interests will suffer both directly and indirectly.

To me, section 104 is inadvisable for still another reason, and that is its adverse effect on our foreign policy. We have appropriated a very substantial sum of money to assist Western Europe in its efforts to become self-supporting. We also want the Western European nations to continue to rebuild their economy and to expand their defense efforts. If Western European countries are to be increasingly able to pay their own way in this joint defense effort, we should

terminate legislation, such as section 104, which frustrates this objective and makes our whole aid program open to the charge that it is calculated to perpetuate foreign dependence on American bounty and to establish additional outlets for domestic production while barring imports of foreign products. Furthermore, section 104 necessitates action which is inconsistent with international commitments we have entered into. It is bound to create doubts about our sense of responsibility and the wisdom of our leadership.

For the reasons which I have set forth, I believe import restrictions are not in the national interest and should not be a part of the bill to extend the Defense Production Act.

In all of the foregoing I have had clearly in mind the necessity and desirability of protecting American agriculture, industry, and enterprise of every kind. Nothing that I have said can hurt them in any way. All that I have said is in the best interests of the over-all prosperity and security of our country. The provisions I have addressed my remarks to concern matters that have no place in emergency legislation. They are matters that should be referred to the committees having jurisdiction over them as permanent legislation. Extensive and complete hearings should be conducted by those committees and if they determine any relief is required, those committees should report appropriate legislation of a permanent nature.

I trust that these provisions can be eliminated from this bill, which is temporary emergency legislation.

Mr. AUGUST H. ANDRESEN. Does the gentleman propose to offer an amendment to strike out section 104?

Mr. MULTER. I do.

Mr. AUGUST H. ANDRESEN. I will be very glad to hear the gentleman, and will be glad to debate the subject with him at that time.

Mr. TALLE. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Chairman. I am alarmed, I am not frightened but I am alarmed. Our distinguished chairman in his opening statement this afternoon debating this measure said: "You may be opposed to price and wage control but even if you believe it," and I emphasize, "even if you believe it, you dare not do it."

Mr. Chairman, I am alarmed if in that atmosphere of fear, if in that atmosphere of uncertainty, and despair we shall attempt to legislate upon this very important law.

I do not believe that any Member of this Congress is afraid to cast his vote.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield.

Mr. SPENCE. I did not mean to scare anybody. The fear I spoke of I thought would be a legitimate fear.

Mr. COLE of Kansas. That is fine. I do not believe, Mr. Chairman, that anyone in this Congress has any fear of casting his vote, if he believes he is right, so the chairman and I agree. But this is true, as the ranking minority member of our committee, Mr. WOLCOTT said:

There is no economic justification for the continuation of price controls.

Mr. WOLCOTT did say there is a political need, perhaps, in the minds of some Members of Congress that we should vote for price and wage controls.

Now I want to discuss some of the evidence which was presented to our committee by some people who believe we should continue price and wage controls. It was pointed out at the beginning of the hearings, we are now mobilizing our country to defend ourselves from possible aggression. Well, that is true. This Congress had voted billions and billions of dollars for that purpose. It was said also that when we mobilized our country for military purposes, we would siphon from the national product a certain percentage of consumer goods and channel those consumer goods to the use of the military. That statement was made time and time again before our committee. Finally I said to Mr. Putnam and Mr. Arnall, "Just what do you mean by siphoning off 20 percent or 14 percent of our national product. I can walk into any grocery store today and buy anything I want. I can go into any drug or department store and buy anything under the sun that my family needs. I can go down to the automobile dealer and buy any type of automobile in almost any price range, and I mean from $25 up. I can go into any hardware store and buy any tools that I need. I can go into any farm equipment and machinery supply place and buy any farm machinery I need to operate my farm. We have a complete and ample supply of commodities on hand today. Now what do you mean that we would be taking a percentage of our national product, and thus require price control?"

Finally, I received an answer. "What we mean is the Government is spending a certain percentage of our national income for military purposes." I said, "Then the question is a fiscal one; is it not?" Then I referred again to my age-old inquiry: What is inflation? What is relevancy of high prices to inflation? What are high prices? Well, practically everyone agrees that high prices are not the cause of inflation. High prices are the result of inflation. If that is so, then our problem is to solve the disease known as inflation. And how do we do that? We do it by attacking it at its basic source. If there are too many dollars chasing after too few goods, we attempt to balance the economy. On the one hand, if there are too few goods, we ration those goods, we allocate those goods, we divide them among our people, as the gentleman from Michigan [Mr. WOLCOTT] said. But if there happens to be too many dollars, then it becomes a fiscal policy, and by indirect controls the inflationary impact can be, should be, and must be corrected.

So we have an ample supply of commodities, and thus our problem today is one of fiscal control. The present inflationary danger can be stabilized by tax expenditure, monetary, and credit policies.

What are some of the objections to price control in the present economic picture? One of the great objections to price control today is that it interferes with the free market. What is the free market? A free market is the decision made by millions of people in this country every day. What are those decisions? Those decisions are, "What shall I buy? Where shall I buy it? At what price shall I buy it? From whom shall I buy it?"

Other millions of decisions are made by the people of America today in the free market. What are those decisions? "What shall I produce? How much can I produce? For whom shall I produce? Where shall I sell it and under what circumstances shall I sell it?"

Those millions and millions of decisions made today in the free market mesh one with the other. So, much to the surpise of our efficient planners, it works. How does it work? It works to give to the American people the greatest standard of living this world has ever known.

Now, are we afraid? If so, what are we afraid of? I asked that question of some of the witnesses appearing on behalf of the administration in favor of this legislation. They said, "We might have an all-out war." I said, "Do you mean to say to me we must continue price and wage controls under every circumstance when there is a possibility or a probability of an all-out war?" I said, "Can we not and have we not in the past enacted laws which have taken care of those situations when crises such as that arose? Must we always find ourselves shackled and regimented by arbitrary, inefficient, and costly controls? Can we not return"—yes, I used the word "return" advisedly—"can we not go forward and bring about freedom of choice which, after all, has made this the greatest country in the world?"

Price control stifles production and distribution. We know how it does it. One of the lowliest items of consumer use proved that to America not very long ago. I speak of the potato. Nothing has so clearly explained to the people of America how price control can and does stifle production and distribution. With price controls placed upon potatoes, it drove them out of the market. We could not buy potatoes at any price, no matter what you paid. But just as soon as price controls were lifted from potatoes, presto, by magic, the very next day, the very next day in all stores throughout our Nation one could buy potatoes at approximately the same price that they were offered to them under price control. Yes, they were a little higher. Oh, yes, the price did go up a little bit, but when we fought and fought and fought in 1946 and 1947 to get price controls off—yes, prices did go up. They went up considerably on some items. Some people stood before this Congress with a market basket and said, "Oh, look at the terrible thing you have done to the people of America." But what happened again?

Again, amazing though it might have been to the efficient planners of this country, prices leveled off and production expanded, and not one single Member of Congress offered a bill to recontrol prices. Why? Because they realized that price control would not continue the free-choice system and expand our production and distribution. They realized that the consumer benefited by the free market.

Price control is wasteful and expensive. We are all well aware of the voluminous reports that every merchant, every manufacturer, and every producer is required to send to the OPS; and they are required to send them irrespective of and whether or not their items are under price control. Thousands and thousands of man-hours, thousands and thousands of dollars are expended in preparing useless and unnecessary reports. It is expensive in other ways. We find that when an application for relief is filed, the OPS takes it under sympathetic consideration, and case after case after case, known to every Member of Congress—case after case after case, sympathetic consideration, weeks after week after week, month after month after month, and year after year—and no decision made. While the helpless and hapless producer or merchant, sits there waiting for relief.

Mr. TALLE. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield.

Mr. TALLE. In connection with what the gentleman has just said, the gentleman remembers as I do that on a number of occasions during our service here together we have been told that there was a tremendous shortage of warehouse space for all sorts of Government documents and papers. Now, these reports the gentleman has just spoken of are utterly worthless.

Mr. COLE of Kansas. Right.

Mr. TALLE. And if they are required by law they will take up space. Soon they will demand afresh that we build more warehouses to store the useless stuff.

Mr. COLE of Kansas. I thank the gentleman.

Price control is unfair. I asked Mr. Arnall, I think it was—perhaps it was Mr. Putnam—this question: What is a high price? How do you determine what is a high price? I received this very interesting answer: The Office of OPS determines what a high price is by looking at a chart, and that chart has certain peaks and valleys—you are familiar with them. When a chart shows that the price of a commodity has reached a peak compared to a so-called normal period, the high peak is determined to be the high price. So they are interested in slicing the peaks; they are not interested in the value of the dollar; they are not interested in whether or not a dollar buys less today than it bought last year or 5 years ago; they are interested solely in curtailing the "peak price."

How does that work as far as being fair to the various producers is concerned? Some producers are permitted to take into consideration the additional costs with which they have been charged since the beginning of the Korean War; some producers are refused their additional costs; some producers are given one type of relief. Someone in OPS has said that "these costs are proper; other costs are not proper." Someone in Washington determines whether or not a producer can "absorb" or "pass through" cost A or cost D, whether producer Smith can have the same type of relief that producer Jones is given; and in many cases they have had contradictory, conflicting, and absolutely unreasonable differentiation in the procedures adopted to permit producers to obtain a fair price.

The OPS cannot decide whether it is administering a price and wage "freeze," or a flexible stabilization program. On the one hand, it objects to the Capehart and Herlong amendments, which are designed to stabilize prices, while at the same time pointing out with satisfaction that Capehart amendment gives satisfactory relief to the steel industry.

Some prices are frozen—for instance, crude oil—while costs of producing the commodity are "stabilized"—permitted to rise. The producer is thus squeezed between soaring production costs and frozen selling prices.

The reason for this is the criterion used by OPS to define a "high price." The Agency believes in its chart and its "peak price system." It wants to make a showing of holding the line, ignoring the fact that the dollar has less value today than the dollar of a few years ago, ignoring the constantly authorized rises in costs.

Yes, Mr. Chairman; I am alarmed. I am deeply concerned that Congress should even be considering this measure. Instead, we should be considering measures designed to assist the free choice system—to provide the expanded production which we need.

Mr. SPENCE. Mr. Chairman, I yield 25 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, people generally do not like for anyone to tell them what they can or cannot do relative to their own business affairs. We all like to be independent and to sell the things we produce in our own way, through our own customs, and we feel that supply and demand should control as to prices. That is natural. But under certain circumstances and conditions, when the dollar is decreasing in value and the future looks as if the dollar may decrease more, we must do everything we can to prevent further inflation. The most important weapon to defeat inflation is full production. We must not in this bill do anything that will retard full production of all commodities. At the same time, it is imperative that we prevent some commodities from rising so high that it will be dangerous not to have some stopgap to prevent it.

I shall make an attempt to explain more than 20 amendments that were placed by the committee in this bill. The amendments were for the purpose of making the bill a better one. We tried to comply with the request of many complainants who said they were being treated unfairly. If these amendments are not enough to make this bill one of justice and equality to everyone alike and one that will retard inflation, then over other amendments, and in the end I hope we can have a bill which will mete out justice to all, will halt inflation, and will not retard full production. I think many Members of the House feel as I do, that under present circumstances it might be dangerous to lift all controls at this time when we are spending such gigantic sums for national defense.

Our defense-mobilization program in terms of contemplated expenditures for military procurement and construction is presently about a $132,000,000,000 program. The main impact of that program on our economy is still to be felt as more than $100,000,000,000 of that total remains to be spent. As this program reaches its level of expenditures, the program will be taking about 18 percent of our total national production. It is only a matter of common sense that we keep a law such as the Defense Production Act on the books at least for a while. That act grants authorities to deal with problems of production and stabilization that are bound to occur in a defense-mobilization program of the size we are undertaking and in the light of existing international uncertainties.

Our committee conducted full hearings on extension of the act. The hearing make two thick volumes of printed material. Many problems in connection with administration of the act were raised and many suggestions made for modification of authorities. In executive sessions the committee gave intensive consideration to many amendments and acted favorably on over 20 of the proposals. In committee I applied two tests to proposals made: First, did the proposal make common sense; and, second, was it workable. I supported amendments that met these tests. I intend to judge amendments offered on the floor in the same manner. I hope we do not waste time in the debate on this bill in lengthy consideration of amendments which just do not make common sense or which are administratively unworkable.

Section 104 dealing with import control authority over fats and oils has evoked considerable controversy particularly with respect to cheese imports. We have continued the section 104 import-control authority on a modified basis. We have made clear that import limitations can be imposed by types or varieties of a commodity or product rather than on an across-the-board basis. For instance, import limitations could be placed on blue cheese imports which are competitive with the domestic industry but would not have to be placed on Roquefort which is noncompetitive with domestic production. Once import quotas are set, the Secretary of Agriculture could permit additional imports up to 10 percent by taking into consideration the broad effects upon international relationships and trade. The committee's modification ought to go far toward meeting the fair middle ground in this controversy.

Section 302 of the act makes provision for loans for the expansion of productive capacity for materials essential to the national defense. Section 103 of

our bill makes clear that such loans could be made to manufacturers of newsprint. Back in November of 1951 the Defense Production Administration announced a program of seeking to expand newsprint production in this country by 495,000 tons per year which, if accomplished, would give us domestic newsprint production of about 45 percent more of the 1.1 million tons produced in 1951. United States production in 1951 amounted to approximately 18 percent of our total supply with 79 percent coming from Canadian imports and 3 percent from European imports. The recent $10 a ton price increase announced by Canadian suppliers calls attention to the desirability of expanding newsprint production in the United States. Under the Defense Production Administration's announced objective for expansion in newsprint production, accelerated tax amortization certificates have been issued for new facilities which would have a capacity of approximately 370,000 tons of annual production. The provision making clear that loans can be granted for the manufacturers of newsprint will probably assist in attaining the expansion goal of approximately 500,000 tons and is entirely consistent with the decision under which accelerated tax certificates are granted in connection with such expansion.

In section 104 of the bill our committee inserted a provision which would assure that so long as price and wage stabilization is in effect under the act, the announced price support levels for the six basic agricultural commodities would not be set below 90 percent of parity. In the period when we are calling upon our farmers to expand production in the interest of national defense, it is only right that they be assured that once they have so expanded production they can rely on support prices at a fair and fixed level. As you Members know, 1952 announced support programs for the six basic agricultural commodities have been set at 90 percent of parity.

Section 104 of the bill also continues a provision designed to assure dairies that price ceilings on milk for fluid consumption will be set at a level which allows a pass-through of the three principal elements of cost, namely, milk, cans and containers, and distribution labor or at a level which assures them the benefit of the Office of Price Stabilization industry earning standard applied upon a milk marketing basis. Additional provision with respect to milk distributors provides that in any State where a regulatory body is authorized to establish both minimum and maximum sales prices for fluid milk, that OPS shall not set ceilings at less than minimum prices or at least equal to the maximum prices established by the State regulatory body depending upon which type of price setting authority the State body has followed. In section 108 of the bill there is a provision which, although drafted in language making it generally applicable to State minimum sales prices, would also apply to OPS ceiling prices on milk. Under this provision the OPS generally cannot fix a price ceiling on any material in any State below the minimum sales price of such material fixed by State law or regulation now in effect. This means that if there is a State minimum sales price in effect with respect to milk that the OPS could not fix a ceiling below such level.

The committee decided to exempt fresh fruits and vegetables from price controls. Considerations in this action were the facts that fresh fruits and vegetables by nature are highly perishable products, and crops can be made in a relatively short period of time.

I know many of the Members from the agricultural States will be interested in a provision in section 105 (c) of the bill which exempts wages paid for agricultural labor. As a matter of fact, I doubt if most of the farmers of the country are aware that wages paid for agricultural labor could be controlled under the provisions of the act. It just would not be practicable to attempt to do so and there is no reason for leaving in this authority which if exercised might place a good many of our farmers in at least technical violation of the act. It is just common sense to be practical about this matter and strike this authority from the act.

In section 105 (d) of the bill we have provided a general exemption for wages, salaries, or other compensation paid to persons employed in small-business enterprises. In this case a small-business enterprise is one employing eight or less persons in all of its establishments. Provision is made for the President to make exception to this general exemption, in any case, such as the machine-tool industry for instance, where it might have a harmful effect on the defense mobilization and stabilization program. But, by and large, there are many small-business enterprises in this country where the only effect of wage control on employees is to cause the small business to make burdensome and unnecessary reports to the Government. Common sense says we ought to do something about this problem and we did.

Last year the Congress adopted the Herlong amendment which thereafter prevented OPS from issuing regulations that would deny to distributors their customary percentage margins over costs during the base period. However, OPS regulations applicable to some distributors had been issued prior to the adoption of the amendment and it was not required that these regulations be brought into line with the Herlong provisions. We have changed that in this year's bill. Section 106 of the bill by striking the word "hereafter" out of the first sentence of the Herlong amendment makes the provisions of the amendment generally applicable whether OPS regulations were issued before or after the adoption of the amendment. Those that were issued before the adoption of the amendment cannot remain in effect if they deny distributors their customary margins over costs in the base period. The Committee made this clear when it added the words "or remain in effect" after the word "issued" in the first sentence of the Herlong amendment. The Committee further changed the first sentence of the amendment so that there would be no doubt about the amendment applying whether a distributor's customary margin was figured on a percentage or on a dollar and cents basis. In the case of some types of distributors the OPS is applying the mark-up provisions on an individual basis and in others on an industry-wide basis. Either type of application is permissible under the law. But I would like to say here and now that I think all types ought to be treated alike. As far as the law is concerned I am sure they can be treated alike.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. SPENCE. I yield five additional minutes to the gentleman from Georgia.

Mr. BROWN of Georgia. In the hearings before the committee many witnesses complained of the burden of filing reports with the OPS. Some witnesses pointed out that their selling prices were substantially under OPS ceilings and argued for decontrol to avoid the unnecessary burden of reporting to OPS. In all fairness the agency has recognized this problem and in a few cases such as cotton and textiles has suspended price controls and reporting requirements on a temporary basis. Provision has been made for recontrol should prices again approach former ceilings. The trouble with that approach is that it is slow and cumbersome and is not adaptable to the many types of prices for which there is no recognized market to which you can turn to ascertain what prices actually are. Our committee took a different approach to the problem which in no way will disturb the decontrol actions already taken. We provided for the suspension of reporting requirements to OPS on all sales made 7 percent or less under applicable ceiling prices if the seller certifies to the President that such sales were made at such prices. We did not disturb existing price ceilings at all. They stay there on the books and will continue to be stopping points for any prices that push against ceilings. But when sales are made, and that includes sales by any retailer, wholesaler, or processor, at 7 percent or less below ceilings the person is relieved of his reporting requirements to OPS and relief from that burden will accomplish all that you could accomplish by some other form of temporary decontrol action. Mr. Walter Graefe, of my State, one of the largest canners in the South, tells me that 88 percent of his canning is much below ceiling at this time.

In one of the recent decontrol actions, ceilings were set on some byproducts which had the practical effect of reducing the ceiling on an agricultural commodity below the limits allowed by the Fugate amendment which we adopted last year. I called this to the attention of the Director of Price Stabilization and he took the necessary corrective action. Under the suspension of reporting provision which our committee has proposed such a situation will not again occur because there is no suspension of price ceilings even on a temporary basis. Ceilings will stay right where they are.

The proposal attacks the soft price problem in a direct manner, grants relief needed, is both workable and practical. It is found in section 110 of the bill and would become a new section 411 in the act.

Early last month the Federal Reserve Board announced the suspension of the voluntary credit restraint program and the consumer credit control program which is commonly known as regulation W. Last week the Federal Reserve Board announced a lowering of the down payments required under housing credit controls commonly known as regulation X and appropriate revision was made in the credit control programs applying to Government assisted housing. Special types of credit controls such as regulations W and X are discriminatory in that the restriction on borrowing hits hardest the person with limited cash resources. Our committee struck out all authority in the Defense Production Act for the imposition of these credit control programs. While I do not believe any of them are necessary at the present time, I do have reservations on the question as to whether or not some of this credit control authority should not have been continued on a stand-by basis.

Our committee proposes a revision to section 707 of the act which would make clear that protection is afforded a person who was unable to perform a contractual obligation because of regulations or orders which made it impossible for him or his supplier to furnish the necessary materials to permit the contractor to carry out his contract. Presently the contractor is protected with respect to his own operations and the deletion of the word "his" in section 707 extends the protection to include his suppliers.

The bill which the committee originally considered provided for a 2-year extension of the act. In the bill which our committee reported we have provided for a 1-year extension of the amended authorities. We have provided a similar 1-year extension of rent control under the Housing and Rent Act of 1947.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. SPENCE. I yield five additional minutes to the gentleman from Georgia.

Mr. BROWN of Georgia. The provisions of the Housing and Rent Act are otherwise unchanged except that a provision would be added to bring rents charged on Government-owned properties in accord with regulations promulgated by the Bureau of the Budget by July 15, 1952. This will permit the application of a uniform policy with respect to rental of Government-owned properties. Also, it will be noted in section 109 of the bill that the protest and review procedure relating to price-control regulations or orders is made applicable to rent-control regulations or orders. The validity of rent-control regulations or orders could be tested in the Emergency Court of Appeals in the same manner as price-control regulations or orders may be tested.

I would like to call to your attention the comment which appears in the committee report under the heading of "Certain technical violations." This paragraph speaks for itself, and I am sure that the Members of this body will be pleased to note the position the committee has taken in expressing itself on these cases of nonwillful technical violations.

After you Members have an opportunity to study the bill and review the committee report, I think you will agree with me that the committee has done a good job of proposing revisions which meet the tests of workability and common sense changes. If any further changes are made on the floor, I hope such amendments will improve the bill.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from New Jersey.

Mr. KEAN. Do I understand if somebody is aggrieved by a decision of Mr. Tighe Woods on rent control, that he may now go to court about it?

Mr. BROWN of Georgia. He can go to court.

Mr. KEAN. That is, either landlord or tenant?

Mr. BROWN of Georgia. I believe so, although I am not so sure about that.

Mr. SPENCE. Yes. That is true.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. GAMBLE. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, I agree with the last remarks of the gentleman from Georgia when he said that the committee did a good job. I think we did a good job, but I think we would have done a better job had we eliminated the whole business and let people forget about being controlled. We have been holding hearings in this committee since the last of April. Only two or three people came in asking for price controls, and they were the ones who headed the bureaus that are controlling the businessmen and people of the country. Then, week in and week out, we heard men, substantial men, come before us representing all kinds of industry, every industry, and point out how wrong it was, what they were forced to do under the regulations. There are thousands, yes, tens of thousands, of other people who were not in there to tell us of their troubles. They have to make out reports to these bureaucrats monthly, but they could not come down here because they could not afford to; they are just the ordinary small merchants.

The chairman was afraid that we were bringing politics into this question. I do not think we are bringing politics into it; I think that any man who believes in freedom, who thinks anything of the traditions of the country, has got to stand up here and stop this everlasting business of the Government trying to take care of our lives, tell us what we shall do, what we shall buy, and how much we shall pay for it.

You do not have to believe me; you can go into any hamlet, town, or city of the United States—I do not care what State you are living in—and find that all these things you want are in abundant supply; and there is an enormous supply of practically everything that is made. The only thing of which we do not have a surplus, perhaps, is metals; and we may be short, or will be in a little while, of steel. But it will not be the fault of the Congress. Everybody knows why the steel mills are closed now. They could be opened tomorrow, in my opinion, if the President would do what the Congress told him to do 4 or 5 years ago.

We are supposed to see that we do not have a run-away economy, and yet there is hardly an article on the market today that is not way below ceiling. I had a letter from a shoeman in my district—we still make shoes in Massachusetts, even if the Southern States have taken over more or less of our cotton-textile business—but he says:

> Shoes, as well as leather and skins, are selling far below the OPS ceilings. There are no evidences in sight pointing to any increase in the price of shoes. They have taken controls off of hides and skins, and the same justification exists for taking the controls off of the finished product. While shoes are selling below ceilings, the retailer is under unending necessity of keeping records and making reports in aggravating detail by reason of OPS regulations as they now stand.

In order to correct one of these regulations, even where the Administrator is willing to do so, it takes anywhere from 4 to 8 months to settle these cases and by that time somebody who ought to have been getting an increase for 6 or 8 months has not, while everybody around him has.

Mr. CURTIS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. CURTIS of Nebraska. Did the gentleman's committee go into the matter of the administration of these control laws in the various State and regional offices?

Mr. NICHOLSON. No.

Mr. CURTIS of Nebraska. You did not inquire into their personnel practices and how they went about their business?

Mr. NICHOLSON. No.

Mr. CURTIS of Nebraska. I think there is ample and credible testimony available if the Congress would receive it to show a tremendous waste of manpower and costly procedure; they are hiring people who have not held other jobs. There is an overlapping. They have more economists and analysts than they have chairs to sit them on.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GAMBLE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. NICHOLSON. Mr. Chairman, in reply to the gentleman from Nebraska may I say that is a matter for the Ways and Means Committee or the Appropriations Committee to consider because this little thing that is troubling all of us now costs over $100,000,000 a year. That is the matter that should be looked into.

Now, the matter of scarcity has been the fault of the Government, not the people who are trying to do business with the Government. For instance, we have a shortage of tin, and our great friend, England, to whom we send billions of dollars and who sells four-fifths of the tin we have used for the last 50 years boosted the price 300 percent. They also hiked the price of rubber by about 300 percent. Then the Govern-

ment stops the individuals from buying from somebody else and then the Government starts allocating. We are supposed to have a shortage of brass, copper and other hard metals, so industry comes before our committee and requests a little better allotment or the privilege to buy in the open markets, which they do not have now.

I go through a little town in Connecticut, Dayville by name, on my way home. It has a good sized factory, the only business they have in the town, yet that factory cannot get the materials with which to do business. At the same time we are sending billions of dollars to Europe and those countries are sending all of the raw materials they can produce into this country. The result is they make a ghost town out of a little place in the United States in order to build up some town in Europe or Asia that none of us have ever heard of. That is what these people seem to have in their minds. Never mind the American citizens, never mind the people who are doing business; they will do business because they always have.

Well, there is a limit to what they can stand from bureaucrats. Of course, I am a solid minority as to this price control proposition. I want to see it all thrown out. I want to see liberty come back to the American people. They say that we are doing this to preserve freedom and liberty in these foreign countries. Well, let us look around a little bit and try to preserve freedom and liberty in our own country and see that it is not lost.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. DOLLINGER].

Mr. DOLLINGER. Mr. Chairman, the Defense Production Act this Congress passes will either protect the American people against higher, disastrous, inflationary prices and safeguard the Nation's economy, or it will jeopardize our entire mobilization program and undermine our liberty. Our duty is clear. Unless we wish to gamble with our freedom, we must provide an adequate system for maintaining strong price controls, and real, effective rent control. This means a law providing for strong controls, not a weak, ineffectual one with loopholes for selfish interests to use to their advantage at the expense of defenseless consumers.

Will this Congress pass the strong law required—or will it throw the American people to the wolves of greed and inflation? One hundred and fifty million Americans are affected by this law; they are relying upon us to give them the protection they need.

Our present Defense Production Act is woefully inadequate. Under it, prices have continued to soar, the cost of living has steadily increased. It has worked for the benefit of a few, while adding to the burdens of millions of our people. This time, let us face the issue squarely, and give the country the kind of Defense Production Act which these perilous times demand.

No one can deny that the heaviest burden of our defense program still lies ahead of us. No one can deny that the unsettled world conditions which now prevail will continue for many years to come and that even greater dangers threaten our national security. This means that increased efforts in defense mobilization are required. Greatly enlarged defense production results in a corresponding increase in Government spending. At the same time, the channeling of material and products for Government use and in the defense mobilization effort, lessens the availability of civilian goods. Our defense program has a great effect upon the national economy. This accounts for the abnormal economic conditions now existing, which we must recognize, face, and deal with appropriately and intelligently.

We must acknowledge that Government, which is now directing the economy of this Nation because of its tremendous needs and demands, must also fulfill its duty and protect the consumer. That duty rests upon us in Congress.

Statistics prove that consumption in our country is at its highest peak; we have high wages and earnings; but we must not lose sight of the fact that other prevailing factors clearly point to further inflation. Uncontrolled inflation would be disastrous. Of what use would be our powerful defenses which we are building up under our mobilization program, if we were to suffer economic ruin within our borders; what a crime we would commit against the American people if we let them be conquered from within by the deadly enemy—inflation. We are charged with the responsibility to pass legislation which will assure a reasonably stable economy and the halting of inflation.

We know that more than $20,000,000,000 have gone down the inflation drain because we failed to put effective inflationary controls into operation at the outbreak of the Korean conflict. I pleaded with the Congress to roll back prices to the pre-Korean level when the Defense Production Act came before us last. This was not done. As a result of our failure to protect him against inflationary prices, the American consumer has suffered real hardship. The average wage-earner cannot afford many staple foods now, which formerly he and his family could enjoy; his struggle to meet ever-rising living costs is terrific; his children are suffering privations and lack of the necessities of life. The buying power of the workers' weekly earnings, after taxes, has steadily declined, and a continuation of this situation means eventual danger to our economy also.

In these times of abnormal conditions, the American people would be terribly victimized if the law of supply and demand prevailed. The operation of that law, if uncontrolled, would assure tremendous profits and benefits to those selfish and conscienceless forces, which always feast and grow fat in such abnormal times. They would prosper at the expense of those who are already overburdened and who are now making enormous sacrifices for our country. Our people look to us for assistance against the powerful, grasping interests which put their own good far above love for country or preservation of it.

America is in peril, our advisers tell us. Our military experts have told us that from now through 1954 will be the period of maximum peril for this Nation. We cannot risk finding ourselves in an armed conflict without being fully prepared in all ways; the day of increased preparation is here. Our people will be called upon to mobilize, to sacrifice more and more, and to submit to any restrictions upon their economy which may be necessary, in order to preserve the security and existence of our Nation. All this the vast majority of Americans are more than willing to do. But, at the same time, inflation stalks that program of preparedness; inflation can defeat us as surely as any aggressor's weapons, if we do not kill it first.

The American people have suffered greatly as a result of our lack of foresight in not providing for adequate controls years ago. We have seen prices soar and soar under our present Defense Production Act. By adopting the Capehart and Herlong amendments we paved the way for higher prices; those amendments are inflationary and unworkable. The Butler-Hope amendment interferes with effective meat price control by banning slaughter quotas. All these amendments should be eliminated.

Wherever rent controls have been relaxed, we have seen the grasping landlords apply in droves for rent increases. We have read pitiful stories and heard sad tales from our servicemen who are now contending with gouging landlords whenever they attempt to establish any kind of temporary home near their base.

Prices of food are very high now; they would go much higher if controls were lifted. Inflation is now hitting the farmer. The Department of Agriculture index of prices paid by farmers was at an all-time high by mid-April, about 14 percent above June 1950. When farmers' costs go up, the price of food goes up. Consumer prices went up in April of this year; food prices alone were up 13½ percent. Since then, increases in wholesale food prices promise further rises in the cost of living. If we do not have controls, higher prices for milk, bread, popular cuts of meat, and a large number of other grocery items would be demanded. The housewife and farmer would be sadly affected. We know that the food retailers, milk dealers, meat people, machinery people, and other producers are all demanding higher ceilings now. Many witnesses who have been heard by the Banking and Currency Committee, of which I am a member, have been demanding that controls be killed—they are certain that they can ask higher prices if that happens.

In ordinary times, the demand for higher prices is controlled by competition. As I have pointed out—these are abnormal times. Our defense program and its effect upon the economy of the country must be taken into consideration. The issue we must face is not supplies—it is prices; the question is not one of shortages but the prices which people will have to pay. Already the price increases so far have caused dire hardships to wage earners, farmers, and others; they have meant calamity to the millions whose salaries cannot cover

ordinary living costs; to poor widows; to many, many thousands who must try to exist on small pensions. We must remember that those poor people have no high-powered lobbyists to speak for them—they are entirely reliant upon us for help. They must have food and shelter—these they cannot get along without.

It is particularly imperative that we continue the authority for the control of fresh fruits and vegetables. Whenever fresh fruits and vegetables threaten to go sky high in prices, we must be prepared to set ceilings and to protect the consumer. About 14 cents of every dollar spent for food goes for these items, and they represent about 5 percent of total consumer expenditures. Should there be a serious crisis—even unfavorable weather conditions—prices on these vitally important food items would soar to great heights, and we would be powerless to help the consumer, unless machinery was already set up to combat the inflation.

It is obvious that during the next perilous years controls must be increased and strengthened in order to provide economic safety. For the reasons I have stated, I charge that the bill before us is a poor imitation of what a real Defense Production Act should be; that it does not give the American people the safeguards they deserve and that our economy requires; and that it does, in fact, provide benefits for those who would profit by their country's distress and danger.

This vitally important Defense Production Act should be extended for at least 2 years. We know that our perilous years will extend beyond that. To extend the act for less than a year would work havoc, for we would then have a lapse of price controls.

The evils of inflation cannot be left to chance; they must be anticipated and dealt with in advance; workable and effective legislation must be in effect so that we can combat inflation whenever it arises.

Let us pass a strong, effective Defense Production Act; let us reach out a helping hand to those 150,000,000 Americans who look to us for the protection they have lacked up to this time; let us help our country and lay a firm foundation for a safe economy now and in the difficult years ahead. This is our duty; we dare not shirk it.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. ADDONIZIO].

Mr. ADDONIZIO. Mr. Chairman, once again the Committee on Banking and Currency has labored hard and long and has hammered out a renewal bill for the Defense Production Act.

The bill renews substantially all the present powers on defense production, allocations, and price, wage, and rent controls. There are a few weakening amendments in the bill which I regret—all the more so since the present act is none too strong for the task in hand. I would have preferred strengthening the present act instead of weakening it further by various fringe amendments. However, I believe that the bill as it stands, despite its many and obvious defects, if enacted, will afford reasonably strong protection to the defense program and to the hard-pressed consumer against the ravages of inflation.

Because a few prices have started slipping downward, there is a tendency in some quarters to regard the battle against inflation as being over. There could not be any more disastrous error of judgment. The plain facts of the matter are, first, that our defense expenditures are rising now at a more rapid rate than ever before; second, that the international situation is still explosive and may get worse before it improves; and, third, that with all the controls in force the best we have been able to do with the cost of living is to hold it at last winter's all-time peak.

I shudder to think of what would happen if we were to let the controls lapse at this time. I know that some opponents of controls dismiss the consequences by saying, "Oh, yes, some prices will go up a little." But, Mr. Chairman, a little bit of inflation which you can't control doesn't stay little. It keeps getting worse. It grows from day to day.

We saw in 1946 what happens when we lift controls before the economic emergency is over. We dare not make the same mistake again now in a full defense emergency.

We owe it to the men whom we draft for service in Korea and elsewhere not to stand by and allow inflation to cause misery for their loved ones—not to allow profiteering by the greedy.

We owe it to the 40,000,000 taxpayers of this country, who are being taxed so heavily in order to pay for our defense program, that we do not allow inflation to take an additional slice of their income.

We owe it to ourselves, to our children, and to our children's children to complete the defense effort we have undertaken in order to fortify the free world against the threat of Communist aggression without allowing these added expenditures to set off an inflationary spiral which would destroy our economic strength.

The committee in calling for a year's extension of price, wage, and rent controls has taken a firm stand for continuing the fight on inflation until the inflationary threat to the defense program and to the country is over. Of course, we do not know that the threat will be over by next June. But a termination date of June 30, 1953, gives the Congress a decent opportunity to pass a further extension should that appear necessary next spring. On the other hand if the need for controls should end before next June, we can count on the suspension and relaxation program of OPS and the other agencies to do away with the burdens of controls once such controls no longer serve a useful purpose.

I am very glad the committee rejected the idea of an 8-month or 6-month extension. Such short extensions would invite speculators to gamble on the early removal of controls and would lead some of them to hold goods from the market in hope of being able to sell them later and make a killing after the controls were off. Having withheld the goods from the market in anticipation of the removal of controls, such speculators could then flood the Halls of Congress with lobbyists to fight against the renewal of controls. When we consider that even a February 28 termination date such as the Senate bill has adopted would leave only 5 weeks between the inauguration of the next President and the deadline on the passage of an extension act, we can see what a terrific advantage this would give to the lobbyist against controls. All they would have to do is to get some of their friends to do a little extra talking and to move for delay—it will not even have to be a full-fledged filibuster—and they will have gained their object, which is to let the controls lapse.

In the field of wages, we all know that a February 28 termination date would fall in the midst of the season for the renewal of wage contracts. Both labor and industry would be inclined to delay on their contract negotiations on the theory that wage control might be over by March 1. This would not be conducive to the maintenance of sound morale in industrial relations or of full production which flows from sound morale.

A June 30 termination date, which the committee has recommended, would cut down the amount of speculation on the renewal of controls because it would give Congress an orderly opportunity to pass renewal legislation if that is necessary.

As regards wage stabilization, the committee bill continues the present procedures without change. The committee has refused to heed the demands of certain interests that the Wage Stabilization Board be emasculated as a punishment for the Board's recommendations on steel wages. Mr. Chairman, I believe that the wage board's recommendations on steel wages were both fair and equitable and within the stabilization rules. But even if I had disagreed with the wisdom of the Board's action in this case, I would be opposed to the idea of ripping out the Board because I did not like one of its decisions. That is too much like shooting the umpire because he ruled for the other team.

The present wage-stabilization set-up—a tripartite board of public, labor, and industry members, handling both wage-stabilization regulations and labor disputes—has worked remarkably well. We have had fair and equitable wage stabilization and by and large we have had full production at stable costs. Despite the propaganda of the steel industry against the WSB decision, it knows that the steelworkers are entitled to the kind of wage increases the Board recommended. Proof of the fairness of the Board's rulings is the fact that industry and labor generally have gone along with them and strikes have been rare and unusual.

Under such circumstances it seems to me a big mistake to discard our time-tested wage-stabilization set-up and embark on new experiments that run the risk of upsetting the labor-relations apple cart. Let us never forget that wage stabilization can be successful only with the whole-hearted cooperation of the groups affected. We cannot by legislation chain men to their jobs at fixed wages: we can only ask workers to co-

operate in a stabilization program out of a spirit of patriotism and economic statesmanship. We must encourage the utmost participation of labor and industry as well as Government in the administration of the program.

The continued housing shortage which prevents normal bargaining between landlord and tenant makes it essential that rent control be extended for at least a year. The housing situation cannot be improved overnight, and with housing the one commodity which we cannot do without, for which there is no substitute, the sky would be the limit if controls were eliminated. Their continuation is essential to the welfare of the people in our larger cities.

As I said at the outset I am not satisfied with all the provisions of the committee bill. I would have preferred, for example, that the committee bill had not included a ban on price ceilings on fresh fruits and vegetables. I would have also preferred that the bill had not modified the so-called Herlong amendment to give higher margins to the chain stores. I would have preferred that these provisions had been omitted because they can only have the effect of raising prices to the consumer—prices which, God knows, are already too high for large sections of the people. But in a democracy such as ours, one cannot have his own way on all things—we have got to abide by the vote of the majority. I am supporting the bill drafted by the committee majority as the best we can get right now to protect the consumer in the dangerous period that lies ahead.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, the most urgent task confronting the United States right now is the rapid completion of our preparedness program. Despite the magnificent strides that we have made in the past 18 months in the rebuilding of our defenses, the hardest stretch of the road still is ahead of us. We still have a tremendous production job to do.

If we are going to get this job done with the maximum of efficiency and a minimum disruption of our civilian economy we are going to need an extension of the Defense Production Act for a minimum of another year.

In emphasizing the control aspects of this law we often overlook that the primary purpose of this law is to enable us to rebuild our defense with a minimum loss of time, a minimum of economic dislocation and the minimum cost to the taxpayer. We cannot keep our arms-production program operating on this basis unless we keep a firm rein on prices, wages, rents, and prevent inflation from getting loose as it was in the early days after the outbreak of the Korean war.

Right now our economy is operating at a fairly even keel. As far as I'm concerned that's a most compelling argument for keeping our stabilization program intact for another 12 months. It is a compelling argument that the various controls agencies are effectively doing the job that is theirs. All the American people are the beneficiaries of their work.

We cannot afford to take a chance with any further runaway inflation as long as the international situation remains as tense as it is and as long as our defense program is only at the halfway mark.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. FUGATE].

Mr. FUGATE. Mr. Chairman, I am supporting H. R. 8210 which would extend the Defense Production Act for 1950 with amendments.

Your Committee on Banking and Currency held 4 weeks of hearings on this bill. Everyone who desires to be heard was given an opportunity to appear and make such representations as he chose.

The bill is about the best that can be offered in view of the highly controversial nature of price and wage controls. Any controls, no matter how mild, are objectionable and obnoxious to most people. To some they are so offensive that they do not want any part of them. I am one who accepts them because they are the least of two evils. All good Americans will put their country's interest above their personal convenience in a time of emergency.

The Defense Production Act of 1950 was adopted by the House by a vote of 383 to 12. The act was extended in 1951 by a vote in the House of 323 to 92. It is evident from the vote that the membership believed it to be of immediate and continuing necessity. They recognized the dangers of inflation to the economy in a period of national stress and took action forthwith to meet the situation. They further recognized, as set out in the declaration of policy, that the purpose of international communism was world dominion; that America's defenses were woefully inadequate and that the sinews of the Nation should be mobilized to meet the challenge of a damnable, atheistic ideology that contravenes every principle of democracy. God and Christianity under the communistic system are mere words without force or meaning. Men are chattels to be enslaved for the state. They have no individuality. They are denied freedom of thought, action and devotion. We cannot and will not accept this concept.

By the belief that America must defend her shores and her covenants we embarked upon a course of action that has made great strides in building up our war potential and substantially meeting our needs without violence to our economy. It seems to me that it would be the height of folly to abandon such a sound policy at this juncture. If we were correct in 1950 and 1951 we surely will be right in continuing for another 12 months the provisions of this bill.

There is not a Member in this House who does not believe we have made substantial progress in building our defenses and containing communism. Having put our hand to the plow we must not look back but go straight down the course to the end. We would be unfit as leaders to pause now when we have Joe Stalin and company slowed to a snail's pace.

This control measure is good insurance. I dare say that there is not a Member here who does not carry some form of property insurance. Why do you pay out your money for this coverage? Because you think it is good business. It is good business for this country to insure against the attacks of the Reds. They recognize only force. They are just as ruthless and inhuman as fire, storms and lightning.

I am supporting the extension with amendments for the following reasons:

First. The national emergency is not over, and it is indispensable for us to build and maintain an ample defense.

Second. The potentials of inflation are present, and every precaution should be taken to maintain a sound economy.

Third. While most consumer items are in ample supply, some are scarce and it is right and fair that those in short supply be spread equitably.

Fourth. Strategic materials in short supply must be allocated to essential needs.

Fifth. A sudden flare-up in Korea or elsewhere would likely produce scare buying, and it is important to have machinery ready to cope with the situation immediately.

Sixth. I am sure that controls have helped in preserving the value of the dollar and protected the consumer and the Government, as prices have gone up only about 3½ percent here since Korea against rises in other countries up to 40 percent. Prices have remained more stable in the United States than in any other country.

Seventh. The committee has made changes in the act which will ameliorate the provisions that were imposing hardships on producers and consumers. One of the most onerous was the requirement by OPS on reporting. This has been reduced to a bare minimum. All items selling 7 percent below ceiling are automatically dropped from the list, and no reporting is required.

It is understood and agreed between the committee and OPS that items will be decontrolled as rapidly as possible. Suspensions will aid many industries.

During the course of our hearings on extension of price controls, I was proud of the appearance before the committee of one of Virginia's leading citizens. Mr. Henry P. Taylor, of Walkerton, Va., a former president of the National Canners Association, presented a complete economic justification for the suspension of price controls on canned foods. Mr. Taylor, who is both a farmer and a canner, knew what he was talking about. Being a rather small canner, he was able, from his own experience to explain the unnecessary and unwarranted burdens that price control imposes on the industry.

Canned food production, Mr. Taylor demonstrated, was the highest in the history of the country last year. Supplies currently on hand are the largest in history. He pointed out to the committee that the Department of Agriculture recognized the adequacy of supplies of canned vegetables in their recommendation to growers that they decrease

vegetable tonnage this year by 15 percent.

Further supporting his economic analysis of the canned food situation in relation to price control, Mr. Taylor pointed out that since 1947 the index of canned food prices compiled by the Bureau of Labor Statistics has been consistently under the cost of living index. Furthermore, Mr. Taylor established that 88 percent of the volume of canned fruits and vegetables has been selling at less than ceiling prices. In fact, one-third of the volume of canned food sales has been at less than 10 percent of ceiling prices.

On behalf of the canning industry, Mr. Taylor proposed to the committee that agricultural and fishery commodities that are in adequate supply be suspended from price control. Mr. Taylor's proposal was similar to the decontrol provision that Congress adopted in the Price Control Extension Act of 1946. This approach to the problem of price control suspension, in my opinion, has great merit. It recognizes that prices are determined by the law of supply and demand. Obviously where the supply of a commodity is abundant there is no inflationary threat.

The canning industry, I am informed, has advised Governor Arnall that canned foods meet the suspension standards that have been established by OPS. Certainly Mr. Taylor's testimony before the committee established this fact. I have discussed this situation with Mr. Arnall and have been advised by him that action with respect to canned foods is on his suspension agenda. In view of Mr. Arnall's recognition of the fact that not only canned foods but other commodities in which there exists no inflationary threat and whose prices are below established ceilings should be suspended and will be suspended by voluntary administrative action, I did not think that the committee should bring before the House what might become a highly controversial amendment to the law. I do feel, however, that it is the overwhelming consensus of this body that price control on such things as are in adequate supply and which will not, in the foreseeable future, exercise any inflationary pressure should be suspended from price control just as rapidly as the Office of Price Stabilization can issue the suspension orders.

I want to express my appreciation to Governor Arnall for the sympathetic approach and attitude he maintains toward the whole program of price control. He is doing an excellent work and should have the wholehearted support of the Congress. His position is one where criticism is the usual order. I for one believe he is able, conscientious and determined to do a good job for his country, and I am deeply grateful for men of his caliber.

In conclusion, let me say this bill should have the support of the House and the country.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, I am in favor of H. R. 6546, and especially the provision exempting from price controls fresh fruits and vegetables. I represent one of the greatest fruit growing sections in West Virginia, if not in the entire eastern part of the United States. This legislation is vital to the orchardists in my district.

The fresh fruit producers take a great risk each season and it is necessary to depend upon prices for certain years to make money to cut down on their losses in the lean years. Because of the uncertainties governing this industry, such as weather conditions, and so forth, the producers must have elasticity in their prices. The price control on this fluctuant product works an extreme hardship on the growers.

In the words of Henry Miller, any kind of price control on this product would be entirely unfair and would incur too great a risk to this business. Mr. Henry Miller is president of the West Virginia Congress of Agriculture, representing 62,449 paid members, and has made an exhaustive study of this situation not only in West Virginia but throughout the Nation. This same opinion is held by Carroll R. Miller, secretary of the West Virginia State Horticultural Society.

There is no need for ceilings on apple products as they are now selling among the lowest priced canned fruits and vegetables. Prices are ruinously low while cost of production has increased.

I am sure the Members from the other agricultural States in which growers are similarly affected will agree with me in this stand. This is a vital matter with the West Virginia fruit growers who have been hard hit in recent years. Many are quitting now. They need help, not added injury by law.

Mr. GAMBLE. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Chairman, I find that the statement I made during the debate on the Defense Production Act of 1951 applies equally to the Defense Production Act of 1952, H. R. 8120, with this exception. The things I said at that time have been borne out by the testimony of many witnesses before the committee during the hearings and by actual experience in the wholesale, retail, and manufacturing industry throughout the Nation and in the control of services and credit.

One of the statements I made during the debate on the 1951 Defense Production Act was that controls and stabilization of wages, prices, and credits are repulsive to the American way of life, and are an attempt to replace the fundamental law of supply and demand. This statement, or words to this effect, was repeated time after time by many witnesses who appeared before the committee during the hearings, and I am confident that many Members of the Congress have received many letters from their constituents expressing the same thought.

Legislation that restricts and controls the economy and consequently the production of goods and services is the most difficult kind of legislation to agree upon. This kind of legislation is as controversial as a tax or tariff bill and on final consideration no one is entirely satisfied because nobody wants their wages, prices, services, or credit controlled by Federal legislation.

If the administration had used the authority which the Congress authorized them to use to freeze prices, wages, services, and credit in September of 1950 shortly after the outbreak of the Korean conflict, the situation would have been much different, but instead the administration did not attempt to use this authority until several months later which brought about a state of frustration, confusion, and scare buying unequaled in the economic history of the Nation. There is little wonder that it was difficult to obtain the full cooperation of the public in the administration and establishment of economic controls and stabilization. There is little wonder at the fear of the public that the underlying intention of the administration was to nationalize industry and socialize the Government because as these controls were fastened on the economy of the country as a result of an extreme emergency, they become even more difficult to release when the emergency lessens or has passed.

Fortunately the pressure of public opinion and the abundant production of agricultural and manufactured products, the increase in the construction of housing, the fundamental common sense of the American people, who refused to be driven into scare buying and are saving their money, and who are buying carefully and selectively have brought the fundamental law of supply and demand into operation, which requires no legislation by Congress or Federal bureaucracies to employ thousands of so-called experts to prepare charts, statistics, to write ambiguous rules, regulations, directives, amendments, amendments to amendments, and overriding regulations which a Philadelphia lawyer could not interpret or explain.

The pressure of public opinion and the abundant production of commodities has even made it necessary for the National Production Authority to remove and relax the controls of many essential strategic materials during the past year covering some 25 items including leather, rubber, sulfuric acid, hides, chemical wood pulp, cadmium, bismuth, lead, and many other commodities.

The good common sense of the American public have made it unnecessary to continue installment sales credit controls—regulation W—and construction credit controls—regulation X—which this bill provides shall expire on June 30 this year.

Many other amendments were adopted by the committee relaxing and removing restrictions on commodities and services. Here are a few of the controls that were in the 1951 Defense Production Act which have been relaxed or exempted by committee amendments in this bill, H. R. 8210.

Limits on the restriction that can be placed on slaughterers of meat.

Minimum-ceiling formulas on the price of milk products for liquid consumption.

Exemption from price controls of fresh fruits and vegetables.

Exemption of marine terminals from price control.

Exemption of price and wage control on bowling alleys.

Exemption of agricultural labor from wage control.

Exemption of wages and salaries and other compensation for small business employing less than 8 people.

Elimination of reports to OPS by retailers and wholesalers who certify that the sale of their materials or services are 7 percent below the OPS ceiling price.

Provision is made for loans to producers of newsprint for experiments and exploratory manufacturing of newsprint from other than wood pulp products.

In fact the OPS is going to be hard pressed to find some way to continue to keep employed the 16,000 or more employees in that agency because of amendments added to this bill.

The one section of the bill which was not amended by the committee but which, in my opinion, should be amended is title II—(amendments to the Housing and Rent Act of 1947.) I offered an amendment to that section of the bill in 1951 which the House approved but which was knocked out in conference.

I propose to offer the same amendment again to that section of the bill which provides that after the survey ordered by the President, by the Secretary of Defense, and the defense mobilizer, that if it is found that the three following conditions prevail in the area surveyed: First, a new defense plant installation has been added to the community; second, it requires an immigration of workers and, third, there is a shortage of housing in the area. The local elected legislative body has the right to review these findings.

I think the time has come for the Congress to recognize that local governments have some responsibility in matters of this kind. After these findings have been made by the chief mobilizer and the Defense Secretary, my amendment will provide that they shall be submitted to the local government for the purpose of determining whether these conditions actually exist. Within 60 days, the local elected legislative body can agree or disagree on whether rent control will be imposed in the area under their jurisdiction. The amendment which I propose is as follows:

Page 12, after line 5, insert the following new subsection:

"(c) Subsection (1) of section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof the following new sentences: 'If any locality which has been decontrolled as a result of action by its local governing body under paragraph (3) of subsection (j) of this section is included in an area certified under this subsection as a critical defense housing area, the President shall promptly notify the local governing body of that fact, and shall not establish any maximum rent for any housing accommodation in the locality until 60 days have elapsed after the date on which such notice is given. If, within such 60-day period, the local governing body adopts a resolution in accordance with applicable local law and based upon a finding by it reached as the result of a public hearing held after 10 days' notice, that any of the conditions listed in paragraphs (1), (2), and (3) of this subsection does not exist in the locality, the certification involved shall have no effect with respect to the locality for the purposes of this subsection and subsection (m) of this section. The preceding two sentences shall not apply with respect to any housing accommodation occupied by, or by the family of, a member of the Armed Forces who is stationed at an Armed Forces installation in or adjacent to the locality, or with respect to any certification made before the date of enactment of the Defense Production Act Amendments of 1952'."

This amendment has nothing to do with those areas that did not decontrol themselves by legislation. Those that are now under control or have never taken the initiative to remove themselves from control are not affected, but I think any area that took the initiative to remove itself by legislation should have the right to determine by affirmative action whether it wants to or should go under rent control.

It is an economic and a social problem in these areas. It is a serious question that the repercussions in any area where the Federal Government invades the right of local government.

I certainly think this is a very vital part of the bill, aside from many other parts of the bill having to do with the control of credit and the economy of the country. This is of a different character. The city and county officials have nothing to do with the price of food in their area. They have nothing to do with the control of credits in their area, but they have a lot to do with the people who own and rent houses in their area, and they have a lot to do with realty value, tax values, and the assessed valuation of those properties that have a direct bearing upon the attempt on the part of the Federal Government to impose rent controls.

I trust when the time comes that those of you who believe that local government has any right at all to determine for itself whether rent control should or should not be established will support my amendment.

Mr. Chairman, as further evidence that OPS is trying to convince the public that they are protecting the public against high prices and inflation by increasing the ceiling prices on certain food products which are selling, because of supply and demand, below OPS ceiling prices is shown in the following letter from the Southern California Retail Grocers Association:

SOUTHERN CALIFORNIA
RETAIL GROCERS ASSOCIATION,
May 22, 1952.

The Honorable GORDON L. MCDONOUGH,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN MCDONOUGH: This week the OPS hit independent grocers a blow below the belt.

On May 19, the OPS issued an order in Washington permitting wholesalers a slight increase in their margins on nine canned fruits and vegetables. And on issuing the order, the OPS told newspapers and wire services that prices would go up 1 or 2 cents a can in independent stores, but not in chain stores.

The higher-prices statement made headlines in Los Angeles papers, and everyone who read the news stories got the idea, planted by an official Government agency, that prices would go up in independent stores, but not in chain stores. However, investigation the next day showed that the nine items had been selling all over southern California at less than the old ceiling prices and that competition between grocers would keep the retail prices down. Even the local OPS office issued a statement to the effect that the prices of those items would not go up in this area. But the damage had been done.

We issued a statement pointing out that the raising of ceilings on items selling below ceiling was pure propaganda. We are enclosing a copy of our statement.

The OPS prices-are-going-up statement seems to be part of the present OPS party line. We understand that about 2 weeks ago OPS held a high-level strategy conference and decided to engage in an active propaganda campaign to try to put over the point that prices are going up. And now the OPS propaganda campaign is on. The cry of higher prices is a well-worn but effective weapon. It will poison a lot of people's thinking if the OPS is permitted to get away with it.

We see it as nothing but a last-ditch attempt by tax-paid bureaucrats to use propaganda to keep their agency in operation when the need for it has long since passed. And in the battle, the OPS is further hurting independent grocers who have already been suffering from the hundreds of unnecessary orders issued by that agency.

We hope you will do what you can to stop these OPS attacks on legitimate business.

Sincerely yours,

SAM
S. M. White,
Secretary-Manager.

It can easily be seen that OPS is attempting to reduce the cost of living to the consumer by increasing the ceiling prices on foods that are already selling below ceiling prices, as if such a thing were possible.

The National Canners Association also criticized this ridiculous OPS policy in a letter to Hon. BRENT SPENCE, the chairman of the Banking and Currency Committee:

NATIONAL CANNERS ASSOCIATION,
Washington, D. C., May 23, 1952.

Hon. BRENT SPENCE,
Chairman, House Banking and Currency Committee, Washington, D. C.

DEAR MR. SPENCE: OPS has just authorized an increase in the mark-up of certain canned fruits and vegetables, stating that distributors needed the increase because of low earnings. Some newspaper accounts have given the impression that consumer prices of canned foods will increase as a result of this action.

Consumers have been buying most canned fruits and vegetables for the past year at prices considerably below OPS ceilings. This is because the supplies of canned fruits and vegetables have been and continue to be large enough to create a competitive situation that forces sellers to take less than their ceilings for their products. So long as this situation continues it will be the factor that determines the prices consumers pay regardless of OPS action.

The consumer's dollar is divided between the distributor and the canner who supply the canned foods. Under normal conditions the distributor gets as much of the consumer's dollar as competitive conditions will justify. Under price control, distributors

are allowed a fixed percentage. Now that OPS has permitted distributors to take a larger bite out of the consumer's dollar it remains to be seen whether or not the distributors can collect.

The size of the distributor mark-up does not determine prices consumers pay. Those prices are determined by the supplies available to satisfy a consumer demand, and the willingness of the consuming public to pay the asking price. Since those supplies are now and from current indication are likely to continue large, no alteration of distributor mark-ups by OPS is likely to change the overall picture with respect to prices consumers have to pay. Although this action may result in some temporary adjustments in the price situation, in the final analysis the large supply situation will assert itself with consumer prices being determined accordingly.

This regulation, therefore, amounts to permission granted by OPS to take a larger percentage of the consumer's retail dollar with a correspondingly smaller percentage to go to the canner.

The BLS reported yesterday that retail prices of canned fruits and vegetables are considerably lower than a year earlier, and also are lower than those reported a month ago.

We are supplying this information to your committee because we wish to make it clear that there is nothing in the recent OPS action that affects the situation as reported to you at the hearing on May 16, 1952, with respect to the need and justification for suspension of price controls on canned foods.

Yours very truly,

HENRY P. TAYLOR.

It is time that something be done to put a stop to such silly administration by a Federal bureaucracy which employs 16,000 people and costs the American taxpayers more than $100,000,000 to maintain.

Mr. Chairman, I yield back the balance of my time.

Mr. GAMBLE. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. BUFFETT].

Mr. BUFFETT. Mr. Chairman, not too long ago Earl Browder, for 15 years the secretary of the Communist party in America, declared, and I quote:

> Price controls occupy an essential place in every progressive economic program in every country in one or another form.

From Browder's statement, it is clear that the spectacle of the Congress of the United States extending price controls at a time of the greatest production in our history, must be good news to those everywhere who do not believe in a free-market system.

To Members of the House who favor extension of price and wage controls I propound this question: Where have price controls ever prevented inflation, and not just postponed inflation?

Is there anyone who can report such a record from the history books? I would like to hear from them right now.

Where have price controls ever successfully prevented inflation and not just simply postponed inflation?

Mr. Chairman, in the absence of any answer, I conclude that no one can tell us of such an example.

I wish some member of the Committee on Banking and Currency who favors price and wage controls might furnish such examples, if he has any, because we are confronted by a paradox. We are told price controls will stop inflation or will prevent inflation, yet no one can stand up to this House and tell you a single place where price controls have prevented inflation, and not simply just postponed it.

This gives us proof of the farce of this whole business. You are entitled to have some evidence from the history books of cases where price controls have successfully prevented inflation and not just postponed it. Either that or we should not be talking about price control as a method of preventing inflation.

Mr. Chairman, a wider variety of inflationary stimulants are being injected into our economic system today than at any previous time in the twentieth century.

When those forces will begin to produce a convulsion in our economic life, I do not know. I do not stand here telling you that prices are not going up. They are going up some day, as certainly as we continue to pump inflation into the economy.

But of this I am certain, ultimately such a convulsion will take place with disaster to the public credit unless these inflation stimulants are shortly curbed.

The following list of these stimulants is incomplete, but it gives a picture of the attempts being made to prolong the boom conditions that rest on the combination of inflationary credit, deficit spending, and undeclared war.

First. On March 24, 1952, the President requested the National Voluntary Credit Restraint Committee to suspend its screening of non-Federal public financing. This was done.

Second. Creation of easy credit for defense industries, plus certificates of necessity allowing accelerated depreciation on new plants, are both providing a powerful impetus to spending by industry.

Third. On may 7 the Board of Governors of the Federal Reserve System suspended regulation W relating to consumer installment credit—just turned that whole field of inflationary credit loose.

Fourth. On May 30 the DPA established a civilian stockpile operation to purchase materials. This price-bolstering device is in addition to military stockpiling activity.

Fifth. On June 9 the Board of Governors of the Federal Reserve System relaxed the provisions of regulation X in order to promote greater debt creation and inflation in the building industry. These easier credit terms in the real estate industry went into effect June 11.

Mr. Chairman, the foregoing is a partial list of the actions of the administration in recent months to bolster prices, yet then they come to Congress asking us to extend the OPS as a device to hold down prices.

I submit that this performance insults the intelligence of the American people. But it is worse than that. It indicates clearly that the administration does not truly want to hold down prices, or to stabilize the value of the dollar.

Not at all.

This administration requires inflation to maintain the fiction that they can make the country prosperous.

But they dare not have the people discover that the value of the dollar is being ruthlessly and deliberately destroyed. That discovery by the humble and trusting people of America would end this cruel swindle, and that day will come.

So they demand a continuation of price control to cover up this gigantic conspiracy to destroy the financial strength of the middle classes of this country, whose savings are largely in dollars and obligations payable in dollars.

The foregoing is a strong charge, but the evidence supporting it, some of which I have just outlined, is overwhelming.

In addition, the funneling overseas of the real wealth of the American people goes on at full speed. It is on a scale only surpassed by the spending of World War II at its height. This spending, explained as necessary to protect us against communism, is probably communism's most potent weapon for the eventual destruction of our capitalistic western civilization, based on human liberty.

Now, Mr. Chairman, listen to these words from Andrei Gromyko of Russia. He told an acquaintance of mine, "The American dollar is the Trojan horse by which we will defeat you Americans."

It would be well for Members of Congress to ponder that boast and then take a hard look at recent history.

Since 1939 the paper currencies of 11 countries have been wiped out by complete inflation. Here they are: Albania, Austria, Bulgaria, China, Czechoslovakia, Germany, Hungary, Japan, Korea, Poland, and Rumania. Those countries hold 729,000,000 people almost one-third the population of the world.

Today most of those people, their savings made worthless by government inflation, are Communist-controlled. Do you think there is no connection between inflation and communism? These countries had price controls to stop inflation, too.

Now I quote from another interesting source:

> I believe that the cold war, of which Korea was the climax, was designed in Moscow in the conviction that ultimately it would throw the economy of the United States into chaos and make the USSR the political arbiter of the world.

This is the judgment of Nicholas Nyardi, former high-ranking Soviet official. He should know what he is talking about.

Mr. Chairman, price control has ultimately brought disaster to every nation that used it over a period of time, because it attempts to evade natural law.

This Congress might almost as well pass a law declaring that the Potomac River should flow back up to the mountains as to pass legislation repealing the natural law of supply and demand. Price control under present conditions falls in about the same category; and it will bring disaster to America just as it has elsewhere.

Price control is an essential instrument to those who get rich during inflation and it is an essential instrument

to those whose goal it is to destroy our free economy.

It serves to conceal the deliberate destruction of our monetary system by thinly veiled, printing press, irredeemable money.

Is the Congress sincere in its desire to prevent ruinous inflation in America? Then it will move to restore a currency redeemable in gold upon demand. No irredeemable paper currency has ever preserved its value even for the lifetime of one generation.

We can be honest with the people. In that event we will terminate price and wage controls.

Or we can continue price and wage controls in the effort to continue to deceive the people about the depreciation of the dollar. Such deceit has never yet failed to pay off in political, economic, and moral catastrophe.

Mr. Chairman, if we go on with price control, the ultimate outcome is easy to foresee: All we have to do is look at the paper money inflations that have taken place in countries all over the globe and you will see what is going to happen to the savings of the American people who today are trusting their government by buying annuities, war bonds, and other dollar obligations.

I will not vote to continue this fraud on the patriotic citizens of this country. I appeal to my colleagues to end price control before the harm it does becomes irreparable.

Mr. SPENCE. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, the Committee on Banking and Currency decided, by a vote of 13 to 11, to incorporate into this defense production extension bill a provision continuing section 104, the so-called cheese-quota provision, with the added proviso that the Secretary of Agriculture might increase the import quotas established thereunder by as much as 10 percent in the interests of general international relations.

This amendment is no improvement whatever over the present section 104, which the administration has repeatedly asked to have terminated. As nearly as can be determined, none of the problems in international relations which section 104 has created would be mitigated by a 10-percent increase in the quotas imposed under the section.

Section 104 has hurt our international relations in three ways: First, foreign countries have taken section 104 to mean that United States import policy will never allow them to increase their dollar earnings to the point where they will be self-supporting and will no longer need our aid; second, we have been compelled to violate our international trade agreement which prohibits the imposition of quotas under the standards used in section 104; third, we have in effect invited other countries to apply measures of the same kind to our agricultural exports. On each of these points the new version of section 104 is as objectionable as the old.

The significance of section 104 in the eyes of other countries goes far beyond the effect of the measure upon the cheese trade from which some of them could derive substantial earnings. Enacted just after some other restrictive legislation and administrative measures and followed by still others, it has come to be regarded by many as a weathervane of the general direction of our foreign-trade policy. Consequently, its reenactment with or without the new proviso would confirm the gravest fears of other countries that the United States proposes to pursue a restrictive trade policy, even if it means sharply reducing the assistance which it has granted through such measures as the mutual-security program. The 10-percent proviso would not alter other countries' views of the basically restrictive character of section 104, and rightly so, since it would neither restore any substantial purchasing power nor remove the violation of commitments involved in it.

The new proviso in no way makes section 104 less of a violation of our international obligations. In the interests of safeguarding American agricultural exports, which are twice as large as competitive agricultural imports, we undertook reciprocally not to restrict agricultural imports except in specified agreed circumstances. In our case this means no quantitative restrictions on agricultural imports except to avoid serious injury as found by the Tariff Commission and the President, or to safeguard domestic agricultural programs under section 22 or to liquidate temporary Government-held surpluses or to deal with shortage problems. The authority we already had to impose import restrictions was consistent with these obligations. The provisions of Public Law 590, which the Senate has adopted, would also be consistent. Together these safeguards would be entirely adequate to meet our needs. But section 104, with its broad criteria for restriction, goes far beyond what is permitted or necessary. In fact, it virtually asserts a unilateral right to take whatever action we wish, whenever we wish. Obviously, the amendment in the House committee bill does not begin to correct this basic objection to section 104 or to provide an acceptable basis for the development of confidence and trust on the part of other countries.

The third objection to section 104 is one to which attention must now be directed if this measure is reaffirmed by Congress. Reenactment of section 104 has already been found by our trading partners to be in direct violation of our commitments. At a meeting last September this was formally decided, but because Congress was at that time considering repeal of the measure, the United States was able to persuade those advocating retaliation to hold off until Congress could complete its consideration. Reaffirmation of the law now will throw the door wide open and invite withdrawal of concessions now benefiting our export trade.

Such attempts as this to whittle away through a back-door approach our trade agreements program by riders to other bills not only tend to cripple our trade agreements program, but will eventually destroy it.

The mutual-security program and our other foreign-aid programs are being defeated by adoption of amendments or riders such as section 104 of this bill.

EFFECT OF SECTION 104 ON AMERICAN AGRICULTURE

The restrictions imposed under section 104 reduce the opportunities for other countries to earn dollars and consequently their ability to buy American goods.

Maintaining export markets is important to large segments of American agriculture. In 1950 the United States exported $2,800,000,000 of agricultural products. These exports accounted for more than one of every three bales of United States cotton production, more than one of every five bushels of wheat, almost one of every four pounds of tobacco, and about one-third of the production of raisins and prunes. In this same year the United States imported $3,900,000,000 of agricultural products. Of this total, however, $2,100,000,000 were noncompetitive products not otherwise available, such as coffee, rubber, cocoa, tea, bananas, and spices. The competitive products—excluding sugar in the amount of $372,000,000—amounted to about $1,400,000,000, or less than one-half the value of our agricultural exports.

If other countries cannot sell their goods in this country they will not be able to maintain their level of purchases of American agricultural products. For example, the Netherlands has estimated that the restrictions have resulted in a loss of about $1,500,000 of their dollar earnings, and that their capacity to buy oranges, prunes, and other similar products has been reduced. France has indicated that the restrictions have prevented the purchase of a substantial quantity of California oranges.

The interest of the agricultural community is not limited to agricultural exports. Many nonagricultural producers and workers in the United States are engaged in industries which earn substantial income from export markets. If foreign countries have to reduce their purchases from these industries, then the income of American industrial workers will decline, and they will no longer have the money to buy American farm products in quantities which they would like to buy and which the farmers would like to sell.

OPPOSITION BY RESPONSIBLE GROUPS TO SECTION 104

Section 104 is opposed by many responsible organizations in the United States such as American Farm Bureau Federation; National Farmer's Union; Tobacco Associates, Inc.; American Cotton Shippers Association; the United States Chamber of Commerce; the Commerce and Industry Associations of New York, Inc.; Association of Food Distributors, Inc.; Congress of Industrial Organizations; International Association of Machinists; Americans for Democratic Action; National Council of American Importers, Inc.; National Cotton Council of America; General Federation of Women's Clubs; International Trade Section of the New York Board of Trade.

INTERNATIONAL REPERCUSSIONS OF SECTION 104—PROTESTS BY OTHER COUNTRIES

The following countries have protested to the United States Government against section 104: Argentina, Australia, Canada, Denmark, Finland, France, Italy, Netherlands, New Zealand, Norway, Switzerland.

Some of the main points made by these countries against section 104 is that these import restrictions: (a) reduce their export markets in the United States and thus hinder their opportunity to earn the dollars they need to make them self-supporting and to contribute their full share to the defense of the free world; (b) add to the political and economic difficulties in areas sensitive to Communist and other disruptive influences; (c) are inconsistent with the liberal trading policy which the United States has encouraged throughout the world.

Mr. GAMBLE. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I was interested in the learned discussion of the gentleman from Pennsylvania [Mr. EBERHARTER], who is also my friend; but I was amazed that he has become the representative of foreign producers who seek to take over the markets in the United States for some of the vital commodities produced in this country. I am representing both the producers and the consumers in the United States.

The gentleman from Pennsylvania fails to recognize that cheaply produced food products or manufactured products in other countries that are shipped into the United States displace American production and labor. The highest wages paid labor in Europe are in England. There the coal miners received around $21 a week whereas the coal miners in the gentleman's State received up to $100 a week.

I recognize that we must have food for the American people. The section of the bill to which the gentleman has referred deals with the importation of food. He is particularly interested in foreign cheese. I know he is a connoisseur of good cheese, and I hope he can become accustomed to eating some of our good American cheese in addition to the foreign cheese.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I like domestic cheese as well as foreign cheese, but I dislike seeing the price of domestic cheese increased 25 percent because of this very provision in the bill. I would also like to ask if the gentleman would want us to be forbidden all of the export market, which is twice as great for agricultural products as the amount of agricultural products we import? Does he want to ruin the American farmer by closing all export markets?

Mr. AUGUST H. ANDRESEN. The gentleman from Minnesota works for and desires a healthy foreign trade in all farm commodities, but he cannot go along with the gentleman from Pennsylvania who is advocating a policy to ruin American dairy farmers in his advocacy of permitting unlimited imports of dairy products, fats and oils, to come into the United States.

Mr. EBERHARTER. That is what the gentleman is doing.

Mr. AUGUST H. ANDRESEN. In addition, the gentleman from Pennsylvania is also injuring American consumers of dairy products. The gentleman fails to realize that the population of the United States is increasing every year by nearly 3,000,000 people; he fails to realize that there are 10,000 babies born every day in the United States, one every 9 seconds, and these babies need milk. He fails to realize that he is a party, unintentionally I am sure, to a scheme to liquidate the dairy farmers of this country and that by bringing in unlimited quantities of cheese, butter and other dairy products, the liquidation of dairy cows in this country will be accelerated. The gentleman fails to realize that some of the programs that he has supported in recent years to use substitutes instead of good dairy products has brought a decrease of more than 4,000,000 milk cows in the United States during the past 6 or 7 years. It takes cows to produce milk. We should have more milk cows to keep pace with the human population to produce an abundant supply of milk and other dairy products at reasonable prices to consumers. Because of the decrease in the milk cow population, the per capita consumption of milk is at its lowest point in recent history and consumers are paying the highest price for retail milk. The gentleman from Pennsylvania should confer with the housewives of his district, as I am sure that they will go along with me on a program to secure greater production of milk at reasonable prices.

The policies urged by the gentleman from Pennsylvania and others can only lead to greater liquidation of dairy cows in the United States, and the end result will be higher prices for all American consumers. I predict that within a few years unless the trend is reversed in the milk cow population, consumers will be paying at least 5 cents more a quart for milk than they are paying today. Does the gentleman favor going along with a program of that kind?

Mr. EBERHARTER. Certainly, the gentleman mentioned the increase in population. Does that not indicate that we need more food to feed the increase in population?

Mr. AUGUST H. ANDRESEN. Yes; it does, but I want it produced in this country. The gentleman wants to bring all of our food in from foreign countries. His policies will liquidate American producers of dairy products, and when we get short in our supply, he will not find any foreign Marshall plan or economic aid to help sustain the food demands of the American people. Furthermore, a substantial portion of the dairy products which would be shipped into the United States from foreign countries should be consumed at home or in adjacent countries to sustain the lives of the people.

Mr. EBERHARTER. The gentleman realizes that the price of milk and cheese has gotten out of the reach, because of their high prices, of the ordinary American consumer. They are pricing themselves out of the market. Furthermore, I will say to the gentleman, if you close the export market to the American farmer you will do him a lot more damage than by hurting a few dairy producers in this country.

Mr. AUGUST H. ANDRESEN. Let me answer the gentleman. I pointed out a few moments ago the reason for the high price of milk. Policies of the Truman administration which have discouraged farmers from increasing their dairy herds have resulted in a decrease in milk production of more than 4,000,000,000 pounds of milk in recent years. I say to my friends that this is one reason why consumers are paying the highest price for milk, and the farmers do not get the benefit of the high price paid by consumers. I wish the gentleman would go along with me on a program to increase the milk-cow population in the country so that we can secure more milk for consumers at reasonable prices. I stress again that within a few years consumers will be paying at least 5 cents more a quart for milk than they are today unless present policies and trends are reversed.

Mr. EBERHARTER. The gentleman will agree that twice as much farm products are exported as are imported. If that market is closed to us, what are we going to do?

Mr. AUGUST H. ANDRESEN. I know that since April 3, 1948, we have shipped out of this country more than $5,000,000,000 worth of farm commodities to various countries in Europe and elsewhere in the world but, who paid for it? The American taxpayer paid for this food, of course, and our Government gave it away.

Mr. EBERHARTER. And the farmer got it; the farmer got the money for his goods, did he not, under the price-support program?

Mr. AUGUST H. ANDRESEN. Certainly, but the American taxpayers paid for it, and I do not believe in that kind of an economy. Let me answer the gentleman further, who appears to be so solicitous of foreign producers. He has made several speeches here and I have read them very carefully. His philosophy is wrong. He should be interested in maintaining a strong economy in this country both as to food and industrial production.

Mr. EBERHARTER. I have been solicitous of the American farmer. I want to preserve the export market for the American farmer, for the American wheat farmer, the American cotton farmer, the American peanut farmer, and the soybean producers and for all of those farmers. But, the market will dry up if we continue this restriction on imports.

Mr. AUGUST H. ANDRESEN. I also want to save the export market for wheat, cotton, tobacco, and peanuts, but I cannot go along on a program to liquidate some 5,000,000 dairy farmers in this country. The gentleman does not know, perhaps, but from 70 to 80 percent of the diet of the American people consists of dairy products and other perish-

able foods. He does not know that 52 percent of the milk produced in the United States goes into manufactured dairy products, like butter, cheese, and other items.

Section 104 of the bill before us gives the Secretary of Agriculture authority to establish import quotas for fats and oils, butter, cheese and other dairy products, peanuts, and rice. Apparently the gentleman from Pennsylvania does not trust the Secretary of Agriculture to properly administer the law. The President is specifically directed to exercise the authority and power conferred by section 104. Surely, the gentleman should have confidence in both the Secretary and the President.

Section 104 as reported by the committee authorizes the Secretary of Agriculture to limit imports of the commodities enumerated in the section to such quantities as would not (a) impair or reduce domestic production of such commodities or products below present production levels, or below such higher levels as the Secretary of Agriculture may deem necessary in view of domestic and international conditions, or (b) interfere with the orderly domestic storing and marketing of such commodity or product, or (c) result in any unnecessary burden or expenditure under any Government price-support program. This section also provides "that the Secretary of Agriculture after establishing import limitations, may permit additional imports of each type and variety of the commodity specified in the section, not to exceed 10 percent of the import limitation with respect to each type and variety which he may deem necessary, taking into consideration the broad effects upon international relationship and trade." This proviso, and in fact, the entire section gives the Secretary of Agriculture the broadest discretionary authority to deal with individual types and varieties of such commodities when fixing import quotas. However, the Secretary must make his findings in accordance with the criteria set forth in section 104.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Maryland.

Mr. DEVEREUX. Will the gentleman explain the source of Roquefort cheese and whether it is in competition with dairy products from the gentleman's State?

Mr. AUGUST H. ANDRESEN. I would like the gentleman to know that I am not thinking in terms of dairy production only for the State which I have the honor to represent. I feel that we should be concerned about dairy production for the entire country, because milk and dairy products are the most important item in our diet.

I am somewhat familiar with the production and sale of Roquefort cheese, which is largely produced in France from sheep's milk. This type of cheese is not in my opinion competitive with cheese produced in the United States as it is sold in retail stores in this country at from 50 cents to 75 cents a pound higher than blue mold cheese, its nearest competitor, which is made from cow's milk.

Mr. DEVEREUX. The gentleman does not consider it competitive?

Mr. AUGUST H. ANDRESEN. No; not at present price differentials.

Mr. DEVEREUX. Would there be any reason why we should not allow all of the French cheese, which is primarily Roquefort cheese, to come into this country so that they can, in turn, build up their resources to purchase some of our American products?

Mr. AUGUST H. ANDRESEN. The amount of dollars that French exporters would receive for the quantity of Roquefort cheese they would ship into the United States would not amount to much. However, should the French adopt a price-cutting policy for Roquefort cheese, the same as was done by certain exporters of blue mold cheese prior to August 9, 1951, unlimited imports of Roquefort could have a serious impact upon the production of blue mold cheese in this country. According to the Department of Agriculture and the Tariff Commission imported blue mold cheese, sold at cutthroat rates which was below the cost of domestic production, took over nearly 50 percent of the American market for this type of cheese.

I would like to call to the attention of the gentleman from Maryland that section 104 specifically allows the Secretary of Agriculture to deal with various types of cheese or other dairy products; if the Secretary finds that domestic production will not be injured he can limit imports on one type of cheese and place no limitation on a different type, like Roquefort in which you are interested.

While I would have preferred the reenactment of section 104 of last year's bill, I am giving my support to the modified section 104 as it appears in the bill now under consideration. We do not administer laws in Congress. We must rely on a responsible agency in the executive branch of the Government to properly administer the laws. The Secretary of Agriculture and the President are charged with the responsibility to administer section 104 for the best interests of American producers and consumers and under a policy that will not cause a burden to the Government under any price-support program. Let me also add that in the case of imported cheese, which appears to have been very controversial during the past 9 months, that the Secretary of Agriculture can establish a smaller import quota for the types or varieties that cause the greatest impact upon domestic production, and a larger over-all quota for other types and varieties of cheese, and he can do the same thing with the other products enumerated in section 104.

Butter, cheese, and the other products set forth in section 104 are all under the Government price-support program for such products produced in this country. Should Congress fail to enact section 104, unlimited imports of these commodities will enter our country after June 30. The Government support program for domestic commodities will then become a support-price program for the entire world and our Government will then buy hundreds of millions of dollars worth of domestically produced butter, cheese, and the other products at the support price to make way for unlimited imports. We spent more than $400,000,000 in the potato program during which time Canadian potato producers found a profitable market in this country for potatoes at a price a few cents below the support price. We do not want another experience of this kind at the expense of American taxpayers.

Mr. DEVEREUX. Then I gather the gentleman has no objection to exempting some of these particular cheeses?

Mr. AUGUST H. ANDRESEN. I do not think that we can do that here as a part of section 104, because I know of many other commodities, including other types of cheese, that some would like to have specifically exempted in the bill. When I appeared before the committee, I expressed myself very clearly that I did not think that Roquefort cheese, at the present time, was competitive. I am sure that the Secretary of Agriculture and his very efficient staff will give careful study to all types of cheese and the limitations that should be placed on imports for each type.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from New York.

Mr. MULTER. Would the gentleman oppose an amendment to section 104 as proposed in the committee bill which would further provide that this section shall not be effective against these imports where there is as much as a 10-percent differential between the retail price of the domestic product and the imported product?

Mr. AUGUST H. ANDRESEN. I would oppose such an amendment and I will tell you why. In the first place, a 10-percent differential is not a wide enough margin. In the second place, every foreign country that desires to ship cheese and other products into the United States can devalue their currency overnight in order to gain a price advantage. Nearly all foreign countries have devalued their currency during the past 3 years. This devaluation has wiped out tariff duties. The Secretary of Agriculture is charged with the responsibility of fixing quotas for imports. I am sure that the gentleman has considerable faith in the Secretary and the President.

Mr. MULTER. Foreign currency devaluation does not change the dollar. I am talking about the dollar.

Mr. AUGUST H. ANDRESEN. Yes, it does. When foreign countries devalue their currencies the purchasing power of the dollar in those countries increases in value to the extent of the depreciation in the foreign currency. The gentleman is an expert in finance, domestic and foreign. He also knows that the American dollar has been depreciated at least 50 percent during the past 10 years.

In conclusion, let me again stress the urgency for promptly approving section 104 of the bill now under consideration. Unlimited imports can only injure domestic production without any benefit to American consumers. Nearly all of the commodities in section 104 are close to the support-price level, and we must not

again permit the Government to become the principal buyer of such domestically produced commodities, nor should we be a party to injuring American production.

Mr. WERDEL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, invariably we all know what the gentleman from New York is going to talk about when he takes time in debate on labor subjects. On each occasion he reiterates the philosophy that a good man is only he who is at least one full stride behind opportunity, unless he is in the organized-labor movement or unless he comes from the gentleman's district. I only wish that the gentleman from California [Mr. SHELLEY] who preceded me might have had sufficient time to fully express himself. He is a man well versed in the problems of organized labor, and he would have stated his opinions frankly.

I direct my remarks to the subject presently before the House. The general subject is the extension of the Defense Production Act with amendments. The amendment presently under consideration deals with the Wage Stabilization Board appointed by the President about 18 months ago. Part of the subject matter involved in the pending amendment is the report of the Education and Labor Committee, of which I am a member, which report was filed in accordance with the Allen resolution heretofore passed by the House.

I remind you that the Allen resolution instructed the Education and Labor Committee to investigate the Wage Stabilization Board and among other things to determine whether the Wage Stabilization Board had violated the policy of this Congress as expressed in certain statutes, including the National Labor Relations Act. It must be admitted that each provision of a law expresses a congressional policy. However, I am concerned in these remarks with the general policy of the National Labor Relations Act.

In passing the National Labor Relations Act, Congress expressed the following general policy:

Labor disputes including wage disagreements should be settled by collective bargaining. If they cannot be so settled, then the parties to the dispute can bring economic pressure to bear on each other. Organized labor can make their economic pressure effective through means of the strike and a peaceful picket line. The general policy also states that the Government will stay out of such picket lines, except to define the rules, maintain law and order in a peaceful picket line, and guarantee personal security to the individuals involved.

I call your attention to the fact that the Congress expressed a different policy when it passed the Defense Production Act. The Congress then said that it was in the interest of our country that we control prices. The Congress also said that to control prices we also had to control wages.

The conflict in policy is apparent. The new policy expressed in the Defense Production Act says that employers and employees could not agree on wage increases, even if they were done without dispute by collective bargaining or accomplished by economic force through use of the strike and the picket line, unless the economic matters eventually agreed upon met with the approval of the price-fixing authorities. It is obvious, therefore, that Congress itself by passage of the Defense Production Act repudiated some of the policy of the National Labor Relations Act.

When the Defense Production Act was originally passed, some of us warned of the difficulties ahead. We pointed out that there would be some issues such as the question of the union shop involved in labor disputes which would not have to receive the approval of price-fixing authorities under the Defense Production Act. However, we warned that agencies set up under the Defense Production Act would naturally tend to expand their authority over all issues in dispute between organized labor and management. We warned that noneconomic issues in dispute would not be settled by collective bargaining because it was reasonable to believe that leaders of organized labor would carry such issues to the new prolabor agencies established under the Defense Production Act. Shortly, after the Wage Stabilization Board was established by Executive order, some of us on the Education and Labor Committee again warned the House that an attempt was being made by the President to avoid the machinery of the National Labor Relations Act to continue production during labor disputes in those industries necessary to the national defense. Some of us, therefore, are not surprised by the difficulties of the hour. We have expected a President who was willing to create Frankensteins on political-bribery programs to offer the man-on-a-white-horse solution to our people that he control his Frankensteins by Executive seizure and enforce law and order by Executive decree and eventual use of the Army.

I have not agreed with the committee's action in every detail. I am convinced that if we are to avoid nationalization of our big industries we must guarantee and safeguard free collective bargaining. While I believe the National Labor Relations Act needs several amendments, I believe it is a step in the right direction because it guarantees rights of employers, unions, individual workingmen, and the public. I believe the President should be impeached for refusal to use those provisions of the law which guarantees a continuation of production in industries determined to be necessary for our national security during labor disputes. I feel that the action of our President and his appointees having jurisdiction in these subjects has demonstrated that they are unfit to exercise the authority necessary for national security, and I believe we may be seriously injured by waiting until next November to get rid of them.

I believe there are two distinct subjects involved in our present discussions. One dealing with the settlement of labor disputes generally, and the other dealing with control of wages in an effort to control prices during an emergency.

When an emergency is declared and wages are frozen, it is apparent that inequities will be frozen into the law and that changing conditions during the emergency will create new inequities. It is for that reason that I believe we must have a Wage Board for the purpose of adjusting inequities during the emergency. I believe the Wage Board regulations could be enforced and the Board should function substantially as follows:

Amendment proposed by Mr. WERDEL:

"(1) The Board, under the supervision and direction of the Economic Stabilization Administration, is authorized to prescribe regulations stabilizing wages, salaries, and other compensation. Such regulations shall include provisions that—

"(A) Specify what industries or subdivisions of industries are so related to the national defense that a strike or lock-out therein, if permitted to occur or continue, would jeopardize the national defense;

"(B) Define the circumstances under which the general rules stabilizing wages, salaries, and other compensation would, in the absence of exceptions therefrom, freeze inequities in wages, salaries, or other compensation;

"(C) Prescribe exceptions to the general rules stabilizing wages, salaries, and other compensation in the circumstances defined pursuant to clause (B), and specify the formula for determining the wages, salaries, and other compensation that may be paid in such cases;

"(D) Define what constitutes inability of an employer to pay an increase in wages, salaries, or other compensation. The Board shall have no jurisdiction with respect to any labor dispute or with respect to any issue involved therein. Labor disputes and labor matters in dispute shall be dealt with, if at all, insofar as the Federal Government is concerned, under the conciliation, mediation, emergency, or other provisions of law heretofore enacted by the Congress or under paragraph (6) of this subsection, and not otherwise.

"(7) In the event of a threatened or actual strike or lock-out involving a dispute over wages, salaries, or other compensation, in an industry or subdivision thereof specified pursuant to paragraph (5) (A), any party in interest, or the Attorney General acting on behalf of the United States, may petition any United States district court having jurisdiction of the parties to enjoin such strike or lock-out or the continuing thereof. If the court finds that such threatened or actual strike or lock-out involves a dispute over wages, salaries, or other compensation, and if the court further finds, in accordance with the regulations prescribed by the Board, that if such strike or lock-out is permitted to occur or to continue, it will jeopardize the national defense, the court shall have jurisdiction to enjoin such strike or lock-out, or the continuing thereof, and to enter such other orders as may be appropriate. Such orders may include, but shall not be limited to——

"(A) an order appointing a trustee for any plant, mine, or facility involved in the strike or lock-out, vesting in such trustee the operation of such plant, mine, or facility for such period as the court may determine, and directing such trustees to put into effect in such plant, mine, or facility such increases in wages, salaries, and other compensation as are permitted by the provisions included in the regulations of the Board pursuant to paragraph (5) (C); but such an order shall be entered only if the employer has the ability to pay such increases (as determined pursuant to provisions included in the regulations of the Board pursuant to paragraph (5) (D), and the employer refuses to pay such increase; and

"(B) in the event the employer does not have the ability to pay an increase permitted under the provisions included in the Board's regulations pursuant to paragraph (5) (B) and (5) (C), but would have such ability if the employer should be granted an increase or increases in applicable price ceilings, an order staying the proceedings pending an appeal by the parties to the President for an increase in the applicable price ceilings.

"The orders of the United States district courts under this paragraph shall be subject to review by the appropriate United States court of appeals in accordance with section 1294 of title 28 of the United States Code and by the Supreme Court in accordance with section 1254 of such title 28. In any case instituted under this paragraph, the provisions of the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' shall not be applicable. The United States district courts shall appoint such masters and trustees as may be necessary to carry out the provisions of this paragraph.

"(3) Paragraphs (5) and (6) of this subsection shall take effect 30 days after the date on which this subsection is enacted. The Wage Stabilization Board created by Executive Order No. 10161, and reconstituted by Executive Order No. 10233, is hereby abolished, effective at the close of the twenty-ninth day following the date on which this subsection is enacted."

Under such procedure, we would call upon established institutions of Government to avoid inequities subject to the scrutiny of the local press and local public opinion. Surely, we must realize by now that we must remove political pressures from any agency of Government established under the Defense Production Act in the interest of our country.

In the few minutes left to me, I want to point out the result of political pressures against the American working men and women.

I direct your attention to pages 26 and 27 of the report of the Committee on Education and Labor in response to the Allen resolution. There you will see graphs depicting the trend of earnings in manufacturing and consumers' prices. Since 1939, the Consumers' Index has gone up 90 percent and the average hourly earnings have gone up about 180 percent in the manufacturing industries. These are the wages of big labor. These are the areas of industry-wide bargaining, established by political bribery in the middle of the last war and grown to embrace about 20 industries today. These are the industries that make autos, ice boxes, washing machines, shoes, clothing, and many other necessaries of the workingman's family.

Before the political Wage Stabilization Board recently recommended another wage increase for the steel industry, the average hourly wage in the steel industry was $2 an hour. The recommended increase would take it well over $2.25 an hour. On a 40-hour week, a steel worker would thus earn $4,680 a year. We have in America about 65,000,000 people employed as workingmen. If all of them made $2.25 an hour, the total income in America for wages alone would be $304,000,000,000. This would be $30,000,000,000 more than the total national income for the calendar year 1951. There would be nothing allowed for foreign profits, for sinking funds, for depreciation, for profits, for dividends, for depletion, for the incomes of retired aged, or for new private capital to make the investments necessary to give employment to our people coming out of school.

Think about it. When someone talks to you about big labor, or talks before a committee of this House on behalf of labor, remember the recent past. Remember that about 2 years ago, this same administration that is now going into another political campaign in these industrial areas was here in this House telling us that there were 12,000,000 men in interstate commerce alone that made less than 75 cents an hour. Think about it. That is $6 for an 8-hour day. That is the same administration that froze those $6 salaries by Executive decree and which now tells all the other 65,000,000 Americans that they cannot get more wages unless they join some union, unless their employer is willing to give them a raise and petitions a Wage Stabilization Board that cannot possibly hear the petitions of several hundred thousand employers in America.

Take out your pencil for a moment and follow me with these figures. Assume that a Ford car cost $1,800 at the factory. We are advised that 60 percent of that automobile is labor cost. That would mean the labor cost is over $1,000 per Ford car. At $2.25 an hour, the employees of Ford make three times as much as 12,000,000 people in interstate commerce alone who want to buy that car. It is the poor man's car. That means, in a Ford automobile there is over $700 in wage differential. It means that $40 out of every hundred dollars spent for manufactured goods by American consumers—90 percent of whom are other workingmen—represents wage differential.

If you will look at the graph, you will note that in 1945 manufacturing wages and prices began to fall. That was to be expected in a Nation with a free economy which had stimulated its industrial areas by tax spending and bond spending during a war emergency. However, we did not have the statesmen that were on our horizon after the First World War, nor did we have the press that wrote editorials about postwar adjustment of our free economy. Gentlemen, instead of that, we have had a government taking instruction from industrial labor leaders, big labor, labor that bargains across our industries and places those costs in the price of durable goods. Our statesmen have taxed our people to take credits to Europe to support those United States industries. Our statesmen find excuses for undeclared wars which support those industries. Our statesmen are supported by a controlled labor press from those industries. Last year the Ford Motor Co. collected over $500 per car in taxes in addition to the $700 in wage differentials.

Mr. Chairman, I ask you to look at the facts before you create any more political boards. You still have an $800 Ford if you take the New Deal politics out.

Mr. GAMBLE. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. HARRISON].

Mr. HARRISON of Nebraska. Mr. Chairman, I asked for this time today so that I might bring before the House of Representatives an opinion that is being expressed by the merchants, the farmers, the bakers, and the butchers in my district of Nebraska. I feel certain that my district is no different than the other districts which are represented here.

Too, I feel that the people of the district of Nebraska that I represent are just as loyal and have the self-same feelings about an adequate defense and are willing to make sacrifices in the interests of freedom as is any other people of the country. In 1951 when the OPS regulations were put into effect, with some skepticism as to its value, the people in every line of endeavor went to work in a spirit of cooperation for a world-wide cause. Now the time is close at hand when it is either necessary to extend or discontinue the Office of Price Stabilization and I wish to state here that these people that I represent are united in their opinion that the office should be discontinued.

To give some of the reasons for their opinion, I would like to state that one of the big industries that I represent is the cattle and hog industry, which includes the feeding and slaughtering and distribution of beef and pork. The farmers in my district have, like the farmers in every other district of the United States, come through with flying colors whenever the Government asked for greater production. The farmer thinks that every type of industry is well entitled to a just profit for its services or its merchandise but does not feel that the meat producing and distributing industry should be discriminated against.

Prices paid farmers for meat animals last year under OPS have been lower, which means the producer's income has been reduced. In contrast, the average retail price of meats of 1951 under OPS was 6.3 cents per pound more than in 1950.

On April 15, 1952, producers were receiving 7.9 cents a pound less for their lambs than a year earlier, 2.5 cents a pound less for beef cattle, and 4.2 cents a pound less for their hogs.

Compare these sizable reductions in prices paid to farmers to the substantially higher retail meat prices paid by consumers. During 1951, under OPS, the average retail price of beef was 12.2 cents per pound higher and for pork the price was 6 cents higher. These figures are conclusive proof of the fact that OPS is directly responsible for higher consumer prices and lower livestock prices—United States Department of Agriculture economics, May 8, 1952.

Experience has demonstrated that price controls: One, distort meat distribution; two, discourage meat production; three, cannot be enforced.

PRICE CEILINGS FORCE ESTABLISHED PACKERS OUT OF THE CATTLE MARKET

Shortly after the imposition of price controls in early 1951, it became increasingly apparent that meat was being diverted away from regular commercial channels. This was especially noticeable in the case of beef. And with the imposition of the dollars and cents ceilings

for cattle and beef at midyear, the situation became even worse.

For example, a serious dislocation of cattle slaughtering operations developed in early June, coincident with the effective date of compliance prices for live cattle. During 1950, cattle slaughter by 99 plants of established firms had consistently represented approximately 60 percent of the weekly total slaughter under Federal inspection. This percentage dropped moderately in March, April, and May, then plunged to only 44 percent in June. Although this situation has improved, it is far from being fully corrected.

As a group these 99 plants were forced to reduce their cattle slaughter in the 5 months June through October by 33 percent from a year earlier; while the balance of the federally inspected industry showed a 12-percent gain compared with the previous year.

PRICE CONTROLS DISTORT THE NORMAL PATTERN OF CATTLE SLAUGHTER

The diversion of cattle away from normal channels is further illustrated for the entire year of 1951. Commercial cattle slaughter in the United States totaled about 16,400,000 head, 1,500,000, or 8 percent, less than in 1950. However, this reduction was not equally distributed throughout the country. Slaughter in the Corn Belt—which normally represents 55 to 60 percent of the total—was down 15 percent, while on the east and west coasts it was up 4 and 5 percent, respectively.

During the period of greatest diversion—June to October—the reduction in the Corn Belt amounted to 24 percent, while the east- and west-coast States registered gains of 8 and 9 percent over a year earlier.

Illustrative of the uneconomical results of this diversion in cattle slaughter is the experience of the Army in procuring beef during this period. It is reported that the Chicago market center found it necessary to purchase practically its entire beef requirements from west-coast plants. Some of this beef was moved all the way across the country to eastern points despite the fact that it was from some cattle which had been purchased at Corn Belt markets. It is worth noting also that this uneconomical shift in cattle slaughter was not entirely a matter of price violations on the part of some packers. The price regulations, even when observed, were such as to favor the shipping of live cattle from major producing areas to other points for slaughter. Although the regulations have been amended several times, this is illustrative of the inability of man-made regulations to replace the economic laws which govern this industry.

CUT IN HOG PRODUCTION BEGAN LAST MAY

According to USDA pig-crop report of last December, the number of pigs raised during the 1951 fall season was 2 percent larger than that of 1950. However, the estimates of sows farrowing by months show that a downward trend in hog production actually began early last summer.

This was at the same time that cattle feeders were greatly disturbed by the OPS action with respect to cattle and beef prices. The deterioration in the corn crop and the decline in hog-corn-price ratio—which has undoubtedly affected breeding for the 1952 spring crop—did not occur until later in the year. Furthermore, the April and July stocks of corn and other feed grains, although less than a year earlier, were still relatively large.

Substantial increases in June, July, and August farrowings turned into minus figures in September, October, and November. Since the breeding season for hogs precedes times of farrowing by slightly less than 4 months, the decisions to reduce 1951 fall farrowings actually were made during the months of May, June, and July.

Since cattle feeding is closely associated with hog production, particularly in the Corn Belt, it is easy to understand how hog producers may have become alarmed by the attitude taken by the OPS toward cattle prices last summer. They may also have remembered the action taken by the OPS last January when pork prices were frozen at levels below the equivalent parity prices for hogs.

CEILINGS AND ROLL-BACKS DID THIS TO CATTLE IN NEBRASKA, IOWA, AND ILLINOIS

In 1951, due to uncertainty and alarm over the prospect of the roll-back of meat prices, the number of cattle on feed in the States of Nebraska, Iowa, and Illinois fell 9 percent from April to July, thus putting a great number of unfinished cattle on the market. Too, the number of replacements that were being put back in the feed lots was reduced by 19 percent.

With the elimination of the threat of further price roll-backs on July 31, cattle feeders have attempted to replenish their feed lots during the past fall. In the meantime, however, substantial harm had been done to the meat industry.

A SAFE WAY TO EVADE OPS REGULATIONS

While some effort apparently was made by the OPS to crack down on price violators during the early fall of last year, the above situation did not improve until cattle marketings increased seasonally later in the year. The OPS reported that 1,849 violations of meat price orders were uncovered in its enforcement drive which was carried on last September. However, only 89 of these cases have warranted injunctions and just 2 have warranted criminal charges. Thus, because of the ease with which regulations can be evaded, it is doubtful if these efforts were any more than nominally successful.

HERE IS WHY MEAT PRICE CONTROLS CANNOT BE ENFORCED

While most people are honest and obey the law, the number of the meat transactions which take place—and the potential violations—are so great that it is physically impossible for the Government to recruit and train an enforcement staff capable of policing price regulations in this field. According to the careful estimates shown, retail transactions alone total nearly 18,000,000,000 in a single year. In addition, there are annually nearly 450,000,000 individual sales of livestock and meat at wholesale.

If only 5 percent of these transactions were in violation of price regulations, it can be seen that the number of evasions would total close to the 1,000,000,000 mark. The 1,849 cases of evasion uncovered by the OPS last fall, after an intensive enforcement campaign, illustrates the impossibility of actually enforcing these regulations.

In conclusion, what is true of the meat industry is true of many other commodities which are necessary to the every day diet. However, there is no substitute for meat in the American diet and, too, there is no substitute for the kind and quality of meat that comes from the Corn Belt country. Potatoes were driven off the market and into the black market by an OPS regulation and finally when the regulation was released, the potatoes came back to the American table. Let us not discourage production when we most need it. Let us not invite black markets and unfair dealings which penalize the honest merchant.

Farmers are in a position to produce an abundant supply of meat and other food products if the industry is released from the shackles of OPS—you cannot expect abundant production unless the business is profitable. What I have said of the meat industry is also germane to the whole scheme of merchandising. Businessmen cannot in their various lines adhere to the many and varied OPS regulations without a very material additional cost in their operation. In addition to their operational costs, they are being taxed to keep the huge army of Government employees that are necessary to operate the functions of Office of Price Stabilization. With every commodity which is essential to the necessities of life, including meat and potatoes, I should like to urge the Members of the House of Representatives to follow the wishes of the people of the Third District of Nebraska and vote to discontinue the OPS as of June 30, 1952.

Mr. GAMBLE. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Chairman, during this time allotted to me in general debate on the Defense Production Act Amendments of 1952—more specifically H. R. 8210—I desire to stress the phrase "entitlements for consumption."

The phrase "entitlement for consumption" is a new contrivance, an innovation, a new idea of expression, which appears on no page of the 12-page bill before us; yet it is a phrase which the International Materials Conference constantly employs and uses to justify its allocations of scarce and vital materials, and its meaning, its significance—yes; its impact and effect upon this Defense Production Act is direct and, in my opinion, devastating.

The present law, and this extension of the law, gives life, vigor, and implementation to this word vehicle, carrying out the theme song of the IMC, or International Materials Conference, which was organized and is operating without statutory authority.

The IMC has latched on, so to say, to the Defense Production Act and, ad-

mittedly, as I shall try to indicate by statements of administrators of the Defense Act and others, could not have effect or implementation without this act; was started under the aegis of our State Department; is not intended merely as a temporary emergency super cartel, but is intended to continue to operate after the need for a Defense Act has expired, and is presently short-changing our industries and workmen and ruining our stockpile.

My interest in the IMC was first aroused by the statements made by Senator FERGUSON, of Michigan, who has done an outstanding pioneering and investigating job in behalf of all of the people of the United States in bringing out into the open the existence, functions, and operations of the IMC.

Subsequently, on May 10, 1952, when some 70 Republican Members of the House of Representatives met at the call of our distinguished minority leader, Mr. MARTIN of Massachusetts, to discuss the International Materials Conference and the unemployment and hardship the conference has brought about, I was designated as chairman of a committee of eight of my Republican colleagues to take a further look into the situation since unemployment in my State of Connecticut has resulted because of material shortages which, in turn, were largely traceable to the actions of the IMC.

My committee examined the electrical manufacturing industry where copper and its alloys are essential materials. Following a month of study of the IMC and its many ramifications, my committee reached certain conclusions and the most obvious one was that the IMC had no franchise or statutory right to operate at all.

For background, the story of the International Materials Conference goes back to December 1950, when Clement Attlee, then Socialist Prime Minister of Great Britain, came to Washington to visit President Truman and request a larger share of the world's key commodities. Messrs. Truman and Attlee agreed to form an intergovernmental organization specifically designed to handle the problem of raw materials. The French Government was then consulted, and on January 12, 1951, the United States State Department issued a release announcing the formation of what was to become the International Materials Conference.

The purpose of the new organization, according to the release, was to bring about cooperation among the free countries of the world to increase the production and availability of materials in short supply and to assure their most effective use. Thus, the IMC's birth was accompanied by a flow of vague, high-sounding words that gave little hint of the damage the organization would eventually cause in the electrical and many other important industries.

IMC headquarters were established in Washington and remain here. There are ome 28 participating countries each with one representative plus alternates and advisers on the various commodity committees. So far, seven committees have been formed. They are: Copper, zinc, and lead; sulfur; tungsten and molybdenum; manganese, nickel, and cobalt; cotton and cotton linters; wool; pulp and paper. Memberships in each committee are limited to those countries which have a substantial production or consuming interest in the commodities concerned. However, it is important to note that the allocations drawn up by IMC apply to nonmember countries just as to member countries. As Mr. Getzin, of the Non-Ferrous Branch, Office of Materials Policy, United States State Department, bluntly stated, the seven committees "are virtually autonomous bodies free to consider any aspect of the problem of world shortages in the commodities concerned." This is a frank statement that the IMC committees have, in their own opinion at least, unlimited power over the raw materials of the entire free world. Thus, a super world cartel has been established.

IMC committees have placed seven basic materials under allocation—sulfur, tungsten, and molybdenum beginning in the third quarter of 1951, and copper, zinc, nickel, and cobalt beginning in the fourth quarter of 1951. New allocations have been ordered for succeeding periods.

A principal effect of IMC has been to divide up the resources—and the jobs—of the American people and to lower their standard of living.

This is shown clearly in the case of copper. An IMC news release of December 20, 1951, announced that the United States allotment of copper in the first quarter of 1952 would be 366,000 metric tons, or 403,000 short tons. It turns out that this is also the approximate amount of primary copper that the National Production Authority authorized for United States usage in the first quarter of 1952. So it is apparent that United States consumption of copper—and this means jobs in factories throughout the United States—is being controlled by this super cartel called the International Materials Conference.

The IMC release announcing the copper allocations spoke of an "entitlement for consumption" that determines whether thousands of working men in Connecticut, Massachusetts, New York, Pennsylvania, Maryland, Ohio, Indiana, Michigan, and other metal-fabricating States will have jobs or will go on the dole.

The Price Control Act is being used as an instrument for the world-wide control of critical materials.

I object on principle. If those in charge of these matters want to do it, let them come to Congress and get full statutory authority. Both the Foreign Affairs Committee, which deals with intergovernmental affairs, and Armed Services Committee, because of the strategic materials involved, can hold proper and full hearings and decide whether IMC is so vital and necessary. Our State Department has gone along without consulting anyone—set up IMC, and for these many months since December 1950, has been operating illegally. I am convinced Senator FERGUSON smoked out and revealed the activities to the American public of IMC. With my investigation, we have helped throw more light on IMC. This report is found on page A3622 of the Appendix of the CONGRESSIONAL RECORD of June 11. Ceilings were eased on goods made of foreign copper on May 21 when action on Ferguson amendment was imminent before Senate Banking and Currency Committee.

Here only on June 17 they have made more concessions because they thought the Sadlak amendment was going to be attached to the bill emanating from the House Committee on Banking and Currency. In a release from the Defense Production Administration dated June 17 there appears this statement:

> Defense Production Administrator Henry H. Fowler today announced increased allotments of copper and copper base alloys totaling an estimated 16,000 tons monthly so as to make possible foreign purchases up to the limit of International Materials Conference entitlements.

When they find that we are going to take some action on the International Materials Conference they go out and make some concession, get the material that supposedly was unavailable so that they can protect and prolong IMC.

The additional concessions that have been made by NDPA are directly attributable to Senator FERGUSON'S activity and now my vigorous efforts to get the same amendment into the bill by a personal appearance before the House Banking and Currency Committee on May 28.

As our American employees learn more about this illegal restraint on our economy, Congress will hear from them, as did the Connecticut delegation recently. Unemployed workers, out of jobs because there was no copper, appealed to us for some measure of relief. These pressures have been relieved for the time being through sacrificing our stockpile. This contention is confirmed by the last line of the DPA release of June 17 I mentioned a few moments ago, and I quote:

> I wish to emphasize that, unfortunately, even with the anticipated increase in imports, both stockpiling and civilian use will still be at a low level.

Mr. Chairman, on page 7024 of the CONGRESSIONAL RECORD for June 11, 1952, Senator SALTONSTALL pointed out that the International Materials Conference has no legal standing, and I quote at this time from the statements made by the Senator to emphasize the unauthorized existence of the IMC:

> Assuming the correctness of everything the Senator from Arkansas says about the allocation and the acquisition of scarce commodities, and so on, the amendment proposes that the Senate give its consent to the appointment by the President of representatives to a group, which I understand is an informal group, not authorized in any way by law, or set up under any treaty we have ratified. I say this as a member of the Appropriations Committee because, in checking up on how the money was appropriated to this activity, I find there is no way by which money can be appropriated, except by using the emergency fund. In other words, for the first time, I believe, although I do not know positively, the consent and advice of the Senate is being asked to authorize the appointment of representatives to an organization which does not exist legally.
>
> It seems to me, even though I may agree with what the Senator has said with respect to other aspects of the subject, that to vote to put the Senate in such a position would be highly questionable, because it would appear to me to be stretching the Constitution, or stretching the law, if the question is not a

constitutional one. That is emphasized by the fact that the State Department cannot ask for a direct appropriation for the body which has been referred to, because it does not legally exist.

Mr. Chairman, I want to say this in conclusion. Much concern has been expressed with the Ferguson and Fulbright amendments, now part of the Senate bill. As mentioned previously, I had submitted an identical amendment to that of Senator FERGUSON. It was not included in H. R. 8210 when it was reported. My amendment, or the amendments, that I would present for addition to this bill must come from the floor.

On tomorrow, therefore, when we reach this bill under the 5-minute rule and I can gain recognition, it is my intention to introduce an amendment, or amendments, on which I have been working in an endeavor to reconcile the apparent conflict between the two pertinent Senate amendments.

In no way do I tamper with the CMP, or controlled materials plan—the allocations and priorities are not affected—but I aim directly at the source of our difficulty, "entitlements for consumption"—in other words the IMC.

I hope I can have the support of the committee with my amendment.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SADLAK. I yield.

Mr. CRAWFORD. I certainly shall be delighted to support the amendment. May I ask the gentleman this practical question. I think you said something about these people assuming that they have this power. As a matter of fact, do they not have the power? I am not talking about legal power, but do they not have the power and are they not carrying it through and making orders stick?

Mr. SADLAK. Is the gentleman referring to the international materials conference?

Mr. CRAWFORD. That is right.

Mr. SADLAK. Yes; they are. As I said, they have no statutory authority, but they are implementing what they are doing through the Defense Production Act.

Mr. CRAWFORD. Yes; and they are getting away with it.

Mr. SADLAK. Yes. I accept the gentleman's offer to help put an end to the International Materials Conference.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I am going to confine myself now to price and wage controls and not deal with labor-management questions which we hear are going to be brought in tomorrow. As I sat here listening to most of this debate, I have had to pinch myself to realize that this is the same group that has voted almost unanimously about $50,000,000,000 so far this year for defense and where we hear almost every day in speeches that we are in the grimmest life and death struggle against communism man has ever known. Some seem to forget all about that when trying to get everything that they can get for some particular local or sectional interest in discussing this question of the internal economy of our country.

I agree with Bernard Baruch. I do not think we can run this whole effort to defend against the deadly Communist danger adequately unless we are willing to subordinate our own local interests and maintain the machinery for price and wage control without special exemptions and preferences, which will effectively deal with the exigencies of the country's economy under defense mobilization.

I think the committee has gone back a very much longer way than it should, if we are going to observe that principle. I rather have the idea and with great respect and deference to every member of the committee whom I know and respect, that perhaps they have been a little bit too intimidated about what X, Y, and Z was going to do to their bill when they got on the floor. I would rather feel that the majority of the committee should have brought out a bill keeping intact the machinery for price and wage stabilization and then let X, Y, and Z come up against the buzz saw of a national emergency which we all talk so much about.

Mr. Chairman, for example, all machinery to deal with credit controls are eliminated from this bill, and yet credit control is constantly referred to as one of the important classic tools with which to control inflation by the objectors to wage and price control. Yet, that is all taken out of this bill. Why?

Mr. Chairman, a great many people come here and talk about the consumers, yet they are proposing to write things into this bill which would make the consumers' prices higher in respect of food prices. In this bill there is an even tighter provision than we ever had before tending to make food prices higher, because the 90 percent of parity for the six leading farm commodities is made inflexible, and there is no provision for a flexible parity of 75 percent to 90 percent, as contemplated in the 1949 Agricultural Act. That is very plain for everybody to see.

Now the proof of what is happening is found in this very splendid, little document called Economic Indicators, June 1952, prepared by the Joint Committee on the Economic Report and the Council of Economic Advisers, which gives the indices and shows the price of food is climbing again, and climbing right back to within reach of the highest levels reached from November 15, 1951, to January 15, 1952, and what we are told about food prices going down just is not so. They are going right back to previous highs.

This is catching up with the farmers too. Because the farmer now under the parity index is paying a good deal more than he did before for what he is buying. So he is getting pretty worried because the spread, even under his preferential position in price control, is narrowing very much. Let us not wonder now that we have everybody coming for a special deal out of the price bag because we are doing it ourselves writing in these special exceptions on cheese, fats and oils, the Herlong amendment and the Capehart amendments and new ones now being proposed.

Plentiful supply in one product or another or the propriety of decontrol of particular items are not the issue. What is the issue is that complete and adequate machinery to deal with the inflationary situation which exists and which we know will increase, not diminish, with added defense expenditures which are a practical certainty, is the urgent need. Under the circumstances, we dare not weaken or discard this machinery while the emergency remains so serious.

No, Mr. Chairman, I think the committee has gone back a lot further than it should have gone back, in view of the emergency that we are all trying to deal with by this whole program. I think if this bill passes with the amendments which are being talked about, it will be the consumer who will be taking it on the chin.

Mr. WOLCOTT. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I am delighted to follow the gentleman from New York [Mr. JAVITS] to tell the Members of the House that the witnesses who appeared before our committee at the recent hearings testified as to the plentitude of supplies of all items within the United States economy today. The bins of production are overflowing, and there is ample evidence to support decontrol all the way through. I think the recent potato fiasco is the most perfect example of what happens when you place price controls and discourage production. The prophets of doom said that if we removed controls the price of potatoes would skyrocket; supplies would not come into the market. After ceilings were removed the price went up for a couple of days and today it is back to normal with a full supply in the stores. It has been proven they were completely false in their predictions.

I would like to call attention to testimony in connection with rent control that was produced before our committee. Mr. DuLaurance, of Cleveland, Ohio, testified that 80 percent of all rental property is owned by people who have five units or less and have a gross annual income of under $5,000. That is a far cry from the picture of the landlord, as built up over a period of years in the cartoons in the papers, and by those who are always crying out that the tenant is being imposed upon.

His testimony showed also that what happens in rent control can be seen in the case of 25 large American cities which lost population between 1940 and 1950. Each of those cities had a vacancy ratio in 1940. Each of those cities had a net increase in dwelling units. Each of those cities lost population between 1940 and 1950. Yet 23 of those 25 cities are still under rent control.

In 231 of our larger cities, 90 are now decontrolled. The decontrolled cities had an increase in population between 1940 and 1950 of 31 percent. One hundred and twenty-eight cities still under rent control increased in population an average of only 9½ percent,

again showing the stifling effects of Government control.

When rent control went into effect, 3,000,000 dwelling units were withdrawn. This shortage was furthered and the housing problem heightened. This administration was reluctant in 1950 to impose controls when power had been provided by Congress, and when it saw inflation taking its toll. They are now reluctant to remove controls when all the evidence is there supporting such action.

After extensive hearings by our committee we have made numerous recommendations which seek to eliminate the objectionable features in the operation of the act. If the amendments by the committee are finally written into the bill, at least some consideration will be given to the problems unjustly imposed on and besetting millions of our people.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. GAMBLE. Mr. Chairman, I am glad to announce that we yield back the balance of our time.

Mr. SPENCE. Mr. Chairman, I ask that the Clerk read the first section.

The Clerk read down to and including line 4 on page 1.

Mr. SPENCE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended, had come to no resolution thereon.

DR. EDWARD U. CONDON

Mr. VAIL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VAIL. Mr. Speaker, under date of February 13, 1952, I received a communication from Dr. Edward U. Condon, former Director of the National Bureau of Standards, requesting me to furnish him with a complete record of all references made to him by me on the floor of the House in support of a finding of the Committee on Un-American Activities during the Eightieth Congress to the effect that he was "the weakest link in our atomic-security chain." The requested record was promptly supplied.

Subsequently, on March 24, 1952, the gentleman from New York [Mr. COLE], inserted in the CONGRESSIONAL RECORD a statement by Dr. Condon which set forth a general denial of my carefully documented references. The gentleman from New York graciously asked my consent to insertion, which was promptly given. However, the gentleman did not offer to permit me to read the Condon statement before insertion and I made no request for the privilege, hence his sponsorship in the RECORD of a communication containing a passage extolling the virtues of the notorious espionage agent, Nathan Gregory Silvermaster, came to my notice as a distinct shock.

Further, he indicated in his own remarks prefacing the Condon statement that Condon had never been given an opportunity to appear before the committee to defend himself against its findings. To that misstatement of fact I must take exception, the record being clear that the gentleman from Georgia [Mr. WOOD], chairman of the Committee on Un-American Activities, announced on February 15, 1949, through the press that the committee would hear Condon, if he so desired. That Condon was aware of the invitation and his unwilling attitude with regard thereto was established by indisputable evidence that will be introduced at the proper time and the described attitude is more recently further established beyond the shadow of doubt by his refusal of an invitation directed to him through the mail under date of June 10, 1952 by Chairman WOOD, to appear before the Committee on Un-American Activities on June 19.

I shall not attempt at this time to deal with the detail of the lengthy Condon statement. My references to him are a matter of record, and his fantastic and utterly senseless denials are now also contained in the RECORD. The full truth shall be made known in the course of contemplated early hearings on the Condon matter before the Committee on Un-American Activities.

However, in the interim, to shed some light on the erratic functioning of the Condon mind, let me again refer to his amazing expression of confidence, in the course of his statement, in the loyalty of the well-known espionage agent, Nathan Gregory Silvermaster, as follows:

> When I came to Washington I met Mr. N. G. Silvermaster, who was employed by the War Assets Administration. He sought technical help from the staff of the Bureau in evaluating technical surplus materials which he had to sell for the Government. Growing out of this contact I met him socially several times. Nothing whatever in my association with him gave me the slightest reason to believe and, therefore, I do not believe that he is other than a loyal American who was trying to do a conscientious job for the Government.

The accuracy of the committee finding of security risk is attested by the naïveté of Condon in his reference to Silvermaster, whose activities have been widely publicized and of whom the report in the files of the Committee on Un-American Activities had this to say:

Testimony under oath of Elizabeth T. Bentley in hearing before the House Committee on Un-American Activities July 31, 1948, Representative THOMAS presiding:

> Mr. STRIPLING. Miss Bentley, were you ever a member of the Communist Party of the United States?
>
> Miss BENTLEY. Yes, I was.
>
> • • • • •
>
> Mr. STRIPLING. Would you tell the committee how this espionage organization operated and your participation in it?
>
> Miss BENTLEY. It started with actual Government employees in about July 1941, when Jacob Golos told me he had received from Earl Browder the name of a man working for the United States Government who was interested in helping in getting information to Russia and who could organize a group of other Government employees to help in this work.
>
> Mr. STRIPLING. Did he tell you the name of the individual?
>
> Miss BENTLEY. Yes.
>
> Mr. STRIPLING. Who was the individual?
>
> Miss BENTLEY. N. Gregory Silvermaster. His first name was Nathan.
>
> Mr. RANKIN. As I understand from your testimony, this man was on the Federal payroll, was employed by the War Assets Administration, and was a member of the Communist Party and an agent of the Communist International; is that correct?
>
> Miss BENTLEY. He was during the time I knew him; yes.
>
> Mr. STRIPLING. Miss Bentley, did you collect Communist Party dues for Mr. Adler and turn them over to Mr. Silvermaster? Do you recall doing that?
>
> Miss BENTLEY. Mr. Silvermaster gave me the dues for his complete group, and I take it for granted those included Mr. Adler.
>
> Mr. STRIPLING. What type of information did Mr. Silvermaster turn over to you and which you transferred to Mr. Golos?
>
> Miss BENTLEY. Military information, particularly from the Air Corps, on production of airplanes, their destinations to various theaters of war and to various countries, new types of planes put out, information as to when D-day would be, all sorts of military information.
>
> Mr. STRIPLING. How would you transmit this information—yourself acting as courier for the group?
>
> Miss BENTLEY. That depended. In the very early days they either typed it out or brought me documents. Later on they began photographing it.
>
> Mr. STRIPLING. Where was this photographing carried out?
>
> Miss BENTLEY. In the basement of the Silvermaster house.

Testimony under oath of Nathan Gregory Silvermaster in hearing before the Subcommittee on National Security of the Committee on Un-American Activities, May 25, 1944, Representative RICHARD B. VAIL presiding:

> Mr. RUSSELL. Mr. Silvermaster, will you state your full name?
>
> Mr. SILVERMASTER. My name is Nathan Gregory Silvermaster.
>
> Mr. RUSSELL. When and where were you born?
>
> Mr. SILVERMASTER. Odessa, Russia, November 27, 1898.
>
> Mr. STRIPLING. Are you acquainted with Sam Dorsey, also known as Sam Dardek?
>
> Mr. SILVERMASTER. I refuse to answer on the grounds that it might tend to be self-incriminating.
>
> Mr. STRIPLING. Are you a member of the Communist Party?
>
> Mr. SILVERMASTER. I refuse to answer this question on the same grounds.

Testimony of Nathan Gregory Silvermaster in hearing before Committee on Un-American Activities August 4, 1948:

> Mr. STRIPLING. Do you know Elizabeth T. Bentley, who is standing?
>
> Mr. SILVERMASTER. I refuse to answer the question on the grounds that any answer I may give may be self-incriminating.
>
> Mr. STRIPLING. Did you ever furnish any documents from Government files to Elizabeth T. Bentley?
>
> Mr. SILVERMASTER. I refuse to answer this question on the ground that any answer I

may give to the question may be self-incriminating.

Mr. STRIPLING. Did you have photographic equipment in the basement of your home in Washington, D. C., for the purpose of photographing Government documents?

Mr. SILVERMASTER. I refuse to answer the question on the ground that any answer I may give may be self-incriminating.

A report dated July 9, 1942, submitted by Charles N. Keating, assistant investigator, Civil Service Commission, states, in part:

It is possible that some of the testimony in this case is unreliable, but granting such, the overwhelming amount of testimony from the many and varied witnesses and sources, indicated beyond a reasonable doubt that Nathan Gregory Silvermaster is now and has for years, been a member and leader in the Communist Party and very probably a secret agent of the OGPU.

A report by Mr. R. E. Greenfield, rating and reviewing analyst, Civil Service Commission, dated July 16, 1942, states:

He—

Silvermaster—

is listed in the files of the Seattle Police Department as follows: Gregory N. Silvermaster, alias Gregory Masters, alias Nathan Masters, is a national committeeman-at-large of the Communist Party, United States of America. Silvermaster was former Agitation-Propagandist of the Fillmore Sub-Section in the San Francisco, California, Thirteenth District Communist Party.

The above references to testimony and reports by no means represent the full information in the files of the Committee on Un-American Activities but should be sufficient to establish verification of my own assertions and the sheer idiocy of the defense offered by Dr. Edward U. Condon of the loyalty of Nathan Gregory Silvermaster.

Further, Condon points out in his presentation that the Rockefeller Foundation granted $25,000 for two successive years to the American Soviet Science Society, an affiliate of the Council of American-Soviet Friendship, a Communist-front organization, for which he was a solicitor of memberships among scientists in the Bureau of Standards, in denying my statement that requested gifts from the Institute had been refused. He states:

The American-Soviet Science Society was established with a view to making it easier for Americans to learn more about science in Russia, especially in view of language difficulties, and only in regard to the freely and openly published areas of scientific research. The Society was given a grant of $25,000 for two successive years by the Rockefeller Foundation, even after it came under the unscrupulous attack of people like Witness J. It undertook to do a job by open and above-board methods on which the Government now spends a great deal more to try to do by covert methods.

Prior to making my address to the House on April 23, 1951, citing the record of Dr. Condon, I wrote both the Rockefeller Institute and the Treasury Department to ascertain the truth of the contention that the American-Soviet Science Society had received a contribution of $25,000 from the institute. Their answers follow:

UNITED STATES
TREASURY DEPARTMENT,
OFFICER OF COMMISSIONER
OF INTERNAL REVENUE,
Washington, D. C., March 23, 1951.

MY DEAR MR. VAIL: Reference is made to your letter of March 7, 1951, requesting information regarding the claim to exemption from Federal income tax filed by the American Soviet Science Society and the American Soviet Friendship Society and the rulings of this Bureau issued with respect to the income tax status of such organizations.

The records of this office do not disclose that a claim to exemption has been filed under the name of American Soviet Friendship Society. A claim to exemption from the National Council of American-Soviet Friendship, Inc., 232 Madison Avenue, New York 16, New York, dated June 17, 1943, was received in this Bureau. The organization was held in Bureau ruling of July 13, 1943, on the basis of the information presented, to be exempt from Federal income tax under section 101 (6) of the Internal Revenue Code as an organization organized and operated for exclusively educational purposes. The organization appeared to be the outgrowth of the Congress of American-Soviet Friendship. On August 21, 1943, the organization was advised that the ruling of July 13, 1943, was not applicable to its affiliates or branches.

The National Council of American-Soviet Friendship, Inc., was held not to be exempt from Federal income tax in Bureau letter of February 3, 1948, inasmuch as information then available showed its activities had not been confined to educational purposes within the meaning and intendment of that term as used in sections 101 (6) and 23 (o) and (q) of the Internal Revenue Code. The ruling of July 13, 1943, was revoked. In a letter of February 18, 1948, the organization was further advised that the ruling of February 3, 1948, was applicable to all its local or subordinate branches, committees, councils, or organizations.

The claim to exemption from the American-Soviet Science Society, Inc., was dated January 27, 1947. This organization claimed to have severed its connections with the National Council of American-Soviet Friendship, Inc., but never furnished proof of substantial operations actually conducted after the severance of such relationship. It appeared that the organization was inactive and had been inactive for 3 years and it was advised in a letter of September 28, 1950, that it was not exempt from Federal income tax under section 101 (6) of the Internal Revenue Code inasmuch as it had not established that it was both organized and operated exclusively for any one or more of the purposes specified therein.

If further correspondence relative to this matter is necessary, please refer to IT: P: ER-FV.

Very truly yours,
GEO. J. SCHOENEMAN,
Commissioner.

THE ROCKEFELLER FOUNDATION,
New York, March 2, 1951.

DEAR REPRESENTATIVE VAIL: In response to your inquiry of February 26 addressed to President Barnard, I am glad to give you the following information:

In June 1946 the Rockefeller Foundation appropriated $25,000 in support of the general scientific activities of the American Soviet Science Society. The pledge is reported in the Foundation's annual report for 1946, on page 169. A copy of this report is being sent to you under separate cover.

When this grant was made, the assumption was that the society would secure its tax-exemption certificate, since the group had had one when it was associated with the American-Soviet Friendship Society. It had recently become a new and completely independent nonpolitical, scientific organization, and it was on this basis that it was considered for a grant. The society did not, however, secure its tax-exemption certificate, and no payment was ever made by the Rockefeller Foundation on the grant to which you refer. The term for which the grant was available expired in June 1948.

I trust that this provides the information you need.

Sincerely yours,
FLORA M. RHIND,
Secretary.

After reading the Condon statement inserted in the CONGRESSIONAL RECORD on March 24, 1952, by the gentleman from New York [Mr. COLE], I again contacted the Treasury Department and the Rockefeller Institute and received the follow-responses:

UNITED STATES
TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER
OF INTERNAL REVENUE,
Washington, D. C., May 5, 1952.

MY DEAR MR. VAIL: Reference is made to your letter dated April 23, 1952, relative to the status for Federal income tax purposes of American-Soviet Science Society.

As you were advised in a letter dated March 23, 1951, in reply to your letter of March 7, 1951, the American-Soviet Science Society filed a claim dated January 27, 1947, for exemption under the provisions of section 101 (6) of the Internal Revenue Code. It had formerly been the Science Committee of the National Council of American-Soviet Friendship and claimed to have severed its connection with the parent society on May 28, 1946 and was incorporated December 16, 1946.

On April 28, 1947 this bureau advised the society that a ruling as to its status would be deferred since it appeared from newspaper articles that the Congressional Committee on Un-American Activities proposed to investigate its activities and those of its leaders. A field examination was made in the fall of 1947 which showed that the organization was inactive due to lack of funds. In 1950, after an inquiry from the collector in New York, the bureau requested the society to furnish a detailed statement of its activities in support of the earlier claim to exemption. In reply, its final acting chairman, in a letter dated September 15, 1950, stated that it had been inactive for 3 years.

In order to be exempt under the provisions of section 101 (6) of the code an organization must show that it is both organized and operating for the purposes specified in such section. Since the American-Soviet Science Society never furnished proof of substantial operations actually conducted after the severance of its relationship with the National Council of American-Soviet Friendship, necessary for a determination under the statute, the society was, in a letter dated September 28, 1950, held not to be exempt under the provisions of section 101 (6) of the code on the ground that it had not been established that it was both organized and operated exclusively for any one or more of the purposes specified therein.

The file in this case contains no information subsequent to the date of the letter to you dated March 23, 1951.

Very truly yours,
JOHN B. DUNLAP,
Commissioner.

THE ROCKEFELLER FOUNDATION,
New York, April 4, 1952.

DEAR REPRESENTATIVE VAIL: Mr. Barnard has asked me to send you the following information in response to your letter of March 27.

In June 1946 the Rockefeller Foundation appropriated $25,000 in support of the general scientific activities of the American Soviet Science Society. The pledge is reported in the foundation's annual report for 1946, on page 169, and I understand that you have a copy of this.

When the grant was made, the assumption was that the society would secure its tax exemption certificate, since the group had had one when it was associated with the American Soviet Friendship Society. The request for assistance came to us as a proposal from a new, independent and wholly scientific organization, and it was on this basis that it was considered for a grant. The society did not, however, secure its tax exemption certificate, and no payment was ever made by the Rockefeller Foundation on the grant to which you refer. The term for which the grant was available expired in June 1948.

The grant reported above, on which no payments were ever made, is the only grant made by the Rockefeller Foundation to the American Soviet Science Society.

I trust that this gives you the required information.

Sincerely yours,

FLORA M. RHIND,
Secretary.

This correspondence effectively establishes the falsity of Condon's assertion implying that two grants were actually consummated. It will be noted that, according to the communication from the Treasury Department dated May 5 that the American Soviet Science Society claimed to have severed its connection with the Council of American-Soviet Friendship on May 28, 1946, and I direct attention to the fact that the council was cited as a Communist front on March 29, 1944, more than 2 years previously. Condon could not have been unaware of that fact when in March 1946 he authorized solicitation of memberships in the Science Society among his subordinate scientists at the Bureau of Standards, using letterheads indicating affiliation with the Council of American-Soviet Friendship.

At this point I repeat my remarks with reference to this activity on the part of Condon, contained in my speech to the House on April 23, 1951, to which he took violent exception in his prepared statement inserted in the CONGRESSIONAL RECORD by the gentleman from New York [Mr. COLE]:

In the course of night hearings I conducted to question scientists subordinate to Condon, in the employ of the Bureau fo Standards, it was brought out that Condon's position was used to influence them to join the society. A communication they received dated March 7, 1946, from the American Soviet Science Society bearing on the letterhead the words "Affiliated with the national council of American-Soviet Friendship" reads as follows:

"It has been suggested by Dr. Condon, who is a member of our executive committee, that you might be interested in the activities of our society and membership in same. Signed, Samuel Gelfan."

The name of Dr. Edward U. Condon appeared on the letterhead as a member of the executive committee. Bear in mind that the Committee on Un-American Activities had cited the National Council of American-Soviet Friendship as subversive on March 29, 1944, 2 years previously, which clearly meant nothing to Condon. In citing the organization at that time the committee stated:

"In recent months the Communist Party's principal front for all things Russian has been known as the National Council for American-Soviet Friendship." (Report, March 29, 1944, p. 156.)

The citation as subversive and Communist front by the Attorney General occurred in 1947 but certainly the activities that resulted in his citation confirming that of the committee 2 years earlier, had extended over a period of time embracing the Condon sponsorship of its allied organization—the science society.

In response to this solicitation many scientists joined as a good-will gesture to their superior.

The committee has in its possession a check for dues, in the amount of $3 drawn by one of them, payable to the American-Soviet Science Society, endorsed by that organization over to the National Council of American-Soviet Friendship, a Communist-front organization so cited by the Attorney General and our committee, and deposited to the account of the latter endorser. Investigation developed the fact that both organizations occupied the same suite at the same New York City address, 114 East Thirty-second Street, and could be reached on the same telephone proving undeniable connection.

The close relationship was discontinued, for obvious reasons, when the science society made application for a grant of $25,000 from the Rockefeller Foundation which agreed to make the gift if the organization was cleared as tax-exempt by the Treasury Department. Treasury refused clearance and the society was denied the funds, after it was established that the science society was formerly known as the science committee of the National Council of American-Soviet Friendship. That claimed termination of relationship on July 1, 1946, was superficial is indicated by the fact that both organizations continued to be listed under the same telephone number in March 1948.

Let me submit to you verbatim excerpts from sworn testimony before our subcommittee in executive session:

"Mr. RUSSELL. Mr. Chairman, among the records produced by Dr. A. in compliance with a subpena is a check dated August 15, 1945, made payable to the order of the American-Soviet Science Society in the sum of $10 signed by Dr. A. This check bears two endorsements, both stamped. The first one is the American-Soviet Science Society, 114 East Thirty-second Street, New York City; the second endorsement is that of the National Council of American-Soviet Friendship, Inc., 114 East Thirty-second Street, New York City. I ask that this check be made part of the records of this committee.

"Mr. VAIL. It is so ordered.

"Mr. RUSSELL. Dr. A. has also produced a copy of a telegram dated August 10, 1945, addressed to Dr. E. U. Condon, Pittsburgh Works Research Laboratory."

The message follows:

"I am applying for membership in American-Soviet Science Society. Two sponsors required. Would you agree to be one? Please teletype. Signed, Dr. A."

The copy of the reply received by Dr. A. has also been produced. The message states:

"Yes, with pleasure. May see you in New York August 22. Signed E. U. Condon, Research."

I now identify Witness A as Moscow-born Dr. Dempsey Ivan Vinogradoff, who died in Washington, Monday, March 19, 1951. Let me quote the obituary notice appearing in the Washington Star March 20:

"He served as manager of foreign engineering at Westinghouse until 1944 and made frequent contacts with foreign institutions and industrial concerns. Soon after Dr. Edward U. Condon took over as director of the Bureau of Standards he brought Mr. Vinogradoff here as his assistant. His job was to welcome foreign scientists to the Bureau and to explain its function and organization to them."

It is significant that his contact for living accommodations upon arrival was Czechoslovakian-born John Marsalka, admitted member of six or more Communist-front organizations.

Another communication, dated February 14, 1946, to scientists at the Bureau of Standards reads as follows:

"The Director is interested in the development of more adequate contacts with scientific workers in the Soviet Union and to this end is taking part in the development of an organization known as the American-Soviet Science Society. This society has grown out of an earlier scientific committee organized by the National Council of American-Soviet Friendship, Inc."

That communication was signed by Dr. E. C. Crittenden, Assistant Director of the National Bureau of Standards.

Since Dr. Condon himself has brought Mrs. Condon into the picture, which I had previously refrained from doing, it seems necessary at this time to point out that records of the Committee on Un-American Activities indicate that she was secretary of the Pittsburgh branch of the Council of American-Soviet Friendship and a member of two other organizations cited as Communist fronts.

Further, Dr Condon states that the Subcommittee of the House Committee on Un-American Activities that unanimously reported the finding that he was a security risk was composed of Congressmen Thomas, McDowell, and Vail. The truth is that its members were THOMAS, VAIL, and the gentleman from Georgia [Mr. WOOD], present chairman of the House Committee on Un-American Activities.

As previously stated, I shall not attempt to deal in detail with the three-page Condon statement. There is no point in doing so in the light of the pending hearing. The facts above outlined, however, should be sufficient to evidence the distortion of fact indulged in by Condon as well as his inability, even in the face of widely publicized information, to properly evaluate individuals engaged in espionage. Yet this is a man whose loyalty file was locked in the Presidential desk, the file that was refused by the President when requested by almost unanimous House resolution, the file of a man under justifiable suspicion who directed research into atomic energy, jet propulsion, and the guided missile, all of which have subsequently found their way into Russian hands.

I cannot refrain from touching upon another phase of the Condon statement. He states:

Thus I had not the slightest idea that Mr. Vail had sent his speech to Secretary Sawyer and was continuing to demand that I be ousted. Now I find that Mr. Vail is acting as if he forced me to resign. Nothing could be further from the truth.

The fact is that the gentleman from Illinois [Mr. VELDE], ranking member of

the Committee on Un-American Activities, wrote the letter to Mr. Sawyer, enclosing a copy of my report on the Condon record, demanding a Loyalty Board inquiry on Condon, to which he received the following reply, under date of July 30, 1951:

THE SECRETARY OF COMMERCE,
Washington, July 20, 1951.

MY DEAR CONGRESSMAN: Absence from the city has delayed my reply to your letter of July 19, in which you request that my Department consider the data submitted by you with a view to bringing the information to the attention of our Loyalty Board.

My instructions to the Loyalty Board and the security officer of my Department consistently have been that any new information developed with reference to any Department of Commerce employee raising any question of loyalty or security should be promptly investigated and presented to the proper officials of the Department.

As a matter of fact, some weeks ago I was sent some information with reference to Dr. Condon which I immediately turned over to my security officer, Col. Newman Smith, with instructions that it was to be carefully studied and if such course were justified turned over to the departmental Loyalty Board for consideration. I have asked Colonel Smith to review the speech made by the Honorable RICHARD B. VAIL which was attached to your letter. I shall, of course, be willing to submit to that Board any additional evidence now held by your committee bearing upon the question of Dr. Condon's loyalty, and I would appreciate receiving from you any information which you feel should be submitted to the Loyalty Board, or I will be glad to have my security officer contact you or your committee to that end.

As you, of course, know Dr. Condon's case was presented to the Loyalty Board of this Department the early part of 1948, prior to my assuming office as Secretary at which time a favorable finding was rendered. His case was again referred to the Board toward the end of 1948 on receipt of some additional information bearing on the case. Again the findings of the Board were favorable. They were reviewed by a panel of the Civil Service Commission Loyalty Review Board and unanimously confirmed.

No doubt, you will recall that Dr. Condon stated 2 years ago that he was quite willing to appear before your committee to be interrogated if the committee so desired. He was, however, never called before it. I am not making this comment as showing any dereliction on the part of your committee, but as indicating that until such action was taken or some new information was forwarded to me I saw no reason to reopen the case.

I appreciate your offer to submit the material in your possession.

Yours sincerely,

CHARLES SAWYER,
Secretary of Commerce.

Exactly 10 days later, on August 10, the news broke in the press that Condon had resigned. The press also carried the content of President Truman's apparently reluctant letter of acceptance of the resignation, commending Condon for services rendered. That Condon was unaware of the exchange of communications between Velde and Secretary Sawyer is too improbable to credit seriously, since he was apparently well informed of references to him in the CONGRESSIONAL RECORD and in the press on all other occasions. In any event, the short lapse of time between the Sawyer letter and Condon's sudden resignation from a post to which he has clung tenaciously for 6 years gives reasonable rise to the suspicion that there was more under the surface than met the eye.

The foregoing is my answer to Condon's challenge to prove my assertions on the floor of the House. From his own words, inserted in the CONGRESSIONAL RECORD, his flagrant unreliability is verified beyond question. His unfitness for the vital post he held is clearly established. Based upon the evidence presented, the tremendous trust imposed in him was undeniably undeserved and unwarranted.

Americans are aware that they have been betrayed, that individuals in positions of sacred trust have channeled vital military information to an enemy power, and Americans will not rest until all such individuals are identified and punished. No case in which opportunity and apparent motivation exist and are supplemented by suspicious circumstances must be dropped without the most searching investigation.

While the curtain has rung down on the connection of Dr. Edward U. Condon with the Government of the United States, he is not yet as foot-loose nor is he as fancy-free as is indicated in his final paragraph. The long-awaited hearing that he has claimed to desire so intensely and that I have desired with far more sincere fervor will undoubtedly be called shortly by the Committee on Un-American Activities in the light of facts presented herein, supplementing evidence in the possession of the committee. Condon's refusal to appear voluntarily, in my opinion, leave no alternative to subpena. The congressional committee must proceed, of course, without the aid of FBI, Bureau of Commerce, Manhattan project or Navy Intelligence files on Condon, since access was denied by Presidential order, but I rest my case upon the evidence at hand to justify, beyond question, the report of the Subcommittee on National Security during the Eightieth Congress.

AMENDING CIVIL DEFENSE ACT OF 1950

Mr. DURHAM submitted a conference report and statement on the bill (H. R. 5990) to amend the Federal Civil Defense Act of 1950.

SPECIAL ORDERS GRANTED

Mr. BRYSON asked and was given permission to address the House for 10 minutes today, following the special orders heretofore entered.

Mr. EBERHARTER asked and was given permission to address the House for 2 minutes today, following the special orders heretofore entered.

The SPEAKER. Under the previous order of the House, the gentleman from South Carolina [Mr. BRYSON] is recognized for 10 minutes.

FREIGHT RATE ADJUSTMENTS—ABOLITION OF DISCRIMINATIONS AGAINST THE SOUTH

Mr. BRYSON. Mr. Speaker, May 30, 1952, will long be remembered as a day of great significance to those of us who reside in the South. Through the years we have been laboring to strike the shackles of discrimination from Southern agriculture, industry, and business in general. The Interstate Commerce Commission, after extended hearings and many delays, ordered into effect the uniform class rate scale. This long-sought, long-hoped-for railroad freight rate equalization order will have the effect of establishing uniform class freight rates common to the entire portion of the United States lying east of the Rocky Mountains.

The final emergence of the equalization order and of its companion piece, the uniform classification order, was not without opposition. Protests against the orders and applications for investigation and suspension of schedules were reported to number in the hundreds, but the Interstate Commerce Commission found that suspension of the order was not warranted. However, the uniform classification was made subject to complaint, or to investigation on the Commission's own motion.

The advent of the new class rate order and of the new consolidated freight classification order mark the end of a long and tedious struggle between shippers and other interests, and the railroads, principally in the South. The source of contention is to be found in the inherent nature of the rate structure as it has developed in this country.

The economic development of the United States was marked by the establishment of several well-defined areas, namely, the East which was industrial, the South in which agriculture abounded, and the West where long distances were important factors. The freight rates in each area reflected the transportation needs of that area. Thus class rates, under which many manufactured articles move, became of greater relative importance in the area north of the Potomac and Ohio Rivers, while the specialized commodity rates, which are established to reflect the characteristics of the particular commodity which each covers, developed as the type of rate which, in general, suited the needs of the South. The end result was a disparity in the level of class rates between those of the North and those of the South.

During the twentieth century, the South experienced a transitional period in which its economy turned more and more toward industry. In recent decades this advance has been accelerated to a considerable degree. An industrialized South, shipping manufactured articles in increasing quantities, became more and more aware of the fact that the class rates under which its products moved were higher than the class rates applying in the North on similar articles, moving for like distances. This condition constituted a form of discrimination, and it worked to the disadvantage of southern shippers in both intraterritorial and interterritorial shipments.

Other factors which contributed to the coming of a uniform rate structure may be mentioned briefly. First, the length of haul of freight trains has gradually increased, resulting in somewhat cheaper transportation. Second,

was the wave of railroad consolidation in the East after 1900, following which the trunk lines concentrated their attention on east-west traffic rather than on north-south movements.

Third, recent cost studies have disproved the theory that territorial differences could be justified on the basis of a difference in cost of service. The cost of rendering transportation service have been found to vary only slightly between the three main territories—East, South, and West.

Another factor has been the strong desire to simplify both the rate structure and the task of regulation. The rate structure had become vastly complex due to its scope, and to the widespread use of exception and commodity rates. This complexity was a source of difficulty in both interpretation of the rates by shippers, and in the job of regulation. Simplification was an objective strongly to be desired.

Finally, the Transportation Act of 1940 gave greater emphasis to undue preference and prejudice with respect to regions and territories. Armed with the provisions of the act of 1940, the Commission saw fit to attack the problem of interterritorial discrimination with vigor.

Faced with increasing pressures emanating from all these factors, the Interstate Commerce Commission in 1939 instituted proceedings on its own motion on the companion investigations relating to freight classification and to class-rate scales. After extensive hearings the Commission found in 1945 that class-rate discrimination did exist between territories, and that such discrimination should be corrected by applying a uniform-rate scale in conjunction with a uniform classification. The Commission realized that this process would require several additional years, and accordingly provided for an interim adjustment effective immediately.

The interim adjustment was attacked and was finally upheld by the United States Supreme Court on May 12, 1947. It went into effect on August 22, 1947.

The order of the Interstate Commerce Commission, dated July 26, 1951, directed the railroads to file a uniform classification of freight within 4 months. The order further noted that discrepancies continued to exist in territorial rates and that such discrepancies were to be overcome through a new uniform-class-rate scale. The uniform-rate scale became effective on May 30, 1952.

With reference to the ultimate benefits which will accrue to shippers and others, particularly those located in the South, it is prudent not to anticipate rapid changes of enormous magnitude. In this light, it must be borne in mind that class rates, the type of rates affected, are responsible for only a small portion of the total traffic of the Nation. Most freight moves under commodity or exception rates.

This is not to imply that benefits to the South will be entirely lacking. The South will realize definite and tangible benefits. In the first place class rates will be somewhat lower which will mean that the transportation charges for articles which move under class rates will be lower. Lower prices should occur in most cases. Secondly, interterritorial competition will be heightened since southern shippers will now be able to enter northern markets without the handicap of a high freigh rate. In other words, and this is important, if all other factors are equal, interterritorial competition will depend largely on the distance of transportation and not at all on the originating point of the shipment. A premium is placed upon efficiency of production. Finally, with the removal of class-rate discrimination, the location of varied industries in the South should continue with renewed incentive.

It is impossible to forecast precisely what changes will occur as a result of the uniform-class-rate order. But it is confidently expected in virtually all quarters that the economic benefits to the South will justify the time and trouble which its citizens have expended, and the fortitude they have displayed. Industry and commerce cannot fail to be greatly encouraged by the adoption of a class rate which equalizes the advantages between areas. Moreover, the entire American economy will benefit, for what aids one section of the Nation adds to the welfare of them all.

The SPEAKER. Under the previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 2 minutes.

A TRIBUTE TO BOB DOUGHTON

Mr. EBERHARTER. Mr. Speaker, the passage of the 1952 amendments to the social-security law (H. R. 7800) by the House with an overwhelming vote of 361 to 22 is a tremendous victory for our distinguished chairman of the Committee on Ways and Means, BOB DOUGHTON.

It is a tribute to his sterling qualities as a man and as a North Carolina legislator. He has shown the American Medical Association where to get off.

The American Medical Association falsely accused Mr. DOUGHTON of trickery in reporting out H. R. 7800 with the disability waiver of premium in the bill. No charge could be further from the truth.

The American Medical Association falsely accused BOB DOUGHTON of trying to slip socialized medicine into the bill. No charge could be further from the truth.

The American Medical Association has tried to vilify the fine reputation BOB DOUGHTON has built up and justly earned in his 40 years in Congress. I hope they have learned their lesson.

The tremendous ovation Mr. DOUGHTON received at the conclusion of the debate on the bill is the best demonstration of the high regard the Members of the House have for him. The ovation was the best reply to the false charges of the American Medical Association.

BOB DOUGHTON is a man who has the courage of his convictions. He is a man of honor. I know he will continue to fight for helping the disabled.

He is the "father of social security," and not a single word of the propaganda of the American Medical Association can take away the great respect all of us in this House have for our distinguished colleague.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks was granted to:

Mr. HEDRICK and to include a statement by General Hershey.

Mr. MACHROWICZ and to include extraneous material.

Mr. DEANE and to include an address.

Mr. HELLER in three instances, and to include extraneous matter.

Mr. REAMS and to include a message by the Chaplain of the House.

Mr. LANE in two instances, in each to include extraneous matter.

Mr. HARVEY.

Mr. VAIL.

Mr. ALLEN of Illinois.

Mr. MASON and to include a statement on the subject One Cause of Today's Trouble.

Mr. COLE of Kansas, the remarks he will make today in general debate and to include extraneous matter.

Mr. COLE of Kansas and to include an address which is estimated by the Public Printer to cost $280.

Mr. BERRY in regard to the wool situation.

Mr. DORN and to include a letter.

Mr. D'EWART and to include an editorial.

Mr. MULTER and to include in the remarks he will make in the Committee today extraneous matter.

Mr. EBERHARTER and to include extraneous matter.

Mr. MCGREGOR.

Mr. EDWIN ARTHUR HALL in three instances.

Mr. JACKSON of California and to include several editorials and other extraneous matter.

Mr. WEICHEL in two instances and to include extraneous matter.

Mr. VAN ZANDT in two instances and to include extraneous matter.

Mr. KLEIN (at the request of Mr. MULTER) and to include extraneous matter.

Mr. BRYSON and to include an editorial.

Mr. EBERHARTER and to include extraneous matter.

Mr. GAMBLE in two instances, in each to include editorials.

Mr. O'HARA (at the request of Mr. GAMBLE) in two instances, in each to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 1114. An act for the relief of Edward Charles Cleverley.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 365. An act for the relief of Jean Krueger and Edith Krueger;

S. 587. An act for the relief of Sotirios Christos Roumanis;

S. 779. An act for the relief of Ziemowit Z. Karpinski;

S. 1032. An act to authorize each of the States of North Dakota, South Dakota, and Washington to pool moneys derived from lands granted to it for public schools and various State institutions;

S. 1360. An act to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of John J. Snoke;

S. 1363. An act for the relief of Ceasar J. (Raaum) Syquia;

S. 1527. An act for the relief of Sisters Dolores Ilia Martori, Maria Josefa Dalmau Vallve, and Ramona Cabarrocas Canals;

S. 1555. An act for the relief of Rosarina Garofalo;

S. 1566. An act for the relief of Constantin Alexander Solomonides;

S. 1637. An act for the relief of Doreen Iris Neal;

S. 1676. An act for the relief of Helen Sadako Yamamoto;

S. 1681. An act for the relief of Sister Maria Seidl and Sister Anna Ambrus;

S. 1715. An act for the relief of Else Neubert and her two children;

S. 1776. An act for the relief of Sister Stanislaus;

S. 1843. An act for the relief of John Kintzig and Tatiana A. Kintzig;

S. 1903. An act for the relief of Toshiko Minowa;

S. 2256. An act for the relief of Col. Julia O. Flikke and Col. Florence A. Blanchfield;

S. 2552. An act to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force;

S. 2561. An act for the relief of Susan Patricia Manchester;

S. 2566. An act for the relief of Niccolo Luvisotti;

S. 2635. An act for the relief of Mrs. Marie Y. Mueller;

S. 2696. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States; and

S. 2706. An act for the relief of Sister Julie Schuler.

BILLS PRESENTED TO THE PRESIDENT

Mr. STANLEY, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1114. An act for the relief of Edward Charles Cleverley;

H. R. 6767. An act to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes; and

H. R. 7739. An act to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WILSON of Indiana (at the request of Mr. BRAMER) indefinitely, on account of death in family.

ADJOURNMENT

Mr. EBERHARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Thursday, June 19, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1577. A letter from the Acting Director of the Bureau of the Budget, transmitting a letter relative to a change in supplemental estimates for the fiscal year 1953 relating to the mutual-security program which were submitted on June 17, 1952, and printed as House Document No. 510. The total should be $6,492,740,750 instead of $6,447,730,750 (H. Doc. No. 512); to the Committee on Appropriations and ordered to be printed.

1578. A letter from the Acting Secretary of the Interior, transmitting the tenth annual report of operations for the fiscal year ended May 31, 1951, pursuant to section 13 of the Boulder Canyon Project Adjustment Act (54 Stat. 774, approved July 19, 1940); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Joint Committee on the Disposition of Executive Papers. House Report No. 2191. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 5734. A bill to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein; with amendment (Rept. No. 2192). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 6812. A bill to provide that the existing project for navigation on the Guadalupe River, Tex., be incorporated with and made a part of the project for the Gulf Intracoastal Waterway; with amendment (Rept. No. 2193). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H. R. 1222. A bill to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to provide for the crediting of certain service in the Army of the United States for certain members of the Reserve components of the Air Force of the United States; without amendment (Rept. No. 2194). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H. R. 8222. A bill to authorize the loan of certain naval patrol-type vessels to the Government of Japan; without amendment (Rept. No. 2195). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Committee on Armed Services. H. R. 8177. A bill to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes; without amendment (Rept. No. 2196). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee of conference. H. R. 5990. A bill to amend the Federal Civil Defense Act of 1950 (Rept. No. 2197). Ordered to be printed.

Mr. BOGGS of Louisiana: Committee on Ways and Means. H. R. 8271. A bill to amend section 457 of the Internal Revenue Code; without amendment (Rept. No. 2198). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SIMPSON of Pennsylvania:

H. R. 8270. A bill to amend section 112 (n) of the Internal Revenue Code (relating to nonrecognition of gain from sale or exchange of residence) with respect to persons serving on active duty with the Armed Forces of the United States; to the Committee on Ways and Means.

By Mr. BOGGS of Louisiana:

H. R. 8271. A bill to amend section 457 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H. R. 8272. A bill to provide for the conveyance by the United States to Fulton County, a political subdivision of Georgia, of certain land in said county; to the Committee on Interstate and Foreign Commerce.

By Mr. BRYSON:

H. R. 8273. A bill to amend title 17 of the United States Code entitled "Copyrights" with respect to the day for taking action when the last day for taking such action falls on Saturday, Sunday, or a holiday; to the Committee on the Judiciary.

By Mr. BURNSIDE:

H. R. 8274. A bill to equitably adjust the salaries of auditors at central-accounting post offices; to the Committee on Post Office and Civil Service.

By Mr. HAGEN:

H. R. 8275. A bill relating to the coverage under the Federal old-age and survivors insurance system of service performed by ministers in the employ of institutions of higher learning; to the Committee on Ways and Means.

By Mr. HELLER:

H. R. 8276. A bill to amend the National Service Life Insurance Act of 1940 and the Servicemen's Indemnity Act of 1951 to provide for lump-sum payments to certain beneficiaries under those acts; to the Committee on Veterans' Affairs.

By Mr. HOWELL:

H. R. 8277. A bill to establish a Federal Committee on Migratory Labor; to the Committee on Education and Labor.

By Mr. SMITH of Mississippi:

H. R. 8278. A bill to amend the Vocational Education Act of 1946 to authorize the appropriation of additional funds to cover reductions, occurring as a result of the 1950 United States census, in Federal funds apportioned for expenditure in the States and Territories; to the Committee on Education and Labor.

By Mr. WILSON of Texas:

H. R. 8279. A bill to provide for the use, control, exploration, development, and conservation of certain resources of the submerged lands of the Continental Shelf lying outside traditional State boundaries; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 8280. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the optional retirement of certain officers and employees who are disabled veterans; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Kansas:

H. R. 8281. A bill to amend the National Labor Relations Act so as to provide that nothing therein shall invalidate the provisions of State laws prohibiting strikes in public utilities; to the Committee on Education and Labor.

By Mr. VAN PELT:

H. R. 8282. A bill to amend the Universal Military Training and Service Act to provide a per diem allowance for uncompensated personnel of the Selective Service System in certain cases; to the Committee on Armed Services.

By Mr. ELLSWORTH:

H. Res. 698. Resolution to authorize the Committee on Interior and Insular Affairs to conduct an investigation of the Bureau of Indian Affairs; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of California (by request):

H. R. 8283. A bill for the relief of Lloyd D. Bernard; to the Committee on Armed Services.

H. R. 8284. A bill for the relief of Ezra H. Y. Eliahou; to the Committee on the Judiciary.

By Mr. COLE of Kansas:

H. R. 8285. A bill for the relief of Mrs. Laura J. McClure; to the Committee on the Judiciary.

By Mr. DONOVAN:

H. R. R. 8286. A bill for the relief of Angelo Staffani; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 8287. A bill for the relief of Mrs. Rosaline Spagnola; to the Committee on the Judiciary.

By Mr. HÉBERT:

H. R. 8288. A bill for the relief of Steven J. Charia, Nevanka Olga Maria Charia, Tania Charia, and Igor Ivan Charia; to the Committee on the Judiciary.

By Mr. HELLER:

H. R. 8289. A bill for the relief of Mrs. Antonietta Palmieri; to the Committee on the Judiciary.

By Mr. KELLEY of Pennsylvania:

H. R. 8290. A bill for the relief of Ludmila Orange; to the Committee on the Judiciary.

By Mr. McGRATH:

H. R. 8291. A bill for the relief of Lester Elliott; to the Committee on the Judiciary.

By Mr. WIDNALL:

H. R. 8292. A bill for the relief of Wally Krausnick Paeschke; to the Committee on the Judiciary.

By Mr. LANE:

H. Res. 699. Resolution providing for sending to the United States Court of Claims the bill (H. R. 8255) entitled "A bill for the relief of the Cooper Tire & Rubber Co."; to the Committee on the Judiciary.

By Mr. RODINO:

H. Res. 700. Resolution providing for sending to the United States Court of Claims the bill (H. R. 4507) for the relief of John J. Braund; to the Committee on the Judiciary.

SENATE

THURSDAY, JUNE 19, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord our God, Thy goodness is ever before us and Thy mercy has followed us all our days. Facing problems and difficulties that test our power to the limit, save us from being cynical or faint-hearted. May we be strengthened in our own day and generation by the remembrance of joyous adventurers, builders of our free land, who came before us and who have nobly striven and bravely dared in the cause of Thy kingdom. We are inspired by the thought of those whose lips were fragrant with prayer, whose eyes were radiant with hope, whose hearts were strong with courage, and whose minds were like lighted temples. O God, to us may strength be given to follow in their train. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 18, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 18, 1952, the President had approved and signed the act (S. 1932) to authorize the establishment of facilities necessary for the detention of aliens in the administration and enforcement of the immigration laws, and for other purposes.

ABSENTEE VOTING BY MEMBERS OF ARMED FORCES—COMMUNICATION FROM THE PRESIDENT

The VICE PRESIDENT. The Chair is in receipt of a communication from the President of the United States, which the clerk will read.

The legislative clerk read the communication, as follows:

THE WHITE HOUSE,
Washington, June 19, 1952.

Hon. ALBEN W. BARKLEY,
President of the Senate,
Washington, D. C.

DEAR MR. PRESIDENT: I urge that the Congress give early and favorable attention to the measures now pending before it to enable the men and women in our armed services to exercise their right to vote. Close to a million members of our armed services may be unable to cast their votes this year unless the Congress acts on these matters before adjournment.

On March 28, in a message to the Congress, I recommended that certain steps be taken to facilitate the exercise of the franchise by our servicemen and servicewomen and by certain Federal personnel serving overseas. These recommendations were based on a careful study made by an expert committee of the American Political Science Association A bill to effect improvements in existing law, in accordance with these recommendations, was introduced as S. 3061 by Senator GREEN in the Senate and as H. R. 7571 by Representative MCCORMACK in the House. I was pleased to see a few days ago that the Senate Committee on Rules and Administration had favorably reported Senator GREEN's bill with amendments.

The study made by the committee of the American Political Science Association pointed out the obstacles to soldier voting that are presented by the laws of many of our States. The committee recommended prompt remedial action by these States and special Federal action for this year only to aid service men and women from States that fail to take action to improve their laws before November.

In a letter to me on April 30, which I transmitted to the Senate Committee on Rules and Administration, the Secretary of Defense described the efforts he was making to encourage the States with inadequate legislation to improve their laws, but concluded that since the majority of the States in this category would not convene their legislatures in 1952 the prospects for further State action this year was not bright. I notice that the report of the Senate Committee on Rules and Administration on S. 3061 comes to the same conclusion and urges Federal action to rectify the situation. The Senate committee report finds that servicemen's voting laws are inadequate in at least one-half of the States and urges speedy enactment of the bill.

There is another important reason why the Congress should take early action. The basic legislative affirmation in our Federal laws of the right of service people to vote is contained in two provisions of the servicemen's voting law of 1946, which are effective only in time of war. Since the Japanese Peace Treaty came into effect on April 28, 1952, thereby terminating the state of war, these provisions, together with other war and emergency powers, have been temporarily extended from time to time by the Congress—on the last occasion to June 30. However, the pending measure for the permanent continuation of some of the war and emergency powers, House Joint Resolution 477, does not include these provisions affirming the right of members of our armed services to vote. Therefore, unless action is taken on S. 3061 and H. R. 7571, the very declaration of the right of our soldiers to vote will disappear from the Federal statutes. When we have soldiers overseas defending the cause of freedom, it is unthinkable that we should go backward instead of forward in enabling them to exercise the rights that all citizens possess.

In addition to enunciating the basic rights of our service people to vote, S. 3061 makes a series of recommendations for State action, prescribes certain steps for Federal agencies to follow, particularly with respect to post-card applications for State ballots, provides for a temporary Federal ballot for use in those States which do not give service people an adequate opportunity to vote, and contains a number of important miscellaneous provisions, such as those making voting matter postage free and protecting against fraud and undue influence in voting in the Armed Forces.

All these provisions are important if we want our service people to exercise the rights they are defending for us. I hope the Congress will take prompt action to pass this vital legislation.

Sincerely yours,

HARRY S. TRUMAN.

The VICE PRESIDENT. The communication will lie on the table.

Mr. JOHNSON of Texas. Mr. President, I merely wish to observe that yesterday the majority leader made an announcement that immediately upon disposition of the unfinished business, which is the civil-functions appropriation bill, it was his intention to move to proceed to consideration of Senate bill 3061, a bill to permit and assist Federal personnel, including members of the Armed Forces and their families, to exercise their voting franchise, regardless of State laws. The announcement by the majority leader with regard to the bill to which the President's letter refers will be found on page 7529 of the CONGRESSIONAL RECORD of June 18, 1952.

Mr. GREEN. Mr. President, I had intended to make the same statement. The majority leader has assured me that my bill, which has been recommended for favorable action and is on the calendar, would probably be brought up tomorrow.

EXPRESSION OF APPRECIATION BY AUSTRALIAN SENATE

The VICE PRESIDENT laid before the Senate a communication from the Assistant Secretary of State, transmitting a copy of a letter to the United States Ambassador to Australia by the president of the Australian Senate, expressing appreciation of the resolutions adopted by the United States Senate on the death of His Majesty King George VI, which, with the accompanying paper, was ordered to be printed in the RECORD and to lie on the table, as follows:

STATE DEPARTMENT,
Washington, June 13, 1952.

The VICE PRESIDENT,
United States Senate.

MY DEAR MR. VICE PRESIDENT: I am enclosing a copy of a letter sent to Ambassador Pete Jarman by the president of the Australian Senate, reporting a resolution passed by the senate expressing appreciation of the resolutions passed by the United States Senate on the death of His Majesty King George VI.

Sincerely yours,

JACK K. MCFALL,
Assistant Secretary.

(Enclosure: Copy of letter from president, Australian Senate.)

PRESIDENT OF THE SENATE,
Canberra, Australia, May 21, 1952.

His Excellency Mr. PETE JARMAN,
Ambassador of the United States of America.

YOUR EXCELLENCY: I have the honor to advise that when the Senate of the Commonwealth of Australia met this day I informed members of the resolution passed by the Senate of the United States on February 6, 1952, in connection with the death of His Majesty King George VI.

The following resolution was thereupon passed by the senate:

"That the Senate of the Commonwealth of Australia thanks the Senate of the United States most sincerely for its resolution of February 6, 1952, relating to the death of His Majesty King George VI, and records its appreciation of the feelings of sorrow and sympathy to which the resolution gives expression."

I shall be glad if you will arrange for the terms of this resolution to be conveyed to the Senate of the United States.

I have the honor to be, with high consideration,

Your Excellency's obedient servant,
EDWARD MATTNER,
President of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may make insertions in the RECORD and transact other routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF DEPARTMENT OF JUSTICE

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report on the activities of the Department of Justice for the fiscal year ended June 30, 1951 (with an accompanying report); to the Committee on the Judiciary.

CONSTRUCTION OF TWO SURVEYING SHIPS FOR COAST AND GEODETIC SURVEY

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

PROCESSING TAX ON COCONUT OIL—LETTER FROM PRESIDENT OF PHILIPPINE CHAMBER OF COMMERCE

A letter from the Assistant Secretary of State, transmitting, pursuant to the request of the Ambassador of the Philippines, a letter from the president of the Chamber of Commerce of the Philippines relating to the elimination of the 3 cents processing tax on coconut oil (with accompanying papers); to the Committee on Finance.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A telegram in the nature of a petition from the Erie County Board of Supervisors, Buffalo, N. Y., signed by Jean A. Martin, clerk, praying for the enactment of the bill (H. R. 7800) to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes; to the Committee on Finance.

The petition of E. H. Bumhour, of Chicago, Ill., praying for the adoption of Senate Resolutions 41 and 105, relating to amendment of the cloture rule; to the Committee on Rules and Administration.

The petition of E. H. Bumhour, of Chicago, Ill., praying for the elimination of the so-called Dirksen, Fulbright, Robertson, and Bricker amendments to the bill (S. 2594) to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended; ordered to lie on the table.

A letter from the Governor of the State of Montana, transmitting a copy of House bill 329, of the Montana Legislature, authorizing the State of Montana to join with other States and with the United States in an interstate civil defense and disaster compact (with an accompanying paper); to the Committee on Armed Services.

A letter in the nature of a petition from the Ponce (Puerto Rico) Chamber of Commerce, praying for the repeal of the Andresen amendment to the Defense Production Act, relating to the importation of oils, cheese, and butter from other countries; to the Committee on Banking and Currency.

A declaration of policy adopted by the convention of the Illinois Bankers Association, at Chicago, Ill., relating to the preservation of a dual banking system, and so forth; to the Committee on Banking and Currency.

A resolution adopted by "DOBRUS" (Democratic organization of Ukrainians formerly persecuted by the Soviet Government), of New York, N. Y., favoring the approval of the Genocide Treaty; to the Committee on Foreign Relations.

A telegram in the nature of a petition from the Democratic State Committee of Puerto Rico, San Juan, P. R., signed by Orlando J. Antonsanti, acting chairman, and Jose A. Benitez, secretary, praying for the approval of the Puerto Rican Constitution; ordered to lie on the table.

THE DEFENSE BUDGET—STATEMENT FROM THE AIR FORCE ASSOCIATION

Mr. WILEY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a statement on the defense budget from the Air Force Association to the Members of the Senate. It is signed by Harold C. Stuart, president of the Air Force Association, and L. A. Larson, commander, State of Wisconsin.

There being no objection, the statement was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

A STATEMENT ON THE DEFENSE BUDGET FROM THE AIR FORCE ASSOCIATION TO MEMBERS OF THE UNITED STATES SENATE

Within a few days you will be called upon to engage the enemy in a battle for command of the air, just as surely as if you were piloting an F-86 over MIG Alley.

I refer, of course, to the forthcoming vote in the Senate on the defense budget for the 1953 fiscal year, and particularly the airpower portions of the budget.

WHERE COMMAND OF THE AIR BEGINS

As Gen. Carl A. Spaatz, then our chairman of the board, stated more than a year ago in Air Force magazine, "the battle for command of the air begins not over the battlefield but in the White House, in Congress, in the press, on the drawing boards, and on the production lines."

Since that time the administration has seen fit to postpone the readiness date for the Air Force program from 12 to 18 months beyond the critical target date of July 1, 1954, recommended by the Joint Chiefs of Staff. The House of Representatives has stretched out our airpower capability even further, to late 1957. Activity on the drawing boards and production lines has been deliberately retarded. Our citizens have become confused over the increasing gap between the airpower strength of Russia and the free world.

THIS BUDGET IS THE TURNING POINT

The 1953 defense budget, as Air Secretary Finletter recently put it, "is the turning

point in the decision as to whether we will have the kind of an Air Force that can determine whether we will have war or not have war."

The Air Force Association took exception to this defense budget at a time when it was decidedly unpopular to do so, when we were a voice in the wilderness crying against the airpower stretch-out as "a shabby excuse for programing the Nation's military requirement beyond the critical security date while maintaining a business-as-usual civilian economy and assuring a politics-as-usual election year."

Since then the arguments advanced to support the stretch-out have fallen by the wayside, one by one. The evidence is available to you in statements made before your Appropriations and Armed Services Committees, and particularly your Preparedness Investigating Subcommittee; and yet a number of misconceptions continue to prevail regarding our airpower capability.

You have been told, for example, that the Air Force has nearly 15,000 planes in active use, as if this indicated an adequate airpower build-up. The important question, of course, is how does the strength of our Air Force compare with that of Russia? Your Appropriations Committee received the answer recently from Gen. Nathan F. Twining, Acting Chief of Staff of the Air Force. The Soviet Union, he said, has "about 20,000 aircraft in organized air units and an equal number in the back-up and various other forms of reserve."

RUSSIA'S AIR SUPERIORITY

Then General Twining made a point which illustrates how misleading that 15,000-plane figure (which includes thousands of noncombat types) can be. "The figure to keep in mind," he said, "is the number of aircraft in organized combat air units; for that is a measure of immediate combat potential. Almost all of the 20,000 aircraft in the Soviet Union's organized air units are land-based combat aircraft. This is twice as many combat aircraft as are presently in organized combat units of the United States Air Force and naval aviation combined. Compared to the sizable reserves of Soviet aircraft, the United States Air Force has virtually none."

You have been told, "We are trying to build the world's best air force, not the biggest." If this is an effort to justify the fact that Russia's MIG–15's outnumber our F–86's by about a 6-to-1 margin in Korea, the American airmen over MIG alley cannot appreciate this reasoning. They know that the Reds can take air supremacy away from them almost at their leisure. They know that our 8-to-1 superiority in air combat to date—also cited to help justify the airpower stretch-out—is hardly a realistic barometer of relative air strength in the Korean war. The Soviet Union is committing to combat only a portion of its vast jet armada in the Far East and is using MIG alley as a training area, probably for future conflicts.

A MOST DANGEROUS CONCEPT

But more important than our position in Korea is this theory that we do not have to match the Soviet Union in numbers of modern aircraft. This is a most dangerous concept to be promulgated upon the public. General Spaatz has said that in counting our air-power needs the United States has but one alternative: "We must outmatch Russia in numbers of modern planes, and must build aircraft toward that goal."

There is no valid reason why the United States, in its position of world leadership, should be outnumbered in the air by the Soviet Union. At this critical juncture in our history, you are being called upon to rectify this situation.

As for building the world's best air force, we must not delude ourselves with the belief that we are necessarily ahead of the enemy in the race for qualitative superiority. The MIG–15, at least as good as our best operational intercepter, is merely an indication of what Russia can do in quality of weapons—and she now has better and faster planes in production.

At present our Air Force is sadly lacking in modern planes. General Twining, before your Appropriations Committee, explained that "the large-scale production of jet-propelled aircraft, with speeds approaching and exceeding that of sound, has rendered obsolete or obsolescent all comparable piston-driven combat aircraft." And he added that the Air Force inventory of combat aircraft is made up of planes "of which nearly three-quarters still consist of World War II piston-driven types." Thus, only one-fourth of the aircraft in today's Air Force can be classed as modern.

ONLY 25 MODERN WINGS

This, in itself, answers another claim; namely, that the 95-wing Air Force, authorized in 1950, will be achieved this summer virtually on schedule. The 95-wing program, it must be remembered, called for modern aircraft in all units. Under that program, 80 wings were to have been combat types. From General Twining's statement it can be concluded that at present we have an Air Force of less than 25 modern combat wings. And still we stretch out our airpower capability.

The key to "the world's best air force" is to be found in its research and development program. The record shows that Congress hasn't cut, in recent years, the military's request for airpower research and development funds. However, serious cuts have occurred before the requests reached Congress, at the Department of Defense level.

THE RESEARCH AND DEVELOPMENT CUTBACK

The Air Force, for example, requested some $725,000,000 in research and development funds for the 1953 fiscal year, and made strong pleas to the Research and Development Board of the Department of Defense that it grant the Air Force this money. Instead, the Board arbitrarily cut the request to $580,000,000. It was subsequently reduced to $525,000,000, which amount the Senate is now considering. Despite the truly "fantastic" weapons in the offing, Air Force research and development is being handicapped by this cut-back in funds.

We ask that the Senate consider the funds proposed for the Air Force in terms of modern air weapons on hand to control world balance of power. It seems clear to us that without this balance in our favor the free world is subject to blackmail of the worst sort, and possibly surprise atomic attack.

The airpower stretch-out already has taken its toll. It has slowed the pace of aircraft production below the industry's capability. It has retarded vital research and development programs. It has weakened the aircraft industry's subcontracting program, and thereby weakened the industry's production base. It has increased the unit cost of air weapons. (Due solely to the stretch-out, for example, the unit cost of the B–36 already has been increased by some $160,000.) It has proved beyond question of doubt that a stretch-out of production schedules breeds further stretch-outs.

ONE HUNDRED AND FORTY-THREE WINGS BY JULY 1, 1954

The issue, as we see it, is one of integrity. The slippage we hear so much about is too often a state of mind. We have bypassed target dates for security, and subsequently delivery dates for military goods as if they had no meaning. You, Mr. Senator, must hold the line. Only you can make it possible to return to the Joint Chiefs of Staff original estimate of the situation (which has never been refuted) that 143 modern wings (126 combat plus 17 transport wings) must be in being by July 1, 1954; that anything less would be hazardous to the Nation's security.

The Senate is being asked to consider an Air Force budget for fiscal year 1953 which, according to the administration, should total $20,700,000,000, and which would deliver the air power desired by late 1955 or early 1956. The Senate also is considering a budget of $19,200,000,000, approved by the House, which would deliver this air power late in 1957. The Senate should provide, we submit, funds for a budget which would deliver 143 modern wings by July 1, 1954, a budget which, it is estimated, would cost about $25,500,000,000, and which should include, as a priority item, $725,000,000 for Air Force research and development.

WE NEED SENATE LEADERSHIP

It will be argued, of course, that we have lost so much time due to stretch-out that the July 1, 1954 date, under limited mobilization, is impossible of achievement. The stretch-out, however, is based on an it-can't-be-done philosophy. As an organization, we are in close touch with both the military and the industry. We think it can be done—that 143 modern wings by July 1, 1954, can be achieved—without full mobilization—if the Nation is given the necessary leadership.

We ask the Senate to assume that position of leadership and, in so doing, alert our military, our industry, and our people to the extent that, as a Nation, we become fully aware of the threat which Communist aggression has imposed upon us.

HAROLD C. STUART,
President, Air Force Association.
L. A. LARSON,
Commander, State of Wisconsin.

JUNE 13, 1952.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

H. R. 6500. A bill to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder; without amendment (Rept. No. 1793).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

S. 2459. A bill to equitably adjust the salaries of auditors at central accounting post offices; with an amendment (Rept. No. 1797).

By Mr. UNDERWOOD, from the Committee on Post Office and Civil Service:

S. 3072. A bill to extend the 1½ cents per pound second-class mailing rate to publications of certain alumni associations; without amendment (Rept. No. 1798);

H. R. 7758. A bill to revise certain laws relating to the mail-messenger service; without amendment (Rept. No. 1799); and

H. R. 7877. A bill to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels; without amendment (Rept. No. 1794).

By Mr. LONG, from the Committee on Armed Services:

H. R. 5426. A bill relating to the reserve components of the Armed Forces of the United States; with an amendment (Rept. No. 1795).

By Mr. STENNIS, from the Committee on Armed Services:

H. R. 7405. A bill to provide for an economical, efficient, and effective supply management organization within the Department of Defense through the establishment of a single supply cataloging system, the standardization of supplies and the more efficient use of supply testing, inspection, packaging, and acceptance facilities and services; with amendments (Rept. No. 1796).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 19, 1952, he presented to the President of the United States the following enrolled bills:

S. 1527. An act for the relief of Sisters Dolores Ilia Martori, Maria Josefa Dalmau Vallve, and Ramona Cabarrocas Canals; and

S. 2552. An act to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FERGUSON:

S. 3360. A bill to provide for the issuance of a postage stamp in commemoration of 150 years of Highway Freight Transportation Progress; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. FERGUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 3361. A bill for the relief of Norberto Linaza Yrigoyen and Maria Josefa Maseda Lopez; to the Committee on the Judiciary.

By Mr. O'CONOR:

S. 3362. A bill for the relief of Gilbert Lemoine; to the Committee on the Judiciary.

By Mr. CLEMENTS:

S. 3363. A bill for the relief of Dr. Lotte Bernstein; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. GILLETTE, Mr. GREEN, Mr. HILL, Mr. KEFAUVER, Mr. LANGER, Mr. LEHMAN, Mr. MORSE, Mr. MURRAY, Mr. TOBEY, and Mr. HUMPHREY):

S. J. Res. 168. Joint resolution authorizing an inquiry by the Federal Trade Commission into certain practices and activities of private companies engaged in the production, distribution, or sale of electrical energy in interstate commerce; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above joint resolution, which appear under a separate heading.)

POSTAGE STAMP COMMEMORATING 150 YEARS OF HIGHWAY FREIGHT TRANSPORTATION PROGRESS

Mr. FERGUSON. Mr. President, I introduce for appropriate reference a bill to provide for the issuance of a postage stamp in commemoration of 150 years of Highway Freight Transportation Progress. I ask unanimous consent to make a brief statement relating to the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the Senator from Michigan may proceed.

The bill (S. 3360) to provide for the issuance of a postage stamp in commemoration of 150 years of Highway Freight Transportation Progress, introduced by Mr. FERGUSON, was read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. FERGUSON. Mr. President, the importance of overland freight transportation and the need for publicly owned interstate highways was first given formal recognition by the Seventh Congress in 1802. That act of 1802, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for other purposes," provided:

That one-twentieth part of the net proceeds of land lying within the mid State (Ohio) sold by Congress, from and after the 13th of June next, after deducting all expenses incident to the same, shall be applied to the laying out and making public roads, leading from the navigable waters emptying into the Atlantic, to the Ohio, to the said State, and through the same, such roads to be laid out under the authority of Congress, with the consent of the several States through which the road shall pass.

That legislation marked the first recognition of the industry which now employs 5,500,000 men and women. The trucking industry now moves, all or part of the way, 75 percent of everything the Nation eats, wears, and uses.

The importance of the trucking industry to Michigan and to the Nation cannot be overestimated since it serves every business, agricultural, industrial, and defense activity in the Nation.

In view of these facts, I hope this bill will receive early consideration, together with the companion bill which I understand is being introduced in the House by Representative J. CALEB BOGGS, of Delaware, who is interested in the proposed legislation.

PROPOSED INVESTIGATION OF PROPAGANDA ACTIVITIES OF PRIVATE UTILITIES

Mr. MAGNUSON. Mr. President, on behalf of myself, the Senator from Iowa [Mr. GILLETTE], the Senator from Rhode Island [Mr. GREEN], the Senator from Alabama [Mr. HILL], the Senator from Tennessee [Mr. KEFAUVER], the Senator from North Dakota [Mr. LANGER], the Senator from New York [Mr. LEHMAN], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Minnesota [Mr. HUMPHREY], I introduce for appropriate reference a joint resolution authorizing an inquiry by the Federal Trade Commission into certain practices and activities of private companies engaged in the production, distribution, or sale of electrical energy in interstate commerce. I ask unanimous consent that a statement I have prepared in connection with the joint resolution be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The joint resolution (S. J. Res. 168) authorizing an inquiry by the Federal Trade Commission into certain practices and activities of private companies engaged in the production, distribution, or sale of electrical energy in interstate commerce, introduced by Mr. MAGNUSON (for himself and other Senators), was read twice by its title and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON ON PROPOSED INVESTIGATION OF PROPAGANDA ACTIVITIES OF PRIVATE UTILITIES

THE IMPORTANCE OF ELECTRICITY

America today stands at a critical point in her destiny. As the world's greatest industrial country, her future is dependent upon maintaining the pace of her development. This cannot be done without electricity—without the whole pattern of power resources required by the factories of our immense economy. On the one hand we can view endless vistas of progress—limited only by our resources and our power, and on the other hand we can see the threat of the degrading, abject slavery of communism.

Electric power has a vital role to play in keeping America strong and helping to shape that future. The reason is all around us. It is thus of direct concern to every American to see that the development of electric power not only continues unfalteringly in the future, but also that it is sold at a price that will make possible its widest, maximum usage.

Consequently, electric power is a matter not exceeded in importance by any other subject now pressing for action before this Congress. Merely mention aluminum, copper, steel, atomic energy, hydrogen bomb or practically any aspect of modern industry and living, and you will find that electric power is a basic part thereof.

KNOWING WHAT POWER COSTS

America has expanded to its present heights by means of private enterprise, initiative, and inventiveness. In the realm of electric power America has grown still greater by the sharp yardstick of public power that only recently entered the power scene. For a long time it was a trade mystery, but now, for the first time, the public knows what it costs to generate, transmit, and distribute electric power. Now also, for the first time, the American people know what the same private utilities are charging their customers for electricity in the same State, and in other parts of the Union. We likewise know what public power is doing throughout America and the world.

Naturally, this has irked the private utilities. The private utilities are like the private conveyors of mail before the Federal post office system was established—or the private owners of roads and pikes that preceded our present public-roads system—or the railroad buccaneers of the nineteenth century—or the private suppliers of city water that preceded the municipal ownership of our water services. Similarly, the private utilities have long regarded their monopoly to supply electric service as an exclusive domain in which they could operate pretty much like private enterprise.

PUBLIC YARDSTICK

The public never shared this view. Early in the development of these private utilities, the State recognized that since they were affected with a public interest, a private utility could not operate the same as private enterprise. The rights of the public had to be protected—and all activities that were contrary to such public interest were to be regulated and modified or prohibited. But such regulation, with the end-

less series of legal battles, never worked effectively. So yardsticks were developed in the form of public power projects—not to supplant the private utilities—but to afford effective competition—and thus keep the service up; and the rates down.

It is important to recite these obvious facts—as they are not so obvious to the private utilities. At times they seem to forget that they are granted an exclusive monopoly privilege, without any competition, and are guaranteed a profit on their investment—upon condition that they serve the public at the lowest rates consistent with sound operating practices.

THE FEDERAL TRADE COMMISSION UTILITY INVESTIGATION

This is a subject very close to the pocketbook of most of the American people. Back in 1928, the public was aroused by certain activities of the private utilities—so an investigation by the Federal Trade Commission followed.

While that is a long time ago, many of us still remember the findings of the Federal Trade Commission pursuant to Senate Resolution No. 83 of the Seventieth Congress, first session. With a staff of 50 economists, lawyers, and accountants, the Federal Trade Commission spent over 7 years investigating the propaganda and related activities of the private utilities in the United States.

It is important that we now recall the principal conclusions that the Commission found, in over 80 volumes of sworn testimony and documentary exhibits. For once again it is being charged in responsible quarters that the same utilities are engaging in the same activities—at a time when all of us believed that the private utilities had cleaned house.

And what did the Federal Trade Commission find? Before answering this question, we should state that all the findings of the Federal Trade Commission were drawn—not from adverse or conflicting testimony—but from the documents, declarations, and sworn testimony of the private utilities themselves.

SUMMARIZING THE FEDERAL TRADE COMMISSION INVESTIGATION

In now summarizing these findings, it should be recognized that I am not opposing the right of the private utilities to set forth their views honestly and openly upon any subject—provided that they do so with their own funds and not with money received from customers that should be used to improve service or reduce rates.

Turning now to the investigation of the private utilities, which began in 1928, we find the private utilities were engaged in 12 different types of propaganda activities. The essence of the findings of the Federal Trade Commission which follow discloses that these propaganda activities of the private utilities were not open and above-board, but concealed. Secretly, they had others whom they financed or controlled, speak in their behalf—thus giving the public the impression that the various private groups or individuals were honestly setting forth their own private views. As a matter of record, these so-called private views were actually the carefully planned views of the private utilities, in disguise.

Here, then, are the main findings of the Federal Trade Commission:

KINDS OF PUBLICITY

1. Since 1919, the electric utilities have carried on an aggressive national propaganda campaign, using their own agencies as well as outside organizations, and actively employing all forms of publicity, except "sky writing." This propaganda was National, State and local in character. It was carried on by geographic associations, State associations, State committees or "bureaus of public-utility information." There were 28 such bureaus, and they covered 36 of the most populous States.

2. The Federal Trade Commission found that in circulating such propaganda, the private utilities frequently engaged in secret activities in order to block the full expression of opposing views on public power. Often methods of indirect approach were employed by the private utilities in order to get their propaganda to the public. In doing so, injunctions of secrecy were given, so that the private utility source of such propaganda would not be known to the public.

I remind you, I am reciting the conclusions of the Federal Trade Commission—reached after 7 years of searching investigation—beginning in 1928.

DISPARAGING PUBLIC OWNERSHIP

3. The Federal Trade Commission found that the subject of this concealed private-utility propaganda was to disparage all forms of public ownership of utilities, and the preachment of the economy, efficiency, and general excellence of the privately owned utilities. This was done under the greatest campaign ever conducted by private interests in this country.

CAREFULLY CONSIDERED PLANS

4. The Federal Trade Commission found that these propaganda activities were carefully considered and planned by the heads of the private-utility industries. The sponsors and planners of this propaganda fully recognized its character and objective.

USING SUBSIDIZED AGENCIES

5. The Federal Trade Commission findings show that the private utilities carried on their propaganda through a number of subsidized agencies. They took full advantage of the good will that was induced by their advertising expenditures, and in a number of instances newspapers, or a controlling interest in them, were acquired.

I continue with the Federal Trade Commission's conclusions.

INFLUENCING EDUCATION

6. The Federal Trade Commission findings disclose that the private utilities influenced schools, colleges, and universities in numerous effective ways. School men were influenced to favor the private utilities through jobs, speaking engagements, planning utility courses, making utility studies, writing articles, by having direct money payments made to many educational institutions, through favorable textbooks, by eliminating matter in publications deemed unfair or prejudicial by the utilities, or by bringing pressure on the largest publishers for the effect it would have on the smaller ones.

PRIVATE-UTILITY COMMITTEES

7. The Federal Trade Commission findings reveal that the private utilities had various committees for keeping in touch with the industries of this country. Likewise these committees kept in touch with many associations such as the United States Chamber of Commerce, Kiwanis, Rotary, Lions Club, Women's Clubs, churches or clergymen.

OPPOSING PUBLIC POWER

8. The Federal Trade Commission findings disclose that the private utilities made repeated attacks upon every outstanding public-power project whether in existence or contemplated, including much propaganda against the proposed Muscle Shoals and Boulder Dam Government projects.

PINNING THE RED LABEL UPON OPPONENTS

9. The Federal Trade Commission findings show that a favorite method of attack was—not to meet the public-ownership argument—but to pin the Red label on their proponents, and thus condemn those who advocated the public ownership of public utilities as Bolsheviks, Reds, or parlor pinks.

Evidently creeping socialism was then unknown. To many of my colleagues, who have supported public power on this floor, some of the above labels will have a very familiar ring.

UPHOLDING STATE REGULATION

10. While the Federal Trade Commission found that only in a few instances was there any effective State regulation, nevertheless the utilities proclaimed the complete effectiveness of such regulation as a foil to any further Federal or local regulation, or to any form of public ownership and operation.

DIRECT POLITICAL ACTIVITIES

11. The Federal Trade Commission found that in many States, the utilities engaged in direct political activities against any project of a public nature, and favored men and measures agreeable to the privately owned utility program.

CREATING A HALO AROUND THE PRIVATE UTILITIES

12. Finally, the Federal Trade Commission found that while the private utilities were engaged in all these activities to disparage public or municipal ownership and operation, the utilities pursued their ultimate objective of creating a halo around their own practices.

ARE THEY DOING THE SAME THINGS AGAIN?

The charge has been made—in highly responsible quarters—that the private utilities or their agents again are engaged in similar activities directed against: the public ownership of electric utilities; the public ownership of the generation, transmission, or distribution of electric power; rural electric cooperatives; multipurpose projects; preference for public bodies in Federal power developments; the construction and operation of Federal transmission lines; wheeling, and other private utility contracts concerning the transmission and distribution of electric power; and related public power matters.

There is a well established American tradition that a person is innocent until he is proven guilty. In order for us to find out the facts, I have introduced the resolution asking that the Federal Trade Commission make an investigation of the activities of the private utilities in this country. I am pleased to say that Senators GILLETTE, GREEN, HILL, KEFAUVER, LANGER, LEHMAN, MORSE, MURRAY, and TOBEY join me in offering this resolution.

DEFINITION OF PHRASE "PEACE-LOVING STATE" IN UNITED NATIONS CHARTER

Mr. BREWSTER (by request) submitted the following concurrent resolution (S. Con. Res. 85), which was referred to the Committee on Foreign Relations:

Whereas it is universally admitted that the common people of all countries are overwhelmingly opposed to war; and

Whereas history very definitely indicates that the dictatorship state breeds war and that real democracy promotes peace; and

Whereas for all practical purposes the tremendous power of religion to prevent war has never been harnessed; and

Whereas the record of the United Nations clearly indicates the great need for growth and progress; and

Whereas there is an extremely urgent need to strengthen and promote democracy on a scale never before attempted in the world's history: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States favors the adoption of the following definition of the phrase,

"peace-loving state," as used in article 4, of the United Nations Charter:

"A peace-loving state is hereby defined as any nation which gives its people the right to vote in a referendum for peace or war, except in the case of direct invasion and except for the use of joint military power by this Organization."

SEC. 2. It is further the sense of the Congress that any member nation of the United Nations which does not comply with this definition taking the necessary political action within 5 years after its adoption by the United Nations, shall be automatically dropped from membership in the United Nations.

SEC. 3. The Congress requests the President to instruct our Chief Delegate to the United Nations to take all steps possible to effect the purposes of this resolution.

AMENDMENT OF RULE RELATING TO CLOTURE—AMENDMENT

Mr. LEHMAN. Mr. President, on behalf of myself, the Senator from Montana [Mr. MURRAY], the Senator from Washington [Mr. MAGNUSON], the junior Senator from West Virginia [Mr. NEELY], the Senator from Illinois [Mr. DOUGLAS], the Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Rhode Island [Mr. GREEN], the junior Senator from Connecticut [Mr. BENTON], the junior Senator from Rhode Island [Mr. PASTORE], the senior Senator from Connecticut [Mr. MCMAHON], the senior Senator from West Virginia [Mr. KILGORE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Missouri [Mr. HENNINGS], I submit an amendment in the nature of a substitute, intended to be proposed by us, jointly, to the resolution (S. Res. 203) amending the cloture rule with respect to the number required for adoption of a cloture motion. I ask unanimous consent that the amendment, together with a statement I have prepared in connection with the amendment, be printed in the RECORD.

The VICE PRESIDENT. The amendment will be received, and printed, and will lie on the table; and, without objection, the amendment and statement will be printed in the RECORD.

The amendment is as follows:

On page 1, line 1, strike all after the word "*Resolved,*" and insert in lieu thereof the following:

"That (a) subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, is amended to read as follows:

" '2. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" ' "Is it the sense of the Senate that the debate shall be brought to a close?"

" 'And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

" 'Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.'

"(b) Subsection 3 of rule XXII of the Standing Rules of the Senate relating to cloture, is amended to read as follows:

" '3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the fourteenth calendar day thereafter (exclusive of Sundays and legal holidays), he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

" ' "Is it the sense of the Senate that the debate shall be brought to a close?"

" 'During the period intervening between the statement of the motion to bring debate to a close and the taking of the vote thereon the time for general debate on such motion shall be equally divided between the proponents and the opponents thereof, and shall be controlled by one Senator designated by the Presiding Officer to control such time for the proponents and one Senator designated by the Presiding Officer to control such time for the opponents. Time available to, but not used by, either such side shall be yielded to the other side.

" 'If the question so submitted on the motion to bring debate to a close shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

" 'Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.' "

The statement presented by Mr. LEHMAN is as follows:

STATEMENT BY SENATOR LEHMAN

The amendment in the nature of a substitute is similar to Senate Resolution 105, which was submitted by me, for myself and several other Senators, earlier this session. It would provide first for effective cloture, and secondly, it would remove the immunity of the rules themselves to change through the process of orderly debate.

The amendment recommended by the majority of the rules committee to the Wherry rule, rule 22, makes little if any significant change in the present situation.

The proposal I and my colleagues are submitting as a substitute would make rule 22 into an effective rule to limit debate. Our proposal consists of three parts: The first part of the proposed substitute provides for cloture or limitation of debate by a vote of two-thirds of those present and voting, after a waiting period of 2 days. This section of the rule is designed to be invoked for legislation of a national emergency nature where at least two-thirds of the Senate desired speedy action. Under this section of the rule, two-thirds of the Senate could order that debate on a question or motion be henceforth limited to 1 hour per Senator and that no dilatory motions would thereafter be entertained.

To meet the need for democratic decisions on nonemergency legislation, a separate section of the rule is proposed. This second section would make cloture possible after 15 days by the vote of a majority of those present and voting. The 15-day period is provided to give Senators in a minority position ample opportunity to appeal to public sentiment and to arouse public support for their position.

The two sections of this rule are independent of one another but they are interconnected. Cloture may be invoked under section 2, or it may be invoked under section 3 of the proposed new rule. If cloture fails under section 2, cloture may be attempted under section 3.

The proposed new rule repeals outright that provision of rule 22, now found in subsection 3, which exempts amendments to the rules, or any motion incident thereto, from any limitation of debate whatever.

There are several reasons why I am submitting this substitute cloture rule today. The foremost reason is that I believe its adoption is essential to the elimination of the present barrier to civil rights legislation, consisting of the filibuster.

I say this and will continue to say it as long as I am in the Senate—the battle for men's minds and souls in the world-wide struggle against communism can be lost on the floor of the United States Senate because we are immobilized in our attempts to assure equal opportunity and equal rights for all of our citizens.

Here we sit today in the most influential and potentially powerful deliberative body in the world and there is a sword of Damocles hanging over our heads suspended by only the thread of self-restraint on the part of individual Members of the Senate. That thread can break at any time, on any issue. It could happen and thus prevent the ratification of the essential Western European defense treaties which will soon come before us. A filibuster could start on the military appropriation bill or on a measure to authorize funds for our atomic weapons program. This threat is an intolerable reflection on the judgment of the majority of the United States Senate.

I need not go into the long legal and constitutional arguments which were brought out in the hearings held on the cloture rule last year.

My colleagues who are supporting this change in rule XXII and I believe that the present cloture rule is the type which Fascist or Communist minorities work hardest to obtain in democratic legislatures. The principle of majority rule is one of the great bulwarks against totalitarian minority groups who attempt to invade the democratic legislatures of the free world.

Such a rule as the present rule XXII of the United States Senate, if it were to be adopted by the legislative bodies of France or Italy, would surely bring the legislative wheels of these countries to an immediate halt. These great democracies would be at the mercy of their undemocratic minorities. A rule XXII in the present French Parliament would be worth more than a million new party members to the French Communist Party. I ask my colleagues, Is this the example the Senate of the United States wants to set for the free world?

I am convinced, and many students of our Constitution are convinced, that there is no sanction in the Constitution of the United States for the present clause 3 of rule XXII. There are five instances in the Constitution where a two-thirds vote of the quorum, not of the entire Senate membership, is required. The five instances are—impeachment, expulsion, overriding a veto, Senate ratification of a treaty, and proposals to amend the Constitution.

The only time the Constitution makes mention of a vote of the two-thirds of the entire membership is in the remote case when it might be called upon to elect a Vice President of the United States.

Here, in a mere procedural rule, the Senate has seen fit to require an absolute two-thirds. I repeat—nowhere can a constitutional sanction be found for this rule—and no stretch of the imagination can conceive of arguments as to why such a rule adopted by the Senate of one Congress should bind a succeeding Senate.

This will be, I am sure, an issue in the coming elections. It will be an issue among all those who believe in removing this dangerous threat to effective self-government, and who feel that the majority should rule, while giving to the members of the minority the same protections as are accorded to the members of the majority.

I have little hope that we can get action on this measure this year.

But we must have action, and I believe that the people of this country are going to insist on action.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. FLANDERS:

A Declaration to a World in Crisis, adopted at the conference of the International Council for Christian Leadership, held in Holland, May 22 to May 25, 1952.

By Mr. LEHMAN:

Editorial entitled "New Bill," published in the June 14, 1952, issue of the Pilot.

By Mr. SMITH of North Carolina:

Editorial entitled "Full Year of Stalemate," published in the Elizabeth City (N. C.) Daily Advance of June 17, 1952.

PROPOSED INVESTIGATION OF CHARGES BY SOVIET UNION OF GERM WARFARE

Mr. WILEY. Mr. President, I wish to speak upon what I consider to be a very important matter relating to our foreign policy. I ask that I may have 10 minutes in which to address the Senate and present the matter for the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Wisconsin is recognized for 10 minutes.

Mr. WILEY. Mr. President, I rise today in order to present what I feel is a constructive suggestion to cope with what has become a major problem of American foreign policy. I refer to the problem caused by the Soviet Union's spreading of the big lie, the monstrous lie that we have been using germ warware in Korea.

I am going to make a suggestion which I earnestly trust President Truman may see fit to accept, and which I hope the State Department and our military may also feel is worthy of acceptance.

Yesterday Mr. Jacob Malik, Soviet Representative on the U. N. Security Council, called a meeting to discuss what we know to be phony charges that the United States has waged germ warfare in Korea. Thus, once more the Soviet Union showed its intent to use every instrumentality available to it to try to impress upon the world the outrageous lie of American guilt of spreading germ epidemics in Korea.

Now, Mr. President, I am not only seeking to nail this particular big lie "to the mast" and expose it for the foul fraud that it is; I am taking this step because I am firmly convinced that all of us must be more adequate in meeting the challenges of this age of propaganda, whether those challenges exist at home or abroad.

BIG LIE USED TO POISON MINDS OF AMERICANS, TOO

Josef Stalin did not invent the technique of the big lie any more than Adolph Hitler did; nor is the big lie confined simply to international relations. The scapegoat technique, for example, is as old as the oldest dictatorships of history. Here at home there have been propaganda experts, too, who have used every foul device systematically to poison the minds of the public. They utilize propaganda strategems to create waves of emotionalism, of synthetic thinking, rather than calm, reasonable, logical review of the facts. I will not name them, let the shoe remain on whosever foot it fits.

In this political period, where passion runs high on all sides, where anxious men and their supporters seek highest public office—in this time is provided the greatest opportunity for true leaders to demonstrate their leadership, their worthiness for public office, by rejecting the use of false weapons of propaganda, the big lie or the little lie, the big smear or the little smear. Let the November 1952 election be won on fact, not on falsehood. Let each side have the courage and fair play to talk issues, not personalities, to promote understanding, not bigotry.

Sometimes some of us in public life feel that we might almost interrupt completely our regular functions in order to smash down the propaganda weapons so maliciously used in current affairs. But then we recognize, as did Lincoln, that if we were to spend our time debunking the falsehoods spread about others or about ourselves, we would have time for little else.

REDS USE BIG LIE FOR MANY REASONS

But in the field of international relations, we must devote attention toward "debunking" the big lie. Why? Because the Soviet Union is using the big lie for many ominous purposes, not just one.

First she is spreading the big lie about us as a diversionary tactic in order to arouse fear and bitter hatred of the United States among her own population and the populations of the slave states. In that way, she is trying to channel the discontent against Soviet tyranny into a hatred of the far-distant American people. The Soviets have read the lesson of history—how dictators have used hatred of foreigners in order to divert hatred against domestic authorities.

Secondly, the Soviets are hoping to weaken the infant democratic movements in the Asiatic countries by destroying the various peoples' admiration for the great fountainhead of representative government—the United States.

By weakening the democratic movements, the Soviet Union thereby hopes to strengthen the Communist minorities throughout Southeast Asia, for example.

Third, the Soviets have the specific purpose of alibiing the obvious existence of genuine epidemics of disease—for which they themselves are responsible—which have apparently decimated masses within the North Korea and Chinese Red armies; epidemics due to the primitive medical conditions and callous disregard for human life existing in the Red lands.

Naturally the Soviets cannot confess their own inefficiency and disrespect for human life, and so they seek to shift the blame to the United States.

REDS MAY BE PREPARING "BW" USE

Fourth, the grave possibility is that the Soviets are seeking to pin on us a charge of the use of a diabolic weapon—bacteriological warfare—which they themselves may be preparing to use in the future in Korea or elsewhere. Warnings to this effect have repeatedly been made by United Nations military authorities. Who knows, too, how germ warfare may figure in the Kremlin's plans against continental United States itself—in the event of a third world war?

WE UNDERESTIMATED RED PROPAGANDA EFFECTIVENESS

Mr. President, I have often warned against either over-estimating or underestimating the Soviet Union. In this instance of germ warfare charges, I believe that America and indeed United Nations diplomats sadly underestimated the Soviet propaganda wizards.

When the first charges of germ warfare were made against us, a great many so-called skilled diplomats here and elsewhere dismissed them lightly and assumed that the falsehoods would be completely ignored by the civilized world.

But the well-oiled machinery of the Cominform and its puppet Communist Parties in lands like France and Italy

were sadly underrated in their ability to "sell" the big lie.

The Soviets have not missed the slightest bet for propaganda attack; thus on Gen. Matthew Ridgway's arrival in France, he was greeted by Communist demonstrators carrying banners calling him "microbe killer" and Fascist criminal." General Ridgway's reaffirmation in Italy on Tueday that the germ charge was a fraud was of course hooted and jeered at by the Red forces.

And so, the lie campaign continues. In the streets of the cities of Europe have appeared innumerable posters and signs showing the Americans as killers engaged in microbe manslaughter.

As one illustration of the amazing gullibility of even so-called informed individuals, I cite the instance of John W. Burton, permanent head of the Department of External Affairs for the previous Australian Labor Government. Mr. Burton has now lent his name to the present anti-American drive.

I have seen other evidences that not just known sources sympathetic to communism, but sources which we might regard as being genuinely "neutral" or even leaning toward our side—have swallowed the Red line hook, line, and sinker.

I say that the time is overdue for American diplomacy to seize the offensive to "scotch" the big lie.

To be sure, we have already taken such steps as transmitting Voice of America broadcasts which have rebutted the Soviet charges.

We have challenged the Communists to permit an open investigation by the International Red Cross, an organization known for its impartial and unselfish service. The Soviets, however, contended that such an investigation would not be satisfactory since the Russians said that the International Red Cross had become a "tool" of the United States.

REDS INSIST ON RATIFICATION OF GERM WARFARE PROTOCOL

Soviet Russia, with typical craftiness has demanded immediate ratification of the Geneva Protocol of June 1925 concerning biological warfare. Jacob Malik has cited the fact that the United States, although a signatory to that protocol did not ratify it, whereas the Soviet Union, Britain, France, China, and five other members of the Security Council had ratified or acceded to the convention.

We, however, have rightly pointed out that the Soviety Union continues completely to refuse to enter into a conference on general and effective control of various types of weapons.

We feel that it is absurd for us to attempt to deal piecemeal with any one weapon such as biological warfare alone, when obviously the "Big H"—the hydrogen bomb and other dreadful weapons hover over the world.

IMPARTIAL INVESTIGATIONS SUGGESTED

Mr. President, I specifically recommend that the President of the United States call upon the Government of the Soviet Union to accept an impartial investigation of the charges of germ warfare under the following conditions:

First. The Committee on Investigation shall be appointed by three well-known statesmen, of a caliber recognized for political and diplomatic independence, and whose nations are likewise recognized for their independence and sovereignty.

Second. The report of this Committee shall be given due note in the press of the Soviet Union and that of our country. In particular, the Soviet Union shall pledge itself to print the report within the pages of Pravda, and I for one shall pledge to print the report, subject to intrinsic limitation on space, within the pages of the CONGRESSIONAL RECORD.

I believe that statesmen of the caliber of Prime Minister Nehru of India and President Soekarno of the Republic of Indonesia shall be the type to recommend this investigation committee.

I believe further that the Committee should consist of outstanding leaders of Asia, since it is they who are most vitally concerned with the charges which have been leveled. We dare the Soviet Union to accept this challenge. We dare it to place its faith in the judicial decision of Asia's own statesmen.

BIGGER LIES STILL TO COME

Mr. President, I want us to succeed in smashing this big lie because we may be sure there will be bigger lies to come. The germ-warfare charge is but one of the opening rounds of a bout which may be of relatively unlimited duration.

If we of the West prove our weakness in this early round, we can be sure that the skilled Soviet "boxers," completely ignoring the Marquis of Queensbury rules, will be using thumbing, gouging, and every other illegal device of the prize ring or the propaganda ring.

Communism being founded upon the lie, is at home in its spreading of lies. There is no fabrication too bold, no falsehood too immoral for those whose code of conduct is based upon absolute audacity, absolute immorality in achieving their ends.

But I refuse to accept the idea that we of the democracies must be perpetually second best in the propaganda game.

We have the brains. We have the truth. We have the cause. There is no reason under the sun why the Nation which has perfected advertising to an art, a Nation which knows salesmanship better than any other nation, should be perpetually second best in the propaganda war.

TO LOSE BATTLE OF MINDS IS TO LOSE BATTLE OF BATTLEFIELD

Let us bear in mind, too, that the Soviets know that their propaganda lies fall on particularly fertile soil in the minds of the largely illiterate masses of Asia, peoples who are just beginning to have the opportunity and facilities to exercise their native reason and judgment, peoples long oppressed in darkness—peoples now longing for the light.

We have learned only belatedly that we must win the battle of men's minds if we are to win the battle of the physical battlefield. Today in North Korea, in Indochina, in Malaya, misguided native peoples, armed and equipped by the Kremlin, are murdering American boys, French boys, and English boys; and they, in turn, are dying.

The Soviet masters of the Kremlin are planning for still further outbreaks in southeast Asia and elsewhere. It is up to us to make absolutely sure that more misguided millions in these and other areas do not become the dupes of international communism and do not take up arms to destroy the very forces of freedom which are one of their greatest hopes for achieving the better way of life. By point 4 and other aids, by our own previous record of unselfishness, by our own traditional support of the yearnings for the sovereignty of all ex-colonial peoples, by our own traditions of 1776, we have signified our common bond with the restless, rising masses of Asia. Let us not lose them by our failure to antidote the poison which is being inocculated into them.

WE MUST ANTIDOTE POISON WITH TRUTH SERUM PROMPTLY

Poison does not cure itself. Poison requires a specific antidote. The venom of the Communist snake must be combated by the more powerful serum of truth.

It is time to make sure that never again do we allow ourselves to fall so far behind in using the antidote so long after the snake bite occurs.

We have lost uncounted millons already—in whom the venom of hatred against the West has taken hold. Let us lose none further.

Let the leaders of both Democratic and Republican Parties address themselves to constructive problems of this sort, above and beyond partisan politics, in the international realm.

Meanwhite, as we combat the propaganda lie on the foreign front, let us ever remember that we have a responsibility on the domestic front, to set an example of fairness, of decency, of sportsmanship, which we have come to think of as characteristic of the American way.

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY, APPROPRIATIONS, 1953

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, H. R 7268.

The Senate resumed the consideration of the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes.

The VICE PRESIDENT. The first amendment of the Committee on Appropriations will be stated.

The first amendment of the Committee on Appropriations was, under the heading "Civil functions, Department of the Army—Cemeterial expenses," on page 3, line 2, after the word "cemeteries", to strike out "$4,000,000" and insert $4,319,350."

Mr. McKELLAR. Mr. President, I should like to be recognized for a few minutes to make a statement.

Mr. FERGUSON. Did I understand the Senator from Tennessee to say that he will make a statement before the committee amendments are considered?

Mr. McKELLAR. Yes; I should like to make a very brief statement.

Mr. FERGUSON. The Senator from Michigan, and the Senator from New Hampshire desire to make a motion to recommit the bill. We should like to make that motion prior to the consideration of any amendments.

Mr. McKELLAR. Mr. President, the bill as reported to the Senate recommends appropriations in the amount of $666,774,699, which is $45,853,101 below the estimates of the Bureau of the Budget and $174,339,799 above the amount of the bill as passed the House.

Before considering this bill which provides for carrying on the civil functions of the Department of the Army for the fiscal year 1953 I should like to make a few observations.

During the past 128 years, that is, since 1824, appropriations for the civil functions of the Corps of Engineers have totaled $8,000,000,000, including the $680,900,000 in the approved budget estimate for the fiscal year 1953. Of this amount $5,911,000,000 was for construction.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter from the Assistant Chief of Engineers for Civil Works which briefly states the accomplishments of the Corps of Engineers in the development of our rivers and harbors in the interest of navigation, flood control, and power development.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF ENGINEERS,
Washington, June 12, 1952.

Hon. KENNETH MCKELLAR,
Chairman, Committee on Appropriations, United States Senate, Washington, D. C.

DEAR SENATOR MCKELLAR: In response to your verbal request, I am pleased to furnish you the following information regarding the Federal Civil Works program.

The total appropriations during the past 128 years (since 1824) for navigation, flood control and related improvements have amounted to $8,000,000,000, including $680,900,000 in the approved Bureau of the Budget estimate for fiscal year 1953. This total appropriation has been utilized (or allocated insofar as the amount for fiscal year 1953 is concerned) as follows:

[In millions of dollars]

	River and harbor	Flood control	Tota.
New work (construction)...	2,410.3	3,500.7	5,911.0
Maintenance and operation..	1,342.7	233.6	1,576.3
Miscellaneous and surveys..	276.9	244.8	521.7
Total.....	4,029.9	3,979.1	8,009.0

Of the total appropriations for rivers and harbors, about half has been for seacoast and Great Lakes harbors and channels and the remainder has been used for inland and intracoastal waterways.

These relatively small appropriations over a century and a quarter have permitted the improvement of 417 commercial ports (286 coastal and 131 Great Lakes), as well as the provision of a number of harbors for refuge and for small fishing and recreational craft. These harbors and channels have been improved progressively to meet the needs of maritime and lake commerce to provide this country with the best port facilities available to any nation in the world. Cargo handled at these ports has risen from about 463,000,000 tons in 1929 to 630,000,000 tons in 1950. These facilities have proved their essentiality as basic elements of our economic and industrial structure, and in our ability to wage war or aid the nations associated with us in keeping the peace.

The federally improved inland and intracoastal waterways, exclusive of the Great Lakes channels, aggregate some 27,000 miles in length. However, about 80 percent of the commerce is carried on some 15 major waterways, which have also received about 80 percent of the Federal expenditure for this purpose. Total traffic moving on the improved inland waterways has shown a tremendous increase from 8,600,000,000 ton-miles in 1929 to 51,700,000,000 ton-miles in 1950, an increase of about 500 percent in the 22-year period. In terms of transportation savings to shippers and receivers of cargo, these waterways are currently paying off at a rate of well over $2 for every dollar of Federal cost. Moreover, during World War II these waterways proved their value to the national defense by providing protected routes for bulk movement of petroleum and other basic materials, thus relieving the overburdened railroads to accommodate faster-moving traffic. In addition, more than 4,000 landing craft and small war ships were built along inland waterways and floated to the sea via federally improved channels.

The current Federal flood-control program is relatively new and dates essentially from 1928, when the major project for the Alluvial Valley of the Mississippi River was authorized by Congress. Since that time and through fiscal year 1951 a total of 330 flood-control and multiple-use projects, including those for the Mississippi and Sacramento Rivers, have been placed in operation, and over 80 projects are now under construction.

The works completed or in operation now serve to prevent flood damages estimated to average more than $300,000,000 annually, and since 1928 they have prevented an accumulated flood damage of well over $5,000,000,000 as compared with the total of $2,300,000,000 that has been appropriated for their construction and operation through fiscal year 1952. The major project for the Alluvial Valley of the Mississippi River has at its present stage of completion returned over $5 in benefits for every dollar expended; and the general flood-control program, where projects have been in operation less than a decade, on the average, has already repaid in benefits more than half of its cost, and the useful life of these projects is actually just beginning.

The works completed or in operation now protect over 860 communities and over 26,000,000 acres of agricultural land, with an aggregate population of about 4,600,000 in protected areas. These works are distributed widely over the country; located in 46 States of the Union.

Appropriations for prosecution of the program for flood control and related purposes have produced other important features. Hydroelectric power installations authorized by Congress and constructed under this program total about 1,000,000 kilowatts of generating capacity and an additional 5,500,000 kilowatts are now under construction to meet the expanding industrial needs for both civil and military requirements. In addition the program is producing large collateral benefits. Civil works projects are aiding in control of stream pollution; municipal water supplies are being provided from 12 reservoirs; the works are providing important facilities for preservation of fish and wildlife that would not otherwise be available; and recreational facilities provided by reservoir management programs attracted 26,000,000 visitors in 1951.

The Federal appropriations for flood control have proved to be one of the soundest investments of public funds that this country has ever made.

The relatively small appropriations for surveys have enabled the Corps of Engineers to keep this program up to date and present to Congress soundly conceived reports and recommendations on new improvements and modifications of existing projects which have been found necessary over the years. Appropriations for miscellaneous work are those for the continuing and general authorities which Congress has delegated to the Chief of Engineers. These include such work as removal of wrecks, clearing and snagging of navigation channels, flood fighting and emergency repair of flood protection works. Appropriations under these general and continuing authorities and for surveys account for about 6.5 percent of the total civil works appropriation to date. Although this work thus constitutes a very small part of the civil works program it has been most important in keeping the program up to date and in permitting the accomplishment of minor work of an emergency or annually recurring nature in an economical and effective manner.

I trust that the foregoing summary of the appropriations for civil works and of the status and accomplishments of the civil works program will provide the information you desire. If further details and supporting data are needed I shall be glad to supply them.

Sincerely yours,

C. H. CHORPENING,
Brigadier General, USA, Assistant Chief of Engineers for Civil Works.

Mr. McKELLAR. Mr. President, I wish to digress long enough to say that I believe the Army engineers to be the greatest organization of engineers anywhere in the world. They know their business; they are honest and upright, and efficient in every sense of the world. When they come before the committees of Congress they give to the committees accurate, full, and sound advice. Their management and control of the work entrusted to them has been characterized by ability and professional skill. I can say that from personal knowledge and observation of their activities during my service in the House and in the Senate for a period of nearly 42 years.

Mr. President, I should now like to call the Senate's attention to the number of United States dollars we are spending to develop the power, water, and soil resources of foreign countries. Direct appropriations for such projects from ECA funds in the fiscal year 1951 amounted to $244,575,000; but, in addition, almost $4,000,000,000 has been set aside in a drawing account, called counterpart funds, for such projects.

Today we are spending for such purposes more money abroad than we are spending at home. Not only are we spending these enormous sums of money in foreign countries, but we are spending them without limitation. On the other hand, in this bill the House has provided a limitation on the expenditure of funds in the United States, and that limitation would prohibit any expenditures for planning in connection with projects in the United States in the future. The attitude of the House of Representatives seems to be that we do not need to plan for America, but that we must make plans for Great Britain and for France and for Germany and for Italy and for Austria and for Asia and for Africa and

for South America. Oh, yes; it seems to be quite all right, so far as the House of Representatives is concerned, to spend money to make plans for projects in foreign countries, and $8,000,000,000 is requested for both planning and construction abroad. On the other hand, if it is desired to improve the Missouri River or the harbor of Detroit or provide for a dam in Texas or for a project in Wisconsin, the House of Representatives takes the position that it will refuse to agree to appropriate money for plans for such purposes. In short, the House will refuse to appropriate funds for planning for the building up of the United States, although it is willing that unlimited sums of money be appropriated for planning and for all kinds of construction in various other countries of the world.

I wish to state to the Senate that I believe now, and I have always believed, that our first duty is to the people of the United States. We were chosen by our constituents to legislate for America, and for America first.

On the other hand, some persons seem to take the attitude that it is quite all right for us to provide for private buildings, if you please, in foreign countries and for the construction of dams on foreign rivers and housing projects in various other countries of the world, without any limitation at all; and such funds are voted without a word of protest, so far as many Members of Congress are concerned. Yet the same Members of Congress take the attitude that limitations must be placed upon appropriations for building up the United States.

Mr. President, the United States is coming out at the little end of the horn. The provisions voted by the House of Representatives will not even allow the appropriation of funds for planning for projects in the United States.

Mr. DWORSHAK. Mr. President, will the Senator from Tennessee yield to me?

Mr. McKELLAR. I yield.

Mr. DWORSHAK. Will the distinguished chairman of the Appropriations Committee repeat the figures he gave a few moments ago in regard to the amount of money spent over a long period of years by the Army Corps of Engineers?

Mr. McKELLAR. Yes. During the last 128 years—a very long period of time—the appropriations for the civil functions of the Corps of Engineers have amounted to a total of approximately $8,000,000,000, including $680,900,000 in the approved budget items for the fiscal year 1953. Of this amount, $5,911,000,000 has been for construction. The expenditure of that money has built up our country and has aided tremendously in making the United States the greatest country in all the world.

Yet under the bill as it has come to us from the House of Representatives, the House has provided for stopping these projects; the House would not even allow the appropriation of planning money for such projects.

Mr. DWORSHAK. Mr. President, will the Senator from Tennessee yield further to me?

Mr. McKELLAR. I yield.

Mr. DWORSHAK. It seems to be quite difficult to visualize that during more than a century, only approximately $8,000,000,000 has been spent under the supervision of the Army Corps of Engineers for all the various projects in the United States, because the distinguished chairman of the Appropriations Committee knows that that sum only approximates the amount we are spending currently, in 1 year, on various projects abroad. Is not that correct?

Mr. McKELLAR. Yes. All of us know that to be so. If there is a Member of the Senate who thinks for a moment that we shall ever get back any part of the money spent abroad, I should like to have him rise and say so. I challenge any Member of the Senate to say that he believes we shall get back any part of that money.

Mr. President, we are making vast gifts to foreign governments; but while we are making those gifts, we are cheeseparing on every United States project. I recall a project in the West for which an appropriation of $244,000 was requested, but that item was reduced in the House of Representatives, before the bill reached the Senate committee. Thereafter some of the members of the Senate committee challenged the item still further, and motions were made to reduce the appropriations for it by 5 percent or 10 percent, or some such percentage.

Mr. McCLELLAN. Mr. President, will the Senator from Tennessee yield to me?

Mr. McKELLAR. I yield.

Mr. McCLELLAN. Let me ask the distinguished Senator from Tennessee, the chairman of the committee, whether the $8,000,000,000 to which he has referred, which he has stated the Corps of Engineers has spent during the past 128 years, includes all expenditures for all the fine coastal harbors of the United States.

Mr. McKELLAR. It does.

Mr. McCLELLAN. For their construction, as well as their maintenance.

Mr. McKELLAR. It does. The figure stated includes the harbors of New York, Boston, and all the other ports along the Atlantic seaboard.

Mr. McCLELLAN. And also the ports on the Pacific Coast.

Mr. McKELLAR. Yes; and also all the ports on the Gulf Coast and all the ports or harbors on the Great Lakes.

Mr. McCLELLAN. Mr. President, will the Senator from Tennessee yield further to me?

Mr. McKELLAR. I yield.

Mr. McCLELLAN. I wish to emphasize the point that of the $8,000,000,000 which the Senator from Tennessee has stated has been spent during a period of 128 years, most of the money has been spent for facilities which are vital and absolutely indispensable to our great commerce.

Mr. McKELLAR. Yes; and 75 percent of that money has been spent for construction. Only 25 percent has been spent for all other purposes.

Mr. McCLELLAN. Yet a cry is always made about "pork barrel." I wish to emphasize the statement the Senator from Tennessee has made, namely, that 75 percent of the $8,000,000,000 has been spent for construction, and the remaining 25 percent has been spent, I assume, for maintenance.

Mr. McKELLAR. Yes; for maintenance, salaries of officers, and similar items.

Mr. McCLELLAN. Certainly.

In the case of the 75 percent which has been spent for construction, the great majority of it has been spent for the construction of facilities which have helped make America what she is today.

Mr. McKELLAR. Those facilities are vitally necessary to the prosperity and happiness of the American people.

Mr. President, I wish to say as one Senator—and I believe the majority of the Members of this body feel just as I do about this matter—that we should continue to build up these projects which have meant so much for the advancement and wealth and happiness of the United States.

Mr. McCLELLAN. Mr. President, will the Senator yield further?

Mr. McKELLAR. I yield.

Mr. McCLELLAN. We are expected to appropriate for overseas spending for military assistance about $5,000,000,000, as shown by the present budget. We say that is in the interest of our own defense; that it is in the interest of the mutual defense of the Atlantic Pact nations, including the United States, to make our potential allies and friends strong militarily in the event of another war. But when we undertake to spend money at home in order to strengthen America there are those who do not want to regard that as having any impact upon American strength in time of danger. But every dollar, or substantially every dollar, proposed to be appropriated by the pending bill will actually go toward building the economic strength and military power of America in order that we may be prepared in the event of another war.

Mr. McKELLAR. I desire to cite a few examples of what has been done. Consider what has been done on the Mississippi River, on the Columbia River, on the Colorado River, on the Missouri River, and on all our other great rivers, as well as upon some of the smaller rivers in the West and in the South, and on the Ohio River in the Middle West. Consider what we have done in regard to the harbors of this country, to make it possible for great ships to bring into those harbors cargoes from all the world. No matter how large a ship may be, it can enter New York harbor and the other great harbors along our coast. Why? Because in the past we have made appropriations to improve our great harbors for the benefit of our commerce with all the rest of the world.

In elaboration of what I have stated, I desire to say very frankly that I am opposed, utterly opposed, and I may say viciously opposed, to the elimination of funds to be used in planning for the future. I think such appropriations should be continued. Consider the great dams of the West, in Oregon, Washington, California, Idaho, and Missouri, and elsewhere. I want to say to my good friend, the Senator from Michigan [Mr. FERGUSON], who sits be-

fore me, that we have from time to time appropriated money for the development of the harbors of the Great Lakes. I think that work ought to be continued. So, I do not believe we should discontinue the appropriation of money to be used for planning. Nor do I believe that we should discontinue the appropriation of money to be used in the construction of great projects in our own country, while we at the same time give limitless millions of dollars to foreign countries, from whom we do not expect to get one dollar back in the future.

Merely as an illustration, Mr. President, several years ago we loaned $12,000,000,000 to Russia, an enemy of the United States. Russia has never paid back a cent of it. Does any Senator believe that Russia ever will pay back a dollar of it? I do not. She owes $12,000,000,000 and interest, and has owed it for a number of years. So I am appealing to Senators to build up American enterprise to develop American resources, rather than stop the planning which the Corps of Engineers has so well done in days gone by.

Mr. President, to proceed a little further, I bring this matter to the attention of the Senate because of the very restricted budget policy on public works which has existed for the past few years with respect to new starts. It is apparent that this policy applies only to projects in this country.

I cannot agree to such a policy. I favor the development of our own natural resources. I believe that we must proceed with the construction of navigation, flood control, and power developments. Let us remember what has happened in the West only during the past year. Millions of dollars worth of property was destroyed as the result of failure to provide adequate dams and reservoirs to control devastating floods. These projects should be recognized as the great national assets they are.

There are four major differences between the bill as passed the House on April 2, 1952, and the bill as reported to the Senate.

1. APPROPRIATED STRUCTURE

In the past, appropriations for rivers and harbors and flood control, general and flood control Mississippi River and tributaries have been carried in the bill as three lump-sum items. In formulating the 1953 bill the House Committee broke these lump sums down into their major component parts: namely, first, examination, surveys, planning and other study programs; second, construction; third, maintenance; and fourth, administration. The flexibility provided in the appropriation structure used in the past is considered necessary to meet changing conditions which arise during the year. The bill as reported to the Senate is based on the appropriation structure which has served so well in the past.

2. PLANNING MONEY

The bill as passed the House provided no appropriation for the planning of river and harbor and flood-control projects. The budget estimate for this function was $2,300,000, the Senate Committee recommends $2,285,000 for this function.

The committee feels very strongly that planning funds should be provided. Certainly planning will be continued on water-resource development projects in foreign countries with American dollars. But in America, according to the House, planning money is excluded.

3. PROJECTS UNDER CONSTRUCTION

Mr. President, let me for a moment speak of projects now under construction. In my own State there is a project which is called Cheatham Dam, named in honor of Benjamin F. Cheatham, the celebrated general. Cheatham Dam is in Cheatham County, Tenn., near the Kentucky line. The dam is about half completed, and the House has stricken out the appropriation for it. We have spent $6,000,000 on Cheatham Dam. If work were stopped on the dam, it has been estimated that it would result in a loss of at least one-third of the amount which has been spent on the dam up to this time. Should work be stopped on Cheatham Dam? I say it should not be stopped. Numerous other projects could be mentioned, some in the State of New Mexico, some in the State of Arkansas, and some in the State of Texas, that are in exactly the same status. There are similar projects in the State of Michigan and in the State of Idaho. There are some in California. I want to say that I think New England, New York, and Ohio ought to be treated in the same way as the rest of the country.

Mr. TOBEY. I say so, too.

Mr. McKELLAR. I have consistently voted for a light and power project at Niagara Falls. I think it should be built.

Mr. TOBEY. How about the St. Lawrence seaway?

Mr. McKELLAR. I voted for the St. Lawrence seaway because it seemed to me that New England, New York, Pennsylvania, and Ohio should be treated in the same way California, Washington, and Oregon have been treated. I frankly admit that the Senate has been very generous in its treatment of the Tennessee project, and I thank the Senate with all my heart. The same policy should be followed in the northeastern section of our country.

Mr. CHAVEZ. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. CHAVEZ. Only last year there was a terrific flood in Kansas. This year there was a terrific flood in Missouri. Speaking about unfinished dams, I notice in the bill items with respect to the Garrison Reservoir and Fort Randall Reservoir. If the dams in connection with those reservoirs had been completed, 2,000,000 acres of the best farm land in America would have been saved. But because they were not completed, Omaha, Sioux City, Council Bluffs, and other places had to suffer and 2,000,000 acres of the finest land went to perdition.

Mr. McKELLAR. I consider it highly patriotic to construct such projects.

Mr. CHAVEZ. If German Reservoir and Fort Randall Reservoir had been completed, billions of dollars would have been saved to America.

Mr. McKELLAR. I believe the Senator has omitted to mention the terrible flood at Kansas City. General Pick, the Chief of Engineers, and one of the best and most efficient men in any department of the Government, testified on the day before that flood occurred that if a great reservoir had been constructed at Kettle Creek, Kansas City would be safe from the ravages of floods.

We have grown up with these projects, so to speak; why should we stop them at this time and yet contribute lavishly to foreign projects? I think we should be generous to our neighbors, yes, and I am willing to help them so far as we can properly do so; but I do not think we ought to do it at the expense of the American situation as we find it.

Mr. CHAVEZ. The point I am trying to make with respect to this particular bill is that if there is one bill that is nonpolitical, it is this one.

Mr. McKELLAR. We tried our best to make it that way.

Mr. CHAVEZ. Floods cause damage, drown people, and destroy property in Republican Kansas, Republican North Dakota, and Republican South Dakota, as they do in Democratic Mississippi. This is a bill that involves constructive projects for the American people. It means that creation of wealth, the saving of lives and property; it means everything that is good for America.

Mr. McKELLAR. I thank the Senator from New Mexico for his remarks.

Mr. President, to stop the construction of the projects which are under construction would be very costly and very unwise. I can remember when it was argued in the Senate that electricity could not be produced from water power. But look at the great projects which have been built. By the way, the Federal Government owns the dams. They constitute one of the great assets of the American people. Not only that, but the consumer of light and power gets cheapter rates because of the building of Government dams in all parts of the Nation. I am one of those who believe that that policy should be continued.

I digress long enough to express the hope that there will be no filibustering in connection with this bill. It should be passed. The time is growing short.

Mr. WATKINS rose.

Mr. McKELLAR. I think I can answer the Senator's question before he puts it. We have tried to treat Utah in the same way we have treated every other section. Has the Senator from Utah an objection to the bill?

Mr. WATKINS. Mr. President, will the Senator yield?

M. McKELLAR. I yield.

Mr. WATKINS. I am not making any objection; but I should like to ask some questions. The Senator says that Utah has been treated the same as every other State.

Mr. McKELLAR. If we have not treated Utah the same as we have treated every other State I am in favor of so treating it.

Mr. WATKINS. There have been some very bad floods in Utah.

Mr. McKELLAR. That is true.

Mr. WATKINS. And much property has been destroyed. The Army engineers have made surveys and planned a number of projects, but they say they

cannot go ahead with them because there is no money in the fund for projects of that kind.

Mr. McKELLAR. What kind of projects are they?

Mr. WATKINS. They are not dams. They are levees, and the deepening of river channels so that they will not overflow the farm lands, highways, and city and town areas.

Mr. CHAVEZ. Mr. President, I think I can answer the Senator's question, if the Senator from Tennessee will yield.

Mr. McKELLAR. I shall be glad to yield.

Mr. CHAVEZ. I believe the item in the bill in which the Senator is interested is the one providing for investigations.

Mr. WATKINS. The projects I have in mind have gone further than that stage. I am interested in appropriations for actual construction work on flood-preventative measures on streams.

Mr. CHAVEZ. As the Senator from Utah well knows, the only place where, at this particular moment, he can get any help in connection with the condition which I know exists, and has been described by the Senator from Utah, is with reference to some of the projects which are multiple-purpose projects. In an appropriation bill which is now being considered by the Committee on Appropriations, some of the items which the Senator from Utah has in mind will be approved.

Mr. McKELLAR. I should like to invite attention to some of the other items which are included in the bill. On page 32 of the report the Senator will find reference to an item of $800,000 for snagging and clearing, and also an item of $900,000 for the construction of smaller dams. I do not know whether the attention of the Senator from Utah has been called to that matter. Did the Senator appear before the committee?

Mr. WATKINS. No. Word came to me only 2 or 3 days ago.

Mr. McKELLAR. I did not think anyone from Utah had appeared before the committee. I assure the Senator that so long as I am chairman of the committee, or a member of the committee, I shall treat Utah exactly as Tennessee, New York, or any other State is treated.

Mr. WATKINS. The projects to which I am inviting attention have already been surveyed and investigated by the Army engineers and have been recommended for construction. They are not large.

Mr. McKELLAR. There is a fund of $1,700,000 which can be used. The Senator would have to see the Chief of Engineers or the Assistant Chief of Engineers, General Chorpening, as to how he can get a portion of the money for such projects. We have had no evidence from Utah, as I recall.

Mr. WATKINS. I think the Army Engineers themselves probably would or should have included in their report or their budgetary requirements sums to take care of particular streams.

Mr. CHAVEZ. That might be possible. I may say to the Senator from Utah that the Army Engineers could have requested the Budget Bureau to include an estimate for the project. It is possible that the Budget Bureau turned down the Army Engineers. But so far as the committee was concerned, there was no one who referred to any particular flood-control project, which is the only type of project that can be considered in this bill.

Mr. WATKINS. The Senator understands that the big flood-control projects in the West have been combined with reclamation projects. I am not now speaking of that kind of multiple-purpose project; I am speaking now only of the clearing of rivers or streams, the building of levees, and other work that can be done in the stream itself, without actually impounding or storing water.

Mr. McKELLAR. If the Senator from New Mexico will permit me, I may say to the Senator from Utah that there are three projects for Utah provided in the bill: One at Magna, Utah, another at Salt Lake City, and another at Spanish Fork, on the Spanish Fork River.

Mr. WATKINS. The last is one of those I am talking about.

Mr. McKELLAR. They are authorized projects.

Mr. WATKINS. They have been authorized for some time.

Mr. McKELLAR. If the Senator will come before the committee and produce the proper evidence, he certainly will receive consideration on the part of the committee. So far as I am concerned, I think I may safely say that I believe such projects ought to be constructed, and I will do everything I can to have them provided for.

Mr. WATKINS. I thank the Senator. I wanted to be sure there was sufficient money in the fund. I should like to know if the fund authorized in the bill this year carries an increase over what has been previously authorized; or is it less?

Mr. McKELLAR. It is less than the budget estimate, but more than is included in the House bill. The amount provided for small projects is increased over the amount provided by the House.

Mr. WATKINS. It is an increase over the House figure?

Mr. McKELLAR. Yes.

Mr. WATKINS. Does the Senator believe the amount is ample to take care of other small streams?

Mr. McKELLAR. I believe so. I suggest that if the Senator from Utah will communicate with General Chorpening, one of the most efficient men in the Corps of Army Engineers, I believe the Senator will have no trouble about receiving consideration.

Mr. WATKINS. I may say to the Senator from Tennessee that the reason why I am mentioning the matter now is that I have just received communications from my State with reference to those streams. They had not previously been called to my attention as projects which would be for flood control independent of reclamation.

Mr. McKELLAR. The Senator's attention should have been called to them before.

Mr. WATKINS. I realize that.

Mr. McKELLAR. The committee would have taken testimony with respect to the streams and would have been glad to take up the matter with the Senator.

Mr. WATKINS. I understood there was to be a general increase in the fund to take care of cases of this kind, so they might possibly be covered. I shall check with the Army engineers to see if such streams are included in the general funds provided. If they are not, I shall come before the Senate with an amendment. I hope the Senate will not finish consideration of the bill too quickly. I thank the Senator.

Mr. McKELLAR. The next difference between the Senate bill and the House bill is under the heading "New starts."

The bill as reported provides $33,250,000 for the initiation of 17 new projects under rivers and harbors and flood control, general, for which there are budget estimates, and $1,722,000 for the initiation of 5 new projects for which there are no budget estimates.

In closing I should like to make two observations:

Private enterprise, once having determined to make a capital outlay for the expansion of its facilities, provides funds as rapidly as the contractor can use them, in order that benefits from the outlay of funds may be realized as soon as possible. That is exactly what the committee bill proposes.

For example, the House cut $108,100,000 on 18 power projects. If we do not go ahead with these projects and do not have the power on the line at the dates now scheduled, the value of power lost to the Government will be in the neighborhood of $89,000,000. Interest charges on the work which is partially completed on these multiple-purpose projects will be about $25,000,000 a year.

Not only that, but any Senator who has had experience as a member of the Appropriations Committee knows how difficult it is to have projects reinstated after they are once stopped. I certainly hope the Senate will agree with the majority of the committee that the projects ought to be continued.

Finally, the average annual flood damage in this country between 1924 and 1948 was $110,811,975. Very conservatively, one-fourth of this yearly loss is a direct loss to the Federal Treasury through income-tax deductions.

In recommending approval of the bill as reported to the Senate, I submit that there are two ways to balance the budget: First, by reducing expenditures; second, by increasing revenues. The bill before the Senate today will accomplish an increase in revenues. For that reason, the bill should be passed.

Mr. President, I ask that the Senate consider the first committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment, which has been stated.

Mr. SEATON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the

order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Is there objection?

Mr. DIRKSEN. Mr. President, in the absence of the Senator from Michigan [Mr. FERGUSON], I feel constrained to object.

Mr. JOHNSON of Texas. Mr. President, will the Senator withhold his objection for a moment, while I make an explanation?

Mr. DIRKSEN. Certainly.

Mr. JOHNSON of Texas. There are four amendments to the bill lying on the desk. After a lengthy conference with the acting minority leader [Mr. WELKER], the Senator from Michigan [Mr. FERGUSON], and the Senator from Illinois [Mr. DOUGLAS], the author of the four amendments, we drafted a unanimous-consent request, which was submitted to the Senator from Michigan [Mr. FERGUSON], who approved it, to the acting minority leader [Mr. WELKER], who approved it, and to the senior Senator from Illinois [Mr. DOUGLAS], who approved it. I assured them that before we proposed the agreement we would have a quorum call, because of the possibility that one or two Members on the other side might object to such a request being proposed without a quorum call. The Senators to whom I have referred have passed on the unanimous-consent request, and it is agreeable to all the Senators involved. The Senator from Michigan [Mr. FERGUSON] told me that he proposed to make a motion to recommit the bill with instructions, and assured me that 45 minutes would be all that he would require for the discussion of that motion. In accordance with his request, we included that time in the unanimous-consent proposal. The Senator from Texas would like to propose such a request at this time.

Mr. DIRKSEN. I have no personal bias in the matter.

Mr. JOHNSON of Texas. I assure the Senator from Illinois that I have cleared the proposed agreement with all Senators who are interested.

Mr. DIRKSEN. If that is the case, I withdraw my objection.

The PRESIDING OFFICER. Without objection, proceedings under the quorum call are suspended.

Mr. JOHNSON of Texas. Mr. President, I submit the following unanimous-consent request:

That during the further consideration of H. R. 7258, the Army Civil Functions Appropriation bill for 1953, debate be limited as follows: (1) 1½ hours on a motion to recommit the bill to the Committee on Appropriations; (2) 1½ hours each on amendments D and E intended to be proposed by the Senator from Illinois [Mr. DOUGLAS], and 30 minutes each on motions by the Senator from Illinois to suspend the rule to propose amendments B and C to the said bill; (3) 30 minutes on any other amendment or motion (including appeals); and (4) 1 hour on the passage of the bill: *Provided*, That the time in all cases shall be equally divided and controlled, in the case of committee amendments, and the passage of the bill, by the Senator from Tennessee, [Mr. MCKELLAR] and the minority leader [Mr. BRIDGES] or some one designated by him; and in the case of any other amendment or motion, by the mover of any such amendment or motion, and the Senator from Tennessee: *Provided*, however, that in the event the Senator from Tennessee is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some one designated by him.

As I previously explained, this request was presented to the ranking minority Member of the committee [Mr. FERGUSON], to the acting minority leader [Mr. WELKER], and to the Senator from Illinois [Mr. DOUGLAS]. I was informed that the terms of the agreement would be satisfactory to them. There are only four amendments at the desk, and the time set for for those four amendments was suggested by the author of the amendments.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request submitted by the Senator from Texas? The Chair hears none, and it is so ordered.

The question is on agreeing to the first committee amendment.

Mr. BRIDGES. Mr. President, on behalf of myself and the Senator from Michigan [Mr. FERGUSON] I move to recommit the so-called civil functions bill to the Committee on Appropriations with instructions that the committee report back a bill amounting to not in excess of $600,097,230. It is a 10-percent cut from the amount as reported by the committee.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The question is on agreeing to the motion of the Senator from New Hampshire. The Senator from New Hampshire is recognized for 45 minutes.

Mr. BRIDGES. Mr. President, I submit the motion on behalf of the Senator from Michigan [Mr. FERGUSON] and myself.

Mr. President, I am perfectly aware that in submitting this motion to the Senate I am somewhat in the position of being between the devil and the deep blue sea. But I am faced with the conclusion that the drastic discrepancy between the totals of the bill as it passed the House and the recommendation of the Appropriations Committee is completely at variance with the spirit with which we have faced other appropriations bills during this session. Until we were faced with the bill for civil functions of the Department of the Army we have maintained a reasonable difference between the House figures and our own.

As I say, I am somewhat in the middle with this motion because in trying to bring this individual appropriation bill in line with the other bills we have approved, there would seem to be only two methods left open for action. The first is, of course, the meat ax approach and we all avoid that except as the last resort. Should we suggest a flat 10 percent across-the-board cut, I feel sure many worthwhile projects which should be completed in fiscal 1953 will be hurt or unnecessarily delayed while many projects which could well do without some of the funds contained in this bill will receive more than absolutely necessary at a time when we are trying to save money.

The second approach would be for the Senate to consider each of these projects individually and attempt to determine the full value of each with an eye toward cutting or even eliminating. Without any doubt this would get us into a wrangle and we might do irreparable damage to the civil-functions program.

I suppose objection may be heard against curtailment of any part of the civil functions programs. I myself have heard the remark passed that, in view of all the money we are sending abroad to rehabilitate foreign lands, we should have no compunctions about spending any amount under the civil-functions programs.

I point out that we have reduced the foreign-aid program. I also point out that the Senator from New Hampshire voted for and was prepared to support further reductions in the foreign-aid program because he felt it could be done without any material damage to the program. The Senator from New Hampshire has always favored a sound international program, but he realizes that there are many duplications and much waste in the foreign-aid program. He can well understand how we could make further cuts in it without any impairment of the general objectives of the foreign-aid program. Therefore, I would eliminate that excuse as any reason for not cutting this bill.

I understand that I will not be very popular for approaching the pending bill with the suggestion of cutting it. I realize that the committee, headed by the distinguished chairman, the Senator from Tennessee, has worked hard and sincerely on the bill. I realize that the committee has spent long hours and long days on it, and I pay tribute to the subcommittee and to the full committee. The Committee on Appropriations operates under very decided handicaps, with a lack of a sufficient staff and a lack of opportunity for proper investigation. They heard the evidence and they submitted a report which in their judgment is an excellent one.

The Senator from New Hampshire and the Senator from Michigan, as well as some other members of the subcommittee, opposed the appropriation in the full committee and we offered various amendments. One of the amendments would have had the effect which would be accomplished by the adoption of my motion to recommit.

We offered other amendments. All of them were rejected by the Committee on Appropriations. So we proceeded logically. First we tried to make the cuts in committee. Now, we come to the floor of the Senate and offer the Senate the same opportunity of opposing what we opposed in the full committee.

I believe very sincerely that we must economize. We must economize all along the line. I believe I have been very consistent in that regard. I do not believe I have varied my view at all. I have been in favor of practically every

economy move that has been made. I hope I shall continue to be so. If there are some moves made on the floor which I do not think are practical or sound, I shall not hesitate to oppose them. However, to date I have been consistent along the line of economy.

I should like to say, Mr. President, that the bill should be recommited to the committee which has made the studies, with instruction from the Senate that the bill be cut back to not over $600,097,230, which I think is certainly an adequate amount to appropriate in these times of world stress and while we are straining our own economy.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CASE. I should like to address a question to the able Senator from New Hampshire. Do his figures contemplate a 10-percent cut in the bill as reported by the committee or a 10-percent cut in the budget estimates?

Mr. BRIDGES. The motion I am making, I may say to the distinguished Senator from South Dakota, would provide for a 10-percent cut in the bill as reported by the committee.

An amendment of that nature was offered in the Committee on Appropriations. When that amendment was defeated we offered an amendment to cut 5 percent from the bill as reported by the subcommittee. When that amendment was defeated we finally offered an amendment to cut the bill 10 percent below the budget estimates. Since the total figure in the bill was already under the budget figure, it would have made an additional reduction of 3.4 percent. We went from 10 to 5 to 3.4, which would have brought the bill to 10 percent under the budget figure. We were defeated on all the amendments we offered.

Mr. CASE. Mr. President, it has been the position of the junior Senator from South Dakota that if the bill were cut in the same proportion as other bills were cut there would be no basis for complaint on the ground of unfair treatment. However, when the Senator from New Hampshire compares the proposed cut in the pending bill with the cut made in the foreign aid authorization, the comparison breaks down a bit, if the cut is made on the amount reported by the committee and no credit is given for the cuts already made which bring the bill under the budget estimates.

Mr. BRIDGES. I point out to the Senator from South Dakota—and I know he is very sincere in his approach—that of course the Senate has not yet completed action on the foreign-aid bill. It must still be considered by the Committee on Appropriations. I also point out that on the pending bill we have kept in line with the House version of the bill. The Senator from South Dakota has been a very able Member of the House of Representatives, and while serving in the House he was a Member of the Committee on Appropriations. I know he has stood up and fought for the House figures many times when he served in that body. The bill as reported shows an increase of 35.4 percent over the House figure, which is far in excess of any increase over House figures which we have voted on other bills. We reduced some of the bills under the House figures.

The amount I have suggested will permit an increase of $107,662,330 over the amount voted by the House of Representatives. The approach we are making in this matter is a rather generous and sound one. Of course, the question is one of judgment as between Senators, but it is important that we give most serious consideration to this matter.

Mr. CASE. Mr. President, I appreciate the generous references the Senator from New Hampshire has made to me personally. In my experience I have found, at times, that when the Members of the House anticipated that the Senate would, by its action, be a little generous, the House Members have been inclined to make cuts somewhat more severe than the ones they expected would finally be carried in the bill as enacted—doing so for the sake of what some Members of the House termed "trading stock."

The Senator from New Hampshire has participated in a great many conferences; and he will understand, I am sure, the use of the term "trading stock."

Mr. BRIDGES. I think the Senator from South Dakota has divulged a secret in respect to the action taken on occasion by the House of Representatives.

Mr. President, in making the motion I am not singling out the civil-functions appropriations as the subject of any special cut in appropriations. This motion is a part of a general movement to maintain the fiscal solvency of our country. When the Senate agrees to allow appropriations in the total amount voted by the House of Representatives, plus an additional $107,000,000, I believe the Senate will be very generous.

On the other hand, if the Senate were to increase the total by more than $174,000,000, or an increase of more than 35 percent, I believe the Senate would be departing somewhat from a sound approach.

Mr. CASE. Mr. President, let me say that no Member of the Senate has greater respect than I have for the able work the Senator from New Hampshire does in endeavoring to prevent the raising of excessive appropriations. He can justly say that he has been consistent, for, so far as I have been able to observe both since I have been in the Senate and before I served here, the Senator from New Hampshire has consistently worked in an endeavor to hold down the total amount of Federal expenditures.

However, it occurs to me to suggest that a reduction of 10 percent in budget items totalling $712,000,000 would amount to approximately $71,000,000. The bill as reported to the Senate is already $45,853,000 under the budget estimates.

If the proposal of the Senator from New Hampshire were to have the total amount provided by the bill constitute a reduction of 10 percent in the amount of the budget items, thereby giving credit for the $45,000,000 reduction made thus far, and calling for an additional reduction of approximately $26,000,000, the total reduction would then amount to 10 percent, I would feel obliged to support such an approach, on the basis of statements I have made heretofore.

On the other hand, I find it very difficult to support a reduction of 10 percent over and above the cut or reduction of $45,000,000 which already has been made.

Mr. BRIDGES. Mr. President, I appreciate the feeling of the Senator from South Dakota.

Nevertheless, the motion has been made. So far as I am concerned, I believe the issue is clear. The matter has been very simply stated. I have no reason to prolong the debate, and I am perfectly willing to have it brought to a conclusion whenever the distinguished chairman of the committee desires to have that done.

Mr. McKELLAR. Mr. President, the Senator from New Hampshire recalls, I know, the great amount of work which has been done on this bill. We have worked on it since January, I believe—off and on, but most of the time on. A great many witnesses have appeared before the committee, and we have undertaken to be fair to all of them and also to all parts of the Nation.

We have voted to reduce the appropriations carried by the bill by $45,000,000 under the budget estimates. The amount voted by the committee is larger than the amount voted by the House of Representatives, it is true; but the House of Representatives voted to eliminate all appropriations for planning and a great many of the appropriations for construction, and the House voted to stop the building of a great many projects.

The Senator from New Hampshire has been chairman of this committee—one of the best chairmen the committee has ever had. He is a splendid, able man; he is a careful and prudent man; he is a great legislator. I take off my hat to him. He has done a wonderful work, both as a member of this committee and as chairman of the committee. I appeal to him not to overturn the hard work which has been done by the members of the committee in an earnest endeavor to arrive at a reasonable and proper bill.

If the Senator from New Hampshire will give this matter a little more consideration, I believe he will reach the same conclusion that a majority of the members of the committee have reached, namely, that the bill is fair, equitable, and sound.

Mr. BRIDGES. Mr. President, I appreciate the plea of the Senator from Tennessee, and I certainly appreciate his words of commendation of me.

As I have said, it has been a pleasure to work with him, and I know how hard and how sincerely he works on these bills.

Mr. President, there is a difference of opinion between us. Of course, a difference of opinion is what makes horse races. I felt a major concern about this matter because of the very peculiar and serious financial status of our country. I simply am not willing to have the Senate increase by 35.4 percent, or $174,000,000, the appropriation items voted by the House of Representatives.

The 10 percent cut which the motion to recommit carries with it—thus allowing the committee that has studied the bill to make the reductions at the points where it believes it would be most constructive to make them—would still leave the total amount of the bill $107,000,000 above the amount voted by the House of Representatives.

Mr. FERGUSON. Mr. President, I wish to say a few words on the motion.

I appreciate the work the distinguished chairman of the committee has done on this appropriation bill. At one time I served on the subcommittee which has reported the bill, and I know the number of hours of work required to be done by the committee on a bill of this kind. The total amount of work required is enormous.

Mr. McKELLAR. We have had witnesses from all over the country.

Mr. FERGUSON. That is correct.

Mr. President, I realize that if we can spend such great amounts of money abroad, we should be able to spend adequate amounts of money here at home. I simply am fearful that if we are not careful we shall regard the money we are spending abroad—some of it being spent for our common defense—as an excuse and a reason for not trying to do our level best to economize here at home.

Of course we should appropriate sufficient funds for the things we need. The pending motion is not a motion against flood control or a motion against rivers and harbors. The motion would simply provide that we act in accordance with our capacity.

This bill contains appropriation items for 52 new projects or new modifications of existing projects. The bill contains only 15 appropriation items for projects which will be completed as a result of the appropriations carried in the bill. That is why we are asking that the cuts not be made on the floor of the Senate, for we realize that no matter how skillful the surgeon may be, he cannot "operate" well on the floor of the Senate. Such action would be similar to that of a surgeon who attempted to perform a major operation on a street corner, rather than in the surgical room of a good hospital, where he would have the proper instruments and facilities.

We have confidence in the subcommittee and in the full committee, but I believe that the committee should take figures which I believe the Senate should consider to be the amount we can afford to spend this year, and that, if the committee were to reconsider the matter, applying their skill and their wisdom, and exercise their right of consultation with the department, they could perform this delicate operation. If the Senate should make an over-all reduction of 10 percent in each item, or should take 20 percent from one project and 10 percent from another, lacking the necessary skill on our part, we could do great harm to this bill.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield to the Senator from Tennessee.

Mr. McKELLAR. The difficulty is that the committee has already done that very thing. It has carefully considered every item of the bill. It has studied each item with the greatest of care. The committee has already done exactly what the Senator from Michigan now proposes to have done, except that we are now asked to make an over-all cut, or a lump-sum reduction.

Mr. FERGUSON. I realize that the committee did that, and the House did it also. But some Senators believe that Members of the House sometimes feel that they can safely make a reduction, because of their belief that the Senate will increase the appropriations. I have heard Representatives say that the reason for calling the Senate the "upper House" is because we are always "upping" appropriations. Members of the House know we can do that.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. I should like to ask the distinguished Senator from Michigan whether it is not true that the Appropriations Committee of the Senate has still kept considerably below the budget estimate? While the amount recommended by the Senate committee may be much higher than the amount provided by the House, is it not also true that there is such a disparity between the action of the House and the action of the Senate Appropriations Committee, that this bill must inevitably go to conference, and that many adjustments could be made in conference more readily than on the floor of the Senate?

Mr. FERGUSON. One of the greatest fallacies in the thinking on the part of Members of Congress is the idea that figures, rather than language, should at times be worked out in conference. I know that at times amounts are tentatively placed in bills, either in the House or in the Senate, with the thought that they can be taken to conference and some sort of compromise reached. In my opinion, we should not proceed in that manner at this time.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. FERGUSON. I am glad to yield to the Senator from California.

Mr. KNOWLAND. As a member of the subcommittee which conducted hearings on this bill, as the able Senator from Tennessee has indicated, over a period of several months, with hundreds of witnesses appearing before us, I should like to say that I think any member of that committee would be the last person to say that this is a perfect piece of legislation. But I do say, in line with the remarks of the Senator from Kansas, that obviously it will be necessary that this bill go to conference. Obviously, the figure finally agreed upon will be considerably below the Senate figure. I think the action taken by the Senate committee can be amply justified. In the Senate Appropriations Committee, both in the full committee and in the subcommittee, I had made a motion or a suggestion along the line of that of the Senator from South Dakota [Mr. CASE], that the amount of reduction be 10 percent under the budget. That motion did not prevail. But I should like to say to the distinguished Senator from Michigan that I do not believe we can rewrite this bill very effectively on the floor of the Senate, and that if it should be the judgment of the Senate—I think it would be a mistake—that the bill should be recommitted to the Appropriations Committee, we might as well forget about adjourning on July 3. I do not think we would be able to do it. If the bill is recommitted, the Appropriations Committee will have to go through the whole bill, item by item. In my judgment that would considerably delay any prospect of adjournment.

Hearings have not been completed on the foreign-aid bill, and several other appropriation bills have not yet been reported by the committee. The members of the Appropriations Committee are all serving on more than one subcommittee, as the distinguished and able Senator from Michigan well realizes.

Therefore I think that the Senate should at least give some weight to the fact that the Appropriations Committee has held prolonged hearings on the bill, and should consider what the general tactical situation would be were we to start recommitting appropriation bills to the committee.

Mr. McKELLAR. If I may interrupt the Senator from California at that point, I may say it took a week to mark up this bill after numerous hearings had been held. I have the volume of hearings in my hand, which shows how much testimony was taken on this one single bill. Were it to be recommitted, it would take a week to mark up the bill again, since it would be necessary to go over every item of it. In that event, as the Senator from California has said so well, we might as well give up hope of adjournment on July 3. I sincerely hope that the Senate will not recommit the bill. We have done the very best we could. We have tried to be fair to every witness, to every interest, and to every State of the Union in the preparation of this bill. I am sure that both the Senator from Michigan and the Senator from New Hampshire will agree that that has been done. Let us not recommit the bill. Let us vote it up or vote it down, and let it go at that.

Mr. McCLELLAN. Mr. President, will the Senator from Michigan yield for a question?

Mr. FERGUSON. I yield to the Senator from Arkansas.

Mr. McCLELLAN. Is it the purpose of the distinguished Senator from Michigan to propose a 10-percent cut below the budget estimates? Is that the objective he seeks before the ultimate passage of this bill?

Mr. FERGUSON. No. The desire now is to reduce the figure of $666,000,000 by 10 percent.

Mr. McCLELLAN. If that were done, what would be the cut percentagewise below the budget estimates?

Mr. FERGUSON. I shall endeavor to figure that.

Mr. McKELLAR. It would be slightly more than 10 percent; would it not?

Mr. FERGUSON. I shall have to determine the percentage it would be below the budget estimates.

Mr. McCLELLAN. If I may ask the Senator a further question, does he entertain any doubt whatever that, when the bill is reported from conference, with the reductions already made by the Senate below the budget figures, there will be a 10-percent reduction below the budget when the bill is finally passed?

Mr. FERGUSON. I hope that will be true.

Mr. McCLELLAN. Does not the Senator feel confident that in conference the other 3-percent reduction would be made?

Mr. FERGUSON. That would only be a reduction of 3.6 percent below the present figure.

Mr. McCLELLAN. In other words, if in conference we were to lose 3.6 percent of the amount now in the bill, that would effect a 10-percent reduction below the budget; would it not?

Mr. FERGUSON. That is correct.

Mr. McCLELLAN. These projects and improvements are so vital that if we arrive at a figure 10 percent below the budget estimates in our final action upon this bill, we shall certainly have practiced economy in the face of the need for and the urgency of the construction of many of these improvements.

Mr. FERGUSON. The figure about which the Senator inquiries would be approximately 15 percent under the budget.

Mr. McCLELLAN. The reduction would be 15 percent?

Mr. FERGUSON. Yes, instead of 10 percent. We are asking to start at 10 percent below the amount recommended by the committee, and begin on that basis to negotiate with the House.

Mr. McCLELLAN. Does not the Senator from Michigan realize that if we reduce it 15 percent, the reduction has got to come between what the House appropriated and the 15 percent, and we will finally wind up with a reduction under the budget of around 20 percent instead of the 15 percent now proposed?

Mr. FERGUSON. Of course, we who advocate the motion think that would be a good thing.

Mr. McCLELLAN. Some Senators may think so.

Mr. CHAVEZ. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. CHAVEZ. After the committee itself reduced the amount more than 6 percent below the budget figures, why did not the Senator from Michigan undertake in the committee to cut the amount 10 percent?

Mr. FERGUSON. We tried that in the committee, but we failed.

Mr. CHAVEZ. The Senator, who knows more than the other members of the committee, would cut it 10 percent more?

Mr. FERGUSON. No; the Senator from Michigan does not claim to know more than the other members of the committee. He is submitting the question to the Senate. We know how unpopular it is to try to cut anything from any appropriation bill. No Senator can come to the Senate floor and get any pleasure out of opposing his committee or advocating the cutting of any of the appropriations.

Mr. CHAVEZ. Is the Senator from Michigan willing now to have cut from the bill the amount which was appropriated to take care of the Great Lakes?

Mr. FERGUSON. I do not believe there is anything in the bill to take care of the Great Lakes.

Mr. CHAVEZ. Yes; there is something in the bill about it.

Mr. FERGUSON. There is an item under planning.

Mr. CHAVEZ. That is correct.

Mr. FERGUSON. It is in connection with States which border on the Great Lakes, for a survey as to controlling the level of the Great Lakes. It would amount to approximately $350,000.

Mr. CHAVEZ. I think it is a good idea.

Mr. FERGUSON. I now state upon the floor that I should be glad if the item could be cut the same amount or more than the cut in other items. The survey is essential for all the States which border on the Great Lakes, but the appropriation is $350,000 out of a total of $666,774,699, with a planning fund, alone, of $2,285,000. So the State of Michigan, together with the other States in the Great Lakes region, would have in this bill an item of $350,000 out of a possible planning fund of $2,285,000.

Mr. CHAVEZ. I think I understand——

Mr. FERGUSON. The Senator asked me about the cut.

Mr. CHAVEZ. Mr. President, will the Senator yield further?

Mr. FERGUSON. I shall be glad to yield.

Mr. CHAVEZ. The only difference between the Senator from New Mexico and the Senator from Michigan is that the Senator from Michigan is looking at it from the standpoint of cutting a certain percentage from the total item, and the Senator from New Mexico thinks that the Great Lakes project is so important that the committee did not allow half enough to do the work that should be done in the State of Michigan.

Mr. McKELLAR. It will take at least twice that amount, and it will require a 2-year period for the purpose of making the investigation. I think it should be done.

Mr. FERGUSON. Mr. President, in the light of the present economic conditions in the United States, and in connection with our over-all preparedness program, I think we would be doing the right thing if we took 10 percent from appropriations recommended by the committee, which would make the total about15 percent below the budget figure, and make that a starting point in the negotiation with the House conferees. If we started at 15 percent we would arrive at a just figure.

Mr. McKELLAR. Mr. President, I do not desire to speak any further. If there is any Senator on our side who wants to speak I shall be glad to yield. If not, I suggest the absence of a quorum, so that we may vote on the question.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the suggestion of the absence of a quorum may be withdrawn, that the order for the call of the roll may be rescinded, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from New Hampshire [Mr. BRIDGES], for himself and the Senator from Michigan [Mr. FERGUSON], to recommit the bill to the Committee on Appropriations, with instructions.

Mr. BRIDGES. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. CONNALLY], the Senator from Colorado [Mr. JOHNSON], the Senator from Arizona [Mr. McFARLAND], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

I announce further that the Senator from South Carolina [Mr. MAYBANK] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from South Carolina would vote "nay," and the Senator from Ohio would vote "yea."

The Senator from Arizona [Mr. McFARLAND] is paired on this vote with the Senator from Ohio [Mr. TAFT]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from Ohio would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], and the Senators from Ohio [Mr. TAFT and Mr. BRICKER] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business. The Senator from Indiana [Mr. JENNER] is detained on official business.

If present and voting, the Senator from Massachusetts [Mr. LODGE] would vote "yea."

On this vote the Senator from Ohio [Mr. BRICKER] is paired with the Senator from South Carolina [Mr. MAYBANK]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from South Carolina would vote "nay."

On this vote the Senator from Ohio [Mr. TAFT] is paired with the Senator

from Arizona [Mr. McFARLAND]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from Arizona would vote "nay."

The result was announced—yeas 27, nays 50, as follows:

YEAS—27

Aiken	Ferguson	O'Conor
Bennett	Flanders	Robertson
Brewster	Hendrickson	Saltonstall
Bridges	Hickenlooper	Smith, Maine
Butler, Md.	Ives	Smith, N. J.
Dirksen	Martin	Watkins
Douglas	Millikin	Welker
Dworshak	Moody	Wiley
Ecton	Morse	Williams

NAYS—50

Anderson	Hoey	McKellar
Capehart	Holland	Monroney
Case	Humphrey	Mundt
Chavez	Hunt	Murray
Clements	Johnson, Tex.	Neely
Cordon	Johnston, S. C.	Nixon
Duff	Kem	Pastore
Eastland	Kerr	Schoeppel
Ellender	Kilgore	Seaton
Frear	Knowland	Smathers
Fulbright	Lehman	Smith, N. C.
George	Long	Sparkman
Gillette	Magnuson	Stennis
Green	Malone	Thye
Hayden	McCarran	Tobey
Hennings	McCarthy	Underwood
Hill	McClellan	

NOT VOTING—19

Benton	Jenner	McMahon
Bricker	Johnson, Colo.	O'Mahoney
Butler, Nebr.	Kefauver	Russell
Byrd	Langer	Taft
Cain	Lodge	Young
Carlson	Maybank	
Connally	McFarland	

So the motion to recommit was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 658) to further amend the Communications Act of 1934, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PRIEST, Mr. HARRIS, Mr. THORNBERRY, Mr. WOLVERTON, and Mr. HINSHAW were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5990) to amend the Federal Civil Defense Act of 1950.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7314) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1953, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WHITTEN, Mr. HEDRICK, Mr. MARSHALL, Mr. CANNON, Mr. H. CARL ANDERSEN, Mr. HORAN, and Mr. TABER were appointed managers on the part of the House at the conference.

AMENDMENT OF SOCIAL SECURITY ACT RELATING TO EFFECTIVE DATES OF AGREEMENTS ENTERED INTO WITH STATES

Mr. GEORGE. Mr. President, from the Committee on Finance, I report favorably, without amendment, the bill (H. R. 6291) to amend section 218 (f) of the Social Security Act with respect to effective dates of agreements entered into with States before January 1, 1954, and I submit a report (No. 1792) thereon.

I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GEORGE. Mr. President, I wish to explain the bill. It simply amends a provision of the Social Security Act of 1950 which relates to the effective dates of Federal-State agreements with regard to old-age and survivors insurance coverage of State and local government employees, so as to extend the time from January 1953 to January 1954. That is all the bill does. It is unanimously reported from the Committee on Finance. The purpose is to prevent States which do not have a session of their legislatures between this time and January 1, 1953, from being compelled to call an extraordinary session of their legislatures.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SALTONSTALL. Mr. President, reserving the right to object—and I do not think I shall object—I should like to ask the Senator from Georgia a question. As I understand, the purpose of the bill is to permit States whose legislatures are not now in session to receive the benefits of the changes in the social-security law, without the necessity of calling a special session of their legislatures.

Mr. GEORGE. That is exactly true. There are a few States whose legislatures do not meet prior to January 1, next. The bill merely extends for 1 year the time in which they may act.

Mr. SALTONSTALL. So their citizens will receive the benefits in the meantime. Assuming that a State does not act at the time set, what happens?

Mr. GEORGE. Its employees would not be covered. Under the Social Security Act of 1950, as amended, about 1,400,000 employees and citizens of the States who were not covered under any retirement system were given this privilege. However, a State must act affirmatively. This merely gives to a State the privilege of asking or not asking for the benefits, as it sees fit. The only purpose of the bill is to accommodate the States and meet their convenience, avoiding unnecessary expenses in the States whose legislative sessions do not take place until after next January 1st.

Mr. SALTONSTALL. But the benefits go to the citizens of a State before the time when the State acts.

Mr. GEORGE. Provided the State affirmatively acts.

Mr. SALTONSTALL. If it acts negatively at that time—which presumably it would not do—what happens to the benefits which have been received in the meantime? Does the Federal Government bear the entire expense?

Mr. GEORGE. There would be no expense. If a State does not affirmatively act, its employees are not brought under the act, and we do not receive any benefits.

Mr. SALTONSTALL. As I understand, the bill is unanimously reported from the committee.

Mr. GEORGE. The bill is unanimously reported from the committee.

Mr. SALTONSTALL. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

PERSONNEL STRENGTH OF THE MARINE CORPS — CONFERENCE REPORT

Mr. LONG. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the first sentence of section 206 (c) of the National Security Act of 1947 is hereby amended to read as follows: 'The United States Marine Corps, within the Department of the Navy, shall be so organized as to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein, and except in time of war or national emergency hereafter declared by the Congress the personnel strength of the Regular Marine Corps shall be maintained at not more than four hundred thousand.'

"SEC. 2. Section 211 (a) of the National Security Act of 1947 (61 Stat. 505), as

amended, is hereby further amended by adding at the end thereof the following new paragraph:

"'The Commandant of the Marine Corps shall indicate to the Chairman of the Joint Chiefs of Staff any matter scheduled for consideration by the Joint Chiefs of Staff which directly concerns the United States Marine Corps. Unless the Secretary of Defense, upon request from the Chairman of the Joint Chiefs of Staff for a determination, determines that such matter does not concern the United States Marine Corps, the Commandant of the Marine Corps shall meet with the Joint Chiefs of Staff when such matter is under consideration by them and on such occasion and with respect to such matter the Commandant of the Marine Corps shall have co-equal status with the members of the Joint Chiefs of Staff.'

"SEC. 3. Section 2 (b) of the Act of April 18, 1946 (60 Stat. 92) is hereby repealed."

And the House agree to the same.

ESTES KEFAUVER,
JOHN C. STENNIS,
RUSSELL LONG,
LEVERETT SALTONSTALL,
RALPH E. FLANDERS,
Managers on the Part of the Senate.

CARL VINSON,
OVERTON BROOKS,
CARL T. DURHAM,
DEWEY SHORT,
LESLIE C. ARENDS,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG. Mr. President, from the Senate point of view, I believe this was a successful conference. The Senate version of the bill provided that the United States Marine Corps should have four divisions and that the strength should be not more than 400,000. It also provided that the Commandant of the Marine Corps should be a consultant to the Joint Chiefs of Staff, and that he should have a voice in all matters concerning the Marine Corps.

The House version of the bill provided that the Commandant of the Marine Corps should be a member of the Joint Chiefs of Staff, and that the strength of the Marine Corps should be three divisions and three air wings, and not less than 220,000 men.

It seemed to the Senate conferees that a floor of 220,000 men would be too great, because in time of greater security this Nation might not need such a large force. Therefore, the Senate conferees insisted on striking the floor of 220,000. We accepted the provision that there should be three divisions and three air wings in the Marine Corps, and that the Commandant of the Marine Corps should meet with the Joint Chiefs of Staff on all matters involving the Marine Corps; also that when there was a difference of opinion as to whether or not the Marine Corps was involved, the Secretary of Defense should determine whether or not a particular matter involved the Marine Corps. I believe this is somewhat less, even, than the Senate bill initially provided, and I hope there will be no objection to the conference report.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. LONG. Certainly.

Mr. HICKENLOOPER. Mr. President, since the Senator from Illinois [Mr. DOUGLAS] is present, and this affects a statement which he made before a committee, which statement gave me some disturbance, and because I supported the original bill, I should like to ask whether anything contained in the conference report or in the bill constitutes the Marine Corps as a force which the President could use at his whim or discretion at any spot in the world and under any circumstances if he should so desire.

The reason I ask the question is, with all courtesy to the Senator from Illinois, that as I understood his statement before one of the committees, it was to the effect that if the bill were passed it would give the President a force to use anywhere in the world and under such circumstances as he saw fit, if he so desired.

I want to clear up that point, because I would not support either the bill or the conference report if it created any authority in the President to throw the marines into conflicts all over the world at his whim.

I should like to have the Senator from Louisiana make completely clear that particular point in the bill.

Mr. LONG. The bill does not add anything to the existing authority of the President to use the Marine Corps or any other armed force of our Government. I suspect that the rather loose language in the House report might have caused some apprehension. Some of the language could be interpreted to mean that the bill would create a strong force capable of occupying advanced bases and going to the scene of trouble anywhere in the world. If it did what the Senator from Iowa apparently fears I would not support the bill.

Mr. HICKENLOOPER. I should like to make clear that I do not want to curtail or cut down the proper and legitimate strength of our military forces needed to protect, in the traditional form, worthy American interests which need protection, as we understand the term "protection."

However, I did not want a provision of the bill to enlarge the theory of the President's powers whimsically to assign and deploy troops in foreign ventures under all circumstances, as he may see fit. I want to make that point fully clear.

Mr. LONG. I agree with the Senator from Iowa, and I assure him that so far as we have been able to determine, there is nothing contained in the bill which would in any way broaden the authority of the President.

Mr. HICKENLOOPER. I should like to go a step further. It is not so much that there may be something in the bill which might broaden the authority of the President. Does it in any way, standing alone and without any other previous authority, create or place any such authority in the President?

Mr. LONG. No; it does not.

Mr. HICKENLOOPER. With that assurance, I have no objection to the conference report.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. SALTONSTALL. I should like to join the Senator from Louisiana in assuring the Senator from Iowa, and other Senators who may feel as he does on the question he has raised, that that subject, to the best of my knowledge, did not come up in the hearings or in any of the executive discussions concerning the bill. As a member of the conference committee, I may say to the Senator from Iowa that we worked very hard to get the bill in such form that it would not increase, or put a floor under, any of the Armed Forces. I believe the bill is in much better form today than it was when it passed the Senate, and certainly it is 100 percent better than the bill that passed the House.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. STENNIS. Mr. President, on the point raised by the Senator from Iowa, which I think is a very important point, as one of the conferees I would say that such a concept is entirely foreign to the intendment and purpose of the bill. The whole substance of the bill is directed to the end of giving certain assured power and strength to the Marine Corps as a part of the fighting forces of our armed services. That is the extent of it, and no other concept is involved.

Mr. LONG. Mr. President, Senators will recall that, so far as the Korean situation is concerned, it was not the Marine Corps but certain divisions of the Army which first went to the scene. What we wish to do is to make certain that there will be a Marine Corps and that it will not be whittled down to such insignificant size that it would be incapable of materially assisting our Nation in defending itself and in meeting serious emergencies.

Mr. DOUGLAS. Mr. President, as one of the original sponsors of the bill, I wish to congratulate the committee, particularly the members of the subcommittee, for their excellent work on the measure. They have worked very hard and with great care. They have tried to reconcile the different views and opinions on the bill, and I believe they have done a magnificent job. As one of the sponsors of the bill—and I feel I can speak for many of its other sponsors also—I wish to thank the committee.

The bill does two very important things. It prevents the elimination of the Marine Corps as a combat organization by any action of the Joint Chiefs of Staff. It is a well-known fact that in the past many leaders of our Armed Forces, particularly those attached to the Army and Air Force, have wished to subordinate the Marine Corps as a combat organization and to confine its work to the beaches and to ship-to-shore movements. It is also well known that the Commandant has not been consulted in matters relating to the Marine Corps. The bill creates three divisions and three air wings. It provides that the Commandant of the Marine Corps shall meet with the Joint Chiefs of Staff unless forbidden to do so by the Secretary of Defense. I believe the conference report is a very happy reconciliation of the two bills, and I again congratulate the committee.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The question is on agreeing to the report.

Mr. CASE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. CASE. The comment made by the able Senator from Illinois [Mr. DOUGLAS], himself a distinguished member of the Marine Corps, has answered some questions which I had in mind. I should like to ask one or two questions of the Senator from Louisiana. Will the Senator state what the bill does with regard to the Marine Corps as of the present day? Does it augment or decrease the Marine Corps as it stands today?

Mr. LONG. It would keep it about as it is.

Mr. CASE. Does it protect it in that position?

Mr. LONG. It is conceivable that as a part of general policy, the Navy, the Army, and the Marine Corps might at some future date be reduced in strength and that some divisions might be maintained at less than full strength. If that were the case, the Marine Corps could be maintained on the same proportionate basis as other forces.

Mr. CASE. The proportion would be protected and maintained?

Mr. LONG. Yes. The Marine Corps would be assured that no policy, if recommended by the Joint Chiefs of Staff for example, reducing the strength of the Marine Corps would be undertaken without at least having the Commandant consulted and giving him an opportunity to present his views.

Mr. CASE. Does it protect the functioning of the Marine Corps in its ability to operate as an independent unit?

Mr. LONG. I believe it does. In all matters affecting the Marine Corps, it assures Congress and the Nation that the Commandant of the Marine Corps will be present on the Joint Chiefs of Staff with equal force as other members of the Joint Chiefs of Staff.

I believe the RECORD should show that the Senator from Tennessee [Mr. KEFAUVER], who is not in the Chamber, was the chairman of the subcommittee which conducted hearings on the bill and was also chairman of the managers of the conference on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

Mr. CHAVEZ. Mr. President, with reference to the announcement of the Chair on the Senate's agreeing to the conference report, I ask unanimous consent that the RECORD show that the conference report was adopted unanimously.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY, APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment, on page 3, line 2.

Mr. DOUGLAS. Mr. President, I have an objection to the committee amendment on pages 6 and 7, but not to this committee amendment.

The PRESIDING OFFICER. The Senator from Illinois is advised that the Senate is considering the first committee amendment.

Mr. DOUGLAS. That is on page 3, as I understand.

The PRESIDING OFFICER. On page 3, line 2.

Mr. DOUGLAS. I have no objection to that amendment.

The PRESIDING OFFICER. Without objection, the first committee amendment is agreed to.

The clerk will state the next committee amendment.

The next amendment was, under the heading "Corps of Engineers," on page 3, after line 17, to strike out:

For carrying out the civil functions of the Corps of Engineers as provided in the various flood-control and rivers and harbors acts and other acts applicable to that agency, as follows:

And insert:

RIVERS AND HARBORS AND FLOOD CONTROL

The following appropriations for rivers and harbors and flood control shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers, and shall remain available until expended: *Provided*, That the various appropriations for rivers and harbors and flood control may be used for examination of estimates of appropriations in the field; purchase not to exceed 200 passenger motor vehicles for replacement only in the current fiscal year and hire of passenger motor vehicles and purchase of one motorboat (to be acquired from surplus stock where practicable) and the maintnance, repair, and operation of aircraft: *Provided further*, That the reservoir formed by the Blakely Mountain Dam, Ark., shall hereafter be designated as "Lake Ouachita," and the reservoir formed by the Narrows Dam, Ark., shall hereafter be designated as "Lake Greeson": *Provided further*, That the project known as "Burr Oak Dam, Ohio," shall hereafter be designated as the "Tom Jenkins Dam, Ohio."

The PRESIDING OFFICER. Does the Senator from Illinois desire to be recognized in connection with this committee amendment?

Mr. DOUGLAS. I have no objection to this committee amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The clerk will state the next committee amendment.

The next amendment was, under the subhead "Rivers and harbors," on page 4, after line 16, to strike out:

EXAMINATIONS, SURVEYS, PLANNING AND OTHER STUDY PROGRAMS

For engineering and economic investigations of proposed rivers and harbors projects; including preliminary examinations and surveys; formulating plans and preparing designs and specifications for authorized rivers and harbors projects or parts thereof prior to appropriations for construction of such projects or parts; for printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as many be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; to remain available until expended, $2,635,000: *Provided*, That no part of this appropriation shall be expended in the conduct of activities which are not authorized by law: *Provided further*, That the expenditure of funds for completing the necessary surveys and plans and specifications shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That from this appropriation not to exceed $2,000,000 shall be available for transfer to the Secretary of the Interior for expenditure for the purposes of and in accordance with the provisions of the act of August 8, 1946 (16 U. S. C. 756) and the act of August 14, 1946.

CONSTRUCTION

For construction of authorized rivers and harbors projects or parts thereof and for other related activities as may be authorized by law, to remain available until expended, $117,710,000.

OPERATION AND MAINTENANCE

For the preservation, operation and maintenance of existing rivers and harbors projects or parts thereof and of other related activities, as authorized by law; for prevention of obstructive and injurious deposits within the harbor and adjacent water of New York City; for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for surveys of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparations, correction, printing, and issuing of charts and bulletins, and the investigation of lake levels; $67,105,000.

And in lieu thereof to insert:

Maintenance and improvement of existing river and harbor works: For expenses necessary for the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interest of commerce and navigation; for surveys of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins, and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Debris Commission in carrying on the work authorized by the act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States; for examination, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore authorized; for printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; $277,135,600, of which amount $75,000 shall be available only for cooperative beach erosion studies as authorized in Public Law 520, Seventy-first Congress, approved July 3, 1930, as amended and supplemented, and $350,000 for construction of emergency shore protection work necessary to prevent erosion and loss of properties at Seal Beach and Surfside, Calif.: *Provided*, That no part of this appropriation shall be expended for

any preliminary examination, survey, project, or estimate not authorized by law: *Provided further,* That from this appropriation the Secretary of the Army may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board of Engineers for Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further,* That not to exceed $5,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission: *Provided further,* That from this appropriation not to exceed $3,870,000 shall be available for transfer to the Secretary of the Interior for expenditure for the purposes of and in accordance with the provisions of the act of August 8, 1946 (16 U. S. C. 756), and the act of August 14, 1946 (16 U. S. C. 661-756; 33 U. S. C. 1, 5, 414-415, 441, 451, 540, 541; Civil Functions Appropriation Act, 1952).

Mr. DOUGLAS. Mr. President, I offer my amendment designated "6-18-52-E," to the committee amendment on page 7, line 9.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The CHIEF CLERK. On page 7, line 9, in the committee amendment it is proposed to strike out the figures "$277,135,600" and insert in lieu thereof $177,135,600."

Mr. DOUGLAS. Mr. President, it may seem somewhat strange to propose a cut of $100,000,000 in this section of the bill, when this body has just rejected a cut of some $66,000,000 on the bill as a whole. I must confess that I was astounded at the moderation of the Senator from Michigan in proposing a cut of only $66,000,000. I voted for that cut because it was the only motion before this body. In my judgment, it was not sufficient.

I should like again, if I may, to explain very briefly the situation which we face. As we are all aware, the budget which the administration submitted in January was $14,000,000,000 out of balance, with projected expenditures slightly in excess of $85,000,000,000, and expected revenues $71,000,000,000. Since then it has become clear that the administration will have to ask for more money than the $85,000,000,000 which it requested early this year. In the budget estimates of January the continuing costs of the Korean war after the first of July were not included. It is now apparent that these costs will continue, and if they continue at the rate at which they have run in the past there will be a further expenditure of about $5,000,000,000 for that item alone.

HUGE IMPENDING DEFICITS

It is furthermore apparent that a supplementary request will be made to Congress for added appropriations for the Air Force and for air base construction, as well as for certain other items. So that, if we are to prevent inflation and are even to approximate a balanced budget, we shall have to make very great reductions in the total budget which is submitted to us.

A few minutes ago I looked at the ticker in the anteroom and I saw that the governmental deficit for the current year as of the 17th of June was $7,500,000,000. This, I take it, included the large receipts on the 15th and 16th of June. We will therefore face this year a deficit of approximately $8,000,000,000, and unless we use the pruning knife it looks as though we will have a deficit for the coming year of from fifteen to twenty billion dollars.

On various occasions in this body I have tried to outline what a deficit of this magnitude means. It means inevitably that the Government will be forced to borrow money from the banks. The banks will buy bonds, thus creating additional credit, against which the Government will draw for the payment of labor and material. These payments by the Government will pass out of the accounts of the Government in the banks into the accounts of individuals from whom the labor and material are procured. They will constitute a permanent addition to the circulating medium of the country, and the ratio of money and credit to goods will increase. The result will be inflation—an inflation of great magnitude—with all the domestic difficulties which it creates, an inflation which may do as much damage to us internally as communistic threatened aggression could do to us from the outside.

RIGOROUS ECONOMY NECESSARY

Mr. President, we should approach each appropriation bill with a sense of the urgency of the financial situation confronting the Government. We should realize that we must make cuts and that the cuts must average at least 10 percent of each appropriation bill which is submitted. We must also realize that there are certain governmental operating costs which are fixed. For example, there is the interest cost of $6,000,000,000, which is a fixed item. We cannot reduce that item. Then there are veterans' benefits, which are largely fixed items. Similar fixed items are funds for old-age assistance. Therefore the portion of the budget which we can reduce is probably not more than sixty or sixty-five billion dollars. Out of that we shall have to make cuts amounting to from seven and a half to ten billion dollars.

Mr. President, in the case of the bill which is now before the Senate, the House of Representatives did quite well. They cut the total figure submitted to them by the Bureau of the Budget by $188,000,000. In other words, they made a cut of approximately 30 percent. I congratulate the House of Representatives for the general program of economy they have carried into effect. Perhaps here and there they may have eliminated a project which was worthy, and in some cases I believe they included projects which were not particularly worthy; but, on the whole the House of Representatives has done an extremely good job in making a reduction of nearly $190,000,000 in this bill.

I hold the Committee on Appropriations of the Senate in high esteem and I hold its Subcommittee on Civil Functions of the Army in high esteem. What I have to say is in no sense intended as personal criticism of the members of the committee or subcommittee. I should like to point out, however, that they have increased the House figures by $174,000,000. They have restored the total to approximately the initial amount submitted by the Bureau of the Budget. If the committee's program is adopted, no savings will be effected on the items in the pending appropriation bill. Judging by the vote of this body a few minutes ago, it looks to me that the much vaunted economy, which is taken so seriously in cold December, tends to disappear in the hot weather of June and July.

I think it was the late Jimmy Walker who wrote:

Will you love me in December as you do in May?

Certainly it is true of Members of Congress that they love economy more in January than they do in June or July. But appropriation bills, Mr. President, must be voted on in June and July. The good resolutions of the first of the year are unavailing if they are not backed up by action in reducing specific appropriation bills.

FOUR AMENDMENTS WOULD SAVE $280,000,000

Mr. President, this is the gist of two amendments which I shall submit. The first one concerns the rivers and harbors section of the bill, and it calls for a reduction of $100,000,000. The second amendment calls for a reduction of $50,000,000 in the so-called flood control features of the bill. The two amendments together would effect combined economies of $150,000,000. When we have disposed of those two amendments I have two other amendments which I shall offer. They would bring in $50,000,000 in revenue by applying user charges and special assessments. The total savings if all four amendments were to be adopted would be $200,000,000. But enough of that for the moment.

Mr. President, apparently this is an annual performance. Every time I rise on this floor and propose a cut in appropriations my very able opponents try to put me between Scylla and Charybdis, or whip-saw me in good fashion. When I propose a general reduction, they say, "What specific complaint do you have? What specific items in the bill are padded?"

Then, when I propose separate amendments on specific items, I am told, "Those specific items are most necessary for the safety and defense of this Nation and for its economic growth."

The amendment which I offer now, in its initial form, merely calls for a reduction of $100,000,000. It would give to the Army engineers the power of making reductions where they thought it would be most advisable to make them.

To indicate that I am not merely talking through my hat and that the figure

of $100,000,000 is not picked out of the air, I shall, even though it is somewhat dangerous from a parliamentary standpoint, descend into the lowlands and name some specific projects which I think should be eliminated. The way in which I would recommend the $100,000,000 reduction be made is set forth on pages 7454–7456 of the CONGRESSIONAL RECORD of June 18.

I want to sound off by taking a project in my own State of Illinois, because it is very easy to cut projects in other States, but to think that your own projects are extremely important.

EVEN GOOD PROGRAMS MUST BE REDUCED

I should like to call attention to the dam and locks which extend between Keokuk, Iowa, and Hamilton, Ill. It is called the Keokuk Dam, but it might equally well be termed the Hamilton Dam, because Keokuk is just opposite Hancock County in my State.

I think probably this is one of the best projects in the bill. The river traffic on the Mississippi is large. As I recall, 4,000,000 tons of traffic a year go through the lock. The lock was originally built in 1913. The concrete is deteriorating, and it is said that the lock is not adequate for the longer boats which are coming on the Mississippi.

Yet the House omitted an appropriation for this purpose. The ultimate cost of the new lock is $18,000,000, and the initial estimate for the coming year is $2,500,000 of the $18,000,000.

The Senate committee voted to restore the $2,500,000 Budget estimate.

In view of the many projects of an extremely doubtful nature which the committee voted to include in the bill, if that is the committee's standard of comparison and if certain other projects are to be included, I believe the Keokuk-Hamilton Lock certainly should be included.

But I do not believe the other projects should be included. Since one should be willing to take for himself the medicine he dishes out for others, I am going to suggest that the item for this lock and dam be omitted from the bill for the coming year, or that we make a cut in the amount of $2,500,000. In other words, I make a votive offering to the other Senators, as I proceed to urge cuts in the appropriations for projects in their States, I want them to know that first I urge the making of a cut in the appropriations for projects in my own State, and I am perfectly willing to have my own State treated just as rigorously as is any other State.

Mr. WATKINS. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. WATKINS. How much will Illinois get after the appropriation for this project is eliminated?

Mr. DOUGLAS. I have not figured that up. I have not made a computation in terms of specific States.

Mr. WATKINS. Will Illinois receive any appropriation?

Mr. DOUGLAS. Oh, yes. There will be a moderate amount of about a million dollars for rivers-and-harbors work.

Mr. WATKINS. Then the Senator from Illinois should move to strike out all other appropriations which Illinois will get, because this bill does not carry one dollar of appropriation for Utah.

Mr. DOUGLAS. I had not thought there were any great rivers running through Utah.

Mr. WATKINS. We have some that go on rampage and do tremendous damage. The Senator from Illinois should have been there this spring when I was there, and should have seen the homes and the farms which were washed out by the floods.

Mr. DOUGLAS. I believe the State of Utah will have its turn when the reclamation bill and the flood-control features of this bill come before the Senate and when we deal with the waters running off the Wasatch Mountains into the Great Salt Lake. However, the items carried in this section of the bill deal with communications by waterway to the sea, and I had never thought that Utah had water communications with either the Atlantic or Pacific Ocean.

Mr. WATKINS. The Government regards one of the rivers in Utah as a navigable river. The Government has taken the position that if a stream is usable by any type of boat, the stream is a navigable one, and thus comes within the jurisdiction of the Federal Government.

Mr. DOUGLAS. I believe my good friend, the Senator from Utah, is building up his case for the Wasatch project, which is included in the reclamation bill, under the Department of the Interior.

Mr. WATKINS. No. Let me say that I have voted with the Senator from Illinois for the cuts he has proposed, and I voted to recommit the bill, and I have voted with the Senator from Illinois at other times.

Mr. DOUGLAS. That is true.

Mr. WATKINS. But I have never seen the Senator from Illinois vote with us when it came to cutting the appropriations for reclamation projects in Europe or Africa or other foreign lands.

Mr. DOUGLAS. I ask the Senator to wait a minute, please; the memory of my good friend is not so good as it should be. If he will examine the record for this year he will find that I voted for a cut of $1,500,000,000 in foreign aid, although that proposal was defeated; and I then voted for a cut of $1,400,000,000; and I also voted for the successful cut of $1,200,000,000.

Mr. WATKINS. I am glad the Senator from Illinois did so this year. I may have had in mind the other years when we tried to have such cuts made, but had not yet converted him. He seemed to have established a line of conduct on foreign-project appropriations which it is difficult for me to forget. I am glad to know of his conversion, and I appreciate his efforts to remove from these bills any of the fat that should be removed.

Recently I made an investigation, from which I found that under the Marshall plan, the ECA, and the various other foreign relief and aid programs for overseas areas we have authorized or have spent $1,800,000,000 on reclamation and power projects in Europe, Asia, and Africa. I wish to call the attention of the Senator from Illinois to that fact.

Apparently the administration is not willing to do anything much about reclamation in Utah. We cannot even get from the administration an estimate for a simple project calling for $1,350,000, even though that project is in a defense area.

For the upper Colorado storage and related projects, we could not even get the Secretary of the Interior to send the report of the Reclamation Bureau to Congress, as is provided for under the reclamation law. Even if that project were authorized today, it might be 10 years before its construction would be begun.

So I join with the Senator from Illinois in his desire to achieve economy; but if he wishes to put Illinois on the same basis as other States, including Utah, it will be necessary to cut the items in the bill much more than the Senator from Illinois is attempting to cut them.

Mr. DOUGLAS. Mr. President, I think the Senator will find that I have favored foreign-aid reductions in previous years, also.

I know something about the history of the Colorado River. I believe that in the old days the boats used to go to what is now Yuma, but I never heard of boats going up through the Grand Canyon or beyond the Grand Canyon. Only seven have gone up and only a few canoes have been able to come down through the rapids. The upper Colorado River certainly is not navigable, whereas the rivers in Illinois are navigable; and, as is said in our State song, they are "gently flowing," and they certainly do not have the rapidity of flow the upper Colorado River has.

Mr. President, I submit this initial recommendation simply to show my good faith. I have made a rough computation, and it shows that the effect of this proposal, if it is adopted, will mean a much larger cut, percentagewise, for Illinois than would be made for the country as a whole by the cuts which I shall propose.

INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FLA.

I am very glad to see in the Chamber my good and amiable friend the junior Senator from Florida [Mr. SMATHERS], because I should like to discuss the intracoastal waterway running between Jacksonville and Miami, the estimated total cost of which is $26,000,000, to provide a channel 125 feet wide and 12 feet deep between those two cities.

There is already in existence a channel 100 feet wide and 8 feet deep which runs between those cities. The allotment to date has been $10,000,000. The 1953 budget estimate was $2,200,000. The House cut that item to $2,000,000. The Senate committee has recommended that the amount voted by the House be retained.

I would suggest that this item be eliminated entirely. My reason for suggesting its entire elimination is that there already is an 8-foot channel to Miami, and there is a 12-foot channel from Jacksonville to New Smyrna. Now it is proposed that this further appropriation be made to continue the 12-foot channel to Cocoa and Banana.

Mr. President, I have examined the figures in regard to the traffic on this magnificent coastal highway. According to the figures of the Army engineers, which will be found at pages 65–68 of the House hearings, the traffic on this intracoastal waterway has been diminishing. From 1900 to 1945 it was approximately 400,000 tons a year—which is not a large figure—one-tenth of the traffic carried through the Keokuk Lake. In 1949 and in 1950 it fell to a little more than 200,000 tons a year, or virtually half what it had been theretofore.

Deepening to 12 feet the channel from Jacksonville to Miami is not necessary for the Air Force at Canaveral Harbor, because the harbor there, according to the Army engineers, is only 8 feet deep, and no requests have been made to deepen it. In short, the result of the inclusion of this item in the bill would be that there would be a 12-foot channel with an 8-foot harbor. On the other hand, perhaps the 12-foot channel would simply be a come-on for a future request for a 12-foot harbor.

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield. I hasten to state that I did not realize that the senior Senator from Florida was also present, or I would have included him in the tribute I paid to the junior Senator from Florida.

Mr. HOLLAND. I thank the Senator from Illinois for his tribute, which I did not hear; but I am sure it was a warm one.

Mr. DOUGLAS. I referred to the junior Senator from Florida as "my amiable friend, the junior Senator from Florida." I now expand that tribute by including the senior Senator from Florida, to whom I refer at this time as my very amiable friend.

Mr. HOLLAND. The reason for my interruption, for which I apologize——

Mr. DOUGLAS. No, I am delighted to have the Senator from Florida do so.

Mr. HOLLAND. The reason for my interruption is that the Senator from Illinois was about to fall into very grievous error in stating that the depth of the Canaveral Harbor is only 8 feet. The engineers have just completed deepening it to 27 feet, with connection into the Atlantic Ocean at that depth; and I would not want the Senator's statement in error to go unchallenged.

Mr. DOUGLAS. I shall hunt up the authority for the figures I gave. I shall cite it in a moment.

Let me say that in 1948, of the 35,000 motor vessels using the intracoastal waterway, 32,000 of them drew less than 4 feet. Of the 2,200 barges which used the waterway, less than 10 percent of them, or only about 200, drew more than 6 feet.

So the waterway is already sufficiently deep to take care of the overwhelming proportion of the traffic there.

The senior Senator from Florida has just said there is a 27-foot harbor at Canaveral. I now read from the hearings this year before the Subcommittee on Civil Functions of the House Appropriations Committee, at page 68:

Mr. FORD. Last year it was brought out that you wanted a 12-foot depth to Cocoa and you only had an 8-foot depth at Canaveral Harbor. Has there been any effort made to try and get a deepening of the Canaveral Harbor?

General CHORPENING. Well, as I recall it, last year there was a request made for some work at Canaveral. It was in the budget, but it was not allowed by the House. There were certain conditions of local cooperation which we learned after testifying here, would not be complied with, so we did not ask for restoration of the funds.

Mr. FORD. And the needs for Canaveral were not included last year nor in this current budget?

General CHORPENING. That is correct.

Mr. FORD. You are not asking for funds for Canaveral Harbor this year?

General CHORPENING. That is correct.

So that if I did fall into a grievous error, it was an error shared by General Chorpening of the Army Engineers when they were testifying, as late as the winter of this year.

Furthermore, navigation facilities are already available. The proposal would merely permit bigger barges to move on an existing waterway. Mr. President, that is merely an indication of how this waterway could be deferred. It could easily be postponed.

DEMOPOLIS LOCK AND DAM, ALA.

There is another project which might be postponed, namely, the Demopolis lock and dam, in Alabama, the cost of which will be approximately $21,000,000. The allotment to date has been $7,400,000. The 1953 budget estimate is $5,500,000. That was cut by the House to $5,000,000, and by the Senate, to $4,500,000. I think it might very well be entirely omitted.

This is a project to improve an already existing waterway. The channel is now in use and 2,600,000 tons were shipped over it in 1950. The benefit-cost ratio is not stated in House hearings, but General Chorpening agreed that it was low.

Since navigation facilities are already available, further improvement of this project can easily be postponed. The new locks, which are to be covered in the appropriation bill, are in the planning stage, so that work already in place will not be hurt by postponement.

MISSOURI RIVER NAVIGATION IMPROVEMENTS

Mr. President, another project where we could make economies is that for bank stabilization and channel rectification of the river banks of the upper Missouri River, from Kansas City to Sioux City, Iowa. The total cost of this project is $179,000,000. There has been allotted to date approximately $107,000,000. The 1953 budget estimate is $5,000,000, which the House cut to $4,250,000, and which the Senate committee raised to $5,000,000. I think we could postpone this project.

This Missouri River navigation project is going to be an example of throwing money down a drain pipe. It cost the Government $116,000,000 to construct the 9-foot channel from St. Louis to Kansas City. Four lines of railway could have been built between St. Louis and Kansas City for the same amount, and the freight could have been carried free for the cost of this waterway. In the last year of which I have record, there was moved only approximately 800,000 tons of freight, of which more than half was sand and gravel used by the Government in the repair of the river and in the construction of the works along the river. This is like the island in the Orkneys, whose inhabitants were said to make a very respectable living by taking in each other's washing. The chief business on the Missouri River consists of the boats of the Army engineers, carrying sand and gravel for their work.

On the upper Missouri the conditions are even worse. I have before me the figures for the calendar year 1950. Total traffic from Kansas City to Sioux City was 869,000 tons, 181,000 tons of which was commercial traffic and 686,000 tons Government traffic. Eighty percent of the traffic therefore was the traffic of the Army engineers themselves. When the work of construction is over, there will not be many barges moving up and down the Missouri River.

Mr. President, yesterday the St. Lawrence project was rejected by the votes of many Senators who are keen for improvements on the Missouri and on the Arkansas and on the Mississippi. It was rejected although it would have paid for itself; it would have been self-liquidating. But no; it was not thought to be a sufficiently meritorious project. Yet we can spend hundreds and hundreds of millions of dollars of Government money to construct 9-foot channels and 12-foot channels for traffic which will never move and from which the Federal Government will never collect a dollar of revenue.

Mr. President, this is a complete error as to what is worth while for the Government to undertake. Not a cent for the St. Lawrence, not a cent for a project which would be self-liquidating, but hundreds of millions of dollars to try to construct 9-foot channels—and it is dubious whether the amount of water is sufficient to float craft even in the 9-foot channels—for transportation and traffic which will never move.

The appropriation, specifically before the Senate, is apparently a bank-stabilization project. But it is tied up with the navigation project. It is intended to restore the channels of navigation. It is not a flood-control item; it is for navigation, the feasibility of which is highly questionable. It has previously been postponed in periods of financial stress, and it can again be postponed.

Let me now return to the lower Missouri River, from Kansas City to the mouth of the river at St. Louis. To date there has been allotted to this project $91,400,000. The 1953 budget estimate was $3,500,000. That was a cut of 30 percent in the House, but restored to $3,500,000 by the Senate committee. In my judgment it should be omitted. This is also a navigation project. According to General Chorpening, it has nothing to do with flood control. No work was done on this project during World War II. In 1950, over half of the tonnage shipped consisted of material for the construction of rivers and harbors.

ARKANSAS RIVER

Mr. President, I now turn to Arkansas, and I hope that my good friend, the Senator from Arkansas [Mr. MCCLELLAN] will be here when I speak about this. I know the Arkansas River project is

dear to the hearts of some of my colleagues.

Mr. McCLELLAN. Let the RECORD show that the Senator from Arkansas is present.

Mr. DOUGLAS. Yes, I understand. I wanted to notify the Senator from Arkansas who was leaving the chamber of what I was about to say, so that I would not be speaking in his absence.

Mr. McCLELLAN. I appreciate that, but I did want the RECORD to show that I was present.

Mr. DOUGLAS. Mr. President, the Arkansas River project, for which authorization has been made, will ultimately entail the expenditure of $800,000,000, at a minimum. Even the Army engineers, who are most liberal in their estimates of benefits, who always tend to overestimate benefits and to pad the figures of indirect benefits, and who always underestimate costs—even the Army engineers have a ratio of benefit to cost of only 1.05.

I submit that before the Arkansas project is completed it will cost infinitely more than the benefit derived from it.

I know we always take a great deal of pride in our native rivers. Running water has a great fascination for us. The prospective toot of the steamboat whistle has a tendency to capture our imagination. We are proud of our streams in Illinois, the Illinois River, the Rock River, the Fox River, and so on. Therefore, I hope my friend from Arkansas will not think I am indulging in sectionalism if I mention the depth of the Arkansas River.

Mr. McCLELLAN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. First let me introduce a brief statement. I should like to read from page 63 of the House hearings. Speaking of the depth of the Arkansas River from the mouth of the river to Fort Smith, 373 miles, it is stated as follows:

> Three feet or more for 4 months and less than 3 feet for 8 months.

Mr. President, it is no disparagement either of the State of Arkansas or of the Arkansas River if I say that for two-thirds of the year the depth of the river is less than 3 feet. Are we going to make a great artery of commerce and navigation out of the Arkansas River? Are we going to have steamboats going up and down that river when for two-thirds of the year there is a depth of less than 3 feet of water in the river? It has not been my privilege to have walked across the Arkansas River, but friends have testified to me, and I think they are truthful people, that they have waded across the Arkansas River at certain periods of the year without getting their knees wet.

I now yield to the Senator from Arkansas.

Mr. McCLELLAN. In the first place, I am sure the Senator from Illinois wants to be fair, and, in the second place, I know that if the Senator had studied the project he must be aware that while it is classified as a navigation project, there are many elements of flood control involved. While the work is listed under rivers and harbors and as a navigation project, the money provided for in this item is money to stabilize banks, so that if the day ever comes when it is advisable to build an over-all navigation project, there will be that much permanent work done.

The Senator from Illinois has referred to some one wading across the Arkansas River. I would not question any statement which may have been made to him by some one in whom he has great confidence, but I will say to the Senator that the same person would tell him there are other times when it takes a steamship or an airplane to get across the river, because there are times when tremendous floods occur and great damage done when they occur. There are marvelous fertile lands in the valley, and they are being eroded by floods and being carried away and forever lost. The project is not only to protect investments already made by local interests, and by the Federal Government, in levees, so as to protect the fertile lands, the industries, the pipelines and gas lines that cross the river to feed eastern industry, but these are emergency funds which are absolutely necessary now—not day after tomorrow, but now—if we are going to protect the investment, the wealth, the values placed there by nature; and the industries and improvements made by private enterprise and by the Federal Government itself.

Mr. President, it is all right to talk about a great navigation project which we hope some day may be fully realized, but not a dollar of these funds are primarily for the purpose of a navigation project, but they are for the purpose of doing the prudent thing, the thing that is a moral obligation upon the part of the Government, since it has taken over those levees, to strengthen them and to protect them. There are already breaches in the levees. The Government is authorized to set back levees and throw more fertile lands into the river. What we are trying to do is to save the land, to save the levees, so that we shall not spend money uselessly and lose more of our natural resources—but will be able to preserve them and make them more productive.

Mr. DOUGLAS. Let me say in reply to my good friend from Arkansas, for whom I have great admiration, that I should like to quote from General Chorpening, on page 64 of the House hearings. First, I quote a statement made by Mr. Ford:

> This emergency bank stabilization can be allocated benefitwise to what part of the valuation?
>
> General CHORPENING. It would have benefits of general bank stabilization. It would have benefits eventually in the savings in transportation charges because, certainly, if we can stabilize some portion of the channel now it will be helpful at such time as we go ahead with the navigation project.

Mr. McCLELLAN. That is correct.

Mr. DOUGLAS. In other words, it is obvious that the Army engineers thought——

Mr. McCLELLAN. The expenditure of the money actually fits in with the long-range program. A levee is broken and the damage is done, because of the caving of the banks. Two of them are now in that condition. What are we going to do about it? Allow more land to be lost forever, or are we going to act on the basis of its being a permanent project, on which money can be spent for a permanent purpose and without waste?

Mr. DOUGLAS. Mr. President, I should like to point out that the total budget estimates for this project were $4,000,000. The House provided $2,000,000.

Mr. McCLELLAN. Oh, no. Let us correct that. The Bureau of the Budget submitted an original estimate of only $2,000,000, and the House granted that amount. The $2,000,000 was for projects started last year which are now in process of construction. The Bureau of the Budget submitted an estimate of $2,000,000 to continue those projects only. Subsequently, the Bureau of the Budget submitted an estimate for another $2,000,000 for other projects. The last figure was not before the House when it considered the bill.

Mr. DOUGLAS. I was coming to that. Certainly it is true that the Senate committee increased the House figure by $5,000,000.

Mr. McCLELLAN. And the budget figure by $3,000,000. I challenge any Senator to read the record and not agree that it is one of the strongest cases ever made out before a flood-control committee or an Appropriations Committee.

Mr. McKELLAR. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield to my amiable and well-beloved colleague from Tennessee.

Mr. McKELLAR. The Senator from Illinois made a statement a while ago which I think he would want to correct. He said that many of us from "down South" had voted against the St. Lawrence seaway.

Mr. DOUGLAS. I give the Senator from Tennessee credit for voting in favor of the St. Lawrence seaway.

Mr. McKELLAR. I thank the Senator. There were several other Senators from the South who voted in favor of the St. Lawrence seaway.

Mr. DOUGLAS. I thank them very much, and I only wish that their virtue were more widespread and more contagious amongst their geographic neighbors.

Mr. McKELLAR. I know the Senator would not want to make a mistake of that kind.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to my friend, the expert "needler" from Oklahoma.

Mr. KERR. Does not the Senator from Illinois think that if he wants to give something to the Senator from Tennessee, it should be other than what he has just referred to? Because in view of the fact the Senator from Tennessee voted for that project, would he not, as a matter of right, be entitled to that credit?

Mr. DOUGLAS. Oh, certainly.

Mr. KERR. Will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. KERR. If the Senator from Illinois desired to be generous in giving something, it would have to be something else.

Mr. DOUGLAS. That is true, but I am not pretending to be generous. It is very hard for a Scotchman to be generous, but he can be just.

Mr. KERR. When he is just, would he call the attention of the Senate to it?

Mr. DOUGLAS. We will let Senators find that out for themselves.

JIM WOODRUFF DAM, FLA.

Mr. President, I am afraid I must return to the subject which concerns my friend, the Senator from Florida, and take up the Jim Woodruff Dam. Sometimes this project is justified on the basis of navigation; sometimes it is justified on the basis of power. Its flood control benefits are negligible. The cost is going to be quite large. The ultimate cost is estimated as $46,000,000. The allotment to date is $21,000,000. The Bureau of the Budget estimated $11,300,000 for 1953. The House cut that amount to $11,000,000. I desire to congratulate the Senate committee on cutting the figure to $10,300,000. But, in my judgment, the whole sum could be omitted entirely.

Mr. President, an examination of the House hearings discloses that apparently this lock dam taken by itself is not of great value. It is a part of a four-dam system, including Buford Dam, in Georgia, Fort Benning Dam, and one other dam. If we consider the system as a whole, the Army engineers have a benefit-to-cost ratio of only 1.12—one and one-eighth.

As the Senate well knows, the Army engineers always estimate benefits very high. They tend to overstate the indirect benefits. The over-all costs are invariably greater than the original estimates of costs. Yet, with their most liberal estimates, the engineers have come forward with a combined ratio of one and one-eighth to one. That is for the four dams taken as a whole.

At page 70 of the House hearings, part I, there appears the following:

Mr. RABAUT. Is the Jim Woodruff lock and dam economically self-sufficient?

General CHORPENING. Jim Woodruff Dam is part of the comprehensive plan on the Chattahoochee River, and it requires all four dams to make it fully effective. The answer is that the Jim Woodruff Dam by itself is not economically justified because there will be only partial benefits from the navigation features and only direct navigation up to that point. It takes the remainder of the dams to get the maximum benefits.

In other words, the project is not economically justified. What about the power features? The initial production of power will be 10,000 kilowatts, as I understand, or the initial installation will provide 10,000 kilowatts. I think it will be found that the unit cost for installation will be extremely high, much higher than the national average in capital investment per kilowatt. The capacity of the Jim Woodruff Dam would be less than 1 percent of the present installed electrical capacity of Georgia, Alabama, and Florida, according to a statement furnished in the House hearings, at page 75.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DOUGLAS. Mr. President, I could continue in some detail. However, if Senators will look at the CONGRESSIONAL RECORD for yesterday, they will find the other justifications which I have advanced. I merely give these to indicate that a cut of $100,000,000 would be perfectly feasible.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 45 minutes.

Mr. McKELLAR. Mr. President, I shall not use 45 minutes. I merely wish to say that a few minutes ago the Senate rejected a proposal to cut $66,000,000 from the whole bill. The Senator from Illinois proposes a cut of $100,000,000 on rivers and harbors only, just a portion of the bill. Surely the Senate, having voted against a cut of $66,000,000 with respect to the whole bill, would not vote for a cut of $100,000,000 on the rivers and harbors section of the bill.

Mr. President, I yield back the remainder of my time.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. How much time does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. How much time does the Senator from Florida request?

Mr. HOLLAND. Six minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 6 minutes.

Mr. HOLLAND. Mr. President, I wish to speak very briefly for my colleague and myself about the two Florida items that have been mentioned. I am sorry that time will not permit my presenting the facts as to some other items, but I do happen to know about the two Florida items, and should like to make a brief statement as to them.

First, with reference to the item of deepening the intracoastal waterway from Jacksonville down to Cocoa or the Banana River guided-missile base, one of the great military installations of the Nation, the Senator from Illinois described that particular project at some length, but he failed to say that all the way through the justifications, from the time the project was begun 2 years ago, it has been predicated entirely upon defense.

For instance, at page 65 of the House hearings this year, General Chorpening, testifying about this project, stated:

General CHORPENING. This project calls for the widening and deepening of the Intracoastal Waterway all the way to Miami. At this time we are only proposing to extend the waterway to Cocoa, Fla., and it is being asked for and being done as a defense measure at the request of the Air Force which has a guided-missile base at Cape Canaveral, Fla. The funds we are asking for this year will complete the work of deepening and widening the channel to Cocoa, Fla.

The Senator from Illinois did not state that the appropriations of the last 2 years would have been completely idle unless this year's appropriation were made available for completion of the effort begun 2 years ago, and begun solely at the request of the Air Force, and under certification by the President that it was essential in the national defense.

I have here the justification submitted by the Department of the Army at the Senate and the House hearings. It ends with the words, and the Senator may see them—

The President has certified this improvement as being important to the national defense, and the matter is predicated wholly upon that purpose and its fulfillment.

Before leaving that project, I wish to remind the Senate that Canaveral Harbor has been recently completed to a depth of 27 feet, and $1,100,000 of local money was added to Federal money for that purpose. Regardless of the good intentions of the distinguished Senator from Illinois, apparently he has not been advised that such is the case.

Mr. DOUGLAS. Was General Chorpening in error?

Mr. HOLLAND. General Chorpening was in error, because the harbor has been built to a depth of 27 feet. I have seen it, and I know a great deal about this harbor which I am sure the distinguished Senator from Illinois does not know.

If it is necessary to unload 12-foot barges on the Cocoa side, the cargoes can still reach the guided-missile base simply by being transported a few miles across the peninsula on a very fine highway. So the completion of the project to Cocoa does fulfill the defense purpose, certified as such 2 years ago. What is now provided for is the last link of that particular purpose and its fulfillment.

Mr. President, with respect to the Jim Woodruff Dam, the Senator from Illinois is correct in saying that in comparison with great projects elsewhere in the Nation this may not be a great project from the standpoint of the amount of electrical energy which it will supply. It will supply only 30,000 kilowatts. However, as we view it in our part of the country, that is a large project. This stream happens to be about the only interstate stream flowing through Florida which is susceptible of hydroelectric development. It is the first of several projects in this basin which vitally affect not only our own State, but also Georgia and Alabama. It is now nearing completion. I have before me the justification of the engineers, which shows that the project as a whole is 46 percent completed now, and that so far as the construction and the building of machinery is concerned, it is much more than half completed, because a large part of the appropriation for this year and for next year will be for the clearing of the area to be covered by the waters which will be impounded.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield if I may have a couple of minutes more.

Mr. DOUGLAS. I shall be very glad to have the Senator yield on my time.

Mr. HOLLAND. I am happy to yield.

Mr. DOUGLAS. Were the Army engineers correct in stating, on page 75 of part 1 of the House hearings, that the capacity of the Jim Woodruff Dam is about eight-tenths of 1 percent of the total capacity presently installed in the surrounding States of Georgia, Alabama, and Florida?

Mr. HOLLAND. I have no reason to doubt the accuracy of their statement, but the 30,000 kilowatts made available in that area have a tremendous meaning to the 10 or 12 rural electric cooperatives which are eagerly awaiting the day when they can obtain that electric power. Thirty thousand kilowatts are not to be sneezed at, even in this day and time, particularly when our investment is more than half made, and when the date of cloture is the first of October next year, which will be possible of fulfillment even with the reduced appropriation.

Perhaps it is difficult for the Senator from Illinois to understand, but we have repeatedly made it clear that we do not wish to go further with these projects than is necessary to fulfill the demands of the Armed Forces. So far as the Cocoa project is concerned, the Budget submitted a request for $2,200,000. The House cut it to $2,000,000. I read from page 635 of the Senate hearings:

Senator HOLLAND. Are you able to say for the record at this time whether the additional $200,000 which was cut off by the House is needed to complete the project?

General CHORPENING. It will not be needed, sir. We have checked that very carefully, and the $2,000,000 will complete this work.

Senator HOLLAND. I stand by my statement. On the strength of the statement made by the engineers that they can complete the work to the guided-missiles base for $2,000,000, we will not ask for the restoration of the $200,000 I referred to.

In the case of the Jim Woodruff project we stood for a reduction of $1,000,000, because the engineers stated at the hearing before the Senate committee that they would be able to close by October of next year even with the reduced funds. Completion of the project requires clearing of the right-of-way for the great lake which will be impounded and the reduced funds were to be applied on that part of the work.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. HOLLAND. Mr. President, will the Senator from Tennessee yield me one more minute?

Mr. McKELLAR. I yield the Senator one more minute.

Mr. HOLLAND. I wish the Senator from Illinois could have attended the hearings of the House committee and the Senate committee. He would have seen the willingness on the part of the Senators and Representatives from Florida, and the desire on the part of the engineers and of the committee members as a whole, to try to keep these projects at a minimum. They are vital defense projects of great importance.

So far as the intracoastal waterway is concened, it completes the construction of the needed 12-foot depth, which will allow material to be brought all the way from Newark, N. J., down to the guided-missile base. At present it must be transshipped somewhere up the line, and loaded on smaller barges.

I am sorry that the Senator from Illinois attacks the only two river-and-harbor projects which the State of Florida has in the bill. Both of them are defense projects, and with respect to both of them he undoubtedly has not taken occasion to inform himself, or he would not have made this attack upon them.

Mr. CORDON. Mr. President, will the Senator from Tennessee yield to me for the purpose of submitting certain amendments?

Mr. McKELLAR. I yield.

Mr. CORDON. On behalf of the Senator from Michigan [Mr. FERGUSON] I am sending to the desk two amendments intended to be proposed by the Senator from Michigan for himself and the Senator from New Hampshire [Mr. BRIDGES].

The PRESIDING OFFICER. The amendments will lie on the table and be printed.

Mr. McKELLAR. Mr. President, I yield back the remainder of my time, and ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 7, line 9. Upon this question the yeas and nays have been demanded. Is the demand sufficiently seconded?

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. McFARLAND], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

I announce further that the Senator from Arizona [Mr. McFARLAND] is paired on this vote with the Senator from Ohio [Mr. TAFT]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from Ohio would vote "yea."

I announce also that if present and voting the Senator from Connecticut [Mr. BENTON] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. LODGE], and the Senators from Ohio [Mr. TAFT and Mr. BRICKER] are necessarily absent.

The Senator from Pennsylvania [Mr. DUFF] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Massachusetts [Mr. LODGE] would each vote "yea."

On this vote the Senator from Ohio [Mr. TAFT] is paired with the Senator from Arizona [Mr. McFARLAND]. If present and voting, the Senator from Ohio would vote "yea" and the Senator from Arizona would vote "nay."

The result was announced—yeas 22, nays 56, as follows:

YEAS—22

Aiken	Hunt	Smith, Maine
Brewster	Ives	Smith, N. J.
Bridges	Jenner	Tobey
Douglas	Martin	Welker
Dworshak	Moody	Wiley
Ferguson	O'Conor	Williams
Flanders	Robertson	
Frear	Saltonstall	

NAYS—56

Anderson	Hickenlooper	McKellar
Bennett	Hill	Millikin
Butler, Md.	Hoey	Monroney
Capehart	Holland	Morse
Case	Humphrey	Mundt
Chavez	Johnson, Colo.	Murray
Clements	Johnson, Tex.	Neely
Connally	Johnston, S. C.	Nixon
Cordon	Kem	Pastore
Eastland	Kerr	Schoeppel
Ecton	Kilgore	Seaton
Ellender	Knowland	Smathers
Fulbright	Lehman	Smith, N. C.
George	Long	Sparkman
Gillette	Magnuson	Stennis
Green	Malone	Thye
Hayden	McCarran	Underwood
Hendrickson	McCarthy	Watkins
Hennings	McClellan	

NOT VOTING—18

Benton	Dirksen	McFarland
Bricker	Duff	McMahon
Butler, Nebr.	Kefauver	O'Mahoney
Byrd	Langer	Russell
Cain	Lodge	Taft
Carlson	Maybank	Young

So Mr. DOUGLAS' amendment to the committee amendment on page 7, line 9, was rejected.

Mr. GILLETTE. Mr. President, I call up my amendment to the same committee amendment.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 7, line 9, it is proposed to strike out the figures "$277,135,600" and substitute the figures "$285,135,600."

Mr. GILLETTE. Mr. President, with reference to this amendment I should like to say that it is an unusual amendment and that I do not enjoy offering an amendment which increases an appropriation. However, a very unusual situation is involved on the Missouri River at Decatur, Nebr., where a bridge has been constructed, and where, because of a change in the channel of the river the bridge is not useful. Millions of dollars have been expended on the construction of the bridge, and it is not useful, because there are no approaches to the bridge and no channel under it. The appropriation recommended by the committee does not include an amount of money with which to continue the work on the Decatur Bridge. The chairman of the committee is familiar with the facts, and I am hopeful that he will accept the amendment and take it to conference.

Mr. HICKENLOOPER. Mr. President, will the Senator yield me some time?

Mr. FERGUSON. Mr. President, will the Senator from Iowa yield for a parliamentary inquiry?

Mr. GILLETTE. I yield for that purpose.

Mr. FERGUSON. If the amendment of the Senator from Iowa is agreed to I should like to know whether a further amendment to the item on page 7, line 9, to strike out $277,135,600 and to insert in lieu thereof $264,307,500, would be in order.

The PRESIDING OFFICER. The Chair is advised that it would not be in order unless the vote were reconsidered.

Mr. GILLETTE. I yield 4 minutes to my distinguished colleague.

Mr. HICKENLOOPER. Mr. President, as my colleague has pointed out the item for this necessary and completely sensible construction work was omitted by the committee when it reported the bill to the Senate. A presentation was made to the committee on behalf of the item, and I believe there was considerable sentiment in the committee in favor of including it.

The circumstances are that the natural, proper, and eventual channel of the Missouri River runs in a certain contour at or near the town of Decatur, Nebr. Some years ago, based upon the plans of the Army engineers and on all the facts available a bridge was built over the spot to which the Missouri River must eventually return if there is to be any kind of adequate or proper control of the Missouri River at this point. It is a part of the integrated plan for the control of the Missouri River.

This bridge is rather unique in that it is built over dry land, and at the present time the bridge is not of use at all in crossing the river. So the bridge stands there unused, simply because the program upon which construction of the bridge was based some years ago has not been carried out.

The work must be done at this point on the river; it is just a question of time when it will be done. The river must be returned to its natural, normal channel before the river can be properly controlled.

I merely wish to join in urging the chairman of the committee and the entire committee to support this amendment in conference, because the present situation at the bridge is utterly silly. A bridge costing several million dollars stands there, inaccessible and entirely unused, although important trade areas on both sides of the river need to be able to use the bridge. The work must be done, and should be done now.

Mr. CHAVEZ. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. CHAVEZ. I believe I understand this matter. I wish to ask whether the money required for this purpose will come out of the funds provided in the bill to help local communities or States to rehabilitate their highway systems. Is the proposed appropriation to be an outright one, or is it to be based on a matching arrangement?

Mr. HICKENLOOPER. No; I understand it is to be an outright appropriation in connection with river development. This item is not in connection with highway development, although highway development is an important incident to it. The river itself must be returned to its normal, natural channel.

Mr. CHAVEZ. The bill provides funds for the rehabilitation of highways which have been destroyed by disastrous floods.

Mr. HICKENLOOPER. As I understand, this item has nothing to do with the rehabilitation of highways. It relates solely to river construction work in that area. Among other things, this item will be used to put the river back into its natural channel, with the result that then the river will go under this bridge. The regular highway construction by the State government and the Federal Government will automatically go on thereafter.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. HICKENLOOPER. Mr. President, will my colleague yield additional time to me?

Mr. GILLETTE. I yield to my colleague whatever additional time he may require, provided it is within the time available to me.

The PRESIDING OFFICER. The junior Senator from Iowa [Mr. GILLETTE] has 5 minutes remaining.

Mr. GILLETTE. Then I yield to my colleague 5 minutes, as as much thereof as he may require.

The PRESIDING OFFICER. The senior Senator from Iowa [Mr. HICKENLOOPER] is recognized for 5 minutes.

Mr. McCLELLAN. Mr. President, let me inquire how much the amendment would add to the appropriations carried by the bill.

Mr. HICKENLOOPER. This amendment will increase the appropriations by $8,000,000.

Mr. McCLELLAN. Will that amount be sufficient to complete the job, or will it be only partially sufficient?

Mr. HICKENLOOPER. The $8,000,000 will be devoted to work on a particular section of the river.

Mr. McCLELLAN. I may say to the Senator from Iowa that I am somewhat familiar with this matter. I now inquire whether the Senator from Iowa expects to have the full amount provided in this year's appropriation bill, in order to have the entire project completed, or whether the amount to be provided in the appropriation bill this year will be sufficient to take care of only a part of the project?

Mr. HICKENLOOPER. The amount now requested is probably more than sufficient simply to return the river to its channel; in fact, I believe far less of an appropriation than this would be required for that purpose. On the other hand, it will be necessary to do other work, up and down the river, in order to control the river and to prevent it from washing out; and all that work is included in the entire project.

Mr. McCLELLAN. The result would be to make it possible for the highway project to be constructed, with the result that the bridge could be used; is that correct?

Mr. HICKENLOOPER. Yes. This work is not to be confined to only one particular part of the river, but applies to this entire section of the river.

Mr. McCLELLAN. Of course, the reason for that is that the entire section of the river must be worked on, in order to get the river back into its channel.

Mr. HICKENLOOPER. Yes. The point I make is that the entire section must be treated in that way in order to return the river to its channel and to make the bridge usable.

Mr. CASE. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. CASE. Was this project necessitated by a flood?

Mr. HICKENLOOPER. Yes, in the long run—floods of some years ago. The river left its normal, proper channel some years ago. The Government has always contemplated returning the river to its proper channel, as a necessary part of controlling the river. Based upon that program, this bridge was built.

Mr. CASE. Have the engineers submitted this item to the Congress in the form of an engineering report?

Mr. HICKENLOOPER. Yes.

Mr. CASE. Has the project been authorized?

Mr. HICKENLOOPER. Yes, it has been authorized. I believe I am correct in that.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

The question is on agreeing to the amendment of the junior Senator from Iowa [Mr. GILLETTE] to the committee amendment on page 7, in line 9. (Putting the question.)

The "ayes" seem to have it.

Mr. ROBERTSON. Mr. President, I ask for a division.

The Senate proceeded to divide.

Mr. FERGUSON and Mr. KNOWLAND asked for the yeas and nays.

The PRESIDING OFFICER. Evidently there is a sufficient number to second the request for the yeas and nays.

Mr. CASE. Mr. President, a parliamentary inquiry——

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE. Has any understanding been had as to whether adoption of this amendment to the committee amendment will preclude the consideration of a further amendment to the committee amendment at this point? A while ago the Senator from Michigan asked that question. I understand that if the amount carried at this point in the committee amendment is now amended, it will be impossible to amend it further.

The PRESIDING OFFICER. Adoption of this amendment to the committee amendment would preclude the offering of a further amendment to the committee amendment at this point.

Mr. FERGUSON. In other words, a further amendment to the original item?

The PRESIDING OFFICER. Yes.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. FERGUSON. Instead of being able to reduce this figure in the amount of $12,829,100, as proposed by an amendment which now is at the desk, the pending amendment to the committee amendment, if adopted, would increase this item by approximately $8,000,000; is that correct?

The PRESIDING OFFICER. If the pending amendment to the committee amendment is adopted, that will be correct.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Has the Chair stated that the yeas and nays have been ordered?

The PRESIDING OFFICER. The Chair stated that apparently there was a sufficient second of the request for the yeas and nays.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered. The question is on agreeing to the amendment of the Senator from Iowa [Mr. GILLETTE]. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from Arizona [Mr. MCFARLAND], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. LODGE], and the Senators from Ohio [Mr. TAFT and Mr. BRICKER] are necessarily absent.

The Senator from Pennsylvania [Mr. DUFF] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from Pennsylvania [Mr. MARTIN] and the Senator from Kansas [Mr. SCHOEPPEL] are detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT] would each vote "nay."

The result was announced—yeas 24, nays 48, as follows:

YEAS—24

Aiken	Hickenlooper	Long
Capehart	Hill	Malone
Clements	Humphrey	McCarran
Eastland	Hunt	Mundt
Ecton	Johnson, Colo.	Murray
Ellender	Johnston, S. C.	Neely
George	Kerr	Seaton
Gillette	Lehman	Smith, N. C.

NAYS—48

Anderson	Hennings	Nixon
Bennett	Hoey	O'Conor
Brewster	Holland	Pastore
Bridges	Ives	Robertson
Butler, Md.	Jenner	Saltonstall
Case	Johnson, Tex.	Smathers
Cordon	Kem	Smith, Maine
Douglas	Kilgore	Smith, N. J.
Dworshak	Knowland	Stennis
Ferguson	Magnuson	Thye
Flanders	McCarthy	Tobey
Frear	McClellan	Underwood
Fulbright	Millikin	Watkins
Green	Monroney	Welker
Hayden	Moody	Wiley
Hendrickson	Morse	Williams

NOT VOTING—24

Benton	Dirksen	McKellar
Bricker	Duff	McMahon
Butler, Nebr.	Kefauver	O'Mahoney
Byrd	Langer	Russell
Cain	Lodge	Schoeppel
Carlson	Martin	Sparkman
Chavez	Maybank	Taft
Connally	McFarland	Young

So Mr. GILLETTE's amendment to the committee amendment was rejected.

ELIMINATION OF AUTHORITY OF INTERNATIONAL MATERIALS CONFERENCE FROM DEFENSE PRODUCTION ACT—AMENDMENT TO H. R. 8210

Mr. MALONE. Mr. President, I have just been informed that the House, through the Sadlak—Republican, Connecticut—amendment has climinated the authority of the International Materials Conference from the Defense Production Act by a vote of 162 to 102, and I want to congratulate the House on its commonsense action.

RECOGNIZING INTERNATIONAL MATERIALS CONFERENCE

The Fulbright—Democrat, Arkansas—amendment to the Senate Defense Production Act recognized the International Materials Conference—a creature of the State Department—as the official body to divide the available markets and production between the nations of the world on the basis of need.

DIVIDE OUR MARKETS AND PRODUCTION

The objective of distributing the production and employment of this Nation among the countries of the world on the basis of need is accomplished through the simple expedient of allocating or withholding the necessary materials for manufacturing and processing to the individuals, companies, or corporations in this Nation.

HOUSE AMENDMENT

The amendment offered by Mr. SADLAK and adopted by the House to section 101 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following:

When all requirements for the national defense, for the stockpiling of critical and strategic materials, and for military assistance to any foreign nation authorized by any act of Congress have been met through allocations and priorities it shall be the policy of the United States to encourage the maximum supply of raw materials for the civilian economy, including small business, thus increasing employment opportunities and minimizing inflationary pressures. No authority granted under this act may be used to limit the domestic consumption of any material in order to restrict total United States consumption to an amount fixed by the International Materials Conference.

ESSENCE OF AMENDMENT

Sadlak, of Connecticut, amendment—adopted by a teller vote of 162 to 102—denies authority to limit the domestic consumption of any material in order to restrict total United States consumption to an amount fixed by the International Materials Conference after meeting requirements of national defense, stockpiling, and military assistance to foreign nations.

A SADISTIC BRAINSTORM OF THE STATE DEPARTMENT

Mr. President, the International Materials Conference—a sadistic brainstorm of the State Department—designed to take the place of the ill-fated International Trade Organization to distribute the markets and production of this Nation with the low living standard countries of the world.

THREE-PART, 19-YEAR-OLD PROGRAM

The administration's 3-part, 19-year-old program to destroy the workingman and investors through the division of the markets and production of this Nation moved a step nearer realization through Senate approval of the International Materials Conference, the third part of the program.

HOUSE TO BE COMMENDED

The House is to be commended for their refusal to put into the hands of the low wage living standard nations of Europe and Asia the power to arbitrarily control the production and to divide the markets of this Nation.

The first two parts of the 19-year program to destroy the American workingman and investors are the 1934 Reciprocal Trades Act—free trade—and the continued foreign aid starting with lend-lease and UNRRA to the Marshall plan, ECA, point 4, and mutual security, to make up the trade balance deficits until such time as our markets can be divided with the nations of the world.

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes.

Mr. FERGUSON. Mr. President, I call up an amendment which I offer on behalf of the Senator from New Hampshire [Mr. BRIDGES] and myself, on page 7, line 9, of the bill.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Michigan and the Senator from New Hampshire.

The CHIEF CLERK. On page 7, line 9, it is proposed to strike out "$277,135,600" and insert in lieu thereof "$264,307,500."

Mr. FERGUSON. Mr. President, the reason why I am offering this particular amendment is that we understand the reduction could be imposed by the Corps of Engineers. While the figure involved is a small one, the total figure for rivers and harbors in the budget estimate is $293,675,000. If we reduce the item 10 percent, $29,367,500, it leaves an item of $264,307,500.

The committee has recommended for this particular item $277,135,600. If we take away 10 percent of the budget estimate, there would be a reduction of $12,828,100.

Mr. CASE. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. CASE. As I understand, there is a companion amendment which will be offered later to the section of the bill dealing with flood control.

Mr. FERGUSON. That is correct.

Mr. CASE. What the two amendments would do would be to accomplish a 10-percent reduction in this item of the bill——

Mr. FERGUSON. The next amendment will cover flood control.

Mr. CASE. The reduction proposed at this time, plus the reduction to be proposed with reference to flood control, will accomplish approximately a 10-percent reduction in the total bill?

Mr. FERGUSON. Yes. It is 10 percent below the budget estimate.

Mr. CASE. There are two essential differences between this amendment and the amendment heretofore offered by the Senator from Michigan and the Senator from New Hampshire. The other amendment which has already been voted down would not have taken into account the $45,000,000 by which the bill is already below the budget estimate.

Mr. FERGUSON. That is correct.

Mr. CASE. But it would have added an additional 10-percent cut?

Mr. FERGUSON. That is correct.

Mr. CASE. Instead of recommitting the bill to the committee and asking the committee to wrestle with making reductions, we leave it in the hands of the engineers to apply the amount provided for the project program by the committee, making the application of the reduction as they see fit.

Mr. FERGUSON. That is correct. In effect, it amounts to a 5-percent reduction below the committee's figures, and it would be the duty of the Engineers to reduce the items they believe can be reduced. In other words, they would be the experts to apply the reductions.

Mr. CASE. In that case, they would take into consideration the unobligated balance on any particular project, or the state of its progress, or the necessity of applying the funds where a contractor had his equipment in place, or whatever the consideration might be.

Mr. FERGUSON. That is correct. If a certain amount of money would complete the project, they could complete the project. They would be the judge. The amount involved is so small that it can be done without harming the projects, but in the total it amounts to a considerable sum.

Mr. CASE. It seems to me that if a further reduction is desired above the approximately 5-percent reduction already accomplished, this is a better way to do it than it would be to throw the bill back into the hands of the committee, particularly in view of the crowded schedule the committee has.

Mr. FERGUSON. If we sent the bill back to the committee we could not get away from Washington in the early part of July.

Mr. HAYDEN. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. HAYDEN. I desire to make it perfectly clear, in line with the questions asked by the Senator from South Dakota [Mr. CASE], that what it is now proposed to do is to transfer the responsibility from the Senate Committee on Appropriations to the Corps of Engineers.

Mr. McKELLAR. That is precisely what is being done.

Mr. FERGUSON. That is correct.

Mr. HAYDEN. On the committee we exercised our best judgment and passed upon the items, after careful consideration and careful hearings. Now we are asked to brush all that aside and say that the Corps of Engineers shall exercise its judgment regardless of what the committee has done.

Mr. McKELLAR. Mr. President, I have very little to say except that I think the amendment should be rejected. There has been two efforts to cut the appropriation.

This is the same amendment which was before the committee, and the committee, after taking testimony of several hundred witnesses, passed upon it. Now, as the Senator from Arizona [Mr. HAYDEN] so well stated a moment ago, to turn over authority to the Engineers to apply the proposed reduction, is something that is inconceivable, to me. Why should we give to the Corps of Engineers—a very splendid body of men, by the way—the right to legislate? That is what we shall be doing if the Senate agrees to this amendment.

Mr. CORDON. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. CORDON. It is a fact, however, is it not, that in the full committee, the motion of the Senator from California [Mr. KNOWLAND] to reduce the appropriation was lost by a tie vote?

Mr. McKELLAR. That is my recollection. It was a close vote. But that does not reach the real question. The real question is: Shall the Senate turn down its own committee and turn over the power which has been exercised by the committee to the Corps of Engineers, giving them the right to legislate? I do not think there is any reason for that. We voted down amendments to cut the appropriation, and I think we should stick by our action.

Mr. CORDON. Mr. President, will the Senator yield for one more question?

Mr. McKELLAR. Certainly.

Mr. CORDON. It is true, is it not, that while the committee does exercise its independent judgment—and I am happy to say it does—the net result is that more than 98 percent of the items set forth in the report are furnished to the committee by the Corps of Engineers?

Mr. McKELLAR. It is a very large percentage, of course. We take the testimony of the Corps of Engineers, and, after taking it, the committee exercises its own judgment, just as I am asking the Senate now to exercise its own judgment and vote down this pending amendment. I think it should be voted down.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McCLELLAN. I frankly think this would amount to a 3.6 percent cut on the whole bill.

Mr. CORDON. That is correct.

Mr. McCLELLAN. If the Senate wishes to make a cut of that character, let us make it clear across the board, and not abdicate our judgment or responsibility as to where public funds shall be spent. Let us make it a percentage cut clear across the board on every project if we are to make a further reduction in this bill.

Mr. FERGUSON. The reason for not doing so is that there are included in the bill some projects which could be completed with the specified amounts of money. An across-the-board cut would prevent completion by a minor sum of money, and economic losses would result.

Mr. McCLELLAN. Certainly, and the committee has exercised its best judgment on those projects and has recommended appropriations in specific amounts.

I am unwilling now to start a procedure of turning the matter back to the Corps of Engineers and saying, "Take the money and do as you wish with it."

Mr. FERGUSON. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Michigan has 4 minutes.

Mr. FERGUSON. I yield 4 minutes to the Senator from Oregon.

Mr. CORDON. Mr. President, I rise to support the amendment offered by the Senator from Michigan [Mr. FERGUSON]. I call attention to the fact that the only criticism made here is that the cut is in the nature of a blanket reduction. I remind the Senate that the only material reductions which have been made in appropriations by Congress in the last 10 years have been by blanket cuts. That is the only way we have ever made reductions. I call attention to the fact that in the last 2 years, since Korea, the only reductions have been made by blanket cuts.

The proposed reduction is only the small amount of $12,000,000 out of $277,000,000, with respect to which there is any discretion at all placed in the Corps

of Engineers; and the Corps of Engineers has for its guidance a list of projects which the committee in its report has recommended to the Senate. If that is not guidance enough, where in the name of common sense could it be found? I hope some reduction will be made.

Mr. McKELLAR. Following the line of reasoning of the Senator from Oregon, we might as well turn over the full amount to the Corps of Engineers and tell them to allocate it according to their best judgment. If the Senate proposes to have $12,000,000 allocated in that way, why not let the whole $600,000,000 be allocated in similar fashion? I do not see the force of the Senator's reasoning on that point.

Be that as it may, following the suggestion would likely result in upsetting all the committee has done. We do not know where the Corps of Engineers would make cuts. They might eliminate a project in—I almost said Rhode Island, but I do not think Rhode Island is included.

Mr. GREEN. The committee did not give Rhode Island a red cent.

Mr. McKELLAR. The Corps of Engineers might eliminate projects in Louisiana, Georgia, Illinois, Michigan, or some other State. They might eliminate a project such as the one at Keokuk, Iowa, as to which a splendid showing for relief was made, and the committee granted funds for that purpose. Someone on the Corps of Engineers might think, "We ought to take the money away from Iowa and Illinois"—both of which States are concerned—"and put it somewhere else."

Mr. President, that course should not be followed, and I hope the amendment will be rejected.

Mr. FERGUSON. Mr. President, have I any time left?

The PRESIDING OFFICER. The Senator from Michigan has 1 minute remaining.

Mr. FERGUSON. I yield 1 minute to the distinguished Senator from Oregon.

Mr. CORDON. I call attention again to the fact that nowhere in the bill at this time is there an allocation of any of the money in this item. A single figure has been set up for the guidance of the Corps of Engineers, and there is an itemized list. The Engineers are not bound by it. There is no legal requirement that they follow it. It is simply for their guidance, and it will remain for their guidance. If the Senate takes the step proposed, it will mean that $12,000,000 will be available which will not have to be applied as we have requested if the Engineers may think otherwise.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CORDON. I am sorry; I have only half a minute.

The fact is there is no difference between a situation which might arise if the amendment were adopted and a situation which might exist if it were not adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON], for himself and the Senator from New Hampshire [Mr. BRIDGES], to the committee amendment.

Mr. FERGUSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. MCFARLAND], the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce that on this vote the Senator from Arizona [Mr. MCFARLAND] is paired with the Senator from Ohio [Mr. TAFT]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from Ohio would vote "yea."

I announce also that if present and voting, the Senator from Maryland [Mr. O'CONOR] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT and Mr. BRICKER] are necessarily absent.

The Senator from Pennsylvania [Mr. DUFF] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Vermont [Mr. FLANDERS], and the Senator from Massachusetts [Mr. LODGE] would each vote "yea."

On this vote the Senator from Ohio [Mr. TAFT] is paired with the Senator from Arizona [Mr. MCFARLAND]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from Arizona would vote "nay."

The result was announced—yeas 37, nays 30, as follows:

YEAS—37

Aiken	Hendrickson	Mundt
Bennett	Hickenlooper	Nixon
Brewster	Hoey	Robertson
Bridges	Hunt	Saltonstall
Butler, Md.	Ives	Seaton
Capehart	Jenner	Smathers
Case	Kem	Smith, Maine
Cordon	Knowland	Smith, N. J.
Douglas	Martin	Welker
Dworshak	McCarthy	Wiley
Ecton	Millikin	Williams
Ferguson	Moody	
Frear	Morse	

NAYS—38

Chavez	Ellender	Green
Clements	Fulbright	Hayden
Connally	George	Hennings
Eastland	Gillette	Hill
Holland	Magnuson	Schoeppel
Humphrey	Malone	Smith, N. C.
Johnson, Colo.	McCarran	Sparkman
Johnson, Tex.	McClellan	Stennis
Johnston, S. C.	McKellar	Thye
Kerr	Monroney	Tobey
Kilgore	Murray	Underwood
Lehman	Neely	Watkins
Long	Pastore	

NOT VOTING—21

Anderson	Dirksen	McFarland
Benton	Duff	McMahon
Bricker	Flanders	O'Conor
Butler, Nebr.	Kefauver	O'Mahoney
Byrd	Langer	Russell
Cain	Lodge	Taft
Carlson	Maybank	Young

So the amendment offered by Mr. FERGUSON for himself and Mr. BRIDGES to the committee amendment was rejected.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the subhead "Flood control," on page 8, after line 18, to strike out:

EXAMINATION, SURVEY, PLANNING, AND OTHER STUDY PROGRAMS

For engineering and economic investigations of proposed flood-control projects, including preliminary examinations and surveys; formulating plans and preparing designs and specifications for authorized flood-control projects or parts thereof prior to appropriations for construction of such projects or parts; for printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; to remain available until expended $1,215,000: *Provided*, That no part of this appropriation shall be expended in the conduct of activities which are not authorized by law: *Provided further*, That the expenditure of funds for completing the necessary surveys and plans and specifications shall not be construed as a commitment of the Government to the construction of any project.

CONSTRUCTION

For construction of authorized flood-control projects or parts thereof and for other related activities as may be authorized by law, to remain available until expended $206,017,400.

OPERATION AND MAINTENANCE

For operation and maintenance of existing flood-control projects or parts thereof and of other related activities, as authorized by law, $6,000,000: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law.

And in lieu thereof to insert:

Flood control, general: For expenses necessary for the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act approved June 22, 1936, as amended and supplemented, including preliminary examinations, surveys, and contingencies in connection with flood control, $294,077,200: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys and prepare plans and specifications necessary for the construction of flood-control projects heretofore or

hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not to be construed as a commitment of the Government to the construction of any project: *Provided further*, That $125,000 of the funds appropriated herein may be used for providing a suitable access road and bridge from the town of Blum, Tex., to the Gulf, Colorado & Santa Fe Railroad station, relocated in connection with the construction of the Whitney Dam and Reservoir project: *Provided further*, That not to exceed $250,000 of the funds appropriated herein may be expended for providing a suitable access road from United States Highway 70 north to the bridge built upon and across the Center Hill Dam in DeKalb County, Tenn.: *Provided further*, That not more than $40,000 of the amount herein appropriated shall be available for expenditure, in addition to funds heretofore made available for the Garrison Dam and Reservoir project on the Missouri River, to pay to lawful occupants of properties within the towns of Elbowoods, Sanish, and Van Hook, N. Dak., for their improvements which will be rendered useless by the construction of the project, but for which compensation may not be made under existing law because of the occupants' limited right of occupancy: *Provided further*, That payment in each case shall be limited to the fair value of the improvements, or the cost of moving such improvements to the site of the new combined town whichever is less, as determined by the Secretary of the Army: *Provided further*, That funds appropriated shall not be expended for the payment of business losses or other losses incident to the acquisition of lands for this project.

Mr. UNDERWOOD. Mr. President, I have an amendment at the desk which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 10, line 5, it is proposed to strike out "$294,077,200" and insert "$294,777,200."

Mr. UNDERWOOD. Mr. President, the amendment seeks to restore $700,000 to the appropriation for flood control, general, and would provide $500,000 for the Louisville flood wall and $200,000 for the Maysville flood wall. This additional sum would provide the full budget estimate for construction, which was $4,500,000 for the Louisville project and $1,000,000 for the Maysville project.

The pumping facilities have been authorized and they will have to be installed. The only question is whether their installation should be put off for 6 months. It would simply retard construction for which other funds have already been appropriated.

I should like very much to have the chairman of the committee take to conference this amendment to the committee amendment, and see whether he can have this item restored, for its elimination would not save a dime; it would simply delay for 6 months the construction of the pumping facilities which are needed at once.

Mr. DOUGLAS. Mr. President, I wonder whether the Senator from Kentucky will be willing to withhold for a moment his amendment to the committee amendment, for the reason that under the ruling of the Chair, since we are now dealing with the committee amendment, if any alteration is made to increase the figure, subsequent amendments to reduce the total amount of the figure would not be in order.

I should like to submit to the committee amendment an amendment to reduce the appropriation by $20,000,000. Judging by the votes which have been had in the Senate this afternoon, I do not expect the amendment to the committee amendment to be adopted; but at least I should like to have an opportunity to offer it.

Thereafter, regardless of the action taken on my amendment to the committee amendment, the amendment of the eminent junior Senator from Kentucky [Mr. UNDERWOOD] to the committee amendment would still be in order.

So I wonder whether the Senator from Kentucky will withhold his amendment to the committee amendment until I can submit mine.

Mr. UNDERWOOD. Before doing so, I should like to inquire of the Chair whether the statement of the parliamentary situation which has been made by the Senator from Illinois is in accordance with the Chair's understanding?

The PRESIDING OFFICER. The Chair will state that the Senator from Illinois has correctly stated the parliamentary situation.

Mr. UNDERWOOD. Mr. President, I did not question in any way the accuracy of the Senator from Illinois, but I did not know exactly what would be the situation of the various amendments in connection with this committee amendment.

Mr. DOUGLAS. Mr. President, to use an analogy which I am sure the Senator from Kentucky will appreciate, let me say that in obtaining information on such points, it is always wise to get it "out of the horse's mouth." [Laughter.]

Mr. FERGUSON. Mr. President, will the Senator from Kentucky yield to me?

Mr. UNDERWOOD. I yield.

Mr. FERGUSON. The Senator from New Hampshire [Mr. BRIDGES] has, in connection with the same item, an amendment calling for a reduction of $11,976,700. I wonder whether I may persuade the Senator from Illinois to join us in submitting that amendment to the committee amendment. By his reference to the way the votes have been going he has indicated that we should try to have this amendment to the committee amendment adopted.

Mr. DOUGLAS. First, I should like to try to have the Senate adopt to the committee amendment an amendment calling for a reduction of $20,000,000. If that amendment to the committee amendment should be rejected, then perhaps we should attempt to have the Senate agree to make a cut in the amount of $11,000,000.

Mr. UNDERWOOD. Mr. President, if I withhold for the time being my amendment to the committee amendment, in order to permit other Senators to submit amendments calling for reductions in the amount proposed to be appropriated, could we agree to a limitation regarding the number of such amendments which would be called up before my amendment to the committee amendment was reached? In other words, I do not wish to have to wait all afternoon to submit my amendment to the committee amendment.

So, Mr. President, let me inquire whether by means of obtaining unanimous consent to that effect, my amendment to the committee amendment could be accepted by the chairman of the committee, without precluding the offering of the other amendments to the committee amendment.

Mr. McKELLAR. Mr. President, so far as I am concerned, I have no objection. However, I do not commit myself at all as to what will be done in conference.

Mr. UNDERWOOD. I thank the chairman of the committee very much.

Mr. President, can my amendment to the committee amendment be accepted now, by unanimous consent, without affecting the right of other Senators to submit, to the committee amendment, amendments proposing curtailments in the amounts proposed to be appropriated?

The PRESIDING OFFICER. The Chair is advised that if the Senator from Kentucky will withhold his amendment to the committee amendment until the Senate has disposed of amendments by which reductions are sought to be made in the amount carried by the committee amendment, then the chairman of the committee will be able to do what he has indicated he will do, namely, accept the amendment submitted by the Senator from Kentucky to the committee amendment.

Mr. UNDERWOOD. Then, Mr. President, I withhold my amendment to the committee amendment.

Mr. DOUGLAS. Mr. President, at this time I wish to offer to the committee amendment on page 10, in line 5, an amendment to strike out "$294,077,200" and to substitute for that amount "274,077,200," proposing in effect, a reduction of $20,000,000. However, in view of the reception which has been accorded in the Senate this afternoon to previous attempts to have cuts made in the appropriation items, I shall now withdraw that amendment to the committee amendment, and join the Senator from Michigan [Mr. FERGUSON], and the Senator from New Hampshire [Mr. BRIDGES], in the amendment they propose to the committee amendment, although their amendment would make a smaller reduction in the appropriation than would my amendment.

Mr. FERGUSON. Mr. President, on behalf of my colleagues, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Illinois [Mr. DOUGLAS], and myself, I now call up the amendment to the committee amendment, on page 10, in line 5.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 10, in line 5,

it is proposed to strike out "$294,077,200" and insert in lieu thereof "$282,100,500."

Mr. FERGUSON. Mr. President, I shall not debate extensively this amendment to the committee amendment. It relates to the flood-control item which previously has been discussed. A total sum for flood control is carried at this point in the committee amendment, and the report contains a list of items by which the engineers are to be guided.

The amount of the budget estimate for all these flood-control items, less the amount for an emergency item—our amendment to the committee amendment does not affect or touch the emergency item—is $313,445,000. Ten percent of that amount would be $31,344,500, leaving a total of $282,100,500, which is the amount which would be included at this point in the committee amendment as a result of the cut we are proposing.

The committee's recommendation was $294,077,200, and the amount which would be appropriated as the result of the making of the cut we propose would be $282,100,500. In other words, the cut we propose would result in making an additional reduction, beyond that made by the committee, of $11,976,700 which is about 4¼ percent below the committee's recommendation.

Mr. McKELLAR. Mr. President, a similar amendment was offered in the case of the rivers and harbors appropriation item.

Mr. FERGUSON. That is correct, but it lost by one vote.

Mr. McKELLAR. Yes; it lost by one vote.

Mr. FERGUSON. I hope that at least one Member of the Senate will change his vote in this case, so that this amendment to the committee amendment will be adopted.

Mr. McKELLAR. Then let us vote now.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Michigan [Mr. FERGUSON], on behalf of himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 10, line 5.

Mr. FERGUSON. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Arizona [Mr. McFARLAND], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

I announce further that the Senator from Minnesota [Mr. HUMPHREY] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Ohio would vote "yea."

I announce also that the Senator from Arizona [Mr. McFARLAND] is paired on this vote with the Senator from Ohio [Mr. TAFT]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from Ohio would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. LODGE] and the Senators from Ohio [Mr. TAFT and Mr. BRICKER] are necessarily absent.

The Senator from Pennsylvania [Mr. DUFF] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], and the Senator from Vermont [Mr. FLANDERS] are detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE] and the Senator from Vermont [Mr. FLANDERS] would each vote "yea."

On this vote the Senator from Ohio [Mr. BRICKER] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Ohio would vote "yea" and the Senator from Minnesota would vote "nay."

On this vote the Senator from Ohio [Mr. TAFT] is paired with the Senator from Arizona [Mr. McFARLAND]. If present and voting, the Senator from Ohio would vote "yea" and the Senator from Arizona would vote "nay."

The result was announced—yeas 30, nays 44, as follows:

YEAS—30

Aiken	Hendrickson	O'Conor
Bennett	Hoey	Robertson
Brewster	Ives	Saltonstall
Capehart	Jenner	Smith, Maine
Cordon	Knowland	Smith, N. J.
Douglas	Martin	Tobey
Dworshak	Millikin	Watkins
Ecton	Moody	Welker
Ferguson	Morse	Wiley
Frear	Nixon	Williams

NAYS—44

Anderson	Holland	McKellar
Case	Hunt	Monroney
Chavez	Johnson, Colo.	Mundt
Clements	Johnson, Tex.	Murray
Connally	Johnston, S. C.	Neely
Eastland	Kem	Pastore
Ellender	Kerr	Schoeppel
Fulbright	Kilgore	Seaton
George	Lehman	Smathers
Gillette	Long	Smith, N. C.
Green	Magnuson	Sparkman
Hayden	Malone	Stennis
Hennings	McCarran	Thye
Hickenlooper	McCarthy	Underwood
Hill	McClellan	

NOT VOTING—22

Benton	Butler, Nebr.	Dirksen
Bricker	Byrd	Duff
Bridges	Cain	Flanders
Butler, Md.	Carlson	Humphrey
Kefauver	McFarland	Taft
Langer	McMahon	Young
Lodge	O'Mahoney	
Maybank	Russell	

So the amendment to the committee amendment offered by Mr. FERGUSON for himself, Mr. BRIDGES, and Mr. DOUGLAS, was rejected.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. UNDERWOOD. Mr. President, in connection with my amendment. I should like to renew my request that the chairman take it to conference.

The PRESIDING OFFICER. The amendment of the Senator from Kentucky will be restated, for the information of the Senate.

The LEGISLATIVE CLERK. In the committee amendment, on page 10, line 5, it is proposed to strike out "$294,077,200" and insert "$294,777,200."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kentucky.

Mr. UNDERWOOD. I renew my request.

Mr. McKELLAR. So far as I am concerned, I am willing to take the amendment to conference, with the understanding that we do not thereby commit ourselves in any way.

Mr. UNDERWOOD. This amendment proposes to restore the $500,000 which was cut from the appropriation for the Louisville flood wall, and to restore the $200,000 for the Maysville flood wall. Nineteen million dollars has already been spent on the Louisville flood wall, and $4,500,000 has been provided in this bill for the flood wall. However, the money for the pump and the pumping installation, which is absolutely necessary and which was authorized, was eliminated. It was explained at the time action was taken, that the reduction in the appropriation would only postpone installation of the pumps for 6 months. It would not represent a permanent saving, since the pumps are an absolutely necessary part of a project upon which $23,000,000 has already been spent. It would merely postpone the installation of the pumps. The pumps are absolutely necessary at this time.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. UNDERWOOD. I yield to the Senator from Michigan.

Mr. FERGUSON. I personally am not going to ask for the yeas and nays, nor am I going to vote against this amendment, but I do want to suggest to the chairman that I hope the conference will be able to find and to take from other appropriations in the bill $500,000 to cover this item, in order that the bill may not be increased by this amount.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. UNDERWOOD. I yield to the Senator from Indiana.

Mr. CAPEHART. Do I correctly understand that this is for pumps to be installed inside the project, for the purpose of pumping the water over when the gates are closed?

Mr. UNDERWOOD. That is correct; and the pumps are absolutely necessary.

Mr. CAPEHART. Therefore, it would be impossible to have a levee without such an arrangement. Is that correct?

Mr. UNDERWOOD. The Senator is entirely correct. It is absolutely essential.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kentucky [Mr. UNDERWOOD] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. SCHOEPPEL. Mr. President, since we are on the flood-control section of the bill, I should like to ask the distinguished chairman of the Appropriations Committee, who is in charge of the bill, a question. The report, insofar as it pertains to the $10,000,000 item I have in mind, has this notation on page 21:

An appropriation of $10,000,000 is recommended for flood-control works in connection with the Tuttle Creek Reservoir, Big Blue River, Kans., with the understanding that the dam will be operated as a dry dam, without either power or recreational features.

I want to say to the able Senator from Tennessee that I thoroughly agree with the statement in the report, but I want to make doubly sure that there will be no conservation pool back of the dam or a head of water that will be used for navigation. There has been some controversy about the extent of inundation of lands back of the reservoir. If the statement set forth in the report is adhered to, it will meet practically all the objections which have been manifested in that area. I want to be doubly sure that there is to be no conservation pool or head of water to be utilized for navigation purposes.

Mr. McKELLAR. We were assured that it would be used purely for a pool to catch the waters and let them out when it is dry below, and keep the waters high only when there is a wet spell.

Mr. SCHOEPPEL. If I correctly understand the able Senator——

Mr. McKELLAR. I do not know that I have stated it properly, but it is nothing but a pool; it is not for navigation and not for power. It is purely to catch the waters, as I have stated.

Mr. SCHOEPPEL. The type of construction was to be such that it could be constructed as quickly as possible, consistent with the capacity of the river below the dam when the water impounded there was to be let out.

Mr. McKELLAR. That is correct.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I yield.

Mr. HAYDEN. I think I have the same understanding as the Senator has, that the primary purpose of the dam was to take the peak off the flood so it could not do damage to the lands below the dam; but the channel below was to be kept full of water continuously. The idea was to take the peak of the flood off and let the water down as quickly as possible after that.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 11, after line 19, to strike out:

EMERGENCIES

For rescue work and for repair, restoration, or maintenance of any flood-control work threatened or destroyed by flood in accordance with section 210 of the Flood Control Act of 1950 (33 U. S. C. 701n), $8,000,000, to remain available until expended.

And in lieu thereof to insert:

Flood control, general, emergencies: For rescue work and for repair, restoration, or maintenance of any flood-control work threatened or destroyed by flood in accordance with section 210 of the Flood Control Act of 1950 (Public Law 516, approved May 17, 1950, 33 U. S. C. 701n), $8,000,000, to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 12, after line 6, to strike out:

ADMINISTRATION

For necessary expenses of general administration and related functions in the Office of the Chief of Engineers; for expenses of the California Débris Commission in carrying on the work authorized by the act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for expenses of the Board of Engineers for rivers and harbors; for expenses of the Beach Erosion Board; for miscellaneous inspections, issuance of permits, harbor lines, commercial statistics and contingencies, $3,008,000: *Provided*, That not to exceed $1,665,000 shall be available for the services of such civilian personnel as the Secretary of the Army may deem necessary to be employed in the Office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood-control estimates and bills: *Provided further*, That not to exceed $5,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission.

ADMINISTRATIVE PROVISIONS

Appropriations to the Corps of Engineers shall be available for the purchase of not to exceed 200 passenger motor vehicles for replacement only in the current fiscal year and hire of passenger motor vehicles and purchase of one motor boat (to be acquired from surplus stock where practicable) and the maintenance, repair, and operation of aircraft; the various appropriations for the Corps of Engineers may be used for examination of estimates of appropriations in the field; not to exceed $150,000 shall be available for the employment of consultants as authorized by law (5 U. S. C. 55a, Public Law 516, 81st Cong.); the reservoir formed by the Blakely Mountain Dam, Ark., shall hereafter be designated as "Lake Ouachita," and the reservoir formed by the Narrows Dam, Ark., shall hereafter be designated as "Lake Greeson."

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

CONSTRUCTION

For construction of flood-control works or parts thereof and for other related activities in accordance with the provisions of the Flood Control Act, approved May 15, 1928, as amended (33 U. S. C. 702a), $44,335,000.

MAINTENANCE

For expenses necessary for maintenance of flood-control works or parts thereof and other related activities in accordance with the provisions of the Flood Control Act, approved May 15, 1928, as amended (33 U. S. C. 702a), $14,827,000.

EMERGENCIES

For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (33 U. S. C. 702g–1), $250,000.

ADMINISTRATION

For necessary expenses of general administration and related functions in the Office of the Chief of Engineers, $193,000.

And in lieu thereof to insert:

Flood control, Mississippi River and tributaries: For expenses necessary for prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928, as amended (33 U. S. C. 702a), $62,020,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 23, to insert:

Flood control on tributaries of Mississippi River, emergencies: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (33 U. S. C. 702g-1), $500,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 4, to strike out:

SACRAMENTO RIVER, CALIF.

For prosecuting work of flood control, Sacramento River, Calif., in accordance with the provisions of the act approved March 1, 1917, as amended (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638–651), $1,000,000.

And in lieu thereof, to insert:

Flood control, Sacramento River, Calif.: For prosecuting work of flood control, Sacramento River, Calif., in accordance with the provisions of the act approved March 1, 1917, as amended (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638–651), $1,000,000.

The amendment was agreed to.

Mr. MONRONEY. Mr. President, I have an amendment at the clerk's desk, which I wish to call up.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Oklahoma.

The CHIEF CLERK. On page 15, after line 14, it is proposed to insert the following:

Two percent of the funds appropriated herein for flood control shall be transferred to the Secretary of Agriculture for use in accordance with the Flood Control Act, approved June 22, 1936 (Public Law 738), as amended and supplemented, on authorized projects for construction of flood-prevention works in accordance with the provisions of laws relating to the activities of the Department of Agriculture.

The PRESIDING OFFICER. The Chair would say to the Senator from Oklahoma that his amendment is not at the moment in order.

Mr. MONRONEY. Mr. President, it is in the nature of an amendment to the committee amendment on page 15,

Would it not be in order to amend the next committee amendment?

The PRESIDING OFFICER. The Chair would advise the Senator from Oklahoma that the amendment is not at this time in order.

Mr. CAPEHART. Mr. President, I should like to have the next committee amendment stated.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 15, after line 14, to insert:

NIAGARA REDEVELOPMENT REMEDIAL WORKS INVESTIGATION

For engineering and economic investigations, pending authorization for construction, of projects for development and utilization of the waters of the Niagara River, $900,000, to remain available until expended.

Mr. CAPEHART. Mr. President, I am opposed to this committee amendment. The amendment refers to engineering and economic investigations, pending authorization for construction, of projects for development and utilization of the waters of the Niagara River, $900,000, to remain available until expended.

There are three bills pending before the Committee on Public Works with reference to this project. One bill provides for turning it over, 100 percent, to the Federal Government. Another bill provides that the State of New York shall have jurisdiction. The third bill provides that the power shall be developed by private industry. Private industry is perfectly capable of doing it, and it wants to do it. There are already some power projects there. I see no reason for expending $900,000 at the moment, particularly when the amendment provides for the money remaining available until expended, until the Congress decides whether it wants the State of New York to handle the project or the Federal Government to handle it or private industry to handle it. The House turned it down. Here is a case where a Senate committee, in its wisdom, has added $900,000, to which the House did not agree.

I think the Senate should reject this amendment.

Mr. IVES. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield.

Mr. IVES. I should like to ask the distinguished Senator whether he knows whether this particular activity, which is proposed in the language he seeks to delete, is necessary as a prerequisite to any of the undertakings proposed in the three bills to which he has referred.

Mr. CAPEHART. I question whether it is or not. For example, the purpose for which the money can be expended is the design of structures and power facilities.

Mr. IVES. The reason why I raise the point, Mr. President, is that 2 years ago, as I recall, some of us were very anxious to have this kind of an appropriation provided in order that a survey could be made in that particular area. It was my understanding that the survey was absolutely indispensable as a prerequisite to the undertaking itself.

Mr. CAPEHART. I refer to the language of the amendment.

For engineering and economic investigations, pending authorization for construction, of projects for development and utilization of the waters of the Niagara River, $900,000, to remain available until expended.

If I understand it correctly, the money cannot be spent until there has been an authorization for construction. Therefore, why handle it at all?

Mr. IVES. I do not know; that is what I am trying to ascertain.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

The PRESIDING OFFICER. The Senator from Indiana has 15 minutes.

Mr. McKELLAR. On page 291 of the Senate hearings, this testimony, referring to the plans, appears:

Regardless of which one of those is finally authorized, the present engineering work covered by this estimate should proceed under governmental auspices to make sure that the project is developed in the very best possible way.

That is, there would have to be a decision whether the project should be handled under private ownership, Canadian ownership, State ownership, or United States Federal Government ownership.

Mr. CAPEHART. I again return to the wording of the amendment, which is "pending authorization for construction." If I read that language correctly, the $900,000 could not be spent until there had been an authorization by Congress for construction.

Mr. CHAVEZ. Mr. President, will the Senator from Indiana yield to me?

Mr. CAPEHART. I yield, but I hope that later the Senator will yield to me, because we are operating under a unanimous-consent agreement.

Mr. CHAVEZ. I believe the wording of the amendment was unhappy. The only purpose of the appropriation in this bill was to provide for a survey to determine the feasibility of the project, and the estimated cost of the survey was $900,000. I do not believe the wording, "For engineering and economic investigation, pending authorization for construction," was at all necessary. All the committee intended, based upon the testimony presented, was to have an engineering investigation made to determine the feasibility of doing something along the Niagara River.

Mr. CAPEHART. Mr. President, let me call the Senator's attention to the fact that the justification, which I hold in my hand, says, "surveys," for which $150,000 would be provided; $600,000 is for design of structures and power facilities; $150,000 is for subsurface investigations or surveys; $100,000 is for model studies.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CAPEHART. Since the Senate is operating under a unanimous-consent agreement, I will yield in the Senator's time.

Mr. CHAVEZ. Very well.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. McKELLAR] controls the time.

Mr. CAPEHART. My point is that until Congress settles the matter, why should the money be spent for the purpose stated in the wording of the amendment? I call attention to the fact that the wording is, "pending authorization for construction." Congress is asked to appropriate $900,000, which would remain available until expended. That is point No. 1. The second point, if I read the amendment correctly, is that the money cannot be spent until authorization is made for construction.

Mr. CHAVEZ. Mr. President, will the Senator yield in my time?

Mr. CAPEHART. I yield in the Senator's time.

The PRESIDING OFFICER. The Senator from New Mexico should understand that he does not have any time. The Senator from Tennessee is in control of the time.

Mr. McKELLAR. I yield time.

Mr. CAPEHART. I am sure the Senator from Tennessee will be fair. I know he will yield time.

Mr. CHAVEZ. There cannot be an authorization under the law until the Army engineers determine and report to Congress that the project is feasible. That is why I believe the wording of the amendment is unhappy, because unless there is a report upon feasibility, there cannot be an authorization.

Mr. CAPEHART. The Army engineers have already spent some $400,000 over a period of years. Now there is a request in the bill for $900,000 in 1 year. Yet it is not known at the moment, and will not be known until Congress acts, whether the State of New York or the Federal Government will handle the matter, or private industry will be permitted to handle it.

Mr. McKELLAR. That is exactly what is desired to be ascertained. Investigations of various projects are made because money is appropriated for that purpose. Investigations come first. Between $2,000,000 and $3,000,000 is provided for that purpose.

Mr. CAPEHART. Just what is being proposed? In 1951 Congress appropriated, and the taxpayers paid, $277,000 for making surveys. How much money is it necessary to pay out for the making of surveys?

Mr. WELKER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield for a question.

Mr. WELKER. I am interested in the suggestion that this development be made by private enterprise. Does the Senator assume for a moment that private enterprise would require the expenditure of $900,000 for the drawing of plans to tell private enterprise how to build this power plant?

Mr. CAPEHART. I would not think so, but in 1951, $277,000 was spent, and in 1952, $172,000 was spent, for the purpose of making the surveys we are talking about. Now there is a request for $900,000 more. I repeat, the House allowed nothing. The House said it did not want to appropriate any money at all for this purpose. Yet the item is included in the pending bill. I hope the

Senate will reject it, because I think it is necessary, first, that the Committee on Public Works consider the question whether the State of New York, the Federal Government or private industry should handle the matter. Private industry is already developing power, it has money, and is perfectly willing to go forward just as soon as Congress tells private industry what is wanted.

The reason why Congress must pass upon the matter is that there is a treaty between this Nation and Canada, and the proposed project is for development of the Niagara River, which connects Lake Erie with Lake Ontario, and runs over Niagara Falls.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from New York.

Mr. LEHMAN. I appeared before the Committee on Appropriations in behalf of this item. I asked for a million dollars, and the amount was reduced to $900,000. Last year, the Senate may recall, an appropriation for a million dollars was added to the appropriation bill on the floor of the Senate. It was not agreed to in conference, and therefore was eliminated from the bill.

The undertaking at Niagara is one of the most important power developments in the country. It will develop at least as much power as will be developed on the St. Lawrence. It will develop as much power, substantially——

Mr. CONNALLY. Does the Senator mean, then, that we will not need the St. Lawrence project developed?

Mr. LEHMAN. No, I do not agree to that for an instant. We need both of them badly. The Niagara project will develop as much power as has been developed at Bonneville and Grand Coulee dams.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. McKELLAR. I yield additional time to the Senator from Indiana.

Mr. CAPEHART. I am sure the able Senator from Tennessee will yield 3 minutes to me, since I was interrupted by other Senators.

Mr. LEHMAN. If we do not finish at the expiration of 15 minutes, I shall offer a minor amendment to enable us to have more time for debate.

The PRESIDING OFFICER. The Senator from Indiana is recognized for an additional 6 minutes.

Mr. LEHMAN. I think this matter is vitally important to the economy and welfare not only of the State of New York, but of States adjacent to New York, and to the economy of the country as a whole. It is a tremendous undertaking, involving many hundreds of millions of dollars. Canada is already developing power. The project is not exclusively an undertaking for the development of power, but it is also an undertaking to safeguard the scenic beauties of Niagara Falls, a great asset to the entire country.

Under our treaty with Canada, surplus water that flows down the Niagara River is allocated evenly to Canada and to the United States. Under the treaty, each country would receive 65,000 cubic second-feet of water. Canada has already developed far greater water power than this country has developed. However, the treaty equalizes the use of water, and will equalize between Canada and the United States the production of power from the flow of water. Canada can go ahead under our treaty and use every cubic foot of water unless we develop it ourselves.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. LEHMAN. May I just finish my thought?

Mr. CAPEHART. I wish to make the point of order that this item is legislation on an appropriation bill. Perhaps after the Senator yields——

Mr. LEHMAN. I wish to finish my thought. The time belongs to the Senator from Tennessee [Mr. McKELLAR].

These works are being built today. Every drop of that water can be used to develop power. The works are being developed, and they will continue to be developed either by us or by Canada. Our great resource is going to waste because we refuse to develop it.

Mr. President, it does not make any difference whether this power resource is developed by the State of New York, by the Federal Government, or by private capital. Surveys, investigations, and studies must proceed before anything can be done. The water must be harnessed and coordinated with the protection of the scenic beauty of the falls.

Yesterday we witnessed on the floor of the Senate a successful effort to prevent the development of water power on the St. Lawrence, and the building of a seaway. I believe that what we did yesterday was a tragic mistake. I believe that it is a mistake which we shall live to rue in a very short time, and we will never be able to justify to future generations our tragic, our inexcusable, failure.

Mr. CASE. Mr. President, will the Senator yield?

Mr. LEHMAN. If we stop the development of the water power on the Niagara, we shall be sacrificing a great natural resource which belongs to the people of the United States. New York is willing to repay the Federal Government for the entire cost of development. It will not cost the Federal Government a single cent, but it will make possible the use of cheap power for the benefit of all the people of New York State and for the people of Ohio and Pennsylvania, and I hope of some of the New England States within economical transmission distance.

I cannot understand how anyone can possibly object to this appropriation, or object to the undertaking of this highly important and essential development.

Mr. CASE and Mr. CAPEHART addressed the Chair.

Mr. LEHMAN. I shall be glad to yield, if I have any time.

The PRESIDING OFFICER. The Senator from New York has 1 minute remaining. Does he yield; and if so, to whom?

Mr. CASE. Mr. President, will the Senator yield to me?

Mr. LEHMAN. If I yield at all, I must yield to the Senator from Indiana.

Mr. AIKEN. Why does the Senator from New York have to yield to him?

Mr. LEHMAN. I yield 1 minute to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I make the point of order against this amendment that it is legislation on an appropriation bill.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from New York yield for the purpose of a point of order being made?

Mr. LEHMAN. I have not yielded for that purpose. I do not know whether I have the right to stop the raising of a point of order.

Mr. THYE. Mr. President——

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. THYE. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. THYE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York has the floor. The Chair cannot recognize the Senator from Minnesota for a parliamentary inquiry unless the Senator from New York yields.

Mr. LEHMAN. I yield to the Senator from Minnesota for that purpose.

Mr. THYE. Mr. President, the Senator from Tennessee [Mr. McKELLAR] yielded 6 minutes to the Senator from New York, and he was informed by the Chair that there was an additional 3 minutes, which he yielded to the Senator from Indiana. That was the understanding under which we were proceeding on this side.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the Senator from Indiana [Mr. CAPEHART] may have 3 minutes. I certainly want the Senator from Vermont [Mr. AIKEN] to have 5 minutes. I therefore ask that the Senator from Indiana may have 3 minutes and the Senator from Vermont may have 5 minutes.

Mr. CAPEHART. Mr. President, I make the point of order——

The PRESIDING OFFICER. The time of the Senator from New York has expired. The Senator from Indiana is recognized for 3 minutes.

Mr. CAPEHART. I make the point of order against this amendment that it is legislation on an appropriation bill.

The PRESIDING OFFICER. The Chair is advised that under a previous ruling the point of order made by the Senator from Indiana is not now in order, and will not be in order until the time has expired on the pending amendment.

Mr. CAPEHART. At that time, I shall make the point of order.

Mr. AIKEN. Mr. President, will the Senator from Tennessee yield 5 minutes to me?

Mr. McKELLAR. I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, 4 years ago I made the prediction on this floor that the Niagara-Hudson Power Co.,

now the Niagara-Mohawk Power Co., would undertake to steal Niagara Falls. My prediction has come true to an alarming degree. The power interests have spent not $900,000, but more than $9,000,000 in propagandizing the country, trying to get the Congress to be a party to taking Niagara Falls away from the State of New York and giving it to the private power companies. They have invaded every club they can. They infiltrate farm and labor and business organizations as far as possible. They have gone to them with false propaganda. They have sought to prejudice the minds of the public in every way. They have been to every chamber of commerce in the northeastern part of the country. They have carried full-page advertisements in magazines and newspapers all over the country. They have spent God knows how much money, but possibly 20 times $900,000, in an attempt to put enough pressure on the Congress to get the Congress to turn over to them this great natural resource, one of the greatest natural resources we have, which properly belongs to the people of the country.

Yesterday in defeating the St. Lawrence development the power companies of the United States won one of the greatest victories of all time on this floor—something that the Congress will regret in years to come.

Why do we let the power companies take over everything? Why do we let them spend $9,000,000, $10,000,000, $15,000,000, or $20,000,000 in propagandizing the country and charging the cost to the electric power users; and then try to block the expenditure of $900,000 for the defense and welfare and interest of the public? Are the power companies going to run the Congress? Are they going to run the Government as a whole? They are working desperately in that direction. I say that this is the time to stop them. If we think anything of our country at all, we will not let them get away with this. If this $900,000 is to be spent in defense of the natural resources which belong to the people of the country, let us spend it—or $900,000,000, if we have to, but do not let history record that this Congress agreed to dissipate the resources that properly belong to the public.

Mr. CAPEHART. Mr. President, I ask unanimous consent to have 3 minutes to reply to the Senator from Vermont.

The PRESIDING OFFICER. Is there objection?

Mr. LEHMAN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEHMAN. I object, pending the offering of an additional amendment. I want more time to discuss this question.

The PRESIDING OFFICER. The Senator from New York does not have the floor.

Mr. LEHMAN. I may offer an amendment, may I not?

Mr. CAPEHART. Mr. President——

Mr. LEHMAN. Mr. President, a parliamentary inquiry. May I offer an amendment?

The PRESIDING OFFICER. When the time for debate on the pending amendment has been exhausted, the Chair will recognize the Senator from New York.

Mr. LEHMAN. I understand that the time has been exhausted.

The PRESIDING OFFICER. The Senator from Indiana [Mr. CAPEHART] has 6 minutes.

Mr. CAPEHART. Mr. President, I regret that I must reply to the able Senator from Vermont. I do not know why he became so excited. It is easy for a Senator, or for an individual, to make statements such as he has made. It is very simple. I could stand here and make the statement that he represents certain interests which I do not like, although I do not know that he does.

Mr. AIKEN. I might make the same statement with respect to the Senator from Indiana.

Mr. CAPEHART. Mr. President, will the able Senator please remain in his seat?

I am not representing the power companies——

Mr. AIKEN. Mr. President——

Mr. CAPEHART. I am not representing the power companies in this instance. I am representing private industry in America. If the able Senator from Vermont or any other Senator wants to attach any odium to me for being for private industry in America, for being for the American system, I shall accept it.

Again I say that talk is cheap. It is easy to make such charges. It is easy to charge that the power companies have spent millions and millions of dollars. I do not know whether they have or not. I have not the slightest idea. I know that this is a free country; and I know that if a man is against something he has the right to say so. If he is for something he has the right to say so.

Mr. CHAVEZ. Mr. President——

Mr. LEHMAN. Mr. President——

Mr. CAPEHART. Why the able Senator from Vermont should rise and attack the power companies, and attack those of us who are fighting for and believe in the American system of government, I do not understand. I do not know what his object is; but if he gets any satisfaction whatsoever out of blaming others, and assaulting the intentions of others, by inference or otherwise, it is perfectly agreeable to me.

Mr. CHAVEZ. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. Not at this time. If the Senator from Vermont gets any satisfaction out of impugning the motives of his fellow Senators, if he thinks it will get him to heaven, if he thinks he will be loved more by his family, or if he thinks he will be loved more by his friends, he has a perfect right to do what he has done.

I presented my argument in a business-like way, without any emotion. I was honest and sincere in what I said. If the Senator from Vermont wishes to connect me with the power companies and millions and millions of dollars, if he thinks it will get him to heaven, if he thinks it will make a bigger man out of him, or if he thinks that he can assault my character and accuse me and other Senators of having some motives different from his own, it is perfectly agreeable to me, and I have no objection whatever.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CAPEHART. I am against the amendment. I think it is wrong. All I want the Congress to do is to settle the question of whether private industry will develop the waters in question, whether the State of New York will do it, or whether the Federal Government will do it. Once Congress decides that question, no one will hear me crying "Sour grapes."

I shall be governed by the decision of Congress. I have noticed Senators, in effect, cheering when another Senator makes a statement which is against the rules of the Senate. If Senators get any satisfaction out of it they can go right ahead and enjoy it. It is perfectly agreeable to me.

Mr. President, I now make a point of order that the amendment is legislation on an appropriation bill.

The PRESIDING OFFICER. The Senator from Tennessee has 4 minutes remaining.

Mr. McKELLAR. I shall use 2 minutes. Mr. President, from an examination of the committee amendment, I am afraid that it contains some words which make it subject to a point of order. Therefore, I offer an amendment, on page 15, line 20, to strike out the words "to remain available until expended."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee to the committee amendment.

The amendment to the amendment was agreed to.

Mr. McKELLAR. Mr. President, I offer an amendment, on page 15, line 17, after the word "investigations" to insert the words "and surveys."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee to the committee amendment.

The amendment to the amendment was agreed to.

The question is on agreeing to the committee amendment on page 15, line 15, as amended.

Mr. LEHMAN. Mr. President, I wish to offer an amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. LEHMAN. Mr. President, I withdraw my amendment for the time being.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 15, line 15, as amended.

Several Senators requested the yeas and nays.

The yeas and nays were ordered.

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Indiana will state it.

Mr. CAPEHART. Will the Chair state the question before the Senate?

Mr. McKELLAR. Mr. President, will the Chair state the question before the Senate? As I understand, it is on agreeing to the committee amendment on page 15, line 15, as amended.

The PRESIDING OFFICER. The Senator from Tennessee is correct. The clerk will state the committee amendment as amended.

The CHIEF CLERK. The committee amendment on page 15, beginning on line 15, as amended, reads as follows:

NIAGARA REDEVELOPMENT REMEDIAL WORKS INVESTIGATION

For engineering and economic investigations and surveys, pending authorization for construction, of projects for development and utilization of waters of the Niagara River, $900,000.

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Indiana will state it.

Mr. CAPEHART. Is the Senate now voting on the committee amendment?

The PRESIDING OFFICER. The Senate is about to vote on the committee amendment, as amended.

Mr. CAPEHART. A "yea" vote is in favor of the committee amendment and in favor of the appropriation of $900,000; a "nay" vote is against the appropriation of $900,000.

The PRESIDING OFFICER. The Senator is correct. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. GILLETTE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Arizona [Mr. MCFARLAND], the Senator from Maryland [Mr. O'CONOR], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that the Senator from Iowa [Mr. GILLETTE] is paired on this vote with the Senator from Ohio [Mr. TAFT]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Ohio would vote "nay."

The Senator from Minnesota [Mr. HUMPHREY] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Ohio would vote "nay."

I announce also that if present and voting, the Senator from Maryland [Mr. O'CONOR] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. LODGE], and the Senators from Ohio [Mr. TAFT and Mr. BRICKER] are necessarily absent.

The Senator from Pennsylvania [Mr. DUFF] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from California [Mr. NIXON] and the Senator from New Jersey [Mr. SMITH] are detained on official business.

If present and voting the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], and the Senator from Massachusetts [Mr. LODGE] would each vote "nay."

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from New Jersey would vote "nay."

On this vote the Senator from Ohio [Mr. BRICKER] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Ohio would vote "nay" and the Senator from Minnesota would vote "yea."

On this vote the Senator from Ohio [Mr. TAFT] is paired with the Senator from Iowa [Mr. GILLETTE]. If present and voting, the Senator from Ohio would vote "nay" and the Senator from Iowa would vote "yea."

The result was announced—yeas 45, nays 25, as follows:

YEAS—45

Aiken	Hunt	Moody
Anderson	Ives	Morse
Chavez	Johnson, Colo.	Murray
Clements	Johnson, Tex.	Neely
Connally	Johnston, S. C.	O'Mahoney
Cordon	Kerr	Pastore
Douglas	Kilgore	Seaton
Eastland	Knowland	Smathers
Ellender	Lehman	Smith, N. C.
Fulbright	Magnuson	Sparkman
Green	McCarran	Stennis
Hayden	McClellan	Thye
Hennings	McKellar	Tobey
Hill	Millikin	Underwood
Holland	Monroney	Wiley

NAYS—25

Bennett	Hendrickson	Mundt
Brewster	Hickenlooper	Saltonstall
Capehart	Hoey	Schoeppel
Case	Jenner	Smith, Maine
Dworshak	Kem	Watkins
Ecton	Long	Welker
Ferguson	Malone	Williams
Frear	Martin	
George	McCarthy	

NOT VOTING—26

Benton	Duff	McMahon
Bricker	Flanders	Nixon
Bridges	Gillette	O'Conor
Butler, Md.	Humphrey	Robertson
Butler, Nebr.	Kefauver	Russell
Byrd	Langer	Smith, N. J.
Cain	Lodge	Taft
Carlson	Maybank	Young
Dirksen	McFarland	

So the committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, under the heading "Canal Zone government," on page 17, line 3, after the word "transfusions", to strike out "$16,139,500" and insert "$18,822,549."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

THE PRESIDING OFFICER. The Senator from Oklahoma will state it.

Mr. MONRONEY. Have all the committee amendments been disposed of?

The PRESIDING OFFICER. They have been.

Mr. MONRONEY. Are amendments from the floor now in order?

The PRESIDING OFFICER. They are.

Mr. MONRONEY. Mr. President, I have an amendment at the desk, and I now call it up.

The PRESIDING OFFICER. The amendment submitted by the Senator from Oklahoma will be stated.

The LEGISLATIVE CLERK. On page 15, after line 14, it is proposed to insert the following:

Two percent of the funds appropriated herein for flood control shall be transferred to the Secretary of Agriculture for use in accordance with the Flood Control Act, approved June 22, 1936 (Public Law 738), as amended and supplemented, on authorized projects for construction of flood-prevention works in accordance with the provisions of laws relating to the activities of the Department of Agriculture.

Mr. KNOWLAND. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield for a question to the Senator from California.

Mr. KNOWLAND. I notice that the Senator from Oklahoma has offered his amendment to be inserted after the period at that point in the bill. Is the Senator from Oklahoma proposing that the 2-percent reduction be made in the funds appropriated for work on the Sacramento River, and that funds to that extent be taken for use by the Department of Agriculture; or would this amendment apply to the entire appropriation?

Mr. MONRONEY. Two percent of the entire flood-control appropriation contained in this bill would be transferred for upstream soil-conservation work, as now authorized by Congress and now being carried forward at a snail's pace by the Department of Agriculture.

Mr. KNOWLAND. Is the distinguished Senator from Oklahoma sure that would be the effect of his amendment, if it is adopted to the bill at the point at which his amendment is offered? Or would his amendment merely provide that 2 percent of the funds appropriated for flood control on the Sacramento River would be set aside for the purpose stated in his amendment?

Mr. MONRONEY. I advise the Senator from California that that would not be the effect of my amendment; and I make that statement on the advice of legislative counsel who carefully prepared the amendment and suggested that it be offered at this point in the bill.

Mr. MCKELLAR. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield for a question.

Mr. MCKELLAR. Would not the amendment be proper to be offered to an agricultural bill or a deficiency bill? I do not think the amendment is proper in connection with the pending bill.

Mr. MONRONEY. Perhaps as I develop the case for the amendment I may

be able to answer the distinguished chairman of the Appropriations Committee.

Mr. President, I now ask unanimous consent that a change be made in the page and line of the bill to which the amendment is offered, in order to remove any doubt on the part of the Senator from California. I ask unanimous consent that the amendment be inserted on page 11, after line 19.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? Without objection, it is so ordered.

Mr. McKELLAR. Mr. President, will the Senator from Oklahoma yield to me for a moment?

Mr. MONRONEY. I yield for a question; I do not wish to yield at this time for a point of order.

Mr. McKELLAR. I shall not make the point of order until later, but at this time I inform the Senator from Oklahoma that I shall make a point of order against the amendment. I do not think the amendment is at all proper to this bill; adoption of the amendment would confuse the entire situation in the case of this appropriation.

Mr. MONRONEY. Mr. President, I appreciate the courtesy of the Senator from Tennessee in withholding the point of order.

At this time I wish to develop the case for the amendment.

Mr. SCHOEPPEL. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield.

Mr. SCHOEPPEL. I understand that there are either 10 or 11 projects——

Mr. MONRONEY. There are 11 authorized, approved flood-control projects which are under way at only a snail's pace, under present appropriations.

Mr. SCHOEPPEL. I should like to ask this question: If the amendment is adopted and if the bill as thus amended is passed by both Houses of Congress and is signed by the President, will the amount of money to which the amendment relates be limited to only the 11 projects?

Mr. MONRONEY. It would be limited to the 11 projects which heretofore have been authorized by Congress. If we attempted to do otherwise, we would be making an appropriation for projects which the Congress has not authorized. For that reason, the amendment is specifically restricted to the 11 projects which now are under way.

Mr. President, the purpose of the amendment is very simple. It is offered to a bill which proposes to appropriate a vast sum of money—a total of $365,500,000—largely for one type of flood control, namely, main-stem dams. This amendment is offered in an effort to channel only 2 cents out of every dollar into upstream flood control, in an effort to try to hold the water where the water falls, in an effort to prevent the inundation of hundreds of thousands, if not millions, of acres of our most valuable bottom lands, and in an effort to get on with a task which Congress has authorized, but for which Congress has appropriated at a very niggardly rate.

I believe the amendment is fully in line with the other appropriations made in this bill for the purpose of controlling floods.

I should be glad to have the chairman of the committee test whether the amendment is germane.

But surely, Mr. President, in passing a bill carrying appropriations of $365,500,000 for main-stem dams, we should not ignore the fact that there must be at least some means by which we may appropriate a few dollars in order to proceed with work of the type I have just mentioned, as well.

As I have said, the bill carries appropriations of $365,500,000 for the huge, gigantic main-stem dams, whereas my amendment will add only $7,000,000 for 11 authorized projects which now are proceeding at a snail's pace.

The amendment would provide on an average only $460,000 additional for each of these 11 projects, work upon which was authorized by the Congress many years ago. I ask unanimous consent to have printed in the RECORD at this point in my remarks a list of the projects, showing the estimated number of years required for completion, and the estimated number of years required for completion under present appropriations.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Name of project	Proposed years to complete	Years to complete under present appropriations rate [1]
Buffalo Creek, N. Y.	18	23
Colorado, Middle, Tex.	20	24
Coosa, Ga. and Tenn.	20	22
Little Sioux, Iowa and Minn.	15	12
Little Tallahatchie, Miss.	20	14
Los Angeles, Calif.	10	31
Potomac, Md., Va., Pa., W. Va.	24	13
Santa Ynez, Calif.	10	6
Trinity, Tex.	15	54
Washita, Okla.	15	29
Yazoo, Miss.	20	40

[1] Based on total estimated Federal costs for 1949 and 1952 appropriations figures.

Mr. MONRONEY. Mr. President, the Congress studied, approved, and placed its stamp on the value of upstream flood control. This was not done haphazardly. It was not done without adequate study; and yet we appropriated but $7,000,000 in the agricultural bill for this purpose. I plead with Senators to consider, as we appropriate $365,000,000 for main-stem dams, to do a little bit for the farmers who are trying to hold their bottom land, seeking a way to control floods where the water falls, and before it reaches the main stem of the channel. Can we not afford 2 cents out of every dollar in order to give the upstream flood-control program a chance to be tried out and to be completed without waiting 50 years? There are but 11 projects, of which the total cost to complete will be only $152,000,000. Yet we are appropriating only $7,000,000 a year. My amendment proposes that 2 percent of the funds appropriated for the gigantic projects be used for these upstream flood-control projects.

This has to do with gully streams, check dams, the soil-conservation treatment of watersheds, and so forth, in places where it would be possible to control floods and prevent the washing away of the soil into the stream channel and seal off the multimillion dollar dams which we are building in such great abundance throughout the country.

Mr. SCHOEPPEL. Mr. President, will the Senator yield for a question?

Mr. MONRONEY. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. I should like to ask the distinguished Senator from Oklahoma whether it is not his intention in proposing this amendment to build up a fund, in order to accelerate effectively the upstream development, which he feels—and I agree with him—has been sadly neglected?

Mr. MONRONEY. The Senator from Kansas is entirely correct. It is the purpose of the Senator from Oklahoma to try to accelerate this program, and to take some action to obviate the necessity of waiting 50 years for the completion of this program. The project is only one-sixth finished, and we apparently shall have to wait for 50 years, and then later build one-sixth of a dam. It is only one-sixth of the way across the stream, and we cannot hope to control floods through this upstream program if we do one-sixth of the work and then let the work rest for 20 or 30 years.

Mr. SCHOEPPEL. I want to say to the able Senator from Oklahoma that I am heartily in accord with his position, and that I sympathize with what he is attempting to do. Whether it should be done in connection with the pending bill, I do not know, but I think the Senator has made a most able presentation of the problem.

Mr. MONRONEY. I thank the distinguished Senator from Kansas.

Mr. SEATON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Nebraska.

Mr. SEATON. I should like to ask the distinguished Senator from Oklahoma whether the 2 percent would apply, on page 10, line 5, to the $294,077,200.

Mr. MONRONEY. It would be 2 percent of the $365,000,000 carried in this bill for flood control. It would represent a total of $7,300,000, which would double the appropriations now being made for this very valuable work of upstream flood control. This covers all of the 11 projects.

Mr. SEATON. I should like to say that I am in complete sympathy with the Senator's amendment.

Mr. MONRONEY. I thank the distinguished Senator from Nebraska.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished chairman of the committee.

Mr. McKELLAR. Is it not true that money for this item should properly come from the funds of the Department of Agriculture, and that, in fact, there is this year an item of $6,372,800 in the agricultural bill for this very purpose?

Mr. MONRONEY. I may say to the distinguished chairman that when the

agricultural bill was before the Senate, the junior Senator from Oklahoma made an effort to add funds to that appropriation. We were told at that time that it would increase the agricultural appropriation above the budget figure. So at that time, as the big flood-control bill appropriating hundreds of millions of dollars for flood control was presently coming before the Senate, we were persuaded to wait. Now that this flood-control measure is being considered, since the Army engineers have no exclusive omnipotence in the matter of flood control, we think it logical and reasonable to ask that 2 cents out of every dollar be spent on upstream flood control.

The Senator from Oklahoma at this time is seeking a test in the United States Senate to determine whether this body is interested in upstream flood control, and whether Senators are willing to earmark 2 cents of every dollar now being spent for gigantic dams for use in holding the water where it falls, before it reaches the main channels of our rivers.

Mr. McKELLAR. The purpose of the Senator's amendment is clear, but the Senator did not come before the committee. We had no evidence about this matter at all. There is nothing in the hearings about it, as I recall. I am quite sure the Senator from Oklahoma did not come before the committee. We would have been glad to hear him. I remember extending an invitation to every Senator having any matter pertaining to this bill to come before the committee. We had no proof on this matter, and there has already been an appropriation of $6,372,800 to the Department of Agriculture for this very purpose. Under those circumstances, it would seem that the Senator should wait until the next time. I am inclined to sympathize with his purpose, but I think he is pursuing the wrong course in attempting to achieve it.

Mr. MONRONEY. I appreciate the comments and the sympathy of the distinguished chairman, but the farmers of this country want action. They do not want to wait for 50 years to get this program started. The junior Senator from Oklahoma went before the Appropriations Subcommittee of the Department of Agriculture, where we seemed to have made a good case. The result was, however, that our item was cut $750,000, because an effort was being made to reduce the amount that would be spent for flood control. The distinguished subcommittee chairman, the Senator from Georgia [Mr. RUSSELL], informed the Senator from Oklahoma that he did not think flood control belonged in the agricultural bill, and hinted that it might be wise to seek it as a part of the general flood-control bill. That is where we are today.

Mr. McKELLAR. What I am saying is that the Senator from Oklahoma should have come before the Committee on Appropriations, to consult members of the committee, before proposing his amendment on the floor of the Senate. I do not know what the facts are. I do not know whether the matter has been fully investigated. I think there should be upstream flood control, of course, although I do not think we have sufficient evidence before us upon which to accept such an amendment as this.

Mr. MONRONEY. The committee must have had evidence, because Congress years ago authorized these projects. We have been appropriating for them at a snail's pace in the agricultural bill. I do not think the farmers are going to accept as a reason for not getting the projects under way at a decent pace the fact that there is a great degree of departmentation between two committees. We should set a precedent that flood-control funds, both upstream and downstream, belong in the Civil Functions appropriation bill.

I shall ask for a yea-and-nay vote when the point of order is made, to see whether the Senate wants to get busy on this program. It has been fully investigated and authorized; it has been appropriated for, in a niggardly way, in the agricultural bill. We talk of billions of dollars. Let us drop a few crumbs from our table for the benefit of the farmers in aid of the most valuable asset this country has.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. McKELLAR. Mr. President, I make a point of order against this amendment.

The PRESIDING OFFICER. The point of order is sustained on the ground that the amendment would add legislation to an appropriation bill.

Mr. MONRONEY. Mr. President, on the point of germaneness——

The PRESIDING OFFICER. No one has raised the question of germaneness.

Mr. FERGUSON. Mr. President, I make the point of order that the Chair has already ruled.

Mr. MONRONEY. Mr. President, I appeal from the decision of the Chair, and ask for the yeas and nays.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

On this question the yeas and nays have been requested, but the request is not sufficiently seconded. [Putting the question.] The decision of the Chair is sustained.

The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I call up my amendment identified as "6-18-52-C."

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Illinois.

The CHIEF CLERK. On page 21, after line 10, it is proposed to insert the following new section:

SEC. 105. (a) To the end that inland waterway improvements in aid of navigation heretofore or hereafter made at the expense of the United States may be rendered self-supporting and, so far as practicable, self-liquidating, it is hereby declared to be the policy of Congress (1) to impose reasonable user charges for the use of the improved inland waterways of the United States by means of vessels operated for commercial purposes, and (2) to discontinue further Federal expenditures in the maintenance and operation of any improved inland waterway which, after a reasonable development period, proves to be incapable of yielding revenues from user charges sufficient to meet the costs of its maintenance and operation. The term "improved inland waterway" as used in this section includes any inland or coastal canal and any natural inland waterway and the connecting channels thereof, constructed or improved in aid of navigation at the expense of the United States, except that the term does not include the Great Lakes and their connecting channels or such portion of any improved inland waterway as is used regularly and to a substantial extent by oceangoing vessels engaged in foreign commerce.

(b) The Interstate Commerce Commission is hereby authorized and directed to prescribe and promulgate on or before September 1, 1952, user charges which, on and after January 1, 1953, shall be imposed by the United States for the use of each improved inland waterway by means of vessels operated for commercial purposes.

(c) The user charges to be prescribed by the Commission hereunder for the use for commercial transportation purposes of each improved inland waterway shall be at a rate or rates calculated to cover, as nearly as practicable, all costs of providing, maintaining, and operating the improvements made thereon in aid of navigation, including reasonable allowances for interest on the investment and amortization thereof over such reasonable period as may be determined by the Commission: *Provided*, That in determining the level of user charges to be prescribed for any such waterway the Commission shall take into consideration not only the present, but also the reasonably prospective, use thereof for commercial transportation, and the Commission may divide the waterway into different sections and prescribe different user charges for the use of different sections, and shall also have authority to change from time to time the level of user charges for any such waterway or section thereof and to rearrange any section division thereof which it may have made: *And provided further*, That, upon application and after affording opportunity to all interested parties for a hearing, the Commission shall exempt any user of any such waterway from the payment of user charges for any use thereof which it finds to be of such nature as not to be facilitated or benefited by the improvements on account of which the user charges are imposed.

(d) Before prescribing or changing the user charges to be imposed for the use for commercial transportation purposes of any such waterway or section thereof, or dividing or redividing any such waterway into sections for the purpose of prescribing user charges therefor, the Commission shall hold a public hearing for the purpose of determining the just and reasonable user charges to be prescribed. It shall give notice of the nature and scope of each such hearing at least 30 days in advance thereof by publishing a notice thereof in the Federal Register and by serving a copy of said notice upon each carrier subject to its jurisdiction operating on the waterway or waterways involved and upon all other carriers which in its opinion might be interested in the proceeding, and shall give such further notice of said hearing as to it appears advisable.

At any such hearing, it shall be the duty of the Secretary of the Army, upon request of the Commission, to make available to the Commission all information in his possession with respect to the expenditures made by the United States in the construction, improvement, maintenance, and operation of the waterway or waterways under consideration, the nature and volume of the traffic moved thereover, and any other matter pertinent to the purpose of the hearing.

(e) After user charges shall have been prescribed by the Commission for any inland waterway and shall have become effective, the owner or operator of any vessel (including any government, State or Federal, and any corporation or instrumentality owned or controlled thereby) who shall use such waterway for commercial transportation purposes shall, unless exempted therefrom by the Commission, pay to the United States the prescribed and effective user charges. It shall be the duty of the Secretary of the Treasury to collect such user charges and to prescribe reasonable rules and regulations relating to the payment and collection thereof.

(f) Any person or corporation who shall fail or refuse to pay the user charges prescribed in accordance with the provisions of this section or to comply with the regulations which shall be promulgated by the Secretary of the Treasury relating to the payment and collection thereof shall be guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine of not less than $100 and not more than $2,000, and every failure of any such person to pay such user charges or to comply with said regulations shall be deemed a new and separate offense and subject such person to additional penalties therefor. In addition to the criminal action provided for in this section and in addition to all other civil remedies which may be possessed by the United States of America, the United States of America shall have a lien for the user charges upon any vessel for the movement of which user charges are not paid as provided for in this section.

(g) This section shall not apply to naval or other noncommercial vessels of the United States, and no user charges shall be imposed under the authority of this section on account of the use of any of the navigable inland waterways which form boundaries between the United States and any foreign nation, except such as may be permitted by treaties.

Page 21, line 11, strike out "SEC. 105" and insert in lieu thereof "SEC. 106."

Mr. DOUGLAS. Mr. President, I gave notice yesterday, as appears in the CONGRESSIONAL RECORD, that I would ask for a suspension of the rule. There is one change which I should like to make, but, first, let me make an explanatory statement.

When the St. Lawrence project was before the Senate yesterday it provided that the cost would be met out of tolls and power rates. In other words, there were to be no costs to the Government except an initial advance of money, and the users of the service provided by the waterway would pay for the cost of the waterway. Those of us who believed in that project were very glad to make that point clear and definite. In connection with our inland waterways the Government spends hundreds of millions of dollars in improving rivers, and then they are used completely free by ship and barge owners.

A proposal similar to mine has been offered in the form of a bill by the distinguished Senator from Ohio [Mr. BRICKER] and the distinguished Senator from Indiana [Mr. CAPEHART] providing that the users of waterways must pay charges which would meet not only operating costs but interest on investment and amortization.

My amendment is not so stringent since, in the setting of rates, reasonable allowances for interest on the investment and its amortization over a reasonable period are not required. But my amendment would require the setting of rates to reflect costs of operation and maintenance.

The user charges would be based on operation costs. These would net possibly $35,000,000 a year to the Federal Government and would put the use of our waterways on a basis similar to that we were recommending in the case of the St. Lawrence seaway except that we would be less stringent.

The change I desire to make in my amendment is on page 2, line 23, after the word "navigation" to strike out the comma and the words "including reasonable allowances for interest on the investment and amortization thereof over such reasonable period as may be determined by the Commission:"

Mr. LONG. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LONG. Did not the Senator inform us in the course of the debate on the submerged lands bill that these streams belonged to the States and not to the Federal Government?

Mr. DOUGLAS. The land underneath the inland waterways belongs to the States. We were willing to make it statutory by the O'Mahoney amendment. We are simply saying that the Federal Government should have some return on the money which it has expended.

Mr. LONG. Take a case where the Government has spent no money, for instance, where a ship plies Long Island Sound, traveling over an area where the Federal Government has spent no money on the improvement of the channel. Does the Senator feel that in such a case charges should be made for the use of the waterway?

Mr. DOUGLAS. If my good friend will look at page 2 he will see that charges are to be imposed simply for the use of each improved inland waterway. The rates are to be established by the Interstate Commerce Commission and collected by the Treasury Department.

Mr. McKELLAR. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. McKELLAR. The Senator admits that his amendment is subject to a point of order. What is the Senator's plan?

Mr. DOUGLAS. That the rule be suspended.

Mr. McKELLAR. Mr. President, I make the point of order against the amendment.

The PRESIDING OFFICER. The point of order is sustained.

Mr. DOUGLAS. Mr. President, I move that paragraph 4 of rule XVI be suspended in order that the amendment may be proposed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois. He has 15 minutes.

Mr. DOUGLAS. Mr. President, I am firmly convinced that this is an issue which we must face. The question is whether we shall spend hundreds of millions of dollars as a subsidy to those who use waterways, and at the same time refuse to appropriate any money for a project which can be financed by tolls and charges.

Mr. LONG. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LONG. If I read the Senator's amendment correctly, the question is whether we are willing to fix tolls for every waterway except the Great Lakes?

Mr. DOUGLAS. The Great Lakes are international in character.

Mr. MOODY. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MOODY. If the Senate had approved the St. Lawrence seaway, would not tolls have been fixed in the same way?

Mr. DOUGLAS. That is exactly correct. We are saying that if it was a good principle for the St. Lawrence seaway, we believe it is a good principle for the improved inland waterways of the country.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. LONG. Will the Senator tell me whether the St. Lawrence seaway would be an international waterway?

Mr. DOUGLAS. Yes; the St. Lawrence River is an international waterway.

Mr. LONG. The Senator proposes that it charge tolls, and that every other waterway, except the Great Lakes, should do the same. I wonder why the Senator excepts the Great Lakes. Inasmuch as he believes other waterways and internal improvements should be charged for, we might try it on the Great Lakes first and see how the program works.

Mr. DOUGLAS. The Great Lakes have not been improved. Certain harbors on the Great Lakes have been improved. The operating cost of those harbors probably should be charged against the traffic.

Mr. LONG. I read from page 2 of the Senator's amendment:

> The term "improved inland waterway" as used in this section includes any inland or coastal canal and any natural inland waterway and the connecting channels thereof, constructed or improved in aid of navigation at the expense of the United States, except that the term does not include the Great Lakes and their connecting channels.

I wonder why the Senator excludes the Great Lakes?

Mr. DOUGLAS. There was some question about the Soo Canal.

Mr. LONG. It would seem to me that the Senator might experiment with the Great Lakes first.

Mr. DOUGLAS. Why not experiment on the Mississippi River?

Mr. LONG. The junior Senator from Louisiana is not proposing it; inasmuch as the Senator from Illinois is proposing it, it would seem appropriate to apply the proposal first to areas with which he is very familiar.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MOODY. I am interested in the Senator's amendment, and I hope the

Senate will suspend the rule in order to permit it to be offered and debated. The genial and brilliant Senator from Louisiana has asked a question about the Great Lakes, but he has not advanced any reason why the proposal should not be applied to other waterways. If there is any reason why the amendment should be rejected, I should like to hear it stated.

Mr. DOUGLAS. In order to make my proposal perfectly clear, I am willing to strike out, on page 2, line 8, all after the words "United States" through the end of line 11.

Included in the part to be eliminated is the clause, "except that the term does not include the Great Lakes and their connecting channels."

The PRESIDING OFFICER. The Chair advises the Senator from Illinois that at this time, a point of order having been made against his amendment, he is not permitted to strike out that language. The question now is on the motion to suspend the rule.

Mr. DOUGLAS. If the motion is agreed to, then before the bill is finally passed, I shall move to strike out the words I have indicated.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois to suspend the rule.

Mr. DOUGLAS. Mr. President. I ask unanimous consent that I be permitted to strike out those words.

Mr. LONG. I object. I have an amendment in the nature of a substitute to offer to the amendment of the Senator from Illinois.

Mr. CASE. Mr. President, is any time available? If so, who is in control of the time.

The PRESIDING OFFICER. Fifteen minutes are available, and the time is controlled by the Senator from Tennessee.

Mr. McKELLAR. I yield 3 minutes to the Senator from South Dakota.

Mr. CASE. The amendment of the Senator from Illinois poses an entirely new approach to the problem dealing with waterways and authorizations for them. The amendment is clearly legislation. It runs through 6 pages, and would involve an entire change in the method of authorization of projects. It is certainly a subject that should not be considered at this time of the evening, under a limitation of debate of 15 minutes. Also, the Senator from New York advises me that the temperature outside is 92 degrees. I do not know whether that is a suggestion that we ought to continue in session or not.

In any event, there should be hearings on a matter of such importance as this, and the country as a whole should be placed on notice. The Committee on Public Works should consider proposed legislation of this sort, and the rule should not be suspended at 6 o'clock in the evening in order to consider something that is as clearly legislative as is the Senator's amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois to suspend the rule. A two-thirds vote in the affirmative is required for the motion to prevail. [Putting the question.] The Chair is of the opinion that the "noes" are in the majority, so the motion to suspend the rule is rejected.

Mr. DOUGLAS. First, let me congratulate the Chair on the accuracy of his ruling that a vote of two-thirds in the affirmative was not obtained.

The PRESIDING OFFICER. The Senator's amendment B is at the desk.

Mr. DOUGLAS. Mr. President, I ask that the amendment be stated.

The PRESIDING OFFICER The clerk will state amendment B of the Senator from Illinois.

The CHIEF CLERK. On page 15, after line 14, it is proposed to insert the following:

> The Secretary of the Army shall not commence or proceed with any feature of any flood-control or drainage project if he determines that such feature will be of direct and substantial benefit to any lands or area definable with reasonable certainty, unless the owners of such lands or a State, municipality, conservancy district, or other responsible party shall, by contract with the Secretary, have agreed to repay or to advance to the Secretary one-half of the cost of constructing such feature. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts.

Mr. McKELLAR. Mr. President, I make the point of order that the amendment of the Senator from Illinois is legislation on an appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

Mr. DOUGLAS. Mr. President, I move to suspend paragraph 4 of rule XVI in order that I may offer the amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 15 minutes.

Mr. DOUGLAS. Mr. President, my amendment is a proposal that at least half of the cost of levee and drainage projects shall be assessed against adjoining real estate which is directly and substantially benefited. I believe it would eliminate a big vacuum in our public-works policy.

As Senators know, appropriations for public-power projects are reimbursed not only for capital but also for current interest payments. I think that is a wise provision. Irrigation projects, which put water on land, are reimbursed, so far as principal is concerned, but interest is not paid. There is an increasing tendency, which I regard as dangerous, to charge a large portion of the cost of irrigation projects to the power features of multiple-purpose projects where power as well as irrigation is involved.

When a levee is built, the alluvial swampland, which is almost worthless, is transformed into highly valuable real estate. One of the motives behind river improvements, including the narrowing of river channels, is that alluvial swamplands on private property can be improved and enormously increased in value at public expense. I think it may be said that the Army engineers reclaim as much land as does the Bureau of Reclamation, except that theirs is a reclamation of land by taking water off the land, whereas the Bureau of Reclamation reclaims land by putting water on the land.

So far as irrigation is concerned, while the principal, at least, is returned, the cost of levee projects in general—and I emphasize "in general"—is not reimbursed.

I know that prior to 1928 localities did provide most of the funds for the levees which were constructed, and I am well aware of the fact that it is quite probable that here and there localities now make contributions. Even these, however, usually consist of easement, rights-of-way, and moving utilities where necessary; not actual construction costs.

Certainly, so far as general policy is concerned, the cash capital outlay is made by the Federal Government itself, but benefits are not confined to the Federal Government. They also go to adjoining landowners, by reason of improvement in value of the land. There are instances in which uncleared land is worth $5 or $10 an acre, the cost of clearing the land will be $25 an acre, and the land will be worth well over $100 an acre once it has been cleared.

It is an accepted policy of local city finance that costs of sewers, sidewalks, and sometimes of roads, will be assessed against the adjoining property which is benefited. One of the first examples of that was the laying out of Riverside Drive in New York, and that project was carried out.

I am trying to see if we can establish a principle of charging half the cost of levees against the land which is to be benefited, rather than throwing the entire burden upon the shoulders of the taxpayers.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois to suspend the rule. [Putting the question.] In the opinion of the Chair, the "noes" are in the majority, and the motion is rejected.

The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7268) was read the third time and passed.

Mr. McKELLAR. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. HAYDEN, Mr. RUSSELL, Mr. ELLENDER, Mr. HOLLAND, Mr. KNOWLAND, Mr. YOUNG, Mr. CORDON, and Mr. THYE conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1953

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 7216, making appropriations for the govern-

ment of the District of Columbia and other activities.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7216) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. HILL. Mr. President, the pending bill, as reported from the Senate Committee on Appropriations, provides appropriations of $135,117,089 for the fiscal year 1953. The total recommendation is less than the 1952 appropriations by $9,552,311, or 6.6 percent under the appropriations for the present fiscal year.

The bill is under the 1953 estimates by $1,411,011. It increases the House allowances by approximately $4,000,000, or approximately 3 percent. The major items making up the increase are: $500,000 additional for the Police Department; some $400,000 for 80 additional teachers for the Negro schools; approximately $240,000 for the Health Department, out of which there is $75,000 for medical charities; $682,000 for streets and bridges to provide connections with the Baltimore and Annapolis Highway, to connect with the East Capitol Street Bridge.

I may say that since the bill passed the House of Representatives, the Senate and the House have both passed, and the President has signed, a bill increasing the gasoline tax in the District of Columbia by 1 cent. Those funds are earmarked for highway purposes, and it is out of those funds that the $682,000 will come.

If the bill before the Senate becomes law there will be a surplus on June 30, 1953, of $6,479,634. This includes, of course, the 1-cent gasoline-tax revenue to which I have just referred, which amounts to some $1,250,000.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. FERGUSON. I should like to say something about the language in line 8, on page 1. The House placed the share of the United States Government at $8,600,000. The Senate committee has raised it to $11,000,000. That is the full budget estimate. I feel that that was a thing which should not have been done, for this reason: It is apparent that the District of Columbia will have a $6,000,000 surplus from the funds which it collects. The Federal Government must raise the sum it provides for the District by taxes. For that reason I voted against the increase in the committee. If the question comes to a vote on the floor of the Senate, I shall vote against it here. If I am on the conference committee, I shall urge that the House figure, which I think is the proper amount, be adopted.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

Mr. HILL. Mr. President, let me say just a word, and then I shall ask that all the committee amendments be agreed to en bloc. If any Senator wishes to ask for a reconsideration of any amendment, he may do so.

Mr. FERGUSON. I am not asking for it.

Mr. HILL. I ask unanimous consent that the committee amendments be agreed to en bloc, with the understanding that any Senator may have the right to ask for the reconsideration of any amendment.

The PRESIDING OFFICER. Is there objection?

Mr. CASE. Mr. President, reserving the right to object, I should like to ask the Senator from Alabama a question with respect to the item of $86,000 for the Industrial Home School for Colored Girls.

Mr. HILL. I will say to the distinguished Senator from South Dakota that that project is provided for.

Mr. CASE. It seems to me that that is a very urgent project.

Mr. HILL. The subcommittee agrees thoroughly with the idea of the Senator from South Dakota that it is an urgent project. Provision is made in the bill for an appropriation of $86,000.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama that the committee amendments be agreed to en bloc? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 1, line 8, after the word "and", to strike out "$8,600,000" and insert "$11,000,000."

Under the heading "General administration," on page 3, line 21, after the word "investigations", to strike out "$316,000" and insert "$327,540."

On page 4, line 1, after the word "expenses," to strike out "$5,000" and insert "$10,000."

On page 4, line 11, after the name "Columbia", to strike out "$340,000" and insert "$356,000."

On page 4, line 13, after the word "Division", to strike out "$134,000" and insert "$136,750."

On page 4, line 15, after the word "Appeals", to strike out "$23,000" and insert "$23,700."

Under the heading "Fiscal service," on page 4, line 19, after the word "Office", to strike out "$1,972,000" and insert "$2,012,000"; and in line 20, after the word "which", to strike out "$28,000" and insert "$28,300."

Under the heading "Regulatory agencies," on page 6, line 21, after the word "samples", to strike out "$111,000" and insert "$117,200."

On page 6, line 22, after the word "Parole", to strike out "$81,000" and insert "$86,200."

On page 6, line 24, after the word "morgue", to strike out "$64,000" and insert "$64,800."

On page 6, line 25, after the word "Insurance", to strike out "$83,000" and insert "$90,500."

On page 7, line 6, after the word "only", to strike out "$175,000" and insert "$183,000."

On page 7, line 7, after the word "Bureau", to strike out "$85,000" and insert "$87,100."

On page 7, line 9, after the word "Board", to strike out "$75,000" and insert $82,100."

On page 7, line 11, after the word "guards", to strike out "$249,000" and insert "$257,000."

On page 7, line 13, after the word "catchers", to strike out "$45,000" and insert "$49,000."

On page 7, line 14, after the word "Commission", to strike out "$147,000" and insert "$148,400."

On page 7, line 15, after the word "Commission", to strike out "$37,000" and insert "$39,200."

Under the heading "Public schools—Operating expenses," on page 7, line 24, after the word "athletic", to strike out "clothing and equipment" and insert "apparel and accessories"; and on page 8, line 14, after the word "Agriculture", to strike out "$18,915,000" and insert "$19,315,000."

On page 9, line 3, after the word "amended", to strike out "$247,000" and insert "$262,324."

On page 9, line 10, after the word "vehicles", to strike out "$4,840,000" and insert "$4,900,000."

Under the heading "Public Library," on page 11, line 4, after the numerals "1945", to strike out "$1,440,000" and insert "$1,515,000."

Under the heading "Recreation Department," on page 11, line 9, after the name "Columbia", to strike out "$1,550,000" and insert "$1,562,500."

Under the heading "Metropolitan Police," on page 13, line 9, after the word "otherwise", to strike out "$9,750,000" and insert "$10,250,000"; and in line 10, after the word "amount", to strike out "$1,280,000" and insert "$1,360,000."

Under the heading "Fire Department," on page 14, line 15, after the word "grounds", to strike out "$5,150,000" and insert "$5,277,000."

Under the heading "Veterans' services," on page 14, line 23, after the word "veterans", to strike out "$80,000" and insert "$120,000."

Under the heading "Courts," on page 15, line 7, after the word "prisoners", to strike out "$1,100,000" and insert "$1,164,300."

Under the heading "Health Department," on page 16 line 24, after the word "automobile", to strike out "$2,675,000" and insert "$2,915,000."

On page 17, line 15, after the word "grounds", to strike out "$2,450,000" and insert "$2,521,000."

On page 17, line 19, after the word "grounds", to strike out "$5,400,000" and insert "$5,532,000."

On page 18, line 6, after the word "Incurables", to strike out "$600,000" and insert "$676,875"; and in line 7, after the word "exceed", to strike out "$9" and insert "$10."

Under the heading "Department of Corrections," on page 19, line 13, after the word "sentence", to strike out "$4,000,000" and insert "$4,125,000."

On page 19, line 21, after the word "property", to strike out "$65,000" and insert "$85,000."

Under the heading "Public welfare," on page 20, line 13, after the word "services", to strike out "$100,000" and insert "$109,000."

On page 21, line 22, after the word "building", to strike out "$4,560,000" and insert "$4,615,000."

On page 23, line 9, after the word "vehicles", to strike out "$3,040,000" and insert "$3,236,000."

On page 23, line 15, after the figures "$810,000", to insert a semicolon and "and for plans and specifications for an Industrial Home School for Colored Girls to replace the National Training School for Girls, $86,000; in all, $896,000."

Under the heading "Public works," on page 24, line 2, after the word "Incorporated", to strike out "$78,000" and insert "$81,400."

On page 24, line 4, after the word "Architect", to strike out "$110,000" and insert "$118,500."

On page 25, line 19, after the word "board", to strike out "$800,000" and insert "$879,600."

On page 26, line 9, after the word "thereto", to strike out "$1,675,000" and insert "$1,755,000."

On page 26, line 17, after the word "kinds", to strike out "$78,000" and insert "$143,000."

On page 26, line 20, after the word "busses", to strike out "$100,000" and insert "$110,100."

On page 26, line 25, after the word "roads", to strike out "and cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the Commissioners"; and on page 27, line 6, after the word "vehicles", to strike out "$2,620,000" and insert "$2,722,000."

On page 28, line 17, after the word "Commissioners", to strike out "$4,374,000" and insert "$5,056,000"; and on page 31, line 12, after the word "expense", to insert a colon and the following additional proviso: *"Provided further*, That this appropriation and the appropriation "Operating expenses, Street and Bridge Divisions," shall be available for advance payments to Federal agencies for work to be performed, when ordered by the Commissioners, subject to subsequent adjustment."

On page 32, line 2, after the word "examiners", to strike out "$1,175,000" and insert "$1,265,000."

On page 33, line 8, after the word "fund", to strike out "$325,000" and insert "$366,800."

On page 33, line 10, after the word "fund", to strike out "$90,000" and insert "$120,000."

On page 33, line 16, after the word "dumps", to strike out "$4,475,000" and insert "$4,538,000"; in the same line, after the word "which", to strike out "$95,000" and insert "$100,000"; and in line 17, after the word "fund", to insert "for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, and for marking electric-light poles incidental to traffic control during periods of ice and snow, in the discretion of the Commissioners."

On page 34, line 19, after the word "Basin", to strike out "$1,492,000" and insert "$1,582,000."

On page 35, line 25, after the word "taxes", to strike out "$2,365,000" and insert "$2,480,000."

Under the heading "Washington Aqueduct," on page 36, line 25, after the word "water", to strike out "$1,930,000" and insert "$1,953,000."

Under the heading "National Guard," on page 39, line 5, after the word "purposes", to strike out "$105,000" and insert "$115,000."

Under the heading "National Capital Parks," on page 40, line 6, after the word "wagons", to strike out "$1,975,000" and insert "$2,092,000."

Under the heading "National Capital Park and Planning Commission," on page 41, line 4, after the word "matters", to strike out "$90,000" and insert "$108,200."

Under the heading "General provisions," on page 44, line 21, after the word "exceed", to strike out "$55,000" and insert "$59,000."

On page 45, line 6, after the word "exceed", to strike out "$15,000" and insert "$17,000."

On page 45, line 24, after the word "limitations", to insert "and hereafter the salary of the Budget Officer of the District of Columbia shall be at the rate of grade GS–16 in the General Schedule established by the Classification Act of 1949."

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7216) was read the third time, and passed.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. O'MAHONEY, Mr. MCCLELLAN, Mr. FERGUSON, Mr. MCCARTHY, and Mr. HUNT, conferees on the part of the Senate.

EXERCISE OF THE VOTING FRANCHISE BY FEDERAL PERSONNEL AND MEMBERS OF THE ARMED FORCES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1605, Senate bill 3061.

The PRESIDING OFFICER. The bill will be stated by its title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3061) to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Rules and Administration with amendments.

Mr. GREEN. Mr. President, I reported this bill from the Committee on Rules and Administration, to which it was referred. The report of the committee was unanimous, recommending passage. There were two minor amendments which I do not think need to be drawn to the attention of the Senate. They involve only phraseology.

There are 2,500,000 men and women who are eligible to vote in their respective States, many of whom will not be able to vote unless the law is changed, either by their States or by the Congress.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. SALTONSTALL. Does the bill leave it up to the States to decide how the voting shall be done, in cases in which the States have laws, or does the bill interpose a Federal method of procedure?

Mr. GREEN. The committee emphasized the fact that it was very desirable that the voting be done so far as possible under State laws, in cases in which the State laws make it possible to vote. In such cases the laws of the State prevail. In other cases there should be a Federal ballot, simply for Presidential electors and Senators and Representatives.

Mr. SALTONSTALL. If the State laws prevail, will the members of the armed services be permitted to vote for governor?

Mr. GREEN. Certainly; also for other State officers, if the State laws prevail.

The bill carries a long series of recommendations which it was hoped the officials of the States would follow. Some of the States have followed the recommendations, and some have not. A little less than half of the States have made entirely satisfactory provisions.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The first amendment of the Committee on Rules and Administration was, on page 9, line 17, after the word "provide", to strike out "as part of the established information and education programs in their respective departments information" and insert "instructions."

The amendment was agreed to.

The next amendment was, on page 11, after line 4, in the third line of the instructions, after the word "complete", to insert "military."

The amendment was agreed to.

Mr. HICKENLOOPER. Mr. President, I should like to ask the Senator from Rhode Island a question about the bill. I am unable to obtain a copy of it at the moment.

Does the bill prescribe the type and kind of ballot? Is it a universal ballot, or what is the provision?

Mr. GREEN. In the first instance, the Secretary of Defense must receive word from the States as to what their provisions are; and in those States in which there are no practical provisions, or in which the time allowed in the State law is not sufficient for members of the armed services to obtain ballots and return them—which it is estimated would require 45 days—then the Federal Government will provide a ballot, the form of which is prescribed.

Mr. HICKENLOOPER. What is the form of the ballot? The reason I ask the question is that during World War II it was proposed and seriously urged—and the proposal was almost adopted—that a ballot be sent to members of the Armed Forces permitting them to vote for the office of President, the ballot merely asking the question, "Who is your choice for President?" without listing the names of candidates, or anything of the kind. That was a most offensive situation. I wonder whether the ballot which is to be sent out in this instance is to be a prescribed form, listing all the candidates for President, as well as all the candidates for the offices for which members of the Armed Forces are permitted to vote.

Mr. GREEN. Mr. President, does the Senator have before him a copy of the bill?

Mr. HICKENLOOPER. I do.

Mr. GREEN. The Senator will find the official Federal ballot on page 15 of the bill. I may state that the person concerned may use the State ballot, and that, if he should have both ballots, the State ballot would prevail.

Mr. HICKENLOOPER. I should like to invite the Senator's attention to the fact that I had no idea that this bill would be considered before tomorrow.

Mr. JOHNSON of Texas. The majority leader made an announcement last evening with respect to the pending bill, and the acting majority leader made an announcement with respect to it this morning. The Senator from Iowa has had notice of the fact that the bill would be considered today.

Mr. HICKENLOOPER. I must have missed notice of it, and I was informed that the bill was to be taken up tomorrow, instead of today. We are confronted with the fact that it is almost 6:30 o'clock in the evening. I invite attention to the fact that the official and legal ballot lists places for the writing in of a serviceman's choice for President, Senator, and Representatives. There is no provision in the ballot for giving service personnel a list of the candidates of the various parties.

Of course, the manifest benefit of a ballot like this is always to the incumbent in office because he is the only one that service people in far distant places read about. That was the objection to the same type of procedure which was attempted to be followed during World War II. I believe Members of the Senate had better take a long look at the ballot form before they vote on the bill. I want to give the men and women in the service the right to vote, but I want them to have a ballot which lists the candidates of their respective parties, not a ballot which merely gives them an opportunity to write in their choice.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. SALTONSTALL. I would say to the Senator from Rhode Island that I do not doubt that the bill is acceptable. I have been reading very hastily through the bill to find a provision which would authenticate the State ballot when such a ballot is permitted.

I went through an experience when I was Governor of Massachusetts, just as the Senator from Iowa did when he was Governor of his State, with respect to a similar situation. We had a considerable difference of opinion with the Federal Government at the time, which was worked out through the secretaries of state of the States and the Government. It was worked out very carefully to make certain that the State ballot was the ballot which prevailed, provided the State took advantage of the Federal law and adapted its own provisions to the Federal law. I should like to make certain, as would the Senator from Iowa, whether the State ballot would be considered the valid ballot. I hope that the acting majority leader will let us look at the bill overnight.

Mr. GREEN. Mr. President, I have no objection. I want the Senator from Massachusetts to be entirely satisfied as to the whole question. There is a distinct provision that where both ballots are cast—perhaps in an unusual case—that the State ballot shall prevail and the Federal ballot shall have no validity whatever.

Mr. SALTONSTALL. I should think that in such an instance the Federal ballot—speaking very hastily—should not have been sent to the man in the first instance. If I were a boy in Korea, and I received two ballots, one from the State and one from the Federal Government, it would be very difficult to decide which one to use.

Mr. GREEN. Both ballots would not be sent in instances where the State laws applied. It would be only in the other cases where the Federal ballot would be sent. Full information would be given in a circular prepared by the Secretary of Defense, stating what a service person's rights are under the ballot and how to use the ballot.

Mr. SALTONSTALL. Mr. President, I appreciate the spirit in which the Senator from Rhode Island is speaking. Probably I shall agree with him and offer no objection to the bill when it is considered tomorrow. I hope that consideration of an important bill of this kind, which concerns the fundamental rights of American citizenship, will be postponed overnight, so that we may examine it more carefully.

Mr. GREEN. I would not wish to take advantage of the lack of information which the Senator from Massachusetts feels there is at this time.

Mr. CASE. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. CASE. Mr. President, I notice that in one place the bill provides that persons associated with the Government of the United States in a civilian capacity may use the ballot. Does that provision extend a new privilege to civilian employees of the Government?

Mr. FERGUSON. Does the Senator from South Dakota realize that there are 175,000 such persons in foreign lands?

Mr. CASE. Does the provision apply to persons in foreign lands, or does it apply to civilian employees in the United States who are away from their homes?

Mr. FERGUSON. What does the ballot provide?

Mr. CASE. The ballot, under the oath of the elector, states:

> I am associated with the Government of the United States in a civilian capacity.

Mr. SALTONSTALL. Will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. SALTONSTALL. May I have the Senator's assurance that he will give us an opportunity to study the bill overnight?

Mr. GREEN. I am willing and I am very glad to do it, although I am sorry to have to do it, because we are eager to have the bill passed. I assume it will remain the unfinished business.

Mr. JOHNSON of Texas. Mr. President, I do not know how the Senator from Iowa could have gained the impression that assurance had been given that the bill would not be considered until tomorrow.

I invite his attention to the announcement which the majority leader made yesterday. It appears at page 7529 of the RECORD. I make this statement not for the purpose of pressing the consideration of the bill at this time, but so that Senators will not say they have not been informed of what will be considered. The majority leader made his announcement with respect to the pending bill, and the announcement was repeated by me at the beginning of the session today. I should like to read the announcement made by the majority leader to the Members of the Senate who were present yesterday. I suggest that Senators who were not present take notice of the announcement, because tomorrow we shall consider two or three other bills following action on the bill now under consideration. The majority leader said:

> LEGISLATIVE PROGRAM
>
> Mr. MCFARLAND. Mr. President, I do not know how long consideration of the civil functions bill will require, but there are two or three little bills with respect to which I should like to give notice, so that Senators may be informed as to our intention to have them considered.
>
> The first is Senate bill 3061, Calendar 1605, a bill to permit and assist Federal personnel, including members of the Armed Forces and their families, to exercise their voting franchise, regardless of State laws.
>
> Another is Senate Joint Resolution 151, Calendar 1651, a joint resolution approving the Constitution of the Commonwealth of Puerto Rico, which was adopted by the people of Puerto Rico on March 3, 1952.
>
> Another is House bill 7496, Calendar 1654, to extend to June 30, 1957, the authorization period for appropriations to establish a hospital center in the District of Columbia.

Mr. President at the time the announcement was made I conferred with the then acting minority leader, and I understood that it was agreeable to him, in view of the fact that a unanimous report had been made on the bill by the committee, to proceed with its consideration as soon as the appropriation bills had been disposed of.

Mr. HICKENLOOPER. Mr. President, I wish to say that I was not raising any particular complaint or taking any umbrage on that point. I said I did not know about it. Undoubtedly it is my fault for not reading the RECORD. I am not objecting to the general spirit of the bill. I am in favor of providing the fairest way possible for servicemen and their wives and others in the service to vote.

However, I do object to attempting to pass the bill tonight at 6:30, when it contains some objectionable features, as I see them now.

Mr. JOHNSON of Texas. The Senator from Texas is not insisting that we proceed with the consideration of the bill, but he is insisting that the Senator from Iowa has no right to say that he was given assurance that the bill would not be taken up until Friday. I want Senators on the other side of the aisle to be aware of the bills which we have cleared with the minority leader for consideration, so that they will not say tomorrow evening, "We had no idea that the bill would be taken up today. Let us have another day or two before it is considered."

By the time we get around to all 96 Senators, we shall not have the calendar cleared up before it is time to adjourn.

Mr. HICKENLOOPER. Mr. President, if the Senator from Texas will yield again, let me say that another element is involved. We have spent all day today on the appropriation bill for civil functions of the Department of the Army. I do not know that any Senator was notified that there would be a night session tonight or that the session would continue past 5 or 5:30 p. m. The result is that by this time a number of Members of the Senate have left the Chamber and have left Capitol Hill, for they have been under the impression that the session would not continue into the night.

Mr. JOHNSON of Texas. Mr. President, every Member has been informed of the intention to have the Senate proceed to consider the bill which now is before the Senate.

In view of the request which has been made by the Senator from Massachusetts and the Senator from Iowa, I shall now move that the Senate take a recess until tomorrow. However, I wish the RECORD to show that no one gave the Senate any assurance that this bill would not be taken up before Friday.

The RECORD should also show that not only shall we proceed with the consideration of this bill tomorrow; but if we are able to pass this bill tomorrow, we plan to take up, on tomorrow, two other bills.

I wish to repeat that statement, so that all Senators will be informed.

Mr. HICKENLOOPER. I ask the Senator's pardon if he feels offended by anything I have said.

Mr. JOHNSON of Texas. No one feels offended. I simply wish to make sure that all Senators have this information.

Mr. HICKENLOOPER. Does the Senator from Texas expect to have the Senate pass bills after 6 o'clock tomorrow night?

Mr. JOHNSON of Texas. I am not attempting to have the Senate pass bills either tonight or tomorrow night. We shall endeavor to have the Senate proceed to a reasonable hour tomorrow. We hope we can dispose of these bills in a short time, since there have been unanimous reports on them from the committees, and since due notice has been given, and since neither the leaders nor any other Members have voiced objection.

It may very well be that all day tomorrow will be taken by the consideration of these bills, in which case we shall go over until Saturday, when the calendar will be called. Following the call of the calendar on Saturday, these bills, if they have not previously been disposed of, may be taken up then—on Saturday.

Mr. GREEN. Mr. President, I believe the Senator from Iowa will find the answer to his question on page 2 of the bill, in section 103, which reads as follows:

SEC. 103. Nothing in this act shall be deemed to restrict the right of any person to vote in accordance with the law of the State of his residence.

Mr. HICKENLOOPER. Mr. President, I understand that, because if the State permits its residents who are serving in the Armed Forces to vote by absentee ballot, each of them will receive from his State an absentee ballot, and then the ballot provided for in this measure will not be valid.

Mr. GREEN. That is correct. The ballot provided for in this bill will not even be sent to the residents of any State which has such provisions of law.

I believe that 24 or 25 of the States would not qualify under the provisions of this measure, and therefore the absentee servicemen from those States would be sent these ballots.

Mr. HICKENLOOPER. Mr. President, I wish to say that I am thankful to the Senator from Texas for agreeing to let the further consideration of this measure go over until tomorrow.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had greed to the concurrent resolution (S. Con. Res. 84) authorizing the holding of ceremonies in the rotunda of the Capitol for the acceptance of a bronze replica of the Declaration of Independence.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5990) to amend the Federal Civil Defense Act of 1950, and it was signed by the Vice President.

RECESS

Mr. JOHNSON of Texas. Mr. President, I now move that the Senate stand in recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Friday, June 20, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 19 (legislative day of June 10), 1952:

IN THE AIR FORCE

The following-named persons for appointment in the Regular Air Force, in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947); title II, Public Law 365, Eightieth Congress (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947); and section 307 (b), Public Law 150, Eighty-second Congress (Air Force Organization Act of 1951), with a view to designation for the performance of duties as indicated:

To be majors, USAF (medical)

Jack F. Burnett, AO303009.
George R. Steinkamp, AO483774.

To be captains, USAF (medical)

Benjamin R. Baker, AO1906890.
Kenneth H. Burdick, AO1907000.
Frank W. Chandler, AO1906679.
Robert G. Dawson, AO2212597.
Charles E. Gibbs, AO1906848.
Herman S. Parish, Jr., AO1735284.
Charles M. VanDuyne.
Donald J. Warren, AO1907262.
John R. Woodyard.

To be captains, USAF (dental)

Alphonse E. Carrino, AO1716754.
Richard A. Grzeczkowski, AO959917.
Arthur L. Hayden, AO1716543.
James T. Jackson, AO938971.
Howard W. Zellers, Jr., AO2212882.

To be first lieutenants, United States Air Force (medical)

Joe W. Boyd, AO926600.
John E. Coles, AO434642.
Edward H. Currie, AO2032339.
James A. Cutter, AO2238746.
James S. Denning, AO2056918.
John A. McChesney, AO971619.
Hugh P. McGrade, AO864678.
Walter W. Melvin, Jr., AO975899.
Perry B. Miller, AO2239833.
Lawrence T. Odland, AO2238749.
Charles R. Rosewall, AO733468.
William W. Thompson, AO799098.
William R. Turpin, AO669637.
Otis L. Vaden, AO1912462.
James F. VanPelt, Jr., AO390421.
William E. Wallace, AO544484.
Homer E. Woosley, Jr., AO2238735.
Ernie A. Young, AO1906322.

To be first lieutenant, United States Air Force (dental)

Robert N. Weaver, AO659424.

The following-named distinguished officer candidates for appointment in the Regular Air Force, in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

To be second lieutenants

Thomas L. Hair, Jr., AO2218910.
Robert E. Lambert, AO2218955.
Charles C. McGehee, Jr., AO2218970.
Edwin T. Naden, Jr., AO2218988.

The following-named distinguished officer candidate for appointment in the Regular Air Force, in the grade indicated, with date of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947); and section 301, Public Law 625, Eightieth Congress (Women's Armed Services Integration Act of 1948):

To be second lieutenant

Arlene Atler, AL2218831.

The following-named distinguished aviation cadets for appointment in the Regular Air Force, in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

To be second lieutenants

Joseph C. Beck
Robert V. Carlson
Clarence M. Davis
Carlos V. del Mercado
George F. Duborg, Jr.
Michael Fatiuk, Jr.
Richard G. Hamilton
James J. Kasparek
Robert L. Kirk
Michael Krak, Jr.
Harley W. R. Lake, Jr.
James A. McDivitt
Miles C. McDonnell
Donald L. Monchil
James H. Norman
John R. Pizzi, Jr.
Mason L. Ripp
Paul E. Shortal, Jr.
Robert B. Smith
Glen E. Wampler
John A. Ward III
Nelson N. Williams, Jr.
John D. Winters

Subject to physical qualification and subject to designation as distinguished military graduates, the following-named distinguished military students of the Air Force Reserve Officers' Training Corps, for appointment in the Regular Air Force, in the grade of second lieutenant, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

Harvey B. Bennett, Jr.
Richard E. Bertrand
Robert L. Blackmon, Jr.
Charles C. Blanton
Donald L. Bouquet
Norman Braslau, AO2216344
David C. Brotemarkle
Edward P. Callaway
Robert T. Carpenter
Robert J. Chambers
Harold T. Chandler
Clarence S. Davis, Jr.
Richard A. DeLong
William J. Donohue, Jr.
Milton Evans, Jr.
Oliver W. Fix
Robert A. Harrington
Donald M. Hartman
Richard D. Hawk
Albert R. Hughes
Howard W. Jackson
Anders P. Larson
Michael D. Lubin
Charles W. McComb
Billy J. Mills
Warren E. Montgomery
David J. Novick
Charles F. Parr
Andrew F. P. Peerson
Lincoln A. Perry
Philip C. Peterson
Robert B. Riddle
Vernon R. Sage
James W. Sherrod
Charles B. Shive, Jr.
Joseph W. Steede, Jr.
Robertrand L. Tate
Lloyd E. Thomas
John A. Thurman
Edward L. Tixier
Allen L. Trott, Jr.
Ray K. Troutman
Troy N. Washburn
William B. Weaver
Floyd C. Williams
Jonathan W. Wilson
Noel E. Wilson, Jr.
Robert J. Wilson
Walter M. Wondrack
Albert H. Wuerz, Jr.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Raymond B. Hurst
Robert E. Cushman, Jr.
Robert A. Black
Gordon E. Hendricks
Charles W. Shelburne
Richard G. Weede
Richard D. Hughes
Charles O. Bierman
Frederick A. Ramsey, Jr.
William N. McGill
Kenneth D. Kerby
Carl A. Laster

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

William A. Wood
William H. Atkinson
John S. Dewey
John D. Bradbury
Robert A. Churley
William H. Junghans, Jr.
Harvey M. Miller
John R. Barreiro, Jr.
William McReynolds
John E. Sundholm
Robert W. Glickert
John L. Hopkins
Henry W. Seeley, Jr.
Henry G. Lawrence, Jr.
James G. Kelly
William C. Ward, Jr.
John T. Bradshaw
Robert E. Collier
Alexander A. Elder
Ward K. Schaub
Maurice L. Appleton, Jr.
Alvis H. Allen
Robert K. McClelland
Clifford F. Quilici
Rufus D. Sams, Jr.
Thomas M. Burton
Victor R. Bisceglia
James H. Tatsch
Robert Y. Stratton
Nathaniel Morgenthal
Louis G. Ditta
Gerald F. Russell
John T. O'Neill
Tom N. Hasperis
Ernest L. Medford, Jr.
Frederick J. Mix, Jr.
Ralph H. Currin
Arthur H. Haake
Oscar F. Peatross
Frank E. Garretson
Norman R. Nickerson
George A. Rickert
Norman Pozinsky
Fraser E. West
Stanley S. Nicolay
Darrell D. Irwin
James K. Dill
Stephen J. Zsiga
Vernice S. Calvert
Robert E. A. Lillie
Anthony J. Dowdle
Granville Mitchell
Paul B. McNicol
Charles C. Campbell
George C. Axtell, Jr.
Harold B. Penne
Walter J. Carr, Jr.
Charles Kimak
Wallace G. Fleissner
Robert H. Gray
Eugene V. Boro
Louie N. Casey
John J. Wade, Jr.
Karl N. Smith
Horace C. Parks
Bernard W. McLean
Olin W. Jones, Jr.
John L. Prothingham
Chester L. Christenson
Horace E. Knapp, Jr.
Stephen C. Munson, Jr.
Henry H. Reichner, Jr.
Edwin B. Wheeler

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of lieutenant colonel:

James F. Coady
William R. Watson, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Charles W. Boggs, Jr.
Richard F. DeLamar III
John B. Bristow
Martin J. Sexton
Coburn Marston
Frederick J. Cramer
William L. Sims
Ellsworth T. Nobles
John A. Creamer
Daniel M. Manfull
Lelon L. Patrow
Alex H. Sawyer
George K. Parker
Richard J. Buckley
James P. O'Laughlin
Robert J. Fairfield
Philip N. Pierce
Bernard G. Thobe
Richard R. Bucher
Augustine B. Reynolds, Jr.
David Foos, Jr.
Robert G. Willard
Clifford J. Robichaud, Jr.
Jake B. Hill
Remmel H. Dudley
Albert Wood
Clarence F. Zingheim
Donald L. Mallory
Thomas J. Branighan
Fred A. Steele
Christopher M. Spurlock
James J. Bott
Louis P. Penney
Tillman E. Bishop
Gilbert N. Powell
Elmer L. Starr
George W. Doney
Andrew J. Strohmenger
Fletcher R. Wycoff
Dudley F. McGeehan
Donald L. Herrick
Milton A. Hull
Julian Wilcox
Robert A. Thompson
James K. Linnan
James C. Norris, Jr.
Ross T. Dwyer, Jr.
James F. McInteer, Jr.
Samuel Jaskilka
John A. Lindsay
Franklin L. Smith
Robert M. Jenkins
David H. Lewis
Gildo S. Codispoti
Paul M. Moriarty
Kenneth J. Houghton
Raymond F. Garraty, Jr.
Roy I. Wood, Jr.
Albert B. Atkinson
John R. Fields
Justin B. Johnson, Jr.
Charles D. Garber
"K" "K" Bigelow
Warren P. Nichols
Charles E. Call
Patrick Harrison
Edward C. Kicklighter
Wendell O. Livesay
Stanley N. McLeod
Albert J. Sinuc
George R. Burke
Russell Hamlet
Raymond L. Valente
Wesley C. Noren
Lawrence L. Graham
Donald D. Fomerleau
Henry W. Stankus
Richard C. Kuhn
Hudson G. Birmingham
Glenn E. Ferguson
William D. Porter
Ralph E. June
Armand G. Daddazio
Lawrence H. Bosshard
George K. Reid
Carl L. Sitter
Richard E. Roach
George C. Westover
Keigler E. Flake
Ralph L. Widner
Laurence A. Ballinger
Walter R. Miller
Cyril D. Jeffcoat
Marion J. Griffin
Herman H. Jones
Gerald E. Goss
John H. McGuire
Paul F. McLellan
Albert J. Gunther
Aaron M. Rottenberg
Thomas B. Wood
Louis H. Steman
Alfred T. Moret, Jr.
Homer L. Daniel
Paul A. LeMaire, Jr.
"H" Leverett Jacobi
William H. Irvin, Jr.
Richard Morton
Harold P. Williamson
Anthony R. Epplin
Tom S. Parker
Maurice E. Flynn
Paul L. Allen
John D. McLaughlin
George J. Kovich, Jr.
Richard M. Remington
Hector G. Risigari-Gai, Jr.
John J. O'Donnell
Michael D. Benda
Bernard M. Boress
Richard M. Hunt
Robert B. Jeter
Raymond H. Spuhler
Warren A. Leitner
Lawrence E. Kindred
Junius M. Lowder, Jr.
John P. Mentzer

The following-named officers of the Marine Corps for permanent appointment to the grade of major for limited duty:

Hubert G. Bozarth
Paul R. Paquin
Howard C. Fraser

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Jack A Miller
Kenneth G. Fiegener
Donald A. Panaka
Charles C. Angle
Guy "M" Washburn
Lenhrew E. Lovette
Richard J. Sullivan
Robert F. Warren
Roderick J. Munro
Henry G. Holmes, Jr.
Ruel H. Corley, Jr.
Harry F. Painter
John M. McLaurin, Jr.
Urban A. Lees
William Bradford
Clarence H. Schmid
Bernard J. Stender
Charles D. Dawkins, Jr.
Lewis E. Bolts
Donald F. Mileson
Oliver J. Koester
Ward L. Hooper
Robert B. Robinson
Alexander Wilson
Robert D. Green
Dwain L. Redalen
Jefferson A. Davis, Jr.
Robert J. Wright
Harold G. McRay
Kenneth L. Anstock
Russell G. Patterson, Jr.
Richard B. Newport
Harvey E. Wendt
Harry O. Taylor
Robert J. Graham
Varge G. Frisbie
John F. McMahon, Jr.
Jack H. Hagler
James W. Ferris
Robert King, Jr.
Roland B. Heilman
Henry J. Jadrich
William L. Atwater, Jr.
Walter F. Daniel
Daniel P. Githens, Jr.
Forrest "I" Townsend
William H. Bortz, Jr.
Harry G. C. Henneberger
William Whitehill
Earl A. Trager, Jr.
Williams P. Brown
Robert "J" Zitnik
Arnold W. Barden
William H. Roley
Don G. Derryberry
Crawford B. Malone
John J. Hill III
George Motti
Joseph B. DeHaven
Dan C. Holland
Sylvester F. Leis
James E. Meehan
William R. Lucas
Robert E. McCarville
Walter N. Roark, Jr.
John O. Kaylor
Richard H. Peacock
Thomas E. Mulvihill
Otis R. Waldrop
Clark Ashton
Thomas H. Hughes
Casimir C. Ksycewski
William J. Peter, Jr.
Donald S. McClellan
Joseph F. Kirby, Jr.
Elmer F. Koehler
John L. Greene
Dail D. Fine
Kenneth L. Fellows
Judson J. Bradway
Raymond H. W. Pett
Herbert N. Rapson
Joseph Northrup
William J. Kopas
George H. Elias
James Sharp II
Myron P. Wieczorek
John B. Marshall, Jr.
Gustave F. Lueddeke, Jr.
Dwaine Wise
Charles C. Ward
Robert Wade
William A. Lutnick
Owen V. Gallentine
Ernest L. Engelkes
Ernest R. Doyle, Jr.
Nicholas M. Seminoff
Robert H. Cook
Robert J. Craig
Cloyd V. Hines
Elmer A. Krieg
John C. Boulware
James W. Luther
Arthur S. Tarkington
Marshall S. Campbell
Victor E. Johnson, Jr.
Dewey F. Durnford, Jr.
Noble L. Beck
Leroy V. Corbett
Clyde P. Guy
Henry A. Checklou
Leslie L. Davenport
Gene Robertson
James P. Bruce
Clyde B. Shropshire
John D. Cotton
Taylor H. Wagner
Robert W. Minick
Anthony Edwards
Lud R. Tucker
William H. Kellogg
Robert C. Evans
Marion H. Deckard
Charles H. Ludden
Lawrence McGlade
John P. Flynn, Jr.
Duane A. Swinford
Edgar A. Monroe
William N. Gustafson
Stanley B. Voth
John Padach, Jr.
Thomas G. Elder
Harold V. Deering
Anthony R. DiGiovanni
Eugene T. Card
Hugh D. Argo
Calvin Wall
Donald M. Winters
Charles A. Broudy
Martin Capages
Beryl B. Sessions
William W. Bryant
Allen L. Phillips
Grover S. Stewart, Jr.
George M. Dauphine
Herschel G. Connell
Curtis D. Jernigan
Harry B. Stuckey
Rex A. Deasy
Robert N. Welch
Dean Caswell
Harold R. Foltz
John B. Mason
Clifford A. Allison
Danny "W" Johnson
Murray V. Harlan, Jr.
William H. Mulvey
Robert S. Robertson
Louis E. Dunning
John H. Cavalero
Walter Panchision
Marshall S. Austin
Chester J. Poppa
Lewis C. Street III
Leo J. Corboy, Jr.
Glenn L. Ferguson, Jr.
William J. Long
Lawrence J. Hofmeister.
Joe "B" Henson
Theodore R. Moore
Thomas J. Jones
James R. Weaver
Clarence H. Pritchett
William L. Walker
Thomas O. Weghorst
Floyd H. Butler, Jr.
Richard H. Bushnell
Douglas D. Petty, Jr.
Wayne H. Hoereth
James H. Berge, Jr.
James M. Weidner
Thomas L. Sullivan
Daniel Greene
Thomas R. Egan
Charles E. Street, Jr.
Donald H. Foss
Cecil B. LaFayette
Kerwin W. Jacobs
George D. Kew
Don M. Perkins
James T. Cronin
Lawrence C. Norton
Poul F. Pedersen
Harold L. Haley
George H. Green, Jr.
Thirl D. Johnson
Russell A. Davidson
Stuart V. Schuyler
Ernest E. Poor
James L. Dumas
Coleman C. Jones
Roger C. Lawson
Harry F. Abbott
Jack H. Adam
John V. Hanes
James R. Coltrane

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Ernest B. Altekruse
Tilton A. Anderson
Maurice C. Ashley, Jr.
Raymond L. Barrie, Jr.
Robert J. Barton
William D. Bassett, Jr.
Wendell O. Beard
John G. Belden
James J. Boley
Thomas G. Borden
Kenneth A. Bott
Philip C. Brannon
Derrell C. Briden
Ralph H. Brown
William J. Budge
Ivil L. Carver
Henry. A. Commisky, Sr.
James J. Connors, Jr.
John F. Conroy
Andrew B. Cook
Robert H. Corbet
Kelly J. Davis, Jr.
Harold L. Dawe, Jr.
Thomas J. Deen, Jr.
Robert D. Dern
Lewis H. Devine
John R. Dickson
Thomas E. Driscoll
John L. Eareckson
Richard C. Ebel
Samuel E. Englehart
Clyde L. Eyer
Charles D. Fay
Matthew C. Fenton, III
Richard H. Francis
Walter A. Gagne, Jr.
Samuel P. Gardner
James R. Gober
John C. Gordy, Jr.
Francis A. Gore, Jr.
Fred Grabowsky
George H. Grimes

Thomas I. Gunning	Tom D. Parsons
John W. Haggerty, III	Raymond C. Paulson
Arthur J. Hale	Roger W. Peard, Jr.
Wayne L. Hall	Willard S. Peterson
Robert T. Hardeman	Charles R. Petty
Allen S. Harris	Richard L. Prave
Robert P. Harris	Raymond R. Rail, Jr.
Harold A. Hatch	Thomas C. Redfern, Jr.
George A. P. Haynes	
George E. Hayward	Pierre D. Reissner, Jr.
Richard G. Heinsohn	Theophil P. Riegert
Thomas P. Hensler, Jr.	Thomas E. Ringwood, Jr.
Hans W. Henzel	
John R. Heppert	Archie R. Ruggieri, Jr.
Carlton H. Hershner	
Irven A. Hissom	"S" "E" Sansing
Miles "M" Hoover, Jr.	William F. Saunders, Jr.
Henry Hoppe III	
Robert G. Hunt, Jr.	Kenneth W. Schiweck
Mallett C. Jackson, Jr.	Merlin P. Schneider, Jr.
Charles V. Jarman	Robert L. Scruggs
John M. Johnson, Jr.	Richard W. Sheppe
Charles M. C. Jones, Jr.	Warren C. Sherman
	Warren J. Skvaril
Nick J. Kapetan	Albert C. Smith, Jr.
David S. Karukin	Charles S. Smith
MacLean Kelley	Thomas G. Snipes
Charles R. Kennington, Jr.	William F. Sparks
	Eugene O. Speckart
Calhoun J. Killeen	William A. Speer
Robert H. Krider	Robert G. Staffney
Randlett T. Lawrence	James W. Stanhouse
Alan M. Lindell	Kenneth R. Steele
Robert L. Lockhart	James C. Stephens
Bernard S. MacCabe	Paul F. Stephenson
James H. MacLean	Allan M. Stewart
Byron L. Magness	Charles B. Sturgell
Robert F. Maiden	Leonard C. Taft
David G. Martinez	Joseph Z. Taylor
Charles P. McCallum, Jr.	Robert W. Taylor
	Jack E. Townsend
John F. McCarthy, Jr.	Luther G. Troen
Richard S. McCutchen	Henry W. Tubbs, Jr.
	Kenneth E. Turner
Francis E. McDonald	Thomas W. Turner
Robert L. McElroy	Dan C. Walker, Jr.
John F. Meehan	Theodore R. Wall
Willard D. Merrill	Littleton W. T. Waller II
Max A. Merritt	
John H. Miller	William Wentworth
Richard R. Miller	Richard "H" West
William Morse, Jr.	Robert H. White
Edgar F. Musgrove	Thomas B. White, Jr.
Robert C. Needham	Henry M. Whitesides
Harry J. Nolan	Charles S. Whiting
Edward J. O'Connell, Jr.	James S. Wilson
	John O. Wolcott
Lawrence G. O'Connell, Jr.	James F. Wolfe, Jr.
	Harry D. Woods
Charles H. Opfar, Jr.	

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant for limited duty:

Henry T. Dawes	William M. Dwiggins
Calvin C. Miles III	Harry N. McCutcheon
Roger D. Buckley	Herbert G. Cantrell
James M. Riley, Jr.	Henry S. Jozwicki
Robert E. Boze	John L. Self
Ewing B. Harvey	Herbert E. McNabb
Harold Bartlett	Derilas A. Moore

The following-named women officers of the Marine Corps for permanent appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Eleanor M. Russell	Essie M. Lucas
Doris V. Kleberger	Betty J. Preston

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 19, 1952

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

God of all grace, as we turn our thoughts toward Thee in the sacred attitude of prayer, we are beseeching Thee to lead us to the deep inner springs of wisdom and power.

Grant that we may enter upon each new day with faith and courage, confident that the glorious vision of a better world can never be eclipsed and that Thy righteous purposes can never be defeated.

We pray that we may inspire and encourage men and nations to cultivate those finer feelings of good will and cooperation upon which the hope of humanity depends.

Show us how we may bring the members of the human family into a closer and more brotherly fellowship. May they see that the things which they have in common are far more wonderful and precious than the things which divide and separate them.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7960. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCKELLAR, Mr. HAYDEN, Mr. RUSSELL, Mr. MCCARRAN, Mr. O'MAHONEY, Mr. BRIDGES, Mr. FERGUSON, Mr. CORDON, and Mr. SALTONSTALL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 84. Concurrent resolution authorizing the holding of ceremonies in the rotunda of the Capitol for the acceptance of a bronze replica of the Declaration of Independence.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 658) entitled "An act to further amend the Communication Act of 1934"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCFARLAND, Mr. HUNT, Mr. JOHNSON of Colorado, Mr. TOBEY, and Mr. CAPEHART to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1539) entitled "An act to amend an act entitled 'An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service', approved March 2, 1931"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON of South Carolina, Mr. PASTORE, and Mr. BENNETT to be the conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1953

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7314) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1953, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WHITTEN, HEDRICK, MARSHALL, CANNON, H. CARL ANDERSEN, HORAN, and TABER.

AMENDMENT TO COMMUNICATIONS ACT OF 1934

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 658) to further amend the Communications Act of 1934, with House amendment thereto, insist upon the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. PRIEST, HARRIS, THORNBERRY, WOLVERTON, and HINSHAW.

AMENDMENT TO CIVIL DEFENSE ACT OF 1950

Mr. BRYSON. Mr. Speaker, I call up the conference report on the bill (H. R. 5990) to amend the Federal Civil Defense Act of 1950.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2197)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5990) to amend the Federal Civil Defense Act of 1950, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments and agree to the same.

CARL VINSON,
CARL T. DURHAM,
DEWEY SHORT,
Managers on the Part of the House.

LESTER C. HUNT,
JOHN C. STENNIS,
RUSSELL B. LONG,
STYLES BRIDGES,
RALPH E. FLANDERS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5990) to amend the Federal Civil Defense Act of 1950, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

The bill passed the House on May 5, 1952. It passed the Senate in amended form on

May 12, 1952. The House disagreed with the Senate amendments and asked for a conference.

The House bill provides authority for the Federal Civil Defense Administration to lease real estate. Heretofore, subsections 201 (e) and (h), Federal Civil Defense Act of 1950, have restricted the Administrator from acquiring any land or buildings or any interest therein without specific authorization of Congress.

The Senate amended the bill by striking all after the enacting clause and inserting the following language:

"That, in accordance with the provisions of subsection 201 (h) of the Federal Civil Defense Act of 1950 (64 Stat. 1249; 50 U. S. C. App. 2281), the Federal Civil Defense Administrator is hereby authorized to acquire by lease or license, for civil defense purposes, not to exceed a total of three hundred and fourteen thousand gross square feet of warehouse space situated in or near the following places: Sikeston, Missouri; Zanesville, Ohio; Downingtown, Pennsylvania; and Paw Paw, West Virginia."

The Senate amendment would have granted authority to lease only four specific warehouses and in the future the Civil Defense Administration, when desirous of leasing space, would have been required to obtain specific congressional authority for each transaction.

The Senate conferees agreed that the Senate language was too restrictive and that the House bill should prevail. The Senate recedes.

The Senate also amended the title of the bill to conform with the Senate amending language. As amended by the Senate, the title would read:

"A bill to authorize the Federal Civil Defense Administrator to acquire, by lease or license, warehouse space for civil defense purposes at Sikeston, Missouri; Zanesville, Ohio; Downingtown, Pennsylvania; and Paw Paw, West Virginia, respectively."

Inasmuch as the Senate agreed to accept the House version of the bill, there no longer existed any necessity for a change in the title of the bill as it passed the House. The Senate recedes.

CARL VINSON,
CARL T. DURHAM,
DEWEY SHORT,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FIXING THE PERSONNEL STRENGTH OF THE UNITED STATES MARINE CORPS

Mr. VINSON submitted the following conference report and statement on the bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff:

CONFERENCE REPORT (H. REPT. No. 2190)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to esablish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That the first sentence of section 206 (c) of the National Security Act of 1947 is hereby amended to read as follows: "The United States Marine Corps, within the Department of the Navy, shall be so organized as to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein, and except in time of war or national emergency hereafter declared by the Congress the personnel strength of the Regular Marine Corps shall be maintained at not more than four hundred thousand.'

"SEC. 2. Section 211 (a) of the National Security Act of 1947 (61 Stat. 505), as amended, is hereby further amended by adding at the end thereof the following new paragraph:

" 'The Commandant of the Marine Corps shall indicate to the Chairman of the Joint Chiefs of Staff any matter scheduled for consideration by the Joint Chiefs of Staff which directly concerns the United States Marine Corps. Unless the Secretary of Defense, upon request from the Chairman of the Joint Chiefs of Staff for a determination, determines that such matter does not concern the United States Marine Corps, the Commandant of the Marine Corps shall meet with the Joint Chiefs of Staff when such matter is under consideration by them and on such occasion and with respect to such matter the Commandant of the Marine Corps shall have co-equal status with the members of the Joint Chiefs of Staff.'

"SEC. 3. Section 2 (b) of the Act of April 18, 1946 (60 Stat. 92), is hereby repealed."

And the House agree to the same.

CARL VINSON,
OVERTON BROOKS,
CARL T. DURHAM,
DEWEY SHORT,
LESLIE C. ARENDS,
Managers on the Part of the House.

ESTES KEFAUVER,
JOHN C. STENNIS,
RUSSELL LONG,
LEVERETT SALTONSTALL,
RALPH E. FLANDERS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

S. 677, a bill to fix the personnel strength of the United States Marine Corps and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff, was passed by the Senate on May 4, 1951.

Subsequently, the House Committee on Armed Services, after detailed hearings, struck all after the enacting clause of the Senate bill and inserted substantially different provisions governing the personnel strength of the Marine Corps and the status of the Commandant with reference to the Joint Chiefs of Staff.

Section 1 of the Senate bill provided that the United States Marine Corps, within the Department of the Navy, would include four full-strength combat divisions, four full-strength air wings and the required supporting units organic thereto and placed a personnel ceiling of not more than 400,000 on the personnel strength of the regular Marine Corps.

As amended by the House, section 1 provided that the United States Marine Corps, within the Department of the Navy, should include not less than three full-strength combat divisions, three full-strength air wings and supporting units which were organic thereto. The House version further provided a personnel floor of 220,000 regular enlisted personnel and prescribed that the authorized enlisted strength of the active list of the regular Marine Corps should be not more than 400,000, such ceiling to be suspended during time of war or national emergency declared by the Congress.

The House version further prescribed the formula for computing the commissioned strength of the active list of the regular Marine Corps and provided that such strength would be attained not later than 24 months after the date of enactment of the legislation. Obviously there were substantial differences in the two versions of section 1 of the bill.

The agreement reached by the conferees on the different provisions governing Marine Corps personnel provides that the Marine Corps, within the Department of the Navy, shall be so organized as to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic thereto, and except in time of war or national emergency hereafter declared by the Congress, the personnel strength of the regular Marine Corps shall be maintained at not more than 400,000. The net result of this action is that the three Marine Corps divisions and three air wings are to be combat divisions and air wings but the "full strength" requirement of the House version has been deleted. The numerical floor of 220,000 regular enlisted personnel has likewise been deleted. However, the section states that there will be not less than three combat divisions and three air wings and while the numerical floor of 220,000 has been deleted, it is the obvious intent of the language that the minimum divisions and wings prescribed in the section will be maintained at whatever strength the Congress may determine through the appropriations which it grants in support of Marine Corps personnel.

Heretofore the United States Marine Corps has had no statutory organization in the normally accepted sense of the word. Marine Corps proponents have consistently expressed the fear that they would be reduced to and maintained as regimental combat teams or even units of less size and importance. When it is recognized that the Marine Corps personnel had decreased to a total of approximately 70,000 at the time of the outbreak of the Korean war, their fears are understandable. As a result of the conference agreement the Marine Corps is assured, for the first time in its history, of a division organizational structure. The 400,000 personnel ceiling which appeared in the original provisions of both the Senate and House bills and remains in the conference agreement is to insure that there is no intention of converting the Marine Corps into a second land army. The managers on the part of the House are cognizant of the outstanding combat accomplishments of the United States Marine Corps but would be remiss if they failed to point out their conviction that this oustanding record is largely attributable to the fact that the Marine Corps has heretofore largely been maintained on a voluntary basis. It necessarily follows that if the Marine Corps should be established and maintained at a size which could not be supported by voluntary enlistments that the high morale and the accomplishments of the Marine Corps would be adversely affected.

Section 2 of the Senate bill provided that the Commandant of the Marine Corps would be a consultant to the Joint Chiefs of Staff on all problems before the Joint Chiefs of Staff. And provided that on matters in

which the Marine Corps was concerned the Commandant would be permitted to be heard and file a supporting memorandum for consideration by the Secretary of Defense and the President.

The House version amended the National Security Act of 1947 and provided that the Commandant of the United States Marine Corps would be a member of the Joint Chiefs of Staff.

With reference to the Senate version, it seemed to the House conferees that there was no justification for making the Commandant a consultant to the Joint Chiefs of Staff on all problems before the Joint Chiefs of Staff. That provision appeared to require the Commandant to attend all meetings of the Joint Chiefs of Staff, whether or not the matter under discussion concerned the Marine Corps. It also appeared to the House conferees that the Senate version, in providing that the Commandant would be heard and could file a supporting memorandum for consideration by the Secretary of Defense and the President, on matters concerning the Marine Corps, gave the Commandant of the Marine Corps a latitude which was not even permitted to the members of the Joint Chiefs of Staff, who must submit supporting memorandums to the Secretary of Defense and the President through the Chairman of the Joint Chiefs of Staff. The conference agreement provides that "The Commandant of the Marine Corps shall indicate to the Chairman of the Joint Chiefs of Staff any matter scheduled for consideration by the Joint Chiefs of Staff which directly concerns the United States Marine Corps. Unless the Secretary of Defense, upon request from the Chairman of the Joint Chiefs of Staff for a determination, determines that such matter does not concern the United States Marine Corps, the Commandant of the Marine Corps shall meet with the Joint Chiefs of Staff when such matter is under consideration by them and on such occasion and with respect to such matter, the Commandant of the Marine Corps shall have co-equal status with members of the Joint Chiefs of Staff."

This conference agreement recognizes that the Commandant of the Marine Corps, by virtue of his broad experience in land, sea, and air warfare, is best able to present matters of direct concern to the Marine Corps to the Joint Chiefs of Staff. And it is the clear intent of the language that on those occasions when matters directly concerning the Marine Corps are before the Joint Chiefs of Staff for consideration that the Commandant shall appear, not as a consultant, but with status co-equal to that of members of the Joint Chiefs of Staff, except for membership in the Joint Chiefs of Staff.

While there may be a fine line between co-equal status and membership, the House conferees recognize the difference. It simply means that when the Commandant of the Marine Corps meets with the Joint Chiefs of Staff on a matter of direct concern to the Marine Corps which is under consideration by the Joint Chiefs of Staff, that the Commandant shall sit as a co-equal with the members of the Joint Chiefs of Staff, he shall have the right to be fully heard and, if a vote is taken, to vote in the same manner as members of the Joint Chiefs of Staff. The Congress has been repeatedly told that members of the Joint Chiefs of Staff do not vote. Whatever they may do in reaching a decision, it is the intent that the Commandant of the Marine Corps enjoy those same prerogatives when meeting with members of the Joint Chiefs of Staff on a matter of direct concern to the Marine Corps. By the same token it is fully intended that he shall be bound in the same manner as the members of the Joint Chiefs of Staff in presenting his appeal to an adverse decision through the Chairman of the Joint Chiefs of Staff to the Secretary of Defense and the President.

It is obvious that it will be necessary for the Commandant of the Marine Corps to receive a copy of the agenda of the Joint Chiefs of Staff. Otherwise he would be in a position of being unable to know whether or not a matter directly concerning the Marine Corps was under consideration by the Joint Chiefs of Staff. It should also be noted in this connection that numerous items on the agenda of the Joint Chiefs of Staff are defined at lower levels by the other three services, such as the Joint Strategic Survey Committee, the Joint Strategic Plans Committee, etc. The House conferees do not attempt to precisely define or indicate the exact staff levels and agencies, complementary to the Joint Chiefs of Staff, to which the Commandant of the Marine Corps should have staff representation. But it is clear beyond all doubt that the Commandant will be in a most difficult position to determine whether or not matters directly concern the Marine Corps unless he is accorded a reasonable staff representation at appropriate supporting echelons of the Joint Chiefs of Staff.

It is important to note in the conference agreement on this section that the initial decision as to whether or not a matter is of direct concern to the United States Marine Corps lies with the Commandant. There may be those who fear an abuse of this authority. However, the following provisions of the section provide that after the Commandant has indicated to the Chairman of the Joint Chiefs of Staff that a matter scheduled for hearing by the Joint Chiefs of Staff directly concerns the Marine Corps, the Chairman of the Joint Chiefs of Staff may refer that request on the part of the Commandant to the Secretary of Defense for a decision as to whether or not the matter in question does in his opinion directly concern the Marine Corps. And so the provision as drawn provides a system of checks and balances as between the Commandant on the one hand, and the Joint Chiefs of Staff on the other which, in the opinion of the House conferees, will insure that each will adhere to the principles enumerated and exercise the greatest of caution to insure that neither shall abuse the prerogatives of the other. In the final analysis the Congress is making an attempt to insure that matters of national defense at the level of the Joint Chiefs of Staff be decided on the basis of the broadest military experience available. Failure to implement this intent would produce most unfortunate results. The House conferees are confident that such results will not occur.

Section 3 of the conference agreement was an original provision in the House version but was absent in the Senate version. It merely repeals existing law which relates the strength of the Marine Corps to a percentage strength of the Navy. Having established the strength of the Marine Corps in section 1 of the conference agreement, there is no longer a necessity to relate the strength of the Marine Corps to the strength of the Navy. Therefore, the House and Senate conferees were in full agreement that the conference agreement should include the House provision in this respect.

CARL VINSON,
OVERTON BROOKS,
CARL T. DURHAM,
DEWEY SHORT,
LESLIE C. ARENDS,
Managers on the Part of the House.

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ARENDS. Mr. Speaker, reserving the right to object, will the gentleman explain the agreement that was reached on the important parts of this bill?

Mr. VINSON. Mr. Speaker, no doubt the House is very interested in the decision which was reached by the conferees, I will briefly explain it to the House.

First. The United States Marine Corps within the Department of the Navy will be so organized as to include not less than three combat divisions and air wings and supporting units. The actual size of these units will be determined by the Congress through its appropriations for Marine Corps personnel.

Second. The numerical floor which was in the original House bill has been deleted.

Third. The ceiling of 400,000, which was in both the House and Senate bills, remains in the conference agreement, except in time of war or national emergency declared by the Congress, when it would automatically be suspended.

Fourth. The result of the conference agreement will establish for the first time a statutory division organizational structure for the Marine Corps.

With reference to the status of the Commandant and the Joint Chiefs of Staff, the conference agreement provides:

First. That the Commandant will indicate to the Chairman of the Joint Chiefs of Staff when a matter before the Joint Chiefs of Staff directly concerns the Marine Corps.

Second. That when such a matter is under discussion by the Joint Chiefs of Staff, the Commandant, unless overruled by the Secretary of Defense, will attend such meeting and present his case, at which time he will have coequal status with members of the Joint Chiefs of Staff except for membership on the Joint Chiefs of Staff.

Third. This means that the Commandant must receive a copy of the agenda of the Joint Chiefs of Staff; that he must have staff representation in appropriate numbers and appropriate levels of the Joint Chiefs of Staff supporting organizations; and that he will not attend any meetings of the Joint Chiefs of Staff except on matters directly concerning the Marine Corps, and that his decision that a matter directly concerns the Marine Corps may be overruled by the Secretary of Defense, in which event he would not attend. It is obvious that the Joint Chiefs of Staff may ask the advice of the Commandant on other matters, in which event the Commandant would attend the meeting for the sole purpose of giving his advice and not participating in the deliberations of the Joint Chiefs of Staff.

Mr. ARENDS. Mr. Speaker, further reserving the right to object, as the House well knows, I have long been keenly interested in the enactment of legislation which would fix the size and the status of the Marine Corps in our

national defense structure. Many of us have worked long and hard to bring this about, not because we have any particular interest in the Marine Corps as such but because we so earnestly believe that such legislation is a primary defense need.

The conference report now before us is the culmination of these efforts. I am pleased to have been able to contribute, as a member of the Armed Services Committee and one of the conferees, to the final agreement. In reaching this agreement I have been obliged to yield on some very definite convictions I have as to what should be the status of the Marine Corps. But this legislation is better than none at all, and I believe is an improvement over the bill passed by the other body.

You will recall that the bill passed by the House provided that the Marine Corps Commandant shall be a permanent member of the Joint Chiefs of Staff. I still hold to that opinion. The Senate bill, on the other hand, provided that he shall be a consultant to the Joint Chiefs of Staff. Under the Senate version the Commandant would, to all intents and purposes be in virtually the same status he now is. He may or may not be consulted.

The important thing is to make certain that the Marine Corps Commandant has a definite voice in all matters which affect or concern the Marine Corps. To accomplish this the Commandant must have opportunity to determine for himself whether a matter being considered by the Joint Chiefs of Staff does or does not affect or concern the Marine Corps.

The language agreed upon by the conference committee does not give the Commandant any official status as a regular or associate member of the Joint Chiefs of Staff, but it has the merit of making certain that he is advised of every matter to be considered by them and that he has the opportunity to express his views on it where he feels that the Marine Corps is concerned.

This is indeed a distinct improvement over the existing situation. And, as set forth in the statement on the part of the House managers, it is understood by all of us that in carrying out this law the Marine Corps Commandant will have representation on the subordinate echelons of the Joint Chiefs of Staff. Unless he has such representation the Marine Corps Commandant cannot possibly have a real voice in the considerations of the Joint Chiefs of Staff. Not infrequently decisions are made in the lower echelons, such as by the Joint Strategic Survey Committee, the Joint Strategic Plans Committee, and so forth, which do not become part of the Joint Chiefs of Staff official agenda. And yet these decisions may very vitally concern the Marine Corps.

We fully expect that in carrying out this law the services will make certain that the Marine Corps has a voice in all stages of the Joint Chiefs of Staff deliberations, and that the Marine Corps itself have complete opportunity to determine for itself whether it is affected or concerned in any way. As an individual member of the Armed Services Committee, and I am sure this is the attitude of the entire committee, I intend to do what I can to see that this intent is carried out.

Just a word as to the size of the Marine Corps. By this legislation we are seeking to guarantee that we have a highly integrated, mobile striking force in readiness for any emergency that may arise. The Senate bill provided for four full-strength divisions and four full-strength air wings, with a ceiling of 400,000. The House bill provided for three full-strength divisions and three full-strength air wings, with both a numerical floor and ceiling. The House bill had the protective advantage of definitely fixing a floor.

That is the important feature retained in the conference report agreement. While it sets the size at three combat divisions and three air wings, it does not stipulate the strength numerically except as to the ceiling. But it does stipulate a floor of not less than three combat divisions and three air wings.

While this conference report may not be what we want or would like to have, it is nonetheless a distinct improvement over the existing situation. I believe it will add materially to our national defense. It being the primary responsibility of the Congress to determine the kind, type, and nature of defense we shall have, by this legislation we are making such a determination, and I believe the President should approve it. If the President should for any reason veto this bill, he will be arrogating to himself a constitutional prerogative of the Congress.

Mr. KEARNEY. Mr. Speaker, further reserving the right to object, under the outline as now given by the distinguished chairman of the Committee on Armed Services, does the Marine member now have a right to vote under the conference report?

Mr. VINSON. The Commandant of the Marine Corps will have whatever rights the other members of the Joint Chiefs of Staff have, whether it is voting or anything else, with coequal status, when matters of direct concern to the Marine Corps are before the Joint Chiefs of Staff.

Mr. KEARNEY. Is that any different than the set-up today?

Mr. VINSON. Oh, yes; entirely different. Today he is not on coequal status; he does not attend the meetings of the Joint Chiefs of Staff unless he is invited to express his opinion or give advice.

Mr. KEARNEY. Unless he is invited.

Mr. VINSON. Unless he is invited.

Mr. JACKSON of California. Mr. Speaker, further reserving the right to object, my understanding of the agreement reached in conference is that in addition to establishing a maximum strength, that a statutory floor has also been placed under the agreement.

Mr. VINSON. No numerical floor is in it. It is left entirely to the Congress to maintain the three-combat-division strength, three combat air wings and other units set out in the conference report, at such strength as it may deem advisable.

Mr. JACKSON of California. But the House bill said it should not be less than three full strength combat divisions and three full strength air wings; is that not correct?

Mr. VINSON. The actual size of the units will be determined by the Congress through its appropriations. While the conference agreement leaves it to the Congress to determine by the appropriations it makes what strength of the Marine Corps shall be, it cannot exceed 400,000. But we have said that the Marine Corps shall be so organized as to include not less than three combat divisions, three air wings and other units. As to whether or not they will be maintained at full strength it will be entirely up to the Congress when the Marine Corps appropriations are considered.

Mr. JACKSON of California. I think this conference report falls far short of the intent of the House.

Mr. VINSON. It may be true, but I will say, Mr. Speaker, it takes the agreement of both bodies to get a bill.

Mr. MANSFIELD. Reserving the right to object, Mr. Speaker, and I do not intend to object, I am very much dissatisfied with this bill, although I recognize the fact that you have had quite a time getting what you did get out of the conference.

Mr. VINSON. That is right.

Mr. MANSFIELD. However, for the record I want to make sure that it is the intent of the Congress that the floor shall be three combat divisions and three air wings?

Mr. VINSON. That is right. The statement of House managers goes into details and states the intent of the House conferees, so that there will be no doubt as to what the House conferees intended.

Mr. ARENDS. There will be no misunderstanding as to what the Congress is thinking about.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, in view of the fact that the statement of the managers on the part of the House is very lengthy and has already been printed in the RECORD, I ask unanimous consent that the reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The conference report was agreed to.

A motion to reconsider was laid on the table.

METHOD OF COMPUTING PARITY PRICES FOR BASIC AGRICULTURAL COMMODITIES

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8122) to continue the existing method of computing parity prices for basic agricultural commodities, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. AUGUST H. ANDRESEN. Reserving the right to object, Mr. Speaker, I would like to have the gentleman explain this bill and just what it does.

Mr. COOLEY. I shall be very glad to do so, Mr. Speaker.

The bill continues the existing method of computing parity for basic agricultural commodities for a period of 2 years. It has another provision which continues the 90-percent price support program for two additional years on the basic agricultural commodities, when the producers of such commodities have not disapproved the marketing quotas.

Mr. AUGUST H. ANDRESEN. Has the Senate passed a similar bill?

Mr. COOLEY. The Senate committee has reported favorably a bill containing one of the provisions contained in this bill, the one which deals with new and old parity formula which is in the act of 1949. The House Committee on Agriculture gave very careful consideration to this measure and had extended hearings. My recollection is that the bill was unanimously reported, and it is considered urgent.

Mr. AUGUST H. ANDRESEN. In view of the urgency of this legislation, I will not object at this time to the consideration of the bill, but I think for the future it would be advisable to have more discussion on a measure of this importance so that the Members can understand it, and also so that those on the outside who might be interested will have the benefit of the real purpose and intent of the legislation.

I withdraw my reservation of the right to object, Mr. Speaker.

Mr. JAVITS. Mr. Speaker, it is my intention to object at this time, and I want to serve notice to that effect on the chairman of the committee.

Mr. COOLEY. Mr. Speaker, would the gentleman withhold his objection?

The SPEAKER. If the gentleman from New York is going to object, it would appear there is nothing to gain by further discussion.

Mr. JAVITS. Mr. Speaker, I will withdraw the objection at this time, but I will reserve the right to object in order to get an explanation of the measure.

Mr. COOLEY. It may be that some member of the committee can clarify the situation, and give the gentleman from New York such information as he may desire concerning this measure. It is considered very important. Prices are now being supported at 90 percent of parity, and this is actually not going to materially change the situation for the current year.

Mr. JAVITS. Mr. Speaker, that is entirely up to the Speaker as to whether the Speaker will afford time for adequate discussion. It seems to me this is a basic change in agricultural policy, which is the law, and therefore I shall be constrained to object unless the Speaker will afford adequate time for a complete explanation.

Mr. COOLEY. I will give you a complete explanation. The gentleman stated that this constituted a drastic change. It is not a drastic change. It is a continuation of the policy now in operation.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. H. CARL ANDERSEN. Mr. Speaker, I want to assure the gentleman from New York that this is merely a continuation of the present 90 percent program and prevents supports on our basics from going down possibly to 75 percent.

Mr. COOLEY. That is right.

Mr. H. CARL ANDERSEN. If it were not for this, our prices may go down materially due to the sliding scale as provided by law.

Mr. COOLEY. That is exactly right. If the gentleman from New York will only stop to realize that all his Republican colleagues on the committee are utterly in favor of the measure, and thoroughly understand it. There is nothing complicated about it.

Mr. H. CARL ANDERSEN. Mr. Speaker, I sincerely hope that the gentleman from New York [Mr. JAVITS] will not object.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Mr. Speaker, I want to direct a question, if I may, to the chairman of the committee. Personally, I do not think the measure now before us goes far enough. As the distinguished chairman of the House Committee on Agriculture knows, I have introduced a bill calling for 100 percent parity. The chairman will recall that he has promised me he will hold hearings on my measure as soon as feasible. As I understand the present bill, it will continue for a 2-year period—90 percent of parity on certain selected agricultural products whereas if the gentleman from New York objects, it means there is a good possibility we will go back to the sliding scale which will reduce parity payments on these products below the present 90 percent.

Mr. COOLEY. That bill, of course, will be considered at the proper time, but it will not be affected in any way by this bill because this is a continuation of the 90-percent program which is in effect.

Mr. MANSFIELD. I hope the gentleman from New York will withdraw his objection.

Mr. JAVITS. Mr. Speaker, may I ask a question of the chairman of the committee? Is it not a fact that if this bill is not passed, then the law will be in effect as to a sliding parity from 75 to 90 percent, and if this bill is passed, for the next 2 years, it is fixed at 90 percent? Is that not a fact?

Mr. COOLEY. The situation is that unless we pass this bill, the Secretary of Agriculture could put into operation the sliding scale. I can say to the gentleman from New York that frankly I have no fear that the Secretary of Agriculture would use the sliding scale at this particular time, when the Nation is making such unprecedented demands on the farmers of this Nation to step up production.

Mr. JAVITS. This does change the law in that regard?

Mr. COOLEY. It only extends the 90-percent program two additional years.

Mr. JAVITS. I understand. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

EXTENDING VOTING RIGHTS TO MEMBERS OF THE ARMED FORCES—COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 513)

The SPEAKER laid before the House the following communication from the President of the United States, which was read and referred to the Committee on House Administration and ordered to be printed:

THE WHITE HOUSE,
WASHINGTON, *June 19, 1952.*

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I urge that the Congress give early and favorable attention to the measures now pending before it to enable the men and women in our armed services to exercise their right to vote. Close to a million members of our armed services may be unable to cast their votes this year unless the Congress acts on these matters before adjournment.

On March 28, in a message to the Congress, I recommended that certain steps be taken to facilitate the exercise of the franchise by our service men and service women, and by certain Federal personnel serving overseas. These recommendations were based on a careful study made by an expert committee of the American Political Science Association. A bill to effect improvements in existing law, in accordance with these recommendations, was introduced as H. R. 7571 by Representative MCCORMACK in the House and as S. 3061 by Senator GREEN in the Senate.

The study made by the committee of the American Political Science Association pointed out the obstacles to soldier voting that are are presented by the laws of many of our States. The committee recommended prompt remedial action by these States, and special Federal action, for this year only, to aid service men and women from States that fail to take action to improve their laws before November.

In a letter to me on April 30, 1952, which I transmitted to the House Committee on Administration, the Secretary of Defense described the efforts he was making to encourage the States with inadequate legislation to improve their laws, but concluded that since the majority of the States in this category would not convene their legislatures in 1952, the prospects for further State action this year were not bright.

There is another important reason why Congress should take early action. The basic legislative affirmation in our Federal laws of the right of service people to vote is contained in two provisions of the servicemen's voting law of 1946,

which are effective only in time of war. Since the Japanese Peace Treaty came into effect on April 28, 1952, thereby terminating the state of war, these provisions, together with other war and emergency powers, have been temporarily extended from time to time by the Congress, on the last occasion to June 30. However, the pending measure for the permanent continuation of some of these war and emergency powers—House Joint Resolution 477—does not include these provisions affirming the right of members of our armed services to vote. Therefore, unless action is taken on H. R. 7571 and S. 3061, the very declaration of the right of our soldiers to vote will disappear from the Federal statutes. When we have soldiers overseas defending the cause of freedom it is unthinkable that we should go backward instead of forward in enabling them to exercise the rights which all citizens possess.

In addition to enunciating the basic rights of our service people to vote, H. R. 7571 makes a series of recommendations for State action; prescribes certain steps for Federal agencies to follow, particularly with respect to postcard applications for State ballots; provides for a temporary Federal ballot for use in those States which do not give service people an adequate opportunity to vote; and contains a number of important miscellaneous provisions, such as those making voting matter postage free, and protecting against fraud and undue influence in voting in the Armed Forces.

All these provisions are important if we want our service people to exercise the rights they are defending for us. I hope the Congress will take prompt action to pass this vital legislation.

Sincerely yours,

HARRY S. TRUMAN.

EXPLANATION OF VOTE ON SOCIAL SECURITY

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, I take this opportunity to clear up, for the benefit of my colleagues and anyone else interested, any questions as to why I did not vote for the bill H. R. 7800. In the first place, Members of the House must realize that by the time my name was called on the record vote, the bill had carried with an overwhelming majority; therefore my vote, which was merely a protest, could not keep the beneficiaries of the social-security system from reaping the meager benefits which the bill provided.

I have no desire to criticize the members of the Ways and Means Committee, who undoubtedly did their best under the circumstances. However, from my own constituents who are directly affected I have received many complaints, and in responding to them I have promised the quickest possible remedial action.

I was very much disappointed that in programing H. R. 7800 there was only 40 minutes allowed for debate and no opportunity was given for amendments. I wanted to make clear the feelings of my people in regard to some of the features of the law. The increase provided is very meager indeed. It might provide a bare existence if the beneficiary could hold some kind of a job in order to draw the amount necessary to keep body and soul together. In some cases the $70 limit provided by the bill might do it. In many others it cannot. Since the beneficiaries have contributed to their own social-security fund, I see no reason why they should not be permitted to employ themselves gainfully either without any limit or at least to the extent of $100. I believe the House should consider under certain circumstances lowering the retirement age to 60 for men and 55 for women, with suitable adjustments in benefits.

I have many complaints from women as to the inequities and the differences in payments to a widow and to a widower.

I have found in my district, which is largely agricultural, that there is a great deal of confusion as to just who is and who is not covered. It would be much the best for the farm workers if language in connection with the agriculture coverage could be clarified and any doubt eliminated as to whether there would be benefits eventually returned to the employee.

The objection of housewives to collection of taxes covering domestics may, to some, seem a trivial matter. However, I believe that it is by no means trivial, and the constant nagging of this thorn in the flesh could be eliminated to the advantage of the entire social-security program.

I voted with regret not to suspend the rules to pass the bill as it now stands. If it could be liberalized, or if we could at least air our opinions and state the cases for our constituents, I would feel very differently about it. Under the present circumstances, I cannot give them their day in court.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts asked and was given permission to address the House today for 5 minutes, following the legislative business of the day and any other special orders heretofore entered.

ST. LAWRENCE RIVER POWER

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to include at this point in the RECORD a short letter to the President.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

(The letter is as follows:)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 19, 1952.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: I was greatly disappointed, as I know you were, with the vote in the Senate recommitting the St. Lawrence seaway bill. This means that this great project is dead for this year.

As you know, in 1948 New York State applied to the Federal Power Commission for a license to develop the power jointly with the Province of Ontario.

Now, it seems to me that the logical thing to do is to allow New York State and the Province of Ontario to jointly develop this power. This would not cost the Federal taxpayer a penny. It would give New York State and New England much needed power which is now going to waste. As I understand the situation, it needs the approval of the Federal Power Commission and the International Joint Commission. It would not need action by the Congress. The Province of Ontario and the State of New York can then construct the dam jointly and develop the power. New York State is ready to go ahead and the Province of Ontario has already given its approval.

I respectfully urge, sir, that you use your Executive power and influence with these two commissions to have this project approved immediately so that New York State and the Province of Ontario can proceed. I might add that New York State will charge enough for the power so that the project will be self-liquidating.

Respectfully yours,

CLARENCE E. KILBURN,
Member of Congress.

GENERAL EISENHOWER'S HAND IN OUR AIR POWER REDUCTION

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, in 1946 the air power of the United States covered the globe and supported our world policy. But from this time until the Korean war began in 1950 our military air strength was steadily and tragically reduced. On its own responsibility and against the best advice of military men the Democrat administration under the banner of economy imposed one cut after another on our air forces.

Of course, everybody was for economy. If the air strength of the United States could be cut safely—and the President said it could—most people favored the cuts.

Acting for the President, Secretary of Defense Johnson claimed that he was merely cutting "fat" off the military and that the muscle was left unharmed. Military units were disbanded, orders were canceled, and badly needed military equipment was denied the men who should have been training to use it. Many flying officers were grounded, many Reserve officers were sent home from active duty, and skilled technicians of many years of service were fired from the military installations where their services were so badly needed.

All of these things were done under the pretense that only luxuries were being eliminated.

But the luxuries continued. The bureaucrats, the five percenters, the activities to curry favor of local communities flourished without interruption.

Meanwhile the happy economizers chopped away at the bone and sinew of our military strength in order to have more money to spare in the budget for New Deal schemes and other socialistic projects designed to keep the administration in power.

Today, when our best jet fighters are outnumbered 5 to 1 in Korea, it seems incredible that men who carried so heavy a responsibility would be so positive in their assurances that adequate air power was being provided. In order to make sure that their actions would not be criticized, the strictest gag rule was placed upon military men of all branches. It was made quite clear to the top military men that their appointment to higher position would be far more likely if they backed the administration's views on false economy. Military expenditures gave way to spending for socialistic schemes. It was the tempo of the time.

MILITARY LEADERS SERVED AS STALKING HORSES

Military leaders, who had long served as a stalking horse for the State Department whenever it wished to announce some new scheme for foreign aid, now became an advocate of budget slicing. General Bradley helped to influence the Congress against voting more funds for air power than the administration would approve. He stated that a defense budget of more than $14,000,000,000 would bankrupt the country and reassured everyone that the Communists were not likely to cause us any immediate trouble. He did this despite the fact that a few months previously he had signed a document informing the Secretary of Defense that if the budget were cut below $18,000,000,000 the United States would be in no military position to carry out its world-wide commitments.

While false assurances were fairly convincing to the general public, they did not fool Members of Congress who were wise in the ways of New Deal-ish politicians. Against these false assurances and false economies recommended in the defense budget by the administration, the Eightieth Congress authorized an Air Force of 70 groups and provided funds for these groups only to hear the President and his military advisers say a 48-group Air Force was enough and then refused to use the money Congress had provided for that purpose. The Eightieth Congress authorized an expanded Naval air program, including a super aircraft carrier upon which work had begun and then ordered stopped at a dead loss of twenty million. Also, the Eightieth Congress fixed the size of our Armed Forces at 2,040,000 men and provided ample funds to support those forces. The Eightieth Congress was far ahead of the President and his advisers in preparing for the national defense.

GENERAL EISENHOWER CALLED IN TO BACK DEFENSE CUTS

In an effort to allay the fears and suspicions of Members of Congress that great risks were being taken in cutting our military strength, and particularly the air power, it was necessary to use the prestige of top military men to back up these cuts. General Eisenhower was called in from his post at Columbia University to help effect an agreement among the services on a heavily cut budget in 1949.

In his typical role as a "welder," Eisenhower simply tried to keep everybody happy regardless of consequences. In order to get agreement on the budget he presided over the Joint Chiefs of Staff while the allocations were split almost equally among the three services. For this he gave the prestige of his name and record to the emasculated budget which he and all conscientious military men knew could not provide adequate defense.

On June 17, 1949, he passed the word to the Joint Chiefs of Staff that the military budget would be limited to $14,000,000,000 to be divided among the three services. The strength of the Air Force, he told them, was set at 57 groups, and the Navy carrier strength was reduced from 8 to 6. The services replied within a few days that these forces could not be provided under the monetary ceiling he had given.

Consequently, on June 21, Eisenhower sent a memorandum to the Chairman of the Budget Advisory Committee directing the Committee to restudy the figures and reduce the strength of the military services to bring them within the budget ceiling he had previously given. General Eisenhower's memorandum contained the following sentence:

> You may attempt jointly to agree upon a revised recommendation for reduced sums for aircraft procurement.

The same memorandum stated that the annual flying hours should be reduced by each service just as low as it could be reduced without causing an increased number of accidents, and also that pilot training should be cut down.

The first proposal was called Eisenhower plan No. 1.

The second proposal for cutting the Air Force and the Naval Air arm was officially referred to as Eisenhower plan No. 2. It cut the Air Force from the 57 groups to 50 groups, and cut the Navy from 6 carriers to 4.

These terrific cuts in the Nation's air strength, just a year before the Korean war began, were sold to the Congress as the Eisenhower budget. They were accepted, to a large extent, because they carried the then magic Eisenhower name with them. General Eisenhower had lent his name and his professional reputation to the project of slashing the Nation's air strength at a time when Communist air strength was being increased by leaps and bounds. But this was not all the damage done by Eisenhower, who stoutly protests he is a friend of air power.

One year later the administration again needed Eisenhower's help to put over its gamble with the the security of the Nation.

GENERAL EISENHOWER SAID 48 GROUP SAFE MINIMUM

In March of 1950—on March 29 to be exact—General Eisenhower was called before a congressional committee and questioned about the adequacy of the 48-group Air Force under a budget which had already been reduced to $13,600,000,000 for all military activities. He told the committee: "In the world situation, 48 well-equipped regular groups, and some dozen in the National Guard, would probably be a safe minimum."

The world situation at that time was that which immediately preceded the Korean war. After 5 months of combat in this war, General MacArthur did not have sufficient planes at his disposal to risk bombing Manchuria, according to the testimony of General Vandenberg, the Chief of Staff of the Air Force.

Yet this was the same Air Force that General Eisenhower had declared adequate.

Thus, the administration was able to employ General Eisenhower to cover up its fatal gambling with our security. The public, and to a large extent even the Congress, had been fooled. How could a man who undoubtedly knew what the Communists were building against us say that so small a force was adequate, even for a very small war, much less for a big war that might even yet lead to the devastation of our country?

The answer is easy. The general is famed among his military associates as a great diplomat—as a man who is able to please everybody at once—regardless of the issues. He is known as the great welder. General Eisenhower as Chief of Staff solved the budget problem not by any great strategy or even by any great influence but simply by splitting the budget equally among the three services and thereby getting an agreement. As a result, largely on Eisenhower's advice, the United States now finds, its Armed Forces in pitiful shape to fight the Korean war. The statements I have made are not mere hearsay or conjecture. They are well documented and are part of the graphic history of this country in those months prior to the Korean war when a few of our top military men—notably General Eisenhower—were willing to sell themselves to the administration in order to give popular and pleasant assurances to the American people that their defenses were ready for any attack.

THE GENERAL'S ROLE IN DEFENSE DRAMA

The blast of public indignation that followed the exposure of our military weakness in the Korean war blew the Secretary of Defense out of office and will remove the administration responsible in the elections in November. The essential part played by General Eisenhower in this tragic drama has largely been overlooked. He was rewarded for his backing of the untimely cuts that wrecked our defense and our air strength by the job in Europe that kept him in the public eye.

But when we listen today to his assurances about future $40,000,000,000 cuts in the budget and his great optimism concerning how he can bring peace to the world and settle all our problems so cheaply, let us remember that just 3 years ago his great strategy was simply to split the budget three ways and that just 2 years ago he was assuring the Congress and the public that 48

air groups were sufficient for the present world situation.

Two years later we have 91 air groups but still we do not have enough to dare to cross the Yalu River even though Americans are being killed almost every day by planes coming from the other side of that river. General Eisenhower has never been a politician and certainly he has never been a statesman. His prestige is based largely upon his success as a military man in World War II. But it is world war III which may have already begun that concerns us now and before we select the great general to keep us out of war, this time, let us reexamine the record of his advice and his influence in the weakening of our strength which led to the Korean war and which after 2 years of struggle leaves us still unable to win that war.

Possibly more than those of any other one man, Eisenhower's views are reflected in our present Defense Establishment.

SPECIAL ORDER GRANTED

Mr. O'KONSKI asked and was given permission to address the House today for 1 hour, following the legislative business of the day and any other special orders heretofore entered.

CALL OF THE HOUSE

Mr. H. CARL ANDERSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Aandahl	Evins	Powell
Abernethy	Fenton	Prouty
Albert	Frazier	Reed, Ill.
Allen, La.	Gore	Richards
Anfuso	Hébert	Sabath
Bates, Ky.	Heffernan	Sassaer
Beall	Herter	Scott,
Beckworth	Hope	Hugh D., Jr.
Bender	Kilday	Shafer
Buckley	McVey	Stanley
Burdick	Mack, Ill.	Steed
Butler	Morris	Stigler
Carlyle	Murdock	Sutton
Carnahan	Murphy	Tackett
Celler	Norblad	Thomas
Chatham	Patman	Welch
Clemente	Patten	Wickersham
Cole, N. Y.	Phillips	Wigglesworth
Dawson	Pickett	Wilson, Ind.
Dingell	Poulson	

The SPEAKER. On this roll call, 367 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 8210, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read the first section of the bill. If there are no amendments to this section, the Clerk will read.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have requested this time so that I might ask the chairman of the Banking and Currency Committee a question. On page 28 of the committee report on House bill H. R. 8210, there is a paragraph under the caption "Certain technical violations," which reads as follows:

> Your committee has received several complaints concerning the general ceiling price regulation affecting lumber distributors in southern areas with respect to which your committee believes relief must be afforded. The general ceiling price regulation was issued in January 1951 shortly after the general price freeze. The provisions of the regulation as it affected such distributors was ambiguous in many respects, and attempts were immediately made to bring this to the attention of the agency. However, a period of a year elapsed before a new regulation was issued correcting and clarifying the matters complained of. During this period it is the understanding of your committee there were some technical violations of the general ceiling price regulation of a nonwillful character. Such technical violations would not be violations of the order now in effect and but for the long period of time it took to issue the current order would probably never have occurred. It is not the intention of your committee to condone willful violations of any price regulation or order in this instance or any other. But in view of the circumstances of these cases it is the opinion of your committee that there should be no prosecution of technical violations, which were nonwillful, and which would not constitute any violation of the order currently in effect.

This paragraph points out that the provision of the regulation as it affected such distributors—and the paragraph mentions lumber distributors—was ambiguous in many respects, and that attempts were immediately made to bring this to the attention of the agency. It further points out that a period of a year elapsed before a new regulation was issued correcting and clarifying the matters complained of, and that during that period the committee understands that there was some technical violations of the general ceiling price regulation, which were not violations of a willful character. Such technical violations would not now be violations of the order subsequently issued, and the committee points out that except for the long period of time it took to issue the current order, such technical violations probably never would have occurred. The committee recommends under the circumstances that there should be no prosecution of such technical violations, which were nonwillful, and which would not constitute any violation of the order currently in effect.

While this paragraph does not mention the wood treating and preserving industry, it seems to me that the wood treating and preserving industry should be included in this paragraph of the committee report, along with lumber distributors. The wood treating and preserving industry is in the same situation in practically every respect with reference to this question as the lumber distributors or wood forest products distributors. The lumber distributors buy wood forest products, that is, timber, and the wood treating and preserving industry buys timber, which they convert to finished products such as poles, cross ties, cross arms, and so forth. That industry buys all of its raw materials. It does not produce any of it. With reference to the prices they were charging during their base period, the wood treating and preserving industry accumulated that inventory anywhere from 5 months to a year prior to that time, from the raw materials. It therefore does not reflect at all the cost of raw materials now being used. That industry is in the same position substantially as the wood forest products distributors or wholesalers, in that they had to replace inventory during the base period for deliveries a few months thereafter at much higher prices.

The agency has not as yet, I understand, promulgated the regulation yet for the wood treating and preserving industry. They have been working on it, trying to get it pushed through. It has been prepared, but not yet promulgated. In view of the similarity in the situation of these two industries, the lumber distributors and wood treating and preserving industry, I would like to ask the chairman if he does not think that this industry, namely wood preservers selling pressure and nonpressure treated forest products, should also be included in this paragraph along with lumber distributors?

Mr. SPENCE. I believe the wood treating and preserving industry is within the spirit of that direction and that they will not be subject to the penalties imposed. If, because of the obscurity or indefiniteness of the act, they were not able to know their rights and they were violated without any intention, I think they are exempt. I think they come within the spirit of that law, and would be exempt.

Mr. DAVIS of Georgia. I thank the gentleman. I simply wanted to ask that question for the purpose of getting it into the RECORD.

I thank you.

The CHAIRMAN. The time of the gentleman of Georgia has expired.

The Clerk read as follows:

TITLE I—AMENDMENTS TO DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

SEC. 101. Section 101 of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new sentence: "Nor shall any restriction or other limitation be established or maintained upon the species, type, or grade of livestock killed by any slaughterer, nor upon the types of slaughtering operations, including religious rituals, employed

by any slaughterer; nor shall any requirements or regulations be established or maintained relating to the allocation or distribution of meat or meat products unless, and for the period for which, the Secretary of Agriculture shall have determined and certified to the President that the over-all supply of meat and meat products is inadequate to meet the civilian or military needs therefor: *Provided*, That nothing in this act shall be construed to prohibit the President from requiring the grading and grade marking of meat and meat products."

Mr. SADLAK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SADLAK: Section 101 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: "When all requirements for the national defense, for the stockpiling of critical and strategic materials and for military assistance to any foreign nation authorized by any act of Congress have been met through allocations and priorities it shall be the policy of the United States to encourage the maximum supply of raw materials for the civilian economy, including small business, thus increasing employment opportunities and minimizing inflationary pressures. No authority granted under this act may be used to limit the domestic consumption of any material in order to restrict total United States consumption to an amount fixed by the International Materials Conference."

Mr. SADLAK. Mr. Chairman, the Sadlak amendment revised from its original presentation incorporated in H. R. 7517 and just read by the Clerk is presented for consideration at this time in order to resolve a parliamentary situation which has arisen due to the conflict in the so-called Ferguson-Fulbright amendments presently integral parts of the Senate Defense Production Act passed last Thursday.

The purport of the Ferguson amendment introduced as S. 2873 was completely misunderstood even though debated within the limits of the procedure of the other body and passed by a vote of 43 to 40. And because, apparently, it was not made clear that the provisions in no way affect the CMP, or Controlled Materials Plan, the inevitable conclusion was that the Senate believed that the CMP was placed in jeopardy. Consequently to avert what appeared to be a threat to the CMP, Senator FULBRIGHT presented his amendment calling for the appointment of a representative to the International Materials Conference appointed by the President with the consent of the Senate; and in the second part of his amendment, which I will read from the RECORD of June 11, at page 7033—the second part of the Fulbright amendment read as follows, and I point that out because it had been put in here specifically to protect the Controlled Materials Plan which I say again was not in any way affected by the Ferguson amendment. The Fulbright amendment to which I alluded continues as follows:

(b) Subject to the provisions of subsection (a) of this section, nothing contained in this act shall impair the authority of the President under this act to exercise allocation and priorities control over materials both domestically produced and imported, and facilities to the Controlled Materials Plan or other methods of allocation.

After the usual debate this proposal was adopted by a vote of 46 to 31.

Mr. Chairman, Senator FERGUSON wished to bring to the attention of the Senate the effects of the IMC, or the International Materials Conference, indicates its origin, its illegal existence and operation, showing that it had no United States constitutional or statutory authority, its entitlements for consumption, which become the limits of our allocations, and put a stop to this super cartel. During general debate on yesterday I tried to explain the same organization and acquaint the members with its activities; I also referred to the parliamentary situation that has arisen in the Senate version of the new DPA. The Senate, I menticned, had passed the Ferguson amendment on June 4; and the debate, as far as I am concerned, clearly shows that its purpose was to prevent the use of the Defense Production Act to implement the decisions of the International Materials Conference.

In the debate on June 11 in the other body many arguments were advanced that the Ferguson amendment could be construed in such manner as to limit the authority of the Defense Production Administration to operate the Controlled Materials Plan. This was debated by the Senate on June 4, and I am sure Senator FERGUSON believed that it could not have this effect.

The Ferguson-Fulbright amendments have grown to very controversial stature and I have, therefore, during long hours of the past few days endeavored to produce an amendment that would not only reconcile and resolve the difficulty but could be accepted in lieu thereof. My amendment is recommended and I shall gratefully appreciate your attention to my remarks.

Mr. Chairman, referring to the dilemma in which the Senate found itself with respect to these amendments, I want to read what Senator FULBRIGHT said about his amendment, and this is taken from pages 7023–7024 of the CONGRESSIONAL RECORD:

Our attention was focused upon the International Materials Conference, and it was thought that the principal effect of the amendment offered by the Senator from Michigan would be in regard to the International Materials Conference. I did not realize in the course of that debate that it would have the effect of destroying the controlled materials plan. I do not believe the Senate and the Congress really desire to destroy the controlled materials plan. I leave only this thought, that if the Senate should adopt my amendment, it would not automatically nullify the Ferguson amendment. The only effect would be that there would be in the bill two inconsistent amendments which would have to be reconciled, and an acceptable result obtained.

The CHAIRMAN. The time of the gentleman from Connecticut has expired

(By unanimous consent Mr. SADLAK was allowed to proceed for five additional minutes.)

Mr. SADLAK. Mr. Chairman, reading further from the statement by Senator FULBRIGHT:

That will have to be done. It could be done by the House, or, more likely, in conference.

Reading further from the statement of the distinguished Senator from Arkansas:

If, after such a process of deliberation I should be proved to be wrong, and the matter could not otherwise be straightened out, my amendment could be eliminated, because it would be in conflict with the amendment of the Senator from Michigan. But I think we at least owe that much difference to the leading and responsible members of this administration, who are trying to administer the defense production program. So I submit that even for those who think that I may not be entirely correct, they still are justified in voting for my amendment, in order that the question involved may be given further study.

What I have just read, Mr. Chairman, clearly indicates that the Senate did not nullify the Ferguson amendment on June 11. It wanted to protect the controlled materials plan.

As I said on yesterday, my amendment in no ways affects the CMP. The controlled materials plan is not affected, and I specifically say so in this amendment. As concerns small business, the Sadlak amendment in no way affects the operations of the CMP or distribution within the United States of any material as between big business and little business. All of the powers of allocation within the act at present are left unchanged.

My amendment merely states that these powers cannot be used for the sole purpose of restricting the total United States consumption of any material to a figure fixed by the IMC. You cannot help little business by keeping the materials out of the country.

As concerns oil, the Sadlak amendment in no way interferes with CMP. It also in no way interferes with the domestic allocation of imported fuel oil by the PAD within the United States. I in no way intend to interfere with PAD. Our problem is to bring the oil into the country, oil which otherwise would be lost. Disposition, or dividing the product, rests solely with DPA. The purpose of this amendment is to bring the oil into the country.

Will the elimination of the International Materials Conference ruin our mobilization effort? The answer is "No," and this answer I give you from page 7022 of the RECORD of June 11, at which point Senator FULBRIGHT read a letter written by the former Administrator of Defense Production, Mr. Fleischmann.

This is what Senator FULBRIGHT quoted from the letter of Mr. Fleischmann written on June 10:

I reiterate what I said as to the International Materials Conference—that its elimination, insofar as this country is concerned, although in my opinion most unfortunate, would not result in a collapse of our mobilization effort. At the same time I concur fully with Mr. Fowler's statement that the effect of this amendment would be to make the operation of the Controlled Materials Plan impossible, and that, I believe, would have disastrous effects on our mobilization program.

I think I have already touched on the CMP matter therein referred to.

One other thing, Mr. Chairman. The IMC has seriously affected our stockpile.

On yesterday I read from the release of June 17 by Mr. Fowler, of the Defense Production Administration. On page 4 of that release it reads as follows:

To help maintain even this low level it became necessary in the third quarter of 1951 to suspend the stockpiling.

I am anxious, Mr. Chairman, to have the maximum freedom of enterprise to obtain materials which might not otherwise be available so as to keep the United States economically strong. In my opinion, we can do away with the International Materials Conference because, as I have stated, not once but many times, as has been brought out in statements and in testimony given by Mr. FERGUSON, myself, and many others, it is an organization which has no statutory authority; and if they say that it is vital and necessary to our defense production, then I say they should come in here before the proper committees of the Congress, lay their cards on the table, instead of doing things under the table.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. SADLAK. I yield to the gentleman from New York.

Mr. CELLER. Did I hear the gentleman correctly when he said that there is not use for the IMC? Did the gentleman say that?

Mr. SADLAK. I say to the gentleman, as I have said repeatedly, that the International Materials Conference has no statutory authority.

Mr. CELLER. Well, does the gentleman think we need the IMC to control disposition of these strategic materials throughout the world?

Mr. SADLAK. I say emphatically "No," but I will add to that.

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

(By unanimous consent, Mr. SADLAK was allowed to proceed for two additional minutes.)

Mr. SADLAK. I say in addition that if the authorities who are administering our defense production will come before the Congress of the United States, which I feel sure has the authority, and will lay their cards on the table, whether it be the House Committee on Foreign Affairs or the House Committee on Armed Services, because stockpiling of strategic materials is affected, if they will come before the proper committees with full and open hearings and conferences that this has to be done and there is no alternative and our proper committee or committees of the Congress agree, then I shall be for it.

Mr. CELLER. The gentleman will realize that unless these strategic materials, like lead and cobalt, and so forth, are controlled in some way by international agreement, then the Soviet authorities, by secret agents, will be enabled, if there is no control, to grab up all these strategic materials to our own serious disadvantage and to the disadvantage of our own stockpiling plans. An adequate stockpile of these highly important metals is manifestly essential for our security and defense. Thus, IMC is essential for our security and defense.

Mr. SADLAK. In reply I will say to the gentleman, from my study of the International Materials Conference, that there are only seven committees dealing with materials. There are some 38 strategic materials which we need, and I would leave that to the gentleman from North Carolina [Mr. DURHAM], who is well qualified, to answer that. But there are only seven or eight materials which come within the purview of the International Materials Conference.

Mr. CELLER. But it is essential to do something now and not wait until we can get authority in the way that the gentleman speaks of. There is, however, plenty of authorization for IMC imbedded in basic statute, and the defense authorities have gone ahead and made these arrangements with various countries primarily to enable us to get a stockpile and, secondly, to prevent Russia from getting these materials which we desperately need.

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

Mr. BURTON. Mr. Chairman, I rise in opposition to the amendment.

(On request of Mr. SPENCE, and by unanimous consent, Mr. BURTON was allowed to proceed for five additional minutes.)

Mr. BURTON. Mr. Chairman, I rise in opposition to this amendment as I believe it would confuse and damage, if not destroy, the operation of the controlled materials plan under the Defense Production Act we now have under consideration.

As a member of the House Small Business Committee I have had opportunity to examine the operations of CMP and have seen it bring order out of chaos and secure a fair distribution of scarce materials for civilian needs after caring for defense requirements.

If this amendment should be adopted I do not see how CMP could be administered effectively.

Take copper for instance, in which I believe our good friend from Connecticut is particularly interested. Two-thirds of our requirements come from domestic production—one-third imported. How could an equitable distribution be attained unless we have effective control of the imported one-third? It is my guess small, nonintegrated business would again suffer as they did before the establishment of CMP.

While I entered this debate in defense of equitable distribution of scarce materials to small as well as large firms we find oursleves involved in the deep water of international agreement.

We have subscribed to the North Atlantic Pact and the Mutual Security Act. How can we properly support these projects unless we undertake some plan, such as IMC, for orderly distribution of strategic materials in short supply and basic to the common effort.

If we decline to share with the free nations the materials of which we are the principal producer we cannot expect them to share such vital items as nickel and cobalt used throughout our defense production program and particularly vital for use in jet engines.

The most serious effect of this amendment would be the repudiation of an agreement with our teammates, whereas we must promote cordial cooperation with the free nations.

It would put us in open competition with our associates which would result in inflated world prices with no increase in supply, not to mention the complete disorganization of an orderly supply system, and we must bear in mind that most of these materials are being dealt in dollars.

If we disrupt defense plans of the free nations we imperil our own defense.

As to authority, and that question was raised yesterday, the Defense Production Act, title I, gives the President authority to make priorities and allocations in the interest of national defense.

This is the same authority as given by the Second Powers Act, title I, under which the President entered into agreement with Great Britain and Canada for the operation of the combined boards allocating raw materials, finished products, shipping space, and food supplies in World War II.

If authority be lacking we had better provide the necessary authority, as apparently is the thought of the other body when it passed the Fulbright amendment June 11.

As a practical matter we should not go into unorganized competition with the free nations for these materials needed for defense and we do not want to disrupt world markets in a manner that may enable unfriendly governments to obtain these materials.

Copper is in short supply. We have not been getting our full allotment through no fault of IMC but because OPS ceiling has been below world market. I suspect this is probably the most important reason for this amendment being presented. This has been belatedly corrected and I believe we will get our full quota without endangering friendly relations and upsetting international markets as I believe this amendment would do.

Mr. Chairman, I trust that this amendment will be defeated in our own self-interest as well as that of the free nations of the world, as we have a common interest.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield.

Mr. CELLER. Am I correct in stating that if this amendment prevails, it will militate against our acquisition of appropriate strategic materials for the purposes of stockpiling, and, secondly, would it not enable Russia through its secret agents who roam throughout the world, if there are no controls through this central authority, to get as much of these strategic materials as she wishes; and she can reach out her long arm with vast sums of money and bid against everybody else and successfully corral most of this material?

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I have yielded to the gentleman from New York, and I will yield to the gentleman from Indiana next.

Mr. HALLECK. Has the gentleman from New York concluded?

Mr. CELLER. I have concluded.

Mr. HALLECK. Will the gentleman yield?

Mr. CELLER. I would like to get an answer to my question.

Mr. HALLECK. May I interpose my answer to that statement? In the first place, my opinion is that if this amendment passes, this bill will get more of the materials that we need and should have. Secondly, in respect of whether or not it will make it permissible or possible for Russia to reach out and get these materials, let me say only in reference to that that the nations involved in this arrangement are supposed to be free, democratic, friendly nations. Certainly there is some responsibility upon them to see to it that Russia and our enemies do not get the materials that we should have; and certainly if they want to do this by way of this arrangement, it is not going to make any difference. Now, will the gentleman answer my question.

Mr. BURTON. I will say to both gentlemen that it is a matter of opinion as to just what will result, but in my opinion it will disrupt the orderly and planned arrangement under which we get a liberal share of these much-needed materials, for which in turn we agree to supply these necessary materials to those who are cooperating with us. To what extent that will open these materials to the Russians or allied countries, I would not know. But if you disrupt a plan to which you have agreed, I should say that would certainly not make a favorable impression upon our friends and would tend to open markets to the iron-curtain countries.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I will gladly do so.

Mr. HALLECK. The gentleman speaks of agreeing to a plan and he used the word "you." Maybe he meant that for all of us, but so far as I am concerned, I never agreed to this plan and I do not think the Congress of the United States ever agreed to it. As a matter of fact, the committees of the Congress held hearings on the whole matter and consistently refused to report any legislation sanctioning it. I think the record discloses instead of approving it, the Congress constantly disapproved it.

Mr. BURTON. Pardon me if I misinterpreted the gentleman's position.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield.

Mr. NICHOLSON. Did we not have plenty of evidence before the committee that some of these foreign countries were sending in these articles composed of copper and brass and other things much to the harm of our local, small business, particularly let me say in the State of Connecticut?

Mr. BURTON. I am afraid I did not quite get the gentleman's question.

Mr. NICHOLSON. I asked if there were not plenty of people who appeared before our committee who testified that they were getting brass and copper in foreign countries and sending them here, competing against us; and that they were able to get these materials which are in short supply.

Mr. BURTON. I would say in answer that as regarding copper, it is not a matter of competition because our domestic supply amounts to only approximately two-thirds of our needs and we must import the additional one-third. We have not been getting our full allotment under the IMC agreements. This is not due to IMC restriction but to the fact that we have had a domestic ceiling price which has made importation unprofitable. We do not have the domestic production, and we must import copper. We have not been importing copper because it has been unprofitable to the importers.

I am not defending this situation. I think it is most unfortunate. It is being corrected, and I think being corrected in the proper manner. I do not believe this amendment is the proper solution.

Mr. SADLAK. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield to the gentleman from Connecticut.

Mr. SADLAK. I have two brief questions. Does the gentleman say that the International Metals Conference has been legally established?

Mr. BURTON. I say it is established under the same authority that prevailed in World War II when, under the Second War Powers Act, title I, the President entered into agreements with Great Britain and Canada for the operation of the Combined Boards, which allocated raw materials, finished products, shipping space, and food supplies.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield to the gentleman from New York.

Mr. MULTER. In further answer as to the legislative authority for IMC, I think the gentleman has already covered it, but to emphasize the point, in the declaration of policy it says in so many words, and this is broader language than was used in the second War Powers Act in World War II. There has been no attempt to change this.

It is the intention of the Congress that the President shall use the powers conferred by this act to promote the national defense, to meet properly the requirements of the military program in support of our national security and the foreign policy objectives.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(On request of Mr. SADLAK, and by unanimous consent, Mr. BURTON was allowed to proceed for five additional minutes.)

Mr. BURTON. I will answer further to that question that satisfies me as to the authority. But if it does not already exist we should provide the necessary authority for an orderly agreement among friendly and free nations, that we may have equitable distribution.

Mr. SADLAK. I am in entire accord with the remarks the gentleman has made, that we should have orderly procedure. Therefore, I say they should come before the Congress and show us that they have to have IMC.

Let me ask one further question: Does the gentleman agree that the Defense Production Act, with which we are now working, is the vehicle by which IMC is being implemented?

Mr. BURTON. The legal question you have asked I am going to refer to the chairman.

Mr. SADLAK. The gentleman said he was so interested in this he ought to know whether the answer should be yes or no.

Mr. BURTON. My approach to this was through CMP. As chairman of committee No. 3 of the Small Business Committee, I had an opportunity to examine the operations of CMP and find that they have brought order out of chaos, and that enables your small businesses throughout the Connecticut Valley to work when they were unable to work before the operation of CMP. I believe your amendment would destroy that operation.

Mr. SADLAK. I in no way disagree with CMP.

Mr. BURTON. In your original amendment as placed before the Committee on Banking and Currency, this would have seriously embarrassed New England in the importation of these materials.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield to the gentleman from Kentucky.

Mr. SPENCE. The Fulbright amendment in the Senate provided for the appointment of members to the IMC, and provided that appointment should be confirmed by the Senate. Will the gentleman from Connecticut [Mr. SADLAK] be in favor of that bill?

Mr. SADLAK. Indeed not. I stand on my amendment. That is bringing in IMC.

Mr. SPENCE. Then the gentleman is not interested in legalizing it, and that seems to be the argument.

Mr. SADLAK. Not in this manner, I will say to the affable gentleman.

Mr. BURTON. Does that answer the gentleman's question? I will say this in further answer, that had the committee passed the orginal amendment as submitted by you to the Banking and Currency Committee it would have greatly embarrassed New England in the importation of oil and gasoline, it would have disrupted distribution to small business, it would have served largely to nullify anything that might be done for butter and cheese under the Andresen amendment.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(On request of Mr. MCCORMACK, and by unanimous consent, Mr. BURTON was allowed to proceed for three additional minutes.)

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield.

Mr. HALLECK. Of course, the gentleman knows of my high regard for him; he and I served on the Small Business Committee together. The gentleman recognizes, of course, that the gentleman's amendment as here presented is not what he talked about before the

committee; it is not the Ferguson amendment.

The reason it has been changed is to make it completely positive so that the operations of the controlled-materials plan, which is a part of our domestic policy, be not interfered with. His present amendment was drafted to avoid that very criticism, and I think it completely avoids it and is the sole question that now remains having regard to our international situation, of course, the inherent part which is supposed to be contained in that just might be subject to question as to its implementation, but the primary purpose is to bring more materials to this country that we need in order that the small businesses primarily in which the gentleman and I are interested may have more of the materials they need. The controlled-materials plan would still operate to see to it here on the domestic front that once we get the materials they are allocated in such manner as to protect the interests of small business.

Mr. BURTON. While I generally see things with my friend, I may say that, although I am fully aware of the change in this amendment—which, by the way, was only presented to us this morning—I do not see it as the gentleman does. I believe it will disrupt the operation of CMP, which I think is exceedingly important; and if it is important that we have orderly distribution of these important defense materials domestically, is it not the more important that we have an orderly plan for their distribution among the free nations?

While I entered this from the CMP angle, yet we have the IMC involved, and although I am no authority on international matters, I am convinced that we will make a very serious mistake if we adopt this amendment.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I am going to quote from Defense Production Administrator Manly Fleischmann, whom I believe to be one of the most outstanding men in America in his line. Here is what he says:

> The fact of the matter is that this amendment dealing with priorities and allocations will not prevent American participation in the International Materials Conference, but it will effectively destroy the operation of the Controlled Materials Plan, without which the successful conduct of the mobilization effort in the current supply situation becomes impossible.
>
> In addition, the second sentence of the amendment will effectively tie the Nation's hands in the international competition for strategic materials without which no nation can survive in the modern armaments race.

I am quoting from a man who is an expert.

This is a bad amendment. I ask you to vote against this amendment.

Mr. BURTON. I also have a report from a rather distinguished citizen, General Eisenhower, which I think supports my viewpoint.

Mr. FORAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FORAND. Mr. Chairman, the Sadlak amendment, under pretext of striking at the International Materials Conference, would kill the controls under which the mobilization program is operating and would strike a crippling blow at American industry, particularly small business. As a Rhode Island Representative in Congress, I am conscious of the staggering effect the amendment would have in my State. Inasmuch as only two-thirds of our copper supply is produced domestically the amendment would free the one-third which we import from allocation controls. Thus the small firms in the jewelry industry which is centered in my State would have their supply of copper cut off while such an industrial colossus as General Motors would be able to corner the foreign copper supply. Rhode Island is already suffering from unemployment to the point where it has been declared a distress area. Let us not legislate to make this situation worse.

Likewise the hundreds of other small fabricators in New England would face disaster in this time of scarcity, while selfish giants bought up the foreign supply.

Great emphasis has been laid on the copper situation. Let us be mindful that it probably applies likewise to petroleum products. Aviation gas production controls might have to be abandoned. Residential and industrial users of residual fuel, now receiving substantial quantities of residual fuel oil from the Venezuela area might well go without supplies.

I am mindful that in times of scarcities and inconveniences it is popular to strike at anything which has the word "international" in its title. This amendment, capitalizing on this device, would in one stroke make it impossible for us to get the cadmium, columbium, nickel, tungsten, and cobalt which we must import if we are to make jet engines, and simultaneously would cripple small businesses and all industries except the most gigantic combinations.

Mr. RAINS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I do not have as much information about this particular amendment as my colleague from Virginia, because he served on the committee that studied the matter. However, I am a member of the Committee on Banking and Currency and we heard several witnesses with reference to it.

I have here a letter I want to read which is addressed to the chairman of the Committee on Banking and Currency, Mr. SPENCE. The letter is dated June 19 and is from the Munitions Board, signed by J. D. Small, Chairman. It reads as follows:

> MUNITIONS BOARD,
> *Washington, D. C., June 19, 1952.*
>
> Hon. BRENT SPENCE,
> *Chairman, Banking and Currency Committee, House of Representatives.*
>
> DEAR MR. SPENCE: I have been informed that there will be proposed an amendment to section 101 of H. R. 8210, as amended, containing the following sentence: "No authority granted under this Act may be used to limit the domestic consumption of any material in order to restrict total United States consumption to an amount fixed by an international materials conference."
>
> The current military program is consuming large quantities of such materials as nickel and cobalt particularly for the jet engine, ammunition and tank programs. Supplies of these materials are almost exclusively from foreign sources and are allocated by the International Materials Conference. In addition, it is of the utmost importance to increase the strategic stockpile of these materials as rapidly as possible in order to support the tremendous demands which would be faced under full mobilization.
>
> The operations of the International Materials Conference have been effective in assuring the availability of these materials for the military programs. Should the effectiveness of the Conference be destroyed, the reliability of our sources of supply would be seriously jeopardized. The amount of these materials which might disappear into undesirable channels with the breakdown of the presently operating system could very easily result in serious deficits which would have to be absorbed by the Department of Defense current production and stockpiling programs since the civilian economy is presently under maximum restrictions.
>
> Sincerely yours,
>
> J. D. SMALL,
> *Chairman.*

Mr. Chairman, I do not profess to be an expert on this but it seems to me that to completely strike out and remove the International Materials Conference would result in two things. I believe I know the reason for this amendment. It would take away from small-business men the copper they need and give it to big business. That is the object in plain English. Small business throughout the country, would have to compete with the buying power of the great corporations. This amendment has in it the great danger of crippling the military program.

Mr. Chairman, it would seem to me to be very unwise at this particular time to adopt this amendment in light of all the facts and in view of the statement made by the gentleman from Virginia.

Mr. DURHAM. Mr. Chairman, I move to strike out the requisite number of words.

Mr. MARTIN of Iowa. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina [Mr. DURHAM] be permitted to speak for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

Mr. CRAWFORD. Mr. Chairman, reserving the right to object, here is extension after extension after extension of time and I do not know how the time will ultimately be allocated. I shall not object at this time but unless they shift it a little bit I am going to object to the next request.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DURHAM. Mr. Chairman, I thank the gentleman from Iowa for asking for an extra 10 minutes for me to try to explain this problem we face.

I cannot go fully into the matter in that length of time, but I think we should examine the question closely. The Defense Production Act we set up in 1950 gives allocation and priority, also price control. Under the act, also, of course, we gave authority to Defense Production people to initiate programs to secure more of these materials here in America. To date they have not done a very good job. We have made some effort and taken some steps to up the production of quite a number of programs for securing different types of materials. This part of the act is highly important to the American people.

I doubt whether any Member of the House has read one of their reports fully. If not, you should read it and see what we are getting into. It is set up with 28 countries participating in it throughout the world, and it just does not apply only to strategic and critical materials but could be applied under present procedure to any material. The Congress should not, in my opinion, write out a policy if we are to have one of this kind. I find myself in agreement with the objective but not on the basis on which they are proceeding today.

Congress laid down a policy in this country from a national-defense standpoint. We adopted the Stockpiling Act. We appropriated $5,000,000,000 or more since 1946 for this program. Now what has happened to it? We have unobligated $648,000,000 and we have unexpended in that fund $2,654,000,000, over $3,000,000,000 that we have been unable to put into the stockpile materials which the national security of our Nation depends upon. We get letters every day, and I have got one here in my pocket that I received yesterday from a boy in Korea because of the fact that they do not have mortar shells. We all know why that is. We are the ones that have to manufacture all this material. You cannot do it in Africa; you cannot do it in other countries under this agreement. They do not have the manufacturing capacity. Now we should go out and set this thing up with a sensible plan, not the plan that it is operating under today, with full authority to do anything they desire to do. According to the report, they make no report to anybody, either the Congress or anybody else. I would like to have more time to go into this matter because it is so far-reaching, but let me show you how this thing is set up.

Mr. Chairman, it is probable that few Members of this House have ever heard of the International Materials Conference. There is good reason for this. It is an organization which was not set up by Congress, has no basis in law, and has only rarely come to the attention of Members of this body. We should not, however, allow ourselves to believe, because of the little attention the IMC has received, that its importance is small. Indeed, exactly the opposite is true. It may be that the shortages of critical and strategic materials in the United States arises for the most part out of the operations of this nebulously constituted body. It is time, indeed it is well past the time, that Congress should take cognizance of the existence of the IMC in order that the military effort of this country, together with the maintenance of a reasonable level of civilian production, be no longer impaired by its operations.

They have taken over the Defense Production Act; they have taken over all authority over our stockpile program and said: "We are going to allocate these materials; we are going to set up priorities, we are going to fix prices, we have import and export authority, and we will control it."

This is how the International Materials Conference came into being.

In 1944, the State Department issued its proposals to the United Nations for an International Trade Organization. These proposals contained provisions for intergovernmental commodity agreements. Various drafts of the proposals were made from 1944 through 1947.

In 1947, the Senate Finance Committee held hearings on the proposed International Trade Organization. Senator MILLIKIN, the Chairman, specifically asked whether any such agreements, if consummated, would be submitted to Congress for approval. The present Secretary of State, who was then Acting Secretary, in a letter to the committee said:

> Insofar as such commodity agreements impose any obligations on the United States requiring legislative implementation in any way, it is the intention of the Department that they should be submitted to the Congress.

In 1948, the nations met at Habana and a charter for the International Trade Organization was the result of their deliberation. Chapter 6 of this charter dealt with intergovernmental commodity agreements. The charter was submitted for approval and hearings were held before the Committee on Foreign Affairs, House of Representatives, during the Eighty-first Congress, to approve the charter. The hearings closed on May 12 and the committee never reported any action to the House. In December, the Department announced that no further efforts would be made to secure approval for the ITO. Between May and December Congress passed the Defense Production Act of 1950 which granted allocation and price-control powers. In January of 1951, following Prime Minister Attlee's visit to the United States, the governments of United Kingdom, France and the United States announced that an International Materials Conference would be formed to deal with the allocation of scarce commodities, not just critical materials.

This was the birth of the International Materials Conference. There was never any legislative sanctities for its activities, and none exist today.

The Assistant Secretary of State, Mr. McFall, in a letter to Representative BUDGE on January 24 of this year said:

> There is no specific statutory authority for the participation of the United States in this Conference as it is one of the many activities carried out in furtherance of the foreign policy of the United States.

I want to say that I am one of the Members of this House that has supported the foreign policy down the line almost completely until this present operation.

I know what we face on many of the strategic and critical materials. Most of them are basic elements and are becoming scarcer all the time. I took the floor in support of the wheat to India bill in order that we might secure some of these materials and have supported all mutual aid to these countries.

This conference consists of governmental representatives from 28 nations who are determining the distribution of the world's materials not only for defense but for civilian usage as well. It is obvious that any group having this power has the power to determine the living standards in each of the countries of the world, their military potential, their national income, and the level of employment in their respective countries. Up to this time, the International Materials Conference has dealt with only seven groups of commodities. However, it is free at any time in accordance with its own statements to establish new groups to deal with such additional commodities as in its judgment require consideration. While the Congress of the United States has never sanctioned our participation in the International Materials Conference, this organization describes its powers in the following words in its report on operations for 1951 and 1952:

> The committees were created as autonomous bodies in the interest of expediting action and allowing the countries which were primarily concerned with the commodities in question to deal with the problems involved without being subject to review by any other body.

This is rather sweeping language and it implies that these commodity groups are not subject to review by the Congress. The only possible excuse for the existence of such groups in a period such as we are going through would be that they furthered our defense effort.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Kentucky.

Mr. SPENCE. Does the gentleman mean to imply that the International Materials Conference sets the price on materials?

Mr. DURHAM. It can do it. It has done it.

Mr. SPENCE. It could only do it by agreement.

Mr. DURHAM. It can do it because you give them price-control authority in this bill, and that is what we are acting on today.

Mr. SPENCE. They cannot even allocate without the consent of this Government. It is purely a voluntary agreement.

Mr. DURHAM. They have been doing it.

Mr. SPENCE. They cannot fix any price or even allocate materials.

Mr. DURHAM. They have already done it on materials, as shown in their report.

Mr. SPENCE. They cannot do it unless the Government of the United States agrees to it.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Michigan.

Mr. SHAFER. I want to read just a paragraph of their report. The gentleman says we have not read this. I have read it. Here is the plan of organization and operation of this committee:

The committees were created as autonomous bodies in the interest of expediting action and allowing the countries which were principally concerned with the commodities in question to deal with the problems involved without being subject to review by any other body.

Mr. DURHAM. That is correct. That is what they say in the report. If you will refer to page 24 of their report you will find that they have suggested none of this material go into the stockpile. Where is the $3,000,000,000 that we have got down here going to be used for national security of our country if such a policy is continued and they have done very little in trying to up production here at home and the record for past 2 years now under the Defense Production Act proves very little has been accomplished.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. COX. I have asked that the gentleman yield in order that I might emphasize the importance of the members following the discussion which the gentleman is now engaged in because he is making a very important argument on a very important subject, which is now before the House.

Mr. DURHAM. I thank the gentleman.

However, an examination of their reports shows that these groups have actually suspended the stockpile program authorized by Public Law 520 without any authority whatsoever to do so. Their report on operations contains the following amazing statements with refernce to the United States stockpile program.

Your stockpile today in the last 30 days' report shows that it is not 35 percent completed under the authorization of this Congress, and there are billions of dollars down there today unexpended. The gentleman who just spoke, who preceded me, ought to read the report on manganese here. You do not have enough manganese in the stockpile of this country today to run the steel mills to produce steel for the next 12 months, and the gentleman knows it.

In developing plans of distribution for the metals it was necessary for the committees to consider what policy should be followed in allowing materials for stockpiling purposes during a period of scarcity. The problem was discussed in several of the commodity committees and many differences of opinion were expressed as to whether stockpiling should continue to be pursued under existing circumstances. The Copper-Zinc-Lead Committee and the Manganese-Nickel-Cobalt Committee decided, in connection with their fourth quarter allocations, to recognize, in principle, the requirements for strategic stockpile purposes; but, in view of the tight supply, they recommended a special allowance for such requirements in the plans for copper, zinc, and cobalt only to the extent of a small percentage of consumption during a given base period.

That is their recommendation in their report.

In the case of commodities where the shortage was more acute (nickel, tungsten, and molybdenum), the committees were unable to recommend any special allowance for stockpiling.

That only affects stockpiling, but it affects every manufacturing plant in this country, and every laboring man in the United States.

In the allocation plans for the first quarter of 1952, the copper-zinc-lead and the manganese-nickel-cobalt committees found it inadvisable to provide any special allowance for stockpile purposes—

This is an English magazine. It is in this report. It contained the following statement—

but maintained the principle of making such provisions in connection with further allocations when the supplies were sufficient to permit it.

An article in the magazine Freedom and Union last April referred to the stockpile program and contained the following statement:

When the IMC came into being and it began planning allocations on the basis of data made available on the needs and supplies of both producers and consumers, the committee members were confronted with the fact that there just did not exist sufficient quantity of the commodities under consideration to satisfy all needs, however justified. Further stockpiling, whether by the United States or by any other country, threatened to bring about an economic crisis. By common agreement, certain commodities were taken off the stockpile list, to be followed by others whenever the situation required such a measure. The last to be thus temporarily taken off the list is copper, and no provisions for the stockpiling of this commodity were made on the allocations for 1952's first quarter.

The President of the United States has already issued, I believe, three orders taking copper out of the stockpile of this country, which today is far short of the objective for today and if not increased, in case of all out war, it would be a calamity.

The effect of these decisions has been to force the diversion of material under contract of the stockpile to domestic interest as the allocations given to this country by the IMC were insufficient to permit stockpiling or military production and acceptable levels of civilian employment.

Only this week, the office of Defense Production Authority announced new policies for the pricing and allocation of copper which would make possible foreign purchases up to the limit of IMC entitlements.

I have said that many, many times on the floor of this House over the last 4 or 5 or 6 years.

Mr. Fowler, however, closes his six-page release with the statement that—

I wish to emphasize that, unfortunately, even with the anticipated increase in imports, both stockpiling and civilian use will be at a low level.

If there were no IMC entitlement limits, this would not necessarily be the case.

The IMC have allocated about the same proportion of copper to the United States today as we received prior to Korea.

It is obvious that this country is doing the greatest part of the world's military production. If the United States receives the same amount of copper as it did prior to Korea and the other nations of the world receive what they were getting prior to Korea, the result must be to reduce our civilian economy more drastically than the civilian economy of the other nations of the world. If we are not willing to take the consequences of such a drastic reduction, then we obviously are going to stop stockpiling.

This is precisely what is happening. Unless the United States is freed from the unauthorized restrictions of the International Materials Conference, it will have to stop its stockpiling program or reduce its production of civilian goods more drastically than any other country in the world. If such decisions are to be made, they should be made by the Congress and not by a group who are described by Mr. Standley, its press officer and an employee of our State Department, as a rather loose set-up; IMC can hardly be called an organization in the usual sense of the word, since it has no charter, no binding treaties, and no machinery for the enforcement of its recommendations—just a "gentlemen's agreement."

The proponents of IMC maintain that international allocations are necessary so that this country may receive the many critical and strategic materials which we do not produce and which must be imported from overseas. Mr. Fleischmann, in his testimony before the Senate Banking Committee, said we needed 38 materials which were strategic and critical from other countries. Only eight of these materials are under IMC jurisdiction. The IMC does nothing to insure our receiving any of the remaining 38 materials. It merely sets limits on our consumption of the materials with which it is interested. It is significant that the London Economist, in a very friendly article last December discussing the work of the IMC, said that the IMC member countries are, in fact, "on their own."

As I stated above, it is time, and well past the proper time, for Congress to take appropriate action for the elimination of the authority of this organization or, in the alternative, to investigate its functions and if they are found to be necessary to pass legislation giving the IMC a legislative basis and confer on it such authorities or impose such limitations as Congress feels are proper.

Mr. BURTON. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. BURTON. May I say we have not taken our allocation of copper. We have allocated 133,000 tons a month, and we have only been taking 106,000 tons for the last 3 months. I am with you, I want to see the stockpiling. The question is: How will we help our stockpiling, by a disorderly operation or an orderly operation?

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. DURHAM] has expired.

Mr. DURHAM. There could not be any way more disorderly for building and preparing for an emergency stockpile than the present procedure under IMC. I ask that we adopt this amendment.

Mr. MARTIN of Iowa. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take the floor to call attention to the fact that you have just heard a discussion here by a Member of this House who really knows this subject and who has known it from the beginning of our program of stockpiling strategic and critical materials. I know that personally, and I know that he knows what he is talking about when it comes to strategic and critical material stockpiling for national defense. If we keep national defense as our No. 1 objective, we will not ride roughshod over his recommendations in this legislation.

I have not had an opportunity in recent years to keep up as carefully and as much in detail on stockpiling as I could during the years I spent on the Committee on Military Affairs with the gentleman from North Carolina [Mr. DURHAM], but I do have tremendous respect for his continuing that work and his bringing to us his analysis of the situation confronting us. His warning to the House today that we are on thin ice, in dangerous territory, when we have as a Nation discontinued all stockpiling, that we have only 35 percent of the stockpile objective that was set up in Public Law 520 in 1946, when we contemplated then getting 100 percent of that stockpile in 5 years' time is a dire warning indeed. If you are still willing to dally along with inadequate protection through stc' page of stockpiling to meet our needs, I say you should stop and think. This International Metals Conference has ridden over some of the policies of the Stockpiling Act. They have subordinated American needs to the international picture, and I cannot go along with that at all. We wrote and enacted Public Law 520 in the Seventy-ninth Congress and we really meant to set up an adequate American defense. The gentleman from North Carolina [Mr. DURHAM] has been the main guardian of that program and is guarding it today. Anyone who advocates running roughshod over that program, should bear in mind that we have only 35 percent of that stockpile objective; that we have over $3,000,000 down here, unable to spend it for further acquisition of strategic and critical materials. It is unused, although it is there waiting to be used. I think Mr. Small, head of the Munitions Board, had better sit up and take notice and reexamine the law under which he is functioning. I do not appreciate for 1 minute his sending letters to Congress saying what he said in the letter read by the gentleman from Alabama. Mr. Small had better reexamine his own responsibility. He knows I do not think he has accomplished the mission that he was given to do by the Congress. He had better get the stockpile together and preserve it, instead of gutting it. Who authorized him to go in there and take out copper from the meager supply we have? He will tell you that President Truman told him. But they bypassed Congress and all of our objective of an adequate stockpile. They cannot lawfully distribute to foreign countries these materials that should be added to our stockpile, as long as men like CARL DURHAM stand guard. If you are inclined to go along easily and knock down American self-sufficiency, then you had better reexamine your own appraisal of things that are first in the matter of national defense.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I seek recognition on the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, this amendment brings before this body one of the most important subjects which can confront us in connection with the bill now before the committee. I wonder how many of us realize that our Department of State is the agency of Government which has created this International Materials Control, and that in creating it they did so to accomplish a foreign-policy objective of our country. To say the least, this objective is uncertain and I believe is unknown to any of us. In creating the International Materials Conference they have given our country one vote, one vote only out of 28, thereby making certain that any 14 or 15 out of those 28 countries can be sure that if there is to be unemployment in the world it will not be in another country; it will be in the United States.

This very day materials are being taken from our country, shipped abroad for use over and beyond quantities they have had in the past to the detriment of the workingmen in Michigan, Pennsylvania, Connecticut, Massachusetts, and a number of other States. It is not right to say that it is being done to help in the war effort, for that is not true. It is being done to carry out what was attempted in the foreign-policy commitments or objectives of our State Department. What those are, I repeat, are uncertain. It is an example parallel to the International Trade Organization in connection with which our Government spent many hundreds of thousands of dollars. Setting up an organization which it was planned to have the Congress of the United States approve at the behest of the State Department, and creating an International Trade Organization to handle in detail the question of imports and exports for our country and other countries of the world.

Well, Mr. Chairman, you know how the Congress rose up and emphatically defeated that proposal in advance of its submission here, for to date the International Trade Organization has not been brought before us. The Department of State knows that we would defeat it, that this body believes in the preservation of jobs for American workingmen that we put that over and above these international foreign-policy commitments which have been made by Mr. Acheson and others who seem to be more interested in helping people abroad than they are in protecting what we have here.

All this amendment does is to say—and it is the last sentence which is the most important—that no authority granted under this act may be used to limit the domestic consumption of any material or restrict total United States consumption to an amount fixed by the International Materials Conference.

Mr. BURTON. Mr. Chairman, will the gentleman yield for a question?

Mr. SIMPSON of Pennsylvania. In just a moment.

What I say is that we should never put our country in the noose of an International Materials Conference where the vote is 28 to 1, and which would permit a group of majority votes to take from us any strategic material we have, and to send it somewhere else in the world.

Mr. BURTON. Mr. Chairman, if the gentleman will yield, without some plan, some arrangement with these other countries what would you do for cobalt, nickel, and other materials that they produce and we do not?

Mr. SIMPSON of Pennsylvania. I will answer the gentleman by saying that we have always got them in the past before we got into the International Materials Conference, and we will get them in the future. What I am afraid of is that we may not get it through this International Materials Conference, for 14 out of 28 could impose limitations, restriction, and demands to the detriment of our own people.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield.

Mr. VORYS. The International Trade Organization has never been approved by this House for one reason, because legislation submitted to the Foreign Affairs Committee seeking approval of it never was submitted to a vote of the Foreign Affairs Committee, for a preliminary poll showed that the legislation could not get out of that committee. But I understand the principles involved there not connected merely with strategic materials are inserted in this International Materials Conference.

Mr. SIMPSON of Pennsylvania. Certainly that great committee of the House would not have approved it, nor would any other committee if we had a vote on the issue itself.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close at 2:30 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

Mr. SHAFER. Mr. Chairman, I object.

Mr. SPENCE. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close at 2:30 o'clock.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. SHAFER].

(By unanimous consent, the time allotted Mr. GROSS was given to Mr. SHAFER.)

Mr. SHAFER. Mr. Chairman, I am very much in favor of the Sadlak amendment. In my opinion, it must be adopted if we are going to defend our stockpiling program under the public laws which we have placed on the statute books.

The International Materials Conference has been justified by its proponents as a device to further our defense program. It is supposed to make it easier for this country to secure materials for our defense which of necessity must include our stockpiling.

Other Members have examined the workings of IMC so far as it affects our civilian economy and employment opportunities within the United States. I have examined the IMC from the standpoint of our military security. I am speaking today as a member of the Armed Services Committee, and I intend to give the House the facts which my research has uncovered and which I find most disturbing.

Mr. MARTIN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SHAFER. I yield to the gentleman from Iowa.

Mr. MARTIN of Iowa. I want to add for the information of the Members that the gentleman from Michigan [Mr. SHAFER] rendered a very distinguished service as chairman of the subcommittee in the Eightieth Congress when the Republicans had that responsibility.

Mr. SHAFER. I thank the gentleman.

Mr. MARTIN of Iowa. The gentleman performed an outstanding service.

Mr. SHAFER. Mr. Chairman, the Munitions Board, under authority of Public Law 520, Seventy-ninth Congress, is charged with the determination of the materials which are to be classified as strategic and critical under this law. In its most recent report to the Congress, dated January 23, 1952, the Board shows that cobalt, copper, lead, manganese, molybdenum, nickel, tungsten, wool, and zinc are on the strategic list and are to be acquired for the stockpile pursuant to section 3A of Public Law 520. These materials are also among the commodities under consideration by the International Materials Conference. The Board showed that while obligations totaled $3,900,000,000, as of last December expenditures totaled only $1,800,000,000 and unliquidated obligations totaled $2,000,000,000. In other words, Mr. Chairman, although Congress has appropriated the money, and contracts were made for delivery of materials to the stockpile, more than $2,000,000,000 worth of ordered material remained undelivered. The Board advised the Congress in its report of last January that it was directed by the Defense Production Administration to divert to industry scheduled deliveries of a number of materials covered by stockpile contracts.

On page 9 of its report, it said:

> Materials affected by such directives include 45,000 short tons of aluminum, 100,000 pounds of columbite, 163,500 short tons of copper, 8,000 short tons of acid grade fluorspar, 6,000 short tons of lead, 9,900 long tons of metallurgical manganese ore, 2,200,000 pounds of nickel, 1,778,000 pounds of tungsten, and 26,900 short tons of zinc. This represents a loss of more than $120,000,000 worth of materials to the stockpile. The shortage of some materials became so acute that quantities already in the stockpile were released for allocation to industry pursuant to Presidential orders recommended by DPA and the Office of Defense Mobilization (ODM). Such releases included 10,000 short tons of aluminum, 55,000 short tons of copper and 30,000 short tons of lead, having a total value in excess of $40,000,000.

While the Munitions Board is charged with the basic responsibility of our stockpiling program, they cannot be blamed for failure of the program to reach its objectives. The Board in its report to Congress stated:

> The actions necessary to accomplish the stockpile objectives extend far beyond the basic Munitions Board authority. International and domestic allocation of available supplies, as well as supply expansion programs, are not the immediate responsibility of the Munitions Board but have a direct bearing on the accomplishment of the objectives of the Stockpiling Act. These programs of other agencies are reported here only insofar as they directly affect the stockpiling activity.

I was curious as to who was responsible for the international allocation of available supplies and I found that the IMC was the group which placed a ceiling upon this country's share of the world's materials in spite of our defense program. I need not remind the Congress that the details of our stockpile program are supposed to be a closely guarded secret. Apparently our program has been discussed with the other countries in the International Materials Conference. Some of them are declared neutrals in the present struggle against communism.

The April issue of Freedom and Union, a magazine published by the "one-worlders," contained an article on the IMC, and I want to read what it said about the stockpile:

> When the IMC came into being and it began planning allocations on the basis of data made available on the needs and supplies of both producers and consumers, the committee members were confronted with the fact that there just did not exist a sufficient quantity of the commodities under consideration to satisfy all the needs, however justified. Further stockpiling, whether by the United States or by any other country, threatened to bring about an economic crisis. By common agreement certain commodities were taken off the stockpile list, to be followed by others whenever the situation required such a measure. The last to be thus temporarily taken off the list is copper, and no provisions for the stockpiling of this commodity were made in the allocations for 1952's first quarter.

When the IMC published its own official report last month, it confirmed these statements in their entirety.

Last March Mr. Ticoulat, then our principal representative on IMC, filed a statement with the Senate Committee on Banking and Currency with reference to our allocations from the IMC. The statement in reference to copper contained the following:

> The method back of the IMC distribution plan was a priority for direct defense requirements, provision for minimum strategic stockpiles, and the distribution of the remaining supply for civilian requirements on the basis of consumption in 1950. In the first quarter of 1952, owing to the acute shortage, no specific provision was made for stockpiling (p. 1504).

Mr. Chairman, imagine the IMC deciding that no provisions shall be made for stockpiling copper in the United States. I want to close with just one specific example as to how the IMC has actually operated to keep material away from the United States and out of the stockpile.

On September 28, 1951, the IMC announced its allocations for the fourth quarter for zinc. Its release stated:

> The allocations for each participating country are in the form of a total "entitlement for consumption"—the amount of primary metal which may be processed or consumed by the country concerned, either from domestic production or imports."

The release continued:

> In accepting the plan governments assume the responsibility for seeing that their allocations are not exceeded.

How did the United States go about doing this? Mr. Chairman, I want to tell you we deliberately set ceiling prices on zinc below the world price. On Sunday, September 30, just 2 days after the IMC acted, the Office of Defense Mobilization announced price ceilings on zinc imports. The release contained the following statements:

> The establishment of a ceiling which is somewhat below current world prices involves the calculated risk of some decrease in imports. This action will thus tend to reduce the pressure of United States demand on free world supplies, ease the problems of friendly consuming countries, and make any international allocation arrangements more effective.

Mr. Chairman, on February 1, just 4 months to the day from the time we announced we were going to take a calculated risk of some decrease in imports, the New York Times carried a news story on zinc. Let me read from this story:

> Some 29,000 tons of zinc will be withdrawn from the stockpile to be diverted to defense production in the next 3 months, the Office of Defense Mobilization disclosed today. Failure of zinc imports to reach normal volume was given by C. E. Wilson, Director of the Office of Defense Mobilization, as the reason for the diversion of the metal. Withdrawals from the stockpile require Presidential approval which was obtained by Mr. Wilson before he made today's announcement.

There was no doubt how the calculated risk would turn out.

Mr. Chairman, the International Materials Conference has not aided the United States in preparing itself to meet communistic aggression. On the contrary, it has drained away vital materials for the civilian economies of other nations. To carry out the real purpose of the Defense Production Act, we should adopt the Sadlak amendment so that no unauthorized international group of bureaucrats may usurp the powers which the Congress has specifically conferred by law on our own Military Establishment.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. Bow].

(Mr. GWINN asked and was given permission to yield the time allotted to him to Mr. Bow.)

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Mr. BOW. Mr. Chairman, the International Materials Conference evolved from a meeting in December 1950 between President Truman and Clement Attlee, then Socialist Prime Minister of Great Britain. It is now a formal worldwide body with 28 non-Communist nations as members. The IMC functions through a headquarters organization called the central group and seven standing committees. The committees are: copper, zinc, and lead; sulfur; tungsten and molybdenum; manganese, nickel, and cobalt; cotton and cotton linters; wool; pulp and paper.

The committees have placed the following basic materials under allocation—sulfur, tungsten, molybdenum, copper, zinc, nickel, and cobalt. Zinc allocations were dropped on May 29, 1952, but the others are still in effect. In addition, so-called emergency allocations of newsprint have been made to a number of individual nations.

The effect of establishing allocation systems is to tell the United States and other nations—member and nonmember—the amount of each material it may consume. Thus, IMC is in control of a considerable portion of the resources and activities of the non-Communist world.

THE LEGAL ISSUE

From the standpoint of IMC's legality, there are two main issues:

First. Is there any legal standing, under American law, for United States participation in IMC?

Second. Are the powers conferred on the President by the Defense Production Act being misused by him in implementing domestically the global decisions being made by IMC?

NO AUTHORITY FOR IMC

The first question about IMC from a legal viewpoint is simply this: Was it ever authorized by the Congress?

The answer was stated in a letter dated January 24, 1952, from Assistant Secretary of State Jack K. McFall, to Representative HAMER H. BUDGE, of Idaho:

> There is no specific statutory authority for the participation of the United States in this conference (IMC), as it is one of the many activities carried out in furtherance of the foreign policy of the United States.

What Mr. McFall is saying in effect is that the President has unlimited authority to do as he pleases so long as he is dealing with foreign nations.

The President has indeed stretched the concept of his powers to extreme lengths. It was only a few weeks ago that the Supreme Court of the United States rejected the theory that the President possesses inherent powers beyond the Constitution and declared that the President has only the powers that are granted to him by the Constitution and the Congress. Yet, in the case of the International Materials Conference, the President has taken a leading part in organizing a body that was never authorized by the Congress, and his administration has participated in all of the activities of that body.

When Manly Fleischmann, then Defense Production Administrator, appeared before the Senate Banking Committee on May 15, 1952, he was asked:

> Under what authority does the IMC, so far as American participation is concerned, operate?

Mr. Fleischmann replied:

> It operates first under the authority of the Defense Production Act, and secondly under the authority of the President to conduct foreign affairs.

Then Mr. Fleischmann was asked:

> The second one has nothing to do with the Defense Production Act. If you had no Defense Production Act, could you have operated the IMC as you did?

Mr. Fleischmann replied:

> No, sir; it could not be made effective.

First, it is seen that Mr. Fleischmann's answer was considerably different from Mr. McFall's.

Second, the Congress never intended that the powers conferred on the President by the Defense Production Act should be used to carry out the orders of IMC. Such a use of the Defense Production Act was not mentioned in the debate regarding the bill and was never foreseen by the Congress. The powers conferred on the President were intended to serve an entirely different purpose, and those powers have been misappropriated by the President.

Legally, then, IMC boils down to this:

First. IMC is, from the standpoint of the United States, an extra-legal organization.

Second. United States participation, through the device of the Defense Production Act, is a shocking misappropriation of Presidential powers.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Indiana.

Mr. HALLECK. May I cite in corroboration of that point that the report of the operation of the IMC states:

> The committees were created as autonomous bodies in the interest of expediting action and allowing the countries which were principally concerned with the commodities in question to deal with the problems involved without being subject to review by any other body.

In other words, not even the Congress of the United States could review the determinations made.

Mr. BOW. The gentleman is correct.

IS IMC VOLUNTARY?

A frequent answer to criticism of United States participation in the International Materials Conference is that IMC actions are purely voluntary. This, I submit, is just the opposite of the truth.

As far as the Truman administration is concerned, IMC pronouncements have the force of law. In fact, they are obeyed much more literally than many of the statutes that have been enacted by the United States Congress.

We need only look at the IMC release of December 20, 1951, announcing copper allocations. This release speaks of "entitlements for consumption" and defines an "entitlement" as follows:

> The amount of metal which may be processed or consumed by the country concerned, either from domestic production or imports.

That language is crystal clear. If additional proof is needed, it is another sentence in the same release, which reads:

> In accepting the distribution plans, governments assume the responsibility for seeing that their allocations are not exceeded.

There is nothing voluntary about that—especially to the many thousands of American men and women who have been thrown out of jobs because of IMC. This was made plain in testimony before the House Newsprint Subcommittee on February 8, 1951, by Theodore L. Sweet. Mr. Sweet bore the titles of Chief of the Combined Materials Branch of ECA and United States representative on the sulphur committee of IMC. He was asked by Representative JAMES I. DOLLIVER of Iowa:

> Your particular group—

The IMC's sulphur committee—

> does not undertake to say what shall be done; you merely suggest what should be done?

Mr. Sweet replied:

> They make recommendations to the governments. Naturally, since the governments have representatives on the committees, the representatives are not supposed to make recommendations which they do not think the governments will accept.

The IMC, too, has inadvertently exploded the argument that its allocations are voluntary. Its report on operations, covering the period February 26, 1951–March 1, 1952, says:

> Each country is entitled to 1 vote, a majority of the members of a committee constituting a quorum.

If all these doings are voluntary, why the necessity for voting, except to determine whether there is unanimity?

The IMC report goes on:

> Formal recommendations are made to member governments in writing by unanimous consent of the members of the committees. If unanimity cannot be reached on a point, a majority recommendation or report may be made, accompanied, if so requested, by an adequate presentation of minority views.

Again, if all this is voluntary, how can there be a majority and a minority?

An article in the London Economist, December 29, 1951, that was highly friendly to IMC, cites two instances of IMC actions that were anything but voluntary to some of the countries concerned. One of the examples:

> The significant point about the tungsten allocation was that a recommendation was passed by a majority vote instead of being unanimous. For the allocations in the last 3 months of this year, the [IMC allocation] committee recommended that the price formula should be retained. Bolivia, a tungsten producer, objected, but the objection was defeated on a vote.

The assertion that IMC decisions are voluntary is a false and unscrupulous piece of propaganda that will fool no one who looks into its operations.

A SUPERCARTEL WITH UNLIMITED POWER

The powers which the IMC has bestowed upon itself are staggering. For example, the article in the London Economist states:

> Both in membership and in territorial extent, the IMC is larger than such organs of

cooperation as the Organization for European Economic Cooperation and the North Atlantic Treaty Organization. Its organization is as loose and flexible as that of the British Commonwealth and its constitution almost as unwritten. It relied, not on legal formulas but on the will to cooperate.

The IMC's report on operations puts it even more explicitly with the statement that the IMC's seven commodity committees "were created as autonomous bodies, without being subject to review by any other body."

Thus, it is seen that the IMC is literally a power unto itself and that any legal formulas that might place some restraint on its actions are regarded as quaint relics of the past.

The IMC report on operations continues:

The seven commodity committees are responsible for considering methods of establishing a better balance between supply and demand of certain strategic materials and recommending to the governments concerned the specific action which should be taken in the case of each commodity, in order to expand production, increase availability, conserve supplies, and assure the most effective distribution and utilization of supplies of materials among the consuming countries. Within this framework they may consider any aspect of existing shortage problems for the commodities under their review.

What this means, in so many words, is that IMC may do as it pleases regarding the essential materials under its control. With this power the IMC is in a position to be the absolute czar over the economies, the national income, and the living standards of the non-Communist countries.

Does this make IMC a cartel of far greater magnitude than any in previous history? Of course it does. When Mr. Fleischmann appeared before the Senate Banking Committee on March 21, 1952, he denied the IMC is a cartel. But then he went on to give the following definition of a cartel:

As I understand cartels in the legal sense, they refer to agreements among both producers and consumers as to what they will do.

The above quotations from the IMC report prove this is precisely what IMC does. Some IMC agreements go far beyond questions of allocation. For instance, IMC has attempted to impose direct controls on the price of tungsten. The IMC report on operations states that in imposing an allocation plans for the third quarter of 1951, "an arrangement was introduced whereby the spot-purchase price of tungsten was to be not less than $55 f. o. b. per short ton unit and not higher than $65."

It is ironic that each time the question of price control comes before the United States Congress, there is prolonged, wide-open debate before a decision is reached. But IMC has imposed world-wide price control by holding secret meetings and telling the public nothing of its deliberations.

If a group of private individuals or companies in the United States ever had the temerity to engage, even on a small scale, in the kind of market-splitting, price-fixing, and other monopolistic practices of the IMC kind, they would promptly be subject to criminal prosecution for violation of the antitrust laws. But those practices, when conducted by IMC, are vociferously defended and ardently blessed by the Truman administration.

It is clear to me that the IMC is repugnant to American tradition and the spirit of American law, and that the countries who have prompted cartels in the past are the countries now mired in economic stagnation. Let us learn from their experience and recognize the IMC supercartel for the sure death it is to our system.

SIMILAR PROGRAM REJECTED TWICE BY CONGRESSIONAL COMMITTEES

The IMC is the brainchild of the United States State Department.

Back in 1947 the Senate Finance Committee was holding hearings on a charter for the proposed International Trade Organization. As Senator HOMER FERGUSON, of Michigan, has pointed out, this body was to have a program remarkably similar to the present program of the IMC, with so-called intergovernmental commodity arrangements filling the role now played by the IMC's entitlements for consumption.

One of the witnesses before the Senate committee was William Taylor Phillips, Acting Chief of the International Resources Division of the State Department. Testifying on the origin of the intergovernmental commodity arrangements, Mr. Phillips was asked whether they were a definite part of the State Department policy. He replied:

Yes, sir. It is not only the Department's policy, but, as you know, it has been approved by the other Government agencies that were engaged in compiling it, getting it together, thinking it out. It has gradually merged over a period of years. This particular chapter first appeared in the proposals; then in the United States suggested charter; then in the London draft; and more recently in the New York draft—with, I think, the important provisions unchanged, or relatively unchanged.

Shortly after, Senator EUGENE MILLIKIN, of Colorado, committee chairman, requested reassurance from the State Department on the question of congressional approval of such international agreements. Dean Acheson, then Acting Secretary of State and now Secretary of State, replied as follows on April 15, 1947:

Insofar as such commodity agreements impose any obligations on the United States requiring legislative implementation in any way, it is the intention of the Department that they should be submitted to the Congress.

United States participation in IMC does require legislative implementation—by the Defense Production Act—yet the IMC's commodity agreements have never been submitted to Congress. Nor was any approving legislation reported following the Senate committee hearings.

In 1950, the House Foreign Affairs Committee took up the final draft of the ITO charter, which had been written in Habana. This committee too declined to recommend approval of the ITO charter.

Yet today, despite the refusal of two congressional committees to accept the ITO charter and despite Mr. Acheson's promise, the very intergovernmental cartels proposed by ITO have come into being through the IMC.

THE ROLE OF THE U. N.

The United Nations, like the State Department, has been busily promoting the idea of supercartels. As Senator FERGUSON has shown, the U. N. established in 1947 an Interim Coordinating Committee for International Commodity Arrangements to lay the groundwork for this pet project. To give an idea of the kind of thinking represented on this U. N. committee, Senator Ferguson quoted the following from its 1951 report in regard to tea:

The present tea agreement covers the four producing countries of Ceylon, India, Indonesia, and Pakistan. The agreement regulates the acreage to be devoted to tea and prohibits the export of tea-planting material to countries not party to the agreement.

This quotation shows that U. N.-sponsored cartels are the same as any other cartel—they are devoted to restricting production and freezing the status quo.

Various U. N. bodies have taken additional actions in behalf of international commodity deals, but it is sufficient here to quote from a booklet titled "Measures for International Economic Stability," published by the U. N. Department of Economic Affairs in 1951. The authors are stated to be a group of experts appointed by the Secretary General.

The report recommends a series of commodity arrangements of various types as a means of keeping short-term movements of primary product prices, both upward and downward, within reasonable bounds, and of helping to stabilize the international flow of currencies.

Among the main types of possible arrangements mentioned in the report are agreements covering maximum production quotas, maximum export quotas, maximum import quotas, minimum and maximum prices, and buffer stock schemes.

How would such an all-embracing cartel be set up? Very simply; it is already in existence. The report says:

We do not believe that any new international agency to administer a comprehensive scheme for a range of different commodities is necessary or practicable. The arrangements needed differ from commodity to commodity, and must be worked out and put into effect by the countries mainly concerned in each case. Coordination of general structure and policy amongst the various schemes is important, but international bodies—such as the Interim Coordinating Committee for International Commodity Arrangement and the International Materials Conference—already exist and can be used for this purpose.

With such clear-cut evidence, who can doubt that the IMC is intended to fit into a much larger pattern for turning over gigantic powers to world-wide organizations who will be responsible only to themselves? Could this be the pattern for world socialism?

THE ROLE OF THE STATE DEPARTMENT

I have shown above that the State Department is primarily responsible for taking the United States into IMC. The State Department's avid interest in IMC continues down to this moment. IMC's

offices in Washington were in a State Department building for a time. IMC's telephone number in Washington, Republic 5600, is the number of the State Department. The first important speech defending IMC was the one made by Edmund Getzin, Office of Materials Policy, of the State Department, in New York on February 19, 1952.

When Mr. Sweet appeared before the House Newsprint Subcommittee on February 8, 1951, he was asked whether the IMC allocation committees had been set up by ECA. He replied:

No. They were set up by the United States Government through the State Department. They report now to a central group—that is, the individual members report to DPA, which is the Defense Production Administration. DPA acts only in an advisory capacity.

All the evidence points to the fact that the State Department has been the driving force behind United States participation in IMC and that the State Department's activities in this regard are a natural result of the Department's deep-seated socialistic tendencies.

HAS IMC STABILIZED PRICES?

The best answer to this question is found in a recent publication by the International Monetary Fund comparing prices in different countries as of January 1952. Copper varied from 24.5 cents in the United States to 60.8 cents in Italy. Lead varied from 19 cents in the United States to 26.8 cents in France. Zinc varied from 21.3 cents in the United States to 30.3 cents in the Netherlands.

At first glance, it might appear that the United States was benefiting from the lower prices prevailing here. However, it must be kept in mind that a large part of the funds used by foreign countries to bid for these metals came from the United States in the form of foreign aid. From July 3, 1948, to June 30, 1951, ECA supplied $326,000,000 to European countries for the purpose of buying copper, $78,000,000 for zinc, and $57,000,000 for lead. In other words, United States dollars were used by European countries to obtain the materials we needed, and the United States taxpayers who furnished the dollars in the first place were paid off in unemployment.

IMC BLOCKS STOCKPILING

A key part of our defense effort is the program for stockpiling scarce materials. Congress, in enacting this program, placed responsibility for it in the Munitions Board.

One of the most appalling aspects of IMC is that it has in effect assumed control of a substantial portion of our stockpiling program and that it has decided in a number of instances that there will be no stockpiling. This is best told in IMC's own words, on pages 24 and 25 of the report on operations:

In developing plans of distribution for the metals it was necessary for the committees to consider what policy should be followed in allowing materials for stockpiling purposes during a period of scarcity. The problem was discussed in several of the commodity committees and many differences of opinion were expressed as to whether stockpiling should continue to be pursued under existing circumstances. The Copper-Zinc-Lead Committee and the Manganese-Nickel-Cobalt Committee decided, in connection with their fourth quarter allocations, to recognize, in principle, the requirements for strategic stockpile purposes; but, in view of the tight supply, they recommended a special allowance for such requirements in the plans for copper, zinc, and cobalt, only to the extent of a small percentage of consumption during a given base period. In the case of commodities where the shortage was more acute (nickel, tungsten, and molybdenum), the committees were unable to recommend any special allowance for stockpiling. In the allocation plans for the first quarter of 1952, the Copper-Zinc-Lead and the Manganese-Nickel-Cobalt Committees found it inadvisable to provide any special allowance for stockpile purposes, but maintained the principle of making such provisions in connection with future allocations when the supplies were sufficient to permit it.

It is almost beond belief that control of our stockpiling would be turned over to 27 foreign countries and that these countries would include not only those who have expressed an anti-Communist policy, but a number of countries as well who have made a point of being neutral.

I wish to call to the attention of the House Armed Services Committee the activities of the IMC in this regard. Our committee views the IMC's actions as a distinct and ominous threat to our military security.

UNITED STATES MAKES THE SACRIFICE

Previous reports by the three other committees of Republican Representatives have shown a number of specific instances of how the United States share of IMC materials is less than the proportionate share we consumed before the Korean war. There should be no surprise about this inasmuch as there are a host of indications that our willingness to sacrifice is not matched by many other countries. The London Economist, which, we repeat was highly friendly to the IMC, declared:

The United States set the example by making the first contribution. Britain's record in this body is unfortunately not untarnished because materials like tin and rubber, which the sterling area produces and the United States consumes, were not brought into the orbit of the conference.

It is no wonder, then, that conditions like those described in the following Associated Press story, dated November 13, 1951, have developed:

SAN FRANCISCO.—Critical materials are not as scarce in Europe as they are in this country, Stanley C. Allyn, president of National Cash Register Co. said here, and cash registers soon will be imported from England to the United States. * * * He told reporters his company's six European plants can obtain materials easier than its three North American plants. This is so, he said, because Europe is not as far advanced in its defense-production effort as is this Nation.

Another foreign publication, the Swiss Review of World Affairs, published in Zurich, Switzerland, issue of April 1951, had the following to say about France:

The general rearmament in which France participates has until now burdened her economy but lightly. After all, the new divisions now in the making will be equipped with arms supplied by the United States for the most part, and expenses like soldiers' pay and maintenance will up to a percentage also be covered by an American contribution. In other words, the French economy is not for the present required to undergo a drastic change from peace to all-out preparedness conditions. In fact, it can continue to devote itself largely to normal civilian production. It is not surprising therefore that some see France in the role of a beneficiary of the present world situation.

The article goes on to point out the one thing missing if France was to continue to be a beneficiary of the present world situation:

The obstacle which would have to be overcome is not so much a shortage of labor * * * as a shortage of raw materials. For in this last respect France is very dependent on foreign sources, and it is due to this fact that the French Government has early begun to urge an international regulation of the distribution of raw materials.

These quotations bring out one additional important point that has been overlooked frequently—namely, that the IMC is in the business of making allocations for civilian consumption as well as for military consumption. IMC is controlling not merely rearmament programs around the world, such as they are, but living standards as well.

The IMC makes no bones about the fact that in distributing materials for civilian consumption, some countries will be favored over others. Mr. Getzin, of the United States State Department, declared in his speech:

A fixed base does not allow for new industries or expanding economies and is, therefore, usually unacceptable to certain countries undergoing rapid economic development. Usually the solution has been to adjust the base in favor of such countries upon the submission of acceptable evidence and in recognition of a genuine need.

The IMC report on operations, in discussing the copper-zinc-lead committee, stated 1950 was selected as the most representative base year. The report added that for some countries 1950 was not regarded as a typical year and that these included countries with expanding production. For these countries, adjustments were made.

For each favor bestowed by IMC on these privileged countries, some other country had to suffer deprivation. The evidence is abundant that the country selected most often has been the United States. Americans are being denied civilian goods they need and want in order that similar civilian goods may be consumed by persons of foreign countries.

United States generosity extends even to IMC's operating expenses. IMC's staff is contributed by member governments, but, according to the Report On Operations, "during the first year of operation the major portion of personnel was supplied by the United States." Furthermore, the office equipment used by IMC was contributed by the United States.

Our committee cannot understand why United States representatives on bodies like IMC choose so often to forsake their own country. We recommend some enlightened self-interest, which will redound in the long run to the benefit of other countries as well as our own.

HOW TO LOSE FRIENDS

Countries that do not belong to IMC allocation committees are completely at

the mercy of the committees because allocations are made for nonmember countries as well as member countries.

For example, when the copper allocations for the first quarter of 1952 were handed down on December 20, 1951, only 12 countries were members of the committee. But the allocations applied to no less than 39 countries. Twenty-seven countries, therefore, had no part in a decision that was of great consequence to their economies. The nonmembers included both large countries, such as Argentina, Brazil, Japan, Sweden, and Turkey, as well as smaller countries, such as Cuba, Ireland, Israel, Portugal, and others.

In our opinion, IMC's rules of procedure are a further violation of the rights of individual nations. These rules provide a country may be admitted to membership on an allocation committee only if it has a substantial interest in the production or consumption of the commodity and if two-thirds of the committee members vote for admitting the nation.

Another IMC rule is that nonmembers who wish to argue their allocations may appear in committee hearings. According to IMC's report on operations, representatives of 31 countries appeared before IMC committees of which they were not members. These rules of procedure, in our opinion, merely serve to emphasize the inferior and humiliating position to which nonmember countries are relegated by IMC.

Furthermore, the large number of countries who have felt it necessary to appear before a committee to plead their cases likewise indicates the general dissatisfaction that inevitably arises when sovereign nations are denied control over themselves.

This business of favoring one friendly nation and discriminating against another friendly nation is extremely risky for the United States. This is particularly true when there is a conflict of interest between producing countries and consuming countries.

If the United States through its actions in IMC alines itself with consuming nations, we will be laying the groundwork for deterioration in our relations with the producing countries.

The IMC report on operations admits in a backhand way the serious consequences that follow from discrimination against one group of nations. The report says:

> The fear has been expressed on the part of certain producing countries that an allocation system (for tungsten and molybdenum) might prejudice the free flow of trade and thereby weaken the bargaining positions of certain exporting countries. This is particularly feared in cases where the countries in question are themselves in urgent need of other raw materials, whether under IMC allocation or not.

The United States needs friends—many friends—among the producing nations, and it should not needlessly run the risk of losing those friends.

A PERMANENT IMC?

There is an abundance of evidence that the instigators of IMC wish to make it permanent and are bending every effort to make their wishes come true.

As we have shown on page 6, it has been the long-standing policy of the United States State Department to do everything within its power to establish such a body, not merely for a wartime period like the present but for peacetime as well. The speech by Mr. Getzin of the State Department charts clearly the course the administration intends to follow. Discussing IMC's future, Mr. Getzin said:

> If the allocation work of the committees is judged successful by participating countries, there is no reason why more ambitious programs relating to conservation, development and prices should not be considered.

Mr. Getzin ended his speech with the statement that "member governments seem to be convinced that the IMC should be retained and strengthened." The word "strengthen," when used by a bureaucrat in discussing a Government agency, always means to expand.

The U. N. booklet to which we have referred on page 7, after praising IMC as a step in the right direction, continues:

> The possibility should be considered of converting these emergency schemes into permanent stabilization agreements.

Mr. Fleischmann, appearing before the Senate Banking Committee on March 21, 1952, spoke freely of his hope of bringing still more commodities under IMC allocation. Mr. Fleischmann was asked:

> Is it contemplated that additional standing committees covering additional materials will be created?

His reply:

> Frankly I should hope so, with some of the most vital metals like the alloying metals that we are so woefully short in.

The IMC report on operations, in discussing its remaining tasks, declares:

> It appears that the shortages of several commodities will continue for at least another year and that the remaining work to be done during that period will continue to require the best efforts of the members • • • The nature and extent of future action by the committees will be dependent upon the need for action as reflected in the supply-demand position, and the desire of the participating governments for international consideration of and recommendations on supply problems.

Through this bureaucratic "bafflegab" shines IMC's determination to stay in business for many a year.

Probably the best tip-off to IMC's plans is that none of its allocation machinery has been dismantled. The Cotton-Cotton Linters Committee, the Wool Committee and the Pulp-Paper Committee never have imposed any over-all allocations, yet none of these committees has gone out of existence.

In fact, the Pulp-Paper Committee, in announcing on April 16, 1952, that no additional emergency allocations to individual countries would be made at that time, issued this warning:

> All member countries have agreed to consider recommendations for the resumption of allocation plans should circumstances require.

Zinc was removed from allocation on May 29, 1952, but the New York Times, in reporting this action on the following day, carried the following:

> Officials of the IMC were quick to insist that the supply problem for zinc was exceptional and that today's move implied no early termination of the restrictions which still apply to international dealings among anti-Communist nations in copper, sulfur, tungsten, molybdenum, nickel, and cobalt.

The last sentence of the London Economist article puts the matter most succinctly:

> The lesson that offers itself is that if Britain, the United States, and France can set the lead in raw material allocation, they could do the same in the wider processes of economic policy.

This sentence summarizes very well the implications in IMC. The IMC is determined to stay alive and to expand, and its supporters in this couutry have placed on the record their intention to do everything within their power to achieve that goal.

If this is permitted to happen the United States will find itself committed to a system of international controls that can only grow and grow until, as the Ecomomist says, it will take in economic matters far beyond the distribution of commodities.

I submit the following conclusions:

First. United States participation in the International Materials Conference has never been authorized by the Congress, and IMC is, therefore from this country's standpoint an extra-legal organization.

Second. Use of the Defense Production Act to implement domestically the orders of IMC represents an appalling misuse of powers by the President.

Third. There is nothing voluntary about IMC decisions. As far as the Truman administration is concerned IMC pronouncements have the force of law and are obeyed.

Fourth. IMC is a supercartel responsible only to itself. It has assumed staggering powers. United States participation in such a super-cartel violates American tradition and the spirit of American law.

Fifth. No one suffers more from a cartel than working people and this has been true of IMC. Cartels are restrictive organizations that lead inevitably to economic stagnation. IMC has brought unemployment and suffering to hundreds of thousands of American men and women.

Sixth. The IMC is the brainchild of the United States State Department which has been endeavoring to establish such a socialistic organization for many years. The State Department is at present the driving force in this country behind IMC, which is a long step toward world socialism.

Seventh. Congressional committees have twice refused to approve a similar program when it was proposed in the charter of the International Trade Organization. Now, under the guise of being a wartime emergency agency, the IMC has come into being in defiance of Congress.

Eighth. U. N. agencies have also been promoting the concept of super-cartels like IMC. They now view IMC as a

ready-made agency for imposing all-embracing controls on the world's economy.

Ninth. IMC has failed to stabilize commodity prices. Stabilization was to have been one of its major goals.

Tenth. The IMC, in defiance of the United States Congress, has assumed control over a large part of our stockpiling program and has blocked that program.

Eleventh. The theory of IMC is a share-and-share-alike basis for distributing scarce commodities. But, as IMC has in fact operated, the United States has made most of the sacrifices.

Twelfth. IMC has violated the rights of small nations by denying them a voice in their own economic destiny. Furthermore, by helping the IMC to set consuming nations against producing nations, the United States is running the risk of alienating friendly producing nations—the very nations whose friendship we need.

Thirteenth. There is an abundance of evidence that the IMC is intended to be a permanent organization that will outlive the present emergency.

IMC presents a blunt challenge to the United States Congress as well as to every segment of our society—working people, business of every kind, and farmers. Is the President the law-making agency or does that responsibility belong to the Congress? If Congress is the law-making agency, do we wish to attempt to preserve freedom in the world by suppressing it, as IMC has done?

The administration claims, in effect, there is now something wrong with Americans, some reason why Americans are unfit to control their own lives. This we deny.

The place where something is wrong is in the administration—an administration which would turn the clock back to the time before the Declaration of Independence when Americans were subject to a foreign power.

As long as IMC continues to exist, a large part of our lives—jobs, income and living standards—will be under the control of foreign countries.

There is only one course open to the Congress—to order the administration to end participation in the International Materials Conference, once and for all.

This should be done immediately because the threat to our freedom and security is too ominous to be tolerated longer.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mr. SMITH of Wisconsin. Can the gentleman tell us who is financing the work? Who pays for this IMC operation?

Mr. BOW. I understand it is being paid for out of the funds of the State Department to a great extent. There is another committee that made that examination. They have more information than I have on that. Ours is confined to the legality of the operation.

Mr. SMITH of Wisconsin. My understanding is that this organization is set up very lavishly in the new Cafritz Building downtown.

Mr. BOW. It was originally in the State Department, but they have moved to the beautiful quarters they now have in this new building.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Michigan.

Mr. DONDERO. Would not the gentleman say that the Wage Stabilization Board falls in the same category as the IMC?

Mr. BOW. In my opinion, it does.

Mr. DONDERO. Both are set up without force of law.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. SMITH].

Mr. SMITH of Wisconsin. Mr. Chairman, I rise in support of the Sadlak amendment.

The time has come for Congress to take action to put the International Materials Conference out of business. It has no legal standing yet it functions under the direction of the State Department. It is doing indirectly what Congress has said it should not do directly. In 1950 the House Committee on Foreign Affairs conducted hearings on what is known as the ITO, or International Trade Organization. These hearings were conducted under House Joint Resolution 236 and, notwithstanding these hearings, the Foreign Affairs Committee refused to report favorably on the International Trade Organization.

Mr. Speaker, notwithstanding this adverse position we find now that chapter 6 of the so-called Habana Charter has been lifted from the Charter and is today being used as the basis for the International Materials Conference. This is an affront; this is an insult to every Member of Congress.

Mr. Chairman, this is not a new proposition. In 1947, the Senate Committee on Finance held open hearings on trade agreements system and the proposed International Trade Organization Charter. At this time, Senator MILLIKIN, who was the chairman of the committee suspected that the implications of the charter on intergovernmental commodities agreements should be submitted to Congress for approval. He insisted at that time on written evidence on that subject and on April 15, 1947, Dean Acheson, then Acting Secretary of State, sent him a letter and I quote in part:

> Insofar as such commodity agreements impose any obligations on the United States requiring legislative implementation in any way, it is the intention of the Department that they should be submitted to the Congress.

Yet, Mr. Chairman, by a press release on January 12, 1951, the Department of State announced that the United States had agreed to the creation of a central group and a certain number of standing commodity groups subject to the increase in number as the needs of the free world would require. The collective name for all these groups was given and as it is used today, the International Materials Conference. All this, Mr. Chairman, has been done without consultation with or the approval of the Congress. With no authority, this organization has set itself up to judge the needs of the nonmember countries of the free world in the matter of allocations of strategic materials.

Mr. Chairman, I repeat again for emphasis that no legislation has passed this Congress or any action taken for our participation in the IMC, and no funds have been allocated for payment for our share of the expenses, that I can find. It would seem that there is no way of implementing the IMC decisions in the United States, but, notwithstanding, this organization is carrying on in a luxurious suite in the Cafritz Building in this city.

Mr. Chairman, it would seem that nothing is impossible for the dreamy-eyed planners who permeate the administrative agencies in our Government.

A brief investigation reveals that our share of the expenses, which includes the procurement of office equipment for all of the participants, is made out of contingency funds held in reserve by the Department of State. It is rumored, but I have not been able to confirm it, that our share of expenses is paid from a reserve set up to make emergency repairs should any of our embassies abroad be damaged by bombing.

Mr. Chairman, by somebody's order there has been decreed that our Defense Production Administration is responsible for our participation in the International Materials Conference and that the chief representative of the United States on the central group of that organization is the Deputy Administrator of the Defense Production Administration. The DPA domestic decisions on priority, allocations, price and wage controls are followed on International Materials Conference directives. The Defense Production Administration is a so-called temporary special agency set up by the executive branch of our Government to administer the rules and requirements of the Defense Production Act of 1950, as amended. From all that I can discover, Mr. Chairman, the International Materials Conference, on the contrary, does not appear to be a temporary group which will disappear when the emergency conditions which followed the outburst of fighting in Korea vanish. That emergency was only the excuse for helping to bring the International Materials Conference into being.

Mr. Chairman, while Congress passed Public Law 520 in the Seventy-ninth Congress, the Strategic and Critical Materials Stock Piling Act, charging the Munitions Board with the administration of the law, it is clear now that the International Materials Conference took over stockpiling activities and through the Defense Production Agency tells our Munitions Board what they can or cannot do. I am informed, Mr. Chairman, that the Munitions Board is unable to execute its mandate from Congress because of the interference from this international group in which participation by the United States has never been authorized.

Mr. Chairman, the International Materials Conference is not a temporary emergency organization. The global planners have their feet in the doorway and are determined that this is the time

to impose an international cartel upon not only the United States but the world. Let me submit to you some evidence that IMC is not a temporary organization:

In 1951, five experts, with an American as chairman, appointed by the Economic and Social Council of the United Nations, were instructed to report and make recommendations on measures for international economic stability—U. N. document E/2156, ST/ECA/13, sales No. 1951.II.A.2. They reported on November 27, 1951, and among the recommendations for permanent international economic stability was a strong plea in favor of international commodity arrangements. For the implementation of these world governmental cartels the report states—page 25:

> We do not believe that any new international agency to administer a comprehensive scheme for a range of different commodities is necessary or practicable * * * international bodies, such as the Interim Coordinating Committee for International Commodity Arrangements and the International Materials Conference, already exist and can be used for this purpose.

On February 19, 1952, a representative of the Department of State said in a speech on the subject of IMC:

> If the allocation work of the committees is judged successful by participating countries, there is no reason why more ambitious programs relating to conservation, development, and prices should not be considered.

The last sentence of the summary in the first annual report on IMC issued in March 1952, reads as follows—page 3:

> The need for longer range plans will depend upon the committee's evaluation of the supply situation and on member governments' decisions regarding the nature of international action that may be required by future developments.

Mr. Chairman, in conclusion the Sadlak amendment should be adopted. Now is the time to deliver the lethal blow to the International Materials Conference, an unauthorized agency which controls the economic lifeblood of this country.

Mr. Chairman, it is my purpose to offer a resolution to investigate the whole structure of IMC. This is a job for the House Committee on Foreign Affairs.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I desire to call attention to one aspect of this matter which I have not heard mentioned in debate thus far. I refer to the enforceability of the allocations which are agreed upon by the International Materials Conference.

As we all know, under the Defense Production Act in the United States of America, we have watertight enforcement controls. Let me point out, when you control materials, you control the entire industry which is dependent upon those materials.

The other countries participating in this International Materials Conference have nothing approaching in effectiveness the controls we have in the United States of America. So what is the effect of it? It means that the allocations we are given in this country are rigidly controlled, but as to the other countries, some of them are as free as if there were no International Materials Conference, and others are partially controlled to a greater or lesser degree.

Mr. Chairman, I have been seeking information on this matter since last March. I was given the run-around by the various departments. I asked them: Is it possible that we have entered into an International Materials Conference, and we do not know whether the other countries have the means of making their citizens observe the allocations agreed upon? They said a survey was being conducted. Just recently I received, and I hold in my hand, the survey of the control laws of other countries which are members of the International Materials Conference. I defy you to find in this survey anything like the degree of rigid control that we have in the United States of America.

I do not know why this survey was sent to me as a restricted document. Because it is marked "Restricted," I am not going to quote from it directly. But I am going to tell you that we do not have any information on the control laws of many of these other member nations in the International Materials Conference. Many of them have no direct controls, but rely upon indirect controls.

I say it is not fair for us to be bound when the other parties to the agreement are not bound in any effective way. In general, anything of this nature which controls the very life of an industry should not be set up without statutory authority. Congress ought to adopt the Sadlak amendment. I do not think it goes far enough.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I rise in support of this amendment, and I hope it is adopted. I think it is one of the most important matters that will come before us. Reference has been made to some effect this amendment would have on the controlled materials plan in its operation on the domestic front, which is believed by much of small business to be helpful. It should be understood that the amendment was redrafted to meet that very objection. As it is now written and presented here, it can have no conceivable effect on the operations of the controlled materials plan here at home.

It does not affect the Government's present powers to operate the controlled materials plan, nor does it affect the distribution of materials between big business and little business within the United States.

I want to make this perfectly clear as a member of the Small Business Committee which recently, by subcommittee, made a report on the operations of the CMP and recommended its continuation until the supply position for copper and aluminum is eased.

What this amendment does is eliminate the International Materials Conference, and here is some background of the IMC.

It is known by all of us, and particularly by the people on the Committee on Foreign Affairs, that for years the State Department has sought these arrangements for intergovernmental commodity agreements. The committee has heard the arguments and then has refused to go along.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I have only 3 minutes.

Prime Minister Attlee came here. It was all right for him to come. I am glad he came. We want Britain to be strong. We want to help them. But shortly after he was here there was developed by the State Department, without any statutory authority at all, this IMC plan. I ask this, as far as the defense of the free world is concerned, Do they not look to us as the bulwark of that defense? Shall we grant this conference, which has no statutory authority from this country, the right to say to us what our share of these materials shall be? I happen to know that in many countries there is no control at all over the end use of these materials. But in this country there is such control.

Let me point this out again. It has been brought out before. Once we yield to any such international group the right to say to us what raw materials we shall have, both for our defense needs, as is here contemplated, and also for our domestic needs, as is covered in this operation, then we grant to this international organization the right to establish our military potential, the right to determine our standard of living, and the right to determine the degree of unemployment that may confront us. Yes, we then grant to an international organization the right to control the very life of our economy.

I supported a lot of these international agreements that have sought to protect the free world, and I make no apology for it, but here is one that I say should never have been created. But it has been created without legislative sanction and it has worked to the detriment of the strength of the free world, in my opinion, and is operating to the detriment of our people at home in many respects.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

The gentleman from California [Mr. MCKINNON] is recognized.

Mr. MULTER. Mr. Chairman, I ask unanimous consent to yield the time allotted to me to the gentleman from California.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MCKINNON. Mr. Chairman, in our own self-interest, let us put first things first. The thing that concerns all of us is an adequate supply of critical materials. If adopting this amendment would increase production in the next year or two, I would be for it. But it will not. ICM is giving us now a division far in excess of what we are able to buy. The problem is one of production, and being able to get what we need. How are we going to solve that problem? If we kick out IMC we have not solved our problem, because then we will have to go into the market and bid higher prices than we have been willing to pay. If you want to pay higher prices for these materials you can do it with this materials control plan in effect, but

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we do not increase the supply of these strategic materials. If we pay more money today it is not going to increase production in the next few years. We are simply going to add more cost to our defense effort, to our taxes, and to doing business generally, and we will not have any more materials available.

We only have to turn back to 1950, when the war broke out and our own individual buyers went out independently to try to get tin. At that time, with individual buyers from the United States going out into the world markets looking for tin, we succeeded, unhappily, in boosting the price of tin from $1.03 to $1.92 in a matter of weeks, but we did not get any more tin. We still had the same supply of tin available but we nearly doubled the cost of tin for our own producers. If you want to do that to all these other critical materials, then adopt this amendment. You will increase the cost to the American consumer and you increase the cost of the Government, but you will not get any more critical materials. Even though you may not like the State Department, even though we may think there are many things wrong, let us put our own self-interests first. If you have told your people that you are for reducing the cost of government and for keeping taxes down, then you cannot, in good conscience, vote for this amendment, because it is going to increase the cost of our national defense effort. It is going to boost the price of a lot of critical materials in our war effort. If you have told your small-business men that you are for the continuation of small business, then you cannot vote for this amendment, because it is going to make it impossible for many small businesses to bid against big business for the procurement of these critical materials.

If you have told your American housewives that you are for a stabilized cost of living, then you cannot vote for this amendment because it is going to increase the cost of all of our durable goods that use these critical materials.

Let us face the facts and realize the problem we have before us today: That the war effort has created a larger need for critical materials than the mines are able to supply.

The only way we are going to get ourselves out of this situation is to work cooperatively and for orderly buying instead of individual competitive buying which can only have the result of boosting prices abnormally without increasing production.

When RFC took over the buying of tin we reduced the cost of tin considerably. Let us follow that example and through IMC continue on an orderly course of buying; let us defeat this amendment; let us keep down not only the cost of national defense, but also let us help our own small businesses.

If we adopt this amendment we are going to increase the cost of everything that enters into the war effort. Moreover, if we adopt this amendment we will have a chain reaction that will increase the cost of everything regardless of what the commodity is.

Let me refer to one other thing to keep the record straight, stockpiling. We discontinued stockpiling in the third quarter of 1951. We did not enter into this IMC until the fourth quarter of 1951. Therefore the IMC had nothing to do with our stockpiling program. How can you stockpile when you do not have enough materials to meet current needs? How are you going to put money into a savings account in the bank when you do not have enough money to meet your everyday needs? You cannot stockpile when you need the materials for the war in Korea and for our defense effort. This is a misleading amendment and should be defeated.

The CHAIRMAN. The gentleman from Kentucky [Mr. SPENCE] is recognized to close the debate on this amendment.

Mr. SPENCE. Mr. Chairman, whether or not there was adequate legal authority to create the International Materials Conference, certainly it was based upon the principles of sound common sense. There is no nation in the world that is self-sufficient and we entered into an agreement with 28 other free nations in order that we might in an orderly way acquire those materials which are necessary for our national defense and which we cannot produce.

What great principle did that violate, I wonder?

Not long ago our Government traded some steel to England for tin and aluminum. I do not know that there was any statutory authority for it, but the people directing our defense effort in order to procure materials needed by us at this time made the deal, and this agreement is based upon the same sound principle that caused the formation of the International Materials Conference. I think it not only furnishes some materials to us in an orderly manner but the constant contact with the other free nations of the world stimulates their friendship and helps us, and I think that if we were to withdraw from the International Materials Conference it would be looked upon as a not very cooperative act by those upon whom we are relying to preserve their own liberties and with them ours.

If we withdraw from the International Materials Conference, if we have a disorderly competitive market in America, who will get the things that are necessary for their businesses and for their prosperity? The financially strong and powerful will get most of these materials in the competitive market and the little man will get few of them.

I am sure from what I have heard in committee that it would be a most disastrous thing to do away with the International Materials Conference. May I say also that Mr. Charles Wilson, former Director of Defense Mobilization, is earnestly in favor of this; Mr. Manly Fleischmann, former Administrator of the National Production Authority, is in favor of it; and Mr. John Small, Chairman of the Munitions Board, who has direction of the stockpile, has written a letter that he wants it continued.

Mr. McDONOUGH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Chairman, I am very much in favor of the Sadlak amendment to curtail the functions of the International Materials Conference. Last September I urged the House to consider what the IMC was doing to our sulfur supply and to our newsprint supply.

The following is what I said in the House on September 18, 1951, about the International Materials Conference:

SPEECH OF HON. GORDON L. MCDONOUGH, OF CALIFORNIA, IN THE HOUSE OF REPRESENTATIVES, TUESDAY, SEPTEMBER 18, 1951

Mr. MCDONOUGH. Mr. Speaker, I rise to call the attention of the House to another example of the incredible bureaucratic confusion in our Government, and to the serious damage it is inflicting on both our economy and our liberty.

The administration has committed the United States to a "globaloney" sulfur export plan that will seriously curtail the already critical newsprint supply and may eventually cause one small newspaper after another to go out of business in this country. The State Department, through ECA, has set up what is known as the International Materials Conference. The conference has set up a sulfur committee with representatives from 13 countries to consider the problem of how to distribute sulfur, principally produced in the United States, to the rest of the world. This superannuated, superelite, superimposed international agency of a nebulous world government which presumably does not exist has, as the House might expect, decided that if anybody must suffer a lack of sulfur it must be America.

When our State Department through ECA agreed to let the International Materials Conference allocate approximately a million tons of American sulfur for export to foreign countries, we in effect guaranteed to the world a cheap and bountiful supply of sulfur at the expense of our own economy and industry. Ironically, we also loan or give outright to many of the countries the money to buy our sulfur.

As far as I am able to determine, there is no other country which rations or controls its sulfur once it has received the sulfur from us. There are no American controls as to the ultimate use of exported sulfur. A foreign purchaser could buy sulfur for $26 a ton, American export price, and resell it in foreign markets for $60 a ton, Italian export price. We could not stop him.

These allocations of sulfur to foreign countries at the low American prices will only perpetuate world shortages, for as long as the rest of the world is guaranteed a cheap supply of sulfur by IMC from the United States supply, they will not reopen their own sulfur plants.

We have no stockpile of sulfur in the United States, nor is there a program of stockpiling contemplated. We have only 10 to 20 years of present production left in our known American sulfur deposits.

When I first began my investigation into sulfur shortages in the newsprint industry and traced the shortages to the International Materials Conference, I found some rather interesting facts that affect many basic materials. The International Materials Conference now has seven committees whose

recommendations control the following 13 important products and materials: Copper, zinc, lead, sulfur, cotton, tungsten, molybdenum, manganese, nickel, cobalt, wool, and paper and pulp. It is significant to note that the United States is the largest or second largest producer of these materials under international control, and in every case the United States is the largest consumer.

But it becomes even more interesting to note the vital commodities that are not controlled by this so-called international machinery to solve world shortages.

There is no international machinery set up to control the British monopoly of commercial diamonds, nor the South American monopoly of tin.

Nor is there any attempt by the International Materials Conference to touch the British-Malayan crude rubber monopoly which has been gouging United States tire manufacturers for years.

Nor has there been a committee set up for oil and petroleum. With the British and Dutch having a combined output greater than the United States, the British have felt that there was no need for such international machinery. But now that the British have lost their oil holdings in Iran, our State Department will shortly announce that the United States will soon place her petroleum production into the hands of another foreign committee.

We are in effect, through the International Materials Conference, placing the economy of the United States into the hands of a semi-world government, giving away control of basic materials vital to our American free-enterprise system.

I urge the adoption of the Sadlak amendment as a protection to our American labor and industry.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. SADLAK].

Mr. HALLECK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BURTON and Mr. SADLAK.

The Committee divided; and the tellers reported that there were—ayes 169, noes 102.

So the amendment was agreed to.

Mr. RAMSAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAMSAY: Section 101 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new subsection:

"(c) Whenever priorities are established or allocations made under section (a) with respect to any raw material, and such priorities or allocations operate to limit the production of articles or products produced in the United States, the President shall by proclamation limit the importation, during the period such priorities or allocations are in effect, of any article or product in the manufacture or production of which such raw material is used to 100 per centum of the average annual imports of such article or product during the calendar years 1947 through 1949: *Provided*, That the Tariff Commission has reported to the President that a substantial portion of the American producers of such article or product, or an article or product competitive therewith, has requested such limitation on imports: *Provided further*, That the Secretary of Defense has not certified to the President that the American production of such article or product is insufficient to supply the essential defense needs therefor. Upon the application of any substantial American producer, the Tariff Commission shall publish the fact of having received such application, shall hold public hearing thereon and shall report the facts to the President within sixty days of the receipt of such application. Such report to the President shall include the article or product on which the import limitation has been requested, whether it contains any raw material which is under priority or allocation control, whether a substantial portion of the American producers thereof have requested the above-specified import limitation, the maximum quantity of imports which would comply with said import limitation and such other facts as the Tariff Commission deems appropriate. A copy of said report to the President shall be submitted to the Secretary of Defense. If said report of the Tariff Commission indicates that the above-specified conditions have been met by the applicant and the Secretary of Defense has not certified to the President that the American production of such article or product is not sufficient to meet the essential defense needs, the President shall proclaim such import limitation within thirty days of his receipt of the report from the Tariff Commission. If the Secretary of Defense has certified that the American production of such article or product is insufficient to meet the essential defense needs therefor, the President shall, by proclamation, limit the imports of such article or product to such quantity as the Secretary of Defense certifies as necessary, in excess of American production, to meet the essential defense needs. All reports of the Tariff Commission and all certifications of the Secretary of Defense made hereunder shall be made public at the time of their issuance."

Mr. RAMSAY. Mr. Chairman, this amendment was originally the bill H. R. 6843, which is pending before the Banking and Currency Committee, and has been changed from the bill in one particular. H. R. 6343 provides a quota of 50 percent of the base period; the amendment now offered provides a quota of 100 percent of the base period. Those of us who favor this amendment do not want to injure the former market of imports. Our aim is merely to protect the pre-Korean competitive position of domestic producers vis-à-vis importers.

There is involved in my amendment the principle of the escape clause of the reciprocal trade agreements, and I do not see how any Member who supported the escape clause can fail to support my amendment.

Because of the controlled-materials program, producers of many civilian consumption items have had their output severely curtailed because the Government has diverted critical materials to defense purposes. In theory—and I believe in actual practice—the National Production Authority, in allocating scarce materials, attempts to keep the pre-Korean competitive position of domestic producers intact. The Government properly feels that its restrictions should fall, with equal force, on all producers in any given field.

NPA, however, has no means to control the production and movement of foreign goods. That can only be done by the President. The Congress, by enacting the escape clause, has provided relief from hardship resulting from trade concessions, but in the problem presented by the controlled-materials program, the Tariff Commission has held that injury does not result, primarily, from trade concessions.

It has been argued that this is faulty reasoning on the part of the Tariff Commission, but I believe they are on firm ground. Further, withdrawal of trade concessions would not solve the problem, because the problem is not one of price competition. It is a problem of inadequate production. Our domestic producers of many items simply are not permitted by the Government to manufacture enough articles to supply the market. They are able to sell all they can make. The vacuum in the market is being filled by foreign producers.

The injury will come when we remove restrictions and our domestic producers attempt to recapture their normal markets. They will find new buying patterns and history has shown it will be very difficult to recapture that market.

The history of the domestic watch industry during World War II clearly shows this. At the order of the Government our watch industry devoted its machinery, its management know-how, and its skilled labor to production of delicate war instruments. Their market was lost to imports, and to this day the pre-Pearl Harbor competitive position has not been recaptured.

This amendment, Mr. Chairman, merely attempts to keep the pre-Korean competitive position intact—as we do with domestic producers in the operation of the controlled-materials program. To do this it sets up the machinery of the escape clause. There is nothing automatic; domestic producers must prove, conclusively, that a substantial portion of any industry is losing markets because of its inability to produce.

If, prior to the Korean action, United States producers were splitting the market with foreign competition, my amendment will mean that as soon as the emergency is ended and domestic producers can obtain materials in the open market, their pre-Korean share of the market will be left intact.

This amendment is fair; it is needed. It upsets no traditions and it cannot interfere with the reciprocity program—which I have supported since 1933.

I hope Members will support my amendment.

Mr. SEELY-BROWN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from West Virginia [Mr. RAMSAY].

As a Member of Congress, I believe it to be my proper responsibility to protect not only the lives but also the livelihood of the people of my district. Many of the industrial workers in my district are facing a very critical situation. To help provide jobs in private industry for those who want to work is a responsibility of high priority with me.

My support of this amendment is based upon my desire to provide job opportunities for those so desperately seeking gainful employment. On May 7 of this year, Mr. Raymond Boulais, president of local union No. 947 in the plant of William Prym, Inc., CIO Textile Workers Union of America, appeared before the Banking and Currency Committee and urged

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the adoption of this legislation. In a very straight-forward manner he supported this amendment in order to preserve for the long-run pull the jobs of the members of his union.

Many American producers in my own district have seen their production cut back by materials allocations. They have watched imports rush in to take up the market. When this situation is allowed to develop the American worker is the first to suffer.

It is my conviction that unless the American producer is able to protect himself from foreign imports taking over his market while his own domestic production is artificially limited, he may find himself unable to get his market—or at least a portion of it—back when the emergency is over. In this type of situation, the American worker is once again the one who suffers most.

If our defense needs require a cutback in the production of a nondefense item, certainly our allies and partners in defense should likewise cut back their own production of this nondefense item. I am not suggesting that we force any other country to adopt similar production cut-backs even though they may be needed for mutual defense. By the same token, I believe we must provide fair treatment for our own producers who are contributing so much to the defense effort. Certainly no foreign country could have any valid reason for objecting to our proportionately limiting imports to the same extent that the American production of an article is cut back by the defense requirements.

There is nothing in this amendment which would in any way limit the imports of any raw materials or the imports of any product or article made therefrom which the Secretary of Defense certifies as essential to the security and defense needs of the United States.

There is nothing in the amendment—as I read it—which automatically limits imports. It provides for a limitation only when the American production of a product is limited by raw materials allocations by NPA and then only when and if a substantial portion of the American producers of such products applies to the Tariff Commission for such limitation.

Adoption of this legislation would help provide better job opportunity and thus greater security for the many workers in both the pin and wood-screw industry in my district.

Mr. BAILEY. Mr. Chairman, I rise in support of the amendment, and I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Chairman, the objectives sought in the amendment proposed by the gentleman from West Virginia [Mr. RAMSAY] are the same objectives that were sought by the Congress 1 year ago when they wrote into the Reciprocal Trade Agreements Act the so-called peril point and escape clauses. We thought that would solve the situation. The objective of Congress was to see to it that the interests of small manufacturers were properly safeguarded.

In an attempt to administer the Reciprocal Trade Agreements Act with this escape clause and the peril point in it, we have carried to the United States Tariff Commission a series of cases. I was much surprised some time ago to find the Commission in one of its first opinions handed down under the escape clause saying to the people—I am talking about the manufacturers of wood screws—"Your troubles are not chargeable to the Reciprocal Trade Agreements Act. They are chargeable to the practice of the National Production Authority in allocating certain critical materials to the defense effort and denying them to the domestic producer of civilian goods."

We are forced to take some steps at this point. Otherwise the effectiveness of your peril point and your escape clause, as written into the Reciprocal Trade Agreements Act, is absolutely worthless.

All this amendment proposes to do is to say to any nation who is importing goods made from critical materials: "We will go back to the pre-Korea period of 1949, 1950, and 1951, and we will take the average amount of your imports, and we will say to you that you cannot increase that average import so long as our American domestic producers are living under these freeze orders in which they cannot get critical materials."

I want to show you just how the proposition would work. I am sure that the adoption of this amendment will greatly remove the hazard that now faces particularly our small manufacturers throughout the Nation.

This proposal merely sets up machinery whereby a domestic industry, when needed, can protect and maintain its relative competitive position with imports while the domestic production of the article is being limited by NPA allocations of materials.

There is nothing in the proposal to restrict imports in such a way as to change or improve the competitive position of domestic producers. Actually it favors imports.

There is nothing in the amendment that would in any way limit the imports of any raw material or the imports of any product or article made therefrom which the Secretary of Defense certifies as essential to the security and defense needs of the United States.

There is nothing in the bill which operates automatically to limit imports. It provides for a limitation only when the American production of a product is limited by raw-materials allocations by NPA and only when and if a substantial portion of the American producers of such article or product applies to the Tariff Commission for such limitation. It is assumed that the Tariff Commission would determine the substantial portion on the basis of unit volume or dollar volume of production rather than the number of producers. Presumably, where it could be shown to the Tariff Commission that a majority of the American producers, by volume, did not desire the import limitation, it would not be necessary to impose such a limitation.

The proposed amendment adopts the fair procedure and sets up machinery for operation thereof which the NPA carefully uses and administers in order to maintain the relative competitive position between different producers of a given product in a given American industry. It certainly would be unfair for NPA to prohibit one producer of X commodity from further production and at the same time permit his American competitor to continue production and take over the market. Obviously the first American producer would be unable to regain all or part of his market after the emergency is over. The same would be true if one American producer were limited more seriously in his production than another. The same fair principle should be applied to maintain the relative pre-Korea competitive relationship between an American industry and imports.

Many American producers have seen their production cut back by materials allocations and imports rush in to take up the market. Unless the American producer is able to protect himself from imports taking over his market while his production is artificially limited, he will be unable to regain all or a portion of such markets when the emergency is over. Imports should be limited to approximately the same level as is the American producers production so that they both have a fair chance at current competition and a fair chance of regaining their markets after the emergency is over.

One of the objections which will be made by the free trade opponents is that we should not deny the consumers of a product if it is available through imports. However, it is certainly fair and the American way to distribute the burden of national defense equally among all of the citizens. If our defense requirements call for a cutback in the production of a certain article, because the raw material therefor is required for defense purposes, certainly the consumers of that product should bear the burden along with, and equitably with, the producers thereof. It must be recalled that all Americans who are consumers are also producers. No person long consumes unless he also produces. It would be grossly unfair and un-American to ask any given American producer or consumer group to give up his product for the benefit of the defense effort and not ask other groups of producers and consumers to bear a proportionate burden.

If our defense needs require a cutback in the production of any given article or product, certainly our allies and partners in defense should likewise cut back their production. However this has not always been the case and frequently, even though they may cut back the production of such article, they will make an exception for its production and export to the United States in the hopes of gaining and retaining the United States market by unfair advantage. We cannot guarantee and certainly cannot force any other country to adopt similar production cutbacks even though they may

be drastically needed for mutual defense. However, it is only fair to protect our own producers who are contributing the most to national defense and mutual defense.

Certainly no foreign country, even the most friendly, could have any valid objection to our proportionately limiting imports to the same extent that the American production of an article is cut back by the defense requirements. This proposed amendment proposes to limit imports of articles made of allocated materials to only 50 percent of the pre-Korean base period imports while most American producers of nondefense articles requiring allocated materials are limited to substantially less than 50 percent.

Articles using steel are limited to 50 percent and most articles using copper and aluminum are limited to 30 percent or less, those using nickel are limited to less than 20 percent or entirely prohibited. The limitation of 50 percent on imports gives more than an even break to imports. In the case of defense items American producers usually get more than the above-mentioned percentages in order to encourage greater production and in such cases, upon the certification of the Secretary of Defense, this proposed amendment would place no limit upon imports of any article or product needed for the defense effort.

I am the sponsor of the escape clause which was written into the renewal of the Reciprocal Trade Agreements Act last year. The object of this escape clause was to provide that domestic producers be given an opportunity to prove to the United States Tariff Commission that their business was being injured by foreign imports. This escape clause is now section 7 of Public Law 50 of the Eighty-second Congress.

The intent of the Congress was that domestic producers suffering from too much foreign competition would be able to get relief. This was particularly true of domestic producers who were being denied the use of certain critical materials needed in the defense effort. These people were being driven out of business and their domestic market taken over by foreign-made goods because they were unable to compete due to their inability to buy these critical materials.

The domestic producers of wood screws carried their case before the United States Tariff Commission alleging injury under the Reciprocal Trade Agreements Act and asking for relief under section 7 of Public Law 50. They were denied this relief and told by the United States Tariff Commission that their troubles were due not to the trade agreements but to the action of the National Production Authority in allocating to the defense effort certain materials which the domestic producers needed in order to carry on their business.

If the United States Tariff Commission is correct in their interpretation it is vitally necessary that a large segment of American industry needs the production afforded by this amendment in order to prevent their being driven out of business.

The best illustration of how these freeze orders in critical materials are injuring domestic producers is the case of the Wallace Corp. now pending before the Tariff Commission. The Wallace Corp. manufactures spring clothespins. There is a freeze order on wire-tempered steel needed in the manufacture of these pins.

Last October this company was given an allocation by the National Production Authority of 76 tons of this highly tempered steel wire. They were also given an allocation for the first quarter of 1952, an additional allocation of 76 tons. To March 1, 1952, under both allocations they had received only 23 tons of steel. They have, in the meantime, in order to keep their plant operating and supply jobs for 400 workmen, been buying highly tempered steel wire from Belgium and paying $13.05 per hundredweight. Had they been permitted to buy this steel wire at home, the domestic price would have been only $7.40 per hundredweight. They are on the verge of closing down their plant because their profits are not high enough to stand the losses in the price they must pay for steel.

This legislation is not a new idea. The producers of agricultural products in this country are protected by quotas which place a limitation on foreign imports of agricultural products when these imports interfere with the acreage allocation and the production procedures outlined by the Agriculture Department. This exemption for the farm people will be found in section 122 of the Agricultural Production Act.

I sincerely hope that it will be the wisdom and pleasure of this committee to accept this proposal in order that countless numbers of small producers will not be driven out of business.

Mr. DEANE. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, there appeared before our committee a representative group of individuals on this particular point. These items would be involved: Cigarette lighters, brass-band instruments, safety pins, zippers, and flashlights.

At no time during the consideration by our committee did members on either the majority or minority side feel that these men made a case sufficiently strong to indicate that they were being injured by virtue of the type of legislation that is involved, at least no amendment was offered.

Mr. TALLE. Mr. Chairman, will the gentleman yield?

Mr. DEANE. In a moment.

Mr. TALLE. The gentleman made a statement that is not true, if I understood him correctly.

Mr. DEANE. The gentleman will have an opportunity to reply.

Mr. TALLE. I thought the witnesses referred to by the gentlemen did make a good case.

Mr. DEANE. I was informed by the Clerk that no such amendment was offered. So I will proceed, if I may.

For example, in the case of cigarette lighters, the total value of cigar and cigarette lighters, other than those made of gold or platinum, imported into the United States was only $185,000. The number of lighters imported in 1951 rose slightly, but they came primarily from Japan.

In this letter berore me from Secretary Sawyer, it is an indication to me that in passing this amendment we restrict the economic development of nations we are now paying millions of American dollars in economic aid. In other words we undercut the reciprocal trade agreements. Let me quote from Secretary of Commerce Sawyer's letter:

> Speaking broadly, I am deeply concerned over the serious effects which this and other current proposals for restriction of imports into the United States would have upon our own welfare and that of our friendly trading countries. In the aggregate, these import restrictions would not only reduce the ability of foreign peoples to continue to buy our exportable products in large volume, but would also materially injure the economies of many important foreign countries, and render it difficult for them to make their respective contributions toward the common defense program.

Mr. Chairman, I call your special attention to what he says next:

> Especially in view of our earnest efforts to persuade friendly countries to curtail exports to the Soviet bloc, it would be inconsistent for us to take measures that would at the same time curtail their markets in the United States, thereby forcing them to seek larger alternative outlets for their products.

Mr. Chairman, to pass this amendment would result in another weakening link in our effort to try to bring restoration to some of these countries and in view of the amount involved in dollars and cents, as shown by the evidence before us, there is no competitive disadvantage to the respective manufacturers in this country.

Mr. TALLE. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Iowa.

Mr. TALLE. Perhaps I misunderstood the gentleman from North Carolina, and if so, I wish to be corrected.

Mr. DEANE. I advised with the Clerk and, as I understand, there was no amendment offered. If the gentleman submitted one, I offer an apology.

Mr. TALLE. It is true that no amendment was offered, but I thought the gentleman from North Carolina stated that no Member on the majority side or the minority side thought that a case was made. As far as I am concerned, I thought a good case was made.

Mr. DEANE. I will alter it to that effect, that no amendment was offered by either the minority or the majority when this matter was before the committee. Is that not right?

Mr. TALLE. That is correct.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman will have to acknowledge that there were appearances before the committee in behalf of this amendment.

Mr. DEANE. I admit that, but there was no action on the part of the committee but I feel in view of the evidence before our committee a case was not made and I ask that the amendment be rejected.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word.

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Mr. Chairman, I rise in support of the amendment because I think it is basically a fair proposition. What it boils down to is simply this: If an American manufacturer is prevented from manufacturing the normal amount of the output of his plant due to a restriction on materials, this then restricts the importer to 100-percent import for the 3 years prior to Korea. For instance, in the pottery industry I am informed that cobalt is restricted, which consequently restricts the pottery manufacturers in coloring their glassware. Cobalt is used in its manufacture. Now, it does not seem fair to me that an American industry and the American workingman should make all the sacrifices. We should be in this thing together, and if we are going to restrict certain vital materials as far as our manufacturers are concerned, it just simply does not make sense to me that we should allow their competitors in foreign countries to procure all of it they can in a free and open market, manufacture those products, and send them in here and take away the markets from the people we are restricting in our own country.

Mr. Chairman, I do not propose to take a lot of the time of this committee, but it seems to me that this is basically a fair proposition. It is only for the duration of this act, and it is to offset something that is happening to these people as a result of this act. I hope the Members will see their way clear to support this amendment.

Mr. SECREST. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in my opinion if ever there was an amendment before this House that deserved favorable consideration it is this amendment that is before us here today. I think everyone in our country and every industry, certainly in my district, is anxious to do that which is necessary for the national defense, but while we are spending billions abroad we do not feel that it is fair to have industries abroad take our markets away because of scarce materials. In the pottery and glass industry cobalt, and many other items essential to national defense, is necessary in its manufacture.

I want to show you just what is being done by giving you accurate statistics from the Tariff Commission received on the 10th of June this year. In 1950, 23,000,000 pieces of glassware were imported into this country. In 1951, 41,000,000 pieces of glassware were imported into this country; just double 1950. At the rate imports are coming in in 1952 more than 90,000,000 pieces of glassware will be imported into this country this year, which is four times as much as came in in 1950. That means that the glass workers in my district, in West Virginia and in Pennsylvania and all over this country are being thrown out of work because of the scarcity of materials, while the imports in 2 years have gone up four times.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. SECREST. I yield to the gentleman from Ohio.

Mr. JENKINS. I agree absolutely with what the gentleman says. He is making a good speech, and it is good old Republican doctrine.

Mr. SECREST. It is good old American doctrine, I think.

I want to give you some more statistics on pottery. I have in my district many excellent potteries. In 1949, 22,000,000 pieces of household pottery came into this country. In 1951, 33,000,000 pieces came in. In 1952, 40,000,000 pieces of household pottery will come into this country at the present level of imports.

In 1951, 65,000,000 pieces of household chinaware came into this country, and over 100,000,000 pieces of earthenware and chinaware art and decorative articles came into this country.

Mr. Chairman, imports of pottery have multiplied three times in 2 years and imports of glassware have multiplied four times in 2 years. Over 200,000,000 pieces of pottery came into this country last year, and this year over 90,000,000 pieces of glassware will come in. That would furnish work for a long time to every pottery and glass factory in the United States.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SECREST. I yield to the gentleman from Michigan.

Mr. DONDERO. I am in sympathy with what the gentleman is saying. Is this merchandise coming in under the reciprocal trade agreement or under some other provision of law?

Mr. SECREST. It is coming in because in the first place they can get scarce materials we cannot get, and that applies especially to the better kinds of glassware and pottery. In the second place, this country has much higher costs. In Japan, one of the large exporters of pottery, they pay about 4 cents an hour, and we pay $1.50 an hour average in my district.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. SECREST. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Does the gentleman have statistics as to how many men are being put out of work because of these imports?

Mr. SECREST. The glass factory in my district has been working about half time, or working half of the people full time. I would say that half of the work in the glass plant in my district, which employs 700 or 800 people, last year went abroad to people that export glass here in competition with us.

Mr. SEELY-BROWN. The same situation is true in my State.

Mr. KEARNEY. Mr. Chairman, will the gentleman yield?

Mr. SECREST. I yield to the gentleman from New York.

Mr. KEARNEY. Does the gentleman have any information as to how much glassware comes from countries behind the iron curtain?

Mr. SECREST. Supposedly we shut out goods from countries behind the iron curtain, but I can tell you that the biggest exporter of glassware to this country in 1950 was Czechoslovakia, behind the iron curtain, with England second and Sweden third. In 1951 again Czechoslovakia was the largest exporter of glassware to this country, then England, and then Sweden. Do you realize that the money Sweden gets for glass sold in this country they use in manufacturing steel that is sold to the people behind the iron curtain?

This amendment should be adopted, Mr. Chairman.

(On request of Mr. H. CARL ANDERSEN, and by unanimous consent, Mr. SECREST was allowed to proceed for one additional minute.)

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. SECREST. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Is my understanding correct that the purpose of the amendment now before the Committee of the Whole is to give to the glass and pottery workers the same consideration the dairy farmers receive under section 104?

Mr. SECREST. Yes.

Mr. H. CARL ANDERSEN. I am for it.

Mr. SPENCE. Mr. Chairman, may I say that while I regret to have to do it, I am going to object to any extension of time from now on.

Mr. MULTER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, there is considerable difference between the actual effect of this amendment and section 104. But, I can easily understand how those who want section 104 will also want this amendment in the bill. None of us here is desirous of curtailing American industry or American agriculture. I addressed my remarks yesterday during general debate to this very amendment, which we expected would be offered. I am not going to take time now to elaborate upon the subject, as I did yesterday. I do want to call your attention to this. Mention was made by the gentleman from West Virginia [Mr. BAILEY] to the wood screw case. Nobody appeared before the committee to attempt to make out a case for them, but when the gentleman referred to the matter of the wood screw case before the Tariff Commission——

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. MULTER. Not at the moment.

Mr. BAILEY. Then do not mention my name unless you expect to yield to me.

Mr. MULTER. I will yield to the gentleman in due time, if the gentleman will give me a chance to complete my statement. Please let me finish the sentence.

When the case was referred to in committee, I asked the gentleman who did refer to the case the following question:

> In the wood screw case, they did not deny relief because of the underselling of the market.

Mr. Breckinridge who was then testifying on the subject in favor of this amendment said:

> You are correct on that, sir.

Let us understand this. Everybody who has spoken in favor of this amendment has made out a good case, a good case for permanent legislation, which should go to the Committee on Foreign Affairs and should be brought to the

House by that committee as a foreign affairs bill. It has no place in this temporary legislation, or in this emergency legislation. Every person who testified in behalf of industry before our committee was testifying not as to an emergency and not as to any situation brought about by an emergency, but was testifying as to a condition which existed in his trade and in his particular enterprise for a long time. Some had been before the Tariff Commission seeking relief, where they should get their relief. You should not give the relief this way. By attempting to do it this way, by emergency legislation, you are destroying at one fell swoop everything we are trying to do in our Mutual Security Program, and in our NATO program. Let me give you this quotation, please. Let us very clearly have in mind exactly what you are going to do, if you adopt this amendment. You will protect, maybe—I say, maybe—emphatically maybe—some American industry and some American enterprise, but you will destroy our joint effort with our allies to build up our defense against the Communists, and you will force them to trade with Russia. Let me read this to you, if you please, from the Deputy Director for Mutual Security, Mr. W. John Kenny, in a letter of May 17 to our distinguished chairman referring to this specific amendment, the Ramsay bill:

> The bill could result in reducing these earnings of Western Europe by as much as $561,000,000 for the same period, an amount equal to more than 30 percent of Western Europe's exports to the United States in 1951. This staggering reduction in projected dollar earnings would give the European NATO countries and the United States the choice of two undesirable alternative courses of action, to wit, a smaller NATO defense effort or increased defense support aid from the United States. Since the present NATO defense program is already at the minimum consistent with mutual security, a reduction in this program would raise serious questions with respect to the ability of the free world to defend itself against aggression. On the other hand, the granting of additional aid to fill the gap created by the proposed legislation would be in effect placing an unnecessary burden upon the taxpayers of the United States.

Mr. KEARNEY. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. KEARNEY. I appreciate the gentleman's comment, but I would like to refer back to the gentleman's thought that this should not come up at this time, but it should have gone back to the reciprocal trades agreement. I want to call the gentleman's attention to the reciprocal trades agreement being a one-way street, and that is why we in our small county have 3,000 American working men and women out of work today.

Mr. MULTER. I say to the gentleman, let us make it a two-way street. Let us correct the permanent legislation, if that is where the defect is.

Mr. HAYS of Ohio. Mr. Chairman, I rise in support of the amendment. I want to say in reply to the gentleman from New York [Mr. MULTER], who says a case has been made for permanent legislation, this bill is the thing that is putting these people behind the "eight ball." This is the particular legislation that is hurting them, and I say the place to give them relief is right on this bill.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. AUGUST H. ANDRESEN. I want to join with the gentleman in supporting this amendment, to protect the producers of this country, and I hope we will have an overwhelming majority for the amendment.

Mr. HAYS of Ohio. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I move to strike out the required number of words.

Mr. GROSS. Mr. Chairman, this amendment produces a rather amusing situation. I am for the amendment, but I well recall when the foreign dole was before the House only a comparatively few days ago, there was a provision in that bill for a billion dollars of mandatory spending for products of foreign manufacture, industry, and agriculture. Offshore procurement, they called it; a perfumed title, for the buying of foreign products. I offered an amendment to strike that billion-dollar mandatory provision out of the bill and I was overridden just as though I were not in the House of Representatives. Yet you come in here today squawking to beat the band because the administration permits reckless importing of foreign products into this country. It does not make any difference whether you buy foreign products offshore or import them. It all adds up to importing foreign labor. That foreign contract provision in the foreigners' dole bill was stricken in conference, but the situation was made even worse because under the bill as it stands today, not a billion dollars but two or three billion dollars or more can be spent under the foreign-dole bill which you passed the other day.

Mr. Chairman, Congress long ago ought to have started legislating in terms of pro-American policies. I refuse to be a party to the sell-out of American industry, labor, or agriculture in this or any foreign-dole legislation. I repeat again that it is amusing to watch the parade into the well of the House today of those who voted for the foreign give-away schemes and yet who are now pleading for legislative protection against those whom only a few days ago they gave several additional billion dollars.

How inconsistent can you get?

Mr. STAGGERS. Mr. Chairman, I rise in support of the amendment.

Mr. BURNSIDE. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from West Virginia.

Mr. BURNSIDE. We need to keep our glass industry, our hand-blown glass industry, operating. They are now working less than half time. In case of war we will need this glass industry and need it badly. I hope this amendment will be agreed to.

Mr. STAGGERS. I thank the gentleman.

Mr. Chairman, I would like to take just a minute to say in regard to the remarks of the gentleman from Ohio [Mr. SECREST] that I know something about the hand-made glassware situation. We have been getting a lot of this glassware from behind the iron curtain. They are cutting down on it now, but we are still getting a small amount of it.

About 2 years ago evidence came to me from a British trade journal that Czechoslovakia was selling glassware to the United States for one-quarter of what it cost to produce it. I took that evidence down to the Secretary of the Treasury and asked him to invoke the Anti-Dumping Act, which he had a perfect right to do. He promised to give me a reply after his investigators had made a report on this situation. That has been almost 2 years ago, and I have not had a report yet. We are still doing business with Czechoslovakia.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from South Carolina.

Mr. RIVERS. Does the gentleman not know that any decision the Secretary of the Treasury makes with respect to foreign governments is enunciated by the State Department? It makes no difference what the Secretary of the Treasury tells you, it is the responsibility of the State Department.

Mr. STAGGERS. Well, I do know——

Mr. RIVERS. I agree with you. I am for the amendment, but it is the State Department and not the Treasury Department.

Mr. STAGGERS. No. I do not like to disagree with the gentleman, but the Anti-Dumping Act comes under the Treasury Department.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. And the dollars they are getting in Czechoslovakia are the same as providing dollars for Russia?

Mr. STAGGERS. That is right.

Mr. AUGUST H. ANDRESEN. Because they go to Russia; and, of course, Stalin wants more dollars.

Mr. STAGGERS. He has to have more dollars.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield.

Mr. CRAWFORD. We might as well be practical about this whether we like it or not. If we propose to give assistance to Czechoslovakia in the hope that they will turn against Russia and follow our policy—and that is certainly the objective of the State Department—anybody who agrees with that objective would certainly not disagree on buying goods from Czechoslovakia, putting dollars in the hands of those people so they could buy goods from us. I say that if that is the objective, and I do not believe that anybody will deny that that is the objective of the State Department because we are continually passing bills here to aid people behind the iron curtain——

Mr. STAGGERS. Answering the gentleman from Michigan [Mr. CRAWFORD], I may say that I am not in the State

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Department and I am not in foreign diplomacy. My belief however about our foreign policy is this: I believe in the mutual aid compact and I believe in economic aid to those countries which will be a help to us in times when we may need friends. I am just saying that I do not believe in aiding any country that is behind the iron curtain so that they can get American dollars; and I think that is the question that is involved here and one that bothers me.

Mr. CRAWFORD. I agree with that, but I will not support the State Department as to using its judgment as to when to give goods and labor away in the United States for the benefit of somebody the State Department selects.

Mr. STAGGERS. I do not agree with that philosophy; my philosophy is, that we are obligated to help our friends when they are in need. I want to congratulate the gentlemen from Ohio in their statements on this glassware business and to state that I will vote for the amendment when it comes up.

Mr. KEARNS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, it certainly is very fine that today this great body has an opportunity to take action on a measure that we failed to take when the reciprocal-trade agreements extension was before us. Some 105 of us stood up here and voted against the reciprocal-trade agreements because we believed that the President should protect American industry. Now we have this committee coming in here and throwing mud further in the eyes of Congress by saying that we should ignore the American industry, deny Americans of their paydays, in order that we may go ahead with this foolhardy program abroad. Let us take the business of glass, pottery, and cigarette lighters; and I want to mention zippers because I have one of the largest zipper producing firms in my district——

Mr. KEARNEY. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. All right; I agree, almost as large.

Mr. KEARNEY. You can also include gloves.

Mr. KEARNS. All right. We have nearly 4,500 employees at Meadville, Pa., yet today 2,800 of them are idle. When employed they get $1.86 an hour as machine operators. Today that company cannot get copper or aluminum, yet they can go down to Mexico and get both, and for 35 cents an hour get their machine operators. They pay the 30-percent duty, ship the goods across the border, and are able to compete here against Japanese zippers, which are so inferior that they are not to be mentioned in the same breath with American zippers.

I want to congratulate those who have sponsored this amendment. It is certainly a forward step in this country when we protect American paydays and American business.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. RAMSAY].

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 112, noes 43.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 102. Section 104 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"SEC. 104. Import controls of fats and oils (including oil-bearing materials, fatty acids, and soap and soap powder, but excluding petroleum and petroleum products and coconuts and coconut products), peanuts, butter, cheese, and other dairy products, and rice and rice products are necessary for the protection of the essential security interests and economy of the United States in the existing emergency in international relations, and imports into the United States of any such commodity or product, by types or varieties, shall be limited to such quantities as the Secretary of Agriculture finds would not (a) impair or reduce the domestic production of any such commodity or product below present production levels, or below such higher levels as the Secretary of Agriculture may deem necessary in view of domestic and international conditions, or (b) interfere with the orderly domestic storing and marketing of any such commodity or product, or (c) result in any unnecessary burden or expenditures under an Government price support program: *Provided, however,* That the Secretary of Agriculture after establishing import limitations, may permit additional imports of each type and variety of the commodities specified in this section, not to exceed 10 percent of the import limitation with respect to each type and variety which he may deem necessary, taking into consideration the broad effects upon international relationships and trade. The President shall exercise the authority and powers conferred by this section."

Mr. BOGGS of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOGGS of Louisiana: On page 2, line 12, strike out everything beginning with line 12 on page 2 and ending with line 14 on page 3, and insert in lieu thereof: "Section 104 of the Defense Production Act of 1950, as amended, is hereby repealed."

Mr. BOGGS of Louisiana. Mr. Chairman, in the debate of a few moments ago on the amendment offered by the gentleman from West Virginia, the real intent of the sponsors of section 104 was pretty well revealed and set forth. The gentlemen who spoke on behalf of the Ramsay amendment made the same type of presentation when we adopted year before last and the year before that the Reciprocal Trade Treaty Act. The argument advanced by the gentleman from West Virginia was made at that time before we had shortages caused by the Korean war.

What you are really having here on a so-called control bill is a direct attack upon the established trade policy of the United States of America in the reciprocal trade treaty program. If carried on, this approach will wreck our foreign trade; it will have disastrous effect in New Orleans and every port in the country. I should like to address my remarks particularly to my colleagues who come from the great agricultural areas of the South and the West who are interested in cotton, wheat, tobacco, and countless other products which have become the subject of trade agreements mutually arrived at by the various countries which consume these products.

There comes to my mind an incident which happened with the chairman of the Committee on Agriculture some years ago, the gentleman from North Carolina [Mr. COOLEY]. We were traveling together in Europe. At that time there was a large surplus of tobacco in this country and the gentleman from North Carolina [Mr. COOLEY], the good and able Representative that he is, spent a good bit of time negotiating on his own to secure markets for his North Carolina tobacco. We have had a similar situation with cotton and with wheat. As a matter of fact, one bale out of every four that is grown on southern farms is grown for export. You take that export market away and our cotton farmers will face the worst kind of a depression.

I say to this body, if you want to use this bill as a vehicle to repeal the reciprocal trade treaty program which has been built up over a period of years as a sound and a substantial policy, go ahead and do it, but know what you are doing when you do it. Do not do it under any fake pretense of protecting cheese, or glassware, or some other commodity. Go ahead and say that it is the intent of this body today to repeal the policy of this Government which has been in effect since that great Secretary, Mr. Hull, assumed that responsibility some years ago.

I might say this, too, as a member of the great Committee on Ways and Means: I think that this debate properly belongs before that committee. It has been the subject of study by that committee. I see my fine friend, the gentleman from New York [Mr. REED], who has traditionally taken a policy as opposed to these trade treaties, but it has been debated before men and women who have devoted a lifetime to these problems, and here we come today with a temporary piece of legislation, its very object of which is in doubt, and we propose to change a policy which is basic to this Government, as I see it.

If you fine colleagues of mine from the South want to remove our export market for cotton, if you want to cripple our export market for tobacco, if you want to throw a real gap into that $18,000,000,000 of trade that we carry on with other countries in free enterprise, then I say go ahead and vote for these types of amendments that are being offered.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I did not interfere with the gentleman. I know the gentleman's position. His position is exactly the same as my good friends over here in the Republican Party. I am well aware of it because the gentleman appeared before the Committee on Ways and Means in opposition to the reciprocal trade treaty.

Mr. BAILEY. In 1945, and I did not get anywhere.

Mr. BOGGS of Louisiana. The gentleman sure did not, because we understood what he was trying to do. The Members did not understand that here a moment ago, but that is what is involved here, and I ask the Members of this body to consider this amendment, see what is involved, and then make your decision. This amendment is sponsored by the same people who for years kept an un-

fair tax on oleo. It is a short-sighted amendment.

In 1951 the United States exported over $4,000,000,000 of agricultural products. This figure represents four times the cash farm income received by either New York, North Carolina, Indiana, or Ohio. Foreign markets provide an outlet for an amount of American agricultural production that is considerably greater than the total production of any State.

Unlike the manufacturer producing for export, the farmer usually does not deal directly with his ultimate customer and may never know that his product is exported. Many do not, therefore, realize their important stake in the pattern of foreign trade. Yet foreign countries provided an outlet in 1951 for well over one-third of the cotton, rice, wheat, dried whole milk, and about one-fourth of the tobacco, soybeans, and lard. Almost as large a proportion of the American production of peanuts and grain sorghums was exported. Exports of cotton were valued in 1951 at $1,000,000,000; wheat at $1,000,000,000; leaf tobacco at $325,000,000; fruits at $115,000,000; dairy products at $150,000,000; and vegetables at $84,000,000.

The major export commodities are of great importance to farmers in practically every part of the country. The American Farm Bureau Federation in a recent statistical analysis has classified 25 agricultural commodities as being greatly dependent upon exports. In 1950 more than half of the cash income from crops of farmers in 35 different States was from these products which were especially dependent upon exports. Such commodities included tobacco, apples, peanuts, and dairy products.

These large exports also tend to strengthen the price of these commodities in the American market. Farmers get higher prices for their products because of the additional demand created by foreign purchases. It is evident, for example, that if the $325,000,000 worth of leaf tobacco and the $115,000,000 worth of fruit exported in 1951 had instead been offered on the domestic market a drastic decline in prices would have followed.

If United States exports are to be maintained, foreign countries must have dollars with which to buy our products. Since the end of the war the amount of dollars foreign countries have earned from our imports of goods and services has been far short of the amount necessary to pay for the exports we have sent them. Farm exports have attained their high level in part because of the dollar aid we have been granting other countries. As our aid is reduced in the years ahead our agricultural exports will, therefore, be seriously affected if we do not permit other countries to expand their dollar earnings. Foreign countries which have a shortage of dollars will be obliged to reduce imports of those commodities which they need less or which they can get from other sources. In such circumstances a foreign country would turn to other trading areas where it can buy without using dollars or it would attempt to produce the various commodities even though they be inferior and higher priced. Exports of agricultural products are particularly vulnerable in this respect.

Legislation such as section 104 of the Defense Production Act is adversely affecting agricultural exports. Section 104 provides that there shall be no imports of butter or certain other fats and oils, cheese, other dairy products, if the Secretary of Agriculture determines such importation would have any of three named effects. The quotas imposed under section 104 have meant a decrease of some 35 percent from 1950 level of imports of cheese. Some of the affected countries, particularly those which import American agricultural products, have already indicated that they must reduce purchases of our goods because of smaller earnings from cheese sales to us. They are also seriously considering withdrawing tariff concessions granted us as a result of our withdrawal of tariff commitments made to them.

Exports of fruit have already been affected. Tobacco, vegetables, cotton, and lard may also suffer. These risks are being incurred unnecessarily, since adequate safeguards were and are already available to protect domestic producers against serious injury from imports.

Exports of poultry and eggs, would probably also be affected by a reduction in United States exports of agricultural products. In 1951 exports of eggs and poultry from the United States amounted to over $40,000,000.

Because of its long-term effect, section 104 offers no real protection even to the interests intended to be protected and is harmful generally to American agriculture. It is interesting to note that in 1951 the value of United States exports of dairy products was over $120,000,000 while imports were valued at only $25,000,000. This means that in 1951 there was an export balance in dairy products of over $95,000,000.

The adverse impact of such restrictions as required by section 104 upon United States agriculture is understood by many farm leaders and their position was ably presented by Allen B. Kline, president of the American Farm Bureau Federation in his testimony before the Senate Committee on Banking and Currency during the hearings on bills to amend and extend the Defense Production Act of 1950 (S. 2594 and S. 2645). His testimony said in part:

> We recommend that section 104 of the Defense Production Act of 1950, as amended, be eliminated. We firmly believe that the provisions of Public Law 50, Eighty-second Congress, together with section 22 of the Agricultural Adjustment Act, properly administered, give adequate protection to producers of agricultural commodities from excessive imports. A prosperous and expanding agriculture in America is dependent on a high volume of trade. Our exports exceed our imports. The current exports of dairy products exceed by about 2½ times the imports. We will insist that the provisions of Public Law 50 and section 22 of the Agricultural Adjustment Act be promptly carried out by the responsible administrative agencies.

Among organizations which have expressed their opposition to section 104 are: Tobacco Associates, Inc.; American Cotton Shippers Association; the United States Chamber of Commerce; National Cotton Council of America; General Federation of Women's Clubs; New Orleans International House.

In the present serious circumstances, our foreign trade is especially vital to the security of the United States and the rest of the free world. Our imports include many commodities necessary to enable us to meet critical national defense requirements. Our exports provide goods desperately needed by free nations to prevent economic instability. Smaller dollar earnings by these countries weaken the capacity of our allies to carry forward the program of rearmament. As has been indicated, a number of foreign governments have protested the trade restrictions imposed under section 104. We stand to lose greatly in prestige and leadership as well as in trade if section 104 is not repealed.

It cannot be too often emphasized that foreign trade is a two-way street. It is essential that the United States import if it is to continue to sell its products abroad and not give them away through the mechanism of foreign aid.

Mr. JENKINS. Mr. Chairman, I move to strike out the last word.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman undoubtedly misunderstood the amendment. The amendment was to strike out a section of the pending bill, and the gentleman, I am sure, is not in favor of striking out that section.

Mr. JENKINS. Mr. Chairman, I am in favor of the section to which the gentleman from Minnesota [Mr. ANDRESEN] refers. My principal reason for arising is to reply to my distinguished friend from Louisiana [Mr. BOGGS] who has just left the floor. He orates here eloquently about reciprocal trade agreements. You know, if the gentleman down here in Washington that we call the Tariff Commission and the President, Mr. Truman, would do their duty we would not have to be here today trying to do what we have done with reference to glass and pottery and what we are intending to do with reference to cheese and butter and these other commodities. These gentlemen who are supposed to administer the law have not performed their duty. For instance, I know a very prominent lawyer who has practiced before the Tariff Commission for years. He has been trying to get a decision upon which he can base a case that he can appeal to the courts. They get around him without giving any reasons. He cannot get into the courts. He can get no relief of any kind. What is left for the people to do? They have to come here to Congress as the Democratic Members have done today, to get protection for glassware and other commodities in which they are interested. I voted with them and I shall vote with other Democrats if necessary in order to get justice. That is exactly what we have to do. If we want justice, we have to come to Congress. We cannot get it out of the governmental organizations that have the duty to do justice because they refuse to do what the law requires

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them to do. I mean the White House and all the rest of those responsible, including the Tariff Commission.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from West Virginia.

Mr. BAILEY. Is it not true that the agricultural interests have a far greater protection under the provisions of the Agricultural Adjustment Act, and is it not also true that the gentleman from Louisiana, who just addressed the House, is familiar with the fact that his State has an import limitation on the amount of Cuban sugar that can come in to protect his sugar farmers? I think his speech was entirely out of order.

Mr. JENKINS. I did not rise for the purpose of raising any personal issue, but I think the gentleman is absolutely right.

Mr. Chairman, I want to impress this on the Members of this House. There is a great line of demarcation between the Republican policy and the Democratic policy with reference to the reciprocal trade agreements. This has been debated for years. The House passed the reciprocal-trade-agreement law several years ago. If we had an honest administration of the law today, it would not be necessary for us to be here asking for these amendments. The law is not fairly or honestly administered, and I have told you the reason why we are here before Congress trying to get a little bit of fair play.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent to proceed for five additional minutes.

Mr. SPENCE. Mr. Chairman, I said sometime ago I was going to object to any requests for additional time, so I object.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I am amazed at the attitude of the gentleman from Louisiana in offering this amendment. He has called it the cheese amendment. I can say to him that it involves much more than cheese. If his amendment succeeds, it means unlimited imports of rice, fats, and oils, peanuts, and many other products produced in his area. When I say "unlimited imports" it means exactly that, for imports will be brought into this country under a policy that will surely destroy production of essential foods in the United States.

I am very much interested in this section of the bill, which I sponsored a year ago, known as section 104. It was approved by an overwhelming majority. The amendment—section 104—contained in the committee bill is a modification of section 104 approved in 1951, to more nearly meet the situation at home and also makes possible the correction of certain inequalities that have appeared during the past 9 months in the administration of existing law.

The Senate has considered the same amendment. It was defeated in the Senate on a tie vote, 38 to 38, because of the absence of a few Senators who would have voted for the amendment.

Your committee has made the revised section 104 as a part of the bill by a majority vote of the committee. It should be approved to protect not only the producers but the consumers in the United States.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. BROWN of Georgia. It is my understanding that this amendment was passed by a very good-sized majority in the committee.

Mr. AUGUST H. ANDRESEN. That is my understanding.

Mr. BROWN of Georgia. It passed, anyway. I am here to tell you that I am supporting it as it appears in the bill. I think we did right then, and I hope the members of the committee who voted for it then will vote for it now.

Mr. AUGUST H. ANDRESEN. I thank the gentleman very much. I am glad to hear that he is for this section of the bill. His support of section 104 as it appears in the bill will assure approval in the House and also by the conference committee. The farmers of this country owe the gentleman from Georgia [Mr. BROWN] a debt of gratitude for his timely help to secure favorable action on this section of the bill. The consumers also owe him a sincere vote of thanks for supporting policies which will assure abundant production of vital food for them I can also assure the gentleman that I will not forget his support of section 104.

The gentleman from Louisiana has tried to divide the House Membership into sectional groups. He states that section 104 should be stricken from the bill so that the tobacco and the cotton farmers will have a market throughout the world. No one has fought harder for the tobacco and cotton farmers than I in the many years I have been in Congress. But apparently he is willing to liquidate the peanut industry, the rice industry, and the dairy industry in this country to gain an advantage for cotton and tobacco. Unfortunately, there are too many people in this country who are ready to liquidate or injure other Americans engaged in other lines of production if they can make some money out of it. Some day the gentleman may feel different about it.

Let me show you what we have done for cotton already. Since April 1948 the taxpayers of this country have put up $1,200,000,000 to pay for cotton to give away to many countries in the world. Tobacco has not been taking a back seat, either. The American taxpayers have put up $455,000,000 to pay for tobacco to give away throughout the world. Tobacco and cotton farmers are in excellent financial condition. It therefore appears to me that the gentleman from Louisiana and those who support his amendment are making a terrible mistake.

This is more than a cheese amendment, I will say to my friends, because it takes in all dairy products. The repeal of section 104 would permit unlimited imports of butter, cheese, peanuts, fats and oils, rice and linseed oil, flaxseed, and many other products.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. CRAWFORD. So that we do not get confused here, I ask the gentleman from Georgia [Mr. BROWN] and the gentleman from Minnesota, now addressing us, do you propose that we leave in the bill the language on page 2, beginning on line 14, and extending to page 3, including line 18? Is that what you are talking about?

Mr. AUGUST H. ANDRESEN. Beginning on line 12, at page 2, and ending on page 3, line 14.

Mr. CRAWFORD. Your proposal is that we leave that language in the bill?

Mr. AUGUST H. ANDRESEN. We should leave that language in the bill.

Mr. CRAWFORD. I wanted it to be clear as to what you were talking about.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

Mr. SPENCE. Mr. Chairman, I must object to any extension of time.

Mr. AUGUST H. ANDRESEN. Let me again urge the defeat of the amendment offered by the gentleman from Louisiana. His amendment proposes to strike section 104 from the committee bill. This section should be enacted into law. It is urgent and vital to our domestic economy to encourage maximum food production.

Mr. COX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, are we not operating under a delusion in thinking we are effectively legislating for the country? When I look at the afternoon paper, the headlines of which read, "Truman says Hill cannot make him use Taft-Hartley," I wonder if the representative of the Department of Justice in presenting the views of the Department in the Steel case did not actually reflect the views of the Chief Executive when he said that the President was not bound by acts of Congress and was his own interpreter of the meaning of the Constitution.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe this might well be called the "cheese" amendment beyond peradventure of doubt. Let us see what the wording of this particular section is. We have this unusual language, namely, that these quotas and controls on cheese and other products are necessary for the protection and the essential security interests and economy of the United States. That is a rather pretentious cover or facade of protection. Cheese is going to protect the internal security of the United States. Imagine cheese as one of our outer bastions. We now have a fortress of cheese to protect our security. I never heard of more nonsense than that. It is like Don Quixote tilting at windmills. Actually the proponents of section 102, which amends section 104 of the Defense Production Act are just as wrong as a 2-foot yardstick. Only some 20 blue cheese manufacturers would benefit from this provision; benefit at the expense of all other cheese manufacturers, benefit at the expense of a successful foreign policy, vis-à-vis countries like Italy, France, Denmark, and Holland. That section is the very negation of the foreign economic

policy of the United States. Some six countries have already protested that this provision violates the letter and spirit of the General Agreement on Tariff and Trade called GATT. Apparently the cheese lobby, or the dairy lobby, cares nothing for any kind or sort of international agreement.

This provision violates the plan of the Mutual Security Administration whereby we seek to build up European exports. The shipment of cheese to the United States has been strongly encouraged by ECA. So with one hand we seek to bring some imports of cheese into this country and with the other hand we say, "No. We shall keep cheese out."

Cheese is big business in little countries like Denmark, Holland, and Italy. It means much to them. Our exports of cheese are minuscular in comparison to our production of cheese and our consumption of cheese. Our imports are trifling. They are a drop in the bucket, particularly in comparison to our exports of cheese. Domestic producers are not endangered by imports. They have the protection of tariffs, as well as many other protective devices, and I shall insert in the RECORD the many provisions they can avail themselves of if they need protection; but they need no protection. There is protection under section 22 of the Agricultural Adjustment Act, section 7 of the Trade Agreements Extension Act, and so forth. I say we export far more cheese than we import. Cheese imports during the past war years were less than they were in 1939. Think of it. We import less than 5 percent of our production. Also less than 5 percent of our entire production of cheese. It is like great giants being frightened by pygmies. All these protective acts, which I place in the RECORD, guard the domestic manufacturer against any kind of unfair competition from abroad. Apparently what these 20 blue cheese manufacturers want is no competition whatsoever. They want the Government to put all manner and kind of crutches under them to protect them in their inefficiency; to protect them in their imagined fear that there is going to be a tremendous amount of cheese coming in from these little countries whom we are trying to help, which now with this kind of legislation we effectively dam. We deprive the American consumer from buying what he wants. He has a taste for Gorgonzola, for Povero or Parmesan. He does not want imitations.

It is hardly necessary to recall that the current mutual-defense effort is based, so far as Western Europe is concerned, on the foundations built by the ECA program. In turn, the ECA programs were deeply concerned with the establishment of the freest possible flow of trade among the participating nations and throughout the free world. One of their major purposes was to make a frontal attack on the so-called international dollar gap, or dollar shortage problem on the assumption that only an expanding and well-balanced pattern of foreign trade could give stability to Europe and strengthen America's first line of defense across the ocean. Consequently, it was the declared purpose of the ECA program to help reduce the unbalance in the world trade due to the dollar shortage stemming in turn from the chronic excess of United States exports over imports.

The ECA countries were assisted and encouraged in the organization of dollar-export drives. Steps were taken to stimulate an increasing acceptance of European imports in the United States. The Italian Government, is extremely anxious to reestablish a situation in which Italy can earn and pay its own way through the exports of products of the skill and ingenuity of its enterprise and manpower, rather than to continue to rely on assistance.

These restrictions on cheese imports militate against the Italian efforts to improve her economic situation.

There have been indications that, while the American Government continues to be fully committed to the principle of trade liberalization, renewed recourse is being made to restrictive practices, and that the inconsistencies between principle and practice, far from disappearing, are once more increasing. Should this new trend continue unchecked, a very serious situation would result. Much of the progress made through GATT and other agreements would be undone and many of the gains of the Marshall plan would be wasted. Such a prospect is naturally viewed by the Italian Government with considerable alarm, and is a matter of major concern, particularly under the current unsettled conditions of the international and European economy.

Italian exports to the United States include to a very large extent foodstuffs—such as olive oil and cheese—certain farm products—such as almonds—and a number of specialties and typical commodities. They have enjoyed in recent years a moderate expansion which, however, has hardly made a dent on the trade unbalance between Italy and the United States. In 1951 Italian imports from the United States exceeded exports to the United States by over 6 to 1, representing a total deficit of more than $350,000,000. The hopes and prospects of further development, however, have been virtually nullified by restrictions placed by the United States Government on the import of a number of commodities which are of vital importance to Italy's economy.

The restrictions placed on Italian cheese imports seem particularly inappropriate because Italian cheeses do not compete, for the most part, with cheeses produced in the United States. Being produced from sheep's milk—pecocino and romano—or requiring many years of seasoning—parmigiano and reggiano—Italian cheeses are not competitive with their imitations which are produced in small quantity in the United States.

Now, all this has grave economic and political repercussions. Take the situation in Italy. Italy depends to a major extent upon her exports of cheese and her small amount of imports into the United States. This kind of legislation is just grist to the Communist mill; grist to the Fascist mill, particularly in Italy. You may have read to your dismay and to my dismay that the Fascists are making great headway in the southern part of Italy. The neo-Fascist party has elected mayors in Naples, Bari, Palermo, and so on. What do you want them to do? Do you want them to elect more mayors, because the propagandists on the Fascist side will make much of this character of legislation. They will say that the Americans do not practice what they preach.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. H. CARL ANDERSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the Boggs amendment, as I consider it extremely detrimental to agriculture. Personally, I cannot see how any Member from that great Southland can support it. I am indeed much pleased to see that the gentleman from Georgia [Mr. BROWN] and others from the South feel that it is the wrong method of approach. I think the way the committee has written this revision of section 104 amounts to a sort of compromise. Surely the House is not going to go against the action which it took last year, when it said to agriculture throughout America, "We are going to give you a certain degree of protection against the influx into this country of a great amount of competing fats and oils which are apt to put our own farmers out of business." Whether that is making grist for the Fascist mill or not, I do not know and I do not care. Just as I supported the amendment which gave protection to pottery workers and glass workers, believing that this Congress should keep a certain degree of protection for its own people, in contravention to trying to do everything for those in other countries at this time, in the same degree I am supporting the Andresen proposal to retain this particular provision in the bill. I hope the House will reject the Boggs amendment.

I was sorry to see my colleague was shut off abruptly by the refusal of the committee chairman to agree to the extension of his time. I consider the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] as the greatest authority on agriculture in this House, bar none—and I am proud of him, coming from the great State of Minnesota as he does. I would like to ask him to elucidate further upon the reasons as to why this Boggs amendment should be defeated and defeated roundly.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman with pleasure.

Mr. AUGUST H. ANDRESEN. I thank my colleague for his kind words. Mr. Chairman, it appears that the gentleman from New York who spoke just a moment ago thinks, or at least seems to believe, that you can turn on a spigot and get milk out of it instead of having cows to produce milk. He has mentioned blue cheese from Denmark in particular. I had hoped that he would not get into that, because I dislike mentioning particular countries. However, I must advise the committee that blue mold cheese imports from Denmark have

taken over nearly one-half of the production and consumption of blue cheese in the United States. During the last year 49 percent of all the blue cheese consumed in the United States was imported, and about 95 percent of it came from Denmark.

I am rather proud of the little Danish blood I have in my system, but certainly I am American enough to want to protect at least a part of our domestic economy. Under the provisions of the bill the Danes and people of other cheese-producing countries will have ample quotas to ship a very substantial portion of their cheese into the United States.

Mr. H. CARL ANDERSEN. If my colleague will pardon an interruption, he stated he was proud of his Danish ancestry. I also am proud of the fact that my ancestry is 100 percent Danish; but at the same time I do not intend to give to Denmark concessions that belong by all rights to the farmers of our own country, America.

Mr. AUGUST H. ANDRESEN. What the gentleman has said is very appropriate at this time, and I thank him for yielding to me. I would like to point out, since Denmark has been mentioned, and it is a good country, they have a good economy, they have hard money, they are thrifty people, their credit is good in the United States; but I was kind of surprised when I read that they had received a gift from the United States of $240,000,000 since 1948, $240,000,000 since 1948—$240,000,000—nearly a quarter of a billion dollars. They used $80,000,000 of that to pay off their national debt at a time when our debt was going up and our taxes were also going up. I do not blame the Danish Government for getting something from our give-away program. Other countries did much better. Let me say in the balance of the time so kindly secured for me by my able colleague from Minnesota, that we must do something to protect the production of vital foods in the United States. Dairy products, which are covered by this bill, are vital foods. We must increase our production here in order to safeguard the welfare of the American people. Unlimited imports of dairy products will seriously injure domestic production. The amendment offered by the gentleman from Louisiana to strike section 104 from the bill must be defeated.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude at 4:15.

Mr. TALLE. Mr. Chairman, I would like 5 minutes in opposition to the amendment.

The CHAIRMAN. The Chair sees but three gentlemen on their feet seeking recognition. That would give the gentleman 5 minutes.

Is there objection to the request of the gentleman from Kentucky that all debate on this amendment and all amendments thereto conclude at 4:15?

There was no objection.

The CHAIRMAN. The gentleman from Iowa [Mr. TALLE] is recognized.

Mr. TALLE. Mr. Chairman, as I proceed to speak, may I say that I do so in the spirit of one of our greatest American leaders, Daniel Webster, who passed away a century ago. He won for himself so high a place in the hearts of the American people that some of his noble words were selected to be engraved on the panel resting high on the wall above the Speaker's rostrum in this Legislative Chamber. Lifting my eyes as I sat here yesterday, I read his immortal words:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered.

I trust that in our consideration of this bill, important as it is to our entire Nation, we may do something worthy to be remembered.

Mr. Chairman, you will recall the discussion of last year centering around what is now current law, section 104, which was adopted in this Chamber by a good vote and enacted into law. This year the administration demanded the repeal of section 104. After careful consideration, however, the Committee on Banking and Currency adopted my amendment to continue section 104 with some modification, as specified in the pending bill. I shall point out briefly what section 104 in revised form provides. It does two things:

First. It permits the Secretary of Agriculture to relax import restrictions on certain fats, oils, peanuts, rice, butter, cheese, and other dairy products, up to an additional 10 percent of the import limitation for each type or variety.

Second. It clarifies the intent of Congress to exempt from import controls the noncompetitive types or varieties of the specified commodities, as in the case of certain types or varieties of cheese.

My amendment as contained in the pending bill will continue to give protection to domestic producers of these products but will authorize the Secretary of Agriculture to modify import restrictions when advisable in the light of international conditions and trade. I urge that section 104 in this modified form be retained in the bill.

Mr. Chairman, we often speak of carrying on a great missionary enterprise. We are and can continue to be the leader of the free world, if we carry on our affairs in a sensible manner. Granted that we are carrying on a great missionary enterprise the world over, I want to say that I have never known any missionary enterprise to succeed without a strong home base. Our home base is here in the United States of America, and we must see to it that it remains strong. If we do not guard, protect and strengthen our home base—the great missionary enterprise we are engaged in throughout the world will fail. Let us retain in the bill section 104 as revised. Such action will, in my opinion, conform to the objectives so clearly and forcibly promulgated by Daniel Webster.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Due to the limitation of time we have not had the opportunity to show here that if this amendment succeeds and this section is eliminated from the bill, the Government support program, which provides a support price for all of the commodities in the bill, may go into operation immediately, and that the Government will begin buying domestically produced butter, cheese, peanuts, fats, oils, and rice, and unlimited imports coming in here will take over the domestic market, and the cost to the American taxpayer will be at least three or four hundred million dollars or possibly more.

Mr. TALLE. The gentleman is correct.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. WERDEL].

Mr. WERDEL. Mr. Chairman, I hope that the gentlemen of the fourth estate were paying attention when the statement was made here that the established foreign policy of our country is the Reciprocal Trade Agreement Act. If they were, they will recall that in 1943 a gentleman campaigning for the Presidency traveled over this country berating this Congress for passing the peril-point provision in the Reciprocal Trade Agreement Act. He went into the district of the author of that peril-point provision and defeated the man in his district because he had caused unpatriotic limitations to be placed upon the Executive 4 years ago. I am particularly interested in the remark because I think it is this same subject that caused me to make my first appearance in the well of the House. I had called the State Department and wanted a copy of the last reciprocal-trade conversations in London. They told me that even though under the Constitution it is the power of the Congress, and their duty and responsibility, to fix tariffs to protect our agriculture, our industry, and our standard of living, that we had conveyed that power to the Executive, and they took the position that individual Members of Congress were not entitled to know what the conversations were.

On my first occasion in this well I pointed out that our mines in the West would close unless they were protected by tariffs to the extent of labor cost, and I tell you today they are closed. In one of my counties alone, mines that employed between five and ten thousand people that did produce copper, that did produce zinc, that did produce lead are closed. Those people are seeking work some place where they can make $18 a day so that they can pay for the ice boxes that are made in the industrial areas that the gentleman from New York supports. Yes; they are closed, and what they produce, gentlemen, is out of the world supply. So when you talk about our manufacturers at home then you are admitting the folly of your ways 4 years ago, because we now must compete in the world market for the materials necessary to keep our industries going. We are weakened, as Webster pointed out, by the very fact that we destroyed our ability to produce. It is one thing to experiment with this in metals, but let me tell the gentlemen from the metropolitan areas, do not experiment with

the food of the Nation. Let us not destroy our ability to feed our people, and that is what this amendment does. We cannot have our standard of living unless this Congress protects it, and I say to you that the time is not far off when we are going to be protecting the standard of living of the men in your very industrial areas with tariffs. Either you are going to do it or we are not going to have that standard of living.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Chairman, I want to express my appreciation to the committee for its consideration of this matter. This is no new matter that has just come before this body. For a number of years we had a provision in the law taking care of these imports, imposing restrictions on them. That law was fixed so that it expired every 2 years. It so happened that the last expiration date was last year. No hearings were held on that. I know I introduced a bill to extend it for 2 years. So did the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], and a number of other Members who were interested in these controls introduced similar bills, extending the law. But they were not reported out by the committee. When the Defense Production Act was here last year the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], myself, and others introduced similar amendments, and the amendment offered by the gentleman from Minnesota was adopted. That amendment provided some small change and provided for tighter controls than had been in the original law. The amendment, it is true, was adopted without hearings. It was adopted by the other body, and then became the law of the land.

I realize there was some criticism of the amendment in that it was too harsh, it was too restrictive. Now our great committee has given it new study and gone into the matter and brought out a revised form of the restriction we imposed last year. This is not a Johnny-come-lately matter. It is a matter that has been enacted into law for a number of years. The provision we have now meets almost all the objections that have been raised by the State Department. It lodges great discretionary powers in the Secretary of Agriculture. It gives protection to our American farmer.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. I yield.

Mr. HAYS of Ohio. In other words, this is a compromise amendment designed to meet the worst objections to the amendment that was incorporated in the act last year?

Mr. ABBITT. That is right. I think it goes a long way in legitimately meeting those objections. We are not voting here today for the strict amendment that was passed last time, but it is one that has been given due study by the committee and I think fully meets the objections that have been raised to the law.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman knows this amendment gives authority to the Secretary of Agriculture to limit imports of certain commodities, including peanuts.

Mr. ABBITT. That is right.

Mr. AUGUST H. ANDRESEN. May I ask the gentleman if he can clarify this, and he is a great expert on peanuts as well as on other products: The support price on peanuts in this country is 12 cents a pound in the support program.

Mr. ABBITT. That is correct.

Mr. AUGUST H. ANDRESEN. The average world price of peanuts today is between 4 and 5 cents a pound. I am informed by the Department of Agriculture that the moment these controls were removed on imports our country would be flooded with possibly 1,000,000 to 2,000,000 tons of peanuts from Africa and other countries that would be attracted here on account of the higher price, which would mean that the Government would buy the peanuts raised in the United States at 12 cents a pound and the foreign peanuts would come in a little under the support price and take over the market. Is not that right?

Mr. ABBITT. Yes. Last year between the time the regular law expired and this act went into effect from 4 to 10 shiploads of peanuts were brought into this country; that is, while the officials were getting ready to administer this new act. That shows you the danger we are facing.

Mr. AUGUST H. ANDRESEN. If this provision of the bill is adopted and becomes a law and is properly administered, it will do justice to the importers and it will also give fair treatment to the American producers and consumers.

Mr. ABBITT. I agree with the gentleman. It is a compromise that has been worked out to protect our farmers, to allow us as much free trade as possible.

I hope the amendment will be voted down and the provision as reported by this great Committee on Banking and Currency will be placed in the law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. BOGGS].

The question was taken; and on a division (demanded by Mr. CELLER) there were ayes 25, noes 105.

So the amendment was rejected.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 3, line 13, after the word "trade" insert "*Provided further, however,* That the provisions of this section shall be inoperative as against any import, the retail selling price of which is more than 10-percent higher in American currency than the same similar or simulated domestically produced items."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I make a point of order against the amendment, that the amendment deals with price and is not germane to this section. This section deals exclusively with imports and authority in the hands of the Secretary of Agriculture to limit imports under certain conditions, and it does not deal in any manner with the price of the imported commodity or its relationship to the domestic price level for competitive products in this country.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the amendment?

Mr. MULTER. I do, Mr. Chairman.

Mr. Chairman, obviously the amendment is in order because it simply puts in as one of the provisions that the Secretary of Agriculture must consider the differential in price between the imported article and the domestic article.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule.

The gentleman from New York [Mr. MULTER] offers an amendment at page 3, line 13, to which the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] makes a point of order. The Chair has had an opportunity to examine the amendment, and the language of the bill to which the amendment is made. The Chair is of the opinion that the amendment is germane, and overrules the point of order made by the gentleman from Minnesota.

Mr. MULTER. Mr. Chairman, this amendment very simply takes at their word every Member of this House who has contended that he is not attempting to keep out of this country any import that is not in competition with a domestic item. Section 104 has been referred to as the cheese amendment because it affects cheese more than anything else. So let me tell you how it operates with reference to cheese. I have before me a schedule of retail prices on domestic and imported cheese. I will not take the time to read all of it now, but I will put it in the RECORD as part of my remarks. Let me give you some of the examples as to how it would affect the imports if this amendment of mine were adopted. If the imported article is selling at more than 10 percent of the price in American currency, and I put in American currency because yesterday the gentleman from Minnesota said the foreign currencies are devaluated and we do not want to compete with these devaluated foreign currencies, to make it certain that we are dealing with the price of the imported article here in our dollars, I say if the differential is 10 percent higher on the imported article than the domestic article, then this provision is inoperative.

Let us take some of the different types of cheese. American Cheddar sells at 79 cents a pound. Canadian at 75 cents. Therefore, the provisions would be operative as to Canadian Cheddar.

As to blue cheese, the domestic is 75 cents a pound; the imported is 79 cents a pound. It is the blue cheese more than any other that the cheese people apparently are concerned with. Therefore, the section will be operative as to blue cheese.

Take Roquefort, there is no competition with imported Roquefort cheese. So said every dairyman who has discussed the matter.

Take Italian cheese, the imported cheese sells from 89 cents to $1.09 a

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pound. Domestic variety sells at from 59 to 79 cents a pound.

Domestic Swiss cheese sells at 59 to 79 cents a pound. Imported Swiss cheese sells at $1.19 to $1.29 a pound.

So by this amendment we will eliminate from the operation of this section any item that is not in competition with your domestic item.

I am sure there can be no objection to this amendment, and I urge its adoption.

The comparative prices of domestic and imported cheeses of different types are as follows:

Retail price June 19, 1952

Cheese type	A. Schur, Washington Market, New York City	Nat Drucker, Washington Market, New York City	Phil Alpert, 235 Fulton St., New York City	Karton, 131 Charles St., New York City	Composite of 3 other stores
American Cheddar	$0.79	$0.79	$0.59		
Canadian Cheddar	.75	.85	.69		
Danish Blue	.79	.79			
Domestic Blue	.75	.75			
English Stilton		1.69			
French Roquefort	1.29	1.29			
Domestic Provoloni	.79	.79	.59	$0.69	$0.65–$0.69
Imported Provoloni	1.09	1.09	.89	.99	1.19–1.30
Domestic Parmesano	.99	(1)			.75–.85
Imported Parmesano	[2] 1.49	[2] .99	[2] 1.19		1.29–1.49
Domestic Swiss	.69	.65	.59	.79	
Imported Swiss	1.29	1.29	1.19	1.25	
Italian Pecorino Romano		1.25	.89–1.29	.89–1.20	.95–1.19
Domestic Romano [4]		(1)	[4] .69	(1)	
Argentine Romano		.99			
Domestic Swiss-type Gruyere		[4] .39			
Imported Gruyere		[4] .49			
Domestic Sardo (hard-grating Romano type)					.72–.79
Argentine Sardo					.72–.79

[1] Not available.
[2] Italian.
[3] Argentine.
[4] When available.
[5] Regular Romano type (domestic) not available in 10 stores contacted.
[6] 6 portions.

Pursuant to leave granted to me in the House I desire to call the attention of my colleagues to the following news item which appeared in today's Journal of Commerce:

DECLINES IN EXPORTS, IMPORTS LED BY AGRICULTURAL PRODUCTS

WASHINGTON, June 19.—A sharp drop in the value of agricultural products shipped out of this country in April was principally responsible for the drop in total exports which took place that month, the Census Bureau disclosed today.

April exports totaled $1,321,800,000. This was $82,700,000 below the March volume of $1,404,500,000. During this time the drop in value of major export products amounted to $69,700,000.

GRAIN EXPORTS

Wheat exports dropped from $111,600,000 to $85,800,000. Corn exports fell off from $21,400,000 to $15,000,000. Exports of other grains amounted to only $20,500,000 in April as against $27,900,000 in March.

Cotton exports meanwhile declined in value from $94,200,000 to $73,800,000 and tobacco exports from $16,000,000 to $11,100,000. Lard exports which were $11,700,000 in March amounted to only $6,900,000 the following month. Dairy product exports declined from $7,200,000 to $5,200,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The question was taken; and on a division (demanded by Mr. MULTER) there were—ayes 30, noes 86.

So the amendment was rejected.

Mr. BOLLING. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. BOLLING: On page 3, line 15, insert the following section:

"SEC. 103. Title II of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new section:

"'SEC. 202. (a) Whenever the President of of the United States, acting upon the written recommendation of the National Security Council, shall find that the national defense is endangered by a stoppage of production or a threatened stoppage of production in any one or more plants, mines, or facilities, as a result of the present management-labor dispute in the steel industry, the President is empowered and authorized to take possession of and to operate such plants, mines, or facilities (hereinafter referred to as "plants").

"'(b) During the period in which the United States is in possession of any plant under this section, the duly designated representatives of the employees and the management of the plant shall be obliged to continue collective bargaining for the purpose of settling the issues in dispute between them: *Provided*, That during such period, the Federal Mediation and Conciliation Service shall continue to encourage the settlement of the dispute by the parties concerned.

"'(c) Whenever an agreement concerning the terms and conditions of employment shall have been reached by representatives of the employees and the management of a plant in the possession of the United States under this section, or whenever in the judgment of the President it is no longer necessary in the interest of the national defense to continue possession and operation of any such plant, the President shall return such plant to the person lawfully entitled thereto: *Provided*, That possession by the United States shall be terminated not later than 6 months after the date upon which possession of the plant was taken initially under this section, unless the period of possession is extended by an act of Congress.

"'(d) (1) When possession of any plant has been taken by the United States under this section, a compensation board of five members shall be established, to be appointed by the President, by and with the advice and consent of the Senate. The compensation board shall determine (i) the amount to be paid as just compensation to the owner of any plant of which possession is taken and (ii) fair terms and conditions of employment of the employees in any such plant for the period of operation by the United States, other than changes relating to union shop, maintenance of membership, and similar arrangements between employers and employees: *Provided*, That such terms and conditions shall be consistent with wage and price stabilization policies under this act.

"'(2) The President shall make provision for such stenographic, clerical, and other assistance and such facilities, services, and supplies as may be necessary to enable the compensation board to perform its functions.

"'(e) During the period in which the United States is in possession of any plant under this section, the President shall maintain such terms and conditions of employment with respect to the employees in the plant as may be determined from time to time by the compensation board under the authority of subsection (d), but he shall not enter into any contract governing such terms and conditions with the representatives of such employees.

"'(f) Whenever any plant is in the possession of the United States under this section, it shall be the duty of the officers and employees of the plant to cooperate fully with the United States in the efficient operation of the plant, and it shall also be the duty of the officers of any labor organization whose members are employees of such plant to encourage such employees to give their full cooperation to the United States in the operation of the plant.

"'(g) Nothing in this act shall be construed to require an individual employee to render labor or service without his consent, or to deny any person whose property has been taken over by the United States under this act the right to a judicial determination of just compensation.

"'(h) When the President shall have returned to its lawful owner any plant possession of which is taken under this section, he shall transmit to the Congress a full and comprehensive report of all the proceedings in the case, including the events leading up to the taking of possession by the United States, together with such recommendations as he may see fit to make.'"

Mr. FULTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FULTON. Mr. Chairman, I make the point of order that the amendment is out of order on the ground that it is not germane to this section or to this bill; that it is affirmative legislation not within the purview of the jurisdiction covered by the language of this act.

Mr. BOLLING. Will the gentleman reserve the point of order?

Mr. FULTON. I will be glad to reserve it.

The CHAIRMAN. The gentleman from Pennsylvania reserves his point of order. The gentleman from Missouri is recognized.

Mr. BOLLING. Mr. Chairman, the fact that a point of order is to be made against this amendment is but a clear indication that as the Supreme Court, or at least certain Justices of the Supreme Court, have pointed out in their decision deciding that the President did not have authority to seize the steel plants, the unwillingness of Congress to meet the situation which confronts us today when we find ourselves in a condition where our people are denied the advantages of steel production, where the whole defense effort is affected by lack of steel production; the crucial issue that confronts the Congress today is restoring production in the steel plants. Equally crucial, equally important in the consideration which the Congress should give to this subject is the manner of the

restoration of steel production; it should be the most equitable.

Until recently we have maintained steel production by various methods, methods based on the patriotism of management and labor, and on the efforts of the President of the United States. Now, after a period of more than 150 days after contract reopening we find ourselves once more without steel production. I think it is very significant that the Supreme Court took cognizance of the fact that the Congress, although having received two messages from the President, had taken no action.

I understand why so many Members are anxious to avoid affirmative action in this matter; it seems to me very clear, and I am entirely sure that the American people understand why the Congress does not desire to settle this matter affirmatively and fairly. There needs to be no explanation on the floor of this House why that is. The American people know what year this is and what month this is and what the Congress is doing. But it seems to me imperative that we now recognize that although Korea is 2 years in the past, in its beginning it is still with us, that the world situation today is no less grave than it was 2 years ago, that we must in this country, if we are to have an adequate defense for ourselves and our allies, have a continuing production of steel.

And we must do more than give lip service today in this year of our Lord, 1952, to the principle which we all know with great joy, equality of sacrifice.

We have permitted ourselves to get in a position where, in the eyes of the world and in the eyes of many American people, the Congress of the United States is acting on behalf of one side of a labor-management dispute.

Mr. FULTON. Mr. Chairman, I renew the point of order and ask unanimous consent to speak on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Pennsylvania on the point of order, which does not require unanimous consent.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania may address the Chair, if he desires to do so, on the point of order.

Mr. FULTON. Mr. Chairman, what was the gentleman from Missouri speaking on?

The CHAIRMAN. The gentleman from Missouri was speaking on his amendment because the gentleman from Pennsylvania decided to reserve his point of order.

Mr. SMITH of Virginia. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Mr. Chairman, the point of order is that the amendment is not germane to the pending bill, it involves labor legislation exclusively within the jurisdiction of the Committee on Education and Labor.

Mr. FULTON. Mr. Chairman, my point of order is pending.

The CHAIRMAN. Does the gentleman from Pennsylvania renew the point of order?

Mr. FULTON. Mr. Chairman, I renew the point of order.

The CHAIRMAN. Does the gentleman from Missouri desire to be heard on the point of order?

Mr. BOLLING. I do not, Mr. Chairman.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. FULTON. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair is ready to rule. If the gentleman wants to be heard further on the point of order the Chair will be glad to hear the gentleman.

The gentleman from Missouri [Mr. BOLLING] offered an amendment to page 3, line 14, of the bill. The gentleman from Pennsylvania [Mr. FULTON] makes a point of order against the amendment on the ground it is not germane.

The Chair has had an opportunity to study the amendment offered by the gentleman from Missouri [Mr. BOLLING] and it is the opinion of the Chair that the amendment proposes to make basic changes in our labor legislation. The amendment proposes further to amend title II of the Defense Production Act of 1950, which is the authority to requisition property. The amendment goes beyond, as the Chair understands the amendment, the mere requisition of property and, as the Chair has stated, proposes to make changes in our labor laws.

In view of the fact that it goes beyond the scope of title II of the Defense Production Act of 1950, the Chair is constrained to sustain the point of order made by the gentleman from Pennsylvania [Mr. FULTON]. The point of order is sustained.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the question has come up here, not only on the point of order, but the reasons behind the point of order. As you all know, I come from a great industrial area and know, I think, a little about what is happening on the strike front. If I can say anything in disagreement, I say this strongly in disagreement of the statement by the previous speaker when he says that Congress should decide to settle this present dispute. Congress should stay out of the steel strike, and should not dictate the terms of settlement to either side. It is not your job and it is not my job as legislators.

The steel strike should be settled by collective bargaining, by agreement between the parties sitting at the collective-bargaining table, and the more Government stays out of collective bargaining the better it is going to be for everybody. Our current trouble is that there has been too much interference by the executive department of the Government. When a Member gets up on the floor of the House and says it is the duty of Congress to administer the law, I think he is misguided. It is the duty of the Executive to administer the laws, because this body of 435 Members cannot vote on wages and hours and prices and conditions of employment in each case that comes up. That is for business, management, and labor to sit together and discuss. They know the steel business, and politics and Government interference will ruin it. We in Congress set the method for collective-bargaining procedures. Congress has provided ample legislation for the method for the handling of labor-management disputes, although I agree there is room for amendment in the interests of efficiency, and expediting even-handed justice.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Illinois.

Mr. YATES. Does the public have any interest in the steel strike?

Mr. FULTON. The public certainly has an interest in the steel strike. The public has enough interest that it wants to see management and labor sit down and collectively bargain and settle the steel strike and protect and supply our men in Korea. But why should anyone try to put the burden on the Congress?

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman from Missouri speaks of the failure of the Congress to deal with the matter of seizure. I would point out to him that provisions for seizure have been before the Congress and they have been turned down by the Congress. Now, I, too, believe in the right of labor and management to bargain collectively. That is the cornerstone of our competitive enterprise system. These folks who prate of their great love for labor and management bargaining collectively ought to recognize that resort to seizure, as a general proposition, dealing with labor disputes, will be the death knell to collective bargaining.

Mr. FULTON. I agree with the gentleman from Indiana and thank him for his support. I opposed seizure strongly from the time the question of seizure came up and spoke against it in this House. I represent the great southern portion of the city of Pittsburgh and Allegheny County and, with the gentlewoman from Pennsylvania jointly represent the city of Clairton, a tremendous steel-producing area of this country. Seize steel and you seize the whole city. We in Pittsburgh and Clairton do not want to operate our basic industries under the Government; we do not want to nationalize the steel industry. In England they seized the basic industries one time more than they gave them back. They legislated and investigated the private owners right out of existence. The British Government investigated steel and coal and management was backed against the wall, and they interfered until there was no security for either labor or management. But the British Government did it for the best of motives to be helpful, but with disastrous results to labor, management, the private owners, as well as the whole British economy.

My policy all along has been that Congress should set the method and then say to business, industry, and labor, "You

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do your own settling and make your own contracts, and stay away from the Congress." If the President and the Federal mediation agencies are not doing their job in assisting these people toward their own agreed settlement, I am very sorry that the President feels it should be turned into the lap of the Congress, because ours is a legislative job and not an executive job.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The main question is the question of the production of steel. On the question of collective bargaining, I think very few would disagree with the position taken by the gentleman. The important thing in the emergency of today that confronts our country and the world is the question of the production of steel and that is lost sight of. I would like to ask my friend this question. The Supreme Court has said that the President did not have the power to seize. Congress does have the power to pass legislation. I want to ask my friend, Does he think the President should use the provisions of the Taft-Hartley Act?

Mr. FULTON. I believe this——

Mr. McCORMACK. Does he?

Mr. FULTON. I believe this——

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Indiana.

Mr. McCORMACK. Of course, I will withdraw my question.

Mr. HALLECK. The gentleman does not need to worry about withdrawing it. Let me say that I have said before, and I say again, the President of the United States ought to use the law of the land that was worked out by the Congress after careful consideration to deal with national emergency strikes. Whether he likes the law or not, he ought to use it.

Mr. McCORMACK. Does the gentleman think the President should use the provisions of the Taft-Hartley Act? The gentleman can say "Yes" or "No."

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

Mr. SPENCE. I object, Mr. Chairman.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

Mr. SPENCE. Mr. Chairman, I am going to follow the statement I made earlier. I am going to object to any extension of time.

Mr. FULTON. Let it be on the record, I may say to my good friend, the gentleman from Massachusetts, that I have honestly tried to answer the question.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HOFFMAN of Michigan moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. HOFFMAN of Michigan. Mr. Chairman, I have never voted for any control legislation and I do not want to do so now. But here we are writing a bill that will have in it something other than controls as originally intended.

There are some things which will be written in this bill in which I believe. For example, I believe that the President should use the law on the books. He took an oath that he would enforce the law, not part of the law—not part of the law. He said that after the Taft-Hartley law was adopted he would enforce it, yet he does not do it.

Then he came up here and asked the Congress to tell him what to do. Common decency, common courtesy, requires that we answer him, and I am in favor of telling him to go ahead and perform his sworn duty by using the Taft-Hartley Act. He said he would. I want by our action on this bill to assure the people and have him assure the people by his action, not words, that he is a man of veracity, a man of his word, that he will enforce the law.

We will get an amendment to this bill which will require the President, or request the President, to enforce the Taft-Hartley Act. I like that. It is a kindly respectful answer to his request, to a man in trouble. I would like to see it go through.

We will get an amendment then curtailing the powers of the Wage Stabilization Board. I like that. I would like to vote for that. The Sadlak amendment is in. I like that. I voted for it. There are three things that will be in the bill, and probably half a dozen more if the amendments go through, that I like, that I want to vote for. But I do not want to vote for controls. I hope someone during the evening or the night, and before tomorrow morning will give me a word of advice on how I can escape the dilemma in which I find myself.

The gentleman from Massachusetts [Mr. McCORMACK] asked our colleague from Pennsylvania [Mr. FULTON] whether he was in favor of enforcing the Taft-Hartley Act or asking the President to do so. If you ask me, my answer is, Sure I am. Is the gentleman from Massachusetts [Mr. McCORMACK] not in favor of that? Why, he ought to be. Now he is going to take 5 minutes here to give us one of those long, pleasing, and instructive political discourses.

Mr. McCORMACK. Does the gentleman want me to answer the question?

Mr. HOFFMAN of Michigan. If the gentleman desires to do so.

Mr. McCORMACK. Does the gentleman ask me, am I?

Mr. HOFFMAN of Michigan. Yes.

Mr. McCORMACK. No.

Mr. HOFFMAN of Michigan. There you are. He is not in favor of suggesting to the Chief Executive, who ignores his sworn duty, who said that he would enforce the law but does not do it, he is not in favor of coming along and politely just requesting his President and my President to comply with his oath of office. He is welcome to take that position before the House and before the country. I want none of it. The gentleman said that what we needed is the production of steel. Why is not steel being produced now—today—why? Oh, let us be realists. There is only one reason and we all know that answer. The President has entered into—I will not say a foul or a vile conspiracy, we will call it a holy alliance to go along with the union leaders to serve the purpose of Phil Murray. Look: Lo and behold who comes to his aid? John L. Lewis who had a judgment of the Supreme Court rendered against him personally at one time for contempt of the law. Did he not pay a fine for defying the law and the courts? He should have gone to jail. But here he is again. John says that he will contribute to those who are now refusing—refusing I say to the gentleman from Massachusetts—to produce steel which is needed to carry on the war effort, he will contribute what is it? Ten million dollars to those steelworkers to aid them in staying off the job of producing steel. Where did he get it? He got it out of the consumers of coal after the men who mined the coal had been paid their wages and John had levied his tribute on each and every pay check a miner received—that is on the wages ultimately paid by the consumers of coal.

We are not getting steel today because of this political alliance between the President of the United States and the president of the CIO, backed up by that defier of the law, John L. Lewis, who you will remember contributed better than a half million dollars to the campaign of President Roosevelt at one time when he mistakenly thought, let it be said to the credit of President Roosevelt, that he was going to have something to say about the policies of that administration as they applied to labor.

If our Armed Forces are short of steel, if this country is short of steel, for domestic use, it is because the President of the United States has betrayed the people and has refused to go along with the law which the Congress has written, and which he said he would take and he now refuses to use. He refutes and goes back on his own solemn oath, on his promise made after the Taft-Hartley Act was passed. He refuses to do his duty to the men he has sent to Korea.

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, this is a little interesting interlude which has brought a great deal of pleasure to the Members. The gentleman from Michigan has made his usual remarks about John L. Lewis. I wonder how John L. Lewis feels about being attacked by a Republican when John L. Lewis supported the Republican Party in 1940, 1944, and 1948. But that is his problem and not mine. John L. Lewis is a man with whom I have not always agreed. He is a man of strong character and I have a great deal of respect for him, because he has done much good for the mine workers and their families. I can remember in 1933, as a member of the Committee on Ways and Means, when I voted to report out the bill creating the Bituminous Coal Commission. The mine workers and their families are deeply indebted to the Democratic Party for that measure which saved them economically.

Mr. FULTON. Mr. Chairman, will the gentleman yield for a question?

Mr. McCORMACK. I yield.

Mr. FULTON. In April of 1948 and in June of 1948 and in February 1950,

President Truman used the Taft-Hartley law against the coal miners and against John L. Lewis.

Mr. McCORMACK. Will the gentleman answer my question now. Are you in favor of the President invoking the Taft-Hartley Act now?

Mr. FULTON. Were you in favor of the President using the Taft-Hartley law in April of 1948 against the coal miners and in June 1948, against the coal miners, and in February 1950, against the coal miners? Do you agree that the President was right on those occasions?

Mr. McCORMACK. The President exercised his authority under those conditions. There was not a 6 months' wait and a 6 months voluntary delay on the part of the leadership of the miners as there is in this case. President Truman has obtained cooperation for 6 months.

Mr. FULTON. What do you think of the current steel situation?

Mr. McCORMACK. President Truman has obtained for a period of 6 months the voluntary cooperation on the part of Phil Murray and the members of the steel workers union. Furthermore, they have not received an increase in pay since December 1950. Does the gentleman from Pennsylvania deny that fact? Furthermore, if they got the increase in pay now recommended by the Wage Stabilization Board, they would not be receiving the salary that the General Electric Co. pays its employees now.

Mr. FULTON. I agree with you that the steel workers have cooperated voluntarily to keep production going, and that they should have a retroactive pay increase at this time through collective-bargaining procedures.

Mr. McCORMACK. One of the recommendations was a 12½-cent increase, retroactive to January of this year, with a 2½-cent increase starting July 1 of this year, and another 2½-cent increase starting in January, 1953. There are certain fringe benefits recommended.

How many of you realize that the steel workers do not get 1 penny for a holiday throughout the year? The General Electric workers, in their union contract, receive pay for seven holidays throughout the year. One of the fringe suggestions made was that the steel workers receive six holidays' pay throughout the year.

On March 21, the very day after the Wage Stabilization Board made its recommendations, the General Electric Co. management issued a statement to its employees and in a letter sent out stated that even with the wage increase recommended by the Wage Stabilization Board, the employees of the General Electric Co. were getting higher wages and better fringe benefits.

President Truman has urged the leaders of the steel workers not to resort to a strike. The 80 days under the Taft-Hartley Act would have transpired long ago. President Truman has more than accomplished the provisions of the Taft-Hartley Act by continuing production of steel from the steelworkers, while the Wage Stabilization Board panel was receiving evidence. Instead of being criticized, Phil Murray has shown that he is a man of outstanding ability and has cooperated in every way possible.

I do not want to get into any criticism of management. There are questions in dispute that should be adjusted around the table through collective bargaining. I recognize the question of a union shop; what kind of a union shop is a matter of collective bargaining. That was a recommendation that should be subjected to collective bargaining, but the fact remains that as far as wages are concerned, the Wage Stabilization Board never recommended a 26-cent an hour increase. They recommened 12½ cents an hour retroactive to January 1, 2½ cents further increase on July 1, and 2½ cents further increase in January 1953. In any event, let us go forward with this bill. I think it is wise that nothing involving labor one way or the other be put into this bill. Let it come out in separate legislation from the committee and let the House consider it as a separate bill.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The question is on the motion offered by the gentleman from Michigan.

The motion was rejected.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time for the specific purpose of giving the gentleman from Pennsylvania [Mr. FULTON] an opportunity to answer the question that he wanted to personally answer, which was put to him by the gentleman from Massachusetts [Mr. McCORMACK]. If the gentleman from Pennsylvania is ready, I will yield to him to give him an opportunity to answer that question.

Mr. FULTON. Mr. Chairman, when the Congress passed the Taft-Hartley law I voted for the Taft-Hartley law. I felt the President would impartially use the powers of his office in disputes between management and labor and would act impartially, but it has been aimed against certain groups. I find the President has used the Taft-Hartley law nine times; used it nine times, beginning with atomic energy in March of 1948. Then, in June 1948, he used it on the meat-packing industry. Two times he used it in 1948, and once in 1950 on the coal industry. In addition to that, he used the law in connection with the long-distance telephone lines in May of 1948.

Also on the east and west coasts and in the Great Lakes maritime industry he used the law in August of 1948. In addition to that in 1951 he used the law on the copper mine unions. Under those circumstances where the President himself has said the law was a valid instrument for assisting collective bargaining procedures and not for repressing human rights, on that basis I say the President in his discretion should use the Taft-Hartley law, except where it will cause undue hardship. That is his discretion. It is not the duty of this Congress to say what the contract should be or to administer any law, including the Taft-Hartley law.

In the present steel industry dispute the President did not quickly move to do anything, and when he did move he moved toward an unconstitutional action, seizure. Of course, the Supreme Court struck down this seizure action. The Supreme Court, in its opinion, said the President had not yet exhausted his statutory remedies. That was correct.

I believe that when the parties in the steel dispute have cooperated for the length of time which they have in this current dispute, that the Government should take no severe action or interfere with the collective bargaining, when the parties are so near agreement. Neither the executive department of the Government nor Congress should permit the steel strike to be used as a political football in this election year. Public safety and our troops in Korea demand a prompt negotiated settlement of the steel dispute.

I might say to you what I have already said to the gentleman from Virginia [Mr. SMITH] so that the majority leader can see that I am impartial about this situation. I agree with the majority leader that there should be no basic labor-management legislation change in this present law. I said to the gentleman from Virginia [Mr. SMITH] that I likewise would raise a point of order to his amendment and if the amendment were put in would vote against it.

If the President cannot administer every law impartially, then we need a Republican President in November, and I hope the majority will agree.

Mr. MULTER. Mr. Chairman, will the gentleman from California yield that I may ask a question of the gentleman from Pennsylvania?

Mr. McDONOUGH. I yield.

Mr. MULTER. Is it not a fact that in not one of the nine instances the gentleman from Pennsylvania has referred to where the Taft-Hartley Act was invoked, in not one instance has the union or the workers withheld action and withheld striking for 119 days as they did in the steel industry?

Mr. FULTON. Does not the gentleman think it is dishonest to the workers because they have been led on for these 119 days by the White House?

Mr. McDONOUGH. Mr. Chairman, I refuse to yield further.

Mr. MULTER. They have not been led on, but it would not be fair to them to ask them to wait another 80 days.

Mr. McDONOUGH. Mr. Chairman, I decline to yield further.

Mr. Chairman, I think it is abundantly evident that if the President in the beginning of the steel strike had justifiably exhausted all legislative means at his command the situation would be much different and we would be producing steel today; but because he did not, his action in seizing the steel industry was properly declared unconstitutional by the Supreme Court.

Mr. MEADER. Mr. Chairman, I offer an amendment.

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The Clerk read as follows:

Amendment offered by Mr. MEADER: Page 3, after line 14, add a new section as follows:

"SEC. 103. Title I of the Defense Production Act of 1950 as amended, is amended by adding at the end thereof a new section to read as follows:

" 'SEC. 105. No authority is conferred under this act to participate in international allocations of commodities or materials and the provisions of this act may not be used to enforce or effectuate any such allocations.' "

Mr. MEADER. Mr. Chairman, this amendment relates to the bill. It is a technical, drafting, perfecting amendment to carry out what I believe is the will of the House of Representatives as expressed a few minutes ago in connection with the amendment offered by the gentleman from Connecticut [Mr. SADLAK].

Mr. Chairman, I spoke in support of the Sadlak amendment and said at that time that I did not think his amendment went far enough because it limited its application only to the International Materials Conference. The International Materials Conference has no statutory basis or foundation. It was something that was created out of the ether by the executive branch of the Government.

The Sadlak amendment would prohibit the carrying out of any allocations fixed by the International Materials Conference. But what guaranty do we have that there will not be a new commission or committee set up in the executive branch without authority of law dealing in this field of allocating materials on an international basis and using the enforcement procedures of this act to carry them out in this country, even though they may not be carried out in other countries?

My amendment would simply close the door so that there would be no authority to engage in the international allocation of commodities or materials, and would deny the enforcement provisions of this act in carrying out any such allocations. The amendment ought to be adopted by the committee as a perfecting amendment in order to fully carry out the will that the committee expressed by a vote of 169 to 102 within the last hour or hour and a half.

Mr. JAVITS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. MEADER].

Mr. JAVITS. Mr. Chairman, with deep regard for my colleague who has proposed this amendment I believe it is too far-reaching and could hurt us. I am sure that the gentleman has no such intention, but I think that will be its effect in terms of the future of the United States and especially in terms of the defense program, and for this reason: What we do not seem to realize here, and I do not think we have decided this question—I do not think this is a perfecting amendment—is that this amendment would cut us off from international cooperation in respect to very scarce materials. What we fail to realize is that we do not control the world in this particular field; the world controls us. May I repeat that, we do not control the world in this particular field; the world controls us.

When it comes to tin, rubber, zinc, lead, copper, and many other items, we get much of these supplies from the world. My best recollection is that 74 percent of all the strategic materials which are used in connection with the defense program come from overseas and these can be cut off from us if the world should feel we are getting too insular in our economic thinking. A good deal of them could conceivably be diverted to the Communists and in addition and what is more important these materials can cost us very much more money than they do now.

We know what happened on mercury from Spain, where the price went up astronomically once the defense emergency was upon us. We were similarly in trouble on the price of tin. We started to be in for a similar situation for a while on rubber and we could be "taken" on every other similar commodity if we blindly cut ourselves off completely from all international cooperation in respect to strategic materials.

This is a matter of the most vital importance. We must not take a shortsighted point of view because it will raise prices and raise over-all cost of defense. You can strike against what you do not like in respect to international agreement in strategic materials, and you have done that in these other amendments, but I do not believe it is in the interest of the country or in the interest of the defense program to cut ourselves off from the possibility of international economic cooperation on strategic materials. Many time we have seen amendments go through, nobody talking against them, just proposed and passed, which we thought were somewhat in line with what we did a little while ago. Then we have had a situation we did not want or contemplate. We will have just such a situation here, I believe, if this amendment passes and I would be derelict in my duty if I did not warn the Members of the House in such a situation.

Mr. SPENCE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope the pending amendment will not be agreed to. By legislation it ties the hands of the Government so that it cannot take the proper methods for securing to us the materials that are so essential in this time of emergency. It not only ties the hands of the Government today, for tomorrow, and for 2 years, if we extend it for a year. Now what could be more ill-considered than to say to the agencies of Government, "You cannot take the necessary steps to purchase the things that we need." We have largely nullified the International Materials Conference, and now we go further. We say that they cannot enter into these international agreements. Certainly you do not mean to do this. No one here knows how far-reaching that amendment will be or what might be its repercussions if trouble abroad came to us.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Illinois.

Mr. YATES. The appropriations subcommittee, of which I am a member, has before it now the question as to whether or not the Atomic Energy Program shall be expanded by $3,900,000,000. It has been presented to our committee that almost all of the uranium needed for that program comes from countries other than our own. Who can say but what the effect of this amendment will be to cut off the supply of uranium to this country.

Mr. SPENCE. Of course it will. It will tie our hands not only to get these materials, but it will tie our hands in national defense. The bill should pass as it was presented to the House, and this amendment, if you wish to preserve our security and give the national authorities the right to take such action as may be necessary for that purpose, should be defeated. I venture to say that no Member knows how far-reaching the effect of the amendment may be.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MEADER].

The question was taken; and on a division (demanded by Mr. MEADER) there were—ayes 9, noes 67.

So the amendment was rejected.

Mr. BLATNIK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, a few minutes ago there was quite a colloquy here regarding the steel-wage-price controversy. Coming from the large iron ore area in northeastern Minnesota, we have over 16,000 very patriotic, sincere, hardworking iron ore miners. I feel constrained to make a few remarks here at this time in answer to the allegations made by the speakers on the other side of the aisle.

No. 1. It was implied that either the President or the steelworkers leadership, the great labor-statesman, Mr. Phil Murray, head of the United Steelworkers, CIO, had "led on" these workers. I want the RECORD to show here and now, and clearly that if there was any leading on by anybody it was done by the representatives of the steel industry of these United States. For over 90 days the leadership of labor, democratically elected by the organization, sat patiently by, urging representatives of the steel industry that they get around the table and engage in sound, effective collective bargaining. After a long delay during which time steel representatives refused to bargain at all, finally it was upon the invitation of representatives of the steel industry itself that the labor representatives went to New York, where they were left to cool their heels for 3 days in the hotels, waiting for collective bargaining sessions to begin—and I wish the gentlemen on the other side of the aisle would listen while the labor representatives were waiting to start negotiations in good faith, the steel industry spokesmen in the meantime were going out through the back door, contacting former Defense Mobilizer, Mr. Wilson, hoping to get a reasonable assurance that there would be a substantial increase in the price of steel before they would engage in honest negotiations with labor.

What followed is now a matter of public record—Mr. Wilson being unable to produce on any steel price hike he may have tentatively agreed to, resigned; and labor was right back where it started from way last December—trying to get the steel industry to bargain in good faith.

The distinguished majority leader, the gentleman from Massachusetts, pointed out, and correctly so, the real facts in the whole labor situation when he quoted facts from a letter circulated by the management of General Electric. I have a photostatic copy of that letter. It is dated March 21, 1952, and entitled "Employee Relations News Letter, for Circulation Among General Electric Management."

Here GE management summarizes the steel recommendations made by the Wage Stabilization Board. They say that the pay increase is not the so-called package increase of 27½ cents but is instead a 12½ cents per hour pay increase as of January 1, 1952, with a 2½ cents per hour pay increase as of July 1, 1952, and a final 2½ cents per hour pay increase as of January 1, 1953.

Fringe benefits include, for example, six holidays with pay. The steelworkers have none at the present time. There were other minor fringe benefits.

Then the General Electric management letter goes on to compare the situation with that of their own employees, and this is what management says in its letter:

Comparison: So far as our situation is indicated in the above, the catch-up with us is after our 3.58-percent increase, and before our current offer.

It has been about 15 months since the steelworkers had an adjustment. In that time General Electric hourly employees have averaged over 15 cents pay increase allowed and another possible 2 to 3 cents offered currently.

This General Electric price increase does not include any fringe benefits. They mention the fringe benefits further, and I continue to quote from the letter:

You will note the fringe benefits—even with the new additions—are only being brought up into the neighborhood of those we have already. Our seven paid holidays, for instance, are now costing us almost 5 cents per hour.

So the head of General Electric, at that time the Defense Mobilizer, would deny to the CIO steelworkers that which he had months ago thought fair and equitable to the employees of General Electric.

This whole thing merely proves that the steelworkers' requests are modest and sincere. They are trying to catch up to the advances made in all other major segments of industry.

The President has a law called the Taft-Hartley law. It has not been made clear, even by the gentleman from Pennsylvania, when he was asked point blank to answer "'yes" or "no,' whether or not that law should be invoked. There were only rather general references made to it. President Truman told Congress that the Taft-Hartley law is a permissive piece of legislation which could not be effective in this situation, which is extremely critical bacause of the world situation.

In plain, simple, straight-forward language the President explained this whole controversy to Congress and asked for the necessary legislation to enable him to work out a solution fair to both parties and at the same time continue an uninterrupted flow of vitally needed steel. Congress neither granted the President such authority, nor did it have any alternative approach toward the settlement of this serious and critical problem—the President was merely told by the other body to invoke the Taft-Hartley law. It reminds me of a surgeon being instructed to use a clumsy meat cleaver in place of a precision scalpel with which to perform a delicate emergency operation.

Mr. FULTON. I would be glad to answer if the gentleman has time.

The CHAIRMAN. The time of the gentleman from Minnesota has expired

Mr. SPENCE. Mr. Chairman, I move that all debate on this section, section 102, and all amendments thereto do now close.

Mr. WOLCOTT. Is that debatable, Mr. Chairman?

The CHAIRMAN. The motion of the gentleman from Kentucky is not debatable.

Mr. WOLCOTT. Is not the gentleman going to submit a unanimous-consent request, so that we can find out what it is all about?

Mr. SPENCE. I am perfectly willing to ask unanimous consent that all debate on this section and all amendments thereto do now close.

Mr. WOLCOTT. Reserving the right to object, Mr. Chairman, are there any further amendments pending?

The CHAIRMAN. The Chair is not aware of any further amendments pending to section 102.

Mr. WOLCOTT. Would the Chair entertain a parliamentary inquiry as to whether there are any further amendments pending?

The CHAIRMAN. If the gentleman from Michigan desires to submit such a parliamentary inquiry, the Chair will be glad to entertain it.

Mr. WOLCOTT. Will the Chair in turn ask the committee if there are any further amendments to section 102?

The CHAIRMAN. The Chair will make the statement that if there are no further amendments to section 102 the Clerk will read.

Mr. WOLCOTT. I think that is the better way of handling it.

The Clerk read as follows:

SEC. 103. The first sentence of section 302 of the Defense Production Act of 1950, as amended, is amended by inserting before the period at the end thereof the following: ", and manufacture of newsprint."

Mr. FORRESTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FORRESTER: On page 3, after line 18, insert the following new subsection:

"Section 104, paragraph 2 of subsection D of section 402 of the Defense Production Act of 1950, as amended, is amended by inserting after the first sentence thereof the following new sentence: 'No regulation or order shall be issued or remain in effect, under this title which prohibits the payment or receipt of hourly wages at a rate of $1 per hour or less'."

Mr. McCORMACK. Mr. Chairman, a point of order. I make the point of order that the amendment is not germane.

The CHAIRMAN. The Chair will be very glad to hear the gentleman from Georgia [Mr. FORRESTER] on the point of order.

Mr. FORRESTER. Mr. Chairman, this is an amendment to a section which deals directly with wages and this amendment absolutely relates to wages.

Mr. McCORMACK. Mr. Chairman, I withdraw the point of order.

Mr. HARRIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Arkansas for a parliamentary inquiry?

Mr. FORRESTER. I yield, Mr. Chairman.

Mr. HARRIS. Is the gentleman's amendment to section 103 or section 104?

Mr. FORRESTER. It is a new section, which would be added at page 3, after line 18, to insert a new subsection.

Mr. HARRIS. Would the gentleman yield for a parliamentary inqury further, if I ask that it not be taken out of the gentleman's time?

The CHAIRMAN. The time is running against the gentleman.

Mr. SPENCE. Mr. Chairman, I think the amendment is offered in the wrong point in the bill, but we have no objection to the amendment.

The CHAIRMAN. Does the gentleman from Georgia yield for a parliamentary inquiry?

Mr. FORRESTER. I yield.

Mr. HARRIS. Does this mean we have passed over section 103 already?

Mr. FORRESTER. They have read through section 103.

Mr. HARRIS. Mr. Chairman, I raise the point that section 104 has not been read, if the gentleman is offering an amendment to section 104.

Mr. FORRESTER. This is a new section before you get to section 104.

The CHAIRMAN. Permit the Chair to advise the gentleman from Arkansas that the gentleman from Georgia has offered an amendment at page 3, after line 18, to insert a new section. The amendment has been read and the Chair has recognized the gentleman to proceed with debate. The gentleman in turn yielded to the gentleman from Arkansas for a parliamentary inquiry. The point of order comes too late.

Mr. HARRIS. Mr. Chairman, is the Chair holding that we have already passed section 103?

The CHAIRMAN. It seems that the amendment offered by the gentleman from Georgia comes at the proper place.

Mr. SPENCE. Mr. Chairman, we accept the gentleman's amendment.

The CHAIRMAN. The gentleman from Georgia may proceed. The Chair will advise the gentleman that the time consumed on the point raised by the gentleman from Arkansas [Mr. HARRIS] is not being taken out of his time.

UNIVERSITY OF MICHIGAN LIBRARIES

Permit the Chair to inquire of the gentleman from Arkansas if he has an amendment to section 103?

Mr. HARRIS. No, Mr. Chairman; but I did want something to say on section 103.

The CHAIRMAN. The gentleman will have the opportunity to speak on section 103.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. FORRESTER. I yield.

Mr. McDONOUGH. Mr. Chairman, is this on section 104 of the bill?

The CHAIRMAN. The Clerk has not yet read section 104.

The gentleman from Georgia may proceed.

Mr. CAMP. Mr. Chairman, I ask unanimous consent that the gentleman be given the proper 5 minutes of time, as he has not had a chance to speak one word on his amendment.

The CHAIRMAN. If there is no objection, the Chair will now recognize the gentleman from Georgia [Mr. FORRESTER] for 5 minutes.

There was no objection.

Mr. SPENCE. Mr. Chairman, we would like very much to hear the gentleman's speech, but the committee will accept his amendment.

The CHAIRMAN. The Chair must advise the gentleman from Georgia that time is running against the 5 minutes for which he has been recognized.

Mr. FORRESTER. Mr. Chairman, I decline to yield further.

Mr. WOLCOTT. Mr. Chairman, I had reserved the right to object, simply to tell the gentleman that I think he should take his 5 minutes, with the knowledge that there is no objection to his amendment on this side.

Mr. FORRESTER. I am delighted to hear that. I am extremely grateful that the gentlemen on both sides of the aisle accept this amendment. I would like to tell you a little about the amendment. This will relieve a lot of administrative procedure on the part of your people, whatever State you come from, and give you an opportunity to increase wages up to $1 per hour, without having to resort to the Wage Board. I believe every one of you are for it. I appreciate the fact that you are accepting the amendment on both sides of the aisle.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. FORRESTER].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to this section?

Mr. WOLCOTT. Mr. Chairman, there are other amendments to this section, I am sure. I know of one Member who expected to offer a very important amendment at this point. Relying upon assurance which I had no right to give him, that the Committee was going to rise at 5:30 and that his amendment undoubtedly would not be reached today, he has left the floor. Inasmuch as it was the intention, as I understood it, for the Committee to rise at 5:30, to protect that situation if there are no other amendments pending, I suggest to the Chairman that the Committee do now rise.

NEWSPRINT—EXTENSION OF DEFENSE PRODUCTION ACT

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to comment on the importance of this section and emphasize what it means to the American people. By this section 103, newsprint is included as necessary to our national defense. This extends the lending provision by Government to expansion of newsprint production. This is sorely needed. It is a reflection on our ingenuity to be so dependent on foreign supply of this necessary product.

Currently United States consumption of newsprint is about 6,000,000 tons annually. This is supplied by some 1,050,000 tons of domestic production, 4,750,000 tons imported from Canada, and 200,000 tons imported from Scandinavia. Slightly under 80 percent of total supply is derived from Canada.

Current United States newsprint manufacturing capacity is about 1,100,000 tons, while that of Canada is some 5,500,000 tons. Plants are presently running slightly over theoretical capacity.

For some few months and right at the moment there appears to be approximate balance between over-all United States supply and demand. At best, however, the situation is none too easy and there is imbalance among publishers. Consumption is estimated to be on the increase in the amount of some 600,000 tons in the next 6 years and 1,000,000 tons in the next 10 years. Canadian manufacturers estimate that principally through speed-up of older facilities they will have little difficulty in increasing capacity to meet this estimated increased demand.

A basic problem is inherent in the extent to which both present United States demand and the projected increase in demand is dependent upon Canadian sources for its meeting. At the time of the First World War most of the United States consumption was met domestically. Not only was the subsequent increase met by the building of plants in Canada, but United States mills converted to other types of paper making so that today we have less newsprint capacity than 30 years ago.

Actually, this situation, as we have seen, has been accompanied by a series of price increases by Canadian manufacturers, the latest of $10 a ton just now going into effect, so that the total is now $126 per ton, or twice that of 6 years ago. At the moment this country apparently has little alternative to the acceptance of such increases. Their grave effect, however, upon the ability of newspapers to continue in unfettered operation, is quite obvious.

The newsprint subcommittee of the House Committee on Interstate and Foreign Commerce, accordingly, has explored the possibilities of expansion of United States newsprint manufacturing capacity. A major deterrent to such expansion is the present high cost of construction, estimated at two and a half to three times the installed cost of most plants now in operation.

Some assistance to would-be manufacturers is contained in the accelerated tax amortization provisions of section 124 (a) of the Internal Revenue Act, but in nearly 2 years now only 375,000 tons of new capacity has been projected by this route, although the Defense Production Administration itself has sponsored a program totaling 494,000 tons increase.

The subcommittee, therefore, is pleased to note that in the extension of the Defense Production Act, as reported, the Banking and Currency Committee has approved the inclusion of a provision in section 302 of the act which endorses the principle of a free press as essential to defense by making it possible for new newsprint manufacturers to secure financial assistance through direct Government loans for this purpose. This provision needs specific spelling out, as hitherto defense agencies have not construed their authority under this section as broad enough to cover the expansion of newsprint facilities.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. In order that I may advise the membership of the House, I wish to state that when we go back into the House I shall ask unanimous consent that when we adjourn today we adjourn to meet tomorrow at 10 o'clock. I wanted to make that announcement of my intention, with such a full membership.

Mr. HARRIS. Mr. Chairman, I am sure the membership is glad to have the information and I thank the majority leader. We have all heard about the very difficult situation with regard to newsprint. I wanted to commend the Committee on Banking and Currency for including this amendment.

Mr. SPENCE. I am very sure under the circumstances the committee is very appreciative of those kind words.

Mr. Chairman, I move that the Committee do now rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended, had come to no resolution thereon.

HOUR OF MEETING JUNE 20

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROPOSED AMENDMENT TO DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an amendment which I expect to offer in the Committee of the Whole tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I am directing the attention of the membership of the House that on tomorrow when the bill, Defense Production Acts of 1952, is read for amendments, I shall offer an amendment, unless a Member secures recognition with a similar amendmer.t before I am recognized. The proposed amendment reads as follows:

After the words "SEC. 104", insert "That section 402 (f) of the Defense Production Act of 1950 is amended by inserting immediately before the period at the end thereof a colon and the following: "*Provided, however,* That the ceiling price of any material, which by its nature is not susceptible to speculative buying and not more than 10 percent of which is purchased with Government funds for defense purposes, shall be suspended as long as: (1) The material is selling below the ceiling price and has sold below that price for a period of 6 months; or (2) the material is in adequate or surplus supply to meet current civilian and military consumption and has been in such adequate or surplus supply for a period of 6 months, if such material requires expansion of productive facilities beyond the levels needed to meet the civilian demand as set forth in section 2 of this act. For the purpose of this proviso, a material shall be considered in adequate or surplus supply whenever such material is not being allocated for civilian use under the authority of title I of this act."

I take this means of calling the attention of the membership to my proposal in order that you may be familiar with its content and meaning when it is submitted for your consideration.

It is my belief, Mr. Speaker, that this amendment really carries out the intent of Congress when the Office of Defense Production of 1950, was approved.

COMMITTEE ON AGRICULTURE

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on the bill (H. R. 8243) to authorize the Secretary of Agriculture to cooperate with the States and local agencies in the planning and carrying out of works of improvement for soil conservation, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

RESIGNATION FROM CONGRESS

The SPEAKER laid before the House the following communications which were read by the Clerk:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 18, 1952.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the Governor of Texas my resignation as a Representative in the Congress of the United States from the Seventh District of Texas, effective midnight June 30, 1952.

A copy of my letter to the Governor is enclosed herewith.

Respectfully yours,
TOM PICKETT,
Member of Congress.

[Enclosure.]

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 18, 1952.

Hon. ALLAN SHIVERS,
Governor of Texas, Austin, Tex.

DEAR GOVERNOR: I hereby tender to you my resignation as a Member of the House of Representatives in the Congress of the United States from the Seventh District of Texas, effective midnight, June 30, 1952.

Respectfully yours,
TOM PICKETT,
Member of Congress.

BRONZE REPLICA OF THE DECLARATION OF INDEPENDENCE

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 84.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Library is hereby authorized to hold ceremonies in the rotunda of the United States Capitol for the acceptance of the bronze replica of the Declaration of Independence, the gift of Michael Francis Doyle, of Philadelphia, such ceremonies to be held on July 2, 1952, the one hundred and seventy-sixth anniversary of the adoption of the resolution of Richard Henry Lee for the Declaration of Independence by the Continental Congress in Philadelphia.

The Architect of the Capitol is hereby authorized to make the necessary arrangements for the ceremonies, the expenses of which shall not exceed the sum of $1,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Joint Committee on the Library.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend and revise my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

DISCRIMINATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I again wish to bring before the House the matter of discrimination that I think is practiced against New England, and I have reference particularly to Massachusetts, in the awarding of Government contracts. I refer also to discrimination against helping those industries after the contracts have been awarded to complete the contracts, even to the extent of forcing an industry or industries to go into bankruptcy, whereas a little help, a little patience, and a little more in the way of loans would enable business to progress. These loans will be repaid in full as was the case in World War II. People will be able to work.

I have in mind one company in particular that makes a very vital defense product. When an industry goes into bankruptcy it requires about 9 months for another industry to take over and make the product which is needed so vitally in our national defense. It is incredible to me and I cannot understand why this is done.

Many people in the Department of the Army want to help, and people in other departments want to help, but someone steps in and stops their efforts and it is all over. People are thrown out of work and there is experienced great difficulty on the part of creditors to get their money and, of course, there is great lack of production for national defense.

Mr. Speaker, I find that the Navy does not seem to be practicing this discrimination to the same extent. The Navy awards seem to be more justly given. I know of a case in my district where a man was $20,000 low in his bid on a cotton product yet he was not awarded the contract on account of a very flimsy technicality, a false excuse. If he had the will to fight, I am sure the Comptroller General would have agreed with him and he would have had a $250,000 order. But he was afraid to fight the Government. That seems like Russia—not free America.

I do not know why the Army Department seems to be more difficult in this respect than the Navy. There is confusion in many of the special commissions that are appointed. They want to do all they can, but, in my opinion, many of them simply go around in circles. They get to the point of getting an industry started or they will help an industry, then the whole project collapses. There are numerous board meetings where nothing is accomplished; in the meantime we are lacking many items in our defense production.

Mr. LYLE. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Texas.

Mr. LYLE. I have watched the gentlewoman for a number of years and I always admire the interest which she has in her great State of Massachusetts. It is a wonderful thing to love and fight for your country. But, you know, I have also heard people say that if the Government assists industry, it is socialism and if they do not, it is tyranny. Of course this does not apply to the able gentlewoman from Massachusetts. What would the gentlewoman suggest we do? It is socialistic if Government agencies assist industry and loan them money, and if they do not, it is tyranny, and throwing them into bankruptcy.

Mrs. ROGERS of Massachusetts. I thank the gentleman very much. I know that he has always been interested in public and national affairs. They are in many instances helping industry by

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loans in different parts of the country. Massachusetts should have its fair share of loans.

Mr. LYLE. But it has been said on the floor that any time the Government undertakes to assist industry, that is either fraud or socialism.

Mrs. ROGERS of Massachusetts. Not always. I will say to the gentleman that many areas secure many loans for industry and many contracts are awarded when New England cannot receive them. I have never said that it is fraud or socialism to help war industries.

Mr. LYLE. The gentlewoman will find that statement in the RECORD.

Mrs. ROGERS of Massachusetts. I have spoken on the floor frequently and I have never so stated that.

Mr. LYLE. Not the gentlewoman from Massachusetts. But, you understand, the cry is made.

Mrs. ROGERS of Massachusetts. Not that I am doing it personally.

Mr. LYLE. No; never have I heard the gentlewoman say that, but the cry is made that if the Government attempts to assist industry, that that is socialism; they ought to go to the banks; they ought to borrow from the RFC and let the people completely alone. And, if they do not do it, it is tyranny, and they run them into bankruptcy. So, actually, to the detriment of many small businesses, they are often relegated to take some great industry, well financed and well engineered, and give them the prime contract, and then let it dribble down to small industry.

Mrs. ROGERS of Massachusetts. I think it is very confusing, I will say to the gentleman from Texas. I think there is a lack of coordination and cooperation, and above all great favoritism is shown to certain areas of the country. I doubt very much if the Secretary of National Defense has much power himself. The whole national-defense system today is ineffective.

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. O'KONSKI] is recognized for 60 minutes.

Mr. O'KONSKI. Mr. Speaker, I regret that official business detained me in the District so that I could not be here to speak under the special order I had for Tuesday, June 17.

It was my intention on that date to insert in the RECORD a reply from Henry J. Kaiser to the charges I made in the House of Representatives on May 21, 1952.

I strongly feel that whenever charges are made against any person or group that ample opportunity should be given to enable that person or group to make reply through the same channels as those through which the charges were made. This is the American way.

As soon as the charges were made, Henry J. Kaiser's offices informed me that a reply would be made. On Thursday, June 12, I received the reply containing some 85 pages. In keeping with the principles of good Americanism that anyone against whom charges are made should be given an opportunity through the same channels to make adequate reply I intended to insert Henry J. Kaiser's reply in the RECORD on Tuesday. It has already been inserted by one of my colleagues.

I wish to state at this time I had hoped to make some additional statements. However, due to the length of the reply and the press of my regular duties I have not had sufficient opportunity to study the reply.

Until such time as I have had ample opportunity to study the reply it is impossible for me to make any further statements on this matter at this time.

I have no objection to my colleague, Congressman JAMES MORRISON, of Louisiana, inserting the Kaiser reply for I would have done that if I had been here on Tuesday. However, all other statements attributed to me should have been released by me personally and only at my own discretion. The obvious reason for this being the fact that I did not have ample opportunity to study the reply and hence could not reach any conclusions. For that reason I request that all of these statements attributed to me will be expunged from the record. And because of lack of opportunity to study the reply at this time I am compelled to disown all such statements. Until a close study can be made of the reply any retractions or further statements would not be in order and meaningless.

I respectfully call the attention of the Members of the House to this reply and after I have made a thorough study of it, I shall have a further statement to make on this subject.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. VINSON, for 10 days, on account of important business.

Mr. ALLEN of Louisiana (at the request of Mr. BROOKS), for 10 days, on account of illness in his family.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD or to revise and extend remarks, was granted as follows to:

Mr. BARTLETT and to include an address delivered at the University of Alaska by Hon. John C. Wright.

Mr. HART and to include an editorial.

Mr. O'NEILL and to include a letter received from Dr. V. Stefan Krajacovic.

Mr. MORANO and to include a tribute to James L. McGovern.

Mr. AUGUST H. ANDRESEN the remarks he will make in Committee of the Whole and to include extraneous matter.

Mr. BEAMER and to include an editorial.

Mr. SEELY-BROWN and to include an editorial.

Mr. MCDONOUGH, the remarks he will make in Committee of the Whole and to include extraneous matter.

Mr. BOGGS of Delaware in two instances and to include extraneous matter.

Mr. HAND the remarks he will make in Committee of the Whole and to include extraneous material.

Mr. HORAN and to include a newspaper article.

Mr. HOFFMAN of Michigan in two instances and also the remarks he will make in Committee of the Whole and to include extraneous matter.

Mr. MULTER the remarks he will make in Committee of the Whole and to include extraneous matter.

Mr. MULTER in two instances.

Mrs. BOLTON relative to the recent effort of two constituents to be heard on a matter greatly affecting fire and police widows and to include extraneous matter.

Mr. MCCORMACK and to include a letter received from William Green, president of the American Federation of Labor, and an enclosure in relation to the extension of the Defense Production Act.

Mr. BOLLING.

Mr. WOOD of Georgia in two instances and to include extraneous matter in one instance.

Mr. MCCORMACK and to include a magazine article written by Beardsley Ruml, notwithstanding the fact that the Public Printer estimates the cost will be $196.

Mr. PRICE and to include a record on mine safety, notwithstanding the fact that the Public Printer estimates the cost will be $448.

Mr. SIEMINSKI and to include extraneous matter.

Mr. RIVERS to extend his remarks under the authority of general permission granted on S. 658 amending the Communications Act, and include two addresses by a former Member of Congress, the Honorable Robert F. Jones, one delivered at Columbus, Ohio, on May 1, and the other at Pittsburgh, Pa., on May 20.

Mr. GAVIN.

Mr. KERSTEN of Wisconsin in three instances, in each to include extraneous material.

Mr. BAKEWELL and include extraneous material.

Mr. SCHENCK and include an editorial from a Hamilton, Ohio, newspaper.

Mr. JENISON and include a report.

Mr. DONDERO (at the request of Mr. JENISON) and to include a report.

Mr. BRAHM and to include the text of a citation on the awarding of a medal of honor to a boy in his district.

ENROLLED BILL SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5990. An act to amend the Federal Civil Defense Act of 1950.

ADJOURNMENT

Mr. LYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Friday, June 20, 1952, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1579. A communication from the President of the United States, relative to urging that the Congress give early and favorable attention to the bills H. R. 7571 and S. 3061 now pending before it, which would enable the men and women in our armed services to exercise their right to vote (H. Doc. No. 513); to the Committee on House Administration and ordered to be printed.

1580. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 10, 1952, submitting a report, together with accompanying papers and illustrations, on a cooperative beach-erosion-control study of the shore line of the State of Connecticut, area 4, Connecticut River to Hammonasset River, prepared under the provisions of section 2 of the River and Harbor Act approved on July 3, 1930, as amended and supplemented (H. Doc. No. 514); to the Committee on Public Works and ordered to be printed, with illustrations.

1581. A letter from the Assistant Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to authorize the loan of certain naval patrol type vessels to the Government of Japan"; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON: Committee of conference. S. 677. An act to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff (Rept. No. 2199). Ordered to be printed.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 7654. A bill to amend section 508 of title 14, United States Code; without amendment (Rept. No. 2200). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. S. 3195. A bill granting jurisdiction to the Court of Claims to hear, determine, and render judgment upon certain claims; without amendment (Rept. No. 2220). Referred to the Committee of the Whole House on the State of the Union.

Mr. HART: Committee on Merchant Marine and Fisheries. S. 241. An act to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes; with amendment (Rept. No. 2221). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 8243. A bill to authorize the Secretary of Agriculture to cooperate with States and local agencies in the planning and carrying out of works of improvement for soil conservation, and for other purposes; without amendment (Rept. No. 2222). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONAS: Committee on the Judiciary. S. 1422. An act for the relief of Jerry J. Lencioni; without amendment (Rept. No. 2201). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 2232. An act for the relief of the Detroit Automotive Products; without amendment (Rept. No. 2202). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 1711. A bill for the relief of Mrs. Margaret D. Surhan; without amendment (Rept. No. 2204). Referred to the Committee of the Whole House.

Mr. FINE: Committee on the Judiciary. H. R. 2075. A bill for the relief of the A. C. Israel Commodity Co., Inc.; with amendment (Rept. No. 2205). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 2171. A bill for the relief of Robert E. Robinson; with amendment (Rept. No. 2206). Referred to the Committee of the Whole House.

Mr. JONAS: Committee on the Judiciary. H. R. 2181. A bill for the relief of the Trust Association of H. Kempner; with amendment (Rept. No. 2207). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 2780. A bill for the relief of Clara Gabriel; without amendment (Rept. No. 2208). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 2972. A bill for the relief of Harold Joe Davis; with amendment (Rept. No. 2209). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3268. A bill for the relief of Mrs. Jane P. Myers; with amendment (Rept. No. 2210). Referred to the Committee of the Whole House

Mr. LANE: Committee on the Judiciary. H. R. 3502. A bill for the relief of Arthur Staveley; with amendment (Rept. No. 2211). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 4296. A bill for the relief of Franklin Jim; with amendment (Rept. No. 2212). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 4398. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.; without amendment (Rept. No. 2213). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5207. A bill for the relief of Julio Mercado Toledo; without amendment (Rept. No. 2214). Referred to the Committee of the Whole House.

Mr. JONAS: Committee on the Judiciary. H. R. 4909. A bill for the relief of Arthur J. Boucher; with amendment (Rept. No. 2215). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5538. A bill for the relief of Alexei Frank; with amendment (Rept. No. 2216). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6738. A bill for the relief of Mary Fox; without amendment (Rept. No. 2217). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6788. A bill for the relief of Mrs. Muriel J. Shingler, doing business as Shingler's Hatchery; without amendment (Rept. No. 2218). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 7094. A bill for the relief of Pio Valensin; with amendment (Rept. No. 2219). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. House Resolution 685. A resolution providing for sending to the United States Court of Claims the bill (H. R. 8159) for the relief of P. Diacon Zadeh; without amendment (Rept. No. 2203). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H. R. 8293. A bill to authorize the negotiation and ratification of separate settlement contracts with the Sioux Indians of the lower Brule and the Crow Creek Reservations in South Dakota for Indian lands and rights acquired by the United States for the Fort Randall Dam and Reservoir, Missouri River development; and to authorize an appropriation for the removal from the taking area of the Fort Randall Dam and Reservoir, Missouri River development, and the reestablishment of the Indians of the Yankton Indian Reservation, S. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. HART:

H. R. 8294. A bill to authorize the construction of a ships' base for the Coast and Geodetic Survey, Department of Commerce; to the Committee on Merchant Marine and Fisheries.

H. R. 8295. A bill to authorize the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KENNEDY:

H. R. 8296. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. BOGGS of Delaware:

H. R. 8297. A bill to provide for the issuance of a postage stamp in commemoration of 150 years of highway freight transportation progress; to the Committee on Post Office and Civil Service.

By Mr. EDWIN ARTHUR HALL:

H. R. 8298. A bill to provide pensions for all World War I veterans; to the Committee on Veterans' Affairs.

By Mr. McMILLAN:

H. R. 8299. A bill to provide that a taxpayer may elect to have section 340 of the Revenue Act of 1951 (relating to family partnerships) apply to certain taxable years beginning after 1938; to the Committee on Ways and Means.

By Mr. BOGGS of Delaware:

H. Res. 701. Resolution to authorize the Committee on Ways and Means to conduct a comparative study of the different kinds of employees' benefits available to persons in public and private employment; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of California (by request):

H. R. 8300. A bill for the relief of Jose Cristiano Vieira; to the Committee on the Judiciary.

By Mr. ASPINALL:

H. R. 8301. A bill for the relief of Peter A. Pirogov; to the Committee on the Judiciary.

By Mr. BERRY:

H. R. 8302. A bill for the relief of Wendelin Schweitzer and family; to the Committee on the Judiciary.

By Mr. DOUGHTON:

H. R. 8303. A bill for the relief of Spainhour Furniture Co., Inc.; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 8304. A bill for the relief of Rosa Huch; to the Committee on the Judiciary.

H. R. 8305. A bill for the relief of Hildegard Helena Stern; to the Committee on the Judiciary.

By Mr. FURCOLO (by request):

H. R. 8306. A bill for the relief of Joseph Strani; to the Committee on the Judiciary.

By Mr. HEFFERNAN:

H. R. 8307. A bill for the relief of Chaim Borgenicht; to the Committee on the Judiciary.

H. R. 8308. A bill for the relief of Sylvia Klein; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 8309. A bill for the relief of Maria Adam (Maria Adam Schattauer); to the Committee on the Judiciary.

H. R. 8310. A bill for the relief of the Jewish Theological Seminary of America; to the Committee on the Judiciary.

By Mr. McMILLAN:

H. R. 8311. A bill for the relief of Pallie D. Brown; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 8312. A bill for the relief of Ruth Mangold; to the Committee on the Judiciary.

By Mr. RIBICOFF:

H. R. 8313. A bill for the relief of Margherita Gentile; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 8314. A bill for the relief of Epaminondos Zhoustis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

764. Mr. GROSS presented a petition submitted by Mrs. John Frisbie, of Eldora, Iowa, and 33 other citizens supporting House bill 2188, which was referred to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, JUNE 20, 1952

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, the Father of us all, we pause in this moment to praise Thy glorious name. We would reaffirm our faith and allegiance in the things unseen which, from the beginning, have been the fabric and fiber of our Nation's life. Help us to plant the seeds of confidence in spiritual things wherever we may go. Assist us to strengthen the bulwark of liberty by a serene trust in the things that cannot be shaken. Help us not to be torn asunder or put to flight by the utterances of little men, but rather enable us to stand strong in the faith that we know is able to encompass and overcome all lesser things, because it is of Thee. We pray in the name of Him who came to make all things new. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 19, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 19, 1952, the President had approved and signed the following acts:

S. 97. An act to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River in Tennessee; and

S. 1828. An act to confirm the status of certain civilian employees of nonappropriated fund instrumentalities under the Armed Forces with respect to laws administered by the Civil Service Commission, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 677. An act to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff; and

H. R. 6291. An act to amend section 218 (f) of the Social Security Act with respect to effective dates of agreements entered into with States before January 1, 1954.

CONVENTION AND RECOMMENDATION OF INTERNATIONAL LABOR ORGANIZATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 516)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, transmitting an authentic text of a convention (No. 94), and an authentic text of a recommendation (No. 84) concerning labor clauses in public contracts, adopted on June 29, 1949, by the International Labor Conference, at Geneva from June 8 to July 2, 1949, which was read, and, with the accompanying papers, referred to the Committee on Labor and Public Welfare.

(For text of President's message, see House proceedings of today.)

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. IVES was excused from attendance on the sessions of the Senate beginning at 3:30 this afternoon until Tuesday, June 24, 1952.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may make insertions in the RECORD and transact other routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the committee on the part of the Senate.

THE POINT 4 PROGRAM—LETTER FROM PAUL C. EMPIE

Mr. WILEY. Mr. President, I have received a copy of an important message to the senior Senator from Tennessee [Mr. MCKELLAR], sent by the executive director of the National Lutheran Council, Paul C. Empie. This letter points up the importance of continued adequate appropriations for the point 4 program for aid to underdeveloped areas, particularly in Asia. I for one believe that point 4 holds immense possibilities for humanitarian and intelligent aid to these various foreign peoples. I ask unanimous consent that the letter be printed in the RECORD at this point and be thereafter referred to the Appropriations Committee.

There being no objection, the letter was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

NATIONAL LUTHERAN COUNCIL,
New York, N. Y., June 18, 1952.

The Honorable KENNETH MCKELLAR,
Chairman, Senate Appropriations Committee, the United States Senate, Washington, D. C.

DEAR SIR: In connection with your consideration of this bill, I want to stress the deep interest the church people of America have in the point 4 program. In annual meeting the National Lutheran Council adopted the following resolution:

"That the National Lutheran Council express its appreciation for the underlying Christion idealism in the 'point 4' program of the United States Government, and for the increasing emphasis and support being given by the Government to programs of technical assistance which help the peoples of economically underdeveloped areas toward a fuller realization of their desires for a better economic, social and cultural future."

I note that the Congress has already made a substantial cut from the administration's askings for point 4. Further, I understand that the largest cut in the whole bill, 32.6 percent, was voted on the request of the Administration for the point 4 program in Asia. It is our hope that the Congress will now appropriate the full amount authorized for these positive programs of the point 4 type which give so much promise in the present world situation.

The National Lutheran Council serves 8 member churches with about 4,000,000 baptized members and is authorized to speak for them.

Yours truly,

PAUL C. EMPIE,
Executive Director.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Post Office and Civil Service:

S. 2008. A bill to permit payment of certain cost-of-living allowances outside the continental United States at rates in excess of 25 per centum of the rate of basic compensation; without amendment (Rept. No. 1800).

By Mr. SPARKMAN (for Mr. MAYBANK), from the Committee on Banking and Currency:

S. 3295. A bill to amend the National Housing Act to provide for insurance on mortgages executed in connection with the sale of permanent emergency housing projects constructed by or on behalf of a State or municipality, or any agency, instrumentality, or body politic of either, for occupancy by veterans of World War II and others; without amendment (Rept. No. 1801); and

H. R. 3177. A bill to amend title IV of the National Housing Act, as amended; without amendment (Rept. No. 1802).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 20, 1952, he presented to the President of the United States the enrolled bill (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOEY (for himself and Mr. SMITH of North Carolina):

S. 3364. A bill for the relief of Spainhour Furniture Co., Inc.; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 3365. A bill to provide for perfecting the title of C. A. Lundy to certain lands in the State of California heretofore patented by the United States; to the Committee on Interior and Insular Affairs.

By Mr. McCARTHY:

S. 3366. A bill for the relief of Hannelore Netz and her child; to the Committee on the Judiciary.

By Mr. GEORGE:

S. 3367. A bill to provide for the conveyance by the United States to Fulton County, a political subdivision of the State of Georgia, of certain land in said county; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY (for himself, Mr. IVES, Mr. BENTON, Mr. MORSE, Mr. GREEN, Mr. HENDRICKSON, Mr. KILGORE, Mr. JENNER, Mr. LEHMAN, Mr. MARTIN, Mr. MAGNUSON, Mr. LANGER, Mr. MOODY, Mr. TOBEY, Mr. MURRAY, and Mr. PASTORE):

S. 3368. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Labor and Public Welfare.

By Mr. MORSE:

S. 3369. A bill to authorize an appeal to the Subversive Activities Control Board by any person who has been denied a passport; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

COMMITTEE TO STUDY AND EVALUATE EXPERIMENTS IN WEATHER MODIFICATION—AMENDMENTS

Mr. CASE submitted amendments intended to be proposed by him to the bill (S. 2225) to create a committee to study and evaluate public and private experiments in weather modification, which were ordered to lie on the table and to be printed.

RESEARCH INTO MEANS OF CONVERTING SALINE WATERS FOR AGRICULTURAL AND INDUSTRIAL USES—AMENDMENTS

Mr. CASE submitted amendments in the nature of a substitute, intended to be proposed by him to the bill (S. 5) to provide for research into and demonstration of practical means for the economical production, from sea or other saline waters, or from the atmosphere (including cloud formations), of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DEPARTMENT OF DEFENSE APPROPRIATION BILL

Mr. MOODY submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7391) making appropriations for the Department of Defense and related independent agencies for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: At the proper place in the bill insert the following new title:

"TITLE VII

"COMBAT DUTY PAY

"SEC. 701. This title may be cited as the 'Combat Duty Pay Act of 1952'.

"SEC. 702. As used in this title—

"(a) The terms 'uniformed services', 'member', 'officer', and 'secretary' (except as hereinafter specifically provided) shall have the meaning prescribed for such terms by section 102 of the Career Compensation Act of 1949, and the terms 'incentive pay' and 'special pay' shall mean the pay authorized by sections 203, 204, or 205 of such act.

"(b) The term 'member', when used in relation to any combat unit, means any member of the uniformed services serving and present with, or on board, such unit under competent orders.

"(c) The term 'combat unit' means—

"(1) any military unit, not larger than a regiment, while such unit is engaged in actual combat on land; or

"(2) any element of, or detail of personnel from, any military unit not larger than a regiment, while such element or detail is subjected to hostile ground fire in the course of rendering aid or assistance (A) directly to a military unit, not larger than a battalion, which is engaged in actual combat on land, or (B) by fire to any military unit engaged in actual combat on land; or

"(3) any military unit (not larger than a regiment) engaged in any amphibious or airborne operation, while subjected to hostile ground fire in the course of rendering aid or assistance, to a military unit which is engaged in actual combat on land, by the performance of duties which require its employment at or near a beach or airhead; or

"(4) any vessel while subjected to hostile fire or explosion in the course of any operation; or

"(5) any aircraft while subjected to hostile fire in the course of any operation.

"(d) The term 'actual combat on land' means direct contact with and opposition to a hostile force by any military unit while such unit is subjected to hostile ground fire.

"(e) The term 'military unit' means any unit of any of the uniformed services other than a vessel or aircraft.

"(f) The term 'Korea' shall mean the geographical area specified for income-tax-exemption purposes by Executive Order 10195, approved December 20, 1950.

"SEC. 703. Each member and former member of the uniformed services shall be entitled to receive combat pay in the amount of $45 per month for each month beginning after May 31, 1950, for which such member was entitled to receive basic pay and during which he was a member of a combat unit in Korea on—

"(a) not less than 6 days of such month; or

"(b) one or more days of such month included within a period of not less than 6 consecutive days on which he was a member of a combat unit in Korea, if such period began in the next preceding month and he is not entitled to receive combat pay under this title for such preceding month.

"SEC. 704. Each member and former member of the uniformed services shall be entitled to receive combat pay in the amount of $45 per month for each month beginning after May 31, 1950, for which he was entitled to receive basic pay and in which—

"(a) he was killed in action, injured in action, or wounded in action while serving as a member of a combat unit in Korea, and for not more than 3 months thereafter during which he was hospitalized for the treatment of an injury or wound received in action while so serving; or

"(b) he was captured or entered a missing-in-action status while serving as a member of a combat unit in Korea, and for not more than 3 months thereafter during which he occupied such status.

"SEC. 705. No person shall be entitled to receive for any month—

"(a) more than one combat pay authorized by this title; or

"(b) combat pay under this title in addition to any incentive or special pay.

"SEC. 706. (a) The Secretaries of the services concerned are authorized and directed to promulgate regulations for the administration of this title, which regulations shall be as uniform as practicable, and in the case of the military departments shall be subject to the approval of the Secretary of Defense.

"(b) Such regulations may include appropriate provisions for the withholding of combat pay under section 203 of this title from any member or former member of the uniformed services (or any class of such persons) for any period during which such person or class of persons was not placed in substantial peril by the action of any hostile force as determined in conformity with such regulations.

"SEC. 707. (a) The Secretary of the service concerned, or such subordinates as he may specify, may make such determinations as may be required for the administration of this act, and all determinations and payments made hereunder shall be final and

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conclusive, and shall not be subject to review by any court or any accounting officer of the Government.

"(b) Appropriations currently available for pay and allowances of members of the uniformed services shall be available for the payment of combat pay under this title for any month prior to the date of enactment of this title."

Mr. MOODY also submitted an amendment intended to be proposed by him to House bill 7391, making appropriations for the Department of Defense and related independent agencies for the fiscal year ending June 30, 1953, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By MR. AIKEN:

Baccalaureate sermon entitled "What Price Freedom Now?" delivered by Dr. Daniel A. Poling at Norwich University, Northfield, Vt., on June 8, 1952.

By Mr. SALTONSTALL:

Editorial entitled "More Light on That River," relating to the proposed St. Lawrence seaway, published in the Wall Street Journal on June 20, 1952.

By Mr. LEHMAN:

Editorial entitled "Veto Wanted," published in the New York Times of June 16, 1952.

Editorial entitled "The Immigration Bill," published in the Watertown (N. Y.) Times of June 10, 1952.

Letter on the subject of McCarran immigration bill, written by Justice Samuel Dickstein, of the Supreme Court of the State of New York, published in the New York Times of June 19, 1952.

Press release from the Department of Defense and article published in the Jewish Veteran, dealing with the blood donation campaign starting June 15, 1952.

Article entitled "The McCarran Immigration Bill," by Msgr. John O'Grady, published in the Commonweal for June 20, 1952.

By Mr. WELKER:

Letter dated June 17, 1952, addressed to him by Carl H. Swanstrom, and a letter dated June 17, 1952, addressed by Carl H. Swanstrom to Bernard F. Darnell, Chief, Lands Records Section, Bureau of Land Management, Department of the Interior.

By Mr. MUNDT:

Prize winning essay written by Colleen Campbell, of Carthage, S. Dak., entitled "The Liberties Given to Each American Citizen Under the United States Constitution and What Those Liberties Mean to Men."

By Mr. HUMPHREY:

Articles entitled "Truman Asks Rush on GI Voting Bill," and an editorial entitled "Votes for Soldiers," both written by Anthony Leviero, published in the New York Times, on June 20, 1952.

INCREASE IN AIR FORCE—LETTER FROM JACK T. MOORE

Mr. JOHNSON of Texas. Mr. President, in the stream of mail which daily flows over a Senator's desk there occasionally appears a letter which arrests attention by the clarity of its expression and the patriotism of its sentiments. I have received such a letter from Mr. Jack T. Moore, a realtor of Dallas, Tex.

I do not know Mr. Moore. To the best of my knowledge, I have never met him. But he has written three short, simple paragraphs which are worthy of the attention of the Senate and of every American.

Mr. Moore was prompted to write by the recent issuance of the Senate Preparedness Committee's report on air power. He did not waste any time in composing an elaborate essay. He merely stated what was in his heart. This is what he said:

DEAR SENATOR: I have just read the report in today's paper of the Senate Preparedness Subcommittee calling for the quickest possible build-up of the Nation's air strength to 143 groups as recommended by the Joint Chiefs of Staff.

I have voted for you in the past because I believed you would always favor keeping this country strong. I urge you to do all in your power to see that your committee's recommendation is put in effect immediately.

I have a brother-in-law that was shot down in Korea last month, and a son who will be 19 in August and I am more than anxious to pay whatever increase in taxes might be needed to provide these boys with adequate air protection.

Mr. President, this is a simple letter. It is brief and to the point. Mr. Moore believes we are faced with a choice of saving money or saving lives—American lives. Without hesitation, he places himself on the side of those who would save lives. I believe he speaks with the true voice of America.

MAILING OF INDECENT LITERATURE—LETTER FROM WISCONSIN DEPARTMENT OF CATHOLIC WAR VETERANS, MILWAUKEE, WIS.

Mr. WILEY. Mr. President, I have already commented on the Senate floor on the importance of passing legislation to permit the Postmaster General to seize and impound mail suspected of containing filthy literature. I respectfully urge my colleagues on the Senate Post Office and Civil Service Committee to report out this legislation so that we of the full Senate can approve it prior to the close of this session of the Congress.

At this time, I send to the desk a letter I have received from Henry W. Woyach, commander of the Wisconsin Department of Catholic War Veterans, endorsing S. 2976 for that purpose. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WISCONSIN DEPARTMENT,
CATHOLIC WAR VETERANS,
Milwaukee, Wis., June 17, 1952.

The Honorable ALEXANDER WILEY,
The United States Senate,
Washington, D. C.

DEAR SIR: There is presently in the Senate Post Office and Civil Service Committee, bill S. 2976. This bill deals with legislation proposed to put a stop to the printing and spreading of indecent literature.

It is my understanding that unless this bill is brought out of committee and acted upon by the Senate before July 1, it will automatically die.

I firmly believe that legislation of this type is as vitally necessary as measures for dealing with the communistic evil in this great country, as both undermine the morals and high ideals of a religious Nation such as we should be, if we are to expect good and decent living in America.

I urge you, Senator, for the good and welfare of this great Nation to do all in your power to see that this bill is passed.

Sincerely,

HENRY W. WOYACH,
Commander, Wisconsin Department.

LETTER BY SENATOR HUMPHREY TO PARTICIPANTS IN RADIO PROGRAMS SPONSORED BY OFFICE OF PRICE STABILIZATION

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of a letter I have written to 22 radio and screen stars who volunteered their services in support of our Government's anti-inflation program by participating in radio programs sponsored by the Office of Price Stabilization. I want to publicly announce on the floor of the Senate that they, the radio industry and the individual radio stations who carried this program, helped present information about a program of our Government duly authorized by the Congress and written into law. I commend them for their patriotism and selflessness.

The names are Gordon McRae, 3301 Oakdell Road, North Hollywood, Calif.; Jo Stafford, 10964 Bellegio Road, Los Angeles, Calif.; Paul Weston, 10964 Bellegio Road, Los Angeles, Calif.; Dick Haymes, 1150 Stone Canyon Road, Bel Air, Calif.; Sunny Burke, 342 North Rockingham Road, Los Angeles, Calif.; Dinah Shore, 5180 White Oak Avenue, Encino, Calif.; Frank DeVol, 13605 Gault Avenue, Van Nuys, Calif.; Bob Crosby, 200 North Layton Drive, Los Angeles, Calif.; Gisele MacKenzie, 440 Smithwood Drive, Beverly Hills, Calif.; Paula Kelley, 5540 Shirley Avenue, Tarzana, Calif.; The Modernaires, 1459 Seward Street, Hollywood, Calif.; Martha Tilton, 812 Highland, Manhattan Beach, Calif.; Nat "King" Cole, 401 South Muirfield, Los Angeles, Calif.; Doris Day, 131 South Valley, Burbank, Calif.; Tony Martin, 111 North Beverly Glen, West Los Angeles, Calif.; Victor Young, 526 North Elm Drive, Beverly Hills, Calif.; Bob Hope, 10346 Moorpark Avenue, North Hollywood, Calif.; Les Brown, 1455 Monaco Drive, Pacific Palisades, Calif.; Margaret Whiting, 210 Glenroy Place, Glenroy Knolls, Los Angeles, Calif.; Lou Busch, 210 Glenroy Place, Glenroy Knolls, Los Angeles, Calif.; Dennis Day, 2401 Mandeville Canyon Road, Los Angeles, Calif.; Connie Haines, 3450 Laurel Canyon, North Hollywood, Calif.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

My attention has recently been called to an item which appeared in a recent radio

trade journal about your participation in a series of transcriptions sponsored and utilized by the Office of Price Stabilization. I am writing this letter to express my personal thanks and to commend you for your unselfish public service to your Government. The program of the Office of Price Stabilization affects the economic well-being of every American. It is imperative that the people understand the purpose of this program. It is vital to our long-range national security that our economy be kept in balance, that inflation be checked, that production be maintained and expanded. These worthy objectives can be obtained only when the people understand the policies of their Government.

Hollywood and the motion-picture industry have been the subject of a great deal of attack and criticism in recent years from a number of people in public life and a number of congressional committees. To be sure, there are and have been some in Hollywood in the great motion-picture industry who have merited criticism and exposure. However, the number of such individuals is limited. The movie industry and its artists, technicians, and producers have again and again served their country unselfishly, patriotically, and loyally. It would be unjust and a misrepresentation of the facts if the American people were led to believe that because of the dereliction of the few, the majority in the movie industry were anything but good and worthy citizens. Your voluntary participation in the program sponsored by the Office of Price Stabilization designed to curb inflation and to inform the American people of the economic facts which confront us, is further evidence of the cooperation which is so readily given to the Government by the motion-picture industry and its artists. I, for one, know that through these programs, along with the service to our defense-bond drives, entertainment of our troops in military theaters, you have helped to strengthen the fabric of American democracy.

I know from my own experience in public life that the critical voices are usually the loudest. But I also know that it would be a mistake to interpret those voices as representative of the American people. The citizens of the United States—your audiences and my constituency—have a basic sensitivity to justice and possess awareness and good judgment so that in the end they can always be trusted to distinguish between right and wrong. I am confident that your contribution of talent and time has the appreciation of all Americans who fear inflation and desire to protect their economy.

You and your associates have been criticized by a small handful of my colleagues for assisting your Government. If helping your Government in its anti-inflation program is to be considered controversial and political, then I say that we are only a step away from condemning any individual who desires to help his Government carry out a program enacted by law through the Congress. I condemn the criticism leveled against you just as I would condemn any criticism directed against artists who leave our country at great personal sacrifice to entertain the soldiers in Korea. There are those who call the United Nations police participation in Korea a Truman war, and there are those who choose to place a political label on our Government's anti-inflation program as well. Their motivation, in my judgment, is political and not in the public interest.

Once again, therefore, I want to commend you and congratulate you on your patriotism and selflessness. It is important that we do not allow ourselves to be intimidated. I offer you this encouragement so that you and your fellow artists will continue to act in the public interest as you see it.

Best wishes to you.

Sincerely,

HUBERT H. HUMPHREY.

IMMIGRATION QUOTAS

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an editorial entitled "Immigration Quotas," which appeared in the June 14, 1952, issue of the Washington Daily News.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IMMIGRATION QUOTAS

Critics of the McCarran-Walter immigration recodification bill are urging President Truman to veto it on the grounds that the measure is reactionary and arbitrary.

The reactionary label is given to the new bill because it retains virtually unchanged the old quota provisions, although for the first time quotas are given to several Asiatic nations.

But we have heard no loud public demand to scrap the quota system, which appears to have served its purpose reasonably well over a long period of years.

We certainly do not want unrestricted or indiscriminate immigraiton.

The new bill might be termed arbitrary in that it does vest administrative officials with broader discretion in dealing with deportation cases. This was designed to remove some of the bottlenecks which delay the deportation of Communists and other undesirables. The need for some legislation on this subject has been apparent for some time.

Most of the condemnation of the pending bill would apply with equal force to existing law. And to get around that law it is becoming the practice to introduce so-called emergency legislation letting down the barriers to specified numbers of immigrants. One such is pending now, to accept another 300,000 above the quota limits.

If the McCarran-Walter bill—the product of 3 years' study—becomes a law, there will be little excuse for any more piecemeal, emergency legislation on this subject. And we suspect that is the real objection to the McCarran-Walter bill. If such is the case it is a good argument for it, because we ought to have a firm policy on this subject and quit dealing with it on an emotional or election-year basis.

EXERCISE OF THE VOTING FRANCHISE BY FEDERAL PERSONNEL AND MEMBERS OF THE ARMED FORCES

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is S. 3061.

The Senate resumed the consideration of the bill (S. 3061) to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise.

ENFORCEMENT OF THE INCOME-TAX LAWS—THE CASE OF FRANK COSTELLO

Mr. WILLIAMS. Mr. President, on previous occasions I have discussed the manner in which the Treasury Department has been enforcing the income-tax laws as affecting certain prominent racketeers. Today I shall place in the RECORD the case histories of two more.

The first case is that of Frank Costello, 115 Central Park West, New York, N. Y.

Frank Costello filed no returns for the years 1926 to 1932, inclusive.

On June 25, 1934, a jeopardy assessment for these years was made against Frank and Loretta B. Costello.

Mr. President, I ask unanimous consent to have the tabulation printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Years	Deficiency in tax	50 percent penalty	25-percent penalty	Interest
1926	$221.56	$110.78	$55.39	$96.74
1927	5,214.06	2,607.03	1,303.51	1,963.84
1928	1,006.38	503.19	251.59	318.65
1929	4,240.18	2,120.09	1,060.04	1,088.21
1930	2,647.71	1,323.85	661.92	520.65
Total	13,329.89	6,664.94	3,332.45	3,988.10
Total, $27,315.38.				

Mr. WILLIAMS. Mr. President, on July 6, 1934, additional assessments were made for the years 1931 and 1932, as follows:

Years	Deficiency in tax	25-percent penalty
1931	$599.38	$149.85
1932	1,020.00	255.00
Total	1,619.38	404.85
Total, $2,024.23.		

On August 2, 1933, Frank Costello and his wife submitted an offer in compromise offering to pay $15,000 in full settlement of all their tax liabilities, penalties, and interest, totaling $28,941.04 for the years 1926 to 1932, inclusive.

This offer was rejected on April 24, 1934.

A second offer was filed on June 19, 1934, in settlement of tax liabilities, penalties, and interest, totaling $29,339.61; this offer read in part as follows:

Two thousand five hundred dollars cash submitted with the offer and the remaining balance of $12,500 to be paid at the rate of $750 per month commencing on the fifteenth day of the first month after notice of acceptance. This offer is in lieu of the above liabilities and complete discharge of civil and criminal liability of Frank Costello and his wife, Loretta B. Costello.

This offer likewise was rejected as inadequate, the commissioner having officially notified the taxpayers of the rejection on October 11, 1935.

In June 1935, the collector of the third New York district, having an assessment of $27,315.38 on the books against Costello, levied against the United States Fidelity and Guaranty Co., to reach certain United States bonds then with the company as security for a bail bond. Costello at that time was under indictment and arrest for conspiracy to transport stolen jewels from Florida to New York and the bonds were thought to belong to him.

This criminal case of *United States* v. *Costello* (U. S. D. C., S. D. N. Y.) was nolle prossed in June 1937. Mr. Charles S. Rich then demanded the release of the bonds to him as the owner The Intelligence Unit investigated and determined that Rich was the owner, and on May 12, 1939, Commissioner Helvering authorized the collector to vacate the levy.

UNIVERSITY OF MICHIGAN LIBRARIES

Three suits were begun in 1940 by the United States in the eastern district of Louisiana to collect, first, $5,266.32 balance of 1937 income tax due from Costello; second, $11,088.44, $2,079.82, and $5,154.13 income taxes for 1927, 1928, and 1930 due from Frank and Loretta B. Costello, jointly and severally; and, third, $2,024.23 income tax for 1931 and 1932 due from Loretta B. Costello. Judgments were obtained for the full amounts on June 24, 1942.

While the taxpayers made some payments on the above deficiencies during the next few years, it was not until 1947 that this item was finally collected.

Frank Costello and Philip F. Kastel were criminally prosecuted in New Orleans, La., and on May 15, 1940, the jury was directed by the court to render a verdict of not guilty at the conclusion of the cases because of lack of direct proof of the charges alleged in the indictments.

On June 14, 1944, Frank Costello mislaid $27,200 in currency in a New York taxicab, which money was then turned over to the property clerk of the New York Police Department. This latter individual refused to return the cash to Frank Costello until he could prove his right to same. The Government thereupon intervened in the case, after filing liens against the cash, and as the result of a decision of the New York Court of Appeals on February 5, 1947, judgment was entered whereby $24,233.60, the full liability due, was paid to the Government, and the balance of the cash was paid to Mr. Costello.

Thus we find that on February 5, 1947, this tax claim referred to above of approximately $25,000, which had been allowed to remain outstanding on the books of the Federal Government nearly 20 years, was finally collected.

Not only was this amount allowed to remain outstanding for these many years, but also I find no record of where the Government prosecuted Frank Costello for his failure to file his tax returns for the 6-year period involved.

Long before the Government got around to collecting this deficiency the taxpayer was in trouble for subsequent years.

Frank Costello in his 1936 and 1937 income-tax returns reported $78,955.83 and $66,461.94, respectively, and paid income tax of $20,149.97 and $12,564.06, respectively.

Costello's earnings for these years are significant when we consider that he was then delinquent in his 1927 to 1930 taxes over $25,000 and the Government not only was allowing his account to remain unpaid on the books, but was even giving consideration to his offer to compromise the amount due.

On August 12, 1943, a 90-day letter was mailed indicating deficiencies as follows:

Years	Deficiency	Overassessment	50 percent penalty
1936	$119,401.62		$59,700.81
1937	117,618.80		58,809.40
1938	157.49		
1940		$16.04	
Total	237,177.91	16.04	118,510.21

At this point I ask unanimous consent to have incorporated in the RECORD a report on how the case for these 4 years was handled.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

The income reported by Costello for 1936 and 1937 represented one-half of Philip Kastel's distributive share of the earnings of the Bayou Novelty Co., of New Orleans, La. The partnership return for the taxable year ended August 31, 1936, indicated that the following were partners: H. Geigerman, D. Geigerman, G. R. Brainerd, and Philip Kastel. G. R. Brainerd died on June 20, 1937, after which he was replaced by James Brocato. For 1936 and 1937 partnership returns were also filed in the name of Philip Kastel. These indicated an equal division of Kastel's share in the Bayou partnership with Costello.

The Bureau, in issuing statutory notices to Costello and Kastel, took the position that each of the said individuals owned a 50-percent interest in Bayou and that the other named partners were mere "stooges" or nominees for Costello and Kastel.

Kastel's case was tried before the Board of Tax Appeals on February 16, 1942, and under date of June 1, 1942, an opinion was promulgated holding that Kastel had failed to overcome the presumptive correctness of the Bureau's determination of the deficiencies. Kastel filed a petition for review and the case was remanded back to the Board for a further hearing. On November 6, 1945, the Tax Court held that on the record the partnership had four members and that Kastel's interest was 30 percent and later 40 percent. This share was held taxable to petitioner and his wife in full without diminution by reason of the subpartnership with Frank Costello.

As to Costello's interest in the Bayou Novelty Co. partnership, the Tax Court said at page 19 of its opinion promulgated November 6, 1945:

"It is not necessary to discuss in detail the history of the formation of the Bayou partnership or the contribution made by each partner. It is sufficient to note that Costello, to whom the respondent ascribed the ownership of one-half interest therein, had no part in the launching of the venture, had nothing to do with its operation and received directly from it none of its profits. On the contrary, he specifically and emphatically disclaimed any desire to engage in the business and refused to do so. The petitioner offered to Costello, and the latter accepted, a one-half interest in his share of the profits from Bayou. All of Costello's income derived from Bayou's activities was received through the petitioner. He had no direct contact with the company and on the record here made was not a partner therein."

On pages 20 and 21 the Tax Court further states that:

"We have held that Kastel had a 30 percent, and later a 40 percent interest in Bayou and that Costello was not a partner in Bayou. From this it follows that such share was taxable in its entirety (subject to our later ruling as to rights under community-property law) to Kastel, irrespective of the fact that Kastel and Costello had an arrangement, or partnership agreement, under which they divided such share between them equally. The share was earned by, paid to, and first belonged to Kastel. The subsequent division with Costello in no wise affected its original taxability to Kastel."

In view of the Tax Court's decision and mandate from the Fifth Circuit Court of Appeals, it followed that the Bureau could not only not support the taxing of one half of the Bayou income to Costello, but was forced to eliminate the income reported by Costello from this source (which was all he reported) which resulted in refunds due Costello of $20,149.97 and $12,564.06 for 1936 and 1937, respectively.

As a result of the Tax Court's findings, a final decision was entered in Kastel's case on February 28, 1946, wherein the Tax Court determined deficiencies for the years 1936 and 1937 in the respective amounts of $19,000.59 and $14,295.76. The collector of internal revenue at New Orleans was unable to make any collections on the said deficiencies, since he was unable to locate any assets owned by Kastel. Although Costello was under no legal obligation to have his refunds applied to Kastel's deficiencies, he agreed that whatever refunds he was entitled to should be applied against Kastel's uncollectible deficiencies for 1936 and 1937. The refunds were so applied.

Mr. WILLIAMS. While Frank Costello filed no returns for the years 1926 to 1932, inclusive, all returns, 1933 to 1950, inclusive, were filed on time, an extension to June 15, 1951, having been granted for the year 1950 by the collector.

Notwithstanding the fact that Frank Costello's record of tax payments with the Bureau was very poor, it is noted that his tax returns during the World War II period were not audited; however, I am advised that they are now in the process of being investigated. The Treasury Department explained this failure to audit his returns on the basis that due to shortage of help only a small percentage of taxpayers' returns can be audited each year and that ordinary procedure did not require their audit.

I recognize that it is impossible for the Treasury Department to audit every taxpayers' returns, but surely men of Costello's record should be on the preferred list for an annual audit.

The second case is that of Philip F. Kastel, 1860 Broadway, New York, N. Y.; also with New Orleans addresses. Philip Kastel was a partner of Costello.

A 30-day letter issued on February 10, 1934, proposed the following deficiencies:

	Deficiency in tax	50 percent penalty	25 percent penalty
1927	$14.02	$7.01	$3.51
1928	7,780.43	3,890.22	1,945.11
1929	124.07	62.04	31.02
1930	227.71	113.86	56.93
1931	7,758.41	3,879.21	
1932	None		
Total	15,904.64	7,952.34	2,036.57

No protest was filed, and criminal prosecution was not recommended, accordingly a statutory notice was issued on April 5, 1934. The deficiency in tax for 1928 was increased by $7.49 in this letter. Suits to enforce collection filed in eastern district of Louisiana.

A 30-day letter was issued for 1934 on May 16, 1938, proposing a further deficiency in tax of $14,659.25 and a 5-percent negligence penalty of $732.96. An examination for 1935 discloses no additional tax liability.

The actual deficiency assessed for 1934 was tax $1,316.25, 5-percent penalty $65.81.

On June 7, 1940, a jeopardy assessment of the following amounts was made against Kastel:

Years	Income tax	50 percent penalty	6 percent interest
1936	$150,523.36	$75,261.68	$29,168.54
1937	145,563.89	72,781.95	19,473.66
Total	296,087.25	148,043.63	48,642.20
Total assessed, $492,773.08.			

Criminal action was brought against the taxpayer and his associates directly by the Department of Justice, indictments having been obtained in New Orleans in August 1939. As the result of the trial which began May 6, 1940, the court, after the Government's case had been presented, upon motion of defense counsel, instructed a verdict of not guilty.

Revenue agent was unable to locate any assets belonging to Kastel which could be attached for taxes.

A jeopardy transferee assessment was made against Mrs. Elsie C. Manville, a former wife of the taxpayer.

The collector of internal revenue, Hartford, Conn., was notified of jeopardy assessments aggregating $254,953.58 for 1936 and $237,819.50 for 1937 based on field examination in Louisiana. General lien filed against the taxpayer in the town clerk's office in Stamford, Conn., on June 10, 1940. No assets were located in Connecticut, so on October 23, 1940, the entire accounts were transferred to Jacksonville, Fla., as the taxpayer was reported to be living in Fort Lauderdale, Fla. From there the accounts were transferred to the second division, New York, on December 12, 1940, and were transferred back to Connecticut on May 16, 1941.

The years 1936 and 1937 were ruled on by the United States Board of Tax Appeals, and they, on June 1, 1942, handed down a memorandum opinion in favor of the Government on all issues except fraud. The taxpayer appealed the case and in June 1943 the Fifth Circuit Court of Appeals remanded the case to the Board for retrial. The case was retried in 1945, and findings were in favor of the Commissioner on all points except the taxpayer's domicile. This decision was upheld by the court of appeals.

On December 9, 1942, that office was advised that included in these assessments for 1936 and 1937 were fraud penalties of $75,261.68 and $72,781.95 which should be eliminated based on a decision of the United States Board of Tax Appeals.

On December 9, 1942, the above $148,043.63 was written off (Schedule IT-84789).

On March 20, 1943, the balance of the 1936 account, $179,691.90 and the balance of the 1937 account, $165,037.55, totaling another $344,729.45 was written off by the Treasury Department as uncollectible—Form 53, Abatement Schedule No. 9827.

On June 4, 1946, $30,659.66 of this was restored to the books for 1936 and $22,210.13 for 1937 and these amounts, which had previously been written off, were sent to the collector in New Orleans, La., on June 18, 1946.

In reality the Government never collected any extra money from this $52,869.79 restoration. The only credit made on this account was a $32,714.03 item which was transferred from Frank Costello's account to the Kastel account. This transfer was the result of a court decision declaring certain income as being taxable to Kastel instead of to Costello and since Costello had already paid the assessment, it was merely transferred. On June 10, 1947, a payment of $582.32 was made, and on June 11, 1947, the remaining $19,373.44 was again marked off as uncollectible.

The years 1936 to 1946, inclusive, were all made the subject of systematic investigations by the revenue agents. Subsequent years are now under consideration by the Special Racket Squad, although it does not appear that any timely examination was made of the year 1947. Deficiencies in tax were disclosed for each of the years 1940 to 1946, inclusive. The years 1941, 1943, and 1944 were carried to the United States Tax Court by the taxpayer.

All returns for the years 1940 to 1950, inclusive, were timely filed although the collector granted extensions for the years 1940, 1946, and 1950.

No offer in compromise has been filed by this taxpayer.

It appears that warrants for distraint for collection have been issued only in connection with additional taxes for the year 1940 in the Louisiana district, and delay was attributable to the fact that the accounts were transferred July 5, 1944, to the New York district for collection and retransferred to this office in November 1944, and collection made on February 14, 1945.

Reference should be made to data submitted on the closely related case of Frank Costello.

A review of Kastel's record shows that this racketeer has had very little respect for our income-tax laws and that the Government has an equally poor record of collection of taxes from him. Altogether during the past 15 years a total of $315,156.01 representing income taxes due from Kastel has been marked off—or an average of over $20,000 per year. This does not include the $148,043.63 which was marked off by the Government in 1942 as representing cancellation of proposed penalties.

The excuse used by the Treasury Department for marking off, in 1943 and again in 1946, Philip Kastel's huge tax obligation as being uncollectible was that the "revenue agent was unable to locate any assets belonging to Kastel which could be attached for taxes."

Likewise, the excuse used by the Treasury Department for their allowing a $25,000 to $30,000 unpaid balance to remain outstanding against Frank Costello for a period of over 15 years—until late 1947—was that they were unable to locate any assets owned by this individual.

I find this excuse difficult to accept in view of the fact that there were certain extremely profitable ventures in which both these individuals were engaged during that same period; for instance, during the same period in 1943 in which both Frank Costello and Philip Kastel were delinquent in their income taxes and even having a substantial portion of them canceled as uncollectible, both of these individuals were engaged in numerous profitable operations throughout the country.

One of these operations was the Louisiana Mint Co., 2601 Chartres Street, New Orleans, La.

This partnership, composed of Philip Kastel; Frank Costello; A. G. Rickerfor, New Orleans, La.; Thomas Hill and P. Hand, New Orleans, La.; and Jack Lansky, Hollywood, Fla., was organized on December 1, 1942, by this group of racketeers for the purpose of operating slot machines throughout the State of Louisiana.

In the fiscal year beginning December 1, 1942, and ending November 30, 1943, Philip Kastel's share of the profit from this partnership was $70,095.69, and Frank Costello's share, $61,095.69.

In the next fiscal year, December 1, 1943, to November 30, 1944, Philip Kastel and Frank Costello drew income from this partnership in the amounts of $83,379.45 and $71,379.46, respectively.

In the fiscal year beginning December 1, 1944, and ending November 30, 1945, Philip Kastel's earnings from this partnership were $74,087.64 while Frank Costello's share was listed as $62,087.64.

For the fiscal year beginning December 1, 1945, and ending November 30, 1946, their earnings from this same partnership were $28,335.25 for Philip Kastel and $19,335.25 for Frank Costello.

During this 4-year period the net reported income for the Louisiana Mint Co., after all expenses, was nearly $1,000,000, of which amount about one-half was assigned to Philip Kastel and Frank Costello.

Another partnership was organized August 1, 1943, in which Frank Costello had a financial interest. This time his interest was placed in the name of his wife, Mrs. Loretta Costello, 115 Central Park, New York City.

This partnership was the Crescent Music Co., 743 Baronne Street, New Orleans, La.

Partners listed were J. Joffe, 123 Baronne Street, New Orleans, La.; Mrs. Loretta Costello, and Mrs. Jennie Isenberg, 110 Seaman Avenue, New York City. This partnership was formed for the reported purpose of distributing and operating electrical phonograph boxes.

For the fiscal year beginning August 1, 1943, and ending July 31, 1944, Mrs. Costello drew from this partnership $6,765.06.

For the short period beginning August 1, 1944, and ending September 15, she drew $949.37.

On that date, September 15, 1944, the partnership was changed to include Philip Kastel and Mrs. Loretta Costello—the other partners having withdrawn.

For the fiscal year beginning September 15, 1944, and ending August 31, 1945, Philip Kastel and Mrs. Costello each drew $17,595.51 from this partnership.

For the fiscal period beginning September 1, 1945, and ending August 31,

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1946, Mr. Kastel and Mrs. Costello each drew from this partnership $15,864.37.

For the fiscal period beginning September 1, 1946, and ending August 31, 1947, the partnership reported a loss of $19,431.96, which was assigned 50 percent to each Philip Kastel and Mrs. Costello.

A third profitable venture in which Kastel and Costello were interested was the Beverly County Club, La Barre Road and Jefferson Highway, New Orleans, La.

The Beverly County Club was a swank club operated by Philip Kastel; Frank Costello; Carlos Marcello, 320 Romain, Algiers, La.; A. G. Rickerfor, 3635 Gentilly Road, New Orleans, La.; Meyer Lansky, care of Emby Distributors, Inc., New York; and Dudley Geigerman, 2637 Dreux, New Orleans, La.

It is interesting to note that the partnership setting up this country club was organized on December 3, 1945, during the period in which both Kastel and Costello were, and had been for many years, delinquent in their taxes and also during the period in which the Government was actually writing off as uncollectible over a quarter of a million dollars for Kastel. Yet in this one venture alone Philip Kastel's initial investment in December 1945 was $84,774.07, while Costello put up $67,819.25.

In the first year of their operations, beginning December 3, 1945, and ending November 30, 1946, Philip Kastel's share of the net profit as reported was $10,286.57, while Costello drew $8,229.25.

On November 30, 1946, the partnership was dropped, and a corporation was formed under the name of the Beverly Country Club, Inc., with Philip Kastel listed as president.

During that year—December 1, 1946, to November 30, 1947—the corporation reported a salary being paid to Philip Kastel in the amount of $13,000.

During the next 3 years—1948, 1949, and 1950—Philip Kastel drew a salary as President of this corporation of $12,000, $18,000, and $19,800, respectively.

I may say that Frank Costello's large salaries and income in these corporations were likewise during the period when his taxes were delinquent several thousand. In effect, it might be said these two racketeers had an open charge account with the Treasury Department.

On April 26, 1944, Frank Costello formed the 79 Wall Street Corp., 30 Broad Street, New York, N. Y., with himself listed as president and George Wolf, of New York City, treasurer.

This corporation likewise was formed at a time when Frank Costello owed the Government over $30,000 and the Treasury Department was claiming they were unable to find where Frank Costello owned any assets whereby the debt could be collected.

The principal asset of this corporation was a building on Wall Street which was carried on the books of the corporation at a valuation of $78,000. That valuation was as to buildings only, and did not take into consideration the value of the land.

During the first year of the corporation's operations—June 1, 1944, to May 31, 1945—rents collected from this property totaled $63,657.77, out of which the normal expenses of maintaining property were deducted. Frank Costello drew a salary that year as president of $2,311.32.

For the fiscal year beginning June 1, 1945, and ending May 31, 1946, the corporation collected rents totaling $67,671.57, and Frank Costello was paid a salary of $5,157.06.

During the next fiscal year (June 1, 1946 to May 31, 1947) the corporation collected in rentals $75,192.11, and Frank Costello drew a salary that year of $8,115.48.

During the fiscal year beginning June 1, 1947, and ending June 1, 1948, this corporation collected in rentals and other fees $98,872.24 and paid Frank Costello a salary of $5,590.50.

Beginning June 1, 1949, and ending May 31, 1950, the corporation collected in rentals and other fees a total of $98,676.05, out of which amount Frank Costello was paid a salary of $6,000.

What Frank Costello and Philip Kastel own today I do not know, but it is an established fact that they did possess these assets during the period in which they were allowed to remain delinquent several thousand dollars in their income taxes. During this same period the Treasury Department was not only claiming inability to locate any assets worth attaching, but also was actually writing off a substantial part of their debts as uncollectible. Altogether they wrote off about $325,000 as uncollectible, which means that they could then use this money—due the Government—to finance their gambling establishments.

In addition to these four highly profitable partnerships and corporations which Frank Costello and Philip Kastel controlled, these two racketeers were making investments in other quarters.

For instance, in the years 1947 to 1949 Frank Costello and Philip Kastel spent several thousand dollars drilling for oil in the Louisiana-Texas area. These drillings were conducted as joint ventures; however, their own names did not appear in the actual drillings.

What other investments this pair of racketeers had I do not know; however, those outlined in this report surely are enough to raise a big question mark as to why the Treasury Department failed to collect the taxes due. To say the least, these are rather substantial investments and earnings for a couple of big time racketeers who have been delinquent in their income taxes and who have been pleading inability to pay.

This Fair Deal administration has done a lot of boasting about being the defender of the average man; however, that claim has a hollow ring when one observes the manner in which they have enforced the income-tax laws against America's most notorious racketeers as compared with the manner in which our tax laws are being enforced against the average taxpayers.

To illustrate, I ask unanimous consent to have incorporated in the RECORD at this point an article appearing in the Houston Press, Houston, Tex., on Tuesday, May 27, 1952, entitled "United States Threatens to Sell $5,000 Home for $3.90 Tax," in which it is pointed out the treatment given a taxpayer who owed $3.90.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The United States Government has threat-

HOME FOR $3.90 TAX

The United States Government has threatened to sell Silas Gray's $5,000 home to collect a $3.90 unpaid income-tax bill.

"It's the most ridiculous thing I've ever heard," said the 59-year-old partially disabled retired watchman, scratching his head.

DEMOCRAT, TOO

"And I'm a Democrat, too.

"They'll wait 2 or 3 years to collect from a man who owes thousands of dollars, but they pour it on me."

RECEIVE NOTICE

Mr. Gray of 4015 Averill said he got a notice from the Internal Revenue Bureau in Austin dated May 5, which stated he and his wife, Onalee, a department-store saleswoman, were short on their 1951 remittance.

Two days ago this letter, signed by Acting Collector Kirby H. Jackson and dated May 23, was received:

TEN-DAY NOTICE

"If full payment is not received within 10 days, the law provides for issuance of a warrant for distraint which authorizes collection by seizure and sale of your property or right to property, or by levy upon salary, wages, or other income."

"I've hardly had time to pay the bill—and they threaten to sell my home," Mr. Gray said.

PAID $222

Mr. Gray, who was forced to quit his night watchman job 3 years ago because of a heart attack and can't get around much anymore, said the statement showed he had paid $222.10 to cover the 1951 bill, but that the total was for $226.

He said the three-room bungalow which the Government threatened to seize unless the $3.90 is sent pronto was bought 5 years ago. "We only owe about $1,400 on it," he said.

SENDING NOTE

What is he going to do?

"I'm going to pay the $3.90. I'm going to enclose a note that I heard a fellow on the radio say the country was almost broke and that I hope this will help them out a bit."

EXERCISE OF THE VOTING FRANCHISE BY FEDERAL PERSONNEL AND MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 3061) to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise.

Mr. SALTONSTALL. Mr. President, I have an amendment on the clerk's desk which I ask to have read.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 7, line 13, it is proposed to strike out "forty-five" and insert in lieu thereof "thirty-five"; on page 14, line 2, to strike out "forty-five" and insert in lieu thereof "thirty-five"; on page 14, line 8, to strike out "July 1" and insert in lieu thereof "July 15."

Mr. SALTONSTALL. Mr. President, this amendment will simply change the dates on which the certificates must be filed. If the amendment is agreed to, the dates will be changed from 45 days before the election to 35 days. In Massachusetts our primary is on September 16, which in 1952 is 49 days before November 4. In Massachusetts, where we have an adequate absentee ballot, there would not be time to have the certifications made in 45 days. In my opinion, there would be time if the provision were 35 days. I understand this amendment is acceptable to the Senator from Rhode Island.

The amendment also provides that the date be changed from July 1 to July 15; the bill requires the governors of the States to certify by July 1, 1952. Obviously that is impossible because the bill has not yet even been acted on by the House of Representatives, and today is June 20.

Personally, I think it would be better to provide August 1 rather than July 15 as the date, and I should like to modify my amendment to that extent.

The VICE PRESIDENT. The Senator from Massachusetts has a right to modify his amendment, and it will be modified accordingly.

Mr. GREEN. Mr. President, the term of 45 days as a minimum was fixed by the Department of Defense because it said that, judging by experience in some cases in some places abroad and in some States at home, 45 days was the minimum time which it would be safe to provide. However, I know that in a great many cases similar to that in Massachusetts 35 days would be sufficient.

I do not like to object to an amendment of this sort when a matter of opinion is involved. Therefore, if the Senator from Massachusetts insists on the amendment, I shall accept it.

Mr. SALTONSTALL. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. SALTONSTALL].

The amendment was agreed to.

Mr. FERGUSON. Mr. President, I offer and send to the desk an amendment which I shall read, for I do not have it in printed form. I hope the Senator from Rhode Island will accept the amendment.

On page 15, in line 3, I submit an amendment to be added at the end of that line. If the amendment should be agreed to, there would be added to lines 2 and 3, on page 15, which now read:

Instruction: To vote, write in the name of the candidate of your choice for each office—

The words—

or, in the alternative, to vote a straight party ticket, so indicate by writing in the name of your party preference.

Following those words a box is to be inserted, just as there is one at that point on page 15, after the word "President."

That amendment would allow members of the armed services who desired to vote a straight party ticket to do so.

Such an amendment is desirable, I believe, because when a great number of Members of Congress are to be voted for, it will be practically impossible for the average serviceman—and in this case I am speaking of the average, although I know that many servicemen do know the Members of the House of Representatives from the various districts, to do other than vote a straight party ticket.

I ask for the adoption of that amendment.

The VICE PRESIDENT. Will the Senator from Michigan send his amendment in written form to the desk?

Mr. FERGUSON. Mr. President, I now submit the amendment in written form.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 15, at the end of the third line at the top of the page, after the word "office", it is proposed to strike out the period and insert "or, in the alternative, to vote a straight party ticket, so indicate by writing in the name of your party preference" and thereafter to insert an appropriate box.

Mr. GREEN. Mr. President, I have no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON].

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. SALTONSTALL. Mr. President, I wish to ask some questions of the Senator from Rhode Island, although I am willing to wait to do so.

Mr. GREEN. Mr. President, there are several amendments which I wish to submit, and I believe they may help to answer some questions.

First of all, on page 9, at the beginning of line 22, the section is designated "Sec. 302. (a)." That is a misprint, and should be amended so as to read: "Sec. 303." I submit that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

Mr. GREEN. Mr. President, there is also an amendment which I should like to submit to the title of the bill.

The VICE PRESIDENT. That should be done after the bill itself has been passed. That is in accordance with the routine parliamentary procedure which is well understood at the desk.

Mr. GREEN. Then I shall wait.

Mr. FERGUSON. Mr. President, will the Senator from Rhode Island yield for a question?

Mr. GREEN. I yield.

Mr. FERGUSON. One of the amendments of the Senator from Rhode Island makes it perfectly clear, that civilian employees are not covered by this bill, except to the extent of a recommendation. Yesterday there was some difficulty because of the title, which I am sure indicates that the bill applies to the voting rights of all Federal personnel.

Mr. GREEN. I am glad to answer that question. The title of the bill is similar to the titles of similar previous bills, which included Federal employees and the wives and families of enlisted men. However, this bill, as it will actually be passed, will apply only to enlisted men in the Army, Navy, Marine Corps, and Coast Guard. Therefore, when the proper time comes I shall ask to have the title of the bill changed so as to read: "To permit and assist members of the Armed Forces to exercise their voting franchise."

Mr. FERGUSON. I am glad the Senator from Rhode Island has made that point clear.

Mr. GREEN. Mr. President, while I have the floor, and before there are other questions, I should like to read an editorial which appears in this morning's issue of the New York Times. It reads as follows:

VOTES FOR SOLDIERS

Nearly 3 months have gone by since President Truman urged congressional action to make it possible for about 2,500,000 men and women in the Armed Forces to vote in the coming elections. The soldier vote, of course, includes personnel in all the services. Mr. Truman has now felt it necessary to prod both Houses on this matter in letters to Vice President BARKLEY and Speaker RAYBURN.

Existing State laws, such as the one in operation in New York State, make it possible for something like a 1,500,000 of our uniformed citizens to vote. For another million there is no such provision. Twenty-four States are delinquent in one respect or another. The President's recommendations were based on a report of a special committee of the American Political Science Association made last March.

Bills introduced by Senator THEODORE F. GREEN, of Rhode Island, and Representative JOHN W. MCCORMACK, of Massachusetts, provide for Federal aid to enable the service personnel to vote. If the State laws do not set up workable machinery the Federal Government is empowered to send out ballots for Federal offices, and the pending legislation requires State officials to receive and count such ballots. Since few State legislatures can act before the fall elections, Federal action is all that remains in most cases to give the franchise back to those who have temporarily lost it because they are serving their country.

What is proposed is plain justice. It is hard to see how any Senator or Representative can properly oppose it. The service personnel and their friends and relatives—and indeed all who believe in fair play—have a right to expect early action.

An error has been called to my attention, which should be corrected. On page 15, in the official Federal ballot which is set forth on that page, the word "invalid" in the last clause of the concluding sentence should be changed to "valid."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. GREEN. Does the Senator from Massachusetts have some questions to ask?

Mr. SALTONSTALL. Yes. I should like to ask several questions.

Mr. GREEN. I shall be glad to try to answer.

Mr. SALTONSTALL. I invite the Senator's attention to the following language on page 22, line 21:

(ii) Civilian employees of the United States in all categories, whether or not subject to the civil-service laws and the Classification

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Act of 1949 and whether or not paid from funds appropriated by the Congress.

As I understand, that provision is merely advisory to the secretaries of state in the States which have absentee ballots conforming to this bill.

Mr. GREEN. That is correct.

Mr. SALTONSTALL. If the title were amended so as to strike from it the reference to Federal personnel, as the Senator has indicated will be done, and to which I agree, would it not be wise to strike from the bill the advisory provision I have just read?

Mr. GREEN. I may say to the Senator from Massachusetts that the suggestion does not appeal to me. It seems to me that when a State is considering proposed legislation it should consider the whole broad question of absentee voting. In view of the fact that the act will expire December 31, 1952, I think it unimportant. But it seems to me that permanent legislation, such as I suppose the States will enact, should include men in the Armed Forces and their families, as well as United States officials who may be abroad. If provision for absentee voting is made by the States, I think it should not apply exclusively to the military. Therefore, I hope the change will not be made. The provision is purely advisory.

Mr. SALTONSTALL. Since the Senator from Rhode Island has made it clear that the provision is purely advisory, I do not press the point.

Mr. GREEN. No State need enact that provision into law if it does not see fit to do so.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one more question?

Mr. GREEN. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. On page 11, line 2, there is set forth a postal-card form which is to be used. The form includes the language "in the merchant marine of the United States" and "associated with the Government of the United States in a civilian capacity." That, again, I assume to be merely advisory.

Mr. GREEN. That is correct. It would not apply unless the law permitted it, and the Federal law does not.

Mr. SALTONSTALL. I have this further thought in mind: Let us assume that I am a civilian employee of the Federal Government, and that the Senator from Rhode Island is not. This would give me special privileges or at least some slight advantage over the Senator from Rhode Island. If I desire to vote in absentia, I may do so merely by sending in a special form of post card. On the other hand, the Senator from Rhode Island, assuming that he is not a civilian employee of the Federal Government, if absent from his State, must act upon his own initiative in sending his request in such form as may be legalized by his State.

Mr. GREEN. Yes.

Mr. SALTONSTALL. But this would give the Senator an easier, a legalized way of getting the absentee ballot.

Mr. GREEN. That is correct.

Mr. SALTONSTALL. So that I, as a civilian employee of the Federal Government, or as a member of the merchant marine of the United States, or as a husband, would get a slight advantage over the Senator from Rhode Island, in the situation assumed.

Mr. GREEN. Yes; the fundamental reason being that persons in the classifications referred to are required by the Government to be abroad, whereas the others may be abroad of their own will and accord.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Michigan.

Mr. FERGUSON. I understand that the bill will expire in December of this year.

Mr. GREEN. That is correct.

Mr. FERGUSON. It is only applicable, therefore, to the November election.

Mr. GREEN. That is correct.

Mr. FERGUSON. I am in full sympathy with the proposal. I am anxious that all persons in the Federal services shall be entitled to vote. What permanent legislation is in the bill, if any?

Mr. GREEN. No permanent legislation is proposed. We shall have to enact new legislation when the time comes.

Mr. FERGUSON. We shall have to enact new legislation to govern future elections?

Mr. GREEN. That is correct.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. Because of the confusion, I did not hear the answer of the Senator from Rhode Island to the question of the distinguished Senator from Massachusetts in regard to the language of subsection (c), on page 22, in line 21, which reads:

(ii) civilian employees of the United States in all categories whether or not subject to the civil-service laws and the Classification Act of 1949.

Did I correctly understand the distinguished Senator from Rhode Island to state that that provision would be merely advisory?

Mr. GREEN. That is correct.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I call the Senator's attention to the provision on page 13, section 402, reading as follows:

SEC. 402. Not later than July 15, 1952, the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard, by State absentee ballot. Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him States shall be determined to have made adequate provision for voting by such members if they provide for (i) absentee voting on State ballots by all qualified voters of the State who are serving in the Armed Forces; (ii) a waiver of personal appearance for registration or any other purpose connected with voting on behalf of persons serving in the Armed Forces; (iii) acceptance, as valid applications for absentee ballots, of the form of post card provided pursuant to this act; and (iv) the availability of absentee ballots for mailing to persons serving in the Armed Forces not later than 45 days before the last date on which such ballots will be counted.

It is then provided that the Secretary of Defense may, in his discretion, base his determination as to any State on a certification of the Governor of the State. I want to suggest to the Senator from Rhode Island that there are comparatively few States in the United States—very few—which have not provided for absentee ballots. I do not believe it would be wise to place in the hands of the Secretary of Defense or the Defense Department the right to determine the propriety or lack of propriety of the provisions of State laws, when the States themselves shall have provided for absentee ballots. In other words, I should like to see it provided that—

The Secretary of Defense shall publish in the Federal Register, not later than July 15, a list of States which he shall have determined, upon certification of the Governor of each State, to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard by State absentee ballot.

In other words, in the event the governor of a State certifies that his State, within its own authority, has made provision for absentee voting, it is not the business of the Federal Government to inspect the State forms of application, and everything else, and, on a whim, let us say, or upon the opinion of an individual, to say, "We do not like your form of application. We do not like your requirement in regard to absentee balloting. Therefore, we will throw out your absentee ballots and substitute for them the Federal ballot."

It seems to me it would be better to provide that when a governor certifies that his State has made provision for absentee balloting that shall be sufficient, and that such State is not encompassed in this legislation. I understand it is intended that this shall apply only to such States as have not made provision for absentee balloting by members of the Armed Forces.

Mr. GREEN. I think there is a good deal of justice in the criticism the Senator from Iowa has made. There are only three States of the Union which have not provided for some manner of absentee voting.

I do not know that it would be the business of the Federal Government to provide for others than those included within the classes the Senator has mentioned. Instead of applying to all voters, my understanding is that this would apply to merely a limited list of voters.

Mr. HICKENLOOPER. I realize that this bill will probably have to go to conference, and I certainly dislike attempting to legislate on the floor of the Senate. It may not be in proper form, but would the Senator be willing to accept this kind of an amendment? Beginning in line 12, on page 13, after the period, at the end of the word "ballot", to strike out the remainder of that section, so that the section would read as follows:

SEC. 402. Not later than—

Let us say September 15, 1952; I am not concerned about the exact date—

the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined, based upon certification of the governor of each State, to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard by State absentee ballot.

What that amendment would do would be to prevent the Secretary of Defense or anyone else from looking past the certification of the governor. He would have to accept the certification of the governor that the particular State had made provision for absentee voting.

Mr. GREEN. While I agree with the purpose of the Senator's suggested amendment, it seems to me it goes too far. I think perhaps the language might be made to apply to those who vote for Federal officers, but it seems to me that otherwise the section is all right as it stands.

Mr. HICKENLOOPER. In my own State ample provision is made for absentee voting, no matter in what part of the world the voter may be. I was Governor of my State when a special session was called to enact such a statute, and we very meticulously went over it, as it affected even townships. I think our law is ample. But suppose the Secretary of Defense looked over our law and found that it did not conform with the particular ideas contained in this bill. Under the previsions of this bill as they now read he could disregard our entire law. I think there is danger of interfering with the right of the States to write their own election laws, but if merely we provide that when the governor of a State certifies to the Secretary of Defense that there is provision for absentee voting for all offices, Federal and State, his certification shall be accepted that should preclude any further examination of or interference with the absentee voting law.

Mr. GREEN. Does the Senator's criticism that it is too broad apply only to this one provision?

Mr. HICKENLOOPER. Is the Senator suggesting that there might be a possibility of striking out clause (iii) in line 20?

Mr. GREEN. No. I am referring to rewriting the phraseology in lines 16 and 17.

Mr. MUNDT. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. Let us finish this little colloquy first, and then I shall be glad to yield.

Mr. HICKENLOOPER. One of the objectionable features is (iii) in line 20, which provides that the Secretary must be satisfied as to "acceptance, as valid applications for absentee ballots, of the form of post card provided purusant to this act."

Mr. GREEN. It does not prevent the States having their own form of application, if they wish it, but for the purpose of the military a form is provided, and we want to be sure that the States recognize that form.

Mr. HICKENLOOPER. I think the Senator will agree that all kinds of confusion can arise in such a situation.

Let us suppose a man in a far corner of the world sends to his home State, as thousands of our boys do at every election, for a home State ballot. Suppose the Secretary of Defense says, "We do not like the form of application which Iowa requires; it does not conform to the Federal law. We will send a Federal ballot."

Mr. GREEN. We have taken particular pains in the bill to give consideration to the provisions of State laws. We do not seek to change them. There is nothing to prevent the States from sending their own forms to the men. It is stated specifically in the bill that where a man in the armed services abroad uses, by mistake, an erroneous form, the Federal form will be valid. There is nothing in this bill to affect a man's opportunity to vote.

Mr. HICKENLOOPER. It puts the complete discretion in the Secretary of Defense and in the Secretary of the Treasury, as I read it, to look over the absentee-voters laws of the States and say, "I do not like them; I do not think they are adequate."

Mr. GREEN. Some of them are not adequate.

Mr. HICKENLOOPER. If a State does not have an absentee-voters law——

Mr. GREEN. Suppose a State has an absentee-voters law which would not cover the case of men abroad.

Mr. HICKENLOOPER. The governor of the State must certify that the State has an absentee-voting law. That would have to be included in the certification.

Mr. MUNDT. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. MUNDT. Does not the Senator from Rhode Island agree that the governor of the State, with his full knowledge of how the election machinery of his State operates, is in a much better position to determine the adequacy of an absentee-voter law, than is the Secretary of Defense, who has to act by remote control and on the advice of others? I think the Senator from Iowa has made a very constructive suggestion.

Mr. GREEN. I think the provision might be so worded that it would amply cover the point.

Mr. MUNDT. The same thing disturbed me, because South Dakota has an adequate absentee-voters law. It has been evolved in two wars. It is based on the theory that GIs who are overseas would rather vote on State ballots so they can vote for State and county candidates as well as national candidates. It was my thought to offer an amendment to cover this point which I shall be happy to withhold if the Senator will accept the suggestion of the Senator from Iowa.

Mr. GREEN. I know the State of South Dakota has adequate voting machinery, but there are other States which have not.

Mr. MUNDT. Under this proposed legislation there is nothing in the world to prevent the Secretary of Defense from taking arbitrary action. We do not use in South Dakota the precise kind of post cards which are provided for in this bill.

Mr. GREEN. The bill provides four different standards.

Mr. MUNDT. One of which is to use this particular kind of post card. We have a slightly different system in my State. The Senator is limiting the discretion of the Secretary of Defense in such a way that he may say we must use the particular kind of post card provided for in the bill.

Mr. GREEN. Perhaps I should make this explanation. This proposed legislation is supplementary to State laws. We must confine the discussion to that issue. All men in the armed services are divided into two classes, those as to whom satisfactory provision is made for voting, and those as to whom such provision is not made. Where there is a satisfactory voting provision, the men are not even given a card or an application. However, where, for one reason or another, the provisions for voting is unsatisfactory, and there are four different reasons why they may be unsatisfactory, applications are supplied. It is not necessary that they be used. A State may send ballots to all the personnel, but the personnel may not desire to use the State ballots. Nevertheless, the ballots are sent to all. Probably half or more of the States have adequate provisions for men fighting abroad in the armed services.

Mr. MUNDT. I congratulate the Senator and his committee. I think the bill is a big improvement over previous efforts to write a Federal ballot law but the Achilles heel that is disturbing is that the determination is made, not by a State executive, but by the Secretary of Defense.

I have an amendment to section 103, on page 2, which would provide that the law should not be operative in any State unless the governor had positively certified that it was necessary. However, I would be perfectly willing and happy to withhold my suggested amendment if the Senator from Rhode Island would accept the amendment offered by the Senator from Iowa, which approaches the question in a different section of the bill. As I understand, the amendment of the Senator from Iowa would accomplish the same purpose. It would leave determination in the office of the governor.

Mr. HICKENLOOPER. It would put reverse English on the gimmick. My suggestion, again, is that section 402, on page 13, read as follows:

Not later than date—

Whatever date is satisfactory—

the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined, based upon certification of the governor of each State, to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Corps, and Coast Guard, by State absentee ballot.

Such a provision would require the governor of a State to certify that his State had made adequate provision for absentee voting in the elections by

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members of the Armed Forces. If a governor certified that the State had made adequate provision for absentee voting, that would end a great deal of effort and confusion. The matter would be snubbed down to the few States whose governors would certify that the States had not made adequate provision for absentee voting. On that basis the Federal Government could proceed to provide proper ballots for residents or citizens of those States only.

Mr. GREEN. I do not think such an amendment is necessary, but if it is satisfactory to the Senator, I would consider it. Would the Senator state the words of his amendment again?

Mr. HICKENLOOPER. In section 402, on page 13, beginning with line 7, I would propose the language to read as follows:

Not later than September 15—

If that date would be satisfactory to the Senator——

Mr. GREEN. That would be too late.

Mr. HICKENLOOPER. I should have said July 15; I had written September. I would propose the following:

Not later than July 15, 1952, the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined, based upon certification of the governor of each State, to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard, by State absentee ballot.

That would end the section. I would strike out the remainder of the section.

Mr. GREEN. Oh, no, I would not agree to striking out the remainder of the section.

Mr. HICKENLOOPER. Oh, yes.

Mr. GREEN. Oh, no. There is more to it. The Senator would remove the heart of the bill. The bill then would be no better than bills passed in previous years, which proved to be defective. I believe the Senator's proposed amendment meets the primary objection.

Mr. HICKENLOOPER. The reason why I would strike out the remainder of the section is that it would leave discretion in the Secretary of Defense as to whether he believed a State had made adequate provision for absentee voting.

Mr. GREEN. Where there was inadequate provision, the United States Government would provide a Federal ballot.

Mr. HICKENLOOPER. I realize that. I do not wish to get into a discussion of the constitutionality of the provision.

Mr. GREEN. The reason why the Federal Government would be called upon to act at all is that it has, in most cases, taken men from their homes, where they cannot comply with State laws, and in that respect has taken away their right to vote. The Government has a right to force citizens to fight when, perhaps, they do not wish to fight. But to take away their right to vote is asking too much.

Mr. LEHMAN. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield to the Senator from New York.

Mr. LEHMAN. Just as has South Dakota, the State of New York has a very adequate law. But it seems to me it is the duty of Congress to safeguard the rights of our servicemen, from whatever State they may come. Some States are fortunate in having adequate laws, but apparently some States do not have adequate laws. In my opinion we should not allow ourselves to be foreclosed by the fact that a few States or several States have adequate laws.

I may say to the distinguished Senator from Rhode Island that in determining whether adequate provision for voting has been made by the States, it is essential that there be certain minimum standards covering the entire Nation. The standards, which are set forth in subsections (i), (ii), (iii), and (iv), seem to me to be simple and clear provisions, and to be about as minimum in their requirements as could possibly be expected.

Also, is it not a fact that in the event a serviceman sent in two ballots, one provided by the State, the other provided by the Federal Government, the Federal ballot would become invalid? This bill is intended to protect the States in serving the soldiers.

Mr. GREEN. That is correct.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. I may say to the distinguished Senator from Rhode Island that I believe there is much force to the argument made by the Senator from Iowa with reference to certification on the part of the governor. For instance, in my own State of Kansas in 1943 the legislature made what we thought rather complete and adequate provision for soldier voting.

Mr. GREEN. That is recognized as satisfactory.

Mr. SCHOEPPEL. I am impressed also with the statement of the able Senator that the bill is not intended to abrogate, change, nullify, or certainly not to confuse the machinery which many States, through their legislative bodies and governors, have established, and which, in their judgment, makes adequate provision.

Mr. GREEN. That is correct.

Mr. SCHOEPPEL. The latter part of section 402 provides some standards which would be at variance with those of States which have provided a different type of ballot and a different type of procedure, and I would want to be doubly certain about its meaning. As presently written section 402 provides that—

Not later than July 15, 1952, the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined—

And so forth. If he could determine, because of a change in the form of ballots or in the approach some States have made, that they had not made adequate provision, it would be most confusing. Just a few hours ago, I may say to the able Senator, I talked to the attorney general of my State about this. It was when I was Governor of my State that initial legislation for absentee voting was passed, which it was thought included adequate safeguards. The attorney general indicates to me that the State is now in the course of printing the ballots, in order to allow sufficient time in which to cover adequately all situations which may arise. If perchance the Secretary of Defense, despite that type of law in my State—and the same thing might apply to other States—should say, "The State does not meet certain of these standards, so we will not put it on the approved list," we would be in a chaotic condition in my State. That is what I wish to point out to the Senator. I do not know how we can get around it. That is one of the reasons why I think the suggestion on the part of the Senator from Iowa and the Senator from South Dakota has some force. To what extent we should modify the later provisions, I do not know, but certainly the Governor of the State should be the certifying factor, because he is the head of the State.

Mr. GREEN. That is why I was willing to accept the first part of the suggestion of the Senator from Iowa.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. HUMPHREY. I think there is no conflict. I believe I plainly see what the Senator from Kansas is driving at. Section 402, as proposed to be amended by the Senator from Iowa, makes it clear that certification for purposes of publication in the Federal Register of the list of States which have adequate laws shall be on the basis of the governor's certification.

Mr. SCHOEPPEL. Was that provision accepted?

Mr. HUMPHREY. Yes; as I understand, that suggestion was accepted.

Mr. HICKENLOOPER. No.

Mr. HUMPHREY. I believe that that particular sentence is desirable; but to eliminate the remainder of the section would cripple the powers of the Secretary of Defense to make any determination in cases in which there are no adequate standards. There is no conflict of interest. If the State ballot meets the standards, the State ballot is the one which is used.

Mr. HICKENLOOPER. That is the very point.

Mr. HUMPHREY. If the State ballot does not meet the standards, the young man in the armed services still has an opportunity to cast his vote in a national election.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. FERGUSON. Take the third clause, which reads: "acceptance, as valid applications for absentee ballots, of the form of post card provided pursuant to this act."

Suppose the Secretary of Defense arbitrarily rules that the State law does not permit the application to be made by post card, but requires that it be made by letter.

Mr. GREEN. There is no room for difference of opinion there. Either the State law meets the required standards or it does not. The language is plain.

Mr. FERGUSON. If the application had to be made by letter, the member of

the armed services would have to use the Federal ballot, would he not?

Mr. GREEN. If a person wished to apply for a Federal ballot, he should be sure that the State would accept the application.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. HUMPHREY. There is no compulsion to use the Federal ballot. Members of the armed services may use the State ballot if the State ballot is operative at all, if the State law is such that the young man can get his absentee ballot from home.

Mr. SCHOEPPEL. That point is well taken, if that is the situation.

Mr. HUMPHREY. That is the situation. In other words, any member of the Armed Forces can use his own State ballot. However, if there is some factor which makes the State ballot inoperative the Federal ballot gives him a choice, so that each member of the Armed Forces may exercise the right to vote. I think the emphasis of the proposed law is upon getting the States to do their own job.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. MUNDT. The only point at issue, as I see it, is whether the Secretary of Defense or the governor shall determine whether or not the State absentee ballot system is adequate. We want to leave the determination in the hands of the governor rather than the Secretary of Defense.

Mr. HUMPHREY. Mr. President, will the Senator further yield?

Mr. GREEN. I yield.

Mr. HUMPHREY. My interpretation is that the individual citizen in the armed services from any State can call upon his own State to send him an absentee ballot so that he may vote on that ballot, whether it be good, bad, or indifferent. He has that right; that is his privilege. However, the Secretary of Defense may determine that certain States do not meet the Federal standards prescribed in the bill. Therefore, that particular individual would have the choice of either a Federal ballot or a State ballot. That is what it amounts to.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. FERGUSON. How many States meet the proposed standards?

Mr. GREEN. There are four standards required, and 24 of the States meet them.

Mr. FERGUSON. Meet them all?

Mr. GREEN. Yes. There are 24 States that do not meet the standards in some particulars. For example, there are 3 States which have no absentee voting law.

Mr. FERGUSON. Does the Senator know whether or not the State of Michigan meets all the tests?

Mr. GREEN. The State of Michigan does not meet the test of allowing sufficient time. That is the only test which it does not meet. The State of Michigan allows only 25 days, which is not sufficient.

Mr. HUMPHREY. Mr. President, I think I can be helpful in this connection——

Mr. FERGUSON. Can the Senator help me out on the question of the 25 days?

Mr. GREEN. The time provided in the bill is 45 days.

Mr. FERGUSON. The Senator says that the State of Michigan does not meet that test.

Mr. GREEN. The Senator is correct. It allows only 25 days. If the ballot is to be sent from Michigan abroad, and if the member of the Armed Services is expected to receive the ballot, sign it, and return it, in many instances it cannot be done in 25 days.

Mr. FERGUSON. Does the statute in Michigan provide for a period of 25 days?

Mr. GREEN. It does.

Mr. FERGUSON. Then a member of the Armed Services from Michigan would have to use the Federal absentee ballot.

Mr. GREEN. Unless he wanted to take a chance. The State ballot might get back in time, but there could be no assurance that it would.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. GREEN. I yield.

Mr. HUMPHREY. Let me tell the Senator from Michigan what would happen. Let us assume that Michigan, because of the 25-day period, did not meet the standards prescribed in the bill. In the case of a member of the armed services from Detroit, Mich., who happened to be in Germany, he would have the opportunity and the right of having a ballot from his State. That is his right; but to make sure that he has an opportunity to vote, he would also obtain a Federal ballot. He could fill in one or both, but only one would be counted. The bill affords protection to him, to make sure that he has the opportunity to vote.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. FERGUSON. We have changed our primary date to August 5. Did the Senator have in mind the date November 9 when he stated that the State of Michigan did not meet the standards because of the period of 25 days? Our primary date will now be August 5.

Mr. GREEN. I did not make the compilation myself. It was furnished to me by the Department of Defense.

Mr. HUMPHREY. Mr. President, I think I can be of further help to the Senator from Michigan by saying that in the instance which I cited, if the young man should receive two ballots, a State ballot and a Federal ballot, and he filled out both the State ballot and the Federal ballot, the one which would be counted would be the State ballot. All we are doing is giving him an extra opportunity to vote, so that he may exercise his right to vote. However, only one ballot would be counted.

Mr. FERGUSON. Suppose he did not make application for the State ballot. Would he be entitled to vote on a Federal ballot?

Mr. HUMPHREY. Certainly, he would be.

Mr. FERGUSON. Is that true in all the States?

Mr. GREEN. It is.

Mr. FERGUSON. If he does not make application, then I should say that this provision would apply to all States.

Mr. HUMPHREY. It applies only to States which have inadequate laws.

Mr. GREEN. All members of the Armed Forces in a given camp or unit are divided into two classes. The first class consists of those coming from States where the laws are adequate. We pay no attention to them. The States have taken care of them.

The second category includes those who come from States which have not made adequate provision, either because no arrangement has been made to send the ballots in time, because there is no absentee voting at all, because there is no registration by mail, or perhaps because post card applications are not accepted. In such cases the men are given the opportunity to use a Federal ballot if they so desire.

Mr. FERGUSON. Mr. President, will the Senator further yield?

Mr. GREEN. I yield.

Mr. FERGUSON. Has the Senator from Rhode Island accepted an amendment on page 14, line 2, to make the period 35 days instead of 45 days?

Mr. GREEN. I have. I thought that was better than to have a fight over it.

Mr. FERGUSON. Does the Michigan statute comply with the revised provision?

Mr. GREEN. No. The time provided by the Michigan statute is 25 days.

Mr. FERGUSON. Can the Senator from Rhode Island tell me where he gets the idea that the period is 25 days under the Michigan statute? I do not understand that, if the primary is as early as August 5.

Mr. GREEN. There is a great variation in the time, from State to State, among the States which have inadequate time, that is, less than 45 days. I think there are 21 States that allow less than 45 days.

Mr. HUNT. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. HUNT. Is this a true statement: The Federal ballot will be used only when, due to some limitation of State laws, it is impossible to have the ballots printed in time and gotten to the boys? When that cannot be accomplished, they vote the Federal ballot. When it can be accomplished, they vote the State ballot. Is that a correct statement?

Mr. GREEN. It might be expressed in that way. However, we must establish a definite time. The time must be uniform for every State. We cannot leave that question indefinite. There cannot be a different time for every State, or for various parts of ever State. There must be a definite time, a definite limit.

Mr. HUNT. I think the bill should provide, regardless of the limitation of time, that if a State ballot can be placed in the hands of the absentee voter in time to be returned——

Mr. GREEN. How is a court going to decide that question? The time required varies from State to State.

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Mr. HUNT. The member of the armed services can be furnished with a Federal ballot; but if his State ballot reaches him in time, he will vote the State ballot.

Mr. HUMPHREY. That is the case.

Mr. HUNT. That is the way it ought to be.

Mr. HUMPHREY. That is what the bill provides for. If the young man gets his State ballot in time he votes the State ballot. But if he does not receive the State ballot, he has the option of using the Federal ballot. This bill is merely insurance of his opportunity to vote. If he receives two ballots and fills them both out, the one which will be counted will be the State ballot.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. MUNDT. I think I have a suggestion which may obviate the entire difficulty, inasmuch as the Senator from Rhode Island would like to retain the language with respect to the four standards. Would the Senator from Rhode Island consider accepting an amendment on page 13, line 7, so as to make section 402 read:

Not later than July 15, 1952, the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has compiled from certificates filed by the governors of the various States requesting use of the absentee ballots.

If a Governor requested it, it would be in effect. If he did not request it, it would not be in effect.

Mr. GREEN. That is only one of the four conditions necessary.

Mr. MUNDT. But a State governor would have to certify the facts to the Secretary of Defense.

Mr. GREEN. The Senator refers to only one of the facts the Governor would certify.

Mr. MUNDT. The point at issue is very important. Is it the contention of the Senator from Rhode Island that the Secretary of Defense should have more to say than the governor of a State as to what constitutes an adequate election law? If that is the Senator's contention, I disagree with the whole concept.

Mr. GREEN. That is not my contention. That is why I accepted the suggestion of the Senator from Iowa to provide for certification by the Governor.

Mr. MUNDT. This has nothing to do with the four qualifications which the Senator from Rhode Island and other Senators apparently have worked out. Apparently the Senators have considered geographical location, the election law in Michigan, and so forth.

Mr. GREEN. Perhaps the best and most expensive method would be to send a ballot to everyone.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. LEHMAN. It seems to me that if we eliminate the tests we would expose the soldiers to disfranchisement under many circumstances. For example, if we depend entirely on the certification of the Governor, the Governor may feel that it is not necessary to waive personal appearance for registration or for other purposes. The lack of such a provision would disfranchise many soldiers, for they could not vote unless personal appearance for registration was waived. I know that in New York State personal appearance is waived. I am not at all sure that that is the case in some of the other States of the Union. Undoubtedly the Senator from Rhode Island has a list of the States which would be affected. Certainly if we wish to give every soldier the right to cast his ballot in the coming election certain tests must be provided, which are outlined in the bill. Otherwise unquestionably many soldiers would be disfranchised.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. FERGUSON. On page 14 discretion is given the Secretary of Defense to base his determination on the certification of the governor of a State as to certain facts. There appears on the preceding page the date July 1, 1952. Today is June 20. July 1 is 10 days from today. The pending bill probably cannot be enacted and signed by the President until after July 1. Should not that date be changed?

Mr. GREEN. I think that date has been changed already.

Mr. MUNDT. It is only discretionary, though.

Mr. SALTONSTALL. Mr. President, will the Senator from Rhode Island yield so that I may answer the Senator from Michigan?

Mr. GREEN. I yield for that purpose.

Mr. SALTONSTALL. With the Senator's permission I offer an amendment on page 13, line 7, to strike out the date "July 15, 1952" and insert in lieu thereof "August 1, 1952."

Mr. FERGUSON. The other date does not mean anything?

Mr. SALTONSTALL. No.

Mr. GREEN. Mr. President, I accept the amendment.

The PRESIDING OFFICER (Mr. CASE in the chair). Without objection, the amendment of the Senator from Massachusettes is agreed to.

Mr. HUMPHREY. Mr. President, would it not be desirable also to change the date on page 14, line 8.

Mr. SALTONSTALL. That date has already been changed.

Mr. HUMPHREY. Very well.

Mr. SMITH of North Carolina. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. SMITH of North Carolina. I wish to ask the Senator from Rhode Island several questions.

At several places in the bill there appear the words "persons serving in or with the Federal military service." That wording appears on page 2, line 21. The same wording appears on page 3; also on page 10; as well as on succeeding pages.

On page 22, line 18, the following appears:

(c) The term "persons serving in or with the Federal or military service of the United States" includes (1) members of the uniformed services as defined in section 102 of the Career Compensation Act of 1949—

I have no objection to that—

(ii) civilian employees of the United States in all categories whether or not subject to the civil-service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

I should like to ask the distinguished Senator from Rhode Island if it means that all civilian employees of the United States Government who are not in the military service have the right to use the ballot provided for in this bill?

Mr. GREEN. That is a very natural mistake for the Senator to make. However, all the quotations to which he has referred are a part of the advisory section of the bill, which advises the States with respect to passing legislation on this subject. We think that if they are to enact legislation we should draw to their attention necessity for covering all classes. But the class which we actually cover in the bill is the class comprising the military, namely, the Army, Navy, Marine Corps, Air Force, and Coast Guard.

Mr. SMITH of North Carolina. The act would expire on December 15, 1952; is that correct?

Mr. GREEN. That is correct.

Mr. SMITH of North Carolina. Why are civilian employees included?

Mr. GREEN. That provision is used in connection with the recommendations to the States.

Mr. SMITH of North Carolina. Why are civilian employees included if it is a military bill?

Mr. GREEN. I believe the title was misleading. Before the Senator from North Carolina came into the Chamber, I said that at the appropriate time I would move to amend the title of the bill so as to read, "To permit and assist the members of the Armed Forces to exercise their voting franchise." The present title was taken from an old bill.

Mr. SMITH of North Carolina. Why is it necessary to advise States with respect to Federal civilian employees?

Mr. GREEN. It is not necessary, but we thought that for other purposes—not for the purposes of this bill—it would be desirable that such employees be taken into account. We were afraid that States might pass legislation which would refer purely to the military and not include civilian employees stationed abroad and working for the Federal Government.

Mr. SMITH of North Carolina. But it does not say "civilian employees stationed abroad."

Mr. GREEN. The definition defines the term.

Mr. SMITH of North Carolina. At page 22, line 18, the bill says:

(c) The term "persons serving in or with the Federal or military service of the United States" includes * * * (ii) civilian employees of the United States in all categories whether or not subject to the civil-service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

Mr. GREEN. The Senator will find that a definition is given in the context of the bill.

Mr. SMITH of North Carolina. That is what is bothering me.

Mr. GREEN. The Senator will find that it is limited to persons who are living away from their residences.

Mr. SMITH of North Carolina. It includes all employees of the United States Government.

Mr. GREEN. It does.

Mr. SMITH of North Carolina. Why should we legislate, under the guise of trying to help soldiers to vote, to extend the provisions of the bill to civilian employees all over America?

I may say to the Senator from Rhode Island that I am heartily in favor of giving the servicemen who are away from home the right to vote. In North Carolina we have an absentee voting law which I believe does that. We also have an absentee voting law for citizens in some circumstances.

But of all the frauds ever perpetrated or executed in North Carolina, the worst of all was the fraud in the case of absentee ballots cast in primary elections. This bill covers both the primary elections and the general elections.

Mr. GREEN. No; it does not.

Mr. SMITH of North Carolina. A moment ago I read a part of the bill which states that it relates to the primary elections.

Mr. GREEN. That is simply contained in the advisory part of the bill.

Mr. SMITH of North Carolina. That is the point. I do not like to see the Federal Government begin to tell the States how to conduct their primary elections and how to write their primary election laws. I know that, if such an arrangement is made, it will be fraught with fraud, and I know that in such circumstances many employees will be pressured by their employers or by their superiors to cast an absentee vote, and to cast it in a certain way, for whatever persons their bosses wish to see elected. I am entirely opposed to having that done.

Mr. MUNDT. Mr. President, will the Senator from Rhode Island yield to me?

Mr. GREEN. I yield.

Mr. MUNDT. I am glad the Senator from North Carolina has brought out the point he has, as to the difficulty which will arise from the part of the bill to which he has referred. The Senator from Rhode Island has stated that that part of the bill amounts to advice. Actually, it goes even further than he has stated, for, Mr. President, believe it or not, this bill provides that—

(c) The term "persons serving in or with the Federal or military service of the United States" includes (i) members of the uniformed services as defined in section 102 of the Career Compensation Act of 1949, (ii) civilian employees of the United States in all categories whether or not subject to the Civil Service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

The result would be that if in a certain area there was a large construction plant, and if the workers in the plant were employed by contract, the authority of the State to determine how they should vote would be vacated. That would be true because this bill applies to plants and installations, as well as to persons serving in the military service. Why in the world such an additional provision should be gouged or shoved into a so-called soldier voting bill is beyond my understanding.

Mr. GREEN. The part of the bill which has been read by the Senator from South Dakota appears in the advisory section or the section which makes recommendations.

Mr. MUNDT. No; that provision is to be found in the latter part of the bill—on page 22, beginning in line 18. At that point we find a provision beginning with the following words:

(c) The term "persons serving in or with the Federal or military service of the United States" includes—

And then the ones included are spelled out.

Mr. GREEN. I understand.

Mr. MUNDT. If that part of the bill is only advisory, let us delete it.

Mr. GREEN. It is a part of the good advice given, by means of the bill, by Uncle Sam to his nephews.

Mr. MUNDT. Then let us let the advice appear in the report, and not in the actual text of the bill, the legislative enactment, because the provision of the bill to which I have just referred would make it impossible for any State of the Union to have anything to say about what sort of election machinery would apply to such persons.

Of course, Mr. President, I have been delighted to see that at long last the Senators from the old South have determined to take action to preserve their beloved States' rights, as well as to talk about them, and that now they are determined to oppose most actively this attempt by the Federal Government to say what the States shall do or what they shall not do in the case of elections.

Mr. GREEN. Mr. President, the exact details of how each State shall provide for the conduct of the elections are provided in the basic State legislation in that field. This bill is not the place to have such provisions set forth.

Mr. SMITH of North Carolina. Mr. President, let me point out that all of us believe in giving the soldiers an opportunity to vote. We believe that it should be done now, and it has been done in the past. Furthermore, we want it done in the future. We want every soldier or sailor or other member of the armed services who comes from North Carolina to vote.

Mr. GREEN. That is all this bill will provide for.

Mr. SMITH of North Carolina. In North Carolina I believe we have a law which permits members of the armed services to vote, unless that law has expired.

But I do not want the Federal Government to tell the States how to conduct their elections, or to have the Federal Government provide by law that the head of a Federal office or installation or establishment can tell the employees under him, "We want you to vote for so and so."

Mr. President, we want the election laws to be free and untrammeled.

Let me ask the Senator from Rhode Island whether he would accept an amendment to strike out the reference to civilian employees, and to make sure that the bill shall apply only to persons serving in the military service.

Mr. GREEN. No; I would not.

Mr. HUMPHREY. Mr. President, let me join the argument long enough to state the situation in another State.

Mr. GREEN. Mr. President, I have permitted the Senator to ask his question at length, and I should like to say a few words in reply.

Mr. SMITH of North Carolina. Will the Senator from Rhode Island agree to amend the bill by striking out the words "civilian employees"—in short, to delete from the bill any reference to employees of the United States other than persons in the military service?

Mr. GREEN. I would not, and I should like to state why I would not. Year after year, in war after war, because of the lack of a permanent law of this sort, we have deprived those who have been in the services of the right to vote.

Mr. SMITH of North Carolina. I am in favor of changing that situation, of course.

Mr. GREEN. The continued existence of that situation makes it necessary that a law of the kind now proposed be enacted. That situation has resulted from the fact that 24 or 25 of the 48 States have laws which make it impossible for such persons to vote.

In view of the fact that this situation has continued year after year, in the case of every war, we think there should be a general law which would apply to all the States, so that when soldiers are sent abroad, they will not be deprived of the right to vote.

Complaints have been made about the voting disadvantages involved in having civilians leave their homes and work for various Federal agencies, but it is apparent that the situation of the members of the Armed Forces in that respect is far worse.

So we wish to have laws passed for the benefit of the members of the Armed Forces, so that it will not be necessary for Congress to write a new law of that sort every time there is a war or every time there is a war situation. Of course, the present situation is not that of an actual war.

Mr. HICKENLOOPER. Mr. President, does the Senator from Rhode Island make that statement on the theory that he expects the United States to be in a continual state of war?

Mr. GREEN. Of course the point is that such a law should be a permanent one, so that it would be available at any time, regardless of whether at a particular moment the Nation was in a state of war or in a state of peace. Such a law should apply to persons serving in the military service and also to persons, other than those serving in the military service, who may be deprived of their right to vote because they are not at home, and thus are not able to register, or because they are not at home and are not able to vote when the time for voting comes.

We believe that situation should be considered very carefully by each State—and I hope each State will do so—at the time when each State makes provision by law to give those who are

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in the armed services a right to vote when they are away from home. That is the idea.

Mr. SMITH of North Carolina. Mr. President, I am sure the Senator from Rhode Island understands that I do not oppose giving those who are in the armed services an opportunity to vote; but I do oppose an effort, made under the guise of passing a bill to give those in the armed services a right to vote, to make an arrangement which will affect the voting rights of the 2,500,000 civilian employees of the Federal Government—and perhaps there are more than that, by now.

Mr. GREEN. Of course each State will act in accordance with its own judgment and wisdom. If it thinks the suggestions set forth in this bill are improper, the States will not pass a law embodying the suggestions. However, we hope each State will pass a law to cover the voting of its residents who are serving in the Armed Forces; and we hope each State will take into consideration the fact that there are others—those in civilian life who are confronted with that totalitarian law.

Mr. SMITH of North Carolina. The Senator from Rhode Islands wants totalitarian voting to take care of that situation, does he?

Mr. GREEN. We believe the States should consider that matter and, in their wisdom, should decide whether they wish to give the civilians who serve the country abroad an opportunity to vote. In this bill there will be no dictation to the States in that connection; the States are simply asked to consider these matters. That is all.

I hope this bill will be passed, because it merely provides for the right to vote in the case of those who are in the armed services, in cases in which the States have not made proper provision to that effect.

Mr. SMITH of North Carolina. Will the Senator from Rhode Island tell me why he is not willing to accept an amendment which will strike from the bill the provision regarding civilian employees of the Federal Government?

Mr. GREEN. Because I think that matter should be considered. If the States want to disregard it, let them do so. All we propose is that the States consider it.

Mr. SMITH of North Carolina. Then do I correctly understand that the Senator from Rhode Island opposes striking from the bill the provision in regard to civilian employees of the Federal Government?

Mr. GREEN. I do.

Mr. SMITH of North Carolina. Then I shall submit an amendment on that point.

Mr. MUNDT. Mr. President, I wonder whether we can reach the crux of the situation as to whether this measure, if enacted, would deprive the governors and the State legislatures of the right to have anything to say about the conditions of voting, and would transfer that right to the Secretary of Defense, or whether the bill would not have that effect.

Mr. GREEN. The bill would not do that.

Mr. MUNDT. If the bill would not do that, then will the Senator from Rhode Island accept an amendment on page 14, beginning in line 6, so as to make the bill specify that it does not apply to that situation? In that case I think we can meet the objection which has been made by the Senator from North Carolina, and we can improve the bill by making it provide for what the Senator from Rhode Island has stated he has in mind.

So I shall submit an amendment to the bill on page 14, beginning in line 6. First, I shall begin to read from line 3 on that page, so as to give the continuity:

In making the foregoing determination the Secretary of Defense shall not be required to comply with the provisions of the Administrative Procedure Act—

Now comes the amendment—

and he shall put the act into operation only in those States where there has not been a certification by the governor before August 15, indicating this act is unnecessary for the voters of his State.

That amendment will take care of the matter of jurisdiction, and clearly will make the governor, instead of the Secretary of Defense, the most important political functionary in the State—whether it be North Carolina or South Dakota.

Mr. GREEN. With all due respect, it seems to me that such an amendment is open to the same objection as the one raised to the more comprehensive amendment which was proposed by the Senator from Iowa.

Mr. MUNDT. I do not understand the objection.

Mr. GREEN. I think I do.

Mr. MUNDT. I mean, I do not understand what the objection to that amendment is. Will the Senator from Rhode Island explain his objection to the amendment?

Mr. HUMPHREY. Mr. President, will the Senator from Rhode Island yield to me?

Mr. GREEN. I yield.

Mr. HUMPHREY. I shall state the objection. Such an amendment would provide that present inadequate State laws, if certified to by the governor, shall be sufficient; and that would be the end of the matter.

In other words, the Senator from South Dakota is saying that if a State law is inadequate, but if the governor certifies that it is the State law, and makes such certification to the Secretary of Defense, even though that law, with its inadequacies, denies the servicemen the right to vote, that will be the end of the matter. In effect, in that connection, the Senator from South Dakota says the governor's certification shall be more important than the servicemen's vote.

Mr. MUNDT. What I am saying—to look at the other side of the coin—is that when there is a dispute as to whether the election machinery of the State of Texas or of the State or North Carolina or of the State of South Dakota is adequate, I want the decision in that case to be made by the governor, not by the Secretary of Defense. If, on the other hand, that decision is to be made by a Presidential appointee known as the Secretary of Defense, instead of by the governor of the State, we shall have military dictatorship imposed by indirection.

Mr. HUMPHREY. Mr. President, now that the Senator from South Dakota has finished all the epithets he can think of——

Mr. MUNDT. No, I can think of a number of others. [Laughter.]

Mr. HUMPHREY. At any rate, we should begin to talk about how to give these persons the right to vote, instead of talking about giving the Governor the right to certify.

The bill as it now stands before the Senate will, if enacted, provide that if the election law of a State makes it possible for the servicemen from that State to have their ballots returned in time to be counted, the State law will be the election law for servicemen who have gone away from home and are in camp or are serving across the sea. This bill simply provides that a boy shall have a chance to have a ballot, whether a State ballot or a Federal ballot, and that where the State law is adequate to enable him to get a ballot, it shall be controlling, but that where the State laws make it impossible for a boy to get a ballot, the Government of the United States, which drafted the young man into the Armed Forces and took him away from his home, family, and State, shall make a ballot available to him; and that in the event the State and Federal ballots arrive on the same day, the boy shall vote the State ballot. If he should vote, using both ballots, the State ballot would be counted. It is that simple.

Mr. President, it is a question of whether the Senate of the United States wants the members of the Armed Forces to vote, or whether we are to fool around with prerogatives and ritual in an effort to see whether we can deny them the right to vote. The pending bill is not complicated. It is not an unusual bill. It merely provides that when the laws of the States are inadequate, in the sense that a man cannot possibly vote under those laws——

Mr. MUNDT. In whose opinion?

Mr. HUMPHREY. As prescribed in the statute.

Mr. MUNDT. In the opinion of the Secretary of Defense?

Mr. HUMPHREY. Just a moment. Let us assume, for example, that the State law provides that one must appear personally at the polls in order to vote. It would be a long trek from Frankfort, Germany, to Mitchell, S. Dak.

Mr. MUNDT. The Governor could leave that to the laws of his State.

Mr. HUMPHREY. There may be State laws providing that one must appear personally. This bill provides that one does not have to do that. There are certain standards, and, if the State law meets those standards, it is considered adequate. If the State law does not meet those standards, the young man or woman in the Federal service receives a Federal ballot. I cannot see that anyone would be denied the right to vote. If the State ballots can get to them, that is fine. If the Senator from South Dakota will listen, he will get some infor-

mation that may be helpful to him in arriving at a correct decision.

Mr. MUNDT. I am highly skeptical of that prediction, but I am glad to listen to what the Senator may have to say.

Mr. HUMPHREY. Let me say to the Senator from South Dakota that if the legislature of his State will enact a law making it possible for the servicemen from South Dakota to receive ballots in time for them to vote, they will be able to vote, and in my opinion they will be glad to vote.

Mr. MUNDT. South Dakota passed such a law several years ago.

Mr. HUMPHREY. That is wonderful. But we know that there are persons who cannot vote. We know that thousands of ballots were not even counted, because they were received too late. I think the United States Government ought to provide the necessary machinery, and to make it as simple as possible, rather than as rigid as possible; and that is all we are attempting to accomplish at this time.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. LEHMAN. I desire to repeat what I have said on a number of other occasions this morning, namely, that to leave this matter entirely to the judgment and certification of a Governor might, and probably would, in certain cases disfranchise a large number of people—the very men for whom we are trying to help secure the right to vote; which is the inherent right of every American citizen, of course.

Let us suppose that the governor of a State should certify that in his opinion the laws of his State were adequate, in spite of the fact that no waiver of personal appearance for registration were provided. Let us suppose that the governor were to certify that the laws of his State were adequate, in spite of the fact that they contained no provision for the acceptance of forms of post-card applications, as provided in this bill, as a valid reason for accepting absentee ballots. After all, a soldier in Korea, or in Germany, or in any other part of the world where our fighting men are stationed today, could not possibly come home to register, any more than he could come home to vote. Therefore, unless he were assured of a waiver of personal registration, and unless he were assured by law of the right to apply for a ballot by means of the post card or some other easy means of communication, he would be deprived inevitably, in such a State at least, of his vote.

Mr. MUNDT. Mr. President, will the Senator permit me to answer that, before he proceeds to something else?

Mr. LEHMAN. I have not quite concluded. The Senator has raised a question of arbitrary authority given to the Secretary of Defense, in that he could prescribe any rules he might desire, and could therefore supersede the authority of the State. Of course, the authority and powers of the Secretary of Defense are very limited. They are limited to the minimum tests which are provided in section 402 of the pending bill.

I also listened with some amazement to the remarks of the distinguished Senator from South Dakota, in which he applauded the Senator from North Carolina for his vigorous defense of States' rights. No question of States' rights is involved in this discussion. We are all agreed that every man and every woman in the Armed Forces should be entitled to cast his or her vote. There can be no question about that, and I am certain there is no question about it in the mind of anyone else. So far as Federal employees are concerned, there is no attempt to dictate to the States what election machinery they shall set up, or what election laws they shall pass. This is merely in the nature of a recommendation to the Governors and Legislatures of the States of New York, South Dakota, and Rhode Island, for example. They can accept it or reject it as they see fit. There is no compulsion in the slightest degree. It is simply a recommendation. How it can be said that that constitutes an infringement of States' rights is beyond me. The authority of the legislature and the governor of each State is definitely recognized and definitely safeguarded.

Mr. MUNDT. Mr. President, will the Senator from Rhode Island yield so that I may answer the question which was directed to me?

Mr. GREEN. Mr. President, I should like to make a remark myself. It has been suggested several times that this question ought to be left to the States, as a matter of States' rights. Why is it not left to the States? To many of us it seems to be a Federal matter. The Federal Government drafted men into the Army. It was not done by the States but by the Federal Government. We are a great Nation, and what we are doing is being done as a Nation, not as the action of several States. We want to see that men who are sent abroad, men who are risking their lives for their country, are not deprived of their right to vote. That is the point of the whole bill. I am sure it should appeal to every Senator. It is not a question of States' rights, it is not a question of providing legislation subsequently. The provisions which are complained of are designed to make it unnecessary for the Federal Government to legislate in the future, by providing advice to the States in order that the States may legislate on the subject for themselves. We are the ones who are fighting for States' rights, in urging the States to enact legislation to make it unnecessary for the Federal Government to do so.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from South Dakota.

Mr. MUNDT. I had understood that question had been raised as to what would happen if the governor of a sovereign State were to perjure himself, swearing falsely to the adequacy of State legislation, swearing that his State had already provided that a man could register in absentia, whereas the law provided that he could not.

Let me say, first of all, that the Senator from South Dakota apparently has much more confidence in the Governor of South Dakota than the Senator from New York has in the Governor of New York, because I do not think we are going to get that kind of perjurious testimony from either governor, and I do not think we shall from any of the 48 governors. If we are going to assume that governors are endowed with that degree of iniquity, it is just as plausible to assume that the Secretary of Defense may at some time misuse his authority under the law. I think we have to concede, to begin with, that the Secretary of Defense and the governors are going to act in the public interest.

It is provided in lines 12 and 13, page 14:

> Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him—

From information of any kind or any type. He can read it in Poor Richard's Almanac. He can check it up in a newspaper column, and it can be considered by the Secretary of Defense. I think he should not be given that kind of power. We are back to this basic principle. Do we want the governor to be anything but a figurehead or an errand boy? Do we want to assume that the governors will keep a soldier boy on the battlefield from voting? That is going to happen. Do we wish to maintain our respect at all for the rights of our sovereign States?

Mr. CASE. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield for a question.

Mr. CASE. It seems to me we might get to the basis of the matter if the Senator will agree that the answer might be found in the Constitution itself as to whether or not the Secretary of Defense as such shall determine the qualifications for electors. I have never understood that citizenship determined the qualifications of electors, but that they are determined by State law. If I may, I should like to call the Senator's attention to article 1, section 2, of the Constitution, which relates to the House of Representatives:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

There is no authority there for any Federal officer to determine whether or not someone is qualified to vote.

When we turn to the election of a President, we find that article 2 of the Constitution provides:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

There is no authority for giving the Secretary of Defense the right to say whether or not the qualifications have been met.

When we come to the seventeenth amendment of the Constitution, which

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deals with the election of Senators, the first paragraph reads:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

How Senators can contend that by passing a law we can give to the Secretary of Defense the right to determine the qualifications of electors in the face of those express provisions I do not see. It is an attempt to transfer to the Secretary of Defense powers which are expressly placed in the hands of the several States.

Mr. HUMPHREY. Mr. President, will the Senator from Rhode Island yield in order that I may make reply?

Mr. GREEN. I yield.

Mr. HUMPHREY. I merely wish to say that it is very interesting to hear the Constitution read; it is very informative, but it has nothing whatsoever to do with the case. This bill has nothing to do with the qualifications of voters. It has something to do with the mechanism of the voting of the qualified voters. It provides the machinery to enable the qualified voters to vote.

Mr. President, let me say that I am surprised to see such excitement about the right of a citizen to vote. I am amazed to hear anyone object to a bill which would make it possible for the servicemen to vote. All the bill does is to provide an opportunity for servicemen to vote. I understand that many of them would like to vote. I have understood that they do not like things in Korea, and I want those men to have a chance to express themselves. The sooner we get machinery on the lawbooks so that they can express themselves the better. These objections have nothing to do with State laws; they are just dead cats that are dragged out.

Mr. MOODY. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. MOODY. I should like to ask the Senator from Rhode Island if it is not true that the laws of 25 States are inadequate, and that in past elections soldiers have failed to vote because State laws have been inadequate?

Mr. GREEN. That is the information the committee had. All we are trying to do is to provide adequate election machinery to enable them to vote.

Mr. SMITH of North Carolina. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. SMITH of North Carolina. Mr. President, so far as I know, none of those who speak in opposition to the bill have had any intention of depriving soldiers of the privilege of voting. I happen to have four soldiers in my family. They are in the Reserve. One of them just returned from foreign service. I should not like to have them denied the right to vote.

I should like to send to the desk and have stated an amendment, and then we shall have something to discuss.

Mr. GREEN. Mr. President, I suggest the absence of a quorum.

Mr. SMITH of North Carolina. I will offer my amendment after the quorum call.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREEN. Mr. President, I ask unanimous consent that I may withdraw my request for a quorum.

Mr. SMITH of North Carolina. I object.

The PRESIDING OFFICER (Mr. BENNETT in the chair). The clerk will proceed with the roll call.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Jenner	Neely
Bennett	Johnson, Tex.	Pastore
Brewster	Johnston, S. C.	Saltonstall
Case	Kilgore	Schoeppel
Connally	Lehman	Smathers
Douglas	Malone	Smith, N. C.
Dworshak	McCarthy	Sparkman
Ferguson	McKellar	Taft
Frear	Millikin	Welker
Green	Monroney	Wiley
Hill	Moody	Williams
Holland	Mundt	
Hunt	Murray	

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Arizona [Mr. MCFARLAND] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his brother.

The Senator from Washington [Mr. CAIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from North Dakota [Mr. LANGER], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from New Jersey [Mr. SMITH] are absent on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. SPARKMAN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ANDERSON, Mr. BRICKER, Mr. BRIDGES, Mr. BUTLER of Maryland, Mr. BYRD, Mr. CAPEHART, Mr. CHAVEZ, Mr. CLEMENTS, Mr. CORDON, Mr. DUFF, Mr. ECTON, Mr. ELLENDER, Mr. FLANDERS, Mr. FULBRIGHT, Mr. GEORGE, Mr. GILLETTE, Mr. HAYDEN, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HOEY, Mr. HUMPHREY, Mr. IVES, Mr. JOHNSON of Colorado, Mr. KEM, Mr. KERR, Mr. KNOWLAND, Mr. LONG, Mr. MAGNUSON, Mr. MCCARRAN, Mr. MCCLELLAN, Mr. MORSE, Mr. NIXON, Mr. O'CONOR, Mr. O'MAHONEY, Mr. ROBERTSON, Mr. SEATON, Mrs. SMITH of Maine, Mr. STENNIS, Mr. THYE, Mr. TOBEY, Mr. UNDERWOOD, and Mr. WATKINS entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. BENNETT in the chair). A quorum is present.

Mr. SMITH of North Carolina. Mr. President, I have an amendment at the desk which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The Chief Clerk read the amendment, as follows:

On page 2, line 21, strike out "Federal or."
On page 3, line 12, strike out "Federal or."
On page 3, line 15, strike out "Federal or."
On page 9, line 10, strike out "Federal or."
On page 9, line 23, strike out "Federal or."
On page 10, line 9, strike out "Federal or."
On page 22, line 21, after the numerals "1949", to strike out down through line 25, to the words "members of."
On page 24, line 14, to strike out "Federal or."
On page 22, lines 18 and 19, to strike out "Federa, or."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. SMITH of North Carolina. I add another amendment:

On page 6, line 2, to strike out "(4) (c) associated with the Government of the United States in a civilian capacity."

Mr. President, the amendments do not in any way affect or curtail the right of military personnel to vote by way of absentee ballots. The amendments are pointed only to civilian employees of the Federal Government. That is their only purpose. The bill as it affects military personnel will remain as before.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. SMITH of North Carolina. I yield.

Mr. MUNDT. I should like to point out that the amendments were drawn in great haste. It is entirely conceivable that at some place in the bill we may have overlooked a reference to civilian employees.

I wish the legislative history to show, for the guidance of the administrator and conferees, that the amendments limit the provisions of the bill strictly to military personnel.

Mr. SMITH of North Carolina. Precisely.

Mr. MUNDT. In our discussions with the chairman he has acquiesced with the purpose of the amendment, and it is our understanding now that the bill becomes strictly a military bill. If we have overlooked striking out a reference to civilian personnel, it is understood that the amendments now offered will also apply in such instances.

Mr. SMITH of North Carolina. That is my understanding. The amendments have been passed on and examined by the distinguished Senator from Rhode Island.

Mr. President, I do not know that I need say much more. Certainly none of us wants to deprive a soldier or sailor

or anyone else in the Military Establishment of the right to vote; but I did not want to see civilian employees of the Government either given the opportunity to vote under these provisions or to have placed upon them the responsibility of voting for one party or another. I want to keep elections free and untrammeled. I was afraid that perhaps, in spite of what we intend to provide by legislation, some Government officials might be tempted to force Government employees to vote a certain way.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SMITH of North Carolina. I yield.

Mr. SALTONSTALL. I congratulate the Senator from North Carolina on his amendments. I had the same fear, but I did not offer an amendment myself. Now that he has offered his amendments I think they are excellent amendments, and I hope they will be agreed to.

Mr. GREEN. Mr. President, I shall not oppose the amendments.

The PRESIDING OFFICER (Mr. BENNETT in the chair). The question is on agreeing en bloc to the amendments offered by the Senator from North Carolina.

Mr. McCARTHY obtained the floor.

Mr. MUNDT. Mr. President, in as much as we should like to get a vote on the amendments now, I ask unanimous consent that the Senator from Wisconsin may yield for that purpose and that he may have the floor immediately after a vote is had on the pending amendments.

Mr. IVES. Mr. President, reserving the right to object, I should like to have it understood that I must leave this afternoon, and I should like to ask one question of the chief sponsor of the legislation prior to the Senator from Wisconsin taking the floor.

Mr. MUNDT. I add that proviso to my unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

The question is on agreeing en bloc to the amendments offered by the Senator from North Carolina [Mr. SMITH].

The amendments were agreed to en bloc.

Mr. IVES. Mr. President, I should like to ask the distinguished Senator from Rhode Island one question concerning the provision in the bill which appears at page 13, line 16: "(1) absentee voting on State ballots by all qualified voters of the State who are serving in the Armed Forces."

I should like to ask whether the provision applies to any election other than the general election in November.

Mr. GREEN. I think only the general election is covered by the provision.

Mr. IVES. Is the Senator from Rhode Island satisfied that that is all that is intended by it?

Mr. GREEN. That is correct.

Mr. IVES. I thank the Senator.

Mr. SMITH of North Carolina. I have read the bill hurriedly, but it seems to me that somewhere in the bill there is a provision with reference to primaries.

Mr. IVES. The reason I raise the point is because New York State does not—for absentee voting in the primaries.

Mr. GREEN. That provision appears only in the advisory sections of the bill.

Mr. SMITH of North Carolina. The advisory sections are in title II.

Mr. IVES. Mr. President, if there is any question about it, I wonder if the Senator from Rhode Island would be willing to accept an amendment to the effect that the provision at page 13, line 16, is meant to apply only to the general election. Such an amendment would be, on page 13, line 16, after the word "voting," to add the words, "for any general election at which electors of President and Vice President of the United States, United States Senators, and Representatives in Congress are to be voted for in 1952."

Mr. SMITH of North Carolina. At page 2, line 24, the word "primary" appears. The wording is: "to vote by absentee ballot in any primary, special, or general election."

That is the only place at which the word "primary" is included, I believe.

Mr. IVES. Is that only by way of recommendation?

Mr. SMITH of North Carolina. It appears in title II, which is headed "Recommendations of the Congress to the several States."

Mr. HOLLAND. Mr. President, I believe the provisions at the bottom of page 2, and at the top of page 3, are recommendations made by Congress to the individual States covering not only primary elections, special elections, and general elections, but covering also elections at which the various officials of the States are elected. I do not believe these change the fact that the pending bill covers voting only in a general election in which presidential electors to name the President and the Vice President, and Senators and Representatives are elected. The provision which we are discussing relates only to recommendations made to the States to provide machinery to cover local and State elections, both in primary elections and in special and general elections.

Mr. IVES. Mr. President, may I ask the Senator from Florida if it is his understanding that the words which I quoted from page 13, line 16, actually apply only to the general election in 1952, and do not apply to absentee ballots for use in any other election, special or primary?

Mr. HOLLAND. To what line on page 13 does the Senator refer?

Mr. IVES. To line 16 on that page, where subdivision "(1)" appears, immediately preceding the words "absentee voting on State ballots."

Mr. HOLLAND. My understanding is that that provision applies only to the Presidential, general elections of 1952, and that the other portions of the bill which have been referred to appear in the earlier parts of the bill and have to do with recommendations to the States and to the Governors for the setting up of adequate machinery to cover not only general, Presidential elections, but also primary and special elections for the selection of all classes of officers, both Federal and State.

However, this particular part of the bill mentioned by the Senator applies, as I understand it, only to general elections where Presidential electors and Senators and Members of the House of Representatives are to be chosen.

Mr. IVES. That is as I understood, because the bill will not work in New York unless it has that application.

The PRESIDING OFFICER. The bill is open to further amendment.

The Senator from Wisconsin (Mr. McCARTHY) has the floor.

Mr. HICKENLOOPER. Mr. President, will the Senator from Wisconsin yield to me, to permit me to offer an amendment?

Mr. McCARTHY. I yield.

Mr. HICKENLOOPER. Mr. President, I wish to submit an amendment, which I shall state at this time:

On page 13, in line 9, after the word "determined", in section 402, insert the following: ", based upon the affirmative certification thereof by the Governor of each State, made on or before August 1, 1952", and then strike out the remainder of section 402, following the period in line 12.

Mr. HUMPHREY. I wish to submit an amendment.

The PRESIDING OFFICER. Another amendment already is pending.

Mr. GREEN. Mr. President, we have been discussing this soldier-vote bill for 2 days. I wonder whether the Senator from Wisconsin would be willing to permit us to complete action on the bill at this time, inasmuch as it is likely that we shall be able to do so within a few minutes, for we are ready to vote.

Mr. McCARTHY. Then I shall be glad to wait until the vote is taken.

However, I understand that the Senator from Minnesota wishes to submit an amendment which he desires to argue at some length.

Mr. GREEN. Mr. President, I ask for the third reading——

Mr. HICKENLOOPER. Mr. President, I have an amendment at the desk.

Mr. McCARTHY. Mr. President, I shall not discuss the soldier-voting bill. If there is any prospect of disposing of that bill in the next 10 or 15 minutes, I shall be glad to wait until that is done. Otherwise, I wish to proceed at this time with my remarks.

Mr. GREEN. Of course, I cannot guarantee that the soldier-voting bill can be disposed of within 10 or 15 minutes.

Mr. McCARTHY. My remarks will take not more than 3 or 4 minutes. So perhaps I should proceed.

Mr. GREEN. Very well; perhaps the Senator from Wisconsin should proceed. I thank him very much for his courtesy.

INTERSTATE COMPACT RELATING TO MUTUAL MILITARY AID IN EMERGENCY

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 968) granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency, which were, on page 1, line 3, after "Congress", insert ", subject to the

limitation of section 2 of this act,"; on page 1, line 6, after "New Jersey", insert "in which compact the Commonwealth of Pennsylvania joined and became a party on December 14, 1951,"; on page 2, line 5, strike out "installation" and insert "installations"; on page 5, line 18, strike out "event." and insert "event,"; on page 8, line 1, strike out "KENDALL" and insert "WENDELL"; on page 8, line 23, strike out "WARD" and insert "MARSH"; and on page 9, line 2, after "State", insert "having a common boundary with either the State of New York or the State of New Jersey."

Mr. McCARRAN. Mr. President, this is a bill granting the consent of Congress to a mutual military aid compact entered into between the States of New York and New Jersey. The bill passed the Senate on October 19, 1951. It has just passed the House, with amendments.

Most of the House amendments merely correct typographical errors which appear in the text of the compact as it was printed for the use of the Senate, but which do not in fact appear in the text of the original compact. In other words, the House has amended the formal recital of the text, so as to agree with the actual compact. There is just one substantial amendment which the House has made. That amendment is in section 2 of the bill, and does not involve a part of the compact itself. The amendment to which I refer requires that only States having a common boundary with the State of New York or the State of New Jersey may become a party to the compact without further submission of it to the Congress. As the measure passed the Senate, States not contiguous to either the State of New York or the State of New Jersey could have joined without the further submission of the compact to Congress. It would appear that the amendment is desirable. Accordingly, I recommend that the Senate concur in the amendments of the House to Senate bill 968, and I so move.

The motion was agreed to.

MRS. JUAN ANTONIO RIVERA AND OTHERS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 214) for the relief of Mrs. Juan Antonio Rivera, Mrs. Raul Valle Antelo, Mrs. Jorge Diaz Romero, Mrs. Otto Resse, and Mrs. Hugo Soria, which was to strike out all after the enacting clause and insert:

That Mrs. Juan Antonio Rivera, of La Paz, Bolivia, widow of Col. Juan Antonio Rivera; Mrs. Raul Valle Antelo, of La Jaz; widow of Maj. Raul Valle Antelo; Mrs. Jorge Diaz Romero, of La Paz, Bolivia, widow of Maj. Jorge Diaz Romero; Mrs. Otto Resse, of La Paz, Bolivia, widow of Maj Otto Resse, and Mrs. Hugo Soria, of La Paz, Bolivia, widow of Maj. Hugo Soria, are authorized to present their claims against the United States on account of the deaths of Col. Juan Antonio Rivera, Maj. Raul Valle Antelo, Maj. Jorge Diaz Romero, Maj. Otto Resse, and Maj. Hugo Soria, who were killed as the result of an accident in which a C–54 transport plane of the United States Air Force crashed in the Pacific Ocean approximately 1 mile off the Peruvian coast near the town of San Juan, Peru, on September 19, 1947, under the Foreign Claims Act (55 Stat. 880), as amended, and that for the purpose of such claims the deaths shall be considered as having happened in Bolivia: *Provided*, That no part of any settlement in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such settlement, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. McCARRAN. Mr. President, this is a private bill for the relief of the widows of five Bolivian air force officers who were killed in an aircraft accident when a United States Army plane in which they were riding, as invited guests, as part of an orientation program sponsored by the Department of Defense, crashed off the Peruvian Coast in September 1947.

The House of Representatives amended this bill by striking out all after the enacting clause and inserting, in lieu thereof, an amendment in the nature of a substitute.

I move, Mr. President, that the Senate disagree to the House amendment to Senate bill 214, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the presiding officer appointed Mr. MAGNUSON, Mr. O'CONOR, and Mr. HENDRICKSON conferees on the part of the Senate.

AYAKO WAKI—INDEFINITE POSTPONEMENT OF BILL

Mr. McCARRAN. Mr. President, I ask the attention of the majority and minority leaders.

There is on the calendar a bill, H. R. 5661, Calendar No. 1638. This is a private immigration bill for the relief of one Ayako Waki.

I am about to ask unanimous consent that this bill be indefinitely postponed, and I wish to explain briefly the reason why I shall make this request.

Mr. President, the Immigration and Naturalization Service has advised the Committee on the Judiciary that the beneficiary of this bill has not lost her citizenship by voting in an election in Japan. The State Department has so ruled. The purpose of the bill, of course, was to restore the citizenship which, according to an earlier ruling, had been so lost.

The Judiciary Committee is now informed, Mr. President—and we have checked back and have confirmed this fact—that authorization has been sent to the American consul in Japan to issue a United States passport to the proposed beneficiary of this bill. In other words, this bill is not now necessary.

Therefore, Mr. President, I ask unanimous consent that House bill 5661, Order No. 1638, be indefinitely postponed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? The Chair hears none, and the bill is indefinitely postponed.

JOHN HVASTA

Mr. McCARTHY. Mr. President, a young man by the name of John Hvasta was arrested in Czechoslovakia on October 16, 1948. He was tried on May 27, about 7 months later, and sentenced to 3 years imprisonment as an agent of a foreign power—meaning, of course, an agent of America. He appealed from that sentence, and on appeal was given an additional 7 years, making a total of 10 years.

This young man had been in the United States Navy from September 1945, until May 1946. He thereafter went to Czechoslovakia as a student. On March 5, 1948, he was hired by the State Department in the local American consul general's office in Bratislava. After his arrest, none of our officials were able to contact him for several months. After the trial, the consul general sought to obtain a copy of the accusation, and sought to obtain a transcript of the proceedings. He was refused them by the Communist court in Czechoslovakia.

On February 6, 1952, our Embassy requested that someone representing the United States be allowed at least to visit Hvasta in jail, in Czechoslovakia. The Communist government of Czechoslovakia did not even extend to our consul the courtesy of an answer to that request; so that no one has seen this young man for months.

Representative RODINO, of New Jersey, has been doing a very good job in calling this case to the attention of the American people. I should like to have printed in the body of the RECORD at this point certain reports concerning the Hvasta case.

First, I ask to have printed at this point in the RECORD, as a part of my remarks, an article entitled "RODINO'S Ire Roused by Apathy on Hvasta," published in the Newark Star-Ledger of March 5, 1952.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RODINO'S IRE ROUSED BY APATHY ON HVASTA

Representative PETER W. RODINO yesterday threatened to "blow the lid off the State Department" unless something is done immediately to free John Hvasta, of Hillside, from a Communist prison in Czechoslovakia.

The Newark Congressman became angered when he said he learned a group of newspapermen approached State Department officials in Washington seeking aid for their colleague William Oatis, also jailed in Czechoslovakia, and ignored Hvasta.

REAL FORGOTTEN MAN

The usually placid RODINO, who has been fighting for Hvasta's freedom for 3 years, held a conference with Harold Vedeler, State Department official in charge of United States-Czechoslovakia affairs.

RODINO said he informed Vedeler he wanted action immediately or "I will blow the lid off the State Department."

WANTS ASSURANCES

"I want assurances in no uncertain terms," RODINO said, "and I will not stand by and

watch the Hvasta situation ignored. Of course, I am all for freeing Oatis, but I just want to make sure Hvasta is also included in any negotiations."

RODINO said Vedeler informed him the State Department is involved in high-level discussions with the Red-dominated government of Czechoslovakia in relation to possible freedom for both men.

Mr. McCARTHY. I also ask to have printed in the RECORD at this point, as part of my remarks, an article entitled "Mrs. Hvasta Puts Faith in Prayer, Hopes Czechs Will Not Torture Son," written by Winnie Leiser, and published on September 23, 1951.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. HVASTA PUTS FAITH IN PRAYER, HOPES CZECHS WON'T TORTURE SON

(By Winnie Leiser)

HILLSIDE.—Weighing each word against the fear her imprisoned son might suffer for what she was saying, Mrs. Michael Hvasta yesterday expressed hope her 24-year-old boy, John, had not been tortured during his 3 years of imprisonment in Communist Czechoslovakia.

For the frail, brown-haired woman it was the first interview she had granted since John was dragged into jail on espionage charges.

"I don't speak English so good," she said haltingly. "I don't want to say anything that isn't right."

Her son is still a prisoner and she has relatives living behind the iron curtain.

"I don't want to cause the Czechs to take reprisals against them for something I might say to the press," she said.

FEAR REPRISALS

"I don't know who's who anymore, I don't want to say something that will cause them to hurt John or any of my people who are still in Czechoslovakia. I don't want reprisals."

Quickly, in a fluid torrent of words, a Star-Ledger reporter told Mrs. Hvasta she could speak Polish, a language very similar to Mrs. Hvasta's native Czechoslovakian.

Mrs. Hvasta's taut face relaxed and she leaned back against one of the straight-backed chairs in her small but neat living room. (The Hvasta's live in a pleasant, modestly-furnished seven-room apartment on the first floor of a duplex house at 1465 Franklin Street.)

The Hvastas were shocked and frightened when they learned, a few months later, that John had been convicted of "photographing government installations and selling the pictures to a foreign agent."

Details of the trial were hushed up and, in spite of several trips to Washington, the Hvastas were given only the sketchiest outline of the story.

Had it not been for Gabriella Donisoba, the pretty Czechoslovakian girl who married John in his prison cell in February of 1949, the Hvasta's would have had little word of their son's welfare. Gabriella visited John every 14 days and brought him CARE packages which his family sent.

"We don't know how John met Gabriella," Steve said. "He never mentioned her in his letters before he was sent to prison.

WIFE ABDUCTED

"But she was good to John and she watched out for him. Her mother says she's ill, and that she has been abducted from a Czechoslovakian hospital. We can't find out any details. But we hope Gabriella isn't in any danger."

Although the Hvastas immigrated to this country from Czechoslovakia in 1939, they have little idea of conditions in Czechoslovakia today.

"I can't check with my own family," Mrs. Hvasta said. "They're country people and we've been out of touch with them for a long time. They're not allowed to write to us.

"When we lived in Czechoslovakia it was a different country. We were free. Czechoslovakia wasn't hidden behind the iron curtain then.

Although Mrs. Hvasta collapsed completely when she learned of her son's imprisonment 3 years ago, she bore up bravely under the second, more dreadful shock when she was told his 3-year sentence had been arbitrarily extended to 10 years.

MUST STAY STRONG

"I must stay strong," she said. "I have to work to get my son freed."

Three years ago, when she learned of John's arrest, Mrs. Hvasta became so ill she was forced to quit her job as a machine operator at an Irvington plant which manufactured radio tubes. She was under a doctor's care for 5 months.

"But now I am back at work again," she said. "The doctor said I should keep busy so I won't have time to think about John."

Now Mrs. Hvasta lives in hope for the day when John and his bride come home to America.

"It is so lonely here," she whispered. "My husband is on the night shift at the Ballantine plant and Steve is young, he goes out on dates.

"Maybe, some day, I will have John's wife to talk to—and maybe someday, I will have grandchildren to sing to and play with."

TRUSTS IN PRAYER

Speaking rapidly and nervously, but with her hands folded with old-world simplicity in the lap of her green plaid dress, Mrs. Hvasta told of the fears which had tortured her since that dreadful day in October of 1948 when her son John, a GI bill student at the University of Bratislava, was arrested and convicted on spying charges.

She also told of her faith in the efforts of the American State Department and New Jersey's Representative RODINO to get John's sentence commuted.

But her deepest trust, she confessed, is in the prayers which she whispers night and morning.

About recent reports claiming her son was being subjected to a "Calvary of agony" in his Czechoslovakian prison, Mrs. Hvasta was definitely skeptical.

DOUBTS "PRISON MATE"

"I have never heard of this Committee for the Liberation of Slovakia," she declared. "I am sure this so-called 'prison mate' of my son's would come to us with his stories, rather than go to a newspaper.

"If he really has news of John we would gladly pay his fare here so we could talk with him."

Mrs. Hvasta added that she first heard rumors of the torture story when a newspaperman called her Saturday night and stated an "anonymous man" had received a letter from an "anonymous friend in Canada" who claimed he had escaped from Leopoldov prison where Hvasta is imprisoned.

The letter claimed John was housed in a filthy cell with 32 other prisoners and that he was subjected to "frequent beatings."

"I didn't see the letter and I didn't talk with the man," Mrs. Hvasta said. "Why wasn't the letter sent to me?"

WAIT HIS WORD

"I believe—I hope—John hasn't been mistreated. I'll never know for sure 'til John comes home and tells me himself."

According to Mrs. Hvasta's younger son, Steven, a junior at Seton Hall University, the last word the family received about John was a half-page letter from the State Department. The letter which arrived about 2 weeks ago, said Hvasta was "well, but underweight." No personal messages to the family were included.

"The Star-Ledger has been a good friend to John," said Steven. "Its stories have kept him from becoming a forgotten man."

Steve went on to explain that John transferred to Bratislava University so he could brush up on the Czechoslovakian language while studying certified accounting. John, an honorably discharged sailor, had studied for 2 years previously at Upsala College.

Mr. McCARTHY. I also ask to have printed in the RECORD at this point as a part of my remarks, an article entitled "Reds' New Jersey Captive Asks Aid of Mom," published on July 18, 1951.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REDS' NEW JERSEY CAPTIVE ASKS AID OF MOM

A United States ex-sailor from Hillside, languishing in a Communist jail in Czechoslovakia since 1948, has appealed to his mother to help get him out, if no one else will. The State Department hasn't even been able to see the man since February last year, and had neglected to tell his family when an additional 10-year term for "threatening to strike a prison guard" had been piled on top of his original 3-year sentence for "photographing military installations."

The man is John Hvasta, 26, son of Mr. and Mrs. Michael Hvasta, of 1465 Franklin Street, Hillside.

WHAT'S MATTER IN UNITED STATES?

"What is the matter with everyone in America?" Hvasta pleaded in a bitter but cautious letter, which had to be approved by his Communist censors before it was received here 3 weeks ago.

"Why don't you people do something for me? Isn't there anybody over there that can help me? As God is my judge," he continued, "I am not guilty of what I was charged with.

"Can't you go to Washington, Mom, and tell them I am innocent?

"If you'll just see someone important, I am sure they will find a way to get me out of here. They are treating me all right and I am as well as can be expected."

RODINO CHECKS IN

Yesterday the State Department told Representative RODINO the Red authorities had shrugged off all the Department's demands for information about the case with the casual answer, "We're considering it."

"I pray to God," said Hvasta's mother yesterday, "someone will do something more than just talk and help Johnny to get back to his home. It's breaking my heart to think of Johnny lying out there in prison."

Hvasta went to Czechoslovakia after his discharge from the Navy to pursue his education at the University of Bratislava under the GI bill of rights. He was studying there and working part-time as an interpreter at the United States Embassy in Prague when he was arrested.

WED CZECH GIRL

When first imprisoned he married a Czech girl, and it was in a letter from her that the parents here learned about the additional sentence he must serve. That was a year ago.

At that time, the State Department notified RODINO, who had become interested in the case, that Hvasta's term had been lengthened but did not give the details of the second sentence.

The Department says it has been unable to get any copy of the court-room proceedings, records, or sentence.

It was only yesterday, in response to a query by RODINO, that the State Department confirmed the information, published

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in the Star-Ledger 14 months ago, about the length of the prison term.

FOUR POINTS URGED

Also yesterday, a Department spokesman told the Star-Ledger's Washington bureau that 15 to 20 representations have been made to the Czech Foreign Minister by the United States Embassy at Prague.

The United States has urged four points:

That representatives be allowed to see Hvasta;

That the sentence be commuted;

That he be expelled from the country;

That we be allowed to read the court transcripts and appeal testimony on the second sentencing.

The Communist answer to all these appeals, the Department spokesman said, was: "We're considering it."

On February 23, 1950, Hvasta saw his last American, Bratislava United States Consul General Winthrop Greeme, who visited him in prison, attempting to win his release.

The Department said the Hvasta case, plus that of American newspaperman William Oatis, recently imprisoned in the same country, has resulted in the banning of passports for all private citizens who want to go to Czechoslovakia.

Two Senators yesterday introduced legislation in Washington calling for drastic retaliation against that country for the jailing of Oatis. All United States nationals should be evacuated, trade should be suspended, and diplomatic relations severed if Oatis is not released in 90 days, the resolutions said.

Hvasta was held for 7 months without bail before he was brought to trial in 1948 on the original charge. At the trial, all Americans were barred from the courtroom except on the day of sentencing. At the second trial, held sometime in March of 1950, American Embassy officials were barred again.

Mr. McCARTHY. Mr. President, I also ask unanimous consent to have printed in the RECORD as a part of my remarks an article entitled "Czechs Hand Jersey Youth 10 More Years," published on May 14, 1950.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CZECHS HAND JERSEY YOUTH 10 MORE YEARS

HILLSIDE.—Now it will be 1960 before Johnny Hvasta gets home. Communist-dominated Czechoslovakia has sentenced him to an additional 10 years in prison, it was learned yesterday. Johnny, 23, will have spent 13 years in the Communist country's jails before he's finally released.

Johnny, originally sentenced to 3 years for allegedly spying for the United States, was to be released in October.

According to a letter received by friends, 10 years have been tacked on to the original sentence for threatening a guard.

The State Department in a letter to Representative RODINO of Newark, said Hvasta had been resentenced but did not give the length of the term.

RODINO has been trying to effect the youth's release since he was imprisoned in October 1948, for allegedly photographing military objects.

Friends in Czechoslovakia wrote his family that his condition was not good and said that when his wife was permitted to visit him she fainted at the sight of him, he had changed so much.

Hvasta went to Czechoslovakia in January 1948, to study at the University of Bratislava. He worked as an interpreter for the United States Embassy for 3 months while a student. He married a Czech girl while in prison.

Hvasta's parents, Mr. and Mrs. Michael Hvasta, live at 1466 Franklin Street, Hillside.

Mr. McCARTHY. I also ask to have printed in the RECORD at this point as a part of my remarks, an article entitled "State DAV Backs Fight for Hvasta," published on January 14, 1952.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE DAV BACKS FIGHT FOR HVASTA

TRENTON.—The executive committee of the New Jersey Disabled American Veterans yesterday unanimously endorsed an Essex County DAV Council resolution demanding Congress seek the release of John Hvasta, 24-year-old, ex-sailor from Hillside, who has been imprisoned in Czechoslovakia since 1948.

The resolution endorses the efforts of Representative PETER RODINO of Newark to obtain the release of the north Jerseyan, and calls upon his fellow Congressmen and United States Senators to join in the action.

Hvasta was given a 10-year sentence in Prague for spying, while he attended Bratislava university under the GI Bill of Rights.

Mr. McCARTHY. I also ask to have printed in the RECORD at this point in my remarks an article entitled "Legion Joins in Fight for Release of Hvasta," published in the Newark Star-Ledger on November 20, 1951.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEGION JOINS IN FIGHT FOR RELEASE OF HVASTA

INDIANAPOLIS, IND.—The American Legion's national executive committee yesterday demanded the release of America's forgotten man—John Hvasta of Hillside, N. J.—from a Czechoslovakia prison, where he is serving a 10-year sentence for spying.

In a resolution forwarded to the State Department, Legion officials asked for immediate steps to be taken to secure the release of Hvasta from the prison in Czechoslovakia where he has been held since 1948.

A similar resolution was adopted by the Veterans of Foreign Wars. The Hvasta case was brought to the public's attention by Representative PETER W. RODINO, JR., Democrat, of New Jersey, who has been fighting for the release of the veteran of World War II. Hvasta served in the Navy and was attending school in Czechoslovakia when arrested.

Mr. McCARTHY. I also ask to have printed in the RECORD at this point in my remarks an article entitled "Hvasta's Ailing Wife Disappears from Red Hospital in Slovakia," written by Bruce Bailey, and published on July 21, 1951.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HVASTA'S AILING WIFE DISAPPEARS FROM RED HOSPITAL IN SLOVAKIA

(By Bruce Bailey)

Gabriella Donisoba Hvasta, 21-year-old wife of imprisoned John Hvasta, of Hillside, mysteriously vanished 7 weeks ago from Bratislava, Czechoslovakia, after registering for tubercular treatments in a Communist hospital, the Star-Ledger learned yesterday.

GIRL DISAPPEARS

The girl's disappearance was revealed in a letter from her mother to Mr. and Mrs. Michael Hvasta of 1465 Franklin Avenue, Hillside, grief-stricken parents of the former sailor who has been in a Communist prison since October 1948.

Hvasta, a former student under the GI bill of rights at the University of Bratislava, and the pretty Czechoslovakian girl were married in a Communist prison February 4, 1949. Gabriella then went to live with her mother, Ann, in their family home on the outskirts of Bratislava.

Yesterday, the Hvasta family said they had received a letter from Mrs. Donisoba in which the heartbroken woman, on the verge of a nervous breakdown, said no one in Czechoslovakia knew where her daughter was.

NO HELP IN 2 MONTHS

"She had a relapse of a tubercular ailment," the letter read, "and I took her to a hospital for treatment. She was taken in the hospital and when I went back the next day, no one had ever heard of her. The police don't seem to be interested and I am at the end of my nerves."

"Don't think that I am always asking for something," the letter continued, "but can't you please send medicine by plane so that I may have it on hand if I locate my daughter. I could also use some money to help Johnny and Gabriella."

"Everything seems to be so dragged out and I have not had any help for 2 months. There are no signed of recovery in Gabriella and now I can't even find the girl. Guess God gave me a cross to bear, but you must understand the position and the crisis I face. My love to my relatives, Ann Donisoba," the letter ended.

Although married to an American citizen, the State Department in Washington said yesterday they were "powerless" to do anything about the girl because she is a citizen of Czechoslovakia.

"We will attempt to contact the Czech regime in Prague and find out what happened to the girl," a spokesman for the Department said, "but I know we are going to be told off or will receive no answer at all."

FRESH APPEALS DUE

Meanwhile, the fight to free Hvasta, who is serving 10 years in prison for allegedly spying on Czech military installations, continued in Washington yesterday. Representative RODINO, of Newark, said he would make fresh appeals to the State Department Monday.

"This form of international gangsterism and mistreatment of American citizens in Communist-dominated countries has to cease and if the United States has to get tough to do it—good," RODINO said.

The Newark Democrat said a resolution calling for severance of "all ties" with Czechoslovakia unless Hvasta and American newspaperman William Oatis are released from their "false imprisonment" within 90 days would probably pass the House and Senate early next week.

BEGS TO SEE LAWYER

In his last letter home, Hvasta wrote his parents "begging them to see a lawyer, Congressman, and veterans' organizations" to help effect his release from a sentence "God knows I am not guilty of."

"I am here 3 years now," the letter said, "and Gabby is ill. I have to get out to help her. What are you people doing over there. Please, see anyone you can who will help me. If I can't come home just please help me get to an American zone. Please, dear parents, help me so that I may be able to help myself and wife. Yours, Johnny."

Mr. McCARTHY. Mr. President, I also ask to have printed in the RECORD at this point in my remarks a final article entitled "'What's State Department Covering Up in Hvasta Case?', RODINO Asks," published on July 19, 1951.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"WHAT'S STATE DEPARTMENT COVERING UP IN HVASTA CASE?", RODINO ASKS

Representative RODINO yesterday accused the United States State Department of "attempting to cover up something" in the imprisonment by the Czechoslovakian Government of John Hvasta of Hillside. The Newark Democrat said he intends to introduce a resolution in Congress to sever economic and diplomatic ties with the iron-curtain country.

RODINO was joined by Representatives KEAN, of Livingston, and CASE, of Rahway, both Republicans, in denouncing the imprisonment of the 24-year-old ex-sailor. They also criticized the State Department for laxity in handling the case.

CHARGES COVERING UP

RODINO said he saw no reason to continue business or diplomatic dealings with a nation where "the rights of an American citizen are put in jeopardy."

He showed particular resentment over the State Department taking a year to reveal publicly that the Czech Government, which had sentenced Hvasta to 3 years for alleged spying, had added another 7 years to the term for allegedly threatening to hit a prison guard.

"The American Embassy in Bratislava was informed of the additional 7 years in May 1950" he said, "and 1 year later the State Department here in Washington makes the official announcement.

"If that isn't some form of covering up, I don't know what it is."

ARRESTED IN 1948

RODINO, who has been seeking Hvasta's release for more than a year, learned last Wednesday that the youth had received the additional 7 years.

Previously a letter to the Hillside veteran's parents said he had been sentenced to an additional 10 years for threatening a guard. The State Department, however, says only 7 years were added to the original sentence for a total of 10 years, not 13. The information about the resentencing came to the parents in May 1950 in a letter from a Czech girl the son married in Prague.

Hvasta, son of Mr. and Mrs. Michael Hvasta of 1465 Franklin Street, Hillside, was arrested in October 1948, while attending the University of Bratislava.

Representative CASE declared it was his "most emphatic opinion" that the State Department ought to take stronger measures to effect the release of the youth.

KEAN TO CONFER

Declaring the 'deepest indignation about this kind of treatment for an American citizen," CASE said he would "seriously think of breaking off all relations with the Czechs unless Hvasta is released immediately."

KEAN said he planned to confer with State Department officials immediately and accused them of not attempting to keep abreast of the Hvasta case. He declared that the year it took the Department to announce the extended sentence given Hvasta was ample indication of the Department's laxity.

Meanwhile, a State Department spokesman said new diplomatic moves were under way to secure the release of both Hvasta and William Oatis, American newspaperman recently jailed by the Czechs as a spy.

The spokesman said the American Government was prepared to make an offer to the Communist regime in Prague in an attempt to free the two.

PASSPORTS SUSPENDED

Imprisonment of Hvasta and Oatis already has resulted in the suspension of all passports for American citizens wishing to travel in Czechoslovakia.

Besides the denunciation by the Jersey Congressmen, the State Department was also criticized yesterday by New Jersey's two leading veterans' organizations.

Charles Becker, State commander of the Veterans of Foreign Wars, called for a probe into State Department policy. He said:

"If this is an example of inaction on the part of the Government, a committee should be appointed to get at the roots of it. If the State Department refuses to act in this case, what can we expect in the future?"

LEGION ASKS ACTION

C. Conrad Schneider, State commander of the American Legion, declared the Government should take every step to find out the true details of Hvasta's trial, conviction, and subsequent extended sentence.

"The people of New Jersey are entitled to know the truth," he said. "There is no point hiding the details in Washington. If the question of security is involved, that is another thing. But, if there is no security involved, the State Department should step forward and tell all and not be so aloof."

The life and welfare of any American citizen, Schneider added, "is as important as any problem confronting the Nation."

Mr. McCARTHY. Mr. President, I ask unanimous consent to submit at this time and have referred to the appropriate committee a resolution. This resolution, Mr. President, would provide that the United States shall break off all commercial relations with Czechoslovakia immediately and that commercial relations be resumed only if and when the Government of Czechoslovakia restores to Hvasta his freedom. It also provides that if Hvasta is not released from his false imprisonment within 90 days, it is the sense of the Senate that the Department of State should evacuate all nationals of the United States from Czechoslovakia, with the end in view of severing diplomatic relations with the Government of Czechoslovakia.

The PRESIDING OFFICER. Without objection, the resolution will be received and appropriately referred.

The resolution (S. Res. 336) submitted by Mr. McCARTHY, was received and referred to the Committee on Foreign Relations, as follows:

Whereas John Hvasta, a citizen of the United States, was arrested by officials of the Government of Czechoslovakia on October 16, 1948, and detained without trial for a period of 7 months despite repeated efforts of the United States Embassy and the United States consulate general to expedite the trial and secure his release, and trial having been held in secret on May 27, 1949, and sentence imposed on June 1, 1949, of 3 years' imprisonment for alleged crimes against the Government of Czechoslovakia, and on appeal on April 26, 1950, the sentence having been increased from 3 to 10 years; and

Whereas no American official has been permitted to visit John Hvasta since February 23, 1950; and

Whereas this persecution by the Government of Czechoslovakia of an American citizen is condemned and deplored by the people of the United States, and throughout the free world; and

Whereas the considerable and growing sentiment among our people against the tyrannies of the Communist dictatorships should be made unmistakably clear to the rulers and subject of those countries: Therefore be it

Resolved, That it is the sense of the Senate that all commercial relations with Czechoslovakia should be terminated immediately, and should be resumed only if and when the Government of Czechoslovakia restores to John Hvasta his freedom; and be it further

Resolved, That in case John Hvasta is not released from his false imprisonment within 90 days, it is the further sense of the Senate that the Department of State should evacuate all nationals of the United States from Czechoslovakia with the end in view of severing diplomatic relations with the Government of Czechoslovakia.

Mr. McCARTHY. Mr. President, I call the attention of the Senate to the fact that the able senior Senator from Maryland [Mr. O'CONOR] submitted similar resolutions concerning Mr. William N. Oatis, the first on July 17, 1951, and the second on January 10, 1952, and those resolutions were referred to the Foreign Relations Committee. For some reason, no action whatever has been taken on the resolutions. I desire to notify the Senate at this time that I intend, before the end of the session, to move that the Foreign Relations Committee be discharged from further consideration of the Oatis resolution, and that it be brought to the floor of the Senate. At that time I shall propose to amend it by including the name of John Hvasta.

Mr. President, very briefly I should now like to discuss another item.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

OWEN LATTIMORE

Mr. McCARTHY. Today's Times-Herald carries a story to the effect that Harry M. Durning, customs collector of the port of New York, received instructions to intercept Owen Lattimore, in the event Lattimore attempted to leave the country. Mr. Durning is quoted as saying that if Lattimore were to attempt to leave the country, he would be halted by customs officials. Durning also predicted that any trip by Lattimore out of this country would be a one-way trip.

I note that Owen Lattimore has denied that he applied for a visa. I call to the attention of the Senate, and also to the attention of the Internal Security Committee, the fact that this is not merely a visa or passport case. If an ordinary citizen were denied a passport, customs collectors would not be ordered to intercept him, if he were to try to leave the country. It is only in a very, very serious matter that the customs collectors are notified to intercept an American citizen, if he tries to leave the country. I may say we have confirmed the fact that the customs collectors have been so notified in the case of Owen Lattimore.

EXERCISE OF THE VOTING FRANCHISE BY FEDERAL PERSONNEL AND MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 3061) to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, the amendment which I have proposed is the one which was discussed earlier this morning. It is an amendment to section 402 of the pending bill. I think it unnecessary to go into too much detail about it, because the question was rather thoroughly discussed. But I should like to say that no particular coterie or group in the Senate has any monopoly in the matter of regard for servicemen and their rights. I sometimes think that some of those at whom aspersions were cast a little earlier as not having proper regard for servicemen and their rights, probably are more interested in safeguarding the basic constitutional principles of citizens than are those who criticized. No person on this floor, in my judgment, wants to deprive the serviceman of his right to vote, or to deprive him of an adequate opportunity to vote. But, by the same token, there are many of us who believe that these rights should be preserved, enlarged, and protected through constitutional means, not by autocratic or bureaucratic means, and that there still is in the United States such a thing as a Constitution which protects the rights of individuals, and which safeguards them. This country of ours is a Federal Republic, composed of 48 States, each of which has a most substantial degree of sovereignty within its own sphere.

One of the most definite rights of sovereignty which has been reserved to the people of the States, to be measured by their own particular attitude, within the Federal Constitution, of the qualifications and rights of voting, is the right to describe and to prescribe the qualifications of electors and, in general, the conduct of elections in the selection of public officials. It has been a very sacred right in the 48 States. It is a right which we must safeguard very carefully, and which we must tamper with very cautiously.

Section 402 of the pending bill places the entire discretion in the Secretary of Defense to determine whether the absentee voting laws of one State or of all the States meet the whim or the caprice of the Defense Department. We have heard it intimated that the Secretary of Defense is a Republican. I do not know what his politics may be; I have no knowledge whether he is a Republican or a Democrat. I know he is a highly able, and, I believe, a most thorough, honest, and conscientious man. I have the utmost confidence in his integrity. But we should not vote basic legislation based upon reliance on one individual regardless of how sterling his character may be. We are considering a proposed law affecting the fundamental right of voting and the determination of the voting privilege within the States. Yet section 402 grants to the Secretary of Defense the power to say to my State or to any other State of the Union, regardless of how well we know the absentee voters law of the State is adequate, that in his opinion, the State law is inadequate, and he may send to members of the Armed Forces serving abroad a Federal ballot which does not even contain the names of the candidates.

What my amendment proposes is simply to strike out everything after the period in line 12 of the section. That is the provision which gives the Secretary most of the discretion. My amendment substitutes the following language for the first sentence of section 402:

Not later than—

May I ask the clerk for the date which was placed in the amendment a moment ago?

The PRESIDING OFFICER. The date is August 1.

Mr. HICKENLOOPER. Then it would read:

Not later than August 1, 1952, the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined, based upon the affirmative certification of the governor of each State, to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard by State absentee ballot.

That means, Mr. President, that before August 1 the governor of each State will, upon his honor and the dignity of his office, certify to the Secretary of Defense that his State has or has not made adequate provision for voting by the members of the armed services by absentee ballot.

No Senator can stand on this floor and successfully assert that the governors of the 48 States or any of them or going to despoil their own honor by false certification—by judgments that are moved by political whims within their own States.

That nefarious suggestion was made awhile ago by those who want to lodge the discretion completely in the Department of Defense. By the same token, I will say that the gentleman who occupies the office of Secretary of Defense would not, in my opinion, stultify himself by a political decision.

It goes, Mr. President, to the point of whether or not the States and their duly elected officials shall certify as to what their own laws provide, in their opinion, or whether a Democratic agency in Washington—and I say that in the kindliest way—shall determine the adequacy of local State laws in this field, which is so peculiarly reserved as one of the basic rights of the States.

Mr. CASE. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. CASE. I wish to commend the Senator for offering his amendment. We ought, of course, to make it as nearly certain as is possible that everyone has an opportunity to vote. If the Senator will indulge me for a moment I should like to say that the Senator from Minnesota [Mr. HUMPHREY] awhile ago stated that the constitutional question was a "dead cat" and suggested that there was no violation of the Constitution——

Mr. HICKENLOOPER. I may say that there are some who indicate that the Constitution is a "dead cat." I think they are dangerous people in this country.

Mr. CASE. It certainly seems to me that the Members of the House and of the Senate who have voted for soldiers' ballot laws have demonstrated that they wanted soldiers to have an opportunity to vote. But, as the Senator has pointed out, the States must check the qualifications of voters, and there is a provision in the Constitution which I quoted awhile ago, that the qualifications of electors shall be the qualifications of electors of members of the most numerous branch of the State legislatures. The Constitution expressly provides that the States shall have the right of appointing electors in such manner as they see fit, and it is wholly in keeping with those express provisions of the Constitution that it should be the governor of the State who shall certify, rather than to transfer that function to any Federal official, whoever he might be.

Mr. HICKENLOOPER. I thank the Senator from South Dakota.

I desire to touch for a moment on the confusion argument which has been made that those who would like to protect the rights of soldiers to vote are actually against their right to vote. This bill, even if it shall pass, is utterly inadequate to give the soldier a "fair shake" at voting for his candidate, because the ballot which is provided for does not contain the names of the candidates for the offices for which the soldier or the sailor or the marine is supposed to vote overseas. I know, as do many other Senators, that in the election 4 years ago countless young men came back from the South Pacific and from other far reaches of the world and said, "We were never able to be sure who was running for Congress in our district. We never were sure who had the nomination for Senator in our district." If we are to talk about being fair to the soldier—and everyone wants to be fair to him—in the pending bill we are being unfair when we do not even place on the ballot the names of the candidates for whom he may vote. If this bill is passed, the serviceman will be required to vote either a Democratic ticket or a Republican ticket, or for such other political parties as may appear on the ballot, without knowing who is on the ticket.

We talk about being fair, but the ballot provided for is unfair to the soldier, because it completely eliminates the names of candidates, and the soldier cannot even make up his mind on the basis of personalities. As someone said to me a while ago, some lad's next-door neighbor might be running for Congress, an old friend he had known for years, but the soldier might not know it. An old acquaintance of his might be running for another office, but the soldier might not know it, because the name would not be on the ballot.

So when we speak of fairness, let us come down to a balance of fairness in treating our men in the armed services.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. STENNIS. I commend the Senator for offering an amendment to section 402. As I understand, the amendment applies only to section 402.

Mr. HICKENLOOPER. That is correct.

Mr. STENNIS. I certainly endorse the Senator's argument with reference to the idea of having certification made by the

governors of the States. Governors certainly are men of responsibility, conscious of their obligations to those now in the armed services just as they are conscious of their particular obligations to citizens of their States and to their laws.

The same can be said, of course, with reference to the Secretary of Defense, as the Senator from Iowa pointed out.

But I am not willing to admit that under the Constitution of this Nation, Congress has absolute power to pass any type of law of this kind.

I think the proposed legislation is based upon a concession to those who are carrying our colors throughout the world. Congress passed the law which put those men and women in uniform, so Congress ought to be willing to go as far as it can to assist them to vote. Governors of States should do the same thing; and they have taken that attitude.

During World War II such laws worked, but I believe we are getting further and further away from the fundamental, basic concept of organic law. We ought to recognize that concept in every section of this proposed law, and base it on the idea that, after all, absentee voting is a concession to the men and women in the services.

I most highly commend the Senator from Iowa upon his amendment and shall actively support it. I think it would strengthen the bill.

Mr. HICKENLOOPER. I thank the Senator from Mississippi. I agree with him that there is a very fundamental, vital principle involved. So far as the constitutional question is concerned, I shall not attempt to argue that point now. The question was raised and extensively debated in 1944, in connection with certain legislation along this line. Many most conscientious and able Members, not only of the Senate and House of Representatives, but also of legislatures in the various States, sincerely thought, regardless of how much they desired to see soldiers have an opportunity to vote, that there was no constitutional power in Congress to prescribe methods for such voting. I say they believed that. But many, willing to bend over backward in the effort to get the ballot to service men and women overseas, abandoned that contention and said, "We will not press it any further. We sincerely want the service personnel to vote."

So at the moment I shall not argue or talk about the constitutional basis of the proposed legislation. However, if the bill is to be passed, I should like to see it kept within reasonable bounds of propriety, so far as the right of States to pass their own laws is concerned. When we ask, "Who is going to protect the men in the armed services, so that they will be able to vote, if it is at all possible?" I submit that it is more in the personal interest—whether selfish or unselfish, political or nonpolitical—of the governor of each State to see that his own constituents, the citizens of his own State, have every right, privilege, and opportunity of voting, than it is of any other public official in the United States.

The governor of each State considers the people of his State to be his special charge, to whom he owes special responsibility. I venture to say that there is not the remotest chance that the governor of any State in the Union will certify that the absentee servicemen of his State have adequate opportunity to vote if he knows they have not, and if the laws shows that they have not. He will try in every way he can to obtain for them the opportunity to vote. If they cannot vote under their State laws, the governor will certify the fact honestly and honorably.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield for a question.

Mr. LEHMAN. No. I wish to make an observation.

Mr. HICKENLOOPER. I shall finish in just a few minutes.

Mr. President, that is all my amendment would do. It would eliminate the uncontrolled discretion of the Secretary of Defense, or his office, to pass upon the propriety and adequacy of the laws of the various States.

I know that those who support the section as it is now written say that there are four criteria which must be met. Perhaps States have adequate laws which meet those four criteria, or perhaps, even though the State law is adequate it may in some way violate them. Nevertheless, the Secretary of Defense can say, "Because the State law does not happen to conform completely to every one of those four provisions, we will move in with the Federal ballot in this State."

The four criteria are not exclusive tests. It will be found that a part of the language which my amendment would eliminate is:

> Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him—

And so on. So he considers four criteria, besides certain additional information. In my judgment, he could discard the four criteria and use the additional information, for whatever it might be worth, in making up his mind. There is complete discretion in the Secretary of Defense to declare the voting laws of a State to be inadequate. I believe that certification should be left to the governors.

Mr. MUNDT rose.

Mr. HICKENLOOPER. I now yield for a question to the Senator from South Dakota.

Mr. MUNDT. Earlier in the day I raised a point about the language on lines 12 and 13, on page 13, and I said that the phrase "Unless the Secretary of Defense finds otherwise" would give the Secretary of Defense carte blanche authority.

Mr. HICKENLOOPER. I have just stated that.

Mr. MUNDT. I wonder if the Senator shares with me the view that subsequent enumeration of the four criteria are meaningless. The Secretary could use those four criteria, or he could substitute in lieu of them real estate, educational, poll tax, or any other qualifications. He would not be limited by the four mentioned.

Mr. HICKENLOOPER. I stated a moment ago that the four criteria are not exclusive. They do not exclude all other considerations. Other considerations are included in the first sentence, on which the Secretary could base his opinion, and those other considerations are not enumerated. That is how complete discretion enters into the matter.

Mr. MUNDT. Would the Senator's amendment correct that rather glaring loophole?

Mr. HICKENLOOPER. My amendment would eliminate the language following the period in line 12.

Mr. MUNDT. After the words "by State absentee ballot"?

Mr. HICKENLOOPER. That is correct. My amendment eliminates everything in the remainder of the section, beginning with the words in line 12, "unless the Secretary of Defense finds otherwise."

Mr. MUNDT. It so happens that the State of South Dakota meets the four criteria, under any reasonable interpretation thereof. I believe the same is true of the State of Iowa. However, since the four criteria are merely suggestive, and by no means exclusive, four other criteria could be superimposed once the legislation was enacted.

Mr. HICKENLOOPER. I thank the Senator from South Dakota.

So far as the time is concerned, much has been said about certain States not allowing adequate time. I believe there are three States which have no provision whatsoever for absentee voting. This bill would apply to those three States. The governor of none of those States could possibly certify that the laws in his State were adequate to give absentee voting privileges to soldiers. He would have to certify as to the inadequacy of the State laws.

There is one State in the list in which only a 12-day period is allowed for obtaining a ballot and returning it. In my judgment that is too short a period. In my judgment the governor of that State could not, under those circumstances, certify that the law of his State is adequate. But in practically all the remaining States the period runs from 20 to 35 days. The bill requires air-mail delivery in any part of the world, over and back. I believe that in every one of the other States—there may be one other exception—there is adequate provision, if prompt action is taken, to get the ballots to the absentee voters and to have them returned.

Many of us have gone through this experience in our own States. We know the speed with which absentee ballots can be sent out and returned. I have in mind a case in which, 6 days from the time the ballot was mailed, it was returned from the South Pacific to the States of Iowa. That was a remarkably swift journey. However, I know of that one case. Within 8 or 10 days, with any reasonable attention, and with air transport, the ballots can reach the voters and be returned. Twenty days is perhaps not too long a period, but it can be done in practically every instance if there is a

zealous desire to vote. A period of 30 or 35 days is quite adequate.

Mr. President, I believe that a very important principle is involved in this question. My amendment merely puts it up to the governor of a State to certify whether the laws of his State are adequate to permit absentee voting by members of the armed services. If he says they are, that ends it, and the Secretary of Defense has nothing more to do with the question. If he certifies that the State laws are inadequate, the Secretary of Defense steps in, and the Federal ballot operates.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield for a question.

Mr. HENDRICKSON. The distinguished Senator from Iowa has been the governor of his State, and he has had rich experience with this type of voting. I should like to ask the distinguished Senator whether it would not be political suicide for a governor to fail properly to certify as to the adequacy or inadequacy of the State laws.

Mr. HICKENLOOPER. I tried to touch on that point, perhaps not so plainly as the Senator from New Jersey has done. Of course it would be political suicide. There is not a governor in the United States who would permit himself to be accused of certifying incorrectly, to the prejudice of absentee members of the armed services.

The greatest safeguard we have is reliance upon the fact that the governor is going to see to it that he is not accused of an erroneous certification, which would prevent members of the Armed Forces in his State from voting.

Mr. HENDRICKSON. He must be a great deal more responsive to the people of his State than the Secretary of Defense would be.

Mr. HICKENLOOPER. I believe that the governors of the States are much more responsive to the people of their States than the Secretary of Defense would be. The Senator from New Jersey has himself been a State official, and has been very close to State government in his home State of New Jersey. I assure the Senator that I agree with him that there is no one in the political field who is more responsive to the sound, best interests of the people of his State than is the governor of the State. He is close to the people. He considers them his responsibility; and he is not going to do anything, if he can help it, that will permit them to say that he is denying to anyone in the armed services reasonable and adequate opportunity to cast his ballot.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, I yield the floor.

Mr. LEHMAN. Mr. President, if the amendment proposed by the distinguished Senator from Iowa is adopted, the entire bill will have little value. There will be little gain toward giving the men and women in our Armed Forces the assurance that they may cast their votes during the coming election.

The Senator from Iowa and other Senators have implied that those who criticize this amendment seek to reflect on the honor and integrity of the governors, who would be asked to certify to the fact that the States have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard by State absentee ballot.

Mr. President, for 10 years I was governor of a great State. During that time I worked in close association with my fellow governors. I have had the privilege of working in close association in the Senate with many former governors. I certainly would be the last one to reflect in the slightest degree on the integrity of the men who are governors today, or those who may follow them in years to come.

This is not a question of integrity. Of course, I know that all the governors of the States are honest, sincere men, anxious to serve the public interest, but this is a question of the judgment of the governors. They must certify not to the fact that the men and women in the armed services can, without any exception, cast their votes but that adequate provision has been made within the States. All they are directed to do in the proposed amendment of the distinguished Senator from Iowa is to express an opinion that adequate provision has been made by the States.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I am glad to yield.

Mr. HICKENLOOPER. Is not that what the Senator's proposal vests in the Secretary of Defense—only the right to express an opinion?

Mr. LEHMAN. No; by no means. What my distinguished colleague from Rhode Island and the other sponsors of the bill propose to do is to make certain that the men and women in the armed services have the right to vote, whatever State they may come from. But there must be a test. There must be some criteria established in order to determine whether or not adequate provision has been made.

My own State has very little direct interest in this question. We have adequate machinery—at least in my opinion. I am proud to say that I had a good deal to do with bringing that machinery into life, back in 1941 and 1942. But we know that there are many States which do not meet the criteria proposed in the bill, in one or more particulars. Twenty-five of the forty-eight States of the Union lack at least one of these criteria, and many of them lack two or three. In a few cases they lack all of them.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for another question?

Mr. LEHMAN. I am very glad to yield.

Mr. HICKENLOOPER. What makes the criteria in the bill so sacred? The criteria of the various States may be better than the criteria in the bill.

Mr. LEHMAN. I am very glad indeed to answer that question. I point out that one of the criteria for a sound absentee ballot is "a waiver of personal appearance for registration or any other purpose connected with voting on behalf of persons serving in the Armed Forces."

It may very well be that governors of some States may feel that such waiver is not necessary, advisable, or desirable. Some governors may think that every man in the armed services who wishes to vote must personally appear to register. Obviously that is ridiculous, impracticable, and impossible.

Another criterion which is included in the bill is the acceptance by the State as valid of applications for absentee ballots in the form of a post card, as provided in the bill. A governor may say, "No, you cannot apply for your absentee ballot by post card. You must write a long letter." Or he may provide that application must be made by radio or cablegram. He may say, "We will not recognize an application by open post card."

We know such conditions exist. The fact that I am not willing to accept the judgment of every governor as to what constitutes adequate election machinery for the casting of ballots by servicemen does not in the slightest degree reflect on the integrity and good faith of the governors of the various States. I believe that we are of like mind. I wish to make certain that the service men and women have the right to cast their ballots and that nothing will interfere with that right.

Suppose they get a Federal ballot. If they have a State ballot, they can vote it, and the Federal ballot will become invalid, because it is clearly indicated in the bill that the State ballot will take priority. However, assume that a Federal ballot has reached a serviceman and he uses it—and it is entirely possible that because of lack of time the Federal ballot may be the only ballot to reach him—is there anything sinister in the United States Government wishing to protect the suffrage rights of the men and women who are wearing the uniform of their country, who in most cases have not gone into the armed services by choice but have been drafted by the Government? Is there anything sinister about it? What harm can come of it? Certainly our only consideration should be in behalf of making it easy for the men and women in our armed services to cast their ballot.

What my distinguished colleague from Iowa is doing with his amendment is weakening and crippling the bill to the extent that there will be very little gained by its passage. It will not make it materially easier in some States for service men and women to cast their ballot.

We should not accept that thesis or philosophy. We should exert ourselves, Mr. President to make it possible for the men in Korea, the men in Germany, and men in other parts of the world, who are serving the Government of the United States in uniform to cast their ballots and to avail themselves of their right of suffrage, which in my opinion is the most sacred right which belongs to any American.

Mr. President, I hope to God that right will never be abridged. I know

that the Senator from Iowa is just as anxious to accomplish that result as I am. I know he is just as patriotic as I am. I have no doubt whatever about that. But I must point out that if his amendment is agreed to the bill will be so crippled and so weakened and become so useless that there will be very little gained by its passage. I ask that the amendment of the Senator from Iowa be rejected and that the bill be passed substantially in the form as reported by my distinguished colleague from Rhode Island.

Mr. GREEN. Mr. President, there are only a few remarks that I should like to make in answer to the speech of the Senator from Iowa. What is the occasion for the bill in the first place? I can understand a Senator taking the point of view, as some Senators have, that it is unconstitutional, and, therefore, we should not pass it. I can understand the viewpoint of some Senators who claim that it is inadequate because it does not provide anything but supplementary relief in granting to servicemen the right to vote, and that it should provide directly for them under all circumstances. I can understand the criticism that the bill is too weak.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. FERGUSON. The distinguished Senator from Rhode Island has answered one of my questions. Earlier today, while discussing the bill, I was called to a committee hearing. I notice on page 21 that section 410 provides that the provisions of this title shall expire on December 31, 1952. It was my impression that the distinguished Senator from Rhode Island understood that the whole bill would expire on that day. If that is correct, should not the provisions of section 410 be moved to the end of the bill? Perhaps it should be inserted between lines 18 and 19 on page 25, or immediately before section 511. It seems to me that there should be inserted a provision at the end of the bill to read:

The provisions of this act shall expire on December 31, 1952.

Mr. GREEN. The reason it is not practicable to do that is because title I does not expire.

Mr. FERGUSON. I understood it did. I understood the Senator to say earlier today that it did expire on that date. If title I does not expire and title II, which is the ballot, is eliminated, there is very little left in the bill.

Mr. GREEN. Title II contains the recommendation provisions.

Mr. FERGUSON. Does title III expire?

Mr. GREEN. Title III relates to Federal responsibilities.

Mr. FERGUSON. So that title I is all that expires?

Mr. GREEN. With respect to the right to a Federal ballot; yes.

Mr. FERGUSON. Why are the other titles kept as a permanent law?

Mr. GREEN. I think the bill speaks for itself as to why it is desirable. It is because we wanted to make permanent provision, so far as we could make it permanent. But this particular provision referred to a ballot in the next election. We had hoped that there might be some permanent legislation later.

Mr. FERGUSON. Does not the Senator from Rhode Island feel that it would be advisable to have the entire act expire and then draw a new act in the form of permanent legislation?

Mr. GREEN. A good argument can be made for that point.

Mr. FERGUSON. Would it not be better to provide permanent legislation later? It looks as though we shall have men in the military forces for a number of years.

Mr. GREEN. I do not know that we can enact permanent legislation now.

Mr. FERGUSON. I do not mean now. I mean later, after the election.

Mr. GREEN. I think permanent legislation should be enacted.

Mr. FERGUSON. I believe the Senator from North Carolina [Mr. SMITH] had in mind offering such an amendment. After I spoke in the Chamber earlier today I called up the secretary of state of Michigan at Lansing. I find that we have amended our law in Michigan and that we would come within the provisions of the bill. We would be able to mail our ballots 45 days before the election. Our State now complies. I was surprised and shocked to be told that Michigan did not comply, because I thought the information of the Senator from Rhode Island was up to date. Apparently the Senator from Rhode Island had reference to an older law.

Mr. GREEN. That is correct.

Mr. FERGUSON. I wonder whether the Senator from Rhode Island would be willing to have that section applied to the older law, so that we could start over in that way.

Mr. GREEN. I have no objection to doing that.

Mr. FERGUSON. Very well.

Mr. SMITH of North Carolina. Mr. President, I offer an amendment to do just that.

The PRESIDING OFFICER (Mr. SEATON in the chair). The Senator from Iowa has an amendment which is pending.

Mr. SMITH of North Carolina. Then I send forward my amendment at this time, to lie on the table.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. HICKENLOOPER].

Mr. HICKENLOOPER. Mr. President, I was going to suggest the absence of a quorum, but I shall withhold that suggestion if some other Senator wishes to speak at this time.

Mr. GREEN. Mr. President, I began to make a few remarks, in reply to those of the Senator from Iowa; but before I had said more than a few sentences, I was interrupted by questions.

Mr. President, the fundamental question is why is there occasion for the passage of such a bill as the one now before the Senate? I began to say that I understand that some Senators seem to think there should not be such a law; they seem to think such a law would be unconstitutional. Other Senators think the States should decide whether their own laws are adequate for this purpose.

Mr. President, measures such as the one now pending were enacted in 1940, 1942, and 1946. Although the question of constitutionality has been raised, I believe we should take the position that that point has been decided.

On the question of adequacy, it is conceded that 24 States have laws which are inadequate because they do not meet the fundamental requirements.

What are the fundamental requirements? One would think the fundamental requirements would constitute the controlling criteria in regard to whether Senators should favor or should oppose this bill.

The first of these criteria is that provision should be made for absentee voting, if the States wish to have that done. In the case of States which do not wish to have absentee voting, the provision would not apply. Either position is a perfectly possible one for a State to take. I assume that the governor of each State will take the same position the general assembly or legislature of his State has taken on that question.

Of course, if provision is not made for absentee voting, the voters who are absent will not be able to exercise the right to vote.

The next criterion is whether voting can be done by mail. If a soldier is overseas, unless there is a law which enables him to vote by mail, he will not be able to vote.

In these cases the question is not whether the Secretary of Defense shall have certain discretion or shall not have certain discretion. The question is whether the soldier can vote or cannot vote under such circumstances. It is obvious that if a soldier is to have the right to vote while he is overseas, a law permitting him to vote under such circumstances must be passed. In that situation the question involved is one of fact, not one of opinion. If a soldier is overseas and if he cannot make application for absentee voting, of course, he will not be able to vote. If his State law does not permit a postal-card application to be accepted, of course, that soldier cannot vote.

So in each case the question is one of fact, not of opinion.

There may be a question as to the adequacy of the time proposed to be allowed. As reported, the bill called for a period of 45 days. During the last war the experience with the practical application of a similar bill, after it was passed, showed that 30 days was not sufficient. So the Department of Defense suggested that a period of 45 days be provided, so as to be sure that the period of time allowed would be adequate.

Earlier today, at the request of the Senator from Massachusetts, I agreed to have the period of time to be allowed reduced to 35 days. I doubt very much whether that will be sufficient; certainly it will not be on the basis of what the Secretary of Defense has said. However, in a great many cases it will be sufficient, and I thought it better to make the concession, and so I did not oppose that amendment.

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It is absurd for any Senator to take the position that this bill involves the question of whether the Secretary of Defense shall have the power to exercise his own opinion as opposed to that of the governor of a State. In the first place, each State legislature will have the right to pass a law on the subject, if it wishes to do so. If the State legislature does not pass such a law, presumably the existing State law will not be adequate. If the law the State legislature passes on this subject is adequate, that will take care of the situation.

I suppose that in each State the governor is guided by the attitude of the general assembly or the State legislature, or whatever that body in his particular State is called. The legislative body of each State has been urged over and over again to provide absentee voting laws for the soldiers who are overseas. However, many legislatures have not passed such laws. Is it to be supposed that the governor of such State will say that the State legislature has been disloyal? Is is to be supposed that the governor of a State will make an accusation of that sort?

The question of adequacy is not a question of opinion, as I have said before, but is a question of fact. If the exercise of opinion were called for by the State law, undoubtedly the legislature would direct the governor to act under such circumstances. If the governor was not directed in specific words to do so, at least by implication he would be directed to do so.

Mr. MILLIKIN. Mr. President, will the Senator from Rhode Island yield to me?

Mr. GREEN. I yield.

Mr. MILLIKIN. I do not quite understand how the Federal ballot provided for by this bill can be reconciled with the Federal Constitution, which provides that the States shall control the manner of electing the President and Vice President through the electoral system.

Mr. GREEN. That question was raised in 1940 and in 1942 and in 1946, when bills similar to the pending one were enacted. That question has never been passed upon by the Supreme Court.

Mr. MILLIKIN. That situation does not reconcile the bill with the Constitution, does it?

Mr. GREEN. It does not prove the contrary, either.

Mr. MILLIKIN. Of course, we do not prove the constitutionality of any measure by asserting that the contrary has not been proved. As Senators, we are under the duty of seeing to it that the laws which are enacted are constitutional.

Mr. GREEN. However, when Congress has on three occasions passed a bill of this sort, we think it proper to assume that it is constitutional until its constitutionality is questioned in the courts.

Mr. MILLIKIN. Mr. President, most respectfully I suggest that that is not a test of constitutionality.

Mr. GREEN. I agree.

Mr. MILLIKIN. The Senator from Rhode Island has personally taken an oath, as have I and as have all other Senators, to uphold the Constitution. As a result; how can we reconcile this provision of the bill, calling for a Federal ballot, with article II of the United States Constitution, which gives to the States the right to determine the manner of the election of the President and Vice President?

Mr. GREEN. If the Senator from Colorado believes the bill is unconstitutional, I believe he should vote against it.

I believe the bill is constitutional, and therefore I shall vote for it.

Inasmuch, however, as similar measures have been acted upon on so many occasions in the past, I do not believe this is the time or the place to question the constitutionality of the bill.

Mr. MILLIKIN. Mr. President, will the Senator from Rhode Island yield further to me?

Mr. GREEN. I yield.

Mr. MILLIKIN. Of course, the distinguished Senator from Rhode Island may decide the question of constitutionality in any way he wishes; that is his privilege. However, I understand that the purpose of debate is to give all of us an opportunity to be instructed. I doubt very much whether the Senator from Rhode Island would wish to foreclose the rest of us from requesting instruction as to whether this bill complies with the provisions of the Constitution. It does not quite meet the usual care of the Senator from Rhode Island for adequacy of debate to say that such action has been taken three times in the past, and therefore the pending bill must be constitutional or that we should assume that it is constitutional.

Mr. GREEN. Mr. President, fundamentally the reason for believing in the constitutionality of the bill—although this subject is not specifically dealt with in the Constitution itself—is that when men are drafted and sent overseas, we must not, if we can possibly avoid doing so, deprive them of any more rights than it is absolutely necessary to deprive them of. If in a democracy we can still provide them with the right to vote, that is consistent with the theory of constitutionality.

Mr. MILLIKIN. Mr. President, will the Senator from Rhode Island yield further to me?

Mr. GREEN. I yield.

Mr. MILLIKIN. Article II of the Constitution provides that—

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors—

And so forth; and they are the ones who choose the President.

Mr. GREEN. Yes; I am familiar with that provision of the Constitution.

Mr. MILLIKIN. The Federal ballot proposed in this bill would state, in effect: "Write in the name of your choice for President."

That is not the way the Constitution prescribes that voting for the President shall be done.

Mr. GREEN. I understand the constitutional provision regarding the electoral college.

Mr. MILLIKIN. I understand that a suggestion has been made today that such an absentee might write on the ballot his choice of party. That also is a bad idea and does not accord with the Constitution of the United States.

Mr. GREEN. That was suggested by the Senator's colleague.

Mr. MILLIKIN. Then the infirmities of this measure have been compounded, because the Constitution says nothing about choosing the President by Federal ballot and by simply writing in the name of the party.

Mr. GREEN. Neither do the States.

Mr. MILLIKIN. Ah, but some of the States do, and they probably have the right to do it when the use of party label denotes a certain set of electors. The Federal Government cannot touch the matter because the Constitution confides it to the States.

Mr. GREEN. In a number of States, votes are not cast for presidential electors but for certain candidates. I think the Senator from Colorado, great constitutional lawyer as he is, will agree that members of the electoral college are elected to vote for certain specified candidates. Otherwise, why would the Senator from Ohio [Mr. TAFT], General Eisenhower, and others go about the country asking for the votes of their fellow citizens?

Mr. LEHMAN. Mr. President, will the Senator yield for a question?

Mr. GREEN. I yield.

Mr. LEHMAN. Is it not a fact that this bill in no way addresses itself to the qualifications of the voters of a State, and that it imposes no immunity or prohibition on the States with regard to setting forth the qualifications of the voters of the respective States? I may say to the Senator from Rhode Island—and I am very proud to be associated with him on this bill—that having listened today to the debate, I gain but one impression, and that is, that instead of simplifying matters and instead of making it possible for every man and woman in the armed services to vote, every effort has been made to make it more difficult, and, in some cases, to make it impossible.

I am not a constitutional lawyer, though my distinguished colleague from Colorado is, but what I want to see is that every man and every woman in the armed services may have an opportunity to vote. I care not at all whether they vote Democratic or Republican. I want them to cast their ballots. That is the sacred obligation and the sacred privilege of every American citizen. Instead of trying to obstruct them in the matter of voting, instead of trying to make it more difficult, we should all be working to simplify the procedure and to make it possible for them to cast their votes.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. GREEN. I yield for a question.

Mr. MILLIKIN. I respectfully suggest that does not settle the constitutional question.

Mr. GREEN. I do not care to yield for a joint debate.

Mr. MILLIKIN. I respectfully suggest to the distinguished Senator from New York that our boys in Korea and other places, fighting to preserve the Consti-

tution of the United States would be the last people in all this world who would want to see the Constitution violated by something we might do, in the name of doing something for them. Is not that the idea of the Senator from New York?

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MILLIKIN. The Senator has not answered my question.

Mr. LEHMAN. I am trying to answer it.

Mr. MILLIKIN. The Senator was asking me about it. It was in the form of a question.

Mr. GREEN. Mr. President, I shall endeavor to answer the question. I believe that the men who are fighting overseas want the right to vote for the next President of the United States and for Senators and Representatives, and that all of those who are either planning to vote against this bill or are trying to kill it through amendments, are doing the opposite of what those men overseas want. I think it wicked to draft men to fight for the country, and then, while they are away, to deprive them of their right to help select those who are to make the Nation's laws and are to administer them.

Mr. MILLIKIN. Mr. President, will the distinguished Senator yield?

Mr. GREEN. I yield.

Mr. MILLIKIN. The Senator from Rhode Island, of course, recognizes that he has not answered my question, which was whether the boys overseas who are fighting to preserve the Constitution would approve of its violation.

Mr. GREEN. Their answer would be the same as mine, that it is no violation.

Mr. MILLIKIN. Then, in addition to the instructions which some political officer is to give them as to their voting rights, perhaps a copy of the Constitution should be sent them.

Mr. GREEN. That might be a very good idea.

Mr. MILLIKIN. Mr. President, if the Senator will yield further, let us pass that for the time being. I agree that it should be, and that perhaps, most respectfully, we here in the Senate should open the book which we all have on our desks to read article II of the Constitution.

Mr. GREEN. Yes—and also the Declaration of Independence.

Mr. MILLIKIN. Oh, yes; I am in favor of that.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield for a question. I am not going to yield for any further joint debate.

Mr. LEHMAN. I merely wanted to ask one thing. I have great respect for my colleague, the Senator from Colorado, but I cannot overlook the fact that he is not the nine Justices of the Supreme Court of the United States. He does not believe that what we are doing is constitutional; and if he does not, then, of course, he has a right to vote against the pending bill. But there certainly is no weight of evidence that would in any way indicate that what we are doing is unconstitutional.

The PRESIDING OFFICER. The Chair would call the attention of the Senator from New York to the fact that the Senator from Rhode Island yielded for a question only.

Mr. LEHMAN. I have studied the constitutional aspects of the question as well as the Senator from Colorado. But certainly there is no indication that what we are proposing to do is unconstitutional. I have heard that question raised time and time again. Sometimes the Supreme Court has supported the views expressed by Members of the Senate and at other times it has not. That is true with respect to every legislative body. I again want to say that the Senator from California, not being the nine Justices of the Supreme Court, cannot decide this particular question.

Mr. MILLIKIN. Mr. President, will the Senator yield for a brief observation?

Mr. GREEN. No, I cannot yield for another brief observation.

Mr. MILLIKIN. Will the Senator yield for a question?

Mr. GREEN. I yield for a question provided it is germane.

Mr. MILLIKIN. Would it be germane to suggest to the distinguished Senator from New York that each Member of this body has the personal duty to keep his oath of office, which requires him to be for the Constitution——

Mr. GREEN. If any Senator needs that admonition——

Mr. MILLIKIN. Would the Senator agree that article II of the Constitution provides that each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, and so forth?

Mr. GREEN. I know the spirit in which the question is asked, and I reply that it is not germane to the present discussion.

Mr. MILLIKIN. That makes the Constitution not germane, according to the Senator's idea.

Mr. STENNIS rose.

Mr. GREEN. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. No; I desire to obtain the floor in my own right, when the Senator shall have concluded.

Mr. GREEN. It is very difficult, after the questions which have been asked and the observations made, to remember exactly where I was in my remarks. I had started, I think, to go back to the subject of fundamentals. The question is whether we believe that there is an obligation as well as a right in regard to voting on the part of men whom our country has drafted, while they are overseas, and whether we shall be preventing their voting unless by the enactment of a law we enable them to vote for President, Senators, and Representatives in the coming election. That is the point.

If anyone desires to appeal to States' rights, as some of my colleagues have done, I may suggest that it was equally a violation of constitutional rights when the men were drafted. Some Senators seem to forget that this is a Nation made up of States, and that not merely the question of States' rights had to be considered, but the Nation's rights as well. With the Nation's right to draft men goes the Nation's right to see that they are permitted to vote.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. GREEN. I yield to the Senator from Alabama.

Mr. SPARKMAN. The question I desire to ask is whether the position taken by the Senator is in opposition to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER]?

Mr. GREEN. Certainly. I think the amendment offered by the Senator from Iowa would simply take the life out of the bill.

Mr. SPARKMAN. I had understood that to be the Senator's position. The amendment of the Senator from Iowa recognizes the principle of States' rights. With this I am in sympathy. I believe we can work this matter out satisfactorily—with full regard for States' rights and yet with full assurance of the voting privilege to those in the Armed Forces. I do not have my amendment in writing, but I should like to suggest it and ask the Senator from Rhode Island what his position would be regarding such an amendment.

On page 13 of the bill, in line 14, I suggest striking out the word "States", and saying "a State." That is more or less technical, but the substance comes in the next line. Let me start by reading the sentence in line 12:

> Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him a State shall be determined to have made adequate provision for voting by such members if—

And this is where I would make the insertion—

> if the Governor of such State certifies on or before August 1, 1952, that the laws of his State provide for—

Then we could go on and enumerate the various provisions. Then on page 14, line 6, I would insert a period after the words "Procedure Act" and strike out the remainder of that paragraph.

Mr. GREEN. Mr. President, that is similar to an amendment which was proposed by the Senator from Iowa [Mr. HICKENLOOPER] this morning, and I consented to it, and for the same reason I am glad to agree to it as it is stated very clearly now by the Senator from Alabama.

Mr. HICKENLOOPER. Mr. President, will not the Senator from Alabama restate the amendment?

Mr. SPARKMAN. I will restate it, if the Senator from Rhode Island will yield to me for that purpose. I will ask the Senator to turn to page 13, line 12, and follow me:

> Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him a State shall be determined to have made adequate provision for voting by such members if the governor of such State certifies on or before August 1, 1952, that the laws of his State provide for—

And then I would set out the four different standards.

Then on page 14, line 6, after the words "Procedures Act", I would insert a

period and strike out the remainder of the sentence.

Mr. HICKENLOOPER. Mr. President, if the Senator from Rhode Island will yield, I think the Senator from Alabama is coming close to a provision upon which we all may be able to agree. I was about to suggest to the Senator from Rhode Island the possibility of this kind of a modification, taking the amendment which I submitted, and which applies to the first sentence of section 402 and leaving that in and then deleting the sentence beginning in line 12, reading "Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him." There I would insert a period. Then in line 14, strike out the word "States," and insert "A State"; and in line 15, strike out "they" and insert "it" so that it would read as follows:

A State shall be determined to have made adequate provision for voting by such members if it provides for (i) absentee voting on State ballots by all qualified voters of the State who are serving in the Armed Forces; (ii) a waiver of personal appearance for registration or any other purpose connected with voting on behalf of persons serving in the Armed Forces.

Then I would eliminate (iii), which refers to the post-card form, which will not be consistent in many States. Then I would continue on with (iv), which would then become (iii), and which would read:

The availability of absentee ballots for mailing to persons serving in the Armed Forces not later than—

I suggest not later than 25 days, because there are a substantial number of States which have a 25-day limitation. So that it would continue—

not later than 25 days before the last date on which such ballots will be counted.

Then I would continue:

In making the foregoing determination, the Secretary of Defense shall not be required to comply with the provisions of the Administrative Procedure Act, and he shall—

Which would mean deleting the words "may in his discretion"—

he shall base his determination as to any State on a certification of the governor of that State that his State meets the requirements of the (i), (ii), and (iii) provisions hereof filed with him on or before August 1, 1952.

The major point in that suggestion, as I have outlined it, is that it sets up the three standards which must be met. It removes the requirement for a specific form of post card, which would cause some trouble. Then it provides that the Secretary of Defense shall base his determination on the certification of the governor of each State that the absentee voting law in his State meets the three requirements set out. The Secretary of Defense would have no discretionary power to go beyond the certification of the governor that the State law meets those three necessary requirements.

If there is a possibility of coming to an agreement on that kind of a provision, so far as I am personally concerned, I should be willing to go along. I think it meets all the requirements.

The question of a specific post card may be at variance with the application requirements of various States, but under my suggestion the voter would in effect be told, "You do not have to appear to register"; absentee voters' ballots would be available; and a 25-day minimum would be fixed. The reason for suggesting 25 days is that there are a number of States which have a 25-day limitation, and in my judgment, with any kind of zeal or effort, 25 days would be sufficient.

Mr. GREEN. Mr. President, in the last war the 30-day period was found absolutely inadequate, so a 25-day limitation I think would make the enforcement of the law impossible because, as the Defense Department pointed out to us in the committee, the facilities now are inadequate for carrying mail rapidly to far-off places.

Mr. CASE. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. CASE. My reason for desiring to see some modification of the 45-day period is that the law of my State allows the filling of vacancies on the ballot up to within 30 days of the election. In every other respect, I think South Dakota would qualify. We encourage absentee voting. I voted by absentee ballot in the primary this spring, and in every way I am in sympathy with making ballots available.

Mr. GREEN. This bill would apply to men all over the world. No one can tell where the servicemen will be next.

Mr. CASE. The bill provides for the sending of ballots by air mail. Certain States have sought to try to provide for absentee balloting, and at the same time to make it possible to take care of late changes in candidacies.

Mr. GREEN. This facility is supplementary to State facilities. States could send State ballots to servicemen, as can be done now.

Mr. CASE. Suppose ballots were not available in 45 days.

Mr. GREEN. As I say, State ballots could be sent without this legislation. The State can send State ballots if such a system has proved adequate in the past and promises to prove adequate in the future. So in practice, if not in theory, the men are not deprived of the privilege of voting. The bill is meant to be a supplementary facility, so that when State absentee voting is inadequate because of local legislation in a certain State, the Federal ballot can be provided, and the men can vote for the candidates for the main offices, that is, President, Vice President, Senators, and Representatives.

Mr. CASE. Suppose a State were held not to meet this qualification because it did not have its ballots ready until 30 days before the election, and the Secretary of Defense said, "Because the ballots are not ready 45 days in advance, they are invalid."

Mr. GREEN. The servicemen would not be hurt even then. They would simply be given Federal ballots, and they could be returned to the proper place. If the State ballots reached them and were voted, the State ballots would be counted and the Federal ballot would be invalid.

Mr. CASE. The State ballot would be counted, and the Federal ballot would be thrown out?

Mr. GREEN. That is distinctly provided for in the bill.

Mr. CASE. And the State would not lose its right to accept a State ballot?

Mr. GREEN. No. No rights are taken away from the States. The bill is simply supplementary, to provide a chance for those in the armed services to vote, when otherwise they would lose an opportunity to do so.

Mr. CASE. If it were perfectly clear that the bill would not foreclose the sending of a State ballot——

Mr. GREEN. The bill is perfectly clear.

Mr. CASE. And if it were clear that the State ballot would be counted, I would have no objection to the 15-day difference.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Alabama.

Mr. SPARKMAN. I wish to inquire about the postcard provided for in subdivision (iii), the one the Senator from Iowa [Mr. HICKENLOOPER] suggested omitting. Am I in my recollection correct that the same form was used during World War II?

Mr. GREEN. I believe the Senator is correct.

Mr. SPARKMAN. Did it work satisfactorily?

Mr. GREEN. It worked, yes.

Mr. SPARKMAN. May I ask also about the time limit? I am somewhat in sympathy with the statement made by the distinguished Senator from South Dakota. As I recall, the law in my own State requires ballots to be ready not less than 30 days in advance of the time. As a matter of fact, I believe they are given until that time to get the ballots ready, with certification of the Secretary of State, printing by various offices, and so forth. Does the Senator remember that the same period was used in the voting law during World War II?

Mr. GREEN. A 30-day limit was used.

Mr. SPARKMAN. Was it found to be too brief?

Mr. GREEN. It was found to be unsatisfactory.

Mr. SPARKMAN. Of course, it must be remembered that in World War II there were many million troops abroad, in all parts of the world.

Mr. GREEN. For that reason, the Department of Defense made a special recommendation that the time should be 45 days. But this morning I yielded to a proposal of the Senator from Massachusetts [Mr. SALTONSTALL] that the time in this bill be reduced to 35 days.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. GREEN. I yield for a question.

Mr. HOLLAND. Mr. President, my statement will not be so simple as a question. I very much hope that the distinguished Senator will accept the suggested amendment proposed by the

Senator from Iowa. Along with other Senators, I have collaborated with him in trying to bring the thinking of the two groups of Senators together.

I call the attention of the Senator from Rhode Island to the fact that the two principal changes made in the new wording suggested by the Senator from Iowa are, I believe, both simple and clear, and in the interest of the preservation of the rights of the States. First, it eliminates two and a half lines which read:

> Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him.

That means that the standards set up by the bill would be all-inclusive and clear. There would not be leeway for bringing in something not discovered from an examination of the bill itself.

Mr. GREEN. It is limited to the four criteria stated.

Mr. HOLLAND. It is limited to any number of criteria stated.

The second change is in the wording on line 6, page 14, from "may, in his discretion," to "shall," meaning that the Secretary of Defense shall and must give full effect to the certificates of the various governors. It seems to me that that would be a very salutary proposal in two different ways.

Mr. GREEN. It depends upon what we mean the governor would be certifying.

Mr. HOLLAND. It would be a salutary proposal in two different ways. First, the certification would be made by someone who is fully familiar both with the law and the practices in his own State, an official of very high standing; whereas, in the other case, everyone knows that the Secretary of Defense cannot personally go into the minutiae of the details of voting requirements in all 48 States, and he would not do so. That work would have to be done, and will be done, in the very nature of things, by subordinates. This proposal would require that the governor, himself, in any State, could make a certificate, and that such certificate must be accepted by the Secretary of Defense.

Mr. GREEN. What would the certificate contain? What would the governor be certifying to? Would the certificate be with respect to the criteria set out in the bill?

Mr. HOLLAND. The Senator may recall that the new words were suggested after the word "State" in line 8. It would mean that the State had met the requirements set forth in subsections (i), (ii), (iii), or however many subsections there may be, before that.

I had some experience under the earlier law. I was serving at the time, along with other Senators now present, in the National Governors' Association. The Senator will note that even in this bill it is proposed that that organization or the Council of State Governments shall be a cooperating body to represent the States in this matter.

We found that the way the procedure was set up was cumbersome, and it did not work well. Only a very small percentage of the men voted. I am sure there was not a governor who did not think it could be done much better and much more effectively if more authority had been left to the Governor to ascertain quickly just what the law of his State provided, and to certify such information and then allow the Federal officials to take it at full face value and move ahead as rapidly as they could.

Mr. GREEN. Without these criteria, they could not move ahead.

Mr. HOLLAND. That is correct. There will have to be criteria. I fully agree with the distinguished Senator. I agree with the criteria he has stated, and I agree with the effort on the part of the Senator from Iowa to omit one of them because of discrepancies as to the form of notice as between what is provided in the bill and the laws existing in some States.

The closing comment I wish to make is that I am sure the Senate will find that States and the governors of States will not be trying to prevent people from voting, but will be trying, in every way within their power, to increase the number of soldiers who vote. As an example, I cite the fact that under the law of our State there was a constitutional requirement for personal appearance for registration before voting, which could not be waived. Notwithstanding that, ballots were eagerly encouraged by State officials and county officials, and the ballots of soldiers were received, accepted, and counted, notwithstanding the fact that there had not been registration by those young men who had come of age after they had left our State.

I am sure that we shall find that Florida was typical of all the States, and that in this instance the States will be anxious to cooperate in giving as wide effect as possible to the law.

I hope the Senator from Rhode Island will yield on this point and allow certification by governors of the States of the vital facts affecting their States. Unless that is done, I cannot support the bill, because I think that is the only proper way in which this question should be handled.

Mr. GREEN. I commend to the eminent statesman from Colorado [Mr. MILLIKIN] the statement of the Senator from Florida as to constitutional construction in Florida.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. MILLIKIN. I did not hear what the Senator from Rhode Island said.

Mr. GREEN. It is not important. The Senator may read it in the RECORD.

Mr. MILLIKIN. I should like to hear it, because I may wish to compliment the distinguished Senator on his wisdom.

Mr. GREEN. Earlier this afternoon the Senator from Colorado was speaking about strict constitutional construction. I drew to his attention the statement of the Senator from Florida [Mr. HOLLAND] with respect to the construction of the Florida Constitution.

Mr. HOLLAND. I am sure that the Senator from Colorado will not be heard making any statement which varies greatly from that which has just been made by the Senator from Florida. The Senator from Florida believes that it is extremely wise to bring the governors of the several States into the picture, and allow them to certify as to the situation in their respective States. He believes that that is the simple way, the constitutional way, and the effective way to bring about quick and uniform action. He does not have the slightest idea that the Secretary of Defense in Washington is going to make a personal search of the statutes of the various States.

Mr. GREEN. That was not the point.

Mr. HOLLAND. The Secretary of Defense does not know nearly as much about voting in the various States as do the governors. The Senator from Florida very seriously doubts if the Secretary of Defense would be as much interested in the voting of citizens from the respective States as would the governors presiding over those States. No one will be found more anxious than the governors to afford the citizens of their respective States the opportunity to vote.

Mr. GREEN. I had particular reference to the Senator's interesting statement that, notwithstanding a provision in the Constitution of Florida which required a personal appearance, the ballots were counted nevertheless.

Mr. HOLLAND. The Senator quoted me correctly. My statement was simply to the effect that I believe the States will be found leaning over backward in an effort to cooperate in the fullest measure in the administration of any kind of statute which is enacted. However, I do not believe that a statute can be enacted—it certainly cannot be enacted with the approving vote of the Senator from Florida—unless it gives effect to the certification of the governors of the various States as to what their laws provide and as to the adequacy of their laws under reasonable standards.

Mr. GREEN. Mr. President, I should like to have the Senator who made the first proposal for a change in the wording of section 402 state whether he could get together with the Senator who made the second proposal for a change and see if it is possible to reach a compromise.

Mr. HOLLAND. Mr. President, I beg the pardon of the Senator from Rhode Island. I did not understand his last statement. I do not believe any of us did.

Mr. GREEN. What I asked was whether there was any possibility of the Senator from Alabama [Mr. SPARKMAN], who made the first proposal, and the Senator from Iowa [Mr. HICKENLOOPER], who made the second proposal, getting together and agreeing, while still maintaining the principle of the bill.

Mr. SPARKMAN. I shall be very glad to consult with the Senator from Iowa and see if we can work out something which would contribute to the prompt passage of the bill.

Mr. GREEN. I do not know that it is at all likely, but I should be very sorry to disregard the possibility of it.

Mr. HICKENLOOPER. Mr. President, I have been talking with the Senator from Alabama. I do not believe that we are very far apart. I am perfectly willing to consult further with him.

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Mr. GREEN. It might be possible to avoid a vote on the amendment.

Mr. HICKENLOOPER. Mr. President, I do not think we can avoid a vote on the question of curing the inequities of the bill as it now stands, if they can be cured. I think probably there is a way to reach an agreement.

Mr. SPARKMAN. Mr. President, if the Senator from Rhode Island will yield to me, perhaps I can ask a question which will serve to clear up a part of the difficulty.

The Senator from Iowa has made specific reference to the requirement for a post-card application. I may have misunderstood him in his presentation, but I gather that his objection may have been due to a feeling that if the bill should be enacted into law with the requirement for a post-card form, as set out, it might require the individual States to modify their own requirements, under their normal absentee-ballot procedure, or make it impossible for the governor to sign the kind of certificate contemplated. That is not my understanding; and I should like to have the comment of the Senator from Rhode Island in that connection. It seems to me that the only provision relating to a post card is that the governor shall certify that his State will accept such post-card applications as valid applications for absentee ballots, if they are received properly made out. Am I correct in that assumption?

Mr. GREEN. The Senator is correct.

Mr. SPARKMAN. In other words, no change would be required in the absentee voting procedure of any of the States. The bill would merely provide assurance that post-card applications from members of the Armed Forces would be accepted.

Mr. GREEN. The Senator is correct. With that understanding, I hope the Senator from Iowa will be satisfied.

Mr. HICKENLOOPER. That is the very point. A number of States may have application forms specified by their own statutes; and neither the governor nor anyone else would have power to vary or alter the requirements of the law.

Mr. GREEN. Why could not the State of Iowa follow the example of the State of Florida, which construes, not a law, but the Constitution, in favor of the man overseas who wants to vote?

Mr. HICKENLOOPER. I assure the Senator from Rhode Island that the State of Iowa has been among those at the very top in liberality toward the idea of affording an opportunity to those in the armed services to vote. We have gone to great lengths. I believe that our law is very thorough and very extensive. It has been on the books for a great many years. The boys from Iowa are going to vote anyway. The question which we are discussing does not apply to Iowa. There is not a thing in the bill which would either hinder or aid an Iowa serviceman in voting. He is allowed ample time and ample opportunity. He usually receives at least three letters before election.

Mr. GREEN. I am sure that the Senator from Iowa is interested in voters from other States, as well as those from Iowa.

Mr. HICKENLOOPER. I am interested in the basic soundness and justice of the proposed legislation, and I am interested in keeping open the channels of voting, and keeping the authority to determine voting rights where it ought to be under the Constitution.

Mr. GREEN. That is what I assume.

Mr. HICKENLOOPER. I am not interested in emotional persiflage to the effect that we are against the right of soldiers to vote. That is all "hog wash," as we call it in Iowa. There is no Member of this body who does not want the soldiers to vote. We all want them to vote, and we are going to do everything we can to help them to vote.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. SPARKMAN. Let me see if my understanding is correct. I understand that a study has been made of the laws of the various States with reference to absentee voting, and that 43 of the 48 States have statutes which would permit the acceptance of the post-card application. The other five are, as I understand, in the situation of the State of Florida. Their laws on the subject are silent. Am I correct in that understanding?

Mr. GREEN. All accept post-card applications except Arkansas, Florida, Indiana, Montana, and Utah.

Mr. SPARKMAN. Let me ask one further question. Does any one of those States have a law which would forbid the acceptance of post-card applications?

Mr. GREEN. Not that I know of.

Mr. SPARKMAN. In other words, the question as to whether or not they are able to accept them simply does not arise. They can accept them under their laws, or under their failure to provide against it. Is that correct?

Mr. GREEN. I think that is very likely so, but I cannot say positively.

The PRESIDING OFFICER. (Mr. BUTLER of Maryland in the chair). The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER]. The yeas and nays have been ordered.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. SPARKMAN. As I understand, the pending question is on the amendment offered by the Senator from Iowa.

The PRESIDING OFFICER. That is correct.

Mr. SPARKMAN. I would be very happy if we could work out a compromise. However, in order that my amendment may be before the Senate I should like to offer it.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 13, to strike out lines 7 to 15, inclusive, and to insert in lieu thereof:

SEC. 402. Not later than August 1, 1952, the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard, by State absentee ballot. Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him, a State shall be determined to have made adequate provision for voting by such members if on or before August 1, 1952, the governor of such State certifies that the laws of his State so provide.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama.

Mr. HOLLAND. Mr. President, I should like to invite the attention of the Senator from Alabama to this fact. Under the wording which he has suggested, he still retains the catch-all provision, which would enlarge the fixed criteria in the bill to a larger and more indefinite field, namely, the words, "Unless the Secretary of Defense finds otherwise as a result of his consideration of such additional information as may be available to him." I believe those words should be stricken out, because they would prevent the handling of the matter strictly on the basis of certification by the governors.

Mr. STENNIS and Mr. SPARKMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield; and if so, to whom?

Mr. GREEN. I yield first to the Senator from Alabama.

Mr. SPARKMAN. Let me say in connection with the phrase to which the Senator from Florida has referred that I would have no objection to omitting the words and to providing a straight criterion that when the governor certifies it becomes the law.

Mr. MUNDT. I would have no objection to prescribing specific criteria, if we can agree on the criteria, and then have the Secretary of Defense controlled by the certification of the governors that those criteria are met.

There is just one further point. There must be application made for a ballot. I realize that fact. But I think that the reference to the post-card application as now in the bill is too specific. Perhaps the Senator from Florida and the Senator from Alabama can work out more elastic language as to the type of application. I would have no objection.

Mr. HOLLAND. As I understand the situation, the Senator from Alabama and the Senator from Iowa have agreed entirely on two principles, first, they have agreed that the certification by the governors of the States should be the basis of action by the Secretary of Defense.

Mr. HICKENLOOPER. The Senator is correct.

Mr. HOLLAND. And that the Secretary of Defense must act on that basis.

Mr. HICKENLOOPER. The Senator is correct.

Mr. HOLLAND. The words which would give the Secretary of Defense the right to look into other matters than those stated by the criteria would be omitted.

Mr. HICKENLOOPER. That is correct.

Mr. HOLLAND. The criteria in the bill would be complete in their coverage

of all the conditions that could be applied?

Mr. HICKENLOOPER. That is correct.

Mr. HOLLAND. I hope that the distinguished Senators may get together on the only point on which they are not yet together, and that is on the question of the applications for ballots. I believe they have met the two major questions.

Mr. HICKENLOOPER. Will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. HICKENLOOPER. The suggestion has been made that subsection (iii) be changed substantially as follows:

(iii) Acceptance, as valid applications for absentee ballots, of a form of application substantially conforming to the form of the post card set out in this act.

Mr. GREEN. Mr. President, I will accept the amendment.

Mr. HOLLAND. I will accept it.

Mr. SPARKMAN. Mr. President, I shall be glad to modify my amendment accordingly.

The PRESIDING OFFICER. The clerk will state the amendment as modified.

Mr. SPARKMAN. Perhaps I can be helpful in that connection. The amendment would be on page 13, line 12, to strike out the words beginning with the word "Unless" down to and including the word "act" in line 22.

Mr. MUNDT. Will the Senator from Alabama read the paragraph as it would then appear?

Mr. SPARKMAN. The paragraph would then read:

A State shall be determined to have made adequate provision for voting by such members if the governor of such State certifies on or before August 1, 1952, that the laws of his State provide for (i) absentee voting on State ballots by all qualified voters of the State who are serving in the Armed Forces; (ii) a waiver of personal appearance for registration or any other purpose connected with voting on behalf of persons serving in the Armed Forces; (iii) acceptance, as valid applications for absentee ballots, of a form in substantial conformance with the post card form provided pursuant to this act.

Mr. MUNDT. As I understand the amendment of the Senator from Alabama, it eliminates the provision in lines 12 and 13, on page 13, that—

Unless the Secretary of Defense finds otherwise—

And so forth.

Mr. SPARKMAN. That is correct; and then in line 6, on page 14, a period would be inserted after the word "act" and the remainder of the sentence would be deleted.

Mr. HICKENLOOPER. Mr. President, will that amendment leave intact my amendment to the first sentence of section 402?

The PRESIDING OFFICER. The Chair is advised that the amendment of the Senator from Alabama [Mr. SPARKMAN] would not affect at all that part of the amendment of the Senator from Iowa.

Mr. HICKENLOOPER. A part of my amendment was to strike out all after the period in line 12, on page 13.

The PRESIDING OFFICER. That is the part which has been perfected; the amendment of the Senator from Alabama is a perfecting amendment to that part of the amendment of the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, at this time I ask unanimous consent to withdraw the part of my amendment which will strike out all of section 402 after the period after the word "ballot," in line 12, on page 13. If unanimous consent to do that is given, then the amendment of the Senator from Alabama will apply thereafter.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Iowa? Without objection, it is so ordered.

Mr. HICKENLOOPER. Just a moment, Mr. President; I wish to ask a question. Do I correctly understand that the present parliamentary situation is that at this time two amendments have been offered to section 402 of the bill? In other words, I have offered an amendment to the first sentence of section 402.

The PRESIDING OFFICER. That amendment has been agreed to——

Mr. HICKENLOOPER. No, I do not believe it has been agreed to, Mr. President.

The PRESIDING OFFICER. At least, that part of the amendment of the Senator from Iowa is not affected by the perfecting amendment which has been submitted by the Senator from Alabama [Mr. SPARKMAN].

Mr. HICKENLOOPER. That is correct. The Senator from Alabama has offered an amendment to the remaining portion of section 402. My amendment to the first sentence of section 402 provides, in effect, that—

Not later than August 1, 1952, the Secretary of Defense shall cause to be published in the Federal Register a list of States which he has determined, based upon the certification of the governor of each State, to have made adequate provision for voting by members of the Army, Navy, Marine Corps, Air Force, and Coast Guard by State absentee ballot.

The PRESIDING OFFICER. That is the pending amendment.

Mr. HICKENLOOPER. That is the way that sentence of section 402 will read, if my amendment to that section is adopted.

Mr. SPARKMAN. That is correct.

The PRESIDING OFFICER. That is the pending amendment.

Mr. SPARKMAN. Yes.

Mr. HICKENLOOPER. Then the amendment of the Senator from Alabama is offered to the second part of section 402.

Mr. SPARKMAN. That is correct.

Mr. HICKENLOOPER. Mr. President, I suggest that the two amendments be combined.

The PRESIDING OFFICER. Does the Senator from Iowa wish to withdraw his request for the yeas and nays on the question of agreeing to his amendment?

Mr. HICKENLOOPER. Mr. President, so far as I am concerned, if the two amendments can be combined, and if there is no objection to having them combined, I withdraw my request for the yeas and nays. If there is objection to the combining of the two amendments, I insist on having the yeas and nays.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the two amendments may be consolidated, and that the order for the yeas and nays be vacated.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question now is on agreeing to the amendment of the Senator from Iowa, as amended or modified by the amendment of the Senator from Alabama. [Putting the question.]

The amendment, as amended, was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment, which I ask to have read.

The VICE PRESIDENT. The clerk will read the amendment.

The Chief Clerk read the amendment, as follows:

On page 2, strike out all in lines 18–25, inclusive, and insert in lieu thereof the following:

"SEC. 201. The Congress hereby expresses itself as favoring and recommends that each of the several States take immediate legislative or administrative action to permit each person who is eligible to vote in any election district or precinct, but who is absent from his place of residence because of his service in or with the military service of the United States, his service or employment in connection with any Federal defense activity outside the continental United States, or his participation in academic activity abroad under Federal sponsorship, to vote by absentee ballot in any primary, special, or general election held in his election district or precinct."

On page 3, lines 12–13, inclusive, immediately after the words "United States", insert a comma and the following: "serving or employed in connection with any Federal defense activity outside the continental United States, or participating in academic activity abroad under Federal sponsorship."

On page 3, line 15, immediately after the words "United States", insert a comma and the following: "serving or employed in connection with any Federal defense activity outside the continental United States, or participating in academic activity abroad under Federal sponsorship."

On page 6, in the form following line 2, strike out all in numbered paragraph (4) thereof and insert in lieu thereof the following:

"(4) I am (check appropriate blank)—

"(a) in the Armed Forces of the United States ( );

"(b) in the merchant marine of the United States ( );

"(c) serving or employed in connection with a Federal defense activity outside the continental United States ( );

"(d) participating in academic activity abroad under Federal sponsorship ( );

"(e) a spouse or dependent of an individual listed in (a), (b), (c), (d), or (e) (circle appropriate ones) ( );" and

On page 8, in the form following line 2, strike out all in numbered subparagraph 5 (d) thereof and insert in lieu thereof the following:

"(d) Civilians serving or employed in connection with Federal defense activity outside the continental United States.....

"(e) Civilians participating in academic activity abroad under Federal sponsorship....

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"(f) Spouses and dependents of the foregoing ----------"

On page 9, line 11, immediately after the words "United States", insert a comma, and the following: "serving or employed in connection with any Federal defense activity outside the continental United States, or participating in academic activity abroad under Federal sponsorship."

On page 9, line 23, immediately after the words "United States", insert a comma and the following: "serving or employed in connection with any Federal defense activity outside the continental United States, or participating in academic activity abroad under Federal sponsorship."

On page 10, line 9, immediately after the words "United States", insert a comma and the words "or whose civilian service, employment, or activity."

On page 11, in the form following line 2, strike out the last line of numbered paragraph (2) thereof, and insert in lieu thereof the following:

"serving or employed in connection with a Federal defense activity outside the continental United States [ ]

"participating in academic activity abroad under Federal sponsorship [ ]

"a spouse or dependent of [ ]"

On page 23, between lines 2 and 3, insert the following new subsections:

"(d) The term 'service or employment with any Federal defense activity outside the continental United States,' when used in regard to any person, includes (i) any person engaged in any service with or employment by any independent contractor, at any place outside the continental United States, in connection with any project undertaken for or on behalf of the United States or any department or agency thereof in aid of the Armed Forces of the United States or for national defense purposes, and (ii) the spouse and dependents of any such person.

"(e) The term 'academic activity abroad under Federal sponsorship,' when used in regard to any person, includes (i) any person attending as a student or serving as an instructor or professor at any institution of learning in any foreign country pursuant to any statute of the United States specifically providing for or authorizing such activity, and (ii) the spouse and dependents of any such person."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, this amendment, while rather extensive in its wording, is merely a rewording of section 201 to include two new categories of individuals in the recommendations to the respective State legislatures; one group being those persons employed on defense projects outside the continental limits of the United States; second, those students who may be on exchange fellowships, such as the Fulbright scholarships, in other parts of the world.

This amendment is offered at the request of a large number of people. For example, in Greenland at the present time there are four large construction companies that are employing hundreds—in fact, thousands—of building tradesmen and laborers. Many of these men happen to be from my State, and many of them are from other sections of the United States. They have found out that they are not entitled to vote. I inquired of the secretary of state of Minnesota as to whether citizens of our State working on a defense project in Greenland, Morocco, or wherever else it may be, were entitled to a vote. The question was referred to Mr. J. A. A. Bernquist, the attorney general of the State of Minnesota, and I have in my possession an affidavit from Mr. Bernquist, in which he says the answer is "No."

Mr. President, this is the same sort of problem encountered in connection with military service. So what my amendment proposes is merely to include, along with those who are in the armed services, those who are working on defense projects outside the continental limits of the United States and students under scholarships provided by Government funds.

I want to make it clear that this amendment is not mandatory. It is an amendment to the section of the bill which consists only of recommendations to governors and legislatures. Consequently, it would have no immediate effect, except with regard to advice and counsel, which this bill provides in its earlier pages and in title I.

I have talked to the chairman of the committee, who tells me that he is willing to take this amendment to conference. I believe it to be a desirable amendment, and I think it will work toward the general good of the legislation to be considered by the State legislatures.

I merely want to say one final word, Mr. President. That is, that the amendment, as read by the Chief Clerk, applies to the different sections of the bill the wording that is found in the first section which was read.

Mr. HENDRICKSON. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield to the Senator from New Jersey.

Mr. HENDRICKSON. Does the junior Senator from New Jersey correctly understand that this amendment deals with the recommendations provided for in the bill?

Mr. HUMPHREY. That is correct. It would amend the title of the bill containing a body of recommendations.

Mr. President, if I may have the attention of the Senator from Rhode Island, I may say that I discussed this amendment with him. I believe it fits in with the purposes and context of the bill, and I hope he will take it to conference, and see whether it cannot be adopted there.

Mr. GREEN. I think the amendment proposes two very desirable additions, but only two. There are others which I trust the various State legislatures will take into consideration.

The VICE PRESIDENT. The question is on the amendment of the Senator from Minnesota [Mr. HUMPHREY].

The amendment was agreed to.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement on the pending bill, which I had intended to give as a short talk, but rather than take the time of the Senate, I merely ask that it be printed in the RECORD at this point in my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

I am particularly happy to join in sponsoring S. 3061, a bill to guarantee the right of the men and women of our Armed Forces to vote, because it is a bill directly supporting our representative form of Government. A republic's strength is derived from the ability of its citizens to exercise their fundamental right to vote.

These are peculiar times in the history of our Nation. We are not in a state of total war, and yet the national emergency is real, and present, and affects the life of every one of us. Hundreds of thousands of American patriots are serving their country overseas in capacities which are essential not only to our country's security, but to the security of the whole free world. These Americans are devoted to their country's service, many of them offering their lives, and it will be inexcusable if their Congress fails to repay their devotion, at least in part, by guaranteeing their inalienable right to vote. They want to vote (I have correspondence from servicemen and others asking to be allowed what they ought to expect by right) and it is necessary that they be assisted by their Congress in every way possible.

In this crucial period of ideological struggle, the United States of America must demonstrate clearly and repeatedly that our free institutions are protected and inviolate. This is more than a domestic, political issue or a matter of ballot-box mechanics. Our principles are in display before the world. American men and women abroad are closer to the people of the rest of the world than most of us here at home can hope to be—closer, even, perhaps, than our diplomatic servants. What better demonstration of our free elections can there be to a foreign world than to have those Americans representing us abroad exercise effectively their right to vote? We have no other choice. Are we to permit our servicemen and women to say, "Yes, I support the free institutions of my country. I support them so much that I am willing to lay down my life for them. But I won't be able to vote in the election this year because I'm not in my home State just now."

The Constitution makes it an obligation of the States to determine the voting requirements of its citizens. However, the Constitution leaves no doubt that this is an obligation. The report of the Special Committee of Political Scientists assisting the President makes it clear that many States do not make adequate provisions to insure the franchise of its absent citizens. At least half the States fail in this respect. This is a statement from our own committee. Twenty States do not allow adequate time between the mailing and the counting of absentee ballots. Eleven of these allow 30 days, eight allow even fewer days. The senatorial committee and the Committee on Political Scientists agree that 45 days is the minimum amount of time that should be allowed.

It has been argued that, with modern air mail arrangements, less time is needed for transmission of ballots. This line of argument misses the point. It is not so much the time of transit of the ballots that is crucial, but rather the time required to forward and reforward mail due to the movements of military forces. Further, the mails require more transit time now than they did during World War II when it was established by Congress that 45 days are necessary. If 45 days were necessary then, at least that many are required now.

Nor is the argument valid that the States will do what is necessary to allow enough

time for absentee voting. Congress recommended to the States in 1944 and again in 1946 that they allow 45 days, and you have heard the record—20 States are still delinquent.

The States are delinquent in other ways also. Seven States require personal registration. This makes it impossible for Armed Forces personnel outside continental United States to vote at all, in these 7 States. Five States do not accept post-card applications for ballots. Three do not allow absentee voting by all servicemen. Nine States other than those listed above have two or more of these deficiencies. All in all, 25 States, over half, do not assist their service men and women in absentee voting according to standards which I am sure we all agree are reasonable and necessary. Recommendations to the States, alone, are not sufficient to remedy this situation. Some States are unable to legislate effectively this year and others cannot act in time for the elections this fall. Clearly a temporary Federal provision is indicated for those States which will not have adequate legislation by the time of the elections.

The present Federal legislation is also unequal to the task. I shall not go into a detailed analysis of the present law other than to explain that it is essentially peacetime legislation, and does not realistically reflect the current state of emergency. The Federal provision of 1946 became inoperative with the signing of the Japanese Peace Treaty. Since that time the Congress has extended its provisions through special legislation, but this legislation lapses on June 30 of this year, and cannot serve for the fall's elections.

The Rules Committee has pointed out most ably that in this situation when the States fail, the duty to insure the franchise of Americans serving their country abroad devolves on the Federal Government. This is reasonable since in the majority of cases these Americans are performing a Federal duty, incurred as a result of the rights of citizenship. The Federal Government must assume the obligation of guaranteeing these rights while the citizens are so serving their country. In the committee's words, S. 3061 is an "exercise of Congress' constitutional power and duty to give our soldiers, sailors, and airmen the right to vote where the States fail to do so." This is essentially the same situation and the same principle as in 1942 when the Congress recognized its responsibility and enacted the first absentee voting law for members of the Armed Forces.

In the President's message of March 28, 10 points were set forth as being necessary for proper Federal absentee voting legislation. These points were submitted as a result of the study made for the President by the American Political Science Association. The bill we have before us today includes provisions corresponding to every one of the 10 points.

These points are the rights to—

(1) Vote without registering in person.

(2) Vote without paying a poll tax.

(3) Vote without meeting unreasonable residence requirements.

(4) Vote without meeting unreasonable literacy and educational requirements.

(5) Use the Federal post card application for a ballot.

(6) Receive ballots for primary and general elections in time to vote.

(7) Be protected in the free exercise of their voting rights.

(8) Receive essential information concerning candidates and issues.

(9) Receive essential information concerning the methods by which the right to vote may be exercised.

(10) Receive essential information on the duty of citizens in uniform to defend our democratic institutions by using, rather than ignoring, their voting rights.

Previous acts contained the right principles but were administratively unworkable. This act is eminently clear and simple to administer. It does what it is supposed to do and does it well.

In an article from the New York Times, which I inserted in the RECORD on April 24, it was estimated that fully one-half of our men and women in the Armed Forces will be unable to vote this year unless State laws are quickly and drastically changed, or suitable Federal laws are enacted. We have seen that it is now so late that there is not enough time for many States to make such changes, and unfortunately some of the remaining States are unwilling to do so. Federal legislation is requisite. I have here an article and an editorial from the New York Times of this morning which point out that this legislation must be enacted immediately. I quote from the editorial. "What is proposed is plain justice. It is hard to see how any Senator or Representative can properly oppose it. The service personnel and their friends and relatives—and indeed all who believe in fair play—have a right to expect early action." I ask unanimous consent that the remainder of these articles be placed in the RECORD at this point.

The Congress must not shrink from this responsibility to support the Republic. I strongly urge passage of S. 3061.

Mr. SMITH of North Carolina. Mr. President, I wish to call up my amendment. I understand that substantially, if not entirely, it has been accepted.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out section 410, lines 14 and 15, on page 21, reading as follows:

The provisions of this title shall expire on December 31, 1952.

Mr. GREEN. Mr. President, I accept the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. SMITH].

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill (S. 3061) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to permit and assist members of the Armed Forces, and their families, to exercise their voting franchise, and for other purposes."

HOUR OF MEETING TOMORROW

During the debate on the soldiers' voting bill,

Mr. JOHNSON of Texas. Mr. President, I desire to ask the Senate to modify a unanimous-consent agreement previously entered into. After discussions with the chairman of the Judiciary Committee and with the calendar committee of the minority, it has been agreed that it would suit the convenience of more Senators if they were to modify the unanimous-consent agreement to meet at 12 o'clock tomorrow by changing the hour of meeting to 10:30 a. m. Therefore, I ask unanimous consent to modify the agreement heretofore entered into in regard to the session tomorrow by striking out "12 o'clock" and inserting "10:30 a. m."

The PRESIDING OFFICER. Is there objection?

Mr. GEORGE. Mr. President, may I inquire where the call of the calendar is to begin?

Mr. JOHNSON of Texas. Under the order previously entered on June 13, it will begin with Calendar No. 1550, Senate bill 2903.

Mr. GEORGE. I hope the Senator will include a request that the calendar be called from the beginning, because certain bills on the calendar have not been called for some time. I do not believe that it would require very much time to call the unobjected-to bills on the first five or five pages of the calendar, since the bills will either be passed or objected to promptly. In the latter case, they would be passed over. So I hope the Senator may include a provision that the calendar is to be called from the beginning. It may be the last call of the calendar we shall have during this session.

Mr. JOHNSON of Texas. I may say to the Senator from Georgia that that suggestion was made to the acting majority leader, but, since the Senator from Arizona [Mr. MCFARLAND] had stipulated that the call of the calendar would begin with order No. 1550, the Senator from Texas hesitated to attempt to modify an order which had been made at the request of the distinguished majority leader. Moreover, after consulting with members of the calendar committee, I concluded that they would object to going back to the beginning of the calendar, because several members were interested in certain bills preceding order No. 1550, and they did not feel that the order should be modified. It is the opinion of the Senator from Texas that nothing would be gained by modifying the previous order in that respect, in view of the attitude of the calendar committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered. The unanimous-consent agreement is modified by changing the hour of meeting tomorrow from 12 o'clock to 10:30 a. m.

Mr. JOHNSON of Texas. Mr. President, on the assumption that the unanimous-consent agreement providing for a call of the calendar tomorrow at 10:30 a. m. will in effect suspend proceedings during the morning hour, I ask unanimous consent that when the Senate concludes its business today it adjourn to meet at 10:30 o'clock tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE INTERNATIONAL LABOR ORGANIZATION CONVENTION ON SOCIAL SECURITY AND SIMILIAR CONVENTIONS

Mr. MURRAY. Mr. President, I have taken note of Concurrent Resolution No. 83, submitted by the distinguished Senator from Ohio [Mr. BRICKER] calling for the United States delegates to the

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International Labor Conference to oppose the ILO Convention on Social Security and similar conventions. The resolution also requests that United States delegates to the conference should not vote for conventions or recommendations which prejudice the Federal-State character of our constitutional government, are incompatible with our constitutional principles or tend to replace our competitive free enterprise system with a Government-controlled economy.

To my knowledge, the United States delegates to conferences of the ILO, and other international bodies, have never voted for any convention or treaty which would do any of the things which Senator BRICKER's concurrent resolution would forbid. All such conventions and treaties are always carefully studied from the standpoint of their effect on the Constitution and laws of the United States.

I am very much concerned and interested with respect to this resolution, not only as a United States representative to the most recent ILO conference at Geneva but also as chairman of the Senate Committee on Labor and Public Welfare, to which committee the resolution has been referred.

Since the resolution involves matters of grave concern, and contains implications of such a far-reaching character, I am sure that the committee will wish to give it careful study. Of course, unless and until the committee acts to report the resolution favorably to the Senate, it represents only the views of the distinguished junior Senator from Ohio, Senator BRICKER.

I ask unanimous consent that Senate Concurrent Resolution 83 be printed in the RECORD at this point.

There being no objection, the text of Senate Concurrent Resolution 83 was ordered to be printed in the RECORD, as follows:

Whereas the delegates appointed to represent the Government of the United States at conferences of the International Labor Organization have from time to time voted for the adoption of conventions which may prejudice the Federal-State character of our constitutional Government; and

Whereas such delegates have also voted for conventions designed to promote a collectivist state and a controlled economy in place of our system of free competitive enterprise; and

Whereas certain conventions which are supported by the United States Government delegates are inconsistent with legislation enacted by the Congress and by the several States, or are in conflict with clear legislative intent evidenced by rejection of proposals of the kind contained in such conventions; and

Whereas there is a convention to be voted on in June 1952 designed to impose binding international standards for programs affecting the purely domestic affairs of our citizens, including old-age and survivors' benefits; old-age assistance; workmen's compensation; unemployment compensation; employment services; medical care and sickness benefits; maternity benefits; and family allowances, some of which Congress has specifically provided for, some of which Congress has recognized as appropriate only for determination by individual States, and some of which Congress and State legislatures have determined as appropriate for private rather than public action; and

Whereas this convention is prejudicial to our present voluntary social-security programs such as hospital service programs, prepaid surgical and health insurance programs, and all other voluntary free enterprise approaches to health insurance and health services despite their effective operation and widespread acceptance by our citizens; and

Whereas Senate ratification of such convention would require Congress to abdicate vital responsibilities in the field of social security, and lead to the adoption of programs contained in the convention which would vest Government control over the personal lives and liberties of American citizens incompatible with American freedom: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

First, delegates of the United States Government to the Thirty-fifth Conference of the International Labor Organization should oppose the International Labor Organization Convention on Minimum Standards of Social Security and all other conventions or treaties of a similar character; and

Second, such delegates should not vote in favor of any proposals—whether in the form of recommendations or conventions (1) which may prejudice the Federal-State character of our constitutional Government, or (2) which are incompatible with our basic constitutional principles, or (3) which tend to replace our competitive free-enterprise system with a Government-controlled economy.

DEVELOPMENT OF OIL AND GAS RESERVES OF THE CONTINENTAL SHELF

Mr. SMATHERS. Mr. President, I ask unanimous consent to submit for appropriate reference an amendment intended to be proposed by me to Senate bill 3306, the so-called interim measure introduced by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. President, I believe that the Senate will override the President's veto of the Holland bill. However, it will be close. There is a possibility that because of absentees we may not override the veto. In the event that that unhappy occurrence should result, I am today offering this amendment. One of the reasons why sufficient votes may not be obtained to override the President's veto—and there is that chance—is the very appealing nature of the amendment submitted by the Senator from Alabama [Mr. HILL] to the original interim bill introduced by the Senator from Wyoming.

Of course, Mr. President, everyone is interested in education, and that should be the case. Almost everyone recognizes that the teachers of the Nation are in a sad plight. In many instances the teachers do not receive as much pay for their services as do the garbage collectors who collect garbage in the communities in which the teachers live. It is because of this lack of funds for the educational systems within our Nation that a large percentage of teachers have left the teaching profession and have entered other fields. Each of us recognizes that this exodus of teachers from the teaching profession is dangerous and that something should be done to stop the trend and again to make the teaching profession the honored, productive, and satisfying profession it obviously should be.

I am sure it was because so many Senators feel that way, that they were naturally attracted to the amendment submitted by the Senator from Alabama [Mr. HILL] to the original interim bill introduced by the Senator from Wyoming [Mr. O'MAHONEY]. The amendment of the Senator from Alabama provided that 62½ percent of the funds realized from the leasing of the submerged lands should go into a national education fund for the improvement of education.

The position of the Senator from Alabama is that these submerged lands do not belong to the States, but belong to the public; that they are part of the public domain; and that the proceeds from the leasing of those lands should be used by all the people of the Nation for improved education for our young people.

It has occurred to me, Mr. President, that this principle of using the proceeds from the leasing of the public domain should not be limited in its application to just a few States. It should not be restricted to the coastal States, for to take from them the land which the people of the coastal States have always believed belonged to them, and to give into the Federal education fund 62½ percent of the proceeds of the leases on that land, seems to me to be discriminating against the people of the coastal States, if we do not apply the same principle to, and do not require an equal sacrifice from, the people of all the other States. If the principle of aiding education is a sound one, then the policy of contributing to the fund should be followed without regard to the geographic location of States.

Because I think the principle of contributing to an education fund is sound, and because I feel that the majority of Members of the Senate share this belief, and because I am certain that they believe it is not fair to ask only the coastal States to make this contribution, I have submitted this amendment, which provides that in the future 62½ percent of the money realized from the leasing of any "public domain" lands in any State or Territory of the United States will go into a public lands education fund.

To follow this principle of allowing all States to contribute to the "aid to education fund," as envisioned by the Senator from Alabama [Mr. HILL], we must amend the Mineral Leasing Act of 1920. That act provided that the proceeds from leases entered into by the Federal Government for the exploration and development of oil and gas and other minerals on land owned by the Federal Government should be divided by having 37½ percent returned to the State within whose boundaries the oil, gas, or other mineral was discovered 52½ percent go into the Reclamation Fund for the exclusive use of the 17 States designated as reclamation States, and the 10 percent balance go into the Fed-

eral Treasury, part to be used to cover the ordinary cost of operating the leasing under the Mineral Leasing Act.

In the fiscal year 1951, approximately $34,343,107.19 was received by the Federal Government from leases for oil and gas exploration within the public domain located in States all over the United States. Of this amount, the States and counties which encompassed the gas and oil lands on which the leases were made, received their 37½ percent, as provided under the Mineral Leasing Act of 1920.

This amounted to nearly $13,000,000. For the same period of time, under the provisions of the Mineral Leasing Act of 1920, the reclamation fund received from this leasing of public domain lands its 52½ percent, or approximately $18,000,000. Under the provisions of the Mineral Leasing Act, the $18,000,000 flowed back into the 17 States which make up the reclamation district, and those States received that money, even though some of the money was realized from leases of the public domain outside those 17 reclamation States. Under the Mineral Leasing Act it has been possible for certain Midwestern States to receive up to 90 percent of the proceeds of a lease on public domain property, and to have this money be used for the development of those States; and yet States outside the reclamation district can receive, at most, 37½ percent.

Mr. President, certainly it is not the intention of the Members of the Senate to set up a different standard of distribution of public moneys as between the States. If the proceeds from leases on public-domain lands within a coastal State are to go to a national education fund, then is it not fair to have the moneys received from leases on public-domain lands within the boundaries of the inland States also go into the same fund?

Mr. President, in order to give Senators an opportunity to vote not only on this most laudable principle of aid to education by the use of proceeds from the leases of public-domain lands, but also in favor of equal sacrifices on the part of both inland States and coastal States in behalf of this great cause, I am today submitting this amendment, so that Senators will be able to show their good faith and will be able to demonstrate a fair-minded approach to this very important legislative matter.

There being no objection, the amendments submitted by Mr. SMATHERS to the bill (S. 3306) to provide for the development of the oil and gas reserves of the Continental Shelf adjacent to the shores of the United States, to protect certain equities therein, to confirm the titles of the several States to lands underlying inland navigable waters within State boundaries, and for other purposes, were received, referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

Mr. LONG. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. It would seem to the junior Senator from Louisiana that, if the policy is to be pursued that all revenue coming from Federal lands should be used for the benefit of all the people, it would certainly be an unfair discrimination to use only the revenue from the submerged lands that would be taken from a few coastal States for the benefits of all the people, when other States do not have to do their share. The State of Louisiana received $20,000,000 in the way of benefits from the submerged lands now claimed by the Federal Government. However, by way of contrast, the State of Wyoming has received $100,000,000 of benefit from Federal lands, when no one ever doubted the Federal Government's title to the lands in that State. As the Senator well knows, if this is to be considered, there are perhaps the possibilities of producing 100 times as much in the way of minerals from interior lands as there is from submerged lands along the three coastal States, where it is believed by some that the oil may be of vast value.

Mr. SMATHERS. I thank the Senator from Louisiana. I yield the floor.

HOSPITAL CENTER IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 7496, Calendar No. 1654.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 7496) to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1957, the period for authorization for appropriations for carrying out the purposes of the act as amended.

Mr. PASTORE. Mr. President, all the bill now before the Senate does is to extend the time for erecting the hospital center from June 30, 1952, to June 30, 1957. A similar proposal was before the Senate in 1946. The law was amended at the last session of the Congress in order to allow certain private hospitals to participate in the program.

The objective of the proposed legislation has already been passed upon by the Senate. I might say for the information of Senators that originally the bill provided an authorization of $35,000,000 to carry out the provisions of the original legislation which was passed on August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia.

To this date, we have been notified by the Commissioner of Public Works, that of this authorization annual appropriations totaling $2,200,000 and a contract authorization of $19,500,000, a total of $21,700,000, have been made available. The legislation will expire on June 30, 1952, and the purpose of the pending bill is to extend it for an additional 5 years.

Mr. CASE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CASE. Is it not a fact that all the bill does is to extend the time so that the hospitals which are already at work, preparing plans and working out programs to comply with the provisions of the law which the Congress enacted a year ago, may complete their work?

Mr. PASTORE. The Senator is correct.

Mr. CASE. As hospital construction is highly technical, it takes some time for the architects to work out the plans and for the corresponding financial plans to be perfected.

Mr. PASTORE. Mr. President, I suggest that the Senator from South Carolina [Mr. JOHNSTON] had an amendment making the final date 1955 instead of 1957, and I was willing to accept his amendment, but I notice he is not on the floor of the Senate at this time so I shall offer an amendment to modify the date in the bill in order to make it June 30, 1955, instead of June 30, 1957. I think that will satisfy the Senator from South Carolina.

Mr. STENNIS. Mr. President, does this amendment satisfy the objections to the bill the Senator from South Carolina had?

Mr. PASTORE. Yes. As a matter of fact, he had two amendments, but he was willing to abandon one if I would agree to accept the shorter period of 3 years instead of the period of 5 years.

Mr. STENNIS. Does this entirely satisfy him?

Mr. PASTORE. It satisfies him, to the best of my understanding.

Mr. HOLLAND. Mr. President, the Senator from Mississippi has asked the same questions I had in mind to propound. If the Senator from Rhode Island assures the Senate that the change he has suggested takes care of the objection of the Senator from South Carolina, I have no objection to the bill.

Mr. PASTORE. I give him that assurance.

Mr. FREAR. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. FREAR. The bill makes no appropriation, does it?

Mr. PASTORE. It merely extends the original authorization. No further appropriation is made, and no further authorization is provided for.

Mr. President. I move to amend the bill in the particular I have suggested.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 7, it is proposed to strike out "1957" and insert "1955."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 7496) was read the third time, and passed.

The title was amended so as to read: "A bill to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia,

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as amended, so as to extend to June 30, 1955, the period for authorization for appropriations for carrying out the purposes of the act as amended."

Mr. JOHNSTON of South Carolina subsequently said: Mr. President, I happened to be out of the Chamber attending a conference committee meeting on an appropriation bill when the hospital bill was under discussion. I simply wish the RECORD to show that if there had been a record vote I would have voted against the bill. I do not believe in mixing church and state.

APPROVAL OF CONSTITUTION OF PUERTO RICO

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate Joint Resolution 151, Calendar No. 1651.

The VICE PRESIDENT. The clerk will state the joint resolution by title.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 151) approving the constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Interior and Insular Affairs with an amendment.

Mr. JOHNSON of Texas. Mr. President, I should like to make an announcement. The senior Senator from Wyoming [Mr. O'MAHONEY], is occupied in a committee meeting, and I have told him that I would make Senate Joint Resolution 151 the unfinished business, but that it would go over until Monday, in view of the fact that he is detained, and in view of the fact that it is now 5 o'clock in the afternoon. So, if the Senator from Oregon [Mr. MORSE], wishes to speak at this time, I hope he will be recognized, and as soon as he concludes I shall move that the Senate adjourn.

The VICE PRESIDENT. In view of the unanimous-consent agreement heretofore entered into about calling the calendar tomorrow at 10:30 o'clock instead of 12 o'clock, the Chair assumes that that contemplated the suspension of the morning hour which usually is in order after an adjournment.

Mr. JOHNSON of Texas. I made that statement to the Chair at the time the agreement was modified.

The VICE PRESIDENT. The present occupant of the chair was temporarily absent at the time the Senator made his announcement.

GOVERNMENT CIVILIAN PERSONNEL AND THE HOOVER COMMISSION REPORT

Mr. DWORSHAK. Mr. President, on Wednesday, during the debate on the reorganization plans, the junior Senator from Oklahoma [Mr. MONRONEY] made the following comment, which appears on page 7512 of the CONGRESSIONAL RECORD:

> Thus far today the Senate has overwhelmingly voted, largely by means of the vote of the Republican Members of this body, to refuse to remove the patronage system from the appointment of approximately 20,000 first-class, second-class, and third-class postmasters.

Mr. President, I call attention of the Senate to the fact that that statement is erroneous, because analysis of the roll call shows that 28 Democrats and 28 Republicans voted against the plan. I am sure the junior Senator from Oklahoma would not want his statement to stand unchallenged, because I am certain he believes in accuracy.

Mr. President, during the extensive debate on the reorganization plans, many Members referred to circular letters issued by the Citizens Committee for the Hoover Report. I have profound regard for the Hoover Commission and the splendid work it has done. Likewise, I recognize that the Citizens Committee for the Hoover Report endeavored to do what it could to crystallize sentiment throughout the United States in favor of the various reorganization plans which reflected recommendations made by the Hoover Commission. However, it is extremely unfortunate that the Citizens Committee resorted to many statements which are not in complete accord with the facts.

As I have said, I have a profound regard for the work of the Hoover Commission, but this does not mean that I am willing to accept every recommendation which it made. I voted against the Reorganization Plans 2, 3, and 4 because careful examination of the facts will reveal that these plans are not reorganizations and would not take these appointments out of politics or effect any real economies.

Elimination of confirmation by the Senate takes away from representatives of the people any check on the qualifications of such appointments. Instead of eliminating political considerations, unlimited authority would be placed in members of the Cabinet who are selected primarily because of their political capacity.

Any plan which would enable the Postmaster General to select all of the postmasters would eliminate any local consideration and would establish a bureaucratic iron curtain in Washington. These plans are definitely a trend toward greater concentration of power in the executive branch and would inevitably take Government further away from the people themselves.

It was apparent during the hearings before the Committee on Government Operations, as well as during the Senate debate, that the Citizens Committee for the Hoover Report has engaged in extensive lobbying in support of these three plans. This group recently stated that if these plans were rejected "the taxpaying citizens of America will be confronted with a shocking betrayal of their interests." This is a most intemperate statement which is not justified because the plan for postmasters did not offer any evidence of economy or greater efficiency. Most of the postal employee groups expressed apprehension that not only would there be no improvement in morale, but under plan No. 2 political patronage would reach a new high in American political history.

I should like to call attention to a circular dated June 11, issued by the Citizens' Committee for the Hoover Report, and to read from it, as follows:

> As long as the present hybrid system prevails, the morale and efficiency of post office and other career employees will be at a low ebb. Our confidence in the merit system and civil service will be constantly undermined, and the danger of new scandals will continually be present.

I refer to this statement merely because all the organizations representing post office employees, and the American Federation of Labor, as well, denounced Reorganization Plan No. 2 because it would destroy the incentive of employees of the Post Office Department and minimize the possibility of their being able to secure appointments as postmasters.

The Citizens Committee and various newspapers which supported plan No. 2 with editorials were merely shadowboxing. I invite these groups to cooperate in efforts to reduce the Federal civilian payrolls. Instead of dealing with methods of selecting employees, I direct attention to the fact that from June 1950 until April 30, 1952, the net gain in Federal civilian employment was 604,132. During the 22 months since the Korean outbreak there has only been 1 month when there has not been a sizable gain in employment. For many months an average of about 500 civilians has been added daily to the payroll.

Total civilian employment on April 30, 1952, was 2,570,580. Of this total 181,258 employees were stationed outside of this country. It is interesting to note that 98,806 were in foreign countries in addition to the 82,452 serving in United States Territories and possessions.

It is interesting to note that of this total in excess of 2,500,000 Federal employees, approximately 10 percent, or 250,000, are employed within the District of Columbia.

The Federal civilian payroll has mushroomed to $10,000,000,000 annually, or more than five times as much as the payroll immediately preceding World War II. At that time the annual payroll was only about $1,800,000,000.

Local newspapers daily publish columns of news dealing with Federal personnel activities. It is interesting to note that everything possible is done by favorable publicity to increase these rolls and to add to the costs of operating the Federal Government. Instead of quibbling about how postmasters are selected, I invite these papers and the Citizens Committee for the Hoover Report to take a worth-while interest in decreasing the number of civilians on the Federal payroll. Such activities would constitute a substantial effort for more efficient and economical government. It is time to face realistic facts instead of engaging in questionable propaganda which distorts the real conditions concerning civilian employment by the Government.

Mr. President, I have had prepared a table showing monthly increases in civilian Federal employment from June 30, 1950, to April 30, 1952. The table covers 22 months since the outbreak of hostilities in Korea. The reports were compiled by the United States Civil Service Commission and show that there has

been a net gain of 604,132 during the 22 months.

Most significant is the fact that only once—and that was in September 1951—was there a loss or reduction in the monthly civilian Federal employment. In the remaining 22 months, there was an average gain, and the total shown is 604,132.

I call these facts to the attention of the Senate primarily because I think that if the Citizens Committee for the Hoover Report and the fine newspapers which we have in Washington, together with other outstanding newspapers, such as the New York Times, would concentrate their efforts upon the worth-while movement to reduce the rapidly expanding civilian Federal employment, they would be accomplishing something desirable, instead of merely quibbling over methods of selecting postmasters.

I believe the American people are interested in cutting down the cost of government, eliminating corruption, and in having greater efficiency. I invite the groups, which ostensibly are interested in good government and economy to join forces in an effort to curb the rapid increase in Federal employment, which has reached a point today where there is a Federal civilian payroll in excess of $10,000,000,000, or more than 5 times greater than the payroll just prior to World War II.

In that regard I should like to quote from two paragraphs of an editorial which appeared in the Washington Post of this morning. I read from the first paragraph as follows:

> The vote against the President's three reorganization plans to place postmasters, marshals and customs officials under civil service was obviously and admittedly an effort by legislators to hold onto political plums.

I now read from the concluding paragraph of the editorial, as follows:

> If a clerk in the Post Office could aspire to become a postmaster, he would have an incentive to efficiency that no other system could give him. What the Senate has said in effect, however, is that party loyalty is more important in the selection of a postmaster than whether he knows anything about the job.

As a member of the minority party I think I am free to challenge statements to the effect that political patronage was the prime motive in the minds of those who voted against Reorganization Plan No. 2. I think the RECORD shows that no economy or greater efficiency would result from the adoption of that plan.

Again I appeal to the Citizens Committee for the Hoover Report before it disbands to exert itself in an effort to cut down the rapidly rising costs of the Federal Government. It is not material whether there is any political patronage or any other motive involved in the selection of postmasters. The record shows that some action should be taken to curb the increased cost of the civilian Federal payroll.

At this point I ask unanimous consent to have printed in the RECORD as a part of my remarks a table showing the monthly gain in Federal payrolls since the outbreak of the Korean war in June 1950.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Gain in Federal payroll since the outbreak of the Korean war

[From U. S. Civil Service monthly reports]

	Total as of the end of the month	Net change during the month, gain (+) loss (−)
1950—June	1,966,448	
July	1,983,449	+17,001
August	2,060,301	+76,852
September	2,094,492	+34,191
October	2,128,691	+34,199
November	2,160,083	+31,392
December	2,181,217	+21,134
1951—January	2,242,161	+60,944
February	2,308,601	+66,440
March	2,361,864	+53,263
April	2,408,845	+46,981
May	2,444,466	+35,621
June	2,486,491	+42,025
July	2,505,245	+19,754
August	2,513,981	+7,736
September	2,503,691	−10,290
October	2,508,190	+4,499
November	2,515,850	+7,660
December	2,518,137	+2,287
1952—January	2,533,789	+15,652
February	2,547,740	+13,951
March	2,559,168	+11,428
April	2,570,580	+11,412

Net gain from June 30, 1950, to Apr. 30, 1952: 604,132.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had insisted upon its amendment to the bill (S. 1539) to amend an act entitled "An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service," approved March 2, 1931, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LANE, Mr. RODINO, and Mr. MILLER of New York were appointed managers on the part of the House at the conference.

PROCEDURES IN PASSPORT DIVISION OF THE STATE DEPARTMENT

Mr. MORSE. Mr. President, on several occasions I have presented criticisms on the floor of the Senate of the procedures which are followed in the Passport Division of the State Department. Those criticisms have stressed primarily the fact that when the Passport Division of the State Department denies a passport to an American citizen that citizen has no right to appeal to any independent board of review for a determination as to whether or not substantial evidence and good cause existed justifying the denial of the passport by the Passport Division of the State Department.

In the course of my previous remarks I have pointed out that the vesting in any Government official of finality of decision, without the procedure which permits a review of the exercise of such discretion, is very likely to lead to abuse of discretionary power. I have tried to point out that if we, as the elected representatives of a free people, are to fulfill our obligations in protecting the rights of those people, we should always exercise the due care which is characterized by action on our part which prevents the exercise of unchecked arbitrary discretion in matters which involve very important rights and freedoms of American citizens. I have tried to be very fair in all this discussion, by making clear at all times that I do not favor the granting of a passport to an individual about whom there is any question of his being a good security risk. I have sought to point out in my discussion that no one has an absolute right to a passport, and that passport rights, in the sense that they are rights, are relative rights. One should be allowed to exercise that right of citizenship only in the light of the national welfare and the public interest; and if there is in fact any basis at all for denying one the issuance of a passport, it certainly should be denied him.

I am a little surprised that my defense of what I have always thought, being a lawyer, was a very important procedure for checking the exercise of an arbitrary and capricious discretion, should result in my having heaped upon me, even on the floor of the United States Senate, by a colleague, the innuendo and the implication that the junior Senator from Oregon, in the stand he has taken on this passport procedural issue, is in some way, and somehow, aiding the Communists.

As I have previously stated, Mr. President, any fair-minded person who will check into my record will soon discover that there is not a single Member of the United States Senate who is more opposed to communism and what communism stands for than is the junior Senator from Oregon. So I dismiss the attack with that comment.

I was likewise somewhat surprised to read the newspaper account of the press conference of the Secretary of State, Mr. Dean Acheson, the other day, when he commented upon my criticisms of the procedures of the Passport Division and sought to represent to the American people that the procedures of the Passport Division are adequate to protect the rights of American citizens. He brought out that the criticisms of the Passport Division are coming for the most part from Communist forces in the United States. Then, almost as though it were an afterthought—or at least it so appeared in the press—he aded that criticisms were also coming from some very sincere people who were concerned about the problems of procedure.

I wish the Secretary of State had been a little more clear and specific in his identification marks in his statement. I think ordinary fairness required that. But let me say to the Secretary of State that I certainly am concerned about the procedures of the Passport Division, and that I think he, as a lawyer, ought to be concerned about them. I think he, as a lawyer, ought to exercise the power he has as Secretary of State to change such procedures. I think he, as a lawyer, should not, in a press conference, make statements which, if anyone will read the newspaper accounts of his conference, are subject to the interpretation that the rights of American citizens procedurally are now protected in the Passport Division of the State Department.

I say here on the floor of the Senate today that in my judgment that is not so. It never will be so until we have a procedure which provides for the checking of the judgment of those who now decide whether a passport shall or shall not issue. Such checking must be done by an independent board or committee not subject to the jurisdiction of the State Department.

In his press conference the Secretary of State pointed out that a great many thousands of passport cases are heard each year, and that out of that number only a relatively small number of applications are denied.

Mr. President, we cannot deal with a problem such as this in terms of statistics. We must deal with such a problem in terms of the individual rights of each individual concerned. Let us pray that we shall never reach the time in the administration of American justice when justice is administered on a quantitative basis, or that we seek to justify the preservation of a bad procedure because of a great quantity of work which has to be handled by a division of the Government, be it the Passport Division of the State Department or another division.

Let us continue to hope that we will always administer American justice by keeping our eyes on the very important question: Is the procedure we have adopted itself a just procedure? Does it protect the rights of the citizen?

Mr. President, I shall not lose sight of that question, although I respectfully submit that I believe the Secretary of State has lost sight of it. His rationalization of the procedure of the Passport Division shows that he has gone blind so far as it relates to the protecting of a procedural principle which would make it possible for an individual to have a review of the exercise of an arbitrary power on the part of the Passport Division of the State Department.

I have no doubt about the fact, as the Secretary of State pointed out in his press conference, that under their procedure they talk it over, and that they bring in advice and views of various security officers in the State Department. However, the fact remains that no independent third party has the power of reversal over a decision of the Passport Division in a case in which there is a failure on the record to justify the decision by substantial evidence.

I repeat, under these circumstances the very simple but precious principle of checking arbitrary power must be assured by the passage of legislation because the Secretary of State has not carried out the authority which in my judgment is inherent in his office, to provide such a procedure on his own. Therefore, it remains the duty of Congress to adopt by legislation a procedure which will require the Secretary of State to conform to the kind of review procedure for which I have been arguing.

To that end, Mr. President, I offer a bill today. It is not final with me. Here again, as in the case of all legislation which I offer on the floor of the Senate, I am perfectly willing to accept any reasonable amendment or change in the bill which does not destroy its objective. I think the bill will work successfully if it is adopted. I shall read it at this time, and I shall send it to the desk momentarily for appropriate reference. The bill reads:

A bill to authorize an appeal to the Subversive Activities Control Board by any person who has been denied a passport

Be it enacted, etc., That subsection (c) of section 12 of the Subversive Activities Control Act of 1950 is amended (1) by striking out "and" at the end of paragraph (1) thereof, (2) by striking out the period at the end of paragraph (2) thereof and inserting in lieu thereof "and", and (3) by inserting at the end of such subsection a new paragraph as follows:

"(3) upon application made by any person under section 13A of this title to determine whether such person has been wrongfully denied a passport."

Sec. 2. The Subversive Activities Control Act of 1950 is further amended by inserting immediately following section 13 a new section as follows:

"DENIALS OF PASSPORTS

"SEC. 13A. (a) Whenever any officer charged with functions relating to the granting and issuing of passports shall deny a passport to any person who has made application therefor in the manner prescribed by law, such person may, within 60 days after he has been notified of the denial of a passport, file with the Board, and serve upon the Secretary of State and any such officer, a petition for an order requiring the issuance of a passport.

"(b) The Board shall, after a petition has been filed with it pursuant to subsection (a) of this section, determine whether the petitioner is eligible for a passport. Such determination shall be made on the record after opportunity for a hearing in accordance with the Administrative Procedure Act.

"(c) For the purpose of any hearing or inquiry conducted by the Board under this section, the provisions of subsection (c) of section 13 of this act (relating to the attendance of witnesses and the production of books, papers, and documents) are hereby made applicable to proceedings of the Board under this section.

"(d) The decision of the Board shall be based upon all the evidence before it and shall be final. If, after hearing upon a petition filed under this section, the Board determines that the denial of a passport to the petitioner was based upon substantial evidence and in accordance with law, it shall dismiss the petition. If, after hearing upon any such petition, the Board shall find that the denial of a passport to the petitioner was arbitrary or capricious, not based upon substantial evidence, or contrary to law, it shall issue and cause to be served upon the Secretary of State an order directing the Secretary to issue a passport to the petitioner, and upon receipt of any such order the Secretary shall forthwith cause to be issued a passport in accordance with such order.

"(e) All hearings conducted under this section shall be public, but nothing contained in this section shall require the Board to make public disclosure at any such hearing, of any confidential information, the disclosure of which, in the opinion of the Board, would be prejudicial to the public interest, safety, or security."

The bill (S. 3369) to authorize an appeal to the Subversive Activities Control Board by any person who has been denied a passport, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. MORSE. Mr. President, you will note that in the provisions in the bill I have carried out what I said the other day I would insist upon, namely, that the provisions of the Administrative Procedure Act be complied with. I believe we are dealing with a matter on which I thought we were very much in agreement when we passed the Administrative Procedure Act. My colleagues will recall that when we passed the Administrative Procedure Act one of the arguments which some of us used in urging Senators to vote for the act was that the act sought to incorporate procedures within it which would provide review checks upon the decisions of administrative agencies.

I say that that argument is just as sound today as when we passed the Administrative Procedure Act. I say it is very sound that we apply it to the Passport Division of the State Department, as well as to other administrative agencies within our Government.

Next, Mr. President, you will note that the board which I propose to set up in my bill is not a new board at all. It is not a case of my adding an additional board or bureau to an already heavily manned bureaucratic Government. I seek to make use of the Board which was set up in the Subversive Activities Control Act.

I think it will be a little difficult for anyone in the Senate to object to placing the jurisdiction in the control board set up in the Subversive Activities Control Act. I think that goes for the Senator from Nevada [Mr. MCCARRAN]. I seek to enlarge the jurisdiction of the Subversive Activities Control Board which was set up under the McCarran act to keep faith with the principle of checking arbitrary decisions. It is this principle which we stressed so emphatically when we passed the Administrative Procedure Act. Incidentally, the Senator from Nevada [Mr. MCCARRAN] was one of the chief sponsors and floor manager when the Administrative Procedure Act passed the Senate.

I suppose it goes without saying that the Communists will not be delighted that the bill which the junior Senator from Oregon is introducing seeks to check the arbitrary discretion now exercised by the Passport Division and places the checking power in the Subversive Activities Control Board of the McCarran act.

Mr. President, it is not my purpose to please the Communists. I voted for the McCarran bill because in my judgment the enactment of legislation was needed to check subversive activities in the United States. I would vote again for the McCarran bill, because I believe it is important that we keep on the statute books legislation to check subversive activities in the United States.

I recall distinctly when the McCarran bill was before us. In argument in support of that bill I said that the enactment of legislation was needed to check subversive activities. At that time I pointed out that Russia never attacks from the outside until she is also ready to attack from the inside; she never moves from the outside, in, until she is

ready to move from the inside, out. That was one of the arguments I used at the time, in support of the McCarran bill.

The RECORD will show that at that time I also pointed out that if abuses developed under that measure, I would be among the first to insist upon amendments to correct the abuses. That is my position today, as it was on the day when I voted for that bill.

Mr. President, today I stand in the Senate and point out an administrative abuse, and point out that I believe Congress should take the necessary procedural steps to check that abuse and to correct it. In order to do so, I have introduced this bill, which would place the power to review and the power to check in the Subversive Activities Control Board created under the Subversive Activities Control Act of 1950, known as the Internal Security Act of 1950.

I have already introduced the bill, Mr. President.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). That is correct.

TRANSFER OF FEDERAL PROPERTY FOR STATE OR LOCAL GOVERNMENT USE

Mr. MORSE. Mr. President, I now turn to another matter, which I wish to discuss for the RECORD before we proceed tomorrow with the call of the calendar.

On June 2, I was out of the city, having gone to Kentucky to deliver a commencement address at Centre College, on June 1. I was unable to make the necessary transportation reservations to permit my return to the Senate before late in the afternoon on June 2.

During the call of the calendar on that day, the Republican calendar committee, under the leadership of the Senator from Kansas [Mr. SCHOEPPEL] and the Senator from New Jersey [Mr. HENDRICKSON], filed objections, in my behalf, to certain bills, because they had received advice from my office that those bills violated the so-called Morse formula for the transfer of surplus Federal property.

I deeply regret that I was not on the floor of the Senate at that time, for had I been here, I think certain misunderstandings which developed would not have developed; and I am sure that certain of my colleagues, whose sincerity I do not question, would not have made the statements they made then in regard to my record, in respect to my consistency or inconsistency in applying the Morse formula to the disposition of surplus property.

For the purpose of the RECORD, I wish to make a brief review of what that formula is.

For some years now, here in the Senate, I have applied that formula. It was adopted in the first instance in 1946, as I recall. It was the result of a study which was made by a subcommittee of the Armed Services Committee. The Senator from Virginia [Mr. BYRD], the Senator from Massachusetts [Mr. SALTONSTALL], and I were members of that subcommittee; and it was my honor to serve as its chairman.

The subcommittee was appointed by the then chairman of the Armed Services Committee, Senator Tydings, of Maryland, to make a study of the problems of disposing of surplus military property, and to bring in a program or formula which could be applied for the disposition of such property.

In 1946 our committee was much concerned about the disposition of surplus military property, because a great number of so-called private bills were being introduced in both the Senate and the House, in an effort to obtain free grants of large quantities of Federally owned military property. The property was of various types, including for instance, military reservations, military buildings, in some instances office buildings which during the war had been taken over for military use, and millions of dollars' worth of equipment. To put it bluntly, Mr. President, the committee recognized what was happening was that that surplus-property reservoir was really being turned into what one might call, to use a figure of speech, a political grab-bag, with politicians—and I use the word appropriately and respectfully—getting their hands into that bag for the benefit of their constituency back home. That is understandable, of course. However, I recall very well that in our conferences in the committee we said to one another, in effect, "The situation has really reached the point where if we are really to represent our constituency properly, we had better begin to see what federally owned property in our States might be declared surplus, and then introduce bills seeking to give it to school boards or cities or counties or other local governmental units."

We recognized that the taxpayers throughout the Nation were suffering from that type of political-spoils system. So our subcommittee went to work on that problem.

We came out of our meetings with what has become known as the Morse formula. Our report was unanimously adopted by the full Armed Services Committee; in fact, our report in regard to the disposition of surplus military property has never been disapproved by that committee.

In the report we provided that when some governmental unit seeks to obtain military property for public use, it should be willing to pay 50 percent of the appraised fair market value of the property. We took the position that the people of the United States have some public interest in public use of Federal property which is being turned over to a State or local governmental division of a State which certainly does not have a 100-percent interest in it. For example, we recognized that if State Y wished to obtain a certain Army camp site which was located in that State during the war, and wished to use that camp site for park purposes, there is a public interest in that transaction, and a public benefit is involved. That benefit accrues either directly or indirectly to the benefit of all the people of the United States, but obviously it is of greater benefit to the people in the immediate environment of the camp and to the people who live in the State in which the camp is located.

We did not claim that our formula was scientific in any sense in which that term may be used; but we did claim that the formula was—and is—based on a great deal of common sense and on a reasonable application of what in my State we often refer to, colloquially, as horse sense. So we said, "That is the way it is going to be, as far as military property is concerned." If any State, or a governmental subdivision thereof, wants to get the property, not for public use but for a private use, it is going to have to pay 100 cents on the dollar—not 50 cents, but 100 cents of the appraised fair market value of the property.

The most recent case we have had in the Senate in which I insisted upon the application of that principle was the Crawford, Nebr., case. I may say, Mr. President, it has not been easy to stand on the floor of the Senate to object to bills offered by friendly colleagues who, because of various extenuating circumstances best known to themselves, growing out of the surrounding facts and circumstances, frequently political, of their home States, would like it very much if the Senator from Oregon would merely forget his formula in one particular instance. That would not be fair of me, and so, in spite of what was said on the floor of the Senate on June 2 by certain of my colleagues, I have never swerved in my efforts to constantly apply the Morse formula, and I shall take the Senate to the RECORD this afternoon to prove it, because we are not going to let stand in this RECORD unanswered certain statements which were made on June 2 about the junior Senator from Oregon. My colleagues might as well learn that they are never going to be able to make statements on the floor of the Senate about the junior Senator from Oregon, without having the facts with which to back them up, and not have them answered.

So I said, in the most recent case in which I insisted upon the application of the principle, that even if a governmental unit sought Federal surplus property for private use, it was going to pay 100 cents on the dollar. That was the Crawford, Nebr., case, in which the city of Crawford, Nebr., sought to get approximately 34 acres of land out of the old Robinson Remount Station for the purpose of providing, as the mayor said in his communications, "available industrial sites for businesses that might want to locate in Crawford County, Nebr.," a very worth-while cause, Mr. President, but a private one, not a public one in the sense that Crawford, Nebr., should have any right to say to all the taxpayers of the United States, "Come on, now, give us 34 acres of land to help us induce some businesses to come into Crawford, Nebr." So I objected.

Well, Mr. President, some people in Nebraska did not like it. Some newspaper editors did not like it. They said some very unkind things about the junior Senator from Oregon, because he was objecting to a transfer of 34 acres of land for nothing, to Crawford, Nebr. I am pretty thick-skinned about unfair newspaper editorials. If I were not, I

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certainly would now be bleeding from every pore, as a result of all the editorials which have been written within the past 30 days, because I have not found myself in agreement with the press concerning the Steel case.

So I read the papers from Nebraska with interest, filed them, and continued to object to the bill. But, Mr. President, one very interesting thing about this problem has proved itself to me to be true over and over again, namely, that once the people themselves, the people who are concerned, come to understand the principle for which I am fighting in connection with surplus property, one would be surprised to know how frequently they agree with me. I received a letter from the mayor of Crawford, who merely wanted to know what my position was. I answered his letter. I did not answer the abusive mail I received from Nebraska regarding the matter, because my time is too valuable to waste it in answering communications from people who have already satisfied me by their letters that they are not interested in conviction, they are not interested in the facts; they are only interested in abusing a public official for doing his job—and there is a type of person who feels that, when a person is elected to public office, anyone who wants to abuse him may treat him as fair game. I do not waste my time on mail of that kind. But in this instance the mayor was obviously a person who wanted to find out what my point of view was; and in a letter I told him. I discovered that what he wanted was to get the property for Crawford, Nebr., and that if paying for the property was what had to be done, he had no objection. So the Morse formula, on a succeeding calendar day, was followed, and Crawford got the property; but it paid full value for it.

Mr. President, taking the same position, contrary to what was said on the floor of the Senate on June 2 in regard to transactions in the State of Oregon—and I have done it even in the so-called de minimus cases—I objected in the so-called Albany, Oreg., case, in which the city of Albany wanted two-fifths of an acre of land off a piece of property on which a Federal mineral laboratory is located in order to straighten out a street. A bill was introduced by one of my colleagues in the House of Representatives proposing to give this two-fifths of an acre of land to Albany. After I objected to it, the Morse formula was applied to it, and 50 percent of the appraised fair market value was paid for the land. I think it amounted to only a few dollars. But the interesting thing is that when I went to Albany some months later and talked at a businessmen's luncheon, at which city officials were also in attendance, and discussed the policy that I am outlining this afternoon, I found complete agreement with my position. The attitude was "All we wanted was the land; we were perfectly willing to pay 100 cents on the dollar." They got the land, under the formula, for 50 cents on the dollar because it was clearly for public use—in the straightening of a public highway.

So I say to my colleagues who sometimes are disturbed and annoyed and irritated, because I have, rather mulishly in their opinion I fear, stubbornly insisted upon the application of the formula without exception, that if my colleagues will go back home to talk to the people themselves who are involved in a particular transaction, more often than not they will be told, "Well, if you do it consistently, there is nothing wrong with this formula. We are perfectly willing to adjust it."

Even the Methodists agree with me on that, Mr. President. I wish the Chaplain of the Senate were here now to hear my account of this matter, because he would have to verify it. I recall that a couple of years ago a bill was introduced which sought to give some Federal property to a Methodist congregation in a certain city in the country. The Methodist congregation had originally owned the property, but during the depression it lost it, it was turned over to a receiver and sold. During the war it became very valuable, and the Federal Government bought it for defense purposes from the purchasers through the receivership, and after the war it became surplus property.

The Methodist congregation thought that in view of the great misfortune it had suffered during the depression, at least it ought to have returned to it that portion of the property which had been previously used for church purposes. It really was a multiple-purpose structure. It was an office building in part and a church in part. As I recall, the church was on the first floor and the office was above it, and the congregation wanted to get at least the title to the church property restored to it.

Even the Chaplain of the Senate had some sympathy for the bill at first, but I continued to object to it and received many letters from Methodists raising some question as to whether or not I had a proper understanding of spiritual values. But I patiently replied to them, and my reply was always to the effect that they would have to pay 100 cents on the dollar, because I was a very strong believer in the principle of separation of church and state, I thought it ought to apply to the Methodists as well as to any other denomination, and I, therefore, saw no reason why the taxpayers of the United States should make a gift to a Methodist congregation of that church property. To my pleasure, once that principle became clear to them, a great many of them subsequently wrote to me, after I had made that statement in letters and also on the floor of the Senate, and agreed with me.

We do not know for a certainty, Mr. President, how much money the application of the Morse formula has saved to the taxpayers of the United States since 1946. We know it amounts to a great many million dollars, because I took the position almost immediately after the Armed Services Committee by unanimous vote adopted the formula for application to property falling within the jurisdiction of that committee that it simply was not fair to apply the formula just to the disposition of property coming within the jurisdiction of the Armed Services Committee while letting other committees of the Senate which had jurisdiction over other types of surplus property proceed, during the consideration of the unanimous-consent calendar, to give away that property without the taxpayers getting any money for it.

As the record will show, I announced on the floor of the Senate that in my individual capacity as a Senator I wanted it understood that I would object, during the consideration of the unanimous-consent calendar, to the giving away of United States Government surplus property unless the Morse formula were applied. That was not very well received at first; I did not expect it to be. But I wish to say in fairness to my colleagues in the Senate that as the months and years have gone by a considerable number of them, even including some whose toes have been pinched by the application of the formula in respect to their own bills, have been kind enough to say to me that they approved of the principle of the formula, that they admired the consistency with which I applied it, and that so long as I was consistent about it, they certainly could not object to it.

In estimating the savings which have accrued to the Federal Government as a result of my application of the Morse formula, three factors have to be taken into account as follows: First, the bills which I have actually stopped on the floor of the Senate unless the Morse formula were added to them; secondly, the bills which, since I started applying the formula on the floor, have been presented with the provision already included by the authors of the bills; and thirdly, the fact that in a number of instances which it is impossible to subject to calculation, individual Senators have refused to introduce bills to get property for nothing for some governmental subdivision in their States because, as they have told their constituents or groups, it would not do any good since "The junior Senator from Oregon would object, and it would be just wasting my time and my breath trying to get such a bill through the Senate."

I am sure I engage in understatement when I say that as a result of the adamant position I have taken since 1946, the application of this formula has saved the taxpayers of this country not less than $400,000,000.

Mr. President, I say this with some pointedness, because there are those in my State and elsewhere who seem to think that I never stand for economy in Government. There is other ample rebuttal evidence I could offer, which I will not present today, but I challenge the charge that my votes, as one of the business associations announced after the last session of Congress, have been on the spendthrift side of the Senate.

The application of the Morse formula illustrates again that if people will be fair enough to examine the record they will find that such blanket charges as they make against me on the question of economy cannot be supported by the record.

Mr. President, on June 2 there was before the Senate a bill which was intro-

duced by the distinguished senior Senator from Florida [Mr. HOLLAND].

In the course of his remarks, beginning on page 6280 of the CONGRESSIONAL RECORD, the Senator from Florida [Mr. HOLLAND] said:

Mr. HOLLAND. I was requesting the distinguished Senator from Kansas to give attention to what I am about to say, because I hope it will enable him to work out a satisfactory solution of the situation.

Mr. CORDON. Mr. President, will the Senator from Florida yield again?

Mr. HOLLAND. I yield.

Mr. CORDON. The Senator from Oregon was under the impression that the first bill being called on the calendar was Calendar No. 1440, Senate bill 2959. I am advised that the bill under consideration now is not Calendar No. 1440, but No. 1419, Senate bill 556.

Mr. HOLLAND. The Senator from Oregon is correct. The bill now under consideration is Calendar No. 1419, Senate bill 556. It relates to a tract of 55 acres of land in the State of Florida.

Mr. CORDON. The Senator from Oregon has no objection to that bill.

Mr. HOLLAND. I appreciate the attitude of the distinguished senior Senator from Oregon. I wish it were shared by the distinguished junior Senator from Oregon. The bill relates to 55 acres of land now belonging to the fish-hatchery project in Putnam County, Fla. The 55 acres, although in the same area and although contiguous to the fish-hatchery tract, are not actually used in the operation of the fish hatchery. Both the Department of the Interior and the Department of Justice have stated that the continued ownership of that tract by the Federal Government is unnecessary. Furthermore, both of them approve the proposed transfer of this small tract of land to the University of Florida, for the purpose for which the university needs the tract.

That purpose is for the location on the tract of buildings to be constructed by the University of Florida in connection with its field and forestry project which is a part of the land utilization and forestry activities of the University of Florida. The university is located at Gainesville, Fla., whereas this field and forestry project is located at Welaka, Fla., in a remote area a considerable distance from Gainsville. Buildings are needed at Welaka for the operation of the field forestry project.

It happens that these 55 acres are immediately contiguous to, and would be a part of, the field and forestry operation of the University of Florida. The field and forestry operation is conducted on land on which there is a 95-year lease. That land formerly was held by the Department of Agriculture, and formerly was a part of a resettlement program there.

Under existing law, the land upon which the field forestry program is being conducted cannot be procured by the University of Florida; but the 55 acres which adjoin that tract are available, provided that title to the land can be obtained, so that the university will be justified in proceeding to construct the buildings which are needed there.

This bill, if enacted, would provide all the customary safeguards. In the first place, provision would be made that the land would be used for educational purposes only. In the second place, the act would contain a reversionary feature to the effect that the land could not be transferred to another or applied to any other use, and that if the land ceased to be used for educational purposes, as designed under this measure, it would immediately revert to the Federal Government. Furthermore, the mineral and oil rights are reserved to the Federal Government.

Mr. President, if ever there was a justifiable transfer of a small acreage of almost valueless land—and the very able report of the Committee on Interstate and Foreign Commerce shows that the land cost only $309 when bought in 1935, as a part of a resettlement project—this is such an instance.

I am perfectly willing to have this matter handled in any other way that may appear to be reasonable. One would be to provide that the cost price, namely, $309, be paid by the University of Florida to the Federal Government. In the event that were done, we would not expect the act to contain any reservation of mineral rights or any reversionary clause, because then the Federal Government would have been paid for the land.

Mr. SCHOEPPEL. Mr. President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. SCHOEPPEL. I note that the Senator from Florida has indicated that the oil, gas, and mineral rights would be reserved to the Federal Government.

Mr. HOLLAND. That is correct.

Mr. SCHOEPPEL. Let me ask this question: Is $309 the appraised value of the property? I understand that the Senator from Oregon [Mr. MORSE] has consistently made objection to bills of the type of this one, on the ground that those who would receive the property should pay one-half of the actual or the determinable appraised value of the land.

Can the Senator from Florida give us any indication as to a comparison between the $309 and the actual value of the property?

Mr. HOLLAND. Having in mind the fact that realty values in general in Florida have increased, I would think that the actual, present value of this land is more than $309; but I do not know how much it is actually worth. This land is in an undeveloped section of our State. I do not suppose there has been any appraisal of the value of the land. As a result, I could do no more than guess wildly as to what the value may be.

However, the point is that the Senator from Oregon has not insisted in all cases upon including in such a measure a provision in regard to payment of one-half of the value. I am advised that there is on the calendar today a measure which would convey to his State of Oregon a more valuable tract without following the rule to which the Senator from Kansas has referred. I had not thought to object to that measure, because it seemed to me the reasons behind it were completely justifiable, just as they are in the case of the bill we are discussing at this time.

If the Senator from Kansas wishes to submit an amendment providing for the payment of one-half of the appraised value, that would be satisfactory to me, but not if there is to be coupled to such a provision a reversionary clause or a provision that the oil and mineral rights shall be reserved to the Federal Government, because if the State of Florida pays the value of the land, I think it should obtain the full title to it.

I digress to say that at that point my good friend the Senator from Florida misunderstood the meaning of the Morse formula, because I have always insisted on reversionary clauses, but half the appraised value of the land then is determined on the basis of the value of the land minus reversionary clauses, minus, for example, a protective clause in all these transfers that when the property is given for a public purpose, such as a park, and the State ceases to use it for that purpose, but wishes thereafter to use it for some other purpose, it must obtain consent to do so, or else the land automatically reverts to the Federal Government.

It is necessary to do that in order to prevent a scheme whereby the objective is accomplished by two steps: First, the property is given for one purpose, and sometime thereafter the one to whom the property is given merely changes his mind as to the use of the property for that purpose, and proceeds to use it for some private purpose.

So the Senator from Florida [Mr. HOLLAND] obviously misunderstood the Morse formula at that point, because had he understood it, he would have known it did not call for payment for the value of full title to the land, but for payment of half the appraised value of such modified title as the Federal Government would give to a State agency under such circumstances.

I continue to read from the RECORD:

Mr. SCHOEPPEL. Mr. President, a moment ago there were some interruptions on this side of the aisle, and I could not hear all of the latter part of the remarks of the Senator from Florida.

Do I correctly understand him to say that he has information regarding what might be the estimated actual value of the property involved in this instance?

Mr. HOLLAND. No; I stated that I would be unable to give anything except a wild estimate as to the value of the land, because I have not visited this location and actually seen the land, for it is in a wild and undeveloped part of the State. I do not think the value can be large, but I would not care to express any fixed opinion as to its value. Nevertheless, I feel that if the State of Florida is required to pay either half the value of the land or is required to pay the full price which was paid at the time when the land was acquired in the past, in either case the inclusion in the bill of a reservation of the oil and mineral rights or the inclusion of a reversionary clause to the effect that in certain situations the title would revert to the Federal Government, would not be fair.

In other words, I feel that the Senator from Oregon [Mr. MORSE] is no more entitled to take the position he is presumed to take in this case than he would be to take a similar position in the case of the lands which, under a measure now on the calendar, are proposed to go to his own State. The latter bill will come up a little later, of course.

I have never taken the position, and the Senator from Florida cannot find a single instance in the RECORD in which I have ever taken the position, that a State concerned in one of these transfers would have to pay half the full legal title value of the property, when we insist on a reversionary clause being affixed to the transaction.

I may also say at this point in regard to this bill—the Florida bill—and in regard to the Oregon bill and the California bill, which I shall subsequently discuss, that on June 2 I was at Centre College, Kentucky. I was not familiar with those bills. It is true—and I assume completely the responsibility for it—that before I left on that trip I gave instructions to an assistant in my office that if the calendar should be called during my absence, I wanted him to check the Federal property disposal bills which might be on the calendar, to see whether or not they violated the Morse formula; and if they did, so to notify the chairman of the calendar committee. As I say, I assume complete responsibility for what happened on June 2 in regard to these bills.

The point is that the Senators concerned cannot attach to me the intent they sought to attach to me in regard

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to these bills, because I did not even know the contents of the bills. Had I been here, it would have required only the length of time necessary for a wink of the eye to clear up the misunderstanding which apparently some of my colleagues developed concerning my position on the bills now under discussion.

The Senator from Florida [Mr. HOLLAND] subsequently said:

Mr. President, let me inquire what the Senator's request is; there was some confusion in the Chamber at the moment when he was making the request.

The Senator from Kansas [Mr. SCHOEPPEL] asked to have the bill go to the foot of the calendar, and it went to the foot of the calendar.

Subsequently other discussion took place in regard to the bill, on which I shall comment at this time.

During the afternoon of June 2, it appeared, as I discovered when I returned to Washington, that the Senator from Florida [Mr. HOLLAND] had a conference with an assistant in my office, who, I am advised, explained to the Senator from Florida my position in regard to such transfers as the proposed Florida transfer. I understand that an arrangement was worked out whereby it was agreed that the Department of the Interior should be allowed to appraise this particular property, which was being sought by the University of Florida, and was covered in the Holland bill, and that the University of Florida should pay 50 percent of the value placed upon the property by the Department of the Interior, taking into account the reduction in value which always goes along with a reversionary interest. On the basis of that understanding with my assistant, and under instructions by my assistant, the Senator from Kansas [Mr. SCHOEPPEL] withdrew the objection for me.

I am perfectly willing to abide by that arrangement. I wish to say for future reference, however, so that no one will cite that case to me in the future, that it is not my policy to permit the department concerned, which already has been talked into agreeing to give away a piece of Federal property for nothing, also to evaluate the property for appraisement purposes. In this instance I am satisfied that the appraisal was a very fair appraisal. Let me make it very clear for the RECORD—because I am very fond of the Senator from Florida [Mr. HOLLAND]—that I am satisfied that in all his discussion of this subject he discussed it from the standpoint of his honest understanding of what the facts were in regard to the position of the Senator from Oregon. He was simply mistaken in regard to some of them.

I am satisfied also that the arrangement which he entered into with my assistant, so far as the price to be put upon this land was concerned, represented his honest recommendation as to what the value of the property was. I am satisfied that his estimates were reasonable estimates, and I am satisfied that in this instance the Department of the Interior fixed a value which was a fair value. But for future reference I want to have it clearly understood that, as a matter of policy, I have not agreed in the past, and I will not agree in the future—and had I been here in person on June 2, I would not have agreed on June 2—to an arrangement whereby the Department which is itself transferring the property shall also appraise the property. Such appraisement should be done by an independent agency.

In this instance, however, I am satisfied that justice was done, and that the result was fair and equitable. I am satisfied that the result in no way jeopardized or did injury to the Morse formula.

Now, Mr. President, I come to the consideration of the California bill, House bill 5314, a bill which was reported from the Senate Committee on Agriculture and Forestry. There was a considerable amount of discussion of this bill; and it is the view of the junior Senator from Oregon that in such discussion his position with regard to this general problem was not accurately stated by some of his colleagues.

The California bill is a bill in which the Secretary of Agriculture is authorized and directed to transfer and convey to the regents of the University of California certain real property. The bill reads as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to transfer and convey to the regents of the University of California, upon acceptance by said regents, without cost, the real property comprising 20 acres, more or less, together with the buildings and improvements thereon, constituting the United States Grape Field Station located near Oakville in the county of Napa, State of California. Such property shall be transferred upon the express condition that it shall be used by the regents of the University of California for the benefit of agriculture. In the event that the regents of the University of California shall at any time cease to use such property for such purpose, or attempt to alienate all or any part thereof, all right, title, and interest in and to the said property shall revert to the United States. Any conveyance of this property shall contain a reservation to the United States of all gas, oil, coal, and other minerals and all fissionable materials as may be found in such lands and the right to the use of the lands for extracting and removing same.

The Senator from Kansas [Mr. SCHOEPPEL], cochairman of the calendar committee, objected in my behalf on the basis of his knowledge of my position with respect to such bills, and on the basis of the standing instruction which I have given to my office that any and all such bills should be objected to in my name.

I wish to say that the Senator from Kansas [Mr. SCHOEPPEL] and the Senator from New Jersey [Mr. HENDRICKSON] have been exceedingly cooperative with me in this regard. They are not in any way responsible for my objection. Their making of an objection in my behalf is in no way an indication that they approve of the merits of my objection. They have extended to me that fine senatorial courtesy which they, as cochairmen of the calendar committee, feel they owe to me. Again today I wish to express my appreciation to them. I wish to say once more for the RECORD that I think they are doing an exceedingly able and fine service for the Republican side of the Senate and rendering a great service to the taxpayers of the country in the diligence they have exercised in carrying out their duties in connection with our calendar committee. In my opinion those two Senators have saved the taxpayers of the country many, many hundreds of millions of dollars because of the watchdog activity they have maintained over the calendar, resulting in preventing the passage of legislation on the unanimous-consent calendar which, if it had passed would in many instances, I believe, have involved an unwarranted expenditure of Federal funds.

To return to a discussion of the California bill. Of course it is an out-and-out transfer of a piece of Federal property. It is, it is true, for a specific use by the State of California, but once transferred, no strings are attached, except that if the State of California ever ceases to use it for agricultural purposes it will then revert to the Federal Government.

I can think of no clearer case for the application of the Morse formula than one like that. I know of no reason why the Federal Government should turn over to the State of California a grape experiment station previously operated by the Federal Government, but henceforth to be used by the State of California for agricultural purposes, and not expect the State of California to pay something for the station. I imagine we have a great deal of Federal property scattered throughout the United States which various agricultural colleges would like very much to acquire without payment. We can well imagine that the State budgets of a good many States would be greatly helped if they could get the Federal Government to make available to them experiment stations free of charge. I do not question the desirability of this kind of research, although I assume that there must be some good reason why the United States Department of Agriculture does not think it necessary for it to continue such experiments. I assume, subject to correction, that there are good economic reasons why the State of California should wish to continue the experiments. But I do not know why they should ask the taxpayers of the country to turn over to them the experiment station for nothing.

I think they ought to pay something for it. I think they ought to pay half of the appraised fair market value of the property, unless—and I stress this point because I think it is a point which my good friends overlooked in their criticism of me on June 2 with respect to the transfer of another piece of property—a cooperative program is worked out between the State of California and the Federal Department of Agriculture by which the Federal Government gets the equivalent in service out of the program for the value of the property which it is turning over to the State of California.

Mr. President, there are many instances other than the particular instance which my friends misinterpreted on June 2, concerning the transfer of certain property in the State of Oregon, where the junior Senator from

Oregon has not asked to have applied the Morse formula because it was not applicable, in that the transfer of Federal property to a State agency was a contribution of the Federal Government to a joint enterprise which was going to be carried on both by the Federal Government and by the State government as a result of the transfer.

That is why I am taking the time of the Senate this evening to discuss the bill, because there would not be time under the limitation of debate tomorrow, under the 5-minute rule on the call of the calendar, to set out my reasons why objection was filed to the California bill, and will be filed again tomorrow to the California bill. In my judgment, in connection with the California bill, valuable property is being turned over to the State for a State purpose and function, and the Federal Government ceases to be a party in any way to the program. If we have any doubt about the property being valuable let us announce that this particular station will be put on the market at auction. Let us see how many bidders will bid on it. Let us see how much money we will get for it. Of course, that is my answer to the argument which we so frequently hear on the floor of the Senate: "You know, this property is not worth very much, after all." There is a method of finding out, and that is by putting the station up for sale at auction. If it is not worth very much I assume that the State can get it pretty cheaply.

But, as in so many instances, the property is very valuable property, and we would discover that it would sell for a very good price, thus rebutting the almost stereotyped argument which is heard on the floor of the Senate with regard to this kind of legislation: "After all, it is not worth very much."

In short, I shall object to the California bill again tomorrow, because in my judgment it is a valuable piece of property for which the taxpayers of this country ought to receive some compensation.

Mr. President, I want to be very fair to my critics of June 2, and discuss now an Oregon bill, and make a very frank confession in regard to the Oregon bill. It is a very frank confession which is based upon the fact that I did not even know that the Oregon bill was on the calendar. I was not in any way familiar with the Oregon bill. Had I been present I would have objected to it. However, I assume responsibility for the advice that my assistant gave me, because my assistant was very sincere in the advice that he gave me and relied upon certain precedents which I would not rely upon in the case of any Oregon bill.

I shall discuss the principles of those precedents in a moment. First, I should like to read from the CONGRESSIONAL RECORD of June 2, at page 6324:

TRANSFER OF LAND TO THE STATE OF OREGON

The bill (S. 2603) to authorize the transfer of certain lands to the State of Oregon was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. NIXON. Mr. President, I should like to ask the Senator from Kansas whether the junior Senator from Oregon [Mr. MORSE] has lodged an objection to Calendar No. 1541 (H. R. 5341), which is the bill following the one just called.

Mr. SCHOEPPEL. I may say to the Senator from California that the junior Senator from Oregon has lodged objection to the request for consideration of that measure.

I continue to read from the RECORD:

Mr. NIXON. In that connection, I notice that Senate bill 2603 authorizes the transfer of certain lands to the State of Oregon. Calendar No. 1541 (H. R. 5314) authorizes the transfer of certain lands to the University of California, an instrumentality of the State of California.

I should like to ask the Senator from Kansas on what ground the junior Senator from Oregon objects to the bill which grants lands to the University of California but does not object to the granting of lands to the State of Oregon.

Mr. SCHOEPPEL. Mr. President, if I may reply to the Senator from California, I desire to read a short statement the Senator from Oregon [Mr. MORSE] left with me. This is what his statement says:

Mr. President, I am sure that it will not come as any news to Members of the Senate that frequently they find it necessary to have a great many matters handled by their assistants. This particular matter was handled by an assistant of mine when I was many hundreds of miles away. I assume responsibility for it. But because the question of intent and motivation crept into the discussion by my colleagues, I mention the fact that I was in no way a party to the memorandum which was filed, and knew nothing about the matter until I returned. Therefore it is quite a mistaken deduction on the part of my colleagues to seek to imply that I was stooping to a violation of my formula in regard to the transfer of some Oregon land and applying the formula to the transfer of land in other States.

The particular memorandum—which was prepared without my knowledge, but within his authority, by the assistant in my office—follows some precedents. If I had been in the Senate on that day, I would not have applied those precedents to an Oregon transaction, for the simple reason that I can always be counted upon to lean over backward in regard to any matter involving an Oregon transaction. As I have said, the memorandum was filed on that day by my assistant, without my knowledge. The memorandum reads as follows:

Since Senate bill 2603 contemplates a transfer of land by the Federal Government to the State of Oregon, I have requested that this brief statement be inserted in the RECORD following consideration of this bill during today's calendar call.

Under the so-called Morse formula regarding Federal land transfers, I have maintained the position that no Federal land should be transferred by the Federal Government without at least 50 percent of the appraised fair market value being paid if the land is to be used for public purposes, and 100 percent of the appraised fair market value being paid if the land is to be used for private purposes.

However, there have been several cases before the Senate where the land involved had originally been donated to the Federal Government without cost by the same entity which would be the recipient of the land under the legislation involved. In such cases, where there have been no valuable improvements made by the Federal Government during the time that it held the land, I have not objected to the retransfer of that land back to the original donor. I am informed that S. 2603 deals with such a case and I therefore have made no objection to it.

Then the Senator from Kansas [Mr. SCHOEPPEL], having read the memorandum which was submitted to him, in my name, by my assistant—and within his authority—went on to say:

I may say to the Senator from California that that seemingly covers the explanation which the Senator from Oregon has left with the calendar committee.

Mr. President, it is true that there have been instances in which a State or a governmental subdivision of a State or a public institution has donated to the Federal Government a piece of property for specific purposes, and thereafter the Federal Government either has found it undesirable to use the property for those purposes, or has found that it did not need the property for those purposes; and then the State agency has sought, by means of a bill, to have the property transferred back to the State. It is true that in such instances, I have not objected to such transfers, because I have felt that under those circumstances the equities were in favor of the State. Specifically, the State or State agency had given the property to the Federal Government in the first place; next, the Federal Government had found that it had no need or use for the property; next, the Federal Government had not spent any money in improvements on the property; and finally, the value of the property had not markedly increased. Under those circumstances, the property was transferred back to the State, without cost to it.

That is what my assistant sought to bring out in the memorandum. In it he did not go into detail. If he had done so, in my judgment the misunderstandings which arose and some of the misinterpretations which were made, to which I shall refer in a few minutes, never would have developed or never would have been made here in the Senate.

Let me make very plain that if I had been here at that time, I still would have objected in that instance, in order to avoid just the sort of misunderstanding which subsequent discussion on the floor of the Senate at that time showed I would be subject to in the case of a transfer such as this one. However, let me say that in that instance I would have been guilty of attempting to apply—and undoubtedly my senior colleague would have pointed out the precedent in no uncertain terms, and would have pointed out that I was seeking to apply—a stricter policy to my own State and to him, as my colleague, than I have applied to other States and to others of my colleagues in the Senate, although in the case of the transfer of these few acres it is to be recalled that, in the first place, they came from the State without cost; in the second place, no improvements were made on them by the Federal Government; and in the third place, no substantial increase in value had occurred in the meantime. Therefore, on

the basis of the equities, it is true that the Morse formula did not apply.

On the other hand, the CONGRESSIONAL RECORD will show that in other instances in which an agency of a State had given the land to the Federal Government, in the first place, and when great or valuable improvements had been placed on the land, and when the land had greatly increased in value during the period of time when the Federal Government held it, I have always taken the position that under such circumstances the Federal Government at least should receive half the appraised fair market value of the property, as created by the governmental improvements and as created by the increase in value during the period of Government ownership, because, after all, that is wealth belonging to all the people of the United States.

But, Mr. President, in view of the fact that I was not in the Senate Chamber at that time to explain in the detail, in the way I am explaining today, the application of the Morse formula in those circumstances—and it has been applied consistently—I can understand why some of my colleagues should jump to the conclusions which I now read, as set forth in the CONGRESSIONAL RECORD:

Mr. ELLENDER. Mr. President, will the Senator from California yield?

Mr. NIXON. I yield to the Senator from Louisiana.

Mr. ELLENDER. As was indicated by the statement just read by the Senator from Kansas, the difference between Calendar No. 1540 (S. 2603), which is now under consideration, and Calendar No. 1541 (H. R. 5314), is that in the case of S. 2603 the State of Oregon had donated 46 acres-plus for certain purposes, and the State Commission of Fisheries in Oregon is desirous of building a fish hatchery on 2 acres of this land. It is really a return of the 2 acres of land which was previously given by the Senate of Oregon to the Federal Government.

That is true. In other words, no improvements had been made on those 2 acres of land, and those 2 acres of land had not increased in value, and the Federal Government no longer wanted those 2 acres of land.

I read further from the CONGRESSIONAL RECORD for June 2, 1952, at page 6324:

Mr. NIXON. Is the Senator aware of the bill which involved a return to the State of Oregon of a dry-land experiment station last year, to which the Senator from Oregon did not object?

Mr. ELLENDER. No; I am not.

Mr. NIXON. What I am getting at is that it seems that whenever the Senator from Oregon applies his formula that no grant should be made by the Federal Government to a State in cases of this type, he generally finds against other States, but in those instances where the State of Oregon is involved, usually an exception can be made, and the cases can be distinguished.

I am not suggesting that the junior Senator from Oregon has not convinced himself, in those instances where the State of Oregon is involved, that the case can be distinguished, but on the other hand, I should like to point out, so far as Calendar No. 1541 (H. R. 5314), which involves the State of California, is concerned, even if we follow what I would term the strict legalistic approach of the junior Senator from Oregon, we find that the case involving the University of California falls within his formula.

Mr. ELLENDER. Mr. President, will the Senator yield further to me?

Mr. NIXON. Yes.

Mr. ELLENDER. I am very much surprised—as a matter of fact, I am disappointed—at the attitude taken by the distinguished junior Senator from Oregon with respect to calendar 1541 (H. R. 5431), because in that case, it is true, the Federal Government purchased the land for $15,000 and made improvements on it costing about $11,000, representing a total investment of $26,000. But this land is taken over by the University of California to carry on the same work which will cost the Federal Government many dollars.

As I understand the purpose of the bill, it is to permit the University of California to carry on experiments with grapes, and the moment that the university fails to carry on that work, this property will revert to the United States.

Mr. NIXON. In that connection, so that the junior Senator from Oregon in reading the RECORD will understand that this is a case which should fall within his formula, I point out that the report reads as follows:

"The effect of the transfer will be to permit the grape experimental program, which would otherwise be discontinued, to continue at very little cost to the United States."

Why is the United States Department of Agriculture discontinuing the program?

I read further:

"For budgetary and other reasons the Department of Agriculture is no longer conducting an active experimental program on this property, although there is the recognized need for further experimental field work in grapes."

Getting to the point, I think it is extremely important to note that, first of all, there is a quid pro quo within the formula which the junior Senator from Oregon lays down, because the United States is to receive the benefit of the work done by the University of California. The whole country will benefit, because grapes are grown in Ohio, New York, and other States as well as in California. It is true, we Californians contend they are not so good as those grown in California, but all grape growing States would still get the benefit of the experimental work.

The second point which should be mentioned is that what is sought in H. R. 5314 is certainly in line with the principle toward which we are all working these days, namely, to develop more State and local responsibility for research activity of this type, thus taking the burden from the Federal Government. That is exactly what would be accomplished by this bill. This is a needed program, which the Federal Government can no longer afford which the State has assumed the responsibility for carrying on.

Mr. President, I have these comments to make about the observations of the Senator from California [Mr. NIXON], and the Senator from Louisiana [Mr. ELLENDER]. First, I may say that the Senator from Oregon has not permitted one bill to go through the Senate of the United States, involving a return to the State of Oregon of a dry-land experiment station, during the past year, which transfer in any way involved the Morse formula, to which he did not object. I want to say to the Senator from California, as I stand in the Senate today, for his reply tomorrow, and to the Senator from Louisiana, and to the Senator from Florida, all of whom in my judgment, by implication and innuendo, left in the RECORD of June 2 the impression that the junior Senator from Oregon follows one policy when land in his State is involved, and an entirely different policy when land not in his State is involved, that they cannot square those innuendoes and implications with the RECORD. As I have said, I recall very distinctly, once before in the Senate an occasion on which I objected to the transfer of the Albany, Oreg., land, previously referred to. On that occasion the Senator from Virginia [Mr. BYRD] came to me before we reached that bill in the Senate and said he would be glad to object to that bill on my behalf, assuming, I presume, that it might be embarrassing to me to object to it. I appreciated very much the courtesy. I said to him, as he will testify, that whenever I cannot object to a bill transferring land in Oregon, which is in conflict with the Morse formula, then I shall not object to any land transfer bill which comes to the floor of the Senate from any State; and on that occasion I objected.

So far as I know, Mr. President, there has never been a bill that got through the Senate, when I was on the floor of the Senate, involving the State of Oregon, that was not objected to by me, if it violated the Morse formula. I notified, for example, the head of my National Guard in the State of Oregon some weeks ago that if they persisted in asking to have a bill introduced in Congress for the transfer of land for the benefit of the National Guard, I would object to it unless the State were willing to pay one-half the appraised fair market value of the property. I have never taken a walk-out powder on any one of these bills, either. If any bill has ever gone through the Senate when I have been absent from the floor of the Senate, it has not been because of any intentional absenting of myself from the Senate because of the fact that that bill was on the calendar.

In the present instance, Mr. President, I did not even know that these bills were coming up. But that was the fault of no one but myself. But that happens to be the fact, and it has a very direct bearing upon the question of the intent and motivation of the junior Senator from Oregon, which in my opinion was brought into question by the implications and innuendoes contained in the remarks of my colleagues, previously referred to.

Let us consider the so-called dry-land experiment station case, Mr. President. Did the Morse formula apply to it? Not at all. The junior Senator from Oregon made a very careful investigation before action was taken on the bill in the Senate to make certain whether the Morse formula applied. The Senator from Oregon made inquiry of the Department of Agriculture in regard to the terms and conditions that were proposed in connection with the transfer, and then, after the transfer, after the bill was passed and some further questions were raised in regard to it, I thought it highly desirable that I reduce to a written record the advice and information that I had received as to the nature of the transfer; and so, under date of April 24, 1951, I wrote

to Dr. F. W. Parker, of the Plant Industrial Station, Beltsville, Md., as follows:

This is to confirm the request made by Mr. Adams of my office for information on the transfers contemplated under the authority of Public Law 825, Eighty-first Congress.

It would be appreciated if the report requested would include a description of the property, real or personal, which is to be transferred, an estimate of the fair market value of such property, the amount of money for each year that the Federal Government put into the stations for the preceding 5 years, the amounts which the various States involved have put into the respective properties in the preceding 5 years, and copies, if possible, of the contemplated memorandums of understanding relating to the terms of transfer, or other correspondence concerning commitments as to future operation of the stations.

In addition, any other information which would appear to be pertinent to an evaluation of the value which will accrue to the Federal Government by virtue of these transfers will also be appreciated.

Mr. President, under date of May 7, 1951, I received a long memorandum from the Department of Agriculture, in answer to my letter of April 24 addressed to F. W. Parker. I ask unanimous consent to have this memorandum printed in the RECORD at this point as part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH ADMINISTRATION,
Washington, D. C., May 7, 1951.

Hon. WAYNE MORSE,
United States Senate.

DEAR SENATOR MORSE: This is in reply to your letter of April 24 to Dr. F. W. Parker, of the Bureau of Plant Industry, Soils, and Agricultural Engineering for information on field stations authorized for transfer under Public Law 825 of the Eighty-first Congress.

The irrigation field stations concerned were originally established on reclamation projects primarily as demonstration farms. The dry-land field stations were established in the dry-land area of the Middle West to meet the need for information incident to the settlement of the Great Plains area, by assembling information as to the limits of particular types of agriculture and the kinds of farming suitable for the various areas. Generally, the stations are engaged in cooperative work with the agricultural experiment stations of the States in which located. A great deal of the fundamental information necessary has now been assembled by these stations and the need for soil research and specialized experimentation has gradually displaced the earlier type of demonstration and testing activities carried on at these stations. With increasing costs, the maintenance and operation of these stations would absorb funds otherwise available for needed soil research and associated problems.

The question of how best to fit these stations into a comprehensive program of research, including soils investigations and other advancements in land utilization and conservation, was discussed by representatives of this Department with the directors of the agricultural experiment stations in the area. A special committee of such directors recommended the transfer of these stations to the respective States where the work being carried on at such stations is primarily concerned with local problems.

The legislation, enacted as Public Law 825, approved September 23, 1950, authorized the transfer, without consideration, of the interests of the United States in the lands, buildings, and improvements, including water rights, of field stations at Huntley, Mont.; Mitchell, Nebr.; Fallon, Nev.; Tucumcari, N. Mex.; Hermiston, Oreg.; and Sheridan, Wyo., to the respective States upon such conditions as in the opinion of the Secretary of Agriculture will assure the use of such station in the cooperative agricultural experimental work of the Department and the State.

Most of the agricultural research conducted by the Department is in cooperation with States. State agricultural experiment stations have traditionally provided without cost to the Federal Government many facilities, including office space, laboratory space, supplies and equipment, seeds, fertilizers, labor, etc., which are difficult to evaluate. Their contribution to cooperative work is a much greater factor in expediting accomplishments than the dollar value would indicate.

The lands of the station at Tucumcari, N. Mex., were leased from the board of regents of the University of New Mexico. This lease has been terminated and the buildings and improvements have been transferred to the board of regents of the New Mexico College of Agriculture and Mechanic Arts by secretarial agreement dated March 16, 1951 (exhibit A).

In Montana, Nebraska, and Nevada the States have assumed administration and operation of the stations involved under a revised memorandum of understanding, copies of which are enclosed. Under these adjustments the States have materially increased their financial support to the cooperative program. In each case the transfer of title to lands, buildings, and improvements to the States is in process by the Department of the Interior since Public Law 825 provides that where the station is on public-domain lands, only the Secretary of the Interior may grant such easements to the State. In Oregon and Wyoming negotiations are still in progress with the State agricultural experiment stations to develop satisfactory conditions for the transfer of Hermiston and Sheridan to the respective States.

There are enclosed tables giving a description of the property and showing the finances at the individual stations for the last 5 years and a list of the major items being transferred with estimated total evaluation. To obtain the latter information in detail by individual items would require field determinations and several days to obtain current estimates.

The Federal expenditures have varied at the individual stations from year to year because of repairs and reconditioning, purchase of equipment, payment of lump-sum annual leave to retiring employees, etc. In several of the States revised programs by mutual agreement with the director of the agricultural experiment station have called for shifts of funds to other locations in recent years. This is true particularly in Montana and Oregon.

It is our considered opinion that the adjustments in research programs brought about by these transfers will materially strengthen the research having regional and national significance and will encourage the States to assume greater responsibility in conducting research having primarily local application.

If additional information is wanted, we shall be glad to furnish it.

Sincerely,

B. T. SHAW,
Acting Administrator.

Mr. MORSE. This letter will show that the bill involving the transfer of the so-called dry-land experiment stations, referred to by the Senator from California [Mr. NIXON], involved a series of experiment stations in several of the Western States, namely, at Huntley, Mont.; Mitchell, Nebr.; Fallon, Nev.; Tucumcari, N. Mex.; Hermiston, Oreg.; and Sheridan, Wyo.; calling for the transfer of these stations to the respective States, says the Department of Agriculture, upon such conditions as in the opinion of the Secretary of Agriculture will assure the use of such station in the cooperative agricultural experimental work of the Department and of the State.

Of course, what the Senator from California [Mr. NIXON] completely overlooked when he made the remarks on the floor of the Senate, which in my judgment had the effect of creating an entirely false and erroneous impression as to the position taken by the junior Senator from Oregon, was, that in connection with the dry-land experiment stations, the transfer was not an out-and-out transfer to the States concerned, as the Senator from California proposes in his bill, in connection wtih the great experiment station to be transferred from the Federal Government to the University of California, but that, under the bill by which several dry farming stations were transferred to several Western States, including one at Hermiston, Oreg., a cooperative arrangement was worked out which provided that the transfers would not be made until each State concerned worked out a memorandum of understanding with the United States Department of Agriculture whereby the contributions made by the State in connection with the continuation of the experiment would amount to a substantial value, far in excess, in my opinion, of half of the appraised fair market value of the property. The transfer amounted in fact only to the Federal Government's contributing to a joint program henceforth to be carried on by the States and the Federal Government through the Department of Agriculture, working jointly and cooperatively.

Mr. President, that is quite a different thing from proposing here on the floor of the Senate that an out and out transfer of a Federal experimental station to the University of California, with no strings attached, should be considered in the same class and category with the transfer of a series of dry-land experimental stations in various western States taking the form of the Federal Government's contribution to the costs and expenses of conducting what is contemplated to be a long-time series of experiments in land problems.

I wish to add, Mr. President, that my respect and regard for the Senator from California are such that I am satisfied that had he taken time to study the bill to which he referred as the dry-farming experiment station bill, which I let go through the Senate last year without objecting, he would have recognized the fundamental difference between that bill and his own bill, and he would not have made on the floor of the Senate the statements he did make which in my

judgment reflected, and I so interpreted them, upon my intellectual honesty.

I say today to the Senator from California that if he had had before him the record on the dry-farming experimental station bill which I have now inserted in the RECORD I am satisfied he would have seen a marked difference between the dry-farming experimental station bill and the bill which he introduced.

I say here again today, Mr. President, that if in my judgment I had not been completely satisfied at the time the dry-farming experimental station bill went through this body that the Federal Government was not getting the equivalent of or more than half the appraised fair market value of the property, I would have objected to the bill. But because the facts which I have been given by the Department of Agriculture, and the facts which I subsequently required to be placed in the written record, disclosed that the Federal Government was getting at least as much as, if not more than half the appraised fair market value of the property, I did not object.

Let me say that I have been informed by the Department of Agriculture in recent days that not all the plants which are involved have been transferred, including the Hermiston, Oreg., plant, because the Department of Agriculture has not yet succeeded in working out, in regard to some of the plants, what it considers to be a satisfactory memorandum of the understanding governing the future conduct of the experiments to be carried on by the station. In other words, the Department of Agriculture has not yet made a single transfer under the bill of a single one of these stations where they have not been able to work out a satisfactory understanding whereby the Federal Government will be assured that it will get its full share of contribution from the State for conducting the experiments justifying the Federal Government's turning over to the State the value of these experimental stations.

To put it another way, to show how clearly the particular bill meets the impression which the Senator from California left in the RECORD that it was a bill to which the Morse formula applied and that I did not object to its passage in that form is demonstrated by the very terms of the bill which require the assurance that the Federal Government would get adequate compensation from the State for the transfer of this property, in the form of conditions, placed in this instance in a memorandum of understanding for a cooperative arrangement for the conduct of the experiments to be carried on in the future by the station. It was because I had been satisfied on the facts that the Federal Government was not giving this property away but was getting in return a value at least equal to half of the appraised fair market value of the property, that I did not object to the bill.

Mr. President, again there are adequate precedents for the application of that principle to the transfer of property by the Federal Government to the States or local divisions thereof. I never apply the Morse formula to a transfer of property if the terms and conditions of the transfer result in there accruing to the benefit of the Federal Government an amount equal to what would have been an out-and-out cash payment for the property. I am sure the difficulty is that the Senator from California just was not aware of the fact that in this particular bill the Federal Government was getting at least as much if not more than the equivalent of half of the appraised fair market value of the property.

I had intended to discuss other parts of the RECORD of June 2 but to do so would be cumulative, because they simply repeat illustrations which I have already given, and support the statement I again make, that not once on the floor of the Senate since I first applied the Morse formula to the transfer of surplus property have I knowingly permitted a bill to which the Morse formula applied, whether it involved my State or any other State, to pass without objection.

I assure the Senator from California, the Senator from Louisiana, and the Senator from Florida, who I assume from their discussion on the floor of the Senate on June 2 were under the erroneous impression that I have not been consistent in the application of this formula, that the RECORD does not support their observations. I think it is well, as supporting evidence, to make reference for just a moment to the so-called Tuskegee transfer, which was involved in H. R. 2685 in 1951. I first objected to that bill and asked to have it go over, so that I could obtain the facts. Subsequently, as the RECORD will show, I made the following comments on the bill—I cite this precedent because it is another illustration of the policy I have followed in my desire to be fair and consistent in the application of the formula:

> Objection was made on my request to H. R. 2685 at the last call of the calendar pending the receipt of further information which I had requested.
>
> I now have that information at hand and it does indicate that we could, through the use of the mechanisms set up in the Federal Property and Administrative Services Act of 1949, probably accomplish the aims of this bill more effectively and without any special legislation at all.
>
> However, the specific case is, on the facts as presented, a meritorious one. I am informed that the land was originally donated to the Government by the Tuskegee Institute for the use of the veterans' hospital. Little use has been made of the property by the Veterans' Administration and no improvements have been placed upon it. The land is not required for the needs and the discharge of the responsibilities of the Veterans' Administration. It also appears that some discretion should be allowed in reference to the reservations to be imposed so that the institute will not be prohibited from making full use of the land.

That bill involved a transfer of land in another State, and was on all fours, in my judgment, at least in most respects, with the transfer of the two acres involved in the Oregon bill called up on June 2. In the case of the Tuskegee bill, land was involved which, in the first instance, was transferred to the Federal Government. It was transferred for the use of a veterans' hospital. The Federal Government had no need for the property for that use, and request was then made to have it transferred back, for the benefit of the State institution concerned, for public use. Once those facts were made clear to me, once the facts showed that no improvements had been made on the land by the Federal Government—as was also true in the Oregon case—and that no great increase in value of property had developed as a result of the passage of time during the Federal holding, I agreed in that instance to the retransfer of the land to the State agency concerned.

Offhand, I recall a similar transfer involving the State of Kentucky, where land was given to the Federal Government for a specific use. It no longer was needed for that use, and the State government desired to have it back for the use of the University of Kentucky in connection with 4–H Club work.

In that case I was very much concerned about the application of the Morse formula. I had objected to the bill in the first instance because, on the basis of facts which I had received, I was of the opinion that the formula applied. I stopped off on a trip I was making to Chicago, Ill. I rerouted myself through Lexington, Ky., and talked with Kentucky State officials and university officials. I found that, on the facts, the Morse formula did not apply because it was a case in which the transfer had been made in the first instance to the Federal Government by the State, which was now seeking to get the property back because the Federal Government no longer had any use for it. No improvements had been placed on the property, and there had been no increase in the value of the property. Under the circumstances I thought it was only fair and equitable that the institute should get it back for public use without payment of any money.

It was such precedents as these that my office assistant had in mind when he filed on June 2, without my knowledge, the memorandum read by the Senator from Kansas [Mr. SCHOEPPEL]. I repeat, had I been here, even though it would undoubtedly have displeased my colleague, I would have taken the position, had any doubt been raised that the State of Oregon should pay half the appraised fair-market value for those 2 acres of land.

Although my assistant was technically correct in the matter—the Senator from California [Mr. NIXON] called it a legalistic approach—the case should be squared with such precedents as I have just cited.

Mr. President, I am sure that to many the importance of my taking the time to clarify my position for the RECORD may not be so clear. I shall not take time to read from various volumes of the CONGRESSIONAL RECORD which I have before me, containing other precedents I could cite in support of my statement that there is no basis in fact for the implications and innuendoes contained in the remarks of my colleagues on June 2. I have taken this time because the greatest wealth I have, the greatest of my riches,

is my reputation for complete intellectual honesty. I do not intend to allow it to become besmirched, even innocently, by colleagues on the floor of the Senate of the United States, without defending that reputation.

I make mistakes, but they are mistakes in judgment, not mistakes of integrity. They are mistakes—when I make them—based upon misinformation. They are not based upon any intention to engage in any such type of intellectual dishonesty or deliberate inconsistency as my colleagues implied in their remarks on the floor of the Senate on June 2.

One cannot follow my course of action in American politics, of always insisting upon exercising an honest independence of judgment on the merits of issues in accordance with the facts as he finds them or believes them to be, without subjecting himself to unfair criticism from time to time.

I shall continue to follow that course of action so long as I am a Member of this body; and in keeping with that principle I serve notice again that I shall continue to file objections on the floor of the Senate, in accordance with the principles of the Morse formula, to any transfer of Federal property which, in my judgment, does not meet the formula. Any colleague of mine will always find me perfectly willing to sit down with him and have him try to show me facts which demonstrate that his particular bill does not come under the formula; and if he does, I will change my opinion, just as the record shows, in accordance with the precedents which I have cited here this afternoon. I have not hesitated to change my opinion in such cases as the Tuskegee case, the Kentucky case, and others which I could cite.

But let it also be understood that if they do not show me those facts they will never get me to change my opinion.

THE McCARRAN-WALTER IMMIGRATION BILL—EDITORIAL FROM THE WASHINGTON POST

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Exclusion Bill," published in the Washington Post of June 16, 1952, discussing the McCarran-Walter immigration bill.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EXCLUSION BILL

Despite the superficial tidying-up done in conference, the McCarran-Walter bill codifying and revising the country's immigration and naturalization statutes remains a profoundly disappointing and dangerous measure. It makes numerous changes in the unsatisfactory existing laws dealing with aliens. But it retains and intensifies the underlying exclusionist philosophy which characterized the Immigration Act of 1924. Moreover, it authorizes harsh and summary proceedings in the treatment of aliens, proceedings altogether inconsistent with American institutions. In general the bill is no better, and in some respects it is worse, than existing law. We urge the President to veto it.

As we see it, there are three major defects in the McCarran-Walter bill. First of all, it transforms naturalization into an uncertain and inferior class of citizenship. Under its terms, if, within 5 years of his naturalization, a citizen joins any organization which the Attorney General considers a Communist front, the mere act of joining, regardless of the motive or intent, may be taken as prima facie evidence of fraud in obtaining citizenship and may be penalized by denaturalization. It also provides that a naturalized citizen may lose his citizenship if, within 10 years of obtaining it, he should refuse to testify before a congressional committee investigating subversive activities. Neither of these punitive provisions applies to native-born citizens; a naturalized citizen would be less free than one who was native born. The effect is not only to make naturalized citizenship uncertain, but also to frighten and intimidate and thus restrict the rights of naturalized citizens. We think the distinction between classes of citizenship profoundly un-American.

Second, the bill would in some instances harshly limit the discretion of the Attorney General to temper justice with mercy in dealing with aliens and in other instances would put into his hands—or into the hands of consuls and immigration officers—arbitrary power to exclude or deport aliens, with inadequate opportunities for appeal to the courts. The United States ought to deal with aliens no less justly than with citizens; and judicial review, we have learned, is a necessary means of assuring justice.

Finally, the bill is animated by xenophobia. It treats immigration as an evil and a liability rather than as an asset and a source of strength, as it has been in the past. It not only sets up numerous new grounds for exclusion and for deportation—even abolishing statutes of limitation in deportation cases—but it restricts immigration to the trickle of the past couple of decades. The number of aliens admissible under the proposed law would be virtually identical with those admissible under the present law. This is accomplished by basing quota provisions, as in the past, upon the 1920 census. They ought to be based upon current census figures and they ought to be liberalized. This Nation has grown to greatness through enrichment of its culture and its population from the Old World. It would be tragic to forsake its great traditions for the spurious protectionism of a McCarran wall.

ADJOURNMENT

Mr. MORSE. Mr. President, I now move that the Senate adjourn until tomorrow morning at 10:30 o'clock.

The motion was agreed to; and (at 7 o'clock and 10 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until tomorrow, Saturday, June 21, 1952, at 10:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 20 (legislative day of June 10), 1952.

DIPLOMATIC AND FOREIGN SERVICE

Phelps Phelps, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic, vice Ralph H. Ackerman, resigned.

Angus Ward, of Michigan, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan, vice George R. Merrell.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 20, 1952

The House met at 10 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, whose truth is our light and hope, may our moments of prayer draw us together in greater unity of spirit as we plan and labor for the welfare of our country and all mankind.

Quicken us with lofty and holy aspirations and may we feel that it is our highest wisdom and joy, our noblest responsibility and privilege to enthrone Thy will and to establish Thy kingdom of justice and righteousness upon the earth.

Grant that through our example and influence, our loyalty and devotion, the cause of peace may be advanced and men everywhere may be inspired to walk in the way of Thy commandments.

At last save us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6291. An act to amend section 218 (f) of the Social Security Act with respect to effective dates of agreements entered into with States before January 1, 1954.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7268. An act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCKELLAR, Mr. HAYDEN, Mr. RUSSELL, Mr. ELLENDER, Mr. HOLLAND, Mr. KNOWLAND, Mr. YOUNG, Mr. CORDON, and Mr. THYE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 677) entitled "An act to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the commandant of the Marine Corps to the Joint Chiefs of Staff."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7216. An act making appropriations for the government of the District of Columbia and other activities chargeable in

whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. O'MAHONEY, Mr. MCCLELLAN, Mr. FERGUSON, Mr. MCCARTHY, and Mr. HUNT to be the conferees on the part of the Senate.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 4, 1952:

H. R. 2346. An act for the relief of Odette Louise Tirman;

H. R. 6811. An act to amend the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924, as amended, and for other purposes;

H. R. 6848. An act for the relief of Sharon Elaine Frankovich; and

H. J. Res. 454. Joint resolution making additional appropriations for the Department of Agriculture and the Department of Defense for the fiscal year 1952, and for other purposes.

On June 5, 1952:

H. R. 4511. An act to authorize the Secretary of the Navy to convey to the Territory of Hawaii certain real property at Kahului, Wailuku, Maui, T. H.; and

H. R. 6947. An act making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes.

On June 9, 1952:

H. R. 975. An act for the relief of Sarah A. Davies;

H. R. 1099. An act for the relief of the estate of Cobb Nichols;

H. R. 2902. An act for the relief of Thomas E. Bell;

H. R. 3561. An act for the relief of Mary Osadchy;

H. R. 4801. An act to enable the Legislature of the Territory of Hawaii to authorize the Board of Supervisors of the City and County of Honolulu to issue certain bonds for flood-control purposes;

H. R. 4802. An act to enable the Legislature of the Territory of Hawaii to authorize the Board of Supervisors of the City and County of Honolulu to issue certain public-improvement bonds;

H. R. 4923. An act to enable the Legislature of the Territory of Hawaii to authorize the Board of Supervisors of the City and County of Honolulu to issue certain bonds for the construction of the Kalihi tunnel and its approach roads;

H. R. 5071. An act to enable the Legislature of the Territory of Hawaii to authorize the County of Maui, T. H., to issue public-improvement bonds for the construction of flood-control projects on Iao stream;

H. R. 5072. An act to enable the Legislature of the Territory of Hawaii to authorize the County of Maui, T. H., to issue public-improvement bonds for the construction of new public-school buildings;

H. R. 5121. An act for the relief of Felix Navedo-Merced and Carmen Ramos-Baez;

H. R. 5386. An act to enable the Legislature of the Territory of Hawaii to authorize the City and County of Honolulu, a municipal corporation of the Territory of Hawaii, to issue bonds for acquisition of real property for public-school purposes and for construction and replacement of buildings for public-school purposes; and

H. R. 5753. An act for the relief of Bernard J. Keogh.

On June 10, 1952:

H. R. 156. An act to repeal the Alaska railroads tax.

On June 11, 1952:

H. R. 654. An act for the relief of Ivo Cerne;

H. R. 696. An act to authorize the President of the United States to present the Distinguished Flying Cross to Col. Roscoe Turner;

H. R. 1162. An act for the relief of Kaiko Sugimote (Kay Fair) and her minor children;

H. R. 1428. An act for the relief of Claude Foranda;

H. R. 1960. An act for the relief of Erika Nicolo and her minor child;

H. R. 2303. An act for the relief of Sisters Maria Salerno, Eufrasisa Binotto, Maria Ballatore, and Giovanna Buziel;

H. R. 2784. An act for the relief of Fumiko Higa;

H. R. 2841. An act for the relief of Yai Wing Lee;

H. R. 2903. An act for the relief of Mimi Fong and her children, Sing Lee and Lily;

H. R. 3070. An act for the relief of Giovanni Rinaldo Bottini;

H. R. 3124. An act for the relief of Mehemet Salih Topcueglu;

H. R. 3132. An act for the relief of Sister Apolonia Gerards Sokolowska;

H. R. 3152. An act for the relief of Mrs. Setsuyo Sumida;

H. R. 3572. An act for the relief of Ying Chee Jung;

H. R. 3732. An act for the relief of Stephan Joseph Horvath and Lucas Albert Horvath;

H. R. 4152. An act for the relief of Ann Tobak and John Tobak;

H. R. 5145. An act for the relief of Tsutako Kureki Masuda;

H. R. 5805. An act for the relief of Patricia Lauretta Pray;

H. R. 5976. An act for the relief of Michiko Nakashima;

H. R. 5984. An act for the relief of Jimmy Doguta (also known as Jimmie Blagg);

H. R. 6265. An act for the relief of Marian Diane Delphine Sachs; and

H. R. 6314. An act for the relief of Kiko Oshiro.

On June 12, 1952:

H. R. 2307. An act for the relief of Jean (John) Plewniak and Anna Pietrowska Plewniak;

H. R. 2587. An act for the relief of Mrs. Jeannette Thorn Pease;

H. R. 2628. An act for the relief of the George H. Soffel Co.;

H. R. 3953. An act for the relief of Chan Toy Har;

H. R. 5956. An act for the relief of Ingeborg and Anna Lukas;

H. R. 6675. An act to authorize the conveyance of lands in the Hoopa Valley Indian Reservation to the State of California or to the Hoopa Unified School District for use for school purposes;

H. R. 6922. An act to amend section 22 (relating to the endowment and support of colleges of agriculture and the mechanic arts) of the Act of June 29, 1935, so as to extend the benefits of such section to certain colleges in the Territory of Alaska;

H. R. 7188. An act to provide that the additional tax imposed by section 2470 (a) (2) of the Internal Revenue Code shall not apply in respect of coconut oil produced in, or produced from materials grown in, the Territory of the Pacific Islands; and

H. R. 7593. An act to amend paragraph 1774, section 201, title II, of the Tariff Act of 1930.

On June 13, 1952:

H. R. 4790. An act for the relief of Helga Richter;

H. R. 4492. An act for the relief of the legal guardian of Norma J. Roberts, a minor; and

H. R. 5958. An act for the relief of Pauline W. Goodyear.

On June 14, 1952:

H. J. Res. 481. Joint resolution to continue the effectiveness of certain statutory provisions until June 30, 1952.

On June 16, 1952:

H. R. 2920. An act for the relief of Priscilla Ogden Dickerson Gillson de la Fregonniere;

H. R. 643. An act for the relief of Mrs. Vivian M. Graham and Herbert H. Graham; and

H. R. 646. An act for the relief of Mrs. Inez B. Copp and George T. Copp.

On June 19, 1952:

H. R. 1826. An act for the relief of Ellis E. Gabbert;

H. R. 1842. An act for the relief of Mrs. Ann Morrison;

H. R. 6133. An act to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; and

H. R. 6661. An act to amend the Foreign Service Buildings Act, 1926.

On June 20, 1952:

H. R. 7005. An act to amend the Mutual Security Act of 1951, and for other purposes.

EXTENSION OF CONTROLS

Mr. DELANEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DELANEY. Mr. Speaker, we hear a lot of loose talk nowadays from some of the curbstone economists employed by people who make millions of profit from inflation at the expense of those on fixed income. Particularly do we hear that wholesale prices are so much below OPS ceilings we should junk all controls and let the law of supply and demand take over.

As one great American used to say, let us look at the record. The record says that 63 percent of all wholesale prices are at OPS peaks or ceilings. Another 16 percent are only slightly below.

Eighty-four percent of prices mainly of business interest are at OPS peak or ceiling and another 12 percent only slightly below.

This country's wholesale business volume is at the rate of $273,000,000,000 a year, and even a momentary lapse in controls would create an entirely new crop of defense profiteers and price thousands of small businesses out of the market.

This is only one reason why it will be my purpose to vote for controls.

COST-OF-LIVING CONTROLS ARE NECESSARY

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, to hear the pleaders for special interests tell it, everybody is giving everything

away at unheard-of bargain prices, and controls are no protection to the consumer and just a nuisance to the merchant.

The facts are, Mr. Speaker, that prices of half the necessities of life are at OPS ceiling peaks. Another 15 percent of these items are at less than 1 percent below OPS prices, 6 percent are only 2 percent below OPS ceilings, 14 percent are less than 5 percent below, 5 percent are less than 10 percent below, and only 10 percent are 10 percent or more below.

If controls lapsed, Mr. Speaker, I dare say we would see the same thing happen to our cost of living as happened in 1946. That is why I intend to vote for the tightest possible prices on the necessities of life.

CALL OF THE HOUSE

Mr. SMITH of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 109]

Aandahl	Donovan	Pickett
Abernethy	Durham	Powell
Albert	Eaton	Prouty
Allen, La.	Engle	Regan
Bailey	Evins	Richards
Bates, Ky.	Fenton	Roosevelt
Beall	Fernandez	Sabath
Beckworth	Frazier	Scott,
Bender	Gamble	Hugh D., Jr.
Bentsen	Gore	Sheppard
Blatnik	Havenner	Steed
Budge	Hébert	Stigler
Burdick	Holifield	Stockman
Butler	Kennedy	Sutton
Carlyle	Kilday	Tackett
Carnahan	McDonough	Thompson,
Celler	McVey	Tex.
Chatham	Mack, Ill.	Vinson
Chiperfield	Morris	Welch
Combs	Morrison	Wickersham
Curtis, Mo.	Norrell	Willis
Dawson	Patman	Wilson, Ind.
D'Ewart	Patten	Wood, Ga.
Dingell	Perkins	Woodruff

The SPEAKER. On this roll call 357 Members have answered to their names, a quorum.

By unanimous consent, futher proceedings under the call were dispensed with.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 8210, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read down to and including line 18 on page 3 of the bill.

Mr. TALLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TALLE: Page 3, after line 18, insert the following new section:

"SEC. 104. Section 402 (d) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"'(5) The ceiling price for any material shall be suspended as long as (1) the material is selling below the ceiling price and has sold below that price for a period of 3 months; or (2) the material is in adequate or surplus supply to meet current civilian and military consumption and has been in such adequate or surplus supply for a period of 3 months. For the purpose of this paragraph, a material shall be considered in adequate or surplus supply whenever such material is not being allocated for civilian use, or in the case of an agricultural commodity or product processed in whole or substantial part therefrom, is not being rationed at the retail level of consumer goods for household and personal use, under the authority of title I of this act'."

Mr. TALLE. Mr. Chairman, I feel certain that the majority of my colleagues on both sides of the aisle recognize that price controls are incompatible with free enterprise in normal times, and that they should be eliminated at the earliest practicable date. Price controls are expensive to administer—both in money and in manpower. At best they are only a stopgap proposal. They do not under any circumstances do more than hold inflationary pressures in check for a time. They do not solve the problem of inflation. Inflation is an economic condition in which more dollars than goods are in circulation, and the best way to solve the problem is to increase the quantity of goods in circulation, that is, to increase production.

In the case of agriculture commodities, for example, it is a paradox for the Government to stimulate production on the one hand by the use of price supports, and to discourage production on the other hand by the use of price controls. Price controls operate to retard and reduce production and are in themselves inflationary. Consequently, the removal of controls whenever and wherever possible will stimulate agricultural production, thereby providing the best insurance we can give the American people against the inflationary effects of a short harvest.

What we should aim for, then, is a sane and sound and practical formula for decontrolling goods which are not scarce.

The purpose of this amendment is to specify the economic conditions which justify the suspension of price controls. The amendment provides that ceiling prices for any material shall be suspended whenever and as long as, first, a commodity is selling below the ceiling price and has been selling below that price for 3 months; or, second, a commodity is in adequate or surplus supply to meet current civilian and military demands and has been in adequate surplus for a period of 3 months. In this connection, the amendment provides that a commodity is in adequate or surplus supply whenever it is not being allocated or rationed for civilian use.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield.

Mr. HALLECK. I am quite sure I am in agreement with the gentleman's amendment, but I wonder if before he completes his statement, he will tell us what provision, if any, there is for recontrol if the situation should change, that is recontrol administratively.

Mr. TALLE. I am very happy that the gentleman asked that question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TALLE. Mr. Chairman, I ask unanimous consent that I may proceed for two additional minutes.

Mr. SPENCE. Mr. Chairman, I said that I would object to any extensions of time, and while I dislike to do so, we have to expedite the proceedings and I must object to the gentleman's request.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is a most important amendment.

Mr. TALLE. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I shall be very glad to yield to the gentleman from Iowa.

Mr. TALLE. In the event that the supply of a commodity should become scarce, then the price ceiling may be reimposed under provisions of existing law.

Mr. BURLESON. Mr. Chairman, will the gentleman from Minnesota yield?

Mr. AUGUST H. ANDRESEN. I have yielded to the gentleman from Iowa.

Mr. BURLESON. I would like to ask the gentleman if he is familiar with the oil industry. The situation is particularly applicable to crude oil, for his amendment would apply under present conditions.

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Iowa to answer.

Mr. TALLE. My answer to the gentleman from Texas is, "Yes." Now, if the gentleman from Minnesota will yield to me further——

Mr. AUGUST H. ANDRESEN. I shall be glad to.

Mr. TALLE. May I conclude by saying my purpose is to take the shackles off free enterprise. We should do a little more than just render lip service.

Price control is obviously unnecessary over goods which are in plentiful supply, and price controls on such commodities should be suspended as long as economic conditions justify the suspension. Therefore I urge my colleagues on both sides of the aisle to support this amendment which merely spells out the intention of Congress to use price controls not for the sake of control, as such, but only as a temporary emergency measure.

They have been defended on the basis of emergency. If there is no emergency, then it is merely control for control's sake, which is certainly destructive to free enterprise.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, this is one of the most constructive amendments which has been proposed to this bill. It should be passed; it will encourage production of all types of commodities in this country to furnish the people with an abundant supply of these farm and manufactured products as well as other raw materials at reasonable prices. It is an effective weapon to stop inflation.

Mr. Chairman, I yield back the balance of my time.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this amendment has two parts; the first part might be agreeable to me as an individual; I do not know; that is, I would not have too much objection to it; but the first part misleads a little bit, I think about the results that would happen if the amendment were adopted and the second part came into operation.

The first part of the amendment states:

Anything that is selling and is sold below ceiling for a period of 3 months shall be decontrolled.

As an individual I cannot find too much fault with that.

The second part of the amendment states that anything that is not in short supply—that sounds good until you get to a definition of the phrase "short supply"—shall be decontrolled. The way the amendment defines "short supply" is simply to state that anything that is not rationed is not in short supply; and as to the business of reapplying controls in case the price goes up and the commodity becomes in short supply, the price can go as high as the moon and you cannot reapply controls unless you ration that commodity.

That, in essence, is what the amendment provides, and you are being asked to take part 1 which says that if the commodity is selling below ceiling price it shall be decontrolled, along with part 2 which states that anything which is not rationed shall be decontrolled; which, in essence, is saying there will be no price control law.

If we are going to vote on that I have no objection but if we do vote on it I would rather have a straight amendment to strike out the enacting clause of the bill and do away with the whole thing in a clean way, because if you adopt this amendment it is my opinion that OPS will still function, deciding for the next year whether or not to ration things and you will not achieve what "Doctor" TALLE said he wants to achieve. I think the issue should be put before us squarely on whether we want price control or do not want price control.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. Does not the gentleman think there is some middle ground between a sane decontrol and progressive decontrol program and the one we have? We certainly want a sensible one. The Price Stabilization Board wants it.

Mr. HAYS of Ohio. There is a middle ground, but the middle ground is not in here. We either ration everything or we do not control it. The first part of the amendment might be a middle ground, I do not know. I am not speaking for everyone; I am only speaking for myself. But the second part of that amendment is very bad in that it ties control to rationing. I do not think anyone is prepared to say that you cannot have price control unless you ration the products and if you set up rationing you have all of the paper work involved in rationing, including ration books, coupons, and everything else, and I do not think anyone wants to advocate that.

Mr. McKINNON. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from California.

Mr. McKINNON. Does not the gentleman want to point out to the gentleman from Indiana that we have adopted a middle ground in the committee by the 7-percent provision?

Mr. HAYS of Ohio. I think so. We have adopted the middle ground.

Mr. McKINNON. The committee has adopted a middle ground by inserting an amendment in this bill which provides that where the sales price has dropped down below 7 percent underneath the ceiling price the seller shall not be required to make any OPS reports. In other words, when the price drops down below 7 percent of the ceiling price then the seller is relieved of making any reports to the OPS or of supplying information. So we have have provided a middle ground for decontrol.

Mr. HAYS of Ohio. We have provided also for recontrol if the price goes back up, which this amendment does not provide except in the case of rationing and which if the first part of the amendment is to be considered should be provided also; that is, a provision for recontrol if the price goes above the ceiling price.

Mr. COLE of Kansas. Mr. Chairman, I offer a substitute.

The Clerk read as follows:

Amendment offered by Mr. COLE of Kansas as a substitute for the amendment offered by Mr. TALLE: On page 3, line 19 after the words "SEC. 104." by adding the following paragraph:

"(a) SEC. 402 (b) (2) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new section:

"'(a) It is hereby declared to be the intent of the Congress that the President shall terminate controls of wages and prices of individual materials and industries as rapidly as possible; that in order to effectuate this intent, to further the expansion of producing facilities and to promote the earliest practicable balance between production and demand, the following price suspension procedure is prescribed:

"'Within 90 days following the enactment of this paragraph the President shall review the price and supply situation with respect to each material and service subject to price control regulations under this title; and with respect to each such material or service as the President finds to be (i) not in such short supply as to threaten or cause the price of such material or service to rise unreasonably, or (ii) not important in relation to business costs or living costs, he shall suspend ceiling prices on such materials or services. Thereafter, the President shall, at least every 90 days review the price and supply situation with respect to each material and service subject to price control regulations under this title and shall reimpose or remove from such individual services or materials such ceiling prices in accordance with the afore-mentioned standards; provided that no ceiling price on any material or service can be reimposed or maintained below the ceiling price on such material or service in effect on the date the ceiling price on such service or material was suspended.'"

Reletter the remaining sections.

Mr. COLE of Kansas. Mr. Chairman, I want to state at the outset that I am for the Talle amendment which goes much further than the Cole substitute; however, I am offering this substitute in order to give the committee an opportunity to vote for the type of suspension amendment which the committee deems to be advisable.

The Talle amendment does decontrol items on a percentage price-wise criteria. The amendment which I have offered provides that within 90 days after the enactment of this paragraph the President shall review the price situation, and with respect to each material or service which the President finds to be, first, not in short supply as to threaten or cause the price of such material or service to rise unreasonably; or second, not important in relation to business costs or living costs, he shall suspend the ceiling price of such material or service. I approach the situation a little differently than the gentleman from Iowa.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield to the gentleman from Illinois.

Mr. MASON. The Talle amendment, as I see it, would set up these decontrols by law. The gentleman's amendment would set them up on the discretion of the President. Is that the difference between the two?

Mr. COLE of Kansas. I would say the Talle amendment ties down the criteria under which the decontrol would be had far better than the one which I am offering. I am saying to the gentleman, however, that the amendment which I am offering does provide an opportunity for the producers, merchants, and others interested in securing decontrol, to show to the Office of Price Control that there is an ample supply of the commodities on hand; that a finding of fact should be made then as to whether or not the supply of the commodities on hand is sufficient to not cause prices to rise unseasonably, and therefore they could decontrol.

My amendment is far weaker than the Talle amendment, I want no misunderstanding about that. I am offering it to determine what the House feels should be done with decontrol. I am for the Talle amendment. I am giving the House an opportunity, if the Talle amendment goes too far, to accept the Cole amendment.

May I quote from a pamphlet which I received the other day entitled "Ending Price-Wage Controls," a statement by the program committee of the Committee for Economic Development. This committee has studied the question of price controls for a long time, and I

think the Members of the House are familiar with the work which the committee has done. They say in connection with the plan proposed by the Office of Price Stabilization for decontrol and suspension:

The plan is frankly one of lightening the burden of reports and record-keeping, rather than of decontrol.

When a commodity is suspended from control, a "recontrol point" is set which is below its current ceiling but above its current market price.

Now that has been done in a number of commodities; cotton, for instance. Again I quote:

This timid plan should not be confused with decontrol. It will not permit commodity prices to rise to their old ceilings uncontrolled; in fact, ceilings may be reduced at the time of suspension. All the plan does is to recognize the absurdity of forcing producers of commodities selling well below their ceilings to continue to carry the burden of paper work connected with a control that is already inoperative.

That is all that the amendment does which is in the bill. The amendment which I have and the amendment which the gentleman from Iowa has, sets up definite, positive criteria upon which the OPS shall determine that there shall be decontrol. Then if they refuse to do it we have provided in another amendment, which the gentleman from Michigan will offer, in connection with court procedure, that those who are not treated fairly, those who are treated arbitrarily, will have an opportunity to go into court and see that the proper, correct method of suspension and decontrol is continued.

Again I want to quote from the National Food Situation, a pamphlet issued by the Bureau of Agricultural Economics of the United States Department of Agriculture. This is for April–June 1952:

Food supplies for the next few months are expected to be at least as large as in the same period in 1951. Somewhat larger supplies of beef and veal, poultry products, canned food, and processed vegetables will be available than a year earlier.

As I look through the report they have listed item after item of commodities which will be and are in greater supply than they were during the 1951 period.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. McKINNON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the House today seems more interested in creating inflation than in stopping it. We discussed the Cole and Talle amendments at great length in the Committee on Banking and Currency. The Senate committee did likewise, because we are honestly trying to find a sound and fair course toward reasoned decontrol. The basic problem as it applies to these amendments is not the problem of supply; it is the problem of price. We are interested in controlling prices and keeping the cost of living stabilized. Under the Cole amendment, as we find some items, as they are in today's economy, in good supply, but selling at ceiling prices, and if because they are in good supply, even though they are selling at below ceiling prices, and the price regulation is removed, there is no guarantee at all that the price may go up. Therefore we reach a situation that if prices go up we are therefore going to have a greater supply because people will be unable to buy in the market at the increased prices and we will continue to have more inflation instead of less inflation. The Cole amendment would not be operative at all because the supply would be long. In considering these problems in committee, the Talle amendment led to the Cole amendment consideration and the Cole consideration led to the final adoption in committee of an amendment which provides that if a sales price is 7 percent under ceiling prices, that all the onerous paper work can be removed and the seller will not be forced to make any of the reports that are necessary now under price control. In other words, we have taken care of the worst part of price control, which is all the paper work that the seller must go through in reporting to OPS. We have taken care of that problem and provided an incentive for lower prices. But when we start to consider that our primary responsibility is not to the merchant but to the consumer we must realize that the matter of long supply is not the answer but the matter of ceilings on prices; and if the celings on prices are removed even on some items that are in long supply the price is still likely to go up and the consumer and our national defense effort is going to bear the burden of continued inflation.

I am sure you have noticed from items appearing in the paper yesterday and today that the cost of living is approaching an all-time high. Every pressure that we had back in 1950 that caused prices to go up so precipitously is still in our economy today. We must hold the line. If we adopt the Cole amendment or the Talle amendment we are opening the door to continued inflation. But if we stay with the committee amendment, which provides that in case prices go down by 7 percent the seller shall not have to go through the paper work of OPS, we have taken a step toward decontrolling but we still retain the safety factor of having price ceilings. Thus, in case the supply diminishes and prices commence to go up we still have price control in effect at ceiling prices.

Let us not delude ourselves but let us remember that all inflationary factors are still in effect today as they were back in 1950. The committee has gone a long step toward that middle ground of decontrolling, but we cannot shut our eyes to the fact that inflationary pressures are still here and we must provide safeguards in this bill to hold prices down. The Cole amendment will open the door to a new inflation and we will end up in 6 months or less with a higher cost of living than we have today. I do not think our economy can afford it.

Mr. ARMSTRONG. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield to the gentleman from Missouri.

Mr. ARMSTRONG. I wonder if the gentleman is familiar with what has happened to potatoes since the ceiling price of 38 cents was removed. You can now buy all you want for 25 cents.

Mr. McKINNON. It is not as simple as the gentleman paints it. When potatoes were decontrolled they hit a high price, a very high price, and today they are coming down; but there are certain marketing and harvesting factors that have a big bearing on the reduction in price.

Mr. ARMSTRONG. Was not the principal factor the fact that they began putting potatoes on the market for the consumer?

Mr. McKINNON. Those potatoes were not grown since the OPS regulation was removed, I might remind the gentleman.

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, examination of the amendment offered by the gentleman from Iowa [Mr. TALLE] will convince anyone that it is not inconsistent or incompatible with section 110 of the bill, which has been referred to by the gentleman from California in respect to decontrols for the purpose of making reports when the prices of commodities are 7 percent below ceiling. I might say that that 7 percent is purely an arbitrary figure. It might be changed in this committee for some other arbitrary figure. There is nothing incompatible with these two approaches.

The hardest thing about price controls to the merchant and the wholesaler and the producer is that even though prices are below the ceilings he must continue to make these reports. What OPS does with these reports when the prices are below ceiling nobody knows, and we were unable to find out what use they were put to. We used to say during OPA days during World War II that when a price was below ceiling, for all practical purposes the commodity was decontrolled, but for some reason or other in the administration of this act, the administration of which should be surely identical with or similar to the procedures followed in World War II, they continue to compel industry, business, and agriculture to make these reports. It seems to me the Talle amendment would at least help that situation.

There is an automatic recontrol under the Talle amendment so that controls go back on when the commodities get back up to the ceilings. There is nothing in the Talle amendment which prevents the Office of Price Stabilization from reducing the ceiling or increasing the ceiling. It merely says that the ceiling price for any material shall be suspended as long as the material is selling below the ceiling price, the ceiling price set by the OPS. Whether it is above or below the present ceiling price is up to the administrator of the act; or that the material is in adequate or surplus supply. Then the amendment goes on to define for the purpose of the paragraph when a material is in adequate supply. Then it says that the material is in plentiful supply unless it is rationed. It will be recalled that in the statement I made in general debate, I called attention to the fact that it was never the intention of the Congress, when this bill was passed, to invoke price controls selectively or otherwise until there was such a shortage of

consumer goods as would justify rationing. We felt that if there was going to be allocation of basic materials to a considerable extent, it might follow that there would be a shortage of consumer goods incident to the defense effort, and then we could not effectuate rationing without price controls. Let me repeat, there was never any intention by this Congress that price controls should be invoked unless there was such a shortage of consumer goods as to justify rationing. So that the standards set up in this amendment in the definition as to when goods are in plentiful supply, are in keeping with our understanding of the intent of Congress when it passed this bill. The amendment should be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPENCE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, both of these amendments were submitted to the committee and were turned down. I am at a loss to know by what process the Office of Price Stabilization can change the ceilings when the ceilings have been suspended, as they will be under the amendment offered by the gentleman from Iowa [Mr. TALLE]. This amendment provides there can be no reinstatement of price control without providing for rationing.

I further wish to say that it is not my intent—and I do not think it is the intent of the members of the committee—that there would be no price control without rationing. I think we all wanted to avoid rationing. I think rationing imposed a greater hardship and more trouble on our people than any other incident of price control. Our main purpose was to stop the run-away prices by reason of the impact of the defense effort whereby billions of dollars were being spent, not for consumer goods but for tanks, guns, and planes, and whereby the pockets of the American people were filled with purchasing power and it necessarily curtailed the production of consumer goods. Now, rationing had nothing to do with that. Of course, when materials got in such short supply, it was necessary in order to see that the people received a fair distribution that those who had the greatest purchasing power would not get all of the materials, and that then rationing would be invoked. But it certainly was not a prerequisite to placing price controls on that the goods should be rationed, and I do not think that anybody had that in mind when the bill was passed. These are two weakening amendments. I wish the issue could be made clear. I do not think it is a good thing to just whittle away at price controls. I do not think these scuttling amendments have any other purpose except to weaken the bill. If you believe in weakening it, then you do not believe in price controls.

It seems to me that the logical, sensible, and the candid thing to do is to make the issue whether you want price control to continue. If you do not want it, you have the authority to destroy it right now.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. MULTER. I think the clue to the reason for these two amendments is found in the fact that the very people who urged upon us and got us to pass a provision against rationing, that is against slaughter quotas, now want this provision that there be no price control without rationing; in other words, on the one hand they say no rationing and on the other they say no price control without rationing.

Mr. SPENCE. I want to say that as far as the amendments are concerned there was a compromise amendment offered by the gentleman from California [Mr. MCKINNON] to the effect that where materials are 7 percent below ceiling no report shall be made. That did not destroy the machinery of price control; that merely prevented the requirement of reports.

This is an effort not only to prevent reports, which I think is a very reasonable provision, but also to destroy the very machinery by which price control is maintained. Of course, you are not going to have price control reimposed if you have to reimpose rationing; nobody wants rationing. It was not the intent of the committee to have rationing reestablished. Our people do not want rationing; they would very much rather have imposed upon them price control than rationing, and there is no excuse for the argument that there must be rationing before there can be price control.

Mr. WERDEL. Mr. Chairman, I move to strike out the last word.

The gentleman from Michigan has said that the Talle amendment is the better of the two amendments for the reason that it expresses the will of the Congress. I agree I want to recall your attention to the debates on this subject when we were first considering putting on price controls in peace time. It was generally assumed then that they were going on because of shortage of supply. I ask all of you if in your own minds you do not believe it is true that there was a constitutional question involved as to whether or not Congress had the power even to assume a shortage of suply under our economy and put on price control? If you admit, that, then I direct your attention to the fact that we originally wrote them without making provision for the protecton of constitutional rights when supply was adequate. It is not only a matter of stating the policy of the Congress by accepting the Talle amendment. We are now duty bound to acknowledge that if supply is admittedly adequate, governmental controls of the productions and price of such articles is an unconstitutional interference with pivate enterprise.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HAND. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall be brief, and I rise only for the purpose of discussing the Cole amendment with the gentleman from Kansas, its author.

I have noticed an editorial in the Atlantic City Press of June 14 which referred to the report of the Committee on Economic Development, to which I believe the gentleman from Kansas referred. That said in part that the CED recommend December 31, 1952, as the expiration date for controls authority; and it goes on to say:

> There seems to be no great reason why this earlier date should not prevail, if another recommendation is adopted.

Then the other recommendation is referred to, namely, that Congress approve a joint resolution authorizing the President to impose a 90-day freeze on wages and prices whenever a new inflationary crisis should arise.

The editorial goes on to say:

> In this manner, believes the CED, the Nation would be protected against any disastrous upward spirals. In the 90-day period, Congress could consider carefully whether to reestablish regular controls machinery.

I want to ask the gentleman from Kansas if the design of his substitute for the Talle amendment is along the lines suggested by the CED and referred to in this editorial?

Mr. COLE of Kansas. I think it is designed to accomplish that. Of course, as the gentleman knows, the amendment does not directly accomplish that objective; however, the amendment which I have introduced is designed to do that.

Mr. HAND. I have discussed this previously with the gentleman. Does the gentleman have anything in mind closer to the line suggested here in some later part of the bill?

Mr. COLE of Kansas. The latter part of the bill contains an amendment which has to do with suspensions. At that time I think the committee would do well to consider that recommendation. It seems to me to be an excellent one and worthy of our attention.

Mr. HAND. I thank the gentleman. Pursuant to authority already obtained from the House, I am appending the entire editorial, entitled "Economics Controls," which is a worth-while contribution to this debate:

ECONOMIC CONTROLS

Evidently we are on our way out of a period of fairly rigid economic controls, and responsible leaders both in Congress and the business world sketch out plans that would promote continuance of this trend without opening the door to ruinous inflation.

Controls on allocation of materials like rubber, lead, zinc, and hides have been either lifted or relaxed. Price limits have been taken off a score of commodities, including wool and cotton, which were selling below ceilings.

Installment credit restrictions have been wiped out, and similar controls on housing credit are due to be relaxed.

In this situation, why not abolish controls altogether? The Senate recently faced that question and decided against such a course as both practically and politically unwise. Defense spending is still rising, and could push prices upward markedly. In an election year, this kind of thing would be hard to explain.

The Senate compromised with the "no controls" forces and voted an extension of the Government machinery until March 1, 1953. They were helped in this action by the

fact that the administration had voluntarily undertaken so many decontrol measures; the feeling was widespread that in the succeeding interval the machinery will be used as sparingly as possible.

At this juncture the Committee for Economic Development, an enlightened business research group whose tone was set by Paul Hoffman, now a top adviser to General Eisenhower, has come up with a set of carefully worked-out proposals.

The CED recommends December 31, 1952, as the expiration date for controls authority. There seems to be no great reason why this earlier date should not prevail, provided that another CED plan be adopted by Congress as a safeguard.

That plan calls upon Congress to approve a joint resolution authorizing the President to impose a 90-day freeze of wages and prices whenever a sudden new inflationary crisis should arise. In this manner, believes the CED, the Nation would be protected against any disastrous upward spirals. In the 90-day period, Congress could consider carefully whether to reestablish regular controls machinery.

While the CED's suggested earlier expiration date makes its program more conservative than the Senate's, the stop-gap emergency freeze proposal goes beyond congressional thinking at this moment. Regardless of the terminal date finally fixed, the 90-day freeze authority would seem to have substantial merit.

The CED's report is useful, too, for the healthy stress it places upon other anti-inflationary devices, including a sound tax program, reduced Government expenditures, and expertly managed monetary and credit policies. A balance of factors is needed to combat inflation, and too often the fight in Congress narrows down to a scrap over wage and price controls.

The important thing, apparently, is to have a veritable arsenal of antiinflation weapons handy, but not to be trigger-happy.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, the Defense Production Act is one of our most important laws. It is a law to help keep America free from the enemies of the working people and the enemies of our democratic way of life. It is the act which provides us with the tools we need to maintain our economic stability and to build up our national defenses. I believe it is the legislation of most vital concern to every housewife and laborer.

The House Banking and Currency Committee, of which I am a member, has completed action on amendments to this act, and has submitted its bill to continue the present act for another year, with a few changes. While our committee was working on this bill, the lobbyists were also working very hard trying, through their underhand methods, to get us to put loopholes into the law so that the industrialists could later get to work also and raise prices.

The part of this bill pertaining to the extension of rent and price controls is especially important to the residents of a city like Philadelphia, where the big industrialists and real-estate lobbyists always stand ready to devour the earnings of the workingman and increase their already excessive profits.

Inflation is a terrible thing, Mr. Chairman. It is particularly terrible for the poor people—those who cannot declare themselves an extra stock dividend every time the prices of food or clothing go up, and who have to get along on what they earn by the sweat of their brow. They are the people I am worried about. They are the ones I am going to keep on fighting for in this Congress—to see that they are treated fairly and not forced to pay out exorbitant prices for the necessities of life or be deprived of such necessities because they cannot afford them.

Mr. Chairman, I wonder if some of those who tell us we do not need price control right now, or rent control, know how much it costs an American family to live these days? I am talking about the family which is just able to get along—not with yachts and country-club style of living, but just to keep milk on the table for the kids and keep a roof over their heads and dress the children decently enough for them to go to school, and so on.

In Philadelphia, just to keep a family of four decently alive in adequate surroundings, it costs about $4,100 a year. That is about $80 a week. Now, just think how many families we have who are not making that kind of money.

Think how bad off they would be if the cost of living continued to rise, and if the Congress just shrugged its shoulders and did not care. That is what we would be saying to the people of the United States if we let the opponents of the Democratic administration kill off the price and rent controls as so many of them want to do.

The Democratic Party will not stand by and let that happen; we will fight against it. That is why the people have been voting Democratic all these years—because they know that in a situation like this we Democrats stand for fair treatment for the working people. I think, Mr. Chairman, the people of the United States are entitled to 100 pennies' worth of value for the dollar and all of the Members on this side of the aisle are asking the Members on the other side of the aisle to open their hearts and prevent both the working man and his wife from having to open their pocketbooks too frequently.

I do not want to see food prices rise any further than they have already. I think they are too high now. I would like to see them come down and be rolled back to the pre-Korean war level and maintained there. The bill now before the House is not, in my opinion, by all means as good as it should be, but in the tradition of America it represents a good compromise reached in the committee and is the best we, who were anxious to see strong price controls, could get at this time. I do not think it is right that a Philadelphia family of four must spend something like $1,400 a year just for enough food to stay in good health and live modestly. So I oppose anything that raises food prices more than they are and will vote against any amendment which tries to raise food prices higher or leaves loopholes that would permit increases to creep in from time to time.

We all know, Mr. Chairman, that the real-estate lobbyists are out to kill off rent control in cities like Philadelphia by suggesting innocent-sounding amendments to this law to limit rent control only to so-called critical defense areas. That is a joker they have been trying to slip in here and we must not let them get away with it. Philadelphia is one of the most important defense areas in the country, but if the real-estate lobby's amendment were passed in the Congress we would have no rent control in Philadelphia, and rent for the average family will start to shoot up all over the place and cause real suffering.

There will be other attempts in connection with this bill to hurt the laboring man in order to put more profits into the pockets of the big business millionaires, but I will oppose every one of them. It is the job of the Congress, Mr. Chairman, to fight for the well-being of the families which have just average incomes and have to make every penny stretch. This is the job I have been trying with all my might to accomplish ever since I have come to Congress.

The welfare of average and low-income families depends upon our passing a good Defense Production Act. The President has urged the Congress to pass the best bill possible to stop inflation. Our committee has worked diligently, under the distinguished chairmanship of the Honorable BRENT SPENCE, of Kentucky, to bring out the best bill we could. Now it is up to the rest of the Members of the House to vote on the provisions of the bill and to make the final decision.

I hope, Mr. Chairman, that when we finish with the Defense Production Act and get the new law on the books the lobbyists will not be dancing with joy over the way they got Congress to vote for higher prices. I am going to use my vote to keep prices down.

Mr. BARRETT. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I understood someone was to offer an amendment during the next few minutes.

The CHAIRMAN. The gentleman from Kansas has an amendment he desires to offer, but he cannot offer it at the moment. The situation may develop where he can offer the amendment.

Mr. MULTER. Mr. Chairman, I ask unanimous consent that the time yielded to me by the gentleman from Pennsylvania be allotted to the gentleman from Virginia [Mr. BURTON].

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. BURTON].

Mr. BURTON. Mr. Chairman, the suggestion has been made that the 7 percent is an arbitrary figure, which is correct. We debated the matter carefully in committee. The original suggestion, I believe, was 10 percent. Then we talked about 5 percent and arrived at a compromise figure of 7 percent. May I make the suggestion that it would be entirely acceptable to the committee if this body feels that 5 percent is a better figure.

Mr. Chairman, as to the amendments now under consideration, I feel that the

effect would be to defeat the purpose of the bill, which is control of inflation. This issue we should face squarely. If you do not want a control bill at this time vote the matter on its merits, but do not offer a crippling amendment such as this, which, in my opinion, would make the bill unenforcible and would carry all of the expenses of a bureau. I am not for the continuation of controls for an indefinite period.

The bill as brought to you by the committee has as its objective termination of controls at the end of this period. We debated carefully as to whether it was advisable to terminate now. But I would direct your attention to the fact that most of the factors which caused the inflation immediately following the Korean outbreak are still present. There is one difference. We do not at this time have the scare buyer. The public today is underbuying rather than overbuying, but we still have the heavy defense demands which to my mind makes it unwise to repeal this legislation at the present time. However, if you wish to repeal the Defense Production Act, let us repeal it and get rid of the expense and not just carry along with an unenforceable skeleton.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. May I say to the gentleman that I heard with interest his recommendation about reducing this 7 percent to 5 percent. I have an amendment prepared which I shall offer when we get to page 9, section 411, to strike out the 7 percent, in order that the small merchant when he makes a report will not have to have a public accountant or lawyer come in and tell him whether he has made a sale below 7 percent or not. It seems to me that 7 percent would put a great burden on our small merchants, which is what we are trying to get away from in this price-control matter. I shall offer my amendment at the proper time.

Mr. BURTON. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. COLE] as a substitute for the amendment offered by the gentleman from Iowa [Mr. TALLE].

The amendment was rejected.

Mr. REES of Kansas. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas as a substitute for the amendment offered by Mr. TALLE: On page 3, line 19, after the words "SEC. 104.", insert "That section 402 (f) of the Defense Production Act of 1950 is amended by inserting immediately before the period at the end thereof a colon and the following: *'Provided, however,* That the ceiling price for any material, which by its nature is not susceptible to speculative buying and not more than 10 percent of which is purchased with Government funds for defense purposes, shall be suspended as long as: (1) The material is selling below the ceiling price and has sold below that price for a period of 6 months; or (2) the material is in adequate or surplus supply to meet current civilian and military consumption and has been in such adequate or surplus supply for a period of 6 months, if such material requires expansion of productive facilities beyond the levels needed to meet the civilian demand as set forth in section 2 of this act. For the purpose of this proviso, a material shall be considered in adequate or surplus supply whenever such material is not being allocated for civilian use under the authority of title I of this act'."

Mr. SPENCE. Mr. Chairman, I make the point of order that the substitute amendment is not germane to the bill.

The CHAIRMAN. Does the gentleman from Kansas desire to be heard on the point of order?

Mr. REES of Kansas. Mr. Chairman, this amendment, in the first place, is germane if the amendment offered by the gentleman from Iowa [Mr. TALLE] is germane. I do not believe that the gentleman from Kentucky can point out in any respect where the subject matter of this amendment is not in line with the legislation under consideration. I do not think there is any argument in support of his objection. The committee has before it an amendment and this is simply an amendment to the one under consideration at the present time.

The CHAIRMAN. Does the gentleman from Kentucky desire to make a further statement on the point of order?

Mr. SPENCE. No, Mr. Chairman.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Kansas [Mr. REES] offers an amendment as a substitute to the so-called Talle amendment. The gentleman from Kentucky makes the point of order against the amendment that it is not germane; that it goes beyond the purposes and scope of the legislation before the committee.

The Chair has had an opportunity to examine the amendment offered by the gentleman from Kansas proposing to amend section 402 (f) of the Defense Production Act of 1950, and the Chair also has had opportunity to examine the text of the Talle amendment.

The Chair is of the opinion that the amendment offered by the gentleman Kansas [Mr. REES], as a substitute, is germane, and the point of order raised by the gentleman from Kentucky is overruled.

Mr. REES of Kansas. Mr. Chairman, this amendment was submitted to the House Committee on Banking and Currency, so the membership of that group has had a chance to examine and consider it. I also appeared before that committee in support of this amendment. My amendment is somewhat similar to the amendment offered by the gentleman from Iowa [Mr. TALLE]. My amendment, I believe, is more specific and to the point.

Much has been said about crippling amendments. May I suggest there are such things as corrective amendments. Also, clarifying amendments, and, more especially, amendments that carry out the wishes of the people with respect to legislation under consideration.

Mr. Chairman, this is an amendment to section 402 (f) of the Defense Production Act of 1950. It provides that the ceiling price for any material, by which its nature is not susceptible to speculative buying and not more than 10 percent of which is purchased with Government funds for defense purposes, shall be suspended as long as: First, the material is selling below the ceiling price and has sold below that price for a period of 6 months; or, second, the material is in adequate or surplus supply to meet current civilian and military consumption and has been in such adequate or surplus supply for a period of 6 months, if such material requires expansion of productive facilities beyond the levels needed to meet the civilian demand as set forth in section 2 of this act. For the purpose of this proviso, a material shall be considered in adequate or surplus supply whenever such material is not being allocated for civilian use under the authority of title I of this act.

It is my belief, Mr. Chairman, that this amendment really carries out the intent of Congress when the Office of Price Stabilization was approved in 1950.

I believe it is generally agreed that in a country where the principle of free enterprise is applied and where market controls are taken care of on the basis of supply and demand, the need for price control is applied because of national emergency. In other words, generally speaking, price control of any commodity is applied at a time of major emergency and when the economy of the country is upset because of the abnormal need and use of certain commodities, and especially when such commodities are required, either directly or indirectly, for the defense of our country. However, this amendment provides all necessary safeguards. It seems to me that common sense if nothing else would guide us to support this amendment.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. HAYS of Ohio. What commodities are not susceptible to speculative buying? The gentleman in his amendment referred to anything that is not susceptible to speculative buying. Every commodity is susceptible to speculative buying.

Mr. REES of Kansas. There are, of course, a number of commodities that may be susceptible to speculative buying, but that does not in anywise weaken my proposal.

I shall address myself particularly to the problem of the production of crude oil and natural gas, one of the greatest and most essential industries in this country. As I understand it, one of the purposes of the Defense Production Act is to expand and protect the productive capacity of vital defense material, and especially to encourage production of an increased supply of such material. Unfortunately, for this industry and for the country, the application of price control has not adhered to that principle.

Congress, in the enactment of the Defense Production Act, has stressed the need for the expansion of productive facilities in order that the military and economic strength of the Nation may be developed and maintained.

I quote from the declaration of policy in section 2 of the act, when it says "re-

quires expansion of productive facilities beyond the levels needed to meet the civilian demand." It also authorizes the President to make provision for "the encouragement of exploration, development, and mining of critical and strategic minerals and metals."

Under section 402 of the same Title with respect to administering price controls, it is stated that "the President shall also give due consideration to the national effort to achieve maximum production in furtherance of the objectives of this act."

Section 402 grants authority to the President to provide exemptions from price control where it is found that, first, such exemption is necessary to promote the national defense; or, second, it is unnecessary that ceiling be applicable to such materials.

It is my contention that the Office of Price Stabilization has ignored the intent and purpose of this declaration. I believe it is agreed that because the petroleum industry is a factor of such importance in the economic welfare and in the safety of our country, that our Government should encourage increased production in the petroleum industry, and certainly ought not to do anything to throw a roadblock in the way of its expansion.

I do not believe anyone claims there is presently a shortage of crude petroleum in this country. Inventories are adequate; production is less than capacity. Last year the excess of supply over the demand averaged 90,000 barrels daily. The stocks of crude oil are greater than they have been in years.

There is no shortage of crude oil in this country. It seems to me that it is extremely important that we take whatever steps may be necessary to restore the country's self-sufficiency of oil supply, and such self-sufficiency should be encouraged in every way possible.

As late as March 31, 1952, Charles E. Wilson, then Director of Defense Mobilization, said, and I quote:

> New and higher goals have been set for the petroleum expansion program, with the aim of restoring reserve petroleum capacity to safer levels by 1953.

Strange as it may seem, under OPS regulations the oil industry is expected to carry out this accomplishment under the same price and same conditions as in 1947. While the general price level of nearly all commodities has increased since Korea, there has been no increase in the price of crude oil. As a matter of fact, I do not think the price of crude oil will change substantially if this bill is enacted into law.

It will, however, reach the objective and do the thing intended when the Defense Production Act was pased. It will permit the expansion of facilities for greater production of crude oil. It will also afford an opportunity for increasing the stocks of oil in our own country, and it will do the common sense thing, that is, give a chance for an independent industry to transact business in a competitive market without shackles and regulations of bureaucratic controls.

The oil industry has not only met all demands but has also maintained a capacity over and above its requirements and demands. In fact, the output of petroleum in this country could have been increased substantially during the past few years, if such became necessary.

The United States is an importer of oil. The loss of importation would impose an additional demand upon domestic industry. Domestic oil producers have warned against the danger of a trend toward dependency upon foreign sources of supply. It is extremely important that steps be taken to restore and increase a domestic supply of oil. The approval of this proposed legislation will certainly offer encouragement in that direction.

Several months ago the Secretary of the Interior, Oscar Chapman, asked the producers to exert every effort to build up a cushion against an emergency. Here is what he said. I quote:

> This means that exploration for oil must be intensified, drilling rates must be sustained at the highest level possible with the materials available. Oil-field operations must be conducted with the greatest possible efficiency, and secondary-recovery operations must be extended wherever possible.

To carry out this objective, the Secretary would do well if he would also recommend that the oil producing industry be released from regulations that are presently retarding it from "being conducted with the greatest possible efficiency."

As I suggested earlier in my statement, the Defense Production Act is a product of Congress. As I understand it, one of the important purposes of this act is to make sure, among other things, a sufficient supply of goods and materials is provided for the defense of our country, and do it with as little dislocation in our economy as may be possible; also, without upsetting or spiraling the price of such commodities.

If and when defense requirements are fully cared for, and when the demands for civilian use are being met, it seems to me further regulations with respect to such commodities should not be required, especially when regulations do not encourage expansion or supply of such materials and commodities.

Mr. Chairman, summing up the situation, the Defense Production Act came into being because of an emergency that required the need for an unusual supply of materials and commodities for the defense of our country.

In order to make sure the needs and requirements are fulfilled, and in order that the civilian supply of such goods and commodities that may become scarce on account of war demands are equitably distributed, price controls and allocations are made effective.

Under these conditions, what is known as the law of supply and demand is temporarily suspended until the demands and requirements of the Government have been fulfilled. I believe it is the will of the Congress and the will of the people that allocations and price controls and regulations pertaining thereto be released just as soon as these needs are met.

Mr. Chairman, as stated at the beginning of this discussion, I believe this bill carries out the intent of Congress when the Office of Price Stabilization was approved. You will find this amendment provides sufficient safeguards that will promote and protect the national defense, and at the same time remove many regulations and road blocks that are presently impeding productive expansion in this country. After all, one of the greatest preventives of inflation is the freedom and encouragement in the production of commodities of all kinds.

Mr. Chairman, do not misunderstand me, I believe that the amendment submitted by Mr. TALLE is fair and reasonable. I certainly have no opposition to it. I do think, however, that my proposal is clearer and is not likely to be questioned with respect to its meaning or its interpretation. I believe, also, that my amendment carries out the real intent and purpose of Congress when the Defense Production Act of 1950 was approved.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Kansas [Mr. REES] for the amendment offered by the gentleman from Iowa [Mr. TALLE].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. TALLE].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SPENCE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. TALLE and Mr. DEANE.

The Committee divided; and the tellers reported that there were—ayes 146, noes 88.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 104. (a) Paragraph (3) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by inserting in the fifth sentence thereof after "(1) the Agricultural Act of 1949," the following: "except that under any price support program announced while this title is in effect the level of support to cooperators shall be 90 percent of the parity price or such higher level as may be established under section 402 of that act, for any crop of any basic agricultural commodity with respect to which producers have not disapproved marketing quotas."

(b) Paragraph (3) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: "No ceiling prices for milk products for fluid consumption shall be established or maintained for dairies in any milk marketing area which are below the higher of (1) the level of prices prevailing during the period January 1, 1950, to June 30, 1950, or during such other nearest representative period determined under section 402 (c) adjusted for all increases and decreases in the cost of (A) direct labor, including distribution labor and commissions, (B) cans, containers, and cases, and (C) raw milk and other agricultural commodities up to the legal minima as determined by the Secretary of Agriculture, or (2) the level of prices which permits the dairies in the area the level of earnings assured under the industry earning standard now published by the Office of Price Stabilization. Where a State regulatory

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body is authorized to establish both minimum and maximum prices for sales of fluid milk, ceiling prices established for such sales under this title shall (1) not be less than the minimum prices, or (2) be equal to the maximum prices, established by such regulatory body, as the case may be. No ceiling shall be established or maintained under this title for fresh fruits or vegetables."

SEC. 105. (a) Paragraph (v) of subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"(v) Rates charged by any common carrier or other public utility, including rates charged by any person subject to the Shipping Act, 1916 (Public Law 260, 64th Cong.), as amended."

(b) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"(viii) Prices charged and wages paid by bowling alleys."

(c) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"(ix) Wages paid for agricultural labor."

(d) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"(e) Wages, salaries, or other compensation of persons employed in small-business enterprises as defined in this paragraph: *Provided, however,* That the President may from time to time exclude from this exemption such enterprises on the basis of industries, types of business, occupations, or areas, if their exemption would be unstabilizing with respect to wages, salaries, or other compensation, prices, or manpower, or would otherwise be contrary to the purposes of this act. A small-business enterprise, for the purpose of this paragraph, is any enterprise in which a total of eight or less persons are employed in all its establishments, branches, units, or affiliates. This paragraph shall become effective thirty day after its enactment."

SEC. 106. The first sentence of section 402 (k) of the Defense Production Act of 1950, as amended, is amended to read as follows: "No rule, regulation, order or amendment thereto shall be issued or remain in effect under this title, which shall deny to sellers of materials at retail or wholesale their customary percentage margins over costs of the materials or their customary charges during the period May 24, 1950, to June 24, 1950, or on such other nearest representative date determined under section 402 (c), as shown by their records during such period, except as to any one specific item of a line of material sold by such sellers which is in short supply as evidenced by specific Government action to encourage production of the item in question."

SEC. 107. Section 402 (k) of the Defense Production Act of 1950, as amended, is further amended by adding at the end of the first sentence thereof before the period the following proviso: "; *Provided, however,* That if the antitrust laws of any State have been construed to prohibit adherence by sellers of materials for wholesale or retail to uniform suggested retail resale prices, the President shall issue regulations giving full consideration to the customary percentage margins of such sellers during the period hereinbefore set forth."

SEC. 108. Section 402 of the Defense Production Act of 1950, as amended, is further amended by adding at the end thereof the following new subsection:

"(l) No rule, regulation, order, or amendment thereto issued under this title shall fix a ceiling on the price paid or received on the sale or delivery of any material in any State below the minimum sales price of such material fixed by the State law (other than any so-called fair trade law) or regulation now in effect."

SEC. 109. (a) (1) The first sentence of subsection (a) of section 407 of the Defense Production Act of 1950, as amended, is amended by striking out "relating to price controls under this title" and inserting in lieu thereof "relating to price controls under this title or rent controls under the Housing and Rent Act of 1947, as amended"; and by striking out "relating to price controls" after "any such regulation or order."

(2) Subsection (b) of section 407 of the Defense Production Act of 1950, as amended, is amended by inserting after "this title" the following: "and the Housing and Rent Act of 1947, as amended."; and by inserting after "section 705 of this Act" the following: ", or section 206 of the Housing and Rent Act of 1947, as amended, as the case may be."

(b) Section 408 of the Defense Production Act of 1950, as amended, is amended—

(1) by striking out "any regulation or order relating to price controls issued under this title" wherever appearing therein and inserting in lieu thereof the following: "any such regulation or order";

(2) by striking out "relating to price controls" in the last sentence of subsection (d); and by adding after "this title" in such sentence the following: "or the Housing and Rent Act of 1947, as amended"; and

(3) by adding after "section 409 or 706 of this Act" wherever appearing therein the following: ", section 205 or 206 of the Housing and Rent Act of 1947, as amended,"; and by adding after "section 409 (a) or 706 (a) of this Act" in the third sentence of paragraph (2) of subsection (e) the following: "or section 206 (b) of the Housing and Rent Act of 1947, as amended."

SEC. 110. Title IV of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new section:

SEC. 411. No person shall be required under this act to furnish any reports or other information with respect to sales of materials or services at prices which are 7 percent or more below ceiling, if such person certifies to the President that such sales were made at such prices."

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that sections 104 to 110, inclusive, may be considered as read, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Mr. Chairman, reserving the right to object. As I understand it, the sections which the chairman has mentioned all have to do with title IV?

Mr. SPENCE. That is correct.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Permit the Chair to advise that Members will not be recognized to offer amendments to sections 104 through 110 until any amendments to section 103, following line 18, on page 3 have been disposed of.

Mr. POTTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POTTER of Michigan: On page 3, after the period, on line 18, insert the following new section: "Section 104, title III, of the Defense Production Act, as amended, is hereby amended by adding after section 304 the following new section:

"'SEC. 305. Upon a finding by the Director of the Office of Defense Mobilization that it is in the public interest to provide for procurement by negotiated contracts and purchases with responsible concerns in an area or areas of current or imminent labor surplus in order to preserve employee skills necessary for the fulfillment of Government contracts and purchases, to maintain production facilities, and to help assure timely delivery of required goods and services by locating procurement where the needed manpower and facilities are fully available, the Director of the Office of Defense Mobilization is authorized to notify the Department of Defense and the General Services Administration to give preference to such area or areas in the placement of contracts in accordance with such findings. On receipt of such notification from the Director of Defense Mobilization the Department of Defense and the General Services Administration shall: (1) Determine the procurement contracts that can be fulfilled by utilization of the manpower skills and facilities described in the findings; (2) take all practicable steps, consistent with other procurement and military objectives, other than price, to locate procurement in the areas covered by the findings; and (3) within a reasonable time, report to the Director of Defense Mobilization the steps taken, and furnish any other relevant information requested by him.'"

Mr. BROWN of Georgia. Mr. Chairman, I make the point of order that the amendment is not germane to the bill.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Michigan on the point of order.

Mr. POTTER. This amendment actually writes into law an executive order.

The Attorney General and the Accounting Office both have stated that the President has authority under existing law to put into effect this order. If the President has that authority under the provisions of this act, I say, Mr. Chairman, the amendment is germane.

The CHAIRMAN (Mr. MILLS). The Chair is prepared to rule.

The gentleman from Michigan [Mr. POTTER], offers an amendment at page 3, after line 8, proposing a new section to title 3 of the Defense Production Act of 1950 as amended.

The gentleman from Georgia [Mr. BROWN], makes a point of order against the amendment on the ground that it is not germane to the bill before the committee.

The Chair has had an opportunity to review the provisions of title 3 of the Defense Production Act of 1950 and also to read and study the amendment proposed by the gentleman from Michigan.

The title to which the amendment is proposed is entitled "Expansion of Productive Capacity and Supply." The amendment refers to procurement, which is the subject of title 3; it refers to "facilities" which is also a subject of title 3 of the Defense Production Act of 1950.

The Chair therefore feels that the amendment is germane and overrules the point of order made by the gentleman from Georgia [Mr. BROWN].

The gentleman from Michigan is recognized in support of his amendment.

Mr. POTTER. The purpose of this amendment is to write into law what is now being carried out by executive or-

der. I, along with many Members of Congress, am greatly concerned over the broad use of power by the executive branch, and I feel much safer when we write provisions into law.

The Federal Government is the greatest employer in the United States not only in direct employment but also through the issuance of various types of contracts. We know that great dislocations of our economy have been created and will be created unless there is some provision in this act authorizing the various procurement agencies of the Government, or the various agencies of the Government which are letting defense contracts, to spread the contract work so that areas where there is labor surplus will be given preferential treatment. That does not mean preferential treatment as far as allowing the Federal Government to enter contracts which are above the lowest bid; they will have the right to negotiate and secure contracts at the lowest price, but rather than channel all of our defense production to areas where there is a labor scarcity, and depend upon the migration of workers to take care of the need, it will send some of the work to areas where there is a labor surplus, where there is housing and where there are facilities to do the work. We will be able to better utilize the manpower of the United States and secure greater production. I hope that the Congress will authorize what is now taking place through Executive order.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. POTTER. I yield to the gentleman from South Carolina.

Mr. RIVERS. Does the gentleman want to put into force and effect the power which the President indicated in his Executive order whereby recently, and in the last 6 or 8 months, he abrogated contracts that had been entered into, competitive contracts that were entered into with the low bidder and took those contracts and placed them elsewhere, contracts which had been entered into under the sanctity of low bidding?

Mr. POTTER. This has nothing to do with competitive bidding. Let us take the Defense Department, as an example. It will set aside certain parts of a contract to negotiate after competitive bidding has taken place. A part of that contract on which competitive bidding has taken place will be taken care of by competitive bidding.

Mr. RIVERS. Does that mean the gentleman's amendment will be the first time this Congress has recognized by act of Congress that the theory of competitive bidding shall be abrogated by action of the Congress?

Mr. POTTER. No.

Mr. RIVERS. I think that is the effect of it.

Mr. POTTER. Price differential has nothing to do with it.

Mr. RIVERS. If you have a surplus of labor in any community and adequate housing, that contractor has it over others from the competitive standpoint and can outbid. The only thing that would come into play would be what God gives you, which would be a climate where you would not have to use so much heating oil, and so forth.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. POTTER. I yield to the gentleman from New York.

Mr. CELLER. I am in thorough accord with the gentleman's amendment. There are 45 areas in this country that are distress areas and which are termed "surplus labor markets."

Mr. POTTER. I should like to read the areas which are affected and in which there is surplus labor. Surplus labor areas are ones which have at least 6 percent of unemployment.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. POTTER. I yield to the gentleman from Illinois.

Mr. YATES. Is not the gentleman's amendment a codification of Defense Manpower Policy No. 4?

Mr. POTTER. That is right?

Mr. YATES. Does the gentleman's amendment contain the recent amendment to Defense Manpower Policy No. 4?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. POTTER. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. SPENCE. Mr. Chairman, I object.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. BROWN].

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close at 12:15.

Mr. HARRISON of Virginia. Mr. Chairman, I object.

Mr. SPENCE. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close at 12:30.

The CHAIRMAN (Mr. DAVIS of Tennessee). Does the gentleman from Georgia yield for that motion?

Mr. BROWN of Georgia. Mr. Chairman, I do not yield for the motion.

The CHAIRMAN. The gentleman from Georgia will proceed.

Mr. BROWN of Georgia. Mr. Chairman, there is no justification for the Potter amendment. I believe every Member on both sides of the aisle wants to see all sections of this country treated alike.

This amendment is designed to favor people in certain sections of the country to the detriment of people of other sections of the country and at the expense of the taxpayers. We had this up before the so-called watchdog committee and we held hearings at which people from the West and South testified. We discussed it fully, and those in authority decided not to go ahead and let contracts to one section of the country at a higher bid and against those sections of the country that had a lower bid. You are simply trying to satisfy a certain section of the country because there is a surplus of manpower.

This amendment is economically unsound and wasteful. It calls for abandoning the proven principle of awarding a contract to the lowest bidder and would undermine the integrity and moral fiber of the procurement agencies. It would bog down the entire procurement machinery. It would open the doors to special privilege, personal friendships, politics, and a dozen other kinds of inducements.

The textile industry is an outstanding example of one of these segments of the national economy where intervention could only produce turmoil, needless waste of time and money, and demoralization of traditional market processes.

There is ample testimony as to the facts of the textile situation. This industry is caught in depression; its distress and unemployment are industry-wide and not confined to specific geographic localities; its present problems do not stem from allocations of raw materials, production diversions, or similar mobilization activities.

The textile industry typifies the free, competitive system of business enterprise which is the source of America's might.

Now you can understand why practically all the people are apprehensive of the danger in adopting any policy of preferential procurement which would violate the basic concept of our competitive enterprise system. It is alarming to realize there are those who have reached a frame of mind to advocate preferential treatment in the textile industry, when the socialistic implications of their proposals are analyzed.

Certain sectors of this industry are paying the penalty of failure or inability to translate their scientific progress into lower prices for the consumer—and, of course, the Government is one of the biggest consumers. Where this progress has been permitted to be passed on in good measure to the consumer in the form of lower prices—competitive prices—those sectors of the industry are better able to maintain a solvent position in difficult times.

Is such business foresight to be penalized? Two wrongs never will make a right. Some of our citizens have been seriously harmed, but it will not help them to harm still other citizens.

If this effort is to help certain sections of the country that have a surplus of labor, then to invoke this amendment would be to create a surplus of labor in other sections of the country. The result, if such an amendment as this is followed, will be to legislate for one section of the country against the interests of another section of the country. I believe the lowest bidder should be awarded the contract. Why should one State in New England, for example, have a preference in law as against a State in the West or a State in the South? This is nothing in the world but an attempt to legislate for one section of the country against another section of the country. I think you should understand this. This matter was fully discussed before the so-called watchdog committee, and I think we convinced those in authority that the amendment would not help even surplus labor in one section of the country. We have in the South, it is true, a

great many mills, but many of these mills are running less than 3 days a week. You have situations in New England where they are running half of the time. But, but how would an administrator administer such a law? Will he go up to New England and say, "We will give you this contract, but down in the South, where they are working only 3 days a week, we are not going to give it to them, even if their bid is lower than yours." Even in New England you might give the contract to one county and an adjoining county who deserves it would not get it and their employees would be out of a job. Why should we come to Congress and make a contract for one section against another or contract with one industry against another in the same State where both have a surplus of labor?

Mr. BRYSON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from South Carolina.

Mr. BRYSON. Is it not true that on this same issue extensive hearings were held before this special board some weeks ago?

Mr. BROWN of Georgia. Yes.

Mr. BRYSON. And it was definitely established that goods desired and needed by the Government had been purchased by competitive bidding, and to abrogate competitive bidding and award it to some other section you would then negotiate contracts at higher prices for these same goods?

Mr. BROWN of Georgia. That is true.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from South Carolina.

Mr. RIVERS. Would not this, in effect, tell the President of the United States that the Congress has given a green light to pit one section against another and one area against another and abolish forever, in times of so-called emergency, the theory of competitive bidding?

Mr. BROWN of Georgia. I thank the gentleman for his contribution.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Iowa.

Mr. GROSS. This would create, under the Defense Production Act, glorified WPA projects in selected parts of the country.

Mr. BROWN of Georgia. It might, sir.

More than that, my friends, let us not fight the War Between the States over again. I am awfully sorry to see this kind of an amendment offered to disrupt the unity on both sides of the aisle, and I hope that the amendment will be defeated by an overwhelming vote.

Mr. MORANO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I support the amendment offered by the gentleman from Michigan [Mr. POTTER].

Mr. POTTER. Mr. Chairman, will the gentleman yield?

Mr. MORANO. I yield to the gentleman from Washington for the purpose of reading a list of distressed areas.

Mr. POTTER. Mr. Chairman, the so-called distressed areas that have a labor surplus of 6 percent are as follows:

List of areas notified under defense manpower policy No. 4

Area	Approved by ODM	Notification No.
Altoona, Pa.	June 6	40
Asheville, N. C.	Mar. 13	5
Atlantic City, N. J.	May 13	36
Bay City, Mich.	Mar. 29	22
Biddeford, Maine	June 6	42
Brockton, Mass.	Mar. 13	6
Connersville, Ind.	June 13	45
Cumberland, Md.	Mar. 13	15
Danielson, Conn.	Apr. 8	25
Danville, Ill.	May 13	35
Fall River, Mass.	Mar. 13	11
Gloversville, N. Y.	May 3	31
Herrin-Murphysboro-West Frankford, Ill.	Mar. 13	7
Ionia-Belding-Greenville, Mich.	Mar. 15	18
Iron Mountain, Mich.	Mar. 13	12
Joplin, Mo.	May 3	32
LaCrosse, Wis.	June 6	44
Lawrence, Mass.	Mar. 13	8
Lewiston, Maine	June 17	46
Lowell, Mass.	Mar. 13	13
Manchester, N. H.	Mar. 13	10
Martinsburg, W. Va.	June 6	41
Mayaguez, Puerto Rico	June 17	48
Muncie, Ind.	Mar. 29	24
Nashua, N. H.	Apr. 8	26
New Bedford, Mass.	Mar. 15	19
New York, N. Y.	Mar. 13	16
Norwich, Conn.	June 17	47
Parkersburg, W. Va.	May 3	33
Ponce, Puerto Rico	June 17	49
Port Huron, Mich.	Mar. 29	23
Portsmouth, Ohio	May 13	34
Pottsville, Pa.	Mar. 13	9
Providence, R. I.	Mar. 7	2
Reading, Pa.	May 13	37
Richmond, Ind.	June 6	43
Ronceverte-White Sulphur Springs, W. Va.	Apr. 29	29
San Juan, Puerto Rico	June 17	50
Scranton, Pa.	Mar. 7	4
Taunton, Mass.	Apr. 29	30
Terre Haute, Ind.	Mar. 25	21
Uniontown-Connellsville, Pa.	Mar. 15	20
Utica-Rome, N. Y.	Apr. 8	27
Vincennes, Ind.	Apr. 12	28
Wilkes-Barre, Pa.	Mar. 7	3

Also included are two industries, the shoe industry and the textile industry.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. MORANO. I yield to the gentleman from New York.

Mr. JAVITS. Mr. Chairman, I will support this amendment, because we hear so much here about the conservation of resources and we hear so little about the conservation of human resources. The gentleman is trying to see that we utilize our human resources to the full in the areas where skilled workers and facilities are available because of the displacements of the defense mobilization. I am all for that.

Mr. POTTER. To me, it is utterly ridiculous for us to let defense contracts in areas where there is a labor scarcity when we have facilities and the workmen in areas where there is a labor surplus.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MORANO. I yield.

Mr. BROWN of Georgia. The gentleman has given an account of many communities throughout the land that desire contracts for national defense. I can furnish the gentleman with another list by naming every community in the United States that is asking for more defense contracts.

Mr. HERTER. Mr. Chairman, will the gentleman yield?

Mr. MORANO. I yield to the gentleman from Massachusetts.

Mr. HERTER. I want to associate myself most heartily with this amendment. In the list that has just been read there were the names of six of the largest cities in Massachusetts, that are really in a distressed condition. For those six cities this would be a very valuable thing, and it would save the mobilization of manpower from one section to another.

Mr. PHILBIN. Mr. Chairman, will the gentleman yield?

Mr. MORANO. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. I likewise desire to support the Potter amendment, which is a fine amendment. It would relieve distress in these areas. There is nothing sectional about this amendment. It is in the interest of the country generally and I hope it will be adopted.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. MORANO. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that by having such a plan we may actually save the taxpayers of this country millions of dollars through not having to build housing projects, churches, and schools?

Mr. POTTER. There is no doubt about it. We have had experience time and time again with so-called impact areas, where defense contracts were let in areas where there was a labor scarcity. The provisions of this amendment will eliminate that greatly and reduce the impact areas created as a result of unwise letting of defense contracts.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 12:30.

Mr. RIVERS. Reserving the right to object, Mr. Chairman, how much time would that give each Member now standing?

The CHAIRMAN. About 1 minute apiece.

Mr. CELLER. I object, Mr. Chairman.

Mr. SPENCE. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close not later than 12:30.

The CHAIRMAN. The question is on the motion.

The question was taken; and on a division (demanded by Mr. RIVERS) there were—ayes 82, noes 34.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, 18 States will be benefited by this amendment, and it will prevent intense distress to those areas due to lack of job opportunity. It is not an amendment which will pit one area of the country against another area of the country. It will seek to do away with the imbalance of business opportunities which now exist. I want to emphasize this point. That small business is not involved because there was an amendment to the order called Defense Manpower Policy No. 4 to this effect: "Concerns within areas of

current or imminent labor surplus which are not small-business concerns shall not receive preference over small-business concerns outside such areas. Small-business concerns within such areas shall receive preference over small-business concerns outside such areas."

Defense Manpower Policy No. 4, which was issued by the Office of Defense Mobilization on February 7, 1952, is designed to aid in the development and maintenance of necessary military and economic strength in order to oppose acts of aggression and promote peace. The policy is to provide for negotiation of contracts with responsible concerns in areas of current or imminent labor surplus where the public interest dictates the need for doing so in order to achieve the following objectives:

(a) To coordinate conversion from civilian to military production;

(b) To minimize strains and dislocations in the economy resulting from such conversion;

(c) To preserve employee skills necessary to the fulfillment of Government contracts and purchases;

(d) To maintain productive facilities;

(e) To assure utilization of the Nation's total manpower potential by making use of the manpower resources of each area; and

(f) To help assure timely delivery of required goods and services by locating procurement where the needed manpower and facilities are fully available.

A Surplus Manpower Policy Committee was created by Charles E. Wilson, Director of the Office of Defense Mobilization, in order to carry out these purposes. This Committee has recommended that contracts be negotiated at reasonable prices and in areas of current labor surplus and that contractors in those areas be afforded the opportunity to meet prices obtainable elsewhere.

At present there are forty-five areas which have been certified to the Department of Defense and the General Services Administration for this treatment. The implementing instructions of the Department of Defense and the General Services Administration give qualified firms in labor surplus areas the opportunity to meet the lowest acceptable offer. This equalizes opportunities for work.

The Department of Defense instructions also provide for the use of set-asides in conjunction with formal advertising. Under this method, the quantity which would probably yield the most favorable prices is determined and awarded to the lowest qualified bidder following formal advertising procurement procedures. The remainder is held for negotiated placement with qualified firms in surplus labor areas at prices equivalent to the lowest qualified bid received.

When preferential contract placement in surplus labor areas would have a major effect on the operation of an entire industry, paragraph 8 of the policy calls for recommendations to be made on an industry basis following a hearing of the interested parties. Due to their nationally depressed condition, the committee originally excluded the textile, shoe, and apparel industries from the application of the policy in the various areas. Following hearings, the committee recently recommended that the shoe exclusion be lifted, and that the textile industry continue to be excluded from area preference, but that the Department of Defense accelerate procurement of textiles and give contract preference to those firms not operating more than 80 hours per week. Hearings were recently concluded on the apparel industry and a report from the hearing panel is awaited.

Mr. LANHAM. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: On page 3, after the period on line 18, insert the following new section: "Section 104, title III, of the Defense Production Act, as amended, is hereby amended by adding after section 304 the following new section:

"'SEC. 305. No rule, regulation, order, or policy issued under this act shall direct placement or procurement in areas of current or imminent labor surplus, and any such rule, regulation, order, or policy heretofore issued is hereby rescinded'."

Mr. CELLER. Mr. Chairman, I make a point of order against the substitute amendment offered by the gentleman from Georgia [Mr. LANHAM]. I believe the amendment to the amendment is out of order in that it is not germane. It is a negation of the original amendment offered by the gentleman from Michigan, and therefore it will create tremendous confusion. A vote against the amendment offered by the gentleman from Michigan would be tantamount to a vote in favor of the amendment to the amendment and vice versa.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule. The gentleman from Georgia [Mr. LANHAM] offers a substitute amendment to the amendment offered by the gentleman from Michigan [Mr. POTTER]. The amendment offered by the gentleman from Georgia is in the form of a substitute. It was offered as a substitute amendment; it encompasses the same general subject which is encompassed by the amendment of the gentleman from Michigan, therefore the Chair feels that the amendment is germane. The point of order is overruled.

Mr. DEANE. Mr. Chairman, I ask unanimous consent that the time allotted to me may be given to the gentleman from Georgia [Mr. LANHAM].

Mr. HOFFMAN of Michigan. Mr. Chairman, I object.

Mr. LANHAM. Mr. Chairman, during the 5½ years it has been my privilege to serve in the Congress, it has been my constant endeavor to approach legislation without sectional bias but from the broad standpoint of the welfare of the country as a whole. That I have been fairly successful in my efforts not to be narrowly sectional, I think all will agree. I have voted for public housing for the benefit of the cities of the North and East. I voted against Taft-Hartley when it was unpopular in the South to do so, and have supported the minimum wage and other humane legislation not popular in the South.

But the South is my native land and I love it dearly. Naturally when unfair or discriminatory legislation against the South is proposed, I have fought it with all of the power at my command. Moreover, I have protested against action taken by certain of the executive agencies which discriminated against the South. Such was my attitude toward what is known as Defense Manpower Order No. 4 issued by Mr. Wilson, which would have channeled contracts into sections where there was unemployment by awarding such contracts to other than the lowest bidder. I make bold to say that this order cannot be justified. If there is unemployment in New England or elsewhere, it is a matter that should be considered and corrected by the localities involved and if necessary by the Federal Government. But it should be manifest to one and all that to try to correct this situation by unsound and indefensible procurement practices is not the proper procedure. I am glad to see that the order has been modified to the extent that it is now proposed to give no section a price differential although procurement units have been instruced to channel contracts into unemployment areas where contractors in that area will meet the lowest bidder's price. Of course, this is unfair and discriminatory but the protest that I and other southern Congressmen made has at least resulted in preventing the letting of contracts upon the unsound basis of a price differential.

Some months ago when I made the aforementioned protest to the panel set up by the Manpower Division of the DPA, I made the statement that unless Mr. Wilson's defense manpower order were canceled or modified, I would not vote for the extension of the DPA. Today we are considering the extension of this act, and unless a provision is written into the bill preventing the unjust discrimination against the South which defense manpower order No. 4 involves, I shall probably vote against the extension of the act.

Now comes another brazen effort on the part of certain New England politicians, notably the Honorable JOHN KENNEDY, of Massachusetts, and the CIO bosses of Pittsfield, Mass., to block the issuance of a tax amortization certificate to the General Electric Co. for the construction of a plant to build transformers in Rome, Ga., my native city. Mr. KENNEDY and Mr. Carey, of the CIO, have made wild and misleading statements about the proposed new plant at Rome and have insisted that it will mean unemployment and the abandonment of the Pittsfield plant by General Electric. I am assured by the company that there is absolutely no truth to these assertions. In commenting upon the building of the Rome plant, Mr. C. J. Hendon, commercial vice president of General Electric, has this to say:

Our people have all been impressed with the opportunity that Rome offers as a good place to live and run a good business. The increase in transformer requirements for the electric power industry establishes the fact that the transformer business is one of the most dynamic segments of the electrical industry. The forecast level for the total transformer industry by 1960 is 185 percent of the 1951 rate. If we intend to keep our position of leadership in this field, and we

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definitely do intend to keep it, then we are required to expand our facilities immediately.

The decision to expand was made almost a year ago and the past months have been used to lay out in detail an ideal transformer plant. After a most careful analysis had been made, our people came to the conclusion that Rome was the ideal location. It provides adequate railroad facilities, a good supply of labor that can be trained for our work, and with soil and subsurface conditions that would carry this kind of a plant. We also found that Rome offers attractive living conditions for our key personnel, a good school system, recreational facilities, and other important factors.

As a reason for locating the plant in the South, Mr. Hendon had this to say:

We, in the electrical manufacturing industry, could hardly overlook the fact that the Southeast has led every other region in the United States in its rate of increased electric power production.

I call attention especially to the statement of Mr. Hendon to the effect that the forecast level for the total transformer industry by 1960 is 185 percent of the 1951 rate. It is perfectly obvious that what my friend, the gentleman from Massachusetts, JOHN KENNEDY, and the CIO object to is that the expansion is not being made in Pittsfield, Mass., rather than in Rome, Ga.

Mr. Fowler, Defense Production Administrator, has assured me that he will act on this matter strictly according to the evidence submitted as to the contribution of the new plant at Rome to the defense effort. He will do this, I am sure, in spite of political pressure exerted by the union bosses and Congressmen, whether from the State of Massachusetts or Georgia. I have every confidence in him, and I am sure he will act in the best interest of the defense effort.

In commenting upon this latest effort of certain sections of the country to thwart and defeat the industrial development and progress of the South, the Atlanta Constitution in an editorial in its issue for Monday, June 16, had this to say:

The latest and most brazen attempt to delay and obstruct industrialization of the South by New England's intrenched interests should be fought with all the power southerners can command in Washington.

Henry Fowler, Defense Production Administrator, has delayed an application by General Electric for a certificate authorizing accelerated tax amortization on their proposed new plant in Rome because of protests from a group in Pittsfield, Mass., where General Electric already has plants.

The protest said the construction and operation of the new plant in Georgia would jeopardize jobs in Pittsfield and that, therefore, Administrator Fowler should deny General Electric's application for tax amortization. Massachusetts Congressmen are reported joining in the fight.

We do not attempt to uphold or justify the practice of allowing corporations to write off construction costs of plants during the defense emergency as an incentive to increased production through expansion, but it is a practice allowed by the Government.

If such a plant at Rome, Ga., is needed to fulfill defense requirements and GE desires to build it there, that alone is the only justification needed for the company to have the same privilege as that accorded others.

And if GE can fulfill Government contracts more cheaply and efficiently in a Southern plant than it can in New England, the contracts should go to the Southern plant because of the saving to taxpayers. The Defense Production Authority is not a relief agency designed to perpetuate conditions a private concern is trying to escape. Southern efficiency should not be penalized while inefficiency is subsidized elsewhere.

We call on the Georgia congressional delegation to resist this latest attempt at discrimination as they have resisted those in the past with every weapon at their command.

I agree wholeheartedly with this editorial. At long last, industry in the South has gotten fairer freight rates due to the efforts of former Gov. Ellis Arnall of Georgia, Walter McDonald, of the Georgia Public Service Commission, and others from the South and West. The North and East fought these efforts for fair freight rates to the bitter end, and now seek to prevent the development that naturally is coming our way as a result of the new freight rates and because of the many other favorable conditions in our area.

Before the appearance of this editorial or before there had been any public announcement of this protest filed by Congressman KENNEDY and the CIO, I conferred with Mr. Henry Fowler, Defense Production Administrator, and urged that the tax amortization certificate be granted. The matter has been held in abeyance until the General Electric Co. can present to Mr. Fowler facts substantiating the statement of its officials that the Rome plant will mean no unemployment for Pittsfield but will mean additional badly needed facilities for the manufacture of transformers so vital to industry and especially to the war effort which needs such huge quantities of electric power.

In conclusion, I am including with my remarks an editorial of the Rome News-Tribune for Monday, June 16, entitled "Why General Electric Picked Rome":

We don't like to brag, but we can't help but be proud of what Mr. C. J. Hendon, a vice president of the General Electric Co., had to say in a speech here yesterday.

The General Electric Co., he said, spent a year in choosing the location for a new transformer plant.

"After a most careful analysis had been made," he said, "our people came to the conclusion that Rome was the ideal location. It provides adequate railroad facilities, a good supply of labor that can be trained for our work and with soil and subsurface conditions that would carry this kind of a plant. We also found that Rome offers attractive living conditions, a good school system, recreational facilities, and other important factors."

Mr. Hendon said that his company searched from Virginia to Arkansas in seeking a location, and Rome appealed to our operating people more than any other visited as coming closest to fulfilling all the requirements.

Those are mighty nice things to say about a community, and every member of that community should be proud to hear them. After all, a city or a county is very much like a business. Every person living in the community is a stockholder, and has an important interest in the future of his community. You don't necessarily have to be a taxpayer to be considered a stockholder in a community, for you can pay for your share by being a good citizen and contributing your services.

Every one of the more than 60,000 persons living in Floyd County should be concerned over the future of the county. Each one of us should want to see diversification: industry, agriculture, retail trade, all the businesses that go to make up a balanced community. Each one of us should want to see new job opportunities created, for new jobs mean prosperity.

Each of us should want to see the fine spirit of cooperation and good neighborliness, which has been so evident in our community continue.

It doesn't matter whether you're a businessman or a farmer or a public official or a schoolboy or a housewife or a policeman or what. The fact that you're a citizen of a community means that you have an obligation to that community, and that you can expect benefits in relation to your investment.

We're glad to hear Mr. Hendon say that General Electric picked Rome because it is an ideal community. We've thought so, for a long time, and we want to keep it that way.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, when a Member of the other body introduced a bill for the same purpose some time ago, I obtained time and denounced it as a glorified WPA program, and that is exactly what the amendment of the gentleman from Michigan seeks to establish today. It is a glorified WPA project in certain areas of the country. No one outside the State of Iowa takes cognizance of the fact that a little manufacturing concern in my State, employing 25 or 30 persons, is harassed through lack of materials and is forced to close its doors. Nobody takes any cognizance of that closing. They just go out of business and that is the end of it. I am opposed to this business of subsidizing industry in one section of the country and strangling it in another. This amendment is rankly discriminatory.

The CHAIRMAN. The gentleman from North Carolina [Mr. BARDEN] is recognized for 1 minute.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent that I may give the time allotted to me to the gentleman from North Carolina [Mr. BARDEN].

The CHAIRMAN. In view of the objection raised just a few minutes ago by the gentleman from Michigan to a similar request, and it being within the discretion of the Chair, the Chair will not entertain any request to reallocate time by one Member to another.

The gentleman from North Carolina is recognized.

Mr. BARDEN. Mr. Chairman, I cannot conceive of a more ridiculous piece of legislation coming on the floor of the House. I listened to the gentleman from New York just now relate that 18 States would be benefited. If that be true, the 18 States would be benefited at the expense of the other 30.

When are we going to really begin to profess love for our system of Government and type of economy in this country? I am astounded. Here we are discussing a price control bill and here are admissions and confessions that there

is overwhelming unemployment in 18 States of our Union. Why are they unemployed? It is because there is too much production. That is simple; they cannot sell their textile goods; they know it, and cannot sell their shoes at anything akin to ceiling prices, yet here we are fixing to put a provision in here to employ one group in a favored section at the expense of unemployment for another group in an unfavored section that is as un-American and alien to the way our Government has transacted its business, as anything I know of.

The CHAIRMAN. The gentleman from Illinois [Mr. BUSBEY] is recognized.

Mr. BUSBEY. Mr. Chairman, I have great sympathy for the position of the gentleman from Michigan [Mr. POTTER]. He has a sincere desire to serve the people of his district and the whole State of Michigan because his State has been especially hard hit during the past few months. This is due not only to the steel strike but to the "stretch-out" of the administration in cutting down its defense program which has caused an unusual amount of unemployment in Michigan, particularly in those areas that have been transformed from automobile production to defense work.

Nevertheless, Mr. Chairman, I feel in all fairness to the Members of this House, in considering Mr. POTTER's amendment, they should have the advantage of certain information which has come to me as an individual and from testimony before our Subcommittee on Appropriations for the Department of Labor. What Mr. POTTER's amendment would do, in effect, would be to legalize the President's directive which has placed the manufacturers throughout the length and breadth of the United States, who have been working on defense contracts, at a tremendous disadvantage.

If the Potter amendment is adopted a manufacturer who spent considerable time and money to figure out his bid from the specifications furnished him by the Defense Department, may lose the contract by an award to a company in a surplus labor area. A company in a surplus area could receive the contract without going to the expense of making an estimate or a bid. He could receive the contract provided he would be willing to meet the other man's quotation. This certainly opens the whole field of awarding defense contracts to graft, corruption and political favoritism, while the honest businessman goes to the trouble and expense of getting the figures together for the bid. In many instances the company receiving the contract may not have the right machinery or facilities for making the item. It may not even be financially responsible to take on the contract.

While I am very sympathetic to the plight of these various districts which have been caught in the current depression, due to the mishandling of our defense contracts, and more particularly the entire economy of our country, nevertheless I believe if the Potter amendment is adopted it will be just another means at the disposal of the New Dealers who want to control all segments of our economy. It will be a blow to the system of free enterprise.

Mr. Chairman, the Potter amendment should be defeated and the Lanham amendment should be adopted.

The CHAIRMAN. The gentleman from South Carolina [Mr. BRYSON] is recognized.

Mr. BRYSON. Mr. Chairman, some months ago a number of Members of Congress appeared before a special panel set up by the Office of Defense Mobilization in opposition to the proposed defense manpower policy number 4. Members of Congress also appeared before the same panel in favor of the policy.

I do not question that there is unemployment in some communities to a greater degree than in others. It is significant that by far the greater number of communities allegedly having surplus manpower is in the North and East. We, too, have unemployment in the South and West. Of course, these facts might be attributed to many causes. I fear that there is some unemployment in some communities due to the fact that there are those who are unwilling to work. The fact is, it sometimes appears that there are those who have lost the dignity for work. Unless and until the old-fashioned policy is more generally recognized not only that the servant is worthy of his hire but that an honest day's work is expected for an honest day's pay, we will continue to have unemployment.

I am usually identified with textiles but for the moment I would ask that you forget any special interest I may have in this regard. I am thinking of this gross and unreasonable suggestion to violate this very fundamental economic principle of competitive bidding. If, as it is said by the gentleman from Michigan [Mr. POTTER], there are communities ready, willing, equipped, and anxious to get Government contracts, why is it that these said communities do not bid competitively for the work. Could you justify deliberately abrogating competitive bidding, thus giving preference to those who either cannot or would not compete. The adoption of such a suggestion would mean purchase of essential government goods by negotiation at higher rates to the Government, which means added cost to the already overburdened taxpayers. I have previously spoken at length on this important subject and in this brief moment I can only reiterate my sincere belief in that we should here and now adopt the amendment offered by the gentleman from Georgia [Mr. LANHAM], which means defeating the pending amendment offered by the gentleman from Michigan [Mr. POTTER]. The Lanham amendment would negative the alleged inherent or implied power of the executive branch of the Government to do away with competitive bidding and negotiate for essential goods. From whatever part of the country you may come, let us adhere to the sound economic principle of competitive bidding and thus stop robbing Peter to pay Paul.

The CHAIRMAN. The gentleman from Mississippi [Mr. SMITH] is recognized.

Mr. SMITH of Mississippi. Mr. Chairman, those Members of the House who believe in the WPA system, the welfare state philosophy of direction by Government controls, will, of course, I am sure, support the Potter amendment which is designed to put in the hands of the Government all control over the free-enterprise system in the manufacture of products under Government contracts.

It would be much simpler to spell out in the amendment directly where the Government will go, and write in the distressed areas by name to make sure that you set up and actually provide for a new Works Progress Administration for the benefit of these distressed areas.

The Lanham amendment is designed to end this type of administrative action on the part of the Executive which is destroying the essence of the free-enterprise system in Government contracts; which is not only destroying that system but is also proving to be of such great cost to the taxpayer.

The Potter amendment would be costly and dangerous.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. VAN ZANDT] is recognized.

Mr. VAN ZANDT. Mr. Chairman, I rise in support of the Potter amendment.

I do so because my home town of Altoona, Pa., is one of the some 40 communities scattered throughout 18 States declared a critical area because of surplus labor.

In Altoona and vicinity there are many small businesses victims of the war effort because of their being denied critical materials with the results thousands of skilled workers are employed today.

The Potter amendment before us simply gives these businesses and skilled workmen an opportunity to not only earn an existence but to make a contribution to the war effort.

Furthermore, in favoring these critical areas the great cost to the American taxpayer of having to spend millions to build housing projects, churches, schools, and recreational areas to take care of defense workers will not be necessary. To the contrary, all such facilities are already available in these areas, together with thousands of unemployed workmen awaiting employment in the war effort.

A vote for the Potter amendment is a vote for an even distribution of Government defense contracts as well as employment for thousands of good American citizens.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, I shall support the amendment offered by the gentleman from Michigan [Mr. POTTER] and shall oppose the amendment offered by the gentleman from Georgia [Mr. BROWN].

Arguments have been advanced that this matter creates or would create discrimination against certain areas in the South.

The undeniable fact is that there are areas in the North where there has been

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and is very considerable difficulty resulting in loss of employment and failure to utilize existing plants and equipment.

Only recently the General Electric Co. filed a request for a $25,000,000 tax-amortization certificate in order to build a new transformer plant in Rome, Ga., with the view to transferring its work on transformers from its present location in Pittsfield, Mass., to Georgia.

I do not think anyone questions the right of the General Electric Co. to establish plants wherever it chooses. But I seriously question whether it was ever intended that the Federal Government should permit the tax-amortization program to be utilized in financing the building of new facilities where there are existing facilities available and adequately trained and experienced personnel to operate them.

I am sure that no one could examine the facts with reference to the difficulties being experienced in certain areas in the northern part of the country without reaching the conclusion that it is not discriminating against any other area for the Government, in its procurement policies, to attempt to allot contracts on an equitable basis.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I want to make it very clear to the House that the Lanham amendment will nullify the Potter amendment. It will prohibit the Government from sending contracts into so-called surplus labor areas, when other areas bid competitively for defense contracts.

I shall support the Lanham amendment. It would be discriminatory to give to New York a contract for electronic devices which might require 2 years to fill on account of an unreasonable backlog, and deprive a New Jersey electronics manufacturer of the contract when he could deliver the finished product immediately. That is one of the great defects. This so-called allocation of defense contracts to surplus areas does not take into consideration the capacity of individual businesses to produce in areas that are not classified as "surplus labor areas."

I hope the Lanham amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, will the gentleman from California [Mr. HOLIFIELD] give us some examples of what is taking place along the Pacific coast in this regard.

Mr. HOLIFIELD. Let us take the shipbuilding interests. The Pacific coast is not a surplus labor area. They are denied contracts to build ships, whereas in eastern shipbuilding places they are given contracts which they cannot fulfill for maybe 1, 2, 3, or 4 years from now. The facilities in the South and in the West remain idle because they are not designated as surplus labor areas. This discrimination in placing contracts applies not only to shipbuilding but to every other phase of Government contracts covering defense. In many of these areas which are not classified as a surplus labor area, there are production facilities that were built especially to handle defense contracts, such as shipbuilding, electronics, and machine-tool production. They may have a surplus labor problem in their individual industries an yet they are discriminated against because there is no over-all surplus labor problem.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, I hold a letter in my hand which I will not have time to read in its entirety. This is the kind of form letter that is going out to manufacturing concerns all over the country in regard to this kind of legislation:

La Crosse and Scranton have been designated by the United States Department of Labor as group IV areas—areas of substantial labor surplus. Here's what this means to the Trane Co.:

1. Manufacturers in such labor areas are eligible to receive negotiated Government contracts at reasonable prices even though lower prices could be obtained elsewhere.

2. Manufacturers in such areas are to be given the opportunity of meeting the lowest acceptable prices obtained on bid contracts.

Your quotations on all Government jobs should carry a notice to the effect that the Trane Co. is in a group IV area. You should immediately notify all Government purchasing and contracting officers in your area of this situation. This should be followed up with a written confirmation.

Under this regulation, it is possible to have jobs negotiated instead of being let by public bid. If you see large jobs shaping up in your territory, you should explore the possibility of negotiating the job with the contracting officials. Jerry Van Steenbergh of our Washington office can be of aid to you in bringing the proper pressure to bear in Washington.

By proper following up on this situation, you should be able to obtain additional business which might otherwise be lost on a straight competitive basis.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. DEANE].

Mr. DEANE. Mr. Chairman, this Potter amendment is a very, very important amendment and was not considered by our committee in its lengthy hearings nor was it brought up at any time for discussion in committee meetings. The amendment is discriminatory and I hope the committee will reject it.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, I believe that this amendment will be very helpful in alleviating unemployment and distress in many parts of the Nation, and I earnestly hope it will be adopted.

The proposal made herein is not discriminatory and it is not sectional. It is not contrary to the spirit or letter of our laws designed to promote the general welfare of the Nation; in fact, it is wholly consistent with them.

In my own State of Massachusetts at the present time there are several fine communities where serious unemployment and distress exists. Many industrious, honest, hard-working people are walking the streets in these places without work. Their unemployment benefits have expired and they and their families are facing suffering and privation. Similar conditions obtain in some 45 different communities widely spread throughout the country.

I have frequently referred to these conditions as arising from a so-called demobilization depression which has afflicted many places in the Nation because of the deep-seated maladjustments that have accompanied the defense production effort.

In effect, this amendment would extend relief to depressed areas only where full employment exists elsewhere. In this respect, an equitable apportionment of defense spending in definitely limited form is authorized in order to provide work in areas where work is urgently needed.

Of course, I would never support any measure that would injure or harm or bring detriment to any section of the Nation. This measure, assertions to the contrary notwithstanding, does not discriminate against, injure, or harm any section. It merely seeks to help those areas, including several in my own State, which are now visited by the blight of industrial stagnation, unemployment, and, in all too many cases, want.

In normal times these conditions would probably not exist. They derive and emanate from the gigantic billions of dollars' defense program. They were caused by the demands and requirements of the national interest and the national security. They are due to the emergency we now face and the severe dislocations of our economic system and productive and distribution machinery.

I appeal to the House to consider the serious plight which confronts us in the afflicted places, and I hope that my colleagues, regardless of section or party, will view this issue from the national standpoint, and not from a narrow, provincial, or sectional perspective. Let us stand together as Americans in the midst of peril to keep all of our great Nation strong, vigorous, and healthy in every way, prepared to meet the great challenge of the hour.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. WILSON].

Mr. WILSON of Texas. Mr. Chairman, I am opposed to the Potter amendment. We have heard a lot of talk about corruption in Government, but let me tell you that when you abandon the policy of permitting bidding on contracts and letting the Government issue and sign contracts for any price it wants to, you will have a gigantic WPA project, which will be discriminatory to a majority of the States and communities of this country, and corruption will be rampant.

I am opposed to the Potter amendment and shall vote for the Lanham amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I trust the Committee will forgive me for taking this opportunity to say how much pleasure I got in listening to the debate here on the pending amendment. What has

happened to the coalition of the special interests? Has it fallen apart now?

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, in the hands of an unkind President, this amendment could penalize any area of this Nation when he thought the people of that area were not going to vote for him. It would put a stick in the hands of the President of the United States that if he chose to use it the stick would be so heavy to carry that no man on earth could carry it and no man who believed in honesty would care to carry it. This thing is most farfetched, unreasonable, un-American, and I do not reflect on the integrity of the gentleman who introduced it. This thing is unthinkable. My people in the South do not want a contract that they cannot meet on competitive terms. Why cannot other sections of the Nation take a similar stand? The Dartmouth College case years ago established the sanctity of a contract entered into, and this Congress would do well not to give the President of the United States, or anybody whomsoever, an unrighteous stick to club any section of the Nation if he so chose to do.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON of Virginia. Mr. Chairman, this defense manpower policy represents an outrageous maneuver of throwing people out of work in one section of the country in order to give jobs to others in another section of the country and making the taxpayers of the United States pay for it. The gentleman from North Carolina said that this matter had not been considered by his committee; but I call the attention of the House to the fact that it has been considered fully by the Select Committee on Small Business, which has made public a special staff report recommending the abrogation of the policy.

This policy undoubtedly is oppressive of many businesses, large and small, throughout the Nation because of the inequities it creates. In this connection, I should like to read excerpts from a letter written to Dr. John R. Steelman, Acting Director of the Office of Defense Mobilization, by Mr. John T. Connor, vice president and counsel of Merck & Co. I am acquainted personally with the effect Defense Manpower Policy No. 4 has had on this manufacturer. At Elkton, Va., Merck & Co. has been obliged to lay off skilled, conscientious employees.

The committee will be interested, I believe, in these words of Mr. Connor, which I now read:

> Application of the policy has disregarded surpluses of particular skills, and preferences have been given to firms merely because they are located in designated surplus-labor areas. Under the policy as applied, our competitors in Detroit, New York, and 33 other areas are given preferences over us in obtaining Government contracts because of their location in an area designated as a "surplus-labor area," even though there is in fact no surplus of drug and pharmaceutical workers in their areas.

Mr. Chairman, I have been in communication with Dr. Steelman on this matter. I have pointed out to him the injustice in throwing skilled men and women out of work in Virginia through the blanket effect of his policy to the benefit of manufacturers who are not distressed, although certain other industries in their communities may be.

As Mr. Connor explains—and I read again from his letter of May 8, 1952, to Dr. Steelman:

> The policy, as it is being administered, thus results in unjust commercial advantages and discrimination among labor in different areas. It does not in any way preserve employee skills, maintain production facilities, nor assure proper utilization of the country's manpower, the declared purpose of the policy itself.

Mr. Chairman, on yesterday, Dr. Steelman informed me that it had been decided Defense Manpower Policy No. 4 could not be administered practicably on an industry basis. Under the circumstances, I believe it is incumbent upon us to take action which will bring an end to such a policy—a policy which is creating, through its side effects, unemployment in Virginia, without direct benefit from these side effects to any but fortuitously situated competitors of these Virginia plants.

I have cited only one example of how the policy has hurt a manufacturer in my congressional district. There probably are other sufferers in that district, and the end result—if this policy is not abrogated—will be unemployment and suffering for the families of thousands of working people, who ask only that they be permitted to continue earning their living by dint of the conscientious work which manufacturers maintaining plants in Virginia have come to value and respect.

The Potter amendment enacts the policy into law, and the Lanham amendment invalidates the policy and prohibits the further continuation of it by Executive order. To reject the Potter amendment and not adopt the Lanham amendment would be a vote to continue the policy. I therefore urge the adoption of the Lanham amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. RAINS].

Mr. RAINS. Mr. Chairman, I remember last year we were considering this legislation when I presented an amendment aimed at breaking up over-centralization of war plants in congested areas, that I ran into quite a hornet's nest and took a very fancy licking. I notice today, from the same area in which I got a lot of opposition last year, that the shoe is on the other foot in regard to this legislation now, which appears to me certainly to be discriminatory not only against sections, but against towns in the same State. This amendment is unfair and should be defeated.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent that my substitute be again read.

The Clerk again read the Lanham substitute amendment.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. HOFFMAN of Michigan moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. HOFFMAN of Michigan. Mr. Chairman, I still am in doubt about how I should vote on final passage of the bill, whether it be today or next Wednesday. Perhaps an amendment will be adopted striking all after the enacting clause except the title having to do with allocation of materials.

Or there may be a motion to recommit with instructions to strike all but the enacting clause and that title and report back to the House forthwith.

In the meantime it is something of a surprise to hear, 87 years after the Civil War has ended, the gentleman from Georgia [Mr. BROWN] come in here and wave the "bloody shirt" and say we have a sectional issue. I had supposed that issue sectionalism was dead. Maybe I am wrong. It is dead so far as I am concerned.

For myself, I say to the gentleman and his colleagues on that side of the aisle who came from the South that never once since I came here in 1935 have I voted either for the poll tax amendment, the FEPC, the antilynching bill, or any other legislation that I thought would injure their section of the country. I have gone along with you, as have other Members on this side, because I believe the poll tax issue is under the Constitution one for the States—discrimination is now unlawful. Lynching and violence are not racial issues. On other issues like that of the Tidelands I have voted with you where my judgment so dictated. In my case sectionalism has never even been thought of. Nor have I ever tried to impose my views on anyone except by fair argument. So it was a shock as well as a surprise when that issue was raised on this amendment, which is similar to that offered by a Senator of your party, Senator MOODY. You accuse us all the time of being against everything that your President and your party wants or advocates, but when we come in here, as we do today as does the gentleman from Michigan [Mr. POTTER], and support the practices and policies the Administration has been following, what do you do? You throw it back in our teeth and say that we are trying to discriminate against the South. With as much reason you might charge us with sectionalism if we supported relief for damage by flood along the Ohio, the Missouri, or any river north of the Mason and Dixon's line.

And your section of the party, which claims to be the great liberal party, which claims it wants to do so much for the distressed, the unemployed, the downtrodden, when the gentleman from Michigan [Mr. POTTER] who gave so much for his country on the battlefields of France, who is always sympathetic toward the unfortunate, comes in with an amendment that will help those in distressed areas, what do you do about it?

You turn against it even though your party has at least pretended to follow a policy of aiding the people of distressed areas. You say, "No, we want competitive bidding," for which most of us over here have always contended, "and we can meet any bids from anywhere in the country because we have a lower standard of wages than other sections. We pay our people less than you do in the North, so we can outbid you."

Now, you have taken many a factory and mill from the Northeast, and we did not complain even though you were aided by a lower wage and Government funds. Yes your party has put many a war industry in the South without overmuch complaint from people of the northern Middle West. With Government aid you have taken from other parts of the country other industries, and no complaint has been made. Now when some on this side want to do the right thing by making it possible to give employment in those areas where there is so much unemployment, where ultimately the Federal Government will have to step in and assume the burden unless work is provided, do you help—do you give support? No; you throw at us an issue of discrimination. But deep down in your hearts you know that is not fair. You know that is not the issue here. What about PWA-CCC, and other aid through Federal funds—what about paying for the killing of little pigs, for crops never grown, for subsidies to benefit the tobacco, cotton, or peanut growers—what about the billions given to aid the people of other nations—give them employment—just because some one might get a few war contracts you yell "sectionalism." You will pay taxes to France, to Britain, to other countries to induce them to accept our dollars but no employment for those in distressed sections if they live in other States.

In my own district, for example, in a small city, we have a company, which bid on and received contracts in World War II. What happened in one small community—they brought in 2,600 workers, and what followed? Schools had to be built for the workers' children, the Federal Government had to contribute to the building of schools. We had to build housing. The Federal Government had to aid. The Government had to furnish other services because the community could not do it. Thousands of workers were moved from one end of the country to the other. Now, was the cost less to the National Government or was it more? Why should we not let contracts where there is unemployment, realizing as you do that you will have to take care of those people in some way?

Is it really cheaper—does it cost less to uproot the workers, move them, and then care for them, their families, and after the war employment is over, relocate them, than it is to take the job to the places of unemployment—the shut-down factory? It seems to me that your hearts and your judgment might well permit you to go along now, your charity might be extended far enough to aid those who are unemployed—inasmuch as the work must be done—and the unemployed must and will be aided in one way or another. Can you not let contracts be awarded, especially when your great humanitarian President and those who have been administering this law, have been following the course which this amendment would follow? With the steel crisis, supported by the President, unsettled, there will soon be hundreds of thousands out of work, in need, and the millions in the treasury of the CIO, even with Lewis' ten million, will not be enough to adequately care for them.

The issue is not sectionalism. It is one of getting the most and the best for the Government—while giving help through allocating necessary work to communities which must and will receive aid in some form. Why not help those who want to help themselves by working on a job which must be done somewhere?

Mr. BROWN of Georgia. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I meant no reflection on the gentleman from Michigan [Mr. POTTER] or anyone when I made the statement that this amendment was actually in the interest of pitting some sections of the country against others. I do not think many people thoroughly understand this amendment. I did not impugn any bad motives on the part of Mr. POTTER. He is an outstanding Congressman, with a fine war record, and he knows I intended nothing against him.

There is one good thing the amendment has done. It has established for the first time and for all time that the greatest friend of labor is the gentleman from Michigan [Mr. HOFFMAN]. He knew that nothing in my remarks was in criticism of the author of the amendment or anybody else who has his same viewpoint. He has criticized and abused me. At the same time, as I see it, he is creating the impression that he is the great leader of all time of the labor people of this country. He is a fine, honorable, honest, and capable man. He is a good Representative and a remarkable man.

I said nothing in my remarks to reflect on the distinguished gentleman from Michigan [Mr. POTTER]. I do not deserve the criticism Mr. HOFFMAN gave me. I repeat what I said, that I meant no reflection on anybody on either side, but if a fellow gets it in his head like Mr. HOFFMAN that nobody must oppose him, when he gets to feeling that big I think I will have to take him down a little bit. Nobody is as smart as he is. Nobody can diagnose a situation as he can. Nobody can be as helpful as he is. Nobody can control more votes in this House than he. He is a great, remarkable man. When he goes before the people and they see his intelligence, his intense sympathy for all groups of our people, how charitable he is, when every class of people in the United States find that out, they should not beat a man like this. He is remarkable, a most remarkable man. I have been here all these years trying to perform my duty and I meant no reflection on the gentleman from Michigan [Mr. POTTER] or anybody else. I was talking about the amendment offered by the gentleman from Michigan [Mr. POTTER] who is thoroughly sincere but I was afraid he did not understand the evil effects of it. But the gentleman from Michigan [Mr. HOFFMAN] is so smart that he, of course, ought to know the consequences of it, but he does not know how he could be wrong. Of course, he could not be wrong; he is a perfect man. He is a great man. I think if he is pressed on this question he might admit it. Yet, I must say that the people will have an opportunity in his State to see what a great man he is. I do not think they would want to turn him down because he has come here to Congress and made himself the leader of labor. He has never said anything against labor; he has always espoused the cause of labor. Labor will certainly support him in his great State. He is a man who can lecture everybody. He is a man who can criticize everybody and at the same time make them feel good about it. Oh, yes, he is a wonderful man. He looks for the good in all and rarely finds fault with any man or group.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman in all fairness yield now?

Mr. BROWN of Georgia. He is a great man. No man talks less than he does on the floor of the House. He says very little, and we are mighty sorry that we only get to hear him talk once in a while because when he speaks he says something good. I like him. How a man like that who has grown as great and as mighty as he is could hurt a member of the Congress, I cannot understand. He is the brightest man I know of except for one little thing. He skipped over that, remarkable as he is. But I am sure his people will elect him, and let him stay in the Congress because he does a great deal for his country and his State. He is a very remarkable man in every way. If I were to put it to a vote today here in this Chamber as to who is the most popular man on either side of the aisle, I think I would get a unanimous vote for my candidate, Mr. HOFFMAN from the great State of Michigan.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. Mr. Chairman, though modesty suggests silence and the gentleman's tone and manner of delivery may indicate a reluctance to praise me, gratitude, even while I blush, compels me to ask whether there is any way in which I can obtain time now to thank the gentleman for the compliment? The gentleman has mistaken my attitude completely. Never have I questioned the ability, sincerity, patriotism or judgment of one of my colleagues, nor have I ever said a naughty, profane or critical word about a colleague—I have disagreed with opinions and conclusions but never with the thought that I possessed any superior trait or characteristic. No doubt, as many hearing the gentleman might be led to believe I am "one of the least of these" but do possess some degree of consistency. The gentleman, though his whole talk was directed to me personally and not to the amendment, refused to yield. It was my desire to express my

appreciation of his remarks. Is time available for that purpose?

The CHAIRMAN. Not under the rules of the House during the consideration of the pending motion.

The question is on the motion offered by the gentleman from Michigan [Mr. HOFFMAN].

The motion was rejected.

Mr. MEADER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Chairman, I rise in support of the Lanham substitute and in opposition to the amendment offered by my colleague, the gentleman from Michigan [Mr. POTTER].

I dislike very much to oppose my colleague from Michigan, for whom I have the highest regard. In most instances I find myself in agreement with his views. However, in this instance, I cannot concur in his proposal to write into the statute the power which has been usurped by the administration in promulgating Defense Manpower Policy No. 4. I find myself in agreement with the gentleman from Georgia, who proposes to make plain that Congress did not originally intend to authorize the power to interfere with defense procurement which has been asserted by the empire builders in the administration.

Mr. Chairman, I have had occasion to study this matter in some detail because of areas in my district where unemployment, both prospective and immediate, has been aggravated by the application of Defense Manpower Policy No. 4. In at least two specific instances complaints have come to my office that after competing successfully on bids for defense work, the contracts have been taken away through the application of Defense Manpower Policy No. 4. Under this directive, firms in group 4 manpower surplus areas have been permitted to match the low bid and thereby be awarded the contract.

Mr. Chairman, I wish to point out certain facts which I believe conclusively demonstrate that the substitute offered by the gentleman from Georgia ought to be adopted:

First. Defense Manpower Policy No. 4, as now administered, deals only with total manpower surpluses. For example, one of the firms adversely affected by the application of this directive is in the electronics field. There has been unemployment in the electronic division of that firm as high as 500 persons. There was thus a surplus of electronics manpower. Notwithstanding that, a contract was taken away from that firm and placed in another area where there was actually a dearth of electronics manpower although there was a total over-all unemployment. Those who were out of work were not electronics workers. In fact, the electronics firm which successfully diverted the contract had a huge backlog of electronics orders and had to train additional unskilled workers. It also subcontracted electronics work out of the area. This does not make sense.

Second. Where an area has unemployment, but not severe enough to be classed in group 4, the diversion of defense work away from that area may well increase unemployment to 6 percent or more and render it a class 4 area. It, in turn, will then be in a position to divert contracts from competing firms in other areas. Thus, we will have a shifting back and forth of unemployment. This is robbing Peter to pay Paul. This, likewise, does not make sense.

Third. The directive is applied rigidly and therefore limits the discretion of procurement officers and imposes additional burdens upon them. This results in delays in the placement of contracts and probably results frequently in the placement of contracts with companies not well equipped to perform them speedily and economically. There should be a better way of dealing with the unemployment situation than to do so at the expense of the prompt and efficient production of equipment and materials needed for defense. There has been a great deal of criticism of the speed with which we are producing for defense. The Preparedness Committee of the Senate has frequently condemned the slowness and delays of the defense production program. The interference with normal procurement practices resulting from the application of Defense Manpower Policy No. 4 may have contributed a great deal to this deplorable situation.

Fourth. The policy strikes at the whole competitive bidding process. Firms must go to great expense in preparing the necessary estimates and plans for the production of an item on which they are bidding. Under Defense Manpower Policy No. 4 they find that even if they are successful in beating their competitors, they still have no assurance that they will get the contract. It may be taken away from them pursuant to Defense Manpower Policy No. 4 and given to a less efficient competitor whose bid price may originally have been substantially higher but who happens to be located in an area in which Defense Manpower Policy No. 4 applies.

Mr. Chairman, we seem to be getting away from a businesslike approach to building up our national defense. It is certainly necessary to alleviate unemployment where it occurs, but should we do it at the expense of sound procurement practices and businesslike methods in acquiring those things we need for defense purposes? I do not think we should. There must be an alternative way of handling unemployment which is less costly than to do so at the expense of speedy and efficient defense production.

Mr. Chairman, I desire to include at this point in my remarks two editorials from the Jackson Citizen-Patriot of Jackson, Mich., on this subject:

[From the Jackson Citizen-Patriot of June 12, 1952]

ON THE OTHER FOOT

The Federal defense production order which gives war work bidders in designated critical labor areas the opportunity of meeting the low figure on contracts is acclaimed in Michigan as a good deal.

But how does the shoe feel when it is on the other foot? Jackson soon may learn that it pinches. At least one local firm is sure that it does.

Jackson is not a critical unemployment area as are Detroit, Muskegon, and a few others in Michigan. One of the reasons is that owners of small and large plants here went after Government contracts when it became apparent that a conversion to defense work was inevitable.

These companies have struggled through the red tape and got production lines in operation. They are producing material the Government needs, are holding their working forces together and, incidentally, keeping the community's economy on an even keel.

These concerns now face the loss of their contracts to firms in critical labor areas. In many cases these are industries which did not make an effort to get Government contracts and chose to continue civilian production in a seller's market.

One Jackson manufacturer puts it this way in a letter to Senators FERGUSON and MOODY:

"It now seems that the man who exerted his own efforts to get work and now has the work, must suffer for the other person who was too anxious to capitalize on the then seller's market, and too short-sighted to see the need of partial conversion a year and a half ago."

It follows that these small manufacturers in Jackson and other cities who went out and got the business may lose their contracts if their prices are only marks for other bidders to shoot at.

It follows that if small manufacturers in Jackson lose their contracts to the so-called critical labor areas, then Jackson, in turn, will have an unemployment problem. The protesting manufacturer calls that a policy of "robbing Peter to pay Paul." It solves nothing.

Of course, widespread unemployment—if it actually exists—in an area such at Detroit is a much more potent political factor than a few closed plants and a few hundred men out of work in Jackson. A Detroit crisis is enough to attract the political knights on white chargers.

And that is what is wrong with the defense effort—too much politics and too much politicians to get into the act and grab credit for doing something whether it is sensible or not.

[From the Jackson Citizen-Patriot of April 17, 1952]

DEFENSE CONTRACTS

Reports from Washington indicate that both the administration and Congress are taking a serious and helpful view of complaints from small manufacturers who feel that the program to channel defense work into critical labor areas may work a hardship on present contract holders and disrupt the procurement of needed war supplies.

It appears to be one of those cases in which legislation adopted for one purpose has a second effect which tends to create a new problem. As we pointed out a few days ago, shifting existing contracts from Jackson, which is not a critical labor area, to Detroit would only tend to create an employment problem here.

Jackson firms have been assured by members of the Michigan delegation in Congress that this is not the intent of the bill giving manufacturers in critical labor areas a break on bidding for Government business.

Arthur Fleming, the war mobilization manpower director, has promised an interpretation of the program which will prevent shifting of work for which manufacturers have trained workers and installed special tools.

That is comforting to Jackson, but there is another aspect of the program which is primarily of national interest.

Procurement agencies of the armed services have been worried by the policy because they fear an actual disruption in production.

For example, a Jackson firm which is tooled up and producing a specific item might lose a chance to renew its contract because a firm in a critical labor area matched the Jackson price.

Then valuable time would be lost while the new bidder tooled up and got into production. Placing of new orders is a different matter, because all bidders are starting even and no loss of production is threatened.

The new interpretation of the program promised by the mobilization manpower director should prevent any interruption in production. After all, production is the key purpose of the defense program.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Georgia [Mr. LANHAM] to the amendment offered by the gentleman from Michigan [Mr. POTTER].

The question was taken; and the Chair being in doubt, the Committee divided and there were—ayes 104, noes 80.

Mr. POTTER. Mr. Chairman, I demand tellers.

Tellers were ordered.

The Chairman appointed as tellers Mr. POTTER and Mr. BROWN of Georgia.

The Committee again divided, and the tellers reported.

The Chair announced that there were 114 ayes.

Mr. BROWN of Georgia. Three more, Mr. Chairman.

The CHAIRMAN. The Chair will have to hold that the tellers had left their places and that this addition comes too late.

On this vote by tellers the ayes are 114; the noes 114.

So the substitute amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Michigan [Mr. POTTER].

The question was taken, and the Chair announced that the Chair was in doubt.

Mr. HOFFMAN of Michigan. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. POTTER and Mr. BROWN of Georgia.

The Committee divided; and the tellers reported that there were—ayes 113, noes 131.

So the amendment was rejected.

Mr. McDONOUGH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McDONOUGH: On page 4, line 22, after the word "establish", strike out "both" and add after the word "and" the word "or."

Mr. McDONOUGH. Mr. Chairman, my amendment is a proposal to clarify a situation in this section of the bill that will make this section of the bill applicable to more than one State in the Union. The way the bill reads now, beginning on line 21, is this:

Where a State regulatory body is authorized to establish both minimum and maximum prices for sales of fluid milk, ceiling prices established for such sales under this title shall (1) not be less than the minimum prices, or (2) be equal to the maximum prices.

Now, that says maximum and minimum; in other words, the States that this applies to must have a maximum and a minimum price set up under a State regulatory body. I say that the word "both" should be eliminated and the word "or" inserted after the word "and," so that it will read maximum and/or minimum, so that this section will then apply to the States that have either a maximum or a minimum. It is a minor amendment. It can have a very discriminatory effect if it were left as it is now, while with this amendment it will remove the discrimination and make it equitable so far as the milk-producing States in the Union are concerned.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from California.

Mr. JOHNSON. It is a fact, is it not, that in California we have a milk-control law that has been on the books about 15 years, and it only provides the minimum price at which milk may be sold?

Mr. McDONOUGH. That is right.

Mr. JOHNSON. This is a great protection for the farmers who are dairymen. As far as I have been able to learn from people conversant with the milk-control law of California, whenever the minimum price has been fixed, it never has been exceeded in the entire history of this law.

Mr. McDONOUGH. Yes.

Mr. JOHNSON. All we want to do is to put our producers in the same category as the milk producers elsewhere, so far as this bill is concerned.

Mr. McDONOUGH. Not only in California but the States of Maine, Montana, New York, and Rhode Island—all of which have minimum-price regulatory legislation but do not have maximum-price regulations. When this amendment was presented to the committee we did not realize that it was discriminatory, insofar as these other milk-producing States are concerned, but the facts have been brought to our attention since that time. I see no reason for anyone to oppose my amendment and I do not see any reason to take any more time explaining it. It seems to be a fair amendment and I urge its adoption.

Mr. RAINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have no objection to the amendment offered by the gentleman from California [Mr. McDONOUGH] but I think the RECORD ought to be made clear as to why this amendment is offered. In my State of Alabama the State has a milk-control board which regulates both minimum and maximum prices. I believe where you have State control there is no need to have Federal control. We have the same policy and principle in the bill as we had last year with reference to public utilities, that where you had a Public Service Commission which regulated the rates in the States, OPS did not have control. This seems to follow that very same principle which was written into the bill last year. One thing I think we should be careful about, and each Member knows his own State, if the minimum price is actually the price to the consumer and the minimum price covers the ultimate price that the consumer pays, I can see no objection to it. But I do not think that anyone would care to offer an amendment which would make the minimum, the retail price paid to the farmer, govern the price that the consumer would ultimately pay. Whether he pays that or not, I do not know.

Mr. JOHNSON. Mr. Chairman, if the gentleman will yield further, under our law the Milk Control Board makes a continuous study, and about three times a year issues what it calls a scale of minimum prices that may be charged consumers, as well as the minimum price which may be charged by the people engaged in the distribution of milk. They have three or four different categories that the Control Board regulates by fixing minimum prices and one is the consumer. The gentleman stated a moment ago, where the State controls the product, it has no place in this law, but we are afraid of the provision there where you use the word "maximum." By making it in the alternative, so as to include those that fix only a minimum price, it would cover the whole situation.

Mr. RAINS. I have no objection to it from my standpoint. The reason I want the word "maximum" in is because in the State of Alabama the State milk control board says what the price shall be to the consumer.

May I say further that the States which appear to be involved under this amendment are Alabama, California, Connecticut, Florida, Georgia, Maine, Montana, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and Massachusetts.

Mr. McDONOUGH. In other words, those are the States that are involved in both the maximum and minimum. The ones I read are those that are discriminated against if this amendment is not carried. The gentleman from Alabama has just read the States that are involved so far as the maximum and minimum prices are concerned.

Mr. RAINS. That is correct. The only thing I object to in the gentleman's remarks is that I do not think the amendment was intended to discriminate against anybody. I am glad these other States come in if their prices are ultimately controlled.

Mr. McDONOUGH. I agree with the gentleman. I had no intention of making a reflection of that kind.

Mr. SPENCE. Mr. Chairman, the committee has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. McDONOUGH].

The amendment was agreed to.

Mr. BROWN of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment by Mr. BROWN of Georgia: On page 5, line 1, change the period to a semicolon and insert the following: "*And provided further*, That in the case of prices of milk established by any State regulatory body, with respect to which price, parties may be deemed to contract, no ceiling price may be maintained under this title which is less than the price so established."

The CHAIRMAN. The Chair recognizes the gentleman from Georgia in support of his amendment.

Mr. SPENCE. Mr. Chairman, the committee will accept the amendment offered by the gentleman from Georgia.

Mr. WOLCOTT. Mr. Chairman, I am simply seeking recognition to find out what is being done here. I would suggest that that is exactly what we provide in the bill, so why put in this language?

Mr. BROWN of Georgia. This is along the same line.

Mr. WOLCOTT. May I read to the gentleman the language which is now in the bill at line 21, page 4, which is as follows:

When a State regulatory body is authorized to establish both minimum and maximum prices for sales of fluid milk, ceiling prices established for such sales under this title shall (1) not be less than the minimum prices, or (2) be equal to the maximum prices established by such regulatory body, as the case may be.

In what respect does the amendment offered by the gentleman from Georgia [Mr. BROWN] change that situation?

Mr. BROWN of Georgia. The situation in my State is a little different from that in other States, where they may establish the price of milk to the consumers and in the cities. That is the effect of this. Of course, in many States you have milk boards, and some of them regulate the price of milk.

Mr. WOLCOTT. I have no objection to the gentleman saying, "and we mean it," or something like that, but I do not know why we should repeat language which is already in the bill.

Mr. BROWN of Georgia. The operation in my State is a little different from other States. Of course, if this language is not all right, it can be taken out in conference.

Mr. WOLCOTT. Mr. Chairman, I yield back the balance of my time with the statement, although I think it might be redundant, that I have no particular objection to the language or the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. BROWN].

The amendment was agreed to.

Mr. TALLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TALLE: Page 4, strike out "No" after the question mark in line 7 and all that follows down through the period in line 21, and insert in lieu thereof the following: "No ceiling prices for products resulting from the processing of agricultural commodities, including livestock, milk, and other dairy products shall be established or maintained in any agricultural marketing area at levels which fail to reflect for the processing of such products the cost adjustments provided in paragraph (4) of this subsection and which fail to reflect for the distributing and selling of such products the customary margin or charge provided in subsection (k) of this section."

Mr. TALLE. Mr. Chairman, this is a very simple amendment. The language I propose to strike, if you will look at the bill, purports to provide special consideration for the dairy industry. It does not do so. Actually that language imposes upon the dairy industry two severe restrictions:

In the first place, the language in the bill restricts costs of milk products to labor, material, and containers. No other commodity is treated that way.

Second, it authorizes a Government agency to regulate earnings and profits on milk products. This is sheer discrimination, and certainly it was never the intent of the Congress of the United States to permit the OPS to exercise the function of controlling profits.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield.

Mr. AUGUST H. ANDRESEN. Is there any other industry in the United States against which is applied the regulation of earning standards that is provided in the bill?

Mr. TALLE. No other industry is so singled out in the pending bill. As a matter of fact, the printed hearings on this bill reveal that I questioned the administrators of the Defense Production Act at length as to the legal basis for applying what they call the industry earnings standard. They admitted that the Congress never set up such a standard but that it was the brain child of one man. They stated further that their only authority for imposing such a standard was the language of Congress that prices shall be fair and equitable.

The Congress of the United States has never approved the industry earnings standard.

Mr. AUGUST H. ANDRESEN. The gentleman's amendment should be adopted.

Mr. TALLE. I thank the gentleman.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield.

Mr. DONDERO. The dairy industry in my district and also my State has sent a large number of telegrams in opposition to this very provision which the gentleman's amendment seeks to take out. They say in these telegrams that that section or proposed amendment places upon the industry an undue burden.

Mr. TALLE. By all means it does.

Mr. PHILBIN. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I am glad to yield to the gentleman from Massachusetts.

Mr. PHILBIN. Is it the gentleman's contention that under existing procedures they are requiring the submission of profit-and-loss statements in connection with fixing prices on dairy products?

Mr. TALLE. It is reasonable to assume that the OPS would require such returns if the language I seek to strike should be enacted into law.

My amendment simply provides two things: First, that the Capehart amendment which we approved last year and which is existing law, shall apply to agricultural commodities. What is wrong with that? If it applies to other industries, why should it not apply to agriculture?

The second part of my amendment declares that the provisions of the Herlong amendment shall apply to agricultural products. That amendment, you remember, we approved last year and is existing law and has to do with the distribution of products.

So, on the one hand, we have the Capehart amendment relating to manufacturing and processing costs; on the other hand, we have the Herlong amendment which relates to the customary margins and charges in connection with distribution.

I am merely asking that the great industry we refer to as "agriculture" shall be accorded the same treatment as is accorded all other industries.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Page 3, line 18 insert a new paragraph 1 to section 402 as follows:

"1. No rule, regulation, order or amendment thereto shall be issued or maintained under this title, which shall deny to any hotel supply house or combination distributor, affiliated with any slaughterer or slaughtering establishment, the same ceiling price or prices for meat accorded to hotel supply houses or combination distributors which are not so affiliated."

Mr. MULTER. Mr. Chairman, the purpose of this amendment is to make sure that the OPS properly implements in its ceiling-price regulations a recent decision of the Emergency Court of Appeals which prohibits discrimination between hotel-supply houses and combination distributors which are affiliated with packers and those which are not. It writes into the law the decision of the Emergency Court of Appeals in the case of Davidson Meat Co. against Arnall of April 19, 1952, No. 592.

The Davidson case is highly technical. Briefly, the Office of Price Stabilization had provided lower ceiling prices on meat for affiliated hotel supply houses than for independent hotel supply houses, even though both were normally competitive and despite the fact that the affiliated companies had operated as though they were independent and not affiliated, purchasing 97 percent of their supplies from independent sources. The court decided that OPS could not give these affiliated companies lower ceiling prices than the independents merely because of the existence of the affiliation.

The court's decision is not entirely clear on the question of whether OPS can provide lower ceiling prices for the affiliated companies on the 3 percent of their supplies they get from affiliated sources. This is so small a part of their supplies, and there are so few affiliated companies, that even if OPS could provide lower ceiling prices on this small amount of material the saving would not affect the cost of living by so much as one-thousandth of a percentage point, but would seriously disrupt the normal business practices of the small number of affiliated companies. Since the law is not entirely clear, the matter in question is not inflationary, and, if OPS interprets the court's decision to permit discrimination against affiliated companies on this insignificant amount of their business, that interpretation would

greatly inconvenience these companies. I believe the Congress should adopt this clarifying amendment. The amendment merely says to OPS that it shall not discriminate against these affiliated companies on this insignificant part of their business. That, I believe, is what the court's decision holds and this amendment removes any doubts about that decision.

Mr. MULTER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. WOLCOTT. I may say that we frequently find ourselves in agreement with the gentleman from New York, and no more so than we are at this very moment. I do not believe there is any objection on this side to the gentleman's amendment.

Mr. SPENCE. There is no objection to the amendment.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

Mr. VURSELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Chairman, we have before us for extension the Defense Production Act, better known as the OPS Price and Wage Control Act. This act which has not held down prices and which certainly has not held down wages or controlled them is similar to the OPA Price Control Act and has proven to be a farce and a fraud for the past 12 months.

It has accomplished two things. It has given the administration a chance to employ over 13,000 employees, most of them at high salaries which has cost the taxpayers $69,430,000 the past year and it will cost another $68,420,000 if extended for another year. It has caused countless thousands of citizens in all lines of business to spend over 2,000,000 hours of labor making out one endless report after another.

It has slowed down production and distribution everywhere its regulations have come in contact with business throughout the United States. It has slowed down the production of livestock and, in fact, has slowed down and been detrimental generally to all the farmers of America.

It has failed completely to benefit the economy or defense of the Nation. It has not reduced prices to the consumer but has tended to increase prices because it has slowed down the volume of production.

Mr. Chairman, there are only two approaches to prevent inflation and the high cost of living. The main approach is greater production of everything that makes up the cost of living—greater production of manufactured products and greater production of agricultural products, livestock, poultry, and so forth.

You will remember the old OPA days during World War II. Price controls then prevented production on the farms to such an extent that we had meatless day throughout the Nation. OPS price controls can ultimately bring about the same results, but they never will encourage the production of an extra bushel of grain, a pound of meat, or a dozen of eggs because they work exactly in the opposite direction by holding down production of every kind whether it is on the farms or in the factories of the Nation.

Mr. Chairman, the second thing that brings about inflation and the high cost of living is this administration's spending and giving away more billions each year than we collect in taxes. Then to make up the deficit they turn to the printing press and print billions of dollars worth of Government bonds, as they are doing right now, for which they get dollars which increases the currency of the Nation by billions of do'lars.

Since the beginning of World War II, by the use of printing press money, they have increased the volume of currency over 300 percent which has driven the purchasing power of the dollar down to 50 cents.

The cost of living is driven up when the supply of money is greater than the supply of things to be bought. The only way to reduce the cost of living is greater production of things people want to buy whether they be manufactured articles or products that come from the farm. It should be obvious that this OPS price control experiment cannot succeed because it retards production and distribution of all manufactured and agricultural products and livestock.

If this Congress and if the administration which is the worst offender would refuse to extend price controls and release its 13,000 employees so that they could take their place in production, disband this agency and stop the expense of $68,420,000 a year, and then insist the Federal Reserve bank use the credit control power it has to reduce the inflationary pressure, we could rapidly reduce the high cost of living and increase the economic strength of the Nation.

TAKE POTATOES FOR EXAMPLE

Mr. Chairman, since the beginning of our country, we have never had a potato famine in our history which item for many years has formed a major part of the substantial diets enjoyed by American citizens.

Because of Government mishandling, an oversupply of potatoes were produced in the last few years. Everyone knows of the scandal connected with the wastage of thousands of tons of good potatoes and of various Government schemes to give them away, and otherwise destroy them.

Now, because of Government mistakes, again under OPS, we have what I choose to call the DiSalle potato famine. OPS withdrew price supports from potatoes. Then the OPS established a ceiling below the cost of production. Many potato farmers refused to plant. Those who had potatoes were unwilling to deliver them to the consumer at that price. Thus we have a black market and a potato famine. Then OPS recently lifted controls and potatoes on hand left the black market and are again available in the stores.

Shall we continue controls and this organization and give them the opportunity to continue to disrupt production and the free flow of commodities to meet the needs of the American consuming public?

This administration, which always puts politics first, wants to keep controls on, first, to keep their over 13,000 employees until after the close of the coming campaign; and, secondly, they are trying to make the consuming public believe they are his friend in the hope by this double-dealing policy they can deceive the consumer until after the coming election. The consumer must know that goods that are not allowed to be produced cannot be consumed.

EFFECT ON FARMERS

Mr. Chairman, I should like to point out that Allan Kline, head of the great American Farm Bureau Federation, and Charles Schuman, head of the Illinois Agricultural Organization, both outstanding men, and many other farm leaders are asking the Congress to end price controls now. They have given evidence before the Committee on Agriculture in the House and Senate which plainly shows that price controls on agricultural products cannot work to the benefit of the consumer nor to the benefit of the farmer. That price controls instead of helping to get greater production of agricultural products which would tend to hold the cost of living down discourages the farmer to the point of lower production.

SOYBEANS

I would like to take soybeans for example, because my congressional district in Illinois, I believe, produces more soybeans than any other district in my State. It is a very important crop to our farmers. The OPS control during the past year have had the effect of shutting down 60 percent of the processing industry for soybeans throughout the Nation. OPS controls caused the Staley processing plant at Decatur, Ill., the largest in the world, to shut down. Anyone knows the shutting down of these plants largely at a time when the greatest production was coming off the farms had the result of driving the soybean price market down to around $2.70 to $2.90 a bushel when in a free market the farmer would have had a higher price. At one time OPS fixed the ceiling price 69 cents a bushel below the legal limit established by the Congress. OPS controls have robbed the farmers of the Nation on all products of millions of dollars they could and should have had.

In addition OPS has caused a great loss to the soybean processors throughout the Nation who could not operate under its price controls.

Mr. Chairman, who else wants price controls ended now? The National Milk Producers Association, and every cheese and butter organization in America.

This is the wish and hope the dairy industry composed of millions of farmers through whose long hours of toil supply the people of the Nation with dairy products, the total value of their products ranking second in the agricultural income of the Nation.

Mr. Chairman and Members of the House, why not set the farmers free of these controls? Why not strike the shackles from this great group of men and women who are still willing to work long hours, and let them have the incentive to produce to the limit and thereby make their greatest contribution to the economy of our Nation?

Mr. Chairman, in these critical times when the Federal Government is dependent on a high national income in order to raise sufficient revenue to meet Government expense and build up our Armed Forces it is the duty of the President and the Congress to encourage production and increase our national income. We certainly should not further retard progress with these unnecessary OPS controls.

Mr. Chairman, agricultural production is the "gear wheel" and driving force of the economic strength and the total income of our Nation.

This Nation cannot have good business, full employment, and prosperity unless those engaged in agriculture are fairly prosperous. Billions of new wealth are produced each year in food and fiber from the farms of America. The economic blood transfusion of this new wealth into the financial bloodstream of the Nation keeps our whole economy strong and prosperous. We should encourage and not restrict agricultural production.

Mr. Chairman, I know there are those who believe the farmer is getting rich under current conditions. Let me show you the American farmer is worse off today than he was in 1947. Here are the facts:

Farm net income in 1947 was $17,073,000,000.

Farm net income in 1951 was $15,000,000,000.

And it is estimated it will be less than that when the figures are totaled for 1952.

At the same time his net income was going down, the cost of everything he buys is going up.

In 1947 farm production costs were roughly $13,000,000,000 and in 1951 they were up to $17,000,000,000. Why continue to add restrictions and burdens to the farmers through OPS controls while he is struggling under the heaviest tax burdens in our history.

Mr. Chairman, it is time to end all price controls affecting business as well as agriculture and return to a free economy. Production from the farms and factories of the Nation is greater today than the demand. If we will end all controls, prices are more likely to seek lower levels than higher ones.

We built the greatest Nation on earth without price controls under a free economy. We cannot keep it prosperous and free if we continue to adopt the socialistic regimentation of price control.

Mr. BUFFETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUFFETT: Page 5, after line 3, insert the following new section:

"SEC. 105. Subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"'(5) For the purpose of determining the applicable ceiling price under the general ceiling price regulation issued January 26, 1951, as amended, any sale of fertilizer to the ultimate user by a person who acquired it for resale shall be considered a retail sale. This paragraph shall take effect as of January 26, 1951'."

Mr. BUFFETT. Mr. Chairman, this amendment is made necessary by one of these strange and weird definitions by the OPS that we were so familiar with back in the days of the OPA.

The OPS has a definition that effectively decrees that retail sales by a retail dealer of fertilizer to a farmer is not a retail sale. They have a regulation that the sale of fertilizer by a retail dealer to a farmer is a sale to a commercial user and must be treated as a wholesale transaction.

My amendment provides that the retail dealer doing a retail business can sell fertilizer to a farmer as a retail transaction. It does that and nothing more.

The trouble has been that the OPS has set a ruling that a retail dealer selling at retail to farmers who buy at retail is engaging in a wholesale transaction and they have taken at least one small dealer out in my State into court. This dealer was selling at retail, whereas the OPS said their sales should have been made at wholesale. Actually they were making a complete retail transaction to the farmer consumer of the commodity who does not resell it. He simply uses it on the farm.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from Michigan.

Mr. CRAWFORD. If the gentleman's amendment should be adopted then such transactions as may have taken place between the inception of the law and the present day will be made legal, is that correct?

Mr. BUFFETT. Yes.

Mr. CRAWFORD. And these cases will be disposed of?

Mr. BUFFETT. Yes. I do not think it was the intention of the Congress to make impossible normal retail transactions in this agricultural field, and I am sure that the correction is most necessary.

Mr. JACKSON of California. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from California.

Mr. JACKSON of California. I would like to have this clarified for a city farmer. What is the difficulty involved, what hardship is involved in the manner in which the sales are now conducted?

Mr. BUFFETT. The hardship under present conditions is that a retail dealer, if he sells any amount of fertilizer to a farmer, and if the farmer should use it on his farm, the retail dealer has to sell it as a wholesale transaction; when the whole business is a retail transaction, so regarded by the farmer, and certainly it is retail from the standpoint of the retail dealer.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from Illinois.

Mr. YATES. Is that because of the quantity sold?

Mr. BUFFETT. No; it is because the OPS has ruled that the farmer is a commercial user and not the ultimate consumer. The fertilizer is used on the farms, of course, and the quantity is not a determining factor.

Mr. SPENCE. Mr. Chairman, I know of no objection to the amendment.

The CHAIRMAN (Mr. FORAND). The question is on the amendment offered by the gentleman from Nebraska [Mr. BUFFETT].

The amendment was agreed to.

Mr. DEANE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEANE: Page 6, line 11, insert (e): "Subsection 2 of section 402 of the Defense Production Act of 1950, as amended, is amended by adding to the end thereof the following new paragraph:

"'(viii) Sales of surplus materials by the States, Territories, and possessions of the United States and their political subdivisions and municipalities, the District of Columbia, and any agency of any of the foregoing.'"

Mr. DEANE. Mr. Chairman, I do not think there is any opposition to this amendment. It simply gives to the various States and Territories and municipalities the right to sell surplus material without complying with any regulations of the OPA.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. DEANE].

The amendment was agreed to.

Mr. HAYS of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYS of Ohio: On page 7, strike out all of lines 17 and 18, and insert in lieu thereof the following: "by any State law other than any so-called fair-trade law enacted prior to July 1, 1952, or by regulation issued pursuant to such law."

Mr. HAYS of Ohio. Mr. Chairman, this is merely a clarifying amendment to an amendment which was adopted by the committee. Unless there is opposition to the amendment, I do not believe there is any further explanation necessary. I have consulted both the minority and the majority sides.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HAYS].

The amendment was agreed to.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Page 8, line 9, strike out all of subsection (b) and insert in lieu thereof the following:

"(b) Section 408 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"'SEC. 408. (a) Any person who is aggrieved by the denial or partial denial of his protest may, within 30 days after such denial,

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file a complaint with the Emergency Court of Appeals specifying his objections and praying that the regulation or order protested be enjoined or set aside in whole or in part. A copy of such complaint shall forthwith be served on the President, who shall certify and file with such court a transcript of such portions of the proceedings in connection with the protest as are material under the complaint. Such transcript shall include a statement setting forth, so far as practicable, the economic data and other facts of which the President has taken official notice. Upon such filing, the court shall have exclusive jurisdiction of the proceeding and of all questions determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper; to permanently enjoin or set aside, in whole or in part the regulation or order or the amendment of or supplement to the regulation or order protested; to make and enter upon the pleadings, evidence, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the President; to dismiss the petition; or to remand the proceeding to the President for further action in accordance with the court's decree: *Provided*, That the regulation or order may be modified or rescinded by the President at any time notwithstanding the pendency of such complaint. No objection to such regulation or order, and no evidence in support of any objection thereto, shall be considered by the court, unless such objection shall have been set forth by the complainant in the protest or such evidence shall be contained in the transcript. The findings of the President with respect to questions of fact, if supported by a preponderance of the evidence on the record shall be conclusive. If application is made to the court by either party for leave to introduce additional evidence which was either offered to the President and not admitted, or which could not reasonably have been offered to the President or included by the President in such proceedings, and the court determines that such evidence should be admitted, the court shall order the evidence to be presented to the President. The President shall promptly receive the same, and such other evidence as he deems necessary or proper, and thereupon he shall certify and file with the court a transcript thereof and any modification made in the regulation or order as a result thereof; except that on request by the President, any such evidence shall be presented directly to the court.

"'(b) The Emergency Court of Appeals is hereby continued for the purpose of the exercise of the jurisdiction granted by this title, with the powers herein specified, together with the powers heretofore granted by law to such court which are not inconsistent with the provisions of this title. The court shall have the powers of a district court with respect to the jurisdiction conferred on it by this title. So far as necessary to decision the court shall decide all relevant questions of law, interpret constitutional and statutory provisions, interpret the meaning or applicability of the terms of any official action under this title or under this act as amended, of which this title is a part and with respect to this title. The court shall exercise its powers and prescribe rules governing its procedure in such manner as to expedite the determination of cases of which it has jurisdiction under this title.

"'(c) Within 30 days after entry of a judgment or order, interlocutory or final, by the Emergency Court of Appeals, a petition for a writ of certiorari may be filed in the Supreme Court of the United States, and thereupon the judgment or order shall be subject to review by the Supreme Court in the same manner as a judgment of a United States court of appeals as provided in section 1254 of title 28, United States Code. The Supreme Court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this subsection. The Emergency Court of Appeals, and the Supreme Court upon review of judgments and orders of the Emergency Court of Appeals, shall have exclusive jurisdiction to determine the validity of any such regulation or order issued under this title. Except as provided in this section, no court, Federal State, or Territorial, shall have jurisdiction or power to consider the validity of any such regulation or order, or to stay, restrain, enjoin, or set aside, in whole or in part any provision of this title authorizing the issuance of such regulations or orders or any provision of any such regulation or order, or to restrain or enjoin the enforcement of any such provision.

"'(d) (1) Within 30 days after arraignment, or such additional time as the court may allow for good cause shown, in any criminal proceeding, and within 5 days after judgment in any civil or criminal proceeding, brought pursuant to section 409 or 706 of this act or section 371 of title 18, United States Code, involving alleged violation of any provision of any such regulation or order, the defendant may apply to the court in which the proceeding is pending for leave to file in the Emergency Court of Appeals a complaint against the President setting forth objections to the validity of any provision which the defendant is alleged to have violated or conspired to violate. The court in which the proceeding is pending shall grant such leave with respect to any objection which it finds is made in good faith and with respect to which it finds there is reasonable and substantial excuse for the defendant's failure to present such objection in a protest filed in accordance with section 407 of this title. Upon the filing of a complaint pursuant to and within 30 days from the granting of such leave, the Emergency Court of Appeals shall have jurisdiction to enjoin or set aside in whole or in part the provision of the regulation or order complained of or to dismiss the complaint. The court may authorize the introduction of evidence, either to the President or directly to the court, in accordance with subsection (a) of this section. The provisions of subsections (b) and (c) of this section shall be applicable with respect to any proceeding instituted in accordance with this subsection.

"'(2) In any proceeding brought pursuant to section 409 or 706 of this act or section 371 of title 18, United States Code, involving an alleged violation of any provision of any such regulation or order, the court shall stay the proceeding—

"'(i) during the period within which a complaint may be filed in the Emergency Court of Appeals pursuant to leave granted under paragraph (1) of this subsection with respect to such provision;

"'(ii) during the pendency of any protest properly filed by the defendant under section 407 of this title prior to the institution of the proceeding under section 409 or 706 of this act or section 371 of title 18, United States Code, setting forth objections to the validity of such provision which the court finds to have been made in good faith; and

"'(iii) during the pendency of any judicial proceeding instituted by the defendant under this section with respect to such protest or instituted by the defendant under paragraph (1) of this subsection with respect to such provision, and until the expiration of the time allowed in this section for the taking of further proceedings with respect thereto.

Notwithstanding the provisions of this paragraph, stays shall be granted thereunder in civil proceedings only after judgment and upon application made within 5 days after judgment. Notwithstanding the provisions of this paragraph, in the case of a proceeding under section 409 (a) or 706 (a) of this act the court granting a stay under this paragraph shall issue a temporary injunction or restraining order enjoining or restraining, during the period of the stay, violations by the defendant of any provision of the regulation or order involved in the proceeding. If any provision of a regulation or order is determined to be invalid by judgment of the Emergency Court of Appeals which has become effective in accordance with section 408 (b) of this title, any proceeding pending in any court shall be dismissed, and any judgment in such proceeding vacated, to the extent that such proceeding or judgment is based upon violation of such provision. Except as provided in this subsectin, the pendency of any protest under section 407 of this title, or judicial proceeding under this section, shall not be grounds for staying any proceeding brought pursuant to section 409 or 706 of this act or section 371 of title 18, United States Code; nor, except as provided in this subsection, shall any retroactive effect be given to any judgment setting aside a provision of a regulation or order issued under this title'."

Mr. MULTER. Mr. Chairman, will the gentleman from Michigan yield?

Mr. WOLCOTT. I yield to the gentleman from New York.

Mr. MULTER. I am authorized by our distinguished chairman to return the favor to the gentleman from Michigan and say that there is no objection on this side so far as the committee is concerned.

Mr. WOLCOTT. I appreciate that very much.

Mr. YATES. If the gentleman will yield, may we have an explanation of the amendment before we vote on it?

Mr. WOLCOTT. I will be very glad to explain it.

In summary, the amendment puts the Office of Price Stabilization in the same position as any other agency in the Government in respect to the review of its decisions and orders with one exception. Under the Administrative Procedures Act, appeals taken from the various agencies of Government, such as the Federal Trade Commission, Interstate Commerce Commission, and others, are taken to the Circuit Court of Appeals, and the question of the preponderance of evidence is considered. The main difference between existing law and the proposed amendment is merely this, that under the existing procedure if there is any evidence whatsoever upon which to base a finding by OPS, then the Emergency Court of Appeals cannot disturb that finding. There is no review of the sufficiency of the evidence as there is in the case of all these other agencies of the Government.

The Emergency Court of Appeals was set up so that there would not be a multiplicity of opinions, perhaps as many as there are circuit courts of appeals, of which I believe there are 10. So the difference in that respect is that these appeals from OPS are taken to the Emergency Court of Appeals, which stands in the same relation to OPS as the circuit courts of appeals do to all the other agencies of the Government.

Those, I believe, are the major differences.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Illinois.

Mr. YATES. This will amount to a trial de novo in the Emergency Court of Appeals?

Mr. WOLCOTT. No, it is on the record. They take the case directly from the Emergency Court of Appeals to the Supreme Court.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The amendment was agreed to.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 3, after line 18, insert a new section to read:

"SEC. 104. Paragraph (4) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is hereby repealed."

Mr. MULTER. Mr. Chairman, I feel a little guilty after the progress we have been making in accepting amendments so readily, to come forth with an amendment so controversial as this one. This amendment very simply seeks to repeal the Capehart amendment. I am not going to argue it at length. I do want to call your attention to this:

Since the Capehart amendment, as a result of that and as a result of the Herlong amendment, too, both together, we now are enjoying 11 percent higher prices than before Korea. As a result of the increases under the Capehart amendment in prices during the last month, 1,300,000 railroad workers are entitled to and will receive a wage increase. One hundred thousand aviation, oil, textile, and aircraft workers will receive an increase in their wages in order to meet the increased high cost of foodstuffs and other commodities. That means that when those workers get those wage increases, under the Capehart amendment and the Herlong amendment, all the way down the line those increased wages are going to be passed along and up goes the price of everything, including everything that must go into the defense effort.

Let me give you this prognostication as it appears in the June issue of Dun's Review, issued by Dun & Bradstreet, which I received just this morning. Fifty-five percent of business anticipate that sales will be higher in the next 3 months. Thirty-four percent anticipate higher profits. Nineteen percent anticipate higher prices. Twenty-six percent anticipate higher inventories, with 16 percent anticipating higher employment, and 50 percent anticipating more and higher orders.

It is appropriate at this point to again call your attention to the fact that the American public wants controls and they want wage and price controls that will do the job. The results of the following Gallup poll on controls is interesting:

GALLUP POLL RESULTS ON CONTROLS

JANUARY 26, 1951

"Do you think it is more important, or less important, that we have wage and price controls in this country now than it was during World War II?"

	Percent
More important	57
About the same	28
Less important	9
No opinion	6

DECEMBER 7, 1951

"It has been suggested that both prices and wages (salaries) should be frozen—that is, kept from going any higher. Do you think this is a good idea or a poor idea?"

	Percent
Good idea	53
Fair	8
Poor	31
No opinion	8

MAY 11, 1951

"What is the most important problem that you and your family face today?" Answer: High cost of living, high prices, making both ends meet: 67 percent. On the same issue in 1948 28 percent gave that answer. August 18, 1950: "Do you think the Government should or should not put price controls on meats, butter, sugar, fats, and oils?"

	Should	Should not	No opinion
	Percent	Percent	Percent
Meats	74	22	4
Butter	70	24	6
Sugar	73	23	4
Fats and oils	72	24	4

I urge that the Capehart amendment be repealed by adopting my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was rejected.

Mr. DOLLINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLINGER: On page 6, line 11, insert the following:

"Subsection (k) of section 402 of the Defense Production Act of 1950, as amended, is hereby repealed."

Mr. DOLLINGER. Mr. Chairman, this amendment is presented for the purpose of repealing the Herlong amendment.

The Herlong amendment was passed last year to enable a seller to maintain his margin of profit so that if a manufacturer is permitted an increase, then the seller—wholesaler or retailer—can apply to that new invoice price his customary already established mark-up. In other words, it prevents OPS from fixing ceiling prices which allow wholesalers and retailers less than their pre-Korean percentage mark-up.

An illustration of the impact of section 402 (k)—Herlong amendment—was evident when manufacturers' excise taxes were raised several months ago. Ordinarily, it would have been a sound technique of price control to allow wholesalers and retailers a dollars-and-cents pass-through of those increases. However, section 402 (k) required OPS to afford these distributors their regular pre-Korean percentage margins on top of the tax increases. This group obtained, therefore, what amounted to a profit on the tax. Ceilings had to be increased to permit distributors a windfall of about $140,000,000, over and above the amount of the excise tax increase.

Certainly, it was never our intent to permit sellers to make profits on taxes imposed—but nevertheless, that is what happened under the Herlong amendment.

The amendment, of course, has the further effect of pyramiding the price increases granted at the manufacturing level under the Capehart amendment.

You will find that this bill now amends the first sentence of section 402 (k) of the Defense Production Act of 1950—Herlong amendment—by eliminating the word "hereafter." The effect of this change would be to make a bad matter worse. The pressure to remove the word "hereafter" is simply part of a campaign by big grocery outfits to get higher percentage mark-ups. The pressure does not come from the independent grocers, as I understand it, but only from the chains and supermarkets.

If it is your wish to do away with controls, then be honest enough to say so, but do not saddle this bill with weakening amendments. We cannot have an effective control bill if we saddle it with special exemptions and preferences.

Unless we subordinate our own local interests and work for strong, effective controls, we will weaken our defense mobilization effort. We all admit we are in a period of emergency. These critical times demand that we maintain the machinery for adequate controls.

The Bureau of Labor Statistics announced yesterday another increase in the living cost spiral. Living costs will continue to rise until we stop legislating for the special interests, and begin legislating for the best interests of the people. Let us therefore, get rid of all the crippling amendments, and the Herlong amendment is one of them, and thereby bring about a strong and effective control bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. DOLLINGER].

The amendment was rejected.

Mr. HARRISON of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRISON of Virginia: Page 5, line 3, strike out the word "fresh" and following the word "vegetables" add "in fresh or processed form."

Mr. HARRISON of Virginia. This amendment goes to the question of ceilings on fruits and vegetables. The existing law forbids ceiling on fresh fruits and vegetables. I call the attention of the committee to the fact that fresh fruits and vegetables and processed fruits and vegetables come from the same orchards, the same fields, and the same gardens. The elimination of ceilings is as necessary in the case of processed fruits and vegetables as in the case of the fresh items.

I would like to give the committee some experiences the fruit growers have had under the price regulations putting ceilings on processed fruits and vegetables. In the first place, the law as it now stands on the statute books provides that no ceiling shall be placed on any

product unless the price rises, or threatens to rise, unreasonably above the base period level. That is under 42 (b) (2). OPS waited until the prices of processed fruits and vegetables dropped 25 percent below the 1950 base period in a number of cases, and then imposed ceilings at 25 percent less than the 1950 level.

This Congress has always recognized the principle that the farmer is entitled to parity. That may be a sound principle or it may not, but it is a principle that this Congress has always recognized, and it has respected it every time it has acted on the Defense Production Act. We have written into the law that on all products processed wholly or substantially from agricultural products there shall be no ceilings imposed which do not reflect to the grower either parity or the highest price received by the grower during the base period.

The OPS has imposed a ceiling at 41 percent of parity on processed fruits and has imposed a ceiling that yields to growers 25 percent less than the base period. I say that is outrageous.

The object of price control laws is to protect and stabilize the economy and not to take advantage of a depressed industry and drive it out of business.

There is no reason for the ceiling on these products; there is no reason for distinction between fresh and processed fruits.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield.

Mr. AUGUST H. ANDRESEN. The gentleman's amendment should be adopted; it is logical because if there is no price ceiling on fresh fruits and vegetables certainly there should not be any ceiling on processed commodities made of fruits and vegetables. I hope the gentleman's amendment will be adopted.

Mr. HARRISON of Virginia. I thank the gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield.

Mr. YATES. Will not the effect of the gentleman's amendment be to raise the ceilings on all types of fruits that are in cans and jars?

Mr. HARRISON of Virginia. Yes; but they are all below the 1950 price. Do you want ceilings below that price?

Mr. YATES. I certainly do not want ceilings that are unfair, but I certainly want stand-by controls under which ceilings may be imposed in the event prices start going up.

Mr. HARRISON of Virginia. I hope the price of canned fruit will rise above 41 percent of parity.

Mr. YATES. The gentleman's amendment would remove all types of control, would it not?

Mr. HARRISON of Virginia. Does the gentleman think there is any conceivable possibility that we would have any such price rise as that?

Mr. YATES. It is possible.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield further?

Mr. HARRISON of Virginia. I yield.

Mr. AUGUST H. ANDRESEN. I want to say to the gentlemen that we have the largest surplus of canned fruits and vegetables that are selling at depressed prices, far below ceilings, that we have had in the history of the country; and the prospect for this year is even better than it was for last year.

Mr. HARRISON of Virginia. OPS was supposed to look to parity to fix ceilings. Instead of that, it took a depressed market price and fixed the ceilings on the depressed price in total disregard of the parity requirements of this law.

Mr. YATES. If the gentleman will yield further, what happens to the canners of other products? Would they not be discriminated against by this type of amendment?

Mr. HARRISON of Virginia. If they are selling below parity, they should come in and offer the same amendment as I have offered.

Miss THOMPSON of Michigan. I wish to commend the gentleman for his remarks and introducing this amendment. I think it is a good amendment. Ceilings should be realized on fresh fruits as well as processed.

Mr. DOLLINGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not suppose I am going to be able to convince the Committee to defeat the amendment because the Committee has already indicated a little while ago what their feeling in the matter is. I intend to offer an amendment which will seek to reestablish ceilings on fresh fruits and vegetables. The Members of the Committee know that, although there are ceilings on fresh fruits and vegetables, the ceilings have not been put into effect because of the fact that the prices for such fruits and vegetables at the present time have been below ceiling.

I wonder whether you realize that there were vegetables which were selling for a short period of time at above ceiling prices, like lettuce, cabbage, and onions, yet the OPS did not rush in to control them? I think you are running away with yourselves if you think you can just disregard the necessity for establishing ceiling prices and say there is no need for them. The time might come, yes, due to weather conditions or the international situation might reach the point where there is necessity for establishing ceiling prices. As long as we do not have to use ceilings, they are not being used, but if the time comes when you have to use them, why do we not have them on the books?

Mr. HARRISON of Virginia. Does the gentleman mean to tell us that they have not imposed ceilings on fresh fruits and vegetables?

Mr. DOLLINGER. They have not imposed ceilings.

Mr. HARRISON of Virginia. I have a list of them here.

Mr. DOLLINGER. I have the report from the OPS. They did not impose ceilings on lettuce, cabbage, and onions and other fresh fruits and vegetables. Let me tell the gentleman that if we take away the ceiling on fresh fruits and vegetables the farmers will increase the price. With an increase in such price the farmers would ship more to market and less would be available for canning or frozen foods because there will be no reason to sell them for that purpose.

Do not forget that about 14 cents of every dollar spent goes for fresh fruits and vegetables, and that fresh fruits and vegetables amount to about 5 percent of the consumers' expenditures. If we take into consideration frozen and canned fruits and vegetables and other perishable products they account for 21 cents of our food dollar. That is an important item I think for the housewife and for the consuming public. We have to give them protection. If you take away the ceiling on fresh fruits and vegetables and processed fruits and vegetables, then you will undoubtedly go further down the line and do the same thing with all the other essential items. You will then have no price control. You will wipe it out entirely.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I imagine that the gentleman has heard something of the old-fashioned law of supply and demand. In my own territory, both the producers and the consuming public seem to think there would be more production if the ceilings were removed and that prices under these circumstances would certainly be lower.

Mr. DOLLINGER. If the producer would send all of those products to the market, yes, but the producers would withhold from the market certain items until they become scarce, so that the public will have to buy at an exorbitant price.

Mrs. CHURCH. In reference to potatoes, however, my district sang the doxology when ceilings were recently taken off of potatoes, and we were at long last again able to find potatoes on the market.

Mr. DOLLINGER. The OPS has not imposed ceiling prices on fresh fruits and vegetables. If they are on the books, we can use them when needed, and if there is no need to use them we do not; yet they are there, no one is harmed, and if we have to use them they are there for any emergency.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield to the gentleman from Illinois.

Mr. YATES. Potatoes are in a different category than fruits and vegetables. You do not can or process them. You do not process potatoes.

Mr. DOLLINGER. The gentleman is correct. Of course, the gentleman also realizes that the American people cannot live on only potatoes. There are other necessary products involved.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Let me say to the gentleman about potatoes that we did have a sufficient supply of potatoes produced last year, but when they put on the OPS regulations potatoes

were diverted from normal channels of trade and went into the black market. They were taken away from the people. When they took off the ceilings and when the pipelines were filled, which took about a week or 10 days, the people were able to get potatoes again at reasonable prices.

Mr. DOLLINGER. But the American public paid for the potatoes in the form of a subsidy.

Mr. DONDERO. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, it seems to me that in all the discussion concerning amendments to the Defense Production Act some fundamental considerations may have been overlooked.

I concur with many of the opinions expressed as to past mistakes in administering economic controls and as to the present need for removing from the statute books those direct controls applicable to prices and wages, expressed earlier by my distinguished colleague, the gentleman from Michigan [Mr. WOLCOTT].

It is true, that prices should have been rolled back early in 1951 to balance with wages, instead of increasing wages to balance with prices.

It is true that unwarranted assumption of powers by the purely advisory Wage Stabilization Board in dealing with the steel strike has worked untold harm, not only to the cause of trade unionism, but also to the war effort and the economic welfare of the Nation.

I think, however, that in all this discussion a proper distinction has not been drawn with respect to the manifest need for eliminating consumer credit controls. These controls, such as regulation W and regulation X, it should be emphasized, are not the basic credit controls, which alone, in conjunction with economy in government spending, can put a stop to the inflationary spiral.

The basic controls, of which I speak, are those controls which the Treasury and the Federal Reserve Board are empowered by existing law to exercise in managing the public debt and curbing the volume and velocity of bank credit. These effective means of ending inflation are quite different from the consumer credit controls, which have served of late merely to reduce consumer buying in areas of oversupply in goods and services.

A further consideration, and far from the least important, with respect to the continuance or discontinuance of direct economic controls in the coming year, relates to the subject of labor unrest and the strikes which are hampering the war effort and tending to aggravate the very conditions they seek to alleviate.

Selective price controls, without effective wage controls, have controlled nothing. The dollar today is worth at least 7 cents less than it was a year ago. Food prices, for example, are at an all-time high, in spite of the fact most of them are below OPS ceilings.

Mr. Chairman, experience has shown us that price controls without wage controls control nothing. Food prices have risen almost to an all-time high. In spite of the fact that the prices are now fixed on many foods, they are selling for far below the ceiling prices.

Some 4 or 5 weeks ago at a conference arranged by the gentlewoman from Michigan [Miss THOMPSON], we met with a representative of the canning industry. The reason that Michigan is vitally interested in this particular amendment offered by the gentleman from Virginia is this: Michigan cans about one-half of the cherries of the United States, and that is a large item. At that conference we were told that the canning industy of the Nation each year cans about 300,000,000 cases of fruits and vegetables; but this year they had on hand a little over 100,000,000 cases of fruits and vegetables unsold, or a third of last year's crop, with the crop of 1952 now coming on. At the present time 88 percent of all canned goods on the shelves of the grocery stores of this country are selling below the ceiling prices, and in spite of that fact that the Office of Price Stabilization increased the cost of some canned goods, from 1 to 2 cents per can.

Mr. O'HARA. Just recently.

Mr. DONDERO. Yes; that was done just recently, as indicated by the gentleman from Minnesota. Where is the reason, the logic or the common sense of putting a price on canned goods, canned fruits and vegetables, or on fresh fruits and vegetables when the product is selling far below the ceiling prices now fixed. The law of supply and demand still wields a tremendous factor in fixing prices.

Mr. McKINNON. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from California.

Mr. McKINNON. May I point out to the gentleman—and I respect the gentleman very much—that here are some facts which I think bear on the gentleman's statement. According to the Bureau of Agricultural Economics the canned fruit and vegetable index, June 1950 price stood at 142.7; in the past 2 years since Korea, April 1952, the index had risen to 163.6, a rise of 14.6 percent, which is faster than wages have gone up on the general level.

Mr. DONDERO. I appreciate the gentleman's comment, but in spite of that fact, the thing that the gentleman from Virginia is trying to cure, in relation to this particular type of food, canned fruits and vegetables, is that when food is selling below the ceiling prices fixed by the Government itself and up to 88 percent of all such goods, price control is not necessary. Why is that so? Because of the tremendous surplus on hand, namely, one-third of last year's crop with the crop of 1952 facing the industry. If they glut the markets, the price will go down still further, not because of the price ceilings but because of the law of supply and demand.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Illinois.

Mr. YATES. I appreciate the gentleman's yielding to me. Will the gentleman tell the House in what respect the producers are hurt because ceilings are imposed in those cases where the prices are below those ceilings? Suppose there is a short crop—will not the consumers be hurt if there are no price controls? Will not prices go up?

Mr. DONDERO. The consumer is hurt in this particular, where we had the price stabilization agency raising the price of canned goods from 1 to 2 cents a can when 88 percent was selling below the ceiling price. The consumer gets hurt and not the producer, and it seems to me impractical to continue that kind of a thing.

Mr. YATES. Yes; but will not the consumer be hurt much more in the event ceilings are taken off and the opportunity given to the processors to raise prices more than 1 or 2 cents? The possibility of injury is much greater to the consumer than the producer.

Mr. DONDERO. Not in the face of present conditions regarding fresh fruits and vegetables and canned fruits and vegetables.

It is evident that direct controls have failed.

At the same time, inadequate use has been made of the basic controls with respect to management of the public debt and properly cautious reduction of the volume and velocity of bank credit.

It seems to me quite obvious that elimination of direct controls, including both prices and rents, would encourage further productive efforts on the part of American industry. It would enable the American people to enjoy an even greater volume of civilian goods and services than the 82 percent they now have.

Elimination of direct controls, together with adequate use of the basic controls, to which I have referred, would in no way impede the war effort. On the contrary, it would stimulate the production of war goods. And this for one simple reason.

Stabilization of credit and hence of the Nation's currency, by means of those basic controls which already are embodied in the law of the land, would in turn stabilize prices. Then the reason for the present cost-of-living strikes would largely disappear. And it is those strikes, as we all know, which are contributing most to hamper the preparations for national defense.

Mr. Chairman, I hope the amendment will be adopted.

Mr. KING of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is one of those amendments that the committee members have been asking for in that it is specific as to whether or not we shall have regulation in this particular small segment of our economy.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. KING of Pennsylvania. Yes.

Mr. McDONOUGH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McDONOUGH. Will the Chair please state the amendments that are pending before the House so that we

will know who is speaking on what subject?

The CHAIRMAN. The Chair understands that there are some 19 amendments pending.

Mr. McDONOUGH. I do not mean that; I mean in this particular case.

The CHAIRMAN. The Chair does not understand the gentleman's inquiry.

Mr. KING of Pennsylvania. Does the gentleman want to know what we are talking about? This amendment simply provides, on page 5, line 3, that we strike out the word "fresh" and after the word "vegetables" add "in fresh or processed form."

Mr. McDONOUGH. Is there not a substitute amendment pending?

Mr. KING of Pennsylvania. No.

Mr. Chairman, this amendment applies to a very small segment of our economy and a segment of our economy in which there are very exceptional circumstances making price regulations inadvisable because of the impracticability of writing orders which can regulate, and the absolute impossibility of enforcement. The committee has very wisely provided that no ceiling shall be established or maintained on fresh fruits and vegetables. This exclusion is very proper for two or three very good reasons.

In the first place, there is no need in the interest of either the public or the producers for price controls in this segment of the food industry. The people of our country are eating well, and they have been for many years, even during the all-out war, and, therefore, there is no possibility of a greatly increased demand in this period of so-called emergency. Production of produce generally has kept pace with the growing demand so that consumer prices have at no time been seriously affected by shortages. The rise in consumer prices has been due almost entirely to the increased costs of production and distribution.

This, of course, is not to deny the fact that in this field of produce occasionally some particular item gets very high out of season. Cucumbers can go to $20 a bushel in the wintertime, but who needs to eat cucumbers in the wintertime?

There certainly can be no justification for the expensive administration of controls in this phase of our economy where general supplies are liberal and moving at prices almost entirely under the point which would be established by ceiling formulas.

Further, there is no need for maintaining that stand-by organization just as a protective measure. As one who is fairly familiar with the produce industry, I can assure you that production increases will be promptly forthcoming any time producers see prices high enough to promise a profit.

It must be apparent to all of you gentleman who observed the workings of the recent potato order that the multiplicity of grades, sources, varieties, packaging practices and merchandising methods in the produce field makes the problem of regulating prices all along the line from producer to consumer beyond the comprehension of man or any group of men. Furthermore, on the matter of enforcement, if we put an OPS inspector in every produce house in the country we could not avoid black marketing and tie-in sales. The policing of controls in the perishable produce fields is simply impossible.

Now, this amendment which strikes out the word "fresh" and adds "in fresh or processed form" simply makes effective the exclusion of fruits and vegetables. The exclusion of fruits and vegetables strictly in fresh form means very little because ceilings on the processed form become effective ceilings on the fresh. Most all growers of fruits and vegetables grow for the best market they can get whether it be in the city wholesale districts or to the processors. In the free flow of produce from the farms, a low cannery price will cause a larger quantity to move into the fresh market thereby effectively limiting the price in the fresh market.

When the spinach packers will pay only 4½ cents a pound, the fresh market is effectively limited to about $1.10 a bushel because anything higher than that will attract the cannery supply.

There is no need for these controls even on processed produce for current stocks of both processed vegetables and processed fruits are unusually large, with many items in such heavy supply that the Government has been making large price-support purchases.

In this small segment of our economy there is no emergency and there can be no emergency either in the form of abnormal demand or short supply. Surely if we believe in free enterprise and a free market in any degree, we will support this amendment completely excluding fruits and vegetables.

Mr. O'HARA. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Virginia. I think the statement he has made and the gentleman from Michigan [Mr. DONDERO] has made are overwhelmingly convincing as to the need for this amendment.

I call your attention to the fact that this amendment affects three types of people. It affects first the grower, and you have to have growers before you have the products to process. Then you have the processor, and last you have the public.

The statement was made by the gentleman from Michigan that 88 percent of these canned goods are below ceiling prices. So a fourth group are affected, the store operators, the people who run the large or the little stores, are harassed continually by making all kinds of reports upon the overwhelming bulk of the goods upon their shelves below ceiling price levels. I think it is conceded that the 88 percent that is below the price ceilings has been general. During World War II when we had rationing, I do not recall that there was ever any rationing or that there was ever any argument about the matter of the sale of processed fruits and vegetables.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. AUGUST H. ANDRESEN. I point out to my colleagues that last year the production of canned fruits and vegetables was over 300,000,000 cases. As of April 1, more than 100,000,000 cases have remained unsold. The supply has been so great that the Department of Agriculture has recommended a decrease of 15 percent in this year's canning crop. The situation is really intolerable to both the growers and the producers. Those who want to secure abundant production of canned fruits and vegetables would be better off if they let the farmers produce and let the processers can and process the fruit and vegetables, and thus get an abundant supply on the market.

Mr. O'HARA. Yes, and get the food to the consumer at a cheaper price.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. YATES. I respect the cogency of the argument that has been advanced by the gentleman from Minnesota. The question I should like to propound, however, is this: Supposing that we should find ourselves with the crops in short supply rather than abundant supply in many of these fresh fruits and vegetables within the time covered by this act? Would not the gentleman be in favor of imposing price ceilings then?

Mr. O'HARA. I think the thing to do is to encourage production. If we have the situation, which is admittedly in existence, if you have an overproduction from last year, then we are faced with this situation, that you are going to discourage the producer who is the key individual in this situation, and he is going to say, "All right I am not going to produce corn or I am not going to produce peas, and I am not going to produce the things on which I am not going to get a good return." Does the gentleman recognize that? May I say to the gentleman from Illinois [Mr. YATES] I do not know, and I think probably the contrary is true, that there is an excellent production forthcoming this year on fruits and vegetables both. We are in the production season now. I have not heard of any bad reports. I am speaking now about the growing crop, the crop now in the fields.

Mr. YATES. May I call the gentleman's attention to what happened to the potato crop. As far as I have been able to find out, much of the shortage of potatoes was attributable to the forces of nature, to bad weather.

Mr. O'HARA. No, I disagree with the gentleman.

Mr. YATES. I understood that the potato crop came in late because there was a wet season and the potatoes just did not grow.

Mr. O'HARA. I will tell you why the potato crop situation became serious. It became serious because under the OPS growers shipped 10,000 cars to the west coast and about 14,000 cars to Canada. That is one of the things that seriously affected the potato distribution picture.

Mr. AUGUST H. ANDRESEN. I would like to point out to the gentleman from Illinois that the present crop over which this price control bill will

have any jurisdiction, is now being made. The canners have already begun to can their peas and fruits and vegetables.

Mr. O'HARA. That is correct.

Mr. AUGUST H. ANDRESEN. And within the course of the next few weeks, they will be canning the balance of their crops.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment. I think it should be of some interest to the Members of the House to know of one factor which is causing the price of canned fruits and vegetables to be maintained even in spite of the fact that the law of supply and demand would provide a lower price if we had a free market. I have the results of a survey on various fruits and vegetables before me. In all instances, it shows where the Government purchases to keep up the price, has maintained a floor on the prices which could be lowered if the market were free and supply and demand was in effect. For instance, up to May 1, 1952, the Government bought $3,559,000 worth of canned vegetables to support prices, and further purchases are in prospect. Insofar as that applies to certain items, let me read this to you:

The best evidence of the superabundance of the supplies of various processed food items is given by the fact that the Government has been doing some large scale buying to keep prices up, and thereby remove depressing surpluses from civilian channels. These purchases, however, reveal how inconsistent it is for the OPS to be spending millions of dollars trying to lower prices at the same time another agency of the Government is spending millions to try to raise prices.

I have some further information here which is specific insofar as particular commodities are concerned. Here are the figures on Government support purchases of various dried fruit products during the past year.

Apples, dried: For export $636,000 purchased by the Government.

Raisins: $2,912,000.

Prunes: $1,858,000.

Prunes, dried, for school lunches: $1,202,000.

The whole thing is one agency working against another in order to deny the opportunity of the consuming public to control the market by the law of supply and demand and to be selective in its purchases so that if the price rises they will not buy, and if it is low enough they will come in and buy. The Agriculture Department on the one hand is purchasing to keep the ceiling price up; the OPS on the other is trying to keep the price down, and the consuming public is the victim. It is time we did something about it and here is your opportunity.

Mr. ARMSTRONG. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. ARMSTRONG. I would like to ask the gentleman whether this amendment should not be modified to include all foodstuff? The way it is worded it would include soups and cereals and other things processed.

Mr. McDONOUGH. The gentleman means those in abundant supply.

Mr. ARMSTRONG. Yes.

Mr. McDONOUGH. I think that would be in order, but I have not proposed any amendment; I am simply speaking on the one that is before the House.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. YATES. Does not the gentleman believe that in the event we have supports for the prices of agricultural commodities which permit the Government to take off the market commodities which would ordinarily permit the law of supply and demand to operate and lower prices, does not the gentleman believe that in that event we should have ceilings to protect the consumer? The consumer gets it in both directions: In the one case he pays extra in the form of taxes to buy up an overabundant supply, and in the other case he gets in the form of increased prices, particularly where there are no ceilings. He is unprotected in both respects.

Mr. McDONOUGH. I do not know. As a matter of fact, you have two agencies of Government doing this; you have the demand to supply the Armed Forces which is increasing every day, then you have the Agricultural Department purchases for export, for school lunches, for storage, and for other purposes, to prevent the floor going too low on these things.

I do not want to see the farmer go out of business, and I do not want to see the supply and demand market ruined. Here we have another Federal OPS coming along and imposing over both by setting a ceiling that is higher than the market will now support insofar as the purchasing public is concerned in the case of fresh fruits and vegetables which are selling from 3, to 5, to 7 cents per unit below ceiling prices today.

However, if we get into a situation such as the gentleman mentioned a moment ago, where we have an all-out war, you will find the public willing to go along. But you are now imposing upon the grocery, the hardware, the drug store, and on all the small and large retailers and wholesalers the obligation of reporting, under threat of penalty, a whole lot of items and doing a whole lot of unnecessary bookkeeping under burdensome regulations, amendments, and amendments to amendments, and overriding regulations.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:30.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair will divide the time equally between the Members standing and this will be approximately 1 minute each.

The gentleman from New York [Mr. MILLER] is recognized.

Mr. MILLER of New York. Mr. Chairman, I rise in support of the amendment. I represent one of the greatest Fruit Belts in the United States, the Niagara frontier of western New York.

We should eliminate fresh fruits and vegetables from price ceilings because of the perishable nature thereof and because in some years their crops are very much larger than they are in other years.

As things stand at the moment in the matter of price ceilings on processed fruits and vegetables—and normally 70 to 80 percent of the crop is processed, they are based upon the prices the processors paid in 1951. This means that the farmers are receiving only 60 percent of parity.

The situation has been taken up with the Office of Price Stabilization and it has been pending there for a long time, but no relief has been given to them. The situation has got so bad that the farmers cannot even get credit at their local bank.

There is no relief except by legislative action. We must eliminate price ceilings on processed fruits and vegetables.

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. WOOD].

Mr. WOOD of Idaho. Mr. Chairman, a large percentage of the people in my part of the State of Idaho live on irrigated farm land. They live on small farms of from 5 to 10 acres and the people live practically entirely through the raising of fruits and vegetables.

There are also quite large canning factories out there and their warehouses are completely stocked with 1951 products. They are now getting ready to harvest the 1952 crop, which is one of the largest on record.

I have had a number of letters from the citizens of my district in reference to this matter. I received three yesterday from cherry growers in the vicinity of Lewiston, one of the largest cherry-growing areas in the West, and they advise me that they are absolutely unable to sell their crop because the warehouses of the canners are still full of cherries that were canned last year. I therefore feel it is quite necessary to adopt this amendment, and I am very much in favor of it.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. HAND].

Mr. HAND. Mr. Chairman, I want to call attention to just one or two problems that are involved in the canning and the quick freezing industries which makes some relief imperative.

I received a letter today in which I am advised that since 1948 the cost of labor in this industry has increased 50 percent. The cost of fuel and electric power has increased very substantially because the cost of labor to produce fuel has mounted since 1948. The cost of corrugated containers, cartons, and other articles has increased from 20 to 40 percent in that time.

Now, when the ceilings are taken off fresh fruits and vegetables, there is no way for the processors of these commodities to produce at a profit and at the same time pay reasonable wages, unless real relief is granted. I thought this situation would be taken care of by

the amendment considered by the gentleman from Iowa [Mr. TALLE]. However, the only thing before us now is the pending amendment by the gentleman from Virginia [Mr. HARRISON].

Let me quote briefly from the letter from a large processing concern in my district, where the processing of food provides a livelihood for thousands of people:

> Since 1948 the cost of labor in our industry has increased about 50 percent; the cost of fuel and electric power has increased very substantially because the cost of labor to produce fuel has mounted, which is directly reflected in our costs through an escalator clause which permits the power company to increase user rates in proportion to these increased costs.
>
> Since 1948 the costs of corrugated containers, cartons, and wax wrappers have increased from 20 percent to as much as 40 percent or 50 percent.
>
> Practically all other items that relate to the cost of our operations have increased substantially, yet we are bound under ceilings which provide no allowance whatsoever for these increased costs.

And the message concludes:

> It seems to me that everyone who believes that our country should be developed under the free enterprise system, and that our America should be a free America, should wake up and do everything possible to insure that the people who administer restraints should administer them honestly, competently, and have the sole purpose of combating inflation, and not have the purpose of destroying our present way of life, and continuing the present political regime in power.

Mr. Chairman, relief must be granted.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Virginia. I want to take just a moment to commend the committee for having included a provision in the bill eliminating ceilings on fresh fruits and vegetables.

When we discuss the amendment offered by the gentleman from Virginia we should bear in mind that we are discussing and considering perishable commodities. It seems to me that if we limit the ceiling to fresh commodities which must be marketed almost immediately after production and permit ceilings to be placed on such commodities in canned or processed form, we are squeezing the grower to the point where he does not receive a reasonable or proper return for his products and his labor.

Experience during the past year has proven very conclusively that because of the plentiful supply of fresh fruits and vegetables and because of the fact that these commodities rotted on the trees and in the ground, tons upon tons of fruits and vegetables were not harvested and the consuming public was denied the benefit of a healthy yield.

To an extent, we somewhat defeat the purposes of the committee amendment unless we adopt this very wise amendment offered by the gentleman from Virginia [Mr. HARRISON]. Present OPS ceilings on processed fruits are based on the 1951 season, when there was a glut of fruit—to such an extent that a great deal of it was left to rot on the trees because farmers could not afford to have it picked. This year the crop is smaller and the prospects for a normal market for the growers is good, except that the processors are not permitted to reflect increased grower prices in their costs and will therefore offer only what was paid when the fresh fruit market was completely demoralized.

For example, prices on apples in 1951 were at depression lows. The parity price for canning apples, as of April 15, 1952, was $67.30 a ton. The average price paid growers in the 1951 season was $27.70 a ton. On a hundredweight basis, the parity price for the best canning apples was about $3.50 but the apples only brought a little over a dollar per hundredweight.

This amendment should prove beneficial to producers, processors, and consumers and I hope it will prevail.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I do not have any fruit and vegetable growers in my district, no great fruit belt, no processors. But I do have consumers in my district, and those consumers are going to be hurt drastically if this amendment is adopted. Prices are going to go up; they can't miss going up.

A few moments ago the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] pointed out that the pack last year was approximately 300,000,000 cases. He said the processors were able to sell only 200,000,000 cases, that they still have 100,000,000 cases to sell. What happens to prices on those cases? Will not the producers of those cases and the merchants who have stocked their shelves, who have bought these products in anticipation of selling them at a fixed and certain price, sell those products at a much increased price if this amendment is passed?

This amendment is a windfall for those engaged in the processing industry. I can see some sense in not having ceilings imposed on fresh fruits and vegetables in the event you do not have any price supports for fresh fruits and vegetables because you have the usual and normal operation of the law of supply and demand. But when you give the right to the Secretary of Agriculture to put supports under them, you should have ceilings as well, because if you protect producers, it is only fair that you protect consumers.

The price control bill adopted by the committee was a lean and flabby measure. With the Talle amendment already approved, with this amendment accepted, there will remain only a skeleton of price and wage controls, without flesh or muscle. It is too bad. We are still faced with the specter of inflation, and the acceptance of the Talle amendment and this amendment will hurt our economy terribly. I hope this amendment fails.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Chairman, I appreciate that there are a great many issues involved in this matter of price ceilings and price support, and in the very short time allotted to me I want to make an observation from my experience of these past few months sitting here in the House and watching the operation of OPS in relation to the potato industry. Another great concern to those of us who have the job of production of these commodities is that these regulatory matters just about ruin the opportunity to bring to the consumers the high quality that the consumers want in these commodities. I think it is a tribute to the American farmer when the consumer can walk down the aisle to the counters of your stores and see the great diversity of fresh fruits and vegetables and processed fruits and vegetables that are obtainable to him now in high quality. These controls have effectively, and I speak from experience, ruined that quality.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, first of all I wish to say that I heartily approve of the Harrison amendment. I think it will serve a great purpose. Of course, my line of thinking is, perhaps, a little different from that of other Members on the floor. I have always believed that production was one of the answers to inflation. It is not the only answer, and it is also true, and runs through history, that wherever there have been controls you cut down production, and that is one thing we do not want to do. If we are going to keep controls on any of our products it means that we are eventually going to have a shortage of that particular commodity. Now this question of controls goes clear back to the time of Diocletian, and it has come on down through the centuries, and in some cases where they have had controls, they have had to run the guillotine around from town to town and behead the people. Even this failed to control prices. The people would not be controlled, and they are not going to be controlled now. So I am in favor of the Harrison amendment to give the processors and the vegetables growers a chance to produce and to follow the law of supply and demand.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I think it is high time that the Members of this committee stop kidding themselves, because they are not kidding the public. The headlines in the newspapers throughout the country are the same as that which I hold in my hand now. The Washington Daily News has just come out with the headline "House Votes to Kill Controls." That is precisely what you are doing by the adoption of all these amendments, including the amendment you have before you. Why do you not come out in the open and ask for the outright repeal of this law and tell the people that you do not want any controls on anything? You are not going to get away with passing a law entitled "Defense Production Act," which provides no defense and no production. You will in

due time have to answer for passing a controls bill without controls. The people are wise to you. Stop kidding yourselves.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. McKINNON].

Mr. McKINNON. Mr. Chairman, we have had quotes from Alice in Wonderland, and I think there is another statement from that story that has not been expressed. She said, "I see everything I eat, therefore I eat everything I see." Some of the logic we have been using on this bill is pretty much the same as Alice used. I think we ought to realize that this amendment has only one purpose, and that is to raise prices. If it is not going to raise prices, a lot of people would not be interested in this amendment. Now let us remember that every time prices go up, wages are going to go up, too, and the whole price structure will go up. We all lose by prices going up. It is evident that the farmer loses more than anybody else, because in the past 2 years statistics prove that when prices go up the cost to the farmer is greater than his income, particularly when he is producing on a surplus market. Four cents out of every 5 in a price increase goes to the middleman and the retailer and the merchant, and only 1 penny out of every 5 of the increase goes to the farmer. Let us remember that if you are trying to help the farmer, you can help him more by stabilizing prices than increasing prices.

Mrs. BOSONE. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield to the gentlewoman from Utah.

Mrs. BOSONE. Anyone who knows the price of fresh lettuce today, buying for his family, certainly would not want the processed foods taken away from ceiling prices.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, I realize the futility of saying anything on this subject. The Committee on Banking and Currency reported a bill that I thought was a fair and reasonable bill, a bill that would protect industry, the producer, and would give them a fair profit. I admit that resistance to the forces is becoming weaker and the bill is becoming weaker every hour. I do wish that somebody, occasionally, would say something in behalf of the consumer. The bill as originally drafted was to protect his purchasing power. That idea seems to be entirely lost. We now do not talk of anything except how we can raise prices on all that is produced and all the consumer has to buy. Maybe in the future somebody will find the answer somewhere. I want to see the producer and the manufacturer and every industry get a fair return for his product, because that means the stability of our institutions. But a price-control bill that is only talked of as increasing prices all the time will certainly be an ineffective measure to accomplish the purposes for which it was drawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HARRISON].

The amendment was agreed to.

Mr. DOLLINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLINGER: On page 5, strike out lines 2 and 3.

Mr. DOLLINGER. Mr. Chairman, I do not intend to take more than a half minute to tell you what I intend to do by this amendment. This is to reestablish ceilings on fresh fruits and vegetables. I am not going to debate the issues because I have told you before all I wanted to tell you, but I do want to give you an opportunity to at least vote on the amendment because I think it is important enough to do so. The taxpayers are concerned, and I think we should be, too.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. In keeping with the purpose of the gentleman's amendment, I should like to make this observation: The Talle amendment was accepted by a teller vote here a short while ago, the vote being 146 to 88. I hope there will be a separate roll call on that amendment. If that amendment is adopted by a roll-call vote, this is what will be going on:

Effective on July 1, 1952, the acceptance of the Talle amendment will end price control on, first, all foods; second, all other consumer goods; third, all fuel; fourth, all building materials; fifth, everything that all farmers buy; and, sixth, most things most businessmen buy.

That will leave price control only on steel, copper, aluminum, and some scarce metals not generally used, a very limited number of chemicals, and a few other materials.

That is the situation.

Mr. DOLLINGER. I agree with the gentleman. I am glad the gentleman pointed it out because it gives me the opportunity to tell the Members of the House that I hope the Members will pretty soon use a little better judgment because the taxpayers will demand and expect it and the Members will vote down the Talle amendment and reestablish price control.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. It is a tribute to the American people that they can produce all of those commodities in abundance to take care of the needs of this country.

Mr. DOLLINGER. Yes; but if they put all these crippling amendments in the bill, the American people will not produce those commodities because the consumers will not be able to buy them.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield to the gentleman from New York.

Mr. JAVITS. Is it not a fact that the purpose in writing this bill should be to see that in this way wage stabilization should also be attained without increasing the inflationary spiral?

Mr. DOLLINGER. That is true, but in effect the consumer is not going to be in position to buy these things if the bill passes in its present form.

Mr. JAVITS. So that the consumer who it now appears may well be the man in the famous barrel replacing the taxpayer, will be the one affected by this?

Mr. DOLLINGER. I think the consumer will indicate his displeasure in the next election unless we get down to business by legislating for his best interests and that means only one thing—a strong and effective control bill.

Mr. BUDGE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I listened with a great deal of interest to the remarks of the gentleman from New York relative to this provision as to fresh fruits and vegetables. I am thinking about the consumer, and I think all of the Members of this body are honestly thinking about the consumer as well as the producer.

This amendment applies to the potatoes which are grown in my great State of Idaho. I should like to enumerate for the members of the committee just what has happened to potatoes under price control, when there were any potatoes available under price control in the stores in the city of Washington.

The ceiling was 7 cents, and the consumer was paying 7 cents for them. After the ceilings were taken off a couple of weeks ago the price rose very slightly.

Last night I listened to Mr. Edwards, the commentator for the American Federation of Labor. He told the housewives in the Washington area not to be fooled, that the small potatoes, the little ones, he called them, appeared up in the front of the grocery stores, and they were 4 cents a pound, but he said that in the back of the grocery store, "If you will just walk back a few more aisles you can get the large potatoes for 5 cents a pound." Under OPS control, when potatoes were available they never sold at a cheaper price than 7 cents per pound in Washington. I think that story speaks for itself.

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if I understand the amendment correctly, it will practically undo what the Committee did just a moment ago. I am wondering if that is correct. I was in favor of the previous amendment, so, naturally, I am opposed to this amendment. Our friend, the gentleman from New York, a member of the committee, I believe it was within the last 5 minutes, said something about people not being able to buy the things that they want. It is too easy for us to overlook the fact that wages come out of production and that they do not come out of profits and that they do not come out of capital. Our economic system, fortunately, finances itself. If there is great production there is great ability to pay wages. If there is great production there is great employment. If there is great employment and production you have wages with which to buy goods.

That is just as sure as night follows day, and it cannot be denied or refuted by any theory or any controlist or anyone who would argue that that is not so.

Mr. Chairman, here is a powerful fact. In 1943, we had 11,000,000 people producing durable goods. In 1951, the latest figures for that year, the top employment was 9,003,000 people in durable goods. That is 2,000,000 less than in 1943. What happened to us? In 1952, in April, we had only 9,000,000 people producing durable goods, or 2,000,000 less than in 1943. Furthermore, these producers were working approximately 40 hours per week instead of 44⅘ hours in 1943. What has happened to the American productive machine, and especially what has happened after we spent $30,000,000,000 approximately additional to expand our productive facilities? Is this lack of production due to bad management in the effort to control prices and attempting to control wages? What is it due to?

If we are short of goods, and if we are short of consumer goods to such an extent that there is an insufficient amount of supplies in the market to accommodate the people under competitive conditions at reasonable prices, who is to blame for it? Personally, I think this Congress and the previous Congress is as much to blame as anybody else because we are forever and eternally tinkering with this thing that we call the machine of private enterprise, and with the freedom of the individual worker and the employer to negotiate together. If we are to lead the world, if we are to fill these commitments which we have made through our treaties ratified by the other body, and through the obligations which we have assumed through those side dishes such as mutual aid, which we have taken on in addition to the regular meal or the regular course, we are going to have to get back into production with a capital P. We have an enormous increase in the labor force, but there are 2,000,000 people less in the durable goods production. What is the trouble? We have shortages in Korea. Our allies in Europe claim that we are not sending the goods to them, which we promised to send to them. Of course not, because we are not producing the goods over here. In my district I have three important industrial centers with great unemployment because of the way the controllers down here are handling the supplies and materials and the prices thereof. Other Members have great unemployment in their areas. Here is the Government proposing to spend ten to fifteen billion dollars in excess of the Federal income in the form of a deficit. Have we reached the point where we cannot produce goods in this country, and where we cannot operate our economy without carrying on wars all over the world? A friend of mine said to me the other day, "I do not like the way you fellows cut the appropriations." I answered him and said, "What are you proposing to me now? Are you proposing that you have reached the point where you cannot run your business unless you get war orders? Are we going to tell our young people that we can no longer run this industry of ours unless we have a war which will consume their souls and bodies literally? I hope we have not reached that low in this country. I personally believe that price controls interfere with production, and I am in favor of eliminating this control lock, stock and barrel."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. DOLLINGER].

The amendment was rejected.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on sections 104 to 110, inclusive, and amendments thereto close at 4 o'clock.

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, I think it is a little too early to try to cut off the debate on this. I know of three or four very controversial matters. I think the gentleman will make more rapid progress if he does not try to limit debate until we reach those amendments. We might be able to agree on a time limit on those particular amendments instead of a general time limit to all these sections.

Mr. SPENCE. I would remind the membership that a week from Monday this act dies, the 30th of June; it will be necessary to pass the bill, to let it go to conference, and to act on the conference report. Unless we expedite consideration, we cannot meet the deadline.

Mr. WOLCOTT. I may say to the gentleman that we have given him assurance that we will expedite consideration of the bill as rapidly as possible; and I think in the interest of expediting the bill the gentleman will make more rapid progress, and I am sure he will see the wisdom of it, by asking unanimous consent to limit debate on each of these amendments. I know of at least two which may prove to be very controversial. After the two major amendments are considered, then I think probably that we can agree upon a limitation of time on the rest of the amendments to these sections.

Mr. SPENCE. Why can we not agree to a limitation on all amendments except the two in question?

Mr. WOLCOTT. Because of the very importance of at least two of them which I think the gentleman will recognize as highly controversial; and we have no way of knowing at the present time how long debate should continue to get a clear understanding of them.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. HALLECK. I might make this suggestion: The Chair, of course, has been very fair in recognizing Members who had amendments, and that is as it should be. It is no reflection on anyone to say that maybe we wanted to take more time on one than on another, but the gentleman from Pennsylvania [Mr. KEARNS] has an amendment, and I believe a substitute will be offered for it by the gentleman from Texas [Mr. LUCAS]. We have no way of knowing how long they should be debated. Therefore I make the suggestion that the gentleman from New York [Mr. KEARNS] be recognized and that his amendment and the substitute be disposed of, and possibly another one, that we would agree then to some limitation in order to get to a quick conclusion of this matter.

Mr. LUCAS. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. LUCAS. I should like to call to the attention of the chairman of the committee that of all the amendments that have been offered here but two have been from others than members of the Committee on Banking and Currency. I think it is only fair that those who are not members of the committee should have an opportunity to present amendments.

Mr. WOLCOTT. I agree with the gentleman on that.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. POAGE. Some of us want to offer amendments to section 104. I understand that the amendments which are most controversial apply to some of the later sections. But this morning at the chairman's request we lumped all those sections together. I would like to get rid of the amendments to section 104 before we go on to later sections of the bill.

Mr. WOLCOTT. I might say to the gentleman from Texas that under that agreement all these sections are open to amendment. An amendment may be offered to any of these sections at any time. The gentleman can be assured that there will be ample time for a vote on other amendments after the major amendments are disposed of.

I may say further to the gentleman that we would not agree to cutting off debate on amendments altogether; we will provide some time for the discussion of amendments which are left over after the major amendments are disposed of.

Mr. POAGE. I certainly do not question the gentleman's intention to do that very thing, but it has been my observation that when you get along toward the shank of the evening it does not make any difference what the gentlemen in charge of the bill want to do the cry is "Vote! Vote!" and there is not going to be any time left.

Mr. WOLCOTT. I might suggest to the gentleman that he might avail himself of that situation, for if we are on the upswing the gentleman has a better chance of getting his amendments adopted than otherwise.

Mr. POAGE. That may be all right, but I would rather get these amendments to section 104 disposed of first. I can see no reason for running them in afterward except that you are going to stifle amendments that would normally come before these major amendments.

Mr. WOLCOTT. Mr. Chairman, I am going to object at the present time to a limitation of debate.

The CHAIRMAN. The gentleman from Michigan objects.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that debate on each of the amendments except the two controversial amendments be limited to 10 minutes.

Mr. WOLCOTT. We have no way of knowing that there are only two controversial amendments.

Mr. SPENCE. The gentleman from Michigan referred to the two controversial amendments. The reason I asked that sections 104 to 110 inclusive be read was because I thought we might get to the controversial amendments immediately.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Mr. Chairman, I object.

Mr. KEARNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEARNS: Page 7, after line 18, insert the following:

"SEC. 109. Section 403 of the Defense Production Act of 1950 as amended, is amended by inserting before the period at the end of the first sentence thereof the following: "'*Provided*, That the Wage Stabilization Board created by Executive Order Numbered 10161, and reconstituted by Executive Order Numbered 10233, is hereby abolished'."

And renumber the sections which follow accordingly.

Mr. KEARNS. Mr. Chairman, the amendment I am offering would abolish the Wage Stabilization Board. This opinion has been arrived at by the Committee on Education and Labor after open hearings and deliberation of the Allen resolution since May 6 of this year, and expresses a finality of decision that should be weighed with great consideration by this body.

The Committee on Education and Labor accepted the charge of responsibility of the House of Representatives in a most serious manner.

I am proud to be a member of this committee, and I wish to pay tribute to our chairman, the gentleman from North Carolina, GRAHAM BARDEN, and to each and every member of the committee, and also to the staff and the witnesses—all of whom made a great contribution in this thorough investigation.

The investigation revealed these pertinent facts, namely:

The present Wage Stabilization Board did not confine its functions in accordance with the intent of Congess.

It was obvious that biases existed among the public members—that this Board has proven to be an unstabilizing influence rather than a stabilizing factor.

The Wage Stabilization Board proved beyond a doubt its unstabilizing doctrine in the Steel case.

In my opinion, no person nor no Government agency has the right to order or even suggest that an American citizen must or should belong to a designated church, a fraternal or social organization—or to a union.

Mr. Chairman, I wish to say here and now that I feel everyone in the country who wants to join a union should have the right to do so voluntarily. I have held a card in a union for 20 years, but I joined of my own free will and I am proud of the union, but I do not expect the Government to tell me or to tell anybody else that he must join a union.

The recommendation of this Wage Stabilization Board on union shop is inexcusable—these tactics cannot prevail now or be tolerated in the future.

In my opinion the President of the United States would never have seized the steel mills of this country had it not been for the uncalled-for ruling on steel by the Wage Stabilization Board.

A vote for my amendment approves the action of the Committee on Education and Labor—a vote against my amendment repudiates that action.

I cannot do more than to urge you, my colleagues, to act now—to act with determination and support this amendment—abolish the Wage Stabilization Board.

Mr. LUCAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCAS as a substitute for the amendment offered by Mr. KEARNS: On page 7 after line 18, insert the following new section:

"SEC. 109. Section 403 of the Defense Production Act of 1950, as amended by Defense Production Act amendments of 1951, is amended by inserting '(a)' after '403.' and by adding at the end thereof the following new subsection:

"'(b) (1) There is hereby created, in the Economic Stabilization Agency, a Wage Stabilization Board (hereinafter in this subsection referred to as the "Board"), which shall be composed of members representative of the general public, members representative of labor, and members representative of business and industry. The number of offices on the Board shall be established by Executive order, but the number of members representative of the general public shall at all times exceed the aggregate of the number of members representative of labor and the number of members representative of business and industry. The number of offices on the Board for representatives of labor shall equal the number of offices on the Board for representatives of business and industry. Among the members representative of labor, at least one shall be a person who is not a representative of any organization which is affiliated with either of the two major labor organizations.

"'(2) The members representative of the general public shall be appointed by the President by and with the advice and consent of the Senate. The members representative of labor, and the members representative of business and industry, shall be appointed by the President. The President shall designate a chairman and vice chairman of the Board from among the members representative of the general public.

"'(3) The term of office of the members of the Board shall be 1 year, unless sooner terminated in accordance with section 717. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"'(4) Each member representative of the general public shall receive compensation at the rate of $15,000 a year, and while a member of the Board shall engage in no other business, vocation, or employment. Each member representative of labor, and each member representative of business and industry, shall receive $50 for each day he is actually engaged in the performance of his duties as a member of the Board, and in addition he shall be paid his actual and necessary travel and subsistence expenses in accordance with the Travel Expense Act of 1949 while so engaged away from his home or regular place of business. The members representative of labor, and the members representative of business and industry, shall, in respect of their functions on the Board, be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U. S. C. 99).

"'(5) The Board shall, under the supervision and direction of the Economic Stabilization Administrator—

"'(A) formulate, and recommend to such Administrator for promulgation, general policies and general regulations relating to the stabilization of wages, salaries, and other compensation; and

"'(B) upon the request of (i) any person substantially affected thereby, or (ii) any Federal department or agency whose functions, as provided by law, may be affected thereby or may have an effect thereon, advise as to the interpretation, or the application to particular circumstances, of policies and regulations promulgated by such Administrator which relate to the stabilization of wages, salaries, and other compensation.

For the purposes of this act, stabilization of wages, salaries, and other compensation means prescribing maximum limits thereon. Except as provided in clause (B) of this paragraph, the Board shall have no jurisdiction with respect to any labor dispute or with respect to any issue involved therein. Labor disputes, and labor matters in dispute, which do not involve the interpretation or application of such regulations or policies shall be dealt with, if at all, insofar as the Federal Government is concerned, under the conciliation, mediation, emergency, or other provisions of laws heretofore or hereafter enacted by the Congress, and not otherwise.

"'(6) Paragraph (5) of this subsection shall take effect 30 days after the date on which this subsection is enacted. The Wage Stabilization Board created by Executive Order No. 10161, and reconstituted by Executive Order No. 10233, is hereby abolished, effective at the close of the 29th day following the date on which this subsection is enacted'."

Mr. LUCAS. Mr. Chairman, this is H. R. 4552 which was introduced last year as the result of about 3 weeks of hearings by a subcommittee of the House Labor Committee and which was approved by the House Labor Committee by a vote of 15 to 7. It is the bill which was offered last year as an amendment to the Defense Production Act, and, if I may be permitted to say so, had it been adopted, we would not be suffering under the present fiasco of the steel case.

I would approve the Kearns amendment if I did not realize that the President most likely, if we did not legislate in this field, would appoint another board similar to the one which we now have, vested with the same responsibilities which are now being exercised by that Board.

I think we must be realistic about this matter and vote to abolish the Board, as my substitute provides, but also recreate a statutory board which will set up a system by which these matters will be handled, and limit the board in its jurisdiction, and provide that these matters shall be handled in no other way.

The bill is very simple. It creates a wage stabilization board, it is true, but it provides for the consumer, which the gentleman from Kentucky [Mr. SPENCE], was so interested in a while ago, in providing that the public members shall

predominate in number over the other members of the board. Thus the labor members and management members of the board will be a lesser number in toto than the public members, and the public members shall be confirmed by the Senate. It also provides for independent union membership on the labor panel. Instances which came before our hearing, pursuant to the Allen resolution where independent unions have been so discriminated against, are rank. I wish you could read our hearings, which show where the independent unions have been treated so roughly and with such discrimination. Thus we provide for representation for the independent unions, this great body of people who are not represented on the present Wage Stabilization Board.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Indiana.

Mr. HALLECK. Would not that provision also include the United Mine Workers?

Mr. LUCAS. It might. If the President chose to appoint a representative of the United Mine Workers on the Wage Stabilization Board, of course it would cover them.

The Wage Stabilization Board under my amendment will be a policy board, it will not be a dispute-handling board. We do not need a board, I think, which has a function of stabilizing wages, placing a ceiling over wages, and at the same time being a disputes board, by which unions who are not satisfied with the contracts offered them by management, or management who is not satisfied with the contract it is able to get with labor, may appeal to the same board which stabilizes, and thus have contradictory and conflicting responsibilities. Thus, I divest the Board of its responsibility in disputes matters. I think it is most imperative that this Board not have such function.

I quote to you from Mr. Nathan Feinsinger, Chairman of the Board, when he appeared before our committee just recently. He said:

> Unless Congress changes our policy, we will recommend a form of union shop in every case that comes before us in which it is an issue.

Can you conceive of a union seeking a union shop being satisfied with any contract that management might offer if it is able to get a union shop by appealing to the Wage Stabilization Board? Why, of course not. Therefore, every case that comes before the Wage Stabilization Board hereafter, unless Congress adopts my amendment, will have the union shop demanded by the labor union, and before long—and no one denied this before our committee—every man in America will be forced to join a labor union in order to work.

I think it is imperative that the House of Representatives take such action in order to prevent the Wage Stabilization Board from covering into labor unions every man, whether or not he wants to join a union, and making him pay tribute in order to have a job.

That is simply what my amendment provides. I hope you can go along with me and join me in passing this good legislation.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Would the gentleman make just a little bit clearer the power, if any, this Board under this proposed substitute would have with respect to determining wages?

Mr. LUCAS. The Board as presently constituted has issued regulations, and those regulations are general in application. I would suppose that the same regulations would be adopted by any statutory board which might be created under this bill. These regulations will be applied generally thoughout the country, and we will then be protected from the biased recommendations which have emanated from this Board.

Mr. HALLECK. Mr. Chairman, I rise in support of the Lucas substitute.

Mr. Chairman, this very important matter which we are now considering is before us primarily because of the adoption of the so-called Allen resolution some weeks ago by this House by a vote of 255 to 88. That resolution directed the Committee on Education and Labor to make a study and investigation of the work of the so-called Wage Stabilization Board and its operations under the statutes enacted by the Congress of the United States.

I commend the Committee on Education and Labor on the splendid work it has done and the report it has filed, to which reference has been made by the gentleman from Pennsylvania [Mr. KEARNS]. I think the committee definitely established that the Board has gone far beyond the authority vested in it by the Congress. It has not been a stabilization agency; it has been an unstabilizing agency. That is the reason it is necessary to do something here.

I support the Lucas amendment as against the Kearns amendment for two principal reasons: First, I am for the abolition of this Board as presently constituted. The Lucas amendment provides for the abolition of the Board. But if you just abolish the Board and do not create a new board, two things result: First, you say by abolishing the Wage Stabilization Board you are against wage control but continuation of price control. I cannot take that position. Secondly, if you just abolish the Board and leave the law as it is, then nothing is established in the law to prevent President Truman from creating an exactly duplicate sort of board which would operate without the restrictions that should be written into the law.

This new board which the gentleman from Texas has referred to is to be composed, in the majority, of public members. That is, there are to be more public members than members representing labor and industry put together. The public members are to be confirmed by the other body. I think that is good. The labor and industry members are not to be confirmed. That is right, because they are there as the special pleaders of the interests they represent, and that is right and as it should be. But in my opinion, the public members being in greater number would not be required, as they presently are, to go to one side or the other and follow that side clear down the line in order to ever arrive at a decision.

I visualize the operation of this new board as I remember trying lawsuits in court where the plaintiff's counsel and the defendant's counsel argued their respective cases while the jury sat listening to the evidence, so that they could render a final judgment. That is what this board will be permitted to do.

In my opinion, it will make for decisions in the public interest with complete safeguards to protect the interest of both sides of the controversy. And each side will have its spokesmen in the sessions of the board and for statements of position to the public.

What else does the Lucas amendment do? It provides an area within which the Wage Stabilization Board shall operate. This is my second reason for supporting this proposal. The very name Wage Stabilization Board, in my opinion, means it is created to stabilize wages. It is to put a ceiling on wages even as the Office of Price Stabilization was created, not to settle all manner of disputes between wholesalers and retailers or manufacturers and retailers, but to put a ceiling price at given levels on products which are to be sold. That was what the Congress intended when we provided for the creation of such a wage stabilization board.

The unfortunate thing is that the Wage Stabilization Board, instead of confining itself to the determination of these economic controversies, has undertaken to set itself up as the agency to settle all manner of disputes between management and men, which have nothing to do with the wages which we undertook to stabilize in this operation.

For instance, reference has been made to the union shop. Let me tell you what I believe about the union shop. It ought to be a matter of contract between management and men. And if management and men want to agree on a contract for a union shop, I have always said and I will say again, it is their right to do it. But I do not believe that it is within the province of government to say either that you must have that sort of contract or that you cannot have that sort of a contract.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one would think that the recommendation of the Committee on Education and Labor was unanimous. It was not. There are nine members who disagree entirely with the recommendations made by the majority, and the report made by the majority of the members. We think that the Wage Stabilization Board did a good job. It did a good job in thousands of cases which came before it, and because one case failed, that is no reason to condemn it. The new board, as proposed by the gentleman from Texas by his amendment,

creates a bureaucracy which we do not like. It will not do as good a stabilizing job as the tripartite board now in existence. It cannot do it because it would be unbalanced. You will also find that the union members will not be satisfied with that arrangement. I predict that the very nature of its composition militates against any success for the board. I am one member of the Committee on Education and Labor that does disagree with the majority report.

The minority report criticizes the Board in one instance. It also criticizes the Economic Stabilizer for not keeping a close liaison between the Wage Stabilization Board and the Price Stabilization Board.

Mr. WIER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have come to the House of Representatives after being in the ranks of the labor movement where I was very actively engaged as an official. I have some knowledge of the reaction of workers. I am one of those who for a period of about 10 days of hearings in the Committee on Education and Labor heard every member of the Wage Stabilization Board including the Administrator of the National Defense Production Act, Mr. Wilson, who started off as our first witness. All of the members, representatives of labor, public, and industry were questioned at length on a number of controversial points. The thing that makes this serious, and makes it very controversial at this time comes about by reason of the fact, of course, that there is a Presidential election just ahead. The efforts being made through either one of these two amendments are to the great disadvantage of the labor movement and this Nation. They, the workers of the Nation, will be the ones to suffer as a result of putting somebody behind the 8-ball.

What the gentleman from Texas [Mr. LUCAS] said with reference to Mr. Feinsinger and others who appeared before us was not quite a correct interpretation of the statements they really made.

After all of these hearings I am very much convinced by the questions and answers that back of all this so-called collective bargaining that was presumed to have started almost a year ago, or last December—back of all that collective bargaining that we seek between union and management there was no question but what there was a reluctance on the part of the steel industry to bargain in good faith. There were reasons for that. The steel industry was vitally concerned as to what return they would get in the way of price increase to make up for the added cost as a result of a contract to be entered into. Overtures were made as to what it would be possible for them to receive. They were told first that they would be allowed the natural return which was about $3. Their contention was that it would take about $12 to make up for the differential between what they offered and what the Wage Stabilization Board offered. Then, of course, in the event that arrangements could not be made to take care of this added cost of this new contract, steel management knew the next step and that would be what is taking place here today and has been taking place ever since the decision of the Wage Stabilization Board, and that is the Taft-Hartley Act would be invoked into the picture.

I think we have discussed the Taft-Hartley Act well enough to know that there is no part of the act that was ever drawn in the interest or for the protection of the workers. That has been proved in the 3 years in which it has operated. It is, as President Truman said, an act that was drawn not in the interest of protecting any interest of the workers in a dispute, but an act to stalemate them and one which offers no inducement for collective bargaining and has not settled anything to this time.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WIER. I yield.

Mr. McCORMACK. The very authors of the bill have recognized that, for it has already been amended and a number of other amendments have been suggested by the authors of the bill.

Mr. WIER. Let me say to the gentleman from Massachusetts that in the closing days of the Eighty-first Congress Senator TAFT himself submitted 21 amendments in the Senate that he was willing to subscribe to as being remedial.

The full House Committee on Education and Labor has conducted a lengthy investigation of the Wage Stabilization Board, pursuant to House Resolution 532. Originally this resolution proposed an investigation of the Wage Stabilization Board, its regional boards and panels to determine whether they, first, have exceeded their authority and jurisdiction with respect to labor disputes, particularly those involving nonwage or other issues outside the scope of wage stabilization; and, second, have violated or failed to respect the national labor policy as expressed in the Labor-Management Relations Act, the Defense Production Act, and other applicable laws with regard to collective bargaining and the settlement of labor-management disputes, including but not limited to disputes with respect to the union shop.

The amended resolution eliminated the first question. Indeed, there is no evidence in the lengthy record of these proceedings which could have supported an adverse finding on that question. The amended resolution renumbers the second question (1) and adds the following: "or (2) have adopted policies or made decisions or recommendations inconsistent with the intent of Congress with respect to stabilization and in contravention of the public interest." These are the two questions which were to be investigated.

The scope of the investigation did not stop there, but covered a multitude of irrelevant inquiries.

After the most exhaustive probe into every aspect of the work of the Wage Stabilization Board, I believe that the Board's action has been consistent with the national industrial relations policy and the national stabilization policy. While some members of the committee might reasonably differ with the Board's exercise of judgment, there is no evidence to indicate that the Board has acted in any way inconsistent with the intent of Congress with respect to stabilization and in contravention to public interest. This is true of the wage regulations and policies, and of the 12 dispute cases, as well as the almost 45,000 voluntary cases handled by the Board.

The record of the hearings contains convincing evidence that the Board has accomplished these multiple objectives with a high degree of success. Indeed, Mr. Charles E. Wilson, former Director of Defense Mobilization, had no criticism of the Board with respect to any of its functions up to the Steel case. As to the Steel case itself. I do not feel that the Board's actions were inconsistent with national labor policies.

I feel strongly, as a result of long and intensive hearings, that the Wage Stabilization Board has done an excellent job both in stabilizing wages and handling labor disputes affecting the defense effort, and that the Board should be continued without change in its functions or organization.

In order properly to evaluate the Board's performance in terms of national labor policy, it seems first necessary to understand exactly what the national labor policy is. I shall discuss that policy as it applies to collective bargaining and as it applies to economic stabilization and then I shall analyze the record and organization of the Board, to determine what changes are called for.

First. The Board's activities have been fully consistent with the national labor policy supporting collective bargaining. The assumption throughout the hearings was that the Taft-Hartley Act was the single statute which most clearly stated the national labor policy. That labor policy obviously has as its primary objective the avoidance of industrial strife leading to interruption of production and commerce. The congressional findings and policies, in section 101 of the Taft-Hartley Act, are summarized in this final paragraph:

> It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

This policy was reaffirmed when the Defense Production Act was adopted. In title IV, which provides the statutory authorization for the wage stabilization program, section 401 provides that—

> It is the intent of Congress to provide authority necessary to achieve the following purposes in order to promote the national defense: * * * to prevent economic disturbances, labor disputes, interferences with the effective mobilization of national resources, and impairment of national unity and morale; * * * It is the intent of Congress that the authority conferred by this title shall be exercised * * * in particular with full consideration and emphasis, so far as practicable, on * * * the maintenance and furtherance of sound working relationships, including collective bargaining.

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Furthermore, Congress provided that no action should be taken which was inconsistent with the Labor Management Relations Act.

The Board has been careful to observe this national policy. In a unanimously adopted statement clarifying the relationship between collective bargaining and the functions of the Board, the Board emphasized that—

> Nothing in the law prevents the parties from making any wage agreement they desire, subject to Board approval, and from submitting their agreements to the Board for approval. Nothing in the law prevents the parties from arguing that the agreement is approvable within existing regulations, or that an exception should be made, or that the regulations should be modified. This is the traditional American concept of due process and one's right to a day in court.

The Board was careful to say that it did "not mean to encourage the making of an agreement which the parties well know exceeds existing regulations, involves no special facts or inequities justifying an exception thereto, and provides no reasonable basis for requesting a modification thereof." The statement did recognize "that effective wage stabilization imposes limitations on the processes of free collective bargaining. Nevertheless, even in this period of wage stabilization, there is a considerable area for genuine collective bargaining. No such bargaining can exist with a representative of the Board sitting at the table to tell the parties what they can or cannot do, should or should not do. The Board, therefore, cannot and will not undertake to prescribe the permissible limitations beforehand within which the parties can or must bargain."

The Board's record has been completely in accord with this statement, which gives full recognition to the national policy supporting collective bargaining. Almost all of the cases coming before the Board, where collective bargaining representatives are involved, are cases where the parties have agreed and are seeking Board approval of the wage adjustment they jointly propose. The stabilization policies and decisions have been made for the most part unanimously and with every possible consideration given to the upholding of the collectively bargained agreement.

So far as the disputes cases are concerned, Executive Order 10233 itself specifies that the Board has jurisdiction only over cases "not involved by collective bargaining or by the prior full use of conciliation and mediation facilities." In accordance with the procedure outlined in resolution 79, the Board accepts a voluntarily submitted case only after it has determined, from a status of bargaining report prepared by the Federal Mediation and Conciliation Service, or appropriate State agency, that collective bargaining has failed. The care which the Board exercises not to interfere with collective bargaining is indicated by the fact that the Board has rejected two voluntarily submitted cases on the grounds that the parties had failed to exhaust collective bargaining.

When collective bargaining fails, the Labor-Management Relations Act contemplates utilization of the Federal Mediation and Conciliation Service. As noted above, the Board's disputes jurisdiction and procedures were carefully drafted to adhere to this policy. This policy has been adhered to in practice. In the Steel case, for example, the Service certified to the President that its facilities could not settle the dispute, before the case was referred to the Board.

Once the case gets to the Board, the Board makes every effort to assist the parties to arrive at a settlement. This is the almost universal practice in arbitration and similar proceedings and is obviously squarely in accordance with the national labor policy of avoiding interruptions to production and commerce by full use of available public facilities to aid in settlement. In the steel case, the Chairman and Vice Chairman of the Board, pursuant to the instructions of the Acting Director of Defense Mobilization, actively aided the parties in attempting to reach a settlement. Their activities seem to me to be completely in the national interest. The Board has every right to assist the parties to understand the substance and implication of its recommendations, and to answer questions with respect thereto. It would have been a dereliction of duty to have failed to take every effort to avoid a strike which all concede to be a national calamity.

The disputes functions of the Board have not interfered with collective bargaining and use of mediation facilities and the Board has not been flooded with disputes cases. During the 14 months of the Board's existence, only 34 disputes cases have been received. Of these 34, 12 were referred by the President, and 22 were voluntarily submitted by the parties. When one remembers that several thousands of collective-bargaining agreements are negotiated every month, the fact that fewer than three disputes cases a month have been before the Board demonstrates irrefutably that the disputes functions of the Board have not subverted the national labor policy supporting collective bargaining and mediation.

When collective bargaining and mediation fail to insure uninterrupted production, the Taft-Hartley Act national emergencies provision is applicable under certain circumstances. In most of the disputes cases considered by the Board there is no possible inconsistency with these provisions. Taft-Hartley applies only to disputes "affecting an entire industry or a substantial part thereof." In cases like Douglas Aircraft, Borg-Warner, Wright Aeronautical, Hanford Atomic Energy Project, Todd Shipyard, and similar cases handled by the Board, the statutory provisions are apparently inapplicable. Senator TAFT himself said in a Senate Labor Committee hearing on May 17, 1951:

> The Taft-Hartley provisions as they apply to a wartime emergency situation are not satisfactory, certainly not to me * * * here you have a question which may extend to very small plants that have a direct effect on the mobilization of industry that were never intended to be covered by the Taft-Hartley Act.

Furthermore, even in those instances where the LMRA would be applicable because the dispute involves an entire industry or a substantial part thereof, the LMRA provides for only 80 days of uninterrupted production. The board of inquiry appointed by the President merely reports on the facts of the disputes; it may not make recommendations. Thus, after the 80-day period, the LMRA provides no machinery whatsoever for settling a dispute which threatens to interrupt production of goods essential for national defense.

The Board's dispute procedures complement, rather than conflict with, the Taft-Hartley provisions. As the Senate Labor Committee concluded last session, after conducting an investigation very similar to the one we have conducted:

> The Executive order, insofar as it is concerned with disputes, neither adds nor detracts from the existing rights of labor and management in collective bargaining; nor does it contravene any law. All the Executive order does is to set up one additional avenue of voluntary settlement if the President believes that an unresolved dispute will adversely affect defense production.

The fact is that in one case, when the employees involved refused to resume production upon referral of the case to the Board the President obtained an injunction under the Labor Management Relations Act.

There is no more inconsistency between the Taft-Hartley Act and the Board's disputes jurisdiction than there is between the Taft-Hartley Act and title V of the Defense Production Act, headed "Disputes settlement." Congress obviously did not regard Taft-Hartley as the sole and exclusive answer to disputes settlement in this emergency mobilization period. The legislative history of title V demonstrates that Congress authorized the President to initiate proceedings which would culminate in the creation of a tripartite agency with broad disputes jurisdiction, like the War Labor Board. In fact, the President gave a much more limited disputes jurisdiction to the Wage Stabilization Board. What is more, the Executive order, like title V, specifies that the disputes agency shall take no action inconsistent with the Taft-Hartley Act.

The Wage Board has scrupulously adhered to this provision and has respected the jurisdiction of the National Labor Relations Board. The Borg-Warner case is the outstanding example. Over the strenuous objections of the labor members, the Board concluded that the basic issue involved was akin to the question of appropriate bargaining unit which was within the exclusive jurisdiction of the National Labor Relations Board; and the Wage Board therefore declined to make any recommendation on the issue.

There have been vague indications that Board actions on the union shop and on industry-wide bargaining are somehow in conflict with Taft-Hartley. On the face of it, these charges overlook the obvious purpose of the Taft-Hartley Act to protect the entire scope of collective bargaining. If the parties wish to sign a union-shop agreement, the act expressly permits it. If the parties wish to negotiate on an industry-wide basis the national labor policy supports their voluntary determination.

Its disputes jurisdiction, like the mediation jurisdiction of the Federal Conciliation and Mediation Service, extends to all issues in dispute, to all issues which could be made the subject of agreement. While the Board, in my judgment, could well have returned the union-shop issue to collective bargaining, the Board has not violated the national labor policy in its union-shop recommendations.

As to industry-wide bargaining, none of the Board's actions has encouraged it. In the Brass case, the Board's recommendations were tailored to fit the different situations of the individual companies involved. In the Oil case the Board deliberately rejected a single hearing for all the companies in the dispute, and set up other procedures which were adopted unanimously.

In summary, the most effective statement of the national labor policy is that it seeks uninterrupted production. The record of the Board in this respect is a good one. In 5 of the 12 cases referred to the Board by the President, and in 7 of the 22 cases voluntarily submitted to the Board, strikes were already in progress at the time the dispute was received by the Board. In every case but one the Board voluntarily secured back-to-work orders. The one case in which the union refused to return to work was returned to the President, who thereupon invoked the national emergency provisions of the Labor-Management Relations Act.

In the remaining seven cases referred to the Board by the President where strikes were threatened at the time of referral, the Board has secured postponement of the strikes, frequently for periods far in excess of the maximum delay of 80 days insured by the Labor-Management Relations Act. In the Steel case, for example, work was continued for 19 days more than could have been secured under the Labor-Management Relations Act.

Moreover, the Board has assisted in settling disputes. Of the Presidential referrals, two, and all except one issue in a third case, have been settled on the basis of the Board's recommendations. Of the voluntary submissions, three have been settled on the basis of the Board's or panel's recommendation and two others have been settled under Board auspices. Five cases were voluntarily withdrawn by joint action after settlement had been reached upon the basis of the Board's recommendations in a similar case.

In short, the Board has secured voluntary suspension of strikes in progress, has deferred threatened strikes, and has brought settlements of disputes. In 33 of the 34 disputes that it has handled, production has either been continued or resumed. Is this record in conflict with the national labor policy?

Second. The Board's actions have been fully consistent with the stabilization provisions of the Defense Production Act.

Congress did not establish a simple stabilization program, with only one objective to be achieved and no restriction on the means of achieving it. Much of the questioning during the hearings apparently assumed that allowing any wage increase was a subversion of stabilization. Obviously, the regulation of wage increases is one of the fundamental objectives Congress had in mind in passing the DPA. But Congress intended to pass a stabilization program and not a freeze. Congress intended that the administrative agencies would balance a number of objectives and standards.

While Congress specified in section 401 that the prevention of inflation and similar economic objectives was one of its purposes, it specified also that the powers given by the act should be used "to prevent economic disturbances and labor disputes" and to maintain and further "sound working relations, including collective bargaining." In establishing the standards which the stabilizers had to bear in mind, Congress provided that they must make such adjustments as are "necessary to prevent or correct hardships or inequities." In the face of this language, I cannot conceive how the Board could possibly avoid giving consideration to the equities pleaded by the parties, on a case-by-case basis. More, Congress required that the agencies must respect "the national effort to achieve maximum production."

To sustain a charge that the Board has acted inconsistently in any of its decisions with the stabilization policy, it must be proved that the decision failed to consider all these objectives and all these standards. It is not sufficient to allege that the Board has balanced the objectives and standards in a way that others would not have if they had the responsibility. I see nothing in the hearings and nothing in the majority report which indicates that the Board has disregarded every objective and every standard contained in the act. On the contrary, I conclude that the Board has been mindful of the task which the Congress placed upon it of providing the most reasonable and the wisest balancing of these purposes and policies in the national interest.

While it is impossible to obtain a completely accurate measure of the effectiveness of the Board's work, there is point to reviewing the statistical data presented to the committee by the Board, and not controverted to the best of our knowledge. Those data show that the rate of increase in wage rates has been significantly slowed down since the imposition of the price and wage freeze in January 1951. The record shows that the rate of increase in wage rates has been slowed down at least as effectively as was done during World War II. It also demonstrates that wage increases have followed the same general trend as the cost of living, in about the same statistical relationships as existed in World War II. Of course, the Board cannot take all the credit for these results. But they are suggestive of the effectiveness of wage stabilization, and they stand as persuasive until better tests come along.

It has been charged that the Board gives its approval more or less automatically. The fact is that the Board has modified the proposed wage adjustments in a number of very important cases, such as oil, lumber, shipping, and various new plants, perhaps most prominently that of AVCO. Moreover, the Board has denied or modified 15.4 percent of all the petitions which it has acted upon. When parties decide to file a petition, they have consulted the regulations of the Board to determine whether their proposal fits with stabilization standards. If it cannot be approved under the existing standards, the parties will presumably not file their proposal.

In all of its actions, the Board has achieved a high degree of unanimity among the three sides. Well over 90 percent of the actions in wage stabilization cases, 16 of the 21 general wage regulations, and all but two of the over 90 resolutions have been adopted by unanimous vote. When all three sides of the Board's table—public, labor, and industry—join in reaching a decision or policy, it is impossible to believe that they are all betraying their oath of office and thwarting the stabilization policy of this country. Rather, the opposite conclusion is clear—the unanimity of action demonstrates the complete reasonableness of what the Board has done, and its complete consistency with the national stabilization policy.

The Board's actions in specific cases are equally consistent with the national stabilization policy. In the discussion that follows, no distinction is drawn between voluntary cases and disputes cases, since the stabilization problems in both are identical. That a stabilization issue in a disputes case will receive the same treatment as it would in a voluntary case is guaranteed by the requirement in Executive Order No. 10233 that any wage action in such case "shall be consistent with stabilization policies."

CONCLUSION

The national labor policy is to avoid interruptions to commerce and production by voluntary collective agreement among the parties, supplemented by mediation and conciliation services, and then the use of all public facilities. The national stabilization policy is one of combating inflation while at the same time preserving collective bargaining, preventing industrial disputes, preventing and correcting hardships and inequities, and maximizing national production. The Board's activities have been fully consistent with these national labor policies. The tripartite organization of the Board has brought a breadth of viewpoint and a depth of specialized knowledge which few other Government agencies can boast. These men have served the country well. On the basis of the complete record of the investigation of this committee, we recommend that the functions and organizations of the Wage Stabilization Board should be continued as they are. The problems which the Board faces are real problems. No better solution than the Wage Stabilization Board has been found for them in this time of international peril and domestic mobilization.

MINORITY REPORT

We disagree with the majority contention that the Wage Stabilization Board in recommending a union shop in the steel case, the Boeing Airplane Co. case, and the Douglas Aircraft Co. case failed to respect the national labor policy as set forth in the Labor-Management Relations Act. It is our opinion that this conclusion on the part of the

majority, in effect, accuses the Board of violating the Labor-Management Relations Act, 1947, in making this recommendation. It is our position that the Board's action either violated the Labor-Management Relations Act, or it did not violate it, and we believe that the Board's action was not a violation.

Under section 8 (a) (3) of the Labor-Management Relations Act the union shop is clearly a bargainable issue which may be legally adopted. The union shop was an issue in these cases. The most which may be said about the Board's action is that it used poor judgment and that had it returned the union-shop question for further bargaining without recommendations the issue may well have been resolved.

The testimony of Mobilization Director Charles E. Wilson was to the effect that the Wage Stabilization Board on the whole had done reasonably well and had "met this very difficult situation reasonably well." We believe that the Board has done a creditable job, the steel case being the only exception, we feel that the Board should not be condemned on this one issue. If we were to direct criticism against the Board's policies it would be to criticize the Economic Stabilization Director for failure to keep a closer liaison between the Wage Board and the Price Board so as to guarantee a proper ceiling on both wages and prices.

We also believe that the wage stabilization program should be administered by a board tripartite in nature. We believe that it is proper to require Senate confirmation of the public members but we do not believe that Senate confirmation of labor and industry members should be required. We believe that a tripartite board is necessary because it maintains a measure of collective-bargaining procedures in disputes issues.

In conclusion, we believe that the Board has not violated or failed to respect the national labor policy as expressed in the Labor-Management Relations Act, the Defense Production Act, and other applicable laws with regard to collective bargaining and the settlement of labor-management disputes including but not limited to disputes with respect to the union shop nor has it adopted policies or made decisions or recommendations inconsistent with the intent of Congress with respect to stabilization and in contravention of the public interest.

AUGUSTINE B. KELLEY, JOHN F. KENNEDY, CLEVELAND M. BAILEY, LEONARD IRVING, CARL D. PERKINS, CHARLES R. HOWELL, ROY W. WIER, ERNEST GREENWOOD, CARL ELLIOTT.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at quarter past four.

Mr. McCORMACK. Mr. Chairman, reserving the right to object, how much time will that permit each Member who desires to be heard?

The CHAIRMAN. That will permit about 2 minutes to each Member now on his feet.

Mr. SHELLEY. Mr. Chairman, I object.

Mr. WERDEL. Mr. Chairman, I object.

Mr. SPENCE. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close not later than 4:45 p. m. today.

Mr. BARDEN. Mr. Chairman, does the gentleman realize these are two of the most important sections in here and that the Members are going to be cut down to a discussion of 2 or 3 minutes only?

Mr. SPENCE. I realize that and I realize also that we are fighting a deadline and that the whole bill will expire shortly. How many amendments are there at the Clerk's desk?

The CHAIRMAN. Approximately 18 amendments.

Mr. SPENCE. Mr. Chairman, I withdraw the motion, but I do think we are hazarding the enactment of this legislation because of the time we are taking.

Mr. VAIL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, several days of the hearings of the Committee on Education and Labor investigating the Wage Stabilization Board pursuant to the Allen resolution, were consumed in examination of board and panel members to whom references were made in the files of the House Committee on Un-American Activities.

These official records indicated that a number of board and panel members had been affiliated or associated with organizations cited as Communist-front or had professed sympathy for their objectives. The testimony of these members contributed nothing to disprove the committee records.

The reaction of the committee, as I gaged it, was one of utter amazement that individuals of such dubious background and leaning were selected by the President to serve on as vital a body as the Wage Stabilization Board, the rulings of which could profoundly affect the public interest. We are left to assume that a reservoir of capable and conscientious and available persons, with no tinge of suspicion of underlying motivations, does not exist. It is my belief that the committee felt that clearly indicated fundamental philosophies of Board members to whom reference was made by the Committee on Un-American Activities, precluded an approach by them to issues to be resolved by the Board with full freedom from basic partisanship.

The Chief Executive has indicated unmistakably a bias on the side of the union in the Steel case, by far the most important determined by the Board. A logical mind would inevitably tie up his known disposition with his selections for service on the Wage Stabilization Board of individuals to whom the Committee on Un-American Activities makes reference. When such bias has been established on the part of appointive authority it can be reasonably assumed, in the light of its extraordinary recommendations, that it extended to hand-picking of Board members, thus defeating the proper purposes of the tripartite approach. It is therefore my deep-seated conviction that the Wage Stabilization Board be abolished and I urge your support of the Kearns amendment. This was also the conviction of the Education and Labor Committee by vote of 16 to 5. Should the committee not be sustained I favor the passage of the Lucas amendment.

Now let me cite to you the verbatim content of the files of the Committee on Un-American Activities having reference to nine members of the Board and panel, to which nothing has been added and from which nothing has been subtracted:

MEMBERS OF THE WAGE STABILIZATION BOARD

Public records, files and publications of the Committee on Un-American Activities of the House contain the following references to individuals named in the above subject:

JOHN BROPHY, LABOR MEMBER, CIO

John Brophy was named by the Daily Worker of March 2, 1937 (p. 2), as a member of the First American Delegation to the U. S. S. R. In public hearings before the Special Committee on Un-American Activities, September 11, 1939, Benjamin Gitlow, former general secretary of the Communist Party of the United States, submitted the names of the members of the American Trade Union Delegation to the Soviet Union and gave the following information concerning the delegation:

"Mr. GITLOW. * * * In order to win the trade unions' support of Soviet Russia, and particularly to mobilize them behind a campaign for recognition of Soviet Russia, the Communist International instructed the American Party to organize a delegation of trade unionists who would be invited to visit the Soviet Union, travel, and see for themselves, and draw up a report. The report should be used for propaganda purposes among trade unionists, and the trade-union leaders, who would be brought to Moscow, an effort would be made to win them over for the campaign of recognition in support of the Soviet Union * * *

"And all this preliminary organization work and how to constitute the committee and how to organize it, was done by the Communist Party in the United States. And the money involved for expenses, that was first raised through the furriers' union by having them take $500 out of their treasury, which was later supplied by Moscow, because the traveling expenses and all of the expenses involved in the organization of this delegation was paid by Moscow, and when its report was printed, the payment for printing the report also came from Moscow. But Moscow paid above five times what it cost to print the report, and the rest of the money went into the party treasury * * *

"Well, I can say that the delegation was split into three parts, and in 3 weeks' time they had to cover thousands of miles. Every place where they stopped they were met by a reception committee. They were given banquets. They were taken on sight-seeing tours and they had no time to investigate actual conditions * * * at the same time the technical staff surrounding the delegation, the staff of economists, so-called, and experts, who were supposed to advise the delegation on what they were seeing and to explain it to them—these people were all party people. And these were the people who actually wrote the report and when they wrote the report, the report first was O. K.'d by the Communist International and later on the American Communist Party again went over the report with a fine comb to see that nothing detrimental to Russia would slip into the report." (Public Hearings, vol. 7, pp. 4699–4701.)

New Masses of March 2, 1937 (p. 28), named John Brophy as one of the sponsors of the Consumers Union; the same information appeared on an undated circular of the organization; identified with the United Mine Workers of America, he was named in the circular, "Workers as Consumers," as a member of that organization's labor advisory committee; a letter from John Brophy was read at the first annual meeting of the Consumers Union, April 29, 1937, as was shown in Consumers Union reports, June 1939 (p. 19).

Consumers Union has been cited as a Communist-front organization, headed by the

Communist, Arthur Kallet (whose party name is Edward Adams); Ben Gold, and Louis Weinstock, both well-known Communists, were also members of the labor advisory committee of Consumers Union. (From Report 1311 of the Special Committee, dated March 29, 1944.)

John Brophy sent greetings to the Second National Negro Congress, October 1937, as shown in the minutes of that congress; he spoke in Washington before the National Negro Congress, according to the Communist Daily Worker of March 21, 1938 (p. 5). The National Negro Congress has been cited as "the Communist-front movement in the United States among Negroes." (Special committee, in reports of January 3, 1939; January 3, 1940; June 25, 1942; and March 29, 1944); it was cited as subversive and Communist by Attorney General Clark (press release of December 4, 1947, and September 21, 1948); Attorney General Francis Biddle cited the congress when he said that "from the record of its activities and the composition of its governing bodies, there can be little doubt that it has served 'an important sector of the democratic front.'" CONGRESSIONAL RECORD, vol. 88, pt. 6, p. 7447.)

John Brophy contributed to the March 1928 issue of the Communist (p. 180), official monthly organ of the Communist Party (from the special committee's report of March 29, 1944; also cited in report of January 3, 1941; and by the Committee on Un-American Activities in report 209 of April 1, 1947).

Attorney General Biddle cited the All-American Anti-Imperialist League as a Communist-front organization (in re Harry Bridges, May 28, 1942, p. 10); the special committee cited it as a Communist enterprise (report 1311 of March 29, 1944). John Brophy was a member of the national committee of the organization, as shown on their letterhead of April 11, 1928.

Mr. Brophy has contributed to the Fight magazine, as shown in the June 1938 issue (p. 5), and in the pamphlet, "7½ million" (p. 41); the Fight has been cited as the official organ of the American League Against War and Fascism, later known as the American League for Peace and Democracy. (Special committee in report of March 29, 1944; also cited in report of June 25, 1942.)

A handbill entitled "Hear Tom Mooney Speak on Labor and Civil Rights," June 6, 1939, named John Brophy as a sponsor of the Washington Tom Mooney committee; Tom Mooney was a prisoner in San Quentin who was defended by the International Labor Defense.

The American Federation of Teachers, local 5, was expelled from the American Federation of Labor on account of its blatant Communist character, as reported by the Special Committee on Un-American Activities, March 29, 1944 (Rept. No. 1311, p. 154); John Brophy spoke at a conference of the American Federation of Teachers, local 5, as was reported in the Daily Worker of March 31, 1938 (p. 3).

Reference to a speech made by John Brophy, CIO director, was made in Volunteer for Liberty, bound volume (1949), June 29, 1937 (p. 8); Volunteer for Liberty is a publication of the Abraham Lincoln Brigade, cited as a Communist organization by Attorney General Clark (press release of April 27, 1949); the Communist Party was active in recruiting American boys for the so-called Abraham Lincoln Brigade in behalf of Loyalist Spain. Browder boasted that 60 percent of the brigade was composed of Communist Party members. (Special committee, report of March 29, 1944.)

Mr. Brophy, identified as CIO councils director, signed a statement opposing universal military training, as reported in the Daily People's World on January 19, 1948 (p. 1); he protested the arrest of Earl Browder, general secretary of the Communist Party, United States of America, as revealed by the Daily Worker on October 1, 1936 (p. 1).

Following are excerpts from public hearings before the Special Committee on Un-American Activities with reference to John Brophy:

Mr. John P. Frey, president of the metal trades department of the American Federation of Labor, August 13, 1938:

"I will give you the names of 185 of the leading Communists in our country, and I will give the committee the names of the new national committee of the Communist Party in the United States. * * * The first one I want to refer to is Mr. John Brophy. He is the director of the CIO. He is the gentleman who was expelled from the United Mine Workers some years ago by Mr. John L. Lewis for disloyal activities inside of the union. Mr. Brophy, so far as I know, is not a member of the Communist Party, but he consorts with Communists continually; and in the dual movement he launched in the Mine Workers Union, he was assisted by such well-known Communists as Pat Touhy, now active in the Communist Party; Tom Myerscough, now active in the Communist Party; and others. * * * Brophy was a member of a delegation to Russia which was sponsored by the Communist Party of the United States, and approved by Moscow (col. I, p. 97).

"I do not believe that John Brophy is an active member of the Communist Party; if he is, he keeps it secret" (ibid., p. 162).

In testimony of Harper L. Knowles and Ray E. Nimmo, October 24, 1938, the following reference was made to John Brophy:

"Among the Communist Party leaders and sympathizers in Portland during the convention were the following: John Brophy, at one time accused by John L. Lewis as being a paid agent of the Soviet Government, now officially representing Lewis as managing director of the CIO" (vol. 3, p. 1794).

The following is taken from testimony of Benjamin Gitlow, September 7, 1939:

"At that time John Brophy collaborated with the Communist Party. All the expenses involved in his campaign to be elected president of the United Mine Workers of America were paid—Brophy's expenses were paid by the Communist Party. * * * Brophy was not a member of the Communist Party, but he was a member of the opposition element in the United Mine Workers who were trying to oust Lewis, and was willing to accept whatever financial assistance the party gave him" (p. 4563, vol. 7).

During public hearings, September 8, 1939, Mr. Starnes, member of the special committee, addressed the following remarks to the chairman:

"* * * in view of the fact that at one time Mr. Lewis, John L. Lewis, charged that Mr. Brophy was an agent of Moscow, or of the Soviet Government, seeking to control or to destroy the United Mine Workers, and in view of the sworn testimony before this committee to the effect that Mr. Brophy had at one time acted as an agent for the Moscow or Soviet Russian Government, in that connection I think Mr. Brophy should be invited to make a statement or that he should be given an opportunity, if he so desires, to appear before this committee and make any statement in denial or explanation. I so move" (vol. 7, p. 4577).

"Brophy was not a member of the Communist Party, but worked with the Communist Party, and received funds from the Communist Party, and his activities later in opposition of the miners' union were financed by the Communist Party" (vol. 7, p. 4579, in testimony of Benjamin Gitlow).

The chairman of the special committee received a letter from Mr. Brophy dated September 11, 1939, which read as follows:

"DEAR SIR: Recently Benjamin Gitlow appeared before your committee and made certain statements concerning me relative to the Communist Party. I deny completely and emphatically that I ever received one penny directly or indirectly either from the Communists or treasury of the Communist Party in my 1926 campaign for the presidency of the United Mine Workers of America. I enter this denial, whether that statement was made by Gitlow or anyone else now or at any other time.

"I am not a Communist, neither am I a Communist agent, as alleged, and never have been. I am and always have been opposed to the philosophy of communism. No one knows this better than the Communists themselves. If at any time they have expressed approval and apparently supported views and policies for which I have stood, they have done so without the advice, consultation, or permission from me.

"If you will have this letter read before your committee and placed in its proceedings, I will consider that some little amends have been made for propagating the wild, lying, and slanderous statements about me which have emanated from your committee room." The letter was signed "JOHN BROPHY."

"The CHAIRMAN. A certified statement from the minutes showing that to John Brophy had been set aside money for the campaign?

"Mr. GITLOW. Yes, surely; and I want to read additional proof of that, of the relationship of Brophy to the Communist Party. * * * I want to point out how closely Brophy worked with the party" (vol. 7, p. 4703).

Mr. Gitlow further testified that he had "minutes of the trade-union committee of the central executive committee of the Communist Party, May 23, 1927," from which he read the following: "Comrade Johnstone reported that in his conference with Brophy he (Brophy) had promised to issue a statement * * * claiming that he was elected president of the union." Mr. Gitlow then read minutes of the political committee of May 5 on the question of mining. "Report by Comrade Foster on the conference held with Toohey, Hapgood, Foster, and Brophy. The election outcome was discussed and Brophy is convinced that he was elected but that Lewis stole the votes. * * * Motions by Foster. * * * (3) That the mining committee immediately begin to conduct an investigation through party and sympathetic sources in the various mining districts to unearth the fraud perpetrated in the elections. * * * That these D. C.'s (district organizers of the party) should immediately elect a committee to investigate the situation in their districts. * * * (5) That the mining committee take up the problem of developing a committee around Brophy to conduct the investigation in the campaign. * * *

"The statements he (Brophy) issued were all worked out, as you see here—all the policy, all the strategy, all the statements were worked out by the central executive committee of the Communist Party. * * *"

"Brophy was not, as I told you in the beginning, a member of the Communist Party, and never was a member of the Communist Party, but he was one who worked under the directions of the Communist Party" (vol. 7, pp. 4724 and 4725).

On September 30, 1939, Joseph Zack of the garment workers union testified as follows concerning John Brophy:

When asked by a committee investigator whether he was acquainted with John Brophy, Mr. Zack answered that he knew him slightly and continued: "He was working

very closely with the party back between 1925 and 1928. At that time there was an internal fight in the United Mine Workers, and the Comintern invested tremendous amounts of funds to put John L. Lewis out. At one time Brophy was running for president against John L. Lewis. His campaign was organized entirely and directed by the Communist Party." Mr. Zack, who had testified that he joined the Communist Party at the time it was first organized in 1919, further stated that the Communist Party financed that campaign, that it was financed "at least 90 percent out of resources obtained by the party and the Comintern. While I was in Moscow, representing the Foster faction, I was called to the Comintern Building and asked by men then in charge of financial subsidies, one by the name of Melinchansky, whether we would approve the Comintern sending an additional $50,000 for a campaign inside of the United Mine Workers, in view of the factional situation in the party here. They suspected that Lovestone wanted to use it to bolster up his faction instead of using it for the fight in the United Mine Workers."

Committee Investigator Whitley then asked the question: "* * * you would say that during the period you refer to, Mr. Brophy did follow the party line of the Communist Party very closely?" To which Mr. Zack answered in the affirmative (vol. 9, p. 5457).

On October 13, 1939, Maurice J. Malkin, of New York City, who identified himself as having been a member of the Communist Party since its inception in this country in 1919 testified that John Brophy "was very close to the party but not a member of the party, that I know of, although he received full support of the Trade Union Educational League and of the Communist Party at that time" (vol. 9, p. 5794).

EMIL RIEVE, LABOR MEMBER, CIO

Emil Rieve, president, American Federation of Hosiery Workers, was one of those who signed a letter to the President of the United States, urging that the Neutrality Act be amended so as to render it inapplicable to Spain, as shown in the Daily Worker of February 16, 1938 (p. 2); the letter was prepared and released by the American Friends of Spanish Democracy, cited as a Communist-front organization by the Special Committee on Un-American Activities (Report 1311 dated March 29, 1944).

A press release of the American Youth Congress named Emil Rieve, president, Federation of Hosiery Workers (AFL), as having endorsed the American Youth Act, sponsored by the American Youth Congress, cited as having been formed in 1934 and "controlled by Communists and manipulated by them to influence the thought of American youth." (Attorney General Francis Biddle, CONGRESSIONAL RECORD, vol. 88, pt. 6, p. 7444.) The American Youth Congress was cited as a Communist-front organization in reports of the special committee * * * dated January 3, 1939; January 3, 1941; June 25, 1942; and March 29, 1944. Attorney General Tom Clark cited the American Youth Congress as subversive and Communist in lists furnished the Loyalty Review Board. (Press releases of December 4, 1947, and September 21, 1948.)

Identified as vice president of the CIO and president, Textile Workers' Union of America, Emil Rieve was named as a member of the CIO delegation to the Soviet Union in 1945, according to a report of the CIO delegation to the Soviet Union (pp. 1 and 6); as shown in this report, the delegation of CIO representatives attended the convention of the World Federation of Trade Unions in Paris, and proceeded to the Soviet Union upon the conclusion of this convention, arriving in Moscow on October 11 and remaining there until October 19.

The World Federation of Trade Unions, formed at the Paris meeting in 1945, was cited as Communist-infiltrated by the Committee on Un-American Activities in the pamphlet "100 Things You Should Know About Communism in Labor," released in December 1948. It had previously been cited as an auxiliary of the Communist International in Report 271 of the Committee on Un-American Activities, April 17, 1947. In the report on the Congress of American Women, issued by the committee on October 23, 1949, the World Federation of Trade Unions was cited as part of a solar system of international Communist-front organizations which have been established in recent years.

In connection with his testimony concerning the World Federation of Trade Unions, Mr. Walter S. Steele, in hearings before the Committee on Un-American Activities on July 21, 1947, submitted a list headed "Reds on Labor Front" containing the names of delegates who attended the Paris meeting. Emil Rieve was one of the delegates from the United States who was named on this list. (Public hearings, July 21, 1947, pp. 165 and 166.)

With reference to the affiliation of the CIO with the World Federation of Trade Unions, it should be noted that the New York Times of January 20, 1949 (p. 31), reported that the Congress of Industrial Organizations had abandoned the World Federation of Trade Unions. The British Trades Union Congress and the Dutch Federation of Labor were reported to have taken similar action. The three groups denounced the World Federation of Trade Unions as "a Communist propaganda agency." A formal announcement of the CIO's disaffiliation with the World Federation of Trade Unions appeared in the CIO News of May 23, 1949 (p. 8).

JOSEPH CHILDS, LABOR MEMBER CIO

A statement of the Civil Rights Congress, opposing "red-baiting" and "attacks on Communists," was signed by one Joe Childs, identified as president, local 9, United Rubber Workers, Akron, Ohio (from the Daily Worker of May 25, 1947, p. 10.)

The Civil Rights Congress has been cited as an organization formed in April 1946 as a merger of two other Communist-front organizations, International Labor Defense and the National Federation for Constitutional Liberties. It was "dedicated not to the broader issues of civil liberties, but specifically to the defense of individual Communists and the Communist Party" and "controlled by individuals who are either members of the Communist Party or openly loyal to it." (Report No. 1115 of the Committee on Un-American Activities dated September 2, 1947.) Attorney General Clark cited the Civil Rights Congress as subversive and Communist. (Press releases of December 4, 1947, and September 21, 1948.)

BENJAMIN SIGAL, LABOR MEMBER, CIO

The New York Times of September 21, 1947 (p. 16), reported that one Benjamin C. Sigal was an attorney for the United Shoe Workers, cited as one of the unions in which Communist leadership was strongly entrenched at that time. (Rept. No. 1311 of the Special Committee on Un-American Activities dated March 29, 1944.)

In testimony of Benjamin C. Sigal before the Committee on Un-American Activities, he stated that he was chairman of the Washington Chapter, Americans for Democratic Action. He gave his address as 6301 Sixteenth Street NW., Washington, D. C. He appeared in behalf of the organization to protest against passage of H. R. 7595. (Hearings on legislation to outlaw certain un-American and subversive activities, pp. 2173–2179.)

Benjamin C. Sigal, 1025 Vermont Avenue NW., Washington, D. C., appeared before this committee August 9, 1949, as counsel for Charles Edward Copeland, William Henry Peeler, Blair Seese, and Stanley E. Glass, who were members of Local 601, United Electrical, Radio, and Machine Workers of America, CIO. (Hearings regarding Communist infiltration of labor unions, pp. 580–595.)

NATHAN P. FEINSINGER, PUBLIC MEMBER

The Newsletter of the National Lawyers Guild for July 1937 (p. 2) named N. P. Feinsinger, of Madison, Wis., as a member of the guild's committee on civil rights and liberties. The Lawyers Guild Review, volume VII (pp. 19–22) contains an article by Nathan P. Feinsinger.

The National Lawyers Guild was first cited as a Communist-front organization by the Special Committee on Un-American Activities in its Report No. 1311 of March 29, 1944 (p. 149). The Committee on Un-American Activities in 1950 issued a separate report on the National Lawyers Guild, citing it as a Communist front which "is the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions," and which "since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents." (H. Rept. No. 3123, September 21, 1950, originally released September 17, 1950.)

ELI L. OLIVER, LABOR MEMBER STEEL PANEL, AFL

International Labor Defense. Vito Marcantonio was president of the organization in 1939. Oliver sent individual greetings to national conference in July 1939, held in Washington, D. C. His name was thusly listed among others that sent similar greetings and included Harry Bridges, Ben Gold, Dave Lasser and Johannes Steel and Col. Vladimir S. Hurban, Czechoslovakian Minister to the United States.

Special committee report of 1939 states, "According to documents published by the International Labor Defense, it is the American Section of the MOPR or the Red International of Labor Defense." (Reference House Rept. No. 2, January 3, 1939, p. 75.)

The ILD rallied to the defense of Mrs. Earl Browder when she was scheduled for deportation for entering the United States as a Soviet agent by use of a fraudulent passport.

"The International Labor Defense * * * was part of an international network of organizations for the defense of Communist lawbreakers." (Committee on Un-American Activities, Rept. No. 1115, September 2, 1947, pp. 1 and 2.) It was cited as the "legal arm of the Communist Party" by Attorney General Francis Biddle (CONGRESSIONAL RECORD, vol. 88, pt. 6, p. 7445) and was similarly cited by the Special Committee on Un-American Activities (Reports, January 3, 1940, pp. 75–78; also cited in Reports, January 3, 1940, p. 9; June 25, 1942, p. 19 and March 29, 1944, p. 69). Attorney General Tom Clark cited the International Labor Defense as subversive and Communist. (Press releases of June 1 and September 21, 1948.)

HARRY SHULMAN, PUBLIC MEMBER STEEL PANEL, CHAIRMAN 4 PANELS

A 1939 membership list of the National Lawyers Guild contains the name, Harry Shulman, Yale School of Law, New Haven, Conn.

The National Lawyers Guild was first cited as a Communist-front organization by the Special Committee on Un-American Activities in its Report No. 1311, March 29, 1944 (p. 149). The Committee on Un-American Activities in 1950 issued a separate report on the National Lawyers Guild citing it as a Communist front which "is the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions" and which "since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents."

(H. Rept. No. 3123, September 21, 1950, originally released September 17, 1950.)

The call for a National Emergency Conference lists Prof. Harry Shulman as one of the signers of the call for that conference which was held in Washington, D. C., May 13 and 14, 1939.

Report No. 1115 of the Committee on Un-American Activities (September 2, 1947, p. 12) states: "It will be remembered that during the days of the infamous Soviet-Nazi pact, the Communists built protective organizations known as the National Emergency Conference, the National Emergency Conference for Democratic Rights, which culminated in the National Federation for Constitutional Liberties." The National Emergency Conference had previously been cited as a Communist front by the Special Committee on Un-American Activities. (Rept. No. 1311, March 29, 1944, p. 49.)

RALPH SEWARD, PUBLIC PANEL MEMBER, STEEL CASE

A letterhead of the International Juridical Association, dated May 18, 1942, shows Ralph Seward, District of Columbia, as a member of the organization's national committee. An undated leaflet. What Is the IJA?, issued by the organization, lists Ralph Seward, New York, as a member of its national committee. The Daily Worker, July 13, 1936 (p. 4), reported that Ralph Seward was an International Juridical Association representative on the Rakosi defense.

The International Juridical Association was cited as a Communist front and an offshoot of the International Labor Defense by the Special Committee on Un-American Activities (report, March 29, 1944, p. 149), and as an organization which "actively defended Communists and consistently followed the Communist Party line" by the Committee on Un-American Activities. (Rept. No. 3123, September 21, 1950, originally released September 17, 1950, p. 12.)

THOMAS COMAN, PUBLIC MEMBER

According to Mr. Coman's testimony before the House Education and Labor Committee, he was at one time a member of a union affiliated with the CIO.

RALPH SEWARD, PUBLIC PANEL MEMBER, STEEL CASE

Testimony of Ralph Seward, public member, before the House Committee on Education and Labor, also established his membership in the National Lawyers Guild, cited as Communist front.

JOSEPH CHILDS, LABOR MEMBER, CIO

The statement of the Civil Rights Congress described in the reference to Joe Childs, labor member, consisted of a petition to abolish the House Committee on Un-American Activities.

Mr. SHELLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Lucas amendment will destroy that which is a contribution toward labor stability and industrial peace. Labor always resents intervention by Government in labor relations, but in times of emergency and national stress has agreed to Government intervention and has participated and joined with Government and management in setting up bodies or formulas for guaranteeing to the public and to the country production of those materials which are necessary for the security of the country. Consequently a tripartite board was set up during World War II, the War Labor Board, and again under Executive order there was set up the Wage Stabilization Board as authorized by the Defense Production Act.

It was stated on the floor that the abolition of the present board and the adoption of the proposal made by the gentleman from Texas [Mr. LUCAS], would guarantee a better formula in that the public members would outweigh those of labor and industry. What you would actually do—and this was admitted by one of the Members who spoke previously in support of the proposal—you would have special pleaders sitting on the Board. Under a tripartite arrangement you have the public, with equal representation; you have labor, with equal representation, and you have management, with equal representation, listening to the case, exchanging ideas, and arriving at a decision. With a Board out of balance by a majority of public members, you would have partisan people, just simply special pleaders sitting on the Board for labor and management, and the entire case would be decided by the public members who would write a policy representing Government views, and then you would have Government really running the labor relations in this country. In effect you have established, whether you recognize it or not, a form of compulsory arbitration—something which neither labor nor management wants or will accept.

The very proponents of this measure outside of this hall and some inside of this hall, I recall, have argued over the years against Government intervention in handling labor disputes. However, we are faced with a national emergency due to a threat to our existence as a country and therefore the responsibility is on the Congress to continue a fair formula which, without injuring labor or management will insure a continuous flow of goods necessary for the security of the country.

Now let us look at the other formulas proposed. Simply because the Wage Stabilization Board arrived at a decision in the steel case, which is distasteful to the steel companies, and to those who do not want to see labor have any security clause in any of their agreements, a renewed and intensified effort to use the Congress of the United States to further handcuff and strait-jacket labor on its side of the bargaining table is being made. The proposal advanced by my friend the gentleman from Texas has been before the House twice before and refused passage. Since the decision in the steel case the drum-beaters have gone to work using every trick known to make the Wage Board impotent or to abolish it.

Now let me tell you some few things about collective bargaining. You do not proceed just on the wage issue. The minute you set aside the wage issue, and the Board's right to determine the dispute is narrowed to that single feature, you have destroyed collective bargaining. You may have vacation issues, you may have holiday issues, you may have various seniority issues, you may have rehiring issues under seasonal lay-offs, you may have your grievance board procedure as an issue, and you may have starting time issues. In some industries some of the greatest issues arising, in the distribution of milk for example, are whether the men shall start at 4, 5, or 6 a. m. I have sat in bargaining and negotiating meetings where they argued for weeks trading off and bargaining between the management and the labor men as to whether a wage increase might be granted if their starting time was left as is or whether the wage increase asked for should be compromised and cut back if the starting time, for instance in the distribution of milk or bread or such products, was changed from a 4 a. m. starting time to a 6 a. m. starting time.

When you say this Board shall simply be a board that shall decide what the wage shall be, you destroy the efficacy and the efficiency of collective bargaining around the table between the parties.

The whole idea behind the Wage Stabilization Board and the wage-stabilization program is a recognition of the need for insuring the flow of goods needed by the country in this time of danger. If it were not for that need, labor would never accept a Government stabilization system. But labor is now assuming its responsibility to the country and has cooperated with the Board. The Board was set up to provide a medium for preventing strikes—to give labor and management a medium through which they could work out the disputes which arise in every collective-bargaining situation. Up until now it has effectively served to eliminate or reduce the possibility of strikes in critical situations.

But with the Lucas amendment the Government will decide the wage issue and leave it up to the parties to decide all other issues. Labor's best bargaining point has always been its ability to trade wage concessions against concessions by the employers on other issues. When you take that power away from labor, you leave it no other alternative than to resort to the strike weapon to gain what it wants in any situation.

Oh, yes. Some gentlemen may say that in that case the President may or must use the Taft-Hartley Act. The answer to that is that Taft-Hartley does not solve anything and never will. All that it does is, by the injunctive process, force labor to stay on the job under duress and by process of law for 80 days. In the meantime, a fact-finding board has studied the situation and reported the facts. They can report the facts from now till doomsday, and they will not solve a thing if they have taken away from the parties the main method of coming to agreement—to give and take of the bargaining table and the trading of wage concessions and noneconomic concessions against each other. No, gentlemen, the Lucas amendment is not the answer.

Let us look at the Kearns amendment for a minute. The gentleman's amendment would simply abolish the Wage Board and leave a vacuum. Now, that is fine. It is exceptionally fine for labor. Labor does not want any wage board. It can get more without one. But the good, thinking people in labor know that you cannot have price controls and anti-inflation controls if you do not have wage controls. You cannot have one without the other, and the labor movement has

accepted its responsibility to the country in the emergency and gone along with the whole stabilization program. Again you are going to have strike after strike, and you will have Taft-Hartley boards on top of Taft-Hartley boards reporting facts but coming to no conclusions.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SHELLEY. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The chairman of the committee has served notice on all Members that he will object to any extension of time.

Mr. MULTER. By direction of the chairman of the committee, Mr. Chairman, I must object to this extension. I am sorry.

Mr. VELDE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the Kearns amendment. I shall also support the Lucas amendment, although I want to point out to the Members that if the Lucas amendment is adopted we shall not have a chance to vote on the Kearns amendment by itself, of course. If the Lucas amendment is adopted we will still have the taxpayers of this country paying some $15,000,000 to pay the salaries of the Wage Stabilization Board and all of the expenses that go with it. I think the taxpayers are also paying another debt when we consider all the trouble the Wage Stabilization Board has fomented to this day. So for that reason I do hope we are given an opportunity to vote on the Kearns amendment, which would abolish the board altogether.

Perhaps there are many motivating forces which cause a Member of Congress to vote a certain way. I suppose the most active motivating force behind my vote in committee to abolish the Wage Stabilization Board was the revelation by my good colleague from Illinois [Mr. VAIL], when he listed the Communist and left-wing affiliations of several members of the Wage Stabilization Board in testimony before our committee.

As a member of the Un-American Activities Committee I have come in contact with, and heard testimony from a great many Communist Party members and fellow travelers. A great many of the witnesses who come before the Un-American Activities Committee have affiliations with many different Communist-front groups as designated by the committee or the Attorney General. While it is true that a person may belong to a Communist-front group innocently, and while it is true that these front groups use names of prominent people as sponsors without their permission in many cases, it is likewise true that those who knowingly belong to Communist-front groups and further their philosophies do just as much damage to our free American institutions as the out-and-out Communist himself. I do not claim that any of the Wage Stabilization Board members are deeply enough involved in Communist activities to warrant an extensive investigation, but I do know that these members affiliating with left-wing and Communist-front groups are indoctrinated with a line of thinking from which they seldom deviate even though they have given up actual membership in a Communist organization. Let us take, for example, the association of the Board's Chairman, Mr. Nathan Feinsinger with the National Lawyers Guild. This organization has long been known as the legal arm of the Communist Party of the United States. The philosophy nurtured through the National Lawyers Guild certainly has come to the attention of Mr. Feinsinger and apparently Mr. Feinsinger has been greatly impressed with the guild's philosophy. He was so greatly impressed that he voluntarily served as a member of the guild's committee on civil rights and liberties. Sometime ago Mr. Feinsinger resigned from the National Lawyers Guild and is not now active in its work, but I believe that his past activities with, and on behalf of the guild, and the philosophy espoused by the guild has left an indelible impression upon him which still remains. In other words, the song is ended, but the melody lingers on.

The Communist-front affiliations of other members of the Wage Stabilization Board have likewise created in their minds, I am sure, a tendency in thinking that is certainly not in line with good sound principles of labor management relationships which has been established in this Nation today. It is regrettable that the President in selecting members of the Board did not first consult files of the FBI or the Un-American Activities Committee to ascertain the fitness of his Board members to carry out the work assigned to them in the American way. There certainly are thousands of men and women throughout this Nation who would be qualified to serve on such a Board and would not have any tinge of disolyalty such as has been brought out by our committee hearings.

I do believe that the vote of 16 to 5 to abolish the Wage Stabilization Board in our Education and Labor Committee is a clear-cut expression of no confidence in the Board.

Actually the Board has stimulated inflation and fomented labor disputes rather than preventing or settling them. While we have separate agencies charged with the respective responsibilities of stabilizing wages and prices they have been in "cahoots" with each other in a scheme to spring the spiral of inflation higher and higher.

First, the Board stirs up industrial strife by encouraging union leaders to make excessive demands. Then the Wage Stabilization Board comes up with a recommendation meeting these demands to the letter. The pattern is then set and collective bargaining is thrown out the window. And finally, to complete the vicious cycle, the Office of Price Stabilization gets ready for a deluge of requests for increase in prices, makes a token effort to depress the requested increase, but gives in just about the time the Wage Stabilization Board across town is ready to make another recommendation in some other industry's wage dispute.

Abolishment of the Wage Stabilization Board altogether will certainly strike at the very heart of the Nation's most serious domestic problem of the day. Collective bargaining would again be brought into play, and I am confident that labor and management can work out their differences amicably around the bargaining table with no Federal interference, if only given a chance to do so.

Personally, I am for throwing off the shackles of both wage and price controls. This country did not rise to a position of world leadership when it was hog-tied with Federal controls and regulations, or subject to the whims of boards, bureaus, commissions, and agencies. It made its greatest and most notable growth when the individual citizen was allowed to produce and work where he wanted for what he wanted in a free competitive market.

We owe it to our country and our fellow men to put the Congress on record as favoring a return to the truly American system of doing things. Away with the WSB, the OPS and all the rest. Join with me in a vote for freedom.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have the definite conviction that the adoption of the Lucas amendment will surely tend to increase disputes between management and labor, definitely promote strikes, definitely upset the economy of the country, and definitely have a very harmful effect upon the good relations that may have been established between management and labor, a goal toward which all have been working for the last few years.

Since the establishment of the present Wage Stabilization Board, we have not had in the Congress of the United States, or in the newspapers, magazines, and other media of communications, any great objections to anything that the Board has done. It seems to me that the country as a whole felt that the Wage Stabilization Board, by its settlement of thousands and thousands of disputes without a strike, was well satisfied with the way they were operating, and that complaints about the Wage Stabilization Board came only after it rendered one decision which happened to be against the interest, perhaps, of the management of the steel industries.

Mr. Chairman, I have read this so-called Lucas amendment very, very carefully. I want to say to you that there are very many issues just as important which cause strikes as the issue of wages alone. Aside from the matter of the union shop, there is the question of paid vacations, and the question of differentials in pay for night work and day work, and the question of how many paid vacations there might be during the year, and the question of a welfare or pension plan. Many of the workers, in fact a majority of them, care more about a pension plan, which will take care of them in their old age, than they do about a little difference in wages. It is doubtful to me, under the wording of this Lucas amendment, whether or not the Board could take cognizance of such disputes because it does

not say so definitely. If you read it carefully, you will find this provision as to what the Board is to do. Recommend to the Economic Stabilization Administrator and formulate such general policies and general regulations relating to the stabilization of wages. They are to recommend to the Wage Stabilization Administrator; but, it does not say what shall be done in case their recommendations are not followed. It gives no authority to anybody to really do anything worth while. In addition to that, Mr. Chairman, just imagine this: The term of the public members is only 1 year. Where are you going to get reliable and able, efficient, and honest members to serve on a board to leave whatever positions they now have in life for the uncertain term of 1 year at a salary of $15,000? Then at the end of 1 year, they would have to come before the other body for confirmation again. We realize the difficulty this Government is having right now in obtaining efficient administrators. Why, we will have a board which few people would have any respect for, in my opinion. Perhaps there might be enough patriotic citizens who would stand the abuse that would naturally come to them if they failed to decide and recommend what some Members of the Congress, or some editors of some newspapers, would think was a correct decision. I do not know many Members of Congress who would want a position like that; some might take it as a patriotic duty, but I do not think we ought to put ourselves in a position of asking persons to accept a salary of $15,000 and be subjected to the abuse they would naturally be subjected to.

My idea, Mr. Chairman, is very definitely that the Lucas amendment if adopted will contribute to unsettled labor conditions and strikes in this country.

Mr. FORAND. Mr. Chairman, I move to strike out the last word.

We cannot discuss the question of a tripartite wage board in a vacuum, and expect to arrive at a result which will work under present conditions. Let us, therefore, examine the issue in the proper frame of reference.

We have recognized collective bargaining as a means of dealing with labor-management problems. It is the law of the land, and we have machinery under the National Labor Relations Board to facilitate negotiations. However, under normal circumstances when collective bargaining fails, the parties use the economic weapons they command to enforce their demands. Whether it is a strike by labor or the employer's lock-out, it results in an interruption of production. It is precisely this interruption which we must avoid during the critical period facing us today.

The law of supply and demand is not equitable or workable when we are producing arms for the whole free world. We accept the necessity of some regulation on our economy when we enacted the Defense Production Act, and we expect our citizens to live and work under this regulation for the duration of the emergency.

I am convinced that public acceptance, insofar as wage stabilization is concerned, must be attributed in large measure to the labor and industry members of the Wage Stabilization Board. The parties most affected know that they can expect not only fair treatment, which would, of course, also be accorded by an all-public member Board, but a practical examination of their problems and workable solutions by men personally experienced in dealing with the same problems. The result is that both labor and management will accept WSB decisions and cooperate in carrying them out. This is true even though lots of those decisions say to the boss, "You cannot give the wage increases you want to," and to the worker, "Your Government will not let you receive a wage increase even though your employer wants to give you one." Without a tripartite board we might have seen a lot of strikes against unpopular Board decisions, and a lot of employers paying more than the law allows.

The primary responsibility of the Wage Stabilization Board is, of course, wages, which we may, in the heat of this moment, overlook. On the question of wages the tripartite character of the Board shows to best advantage. The Chairman of the Wage Stabilization Board, a most respected public member, Nathan P. Feinsinger, in discussing the disadvantages of an all-public board, said:

> Perhaps even more important is the risk that public members, acting without the guidance of labor and industry, will make rulings which may be more academic and theoretical than realistic, either on the up side or the down side.

His argument in favor of a tripartite board as a method of stabilizing wages is emphasized by the statement of CIO President Phillip Murray in a letter to Senator MCFARLAND, in which he states:

> It must be remembered that the principal function of the Wage Stabilization Board is not to settle disputes but to determine whether wage increases which employers have agreed to pay can be put into effect consistently with our stabilization policy. Such a program is difficult for labor to swallow at any time. It will be virtually impossible for unions to cooperate in such a program if they are to be denied any voice in the discussion and decision of stabilization issues. Even the industry members of the present Wage Stabilization Board have recognized, in a public statement issued on June 27, 1951, that a tripartite system is a highly desirable system of administering wage stabilization.

The AFL's executive council has likewise informed Congress that it would find it impossible to cooperate in a stabilization program on which labor was not represented.

This is the frame of reference I referred to at the beginning of my remarks—a board which functioned well for more than a year, was respected by the public, and was effective in its work. Opposed to this is the proposal for an all-public board which we already know will incur the animosity of labor, and will probably therefore be unable to accomplish its job. The choice, if there is a choice at all, is plainly one in favor of the present tripartite Board.

Mr. MCCONNELL. Mr. Chairman, I rise in favor of the Lucas amendment.

Mr. Chairman, I rise in support of the Lucas amendment, and in doing so I wish to commend my colleague, the gentleman from Pennsylvania [Mr. KEARNS], and what he is attempting to accomplish.

I think the present Board should be abolished, but I also wish to be realistic. I realize that Congress may in its wisdom decide to continue price and wage controls, and, therefore, there will be an agency to deal with wages; and I wish to be sure that that agency is restricted in certain ways.

This debate has a very familiar ring to me. I am not a recent convert to the idea of throwing out the present type of Wage Stabilization Board, or depriving it of its rights to settle labor disputes. A year ago I supported the Lucas amendment and predicted many things which have since taken place.

One objective of the Lucas amendment is to abolish the present Board and reestablish another Board; instead of an equal tripartite board we provide in the Lucas amendment for an unequal tripartite Board; in other words, we have representatives of industry, labor, and the public on the Board, but we say that at all times the public members should exceed the combined total of labor and industry representatives.

We also say that the Board shall not have the power to make recommendations in labor disputes; we restrict them entirely to the promulgation of policies and regulations dealing with wage matters, and if labor disputes arise which do not involve wage regulations we also say that the President shall use existing laws or laws hereafter enacted by the Congress for the settlement of labor disputes.

We also say that the public members of the Wage Stabilization Board shall be confirmed by the Senate.

Mr. Chairman, I have always contended that it is impossible to have an existing Board settling labor disputes and at the same time handling real stabilization of wages and of our economy in this country; I also say that if the Board has the power to make recommendations in the settlement of labor disputes and that Board is a permanent Board set up in advance so that each party can know the membership and the type of thinking of that Board it will definitely weaken collective bargaining and weaken the efforts of the Mediation and Conciliation Service of this country. It is very possible that you will have strikes under such a set-up, but as long as they are strikes that do not affect the health, welfare, or safety of the Nation I see no reason why they should not continue, for the simple reason that they provide a very powerful incentive for the parties to settle their differences themselves. If they know there is a Board waiting at the end both parties will have a tendency to hold off on collective bargaining until they get the decision from that Board.

Summing it all up, I think we should vote for the Lucas amendment. That will be the first vote. If you decide to vote against the Lucas amendment with the thought that you will eventually get

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to the Kearns amendment, we may very easily end up with both amendments being defeated. It seems to me very logical that if we are going to have prices and wage controls continued in this Nation—and it looks as though that might occur—then we should have certain provisions set up ahead of time for the new agency.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. KERSTEN of Wisconsin. I would like to ask the gentleman if in the provision for union representatives there is also provided representation of independent unions?

Mr. McCONNELL. Yes; the Lucas amendment provides for representation on the tripartite board among the labor representatives for a representative of the independent unions.

Mr. MADDEN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise in opposition to the Kearns amendment or the Lucas substitute. This legislation will cripple and in effect abolish the Wage Stabilization Board.

I want to touch on something that occurred to me in the last day or two when the gentleman from Virginia [Mr. SMITH] and the gentleman from Texas [Mr. LUCAS] served notice that they were going to offer these amendments. I reflected back to the spring of 1947 when I was a member of the Labor Committee. I spoke on the floor of the House at that time against the Taft-Hartley law and called the attention of the Members to a well organized propaganda program that was being led by the forces behind the Taft-Hartley law.

When our committee met and held hearings on the Taft-Hartley Act for several weeks we had moving-picture cameras, klieg lights, and dozens of newspaper reporters present each in order to build up sentiment and excite public opinion all over the country for the passage of the Taft-Hartley law. I am not going to review what that law has done. I remember Members on the floor of the House at that time stated that if the law were enacted we would go into a real millennium in labor management relations. All labor management disputes would be immediately settled or never arise.

What has happened? We have had more strikes and more disputes and more work stoppages under the Taft-Hartley law than we had in any year before the Taft-Hartley law with the exception of the year 1946 when all labor union contracts came up for negotiation after the shooting war stopped.

When President Truman vetoed the Taft-Hartley law he stated it would lead to confusion, chaos, and cause bitterness between management and labor. What he said has proven to be an absolute fact.

Examine the reason for these antilabor amendments.

The reason this legislation is on the floor of the House is because of the fact that the steel mills are tied up. I made a remark the other day on this floor that steel management has made no effort whatsoever to honestly bargain collectively. There is no doubt in my mind but what steel management, and maybe other interests, have for 5 months carried out a well-thought-out plan. To my mind the program called for delay and stalling in the collective bargaining and eventually close the mills. Steel management has spent hundreds of thousands of dollars in full-page newspaper advertisements and radio to build up public opinion for antilabor legislation.

I see in this morning's Washington papers full-page ads regarding the steel dispute, paid for by steel management. Incidentally, these ads, as you know, are deductible from Uncle Sam's tax and most of the cost paid for by the American taxpayers. They are building up this propaganda in the same manner as the propaganda was built up for the Taft-Hartley law. Let me say to the gentlemen on the left side of the aisle that it took only until the presidential election following the Taft-Hartley law for the people of America to place their stamp of disapproval on shackling labor legislation. Millions of men and women are working in this country trying to win the war, millions of men and women are being penalized by the Capehart amendment and the Herlong amendment that were tacked on to the stabilization law last year. With industries making terrific profits, the Capehart amendment and the Herlong amendment had to be attached in order to get additional profits out of the millions of consumers in this country. To my mind that is one of the main reasons why we are having the steel labor trouble today. To my district, before the strike, and more so now, steelworkers with families would not have enough money to pay rent, buy groceries, clothing and have the ordinary necessities of life. Now why capitalize on this steel strike in order to shackle union labor with this kind of legislation?

Mr. Chairman, there seems to have been general agreement that the record of the Stabilization Board, both in stabilizing wages and in resolving labor disputes, was very good prior to the steel case. For my own part, I am not convinced that the Board's recommendations in the Steel case do not offer a sound basis for settlement of the present steel controversy. However, even if I thought otherwise, I would still be unwilling to discard the accomplishments of this Board because of its failure in a single case.

After all the Steel case is only one of many which have come to the Board. In other cases, the Board has succeeded in bringing about settlements of disputes, and it has succeeded in securing an immediate resumption of production while the cases were being considered. If the Board were designed to provide the final answer in all cases, it might be reasonable to urge its abolition because of its failure in a case as important as the Steel case. However, the Board's procedures are not exclusive, but are intended merely to provide an additional means for assisting disputants voluntarily to settle their differences. I have heard no one urge that we abolish the Federal Mediation and Conciliation Service because it sometimes is unable to prevent a break-down in negotiations. Why then should anyone urge that kind of treatment for the Board?

This Nation is presently in a period of defense mobilization. It is extremely important, therefore, that every effort and every means be exhausted to prevent or forestall strikes or lockouts which would interfer with vital defense production. If the WSB does fail in a particular case, I am not opposed to invoking the extraordinary remedy of injunction under the Taft-Hartley Act where it is applicable. But because I consider the injunction an extreme remedy, I do believe that it should be utilized. As long as the parties either with or without Government assistance are willing to postpone the test of economic strength and attempt to continue their efforts at negotiating a settlement, I think an injunction would be unwise and unproductive.

Mr. Chairman, I do not believe that what I have just said is inconsistent with the intent of the Taft-Hartley Act. That act is specifically limited to cases in which there is a threatened or actual work stoppage which creates national emergency. As long as the parties agree that there shall be no work stoppage while they are engaged in efforts to settle their differences, the Taft-Hartley Act should not be utilized. But once the work stoppage becomes inevitable, because the recommendations of the Board are unacceptable or the parties do not wish to refer the dispute to the Board for its consideration, then of course the Taft-Hartley injunction can be obtained. It is no more inconsistent not to invoke the Taft-Hartley Act while the WSB is assisting the parties in the solution of their disputes than it is not to invoke the Taft-Hartley Act during any other stage of collective bargaining.

The Board's record in dispute cases, as well as in stabilization cases, reveals a high regard for the principles of free collective bargaining, which is also one of the primary objectives of the Taft-Hartley Act. The Board recently decided a case which I think is indicative of its intention not to interfere with national labor relations policy. In that case the Board refused to issue a recommendation on the demand of the union for a multiplant or master agreement with a parent company on the ground that a WSB recommendation on this issue would be action inconsistent with the provisions of the Labor-Management Relations Act.

If the nature of the Board's disputes functions is understood, it will be evident that the Board is performing a very useful function, which is directly assisting our defense efforts. I don't see why there should be any pressure for abolition of the Board because of a disagreement with some of its recommendations. Its actions are purely advisory. Its authority is entirely supplementary to other means of settling labor disputes. It represents an extension of the method of collective bargaining

which is necessary because of the necessity of uninterrupted production during this critical period. Until something better is suggested, it would be dangerous not to provide the parties with this additional assistance in their efforts to voluntarily settle their disputes.

Mr. VURSELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had not expected to speak until I heard the last speaker. It is true we had a lot of strikes, prior to enacting the Taft-Hartley Act but they were brought about largely by the labor leaders, and conditions that forced the people of the Nation to appeal to the Congress of the United States to try to stop them and carry on a Government of the people, by the people, and for all of the people.

Furthermore, if there has been any failure of the Taft-Hartley law, in justifying its enactment by the Congress, and I think there has not—but, if there has been, it has been because of the misrepresentation from the first day it was passed by the labor bosses who did not want to see some of their power taken away from them that they exercised over the laboring man, and they did not want to see some of that power given to the Federal Government so that strikes could be legally delayed until a fair agreement and settlement could be made while the men had a right to continue to work if they so desire and not suffer financial loss. Their leaders misrepresented the Taft-Hartley law through their magazines. They never told them that there were 23 provisions in that law that were placed there for the very purpose of protecting millions of splendid men in the ranks of labor.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Indiana.

Mr. HALLECK. Since this question has arisen, and it has nothing to do with the pending amendment, but will not the gentleman agree with me that it is a fact that since the Taft-Hartley Act was enacted, there are a million more men in labor unions today then ever before? Wages have steadily increased; working conditions have been constantly improved; pension plans have been secured in abundance, and at the same time work stoppages have decreased as against the time before the act was passed. No workman has been enslaved. On the contrary, they have had their right to strike and have exercised it and have used the right to strike as is protected by the Taft-Hartley Act to improve their conditions.

If the gentleman will permit me one further moment, reference has been made to the steel controversy and to collective bargaining. I believe in collective bargaining. My friend, the gentleman from Indiana [Mr. MADDEN] believes in collective bargaining, but I say what sort of collective bargaining is it when Mr. Murray, representing the union, says "I want to sit down and bargain collectively" and then in the next breath says, "But you have got to take the recommendations of the Wage Stabilization Board without dotting an 'i' or crossing a 't'." To my mind that is not a genuine, honest effort to sit down and bargain collectively to settle a dispute. It is rather an acceptance of governmental decision and edict forcing compulsory arbitration on the parties, which it was never intended to be.

Mr. VURSELL. The gentleman is correct; and may I point this out, that the President joined with the labor bosses to use this law politically by helping to misrepresent this law from one side of this Nation to another.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I shall not yield. I know it is a little tough for the gentleman to take, but it is a fact that the President joined with the labor bosses to discredit this law apparently for political benefit and has continued to do so. They have not been able to destroy it. It has proved itself at long last as of great value to the rank and file of labor and to the Nation. They know that it is the best law that has been passed for labor in many years. Look at the election in Ohio where Senator TAFT won by 430,000 votes against the combined opposition of the labor leaders. The laboring men who had learned the facts about this law voted for TAFT.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Ohio.

Mr. VORYS. In that referendum of the Taft-Hartley law in Ohio, although the administration and labor bosses shot the works, TAFT not only carried the State by over 400,000 but he carried the great labor centers in Ohio. So the working people voted for TAFT.

Mr. VURSELL. All of the Members on both sides of this House want the laboring men and women to have steady employment, good working conditions, and wages as high as can possibly be justified. I realize, as do all Members of this House, the great and necessary contribution they make to the general welfare and the economic progress of our Nation.

None of us wants any injustice done to those who make up the rank and file of labor. They are as fine American citizens as we here who make the laws.

I, for one, do not want to see them misled as to our purpose here or the laws we enact in their interest and the interest of all our citizens.

You may deceive them for a while, but they will finally learn the truth. That is what has happened about the Taft-Hartley law. They know it is meant to protect their every legitimate right. That they can no longer be pushed around or coerced by labor management or by union management. They are free men now, and are an important cog in the wheel of free enterprise in a Nation that provides the highest standard of living in the world. Let us keep it that way.

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am going to attempt to change the subject a little if the House can stand it at this moment.

Mr. Chairman, we have under consideration here two amendments: One offered by the gentleman from Pennsylvania [Mr. KEARNS] and one offered by the gentleman from Texas [Mr. LUCAS]. The one offered by the gentleman from Pennsylvania embodies the recommendation of the Committee on Education and Labor which was the result of a resolution by the House directing and authorizing the committee to investigate the Wage Stabilization Board. I wish at this moment to report to the House that a thorough job was done.

It was not a biased investigation. One side was subjected to just as many questions as the other. Every member of the committee was extended the privilege of questioning without limit. There was no limitation on questions or the time for questioning.

We did the writing of the report in executive session. I would make no reference to the vote by which the report came out except for the fact that reference has been made to the nine Members who signed the minority report. In view of that, I will have to report to the House that there were not nine members who voted against the report when it was reported out. That is all I wish to say about that.

We inquired into the operation of the Wage Stabilization Board. I hope you have read the conclusions the committee reached. Many of those conclusions were not unanimous in the committee, so far as that is concerned, but if I gather the sentiment of the majority of the committee, and I can certainly speak as to my own sentiments, that Board did not render much service toward stabilization or in the interest of the promotion of collective bargaining.

The Kearns amendment says abolish it. The Committee on Education and Labor said abolish it. I think it ought to be abolished. I do not think anyone could sit down and read the some 5,000,000 words entered in the hearings and not reach that conclusion. But we are up against the very patent and practical proposition that if you abolish the Board and leave it blank you simply leave the door wide open for any kind of board that might be set up. I do not think it ought to be left that way. Personally, I am allergic to tripartite boards. I do not know where or why the idea originated. At the same time, I think the most practical solution of it, and the solution that is more acceptable to those who are familiar with the situation, would be the solution offered in the Lucas amendment.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Minnesota a very fine and useful member of my committee.

Mr. WIER. I would like to ask our chairman just one fair question.

Mr. BARDEN. And I will give the gentleman one fair answer.

Mr. WIER. The question I wanted to ask my chairman was one we debated at quite some length after the hearings were over and we went into executive session. I think it was universally accepted in our committee on both sides

that in reality the Wage Stabilization Board violated no law, no rule, or no regulation of government. Is that a correct statement?

Mr. BARDEN. I am sorry the gentleman brought that up. The thing that puzzled the gentleman was to try to find some language that would describe what they did do without using the words "violate the law." Is not that correct? That was our problem. You did not want to find the Board guilty of a crime.

Mr. WIER. My answer is no, they did not.

Mr. BARDEN. I wish the gentleman had not said that.

Mr. MULTER. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, it is really unfortunate that the Lucas amendment did not prevail and become part of the law when it was submitted to us last year, because if it had there would be no excuse left for those who are opposed to the Wage Stabilization Board today.

The Lucas amendment changes the equal tripartite structure of the Board. It does not eliminate, but seeks to limit the disputes jurisdiction to economic issues. That is the only real change in the Board's present operations.

If you adopt the Lucas amendment as it is given to you now, when you put more public members on the Board than labor and management together you will still have the public members controlling and giving a decision just as they did in the Steel dispute case.

I was brought up in the atmosphere of American fair play. Nothing ever turned my stomach so much as to be at a ball game and hear the mob rise up and yell, "Kill the umpire," because they did not like his decision.

That is what steel management and most of the members of this House are doing today. They are crying, "Kill the umpire," and that umpire in this instance is the Wage Stabilization Board. Why? Because the Wage Stabilization Board made the recommendation that the union shop clause should be part of the contract. Who started this cry of kill the umpire? The steel mill owners and managers who lost the decision. Did you hear one word from them against the jurisdiction of the Board on that issue when they went there and were discussing it and were presenting their case? Of course, you did not.

Let me call to your attention the testimony before our committee on the subject. Our very distinguished chairman asked the representative of the steel mills a question. I am quoting the chairman of our committee:

> They say that the steel companies waited until the decision came down before they made an objection; that they presented their case, but that they did not object to the jurisdiction of the Wage Stabilization Board until the judgment was rendered. Is that true?

The gentleman who was sent in by the steel mills to present their case to our committee said, "I do not know, but I will find out."

And he found out. Here is his answer as submitted after consulting with all of those representing the steel industry, and I now quote from his answer as it appears in the record of our hearings:

> No useful purpose would have been served if the companies had questioned the jurisdiction of the Board to consider the union shop issue in the steel case. Moreover, the companies knew that the recommendation of the Board on the union shop issue would not be binding. For both these reasons, Mr. John C. Gall, in his presentation of the companies' position on the union shop issue to the steel panel on February 8, 1952, stated, in response to a question, that the Wage Stabilization Board had jurisdiction to consider the issue.

Of course, the gentleman is right, who said there was no violation of any law, rule, or regulation by the Wage Stabilization Board in hearing the dispute and hearing both sides fully and fairly and then making their recommendation as they saw that the case demanded and required.

I think it was hitting rather low for at least one gentleman to rise on this floor and insinuate that the loyalty of some of the public members of the Board was questionable.

Mr. Chairman, it seems to me extremely appropriate at this time to clarify the record once again, with respect to the six public members of the Wage Stabilization Board and how they vote in Board decisions. These men—all of them—came to Washington at great personal and professional sacrifice to serve in the interest of their country. They are men of experience, skill, and judgment in the field of industrial relations. Yet, in the face of their unquestionable sincerity, their decisions have been greeted with base and baseless charges, rumors, and whispering campaigns to the effect that these men are prolabor to the extent that they vote solidly with the labor members of the Board, against the industry members.

Let us look at the record. Malicious reports, without the slightest foundation in fact, have been circulated conveying the impression that the public members were biased because some of them—who have served in prior years as neutral arbitrators, referees, umpires, or chairmen in the private settlement of grievances or other disputes between labor and management—received one-half of their fees and expenses from labor unions. These reports failed to point out that the other half was paid by the employers concerned. These reports also failed to point out that arbitrators are jointly selected by the employers and unions concerned because of their joint confidence in the experience, fairness, and impartiality of the persons so selected.

One of the Board's newest labor members, Mr. Joseph Childs, vice president of the United Rubber, Cork, Linoleum, and Plastic Workers of America, testified before the House Committee on Education and Labor a few days ago that—

> The Public-Labor alliance never has, does not now, and never will exist on this or any other tripartite wage board.

Mr. Childs testified also that as a reader of our daily press he had been informed that the Board was tripartite only in name, since the public members were really labor members in disguise. He then added:

> I found that a little hard to swallow, inasmuch as I had worked with some of these men on the old War Labor Board and there are limits to changes that can take place in grown men within a period of seven short years.

Let us look at the record again. The CIO Marine and Shipbuilding Workers had asked the Todd Shipyards Corp. of San Pedro, Calif., for 22 cents an hour increase in wages. The company offered 5 cents an hour. The Board, by an 8 to 4 vote, with labor members dissenting, recommended 5 cents an hour, hardly a prolabor decision.

In another disputes case handled by the Board, some 17,500 members of the UAW-CIO were asking 13 copper and brass companies for 15 cents an hour wage increase, plus an escalator clause, an annual improvement factor of 4 cents, and fringe benefits. A panel appointed to study the facts came up with a recommendation of a flat 15 cents. When the Board voted—8 to 4, labor again dissenting—the public members and the industry members recommended an 11-cent increase.

By taking only these two cases—and there are others, I might point out—we could draw the same erroneous conclusion that the critics of the public members have done, but this time the shoe would be on the other foot. We could deduce—albeit erroneously—that there is collusion between industry and public members to gang up against labor. Of course, nothing could be further from the truth.

The facts are available for anyone to see, if they are interested in facts. The votes on policy regulations and resolutions of the Wage Stabilization Board, votes in the Board's review and appeals committee, votes on other disputes cases, and various other kinds of data which can be obtained from the public record, do show that public and industry members have voted together many times.

But this is not to say that any collusion or solid voting alliances exist. What these facts do is not only to throw the lie in the teeth of the public member critics but, at the same time, demonstrate the absence of any alliance between any two groups on the Wage Board. The Board's voting record shows labor-public majorities, industry-public majorities, and even labor-industry majorities, but the overwhelming number of the Board's decisions are unanimous. This is how the tripartite system works—the system that some people are trying to abolish.

Let us look at the record again. Well over 99 percent of the cases which come before the Board are voluntary petitions, in which the employer, or the employer and the union jointly, seek approval of a wage increase. In these cases, the Board has been unanimous in over 90 percent of its rulings. Of the 21 regulations adopted to date by the Board, 16 were adopted by unanimous vote. The record is replete with further evidence of cooperation among the labor, industry, and public members of the Board. But you must go to the record

to find it. It will not be found in the public statements made by critics of the Board. From my point of view, the record of the Wage Stabilization Board, despite the uncertainty and unrest of the times and the extreme pressure of partisan groups, is one of which we can all be proud, and the facts support my sentiments.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude at not later than quarter of five.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. FULTON. Mr. Chairman, I object; rather, I reserve the right to object.

Mr. SPENCE. Mr. Chairman, I move that all debate on this amendment and all amendments thereto conclude at not later than quarter to five.

Mr. FULTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FULTON. Mr. Chairman, I believe I had been recognized on my reservation of objection.

The CHAIRMAN. The gentleman from Kentucky can make a motion any time he desires. The Chair recognized him for that purpose.

The question is on the motion made by the gentleman from Kentucky.

The motion was agreed to.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. How much time will that allow each Member desiring to be heard?

The CHAIRMAN. Approximately 2 minutes each.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan.

There was no objection.

Mr. RABAUT. Mr. Chairman, I desire to raise my voice in behalf of the disputes functions of the Wage Stabilization Board.

It seems to me that the arguments raging over the disputes function of the Wage Stabilization Board ignore some very fundamental issues. I would like to bring these to light.

The WSB has done a fair, equitable and stabilizing job day in and day out, despite the critics of its steel recommendations, despite the absence of the patriotic stimulus of an all-out war, and despite the absence of subpena powers, powers to issue directives instead of recommendations, and a no-strike, no-lock-out pledge on the part of labor and management. These assets once belonged to the World War II War Labor Board, yet the stabilization record of the present Board is as good as that of its predecessor for comparable 6-month and 12-month periods.

If the disputes functions are removed from the Wage Stabilization Board, to whom will dispute cases then be referred? To another agency? If so, what purpose does this serve other than to bring about more instead of less governmental interference in collective bargaining and destroy the principle of "voluntarism" by which parties accept the Board's recommendations in disputes cases. In the Board's current handling of dispute cases you see no case of forced acceptance, no evidence of compulsory arbitration.

I might remind my colleagues in the House that the President has never invoked the authority conferred on him by title V of the Labor Disputes Section of the Defense Production Act, which provides for an agency with the full powers of the old War Labor Board. Instead, the President chose to act on the advice and recommendations of the National Advisory Board on Mobilization Policy and confer a limited disputes jurisdiction upon the Wage Board.

The Board can only make recommendations in disputes cases, and then in only two situations. It can hear disputes cases when the parties jointly agree to submit their case to the Board and when the President certifies the dispute to the Board because it threatens the progress of national defense.

Proposals before the Congress now tend in the direction of compulsory arbitration, extended use of injunctions, and the use of seizure. It is difficult for me to understand how the supporters of such bills can criticize the Board in the conduct of its disputes authority. Until the Board's recommendations in the steel case, the record of the Board was satisfactory to all concerned. Then, overnight, the Board grew horns. Is the Board to be condemned for its integrity in facing up to its responsibilities because a major segment of American industry was hostile to the Board's recommendations?

I would like to summarize, for emphasis, the Board's position with respect to disputes cases. The Board cannot act on its own motion but only in cases certified by the President or voluntarily submitted by the parties. In cases certified by the President, the Board can only make recommendations for a fair and equitable basis of settlement. In cases submitted by the parties, the Board can make recommendations or decisions, as the parties wish. The Board has no subpena powers and its recommendations are not legally enforceable. In addition, the Executive order conferring disputes authority on the Board also prohibits the Board from taking any action inconsistent with any applicable laws, including the Taft-Hartley Act, and requires that any wage action taken by the Board "shall be consistent with stabilization policies."

The transfer of the disputes function of the Board could only lead to delay, confusion, duplication, and unrest, if for no other reason than the fact that eventually and inevitably a separate disputes agency—probably an ad hoc board—would have to submit its recommendations to the Wage Board. And inevitably there would come a time, or times, when the Wage Board would have to modify the ad hoc board's recommendations. The result almost certainly would be some sort of unfavorable reaction, probably a strike.

The record of the Wage Board with respect to its handling of disputes cases merits nothing but praise. The tensions created by the Board's recommendations in the steel case have tended to obscure this record. Here is the record. As of April 30, the Board had received 34 disputes cases—22 voluntarily submitted by the parties and 12 referred by the President. Of the voluntary submissions the Board rejected six, either because the parties had not exhausted the other machinery available to them, or because the case was not sufficiently significant from the point of view of the defense program. One case was returned to the President because the Board was unable to receive assurance that production would be resumed. In this case, an injunction was obtained. In all the other cases, the Board was able to secure a resumption of production where a strike was in progress or to avoid an interruption to production where one was threatened. In many of these cases, the dispute was finally settled—thanks to the Board's action.

I do not think this is the kind of record, Mr. Chairman, that can be or should be ignored.

Mr. HAYS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Chairman, I would like to refute some of the erroneous conclusions of the House Education and Labor Committee.

First. Mr. Chairman, the charge that—

> The policies and regulations of the WSB have been unusually liberal in an emergency period. As applied to petition cases (where there is no dispute over wage increases) they have been extremely liberal and as interpreted and modified in dispute cases they have been higly unstabilizing and inflationary.

The answer is simply this:

When we tamper with the machinery which has given us better wage stability than we have known since Pearl Harbor and has kept American workers producing with less time lost in strikes than in any other recent years, we are doing nothing else than putting our national security in grave peril.

During 1950, working time lost due to strikes amounted to forty-four one-hundredths of 1 percent. In 1951, when the WSB was stabilizing wages and assisting the settlement of important labor disputes, the time lost due to strikes figure was less than half of the 1950 experience or twenty-one one-hundredths of 1 percent. These figures compiled by the Bureau of Labor Statistics are from the Monthly Labor Review.

Without the reasonable control we have had over wages and without the very effective assistance of the Wage Stabilization Board in getting production to continue after collective bargining, mediation, and all else have failed, we

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will inevitably lose still more of what precious time remains to us to achieve a level of armament that will assure us and the free world against the extension of aggression.

Our national peril should bring us to our senses. There is no good reason for taking the contemplated action to dismantle the machinery that has kept wages, prices, and continued production remarkably steady. What are the actual facts?

It has been alleged that the Wage Stabilization Board has been too liberal in its approval of wages and that its operations have been unstabilizing and inflationary. Just a single moments' reflection will reveal how far this remark is from the truth. The people who have been charging the Board with having unstabilized the economy are usually the very same people who claim that the economy is no longer under inflationary pressure and that price and wage controls are no longer needed. These are the same people who point to the soft spots in the economy, who point to the pronounced leveling off of consumer price increases and to the drops in wholesale prices, who talk of problems of overcapacity of consumer goods in relation to consumer purchasing power. Is it not singularly remarkable that in a period of full employment and armament buildup, we have been able to have wages and prices flatten out to a rate of increase very much less than in World War I, less than in World War II, and less than during the post war years, and far less than during the inflationary surge that was quickly taking a choking grip on this country before wage and price controls were put into effect?

Here are the comparative figures setting forth the rates by which prices and wages have moved upward in several periods of recent history:

	Annual rate of increase (percent)	
	Prices	Wages
During United States participation in World War I	+17	+23
World War II (including period of price-wage controls)	4	8
Postwar-pre-Korea	8	8
Post-Korea, precontrol (June 1950–February 1951)	12	11
Stabilization controls (since January 1951)	(1)	(2)

[1] Less than 3 percent.
[2] Less than 5 percent.

I challenge anyone to point to a parallel experience in all history of a people arming itself with less damage to its civilian needs and with less inflation than we have had since January 1951.

As this point in history we continue the machinery that gave us these results or add—perhaps fatally—to the burden of getting ready in time by smashing that machinery in ill-considered and unfounded pique.

Now, Mr. Chairman, as to the charge that—

Recommendations by the Board in dispute cases have been made without consideration of their effect on prices and have thereby contributed to the failure of the stabilization program to hold the line against inflation.

In reply to this may I say that I was shocked by the suggestion made in the committee's report that wage actions should somehow be made dependent on price increases in individual cases. Every well-informed observer of American economic trends knows that such a policy as that which the committee suggests the Wage Board should have adopted would have these effects:

First. Looking to price consequences would upset the labor market as we have always known it. The value of an hour's work at a given level of skill can't be jacked up or down among different employers any more than the value of a ton of steel. Who would think of asking the steel companies to sell to company A at lower than the going price simply because company A's accountants have figured out that the company will need price relief if it pays full price? It would be equally senseless to provide a stabilization policy under which a class A machinist in a plant not subject to price control, or where the existing price is sufficient to cover all costs, could get a wage increase; a class A machinist in the plant across the street could not get a raise because there the material costs are higher or investments are being depreciated at a higher rate.

Second. The suggestion that wages and prices are interdependent in individual plants would, if adopted, mean the end of free enterprise as we know it. Collective bargaining would inevitably extend into the area of price and sales policy, management efficiency, and other areas where the union today have no need to get into. If, in individual situations, wages and prices must depend on one another, then the labor leader is going to want to look at books, study costs, and become interested in management functions generally.

Now there is a proper area for wage and price coordination and that is being handled by the Economic Stabilizer, as it should be. Wages have been in fair relationship to prices generally as a result of fair wage and price policies whereby the consumers price index has become the chief factor in the general wage movement. But individual wages and individual prices simply cannot be tied together mechanically and the Wage Stabilization Board is to be congratulated in following the invariable American precedent of deciding each case in relation to wage equities and not bringing management policies and functions into the arena of collective bargaining.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. HOWELL].

Mr. HOWELL. Mr. Chairman, if we are going to have continuation of price controls, even the rather feeble controls that the committee seems to be bent on enacting at the present time, we will have to have an agency to deal also with wage controls. The kind of an agency we have currently, even in the estimation of a man like Charles Wilson, former Defense Mobilizer, has done a good job, at least up until the steel case. The steel case was the thing that agitated a lot of controversy and caused the adoption of the Allen resolution and the attendant investigation that our committee had made of the Wage Stabilization Board.

In the steel matter, if the companies could have been assured of the kind of price increase they sought on steel, we would not have had all of the furor we have had. I do not agree thoroughly with the wisdom of the Wage Stabilization Board in reference to its recommendation of the union shop. It might have been better to have referred this issue back to the parties, for further bargaining. That is one of the main points of controversy. I do contend, however, that certainly it was legal for them to recommend it. It was one of the items in dispute, and certainly if it was thought to be one of the important recommendations to settle the strike, they were fully within their rights in making that recommendation.

Mr. Chairman, in the brief time I have I want to attempt to eliminate some of the distortions that have been cast about in this matter. It has been contended that labor got everything it asked for. That certainly is far from the truth. If labor had been granted every request they made in this dispute the cost of the entire package would have been somewhere between 50 and 60 cents an hour instead of the present 20 cents for 1 year and 26 cents over an 18-month period. I believe the present Board, or one very similar to it, should be continued, perhaps with Senate confirmation of the public members.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I have inserted in the RECORD just previous to the remarks of the gentleman from New Jersey an answer to some of the erroneous charges, as I see them, that have been made by the House Committee on Education and Labor against the Wage Stabilization Board. I put them in the RECORD because of the time limitation factor and because it is obvious this committee is going to go over until sometime next week before finally disposing of the bill. I hope those who are sincerely interested in the Wage Stabilization Board will take the time to read my remarks in the RECORD.

Mr. HOWELL. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from New Jersey.

Mr. HOWELL. I would like to ask the gentleman if he thinks a tripartite type of board is the fairest kind of board to deal with these things?

Mr. HAYS of Ohio. As an individual I feel it is, and I will go further than that. I felt it should have equal representation. I do not think the Board should be loaded in any specific manner.

Mr. HOWELL. Does not the gentleman agree it continues a measure of collective bargaining?

Mr. HAYS of Ohio. I most certainly do.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, as far back as 1940 the political platforms of both major political parties guaranteed to the workingmen of this country their right to bargain collectively. A year ago this month, when we faced the proposition of whether we would have a Wage Stabilization Board, the thing that concerned me most was that in that kind of a board set-up, or even an ad hoc board, that fact-finding board would interfere with the very collective bargaining idea to which most political parties were pledged. The only reason why that board could be sustained and justified was that it had equal representation of labor, industry, and the public. The board proposed by the gentleman from Texas [Mr. LUCAS], on which the public members would exceed the number of labor-industry members, becomes a compulsory arbitration board. No group of labor wants compulsory arbitration.

The fact of the matter is that our deliberations in the committee have been bantered around considerably as to what happened and did not happen. Let me say to you that when our committee voted against continuation of a tripartite board with equal rights to continue collective bargaining in that board because of the presence there of both labor and industry, that preserved a certain part of your idea of collective bargaining. When you get away from that kind of a board I feel that I am voicing the sentiments and the feelings of all of the labor groups that they do not want the type of board proposed by the gentleman from Texas [Mr. LUCAS], and in preference to that kind of a board that they would prefer no board at all.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Chairman, before we make far-reaching decisions on these amendments, I think it would be wise to examine honestly and fairly the situation with respect to the wage picture. When the Defense Production Act was originally passed in 1950, we could plainly see the need for dealing with the inflation which was attacking our economy. Subsequently, under that legislation, various agencies were set up with a job to do. The Wage Stabilization Board was charged with the responsibility of dealing with inflation as it related to wages, and had the daily task of an equitable solution to the wage problems of some 60,000,000 working Americans. When we discuss the public interest, as we must in this case, let us remember what proportion of the public is represented by those 60,000,000 presently employed. Part of that job which the Wage Stabilization Board has been doing for a year has been the keeping of the labor peace, which means keeping the goods flowing from the factories, keeping us producing in high gear in very unstable times, and frequently under adverse conditions. The record of achievement of the Board in that job is excellent.

A close examination of the record will show that wages have been kept at reasonable levels, which was not the case before the freeze date. Labor disputes which were submitted to the Board, either by the President or voluntarily by the parties to the dispute, were heard fairly, and the recommendations of the Board frequently were the basis of an agreement. We know for a fact that strikes in defense plants have been kept to the barest minimum, and probably a greater number than we realize were averted by the intelligent and rapid action of the Wage Stabilization Board.

The situation of a year ago, when the present 18-member tripartite Board was named, has not changed substantially. By our very agreement with respect to most of the Defense Production Act, we recognize the continued need for a guiding hand on the economy. We are still building our defenses. Our men continue to fight in Korea. Our demand for war goods is increasing and this is hardly the time to deprive ourselves of an effective agency for keeping the wheels turning.

Now, what actually should we seek to do in extending the Defense Production Act? Should we change the tripartite character of the Wage Board? The record the Board has built in the past year certainly does not justify such a change. The industry and labor members of the Board have served ably and devotedly, and we cannot overestimate the value of their special experience in dealing with these problems. Surely the men who have met the payrolls and conducted the negotiations for large numbers of workers are all but irreplaceable in dealing with complicated wage matters and labor problems.

Should we substitute some method for dealing with disputes other than the effective machinery which has been in use for a year under the Wage Stabilization Board? This change would probably be the most destructive of all. The disputes function of the Wage Stabilization Board was designed to fill a gap left by all existing machinery for dealing with labor unrest. It was easy enough where mediation or conciliation effected a solution. It was possible under the Taft-Hartley Act to deal with an industry-wide strike affecting the Nation's health or safety, although that act has not solved all the disputes handled under it.

But what was, in fact, the usual case? The great proportion of strikes occur in a single plant and affect a very small portion of an industry. We must admit that a strike in one aircraft plant can be exceedingly damaging; but under the Taft-Hartley Act we would be unable even to touch it. The Wage Stabilization Board receives such a dispute from the President of the United States, and we have evidence of how effective its recommendations have been in exactly such cases. The disputes function of the Wage Stabilization Board does not supersede any other law, but is, in fact, an additional means of controlling the labor relations of this country.

The problems which will be created by any such changes will be numerous and complex. We now have an agency which was created to serve a special function, which has served ably, and which should continue in its present form and with its present duties for so long as there is need for wage controls of any kind in our economy. I oppose the Kerns and the Lucas amendments.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, under leave to extend my remarks in the RECORD, I wish to include an address I gave before the Sixth Annual Convention of the Pennsylvania State Council of Machinists in Philadelphia on May 18, 1952.

Developments in the steel dispute since that time have proved that the Taft-Hartley Act only serves to hinder the peaceful settlement of labor disputes and that the only hope of avoiding strikes in industries vital to the national defense is an entirely new labor relations law. Until such time as the workingman is backed by legislation to assure him proper recognition at the bargaining table, we cannot expect to avoid repetitions of the current deadlock in negotiations to settle the differences between labor and industry:

Mr. Chairman and delegates to the Pennsylvania State Council of Machinists, it is always a pleasure and a privilege to meet with members of your organization. But today I am especially honored and proud to accept your invitation because your sixth annual convention comes at a time when you are standing in the forefront of the battle to preserve and protect the rights of laboring men everywhere.

That battle has been joined on the issue of industry's refusal to accept the findings of the Wage Stabilization Board in the Steel case. What you have here is the simple case of one team quitting the ball game because they did not like the decision of the umpire—because it went against them.

Although the International Association of Machinists is affiliated with the American Federation of Labor, and the steelworkers are CIO, it was a thrilling and inspiring example of labor unity for your parent organization to be the first to announce its support of the steel strike. Each of you should be proud that the officers of the International Association of Machinists practice the type of unity which has carried this country through previous crisis.

The wholehearted pledge by your international president, Albert J. Hayes, was a recognition that this case is crucial, the showdown which will determine whether all of labor's gains over the past 20 years are to be lost and thrown overboard and big business is to move back into the saddle in domination of the economic affairs in this Nation.

Industry's outright refusal to accept the recommendations of the Wage Stabilization Board is a move not only to increase its already excessive profits, but also to destroy the effectiveness of labor organizations and scuttle the administation's complete control program. It is a defiance of the philosophy of collective bargaining and an attempt to intimidate the working people.

The big business managers have tried through their various channels of propaganda to give the American public the impression that the Wage Stabilization Board was stacked with labor representatives and that its conclusions were sheer guesswork. This is ridiculous. Everyone who reads the daily newspapers and listens to the radio knows that the Board deliberated for many weeks and made a comprehensive study of all of the factors involved on both sides. The figures were all there and computations were made in accordance with the general rules and standards for determining wage and price controls, which were established long before the steel controversy arose.

In my mind there is no doubt as to who holds the responsibility for the crisis in the steel industry. And I have no doubt as to how the industry leaders mustered the audacity to defy the findings of the Wage Stabilization Board. The answer is the Taft-Hartley law. They both have the same purpose, and AFL President William Green long ago gave the answer: "To make strong unions weak and weak unions weaker." They both overlook the rights to which labor is entitled and place management in a privileged class. They make demands of the employee and exempt the employer from similar obligations.

Just as this antilabor law has served to place all unions under a cloud of suspicion, the steel magnates are capitalizing on the just demands of the steelworkers by dragging their "dog-and-cat" fight to the courts and using this means of airing their accusations against labor.

The Taft-hostility act has resulted in greater strife between employers and employees because it weighted the scales at the bargaining table in favor of management. This act of legislative hypocrisy has destroyed one of the basic principles upon which our democracy is built—voluntary cooperation. It strengthened the hand of the employer so immeasurably that, there is no longer the free and easy exchange of ideas which prevailed under the Wagner Act. In fact, it has had such a psychological effect on the employer that he now even disregards the legalistic and factual analysis of the issues concerned as determined in accordance with this lop-sided legislation. We cannot have good labor relations unless we have voluntary cooperation between management and labor for their mutual benefit and for the public good. And because the Taft-Hartley Act restricts and imposes upon organized labor and "coddles" management, the entire atmosphere of labor relations has been changed.

The attitude and action of the steel industry in the present dispute should be considered as the opening gun to wage the battle for repeal of the Taft-Hartley law. It would be futile to attempt to eliminate only the trick phrases; there are too many of them and the task would be a long-drawn-out one. Only outright repeal can undo the damage this legislation has already brought.

The American public must realize the importance of seeing that there are not a sufficient number of Republican and antilabor southern Democratic Representatives and Senators in Congress to combine to defeat the efforts of the friends of labor to wipe this undemocratic law from the slate permanently. The Southern States have become increasingly industrial and I believe that this fact will open the eyes of their Representatives in Congress to the imperativeness of this action.

It is time for more people to realize that the spiral of inflation cannot be stopped so long as manufacturers continue to increase their prices. And unless the working people come out as the victors in the current steel controversy, there will be no end to the dominance of big business over the workingman. Labor unions must not be hampered in their efforts to strengthen and secure the individual employee in his job and his future welfare. And that is why I again express my deep admiration of the National Association of Machinists in announcing to the United Steelworkers of America its "full moral and financial support in their strike against one of the most grasping and heartless group of employers in the entire country."

This is the type of pulling together which has made America great. And it is the type of unified, democratic action which the Taft-Hartley Act was designed to destroy.

I fervently hope that this same type of cooperation and sympathetic understanding will win for all labor organizations the place of dignity and respect at the bargaining table which they deserve.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I rise in opposition to the Lucas amendment.

Mr. Chairman, the record speaks well of the present arrangement of the Wage Stabilization Board. Charles Wilson, ex-Director of Defense Mobilization, stated that the present tripartite arrangement of the Board had done a reasonably good job up until the decision in the steel case.

I feel that we should all take a look at the record before we vote here today to destroy the present tripartite arrangement of the Wage Stabilization Board. I am also fearful that this body has severely crippled this legislation by the amendments already adopted. It seems that the way has been paved for runaway or unreasonable price increases on the necessities of life that are in scarce supply.

The House Committee on Education and Labor, after weeks of most intensive investigation, with full opportunity for critics of the Board to speak their piece, in effect exonerates the Board from the charges made by its critics. If this Board had violated any law or committed some outrageous act in violation of a law, it certainly would have been brought to the attention of this committee.

The first conclusion of the majority of the committee is that the Wage Stabilization Board has failed to respect the national labor policy as expressed in the Labor-Management Relations Act, the Defense Production Act, and other applicable laws with regard to collective bargaining and the settlement of labor-management disputes.

The first point made in support of that conclusion is that in the steel case and two aircraft cases the Board recommended that the parties negotiate some kind of a union shop provision in their new contracts, the exact form and condition thereof to be determined by them in forthcoming negotiations.

The Taft-Hartley Act has nothing at all to do with the question of whether or not the parties should negotiate a union shop agreement. In these cases the parties were in dispute on this issue. The union was free to strike. Neither side objected to the Board's taking evidence and argument on the issue.

It is my conclusion that the Lucas amendment should be voted down and that the present tripartite arrangement of the Board should be continued without any change in its organization, functions, or procedure.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, the House in its wisdom has adopted at least four amendments which, in my opinion, completely nullify a price-control bill. I believe in price control from the standpoint of stopping inflation, and I believe there has been a great mistake in adopting the IMC amendment, the Ramsay amendment, the Harrison amendment, and the Talle amendment.

I voted against those amendments. I believe the bill is ruined as far as a price-control measure is concerned. If, in addition to those amendments, crippling labor amendments are attached to the bill, it would seem to me the bill should be recommitted or should be voted down.

A lot of us hesitate in our thinking along that line because we realize the importance of the allocation of materials to our national defense effort, but certainly the bill is gradually getting into such a shape that it seems it would be hypocritical to vote for a control bill which would not control prices. It would certainly be detrimental to wage stabilization in the United States to eliminate one of the methods of obtaining stabilization of wages. I think the Lucas amendment effectively does that because it ignores at least 90 percent of the items which ordinarily come into collective bargaining between management and labor. It limits it only to the question of the wages, and does not cover the field of collective-bargaining subjects.

The adoption of the Smith amendment, in addition to the Lucas amendment, is an additional interference with the discretionary power and responsibility of the executive branch of our Government.

If the bill in its final form contains these crippling amendments its harmful points will far outweigh its good points, and many of us will be forced to vote against the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. O'BRIEN].

Mr. O'BRIEN of Michigan. Mr. Chairman, the justification for the wage stabilization provisions originating in the Defense Production Act of 1950, was that they should be parallel to the control of prices. But if the amendments already adopted in this bill remain in the law as enacted there is virtually no protection for the consumer in regard to price control. Hence, I would urge that, as between these two amendments, it would be better and fairer to adopt the Kearns amendment eliminating the Wage Stabilization Board than to eliminate, as we have by amendments already adopted, the price control features of this bill and then impose a Wage Control Board by statutory enactment as provided in the Lucas amendment.

I agree with the previous speakers that this amounts to compulsory arbitration. Possibly it is not constitutional. Certainly it is a very radical step, strange to anything we have taken in labor management relations up to this date. It is a form of state socialism, where the Government enters into control of the free operation of labor unions and their relations and dealings with employers, with mangement.

I urge that it is entirely unfair to control wages and leave prices uncontrolled. It is something that is repugnant to the free enterprise system of America, to create what amounts to a compulsory arbitration board for wages by statutory enactment.

Mr. Chairman, I urge that the Lucas amendment be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, the Lucas amendment should be supported because it treats with one of the causes of the present strike. The union demanded a closed union shop, which, of course, means that we would have a new tax-collecting agency, which would require payment of a fee or a tax before a man could go to work. The Stabilization Board, though it had no authority to do so, recommended the adoption of that policy by industry. That recommendation was endorsed by the President. The industry refused, saying that it would not force anyone to join any organization and pay a fee as a condition precedent to obtaining work.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. HALLECK. Since the gentleman has yielded to me, I would like to point out to the membership that the Lucas substitute and the Kearns amendment provide for the abolition of the Wage Stabilization Board. So does the Lucas substitute. I think that is clearly what the majority want to do. If you do not set up a new board, you will be doing two things. If you just abolish the Board, you are cutting out wage control, but you are keeping price controls. I do not think anyone can sustain that position. Secondly, if you just abolish the Board now and leave the law as it is, there is nothing to restrain the President from creating an exactly duplicate sort of board with the same powers and we would be right back in the same trouble that we are in now. Certainly, I think the Lucas substitute should be adopted by the committee.

Mr. HOFFMAN of Michigan. I agree with that view. The situation at the present time is this. The President of the United States said we are short on steel, and that unless the strike was ended, we would not get steel for either domestic use as of far more, yes, of vital importance, for the men he sent to Korea. The steel strike is on because the President himself is on strike, a sit-down strike, against the Taft-Hartley Act. He has refused to use the law which the Congress has enacted. There is no question about the cause of this strike. The President is backing the demands of Phil Murray, for a union shop. That demand was endorsed by the Wage Stabilization Board and the President is attempting to impose his will upon industry. His effort to seize and operate the industry was blocked by the Court. Now he tries to circumvent that decision by his sit-down strike against law enforcement. The steel strike exists—steel is short because the President is on strike.

To show that others are of like opinion, I read today's Star editorial:

ASKING FOR MORE TROUBLE

Shocking is a greatly overworked word, but no softer adjective is adequate to describe Mr. Truman's whole course of conduct in the steel dispute.

A President's highest duty, specifically entrusted to him by the Constitution, is to take care that the laws are faithfully enforced. Yet Mr. Truman has done, and is still doing, everything in his power to nullify and vitiate the only law on the books that might be used effectively in the steel strike.

From the very beginning of this dispute he has been an extreme and unfair partisan. He said that the recommendations of the Wage Stabilization Board, which included the union shop, were fair and that the union should get what was recommended. He implied that the steel operators could easily afford the proposed increases because they were already making too much money. He dredged up every argument he could think of against using the Taft-Hartley Act. It would be unfair to the union. It would take too long. I wouldn't do any good, etc., etc.

Now the hard facts of the situation are catching up with him. The strike—the President originally said that even a brief strike would cripple national defense and betray our troops fighting in Korea—has moved into its eighteenth day. A few defense industries are closing down or curtailing production for lack of steel. And the President, having just about reached the end of his rope, now says that he is considering the use of the Taft-Hartley Act.

But even in this extremity he is still trying to destroy the effectiveness of the only legislative weapon at his disposal. Yes, he told reporters, he is thinking about invoking the law. But he doubts that the steel strikers would work under a Taft-Hartley injunction.

It is hard to know what to think about a President who operates in this fashion. What is he trying to do? This is the second time he has indicated doubt that the workers would obey the law. Is he hoping that they will not? Or, even worse, is he trying to encourage them to defy an order of the court? It is difficult to believe that this is the case. But Mr. Truman makes it easier to believe it every time he comments.

His duty in this situation is perfectly clear. He ought to invoke the Taft-Hartley Act and do everything in his power to see that it is obeyed. Possibly the men will not work under an injunction. It is not unlikely that the 80-day period of the injunction's effectiveness would pass without a settlement, and that the strike would then lawfully be resumed. Either of these, or various other things, might happen. In such event responsibility for further action would rest with Congress. The President would have done his duty. But he most certainly is not doing his duty while he refuses to invoke the statute and persists in making statements which can only tend to destroy its effectiveness if, at the eleventh hour, he finally should be compelled by impending disaster to attempt to enforce the law.

Mr. CHUDOFF. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CHUDOFF. Mr. Chairman, I do not believe that a single Member of this Congress doubts the necessity for our maintaining peak production during our rearmament period, and yet I am not sure that as many Members of the Congress realize how detrimental it would be to our efforts to maintain production if the disputes functions were removed from the Wage Stabilization Board. I should think it would be clear to everyone that during an emergency period we must have some means for settling labor disputes. Reflection will show, I believe, that the national emergencies provisions of the Taft-Hartley Act are inadequate to deal with labor disputes during the mobilization period. In the first place, these provisions are applicable only to a dispute affecting an entire industry or a substantial part thereof. Senator TAFT, himself, has recognized this and has stated that the act is applicable only to a Nation-wide strike and would not cover most of the disputes likely to arise in the emergency period. Furthermore, even in those cases where the Taft-Hartley Act is applicable, if no settlement has been reached after the end of the 80-day period there is no means whatsoever for settlement of the dispute. Presumably the dispute would have to run its course until Congress enacted new legislation or the parties came to some sort of an agreement. In the meanwhile, a resulting loss of production might well be disastrous to our rearmament program.

If you will turn to title V of the Defense Production Act, you will see that Congress has already recognized that additional means for settling labor disputes are needed during the emergency period. Congress there provided that the President might call a labor-management conference and put into effect the recommendations of such a conference. It was apparently Congress' expectation that, as a result of such a conference, a no-strike, no-lock-out pledge would be given and an agency similar in power to the War Labor Board would be created. The President, however, has not believed that such an extreme step was needed in the present limited emergency. I hear very few of the Members of Congress criticizing him for not calling such a conference.

To provide disputes-settling machinery suitable for the present limited emergency, and to remedy the deficiencies of the Taft-Hartley Act, the President, by Executive Order 10233, conferred disputes powers on the Wage Stabilization Board. These disputes functions were carefully limited. In the first place, the Board can issue recommendations only unless the parties agree to be bound by the Board's decision. Secondly, the Board's jurisdiction extends only to cases affecting national defense, where collective bargaining and the prior full use of mediation and conciliation facilities have failed to reach an agreement. Under these limitations the Board exercises its jurisdiction in two instances: First, where the parties voluntarily agree to submit the dispute to the Board; and second, where the President refers the dispute to the Board after finding that it substantially threatens the progress of national defense.

If the Members of Congress will take the brief time required to study the Board's record in dispute cases, I believe that they will realize that there is a definite need for disputes-settling functions during an emergency period. I believe that they will also see that the Board has established an unsurpassed record in its handling of labor disputes. The Board has secured voluntary suspension of strikes where they

were in progress, has deferred threatened strikes, and has brought about final settlement of disputes.

In 5 of the 12 cases referred to the Board by the President, and in 7 of the 22 cases voluntarily submitted to the Board, strikes were already in progress at the time the dispute was received by the Board. In every case but one the Board voluntarily secured back-to-work orders. The one case in which the union refused to return to work was returned to the President, who thereupon invoked the national emergencies provisions of the Taft-Hartley Act.

In the remaining seven cases referred to the Board by the President where strikes were threatened at the time of referral, the Board has secured postponement of the strikes, frequently for periods far in excess of the maximum delay of 80 days insured by the Taft-Hartley Act. Even in the Steel case the union stayed at work for 19 days more than could have been secured under Taft-Hartley.

The Board's record in effectuating settlements of disputes is equally commendable. Of the 12 cases referred by the President, 2, and all except 1 issue in a third case, have been settled on the basis of the Board's recommendation. Recommendations have been issued in another case and seven additional cases are still pending before the Board.

Of the 22 cases voluntarily submitted, some were rejected by the Board. Of the others, three have been settled on the basis of the Board's or the panel's recommendations. In addition, two other voluntary cases have been settled under the Board's auspices. Four additional voluntary cases are still pending before the Board, and one submission has not yet been accepted or rejected. Five cases have been voluntarily withdrawn by joint actions of the parties after settlement has been reached, based upon the Board's recommendation in a similar case. Can anyone quarrel with this contribution to the defense effort?

I want to conclude, emphasizing that, first, we must have continued production during our period of rearmament; second, we must have some machinery adequate for dealing with labor disputes during this period; third, the disputes functions of the Wage Stabilization Board provide that machinery; and, fourth, the Board's record shows how much it has contributed to the preservation of industrial peace during this period of emergency.

EFFICIENCY AND TRIPARTITISM

Mr. GRANAHAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GRANAHAN. Mr. Chairman, I rise in opposition to proposals to have an all-public Wage Stabilization Board, or one in which public members have majority representation.

I hear a great deal around the Halls of Congress about the inefficiency of our Government agencies. If these proposals are adopted, I will be forced to agree. However, I will not place the blame for inefficiency on any Board appointed in accordance with such proposals. To be fair, I would have to place the blame squarely on the shoulders of my fellow Congressmen for creating an organization ill suited to the problems of labor-management relations.

Why do these proposals warrant this criticism? Simply for this reason: In place of a tripartite voluntary organization, adapted to the voluntary solution of wage stabilization and labor-management dispute problems, the proposals would substitute an all-public Board, or a tripartite Board, dominated by public members, untrained in labor-management relations, uninformed about wage-stabilization problems, and unlikely to develop policies and procedures which will be voluntarily accepted by both labor and management. In short, these proposals substitute the unwise and the unworkable for the tried and tested.

The billions this Congress is appropriating for defense will not help this country much if the Congress, at the same time, takes action which is bound to interfere with production. This proposed legislation cannot help but induce strikes and work stoppages. Even assuming that we can keep men on their jobs by the use of injunctions, what effect do you think this compulsion would have on their morale, on the productivity, on the efficiency, on the willingness to give their all in this time of great need? These proposals deprive labor of any effective role in the formulation of a wage-stabilizing policy, and in the resolution of labor-management disputes. Organized labor has publicly gone on record as saying that it will not cooperate with a Board of this kind. Why, then should we jeopardize the entire stabilization program by a move of this kind?

The objections to the present Board really have nothing to do with its tripartite organization. The public members of this Board have never, in a stabilization case, voted on an issue of significance. In effect, this means that the public members have favored, in the end, every policy and every decision which this Board has issued. The charge sometimes made that labor and industry will outvote the public has proven to be unfounded.

Since the public members of this Board do hold the balance of power and, in effect, control the acts of the Board, the objections really are to the personalities and particular policies which this Board has adopted, and not to its tripartite organization. I do not have to go beyond the Steel case to prove my point. Supposing in that case the public members had cast their votes with the industry members on all issues. Is there any doubt that those who now volubly attack tripartitism would appear as its stanch defenders?

The Wage Stabilization Board has been created to carry out the policies and intentions of the Congress with respect to wage stabilization. If it is the judgment of Congress that this Board has violated congressional intentions or failed to perform congressional mandates, the Congress can easily rectify the situation by legislation establishing unambiguous standards and policies. I am certain that the members of this Board, loyal, patriotic Americans, as they all are, would carry out as effectively as possible all of the Congress' instructions. Indeed, if there is any question about the ability of the present members of the Board to carry out the policies of Congress, I have no objection to requiring that all appointments to the Board hereafter made be subject to Senate approval. But neither of these measures would require the scuttling of the present Board. We can alter its policies where we feel it has been remiss. We can appoint new members if we have lost confidence in the old. We should not, however, destroy by any of these acts the equal participation of labor, management, and the public, which is essential to a voluntary system of labor-management relations.

Mr. President, I urge all who are interested in good government—efficient government—to vote against these anti-labor, antiproduction proposals.

Mr. MITCHELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MITCHELL. Mr. Chairman, these amendments continue the questions raised in recent weeks about the tripartite structure of the Wage Stabilization Board. It seems to me an objective study would support this organizational concept as being the most effective means of carrying out the intent of the Congress as expressed in the Defense Production Act.

Under title IV of the act, the Congress provided that wage and price stabilization should be carried out in a manner designed not only to preserve the value of the dollar but also to maintain sound working relations, including collective bargaining; to preserve industrial peace, and to foster maximum defense production.

The proposal now advanced provides that the public members be given majority representation. This ignores one vital fact—that is, the high degree of acceptance of the stabilization rulings of the present tripartite Board by employers and workers affected by these rulings. In only isolated instances has there been resistance or strikes against rulings of the present tripartite Board. This is a remarkable record in view of the fact that there have been over 40,000 decisions by the national Board or its regional boards on the voluntary wage agreements negotiated in free collective bargaining and submitted to WSB for action.

I wonder whether anyone would seriously expect the same high degree of acceptance from either employers or unions if agreements which they negotiated are turned down or modified by a public-dominated board.

I cannot concur in the motion that the interests of labor and management are somehow inconsistent with the public interest. If we are to consider the im-

pact of Government controls on collective bargaining, on industrial peace, and on defense production, we most certainly need the help of people who are able to represent adequately and vigorously the point of view of both labor and management. The best results, under our philosophy of government, can always be obtained through the democratic process of debate and persuasion, where all points of view can be thoroughly explored before a decision is reached.

The substance of tripartitism is equal participation and responsibility for the adoption and enforcement of stabilization policies and decisions. Without equal representation, labor and industry representatives cannot carry on equal responsibility with the public members. Equal representation promotes voluntary cooperation and compliance with the wage stabilization program. Those who are responsible for a policy are willing to enforce it. The present tripartite structure of the Board is the product of a determination to fully maintain democratic procedures in time of emergency; the strength of tripartitism lies in equal participation.

A common allegation against tripartitism in the Board is that the labor and industry members may outvote the public members. This has never happened in any significant stabilization case yet before the Board. None of the 21 general wage regulations, ninety-odd resolutions, tens of amendments, and thousands of case decisions, have been adopted without the support of the public members. Indeed, the great majority of all Board actions have been taken by unanimous vote.

It has been argued that the public interest cannot be truly represented by the public members of a tripartite board, since they must inevitably seek the middle ground of compromise between extremes. But the public interest means the interest of all segments of the public. As labor and industry are a part of the public, so do their views constitute a part of the public interest. Inevitably, different groups will interpret the public interest in their own particular way. But the history of the Wage Stabilization Board actions shows that all of the industry and labor Board members have recognized their dual roles as representatives of special groups within the economy and, above all, as public officials.

There is another value of equal tripartitism which is overlooked by those who attack the present Wage Stabilization Board. This is the greater support inevitably due a decision arrived at with the participation of all concerned parties. Even a decision reached without the support of either industry or labor would be more readily accepted by both parties than one arrived at by an all-public board. Thus, by maintaining an equal tripartite board, we preserve the active role of management and labor in the stabilization of wages and their consequent support of wage stabilization policies.

These advantages are greatest, as I have said, under a formula of equal representation and responsibility of labor and industry with public members, as at present. The public interest would suffer a greater loss from abandoning this formula than it would ever gain by simply increasing the number of board members representative of the public, or by having an all-public board.

I urge that the Lucas amendment be defeated.

Mr. LESINSKI. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Chairman, the action of the House today is to destroy all controls. Yes; we are in the midst of plenty in most items. What will happen if this present situation in steel continues? Many manufacturers are already cutting production.

We have got to realize that if during this emergency we have to swing to full war production the balance of this so-called surplus stock will skyrocket in price. Where will we be at? We have to have a strong price-control law that can be used when the need arises.

The destruction of the price-control law as has been done by the House today nullifies any need for a Wage Stabilization Board.

I want to warn the Members of the House that if prices get out of hand the Members of my side will not be blamed.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Chairman, in opposing both the Lucas amendment and the Kearns amendment, I address my remarks particularly in the limited period I have to the Kearns amendment. It seems to me above all that that amendment should be defeated because, if the amendment is adopted, by wiping out the Wage Stabilization Board, it leaves no governmental machinery for the purpose of stabilizing wages, and it places the Congress in the ridiculous position of controlling prices with no agency to stabilize wages. I recognize the cogency of what my friend, the gentleman from Indiana [Mr. HALLECK] said, that the President could establish another board, and my remarks are not to be construed that that could not be done. But, if the Kearns amendment is adopted, it would seem to me that that would be action on the part of the Congress which might well constitute an instruction that no other board of similar character should be established by Executive order or otherwise, and that the only way that it could be done is by act of the Congress itself. While I do not think such an argument would be sound, some persons may advance the same. So that while I oppose both amendments, I particularly call attention to the weakness of the Kearns amendment in that if it is adopted and the Board is completely wiped out, we are put in the ridiculous position of having no governmental agency in existence to pass upon the question of wage increases in connection with the stabilization of our economy.

Mr. GREEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GREEN. Mr. Chairman, I want to speak on a matter which I consider of the utmost importance to our national defense effort. I want to urge the Members of the Congress to oppose any change in the disputes functions of the Wage Stabilization Board. I think it should be obvious that, no matter how much faith you have in collective bargaining—and I, for one, have a great deal—inevitably a certain number of labor disputes will occur, whether in war or in peace. Congress has recognized this and has instituted measures for the settlement of these disputes. Congress has created the Federal Mediation and Conciliation Service, which extends its aid to the parties in reaching a satisfactory settlement. Congress has also enacted the national emergencies provisions of the Taft-Hartley Act, which, when applicable, insure 80 days of uninterrupted production. But if a dispute is not settled through collective bargaining and through the use of the measures which Congress has provided, the dispute must run its course until, eventually—we always hope—the parties will come to a settlement. This may be a satisfactory method for peacetime but in a period of national emergency, when we must obviously have no loss in production, the inadequacies of such a method should be apparent.

In the first place, the Taft-Hartley Act applies only to labor disputes affecting an entire industry or a substantial part thereof. Senator TAFT himself has recognized that these provisions apply only to a Nation-wide strike. He has said, in reference to the act and the type of labor dispute likely to arise in an emergency period:

> That only attempts to cover a Nation-wide strike anyway. It does not attempt to cover the kind of thing most of which you will be dealing with.

The great majority of labor disputes arising in a period of emergency will involve a single plant or, at most, a single company. Though, during peacetime, we may be able to stand the loss of production due to a strike at such a small unit, yet in time of emergency, if the unit is producing vital military parts, we simply cannot tolerate a loss in production. A plant producing parts for jet airplanes, a plant producing an important type of military transport, a plant producing specialized parts for Army tanks, a plant producing jet engines, all these units, though small, are vital to our defense effort. Loss of production at these plants can slow up our entire rearmament program in some of its most important phases. And yet, the national emergencies provisions of the Taft-Hartley Act would not apply to such disputes.

Furthermore, even at the end of 80 days, when the national emergencies provisions of the Taft-Hartley Act have been used and a labor dispute has not

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been resolved, there is absolutely no other means provided by Congress for settling the dispute. This is certainly a dangerous situation.

The Congress itself has recognized that during the period of national emergency there should be additional means for settling labor disputes. In title V of the Defense Production Act of 1950, it empowered the President to call a labor-management conference and to put into effect the recommendations of such a conference. The legislative history of this section of the act reveals that expectation of Congress was that a no-strike, no-lockout pledge would be given by the representatives of industry and labor, and that the President would create an agency similar to the War Labor Board.

Instead of this, however, the President, by Executive Order 10233, conferred disputes functions on the Wage Stabilization Board. These disputes functions are carefully limited. They may be exercised only in cases affecting national defense and only where the parties have been unable to resolve their disputes through collective bargaining and through the prior full use of mediation and conciliation facilities. This insures that there will be no bypassing of the Federal Mediation and Conciliation Service. There are only two types of these cases to which the Board's disputes jurisdiction extends: First, cases where the parties voluntarily agree to submit the dispute to the Board for recommendation or decision, and second, cases referred to the Board by the President after he has determined that the disputes substantially threaten the progress of national defense.

Now, many of my colleagues in the Congress who realize that, because of the inadequacies of the Taft-Hartley Act, we must have additional means of settling labor disputes during the present period have suggested that, instead of conferring disputes functions on the Wage Stabilization Board, we should provide for ad hoc boards to be established for each dispute case. By such a means, they contend, the parties to a dispute will not know until the board has been appointed, just who will be on the board. Thus, because of uncertainty as to the views of the board, the parties will be more anxious to resolve their disputes through collective bargaining. Secondly, argue the proponents of the use of ad hoc boards, these boards will be much less likely to compromise wage-stabilization policies. A wage-stabilization board with the disputes functions, they contend, is always under pressure to compromise its stabilization policies.

I believe a closer examination of the problem will reveal the serious disadvantages of having ad hoc boards for disputes cases. In the first place, since the personnel of the boards will vary from case to case, it is quite likely that, in similar cases, different recommendations will be issued. This is an unfortunate result since, when the issues are the same, the recommendations should be the same if we are to be fair to all parties. Furthermore, these boards, far from being less likely to compromise wage stabilization policies, will be more likely to make recommendations which exceed the limits of the stabilization policy. This is for the reason that these boards will not be concerned with stabilization policy. Their job—and the means by which their success is measured—is to resolve disputes. Consider now the pressure which will be brought on a wage stabilization board to compromise its stabilization policy when an ad hoc board brings before it recommendations which are unstabilizing. In addition to the pressure brought on the board by the parties, there will be the pressure of the ad hoc board itself.

In an effort to overcome these disadvantages, some have suggested that the ad hoc boards should confer with the wage stabilization board to determine what are the permissible recommendations under stabilization policy. This suggestion ignores the fact that a wage stabilization board would be deciding an issue without the parties having a chance to appear before the board itself. I do not believe that the Congress wishes to enact a provision which is, on its face, a denial of due process. The Congress certainly does not wish to contravene our established principles of fair play—that every man shall have his day in court and his opportunity to be heard.

Nor would it even be satisfactory for the parties to petition the wage board as to the maximum permissible increase at the same time that they present arguments before the ad hoc board. Frequently an ad hoc board's recommendation would be in a diffcrent form from that in which the parties petition the Wage Stabilization Board to determine the maximum permissible increase. For example, in the steel case the Wage Stabilization Board recommended an 18-months' contract, although neither party had specifically requested such a contract. In view of the stabilizing effect of this long-term contract the Board recommended an additional 2½ cents' increase for the last 6 months of the contract. If the case had been before an ad hoc board and the board had issued such a recommendation, there would have been no means whereby the parties, prior to the recommendation, could have petitioned a wage stabilization board on the question of whether such a recommendation was unstabilizing.

In conclusion, I believe the Congress itself has recognized that in an emergency period additional means of settling labor disputes are necessary. I believe the best hope of resolving labor disputes in our emergency period is to continue the present disputes functions of the Wage Stabilization Board. I urge the Members of Congress to vote accordingly.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. SPENCE], to close debate on the pending amendment.

Mr. SPENCE. Mr. Chairman, it may be logical to abolish the Wage Stabilization Board. We have practically eliminated price control, and I suppose that would be the logical consequence of that act. I want to say just one thing in regard to the present Stabilization Board. It has been the most maligned board that has ever sat in Washington. It did not usurp the powers they say it usurped. When Mr. Feinsinger was on the stand in our committee, I asked him how they happened to decide the question of the open shop. He said, "We decided it as a court would. We sat as a court and we decided it according to the pleadings. The labor organizations asked for a decision with reference to closed shop. The steel interests made no complaint." They decided it as a court would decide a question on the basis of the pleadings. They decided against the steel companies. After the decision was the first time any objection was made as to its jurisdiction.

Yet throughout the land has gone the statement that the Board arbitrarily usurped the authority to decide that an employee should be a member of a union. Mr. Feinsinger impressed me as a public-spirited fine gentleman who tried to do his full duty. He certainly had great experience in that line of work. Furthermore, I want to say that I do not believe in any compulsory settlement of labor disputes; I think these questions must be settled by collective bargaining, and that in no other manner can you obtain the production you desire, because an unwilling worker will not produce.

Yesterday a manager of a steel company which employs about 4,000 men called to see me. I asked him if any satisfactory settlements of labor disputes as to wages and working conditions could be made in any other manner than by collective bargaining. He said in his opinion they could not, that the rebellious and unwilling worker would not produce; and it is production we need at the present time.

Why impose upon labor the measures they detest, not only the leaders but the employees generally. I hope the steel strike will be settled in the way that will be most beneficial to the stability and the economy of the Nation and to the satisfaction of both parties.

The Lucas amendment prevents any decision by the Wage Stabilization Board provided by it of wage disputes between management and labor. A Wage Stabilization Board without this function to decide such disputes voluntarily submitted to it would be a nullity.

The CHAIRMAN. The time of the gentleman from Kentucky has expired; all time on this amendment has expired.

The question is on the amendment offered by the gentleman from Texas [Mr. LUCAS] as a substitute for the amendment offered by the gentleman from Pennsylvania [Mr. KEARNS].

Mr. McCORMACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCORMACK. Is my understanding of the parliamentary situation correct that if the Lucas substitute should be adopted question would then come on the adoption of the Kearns amendment as amended by the Lucas substitute?

The CHAIRMAN. The gentleman has correctly stated the parliamentary situation.

The question is on the Lucas substitute.

Mr. ALLEN of Illinois. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. LUCAS and Mr. MULTER.

The Committee divided; and the tellers reported that there were—ayes 176, noes 61.

So the substitute to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. KEARNS] as amended by the substitute.

Mr. MORTON. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MULTER and Mr. KEARNS.

The Committee divided; and the tellers reported that there were—ayes 176, noes 73.

So the amendment, as amended, was agreed to.

Mr. MARTIN of Massachusetts. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time for the purpose of securing information of the majority leader as to the program for next week.

Mr. McCORMACK. Tomorrow is primary day in Connecticut. They have conventions, and nominations for candidates to Congress are made in convention, so the same situation prevails as on primary day. Consequently we will adjourn over until Monday.

Monday is District Day, and there are three bills: H. R. 7502, National Capital Park and Planning Commission; H. R. 7380, judges retirement bill, and S. 1283, remove limitation on strength of White House police.

Mr. MARTIN of Massachusetts. Is that retirement bill just for the District?

Mr. McCORMACK. Yes, that is my understanding.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Arkansas.

Mr. HARRIS. It affects the municipal-court judges of the District of Columbia.

Mr. McCORMACK. Tuesday is North Dakota primary day. However, there is scheduled S. 2198, making mail theft a felony, and House Resolution 653, authorizing the Committee on Interstate and Foreign Commerce to file reports with the Clerk when the House is not in session. The understanding is that if there are any roll calls on that day, they will go over until Wednesday.

For Wednesday and the balance of the week the program is as follows: Continuation of the present bill, H. R. 8210, until completed. Thereafter there will be a conference report on H. R. 7072, the independent offices appropriation bill. I cannot definitely state, but I have been informed that there is a likelihood and a good probability of a supplemental appropriation bill being reported next week, so I will put that on the program in the event it is.

Mr. MARTIN of Massachusetts. Is that the last appropriation bill the gentleman expects?

Mr. McCORMACK. Whether they will all be bracketed into one bill or not, I am unable to state. I think that question is under consideration in committee. That is a matter within the committee and subcommittees of the Committee on Appropriations.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. The independent-offices bill, I believe, contains an appropriation for the agency we are now discussing. If it is not continued, I presume there will be some adjustment made in the conference report.

Mr. McCORMACK. I personally cannot answer the question of the gentleman from Nebraska.

Mr. MILLER of Nebraska. I thought it was a little premature to bring up that appropriation bill until we had disposed of this agency, which has a considerable appropriation.

Mr. McCORMACK. I have stated that the conference report on the independent offices oppropriation bill will follow further consideration of this bill on Wednesday.

There is a long-range shipping bill that is reported out, and then there is a judgeship bill. A rule has not been reported on either. I do not know whether the legislative situation will be such next week, even if a rule is reported out on either or both of them, that they can be brought up, but I refer to that so that I can be protected in case rules are reported out and either one or both can be considered.

I make the usual reservation that any further program will be announced later, and that conference reports may be considered at any time.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mrs. ROGERS of Massachusetts. Will there be any record votes on Monday?

Mr. McCORMACK. If there are any roll calls on any of the District bills, yes.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from New York.

Mr. JAVITS. What is the leadership's intention with respect to the Agriculture bill to which I objected when request was made for its consideration?

Mr. McCORMACK. I have no personal knowledge as to that. The matter has not been addressed to me as yet. The gentleman objected to its consideration. I assume they will have to resort to getting a rule. I would rather not pass on it at this time. In a day or two it may become an active question if a rule is reported out on it.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. GAVIN. I wonder whether my distinguished and able friend can tell me whether we will recess or adjourn on July 3?

Mr. McCORMACK. I wish the gentleman from Massachusetts could answer that question for himself.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Mississippi.

Mr. COLMER. I wonder if the distinguished majority leader can tell us what day next week he can program the consideration of the bill H. R. 7888, on the Joint Committee on the Budget.

Mr. McCORMACK. The legislative program for next week is such that the gentleman from Massachusetts cannot give it any consideration.

Mr. COLMER. Do I correctly understand by that that the program is all filled up for next week?

Mr. McCORMACK. Yes. The gentleman from Massachusetts just announced the program, which is a very busy one and a full one.

Mr. COLMER. I am just wondering if the gentleman cannot give us some assurance as to when we can get that bill up for consideration.

Mr. McCORMACK. I am sorry, but I am not in a position where I can do that at this time.

Mr. COLMER. We are very anxious that that bill be considered. Then I will have to confer with the distinguished majority leader on that?

Mr. McCORMACK. I am always glad to confer with my friend from Mississippi. He certainly ought to know that, because throughout the years he has been here any conference he has had with the gentleman from Massachusetts has been productive of very good results for the gentleman from Mississippi. Am I not right?

Mr. COLMER. And always most pleasant.

Mr. McCORMACK. Always most pleasant, but also most productive of good results.

Mr. COLMER. I hope this will be no exception.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. HOFFMAN of Michigan. Can the gentleman tell us whether there is any prospect of a recess so that Members on this side can attend the nomination of a President in Chicago?

Mr. McCORMACK. We all know that we have to take either a recess or an adjournment in order that the two conventions can take place. The Republican Convention takes place on July 7. We can argue and fight among ourselves, but we have to have a profound respect for each party. The answer to the gentleman's inquiry, of course, is that there is going to be either an adjournment or a recess. I cannot tell the exact date. I will say off-hand it will be either July 3 or July 5. If we can close up business so that we can take an adjournment, and if not that, a recess, by July 3, I think we ought to do so. I think we ought to

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get through by July 3. That is my opinion.

Mr. HOFFMAN of Michigan. I thank the gentleman.

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 9, after line 10, insert the following new section:

"SEC. 111. Section 503 of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following: It is the sense of the Congress that by reason of the work stoppage now existing in the steel industry, the national safety is imperiled and the Congress therefore requests the President to invoke immediately the national emergency provisions of sections 206 to 210 inclusive of the Labor Management Relations Act of 1947 for the purpose of terminating such work stoppage."

Mr. FULTON. Mr. Chairman, I make a point of order against the amendment. I make the point of order, first, that the amendment is not germane to this section, nor is it germane to the title of the bill. Secondly, it is an amendment aimed at encroaching upon the functions of one of the three separate branches of this Government, and it is as much out of order to instruct the Executive as to what laws to administer and how to administer them as it would be to instruct the courts of this country, a separate branch of this Government, as to what the sense of the Congress is on any court decision.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Virginia [Mr. SMITH] on the point of order.

Mr. SMITH of Virginia. Mr. Chairman, it will be noted that the amendment which I have offered is offered to title V of the bill, and I address myself to the questions first of whether it is germane to the section to which it is offered. It is added to section 503 of the original bill, and the sentence to which it is added reads as follows:

No action inconsistent with the provisions of the Fair Labor Standards Act of 1938, as amended, other Federal labor standards statutes, the Labor Management Relations Act of 1947 or with other applicable laws shall be taken under this title.

Mr. Chairman, all this amendment does is to merely amplify the language that is already in the law, and to say to the President that we request that you use the Taft-Hartley Act in the present instance.

We do not undertake to enlarge upon existing law. We do not endeavor to change existing law. We merely add to the section that is already in the law a very mild sort of emphasis.

Now, Mr. Chairman, as to the question of encroachment upon the executive department of the Government, over the history of the country, the Congress has from time to time advised the President as to the sense of the Congress. In this particular instance, it should be remembered that just last week, the President appeared before the Congress in person and asked this Congress for advice on whether to use the Taft-Hartley Act or to use some other act, and what this amendment proposes to do is to merely answer the request that the President made of the Congress.

Mr. FULTON. Mr. Chairman, if I may be heard further, the gentleman from Virginia has said that this amendment is for the purpose of amplifying existing law. If it is for the purpose of amplifying existing law, then the objection which I have raised is valid on the basis of the gentleman's own statement, and secondly, unless his amendment changes existing law, it is no amendment.

Mr. SMITH of Virginia. Not amplifying, but emphasizing existing law. That is the term that I believe I originally used, or at least intended to use.

Mr. McCORMACK. Mr. Chairman, if I may be heard on the point of order. I think the RECORD should show that the amendment offered by the gentleman from Virginia is an affirmative proposition. The question of requesting the executive branch is something that the Congress can do, but it should be done by separate legislation. The Chair, I trust, will keep in mind that this is a bill which relates to the control of prices and wages to stabilize our industry in an emergency against inflation.

The provision to which the gentleman from Virginia refers is a negative one in the organic law, with the understanding that nothing inconsistent with this act be done. The amendment offered by the gentleman from Virginia is an affirmative proposition requesting the President to use the provisions of a certain law. It seems to me that is entirely different than the provision of organic law to which the gentleman from Virginia referred. That law relates to an entirely different subject and was in there simply incidentally in a way and to exclude the operation of the act in relation to certain laws mentioned therein.

But the amendment offered by the gentleman from Virginia is an entirely different proposition; this is not negative, this is affirmative; it imposes additional responsibility. This could be done by a separate bill out of a committee, but this is an amendment proposed to the bill that is before the Committee of the Whole at the present time.

While I recognize that the question is a rather close one, and with all respect to the ruling which the Chair may make, which I shall accept, I think the RECORD should show that this question was not fraught with the possibilities of doubt one way or the other.

Mr. FULTON. Mr. Chairman, may I be heard for one further observation?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FULTON. May I ask the gentleman from Virginia an inquiry, because if he used the phrase "amplifying existing law" inadvertently I do not want to press it. Does the gentleman mean, then, by this amendment that it in no way increases or adds to existing law nor in any way limits the discretion of the executive department so that it has no effect on the executive administration of the particular law the gentleman cites?

Mr. SMITH of Virginia. I think I have made that perfectly clear, but I will repeat it again. The point I made before was that the President in effect wrote us a letter and said: "Shall I do this? Shall I use the Taft-Hartley law? Or shall I do something else?" And we write him a letter back and say: "We think you ought to use the Taft-Hartley Act"; that is all.

Mr. FULTON. Is this just in the nature of a letter and not an amendment?

Mr. McCORMACK. Mr. Chairman, I desire to be heard for a further observation on that.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. McCORMACK. That is not exactly the situation that presents itself to the Committee now. If a bill came out of a proper committee requesting it that would be one thing, but this is an amendment offered to another bill that is pending before the Committee of the Whole, and it is not just quite as simple as my friend from Virginia says. I want the RECORD to show the fact that the President came up here in person and delivered a message. This bill is before the Congress; this amendment is to the pending bill.

The right and the power of Congress to make a request exists, of course; the question is whether or not this bill can be used as a vehicle for that purpose.

Mr. SMITH of Virginia. Mr. Chairman, I do not wish to prolong this discussion, but I think I should have the right to reply to what the gentleman from Massachusetts has said. What I want to say is this: While this may be somewhat informal, nevertheless that message has been here 10 days. The gentleman from Massachusetts is the majority leader of this House. Had he wanted to answer the letter I am quite sure arrangements could have been made for us to do it in a more formal manner in the nature of a resolution.

The CHAIRMAN. The Chair is interested in hearing any Member who desires to be heard on the point of order, but it seems to the Chair that we are getting a little far away from the question before the Chair.

Mr. McCORMACK. The majority leader cannot act until a committee reports a bill out and a rule is reported on it.

Mr. EBERHARTER. Mr. Chairman, I desire to be heard.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania.

Mr. EBERHARTER. The question has come before the House as to what was contained in the message of the President; that has been brought up in the discussion. I just want to say that the President requested a statute with respect to the present controversy in the steel industry; he did not request instructions; he requested a statute, and that is the question for the Congress to decide.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule. The gentleman from Virginia [Mr. SMITH] offers an amendment to the bill at page 9 after line 10 which adds additional language to the Defense Production Act of 1950 as amended under title V, section 503.

The gentleman from Pennsylvania [Mr. FULTON] makes a point of order to the amendment that it is not germane to the bill before the Committee.

The only question before the Chair in considering the matter is whether or not the language contained in the amendment is germane to the bill presently before the Committee. The Chair has had an opportunity to study very carefully the language of the proposed amendment, and an opportunity to reread title V of the Defense Production Act of 1950 as amended.

The gentleman from Virginia referred to the language of section 503 which he seeks to amend. The title of title V is "Settlement of Labor Disputes." The gentleman from Virginia proposes in his amendment that the President be requested to invoke the provision of an existing law in the settlement of a labor dispute. It should be pointed out that the amendment does not propose any change in any existing law.

The Chair feels that the language of the amendment is germane to the bill, that the gentleman from Virginia has offered it at the proper point in the bill, and, therefore, overrules the point of order made by the gentleman from Pennsylvania.

Mr. SPENCE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended, had come to no resolution thereon.

SPECIAL ORDER GRANTED

Mr. MITCHELL asked and was given permission to address the House for 45 minutes on Tuesday next, following the legislative program and any special orders heretofore entered.

ADJOURNMENT OF THE HOUSE UNTIL MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

IMMIGRATION INSPECTORS AND OTHER EMPLOYEES OF THE IMMIGRATION SERVICE

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1539) to amend an act entitled "An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service," approved March 2, 1931, with House amendment thereto, insist on the House amendment and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. LANE, RODINO, and MILLER of New York.

ENLIGHTENED PUBLIC RELATIONS WITH VETERANS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article that appeared in the American Legion magazine.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Remington Rand has performed an extremely fine service for the veterans by furnishing the blind and otherwise handicapped veterans in hospitals with electric razors which enable them to be self-sufficient in their daily grooming, which is so essential to good morale.

Mr. Speaker, I bring this matter up because in my opinion it points the way for other manufacturers doing things to help these men who are in the hospitals. The American Legion article tells of Remington Rand's contribution. It is truly a very fine gesture and is deeply appreciated by these men. May I also notify the men in the hospitals of the fact that they can secure these razors at this time, many of whom I am sure do not know it.

In these days of widespread and sometimes bitter criticism of some of our industrial organizations, it is a pleasure to be able to point to the superb but largely unpublicized service the Remington Rand organization is giving to disabled veterans. Blind and otherwise handicapped veterans in hospitals or at home find that electric shavers enable them to be self-sufficient in daily grooming, so essential to good morale.

Remington Rand, I have learned from a disinterested source, has given hundreds of electric shavers to the disabled veterans as a patriotic gesture. The organization is to be commended because it has not sought to capitalize on its really magnificent program for these veterans.

In addition to donating many shavers, the company gives the veterans an unconditional guaranty of service and repairs those needing service after long use. But this isn't all of the story.

Remington Rand collects used Remington shavers from organizations, from American Legion and VFW posts and others, reconditions them and returns them to the posts for distribution to veterans' hospitals chosen by the members. The disabled veteran receiving a shaver is asked to write a personal thank-you note to the post or individual who donated the shaver. The company also is repairing shavers free for men in the armed services who are overseas. Those in uniform at home get 30-percent discounts on shaver repairs and reconditioning.

As I said, Remington Rand has not sought publicity about this splendid service to our disabled veterans.

However, I believe Remington Rand is to be commended for its most generous, thoughtful campaign, and such patriotic programs ought to be brought to the attention of the country. It can serve as an inspiration to all of us. In my opinion, this is enlightened, commendable public relations.

In the April 1951 edition of the American Legion magazine, Remington Rand's policy for servicemen was outlined as follows:

> Usually in this feature we talk about new products only. However, we have been told about something in the way of service that we think the public generally ought to know about. The company concerned is Remington Rand, Inc., and they are doing a job for servicemen that other American manufacturers could well emulate. Briefly, their contribution is to repair free of charge any of their electric shavers owned by GI's overseas. If the shaver is beyond repair, it is replaced free of charge. Still another Remington Rand contribution is to take care of shavers used by men in veterans' hospitals, just as they do for men overseas, and, as a final note, they have supplied hundreds of electric shavers, mostly reconditioned trade-ins, to blind veterans.

LIBERATION OF POLAND AND OTHER CAPTIVE NATIONS OF THE COMMUNISTS SHOULD BE KEYSTONE OF NEW AMERICAN FOREIGN POLICY

Mr. KERSTEN of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KERSTEN of Wisconsin. Mr. Speaker, liberation of the nations held captive by the Communists should be the keystone of a new and affirmative American foreign policy.

The once free nations of Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, and China, should not be abandoned to Stalin by the free world. World War II was fought to give freedom to each of these countries. They are now enslaved.

As long as they are enslaved the world will be threatened with a devastating all-out world war III. Even more horrible than such a war while these captive nations are held in bondage, the Soviet monster is in the process of digesting them and liquidating the best of their peoples with unspeakable brutality.

One practical step in laying the groundwork for a new American foreign policy of liberation is the implementation of the Kersten amendment to the mutual-security law, which provides:

> And not to exceed $100,000,000 of such appropriation for any selected persons who are

residing in or escapees from the Soviet Union, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, Lithuania, Latvia, and Estonia, or the Communist-dominated or Communist-occupied areas of Germany and Austria, and any other countries absorbed by the Soviet Union either to form such persons into elements of the military forces supporting the North Atlantic Treaty Organization or for other purposes, when it is similarly determined by the President that such assistance will contribute to the defense of the North Atlantic area and to the security of the United States.

This amendment contemplates the setting up of national military units from the escapees that come from behind the iron curtain. These escapees are coming through the barbed wire of the Communist enclosure in increasing numbers. Most of them are young males—patriots with a burning desire to bring freedom back to their own nation and with an intense hatred of the Communist police state. Other potential recruits may be found among the Poles and others who served with the Allies in World War II and are still living in the West.

They should be formed into these military units of their own nationality, with the uniforms and flags of their own country, symbolizing its ultimate freedom, under their own freely chosen leadership.

Free battalions of Poles, Czechs, Slovaks, Hungarians, Rumanians, Bulgarians, Albanians, Chinese, and of Russian and of the non-Russian peoples of the Soviet Union will be catalysts in the liberation of their own countries.

Such military units should in no sense be foreign legions acting to carry out merely the will of some other country. Such military units should be the cadres of armies of liberation to reestablish freedom in Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, and China, and even in the Soviet Union.

The United States and other nations of the free world have no desire whatsoever to make satellites out of the captive nations. We wish only the reestablishment of freedom and independence in these countries, for only then can the world be at peace.

In assisting in the formation of these cadres of armies of liberation, neither do we intend that there be set up a military dictatorship in Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, China, or in the Soviet Union.

For that reason in the implementation and direction of these free military units, representatives of the major political parties of each of these countries should participate, except, of course, the Communist and pro-Communist Parties.

The ultimate objective is the liberation of each of these countries from Communist tyranny so that the people of Poland and the other captive nations may of their own free choice set up a government that to them shall seem most likely to secure the blessings of liberty.

We should tell the peoples of Poland and all the other captive nations that the free world is not interested in any way in having any kind of foreign influence or domination prevail in the reestablishment of independent governments therein.

Currently Soviet propaganda is telling the people of Poland that the German units being set up in the West are going to be used to reimpose a Nazi slavery once again in Poland. Nothing, of course, could be further from the truth. There is no purpose on the part of the United States, or of any other country of the free world, to impose their own will upon Poland or upon any of the other captive nations. We desire only the re-establishment of independence and freedom in these unfortunate nations now enslaved by the Communists.

The secret and tragic agreements like the Yalta Agreement, which helped to dismember Poland, should be declared null and void. Every obstacle that stands in the way of freedom and independence for these captive nations should be removed.

The United States should immediately renounce the bankrupt policy of containment of communism developed by Mr. Acheson and Mr. Kennan, because this policy conforms with the major objective of Soviet foreign policy. It gives the Soviets time to digest their enormous conquests. It abandons the captive nations to the Communist police state. It seeks to negotiate with the gangsters who now hold nearly one-half of the population of the earth in slavery. It is immoral and it is un-Christian, and it will bring world war III.

The reactionary and bankrupt foreign policy of containment should give way to a new courageous American foreign policy of liberation based on the principles of our own Declaration of Independence, which recognizes every man's right to freedom and happiness and declares that it is not only the right but the duty of a captive people to throw off the tyranny that enslaves them.

ADJOURNMENT TO MONDAY

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, reserving the right to object, and I am not going to object, I do want to take this opportunity to express my disagreement with the judgment of the leadership, as expressed in the unanimous request that the House adjourn over until Monday. The bill upon which the House has been working the last 2 days is one of the most important pieces of legislation of this session and it should be disposed of before we take a recess for the week end. While I agree with the custom and policy followed by the House leadership in not scheduling roll-call votes on days on which occur primary elections—or nominating conventions as in the case of Connecticut tomorrow—I feel that the importance of the legislation before the House and the necessity for enacting this new legislation before the expiration of the authority—on June 30, 1952—conferred under the Defense Production Act of 1950, not only justifies but imposes an obligation on the House to remain in session tomorrow. By waiting until next Wednesday to resume consideration of this bill, it will be impossible for the conferees to bring before this House a conference report on this important measure prior to Monday, June 30, the day that the present act expires. Such action cannot be defended, especially in view of the fact that by working Saturday this bill could have been passed and could have been sent to conference Monday. I realize, Mr. Speaker, that I am being rather presumptuous in expressing this dissatisfaction with the action which has been taken by the leadership, but I know that I am expressing what I believe to be the opinion of a rather large segment of the membership of this House, particularly those Members who do not live within commuting distance of Washington, who believe that the business of this Congress could be greatly expedited and the interests of the people better served if we observed shorter week ends. I withdraw my reservation.

POST OFFICE AND FEDERAL COURT BUILDINGS

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7778) to authorize emergency appropriations for the purpose of erecting certain post office and Federal court buildings, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand that these are emergency post offices, and the bill has been unanimously approved by the committee.

Mr. TRIMBLE. That is correct, sir.

Mr. McCORMACK. Mr. Speaker, if the gentleman will yield, I might say that it is my understanding also.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

Mrs. KEE. Mr. Speaker, will the gentleman yield?

Mr. TRIMBLE. I yield to the gentlewoman from West Virginia.

Mrs. KEE. Mr. Speaker, I cannot urge too strongly the passage of H. R. 7778. It provides, among other things, for the construction of a post office and Federal court building in my home city of Bluefield, W. Va. The bill states, "to authorize emergency appropriations." This is aptly phrased as this is certainly an emergency. The Deputy First Assistant Postmaster General, in speaking of the conditions of the Lake Charles, La., post office, said:

> This situation has no parallel in the United States, with the possible exception of Bluefield, W. Va.

Bluefield is in the heart of one of the largest coal regions in the country. It has expanded and grown with the growth of this industry, tripling in size. The present post-office facilities are entirely

inadequate to care for this expansion. The building would be outmoded in the 42 years since its construction even without the added load for it was constructed in 1910 and has had no improvements of consequence since that time.

It would be difficult for any of you to conceive of the crowded conditions and the handicaps under which the postmaster and his force work. Many times it is necessary for employees to work in the basement boiler room where there are two boilers and a large opening into a coal bin. These employees have coal dust and ashes to contend with. From personal knowledge, I am convinced that conditions in this Bluefield office have impaired the health of the employees there. The morale of the workers is very low due to the overcrowded and the generally bad surroundings and conditions under which they have to work. They have no hope of betterment unless the Congress here, now, does something to alleviate it. In addition to the handicaps suffered by the employees, the patrons of the post office have a just complaint as the service is necessarily not what they have a right to expect. We have one delivery window to serve 2,000 people daily. The postmaster states that he has been told that Bluefield has the largest general-delivery service in the country, and this through one window.

The important work of the Federal court suffers along with the post-office employees and patrons. Their facilities are completely inadequate.

For 20 years the late Congressman John Kee worked very hard to obtain a new Federal building for Bluefield. Several times our hopes were raised in the expectation of favorable action on this long-sought project and as many times our hopes were dashed to the earth. Before World War II we felt we were on the threshold of success. Pearl Harbor put a sudden stop to this and rightly so, but 10 years have now passed since Pearl Harbor.

I feel that it will not be asking too much of the Congress to act favorably on this bill, which means so much to my section of the country and which is so sorely needed, and for which the late Congressman John Kee worked so faithfully.

Mr. McCORMACK. Mr. Speaker, if the gentlewoman will yield, I want to congratulate the gentlewoman from West Virginia for her able leadership which brought about the passage of this bill.

Mrs. KEE. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the General Services Administrator is authorized and directed as an emergency—

(a) to acquire by purchase, condemnation, or otherwise, on behalf of the United States, a suitable site for a post office and Federal court building in the city of Bluefield, W. Va., or utilize the site now owned by the Government in said city, and to enter into contracts for the construction thereon of a post office and Federal court building, according to plans and specifications to be approved by him and the Postmaster General, at a cost not to exceed $1,375,000, which sum is hereby authorized to be appropriated;

(b) to acquire by purchase, condemnation, or otherwise, on behalf of the United States, a suitable site for a post office and Federal court building in Lake Charles, La., and to enter into contracts for the construction thereon of a post office and Federal court building according to plans and specifications to be approved by him and the Postmaster General, at a cost not to exceed $1,890,000, which sum is hereby authorized to be appropriated; and

(c) to prepare drawings and specifications and to construct a post office and Federal court building on the site of the present Federal Building in Council Bluffs, Iowa, at a cost not to exceed $1,900,000, which sum is hereby authorized to be appropriated.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

House Resolution 694 was laid on the table.

INTERNATIONAL LABOR ORGANIZATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 516)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

In accordance with the obligations of the United States of America as a member of the International Labor Organization I transmit herewith, for the enactment of legislation or such other action as the Congress may consider appropriate, an authentic text of a convention (No. 94) concerning labor clauses in public contracts and an authentic text of a recommendation (No. 84) concerning labor clauses in public contracts, both of which were adopted on June 29, 1949, by the International Labor Conference at its thirty-second session, held at Geneva from June 8 to July 2, 1949.

I transmit also the report of the Secretary of State with regard to the convention, together with a copy of a letter from the Secretary of Labor to the Secretary of State setting forth the coordinated view of the interested departments and agencies of the executive branch of the Government with respect to the convention and recommendation. It will be noted that those departments and agencies recommend that no Federal legislative action be taken, existing Federal legislation already being substantially in accord with the provisions of both the convention and recommendation.

For action and advice with respect to American Samoa and the Trust Territory of the Pacific Islands, and for transmission to the governments of Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands in order that those governments may give consideration to the enactment of legislation or other action, I am sending texts of the convention and recommendation to the Secretary of the Interior.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 20, 1952.*

(Enclosures: 1. Authentic text of convention; 2, Authentic text of recommendation; 3, Report of the Secretary of State; 4, Letter from the Secretary of Labor (copy).)

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. SMITH of Wisconsin in three instances and to include extraneous matter.

Mr. JAVITS and to include extraneous matter.

Mr. LANE in two instances and to include extraneous matter.

Mr. SIEMINSKI and to include extraneous matter.

Mr. CRUMPACKER.

Mr. MULTER to revise and extend his remarks made in Committee of the Whole and include extraneous matter.

Mr. WIER and to include an article by James E. Hague, a feature writer of the Washington Post.

Mr. HARRISON of Virginia and to include extraneous matter.

Mr. BENNETT of Florida.

Mr. HARRISON of Virginia the remarks he made in the Committee of the Whole and to include extraneous matter.

Mr. BONNER and to include two newspaper articles.

Mr. YORTY in four instances and to include extraneous matter.

Mr. GARMATZ (at the request of Mr. MULTER).

Mr. FLOOD.

Mr. CUNNINGHAM and to include a resolution adopted by the Iowa Association of the Blind.

Mr. COLE of New York (at the request of Mr. MARTIN of Massachusetts) and include an editorial.

Mr. HOFFMAN of Michigan to revise and extend his remarks made in committee and also his remarks made in connection with a parliamentary inquiry.

Mr. HOPE and to include extraneous matter.

Mr. NORBLAD and to include extraneous matter.

Mr. TEAGUE and to include extraneous matter notwithstanding the fact that it exceeds the limit and is estimated by the Public Printer to cost $336.

Mr. RIVERS (at the request of Mr. TRIMBLE) notwithstanding the fact that it exceeds the limit and is estimated by the Public Printer to cost $441.

Mr. WIER asked and was given permission to include a minority report with the remarks he made this afternoon.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that

that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6291. An act to amend section 218 (f) of the Social Security Act with respect to effective dates of agreements entered into with States before January 1, 1954.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 677. An act to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 29 minutes p. m.) the House, under its previous order, adjourned until Monday, June 23, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1582. A letter from the Acting Secretary, Department of Agriculture, transmitting a report of obligations incurred in excess of the quarterly limitation in an allotment, pursuant to section 3679, Revised Statutes, as amended by section 1211 of the General Appropriation Act, 1951, and administrative regulations promulgated thereunder by the Department of Agriculture, and procedures of the Production and Marketing Administration; to the Committee on Appropriations.

1583. A letter from the Attorney General, transmitting a letter relative to the case of Elena Alex Gromeeko, file No. A-6581782 CR 38774, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1584. A letter from the Attorney General, transmitting a letter relative to the case of Alberto Jiminez-Rodriguez, file No. A-6972955 T. CR 34715, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1585. A letter from the Attorney General, transmitting copies of orders of the Commissioner of Immigration and Naturalization granting the applications for permanent residence filed by the subjects of such orders, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

1586. A letter from the Attorney General, transmitting a letter relative to the case of Fernando Crilo Aidos or Fernando Grilo Dias Aidos, file No. A-6572078 CR 33348, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1587. A letter from the Attorney General, transmitting a letter relative to the case of Jan Willem Ruyter or John Ruyter, file No. A-9825424 CR 38050, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1588. A letter from the Attorney General, transmitting copies of orders of the Commissioner of Immigration and Naturalization suspending deportation as well as a list of the persons involved, pursuant to the act of Congress approved July 1, 1948 (Public Law 863), amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

1589. A letter from the Attorney General, transmitting a letter relative to the case of Ervin Litkei, file No. A-6744591 CR 30698, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1590. A letter from the Attorney General, transmitting copies of orders of the Commissioner of Immigration and Naturalization granting the applications for permanent residence filed by the subjects of such orders, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

1591. A letter from the Chairman, Federal Power Commission, transmitting a report of claims paid by the Federal Power Commission under the Federal Tort Claims Act during the calendar year 1951, pursuant to the provisions of section 404, Public Law 601, Seventy-ninth Congress, approved August 2, 1946; to the Committee on the Judiciary.

1592. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

1593. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to authorize certain administrative expenses in the Treasury Department, and for other purposes"; to the Committee on Ways and Means.

1594. A letter from the Administrator, Housing and Home Finance Agency, transmitting the tenth quarterly report on the administration of the advance-planning program authorized under Public Law 352, Eighty-first Congress, approved October 13, 1949, pursuant to section 6 of Public Law 352, Eighty-first Congress (H. Doc. No. 515); to the Committee on Public Works and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 2149. An act to confer Federal jurisdiction to prosecute certain common-law crimes of violence when such crimes are committed on an American airplane in flight over the high seas or over waters within the admiralty and maritime jurisdiction of the United States; without amendment (Rept. No. 2257). Referred to the Committee of the Whole House on the State of the Union.

Mr. BUCKLEY: Committee on Public Works. H. R. 8234. A bill to amend section 5 of the act of June 29, 1888, relating to the office of supervisor of New York Harbor; without amendment (Rept. No. 2260). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRYSON: Committee on the Judiciary. S. 2199. An act to amend the Contract Settlement Act of 1944 and to abolish the Appeal Board of the Office of Contract Settlement; without amendment (Rept. No. 2261). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIMPSON: Committee on Ways and Means. H. R. 8270. A bill to amend section 112 (n) of the Internal Revenue Code (relating to nonrecognition of gain from sale or exchange of residence) with respect to persons serving on active duty with the Armed Forces of the United States; without amendment (Rept. No. 2262). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. H. R. 7888. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; without amendment (Rept. No. 2263). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. H. R. 2898. A bill for the relief of Mr. and Mrs. Joseph W. Furstenberg; without amendment (Rept. No. 2223). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 4841. A bill for the relief of James Oliver Farlow; without amendment (Rept. No. 2224). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5519. A bill for the relief of Mrs. Agnes Turkett; with amendment (Rept. No. 2225). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 54. An act for the relief of Stella Jean Stathopoulou; without amendment (Rept. No. 2228). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 523. An act for the relief of Walter Duschinsky; with amendment (Rept. No. 2229). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1037. An act for the relief of Wai Hsueh Tan, Mrs. May Jane Tan, Robert Tingsing Tan, and Ellen Tan; without amendment (Rept. No. 2230). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1324. An act for the relief of Dr. Nicola M. Melucci; without amendment (Rept. No. 2231). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1470. An act for the relief of Panagiotes Roumeliotis; without amendment (Rept. No. 2232). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1513. An act for the relief of Thorvald Nin; without amendment (Rept. No. 2233). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1580. An act for the relief of Alevtina Olson and Tatiana Snejina; without amendment (Rept. No. 2234). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1639. An act for the relief of Osvaldo Castro y Lopez; without amendment (Rept. No. 2235). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1724. An act for the relief of Elina Branlund; without amendment (Rept. No. 2236). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1731. An act for the relief of Rhee Song Wu; without amendment (Rept. No. 2237). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1846. An act for the relief of Misako Watanabe and her daughter, Irene Terumi; without amendment (Rept. No. 2238). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1863. An act to effect the entry into the United States of Yukio Niimura, a minor Japanese national; without amendment (Rept. No. 2239). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2066. An act for the relief of Heidi Geraldine Connelly; without amendment (Rept. No. 2240). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2067. An act for the relief of Maria Weiland; without amendment (Rept. No. 2241). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2084. An act for the relief of Mathilde Kohar Halebian; without amendment (Rept. No. 2242). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2334. An act for the relief of Miguel Narciso Ossorio; without amendment (Rept. No. 2243). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3007. An act for the relief of Jimmy Lee Davis; without amendment (Rept. No. 2244). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3008. An act for the relief of Karen Christene Eisen Murdock; without amendment (Rept. No. 2245). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 1126. A bill for the relief of Erkki Mainio Sakari Salo; without amendment (Rept. No. 2247). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 1159. A bill for the relief of Mrs. Helga Josefa Wiley; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 1707. A bill for the relief of Frederick George Boughton; without amendment (Rept. No. 2249). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 2217. A bill for the relief of Alfonso Gatti; with amendment (Rept. No. 2250). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 2352. A bill for the relief of Mrs. Towa Tanoue; without amendment (Rept. No. 2251). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 2601. A bill for the relief of Mrs. Olympia Cuc; with amendment (Rept. No. 2252). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 3426. A bill for the relief of Sui Kin Chun; without amendment (Rept. 2253). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 3523. A bill for the relief of Mrs. Lau Hong Shee, without amendment (Rept. No. 2254). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 4561. A bill for the relief of Norberto Linaza Yrigoyen and Maria Josefa Maseda Lopez; without amendment (Rept. No. 2255). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 5180. A bill for the relief of Jungo Tsutsumi; without amendment (Rept. No. 2256). Referred to the Committee of the Whole House.

Mr. RODINO. Committee on the Judiciary. H. R. 1967. A bill for the relief of Mrs. Margarette G. Cook; without amendment (Rept. No. 2258). Referred to the Committee of the Whole House.

Mr. FINE: Committee on the Judiciary. H. R. 5841. A bill for the relief of Winston Bros. Co. and the Utah Construction Co.; Roy L. Bair & Co., and James Crick & Sons; J. A. Terteling & Sons, Inc.; and T. E. Connolly, Inc.; with amendment (Rept. 2259). Referred to the Committee of the Whole House.

Mr. WALTER. Committee on the Judiciary. Senate Concurrent Resolution 76. Concurrent resolution favoring the suspension of deportation of certain aliens; with amendment (Rept. No. 2246). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. House Resolution 699. Resolution providing for sending to the United States Court of Claims the bill (H. R. 6255) entitled "A bill for the relief of the Cooper Tire & Rubber Co."; without amendment (Rept. No. 2226). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. House Resolution 700. Resolution providing for sending to the United States Court of Claims the bill (H. R. 4507) for the relief of John J. Braund; without amendment (Rept. No. 2227). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WALTER:

H. R. 8315. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

H. R. 8316. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said commission, and for other purposes; to the Committee on Public Works.

By Mr. GRANGER:

H. R. 8317. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 8318. A bill to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide certain benefits for employees engaged in law-enforcement work who because of disability or other reasons are unable to complete 20 years of service in such work; to the Committee on Post Office and Civil Service.

By Mr. WOLVERTON:

H. R. 8319. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

H. R. 8320. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said commission, and for other purposes; to the Committee on Public Works.

By Mr. BLATNIK:

H. R. 8321. A bill to authorize the improvement of the Duluth-Superior Harbor, Minn., and Wis.; to the Committee on Public Works.

By Mr. FLOOD:

H. R. 8322. A bill to provide that the wagering taxes shall not apply with respect to suit clubs; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 8323. A bill to amend the Railroad Retirement Act of 1937, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWIN ARTHUR HALL:

H. R. 8324. A bill to permit optional retirement at 60 years of age; to the Committee on Ways and Means.

By Mr. LANE (by request):

H. R. 8325. A bill to amend the act of July 26, 1947 (61 Stat. 493), relating to the relief of certain disbursing officers; to the Committee on the Judiciary.

By Mr. DINGELL:

H. J. Res. 485. Joint resolution to authorize a compact or agreement between the States of Maine, New Hampshire, Vermont, New York, Pennsylvania, Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, and certain other States, and the Dominion of Canada, with respect to the St. Lawrence seaway; to the Committee on Public Works.

By Mr. DORN:

H. J. Res. 486. Joint resolution to provide a method of determining whether the employees of each employer involved in the current steel dispute wish to accept the final offer of settlement made by their employer; to the Committee on Education and Labor.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Louisiana, relative to requesting that the Congress vote to override the President's veto of Senate Joint Resolution 20, joint resolution relating to the States and title to their tidelands and other submerged lands within their borders; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COMBS:

H. R. 8326. A bill for the relief of Ema Shelome Lawter; to the Committee on the Judiciary.

By Mr. HARRISON of Nebraska:

H. R. 8327. A bill for the relief of Kinuko Kikuchi; to the Committee on the Judiciary.

By Mr. HAVENNER:

H. R. 8328. A bill for the relief of Shigeru Gerald Nagata; to the Committee on the Judiciary.

By Mr. HINSHAW:

H. R. 8329. A bill for the relief of Cecile Lorraine Vincent; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8330. A bill for the relief of David S. Fuller; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 8331. A bill for the relief of Elizabeth Hoeksema or Elizabeth Dellebarre nee Dieckman; to the Committee on the Judiciary.

By Mr. POULSON:

H. R. 8332. A bill for the relief of Aurina Garcia Balle; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. R. 8333. A bill for the relief of Nouritza Terzian; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8334. A bill for the relief of Van Karner Chemical Arms Corp.; to the Committee on the Judiciary.

SENATE

SATURDAY, JUNE 21, 1952

The Senate met at 10:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O, Thou Divine Shepherd of Our Souls, who in these fields of time hast prepared green pastures and still waters for the restorations of our jaded and spent strength, lead us this day, we pray Thee, in the paths of righteousness, for Thy name's sake.

Allay the fever of our fretfulness, and lift us above corroding care. Even in these troublous times, may our hearts be untroubled as we stay our minds on Thee. We make our prayer in the name of Him who offers us the peace which passeth all understanding. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 20, 1952, was dispensed with.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. ANDERSON was excused from attendance on the session of the Senate on Monday of next week.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators who desire to make insertions in the RECORD or to transact other routine business, without debate, may do so.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTIN:

S. 3370. A bill for the relief of Anthony Stepfens (otherwise known as Stavros Antoniou Dardamanis) and his wife, Efterpi Stepfens (otherwise known as Efterpi Dardamanis); to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado (by request):

S. 3371. A bill to promote safety in air transportation by amending the Civil Aeronautics Act of 1938 in order to require certain airports to be certificated under the provisions of such act, in accordance with recommendations of the President's Airport Commission; to the Committee on Interstate and Foreign Commerce.

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY, APPROPRIATIONS, 1953—ADDITIONAL CONFEREE

Mr. McKELLAR. Mr. President, I ask unanimous consent that the Senator from Arkansas [Mr. MCCLELLAN] be appointed an additional conferee on the part of the Senate on the bill (H. R. 7263) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and appoints the Senator from Arkansas [Mr. MCCLELLAN] an additional conferee on the part of the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. KERR:

Statement prepared by Harold C. Stuart, president of the Air Force Association, and submitted to the Members of the United States Senate.

By Mr. AIKEN:

Valedictory address entitled "Let's Get Rid of Corruption," delivered by Leon E. Induni, of Montpelier High School, Montpelier, Vt.

Editorial entitled "Now for St. Lawrence Power," published in the New York Herald Tribune on June 21, 1952.

Article entitled "Britain Will Aid Canada To Build Seaway Project," published in the New York Herald Tribune on June 21, 1952.

JUSTICE TO MEMBERS OF WISCONSIN RETIREMENT FUND

Mr. WILEY. Mr. President, I send to the desk a brief statement which I have prepared on the issue of justice to Wisconsin State, county, village, and other public workers covered under my State's retirement fund, and the need to include them under supplementary Federal coverage, as provided for in the House version of H. R. 7800.

I ask unanimous consent that the text of this statement, together with the text of certain messages and resolutions from people of my State, be printed at this point in the body of the RECORD.

There being no objection, the statement and accompanying papers were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

WHY SHOULD BADGER WORKERS BE DISCRIMINATED AGAINST?

Yesterday, the Senate Finance Committee reported out H. R. 7800, which had been previously approved by the House of Representatives for the purpose of liberalizing coverage for old-age and survivors insurance benefits.

Certain changes were made in the bill—including several improvements. I will not attempt to analyze all of those changes at the present time, other than to state that at least in one instance, I very much regret that liberalized coverage for public workers has unfortunately been dropped. This is a sad blow, in particular to Wisconsin public workers covered under our Wisconsin State retirement fund and for whom specific provisions had been made in section 6 of the House version, now deleted by the Senate committee.

At this time, I am appending certain materials on this issue:

1. The text of a letter which I had written prior to the Finance Committee's action, to its distinguished chairman, Mr. GEORGE, urging that the unique Wisconsin situation, where the State had made ample provision for Federal coverage long before the Federal Government got around to permitting such coverage—that this unique Wisconsin situation be respected, and that our Badger workers not be left out in the cold.

2. A telegram from Mr. Arnold S. Zander, of Madison, Wis., international president of the American Federation of State, County, and Municipal Workers, urgently recommending restoration of section 6 of H. R. 7800 as a whole. Mr. Zander has been in to my office today and I have assured him of my continued efforts for public workers.

3. Wires from representative local officials on this same issue—from Dean Van Ness, city manager of Watertown; R. H. Callard, city clerk of Beloit, Wis.; Mayor C. J. Manning, of Horicon; Alva Boyer, of Madison; J. A. Schindler, of Wisconsin Rapids, and others.

4. A wire from Mr. Roy E. Kubista, executive secretary of the Wisconsin State Employees Association urging section 6 or at the very minimum, the Wiley amendment.

5. On a more general basis, the text of a resolution received this morning from Mr. Ray Markey, secretary of the New Milwaukee Aerie of the FOE endorsing liberalizing of the social-security system. The Fraternal Order of Eagles has, as we all know, a long and distinguished record of favoring an improved social-security program.

I SHALL REOFFER WILEY AMENDMENT

Under the circumstances of the Senate Finance Committee's action, I feel that I have no alternative but to reoffer the Wiley amendment which has been previously introduced in this Congress in the form of S. 1670.

I shall offer this amendment next week and earnestly hope that this time, the members of the Senate Finance Committee will accept it, or that in any event the House version insofar as the Wisconsin retirement fund amendment is at least concerned, will be retained in the ultimate Senate-House conference committee.

I might point out that all this present difficulty, at least insofar as Wisconsin is concerned, could have been spared if the Senate had not rejected the original Wiley amendment on June 20, 1950, as recorded in the CONGRESSIONAL RECORD, volume 96, part 7, page 8895.

We in America have always felt that foresight should be rewarded. Yet, here is an amazing situation where 1 State out of 48 demonstrates foresight—as far back as 1943—in trying to look after the old-age needs of its workers, and instead of being rewarded, that State gets punished for its foresight. And those of its workers already covered, instead of being helped, as their State and local government rightly intended, get shoved out in the cold. To me, such a situation does not make sense or fair play on the part of the Federal Government.

Let me point out that the Social Security Administration favors the Wisconsin retirement fund amendment; and to my knowledge, no single group anywhere in the Nation would be in the slightest harmed by it. And yet, it has encountered opposition whenever I have raised it in the past. I trust, however, that this time, the opposi-

tion will recognize that the amendment should be passed either separately or through section 6 of the House version.

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY.

Hon. WALTER GEORGE,
Chairman, Senate Finance Committee, Senate Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: As you may kindly recall, I have been endeavoring for several years to permit the supplementary coverage of Wisconsin public workers, who had been included under the Wisconsin retirement fund and who deserve to enter into the Federal old-age and survivors insurance system.

Wisconsin is unique in the Nation in that long before such supplementary coverage was authorized by the Congress, Wisconsin had made ample provision for such a supplementary agreement.

The present House version of H. R. 7800 in section 6 contains provision for supplementing the very unique Wisconsin situation.

Perhaps the Senate Finance Committee will be making extensive changes in H. R. 7800 in view of its numerous controversial provisions. In any event, I did want to make just one request and respectful recommendation, and that is that no matter what the changes are made by the Senate Finance Committee, that it retain the clause to cover the Wisconsin circumstance. No single group in the Nation will be harmed by including Wisconsin workers who were already covered under the State retirement system before the Federal Government permitted such coverage and a great many thousands of workers will be helped by not remaining excluded from Federal coverage as they are now.

Unless this is done, the State of Wisconsin which was foresighted and humane, will be punished for its foresight and humanity, and workers who had the good fortune of having State coverage, will be penalized for doing so and will remain denied Federal coverage. This would, of course, be a most unfair situation.

I should be happy to answer any questions on the provision, and I look forward to hearing from you as to the results of the committee's work.

With kindest regards, I am
Sincerely yours,
ALEXANDER WILEY.

MADISON, WIS., *June 20, 1952.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

The American Federation of State, County, and Municipal Employees, American Federation of Labor, with a membership of 100,000 in the various States of the Union disappointed greatly action Senate Finance Committee striking out section 6 of H. R. 7800. State, county, and municipal employees feel such action discrimination against them. Section 6 merely gave them the right in cooperation with their own employers to integrate with or supplement their systems with OASI. Why this continued discrimination against public employees? No one who does not want OASI would have to accept it if section 6 were put back in the bill. Urge you vote to restore section 6 when the bill goes to Senate floor.

ARNOLD S. ZANDER,
International President.
GORDON W. CHAPMAN,
International Secretary-Treasurer.

WATERTOWN, WIS., *June 21, 1952.*

Hon. ALEXANDER WILEY,
Care United States Senate:

H. R. 7800 scheduled for Senate Monday. Respectfully urge your active support of amendment to restore section 6 for benefit of Wisconsin employees.

DEAN VAN NESS,
City Manager.

BELOIT, WIS., *June 21, 1952.*

Hon. ALEXANDER WILEY:

We urge you to do all you can for the restoration of section 6 to H. R. 7800.

R. H. CALLAND,
City Clerk, Representing All Municipal Employees Except Firemen, Policemen, and Teachers.

HORICON, WIS., *June 21, 1952.*

Senator A. WILEY:

Please use influence to restore section 6 in bill H. R. 7800.

C. J. MANNING,
Mayor.

MADISON, WIS., *June 21, 1952.*

Senator ALEXANDER WILEY,
Senate Office Building:

Please support H. R. 7800 with the inclusion of section 6 relating to integration of social security with existing State systems.

ALVA BOYER,
President, Mendota State Hospital Employees.

WISCONSIN RAPIDS, WIS., *June 21, 1952.*

Hon. ALEXANDER WILEY,
United States Senator:

Please restore section 6 to H. R. 7800 or if impossible adopt Wisconsin amendment permitting Wisconsin retirement fund to be integrated with social security as part of H. R. 7800.

WOOD COUNTY BOARD OF SUPERVISION,
J. A. SCHINDLER, *County Clerk.*

BEAVER DAM, WIS., *June 21, 1952.*

Senator ALEXANDER WILEY,
Senate Chamber:

Urge that you do all you can to secure support for restoration of section 6 to H. R. 7800.

ALVIN J. BEERS,
Mayor, City of Beaver Dam.

MONROE, WIS., *June 21, 1952.*

Senator ALEXANDER WILEY:

We urge you support restoration section 6 to H. R. 7800.

MAYOR, CITY OF MONROE, WIS.

KOHLER, WIS., *June 21, 1952.*

The Honorable ALEXANDER WILEY,
Senator From Wisconsin.

DEAR SENATOR: The village of Kohler urges your support for the restoration of section 6 to bill H. R. 7800.

A. W. BORTZ,
Kohler Village Clerk.

WEST BEND, WIS., *June 21, 1952.*

Hon. Senator ALEXANDER WILEY:

Regarding bill H. R. 7800, we urge your support of this bill and especially inclusion of section 6 therein.

EMPLOYEES AND OFFICIALS OF
WASHINGTON COUNTY,
A. P. STARAL, *County Clerk.*

MADISON, WIS., *June 20, 1952.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Just advised Finance Committee reported H. R. 7800 for passage without section 6 relating to integration public employee retirement systems with social security. Urge you fight for restoration section 6. Failing this, suggest you work for adoption Wiley amendment integrating Wisconsin retirement fund alone with social security. Thousands of State, county, and municipal employees watching this bill.

Regards,
ROY E. KUBISTA,
Executive Secretary, Wisconsin State Employees Associations.

RESOLUTION ON SOCIAL SECURITY

Whereas the Fraternal Order of Eagles was the leading proponent in the 14-year legislative campaign to introduce social security; and

Whereas the late Eagle President, Franklin D. Roosevelt, signed the social security bill in 1935 and presented the pen to a special Eagle delegation; and

Whereas the late President Roosevelt, upon presenting the pen to the Eagle delegation, said: "Our countrymen owe the Eagles good will for their unselfish services"; and

Whereas a bill aimed at increasing individual benefits for those entitled to social-security benefits was recently defeated by the House of Representatives; and

Whereas it is anticipated that another bill of similar nature will be presented; and

Whereas the interest of the Fraternal Order of Eagles in all matters pertaining to social security will never waver; and

Whereas the Fraternal Order of Eagles holds that such increased benefits should accrue to social-security beneficiaries: Now, therefore, be it

Resolved, That New Milwaukee Aerie, No. 0137, Fraternal Order of Eagles, of Milwaukee, Wis., hereby endorses amendments to the Social Security Act which will increase old-age and survivors' insurance benefits, which will preserve insurance rights for permanently and totally disabled individuals, which will offer insurance protection for those who served in our Armed Forces since the end of World War II, particularly in the Korean conflict, and which will increase the amount of earnings permitted without loss of benefits, and for other purposes; and be it further

Resolved, That a copy of this resolution shall be forwarded to Senators WILEY and MCCARTHY and Congressmen ZABLOCKI and KERSTEN, Washington, D. C.

CHARLES ROWAN,
Worthy President.
RAUX MARKUX,
Secretary.

Adopted June 17, 1952.

THE CALENDAR

The VICE PRESIDENT. If there are no further routine matters to be submitted, then at this time, under the unanimous-consent agreement, the clerk will proceed to call the measures on the calendar.

ADJUSTMENT OF CONFLICTS IN DIVORCE DECREES IN VARIOUS STATES

The bill (S. 1331) to further implement the full faith and credit clause of the Constitution was announced as first in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, we desire to have an explanation of this measure. I understand that certain questions have heretofore been submitted, and that the distinguished chairman of the Judiciary Committee or someone directed by him has prepared for presentation the answers to those questions, by way of explanation.

Mr. McCARRAN. Mr. President, I understand that the Senator from Kansas wishes to have an explanation made.

Mr. SCHOEPPEL. I may say to the distinguished Senator from Nevada that I have understood that certain questions were asked or submitted and that certain answers have been prepared and will be submitted so as probably to provide a basis for the passage of the bill today during the calendar call.

Mr. McCARRAN. Yes.

Mr. President, on several occasions I have asked that this bill go over because I have been anxious to satisfy all Senators who have raised questions with respect to the meaning and construction of the bill. In particular, I have been cooperating with the minority calendar committee—and I want to thank the members of that committee for cooperating with me in this matter—in an effort to prepare written answers to a series of questions which have come to them, or which have occurred to them, respecting this bill. I am happy to say I believe this task has now been accomplished to the satisfaction of all concerned; and I send forward, Mr. President, a copy of these questions and answers, in written form, and ask unanimous consent that they may be printed in the RECORD for the information of all Senators and in order to make quite certain that they become a part of the legislative history of this bill.

I believe the questions and answers cover every phase of this bill with respect to which there has been any uncertainty, or which may not have been fully explained in the committee report.

I wish to say at this time that the report on this bill, which was handled by a special subcommittee headed by the junior Senator from North Carolina [Mr. SMITH], is a very fine exposition of the proposed legislation; and I wish to pay tribute to the Senator from North Carolina for the splendid job he has done in this connection.

If there are any Senators who desire that the bill be further delayed, I shall now ask unanimous consent that the bill be carried over and included in the next calendar call; but if there is no Senator who desires further delay, I hope the Senate may now proceed to pass the bill.

I now send to the desk the questions and answers.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nevada?

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

QUESTIONS AND ANSWERS WITH RESPECT TO S. 1331

1. Question. Does this bill provide or grant people any new rights they do not now have with respect to divorce actions?

Answer. This bill grants no new rights of any nature with respect to divorce actions. Enactment of this bill would create a minimum standard, the meeting of which would entitle a divorce decree granted in one State to full faith and credit in every other State.

2. Question. Does this bill provide any limitations with respect to attacking divorce actions which limitations do not now exist?

Answer. Yes. This bill would prohibit a collateral attack on a divorce decree which meets in all respects the standard fixed by the bill.

3. Question. Calling attention to the four conditions which must be met in order to make a divorce decree eligible to full faith and credit, what is the effect, if any, of the provision in the bill that "in all such cases * * * the recitals of the decree of divorce shall constitute a conclusive determination of the jurisdictional facts necessary to the decree"?

Answer. In the first place, it should be pointed out the bill does not provide that the four conditions referred to must be met in order to make a divorce decree eligible to full faith and credit. The meeting of these four conditions will bring a divorce decree within the terms of this bill, and thus entitle it to the guaranty of full faith and credit provided therein; but the full faith and credit provision of the Constitution is not in any way to be limited by the enactment of this bill; and a divorce decree which does not meet the requirements of this bill will stand, with respect to full faith and credit, exactly where it stands now, not being affected by the bill in any way.

The effect of the provision quoted is to give finality to the jurisdictional recitals of a divorce decree—except a decree in a case involving fraudulent conduct of the kind defined—which meets all of the four numbered requirements named in the bill.

4. Question. Can there be any collateral attack on such a decree based on the question whether these four conditions or any one of them have been met—unless based on fraud of the specific character set forth on page 2, lines 6–11 of the bill—in view of the quoted language?

Answer. Yes. Compliance with all four of the named conditions is necessary to bring a decree within the scope of this proposed law. Therefore, if a decree fails to meet all four conditions, it would not be affected by this bill in any way.

5. Question. Is not the quoted language virtually a limitation on the power of a court in a sister State to question a decree containing such recitals, save only in "cases involving fraudulent conduct of the successful party which was practiced during the course of an actual adversary trial of the issues joined and the effect of which was directly and affirmatively to mislead the defeated party to his injury after he announced that he was ready to proceed with the trial"?

Answer. No. (See the answer to question 4 above.)

6. Question. Does not the quoted language establish a precedent with respect to grounds for attacking a court decision collaterally? In respects such as these, does not this bill make provision in the area of procedural due process which hereafter will be controlling?

Answer. This is a double-barreled question. The answer, to be clear, must be somewhat lengthy.

The last sentence of the bill delimits the cases in which the jurisdictional recitals of the decree shall be conclusive. As indicated, the effect of this delimitation is to make such recitals conclusive in all cases which meet the four conditions previously set forth, except decrees in cases involving fraudulent conduct of the kind described. This sentence is not, therefore, a statement of a ground for attacking a decree. The clause beginning "except cases" simply sets apart a small class of cases in which the recitals of the decree are not to be conclusive with respect to the jurisdictional facts, even though the decree meets the four numbered conditions previously stated. Not only is this a relatively small class of cases but it should be noted that fraud of the nature described would seldom affect jurisdictional questions. However, there is a possibility that it might; hence this provision.

The theory of this bill is to prevent a collateral attack on a divorce decree which is not based, at least in part, on some fact newly adduced, or not before the court which granted the decree; thus, to prevent a second court from substituting its judgment for the judgment of the court granting the decree, on the basis of the same facts originally tried, or on the basis solely of a different "policy of the forum," but otherwise to impose no restrictions upon the right to attack a decree.

With the above in mind, it is now possible to answer the double-barreled question categorically. The quoted language does not establish a precedent with respect to grounds for attacking a court decision collaterally, and this bill does make provision in the area of procedural due process which will be controlling if the bill is enacted, but only with respect to specific cases falling squarely within the provision, and not as a controlling or even persuasive precedent in other cases.

7. Question. If we can assume that the second sentence of the bill does not provide such a limitation as to preclude collateral attack in cases other than those involving fraudulent conduct of the character above quoted, what type or kind of fraud can be asserted in collateral attack which would vitiate?

Answer. Any fraud of a type or kind which courts have held would vitiate a decree; for the second numbered requirement in the first sentence of the bill is that "the decree is valid in the State where rendered"; a decree which is invalid because of fraud fails to meet this requirement, therefore does not come within the scope of this bill. (To give an obvious example, assume an attorney entered an appearance for the defendant, but without the actual knowledge or permission of the defendant, the defendant not having been duly served. The decree would not be valid, and the facts could be shown in a proper action in any court of competent jurisdiction.)

8. Question. One of the 4 conditions to be met under the bill is that "the decree is valid in the State where rendered." Can determination of invalidity of a decree be made by the court of a sister State, under the language of the bill, particularly (1) that language which provides that recitals of the decree of divorce shall constitute a conclusive determination of the jurisdictional facts necessary to the decree, and (2) that which provides for full faith and credit to the decree?

Answer. A determination of invalidity of a decree can be made by the court of a sister State, under the language of the bill, on the basis of any facts newly adduced or not known to the court granting the decree, which established fraud of the nature or kind which courts have held vitiate a decree. (But, as pointed out in the answer to a previous question, a decree could not be determined invalid, under the language of this bill, on the basis only of facts which were known to and considered by the court granting the decree; the second court may not substitute its judgment for that of the first court, on the same set of facts.)

9. Question. What do the words "personally subject" mean, as used on page 2, line 3, of the bill?

Answer. A nonresident of the State would be "personally subject to the jurisdiction of the State" if personally served within the territorial boundaries of the State. (Also, of course, if he or she personally appeared in the proceedings.) A resident of the State might also be "personally subject to the jurisdiction" if properly served in accordance with the law of the jurisdiction.

10. Question. Would a person who has been made the subject of service by publication, and has not otherwise brought him-

self within the jurisdiction of the court, be "personally subject" to the court, within the meaning of that phrase?

Answer. If the person is a nonresident of the State, the answer is "No"; probably the answer is "No" in any event, since it would appear that a person who has freely chosen to reside within the jurisdiction of the court has "otherwise brought himself within the jurisdiction of the court." In any event, it should be pointed out that in the case of a resident of the State, State law would apply. For example, if there should be a special State law with regard to the service of persons seeking to flee the jurisdiction to escape service, and such law called for service by publication, a person within the terms of the law (i. e., a resident of the State who did seek to flee the jurisdiction to escape service and who was served by publication in accordance with the provisions of the law, presumably would be subject to the jurisdiction of the court. Whether he would be "personally subject" to the court would depend upon the law of the State. It should be noted that the bill does not refer to being "personally subject to the jurisdiction of the court," but being "personally subject to the jurisdiction of the State."

11. Question. What about a person who has personally received notice of the action by registered mail; would he be "personally subject" to the court's jurisdiction?

Answer. In the case of a nonresident, notice by registered mail would not subject the recipient to the jurisdiction of the court. It is conceivable that in the case of a resident of the State, such notice, if in accordance with applicable State law, might do so.

12. Question. Directing attention to the words "all such cases," what is meant thereby?

Answer. The words "all such cases," which appear at the beginning of line 6, on page 2, refer to all cases which meet all four of the numbered conditions set forth in the first sentence of the bill.

13. Question. Is there anything in this bill which will upset the well-established doctrine of res judicata?

Answer. No; rather, this bill is in full conformity with the principle of res judicata. There is no situation in which, absent this proposed legislation, the principle of res judicata would bar an attack on a decree, yet in which, under the terms of this bill, such an attack could be made.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1331), which had been reported from the Committee on the Judiciary with amendments, on page 1, line 7, after the word "final", to insert "as to the issue of divorce"; in line 10, after the word "of", where it occurs the first time, to strike out "the State" and insert "such State"; and on page 2, line 6, after the word "involving", to strike out "intrinsic fraud" and insert "fraudulent conduct of the successful party which was practiced during the course of an actual adversary trial of the issues joined and the effect of which was directly and affirmatively to mislead the defeated party to his injury after he announced that he was ready to proceed with the trial," so as to make the bill read:

Be it enacted, etc., That where a State has exercised through its courts jurisdiction to dissolve the marriage of spouses, the decree of divorce thus rendered must be given full faith and credit in every other State as a dissolution of such marriage, provided (1) the decree is final as to the issue of divorce; (2) the decree is valid in the State where rendered; (3) the decree contains recitals setting forth that the jurisdictional prerequisites of such State to the granting of the divorce have been met; and (4) the State wherein the decree was rendered was the last State wherein the spouses were domiciled together as husband and wife, or the defendant in the proceeding for divorce was personally subject to the jurisdiction of the State wherein the decree was rendered or appeared generally in the proceedings therefor. In all such cases except cases involving fraudulent conduct of the successful party which was practiced during the course of an actual adversary trial of the issues joined and the effect of which was directly and affirmatively to mislead the defeated party to his injury after he announced that he was ready to proceed with the trial, the recitals of the decree of divorce shall constitute a conclusive determination of the jurisdictional facts necessary to the decree.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TRANSFER OF CERTAIN LANDS TO STATE OF TENNESSEE—BILL PASSED TO FOOT OF CALENDAR

The Senate proceeded to consider the bill (S. 2959) authorizing the transfer to the State of Tennessee of certain lands in the Veterans' Administration Center, Mountain Home, Tenn., which had been reported from the Committee on Finance with amendments, on page 1, line 8, after the word "Tennessee", to strike out "Commencing at a point located on the northwest corner of the property, which will be known as corner numbered 1; thence running south two degrees no minutes west one thousand eight hundred fifty and eight-tenths feet to corner numbered 2; thence running south seventy-four degrees fifty-two minutes east six hundred and sixty-nine feet to corner numbered 3; thence running north two degrees no minutes east two thousand two hundred forty and three-tenths feet to corner numbered 4; thence running south seventy-three degrees twenty-five minutes west two hundred fifty-two and three-tenths feet to corner numbered 5; thence running south sixteen degrees thirty-five minutes east twenty feet to corner numbered 6; thence running south seventy-three degrees twenty-five minutes west four hundred and thirty-four feet back to corner numbered 1; containing thirty and fifty-eight one-hundredths acres, more or less; together with all buildings and improvements thereon, and all appurtenances and utilities belonging or appertaining thereto", and insert "Approximately thirty acres of land comprising the westerly portion of the Veterans' Administration Center, the exact courses and distances of the perimeter of which shall be determined and approved by the Administrator of Veterans' Affairs, together with all buildings and improvements thereon and all appurtenances and utilities belonging or appertaining thereto. The State of Tennessee shall pay the cost of surveys as may be required by the Administrator of Veterans' Affairs in determining the required legal description: *Provided*, That the State of Tennessee shall perpetuate and provide for the maintenance of the cemetery located on the property"; and on page 4, line 9, after the word "in", to strike out "sections 2, 3, and 4 of", so as to make the bill read:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to convey by quitclaim deed, without consideration, to the State of Tennessee all right, title, and interest of the United States, except as retained in this act, in and to the following-described lands situate within the Veterans' Administration Center at Mountain Home, Tenn. Approximately 30 acres of land comprising the westerly portion of the Veterans' Administration Center, the exact courses and distances of the perimeter of which shall be determined and approved by the Administrator of Veterans' Affairs, together with all buildings and improvements thereon and all appurtenances and utilities belonging or appertaining thereto. The State of Tennessee shall pay the cost of surveys as may be required by the Administrator of Veterans' Affairs in determining the required legal description: *Provided*, That the State of Tennessee shall perpetuate and provide for the maintenance of the cemetery located on the property.

SEC. 2. There are reserved to the United States all rights to minerals, including gas and oil, in the lands authorized to be conveyed by this act.

SEC. 3. The conveyance of the property authorized by this act shall be upon condition that such property be used by the State of Tennessee primarily for training of the National Guard and for other military purposes. If the State of Tennessee ceases to use such property for such purposes, then title thereto shall revert to the United States, and in addition all improvements made by the State of Tennessee shall vest in the United States without payment of compensation therefor.

SEC. 4. The conveyance of the property authorized by this act shall be upon the further condition that whenever the Congress declares a state of war or other national emergency or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made by the State of Tennessee, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency plus 6 months such property shall revert to the State of Tennessee, but the United States shall have no obligation to restore the property in any way.

SEC. 5. In executing the deed of conveyance authorized by this act, the Administrator of Veterans' Affairs shall include specific provisions covering the reservations and conditions contained in this act.

The amendments were agreed to.

Mr. MORSE. Mr. President, what is the calendar number of the bill?

The VICE PRESIDENT. It is Calendar No. 1440.

Mr. MORSE. I ask that this bill go to the foot of the calendar.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, the bill now goes to the foot of the calendar; is that correct?

The VICE PRESIDENT. Yes; it goes to the foot of the calendar.

The next bill to be called under the agreement will be stated.

RESEARCH AND EXPERIMENTATION IN WEATHER MODIFICATION

The Senate proceeded to consider the bill (S. 2225) to create a committee to study and evaluate public and private experiments in weather modifications which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 2, beginning with line 8, to strike out "effective modification and control of weather will cause profound changes in our present way of life, and will result" and insert "modification and control of weather, if effective on a large scale, would cause profound changes in our present way of life and would result"; on page 3, at the beginning of line 5, to strike out "Through" and insert "Thorough"; in line 7, after the word "State", to insert "and possibly across national"; in line 10, after the word "national", to strike out "concern" and insert "and international concern"; at the beginning of line 23, to strike out "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there" and insert "SEC. 2. There"; on page 4, line 4, to change the section number from "2" to "3"; in line 9, to change the section number from "3" to "4"; in line 19, to change the section number from "4" to "5"; in line 22, to change the section number from "5" to "6"; on page 5, line 3, to change the section number from "6" to "7"; in line 12, to change the section number from "7" to "8"; in line 24, to change the section number from "8" to "9"; on page 6, line 3, after the word "Committee", to strike out "or such member"; on page 7, line 1, after the word "Federal", to strike out "or other responsible"; on page 9, line 4, after the word "this", to strike out "subsection" and insert "act"; in line 5, after the word "confidential", to insert "for purposes of national security or other reasons"; in line 8, after the word "person", to insert "or agency"; in the same line, after the word "such", to strike out "information" and insert "information,"; after line 13, to insert:

(e) The committee shall be entitled to the free use of the United States mails in the same manner as the other executive agencies of the Government.

In line 17, to change the section number from "9" to "10"; in line 19, after the word "Interior", to strike out "shall" and insert "may"; in line 20, after the word "and" where it occurs the second time, to strike out "shall" and insert "may"; in line 22, after the word "purposes", to strike out "The" and insert "During the time of its existence, the"; at the top of page 9, to strike out:

(b) With the approval of the Committee, any contract with a Government agency relating to weather modification or control may provide that the Government will assume and will become solely responsible for either or both of the following, to the extent that they arise out of the performance of said contract, are not compensated by insurance or otherwise, and do not result from a willful violation on the part of the contractor of any regulation or order established by the Committee—

(1) all liability on account of claims by third persons, including employees of the contractor, for death, bodily injury, or loss of or damage to property, whether due to the negligence of the contractor or otherwise; but any contract so providing shall also contain appropriate provisions for notice to the Government of any claims made against the contractor, with respect to any alleged liability for death, bodily injury, or loss of or damage to property; and

(2) loss of or damage to property of the contractor arising as a result of a risk defined in the contract as unusual.

If such provision is included in the contract, no cause of action with respect to any such claims may be maintained against the contractor but such third person's sole cause of action and only remedy shall be by suit against the United States in the Court of Claims for the recovery of his reasonable and entire compensation with respect to such claims; but this section shall not create a cause of action in favor of any person against the United States unless, except for this section, a cause of action would lie against the contractor. In any such suit the United States may avail itself of any and all defenses, general or special, that might be pleaded by the contractor were the contractor the defendant in the suit.

On page 10, after line 9, to insert:

(b) With the approval of the Committee, any contract of a Government agency for research or experiments, or both, may provide that the Government will indemnify the contractor against either or both of the following, to the extent that they arise out of the direct performance of said contract, are not compensated by insurance or otherwise, and do not result from a willful violation on the part of the contractor of any regulation or order established by the committee: (1) liability on account of claims (including reasonable expenses of litigation or settlement of such claims) by third persons, including employees of the contractor, for death, bodily injury, or loss of or damage to property, arising as a result of a risk defined in the contract to be unusually hazardous: *Provided*, That any contract so providing shall also contain appropriate provisions for notice to the Government of suits or actions filed or claims made against the contractor, with respect to any alleged liability for such death, bodily injury, or loss of or damage to property, and for control of or assistance in the defense of any such suit, action, or claims, by the Government, at its election; and (2) loss of or damage to property of the contractor arising as a result of a risk defined in the contract to be unusually hazardous: *And provided further*, That no payment shall be made by the Government under authority of this section unless the amount thereof shall first have been certified to be just and reasonable by the Secretary concerned or by an official of the department designated for such purpose by the Secretary. Any such payment may be made, with the approval of the Secretary concerned, out of any funds obligated for the performance of such contract or out of funds available for research and development work and not otherwise obligated; or out of any funds appropriated by the Congress for the making of such payments.

On page 11, after line 23, to strike out:

SEC. 10. (a) The Committee shall report its findings and recommendations to the Congress from time to time, and shall make a final report to the Congress not later than 2 years after the enactment of this act.

On page 12, after line 3, to insert:

SEC. 11. (a) The Committee shall report its findings and recommendations to the Congress from time to time. Particularly it shall report, at the earliest possible moment, on the advisability of the Federal Government regulating, by means of licenses or otherwise, those who attempt to engage in activities designed to modify or control the weather. The Committee shall make a final report to the Congress not later than June 30, 1955.

And on page 12, after line 13, to insert:

SEC. 12. There are authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, such sums as the Congress may from time to time deem necessary to carry out the provisions of this act.

The amendments were agreed to.

Mr. CASE. Mr. President, I have an amendment to the bill which I desire to propose at this time.

Mr. HENDRICKSON. Mr. President——

The VICE PRESIDENT. Does the Senator from New Jersey desire the amendment to be offered?

Mr. HENDRICKSON. No. I want to reserve the right to object.

The VICE PRESIDENT. Object to what?

Mr. HENDRICKSON. To the passage of the bill.

The VICE PRESIDENT. The bill is already under consideration. The amendments have been agreed to.

Mr. HENDRICKSON. May I ask the distinguished Senator from South Dakota a question?

The VICE PRESIDENT. Yes; if the Senator will yield.

Mr. CASE. I am happy to yield.

Mr. HENDRICKSON. Can the Senator from South Dakota advise the junior Senator from New Jersey whether the Senator from Oregon [Mr. CORDON] has withdrawn his objection to the bill?

Mr. CASE. The Senator from Oregon called my office yesterday and advised that he was satisfied with the bill, provided the amendment which I have now sent to the desk were adopted.

Mr. HENDRICKSON. Then I, of course, have no objection.

The VICE PRESIDENT. The clerk will state the amendment of the Senator from South Dakota [Mr. CASE].

The CHIEF CLERK. On page 8, beginning with line 17, it is proposed to strike out all through line 23 on page 11; on page 12, line 4, to strike out "Sec. 11." and insert in lieu thereof "Sec. 10."; and on page 12, line 14, to strike out "Sec. 12." and insert in lieu thereof "Sec. 11.".

The VICE PRESIDENT. The Senator from South Dakota is recognized for 5 minutes.

Mr. CASE. Mr. President, at this point, I insert as a statement, excerpts from the committee report on the bill as a whole:

NEED FOR LEGISLATION

Nonscientific and pseudoscientific rainmakers have been practicing their art for

many years with many fantastic and far-fetched devices and theories. The general public has, justifiably, regarded these efforts with skepticism.

However, in recent years, particularly since 1946, some genuinely scientific experiments in weather modification have been made with highly suggestive results; and, though these experiments have been conducted by responsible persons with established scientific reputations, the results have been the subject of controversial interpretations.

Because of doubts and controversy surrounding these experiments, it seems advisable to make several clarifying statements on the subject, based primarily on information developed during the hearings.

1. It appears certain that, given the proper conditions, rainfall can be artificially induced. Rain cannot be produced from non-moisture-bearing skies, but, if the proper weather quantities of moisture and temperature are available, nucleating or seeding agents can be introduced into clouds to cause precipitation.

During the hearings on weather control bills Dr. Vannevar Bush, president of the Carnegie Institution, told the subcommittees:

"I have become convinced that it is possible under proper circumstances to make rain. * * * we are on the threshold of an exceedingly important matter, for man has begun for the first time to affect the weather in which he lives, and no man can tell where such a move will finally end."

Dr. Vincent J. Schaefer, of the General Electric Research Laboratory, testified that—

"The experimental studies using aircraft for seeding stratus and cumulus clouds have always shown positive reactions whenever supercooled clouds were present."

Laboratory and outdoor experiments have repeatedly demonstrated the effectiveness of nucleating agents.

Two important questions, however, remain unanswered:

How often do the proper conditions exist so that favorable seeding opportunities present themselves, and, will artificial nucleating agents make or increase rainfall in economically important quantities?

2. Rainmaking is a big business.

In 1951 one rainmaking contractor alone had under contract over 300,000,000 acres in the United States, or about 12 times as many acres as those under irrigation in the Nation. Farmers and ranchers paid millions of dollars for the services of this organization, which contemplates extending its operations to Central America, South America, South Africa, and Europe. Another contractor has carried on operations in Cuba, Ecuador, and Canada, as well as in this country.

At least four other contractors are carrying on large-scale operations, and in February of this year it was reported that at least 60 projects were under way in the United States. Associations of farmers are sponsoring many of these projects but private corporations, including public-utility companies, sugar and fruit-growing companies, and an aluminum company, are sponsoring a substantial number of them also.

3. If practical, weather control promises tremendous benefits for a small investment.

Research work in the field involves no test plants or production facilities and very little expensive equipment. Further, actual rainmaking operations cost little in material and equipment. The seeding agents, carbon dioxide or silver iodide, are inexpensive, yet when used in small quantities they apparently produce weather phenomena of the highest magnitude.

If these phenomena cause only a small increase in precipitation, this small increase can be economically important. An inch of extra rain, converted into runoff and concentrated into a reservoir, can produce electric power worth hundreds of thousands of dollars. A small fraction of an inch of extra rain falling on crops during the period of germination, can greatly increase crop yields.

But artificial nucleation may have useful potentialities in addition to that of stimulating rainfall. It may have possibilities for increasing snowpack in mountainous areas, for holding back and softening rainstorms, thereby reducing soil erosion, for inhibiting hail, for breaking up hurricanes, and for precipitating out and thereby cutting holes in clouds so that aircraft can operate.

4. Weather-control activities may have far-reaching and catastrophic effects. Dr. C. G. Suits, vice president and director of research of the General Electric Co., testified that rainmakers set powerful forces in motion, saying that a single pound of dry ice, as it triggered off a heavy rainstorm, could cause an energy release "equivalent in magnitude to the energy of several atomic bombs."

The famous scientist and Nobel-prize winner, Dr. Irving Langmuir, has presented data to support a claim that rainmakers, by releasing silver iodide, could cause drastic weather effects 2,000 or 3,000 miles from the scene of seeding operations. His hypotheses have been considered in connection with the Kansas-Missouri floods of 1951, the unusually heavy snow cover over large areas of the Missouri River Basin, which melted off rapidly, causing the 1952 floods, and droughts and excessive rainfall in other areas of the Nation, especially during the past 2 years.

Many other scientists consider it unlikely or impossible that cloud seeding should have such long-range effects. Nevertheless, studies on this aspect of the subject should be continued so that, if necessary, the public can be protected against weather catastrophes brought about unnaturally.

ADVISORY COMMITTEE ON WEATHER CONTROL

The object of the present bill is "to find out who is doing what—under what conditions and with what results."

Farmers and ranchers have been investing millions of dollars in weather-control experiments. The scientific value to the public of these private experiments will be largely lost if an independent and impartial evaluating agency cannot be set up in the near future.

In practically all cases the farmers lack the data and the scientific knowledge that would enable them to determine whether they obtain their money's worth or are simply paying for rain that would fall naturally. They need the protection of independent evaluation of experiments so they can decide whether they should continue to pay large sums of money to rainmaking contractors. This is not to suggest that the Federal Government should evaluate each individual project. It should, however, attempt to establish uniform methods of evaluation, and should collect evaluation reports from a substantial number of projects, so that these can be averaged as the basis for general pronouncements on the effectiveness of weather-control methods.

Farmers and ranchers may also need protection against fraudulent claims and promises, which they may be especially disposed to accept in times of drought, and against weather-control operations that are unskilled or loosely supervised, therefore ineffective and possibly damaging.

Furthermore, the general public and certain farmers, requiring less rather than more rain at a given time, may need protection against operations sponsored by other persons that may affect them detrimentally. This is not to propose that the Federal Government should, at this time, arbitrate between different groups affected or seemingly affected by weather-control activities or should regulate and restrict practitioners of the rainmaking art.

Further information must be secured before the Federal Government can determine the extent of regulations necessary and desirable, and this information should be secured as soon as possible.

For these reasons an Advisory Committee on Weather Control should be established, as provided for in the present bill. This Advisory Committee should collect and organize information about weather-control experiments over a period of several years, should study, evaluate, and make pronouncements on these experiments; and should report to the Congress from time to time on further legislation which may be necessary and desirable to protect and further the interests of the public.

It was after much consideration that a temporary and independent Advisory Committee was settled on as the best device for studying and evaluating weather-control activities.

It was felt that, weather control being an all-embracing matter, the interests of business, science, and agriculture should be represented as well as the interests of the Government.

It was felt that any certain department of the Government might have an interest in developing a particular aspect of weather control to the neglect of other aspects.

It was felt, further, that the recommendations on future research and legislation of an independent, nongovernmental group might carry more weight before the Congress than those of governmental employees who might be accused, perhaps unfairly, of trying to perpetuate their jobs or enlarge their departments or agencies. Hence the Advisory Committee was decided upon, patterned somewhat upon the National Advisory Committee for Aeronautics.

PROVISIONS OF THE BILL

The bill provides for a temporary Advisory Committee on Weather Control comprised of nine members, including five appointed by the President by and with the advice and consent of the Senate, from among persons in private life of outstanding ability in the fields of science, agriculture, and business, and the Secretaries of Defense, Interior, Agriculture, and Commerce or their designees. The members from private life shall each receive $50 per diem when engaged in the performance of their duties and shall be reimbursed for travel, subsistence, and other necessary expenses. The Advisory Committee is to have power to appoint and fix the compensation of such officers and employees as may be necessary to carry out its functions.

The Advisory Committee is to report its findings and recommendations to Congress from time to time, making its final report no later than June 30, 1955. Thirty days after submission of this final report, it shall cease to exist.

The Advisory Committee shall have authority to secure information and statistics from Federal agencies; to hold hearings and take testimony; to require the keeping of and, when necessary, the production of records on the part of persons undertaking weather-control experiments. It shall report to the Congress at the earliest possible moment on the advisability of the Government regulating by means of licenses or otherwise the activities of persons attempting to modify the weather.

The bill authorizes appropriations in the amount necessary to carry out the purposes of the act.

Reports from Department of the Army, Department of the Interior, Department of Commerce, Department of Agriculture, Department of State, and the Comptroller General favorable to the bill's objectives appear in the committee report, Senate Report No. 1514 of May 12, 1952.

Mr. President, the amendments offered would simply eliminate section 10 from the bill as reported by the committee and renumber the two succeeding sections.

That section would have authorized the Secretaries of Defense, Interior, Agriculture, and Commerce to carry out and contract for research and experimentation in weather control. It would further authorize these Secretaries, within limits, to indemnify contractors for liability on account of claims resulting from experimentation performed for the Government.

Some Members of the Senate have expressed misgivings about this section, feeling that it might expose the Government to substantial damage suits arising from the experimentation.

I have felt that the limited experimentation authorized by section 10 would involve little or no risk of such damage suits. However, I defer to the practical legislative situation.

If weather modification measures can actually cause large scale effects, it is in the public interest that this knowledge be learned at the earliest possible moment.

Some large scale outdoor experiments have, in the past few years, already been carried out by the Government. Not only have they been carried out but, as I have been informed this week, further experiments will be carried out in the near future without the authorization provided in section 10 of S. 2225.

I feel that creating the National Advisory Committee on Weather Control, as S. 2225 would do, to investigate and evaluate weather control activities is more important than section 10. I therefore offer the amendment to eliminate it.

So far as I know, there is no objection to the bill in this form.

Mr. McCARRAN. Mr. President, I inquire of the Senator from South Dakota whether his amendment would eliminate section 10.

Mr. CASE. It would eliminate that completely, and then renumber the two succeeding sections.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from South Dakota [Mr. CASE].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HUNT subsequently said: Mr. President, under what arrangement or agreement was the Senate operating when it considered Calendar No. 1088, Senate bill 1331, and Calendar No. 1442, Senate bill 2225?

The VICE PRESIDENT. There was a previous order that certain items on the calendar should be proceeded with today, as the Senator will note from the unanimous-consent agreement printed on the front page of today's calendar. The bills went over from the last call of the calendar.

Mr. HUNT. Would it be in order to ask unanimous consent that the Senate return to the consideration of Calendar No. 1432, Senate bill 2083, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine?

The VICE PRESIDENT. It would be in order to ask it.

Mr. HUNT. I ask unanimous consent that the Senate return to the consideration of Senate bill 2083.

The VICE PRESIDENT. Of course, that calendar number has not been called today.

Mr. HUNT. I understood that Calendar No. 1442, Senate bill 2225, had been passed. May I again ask unanimous consent that we return to the consideration of Calendar No. 1432, Senate bill 2083?

The VICE PRESIDENT. Is there objection?

Mr. HENDRICKSON. I should very much like to accommodate the distinguished Senator from Wyoming, but we are working under a unanimous-consent agreement, and I think if we were to open the door we would have to go back to a good many other bills.

The VICE PRESIDENT. Does the Senator object?

Mr. HENDRICKSON. I feel constrained to object.

The VICE PRESIDENT. The Senator objects. The clerk will call the next measure to be taken up under the previous order.

PROPOSED AMENDMENT TO THE CONSTITUTION—JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 158) proposing an amendment to the Constitution of the United States relative to the taking of private property was announced as next in order.

Mr. HUMPHREY. Over.

The VICE PRESIDENT. Objection is heard, and the joint resolution will be passed over.

The clerk will state the next measure in order under the agreement.

Mr. McCARRAN subsequently said: Mr. President, with reference to Calendar No. 1537, Senate Joint Resolution 158, to which objection was made, I have something I wish to say with regard to it. However, I do not want to interfere with the orderly call of the calendar. Therefore, I ask unanimous consent that, immediately upon conclusion of the call of the calendar, I may be recognized for 10 minutes.

The VICE PRESIDENT. The Senator from Nevada requests that he may address the Senate at the conclusion of the call of the calendar, for 10 minutes. Is there objection? The Chair hears none, and it is so ordered.

TRANSFER OF PROPERTY IN NAPA COUNTY, CALIF., TO UNIVERSITY OF CALIFORNIA—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 5314) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif., was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. I object.

Mr. MORSE subsequently said: Mr. President, I understand that the Senator from California is on the way to the Senate Chamber from his office to discuss Calendar No. 1541, House bill 5314. As a matter of courtesy to him, I should like to withhold my objection.

The VICE PRESIDENT. The Senator from California is now present.

Mr. KNOWLAND. Mr. President, I ask that this bill be passed to the foot of the calendar.

The VICE PRESIDENT. The Senator from California asks that House bill 5314, Calendar No. 1541, go to the foot of the calendar—that is, to what we may call the other foot, which has already been arranged for. Without objection, it is so ordered.

TELEGRAM, POSTAGE, AND LONG-DISTANCE TELEPHONE ALLOWANCES OF SENATORS—BILL PASSED OVER TO NEXT CALL OF CALENDAR

The bill (S. 2651) to telegram, long-distance telephone, and special delivery and air-mail postage allowances of Senators was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. HENDRICKSON. I ask unanimous consent that this bill go over to the next call of the calendar.

The VICE PRESIDENT. The Senator from New Jersey objects to the present consideration of the bill. It will go over.

Mr. HENDRICKSON. No, Mr. President, I ask unanimous consent that it go over to the next call of the calendar.

The VICE PRESIDENT. Well, it automatically goes to the next call of the calendar.

Mr. WILEY. There will not be another call of the calendar during this session, probably.

The VICE PRESIDENT. Does the Senator from New Jersey want to have it made a special order?

Mr. HENDRICKSON. I do.

The VICE PRESIDENT. Without objection, it is so ordered.

TIME FOR TAKING MID-DECADE AGRICULTURAL CENSUS

The bill (S. 2903) to amend "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, may we have an explanation of the bill?

The VICE PRESIDENT. There is a House bill on the same subject. Senate bill 2903 is identical with House bill 7202. Without objection, the House bill will be substituted for the Senate bill and will be considered.

There being no objection, the Senate proceeded to consider the bill (H. R. 7202) to amend section 16 of the act entitled "An act to provide for the fifteenth and subsequent decennial cen-

suses and to provide for apportionment of Representatives in Congress," approved June 18, 1929 (46 Stat. 25; 13 U. S. C. 216), which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause, and insert:

That section 16 of the act entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929 (46 Stat. 25, 13 U. S. C. 216), is hereby amended to read as follows:

"SEC. 16. That there shall be taken, beginning in the month of October 1954, and in the same month of every tenth year thereafter, a census of agriculture. The census herein provided for shall include each State, but shall not include the District of Columbia, Alaska, Hawaii, Puerto Rico, or such other areas or territory over which the United States exercises sovereignty or jurisdiction: *Provided, however,* That as to the areas excluded from such census it is directed that data available from various Government sources shall be included as an appendix to the report of such census. The Secretary of Commerce is authorized to collect such preliminary or supplementary statistics, either in advance of or after the taking of such census, as are necessary to the initiation, taking, or completion thereof. The inquiries, and the number, form, and subdivisions thereof for the census provided for in this section shall be determined by the Secretary of Commerce. Employees of the Department of Commerce and other departments and independent offices of the Government may, with the consent of the head of the respective department or office, be employed and compensated for field work in connection with each census provided for by this section."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The VICE PRESIDENT. Without objection, the Senate bill (S. 2903) will be indefinitely postponed.

RESERVES OF CERTAIN NATIONAL BANKS—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 160) to amend section 5192 of the Revised Statutes with respect to the reserves of certain national banks was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. HENDRICKSON. Mr. President, reserving the right to object, may we have an explanation of this bill?

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from South Carolina, who reported the bill, is not present. I ask that it go to the foot of the calendar.

The VICE PRESIDENT. Is there objection? Without objection, the bill will be placed at the foot of the calendar—the other foot of the calendar.

AMENDMENT OF FEDERAL RESERVE ACT—BILL PASSED TO NEXT CALL OF CALENDAR

The bill (S. 2938) to amend section 9 of the Federal Reserve Act, as amended, and section 5155 of the Revised Statutes, as amended, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. HENDRICKSON. I ask that the bill go over to the next call of the calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

RATES ON HOUSEHOLD GOODS SHIPPED BY FEDERAL GOVERNMENT—BILL PASSED OVER

The bill (S. 2653) to standardize rates on household goods shipped by the United States Government for its employees was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. I object.

The VICE PRESIDENT. Objection is made.

Mr. MORSE. Mr. President, will the Senator withhold his objection?

Mr. JOHNSON of Colorado. Mr. President, I also should like to ask the Senator withhold his objection.

Mr. HENDRICKSON. I withhold my objection for a brief statement.

Mr. MORSE. Mr. President, reserving the right to object to Senate bill 2653—and I shall object—let me say that this bill proposes to remove transportation rates for the movement of household goods from section 22 of the Interstate Commerce Act. Section 22 of the Interstate Commerce Act, among other things, authorizes rail, motor, and water carriers and freight forwarders to grant free or reduced rates to the United States Government for the carriage, storage, or handling of freight. Please understand that the privileges of section 22 are not obligatory on the carriers. Those privileges are merely permissive and the carrier may, if it so desires, or may not grant free or reduced rates to the Government. Although the privileges accorded to carriers and freight forwarders by section 22 apply to all categories of freight the express purpose of the proposed bill is to single out, and exclude, household goods from the provisions of section 22. My objections to the passage of the bill are:

First. It will preclude the Government from obtaining departures from certain tariff rules for accessorial services which are of great benefit to the Government, but which do not result in any reduction in rates.

Second. It will preclude adjustments in rates for household goods which may now be accomplished expeditiously under section 22 without the time-consuming activities incident to formal Commission tariff procedures and revision of rates, through hearings which would be required if household goods are removed from the provisions of section 22.

Third. Instead of standardizing rates on household goods as its sponsors contend, it will have the exact opposite effect, and because of competition to secure Government business, will foster accelerated competition among household-goods carriers with a consequent descending spiral of rates. The increases in the rate levels which would follow the enactment of this bill are not necessary since the committee report indicates that the average operating ratio of the carriers affected by the bill is now 98 percent.

Fourth. It will increase substantially appropriations for the movement of household goods for the United States Government and particularly the Armed Forces. It has been estimated that the enactment of this bill would increase by more than $1,000,000 the annual Department of Defense cost for the transportation of household goods. In view of the atmosphere of this Congress, I am satisfied that no Senator here desires to increase appropriations unnecessarily.

Fifth. The Armed Forces strenuously object to the passage of S. 2653 as is indicated in a letter dated April 30, 1952, from the Assistant Secretary of Defense, Mr. Coolidge, to Chairman JOHNSON, of the Senate Committee on Interstate and Foreign Commerce.

Mr. President, many opinions have been expressed as to the effect of rates under section 22 on the transportation rate structure and net income. Most of these opinions which have been expressed are not founded on fact. The available facts indicate that freight moving under section 22 rates are substantially more compensatory than most other traffic moving on published tariff rates.

Mr. President, as a member of the Armed Services Committee, I am satisfied that this bill should not be passed, and, therefore, I object.

Mr. JOHNSON of Colorado. Mr. President, will the Senator withhold his objection?

Mr. MORSE. I will withhold it for a brief statement.

Mr. JOHNSON of Colorado. I shall be very brief in my statement.

Mr. President, the situation is this: There is a regular tariff on freight, including household goods. The persons who own the household goods are in favor of this bill. The armed services want to take bids and employ some fly-by-night carrier, not a regular carrier, and whittle him down in order to get a cheap rate. Who will pay for that cheap rate? Of course, other shippers will pay for it. It is entirely erroneous and unjust to open to bids one specific kind of freight and then expect other freight customers to pay the bill. Goods are damaged by inferior service, and a great hardship is worked on those who have their household goods moved.

In view of the two objections which have been offered, I shall not say anything further, except that I want it understood that the bill has been made a controversial bill, when it ought not to be a controversial bill. It is in the interest of persons who have to have their household goods moved from one place to another, and the bill is in the interest of the general customer of transportation.

The VICE PRESIDENT. Objection is heard. The bill will be passed over.

AMENDMENT OF INTERSTATE COMMERCE ACT—BILL PASSED OVER

The bill (S. 2829) to amend section 1 (17) (a), section 13 (3), and section 13 (4) of the Interstate Commerce Act in order to extend to the Interstate Commerce Commission power to prescribe the discontinuance of certain railroad services in intrastate commerce when found to be unreasonably discriminatory against interstate commerce was announced as next in order.

Mr. AIKEN. Mr. President, I ask that the bill be passed over.

Mr. McCARRAN. Mr. President, reserving the right to object——

The VICE PRESIDENT. Objection has already been made, and the bill will be passed over.

CONVERSION OF SALINE WATERS FOR BENEFICIAL CONSUMPTIVE USES

The bill (H. R. 6578) to provide for correlation and coordination of research into practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, may we have an explanation of this bill and some indication of what the cost will be?

Mr. CASE. Mr. President——

Mr. ANDERSON. Mr. President, I should like to have the Senator from South Dakota submit the amendment which he has.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 6578) to provide for correlation and coordination of research into practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes.

Mr. CASE. Mr. President, I offer my amendment, which is designated as an amendment to S. 5, a similar bill, which was originally introduced by the Senator from Wyoming [Mr. O'MAHONEY].

The VICE PRESIDENT. The clerk will state the amendment offered by the Senator from South Dakota.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in view of the acute shortage of water in the arid areas of the Nation and elsewhere and the excessive use of underground waters throughout the Nation, it is the policy of the Congress to provide for the development of practicable low-cost means of producing from sea water, or from other saline waters, water of a quality suitable for agricultural, industrial, municipal, and other beneficial consumptive uses on a scale sufficient to determine the feasibility of the development of such production and distribution on a large-scale basis, for the purpose of conserving and increasing the water resources of the Nation.

"SEC. 2. In order to carry out the purposes of this act, the Secretary of the Interior, acting through such agencies of the Department of the Interior as he may deem appropriate, is authorized—

"(a) by means of research grants and contracts as set forth in subsection (d) of this section to conduct research and technical development work, to make careful engineering studies to ascertain the lowest investment and operating costs, and to determine the best plant designs and conditions of operation;

"(b) to study methods for the recovery and marketing of byproducts resulting from and incident to the production of water as herein provided for the purpose of ascertaining the possibilities of offsetting the costs of water production in any area by the commercial utilization of such products;

"(c) to acquire, by purchase, license, lease, or donation, secret processes, technical data, inventions, patent applications, patents, licenses, land and any interest in land (including water rights, easements, and leasehold interests), plants and facilities, and other property or rights: *Provided*, That the land or other property acquired hereunder shall not exceed that necessary to carry on the experiments and demonstrations for the purposes herein provided;

"(d) to engage, by noncompetitive contract or otherwise, chemists, physicists, engineers, and such other personnel as may be deemed necessary, and any educational institution, scientific organization, or industrial or engineering firm deemed suitable to do any part of the research or other work, and to the extent appropriate to correlate and coordinate the research and development work of such educational institutions, scientific organizations and industrial and engineering firms; and

"(e) to cooperate with any other Federal, State, or municipal department, agency, or instrumentality, and with any private person, firm, educational institution, or other organization in effectuating the purpose of this act.

"SEC. 3. Research undertaken by the Secretary of the Interior under the authority contained in this act shall be coordinated or conducted jointly with the Department of Defense to the greatest practicable extent compatible with military and security limitations, to the end that research and developments under this act which are primarily of a civil nature will contribute to the defense of the Nation and that research and developments in the same field which are primarily of a military nature and are conducted by the Department of Defense will be made available to advance the purposes of this act and to strengthen the civil economy of the Nation.

"SEC. 4. The Secretary of the Interior is authorized, for the sole purpose of this act, to dispose of all water and other products produced as a result of his operations under this act pursuant to regulations to be prescribed by him: *Provided*, That nothing in this act shall be construed to alter existing law with respect to the ownership and control of water.

"SEC. 5. All moneys received for products of the plants under this act shall be paid into the Treasury as miscellaneous receipts.

"SEC. 6. The Secretary of the Interior shall make reports to the President and the Congress at the beginning of each regular session of the action taken or instituted by him under the provisions of this act. The report shall include suitable recommendations for further legislation.

"SEC. 7. The Secretary of the Interior may issue rules and regulations to effectuate the purposes of this act.

"SEC. 8. There are authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, such sums, not to exceed $2,000,000, for a 5-year period, to carry out the provisions of this act: *Provided*, That departmental expenses for the correlation and coordination of information over such 5-year period shall not exceed the sum of $500,000: *Provided further*, That such departmental expenses shall be scheduled in equal amounts for each year of such period insofar as practicable."

Mr. HENDRICKSON. Mr. President, may we have an explanation of the amendment?

Mr. CASE. Mr. President, House bill 6578 proposed a program of research and demonstration of making sea and other saline waters available for industrial, agricultural, municipal, and domestic uses. The subject was developed in extensive hearings held last year by a joint committee for three committees of the Senate, the Committee on Agriculture and Forestry, the Committee on Interior and Insular Affairs, and the Committee on Interstate and Foreign Commerce. The original hearing was conducted for 4 days. This was supplemented by later hearings and visits of Senators and staff members to various plants and laboratories. The hearings were presided over by the distinguished Senator from New Mexico, former Secretary of Agriculture [Mr. ANDERSON]. These studies developed that a great deal may be done to make available for use water which had been previously considered impossible to be used but that more research is needed.

The House has already passed a bill which proposes a program of research and the building of a pilot or demonstration plant to be operated by the Department of the Interior. There has been some objection, however, to having the Department build a plant, in view of the fact that there are some able nonprofit research organizations working in this field. The amendment which I have proposed eliminates the building and operation of a plant by the Department of the Interior and authorizes in lieu thereof the making of contracts with research foundations and industry. That is the principal difference between the bill and the amendment. We believe this approach will get more results for the money expended.

Mr. ANDERSON. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. ANDERSON. Is it not true that some companies have asked for an opportunity to proceed under Government sponsorship, and that at least one research organization has offered to take over some of the cost?

Mr. CASE. That is correct. A research institution near Boston with which our colleague the very able Senator from Vermont [Mr. FLANDERS] is familiar, has been pointing to some possibilities in water modification which would be of the greatest importance to the Department of Defense, the Department of Agriculture, and the Department of Commerce, and our entire economy. Some who are working in this field that feel we are on the eve of making sea water usable for great coastal cities and for irrigation. Inland cities and towns may find it practicable to desalt alkaline and brackish waters. This, conceivably, will save huge sums to

both the areas concerned and to the National Government.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. HENDRICKSON. Will the Senator give the Senate some indication of the cost of the operation under the bill?

Mr. CASE. The authorization in the amendment which I have proposed makes a limitation on departmental expenditures of $500,000 over a period of 5 years. An amount up to $2,000,000 may be expended for the program over a period of 5 years, this covering research contracts as well as departmental expenses. The House bill proposed $1,000,000, but on a 5-year basis that is considered inadequate.

Mr. HENDRICKSON. Does the Senator feel that such an expenditure is justified?

Mr. CASE. I do. The use of water in modern industry, such as in oil refineries, is greatly depleting the good water resources in many parts of the country. For example, I was surprised to learn that a single refinery in New York uses more water than the city of Buffalo. There are, however, a great many cities and towns in the United States that have access to water which is relatively brackish and not usable for domestic or industrial purposes. This research, which is in its infancy, indicates that we can unlock for cities, industries, or agriculture great supplies of water in the country by relatively cheap methods. But considerable research and demonstration are necessary to demonstrate just what can be done. The field is national in importance and beyond the resources of any single foundation working in the field as far as known.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. DOUGLAS. Mr. President, I ask that the Senator be yielded two additional minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. DOUGLAS. The purpose seems a very worthy one but it involves the operation of a private plant by the Government. I am wondering if the Senator from South Dakota does not regard this as a dangerous experiment in socialism. Would it not be much better to have private industry operate the plant rather than to have the Government go into the water business?

Mr. CASE. The Senator is making a case for the amendment I have offered. The House bill provided for a pilot plant to be built and operated by the Government. My amendment denies such a pilot plant and authorizes research contracts with private institutions and foundations.

Mr. ANDERSON. I am happy to say that that is why I am very strongly in favor of the amendment suggested by the Senator from South Dakota. I think it removes all possible objections to the bill, and gives the country a chance to take advantage of processes being developed throughout the world. I associate myself with the Senator from South Dakota in his effort to have adopted the approach he is now providing by his amendment.

Mr. HENDRICKSON. Mr. President, I should like to observe that I know the Senator from South Dakota is always on the side of sound economy, so I accept his judgment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. CASE].

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to provide for research into and development of practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes."

Mr. CASE. Mr. President, I ask unanimous consent that a statement I have prepared under the title of the Senate bill be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE ON H. R. 6578 AND AMENDMENT THERETO

Mr. President, I am today offering an amendment to the bill H. R. 6578 (S. 5), providing for research into and demonstration of practical means for the economical production, from sea or other saline waters, or from the atmosphere (including cloud formations), of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

I was privileged to attend hearings on this bill held by three subcommittees of the Senate simultaneously with hearings on various weather-control bills, one of which I had introduced. As these hearings progressed, I realized that the desalting or demineralizing of water was a subject important to all persons and all areas of the Nation, and not just to those involved in sea commerce and those living on our coasts.

We are all conscious of the fact that water supply is a serious and often critical problem all over the United States.

As our population gets larger, as industrial production expands, and as agricultural production increases, we will certainly meet up with a tremendously enlarged demand for water, making the problem still more serious.

It is obvious, therefore, that we must now and in the immediate future develop new sources of water and make better use of the sources of water supply precently available to us.

If we do not use foresight in handling this problem, we will most certainly find ourselves in a predicament affecting the health and well-being of everyone.

Many persons do not realize the immensity of our present and future water needs. The Senators who heard testimony on this subject last year, however, were given many eye-opening examples of water use, some of which were quoted in the committee report on S. 5. I would, in turn, like to quote an excerpt from that report:

"The magnitude of modern need for and use of water is illustrated by a fact reported at the hearings, that the Baton Rouge oil refinery in Louisiana uses more water than the entire city of Cleveland, Ohio, although it is only one plant. The Bay Refinery in New York uses more water than the city of Buffalo, N. Y. The committee was told that in such plants water is pumped through the cooling towers at the rate of approximately 260,000,000 gallons per day.

"Not less than 30,000 gallons of water are required to make a ton of newsprint, some 60,000 to 120,000 gallons to make steam from a ton of coal. For every thousand pounds of cotton used to produce mercerized cotton 30,000 gallons of water are consumed. Even the basic operation of sizing cotton requires 820 gallons for a thousand pounds. It takes 70,000 gallons to finish a thousand pounds of woolen fabrics, and 77,000 gallons of water to refine 100,000 barrels of oil. It takes 500 gallons of water to manufacture a ton of soap, and one-half gallon to make a pound of sugar.

"As the canning industry grows the use of water apparently grows. 7,000 gallons are required to process 100 cases of No. 2 cans of tomatoes, 12,500 gallons for the same amount of succotash, and 25,000 gallons for the same amount of lima beans.

"In every field of industry—production of electrical energy, the testing of airplane engines, the manufacture of aviation gasoline, the manufacture of aluminum, the processing of iron ore, the manufacture of explosives, the operation of slaughterhouses—more and more water is required.

"OTHER PRESSING SHORTAGES

"Many States are finding it necessary to pass legislation to limit the drilling of water wells. The need of additional water to solve the problems of the arid West has long been known. Indeed, acute water shortages have developed in many areas of the West and there is every reason to believe that if fresh water can be economically made from salt water both agriculture and industry will benefit to the great economic advantage of the whole country.

"Domestic and municipal uses are also increasing. An average office building uses from 27 to 45 gallons per day per person. Hospital uses, as might be expected, are very much greater. The daily rate runs from 135 to 350 gallons per day per patient. Hotels, growing in number throughout the country, like hospitals, use huge quantities, running at the rate of 300 to 525 gallons per day per guest room.

"It was represented to the committee that while a few decades ago a per capita supply of 100 gallons of water per day was considered sufficient for all human needs, that amount of water would not begin to meet requirements at the present time.

"In the case of many municipalities the per capita use now is more than 200 gallons per day, thus illustrating the widespread basic need for research of the character provided in this bill."

We can reasonably expect that the seas and our brackish inland waters might provide two new sources of potable water. Research in developing means for desalting or demineralizing these waters has progressed over a period of several years. But this research must be further promoted and accelerated so that we can meet, in time, the pressing demands for potable water in the near future.

Sea water as a source of sweet water appeals, of course, principally to the communities and areas reasonably close to the sea. What we commonly speak of as brackish water, however, is common to many inland areas where it is found in streams and wells, particularly in arid and semiarid parts of the country.

Economical means of demineralizing this latter type of water will mean that farmers and ranchers can support more livestock on their grazing lands and can store more water for irrigation purposes.

An economical demineralizing process could not only provide additional stock water and extend irrigation, especially where irrigation projects have failed of feasibility because of alkaline water, but could also vastly

improve water supplies for thousands of communities and homes, rural and urban, all over the Nation.

Conceivably a demineralizing process could eventually be substituted for present-day softening processes and could also solve problems arising from mineral deposits in boilers and in water-distributing systems.

A demineralizing process coud also be used to produce and purify various industrial fluids, and the possibilities here are so great that research in purifying water might be deferred by private research companies and institutions if the Government does not provide encouragement for the latter.

Providing water for community and agricultural uses has been generally recognized as a public responsibility, and our Federal Government and our local governments have therefore made huge investments in projects to concentrate and distribute water. For this reason, it is clearly appropriate for the Federal Government to show a concern for future water supplies to the extent of encouraging and supporting research leading to the development of processes which will make more water generally available.

This the Federal Government can do, with a comparatively small expenditure, by passing the bill with the amendment.

The VICE PRESIDENT. Without objection, Senate bill 5 will be indefinitely postponed.

MODIFICATION OF RAILROAD FINANCIAL STRUCTURES — BILL PASSED OVER

The bill (S. 2354) to amend the Interstate Commerce Act by requiring the Interstate Commerce Commission to consider, in stock modification plans, the assents of controlled or controlling stockholders was announced as next in order.

Mr. AIKEN. Mr. President, I ask that the bill be passed over.

The VICE PRESIDENT. The bill will be passed over.

MARY FOX

The bill (S. 2630) for the relief of Mary Fox was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Fox, Hialeah, Fla., the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Mary Fox against the United States on account of personal injuries sustained by her on January 25, 1945, when a Miami Transit Co. bus in which she was a passenger was struck by a United States Army truck at the intersection of Southwest Fifth Avenue and Southwest Sixth Street, Miami, Fla., the operator of which Army vehicle was not acting within the scope of his employment: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. And person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

GEORGE TUS

The bill (S. 2528) for the relief of George Tus was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Attorney General is directed to cancel forthwith any outstanding warrant of arrest, order of deportation, warrant of deportation, and bond in the case of the alien George Tus (also known as Jurko Torowis), of Seattle, Wash., and is directed not to issue hereafter any such warrants or orders in the case of such alien insofar as such warrants or orders are based upon the same grounds as the warrants or orders required by this act to be canceled. The said George Tus shall be permitted to remain in the United States for permanent residence.

HSIEH TA-CHUAN OR DER OTT-KUAN

The bill (S. 2313) for the relief of Hsieh Ta-Chuan or Der Ott-Kuan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 2 of the act of December 17, 1943, as amended (57 Stat. 601; 60 Stat. 975, 8 U. S. C. 212 (a)), Hsieh Ta-Chuan or Der Ott-Kuan, alien minor child of William S. Yao-T'ang Hsieh, a United States citizen, may be admitted to the United States as a nonquota immigrant in accordance with sections 4 (a) and 9 of the Immigration Act of 1924, if such alien is otherwise admissible under the immigration laws.

MICHIKO OKUDA

The bill (S. 2289) for the relief of Michiko Okuda was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Michiko Okuda, the Japanese fiancée of Paul S. Tani, and that the said Michiko Okuda shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Michiko Okuda is coming to the United States with a bona fide intention of being married to the said Paul S. Tani, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Michiko Okuda, she shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of the said Michiko Okuda, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Michiko Okuda as of the date of the payment by her of the required visa fee and head tax.

NICHOLAS J. AND ELIZABETH MIURA

The bill (S. 2277) for the relief of Nicholas J. and Elizabeth Miura was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Nicholas J. and Elizabeth Miura, minor adopted children, shall be considered the natural-born alien children of Frank A. Valentine, a citizen of the United States.

BIANCAMARIA CORI

The bill (S. 2249) for the relief of Biancamaria Cori was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Biancamaria Cori, shall be held and considered to be the natural-born alien child of Mary Cory, a citizen of the United States.

FELIX KORTSCHAK

The bill (S. 1947) for the relief of Felix Kortschak was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Felix Kortschak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ERICH ANTON HELFERT

The bill (S. 1946) for the relief of Erich Anton Helfert was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Erich Anton Helfert shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

WALTER KOELZ

The bill (S. 1454) for the relief of Walter Koelz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the first and ninth categories of section 3 of the Immigration Act of 1917, as amended (8 U. S. C. 136 (a) and (d)), Walter Koelz may be admitted to the United States for permanent residence provided he is found otherwise admissible under the provisions of the immigration laws: *Provided*,

That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Walter Koelz becoming a public charge.

PANAIOTIS NICUREZOS

The bill (S. 1268) for the relief of Panaiotis Nicurezos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Panaiotis Nicurezos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ROBERT LEE WILLIAMS

The bill (S. 2074) for the relief of Robert Lee Williams was announced as next in order.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of this measure?

The VICE PRESIDENT. Is there objection to the present consideration of the bill which has been reported with an amendment?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 9, after the word "year", to strike out "1935 or 1936" and insert "1937."

Mr. McCARRAN. I understand the Senator from Kansas requests an explanation.

Mr. SCHOEPPEL. I noted that the distinguished occupant of the chair indicated that there was an amendment. I understood, according to the calendar, that there was no amendment.

The VICE PRESIDENT. There is a misprint on the calendar. There is an amendment.

Mr. SCHOEPPEL. I desire to have an explanation of the bill.

Mr. McCARRAN. Mr. President, this bill awards the sum of $5,000 to a claimant who injured his left arm during the time he was attending the Seneca Indian School. When the claimant was examined recently by a private physician, the doctor determined that the injury had developed into what is known as a Volkmann contracture. Although some treatment was immediately given to the claimant's injury, the hospital records do not indicate that the treatment given this claimant was adequate. As a matter of fact, the Department of the Interior indicates that the records do not reveal treatment considered absolutely essential to prevent a development of a Volkmann contracture after a severe fracture in the vicinity of the elbow joint.

The Department of the Interior recommends the bill in the amount provided.

Since the record clearly indicates that this claimant has not been given proper medical treatment by an agency of the United States Government, and since this failure to provide adequate medical treatment has resulted in a severe and permanent injury to the claimant which has substantially decreased his opportunity to secure gainful employment, the committee recommends favorable consideration.

A similar bill was approved by this Congress, and is now Private Law 278.

Mr. SCHOEPPEL. I have no objection.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is directed and authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Robert Lee Williams, of Feather Falls, Calif., in full satisfaction of his claim against the United States for permanent injuries sustained by him as a minor while attending the Seneca Indian School in the year 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a disdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

CONSTANTINOUS TZORTZIS

The Senate proceeded to consider the bill (S. 1577) for the relief of Constantinous Tzortzis, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Constantinous Tzortzis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SISTERS ADELAIDE CANELAS AND MARIA ISABEL FRANCO

The Senate proceeded to consider the bill (S. 808) for the relief of Sisters Adelaide Canelas and Maria Isabel Franco, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Sisters Adelaide Canelas and Maria Isabel Franco shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN BASQUE ALIENS

The Senate proceeded to consider the bill (S. 732) for the relief of certain Basque aliens, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Ciro Careaga, Vicente Galarza, Jose Manuel Batista Perez, Jesus Llona Mencheca, Agustin Uriarte, Segundo Ybarro, Manuel Olavarria, Tomas Lanzoa, Francisco Grana, Guillermo Chacartegui, Nicasio Larrinaga Ortube, Julian Orbe Zuazua, Thomas Aransolo Abadea, George Aransolo Abadea, and Jose Erenosaga shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JUDICIAL REVIEW OF DECISIONS OF GOVERNMENT CONTRACTING OFFICERS—BILL PASSED TO NEXT CALL OF THE CALENDAR

The bill (S. 2487) to permit judicial review of decisions of Government contracting officers involving questions of fact arising under Government contracts in cases other than those in which fraud is alleged was announced as next in order.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

Mr. HENDRICKSON. Mr. President, I shall not object, because this would be excellent legislation, but I think there should be an explanation for the RECORD.

Mr. McCARRAN. Mr. President, the purpose of this bill is to offset the decision of the Supreme Court which held that where a Government contract provides that the decision of a contracting officer or head of an agency is final with

respect to any decision he may make relating to a dispute under the contract the losing party in such a dispute has no right of review of such a decision in the courts, unless he can allege and prove fraud. The Court said, "By fraud we mean conscious wrongdoing, an intention to cheat or be dishonest." The Court said further, "The limitation upon this arbitral process is fraud, placed there by this Court. If the standard of fraud that we adhere to is too limited, that is a matter for Congress."

Heretofore, it had been the opinion of many lawyers that review of such administrative decisions was not so limited. The decision meant that even though an honest mistake was made it was necessary that the aggrieved party allege and prove that some Government employee was a cheat or a fraud. As a matter of fact, since this decision a case arose in Pennsylvania where a contracting officer had made such a mistake, and when the Comptroller General of the United States attempted to recover on behalf of the Government, a defense was urged based on the above referred to Supreme Court decision, which resulted in a failure to recover on behalf of the Government.

The bill was the subject of extensive hearings before a judiciary subcommittee, and, as far as I know, the language of the bill proposed to be enacted meets with the unanimous approval of all of the interested parties.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That no provision of any contract entered into by the United States, relating to the finality or conclusiveness, in a dispute involving a question arising under such contract, of any decision of an administrative official, representative, or board, shall be pleaded as limiting judicial review of any such decision to cases in which fraud by such official, representative, or board is alleged; and any such provision shall be void with respect to any such decision which the General Accounting Office or a court, having jurisdiction, finds fraudulent, grossly erroneous, so mistaken as necessarily to imply bad faith, or not supported by reliable, probative, and substantial evidence.

SEC. 2. No Government contract shall contain a provision making final on a question of law the decision of an administrative official, representative, or board.

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, I wonder if I may ask the chairman of the committee if public hearings were held on the bill.

Mr. McCARRAN. Yes, hearings were held.

Mr. DOUGLAS. Have the hearings been printed?

Mr. McCARRAN. Yes.

Mr. DOUGLAS. Are they available?

Mr. McCARRAN. Yes; I am advised they are printed and are available.

Mr. DOUGLAS. Are they available for distribution?

Mr. McCARRAN. We will make them available.

Mr. DOUGLAS. Is it true that the Justice Department opposed the bill?

Mr. McCARRAN. No.

Mr. DOUGLAS. My understanding was that the Justice Department was opposed to precluding the insertion of so-called dispute clauses in Government contracts. What is the attitude of the Defense Department?

Mr. McCARRAN. I am not advised at this time.

Mr. DOUGLAS. I am informed that one of my assistants went to the committee this morning and asked for the hearings, and was told that the hearings had not been printed. Perhaps he was given incorrect information.

Mr. McCARRAN. If I have misinformed the Senator from Illinois, I stand corrected.

Mr. DOUGLAS. I am sure the Senator would not consciously do so.

Mr. McCARRAN. If the hearings have not been printed, they have been sent to the printer. I am advised that they have been printed. If the Senator has any objection to the bill, I am only too glad to have it go over. The bill should have the consideration of the Senator from Illinois as well as of every other Senator.

Mr. DOUGLAS. I appreciate the attitude of the Senator from Nevada.

I am informed that the disputes clauses in question, which are sought to be abrogated by the bill, have been in Government contracts since approximately 1880, and that there were Supreme Court decisions on this subject on not less than three occasions during the 1880's. Apparently in the past, at least, there was some need for and usefulness of these disputes clauses, which, as I understand, deal with questions of fact only, and not with questions of law.

I wonder if the Senator would be willing to have the bill go over until the next call of the calendar?

Mr. McCARRAN. With the understanding that it will be called on the next call of the calendar?

Mr. DOUGLAS. Certainly.

The VICE PRESIDENT. Without objection, the bill will be passed over until the next call of the calendar.

Mr. McCARRAN subsequently said: Mr. President, I should like to have the attention of the Senator from Illinois [Mr. DOUGLAS] in order that I may correct a statement which I made to him. I was misinformed as to the printing of the hearings in connection with Calendar 1572, Senate bill 2487. The hearings have not been printed. I apologize to the Senator from Illinois for the statement which I made.

Mr. DOUGLAS. I thank the Senator from Nevada for his courtesy and consideration, and for his full and fair statement.

WILLIAM T. KREH, SR.

The Senate proceeded to consider the bill (S. 1127) for the relief of William T. Kreh, Sr., which had been reported from the Committee on the Judiciary, with amendments on page 1, line 5, after the word "to", to strike out "Edward" and insert "William", and in line 8, after the word "said", to strike out "Edward" and insert "William", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William T. Kreh, Sr. of 10 McMurray Street, Frederick, Md., the amount, as certified by the Secretary of the Navy, which would have been paid to the said William T. Kreh, Sr., as night differential pay for the period from November 15, 1940, to October 16, 1944, had application for such pay been filed on or before July 31, 1948, as provided by the act of July 31, 1946 (5 U. S. C. 949): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STEPHEN A. SPILIOS

The Senate proceeded to consider the bill (S. 709) for the relief of Stephen A. Spilios, which had been reported from the Committee on the Judiciary with an amendment in line 4, after the name "Spilios", to insert "also known as Stephen A. Harrison", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Stephen A. Spilios, also known as Stephen A. Harrison, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Stephen A. Spilios, also known as Stephen A. Harrison."

PETER ROUSETOS, ALSO KNOWN AS PANAGIOTIS ROUSSETOS, ALSO KNOWN AS PANAGIOTIS ROUSSETOS METRITIKAS

The bill (S. 2637) for the relief of Peter Rousetos, also known as Panagiotis Roussetos, also known as Panagiotis Roussetos Metritikas, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Peter Rousetos, also known as Panagiotis Roussetos, also known as Panagiotis Rousse-

tos Metritikas, shall be held and considered to be the natural-born alien child of Mr. and Mrs. John Metritikas, citizens of the United States.

BONNIE JEAN MacLEAN

The bill (S. 3032) for the relief of Bonnie Jean MacLean was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minior child, Bonnie Jean MacLean, shall be held and considered to be the natural-born alien child of First Lieutenant and Mrs. Wallace K. MacLean, citizens of the United States.

WILLIAM R. JACKSON

The bill (S. 3056) for the relief of William R. Jackson was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, I should like to have an explanation of the bill for the RECORD.

Mr. McCARRAN. Mr. President, this bill would award to William R. Jackson, of Annapolis, Md., administrator of the estate of W. C. Jackson, deceased, the sum of $11,500 plus interest on such sum at the rate of 4 percent per annum from February 24, 1943, to the date of payment for damages resulting from the unlawful taking by the Government of the deceased's fishing grounds and the deprivation by the Government of the deceased's use of his fishing nets in the vicinity of Spesutie Island, Md.

In the Eighty-first Congress, a bill (S. 2185) was introduced for the relief of W. C. Jackson, now deceased. Subsequently, the Senate by Senate Resolution 137, referred the bill to the Court of Claims for action in accordance with sections 1492 and 2509 of title 28, United States Code.

The Court of Claims has concluded as a matter of law, that claimant, as administrator of the estate of W. C. Jackson, deceased, has a legal and equitable claim against the United States, in the sum of $11,500 plus interest at 4 percent from February 24, 1943.

In view of the decision of the Court of Claims, the committee recommends favorable consideration of this bill, S. 3056.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Is there objection to the present consideration of the bill?

Mr. McKELLAR. Mr. President, this case involves a court decree. It will have to be paid some time, and we might as well pay it now.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third tme, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William R. Jackson, administrator of the estate of W. C. Jackson, deceased, the sum of $11,500 plus interest on such sum at the rate of 4 percent per annum from February 24, 1943, to the date of payment, representing the amount of damages found by the United States Court of Claims (Congressional No. 17859, decided April 8, 1952, in response to S. Res. 137, 81st Cong.), to have resulted from the unlawful taking by the Government of the deceased's fishing grounds and the deprivation by the Government of the deceased's use of his fishing nets in the vicinity of Spesutie Island, Md.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

JUN MIYATA

The bill (S. 3132) for the relief of Jun Miyata was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Jun Miyata, shall be held and considered to be the natural-born alien child of Sgt. Loyd Greenfield, Jr., a citizen of the United States, and notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, the said Jun Miyata may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of the immigration laws.

KAREL VACLAV MALINOVSKY

The bill (H. R. 812) for the relief of Karel Vaclav Malinovsky was considered, ordered to a third reading, read the third time, and passed.

HEINRICH VON BIEL, MARGARETHE VON BIEL, AND DORIS SCHUMANN

The bill (H. R. 885) for the relief of Heinrich von Biel, Margarethe von Biel, and Doris Schumann was considered, ordered to a third reading, read the third time, and passed.

MRS. SOLVEIG NORMANSON

The bill (H. R. 966) for the relief of Mrs. Solveig Normanson was considered, ordered to a third reading, read the third time, and passed.

CARL M. CAMPBELL, JAMES R. WHITE, AND FREDERICK J. POWERS

The bill (H. R. 1690) for the relief of Carl M. Campbell, James R. White, and Frederick J. Powers was considered, ordered to a third reading, read the third time, and passed.

MOTHER ANNA FASULO

The bill (H. R. 2296) for the relief of Mother Anna Fasulo was considered, ordered to a third reading, read the third time, and passed.

KLOMAN INSTRUMENT CO., INC.

The bill (H. R. 2413) for the relief of the Kloman Instrument Co., Inc., was considered, ordered to a third reading, read the third time, and passed.

MRS. BEVERLY BRUNELL ROTH

The bill (H. R. 2510) for the relief of Mrs. Beverly Brunell Roth was announced as next in order.

Mr. SCHOEPPEL. Mr. President, I understand that the Navy Department opposes the bill. May we have an explanation of it?

Mr. McCARRAN. Mr. President, the claimant in this case was a member of a USO entertainment troupe who was seriously injured when a jeep in which she was a passenger was overturned on the island of Saipan on October 16, 1945.

The Department of the Navy admits that her injuries were caused by the negligence of the enlisted man who was driving the jeep at the time of the accident. She received a certain amount of compensation under an insurance contract with the USO, and a majority of her hospital and medical expenses were rendered by the Government at no cost to her. However, she has suffered a certain degree of cosmetic damage, and her talent as a singer has been impaired to a considerable extent. For these reasons, the committee was of the opinion that she is entitled to compensation from the Government.

This bill would pay her the amount of $7,500 in full settlement of all her claims against the United States in connection with this accident.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

SEBASTIANO BELLO ET AL.

The bill (H. R. 3155) for the relief of Sebastiano Bello, Dino Bianchi, Pierino Ciccarese, Vincenzo Dall' Alda, Vittorio De Gasperi, Salvatore Puggioni, Giovanni Battista Volpato, and Leone Montini was considered, ordered to a third reading, read the third time, and passed.

GABRIELLA RUBIDO ZICHY

The bill (H. R. 3534) for the relief of Gabriella Rubido Zichy was considered, ordered to a third reading, read the third time, and passed.

DR. ALEXANDER SYMEONIDIS

The Senate proceeded to consider the bill (H. R. 3600) for the relief of Dr. Alexander Symeonidis which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the laws relating to immigration and naturalization, Doctor Alexander Symeonidis shall be held and considered to have been lawfully admitted to the United States for permanent

residence as of August 25, 1947, the date of his first entry into the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PACIFIC FRUIT EXPRESS CO.

The bill (H. R. 3616) for the relief of the Pacific Fruit Express Co. was announced as next in order.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, this bill provides compensation to the Pacific Fruit Express Co. for loss of certain of their property situated on the right-of-way of the Union Pacific Railroad in the vicinity of Wallula, Wash., caused by the flooding of the site due to the operation of the McNary Dam.

Although all other property owners are able to be compensated by the Government, this claimant has a type of property interest known as a "tenancy at will," and under the strict interpretation of the law cannot be compensated other than by way of private legislation. The amount awarded is one which has been determined to be just and reasonable following consultation between the interested Government departments and the claimant.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection the bill was considered, ordered to a third reading, read the third time, and passed.

SAMUEL THOMAS WONG

The bill (H. R. 4067) for the relief of Samuel Thomas Wong was considered, ordered to a third reading, read the third time, and passed.

ISABELLE F. STORY

The bill (H. R. 4070) for the relief of Isabelle F. Story was considered, ordered to a third reading, read the third time, and passed.

SOR EUFRASIA GOMEZ GALLEGO ET AL.

The bill (H. R. 5208) for the relief of Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF FLOYD L. GREENWOOD

The bill (H. R. 5479) for the relief of the estate of Floyd L. Greenwood was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Reserving the right to object, the bill involves a large sum of money, and I believe the RECORD should show an explanation.

Mr. McCARRAN. Mr. President, this bill provides for payment of $10,000 to the estate of Floyd L. Greenwood, of Cloverport, Ky., in full settlement of all claims of said estate against the United States for the wrongful death of the said Floyd L. Greenwood resulting from an accident involving a United States Army vehicle and caused by the admitted negligence of the soldier driving the Army vehicle.

On October 4, 1949, a soldier at Fort Knox, Ky. drove a truck through the gates of Fort Knox without authority and without being challenged or examined for the requisite authority and subsequently drove this truck in such a negligent manner as to cause a collision with a taxicab in which the decedent involved herein was riding as a passenger, causing the latter's death.

The Department of the Army has advised that it considers the proposed award of $10,000 to be fair and reasonable, particularly in view of the fact that the decedent left surviving his wife and 10 minor children.

The committee concurs in this opinion and recommends that this bill be considered favorably.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 5479) for the relief of the estate of Floyd L. Greenwood was considered, ordered to a third reading, read the third time, and passed.

PETER MIHALY BEREND

The Senate proceeded to consider the bill (H. R. 5687) for the relief of Peter Mihaly Berend which has been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Peter Mihaly Berend shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953).

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CHIZUKO NAKAGAMI

The bill (H. R. 5759) for the relief of Chizuko Nakagami was considered, ordered to a third reading, read the third time, and passed.

VERONICA MERITA RITSON

The bill (H. R. 5957) for the relief of Veronica Merita Ritson was considered, ordered to a third reading, read the third time, and passed.

FRED AUGUSTUS SNEAD, JR.

The bill (H. R. 6023) for the relief of Fred Augustus Snead, Jr., was considered, ordered to a third reading, read the third time, and passed.

GORDON UGLOW

The bill (H. R. 6231) for the relief of Gordon Uglow was considered, ordered to a third reading, read the third time, and passed.

ADMISSION OF WONG NG CHIN CHUN TO THE UNITED STATES

The bill (H. R. 6259) to authorize the admission of Wong Ng Chin Chun to the United States was considered, ordered to a third reading, read the third time, and passed.

LOUIS R. CHADBOURNE

The bill (H. R. 6264) for the relief of Louis R. Chadbourne was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 81) favoring the suspension of deportation of certain aliens was considered and agreed to.

(For text of above concurrent resolution, see CONGRESSIONAL RECORD of June 4, 1952, pp. 6603–6606.)

RESOLUTION FAVORING GRANT OF PERMANENT-RESIDENCE STATUS TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 191) favoring the granting of the status of permanent residence to certain aliens which had been reported from the Committee on the Judiciary with amendments on page 2, to strike out lines 5, 6, 7, 18, 19, 20, 24, and 25; on page 3, to strike out lines 1, 2, 7, 9, 11, and 21; on page 4, to strike out lines 3, 4, 5, 6, 7, 8, 9, 10, 12, 20, 23, 24, and 25; on page 5, to strike out lines 1, 7, 8, 15, 16, 17, 18, and 21; on page 6, to strike out lines 2, 3, 4, 5, 6, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, and 25; on page 7, to strike out lines 1, 2, 3, 4, 5, 8, 11, 13, 14, 22, and 25; on page 8, to strike out lines 1, 2, 3, 7, 12, 17, 19, and 24; on page 9, to strike out lines 1, 2, 3, 4, 9, 18, 19, 20, and 22; on page 10, to strike out lines 1, 2, 3, 5, 8, 11, 12, 15, and 17; on page 11, to strike out lines 7, 8, 13, 14, 19, and 25; on page 12, to strike out lines 1, 2, 3, 6, 9, 14, 19, 20, 23, and 24; on page 13, to strike out lines 2, 13, 15, 16, 22, 24, and 25; on page 14, to strike out lines 1, 7, 8, 15, and 25; on page 15, to strike out lines 6, 7, 8, 9, 10, 16, 17, 18, 20, and 24; on page 16, to strike out lines 1, 2, 4, 5, 6, 7, 8, 11, 12, 13, 19, 20, 23, 24, and 25; on page 17, to strike out lines 2, 3, 4, 5, 6, 11, 13, 14, 18, and 19; on page 18, to strike out lines 2, 3, 4, 5, 7, 8, 10, 17, 18, 19, 24, and 25; on page 19, to strike out lines 1, 2, 9, 12, 13, 15, 17, and 24; on page

20, to strike out lines 1, 3, 5, 6, 7, 10, 18, 22, 23, and 24; on page 21, to strike out lines 5, 8, 12, 21, 23, 24, and 25; on page 22, to strike out lines 10, and 19; on page 23, to strike out lines 1, 4, 5, 8, 9, 10, 11, 12, 17, 18, 19, 20, and 21; on page 24, to strike out lines 1, 2, 8, 9, 16, 17, 23, and 24; on page 25, to strike out lines 1, 2, 4, 7, 8, 15, 18, 19, 20, 21, 22, and 23; on page 26, to strike out lines 1, 6, 7, 8, 14, 16, 18, 19, 20, and 21; on page 27, to strike out lines 4, 6, 10, 13, 14, 15, 16, 19, and 25; on page 28, to strike out lines 1, 2, 5, 6, 8, 9, 10, 11, 12, 16, and 17; on page 29, to strike out lines 3, 4, 5, 6, 7, 8, 9, 15, 16, 19, and 24; on page 30, to strike out lines 1, 12, 17, 19, and 20; on page 31, to strike out lines 1, 2, 3, 9, 13, 14, 16, 24, and 25; on page 32, to strike out lines 8, 9, 10, 11, 15, 16, 20, and 22; on page 33, to strike out lines 7, 8, 10, 12, 17, 18, 19, and 20; on page 34, to strike out lines 10, 12, 13, and 21; on page 35, to strike out lines 1, 5, 6, 8, 18, 19, 20, 22, 23, and 25; on page 36, to strike out lines 1, 6, 7, 8, 14, 16, 17, 20, 22, and 25; on page 37, to strike out lines 1, 3, 5, 7, 12, 17, 18, and 21; on page 38, to strike out lines 3, 4, 6, 9, 14, 15, 18, 23, and 25; on page 39, to strike out lines 1, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, and 23; on page 40, to strike out lines 2, 5, 6, 11, 13, 14, 15, 16, 17, and 18; on page 41, to strike out lines 3, 4, 8, 9, 14, 15, 16, 18, 19, 22, and 23; on page 42, to strike out lines 1, 2, 9, 20, and 21; on page 43, to strike out lines 1, 2, 3, 7, 9, 11, 12, 13, 14, 19, 20, 21, 24, and 25; on page 44, to strike out lines 3, 4, 10, 11, 13, 18, 19, 20, and 22; on page 45, to strike out lines 8, 9, 16, 17, 18, 19, 20, 21, and 24; on page 46, to strike out lines 3, 4, 8, 9, 10, 17, 18, 21, and 25; on page 17, to strike out lines 1, 2, 8, 9, 17, 21, 22, 23, 24, and 25; on page 48, to strike out lines 3, 4, 5, and 6; on page 49, to strike out lines 2, 4, 5, 11, 17, 21, and 22; on page 50, to strike out lines 2, 3, 4, 5, 7, 14, 18, 19, 20, and 21; and on page 51, after line 3, to insert:

A-6421949, Malaxa, Nicolae.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

Mr. McCARRAN. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Nevada.

The CHIEF CLERK. On page 4, line 11, it is proposed to strike out:

A-6887953, Sefcik, Ludvik Tom or Louis H. Sefcik.

Mr. McCARRAN. Mr. President, the purpose of the amendment is to strike out one name from the concurrent resolution which the Attorney General has requested be returned to the jurisdiction of the Department of Justice.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

The concurrent resolution (H. Con. Res. 191), as amended, was agreed to.

XCVIII—490

BILL PASSED OVER

The bill (S. 2115) to continue the existing method of computing parity prices for basic agricultural commodities, was announced as next in order.

Mr. SCHOEPPEL. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

APPORTIONMENT OF SCHOOL-LUNCH FUNDS TO UNITED STATES TERRITORIES AND INSULAR POSSESSIONS—BILL PASSED OVER

The Senate proceeded to consider the bill (H. R. 1732) to amend the National School Lunch Act, with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands, which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, line 10, after the name "Puerto Rico", to insert "Guam"; on page 2, line 6, after the name "Puerto Rico", to insert "the apportionment for Guam"; in line 10, after the name "Puerto Rico", to insert "Guam"; in line 15, after the name "Puerto Rico", to insert "Guam"; after line 17, to insert:

(c) Section 11 (d) (1) of the National School Lunch Act (42 U. S. C., 1760 (d) (1)) is amended to read as follows:

"(1) 'State' includes any of the 48 States, the District of Columbia, Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

And in line 24, to reletter the subsection from "(c)" to "(d)."

The amendments were agreed to.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of the measure, as amended?

Mr. HILL. Mr. President, under the present law providing for the school-lunch program, Alaska, Hawaii, Puerto Rico, and the Virgin Islands are limited to 3 percent of the funds appropriated annually for that program. As Senators will recall, the main factor in determining the quota of each State or Territory is the per capita income. The Territories of Alaska and Hawaii have now reached a per capita income which is in line with the per capita income of the average State of the Union. It is felt to be only fair and right, their per capita income having reached the average, so to speak, in the United States, that they should participate in the program on the same basis on which the States participate. So far as Puerto Rico, the Virgin Islands, and Guam are concerned, their per capita incomes are still very low, and I believe they should continue under the present law.

Mr. JOHNSTON of South Carolina. Mr. President, I object to the bill.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

FILING OF RAILROAD EQUIPMENT TRUST AGREEMENTS, ETC.—BILL PASSED OVER

The bill (S. 3161) to amend part I of the Interstate Commerce Act to provide for filing of equipment trust agreements and other documents evidencing or relating to the lease, mortgage, conditional sale, or bailment of railroad equipment was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, I would appreciate having an explanation of the bill for the RECORD.

Mr. JOHNSON of Colorado. Mr. President, there has developed a system of providing railroad equipment through an arrangement known as the equipment trust, whereby life-insurance companies and other corporations finance the building of locomotives, freight cars, and other railroad equipment. Under the law the equipment trusts' records must be recorded in every county of every State through which the railroad operates. The cost for each recordation runs from $400 to $500 for each record, and no good purpose is served by it, provided the record is available in one central place where it may be inspected by anyone who is interested. That proper place, according to the bill, is the Interstate Commerce Commission.

The purpose of the bill is, therefore, to make the Interstate Commerce Commission the recording office, and not to require that such agreements and documents be recorded all over the country. The present recording system costs a great deal of money, takes a great deal of time, and does not serve a useful purpose.

Mr. HENDRICKSON. Mr. President, I thank the Senator from Colorado, and I commend him and his committee for this bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. AIKEN. I object.

Mr. JOHNSTON of South Carolina. Mr. President, let me ask the Senator from Colorado whether the Interstate Commerce Commission approves of this bill?

Mr. JOHNSON of Colorado. Of course, the Interstate Commerce Commission, like many other Government agencies, would be glad not to have additional work assigned to it. As a matter of fact, however, the Commission did not make that objection.

Mr. JOHNSTON of South Carolina. Was there any objection on the basis that with the new arrangement it might be inconvenient for people to ascertain what records are involved?

Mr. JOHNSON of Colorado. No. As a matter of fact, the system inaugurated by the bill will be much more convenient than the present system, which requires one to go to the various counties.

For instance, there is a similar provision in the Civil Aeronautics Act, and a similar provision in the Ship Mortgage Act, and similar provisions in the case of the Motor Power Act of 1919 and the Transportation Act of 1920.

In the Bills of Lading Act there is a similar provision for a central recording agency and policy and plan.

Mr. HENDRICKSON. Mr. President——

The PRESIDING OFFICER. Objection has already been made to present consideration of the bill.

Mr. HENDRICKSON. However, I wish to ask a question.

Mr. JOHNSON of Colorado. Mr. President, has objection been made to the bill?

The PRESIDING OFFICER. Yes; the Senator from Vermont [Mr. AIKEN] objected to present consideration of the bill.

Mr. HENDRICKSON. Mr. President, let me inquire whether passage of this bill would result in saving considerable expense to the public.

Mr. JOHNSON of Colorado. It would. As I have said, the cost of each mortgage recordation is $400 or $500, and many of them are required to be made 25 times. Therefore, when $500 is multiplied by 25, the expense involved can be appreciated.

As I have said repeatedly, it serves no purpose, but is simply an extra expense and requires a great deal of work on the part of the recording clerks in the several counties and States.

On the other hand, if the recording were done at one central place, it would be easy for persons to examine the recordations, of course.

On December 31, 1951, there were $2,260,000,000 of outstanding mortgages of this kind, in the form of equipment trusts. So it can be realized that the business is a rather large one and involves an immense cost to someone. In this case, the someone is the man who has a freight-hauling business or a passenger-hauling business.

The PRESIDING OFFICER. Objection has been made, and the bill will be passed over.

The clerk will call the next bill on the calendar.

AMENDMENT OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT—BILL PASSED OVER

The bill (H. R. 7714) to amend the Universal Military Training and Service Act, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CASE. Mr. President, reserving the right to object, let me say there may be considerable argument in favor of passage of the bill, but I shall have to object to its passage at this time. I shall state very briefly my reasons for doing so.

This bill would permit the President to retain for the Army the unit organization numbers of National Guard units. The State of South Dakota has two National Guard units, which were among the first called. One was sent to Alaska, and the other was sent to Germany. Both of them are now about to return or are in the process of returning to their home States. The boys who have served in them feel that those National Guard units should carry back to their States their insignia, unit numbers, traditions, and the history of their organization.

This bill is a proposal to have sort of a dual system, with the same numbers retained for the Army, and then to give the National Guard units additional initials, NGUS, so as to identify the units when they return to the States.

However, the officers and men of our Guard units tell me that the men in the South Dakota units feel very definitely that the enactment of this bill will mean the destruction of the National Guard, that it would destroy the morale of the returning officers and men, and that if an arrangement of this sort is made, they would have no interest in trying to maintain the Guard units or recruit for them when they return to the States.

They may be mistaken in their understanding of the proposal. It may be preferable to the alternative of losing their unit or outfit's number altogether. They may not see the problem of the Army as a whole; they may not understand the 5-year limitation on the borrowing of the unit's designation. But before this step is irrevocably taken, they should have an opportunity to know the full story.

This matter has been the subject of considerable discussion and correspondence between the Governor of my State and the Federal Government, with the result that I feel this bill is hardly one which should be passed on the call of the Consent Calendar. I believe consideration of the bill at least should be postponed.

Therefore, I must ask that the bill go over.

Mr. HUNT. Mr. President, will the Senator from South Dakota withhold his objection, in order to permit a brief explanation of the bill to be made?

Mr. CASE. Certainly.

Mr. HUNT. I think there are some features of the bill with which the Senator from South Dakota is not familiar.

Enactment of this bill was requested by the National Guard Association. The reason is that as the boys are now returning from their 24 months' tour of duty, they do not like to go to their home States and reenlist or connect themselves with other National Guard units which have different numbers, different history, different traditions, and different colors.

So the object of the bill primarily is to make it possible for these boys again to join their old units.

In my State—and I expect the same is true in practically all the other States—each National Guard unit has certain traditions, and the entire State has considerable respect for its National Guard units.

As the National Guard units have been called up, they have reported at approximately 50 percent of their full strength. When those units entered the Federal service, they were used primarily as training units, and additional men were fed into them. Then, from time to time, as men were needed, the Federal authorities pulled men out of these units and sent them wherever they were needed.

The situation which now has developed is that the South Dakota or Wyoming units in Korea which bear the State National Guard numbers and have the State National Guard colors, are no longer South Dakota or Wyoming units in the true sense of the word at all. Perhaps very few of the men who originally were with the units are still with them.

The purpose of this bill is to make it possible for each State to maintain the colors, the traditions, and everything else that goes with a National Guard unit for a particular State, and not to allow these units to be dissipated through the Federal Army.

Mr. HENDRICKSON. Mr. President, will the Senator from Wyoming yield to me?

Mr. HUNT. I yield.

Mr. HENDRICKSON. Is it not true that passage of the bill would effect savings of approximately $5,300,000 or more?

Mr. HUNT. Passage of the bill would effect tremendous savings; I agree with the Senator from New Jersey.

However, the principal purpose is to allow each State to maintain its National Guard unit colors and history, and not to have them dissipated throughout the armed services as a result of the war.

If the Senator from South Dakota continues to object, I should like to ask that the bill be placed at the head of the next calendar call.

Mr. CASE. Mr. President, let me say that I think the Senator from Wyoming has accurately described the purpose of the bill.

Before this proposal to establish a sort of dual or parallel structure was presented, there was universal complaint, throughout the National Guard against proposals to take over the guard designations and to give them entirely new numbers. The present proposal is certainly an improvement in that respect and the statement that the National Guard Association has endorsed the bill is correct, I understand, but I have been told by some that they felt the endorsement was given under considerable pressure, through certain military influences.

It would be impossible for me to agree to have the bill passed by unanimous consent, at this time, in view of the very strong position taken by the two National Guard units of my own State, which are returning this summer, and in view of the position taken by the Governor of my State.

I recognize that there is some argument in favor of passage of the bill. However, despite what the Senator from Wyoming has said, as the returning men have talked to me, as they have come through Washington or as I have heard from some of them, either by direct correspondence or, by way of correspondence with the Governor of the State, I have learned that they do not feel that the enactment of this bill would preserve the National Guard units of the States.

A returning officer, who was here within the past month, made to me the flat statement that he felt this proposal for dual designations would destroy the National Guard of the State.

With that very strong feeling on the part of those men, I am constrained to object.

The PRESIDING OFFICER. Objection is made, and the bill will be passed over.

Mr. HENDRICKSON. Mr. President, will the Senator from South Dakota withhold his objection for a moment?

Mr. CASE. Yes.

Mr. HENDRICKSON. I should like to have the record show that the passage of this bill, according to the House committee report, and according to the Senate committee report, would effect savings of $5,931,000. That is quite an item; and when it is coupled with the argument the Senator from Wyoming has made in behalf of passage of the bill, I think the bill should receive consideration at an early date.

Mr. CASE. Let me state that the report does indicate——

The PRESIDING OFFICER. The Chair reminds Senators that during the call of the calendar the Senate operates under the 5-minute rule, and the Chair feels that the time available in connection with this measure has been consumed.

Mr. CASE. Mr. President, I ask unanimous consent that I may proceed for an additional minute.

The PRESIDING OFFICER. Without objection, the Senator from South Dakota may proceed for one more minute.

Mr. CASE. I wish to say that I am interested in having savings made, and apparently there would be an initial saving as the result of passage of this bill. On the other hand, I note from the report on the bill that eventually both units would have to be fully staffed and equipped so that there would not be an ultimate saving in the cost of equipment and the maintenance of the units. So I am in considerable doubt as to the actual amount of saving in the long run.

Mr. HUNT. Mr. President, I ask unanimous consent that at this time I may proceed for one additional minute.

The PRESIDING OFFICER. Without objection, the Senator from Wyoming will be recognized for an additional minute.

Mr. HUNT. Mr. President, I appreciate the contribution by the Senator from New Jersey. It will save the amount of money that he has mentioned. However, I want to impress on all Senators that, if reorganized without the benefit of this bill, units of the National Guard cannot retain their colors and their identity.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938—IMPOSITION OF CIVIL PENALTIES—BILL PASSED TO THE NEXT CALL OF THE CALENDAR

The bill (S. 2213) to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, on page 2, line 21, after the word "Board", to insert "or the Secretary of Commerce", so as to make the bill read:

Be it enacted, etc., That section 901 (a) of the Civil Aeronautics Act of 1938, as amended, is amended to read:

"CIVIL PENALTIES

"SAFETY, ECONOMIC, AND POSTAL OFFENSES

"SEC. 901. (a) Any person who violates (1) any provision of title V or VI of this act, or any provision of subsection (a) (1) of section 11 of the Air Commerce Act of 1926, as amended, or (2) any provision of title IV or VII of this act, or any order, rule, or regulation issued under any such provision, or under section 1002 (1), or any term, condition, or limitation of any permit or certificate issued under title IV, or (3) any rule or regulation issued by the Postmaster General under this act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation. Any such penalty imposed under clause (1) may be compromised by the Secretary of Commerce; any such penalty imposed under clause (2) may be compromised by the Civil Aeronautics Board, and any such penalty imposed under clause (3) may be compromised by the Postmaster General. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged."

SEC. 2. That section 902 (a) of the Civil Aeronautics Act of 1938, as amended, is amended to read:

"CRIMINAL PENALTIES

"GENERAL

"SEC. 902. (a) Any person who knowingly and willfully violates any provision of this act (except titles V, VI, and VII), or any order, rule, or regulation issued by the Civil Aeronautics Board or the Secretary of Commerce under any such provision or any term, condition, or limitation of any certificate or permit issued under title IV, for which no penalty is otherwise provided in this section, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject for the first offense to a fine of not more than $500, and for any subsequent offense to a fine of not more than $2,000. If such violation is a continuing one, each day of such violation shall constitute a separate offense."

The amendment was agreed to.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of this measure?

The PRESIDING OFFICER. The Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, the necessity for the proposed legislation is occasioned by the present unavailability to the Civil Aeronautics Board of suitably flexible sanctions for the most effective enforcement of the economic regulatory provisions of the Civil Aeronautics Act. The purpose of the bill is to provide civil penalty sanctions for all violations of economic regulatory requirements, including those committed by all different classes of air carriers, certificated as well as noncertificated. At the present time the Board can cancel a license, but cannot impose a fine. Persons who violate the rules and regulations may be fined, but the carrier cannot be fined. There is no half-way method provided. It must be "whole hog or none." It is "double or nothing." The Board would have to put the carrier out of business. That is the only thing it could do. No other penalty is now provided which they could impose. The Board either has to close its eyes and let the violation, continue, or impose the very severe penalty of putting the carrier out of business.

There are a good many examples of such penalties. The Interstate Commerce Commission, for instance, may demand and collect civil penalties. The Federal Power Act of 1935 provides for a civil penalty in the form of a forfeiture up to $1,000 in cases of failure to comply with an order of the Federal Power Commission. The Communications Act of 1934 contains a provision of this kind. Civil penalties are available to the Securities and Exchange Commission up to $100 a day under the Securities and Exchange Act for failure to file information reports and other documents. Under the Shipping Act of 1916, the Maritime Administration has available civil penalties of $100 a day for failure to make and file reports, and so forth. Provision for such penalties is highly necessary in the enforcement of regulations pertaining to air safety and the economic regulatory requirements which must be made.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Colorado. I yield to the Senator from New Mexico.

Mr. CHAVEZ. The question I desire to ask the Senator from Colorado, whose committee has jurisdiction of civil aeronautics legislation, does not relate to this particular matter, except indirectly. The purpose of the bill, as I understand, is to reinforce the authority of the Civil Aeronautics Board, and to grant authority, which it does not presently have, for the imposition of penalties. Am I correct?

Mr. JOHNSON of Colorado. That is correct. In other words, we are trying to give the Civil Aeronautics Board authority to do a little "spanking," instead of finding it necessary to put a man in jail or to deprive him of all his rights. We want them to be able to give him a little slap on the wrist, instead of being required to lower the boom on him.

Mr. CHAVEZ. That seems sound. But let us suppose it were the other way around, and that the Civil Aeronautics Board had made a mistake. They might try to impose a light penalty upon a particular municipality, which might not suffer except for the action of the Civil Aeronautics Board. I call the attention of the Senate, and particularly the attention of the Senator from Colorado and of my colleague from the State of New Mexico, to what occurred in connection with the airport at Clayton, N. Mex. The airport was built under the law, supposedly with the approval of the Civil Aeronautics Board. It was built under proper supervision and inspection. Now, because the General Accounting Office sees the matter differently, it is claimed that Clayton, N. Mex., should be punished.

The airport was built by the city of Clayton, and it is a beautiful one. It is

an absolutely necessary one, and it was constructed supposedly under the law, with the approval, permission, and inspection of the Civil Aeronautics Board, and under its supervision. Now, since the General Accounting Office says, "The Civil Aeronautics Board did not proceed in the correct manner," the one to suffer is the poor little city of Clayton, N. Mex. There may be other cities in the United States similarly situated.

I believe the Civil Aeronautics Board should impose small penalties once in a while, but the Civil Aeronautics Board itself should also be "spanked," when it makes a mistake in regard to an airport at a municipality such as Clayton, N. Mex., or some other city in Colorado, Vermont, or elsewhere. The General Accounting Office says the city of Clayton must pay back $80,000.

Mr. JOHNSON of Colorado. I agree with the Senator that a bureaucratic government makes many mistakes, and I should like to see a bill introduced designed to correct that situation. My colleague from Colorado will remember the case of the Denver airport. One member of the Civil Aeronautics Board had accepted a plan for the building of the airport, but the Civil Aeronautics Board then rejected it, causing a very great loss.

Mr. CHAVEZ. The situation at Clayton, N. Mex., was even worse. The airport there is already constructed.

Mr. JOHNSON of Colorado. I have full sympathy with the Senator. I hope he will introduce appropriate legislation to correct that situation.

Mr. CHAVEZ. We intend to do that.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired. The present occupant of the Chair understands that the Senator from Kansas desires that this bill go over, and that it be included in the next call of the calendar. Without objection, it is so ordered.

FURTHER DEVELOPMENT OF COOPERATIVE AGRICULTURAL EXTENSION WORK

The Senate proceeded to consider the bill (H. R. 6773) to provide for the further development of cooperative agricultural extension work, which has been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That appropriations available for agricultural extension work in the fiscal year ending June 30, 1953 (except the amount apportioned pursuant to sec. 23 (b) (2) of the Bankhead-Jones Act, as amended (7 U. S. C. 343d–1)), shall be paid to the States, Alaska, Hawaii, and Puerto Rico in the same proportions as appropriations available for such work in the fiscal year ending June 30, 1952.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

INCREASE OF CERTAIN VETERANS' COMPENSATION RATES

The Senate proceeded to consider the bill (H. R. 7783) to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes, which had been reported from the Committee on Finance with amendments on page 1, line 10, after the word "be", to strike out "$50" and insert "$47"; on page 2, line 8, after the word "by", to strike out "$50" and insert "$47"; on page 3, line 8, to strike out "$70" and insert "$67"; in line 13, after the word "to", to strike out "$50" and insert "$47", and in line 17, after the word "to", to strike out "$70" and insert "$67."

The amendments were agreed to.

Mr. SCHOEPPEL. Mr. President, may we have a short explanation of the measure?

Mr. GEORGE. Mr. President, it will be remembered that when this subject was before the Senate there was an effort made to include increases for statutory award cases, namely, the seriously injured veterans. Such provision was not made in the bill which was then before the Senate, but as a result, I think I may say, of the conference between the House and Senate—and perhaps I may also say modestly, on the recommendation and suggestion of Members of the Senate conference—there was immediately introduced in the House a bill which provided for two things: It provided increases in all statutory award cases, and it added two new disabilities to the statutory award cases, namely, loss of the use of the creative organ, and arrested tuberculosis cases. It provided a statutory award in those cases.

This bill deals with those cases, the statutory award cases, but to the House bill—and the Senate committee is agreeing with the House on those two recommendations—we are adding two new statutory awards which have heretofore had special statutory treatment.

The purpose of the committee in this bill has been to make uniform, so far as possible, increases given in statutory award cases. We are, therefore, just a bit under the House figures, but not very much, because the total cost of the Senate bill will still be approximately $21,000,000 for fiscal 1953, whereas the House bill would be approximately $24,500,000 for 1953.

All the provisions of the bill apply entirely to veterans of the Spanish War, World War I, World War II, and veterans of the services in and after June 1950 who have service-connected disabilities.

The last two legislative measures enacted into law, increasing the rates of compensation for service-connected disabled veterans, did not include the so-called statutory award group covered by this bill. This group is composed in the main of the most severely disabled of the veteran class, such as those with the anatomical loss or loss of use of either or both of the hands or feet, blindness, total deafness, and combinations thereof. Congress by law has determined that in such cases a special rate should be authorized by statute for the specific disability. Thus, the term "statutory award."

At the present time, a statutory rate of monthly compensation (in addition to basic compensation) is set at $42 for certain single losses, and for the more disabling of the mentioned conditions special rates are set, such as $240 for the loss of both hands or both feet, one hand and one foot, or blindness in both eyes. This rate progressively increases from $240 to $282 to $318 to $360 as the disability combinations become more severe. The latter amount is the maximum rate which may be drawn by a service-connected veteran who does not have dependents.

Section 1 of this bill provides that the additional statutory award rate for single losses shall be increased from $42 to $47 per month, and that the ceiling for total compensation together with such additional rate shall be $400 instead of the present $360. This increase would approximately equal the increases previously approved by the Eighty-second Congress for the less severely disabled group.

Roughly, Mr. President, the increase amounts to approximately 11 percent, and we have sought to establish something like uniformity in the statutory award increases.

Mr. MILLIKIN. Mr. President, with reference to the statement made by the distinguished chairman of the Finance Committee, a number of us felt that a thorough study of statutory award cases should be undertaken, for the reason that basic figures on which we worked were taken out of the air. A number of us feel that in this particular field it should be the policy of the Government not only to do the adequate thing, but to do the generous thing, and for that reason we believe that a detailed case-by-case study should be made to see whether we are meeting our obligations.

That thought has been previously expressed upon the Senate floor. As the distinguished chairman of the Finance Committee has said, when a prior bill went to conference the Senate Members of the conference, realizing that there was not time for a real hearing on the subject and that it was impossible to set a definite time, concluded that it was unfair to this particular category of beneficiaries to do nothing at all. So, as has been stated, we requested the House Members to initiate and send to the Senate a bill on which we could act before the session concluded. That is the bill which is now before us.

Mr. DOUGLAS rose.

The PRESIDING OFFICER. Does the Senator from Illinois wish to be heard on the bill?

Mr. DOUGLAS. I wish to congratulate the committee for moving on the question of increases for statutory award cases which were omitted from the bill which was before this body some weeks ago. The Senator from Illinois at that time contended on the floor of the Sen-

ate that the awards for those who had lost the use of arms or legs, or who were blind or paraplegic, should be increased, along with nonstatutory cases, but he received rather rough treatment on the floor from some of the members of the committee. But all that has passed now, and so far as I am concerned all is forgiven. I am delighted that the committee has now adopted the suggestion which I made at that time and is moving in this direction. Thus the mills of the gods have ground in this case.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. GEORGE. Mr. President, I should like to have the privilege of inserting in the RECORD at this point a statement in the nature of an analysis of the bill which I think will be helpful.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statutory awards	Present rate	Basic compensation increase under Public Law 356 (H. R. 4364)	H. R. 7783 as approved by committee		
			Rate	Percent and dollar increase	Cost
(k): [1]		*Percent*			
1. Loss of use of 1 hand (rated 60 percent disability)	$42 plus basic compensation for disability rated 10 to 100 percent.[2]	15	$47 plus basic compensation for disability rated 10 to 100 percent.[2]	11 percent ($5)	$5,100,000
2. Loss of use of 1 foot (rated 40 percent disability)		5			
3. Loss of 1 hand (rated 70 percent disability)		15			
4. Loss of 1 foot (rated 40 percent disability)		5			
5. Blindness 1 eye with only light perception (rated 30 percent disability).		5			
6. Bill adds to this group "creative organ", (rated 20, 30, or 40 percent disability).	None	5	$47 plus basic compensation for disability rated 10 to 100 percent.[2]	100 percent for World War II and Korea, 56⅔ percent for World War I.	9,000,000
(l) [1]	$240	None	$266	11 percent ($26)	1,075,000
1. Loss of use of both hands.					
2. Loss of use of both feet.					
3. Loss of use of 1 hand and 1 foot.					
4. Loss of both hands.					
5. Loss of both feet.					
6. Loss of 1 hand and 1 foot.					
7. Blind in both eyes with 5/200 visual acuity.					
8. Permanently bedridden.					
9. Regular aid and attendance.					
(m) [1]	$282	None	$313	11 percent ($31)	865,000
1. Loss of use of 2 extremities which prevent elbow or knee action with prosthesis in place.					
2. Loss of 2 extremities which prevent elbow or knee action with prosthesis in place.					
3. Blindness in both eyes which require regular aid and attendance.					
(n) [1]	$318	None	$353	11 percent ($35)	107,000
1. Loss of 2 extremities so near the shoulder or hip as to prevent use of prosthetic appliance.					
2. Anatomical loss of both eyes.					
(o) [1]	$360	None	$400	11 percent ($40)	1,291,000
1. If entitled to 2 or more of pars. 1 to n, no condition being considered twice.					
2. Total deafness in combination with total blindness.					
(p) [1]	$360	None	$400	11 percent ($40)	949,000
1. If the disabilities exceed the requirements for any of the rates ($240 to $360) the Administrator may allow next higher rate, or an intermediate rate, not to exceed $360.					
Arrested TB:					
World War II and Korea	None	None	$67	100 percent	2,062,000
World War I	$60	None	$67	11 percent	3,576,000
Loss or loss of use of creative organ, World War I	$30	None	$47	56⅔ percent	708,000
Loss of use of both eyes	$198	None	$220	11 percent ($22)	Minor
Loss of use of both eyes and 1 or more limbs	$258	None	$286	11 percent ($31)	Minor
Double total permanent disability	$258	None	$286	do	Minor
Requiring nurse or attendant, World War I	$60	None	$67	11 percent ($7)	Minor

[1] Additional benefits available under existing law: Family allowances; hospital care and domiciliary care; medical care and out-patient treatment; vocational rehabilitation; prosthetic appliances; automobiles; paraplegic housing; seeing-eye dogs; loans (home, farm, business); waiver of premiums (insurance); insurance benefits (total disability benefits); veterans' preferences.

[2] Basic compensation for service-connected disability rated 10 percent, $15.75; 20 percent, $31.50; 30 percent, $47.25; 40 percent, $63; 50 percent, $86.25; 60 percent, $103.50; 70 percent, $120.75; 80 percent, $138; 90 percent, $155.25; 100 percent, $172.50.

CONVEYANCE OF SAND AND GRAVEL DEPOSITS, ETC., ON LAND IN RUSSELL COUNTY ALA.

The bill (S. 2582) to authorize and direct the Secretary of the Army to convey the sand, gravel, and clay deposits in and on a certain tract or parcel of land in Russell County, Ala., to W. T. Heard, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. The bill, which has been reported from the Senate Committee on Armed Services, would direct the transfer at fair market value, as determined by the Secretary of the Army, of certain land at Fort Benning, containing sand, gravel, and clay deposits, back to the owner from whom it was obtained through a declaration of taking by the Federal Government. Mr. Heard, the prior owner, has agreed to transfer the deposits, without profit, and on a nondiscriminatory basis, to the brick manufacturers of the area.

The Department of the Army objects to this transfer on the following grounds:

First that, although the area involved is not immediately within the glide angle or approach, the operation of ground control approach to the runway when low visibility precludes a clear flight pattern makes any industrial use of this area undesirable.

Second the holes left would be breeding ground for mosquitoes.

Third, even if the sand and other deposits were available for sale, such disposition should be made in accordance with existing law and regulations under the Federal Property and Administrative Services Act of 1949, which provides for the disposition of excess sand, gravel, and clay deposits under a competitive bidding procedure.

The committee report indicates that the committee has gone into these objections of the Department of the Army, and that it finds no real reason why the transfer should not be made.

The bill reserves an avigation easement and a right of reentry and use upon a determination by the Secretary of the Army during a national emergency that the property is necessary or useful for military purposes.

This does not appear to be in conflict with the Morse formula, in that the fair market value payment is called for. However, the Secretary of the Army, who is to determine such fair market value, is actually opposed to the bill, and the Secretary of the Army is a person whose

opinion I hold in such high favor that I desire an opportunity to discuss the matter with him before I give my consent to the bill.

Therefore, I ask unanimous consent that the bill go over until the next call of the calendar, with the understanding that the bill will be considered on that call of the calendar.

Mr. STENNIS. Mr. President, will the Senator from Oregon withhold his objection in order that a short statement may be made?

Mr. MORSE. I withhold my objection.

The PRESIDING OFFICER. The Senator from Oregon has propounded a unanimous-consent request. The Senator from Mississippi can be heard.

Mr. STENNIS. Will the Senator from Oregon request that the bill go to the foot of the calendar today, in order to give the Senator from Mississippi an opportunity to discuss the matter with the Senator from Oregon?

Mr. MORSE. I should prefer to have the Senator from Mississippi make his statement for the record. I assure the Senator from Mississippi that I am going to confer with the Secretary of the Army about the bill before I give consent to its passage. I have no objection to its going to the foot of the calendar.

The PRESIDING OFFICER. The Senator from Oregon makes a unanimous consent request to the effect that the bill go to the foot of the calendar. Without objection, the bill will go to the foot of the calendar.

Mr. MORSE subsequently said: Mr. President, I wish to take advantage of the 5-minute rule to discuss briefly Calendar No. 1612, Senate bill 2582, which I previously asked to go to the foot of the calendar. Since making my request I have read the transcript of the hearings held before the Committee on Armed Services with respect to the bill. I have examined the representations made by the Army officers with regard to the bill at a special investigation conducted by the Committee on Armed Services. I have examined photographs of the piece of property involved in the bill, and I have satisfied myself that subsequent to the time the Secretary of the Army, Mr. Pace, raised his objection to the bill the Senate Committee on Armed Services gave thorough and adequate consideration to each of his objections, and I am convinced that the bill should be passed.

As I stated before, the Government received full compensation for the property, and therefore I should like to have the record show that I withdraw my objection.

The PRESIDING OFFICER. The Chair would inquire whether the Senator from Oregon asks unanimous consent that the Senate return to the consideration of the bill.

Mr. MORSE. If it is in order, I ask unanimous consent that the Senate now proceed to the consideration of Calendar 1612, Senate bill 2582.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon [Mr. MORSE] that the Senate now proceed to the consideration of Calendar 1612, Senate bill 2582?

There being no objection, the Senate proceeded to consider the bill (S. 2582) to authorize and direct the Secretary of the Army to convey the sand, gravel, and clay deposits in and on a certain tract or parcel of land in Russell County, Ala., to W. T. Heard, which had been reported from the Committee on Armed Services with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Army is authorized and directed to convey to W. T. Heard, his heirs, and assigns, all right, title, and interest of the United States, except as retained in this act, in and to the following described tract of land situated in Russell County, Alabama, upon payment by the said W. T. Heard of the fair market value of such tract of land as determined by the Secretary of the Army:

DESCRIPTION OF TRACT

Start at the point where the east boundary line of Central of Georgia Railroad right-of-way and the north boundary line of section 27, township 16, range 30, intersect and running thence north eighty-four degrees fifty-one minutes east a distance of two thousand two hundred seventy-seven and six-tenths feet to establish a beginning point; running thence north eighty-four degrees fifty-one minutes east a distance of five thousand forty-seven and five one-hundredths feet along said north boundary line of said section 26 to an iron stake; thence running south forty-seven degrees forty-one minutes west a distance of sixty-nine and thirty one-hundredths feet; thence running south forty-three degrees seventeen minutes west a distance of one thousand three hundred forty-one and seventy-eight one-hundredths feet; thence running south thirty-seven degrees twenty-six minutes west a distance of three hundred eleven and fifty-two one-hundredths feet; thence running south forty-three degrees sixteen minutes west a distance of four hundred fifty-nine and thirty-six one-hundredths feet; thence running south forty-five degrees forty-five minutes west a distance of four hundred thirty and ninety-eight one-hundredths feet; thence running south fifty-two degrees thirty-five minutes west a distance of three hundred seven and fixty-six one-hundredths feet; thence running south fifty-four degrees thirty-three minutes west a distance of seven hundred fourteen and seventy-eight one-hundredths feet; thence running south forty-eight degrees forty-five minutes west a distance of one thousand two hundred ninety-four and eighty-five one-hundredths feet; thence running north twenty-six degrees twenty-three minutes west a distance of three thousand two hundred forty-six and three-tenths feet to the point of beginning.

SEC. 2. There shall be reserved to the United States an easement for the use of the air space over the property authorized to be conveyed by this act to the extent that the full utilization of the Lawson Air Base at Fort Benning requires the use of such air space.

SEC. 3. The conveyance of the property authorized by this act shall be upon condition that whenever the Congress declares a state of war or national emergency, or the President declares a state of national emergency, and upon the determination by the Secretary of the Army, with the approval of the Committees on Armed Services of the Senate and the House of Representatives, that the property authorized to be conveyed under this act is necessary or useful for military purposes or for the national defense, the United States shall have the right, without obligation of making payment of any kind, to reenter upon the property and use the same or any part thereof for the duration of such state of war of such national emergency and for 6 months thereafter. Upon the termination of such state of war or of such national emergency plus 6 months, the property shall revert to the owners thereof, but the United States shall have no obligation to restore the property in any way.

SEC. 4. In executing the deed of conveyance authorized by this act, the Secretary of the Army shall include specific provisions conveying the reservation and condition contained in sections 2 and 3 of this act.

SEC. 5. The sum received by the Secretary of the Army as consideration for the conveyance authorized by this act shall be deposited by him in the Treasury as miscellaneous receipts.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize and direct the Secretary of the Army to convey a certain tract of land in Russell County, Ala., to W. T. Heard."

REVOCATION OF WATER CARRIER CERTIFICATES AND PERMITS—BILL PASSED OVER

The bill (S. 2364) to authorize the Interstate Commerce Commission to revoke or amend, under certain conditions, water carrier certificates and permits, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I ask for an explanation of the bill.

Mr. JOHNSON of Colorado. Mr. President, the Interstate Commerce Commission has reported to the Committee on Interstate and Foreign Commerce that for 5 years, since 1947, there have been a great many certificates issued to water carriers, and in numerous cases the certificates are now dormant. The water carrier has not used his certificate and has not rendered any service at all; yet the certificate remains in existence and is in his possession. If another water carrier becomes ambitious to serve a certain area, the carrier to whom the certificate was originally issued can lie back like a log and pop up whenever he desires to press his claim that he has a certificate. So a great hardship is worked.

The Interstate Commerce Commission has been trying to have Congress take some action about the dormant certificates which are outstanding. About one-fourth of the certificates issued are dormant, and the Commission has been trying to have something done about the situation. This bill proposes to do something about it. We believe that all safeguards have been provided in the measure.

The committee feels that the bill as reported, upon which there has been general agreement, accomplishes the desired purpose and at the same time avoids the pitfalls and excesses often present in an extension of restrictive regulatory power. While the bill provides reasonable protection to water carriers against

loss of their operating rights where abnormal or special conditions have hindered resumption or continuance of operations, it nevertheless gives the Commission effective power to revoke or suspend water-carrier rights for cause. But if a carrier cannot operate temporarily, the Commission must take care of his situation. We think the bill is properly safeguarded.

Mr. MORSE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SUITS AGAINST THE UNITED STATES TO ADJUDICATE WATER RIGHTS

Mr. MILLIKIN. Mr. President, I have entered an objection to the consideration of Calendar No. 711, Senate bill 18, of which the distinguished senior Senator from Nevada [Mr. McCARRAN] is the author. I wish to withdraw my objection to the consideration of the bill. It is not before the Senate at the moment. I do not know whether it will come before it. I merely wish to take advantage of an opportunity to give notice that I am withdrawing my objection.

The PRESIDING OFFICER. The statement of the Senator from Colorado will be noted in the RECORD.

Mr. McCARRAN. Mr. President, I ask unanimous consent that Calendar No. 711 may be called at the end of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

USE OF OLEOMARGARINE IN NAVY RATION

Mr. HUNT. Mr. President, I ask unanimous consent that Calendar No. 1432 may be called at the end of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTRACTS BETWEEN GOVERNMENT AND COMMON CARRIERS

The bill (S. 2355) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. AIKEN. I object.

Mr. DOUGLAS. May we have an explanation?

Mr. AIKEN. Mr. President, I withhold my objection for an explanation. However, I think this is not a good bill. It is not in the public interest, and I shall eventually oppose it.

The PRESIDING OFFICER. The Senator from Vermont withholds his objection, and the Chair recognizes the Senator from Colorado.

Mr. JOHNSON of Colorado. Has the Senator from Vermont objected?

The PRESIDING OFFICER. The Senator from Vermont has announced that he will object, but that he withholds his objection.

Mr. JOHNSON of Colorado. Section 22 of the Interstate Commerce Act gives carries a right to transport for the United States Government at less than tariff rates. So the United States Government, being a very large shipper during the war, negotiates with railroads on the carriage of United States shipments. The parties reach an agreement by sitting around a table and deciding what the rates shall be. That is all right; there is no objection to that. But after the transportation service has been rendered, then the Government comes forward and says, "We think we have paid too much for this service. We desire to renegotiate the contract. We want a lower rate than we agreed to pay."

This bill would permit the negotiations to take place. It would permit a contract to be signed between a carrier and the Government, and then, when the contract was signed and agreed to by both parties, the bill would make the agreement final. It would not give the parties an opportunity to change the rates after the service had been rendered. That is the purpose of the proposed legislation. It seems to me to be equitable and fair to both parties.

The Government has full opportunity to negotiate in the first place. The Government ought to stay by its contract. The contract ought to be valid, no matter who makes it.

Mr. DOUGLAS. May I ask the able Senator from Colorado to refer to the letter of the Honorable Lindsay Warren, at pages 331 to 335 of the hearings on this bill, in which the Comptroller General, at page 334, pointed out:

> It does not appear to be unusual for shippers of freight to apply to responsible railroad officers and their committees for revisions in applicable rates.

In other words, private parties now have the right to request a readjustment.

In the final paragraph the Comptroller General says:

> In reiterating the opposition of this Office to the proposed bill, the conclusion seems unavoidable that endorsement of its provisions, which to the extent that such provisions would grant excessive rates, fares, etc., absolute immunity from attack, would operate to defeat the purpose for which section 22 of the Interstate Commerce Act was framed, and would promote the interest of the carrier and make it transcendent to that of the Government in its expenditures of appropriated funds for transportation services furnished Government agencies acting in the interest of the taxpayers of the country.

In view of this very able letter by a distinguished public servant, the Comptroller General of the United States, I wondered what weight the Senator from Colorado had given to the point.

Mr. JOHNSON of Colorado. We gave full weight to that contention, but we think the Government, when it makes the original contract, should consider whether the rate is fair or not. After the service has been rendered, however, such a question should not be raised. I am sure that if someone came to the Senator from Illinois and made an agreement with him to perform a certain service at a certain price, and after he had performed such service he came back and wanted to renegotiate the contract with the Senator, not before its performance, but afterward, the Senator from Illinois would object. The Government knows all the conditions before it enters into a contract with the railroad.

Furthermore, while the present plan might save the United States Government a certain amount of money if contracts are renegotiated, other shippers would have to bear the cost. The Government is already receiving the benefit of lower rates than the general shipper pays. It has always seemed to me that all shippers ought to be treated on an equitable basis, so far as freight rates are concerned. If the Government receives the benefit of a lower rate than the actual cost of transportation, someone else must pay for it. We know that freight rates have been boosted to a great extent. Part of the reason why they have to be boosted is that the Government is receiving its transportation at less than cost, through this device.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the Senator from Colorado be given five additional minutes.

The PRESIDING OFFICER. The Senator from Colorado still has some time.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Illinois has 5 minutes, has he not?

The PRESIDING OFFICER. Without objection, the Senator from Illinois will be given five additional minutes.

Mr. DOUGLAS. Mr. President, in the first place, let me say that there is now on the statute books a renegotiation law applicable to defense contracts, so that if the initial terms of a contract entered into during the emergency are unduly favorable to the private contractor or unduly rigorous on the private contractor, such terms are subject to renegotiation. I see no reason why railroad rates should receive any different treatment. As I understand that during the last war difficulty arose from imperfect freight classifications. New commodities were produced by the Government, such as planes, guns, tanks, and other war commodities, for which a schedule of specific rates under the Interstate Commerce Commission schedules was not fixed. Also explosives and ammunition were produced in large quantities. Those commodities were shipped at very high freight rates. The Department of Justice then sued, on the ground that there was an improper classification of new materials. I do not know the final disposition of the suit. However, would it not be well to leave such questions for determination by the courts, rather than to foreclose the opportunity for the Government to recover in a case in which there has been an improper classification?

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. DOUGLAS. Certainly.

Mr. JOHNSON of Colorado. I do not think we can compare rate renegotiations with contract renegotiations. Rates are covered by tariffs, as the Senator well knows. A great many people are paying the full tariff. They are paying it every day. Then the Government comes along, and Congress gives the Government a special privilege, namely, the privilege of having its transportation handled for less money. That is a very valuable privilege to the Government. The Government knows what the cost of transportation service is going to be. There is nothing uncertain about it. The Government knows the whole story. It knows what other shippers are paying. Everything is out in the open. Yet after a firm contract has been negotiated, the Government wants to break the contract. I think a contract is too important to be treated in that manner.

Mr. DOUGLAS. Mr. President, in reply to the Senator from Colorado, I ask, Is it not true that rate tariffs have been silent with respect to war commodities such as guns, tanks, planes, and other defense items? During World War II, since the rate tariffs did not specifically mention rates for such commodities, when the Government shipped them they were sometimes classified, under pressure of time, under extremely high freight-rate categories, although there later appeared a real question as to whether or not these commodities should be classified under categories with lower rates. Also high rates were charged for short hauls on short lines to military posts and installations. As I understand, these were the grounds of the suit of the Department of Justice. As I understand the bill of the Senator from Colorado, it would make impossible in the future any reexamination of such issues as these. All of us hope that there will not be a third world war; but if there should be, this issue might involve tens of millions, or perhaps hundreds of millions, of dollars.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. Has the Senator any idea as to what might be the cost of shipping a carload of explosives from Ohio to either coast? My recollection is that the rate was fixed when very small quantities of explosives were being shipped. Now when many tons are being moved with complete safety, the Federal Government is paying a terrifically high tariff, which certainly does not represent a bargain rate to the United States Government. The movement from an ammunition depot to the Pacific coast might represent millions of dollars in cost over a period of time.

Mr. DOUGLAS. I thank the Senator from Oklahoma.

The PRESIDING OFFICER. The time of the Senator from Illinois has again expired.

Mr. HOEY. Mr. President, I ask for the regular order.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to speak for two additional minutes.

The PRESIDING OFFICER. Without objection, the Senator may have two additional minutes.

Mr. DOUGLAS. I thank the Senator from Oklahoma for raising a further point to support the argument which I have been making. With respect to many commodities for which tariffs were originally fixed, shipments prior to the war were made only in small quantities and, therefore, at high rates. When there are bulk shipments the rates should be reduced, and the possibility of later review of these rates should not be foreclosed. I again thank the Senator from Oklahoma.

Mr. JOHNSON of Colorado. Mr. President, may I have an additional half minute?

The PRESIDING OFFICER. The Senator has some additional time, but he has already made one speech. However, without objection, the Senator from Colorado will be recognized for an additional minute.

Mr. JOHNSON of Colorado. What the distinguished Senators say would be true if the Government did not have an opportunity to negotiate with the railroad for a more favorable rate. The law gives the Government that right, and this bill would not take that right away from it. However, once a contract is entered into, it ought to be final.

I read from page 5 of the report of the committee:

It should be emphasized once again that nothing in this bill would deprive the Government of any right of appeal to the Commission in regard to unreasonable rates; the Government would retain precisely the same right of appeal and adjustment as private shippers have in regard to the published approved rates filed with the Interstate Commerce Commission. They would also continue to enjoy the privilege, under section 22, of seeking rates lower than those published and approved by the Commission. Rates negotiated with carriers do not come as a right to the Government, as do published rates; they are negotiated between equals, and entered into freely, and are below the published rates approved by the Interstate Commerce Commission as just and reasonable. Therefore, the committee sees no reason why future agreements should be subject to renegotiation on a retroactive basis.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. HILL. Mr. President, I send forward an amendment which I ask to have stated.

Mr. AIKEN. I have no objection to the amendment being stated, but I shall object to any action being taken on the bill.

The PRESIDING OFFICER. The Senator may interpose his objection at any time.

Mr. AIKEN. I object to taking up the bill.

The PRESIDING OFFICER. The Senator from Vermont may offer his objection at any stage of the proceeding.

Mr. AIKEN. With that assurance, I withhold my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2355) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 2, line 4, after the word "Defense", to insert "the Secretary of Agriculture", so as to make the bill read:

Be it enacted, etc., That section 22 of the Interstate Commerce Act (49 U. S. C., sec. 22) is amended (1) by inserting after the section designation the letter "(a)", and (2) by adding at the end thereof the following:

"(b) Notwithstanding any other provision of law, any rates, fares, and charges, and rules, regulations, and practices with respect to the transportation of persons or property for or on behalf of the United States by any common carrier or freight forwarder subject to part I, II, III, or IV of this act, offered, negotiated, or established under the provisions hereof by quotation or contract when accepted or agreed to by the Secretary of Defense, the Secretary of Agriculture, or the Administrator of the General Services Administration, or by any official or employee of the United States to whom either of them may delegate such authority, shall be conclusively presumed to be just, reasonable, and otherwise lawful, and shall not be subject to attack, or reparation, after the date of such acceptance or agreement, upon any grounds whatsoever except for actual fraud or deceit, or clerical mistake. Such rates, fares, or charges, and rules, regulations, or practices, may be canceled or terminated upon not less than 90 days' written notice by the United States or by any of the other parties thereto.

"(c) Any such rates, fares, or charges, rules, regulations, or practices so made and accepted under the provisions hereof shall not be considered to have any bearing upon, or otherwise affect, the justness, reasonableness, or lawfulness of any rates, fares, or charges, or of any rules, regulations, or practices with respect to transportation services theretofore performed for, or on behalf of, the United States, nor shall the provisions of this section be construed as any indication that similar rates, fares, or charges or similar rules, regulations, or practices theretofore effective were or were not binding upon or enforceable against the United States."

The amendment was agreed to.

Mr. HILL. I offer my amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 6, after the comma, and following the words "General Services Administration" it is proposed to insert the words "Tennessee Valley Authority."

Mr. HILL. I understand the amendment is acceptable to the distinguished chairman of the committee, the Senator from Colorado [Mr. JOHNSON]. The amendment would make certain that the Tennessee Valley Authority would continue to enjoy the same benefits under section 22 of the Interstate Commerce Act it has enjoyed up to now.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The Chair understands that the Senator from Vermont makes objection to the passage of the bill.

Mr. AIKEN. Mr. President, in times of great emergencies the Government must agree to pay rates, as it has in the past, which are out of reason. The bill would make such unreasonable rates, charged during a period of duress, we might say almost at the point of a gun, binding on the Government, and prevent any reopening of a case to recover any

of the excessively high charges paid by the Government. The bill is not in the public interest, and I object to it.

The PRESIDING OFFICER. Objection is heard, and the bill goes over.

FEDERAL COMMITTEE ON MIGRATORY LABOR—BILL PASSED OVER

The bill (S. 3300) to establish a Federal Committee on Migratory Labor was announced as next in order.

Mr. SCHOEPPEL. Over.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

Mr. HUMPHREY subsequently said: Mr. President, I ask unanimous consent that the bill (S. 3300) to establish a Federal Committee on Migratory Labor go over to the next call of the calendar. It has been objected to on this calendar call, but I should like to have it go over to the next call.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none. The bill (S. 3300) to which objection has been made, will go over to the next call of the calendar.

BILL PASSED OVER

The bill (S. 991) to amend section 41 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide a system of safety rules, regulations, and safety inspection and training, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. By request, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

FUGITIVES FROM STATES, ETC., INTO EXTRATERRITORIAL JURISDICTION OF THE UNITED STATES

The Senate proceeded to consider the bill (S. 3143) to amend section 3182 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives from justice which had been reported from the Committee on the Judiciary with an amendment on page 2, after line 15, to insert:

SEC. 2. Section 3183 of title 18 of the United States Code, is amended to read as follows:

"§ 3183. Fugitives from State, Territory, or possession into extraterritorial jurisdiction of United States.

"Whenever the executive authority of any State, Territory, District, or possession of the United States or the Panama Canal Zone, demands any American citizen or national as a fugitive from justice who has fled to a country in which the United States exercises extraterritorial jurisdiction, and produces a copy of an indictment found, an information filed by a public prosecuting officer, or an affidavit made before a magistrate of the demanding jurisdiction, charging the fugitive so demanded with having committed treason, felony, or other offense, certified as authentic by the governor or chief magistrate of such demanding jurisdiction, or other person authorized to act, the officer or representative of the United States vested with judicial authority to whom the demand has been made shall cause such fugitive to be arrested and secured, and notify the executive authorities making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear.

"If no such agent shall appear within 3 months from the time of the arrest, the prisoner may be discharged.

"The agent who receives the fugitive into his custody shall be empowered to transport him to the jurisdiction from which he has fled."

So as to make the bill read:

Be it enacted, etc., That section 3182 of title 18 of the United States Code is amended to read as follows:

"§ 3182. Fugitives from State or Territory to State, District, or Territory.

"Whenever the executive authority of any State or Territory demands any person as a fugitive from justice, of the executive authority of any State, District, or Territory to which such person has fled, and produces a copy of an indictment found, an information filed by a public prosecuting officer, or an affidavit made before a magistrate of any State or Territory, charging the person demanded with having committed treason, felony or other crime, certified as authentic by the governor or chief magistrate of the State or Territory from whence the person so charged has fled, the executive authority of the State, District, or Territory to which such person has fled shall cause him to be arrested and secured, and notify the executive authority making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within 30 days from the time of the arrest, the prisoner may be discharged."

SEC. 2. Section 3183 of title 18 of the United States Code, is amended to read as follows:

"§ 3183. Fugitives from State, Territory, or possession into extraterritorial jurisdiction of United States.

"Whenever the executive authority of any State, Territory, District, or possession of the United States or the Panama Canal Zone, demands any American citizen or national as a fugitive from justice who has fled to a country in which the United States exercises extraterritorial jurisdiction, and produces a copy of an indictment found, and information filed by a public prosecuting officer, or an affidavit made before a magistrate of the demanding jurisdiction, charging the fugitive so demanded with having committed treason, felony, or other offense, certified as authentic by the governor or chief magistrate of such demanding jurisdiction, or other person authorized to act, the officer or representative of the United States vested with judicial authority to whom the demand has been made shall cause such fugitive to be arrested and secured, and notify the executive authorities making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear.

"If no such agent shall appear within 3 months from the time of the arrest, the prisoner may be discharged.

"The agent who receives the fugitive into his custody shall be empowered to transport him to the jurisdiction from which he has fled."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 3182 and 3183 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives from justice."

RELIEF OF STATE OF NEW HAMPSHIRE AND TOWN OF NEW BOSTON, N. H.

The bill (S. 2393) for the relief of the State of New Hampshire and the town of New Boston, N. H., was announced as next in order.

Mr. MORSE. Mr. President, I ask for an explanation of the bill.

Mr. McCARRAN. Mr. President, this bill awards to the State of New Hampshire the sum of $2,295.96 and a like sum to the town of New Boston, N. H., for reimbursement of expenditures made in combating a forest fire on a United States bombing range located near the town of New Boston, N. H., on May 2, 1942.

The Department of the Army in recommending enactment of this bill stated that the forest fire was caused by military personnel or civilian employees of the United States; and as the town of New Boston and other nearby towns in New Hampshire were requested by the military authorities at the Manchester Air Base bombing range to assist in putting the fire out, and as the total expense of $4,591.92 incurred in fighting the fire has been borne equally by the State of New Hampshire and the town of New Boston, these claimants are equitably entitled to be reimbursed for such expenses.

The committee is in agreement with the views of the Department of the Army and recommends favorable consideration of this bill.

POLITICAL ACTIVITIES OF THE DIRECTOR OF THE MUTUAL SECURITY AGENCY

Mr. KNOWLAND. Mr. President, reserving the right to object—and I shall not object—I wish to take 5 minutes under the rule on another matter.

There has been considerable discussion, both in the Senate and elsewhere, as to the importance of the two great political parties reaching agreement on foreign policy wherever it is warranted. Mr. W. Averell Harriman, the Director of the Mutual Security Agency, has many likable qualities. However, speaking as one who has supported the mutual aid program, it is my belief that the best service he could now render to the mutual aid program would be to resign forthwith as Director of the mutual aid program prior to the hearings before the Committee on Appropriations on this important legislation. The Administrator of the mutual aid program should not, I submit, be actively engaged as a candidate in the current political campaign.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MORSE. Will the Senator from California permit the junior Senator from Oregon to completely associate himself with the remarks of the Senator from California?

Mr. KNOWLAND. I am very glad to have the Senator so associate himself.

RELIEF OF STATE OF NEW HAMPSHIRE AND TOWN OF NEW BOSTON, N. H.

The PRESIDING OFFICER. Is there objection to the consideration of Senate bill 2393?

There being no objection, the Senate resumed the consideration of Calendar 1618, the bill (S. 2393) for the relief of the State of New Hampshire and the town of New Boston, N. H., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of New Hampshire the sum of $2,295.96, and to the town of New Boston, N. H., the sum of $2,295.96, in full satisfaction of their respective claims for reimbursement of expenditures made by such State and such town in combating a forest fire on a United States Army bombing range located near the town of New Boston, N. H., on May 2, 1942, and for 3 days thereafter: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

DEBORAH JAYNE ENGELMAN

The bill (S. 2555) for the relief of Deborah Jayne Engelman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Deborah Jayne Engelman, a minor alien child, shall be considered the natural-born alien child of Capt. and Mrs. Edward Engelman, citizens of the United States.

DONALD LEE FERGUSON, JR.

The bill (S. 2733) for the relief of Donald Lee Ferguson, Jr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Donald Lee Ferguson, Jr., a minor Japanese child, shall be considered the alien natural-born child of Corp. Donald Lee Ferguson, a citizen of the United States.

COMPENSATION OF MEMBERS OF SUBVERSIVE ACTIVITIES CONTROL BOARD

The bill (S. 2922) to amend subsection (d) of section 12 of the Subversive Activities Control Act of 1950 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (d) of section 12 of the Subversive Activities Control Act of 1950 (Public Law 831, 81st Cong.) is amended by striking the figure "12,500" and substituting in lieu thereof the figure "15,000."

Mr. McCARRAN subsequently said: Mr. President, a moment or so ago the Senate passed a bill of which I am the author, Senate bill 2922, calendar No. 1621. I believe that, in all fairness, an explanation of the bill should appear in the RECORD. I now ask unanimous consent that I may submit the explanation, so that the Senate will be informed regarding the bill.

The PRESIDING OFFICER. Without objection, the Senator from Nevada may proceed.

Mr. McCARRAN. Mr. President, Senate bill 2922, proposes to amend the Internal Security Act of 1950 so as to increase the compensation paid to members of the Subversive Activities Control Board, in order to bring such compensation on a par with the compensation paid to other Board and Commission members who have similar responsibilities.

The present salary of members of the Subversive Activities Control Board is $12,500 a year. This bill would raise that amount to $15,000 a year. Salaries paid other Boards and Commissions include the following:

Members of the Civil Aeronautics Board, $15,000.

Members of the Securities and Exchange Commission, $15,000.

Members of the Federal Trade Commission, $15,000.

Members of the Interstate Commerce Commission, $15,000.

Members of the United States Tariff Commission, $15,000.

I make this explanation, even though the bill has been passed, because I believe the Senate should understand the situation in connection with the bill.

EXTENSION OF TIME FOR FILING CERTAIN CLAIMS

The Senate proceeded to consider the bill (S. 1095) to extend the time for filing claims on behalf of certain persons, and for other purposes which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause, and insert:

That, notwithstanding any statute of limitations or lapse of time, suits may be instituted within 1 year after the enactment of this act, in the appropriate United States district court, under the provisions of subsection (a) (2) of section 1346, title 28, United States Code, or in the United States Court of Claims, in accordance with the provisions of section 1491, title 28, United States Code, by all persons who claim that their property, easements, rights in land, mineral interests, rights of ingress and egress, or other rights or interests were taken and not paid for by, or as a result of, the construction of the Denison Dam or the impounding of the waters of Lake Texoma: *Provided*, That any such claim shall be barred forever unless suit thereon is instituted within 1 year from the date of enactment of this act: *Provided further*, That nothing in this act shall be construed to create any liability against the United States not existing prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGHERITA GENTILE

The Senate proceeded to consider the bill (S. 1867) for the relief of Margherita Gentile, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "laws", to insert a colon and the following: "*Provided*, That there be given a suitable and proper bond or undertaking approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Margherita Gentile becoming a public charge.

"SEC. 2. For the purposes of this act the said Margherita Gentile shall be held and considered to be the minor child of her father, a United States citizen", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of the first category of section 3 of the Immigration Act of 1917, as amended, Margherita Gentile may be admitted to the United States for permanent residence if she is found otherwise admissible under the provisions of the immigration laws: *Provided*, That there be given a suitable and proper bond or undertaking approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Margherita Gentile becoming a public charge.

SEC. 2. For the purposes of this act the said Margherita Gentile shall be held and considered to be the minor child of her father, a United States citizen.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

IWANNA PRYMA AND ROMA PRYMA

The Senate proceeded to consider the bill (S. 2609) for the relief of Iwanna Pryma and Roma Pryma, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the name "Iwanna", to strike out "Pryma" and insert "Pryjma"; and in the same line, after the name "Roma", to strike out "Pryma"

and insert "Pryjma", so as to make the bill read:

Be it enacted, etc., That, in the administration of the immigration laws, Iwanna Pryjma and Roma Pryjma shall be held and considered to have been lawfully admitted into the United States for permanent residence as of the date of the enactment of this act, upon payment of the required head taxes and visa fees.

SEC. 2. The Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct two numbers from the nonpreference category of the appropriate immigration quota for the first year such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Iwanna Pryjma and Roma Pryjma."

MILITARY PERSONNEL CLAIMS

The bill (H. R. 404) to amend the Military Personnel Claims Act of 1945 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I send to the desk two amendments proposed to be offered to the bill.

The PRESIDING OFFICER. First, the question is whether there is objection to the present consideration of the bill. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The first of the amendments submitted by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 1, in line 11, after the word "claim", it is proposed to insert "not in excess of $2,500."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

Mr. HENDRICKSON. Mr. President, I should like to make a brief statement in regard to the amendment. It would provide a maximum limitation of $2,500 on any claim that may be paid under the act. As reported from the committee, there is no limitation whatever on any claim that may be paid.

Mr. President, I understand that these amendments are satisfactory to the chairman of the committee.

Mr. McCARRAN. Yes, Mr. President; I have been advised of these amendments, and I agree that they should be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment submitted by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 5, in line 6, after the period, it is proposed to insert the following:

All such settlements shall be reported to the Congress annually by the heads of the departments concerned and the report shall state with respect to each settlement the name of the claimant, the amount claimed and the amount paid.

Mr. HENDRICKSON. Mr. President, this amendment is self-explanatory, and is designed to keep Congress advised periodically as to all settlements of claims which may be made under the act.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. If there are no further amendments to be submitted, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. BLANCHE RICHARDS

The bill (H. R. 699) for the relief of Mrs. Blanche Richards, owner of the Bozarth Nursing Home, Toppenish, Wash., was considered, ordered to a third reading, read the third time, and passed.

STAMEY CONSTRUCTION CO. AND/OR THE OKLAHOMA PAVING CO.

The bill (H. R. 1267) to reimburse the Stamey Construction Co. and/or the Oklahoma Paving Co., as their interests appear, was considered, ordered to a third reading, read the third time, and passed.

Mr. HENDRICKSON subsequently said: Mr. President, I ask unanimous consent that the Senate return to House bill 1267, Calendar No. 1627, an act to reimburse the Stamey Construction Co., and so forth. I make this request in order to ask unanimous consent to have a change made in the title.

From an examination of the title, it is obvious that the present title is not sufficiently comprehensive. Therefore, I ask unanimous consent that the title be amended so as to read as follows:

For the relief of the Stamey Construction Co. and/or the Oklahoma Paving Co.

The PRESIDING OFFICER. Without objection, the title will be amended accordingly.

Mr. HENDRICKSON. Mr. President, as a result of that change in the title, the title of the bill will now fully state the purpose of the bill, whereas otherwise the title would have been inappropriate.

Mr. KERR. Mr. President, reserving the right to object, let me say that I understood that the bill had passed, and I had started to leave the Chamber. I did not hear what the Senator from New Jersey said.

Mr. HENDRICKSON. I was merely asking unanimous consent that the title be amended, so that it would express the purpose of the bill.

Mr. KERR. The change in the title makes no substantive change in the bill itself; is that correct?

Mr. HENDRICKSON. That is correct; the change in the title makes no change at all in the substantive effect of the bill.

The PRESIDING OFFICER. In the absence of objection, the title has been amended in accordance with the request of the Senator from New Jersey.

The next bill on the calendar will be stated.

FRANCIS A. GUNN

The bill (H. R. 1583) for the relief of Francis A. Gunn was considered, ordered to a third reading, read the third time, and passed.

DR. LEONIDAS M. PEPPAS

The bill (H. R. 2629) for the relief of Dr. Leonidas M. Peppas was considered, ordered to a third reading, read the third time, and passed.

JAMES NELS EKBERG

The bill (H. R. 2810) for the relief of James Nels Ekberg was considered, ordered to a third reading, read the third time, and passed.

LESZEK KAZIMIERZ PAWLOWICZ

The bill (H. R. 2832) for the relief of Leszek Kazimierz Pawlowicz was considered, ordered to a third reading, read the third time, and passed.

JOSEPH WYNN STEEL AND WILLIAM PETER KRUSE

The bill (H. R. 3220) for the relief of Joseph Wynn Steel and William Peter Kruse was announced as next in order.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of this bill, please?

Mr. McCARRAN. Mr. President, this is House bill 3220, Calendar No. 1632.

The purpose of this private bill is to pay the sum of $10,000 to each of two employees of the Bureau of the Mint, Joseph W. Steel, of Alameda, Calif., and William P. Kruse, of San Francisco, Calif., in full settlement of all claims against the United States by these two men for compensation for the invention of a conversion unit for a standard coin press and for the use of this invention by the United States.

In 1943, the coin production of the United States was slightly over 1,500,000,000 coins, and the increased demand made it imperative to double that amount. In their spare time, these claimants began work on a conversion unit for the standard coin press, and by 1944 they had developed it. Production of coins jumped to 4,000,000,000 within 2 years of the adoption of this invention. The conversion unit only costs $125 to produce. It permits 2 coins to be stamped in one cycle of operation, whereas only one could formerly have been stamped. Had it been necessary to double the facilities of the United States Mint, the cost of the coin presses, at $14,000 each, would have amounted to some $700,000, not to mention the land, buildings, and personnel necessary to operate them.

The claimants obtained a patent on their invention, and it reserved to the United States an unrestricted license in

and to the use of the conversion unit. Since the claimants have received no compensation from any source, and since the United States has adopted and is using these conversion units, the committee concurs in the recommendation of the Treasury Department that the claimants be compensated in this amount.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 3220) was considered, ordered to a third reading, read the third time, and passed.

CLARENCE SUDBECK

The bill (H. R. 4182) for the relief of Clarence Sudbeck was considered, ordered to a third reading, read the third time, and passed.

MRS. PRISCILLA CROWLEY

The bill (H. R. 4543) for the relief of Mrs. Priscilla Crowley was considered, ordered to a third reading, read the third time, and passed.

LEONARD JESSE RICHARDS (MICHIO INOUE)

The bill (H. R. 5301) for the relief of Leonard Jesse Richards (Michio Inoue) was considered, ordered to a third reading, read the third time, and passed.

MRS. EDITH P. POWELL

The bill (H. R. 5349) for the relief of Mrs. Edith P. Powell was considered, ordered to a third reading, read the third time, and passed.

DR. J. ERNEST AYRE

The bill (H. R. 5526) for the relief of Dr. J. Ernest Ayre was considered, ordered to a third reading, read the third time, and passed.

CHONG SO YONG

The bill (H. R. 5755) for the relief of Chong So Yong was considered, ordered to a third reading, read the third time, and passed.

MRS. LENNIE G. CLARKSON AND WILLIAM E. CLARKSON

The bill (H. R. 6010) for the relief of Mrs. Lennie G. Clarkson and William E. Clarkson was announced as next in order.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of this bill?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. McCARRAN. Mr. President, House bill 6010 proposes to pay to Mrs. Lennie G. Clarkson the sum of $3,000, and to William E. Clarkson the sum of $15,000 for injuries, hospital expenses, and loss of earnings as a result of an accident between an Army vehicle and one operated by William E. Clarkson.

The evidence is clear that the sole fault lay with the Army driver in that while in a convoy he ran a red light and crashed into the car of the claimants. There were no personnel stationed at the crossing to protect traffic while the convoy was going through.

The Army recommended the amount to be $3,000 for Mrs. Clarkson and $12,000 for Mr. Clarkson. The House in its report recommended $15,000 for Mr. Clarkson, and this amount was not objected to by the Army.

In view of all the facts in the case, the committee recommends this bill favorably.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

DELIANA MEULENKAMP

The bill (H. R. 6117) for the relief of Deliana Meulenkamp was considered, ordered to a third reading, read the third time, and passed.

LUCILLE HUJIMA

The bill (H. R. 6152) for the relief of Lucille Hujima was considered, ordered to a third reading, read the third time, and passed.

CLAIM OF BUNKER HILL DEVELOPMENT CORPORATION

The Senate proceeded to consider the bill (H. R. 4277) conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp., which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "for," to strike out "money damages arising out of alleged damages to a golf course and club buildings owned by such corporation as a result of the construction of Stewart Field, a United States Air Force base located at Newburgh, N. Y.," and insert "alleged damages arising out of the construction of Stewart Field, a United States Air Force base located at Newburgh, N. Y., in such a manner as to allegedly destroy a housing development of said corporation, and for alleged damages to the property of said corporation by reason of the alleged failure of the Government to provide proper drainage from said Stewart Field, which resulted in the storm flooding of the property of the corporation."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF NATIONALITY ACT OF 1940, AS AMENDED — BILL PASSED TO NEXT CALL OF CALENDAR

The bill (H. R. 401) to amend the Nationality Act of 1940, as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. HENDRICKSON. Reserving the right to object, I would appreciate an explanation of this bill. It seems to propose very important legislation.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. McCARRAN. Mr. President, House bill 401 proposes to amend the Nationality Act of 1940 by adding three new sections designed to grant expeditious naturalization and other benefits under the naturalization laws to aliens who have served, are serving, or who shall serve actively and honorably in our Armed Forces between June 25, 1950, and June 30, 1955, both dates inclusive. The bill is patterned generally after legislation enacted during World War II and carried forward in section 324A of the Nationality Act of 1940, as amended. Under that legislation 109,382 persons were naturalized, 13,587 of whom were naturalized overseas. The bill differs from the bill as it passed the House of Representatives in two significant respects:

First. The bill as passed by the House of Representatives extends the benefits of the act to certain aliens who have not been admitted into the United States for permanent residence. The bill, as amended, limits the category of aliens to whom the benefits of the bill are extended to certain aliens who have been lawfully admitted into the United States for permanent residence. This amendment is designed to prevent naturalization of aliens who jump ship or who otherwise remain in the United States in an illegal status but who succeed in getting in our Armed Forces.

Second. The bill, as passed by the House of Representatives, did not require, as does the bill which is herewith reported, that the alien to obtain the benefits of the act must have served honorably in the Armed Forces of the United States for a period or periods totaling not less than 30 days.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HUMPHREY. Mr. President, I have received a message from the Senator from New York [Mr. LEHMAN], and on his behalf I ask that this bill go over to the next call of the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PRINTING AND DISTRIBUTION OF STATUTES AT LARGE AND DECISIONS OF U. S. SUPREME COURT

The Senate proceeded to consider the bill (H. R. 4109) to amend section 73 of the act of January 12, 1895, as amended, relating to the printing, binding, and distribution of the Statutes at Large, and sections 411, 412, and 413 of title 28, United States Code, relating to the printing, binding, and distribution of decisions of the Supreme Court of the United States, and for other purposes which had been reported from the Committee on the Judiciary with amend-

ments, on page 2, after line 2, to strike out:

§ 196a. Same; distribution.

And on page 4, after line 5, insert:

SEC. 7. Section 56 of the Printing Act, approved January 12, 1895 (28 Stat. 609), as amended, relating to the printing and distribution of public and private laws, postal conventions, and treaties in slip form (44 U. S. C. 191), is hereby further amended to read as follows:

"SEC. 56. The Public Printer shall print in slip form copies of public and private laws, postal conventions, and treaties, to be charged to the congressional allotment for printing and binding. The number and distribution of copies shall be under the control of the Joint Committee on Printing."

The amendments were agreed to.

Mr. McCARRAN. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 4, between lines 5 and 6, it is proposed to insert the following:

The Attorney General and the Director in the procurement of lawbooks, books of reference, or periodicals may exchange or sell similar items and apply the allowance or proceeds to payment in whole or in part of the cost of the items purchased.

Mr. McCARRAN. Mr. President, the language embodied in this proposed amendment is now a part of section 413 of title 28, United States Code, having been added by the enactment approved May 24, 1949—Sixty-third Statutes at Large, page 100—and provides that the Attorney General and the Director of the Administrative Office of the United States Courts may sell or exchange law books or periodicals in respect to the procurement of necessary reference materials for the Department of Justice and the Federal courts.

Section 6 of this bill, H. R. 4109, provides for amendment of section 413 of title 28, and in drawing the amendatory language, this provision was left out, apparently by inadvertence. The oversight was discovered only recently, and this proposed amendment would simply replace the provision that was not intended to be eliminated by enactment of H. R. 4109.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada [Mr. McCARRAN].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ROBERT A. BUCHANAN

The Senate proceeded to consider the bill (H. R. 4455) for the relief of Robert A. Buchanan, which had been reported from the Committee on the Judiciary with amendments, in line 4, after the word "to", to strike out "reinstate" and insert "renew"; and in the same line, after the word "policies", to strike out "N–8683625" and insert "N–8683265."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GRANTING OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 206) favoring the granting of the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, to strike out line 9; on page 2, to strike out lines 3, 19, 20, 24, and 25; on page 3, to strike out lines 6, 7, 8, 9, 18, 20, and 21; on page 4, to strike out lines 3, 5, 8, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21 22, 23, and 25; on page 5, to strike out lines 7, 20, 21, 22, and 23; on page 6, to strike out lines 10, 11, 14, 16, 19, 20, 21, 24, and 25; on page 7, to strike out lines 4, 10, 11, 13, 22, 23, 24, and 25; on page 8, to strike out lines 4 and 12; on page 9, to strike out lines 5 and 11; on page 10, to strike out line 11; on page 11, to strike out lines 4, 5, 18, 19, and 20; on page 12, to strike out lines 6, 7, 8, 9, 18, 19, 22, and 25; on page 13, to strike out lines 2, 23, and 25; on page 14, to strike out lines 9, 10, and 23; on page 15, to strike out lines 4, 9, 10, 14, and 18; on page 16, to strike out lines 4, 11, 12, and 25; on page 17, to strike out lines 1, 2, 6, 7, 8, 9, 13, 14, 17, 18, 20, 21, and 22; on page 18, to strike out line 8, and after line 19, to insert:

A–6917609, Wong, Pao Tee or Wong Pao Tee.
A–6613284, Long, Sam Tack.
A–7828406, Wexler, Levi Itic.
A–7828442, Wexler, Dora nee Auer.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

ENTRY INTO UNITED STATES OF CERTAIN FOREIGN AIRCRAFT—BILL PASSED OVER

The bill (S. 1588) to amend the Air Commerce Act of 1926, as amended, was announced as next in order.

Mr. MORSE. Mr. President, I ask that this bill go over.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Oregon withhold his objection in order that I may make a brief statement?

Mr. MORSE. I shall gladly withhold my objection for the Senator's statement.

Mr. JOHNSON of Colorado. Mr. President, Senate bill 1588 came from the Secretary of Commerce. The bill was written in that office. The committee went into the subject carefully. We amended and rewrote the bill. We inserted some very important language. I should like to read a very brief explanation of the bill.

Senate bill 1588, to amend the section of the Air Commerce Act of 1926, relates to the entry into the United States of foreign civil aircraft which are not common carriers. The proposed amendment does not change the law governing the entry into the United States of foreign airlines operating on schedules as common carriers. These are governed specifically by the provisions of the Civil Aeronautics Act of 1938.

The original Air Commerce Act of 1926 was primarily an air safety law and section 6 specified reciprocal privileges for United States aircraft and set safety standards for foreign aircraft coming to this country. The safety regulations of the original section 6 have been superseded by the Civil Aeronautics Act of 1938. Section 6 of this 1926 Act was further modified by the 1940 reorganization plans which separated the Civil Aeronautics Board from the Civil Aeronautics Administration in the Department of Commerce. At that time it was decided that the function of determining what non-common-carrier aircraft could fly in the United States was a matter that should be handled by the Administrator under the Secretary of Commerce. There has been a further modification in the law governing the entry of foreign civil aircraft into the United States by the ratification of the Chicago Convention on International Civil Aviation in 1946.

At the present time the authority exercised by the Secretary of Commerce under section 6 of the Air Commerce Act of 1926, is entirely economic in nature and the extent of these powers is by no means clear. For this reason both the Department of Commerce and the Civil Aeronautics Board have urged the enactment of S. 1588.

S. 1588 will transfer to the Civil Aeronautics Board the functions heretofore exercised by the Secretary of Commerce relating to the entry of civil non-transport aircraft into the United States. At the same time it will clarify the condition under which these foreign aircraft may operate in the United States.

The bill will continue to require reciprocal air navigation rights for United States aircraft flying into a foreign country as a condition of allowing the foreign aircraft to enter the United States. It prohibits foreign civil aircraft from engaging in air commerce within the United States except when the passengers and cargo are to be transported outside of the United States. Within these limitations it further provides that the Civil Aeronautics Board may issue regulations providing the extent to which foreign civil non-transport aircraft may fly in the United States. These regulations must be based upon a finding that the flights are in the "interest of the public" and are consistent with our treaty obligations.

As I say, Mr. President, this bill came from the Department of Commerce, having been transmitted to us by the Secretary of Commerce. The Civil Aeronautics Board favors the enactment of this proposed legislation, as amended, and the Secretary of State has urged its enactment.

Mr. MORSE. Mr. President, I desire to have time to study the bill between now and the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 328) relative to a settlement of the steel strike and interim resumption of production, was announced as next in order.

Mr. JOHNSTON of South Carolina. Mr. President, I ask that this resolution be passed over.

The PRESIDING OFFICER. The resolution will be passed over.

COLLBRAN RECLAMATION PROJECT, COLORADO

The bill (H. R. 2813) to authorize the Secretary of the Interior to construct, operate, and maintain the Collbran Reclamation project, Colorado, and to provide for disposition of the project upon completion of repayment, was announced as next in order.

Mr. SCHOEPPEL. Mr. President, I should like to have an explanation of the bill, because it involves approximately $16,000,000.

Mr. MILLIKIN. Mr. President, this bill provides for a multipurpose project which will be constructed over the western slope of Colorado near Grand Junction. The purpose of it will be to supplement the supply of irrigation water to about 18,000 acres now being irrigated and to approximately 2,500 acres of new land which is not irrigated at the present time. In addition to that, it will supply industrial water, drinking water, and water for power, all very useful in connection with activities at Grand Junction, Colo., and vicinity.

It has a high defense significance. The town of Grand Junction, Colo., is frequently referred to as "the Capital of the Western Slope of Colorado." It is the capital of our uranium activities and is tied directly to our atomic-energy program. Most of the uranium from domestic sources originates in that area. Grand Junction is a rapidly growing town, in part because of uranium activity. In approximately 2 years' time it will run out of water, with the result that its role and its usefulness in the defense program will be seriously limited.

This project, Mr. President, is one of the most important projects ever to come before the Senate. It will pay for itself.

The bill has been so amended by the Committee on Interior and Insular Affairs as to meet, I think, all objections which might be raised against it. It has the approval of the States in the Colorado Basin and the approval of the Secretary of the Interior. As I have said, I believe all important objections of other agencies have been met. The Colorado Water Board approves the bill. I strongly recommend the project as an excellent one, and I hope there will be no objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 2813) which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 4, after the word "same.", to strike out "Upon final payment of all moneys due to the Federal Government or any agency thereof under the provisions of this act or any contract written in compliance therewith, all facilities or any integral part thereof constructed under the provisions of this act and existing at the time of final payment shall be assigned, conveyed, and delivered to those users or public corporation or association of users lawfully entitled to receive them or any part thereof"; on page 3, line 1, after the word "blocks", to strike out "*Provided further*, That contracts for the supply of water for municipal and miscellaneous purposes, other than irrigation, and for the sale of commercial power shall be entered into having regard for the amortization of the capital investment allocable to such purposes over a period of 50 years, or as near thereof as may be practicable, with interest on the unamortized balances thereof at a rate not less than the average rate paid by the United States on its long-term loans outstanding at the time this act becomes law"; and in lieu thereof to insert "*Provided further*, That, notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall be applied, first, to the amortization, with interest, of those portions of the actual cost of the construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply; and, thereafter, shall be applied to amortization of that portion of the cost allocated to irrigation which is beyond the ability of the irrigation water users to repay within the period specified above. Amortization of that portion of the construction cost allocated to commercial power shall include interest on the unamortized balance thereof at 3 percent per annum. Repayment of that portion of the actual cost of constructing the project which is allocated to municipal, domestic, and industrial water supply and of interest on the unamortized balance thereof at a rate (which rate shall be certified by the Secretary of the Treasury) equal to the average rate paid by the United States on its long-term loans outstanding at the time the repayment contract is negotiated minus the amount of such net revenues as may be derived from temporary water supply contracts or from other sources prior to the close of the repayment period, shall be assured by a contract or contracts satisfactory to the Secretary, the term of which shall not exceed 50 years from the date of completion of the municipal and industrial water supply features of the project as determined by the Secretary."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Collbran reclamation project, Colorado."

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 151) approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952, was announced as next in order.

Mr. ANDERSON. Mr. President, in view of the fact that this joint resolution is to come up on Monday, I think it should be passed over at this time.

The PRESIDING OFFICER. The joint resolution will be passed over.

FEES FOR REGISTRATION OF NURSES IN THE DISTRICT OF COLUMBIA

The bill (S. 3041) to amend the act entitled "An act to define the term of 'registered nurse' and to provide for the registration of nurses in the District of Columbia," approved February 9, 1907, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4 of the act entitled "An act to define the term of 'registered nurse' and to provide for the registration of nurses in the District of Columbia," approved February 9, 1907, as amended (34 Stat. 887; title 2, chap. 4, D. C. Code, 1940, and Supp. VII thereof), is amended by striking the figures "15" and inserting in lieu thereof the figures "25."

SEC. 2. The first sentence of section 7 of such act, as amended, is amended by striking the symbol and figure "$1" wherever they appear, and inserting in lieu thereof the symbol and figure "$2."

SEC. 3. Section 9 of such act, as amended (sec. 2-408, D. C. Code 1940 Supp. VII), is amended by adding at the end thereof the following: "If on the last day of any fiscal year—that is to say, June 30—after the payment or provision made for payment, of all lawful obligations and of all then accrued compensation of members and employees of the said board, there should be in the treasury of the said board any funds (whether in the form of cash or in other form) derived from registrations for the fiscal year then ending or from registrations for previous fiscal years, all such funds in excess of $5,000 shall be deposited in the Treasury of the United States to the credit of the District of Columbia as miscellaneous revenues."

EMPLOYMENT OF MINORS IN THE DISTRICT OF COLUMBIA

The bill (H. R. 6857) to amend section 7 (a) of the act entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. I wish to ask a question of the sponsor of this measure. I understand this is a bill to permit eight theatrical performances a week by minors within the District of Columbia. I am wondering how many hours of employment that would really entail. As I understand, the lowest age the bill would permit minors to come within the jurisdiction of the District of Columbia to participate in theatrical performances

is 7 years. I well understand that in a number of other States, in connection with other activities, some which probably are not nearly so strenuous as those contemplated by this bill might be, no one is permitted to employ persons as young as 7 years of age. I should like to have an explanation.

Mr. JOHNSTON of South Carolina. The chairman of the committee, as well as the Senator who reported the bill, are not present today, but it is true that the bill, as amended, will change the age limit from 14 to 7 years of age, and the provision that a child must have completed eight grades of school has been eliminated. Likewise, it removes the limitation of 12 hours in any week. The bill was reported unanimously by the committee, after hearings.

Furthermore, the Board of Education and the District of Columbia Recreation Board have stated that they have no opposition to the bill.

Mr. SCHOEPPEL. May I inquire further of the distinguished Senator from South Carolina if these are any provisions of law elsewhere in the country comparable to those here proposed?

Mr. JOHNSTON of South Carolina. I am informed that New York has a similar law in regard to age.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

PAYMENT OF CERTAIN SUBSTITUTE TEACHERS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2949) to amend the District of Columbia Teachers' Leave Act of 1949, which had been reported from the Committee on the District of Columbia with an amendment after line 6, to insert a new section, as follows:

SEC. 2. This act shall become effective as of July 1, 1949.

So as to make the bill read:

Be it enacted, etc., That section 6 of the District of Columbia Teachers' Leave Act of 1949, approved October 13, 1949 (63 Stat. 842), as amended, is amended by inserting after the word "pay" the words "or on leave without pay."

SEC. 2. This act shall become effective as of July 1, 1949.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHANGE OF NAME OF MEDICINE CREEK RESERVOIR, NEBR.

The Senate proceeded to consider the bill (S. 103) to change name of Medicine Creek Reservoir in Frontier County of the State of Nebraska to "Harry Strunk Lake," which had been reported from the Committee on Interior and Insular Affairs with an amendment in line 7, after the word "law," to strike out "regulation" and insert "regulations", so as to make the bill read:

Be it enacted, etc., That the reservoir behind Medicine Creek Dam in Frontier County of the State of Nebraska, heretofore known, designated, and referred to as "Medicine Creek Reservoir", shall hereafter be designated and referred to as "Harry Strunk Lake." Any law, regulations, document, or record of the United States in which such reservoir is designated or referred to under and by the name of "Medicine Creek Reservoir" shall be held and considered to refer to such reservoir under and by the name of "Harry Strunk Lake."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SEATON. Mr. President, I ask unanimous consent to have printed in the RECORD, at his request, a statement by my colleague, the senior Senator from Nebraska [Mr. BUTLER], who is necessarily absent today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

It gives me real pleasure to take this opportunity to pay tribute to a great leader in the cause of reclamation in southwest Nebraska, my good friend, Harry Strunk, of McCook, Nebr.

The naming of this reservoir after Harry Strunk is but a small measure of the appreciation felt by all the people of the valley for his leadership. I am sure that the decision to do him this honor will meet with the virtually unanimous support of the people there.

The movement to bring reclamation to the Republican River Valley in Nebraska got its real start as a result of the drought years of the thirties, and the disastrous flood which swept through Cambridge, Nebr., down the valley in 1935. Harry Strunk spearheaded that reclamation movement. He welded the people of the valley into a unified group to press for extension of Federal reclamation and flood-control programs to the valley.

For many years, it was a long, uphill campaign, but Harry Strunk and his supporters never lost faith. Just when their plans seemed on the point of bearing fruit, World War II came along and put an end to all construction. But Harry Strunk kept the movement going and used the time to good advantage in developing plans and broadening support for the program. Congressional authorization for a program of development of the water resources of the valley was secured near the end of the war. As soon as hostilities were concluded, the Federal Government was ready to go ahead.

I believe it is altogether fitting that this reservoir on Medicine Creek should be named in honor of Harry Strunk. I am very pleased that the Senate committee has unanimously approved my bill, and I very much hope that the Senate will likewise approve it today.

CONVEYANCE OF CERTAIN LANDS, ETC., TO TOWN OF JACKSON, WYO.

The bill (S. 2915) authorizing the Secretary of the Interior to convey certain lands and rights-of-way in the State of Wyoming to the town of Jackson, Wyo., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I shall object. I wish to point out for the RECORD that this land was donated by the Jackson Hole Lions Club without cost to the Federal Government originally. The bill proposes to give the land to Jackson Hole, Wyo., without cost. However, since the land has been owned by the Federal Government, valuable improvements have been placed on it. No reversionary clauses or reservations of mineral rights are set forth in the bill. In my judgment, the bill is irreconcilable with the formula which I have applied to a good many transfers and have tried always consistently to apply. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HUNT. Mr. President, will the Senator from Oregon withhold his objection momentarily, until I make a statement about that bill?

Mr. MORSE. I cannot imagine anyone to whom I would be more delighted to extend such a courtesy than to the Senator from Wyoming.

Mr. HUNT. I thank the Senator.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 5 minutes.

Mr. HUNT. Mr. President, the bill under consideration involves a small piece of land adjacent to the city of Jackson, Wyo. The land originally was given to the United States Government, through the Department of the Interior, by the Lions' Club of Jackson, Wyo., for purposes of fish culture. It was utilized for a period of a few years by the Fish and Wildlife Service of the Department of the Interior. However, since 1942 it has been abandoned and declared excess by the Fish and Wildlife Service. The buildings are deteriorating because no one is taking care of them.

The city of Jackson wishes to have the small parcel of land for the purpose of establishing a Boy Scout and Girl Scout camp. In view of the fact that the land was donated to the Government and the Government is now making no use of it thus far, I was very hopeful that the Senator from Oregon might not object, and that the land might be returned to the people who gave it to the Government in the first place, so that it may be used for the very worthy purpose of a Boy Scout and Girl Scout camp.

Mr. MORSE. For the reasons already expressed in the RECORD, I object.

The PRESIDING OFFICER. Objection is heard, and the bill will go over.

CONVEYANCE OF CENTRE HILL MANSION TO PETERSBURG (VA.) BATTLEFIELD MUSEUM CORP.

The bill (H. R. 5599) to provide for the conveyance of the Centre Hill Mansion, Petersburg, Va., to the Petersburg Battlefield Museum Corp., and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, although I shall not object, I wish to state that the bill involves a piece of property which was given to the Federal Government. in the first instance, without cost, for a particular, specific purpose. The Federal Government no longer desires to carry out the purpose of the original grant. The property is to be used for the purpose for which it was originally granted, namely, to maintain a museum. Therefore, the bill does not come within the Morse formula, and I have no objection.

Mr. ROBERTSON. Mr. President, I was very happy to have had an opportunity this morning to explain to the Senator from Oregon the nature of the bill. It does not come within the formula which the Senator has been applying to other bills to which he has been objecting, but merely retransfers Federal land to the State of Virginia, which will have responsibility for its development. The museum was known as the Old Mansion House, and was built by Robert Bolling in 1822. It now houses a beautiful collection of relics of the War Between the States.

I ask unanimous consent to have printed in the RECORD at this point an excellent explanation of the Petersburg Battlefield Museum, which this bill will give back to the Petersburg Battlefield Museum Corp., which is equipped to maintain and develop the property in a way which the Federal Government, through lack of funds, has not been able to do.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Petersburg Battlefield Museum is a notable collection of relics of the War Between the States—in which Petersburg was a citadel of the Confederacy—housed in one of the city's old and historic mansions. It is a doubly interesting place to visit.

The ground itself is historic. Though privately owned, the site was a muster ground for militia and the scene of the Fourth of July and other patriotic celebrations so favored in the early years of the nineteenth century. From this place the famous company of Petersburg Volunteers departed in the War of 1812; to it they returned after their distinguished service in Canada had won for Petersburg the soubriquet, the Cockade City of the Union. A young Petersburg lawyer, Winfield Scott, read the Declaration of Independence here for one of the Fourth of July celebrations.

Centre Hill Mansion was ready for occupancy in 1823, having been under construction for several years. It was the home of Robert Bolling, great grandson of the emigrant, Robert Bolling, founder of a well known Virginia family. At least three other Bolling residences had preceded it in Petersburg, but Centre Hill Mansion symbolized the height of the family fortunes. Situated in a beautifully planted and enclosed park of more than 8 acres, it was constructed in generous proportions of oversize brick in Flemish bond. The interior was adorned with hand-carved woodwork and lavish cornices. The result may have been the most magnificent mansion Petersburg had ever known. Nearby the mansion flourish two of the many exotic trees of old—a cedar of Lebanon and a bronze beech and the encircled south lawn has many fine specimens of native trees. Viewing it a few years after its completion, Mrs. Anne Royall described it in her black book as a superb building offering a grand and imposing view. Mrs. John Tyler visited it in 1854 and wrote that the place is on a large and in some respects a really grand scale, but she admitted to some disappointment because she had been led to expect so much. Evidently it had been enrolled as one of Virginia's show places. Today, in spite of the encroachments of business and other residences, it vividly recalls the ante bellum splendor and prosperity of Petersburg.

Prior to the establishment of the city waterworks in 1856, water from the famous spring of Centre Hill was much sought by residents for its purity and mineral qualities and the press records on several occasions the concern of citizens when drought effected its flow.

National history touched Centre Hill in 1865 when, after the Confederate evacuation which ended the 10-month siege of Petersburg, it became the headquarters of Maj. Gen. G. L. Hartsuff, district commander. President Lincoln visited him here on April 7 and made the remark, when the subject of rent was mentioned, that "our batteries have made rent enough here already." Centre Hill still bears the scars of the ordeal of shelling.

President William Howard Taft visited Centre Hill, then the home of Mr. and Mrs. Charles Hall Davis, May 19, 1909, upon the occasion of the unveiling of the Hartranft Monument. With these visits symbolic of war and reunion, history was preparing it well for its present role as a museum.

The old mansion, acquired by Mr. Davis in 1901 from the Bollings, and occupied by him until 1936, was purchased by the late Edgar S. Bowling in 1937 and given to the United States for its present use. During World War II, when the plans for it had to be suspended, it was used as headquarters of the Petersburg chapter of the American Red Cross. It is leased by the National Park Service of the Department of the Interior and was formally opened as a museum April 22, 1950. The museum, a nonprofit organization, is governed by a board of 20 local trustees, supported by the city of Petersburg and fostered by the Petersburg chapter, United Daughters of the Confederacy.

Decisive and dramatic events in the history of Petersburg are recalled by its varied collection, the nucleus of which was the fine one of the A. P. Hill Camp of Confederate Veterans. Many persons have loaned or given additional items. These could not be enumerated or described here. Among them are portraits of Confederate leaders, especially those who figured in the siege of Petersburg, uniforms, rare maps, and a large collection of the varied types of shells and projectiles so extravagantly used by each of the contending armies. The exhibits of swords and pistols are outstanding. A full display of Confederate money includes many less familiar issues.

The Union side of the story is well represented by two original chairs from General Grant's City Point headquarters, a piece of track of his military railroad, a complete set of dental equipment captured from a Federal surgeon, two wagons which General Sherman used in his march across Georgia and fragments of the 200-pound, 13-inch shell from the famous siege mortar, "the Dictator."

The Petersburg Battlefield Museum honors a great tradition, recalls a major chapter of American history, and preserves important source materials of the War Between the States. As the only museum of its exact kind in a large area, the Petersburg Battlefield Museum can expect to increase its already full collection. In addition to battlefield relics, it has displays which recall the life of the period of the War Between the States and certain other items which illuminate the earlier history of Petersburg. Appropriate additions to the collection will be gratefully received.

The museum meets a need of Petersburg in that it enables the visitor to gain new insight into the history of the city and the seige of 1864–65 which made it famous throughout the world. It will have especial attraction for the countless students of the war which decided the fate of a nation as well as for those wishing to acquaint themselves with the life of the ante-bellum period.

It welcomes visits from individuals, patriotic societies, and school groups.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

COLUMBIA BASIN PROJECT—CHANGE OF NAME OF SOUTH DAM

The Senate proceeded to consider the joint resolution (S. J. Res. 74) to change the name of the South Dam in the Columbia Basin project to Dry Falls Dam, which had been reported from the Committee on Interior and Insular Affairs with amendments in line 3, after the word "South", to insert "Coulee"; and in line 7, after the word "South", to insert "Coulee"; so as to make the joint resolution read:

Resolved, etc., That the South Coulee Dam in the Columbia Basin project shall hereafter be known as Dry Falls Dam and any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name South Coulee Dam shall be held to refer to such dam under and by the name of Dry Falls Dam.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution to change the name of the South Coulee Dam in the Columbia Basin project to Dry Falls Dam."

CONVEYANCE OF CERTAIN LAND TO TOWN OF DEDHAM, MAINE

The bill (H. R. 2190) to provide for the conveyance to the town of Dedham, Maine, a certain strip of land situated in such town and used as a road right-of-way, was announced as next in order.

Mr. MORSE. I shall object to this bill. The bill purports to give to a municipality a piece of Federal property without any payment whatsoever. The bill is identical, so far as precedent is concerned, with an Oregon bill to which I objected. In that bill the city of Albany, Oreg., sought to obtain two-fifths of an acre for the identical purposes for which the Senator from Maine seeks to obtain the land which is the subject of this bill, namely, for highway purposes.

In my judgment, the government organization in Maine which seeks this property should pay half the appraised fair market value of the property.

Therefore, I object to the bill.

Mr. ANDERSON. Mr. President, will the Senator withhold his objection so that I may make a statement?

Mr. MORSE. I shall be happy to withhold my objection.

Mr. ANDERSON. I have recognized the fact that the bill apparently contains no provision for payment on the part of the people of Maine, who have acquired the roadway, for the reason that the Committee on Interior and Insular Affairs reported it without any such provision, as the passage of the bill will actually result in a saving to the Federal Government. If the Department of the Interior is asked to maintain the road, and does so, it will be at Federal cost. If the bill is passed, it is intended that the municipality will maintain the road, and we are anxious to have that happen.

Mr. MORSE. Mr. President, I appreciate very much the explanation of the Senator from New Mexico, but for the reasons already expressed, I object to the bill.

The PRESIDING OFFICER. The bill will be passed over.

TRANSFER TO THE NAVY OR BY THE NAVY OF SUNDRY PROPERTIES

The bill (S. 3052) to authorize certain land and other property transactions, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, reserving the right to object—and I do object—section 5 of the bill, in my judgment, violates the formula which I have tried to apply to other bills, and therefore I object.

Mr. McCLELLAN. Mr. President, I have no personal interest in this bill, but will the Senator withhold his objection momentarily?

Mr. MORSE. I am very glad to withhold my objection for the time being.

Mr. McCLELLAN. Since the Senator objects only to section 5 of the bill, and does not interpose objection to other sections, would he be willing to allow the bill to pass if it were amended by striking out section 5? There are some other tracts of property involved, all surplus property being transferred from one agency of the Government to the agency of Government now occupying and using the property.

Mr. MORSE. I have no objection to the other sections of the bill. If the Senator wishes to strike section 5, I have no objection.

Mr. McCLELLAN. In order to make it possible for the other tracts covered by the bill to be transferred from the agencies which now have ownership of them to the agency of Government which is now actually using them, and probably will use them indefinitely, I trust the Senator will withdraw his objection to the consideration of the bill so that it may be considered. If it is considered, I shall move to strike section 5 in order that the other provisions of the bill may be enacted into law.

Mr. MORSE. I am sorry that I did not make clear to the Senator from Arkansas that it is my desire to withdraw my objection to the consideration of the bill in order that the Senator from Arkansas may propose to strike section 5 thereof.

Mr. McCLELLAN. I thank the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon withdraws his objection to the present consideration of the bill. Is there objection to its present consideration?

There being no objection, the Senate proceeded to consider the bill.

Mr. McCLELLAN. Mr. President, I offer an amendment to strike out section 5 of the bill.

The PRESIDING OFFICER. Without objection, section 5 is stricken from the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized to transfer to the Navy Department, without reimbursement, a parcel of land containing eight and five-tenths acres, more or less, being a part of the site of the United States Navy Underwater Sound Laboratory, Fort Trumbull, New London, Conn., together with all improvements thereon and personal property relating thereto, formerly under the jurisdiction and control of the Department of Commerce (Maritime Administration), and now occupied by the Navy Department by virtue of a revocable permit.

SEC. 2. The Administrator of General Services is authorized to transfer to the Navy Department, without reimbursement, a parcel of land consisting or three and nine-tenths acres, more or less, situated at Oceanside, San Diego, Calif., being a part of a sixty-five and forty-seven one-hundredths-acre tract acquired by the Department of Agriculture for use in connection with an emergency rubber project and subsequently reported as excess to the Federal Works Agency, and now used by the Navy Department in connection with the operation of Public Housing Administration project Cal-4900-N.

SEC. 3. The Housing and Home Finance Administrator is authorized to transfer to the Department of the Navy, without reimbursement, a 12-inch cast-iron water pipeline extending a distance of 2,840 feet, more or less, from Chase's Pond to Folly Pond, Kittery, Maine, together with pump house, pumps, and other appurtenances, including the leasehold rights of the United States in the premises on which said property is located, being the same facility formerly under the jurisdiction and control of the Federal Works Agency and known as project No. Me-17-902-F, Kittery, Maine, and which supplies water to the United States naval base.

SEC. 4. The Housing and Home Finance Administrator is authorized to transfer to the Navy Department, without reimbursement, the water supply line at the Naval Fuel Annex, Casco Bay, Portland, Maine, extending between Great Diamond Island and Long Island in Casco Bay, consisting of approximately 8,200 linear feet of 8-inch cast-iron pipe and 4,700 linear feet of 3-inch black steel pipe, together with pump house, pumps, and all other appurtenances, including appurtenant easement rights.

TRANSFER TO NAVY OF CERTAIN PROPERTY AT FORT WORTH, TEX.

The bill (S. 3051) to authorize the Administrator of General Services to transfer to the Department of the Navy, without reimbursement, certain property at Fort Worth, Tex., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I wish to say for the purposes of the RECORD that this bill simply involves an intra-agency transfer, and therefore does not involve my formula. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized to transfer to the Navy Department, without reimbursement, the Globe Aircraft plant, Fort Worth, Tex., consisting of approximately 156.6 acres of land and all improvements thereon.

SUSPENSION OF CERTAIN SENTENCES IN MUNICIPAL AND JUVENILE COURTS OF THE DISTRICT OF COLUMBIA

The bill (S. 2941) to provide for the suspension of the imposition or execution of sentence in certain cases in the municipal court for the District of Columbia and in the juvenile court of the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, I desire to ask one question with reference to this measure. Do the judges of the district court approve of this change?

Mr. JOHNSTON of South Carolina. Mr. President, the judges of the municipal court approve the bill; all the Commissioners approve it; and the District of Columbia Bar Association approves it.

The purpose of this bill is to authorize the municipal court and the juvenile court of the District of Columbia to suspend the imposition or execution of sentence, without placing the defendant on probation. A very large number of violations in the nature of petty offenses now must be disposed of by the municipal court either by fine or imprisonment, or by suspension of sentence and referral to the probation officer, although the nature of the petty offense, even though the defendant be guilty, is such as to render either of these courses of action excessive or unnecessary.

Many of the cases coming before the juvenile court involve adult defendants and might best be disposed of by suspending the imposition of sentence, without placing the defendant on probation. Many cases in both municipal court and juvenile court involve indigent defendants who are unable to pay even a slight fine, and therefore under present law must either be committed to jail or be placed under the supervision of the probation officer.

This legislation would furnish both the municipal court and the juvenile court with a means of coping adequately with what might be termed "run-of-the-mine" petty offenses not meriting either a sentence or the placing of the defendant on probation.

The bill has the approval of the board of commissioners, the judges of the municipal court, and the District of Columbia Bar Association. It was favorably reported by unanimous vote of the full committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in all cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Columbia, the municipal court or the juvenile court, as the case may be, shall have power upon conviction to suspend the imposition of sentence or to impose sentence and suspend the execution thereof, if it should appear to the satisfaction of the court that the ends of justice and the best interests of the public and of the defendant would be served thereby. In each case of the imposition of sentence and the suspension of the execution thereof, the municipal court may, in its discretion, place the defendant on probation as provided by the act approved June 25, 1910 (36 Stat. 864; sec. 24–102, D. C. Code, 1940), and the juvenile court may, in its discretion, place the defendant on probation as provided by the act approved June 1, 1938 (52 Stat. 601; sec. 11–919, D. C. Code, 1940), by the act approved March 23, 1906, as amended (34 Stat. 86; sec. 22–903, D. C. Code, 1940), or by the act approved February 4, 1925 (43 Stat. 807; sec. 31–207, D. C. Code, 1940), as the case may be.

REGULATION OF BOXING IN THE DISTRICT OF COLUMBIA — BILL PASSED TO NEXT CALL OF CALENDAR

The bill (H. R. 5768) to amend the act entitled "An act to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes," was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, reserving the right to object—and I shall not object—I desire to ask one or two questions for the RECORD.

Would the proposed amendment to the act permit or provide the implement for developing a little monopoly on the part of, say, one or two promoters in this city, or would the subject be left strictly to the Commission?

Mr. JOHNSTON of South Carolina. It would be left strictly to the Commission, as I understand.

Mr. SCHOEPPEL. In the judgment of the distinguished Senator——

Mr. JOHNSTON of South Carolina. To save time, let me say that I am very anxious to have the bill passed, but I shall ask that it go over until the next call of the calendar, and be placed at the head of the calendar, because another Senator, who is not now present, has objected to another part of the bill.

I am sending to the desk an amendment which I ask to have read at this time, which I think will clear up his objection. However, I cannot ask to have the bill passed, because the Senator who objected is not present today. I ask that it be passed over with the understanding that it will be placed at the head of the calendar at the next call of the calendar. I should like to have the amendment read at this time, or placed in the RECORD.

The PRESIDING OFFICER. The Chair will state that several other bills have gone over until the next call of the calendar. Without objection, this bill will go over, and will take its place along with other bills set down as special orders.

Mr. JOHNSTON of South Carolina. The reason it is very important is that if action is not taken before the 30th of the month, the Boxing Commission will not be able to function in the District of Columbia because of lack of funds.

The PRESIDING OFFICER. Let the Chair inquire of the Senator from South Carolina if it is his purpose to offer the amendment now so that it may be the pending question when the consideration of the bill is resumed?

Mr. JOHNSTON of South Carolina. I offer the amendment now.

The PRESIDING OFFICER. Does the Senator desire that his amendment remain pending, or would he like to have it agreed to today?

Mr. JOHNSTON of South Carolina. I should like to have the amendment agreed to, because it is absolutely necessary.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill for the purpose of agreeing to the amendment of the Senator from South Carolina?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I now offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. On page 1, line 9, after the word "licensed", it is proposed to insert "professional"; in line 10, after the word "licensed", to insert "professional"; and on page 3, line 4, after the word "contest", to insert a colon and *"Provided*, That no person holding or conducting any amateur boxing contest under the jurisdiction and with the sanction of the District of Columbia Association of the Amateur Athletic Union of the United States shall be required to pay to the Commission any such sum which includes receipts derived from the sale, lease, or other exploitation of radio, television, or motion picture rights relating to any such amateur boxing contest."

Mr. JOHNSTON of South Carolina. I think Senators will see that this amendment speaks for itself. Amateur boxing requires a provision like this in order that it may go forward.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the bill, as amended, will go over until the next call of the calendar, as specified in the unanimous-consent request of the Senator from South Carolina.

EXTENSION OF DISTRICT OF COLUMBIA RENT ACT—BILL PASSED OVER

The bill (S. 2988) to amend and extend the provisions of the District of Columbia Emergency Rent Act of 1951, was announced as next in order.

Mr. HENDRICKSON. Mr. President, I shall not object to the present consideration of the bill, but before it is passed I should like to offer an amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I shall not ask for consideration of the bill, because of the fact that the national act regulating rent control has not yet been passed, and we want to see what date is fixed in that act.

Mr. HENDRICKSON. That was the purpose of my amendment. It was to make the act conform to the national act.

Mr. JOHNSON of Texas. I ask that the bill go over.

Mr. HENDRICKSON. I intended to offer an amendment to strike out the date June 30, 1953, in line 6, and insert in lieu thereof "February 28, 1953."

Mr. JOHNSTON of South Carolina. The committee reported the bill with the understanding that it would be held on the calendar until action had been taken in connection with the national act, and the date had been definitely settled. For that reason I should have to object to the present consideration of the bill.

Mr. HENDRICKSON. That is entirely satisfactory.

The PRESIDING OFFICER. The bill will be passed over.

EMPLOYMENT OF ATTORNEYS FOR FIVE CIVILIZED TRIBES, OKLAHOMA

The bill (H. R. 1788) to authorize the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians to make contracts with approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe, was considered, ordered to a third reading, read the third time, and passed.

UNITED STATES COMMISSIONERS FOR GREAT SMOKY MOUNTAINS NATIONAL PARK

The bill (S. 1705) to amend title 23 of the United States Code so as to provide for two United States commissioners for Great Smoky Mountains National Park was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 631 (a) of title 28 of the United States Code is amended by striking out "Great Smoky Mountains" and by inserting after the second paragraph of such section the following new paragraph:

"Two United States Commissioners may be appointed for Great Smoky Mountains National Park. One, whose jurisdiction shall be limited to the portion of the park situated in Tennessee, shall be appointed by the district court for the eastern district of Tennessee; the other, whose jurisdiction shall be limited to the portion of the park situated in North Carolina, shall be appointed by the

district court for the western district of North Carolina."

SEC. 2. The jurisdiction of the United States Commissioner holding office as Commissioner of the Great Smoky Mountains National Park on the date of enactment of this act shall be limited to the portion of the park situated in North Carolina.

CIVIL GOVERNMENT FOR THE TRUST TERRITORY

The Senate proceeded to consider the joint resolution (S. J. Res. 149) to provide for a continuance of civil government for the Trust Territory of the Pacific Islands which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 9, to insert a new section, as follows:

SEC. 2. There are hereby authorized to be appropriated for a period not to exceed 3 years such sums, not to exceed $10,000,000 annually, as may be necessary to carry out the provisions of this joint resolution: *Provided, however,* That no new activity requiring expenditures of Federal funds shall be initiated without specific prior approval of the Congress.

So as to make the joint resolution read:

Resolved, etc., That until Congress shall further provide for the government of the Trust Territory of the Pacific Islands, all executive, legislative, and judicial authority necessary for the civil administration of the Trust Territory shall continue to be vested in such person or persons and shall be exercised in such manner and through such agency or agencies as the President of the United States may direct or authorize.

SEC. 2. There are hereby authorized to be appropriated for a period not to exceed 3 years such sums, not to exceed $10,000,000 annually, as may be necessary to carry out the provisions of this joint resolution: *Provided, however,* That no new activity requiring expenditures of Federal funds shall be initiated without specific prior appproval of the Congress.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

EMIGRATION OF REFUGEES FROM WESTERN EUROPEAN NATIONS

The Senate proceeded to consider the resolution (S. Res. 326) to investigate problems connected with emigration of refugees from Western European nations which had been reported from the Committee on the Judiciary with an amendment, and subsequently reported from the Committee on Rules and Administration with an additional amendment.

The amendment of the Committee on the Judiciary was, on page 3, line 12, after the name "April", to strike out "1" and insert "30."

The additional amendment of the Committee on Rules and Administration was, on page 2, line 23, after the word "assistants", to strike out the comma and "without regard to the civil service rules and regulations and the Classification Act of 1949", so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed to conduct a thorough and complete study, survey, and investigation of the problems in certain Western European nations created by the flow of escapees and refugees from Communist tyranny to the Western European nations, and to make recommendations on—

(1) the methods most likely to relieve such problems;

(2) the ways and means of assisting worthy refugees who have escaped from Communist tyranny, and the methods best suited to encourage future disaffection and escape so as to strengthen the forces seeking affiliation with the free world; and

(3) the manner of coordinating the activities and programs of the various agencies of Government having responsibilities with respect to United States participation in intergovernmental programs for the care, rehabilitation, education, utilization, and emigration of refugees from communism, and the integrating of such refugees into the forces of the democratic nations.

The committee shall report to the Senate from time to time the results of its study, survey, and investigation, together with such recommendations as it deems appropriate to the accomplishment of the purposes of this resolution.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings in or outside of the continental United States; to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate during the Eighty-second Congress; to employ such experts and clerical, stenographic, and other assistants; to request such information from any department or agency of the Government; to require by subpena or otherwise the attendance of witnesses and the production of books, papers, and documents; to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report the hearings of the committee shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $65,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

All authority conferred by this resolution shall terminate on April 30, 1953.

The amendments were agreed to.

The resolution, as amended, was agreed to.

STATE FAIR-TRADE LAWS

The bill (H. R. 5767) to amend the Federal Trade Commission Act with respect to certain contracts and agreements which establish minimum or stipulated resale prices and which are extended by State law to persons who are not parties to such contracts and agreements, and for certain other purposes, was announced as next in order.

Mr. SCHOEPPEL. By request, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

TRANSFER OF LAND TO IDAHO RANCH FOR YOUTH, INC.

The bill (S. 1876) to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc., was announced as next in order.

Mr. MORSE. Reserving the right to object—and I shall not object—I wish to make a short statement. The bill provides for full payment to the Government at a value to be determined by the Secretary of the Interior. The payments are to be spaced over a 5-year period, and the Government will receive interest. Therefore I believe the bill is very sound, and I have no objection to it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1876) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That upon the filing of an application within 1 year from the date of this act by the Idaho Ranch for Youth, Inc., the Secretary of the Interior shall sell and convey as hereinafter provided to the said corporation all of sections 13, 14, 24, and 25, township 7 south, range 24 east, Boise meridian, in the county of Minidoka, State of Idaho: *Provided,* That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws and such conveyance shall not be made until payment in full as hereinafter provided has been made to the Secretary of the Interior.

SEC. 2. The purchaser shall pay the appraised value of the land to be conveyed as determined by the Secretary of the Interior. The payment shall be made on an annual basis at the rate of $1 per acre and the initial payment shall be due 5 years from the date of the filing of the said application. Failure to make any annual payment by the association when due shall constitute a forfeiture of any moneys heretofore paid under the terms of this act.

SEC. 3. The patent issued under this act shall contain a reservation to the United States of all mineral deposits in the land conveyed, together with the right to prospect for, mine, and remove the deposits under applicable laws and regulations to be prescribed by the Secretary of the Interior.

STATEMENT RELATIVE TO OBJECTIONS TO CERTAIN BILLS, AND WITHDRAWAL OF OBJECTION TO HOUSE BILL 1853

Mr. MORSE. Mr. President, I have been called off the floor for a few minutes. I should like to say that I have requested the Senator from Kansas [Mr. SCHOEPPEL] to object, after there has been opportunity afforded to the proponents of the proposed legislation to state their points of view, to Calendar No. 1675, House bill 1853, Calendar No. 1440, Senate bill 2959 and Calendar No. 1541, House bill 5314 because I believe all three measures are in violation of the Morse formula.

Mr. KNOWLAND. Mr. President, before the Senator from Oregon leaves the floor, relative to Calendar No. 1675, House bill 1853, I should like to make an explanation, unless the chairman of the committee is prepared to make it. I do not believe that the bill is in violation of the so-called Morse formula.

As a matter of fact, it provides that the land will have to be paid for at a fair price, to be determined by the Secretary of the Interior. In addition to that, the mineral rights, if any, are reserved to the Federal Government. Furthermore, if the land is not used for the purposes stated in the bill it reverts to the Federal Government. I do not see on the floor the Senator from Wyoming [Mr. O'MAHONEY]. Perhaps the

Senator from New Mexico [Mr. ANDERSON] may wish to make an explanation of the bill.

Mr. MORSE. Mr. President, I thought a section of the bill was in violation of the Morse formula. In view of the explanation of the Senator from California that it conforms to the Morse formula, I withdraw my objection to Calendar No. 1675, House bill 1853.

CHANGE OF DESIGNATION OF CORONADO INTERNATIONAL MEMORIAL, ARIZONA

The bill (S. 2909) to amend the act entitled "An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona," approved August 18, 1941 (55 Stat. 630), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the words "Coronado National Memorial" are hereby substituted in lieu of the words "Coronado International Memorial" wherever such words occur in the act of August 18, 1941 (55 Stat. 630).

SEC. 2. That section 1 of the aforesaid act is hereby amended by striking out ": *Provided*, That said proclamation shall not be issued until the President of the United States shall have been advised through official channels that the Government of Mexico has established, or provided for the establishment of, an area of similar type and size adjoining the area described herein."

BILL PASSED OVER

The bill (S. 3296) to provide for a commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C., was announced as next in order.

Mr. SCHOEPPEL. Over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

GRANTING OF RIGHTS-OF-WAY, ETC., TO KAISER STEEL CORP.

The Senate proceeded to consider the bill (H. R. 1853) to authorize the granting to Kaiser Steel Corp. of rights-of-way on, over, under, through, and across certain public lands, and of patent in fee to certain other public lands, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 7, after the word "*Provided*", to strike out "That the Secretary of the Interior shall, in his discretion attach and impose such conditions on said rights-of-way, and promulgate such rules and regulations as he shall deem appropriate, consistent with the use of said rights-of-way for the purposes prescribed in this act", and in lieu thereof to insert "That such rights-of-way be subject to existing rights in conflict therewith and shall be subject to reversion to the United States if the rights-of-way are abandoned or not used for a continuous period of 7 years by said corporation or its successors in interest: *Provided further*, That the Secretary of the Interior shall attach and impose such further conditions on said rights-of-way, and promulgate such rules and regulations as he shall deem appropriate, consistent with the use of said rights-of-way for the purposes prescribed in this act."

And on page 4, line 9, after the word "less", to insert the following proviso: "*Provided*, That such patent shall be subject to a reservation to the United States of all deposits of minerals together with the right of the United States, its agents, permittees, lessees, or assigns to enter upon, prospect for, mine, and remove such minerals under the laws of the United States and regulations prescribed by the Secretary of the Interior: *Provided further*, That said property shall revert in fee to the United States in the event that said property is not used for a continuous period of 7 years as a camp site or mill site or for other incidental purposes in connection with the mining operations of said corporation or its successors in interest."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

CONTINUING OF CERTAIN EMERGENCY POWERS—BILL PASSED OVER

The joint resolution (S. J. Res. 165) to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war, was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the joint resolution go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

Mr. CASE. Mr. President, I should like to state that order No. 1676, Senate Joint Resolution 165, dealing with extensions of certain war power acts, was the subject of discussion last week. I understand that a bill which covers in part the same subject is now in conference between the two Houses. I am glad that the Senator from New Jersey has asked that the joint resolution go over.

Mr. HENDRICKSON. I understand that the joint resolution is on the calendar merely for technical reasons.

The PRESIDING OFFICER. The joint resolution has been passed over.

PROPOSED DELEGATE FROM DISTRICT OF COLUMBIA TO HOUSE OF REPRESENTATIVES — BILL PASSED OVER

The bill (S. 3179) to provide for a Delegate from the District of Columbia to the House of Representatives was announced as next in order.

Mr. SCHOEPPEL. Over, by request.

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a short statement which I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE

The purpose of this bill is to set up the necessary election machinery in connection with providing for a Delegate to the House of Representatives from the District of Columbia. It would establish a Board of Elections of three members, to be appointed by the President of the United States. It would establish the qualifications of electors, i. e., 21 years of age, domiciled in the District, never convicted of a felony in the United States, or if he has been so convicted, has been pardoned, and is not mentally incompetent. It would establish the qualifications of a candidate for Delegate, i. e., qualified elector, resident of the District, at least 25 years old, and holds no other public office.

This legislation provides that the Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting, and the term of office shall be 2 years beginning January 3 of each odd-numbered year after 1951.

The bill would exempt from the Hatch Act any qualified elector of the District in respect to taking an active part in the nomination or election of a candidate for the office of Delegate.

The bill was favorably reported by a majority vote of the full committee.

The PRESIDING OFFICER. Objection is heard and the bill will be passed over.

BILL PASSED TO THE FOOT OF THE CALENDAR

The bill (S. 3337) to authorize the loan of two submarines to the Government of the Netherlands was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the bill be passed to the foot of the calendar, because the author of the bill is temporarily absent from the floor of the Senate.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

REMOVAL OF CERTAIN DISCRIMINATORY PRACTICES OF FOREIGN NATIONS AGAINST AMERICAN-FLAG VESSELS

The Senate proceeded to consider the joint resolution (S. J. Res. 150) to provide for the removal of certain discriminatory practices of foreign nations against American-flag vessels, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 2, line 9, after the word "The", to strike out "Department of State" and insert "President", so as to make the joint resolution read:

Resolved, etc., That (a) the Department of State, the Department of Commerce including the Maritime Board and Administration, and all other executive agencies having any jurisdiction with respect to the foreign commerce of the United States shall aggressively seek the removal of such unfair or discriminatory practices of any foreign country; and

(b) The President shall transmit to the Congress, within 1 year after the date of enactment of this joint resolution and semi-

annually thereafter, a report containing full and complete information upon the questions (1) whether any such discriminatory practices still exist; (2) the character and nationality thereof; (3) the steps which have been taken to eliminate them; and (4) the nature of any further steps deemed necessary to obtain fair and equitable treatment in foreign ports for American-flag shipping, including such recommendations for additional legislation as may be considered necessary for such purpose.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

MICHIKO YAMAMORI WILDER AND HER MINOR CHILD

The bill (S. 1423) for the relief of Michiko Yamamori Wilder and her minor child was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Michiko Yamamori Wilder, the wife of Nola Wilder, a United States citizen, and her minor child may be admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of the immigration laws.

DR. MANOUSOS A. PETROHELOS

The bill (S. 1821) for the relief of Dr. Manousos A. Petrohelos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Dr. Manousos A. Petrohelos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

TSUNEO TANIGAWA, ALSO KNOWN AS DAVID LAWRENCE ROGERS

The bill (S. 1840) for the relief of Tsuneo Tanigawa, also known as David Lawrence Rogers, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions exluding from admission to the United States persons of races ineligible to citizenship, Tsuneo Tanigawa, also known as David Lawrence Rogers, a minor Japanese child, shall be considered the alien natural-born child of Sgt. Ernest P. Rogers and his wife, Annie L. Rogers, citizens of the United States.

MRS. ANNI FRANCHINA

The bill (S. 1896) for the relief of Mrs. Anni Franchina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provision of the eighth category of section 3 of the Immigration Act of 1917, as amended, Mrs. Anni Franchina (nee Anni Freiburger), German wife of Anthony Franchina, of Chicago, Ill., a United States citizen and an honorably discharged World War II veteran, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

IOANNIS DIMITRIOU COHILIS

The bill (S. 2395) for the relief of Ioannis Dimitriou Cohilis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Ioannis Dimitriou Cohilis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

VICTOR DE LA BRETONIERE

The bill (S. 3140) for the relief of Victor de la Bretoniere was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Victor de la Bretoniere, shall be held and considered to be the natural-born alien child of Sgt. John W. McDonnell, a citizen of the United States, and notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, the said Victor de la Bretoniere may be admitted to the United States for permanent residence if he is found to be otherwise admissible under provisions of the immigration laws.

ICHIRO IIDA

The bill (S. 3240) for the relief of Ichiro Iida was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Ichiro Iida, a minor Japanese child, shall be considered the alien natural-born child of Warrant Officer Richard Leroy Tracy, a citizen of the United States.

ORAZIO BALASSO

The bill (S. 423) for the relief of Orazio Balasso was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Orazio Balasso shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JO ANN FOSBERG

The Senate proceeded to consider the bill (S. 2166) for the relief of Jo Ann Fosberg, which had been reported from the Committee on the Judiciary with an amendment in line 8, after "natural-born", to strike out "alien child of Sgt. and Mrs. Raymond O. Fosberg, citizens of the United States", and insert "alien child of Sgt. Raymond O. Fosberg, a citizen of the United States", so as to make the bill read:

Be it enacted, etc., That, for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Jo Ann Fosberg, a minor child, shall be considered the natural-born alien child of Sgt. Raymond O. Fosberg, a citizen of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL PALUSCI

The Senate proceeded to consider the bill (S. 2096) for the relief of Daniel Palusci, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 4, after the word "laws", to strike out "Daniel" and insert "Damiano Mario Carmine", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Damiano Mario Carmine Palusci shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Damiano Mario Carmine Palusci."

DR. JAMES F. SPINDLER

The bill (H. R. 856) for the relief of Dr. James F. Spindler was considered, ordered to a third reading, read the third time, and passed.

ETHEL WHITE, FRANKIE EZELL, AND RALPH JAMES

The bill (H. R. 1097) for the relief of Ethel White, Frankie Ezell, and Ralph James was considered, ordered to a third reading, read the third time, and passed.

ALEXANDER L. WIESIOLOWSKI

The bill (H. R. 1261) for the relief of Alexander L. Wiesiolowski was considered, ordered to a third reading, read the third time, and passed.

MARGARET FRANKEL

The bill (H. R. 1847) for the relief of Margaret Frankel was considered, ordered to a third reading, read the third time, and passed.

GERTRUDE MANHAL

The bill (H. R. 2221) for the relief of Gertrude Hanhal was considered, ordered to a third reading, read the third time, and passed.

CLARICE D'AMICO AND CHIARA ANTONUCCI

The bill (H. R. 2595) for the relief of Clarice D'Amico and Chiara Antonucci was considered, ordered to a third reading, read the third time, and passed.

ENRIQUE M. ORPILLA

The bill (H. R. 2718) for the relief of Enrique M. Orpilla was considered, ordered to a third reading, read the third time, and passed.

PHILIP FUGH, SARAH LIU FUGH, AND JOHN FUGH

The bill (H. R. 2719) for the relief of Philip Fugh, Sarah Liu Fugh, and John Fugh was considered, ordered to a third reading, read the third time, and passed.

TAKAE NOMURA

The bill (H. R. 3501) for the relief of Takae Nomura was considered, ordered to a third reading, read the third time, and passed.

CLYDE R. SHARP

The bill (H. R. 4344) for the relief of Clyde R. Sharp was considered, ordered to a third reading, read the third time, and passed.

ANGELA MONIZ McCRACKEN

The bill (H. R. 4465) for the relief of Angela Moniz McCracken was considered, ordered to a third reading, read the third time, and passed.

MRS. ELISABETH ROSALIA HASTE

The bill (H. R. 5543) for the relief of Mrs. Elisabeth Rosalia Haste was considered, ordered to a third reading, read the third time, and passed.

EDGAR L. DIMMICK

The bill (H. R. 3707) for the relief of Edgar L. Dimmick was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which has been prepared in connection with the bill, together with a letter addressed to me by the Library of Congress.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

STATEMENT WITH RESPECT TO HOUSE BILL 3707, FOR THE RELIEF OF EDGAR L. DIMMICK

As a member of the minority committee on the calendar I have had serious misgivings concerning H. R. 3707, for the relief of Edgar L. Dimmick, notwithstanding the obvious merit of the bill on its own facts. Our concern is caused by the possible impact of the precedent which may result from enactment of this bill, in view of two provisions of the Legislative Reorganization Act of 1946 (Public 601, 79th Cong.).

Section 131 of that act provides, among other things, that no private bill or resolution authorizing or directing the correction of a military or naval record shall be received or considered in either the Senate or the House of Representatives.

Section 207 of the same act provides:

"SEC. 207. The Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury with respect to the Coast Guard, respectively, under procedures set up by them, and acting through boards of civilian officers or employees of their respective departments, are authorized to correct any military or naval record where in their judgment such action is necessary to correct an error or to remove an injustice."

Request has been made of the American Law Section of the Library of Congress for comments on the bill and its relation to the above quoted. I ask unanimous consent that the memorandum of Mr. Frank Horne of the Library of Congress which covers the subject be included at this point in the RECORD.

Mr. Horne's comments point up the distinct possibility that further legislation or other congressional action may be necessary in order to insure uniformity and complete objectivity in administrative determination of cases of this character, and thereby avoid the need for such private bills in the future.

THE LIBRARY OF CONGRESS,
Washington, D. C., June 18, 1952.

To: Senator ANDREW F. SCHOEPPEL.
Subject: H. R. 3707, Eighty-second Congress.

By telephone message of June 17, 1952, you refer to H. R. 3707, Eighty-second Congress, and ask: "Does this bill violate sections 131 and 207 of the Legislative Reorganization Act of 1946?"

A bill of this nature, we believe, does not accord with the intent of sections 131 and 207 of the Legislative Reorganization Act of 1946 (60 Stat. 812). (See Senate Manual (S. Doc. No. 5, 82d Cong., p. 56) and U. S. C., ch. 5 p. 191a.) The report of the Joint Committee on the Reorganization of Congress, pursuant to House Concurrent Resolution 18, Seventy-ninth Congress, second session, recommended that Congress delegate authority to hear and settle claims against the Federal Government in the interest of conserving, and affording more efficient use of, congressional time. (See S. Rept. 1011, 79th Cong., pp. 24–25; see also S. Rept. 1400, 79th Cong., on S. 2177, pp. 7, 18.) The intended objective was procedurally covered in section 131 of the act, which banned private bills, and section 207, which legislatively authorized administrative correction of military and naval records. The latter section specifically stated:

"The Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury with respect to the Coast Guard, respectively, under procedures set up by them, and acting through boards of civilian officers or employees of their respective departments, are authorized to correct any military or naval record where in their judgment such action is necessary to correct an error or to remove an injustice."

Congress had the right to expect the proper exercise of this discretion by the armed services. But Congress appears not to have required adequate checks and balances by way of review and appeal. It has been said that: "An official who is accountable will act prudently. A citizen who has an appeal to a body independent of the controversy has protection against passion, obstinacy, irrational conduct, and incompetency of an official." See the dissent of Mr. Justice Douglas in *U. S.* v. *Wunderlich* (1951) 342 U. S. 98, 102. Without this protection, his right may be subject to administrative abuse short of fraud or conscious wrongdoing. Id., p. 100. We believe it was concern for this type of abuse which impelled Senator McCARRAN to voice objections to the proposed appeal procedures of the Uniform Code of Military Justice which he stated in his letter to Senator Millard E. Tydings, chairman of the Armed Services Committee. (See CONGRESSIONAL RECORD, May 13, 1949, vol. 95, pt. 5, pp. 6162 ff.)

While H. R. 3707 does not accord with section 131, which is a procedural section implemented by section 207 which is a substantive law section, Congress can expect to have hardship cases referred to it for legislative attention until it provides by law for review and appeal from determinations made under section 207.

FRANK B. HORNE,
American Law Section.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 3707) which had been reported from the Committee on the Judiciary with amendments on page 1, line 3, after the word "That", to insert "from the date of enactment of this act"; on page 2, line 1, after the world "shall", to strike out "not receive" and insert "cease receiving"; and in the same line, after the word "compensation", to strike out "heretofore."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

ORDER FOR RECESS TO MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it take a recess until Monday, at 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTION OF CERTAIN RECORDATION RIGHTS

The Senate proceeded to consider the bill (H. R. 3589) to amend title 17 of the United States Code entitled "Copyrights" with respect to recording and performing rights in literary works which had been reported from the Committee on the Judiciary with amend-

ments on page 1, line 6, after the word "for", to insert "pecuniary"; on page 2, line 2, after the word "for", to insert "pecuniary"; and after line 9, to insert a new section, as follows:

SEC. 2. This act shall take effect on the 1st day of January 1953.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF DISTRICT OF COLUMBIA CREDIT UNIONS ACT

The Senate proceeded to consider the bill (S. 2384) to amend the District of Columbia Credit Unions Act, which had been reported from the Committee on the District of Columbia with an amendment, on page 3, line 6, after the word "transferred.", to insert "In addition to such regular reserve, special reserves to protect the interests of members shall be established when required (a) by regulation, or (b) in any special case, when found by the Comptroller of the Currency to be necessary for that purpose.", so as to make the bill read:

Be it enacted, etc., That (a) paragraph 5 of section 7 of the District of Columbia Credit Unions Act, as amended (26 D. C. Code, sec. 507), is amended by striking out "company" and inserting in lieu thereof "credit union."

(b) Paragraph 11 of such section is amended by striking out "payable to" and inserting in lieu thereof "payable by."

SEC. 2. Section 9 of the District of Columbia Credit Unions Act, as amended (26 D. C. Code, sec. 509), is amended to read as follows:

"MEMBERSHIP

"SEC. 9. Credit-union membership shall consist of the incorporators and such other persons or organizations as may be elected to membership and subscribe to at least one share, pay the initial installment thereon, and the entrance fee, if any; except that credit-union membership shall be limited to groups the members of which are actual residents of or do business or are employed within the District of Columbia, and either have a common bond of occupation, of association, or reside within a well-defined neighborhood or community. Shares may be issued in joint tenancy with right of survivorship with any persons designated by the credit union member, but no joint tenant shall be permitted to vote, obtain loans, or hold office, unless he is within the field of membership and is a qualified member."

SEC. 3. Section 12 of the District of Columbia Credit Unions Act, as amended (26 D. C. Code, sec. 512), is amended to read as follows:

"RESERVES

"SEC. 12. All entrance fees and fines provided by the bylaws and 20 percent of the net earnings of each year, before the declaration of any dividends, shall be set aside as a reserve fund against bad loans or other losses, which fund shall not be distributed except in case of liquidation: *Provided, however*, That when the reserve fund thus established shall equal 10 percent of the total amount of members' shareholdings, no further transfer of net earnings to such reserve fund shall be required except that such amounts not in excess of 20 percent of the net earnings as may be needed to maintain this 10 percent ratio shall be transferred. In addition to such regular reserve, special reserves to protect the interests of members shall be established when required (a) by regulation, or (b) in any special case, when found by the Comptroller of the Currency to be necessary for that purpose."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEAVE FOR MEMBERS OF POLICE AND FIRE DEPARTMENTS, DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 3188) to provide for granting to officers and members of the Metropolitan Police force, the United States Park Police force, the White House Police force, and the Fire Department of the District of Columbia days off in lieu of regular days off suspended during emergencies, which had been reported from the Committee on the District of Columbia with amendments, on page 2, line 4, after the word "discontinued" to insert "but shall not grant any other day off in lieu of any such day off suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607)"; in line 14, after the word "discontinued" to insert "but shall not grant any other day off in lieu of any such day of suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607)"; in line 25, after the word "discontinued" to insert "but shall not grant any other day off in lieu of any such day off suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607)"; and on page 3, line 14, after the word "discontinued" to insert "but shall not grant any other day off in lieu of any such day off suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607", so as to make the bill read:

Be it enacted, etc., That subsection (b) of the first section of the act entitled "An act to provide a 5-day week for officers and members of the Metropolitan Police force, the United States Park Police force, and the White House Police force," approved August 15, 1950 (64 Stat. 447), as amended, is amended by adding at the end thereof the following: "Whenever the Major and Superintendent of Police has, pursuant to this subsection, suspended and discontinued the granting of such days off, he shall, when he deems it feasible, grant other days off in lieu of such days off suspended and discontinued but shall not grant any other day off in lieu of any such day off suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607)."

SEC. 2. Subsection (c) of the first section of such act, as amended, is amended by adding at the end thereof, the following: "Whenever the Superintendent of National Capital Parks has, pursuant to this subsection, suspended and discontinued the granting of such days off, he shall, when he deems it feasible, grant other days off in lieu of such days off suspended and discontinued but shall not grant any other day off in lieu of any such day off suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607)."

SEC. 3. Subsection (d) of the first section of such act, as amended, is amended by adding at the end thereof the following: "Whenever the Chief of the Secret Service has, pursuant to this subsection, suspended and discontinued the granting of such days off, he shall, when he deems it feasible, grant other days off in lieu of such days off suspended and discontinued but shall not grant any other day off in lieu of any such day off suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607)."

SEC. 4. Subsection (b) of section 2 of the act entitled "An act to amend the act entitled 'An act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes,' approved June 20, 1906, and for other purposes," approved June 19, 1948 (62 Stat. 499), is amended by adding at the end thereof, the following: "Whenever the Chief Engineer of the Fire Department has, pursuant to this subsection, suspended and discontinued the granting of such days off, he shall, when he deems it feasible, grant other days off in lieu of such days off suspended and discontinued but shall not grant any other day off in lieu of any such day off suspended and discontinued which is a holiday for which additional compensation is authorized by the act approved October 24, 1951 (65 Stat. 607)."

SEC. 5. This act shall be effective as of June 1, 1951.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SENIORITY RIGHTS OF ALBERT O. RAEDER IN DISTRICT OF COLUMBIA FIRE DEPARTMENT

The bill (H. R. 6943) to fix the seniority rights and service of Albert O. Raeder as sergeant in the District of Columbia Fire Department was considered, ordered to a third reading, read the third time, and passed.

EXEMPTION FROM TAXATION OF CERTAIN PROPERTY OF AMVETS IN DISTRICT OF COLUMBIA

The bill (H. R. 6635) to exempt from taxation certain property of the AMVETS, American Veterans of World War II, in the District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3190) to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over, for further study.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF LAND TO COLUMBIA HOSPITAL FOR WOMEN

The bill (H. R. 7253) to authorize the conveyance to the Columbia Hospital for

Women and Lying-in Asylum of certain parcels of land in the District of Columbia, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

SUBMISSION UNDER OATH OF DOCUMENTS TO THE POST OFFICE DEPARTMENT

The bill (H. R. 7030) to amend certain acts and parts of acts which require the submission of documents to the Post Office Department under oath, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

SALARIES OF RURAL CARRIERS

The bill (H. R. 6754) to provide that salaries of rural carriers serving heavily patronized routes shall not be reduced by reason of increases in the length of such routes was considered, ordered to a third reading, read the third time, and passed.

ELIGIBILITY FOR PROMOTION IN THE POSTAL SERVICE

The Senate proceeded to consider the bill (H. R. 7204) to amend section 5 of the act entitled "An act to credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion," approved June 19, 1948, which had been reported from the Committee on Post Office and Civil Service with amendments, on page 2, line 2, after the word "services", to insert "due to any emergency"; and in line 3, after the word "capacity", to insert "not in excess of thirty days."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LAWS RELATING TO THE POSTAL SERVICE—BILL PASSED OVER

The bill (H. R. 7205) to amend section 3841 of the Revised Statutes relating to the schedules of the arrival and departure of the mail, to repeal certain obsolete laws relating to the postal service, and for other purposes, was announced as next in order.

Mr. JOHNSON of Colorado. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which gives information regarding the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

H. R. 7205—REVISION OF REPORTING REQUIREMENTS FOR MAIL SCHEDULES

In his official request to both Houses for this legislation, the Postmaster General explained that such a measure is needed to remove ambiguity and confusion and make it possible for star-route performance reports to conform to reports in connection with mail messenger routes. It has been found that the form of the mail-messenger reports are more informative and more nearly meets the situation and requirement. It is believed by the Department that the enactment of this legislation will result in improving the service and possibly effect slight savings.

No opposition has been made to the companion Senate bill, S. 2945. Since both bills are identical, the committee has substituted H. R. 7205 for S. 2945.

The action of the committee was unanimous.

MODERNIZATION AND ENLARGEMENT OF MAIL EQUIPMENT SHOPS IN WASHINGTON, D. C.—BILL PASSED OVER

The bill (H. R. 7471) to authorize the modernization and enlargement of the mail equipment shops in Washington, D. C., and for other purposes, was announced as next in order.

Mr. SCHOEPPEL. Mr. President, by request, I ask that the bill go over; and I ask unanimous consent that the bill be included in the next call of the calendar.

The PRESIDING OFFICER. On objection, the bill will be passed over. Without objection, the bill will be included in the next call of the calendar.

Mr. McKELLAR. Mr. President, I wish to make a statement in reference to this bill. I am advised by manufacturers of mail bags of the kind made in the Washington shop that they can be manufactured by contract for $1 a bag less than the price for which they can be manufactured in these shops.

So I join in asking that the bill go over.

I have received a letter which bears out my statement. I ask that the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CAMEL MANUFACTURING CO.,
Knoxville, Tenn., June 18, 1952.

The Honorable KENNETH D. MCKELLAR,
The United States Senate,
Senate Building, Washington, D. C.

MY DEAR SENATOR MCKELLAR: The above bill passed the House on June 2, and has been referred to the Senate Post Office and Civil Service Committee, and as you are a member of this committee and this bill very vitally affects our business, I would like to put before you a few facts.

I understand that this is an authorization bill, that is, the bill to authorize the mail-equipment shop in Washington, D. C., to increase their facilities so that they will be in a position to manufacture 600,000 mail bags per year, and repair four to five million of the same, and that Assistant Postmaster Sullivan stated in hearing before the House that the Post Office Department needed these increased facilities since if there were a breakdown in the mail-equipment shop, it would vitally affect the Post Office Department, since all the mail bags used were made in this shop.

You are familiar with our operation here in Knoxville, and in 1948 and 1949, we manufactured for the Post Office Department over 3,000,000 bags, at a cost as low as $2.10 each, and were producing 30,000 mail bags per day.

There are several canvas manufacturers in the United States who have equipment to make mail bags similar to ours, and when the Post Office Department buys mail bags, we each bid on same, and I am sure private industry is able to produce these mail bags at considerable savings under the production cost in the Washington post office shop.

I understand the above bill does not appropriate any money for these increased facilities, but authorizes same; however, I understand the increased facilities contemplated will have an initial cost of $500,000.

I will appreciate very much your help in defeating this bill before your committee, and if there is anything further that I can do, I will be glad to come to Washington and give any assistance necessary.

Very truly yours,

B. A. BOWER,
President.

The PRESIDING OFFICER. Objection having been made, the bill will be passed over; but, without objection, the bill will be included in the next call of the calendar.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which gives information regarding the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

H. R. 7471—TO AUTHORIZE THE MODERNIZATION AND ENLARGEMENT OF THE MAIL EQUIPMENT SHOPS IN WASHINGTON, AND FOR OTHER PURPOSES

In his official request to both Houses for this legislation, the Postmaster General explained the imperative need for it, calling attention to the fact that mail equipment shops for the entire Nation, located in Washington, were built in 1918 when the annual postal receipts were $389,000,000. In the attempt to serve a service that has grown from that figure to an estimated revenue of $2,153,000,000 in 1953 without further enlargement, the Department finds itself cramped. It is necessary because of the cramped quarters and inadequate equipment in the shops to operate almost around the clock. The Post Office Department estimates that because of the elimination of considerable night-differential pay that the cost of this project, $500,000 will be returned in 4 years.

It was first thought that it would be necessary to replace this plant with an entirely new plant on a larger tract of land. Because of the fact that the Federal Government has an easement on land adjacent to this plant which can be obtained at a nominal cost to the Post Office Department, it is found that necessary land can be purchased and the plant enlarged, modernized as to equipment and building, and the plant made as serviceable as a new $6,000,000 shop, and thus effect a saving of over $5,000,000.

A hearing was held on the Senate bill (S. 3025) June 6, 1952, at which no opposition testimony was offered.

It is felt by the committee that this project is long overdue, and while the cost is estimated at $500,000, actually the measure will save money to the Post Office Department.

The action of the committee was unanimous.

RECOGNITION TO DISTINGUISHED SERVICE OF COL. J. CLAUDE KIMBROUGH

The bill (S. 3359) to give proper recognition to the distinguished service of Col. J. Claude Kimbrough was considered,

ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in recognition of the outstanding service and contribution made to the science of medicine and surgery by Col. J. Claude Kimbrough, Medical Corps, United States Army, retired, and to provide that his mature professional judgment and long experience may continue to remain available to the public service, the President is hereby authorized to designate the said Col J. Claude Kimbrough, upon his retirement from the active list, as military consultant in urology at Walter Reed Army Medical Center, Washington, D. C. Such designation shall be subject to the said Col. J. Claude Kimbrough's acceptance and shall be terminable at his pleasure, or at the pleasure of the Secretary of the Army. During the time he serves under such designation, the said Col J. Claude Kimbrough shall be entitled to receive, in lieu of his retired pay, the full active-duty pay and allowances to which he was entitled immediately prior to his retirement.

CONTINUATION OF INVESTIGATIONS AND STUDIES OF SEA LAMPREYS

The bill (H. R. 6500) to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill? I understand that some of the expenses involved are in the neighborhood of approximately $400,000.

Mr. JOHNSON of Colorado. Mr. President, if the Senator from Kansas desires to have the bill go over to the next call of the calendar, I would ask that that be done. Will that be satisfactory? The Senator from Washington [Mr. MAGNUSON] is handling the bill, but he is not on the floor at this time. So I should like to have the bill go over to the next call of the calendar.

Mr. SCHOEPPEL. Mr. President, I would not wish to delay action on the bill that long, but I believe the RECORD should contain an explanation of the bill, because of the amount of money involved.

Mr. JOHNSON of Colorado. Mr. President, this bill would further amend Public Law 672, Seventy-ninth Congress, approved August 8, 1946, as amended, by authorizing the continuation of the investigations and studies thereunder during the fiscal year, ending June 30, 1953, with the authorized limit of cost of such investigations and studies for such year being set at $446,000.

The act of August 8, 1946, provides for authorizations to make investigations and studies on a somewhat limited scale. Subsequently, extensive hearings were held wherein your committee was informed by Federal and State authorities that the existing program of investigations of the abundance and distribution of sea lampreys in the Great Lakes had proven the problem to be vastly greater than originally supposed.

Mr. President, the bill is a good one; it simply will extend the time, so that further studies may be made.

The matter involved is a very serious one, for the sea lampreys have destroyed much of the commercial fish of the Great Lakes. Unless a solution to the problem is found, it will be impossible to prevent continued depredations by which sea lampreys, which already have destroyed much of the commercial fish of the Great Lakes. A solution to the problem must be found, so that it will be possible to prevent further destruction of fish by the sea lampreys. Already the situation is most serious, indeed. The lampreys are predatory on marine life, as the Senator from Kansas knows. It is hoped that a way will be found to exterminate the lampreys.

Mr. SCHOEPPEL. Mr. President, I understand that the bill provides for continuing the studies which already are under way.

Mr. JOHNSON of Colorado. That is correct; the bill provides authority for continuing the studies. Of course, it will be necessary, in addition, to have an appropriation made; this bill merely extends the authority for the appropriation of funds.

Mr. SCHOEPPEL. Very well.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 6500) was considered, ordered to a third reading, read the third time, and passed.

UNLOADING OF MAIL FROM VESSELS

The bill (H. R. 7877) to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels, was considered, ordered to a third reading, read the third time, and passed.

ARMED FORCES RESERVE ACT OF 1952—BILL PASSED OVER

The bill (H. R. 5426) relating to the Reserve components of the Armed Forces of the United States was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over to the next call of the calendar. The bill is very voluminous; it is very bulky and involved, and I think it should have further study.

Mr. LONG. Mr. President, will the Senator from New Jersey withhold his objection until I may explain the bill?

Mr. HENDRICKSON. Oh, yes; indeed—gladly.

Mr. LONG. Mr. President, as amended by the Armed Services Committee of the Senate, this bill does not involve any material which we feel is controversial. A basic objective of the bill is to codify to the extent practicable the very diverse body of law for the government of the Reserve components which has grown up during the past 50 years. If we are to bring any order into the Reserve situation, we must first attempt to get all Reserves on the same basis. We must organize them in such a manner that the same terminology will apply to all. As the situation is now—just to cite an example—the term "Volunteer Reserve," as used in the Navy has a completely different meaning from the term "Voluntary Reserve," as used in the Army.

We held extensive hearings on the bill, and we are convinced that this codification of the various laws governing the Reserve components is essential. That is the basic purpose of the bill.

A secondary purpose, as pointed out in our report, is the enactment of certain new provisions of law which have been shown to be necessary to correct existing defects in policy or practice relating to the Reserves.

As an example, we feel that it is entirely reasonable that reservists recalled to duty should be permitted to sign, on a voluntary basis, an active-duty contract. This would permit the reservist to more or less plan his future over the next 5 years, rather than to place himself more or less at the whim of the military. He might sign a voluntary contract for 5 years of active duty; and in the event he was not retained for that full period, through no fault of his own or in the absence of a general mobilization, he would receive separation allowance on the basis of one month's pay for each year not served in his contract, if the Government saw fit to terminate the contract.

Similarly, we feel that many existing administrative practices, such as designating an Assistant Secretary to be in charge of Reserve affairs, the retention of the present Armed Forces Reserve Policy Board, and the appointment of a senior officer in charge of Reserve affairs, should be given legal status, rather than simply be retained on an administrative basis.

At the time when the bill was originally considered by the subcommittee, it was vigorously opposed by the National Guard Association and several other groups. We have amended the bill in such a fashion as to, in our opinion, eliminate the controversial features.

We realize that early in the next session of the Congress an additional step must be taken in our Reserve legislation. We further realize that this additional step will involve some controversial matters—controversial matters which we have eliminated from this bill because, in our judgment, they cannot be properly considered at this time.

In the light of those factors, Mr. President, we hope that this bill not only will be considered at this time, but will be passed without objection.

Mr. President, I may say that because of the many controversial items which were stricken out by the committee, if legislation on this subject is to be enacted, a very lengthy conference will be necessary, in order to iron out the differences between the bill as passed by the House and the bill as passed by the Senate.

I certainly hope the bill can be taken to conference, so that an attempt can be made to improve the many defects which exist in our Reserve situation and bring some order out of all the chaos which exists today, insofar as our Reserves are concerned.

The bill contains another provision which I believe is very desirable. It would provide that, short of a war or a national emergency declared by the Congress, the men who have fought in Korea could not be target No. 1, to be called out by the military authorities and thrown into combat. We have felt it very unfair and unjust that reservists of World War II were called to the colors, sent to Korea, and made to be more or less time-losers, so far as being called upon to fight for their country was concerned. It seemed to us that, even though these men might be better trained than some others, those who have not served in Korea should be called into the Armed Forces before those who have already served should be summoned to serve again.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. JOHNSON of Colorado. I commend the Senator for the last provision to which he has referred and which as he stated has been inserted in the bill. I think that helps a great deal. The question I want to ask, however, is this: I notice he says that in his opinion the National Guard would be satisfied with the bill. The Senator from Colorado is very much opposed to the bill as it came from the House, largely because of the objections on the part of the National Guard. My question is, if this bill were passed on the Consent Calendar, would the Senate stand firmly against the bill as it came from the House?

Mr. LONG. That would certainly be my intention.

Mr. JOHNSON of Colorado. How firmly would it stand?

Mr. LONG. I cannot guarantee the Senator that no amendments would be accepted, but I do not believe that we should accept in conference any amendments of a controversial nature. I believe that the Senate conferees should insist that controversial matters, such as the ones to which the National Guard objected, remain for consideration at the next session of the Congress, and that at the present time should merely endeavor to bring some order out of the chaotic situation which exists, so far as the reservists of the Nation are concerned. I believe that the National Guard would benefit in the same way that all other reservists would benefit.

It must be remembered that the members of the National Guard are always reservists and they would have the beneficial provisions of this bill. For example, this bill provides that when a reservist is called to active duty, he can be given an allowance for a uniform. Of the reservists, including National Guard men who have served before, it may be said that many of them do not have uniforms provided. Many men who served in World War II have uniforms which no longer fit, since some of the men have perhaps gained 15 or 20 pounds, and cannot get into the clothes they wore in World War II. The reservist should be provided a uniform the same as a member of the Regular Army. Such disparity and discrimination we believe would be wiped out by this bill, and the National Guard would benefit from it just as the reservists would benefit.

Mr. JOHNSON of Colorado. I may say I like the amendments which the Senator has proposed to the bill, and the changes and the modifications he has made. I think they are fine. But what I want to guard against is the possibility of this bill going into conference and then coming out in the same form as the House bill, with all the obnoxious things which were in the House bill when it came to the Senate. Of course, we can meet those questions when the conference report is considered, but as the Senator knows, that would be pretty late in the day to meet suggestions of that kind.

Mr. LONG. We certainly would not consent to the adoption of the objectionable features the Senator has in mind; and, of course, he would have the right to oppose them at that time.

Mr. STENNIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. STENNIS. Mr. President, in my time, will the Senator let me proceed with a question for 1 minute?

Mr. LONG. Yes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for a question.

Mr. STENNIS. Is it not true that when this bill passed the House, the UMT bill had not been before the House, and that this bill was passed largely on the assumption that that bill would pass. Since those in the House who were particularly interested in the bill must recognize the changed situation, would they not feel inclined, therefore, to go along with the Senate amendments? In the opinion of the Senator from Louisiana, is not that true?

Mr. LONG. It is the judgment of the Senator from Louisiana that the House was under the impression that UMT was to be implemented at this session of the Congress, and that much of the House bill was passed upon that assumption. Since UMT was defeated on the House side, we felt that this bill had to be completely altered in order to take that changed circumstance into account.

Mr. HENDRICKSON. Mr. President, will the Senator yield, in my time?

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. STENNIS. Mr. President, I ask unanimous consent that, without losing the floor, I may yield to the Senator from New Jersey for the purpose of directing a question to the Senator from Louisiana.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENDRICKSON. Does not the Senator from Louisiana feel that this is too important a measure to be passed on the Consent Calendar? After all, it consists of 148 pages, and was not reported by the committee until June 19. I think Senators ought to have more time in which to study a bill so important as this one is.

Mr. LONG. I agree with the Senator's point of view, and the only reason for my having felt that it would be advantageous to permit this bill to pass at this time was that a great amount of the work will have to be done in conference. The sooner the conferees can get to work on the bill, the better it will be, since otherwise we might not have an opportunity to get the bill back to the Senate for action at this session.

Mr. HENDRICKSON. I ask unanimous consent that the bill go over to the next call of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go over to the next call of the calendar. The clerk will state the next measure on the calendar.

ESTABLISHMENT OF A SINGLE SUPPLY-CATALOGING SYSTEM WITHIN THE DEPARTMENT OF DEFENSE

The bill (H. R. 7405) to provide for an economical, efficient, and effective supply management organization within the Department of Defense through the establishment of a single supply cataloging system, the standardization of supplies and the more efficient use of supply testing, inspection, packaging, and acceptance facilities and services, was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. SCHOEPPEL. Mr. President, I have no desire to object to the present consideration of this bill, though I must object to it at this time unless an amendment is to be offered.

Mr. STENNIS. Mr. President, I have an amendment I shall offer, which I think will fully meet the views of the Senator from Kansas.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 7405) which had been reported from the Committee on Armed Services with amendments, on page 1, line 5, after the word "within", to strike out "the Munitions Board of"; at the top of page 2, to strike out:

SEC. 3. There shall be a Director of the Agency and a Deputy Director, who shall act as Director in the absence or disability of the Director, and shall perform such other duties as are prescribed by the Director. The Director and the Deputy Director shall be appointed by the Secretary of Defense, without regard to the civil-service laws. The Director shall receive compensation at the rate of $14,000 a year, and the Deputy Director shall receive compensation at the rate of $12,500 a year. With the exception of the first Director appointed under this act, the Director and Deputy Director shall be appointed from civilian life.

After line 11, to insert:

SEC. 3. There shall be a Director of the Agency and a Deputy Director, who shall act as Director in the absence or disability of the Director, and who shall perform such other duties as are prescribed by the Director. The Director shall be appointed for a 4-year term by the President, by and with the consent of the Senate. The Deputy Director shall be appointed by the Secretary of Defense. Both the Director and the Deputy Director shall be appointed from civilian life without regard to the civil-service laws, with due regard being given to the back-

ground and qualifications of each appointee to these positions on the basis of his experience in the conduct of major supply operations, cataloging, standardization, engineering, and civilian industrial practices. The Director shall receive compensation at the rate of $14,800 a year and the Deputy Director shall receive compensation at the rate of $13,000 a year: *Provided*, That the present Director of the Munitions Board Supply Management Agencies shall be eligible for appointment under this section.

On page 4, line 10, after the word "shall" to insert "under the direction of the Secretary of Defense"; on page 6, line 2, after the word "replaced", to insert "according to schedules established by the Director"; after line 21, to strike out:

SEC. 8. The Munitions Board shall provide such personnel facilities and other administrative services as may be required by the Agency to carry out the purposes of this act.

After line 24, to insert:

SEC. 8. The reports required by sections 9 and 10 of this act may at the discretion of the Director be combined into one report.

On page 7, line 13, after the word "of" to strike out "Munitions Board"; in line 14, after the word "numbers", to insert "developed under the single catalog system"; on page 8, after line 15, to strike out:

SEC. 11. Nothing in this act shall be construed to limit the authority of the Administrator of General Services to coordinate the cataloging and standardization programs of the General Services Administration with the cataloging and standardization program of the Agency under this act, by delegation of authority under the Federal Property and Administrative Services Act of 1949, or by such other means as may be agreed upon by said Administrator and the Director of the Agency.

The amendments were agreed to.

The next committee amendment was, on page 8,

After line 24 to insert:

SEC. 11. The Administrator of General Services and the Secretary of Defense shall coordinate the cataloging and standardization activities of the General Services Administration and the Department of Defense so as to avoid unnecessary duplication: *Provided, however*, That nothing in the Federal Property and Administrative Services Act of 1949 shall impair or limit the authority of the Director of the Agency under this act.

Mr. STENNIS. Mr. President, I send to the desk an amendment to the committee amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 9, lines 4 to 7, inclusive, it is proposed to strike out: "*Provided, however*, That nothing in the Federal Property and Administrative Services Act of 1949 shall impair or limit the authority of the Director of this Agency under this act."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Mississippi to the committee amendment.

Mr. STENNIS. Mr. President, in conferences concerning the amendment with the staff of the Armed Services Committee and also of the Committee on Government Operations, I was assured that this amendment would meet the objection heretofore raised by the Senator from Kansas and the Senator from Vermont. It is my opinion that it would completely meet the situation, and that the bill would be greatly strengthened.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Mississippi [Mr. STENNIS], to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The next amendment was, on page 9, after line 7, to strike out:

SEC. 12. Nothing in the Federal Property and Administrative Services Act of 1949 shall impair or limit the authority of the Director of the Agency under this act.

And in line 11, to change the section number from "13" to "12."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. The clerk will state the next measure on the calendar.

SECOND-CLASS MAILING RATE TO PUBLICATIONS OF CERTAIN ALUMNI ASSOCIATIONS

The bill (S. 3072) to extend the 1½ cents per pound second-class mailing rate to publications of certain alumni associations was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second proviso in section 2 (a) of the act entitled "An act to readjust postal rates," approved October 30, 1951 (65 Stat. 672), is amended by inserting after the word "associations" the words "or alumni associations of institutions of higher learning."

REVISION OF CERTAIN LAWS RELATING TO MAIL MESSENGER SERVICE

The bill (H. R. 7758) to revise certain laws relating to the mail-messenger service was considered, ordered to a third reading, read the third time, and passed.

ADJUSTMENT OF SALARIES OF AUDITORS AT CENTRAL ACCOUNTING POST OFFICES

The Senate proceeded to consider the bill (S. 2459) to equitably adjust the salaries of auditors at central accounting post offices, which had been reported from the Committee on Post Office and Civil Service with an amendment, to strike out all after the enacting clause and insert:

That section 8 (a) of the act of July 6, 1945 (Public Law 134, 79th Cong.; 59 Stat. 437), as amended by section 5 (a) of the act of October 24, 1951 (Public Law 204, 82d Cong.; 65 Stat. 626), is hereby further amended by adding a semicolon and the words "auditor at central accounting office" to the column heading "Senior assistant superintendents" in the first table of salaries and to the column heading "Assistant superintendents of finance" in the second table of salaries for post offices of the first class in said section 8 (a).

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENT OF CERTAIN COST-OF-LIVING ALLOWANCES OUTSIDE CONTINENTAL UNITED STATES—BILL PASSED OVER

The bill (S. 2008) to permit payment of certain cost-of-living allowances outside the continental United States at rates in excess of 25 percent of the rate of basic compensation was announced as next in order.

Mr. SCHOEPPEL. Mr. President, reserving the right to object—and I may want to object—I should like to have an explanation of the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I ask that the bill go over for the reason that the committee report has not been laid on the desks of Senators.

The PRESIDING OFFICER (Mr. STENNIS in the chair). The bill will be passed over, and, without objection, it will be included in the next call of the calendar.

AMENDMENT TO TITLE IV OF THE NATIONAL HOUSING ACT, AS AMENDED

The bill (H. R. 3177) to amend title IV of the National Housing Act, as amended, was announced as next in order.

Mr. KNOWLAND. Mr. President, reserving the right to object, I have at the desk an amendment to this bill offered on behalf of myself and my colleague [Mr. NIXON]. I should like to have the amendment stated.

The PRESIDING OFFICER. Without objection, the clerk will state the amendment offered by the Senators from California.

The LEGISLATIVE CLERK. It is proposed by Mr. KNOWLAND, for himself and Mr. NIXON, to insert the following new section at the end of the bill:

SEC. 2. The Public Housing Administration shall not, after the date of approval of this act, authorize or proceed with the construction of any public-housing projects (including the award of any construction contract) initiated before or after March 1, 1949, in any locality in which such projects have been or may hereafter, at any time prior to such authorization or construction, be rejected or previous approval rescinded by the governing body of the locality through resolution or otherwise or by public vote; nor shall any part of any appropriation be used to pay annual contributions on any housing unit of any project so rejected or with respect to which the governing body of the locality votes by resolution or otherwise, or the locality votes by referendum, to rescind its approval at any time prior to actual commencement of construction, unless in either case such projects have been subsequently approved by the same procedure through which such rejection was expressed: *Provided*, That in any such case where such public-housing projects have been rejected, the local community shall refund any amounts contributed by the Federal Government.

The PRESIDING OFFICER. Does the Senator from California wish to speak on his amendment?

Mr. KNOWLAND. Mr. President, it is an amendment which the junior Senator from California [Mr. NIXON] and I discussed on the floor a few days ago. A point of order was raised because of a unanimous-consent agreement at that time, and the ruling of the Chair was sustained by the Senate, by a fairly close vote. The amendment deals with the subject discussed in the colloquy which occurred at that time and in which the Senator from South Carolina [Mr. MAYBANK] participated. It was clearly indicated at that time that when the people of a community, through their governing body, or by their vote, indicate that they did not want to proceed with a housing project, they should have the right to withdraw from it. When they make such determination, then, under the provisions of this amendment, as explained previously, the local community must reimburse the Federal Government.

Mr. SPARKMAN. Mr. President, I regret that the able Senator from California has offered this amendment to this particular bill. It is a bill which makes a technical correction in the housing code; and, of course, I shall be compelled to object to the amendment offered by the Senator from California, and if it is added to the bill I shall be compelled to object to the passage of the bill.

Let me make myself clear on this point. I have much sympathy with what the Senator from California is endeavoring to do. Since a similar amendment was offered as a rider to an appropriation bill, I have discussed the matter with the junior Senator from California [Mr. NIXON] and also with housing officials, and have arranged for a conference between them in an effort to solve this very perplexing problem in the city of Los Angeles.

I am not sure whether the senior Senator from California has discussed the subject with his colleague within the past day or two, but I understand considerable headway is being made toward drafting a satisfactory amendment. I believe, for instance, that the matter in Los Angeles ought to be settled in such a way that the Federal Government will be made whole as to the money paid out. Goodness knows, the Federal Government has no business trying to push housing in any city that does not want it, and the Federal Government does not want to do so. But in Los Angeles the Federal Government has invested more than $12,000,000. The contract should not be canceled until some arrangement has been worked out whereby the Federal Government will be paid back the money and will be discharged from any obligation on its part under the contract. Remember, Mr. President, that the squabble is not between the Federal Government and the city of Los Angeles; it is between the city of Los Angeles and the Housing Board of Los Angeles, which is an agency of the State of California.

Mr. KNOWLAND. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. KNOWLAND. I merely want to say to the distinguished Senator from Alabama that I am not so much interested in continuing the discussions on the question, because we are getting near to the period of adjournment of the Congress. What I want is something which, legislationwise, will cause the administrative agency to follow the intent of the law and what I believe was very clearly the position presented on the floor of the Senate by the Committee on Banking and Currency at the time the colloquy was had on the floor of the Senate. If these discussions are going to continue, let us hold up this proposed legislation until a satisfactory amendment can be worked out. But I shall have to object to any housing bill coming up on the unanimous-consent calendar, because I intend to offer my amendment to housing bills and to war powers acts until we can have equity done in the matter.

Mr. SPARKMAN. Let me say to the Senator from California that I am certainly in sympathy with the statement he makes, that he wants the question decided before Congress adjourns. I pledge him my cooperation to that end. I believe that an agreement has been almost reached in the conferences.

I should like to point out that the Federal Government cannot do everything in this matter; the State of California must do some of it.

There is a special session of the Legislature of the State of California, and it will have to act in keeping with the decision rendered by the Supreme Court of the State of California, because I again point out that the difference is not between any administrative agency of the Federal Government and the city of Los Angeles; it is between the city of Los Angeles and a State agency.

I hope that the Senator from California will not insist on his amendment to the bill at this time, and I pledge to him that I shall exert my every effort to obtain a proper settlement of the matter.

Mr. KNOWLAND. I shall be glad to comply if the Senator will accept my amendment. If not, I shall be forced to object to the consideration of the bill.

The PRESIDING OFFICER. Both Senators have exceeded their time.

Is there objection to the consideration of the bill?

Mr. KNOWLAND. Unless the able Senator from Alabama will accept my amendment, I must object to the consideration of the bill.

The PRESIDING OFFICER. The Senate cannot consider the amendment until the bill is before the Senate.

Is there objection to the consideration of the bill?

Mr. KNOWLAND. I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

Mr. KNOWLAND. Mr. President, I ask that the amendment be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

AMENDMENT TO NATIONAL HOUSING ACT TO PROVIDE FOR INSURANCE ON CERTAIN MORTGAGES

The bill (S. 3295) to amend the National Housing Act to provide for insurance on mortgages executed in connection with the sale of permanent emergency housing projects constructed by or on behalf of State or municipality, or an agency, instrumentality, or body politic of either, for occupancy by veterans of World War II and others, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted, etc., That section 610 of the National Housing Act is amended by adding at the end thereof the following new paragraph:

"The Commissioner is further authorized to insure or to make commitments to insure under section 608 of this title in accordance with the provisions of this section any mortgage executed in connection with the sale by a State or municipality, or an agency, instrumentality, or body politic of either, of any permanent housing (including any property acquired, held, or constructed in connection therewith or to serve the inhabitants thereof), constructed by or on behalf of such State, municipality, agency, instrumentality, or body politic, for the occupancy of veterans of World War II, their families, and others, provided, that the principal obligation of any such mortgage does not exceed either 85 percent of the appraised value of the mortgage property as determined by the Commissioner or $3,100 per family unit for such part of such property as may be attributable to dwelling use."

CONSIDERATION OF BILLS PLACED AT FOOT OF CALENDAR

The PRESIDING OFFICER. That completes the call of the calendar.

Under the order of the Senate, the Senate will now revert to the consideration of seven bills which have been carried to the foot of the calendar.

The clerk will call the bills in the order in which they were placed at the foot of the calendar beginning with the first.

TRANSFER OF CERTAIN LANDS TO STATE OF TENNESSEE

The bill (S. 2959) authorizing the transfer to the State of Tennessee of certain lands in the Veterans' Administration Center, Mountain Home, Tenn., was announced as first in order.

The PRESIDING OFFICER. When this bill was reached earlier today, the committee amendments were agreed to, and thereafter the bill was placed at the foot of the calendar.

Mr. McKELLAR. Mr. President, I do not know who objected to the bill, but the situation is that at Johnson City, Tenn., there is an old soldiers' home which has about 30 acres of land which are not being used. The National Guard of Tennessee desires to obtain use of the land. The only purpose of the bill is to enable the National Guard to utilize this particular plot of ground which seems to me a very worthy one at this time, when our Nation is in trouble. I hope there will be no objection.

The PRESIDING OFFICER. The amendments to the bill have already

been agreed to. Is there objection to the present consideration of the bill?

Mr. WILEY. Mr. President, while I do not intend to object, I desire to use 5 minutes, to which I am entitled, to discuss a matter which is not exactly relevant to the bill, but is relevant to the larger subject of foreign relations in general.

Mr. McKELLAR. I am glad to know that the Senator from Wisconsin will not object to the bill.

Mr. WILEY. I never object to any of the Senator's bills.

PROPOSED INVESTIGATION OF GERM WARFARE CHARGES BY SOVIET UNION

Mr. WILEY. Mr. President, on Thursday afternoon I spoke on the Senate floor respectfully recommending to the President of the United States that he invite the Government of the Soviet Union to join in agreeing to the setting up of an impartial commission to review the charges of germ warfare in Korea.

Such a commission would preferably be all Asiatic in membership and would be recommended by such statesmen as Premier Nehru, of India, and President Soekarno, of Indonesia.

REDS MAY VETO RED CROSS RESOLUTION

Next Monday there will be brought up in New York a United States resolution under which the Security Council would ask the International Committee of the Red Cross to investigate these bacteriological warfare charges. It has been predicted that Jacob Malik will veto the United States resolution.

Now, Mr. President, there has been a tremendous number of interpretations of the strange actions of the Soviet Union. One could go on speculating from now to doomsday as to what is actually behind this particular Red use of the big lie, and, for example, to whether, as has been guessed, the Soviets now find themselves actually embarrassed by their complete inability to sustain the charge.

NEHRU'S COMMENTS

According to the afternoon dispatches, Prime Minister Nehru, of India, was asked about my suggestion for appointment of an impartial commission. The United Press quotes his reply, as follows:

> Any proper investigation should be by a method accepted and approved by all parties concerned. Anything unilateral is no good. * * *
>
> I suppose it is a matter for the scientists. I don't see how anybody who is not trained in this sort of thing can investigate. I don't understand how any investigation can yield much result so long after.

COMMISSION NO GOOD UNLESS MULTILATERALLY APPROVED

I am glad that this matter has come up this promptly, although I do want to point out by way of clarification of my original suggestion, if any clarification is necessary, that I quite agree with the Prime Minister that anything unilateral is, indeed, no good. It is quite clear that there must be multilateral approval and agreement, that is, basically between the two sides, the United States and her U. N. allies, and Russia and her satellites, as well as among the neutral nations. I quite agree, too, that the investigators must be top-trained experts.

Prime Minister Nehru said that he doubted that the investigation could yield much result so long after the charges, and yet today's—Saturday, June 21—New York Times reports that the Red Peiping radio has reported that allied planes had supposedly dropped projectiles with germ-laden insects over the camps in North Korea where U. N. prisoners are held, and that these attacks allegedly occurred as recently as June 6.

REDS DELIBERATELY SEEK IMPASSE

Now, Mr. President, what concerns me is that this present intolerable situation cannot remain at a deliberately contrived impasse. If the Soviets veto the Red Cross resolution, we will face the problem that the big lie can go on and on and on—incapable of being effectively checked.

THE RED BEAR CRIED "WOLF"

But we must signify to the Soviet Union that we are simply not going to let the Reds get away with big lies or little lies from now on. The Red Bear that cried "wolf" must be taught to regret its vicious lie. We must scotch future lies before they have been swallowed. We must indicate to the Soviet Union that we will never again allow them to get away with the technique of telling lies and then treacherously sabotaging any efforts by which those lies can be checked.

LIES DEADLIER THAN GERMS

The lies spread by the Soviet Union, Red China, and North Korea are deadlier than lethal germs, because whereas germs can kill only the particular people in the area infected, these lethal lies can potentially kill the reason and judgment of uncounted numbers among the over 2,000,000,000 inhabitants of the earth. These lethal lies can help prolong the casualties on both sides in the Korean conflict.

I want to make my most earnest appeal to Prime Minister Nehru and to other outstanding Parliamentary leaders of Asia, as well. I speak as a sincere friend of India, as a cosponsor of a resolution which was only recently introduced, for the very purpose of assuring of continued American devotion to the cause of nationhood on that vast subcontinent.

I speak as one who has voted and spoken right down the line for the well-being of Mr. Nehru's people.

He has a great responsibility not only in this instance but in innumerable other instances where he—with his wisdom and background and position—has the opportunity of bringing light and truth to the peoples of Asia.

WE CHALLENGE REDS IN THE NAME OF OUR GREAT LEADERS

I speak in the memory of a saintly figure whose life was dedicated to truth, reason, and justice. I offer my suggestion in the spirit of Mohandas Gandhi, revered not just by his disciple Nehru and all the Hindu people, but revered and respected by men of good will throughout the globe.

In the great spirit of that great seer, in the spirit of others seers and prophets of other great faiths who proclaimed reason and justice, let all of us unite to challenge the atheistic leaders of the Soviet Union so that never again can they initiate a big lie and expect to get away with it.

Crime must not go unpunished, nor must defamation nor slander nor verbal filth peddled by the irresponsibles.

MONITOR ENDORSES WILEY SUGGESTION

At this time, I send to the desk certain newspaper articles on this issue, including (a) a gracious editorial in the June 20 Christian Science Monitor endorsing my proposal, and (b) an excellent analysis by Mr. Neil Stanford in that paper, and (c) a splendid, constructive editorial published in the June 16 issue of the New York Enquirer.

I ask unanimous consent that the Monitor and Enquirer pieces be printed at this point in the body of the CONGRESSIONAL RECORD.

There being no objection, the editorials and analysis were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 20, 1952]

"AS GOD IS MY WITNESS"

"As the former commander in chief of the United Nations forces in Korea and as God is my witness I tell you that no element of that command employed any form of germ warfare at any time and that all of the so-called proofs, including photographs, were manufactured by the Communists themselves."

So declared General Ridgway in Rome the other day. His solemn oath may not impress minds in which Stalin has replaced God as the source and standard of what is true, but it should cause any open-minded person to ask what "witness" the Communists can call in support of their germ-warfare charges.

They are unwilling to submit their alleged evidence to the examination of the International Red Cross or any other existing international organization of generally recognized impartiality. So far they have preferred to hand-pick their own witnesses and arrange their own evidence, relying for moral authority on their paper pledge not to use germ warfare—unless it was first used against them.

General Ridgway is telling the truth. Thus it is clear the Communists have deliberately, elaborately, and maliciously fabricated and spread a lie as vicious as any plague. The general acceptance of this lie would open the way for them to justify their own use of bacteriological weapons (which they admittedly possess). It is time for the United States to take the lead in a sharp offensive against this most unscrupulous of campaigns.

We welcome the proposal of Senator WILEY that a committee of investigation be appointed by three leading Asian statesmen of unimpeachable independence—such as Messrs. Nehru, Soekarno, and Mossadegh. Are the Communists willing to allow such a committee unrestricted rights of investigation into the truth of their charges—and to accept their findings as valid?

A further suggestion has been made in some quarters that the nation adjudged guilty—the United States of waging germ warfare or the Soviet Union of launching false accusations—agree to donate $10,000,000,000 over the next 5 years for the development of the world's less advanced areas. With or without this bold punitive feature,

the proposal for such a high-level investigation should be pushed by all those who—as God is their witness—wish to prove to a confused and doubting world that their God of a certainty demands "righteousness and truth."

[From the Christian Science Monitor]

BACTERIOLOGICAL WARFARE

(By Neal Stanford)

WASHINGTON.—What are the facts about BW—bacteriological warfare?

The Soviet Union is presently engaged in a vicious global propaganda campaign aimed at convincing the world that:

1. The United States has been using bacteriological warfare in Korea.

2. The United States opposes the international prohibition of bacteriological warfare.

3. The Soviet Union is ready to outlaw or prohibit such warfare, but the United States won't cooperate.

4. The United States, alone, has a vast storehouse of bacteriological weapons, ready to unleash on the world at any moment.

All of these are lies or bald distortions of truth, and are unquestionably so recognized in the innermost circles in the Kremlin. Rather the facts are:

1. The United States has not used bacteriological warfare in Korea, and no one but the Kremlin and its satellites are so charging. The United States not only flatly denies such charges, but Moscow's blunt refusal to let any impartial group study the charges, evidence, etc., shows the hollowness of the Kremlin's claims.

2. The United States does not oppose the international prohibition of bacteriological weapons; but it wholeheartedly opposes Moscow's repeated demand for a paper prohibition of such weapons. Bitter experience with Moscow's violations of treaties and paper pledges rules out any such naive approach to the problem. Actually Washington has proposed—and the Soviet Union has steadily refused to accept—a foolproof system of arms reduction, including the elimination of atomic and bacteriological weapons.

3. It is not the United States but the Soviet Union which will not cooperate internationally in doing away with bacteriological weapons and other modes of mass destruction. All but the small Soviet bloc in the United Nations have accepted the basic plan initiated by the United States for the general reduction of armaments and the elimination of these special types of weapons.

The reason why the Soviets will not accept any foolproof system of arms reduction and elimination of atomic and bacteriological weapons is obvious. To be foolproof, words and promises are not enough. The iron curtain must first be torn down so that the West can find out for itself just what Moscow's military power and potential is. The West has repeatedly told Moscow it is asking no more than it is willing to give. But the Kremlin has violently and repeatedly refused to accept any plan that would open Russia to the world and destroy the secrecy that is congenital with communism.

4. The U. S. S. R., as well as the United States, has been developing bacteriological weapons and has a considerable supply on hand—though the Kremlin would like to make out that only the degenerate West would have anything to do with such wicked weapons. Actually, Moscow cannot deny it has bacteriological weapons, since some years ago it inadvertently admitted it had—and will not deny it—not because it would be guilty of lying, but because of the public alarm that would result from such an admission to its people that it had failed to prepare to wage such a war.

Moscow does not now like to be reminded of it, but not long before Hitler attacked the U. S. S. R., the Kremlin publicly bragged: "If our enemies use bacteriological weapons against us we are prepared—and fully prepared—to use them, and to use them against aggressors on their own soil." Thus evaporates Moscow's myth it isn't bacteriologically armed to the teeth.

The Soviets, in their anti-American propaganda, make quite a point of Moscow's ratification of a 1925 protocol prohibiting the use of poisonous gases and bacteriological methods of warfare and Washington's failure to ratify the pact. They pointedly ignore the important point that then as now the United States saw no point in signing a paper pledge without safeguards. Such action would not only be valueless, but dangerous—for it would tend to persuade people something had been accomplished when it hadn't.

Then there is another detail about Moscow's much vaunted ratification of the 1925 protocol that makes it valueless. It included the express reservation that if any other power used such weapons then Moscow would use them, too. What this reservation did was not only to confirm that Moscow had such weapons, but—something much more serious—to publicize that at any time Moscow charged another power with using weapons it considered itself free to use them. This is extremely important today—now that Moscow has charged the U. N. with using bacteriological weapons in Korea—for it has now created its own excuse for using them at any time.

[From the New York Enquirer of June 16, 1952]

EXPOSE THE FRAUD

Clumsy fabrications and calculated frauds are not new in propaganda wars. But what Stalin and company have done is much worse than that. Not until they repudiate their vile unfounded accusations of germ warfare against our country should our Government agree to give the Societ dictators the slightest consideration or favor in international relations. The principle of reciprocity should apply in a harsh as well as humane sense, in acts of omission as well as commission, and in all our dealings with Russia.

For years the Russian rulers boasted of their progress in developing bacteriological weapons. The people of Russia, while they were under Czarist despotism as well as under Stalinist tyranny, produced some of the world's finest bacteriologists. The Communists, who are past masters in harnessing science to evil and destruction, lost no time in militarizing this phase of science to enhance the striking power of their engines of war. No Bolshevik would dare deny this.

It is one thing to accuse, but it is another to prove. Neither Russia nor her North Korean or Chinese puppets would, however, dare permit any impartial investigation of their fiendish charges. These international gangsters would not permit the International Red Cross to enter areas which they claim have been affected and infected by American germ warfare. They do not dare allow international inspection in any section of their vast slave empire. This was clearly shown in Moscow's hostility toward the Baruch plan for international inspection and control of atomic weapons.

The Russian brigands are especially hostile to any international inspection and investigation of their germ-warfare charges. They fear it might let some light in on their dark and sinister operations in Manchuria after they had grabbed it from nonresisting Japan in the last 3 days of World War II. They know it would expose their holding, in violation of the Geneva Convention, hundreds of thousands of Japanese war prisoners—among whom are some of the most skilled Japanese bacteriologists and experts in germ warfare. The Kremlin warlords know that a competent international investigation would confirm that they themselves have been guilty of infernal experimentation together with these captured Japanese experts. This experimentation has turned out to be a failure, and in typical fraudulent Communist fashion they are seeking to hide it and blame others.

Our Government long ago saw this Russian charge being prepared and fabricated. It couldn't believe the Kremlin crew would stoop to such desperate accusations and tactics. Furthermore, it did not think anyone would take such noise seriously. But Washington was wrong. It misjudged the Bolsheviks and underestimated the infernal power of their lying propaganda—especially in Asia. However, we can still hit back.

We propose that our Government call upon the U. N. to appoint an all-Asiatic commission of experts, accompanied by Americans and Russians, to be given full scope and unlimited authority of inspection and investigation of all the areas involved in the germ charges.

Let the world learn how much the Communists trust the people of Asia on whose befuddlement the Slavic Cominform rulers are now concentrating. Let the Kremlin dare turn down such a proposal. If Stalin says "No," additional millions of Asiatic people will see through the fraud and folly of world communism.

Mr. WILEY. Mr. President, incidentally, I now note that the Enquirer had recommended the all-Asiatic commission several days before I had done so, and I am glad to acknowledge that fact.

TRANSFER OF CERTAIN LANDS TO STATE OF TENNESSEE

The Senate resumed consideration of the bill (S. 2959) authorizing the transfer to the State of Tennessee of certain lands in the Veterans' Administration Center, Mountain Home, Tenn.

Mr. SCHOEPPEL. Mr. President, by reason of the fact that the Senator from Oregon [Mr. MORSE], who had objected to the bill previously and was compelled to leave the floor, is not present now, but has left a positive request that I object to Senate bill 2959, I must object. I wish to impart this information to the distinguished Senator from Tennessee.

Mr. McKELLAR. I have tried to reach the Senator from Oregon by telephone. He is not in his office, and I have been unable to locate him. I am sure that if he were present and heard the facts concerning the matter, he would not object. Of course, since the Senator from Kansas has instructions, there is nothing else I can do.

Mr. SCHOEPPEL. I merely desired to inform the distinguished Senator from Tennessee about the situation.

Mr. President, I ask unanimous consent that the bill be eligible for call on the next call of the calendar.

Mr. McKELLAR. I hope that will be agreed to.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is the order of the Senate that the bill be included in the next call of the calendar, since objection is heard now to its passage.

Mr. McKELLAR subsequently said: Mr. President, since the previous discussion relative to Calendar No. 1440, Senate

bill 2959, I have consulted with the Senator from Oregon [Mr. MORSE] and he has an amendment which he wishes to offer to the bill, which amendment I will accept.

I ask unanimous consent to revert to the consideration of Calendar 1440, Senate bill 2959.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 2959) authorizing the transfer to the State of Tennessee of certain lands in the Veterans' Administration Center, Mountain Home, Tenn.

The PRESIDING OFFICER. The committee amendments have heretofore been agreed to.

Mr. MORSE. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 1, line 4, after the word "deed" to strike out the comma and "without consideration", and on page 3, line 7, after the word "condition" to insert "(1) that the State of Tennessee shall pay 50 percent of the appraised fair market value of the property and (2)."

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Oregon [Mr. MORSE].

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to convey by quitclaim deed to the State of Tennessee all right, title, and interest of the United States, except as retained in this act, in and to the following-described lands situate within the Veterans' Administration Center at Mountain Home, Tenn.: Approximately 30 acres of land comprising the westerly portion of the Veterans' Administration Center, the exact courses and distances of the perimeter of which shall be determined and approved by the Administrator of Veterans' Affairs, together with all buildings and improvements thereon and all appurtenances and utilities belonging or appertaining thereto. The State of Tennessee shall pay the cost of surveys as may be required by the Administrator of Veterans' Affairs in determining the required legal description: *Provided*, That the State of Tennessee shall perpetuate and provide for the maintenance of the cemetery located on the property.

SEC. 2. There are reserved to the United States all rights to minerals, including gas and oil, in the lands authorized to be conveyed by this act.

SEC. 3. The conveyance of the property authorized by this act shall be upon condition (1) that the State of Tennessee shall pay 50 percent of the appraised fair market value of the property and (2) that such property be used by the State of Tennessee primarily for training of the National Guard and for other military purposes. If the State of Tennessee ceases to use such property for such purposes, then title thereto shall revert to the United States, and in addition all improvements made by the State of Tennessee shall vest in the United States without payment of compensation therefor.

SEC. 4. The conveyance of the property authorized by this act shall be upon the further condition that whenever the Congress declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made by the State of Tennessee, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency plus 6 months such property shall revert to the State of Tennessee, but the United States shall have no obligation to restore the property in any way.

SEC. 5. In executing the deed of conveyance authorized by this act, the Administrator of Veterans' Affairs shall include specific provisions covering the reservations and conditions contained in this act.

TRANSFER OF PROPERTY IN NAPA COUNTY, CALIF., TO UNIVERSITY OF CALIFORNIA

The bill (H. R. 5314) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif., was announced as next in order.

Mr. KNOWLAND. Mr. President, I understand that the same instructions that applied to the consideration of Senate bill 2959 were left with the Senator from Kansas [Mr. SCHOEPPEL] by the Senator from Oregon [Mr. MORSE] concerning House bill 5314. This bill relates to transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif, in connection with agricultural research. I make the request that the bill be included in the next call of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be included in the next call of the calendar.

CASH RESERVES OF CERTAIN NATIONAL BANKS

The bill (H. R. 160) to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks, was considered, ordered to a third reading, read the third time, and passed.

REQUIREMENTS FOR MEMBERSHIP IN FEDERAL RESERVE SYSTEM

The bill (S. 2938) to amend section 9 of the Federal Reserve Act, as amended, and section 5155 of the Revised Statutes, as amended, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the eleventh paragraph of section 9 of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 329), is amended to read as follows:

"No applying bank shall be admitted to membership unless it possesses capital stock and surplus which, in the judgment of the Board of Governors of the Federal Reserve System, are adequate in relation to the character and condition of its assets and to its existing and prospective deposit liabilities and other corporate responsibilities: *Provided*, That no bank engaged in the business of receiving deposits other than trust funds, which does not possess capital stock and surplus in an amount equal to that which would be required for the establishment of a national banking association in the place in which it is located, shall be admitted to membership unless it is, or has been, approved for deposit insurance under the Federal Deposit Insurance Act. The capital stock of a State member bank shall not be reduced except with the prior consent of the Board.

SEC. 2. (a) The third paragraph of section 9 of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 321, third paragraph), is further amended by adding at the end thereof a new sentence reading as follows: "The approval of the Board shall likewise be obtained before any State member bank may establish any new branch within the limits of any such city, town, or village (except within the District of Columbia)."

(b) Subsection (c) or section 5155 of the Revised Statutes, as amended (U. S. C., title 12, sec. 36 (c)), is further amended by changing the last sentence of such subsection to read as follows: "Except as provided in the immediately preceding sentence, no such association shall establish a branch outside of the city, town, or village in which it is situated unless it has a combined capital stock and surplus equal to the combined amount of capital stock and surplus, if any, required by the law of the State in which such association is situated for the establishment of such branches by State banks, or, if the law of such State requires only a minimum capital stock for the establishment of such branches by State banks, unless such association has not less than an equal amount of capital stock."

ADJUDICATION AND ADMINISTRATION OF WATER RIGHTS

The Senate proceeded to consider the bill (S. 18) to authorize suits against the United States to adjudicate and administer water rights.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments.

Mr. MCCARRAN. I send to the desk an additional amendment from the committee.

The PRESIDING OFFICER. The committee amendments printed in the bill are first in order.

The amendments of the Committee on the Judiciary were, on page 1, line 10, after the word "suit", to strike out the following proviso: "*Provided*, That the United States shall have the right of removal to the Federal court of any such suit in which it is a party."

On page 2, line 1, after the amendment just above stated, to strike out "*Provided further*" and insert the following proviso: "*Provided*, That nothing in this act shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream. When the United States shall be a party to any such suit it shall be deemed to have waived any right to plead that the State laws are not applicable, or that the United States is not amenable thereto, by reason of the sovereignty of the United States, and the United States shall be subject to the

judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances."

And on page 2, after line 18, to insert a new section, as follows:

SEC. 2. The head of every department or agency of the United States and of every corporation which is wholly owned by the United States shall, within 2 years from the effective date of this act, cause to be filed with the Secretary of the Interior, in such form and detail as he shall prescribe, a complete list of all claims of right to the use by that department, agency, or corporation of the waters of any stream or other body of surface water in the United States for agricultural, silvicultural, horticultural, stockwater, municipal, domestic, industrial, mining, or military purposes, or the protection, cultivation, and propagation of fish and wildlife, or any other purpose involving a consumptive use of water, or for the production of hydroelectric or other power or energy. Said list shall be supplemented and revised promptly as new claims of right are made and existing claims are abandoned or otherwise disposed of. A catalog of such claims shall be maintained by the Secretary and, except for items therein which are certified by the head of the claimant department, agency, or corporation to be of such importance to the national defense as to require secrecy, shall be open to inspection by the public and, subject to the same exception, copies thereof and of items therein shall be furnished by the Secretary upon payment of the cost thereof. The Secretary may make rules and regulations to carry out the purpose of this section.

So as to make the bill read:

Be it enacted, etc., That consent is hereby given to join the United States as a defendant in any suit for the adjudication of rights to the use of water of a river system or other source or for the administration of such rights where it appears that the United States is the owner or is in the process of acquiring water rights by appropriation under State law, by purchase, exchange, or otherwise and that the United States is a necessary party to such suit: *Provided*, That nothing in this act shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream. When the United States shall be a party to any such suit it shall be deemed to have waived any right to plead that the State laws are not applicable, or that the United States is not amenable thereto, by reason of the sovereignty of the United States, and the United States shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances: *Provided*, That no judgment for costs shall be entered against the United States in any such suit. Summons or other process in any such suit shall be served upon the Attorney General or his designated representative.

SEC. 2. The head of every department or agency of the United States and of every corporation which is wholly owned by the United States shall, within 2 years from the effective date of this act, cause to be filed with the Secretary of the Interior, in such form and detail as he shall prescribe, a complete list of all claims of right to the use by that department, agency, or corporation of the waters of any stream or other body of surface water in the United States for agricultural, silvicultural, horticultural, stockwater, municipal, domestic, industrial, mining, or military purposes, or the protection, cultivation, and propagation of fish and wildlife, or any other purpose involving a consumptive use of water, or for the production of hydroelectric or other power or energy. Said list shall be supplemented and revised promptly as new claims of right are made and existing claims are abandoned or otherwise disposed of. A catalog of such claims shall be maintained by the Secretary and, except for items therein which are certified by the head of the claimant department, agency, or corporation to be of such importance to the national defense as to require secrecy, shall be open to inspection by the public and, subject to the same exception, copies thereof and of items therein shall be furnished by the Secretary upon payment of the cost thereof. The Secretary may make rules and regulations to carry out the purpose of this section.

The amendments were agreed to.

The PRESIDING OFFICER. The additional committee amendment offered by the Senator from Nevada [Mr. McCARRAN] will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out section 1, as amended, beginning on page 1, line 3, down to and including line 18, on page 2, and insert in lieu thereof the following:

That (a) consent is hereby given to join the United States as a defendant in any suit (1) for the adjudication of rights to the water of a river system or other source, or (2) for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange, or otherwise, and the United States is a necessary party to such suit. The United States, when a party to any such suit, shall (1) be deemed to have waived any right to plead that the State laws are inapplicable or that the United States is not amenable thereto by reason of its sovereignty, and (2) shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances: *Provided*, That no judgment for costs shall be entered against the United States in any such suit.

(b) Summons or other process in any such suit shall be served upon the Attorney General or his designated representative.

(c) Nothing in this act shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OLEOMARGARINE IN THE NAVY RATION—BILL PASSED OVER

The PRESIDING OFFICER. The clerk will state the next bill passed over.

The LEGISLATIVE CLERK. A bill (S. 2083) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

Mr. SCHOEPPEL. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

LOAN OF TWO SUBMARINES TO THE GOVERNMENT OF THE NETHERLANDS

The PRESIDING OFFICER. The clerk will state the next bill passed over.

The LEGISLATIVE CLERK. A bill (S. 3337) to authorize the loan of two submarines to the Government of the Netherlands.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 1, line 7, it is proposed to delete the period and insert "but in no event beyond a period of 5 years."

Mr. LONG. Mr. President, the bill would authorize the loan of two United States submarines to the Government of the Netherlands. These two United States submarines would come out of the reserve fleet. In other words, they would be taken out of mothballs, and would be modernized by the Netherlands Government at an expense of $2,450,000, to come out of the mutual-security funds for The Netherlands. The Netherlands Navy will use the submarines for training purposes until they have constructed their first two modern submarines. At that time they will return the borrowed submarines in their improved condition to the United States. This Nation will then have the benefit of the modernization of two submarines presently in the reserve fleet, in mothballs, which modernization would otherwise cost us $2,450,000 to make them ready for service.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

Mr. SCHOEPPEL. Mr. President, I desire to ask the Senator from Louisiana a question.

What this really amounts to is that our Government is lending two submarines, which we own, to the Government of the Netherlands, which will modernize them out of its proportionate share of mutual-aid funds, which come from the money of the taxpayers of this country. The Netherlands Government agrees to recondition the submarines. Then, when the Government of the Netherlands completes two new submarines which it is building, the two borrowed submarines will be returned to us.

Mr. LONG. Yes.

Mr. SCHOEPPEL. That, in a general way, states the situation; does it not?

Mr. LONG. The Senator is correct.

Mr. SCHOEPPEL. I do not want anyone to be under a misapprehension. The taxpayers of the country furnished the money to build the submarines which we are lending. We are giving money to European nations, one of which is the Netherlands, and the Netherlands is going to put some of it back into the two submarines. We should have the record straight on that phase. That is the only thing I wished to point out. I have no objection to the transaction.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. LONG. I yield.

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Mr. HENDRICKSON. When these submarines are returned to us after the new submarines are completed by the Netherlands Government, will they again be reconditioned?

Mr. LONG. No. The submarines will be reconditioned by the Netherlands Government with mutual-security funds, so that they may be used for training purposes by the Netherlands Government. When they are returned to us, of course, they will be in an improved condition, based upon the reconditioning which it is proposed to give them.

Mr. HENDRICKSON. After their use by the Netherlands Government they will not again be reconditioned?

Mr. LONG. That should not be necessary.

Mr. HENDRICKSON. So to that extent we shall take a loss.

Mr. LONG. It seems to the junior Senator from Louisiana that there is no way we can lose. I have sent to the desk an amendment requiring that the submarines be returned within 5 years. The submarines are to be reconditioned by the Netherlands Government out of mutual-security funds. They are to be used for training, and returned to the United States as soon as the Netherlands Government completes the building of two modern submarines.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is authorized to lend to the Government of the Netherlands two submarines for use by that Government until the construction of the first two of four submarines to be constructed by the Government of the Netherlands has been completed but in no event beyond a period of 5 years. The President shall, prior to the delivery of the submarines to the Government of the Netherlands, conclude an agreement with that Government providing for the return of the submarines in accordance with the provisions of this act and in substantially the same condition as when loaned.

The PRESIDING OFFICER. That completes the call of the calendar.

Under the order of the Senate the Senator from Nevada [Mr. McCARRAN] is recognized.

Mr. McCARRAN. Mr. President, under the unanimous-consent agreement previously entered I was to be recognized for 10 minutes immediately upon the conclusion of the calendar.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, will the Senator from Nevada yield for an announcement?

Mr. McCARRAN. I yield.

Mr. JOHNSON of Texas. I announce that on Monday the Senate will continue the consideration of the pending business, Senate Joint Resolution 151, approving the Constitution of the Commonwealth of Puerto Rico. In the event the Senate acts on that measure on Monday, it is the intention of the acting majority leader to move that the Senate proceed to the consideration of House bill 5693, to amend the Tariff Act of 1930, so as to impose certain duties upon the importation of tuna fish, and for other purposes. In the event that bill is disposed of and the majority leader has no further plans, I have assured the Senator from Georgia [Mr. GEORGE] that he could make a motion to proceed to the consideration of House bill 3168, to amend section 113 (b) of the Internal Revenue Code.

I feel sure that before those three bills are acted upon, the majority leader will have returned and will have formulated a program for the remainder of the week.

It is expected that the Interior Department appropriation bill will be considered during the latter part of the week, and it is also hoped that the State, Justice, and Commerce Departments appropriation bill will also be considered.

PROPOSED AMENDMENT TO THE CONSTITUTION RELATIVE TO THE TAKING OF PRIVATE PROPERTY

Mr. McCARRAN. Mr. President, my purpose in asking this recognition is to say a little more with reference to Senate Joint Resolution 158. I believe that what I wish to say can be said in a good deal less than 10 minutes.

I move that the Senate proceed to the consideration of Senate Joint Resolution 158, Calendar 1537.

Mr. JOHNSON of Texas. Mr. President, I hope that the Senator from Nevada will withhold his motion.

Mr. McCARRAN. I am not going to withhold the motion. I have made the motion seriously and intentionally, and I desire to be heard.

Mr. JOHNSON of Texas. We have given assurance to many Senators that under the order previously entered we would consider only the calendar today. Many Senators are absent from the Chamber.

Mr. McCARRAN. This measure is on the calendar.

Mr. JOHNSON of Texas. Many Senators are absent, and it would be very difficult to obtain a quorum. I realize that during the early part of the week the Senator may be able to have the joint resolution considered if he will confer with the majority leader. However, I do not wish to be compelled to try to obtain a quorum at 2:30 p. m. on Saturday, after Senators have been assured that we would consider only unobjected-to bills on the calendar. A quorum call at this time would cause many Senators great inconvenience. Had I been given notice that the Senator wished to have this measure considered, perhaps we could have made different plans. But in view of the assurances which have been given Senators, I do not think we should try to call Senators back at this time.

Mr. McCARRAN. Mr. President, I have listened with a great deal of interest to the statement of the acting majority leader, but I have made my motion and I shall stand on it.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

Mr. HUMPHREY. I was out of the Chamber. May I inquire what is before the Senate?

The PRESIDING OFFICER. Does the Senator from Texas withhold his suggestion of the absence of a quorum for a moment?

Mr. JOHNSON of Texas. I do.

Mr. HUMPHREY. Is a motion pending to take up the so-called seizure joint resolution?

The PRESIDING OFFICER. The motion is with reference to Calendar 1537, Senate Joint Resolution 158.

Mr. McCARRAN. I do not know whether the Senator from Minnesota wishes me to make a statement on it at this time.

Mr. HUMPHREY. I feel that a measure of such importance should not be passed on the call of the calendar.

Mr. McCARRAN. I am not asking that it be passed on the call of the calendar.

The PRESIDING OFFICER. The Chair will state to the Senator from Minnesota that the Senator from Nevada has made a motion that the Senate proceed to the consideration of Calendar 1537, Senate Joint Resolution 158, proposing an amendment to the Constitution of the United States relative to taking of private property.

Does the Senator from Texas insist on his suggestion of the absence of a quorum?

Mr. JOHNSON of Texas. I renew my suggestion of the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may withdraw the suggestion of the absence of a quorum.

Mr. DWORSHAK. Mr. President, I should like to have a statement of the acting majority leader as to what the pending business is and what Senators may expect.

Mr. JOHNSON of Texas. The acting majority leader made an announcement that as soon as the Senate concluded the consideration of the measure affecting the Constitution of the Commonwealth of Puerto Rico he intended to have brought up the tunafish bill, and, if that were concluded, a bill providing for an amendment to the Internal Revenue Code.

Mr. President, I have talked with the distinguished chairman of the Committee on the Judiciary. He has made his motion, and, as I understand, if I withdraw my point that there is not a quorum present, he can renew his motion on Monday.

Mr. McCARRAN. No, Mr. President, not renew it. My motion is pending.

Mr. JOHNSON of Texas. If a motion is made that the Senate take a recess, then the chairman of the Committee on the Judiciary can get action on his motion on Monday.

Mr. McCARRAN. I wish to know now whether or not my motion will be the pending question on Monday.

The PRESIDING OFFICER. If the Senate takes a recess this afternoon until Monday, while the motion of the

Senator from Nevada is pending, it will be the pending question when the Senate convenes on Monday next.

Mr. JOHNSON of Texas. As I explained—and I thought the Senator from Nevada understood—earlier in the day, a unanimous-consent agreement was entered into that when the Senate concluded its business today it would stand in recess. Therefore, since the Senate, pursuant to that order, will take a recess, it is my information from the Parliamentarian that the motion of the Senator from Nevada would be pending on Monday.

Mr. McCARRAN. I want it distinctly understood. Otherwise I shall not consent to the withdrawal of the call for a quorum, not unless my motion shall be held to be the pending question when the Senate reconvenes.

The PRESIDING OFFICER. Under all the precedents of the Senate, the Senator's motion will be the pending question if the Senate takes a recess from today until Monday.

Mr. McCARRAN. Very well.

Mr. CHAVEZ. Mr. President, I had the understanding that there had been a unanimous-consent agreement that on Monday the Senate would take up the Puerto Rican Constitution measure.

Mr. JOHNSON of Texas. The motion was made yesterday that the measure affecting the Puerto Rican Constitution be made the unfinished business.

Mr. CHAVEZ. Do I correctly understand that if a recess is taken the pending question will be the motion of the Senator from Nevada?

Mr. McCARRAN. Yes; and it will have precedence over any other business. That is the understanding.

The PRESIDING OFFICER. The Senator from Nevada has correctly stated the situation.

Without objection, the quorum call is withdrawn, and the proceedings under the call will be vacated.

RECESS TO MONDAY

Mr. JOHNSON of Texas. Mr. President, in pursuance of the previous order, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 29 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, June 23, 1952, at 12 o'clock meridian.

SENATE

MONDAY, JUNE 23, 1952

(Legislative day of Saturday, June 21, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Nicholas J. Murray, S. J., Gonzaga College, Washington, D. C., offered the following prayer:

Let us pray:

O God, who for our salvation didst send into this world Thy Son Jesus Christ our Lord, that He might humble Himself for us and call us back to Thee; for whom also, as he came to Jerusalem to fulfill the Scriptures, a multitude of faithful people with zealous devotion spread their garments together with palm branches in the way; grant, we beseech Thee, that for Him we may prepare the way of faith, from which the stone of offense and rock of scandal being removed, our works may flourish before Thee with branches of justice.

Eternal Father, in Thy mercy and goodness send Thy Holy Spirit, we implore Thee, to so enkindle our minds and hearts that we may make decisions that are purposeful, right, and just. May the outpouring of the Holy Spirit purify our hearts, O Lord, and by the inward sprinkling of His heavenly dew may they be made fruitful. Through Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, June 21, 1952, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Hawks, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed, without amendment, the bill (S. 1283) to remove the limitation on the numerical strength of the White House Police force.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5185) for the relief of Epifania Giacone.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 7496. An act to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1957, the period for authorization for appropriations for carrying out the purposes of the act as amended; and

H. R. 7783. An act to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 191) favoring the granting of the status of permanent residence to certain aliens; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WALTER, Mr. WILSON of Texas, Mr. DONOHUE, Mr. GRAHAM, and Miss THOMPSON of Michigan were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 206) favoring the granting of the status of permanent residence to certain aliens; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WALTER, Mr. WILSON of Texas, Mr. DONOHUE, Mr. GRAHAM, and Miss THOMPSON of Michigan were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 7778) to authorize emergency appropriations for the purpose of erecting certain post office and Federal court buildings, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 968) granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency, and it was signed by the Vice President.

REPORT OF COMMISSION FOR COMMEMORATION OF ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF SIGNING OF DECLARATION OF INDEPENDENCE—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on the Judiciary:

To the Congress of the United States:

I transmit herewith for the information of the Congress a copy of the report of the Commission for the Commemoration of the One Hundred and Seventy-fifth Anniversary of the Signing of the Declaration of Independence, established by Executive Order No. 10245, dated May 17, 1951.

This report is evidence of an extraordinarily fine program devoted to the redeclaration of our cherished freedoms and to making all of us more fully aware of the ideals and great truths set forth in the Declaration of Independence. I commend to the Congress the work of the Commission, as well as the work of all the individuals and organizations who so wholeheartedly cooperated in the program.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 23, 1952.*

LEAVES OF ABSENCE

On request of Mr. MCFARLAND, and by unanimous consent, Mr. KEFAUVER and Mr. RUSSELL were excused from attendance on the sessions of the Senate this week.

On request of Mr. BRIDGES, and by unanimous consent, Mr. YOUNG was excused from attendance on the sessions of the Senate today, tomorrow, and Wednesday.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HOLLAND, and by unanimous consent, the Committee on

Foreign Relations was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that the Senators be permitted to transact routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

RESOLUTIONS OF VETERANS OF FOREIGN WARS, DEPARTMENT OF KANSAS

Mr. SCHOEPPEL. Mr. President, our veterans' organizations have been the first, according to my knowledge, to take note of what our children, our most important asset, are being taught in the Nation's schools.

Further in their efforts to see that true Americanism is taught our children, the Veterans of Foreign Wars, Department of Kansas, on June 6, 7, and 8, 1952, adopted a number of resolutions, which I would like Senators to note, and ask unanimous consent that they be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were ordered to be printed in the RECORD, and referred as indicated:

To the Committee on Armed Services:

"PANTY RAIDERS

"Whereas 1 year ago the Department of Kansas Veterans of Foreign Wars expressed strong opposition to the deferment of draft eligibles who were fortunate enough to afford enrollment in college; and

"Whereas, our strongest words were inadequate to bring defeat of the deferment, but rather brought upon us the criticism of a few educators; and

"Whereas the antics of draft-deferred panty raiders who rightfully should be serving alongside their fellow citizens in Korea has clearly demonstrated the sort of irresponsibility which college deferments have encouraged; Therefore be it

"Resolved, That this thirty-second annual encampment, Department of Kansas, Veterans of Foreign Wars repeat its opposition to college deferments from military service."

To the Committee on Appropriations:

"VETERANS EMPLOYMENT SERVICE

"Whereas the Veterans Employment Service, United States Department of Labor, is an integral part of the United States Employment Service, with delegated authority to assure veterans of priority in job placements and to assist veterans in all employment problems; and

"Whereas some 800,000 members of the Armed Forces are being released from service annually; and

"Whereas many of these ex-servicemen have had little or no work experience prior to entering the Armed Forces and will need assistance in finding suitable employment; Therefore be it

"Resolved, That this thirty-second annual encampment of the Veterans of Foreign Wars, Department of Kansas, at Hutchinson, Kans., on June 7, 1952, urge the Congress to appropriate sufficient funds to enable the Veterans Employment Service to fully assist veterans in their employment problems; and be it further

"Resolved, That copies of this resolution be furnished to the national officers and to the Senators and Representatives in the Congress from Kansas."

To the Committee on Labor and Public Welfare:

"REVIEW TEXTS AND COMPEL STUDY OF AMERICAN HISTORY

"Whereas the public school system for nearly 300 years held the confidence of the American people and was pointed to with pride; and

"Whereas our American theory of education has always considered our public educational school system as a bulwark of freedom, the primary function of which has been to educate the child; and

"Whereas it has been free of politics and propaganda until recently when many textbooks have been slanted purposely toward a collectivist state of government or statism; and

"Whereas the theme of One World runs through a great number of textbooks where the inference of world government is inescapable and some textbooks are slanted toward Fabian socialism or even communism; and

"Whereas parents and taxpayers have a primary right to know what books are chosen to educate their children to be loyal American citizens; and

"Whereas the mandatory study of American history in the schools insures that the students relive the glorious history that has been ours and instills in them a feeling of pride in our country, a condition that does not exist in most States where the average mandatory study of American history is about 12 percent; and

"Whereas it is imperative that students in our schools, colleges, and universities be taught only from textbooks which contain the true facts of American history and inspire devotion to American principles of independence and freedom; and

"Whereas there is need to encourage patriotic, well-qualified teachers to continue contributing their abilities to our educational system: Now, therefore, be it.

"Resolved by the Department of Kansas, Veterans of Foreign Wars of the United States, That we recommend to the governor that action be taken to investigate the books used in the public schools, colleges, and other educational training institutions in this State for the purpose of locating and eliminating such textbooks which are considered undesirable from the American point of view; and be it further

"Resolved, That one-half of the members of the investigating committee shall be parents who have served in the Armed Forces of the United States; and be it further

"Resolved, That the study of American history be made mandatory in the public schools, colleges, universities, military training camps, and other educational training institutions on the grounds that a knowledge of how this country became great and of the people who made it that way should be considered a fundamental part of an American's education; and be it further

"Resolved, That teachers who are patriotically devoted and otherwise qualified to promote the ideas set forth above be encouraged to continue their services in our educational system through assurances of proper financial support so that they may adequately provide for themselves and their families; and be it further

"Resolved, That copies of this resolution be sent to the leaders of both the State senate and house of representatives, to the State commissioner of education, to the State president of the Congress of Parents and Teachers, and to other persons and such publications as are deemed appropriate."

"VETERANS' EMPLOYMENT RIGHTS

"Whereas some 800,000 members of the Armed Forces are now being released from service each year; and

"Whereas a large percent of those ex-servicemen vacated positions in civilian industries to enter the Armed Forces; and

"Whereas section 9 of the universal military training statute guarantees such persons the right to return to the positions formerly held; and

"Whereas the Bureau of Veterans' Reemployment Rights has been charged by the Congress with the responsibility of assisting ex-servicemen in the exercise of those reemployment rights: Therefore be it

"Resolved, That this thirty-second annual encampment of the Veterans of Foreign Wars, Department of Kansas, at Hutchinson, Kans., on June 7, 1952, urge the Congress to provide sufficient funds to the Bureau of Veterans' Reemployment Rights, United States Department of Labor, to enable such Bureau to fully assist ex-servicemen in the exercise of their reemployment rights; and be it further

"Resolved, That copies of this resolution be furnished the national commander and department officers and to the Senators and Representatives in the Congress from Kansas."

"REESTABLISH FEDERAL BOARD OF HOSPITALIZATION

"Whereas the Federal Board of Hospitalization was created November 1, 1921, during the Harding administration as an advisory board to the President, and charged with the responsibility of coordinating the construction programs of all Federal hospitals, and to standardize requirements, to expedite the interdepartment use of existing Government facilities, to eliminate duplication in the purchase of supplies, and the erection of buildings; and

"Whereas through the years the Federal Board of Hospitalization did efficiently and effectively coordinate the construction programs of the several Federal departments concerned so as to avoid waste and the building of facilities with overlapping responsibilities; and

"Whereas President Franklin D. Roosevelt on August 1, 1943, abolished the Federal Board of Hospitalization as originally constituted and recreated the Board as an advisory board to the Director of the Bureau of the Budget with approximately the same objectives as those originally assigned in the Harding administration; and

"Whereas President Harry S. Truman on June 25, 1948, abolished the Federal Board of Hospitalization effective June 30, 1948, and assigned its duties to the personnel of the Bureau of the Budget, thus eliminating the representation on the Board of the various Government departments responsible for Federal hospitalization; and

"Whereas the abolishment of the Federal Board of Hospitalization has created a chaotic condition in that there is no coordination of the activities of the several governmental departments concerned: Now, therefore, be it

"Resolved by the Department of Kansas, Veterans of Foreign Wars of the United States, That we demand the Federal Board of Hospitalization be reestablished as an advisory board to the President as it was originally created in the Harding administration for the purpose of coordinating the hospital activities of the various Government departments to the end that adequate hospital service may be made conveniently available to all persons entitled to same, and at a minimum cost to the American taxpayer."

DAMAGE FROM GREAT LAKES WATER LEVELS—ARTICLE FROM MILWAUKEE (WIS.) JOURNAL

Mr. WILEY. Mr. President, the Great Lakes States are confronted now, as they have been in the past, with a tremendous problem of damage caused by the levels of the Lakes.

Recently the United States Corps of Engineers completed a four-volume study of damage done to Great Lakes States. This study shows some $5,000,000 damage inflicted on Wisconsin's Lake Michigan shore and almost a million dollars on its Lake Superior shore.

It is a fact, of course, that lake levels can be too low, just as they have been very definitely too high.

It is my own feeling and the feeling of the Great Lakes Harbors Association, and many other groups, that the way to meet the lake-level problem is through an interstate compact voluntarily agreed to by all the States affected.

We do not feel that the United States Congress should pass separate bills largely at the behest of this State or that, such as lake-diversion legislation recently reported out by the House Public Works Committee. Let the States work out their own agreement, and let the Congress thereafter validate the compact.

At this time I send to the desk an article from the Thursday, June 19, issue of the Milwaukee Journal reporting on the problem of shore damage done to my own State. This report could, of course, be duplicated in the instance of the other States, and I submit it today, not just in the interest of Wisconsin but in the interest of a sound interstate compact.

I ask unanimous consent that the text of this article be printed in the Appendix of the CONGRESSIONAL RECORD and be thereafter appropriately referred.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and the article will be referred to the Committee on Public Works, and be printed in the Appendix of the RECORD.

(See Appendix.)

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. PASTORE, from the Committee on Post Office and Civil Service:

S. 2026. A bill to provide for adjustment in the compensation of certain employees transferred to the General Services Administration from the Post Office Department pursuant to Reorganization Plan No. 18, effective July 1, 1950; with an amendment (Rept. No. 1804); and

S. 2457. A bill to authorize payment of retroactive salary increase for services rendered by postmasters, officers, and employees of the field service of the Post Office Department who died between July 1, 1951, and October 24, 1951; with amendments (Rept. No. 1805).

INTERIOR DEPARTMENT APPROPRIATIONS, 1953—REPORT OF A COMMITTEE

Mr. HAYDEN. Mr. President, from the Committee on Appropriations, I report favorably, with amendments, the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, and I submit a report (No. 1803) thereon.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. O'MAHONEY. Does the bill contain the various amendments which the Senator from Wyoming suggested during the session of the committee, but which he was forced to abandon because his presence was required on the floor of the Senate?

Mr. HAYDEN. I assure the Senator from Wyoming that he is adequately cared for.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 23, 1952, he presented to the President of the United States the enrolled bill (S. 968) granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER:

S. 3372. A bill for the relief of the alien Lt. Col. Panagiotis Christopoulos; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 3373. A bill directing the Secretary of Interior to issue patents to the Mountain States Development Co. and the Crescent Eagle Oil Co. on payment of purchase price of $2.50 per acre; to the Committee on Interior and Insular Affairs.

By Mr. CHAVEZ (by request):

S. 3374. A bill to amend section 5 of the act of June 29, 1888, relating to the office of Supervisor of New York Harbor; to the Committee on Public Works.

By Mr. BENTON:

S. 3375. A bill for the relief of Demetry Timoshuk;

S. 3376. A bill for the relief of Sister Elvira Stornelli; and

S. 3377. A bill for the relief of Sister Augusta Sala; to the Committee on the Judiciary.

S. 3378. A bill to authorize certain beach erosion control of the shore line of the State of Connecticut from the Connecticut River to the Hammonasset River (Old Saybrook, Westbrook, and Clinton); to the Committee on Public Works.

By Mr. JOHNSON of Colorado (by request):

S. 3379. A bill to authorize the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committe on Interstate and Foreign Commerce.

By Mr. MAGNUSON:

S. 3330. A bill to govern the hospitalization of the mentally ill of Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

DEPARTMENT OF DEFENSE APPROPRIATIONS—AMENDMENTS

Mr. O'MAHONEY (for himself and Mr. FERGUSON) submitted amendments intended to be proposed by them, jointly, to the bill (H. R. 7391) making appropriations for the Department of Defense and related independent agencies for the fiscal year ending June 30, 1953, and for other purposes, which were referred to the Committee on Appropriations and ordered to be printed.

HOUSE BILL REFERRED

The bill (H. R. 7778) to authorize emergency appropriations for the purpose of erecting certain post office and Federal court buildings, and for other purposes, was read twice by its title, and referred to the Committee on Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

Burton Y. Berry, of Indiana, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary to Iraq, vice Edward S. Crocker 2d;

Donald R. Heath, of Kansas, now Envoy Extraordinary and Minister Plenipotentiary to the State of Vietnam and to the Kingdom of Cambodia, to be Ambassador Extraordinary and Plenipotentiary to the State of Vietnam and to the Kingdom of Cambodia;

James S. Moose, Jr., of Arkansas, a Foreign Service officer of class 1, to be Envoy Extraordinary and Minister Plenipotentiary to the Republic of Syria, vice Cavendish W. Cannon;

Robert N. Allen, of Oklahoma, and sundry other persons for appointment and promotion in the diplomatic service;

Lionel M. Summers, of the District of Columbia, and sundry other persons for appointment and promotion in the diplomatic service; and

G. Lewis Jones, of Maryland, and sundry other officers and persons for appointment and promotion in the diplomatic service.

By Mr. GEORGE, from the Committee on Foreign Relations:

Executive K, Eighty-second Congress, second session, a convention with Finland, relating to estate taxes; without reservation (Ex. Rept. No. 13);

Executive L, Eighty-second Congress, second session, a convention with Finland, relating to income taxes; without reservation (Ex. Rept. No, 13); and

Executive P, Eighty-second Congress, first session, a convention with Switzerland, relating to estate taxes; without reservation (Ex. Rept. No. 13).

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. MARTIN:

Address delivered by him before annual convention of Disabled American Veterans, Department of Pennsylvania, at Pittsburgh, June 20, 1952.

Press release of address by him on subject of defense of local government delivered by him before the annual convention of Pennsylvania State Association of Boroughs, at Pittsburgh, June 20, 1952.

By Mr. MURRAY:

Address delivered by Hon. Philip M. Kaiser, Assistant Secretary of Labor, and United States Government delegate to thirty-fifth annual ILO conference in response to Director General's report.

By Mr. BRIDGES:

Article on progress of the Korean war, written by Maj. Gen. Daniel H. Hudelson, and published in the New York Journal American of June 22, 1952.

Article entitled "Jersey Lent United States War Weapons," published in the New York Journal American of June 22, 1952.

By Mr. SCHOEPPEL:

Editorial entitled "Let's All Take the Cure," written by Dean Sims, and published in the magazine Manage for June 1952.

By Mr. BENTON:

Editorial published in the Christian Century of June 18, 1952, concerning the Korean prisoners-of-war problem on Koje Island.

Article by Edward A. Connell, Stamford, Conn., entitled "The Vanishing Art of Political Debate," published in the May 10, 1952, issue of America.

Compilation entitled "Legislative Box Score," regarding recommendations of the Hoover Commission.

By Mr. THYE:

Editorial entitled "Senatorial Study," relating to the St. Lawrence seaway, published in the St. Paul Pioneer Press, on June 19, 1952.

THE McCARRAN-WALTER IMMIGRATION BILL

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, an editorial entitled "The McCarran Bill," published in the Detroit Free Press of June 14, 1952, relative to the McCarran-Walter bill.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE McCARRAN BILL

The controversial McCarran-Walter immigration bill has passed both Houses of Congress. It now rests with President Truman, whether or not it shall become law.

The bill, the object of about 4 years of legislative study, cannot be regarded as perfect. But all told, it is not a bad measure. Certainly it posseses some good features.

Among these is the fact that for the first time since 1924 it recodifies a mass of immigration and naturalization law. It retains the quota system pretty much as is. Among the exceptions, however, is a provision for limited immigration of Asiatics and Pacific islanders, who heretofore have not been admitted at all. It also clarifies deportable offenses, making it less easy for fuzzy-minded officials to deport aliens for trivial offenses.

There are many people who are dissatisfied with the McCarran-Walter bill because it is less liberal than they hoped for. This group will exert considerable pressure on the President for his veto.

On the other hand, by continuing the immigration practices long in effect, the bill undoubtedly reflects the sentiment of the majority of Americans.

EXCLUSION FROM GROSS INCOME THE PROCEEDS OF CERTAIN SPORTS PROGRAMS — CONFERENCE REPORT

Mr. GEORGE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross. I ask unanimous consent for the immediate consideration of the report. The report is the bill as it passed the Senate except for one technical amendment.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 4. (a) Section 23 (o) of the Internal Revenue Code (relating to deductions by individuals for charitable contributions) is hereby amended by striking out '15 per centum' and inserting in lieu thereof '20 per centum'.

"(b) Section 120 of the Internal Revenue Code (relating to unlimited deduction for charitable and other contributions) is hereby amended by striking out '15 per centum' and inserting in lieu thereof '20 per centum'.

"(c) The amendments made by this section shall apply only with respect to taxable years beginning after December 31, 1951; and the Senate agree to the same."

Amend the title so as to read: "An act to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, and for other purposes."

WALTER F. GEORGE,
TOM CONNALLY,
HARRY FLOOD BYRD,
E. D. MILLIKIN,
ROBT. A. TAFT,
Managers on the Part of the Senate.

R. L. DOUGHTON,
JERE COOPER,
JOHN D. DINGELL,
W. D. MILLS,
DANIEL A. REED,
ROY O. WOODRUFF,
THOMAS A. JENKINS,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the report was considered and agreed to.

PROPOSED AMENDMENT TO THE CONSTITUTION RELATING TO THE TAKING OF PRIVATE PROPERTY

The VICE PRESIDENT. The unfinished business is Senate Joint Resolution 151, Calendar No. 1651. However, there is pending a motion by the Senator from Nevada [Mr. McCARRAN] to proceed to the consideration of Senate Joint Resolution 158, a joint resolution proposing an amendment to the Constitution of the United States relating to the taking of private property.

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Brewster	Byrd
Anderson	Bricker	Cain
Benton	Bridges	Case
Clements	Hunt	Morse
Connally	Jenner	Mundt
Cordon	Johnson, Colo.	Murray
Douglas	Johnson, Tex.	Neely
Duff	Johnston, S. C.	Nixon
Dworshak	Kem	O'Mahoney
Ecton	Kerr	Robertson
Ellender	Kilgore	Saltonstall
Ferguson	Knowland	Schoeppel
Flanders	Lehman	Seaton
Fulbright	Long	Smith, Maine
George	Magnuson	Smith, N. J.
Gillette	Malone	Smith, N. C.
Green	Martin	Sparkman
Hayden	Maybank	Stennis
Hendrickson	McCarran	Taft
Hennings	McClellan	Thye
Hickenlooper	McFarland	Underwood
Hill	McKellar	Watkins
Hoey	Millikin	Welker
Holland	Monroney	Wiley
Humphrey	Moody	Williams

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Delaware [Mr. FREAR] and the Senator from Maryland [Mr. O'CONOR] are necessarily absent.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Utah [Mr. BENNETT] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Nebraska [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Indiana [Mr. CAPEHART], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. LODGE], the Senator from Wisconsin [Mr. McCARTHY], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from New York [Mr. IVES] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The VICE PRESIDENT. A quorum is present.

The question is on agreeing to the motion of the Senator from Nevada [Mr. McCARRAN].

Mr. McCARRAN. Mr. President, there is pending before the Senate the motion of the senior Senator from Nevada to take up for consideration Calendar No. 1537, Senate Joint Resolution 158. The joint resolution proposes a constitutional amendment relative to the taking of private property.

The joint resolution is extremely simple and extremely clear. It proposes an amendment to the Constitution to provide that the Executive power of the United States shall not be construed to extend at any time to any taking of private property other than in a manner prescribed by act of Congress.

This is not a matter which requires debate. It is not a matter which requires lengthy explanation. It is a matter on which, I feel confident, every Member of this body knows how he wants to vote.

I desire to make it plain to my colleagues that, as the author of this proposal, I feel it does no more than make perfectly clear what is and should be the correct interpretation of the existing provisions of the Constitution. But we recognize that the claim has been made on behalf of the Executive that the Constitution may be so construed as to permit the exercise by the Executive of powers not vested in him by the Constitution nor conferred upon him by statute, powers self-created in the sense that they rest upon an alleged emergency declared by the Executive; and we recognize further that the claim has been made that these powers cannot be taken away nor their scope limited by either the Congress or the courts. One of the very salutary effects of adoption of this proposed constitutional amendment, Mr. President, would be to take away the right of anyone to make such a claim of power.

I hope no Senator will object to passage of the joint resolution when it is taken up. A motion to take it up is now pending.

Mr. McFARLAND. Mr. President, I am surprised and hurt that my good friend, the Senator from Nevada, would make this motion in the manner in which it was made. The question is not whether the joint resolution should be passed or whether a constitutional amendment is necessary, but the question is one of orderly procedure.

The motion was made on Saturday afternoon, without any notice of any nature whatever to the leadership that the motion would be made.

Mr. President, Senate Joint Resolution 151, approving the Constitution of Puerto Rico, was made the unfinished business on last Friday.

Mr. McCARRAN. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. I yield.

Mr. McCARRAN. I did not understand what the Senator from Arizona said with regard to the leadership. Will the Senator from Arizona repeat that, please?

Mr. McFARLAND. I said it is a question of good faith in the leadership.

Mr. McCARRAN. What does the Senator from Arizona mean by "good faith in the leadership"?

Mr. McFARLAND. My understanding is that some Senator must be charged with the responsibility of having the work of the Senate proceed in an orderly way.

Mr. McCARRAN. Mr. President, has the time come when, after a committee reports a joint resolution or a bill and has it placed on the calendar, no move can be made except for us to get on our knees to some other Member of this body and beg to have that measure taken up? Has that time arrived in the Senate?

Mr. McFARLAND. No, Mr. President. Under the rules of the Senate, any Member of the Senate has a right to make a motion.

On the other hand, there is such a thing, I believe—perhaps I am wrong—as what we term senatorial courtesy. The majority leader is elected, and he is charged with the responsibility of seeing to it that the work of the Senate proceeds in an orderly way. I confer with all other Senators on each side of the aisle in regard to proposed legislation. I do not say that we are perfect in what we do; I do not say that some Senators may not be dissatisfied with what we do.

But I do say that the majority leadership is entitled at least to be notified and the Senate is entitled to be notified if any Member of the Senate becomes dissatisfied with what we are doing; and proper notice should be given that such a Senator intends to move to displace the scheduled work of the Senate and supersede the program which has been outlined and recommended by the policy committee.

The question is not whether one bill is better than another, but the question is one of responsibility and orderly procedure. Some Member of the Senate must be charged with that responsibility.

There has developed in the Senate the custom that Members on both sides of the aisle confer with the majority leader in regard to the measures which are to be considered and in regard to the order of their consideration, and thereupon we inform the Members what the procedure will be, and they rely upon that word. In that way all Members receive notice of the business which will be pending.

Last week notice was given that on Saturday the only measures which would be considered would be the bills and other measures on the calendar to which there was no objection.

If Senators cannot rely upon such information, then each Senator must be on the floor every minute of the day, in order to protect himself. That would make the work of all Senators rather difficult, to say the least.

As I have said, of course any Senator has a right, under the rules of the Senate, to become dissatisfied with what the policy committee does. That is the right and privilege of each Senator. On the other hand, as a courtesy to the Senate, regardless of the leadership, each Senator owes to the Senate the duty of giving notice in advance that he will try to overthrow and take over the leadership of the Senate.

Mr. MALONE. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. I yield.

Mr. MALONE. I should like to ask the distinguished majority leader a question. If the motion of the senior Senator from Nevada should be adopted, and Senate Joint Resolution 158 should be taken up by unanimous consent, would that action prevent Senate Joint Resolution 151 continuing in order following the debate on Senate Joint Resolution 158?

Mr. McFARLAND. When the joint resolution proposing a constitutional amendment was reached on the calendar, on Saturday, it could have been considered at that time only by unanimous consent; but objection was made.

Mr. MALONE. Then a motion to take up the joint resolution could be made, and the motion would be subject to a vote.

Mr. McFARLAND. Yes; but not on last Saturday.

Mr. MALONE. The purpose of my question was to ascertain if Senate Joint Resolution 151, Calendar No. 1651, the joint resolution approving the Constitution of Puerto Rico, is displaced, when will that joint resolution come before the Senate again, in due course?

Mr. McFARLAND. I do not know; I cannot answer that question, and I will not engage in any bargaining under circumstances such as these.

If the Senator from Nevada [Mr. McCARRAN] desires that the Senate consider the question of having Senate Joint Resolution 158, proposing a constitutional amendment in regard to the taking of private property, brought up, I may point out that the distinguished acting majority leader, the Senator from Texas [Mr. JOHNSON] assured the Senator from Nevada that that would be done.

Mr. President, we have reached the point where we are trying to bring an end to the session, and we are working toward that goal. Of course, under such circumstances some measures will be passed and others will not be passed. We shall hold a conference with the leadership of the House of Representatives in an effort to determine what measures it is believed can be passed by both Houses. In the Senate we shall try not to consider measures on which the House will not act. Similarly, I hope the House of Representatives will not consider measures on which the Senate cannot act.

Mr. MALONE. Mr. President, will the Senator from Arizona yield further to me?

Mr. McFARLAND. Certainly.

Mr. MALONE. Would the Calendar No. 1651, Senate Joint Resolution 151, be taken up—as decided upon Saturday—if that order is interrupted now by having the Senate consider Senate Joint Resolution 158, Calendar No. 1537; or immediately following when that measure is disposed of, would we revert to the calendar rotation under the original understanding?

Mr. McFARLAND. I do not believe I understand the Senator's question.

Mr. MALONE. If Senate Joint Resolution 158 is taken up now, under the motion which has been made by the senior Senator from Nevada, the consideration of that joint resolution would interrupt the regular calendar. After the disposition of that joint resolution would the calendar already decided upon be reverted to?

Mr. McFARLAND. Of course, we have already called the calendar.

Mr. MALONE. I refer to the Senate Joint Resolution 151, Calendar No. 1651.

Mr. McFARLAND. I would simply say to my good friend that if one Senator makes a motion in this manner, then all other Senators will, of course, feel at liberty to make motions of their own; and then I do not know how the Senate could proceed.

All I can say to my good friend is that we shall so far as possible, take up, as we have in the past—and will give consideration to—any measure regarding which request has been made.

I wish to say to my good friend, the Senator from Nevada, that we had no request for the consideration of Senate Joint Resolution 158; it was never mentioned to me.

Mr. McCARRAN. I beg the Senator's pardon; I talked to the Senator from Arizona on three different occasions at his place in the Senate Chamber, and asked him when we could have the joint resolution taken up.

Mr. McFARLAND. The Senator from Nevada talked to me about a joint resolution regarding deputy marshals.

Mr. McCARRAN. No; I beg the Senator's pardon.

Mr. McFARLAND. Very well; if the Senator from Nevada says he spoke to me about the other joint resolution, I will take his word for it. But he did not say anything to the Senator from Texas, who was acting in my place on Saturday, about making the motion; and the Senator from Texas was taken completely by surprise when the motion was made.

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. McFARLAND. I yield.

Mr. MALONE. The junior Senator from Nevada is very much interested in debating, or at least in obtaining a more thorough understanding of, the Puerto Rican Constitution. He merely wanted to know whether it would be taken up in the regular order, so that he would have the opportunity of debating it.

Mr. McFARLAND. If the motion of the senior Senator from Nevada is defeated, we shall then proceed immediately to the consideration of Senate Joint Resolution 151, approving the Constitution of the Commonwealth of Puerto Rico.

Mr. BRIDGES. Mr. President, with reference to the discussion this morning relative to Calendar No. 1537, Senate Joint Resolution 158, which is a joint resolution introduced by the distinguished senior Senator from Nevada [Mr. McCARRAN] I think a little explanation on my part, as minority leader, is necessary. The majority leader conferred with me, and I think also with the Republican whip of the Senate, the Senator from Massachusetts [Mr. SALTONSTALL] with reference to an agreement regarding the procedure to be followed. We agreed to go forward with the consideration of Senate Joint Resolution 151 approving the Constitution of the Commonwealth of Puerto Rico. That was the understanding. Members of the Senate who left the Senate for the week end understood that joint resolution would come up after the call of the calendar.

I merely want to say to the distinguished Senator from Nevada [Mr. McCARRAN], for whom I have very profound respect and admiration, that I agree completely with the purpose of his resolution, Senate Joint Resolution 158, and shall vote for it later, should an opportunity present itself. But I am committed by my agreement with the majority leader with respect to following the regular procedure, which was discussed both by the majority leader and by the distinguished Senator from Texas [Mr. JOHNSON], namely, that the joint resolution approving the Constitution of the Commonwealth of Puerto Rico should be made the next order of business. While I am in sympathy with the amendment to the Constitution of the United States proposed by the senior Senator from Nevada, and am not only sympathetic toward it, but wholeheartedly for it, I am bound by my agreement to proceed with the regular order.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. McCARRAN. Was that a published agreement? Did it appear in the CONGRESSIONAL RECORD?

Mr. BRIDGES. I do not know.

Mr. McCARRAN. Did other Senators have an opportunity to know about the agreement?

Mr. BRIDGES. I do not know whether it appeared in the RECORD. I think it did, but I am not sure. We discussed it.

Mr. McCARRAN. No such agreement was published, I take it.

Mr. BRIDGES. I do not know whether such an agreement was made on the floor of the Senate. I may say to the distinguished Senator from Nevada that I know I made a commitment regarding it with the majority leader and his able assistant, the Senator from Texas [Mr. JOHNSON].

Mr. McCARRAN. I shall stand corrected, if I am in error, but I say that no notice was published that the only business which would be taken up on Saturday was the calendar call. As a matter of fact, bills on the calendar were placed at the foot of the calendar, and were considered after having been placed at the foot of the calendar. It is customary, following completion of the calendar call, for Senators to call up bills which have been placed at the foot of the calendar, following an objection on the original calendar call. Requests are made that bills placed at the foot of the calendar be taken up and made the pending business. It is not at all an unusual custom. The action of the senior Senator from Nevada in moving that the joint resolution be considered is in keeping with the procedure of the Senate as it has been followed through the 20 years I have been in the Senate.

The VICE PRESIDENT. The question is on the motion of the senior Senator from Nevada.

Mr. McFARLAND. Mr. President, in regard to agreements, I merely want to say that, quite naturally, not every agreement is published. In order to be fair to both sides, it is necessary that the majority leader discuss these matters with the minority leader. If I know that a particular measure is to be called up, I invariably inform the distinguished minority leader of that fact. Whenever the distinguished minority leader asks the majority leader whether any business is to be taken up after a certain time, and he receives a negative answer, the minority leader then so informs Senators on his side of the aisle, as we also inform Senators on our side. Senators are then able to rely upon that information. They take us at our word. We do not rise on the Senate floor to say, "We have reached an agreement to such and such an effect." Senators do not ask for that. They rely upon what we tell them.

Mr. President, in order to save time, I move that the motion of the distinguished Senator from Nevada be laid on the table.

The VICE PRESIDENT. The question is on the motion of the Senator from Arizona to lay on the table the motion of the senior Senator from Nevada to proceed to the consideration of calendar No. 1537, Senate Joint Resolution 158.

Mr. McCARRAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hennings	Millikin
Anderson	Hickenlooper	Monroney
Benton	Hill	Moody
Brewster	Hoey	Morse
Bricker	Holland	Mundt
Bridges	Humphrey	Murray
Byrd	Hunt	Neely
Cain	Jenner	Nixon
Case	Johnson, Colo.	O'Mahoney
Clements	Johnson, Tex.	Robertson
Connally	Johnston, S. C.	Saltonstall
Cordon	Kem	Schoeppel
Douglas	Kerr	Seaton
Duff	Kilgore	Smith, Maine
Dworshak	Knowland	Smith, N. J.
Ecton	Lehman	Smith, N. C.
Ellender	Long	Sparkman
Ferguson	Magnuson	Stennis
Flanders	Malone	Taft
Fulbright	Martin	Thye
George	Maybank	Underwood
Gillette	McCarran	Watkins
Green	McClellan	Welker
Hayden	McFarland	Williams
Hendrickson	McKellar	

The VICE PRESIDENT. A quorum is present.

Mr. McFARLAND. Mr. President, I withdraw my motion for the moment.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Nevada.

Mr. McFARLAND. Mr. President, the Senator from Nevada questioned my statement with reference to bad faith. I am not charging the Senator from Nevada with bad faith. What I am saying is that when we give our word and do not carry it out, then the leadership is chargeable with bad faith. I feel that Senators should confer with the leadership about measures they desire to have considered before such measures are presented on the floor. If I do not try to keep my word I will be charged with bad faith.

Mr. McCARRAN. Mr. President, the history of this matter is a little bit interesting. The Senator from Arizona [Mr. McFARLAND] came to the Appropriations subcommittee of which I have the privilege of being chairman and asked if I would consent to a call of the calendar on Saturday. I said it was agreeable to me, so far as I was concerned; that a majority of the bills on the calendar were bills which I had reported, and therefore I must be on the floor prepared to answer questions, by way of explanation of bills. There was no statement made to me by the Senator from Arizona, or by any other Senator, that nothing but the calendar would be considered on Saturday. I did exactly what has been done repeatedly, Mr. President, namely, that after the call of the calendar I moved that the Senate proceed to the consideration of a measure which was on the calendar, namely Senate Joint Resolution 158, proposing

an amendment to the Constitution of the United States relating to the taking of private property.

Mr. President, when a standing committee of the Senate, after consideration and due deliberation, reports a measure and has it placed upon the calendar of the Senate, certainly that committee is entitled to some consideration. The work of the Senate is done in committee, and when that work is done, after long and studious thought upon a subject—in this case a subject which has been before the American people, in no small degree for a long time and which has been passed upon by the Supreme Court of the United States, by a divided opinion—and a standing committee, the Judiciary Committee of the Senate, reports a measure on that subject to the Senate and asks consideration of it by the Senate, certainly the chairman of the committee has a right to see to it that it is pushed forward as expeditiously as is possible. So, Mr. President, after the call of the calendar on Saturday, I made the pending motion, namely, that Senate Joint Resolution 158, whose consideration had been objected to on the unanimous-consent calendar, be made the pending business of the Senate on Monday.

Mr. President, no bad faith on the part of the Senator from Arizona can be attributed. If he entered into an agreement with the minority leader, that is one thing; but certainly such agreement was never made public to the Senate. Certainly no phrase in the CONGRESSIONAL RECORD implies an agreement of that kind. The joint resolution went over on Saturday, so that no vote was taken on Saturday. No claim can be made that a vote was taken when Members were absent. This is Monday, when Senators should be present. The measure is here for consideration. If Senators want to put it over to a day certain, that will be agreeable to me, but the joint resolution should certainly be considered this week.

There can be no charge of bad faith against the leadership on either side or against the Senator from Nevada. Personally, I resent the implication made by the Senator from Arizona that I was guilty of bad faith——

Mr. McFARLAND. Mr. President——

Mr. McCARRAN. Just a moment. I shall not yield.

The VICE PRESIDENT. The Senator from Nevada declines to yield.

Mr. McCARRAN. I acted in accordance with the policy, the plan, and the program which have been followed by the Senate for the past 20 years, to my certain knowledge. Any Senator can move to take up any measure at any time, if he gets the opportunity so to do. I had the opportunity, and I made my motion.

The fact is, some Senators do not want the proposed amendment to the Constitution to be voted on, although the Nation at large is demanding it. Why not consider it and let there be a vote on it? It should take only 20 minutes to debate it. A constitutional amendment is involved, which must go before the States of the Union and three-fourths of the States must be in favor of it before it can be adopted. The object of Senators who are opposed to it, of course, is to kill the measure at this session, so that when the State legislatures meet in 1953 they will not have an opportunity to vote upon the question. The measure should be voted on.

Again, Mr. President, I say that no one is guilty of bad faith in the matter, either the leadership of the majority, the leadership of the minority, or the mover of the motion.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Nevada.

Mr. McFARLAND. Mr. President, I do not want to labor the point any further. I have not accused anyone of bad faith, but I do think there are certain courtesies to which Senators are entitled, and, for my part, I have tried to accord them to Senators.

If notice is given, whether on the floor or when Senators ask privately what business will be brought up, and they are informed, they have a right to rely on what is told them. I feel that the question to be decided is not whether a constitutional amendment should be proposed, it is not a question whether one should be considered at this session. Of course, I know the distinguished Senator from Nevada believes in his joint resolution. If he had not believed in it, he would not have introduced it, and would not have reported it from his committee. However, other Senators may desire to have 1 or 2 days' notice if a motion is to be made that may displace the program of the leadership.

I move that the motion of the Senator from Nevada be laid on the table.

Mr. McCARRAN. Will the Senator agree now, in open session, that on some day this week the joint resolution will be called up for a vote?

Mr. McFARLAND. Mr. President, I will not agree to that. I will agree to discuss the question with the Policy Committee. I do not assume all the responsibility of leadership.

Mr. McCARRAN. The Senator has assumed all the responsibility of telling everybody there would be no other business transacted.

Mr. McFARLAND. Mr. President, I do not desire to argue with my good friend. The Policy Committee discusses such matters and agrees upon programs. Then I try to carry out what is agreed upon. I try to be fair with all Senators. Of course, sometimes we have proceeded otherwise.

I move that the motion of the Senator from Nevada be laid on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona to lay on the table the motion of the Senator from Nevada.

Mr. McCARRAN and other Senators asked for the yeas and nays, and the yeas and nays were ordered.

The legislative clerk proceeded to call the roll, and Mr. AIKEN voted in the negative when his name was called.

Mr. McFARLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCARRAN. Mr. President, a point of order. The Senator cannot interrupt a roll call.

The VICE PRESIDENT. No Senator can interrupt a roll call except by unanimous consent.

Mr. McCARRAN. I object.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona [Mr. McFARLAND] to lay on the table the motion of the Senator from Nevada [Mr. McCARRAN] to proceed to the consideration of Senate Joint Resolution 158. Those who favor the motion to lay on the table will vote "yea," as their names are called. Those who oppose the motion will vote "nay." The clerk will proceed with the roll call.

The legislative clerk resumed and concluded the call of the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Delaware [Mr. FREAR] and the Senator from Maryland [Mr. O'CONOR] are necessarily absent.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

The Senator from Tennessee [Mr. KEFAUVER] is paired on this vote with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Utah would vote "nay."

The Senator from Rhode Island [Mr. PASTORE] is paired on this vote with the Senator from Illinois [Mr. DIRKSEN] If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Illinois would vote "nay."

The Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Maryland [Mr. BUTLER]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Maryland would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Utah [Mr. BENNETT] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Nebraska [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Indiana [Mr. CAPEHART], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. LODGE], the Senator from Wisconsin [Mr. McCARTHY], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from New York [Mr. IVES] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

On this vote the Senator from Maryland [Mr. BUTLER] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting the Senator from Maryland would vote "nay," and the Senator from Florida would note "yea."

On this vote the Senator from Utah [Mr. BENNETT] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting the Senator from

Utah would vote "nay," and the Senator from Tennessee would vote "yea."

On this vote the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting the Senator from Illinois would vote "nay," and the Senator from Rhode Island would vote "yea."

On this vote the Senator from Massachusetts [Mr. LODGE] is paired with the Senator from Wisconsin [Mr. WILEY], who is detained on official business. If present and voting the Senator from Massachusetts would vote "yea," and the Senator from Wisconsin would vote "nay."

If present and voting the Senator from New Hampshire [Mr. TOBEY] would vote "nay."

The result was announced—yeas 42, nays 32, as follows:

YEAS—42

Anderson	Hoey	McFarland
Benton	Holland	McKellar
Bridges	Humphrey	Monroney
Clements	Hunt	Moody
Connally	Johnson, Colo.	Morse
Douglas	Johnson, Tex.	Murray
Ellender	Johnston, S. C.	Neely
Fulbright	Kerr	O'Mahoney
George	Kilgore	Robertson
Gillette	Lehman	Saltonstall
Green	Long	Smith, N. C.
Hayden	Magnuson	Sparkman
Hennings	Maybank	Stennis
Hill	McClellan	Underwood

NAYS—32

Aiken	Flanders	Nixon
Brewster	Hendrickson	Schoeppel
Bricker	Hickenlooper	Seaton
Byrd	Jenner	Smith, Maine
Cain	Kem	Smith, N. J.
Case	Knowland	Taft
Cordon	Malone	Thye
Duff	Martin	Watkins
Dworshak	McCarran	Welker
Ecton	Millikin	Williams
Ferguson	Mundt	

NOT VOTING—22

Bennett	Frear	Pastore
Butler, Md.	Ives	Russell
Butler, Nebr.	Kefauver	Smathers
Capehart	Langer	Tobey
Carlson	Lodge	Wiley
Chavez	McCarthy	Young
Dirksen	McMahon	
Eastland	O'Conor	

So the motion to lay on the table was agreed to.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO THE TAKING OF PRIVATE PROPERTY

Mr. MORSE subsequently said: Mr. President, earlier this afternoon I was one of three Republican Senators who voted to lay on the table the motion of the Senator from Nevada [Mr. MCCARRAN] that the Senate proceed to the consideration of Senate Joint Resolution 158, a joint resolution proposing an amendment to the Constitution of the United States relating to the taking of private property. I had hoped to make this argument, Mr. President, on the merits or demerits of that resolution, as I see them, but time did not permit of the discussion before the motion to lay on the table was agreed to.

Because of the fact that I was one of three Republican Senators who voted to lay the motion on the table, I have no doubt that there will be those who will try, as usual, when I cast a vote with a majority of the Democrats, to make something out of it politically. They are welcome to do so, because of the reasons which I am about to express on the demerits of the McCarran resolution which go to what, in my judgment, is the real issue involved in the parliamentary maneuvering which took place in connection with the resolution. I am not one to ignore the fundamental issues involved in any resolution or bill which is before the Senate.

I wish the RECORD to be perfectly clear that I voted to lay the motion on the table for two main reasons: First, from a parliamentary standpoint, I considered it improper to proceed with the McCarran resolution at this time. From the standpoint of the merits of the resolution itself, I considered it unwise to proceed with it at this time. I shall make a brief comment now as to my first reason.

There can be no doubt about the fact that last Friday the Senate, entered into a unanimous-consent agreement to proceed, following the call of the calendar on Saturday, with the consideration of Senate Joint Resolution 151 approving the Puerto Rican Constitution. Members of the Senate relied upon that agreement. Certain Members of the Senate, some standing for reelection this year, in making a choice, which Senators must often make under such circumstances, as to whether to be here or to return home over the week end for campaign purposes, decided to go home, planning to return on Tuesday or Wednesday, because they felt it would be acceptable to their constituencies to miss the discussion today on the measure approving the Puerto Rican Constitution. It would have been unfair to those Senators, after having entered into the unanimous-consent agreement, upon which they had a right to rely, to have changed the procedure and gone ahead to consider the McCarran resolution, and vote on it today or tomorrow, if that would have been possible.

We simply cannot do business in the Senate if, when a unanimous-consent agreement is entered into, Senators are not in a position absolutely to rely upon the agreement as stipulating the order of business which is to be followed until the business under the unanimous-consent agreement is disposed of. Therefore, many Senators were taken by surprise to discover on Saturday that, despite the unanimous-consent agreement, a motion was made on the floor of the Senate which, if agreed to, in effect would have set aside the unanimous-consent agreement, and fixed as the order of business before the Senate today the McCarran resolution.

I happen to be one of those who believe that entirely too many unanimous-consent agreements are entered into in the Senate. At the appropriate time I intend to discuss what I think has been a very unfortunate trend during this session of Congress in the transacting of so much business under unanimous-consent agreements. I believe the practice has done serious damage to the Senate. The growing tendency in the Senate to transact much of its business by means of unanimous-consent agreements has destroyed some important values of this deliberative body. I submit that in the Senate if the minds of Senators are to be changed, they should be changed on the basis of the weight of arguments on the floor of the Senate and the evidence adduced in the committee hearings. There should be less of a tendency for the minds of Senators to be made up, in regard to various resolutions and bills which come before the Senate on the basis of arrangements which are made outside committee hearings and outside debate, for a variety of reasons, the least of which are not political. In my judgment, such a trend has damaged the standing of the Senate in the eyes of the American people, and rightly so.

But, Mr. President, I do not rise today to discuss the unanimous-consent problem, although I have had prepared for some weeks an analysis of procedures which have followed the great increase in the number of unanimous-consent agreements. When the proper time comes for me to deliver my address, I shall show that in the history of the Senate sometimes a period of years would elapse between unanimous-consent agreements. Now they have become so common that frequently there is only a period of hours between them. I do not think that is good for the Senate.

The point I wish to make about unanimous-consent agreements, in regard to the parliamentary maneuver in which we found ourselves this morning, is that at least a unanimous-consent agreement ought to be respected. When the Senate has entered into a unanimous-consent agreement, certainly we should not, by making use of any parliamentary device, such as a motion to consider a new resolution, in effect place our colleagues in such a position that after they have gone back to their constituencies, miles away from Washington, they discover that what they thought was going to happen on Monday did not happen at all, but that some entirely new piece of business, in regard to which they desired to be on record, was taken up.

That is all I intend to say about the first objection to the motion of the Senator from Nevada [Mr. MCCARRAN]. In my opinion, it should not have been made, in view of the reliance our colleagues in the Senate were justified in placing upon the unanimous-consent agreement of last Friday.

As to my second objection, I do not believe the motion should have been made at the time because, if I am correctly advised, the resolution had not been subject to public hearings. The resolution is a creature of the Committee on the Judiciary itself, and I am advised by some members of that committee that the resolution has not received what could be called thorough consideration, discussion, and debate within the Judiciary Committee. At least it is not one, I am advised, on which public hearings have been held.

In my judgment, when the Senate has before it a resolution which calls for an amendment to the Constitution of the United States, involving a change in the basic, organic law of this great Republic, the proposal should be subject to most

careful study, examination, consideration, and debate. Had that been done in the case of this particular resolution, I do not believe the point of view could possibly have been expressed in the Senate today that it was a measure which could be disposed of very quickly, because the legal implications of the resolution and the public policies involved are of tremendous importance. In my judgment, the resolution should be considered at great length by the Senate before a final vote is taken on its merits or demerits.

Mr. President, when I heard late on Saturday that the motion had been made, I thought it at least desirable that something be said today on the merits of the resolution because of the possibility that the motion to consider it might be adopted.

I do not want the comments I make on some of the legal problems which I consider inherent in the joint resolution to be considered at all to be the result of any exhaustive study on my part of the legal problems involved; but I want it definitely known that, so far as I am concerned, I am opposed to the joint resolution on its merits because I think the adoption of such a constitutional amendment as proposed by the joint resolution would be a serious mistake.

Under the parliamentary situation which confronts us today, I would not have to commit myself on the joint resolution; but I want the people of my State always to know where I stand on the merits of issues. Never do I intend to hide behind a parliamentary maneuver in any way which would leave any doubt in the minds of my constituents as to where I stand on the actual merits of the McCarran resolution. I am opposed to the joint resolution. Undoubtedly in the future, as I come to prepare myself more thoroughly on some of the implications of the proposed amendment, I shall present a more detailed statement of objection than I make today. But I want the CONGRESSIONAL RECORD to show now, before adjournment of this session of Congress, at least some of my reasons for opposing the joint resolution.

The joint resolution, as reported by the Senate Judiciary Committee, would propose an amendment to the Constitution to provide that: "The Executive power of the United States shall not be construed to extend at any time to any taking of private property other than in a manner prescribed by statute law."

The proposal was evidently addressed primarily to the President's seizure of the steel mills. The Supreme Court has now invalidated that seizure. To the extent that the amendment would be declaratory of the steel decision, it is unnecessary. To the extent that it would go further, it is undesirable.

Thus, the proposed amendment would apparently apply in time of war as well as in peace. The Executive is barred at any time. At least three members of the Supreme Court majority, Justices Frankfurter, Jackson, and Burton, however, emphasized that the Steel case did not arise in time of declared war or imminently threatened invasion.

There have been many, including many newspaper editors in their editorials, who in my judgment, have misinterpreted the decision of the majority of the Supreme Court in the Steel case, because in my belief it is not a decision which lays down a blanket prohibition against the exercise of power on the part of the Chief Executive in an hour of great crisis, to protect the security of the Nation by way of seizing property, if necessary. Rather, it is a decision which I think is subject only to the fair interpretation that, under the facts of the Steel case, in the opinion of the majority of the Court the President acted unconstitutionally.

I accept that decision as the law of the land. As the Senate is aware, that decision by the majority, was a decision which laid down a rule contrary to the views held by the junior Senator from Oregon. On more than one occasion the junior Senator from Oregon stated that if the Supreme Court held that the President did not have the constitutional powers to do what he did in the Steel case I would accept that decision and insist that its every letter be carried out. That is my position.

But, Mr. President, I emphasize the limitations of the majority opinion as expressed very clearly, I think, in the separate opinions of Justices Frankfurter, Jackson, and Burton. It is very interesting to note that when the six judges constituting the majority came to decide the case they could not get together on one statement of the law, but they wrote six separate concurring opinions, each varying from the others in some very important details, with some very significant legal implications in respect to their variances, as to the power of the President of the United States, and agreeing, as I interpret the decisions, only on the really basic major premise, namely, that under the facts of the Steel case the President did not have the power to act as he did. Since it would seem clear from the decision that Congress can in any event control Presidential action, if it so desires, it would seem unwise to attempt by constitutional amendment to limit the power of the Executive to deal with the sudden and unforeseeable emergencies that might arise, for example, in the event of a large-scale hostile invasion or bombing of the United States.

Moreover, the proposed amendment would apply to any taking of property, whether or not related in any way to a labor dispute. In this aspect it would appear to create serious problems in two areas having nothing to do with the Steel case.

One of these concerns the powers of military officers during war. In *United States* v. *Russell* (13 Wall. 623), a case arising during the Civil War, it was held that military officers could, without statutory authority, seize vessels needed for military transport, and that the United States was liable for just compensation in respect of such seizures. See also *Mitchell* v. *Harmony* (13 How. 115). In *United States* v. *Pacific Railroad* (120 U. S. 234), a military commander was held empowered, without statutory authority, to destroy private property in the face of an advancing enemy, without creating liability for compensation on the part of the United States. The application of these principles is now before the Supreme Court in *Caltex (Philippines) Inc.* v. *United States* (100 F. Supp. 970 (Ct. Cls.), certiorari granted, May 6, 1952), a case involving the seizure and destruction of property in the Philippines in 1941 and 1942. Adoption of the proposed amendment might cast serious doubt on the legal status of any comparable measures that might have to be taken in the future in the event of foreign invasion of the United States or its Territories.

The other area is that presented by cases of so-called implied taking. An example is *United States* v. *Causby* (328 U. S. 256), which held that a landowner can recover compensation for loss of value of his property resulting from repeated flights over it of Army and Navy planes, although no statutory procedures for the taking of property had been pursued. A like result has been reached in a number of cases involving the flooding of lands, for example *United States* v. *Lynah* (188 U. S. 445). Compare *Portsmouth Co.* v. *United States* (260 U. S. 327), involving repeated shooting over land, and *Cities Service Co.* v. *McGrath* (342 U. S. 330), holding that a right to just compensation could be implied if a seizure of corporate bonds authorized by the Trading With the Enemy Act resulted in the imposition on an American corporation of liability abroad to holders of the bonds. In these cases the deprivation of plaintiff's property was not specifically intended or foreseen, so that resort to statutory condemnation procedures would have been impossible or impracticable. Thus in the circumstances of these cases, Executive action which in fact results in a taking of property although condemnation procedures were not followed, is treated as a "taking" under the fifth amendment, so as to confer a right to sue the United States for just compensation. The proposed constitutional amendment, by declaring that private property can be taken only in the manner prescribed by statute law, would, if adopted, appear to cast serious doubt on the right to recover compensation in such cases.

It would not seem that either of these lines of authority was intended to be overruled or questioned in the Steel case. The opinion of Mr. Justice Black makes no reference to these cases and would seem to be confined to the situation actually before the Court—that is, the power to seize industrial property in connection with a labor dispute. The opinion of Mr. Justice Douglas expressly distinguished both United States against Russell and United States against Causby, from the case before the Court. Justices Frankfurter and Burton would appear to have confined their opinions to the proposition that in the circumstances of the Steel case, the seizure was invalid because it contravened what they regarded as an express decision by Con-

gress in the Taft-Hartley Act that there should not be seizures in labor dispute cases. The other justices in the majority made no reference to the cases mentioned above.

Accordingly, the proposed constitutional amendment is undesirable and dangerous. Quite apart from its effect in the area of labor disputes, it would seem of vital importance to preserve the nonstatutory powers of requisitioning or destroying property which can, in case of necessity, be exercised by military authorities in a theater of war. Obviously, in the face of an advancing enemy it is impossible to expect the military always to resort to statutory procedures for condemning property. In addition, the amendment, if adopted, might result in a denial of an effective remedy to injured persons in the area of the so-called implied taking cases. In those cases, also, to require resort to statutory procedures would be self-defeating because the situation is one in which the Executive does not know in advance that there will be any of the property in question.

Lastly, Mr. President, I am opposed to the proposed constitutional amendment because in my judgment it would in and of itself seem to put the Constitution in a strait-jacket, when the great strength of the United States Constitution is its flexibility and the fact that it is adjustable to emergencies as they arise.

I believe we would rue the day if we ever wrote into the organic law of this land a provision which would tie the hands of the President of the United States unless he had first obtained congressional sanction to do what is necessary in an hour of great crisis to protect the security of this Nation.

There is available, as we saw in the Steel case, the power to check the President of the United States through the judicial process of the country. There is also another checking power available to the people, namely, the power of the Congress of the United States to take action in any given case.

I respectfully say today that, in my opinion, the people of the United States should keep the President of the United States, no matter who he may be, from decade to decade, in such a position that in an hour of great crisis he will be free to take the action which is necessary to preserve and protect the security of the Nation, with Congress, under our check-and-balance system, having the power immediately thereafter to check the President. I believe we should have done that in the Steel case, but the Congress did not do it. I believe that immediately after the President's action on April 8, Congress should have taken some legislative action, which it has not taken to date, by passing a new emergency-dispute law.

We also have the checking power existing in the judicial procedures in effect to bring, as was done in the Steel case, the President before the courts of the land, which can then pass judgment on whether or not the President acted constitutionally in the exercise of his authority in an emergency in which he decided to act.

Mr. President, I feel that if the time ever comes when we do not keep the President of the United States in that position we will no longer have a dynamic Constitution; we will have a very static Constitution because of which great damage could be done to the national security, for then, even under conditions of compelling emergency, the President would not dare fly in the face of the Constitution.

I still believe a very sound philosophy and a sound public policy were enunciated by Abraham Lincoln, who, on being confronted with great emergencies which, in his opinion, jeopardized the very preservation of the Union, made his comment to the effect that he had to make a choice between saving the country and saving the Constitution, and he acted first to save the country, and then it was discovered that the Constitution also had survived.

APPPROVAL OF CONSTITUTION OF PUERTO RICO

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, Senate Joint Resolution 151.

The Senate resumed the consideration of the joint resolution (S. J. Res. 151) approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952.

DEATH OF FORMER SENATOR AND REPRESENTATIVE JAMES W. WADSWORTH, OF NEW YORK

Mr. O'MAHONEY obtained the floor.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, I ask unanimous consent that approximately 15 minutes be allowed Senators who care to do so to make remarks relative to the passing of former Senator James W. Wadsworth. If the Senator from Wyoming will yield for approximately 15 minutes for that purpose, three or four Senators who wish to pay brief tributes will have an opportunity to do so.

The VICE PRESIDENT. Senators may seek and obtain recognition without unanimous consent.

Mr. McFARLAND. Will the Senator from Wyoming yield?

Mr. O'MAHONEY. I am very happy indeed to join in the request of the Senator from New Hampshire, with the understanding that the unfinished business will not be displaced.

The PRESIDING OFFICER (Mr. HOEY in the chair). Without objection, it is so ordered.

Mr. BRIDGES. Mr. President, a leader in the battle to prepare this Nation to defend itself passed to his reward over the week end. He was James Wolcott Wadsworth, of New York, who served in the Senate from 1915 to 1927 and became a Member of Congress in 1933 to serve until he voluntarily retired 2 years ago.

Senator and Representative during two of the Nation's darkest periods, Mr. Wadsworth consistently believed the United States should be strong, should be able to defend itself and be prepared to fight aggressors who attempted to oppress weaker nations. And in that belief he proposed and supported legal measures which would provide for our preparedness in the event of attack, confident such preparedness would discourage aggression.

He was well known in the Senate for clear thinking, his firm conviction, and his forthright stand on leading issues of his day. Indeed his political adversities stemmed from courageous battles for what he believed to be true and right. Convinced that centralization of power was wrong in any and under any political party, Mr. Wadsworth bitterly fought against what he believed to be overweening ambition in national affairs wherever it raised its head.

His record of public service dated from his early manhood after he had served his Nation as a private in the Spanish-American War. Although his family history dated back to the earliest days of the colonial period, this friend of many Senators now sitting here was a modest, humble man who enjoyed his home and his farm and lived to serve his fellow man.

The Nation has lost a man who sincerely believed it a duty to be of service to her. I mourn his loss.

Mr. LEHMAN. Mr. President, the State of New York, and indeed the United States, has suffered a great loss in the passing of my old friend, James W. Wadsworth, of Geneseo, N. Y. Jim Wadsworth was first of all a great American. He placed country above party, patriotism above politics. By political persuasion he was a Republican and he was, I know, a stanch and faithful member of that party, believing in its program and its principles, in domestic affairs, and conscientiously devoted to carrying out that program and those principles. I did not agree with Jim Wadsworth in his basic political philosophy, but I respected his sincerity and integrity in advocating it.

But Jim Wadsworth will not be remembered, he did not make his mark, in matters of domestic politics. He will be remembered, and his name will live in the pages of history, as a kind of Vandenberg. He will be remembered as a man who advocated preparedness and military conscription and universal military training long before it became popular or easy to do so. He saw the threat of nazism and understood it long before many of his fellow countrymen did, and he strongly advocated measures needed for preparedness, to meet that threat.

A Democratic administration was in power, and Jim Wadsworth cooperated with that administration in matters of preparedness and defense and in matters of foreign policy, without qualification or reservation, on the basis of patriotism, without regard to politics. In matters of defense and military preparedness, Jim Wadsworth played the same role in the House, and at a somewhat earlier time, as that which Senator ARTHUR VANDENBERG played in this body. His support of the administration in

these matters did not mitigate or compromise his attitude on domestic policies, but he never for one moment let his views on domestic policies interfere with his support of the administration, where he felt it justified, in foreign or military policy. He was, as I have said, a great patriot, an outstanding American.

His service to his State and to his country was long and eminent. From 1905 to 1910 he was a member of the State Assembly, serving from 1906 to 1910 as Speaker of the Assembly. Having achieved eminence in his own State, he moved into the national scene. In 1915 he was elected to the United States Senate. He served two terms as a Member of this great body, from 1915 to 1927, and left his mark here.

Having left the United States Senate, he did not feel it beneath his dignity to seek election as a Member of the House, being first elected to the House of Representatives in the first year of the administration of President Roosevelt. He served in the House continuous, with great distinction, from 1933 to 1950.

His voice, so tinged with the authority of unquestioned patriotism and sincerity, was always heard with respect by Members of the House of both political parties. In 1950 he decided not to run for reelection. I am glad that I was among those who, regardless of politics, uttered words of praise of his service upon his retirement from public life.

He was a good friend, he was a fine political figure, he was a great American. His legion of friends of both parties and of no party at all mourn his untimely passing.

Mrs. SMITH of Maine. Mr. President, it was my privilege to serve in the House of Representatives with that great American patriot, James W. Wadsworth. His patience, his wisdom, his understanding, and his foresight were an inspiration to anyone who served with him.

He was truly a statesman. But he was more than that. He was a man completely dedicated to his country. He put his country ahead of himself when he sought election to the House of Representatives after having served in the United States Senate. He put his country ahead of himself when after his retirement from the House of Representatives he agreed to serve as Chairman of the National Security Training Commission.

In the tragic passing of James W. Wadsworth, our country has lost one of its greatest champions of national security, and I have lost a good friend.

Mr. CASE. Mr. President, Jim Wadsworth held a position in the House of Representatives which was different from that of any other Member of that body. While he was regarded as one of us in every way, yet he also was regarded as an elder statesman. He did not seek to advance himself and he accepted assignments to Foreign Affairs, to Armed Services, to Rules, and to the District of Columbia Committees with the same sense of responsibility for public service.

He had served in the Senate for 12 years. It was after that when he served in the House of Representatives for 18 years. During the last 14 of those 18 years it was my privilege to serve with him. His office was the second door down the hall from mine. I passed it every day on my way to sessions of the House. Many times we walked over or back together.

I have never known a man who seemed to have a more selfless desire to serve his country than James Wadsworth. He placed the welfare of the Nation ahead of every other consideration. He spoke clearly and directly when he took the well and no man on the floor of the House of Representatives was listened to with greater respect than was he. Many a close vote was turned by the mature wisdom expressed by Jim Wadsworth when he took the floor.

Not merely with respect to the subject of preparedness, not merely with respect to foreign affairs, but on many other subjects he was listened to with great respect in the House of Representatives. He himself was a farmer, and he spoke with the authority of personal knowledge when he spoke on questions dealing with agriculture. He was the friend of any cause which he thought really was founded on justice and equity.

It is a pleasure for me to add my few poor words to the memory of one of the greatest Americans I have ever known.

Mr. MUNDT. Mr. President, I wish to associate myself with the Members of the Senate who have spoken in praise of James W. Wadsworth, of the State of New York. During my tenure in the House it was my privilege to serve with him for several years on the Committee on Foreign Affairs. Jim Wadsworth had accepted that assignment at the end of the seniority line because of his vast interest in the problems of world affairs. In our frequent meetings in committee his counsel was always solicited by Members on both sides of the committee table, and his counsel was frequently heeded.

As has been stated earlier, on the floor of the House of Representatives there was no man whose voice was listened to more carefully and with greater respect than was the persuasive voice of the Representative from New York, Jim Wadsworth, when he took his position in the well of the House.

As a former speech teacher, I am frequently asked by associates in the speech-teaching fraternity whether it is true that all the important decisions of Congress are arrived at in committee rooms, or whether on frequent occasions speeches in the well of the House and on the floor of the Senate tend to shape our public policy. On numerous occasions I have cited the illustration of James Wadsworth to prove my point that frequently public policy was in fact shaped by public debate taking place either on the floor of the House or on the floor of the Senate. I know of numerous instances during the 10 years I served with Jim Wadsworth in the House of Representatives of his persuasive words and his convincing logic in the well of the House changing a vote which subsequently took place and consequently affecting public policy.

I remember vividly my last association with Jim Wadsworth. We had lunch together in the Senate Restaurant about a week or 10 days before he was hospitalized for what was unfortunately and unhappily to become his final illness. He was having lunch with me in connection with a program in which I was then and am now very much interested, namely, the political realinement of partisan thinking in America to the end that those who think alike politically and economically might vote alike in their choice of President. I was gratified and encouraged to learn that Jim Wadsworth had been for years devoting considerable thinking to the extraordinary situation with which our country is confronted in that people who believe in the same public policy are found voting against the interests which they share in common with other citizens when they vote in the polling booths in Presidential elections in November. He said that despite his manifold duties and responsibilities, and his desire to retire to his lush acres and apple orchards in New York, if any movement developed Nation-wide to give greater voice and greater expression to the possibility of future realinement of public forces in America, he would be happy to enroll in the crusade, and would be happy to serve on a national committee. It was only his illness and hospitalization which prevented his becoming a member of the executive committee of a national group which was formed to give greater discussion and greater consideration to that idea.

James Wadsworth was in every sense a selfless patriot, of courageous convictions and great capacity. His loss will be seriously felt by America in these critical times.

I wish to extend to his family, to his children, and to his friends my deepest sympathy.

Mr. O'MAHONEY. Mr. President, it was not my privilege and opportunity to serve in the Senate with the late Honorable James W. Wadsworth, but I did have the opportunity to observe his activities in this body. I remember very well when he was chairman of the Committee on Military Affairs of the Senate. Everything that has been said on the floor today by Members of this body who served with him in the House with respect to his service in the House can be said with respect to his service in the Senate.

He was a man of character. Above all other things I think that tribute may be paid to him. He remained true to the intellectual convictions which he reached in a patriotic manner after full consideration of all the evidence before him. It was because of this that both in the Senate and in the House of Representatives he had the confidence of his colleagues. Many times I heard Members of this body who served with him when James Wadsworth was a Member of the Senate, speak in the most laudatory terms of the great respect and admiration they had for his ability and his character.

Mr. President, I could not forego the opportunity of saying these few words of personal tribute to a great statesman and a great patriot who has passed from among us. The Congress of the United

States is the loser because he has passed away.

Mr. KNOWLAND. Mr. President, I desire to associate myself with the remarks which have been made by other Senators regarding the passing of former Senator Wadsworth. Certainly he personified what is best in American citizenship, recognizing that it was something more than merely casting a vote on election day and then believing his obligations had been discharged. To Jim Wadsworth good citizenship was the making of a contribution to the betterment of his Nation, his State, and his locality.

As a member of the Committee on Armed Services of the Senate I had many occasions the privilege of sitting on the committee when Jim Wadsworth came before us on various questions affecting the defense of our country. He always took a keen interest, not only in the problems of national defense, but in the other problems which concern the American people. The place which has been vacated by his death will be difficult to fill.

On so many occasions in this busy world in which we live, men who have served in the Congress and then have voluntarily retired from that service, feel that after they have made that contribution, they have done their full share. That was not the case with James Wadsworth. He served for many years in the Senate, and then for many years in the House of Representatives. Thereafter, he voluntarily retired from that service; but he did not stop there. He recognized that so long as a good citizen draws the breath of life, he continues to have an obligation to help carry the load of a great, free republic.

Certainly James Wadsworth discharged to the utmost his obligations as a good citizen.

Mr. SMITH of New Jersey. Mr. President, I never had the privilege of serving in the same branch of Congress with James Wadsworth, but I had the privilege of knowing him personally and of being aware of his outstanding character and qualities of statesmanship. I wish to add a brief word to what has been said by my colleagues in affectionate memory of this great man, and to express to his family my deep sorrow and sympathy.

Mr. GEORGE. Mr. President, when I came to the Senate, Jimmy Wadsworth was a Member of this body. Not long after I entered the Senate, I was assigned to the Military Affairs Committee. At that time he was chairman of that committee.

He was a man of rare, good judgment, and a man of the very highest character. I never knew him to get out of character at any time during his long public service. No part of him believed in sham or pretense; he could find no glory or honor in either. He was a man of superb courage. He was always devoted to the interests of his country.

I remember very well many of the important amendments, which he himself had very largely written, and which were made in later years to the first National Defense Act. I remember very well his great power of description.

I am pleased to have counted him as one of my strong, warm, personal friends during his service in this body, and thereafter, until the end of his life.

He belonged to the era of our political life, Mr. President, in which the statesman was not willing, for the giddy applause of the headlines or the moment, to make use of the catch phrases of the hour and of the time.

He was sincerely devoted to the interests of his country. He believed in its strong defense on land, on the sea, and in the air.

He was also a man of broad vision. He had a broad, comprehensive viewpoint of world affairs.

I have no recollection of having known James Wadsworth to take an untenable position for political purposes or for temporary applause at any time during his entire service in this body. I know he held the respect and esteem of all who served here with him and who had the opportuity of knowing him.

James Wadsworth was preeminently a great American, from a long line of great Americans. He served well his day and his generation, as a great patriot and as a great American statesman.

Mr. NIXON. Mr. President, there is little I can add to the just tributes which have been paid today to Jim Wadsworth. I should like, however, to refer to the great impression he made upon me as a Member of the House of Representatives.

I recall that when I first went to the House of Representatives, in 1947, I soon learned what most new Members of the House of Representatives learn, namely, that speeches made on the floor of the House generally do not affect votes. Jim Wadsworth was the exception who proved the rule. I do not believe he spoke more than 10 times during the 4 years I was in the House of Representatives; but every time he spoke, an eloquent and moving tribute was paid to him, in that the cloakrooms at once emptied and the Chamber filled, and one could have heard a pin drop as he spoke in his effective and quiet manner. That was a great tribute to a man who was considered by his colleagues to be one who always knew what he was talking about, a man of complete integrity, and a man who placed the interests of his country above personal or partisan considerations.

It was a great privilege for me, as a freshman Member of the House of Representatives, to serve with him and under him. Both Congress and the country will miss him sorely.

Mr. McFARLAND. Mr. President, I can scarcely add to the beautiful tributes which have been paid to James Wadsworth. His life was an example to all Americans, for he was a great American. By his character, integrity, and industry, he earned the tributes which have been paid to him today, and I desire to concur in them.

Certainly the members of his family have my sympathy.

Mr. MORSE. Mr. President, I wish to say a word or two in tribute to the late James Wadsworth.

I see on the floor at this time two other members of the Armed Services Committee of the Senate. They can testify, as I can, to the fact that during the past year the Honorable James W. Wadsworth was a great help to the Senate Armed Services Committee in the preparation of the Senate draft of the universal military service bill. I wish to pay this personal tribute to Mr. Wadsworth for the great help he was to me.

As the RECORD shows, I offered a series of amendments to the universal military service bill, and most of those amendments were adopted by the committee. Although I assume responsibility for any shortcomings which may exist in those amendments, I wish to say that the amendments really are the product, insofar as advice and suggestions are concerned, of the great mind of Mr. Wadsworth.

I wish to associate myself with all the well-deserved tributes which have been paid to him in the Senate today, because in my judgment not only was he a great American, but he also recognized that in these perilous times, America must prepare herself to meet even more perilous times, if we do not win the fight for freedom around the world.

Mr. JOHNSON of Texas. Mr. President, I wish to associate myself with the tributes which have been paid to the late James W. Wadsworth.

I served with him for many years as a Member of the House of Representatives. I considered him one of the intellectual giants of our time. I admired him. I respected him. I loved him.

He was a man of strong convictions and of great courage.

I doubt that any Member of either the House of Representatives or the Senate contributed more to the preparedness of the Nation, during the time when he served in the Congress, than did James Wadsworth.

To his lovely family I extend my deepest sympathy.

Mr. FULBRIGHT. Mr. President, I desire to associate myself with the remarks which have been made about the late James W. Wadsworth. I first met him when I began my service in the House of Representatives, at which time he was a member of the Committee on Foreign Affairs. I became well acquainted with him. I think he was certainly one of the wisest men that either the Senate or the House has ever had, and one of the most patriotic and courageous. He had an open mind on all great questions and infinite patience in considering them. He was a most useful man and made a great contribution to the solution of the complex and difficult problems with which we ever confronted during the late war. As the Senator from Oregon and the Senator from Texas have remarked, he was a specialist in military matters and, in the Congress, was always a leader in that field. I extend my greatest sympathy to his family.

APPROVAL OF THE CONSTITUTION OF PUERTO RICO

The Senate resumed the consideration of the joint resolution (S. J. Res. 151) approving the Constitution of the Commonwealth of Puerto Rico which was

adopted by the people of Puerto Rico on March 3, 1952.

Mr. McFARLAND. Mr. President, both sides have indicated a desire for a limitation of debate upon the pending measure. Therefore I ask that, at 4 o'clock today, if the measure shall not have been disposed of prior to that time, debate be limited to 30 minutes on each amendment, 15 minutes to a side, the time to be controlled by the proponent of an amendment, on the one side, and by the distinguished Senator from Wyoming on the other, provided he is opposed to the amendment; but, if he favors the amendment, the time shall then be controlled by the distinguished minority leader, or by whomever he may designate; and that debate on the joint resolution, itself, be limited after 4 o'clock to 30 minutes, 15 minutes to a side, the time to be controlled by the distinguished Senator from Wyoming, on the one side, and by the distinguished minority leader, or by whomever he may designate, on the other, and that all amendments must be germane.

The PRESIDING OFFICER. Does the Senator from Arizona propose, also, that the same limitations shall apply to motions and appeals?

Mr. McFARLAND. Yes, the same limitations.

Mr. BRIDGES. Mr. President, in order that there may be no misunderstandings, may we have the request stated?

The PRESIDING OFFICER. The unanimous-consent request is, that at 4 o'clock, if the vote shall not have been had on Senate Joint Resolution 151 in the meantime, the time on any or all amendments, motions, and appeals shall be limited to 30 minutes, 15 minutes to a side, the time to be controlled by the proponent and by the Senator from Wyoming [Mr. O'MAHONEY], if he is opposed; if not, then by the minority leader; and that thereafter the time on the joint resolution likewise limited to 30 minutes, 15 minutes on a side; and that all amendments must be germane.

Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. O'MAHONEY. Mr. President, the measure before the Senate is Senate Joint Resolution 151, a joint resolution, unanimously reported by the Committee on Interior and Insular Affairs, which gives the approval, with certain amendments, of the Congress of the United States to the constitution drafted by the people of Puerto Rico. The people wrote this constitution for themselves through a constitutional convention which they called in accordance with authority specifically granted by the Congress of the United States.

It should be pointed out first, Mr. President, that the distinguished Senator from Nebraska [Mr. BUTLER], who in the Eightieth Congress was chairman of the Committee on Interior and Insular Affairs, and who has displayed great, constructive interest in the improvement of conditions in the Territories and insular possessions of the United States, joined with the present chairman of the committee in introducing the bill granting this authority under which the people of Puerto Rico have taken this historic step to organize a constitutional government of, by, and for the people of Puerto Rico. That bill, which was designated Senate bill 3336, was carefully considered by the Committee on Interior and Insular Affairs of the Senate, and, after close scrutiny and hearings by the committee, was unanimously reported to the Senate of the United States. It was thereafter passed without objection on the part of any Member of the Senate.

ONLY ONE VOTE IN OPPOSITION IN HOUSE

A similar bill was introduced in the House of Representatives. It received similar treatment by the Committee on Public Lands, as I think it was called at that time, and was reported unanimously to the House of Representatives. There it was enacted by all but a unanimous vote. There was one vote cast against the bill. That vote was cast by Representative Marcantonio, of New York, who was known to all in the Congress for the associations which he maintained with the Communist Party, in one way or another. I lay particular emphasis upon the fact that his was the only vote cast in either House of Congress against this bill, authorizing the people of Puerto Rico to draw their own constitution.

It was this bill sponsored by the distinguished ranking minority member of the Senate Interior Committee, the Senator from Nebraska [Mr. BUTLER], and myself as chairman, that became Public Law 600, Eighty-first Congress.

AUTHORITY LIMITED TO LOCAL SELF-GOVERNMENT

It will be easy to assume that in granting this authority the Congress has placed no restraints upon the action of the people of the island. Such is not the case, however. The authority granted in Public Law 600 was carefully drawn to make it apply only to matters of local self-government. It was provided in this statute that, if a constitution should be drafted, it should replace certain portions of the present organic act and not affect other portions of the act. Section 4 of Public Law 600, for example, provides:

> SEC. 4. Except as provided in section 5 of this act, the act entitled "An act to provide a civil government for Puerto Rico, and for other purposes," approved March 2, 1917, as amended, is hereby continued in force and effect and may hereafter be cited as the "Puerto Rican Federal Relations Act."

PUERTO RICAN FEDERAL RELATIONS ACT

There is a specific restriction upon action by the people of Puerto Rico with respect to certain portions of the organic act. Section 5 of Public Law 600, which was approved on July 3, 1950, reads as follows:

> At such time as the Constitution of Puerto Rico becomes effective, the following provisions of said act of March 2, 1917, as amended, shall be deemed repealed.

And then are set forth in detail those specific sections which refer to purely local matters. Those sections not repealed by specific designation remain in full force and effect and are to be known as the Puerto Rican Federal Relations Act. So the whole purpose of this authorization was to extend to the people of Puerto Rico the opportunity of drawing a charter of local self-government within the scope of the Constitution and the laws of the United States.

Public Law 600 is, in effect, Mr. President, a bill to authorize the people of Puerto Rico to handle their own local affairs in their own way and thereby to relieve the Congress of the United States of the arduous task of every year attempting to act upon matters of purely local importance in Puerto Rico. We all know how difficult, how annoying, and how burdensome Congress has found the problem of trying to govern the District of Columbia as a sort of city council. We all know that although we have not succeeded in devising a completely satisfactory plan for allowing the people of the District of Columbia to govern themselves, the Senate has approved a plan, and we know that the result of the failure to enact a home-rule measure for the District has been neglect of vital affairs in the Capital of the United States.

The same thing was happening with respect to the island of Puerto Rico. Local affairs of highest importance in the island have been neglected because Members of the Senate and Members of the House did not, do not, and cannot have the time to devote attention to such matters.

PRINCIPLE OF GOVERNMENT BY CONSENT OF THE GOVERNED

The order to make certain that the constitution would be drafted by and on behalf of the people of Puerto Rico and would be in all respects in harmony with the principles of our own Constitution and our own laws, and the historic principle of government by the consent of the governed, Congress provided very carefully that the self-government should not be imposed on them, but that they should have an opportunity to accept or reject it.

Public Law 600 required, therefore, that there should be submitted to the people of Puerto Rico the question as to whether they desired to draw a constitution under the limitations which were provided in the bill. That question was submitted to a plebiscite on the 27th of August 1951. The vote on the issue as to whether a constitution should be drawn was 387,016 in the affirmative and 119,169 in the negative—a majority of better than 3 to 1. It was provided that after the bill had been submitted to the qualified voters of Puerto Rico for acceptance or rejection, if it were approved—and I am quoting from section 2 of Public Law 600 of the Eighty-first Congress—

> The Legislature of Puerto Rico be authorized to call a constitutional convention to draft a constitution for the said island of Puerto Rico.

In that same section there followed this specific statement:

> The said constitution shall provide a republican form of government and shall include a bill of rights.

MINORITIES REPRESENTED IN CONVENTION

The legislature promptly called for a constitutional convention. In the law providing for the call, care was taken to

provide representation for minorities. The convention acted and finally succeeded in drafting a constitution which was approved by the convention for submission to the people by a vote of 88 for the constitution, 3 against it, and 1 absentee.

Then, in accordance with the provisions of section 3 of Public Law 600 of the Eighty-first Congress, the constitution thus drafted was submitted to the people of Puerto Rico for their vote. Section 3, by the way, reads as follows:

Upon adoption of the constitution by the people of Puerto Rico, the President of the United States is authorized to transmit such constitution to the Congress of the United States, if he finds that such constitution conforms with the applicable provisions of this act and of the Constitution of the United States.

In the plebiscite which was held on March 3, 1952, for approval or rejection of the constitution drafted by the convention, the vote for was 373,418, and the vote against was only 82,743—a majority of some 4 to 1.

So, Mr. President, we have the history of the authorization by the Congress of the United States to the people of Puerto Rico to draw a constitution of their own to govern their local affairs. So we have the calling of the convention by the legislature, the holding of the convention, the deliberations of the convention, the adoption of the constitution by the constitutional convention by the overwhelming vote of 88 to 3, with only 1 absentee, the submission of the constitution to the people of Puerto Rico for their approval, and its adoption by a vote of considerably more than 3 to 1 in an open plebiscite held by the people of Puerto Rico.

ELECTION OBSERVED BY HOUSE COMMITTEE MEMBERS

It is worthy of comment, Mr. President, that the House of Representatives, through its Committee on Interior and Insular Affairs, displayed the closest interest in these elections and sent a special committee of the House to Puerto Rico to observe the elections. The committee consisted of Representative CHESTER B. MCMULLEN, Democrat, of Florida, and Representative FRANK T. BOW, Republican, of Ohio.

These two Congressmen went to Puerto Rico to be in a position to observe the conduct of the election upon the day it took place. Of their own motion, they went from place to place throughout the island, visiting the polling places. They returned to Washington and reported, first to the House committee, and later to the Senate committee, that the election had been conducted without force, without constraint of any kind, without any attempt upon the part of the Government to sway the result of the election, and that the election was in all respects a free and open one.

Representative MCMULLEN, of Florida, testified before the Senate committee as follows:

I visited a number of the polling places before the buildings were closed at 1 o'clock sharp. I interviewed numbers of people on Saturday and Sunday and Monday morning, the day of the election. I got inside the polls and I talked to people inside there before the balloting started.

I went in to some of them while the balloting was in process. In my opinion those people are permitted to vote as they see fit. I saw no evidence in any quarter of any coercion, intimidation of any kind. I was impressed with the way they feel of their right to vote there. They are very proud of it and very jealous of it.

Governor Muñoz-Marín, of Puerto Rico, appeared before our committee and testified. He talked with various members of the committee and made clear the pride which he, as an elected official of Puerto Rico, and the people of Puerto Rico, were entertaining in the right of voting.

ELECTIVE GOVERNOR LEGISLATION

It ought to be remarked that Governor Muñoz-Marín is the first elected Governor of the Island of Puerto Rico. Ever since the Spanish-American War, the United States has exercised control over the island through appointment by the President, with confirmation by the Senate, of a governor. The distinguished Senator from Nebraska [Mr. BUTLER] introduced a bill during the Eightieth Congress to grant to the people of Puerto Rico the right to elect their own governor, so that they would no longer be dependent upon a political appointee selected by the President of the United States from somewhere in the United States, and sent to the island to exercise executive authority there over local affairs.

As a member of the committee, I was very happy to join with the Senator from Nebraska in supporting that bill, securing a favorable report, and obtaining favorable action upon it by the Senate.

It was an inspiration to the people of Puerto Rico when they were granted the right to elect their own governor. As a result, they undertook in a very high-minded manner to fulfill the responsibilities extended to them in Public Law 600.

I said that Representative Bow, of Ohio, was one of those who went to Puerto Rico to observe the elections. He testified before the Senate committee, and I shall read his testimony from page 77 of the transcript of the hearing on Senate Joint Resolution 151 by the Senate Interim Committee.

Mr. BOW. The Independence Party were the ones who were opposed to the constitution and in many of the precincts that I visited I made it a point to talk to the Independence Party judge, and there was one present at every college where I attended and went in to check on.

When Representative Bow used the word "college," he was referring to a voting precinct. I resume the reading of his testimony:

I have some notes in the office of the names of some of them that I talked to. I made it a point to talk to them rather than the ones who were for the constitution. I asked each one of them whether there had been any intimidation or any attempt made to prevent the members of their party from voting.

In every instance I was told it was a completely free election and that they did have the opportunity to vote. Their representatives in every college I attended, the Independence Party was there. I remember one particularly who said, "Well, we are opposed to the constitution, but here we are as brothers in this election."

I can remember that one statement that was made. So they were present, the Independence Party. I did not find any of the Nationalists there, more or less the Communist Party, but the Independence who were the objectors were present.

Mr. President, here is the story of a people of Spanish extraction in the Caribbean—Latin Americans—who have accepted with enthusiasm the proffer of the Congress of the United States of an opportunity to draw their own constitution.

SUBMISSION TO THE PRESIDENT

Then the constitution came to Washington, in accordance with the authorizing law, and was submitted to the President of the United States, who in turn submitted it, with his approval, to Congress.

Mr. President, I ask unanimous consent that there may be printed at this point in my remarks a copy of the message of the President of the United States transmitting the constitution.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES TRANSMITTING THE CONSTITUTION OF THE COMMONWEALTH OF PUERTO RICO, ADOPTED BY THE PEOPLE OF PUERTO RICO ON MARCH 3, 1952

To the Congress of the United States:

I am transmitting to the Congress for approval the Constitution of the Commonwealth of Puerto Rico, adopted by the people of Puerto Rico on March 3, 1952.

The constitution has been submitted to me pursuant to the act of July 3, 1950 (64 Stat. 319 (48 U. S. C., Supp. IV, 731b–731e)). This act authorizes me, upon adoption of a constitution by the people of Puerto Rico, to transmit the constitution to the Congress if I find that it conforms with the applicable provisions of the act and of the Constitution of the United States. I do find and declare that the Constitution of the Commonwealth of Puerto Rico conforms with the applicable provisions of the act of July 3, 1950, and of our own Constitution.

Fully recognizing the principle of government by consent, the act of July 3, 1950, authorized the people of Puerto Rico to organize a republican form of government pursuant to a constitution of their own choosing. The act was adopted by the Congress of the United States "in the nature of a compact." By its own terms, the act could become effective only when accepted by the people of Puerto Rico in a referendum.

On June 4, 1951, the people of Puerto Rico voted by a large majority to accept the act of July 3, 1950, thereby reaffirming their union with the United States on the terms proposed by the Congress. Following the referendum, the voters of Puerto Rico elected delegates to a constitutional convention. The convention convened in San Juan on September 17, 1951, and concluded its deliberations on February 6, 1952.

The constitution approved by the constitutional convention was submitted to the people of Puerto Rico in a referendum on March 3, 1952. It was adopted by an overwhelming majority.

In the course of its studies and deliberations, the constitutional convention made a careful analysis of the constitutions of each of the States of the Union, as well as that of the Federal Government. As a result, the Constitution of the Commonwealth of Puerto Rico contains many provisions which are common to constitutions which have been

adopted by the States, as well as other provisions which are designed primarily to meet local problems.

The constitution establishes the government of the Commonwealth of Puerto Rico with three coordinate branches of government: legislative, executive, and judicial. The city of San Juan is designated as the seat of government.

The legislative power of the Commonwealth of Puerto Rico is vested in the legislative assembly, consisting of a senate composed of 27 members and a house of representatives composed of 51 members. Members of the senate and the house of representatives are to be elected by direct vote at each general election for a term of 4 years. Both United States and Puerto Rican citizenship are requisites for election to legislative office.

Under the constitution the executive power of the Commonwealth of Puerto Rico is vested in a Governor, to be elected by direct vote in each general election for a term of 4 years. To be eligible for election as Governor, a person must be at least 35 years of age and must have been, during the 5 years preceding the date of election, a citizen of the United States and a citizen and bona fide resident of Puerto Rico. The Governor is vested with the powers usually lodged in a chief executive under our form of government, including the right to veto bills enacted by the legislative assembly. The legislative assembly may override the Governor's veto by a vote of two-thirds of the total number of members of which each house is composed.

The judicial power of Puerto Rico is vested in a supreme court, and in such other courts as may be established by law. The supreme court is designated as the court of last resort in Puerto Rico and is to be composed of a chief justice and four associate justices. The justices of the supreme court are to be appointed by the Governor, with the advice and consent of the Senate of Puerto Rico, and are to hold office during good behavior. Justices now serving on the supreme court, who have been appointed by the President of the United States, are to continue to hold office during good behavior.

The constitutional convention gave careful consideration to the objective of ensuring an independent judiciary. It limited the number of justices of the supreme court to five members and expressly provided that the number cannot be increased except by direct request of the supreme court itself. Independence of the judiciary is further advanced by the provision of the constitution placing responsibility for administration of the entire judicial system in the chief justice of the supreme court, who is appointed for life and removable by impeachment only.

The new constitution contains a bill of rights which corresponds with the highest ideals of human dignity, equality, and freedom. The bill of rights includes provisions which are similar to our own basic constitutional guaranties. In addition, it contains express provisions regarding public education, conditions of labor, and the protection of private property. The bill of rights also recognizes the existence of certain human rights, but acknowledges that their full enjoyment depends upon an agricultural and industrial development not yet attained by the Puerto Rican community.

Amendments to the constitution may be proposed by a concurrent resolution approved by not less than two-thirds of the total membership of each house of the legislative assembly. The amendments must be adopted by a majority of the qualified electors either in a general election or in a special referendum.

The act of July 3, 1950, was the last of a series of enactments through which the United States has provided ever-increasing self-government in Puerto Rico.

The Treaty of Paris, which ceded Puerto Rico to the United States, was ratified and proclaimed 53 years ago. After a brief period of military government, the Congress in 1900 adopted the first Organic Act of Puerto Rico, known as the Foraker Act, which established a civil government for the island. By making provision for a popularly elected lower house of the legislative assembly, called the house of delegates, the Foraker Act extended some measure of local self-government to Puerto Rico. Preponderant control of the local government of Puerto Rico was retained by the United States, however, by virtue of the President's authority under the act to appoint the Governor, the heads of the executive departments, the justices of the supreme court, and the 11 members of the executive council of Puerto Rico.

The present Organic Act of Puerto Rico, enacted on March 2, 1917, provided a substantial advance in local self-government for Puerto Rico. By enacting the Legislature of Puerto Rico, composed of a popularly elected senate and house of representatives, it gave the people direct control over the legislative branch of the government. Concurrently the executive council created by the Foraker Act was divested of its legislative functions. An opportunity for greater participation in the formulation of executive policies was provided the people of Puerto Rico by authorizing the Governor, with the advice and consent of the insular senate, to appoint the heads of the executive departments, except the attorney general and the commissioner of education. Authority to appoint the Governor, the attorney general, the commissioner of education, the auditor, and the justices of the Supreme Court of Puerto Rico was reserved to the President of the United States. The act granted full United States citizenship to the people of Puerto Rico and gave them a bill of rights. It also authorized them to elect a representative to the Congress, accredited to the House of Representatives.

In 1946 I appointed the first native of Puerto Rico as Governor, Jesús T. Piñero.

By the act of August 5, 1947, the people of Puerto Rico were authorized to elect their own Governor. This act also provided that the heads of all executive departments of Puerto Rico were to be appointed by the elected Governor of Puerto Rico, including the attorney general and the commissioner of education. As a result of the act, therefore, the people of Puerto Rico assumed direct responsibility and control over the executive branch of the local government. The President of the United States still retained authority to appoint the auditor and the justices of the Supreme Court of Puerto Rico, but even this authority will be relinquished upon approval of the Constitution of the Commonwealth of Puerto Rico.

Through the act of July 3, 1950, providing for the establishment of a constitutional government in Puerto Rico, the United States gives evidence once more of its adherence to the principle of self-determination and its devotion to the ideals of freedom and democracy. The people of Puerto Rico have accepted the law as enacted by the Congress. They have complied with its requirements and have submitted their constitution for the approval of the Congress. With its approval, full authority and responsibility for local self-government will be vested in the people of Puerto Rico. The Commonwealth of Puerto Rico will be a government which is truly by the consent of the governed. No government can be invested with a higher dignity and greater worth than one based upon the principle of consent.

The people of the United States and the people of Puerto Rico are entering into a new relationship that will serve as an inspiration to all who love freedom and hate tyranny. We are giving new substance to man's hope for a world with liberty and equality under law. Those who truly love freedom know that the right relationship between a government and its people is one based on mutual consent and esteem.

The Constitution of the Commonwealth of Puerto Rico is a proud document that embodies the best of our democratic heritage. I recommend its early approval by the Congress.

HARRY S. TRUMAN.

THE WHITE HOUSE, *April 22, 1952.*

ACTION BY SENATE INTERIM COMMITTEE

Mr. O'MAHONEY. Mr. President, the joint resolution approving the constitution was referred to the Senate Committee on Interior and Insular Affairs. The committee examined the text of the constitution with the greatest of care. We felt that it might be desirable to eliminate what could be regarded as ambiguities in a portion of the bill of rights, found in article II of the proposed constitution. It will be remembered that Public Law 600 requires the adoption of a bill of rights to the constitution. The purpose of the bill of rights is to extend to individual citizens of Puerto Rico the same protection with respect to their local government which the citizens of the United States have with respect to their national government. It is designed to make certain that the insular government shall be an agency of the people, and that the people shall not be the subjects of the government.

In drafting the bill of rights, section II, the constitutional convention wrote in section 20, which reads as follows:

SEC. 20. The Commonwealth also recognizes the existence of the following human rights.

The right of every person to receive free elementary and secondary education.

The right of every person to obtain work.

The right of every person to a standard of living adequate for the health and well-being of himself and of his family, and especially to food, clothing, housing, and medical care and necessary social services.

The right of every person to social protection in the event of unemployment, sickness, old age or disability.

The right of motherhood and childhood to special care and assistance.

The rights set forth in this section are closely connected with the progressive development of the economy of the Commonwealth and require, for their full effectiveness, sufficient resources and an agricultural and industrial development not yet attained by the Puerto Rican community.

In the light of their duty to achieve the full liberty of the citizen, the people and the government of Puerto Rico shall do everything in their power to promote the greatest possible expansion of the system of production, to assure the fairest distribution of economic output, and to obtain the maximum understanding between individual initiative and collective cooperation. The executive and judicial branches shall bear in mind this duty and shall construe the laws that tend to fulfill it in the most favorable manner possible.

REASON FOR AMENDMENT

It was the feeling of the committee that this section might tend to confuse aspirations to be attained through agricultural and economic development by the people themselves with enforceable rights which the people themselves had, even as against the government and private property in Puerto Rico. Members of the committee discussed this question with the Governor of Puerto

Rico and other representatives, and we felt that it was desirable in the interest both of a complete understanding by the Congress and a complete understanding by the people of Puerto Rico to make clear that there should be no ambiguity, so the committee reported an amendment to Senate Joint Resolution 151, as follows:

On page 2, line 11, to strike out the comma and the words "effective as of the date of the enactment of this joint resolution." and insert in lieu thereof the following: "Except section 20 of article II of said constitution: *Provided*, That section 5 of article II thereof shall have no force and effect until amended by the people of Puerto Rico under the procedure prescribed by article VII of the Constitution of the Commonwealth of Puerto Rico by adding to such section 5 the following declaration: 'Compulsory attendance at elementary public schools to the extent permitted by the facilities of the state as herein provided shall not be construed as applicable to those who receive elementary education in schools established under nongovernmental auspices': *Provided further*, That the Constitution of the Commonwealth of Puerto Rico, hereby approved, shall become effective when the Constitutional Convention of Puerto Rico shall have declared in a formal resolution its acceptance in the name of the people of Puerto Rico of the conditions of approval herein contained, and when the Governor of Puerto Rico, being duly notified by the proper officials of the Constitutional Convention of Puerto Rico that such resolution of acceptance has been formally adopted, shall issue a proclamation to that effect."

The Resident Commissioner from Puerto Rico, Dr. ANTONIO FERNÓS-ISERN, who was chairman of the Constitutional Convention, and who so ably represents the people of Puerto Rico in the House of Representatives, was consulted with respect to this amendment. He gave his assent to it, and was successful in cooperating with the members of the House Committee on Interior and Insular Affairs to bring about the adoption of the same amendment in the joint resolution of approval which was considered by the House of Representatives.

COMMITTEE'S REPORT

I think it important to read what the Senate Committee on Interior and Insular Affairs said in its report with respect to section 2C of article II:

Section 20 of article II purports to recognize a number of so-called human rights. We may pass for present purposes the question as to whether these or any of them are in fact human rights and under our system of government should have constitutional protection.

To constitute an effective right there must be a well-founded and enforceable claim with a correlative and enforceable duty upon others to satisfy it. Corresponding enforceable duties to the rights asserted cannot be determined and fixed under section 20, and therefore it is unrealistic, confusing, and misleading to assert such rights in a constitution which is intended to be a fundamental and clear statement of matters which are enforceable and of the limitations on the exercise of power.

Because of the novelty of the assertion of these so-called human rights as constitutional rights the confusions and uncertainties to which we have referred are not remedied by our judicial precedents and constitutional history.

The declaration is not self-enforcing and it does not establish clear rights, duties, or bounds for legislative implementation. Indeed, the language of the last two paragraphs of the proposed section demonstrates the uncertain and speculative nature of the entire section.

We do not believe it advisable to approve the proposed section of a basic charter for government containing these obvious defects.

It is noted that sections 16 to 18, inclusive, state as rights a number of subjects which have been considered by legislatures and courts in American jurisdictions. The committee assumes that these sections are not intended to be self-executing but may be implemented by legislation containing standards and meeting other constitutional requirements.

Section 5 of the bill of rights reads as follows:

SEC. 5. Every person has the right to an education which shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. There shall be a system of free and wholly nonsectarian public education. Instruction in the elementary and secondary schools shall be free and shall be compulsory in the elementary schools to the extent permitted by the facilities of the State. No public property or public funds shall be used for the support of schools, or educational institutions other than those of the State. Nothing contained in this provision shall prevent the State from furnishing to any child noneducational services established by law for the protection or welfare of children.

FREEDOM OF EDUCATION

It was feared by the committee that the phrase to the effect that education "shall be compulsory in the elementary schools to the extent permitted by the facilities of the state" might be subject to misinterpretation, and might be held to mean that when the Puerto Rican Government erected or established facilities there could be no elementary education in any nongovernmental school. It was for that reason, again with the complete cooperation of all the representatives of Puerto Rico, that it was felt that the additional language which I have already read, and which is provided in the committee amendment, should be added by the constitutional convention.

Mr. President, I should like to read into the RECORD a letter dated May 20, 1952, from Hon. Luis Muñoz-Marín, Governor of Puerto Rico, to the senior Senator from Nebraska [Mr. BUTLER], the ranking minority member of the Committee on Interior and Insular Affairs:

LA FORTALEZA,
Washington, D. C., May 20, 1952.

HON. HUGH BUTLER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BUTLER: With regard to your query about section 20 of the Puerto Rican Constitution I can say to you categorically that it was not the intention of the constitutional convention, of which I was a member, to make the human rights therein mentioned mandatory for the courts or the legislature. Certainly it should be clear that it does not involve any responsibility whatever on the part of Congress. They are aspirations of something to be realized by the economy, and not by the constitution itself. They are in a way the equivalent of what in United States history was expressed as the "pursuit of happiness" in the Declaration of Independence rather than in the Constitution itself. The aspirations contained in section 20 have the same great moral value and the same entirely nonjusticiable character as the concept alluded to in the Declaration of Independence.

Of course, one cannot expect every Member of the Congress to be in agreement with every part of the Constitution of the Commonwealth of Puerto Rico, any more than one could have expected every member of the Constitutional Convention itself to be in agreement with every part of the Constitution which they so overwhelmingly approved as a whole. It is clear that voting for the constitution will not indicate personal agreement with every part of it. It will indicate only recognition of the right of Puerto Ricans to make their own constitution within the terms of law 600.

If it will help to clarify the significance of this section of the constitution, I have no objection whatever to this letter being made part of the record at whatever time you may consider proper.

With best regards.

Cordially yours,

LUIS MUÑOZ-MARÍN,
Governor of Puerto Rico.

Mr. President, recently Governor Muñoz appeared before the National Press Club here in Washington. I was present at the time, as were other members of the committee. I am frank to say that I know of no instance in which a speaker before the Press Club was received with greater enthusiasm, both when he began and when he concluded his speech, than was Governor Muñoz. He gave all present the impression of a sincere leader of his people, imbued with the principles of the Constitution of the United States, and desiring to improve the status of the people of Puerto Rico within the framework of the Constitution of the United States.

GOVERNOR AN ELOQUENT SPOKESMAN FOR AMERICANISM

I was deeply impressed with the manner in which he presented the story of the constitutional convention and the elections. We could have in the Western Hemisphere, if not indeed throughout the whole world, no better or more persuasive emissary than Governor Muñoz to preach the fact that the people and the Government of the United States do not want any part of imperial colonialism, and that they are now, as they have always been, supporters of the republican form of government and the subjection of government to the will of the people. I think it is important in this connection to invite attention to article VII, section 3 of the Puerto Rican Constitution. It reads:

No amendment to this constitution shall alter the republican form of government established by it or abolish its bill of rights.

The constitution also contains a direct provision by which the Governor loses a power which he now has under existing law, namely, the right to suspend the writ of habeas corpus. Under the proposed constitution, which had the Governor's support and which was drafted by the constitutional convention of the people of Puerto Rico, the powers of the Governor were decreased. They were not expanded in any way.

Mr. STENNIS. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. STENNIS. I should like to invite the attention of the Senator from Wyoming to section 11 of article II, which deals with jury trials. The second paragraph of section 11 reads:

In all prosecutions for a felony the accused shall have the right of trial by an impartial jury composed of 12 residents of the district, who may render their verdict by a majority vote which in no case may be less than 9.

My question is: Why was not the right of trial by jury extended to all criminal prosecutions? There may be some reason for it, and the chairman may know of a special reason for it.

Mr. O'MAHONEY. I am frank to say that I cannot answer the question at this moment. It was not raised in committee, nor in any of the voluminous correspondence.

Mr. STENNIS. If the Senator from Wyoming will yield further I had in mind, unless the Senator had a special reason against it, to propose an amendment which would read substantially as follows:

In all criminal prosecutions the accused shall have the right of trial by an impartial jury. In felony cases the jury shall be composed of 12 residents of Puerto Rico, who may render their verdict by a majority vote, which in no case may be less than 9.

In other words, the amendment would follow the provisions now contained in the constitution, except that in a misdemeanor case the accused would have the right to demand trial by an impartial jury, and the legislature then would have the authority to say how many persons would serve on the jury and what unanimity would be required for a verdict.

If the Senator from Wyoming wishes to have some time to look into the question, it would be agreeable to me. I am merely inviting his attention to it now.

Mr. O'MAHONEY. I was going to suggest to the Senator from Mississippi if he would write out an amendment I would be very happy to talk to him about it later.

Mr. STENNIS. That would be agreeable to me.

Mr. O'MAHONEY. I have before me "Notes and Comments on the Constitution of Puerto Rico," prepared under the leadership of Dr. ANTONIO FERNÓS-ISERN.

I find the following language on page 42 with respect to the jury trial provisions in the constitution:

For the first time the right of trial by jury is incorporated in the fundamental law of Puerto Rico. Congress did not include this right in the bill of rights of the organic act. The laws of Puerto Rico, however, provide for trial by jury in various felonies. The constitutional right is extended to all felonies, and verdicts may be rendered by a majority of nine jurors.

CONSTITUTION GOES FURTHER THAN PRESENT LAW

The point I tried to make is that the constitution goes further than the organic law enacted by Congress under which the island is presently governed, in the direction to which the Senator from Mississippi has referred.

Mr. STENNIS. I wonder whether the Senator believes that it would be proper to go further, because some misdemeanors can be very serious crimes indeed.

Mr. O'MAHONEY. I can understand that point very well.

Mr. STENNIS. I shall submit the amendment to the Senator from Wyoming.

Mr. O'MAHONEY. If the Senator would do so I would appreciate it very much.

Mr. President, I now ask unanimous consent to have printed in the RECORD in connection with my remarks a letter from the Honorable James R. Beverley, a prominent attorney of San Juan, Puerto Rico, who was Governor of Puerto Rico by appointment of President Herbert Hoover. The letter urges approval by the Congress of the Constitution of Puerto Rico.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SAN JUAN, P. R.,
February 19, 1952.

Hon. JOSEPH C. O'MAHONEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR O'MAHONEY: I have noticed recently in the press some references to an investigation of charges of dictatorship in Puerto Rico. I have lived here for nearly 30 years and was governor of the island under President Hoover. I can assure you that there is nothing in these charges of dictatorship. I have been all over the Caribbean area and I know what a dictatorship means.

Of coure, Governor Muñoz-Marin has a powerful influence in Puerto Rico. This is no more than could be expected in view of the fact that he was elected by an enormous majority of votes in an absolutely free election. (I did not vote for him and have never belonged to his party.) There has been no interference here with our courts nor any other acts typical of a dictatorship; in fact the courts are more independent now than they were under some of the governors appointed by the President.

Of course, the Governor has a great deal of influence with the legislature, in which his party has a very large majority in both Houses. It would be strange if it were otherwise. He has been able to put through his program of legislation, which by and large has been beneficial to the island. I have been personally against some of his measures, but to my mind his batting average is very high on good legislation.

Normally I would not care in the slightest whether an investigation were made here or not. An investigation can always find some things, but I think on the average it would find that he has done a great deal more good than most governors have. What worries me is the fear that the investigation, if made, may become mixed up with the question of the approval of the Constitution of Puerto Rico. The constitutional convention has recently adjourned after doing a very fine job in drawing up a liberal democratic constitution with all the guaranties which an American citizen can ask for. If the investigation gets mixed up with the constitution, a good deal of harm can be done in connection with the relations between the United States and Latin-American countries. In a way Puerto Rico is the demonstration to Latin-American countries of the fact that the United States is not imperialistic and has no designs on Latin-American territory, nor desire to control Latin-American internal affairs. The act of Congress permitting Puerto Rico to form its own constitution and set up a commonwealth, plus the constitution itself, comprise our exhibit No. 1 before the world and especially before the countries of Latin America.

I sincerely hope that if any investigation is made, it does not become mixed up with the question of the approval of our constitution by Congress. This matter may look small in Washington, but it is important to the people of Puerto Rico and is important to the relations between this Territory and the National Government, and between our National Government and Latin America. I think a matter of this seriousness should be considered carefully before any formal investigation is undertaken.

I reiterate that I hold no particular brief for Governor Muñoz-Marín. I have never belonged to his party and never expect to, but I must recognize that he has given us a good administration and has done a great deal for the welfare of the island.

I am writing you this letter simply as a citizen of Puerto Rico. I hold no government office and never expect to again (being a Republican).

I remember with great pleasure the opportunity I had to talk with you when you visited Puerto Rico some years ago.

Sincerely yours,

JAMES R. BEVERLEY.

Mr. LEHMAN obtained the floor.

Mr. MALONE. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. May I inquire for what purpose?

Mr. MALONE. To make a short statement.

Mr. LEHMAN. Mr. President, I shall be very glad indeed to yield to the Senator from Nevada for not more than 5 minutes, provided I do not lose the floor.

THE BILL OF RIGHTS—CONSTITUTION—PUERTO RICO

The PRESIDING OFFICER (Mr. MILLIKIN in the chair). Without objection, it is so ordered; and the Senator from Nevada may proceed.

Mr. MALONE. Mr. President, our chief concern is that in connection with approving the Constitution of Puerto Rico, the Congress of the United States does not relinquish important rights which thereafter it could not assert. Also, I believe it most important that the Puerto Rican Constitution not be subject to misunderstanding.

EDUCATION

I was gratified that the committee yielded to our objections, and inserted a provision that the educational provision of the Constitution of Puerto Rico shall not be construed as being applicable to those who receive elementary education in schools established under nongovernmental auspices. That provision of the proposed constitution was at variance with corresponding provisions of law in the United States.

REPUBLICAN REPRESENTATIVE FORM OF GOVERNMENT

In addition, section 2 of the proposed constitution, which sets forth a bill of rights, seems to outline, not a bill of rights, but a bill of hopes on the part of the persons writing the proposed constitution. In that connection I refer to page 2 of report No. 1720, at which point we find set forth certain observations which are based on the debate which occurred in the committee. I read the following from page 2 of the report:

The committee notes references in the proposed constitution to a "fully democratic basis" (preamble), "the democratic system" (preamble), "democratic heritage" (pream-

ble), "democratic system of government" (preamble), "the people in a democracy" (art. II, sec. 19).

Mr. President, I should like to say that for some time certain words and phrases have been used very loosely in reference to our own form of government. Therefore, perhaps those who drafted the proposed Puerto Rican Constitution have some basis for saying that they believe the United States has a democratic form of government. Of course, in the United States of America we do not have a democratic form of government.

Our theory of government is that of a democracy; but in undertaking to carry out that theory, we have adopted a republican representative form of government.

In that connection we should bear in mind the answer which Benjamin Franklin gave to an inquiring reporter, at the time when Mr. Franklin emerged from the Constitutional Convention. The reporter asked him, "What have you given us?"

Mr. Franklin replied, "We have given you a republican, representative form of government—if you can keep it."

Mr. President, recently we have not been doing a very good job of keeping it.

So I call attention to certain provisions which have not been deleted from the Puerto Rican Constitution, and which may lead some persons to believe that the United States of America has a democratic form of government, and that therefore Puerto Rico should aspire to a democratic form of government.

Mr. President, the Congress of the United States directed the people of Puerto Rico to set up a republican representative form of government, which they have done.

BILL OF RIGHTS VERSUS HOPES

I read now from the proposed constitution for Puerto Rico, article I, section 20, as it appears on page 13 of the committee report:

> The Commonwealth also recognizes the existence of the following human rights—

Here again, Mr. President, the Puerto Rican Constitution is entirely based on a misunderstanding of the kind of government we have in the United States of America, in that the proposed constitution for Puerto Rico asserts at that point:

> The right of every person to receive free elementary and secondary education.

Mr. President, no such provision is to found in our Constitution. Provision for education of that sort is had under certain congressional acts or under certain measures enacted by the States. In short, the Congress and the legislatures of the States have decreed that every person in the United States shall receive a free elementary and secondary education after determining that our economy will stand up under it.

I read further from article II, section 20, of the proposed constitution for Puerto Rico:

> The right of every person to obtain work.

Mr. President, all of us aspire to bring about in our country a government under which everyone can find work if he wishes to work. However, neither our Constitution nor our Bill of Rights asserts that the people of the United States are guaranteed the right to obtain work. We simply have that ambition and that aspiration, and our Congress and the legislatures of our States may only treat this question as their judgment dictates.

A socialist government purports to guarantee jobs, but also guarantees the confiscation and division of private property, which is forbidden by our Constitution and Bill of Rights.

I read further from that portion of the Puerto Rican Constitution:

> The right of every person to a standard of living adequate for the health and well-being of himself and of his family, and especially to food, clothing, housing, and medical care and necessary social services.
>
> The right of every person to social protection in the event of unemployment, sickness, old age, or disability.

Mr. President, the objectives there set forth are ones which we wish everyone to be able to reach, but the kind of government under which those privileges can be secured by individual effort is a free government, which we would lose if the Constitution guaranteed those things, for if they were guaranteed by the Constitution and the Bill of Rights, then if a man were without a job, he could sue the Government and thus could establish his right to a job. In that event, if it were found to be necessary to do so, property would have to be sold by the Government in order to make good on that alleged guaranty. This is not a republican representative form of government. This would constitute a Socialist form of government.

The PRESIDING OFFICER. The 5 minutes allotted to the Senator from Nevada have expired.

Mr. MALONE. Mr. President, will the Senator from New York yield two or three additional minutes to me?

Mr. LEHMAN. Mr. President, I ask unanimous consent that the Senator from Nevada may proceed for 3 minutes more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MALONE. Mr. President, I conclude by saying that every person in the United States, including myself, would like very much, under our system, to see every person arrive at the announced objectives, including all the enumerated hopes and aspirations in the proposed Constitution for Puerto Rico.

However, the people of Puerto Rico made the mistake of assuming that our hopes and objectives under a free government could be translated into a bill of rights and still retain the free government.

Evidently they understood from the loose statements about a democratic form of government in recent years in Congress that our Government guarantees all the objectives enumerated in the proposed constitution for Puerto Rico, whereas as a matter of fact, our Government does not guarantee them.

Our Government guarantees a type of government under which all of us have an equal right and opportunity to work to secure the things mentioned as objectives and to work to fulfill our ambitions to raise the standard of living of ourselves and of our families.

On the other hand, if the things set forth in the proposed Puerto Rican Constitution or bill of rights were to be guaranteed, Puerto Rico would no longer have the type of free government we in the United States have, under which a man can aspire to obtain those things.

IT WAS SAID PUERTO RICAN BILL OF RIGHTS MERELY OBJECTIVE

Let me point out that on May 6, 1952, in the Committee on Interior and Insular Affairs, the debate brought into focus this very point. At that time it was pointed out that the proposed bill of rights for Puerto Rico does not really mean what it says, but really amounts to a statement of ambitions, or objectives, and does not mean that the Puerto Rican government will guarantee everything that is set forth in such bill of rights for Puerto Rico. At that time, during the proceedings in the committee, I said:

> I may say that after all this jargon, we are not really relinquishing anything, in your opinion—

I was speaking to the chairman of the committee—

> that they can say these things in the bill of rights, but they are simply for purposes of the record.

It developed in debate that that is exactly what they thought they were; namely, a statement of ambitions and objectives, not rights. I pointed out at that time that such statements had no business in the proposed bill of rights since a bill of rights is enforceable and should be confined, as our own Bill of Rights is confined, to actual rights enforceable in the courts of the land.

Mr. CHAVEZ. Mr. President, will the Senator from Nevada yield to me?

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the junior Senator from Nevada be allowed 5 minutes more, so that I may ask him a question and he may answer it.

Mr. MALONE. One minute might suffice. That would be up to the junior Senator from New York.

The PRESIDING OFFICER. Does the Senator from New York yield further time?

Mr. LEHMAN. I was very glad to yield for 5 minutes, and for an additional 3 minutes; and, of course, I am very glad to accommodate my very great friend from New Mexico. But I ask that the interruption be confined to not over 4 or 5 minutes. Other Senators have been waiting for some time to get the floor.

Mr. CHAVEZ. I have but one question. I am interested in Puerto Rico. The Senator from Nevada has stated that certain things were stated to him in answer to some of his questions. It was indicated that whoever was answering for Puerto Rico was only stating an ambition or a desire, probably a laudable ambition. Is that what the Senator understood?

Mr. MALONE. The answer simply was that the bill of rights set forth these aspirations of the Puerto Ricans, and that they were not really rights that

would be passed upon by a court, such as a question affecting the sale of property. They were simply expressions of ambitions.

Mr. CHAVEZ. Is there anything wrong with patriotic people, situated under the circumstances in which the Puerto Ricans now find themselves, having an ambition or an aspiration to become at sometime like the citizens of the rest of the United States?

Mr. MALONE. Is that a question?

Mr. CHAVEZ. Is there anything wrong with that?

Mr. MALONE. Is that a question?

Mr. CHAVEZ. Yes.

Mr. MALONE. Then I would say "No," because in our own country, I may say to the distinguished senior Senator from New Mexico, the whole 160,000,000 of us aspire to the same things. But they are not provided in the Constitution of the United States. They are not in the Bill of Rights.

Mr. CHAVEZ. Does the Senator think such provisions should not be in the Constitution?

Mr. MALONE. They should not be.

Mr. CHAVEZ. I think the Puerto Ricans are agreeable to their not being in the constitution.

Mr. MALONE. I fully agree that they should not be. But I wanted to point out that all such provisions were not deleted. Section 20 was deleted and was supposed to be rewritten; but the preamble, which I read, was not rewritten.

Mr. CHAVEZ. There is a Puerto Rican in Walter Reed Hospital, a triple amputee, who was wounded while fighting for our own flag in Korea. Why should he not be permitted the ambition, why should he not be permitted to have the laudable desire, and why should he not eventually aspire to full citizenship in the United States?

Mr. MALONE. I certainly agree with my distinguished friend from New Mexico. That is exactly the point which the junior Senator from Nevada was making, that he should aspire, the same as we do. But if the provision were placed in a bill of rights, it would then be necessary to sell property, perhaps belonging to the senior Senator from New Mexico, in order to satisfy that right. But we do not have such a thing in our Bill of Rights and we do not have it in the Constitution.

Mr. CHAVEZ. With the indulgence of the Senator from New York, I desire to remind the Senator from Nevada what is happening in Puerto Rico at this moment, under the present administration. The Governor is a great American, in my opinion, with a full understanding of everything for which early Americans stood, and which have contributed to make America what it is today. I refer to business undertakings. Men have gone to Puerto Rico from Ohio, New York, Philadelphia, and other places, because of the opportunity granted them in Puerto Rico to operate their own business.

Mr. JOHNSTON of South Carolina rose.

Mr. MALONE. Mr. President, I should merely like to say, in answer to the question of the Senator from New Mexico that, first, I fully agree with my distinguished colleague from New Mexico. We both visited the Governor in Puerto Rico, and were fully satisfied with what the Puerto Ricans were trying to do. Business is going to Puerto Rico because there is an exemption from income tax. That is a very sensible thing. As a matter of fact, if I had a business in Puerto Rico, I would——

Mr. CHAVEZ. Would the Senator agree with me that possibly we should have an exemption from the income tax, once in a while?

Mr. MALONE. It might help some. There might not be so many businesses moving to Puerto Rico. I thank the Senator from New Mexico.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. LEHMAN. Mr. President, we are being asked to approve a constitution for the island of Puerto Rico, pursuant to a law enacted by Congress a year ago, authorizing the people of Puerto Rico to draft and adopt a constitution.

The proposal before us is unprecedented in the sense that Puerto Rico is not seeking admission into the Union as a State. The constitution we have before us is not a State constitution. The constitution we have before us provides for a new kind of relationship between the United States and one of its territories.

That relationship assumes, first of all, the supreme sovereignty of the United States in regard to the matters that are proper attributes of sovereignty—the conduct of foreign policy, of trade, of tariff, of defense, and of other matters clearly and necessarily within the sole province of the National Government.

But in regard to local affairs, this new constitution formally bestows upon the people of Puerto Rico a right they, in effect, already enjoy—the right of self-government. The Puerto Rican constitution makes no fundamental change in this regard. But this constitution does affirm and establish a new principle in the relations between the Federal Government and Puerto Rico—a principle that the people of Puerto Rico are entitled to have a voice in determining the exact form of their own government, within the framework of American principles.

There is no more precious principle in the entire lexicon of American rights and traditions than the principle of self-government, the principle of self-determination. We have recognized that the people of Puerto Rico may and must have the right to improvise and develop, according to their own genius, the specific constitutional framework of their local government. Congress must, by its own act and volition, relinquish the people of Puerto Rico the right to determine the form and substance of the basic laws governing local affairs.

Thus, the constitution whose approval is now before us represents a compact between the people of Puerto Rico and the other people of the United States—that the people of Puerto Rico accept the supremacy of Congress and the principles of the Federal Constitution while the Congress agrees to bestow upon the people of Puerto Rico the unquestioned right to regulate their own local affairs; we approve, in the name of democracy, the specific implementation which the Puerto Rican people have chosen to give to democratic principles in the machinery of self-government.

As I have said, Mr. President, this is an unprecedented document. It projects a new phase, not only in the relationship between Puerto Rico and the rest of the United States, but it also establishes a new type of relationship, new in our history, between the Nation and one of its Territories.

The marvel and the miracle of this new kind of relationship, however, is in its evolutionary rather than its revolutionary character.

It represents the evolution of a new concept of the relationship between the Federal Government and a Territory which does not, for the immediate future, aspire to actual statehood.

It is a dynamic concept and a dynamic evolution. It is a new concept and a new idea, but firmly based on the time-tested traditions of American democracy. This new concept has been best articulated by that brilliant leader of the Puerto Rican people, Governor Luis Muñoz-Marín, who said when he testified before the Interior Committee of the Senate recently:

> Puerto Rico is not the old reality of 1900 or 1917 or even 1945. It is a new star, even if not the forty-ninth, in the American sky. For a new reality we are making a new status. That is the dynamic American way.

We must remember that the United States acquired Puerto Rico by conquest and purchase without consulting the people of Puerto Rico. That was more than 50 years ago. In this half century Puerto Rico has been completely integrated into the American economy and completely steeped in the American traditions of democracy.

There is no more democratic and democracy-loving sector of our people than the people of Puerto Rico. Now the Puerto Rican people have spoken and acted in furtherance of those traditions. They have adopted a constitution. They are asking us to approve that constitution, representing the affirmation of their consent to permanent relationship with the United States.

For more than 50 years Congress has had the responsibility and the concern of making the laws for Puerto Rico. Gradually the people of Puerto Rico have been given more and more self-government.

And the successive acts establishing the governmental relationship between the Federal Government and the people of Puerto Rico have accumulated into a body of law called the organic law of Puerto Rico. The latest addition to this organic law was the act we passed in 1950, giving to the people of Puerto Rico the right to elect their own governor and their other top executive officials.

And, now, the people of Puerto Rico are, in effect, reenacting the organic law, accepting and reaffirming it as the expression of their own will as well as that of the Congress, but giving it the peculiar cast of their own local traditions and their own local genius.

The appropriate committees of the Senate and the House have held extensive hearings on this constitution. We have studied it carefully, article by article, section by section, and line by line. We have found that constitution to be wholly within the framework of the authorization we gave the people of Puerto Rico to draft a constitution. We have found it to be in the best and noblest of American democratic traditions and principles.

Two minor reservations have been made by the House and by the Senate Committees on Interior and Insular Affairs.

I am not particularly pleased with these reservations.

I wish they had not been made. I do not think they are at all necessary. They are reservations in regard to article 2 of the pending constitution, an article which recognizes the desirability of certain social rights already set forth in a United Nations declaration which the United States approved and supported in 1948. This declaration of desirable rights is not self-executing. They are not guaranteed rights. They are merely set forth as goals to be achieved when and as practicable and possible.

I happen to think that these goals are altogether proper. I should like to see them included in our own Bill of Rights.

I fully agree with the distinguished Senator from New Mexico [Mr. CHAVEZ]. I think it would be a good thing if they were in the mind of every man and woman in this country as goals to be achieved as the opportunity may present itself. I should like to see these goals included in our own Bill of Rights.

But in the Puerto Rican constitution these rights are not guaranteed but merely indicated as desirable. Certainly the Puerto Rican people have a right to set forth such goals in their constitution.

Nevertheless, the House decided to make these reservations and the Senate committee agreed that there was no fundamental harm in them.

But I should like at this point to insert in the RECORD an editorial on this very subject from the New York Times of May 27. I ask unanimous consent that this editorial be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HUMAN RIGHTS IN PUERTO RICO

The Senate committee which is considering the Puerto Rican constitution should before this have reported it out favorably, as the House committee did. This is the sort of opposition or obstruction to efforts at democracy in Latin America which so puzzles and disturbs our neighbors to the south. They read and hear and see us preach democracy to them year in and year out, and yet when a test case like this comes along they see democracy being blocked by Senators who care more for commercial interests in their State or for bugaboos connected with what they think is socialism.

The Puerto Rican constitution was carefully and expertly drawn up. It was voted overwhelmingly in a free election by the Puerto Rican people. In order for it to go into effect it must also be passed by the American Congress. President Truman, nearly a month ago, called on Congress to approve it. Governor Muñoz-Marín of Puerto Rico came to Washington to urge passage.

It has been blocked on two counts—one of them an attack by Senator JOHNSTON of South Carolina to the effect that Governor Muñoz-Marín is developing a dictatorship in Puerto Rico. This is not to be taken seriously, and apparently has mainly to do with the difficulties of a South Carolina builder in Puerto Rico.

The more serious attack comes from a group of Senators who object to the fact that the constitution contains a section on human rights and specifically, in article II, recognizes the desirability of many social rights, like education, work, standard of living, food, clothing, and medical care, which some Senators are confusing with "socialism."

The Puerto Rican bill of rights happens to be modeled on the United Nations declaration which the United States supported in 1948. It is not socialistic, and there is an escape clause in the section acknowledging that these are long-range ideals which Puerto Rico cannot implement today. It will make an extremely bad impression throughout Latin America if this section on human rights is expunged from the Puerto Rican constitution by North American pressure, or if the constitution as a whole is unnecessarily delayed.

Mr. LEHMAN. Mr. President, while it may have been the better part of wisdom, or at least of graciousness, for us to forego these reservations, I do not think they are significant enough to justify endangering or delaying further the approval of the constitution. If the addition of these reservations gives comfort to some of my colleagues, I will, as I did in committee, reluctantly agree to them.

It is vitally important that we should not delay the approval of this constitution any more than has already been necessary. The people of Puerto Rico are planning to promulgate this constitution on July 4, on our own Independence Day.

It is fitting and very suitable that the day of American independence should be given added meaning in Puerto Rico by the promulgation in that island, on that day, of this new charter of Puerto Rican self-determination.

The added meaning which will be given to this day in Puerto Rico will have friendly and sympathetic repercussions throughout the Western Hemisphere, and, indeed, throughout the world.

We may well take note that on July 4, 6 years ago, we gave independence to the people and the Republic of the Philippines. We acquired the Philippines, too, at the same time and by the same act by which we acquired Puerto Rico.

And July 4 is now celebrated in the Philippines as Independence Day with a fervor which equals our own. It is a day of patriotic dedication, but it is also a day of reaffirmation of Philippine ties with the United States.

So it would be peculiarly fitting that July 4 be observed in Puerto Rico as the day of the promulgation of the Puerto Rican Constitution, as well as of American independence.

The people of Puerto Rico, of course, have followed quite a different course from that pursued by the people of the Philippines. The Filipino people wanted complete independence and we honored their desires by granting them that independence.

By the act of granting independence to the Philippines, we drew those people closer to us than by any other act we had ever performed. Today they are among our stanchest friends and firmest allies. They have stood firm in the face of tremendous odds and difficulties in maintaining the democratic pattern which we helped lay down in those distant islands of the Pacific.

The people of Puerto Rico are of a different racial stock than the people of the Philippines, but they have proved the universality of the democratic idea by embracing with equal devotion the ideas and practices of democracy. And the Puerto Rican people have further decided that they desire to remain a part of the American sovereignty and to remain inextricably associated, as American citizens, with the American destiny. We can well be gratified that this has been and is the choice of the Puerto Rican people.

We can best show our gratification not only to the people of Puerto Rico but to the people of the entire world by approving, by overwhelming vote, the Puerto Rican Constitution and by entering freely and fervently into this new ground-breaking compact which points the way to new frontiers in the American system of government and the American relationship with dependent Territories.

REPORT OF THE PRESIDENT'S MATERIALS POLICY COMMISSION

Mr. JOHNSON of Texas. Mr. President, I should like to make a few brief comments upon a highly important document that has just been released for publication. It is the first volume of the final report of the President's Materials Policy Commission.

The Commission, headed by William S. Paley, has tackled the most crucial problem of our time. It is the question of where we are going to find the materials to feed, clothe, and house a population that is growing by leaps and bounds.

It is impossible to conceive of a question more crucial to the future of our people. Upon the answer depends victory or defeat in war and prosperity or misery in peace. Either way, the issue is the survival of the United States as we and our ancestors have known it.

This is a problem new to Americans. We are a people accustomed to abundance—a people who have lived amidst limitless forests, broad and fertile fields, lands rich in minerals beyond the imagination of man. In the past, our achievements were bounded only by our desires and by our willingness to shape this fabulous wealth into the goods and tools of commerce.

Today we are supporting a Nation of more than 151,000,000 people while diverting a significant share of our riches to production of the weapons of war. In addition, we are the economic and political prop of the free world.

These things we are doing without exhausting our materials or our capacity to produce. We have not approached

our limits of achievement, nor are those limits within sight.

Nevertheless, we have entered an era in which the strain of this tremendous productive effort is telling on our economy. It is reflected in rising prices, in the higher cost of living, in the pressures that make for inflation.

This strain—these pressures—will continue to grow unless we act wisely now to conserve—to save—to plan for the future. The figures produced by the Paley commission spell out this need in unmistakable terms.

By 1975, it is estimated we will have a population of 193,000,000.

This population will require 90 percent more metals, fuels, and other minerals.

They will need double the present output of energy.

There will be a demand for a 170 percent increase in the supply of industrial water.

A 40 percent increase in agricultural products will be needed.

The impact of these demands will be felt by a nation that has cut 90 percent of its virgin timber; depleted its mineral resources with a lavish hand; and exhausted much of its most fertile topsoil. There will be a pinch and the pinch will hurt.

But the pinch can be softened—if not avoided altogether—if we act now with prudence and foresight. The report of the Paley commission points the way to a future we can meet with confidence. It lays a basis for a hard-headed approach to the problems that confront us.

The Paley report is realistic but not pessimistic. It recognizes the difficulties and does not attempt to minimize them. But, at the same time, it believes they can be met and sets forth cogent reasons for this belief.

Personally, I do not agree with all the recommendations in the report. But I believe it is a thorough, painstaking, yet bold and daring study of a complicated and vast field. It is a report which reflects the high caliber of the members of the commission.

I think the Nation owes a debt of gratitude to Mr. Paley and his associates—George R. Brown, Arthur H. Bunker, Eric Hodgins, and Edward S. Mason. They have grappled with tremendous problems and they have produced a monumental work.

APPROVAL OF THE CONSTITUTION OF PUERTO RICO

The Senate resumed the consideration of the joint resolution (S. J. Res. 151) approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952.

Mr. SMATHERS. Mr. President, we have before us today a joint resolution by means of which the Congress can approve a constitution to provide self-government for Puerto Rico. To many this is of very minor importance, but to our Nation affirmative action is of vital interest. The constitution of Puerto Rico is more than a mere piece of paper. It is the expression of a people's hope for freedom and the long held aspiration to govern themselves. We in Florida are particularly interested in Puerto Rico, because of its nearness to our State and because the cultural background of its people closely resembles that of a large segment of the population of our State. Similarly, this island is the only part of Latin America that is under the United States flag. Other parts of the Caribbean area look to Puerto Rico as the expression of the great neighbor to the north of its interest in the development and well-being of Latin America. Puerto Rico should be the outstanding example of a developing people, given individual freedom and prosperity under the guidance of our country.

It is toward this small island that much of the attention of the world is focused, because here the glittering generalities of democracy—self-government and freedom—so often expressed in meetings of the great powers, have to be put in operation.

If we do not practice what we so ably preach, then the rest of the world will look with some doubt on our support of the free world and the assurance of the chance of every country to govern itself.

Mr. President, too few of us realize the potentialities of Puerto Rico. Here we have a small island of only about 3,500 square miles. In this small area, according to the last census, live well over 2,000,000 people. This makes for a population density of 645 people per square mile. If all the people of the world were put into the continental limits of the United States, we would have the same population density that exists in Puerto Rico today. As if this tremendous population were not sufficient, this island enjoys the fastest rate of population growth in the world. There is a net increase of 30 people per thousand each year. If that rate continues for the next 25 years, the result will be to double the population of this small and already overcrowded island.

The large number of people living in this confined area would not present any great problem if the Puerto Rican economy was a highly industralized one. Unhappily, such is not the case, for Puerto Rico is essentially an agricultural community. The leaders of the present government, particularly the able Governor, Luis Muñoz-Marín, and Puerto Rico's distinguished Resident Commissioner, Dr. FERNÓS-ISERN, fully realize that if Puerto Rico is to survive, industrialization must be rapidly achieved. To accomplish this a government organization, the Economic Development Administration, better known as Fomento, has been planning and building industrial plants of all types. To attract the necessary industries, an income and property tax exemption until 1960 is given a number of types of new enterprises. The other main inducement for industries to move to Puerto Rico is the very plentiful labor supply; for with the tremendous population growth, labor is readily available. Fomento, upon attracting the necessary industries and getting the factories started, then sells its interest to private individuals, for the present government has learned from experience that privately owned and privately operated manufacturing plants are the most efficient.

The development of this productive capacity in Puerto Rico necessarily means that she must market these products not only at home but abroad. This she does chiefly to the United States. In the fiscal year 1951, nearly $300,000,000 worth of merchandise moved to the United States from Puerto Rico. In the same year, Puerto Rico purchased $400,000,000 worth of goods from us. With a trade of nearly $700,000,000 between Puerto Rico and our country, one can readily see the importance of giving these people a greater measure of self-government, so that they may be able to develop further their resources and abilities as free men and women.

Mr. President, Puerto Rico has often been called the Gibraltar of the Caribbean. Today the headquarters of the Tenth Naval District is there. The Army Antilles Command is quartered there, and the Air Force has its Fifty-fifth Strategic Reconnaissance Wing based in Puerto Rico. These headquarters and bases alone do not tell the real story of the contribution of this little island to our defense effort. More than 75,000 Puerto Rican youths served the cause of the United States during the Second World War, and I might say that they served with extraordinary gallantry.

I may say that the able senior Senator from Florida [Mr. HOLLAND], who now sits in the Vice President's chair, and who has long been a friend and benefactor of the people of Puerto Rico, will remember that he, as Governor of Florida, saw many of the gallant sons of Florida serve in units with young men from Puerto Rico, and together they made a most enviable record in all the battles up and down the Italian peninsula. In the Korean conflict the Sixty-fifth Infantry Regiment has been fighting valiantly for the cause of democracy, and this regiment is made up almost entirely of Puerto Ricans.

Mr. President, there may have been some misunderstanding about the past expenditures of Federal funds in Puerto Rico. I should like to point out that while Congress appropriates for the support of the other Territorial governments, such as those of Hawaii, Alaska, and the like, no appropriations are made for the Government of Puerto Rico. In this sense, Puerto Rico occupies a rather unique position, similar only to that of the Philippine Islands while that country was under United States sovereignty. Presently, the Puerto Ricans have their own tax system and finance their government operations from these revenues. In 1949 and 1950 they collected from all types of taxes more than $100,000,000, and so far as I have been able to determine, the government of Puerto Rico for some years past has been able to maintain a balanced budget—an accomplishment which we in the United States in recent years have not been able to achieve.

I am sure that all of us realize that in this case we are dealing with more than a small island populated by a few individuals lacking in initiative. On the con-

trary, we are dealing with a large number of people who, with great fervor, look toward self-government. These people accepted the guidance of the Congress and the President, as expressed in Public Law 600, and developed a basic constitution under which they would be able to have local self-government in the years to come. Today we who serve in the Senate are called upon to approve that constitution.

In selecting the members of the constitutional convention and in ratifying the constitution, an interest in their own government was evidenced to an extent greater than has ever been the case in our country. More than 80 percent of the people of Puerto Rico participated in ratifying the constitution. Representative CHESTER MCMULLEN, of the First Congressional District of Florida, and Representative FRANK BOW, both of whom are Members of the House of Representatives Committee on Interior and Insular Affairs, went to Puerto Rico and observed the referendum while it was proceeding. Both these gentlemen returned and reported that they were singularly impressed with the complete fairness of the election and the serious and enlightened interest that all the electorate had in casting their ballots for or against ratification of the constitution. Of the 783,610 qualified voters, 463,828, or nearly 60 percent, voted in that referendum. The constitution was overwhelmingly adopted by the vote of 81 percent of those who cast their ballots. The constitution was then presented to the President of the United States, who, after finding that the requirements of Public Law 600 were met, in a message to the Congress recommended approval by Congress of the constitution.

When this document reached your committee we found objectionable features in only two provisions of the constitution, namely sections 5 and 20 of article II. Section 5 would have specified certain educational rights which could have interfered with educational institutions not operating under government auspices. To prevent this problem from arising, Senate Joint Resolution 151 was amended by your committee so as to provide that there should be added to this section a declaration that compulsory attendance in elementary public schools should not be construed as applicable to those children who receive such education in private institutions. In other words, we guaranteed the right of children to go to a private institution if they so desired.

Section 20 of article II sets out as part of the bill of rights certain human rights, such as the right of every person to a standard of living adequate to maintain his health and well-being and especially his food, clothing, housing, and medical care. Your committee thought this was merely a declaration of the hopes and aspirations of the people of Puerto Rico, and not a declaration of an inalienable right of each individual to have these wants supplied by the state and to have them enforced by the new government. If this section had appeared as part of the preamble, there would probably have been no objection at all to it on the part of your committee. Its appearance, however, as part of the bill of rights could be interpreted as giving to each individual a legally enforceable claim against the government for such services. Your committee, therefore, decided that this part of the constitution should be deleted, and this would be accomplished by Senate Joint Resolution 151.

Mr. President, the pending joint resolution would approve the Puerto Rican constitution after the constitutional convention of Puerto Rico has declared in a formal resolution its acceptance of the amendment to section 5 and the complete deletion of section 20.

With these changes, it is my fond hope the Senate will approve this constitution today and I certainly urge such action upon the Members of the Senate so that the development of a local government by the people of Puerto Rico will soon be a reality, and the people of that island, who have so long aspired to be free individuals, governing themselves, will be given both the right to select and elect their own officials and to enjoy the rights of a free people, in the same manner that we here in the United States are free. Certainly the time has come to give to those valiant courageous and freedom-loving people this right which they have so long sought and which they have so richly earned. Mr. President, I yield the floor.

Mr. JOHNSTON of South Carolina. Mr. President, I may say at the outset that all of us believe that the Puerto Ricans should have some form of self-government, though we may differ in regard to the kind of self-government they should have. I, for one, believe that we should approve a constitution which would give to the people of Puerto Rico rights and privileges similar to those which we enjoy in the United States, but certainly no greater rights or privileges than we enjoy under our Federal and State constitutions. It is true that during the past 4 or 5 years a great many people have gone from the United States to Puerto Rico, where they have assisted in the development of the island. The Senator from New Mexico mentioned that fact. There was a reason for it. Were it not for the income tax, I believe that a great many people within the United States would invest more of their money here. There are people in the United States whose incomes are sufficiently high to place them in the bracket which requires them to pay 80 percent of their income to the States and to the Federal Government. When people go to Puerto Rico, they do not there have to pay an income tax, either to Puerto Rico or to the United States. It is surprising to me that more people do not go to Puerto Rico.

For what we have given to Puerto Rico we have received nothing in return. For the millions of dollars we have expended on Puerto Rico we have asked nothing in return, either by way of taxes or otherwise. I feel that we have been very good to the people of Puerto Rico.

I was impressed a few moments ago by the remarks of the junior Senator from Texas [Mr. JOHNSON] regarding the population of the United States having increased at a rapid rate. It is nothing compared to the increase in population in Puerto Rico. In about 1910 Puerto Rico had only about 600,000 people. Today it has a population of almost 2,500,000, despite the fact that 600,000 Puerto Ricans have emigrated to New York. I believe the Senator from Florida will confirm the statement there are about 75,000 Puerto Ricans in the State of Florida.

Mr. SMATHERS. I would say to the Senator from South Carolina I imagine we have easily 75,000 Puerto Ricans in Florida; and, I may add, we are most happy to have them there.

Mr. JOHNSTON of South Carolina. I am not saying whether they should or should not be in the State of Florida. I do not blame the Senator from Florida, however, since he is receiving the votes.

Mr. SMATHERS rose.

Mr. JOHNSTON of South Carolina. I do not blame the Senator for not saying anything against the 75,000 Puerto Ricans in Florida, and I do not think the Senator from New York will have anything to say against the 600,000 Puerto Ricans who have come to his State. Has the Senator from Florida checked to see how many Puerto Ricans there are on the relief rolls of his State? I should like also to have the Senator from New York tell me how many Puerto Ricans there are on the relief rolls in his State.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Florida?

Mr. JOHNSTON of South Carolina. I yield.

Mr. SMATHERS. I should like to say to the Senator from South Carolina that I do not have even a vague idea as to how the Puerto Ricans in Florida voted. I would hope, of course, that they expressed their customary intelligence and had voted for me. In any event, I may say that, so far as the relief rolls in Florida are concerned, I am sure that the percentage of Puerto Ricans on the relief rolls is not higher than the percentage of other transplanted Floridians on the rolls. We have in the State of Florida a great many wonderful people from South Carolina, from North Carolina, and from all over the United States. That is what makes Florida the great State it is. We are happy to have them.

Mr. JOHNSTON of South Carolina. I believe that a great many people, when they get ready to retire, go to Florida, where I understand there is no State income tax. There is such a tax in all the other States.

In regard to the Puerto Rican Constitution, I may say, that we can give the people of the island a constitution, or not give them one. I want Puerto Ricans to know that. We are merely giving them a right to have a constitution and to elect their officials. They have already elected a governor. I want to put safeguards around their enjoyment of the rights granted. I have examined the various provisions of the proposed

constitution, and desire to indicate certain provisions which I think should be corrected.

With respect to the election of a governor, I may say I have served as the governor of a great State and I know the power that a governor may wield in building up a political machine, if he so desires. In Puerto Rico, under this proposed constitution, a governor could be elected not only once, not only twice, not only three times, not only four times, but as many times as he might be able, through the building up of his power, to obtain reelection. Under the proposed constitution, power is taken from the people and given to the governor—more power than is given to the governor of any of our States.

Mr. President, a man who is in office, either as a governor or as President, has it within his power to build up a great political machine. Why was the Constitution of the United States amended recently so as to prohibit one man being elected to the Presidency for more than two terms? Why is it that in nearly all the States a man is prohibited from serving as governor for more than 4 years?

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. O'MAHONEY. Did the Senator from South Carolina support the candidate for President of the United States who was nominated by the Democratic Party in 1940?

Mr. JOHNSTON of South Carolina. I not only supported the nominee of the Democratic Party for the Presidency in 1940, 1944, and 1948, but in all probability I shall support the nominee of the Democratic Party in 1952. I have never at any time voted against the man nominated to be President by the Democratic Party.

Mr. O'MAHONEY. I knew that would be the Senator's answer. But it shows that, in 1940, and in 1944, he voted for a third and a fourth term.

Mr. JOHNSTON of South Carolina. The Senator from South Carolina has no apology to offer.

Mr. O'MAHONEY. Of course not.

Mr. JOHNSTON of South Carolina. The Democratic Party was acting within the Constitution of the United States when it renominated the President.

Mr. O'MAHONEY. That is precisely what I was pointing out. So, if it was all right during the period of a century and a half for the Constitution of the United States to contain no prohibition against the reelection of a President for more than 2 terms, and if it is proper for certain of the States to have no prohibition against the repeated election of a governor, it certainly is not wrong for Puerto Rico to follow those two notable examples.

Mr. JOHNSTON of South Carolina. How many States are there which have no prohibition of that kind?

Mr. O'MAHONEY. There are several.

Mr. JOHNSTON of South Carolina. There are very few. Some of them go so far as to provide that a governor cannot even run for election again until he has been out of office for 4 years. Why? Because they know that great power is built up in a governor's office. He appoints officials throughout the State, and, in that way he can build up a powerful political machine. I shall not do anything to contribute to the building up of a dictatorship in Puerto Rico. If one should be built up, it can readily be said, "Senator JOHNSTON of South Carolina did not have anything to do with it."

Mr. O'MAHONEY. I merely say to the Senator that every single argument he has made applies to those States in which there is no prohibition of the kind referred to, and I will say to the Senator that I have known of no case in any State of the United States where the power of the people to reelect their officials has been abused. I have no reason to believe that it would be abused by the people of Puerto Rico.

Mr. JOHNSTON of South Carolina. So far as I am concerned, I am in favor of so arranging it that it cannot be abused.

Mr. SMATHERS. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield to the distinguished Senator from Florida.

Mr. SMATHERS. I think the Senator from South Carolina would have to admit that in New York State there is apparently no prohibition of the kind we have been discussing. There seems to be no limit to the number of times a person may be elected governor. The junior Senator from New York [Mr. LEHMAN], who is now a Member of this body, was Governor of the State of New York four times. One of the contestants for the presidential election is the Governor of the State of California. There are 18 States which have no prohibition as to how many times a man may be elected governor; and we have yet to see an instance in which a dictatorship has been established or where the power of the people has not always been supreme.

Mr. JOHNSTON of South Carolina. I think it will be found that in the majority of those 18 States a person may be elected for only 2 years instead of 4 years, because in that way State officials are kept closer to the people. A great many States elect governors for only 2 years instead of for 4 years. In my own State the Governor is elected for a term of 4 years, and a man is not eligible for immediate reelection. I was Governor for 4 years, stayed out for 4 years, and then went back. Even after being out I had sufficient machinery still operating. It was said that I did not have a chance, but it was the easiest campaign I ever had to conduct in my life, when I was elected the second time after being out for 4 years.

Mr. SMATHERS. Then, does the Senator agree that it is possible in his State to build up a machine without Puerto Ricans?

Mr. JOHNSTON of South Carolina. We do not have many of them in South Carolina. Since the Senator has mentioned that point, let me say that most of the people in my State were born and reared there. According to the census of 1940 only four-tenths of 1 percent of the people of South Carolina were foreign born or had a father or mother who was foreign born. Not many States can say as much. I speak mostly for people who were born in the State of South Carolina. There are not many Puerto Ricans in South Carolina.

Mr. President, I have an amendment which I wish to send to the desk to be considered at the proper time. It reads as follows:

Section 2 of article IV is amended to read as follows:

"SEC. 2. The Governor shall hold office for the term of 4 years from the 2d day of January of the year following his election and until his successor has been elected and qualifies, and shall not be eligible for reelection. He shall reside in Puerto Rico and maintain his office in its capital city."

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. I did not quite get the import of the Senator's amendment. As I understand, it would limit the Governor to two 2-year terms.

Mr. JOHNSTON of South Carolina. There is a 4-year term in their constitution. My amendment adds the words "and shall not be eligible for reelection."

Mr. CHAVEZ. That is the situation in many of the States of the Union.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. CHAVEZ. After 4 years a man is not eligible for reelection. In my State there are two 2-year terms.

Mr. JOHNSTON of South Carolina. That is the import of my amendment. I am offering it for this reason: We know that in South American countries, when a man takes office he uses pressure at times in order to be reelected.

Mr. CHAVEZ. That happens once in a while in our country.

Mr. JOHNSTON of South Carolina. Yes. I think my amendment will have a good effect and will be for the benefit of the people of Puerto Rico. I find that most of the letters I am receiving from Puerto Rico are in favor of this particular amendment.

Mr. CHAVEZ. I think the amendment represents sound judgment, and I say so with all respect for the Governor of Puerto Rico whom I regard as a great American. Knowing the Governor of Puerto Rico as well as I do, knowing his knowledge of the concepts of our American institutions, I, for one, feel that he would have no objection to an amendment of the type offered by the Senator from South Carolina. The Governor of Puerto Rica loves the concepts of liberty which our fathers had in mind at the time our Constitution was framed. So, without asking him the question, I would say that I believe he would have no objection whatsoever to the amendment offered by the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I am glad to hear the Senator from New Mexico make that statement.

My effort is to try to give to the people of Puerto Rico a constitution which will better serve them, and, at the same time, protect the United States. We must remember that we shall have dealings with

them. The Constitution does not cut off our connections with them.

Mr. CHAVEZ. I wish the Senator from South Carolina were acquainted with the basic patriotism and loyalty of the Governor of Puerto Rico, who, I know, does not want to do anything contrary to the principles which are dear to us. Even our own Constitution had to have added to it the first 10 amendments; so it would not be surprising to find something in the Puerto Rican Constitution which needs amendment.

I should like to have the American people realize that if mistakes were made, it was not because the Puerto Rican people were not loyal or patriotic or sincere in their attitude toward the United States. Their mistakes could have been mistakes of the head, not of the heart, desire, wish, or conscience. Possibly their mistakes have been made as we daily make them in the Senate. We may have before us a piece of proposed legislation supposedly designed to help the people as a whole, but a question may be raised about a little mistake in some clause. How is that brought about? It is merely a slip, not a mistake—the result of intention.

All I desire is to have the people of the continental United States——

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The hour of 4 o'clock having arrived, the unanimous-consent agreement previously entered into is now in effect. The clerk will read the unanimous-consent agreement.

The Chief Clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, beginning at the hour of 4 p. m. today, further debate upon the joint resolution (S. J. Res. 151) approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952, if its consideration has not in the meantime been concluded, be limited as follows:

Thirty minutes on any amendment or motion (including appeals), and on the question of the final passage of the said joint resolution, the time on the committee amendment and the passage of the bill to be equally divided and controlled, respectfully, by Mr. O'MAHONEY and the minority leader or someone designated by him, and the time on individual amendments or motions to be equally divided and controlled by the mover of any such amendment or motion and Mr. O'MAHONEY: *Provided*, That if Mr. O'MAHONEY is in favor of any such individual amendment or motion, the time in opposition thereto shall be controlled by the minority leader or someone designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said joint resolution shall be received.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The CHIEF CLERK. On page 2, line 11, it is proposed to strike out, after the name "United States", the words "effective as of the date of the enactment of this joint resolution" and insert "except section 20 of article II of said constitution: *Provided*, That section 5 of article II thereof, shall have no force and effect until amended by the people of Puerto Rico under the procedure prescribed by article VII of the constitution of the Commonwealth of Puerto Rico, by adding to such section 5 the following declaration: "Compulsory attendance to elementary public schools to the extent permitted by the facilities of the State as herein provided, shall not be construed as applicable to those who receive elementary education in schools established under nongovernmental auspices": *Provided further*, That the constitution of the Commonwealth of Puerto Rico hereby approved, shall become effective when the Constitutional Convention of Puerto Rico shall have declared in a formal resolution its acceptance in the name of the people of Puerto Rico of the conditions of approval herein contained, and when the Governor of Puerto Rico being duly notified by the proper officials of the Constitutional Convention of Puerto Rico, that such resolution of acceptance has been formally adopted, shall issue a proclamation to that effect."

The PRESIDING OFFICER. Does the Senator from South Carolina wish to offer his amendment to the committee amendment?

Mr. JOHNSTON of South Carolina. I think it would be in order to do so at this time, and I now offer my amendment.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from South Carolina to the committee amendment.

The CHIEF CLERK. At the end of line 17, page 3, before the period, it is proposed to insert a colon and the following proviso:

Provided further, That section 2 of article IV is amended to read as follows:

"SEC. 2. The Governor shall hold office for the term of 4 years from the second day of January of the year following his election and until his successor has been elected and qualifies, and shall not be eligible for reelection. He shall reside in Puerto Rico and maintain his office in its capital city."

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 15 minutes.

Mr. JOHNSON of Texas. Mr. President, does the Senator from South Carolina desire to have a quorum called?

Mr. JOHNSTON of South Carolina. I do.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

Mr. JOHNSTON of South Carolina. May it be understood that the time for the quorum call will not be charged to the time for which I have been recognized?

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. JOHNSTON of South Carolina. Mr. President, the amendment which I have sent to the desk would amend the Constitution of Puerto Rico so as to limit the term of Governor to 4 years, and it would not permit him to be reelected.

Thirty States in the United States have a similar provision. I think it would certainly be wise for us to place such a provision in the Puerto Rican Constitution. We know that from time to time there has been trouble in Latin-American countries. There seems to be a tendency in some countries for certain individuals to obtain control of the government and keep control; I do not say that the present Governor of Puerto Rico would do that, but I think we ought to throw as many safeguards as possible around the constitution so as to protect the people of Puerto Rico as well as the people of the United States.

On reading the minutes of the Constitutional Convention of the United States I find that there was a lengthy discussion of this very subject. Some wanted to place a limitation in the Constitution in regard to the term of office of the President of the United States. That was not done. But only recently Congress proposed to the States an amendment to the Federal Constitution limiting the term of the President of the United States, and the amendment to the Constitution was ratified by the necessary number of States.

I have not been able to find a single instance of a State which adopted such a limitation subsequently abandoning it. However, I have found a number of instances of States which originally had no such limitation but later placed such a limitation in the State constitution, preventing the governor from serving beyond a certain number of years.

In most of the States the limit is 4 years. In its original constitution my State did not have such a limitation. However, one was finally written into the constitution in 1924, which limits the term of office of the governor to 4 years and makes him ineligible for reelection.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. LONG. I am in sympathy with much of the Senator's argument to the effect that it should not be possible for a governor to continue to serve indefinitely, and continue to be reelected time after time. However, it seems to me that such a proposal should have been submitted at the time the people of Puerto Rico were authorized to write a constitution for themselves. It is a question whether this is the time to insist upon such a stipulation in their constitution.

Many States permit the governor to succeed himself. In most of such States the term of the governor is 2 years rather than 4 years. It is my guess that in States where the governor serves for as long as 4 years there is a limitation that he may not succeed himself. Nevertheless, does not the Senator believe that it would have been much more appropriate to have made his proposal at the time the law was enacted which authorized the people of Puerto Rico to submit a constitution, on the theory that we were proposing to let them rule themselves

and adopt their own body of law rather than to tell them what the law must be?

Mr. JOHNSTON of South Carolina. I will answer the Senator from Louisiana by saying that I doubt whether there are very many Members of the Senate at the present time who knew what the people of Puerto Rico were going to write into their constitution. I doubt whether any Senator—or, at least, very few—made any kind of recommendation to the Puerto Rican people. However, we did reserve the right to confirm or reject any part of the constitution which they drafted.

Inasmuch as the Senator from Louisiana has raised the question, I warn the Senator that the next amendment I shall propose would take away something else. It would take from the people of Puerto Rico the right to change their constitution unless they submit the change to the Congress for ratification. If we are not to insist upon some such provision, we might as well have allowed them to write the constitution as they saw fit in the beginning. Some of the provisions, such as those referring to human rights, have been stricken out. I imagine that if we do not place in the document some such restriction as I have suggested, when it goes back to Puerto Rico the people will restore those provisions at their first convenience. I can imagine such a thing happening.

I may say that I have another amendment which I shall propose. I am proposing the amendments for the protection of the people of Puerto Rico, because the government of the island may do something which may not meet with the approval of Congress or of the majority of the people of Puerto Rico.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. LONG. Does the Senator know of any State in the Union which has such a provision, namely, that a State cannot amend its constitution without the approval of the Congress?

Mr. JOHNSTON of South Carolina. I will answer that question by saying that we are not giving the people of Puerto Rico statehood. They will still be under the control of Congress. If they are going to be under our control I think they should stay all the way under our control and not be permitted to rewrite their constitution. Why was it necessary to require that the constitution of Puerto Rico should be approved by Congress if we are to let them rewrite the constitution eventually as they want it? That is why I am offering my next amendment.

The pending amendment is an amendment which will protect the people of Puerto Rico. It will do them good in many ways. The Senator from Louisiana has been connected with the governorship in Louisiana. I believe Governors had control there. They ran things in Louisiana. That can happen. The people voted with them. A 4-year term limitation on the term of the Governor would have helped out, and did help out to a certain extent.

Let us examine the proposed constitution of Puerto Rico. Let us see what it has to say. We have stricken out certain parts of it which we did not want the constitution to contain. A part of it was stricken out by the House, and part of it was stricken out by the Senate committee. The constitution reads:

SEC. 20. The Commonwealth also recognizes the existence of the following human rights:

The right of every person to receive free elementary and secondary education.

The right of every person to obtain work.

The right of every person to a standard of living adequate for the health and well-being of himself and of his family, and especially to food, clothing, housing, and medical care and necessary social services.

These provisions were written into the constitution—

The right of every person to social protection in the event of unemployment, sickness, old age, or disability.

The right of motherhood and childhood to special care and assistance.

The rights set forth in this section are closely connected with the progressive development of the economy of the Commonwealth and require, for their full effectiveness, sufficient resources and an agricultural and industrial development not yet attained by the Puerto Rican community.

In the light of their duty to achieve the full liberty of the citizen, the people and the Government of Puerto Rico shall do everything in their power to promote the greatest possible expansion of the system of production, to assure the fairest distribution of economic output, and to obtain the maximum understanding between individual initiative and collective cooperation. The executive and judicial branches shall bear in mind this duty and shall construe the laws that tend to fulfill it in the most favorable manner possible.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. DWORSHAK. Does not the pending joint resolution explicitly delete section 20 of article II?

Mr. JOHNSTON of South Carolina. That is what I am saying. We propose to amend the constitution, but, if we then give them the right to amend it themselves without the necessity of submitting such amendments to the Congress for ratification, what good does it do to strike out the provisions to which reference has been made? They wanted them included in the first place. They voted for them by a vote of more than 3 to 1. That is what I am inviting the attention of the Senate to at this time.

Mr. DWORSHAK. I wholeheartedly agree with the Senator from South Carolina. I believe that Congress should make it thoroughly understood that our Government is not obligated to guarantee for the residents of Puerto Rico the rights outlined in section 20. I am sure that that is clear.

Mr. JOHNSTON of South Carolina. That is what I am trying to say. I invite the attention of the Senate to that fact. Unless we put in the constituion somehing to prevent it in the future, their amending it to suit themselves, they will write those provisions into their constitution again. The people of Puerto Rico will then expect this Government, the Government of the United States, to furnish them the necessary money with which to put them all on the relief rolls or on the unemployment-compensation rolls, as the case may be. I do not want the people of Puerto Rico to feel that by ratifying the constitution we will in any way obligate ourselves to guarantee what they have set forth in their bill of rights.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. LONG. The Senator realizes that there is a difference between Congress placing its stamp of approval on something which the people of a State or the people of Puerto Rico have put in their constitution, and the people of a State or the people of Puerto Rico placing something in their constitution they are willing to provide. The Senator has mentioned the method by which States elect their governors and how long governors serve. It seems to me that that is a matter which appropriately should be left to the individual choice of the people of a State. Similarly, perhaps, it should be left to the choice of the people of Puerto Rico.

Likewise, when the Senator refers to section 20 of article II, it is a provision to which the junior Senator from Louisiana, as a member of the committee, would not subscribe, because he feels that it is attempted to go too far in guaranteeing things to people which cannot be effectively guaranteed even by this Government at this time. However, if the people should see fit to attempt to guarantee certain rights, I would not object, if the Congress of the United States were not being asked to place its stamp of approval on the provisions they saw fit to put into their constitution.

The Senator's amendment would pose a problem, in that every time the people of Puerto Rico amended their constitution the question would arise as to whether the Congress of the United States would approve or pass upon the particular amendment.

We certainly could not do it for all the States of the Union. It seems to me that the purpose of a Puerto Rican Constitution is to give the people an element of self-government and that they could write their own constitution once we had passed on it, just as in the case of all the States of the Union. From that time forward the people of Puerto Rico would have a right to amend their constitution.

It is my understanding that no amendment could be put into their constitution which was not in accordance with a right guaranteed by the American Constitution. Is that not the understanding of the Senator from South Carolina?

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. O'MAHONEY. Mr. President, I understand that the pending amendment is the amendment of the Senator from South Carolina to amend the Puerto Rican Constitution by providing that the governor shall not be eligible for reelection. I submit that it is an altogether unnecessary amendment.

Under the law, namely, Public Law 600 of the Eighty-first Congress, the United

States extended to the people of Puerto Rico authority to draw their own constitution within a very limited sphere. That sphere included items which are now contained in the organic act. They deal solely with matters of local self-government.

MATTER FOR PEOPLE OF PUERTO RICO TO DETERMINE

Mr. President, 18 States of the Federal Union place no limitation on their people with respect to the number of terms to which they may elect their governors. Why should we undertake to impose such a limitation upon the people of Puerto Rico? It is a matter for the people of Puerto Rico to decide for themselves.

I say that the present Governor of Puerto Rico is a most remarkable man who has performed a remarkable service for the people of the United States and for the principles for which our Government stands. At the same time he has performed a noble service for his own people and his own island.

Under the organic act, as it was originally passed, the President of the United States appointed the Governor, by and with the advice and consent of the Senate. In the Eightieth Congress, the Senator from Nebraska [Mr. BUTLER] and I joined in a bill to grant to the people of Puerto Rico the right to elect their own Governor. Under that bill, which became law, Governor Muñoz-Marín was the successful candidate in the first election in 1948. During his term of office he has amply demonstrated his loyalty to everything for which our Government stands.

POWER IN THE PEOPLE

The portions of the organic act which are affected by the proposed constitution are the following which are within the narrow scope of local government: The provisions relating to the election, qualification, and tenure of the Governor; the provisions creating the executive departments of Puerto Rico; the section which prescribes the duties and authority of the Attorney General, of the Treasurer of Puerto Rico, of the Commissioner of the Interior, of the Commissioner of Education, of the Commissioner of Agriculture and Commerce, of the Commissioner of Labor, of the Commissioner of Health—all of which offices we created.

The proposed constitution provides for appeal to the Governor and for the appointment of an executive secretary for the Governor, and prescribes his duties.

The proposed constitution vests local legislative power in a bicameral legislature. Of course, the people of Puerto Rico may change that, if they wish to do so.

The constitution also contains provisions relating to the number, qualification, and terms of office of members of the Senate and House of Representatives, and so forth.

All those provisions affect only the local self-government of the people.

AMENDMENT NOT IN ORDER IN PRESENT MEASURE

I submit that the limitation proposed by the pending amendment on the office of the Governor is one which should have been proposed when Public Law 600 was under consideration. Let us bear in mind that at that time we carefully examined the organic act and withheld from the power of the Constitutional Convention any authority to deal with the sections of the organic act which govern the Federal function in and about the island.

What we have before us now, Mr. President, is a constitution drafted by the people of Puerto Rico, in which they are taking care only of their own affairs. They have said that the Governor may be subject to reelection.

Mr. LONG. Mr. President, will the Senator from Wyoming yield for a question?

Mr. O'MAHONEY. I yield to the Senator from Louisiana.

Mr. LONG. The Senator from Wyoming knows that the Congress has on many occasions authorized various of the present States to draw up their own constitutions. The Congress has not authorized the Governor or the legislature to draw up the constitution, but has authorized the people themselves to draw up the proposed constitution. Does the Senator from Wyoming know of any case in which, when Congress was called upon to pass upon the constitution of a State, Congress attempted to write provisions into that constitution?

Mr. O'MAHONEY. I know of no such instance. I know that Congress carefully prescribed by law that the form of government in Puerto Rico should be a republican form of government, and the constitution which has been returned to us is in all respects one which calls for a republican form of government. It is similar to the constitutions of 18 of the States of this Union, which permit the people of those States to reelect their governor as often as they please.

Mr. LONG. Mr. President, will the Senator from Wyoming yield further to me?

Mr. O'MAHONEY. I yield.

Mr. LONG. Inasmuch as the committee did not wish to go along with section 20 as proposed, let me inquire whether there is any difference between the proceedure proposed by the Senator from Wyoming and the procedure proposed by the constitution. In other words, the Senator from Wyoming proposed to treat the people of Puerto Rico in the same way that we would treat the people of any of the various States. Is not that correct?

Mr. O'MAHONEY. Yes; that is exactly the case.

Mr. LONG. Provided that section 20 is not a self-executing section. We do not undertake to write provisions into the constitution after we have given to the people of Puerto Rico the right to write and to draw up their own constitution.

Mr. O'MAHONEY. The Senator from Louisiana is quite correct, and we should not do such a thing.

Again I assert to the Members of the Senate, Mr. President, that the safeguards which have been erected in this connection are such as to prevent the establishment in Puerto Rico of any form of government other than a government of republican form.

MINORITY REPRESENTATION SAFEGUARDED

The Senator from South Carolina seems to be afraid of the establishment of a dictatorship in Puerto Rico. The fact of the matter is that the present Governor of Puerto Rico, the man against whom the attack is leveled, has had an exemplary record of making certain that minorities are represented.

In the legislature which called the constitutional convention, at his request, there were written into that law provisions by which minorities were guaranteed representation. A committee of the House of Representatives, which went to Puerto Rico to observe the election, testified to the House of Representatives and also testified before our committee that the opponents of the constitution at the polling places testified to them—to the Honorable FRANK BOW, a Republican Member, from Ohio, of the House of Representatives, and the Honorable CHESTER MCMULLEN, a Democratic Member, from Florida, of the House of Representatives, that no intimidation or coercion of any kind was exercised. Minority representation was guaranteed.

It would be a slap in the face to a people to whom we have extended the right of self-government, if we were now to adopt an amendment of this kind, which deals only with a detail, namely, the number of terms which may be served by the Governor.

Mr. LEHMAN. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. Of course I yield, Mr. President.

Mr. LEHMAN. I think the suggestion made by the pending amendment is one of the most unusual suggestions I have ever heard. After all, in many of our States—although not in all of them, of course—there is no prohibition against having a governor succeed himself. There is no such prohibition in the great States of California, Illinois, Connecticut, Massachusetts——

Mr. O'MAHONEY. And New York, I beg to add.

Mr. LEHMAN. I was going to come to New York—or in many of the other States.

I do not think the mere fact that a governor may succeed himself once, twice, or three times, constitutes a dictatorship. I was honored by the people of my State by being elected to four successive terms as Governor. At the end of the third term, they were willing to extend the term of Governor from 2 to 4 years, at which point the Governor's term now remains.

My successor is in his third term.

The great former Governor of New York, Alfred E. Smith, served four terms, three of which were consecutive.

Mr. O'MAHONEY. Has that resulted in any dictatorship in the State of New York?

Mr. LEHMAN. I do not think I am stretching the truth too greatly when I say that I do not believe my fellow citizens of New York looked upon me as

a dictator at any time during the four terms I served as Governor of New York.

Mr. O'MAHONEY. They do not look at Governor Dewey as a dictator, do they?

Mr. LEHMAN. They do not.

Mr. O'MAHONEY. During his lifetime and tenure of office, the people of New York did not regard the late Al Smith as a dictator, did they?

Mr. LEHMAN. Of course they did not.

I believe that the present Governor of California has served for two or three terms, and I know that several Governors of Illinois have served for two or three terms. None of them have been dictators.

So I think the proposal which has been made by means of the pending amendment is one of the most unusual proposals I have ever observed for a long, long time.

Mr. O'MAHONEY. I hope that this amendment will be defeated. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Wyoming has 3 minutes.

Mr. O'MAHONEY. I yield 3 minutes to the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, I hope the Senate will pass the joint resolution approving the Puerto Rican Constitution. As of today, the matter of the Puerto Rican Constitution is being used by Communists throughout the entire world very much against the interests of the United States of America. Only today, in the press and on the radio, we note Communist propaganda to the effect that the United States of America, in dealing with Puerto Rico, has liquidated 20,000 Puerto Ricans. Imagine that, Mr. President, in all its horror.

The Puerto Rican Constitution, in my opinion, represents the best possible example of what we are trying to preach to the world—liberty and freedom to any people who accept the democratic principles for which we stand. If the Senate were to fail to pass the resolution approving the Constitution of Puerto Rico, the Communists would say that it was because of our desire to make a colony of Puerto Rico. We are now being accused of sanctioning colonialism in Africa and in Indochina. If we were to fail to approve the constitution for Puerto Rico, which is in keeping with the best traditions of our form of government and of the Constitution of the United States, devised by Jefferson, Washington, Madison, Monroe, and Adams, what right would we have to say to the rest of the world that we believe in constitutional government?

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. CHAVEZ. I ask unanimous consent that I may continue for 3 minutes longer.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico?

Mr. WELKER. In view of the fact that a unanimous consent agreement has been entered into, I object.

The PRESIDING OFFICER. Objection is heard.

The question is on the amendment of the Senator from South Carolina [Mr. JOHNSTON]. For the information of the Senate, the clerk will restate the amendment.

The CHIEF CLERK. At the end of line 17, on page 3, before the period, it is proposed to insert a colon and the following proviso:

Provided further, That section 2 of article IV is amended to read as follows:

"SEC. 2. The Governor shall hold office for the term of 4 years from the 2d day of January of the year following his election and until his successor has been elected and qualifies, and shall not be eligible for reelection. He shall reside in Puerto Rico and maintain his office in its capital city."

The amendment was rejected.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I call up my amendment 6-12-52—A, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 17, it is proposed to strike out the period and insert in lieu thereof a colon and the following: "*And provided further*, That no amendment to the constitution of the Commonwealth of Puerto Rico shall be effective until approved by the Congress of the United States."

Mr. JOHNSTON of South Carolina. Mr. President, certain things in the Puerto Rican Constitution which is before the Senate for approval have been stricken out. I warn the Senate that if we do not include in the constitution a proviso such as I propose, the Puerto Ricans will again place in their constitution the very things we have stricken out. Under the circumstances, would not that be the natural thing for them to do? So I warn the Senate that if we do not want all the references to human rights to be put back in the Constitution of Puerto Rico immediately, the only thing for us to do is to vote for this amendment.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. FERGUSON. It seems reasonable to the Senator from Michigan that, if they cannot make a constitution without consent of the Congress, they should not be able to amend it without the consent of the Congress.

Mr. JOHNSTON of South Carolina. They have written into their constitution a provision to the effect that they can do so.

Mr. FERGUSON. That is why I say it seems reasonable that, if, after we approve their constitution, they can later amend it without our approval, there is nothing at all to this present approval.

Mr. JOHNSTON of South Carolina. In that event there is no use of our attempting to approve it. It is useless to take up our time with it. That is my position. If it is desired to give the Puerto Ricans the right to amend their constitution tomorrow and put back in it provisions we propose to strike out, why should we take any action at all?

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MILLIKIN. I am in favor of this constitution but believe it would be bettered by the amendment of the Senator from South Carolina.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from New Mexico.

Mr. CHAVEZ. If the State of New Mexico, the State of Colorado, the State of Idaho, the State of Michigan, or the State of South Carolina desire to amend their State constitutions do they ask Congress for permission to do so?

Mr. JOHNSTON of South Carolina. I answer that question by saying that we are not granting statehood at this time to Puerto Rico. That is something quite different. We are giving them only the right, in a very limited way, to conduct the affairs of their own government in Puerto Rico. We are, under the Constitution of the United States, retaining our rights over Puerto Rico. We cannot get away from that.

Mr. CHAVEZ. The Senator refers to our rights. There may have been on our part a little arrogance. The Puerto Ricans did not ask us to take them; we took them. So, should we not treat them as we treat all Americans in this country? Why should we make mendicants of them and thus show the entire world that we do not mean what we say when we talk about anticolonialism, but that it is nothing but lip service? Why should we do that? I ask the Senator from South Carolina and I ask others, whose ancestors came here 100 years later than mine.

Mr. JOHNSTON of South Carolina. I may answer the Senator by saying that by this constitution, in my opinion, we shall be giving to Puerto Rico all we can possibly give them at the present time, in view of the present economic development of the people of that island.

Mr. CHAVEZ. Mr. President, there is no one to whom I am more devoted than I am to the Senator from South Carolina; there is no one to whom I am more devoted than I am to the people whom he represents, and just as I would have been against a carpetbag government after Lincoln's death so I would be against a carpetbag government in Puerto Rico at this time. It is because I love what the southern people stood for in connection with the power of might after the Civil War that I object strenuously to anything except American decency and fair play in connection with Puerto Rico.

Mr. O'MAHONEY. Mr. President, has the Senator from South Carolina completed his argument?

Mr. JOHNSTON of South Carolina. No; I have not. I am inviting attention to the fact that the Puerto Ricans wrote into the constitution this language:

The Legislative Assembly may propose amendments to this constitution by a concurrent resolution approved by not less than two-thirds of the total number of members of which each house is composed. All proposed amendments shall be submitted to the

qualified electors in a special referendum, but if the concurrent resolution is approved by not less than three-fourths of the total number of members of which each house is composed, the Legislative Assembly may provide that the referendum shall be held at the same time as the next general election. Each proposed amendment shall be voted on separately and not more than three proposed amendments may be submitted at the same referendum. Every proposed amendment shall specify the terms under which it shall take effect, and it shall become a part of this constitution if it is ratified by a majority of the electors voting thereon. Once approved, a proposed amendment must be published at least 3 months prior to the date of the referendum.

Remember, Mr. President, in the election they voted almost 4 to 1 for this particular language which I would strike out. Personally, I think we are trying to give them as a possession more rights than we can legally give them under the Constitution of the United States. I doubt whether it is constitutional, so far as the United States Constitution is concerned.

Mr. MILLIKIN. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MILLIKIN. As I said before, I favor giving Puerto Rico the opportunity to achieve a greater measure of independence in her internal political affairs.

Mr. JOHNSTON of South Carolina. I do, also. I agree with the Senator.

Mr. MILLIKIN. For that very reason I was active in getting section 20 out of the bill because I am opposed to the philosophy of it as a proper part of a constitution. But, aside from that, I felt certain that it would defeat our effort to increase through a constitution the independence of the people of Puerto Rico in the handling of their personal affairs. There would not have been enough supporting votes. That is one of the reasons why it was taken out, and for the same season several other changes were suggested. If we had had it in our hearts to oppose the constitution and leave the Puerto Ricans in the same status which they now occupy, we could have made a frontal attack on the proposed constitution, which would have imperilled its approval. But those of us who favored the enlargement of Puerto Rican independence in her internal affairs gave the most careful consideration as to how we should treat these problems. We could not compromise on section 20. We felt that the whole thing would be defeated if a frontal attack were made.

The school section was another thing which aroused alarm. There were many references to democracy, democracy in action, and democratic practices, which may be interpreted as just simply talk—let us call them the expression of unprecise aspirations. We said, "We can attack these references frontally, in the amendments, or make some suggestions in the report to set things straight."

I think it is quite clear that since we have the approval of the constitution, we should have the approval of any changes in the constitution. I think it is a proposition of fairness and logic which cannot possibly be interpreted as an action contrary to what we are trying to do for Puerto Rico and which is in her best interests.

Mr. JOHNSTON of South Carolina. I agree with the Senator.

Mr. HOLLAND. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. HOLLAND. Mr. President, I should like to say to the distinguished Senator from South Carolina that I completely agree with his objective in this particular effort, and I do so with extreme kindness to the people and to the Commonwealth of Puerto Rico. I am very fond of the Puerto Rican people. I have been in Puerto Rico, and I earnestly wish that they may make a real success under this constitution. They do not have the long background of experience in self-government which our people have enjoyed. I believe the amendment of the Senator from South Carolina would be but a reminder in the constitution itself, or in this joint resolution itself, of the fact that their objectives must be consistent with the kind of thing the Congress of the United States would approve. I believe it would be a salutary provision to have in the joint resolution.

I say that as a strong friend of Puerto Rico, with every belief that they will work out their problems well, and with the belief that the insertion of this particular clause in the joint resolution of affirmance of the constitution will be helpful to them in working out their program in adherence to standards which the Congress can always approve, which I hope will be the case.

Mr. LEHMAN. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield the floor.

Mr. JOHNSON of Texas. Mr. President, how much time is remaining to the proponents?

The PRESIDING OFFICER. The proponents have 3 minutes left.

Mr. HOLLAND. Mr. President, I suggest to the distinguished Senator from South Carolina that instead of offering his amendment at the very end of the joint resolution, it appear at another place, on page 3, line 8, between the word "auspices" and the word "provided", because I think it fits in there much more appropriately.

Mr. JOHNSTON of South Carolina. I agree with the Senator.

Mr. LEHMAN. Mr. President, will the Senator from South Carolina yield?

The PRESIDING OFFICER (Mr. SMITH of North Carolina in the chair). Does the Senator from South Carolina yield to the Senator from New York for a question?

Mr. JOHNSTON of South Carolina. I yield the floor at this time, Mr. President. I should like to have 2 minutes later.

Mr. O'MAHONEY. The Committee on Interior and Insular Affairs, in considering the constitution, have borne in mind, first, the fact that the constitution would operate within a very limited scope. It will have to do solely with those affairs which deal exclusively with the local interests of the people of Puerto Rico. It will have nothing to do with anything beyond the municipal government of Puerto Rico. So the committee was of the opinion that the broadest latitude should be granted to the people in the drafting of the constitution.

Of course, I am talking about Public Law 600, Eighty-first Congress. In that law we placed safeguards about the grant of local self-government to the people of Puerto Rico, as we thought by providing that the constitution should be republican in form and should contain a bill of rights.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Will the Senator pardon me for a moment?

Then, in article VII of the constitution, section 3, the constitutional convention wrote this provision:

> No amendment to this constitution shall alter the republican form of government established by it or abolish its bill of rights.

PROVISION REJECTED BY CONGRESS NOT TO BE READOPTED

I believe, and I am sure it was the view of the committee, that that provision is a safeguard against any amendment which would in any way impair the republican form of government.

On general terms, I am of the opinion that Congress, having disapproved, as it will in this resolution, of section 20, it would be impossible, under the guise of an amendment to the constitution, to reinsert a provision rejected by Congress.

I now yield to the Senator from Michigan.

Mr. FERGUSON. I desired to ask a question on the point the Senator has been discussing.

While we now have authority to approve the constitution as a whole, if we provide, as is proposed, that Puerto Rico shall submit to Congress any ney amendment the people of the island may wish to adopt, even though we have safeguarded two items, one the republican form of government, and the other the bill of rights, are there not many more things that are important, as to which we should not give up the supervisory right?

Mr. O'MAHONEY. I see the point the Senator from Michigan makes, and I can understand the logic of the Senator's statement. The Senator desires to have protection against an amendment which might undertake to permit far-reaching changes or set up controversial issues which we may not have in contemplation now.

Mr. FERGUSON. That is correct.

Mr. O'MAHONEY. And which the present government of Puerto Rico would not have in contemplation and does not have in contemplation.

Mr. FERGUSON. Issues which the mind of man might conceive.

Mr. O'MAHONEY. That is correct. I appreciate the Senator's inquiry. I was explaining to the Senate why I believed the amendment was unnecessary.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. SMATHERS. Is it not also a fact that under the basic law the Puerto Rico Legislature could not in any way either pass a law or change its constitution so that it would contravene our Federal Constitution?

Mr. O'MAHONEY. Oh, absolutely.

Mr. SMATHERS. In other words, while we give Puerto Rico some latitude, nevertheless they cannot at any time pass a law which, as the Senator points out, would change the republican form of government or run counter to our Constitution.

Mr. O'MAHONEY. Or counter to the laws of the United States.

Mr. SMATHERS. Or counter to the laws of the United States.

Mr. O'MAHONEY. That is clearly set forth in the report.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LEHMAN. It seems to me that the point raised by the Senator from Florida is the controlling point. As I understand government, any State—any unit of government, as a matter of fact—can by action change its constitution, or by statute pass any law or provision it wishes, provided it does not contravene or come into conflict with the Constitution of the United States. Many States have provisions in their constitutions which are much more far-reaching than are the provisions in the Constitution of the United States. No one can object to those provisions unless and until they come into conflict with the Constitution of the United States in some way or in some degree. That is all that could happen in the case of Puerto Rico.

Obviously, if the Puerto Rican government wished at some time, through constitutional means, to change its constitution, and such change came into conflict with the Constitution of the United States, the change could not become effective. It seems to me we would not be running any danger whatsoever.

I have heard a great deal said here this afternoon by the Senator from Colorado [Mr. MILLIKIN] about democracy. He reflected on the use of the words "democracy" and "democratic action" in the proposed constitution. I never thought there was any disgrace in emphasizing democracy and democratic action, provided we really obtained democratic action. Frequently we hear about democratic action, but it is merely lip service.

Mr. MILLIKIN. I would not call it a disgrace to use the term, which so frequently is used by many well-intentioned people. When we are considering a constitution the words "republic and democracy" have different meanings. A democracy is not a republic. The Senator may consider the distinctions as legalism, but in writing a constitution we should get the meanings straight by use of the current words.

Mr. LEHMAN. Obviously the constitution now before the Senate emphasizes and makes mandatory a republican form of government, and nothing that could be done in the way of amendment to the constitution could alter that fact.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. LEHMAN. I gladly yield.

Mr. MILLIKIN. That thought, I suggest, should never be diluted. The reason why there was some objection to references to democracy and other words of that kind was so that the republican nature of the government could not be confused or diluted so far as the constitution was concerned.

SAFEGUARD FOR PEOPLE

Mr. O'MAHONEY. Mr. President, I have conferred with several Members of the Senate, particularly with members of the Interior Committee. While I state again that I have no fear about this matter, I know that many Members of the Senate have a distinct fear, and they wish to be sure that the people of Puerto Rico will be protected against an abuse which nobody can now foresee.

I would have no objection to the amendment of the Senator from South Carolina, and would accept it, provided it were placed in line 8, page 3, before the colon, instead of where it now is proposed to be inserted, and provided it would include revision as well as amendment.

Mr. JOHNSTON of South Carolina. While the Senator from Wyoming was absent from the Chamber that matter was discussed. I have already suggested that the amendment be placed at the point suggested by the Senator from Wyoming.

I also ask that I may be permitted to perfect my amendment by adding, on line 3, after the word "to", the words "or revision of", so that the amendment will read as follows:

Provided further, That no amendment to or revision of the constitution of the Commonwealth of Puerto Rico shall be effective until approved by the Congress of the United States.

Mr. O'MAHONEY. It is my understanding that the Senator from South Carolina has no other amendment to offer.

Mr. JOHNSTON of South Carolina. I am not insisting upon my other amendment.

Mr. O'MAHONEY. I will accept the amendment of the Senator from South Carolina and will take it to the conference with the House managers.

The PRESIDING OFFICER. The amendment as modified?

Mr. O'MAHONEY. As modified.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Are there further amendments to the committee amendment?

Mr. STENNIS. I offer an amendment to the committee amendment, and ask that the clerk state it.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. On page 3, line 8, it is proposed to insert the following proviso after the colon: *"Provided further*, That paragraph 2 of section 11 of article II of the said constitution shall be amended in like manner so that the said paragraph shall read as follows: 'In all criminal prosecutions the accused shall have the right of trial by an impartial jury. In felony cases the jury shall be composed of 12 residents of the district who may render their verdict by a majority vote which in no case may be less than 9'."

Mr. STENNIS. Very briefly, the present constitutional provision is that in all prosecutions for felony the accused shall have the right of trial by an impartial jury, and so forth. This amendment would provide that in all criminal prosecutions the accused shall have the right of trial by an impartial jury; that in a felony case the jury shall be composed of 12 residents of the district, who may render their verdict by majority vote, which in no case may be less than 9, which leaves open to the Puerto Rican Legislature the authority to provide what size the jury shall be in misdemeanor cases. It would also leave it open to them to create what we call the police justice court, where there would be no jury. However, reasonable avenues of appeal would have to be provided, whereby every defendant would have a right to trial by jury before punishment could be inflicted.

I think that on the merits of the matter the answer is obvious, that we would favor such a plan. I do not think we could have better training for the individual citizen of Puerto Rico than to have him called in occasionally for a little experience in the jury system.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. FERGUSON. As I understand, the Senator is making this provision apply to misdemeanors.

Mr. STENNIS. The Senator is correct.

Mr. FERGUSON. Would it apply in the case of a village ordinance?

Mr. STENNIS. No; it would not go that far. I do not think it would be controlling with reference to an ordinance—certainly not under our system of law.

Mr. FERGUSON. The legislative history, as stated by the sponsor of the amendment, indicates that there is no desire to apply it to municipal or corporation ordinances, as the case may be.

Mr. STENNIS. The Senator is correct.

Mr. FERGUSON. The Senator from Mississippi wishes to apply it to misdemeanors. Would the Senator make it optional upon the part of the defendant instead of mandatory that he have a jury trial? Would the amendment allow him the option, or would it be mandatory for him to have a jury trial?

Mr. STENNIS. No; it would not be mandatory. The proviso is that he shall have the right to trial by an impartial jury. He may waive it.

Mr. FERGUSON. He may waive it?

Mr. STENNIS. The Senator is correct.

Mr. FERGUSON. Would the Senator care to modify the amendment in such a way as to make it clear that he might waive trial by jury, so that it would not be mandatory and therefore place a burden upon the courts and slow down the court procedure?

Mr. STENNIS. I do not know about waiving the jury trial in a felony case, unless there is a plea of guilty.

Mr. FERGUSON. In Michigan the defendant can waive a trial by jury in open court. Does not the Senator from Mississippi think it would be a good idea to provide in his amendment that the defendant may waive a jury trial in open court?

Mr. STENNIS. I ask the Senator from Michigan to listen to the reading of the language of the proviso:

> In all criminal prosecutions the accused shall have the right of trial by an impartial jury.

It is merely a right.

Mr. FERGUSON. The interpretation of such language has always been that he has an absolute right, and that it cannot be waived.

Mr. CHAVEZ. Why not?

Mr. STENNIS. That is a new interpretation in my experience.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CORDON. Under our practice the defendant may waive a trial by jury in any case except a capital case.

Mr. STENNIS. That is correct.

Mr. CORDON. That law is made by the pronouncements of courts in jurisdictions where the language granting the right is exactly the same as the language in this instance.

Mr. STENNIS. There can be no waiver with respect to the punishment to be imposed.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. FERGUSON. I have had experience in the courts of Michigan. The interpretation there formerly was that the accused might not waive a jury trial, and we enacted a statute providing for a waiver. The language suggested is only a matter of caution, to effect the same result which the distinguished Senator from Oregon [Mr. CORDON] indicates in his interpretation.

Mr. STENNIS. I am sorry, but my attention was distracted and I did not hear what the Senator had to say.

Mr. FERGUSON. I am wondering whether or not the Senator would care to add a proviso that the accused may, in open court, waive the right to trial by jury.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. STENNIS. I am very glad to yield to the Senator from Colorado and get the benefit of his thinking.

Mr. MILLIKIN. I suggest that the right to a jury trial in a felony case should not be waivable, but it should be waivable in a misdemeanor case. So I believe that where the Senator says "shall have the right of trial by an impartial jury," he might add a provision giving the accused the right to waive a trial by jury in the case of a misdemeanor.

Mr. FERGUSON. Or in any case other than a felony case.

Mr. MILLIKIN. Or in any case other than a felony case.

Mr. STENNIS. Such an amendment as that would preclude waiver of a jury trial in a felony case.

Mr. MILLIKIN. That is exactly what I would accomplish. I would not approve the waiver of a jury trial in a felony case. That is a great right and protection to the citizen accused of crime.

Mr. STENNIS. Would the Senator preclude a plea of guilty in a felony case?

Mr. MILLIKIN. No, but I would preclude a waiver of trial by jury, for the reason that the arms of defendants might be twisted to make them give up the right, so that the judge acting alone could give them "the works" when they did not deserve such treatment.

Mr. STENNIS. I think a defendant ought to be permitted to plead guilty, however.

Mr. MILLIKIN. There is nothing in the language with respect to that right.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CHAVEZ. I can see some justification for the idea of the Senator from Mississippi. However, there is such a thing as a defendant pleading guilty after being worked upon. Let me say to my good friend the Senator from Mississippi, that I look at this question from a different standpoint. I love the English common law. I love the history of the law in our country. I can see the question from an entirely different standpoint, but I should dislike to waive trial by jury. I can readily see that in a misdemeanor case, in which the punishment is a fine of $2, $10, or $50, practical considerations might dictate a certain procedure. However, so far as Anglo-Saxon law is concerned, I would not want to waive trial by jury anywhere.

Mr. STENNIS. I think it would be all right to waive it in misdemeanor cases.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Oregon.

Mr. CORDON. I should like to suggest that in all instances waiver of trial by jury must rest upon statutory enactment made pursuant to the Constitution. It is not a constitutional provision. The State legislature should have the right to provide for a waiver of trial by jury, short of capital cases. That right is generally recognized. Waiver is provided for by a legislative agency; and the law must, of course, be strictly followed.

I think it is a salutary provision when we permit an individual charged with a crime to plead guilty, even though occasionally we find prosecutors—or persecutors—given the right to twist an arm. It is regrettable that occasionally that is done. However, in the matter of waiver of trial by jury I think the very reverse is true. Particularly I should dislike to see the right of an individual to waive trial by jury in felony cases taken away in connection with what we are doing here, which is an attempt to transplant to the Latin-American system our Anglo-Saxon system of law in connection with trial by jury. The Latin does not know that system. He has a different basic system.

Mr. STENNIS. There is at present trial by jury in felony cases in Puerto Rico.

Mr. CORDON. I was about to say that in Puerto Rico, as a result of the period of time they have been under Anglo-Saxon rule, they have developed trial by jury in felony cases. I think they are doing a good job of it. If they themselves feel at any time that there is some reason to go further, then let them do it.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CHAVEZ. Puerto Rico, notwithstanding that its background is Latin, is the one entity of Latins which has tried to follow Anglo-Saxon law, and I think it is a grand thing that they have tried to do so.

Mr. STENNIS. With all deference, I think the Senator from Oregon [Mr. CORDON] has correctly interpreted the clause, and I shall stand on the amendment as written. The Senator from Wyoming has been consulted about the matter, and perhaps he has something to say concerning it.

Mr. O'MAHONEY. Mr. President, the Senator from Mississippi is quite right. When the Senator from Mississippi offered his amendment earlier in the day, I asked him to withhold it, in order that I might have an opportunity to examine the proposal and to consult with other Senators who are deeply concerned about this matter. The Senator from Mississippi was good enough to alter his amendment so that it would comply with the form and language which the committee had adopted with respect to other amendments.

DIFFERING JUDICIAL PROCEDURE

Upon further examination of the matter, however, as I said a few moments ago, I hope the Senator will consent to the withdrawal of his amendment. I believe that if we were to adopt the amendment, we would create more difficulties than we would cure.

We are dealing with a people who have been accustomed to the Latin system of judicial procedure, sometimes called code, as distinguished from common law. The amendment which the Senator from Mississippi offers is one which is based upon the system of judicial procedure which we by habit, if not by accuracy, call the Anglo-Saxon system of jurisprudence.

We should not attempt to mix these two systems. I want the Members of the Senate to know that the constitution which the people of Puerto Rico have adopted goes further in the adoption of jury trials than does the organic law which Congress passed for them some years ago.

I should like to read the Constitution of Puerto Rico in that respect:

> SEC. 11. In all criminal prosecutions, the accused shall enjoy the right to have a speedy and public trial, to be informed of the nature and cause of the accusation and to have a copy thereof, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, to have assistance of counsel, and to be presumed innocent.

That covers every case of a misdemeanor. There are several States in the Union in which that is the system. There are some States in the Union which now have the jury system for the trial of misdemeanors which would like to abolish the jury system.

JURY PROVISION A FORWARD STEP

When it comes to felonies, the people of Puerto Rico in their constitution provide as follows:

> In all prosecutions for a felony the accused shall have the right of trial by an impartial jury composed of 12 residents of the district, who may render their verdict by a majority vote which in no case may be less than 9.

That is a broad step toward the jury system in felony cases which we, the Congress, have not previously granted the people of Puerto Rico.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. STENNIS. The provision with reference to felonies has been the law of Puerto Rico for many years, as I understand. The Puerto Ricans have become accustomed to this system of practice and they have actually used the jury system in felony cases, as I understand, for more than 20 years. The case to which the Senator referred a few moments ago was decided more than 20 years ago, as I understand.

Mr. O'MAHONEY. That was the case of Balzac against Puerto Rico, decided in 1922. It is reported in Two Hundred and Fifty-eighth United States Reports, page 298.

Mr. STENNIS. I understood that the people of Puerto Rico have had the felony jury system for sometime.

Mr. O'MAHONEY. Yes; but it was provided by local legislation, not in the organic act. This is the first time that it has been in a basic charter of government for Puerto Rico. I read from Notes and Comments on the Constitution of Puerto Rico:

> Congress did not include this right in the bill of rights of the organic act. The laws of Puerto Rico, however, provide for trial by jury in various felonies. The constitutional right is extended to all felonies, and a verdict may be rendered by a majority of nine jurors.

CHIEF JUSTICE TAFT'S OPINION

The decision to which the distinguished Senator from Mississippi [Mr. STENNIS] and I have been referring was rendered by the Supreme Court of the United States with Chief Justice Taft writing the decision. The Chief Justice wrote:

> The jury system needs citizens trained to the exercise of the responsibilities of jurors. In common-law countries centuries of tradition have prepared a conception of the impartial attitude jurors must assume. The jury system postulates a conscious duty and participation in the machinery of justice which it is hard for people not brought up in fundamentally popular governments at once to acquire. One of its greatest benefits is in the security it gives people that they, as jurors, actual or possible, being a part of the judicial system of the country, can prevent its arbitrary use or abuse. Congress has thought that a people like the Filipinos or the Puerto Ricans, trained to a complete judicial system which know no juries, living in compact and ancient communities, which definitely formed customs and political conceptions, should be permitted themselves to determine how far they wish to adopt this institution of Anglo-Saxon origin, and when.

PEOPLE OF PUERTO RICO TO BE TRUSTED

I am hopeful, therefore, Mr. President, that the Senator from Mississippi may be willing to withhold his amendment. The people of Puerto Rico have made great progress, and I think we can trust them to make further progress without attempting now by this amendment to do anything which may retard rather than hasten that progress.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. In line with the statement of the Senator from Wyoming, I should like to say, with reference to the hopes and aspirations of the people of Puerto Rico, that the closest of all the Latin peoples to American aspirations of the type represented by Jefferson, Jackson, Madison, and Monroe, are the Puerto Ricans. They are trying to get along with us. They want to get along with us. They want to live our way of life. They want to use our language. They will do all that if only we will give them a chance to work out a system of constitutional government in keeping with our own Constitution.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LEHMAN. I believe that we have made a very serious blunder in insisting on changing the constitution to provide that all changes in it must be submitted to Congress for approval. We have taken a position quite different from the position we take in the case of the States of the Union or of any other unit of government in our country.

After having made that mistake, which is an affront to the people of Puerto Rico, in my opinion, we propose another change, which would seriously complicate their system of jurisprudence. We are dealing with a people who are as friendly and as loyal as any people in any part of our great country. Why should we hamstring them or surround them with handicaps which are contrary to their will, with respect to precisely such things as these? I join in the request of the Senator from Wyoming that the Senator from Mississippi withdraw his amendment.

Mr. O'MAHONEY. Certainly the people of Louisiana are as successful under their procedure as are the people of Mississippi under theirs.

I think this is not a matter of deep, vital import. As I said a moment ago, I hope the Senator from Mississippi will trust this to the people of Puerto Rico, who have been doing such a splendid job.

Mr. STENNIS. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. STENNIS. There is involved the fundamental question of trying to bring to the so-called little fellow, even in a so-called little case, the right to call for a jury trial if he sees fit to do so. This provision would not require a jury trial in all cases of infractions of ordinances. The purpose is to have the legislature of Puerto Rico provide a means of having such case tried before a jury as a matter of right, so as to meet this fundamental requirement. Such a system would provide a fine training ground.

Mr. O'MAHONEY. Nothing contained in the constitution would prevent the legislature from doing that precise thing.

Mr. HOLLAND. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Wyoming yield to the Senator from Florida?

Mr. O'MAHONEY. I yield.

Mr. HOLLAND. I, too, hope the Senator from Mississippi will withdraw the amendment. My reason for expressing that hope is a little different from the reasons which already have been stated.

In my visits to Puerto Rico I have been impressed with the fact that the people there are very, very poor, and that most of the units of government there consist, in the main, of poor people.

To place upon them and their government the additional costs of jury trial for petty misdemeanors and the like would, it seems to me, be of very doubtful wisdom.

I hope we shall leave this matter entirely to those people.

They wish to be successful in this undertaking. In their constitution they have provided for the adoption of an important feature of what we call our Anglo-Saxon system of jurisprudence and justice.

I hope we shall permit them to take that step, and shall permit them to work out this matter further, if they wish to do so, and that we shall not trespass too heavily upon their very modest means. I believe we should remember that they do not have unlimited means, and that everything which would add materially to the cost of administration of justice there certainly would not be an unmixed blessing.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi [Mr. STENNIS] to the committee amendment. [Putting the question.]

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

If there is no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

Mr. O'MAHONEY. Mr. President, there is at the desk House Joint Resolution 430, approving the Constitution of Puerto Rico. As introduced, it was a companion measure to Senate Joint Resolution 151. I now move that the Committee on Interior and Insular Affairs be discharged from the further consideration of House Joint Resolution 430, and that the Senate proceed to its consideration.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (H. J. Res. 430) approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952.

Mr. O'MAHONEY. Mr. President, I now move that all after the enacting clause of the House joint resolution be stricken out, and that in lieu thereof the text of Senate Joint Resolution 151, as it has now been perfected, be substituted.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and third reading of House Joint Resolution 430.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution (H. J. Res. 430) was read the third time, and passed.

The PRESIDING OFFICER. The question now is on agreeing to the preamble of House Joint Resolution 430.

Without objection, the preamble is agreed to.

Mr. O'MAHONEY. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. MURRAY, Mr. MCFARLAND, Mr. MILLIKIN, and Mr. CORDON conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 151 is indefinitely postponed.

TARIFF ON TUNA FISH

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 5693, Calendar No. 1502, the so-called tuna fish bill.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5693), Calendar 1502, to amend the Tariff Act of 1930, so as to impose certain duties upon the importation of tuna fish, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

SOCIAL SECURITY ACT AMENDMENTS OF 1952—REPORT OF A COMMITTEE

Mr. GEORGE. Mr. President, from the Committee on Finance, I report favorably, with amendments, the bill (H. R. 7800) to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes; and I submit a report (No. 1806) thereon. I ask that the report be printed.

First, I call attention of the Senate to the following paragraph contained in the report:

> Your committee has deleted the provisions contained in the House bill which would have: (1) preserved the insurance rights of permanently and totally disabled persons and (2) extended to the States the option of bringing under old-age and survivors insurance certain State and local employees covered by existing local or State retirement systems. In deleting these provisions, your committee did not prejudge the merits of these proposals. There was insufficient time for full hearings which would have been necessary if proper consideration were given to these two provisions and the numerous amendments suggested thereto. Thus, hearings were waived in order not to delay action on the other important revisions in our social security system so urgently needed at this time. If the House of Representatives should choose to send back to the Senate a bill containing the deleted provisions at a later date when public hearings can be held, the committee will give them careful attention and take appropriate action.

In submitting the report on this bill, I wish to emphasize at this time that aside from these two deletions, the bill as reported by the Finance Committee follows very closely the text of the bill passed by the House of Representatives, and deals with all the provisions contained in the bill passed by the House, with, of course, certain changes, one of the significant changes being that the average earning allowance—which will not affect the insurance credits—is raised by the bill as reported by the Finance Committee from $70 to $100.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar.

Mr. MCFARLAND. Mr. President, will the Senator from Georgia yield to me?

Mr. GEORGE. I yield.

Mr. MCFARLAND. I understand that this bill does not provide for any increase in the payments for the needy aged, the blind, or dependent children.

Mr. GEORGE. No; only in one minor particular does the bill as reported affect any of the provisions of the Social Security Act relating to the aged, the blind, and dependent children. The bill as reported does make an important amendment in the case of the blind.

Mr. MCFARLAND. Mr. President, will the Senator from Georgia yield further, for a question?

Mr. GEORGE. I am pleased to yield.

Mr. MCFARLAND. Does not the Senator from Georgia agree with me that at the present time the cost of living is such that these persons need an increase, just as much as the others do?

Mr. GEORGE. Beyond any question, Mr. President, that is so; and the Senator's amendment was submitted to the committee, but no record vote was taken on the amendment. The distinguished Senator from Colorado stated that the amendment would be offered on the floor.

Mr. MCFARLAND. I am glad the distinguished Senator from Colorado made that announcement, because those of us who are interested in helping people in the categories mentioned will offer the amendment on the floor, when this bill comes up for consideration.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. GEORGE. I am pleased to yield to the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I was very much interested in the statement made by the able chairman of the Finance Committee that certain deletions had been made in the bill as it came from the House. I was particularly concerned with section 6, as I recall the section, dealing with municipal employees.

Mr. GEORGE. That is correct.

Mr. SPARKMAN. It is my understanding that the Senate committee has omitted that from the bill which it has reported to the Senate.

Mr. GEORGE. That is true, and also section 3. Those were the only two sections we omitted. We did that solely because a large number of witnesses had asked to be allowed to appear, and both of those sections were somewhat controversial. But we are stating in the report that we are not prejudging those sections, nor passing upon their merits, and that if the House will send those sections back to us in the form of a separate bill, we shall then proceed with the hearing.

Mr. SPARKMAN. That was the part of the statement which somewhat puzzled me. Is it contemplated that the House may send them back in a separate bill very soon, so that we could hope for action in the Senate before the Congress adjourns? Or is it anticipated that we shall have to wait until another bill comes up in the next Congress before we can get action?

Mr. GEORGE. I think the House could pass and send such a bill to the Senate promptly. The House having passed House bill 7800 containing those sections, I see no reason why it could not pass and send to the Senate immediately a separate bill embodying them. I may say to the Senator from Alabama, had we known that we were to return after the July conventions, we probably would have held this bill and started hearings on it next week. But we were uncertain, and we knew very well that many Members of the Senate wanted to adjourn by July 5 or 6 if possible. So, in order to get action on the necessary increases in the old-age and insurance provisions of the act, and also in order to make certain other changes which would be very helpful to the beneficiaries under the social-security system, we in the committee were of opinion that we were justified in eliminating those two provisions for the time being.

Mr. SPARKMAN. Mr. President, if the Senator will yield further, I am confining my remarks to section 6. I am not so familiar with section 3 as I am with section 6. Am I correct in my understanding that, once before, the Senate Finance Committee reported a provision which was substantially the same as section 6? Was not that included in a bill which was previously reported by the Finance Committee?

Mr. GEORGE. It was not identical with section 6.

Mr. SPARKMAN. No; but it covered the same general field.

Mr. GEORGE. It covered the same general field. The section was narrowed in conference, because at that time the House was not quite willing to go as far the Senate went.

Mr. SPARKMAN. That was my understanding. The House has passed such a provision, and the Senate committee reported it once. In other words, the subject matter has been acted on by both Houses. I appreciate the situation which confronted the committee, and I appreciate how diligently the able chairman and his committee have worked in an effort to report this proposed legislation. I am disappointed that section 6 is not included, because it seems to me that the controversy involved in it has been reduced to a minimum. It has been pretty well narrowed down to the fact that certain classes of employees do not want to be included, but that others do.

Therefore, Mr. President, when the bill comes up on the floor of the Senate I hope we may have an opportunity to discuss the matter of including those employees. I send to the desk at this time an amendment, and ask that it be printed and lie on the table, with the hope that I may be able to present an amendment to the bill at the proper time.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. GEORGE. Mr. President, it depends upon what the Senate does, as to whether an effort will be made to bring the bill to a vote. If it is apparent that we cannot adjourn, but will merely recess, we shall have the opportunity to have hearings upon these and other sections, including the deleted sections.

I may say to the Senator from Alabama that the committee is now confronted with requests to be heard, from certain people who were highly displeased with the provision originally contained in the bill, and who wished us to delete it. As a result of action taken by both Houses, they were excluded. They now want to be heard on this bill, if this matter is to be dealt with at all, and approximately 10 or 12 witnesses have made applications to be heard. That was our only reason for not proposing to retain that provision in the bill.

Mr. SPARKMAN. I thank the Senator.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, I wish to make an announcement: The Senate has just taken up House bill 5693, the so-called tuna fish bill. I believe the distinguished Senator from Georgia [Mr. GEORGE] has another bill he desires to have considered; as I understand, it is a bill amending the Internal Revenue Code. That bill is House bill 3168, Calendar No. 1091. Notice has previously been given that that bill will be taken up after the tuna fish bill is disposed of.

Mr. President, I wish to give notice also that, on Wednesday, we expect to lay aside temporarily whatever may then be before the Senate, and to consider the Interior Department appropriation bill. It is very important that the appropriation bills be disposed of as rapidly as they are reported. I thank the chairman of the Appropriations Committee for his expeditious handling of the Interior Department bill, which can now be considered by the Senate. I hope he will be able to have all the remaining appropriation bills reported to the Senate this week, and that we may dispose of them as fast as they are presented.

Mr. McKELLAR. I do not see in the Chamber the chairman of the subcommittee, the Senator from Nevada [Mr. McCARRAN], who is in charge of the State, Justice and Commerce appropriation bill, but that bill was reported to the full committee this afternoon, and is to be considered at 10:30 tomorrow morning. I think it will be reported to the Senate before the day is over.

Mr. McFARLAND. That is fine. I congratulate the distinguished chairman upon the progress he is making on these bills.

Mr. President, tomorrow we shall try to announce a program for the remainder of the week, but I give notice that at the first opportunity afforded House bill 7800, which has just been reported by the Senator from Georgia [Mr. GEORGE], will be considered. It is very important that those affected by the bill should receive the increases it provides, and it is equally important that the aged, the blind, and dependent children also have an increase. In order that I may not be charged with having failed to give notice, I now give notice that House bill 7800 will be taken up and considered at the first opportunity.

I also desire to give notice that we may call upon the Senate to work long hours any day this week. But we shall try to announce, shortly after we convene, when we are to have an evening session. If Congress is to be able to adjourn before the national conventions long hours and hard work will be required. We shall take a recess now, if it is the pleasure of the Senate.

The PRESIDING OFFICER. What is the pleasure of the Senate?

RECESS

Mr. McFARLAND. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, June 24, 1952, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 23, 1952

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, we are again offering unto Thee our prayers of praise and petition.

Strengthen and sustain us during this day with the fellowship of Thy presence and the endowment of Thy power.

May we be of one mind with all who seek Thy will, and of one purpose with all who serve Thee.

Show us how we may develop new capacities of insight and interpretation, of patience and perseverance, of achievement and victory as we face difficult problems.

In all our perplexities and uncertainties, may we trust and commit ourselves with courage and confidence to the guidance of Thy divine spirit which is infinitely wiser than our own.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, June 20, 1952, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Hawks, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 160. An act to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks;

H. R. 699. An act for the relief of Mrs. Blanche Richards, owner of the Bozarth Nursing Home, Toppenish, Wash.;

H. R. 812. An act for the relief of Karel Vaclav Malinovsky;

H. R. 856. An act for the relief of Dr. James F. Spindler;

H. R. 885. An act for the relief of Heinrich von Biel, Margarethe von Biel, and Doris Schumann;

H. R. 966. An act for the relief of Mrs. Solveig Normanson;

H. R. 1097. An act for the relief of Ethel White, Frankie Ezell, and Ralph James;

H. R. 1261. An act for the relief of Alexander L. Wiesiolowski;

H. R. 1563. An act for the relief of Francis A. Gunn;

H. R. 1690. An act for the relief of Carl M. Campbell, James R. White, and Frederick J. Powers;

H. R. 1788. An act to authorize the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians to make contracts with approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe;

H. R. 1847. An act for the relief of Margaret Frankel;

H. R. 2221. An act for the relief of Gertrude Manhal;

H. R. 2296. An act for the relief of Mother Anna Fasulo;

H. R. 2413. An act for the relief of the Kloman Instrument Co., Inc.;

H. R. 2510. An act for the relief of Mrs. Beverly Brunell Roth;

H. R. 2595. An act for the relief of Clarice D'Amico and Chiara Antonucci;

H. R. 2629. An act for the relief of Dr. Leonidas M. Pappas;

H. R. 2718. An act for the relief of Enrique M. Orpilla;

H. R. 2719. An act for the relief of Philip Fugh, Sarah Liu Fugh, and John Fugh;

H R. 2810. An act for the relief of James Nels Ekberg;

H. R. 2832. An act for the relief of Leszek Kazimierz Pawlowicz;

H. R. 3155. An act for the relief of Sebastiano Belló, Dino Bianchi, Pierino Ciccarese,

Vincenzo Dall' Alda, Vittorio De Gasperi, Salvatore Puggioni, Giovanni Battista Volpato, and Leone Montini;

H. R. 3220. An act for the relief of Joseph Wynn Steel and William Peter Kruse;

H. R. 3501. An act for the relief of Takae Nomura;

H. R. 3534. An act for the relief of Gabriella Rubido Zichy;

H. R. 3616. An act for the relief of the Pacific Fruit Express Co.;

H. R. 4067. An act for the relief of Samuel Thomas Wong;

H. R. 4070. An act for the relief of Isabelle F. Story;

H. R. 4182. An act for the relief of Clarence Sudbeck;

H. R. 4344. An act for the relief of Clyde R. Sharp;

H. R. 4465. An act for the relief of Angela Moniz McCracken;

H. R. 4543. An act for the relief of Mrs. Priscilla Crowley;

H. R. 5208. An act for the relief of Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza;

H. R. 5301. An act for the relief of Leonard Jesse Richards (Michio Inoue);

H. R. 5349. An act for the relief of Mrs. Edith P. Powell;

H. R. 5479. An act for the relief of the estate of Floyd L. Greenwood;

H. R. 5526. An act for the relief of Dr. J. Ernest Ayre;

H. R. 5543. An act for the relief of Mrs. Elisabeth Rosalia Haste;

H. R. 5599. An act to provide for the conveyance of the Centre Hill Mansion, Petersburg, Va., to the Petersburg Battlefield Museum Corp., and for other purposes;

H. R. 5687. An act for the relief of Peter Mihaly Berend;

H. R. 5755. An act for the relief of Chong So Yong;

H. R. 5759. An act for the relief of Chizuko Nakagami;

H. R. 5957. An act for the relief of Veronica Merita Ritson;

H. R. 6010. An act for the relief of Mrs. Lennie G. Clarkson and William E. Clarkson;

H. R. 6023. An act for the relief of Fred Augustus Snead, Jr.;

H. R. 6117. An act for the relief of Deliana Meulenkamp;

H. R. 6152. An act for the relief of Lucille Hujima;

H. R. 6231. An act for the relief of Gordon Uglow;

H. R. 6259. An act to authorize the admission of Wong Ng Chin Chun to the United States;

H. R. 6264. An act for the relief of Louis R. Chadbourne;

H. R. 6500. An act to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder;

H. R. 6635. An act to exempt from taxation certain property of the AMVETS, American Veterans of World War II, in the District of Columbia;

H. R. 6754. An act to provide that salaries of rural carriers serving heavily patronized routes shall not be reduced by reason of increases in the length of such routes;

H. R. 6857. An act to amend section 7a of the act entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928;

H. R. 6943. An act to fix the seniority rights and service of Albert O. Raeder as sergeant in the District of Columbia Fire Department;

H. R. 7030. An act to amend certain acts and parts of acts which require the submission of documents to the Post Office Department under oath, and for other purposes;

H. R. 7253. An act to authorize the conveyance to the Columbia Hospital for Women and Lying-in Asylum of certain parcels of land in the District of Columbia, and for other purposes;

H. R. 7758. An act to revise certain laws relating to the mail-messenger service; and

H. R. 7877. An act to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and concurrent resolutions of the House of the following titles:

H. R. 404. An act to amend the Military Personnel Claims Act of 1945;

H. R. 1267. An act to reimburse the Stamey Construction Co. and/or the Oklahoma Paving Co., as their interests appear;

H. R. 1853. An act to authorize the granting to Kaiser Steel Corp. of rights-of-way on, over, under, through, and across certain public lands, and of patent in fee to certain other public lands;

H. R. 2813. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Colbran reclamation project, Colorado, and to provide for disposition of the project upon completion of repayment;

H. R. 3589. An act to amend title 17 of the United States Code entitled "Copyrights" with respect to recording and performing rights in literary works;

H. R. 3600. An act for the relief of Dr. Alexander Symeonidis;

H. R. 3707. An act for the relief of Edgar L. Dimmick;

H. R. 4109. An act to amend section 73 of the act of January 12, 1895, as amended, relating to the printing, binding, and distribution of the Statutes at Large, and sections 411, 412, and 413 of title 28, United States Code, relating to the printing, binding, and distribution of decisions of the Supreme Court of the United States, and for other purposes;

H. R. 4277. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

H. R. 4455. An act for the relief of Robert A. Buchanan;

H. R. 6578. An act to provide for correlation and coordination of research into practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes;

H. R. 6773. An act to provide for the further development of cooperative agricultural extension work;

H. R. 7202. An act to amend section 16 of the act entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929 (46 Stat. 25; 13 U. S. C. 216);

H. R. 7204. An act to amend section 5 of the act entitled "An act to credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion," approved June 19, 1948;

H. R. 7405. An act to provide for an economical, efficient, and effective supply management organization within the Department of Defense through the establishment of a single supply cataloging system, the standardization of supplies and the more efficient use of supply testing, inspection, packaging, and acceptance facilities and services;

H. R. 7496. An act to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1957, the period for authorization for appropriations for carrying out the purposes of the act as amended;

H. R. 7783. An act to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes;

H. Con. Res. 191. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens; and

H. Con. Res. 206. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the Senate had passed bills, joint resolutions, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 18. An act to authorize suits against the United States to adjudicate and administer water rights;

S. 103. An act to change the name of Medicine Creek Reservoir in Frontier County in the State of Nebraska to Harry Strunk Lake;

S. 423. An act for the relief of Orazio Balasso;

S. 709. An act for the relief of Stephen A. Spilios, also known as Stephen A. Harrison;

S. 732. An act for the relief of certain Basque aliens;

S. 808. An act for the relief of Sisters Adelaide Canelas and Maria Isabel Franco;

S. 1095. An act to extend the time for filing claims on behalf of certain persons, and for other purposes;

S. 1127. An act for the relief of William T. Kreh, Sr.;

S. 1268. An act for the relief of Panaiotis Nicurezos;

S. 1331. An act to further implement the full faith and credit clause of the Constitution;

S. 1423. An act for the relief of Michiko Yamamori Wilder and her minor child;

S. 1454. An act for the relief of Walter Koelz;

S. 1577. An act for the relief of Constantinous Tzortzis;

S. 1705. An act to amend title 28 of the United States Code so as to provide for two United States Commissioners for Great Smoky Mountains National Park;

S. 1821. An act for the relief of Manousos A. Petrohelos;

S. 1840. An act for the relief of Tsuneo Tanigawa, also known as David Lawrence Rogers;

S. 1867. An act for the relief of Margherita Gentile;

S. 1876. An act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.;

S. 1896. An act for the relief of Mrs. Anni Franchina;

S. 1946. An act for the relief of Erich Anton He'fert;

S. 1947. An act for the relief of Felix Kortschak;

S. 2074. An act for the relief of Robert Lee Williams;

S. 2096. An act for the relief of Damiano Mario Carmine Palusci;

S. 2166. An act for the relief of Jo Ann Fosberg;

S. 2225. An act to create a committee to study and evaluate public and private experiments in weather modification;

S. 2249. An act for the relief of Biancamaria Cori;

S. 2277. An act for the relief of Nicholas J. and Elizabeth Miura.

S. 2289. An act for the relief of Michiko Okuda;

S. 2313. An act for the relief of Hsieh Ta-Chuan or Der Ott-Kuan;

S. 2384. An act to amend the District of Columbia Credit Unions Act;

S. 2393. An act for the relief of the State of New Hampshire and the town of New Boston, N. H.;

S. 2395. An act for the relief of Ioannis Dimitriou Cohilis;

S. 2459. An act to equitably adjust the salaries at central accounting post offices;

S. 2528. An act for the relief of George Tus;

S. 2555. An act for the relief of Deborah Jayne Engelman;

S. 2582. An act to authorize and direct the Secretary of the Army to convey a certain tract of land in Russell County, Ala., to W. T. Heard;

S. 2609. An act for the relief of Iwanna Pryjma and Roma Pryjma;

S. 2630. An act for the relief of Mary Fox;

S. 2637. An act for the relief of Peter Rousetos, also known as Panagiotis Rousetos, also known as Panagiotis Roussetos Metritikas;

S. 2733. An act for the relief of Donald Lee Ferguson, Jr.;

S. 2909. An act to amend the act entitled "An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona," approved August 18, 1941 (55 Stat. 630);

S. 2922. An act to amend subsection (d) of section 12 of the Subversive Activities Control Act of 1950;

S. 2938. An act to amend section 9 of the Federal Reserve Act, as amended, and section 5155 of the Revised Statutes, as amended, and for other purposes;

S. 2941. An act to provide for the suspension of the imposition or execution of sentence in certain cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Columbia;

S. 2949. An act to amend the District of Columbia Teachers' Leave Act of 1949;

S. 2959. An act authorizing the transfer to the State of Tennessee of certain lands in the Veterans' Administration Center, Mountain Home, Tenn.;

S. 3032. An act for the relief of Bonnie Jean MacLean;

S. 3041. An act to amend the act entitled "An act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia," approved February 9, 1907, as amended;

S. 3051. An act to authorize the Administrator of General Services to transfer to the Department of the Navy, without reimbursement, certain property at Fort Worth, Tex.;

S. 3052. An act to authorize certain land and other property transactions, and for other purposes;

S. 3056. An act for the relief of William R. Jackson;

S. 3061. An act to permit and assist members of the Armed Forces to exercise their voting franchise;

S. 3072. An act to extend the 1½ cents per pound second-class mailing rate to publications and certain alumni associations;

S. 3132. An act for the relief of Jun Miyata;

S. 3140. An act for the relief of Victor de la Bretoniere;

S. 3143. An act to amend sections 3182 and 3183 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives from justice;

S. 3188. An act to provide for granting to officers and members of the Metropolitan Police force, the United States Park Police force, the White House Police force and the Fire Department of the District of Columbia days off in lieu of regular days off suspended during emergencies;

S. 3240. An act for the relief of Ichiro Iida;

S. 3295. An act to amend the National Housing Act to provide for insurance on mortgages executed in connection with the sale of permanent emergency housing projects constructed by or on behalf of a State or municipality, or an agency, instrumentality, or body politic of either, for occupancy by veterans of World War II and others;

S. 3337. An act to authorize the loan of two submarines to the Government of the Netherlands;

S. 3359. An act to give proper recognition to the distinguished service of Col. J. Claude Kimbrough;

S. J. Res. 74. Joint resolution to change the name of the South Coulee Dam in the Columbia Basin project to Dry Falls Dam;

S. J. Res. 149. Joint resolution to provide for a continuance of civil government for the trust territory of the Pacific islands;

S. J. Res. 150. Joint resolution to provide for the removal of certain discriminatory practices of foreign nations against American-flag vessels, and for other purposes; and

S. Con. Res. 81. Concurrent resolution favoring the suspension of deportation of certain aliens.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 968. An act granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7345) entitled "An act to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross."

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 214) entitled "An act for the relief of Mrs. Juan Antonio Rivers, Mrs. Raul Valle Antelo, Mrs. Jorge Diaz Romero, Mrs. Otto Resse, and Mrs. Hugo Soria"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. O'CONOR, and Mr. HENDRICKSON to be the conferees on the part of the Senate.

The message also announced that the Senator from Arkansas, Mr. MCCLELLAN, had been appointed an additional conferee on the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 52–24.

ESTABLISHMENT OF A HOSPITAL CENTER IN THE DISTRICT OF COLUMBIA

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7496) providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 7, strike out "1957" and insert "1955."

Amend the title so as to read: "An act to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1955, the period for authorization for appropriations for carrying out the purposes of the act as amended."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VETERANS' COMPENSATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7783) to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out "$50" and insert "$47."

Page 2, line 8, strike out "$50" and insert "$47."

Page 3, line 9, strike out "$70" and insert "$67."

Page 3, line 14, strike out "$50" and insert "$47."

Page 3, line 18, strike out "$70" and insert "$67."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand these Senate amendments are agreeable to the Committee on Veterans' Affairs?

Mr. RANKIN. That is right, yes.

This bill seeks to increase the statutory award rates for service-connected disabled veterans of all wars. The amendment of the Senate is to reduce by $3 a month the compensation which the House had previously set at $50. Due to the lateness of the session and with the full support of the Committee on Veterans' Affairs, I am making this motion to concur in the Senate's action.

The enactment of this bill is another step toward uniformity in the compensation and pension structure for veterans and their dependents. For the past 4 years the Committee on Veterans' Affairs has been endeavoring to bring about more uniformity in these laws. Public Law No. 108 of this Congress reduced the number of pension rates for Spanish American War veterans from 16 to 4, and Public Law 356 provided similar treatment for the Indian wars veterans as well as making the rate of

$129 per month for all veterans qualifying for aid and attendance. A codification of veterans' laws is sorely needed and I hope that we will shortly see action along that line.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. FOGARTY asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

SOCIAL-SECURITY LEGISLATION

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I am glad to announce that the Senate Finance Committee considering the bill H. R. 7800 has reported out a bill with many important amendments. These amendments take out of the bill practically all of the portions against which I and several others protested vigorously. This is the social-security bill, concerning which we, the House Members, marched up the hill one day and defeated the original bill under a suspension of the rules. Then a few days later many Members changed their minds and passed practically the same bill. Then on June 20 the Senate committee reported out an amended bill which is practically what the gentleman from New York [Mr. REED] and myself and the gentleman from Pennsylvania [Mr. SIMPSON], and the gentleman from Illinois [Mr. MASON], and others of the committee were demanding. If the Senate passes the bill as the Senate committee recommends it, we will bring back a fine bill, with socialized medicine all out of it, with permission to recipients to earn an additional $100 per month, and all those fine features that we wanted included in the first bill.

I have always supported all social-security bills. I was a member of the Ways and Means Committee when we wrote the first bill in 1935. But I am not in favor of socialized medicine. The Senate committee, by its action in striking out all the language against which we complained, evidently agree with our view that the bill as it passed the House did contain language that was conducive to socialized medicine. I feel sure that if the Senate passes the bill as recommended by the Senate committee it will pass the House.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is about time the people realized that the favorite slogan of the Republican Party is socialism or socialized medicine. They gave it against social security in 1935, they gave it against the Securities and Exchange Commission legislation, they gave it against minimum wages, they gave it against every progressive piece of legislation in the interest of our country. There is no more socialism in the bill to which the gentleman from Ohio referred than, as the gentleman from North Carolina so well said, there is frost in the sun.

INTERNAL REVENUE CODE—EMPLOYEE STOCK-PURCHASE PLANS

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7255) to amend section 165 (b) of the Internal Revenue Code, relating to employee stock-purchase plans.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pensylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 165 (b) of the Internal Revenue Code (relating to employee stock-purchase plans) is hereby amended by adding at the end thereof the following: "In no event shall the amount actually distributed or made available to any distributee include net unrealized appreciation in securities of the employer corporation attributable to the amount contributed by the employee. Such net unrealized appreciation and the resulting adjustments to basis of such securities shall also be determined in accordance with regulations which shall be prescribed by the Secretary."

SEC. 2. The amendment made by this act shall be applicable with respect to taxable years beginning after December 31, 1951.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNAL REVENUE CODE—SALE OR EXCHANGE OF RESIDENCES BY MEMBERS OF ARMED FORCES

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8270) to amend section 112 (n) of the Internal Revenue Code, relating to nonrecognition of gain from sale or exchange of residence, with respect to persons serving on active duty with the Armed Forces of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 112 (n) of the Internal Revenue Code (relating to nonrecognition of gain from sale or exchange of residence) is hereby amended by adding at the end thereof the following new paragraph:

"(8) Members of Armed Forces: The running of any period of time specified in paragraph (1) or (2) (other than the 1 year referred to in paragraph (2) (F)) of this subsection shall be suspended during any time that the taxpayer (or his spouse if the old residence and the new residence are each used by the taxpayer and his spouse as their principal residence) serves on extended active duty with the Armed Forces of the United States after the date of the sale of the old residence and before January 1, 1954, except that any such period as so suspended shall not extend beyond the date 4 years after the date of the sale of the old residence. For the purpose of this paragraph, the term 'extended active duty' means any period of active duty pursuant to a call or order to such duty for a period in excess of 90 days or for an indefinite period."

SEC. 2. The amendment made by the first secton of this act shall be applicable to taxable years ending after December 31, 1950, with respect to residences sold (within the meaning of section 12 (n) of the Internal Revenue Code) after such date.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. SMITH of Wisconsin asked and was given permission to address the House for 20 minutes tomorrow, following the conclusion of any special orders heretofore entered.

CAMPAIGN ISSUE

Mr. KERSTEN of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the gentleman from Wisconsin?

There was no objection.

Mr. KERSTEN of Wisconsin. Mr. Speaker, I think the basic issue between the Republican Party and the Democratic Party in the coming election will be one of foreign policy. The record made by the administration indicates they are firmly adhering to the policy of containment whereby they are seeking to negotiate an agreement with the Soviet world acceding in the conquest of the Soviet regime and the countries of Eastern Europe and of China and other parts of the world. I think the Republican Party will stand firmly for a foreign policy of liberation whereby it will not accede to the conquest of Soviet Russia. It will look forward to the liberation of countries of Eastern Europe and that part of Asia which the Communists have conquered. Such things as we see today of trade with the satellite nations and the Communist regimes, which the present administration has not cut off, keeps those Communist regimes in power.

The SPEAKER. The time of the gentleman has expired.

SPECIAL ORDERS GRANTED

Mr. ELLSWORTH asked and was given permission to address the House for 15 minutes today, following the conclusion of any special orders heretofore granted.

Mr. BROOKS asked and was given permission to address the House for 20 minutes today, following the conclusion of any special orders heretofore granted.

REPORT OF COMMISSION FOR COMMEMORATION OF ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE SIGNING OF THE DECLARATION OF INDEPENDENCE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers, referred to the Committee on the Judiciary:

To the Congress of the United States:

I transmit herewith for the information of the Congress a copy of the report of the Commission for the Commemoration of the One Hundred and Seventy-fifth Anniversary of the Signing of the Declaration of Independence, established by Executive Order No. 10245, dated May 17, 1951.

This report is evidence of an extraordinarily fine program devoted to the redeclaration of our cherished freedoms and to making all of us more fully aware of the ideals and great truths set forth in the Declaration of Independence. I commend to the Congress the work of the Commission, as well as the work of all the individuals and organizations who so wholeheartedly cooperated in the program.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 23, 1952.*

EPIFANIA GIACONE

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5185) for the relief of Epifania Giacone, with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out all after "tax" down to and including "available" in line 11.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the amendment?

Mr. WALTER. It is merely a technical arrangement. The Senate changed the phraseology. It does nothing more than merely reenact what we did but in different language.

Mr. MARTIN of Massachusetts. It does not change the substance?

Mr. WALTER. No.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GRANTING OF PERMANENT STATUS TO CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Concurrent Resolution 191, favoring the granting of status of permanent residence to certain aliens, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WALTER, WILSON of Texas, DONOHUE, GRAHAM, and Miss THOMPSON of Michigan.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Concurrent Resolution 206, favoring the granting of the status of permanent residence to certain aliens, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WALTER, WILSON of Texas, DONOHUE, GRAHAM, and Miss THOMPSON of Michigan.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Clerk will call the first bill on the District of Columbia Calendar.

WHITE HOUSE POLICE

Mr. McMILLAN. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the bill (S. 1283) to remove the limitation on the numerical strength of the White House Police force, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. McMILLAN. The purpose of this bill is to remove the present statutory limitation of 133 on the strength of the White House Police force. Present appropriations have raised the authorized strength to 170, which is the number considered necessary for the security of the President and of the White House grounds.

Until the act is amended, present appropriations bills are subject to a point of order. The House Appropriations Committee has recommended this change in order to accommodate existing law to actual practice.

The limitation on the size of the White House Police force will, of course, continue to be imposed by annual appropriations acts.

This legislation has the approval of the Board of Commissioners of the District of Columbia.

Mr. MILLER of Nebraska. Will the gentleman yield 10 minutes to this side?

Mr. McMILLAN. I do not have any time to yield.

The SPEAKER. The gentleman from South Carolina requested that the bill be considered in the House as in the Committee of the Whole. If that request is granted the gentleman may move to strike out the last word and possibly the House will extend his time.

Mr. MILLER of Nebraska. I am not objecting to the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That title 3, United States Code, section 203 (a), as amended by section 2 of the act of August 15, 1950 (Public Law 693, 81st Cong.), is amended to read as follows:

"SEC. 203. (a) The White House Police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary but not exceeding 170 in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner."

Mr. MILLER of Nebraska. Mr. Speaker, I move to strike out the last word, and I yield to the gentleman from Ohio [Mr. BROWN], who has a statement he wishes to make and would like to speak out of order.

I ask unanimous consent that he be permitted to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I hold in my hand a two-page letter from some of our servicemen in Korea, written in longhand and signed by three sergeants, five corporals, and 27 privates first-class, all members of a heavy mortar company in the front-lines. It carries the date June 12, 1952.

I am purposely withholding from the record the names of these 35 servicemen, although as I hold the letter in my hand you can see their signatures from where you sit. I have also eliminated the name of the Korea area from which this letter was sent. I have changed the number of the hill which is referred to in one portion of this letter so that it cannot help identify these men. I have made these deletions and changes because they in no way alter the facts stated in this letter, and inasmuch as this letter makes serious statements of fact concerning the shortage of ammunition in Korea, I think it might cause the parents of these boys a great deal of anxiety if they knew their sons were fighting under such conditions.

This letter is addressed to myself and my colleague from Ohio, the Honorable JOHN VORYS, as the result of a news story which the servicemen read that was published on May 16 in this country. Members of the House Rules Committee will

recall that on May 15, when the $7,900,000,000 foreign-aid bill was before the Rules Committee, I raised serious questions about why we were sending our latest model weapons to Europe while forcing our fighting men in Korea to suffer casualties in combat because they were fighting with outmoded equipment and were tragically handicapped by the lack of ammunition. I called our brave men in Korea "our forgotten men."

The letter that I hold in my hand speaks for itself, and I will now read it to the House:

SOMEWHERE IN KOREA,
June 12, 1952.

Representative BROWN and Representative VORYS,
Representatives of the State of Ohio,
House of Representatives,
Washington, D. C.

DEAR SIRS: Upon receiving a copy of the Chicago Daily Tribune, dated May 16, we of the heavy mortar company read an interesting article by you. It concerned the supply of "ammo," especially mortar and artillery rounds. We were thankful that someone in the States has enough guts to say something. I, myself, just arrived in Korea but after reading your articles, the fellows asked me to write a letter for all of them.

Here is an instance: Our FO (forward observer) was on hill 2,000,000 in March of 1952. His position was found by the Chinese, and he was being fired upon by mortars and 76-millimeter self-propelled artillery. He could see the Chinese in plain sight. He wired in for mortar fire, but could not have any because it was rationed. So those Chinese were allowed to live and maybe the next day kill some American soldiers.

This happened quite regular. Our "ammo" was rationed since last February. Also our mortars are old and worn out. We are still using the old 4.2 M2 mortar, where in the States they have the new 4.2 M–30 and have had it since last December. Why can't we have it here?

We haven't received any new parts since last December. We received small parts like traversing screws and such. No barrels, hose plates, standards, etc. These are a few examples. There are more, but it is all the same. We just want you to know that by continuing your fight for us, we would be eternally grateful.

We are here to do a job, but as you say, we are forgotten men. As long as men like you are around, we won't be entirely forgotten. Please bring this to the attention of all interested parties. We will watch your progress and be with you all of the way.

Respectfully yours.

(Signed by 3 sergeants, 5 corporals, 27 privates, first-class. Men of the heavy mortar company, ——— Infantry Regiment, ——— Infantry Division.)

(Names withheld by Congressman BROWN.)

Members of this House, I say that with the almost unlimited billions which the Truman administration has had at its disposal under the armament program, somebody ought to be impeached, or somebody ought to go to jail, or somebody ought to be court-martialed for the failure to provide the necessary armaments for our troops in Korea.

I happen to know that this is not an isolated case which this letter describes. I know of other cases where we are suffering casualties in Korea simply because our political and military planners have been guilty of irresponsible acts and irresponsible judgments.

Gen. J. Lawton Collins admitted on last May 5 that "some of the types of ammunition most important to our front-line soldiers have been rationed in Korea because production still does not equal normal battle expenditures and World War II stocks either have been exhausted or have approached exhaustion."

I think these facts ought to shock this House into some action. I would like to suggest to the Members of the House Armed Services Committee that they start calling witnesses and keep calling them until they get to the bottom of this disgraceful situation.

The war in Korea is now 2 years old. In that time this Congress has appropriated $151,169,003,219. Our Pentagon brass has got money running out of their ears. It surpasses all reason to believe for one moment that there can be any excuse whatsoever for the shortage of ammunition in Korea.

What kind of a defense program have we anyway when we spend unbelievably vast sums on armaments and yet, after this program has been under way for 2 years, we cannot even get sufficient ammunition to fight what the President of the United States himself shrugs off as a "police action"?

If this is the situation in Korea, what assurance have the American people that if world war III broke out tomorrow we would have a sufficiency of planes, submarines, antiaircraft guns, and radar equipment to prevent the major industrial cities of this Nation from being leveled within the first week?

With these conditions existing in Korea, how could we be sure that we have either the planes or the aircraft carriers or the A-bombs to deliver to the enemy an attack sufficiently devastating to confine him and limit his operations until we could become sufficiently mobilized?

The entire defense program is open to suspicion and distrust when 35 of our servicemen can sign such a letter as I have read to the House today.

It is a disgraceful and tragic situation, and I for one shall not rest until I get to the bottom of it. I know I can count on every Member of this House to join me in my request that the House Armed Services Committee start an investigation immediately and provide the Congress and the American people with some facts so that they will know the true status of our defense program.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from New York.

Mr. REED of New York. I was home recently and while there the father of a boy in Korea came to me and he said: "I am having trouble." He said, "I have a letter from my son and he wanted to know if I could not send him some cartridges for his revolver." He had only five or six and he could not get any more and he was guarding a very important location. That indicates what is going on over there.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Mississippi.

Mr. RANKIN. Does not the gentleman think if we would send some outstanding civilians who are interested in bringing about peace instead of certain brass hats who seem to be more interested in promotion than they are in peace, we might bring this Korean fiasco to a close and save the lives of thousands of those American boys who are being ruthlessly killed over there?

Mr. BROWN of Ohio. I think that would help.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman may be permitted to speak for five additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WOOD of Idaho. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Idaho.

Mr. WOOD of Idaho. Did the gentleman happen to notice the article in the paper yesterday that General Alexander of the British Army who had been sent out to Korea on a tour of inspection of the war front came back and in a statement at that time he used these words: "You are putting on a good show over there."

I wonder if that is what all of the British are thinking?

Mr. BROWN of Ohio. I do not know.

Mr. WOOD of Idaho. I wonder how the parents of our boys would feel about that.

Mr. DEVEREUX. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Maryland.

Mr. DEVEREUX. May I say in reply to the statement by the gentleman from Mississippi [Mr. RANKIN] that I assure him the brass hats do not want to continue any war. They are tied hand and glove by the State Department and the present administration. Those people who have seen the worst part of war do not want it continued.

Mr. BROWN of Ohio. I thank the gentleman.

In conclusion, Mr. Speaker, may I say that I will be very happy to show to any responsible Member of this House this letter, with the understanding that the names and the company will not be made public or given to anyone in the national defense establishment, because I do not want these men punished for telling the Congress about the tragic situation which exists in Korea.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Mississippi.

Mr. RANKIN. In reply to the remarks of the distinguished gentleman from Maryland——

Mr. BROWN of Ohio. I did not yield for a reply, but for a question.

Mr. RANKIN. I just want to modify my remarks and to include not only the brass hats, but the brass heads, who do not seem to be so much interested in bringing about world peace as they are in subordinating us to a world government.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. Does not the gentleman feel that we ought to stop the shipment of both arms and ammunition to Europe if it so vitally needed in Korea?

Mr. BROWN of Ohio. I said in a statement I made on the floor of the House in May, that our first duty was to supply the men on the fighting line in the field.

Mr. GROSS. The gentleman from Ohio is to be complimented on the stand he has taken.

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this bill will increase the police force at the White House. Naturally, everyone wants to see that the President of the United States is protected by an adequate police force, especially in these days when there may be picketing, there may be violence at the White House. It is a little difficult, however, to understand why the President wants an additional police force at the White House but announced, as he has, that he does not propose to enforce the laws we have on the books and permits violence on the picket line when the objective is to keep the steel mills closed.

What is the use of adding to the police force at the White House if it is within the discretion of the President to say which, if any, of our laws shall be enforced? What is the use of having additional policemen down at the White House if, as the gentleman from Ohio [Mr. BROWN], just said, the men who have been conscripted or who have enlisted to fight in Korea do not have adequate ammunition or equipment. Is that not just a little inconsistent? I heard the gentleman who served so gallantly in Guam, the gentleman from Maryland, General DEVEREUX, just a few moments ago, and I gathered from what he said that the trouble in Korea was not with the armed services, the brass, certainly not with the fighting men as much as it was with the political generals, or more accurately with those who are determining the policy which we should follow there.

Not so long ago, oh, within a couple of weeks, the press quoted General Ridgway as saying that the armed services were adequate, that they had plans to meet any opposition, and that they were prepared to successfully not only meet that opposition but to overcome whatever force the Chinese and their allies might bring against us. If that is true, and I assume the General knew what he was talking about, what about the rest of that statement? That is the statement that whether our forces were to be permitted to fight to win or just stand and be wounded or killed. May I call to the attention of my friend from Ohio [Mr. BROWN] that I was referring to the statement of General Ridgway appearing in the press a few days ago that the armed services were equipped and they had the plans to successfully meet and overthrow the Communists, but that the decision as to what policy was to obtain rested with the politicians. I wonder if the gentleman from Ohio noted that statement.

Mr. BROWN of Ohio. Yes, and I would like to comment on it. I understand the statement has been made by General Ridgway that there is an abundant supply of munitions for the use of the men in the front lines out there. General Collins, Chief of Staff of the Army, testified directly to the contrary of that statement. Of course, General Ridgway, sitting back in Japan, or now in Europe, knew more about what was going on out on the battle line than the men out there taking it and the hundreds of thousands who have been complaining to Members of Congress, not only about equipment but about such important equipment as hand grenades, used in close combat. Somebody ought to find out whether General Ridgway knows more about it than the men on the front battle line. I think the gentleman will agree with that.

Mr. HOFFMAN of Michigan. I want to go along with the thought the gentleman expressed—that there is no excuse for a lack of support for those who have been sent to war. I would suggest that the Armed Services Committee investigate this question of whether the politicians, and that is the word the General used, here in Washington or in the United Nations or elsewhere are the men who are responsible for the death of these men who day after day are dying so far from home in an undeclared and in my opinion an unnecessary war. I think the American people are entitled to know. If the commander in chief is responsible, then the Congress ought to do something definite about that, and without delay. He is responsible for the situation.

Mr. SIKES. Mr. Speaker, I move to strike out the last word and ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I can understand the apprehension of the Members of the House about supplies and ammunition for the troops in Korea. Every person here wants to see that they are properly provided for, and that they have a decent chance to come back alive, but I fear, Mr. Speaker, there has been more heat than light cast upon this subject. Of course, ammunition of certain types is rationed in Korea. It is rationed because we are at the end of a long supply line. Even if sufficient ammunition could be manufactured for unlimited use, it would take all the ships in the world to keep enough ammunition going to Korea for the men who are manning artillery units there to fire it as fast as they may want to. But rationing is no new procedure. Ammunition is rationed in every war—rationed so that it can be used primarily for the targets which are considered the most advantageous. It is not rationed at a level so low that it endangers our position or that it is felt that the lives of our men are endangered as a result. All of this was covered completely by the testimony of Army Chief of Staff Gen. J. Lawton Collins in his appearances before the Armed Services Committee and the Committee on Appropriations.

Mention was made of the fact that mortars there, which principally are World War II mortars, are wearing out. Yes, they are wearing out. Any gun barrel wears out, if you use it enough. That is particularly true of artillery. That is what is happening over there. The Army has been using World War II stocks of guns and ammunition. Those stocks got low because Korean demands were great, because they caught us unexpectedly, and because it has taken time to get production of new stocks.

New guns and ammunition are being phased into the fighting units rapidly now. They are beginning to come off the production lines rapidly enough to permit greater use. But I doubt that you will see an end of rationing to the using units in normal operations, because supply problems always will be great for overseas operations.

Mention was made about some youngster in Korea who had only six cartridges for his pistol. May I point out that the Army does not supply pistols for front-line units except under very rare conditions. Therefore, it would not supply ammunition for pistols. Some of the boys have gotten pistols because they want a sidearm, and it is natural they would have difficulty getting ammunition in Korea for a weapon that is not Army issue. They are not supplied pistols for a definite reason. The rifle or the automatic rifle has been found by far the most effective and most accurate weapon for the troops. Additional weapons simply mean more weight to carry around, and pistols have been found particularly ineffective for the average person to use in combat.

I can assure the gentlemen who have spoken here today that there is a priority system, and that Korea is not being neglected or shunted aside for other parts of the world. Our needs in Korea get first consideration as supplies become available. We are trying to do a job which requires that we recognize our commitments on both sides of the world. There is danger on both sides of the world, and Congress by its votes on many occasions, has recognized that such danger exists. We cannot now ignore the fact that there is danger to our way of life on both sides of the world.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. JENSEN. The condition may be more serious than the gentleman thinks.

Mr. SIKES. I recognize the fact that it is serious.

Mr. JENSEN. When we were in Korea, when Congressman H. CARL ANDERSEN and Mr. MCGRATH and myself were in Korea last December, one infantryman told Mr. ANDERSEN and me that he had been rationed, or rather that his company had been rationed to the extent of only 25 rounds a day, and they were up on the fighting front. The thing that the boys asked us more than anything else, and what the newspapermen asked us was: "Why don't we get more fighting equipment over here?" "Why don't we get more ammunition over here?" "Why don't we get more helicopters over here and jet planes and

everything else?" Now it may be more serious than the gentleman realizes.

Mr. SIKES. I realize the fact that this is serious, but I believe I have covered the points brought out by the gentleman. That situation largely is being alleviated. While I do not like to see rationing any more than the gentleman does, I think he will agree with me that a certain amount of rationing is universal. Long supply lines and manufacturing problems will not permit you to move the ammunition overseas as fast as the men can shoot it, if they were given unlimited opportunity to do so.

Mr. JENSEN. I understand that very well. But, when the boys are facing the enemy on the front and facing artillery then, in that situation, certainly, they should have more than 25 rounds of ammunition a day.

Mr. SIKES. That depends upon combat conditions. In any event I do not want supplies limited any more than the gentleman does. Fortunately the amount of ammunition available has increased materially in recent months, and I question that there are crippling limitations at any point.

Mr. JENSEN. Certainly that is no excuse for having just 25 rounds of ammunition a day for each man in the infantry now or ever.

IS AMMUNITION RATIONED IN KOREA?

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD following those of the gentleman from Florida [Mr. SIKES].

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE. Mr. Speaker, it was very disheartening and discouraging for me to sit during the session of the House on Monday, June 23, and listen to certain Members make statements regarding the rationing of ammunition in Korea and how we were letting our boys in Korea down. For any Member of this body to stand on the floor of the House of Representatives and say the things that they did, which in turn will be read by every American, things that cause the mothers and fathers to worry whether or not their sons' lives are being wasted in Korea, unless they know beyond the shadow of a doubt that they are right, have done a great disservice to this country as well as to the United Nations' efforts in Korea.

In January of this year I spent considerable time in Korea and visited, with the exception of one, every infantry division there. I also talked with higher headquarters and talked with the men on the front lines, themselves. Everywhere I went I asked questions regarding the supply and availability of ammunition. There were no complaints.

Mr. Speaker, I had considerable experience during World War II in combat, and from this experience I find it hard to believe that we would let our Army down from the standpoint of ammunition supply. The mere fact that a group of 35 men in a 4.2 mortar outfit report that there is a shortage of ammunition, and that it is rationed means nothing to me, as I do not believe there is a combat man in Korea today who feels that the artillery is doing enough shooting, or the Air Force is dropping enough bombs. However, when one who is familiar with combat supply realizes that an infantry division in an attack will use as much as 511 tons of ammunition for its organic weapons during the first day and as much as 289 tons in each succeeding day, supply is a large problem.

An infantry division is required to carry approximately 1,350 tons of ammunition in its own supply train; and is capable of resupplying only 561 tons each day by using its own organic vehicles. For this reason, it must depend largely on corps and Army ammunition dumps, and during that period of resupply, certain types of ammunition may be designated as critical and restricted to use on fire priority targets, until stockpiling is completed.

Division ammunition dumps are stockpiled in accordance with the situation confronting it or for planned future missions, and in connection with 4.2 mortar ammunition, I wish to list below these quantities of ammunition which are representative of actual requirements when applied to units of regimental size or larger. This logistical study is based on World War II experience plus consideration of postwar developments of matériel and reorganization of units under the new T/O—table of organizations:

4.2 CHEMICAL MORTARS

1. For attack of permanent fortification (i. e. Siegfried line): First day, 70 rounds per gun per day; each succeeding day, 40 rounds per gun per day.

2. For temporary fortifications or trenches: First day, 64 rounds per gun per day; each succeeding day, 35 rounds per gun per day.

3. Hastily organized fortifications (fox holes): First day, 50 rounds per gun per day; each succeeding day, 20 rounds per gun per day.

4. Use as a covering or security force: Forty rounds per gun per day.

5. Defense of an Infantry position: First day, 80 rounds per gun per day; each succeeding day, 50 rounds per gun per day.

6. Defensive front—inactive situation (patrol action): Sixteen rounds per gun per day.

7. Meeting engagement (initial contact with enemy): Forty rounds per gun per day.

8. Pursuit of enemy: Eight rounds per gun per day.

9. Delaying action: Thirty rounds per gun per day.

10. Beach assault or river crossing: Fifty rounds per gun per day.

11. Protracted period: Twenty rounds per gun per day.

From this Mr. Speaker, it is easy to see that if a unit were engaged in an inactive situation such as shown in No. 6 above where the ammunition requirement to be carried for each gun was only 16 rounds per gun per day, and contemplated orders were for that unit to make a river crossing, that it would be the duty of the supply officer of that unit to stockpile his ammunition until he reached the point of supply of 50 rounds per gun per day as shown in No. 10. He could do this by two means; through supply from a higher echelon and by the limitation of firing of the 4.2 mortars in the unit. Such limitations have been placed, are being placed and will be placed by the designation of prime targets and the delegation of fire priorities.

I say to those gentlemen who made the remarks on the floor, that ammunition will be continued to be rationed, if that is what they desire to term it; as when one considers that the ammunition must be transported some 7,000 miles, promiscuous firing of ammunition cannot be permitted unless the situation demands it. I further feel confident in stating that should we elect to take the offensive at some future date in Korea, or should the Communists wage an all-out offensive against our Armies, ammunition will be there and plenty of it. But it will not be there, unless some limitations are placed on its consumption during the present situation.

Too many leaders in our country today are prone to make remarks of this nature based on misguided information received from those who have no grounds to make them; and to these men I say, if you are interested in this matter as you would have one believe by the tenor of your remarks on the floor, you owe it to your people at home, to the boys in Korea and to the men in our Army who are planning the conduct of the war in Korea to take it upon yourself to make a trip to Korea and learn first-hand what the real situation is.

Mr. MILLER of Nebraska. This is District day. I am going to object to anyone else speaking out of order.

Mr. McCORMACK. I thought the gentleman started it.

Mr. MILLER of Nebraska. If the gentleman wants to speak out of order I will not object but after that I will. This is District day; let us proceed with District business.

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to speak for 1 minute out of order.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, about 7 weeks ago I was in Korea, in the iron triangle. We were briefed by a battalion staff of the division in that sector. We heard no complaint from anyone on the inadequacy of ammunition.

In Formosa, ammunition is short; perhaps it is rationed because of the free world need for whacking it up; however, there was no complaint in the iron triangle 7 weeks ago by any responsible officer or from any of the men I interviewed from the State of New Jersey on the ammunition situation. I realize this news is soap in the mouth of the Reds. I hope they choke.

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE. Mr. Speaker, to me it is so very important that we do not put out false information to the people of this country as to what is happening in Korea. I was in Korea in December and I spent a day with the Third Division and a day with the Seventh and a day

with the First Korean Division and a day with the Second Infantry Division. Of course they ration ammunition; depending on the situation they will always limit the larger artillery shells and mortar shells used for targets at ranges of a thousand yards or more, but they are not short of ammunition in Korea. There was not one complaint at the time I was over there on any kind of ammunition.

I wish, Mr. Speaker, that those who are complaining most would take time to get on a plane, go over there and learn what is going on.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE. I yield.

Mr. HOFFMAN of Michigan. The thing that bothers me in my mind is this: Are we fighting to win as was the case when MacArthur was there or are we just holding?

Mr. TEAGUE. They are fighting to win; that is the way they are fighting.

Mr. HOFFMAN of Michigan. What about this statement of Ridgway that the politicians would decide?

By unanimous consent, the pro forma amendments were withdrawn.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I move to strike out the last word and ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. I am extremely glad, Mr. Speaker, of this discussion on the floor today. The House has heard me raise my voice many times about the forgotten men in Korea. I put a very forceful article in the CONGRESSIONAL RECORD the other day, a very forceful editorial headed "Let us forget."

I have been very much horrified, Mr. Speaker, at the number of persons both in and out of Congress, who seem to have forgotten the men in Korea; they do not seem to want to talk about them; they are a skeleton in the closet of the administration, yet many of those boys will come back from Korea badly wounded, and many others will die. It is a skeleton, Mr. Speaker, but there is another kind of skeleton I wish to mention. Pitifully wounded and sick men who are so thin they look almost like skeletons. We could have more talk about Korea; more about the men who have suffered so terribly because of the Korean war, it is something we have to face. A man said to me almost the only people who know there is a Korean war are the parents of the men fighting in Korea. Those in charge of construction must face it. I find in procurement and in production a great lack of direction, a great lack of coordination. War material is not coming off the assembly lines as it should. I think that is because on the one hand someone will say we must have the production in one locality, others will want to have it placed in another locality but the tendency is to have their production centralized. Saying they want to send it to the distressed areas is nothing but a hollow mockery. Also wantonly, ruthlessly, they are willing to send plants into bankruptcy that could help in the defense effort. Some make essential airplane parts. I have one such plant in my own district which has been shut down and out of production for several weeks with that consequent loss to the defense effort. It will mean great loss to the national defense. It will take 8 to 9 weeks to start another plant in operation somewhere else.

Another thing I wish to bring to the attention of the House, Mr. Speaker, is the authorization for another aircraft carrier. I hope when the armed services appropriation bill comes back from the Senate as I believe it will, carrying an appropriation for that item the House will let it stay in the bill.

Mr. Speaker, I ask unanimous consent to include as part of my remarks an article from the Boston Record which speaks of the enormous waste and tremendous lag in land air-base construction in foreign countries. It is an illustration of the fact that the immediate need for the mobile aircraft carrier is extremely great.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

(The article follows:)

[From the Boston Daily Record of June 21, 1952]

INSIDE LABOR

(By Victor Riesel)

AIR-BASE FIASCO STILL GOES ON

NEW YORK.—We literally haven't gotten to first base—air base, that is—all along that mystery arc of flying strips our Defense Department is supposed to be building from unthawed Thule, some 800 miles south of the North Pole, to sweltering El Djemasahim in indolent Morocco.

Investigations of this multi-billion-dollar fiasco have come and gone. And exposures in this column helped to save some $600,000,000 in appropriations for the operation, the record will reveal. But as soon as no one was looking, the boys who provide our fighting men with modern fortresses for emergency moments once again began making the big buck.

On one base, hundreds of miles from even the next igloo, thousands of construction workers are being gouged for food and sleeping quarters. At another so-called base, the air strips, marked as completed, are crumbling so no bomber flights could come in with safety. At another, a Communist gal operative has whipped together a revolutionary party cell right in the heart of the staging area.

And while the Pentagon looks the other way, for some reason, some private employment agencies still bite about $600 out of the pay of American workers willing to go into the frozen tundra or the malaria sands to build an interceptor bomber base network for the American people. This is directly in violation of a Defense Department order prohibiting contractors from hiring men for work abroad through an employment agency which charges the men a fee.

First, I'd like to throw some lightning on that tundra. The story of Operation Blue Jay, the secret Arctic air base at Thule, Greenland, just under the Pole, needs telling fast. There some 5,000 men must eat and sleep at mess halls and quarters provided them by the contracting company. The sleeping barracks were constructed by the company at no cost, since the Government reimburses the contractors for this outlay. The food is shipped in by Navy transport.

Yet the men there, working in the bitter cold, sacrificing the comforts of mainland, United States of America, pay a daily fee of $5.75 each for exactly what workers on similar construction jobs in Labrador, Newfoundland, Iceland, Tripoli, the Azores, and French Morocco get for $1.50 a day.

This means the Blue Jay construction people, or their quartermaster section, take in over $21,000 a day, or about $7,750,000 a year, more than the other airport builder. Why? This figure is not too much less than the fee the company charges the Government to build all of Blue Jay. There's an explanation needed here. For many reasons, including the fact that disgruntled workers who feel they are being overcharged, aren't exactly going to whip that air base—so near the Soviet's big cities—together in a frenzy. The same kind of resentment, for a hundred reasons, has slowed construction at the southernmost point of the defense arc—down in somnolent Morocco. There we contracted for five air bases back in January 1951. In a comparatively short time this country's Air Force was to have bomber fields at Sidi Slimane, Nouaseur, Boulhaut, El Djemasahim, and Benguérir.

Now, well into the second year, we have two bases, at Sidi Slimane and Nouaseur, which might take our big bombers, but which might not, for they're crumbling here and there, inspectors report. The others, the experts say, won't be ready until 1954, by which time either the Soviet's intourist or our commercial planes might just as well be using them as aviation fields, depending on who wins.

Much of the delay is due to conflicting authority, haughty new Pentagon officers, supervisers who want power, and the French insistence that American contractors supply the money while the jobs go to local talent—of which there is little. Incidentally, what talent there is is being wooed by a Communist youth-movement cell. It is run by a French Communist woman organizer. She has set up operations right in the guarded sector where all material and equipment is unloaded from trans-Atlantic freighters for redistribution. United States security people know about the Communist movement among the natives who have replaced all but 1,000 American workers (soon to be fired), but have not moved against this local political manifestation.

As for the employment agencies which defy the Pentagon—which could stop the practice in an hour—they've gotten up a slush fund to fight for the reversal of the Army order which is supposed to ban the use of such agencies on overseas jobs.

Patriotism certainly comes high these days in some quarters.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. H. CARL ANDERSEN. The gentlewoman will recall that I supported her 2 or 3 months back in her demand that this aircraft carrier be reinstated. The gentlewoman is absolutely correct in the position she has taken relative to the construction of additional *Forrestal* type aircraft carriers. The gentlewoman will further recall that she supported me in my request of the Committee on the Armed Services for the allocation of more jet aircraft to the boys at the front.

Mrs. ROGERS of Massachusetts. Yes; I know of the gentleman's fight for more adequate aircraft for the soldiers in Korea.

Mr. H. CARL ANDERSEN. As far as I am concerned, and I think the gentlewoman will agree with me, it is good to have such a letter as the gentleman from

UNIVERSITY OF MICHIGAN LIBRARIES

Ohio [Mr. BROWN] has today read to the Members of Congress. If we on the floor of the House cannot take a few minutes to consider what the boys at the front have to say, it is just too bad, in my opinion. These things should be thoroughly aired.

Mrs. ROGERS of Massachusetts. If this were called a war, there would be no doubt about its discussion. If there were war, you would not have lack of production.

We would have an aircraft carrier, which is a mobile base, carrying our own flag. We should have air bases, too; but when the United States goes off and leaves these air bases in foreign countries, they will be used by other countries, they will belong to other countries and not to the United States, and they may even be used by aircraft which come to attack us.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentlewoman from Massachusetts yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I want to commend the gentlewoman for her gallant fight on behalf of a stronger Air Force. I also want to encourage her to continue her efforts to get an aircraft carrier, which, I think, is badly needed.

Mrs. ROGERS of Massachusetts. I thank the gentleman. I feel sure he will help with the carrier. The country is very much aroused over this. I believe the Senate will restore the provision, and I am sure the House will agree to the amendment.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Of course, when the appropriation bill was here for consideration, unfortunately as I see it, the House inserted an amendment limiting the total amount of money that may be spent next year to about $46,000,000,000. Does the gentlewoman remember that amendment?

Mrs. ROGERS of Massachusetts. There was an amendment offered; I did not vote for that amendment and that had nothing to do with the carrier. They turned down the amendment by a voice vote. I think very many regretted that vote.

Mr. McCORMACK. I am referring to the Air Force, the 143 air wings. That, unfortunately, would have the effect of holding back the building up of the 143 air wings to mid-1957. I am not going to discuss votes or anything like that because that will not do any good. What we should be concerned with now are objectives. I made a speech on the floor of the House a few weeks ago in which I urged the House to concur in the Senate amendment if the Senate should strike out that provision. In other words, the objective is now the latter part of 1954, but the effect of that amendment would be to hold it off until mid-1957. Does not the gentlewoman from Massachusetts agree with me that would be unwise?

Mrs. ROGERS of Massachusetts. I voted for all the larger aircraft authorizations. The gentleman will remember that the Eightieth Congress was criticized unjustly but it was very strong for national defense and it voted for the larger Air Force but the administration cut it back.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

(By unanimous consent, Mrs. ROGERS of Massachusetts was allowed to proceed for one additional minute.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I know the gentleman voted for the aircraft-carrier appropriation and I am sure he will help get that through the House. The feeling all over the country is very tense that this should be placed in the appropriation bill. Seven-tenths of the earth's surface is water; that surface must be covered by a mobile striking force.

Mr. McCORMACK. The gentleman from Massachusetts is guilty of being for a strong defense.

Mrs. ROGERS of Massachusetts. Yes, and so am I. But it seems to me that there is the most inefficient handling of war production I have ever seen. I have always voted for defense appropriations. The Army and Navy personnel trained in the conduct of war are not allowed to secure good results by civilians who have had little or no experience in military production. It has brought tragedy in Korea. It will bring more tragedy if not changed.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 7502) to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. DAWSON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question or two. I understand that this bill creates a planning and development commission?

Mr. McMILLAN. That is correct.

Mr. DAWSON. There is no transfer of any properties owned by any department of the Government to this commission or agency?

Mr. McMILLAN. There is nothing I can find in the bill anywhere to that effect.

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I think the House should know that the bill does extend to Virginia what is now extended to Maryland, that is, the National Capital Park and Planning Commission authority. It does carry a recommendation in the bill for an appropriation of $4,500,000. It permits the Commission to set up a council to direct and coordinate the activities of those two States and the District. I think that is needed. I read in the press of last week the difficulty that apparently comes up in Maryland now. It says this:

ARMORY TRACT SALE URGED IN COUNTY DISPUTE

In a surprise development in the feud between two Montgomery County agencies over title to the Silver Spring Armory lot, the Maryland-National Capital Park and Planning Commission yesterday moved to put the tract up for sale.

Further the article reads:

The planners said they will advertise for bids under conditions 2, 3, and 4, providing the county council will make the necessary rezoning.

While I feel we need the Planning Commission, I do point out that in this bill it seems to me that we delegate a great deal of authority. I raised the question in the hearings several times as to whether this Commission and the council could override what the Montgomery officials might want to do, the Commissioners of the District might want to do, or what they might want to do out in Virginia. I do not think the delegation of authority to this particular board is clear. I am not going to object to it, but I say this, if the newspaper item is correct—and I think it is—that they are now feuding with the Montgomery County officials. If the Commission assumes that they have the authority—that is, the appointed board—to overrule the county officials of Montgomery County or of Virginia or of the District of Columbia, then I would certainly support legislation that would take some of the authority away from the board. My opinion is that we do give them too much authority in this particular bill.

Mr. BEALL. Mr. Speaker, if the gentleman will yield, answering the gentleman from Nebraska, I think it again shows the necessity for this type of legislation because it would guarantee Maryland and Virginia with representation on the board, and when these discussions come up both sides would be represented as they are not now represented. I would like to say further to the gentleman from Nebraska that I have heard no complaints from the members of the county council; nor have they asked for any legislation; nor have they asked the Congress in any way to interfere with these negotiations going on out there. I think the objective itself justifies the need for the legislation.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act approved June 6, 1924, entitled "An act providing for a comprehensive development of the park and playground system of the

National Capital" (43 Stat. 463), as amended, is hereby further amended by substituting in lieu thereof the following:

"GENERAL PURPOSES, FINDINGS, AND DEFINITIONS

"SECTION 1. (a) It is the purpose of this act to secure comprehensive planning for the physical development of the National Capital and its environs; to provide for the participation of the appropriate planning agencies of the environs in such planning; and to establish the agency and procedures requisite to the administration of the functions of the Federal and District of Columbia governments related to such planning. The Congress hereby finds that the location of the seat of government in the District of Columbia has brought about the development of a metropolitan region extending well into adjoining territory in Maryland and Virginia; that effective comprehensive planning is necessary on a regional basis and of continuing importance to the Federal establishment; that the distribution of Federal installations throughout the region has been and will continue to be a major influence in determining the extent and character of development; that there is needed a central planning agency for the National Capital region to coordinate certain developmental activities of the many different agencies of the Federal and District Governments so that such activities may conform with general objectives; that there is an increasing mutuality of interest and responsibility between the various levels of government that calls for coordinate and unified policies in planning both Federal and local development in the interest of order and economy; that there are developmental problems of an interstate character, the planning of which requires collaboration between Federal, State, and local governments in the interest of equity and constructive action; and that the instrumentalities and procedures herein provided will aid in providing the Congress from time to time with information and advice requisite to legislation. The general objective of this act is to enable appropriate agencies to plan for the development of the Federal establishment at the seat of government in a manner consistent with the nature and function of the National Capital and with due regard for the rights and prerogatives of the adjoining States and local governments to exercise control appropriate to their functions, and in a manner which will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development.

"(b) As used in this act, (1) 'region' or 'National Capital region' means the District of Columbia; Montgomery and Prince Georges Counties in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties, and such other counties or portions of counties in Maryland and Virginia located immediately adjacent to the herein defined region as may hereafter be added to such region in accordance with the terms of section 3 (b) of this act; (2) 'environs' means the territory surrounding the District of Columbia included within the National Capital region; (3) 'National Capital' means the District of Columbia and territory owned by the United States within the environs; and (4) 'planning agency' means any city, county, bicounty, part-county, or regional planning agency authorized under State and local laws to make and adopt comprehensive plans whether or not its jurisdiction is exclusive or concurrent.

"THE NATIONAL CAPITAL PLANNING COMMISSION

"Creation of Commission

"SEC. 2. (a) The National Capital Planning Commission, hereinafter called the 'Commission', is hereby created and designated as the central planning agency for the Federal and District governments to plan the appropriate and orderly development and redevelopment of the National Capital and the conservation of the important natural and historical features thereof.

"Composition of Commission

"(b) The Commission shall be composed of—

"(1) ex officio, the Chief of Engineers of the Army, the Engineer Commissioner of the District of Columbia, the Director of the National Park Service, the Commissioner of Public Buildings, the Commissioner of Public Roads, the chairmen of the committees on the District of Columbia of the Senate and the House of Representatives (either of which chairmen if unable to serve in person may designate another member of his committee to serve as a member of the Commission in his stead) and, in addition,

"(2) five eminent citizens well qualified and experienced in city or regional planning, to be appointed by the President, at least two of whom shall be bona fide residents of the District of Columbia or the environs, including one of such residents who shall be appointed from among not less than three nominees of the Board of Commissioners of the District of Columbia: *Provided*, That the foregoing professional requirements may be waived in the case of the nominees of the Board of Commissioners if in the opinion of the Board of Commissioners said nominee has demonstrated capacity for leadership in the planning and development of the District of Columbia: *And provided further*, That appointive members of the National Capital Park and Planning Commission in office on the effective date of this amendatory act shall serve out their unexpired terms, as members of the Commission, in lieu of an equal number of members provided for in this paragraph (2). The terms of office of other members first appointed under this paragraph (2) shall be so fixed by the President that the term of one of such five members will expire on April 30 of each of the following years, namely, 1953, 1954, 1955, 1956, 1957, and thereafter the terms of office shall expire every 6 years following such dates, respectively. Any member of the Commission appointed under this paragraph (2) shall, the expiration of his term notwithstanding, continue as a member, pending the appointment and qualification of the successor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The appointive members of the Commission shall receive no compensation as such, but shall be paid a per diem in lieu of subsistence and be reimbursed for the cost of travel when attending meetings of the Commission or engaged in investigations or other specific duties pertaining to its activities, in accordance with applicable law.

"Officers and employees of Commission

"(c) The President shall designate the Chairman of the Commission and the Commission may elect from among its members such other officers as it deems desirable. The Commission is authorized to employ a Director, an executive officer, and such other technical and administrative personnel as it may deem necessary. Further, without regard to section 3709 of the Revised Statutes, as amended, the civil service and classification laws, or section 15 of the act of August 2, 1946 (5 U. S. C. 55a), the Commission may employ, by contract or otherwise, the temporary or intermittent (not in excess of 1 year) services of city planners, architects, engineers, appraisers, and other experts or organizations thereof, as may be necessary to carry out its functions, and in any such case the rate of compensation shall be fixed by the Commission so as not to exceed the rate usual for similar services.

"Advisory and coordinating committees

"(d) The Commission may establish, with the consent of each agency concerned as to its representation, such advisory and coordinating committees composed of representatives of such agencies of the Federal and District of Columbia Governments as may be necessary or helpful to obtain the maximum amount of cooperation and correlation of effort among the various agencies of such governments, in order that the National Capital may be developed in accordance with the comprehensive plan. As it may deem appropriate, the Commission may invite representatives of the planning and developmental agencies of the environs to participate in the work of such committees.

"General scope of the Commission's functions

"(e) As hereinafter more specifically described in sections 4 to 8, it shall be among the principal duties of the Commission to (1) prepare, adopt, and amend a comprehensive plan for the National Capital and make related recommendations to the appropriate developmental agencies; (2) serve as the central planning agency for the Federal and District Governments, within the National Capital region, and in such capacity to review their development programs in order to advise as to consistency with the comprehensive plan; and (3) be the representative of the Federal and District Governments for collaboration with the Regional Planning Council, as hereinafter provided.

"NATIONAL CAPITAL REGIONAL PLANNING COUNCIL

"Establishment and composition of the Council

"SEC. 3. (a) There is hereby established a National Capital Regional Planning Council, hereinafter referred to as the 'Council', to be composed, whenever possible, of representatives of the planning agencies of the region, of demonstrated capacity for leadership in the planning of the region. The Council shall consist of the Chairman of the Commission, ex officio, Engineer Commissioner of the District of Columbia, and not to exceed eight other members who, with their alternates, shall be appointed by the Commission, pursuant to nominations as hereinafter provided. For the Maryland environs, the Maryland-National Capital Park and Planning Commission may nominate two of its members, one each for the portions of the Maryland-Washington regional district within Montgomery and Prince Georges Counties, respectively, and for the portion of either county without the said Maryland-Washington regional district, the governing bodies of each county may nominate a member of the planning agency for each such portion: *Provided*, That if any portion of either county is without a planning agency the governing body of such county may nominate a qualified person to represent such portion. For the Virginia environs, the Northern Virginia Regional Planning and Economic Development Commission, after soliciting recommendations from the governing bodies of the cities and counties of the Virginia environs, may nominate four persons, each of whom shall be a member of a planning agency in the Virginia environs but no more than one of whom shall be from the same city or county. An equal number of alternate members of the Council from the Maryland and Virginia portions of the regions may be nominated by the nominating authorities designated herein. The members of the Council shall receive no compensation for their services on the Council,

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but may, notwithstanding the provisions of title 18 U. S. C. 1914, continue to accept such compensations as may be paid to them as members of local governmental agencies. The Council shall select its chairman from among its members.

"(b) Any county or portion of any county in Maryland or Virginia may hereafter be added to the National Capital region if the local governing body of such county shall so request and if the Commission and the Council shall find that such addition to the region is appropriate and shall accordingly approve such request. Any county or portion of any county so added to the region may participate in the work of the Council according to such terms and conditions as may be mutually agreed upon by the Commission, the Council and the governing body of such county except that no provision for participation shall permit an increase in the number of members of the Council as herein constituted.

"Services and facilities

"(c) The Commission shall make available to the Council such technical and clerical assistance and such other services and facilities as may be necessary for the performance of the functions of the Council. The Council may accept such assistance, services, and facilities as may be made available by any State or local governmental authority having jurisdiction in the areas in which the agencies herein authorized to nominate members of the Council have jurisdiction.

"Preparation of regional plan

"(d) The Council is authorized to adopt and, from time to time, amend, or extend, a general plan for the development of the region, to serve as a general framework or guide of development within which each part of the region may be more precisely planned by the appropriate planning agency or agencies. The regional plan shall include a land-use plan which designates the proposed general distribution and general locations and extents of the uses of land for such categories as may have important influence on the development of the region; and in addition, such other elements of a general plan having over-all influence as are required to provide for the proposed major movements of people and goods throughout the region, for the primary facilities for community development and for the conservation and development of natural resources. As the basis for its plans, the Council shall at all times recognize those features of any plan duly adopted by the Commission or any planning agency appropriate for incorporation in the general plan for the region. The Council shall also consider and aim to accommodate the land-use requirements of the Federal and District Governments in the environs. These provisions shall not operate to prevent the Council from proposing changes, additions, or substitutions for consideration by any of the planning agencies of the region.

"Additional responsibilities

"(e) The Council shall collaborate with the Commission and promote collaboration and cooperation between the Commission and the planning agencies of the environs and the Maryland and Virginia State planning agencies. To that end, it may assemble and interchange information, conduct surveys essential to its work, and in general seek to reconcile the plans and proposals of the planning agencies of the region. It may also cooperate with the planning or other public agencies having jurisdiction in the area beyond the boundaries of the region. It may, at its discretion, periodically provide opportunity by public hearings, meetings, or conferences, exhibitions and publication of its plans, for review and comments by nongovernmental groups and the general public. The Council shall report annually on the progress of its work to the Commission and to the agencies which are represented thereon. At any time subsequent to 3 years after the approval of this act, the Council may make recommendations to the Commission or other agencies represented on the Council for any legislation which, as the result of its experience, it may deem desirable to make its general purpose more effective.

"Actions of Council

"(f) In making any recommendation, adopting any plan, or approving any proposal, action shall be taken by a majority vote of all members of the Council: *Provided, however,* That no action affecting directly a single local planning jurisdiction may be approved except by the affirmative vote of the member representing that jurisdiction: *Provided further,* That in the case of an action involving more than one jurisdiction, the negative votes of a minority of the Council shall be made a matter of record and shown on all plans adopted. No vote by any member of the Council shall be construed as an official commitment of the agency represented by the member unless so authorized by said agency.

"COMPREHENSIVE PLAN FOR THE NATIONAL CAPITAL

"Preparation and adoption

"SEC. 4. (a) The Commission is hereby charged with the duty of preparing and adopting a comprehensive, consistent, and coordinated plan for the National Capital, which plan shall include the Commission's recommendations or proposals for Federal and District developments or projects in the environs. The Commission shall collaborate with the Council in the development of those elements of the plan for the National Capital which should be incorporated in the regional plan provided for in section 3. While consistency between the respective proposals of the Commission and the Council shall be sought, lack of action or agreement by the Council shall not prevent the Commission from adopting any part of its plan within the District of Columbia or any recommendation or proposal for Federal or District developments or projects in the environs. The Commission may include in its plan any portion of any plan adopted by the Council or any planning agency in the environs and from time to time make recommedations of collateral interest to the Council or to the aforesaid agencies.

"Content of plan

"(b) The Commission's plan for the National Capital shall show its recommendations for the development of the District of Columbia and may include, among other things, the general location, arrangement, character, and extent of highways, streets, bridges, viaducts, subways, major thoroughfares, and other facilities for the handling of traffic; parks, parkways and recreation areas, and the facilities for their development and use; public buildings and structures, including monuments and memorials, public reservations or property, such as airports, parking areas, institutions, and open spaces; land use, zoning, and the density or distribution of population; public utilities and services for the transportation of people and goods or the supply of community facilities; waterway and water-front development; redevelopment of obsolescent, blighted, or slum areas; neighborhood areas; projects affecting the amenities of life, the preservation and conservation of natural scenery and resources, and features of historic and scientific interest and educational value; and all other proper elements of city and regional planning. The plan may include appropriate maps, plats, charts, tables, and descriptive, interpretive and analytical matter, economic and social aspects, and trends of urban development, and such functional and sectional plans as the Commission deems necessary or desirable. The Commission's recommendations or proposals for Federal and District developments or projects in the environs may include their general location, character, size, and intensity of use and such general plans for their development as may be necessary to present the Commission's recommendations to the appropriate authorities.

"Generalized elements of the plan

"(c) As a general frame of reference for the Commission in making its recommendations under the foregoing subsection (b), the Commission shall at all times give primary consideration to the broad elements of the plan which shall include, but not be limited to, generalized plans for land use, major thoroughfares, park, parkway, and recreation system, mass transportation, and community facilities and services. These generalized plans shall also be the basis for integrating the Commission's proposals with those of the Council and for the general purpose of guiding and accomplishing a coordinated, comprehensive, adjusted, and systematic development of the National Capital and its environs.

"Progressive adoption, amendment, or review

"(d) The Commission may, as the work of preparing the comprehensive plan progresses, adopt any element or a part or parts thereof and from time to time shall review and may amend or extend the plan, in order that its recommendations may be kept up to date.

"Consultation with interested agencies

"(e) Prior to the final adoption of the comprehensive plan or any element thereof, or any subsequent revision, the Commission shall present such plan, element, or revision to the appropriate Federal or District of Columbia authorities for comment and recommendations. Presentation of proposed revisions may at the Commission's discretion be made annually in a consolidated form. The said recommendations by Federal and District of Columbia authorities shall not be binding on the Commission, but it shall give careful consideration to such views and recommendations as are submitted prior to final adoption. The Commission may, in addition and at its discretion, periodically provide opportunity by public hearings, meetings, or conferences, exhibitions and publication of its plans, for review and comments by nongovernmental agencies or groups, and, in consultation with the Commissioners of the District of Columbia, encourage the formation of one or more citizen advisory councils.

"In carrying out its planning functions with respect to Federal developments or projects in the environs, the Commission may act in conjunction and cooperation and enter into agreement with any State or local authority or planning agency, as the Commission may deem necessary, to effectuate the adoption of any plan or proposal and secure its realization.

"PROPOSED FEDERAL AND DISTRICT DEVELOPMENTS AND PROJECTS

General procedure for consultation with Commission

"SEC. 5. (a) In order to insure the comprehensive planning and orderly development of the National Capital, each Federal and District of Columbia agency prior to the preparation of construction plans originated by such agency for proposed developments and projects or to commitments for the acquisition of land, to be paid for in whole or in part from Federal or District funds, shall advise and consult with the Commission in the preparation by the agency of plans and programs in preliminary and successive

stages which affect the plan and development of the National Capital: *Provided, however,* That the Commission shall determine in advance the type or kinds of plans, developments, projects, improvements, or acquisitions which do not need to be submitted for review by the Commission as to conformity with its plans. After receipt of such plans, maps, and data, it shall be the duty of the Commission to make promptly a preliminary report and recommendations to the agency or agencies concerned. If, after having received and considered the report and recommendations of the Commission the agency does not concur, it shall advise the Commission with its reasons therefor, and the Commission shall submit a final report. After such consultation and suitable consideration of the views of the Commission the agency may proceed to take action in accordance with its legal responsibilities and authority.

"Exceptions

"(b) The procedure prescribed in subsection 5 (a) hereof shall not apply to projects within the Capitol Grounds or to structures erected by the Department of Defense during wartime or national emergency within existing military, naval, or Air Force reservations, except that the appropriate defense agency shall consult with the Commission as to any developments which materially affect traffic or require coordinated planning of the surrounding area.

"Approval of District government buildings in the central area

"(c) The provisions of section 16 of the act approved June 20, 1938 (52 Stat. 802), are extended to include public buildings erected by any agency of the government of the District of Columbia within the boundaries of the central area of the District as said central area may be defined and from time to time redefined by concurrent action of the Commission and the Board of Commissioners of the District of Columbia.

"Additional procedure for consultation on developments and projects in the environs

"(d) Within the environs, general plans showing the location, character, extent and intensity of use for proposed Federal and District developments and projects involving the acquisition of land, shall be submitted to the Commission for report and recommendations before final commitment to said acquisition, unless such matters shall have been specifically approved by an act of Congress. Before acting on any general plan, the Commission shall advise and consult with the Council and the appropriate planning agency having jurisdiction over the affected part of the environs. When, in the judgment of the Commission, proposed developments or projects submitted to the Commission under subsection (a) hereof involve a major change in the character or intensity of an existing use in the environs, the Commission shall likewise advise and consult with the Council and the aforesaid planning agency. The report and recommendations required under this subsection shall be submitted within 60 days and shall be accompanied by any reports or recommendations that may have been prepared by the Council or the aforesaid planning agency.

"(e) It is the intent of the foregoing provisions of this section to obtain cooperation and correlation of effort between the various agencies of the Federal and District Governments which are responsible for public developments and projects, including the acquisition of land. These agencies, therefore, shall look to the Commission and utilize it as the central planning agency for the Federal and District Governments in the National Capitol region. To aid the Commission in carrying out this function, plans, data, and records, or copies thereof, necessary to the Commission shall be furnished upon its request by such Federal and District governmental agencies; and the Commission shall likewise furnish related plans, data, and records, or copies thereof, to Federal and District of Columbia governmental agencies upon request.

"THOROUGHFARE PLAN

"Preparation and adoption of thoroughfare and transportation plans for the District of Columbia

"SEC. 6. (a) As elements of the comprehensive plan described in section 4 above, the Commission shall prepare a major thoroughfare plan and a mass transportation plan. The major thoroughfare plan may include established and proposed routes. Following the preparation and adoption by the Commission of the major thoroughfare plan, or parts thereof, it shall be submitted to the Board of Commissioners of the District of Columbia and if approved by the said board shall be deemed to be the approved plan. Revisions in the major thoroughfare plan or parts thereof shall similarly require the adoption by the Commission and approval by the Board of Commissioners of the District of Columbia. The mass transportation plan shall be prepared, adopted, approved, or revised in the same manner as prescribed herein, for the major thoroughfare plan except that the Joint Board provided for in section 6 (e) of the District of Columbia Traffic Act, 1925, as amended (sec. 606 (e), title 40, D. C. Code), shall be responsible for its approval and approval of subsequent revisions. Revision of the major thoroughfare plan or parts thereof and the mass transportation plan may be proposed by the Commission and may also be proposed by the Board of Commissioners of the District of Columbia with respect to the thoroughfare plan and by said Joint Board with respect to the mass transportation plan.

"Thoroughfare plan serving Federal and District needs in the environs

"(b) Prior to final adoption of the thoroughfare plan and its submission to the Board of Commissioners of the District of Columbia for approval under the foregoing subsection, the Commission shall consult with the Council and the planning agencies affected regarding the Commission's recommendations for extension of the thoroughfare system of the District of Columbia to serve Federal and District developments and projects in the environs. Such recommendations shall be made after consultation with the Bureau of Public Roads, the National Park Service, the Board of Commissioners of the District of Columbia and the appropriate State highway agencies. The Council may review the Commission's recommendations as to consistency with its general plan for the region and submit a report thereon, which the Commission shall transmit with its own recommendations to the Bureau of Public Roads as a guide to portions of the regional thoroughfare plan included or to be included in the Federal-aid highway system. After consideration of such report and recommendations, the Bureau of Public Roads may proceed to take action in accordance with its legal responsibilities and authority.

"SIX-YEAR PUBLIC-WORKS PROGRAM

"SEC. 7. The Commission shall recommend a 6-year program of public works projects which it shall review annually with the agencies concerned. To this end each Federal agency and the Board of Commissioners of the District of Columbia shall submit to the Commission in the first quarter of each fiscal year a copy of its advance program of capital improvements within the National Capital and its environs.

"ZONING AND SUBDIVISION FUNCTIONS

"Amendments of zoning regulations and maps

"SEC. 8. (a) The Commission may make a report and recommendation to the Zoning Commission of the District of Columbia on proposed amendments of the zoning regulations and maps as to the relation or conformity of such amendments with the comprehensive plan of the District of Columbia. The Commission may also submit to the said Zoning Commission proposed amendments or general revisions to the zoning regulations or the zoning map for said District.

"Further report on zoning matters

"(b) When requested by a properly authorized representative of the Commission, the Zoning Commission may at its discretion recess for a reasonable period of time any public hearing held by it to consider a proposed amendment to the zoning regulations or map, in order that the Commission or its representative may have an opportunity to present to the Zoning Commission a further report on the proposed amendment.

"Zoning committee

"(c) The functions vested in the Commission pursuant to this section may, to such extent as the Commission shall determine, and subject to confirmation by the Commission when requested by the Zoning Commission of the District of Columbia, be performed by a committee of the Commission which shall be known as the Zoning Committee of the National Capital Planning Commission and shall consist of not less than three members of the Commission designated by the Commission for the purpose. The number of members serving on the Zoning Committee may be varied from time to time.

"Recommendations as to platting and subdividing of lands

"(d) Any proposed change in or addition to the regulations or general orders regulating the platting and subdividing of lands and grounds in the District of Columbia shall first be submitted to the Commission by the Board of Commissioners of the District of Columbia for report and recommendation prior to adoption by such Board. Should the Board not concur in the recommendations of the Commission, it shall so advise the Commission with its reasons therefor and the Commission shall submit a final report within 30 days. After consideration of this final report, the Board may proceed to take action in accordance with its legal responsibilities and authority. It shall be the duty of the Commission to submit any proposed changes in or amendments to the general orders that the Commission considers appropriate and the Board of Commissioners shall treat the amendments proposed in the same manner as other proposed amendments.

"TRANSFERS FROM PREDECESSOR AGENCY

"SEC. 9. All other functions, powers, and duties of the National Capital Park and Planning Commission, including those formerly vested in the Highway Commission established by the act of March 2, 1893 (27 Stat. 532), and those formerly vested in the National Capital Park Commission by the act of June 6, 1924 (43 Stat. 463), together with the personnel, records, property, and unexpended balances (available or to be made available) of appropriations, allocations, and all other funds, including trust funds, of the National Capital Park and Planning Commission, are hereby transferred to the Commission.

"APPROPRIATIONS

"SEC. 10. There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated and in any appropriate appropriation act other than the annual District of Columbia Appropriation Act, such sums as may be necessary to carry out the provisions of sections 1 to 10 of this act, as amended, any existing provisions of law to the contrary notwithstanding."

SEC. 2. Sections 2, 3, and 4 of the act approved June 6, 1924, as amended, shall be

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renumbered as sections 11, 12, and 13. Sections 1 and 2 of this act may be cited as the "National Capital Planning Act of 1952."

SEC. 3. The first section of the act of May 29, 1930 (46 Stat. 482), as amended, authorizing appropriations for the acquisition and development of lands for the park and parkway system of the National Capital, is hereby amended—

(1) by striking out "$9,000,000" and inserting in lieu there of "$13,500,000."

(2) by adding at the end thereof the following new paragraph:

"(c) For the extension of the park and parkway system of the National Capital in the Virginia environs of Washington, as may be agreed upon between the National Capital Planning Commission and a park authority established under the Park Authorities Act of the State of Virginia (and such other public bodies as may be authorized under the laws of the State of Virginia), up the valleys of Hunting Creek, Cameron Run, Holmes Run, Tripps Run, Four Mile Run, Pimmit Run, Accotink Creek, and tributaries of such streams, and over other desirable lands, $4,500,000. No part of such sum shall be expended by the United States for any unit of such extension until the National Capital Planning Commission has received definite commitments from such park authority (and other public bodies) of the State of Virginia for two-thirds of the cost of acquiring the lands in its judgment necessary for such unit of the extension deemed by the Commission sufficiently complete; except that in the discretion of the National Capital Planning Commission, upon agreement duly entered into with such park authority (and other public bodies) of the State of Virginia to reimburse the United States as hereinafter provided, the Commission may advance the full amount of funds necessary for the acquisition of the lands acquired for such unit. Such agreement shall provide for reimbursement to the United States to the extent of two-thirds of the cost of such lands without interest within not more than 8 years after the date of any such expenditure, and shall be a legally binding obligation of such park authority (and other public bodies) of the State of Virginia. The appropriation of the amount necessary for such advance, in addition to the contribution by the United States, is hereby authorized from any money in the Treasury not otherwise appropriated. The title to the lands acquired hereunder shall vest in, and the development and administration thereof shall be under, such park authority or the State of Virginia, in accordance with plans approved by the National Capital Planning Commission. Such lands shall not be used for any purpose other than the development and completion of the extension of the park and parkway system provided for in this paragraph, except with approval and consent of the National Capital Planning Commission. No appropriation authorized in this paragraph shall be available for expenditure until a suitable agreement has been entered into between the National Capital Planning Commission and the appropriate local authority as to sewage disposal and storm-water flow."

With the following committee amendments:

Page 3, line 22, beginning with the word "and", strike out down to and including the word "act", page 4, line 1.

Page 11, line 13, strike out "recognize" and insert "give consideration."

Page 21, line 8, strike out "606" and insert "603."

Page 26, line 24, beginning with "except", strike out down to and including the word "appropriated", page 27, line 14.

The committee amendments were agreed to.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is explained in the statement below, which was included in the report on the bill.

The two most important features of this bill are, first, the reorganization of this Commission; and, second, the creation of the National Capital Regional Planning Council. The proposed Council is unique, for it will be the first official body for the coordination of planning activities throughout the metropolitan region comprising the District of Columbia and the surrounding jurisdictions in nearby Maryland and Virginia. Because of continuing growth of metropolitan Washington, and particularly the more rapid rate of growth of suburban territory, there is a widespread opinion that a body such as the proposed National Capital Regional Planning Council is now essential to the orderly planning and development of the District and neighboring jurisdictions.

The bill proposes to change the name of the existing National Capital Park and Planning Commission to the National Capital Planning Commission. This change should eliminate confusion which now exists, because the Commission is often erroneously identified as being connected with the National Park Service or as one of its subdivisions, the Office of National Capital Parks. Further, the use of the word "Park" in the present name of the Commission is misleading as to the Commission's duties. Its authority to acquire land for park and playground purposes is only one of the Commission's various functions. Its planning functions are now more important. The Commission has no connection with the operation and maintenance of parks.

The present Commission is composed of four ex officio members, two Members of Congress, and four citizen members appointed by the President. The bill provides that the Commission be composed of five ex officio members, two Members of Congress, and five citizens appointed by the President. Three of the ex officio members and the two Members of Congress provided for in the bill are the same officials as those in the existing act. The two new ex officio members will be the Commissioner of Public Roads and the Commissioner of Public Buildings. The Chief of the Forest Service, who is a member under the 1924 act, will be eliminated by the bill. As to the citizen members, under the act, the President may appoint any four citizens "well qualified and experienced in city planning," and only one of them must be a bona fide resident of the District. The bill provides that the President shall appoint all five citizen members, who must be "well qualified and experienced in city or regional planning," but specifies that two of such members shall be bona fide residents of the District or the environs, one of whom the President is to appoint from among three nominees of the Board of Commissioners of the District of Columbia.

As to employees, the act authorized the Commission "to employ the necessary personal services, including the personal services of a Director of Planning," and other experts to be paid at rates not in excess of those paid for similar services elsewhere. The bill provides for substantially the same type of staff except it specifically authorizes the appointment of a "Director" in lieu of a "Director of Planning." The bill also authorizes the creation of a staff position of executive officer.

The bill provides that the Commission may establish advisory and coordinating committees for the purpose of effecting the desired cooperation among various agencies of the Federal and District Governments. Such committees may include, by invitation from time to time, representatives of planning bodies of the environs. The act does not contain provision for any such coordinating groups. Nevertheless, the need for them has been realized and one committee known as the coordinating committee has been in existence for over 25 years, holding meetings at least biweekly. The bill will give an official status to such advisory and coordinating groups.

Both the act and the bill in substance authorize the Commission to prepare, develop and maintain or amend a comprehensive plan for the development of the National Capital and its environs. The bill specifically provides that recommendations relating to the comprehensive plan be made by the Commission to various developmental agencies. The bill denominates and authorizes the Commission to be the central planning agency for Federal and District Governments within the National Capital region—the District and its environs—and to be the official representative of the aforesaid Governments for collaboration with the Regional Planning Council. Both the act and the bill authorize the Commission to include in the comprehensive plan, and to make recommendations on, subjects such as traffic, transportation, plats of subdivision, highways, bridges, parks, parkways, recreational areas, public buildings, land use, zoning, and waterway and waterfront development. The bill includes additional subjects such as viaducts, subways, major thoroughfares, monuments and memorials, public reservations or property such as airports, parking areas, institutions, open spaces, public utilities and surveys for transportation, redevelopment of obsolescent, blighted, or slum areas, and specifically adds the all important subject of density or distribution of population. The foregoing subjects which the bill will add are customary in planning legislation elsewhere and are now impliedly authorized by the present Commission's authority in connection with questions of planning generally. However, it is deemed advisable to specifically add the items contained in the bill which are not expressly set forth in the act.

The equally important feature of the bill to that of reorganizing the Commission is the establishment of the National Capital Regional Planning Council, hereinafter referred to as the Council.

It is stated in section 1 of the existing act, as part of the general purposes of the act, that its purpose is to develop a comprehensive and coordinated plan "for the National Capital and its environs" and "to provide for the comprehensive development of park, parkway,

and playground systems of the National Capital and its environs." Section 1 makes it the duty of the Commission to develop a comprehensive plan "for the National Capital and its environs, which plan shall include," interalia, "proper elements of city and regional planning." Notwithstanding the foregoing, the existing act does not contain any provision for a regional body or any other specific means for the coordination of the several jurisdictions involved either for developing plans or carrying them out for the environs. It merely provides that the Commission may "act in conjunction and cooperation with such representatives" of the adjacent States "as may be designated by such States for this purpose." Thus, it is evident that a body such as the proposed Council is necessary to comply with duties imposed upon the Commission in the existing act.

The National Capital region is defined in the bill as the District of Columbia; Montgomery and Prince Georges Counties in Maryland: Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties and such other counties or portions thereof as may be later added to the region. Additions to the region may be made upon request by the governing body of an area not included by the definition if approved by both the Commission and the Council, but such additions shall not increase the number of members of the Council.

The Council, as created by the bill, shall consist of 10 members, 2 of whom shall be the Chairman of the Commission and the Engineer Commissioner of the District of Columbia. Out of the other eight members, four shall be appointed from Maryland and four from Virginia. Each of the members from Maryland and Virginia shall have an alternate. These members and alternates of the Council shall be appointed by the Commission after the respective planning commissions or governing bodies, as the case may be, of each jurisdiction select the respective members and alternates and make nominations to the Commission. The members of the Council shall not receive compensation for their services on the Council. The bill provides for selection of members and delegates by different types of bodies because the different jurisdictions involved have different systems of government.

Such technical, clerical, and other personal service assistance as is necessary for the performance of the functions of the Council are to be made available by the Commission. However, the Council may accept such personal services and facilities as may be made available to it by State and local governmental authorities in the areas included within the region.

The Council is authorized to adopt, and from time to time amend or extend, a general plan for the development of the region, each part of which may be planned in more detail by the pertinent local planning agencies, respectively. The regional plan shall include, with respect to the region, many of the subjects authorized in the comprehensive plan of the Commission but the Council must take into consideration the pertinent features of any plan duly adopted by the Commission or any planning agency for incorporation in the regional plan. The Council shall consider and attempt to accommodate the land-use requirements of the Federal and District governments in the environs. The Council shall be authorized to propose changes, additions, or substitutions for consideration by any of the planning agencies of the region. The Council may periodically provide opportunity, such as by public hearings, for review and comments by various groups and the general public. An annual report shall be made by the Council on the progress of its work to the represented agencies.

Actions of the Council in recommending, adopting, or approving any proposal shall be by majority vote of the entire Council. However, no action directly affecting a single jurisdiction may be approved except by the affirmative vote of the member representing that jurisdiction and, when an action involves more than one jurisdiction, the negative votes of a minority of the Council shall be made a matter of record.

One of the Commission's presently implied duties, plans for highways and thoroughfares, has been expressly and more completely provided for in the bill. The bill authorizes the Commission to prepare and adopt, as an element of the comprehensive plan, both a major thoroughfare plan and a transportation plan. These plans are to be developed in conjunction with the District government together with the advice of the Council, the planning agencies affected and certain Federal agencies such as the Bureau of Public Roads and the pertinent State highway agencies.

The present functions of the Commission pertaining to zoning are more completely stated in the bill than in the act, and the bill provides for a more efficient and practical method of performing such functions. The Commission is authorized to create a zoning committee consisting of not less than three of its members to perform these functions subject to certain safeguards.

A new feature of the bill, which is regarded by both the Commission and the suburban planning agencies as of considerable importance, provides for consultation by Federal and district developmental agencies with the Commission and the Commission in turn with the Council and the local planning agencies in connection with the acquisition of land or a major change in the use of land in the environs. This will permit the desired coordination of Federal and district developments in accordance with the regional plan as well as adjustments in local plans based upon these decisions at Federal and district levels. The bill also specifically provides for the general procedure for consultation with the Commission within the District of Columbia and appropriate exceptions from such consultation.

Section 3 of the bill is to amend the act of May 29, 1930, forty-sixth statute, page 482—not appearing in either the United States or District Codes—as amended—amended by the act of August 8, 1946, sixtieth statute, page 960—known as the Capper-Cramton act. That act provided for the extension of certain stream valley parks and parkways from the District of Columbia into nearby Maryland as might be agreed upon between the Commission and the Maryland-National Capital Park and Planning Commission. It did not carry any provision for the extension of similar stream valley park and parkway systems of the National Capital in Virginia. The purpose, therefore, or section 3 of the bill is merely to provide the same aid for nearby Virginia parks and parkways as have been provided in adjacent and nearby Maryland since 1930 under the Capper-Cramton Act.

In purpose and in substance, this bill is very similar to S. 1931, introduced in the Eighty-first Congress and which passed the Senate. That bill was never reported out of the House committee because it met meritorious objections by representatives of the Maryland and Virginia planning and governing bodies. Except for those objections, it was the general consensus of opinion expressed to the House committee that a bill such as S. 1931 with certain changes should be enacted into law.

After a series of conferences between representatives of the Commission and those of the various Maryland and Virginia bodies concerned, the present bill was drafted and now meets the approval of all groups involved. Objections were raised during the consideration of S. 1931 to two major features of that bill. The other objections were directed to items of mere form.

One of the objections to the enactment of S. 1931 was to a provision which would have given the Commission the authority to extend its plans and studies over an area within a distance of 50 miles from the District of Columbia if it should become necessary to locate any Federal development at any place within such 50-mile radius. That provision has been eliminated from the bill and there is no provision in it which would give the Commission any function beyond the National Capital region as defined in the bill.

The second principal objection made to S. 1931 was that section 1 (c) (3) provided for the appointment of three citizen members, one a member of the Maryland-National Capital Park and Planning Commission, and one a member of the Northern Virginia Regional Planning Commission, and one a bona fide resident of the District of Columbia, to be nominated by the Governors of Maryland and Virginia and the Commissioners of the District, respectively. It was claimed by various representatives of the planning and governing agencies in the environs that their respective local jurisdictions would not have adequate representation on the Commission under that provision. The composition of the Commission in the present bill as set forth in proposed section 2—page 5 of the bill—and the composition of the National Capital Regional Planning Council as is contained in proposed section

3—pages 8 to 10 of the bill—meets with the approval of the proper representatives of the local planning and governing bodies of all areas which are to comprise the National Capital region.

This legislation has the approval of the National Capital Park and Planning Commission, the Northern Virginia Regional Planning Commission, the Maryland National Capital Park and Planning Commission, the Arlington County Planning Commission, the Upper Montgomery County Planning Commission, and the Board of Commissioners for the District of Columbia.

Mr. SMITH of Virginia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I thought perhaps the House would be interested in some brief explanation of this piece of legislation. For a long time there has been considerable controversy about planning as it affected the surrounding areas of Washington both in Maryland and in Virginia; also there has been a certain amount of friction between the Capital Parks and Planning Commission and the District Commissioners, so legislation has been proposed from time to time to try and coordinate a program under these various jurisdictions and to eliminate the friction that has taken place in the past.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Does the gentleman agree then that if there is any conflict of authority between the planning board that we propose to set up and the District Commissioners, that in the final analysis the District Commissioners' recommendation or authority will take the place of whatever decision the Planning Commission might advance?

Mr. SMITH of Virginia. Yes.

Mr. MILLER of Nebraska. In other words, they are the last authority?

Mr. SMITH of Virginia. Yes. If the gentleman will let me proceed with my explanation, I think I can make all that clear.

This is a planning bill entirely. So far as the recommendation of the Capital Park and Planning Commission is concerned, the Board of Commissioners of the District are required to consult with them and lay their plans before them, and the Capital Park and Planning Commission makes a report under this bill to the Commission. After they have made the report the Commissioners are free, as expressed very clearly in the bill, to pursue their own course, and they can ignore the recommendations if they see fit to do so.

Now with respect to the outlying areas in Maryland and Virginia, some coordination in the way of housing development, park development and commercial development is most desirable; in fact, the area about the District now is becoming very much a part of the District, and it is very vital to the District and to the National Capital that a coordinated plan of development of that area should take place.

After all this discussion that has been going on for years I said last year to the various authorities in the counties, that talked to me about it, that if they would get together and agree on a bill, that I would be happy to introduce it. I waited until they had done so, so the District Commissioners have agreed on this bill, the Park and Planning Commission has agreed to it, and the various county boards both in Maryland and Virginia have all agreed to it.

As to the authority, the gentleman from Nebraska [Mr. MILLER] expressed some question, and very properly so, as to whether or not this board would have authority to go into Virginia or Maryland and interfere with the local right of self-government. The bill provides against that. It sets up a planning council for Maryland and Virginia, represented by four members from Virginia, four members from Maryland, the Engineer Commissioner of the District, and the Chairman of the Commission, so that the rights of the States involved and the counties involved are predominant over the right of the Park and Planning Commission. But they further provide in there that no action may be taken in any county on either the Maryland or Virginia side unless it is agreed to by the representatives on that Commission from that particular county.

I think this is a very happy solution of the matter that has been controversial for so long. I think it will be productive of much good. As I said before, every agency that had anything to do with the subject of planning was called before the District Committee, and they all expressed their views, as favorable to the bill.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Ohio.

Mr. McGREGOR. I appreciate my distinguished friend from Virginia yielding to me because he will recall similar legislation was before the Committee on Public Works and we had raised the question that was suggested by the gentleman from Virginia as to whether or not we were interfering with States' rights. I am very happy to learn that he has agreed to a program and feels that this is not putting another Federal bureau in a dictatorial position over States' rights.

However, I should like to have this question answered. Under existing law the cost of the planning for the State of Virginia or the State of Maryland for their parks or their highways is paid by the State of Virginia or the State of Maryland, but under this legislation the Park and Planning Commission goes into Virginia or goes into Maryland and sets up plans probably costing five or six million dollars. Then the Federal Government is going to pay for that planning for Virginia and Maryland under this bill; is that not true?

Mr. SMITH of Virginia. Not to my knowledge. I wish the gentleman would point out that feature in the bill.

Mr. McGREGOR. I think the gentleman will find it on page 26 in regard to the appropriation. But when we of the other States plan for highways or parks, we other States pay for that planning.

Mr. SMITH of Virginia. There is no provision in this bill that requires the Federal Government to pay for any planning for anything outside the District of Columbia. Of course they do and have for years done a great deal of planning. Much of it has been acquiesced in by the States of Maryland and Virginia. They have done it as the National Capital Park and Planning Commission, because they realized long ago that planning is desirable and necessary in the surrounding area.

Mr. McGREGOR. I concur in that statement, because, although I am from the Midwest, I think we have to recognize that the District of Columbia and the vicinity adjacent to the District is of more than just local interest. That is the reason I am willing to go along with the bill.

Mr. SMITH of Virginia. I thank the gentleman.

Mr. CRAWFORD. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I do this to get some additional information from the gentleman from Virginia [Mr. SMITH]. If I understood him correctly, he pointed out that the Commission could go into neighboring counties and put into operation a plan providing the member or members of the Commission from that county agreed to it.

Mr. SMITH of Virginia. My explanation of the bill was not very full because I took only 5 minutes, but if the gentleman will yield to me briefly, I may say that there is set up a National Park and Planning Commission for the District of Columbia. Then there is set up another commission, which is a council. That operates in the States. It has nothing to do with the District of Columbia. The National Capital Park and Planning Commission cannot impose its will on that council in the county of Arlington, for instance, or in the county of Fairfax. They can propose and suggest and recommend, but if that county objects to that particular plan it cannot be put into effect.

Mr. CRAWFORD. What I want to know is, How can that particular county object? What is the machinery in the bill that permits that particular county to object or to permit the people in that county to prevent the Park and Planning Commission from operating?

Mr. SMITH of Virginia. On page 12, line 21, appears this language:

> In making any recommendation, adopting any plan, or approving any proposal, action shall be taken by a majority vote of all members of the Council: *Provided, however,* That no action affecting directly a single local planning jurisdiction may be approved except by the affirmative vote of the member representing that jurisdiction.

Mr. CRAWFORD. I think that takes us to the real heart of the situation. Suppose in three small areas in any given county that you may want to select, the Park and Planning Commission proposes to enter those three areas as a united area, but the people in those three areas do not want them to come in? As I understand this language,

the local member representing that particular jurisdiction can permit the operation to go through against the will of the people? Is that not correct under this language?

Mr. SMITH of Virginia. He is a representative of the people. He is appointed to represent them.

Mr. CRAWFORD. All right then, and it does not give those people any chance to vote on the situation at all except that they have elected him?

Mr. SMITH of Virginia. Yes. He is their representative on this Commission.

Mr. CRAWFORD. Here is what you are doing here. Let us take three areas right down here in Prince Georges County, for instance, 5 miles from the District line where the Commission has attempted to impose its will in a mild way now, you understand. A mass meeting was held by the people, and they voted it down I would say at least 10 to 1. Under this bill, those people could not so vote.

Mr. SMITH of Virginia. May I ask the gentleman?

Mr. CRAWFORD. Yes. I happened to be at that meeting and know exactly what happened.

Mr. SMITH of Virginia. I know just what the gentleman is talking about. He is talking about the National Capital Park and Planning Commission. And the National Capital Park and Planning Commission has no jurisdiction to do anything in Maryland or Virginia.

Mr. CRAWFORD. That is what we found out that night.

Mr. SMITH of Virginia. I recognize in the past that they have done that in Virginia as well as in Maryland, trying to impose the will of the National Capital Park and Planning Commission on the State of Virginia. That is the reason we have this bill here, so that we take away from them any authority or any power to do anything. That is the National Capital Park and Planning Commission.

Mr. CRAWFORD. I understand.

Mr. SMITH of Virginia. But we then set up a local agency known as the Council which is represented by local people who are appointed locally and represent the people of that county, and who are going to see that the will of the Washington Board is not imposed upon the people of Virginia contrary to their wishes.

Mr. CRAWFORD. How is this particular member selected? Is he appointed or is he elected?

Mr. SMITH of Virginia. He is appointed.

Mr. CRAWFORD. In other words, how is the Council created?

Mr. SMITH of Virginia. The language which provides for the composition of the Council is on page 8 of the bill, and is as follows:

Establishment and composition of the Council

SEC. 3. (a) There is hereby established a National Capital Regional Planning Council, hereinafter referred to as the "Council," to be composed, whenever possible, of representatives of the planning agencies of the region, of demonstrated capacity for leadership in the planning of the region. The Council shall consist of the Chairman of the Commission, ex officio, Engineer Commissioner of the District of Columbia, and not to exceed eight other members who, with their alternates, shall be appointed by the Commission, pursuant to nominations as hereinafter provided. For the Maryland environs, the Maryland-National Capital Park and Planning Commission may nominate two of its members, one each for the portions of the Maryland-Washington regional district within Montgomery and Prince Georges Counties, respectively, and for the portion of either county without the said Maryland-Washington regional district, the governing bodies of each county may nominate a member of the planning agency for each such portion.

The SPEAKER. The time of the gentleman from Michigan has expired.

(Mr. CRAWFORD asked and was given permission to proceed for three additional minutes.)

Mr. CRAWFORD. In other words, the people themselves have no voice whatsoever in selecting the individual or individuals who will agree to this plan coming to a community, which involve the assessment of taxes, perhaps 3, 5, or 10 years before any direct benefits flow to the people whatsoever

Mr. SMITH of Virginia. The gentleman is asking that question of me?

Mr. CRAWFORD. Yes, sir.

Mr. SMITH of Virginia. I will say that this commission is not elected by the direct vote of the people. I do not know of any similar commission that ever has, or ever will be, appointed by the direct vote of the people. They are appointive offices just like most executive offices.

Mr. CRAWFORD. Yes; but the point is, as I understand this language, which appears on pages 8 and 9, which says that the Council shall consist of the Chairman of the Commission ex officio, Engineer Commission of the District of Columbia, and not to exceed eight other members who with their alternates shall be appointed by the commission pursuant to nominations as hereinafter provided. For the Maryland environs, the Maryland-National Capital Park and Planning Commission may nominate two of its members, one each for the portions of the Maryland-Washington regional district in Montgomery and Prince Georges Counties. In other words, this language, as I understand it, gives this commission absolute power over the rights and properties of these people insofar as coming in there and making the necessary assessments in the form of taxes per acre or per value of acre to set up the Commission's operations.

Mr. SMITH of Virginia. If the gentleman will let me answer him; I do not think they have a thing to do with it; but the gentleman would not permit me to answer.

Mr. CRAWFORD. I will yield the balance of my time to the gentleman; now, go ahead.

Mr. SMITH of Virginia. I do not like to do that, but I would just like to answer. They have no power to assess anybody's land or take anybody's land away from them.

Mr. CRAWFORD. I did not make that charge; they could take the land. I did not make the charge that they were taking the land away from them. I made the charge that they could go in and assess taxes for the necessary expense and the landowner has no voice whatsoever. If that is not in this bill I will get the gentleman all the time he needs to answer it.

Mr. SMITH of Virginia. I would like to say to the gentleman that nothing of the kind is contained in this bill as far as I can read it.

Mr. BEALL. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. BEALL. The gentleman refers to the members of the committee in Prince Georges County. I would like to tell him that that is controlled by the National Capital Parks Commission which is a Marylond State agency and which has nothing to do with this agency we are talking about.

Mr. CRAWFORD. Then why did you put Prince Georges County in the bill?

Mr. BEALL. I have told the gentleman about Prince Georges County.

Mr. CRAWFORD. I am talking about this bill.

Mr. BEALL. Because it adjoins the District. I would like to say to the gentleman from Michigan that I introduced the same bill as did the gentleman from Virginia and the gentleman from Maryland [Mr. SASSCER]. We introduced our bills at the request of the county council in Montgomery County and the county commissioners in Prince Georges.

Mr. CRAWFORD. Yes; and the purpose was to choke it down these property owners' throats.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, that concludes District of Columbia business.

THE LATE HONORABLE JAMES WOLCOTT WADSWORTH, JR.

The SPEAKER pro tempore. The gentleman from New York [Mr. OSTERTAG] is recognized.

Mr. OSTERTAG. Mr. Speaker, it is with a deep feeling of sadness that I announce the untimely death of a former illustrious Member of this House and the Senate, Representative James Wolcott Wadsworth, Jr., whose passing has greatly saddened not only his colleagues but the entire country.

When my distinguished predecessor retired from this body 2 years ago after a career in Congress reaching back more than 30 years it was generally felt and hoped that he would have many years to devote to public service as an elder statesman, and that he would have leisure to enjoy to the utmost the farms in his beloved Genesee country in western New York, where his ancestors have lived for more than 160 years. An inscrutable Providence has ordered otherwise. Bowing here before the divine will, it is for us today, perhaps, to grieve less that he is gone than to rejoice that this country has had a man of such stature as a public servant.

Senator Wadsworth was born in Geneseo, N. Y., in the green valley to which his ancestors emigrated from Connecticut in 1790. As a boy he attended St.

Mark's School in Southboro, Mass., and Yale University, from which he graduated in 1898.

The tradition of public service was in his blood. There have been Wadsworths in this Congress ever since there has been a United States Congress, and most of them were his lineal ancestors. His father served in this House for a total of 20 years in the late nineteenth and early twentieth centuries, while earlier Wadsworths served in this House from the time of the First Continental Congress.

"Young Jim," as he was always affectionately known in the Genesee country, turned quite naturally and logically to public service, therefore, and in 1905 was elected to the Assembly of the State of New York.

It was a measure and index of the great qualities of leadership that distinguished him throughout his life, that the very next year he became Speaker of the assembly at the age of 29. He served in that post for the next 4 years, then retired temporarily from public service to take up ranching in Texas.

In 1914, he was persuaded to run for the United States Senate from the State of New York. He was elected, and reelected in 1920, serving with great distinction in that body. During much of his service there, he was chairman of the Senate Military Affairs Committee while this country was first an onlooker and then an active participant in World War I. Defeated for reelection in 1926, he retired to his farms in Genesee County for an interval, but in 1932 he was persuaded to run for election to this House. He won, and served here continuously thereafter until his retirement in 1950.

Congressman Wadsworth was the descendant of a long line of distinguished Americans who helped to create this country in the American Revolution, and who fought in every one of its wars thereafter. When, as a youth, he himself took up arms in the Spanish-American War, he was shocked to find the country poorly prepared for the battlefield, and the high casualties of that war, attributable solely to lack of proper training of the men in uniform, sickened him. He became convinced that a system of peacetime universal training which would give every able-bodied young man a rudimentary knowledge of military training was essential to the country's safety, and during the rest of his life, he worked toward the realization of that objective. In 1920, when he was chairman of the Senate Military Affairs Committe, he himself sponsored legislation to that end, and he always supported such legislation. It was entirely fitting and appropriate, therefore, that he should have been selected by the President in June 1951 to head the National Security Training Commission, which was authorized by this House to forge a program of universal military training.

Congressman Wadsworth's belief in a strong America was coupled with an equally firm and vigorous belief in economical government. Throughout his service in this House, he opposed many if not all of the expansions of Federal power and authority which have proved and are proving so fantastically costly today, and not long before he retired, he aroused Nation-wide support for economy in government by announcing that he would oppose further needless spending, even though he should be regarded as an obstinate old man. Almost overnight, a league of obstinate men sprang up throughout the country to support his stand.

Throughout his life, Congressman Wadsworth hewed to convictions which, even though they were not immediately popular or acceptable, were justified for the most part, by time and events. Both a statesman and a prophet, he never temporized with principle out of expediency. The whole world knew exactly where he stood and what he stood for, and it loved and respected him for it.

More than ever in our history, America today needs men of his great stature, his inflexible dedication to principles which are in the public interest, and his great moral courage and vision. In the words of Rupert Brooke, his passing leaves, "a white, unbroken glory, a gathered radiance, a width, a shining peace, under the night."

I am sure that all Members of the House join with me in extending our deep sympathies to the family of our late colleague. I should like to announce that funeral services will be held for our departed former Member at the Washington Cathedral at 5:30 o'clock on Wednesday of this week.

Mr. Speaker, I now yield to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, it was with great sorrow that I learned yesterday of the passing of our esteemed former colleague, James W. Wadsworth, Jr.

The death of former Senator James W. Wadsworth, Jr., will be the cause of great sorrow to many thousands of Americans. Death claims one of the really great men of our country. Fate made it possible for him, if he so desired, to lead a life of leisure. But Jim Wadsworth was a patriot. He desired to give his great talents to building a better America with the same fine spirit he displayed when, as a youth, he served in the Spanish-American War as a volunteer in the Army.

In early youth his talent for public service was recognized by his neighbors, who sent him to the legislature of New York, where he was its speaker, and later as United States Senator. In the Senate he rose rapidly until he was generally recognized as one of the most brilliant men in that great national forum. As chairman of the Military Affairs Committee he gave outstanding service in building up the armed services of our country. His fine service attracted national prominence and he was frequently mentioned as a possible candidate for the Presidency.

Later he failed of reelection when a prohibition candidate for Senator took enough Republican votes away to permit the election of the Democratic candidate by a small margin.

Later he returned to the House and for years rendered outstanding service. Whenever he rose to speak there was intense silence, for it was generally recognized his words were carefully thought out after serious study. No man had greater influence than he with his fellow legislators, whether they were Democrats or Republican.

I remember as if it were yesterday, my first meeting with Jim. It was in 1924, the year I was first elected to Congress. He was assigned to speak in Taunton, Mass., and I made the trip with him from Boston to Taunton. The train was crowded and the best we could do for seats were the mail bags in the baggage car. Here Senator Wadsworth and myself talked of the problems of the day and his great fund of information left an impression that never left me.

Jim was a man of great ability and a man with a rare sense of humor and a genuine friendly spirit. He wanted to help his colleagues and he never shirked a call to fight for sound Americanism. For years he was a great tower of strength in our work here in the House.

A really great American is dead and one whose views and wise counsel will be missed in the trying years ahead. He is a man we could ill afford to lose and our deepest sympathy goes to his wife and family.

Mr. OSTERTAG. Mr. Speaker, I yield to the distinguished majority leader [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, I read last evening with keen regret about the death of our late friend and colleague, James W. Wadsworth. One could speak for hours about Jim Wadsworth, about the man, his personality, his ability as a legislator, and the contributions that he made in his day and time to the progress of our country and to the betterment of our people. Jim Wadsworth, as my friend, the gentleman from Massachusetts [Mr. MARTIN] well said, made an outstanding record in the Senate of the United States, but I think the greatest part of his record was made in this body. After leaving the Senate of the United States and being elected to the National House of Representatives, and serving in this body for the number of years as he did, during some of the most trying if not the most trying period in the known history of man. It was during that period that Jim Wadsworth made the most important part of a record that is one of the most outstanding of any person who has ever served in either branch of the Congress of the United States. He was a man of fine character, a man of nobility of mind, a man of an understanding mind in his association with his fellow man, a man who respected profoundly the views of others even in disagreement, a man of strong convictions and of vision and of courage. We are speaking in a sense about a super man when we are talking about Jim Wadsworth. Jim Wadsworth was a statesman. The imprint that he made upon the minds of others regarding all those nice, noble, fine things in life, that he so outstandingly symbolized will live forever. As in law we say "a lawyer's lawyer," so in the congress he was "a legislator's legislator." Jim Wadsworth earned that position by reason of his contributions in both branches of Congress and particularly in this body, where he made his greatest contribution to the progress of our country.

He was one of the few men who ever served in the other body that later served in the House of Representatives. There was one man, John Quincy Adams, who after his service as President came to this body and served here for many, many years. It was in this body that John Quincy Adams made his outstanding record, that places him as one of the great Americans of all time.

As I say, although our late friend, Jim Wadsworth, rendered great service in the other branch, it was in this branch in particular, in my opinion, that he made an outstanding record, that will have Jim Wadsworth go down in history as one of the giants of all Americans, particularly of this generation, and one of the outstanding Members of Congress of all time.

His passing leaves a void that is going to be hard to fill. To those of us who knew him, his passing leaves a keen feeling of regret. To his loved ones I extend my profound sympathy in their bereavement.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, on occasions such as this I frequently think how much better it would be if during the lifetime of our friends we could say of them the things that are in our hearts, acknowledging publicly the feelings we have for them instead of waiting until they have departed.

In respect to Jim Wadsworth it was my very pleasant opportunity to lend public recognition to his achievements in his lifetime. Unfortunately, it could not be in his presence because his illness at that time prevented his being personally with us, but my remarks, along with others, were transcribed and sent on to him. Subsequently I had a note from him expressing his appreciation of what had been said.

The occasion to which I refer occurred on November 25, 1951, in Chicago. At that time a portrait of Jim Wadsworth was being presented to the Saddle and Sirloin Club, an adjunct of the Union Stock Yards and of the International Livestock Exposition in Chicago. The printed program for the event referred to the Honorable James W. Wadsworth as an outstanding cattleman and patriotic American. The presiding officer of the occasion was Jess C. Andrew, president of the International Livestock Exposition, who happens to be a great friend and neighbor of mine out in Indiana.

Among those offering testimonial remarks, a Genesee Valley neighbor, Mr. O. H. Gott, spoke of Jim Wadsworth as he knew him. Mr. M. H. W. Ritchie spoke of Jim in a splendid tribute entitled, "On the JA Ranch," which happens to be the fine project that Jim had carried on so many years down in the great Southwest. It was my privilege to speak of Jim Wadsworth's life of public service. Then Capt. Dan D. Casement spoke of him as an ideal American. Mr. O. T. Henkle presented the portrait, which was accepted for the Saddle and Sirloin Club by Mr. William Wood Prince, president of the Union Stock Yards.

I do not know of anything better I could say of Jim Wadsworth now that he has gone than to repeat here what I was so happy to say of him in his lifetime.

This is what I said on that occasion:

Any attempt on my part to enumerate in any detail the outstanding accomplishments of the Honorable James W. Wadsworth during his career in the Congress of the United States would keep us here the rest of the day—at least.

His is a record of public service reaching back to the turn of the century—and I would be the last to suggest that it is by any means ended. Too often we wait too long to express our admiration and appreciation for outstanding achievement. It is a genuine pleasure to have this opportunity to commend Jim Wadsworth in his lifetime.

In the few minutes allotted me I must necessarily confine myself to highlights and to generalities, along with a personal evaluation of Jim Wadsworth's stature based upon my knowledge of his activities in the Congress of the United States.

Let me say, as a former colleague, that no man in my time on the floor of the House has enjoyed greater respect and admiration than the gentleman from New York.

He has been, I can say with all sincerity, a towering giant in the national legislature, a giant looked up to by his fellow Members on both sides of the aisle as a man of integrity, determination of purpose, far-sighted vision and the broad wisdom that comes from knowledge and experience tempered with sound judgment.

Perhaps one of the most reliable indicators of the esteem in which a Member of the Congress is held by his colleagues is evidenced by the attention he gets when he goes to the well of the House for remarks.

By this criterion no man was Jim Wadsworth's peer. The times on which he arose to address the House were occasions for maximum attendance and for sober, hushed attention.

When Jim Wadsworth arose to speak, the House knew he had an eminently worthwhile contribution to make. The undivided attention accorded his remarks, let me say, has been the most eloquent testimonial that could be paid to a Member of the Congress.

What were Jim Wadsworth's great contributions to the welfare of his country?

I cannot attempt in 5 minutes to assess them completely.

First, and foremost, is his magnificent record in the field of providing for the military security of America against any enemy or combination of enemies from beyond our shores.

Not for nothing was Jim Wadsworth called "Mr. National Defense" in an article written by Beverly Smith for the Saturday Evening Post in 1947.

If for no other reason, Jim Wadsworth's place in history would be secure by virtue of his untiring efforts to build our Armed Forces in such a manner that this Nation would always be prepared to the limit of our abilities within our economy, to meet aggression dangerous to our own well-being.

Had his advice and counsel been heeded by those in high places, it can be said that we would not now find ourselves in the desperate struggle we now face to shore up our defenses.

Even prior to World War I, serving as a Senator, Jim Wadsworth was urging better training and mobilization methods. As chairman of the Senate Military Affairs Committee, he wrote the National Defense Act of 1920.

Now and then outstanding men come to the Congress who, because of their vision, are ahead of their times. Jim Wadsworth was such a man. In 1940 he drafted and sponsored the selective training and service bill, the wisdom of which we see in retrospect. It is significant however, to point out that not until 2 months after it was drafted were proponents of the measure able to gain Presidential support for their bill.

Hindsight is easy; the stamp of a great man is his foresight. What greater tribute can be paid than to say that Jim Wadsworth's vision has stood the test of time?

Coupled with his indefatigable efforts on behalf of developing a strong military arm for this Nation, Jim Wadsworth will be remembered in history for his stalwart insistence on sound and workable proposals in the field of agricultural legislation.

I have said Jim Wadsworth was a man of vision. But he was no starry-eyed visionary.

Himself, a man of great self-reliance, Jim Wadsworth's own strength of character is reflected in his conviction that demagoguery has no place in our national life. Here again our people are beginning only now to realize the wisdom of his conviction that a healthy total economy can be achieved only through the intelligent and honest application of fundamental truths in seeking the solutions to transient difficulties.

The bright, gold thread that runs through the sturdy fabric of Jim Wadsworth's career in Congress is his consistent determination that America must remain a nation of freemen, operating under constitutional Government.

The name of Wadsworth is a great name—a proud name—in the history of our Nation.

Back of the man we are honoring here today is heritage of service to this country—a heritage that runs back through the years to the great-great-great grandfather of our distinguished guest. He was William Wadsworth, one of the group of dauntless pioneers who made their way through the wilderness to found Hartford, Conn.

Here is a family tree laden with patriots who laid their lives and their fortunes on the line in the cause of liberty and freedom. Small wonder that this scion of a great family should make his mark in contemporary history.

Every nation, no matter under what form of government it may operate, owes its place in the sun to the leadership of such men as James Wadsworth.

In any nation, democracy, republic, or kingdom, there is a nobility, inherited or earned in the hearts of men.

Here in America we have a nobility among free people—it is a nobility composed of those who by their contribution to their country have proved their greatness.

Such a man is James Wadsworth. Time and again he has been called back by his friends and neighbors to leave private life and return to the strenuous and so often profitless and thankless arena of public service.

Let it be said that James Wadsworth has heeded that call and given of his tremendous vigor and talents unselfishly.

Let it be said of James Wadsworth that he is a noble man in all the name implies—noble in character, noble in ideals and noble in the dedication of a long and useful life to the service in this wonderful land of ours.

If I were asked to sum up his contribution to America in a single, simple thought I would say this:

James Wadsworth, born a free man, has devoted his life to the cause of freedom for others.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, with the passing of James W. Wadsworth, of New York, our country has lost one of its truly great statesmen. Many able and distinguished men have served, and presently serve, in the Congress. Few have risen to Jim Wadsworth's stature in true statesmanship of at all times placing his country's interests, as he saw it, above every personal and every political consideration. In all our history few equal this great man's stature. No one can excel it.

Jim Wadsworth was a man of convictions. He was a man of principle. Nothing would or could induce him to do or say anything that was contrary to what he actually believed. He would not countenance seeking a political advantage for himself or for his party at the expense of his own convictions. He did not espouse causes or sponsor legislation because they were at the time publicly popular. On the contrary, he was very often advocating the unpopular, subjecting himself to all manner of attacks, simply because he believed the course he advocated to be for the welfare of the country in the long run.

It is understandable why Jim Wadsworth always commanded the full attention of the House when he rose to speak. We knew he had something to say. More than that, we knew that he was expressing his personal convictions. I do not know any man for whom the entire membership, on both sides of the aisle, had greater respect.

Jim Wadsworth was one of my warmest personal friends. I knew him intimately. I have made several trips with him and as we traveled together I learned more and more his greatness of mind and heart. I did not always agree with him, but he has been my ideal—an unassuming man of outstanding ability, a successful man with humility, a busy man with time for his friends.

I find it impossible to say how much I shall miss Jim Wadsworth. I extend my most sincere sympathy to his fine wife and family. The entire Nation shares this loss.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, the passing of James W. Wadsworth marks the end of a distinguished, patriotic, long career in the public service. I would say that it was a career in this body and the other body of Congress where his motives were never clouded or influenced by any personal or political consideration. He was one of the few great statesmen of his generation.

I feel that the loss of Jim Wadsworth when he retired from the House was a great one to the country. As his personal friend of many years I had hoped he would enjoy a long life of retirement, but that was not to be. Even after he retired from Congress he immediately took up the gigantic job of trying to perfect and bring about the passage of the Universal Military Training Act.

I wish to record the fact that throughout the many years I served with him in the House and on the Committee on Rules I was deeply impressed and influenced by his wisdom, his judgment, his deep sense of responsibility, and his utterly unbiased position on every matter that came before the committee and before the Congress.

I extend my very deep personal sympathy to his family.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to include at the end of my remarks a statement by the members of the National Security Training Commission.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COLE of New York. Mr. Speaker, my heart, too, is saddened by the announcement of the death of James Wadsworth.

A mighty oak has fallen, the tallest, truest, straightest, and soundest of the entire forest. Able to withstand the buffeting winds and the biting fury of countless political storms for nearly a half century of public service, this giant of the twentieth century on the American scene has finally yielded to the inexorable influences of mortality. His departure from the stage of American politics leaves a yawning gap which can only be filled by others who may stand for the same high ideals, the same deep convictions with regard to the fundamental principles of representative government and the same high sense of duty and abiding love of country as was possessed by James W. Wadsworth.

Never shall I forget Memorial Day of 1950. It was one of the saddest days of my life. On that day at the Soldiers' Home at Bath, N. Y., where Senator Jim was to deliver the address of the day, he told me of his decision, made upon the recommendation of his physician, to lay aside the toga of public service which he had worn for over two score years with such credit and great distinction. The thought that his counsel would no longer be available to guide the deliberations of this great body and that his friendly smile and helpful word to me individually would no longer be forthcoming saddened me beyond the usual measure. Having been a disciple of Jim Wadsworth's in the Halls of Congress for many years and sat at his feet in learning the fundamentals of government American style, the obligations of party responsibility tempered only by one's own honor, self-respect, and independent convictions, it was unbearable to contemplate that the Congress could run without the presence of this great man to counsel, encourage, and direct.

But his retirement was in name only. After a brief but happy and restful vacation with Mrs. Wadsworth, Senator Jim was back in the Nation's capital bending his every energy toward the enactment of legislation on a subject of great national importance which had been his goal for 30 years of legislative effort—the adoption of a permanent program for the military training of all of our youth. His many years of persistent effort were finally rewarded not only by the enactment of the preliminary steps necessary for a program of universal military training but what was of greater significance and personal gratification, Senator Jim himself was appointed by the President as the first Chairman of the National Security Training Commission.

Through the years of my association with Jim Wadsworth, which I consider to be among my richest possessions, he was my idol and my ideal, possessing as he did in such great abundance all of the finest traits and qualities which unite to compose true strength of character. Never in all my years of association with him did I hear him utter a single unkind word to or about any person. Always his decisions were based on what he thought to be good for his country, never on what he thought might be good for him personally or his party politically. In all of his deliberations he was completely selfless and unselfish. His was truly a Christian life, true to himself and his heritage, true to his wife and his family, true to his country and his God.

Mr. Speaker, I confess that there have been some occasions during my period of service here when I have been tempted to vote for something which at the time seemed to be politically popular or expedient but which I conscientiously thought to be unwise. On each of those occasions, the life of Jim Wadsworth helped me to make the right decision. Throughout his entire career he voted on issues as he thought best, even though his judgment conflicted with the composite will of the majority of the people he represented. This independence of thought and action was responsible for his occasional defeat, though only for brief intervals. When I remembered that he had been in public life in an elective office for as many years as I had lived and still possessed the confidence of his people, the temptation for me to do the expedient thing was easily cast aside and conscience and honest conviction were my guide—thanks to Jim Wadsworth.

Mr. Speaker, next to my own father, there is no man for whom I have had greater respect and admiration, deeper gratitude, and genuine love than for Senator Jim; in fact, he was a second father to me. It is within my power only to state my belief that the world, and certainly our country, is better because Jim Wadsworth lived, but I can state with a positiveness that defies contradiction that I am a better man, that I have rendered better public service, and that I shall, so long as I live, have the capacity and the will to better service because Jim Wadsworth lived. Although he is gone now, yet, as Browning would remind us, he is not gone for we have him in our soul.

To his lovely and gracious wife, to his children, of true Wadsworthian stature, and to his grandchildren, of whom he was very fond, I extend my deepest sympathy.

Mr. Speaker, of all the men who have crossed the stage of public life during the first half of this century, there is none, in my opinion, who more fully, than

James Wolcott Wadsworth, Jr., qualifies as the kind of man described in the poet's Prayer of the Nation:

God give us men! A time like this demands
Strong minds, great hearts, true faith, and ready hands.

Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who posses opinions and a will;
Men who have honor, and who will not lie;
Men who can stand before a demagogue
And scorn his treacherous flatteries without winking.

Tall men, sun-crowned, who live above the fog
In public duty and in private thinking!

Such a man was Senator Jim.

JOINT STATEMENT OF HON. WILLIAM L. CLAYTON, DR. KARL T. COMPTON, LT. GEN. RAYMOND S. MCLAIN, RETIRED, AND ADMIRAL THOMAS C. KINKAID, RETIRED

It is with the greatest sorrow that we today learned of the death of our distinguished Chairman, James W. Wadsworth, Jr. He was, undoubtedly, one of the greatest legislators to ever serve the Nation. His constructive work in the country's interest will be remembered many decades from now. The vision he has exhibited over the years should leave the American people eternally in his debt and the vision he has exhibited within the last year should serve as a guide for all in the crucial days of the immediate future.

Shortly after the day he was appointed to this Commission as its Chairman, Jim Wadsworth knew that he would die within a few short months, but he carried on courageously, working long hours in this last attempt to secure for the Nation the safeguards offered by UMT. If any man can be said to be the father of the American concept of UMT, it is James W. Wadsworth. During the months of January through March of this year, he literally worked himself to death in his last attempt to secure congressional passage of the Commission's program. The day after the measure was recommitted by the House, he became so seriously ill that it was known that he could not recover. His courage for fighting for his cause to the very end is best illustrated by his last official letter for the Commission, dated March 15, which he approved from his hospital bed. It was addressed to the Honorable CARL VINSON, chairman of the House Committee on Armed Services, and portions of it are quoted below:

"The other Commissioners and I were naturally very disappointed that the bill in its previous form was recommitted without the Congress having an opportunity to vote upon the many helpful amendments which your committee and others added to our bill. I want to emphasize the expression 'our bill' because it was originally prepared by the Commission, and not by any other executive branch of the Government. I stated in the hearings that I had never known of any bill which could not be improved by congressional action and I feel that this was just as true of our legislation as of any other. * * *

"For over 30 years I have been seeking to establish universal military training. It is a lifetime of endeavor, in a cause that has been close to my heart. If this important program is enacted into law I would feel that my life work had been crowned with success. * * *

"The American people deserve this assurance of permanent security * * * time will not wait on us."

SHORT BIOGRAPHY OF JAMES W. WADSWORTH, JR.

James W. Wadsworth, Jr., was born in Geneseo, N. Y., August 12, 1877. He received preparatory education at St. Mark's School, Southboro, Mass.; and was graduated from Yale University, New Haven, Conn., in 1898.

During the Spanish-American War, he served with Battery A, Pennsylvania Field Artillery, and in the Puerto Rican Campaign in 1898. Since 1899 he had been engaged in agricultural and livestock business near Geneseo, N. Y. From 1911 to 1915 he was manager of the famous JA Ranch in the Texas Panhandle. He served as a member of the State assembly of New York from 1905 to 1910, serving as speaker of the assembly from 1906 to 1910. He was a delegate to the Republican National Convention in 1908, 1912, 1916, 1920, 1924, 1928, and 1940. He was elected as a Republican from New York to the United States Senate in 1914. He was re-elected in 1920 and served until 1926 when he was defeated for reelection.

While in the Senate he was a member of the powerful Military Affairs Committee. He was elected as Congressman to the Seventy-third Congress March 4, 1933, and served in the eight succeeding Congresses through January 3, 1951. He was a guiding influence in the National Defense Act of 1916 which established the National Guard and was known as one of the fathers of the World War I Draft Act. He was cosponsor of the crucial Burke-Wadsworth bill of 1940 (the Selective Training and Service Act), and was instrumental in securing its extension in September 1941, 3 months prior to Pearl Harbor.

Shortly after his retirement from Congress in 1951, he was appointed by the President to be Chairman of the National Security Training Commission. Serving in this capacity, he supervised the preparation of the Commission's first report to the Congress, UMT: Foundation of Enduring National Strength, released to Congress October 29, 1951. He actively participated in the Senate and House hearings on the measure, testifying at length before both bodies.

[From the New York Times of June 23, 1952]

JAMES W. WADSWORTH

Senator and later Representative Wadsworth, of New York had strong convictions and expressed them even if they were unpopular. In some circles he was regarded as ultra-conservative. Even toward his own constituents he maintained a position of firm independence of judgment and action.

He was, nevertheless, far from conservative in his outlook on the relationship of the United States to the rest of the world. He believed that this relationship, friendly though we meant it to be, could be sustained only on the basis of real strength. As a result he was, throughout his life, the champion of a strong United States, strong in its resources, strong in its manpower, and vigorous in its commitments.

This championship led him to decisive leadership in the field of military manpower legislation. His influence was strong and its effect was good. In at least one instance, certainly, the extension of selective service in 1941, his leadership and his action may well have saved the Nation from catastrophe.

More recently he had been concerned with the problem of universal military training and had served as chairman of the commission designated to draw up workable plans. He carried on in this endeavor in spite of failing health, and he gave the last months of his life, also, to the service of his country. His colleagues have said that his untiring efforts hastened his death.

His life and his work illustrate the fact that real patriotism is no matter of party or group labels. In some cases he was more liberal than the liberals. His cause was the cause of his country and his interpretation of that cause was his own. We are stronger today for his enlistment in it.

[From the New York Herald Tribune of June 23, 1952]

JAMES W. WADSWORTH

Few legislators have served their country better than did James W. Wadsworth. In his 12 years in the United States Senate and his 18 in the House of Representatives he put his party above himself and his country above his party. On domestic issues he was a consistent and intelligent opponent of the New Deal; in international and military affairs he was a stanch champion of cooperation and preparedness. He was among the earliest to understand this Nation's need for a sound, broadly based defense army. General Marshall once paid him the tribute of saying that the Wadsworth bill of 1920, to maintain a citizen army, might have averted the Second World War.

A son of the Genesee Valley, Mr. Wadsworth brought to legislative problems the common-sense approach of the rural upstater. He served first in the State assembly, as his father had done before him, and then went to Washington to the Senate. Losing his Senate seat in 1926, he shortly afterward won election to the House—the third American to follow the unusual sequence. After his retirement from the House, he became Chairman of the National Security Training Commission, helping to formulate a universal military training program. With his death he leaves a proud record of achievement, and a road clearly marked out for others to follow.

[From the Washington Evening Star of June 23, 1952]

MR. WADSWORTH

Probably James Wolcott Wadsworth, Jr., will be remembered longest for his work in behalf of preparedness. It was a basic principle with him that America should be strong enough to stand alone in a chaotic and hostile world. Lacking confidence in made-to-order schemes of universal pacification, he argued that the military power of the United States should be maintained at its most effective apex. During more than half of his career he specialized in legislation relating to the development of a citizen army and navy. He worked and fought for universal military training even when it was most unpopular.

Mr. Wadsworth himself was a soldier. The family to which he belonged is a dynasty of public servants tracing back to colonial times, and he was a worthy scion of the clan. Born in the beautiful Genesee Valley in 1877, he went to Cuba and the Philippines at 21, was a member of the New York State Legislature at 25, a member of the United States Senate at 37. In the latter position he served two very busy terms. Then, defeated largely because of his opposition to prohibition, he sought election to the House of Representatives and became one of its most distinguished personalities in 1932. Until his retirement in 1950—and even afterward as a private citizen—he was a respected authority in the fields in which he specialized. The first and foremost of these was national defense, but he also labored constructively in foreign and domestic commerce, labor relations, interior affairs and agriculture. A conservative by conviction as well as by birth and breeding, he opposed certain liberal and progressive movements because he simply did not believe that they could be made to stick. Much of the New Deal was distasteful to him, but prior to and during World War II he supported the foreign policies of the Roosevelt-Truman administrations, and they depended on him for the unpleasant sponsorship of the selective draft legislation. Even before Pearl Harbor he called for national unity behind lend-lease.

Tall, quiet, polite, a helpful neighbor, Washington counted him among its most

interesting residents. He has left his mark in Congress—a man who won deep respect for the courage of his convictions, when many of his convictions were unpopular and politically dangerous.

[From the Washington News of June 23, 1952]

WADSWORTH, STATESMAN

James Wadsworth could change his mind, as any wise man can. But when he had made it up, he stood like a rock for what he believed was right no matter how large the majority against him.

This distinguished public servant, who died Saturday at 74, once lost his Senate seat because he refused to approve the prohibition amendment. He fought for aviation when most people sneered at it. Though once an isolationist, he was one of the first to realize the threat of Hitlerism and advocated preparedness when most Americans were complacent.

He saw years ago that universal military training is the soundest foundation for our security, and was still fighting for it when stricken by his fatal illness.

Jim Wadsworth was a great American. He never trimmed his sails.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Speaker, I cannot let this moment pass without paying a very sincere personal tribute to the late James W. Wadsworth.

Jim Wadsworth, very early in my congressional career became sort of a pattern for me, although not a member of my party. I was sworn in as a Member of the House of Representatives on January 3, 1941. I had been a Member of the House only about 6 weeks when, in the middle of February 1941, we had before the House of Representatives the original lend-lease bill. The clouds of war that had gathered over Europe seemed to be spreading around the world. That was a bill of great importance, and tensions in the House were rather high. I shall never forget on that occasion, about the middle of the afternoon, when for the first time I had an opportunity, as a freshman Member of Congress, to pick Jim Wadsworth out from others in the House. I had been here only a short time. I recall that he rose to speak on the subject of the lend-lease bill, and Members came in from both cloak rooms and from the reading room. Both sides of the Chamber were fairly filled during that debate. It has already been referred to but, I repeat, there was a hushed silence over this Chamber as Jim Wadsworth spoke for about 15 minutes on the lend-lease bill.

When he finished his speech I turned to a Member sitting next to me and I said to him, "I hope, if I can remain a Member of this House for any length of time, that the time may come when I can somewhat nearly approach the stature of what I believe to be the stature of that man." He was truly one of the great Americans of this generation, a public official wholly dedicated to the public good. He impressed me with his unassailable logic, with the restrained manner of his delivery. You can recall him now. He never indulged in histrionics or in oratorical flights. He usually leaned very closely to the microphone and spoke in a low, subdued, restrained tone, but it had the effectiveness of being rhetoric that was eloquent, and logic that was unassailable.

So I would not want this opportunity to pass by without paying to his memory a sincere tribute out of my own heart. I am always impressed on occasions of this sort that words are rather woefully weak, and language is terribly inadequate. In moments of this kind only deeds and actions are really great. But I know that no mound of earth can still the voice of Jim Wadsworth; that we shall continue to feel the compulsion of his presence here in the House of Representatives in the days and months and years that lie ahead of us.

Mr. Speaker, I extend to the members of his family my most profound sympathy in their hour of grief and sorrow.

Lives of great men all remind us,
We can make our lives sublime.
And departing leave behind us,
Footprints in the sands of time.

Footprints that perhaps another
Traveling o'er life's rugged main,
A forlorn and shipwrecked brother,
Seeing may take hope again.

Let us then be up and doing
With a heart for any fate.
Still achieving, still pursuing,
Learn to labor and to wait.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Speaker, a truly great man is gone; a really great American has died who served his country with zeal and fidelity, and who gave of his unexcelled talents without stint. Jim Wadsworth's abilities were respected and admired by everyone, and recognized universally as being unusual. His integrity and strength of character were his dominant characteristics; his power of concentration most intense; his reasoning and logic devastating; and in debate his remarks were never tainted by demagoguery. He always looked problems straight in the eye, and never evaded an issue. He was as modest as he was brave; he was as sincere as he was honest; and his quiet, engaging sense of humor won him many friends.

Jim Wadsworth dedicated his life to the service of his country because he believed in America and what she stands for; he had great pride in the patriotic record of his forefathers. He wanted America always to be strong and prepared to meet attack from without, and argued and fought for what he believed in. He loved living, and always found enjoyment in the people around him—and people loved to have him around.

A great soul has departed and we are all the better for having known him. He has left us a heritage of better living, and his host of friends rejoice in the privilege of his friendship. He was—

One who never turned his back but marched breast forward,
Never doubted clouds would break,
Never dreamed, though right were worsted, wrong would triumph,
Held we fall to rise, are baffled to fight better,
Sleep to wake.

I have lost a very personal and precious friend, and exulting in the joy of that friendship, I offer to his widow and family my prayers that they too may be comforted by their memories of this devoted husband and father.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I could add little to what has already been said here in eulogy to our departed friend. We all know, looking back, that when we come to this Chamber as freshmen we are inclined to pick out from this large gathering of over 400 Members some men whom we are inclined to want to emulate and to follow. I can truthfully say, Mr. Speaker, here this morning, as I have said repeatedly during the lifetime of our friend, that in my 20 years of service here in this House Jim Wadsworth has been my ideal statesman. I know of no greater compliment I personally could pay him than to make that statement.

He was from one section of our great common country and I from a far-flung corner of another area, yet I found in him no sectionalism, I found in him nothing that was impure. Jim Wadsworth was a great statesman, but over and above that he was a great patriot. Whenever he cast a vote upon the floor of this House different from my vote, I usually sought the solitude of my own conscience to determine whether or not I was correct in that vote.

Everything was approached by him not from the point of view, "Is this politically wise?" but "How does this affect the country that my forebears founded, fought for, and died for?" The thing I liked about him was that he was not a Republican; he was not a Democrat. He was an American, and everything was approached in this Chamber as well as in the other Chamber where he served in such statesmanlike manner from the point of view of the welfare of the country. It was my pleasure, and it was to my great profit to have served on the Committee on Rules with this man. It was my pleasure to enjoy an intimate, personal relationship with him which enriched my life beyond measure. I have sat with him in his office and talked with him about the country, about its historical past and its doubtful future.

Mr. Speaker, a great American has gone, and I join with the thousands of others who knew him and loved him in extending my deepest sympathy to his family wherever they may be.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from California [Mr. MCDONOUGH].

Mr. McDONOUGH. Mr. Speaker, as one of the younger Members of the House in terms of service as compared to the long and distinguished services of our revered, departed colleague, the Honorable James Wadsworth, I recall when I first came to the House of Representatives, it was one of my prized privileges to become intimately acquainted with this great man. I consider it one of the privileges of my life to have served with him in the House of Representatives. I can recall, as others before me have stated, the profound respect which he commanded when he took the well of the House to express his

sound wisdom, his logic and his intelligent views and loyal Americanism on matters which came before the House of Representatives for consideration. Jim Wadsworth could whisper through this microphone and we could hear him. We, from the Western States, although you in the Eastern States may claim him because of his descendancy from one of the early pioneer American families, claim him also because Jim Wadsworth was not the type to be satisfied with the limited boundaries in the eastern part of this country. He wanted to expand to the great, wide open spaces, and as was stated previously he was one of the outstanding cattlemen of the Nation. One of the things I enjoyed most about Jim Wadsworth in my association with him was his sense of humor, even in the most difficult and trying times. I have never found it difficult to get a laugh with Jim Wadsworth on any occasion, however somber the matter was which we were considering at the time. His humility was striking. His greatness will live after him. He could be as humble as sackcloth and ashes, and as majestic as a king. He may have departed this life so far as physical being is concerned, but his advice and counsel will ring in our ears in these Halls and throughout the Nation for a long time. He was the type of man we can ill afford to lose. I join with the others in extending my sincere sympathy and condolences to his family and friends.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Texas [Mr. RAYBURN].

The SPEAKER pro tempore (Mr. COLE of New York). The gentleman from Texas is recognized.

Mr. RAYBURN. Mr. Speaker, I have served nearly 40 years in this House with in the neighborhood of 3,000 men and women. I never served with an abler or a better Member than Jim Wadsworth. His was a great soul, a sweet soul, he was a man of high character and very, very great ability. I think that away from partisan questions and on fundamental questions I came as near agreeing with Jim Wadsworth on what this country is, what it means, and what he hoped it would be as any man with whom I have ever served in all these years in the House of Representatives.

It was always a great pleasure to me to talk to him about his experience as the manager of a ranch in Texas that had more than half a million acres in it with its thousands of cattle. He went there as a New Yorker, began his association with the cowboys, many of whom for years had never slept under a roof; the sky was the roof they had every day, every night, summer and winter. He became one of them. They respected and admired him.

He told me about a cowboy riding 40 miles from the nearest telephone to tell him that they wanted him on the telephone from Albany, N. Y. He rode in that distance and was told that he had just been nominated by his party for the United States Senate. He was elected that year and made a great record during the course of World War I as chairman of the Committee on Military Affairs in the Senate.

I simply wanted to take this moment to attest my deep personal feeling for Jim Wadsworth. He was a gentleman of the best type; he was a statesman unafraid to do what he thought was for the glory of his country and the perpetuity of the great institutions for which it stands.

I shall miss him tremendously. To his family, with most of whom I am intimately acquainted, I extend my deepest sympathy because they have really lost, my country has lost, a great soul. With them I shall miss Jim Wadsworth always.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Texas [Mr. LYLE]

Mr. LYLE. Mr. Speaker, the Honorable James Wadsworth, a truly great gentleman from New York, paid me the high and very real honor of being my friend. He was unquestionably a superior and gifted man, but too, he was warm and human. He loved and enjoyed the simple, clean, and hard life of a Texas cowboy. No matter what he did or where he was, a part of Jim Wadsworth lived always on the plains of Texas, where he had worked on the vast JA Ranch.

I appreciated and I enjoyed my friendship and association with this splendid and noble gentleman. I had a deep affection for him which shall always live, and I am very sorry that he has passed away.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, the Republic of the United States has lost an illustrious American in the passing of James W. Wadsworth, and I have lost a warm and helpful friend. I knew Jim intimately, not only because we were together 18 years here in this House, for we came in at the same time, but also because of a rather different association which I shared with him; and I doubt whether very many Members of the House shared that same association and pleasure.

He came from a long line of distinguished patriots and illustrious men reaching back to the Revolutionary War of our country.

He was a soldier of the Spanish-American War. His father not only served in this body for 22 years but at the age of 18 was a member on the staff of General Warren in that tragic conflict between the States. His grandfather, also named James W. Wadsworth, on that memorable day July 1, 1863, was with the Army at Gettysburg and for some 2 hours after General Reynolds had fallen, he was in direct command of the Union Army. He was later killed in the Battle of the Wilderness in 1864.

The passing of Jim Wadsworth yesterday brought back memories of a number of visits that we took together to the battlefields of the War Between the States near Washington. Some of you may remember those journeys. I recall one or two in which Maj. Gen. U. S. Grant the third, participated and there were others from this body. Our able colleague, the gentleman from Texas [Mr. PICKETT], who is about to leave us, related to the famous Confederate general, who led the famous charge under Lee at Gettysburg, was with us. We went to the Wilderness together, to Spottsylvania, Chancellorsville, and Fredericksburg. No one was better versed in the history of our country than James Wadsworth. He was steeped in it. He had a peculiar devotion, in a military sense, that we should always keep America strong against the aggressive acts of any foreign foe.

He was a great patriot, a great leader, a great statesman. We shall miss him in this body, we who knew him so well and were intimately associated with him.

Historically, his family reached back into the very beginning of our Government, when great statsemen left their imprint on the Republic of which you and I are citizens.

His devoted wife, as we all know, was Alice Hay, daughter of John Hay who sat on the platform with Lincoln at the time he delivered his immortal Gettysburg Address.

I said that I shall miss him as a personal friend. He was always kind and helpful to me. He went with me to Michigan on one occasion and I learned to love him more because I knew him better after that journey.

I extend to his bereaved wife and his family my deep and sincere sympathy. May an unfaltering faith sustain them as it may sustain all of us when the shadows fall across the pathway of life. A mighty oak up on the hill has gone down and left a vacant place that will not soon be filled. He was a man of great ability and sterling character. He lived the kind of life of which the poet Bryant spoke:

So live, that when thy summons comes to join
The innumerable caravan, which moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry-slave at night,
Scourged to his dungeon, but, sustained and soothed
By an unfaltering trust, approach thy grave,
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, because I drank from that limitless well of knowledge and judgment of Jim Wadsworth. as a Member of Congress, because I sought to emulate him in his services here, I feel I would be doing less than my duty to myself if I did not here attest to my feeling of indebtedness to him.

If I were asked who was the greatest man I ever met in my life I would say unhesitatingly Jim Wadsworth was that man. He had unerring judgment, he had a sense of justice keener than any I have seen in any other man. He never failed to take the American viewpoint on all measures which came before the House. Others have spoken far more eloquently than I can speak about his patriotism, about his impartiality, about the fact that he was not a Republican as

a Member of this House, nor a Democrat, but one who devoted himself purely to the ideals of Americanism.

I who observed his actions and sought to follow his guidance learned more from him than from any other man with whom I have ever had the pleasure and the privilege of serving.

I join with all the others in expressing to his family my deepest sympathy. I, too, share their loss. Our country has been made greater by the contributions of Jim Wadsworth, and his departure will be deeply mourned.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, on yesterday, the Sabbath, I learned with heavy heart of the passing of my friend, the Honorable James Wadsworth. I served with him in the House for a period of 12 years, during which time I learned to know him, to admire him, and to love him for what he was—a great man and a great patriot. James Wadsworth was for all things big and fine and good in and for his beloved America.

Jim Wadsworth lived close to the soil. Being a farmer and a cattleman, he told me he learned early in life that it was the first essential of a successful life to commune with nature, to cooperate with nature. He knew and said to me, "If you do not do that, nature will defeat you every time." In so doing, like most farmers, Jim Wadsworth became natural. He did things in a natural way, and because he was so natural he in turn was very practical. He did things in a practical way. I shall never forget the many interesting visits I had with Jim Wadsworth. We used to like to address each other off the floor of the House as Farmer Jim and Farmer Ben. We talked about farm problems very often and I enjoyed his counsel on many things pertaining to the welfare of our beloved America. On occasion Jim Wadsworth and I could not see eye to eye, but nevertheless I respected him because I knew he always spoke from the depths of a true heart and he voted his honest convictions without fear or favor.

We shall miss our friend Jim. America will miss his fine service. May God be kind to his widow and his family. He was truly one of God's noblemen. I will miss the Honorable James Wadsworth, my friend, and I shall cherish his memory so long as I live under God's heaven.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Speaker, when I was first elected a Member of this body, a cousin of mine who had served two terms with Jim Wadsworth in the Senate said to me as his initial advice on my entering this body, or as parting advice when I left my home town, "If you ever have any doubt how to vote or what to do, just ask Jim Wadsworth. You will find that he is always sound, and that if you follow him, you can never make a mistake." I am not seeking to charge Jim Wadsworth with responsibility for any vote that I ever cast, but I do say that that advice was as good advice as I have ever received. As I sat in this body, year after year, I came to realize more with each year the character and the quality of the service which Jim Wadsworth gave here.

I think no man ever sat in this body who was more selfless, more enlightened, more farseeing, more sagacious or wiser, and certainly there was never a Member gentler, more tolerant, more forbearing, or more respected by his fellow Members.

I have very often thought that Jim Wadsworth was eminently the kind of man who should be President of the United States. I wish he might have been President. Unfortunately for the Nation, though perhaps fortunately for him, he lacked the driving ambition and the sort of fierce ego that seems to be necessary to take men out of the ordinary walks of life into the Executive Mansion on Pennsylvania Avenue. He would have been a very fine President. But we need have no regrets about his career. He served for 12 years in the other body and for more years than I can now remember in this. His life was an example and an inspiration to all of us. Perhaps never more so than in these last few months when he knew that his days were coming to their end.

Having served with him was a privilege which I am sure none of us will ever forget.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, the death of James Wadsworth comes as a very great blow to me. Hope springs eternal in the human breast, it is said. Over a period of time, for weeks, I made it a practice to go to the hospital and see Jim personally. The time came, however, when he did not recognize me nor any of his friends. I still went because I wanted to see for myself whether I could notice any possible gain. I talked with his nurse, and over a long period of time she said, "No, he is not holding his own."

Jim's district was not very far from mine. We collaborated a great deal. We were on very, very friendly terms.

So much has been said about the statesmanship here of our good friend Jim that there is little that I can add to it. If I were to try, I would simply fail, because I have never known finer tributes to be paid to any Member of this House who has departed than have been paid here today, and justly so.

I will take up this point, however. Jim Wadsworth in a sense is not dead. He is a living force. His influence will live on, in my judgment, for hundreds of years, if this Republic endures that long.

I am going to illustrate the point, if I may, because Jim was a great athlete. I recall how I admired his prowess in athletics when he was the star baseball man at Yale University. I remember how he sometimes played over in my county, and the youngsters admired and looked up to him. He fired their imagination. He was their idol. It was known to people then that there was a great career for him in whatever profession he might decide upon. He decided to follow politics, and he has made a wonderful contribution to our country. His spirit, his ideals, his influence, as I say, will live on for years.

Back more than 2,000 years ago a great leader of the little country of Greece in its golden age was Pericles. He would take the young men before they became full-fledged citizens and point up to the Parthenon, the most beautiful building in the world, and all the other great works of art, and he would say, "Day by day fix your eyes on the greatness of Athens until you become filled with love of her, and when you are impressed with the spectacle of her glory, reflect that it has been acquired by men who knew their duty and who had the courage to do it."

Did that influence the youth for the next 2,000 years? This is the year of the great Olympic games in Finland, a country of character, as we all know. There again perhaps young men will be taught the great spirit of patriotism and honor and integrity. But in 1896, when I was a student at Cornell University and Jim was a student at Yale, we had the great Olympic games in Greece, which illustrates my point that the spirit taught to youth by men whom they admire, their ideals, live on for years. All the civilized countries sent their athletes to Athens to participate in those games. The Greeks had repaired the old stadium that would hold 100,000 people. On the first day we won the contest, and on the second. But, there came a great event in which all the nations were interested—in which all the great athletes of the world were interested—the great marathon race, a course of 26 miles over which an athlete had run more than 2,000 years before and had fallen dead with a message of victory. A peasant boy—I am speaking now of the average boy who follows the influence of his ideal man—a peasant boy was going into this contest. Before going to the starting point at the battlefield of Marathon, he and his father knelt down in the stadium invoking the blessings of the gods that the boy might win. He went out to the battlefield of Marathon with all the great athletes of that day. One hundred thousand people were in the stadium, and 200,000 people were on the outside where they could see the end of the race. They established a rule that a cannon shot would announce the appearance of the first runner on the horizon. The crowd waited expectantly, and then after a while there came a cannon shot. A speck appeared on the horizon which came on and on, struck the fringe of the crowd 4 miles from the city. Then a murmur arose, which came down like the waves beating upon the shore. Then it became a rumble and finally thousands cried out, "It is the Greek. It is Louis, the peasant boy." The boy broke the tape into the stadium. The crowd rushed down and carried him on their shoulders. The king sent for him. A rich man approached him and said, "My boy I am a rich man and you are a poor boy. I am going to reward you with a large sum of money." Then it was that the influence of Pericles found expression through

Louis, the peasant boy. This peasant boy said, "Sir, I am poor, I need money, but sir, I ran not for the money, I ran for the honor of my country and the glory of my race. All I ask is the laurel wreath that my ancestors wore 2,000 years ago." Mr. Speaker, knowing the life of James Wadsworth, as I do, I know that his influence will go down through the ages as a great statesman and a preserver of all the fine ideals expressed in our Constitution, in our Declaration of Independence and in the farewell address of George Washington. That is my tribute to my good friend whose death I mourn. I extend my sympathy to Mrs. Wadsworth and to every member of the family. They have lost a great and true husband and father, and the Nation has lost a great statesman.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I cannot add anything of significance to what has been so movingly said by so many in this extraordinary demonstration of the respect and affection in which our friend, Jim Wadsworth, was held by the Members of this House. As I sat here thinking what I must say in order to be true to myself, and what I could say to express my appreciation of him and his example, and the guidance and wisdom I received from him, I tried to analyze what it is that makes men great—because this man was great. There are many qualities, but perhaps the chief is this: Devotion with complete singleness of purpose to a noble cause outside one's self. The central cause to which George Washington devoted himself in a way which made him the father of his country was the independent existence of this Republic. The great cause to which Abraham Lincoln gave his life was the preservation of the Union. Jim Wadsworth was great because he had single-minded devotion to one cause above all else, and that was making this, his beloved country, worthy and strong to accomplish the mission which he saw it alone can and must accomplish in this perilous and confused time of conflict. Such devotion to such a cause, which leads to greatness or manifests greatness or both, can only come, of course, where there is selflessness. Lesser men seek positions which will promote their own careers. For example, in this body, they seek to get on important committees and hope that after they are on such committees long enough, they can become chairman with the power that involves. One of the things that first caught my attention and impressed me, when I came here 10 years ago, was that Jim Wadsworth, after having been chairman of the powerful Military Affairs Committee in the Senate, and after he had had such a long and distinguished career in the House, transferred at his own request to the Foreign Affairs Committee where he would occupy the seat of the newest member at the foot of the table. It was in the early 1940's; he was anxious that our country not mistake the nature of the grave moment in which we live, and he wanted to help make sure it did not err in its basic policy toward the rest of the world.

At the end of the last war he saw the nature of the external threat we faced. He was concerned about our military strength and devoted himself to the question of trying to get greater unity in our Armed Forces, carrying over into peace the sort of close integration that had developed during the period when we were fighting against a common enemy in Europe and a common enemy in Asia. He felt that was so essential to the strength and worthiness of our country that he asked to be transferred to a bottom seat on the Committee on Expenditures which would handle legislation dealing with the unification of the Armed Forces.

When the Republican Party came into power in the Congress in 1947, he took on the onerous and thankless task of being a member of the Rules Committee where he could better help to steer the course of legislation for which his party would now be responsible. No man was more loyal to his party than Jim Wadsworth, but he saw it in its proper role as a means to an end, the strengthening and betterment of the Republic. His first concern for his party as for himself was that it be right and worthy; not that it win, but that it deserve to win. He wanted it to do the thing that would stand up even if it led to temporary defeat. That is the kind of man it has been our privilege to observe and know these years and the inspiration of his example will go with us for years to come.

Noblesse oblige. That typified his life as much as any I have ever known. With his humor and gentleness, he had a stern sense of obligation to God and to country and to man. The nobility of his own soul, as well as the long history of the remarkable contributions made by his family to this Nation required of him that he give himself totally to the service of his country. He understood with the founding fathers that the mission of America is to proclaim liberty to all peoples in this day when slavery once more is on the march.

Surely it has been a great blessing to know and be associated with this great man. Every one of us is better and more worthy for having been his friend. To his family in their hour of bereavement, we send our deepest sympathy.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON. Mr. Speaker, it has been my privilege to know two men who have devoted pretty nearly all of their lives to national defense as an obsession, as a hobby, and as a patriotic duty. One of them was Jim Wadsworth who learned about national defense in the war with Spain in 1898 and from then on through his entire life he had that one idea that he spent much time in developing. It was that America must be made secure and kept secure.

He readapted his idea of what we should do, for adequate security, with the changes that came about in the world. He kept the principle, to the last day of his life, that the most important thing for the American Congress, for the American public, for the American people to do, was to take those steps that he believed would make America secure against attack. He knew that there is no liberty unless we have security.

The other man was one of my closest friends. He started in 1912 on the road to developing national security, and he finally wound up as a major general in the California National Guard.

I do not know of any man in Congress that has impressed me as much as Mr. Wadsworth. He was very simple, very easy to get acquainted with. Early in life he evidenced true statesmanship and here is how I came to know about it: A few years ago a book was published called "They Also Ran." It is a story of all the defeated candidates for President who never became President. In that book there is an article on Alfred Smith, of New York, and in that chapter it is related that when Mr. Wadsworth was Speaker of the New York Assembly—and he was only in his twenties at the time—he insisted on appointing Mr. Smith, against the wishes of Tammany Hall, to a committee that had to do with the affairs of the city of New York, thus enabling Mr. Smith to get the recognition that later made him Governor. I asked Mr. Wadsworth if that was a true story. He said that it was a true story and that he was very proud of his part in it. He said that he had watched this young assemblyman in his freshman term sitting on a front seat in the New York Assembly Chamber and listening carefully to what was going on and gradually learning what to do and how to handle himself, and the speaker then determined that he would place this diligent young man on a committee which affected his own town, New York City. Mr. Smith claims that that chance that James Wadsworth gave him is what finally led to his election as Governor of New York.

It is hard to know what does measure the usefulness of a man in the House of Representatives. I do not think we can arbitrarily pick anybody as being the outstanding man in the House. There are many men who have contributed vastly to the legislative processes by being Members of the House of Representatives.

Mr. Speaker, in my 10-year service in the House I do not know of anyone who has excelled the contributions of James Wadsworth. In my opinion, if a man is too partisan he blocks the road to statesmanship. Such an individual can be so partisan as to be blind to the merits of any particular case due perhaps to the fact he is too tightly tied up to his party. Everyone in this House knows that Jim Wadsworth was a good Republican; he was a great American; and whenever he thought his party was going the wrong way he did not go along with it. On the contrary, he voted the dictates of his conscience, the background of which was his vast experience.

He was a great man and this was illustrated by the fact that whenever he came down here into the well of the House to make a speech, the Members came from everywhere into this Chamber to hear, and to listen attentively to what he had

to say. This was not due to any particular oratorical ability he had but because he had good, sound, common sense. He was dispassionate in the presentation of what he had to say. He was humble in presenting his viewpoint. The Members recognized in him a man of courage, a man of true statesmanship, true ability and keen vision. It will be many a long day before we have a man of his stature and his humble, unassuming way in this body.

Mr. Speaker, Jim Wadsworth left his imprint upon every single Member of this Chamber. Why? Because he had a natural, easy, friendly attitude and the Members recognized that he knew what he was talking about. They recognized that when he made a speech he meant exactly what his words indicated, that he was not endeavoring to hide his thoughts; he was talking to disclose them completely. He had wisdom, because he was a very wise individual.

Mr. Wadsworth's last job was in connection with the handling of the security problems of our country as head of a commission we appointed to develop a plan for properly training men and women to protect America. It was a subject that his heart and soul had been in for almost 40 years. He wrote a most magnificent report laying down the fundamentals of the problem so that everyone could understand them. He testified before our committee, and there was no bitterness on his part toward those who differed with him. He exhibited the same gentle, wise, courageous, firm attitude that he did as a Member of this great House of Representatives. It is pleasant to me to think that this last job he had for the United States was in a role that he had played for almost 40 years in the Congress of the United States.

Mr. Speaker, I extend my sympathy to his family and to also leave a thought that is perhaps much more important than sympathy. His family can look back with great comfort and tremendous pride in the fact that their husband, their father, was truly a patriot and a great American statesman, who contributed tremendously to the problem of making our country secure so our precious liberties would not be lost.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, for many weeks Jim Wadsworth's valiant heart held his gallant soul within the boundaries of earth. Yesterday his spirit went free. Today we who knew him in differing ways are gathered here to speak out of our hearts something of the gratitude that is ours for the privilege of having known him.

Few who have served in these halls have been so respected, so beloved, as has been this quiet, earnest gentleman and patriot, Jim Wadsworth. Already we have learned since his retirement how greatly we miss him. Already we have felt the impact of his absence from us—now made final. Today we join in expressing our deep sympathy to his loved ones to whom his passing brings such deep sorrow.

Mr. Speaker, so much has been said in these hours that have been given over to our individual need to express our appreciation of his rare contribution to the country he served with such complete devotion. I can add little, perhaps, yet because I have loved Jim Wadsworth very dearly down the years, I cannot refrain from letting my heart speak.

Jim was the closest friend my best-loved cousin had. Way back in their college days I used to see them on weekends. I learned of loyalties by teenage experience had not known. I saw a side of friendship that has shown with a much needed light in moments when life brought me hard-to-bear disillusion. I learned to expect only the best from Jim. He was always so enthusiastic about things that were worth while. He never discouraged me. He always added something very wonderful to anything I was dreaming. He had a way of putting a new lilt into everything.

Then these two friends fell in love with two sisters, daughters of John Hay, secretary to Lincoln, and often stayed at my home, which was nearby, and I learned something of what love can mean. For this I have always been grateful.

It has been said today that he lived close to the soil. Yes, he did, and he loved his animals, and he loved his trees, and his streams, and his children, and other people's children. He had a quality of love that one does not meet with too often, selfless and free. He made no demands on those he loved. He simply gave them of himself, of his judgment if they wanted it, and always of his heart. Here in the House so many of us talked our problems with him. Always he gave us a broad view upon which, finally, we reached our own decision.

Back in the First World War I saw Senator Wadsworth in his position on the Military Affairs Committee, longing to have his country strong—strong in spirit most of all. As I have listened today I have found myself thinking of many episodes of those days and of the years since in which Jim Wadsworth has set his imprint on so many areas of all that takes place on Capitol Hill. He has left us a part of his heart, even as his spirit will be felt down the years.

I would remind all of you once again of what I am quite sure was his deep belief. I give it to you in the words translated from the ancient Aryan Scriptures by Sir Edwin Arnold:

Never the spirit was born; the spirit shall cease to be never;
Never was time it was not; End and Beginning are dreams!
Birthless and deathless and changeless remaineth the spirit forever;
Death hath not touched it all, dead though the house of it seems.

Nay, but as one who layeth
His worn-out robes away,
And taking new ones, sayeth
"These will I wear today!"
So putteth by the spirit
Lightly its robe of flesh,
And passeth to inherit
A residence afresh.

As has been said here many times today, we shall go down the years better for his having lived, a man true to his country. Each of us who has served with him on any of the committees to which he gave himself so selflessly can pay special tribute to what we know of his method of procedure, of the quiet way in which he made himself felt. History was part of his bloodstream. Understanding of human beings was at his fingertips and was deeply imbedded in his heart.

I, too, would today express my deep affection and my great respect for Jim Wadsworth. He was a true patriot and, as are the great, he was, at the same time, a simple human being. Above all, he was a man, a husband and father, and a true friend. Those of us who knew and loved him will always be grateful to have lived within the orbit of his influence.

Mr. DURHAM. Mr. Speaker, it is impossible for me to express in words my opinion and the high respect and regard that I had for Jim Wadsworth. He was a man who thought clearly, who considered questions logically. A man who possessed the virtue of thinking straight. He arrived at decisions soundly and once having arrived at a decision as to what was right, he could not be changed. He would not tolerate what he believed to be wrong. There was nothing narrow about his vision.

In 1939 and 1940—we all recall the days facing us at that period—Jim Wadsworth, with uncanny accuracy, saw unfolding of world events, and through his great vision and statesmanship, struggled to bring his countrymen and countrywomen aware of what we faced. His convictions were founded on deep thought and sincerity. Many of us here today recall facing legislative proposals that were highly controversial, but necessary to prepare us against the evils of totalitarianism. Compromises were not a part of this man and he did not hesitate to take the floor of the House and express his convictions, regardless of party lines. He did possess a keen perception of what was before us. We all recall the controversial first draft measure and the many pieces of legislation that he was instrumental in placing upon the statute books so that his country would be able to meet its responsibility. I recall many times when his speeches on the floor of the House turned the tide because of his convincing analysis of the present dangers we faced in those hours. I was serving on the Military Affairs Committee at that time and his advice to that committee of individuals when he came before us, many times not at our request, but just as a simple volunteer, was most valuable and his presence was always respected and appreciated. He always made himself immediately available whenever our committee requested his advice. During his quarter of a century of service to his Nation, his legislative experience, his fine character, intellectual integrity, farseeing statesmanship, and wise counsel were outstanding. He was a great patriot and he loved his country and realized its great power and influence in world affairs. I will personally miss Jim Wadsworth; his country will feel the loss, but his influence will exist still in world affairs. I have never been associated with a more

patriotic individual than Jim Wadsworth. To his family I extend my deepest sympathy, and may the spirit of God be with them all.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, I was greatly shocked and saddened yesterday morning when I learned of the passing of James Wadsworth. I had not heard of his illness. Had I known I would have visited him at the hospital. I had the greatest admiration and respect for Jim Wadsworth and his death is a personal loss to me. Just recently a mutual friend told me of something kind that Mr. Wadsworth had said about me. I never had the opportunity to express my appreciation to him. I think it is like so many situations in life, Mr. Speaker, where we wait too long. We wait until a friend has passed on before we say the things we should have said while he was still with us.

James Wadsworth was the most gracious man I think I have ever met in my life. I cannot imagine him doing anything mean, or unkind, or taking advantage of anyone. It did not make any difference how much you disagreed with him, he was always considerate and patient. He never criticized you or found fault. I never saw him angry with anyone, or heard him say an unkind word about another.

James Wadsworth was a humble man. I think it was Kipling who wrote, "Or walk with kings—nor lose the common touch." That is what James Wadsworth could do. He walked with kings, but he never lost the common touch. He understood the problems of all groups and was sympathetic to the needs of every citizen.

I had the great privilege of serving on two committees of this House with James Wadsworth. In the Eightieth Congress both of us were members of the House Rules Committee, and the Committee on Expenditures. My life has been enriched because of that association. One of my proud boasts will always be that I served in Congress with Jim Wadsworth, and counted him a personal friend.

I cannot say anything which would add to the luster of Jim Wadsworth. The tributes paid him here today are ample proof that he was one of the great Americans of our time. Several years ago a friend in New York, knowing of my interest in Mr. Wadsworth's career, sent me a copy of a book which I prize very highly. It is entitled "James Wadsworth, Jr.," and is a biographical sketch by Henry F. Holthusen, with a preface by Elihu Root.

This book was published in 1926. At that time Jim Wadsworth was headed for the White House. Fate decreed that he should serve his country in Congress, where he leaves such a brilliant record. I am one of those who have always felt he was admirably qualified to serve as President, and would have made an outstanding Chief Executive.

I join my colleagues in paying tribute to Jim Wadsworth. I extend my deepest personal sympathy to the members of his family. All of us share the irreparable loss they have sustained.

Mr. OSTERTAG. Mr. Speaker, I yield to the gentleman from New York [Mr. RADWAN].

Mr. RADWAN. Mr. Speaker, I am among those who are less fortunate than those of you who had the distinction, honor, and rich privilege of serving with James W. Wadsworth. As a first-term Member of this House I just missed that honor. However, ever since I left law school some 18 years ago I have followed the career of James W. Wadsworth with very close attention. His work here in the Congress served as an inspiration to me as it did to many a young man not only in our western New York but throughout the country.

We in Buffalo have always considered James Wadsworth as our own, and selfishly so. We have always taken great pride in being a neighbor of this great man from Geneseo.

Mr. Speaker, it is said that some men are born great, some achieve greatness, and some have greatness thrust upon them. I do not know which of these three conclusions aptly applies to James Wadsworth. But upon one thing we can agree—here was a great man. As has been said before, he was a giant in this National Legislature—a giant in the greatest deliberative body in the world. Yes, Mr. Speaker, here was another Yankee from Olympus who wore the toga of American statesmanship with great honor and distinction. I join with the other Members of this body and with the thousands of people in western New York in extending my sympathies and condolences to the members of Jim Wadsworth's family.

Mr. OSTERTAG. Mr. Speaker, James W. Wadsworth was like a father to me. Ever since I was a boy, I followed very closely his great contribution to the things that are fine in America, his adherence to principle. I have been very devoted to him over the years, and little did I realize that the day would come when I would be chosen to succeed him here in the House of Representatives insofar as his congressional district is concerned. Many people have said to me, "You have a big order cut out for you if you are to fill the shoes of Jim Wadsworth." Mr. Speaker, I cannot, and I do not believe that any other Member in this House can fill the shoes of Jim Wadsworth. Mr. Speaker, he has made a mark, he has set a goal for us to follow, and he has been a living example of a truly great public servant. He has planted the seeds in the minds and the hearts of the people of this Republic which will grow and grow, thereby adding strength and faith in our American institutions. His record and his life will be a symbol, a guide, and a torch for me so long as I am able to serve in this House or in any other public capacity.

Mr. Speaker, we have lost a truly great American.

Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the life and character of our departed colleague.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, while I had known for months of the critical illness of our former colleague, James W. Wadsworth, the news of his death came as a shock to me. It is hard to realize that Jim Wadsworth is gone; that we will no longer have the benefit of his leadership and wisdom in public affairs and the warmth of his friendship in our personal lives.

James W. Wadsworth, sage of the Genesee, did not serve the Genesee Valley alone, or New York, his native State. He was a true servant of the Nation—of all the American people. His was a statesmanship so broad and so strong as to make him a leader among men, one whose advice and counsel was sought by men and women of all parties and all walks of life.

Jim Wadsworth was a great scholar, a great soldier, a great legislator, a great American. In his passing our country has lost one of the most outstanding citizens and statesmen of our generation. His place cannot be easily filled. We who knew him best will miss him most.

Mr. KILBURN. Mr. Speaker, James W. Wadsworth, Jr., was a great American. He never compromised in any way with what he thought was right, regardless of the political effects on him. It so happens that my father was one of the group in Albany 50 years ago who urged him to become the speaker of the New York Assembly when he was a very young man. When I came to Washington he reminded me of that and was always extremely kind and helpful to me. I sought his advice on many questions before the Congress. He seemed to have the ability of cutting through the fog and confusion and getting to the heart of any matter presented to us. It has been a grand experience to have him for a friend.

Under our system of government, it was too bad Jim Wadsworth could not have been President of our Republic. In my opinion, he should have been. He is one of the great Americans that our country has produced.

Mr. WIGGLESWORTH. Mr. Speaker, the bond of friendship that can be forged by 18 years of service together in critical times in this House is one of the strongest in life.

I deeply regret the passing of our friend and former colleague, Jim Wadsworth, of New York.

He had a long and distinguished career, including service in the Spanish War; service in the New York Assembly, of which for 5 years he was speaker; service for 12 years in the United States Senate; and service for 18 years as a Member of this House.

By his strength of character and by his courage, he exerted a powerful influence among his colleagues.

I know of no one in my years of service here who has commanded a greater respect on both sides of the aisle.

He became recognized in the country as one of the outstanding figures in the Congress.

With his wide experience and grasp of government, he was able to make a great contribution to his State and to the Nation.

He will be greatly missed by his wide circle of friends in all walks of life.

I join in heartfelt sympathy to the members of his family.

Mr. HOPE. Mr. Speaker, I was greatly shocked on yesterday to learn of the death of our former colleague, James W. Wadsworth, although I was aware of his serious illness. It has been my privilege to serve in Congress with many distinguished Americans, but in my time I know of no one for whom I have had greater admiration and respect than Jim Wadsworth.

His would have been an outstanding career in the public service had he never entered the House of Representatives. His reputation as an able legislator and a great American preceded him here, but Jim Wadsworth did not depend on his previous record to carry him through the House of Representatives. He made his place here through his ability, hard work, patriotism, and above all by his integrity.

Membership in this House is an exacting test of character. Real leadership here is based upon character, and Jim Wadsworth was a real leader. He led, not because of any official position, but because he had the respect and confidence of his fellow Members. He was one of the few men I have known in Congress whose speeches changed votes. He did not speak often, but what he said counted. Likewise, his counsel was eagerly sought and sincerely respected in committee, on the floor, and in the cloakroom.

The Nation and the world are better because Jim Wadsworth lived. I feel that I am better for having known him. To the members of his family I extend my sincere and heartfelt sympathy.

Mr. KEATING. Mr. Speaker, highest statesmanship and courageous integrity marked the entire public career of James W. Wadsworth. Always tolerant of the views of those who differed with him, he was resolute in his convictions. The Nation has, indeed, lost a great leader.

Yet it is as Jim Wadsworth, the ever faithful friend and delightful companion that we of his own area and we his former colleagues will miss him most. His true greatness is reflected in the fact that high national honors never altered in the slightest degree his warm friendliness or down to earth simplicity.

Certainly those of us who were his juniors in service in the House will remember all our lives his generous advice and help when we first came to Congress. My own deep sense of loss of a personal and loyal friend is tempered by gratitude for the privilege of having known and worked with one who possessed so completely my admiration and affection.

To Mrs. Wadsworth, her sons and daughters, and all the members of this fine American family, I join in extending my deepest and most sincere sympathy.

Mr. HORAN. Mr. Speaker, I, too, want to add my expression of appreciation for the life which Jim Wadsworth led. His was indeed a warm personality. He was positive in all his beliefs and yet courteous and helpful always to everyone. It is men like Jim Wadsworth who provide the light by which present and succeeding generations can see the clear way to progress and to truth.

Mr. RIEHLMAN. Mr. Speaker, with the death of James W. Wadsworth, Jr., the people of the United States and of the State of New York lose the outstanding leadership of one of the greatest statesmen in the history of our Republic. In the few days since his passing, men and women in all walks of life, in all parts of our country and in many nations beyond our borders, regardless of their individual political persuasion, have paused to reflect upon this magnificent example of statesmanship left as a heritage of all who would serve their country.

It was my privilege to serve for two terms with Mr. Wadsworth as a member of the New York congressional delegation. During that comparatively short period of time, his great wisdom, mature judgment, and selfless devotion to the best interests of our country were a constant inspiration to a freshman legislator. However, long before that time, James Wadsworth had earned the gratitude and respect of our entire Nation for his leadership, particularly with respect to his singular contributions in the cause of our national military security. To this cause he brought the finest elements of statesmanship, exerting his leadership upon many occasions when political expediency would have dictated otherwise for lesser men.

Following a noble family tradition, he willingly and unstintingly gave the greater part of his life to the service of his country. No finer nor greater heritage could be left to his countrymen.

To the members of his family, I extend my deepest and most sincere sympathy.

Mr. ROONEY. Mr. Speaker, I am deeply grieved to learn of the passing of our former distinguished colleague, James W. Wadsworth, of Geneseo, N. Y.

So much has been said about the life and illustrious career of this lovable and gallant friend that there is really little that I can add to it. However, I do know that there were few men in Congress or in any walk of life who made such an impression upon me as Jim Wadsworth. He was a humble and kindly man who made friends easily and what is more important retained his friendships throughout his lifetime. He served his country and State for many years with complete devotion and patriotism and was recognized by all as a man of rare courage and one who on all occasions voted the dictates of his conscience. He served with distinction as a member and as speaker of the Assembly of the State of New York, as United States Senator from New York for two terms, and as a Member of this House for nine terms.

Jim Wadsworth was a bulwark of strength during his tenure of service here in the House of Representatives and while I did not always agree with him I always had the greatest admiration for his sincerity and intellectual capacity.

I am sure that many of my colleagues on both sides of the aisle were saddened when he announced his retirement from this body in 1950. Men like Jim Wadsworth are rare. His passing is a personal loss to me and an irreparable loss to New York State and the Nation. I extend my deepest sympathy to his family in their sad hour of bereavement.

Mr. SABATH. Mr. Speaker, another great figure in contemporary congressional history has gone to his reward. It was my privilege to have served with James Wolcott Wadsworth in the Congress during his entire service, during his 12 years of tenure in the United States Senate, and as a colleague in the House from 1933 to his retirement in 1950. Seldom in the history of the American Congress, has it fallen to the lot of a statesman to serve, first in the upper body of the Congress, then in what is inappropriately designated the lower body of this distinguished assemblage. In fact, it has occurred on but three occasions, and in each instance, and particularly in the case of our departed colleague, such service has added strength, dignity, leadership and fair play in the deliberations on this floor.

And while Jim Wadsworth represented a philosophy of government with which I disagreed on many occasions, I wish to say these differences never for a moment in all the years that I knew him intimately disturbed for a moment the great respect, the lofty opinion, the high regard I held for him as a Christian, as an able and fearless legislator, as a friend. With a personality so strikingly sincere and forthright, with a spirit so inately fair and understanding, with a devotion to duty as he saw that duty so strong and determined, with a willingness to share his bounteous knowledge of the workings of the complex structure of the Congress with the newcomer in our midst, he was beloved and was held in the highest esteem by all of his colleagues throughout his entire service in the Congress.

Jim Wadsworth served as a minority member of the Committee on Rules for a number of years during my chairmanship of this important committee. His quiet, polite, dignified presence in our deliberations involving many highly controversial measures was an inspiration to those appearing before the committee as well as to the membership of the committee itself when the discussions in executive session followed. He was always calm and collected; his voice never raised in rancor. When the heat of controversy flamed, it was usually Jim Wadsworth who poured oil on the troubled waters. His words, invariably coming after all the others had expressed themselves, were respected and weighed. It was significant, too, that when he took the floor in the well of the House, the entire assemblage, galleries, reporters, and Members fell into a hush for fear of missing one word from the lips of this respected statesman on the subject matter under discussion. He was considered a distinguished authority in the fields in which he specialized—national defense, foreign and domestic commerce, labor relations, and agriculture.

He was a strong supporter of the Roosevelt-Truman foreign policies. He sponsored selective-service legislation during World War II. Before Pearl Harbor he called for national unity and support of the administration's lend-lease program. Conservative that he was, he placed the welfare of his Nation and the interests of all the people during these crises above the partisan political howlings of many members of his party.

Jim Wadsworth lived the full life. He entered public service at an early age, rising to prominence in the assembly of

his beloved State of New York where his qualities of leadership soon become apparent. Due to an internecine fight in his party at the time, he retired from the assembly and became a farmer, operating a vast ranch in Texas owned by his aunt. He returned to New York in 1914 as the candidate of his party for the United States Senate, to which he was elected and served two terms—until March 4, 1927. Then followed another period of semiretirement, culminating in his election to the House in 1932 and his continuous service with us until his voluntary retirement in 1950.

There is an air of profound sadness that comes over one with the departure of a colleague of the stature of Jim Wadsworth. Yet his was the character, the personality, the charm that lives on with all who knew him well. His service to the Nation he loved is indelibly written on the pages of its history, and I, personally, will carry with me through my remaining years the memory of a real friend and a beloved personality. My sincerest sympathy goes out to those of his fine family who, I am certain, will find infinite comfort through the years that mellow temporary grief in the knowledge that his full life was filled with glorious service to his Nation and complete devotion to his dear ones.

SPECIAL ORDER GRANTED

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent that the special order for the gentleman from Florida [Mr. SIKES] for today be vacated, and that he may have permission to address the House tomorrow for the same length of time.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

AMERICAN RED CROSS

Mr. DOUGHTON submitted a conference report and statement on the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross.

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 10 minutes

THE LATE ALBERT D. LASKER

Mr. FOGARTY. Mr. Speaker, in the recent death of Albert D. Lasker, the Nation lost one of its great contemporary figures. Albert Lasker was a man of many talents who, in the span of a single lifetime, successfully carried out a number of careers, any one of which would have justified the lifelong effort of another man.

His name, therefore, is known to many different people for many different reasons. To some he was the fabulous figure in the world of advertising who owned the biggest firm of its kind in the country and who revolutionized the buying habits of its people through his enterprise and vision. To others he was the man who controlled the Chicago Cubs and who, in 1919, when scandal struck at the great American institution of baseball, stepped in and saved the national game for the generations to come by presenting and carrying out a reform which cured the evils that threatened its collapse. To still others he was the public servant who, in 1917, was Assistant Secretary of Agriculture under Woodrow Wilson and from 1921 to 1923 was Chairman of the United States Shipping Board, responsible for the emergence of America as a maritime force with a flag fleet of her own. To yet others he was a connoisseur and patron of the arts with a lively interest in the dramatic field and the possessor of a collection of paintings, the envy of many a museum.

But to me, and I am sure to millions of our citizens, above everything else, he was a humanitarian whose goodness toward his fellow Americans and toward his fellow man was the crowning achievement of his many careers. There have been men before him who have been philanthropic and given of their wealth to better the lives of their fellows. But I know of no man who dedicated himself so fully to this end.

Albert Lasker did not let it suffice to give money to worthy causes. He gave money—but with the money he gave his heart and mind and will to solve the problems he knew were critical and that he would not let go unchallenged.

In 1928 he gave $1,250,000 to the University of Chicago for research in diseases of the aging. He was less than 50 at the time. Later, he presented his estate at Lake Forest, Ill., in which he had put $3,000,000, to the same university. From that time on, his interest in public welfare grew and his concern for the well-being of the people flourished. With the broadening of his personal horizon came the realization that the health of our national population, the backbone of our industrial structure, basically was badly neglected. He was appalled at the lack of medical knowledge which allowed so many major diseases to be fatal because the doctors knew neither the cause nor the treatment. He recognized that it was not the fault of medical men themselves. Only research, expensive, costly research, he realized, would provide the answers to the fatal and crippling diseases which baffled science. So he devoted himself to providing funds of his own to finance research, and more than that, to awakening the public to the need for their participation in the movement, to encourage research which would ultimately prolong life and alleviate human suffering.

In 1942 he stunned the advertising world by retiring from business. "I simply wish to take an intellectual and mental vacation," he said, on his retirement in December of that year, "I am going to devote my time to matters concerning public welfare." Pitching himself into the field of human welfare with the same dynamic drive that marked his other careers, he quickly brought about a new era in public support of medical research.

He and his wife, Mary, who devoted herself to same causes with equal fervor, established the Albert and Mary Lasker Foundation as the initial step in their crusade to clear up the mysteries of disabling and fatal diseases. Their foundation gives grants for medical research and makes awards for outstanding contributions to health through medical research and administration. Several health agencies combine to select the recipients of these awards. Among the men so honored have been Dr. Thomas Parran, former Surgeon General of the United States Public Health Service; Dr. William Menninger, of the Menninger Foundation; and former Chief of Psychiatry for the United States Army; Dr. G. Brock Chisholm, of Canada, now the Director of the World Health Organization; Dr. Rawlings Rees, of England; Dr. Abraham Stone; Dr. Thomas Francis; Dr. Fred Soper; Dr. Carl Cori, later a Nobel Prize winner; Dr. Philip Hench; and Dr. E. C. Kendall, who won the Nobel prize for use of cortisone.

In 1944 Mr. and Mrs. Lasker proposed to the American Cancer Society, which had never conducted a major national campaign or raised any funds for research, that they provide funds for such a campaign in 1945 provided 25 percent of the funds collected were devoted to cancer research. In 1944 the American Cancer Society raised $850,000 and none of the money was used for research. In 1945, as the result of their intercession, over $4,000,000 was raised and $1,000,000 went into research channels. Since that time, the American Cancer Society alone has raised $20,000,000 for cancer research.

In 1946 Mr. Lasker evolved a plan for establishing a teaching research institute for psychiatric training and research which was the first of its kind to be established in the Midwest. He and his two daughters contributed substantial funds to build the plant and start it on its way. He and Mrs. Lasker, believing in the great need for health insurance, helped to organize the Health Insurance Plan of Greater New York and the Group Health Insurance, Inc., two of the country's most important voluntary health insurance groups. Then with friends they established a National Heart Committee. They stimulated interest in the public and in Congress in the problems of heart disease, the No. 1 killer of the fatal illnesses. His interest ranged over the whole field of disease even though the fields of cancer, heart, and mental health were more conspicuous in the results he obtained. In the past year, particularly, he was concerned for the scant attention paid to the vast catalog of neurological disease forms, including multiple sclerosis, cerebral palsy, epilepsy, muscular dystrophy, Parkinson's disease, blindness, deafness, neurosyphilis, brain, spinal cord, peripheral nerve tumors, accidents and injuries to the brain, spinal-cord nerves, chronic infectious neurological diseases and the less serious maladies of neuralgia, neuritis, Bell's palsy, migraine and chronic headache. Had he lived longer, the impact of his interest would have been felt in this area as well as in the others which he had attacked before.

His death is a loss the country can ill afford, but he leaves to us a bequest

of high-mindedness and unselfishness unique in this country. The torch he lit has been passed on to us to carry. We must carry it well and proudly to reach the goals that he set and for which he was reaching at the time of his death.

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. ELLSWORTH] is recognized for 15 minutes.

HON. CLYDE BRUCE AITCHISON

Mr. ELLSWORTH. Mr. Speaker, the President last week decided to terminate the service of one of the finest and ablest public servants of our time. The Honorable Clyde Bruce Aitchison, a member of the Interstate Commerce Commission, was informed in a very kindly letter written to him by President Truman that his successor as Commissioner is to be appointed.

Clyde Aitchison was appointed a member of the Interstate Commerce Commission on September 29, 1917, by President Wilson; and was reappointed by Presidents Harding, Coolidge, and Franklin D. Roosevelt. His last regular term of appointment ended with the end of 1949. Since that time he has been serving as a member of the Commission without a specific appointment, but under the law which permits him to serve until a qualified successor is named.

Since 1949 the President has twice waived the compulsory retirement for age provisions of the law by finding and certifying that it was in the public interest to continue the service of Commissioner Aitchison, notwithstanding the provisions of the Retirement Act.

Having served as a member of the Interstate Commerce Commission for nearly 35 years, Commissioner Aitchison has, as pointed out by the President in his letter, a longer service record than anyone who has ever served on this Commission, and few men in the entire history of our country have equaled his long record in the public service. I am sure there is no man still serving our Government in an equivalent capacity who has been in service continuously for such a long period of time. Nor have there been many men appointed to responsible positions in our Government who were at the time of their appointment better qualified for the service assigned to them. Later in my remarks I shall give a biography of Commissioner Aitchison which will clearly prove this statement.

I have known Commissioner Aitchison intimately for many years. Until he was appointed to the Interstate Commerce Commission he was a distinguished citizen of the State of Oregon. My intimate acquaintance with and knowledge of Commissioner Aitchison enable me to say that the Commissioner is by no means an ordinary man. Certainly he is not an ordinary man by the standards set by the statisticians or the insurance actuaries or by those who deal with our retirement laws. Although now 77 years of age, Clyde Aitchison is by no means incapacitated even to the slightest degree. He has suffered no impairment of any of his normal faculties, and his mental alertness is astounding. His memory is fabulous.

I only wish that President Truman could have had an intimate personal acquaintanceship and knowledge of Clyde Aitchison before he permitted him to retire from the Commission. It is the normal assumption that a man 77 years of age or older should be retired from Government service and replaced with a younger man. It just happens, however, that Commissioner Clyde Aitchison is a rather remarkable exception to what is considered the general rule. I feel certain that had the President known this, he would have, instead of relieving the Commissioner from his duties, implored him to stay as a member of the Commission as long as Mr. Aitchison was able and willing to do so.

We hear repeatedly that it is becoming increasingly difficult to obtain the services of outstanding men in our Government establishments. In my opinion, it will be utterly impossible to replace the ability and knowledge which will be lost to the Interstate Commerce Commission upon the retirement of Commissioner Clyde B. Aitchison.

These comments are not made in a spirit of criticizing the action taken by the President, which I consider an entirely normal and reasonable one. I just happen to have the advantage of an intimate knowledge of Clyde Aitchison, his qualities and abilities, and it is with pride that I present these facts about him and his splendid career, to the House of Representatives.

As briefly as possible I wish now to recite the facts of Commissioner Clyde B. Aitchison's long and glorious career of public service, together with some notes regarding his other very worth while personal contributions to our life and times, following which I shall conclude my remarks with a brief biographical sketch of Commissioner Aitchison.

Official career: By appointment was secretary of the temporary State Tax Commission of Oregon, June 12, 1905–June 30, 1906, to propose a new code of tax and revenue laws for the State. The code proposed was adopted by the legislature, 1907 and 1909 sessions. During existence of commission, completed a commercial valuation of all railways and public utilities in Oregon.

Coauthor of bill—enacted February 18, 1907—creating a railroad commission of Oregon; on approval of bill was immediately appointed a commissioner thereof, and subsequently was elected and reelected for 4-year terms. Author of the bill—enacted, 1911; approved by the electorate on referendum, 1912—which changed the Railroad Commission into the Public Service Commission of Oregon, and enlarged the scope of the jurisdiction of the commission accordingly. Served as chairman of the commission, calendar years 1911, 1912, and 1916—until resignation. Resigned membership as commissioner, June 12, 1916, to become solicitor for the National Association of Railway Commissioners, with Washington, D. C., headquarters, to act as legal representative of the State regulatory commissions in the Federal valuation of the railways and other common carriers, during the formative stages of the appraisal and on the trial of the first test cases.

Appointed Interstate Commerce Commissioner, September 29, 1917, by President Wilson, and qualified October 5, 1917. Has since served in that capacity, by successive appointment for 7-year terms by Presidents Harding, 1921; Coolidge, 1928, and F. D. Roosevelt, 1935, 1942, respectively. Confirmation by United States Senate was unanimous, as to each appointment. Since expiration of present term, December 31, 1949, has continued to serve as required by law, until appointment and qualification of a successor. Compulsory retirement for age waived by President Truman, who twice found and certified the public interest required continuation of service notwithstanding the provisions of the Retirement Act.

Served as Chairman of the Interstate Commerce Commission, March 1919–20, and calendar years 1925, 1942, and 1947. Becomes Acting Chairman in event of absence of Chairman, or his disability; and has served as such many times, for periods running up to 6 months.

For more than 25 years has been Chairman of one or more of the divisions of the Commission, and Commissioner in charge of one or more of the major Bureaus of the Commission.

Now is senior Commissioner, and has served longer than any other member in the history of the Commission; and is considered to be the senior in service of all present active quasi-judicial or judicial officers of the United States Government.

As solicitor for the State commissions, or as a member of the valuation division of the Interstate Commerce Commission, has participated actively and responsibly in every valuation proceeding of railway, pipeline, or the major telegraph properties of the country.

Member, Presidential Committee on Emergency Distribution of Coal—of which Herbert Hoover, Secretary of Commerce, was chairman—1922–23. Chairman, Interdepartmental Committee on Drought Relief Transportation, 1934. Appointed to specially constituted committee to report to judicial conference of the United States on review of administrative proceedings, 1942–44. Member of Advisory Committee on Procedure before administrative agencies, of judicial conference, 1951. Designated liaison officer for the Interstate Commerce Commission with the Attorney General's Committee on Administrative Procedure, out of which committee emanated bills for an Administrative Procedure Act; then was designated by the solicitor general as one of a panel of experts to study the bills submitted, and to report to him. Was liaison officer with the defense agencies—War, Navy, Defense Transportation, and so forth—during the first year of World War II. During the period of Federal control in World War I, as a member of the Commission made a number of studies for the Director General of Railroads. During World War II was assigned by the President to make important study of the

British policies with respect to a confidential subject, as contrasted with policies followed in the United States, and reported thereon directly to him. Was invited to testify before the War Policies Commission on Wartime Control of Transportation, 1931.

In 1945 performed a mission to Brazil for the Coordinator of Inter-American Affairs, who responded to invitations of the Associations of Commerce of São Paulo and Rio de Janeiro to send an American economist to discuss problems of transportation. A series of lectures was delivered in each of the cities named before the associations of commerce and various technical engineering, economics, or social-science colleges or societies on the general subject of the Aspects of American Transportation. The lectures, translated into Portuguese, were published by the São Paulo Association of Commerce, and permission to publish them was requested by the Sr. Ministerio do Fazenda. The Association of Commerce of São Paulo awarded its honorary diploma in recognition of the services of the lecturer.

Extra-official activities: Lecturer on law of water rights, University of Oregon Law School, 1906–14; on American administrative law and Federal regulation of commerce, Graduate School of American University, 1930–39. Lectured at irregular intervals, 1931–40, on wartime control of transportation before the Army Industrial College. Brackett lecturer, Princeton University, 1929, on organization and manner of work of the Interstate Commerce Commission.

Publications: Author of Annotation of Iowa Decisions, Lawyers' Cooperative Publishing Co., 1902; Interstate Commerce Acts, Annotated, volumes 1–5, and supplement, volumes 6–8, Government Printing Office, 1930, 1934. Author of numerous articles, book reviews, and so forth, in economic journals and law reviews, of which the following may be mentioned: Cost of Service Analyses in Public Utility Rate Cases, Journal, Oregon Society of Engineers; Wartime Transportation in Great Britain, Interstate Commerce Commission Practitioners' Journal; State Control of Transport Services and Rates in Great Britain, Annals, American Academy of Political and Social Science; Wartime Control of American Railways, University of Virginia Law Review; Roots of the Interstate Commerce Act, Government Printing Office, 1937; Evolution of the Interstate Commerce Act, 1887–1937, George Washington University Law Review; and Reforming the Administrative Process, George Washington University Law Review. Following extensive travel and study in Great Britain during the summer of 1931, wrote an exhaustive dissertation on Railway Regulation in Great Britain Prior to the World War, 1914. This comparative study developed the essential similarity in economic conditions and their institutional treatment as respects railways in Great Britain and the United States down to the First World War.

Avocations: Music, mountaineering. For 18 years—1921–39—conducted a large male chorus in Washington, D. C. Has composed a number of part songs for choruses. Is life member of the Mazamas, a mountaineering society, Portland, Oreg., and since 1919, of the Cosmos Club, Washington, D. C.

Clyde Bruce Aitchison, Interstate Commerce Commissioner, public administrator, lawyer; born, Clinton, Iowa, February 22, 1875.

Education: Public schools of Illinois, Iowa, and Nebraska. Received degrees in course as follows: bachelor of science from Hastings College, 1893; master's degree in economics from University of Oregon, 1915; doctor of philosophy in economics and government from American University, 1932. Received degrees honoris causa, as follows: bachelor of laws from Hastings College, 1918, and from University of Oregon, 1937.

Honorary member of following fraternities: Phi Beta Kappa, general scholarship; Phi Alpha Delta, law; Pi Gamma Mu, social sciences.

Professional qualifications: Law study, 1893–96, inclusive, Hastings, Nebr., and Council Bluffs, Iowa.

Admitted to bar, supreme court of Iowa, October 7, 1896; of Oregon, March 1, 1904; of Supreme Court of United States, October 13, 1908. Admitted to bars of Federal district courts, southern district of Iowa, and district of Oregon, and United States Court of Appeals for the District of Columbia.

Practiced law at Council Bluffs, Iowa, October 1896–May 1903, and at Portland, Oreg., May 1903–February 1907.

Professional societies: American Bar Association, since 1919; American Economic Association; Newcomen Society of Great Britain; founder member, American Society of Traffic and Transportation. Honorary member of Traffic Club, of Chicago, Ill., and Transportation Club, of Portland, Oreg.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. MAGEE.

Mr. SIMPSON of Pennsylvania and to include an address by Mr. H. Stewart Potter, of Arlington, Va.

Mr. SMITH of Wisconsin in two instances and to include extraneous matter.

Mr. MASON to extend his remarks on the subject of political issues of 1952 and to include a short editorial.

Mr. BELCHER (at the request of Mr. ARENDS).

Mr. HILL and to include a radio address.

Mr. BERRY and to include a telegram from C. J. Fawcett, of the National Marketing Corp.

Mr. RADWAN and to include an editorial.

Mr. BROOKS in two instances and to include extraneous matter.

Mr. HOWELL in two instances and to include editorials.

Mr. MCCORMACK and to include an article written by Constantine Brown, which appeared in the Washington Evening Star of June 19.

Mr. CANNON and to include an article by F. B. Hinkel, president of the Missouri Farmers Association.

Mr. MANSFIELD in four instances and in each to include extraneous matter.

Mr. MOULDER and to include an editorial entitled "Dignity and Justice."

Mr. ELLIOTT (at the request of Mr. PRIEST) to include a Memorial Day address delivered in his district.

Mr. COOLEY (at the request of Mr. PRIEST) and to include an address.

Mr. FURCOLO and to include extraneous matter.

SENATE BILLS, JOINT AND CONCURRENT RESOLUTIONS REFERRED

Bills, joint resolutions, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 18. An act to authorize suits against the United States to adjudicate and administer water rights; to the Committee on the Judiciary.

S. 103. An act to change the name of Medicine Creek Reservoir in Frontier County in the State of Nebraska to "Harry Strunk Lake"; to the Committee on Interior and Insular Affairs.

S. 423. An act for the relief of Orazio Balasso; to the Committee on the Judiciary.

S. 709. An act for the relief of Stephen A. Spilios, also known as Stephen A. Harrison; to the Committee on the Judiciary.

S. 732. An act for the relief of certain Basque aliens; to the Committee on the Judiciary.

S. 808. An act for the relief of Sisters Adelaide Canelas and Maria Isabel Franco; to the Committee on the Judiciary.

S. 1095. An act to extend the time for filing claims on behalf of certain persons, and for other purposes; to the Committee on the Judiciary.

S. 1127. An act for the relief of William T. Kreh, Sr.; to the Committee on the Judiciary.

S. 1268. An act for the relief of Panaiotis Nicurezos; to the Committee on the Judiciary.

S. 1331. An act to further implement the full faith and credit clause of the Constitution; to the Committee on the Judiciary.

S. 1423. An act for the relief of Michiko Yamamori Wilder and her minor child; to the Committee on the Judiciary.

S. 1454. An act for the relief of Walter Koelz; to the Committee on the Judiciary.

S. 1577. An act for the relief of Constantinous Tzortzis; to the Committee on the Judiciary.

S. 1705. An act to amend title 28 of the United States Code so as to provide for two United States Commissioners for Great Smoky Mountains National Park; to the Committee on the Judiciary.

S. 1821. An act for the relief of Manousos A. Petrohelos; to the Committee on the Judiciary.

S. 1840. An act for the relief of Tsuneo Tanigawa, also known as David Lawrence Rogers; to the Committee on the Judiciary.

S. 1867. An act for the relief of Margherita Gentile; to the Committee on the Judiciary.

S. 1876. An act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.; to the Committee on Interior and Insular Affairs.

S. 1896. An act for the relief of Mrs. Anni Franchina; to the Committee on the Judiciary.

S. 1946. An act for the relief of Erich Anton Helfert; to the Committee on the Judiciary.

S. 1947. An act for the relief of Felix Kortschak; to the Committee on the Judiciary.

S. 2074. An act for the relief of Robert Lee Williams; to the Committee on the Judiciary.

S. 2096. An act for the relief of Damiano Mario Carmine Palusci; to the Committee on the Judiciary.

S. 2166. An act for the relief of Jo Ann Fosberg; to the Committee on the Judiciary.

S. 2225. An act to create a committee to study and evaluate public and private experiments in weather modification; to the Committee on Interstate and Foreign Commerce.

S. 2249. An act for the relief of Biancamaria Cori; to the Committee on the Judiciary.

S. 2277. An act for the relief of Nicholas J. and Elizabeth Miura; to the Committee on the Judiciary.

S. 2289. An act for the relief of Michiko Okuda; to the Committee on the Judiciary.

S. 2313. An act for the relief of Hsieh Ta-Chuan or Der Ott-Kuan; to the Committee on the Judiciary.

S. 2384. An act to amend the District of Columbia Credit Unions Act; to the Committee on the District of Columbia.

S. 2393. An act for the relief of the State of New Hampshire and the town of New Boston, N. H.; to the Committee on the Judiciary;

S. 2395. An act for the relief of Ioannis Dimitriou Cohilis; to the Committee on the Judiciary.

S. 2459. An act to equitably adjust the salaries at central accounting post offices; to the Committee on Post Office and Civil Service.

S. 2528. An act for the relief of George Tus; to the Committee on the Judiciary.

S. 2555. An act for the relief of Deborah Jayne Engelman; to the Committee on the Judiciary.

S. 2582. An act to authorize and direct the Secretary of the Army to convey a certain tract of land in Russell County, Ala., to W. T. Heard; to the Committee on Armed Services.

S. 2609. An act for the relief of Iwanna Pryjma and Roma Pryjma; to the Committee on the Judiciary.

S. 2630. An act for the relief of Mary Fox; to the Committee on the Judiciary.

S. 2637. An act for the relief of Peter Rousetos, also known as Panagiotis Roussetos, also known as Panagiotis Roussetos Metritikas; to the Committee on the Judiciary.

S. 2733. An act for the relief of Donald Lee Ferguson, Jr.; to the Committee on the Judiciary.

S. 2909. An act to amend the act entitled "An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona," approved August 18, 1941 (55 Stat. 630); to the Committee on Interior and Insular Affairs.

S. 2922. An act to amend subsection (d) of section 12 of the Subversive Activities Control Act of 1950; to the Committee on Un-American Activities.

S. 2938. An act to amend section 9 of the Federal Reserve Act, as amended, and section 5155 of the revised statutes, as amended, and for other purposes; to the Committee on Banking and Currency.

S. 2941. An act to provide for the suspension of the imposition or execution of sentence in certain cases in the municipal court for the District of Columbia and in the juvenile court of the District of Columbia; to the Committee on the District of Columbia.

S. 2949. An act to amend the District of Columbia Teachers' Leave Act of 1949; to the Committee on the District of Columbia.

S. 2959. An act authorizing the transfer to the State of Tennessee of certain lands in the Veterans' Administration Center, Mountain Home, Tenn.; to the Committee on Veterans' Affairs.

S. 3032. An act for the relief of Bonnie Jean MacLean; to the Committee on the Judiciary.

S. 3041. An act to amend the act entitled "An act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia," approved February 9, 1907, as amended; to the Committee on the District of Columbia.

S. 3051. An act to authorize the Administrator of General Services to transfer to the Department of the Navy, without reimbursement, certain property at Fort Worth, Tex.; to the Committee on Expenditures in the Executive Departments.

S. 3052. An act to authorize certain land and other property transactions, and for other purposes; to the Committee on Expenditures in the Executive Departments.

S. 3056. An act for the relief of William R. Jackson; to the Committee on the Judiciary.

S. 3061. An act to permit and assist members of the Armed Forces to exercise their voting franchise; to the Committee on House Administration.

S. 3072. An act to extend the 1½ cents per pound second-class mailing rate to publications and certain alumni associations; to the Committee on Post Office and Civil Service.

S. 3132. An act for the relief of Jun Miyata; to the Committee on the Judiciary.

S. 3140. An act for the relief of Victor de la Bretoniere; to the Committee on the Judiciary.

S. 3143. An act to amend sections 3182 and 3183 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives from justice; to the Committee on the Judiciary.

S. 3188. An act to provide for granting to officers and members of the Metropolitan Police force, the United States Park Police force, the White House Police force, and the Fire Department of the District of Columbia days off in lieu of regular days off suspended during emergencies; to the Committee on the District of Columbia.

S. 3240. An act for the relief of Ichiro Iida; to the Committee on the Judiciary.

S. 3295. An act to amend the National Housing Act to provide for insurance on mortgages executed in connection with the sale of permanent emergency housing projects constructed by or on behalf of a State or municipality, or an agency, instrumentality, or body politic of either, for occupancy by veterans of World War II and others; to the Committee on Banking and Currency.

S. 3359. An act to give proper recognition to the distinguished service of Col. J. Claude Kimbrough; to the Committee on Armed Services.

S. J. Res. 74. Joint resolution to change the name of the South Coulee Dam in the Columbia Basin project to Dry Falls Dam; to the Committee on Interior and Insular Affairs.

S. J. Res. 150. Joint resolution to provide for the removal of certain discriminatory practices of foreign nations against American-flag vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. Con. Res. 81. Concurrent resolution favoring the suspension of deportation of certain aliens; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 968. An act granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SEELY-BROWN (at the request of Mr. SADLAK), for an indefinite time, on account of serious illness in his immediate family.

Mr. HUGH D. SCOTT, JR. (at the request of Mr. SIMPSON of Pennsylvania), for an indefinite period, on account of death in family.

ADJOURNMENT

Mr. MURDOCK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 24, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1595. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill entitled "A bill to establish a program of financial aid to students in higher education, and for other purposes"; to the Committee on Education and Labor.

1596. A letter from the Postmaster General, transmitting the cost ascertainment report for the United States Post Office Department for the fiscal year 1951, pursuant to the act of February 28, 1925 (U. S. C. 826); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODROW W. JONES: Committee on the Judiciary. S. 3276. An act to amend the act entitled "An act to assist Federal prisoners in their rehabilitation"; without amendment (Rept. No. 2264). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOUGHTON: Committee of conference. H. R. 7345. A bill to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross (Rept. No. 2282). Ordered to be printed.

Mr. EBERHARTER: Committee on Ways and Means. H. R. 6845. A bill to continue until the close of June 30, 1953, the suspension of duties and import taxes on metal scrap, and for other purposes; without amendment (Rept. No. 2283). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAHAM: Committee on the Judiciary. H. R. 4760. A bill for the relief of Irene Proios (nee Vagianos); without amendment (Rept. No. 2265). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 5206. A bill for the relief of Gregg Ted Lewis; without amendment (Rept. No. 2266). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 5618. A bill for the relief of Young Wai Kit; without amendment (Rept. No. 2267). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 5435. A bill for the relief of Heinz Karl Doege; without amendment (Rept. No. 2268). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 6515. A bill for the relief of Tracy Ann Corley (Elisabeth Lecorche); without amendment (Rept. No. 2269). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 6712. A bill for the relief of Hisami Yoshida; with amendment (Rept. No. 2270). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H. R. 6903. A bill for the relief of Rose Martin; without amendment (Rept. No. 2271). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 6904. A bill for the relief of Kiyoshi Nabeshima; without amendment (Rept. No. 2272). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 6915. A bill for the relief of Raymond Scott Hill; without amendment (Rept. No. 2273). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 6942. A bill for the relief of Junko Arima and Yuri Arima; without amendment (Rept. No. 2274). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 6978. A bill for the relief of Gerald A. and Lynn W. Roehm; without amendment (Rept. No. 2275). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 6983. A bill for the relief of Gevork Zohrab Bandarian; without amendment (Rept. No. 2276). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 7054. A bill for the relief of Miyako Toda; without amendment (Rept. No. 2277). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 7477. A bill for the relief of Carol R. Gray; without amendment (Rept. No. 2278). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 7565. A bill for the relief of Anna Bosco Lomonaco; without amendment (Rept. No. 2279). Referred to the Committee of the Whole House.

Mr. CASE: Committee on the Judiciary. H. R. 7665. A bill for the relief of Annalyn Earley; without amendment (Rept. No. 2280). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 7667. A bill for the relief of Marie Luise Elfriede Steiniger; without amendment (Rept. No. 2281). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAMP:

H. R. 8335. A bill to establish a United States Air Force Academy; to the Committee on Armed Services.

By Mr. COOLEY:

H. R. 8336. A bill to increase farmer participation in ownership and control of the Federal farm credit system; to make the Farm Credit Administration an independent establishment of the Federal Government; to create a Federal Farm Credit Board; to abolish certain offices; to impose a franchise tax upon certain farm credit institutions; and for other purposes; to the Committee on Agriculture.

By Mr. HOPE:

H. R. 8337. A bill to increase farmer participation in ownership and control of the Federal farm credit system; to make the Farm Credit Administration an independent establishment of the Federal Government; to create a Federal Farm Credit Board; to abolish certain offices; to impose a franchise tax upon certain farm credit institutions; and for other purposes; to the Committee on Agriculture.

By Mr. JENKINS:

H. R. 8338. A bill to amend subsection 319 (c) of the Revenue Act of 1951 (Public Law 183, 82d Cong., ch. 521, 1st sess., H. R. 4473), so as to make the provisions of section 319 of such act applicable to that portion of a fiscal year which follows December 31, 1950, in the case of a fiscal year beginning prior to January 1, 1951, and ending prior to December 31, 1951; to the Committee on Ways and Means.

By Mr. McCORMACK:

H. R. 8339. A bill relating to the incorporation of the Columbus University of Washington, D. C.; to the Committee on the District of Columbia.

By Mr. REAMS:

H. R. 8340. A bill to authorize the Secretary of Defense to make a monetary allowance in lieu of headstones or markers for certain graves; to the Committee on Armed Services.

By Mr. REGAN:

H. R. 8341. A bill to amend the act of July 31, 1947 (61 Stat. 681); to the Committee on Interior and Insular Affairs.

By Mr. WIER:

H. R. 8342. A bill to authorize an appeal to the Subversive Activities Control Board by any person who has been denied a passport, to the Committee on Un-American Activities.

By Mr. KING of California:

H. R. 8343. A bill to authorize the Attorney General to adjudicate certain claims of the American spouses of persons of Japanese ancestry resulting from evacuation of certain persons of Japanese ancestry under military orders; to the Committee on the Judiciary.

By Mr. RANKIN:

H. J. Res. 487. Joint resolution to provide for the continued custody and preservation in the Library of Congress of the original manuscripts of the Declaration of Independence and the Constitution of the United States; to the Committee on House Administration.

By Mr. COLE of New York:

H. Con. Res. 227. Concurrent resolution to provide chapel facilities for Members of Congress and their immediate families; to the Committee on House Administration.

By Mr. MURPHY:

H. Res. 702. Resolution to proclaim Baltic Genocide Day; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. Res. 703. Resolution to authorize the Committee on Foreign Affairs to investigate and study the participation of the United States in the International Materials Conference; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MANSFIELD:

H. R. 8344. A bill for the relief of Kathleen Barnes; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 8345. A bill for the relief of Rachel Stein; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 8346. A bill for the relief of Lung-Chang King, Mrs. Yun-Ching M. King, Josephine Sih-Went King, and David Da-Wei King; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

765. By Mr. SMITH of Wisconsin: Resolution of the Lithuanian American Council that the United States Government give coordinate leadership to democratic forces in Europe and Asia aspiring to peace, justice, and freedom; and that the American leadership in the fight for freedom and peace immediately ratify the Genocide Convention; implementing the ratification by decisive action of the United States Government within the United Nations to show the true picture as to the terroristic activities of the Communists in countries which they have occupied, and to invoke all possible aid of the U. N. to stop the crime of genocide; to the Committee on Foreign Affairs.

766. Also, petition of citizens of Milton, Wis., urging consideration of constitutional rights as American citizens to be free in their homes of the offensive invasion by those who wish to increase their huge profits from the sales of alcoholic beverages by high-pressure advertising directed through magazines, newspapers, and over radio and television at their children in consideration and approval of H. R. 2188; to the Committee on Interstate and Foreign Commerce.

767. By Mr. MILLER of Maryland: Petition of 25 residents of North East, Md., favoring legislation to prohibit alcoholic beverage advertising over the radio, television, and in our magazines and newspapers; to the Committee on Interstate and Foreign Commerce.

768. By the SPEAKER: Petition of citizens for slum clearance, Los Angeles, Calif., relative to various machinations through which attempts are being made to inject the National Congress into a purely local Los Angeles housing program, and to refuse to support these attempts as being morally and legally indefensible; to the Committee on Banking and Currency.

SENATE

TUESDAY, JUNE 24, 1952

(Legislative day of Saturday, June 21, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of Lights, with whom is no variableness, neither shadow caused by turning: Kindle our hearts with the confidence that Thy love is longer than our longest pilgrimage and that Thy care is wider than our widest horizon. We praise Thee for all things that set a song of rejoicing upon our lips, the sunlight that renews the face of the earth, the lovely growing things that turn to Thy light, the stars in their courses that proclaim Thy majesty and all the beauty of Thy handiwork on earth and sky and sea. We thank Thee

for human kindness, for the lamp of hope and faith that all the darkness of the world can never put out.

Illumine our pathway that in these perilous days we may not stumble, but may move forward in quiet confidence that no weapon that has been formed by evil men can finally thwart Thine eternal purpose in all the earth. In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 23, 1951, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 23, 1952:

S. 2390. An act to amend section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, relating to penalties.

On June 24, 1952:

S. 2748. An act authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2214) to amend section 709 of title 18 of the United States Code.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 2813. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Collbran reclamation project, Colorado, and to provide for disposition of the project upon completion of repayment; and

H. R. 7405. An act to provide for an economical, efficient, and effective supply management organization within the Department of Defense through the establishment of a single supply cataloging system, the standardization of supplies, and the more efficient use of supply testing, inspection, packaging, and acceptance facilities and services.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7255. An act to amend section 165 (b) of the Internal Revenue Code (relating to employee stock purchase plans);

H. R. 7502. An act to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes; and

H. R. 8270. An act to amend section 112 (n) of the Internal Revenue Code (relating to nonrecognition of gain from sale or exchange of residence) with respect to persons serving on active duty with the Armed Forces of the United States.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1283. An act to remove the limitation on the numerical strength of the White House Police force;

H. R. 160. An act to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks;

H. R. 699. An act for the relief of Mrs. Blanche Richards, owner of the Bozarth Nursing Home, Toppenish, Wash.;

H. R. 812. An act for the relief of Karel Vaclav Malinovsky;

H. R. 856. An act for the relief of Dr. James F. Spindler;

H. R. 885. An act for the relief of Heinrich von Biel, Margarethe von Biel, and Doris Schumann;

H. R. 966. An act for the relief of Mrs. Solveig Normanson;

H. R. 1097. An act for the relief of Ethel White, Frankie Ezell, and Ralph James;

H. R. 1261. An act for the relief of Alexander L. Wiesiolowski;

H. R. 1583. An act for the relief of Francis A. Gunn;

H. R. 1690. An act for the relief of Carl M. Campbell, James R. White, and Frederick J. Powers;

H. R. 1788. An act to authorize the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians to make contracts with approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe;

H. R. 1847. An act for the relief of Margaret Frankel;

H. R. 2221. An act for the relief of Gertrude Manhal;

H. R. 2296. An act for the relief of Mother Anna Fasulo;

H. R. 2413. An act for the relief of the Kloman Instrument Co., Inc.

H. R. 2510. An act for the relief of Mrs. Beverly Brunell Roth;

H. R. 2595. An act for the relief of Clarice D'Amico and Chiara Antonucci;

H. R. 2629. An act for the relief of Dr. Leonidas M. Pappas;

H. R. 2718. An act for the relief of Enrique M. Orpilla;

H. R. 2719. An act for the relief of Philip Fugh, Sarah Liu Fugh, and John Fugh;

H. R. 2810. An act for the relief of James Nels Ekberg;

H. R. 2832. An act for the relief of Leszek Kazimierz Pawlowicz;

H. R. 3155. An act for the relief of Sebastiano Belló, Dino Bianchi, Pierino Ciccarese, Vincenzo Dall' Alda, Vittorio De Gasperi, Salvatore Puggioni, Giovanni Battista Volpato, and Leone Montini;

H. R. 3220. An act for the relief of Joseph Wynn Steel and William Peter Kruse;

H. R. 3501. An act for the relief of Takae Nomura;

H. R. 3534. An act for the relief of Gabriella Rubido Zichy;

H. R. 3616. An act for the relief of the Pacific Fruit Express Co.;

H. R. 4067. An act for the relief of Samuel Thomas Wong;

H. R. 4070. An act for the relief of Isabelle F. Story;

H. R. 4182. An act for the relief of Clarence Sudbeck;

H. R. 4344. An act for the relief of Clyde R. Sharp;

H. R. 4465. An act for the relief of Angela Moniz McCracken;

H. R. 4543. An act for the relief of Mrs. Priscilla Crowley;

H. R. 5185. An act for the relief of Epifania Giacone;

H. R. 5208. An act for the relief of Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza;

H. R. 5301. An act for the relief of Leonard Jesse Richards (Michio Inoue);

H. R. 5349. An act for the relief of Mrs. Edith P. Powell;

H. R. 5479. An act for the relief of the estate of Floyd L. Greenwood;

H. R. 5526. An act for the relief of Dr. J. Ernest Ayre;

H. R. 5543. An act for the relief of Mrs. Elisabeth Rosalia Haste;

H. R. 5599. An act to provide for the conveyance of the Centre Hill Mansion, Petersburg, Va., to the Petersburg Battlefield Museum Corp., and for other purposes;

H. R. 5687. An act for the relief of Peter Mihaly Berend;

H. R. 5755. An act for the relief of Chong So Yong;

H. R. 5759. An act for the relief of Chizuko Nakagami;

H. R. 5957. An act for the relief of Veronica Merita Ritson;

H. R. 6010. An act for the relief of Mrs. Lennie G. Clarkson and William E. Clarkson;

H. R. 6023. An act for the relief of Fred Augustus Snead, Jr.;

H. R. 6117. An act for the relief of Deliana Meulenkamp;

H. R. 6152. An act for the relief of Lucille Hujima;

H. R. 6231. An act for the relief of Gordon Uglow;

H. R. 6259. An act to authorize the admission of Wong Ng Chin Chun to the United States;

H. R. 6264. An act for the relief of Louis R. Chadbourne;

H. R. 6500. An act to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder;

H. R. 6635. An act to exempt from taxation certain property of the AMVETS, American Veterans of World War II, in the District of Columbia;

H. R. 6754. An act to provide that salaries of rural carriers serving heavily patronized routes shall not be reduced by reason of increases in the length of such routes;

H. R. 6857. An act to amend section 7a of the act entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928;

H. R. 6943. An act to fix the seniority rights and service of Albert O. Raeder as sergeant in the District of Columbia Fire Department;

H. R. 7030. An act to amend certain acts and parts of acts which require the submission of documents to the Post Office Department under oath, and for other purposes;

H. R. 7253. An act to authorize the conveyance to the Columbia Hospital for Women and Lying-in Asylum of certain parcels of land in the District of Columbia, and for other purposes;

H. R. 7496. An act to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1955, the period for authorization for appropriations for carrying out the purposes of the act, as amended;

H. R. 7758. An act to revise certain laws relating to the mail-messenger service;

H. R. 7783. An act to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes; and

H. R. 7877. An act to amend section 1699 of title 18 of the United States Code relating to the unloading of mail from vessels.

LEAVES OF ABSENCE

On request of Mr. McFARLAND, and by unanimous consent, Mr. CHAVEZ was excused from attendance on the sessions of the Senate for the remainder of the week.

On his own request, and by unanimous consent, Mr. ANDERSON was excused from

attendance on the sessions of the Senate for the remainder of this week.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSTON of South Carolina, and by unanimous consent, the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

DEATH OF FORMER SENATOR AND REPRESENTATIVE JAMES W. WADSWORTH, OF NEW YORK

Mr. IVES. Mr. President, I ask unanimous consent that I may be permitted to speak for not to exceed 4 minutes regarding the late James W. Wadsworth.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from New York is recognized for 4 minutes.

Mr. IVES. Mr. President, I regret that it was impossible for me yesterday to join in the tribute paid by Senators to our friend and a very distinguished former Member of the Senate, who is honored by all who knew him as a very great American, the late James W. Wadsworth.

Mr. Wadsworth's most untimely passing has deprived the country of an unusually able and patriotic public servant at a vitally critical time in our national history. For 12 years a Member of the United States Senate, for 18 years a Member of the House of Representatives, a former legislative leader and speaker of the New York State Assembly, he served his State and the Nation with great ability and distinction.

Though his record as a legislator was marked with achievement, his greatest accomplishments were in the field of national preparedness. To him, perhaps more than to anyone else, the country is indebted for having been as ready as it was at the time of Pearl Harbor.

As fitting evidence of his patriotic devotion, he was serving as chairman of the National Security Training Commission when he was stricken by his final illness. Mr. Wadsworth's accomplishments as a legislator, great as they were, were overshadowed by the high qualities of character and patriotism which he possessed—qualities which exerted a profound influence upon all who had the privilege of knowing and being associated with him. Independent and conservative in his thinking, he allowed no personal consideration or prejudice to interfere with his effort in the interest of what he felt so strongly was his country's welfare.

Mr. Wadsworth would espouse wholeheartedly a cause in which he believed—in spite of its unpopularity. On the other hand, the popularity of a cause never occasioned him to hesitate in opposing it vigorously if he was convinced that it was harmful.

He had unyielding courage of conviction; he possessed the rare quality of genuine intellectual honesty.

He was a statesman in the truest sense of the term.

I am privileged to be among the multitude of his friends and admirers who mourn the loss of this great American patriot. I extend deep sympathy to his widow and to the other members of his family. May the knowledge of his life, so nobly devoted to the service of our country, comfort and sustain them in these days of sorrow.

Mr. McKELLAR. Mr. President, I wish to say a word about the late Jimmy Wadsworth, as we called him when he was a Senator here. I think Mr. Wadsworth was one of the greatest Senators ever to sit in this body. He was industrious, able, vigorous, honest, and one of the most perfect gentlemen I ever knew. In my judgment, he had every quality a Senator should possess.

He was a Republican, and I was a Democrat. We served on the same committees, and we were the best of friends. Mr. Wadsworth was conscientious, straightforwarded, and all in all, one of the most attractive figures I have ever known in my long service here. I do not believe I ever knew a finer man personally, intellectually, legislatively, or in any other sense, than was Jimmy Wadsworth. He was truly a real man, always courteous, always considerate of his fellow Senators, always for the right as he saw the right. Like Chevalier Bayard, he was sans peur et sans reproche.

I deeply mourn his passing, and I extend to his widow, children, and family my deepest sympathy.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to transact routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

ADMINISTRATIVE EXPENSES IN TREASURY DEPARTMENT

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize certain administrative expenses in the Treasury Department, and for other purposes (with an accompanying paper); to the Committee on Finance.

REPORT ON COST ASCERTAINMENT, POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, the Cost Ascertainment Report of the Post Office Department, for the fiscal year 1951 (with an accompanying report); to the Committee on Post Office and Civil Service.

LAWS ENACTED BY GUAM LEGISLATURE

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the first Guam Legislature (with accompanying papers); to the Committee on Interior and Insular Affairs.

LAWS ENACTED BY MUNICIPAL COUNCILS OF ST. THOMAS AND ST. JOHN, AND ST. CROIX, V. I.

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Municipal Councils of St. Thomas and St. John and St. Croix, V. I. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON BOULDER CANYON PROJECT

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report on the operations of the Boulder Canyon project, for the fiscal year ended May 31, 1951 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Under Secretary of Agriculture, transmitting, pursuant to law, a report on cooperation of the United States with Mexico in the control and eradication of foot-and-mouth disease, for the month of April 1952 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATION OF APPROPRIATION ALLOTMENT

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, the overobligation of an appropriation allotment by the Production and Marketing Administration, Dallas, Tex.; to the Committee on Appropriations.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Two letters from the Attorney General, transmitting, pursuant to law, copies of the orders of the Commissioner of Immigration and Naturalization, granting the applications for permanent residence to certain aliens, together with a detailed statement of the facts and pertinent provisions of law as to each alien and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS

Two letters from the Attorney General, transmitting, pursuant to law, two reports reciting the facts and pertinent provisions of law in the cases of certain individuals whose deportation had been suspended for more than 6 months by the Commissioner of Immigration and Naturalization, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

Five letters from the Attorney General, withdrawing the names of Ervin Litkei, Fernando Crilo Aidos or Fernando Grilo Dias Aidos, Alberto Jiminez-Rodriguez, Elena Alex Gromeeko, and Jan Willem Ruyter or John Ruyter from reports relating to aliens whose deportation had been suspended, transmitted to the Senate on May 15, 1951, July 2, 1951, August 1, 1951, March 17, 1952, and March 17, 1952, respectively; to the Committee on the Judiciary.

REPORT ON TITLE X OF THE CLASSIFICATION ACT OF 1949

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a report on the operation of the program set forth in title X of the Classification Act of 1949, Public Law 429, Eighty-first Congress, for the period ended June 30, 1951 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT ON TORT CLAIM PAID BY FEDERAL POWER COMMISSION

A letter from the Chairman of the Federal Power Commission, reporting, pursuant to law, on a tort claim paid by the Commission during the calendar year 1951; to the Committee on the Judiciary.

STUDENT AID ACT OF 1952

A letter from the Administrator, Federal Security Agency, transmitting a draft of pro-

posed legislation to establish a program of financial aid to students in higher education, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT ON ADVANCE PLANNING PROGRAM

A letter from the Administrator, Housing and Home Finance Agency, transmitting, pursuant to law, a report on the administration of the Advance Planning Program, dated March 31, 1952 (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Louisiana; ordered to lie on the table:

"House Concurrent Resolution 22

"Whereas tidelands, or submerged lands under all coastal waters and inland waters within State boundaries have been the property of such State, even before the adoption of the United States Constitution; and the United States Supreme Court as early as the years 1823 and 1827 held in unanimous decisions that the Thirteen Original States 'had acquired their original title by grant from the Crown. The limit of their claims was asserted by the States in the Declaration of Independence, and the right to it was established by the most solemn of all international acts, the Treaty of Peace,' with the British Crown in 1783, following the successful War of the Revolution; and

"Whereas the provinces of said Treaty of Independence by which the British Crown relinquished to the original States by name all right of government, proprietorship and territorial jurisdiction formerly held by the Crown, prompted the framers of the Constitution in 1787 to provide that treaties are the supreme law of the land, and by the tenth amendment thereto reserved to the States and to the people all rights not delegated to the Federal Government or not prohibited to the States; and

"Whereas from 1823 to 1935 the highest Court of the land in scores of decisions held that each original State owns the beds of all tidewaters within its jurisdiction, that these tidelands were not granted by the Constitution to the United States, but were reserved to the several States and that the new States since admitted have the same rights, sovereignty and jurisdiction in that behalf as the original States possessed within their respective borders; see *Johnson* v. *McIntosh* ((1823) 8 Wheat. 584); *Harcourt* v. *Gaillard* ((1827) 12 Wheat. 523;); *Martin* v. *Waddell* ((1842) 16 Peters 367); *New Orleans* v. *United States* ((1836) 10 Peters 662); *Pollard* v. *Hagan* ((1845) 3 How. 230); *McCready* v. *Virginia* ((1876) 94 U. S. 391), and *Borax, Ltd.* v. *Los Angeles* ((1935) 296 U. S. 10), and scores of other decisions therein referred to; and

"Whereas in the California case in 1947, followed by the Louisiana and Texas cases in 1950, the present Supreme Court announced the astounding theory that the United States asserted rights in two capacities 'transcending those of a mere property owner',—the power and dominion necessary to protect this country against dangers to the security and tranquility of its people, and as a member of the family of nations; and that insofar as the Nation asserts its rights under international law, 'Whatever of value may be discovered in the seas next to its shores and within its protective belt will most naturally be appropriated for its use'; and

"Whereas there for the first time in our history of the Court decreed the foreign ideology of confiscation or nationalization under the theory of paramount power and dominion, which, as sure as night follows day, condemns all property in this country to nationalization by the United States Government, because all property in this country is 'within its protective belt', and under its 'power and dominion': Therefore be it

"Resolved by the House of Representatives and the Senate of the State of Louisiana in regular session assembled, That the Senate and House of Representatives of the United States Congress be memorialized to vote to override the President's veto of Senate Joint Resolution 20 enacted by the Congress to recognize, confirm and quiet the title of the States to their tidelands and other submerged lands within their borders, and thereby to repudiate the foreign ideology of confiscation and nationalization of property in this country under pretense of paramount power and dominion; further

"*Resolved* That copy of this resolution certified to by the clerk of the house and secretary of the senate, bearing the seal of the State of Louisiana be airmailed to all Members of the United States Senate and House of Representatives promptly upon adoption hereof."

A telegram in the nature of a petition signed by Lucy Calabrese and sundry other citizens of the State of New York, relating to Federal and postal workers' leave as contained in the independent offices appropriation bill; to the Committee on Appropriations.

A resolution adopted by the National Art Materials Trade Association at Chicago, Ill., relating to the discontinuance of price controls; to the Committee on Banking and Currency.

A resolution adopted by the constitutional convention of the Alabama State CIO Council, Birmingham, Ala., favoring the extension of price-control laws; to the Committee on Banking and Currency.

Three resolutions adopted by the constitutional convention of the Alabama State CIO Council, Birmingham, Ala., relating to Federal income tax, Federal supplement to State unemployment compensation, and increase in social-security benefits; to the Committee on Finance.

Four resolutions adopted by the constitutional convention of the Alabama State CIO Council, Birmingham, Ala., relating to national health insurance, use of oil royalties for the purpose of primary, secondary, and higher education in all States, Federal workmen's compensation law, and repeal of the Taft-Hartley law; to the Committee on Labor and Public Welfare.

A resolution adopted by the mayor and members of the Board of Supervisors of the City and County of Honolulu, favoring the enactment of legislation to authorize the board to issue public-school bonds in the sum of $5,000,000; to the Committee on Interior and Insular Affairs.

A letter in the nature of a petition from the grand lodge, Fraternal Order of Police, Philadelphia, Pa., signed by John J. Quinn, national secretary, relating to the confirmation of the nomination of James P. McGranery as United States Attorney General; ordered to lie on the table.

Resolutions adopted by the West Virginia State Department, United States Army Mothers, at Huntington, W. Va., relating to granting benefits to veterans of the Korean conflict and the unmarried widows of veterans, and so forth; ordered to lie on the table.

A letter in the nature of a petition from the Northeastern Jurisdictional Conference of the Methodist Church, Harrisburg, Pa., signed by Albert G. Judd, secretary, favoring the approval of the Puerto Rican constitution; ordered to lie on the table.

THE GENOCIDE CONVENTION—LETTER AND RESOLUTION FROM WISCONSIN ORGANIZATIONS

Mr. WILEY. Mr. President, I have received a letter from the Racine chapter of the Armenian Youth Federation of America as well as a resolution adopted at a mass meeting of Estonian-, Lithuanian-, and Latvian-Americans in my State regarding the humanitarian issue of preventing mass extermination of peoples, about which I have previously commented on the Senate floor.

This issue is now pending before the Senate Foreign Relations Committee in the form of a Genocide Convention which has been reported by a subcommittee to the full committee.

I send the letter and resolution to the desk and ask unanimous consent that they be printed in the RECORD at this point and be thereafter referred to the Senate Foreign Relations Committee.

There being no objection, the letter and resolution were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

ARMEN GARO CHAPTER,
ARMENIAN YOUTH FEDERATION
OF AMERICA,
Racine, Wis., June 18, 1952.

Senator ALEXANDER WILEY,
Senate Foreign Relations Committee,
Washington, D. C.

DEAR SENATOR WILEY: This letter is written with the hope that you will see fit to bring up ratification of Genocide Convention for a favorable vote. On April 12, 1952, the Senate subcommittee decided Genocide Convention in accord with our Constitution and will operate through American law. We are sure you realize that Genocide Convention legally different from draft covenants human rights. Organizations representing some 15,000,000 Americans testified in favor of ratification, plus 36 nations have already ratified Genocide Convention and every day delay is encouragement to the Soviet criminality.

We will be most grateful for favorable action and reply.

Very sincerely yours,

ROSEMARY KRIKORIAN,
Secretary of the Racine AYF.

RESOLUTION UNANIMOUSLY ADOPTED AT THE MASS MEETING OF ESTONIAN-, LATVIAN-, AND LITHUANIAN-AMERICANS OF THE CITY OF RACINE, WIS., HELD UNDER THE AUSPICES OF THE LOCAL BRANCH OF THE LITHUANIAN-AMERICAN COUNCIL, INC., ON THE 14TH DAY OF JUNE 1952, TO COMMEMORATE THOSE TRAGIC DAYS OF JUNE 14–17, 1941

Whereas Soviet Russia, after violating the treaties, concluded between her and the Baltic States, invaded the free nations of Estonia, Latvia, and Lithuania on June 15, 1940, and forcibly annexed them within 2 months, has committed a wave of crimes against the human race in the countries involved, when killing innocent people and deporting about 130,000 people to vast regions of Siberia on June 14–17, 1941; and

Whereas the people of Estonia, Latvia, Lithuania, and other countries behind the iron curtain are subjected to the inhuman policy of oppression, terror, murder, and mass deportations; and

Whereas the aggression of imperialistic communism creates a great threat of enslavement to all free nations; and

Whereas it is the feeling of the writers of this resolution that no nation, great or

small, can regain her freedom or can exist unaided by others; and

Whereas the eyes of the oppressed people are turned to the United States, which, traditionally, has fought for the highest humanitarian ideals: Therefore be it

Resolved, That this meeting appeal to the Government of the United States and Members of the Senate to respond to the demands of our times by giving coordinate leadership to democratic forces in Europe and Asia aspiring to peace, justice, and freedom; and be it further

Resolved, That it is our deepest conviction that American leadership in the fight for freedom and peace will be best exerted by (a) immediately ratifying the Genocide Convention which is legal international law to prevent and to punish the crime of destruction of national, racial, and religious groups of people; (b) implementing the ratification by decisive action of the United States Government within the United Nations to show the true picture as to the terroristic activities of the Communists in countries which they have occupied; (c) invoking all possible aid of the United Nations in the stopping of the crime of genocide; and further be it

Resolved, That this meeting express gratitude to the Government of this country which has never recognized the Soviet occupation of the Baltic States and has always demonstrated a favorable attitude toward the cause of the independence of Estonia, Latvia, and Lithuania.

LITHUANIAN-AMERICAN COUNCIL,
MRS. OLGA MALBE,
Representative of Estonian Group.
ALEKSIS REIZNIEKS,
Representative of Latvian Group.
GEORGE KAPOCIUS,
Representative of Lithuanian Group.

RECLAMATION WITHDRAWALS OF LANDS ON STREAM SYSTEMS IN THE STATE OF CALIFORNIA

Mr. KNOWLAND. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the California State Legislature, Senate Concurrent Resolution No. 5, with reference to reclamation withdrawals of lands on stream systems in the State of California, together with a letter addressed to the Honorable Oscar L. Chapman by Mr. C. A. Griffith, chairman of the California State Water Resources Board, on the same subject.

There being no objection, the concurrent resolution and letter were referred to the Committee on Interior and Insular Affairs and ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 5

Concurrent resolution relative to first form reclamation withdrawals of lands on stream systems in the State of California

Whereas on March 4 and March 6, 1952, the Bureau of Reclamation, United States Department of the Interior, published, in the Federal Register, notices of first form reclamation withdrawals of over 175,000 acres of land in the watersheds of the Kern, Kings, San Joaquin, American; Feather, and Trinity Rivers and the Putah and Mill-Deer Creeks, all in the State of California; and

Whereas such notices state that the lands withdrawn are reserved for the Bureau of Reclamation's proposed projects designated "Kern River division," "King's River division," "Upper San Joaquin division," "American River division," "Feather River division," "Trinity River division," and "Mill-Deer division" of the Central Valley project, and the Solano project; and

Whereas the Congress of the United States has not approved or authorized the construction of any of such projects proposed by the Bureau of Reclamation; and

Whereas construction by the Bureau of Reclamation of its proposed projects on these and other withdrawn lands will forever foreclose the State of California and its citizens from developing these water resources under the laws of this State and of the United States; and

Whereas public and private agencies within the State of California are entitled to develop such water resources in the public interest; and

Whereas the California Division of Water Resources has issued permits and licenses to State and local agencies for beneficial use of many of these water resources; and

Whereas the Federal Power Commission has recently issued orders for the comprehensive power development of Kings River by local agencies, and the Bureau of Reclamation has now petitioned the United States Court of Appeals for the ninth circuit to set aside such orders on the ground, among others, that the Commission had no jurisdiction to authorize such development because it is prevented by first form reclamation withdrawals; and

Whereas the Water Project Authority of the State of California, pursuant to authorization by act of the Legislature of the State of California, has filed an application with the Federal Power Commission for a license for the Feather River project on lands which are under first form reclamation withdrawals; and

Whereas many other local public and private agencies have filed applications with the Federal Power Commission for authority to develop California water resources for power, and other beneficial uses, in many other watersheds which are under first form reclamation withdrawals; and

Whereas by authority of the Congress of the United States, expressed in the Federal Power Act, such lands have already been withdrawn for the developments so proposed; and

Whereas first form reclamation withdrawals are now in conflict with such permits and licenses issued by the State for beneficial use of its water resources and with such power site withdrawals made under the Federal Power Act; and

Whereas such first form withdrawals make issuance by the California Division of Water Resources of permits and licenses to appropriate water in the areas affected extremely difficult to administer: Now, therefore, be it

Resolved by the Senate of the State of California (the Assembly thereof concurring), That all lands in the State of California under first form reclamation withdrawals and not now occupied by authorized Federal projects be immediately restored to public entry or other disposal under the laws of the United States and of the State of California; and be it further

Resolved, That first form reclamation withdrawals on such lands be and they hereby are protested as an unjust and unwarranted interference by the Federal Bureau of Reclamation with the sovereign right of the State of California and the private right of its citizens to develop the water resources of the State; and be it further

Resolved, That the governor is requested to disapprove any project report incident to, or resulting from, such first form withdrawals; and be it further

Resolved, That the Legislature of the State of California hereby respectfully requests the State water resources board to file immediately with the Secretary of the Interior objections to the withdrawals so published in the Federal Register on March 4 and March 6, 1952, and to take every other action necessary to cause the orders for such withdrawals to be rescinded; and be it further

Resolved, That the legislature of the State of California hereby respectfully requests the State water resources board and the attorney general to take appropriate steps, in the action now pending before the United States Court of Appeals for the ninth circuit relating to power development on the Kings River, to oppose contentions of the Bureau of Reclamation that the Federal Power Commission is without jurisdiction to authorize non-Federal agencies to construct projects on lands which are under first form reclamation withdrawals; and be it further

Resolved, That the secretary of the senate be hereby directed to transmit copies of this resolution to the Governor of the State of California, to each member of the State water project authority, and to each member of the State water resources board.

NOTICE OF OBJECTIONS OF THE STATE WATER RESOURCES BOARD OF THE STATE OF CALIFORNIA TO WITHDRAWALS FROM PUBLIC ENTRY OF LANDS IN THE WATERSHEDS OF CERTAIN STREAMS IN THE STATE OF CALIFORNIA MADE UNDER AUTHORITY OF THE SECRETARY OF THE INTERIOR

To Hon. OSCAR L. CHAPMAN,
Secretary of the Interior, Department of the Interior, Washington, D. C.:

Please take notice that the State Water Resources Board of the State of California protests against the orders of withdrawal from public entry of over 175,000 acres of land in the watersheds of the Kern, Kings, San Joaquin, American, Feather, and Trinity Rivers, and the Putah and Mill-Deer Creeks, all in the State of California, and constituting first-form reclamation withdrawals pursuant to section 3 of the act of June 17, 1902 (32 Stat. 388), made by the Acting Commissioner of Reclamation under authority of the Secretary of the Interior, and concurred in by the Bureau of Land Management, notice of which withdrawals were published on March 4 and March 6, 1952, in the Federal Register, volume 17, numbers 44 and 46, respectively; and which constitute reservation of all such lands withdrawn for construction of irrigation and related works pursuant to Federal reclamation laws, on projects designated "Kern River division," "Kings River division," "Upper San Joaquin division," "American River division," "Feather River division," "Trinity River division," and "Mill-Deer division" of the Central Valley project, and the Solano project.

Also please take notice that the State Water Resources Board approves and incorporates herein by reference the objections made by the Water Project Authority of the State of California, to said withdrawals of lands in the watershed of the Feather River, pursuant to notice of objection transmitted by the water project authority to the Secretary of the Interior on March 25, 1952; and that the herein objections to all of said orders of withdrawal are made pursuant to the notices published on March 4 and 6, 1952, in the Federal Register, accompanying each of said published orders of withdrawal, requiring that any objections to the terms of said orders of withdrawal be made within 30 days from the date of publication of said notices for filing objections.

The objections of the State water resources board to said orders of withdrawal of lands from public entry are predicated in part upon the following basic recitals:

1. The State water resources board was created by the legislature pursuant to the State Water Resources Act of 1945 to implement the purposes of that act which declares that all flood control and water conservation projects undertaken by local, State, and Federal agencies for which State appropriations are made, be studied and coordinated by the board to bring maximum benefits to the people of the State from the expenditure of public funds.

The board is also empowered under that act to study and recommend to the legislature the orderly development of the water

resources of the State. Under appropriations provided for this purpose the board, using the engineering services of the division of water resources, is conducting continuing investigations to formulate a comprehensive plan for the development of the water resources of the entire State. This plan is known as the California water plan and will provide for the full conservation, control and utilization of the State's water resources, both surface and underground, to meet present and future water needs for all beneficial purposes and uses in all areas of the State insofar as practicable. The board is also conducting special water resources investigations in critical areas on a cooperative basis with local agencies.

The State water resources board represents the State of California and local agencies in relation to the solution of water problems of the State not directly under the jurisdiction of the water project authority, and serves as an open forum for local agencies desiring State assistance in solution of their water problems. Feasibility of projects is determined by the board and recommendations are made to the legislature regarding State assistance to be given for such projects.

2. The Congress of the United States has not authorized the construction of any of said projects proposed by the Bureau of Reclamation, and in connection with which lands have been withdrawn from public entry under authority of the Secretary of the Interior.

3. The projects heretofore authorized by Congress on the Kern, Kings, American, and San Joaquin Rivers do not include nor authorize construction of the projects proposed thereon for which withdrawals were made; and no projects have been authorized by Congress on the Trinity or Feather Rivers nor on Mill and Deer Creeks.

4. None of the projects proposed by the Secretary of the Interior are part of Central Valley project, pursuant to any act of Congress. The Monticello project on Putah Creek, which is not a part of Central Valley project, was authorized pursuant to administrative action of the Secretary of the Interior.

5. The legislature by the enactment of chapter 1441, statutes of 1951, authorized the Feather River project and the units thereof, as a State undertaking in accordance with a publication of the State Water Resources Board entitled "Report on Feasibility of Feather River Project and Sacramento-San Joaquin Delta Diversion Projects Proposed as Features of the California Water Plan," dated May 1951.

6. The Feather River project was authorized for the development of the water resources of the Feather River and the utilization of the benefits therefrom within and beyond the boundaries of the Sacramento and San Joaquin Valleys, and the Water Project Authority of the State of California was authorized to construct, finance, operate, and maintain the project.

7. Pursuant to the authorization of the Feather River project by the legislature the State engineer is conducting preliminary studies of project construction, and there is now pending before the legislature in the 1952 session thereof, the annual budget which contains an item of $800,000 for necessary investigations, surveys, and studies, and preparation of plans and specifications for the construction of the Feather River project by the water project authority.

8. The said order of withdrawal from public entry of lands in the watershed of the Feather River was made by the acting commissioner of reclamation with knowledge that there was no congressional authorization for a Feather River project, and undoubtedly with knowledge that such project had been authorized for construction and operation by the State of California, as part of a far-reaching State plan to conserve and make available to the fullest beneficial extent, the water resources of the State for the benefit of the people of the entire State.

9. In furtherance of the development of the Feather River, authorized by the legislature, an application for a power permit on the Feather River was filed on February 15, 1952, by the water project authority in the regional office of the Federal Power Commission at San Francisco, and filed with the Federal Power Commission, Washington, D. C., on February 19, 1952. In said application were described the lands in the watershed of the Feather River required for, and to be reserved for, project purposes. On February 19, 1952, an order of withdrawal from public entry of lands in the watershed of the Feather River was also made by the acting commissioner of reclamation and filed on that date with the Federal Power Commission.

10. The lands included in said order of withdrawal from public entry made by the Acting Commissioner of Reclamation include most, if not all, lands described in the said application for power permit filed by the water project authority with the Federal Power Commission, entry on and use of which are required for the construction and operation of the Feather River project by the State of California.

11. The said entensive withdrawals of lands from public entry made under authority of the Secretary of the Interior in the watershed of the principal streams in the Sacramento and San Joaquin Valleys, including lands in the watershed of the Feather River in relation to which there is an existing project authorized for construction by the State of California, threaten to preclude development of water conservation projects in said streams by the State or its agencies.

12. In *United States of America, petitioner* v. *Federal Power Commission et al.*, No. 13265, before the United States Court of Appeals for the Ninth Circuit, the United States on behalf of the Secretary of the Interior, is attacking the validity of orders of the Federal Power Commission, including the issuance of a license to the Pacific Gas & Electric Co., and a preliminary permit to the Fresno irrigation district, an agency of the State, in connection with a proposed power development on the Kings River, and among other grounds of attack, the Secretary of the Interior is asserting that withdrawal from entry of lands comprising the hydroelectric sites on the Kings River, and on other sites now within, or potentially within, the Central Valley Basin, reserves such sites for power development by the United States as part of the Department of Interior's over-all plan for the development of the water resources of the Central Valley Basin, and in substance, that power development by the State or agencies thereof on such sites so withdrawn from entry, may not be the subject of permit or license from the Federal Power Commission, except by consent of the Secretary of the Interior. In reference to the above case, it is recognized that reclamation withdrawals are authorized by law and serve a necessary and useful purpose relative to projects authorized by Congress. However, the position taken by the Secretary of the Interior in the above case, that any such administrative withdrawal without congressional project approval, arrogates to the United States sole determination regarding who may develop a project on a given stream, is strenuously objected to by the State water resources board.

In addition to the foregoing, and based thereon, the following specific objections are made to all of said reclamation withdrawals in streams in California, notices of which were published in the Federal Register on March 4 and March 6, 1952, and to the terms of such withdrawals:

SPECIFIC OBJECTIONS

1. The order of withdrawal from public entry of lands in the watershed of the Feather River, does not contain reservations allowing development by the State of the water and power potentials of the Feather River project, as authorized by State law to be constructed and operated by the water project authority.

2. The orders of withdrawal from public entry of lands in the watersheds of other rivers and stream systems, likewise do not contain reservations allowing water and power development therein by the State or agencies thereof.

3. Without such reservation in favor of the authorized State project on the Feather River and in light of the application for power permit made by the State of California now pending before the Federal Power Commission, such withdrawal threatens to conflict with the withdrawals requested by the water project authority under the Federal Power Act, and to constitute an invasion of the rights of the State; and such withdrawals on other rivers and stream systems without reservations therein allowing project development by the State or agencies thereof, also threaten to constitute an invasion of the rights of the State.

4. The issues raised by said withdrawal from public entry include those relating to the jurisdiction and power of the Federal Power Commission to grant a permit or license to the State of California for power development on the Feather River and may thereby delay, if not prevent for an indefinite period, State construction of the Feather River project; and the allegations in the petition of the Secretary of the Interior in the *United States of America* v. *Federal Power Commission et al.*, previously referred to, may, if sustained by the court, seriously affect future development of the water resources of other rivers within the State of California, by the State or agencies thereof.

In connection with the above it is the position of the State water resources board that the objects and purposes to be served by any such withdrawal from public entry may not be construed to be solely for the purpose of water project development by the United States, and that the Federal Power Commission may grant power permits and licenses to local public and private agencies regardless of any such withdrawal, provided the Commission finds and determines that Congress has not authorized a reclamation project on a particular river affected by a withdrawal and the granting of permits or licenses to local public and private agencies is in the public interest, and not in derogation of the broad objectives and purposes of such withdrawal.

5. The said withdrawals from public entry threaten to impede and nullify the administration of provisions of State law governing the appropriation and use of water of the Feather River and of other rivers and streams in California.

In connection with the above, it is the position of the State water resources board that a withdrawal from entry of public lands does not have the legal effect of reserving the waters of a stream flowing over such withdrawn public lands from appropriation under the laws of the State, nor impair the laws of the State relating to the control, appropriation, use, or distribution of water, and that any threatened impairment of the right of the State or its agencies to utilize waters of this State for a public purpose, is illegal. However, such withdrawal may engender litigation which will imperil river development by the State, or local agencies.

6. The said withdrawal from public entry on the Feather River constitutes an unwarranted interference with the State of California and is contrary to the will of the people of the State as expressed through the

legislature, in relation to the future development and use of the waters of this State for the greatest public benefit, and all of said withdrawals on other rivers and stream systems carry with them the implication that whether or not there is an authorized Federal reclamation project on a given stream, the United States may arrogate solely unto itself the ultimate development of the stream system for water and power development, regardless of the wishes of the State.

Therefore, the State Water Resources Board of the State of California, respectfully requests that the Secretary of the Interior do the following:

(a) Rescind the orders of withdrawal from public entry of lands in the watershed of the Feather River and in the watersheds of other rivers and stream systems affected by said withdrawals; or

(b) Modify said order of withdrawal on the Feather River diversion to permit the unimpeded development of the water resources of the Feather River as authorized by the legislature for construction and operation by the water project authority, including the production and transmission of hydroelectric power; and

(c) Modify all other said orders of withdrawal, generally, to permit the development by the State, its agencies, or others, of any water conservation project not authorized for construction by Congress, upon determination made by the Federal Power Commission that such development is not in conflict with the general purposes and objectives of said withdrawals.

That if the requests (a), (b), and (c), above, are granted, no public hearing on the issues involved may be required. However, it insists that if requests (a), (b), and (c) be not granted, the Secretary of the Interior direct the holding of a public hearing at a convenient time in the city of Sacramento or other convenient place in California, notice of which shall be announced, at which the State water resources board and the Water Project Authority of the State of California, and other such agencies and interests may state their views in opposition to said withdrawals.

C. A. GRIFFITH,
Chairman.
SAM R. LEEDOM,
Administrative Assistant.

Dated at Sacramento, Calif., April 3, 1952.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. McCARRAN, from the Committee on Appropriations:

H. R. 7289. A bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes; with amendments (Rept. No. 1807).

ADDITIONAL EXPENDITURES BY COMMITTEE ON BANKING AND CURRENCY—REPORT OF A COMMITTEE

Mr. MAYBANK. Mr. President, from the Committee on Banking and Currency, I report an original resolution providing additional funds which are needed by that committee. Under the rule the resolution will be referred to the Committee on Rules and Administration, which, I understand, will meet tomorrow. I trust that committee will give the resolution favorable consideration.

The VICE PRESIDENT. The resolution will be received and referred to the Committee on Rules and Administration.

The resolution (S. Res. 337) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Banking and Currency hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-second Congress, $10,000 in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946, as increased by Senate Resolution 192, Eighty-second Congress, agreed to August 23, 1951.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 24, 1952, he presented to the President of the United States the enrolled bill (S. 1283) to remove the limitation on the numerical strength of the White House Police force.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAYBANK:

S. 3381. A bill to remit the duty on a carillon of bells to be imported for The Citadel, Charleston, S. C.; to the Committee on Finance.

By Mr. MUNDT:

S. 3382. A bill to provide for the control of noxious weeds on federally owned or controlled lands; to the Committee on Interior and Insular Affairs.

By Mr. MILLIKIN (for himself, Mr. SMATHERS, and Mr. JOHNSON of Colorado):

S. 3383. A bill to authorize and direct the Civil Service Commission to make a study of the classification of, and rates of basic compensation payable with respect to, engineering positions in the classified civil service; to the Committee on Post Office and Civil Service.

By Mr. MONRONEY:

S. 3384. A bill relating to the conveyance of certain property in Shawnee, Okla., by quitclaim deed, to Alfred F. Hunter; to the Committee on the Judiciary.

EXEMPTION FROM TAXATION FOR CERTAIN ORGANIZATIONS IN THE DISTRICT OF COLUMBIA—AMENDMENT

Mr. HUNT submitted an amendment intended to be proposed by him to the bill (S. 3351) to establish a policy with respect to the granting of special exemptions to organizations and corporations from taxes imposed by the laws of the District of Columbia, which was referred to the Committee on the District of Columbia, and ordered to be printed.

THE GI BILL OF RIGHTS FOR KOREAN VETERANS—AMENDMENTS

Mr. FERGUSON. Mr. President, I have several amendments which I believe are of such importance that I should like 6 minutes to make a statement in relation to them. They deal with veterans of the Korean war.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Michigan may proceed.

Mr. FERGUSON. The amendments which I intend to propose are compensation amendments to House bill 7656, a bill to provide vocational readjustment and to restore lost educational opportunities to certain persons who served in the Armed Forces on or after June 27, 1950. The bill is referred to as the "GI bill of rights for Korean veterans."

The amendments will provide unemployment compensation for the veteran on the same basis he would have received it if he had been employed at home instead of in the armed services.

They contain every safeguard I could devise to insure that they will not become "rocking chair" amendments or a "52–20 club" of World War II fame.

The amendments extend the benefits of his State unemployment compensation laws to the returned veteran on the same terms as those applicable to the unemployed worker. They, in effect, convert his military service into "covered employment" within the meaning of the State unemployment compensation measures.

The amendments, in brief, provide that a veteran who serves at least 90 days and receives an honorable discharge, is eligible to receive unemployment compensation for each week of unemployment which occurs between the third and fifteenth months after his discharge, or the date of enactment, whichever is later.

The amount of the unemployment allowance and the duration of the payments shall be determined by the maximum benefits and the maximum period allowed under the law of the State in which the veteran resided immediately prior to his entry into the Armed Forces.

All State laws covering unemployment compensation, except those concerning previous employment and residence will apply to the veteran. Provisions of State law, to the effect that in order to receive the benefit the veteran must be willing to work and be seeking work, will apply.

The veteran will not become eligible for the unemployment compensation benefit until 3 months after his discharge. The "GI bill for Korean veterans" already provides for mustering out pay, which the veteran will receive over the 3-month period immediately after his discharge.

A veteran who has wage credits under the State employment compensation laws would be required to use such benefits, but the Ferguson amendments would insure that he would receive the maximum benefits allowed under the State law by paying the difference between his regularly earned State benefit and the maximum allowance under the amendments.

Veterans who draw education and training allowances would not be eligible to receive the veterans' unemployment compensation. Furthermore, no provision is made for payment of benefits to those who are self-employed, because of the number of abuses which arose from this provision in the post-World War II period.

Administration of the program would be in the hands of the Veterans' Administration, but that agency would be authorized to enter into agreements with State and other Federal agencies to as-

sist in the administration. It is contemplated that agreements will be made between the Veterans' Administration and the various State unemployment compensation agencies for efficient administration.

While cost estimates on this type of legislation are difficult to compute and necessarily only estimates, I believe that the amendments will cost less than $60,000,000 a year at the current rate of discharge from the armed services. The full employment that prevails in most parts of the Nation may materially reduce that cost.

The amendments will provide for the returned veteran only the same treatment now accorded those at home and will insure that his military service will not serve to discriminate against him.

I submit the amendments and ask unanimous consent that they be printed in the RECORD at this point as a part of my remarks. They are rather lengthy, because it was necessary to safeguard against abuses. I ask that they be printed in the RECORD so that they may be available to those who read the RECORD.

There being no objection, the amendments were referred to the Committee on Labor and Public Welfare, ordered to be printed, and to be printed in the RERORD, as follows:

On page 61, between lines 13 and 14, insert a new title as follows:

"TITLE V—VETERANS' UNEMPLOYMENT COMPENSATION

"ELIGIBILITY

"SEC. 501. (a) Any person who shall have served in the active military or naval service of the United States at any time after June 27, 1950, and prior to such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress and who shall have been discharged or released from active service under conditions other than dishonorable, after active service of 90 days or more, or by reason of an injury or disability incurred in service in line of duty, shall be entitled, in accordance with the provisions of this title and regulations issued by the Administrator of Veterans' Affairs pursuant thereto, to receive veterans' unemployment compensation as provided herein for each week of unemplyoment, not to exceed the total allowable under section 502, which (1) begins after the ninetieth day after the date of enactment hereof or the ninetieth day after the date of his discharge or release, whichever date is later, and (2) occurs not later than 15 months after such later date: *Provided*, That no such compensation shall be paid for any period for which he receives an education and training allowance under title II: *Provided further* That no veterans' unemployment compensation shall be payable for any week commencing more than 5 years after the date so determined by Presidential proclamation or concurrent resolution of the Congress.

"(b) Such person shall be deemed eligible to receive compensation for any week of unemployment if claim is made for such compensation and the Administrator finds that such person is eligible for a benefit for such week under the unemployment compensation law of the State in which the claim is made or that he would be eligible for such benefit except for his inability to comply with provisions of such law requiring a period of employment as a condition of such eligibility or with the provisions of such law requiring a period of residence in such State as a condition of such eligibility.

"AMOUNT OF ALLOWANCE AND PAYMENT

"SEC. 502. (a) The veterans' unemployment compensation for a week shall be an amount equal to the maximum benefit which may be paid to a person eligible therefor under the unemployment compensation law of the State in which the veteran resided immediately prior to his entrance into the active military or naval service.

"(b) The number of weeks of compensation to which each eligible veteran shall be entitled shall be the maximum number of weeks for which benefits may be paid to a person eligible therefor under the unemployment compensation law of the State in which the veteran resided immediately prior to his entrance into the active military or naval service.

"SEC. 503. (a) Veterans' unemployment compensation shall be paid at the intervals prescribed by the unemployment compensation law of the State in which the claim was made: *Provided*, That if none are so prescribed veterans' unemployment compensation shall be paid at such reasonable intervals as may be determined by the Administrator.

"(b) Any compensation remaining unpaid upon the death of a claimant shall not be considered a part of the assets of the estate of the claimant, or liable for the payment of his debts, or subject to any administration of his estate, and the Administrator may make payment thereof to such person or persons he finds most equitably entitled thereto.

"ADJUSTMENT OF DUPLICATE BENEFITS

"SEC. 504. Where compensation is payable to a claimant under this title and where, for the same period, either an allowance or benefit is received under any Federal or State unemployment or disability compensation law, the amount received or accrued from such other source shall be subtracted from the compensation payable under this title (except that this section shall not apply to pension, compensation, or retired pay paid by the Veterans' Administration).

"ADMINISTRATION

"SEC. 505. (a) The Administrator of Veterans' Affairs is authorized to administer this title and shall, insofar as possible, utilize existing facilities and services of Federal and State departments or agencies on the basis of mutual agreements with such departments or agencies. Such agreements shall provide for the filing of claims for veterans' unemployment compensation with the Administrator through established public employment offices and State unemployment-compensation agencies. Such agencies, through agreement, shall also be utilized in the processing, adjustment, and determination of such claims and the payment of such compensation. To facilitate the carrying out of agreements with State departments or agencies and to assist in the discharge of the Administrator's duties under this title, a representative of the Administrator, who shall be a veteran separated from active service under honorable conditions and who at the time of appointment shall have been a bona fide resident of the State for at least 2 years, shall be located in each participating State department or agency.

"(b) The Administrator, consistent with the provisions of this title, shall prescribe such rules and regulations and require such records and reports as he may find necessary to carry out its purposes: *Provided, however*, That cooperative rules and regulations relating to the performance by Federal or State departments, or agencies, of functions under agreements made therewith may be made by the Administrator after consultation and advisement with representatives of such departments or agencies.

"(c) The Administrator may delegate to any officer or employee of his own or of any cooperating department or agency of any State such of his powers and duties, except that of prescribing rules and regulations, as the Administrator may consider necessary and proper to carry out the purposes of this title.

"(d) Veterans' unemployment compensation paid by the cooperating State agencies shall be repaid upon certification by the Administrator. The Secretary of the Treasury, through the Division of Disbursement of the Treasury, and without the necessity of audit and settlement by the General Accounting Office, shall pay monthly to the departments, agencies, or individuals designated, the amounts so certified.

"(e) The Administrator shall from time to time certify to the Secretary of the Treasury for payment in advance or otherwise such sums as he estimates to be necessary to compensate any Federal department or agency for its administrative expenses under this title. Such sums shall cover periods of no longer than 6 months.

"(f) The Administrator shall also from time to time certify to the Secretary of Labor such State departments or agencies as may be participating in the administration of this title, and the amount of the administrative expense incurred or to be incurred by a State under agreements made pursuant to this section. Upon such certification the Secretary of Labor shall certify such amount to the Secretary of the Treasury, in addition to the amount, if any, payable by the Secretary of Labor under the provisions of section 302 (a) of the Social Security Act, as amended, and the additional amount so certified shall be paid to each State by the Secretary of the Treasury out of the appropriation for the Veterans' Administration.

"(g) Any money paid to any cooperating agency or person, which is not used for the purpose for which it was paid shall, upon termination of the period covered by such payment or the agreement with such agency or person, be returned to the Treasury and credited to the current appropriation for carrying out the purpose of this title, or, if returned after the expiration of period covered by this title, shall be covered into the Treasury as miscellaneous receipts.

"SEC. 506. (a) No person designated by the Administrator as a certifying officer shall, in the absence of gross negligence, or intent to defraud the United States, be liable with respect to the payment of any veterans' unemployment compensation certified by him under this title.

"(b) No disbursing officer shall, in the absence of gross negligence, or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated by the Administrator.

"SEC. 507. Any claimant whose claim for veterans' unemployment compensation has been denied shall be entitled to a fair hearing before an impartial tribunal of the State agency or such other agency as may be designated by the Administrator. The representative of the Administrator located in each State shall be the final appellate authority in regard to contested claims arising in such State, subject to review by the Administrator.

"DECISIONS AND PROCEDURES

"SEC. 508. The authority to issue subpenas and provisions for invoking aid of the courts of the United States in case of disobedience thereto, to make investigations, and to administer oaths, as contained in title III of the act of June 29, 1936 (49 Stat. 2033–34; U. S. C., title 38, secs. 131–133), shall be applicable in the administration of this title.

"PENALTIES

"SEC. 509. Any claimant who knowingly accepts veterans' unemployment compensation to which he is not entitled shall be

ineligible to receive any further compensation under this title.

"SEC. 510. (a) Whoever, for the purpose of causing an increase in any veterans' unemployment compensation authorized under this title, or for the purpose of causing any compensation to be paid where none is authorized under this title, shall make or cause to be made any false statement or representation as to any wages paid or received, or whoever makes or causes to be made any false statement of a material fact in any claim for any compensation under this title, or whoever makes or causes to be made any false statement, representation, affidavit, or document in connection with such claim, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

"(b) Whoever shall obtain or receive any money, check, or compensation under this title, without being entitled thereto and with intent to defraud the United States, shall be punished by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both.

"DEFINITIONS

"SEC. 511. As used in this title—

"(a) The term 'week' means such period or periods of seven consecutive calendar days as may be prescribed in regulations by the Administrator.

"(b) The term 'wages' means all remuneration for services from whatever sources, including commissions and bonuses and the cash value of all remuneration in any medium other than cash."

On page 61, strike out lines 16 to 21, inclusive.

On page 61, line 14, strike out "title V" and insert in lieu thereof "title VI."

On page 68, line 19, strike out "title VI" and insert in lieu thereof "title VII."

Renumber sections 502, 503, 504, 505, 506, 507, 601, and 602 as sections 601, 602, 603, 604, 605, 606, 701, and 702, respectively.

INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENTS—NOTICES OF MOTIONS TO SUSPEND THE RULE

Mr. DOUGLAS. Mr. President, I submit two amendments intended to be proposed by me to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, one of which has appended to it a motion to suspend the rule.

I ask leave to have printed in the RECORD a statement which I submit in connection with the Interior Department appropriation bill, with some suggestions for reductions in appropriations amounting to $31,000,000.

I shall have further amendments ready tomorrow representing further reductions.

The VICE PRESIDENT. The amendments will lie on the table and be printed; and, without objection, the statement submitted by the Senator from Illinois will be printed in the RECORD.

The statement submitted by Mr. DOUGLAS is as follows:

STATEMENT OF SENATOR DOUGLAS ON HIS AMENDMENTS TO INTERIOR APPROPRIATION BILL

The first amendment calls for a reduction of $31,000,000 from construction funds of the Bureau of Reclamation. This is approximately the amount by which the Senate committee increased the amounts passed by the House. However, this amendment is not intended to stop the action of the Senate committee and hold to the House figures. I believe reductions can easily be made in many items approved by the House.

Briefly, the $31,000,000 reduction could be made as follows: $16,000,000 by slowing up construction on the irrigation and water supply feature of projects, and $15,000,000 by eliminating the 10 new projects added by the Senate committee. These 10 new projects have not been approved for appropriation by the budget so I believe we can cut them out without fear of adverse effects on national defense.

The committee report gives a curious justification for adding these 10 new projects, the total cost of which will be $300,000,000. They state:

"The committee has been advised that the projects now under construction will soon be completed, and that if construction is not initiated on additional projects the appropriation requirements in the fiscal year 1958 for those projects under construction will be less than $14,000,000."

"Horrors! Only $14,000 000 in 1959? Quick, before the taxpayer gets spoiled, saddle him down with another $300,000,000 worth of projects." That would seem to be the committee's justification.

My other amendment is aimed at correcting another inequity to the taxpayer. Funds for reclamation construction come from the General Treasury. But the revenues derived from these projects are earmarked into a special reclamation fund for building more projects. That is like a banker who makes a loan on a house with a provision that the repayment is to be used by the homeowner only to make additions to the house, with the banker left holding the bag. What a phenomenal loan. Where, but from the United States Treasury, could anyone get such a deal. Politics is sometimes a lot of fun, but I see no reason for earmarking money that rightfully belongs to the taxpayers for more irrigation projects. The loans should be repaid into the General Treasury.

Douglas amendment reducing reclamation by $31,000,000

Projects where slowdown in irrigation and water-supply construction could be made:

[Millions of dollars]

Project	Committee bill	Amount scheduled for water use	Possible reduction
Gila project, Arizona	5.6	All	1.0
All American Canal, Calif.	1.4	All	1.0
Cachuma project, California	6.3	All	2.0
Central Valley, Calif.	38.8	18.0	4.0
Colorado Big Thompson, Colo.	18.0	7.5	2.0
Columbia Basin project, Washington	20.0	17.0	4.0
Missouri Basin, phase A:			
Bostwick division, Nebraska and Kansas	3.1	All	1.0
Cheyenne division, Angostura unit, South Dakota	1.1	All	.5
Frenchman-Cambridge division, Nebraska	2.0	All	.5
Total			16.0
Amount saved by stopping funds for 10 new projects not authorized by budget			15.0
Total savings, Douglas amendment			31.0

NOTICES OF MOTIONS TO SUSPEND THE RULE

Mr. DOUGLAS submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 17, line 3, immediately after the word "irrigation", insert a colon and the following: *"Provided further,* That no part of this appropriation shall be available for expenditure for or in connection with any reclamation project unless effective provision has been made pursuant to this proviso to cover into the Treasury as miscellaneous receipts all revenues hereafter derived by the United States from such project."

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of the rule XVI for the purpose of proposing to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 6, after line 9, to insert a new paragraph as follows:

" 'The Bonneville Power Administrator,' is hereby added after 'the Administrator of the Rural Electrification Administration,' in subsection (a) of section 5 of the act of October 15, 1949 (Public Law 359, 81st Cong.)."

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 7, after line 2, to insert a new paragraph as follows:

"CONCLUSION

"For construction of access roads on the revested Oregon and California Railroad grant lands; acquisition of rights-of-ways and of existing connecting roads adjacent to such lands; to remain available until expended, $2,750,000: *Provided,* That the amount appropriated herein for road construction shall be transferred to the Bureau of Public Roads, Department of Commerce: *Provided further,* That said sum of $2,750,000 is hereby made a reimbursable charge against the Oregon and California land-grant fund and shall be reimbursed to the general fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II, of the act of August 28, 1937 (50 Stat. 875)."

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 16, in line 16, insert the following: *"Provided further,* That not to exceed $700,000 shall be available toward emergency rehabilitation of the Savage Rapids Dam to be repaid in full under conditions satisfactory to the Secretary of the Interior."

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give no-

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tice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 33, after line 21, insert the following new paragraph:

"Until Congress shall further provide, there is hereby authorized to be appropriated, out of funds in the Treasury of the United States not otherwise appropriated, such sums not to exceed $5,500,000, to supplement local revenues as may be required to enable civilian authorities to continue to carry out the civilian activities which have heretofore been carried out by the Navy: *Provided, however,* That no new activity requiring expenditures of Federal funds shall be initiated without specific prior approval of Congress."

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 39, after line 19, insert the following new section:

"SEC. 110. The Secretary hereafter is authorized without regard to section 505 of the Classification Act of 1949 to place the position of Director, Division of the Budget and Finance, in grade GS–17 in the General Schedule established by the Classification Act of 1949 so long as the position is held by the present incumbent."

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO APPROPRIATION BILL FOR DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY

Mr. McCARRAN submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes the following amendment, namely: On page 24, line 15, after the word "incumbent" insert: "*Provided further,* That the Director of the Federal Bureau of Investigation hereafter is authorized, without regard to the Classification Act of 1949, to place 20 positions in grade GS–16 in the General Schedule established by the Classification Act of 1949."

Mr. McCARRAN also submitted an amendment intended to be proposed by him to House bill 7289, making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. McCARRAN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 31 after line 5 insert:

"SEC. 208. (a) Consent is hereby given to join the United States as a defendant in any suit (1) for the adjudication of rights to the use of water of a river system or other source, or (2) for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange, or otherwise, and the United States is a necessary party to such suit. The United States, when a party to any such suit, shall (1) be deemed to have waived any right to plead that the State laws are inapplicable or that the United States is not amenable thereto by reason of its sovereignty, and (2) shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances: *Provided,* That no judgment for costs shall be entered against the United States in any such suit.

"(b) Summons or other process in any such suit shall be served upon the Attorney General or his designated representative.

"(c) Nothing in this act shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream."

Mr. McCARRAN also submitted an amendment intended to be proposed by him to House bill 7289, making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles, and referred or placed on the calendar, as indicated:

H. R. 7255. An act to amend section 165 (b) of the Internal Revenue Code (relating to employee stock purchase plans); and

H. R. 8270. An act to amend section 112 (n) of the Internal Revenue Code (relating to nonrecognition of gain from sale or exchange of residence) with respect to persons serving on active duty with the Armed Forces of the United States; to the Committee on Finance.

H. R. 7502. An act to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes; placed on the calendar.

NOTICE OF HEARING ON NOMINATION OF ASHTON H. WILLIAMS TO BE UNITED STATES DISTRICT JUDGE, EASTERN DISTRICT OF SOUTH CAROLINA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Tuesday, July 1, 1952, at 10 a. m., in room 424, Senate Office Building, upon the nomination of Ashton H. Williams, of South Carolina, to be United States district judge for the eastern district of South Carolina, vice J. Waties Waring, retired. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. MCCARRAN], chairman, the Senator from North Carolina [Mr. SMITH], and the Senator from New Jersey [Mr. HENDRICKSON].

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. WATKINS:

Biographical sketch of himself, published in the Congressional Quarterly.

By Mr. THYE:

Article entitled "Our Debt to the Land-Grant College," published in the June issue of the Country Gentleman.

CITATION AND AWARD GIVEN TO STUART WILLIAM OBERG, OF MAINE

Mr. BREWSTER. Mr. President, the Attorney General, Mr. James P. McGranery, announced recently the selection by the Department of Justice of two American boys and one American girl to be awarded medals by the United States Government for bravery and outstanding service during 1951. The selections were made under an act of the Eighty-first Congress authorizing the Department of Justice of the United States to award to outstanding, courageous young Americans a medal for heroism, known as the Young American Medal for Bravery, and a medal for service and character, known as the Young American Medal for Service. These awards were made today by the President of the United States, at the White House. I desire to incorporate in the CONGRESSIONAL RECORD the record of a boy from the State of Maine, Stuart William Oberg, who was recognized for his outstanding service in connection with civil defense, and in other activities. I ask unanimous consent that the citation given him and a brief sketch of his activities be incorporated in the RECORD at the close of my remarks.

There being no objection, the citation and sketch were ordered to be printed in the RECORD, as follows:

STUART WILLIAM OBERG

During the year 1951 at the age of 16 years, Stuart William Oberg was very active in civil defense and promoted and advocated a three-point program to this end.

His outstanding service toward his school, his town and his country resulted in his being elected as one of three Hi-Y delegates from the Nation to attend UNESCO. This was done based on his outstanding participation in various public and organization activities.

He received the National Honor Society award for the best record for boys as a freshman at the Stearns High School.

INCIDENTS IN THE LIFE OF STUART WILLIAM OBERG

He was vice president of his class this year and president the sophomore and senior years. He has been a member of the editorial staff of the two school publications

each year. He has been a member of the debating teams all 4 years, and has been entered one or more years in the University of Maine, the Spear, and the Penobscot County speaking contests. He has also represented Stearns for 2 years in the American Legion oratorical contest and won first place for boys in the junior reading held at Stearns. He was a member of the band and orchestra for 2 years. He has represented the school in the State Science Fair contests, last year winning first place in the biology section of the regional contest. He is treasurer of the student council which takes in over $14,000 annually; president of the Masque and Gavel Society; manager of the boys' bowling; and president of his home room.

AWARD OF YOUNG AMERICAN MEDAL FOR BRAVERY TO PARKER EDWARD STRATT, OF FLORIDA

Mr. HOLLAND. Mr. President, the two Senators from Florida and the Representative from the Miami district [Mr. LANTAFF] also had the honor of being present at the award ceremony at the White House this morning which has just been mentioned by the distinguished Senator from Maine [Mr. BREWSTER].

A young boy, 10 or 11 years of age, from Coral Gables, Fla., which is just outside Miami, was presented one of the two Young American Medals For Bravery, which were awarded on this occasion, the first one at which any such medals have been presented. That boy, Mr. President, a Boy Scout named Parker Edward Stratt, is the source of a great deal of pride to the people of our State and to our congressional delegation, and I should like at this time to have the privilege of inserting as part of my remarks the citation given to him.

Briefly, this boy saw a little girl who was seized by an alligator, which was quite a sizable one, being 91 inches long—much larger than the boy. The little girl was dragged into the pool and under the water. The boy went right after the alligator. He took hold of the little girl and, by his own strength and courage, wrested the child, who was very badly hurt, away from the alligator. To my mind, it was an outstanding instance of bravery, and, of course, we of Florida are proud that the boy happens to be a Floridian. We are sure that this incident will be inspiring to the thousands of youngsters in every State in the Union who would risk their lives and exemplify their courage and devotion in a like manner on an occasion of that kind.

I ask unanimous consent to have printed in the RECORD at this point the citation in recognition of the action of Parker Edward Stratt.

There being no objection, the official citation was ordered to be printed in the RECORD, as follows:

PARKER EDWARD STRATT

On September 16, 1951, at Coral Gables, Fla., Parker Stratt risked his own life to save a 9-year-old girl, Gerry Gustafson. She was at the edge of Southeast LeJeune Rockpit, known as Lake Louise, when she was attacked by a huge savage alligator and dragged violently into and under the water. She was in grave danger of being drowned or mauled to death by the 7-foot alligator's jaws when Parker, then 10 years old, seized her and pulled her from the water up the bank out of reach of the reptile.

AWARD OF MEDAL FOR BRAVERY TO MISS MARGARET GALASSI, OF ILLINOIS

Mr. DOUGLAS. Mr. President, in the rose garden of the White House today, the President of the United States awarded a medal for bravery to a heroic young woman, Miss Margaret Galassi, of Springfield, Ill. We of Illinois, and, indeed, of the whole country, are very proud of her. I should like to read into the CONGRESSIONAL RECORD, to be printed at the appropriate point, the following citation:

On November 4, 1951, in the absence of Mr. and Mrs. Charles Pitt, their four-room farmhouse near Buffalo, Ill., caught fire which endangered the lives of their seven children, ranging from 14 months to 12 years of age. Margaret Galassi, who was baby sitting at that time, removed all of the seven children to safety, returning to the burning building twice to bring the remaining two out of danger, thus saving all their lives. The home was burned to the ground.

PROPOSED ESTABLISHMENT OF A JOINT COMMITTEE ON THE BUDGET

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks an editorial entitled "A Bill That Should Pass," published in the Wall Street Journal of June 24, 1952. It has reference to Senate bill 913, to create a Joint Committee on the Budget, and also to the companion House bill introduced by Representative COLMER, of Mississippi, which is designed to accomplish the same objective.

It is very gratifying that the House Rules Committee has reported the Colmer bill. The prospects are reasonably favorable that the House will take action on it during the present session of Congress. We are hopeful that the bill will be passed. I do not think there is sufficient difference between the two bills to cause any serious disagreement in conference. I am certain that the differences can be adjusted satisfactorily, and I trust that the bill can be enacted into law at this session.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. WILEY. Is the Colmer bill similar to the bill which was sponsored in the Senate by the Senator from Arkansas?

Mr. McCLELLAN. The two bills are almost identical. There is very little difference between them. There are a few minor differences, but basically and fundamentally the bills are substantially the same. As I indicated a moment ago there are no differences that cannot be adjusted in conference.

Mr. WILEY. I hope that the editorial will assist in getting the bill through the Congress.

Mr. McCLELLAN. I thank the Senator from Wisconsin.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BILL THAT SHOULD PASS

The other day the Rules Committee of the House of Representatives approved a bill which could easily prove the most important accomplishment of this session of Congress—or of many preceding sessions for that matter.

The bill would set up a House-Senate committee which would be active both during congressional sessions and during the time Congress was in recess. The committee would have a staff of full-time special investigators. With the assistance of these it would analyze executive spending plans; it would be a legislative budget bureau working with and checking the Bureau of the Budget, which reports to the executive.

The House bill is known as the Colmer bill, having been sponsored by Representative COLMER of Mississippi, a leading advocate of economy. The Senate already has passed a similar bill known as the McClellan bill, sponsored by Senator MCCLELLAN, of Arkansas. There are differences between the two measures but their fundamental purpose is the same and if the House acts, these differences should be adjusted without too much difficulty.

At the beginning of each session Congress is given what is called the budget. It is a book resembling the New York telephone directory in weight and size. It contains the details of what executive departments wish Congress to appropriate and for what purposes. This imposing volume is made up by the Bureau of the Budget which works on it continuously.

When Government spending was a fraction of its present figure and when Government affairs were less intricate than now, it was possible for the Appropriations Committees of House and Senate to look into this so-called budget and find out something about how it was made up and to form judgment as to the appropriations it suggested.

That is true no longer. Bureaus and activities have multiplied. Those pressing for appropriations accumulate the ammunition to justify them. Anyone who attempts to cut them is likely to be met by arguments which he finds difficulty in answering; he becomes that horrible thing, a wielder of the "meat ax."

The result is that while Congress nominally retains the power of the purse, it finds itself without the information to use that power; it is like a man trying to run a machine when he is ignorant of its construction.

The Colmer and McClellan bills seek to remedy the congressional weakness by creating an agency responsible to Congress, which will be constantly in touch with the construction of the budget and which will always have at hand information as to its ingredients.

These are days when promises of economy in Government seem to leap out of every third newspaper headline.

What happens to this proposal between now and the adjournment of Congress will be a test of the sincerity of those promises.

TARIFF ON TUNA FISH

The Senate resumed the consideration of the bill (H. R. 5693) to amend the Tariff Act of 1930, so as to impose certain duties upon the importation of tuna fish, and for other purposes.

Mr. McFARLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Dworshak	George
Brewster	Eastland	Hayden
Bridges	Ferguson	Hendrickson
Case	Flanders	Hickenlooper
Connally	Frear	Ives

Johnson, Tex.	McKellar	Sparkman
Johnston, S. C.	Mundt	Stennis
Kilgore	Neely	Watkins
Knowland	Saltonstall	Welker
Maybank	Schoeppel	Wiley
McCarran	Smith, Maine	Williams
McClellan	Smith, N. J.	
McFarland	Smith, N. C.	

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Maryland [Mr. O'CONOR] is absent on official business.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] and the Senators from Pennsylvania [Mr. MARTIN and Mr. DUFF] are absent on official business.

The Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The PRESIDING OFFICER (Mr. SMITH of North Carolina in the chair). A quorum is not present.

Mr. MCFARLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ANDERSON, Mr. BENNETT, Mr. BENTON, Mr. BRICKER, Mr. BUTLER of Maryland, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CAIN, Mr. CAPEHART, Mr. CLEMENTS, Mr. CORDON, Mr. DIRKSEN, Mr. DOUGLAS, Mr. ECTON, Mr. ELLENDER, Mr. FULBRIGHT, Mr. GILLETTE, Mr. GREEN, Mr. HENNINGS, Mr. HILL, Mr. HOEY, Mr. HOLLAND, Mr. HUMPHREY, Mr. HUNT, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KEM, Mr. KERR, Mr. LEHMAN, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MCCARTHY, Mr. MILLIKIN, Mr. MONRONEY, Mr. MOODY, Mr. MORSE, Mr. MURRAY, Mr. NIXON, Mr. O'MAHONEY, Mr. PASTORE, Mr. ROBERTSON, Mr. SEATON, Mr. SMATHERS, Mr. THYE, Mr. TOBEY, and Mr. UNDERWOOD entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. GEORGE. Mr. President, the Senate Finance Committee, by majority vote, reported favorably, without amendment, House bill 5693, the bill which is now before the Senate. A report accompanies the bill.

I shall state briefly the facts in the case, and other Senators, who are more directly affected by it and who have been active in behalf of the passage of the bill, will take over the debate in the Senate.

Tuna fish, fresh or frozen, whether or not packed in ice, and whether or not whole, is now free of duty. It is the purpose of this bill to impose a tariff on tuna fish, fresh or frozen, of 3 cents a pound, or $60 a short ton, to become effective, 30 days after the enactment of the bill.

Under the present law, tuna fish, fresh or frozen, is not dutiable, as I have just stated, and this free status has not been bound in any existing foreign-trade agreement. Therefore, consideration and passage of this bill would not in any way impinge or interfere with any of the trade-agreement acts now in effect. Tuna canned in oil was dutiable at 30 percent under the Tariff Act of 1930, but this rate was raised to 45 percent in January 1934 when a cost-of-production investigation by the Tariff Commission indicated that such an increase in the duty was necessary in order to equalize costs of production in the United States with those of the principal competing countries. This 45-percent rate was reduced to 22½ percent in the 1943 trade agreement with Mexico, but the termination of that agreement at the end of 1950 automatically restored the duty to the 45-percent level, which exists today.

Following the restoration of the 45-percent rate of duty on tuna canned in oil, imports of tuna canned in brine increased rapidly. Tuna canned in brine was dutiable at 25 percent under the Tariff Act of 1930. This was reduced to 12½ percent in the trade agreement with Iceland, effective in November 1943. It is a rather peculiar incident. Iceland cans no tuna for shipment abroad, but a provision in the Iceland treaty relating to certain species of ground fish was held to include tuna, so that the duty on tuna canned in brine was reduced to 12½ percent in the Trade Agreement Act with Iceland.

The United States Tariff Commission is now conducting an investigation under the escape clause relative to tuna canned in brine, but that Commission has not, so far as I am advised, made its report. At any rate, Mr. President, this bill does not deal with tuna canned in oil or tuna canned in brine. It simply imposes a duty of 3 cents a pound on tuna fish, fresh or frozen, which is a nondutiable article at this time.

The testimony before the Finance Committee indicated that the tuna fish industry on the west coast was in great distress. The committee learned from the testimony that between 25,000 and 30,000 persons were engaged directly in tuna fishing and canning. A large fleet of boats on the west coast is engaged regularly in tuna fishing.

The committee recommended the passage of the bill, as I have already stated, and also called for an investigation by the Tariff Commission and by another agency of Government, and for a report by January 1, 1953, on the tuna industry and on the rate of duty imposed by this bill.

The bill itself provides that it shall expire on March 31, 1953. Therefore, the bill operates for a very limited period of time.

I see on the floor, Mr. President, the distinguished senior Senator from California [Mr. KNOWLAND] who, I believe, was one of the coauthors of the bill, although this particular bill came from the House of Representatives and is in the same form in which it came to the Senate.

Mr. GREEN. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. GREEN. I understand that if this bill is passed there must be an investigation to justify it. Would it not be more logical to have the investigation first, and then to pass the bill?

Mr. GEORGE. No; the Senator is incorrect. The bill does provide for an investigation, but the passage of the bill is not contingent upon that investigation. The bill itself does call for an investigation, and an investigation is now going on before the Tariff Commission. But that investigation relates to tuna packed in brine, and not to fresh and frozen tuna. The bill applies only to fresh and frozen tuna.

Mr. GREEN. I understand that it is not made contingent, but that it provides, first, for the imposition of a tariff, and, later, for an investigation. Is not that correct?

Mr. GEORGE. It does direct the Tariff Commission to make an investigation and the Secretary of the Interior to make a long-range study.

Mr. TOBEY. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. TOBEY. Did the Senator from Georgia refer to tuna packed in rye or in brine? Is it rye—r-y-e?

Mr. GEORGE. It begins with a "b"—brine—although I think tuna packed in rye would be a very popular food product.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. BUTLER of Maryland. I had understood the bill was designed to take care of a situation affecting the tuna fishing industry on the west coast during the interim until a tariff study had been made.

Mr. GEORGE. In part, I suppose that is true, but the hearing before the Tariff Commission was in progress at the time of consideration of the bill by the Senate Finance Committee. It may have been undertaken before the House passed its bill originally; I am not sure.

Mr. BUTLER of Maryland. Did the Senator from Georgia have before his committee during the course of the hearings any testimony in connection with the tuna industry on the east coast?

Mr. GEORGE. Yes, there were witnesses who appeared on behalf of the east-coast tuna industry, and they generally opposed the bill. My recollection is that the distinguished Senator from Maryland himself appeared before the committee.

Mr. BUTLER of Maryland. I did. I believe I pointed out to the committee at that time that on the east coast there is an infant tuna industry, which the bill would completely ruin. The fish come into eastern ports frozen, and can be handled by packing plants at times when they are not busy with other kinds of packs, such as vegetables. The tuna fish can be held in their frozen condition, and when the other work of the canneries is slack, they can turn to tuna packing. The tuna fishing industry is a very thriving and growing industry in Maryland

and elsewhere along the east coast generally, and the bill will most certainly ruin the industry.

Mr. GEORGE. I would not agree that the bill would ruin the industry; but the Senator is quite right in saying that east-coast canners appeared in opposition to the bill, and made a very strong statement to the committee.

Mr. BUTLER of Maryland. What I wanted to point out to the Senator and to the Senate generally was that the bill appears to be one that will tide over the west-coast industry, but at the same time will very materially damage the east-coast industry handling the same product.

Mr. KNOWLAND. Mr. President, will the Senator from Georgia yield at that point?

Mr. GEORGE. I shall be glad to yield the floor.

Mr. KNOWLAND. No; I should like to join in the colloquy.

Is it not a fact that when the east-coast industry, or the industry throughout the country, for that matter, has packed tuna, the tuna-packing industry is then protected from destruction by the tariff?

Mr. BUTLER of Maryland. Yes; that is true.

Mr. KNOWLAND. The tuna fishermen of my State of California happen to account for about 75 percent of the tuna which are caught in the United States, by American fishermen, but, in addition to that, I think they process about 90 percent of the pack.

What we are pointing out is that the fishermen who go down to the sea in ships for their livelihood, and are involved deeply in this situation, should be given some protection on a temporary basis—which will last only until April 1 of next year—so as to keep the entire industry from being destroyed. They are asking only to receive a measure of the protection which the east-coast canners have at the present time, in order to prevent their industry from being destroyed.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Georgia yield, so that I may bring out a point?

Mr. GEORGE. I yield.

Mr. BUTLER of Maryland. The bill, as I understand, will bring reprisals from our neighbors to the south, and at the same time will damage or destroy the infant tuna industry on the east coast which is destined to become quite a large industry. It seems to me that the bill should not be passed until, as the Senator from Rhode Island [Mr. GREEN], has suggested, the Tariff Commission has made its study, and action can be taken without hurting anyone.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GEORGE. I yield the floor.

Mr. FULBRIGHT. I should like to ask the Senator one or two questions. What has been the source of most of the tuna imported during recent years?

Mr. GEORGE. The fresh and frozen tuna imported in recent years has come from Japan. I read from the report, as follows:

The importation of fresh or frozen tuna prior to World War II reached a peak of 15,000,000 pounds. Since Japan was the principal source, imports were much smaller during the war years, but following the war, shipments from foreign sources began to increase and by 1949 amounted to over 20,000,000 pounds. They increased very sharply to 57,000,000 pounds in 1950, and to over 75,000,000 pounds in 1951.

During the last 2 years Japan has supplied about 45 to 50 percent and Peru about 20 percent of the imports. A large part of the balance came from the Canal Zone and Costa Rica.

Mr. FULBRIGHT. Approximately how many fishermen in California are involved in the tuna-fishing business?

Mr. GEORGE. The committee was advised that between 25,000 and 30,000 persons in California were engaged directly in fishing for and in canning tuna. The canning of tuna is a big industry on the California coast and along the west coast. The number of fishing boats and the number of fishermen on those boats was variously estimated before the committee, but I do not now recall the exact number employed.

Mr. FULBRIGHT. Did the importation of tuna from Japan supply Japan with any dollar exchange by which she paid for any other articles she bought in this country?

Mr. GEORGE. Beyond all doubt because, since World War II, tuna exports have really constituted the second largest source of Japanese trade.

Mr. FULBRIGHT. The effect of the bill would be to exclude any Japanese imports, would it not?

Mr. GEORGE. I do not think a tariff of 3 cents a pound would exclude imports.

Mr. FULBRIGHT. What is the wholesale price of tuna fish?

Mr. GEORGE. It varies. Perhaps the Senator from California can better answer the question.

Mr. FULBRIGHT. Three cents a pound is a fairly substantial percentage of the price, is it not?

Mr. GEORGE. A tariff of 3 cents a pound, or $60 a ton, is proposed by the bill. I believe the price of tuna went up probably to $300 or $400 a ton, so $60 a ton is, of course, a percentage of that amount. I do not believe the tariff is prohibitory.

Mr. FULBRIGHT. Is the purpose of the bill to keep imported tuna from coming in or is the tariff for revenue purposes?

Mr. GEORGE. No; it is not a tariff for revenue purposes; it is a tariff to give some protection to the tuna industry on the west coast.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. BUTLER of Maryland. Is it not true that the tariff will provide great protection to the west-coast industry, but that, at the same time, it will put out of employment all those engaged in the industry on the east coast?

Mr. GEORGE. I am not able to answer that question, I will say frankly to the Senator. I do not think it would put them out of business because tuna canning on the east coast is not a continuous process. It is canning that is more or less seasonal and fits in with the canning of other products.

Mr. BUTLER of Maryland. That is true.

Mr. GEORGE. But on the west coast the canners are largely engaged in canning fresh tuna.

Mr. BUTLER of Maryland. But it is also true that Maryland canners could not carry on except by having a fill-in business. It is very vital to the east-coast packing industry.

Mr. GEORGE. There was testimony to that effect.

Mr. BUTLER of Maryland. Passage of the bill could result in ending the employment of a number of east-coast workers merely to protect west-coast workers.

Mr. GEORGE. That was testified to by some witnesses who appeared for east-coast canners.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. FULBRIGHT. If it would have that result in Maryland, by cutting the income of the Japanese, which is used by them to purchase wheat or rice or cotton in this country, we would also be cutting off the sale of agricultural products to one of our big customers, Japan. In other words, this would be another bloc in international trade. That being the greatest problem, it seems to me the whole country would suffer for the benefit of a few fishermen. Will not that be about the net result?

Mr. GEORGE. I do not think the proposed tariff would be an exclusive tariff at all. I think it would restrict imports from Japan, and also Peru, and some other South American countries which are very deeply interested in the industry.

Mr. FULBRIGHT. Was the report of the committee unanimous?

Mr. GEORGE. No; the report was not unanimous. However, a majority of the committee voted to report the bill.

Mr. FULBRIGHT. A bare majority?

Mr. GEORGE. I would not say a bare majority; a majority.

Mr. FULBRIGHT. I do not wish to pursue the question, but did the chairman of the committee himself support the bill?

Mr. BUTLER of Maryland. I was about to ask the very same question. I should like to know the vote in the committee on the bill.

Mr. GEORGE. I do not recall that there was a roll-call vote, and I do not recall that the vote of the committee was published.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. GEORGE. I can answer only for myself.

Mr. BUTLER of Maryland. I suggest to the chairman that inasmuch as the bill is limited in time, expiring as it does by its own terms on March 31, 1953, it shows that the committee was not certain of its ground.

Mr. GEORGE. I cannot answer that. The bill came from the House in the exact form in which it was approved by the Senate committee. We did not amend it. We adopted the program as outlined by the House in this piece of proposed legislation.

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I can answer frankly that I did not favor the bill in committee, but I cannot speak for any other member of the committee.

Mr. FULBRIGHT. That is a very important matter to me. If the chairman did not support the bill in committee, that is very persuasive.

Mr. GEORGE. I wish to make a statement in that connection, Mr. President.

I agreed that those on the west coast who are engaged in tuna fishing—the boatmen, the fishermen themselves, and the canneries—did present a case to the committee which, on the facts disclosed, would seem to justify some relief. That was the view of the entire committee. My view was that there were overriding considerations which made the legislation inadvisable, and therefore I did not support the bill.

I now yield the floor.

Mr. CAIN. Mr. President, will the Senator yield to me before he takes his seat?

Mr. GEORGE. I yield to the Senator from Washington.

Mr. CAIN. With reference to what the distinguished Senator from Maryland [Mr. BUTLER] has said about the termination date, it seems very clear to me, at least, that the bill does acknowledge the serious difficulties in which the tuna industry of the west coast finds itself.

It seems further that the committee is recommending that some reasonable interim relief be provided for the great tuna industry on the west coast, so as to allow the Tariff Commission an opportunity to determine whether or not there is a lasting or better solution of this admittedly complex problem. Was not that the intention in introducing the bill?

Mr. GEORGE. Undoubtedly that is true. However, the bill itself was written by the House committee, or in the House. The Senate committee did not amend the bill. As I have already stated, the committee was of the opinion—and I shared that opinion—that the west-coast tuna industry had made a case which entitled it to some consideration and some relief.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. GEORGE. I yield.

Mr. KNOWLAND. I should like to have the attention of the Senator from Arkansas [Mr. FULBRIGHT]. In connection with the previous colloquy, I refer to page 6 of the Senate committee report. On that page there is to be found a table entitled "Tuna Fish: Quantity Canned in the United States, by Areas, in 1950 and 1951."

Giving the 1951 figures, the quantity for the Atlantic coast was 189,900 cases; for Washington and Oregon on the Pacific coast, 645,232 cases; for California, 7,454,315 cases, or a total canning of 8,289,537 cases.

In answer to the Senator's inquiry as to what this represented in the way of total trade with Japan, let me say that at a later date I wish to discuss that subject, because I think no Member of the Senate has been made concerned with the problems of the Far East and more desirous of helping the people of the Far East to meet their problems than have I. However, the fact of the matter is that so far as trade with the United States is concerned, general imports from Japan amounted to $115,200,000. Tuna and fish, including shellfish, amounted to $5,100,000; tuna, frozen, in cans, to $2,200,000; and tuna, fresh or frozen, to $1,500,000.

Mr. GEORGE. I yield the floor.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILEY. Mr. President, I am not unmindful of the issue which has suddenly arisen, although previously I have not been very much interested. I wish to state a few general principles.

My theory is that the American producer is entitled primarily to the American market. That does not mean that we should build barriers. It does mean that we must think in terms of employment of our people. Where are we to get the tax money with which to operate the Government? How are we to carry on in general if we are to take from the American producer the market which is his? That question applies to manufacturing; it applies to farming; it applies to fishing; it applies generally. Because of our high standard of living, naturally, in terms of cost production, our products, except in a few unusual cases, cost more to produce than similar products can be produced abroad. As I have said, we must think in terms of keeping our people employed.

There seems to be an issue, and I should like to ask the Senator from Maryland a few questions.

The Senator from Maryland stated that a tariff of 3 cents a pound would put the industry in the East out of business. It seems to me that that is a conclusion. Has the Senator any definite figures to support that statement?

Mr. BUTLER of Maryland. I think there was testimony before the committee in support of it.

Mr. WILEY. I am not a member of the committee which considered this bill; but I call attention to the fact that a little while ago Senators did not hesitate when the question of Wisconsin cheese was involved in connection with imports from foreign countries. Foreign cheese was being precipitated upon the American market, to be sold in competition with the American product, of which Wisconsin produces between 45 and 50 percent. As a result many of our producers were simply wiped out. Now there is a little fight between the east coast and the west coast. It depends upon whose ox is gored.

I say that we must discuss this subject from the standpoint of principle. Primarily the American producer is entitled to the American market. Of course, the free traders would like to flood the American market with cheap goods and throw our people out of employment. As a result, tax returns would go down and recession and depression would follow. We cannot afford such a situation in the present state of affairs, with the Government needing more than $70,000,000,000 a year in order to operate. So I would like to have definite figures, first, on the question of whether or not a tariff of 3 cents a pound could injure or would injure the industry on the east coast.

It seems to me that tariff rates should be provided to cover the differential, the cost of production between here and abroad in such a way as not to put out of business those who are engaged in the tuna industry. That is a very important consideration, I will say to the Senator from Maryland, with respect to how I shall vote. As I said; I am not a member of the committee and I did not hear the testimony. However, I return to first principles first, namely, that primarily we must protect the American market for the American producer, so that the American producer will not lose what is vital to all of us, namely, employment and production.

Mr. BUTLER of Maryland. As I understand, the pending bill is designed to cover an interim situation. The question has not been studied. We do not know which side is right and which side is wrong. What I am saying is that enactment of the bill would be detrimental to the tuna industry on the east coast. No study has been made and no figures have been submitted with respect to the situation. The figures are now being gathered by the Tariff Commission. I say we should wait until the report of the Tariff Commission is submitted before we undertake to impose this very heavy tariff duty on the industry on the east coast, a duty, which in the opinion of those best qualified to speak, as stated before the committee, would ruin the industry on the east coast.

Mr. WILEY. I understood from the previous statement of the Senator from Maryland that it was the definite conclusion, definitely established, that if we do not give the protection provided by the bill the result will be to put the industry on the west coast out of business.

Mr. BUTLER of Maryland. The Senator from California will certainly go into the situation, but it is not all black and it is not all white. I understand that the west-coast fleet has built up the industry on the west coast to a point which is not justified. They have too many ships, which they cannot operate economically, and therefore must have this protection to keep their fleet in operation. Those facts will come out in the debate. I believe the Senator from Wisconsin should wait and hear all the debate on both sides before coming to a conclusion, rather than coming to a conclusion first and then listening to the debate.

Mr. WILEY. I agree with the Senator from Maryland and one should not form an opinion simply on the preliminary testimony. I have not done so.

Mr. BUTLER of Maryland. I thought the Senator from Wisconsin stated that he had made up his mind as to how he will vote.

Mr. WILEY. I made no such statement.

Mr. BUTLER of Maryland. I thought the Senator had stated how he would vote.

Mr. WILEY. I said that one must apply first principles—and they are fundamental from the standpoint of the Senator from Maryland, as they are from

the standpoint of the Senator from California [Mr. KNOWLAND]—that primarily the American market belongs to the American producers. One must start by getting the facts which apply to a situation, and then draw his conclusions, on the basis of those facts. Such conclusions must be drawn from all the evidence. Therefore, I am calling for facts, not mere conclusions.

Mr. BUTLER of Maryland. The Senator from Wisconsin must realize, of course, that tuna comes into the country in a vastly different form from cheese, because cheese has already been processed.

Mr. WILEY. Not processed. It has been produced.

Mr. BUTLER of Maryland. It comes in ready for sale on the American market. The tuna which comes into the country must be processed by American labor before it is sold on the market.

Mr. MAGNUSON. Mr. President, unfortunately I was not on the floor when the Senator from Maryland was discussing the pending bill. I was tied up in a meeting of the Committee on Interior and Insular Affairs. The committee was holding its last meeting of the session. There is always sufficient interest on the part of some of us in Interior and Insular Affairs to keep the committee busy at its last meeting.

Mr. President, as I see it, this is a very simple problem. The tariff rates on tuna and the reciprocal trade agreements affecting it were all enacted in the 1930's. At that time those who exported tuna to the United States—and Japan was the greatest exporter to the United States of tuna—packed their tuna in oil and in other ways. They did not have the know-how to freeze tuna; nor did they have reefers—refrigerated ships—in which to bring in fresh tuna. The development with respect to shipping frozen and fresh tuna came about since the passage of the original laws. Had the development occurred prior to the enactment of the original laws undoubtedly some sort of protection would have been provided, either by way of a reciprocal trade agreement or by a provision in the original act. I cannot conceive, following the primary objective stated by the distinguished Senator from Wisconsin [Mr. WILEY], and having consideration for the American industry, that we would allow imports completely free from duty.

We have not done any business with Japan for almost 11 or 12 years. Since then the Japanese exporters of tuna have obtained the know-how, mainly from the United States, as to how to freeze tuna, and how to bring in fresh tuna in reefers.

Therefore, Mr. President, we are confronted with a new situation. I appreciate that out of the new situation there have sprung up in the United States, for example, in Maryland, small industries which can tuna.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BUTLER of Maryland. Does the Senator from Washington realize that the report indicates that in 1950 our industry is represented by 87,059 cases, and in the year 1951, by 189,900 cases? If we were given an opportunity to do business, instead of being stifled, we would have a thriving industry.

Mr. MAGNUSON. Does the Senator from Maryland refer to the total tuna catch?

Mr. BUTLER of Maryland. No; to the cases of tuna canned on the Atlantic coast.

Mr. MAGNUSON. I am certain that my colleague from Maryland represents an area which has probably a greater tuna-canning industry than any other part of the Union, with the exception of the west coast. However, it is not conceivable that when the Tariff Commission has concluded its study of the subject it will allow tuna to come in free of duty. The bill would establish a temporary, reasonable, and I think very low tariff on the tuna which is imported, in order to keep the market stabilized during an 8-month period. The canners in Maryland are taking advantage of the situation, and rightly so. But, I may say to the Senator from Maryland that their honeymoon will continue for only another 6 or 7 months in any event, because as soon as a reciprocal trade agreement is entered into with Japan—and such an agreement is now in process of negotiation—there will be established quotas, allotments, or a tariff on fresh and frozen tuna.

I held many hearings in Japan about a year ago. Even the Japanese expect that they cannot continue forever the tuna business as it is now. But in the meantime, the importation of large quantities of tuna from Japan, sometimes not properly allocated over a reasonable, stable period, has wrecked the market, with the result that the Pacific coast tuna fleet is idle.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Washington yield again to me?

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). Does the Senator from Washington yield to the Senator from Maryland?

Mr. MAGNUSON. I yield.

Mr. BUTLER of Maryland. Let me suggest that the California catch can be kept on the west coast, and the east-coast industry can be completely sealed off. The California catch comes in duty free; but on all tuna needed by us over and above our insufficient catch we on the east coast must pay the duty. Therefore, there is that inequality between the east coast and the west coast. I say it is not right, and I say the bill is not a fair one for that reason.

Mr. MAGNUSON. Mr. President, if the Senator from Maryland will look into the economics involved, he will find that although the American west-coast tuna fishermen bring their catch into the docks at San Diego, San Francisco, and Seattle, so that the tuna they catch comes in free, yet the cost of bringing in the tuna is far in excess of the temporary protection proposed to be afforded by this bill; and the canners on the west coast have to pay even more for the American tuna than they pay for the imported tuna.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Washington yield again to me?

Mr. MAGNUSON. I yield.

Mr. BUTLER of Maryland. Does not the Senator from Washington think the way the tuna industry on the west coast has developed and the extravagant manner in which they have built their fleet—in that they have boats much larger than are actually needed and have many more boats than are necessary—have something to do with that cost?

Mr. MAGNUSON. I do not think so.

Mr. BUTLER of Maryland. Why should the east coast pay for that?

Mr. MAGNUSON. I do not think so; and I say to the Senator from Maryland that the east coast is not paying for it. The east coast is getting the advantage of having tuna come in duty free.

Mr. BUTLER of Maryland. The east coast does not get any duty-free tuna. The duty-free tuna is brought into the west coast, where it is corralled and will be kept away from the east coast and will starve out the east-coast industry; therefore, if the east-coast industry is to exist, it must escape this duty.

Mr. MAGNUSON. The tuna which comes in free on the west coast is tuna that is caught by American fishermen. The cost of landing that tuna on the docks or at the canneries is much greater than the protection offered by this bill as against imported tuna. I believe the Senators from California will bear me out in that statement.

So all we are asking for is the temporary protection of a duty of 3 cents, which still will not give the American fisherman who catch tuna anywhere near the advantage the imported tuna has.

We feel that once the Tariff Commission takes up this matter—and it is a comparatively new matter—it probably will provide a tariff of even more than 3 cents, in order to equalize the market. The market has gone off because of the failure in Japan and on the South American coast to have stabilized allocations. In other words, the great bulk of the catch may come in one period, whereas in the following quarter or following period none at all may come in. Fish are strange things; they cannot always be caught at the same time in the year. Sometimes they move around the ocean in different areas.

The reason for the growth of the west-coast tuna fleet is that only during the past 9 years have tuna shown up off that coast in vast quantities. In the past 9 years large quantities of tuna have appeared off the coast of Oregon, Washington, and California. Normally the tuna appeared far to the south—off the coast of Costa Rica and Mexico. That is the reason for the growth of the tuna fleet on the west coast, namely, to take advantage of the recent appearance of tuna in that area.

It also happens that this year the Japanese have encountered the same situation. Sometimes they have a bad season, but it so happens that this year, in their spring season for skip-jack tuna and similar types of tuna, there has been

an unusually good catch off the northern coast of Japan. The result is that the Japanese are loaded with tuna. In the meantime our fleet is anchored, because it cannot compete with the imported tuna. That American industry involves directly the employment of 25,000 or 26,000 men, and probably double that number in the case of indirect employment.

Mr. President, I believe this matter will eventually be taken care of by means of a reciprocal trade agreement. I endorse that method of handling it; I do not bow to anyone in my support of reciprocal trade agreements.

Mr. BUTLER of Maryland. Does not the Senator from Washington think we should wait until we have a report from the Tariff Commission before acting on this bill?

Mr. MAGNUSON. Let me tell the Senator about that. First let me ask him whether he has ever had a case before the Tariff Commission?

Mr. BUTLER of Maryland. No, I am sorry to say that I have not.

Mr. MAGNUSON. If the Senator from Maryland ever has a case before the Tariff Commission, I venture the assertion that it will be a year or longer before he will even obtain one decision there, and then he will have to wait until three or four more steps have been taken.

In the meantime we are faced with this problem. We do not like to suggest a tariff on anything. It is particularly difficult for a good Democrat like myself to make such a suggestion. On the other hand, I do not know what else we can do about the matter in the meantime. The tariff will be imposed for only 7 or 8 months, and by means of this measure we shall do something which should have been done long ago, namely, direct the Tariff Commission to study the question and submit a report and finding. This will be the first time anyone has ever poked the Tariff Commission with a sharp stick, so that it will get busy. [Laughter.]

Mr. LEHMAN. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. LEHMAN. I am sorry to disagree with my very much respected colleague from Washington. Earlier today I heard the Senator from Wisconsin say that the question involved in this matter is not one of a dispute between the east coast and the west coast, but is one of principle. I agree with him that it is one of principle. I am not interested in the dispute between the east coast and the west coast—between Maryland, California, and Washington; but I am interested in the principle under which we have been working in an endeavor to develop and maintain trade relations with foreign countries that will cooperate with us.

Mr. MAGNUSON. Mr. President, is the Senator from New York asking me a question?

Mr. LEHMAN. No.

Mr. MAGNUSON. I have not concluded.

Mr. LEHMAN. I should have asked whether the Senator from Washington would permit me to make an observation at this point. It will not take me more than a minute to do so.

Mr. MAGNUSON. Very well.

Mr. LEHMAN. Certainly this bill proposes a step backward, a step to handicap and hinder trade relationships with other countries, and to place a barrier or curtain between us.

It seems to me that we already have machinery by which to determine whether a tariff should be imposed in this case.

Mr. MAGNUSON. Mr. President, I wish to interrupt at this point the observation the Senator from New York has been making. It is true that we do have machinery for this purpose; there is no question about that. However, I would almost guarantee that it would be from 1 year to 18 months or 24 months before a decision would be made. The passage of this bill would not result in placing an iron curtain between the two countries. This situation is a comparatively new one which has developed since the war. If it had existed prior to the war, it would already have been taken care of. It will be taken care of if we make a reciprocal trade agreement with Japan as I hope we shall do soon; and we are in process of working out the preliminary negotiation. The Japanese themselves to do not expect to have "a free ride" in this matter.

Mr. LEHMAN. Mr. President, will the Senator from Washington yield for a question?

Mr. MAGNUSON. I yield.

Mr. LEHMAN. I wish to ask this question of the Senator from Washington: With the exception of an increase in the duty on cheese, which was tacked onto the Defense Production Act, have there been many, if any, tariff increases in cases in which the Congress on its own initiative has raised the tariff?

Mr. MAGNUSON. That has been done in many cases.

Mr. LEHMAN. Has it been done in many cases during the past few years?

Mr. MAGNUSON. Oh, yes; in many cases.

Mr. LEHMAN. Can the Senator from Washington mention one?

Mr. MAGNUSON. I shall mention one which involved a similar situation which had developed to be in the nature of an emergency, at which time probably the greatest advocate of reciprocal trade agreements agreed with us that it was a special case, and agreed that an allotment should be made in connection with the importation of shingles into the United States. I took part in that matter. He agreed that an iron-clad rule which would apply without exception to everything could not properly be laid down, but that once in a while emergencies such as this one arise and might have a most serious and damaging effect on American industry—so much so in the present case that even the foreign importers know that there will have to be some give and take about this matter, and that it must develop into something of a two-way street, when our Tariff Commission gets to it. On the other hand, our Tariff Commission has not had a chance to get to it.

All we ask is that for the next 7 months the Tariff Commission do its job—which probably it should have done long ago—and in the meantime we shall make some progress along the road toward reaching a reciprocal trade agreement.

Mr. LEHMAN. Mr. President, will the Senator from Washington yield further to me?

Mr. MAGNUSON. I yield.

Mr. LEHMAN. I ask this question with the greatest respect: On what is the Senator from Washington basing his definite assertion that (a) a duty of 3 cents is necessary, and (b) that if Congress does not take emergency action at this time, as the Senator from Washington has stated, he is certain that the Tariff Commission will, on its own volition, raise the duty? It seems to me that is pure speculation. I think the Senator will agree with me that the Congress of the United States is not the proper agency to concern itself with, and take action in, the matter of tariffs. If we were to start to do that, we should be taking action with regard to watches, shoes, clothing, coffee, and one thousand and one other things. We would break down the entire machinery of tariff consideration and tariff making, it seems to me.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. MAGNUSON. In a moment. I want to answer the Senator from New York. I am one who, for 16 years in Congress, in the House and Senate, has supported to the utmost the theory of reciprocal trade.

Mr. LEHMAN. I know that.

Mr. MAGNUSON. I agree that if we were to open up this matter, it would prove to be the opening of a Pandora's box. But this bill does not propose to open up the matter on a permanent basis. We are not opening up a matter which represents a normal exchange of business. It is not opening up a matter which we have heretofore had before us, with respect to raising or lowering tariffs. We are speaking of things on which there are no tariffs. We must do something about the matter, and we know that we are going to do something about it. I do not know about the Peruvian situation, and I do not speak for the Japanese, but my assumption is, and the facts and figures will support it, that the Japanese themselves do not expect that tuna will continue to come into the United States scot-free.

Mr. BUTLER of Maryland and Mr MILLIKIN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield, and if so, to whom?

Mr. MAGNUSON. I shall yield in a moment to the Senator from Colorado, since he was first on his feet. This is a temporary bill. Furthermore, it is something we have done on many previous occasions. As I recall, we did it once in an emergency situation connected with tung oil for the purpose of developing our own tung oil in the State of Mississippi. We have done it on many previous occasions—certainly we have done it on a few occasions. I remember that

I once presided at a hearing on the subject of shingles. We did not want to impose or to ask for an allotment. There is machinery in existence for this purpose, though it takes an endless amount of time, usually resulting in our locking the door after the horse has been stolen.

Mr. LEHMAN. Mr. President, I am very fearful that, to use the Senator's own words, by passing this bill we shall be opening a Pandora's box, and that there will be no limit.

Mr. MAGNUSON. That has not been the case in the past.

Mr. LEHMAN. We have not passed much tariff legislation.

Mr. MAGNUSON. We have merely taken isolated instances of this sort. We have not at all violated general principles or impaired the principles of reciprocity or of reciprocal trade agreements.

Mr. MILLIKIN and Mr. BUTLER of Maryland addressed the chair.

Mr. MAGNUSON. I yield first to the Senator from Colorado.

Mr. MILLIKIN. The distinguished junior Senator from New York made a statement a while ago which I think should be corrected. I do not believe it was a statement that he would want to make advisedly; first, that we should not be working with tariff matters in the Senate. The making of tariffs is within the exclusive constitutional jurisdiction of the Congress. We may delegate certain administrative functions, and we have done so for the making of reciprocal trade agreements. But the reason we are dealing with this subject at this time is that when we started on the reciprocal trade agreements there was no shipment of raw frozen tuna and raw tuna in brine into this country. It was and is on the free list under our tariff law. Importation of raw frozen tuna and tuna in brine is a new development, as the Senator has pointed out. It is not covered by a reciprocal trade agreement. That is what imposes upon the Congress the necessity for dealing with it.

Mr. LEHMAN. May I answer that?

Mr. MILLIKIN. Yes.

Mr. MAGNUSON. Just a moment, Mr. President, I have the floor. I want to add a word further. If we were to enter into a reciprocal trade agreement with Japan, on this subject, I would have no objection at all. But we are dealing with an unusual and a unique situation.

Mr. LEHMAN. Mr. President, will the Senator yield, simply in order that I may reply to the statement of the Senator from Colorado?

Mr. MAGNUSON. I ask unanimous consent that I may yield for that purpose, without losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LEHMAN. I recognize, of course, that Congress has full authority and power to pass on tariff matters, as it has on almost everything else. But what I should have said—and I apologize for not having made it a little more specific in my remarks—is that, so far as I know, the Congress of the United States has, on very few, if any, occasions, concerned itself with legislation dealing with the subject of a specific tariff on a specific item. I do not know of any such occasion whatever.

Mr. MILLIKIN. Mr. President, will the Senator from Washington yield, that I may answer the statement of the Senator from New York?

Mr. MAGNUSON. I ask unanimous consent that I may yield for that purpose, without losing the floor. Incidentally, there was legislation on the subject of shingles.

Mr. LEHMAN. Yes. That involved an allocation.

Mr. MILLIKIN Since the inauguration of the reciprocal trade system, many items have been covered by it. In instances where we do not cover an item under that system, there is no alternative but for the Congress to deal with it as we are dealing with this—that is, if it needs to be dealt with.

Mr. CAIN. Mr. President, will the Senator yield briefly?

Mr. MAGNUSON. I yield to my colleague.

Mr. CAIN. I know that our friend, the Senator from Maryland, does not seek to inflict further injury and suffering on an important segment of our economy. I feel that he is uninformed, or perhaps misinformed about certain matters concerning size and scope and importance, as they relate to the tuna industry on the west coast. My question to my colleague is this: If the reasonable and temporary relief recommended and provided in the bill reported by the Senate Finance Committee were not agreed to, will my colleague explain in reasonable detail the probable future consequences on the west coast tuna industry?

Mr. MAGNUSON. I think if we were to wait for the matter to go through the normal processes, or were to wait for the signing of a reciprocal trade agreement with Japan, it would require a great deal of negotiation, because such an agreement involves all kinds of items, not only tuna, but canned goods, and many manufactured articles. The tuna fleet has now been laid up—the Senator from California can say for how many months. To my knowledge, it was laid up last September, for I saw it, and it has been laid up practically continuously since that time. The fishermen work on a small margin of profit. Most of their boats are mortgaged. It is true they had made some effort to expand. The fisherman is like others of us who buy too much tackle for the fish we catch.

Mr. CAIN. Will the Senator kindly tell us at that point what is to happen to the ordinary seaman who has heretofore been employed in the tuna fleet?

Mr. MAGNUSON. He will wander away and will find another job. Most of the ship owners have monthly payments to make on the mortgages upon their ships. I think the result would be disastrous to this west coast industry.

Mr. CAIN. Then the Senator is suggesting, in a most realistic and sincere fashion, that there is a cause to believe that the tuna industry will be liquidated if reasonable relief is not granted soon. Is that correct?

Mr. MAGNUSON. It surely will be liquidated, in the main. Only those who are financially sound can withstand the delay in awaiting action by the Tariff Commission.

I also desire to point out that this bill may not even be in effect for 8 months, because it is specifically provided in the bill that the report by the Tariff Commission shall be made to the Congress on or before January 1. There is no reason why the Tariff Commission cannot make a report within 90 or 120 days. We could then go ahead, in the light of the facts, and determine the procedure to be followed.

Mr. NIXON and Mr. KNOWLAND addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield, and if so, to whom?

Mr. MAGNUSON. I am willing to yield the floor.

Mr. KNOWLAND. No.

Mr. MAGNUSON. I yield first to the junior Senator from California.

Mr. NIXON. Mr. President, I think the Senator from Washington has made a very persuasive statement. I have noted in several instances that the question has been asked him. Why, if this bill is to last for only 9 months, we cannot wait during those 9 months, until the Tariff Commission acts, or until the reciprocal trade agreement is made between Japan and the United States. I think possibly many of the Members on the floor may have been misled, to some extent, by the constant reference to the tuna industry. If we were here considering conditions affecting a great industry owned by a few large corporations heavily capitalized, a delay of 7 or 9 or 12 or 18 months might not, in the long run, be too detrimental, because they would be able to use their capital, and finally, when arrangements were made so that they could resume operations, they would be able to recoup the losses. But, as the Senator from Washington knows probably even better than I, in this instance we are considering conditions affecting an industry made up essentially of small businesses, small operators—men, for example, who own one boat or possibly two or three. For the most part, the fleets are not large.

Mr. MAGNUSON. Sometimes the crew and the boat represent a completely cooperative enterprise.

Mr. NIXON. They are cooperatives with very small capital, operating from year to year almost from hand to mouth. So, a period of from 7 to 9 months of nonproduction could be completely destructive.

The reason, therefore, why it is essential to have this temporary legislation passed is to give protection not to big operators, of whom there are very few, but to small operators who do the bulk of the business, and who will be unable to live through a period of nonoperation of even 9 months.

Mr. MILLIKIN. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. MILLIKIN. The distinguished junior Senator from New York [Mr. LEHMAN] raised a question as to why 3 cents was fixed, as though it were something simply taken out of the blue sky. The committee heard numerous witnesses, and they have also been heard in the House on the question. We arrived at 3 cents by the most meticulous

examination of witnesses. No man can say it is exactly right, but every witness, with, I think, one exception, said that it was not an exclusionary tariff, that it will not keep out all of the product. We are hopeful it will bring about a sensible degree of regulation.

Mr. MAGNUSON. As a matter of fact, some of us wanted a higher rate than 3 cents fixed.

Mr. MILLIKIN. Yes. Personally, I think we must control the situation with quotas. That is my personal view. Therefore, I asked many questions about quotas. The cold fact of the matter is that a quota system had not been worked out, and, for the reasons described by the junior Senator from California [Mr. NIXON] the situation will not wait. The little fellows have taken all they can take. If we do not pass this bill, all the talk about the Tariff Commission doing something about it is useless. They are not authorized to do anything, and they are not going to do it on their own. They are conducting an investigation on tuna in cans, not on fresh or frozen tuna. The only way we can touch off such an investigation is to pass this bill.

Mr. MAGNUSON. I am glad the Senator from Colorado pointed out the reason for the 3-cent figure. I am somewhat like the Senator from Colorado in thinking that ultimately we must have a fair and equitable quota arrangement. The figure of 3 cents is the result of a great deal of testimony from all sides. That is why the Finance Committee arrived at that particular figure.

Mr. MILLIKIN. We were all very solicitous that there should not be an exclusionary tariff. We went to infinite pains in questioning witnesses about that. Although I believe in safeguarding the industry of this country, I would not have voted for the bill if I thought it was a high-protection bill which would exclude foreign tuna from this country. The question was, Why not 2 cents? Why not 3 cents? Why not 4 cents? There is no slide-rule method and no test-tube method that will lead to the exact figure. So we inquired, "Is this a figure that will give our own fishing people a chance to live and not be exclusionary so far as Japan is concerned?" We concluded that it was, and that is the best we could do.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. In a moment.

I desire to point out, Mr. President, that members of the committee were reluctant to go into the question, and it became an unusual situation. This is the meat in the coconut:

> While it is recognized that this emergency may be a temporary one, attention is called to the fact that the duty imposed by the bill would be very temporary in nature and could at the longest be applied for only a few months while the over-all picture is being carefully studied.
>
> Although it is assumed that the bill would place some temporary restraint on the current large volume of imports it is by no means prohibitory. It may, in fact, tend to help eliminate serious fluctuations in imports and foreign production caused by the glutting of the American market. In support of this it has been reported that one of the principal supplying countries, Japan, has instituted a voluntary system of export control which may play a part in restoring the market to a more even keel. Other important exporting countries, however, would not be obligated by this purely unilateral arrangement, which is not binding for the future and may be eliminated or changed without consultation.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield the floor.

Mr. BUTLER of Maryland. I should like to ask the Senator a question. Why should it take 9 months to make the study contemplated by the bill?

Mr. MAGNUSON. I wish I could answer that question.

Mr. BUTLER of Maryland. Why can not the Tariff Commission go to work and get the problem solved? Why should it take 9 months?

Mr. MAGNUSON. I strongly suspect that the Finance Committee is somewhat sensible of the normal habits of the Tariff Commission, and therefore suggested a 9-month period.

Mr. MILLIKIN. Mr. President, from my knowledge of the Tariff Commission, if we give it 9 months' time and it performs in 9 months, our committee will have performed a major miracle.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. SMITH of New Jersey. I have a little different approach to the question from that which I have heard up to this time. Does the Senator from Washington know whether this question was discussed with any of four Japanese friends before the bill was presented? As a member of the group which had to do with the Japanese Treaty, I know that we were waited on by representatives of the Japanese, and the feeling we gained was that they would like to have us confer with them about this matter before we passed unilateral legislation. There was involved the question of what we were going to do after the peace treaty was signed. The feeling was that we should help to improve relationships. I think I quote Mr. Dulles correctly in saying that he expressed himself to the effect that we should help to develop better relationships. Even though we did not come to a final conclusion about how the matter should be approached, there could be provided a temporary quota system while negotiations are going on. I am thinking of the psychological effect of the first act of the United States after signing the treaty with Japan being to apply a tariff to an industry which means much to the Japanese.

Mr. MAGNUSON. I think I can answer the Senator's question. In my opinion, his analysis of what the Japanese think is probably the best argument for this bill. They themselves realize that it is an unusual situation. I talked to probably every important representative of the tuna fish industry in Japan. I know how they feel about it. I think they appreciate the fact that it will be necessary to work the question out, and they know it can be done.

Like the Senator from New Jersey, I am hoping that we will have very quickly a reciprocal agreement. It was a year ago when I first talked to the Japanese representatives. It has been over a year since the first draft of the treaty was submitted to the Japanese. There has not been reported by the Foreign Relations Committee as yet a fishing treaty which I hope will be ratified before this session is concluded. That relates only to the catching of fish, not to the processing of fish. This bill will not hurt anyone. It will help the industry. I think the Japanese people are looking forward further than to gaining simply a temporary advantage in an industry in which they are engaged.

Mr. SMITH of New Jersey. We have not conferred with them about acting unilaterally on a matter about which I know they are very much concerned.

Mr. MAGNUSON. They were talking in terms of what ultimately they want, namely, a treaty in which they will have an equal part. But the tuna fishermen of the west coast cannot wait for that. If I thought a reciprocal trade agreement was 2 or 3 months in the offing, I would not suggest a bill like the one now pending. I do not believe we will be able to effectuate a reciprocal trade agreement for many, many months, and then I think it would be too late to benfit those operating the small tuna boats.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Maryland.

Mr. BUTLER of Maryland. I should like to ask the Senator if he is willing to admit that the tuna fleet of the west coast is at sea, and has been at sea since the first of the year.

Mr. MAGNUSON. Some of them are always going out and coming back. They may come in with a load of tuna, and the price may be too low. The market may have been fluctuating up and down.

Mr. BUTLER of Maryland. I thought I understood the Senator to say a while ago that the fleet was tied up. I understand that the fleet is at sea and has been at sea, and that when it is tied up, it is tied up under contract with the West Coast canners. What does the Senator from Washington say about that?

Mr. MAGNUSON. No; they are not tied up with the west coast canners. The tuna fleet goes to sea and returns when it can do so.

Mr. BUTLER of Maryland. Does the Senator absolutely know they are not tied up under contract?

Mr. MAGNUSON. There is no such thing as a fleet. They do not all go out together and operate together. Some boats go out to sea; if they do not catch any tuna, come back, and often suffer a large loss.

Other boats load their ships with other kinds of fish. Certainly, they are out fishing, but they are not necessarily catching only tuna. Does the Senator know what the fleet captains would rather catch? There are many other kinds of fish in the Pacific. Those fishing boats in the Pacific catch all kinds of fish.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. KNOWLAND. There is a letter on page 39 of the testimony before the Senate Finance Committee. I call attention of the Senate to the fact that the hearings extended over a period of time and comprised 422 pages. The letter to which I refer is as follows:

SAN FRANCISCO, CALIF., *January 17, 1952.*
Hon. WILLIAM F. KNOWLAND,
Senate Office Building,
Washington, D. C.:

Ever-increasing tuna imports is creating widespread unemployment among our tuna fishermen and allied workers. Over two-thirds of the tuna fishing fleet is now laid up in California and other Pacific coast ports.

H. R. 5693, a bill that passed the House of Representatives with but one dissenting vote at the last session of Congress, is expected to come up for hearing before the Senate Finance Committee the week of January 21.

H. R. 5693, if passed by the Senate, would establish a temporary tariff on fresh and frozen tuna to permit fair competition from foreign imports, by compensating for lower production costs abroad caused by inferior labor standards.

We urge you to do all in your power to pass this bill.

Thanking you for your cooperation,
Sincerely,

HARRY LUNDEBERG,
President, Seafarers International Union of North America.

There are also other letters, if the Senator is interested. I am sorry the Senator from New York is not present, but there are also two letters from the International Longshoremen's and Warehousemen's Union, and from others who were represented before the Senate Finance Committee.

This is a matter which has a direct, adverse, and critical effect, upon many small fishermen, as has been outlined by my colleague, the junior Senator from California [Mr. NIXON]. Many of those fishermen operate cooperative boats, in which they share the profits, if any, or the losses, if any. Their whole future and investment are wrapped up in the operation. The condition of the industry affects those who have investments in the boats, and it affects both business and labor. The situation is extremely critical, as the able Senator from Washington knows.

If the Senator will still permit me to do so, I should like to discuss a point raised by the distinguished Senator from New Jersey [Mr. SMITH]. I have already pointed out that while, of course, the tuna item is of importance to Japan, nevertheless it is only a very small part of their trade with the United States. In my judgment, reciprocal trade negotiations will not solve the problem, because, as a matter of fact, if the proposed tariff is not placed on tuna, there will be no tariff, and I do not believe a reciprocal trade agreement could give any measure of protection to the industry.

As the Senator from Colorado ably pointed out, the fact is that at the time proposed tariff legislation was under consideration in the Senate, the technique of packing frozen tuna was not generally known. A completely new development has taken place largely since the war years, because obviously during the war years there was no trade between Japan and the United States.

As I pointed out earlier, I think no Senator has been more concerned about our relations in the Far East than I have been. Like the distinguished Senator from New Jersey, I have been in the Far East on a number of occasions. There are many things I think should be done to improve relations between the Far Eastern countries and the United States of America, but I do not believe that either the Government of Japan or the business or labor of Japan desire that improved relations be accomplished by the process of the destruction of a great American industry.

We are undertaking tremendous obligations in the Far East. If we destroy the economy of American taxpayers, and detrimentally affect American employment, we in the long run will not make our major contribution to the solution of problems in the Pacific.

If the distinguished Senator from New Jersey desires to do something that will really help the Government and the people of Japan, I think there are a number of things that can and should be done at a very early date. In the first place, Japan has a great desire to become a member of the United Nations. I should like to see Japan become a member of the United Nations, and take her place as a co-partner in the family of nations as soon as that can be done.

Japanese business and Japanese labor are in a very unfavorable position, and will be in the future, in my judgment, because of frozen sterling balances in that country. If people could put their heads to work to determine how the sterling balances could be unfrozen, so that Japanese industry and employment could benefit by the opening of markets which are now closed to them in the sterling area, I think that would be of tremendous help to the Government of Japan and to the working people and the business of Japan. But I submit that those things can be done without destruction of a great industry in my State, and the throwing out of work of 20,000 or 30,000 of our people who would be adversely affected.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mr. KNOWLAND. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I understood the Senator from California to say that the tuna industry was a minor industry in Japan.

Mr. KNOWLAND. No; I did not say it was a minor industry. I said that, based on the figures presented to us, the tuna trade is a small part of the total trade of Japan with the United States.

Mr. SMITH of New Jersey. I have a letter from Mr. John M. Allison, Assistant Secretary of State, which I shall read in full later, together with some exhibits, but in his letter he says:

As you probably know, tuna is the second largest Japanese export to the United States, and is of even greater importance to Japan as a foreign exchange earner because there is no foreign exchange outlay involved in the production of the tuna for export.

That is among other reasons.

Mr. KNOWLAND. I may say to the Senator that I placed in the RECORD earlier, figures showing exports from Japan to the United States. I shall repeat them, because the Senator from New Jersey may not have been present.

For the first 6 months of 1951 imports amounted to $115,200,000.

Tuna frozen in cans, $2,200,000.

Tuna fresh or frozen, $1,500,000.

I have not denied that tuna is a segment of the trade, but it is only a relatively small percentage of the total trade.

Mr. SMITH of New Jersey. Would the Senator from California prefer to have me read my communication now? I desire to have it placed in the RECORD some time before the Senator concludes his remarks. I shall be glad to wait if the Senator prefers.

Mr. KNOWLAND. No; I shall be glad to yield to the Senator from New Jersey for the purpose of having him read the letter into the RECORD at this time. I may desire to comment upon it.

Mr. SMITH of New Jersey. I shall read it into the RECORD, because I think the Senator may wish to comment on it. It brings out some points we discussed when we were in the Far East, and which Mr. Allison has put in the form of a letter to me.

Mr. Allison writes as follows, under date of June 24, 1952:

DEAR SENATOR SMITH: We are greatly concerned over the possibility that the Senate will this afternoon approve H. R. 5693, which will increase substantially the tariff on tuna fish.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. SMITH of New Jersey. I yield.

Mr. KNOWLAND. In order that the Senate may know, and in order that others in the country may know, when the bill was before the Ways and Means Committee of the House of Representatives the State Department sent a letter to the committee; which is in the House hearings, to the effect that the Department had no objection to this proposed legislation. On the day when my colleague [Mr. NIXON] and I appeared before the Senate Finance Committee, without any advance warning to us, without even the courtesy of calling us in advance to tell us that the Department had changed its position, the State Department—as is not unusual—completely reversed the field, and stated on that day that it was taking a position contrary to the position which it had taken before the Ways and Means Committee of the House of Representatives.

I say, with the deepest respect for the State Department, that I think it is time for the Department to give some attention to the needs of the American people, American labor, management, and business, as well as to the needs of those overseas. It seems to me that it is extremely important that some of those in the State Department go out over our 48 States and learn that the American people face some very grave economic problems. Of course, the State Department

officials have their job to do. However, I do not visualize the job of the State Department as requiring it always to take the position of other countries throughout the world, to the damage and detriment of the American people, American industry, and American labor.

Mr. SMITH of New Jersey. I share the views of the Senator from California.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. What I am trying to do is to place in the RECORD a complete statement.

Mr. KNOWLAND. I will not interrupt the Senator again.

Mr. SMITH of New Jersey. I should like to get this statement into the RECORD, and to point out that when Mr. Dulles, the Senator from Alabama [Mr. SPARKMAN] and I were in Japan, this was a matter of first importance which we discussed with the Japanese people. We hoped that some reciprocal arrangement could be worked out with the Japanese people before we took unilateral action. That is all I am pleading for.

Mr. KNOWLAND. As the Senator knows, neither the Senator from New Jersey nor Mr. Dulles was any more interested in the ratification of the Japanese treaty or the mutual-security pact than was the Senator from California.

Mr. SMITH of New Jersey. Let me give the Senator from California all the plaudits I can give him for the wonderful job he has done in connection with our far eastern policy. I am glad to be allied with him. We have worked together. I am simply trying to present a point of view which I think should be considered in this debate. I am not defending the position of the State Department. I am simply saying that this letter was sent to me, and that it is in line with the experience which we had on our trip.

Mr. KNOWLAND. I beg the Senator's pardon for interrupting him. I shall allow him to proceed and complete his statement.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I have yielded to the Senator from New Jersey, because he wishes to place a statement in the RECORD. Then I shall be glad to yield to the Senator from Washington.

Mr. SMITH of New Jersey. I should like to read the letter in its entirety, if I may. The Senator from California very properly called attention to the fact that the State Department had not previously informed him as to its change of position.

The letter reads as follows:

DEAR SENATOR SMITH: We are greatly concerned over the possibility that the Senate will this afternoon approve H. R. 5693, which will increase substantially the tariff on tuna fish. This, as you know, is a matter of vital interest to Japan and in our opinion passage of this bill will do much to make more difficult our relations with Japan.

Both the Embassy in Tokyo and General Ridgway, before his departure, have pointed out that the Japanese regard this tuna tariff as a test for future relationships between our two countries, and attach to it no less importance than to the Japanese Exclusion Act.

I may say that I talked briefly with General Ridgway about this question when he was here.

Continuing with the letter:

As you probably know, tuna is the second largest Japanese export to the United States and is of even greater importance to Japan as a foreign exchange earner because there is no foreign exchange outlay involved in the production of the tuna for export. Another factor of real importance is that at present there is considerable agitation among Japanese commercial circles for resumption of trade with Communist China, and anything which increases the difficulties of Japanese trade with the United States and the rest of the free world will make it that much more difficult to persuade Japan to keep from trading with Communist China and the Soviet bloc.

I am enclosing some more detailed information with regard to this problem in the hope that you may feel disposed to make use of it if necessary on the floor of the Senate when this measure comes up for discussion.

With all best wishes,

Sincerely yours,

JOHN M. ALLISON.

Mr. Allison knew that I was very much interested in this question, and he sent me a memorandum. I shall read it into the RECORD if the Senator would like to have me do so. It develops the points a little more fully.

Mr. KNOWLAND. I want the Senate to have the full facts on the situation.

I think the distinguished gentleman from the State Department has done a great disservice to Japan in even suggesting that this legislation is on a basis comparable with the Exclusion Act, because it is, of course, no such thing. I am surprised that anyone holding a position of responsibility in the State Department should even make such a comparison.

I believe that the Congress of the United States has made great progress. In the recent immigration bill which was passed, Japan and the other countries of the Far East were placed on a quota basis with other nations throughout the world. There is no discrimination against any nation of the Orient, and there should be no discrimination.

I come from a west coast State, where in years past these problems have caused great tension. I have taken the position that I think we have a desire for and a need to develop a hands-across-the-Pacific policy of friendship with the people of the Far East. I do not see how the gentleman in the State Department can take the position that the proposed tariff is comparable with the Exclusion Act. Under the Constitution of the United States, this subject is under the jurisdiction of the Congress. What does he say about other tariff protection on American products? Is it the position of Mr. Allison that under these circumstances the other tariffs which we now have on manufactured and other articles should be completely stripped away, and that we should have a full system of free trade between Japan, China, or any other country in Europe or Asia, and this country? Must we completely abandon standards of American labor and American industry in connection with that sort of program? I say, of course, that Mr. Allison is advocating no such thing, because that would be absurd. On behalf of the fishermen, the men who make a living by going to sea, we are asking only that they receive a small measure of the protection which is received by industries in the great State of New Jersey and other States of the Union, to protect their homes, their lives, and their jobs. I think it is a very short-sighted policy on the part of the State Department to take the position or even hint, that there is anything remotely comparable between this situation and the Exclusion Act, which this Nation has done away with.

Mr. SMITH of New Jersey. I am very glad the Senator from California has brought out these points. I think the debate will make it perfectly clear that while the Senator from California is advocating this particular tariff at the present time, he has the widest reaches of friendship for peoples across the Pacific. He does not in any way desire to reflect on our relations with Japan.

Mr. MAGNUSON. Mr. President, will the Senator from California yield to me before the Senator from New Jersey completes the explanation? I should like to ask him a question about the letter which he has read.

Mr. KNOWLAND. I yield.

Mr. MAGNUSON. Am I to understand from the letter from Mr. Allison which the Senator from New Jersey has just read that if we place a temporary duty on tuna coming into the United States for a short period of time, until both nations can study the question and the Tariff Commission can examine the situation, and until a reciprocal trade agreement can be entered into, Japan will be so hurt that she might join with Communist Russia?

Mr. SMITH of New Jersey. I do not know what Mr. Allison thinks.

Mr MAGNUSON If he thinks that, he does not understand the Japanese.

Mr SMITH of New Jersey I will say to the Senator from Washington that if the proponents of the bill had worked out a program, or had sat down with the representatives of Japan who are here today at the new Embassy, and talked over what they proposed to do, and if the representatives of Japan did not feel that our unilateral action was an affront, everything would be smooth. All I am asking for is a reciprocal approach to the problem.

Mr. MAGNUSON. Who in Japan thinks it is an affront? No one in Japan thinks it is an affront. They expect that we shall have to arrive at some agreement. Even the Japanese themselves have established quotas for imports.

Mr. SMITH of New Jersey. All I have been asked for by the Japanese people with whom I have talked, and the representatives in the new Embassy, is that we be willing to sit down and talk. The proposed unilateral action is the first action after the signing of the peace treaty with Japan. I believe that this question is very simple. To my mind, excluding the Japanese from the conversations has been poor judgment.

Mr. MAGNUSON. The bill has been before Congress since last October. It was passed by the House of Representatives several weeks ago. Anyone who wanted to appear before the committee

could have appeared before it. There was no testimony taken before the Committee on Ways and Means. In the end we shall have to sit down with the Japanese on this subject, as we shall have to sit down with them on many other problems. But the bill would be a temporary measure to help people who otherwise will get hurt.

Mr. KNOWLAND. The bill was passed by the House of Representatives on October 15, 1951.

Mr. MAGNUSON. Yes; it has been that long ago.

Mr. SMITH of New Jersey. I should like to finish reading the letter, so that we may have before the Senate a complete presentation of the case as it has been worked out by the State Department. I should like to read the points into the RECORD. As I said previously, while the Senator from California was engaged in conference with another Senator, he has shown his complete friendliness to the Japanese people. As the Senator from California has brought out in his statement, there is no intention to overlook the Japanese in any way or to ignore their views, and I am very happy that he has so stated. I shall read from the statement:

1. The importance of our relationship with Japan cannot be overemphasized, and we believe that the passage of this bill would be a serious blow to the development of satisfactory and friendly relations with Japan. Both General Ridgway and the United States Embassy in Tokyo have pointed out that the Japanese regard this tuna tariff as a test case for future relationships between the United States and Japan, and attach to it no less importance than to the Japanese Exclusion Act.

2. It is a test case because Japan must trade to live and the central fact of the Japanese trade problem is the dollar gap.

It can be argued, of course, that our trade, too, must live. It is a matter which should be worked out jointly between the two countries. It should not be a matter of unilateral action at a time when the situation is tense between our two countries. On our part it should be worked out with an understanding of the people with whom we are dealing.

Mr. KNOWLAND. If the Senator will permit me to say so, had the State Department said to our friends in Japan—and I use that word advisedly, because we have many problems in the Pacific Basin which must be worked out together—that there exists in the United States a critical situation which adversely affects the tuna industry and its labor, and that what is sought is merely temporary legislation which will continue until April 1 of next year, while the question can be studied by the Tariff Commission and can be considered by the committees of Congress and the State Department, I believe, knowing the Japanese people as I think I do, the State Department would have received a favorable response.

But when the State Department takes a position in which apparently the views of the American industry and of American labor are not adequately represented to the Government and the people of Japan, it is quite understandable that there should be some misunderstanding.

The people of Japan who realize the great sacrifices which the American people have made during the whole period of the occupation, and even now, in furnishing the defense of Japan against possible invasion by the Soviet Union or Communist China are broad-minded enough and fair-minded enough to understand the plight of the tuna industry on the west coast and that we are merely asking for time to work out the problem. I am sure that if the situation had been properly presented to them, we would not be faced with what I must, with all due respect for the State Department, say are silly statements, to the effect that this proposal is comparable to the Exclusion Act, because, of course, it is no such thing whatever.

Mr. SMITH of New Jersey. I thank the Senator from California. I hope that I may be able to finish reading the letter. Then I shall yield the floor. I have read the first and second points. The third point reads:

3. Tuna is the second largest Japanese export to the United States. Its importance is magnified by the fact that there is little foreign exchange outlay involved in its production. The market for tuna is particularly important to the Japanese fishing industry because of the loss to Russia of the grounds in which salmon and crab were formerly caught, so that tuna is one of the major remaining fisheries.

Mr. MILLIKIN. Mr. President, I hope the Senator from New Jersey will let me interrupt at that point. The Senator calls tuna the second largest import from Japan. In 1951 the total imports from Japan to this country were some $200,000,000. The imports of tuna were $5,000,000. Therefore, the tuna imports were about 2½ percent of the whole picture.

Mr. SMITH of New Jersey. I should like to finish reading the statement. If it is not put in consecutively, it will be hard to understand. I had read the third point when the Senator from Colorado made his statement.

4. The proposal to impose a duty on fresh or frozen tuna, the recent increase in the duty on canned tuna in oil from 22½ percent to 45 percent, and the possible increase in duties on chinaware have had a powerful impact on the Japanese press and public. The Japanese fear that the tuna tariff may be simply the first of a series of steps restricting their trade with the United States. For example, chinaware—another of their important exports to the United States—may be subject to tariff increases as a result of investigations now being made by the Tariff Commission. The confidence of the Japanese in the intention of the United States to cooperate in the restoration of Japan as a member of the free world will be impaired unless Japan can be assured of the willingness of the United States to accept Japanese goods. Japan is keenly aware of the loss of its prewar territories, the rapid growth in its population, its need to trade, the enforced cessation in trade with China, the fact that Japanese trade is still less than 50 percent of prewar by volume, and other factors adversely affecting the Japanese economy.

5. Japan in the past has been dependent upon trade with China, both as a market and as a source of foodstuffs and raw materials. There is much pressure in Japan from groups who want to endeavor to resume trade with China. Anything which increases difficulties of trade with the United States and the rest of the free world will make it harder to keep Japan from trading with China and the Soviet bloc.

6. Japan has traditionally had an import balance of trade with the United States. In 1951 Japan's imports from the dollar area amounted to $698,000,000 and exports amounted to $184,000,000. Japan's deficit in trade with the United States has been accentuated by reduced availabilities of essential commodities in the Far East, the loss of the United States market for raw silk, and particularly, its inability to convert sterling into dollars.

7. Japan must export to the United States (or receive financial assistance from the United States taxpayer) if it is to import from the United States raw cotton, grain, coal, and any other commodities of interest to American exporters.

8. The preceding arguments are those which are particularly applicable to Japan. It should be noted, moreover, that the proposed tuna bill has aroused terrific resentment in six of the Latin American countries. It appears likely that, in addition to any other retaliatory measures they might take, enactment of the bill might lead some of the Latin American countries to cut off bait supplies on which our domestic fishing fleet has relied heavily.

That is the end of the statement. I thank the Senator from California for giving me the opportunity to read the statement into the RECORD.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MILLIKIN. I think we should keep in very sharp focus the suggestion with respect to trying to make some kind of deal with Japan on tuna imports. If the Americans who are dealing in the subject got together, and then got together with the Japanese, they would find themselves in the Federal penitentiary. Therefore, where must we look for that kind of deal? It is between the State Department and the Japanese. The proposed legislation was introduced in the House last October. If the State Department wanted to be helpful in this matter it would have busied itself and would have worked out some kind of firm commitment by Japan which could have been taken into consideration in connection with this measure.

The fact that the State Department did not do that has made it necessary to bring this measure before the Senate.

Mr. KNOWLAND. Mr. President, I am glad the Senator from Colorado has brought out this point, which I believe is important. He has pinned the responsibility where I believe it should be pinned.

If the State Department had spent as much time in working out this matter as it has spent in lobbying in this situation, both in the committee and here on the floor, we would not be having the difficulty we are having today.

But perhaps that is all we can expect from the State Department under this administration. I hope that if the administration is changed we may have a change in policy in regard to some of these matters.

At this time I wish to refer to a matter which I believe is an important corollary in the situation: So long as I am a Senator of the United States and so long as

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I have a voice and a vote in the Senate of the United States, I am going to refuse to legislate with a "gun at my head" by any country abroad which states that if we do not do certain things, or which implies that if we do not do them, it will "play footsie" with the Communists.

In view of all that we are doing today for Europe and for Asia—and we are doing it at great sacrifice to the American people, and I have supported those activities because I do not believe it is in our national interest to have the free people of Europe or the free people of Asia taken behind the iron curtain—I am becoming a little fed up—and in connection with this point I make reference to Europe, as well as to the Far East—with finding that if some country cannot get precisely what it wants clear around the globe, it then says to us, "If you do not do this, we will 'play footsie' with the Communists."

God help them if they do because they will lose their political freedom and their economic freedom and their religious freedom. It is time for the State Department of the United States and the foreign countries associated with us to take a realistic view of the situation. We are making earnest efforts in an unselfish way to help them and at least we have a right to expect, on behalf of the 150,000,000 people of the United States, that the other countries will not constantly "point the gun" of communism at our heads.

We know what the implications are. If those countries are half so smart as we believe them to be, they know that they cannot do business with communism in that way without losing their economic freedom and their political freedom and every other freedom that they hold dear.

So such an argument should not have a place here on the floor of the Senate.

Mr. MILLIKIN. Mr. President, will the Senator from California yield again to me?

Mr. KNOWLAND. I yield.

Mr. MILLIKIN. I wish to endorse everything the Senator from California has said, and I should like to add a little "first cousin" point: There is not a day that we do not hear the statement, "If we do not do this, we will make somebody abroad mad, and we must not make anybody abroad mad."

Mr. President, I think it is time that we looked to our own country and paid a little attention to the need for not making our own people mad—and today they are plenty mad.

Mr. NIXON. Mr. President, will my colleague yield to me?

Mr. KNOWLAND. I yield to my distinguished junior colleague.

Mr. NIXON. I noted the statement which was made by the Senator from New Jersey [Mr. SMITH], and which was commented on a moment ago by my colleague, to the effect that the United States Embassy in Tokyo has pointed out that the Japanese regard the tuna tariff as a test case for future relationships——

Mr. SMITH of New Jersey. Mr. President, if I may interrupt, let me say that was not my statement. It was a statement by the State Department, giving its position; and I was reading from that statement.

Mr. NIXON. I understand. I did not impute to the Senator from New Jersey the authorship of the statement. The actual authorship of the statement makes my point even stronger, for that was a statement by the State Department, to the effect that the United States Embassy in Tokyo has pointed out that the Japanese regard the proposed tariff on tuna as a test case for future relationships between the United States and Japan, and attach to it no less importance than to the Japanese Exclusion Act.

It seems to me vitally important that we recognize the implications of that statement, which the State Department has, in effect, approved by allowing the Senator from New Jersey to place it in the RECORD at this point, and with which the United States Embassy at Tokyo has associated itself, for by comparing the tuna tariff with the Japanese Exclusion Act, the State Department has completely distorted the facts, as my colleague from California has well pointed out.

It seems to me that the United States State Department and the United States Embassy in Tokyo could well spend time in informing the Japanese people and the Japanese business interests of what this bill proposes to do, the purpose of the bill, and why the Congress has felt it necessary to pass this temporary and relatively mild measure at this time. Our State Department and our Embassy in Tokyo should inform the Japanese people of the facts in this situation, so that the idea referred to in the State Department's statement would not develop in Japan, namely, the idea on the part of the Japanese people that the tuna tariff is along the same lines as the Japanese Exclusion Act.

In other words, the responsibility for the existence of such an idea on the part of the Japanese lies with our State Department and with the United States Embassy in Tokyo, because they have not explained our position to the Japanese people.

Mr. KNOWLAND. In fact, it shows, much to my discouragement, that those in the Far Eastern Division of our State Department and those who are representing us in the Far East have the same inadequacies which have been apparent during the past 5 years; in short, the inadequacies of a policy which, while "waiting for the dust to settle" over that period of time, cost us more than 450,000,000 friends in the Far East.

I say that, in a somewhat different degree, the statement now made by the State Department shows that they have not remedied any of their inadequacies, and it shows that a major change is necessary if those who purport to represent us before the eyes of the people of the Far East are not to destroy the last vestiges of respect for us among the people in that area of the world.

Mr. NIXON. On that very point let me say that, "those who purport to represent us," is the key phrase my colleague has used in this situation, for we find the United States Embassy in Tokyo and our State Department representing and speaking for the extreme interests or the extreme positions on the part of Japan, rather than for the moderate views which certainly are had by those among the Japanese who would understand us.

I believe the senior Senator from California will agree with me in the conclusion that what we need in the State Department, both in Washington, and in the embassies abroad, are more men who recognize that although they have a duty to inform the United States in regard to the interests of the foreign nations and to report properly to the Congress on the interests of the foreign nations, when that becomes necessary; they also have the primary duty of representing the interests of the United States and the interests of the American taxpayers who pay their salaries.

Does my colleague agree with me in that conclusion?

Mr. KNOWLAND. Yes; I think that has been overlooked on many occasions.

Mr. SMITH of New Jersey. Mr. President, will the Senator from California yield to me so that I may make a brief statement at this point?

Mr. KNOWLAND. Yes; I yield to my friend the Senator from New Jersey.

Mr. SMITH of New Jersey. I do not disagree with what either of the Senators from California say about the over-all picture.

I am simply saying that the situation is tense, and that if we were to use the diplomatic method of sitting down with our friends and working out this matter I believe they would agree with everything we have proposed.

It seems to me that the danger comes from our attempting to work out this situation unilaterally.

Mr. KNOWLAND. Fortunately, in the United States we have a free press, and, fortunately, the free press of Japan is represented in the Press Gallery of the United States Senate and in the Press Gallery of the United States House of Representatives.

Mr. SMITH of New Jersey. That is true.

Mr. KNOWLAND. With the knowledge of the facts which the members of the Press Gallery can obtain in a nation which has real freedom, as distinguished from the situation in the countries which are behind the iron curtain, where press dispatches cannot be sent out, I believe the members of the Press Gallery will send a factual, full, and fair report to the people of Japan. If that is done, the people of Japan will thoroughly understand the situation in a far more intelligent way than apparently our own State Department understands it.

Mr. SMITH of New Jersey. That is precisely why I welcome having these points made, so as to show that we are really working together on this matter. It is only necessary to have genuine good feeling between the two nations, and that can be had if we and Japan work out this matter together.

Mr. NIXON. Mr. President, will my colleague yield further to me?

Mr. KNOWLAND. I yield.

Mr. NIXON. I certainly associate myself with the Senator from New Jersey——

Mr. SMITH of New Jersey. I thank the Senator from California.

Mr. NIXON. I associate myself with him when he points out the proper method of developing sufficient appreciation of the problem. We feel that when the people of Japan understand the situation they will approve the action we take, or at least will not object to it.

But when the Senator from New Jersey refers to unilateral action to be taken by the House of Representatives and the Senate of the United States, he is placing the responsibility in the wrong place, because it seems to me that in this instance the State Department has known that something would have to be done in order to give protection to the American tuna industry, and has known it for at least a year. The State Department has been working on this problem. It knows the precarious situation of the tuna industry of the west coast, and certainly the State Department knows the character of the proposed legislation which is now before the Senate.

When the State Department, having knowledge of all those facts, then fails to present a case properly to the Japanese people, with the result that there develops a situation which the State Department admits now exists—namely, a situation in which the Japanese are comparing this proposed tuna tariff to the Japanese Exclusion Act—then I think the Senator from New Jersey will agree with me that the State Department has utterly failed in the performance of its responsibility.

So far as unilateral action is concerned, let me say that if the State Department had properly represented the United States position to the people of Japan, no one would have considered our action to be unilateral action.

Mr. SMITH of New Jersey. I shall be very glad to agree with what the Senator has said. I do not refer to unilateral action merely by the Congress, but I refer to the entire American procedure as being unilateral. What I have been continually striving for is that we sit down with representatives of the State Department, and through the inititative of the State Department, work this problem out with the people concerned, in order that there might be a correct understanding of why we were taking the proposed action. That was my real concern in the entire matter.

Mr. KNOWLAND. Mr. President, now that the Senator has read into the RECORD a letter, I should like to read one. It is from the United States Department of the Interior, Fish and Wildlife Service, and it is dated May 23, 1952. It is a photostat of a letter addressed to Mr. Charles R. Carry, director, fishery products division, National Canners Association, 1133 Twentieth Street NW., Washington, D. C. The letter reads as follows:

Your letter of May 22 calls attention to a public statement of the Secretary of State last week which apparently represents a change in the position of the Department of State on H. R. 5693, and asks what the present position of the Department of the Interior is on this matter.

The Department sees no reason to change its recommendation as made to the Senate Committee on Finance in February. As you may recall this was that "* * * H. R. 5693, or similar legislation which will accomplish the same purpose, is the best solution available at this time." It was also stated that "While the Department would interpose no objection to a limited duty-free quota it considers that the duty-free importation of 16,000,000 pounds of frozen tuna annually, while possibly justifiable on an historical basis, is the maximum adjustment in this direction that will solve the immediate problem." The Department also pointed out the lack of a normal relationship between the duties on tuna canned in oil and tuna canned in brine and expressed the hope that the Tariff Commission, since it had the matter under review, would be able to make whatever recommendations appeared necessary at an early date.

The possible effect of the passage of H. R. 5693 upon the foreign tuna industries was carefully considered by this Department at the outset and we believe that the bill represented a solution which was equitable to foreign producers, American producers, and American consumers. We believe that it is unfair that American fishermen should bear the major impact of market conditions resulting from postwar adjustments and the bill would provide that both the foreign and the domestic industries should bear a fair share of the difficulties in the American market in which both sell their fish.

H. R. 5693 provides that the duty is a temporary one in recognition that the problem seems to be one of postwar adjustment. The bill also makes provision for consideration of the entire tuna problem, both foreign and domestic, and it is our intention that, in preparing any report requested of the Fish and Wildlife Service, we give careful consideration to foreign interests and the foreign industry.

There has been no change in the underlying causes responsible for the critical situation which occasioned the introduction of H. R. 5693. These causes are, and remain, the interchangeability of frozen tuna, tuna canned in brine, and tuna canned in oil, and the lack of a proper relationship between the duties on them as imported products. Furthermore, there have been no changes in prices, or in the volume of imports, production, or inventories which would warrant considering the situation as significantly less serious than in the latter part of 1951 and early 1952. The actual facts are as follows:

The Wholesale Price Index of the Bureau of Labor Statistics for May 20 lists the case price of light meat tuna as lower than a year earlier.

During the first quarter of 1952 the imports of all tuna, as converted to a canned weight basis, were 64 percent greater than for the same period in 1951. Insofar as individual categories are concerned there were slight increases in imports of fresh and frozen tuna and of tuna canned in oil. There was a very large increase in imports of tuna canned in brine. Imports of bonito, on a canned weight basis, also were larger. Imports of bonito, canned in oil, decreased slightly but imports of bonito, canned in brine, increased sharply.

Preliminary figures on tuna received for canning in southern California reveal that receipts for the first 4 months of 1952 were 10,000 tons less than for the same period in 1951. The case pack of tuna in the first quarter of 1952 was down almost 50 percent from 1951. Many of the bait boats formerly discharging at San Diego have had to be diverted to San Pedro.

Inventories are lower than a year earlier and the market has firmed smewhat from its weakest point. However, both of these developments were predicted and it is quite clear that they occurred only at the expense of the domestic tuna fleet remaining in port for a number of months. Obviously, this is no satisfactory solution to the problem facing our tuna industry.

In view of these facts there is no reason to believe that the critical situation which faced the domestic tuna industry has been alleviated to any significant degree.

Sincerely yours,

ALBERT M. DAY,
Director.

Mr. President, I think that, had the representatives of the State Department paid a little more attention to the Department of the Interior, as well as to our own domestic tuna-fish industry and to the representatives of organized labor, as well as to letters addressed to, and personal appearances made before the committee, rather than taking the position they have taken, the interests not only of the domestic industry, but, I think, the ultimate solution of this problem would have been better served. We do not claim that this proposed temporary legislation is a permanent solution to the problem; it is not meant to be. Perhaps the Senator from Colorado is correct that this matter should not be handled on a tariff basis, but on some equitable quota basis. That whole situation may have to be explored; but all we are asking is, in order that our industry shall not be destroyed, that it be afforded this temporary protection, which will in no sense keep out all exports, but which at the same time will give some basis of protection to the American industry while the entire matter is being studied by the Tariff Commission.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded, and that further proceedings under the call be suspended.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. CORDON. Mr. President, I rise in opposition to the pending measure. I want it understood that my opposition does not go to the principle of a duty on tuna. It goes, Mr. President, to the basic proposition that we are proposing a duty when we do not know what we are doing. We admit that. In our ignorance we attempt to excuse our action by stating that we want to safeguard our industry from a tragedy and that the matter is most emergent, and that action must be had now, although the record as it stands clearly rebuts any such position.

The bill provides for a tax running to the 31st of March of next year. The period of time, Mr. President, may or

may not be sufficient for the examination that is necessary in order to give Congress possession of the facts which would indicate whether this duty should be imposed, whether a heavier duty should be imposed, whether no duty should be imposed, whether quotas should be imposed or not imposed. We are not now in possession of the necessary knowledge to know what to do.

In the State of Oregon, Mr. President, there is sharp division among those immediately interested with respect to this bill. The commercial fishermen who depend for their livelihood upon the catch they make in the open sea and sales to canners and processors, generally are in favor of the bill.

Unions of that local group are generally in favor of the bill. On the other hand, unions of cannery workers in the area are opposed to the bill.

One major packing industry in my State, which is probably one of the outstanding tuna-packing industries on the Pacific coast, secures more than 80 percent of its tuna for packing purposes from Japan. That tuna comes in as it is caught, namely, uncleaned and frozen. It is packed in the United States. The packing of the tuna gives employment to many cannery workers at the mouth of the Columbia River who otherwise would be unemployed. So far as I have been advised, the purchase of tuna caught by the Japanese, frozen by the Japanese, and transported to the United States, does not take away employment from any tuna fishermen in the United States.

The tuna purchased for canning at Astoria, Oreg., is what is known as albacore tuna. There are two major types of tuna. One type is albacore, or straight white meat, and the other type is sometimes termed, by those who deal in albacore, dark-meat tuna.

Albacore represents the greatest portion of the catch of the Japanese. Some 80 percent of the tuna caught by the Japanese is albacore, and most of it has a market in the United States. A portion of the market is in frozen tuna, of which the processing is done in the United States by American labor, furnishing employment and, therefore, livelihood to American citizens. The remainder comes into the United States in the form of processed tuna, canned tuna, as to which all the services have been rendered outside the United States.

The tuna purchased by the cannery at the mouth of the Columbia River is that which is necessary, because that cannery cannot obtain adequate supplies of albacore tuna caught by American fishermen to fill its cannery needs. The cannery is open at all times for an order for the delivery of albacore tuna at as high a price as is paid anywhere in the United States for that type of fish. The cannery has been compelled to deal for frozen Japanese tuna because it could not get its needs satisfied elsewhere.

Consequently, so far as that operation is concerned, there is no basis for argument that any fisherman on a boat flying the American flag is deprived of anything by virtue of the purchase or importation of frozen tuna from Japan.

Mr. President, I am not speaking as a champion of free trade. Free trade may come sometime, but not in my lifetime. It may be justified sometime, but not in my lifetime. I believe that at least for generations to come it will be necessary to have certain trade restrictions on a national basis. I hope that such restrictions may drop year by year, generation by generation. I do not know that that eventuality will result. I hope that it will. But in the meantime it would be deadly for the United States to give up all its trade restrictions, and attempt to bring the rest of the world up to our level by taking away all our hope of remaining ourselves at our level. We would succeed only in reducing our own level of living, without making any appreciable increase in the level of anybody else.

Mr. MAYBANK. Mr. President, I wonder if the Senator from Oregon would allow me to make a brief statement about another matter, my statement to follow his remarks. My reason for asking this privilege is that the senior Senator from Indiana [Mr. CAPEHART] and the distinguished majority leader, the Senator from Arizona [Mr. MCFARLAND], are on the floor.

Mr. CORDON. Mr. President, I ask unanimous consent that I may yield to the Senator from South Carolina for the purpose indicated, without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Mr. MAYBANK made a statement regarding the bill to extend the National Production Act which appears elsewhere in the RECORD, under the appropriate headline.)

Mr. CORDON. I have stated that the albacore tuna imported frozen from Japan for canning at the mouth of the Columbia River in my State of Oregon represents only the additional volume of fish necessary for the canning operation after the cannery has purchased all the available tuna caught by American fishermen and offered for sale at that place.

About 16½ percent of the total tuna canned in Astoria, Oreg., comes from American fishermen. While that represents a small percentage of the total catch which is handled by the cannery at the mouth of the Columbia River, it represents a very appreciable amount of income to the fishermen who are engaged in that occupation. If the cannery, which now receives some 84 or 83 percent of its supply frozen from Japan, cannot continue to receive that supply, it is obvious, of course, that the cannery must close so far as the tuna pack is concerned. When the cannery closes, the market for those fishermen closes with it. They must then seek a market elsewhere up or down the coast, and face the discrimination arising from the extra transportation of their fish catch either north to a market or south to the California market. At times the California market has been glutted. Some of the occasions for that glut have been charged to foreign importation. I believe a careful check of the facts will indicate that it was caused by those who were purchasing fish in that area for canning, who could have avoided the situation had they desired to do so.

In any event, at this time in southern California those who are purchasing and packing tuna are glad that there is no additional tax on foreign imported tuna. The catch out of California at this time is more than 22 percent under the average catch, and under the necessities of the canners of that area. That loss in the catch is being met by importation of tuna into that area. The result is that there has not been necessary as yet any reduction in cannery employment or any increase in the retail price of the canned fish. However, if the duty is added and fishing continues to be poor, there will of necessity be an increase in the price. Whether the fishing will remain poor or not is something no one knows, because no one knows anything about the habits of the tuna. No one knows now where tuna will be caught next year, or whether they will be caught. That is another investigation which needs to be made. That is another bit of knowledge which ought to be had before the Congress sets out to cure one evil without knowing whether it is creating a greater evil.

That is the reason why I feel that it is better to leave the situation as it exists, rather than to create another the results of which we shall not know until it is too late. I hope that we shall not be in session during the remainder of the year. I have a faint hope that we may not be in the session after the 4th of next month. During that time this legislation would be in operation. During that period of time one entire industry might be compelled to close. Why? To satisfy the ignorance of lawmakers who put a law on the books when they do not know whether it will work, or whether it is a salutary piece of legislation. It cannot be justified. Any attack on the State Department is beside the point. Certainly the State Department might have done something. Certainly it has not done it. Whatever may be the shortcomings of the State Department, they cannot be attributed to our former friend, former enemy, and present friend and colleague in the family of nations, namely, Japan.

The Japanese Government has sought voluntarily to meet what with it at the moment is a crisis. The Japanese Government itself has set a quota limitation on its own exports of tuna to this country. It has set a floor price on its own tuna exports to this country in an attempt to stabilize this very industry, not only for Japan, but necessarily for the United States, because if the United States market breaks, the Japanese market will go. Consequently we are not standing alone and leaning on the broken reed of the State Department. We have, in the community of nations, voluntary cooperation by the Japanese Nation. Why not accept it in the spirit in which it is given, particularly when the worst that can happen is to maintain the status quo for a period of 7 or 8 months? Common

sense dictates that that is the road which we should travel.

Mr. KNOWLAND. Mr. President, I do not wish to take up more of the time of the Senate in prolonged discussion. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the very brief report of the Senate Finance Committee recommending the passage of House bill 5693.

There being no objection, the report (No. 1515) was ordered to be printed in the RECORD, as follows:

The Committee on Finance, to whom was referred the bill H. R. 5693 to amend the Tariff Act of 1930, to impose certain duties on the importation of fresh or frozen tuna fish, and for other purposes, having considered the same, report favorably thereon, without amendment, and recommend that the bill do pass.

In reporting this bill favorably, the committee recognized that the emergency found in 1951 by the Ways and Means Committee still exists in the domestic tuna fishing and canning industry. Unemployment is widespread and operating profits are small or nonexistent. The landings of domestic tuna during the first 3 months of 1952 are far below those of the first 3 months of 1951, while imports are slightly larger than a year ago.

While it is recognized that this emergency may be a temporary one, attention is called to the fact that the duty imposed by the bill would be very temporary in nature and could at the longest be applied for only a few months while the over-all picture is being carefully studied.

Although it is assumed that the bill would place some temporary restraint on the current large volume of imports it is by no means prohibitory. It may, in fact, tend to help eliminate serious fluctuations in imports and foreign production caused by the glutting of the American market. In support of this it has been reported that one of the principal supplying countries, Japan, has instituted a voluntary system of export control which may play a part in restoring the market to a more even keel. Other important exporting countries, however, would not be obligated by this purely unilateral arrangement, which is not binding for the future and may be eliminated or changed without consultation.

For the purpose of giving Congress complete information in case some future action appears desirable, two concurrent investigations by Federal agencies, both to be concluded by January 1, 1953, would be required if the bill becomes law.

PURPOSE OF THE BILL

Tuna fish, fresh or frozen, whether or not packed in ice, and whether or not whole, is now free of duty. It is the purpose of this bill to impose a tariff of 3 cents per pound on that product, to become effective 30 days after the date of the enactment of the bill and to expire at the end of March 31, 1953.

The bill would also direct the Tariff Commission to undertake an investigation of the competitive position of the domestic tuna industry and to report to Congress on or before January 1, 1953. It is intended that this study would take into consideration all relevant factors affecting the domestic economy and indicate the effect upon the competitive position of the domestic tuna industry of the duty imposed by the bill. The primary purpose of such an investigation is to furnish Congress with a background of accurate, technical information for the guidance of possible future legislative action.

The bill would also require the Secretary of the Interior to make a study of the long-range position of the domestic tuna industry and to recommend measures which would assist the domestic industry to achieve and maintain a sound position in the domestic economy.

RATES OF DUTY ON TUNA FISH

Under present law tuna fish, fresh or frozen, is not dutiable and this free status has not been bound in any existing foreign-trade agreement. Present congressional action, therefore, will in no way impinge upon or interfere with any of our international agreements.

Tuna canned in oil was dutiable at 30 percent under the Tariff Act of 1930, but this was raised to 45 percent in January 1934 when a cost of production investigation by the Tariff Commission indicated that amount as the duty necessary to equalize costs of production in the United States with those of the principal competing countries. This 45-percent rate was reduced to 22½ percent in the 1943 trade agreement with Mexico, but the termination of that agreement at the end of 1950 automatically restored the duty to the 45-percent level, which exists today.

Following the restoration of the 45-percent rate of duty on tuna canned in oil, imports of tuna canned in brine increased sharply. Tuna canned in brine was dutiable at 25 percent under the Tariff Act of 1930; this was reduced to 12½ percent in the trade agreement with Iceland, effective in November 1943.

The United States Tariff Commission is conducting an investigation under the escape clause relative to tuna canned in brine. This could result in a recommendation to the President that he withdraw the concession and restore the duty to the 25-percent level.

THE DOMESTIC TUNA INDUSTRY

The domestic tuna fishing and canning industry gives direct employment to 25,000 to 30,000 persons. Thousands more are affected indirectly.

The domestic tuna fleet consists of 212 so-called bait boats which account for about 65 percent of the total tuna catch; about 100 purse seine vessels which account for about 18 percent; and a large number of very small boats which account for about 15 to 16 percent of the catch. The bait boats bring in mostly yellowfin and skipjack tuna; the purse seiners catch bluefin; the smaller boats catch albacore principally. Both the purse seiners and the small boats fish for other types of fish during the "off" season although tuna is the most important source of their income.

Of the domestic catch, more than half is usually yellowfin and about one quarter skipjack with albacore and bluefin accounting for less than the other quarter.

The southern California albacore price in 1948 averaged about 28 cents per pound, but by 1950 it had dropped to 20 cents and in 1951 it fell to 15 cents. This price decline was due to a glutted market which included heavy imports and was concurrent with a general commodity price increase and higher costs of production in the industry.

More than 90 percent of the total United States catch of tuna is landed on the California coast. According to Tariff Commission reports total estimated production in 1950 was 398,000,000 pounds, of which 375,000,000 were landed in California. Fish caught in the northern Pacific coast area consisted largely of albacore and, although the percentage of the total catch accounted for by albacore is not large, it is an important part of the supply.

The following tables show production (landings) of domestic tuna in recent years; a comparison of production (landings) in California during the first 3 months of 1950, 1951, and 1952; and a comparison of the amounts of tuna canned in California canneries, also during the first 3 months of 1950, 1951, and 1952.

TABLE 1.—*Tuna fish, fresh or frozen: United States production in recent years*

Year	Quantity	Value
	Thousands of pounds	*Thousands of dollars*
1946	221,838	26,611
1947	268,946	43,399
1948	328,270	59,986
1949	333,707	53,933
1950 [1]	398,000	(2)
1951 [1]	320,000	(2)

[1] Preliminary.
[2] Not available.

TABLE 2.—*Tuna fish: Landings by domestic boats in California during comparable months of 1950–52* [1]

Year (January, February, March)	Quantity
	Tons
1950	26,000
1951	36,000
1952	19,000

[1] Landings in California ports accounted for an estimated 95 percent of total landings. Actual figures for the entire country are not available.

TABLE 3.—*Tuna fish: Quantity canned by California canners in comparable periods of 1950–52*

Year (January, February, March)	Quantity
	Thousands of pounds
1950	21,996
1951	27,572
1952	15,528

NOTE.—Percentage decline, 1952 from 1951, 43.7 percent.

THE IMPORT SITUATION

The importation of fresh or frozen tuna prior to World War II reached a peak of 15 million pounds. Since Japan was the principal source, imports were much smaller during the war years, but following the war, shipments from foreign sources began to increase and by 1949 amounted to over 20 million pounds. They increased very sharply to 57 million pounds in 1950, and to over 75 million pounds in 1951.

During the last 2 years Japan has supplied about 45 to 50 percent and Peru about 20 percent of the imports. A large part of the balance came from the Canal Zone and Costa Rica.

It should be noted that some American fishing vessels operate out of the Canal Zone and Costa Rica and on occasion may ship their catch to the United States via foreign vessels. These amounts are not large, however, and have relatively little effect on over-all production and import statistics.

The following tables show imports of foreign fresh and frozen tuna in representative years and by months for the years 1950, 1951, and for the first 3 months of 1952:

TABLE 4.—*Tuna, fresh or frozen: United States imports since 1931 in specified years*

Year	Quantity	Value
	Thousands of pounds	*Thousands of dollars*
1931	7,858	579
1933	5,936	233
1935	6,283	395
1937	14,411	867
1938	13,694	803
1939	14,595	749
1943	1,310	99

TABLE 4.—*Tuna, fresh or frozen: United States imports since 1931 in specified years*—Continued

Year	Quantity	Value
	Thousands of pounds	*Thousands of dollars*
1944	3,475	319
1945	3,074	433
1946	4,167	612
1947	9,204	1,237
1948	9,143	1,616
1949 [1]	20,606	2,922
1950 [1]	56,712	7,693
1951 [1]	70,073	8,825

[1] Preliminary.

TABLE 5.—*Tuna, fresh or frozen: United States imports for consumption, by months, 1950 and 1951, and January-March 1952*

Year and month	Quantity	Foreign value
	Thousands of pounds	*Thousands of dollars*
1950: [1]		
January	965	92
February	420	46
March	2,194	156
April	638	74
May	6,096	816
June	4,320	552
July	8,239	1,257
August	13,213	2,143
September	6,798	998
October	3,613	476
November	6,330	734
December	3,886	439
Total	56,712	7,693
1951: [1]		
January	4,759	669
February	2,767	282
March	3,163	395
April	8,752	761
May	6,391	896
June	5,864	831
July	14,062	1,873
August	11,656	1,827
September	8,141	1,111
October	2,460	215
November	1,417	184
December	641	81
1952: [1]		
January	628	70
February	7,547	938
March	2,755	338

[1] Preliminary.

NOTE.—Beginning in December 1951, import figures have been adjusted and do not show fish caught by American fishermen but entered via foreign vessels. Figures for prior months have not been so adjusted.

Following the restoration of the 45-percent rate of duty on tuna canned in oil on January 1, 1951, imports declined. Immediately, however, imports of tuna canned in brine, dutiable at only 12½ percent, began to increase greatly. The following tables show imports of canned tuna during recent years:

TABLE 6.—*Canned tuna fish (in oil and in brine): United States imports during the first quarter of 1950–51–52*

Year (January, February, March)	Quantity
	Thousands of pounds
1950	3,045
1951	1,949
1952	5,560

TABLE 7.—*Tuna fish, canned, in brine: United States imports in recent years*

Year	Quantity	Value
	Thousands of pounds	*Thousands of dollars*
1948	13	6
1949	79	25
1950	381	93
1951	9,372	3,097

TABLE 8.—*Tuna fish, canned, in oil: United States imports in recent years*

Year	Quantity	Value
	Thousands of pounds	*Thousands of dollars*
1931	937	166
1935	8,185	1,263
1939	10,126	1,669
1946	4,739	1,952
1947	6,148	3,241
1948	8,254	4,770
1949	4,418	2,133
1950	36,496	14,410
1951	3,619	1,411

Competitive factors

It appears that the domestic fleet is not able to supply the American market with tuna. Extensive advertising and the recognized high nutritive value of tuna canned in oil, has caused a great expansion in consumer demand for that product in recent years. The lighter meated albacore, especially, is not supplied in sufficient quantities by our own fishermen and added amounts are needed from abroad. The committee believes that the proposed duty will be regulatory and will not be exclusionary.

Many thousands of pounds of cottonseed oil is used in the canning of tuna, and producers of that commodity are also seriously affected when the canned tuna market is glutted or upset or when imports of tuna in oil or in brine are excessive.

In this respect, attention is called to the fact that there is presently before the Tariff Commission an escape clause investigation which could result in doubling the import duty on tuna canned in brine. Although this new rate would be 25 percent, well below the 45 percent rate on tuna in oil, it would have some effect on imports. It is assumed that the investigations by the Tariff Commission and the Secretary of the Interior required by the bill will contain recommendations concerning the canned, as well as the fresh or frozen product. The tariff concession on tuna in brine was made bilaterally with Iceland, which has no tuna fishing or canning industry, and therefore serious diplomatic questions should not be involved in its withdrawal.

The problem of canners, principally in the Pacific Northwest and along the Atlantic coast, obtaining fresh or frozen tuna for their canning operations was seriously considered by the committee. It was felt that, although there may be some increase in the cost of Japanese tuna to the Washington-Oregon area and of Peruvian tuna to the Atlantic coast canners, supplies will continue to be available. The following table shows the amount of tuna fish canned in the United States, by areas, in 1951:

TABLE 9.—*Tuna fish: Quantity canned in the United States, by areas, in 1950 and 1951*

Area	Quantity [1]	
	1950	1951
Atlantic coast	87,059	189,990
Washington-Oregon	957,585	645,232
California	7,899,954	7,454,315
Total	8,944,588	8,289,537

[1] Cases, about 19½ pounds per case.

Peru levies an export tax on tuna shipped from that country, which, if mitigated or removed would reduce the effect of any United States duty on imports.

The investigations required by the bill, especially that of the Secretary of the Interior, might well result in long-range benefits to all the canners of tuna. The desired result of that investigation would be the reporting of information that would assist the domestic tuna industry, including canning, to achieve and maintain a sound position in the domestic economy.

The committee took official notice of the fact that the 3 cents per pound duty was a figure arrived at by careful study as one that would tend to regulate, but which would not prohibit, imports. That figure was not suggested by any industry, but was recommended by the Ways and Means Investigating Subcommittee after consultation with Government technicians.

It is felt by the committee that a temporary duty of the kind provided by the bill will not have any serious effect on our foreign trade. At the same time it will provide some assurance to a demoralized domestic fishing industry upon which many thousands of citizens are dependent for a livelihood. Furthermore, it will serve to maintain fleets of excellent craft which, as they did in the last war, serve vitally in the protection of our coast line.

The bill provides for close observation of the effects of the proposed duty and for the supplying to Congress of facts upon which future legislation, if then needed, can be adopted.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is printed in italics; existing law in which no change is proposed is shown in roman):

"TARIFF ACT OF 1930

"PAR. 717. (a) Fish, fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed): Halibut, salmon, mackerel, and swordfish, 2 cents per pound; other fish, not specially provided for, 1 cent per pound.

"(b) Fish, fresh or frozen (whether or not packed in ice), filleted, skinned, boned, sliced, or divided into portions, not specially provided for, 2½ cents per pound.

"(c) Fish, dried and unsalted: Cod, haddock, hake, pollock, and cusk, 2½ cents per pound; other fish, 1½ cents per pound.

"*(d) Tuna fish, fresh or frozen, whether or not packed in ice, and whether or not whole, 3 cents per pound.*

* * * * *

"PAR. 1756. [Sea herring, smelts, and tuna fish] *Sea herring and smelts,* fresh or frozen, whether or not packed in ice, and whether or not whole."

Mr. KNOWLAND. Mr. President, I also ask to have printed in the RECORD at this point as a part of my remarks an extract from the statement which I made to the Senate Finance Committee on behalf of my junior colleague [Mr. NIXON] and myself at the time hearings were opened on the tuna legislation.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

TUNA TARIFF BILL H. R. 5693

Mr. Chairman, my colleague, Senator NIXON and I appreciate the opportunity of appearing before your committee in support of H. R. 5693, the bill to amend the Tariff Act of 1930 to impose certain duties on the importation of tuna fish, and for other purposes.

The tuna industry is one of the largest and most valuable fisheries in the United States. In 1950 over nine million cases of tuna were produced which had a wholesale value of $113,000,000. The tuna clipper fleet which is based principally in the San Diego area produced about 70 percent of all tuna

caught by United States fishermen. The tuna fleet consists of over 200 vessels, and has a replacement value of about $60,000,000.

In addition to the tuna fleet, the purse seine, which is based at San Pedro produced about 17 percent of the United States tuna catch; and the albacore fleet which is based in practically every west coast port catches about 13 percent.

In addition to the boats required to fish for tuna, it should be borne in mind that about 90 percent of the tuna canned in the United States is packed in southern California. The pack is almost evenly divided between San Diego and San Pedro.

During the war years the use of tuna in the United States was greatly restricted because many of the tuna boats were taken over by the Federal Government for war purposes, and imports into the United States were negligible. With cessation of hostilities in 1945 both the domestic production of tuna and the imports commenced to rise. In 1946 tuna imports amounted to about 4,000,000 pounds, and have steadily risen, until 1950 they amounted to over 56,000,000 pounds, and it appears that the 1951 import figure will be even more because for the first 6 months over 31,000,000 pounds had been imported. During this same period of time the United States fishing industry was increasing their production because the Government was returning boats to the fishermen as well as some new boats being built. As a result of the rapid increase in the delivery of fish, both domestic and import, the price received by the fisherman has reached a point where it is no longer profitable to send his boats to sea. The fishing industry, like every other industry in the United States faces increased costs, yet at the same time finds that the sale price of its commodity is declining because of increased imports which can be sold at a price they cannot meet.

Since 1947 the wholesale price of all food commodities has gone up over 19 percent. In the same period of time the wholesale price index of canned tuna has gone down about 16 percent. As a result of the decrease in the price of tuna to the fisherman, the tuna clipper fleet has only been operating at between 15 percent and 25 percent of its capacity since July 1951. This has resulted in widespread unemployment, both among the fishermen and the canneries in southern California, and it is estimated that between twenty and thirty thousand of our citizens are unemployed at this time.

From the facts so far developed, it appears that the health of the American tuna industry has been impaired because of imports of tuna from low-cost producing foreign countries. Prior to World War II, foreign tuna imports comprised about 6 percent of the United States canned tuna sales. By 1948 they were 7 percent of the United States sales, and in 1949 they comprised about 13 percent. In 1950 the imports jumped to about 30 percent of the canned tuna sales, and it looks as though in 1951 it would make up about 34 percent of the sales.

The situation has gotten so bad that it is feared unless remedial steps are taken the tuna fishing industry will be impaired financially to such an extent that it will be difficult for the industry to recover. If the boat owners are forced into bankruptcy, or are forced to change the register of their boats to some country, like Panama, it would be difficult if not impossible to reestablish the industry in this country. That, of course, would mean that jobs in the industry would be lost on a permanent basis.

The tuna industry believes that the adoption of H. R. 5693 would give them sufficient emergency assistance so that a solution can be found to their problem. The members of the Committee on the Tariff Commission have just concluded a hearing on tuna in brine. This hearing was heard to determine whether the tariff on this commodity should be maintained at its present level or increased for the protection of the industry. If, as a result of these hearings, the tariff is increased it still leaves the problem of fresh and frozen tuna which H. R. 5693 would correct. This bill provides for a tariff of 3 cents a pound on fresh or frozen tuna and would be in effect until April 1, 1953. The legislation directs the United States Tariff Commission to conduct an investigation of the competitive position of the domestic tuna industry, including the effects of impost of fresh or frozen tuna and to report the results of its investigations to Congress on or before January 1, 1953. During the period of January 1 to April 1, 1953, Congress would be in a position to determine what permanent solution to the problem, if any, should be taken care of by legislative means.

In addition, section 3 of the bill directs the Secretary of the Interior to make a comprehensive study of a long-range position of the domestic tuna industry and recommend such measures as may assist the industry to achieve and maintain a sound position in the domestic economy.

Mr. Chairman, I wish to emphasize that the bill presently under discussion is an emergency bill which will afford temporary relief until April 1, 1953. The State Department when they appeared before the House of Representatives stated, "On balance, however, having in mind the unique nature of the situation, the compelling prima facie case of injury shown in this case, the temporary character of the duty, and the basic studies which are to be undertaken, the Department believes that the proposals contained in H. R. 5693 are not unreasonable. Accordingly, the Department expresses no objection to the bill."

Mr. KNOWLAND. Mr. President, I merely wish to reiterate that the figures on page 6 of the committee report show that in 1951 the pack on the Atlantic coast amounted to 189,900 cases; in the area of Washington and Oregon, 645,230; in California, 7,454,315 cases.

I again point out to the Senate that while tuna is a product of importance to Japan, the figures show, as I pointed out earlier in the debate, that the general imports of this country from Japan amounted, in the first 6 months of 1951, to $115,200,000; tuna, fresh or frozen, amounted to $1,500,000; tuna, frozen in cans, $2,200,000, and all types of fish, including shell fish, $5,100,000.

I wish to reiterate that this legislation is only temporary and emergency legislation to protect a great industry which is going through a most critical period, until the Tariff Commission can make an adequate study of the problem. By its terms the legislation would expire on April 1, 1953. The Commission is directed to make a report to Congress, so that when we reassemble in January the information will be before the Senate Finance Committee and the House Ways and Means Committee.

I believe that this is reasonable legislation. It is necessary legislation, and I hope the Senate will support it.

Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	McFarland
Anderson	Green	Millikin
Bennett	Hendrickson	Monroney
Benton	Hennings	Moody
Brewster	Hickenlooper	Mundt
Bricker	Hill	Neely
Bridges	Hoey	Nixon
Butler, Md.	Holland	Pastore
Butler, Nebr.	Humphrey	Robertson
Cain	Ives	Saltonstall
Capehart	Jenner	Schoeppel
Case	Johnson, Colo.	Seaton
Clements	Johnson, Tex.	Smathers
Connally	Johnston, S. C.	Smith, Maine
Cordon	Kem	Smith, N. J.
Dirksen	Kerr	Smith, N. C.
Douglas	Kilgore	Sparkman
Dworshak	Knowland	Stennis
Eastland	Lehman	Thye
Ecton	Long	Tobey
Ellender	Magnuson	Underwood
Ferguson	Malone	Watkins
Flanders	Maybank	Welker
Frear	McCarran	Wiley
Fulbright	McCarthy	Williams
George	McClellan	

The PRESIDING OFFICER. A quorum is present. The question is on the passage of the bill.

The yeas and nays have been ordered and the clerk will call the roll.

Mr. DWORSHAK. Mr. President, I shall not detain the Senate. I merely wish to point out that I am in agreement with the sponsors of this proposed legislation. I listened to the debate and I was inclined to offer an amendment which would have included frozen trout, because the commercial trout hatcheries in the Western States have been placed in distress because of the importation of frozen trout from foreign countries, particularly Japan. The imported trout sells at retail for about one-third under the price which has been commanded by the commercial trout hatcheries in the West for their superior product. This competition will likely force many of our commercial hatcheries to shut down, because they cannot meet the low-cost operating standards abroad.

Mr. President, I am not one of those who have supported reciprocal-trade agreements and who believe that we should negotiate reciprocal-trade agreements on the basis that the United States is entitled to little or no consideration.

I understand we can do nothing insofar as frozen trout are concerned or insofar as many other commodities are concerned, because the Chief Executive, through the State Department and other agencies, unconstitutionally has given official sanction to GATT, or the General Agreement on Tariffs and Trade, thus denying to the legislative branch of the Government its prerogative to have control over tariffs.

I should like to provide protection for the commercial trout hatcheries in my State and in many of the other States of the West; but our hands are tied, and it would be futile to offer such an amendment to this particular bill. I am sure the committee of conference would reject such an amendment, contending that, under the provisions of GATT, the

Congress has no authority to take steps to protect and safeguard any of our domestic industries.

I make these briefs remarks, Mr. President, because I believe that some future time the legislative branch of the Government must have the courage to recapture its authority, which has been delegated to or usurped by the executive branch of the Government, and must take the steps which are imperative and essential in safeguarding labor, business, agriculture, and industry.

Therefore, Mr. President, I am in accord with the objectives of this particular measure.

The PRESIDING OFFICER. The question is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GEORGE (when his name was called). On this vote, I have a pair with the senior Senator from Ohio [Mr. TAFT]. If the senior Senator from Ohio were present and voting, he would vote "yea" on the question of final passage of this bill. If I were at liberty to vote, I would vote "nay." I withhold my vote.

The roll call was concluded.

Mr. JOHNSON of Texas. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. HAYDEN], the Senators from Wyoming [Mr. HUNT and Mr. O'MAHONEY], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Montana [Mr. MURRAY], and the Senator from Maryland [Mr. O'CONOR] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that the Senator from Tennessee [Mr. KEFAUVER] is paired on this vote with the Senator from Maryland [Mr. O'CONOR]. If present and voting, the Senator from Tennessee would vote "yea" and the Senator from Maryland would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] and the Senators from Pennsylvania [Mr. MARTIN and Mr. DUFF] are absent on official business.

The Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

On this vote the Senator from Ohio [Mr. TAFT] is paired with the Senator from Georgia [Mr. GEORGE], and that pair has been previously announced.

If present and voting, the Senator from Massachusetts [Mr. LODGE] and the Senator from Pennsylvania [Mr. MARTIN] would each vote "yea."

The result was announced—yeas 32, nays 43, as follows:

YEAS—32

Aiken	Flanders	Mundt
Bennett	Hendrickson	Nixon
Bricker	Hickenlooper	Pastore
Butler, Nebr.	Jenner	Saltonstall
Cain	Kerr	Schoeppel
Capehart	Knowland	Thye
Case	Long	Tobey
Dirksen	Magnuson	Watkins
Dworshak	Malone	Welker
Ecton	McCarran	Wiley
Ferguson	Millikin	

NAYS—43

Anderson	Hennings	Monroney
Benton	Hill	Moody
Brewster	Hoey	Neely
Bridges	Holland	Robertson
Butler, Md.	Humphrey	Seaton
Clements	Ives	Smathers
Connally	Johnson, Colo.	Smith, Maine
Cordon	Johnson, Tex.	Smith, N. J.
Douglas	Johnston, S. C.	Smith, N. C.
Eastland	Kem	Sparkman
Ellender	Kilgore	Stennis
Frear	Lehman	Underwood
Fulbright	Maybank	Williams
Gillette	McClellan	
Green	McFarland	

NOT VOTING—21

Byrd	Kefauver	Morse
Carlson	Langer	Murray
Chavez	Lodge	O'Conor
Duff	Martin	O'Mahoney
George	McCarthy	Russell
Hayden	McKellar	Taft
Hunt	McMahon	Young

So the bill (H. R. 5693) was rejected.

EXTENSION OF DEFENSE PRODUCTION ACT

Mr. MAYBANK. Mr. President, there has been some talk of a resolution being passed to extend temporarily the Defense Production Act. I have discussed this with the Senator from Indiana [Mr. CAPEHART], the acting minority leader, and the Senator from Arizona [Mr. MCFARLAND], the majority leader.

As I understand, the House will vote on the measure tomorrow. It is my hope that when the House has voted, assuming it acts to extend the Defense Production Act in whole or in part, the Senate and House conferees can take up the matter tomorrow night in conference, discuss the broader issues or differences, and when we have the two printed bills passed by each House before us on Thursday, discuss the differences in detail, act upon them, and pass it by Friday if any act is to be passed.

Under present circumstances—and I only say present circumstances, since the House has not taken final action—I would have no intention, as chairman of the Committee on Banking and Currency, to introduce any resolution to continue the Price Control Act for a temporary period. Everyone knows what he intends to do.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. CAPEHART. I think we ought to meet tomorrow, when the House has finished with the bill.

Mr. MAYBANK. Tomorrow night.

Mr. CAPEHART. I think we ought to stay in session until we finish it, and pass it on Friday. I do not believe the existing act should be extended for 30 days. I believe we should make every conceivable effort to pass some type of permanent bill, if that is what Congress desires to do. I join with the able Senator from South Carolina in his suggestion.

Mr. MAYBANK. I thank the distinguished Senator. It would not be a question of extension for 30 or 10 days.

Mr. CAPEHART. I join with the able Senator from South Carolina and assure him that we will cooperate with him 100 percent in meeting tomorrow night and in making every effort to pass the bill.

Mr. MAYBANK. That would not preclude me, as chairman of the Committee on Banking and Currency, from making a proposal to extend the time, if the committee in its wisdom deemed it necessary. But I think it would be a mistake, as things now stand, to do so.

Mr. MCFARLAND. Mr. President, the procedure outlined by the distinguished Senator from South Carolina is perfectly agreeable to me. I would accept his judgment in such matters. The only thing the Policy Committee did was to decide that if and when the Senator wanted to take up either the conference report or a resolution, he should be given the right-of-way for his program, so that the present law will not expire.

Mr. MAYBANK. As the majority leader knows, all laws in connection with production and related matters will expire at midnight June 30, 1952. As is well known, I am not one who believes that the various provisions of the Defense Production Act should be allowed to expire. The House in its wisdom might act to do away with one provision of the act or another—that is its right—but I think it would be a frightful mistake not to have the Senate Committee on Banking and Currency meet tomorrow together with the House committee, have a conference, and report back to our respective Houses on Friday and send the bill to the President.

Mr. CAPEHART. We will cooperate with the Senator 100 percent in that program.

LEAVE OF ABSENCE

Mr. MAYBANK. Mr. President, I should like to have the attention of the Senator from Arkansas [Mr. FULBRIGHT].

Because of serious illness in my family, I must ask to be excused for a few days. I should like to ask the distinguished Senator from Arkansas if he would be kind enough to proceed with whatever steps he believes may be necessary in connection with the control bill which the House is expected to pass tomorrow. The Senator from Arkansas is familiar with the present law, and with the bill, as he has ably served on the committee. I shall return as soon as I can.

Mr. FULBRIGHT. Does the Senator desire that I take his place on the conference committee?

Mr. MAYBANK. That is correct. Of course, the Vice President appoints the conferees, but the Senator from Arkansas might, in his wisdom, desire to look into the details of the bill in order to be able to judge them.

Mr. FULBRIGHT. Have the conferees been named?

Mr. MAYBANK. They have not. The House is expected to vote on the bill tomorrow.

Mr. FULBRIGHT. Would the Senator wish to leave a list of conferees?

Mr. MAYBANK. It has always been customary for the Vice President to appoint the conferees on both sides. I cannot say what the Vice President will do, but I hope he will appoint me as a member of the conference committee. I hope to be back as soon as possible.

The PRESIDING OFFICER. Without objection, the Senator from South Carolina is excused.

THE McCARRAN-WALTER IMMIGRATION BILL—ATTITUDE OF CATHOLIC GROUPS

Mr. LEHMAN. Mr. President, within the next 36 hours the President of the United States is going to pass final judgment on the McCarran-Walter Immigration bill now pending before him. As there has been a great deal of confusion and misunderstanding, statements and counterstatements, concerning the position of Catholic groups on this bill, I should now like to insert into the RECORD, and ask unanimous consent that it be printed at this point in my remarks, an editorial from the current issue of America, one of the most widely read Catholic publications in America. This editorial throws some light on the confusion which has arisen. It should be of interest to all who are following the progress of this legislation in the White House.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CATHOLIC OPINION ON McCARRAN BILL

By the time these lines are read, President Truman will have either vetoed or signed the McCarran immigration bill, or simply allowed it to become law. Whatever his decision, he must have been baffled by conflicting reports on how Catholics viewed it.

The President and his advisers knew that the so-called nationality groups, most of them predominantly Catholic, vigorously urged a veto. On June 1, for example, the Polish-American Congress, meeting in Atlantic City, called upon the President to veto the bill as contrary to the sentiments and tradition of the United States. The Congress represents more than 6,000,000 Polish-Americans, most of whom are Catholics. Identical demands were made by Italian-American and Lithuanian-American organizations, also mostly Catholic.

On the other hand, Senator McCARRAN was able to present to the Senate on May 19 a statement on the letterhead of the National Catholic Welfare Conference and signed by one of its officials declaring that "we favor the McCarran-Walter bill as amended." Mr. Truman, of course, must have been apprised of this approbation.

Confusion in the Catholic community then became confounded, as the record of subsequent developments will show. Under date of June 2, NC News Service distributed an article by Bruce Mohler, director of NCWC's Bureau of Immigration, approving the McCarran-Walter bill. Wrote Mr. Mohler.

"Later, on March 5 [3?], 1952, at a meeting of representatives of the various NCWC departments and affiliated groups, 15 additional suggested amendments were drafted and decision was made to support the McCarran-Walter bill with the hope that those amendments would be accepted."

Most of the diocesan weeklies ran the article.

It now transpires that Mr. Mohler misinterpreted the sense of the meeting. It merely authorized NCWC representatives to take up the issues with Senator McCARRAN and report back to the group. We are informed that no such report was ever made.

In a statement released to the press a week later, Msgr. John O'Grady, secretary of the National Conference of Catholic Charities, a participant in the March 3 conference, challenged Mr. Mohler's statement and denounced the McCarran-Walter bill. Only a handful of the diocesan papers printed his protest in full. One of those that did was the New World of Chicago; another was the Pilot of Boston. The latter confessed itself "shocked by the position previously taken by the NCWC adviser."

Monsignor O'Grady continued his challenge in the Commonweal for June 20, asserting that "Mr. Mohler's statement and his letter do not represent the considered thinking of the bishops of the United States." If the usually well-informed monsignor is correct, the question of whether NCWC's position was properly represented needs clarification.

ADJUSTMENT OF BASIS OF PROPERTY FOR DEPRECIATION, ETC.

Mr. GEORGE. Mr. President, with the agreement of the majority leader, I move that the Senate proceed to the consideration of House bill 3168, which is Calendar No. 1091.

The PRESIDING OFFICER. The clerk will read the bill by its title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 3168) to amend section 113 (b) (1) (B) of the Internal Revenue Code with respect to adjustment of the basis of property for depreciation, obsolescence, amortization, and depletion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment.

The PRESIDING OFFICER. The Senator from Georgia.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, will the Senator yield for an announcement?

Mr. GEORGE. I am glad to yield for that purpose.

Mr. McFARLAND. Mr. President, it is, of course, our hope that the consideration of the bill which has just been taken up will be completed this afternoon. I feel sure that can be done.

Mr. GEORGE. Yes.

Mr. McFARLAND. On tomorrow we expect to take up the Interior appropriation bill, House bill 7176, which is Calendar No. 1733.

Following that, we expect to take up the State, Justice, and Commerce appropriation bill, House bill 7289, which has been reported.

Mr. President, we shall endeavor to make an announcement in regard to the agenda, following the consideration of that bill. I may state, however, that we have placed upon the agenda for consideration House bill 7800, a bill to increase old-age and survivors insurance benefits, a bill to which, as stated in my previous notice, an amendment will be proposed to increase the benefits for the aged, the blind, and dependent children.

Also on the agenda to be taken up and disposed of as soon as possible is House bill 7656, the so-called Korean Conflict Servicemen's Readjustment Act to extend GI benefits to Korean veterans.

Also to be placed on the agenda is Senate bill 35, Calendar No. 294, to provide for the appointment of deputy United States marshals without regard to the provisions of the civil-service laws and regulations.

On Monday—at least by Monday—we hope to take up the German Peace Treaty.

Also on the agenda will be House bill 5767, which is Calendar No. 1671, the so-called fair-trade bill. I imagine that at least two or three Senators may have heard of that bill.

Another bill placed on the agenda is House bill 5426, a bill to consolidate all laws relating to Reserves and to correct existing defects in policies or practices relating to the Reserves.

At the suggestion of the distinguished chairman of the Finance Committee, there has also been placed on the agenda House bill 6845 to extend suspension of scrap metal duty to June 10, 1953.

Another bill, which has not yet been placed on the calendar, but which we deem to be of importance, and which will be placed on the agenda, to be taken up as soon reported, as a "must" item, is House bill 8120, having to do with military construction.

Another bill which has been placed on the agenda is Senate bill 1084, Calendar No. 1387, a bill to exempt certain companies distributing natural gas from Federal regulations, if their operations are intrastate.

The District of Columbia rent-control bill will also be placed on the agenda when the distinguished Senator from West Virginia desires to bring it up.

Mr. President, the bills to which I have referred may not be considered in the order in which I have mentioned them, and there may be other bills which Senators will desire to have considered which may be given priority over those I have mentioned. But I am now giving notice that the bills to which I have referred will all be on the agenda, in order that Senators may have an opportunity to study them and to be prepared when they are taken up for consideration.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield to the distinguished Senator from New Hampshire.

Mr. BRIDGES. I did not hear the Senator mention the tidelands bill, which was vetoed. Would the Senator kindly tell us where that is on the agenda?

Mr. McFARLAND. The Senator from Florida is presently occupying the chair. I think I may speak for him, though the Senator from Florida would not thereby be precluded from speaking for himself.

I do not think that Senators interested particularly in the tidelands veto have decided yet whether they will bring it up, or, if so, when they will bring it up. That will be a matter of agreement to be arranged between the distinguished senior Senator from Florida and the distinguished senior Senator from Wyoming. When the two distinguished Senators inform us of the time at which they desire to bring up that matter, we shall then place it on the agenda, and appropriate notice will be given either by the Senator from Florida, or the Senator from Wyoming, or by myself. I may inquire of the senior Senator from Florida, who is presently occupying the chair, whether I have correctly stated the situation.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). As a Senator from Florida, the Chair would state that, subject to the right of any Senator to bring up the matter at any time he may choose, because of its privileged nature, the majority leader has correctly stated the situation.

Mr. BRIDGES, Mr. GEORGE, Mr. McCLELLAN, and Mr. LEHMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arizona yield, and if so, to whom?

Mr. McFARLAND. I yield first to the Senator from New Hampshire.

Mr. BRIDGES. I should like to ask the majority leader, so that Senators may make their plans, whether it is the intention of the Senator to drive for recess or adjournment, and on what date? Is it his intention to have late sessions next week, and some this week? Can he give us some idea as to the situation in that respect?

Mr. McFARLAND. I think Senators should be prepared to have night sessions any day this week, and also to have a session on Saturday. Likewise, I think Senators should be prepared, if we are making sufficient progress, to have a session instead of a holiday on the 4th of July. We are driving for adjournment on the 5th of July, and we hope that we shall reach adjournment by that time.

Mr. FERGUSON. Does the Senator think we shall reach that goal?

Mr. McFARLAND. I am not making any promises.

Mr. FERGUSON. But we shall work toward it.

Mr. McFARLAND. Yes.

Mr. FERGUSON. Has the Senator considered the amendment which we wanted to bring up yesterday?

Mr. McFARLAND. We are going to consider that at another meeting next week.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. McCLELLAN. Did the Senator include in the agenda the social security bill?

Mr. McFARLAND. Yes; I did include that.

Mr. GEORGE. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield.

Mr. GEORGE. Did the Senator include the motion to reconsider the vote on House Joint Resolution 27, known as the St. Lawrence waterway?

Mr. McFARLAND. No; I did not include that.

Mr. GEORGE. I thank the Senator very much.

Mr. McCARRAN. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield.

Mr. McCARRAN. In announcing the agenda, did the Senator include Senate bill 35?

Mr. McFARLAND. Yes, I did.

We have now consulted the minority leader, and if we conclude consideration of the pending bill in time, it will be agreeable, I think, to take up Senate bill 35 this afternoon. If there is any objection, it will not be done, because notice has not been given.

ADJUSTMENT OF BASIS OF PROPERTY FOR DEPRECIATION, ETC.

The Senate resumed the consideration of the bill (H. R. 3168) to amend section 113 (b) (1) (B) of the Internal Revenue Code with respect to the adjustment of the basis of property for depreciation, obsolescence, amortization, and depletion.

Mr. GEORGE. This is a very simple bill, and it will not require a great deal of discussion. I can explain it in one page. The purpose of the bill is to overcome the decision of the Supreme Court in the Virginian Hotel case, which very clearly, by a 5-to-4 decision, misinterpreted the intention of the Congress. In that case the Court held that where a taxpayer had claimed excessive amounts in depreciation in his returns for earlier years now closed, such amounts reduced the cost basis of the property, even though the taxpayer had received no benefit from the depreciation deduction.

The bill as passed by the House would have corrected this situation only for taxable years beginning after December 31, 1947. The committee is of the opinion that the taxpayer should be permitted at his election to apply the same rule to open cases for taxable years beginning prior to December 31, 1947, and the bill so provides.

The sponsor of the bill in the House, Hon. SIDNEY A. CAMP, an honored member of the Ways and Means Committee of the House, and a Representative from the State of Georgia, advised our committee in public hearing that the Committee on Ways and Means would also have made the bill retroactive for the open years, had it been known that such retroactivity would result in only a slight loss in revenue.

Mr. DOUGLAS. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. DOUGLAS. Is that the total loss, or is that the loss because of the Senate provision as compared with the House provision?

Mr. GEORGE. That is the loss occasioned by the Senate Finance Committee amendment.

Mr. DOUGLAS. As compared with the House provision?

Mr. GEORGE. No. The House bill as it passed the House was estimated to cause a loss of about $63,000,000.

Mr. DOUGLAS. Is that the total?

Mr. GEORGE. Yes; under the House bill.

Mr. DOUGLAS. And under the Senate provision, what would the total loss amount to?

Mr. GEORGE. Not exceeding $7,000,000 additional.

The Treasury at first estimated the loss in revenue to be a very large sum; but it has now concluded that the loss in revenue from making the House bill retroactive would be only $7,000,000, a figure which is several hundred million dollars less than the figure given to the House committee.

The taxpayer must make an election on or before December 31, 1952, to have the bill apply to periods before January 1, 1952.

Mr. President, may I emphasize that this bill as it passed the House was estimated to result in a loss of some $200,000,000, but the Treasury now estimates the loss at not exceeding $7,000,000.

Mr. DOUGLAS. Or $70,000,000?

Mr. GEORGE. That is correct. The total loss from the bill is estimated at $70,000,000. But it is a very small loss to pay for the correction of a very serious error, an error which Congress never intended. The Supreme Court, by a 5 to 4 decision, approved this error, and this bill corrects the error.

No such result was ever intended by Congress. The law was amended in 1932 to provide that basis for depreciation should be reduced by depreciation previously "allowed," and this amendment was retained in subsequent revenue acts and in the Internal Revenue Code. The purpose of the 1932 amendment was simply to enact a statutory estoppel—to require a taxpayer who had reduced taxes by excessive depreciation to reduce his basis by the amount of the excess. The provision was inserted at the Treasury's request to protect the Treasury from double deductions.

This remedial amendment was later used by the Treasury to penalize taxpayers where an essential element of estoppel—damage to the Government—was wholly lacking. The Supreme Court upheld this misconstruction of the law.

Mr. DOUGLAS. Do I correctly understand that, under the bill, if a firm has taken excessive depreciation in the depression years, when it had little or no taxable earnings and therefore got no tax advantage from the excess depreciation, it can then take that excess depression after the depression, in years when it has taxable income?

Mr. GEORGE. The situation that arose in the Virginia Hotel case was upon a construction of the corrected statute, which the committees and Congress had corrected at the invitation of the Treasury. It is in a case where the taxpayer had received no advantage whatever from his claim of excessive depreciation, none whatever.

Mr. DOUGLAS. Why did he not get any advantage from it?

Mr. GEORGE. Because he had no income which could be reduced by the depreciation deduction. He had a loss.

Mr. DOUGLAS. So is it assumed he was not entitled to this excess depreciation, or that this was depreciation which he claimed to which he was not entitled originally?

Mr. GEORGE. It was a depreciation deduction he might have claimed as against profits if he had had profits.

Mr. DOUGLAS. But was it a depreciation in excess of amounts allowed by the Treasury?

Mr. GEORGE. It was depreciation in excess of what he was entitled to take under the law. Assume that the allowable yearly amount of depreciation with respect to certain property is $1,000 a year. The taxpayer claims and the Treasury does not disallow a $2,000 depreciation deduction for that year. The taxpayer is taking a deduction of $1,000 excessive depreciation. Under the present law the basis of the property for determining gain will be reduced not only by the $1,000 normal depreciation but also by the $1,000 excessive depreciation claimed on the return. The bill undertakes to correct that situation where the taxpayer received no tax benefit from the excessive depreciation.

The court, on the invitation of the Treasury, has set up a doctrine of estoppel where the taxpayer has received no possible benefit, where he has simply made an error in a prior return without any benefit accruing to him.

Mr. DOUGLAS. What was the nature of the error he made? Was it an error in claiming greater depreciation than was really permitted? Was that his error?

Mr. GEORGE. Yes, that is correct.

Mr. DOUGLAS. If he overstated actual, physical depreciation of his property in a period of low earnings, or of no taxable earnings he could not benefit from his overstatement at that time. Am I correct in understanding that under this bill he would be permitted to benefit from the overstatement in subsequent years when he has taxable earnings?

Mr. GEORGE. No, the Senator is entirely wrong. But if the Senator is prejudging the merits of the case and the morality of the case, I do not think I could convince him.

Mr. DOUGLAS. No, I have tried not to prejudge this matter; I am merely trying to ascertain the facts.

Mr. GEORGE. The facts are that the taxpayer in making a return has simply erroneously stated a claim for depreciation.

Mr. DOUGLAS. Suppose he claimed $200,000 deduction for depreciation in a given year.

Mr. GEORGE. Suppose he did.

Mr. DOUGLAS. Then suppose it was found he was entitled to only $100,000. What would happen to the $100,000 which he claimed in excess of the amount to which it was found he was entitled? Under this bill, could that excess depreciation be spread over the taxes and earnings of subsequent years to reduce the amounts which the taxpayer would otherwise pay?

Mr. GEORGE. He would not have to reduce the base of his property by the amount which gave him no benefit at all, that is, the additional $100,000.

Mr. DOUGLAS. It would not reduce the base of his property. But suppose there were 10 tax years in litigation still open. Could he apply $10,000 a year on his income-tax return as a deduction from taxable income, so that the amount upon which he would pay taxes would be $10,000 a year less than it otherwise would be?

Mr. GEORGE. It affects only the base of his property, which is spread over the remaining life of the property. Some property is depreciable in 20 years, some in 50 years, and so on. But it would only affect the base of his property, and would apply only to open years.

Mr. DOUGLAS. I understand.

Mr. GEORGE. If the case had been adjudicated or settled or closed by agreement, the case would be ended and could not be reopened.

Mr. DOUGLAS. I should like to ask the Senator a very simple question. If the taxpayer overstated the amount of his depreciation in a given year, why should he receive credit upon the overstatement if it were in excess of the amount by which his property was assumed to be physically depreciated during that time. Why should he be able to claim the advantages of that excess depreciation he has already taken in any subsequent year?

Mr. GEORGE. Because the taxpayer claimed more depreciation than he was entitled to under the law, and he received no tax benefit for the excess depreciation claimed.

Mr. DOUGLAS. If the statement of depreciation was originally in excess of what he should have received, why should he get any credit upon that at any time, either in the base year or in subsequent years?

Mr. HUMPHREY. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Let us assume that someone was entitled to a $100,000 depreciation allowance, and he took $200,000, which would, of course, more rapidly reduce the depreciation schedule, but he got no benefits from the $200,000——

Mr. GEORGE. That is exactly the case.

Mr. HUMPHREY. He received no benefits whatsoever.

Mr. GEORGE. None whatever. If he received any benefits, he would be estopped.

Mr. HUMPHREY. Therefore, the Senator's argument is that since he received no benefit, there is no reason why we could not go along with the normal depreciation schedule, regardless of whether there was excessive depreciation in 1 year which gave no benefit to the taxpayer.

Mr. GEORGE. The Senator is entirely correct.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Oklahoma.

Mr. KERR. Is depreciation as a principle applied in order that the taxpayer may secure a return on his investment free of tax cost?

Mr. GEORGE. That is correct. The theory is that over a period of years, during the life of the property or the life of the investment, the taxpayer would gain back his investment.

Mr. KERR. Not his income?

Mr. GEORGE. Oh, no; not his income.

Mr. KERR. It is a reimbursement of the amount he invested?

Mr. GEORGE. The Senator is correct.

Mr. KERR. Is it a fact that if this bill does not pass, then there will be a group of taxpayers who will be denied that right?

Mr. GEORGE. The Senator is entirely correct. The whole theory of depreciation is that over a period of years the investor will receive a return of his capital. If this bill does not pass, there may be a class of taxpayers who will not have a return of their capital.

Mr. KERR. Unless there is such a taxpayer, then the bill does not apply?

Mr. GEORGE. It does not apply; and if it is a closed case, he cannot be hurt.

Mr. KERR. The provisions of the bill apply when a case has not been closed?

Mr. GEORGE. That is correct.

Mr. KERR. And its purpose is to permit a taxpayer to receive a return of capital investment?

Mr. GEORGE. The Senator is correct.

Mr. KERR. It is not calculated to permit any taxpayers to escape taxation on income derived from an investment which was profitable?

Mr. GEORGE. Not at all.

Mr. HUMPHREY. Mr. President, will the Senator yield to me again?

Mr. GEORGE. I yield.

Mr. HUMPHREY. I have been listening in order to get an explanation, and I think I sense now what the Senator is driving at. As I understand, there is a certain amount of value in property which is subject to normal depreciation allowance. That is the premise from which we start—a certain amount of cost.

Mr. KERR. The original cost.

Mr. HUMPHREY. The original cost, which is subject to normal depreciation allowance.

Mr. GEORGE. That is true.

Mr. HUMPHREY. Let us assume that in a certain year a business made no money, and the individual deducted excessive depreciation. There would therefore accrue no benefit to the taxpayer. Is that correct?

Mr. GEORGE. That is correct.

Mr. KERR. Mr. President, will the Senator permit me to interrupt there?

Mr. HUMPHREY. I yield.

Mr. KERR. And there would not be a return of capital.

Mr. HUMPHREY. What is that?

Mr. KERR. There would not be a return of private investment, because it was not received; it was merely a bookkeeping entry.

Mr. HUMPHREY. A bookkeeping transaction, without any exchange of revenue or dollars.

Mr. KERR. Or return of investment.

Mr. HUMPHREY. Or return of investment. What the Senator is really suggesting is that in those instances, where there has been excessive depreciation, in which case the Treasury Department would want to say, "We are going to check that year off," 2 years' depreciation would be taken in one, even though there accrued no benefit to the taxpayer. Does the Treasury Department then say, "We will knock off 2 years' for one, and thereby cut down your nomal depreciation schedule?"

Mr. GEORGE. Yes.

Mr. HUMPHREY. What the Senator says is that, so long as there is no loss to the Government from the original transaction, and so long as there is no gain to the taxpayer from the original claim for excessive depreciation, there is no reason why there should not be a normal depreciation scheduling over the life of the property.

Mr. GEORGE. That is exactly right. The Senator has stated the case better than I have stated it.

I agree that the House bill is correct, and the Senate Finance Committee agreed that it was correct. We made the bill apply only to open cases, and while it is stated that there is a loss to the Treasury, that must be understood as a loss of anticipated revenue, and, in the main, not revenue actually lost.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. KERR. If the Bureau of Internal Revenue were actually to receive that money, the lack of which is said to create a loss, it would be doing so out of the taxpayers' capital, and not out of the taxpayer's profits.

Mr. GEORGE. That is true. The Senator is entirely correct.

Mr. HUMPHREY. That is correct.

Mr. GEORGE. Mr. President, I wish to call attention to another issue which arose in the consideration of the bill, not for the purpose of confusing the issue, but largely for the purpose of clarifying the question raised, because, as I understand, the witness who appeared before the committee was himself laboring under some misapprehension. The Treasury is not now following the practice which this witness contemplated or visualized. I ask unanimous consent to have inserted in the RECORD at this point as a part of my remarks a statement on that question, which has nothing to do with the provisions of the bill.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

There is another point dealing with depreciation which is not covered by the bill, but which I would like to discuss.

In 1932, Congress adopted an amendment which provided that where taxes for calendar years had been reduced by excessive depreciation erroneously claimed, and the statute of limitations had barred the collection of the correct tax for such years, the taxpayer could not then claim he could restore to basis the amount of the excess depreciation, for which he had received a tax benefit in such prior years. A witness at the hearings on this bill contended that the Commissioner, in some cases, is attempting, under existing law to adjust basis by depreciation in excess of that determined to be allowable in a ruling for a prior year, upon which the taxpayer relied after the taxpayer is precluded from obtaining any benefit from such adjustment because of the expiration of the statute of limitations for such prior year. This is clearly not a proper rule for determining allowable depreciation under existing law. The amount of allowable depreciation determined by the Commissioner in a ruling and relied upon by the taxpayer should not be adjusted after the taxpayer is precluded from obtaining any benefit from such adjustment because of the running of the statute of limitations.

The PRESIDING OFFICER. The committee amendment in the nature of a substitute is open to amendment. If there be no amendment to be offered, the question is on agreeing to the committee amendment. The amendment was agreed to.

Mr. HUMPHREY. Mr. President, I should like to ask the Senator from Georgia a question. What is the reason for using the year 1931, as compared with the year 1947, in the House bill?

Mr. GEORGE. That was when the change was originally made in the revenue act. The Senate bill corrects the situation only for open years, that is to say, only in cases in which there has been no final adjudication of the liability of the taxpayer. Past years are not open with respect to cases in which there has been an adjudication, a closing agreement, or in which settlement in any other manner has occurred.

Mr. HUMPHREY. Those cases are closed off.

Mr. GEORGE. They are closed off.

Mr. HUMPHREY. Is that where the $7,000,000 difference comes about as between the House provision and the Senate committee amendment?

Mr. GEORGE. That is where the difference of approximately $7,000,000 arises.

Mr. HUMPHREY. Is it not true that there would be only a relatively few cases extending back to 1931?

Mr. GEORGE. Relatively few—very few.

Mr. HUMPHREY. But it is felt that in such cases there is a just grievance?

Mr. GEORGE. In cases in which the issue is still open, and the question has not been adjudicated or closed, we feel that it is fair to give the taxpayer this privilege, provided that by the first of next year he elects to go back into those years.

Mr. HUMPHREY. It is not mandatory; it is a matter of choice?

Mr. GEORGE. No; it is not mandatory. It is a matter of choice.

Mr. HUMPHREY. I thank the Senator.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 3168) was read the third time and passed.

APPOINTMENT OF DEPUTY MARSHALS WITHOUT REGARD TO CIVIL-SERVICE LAWS AND REGULATIONS

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar 294, Senate bill 35.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 35) to provide for the appointment of deputy United States marshals without regard to the provisions of the civil-service laws and regulations.

Mr. HENDRICKSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 35) to provide for the appointment of deputy United States marshals without regard to the provisions of the civil-service laws and regulations.

Mr. McCARRAN. Mr. President, this bill was reported originally from the Judiciary Committee, and then was sent to the Committee on Post Office and Civil Service, which reported it adversely. The bill would allow a United States marshal to appoint or remove deputies, with the approval of the Attorney General, without regard to the provisions of the civil-service laws and regulations.

This is not a new proposal. An identical bill, S. 3993 of the Eighty-first Congress, passed the Senate unanimously on August 23, 1950.

Deputy marshals have been in and out of civil service on different occasions. Without attempting to recount all changes, it may be noted that in 1903 deputy marshals were excepted, at least with regard to appointment, by the civil-service rules. Later, however, they appear to have been brought within the scope of the law, as a result of administrative changes in the rules; and by 1910 deputy marshals were being appointed on the basis of competitive examination.

In 1913, Congress enacted a statute providing that deputy marshals required to give bond may be appointed without regard to the civil-service laws; and thereafter, for a number of years a deputy marshal was clearly subject to appointment and removal by the marshal, solely at his discretion. As late as 1939, the Civil Service Commission regarded deputy marshals who might be required by law or by direction of the marshal to execute a bond as excepted by the statute from the provisions of the civil-service laws.

In 1940, the President was given broad authority to cover positions in the executive departments and agencies into the classified civil service. That statute in terms exempted the positions of assistant United States district attorney, but did not exempt United States deputy marshals. Subsequently, an Executive order issued in April 1941 provided, among other things, that all offices and positions in the executive civil service of the United States except those that were temporary and those that were specifically excepted from the provisions of section 1 of the 1940 act, and those excepted from the classified civil service under the civil-service rules, and those which then had a classified status, were thereby to be covered into the classified civil service of the Government.

It will be noted that this Executive order did not mention deputy marshals. However, as a result of this order, deputy marshals apparently were regarded as within the classified civil service. The reasoning apparently was that the act of 1940 gave the President the power to cover deputy marshals into the civil service, and to that extent operated to repeal the earlier 1913 statute.

Mr. President, I ask the Senate to give particular attention to the following:

When the judicial code was revised and reenacted in 1948, section 542 of title 28 was framed to read as follows:

> The Attorney General may authorize any United States marshal to appoint deputies and clerical assistants. Deputy marshals shall be subject to removal by the marshal pursuant to civil-service regulations.

The revisers' note to this provision points out that reference to removal of deputy marshals by the Attorney General or the district courts had been omitted from the revised section as obsolete.

It is clear, therefore, that the inclusion of deputy marshals under the civil service was a matter of development, rather than a matter of specific and formal decision, either by the President or by the Congress, and Congress has never affirmatively directed that deputy marshals be under the civil service.

As a matter of fact, since Congress has specifically provided that assistant United States attorneys should not be under civil service; and since in many respects the position held by a deputy marshal, with respect to his marshal, is similar to the position held by an assistant United States attorney, with respect to the United States attorney under whom he serves, it would appear that the two officers should be treated alike.

The United States attorney is solely responsible for the conduct of his office, and therefore should be able to choose, without regard to civil-service regulations, such assistants as he may deem fit and proper for the position. Similarly, the United States marshal is solely responsible for the conduct of his office, and should have similar rights with regard to selection of persons for whose conduct he must answer.

It was on this basis that the bill was approved by the Judiciary Committee.

The PRESIDING OFFICER. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to call the attention of the Senate to the fact that this bill, after being introduced, was first referred to the Judiciary Committee, which reported the bill favorably.

Thereafter, the bill was referred to the Committee on Post Office and Civil Service. The bill was studied very thoroughly by that committee, which has charge of civil-service matters. Following that study, the Committee on Post Office and Civil Service reported the bill adversely; in fact, the adverse report of the committee was unanimous.

As a result of our study of the bill, I should like to call certain matters to the attention of the Senate: The Bureau of the Budget and the Civil Service Commission were equally as unanimous in their opposition to the bill as was our committee. In its report on Senate bill 35, the Department of Justice pointed out the following possible objections:

> It is believed that the bill might result in an increase in the turn-over in the position of deputy marshal. Such a result would be detrimental to the Government service both from the standpoint of increased costs in training new employees and from loss of efficiency. The Federal service might also be adversely affected through the loss of morale on the part of deputy marshals whose tenure in office would become uncertain.
>
> The bill would also appear discriminatory in singling out this class of employees which would be removed from the civil-service system.

That is the end of the quotation which I give at this point from the letter received from the Department of Justice.

Mr. MONRONEY. Mr. President, is it convenient for the Senator from South Carolina to yield to me at this point, or would he prefer not to yield until later?

Mr. JOHNSTON of South Carolina. I am glad to yield to the Senator from Oklahoma.

Mr. MONRONEY. Is it not also a fact that in the hearings before the Committee on Post Office and Civil Service, which logically should have jurisdiction of this bill, the various organizations of the Government employees took a very strong stand against the singling out of this group of Government employees and the proposed weakening and chipping away and chiseling away at our merit system?

Mr. JOHNSTON of South Carolina. It is true that they did.

Mr. MONRONEY. Is it not also true that the American Legion asked that the chairman of the committee or some Senator selected by him be on the floor to object when the bill came up on the consent calendar, in order to prevent passage of the bill at that time, because the American Legion is opposed to passage of the bill, for the reason that the bill would remove any vestige of veterans' preference in connection with the appointment of deputy United States marshals?

Mr. JOHNSTON of South Carolina. That is true.

Mr. MONRONEY. I do not believe the Senate will "kick the veterans in the teeth" and will say that the protection given to veterans in the case of all other Government jobs should not be given in the case of appointments of deputy United States marshals. As a matter of fact, many veterans, by reason of their experience as military guards or in military police activities, are well qualified to hold such positions, and should be given a chance to obtain these positions on the same basis of preference which Congress has given veterans in the case of all other Government positions and jobs.

The veterans' preference even extends to the appointment of postmasters; and sometimes the Senate decides, in making a selection from the list of three, that a nonveteran shall not be appointed, as opposed to a veteran.

Mr. JOHNSTON of South Carolina. Mr. President, it is true that this bill would wipe out the veterans' preference so far as deputy marshals are concerned.

At this time I should like to read a letter which I have received from the Civil Service Commission. I believe the letter brings out some very pertinent points concerning the bill:

> UNITED STATES
> CIVIL SERVICE COMMISSION,
> *Washington, D. C., January 26, 1951.*
>
> Hon. OLIN D. JOHNSTON,
> *Chairman, Committee on Post Office and Civil Service, United States Senate.*
>
> DEAR SENATOR JOHNSTON: The Commission refers to the bill S. 35 relative to appointment of deputy United States marshals. This bill, it is noted, has not been passed by the Senate, but was reported favorably by the Judiciary Committee and is now being referred to your committee for consideration.
>
> Your attention is invited to the fact that the Civil Service Act prescribes open competition as the fundamental principle to be applied in securing appointment in the competitive classified civil service, which means, of course, that a person must not only pass examination, but his name must appear among the names at the head of the register in order to be considered for appointment. The rules and regulations governing the selection and appointment of persons within the civil-service system are sufficiently flexible to give the appointing officer as much discretion in the appointment of his officials as is consistent with the Veterans' Preference Act of 1944.
>
> The positions of deputy United States marshal were brought into classified service by the Ramspeck Act, and this bill proposes that they now be excluded from the civil-service laws and regulations, and also from the Veterans' Preference Act. Examinations for filling these positions have been held generally throughout the country.
>
> The duties of the position involve arduous physical exertion and require that applicants be in sound health and physical vigor. Except for the substitution of certain military or naval service or the completion of 1 year of law study for 1 year of experience, applicants must have had at least 1 year of experience as a Federal, State, or municipal police officer, county sheriff, outside deputy sheriff, constable, bailiff in United States district courts, or in other comparable types of occupations.
>
> There is no sound basis for canceling this procedure which is in accord with the merit system prescribed by Congress in its act of November 26, 1940. The Commission, therefore, urges that S. 35 be not approved, but that the positions of deputy United States marshal continue to be filled as at present in

accordance with the requirements of the civil-service laws and the Classification Act of 1949.

The Bureau of the Budget advises there is no objection to the submission of this report.

By direction of the Commission:

Very sincerely,

HARRY B. MITCHELL,
Chairman.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. BUTLER of Maryland. Will the distinguished chairman of our committee please give the history of this proposed legislation in the Eighty-second Congress? When was this bill first introduced?

Mr. JOHNSTON of South Carolina. The bill was first introduced on January 8, 1951, and was referred to the Committee on the Judiciary.

Mr. BUTLER of Maryland. Was that bill not also referred to the Committee on Post Office and Civil Service?

Mr. JOHNSTON of South Carolina. Upon my request, the bill was later referred to the Committee on Post Office and Civil Service. The motion to refer it to our committee was not opposed by the chairman of the Committee on the Judiciary, as I recall.

Mr. BUTLER of Maryland. What action was taken by our committee on the bill?

Mr. JOHNSTON of South Carolina. We unanimously reported the bill adversely.

Mr. BUTLER of Maryland. Was that in the first session of the Eighty-second Congress?

Mr. JOHNSTON of South Carolina. The bill was referred to the Committee on Post Office and Civil Service, with instructions, on March 12, 1951, more than a year ago. On May 8, 1951, we reported it adversely, and it has been on the calendar since that time.

Mr. BUTLER of Maryland. Was that the first time it had been reported?

Mr. JOHNSTON of South Carolina. No; it had been reported previously, without amendment, by the Committee on the Judiciary, on January 17, 1951.

Mr. BUTLER of Maryland. My recollection was that a similar bill was once reported favorably by our committee and was on the calendar for a year. A new bill was then introduced, and was reported adversely, by unanimous vote of the committee, as I recall.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Rhode Island.

Mr. PASTORE. I think I can clarify this matter. The bill was originally sent to the Committee on the Judiciary, and was reported by that committee favorably, without amendment. A question was then raised as to the jurisdiction of the committee, and as to which committee should have considered the bill. Thereupon, it was referred to the Committee on Post Office and Civil Service, with instructions. I think the point was raised by the distinguished Senator from Nevada that the bill should be reported to the Senate, whether the action of the Committee on Post Office and Civil Service was favorable or adverse. For that reason we considered the bill, conducted hearings on it, and, by unanimous vote of the committee, we reported it to the Senate adversely.

Mr. BUTLER of Maryland. There was a favorable vote on the bill at one time, and I wanted to know when it was that it was reported adversely.

Mr. PASTORE. It was first reported, with an amendment, by the Committee on the Judiciary, on January 17, 1951.

Mr. BUTLER of Maryland. Our committee unanimously reported the bill adversely.

Mr. PASTORE. It was reported adversely.

Mr. President, will the Senator from South Carolina yield to me for a brief observation?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. I should like to supplement the observations made by the distinguished chairman of the committee, merely by pointing out to Members of the Senate that we conducted hearings on this bill, for we considered it to be a measure of importance. In the case of deputy marshals, the merit system has been in operation since November 26, 1940, and no instance was brought to the attention of the subcommittee of the system failing to work satisfactorily.

I realize the merit of the argument to the effect that the marshal is responsible for the acts of the deputy marshal, though not differently from the manner in which the chief of a division may be responsible for the action of his subordinates. However, I think the Members of the Senate should know that in the Committee on Post Office and Civil Service, which conducted hearings on the bill, no voice was raised in favor of it; and we finally reached the unanimous conclusion that there was no good or wholesome reason for making the change at that time. If any such reasons have developed since, I am unaware of it. But I do not think the mere argument that a deputy marshal is responsible to the marshal and that the marshal is responsible for the acts of a deputy marshal constitutes a substantial reason at this time for whittling away at the general system of civil service.

The deputy marshals, for a period of 10 years or more, have been under the civil-service system. It has worked well; there have been no instances of abuse of power, and no instances of dereliction of duty. We waited for information of that kind to be brought to the attention of the subcommittee. It was never forthcoming. It was the unanimous opinion of the members of the committee that the present arrangement had worked well, and that there was really no need to change it.

By and large, all the governmental agencies, including all the organizations for the protection and betterment of the conditions of Federal employees, are unanimously in agreement that deputy marshals should not now be removed from the civil-service system. That sentiment was also expressed vociferously by deputy marshals who had been appointed under the merit system. They feel that they should be let alone, since they are doing their work reasonably well.

Mr. JOHNSTON of South Carolina. I should like to call to the attention of the Senate the fact that there is a distinction between a deputy marshal and a marshal. The marshal decides matters of policy and he runs the office. The deputy marshal carries out his orders, so to speak. I think there is a distinction. Some persons may think that because the Senate voted a short time ago not to place United States marshals under civil service we should now vote to take deputy marshals from under civil service. There is quite a distinction between the two offices.

Mr. MONRONEY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MONRONEY. Would it not be just as logical that, since the Senate voted not to place postmasters under strict civil service, we should abolish civil service in connection with postal-career service? That would make just as much sense.

Mr. MALONE. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Nevada.

Mr. MALONE. Removing deputy marshals from civil service would also make inapplicable veterans' preference, would it not?

Mr. JOHNSTON of South Carolina. It would. I brought that fact out a few moments ago.

Mr. MALONE. I should like to say that, so far as I know, there is considerable objection to the proposal because the veterans' preference provision would no longer be applicable to the positions.

Mr. JOHNSTON of South Carolina. I am speaking as my committee directed me to speak, after taking the matter under consideration and after holding hearings and receiving reports from the Department of Justice and also from the Bureau of the Budget. It will cost the Government more money if this bill is passed.

Mr. MONRONEY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MONRONEY. Is it not also a fact that the minute the bill is passed and signed by the President, the deputy marshals will have no tenure of office? They will be serving only at the whim of the United States Marshal who happens to be in charge. As I read the bill, they can be immediately discharged and their civil-service tenure will be for naught. They can have no assurance of job tenure. Whether they have bought homes or cars or whether they have otherwise obligated themselves, from the day the bill is passed and signed by the President, they will have no tenure of office.

I am sure the President will not sign such a bill as this, but we can assume that these employees would be the victims of our action. They have incurred

obligations, believing they had a lifetime tenure, and by passing this bill we pull the rung out from under them. It is one of the most cruel things I have ever seen proposed. We pick on a very small segment of workers. Why? The only reason I know is the reason given, that the marshal has to be responsible on his bond for the actions of the deputy marshals, if they are insubordinate. I do not believe we want to share the responsibility of the marshals in hand picking these men or in requiring them to get a nod from a United States Senator, thus making patronage positions of these places in a United States Marshal's office. It will put the Senate again at the pie counter, and I do not think we want to be placed in that position.

Mr. JOHNSTON of South Carolina. This bill is before the Senate only because when it was referred to the Committee on Post Office and Civil Service there was an understanding or agreement that the committee would report it within a reasonable time, either favorably or adversely. When we found we were unfavorable to it, we carried out our word and reported it.

Mr. PASTORE. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. What has happened since November 26, 1940, when Congress placed deputy marshals under the civil-service system, to this present day, June 24, 1952? I have not heard any evidence that the system is not working satisfactorily. Nothing of that kind has come to our attention.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. HUMPHREY. I join with the chairman of the Committee on Post Office and Civil Service, and with the chairman of the subcommittee [Mr. PASTORE], the Senator from Oklahoma [Mr. MONRONEY], and other Senators in opposition to this bill. It represents nothing more than retrogression. It is not progression. It represents an entering wedge in the entire structure of the civil service. It represents a break in the veterans' preference law, particularly that section which relates to disabled veterans. It surely is not designed to improve the efficiency of the service. There is nothing to indicate that since 1940 the efficiency of deputy marshals has been in any way impaired. There is nothing to indicate that there has been any dereliction of duty or any malfeasance in office. Had we applied the principle of this bill to other offices and had failed to put the deputy agents of the Bureau of Internal Revenue under civil service we would have compounded the difficulty. This bill is like going up the hill and backing down. I agree with what the Senator from Oklahoma [Mr. MONRONEY] has said. If the bill should pass, it is inconceivable to me that the President would sign it.

Mr. MONRONEY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MONRONEY. I think it is interesting to read the bill. It provides:

> Any United States marshal may appoint deputies, with the approval of the Attorney General, and without regard to the provisions of the civil-service laws and regulations. Deputy marshals shall be subject to removal by the marshal with the approval of the Attorney General.

Section 2 is really the most cruel provision that could be placed in a bill. It provides as follows:

> That deputy marshals in office upon the date of enactment of this act shall be subject to removal by the United States marshal, under whom they serve, with the approval of the Attorney General, and without regard to the provisions of the civil-service laws and regulations.

In other words, Mr. President, the lifetime tenure which these men think they have today can be ended because a United States marshal may not like the way they part their hair or the kind of hats they wear. I do not think that in the year 1952 we should retrogress, as the distinguished Senator from Minnesota has said, to the old pie-counter days of taking care of the boys and throwing out employees without a hope of their recapturing comparable jobs under the civil service. No provision is made for the transfer of their civil-service eligibility to other departments. In every other bill I have ever seen in connection with reduction in force, there is a high priority with reference to recapturing jobs.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. HUMPHREY. The chairman of the committee pointed out that the bill would result in an increase in the turnover in the positions of deputy marshal. I now quote from a letter from Peyton Ford, Deputy Attorney General, dated March 16, 1951:

> It is believed that the bill might result in an increase in the turn-over in the position of deputy marshal. Such a result would be detrimental to the Government service both from the standpoint of increased costs in training new employees and from loss of efficiency. The Federal service might also be adversely affected through the loss of morale on the part of deputy marshals whose tenure in office would become uncertain.

The bill can represent nothing more nor less than a return to the old spoils system. It represents one of the worst frontal blows against the civil service by the Congress for a long time. Every effort has been made to extend the civil service, but this bill strikes at the whole concept of civil service. In a law-enforcing agency where physical vigor, honesty, and integrity are important characteristics of an employee, I cannot see how the bill can be an improvement in terms of Government efficiency. It may be an improvement in terms of politics.

Mr. UNDERWOOD. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. UNDERWOOD. Is not this type of bill similar to the old-fashioned "ripper" bill?

Mr. HUMPHREY. The Senator has termed it correctly. Speaking as of now or as in the old-fashioned days, it is a "ripper" bill. It rips into the side walls of the civil-service system.

Mr. UNDERWOOD. I voted against placing marshals under civil service in the reorganization plan, in the belief that it was a faulty proposal, because it did not provide absolutely that marshals would come from States where they lived. The proposal did not have provisions which made certain that the marshals would be in harmony with the people whom they served. But there are now throughout the United States deputy marshals serving in Federal courts where judges having life tenure are in office. Is not that correct?

Mr. HUMPHREY. That is correct.

Mr. UNDERWOOD. There has been no criticism from the States in which they have performed their duties. Almost all of them are men who were in office at the time the act was passed. Can the Senator advise me when the act was passed?

Mr. HUMPHREY. In 1940.

Mr. McCARRAN. To what act does the Senator refer?

Mr. UNDERWOOD. To the act which placed deputy marshals under the civil service.

Mr. McCARRAN. So far as I know, there was never an act placing deputy marshals under the United States civil service. I explained that before the Senator came on the floor.

I apologize to the Senator from Minnesota for intruding.

Mr. HUMPHREY. That is perfectly satisfactory.

Mr. McCARRAN. As soon as I can obtain the floor, I will explain the situation again.

Mr. HUMPHREY. The Ramspeck Act authorized the President of the United States and the Civil Service Commission to cover certain types of employment and to prescribe certain qualifications and criteria for the offices. By the act United States deputy marshals were placed under the civil-service merit system.

I wish to say to the Senator from Kentucky that I have heard of no judge and no district attorney who has complained about deputy United States marshals. In other words, it seems to me that when it is proposed to make a basic change in the law and a basic change in the personnel policy of the Government, the burden of proof rests upon those who want to make the change, and the change ought to be made in terms of the public good and public welfare.

I think it is the responsibility of the Senator from Nevada—and perhaps he will be able to do this; I do not say that he cannot do it—to produce proof, proof beyond a reasonable doubt, that such a change is necessitated, because it is my understanding that insofar as deputy United States marshals are concerned, they are acting reasonably well, performing their services honorably and with dispatch. There was no objection before the Committee on Post Office and Civil Service, I understand, that would lend any doubt to my statement. I under-

stand that the associations interested in the matter, the Civil Service Commission, the Attorney General, and all other groups that were called upon—may I ask the Senator from Rhode Island if I am correct in saying that every group was heard?

Mr. PASTORE. It is a fair statement for me to say that not a single voice was raised before our committee in favor of the measure.

Mr. HUMPHREY. The Senator from Rhode Island says that not a single voice was raised in favor of the bill. This committee, which has prime legislative responsibility for guarding, watching, altering, and amending the civil-service law, if you please, the Post Office and Civil Service Committee, which has jurisdiction over civil-service freedom, a basic freedom of this country, has done its job well, and I am very grateful.

As the chairman of the committee said, the bill was reported with dispatch, so the issue could be settled once and for all. I am glad the bill came up. I believe the American people have a right to know whether Congress is going to start to rip and slash the civil service. If we start that procedure, there will be no end to it. If we start it, it will mean the end of veterans' preference. It will mean the end of the merit system, because a person can then step from one position to another. If we can take deputy United States marshals from under the civil service, we can take from under it deputies and clerks in other departments and, for instance, make the social security agency and the wage-and-hour law agency, subject to political preference and political patronage, rather than the merit system.

I wish to commend the Committee on Post Office and Civil Service for what it has done in protecting the merit system.

I have served on the Committee on Post Office and Civil Service with the Senator from South Carolina, and I wish to say that I was proud to be a member of it. We tried to guard zealously the civil-service standards and the merit system of the United States. I believe the Committee on Post Office and Civil Service deserves the enduring, eternal gratitude of the Congress of the United States for having moved ahead, rather than having moved backward.

This is one bill which would put the Senate of the United States in reverse. We are moving down the hill in the direction of the political spoils system, rather than up into the clean, wholesome atmosphere of the merit system.

The PRESIDING OFFICER. Are there any amendments to be offered? If not, the question is on the third reading of the bill.

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. Does the Senator wish to speak to amendments or on the bill?

Mr. McCARRAN. I desire to address myself to the remarks made by other Senators.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. McCARRAN. The Senator from Minnesota might have been standing on firm ground had it not been for the fact that his major premise was in error. In 1940, the President was given broad authority to cover into the classified civil service positions in the executive departments and agencies. The statute, in terms, exempted positions of assistant United States attorneys, but did not exempt deputy United States marshals.

Subsequently, an Executive order issued in April of 1941 provided, among other things, that all officers and positions in the executive civil service of the United States, except those that were temporary, those that were specifically excepted from the provisions of section 1 of the 1940 act, those excepted from the classified civil service under the civil-service rules, and those which then had a classified status, were thereby to be covered into the classified service of the Government.

It will be noted that the Executive order did not mention deputy marshals. It was an Executive order. The Senator from Rhode Island speaks of a statute. There is no statute. However, as a result of the order, deputy marshals apparently were regarded—regarded only—as within the classified civil service. The reasoning apparently was that the act of 1940 gave the President the power to cover deputy marshals into the civil service, and to that extent operated to repeal the earlier 1913 statute.

I direct what I am about to say to the attention of the able Senator from Minnesota [Mr. HUMPHREY].

When the Judicial Code—and this is where the question of a law comes in—when the Judicial Code was revised and reenacted in 1948, section 542 of title 28 was framed to read as follows.

I may digress to say that this was a codifier, if you please; it was not the Congress of the United States. It was not the President, it was not the Civil Service, it was a codifier.

> The Attorney General may authorize any United States marshal to appoint deputies and clerical assistants. Deputy marshals shall be subject to removal by the marshal pursuant to civil-service regulations.

That was a codifier. Now listen to the reviser's note. The reviser's note to this provision points out that references to removal of deputy marshals by the Attorney General or the district courts have been omitted from the revised section as obsolete.

That was the codifier speaking. It was not the Congress of the United States. That was the codifier's note on the subject.

It is clear, therefore, that inclusion of deputy marshals under the civil service was a matter of development, rather than a matter of specific and formal decision, either by the President or by Congress.

Neither the President nor Congress placed deputy marshals under civil service. The codifier, with no authority whatever, placed them under civil service. That is the only status they now have. It is a precarious status, one that should be clarified. Deputy marshals never had status fixed in a statute. They never had status under an Executive order. They are standing today under a status fixed by a codifier, and that is all.

Mr. JOHNSTON of South Carolina. Did not the codifier report that to the House and Senate?

Mr. McCARRAN. This is a note.

Mr. JOHNSTON of South Carolina. He sent it to the House and Senate.

Mr. McCARRAN. The reviser's note says that a codifier has no authority to legislate. Does the Senator contend that a codifier has authority to legislate?

Mr. JOHNSTON of South Carolina. No; I am not contending that. However, I am contending that the codifiers make their reports to the House and Senate, as to what they have done.

Mr. McCARRAN. But they have no more authority to change the statute than has one of the page boys sitting before us.

Mr. JOHNSTON of South Carolina. Under the Classification Act, taking into consideration the Ramspeck Act, the deputy marshals all considered that that provision had been repealed, did they not?

Mr. McCARRAN. The Ramspeck Act does not touch them. The Senator cannot find a word in the Ramspeck Act that touches them.

Mr. JOHNSTON of South Carolina. It placed certain classified workers under civil service.

Mr. McCARRAN. No. The Senator cannot find a word in the Ramspeck Act that touches deputy United States marshals.

Mr. JOHNSTON of South Carolina. So far as that is concerned, it does not touch a great many people. Many of the departments might raise the same question which the Senator is raising. The same question might be raised with regard to many employees in various departments.

Mr. McCARRAN. I am dealing only with the law.

Mr. JOHNSTON of South Carolina. Other laws dealing with the civil service might be found which are in line with the Senator's statement about the deputy marshals.

Mr. McCARRAN. Let me ask the Senator from South Carolina a question. Does the Senator contend that a codifier has the right to write a statute?

Mr. JOHNSTON of South Carolina. No; but he has a right to come back to Congress and obtain approval or disapproval.

Mr. McCARRAN. He did not do that. All he did was to come back with a note, and even that note does not stand with any approbation either from the President of the United States or the Congress.

Mr. HUMPHREY. Mr. President, will the Senator yield to me for an observation?

Mr. McCARRAN. I yield.

Mr. HUMPHREY. I can see that the Senator is basing his argument upon what he calls the indefiniteness of the law, and subsequently the action of the codifier. Perhaps we can put some definiteness into the law.

Mr. McCARRAN. Wait a minute. I do not know what I am yielding for.

Mr. HUMPHREY. I asked the Senator to yield for an observation.

Mr. McCARRAN. If the Senator wishes to ask me a question, I shall be glad to yield to him.

Mr. HUMPHREY. I will get around to a question.

Mr. McCARRAN. Let the Senator go ahead.

Mr. HUMPHREY. What I am trying to point out is that the Ramspeck Act had a proviso in it which outlined certain exceptions to which the act did not apply. When an act has a provision that the law shall apply to all positions in the classified service "except as follows," those exceptions are controlling. That means that all others are subject to civil service and the merit system.

Mr. McCARRAN. Very well.

Mr. HUMPHREY. Subsequently the President's Executive order blanketed in all employees except those provided for under the terms of the act.

Mr. McCARRAN. Can the Senator give me the language of the Ramspeck Act again?

Mr. HUMPHREY. The Senator refers to it in his own report. He says:

> Accordingly, by Executive Order No. 8743, April 23, 1941 (6 Fed. Reg. 2117) as amended, it was provided among other things that all offices and positions in the executive civil service of the United States except (1) those that were temporary, (2) those expressly excepted from the provisions of section 1 of the act of November 26, 1940.

Mr. McCARRAN. That is correct.

Mr. HUMPHREY. It is under section 1 of the Ramspeck Act that the exceptions are made.

Mr. McCARRAN. Again I come back to the law. The Ramspeck Act could not bring deputy marshals under the law because they were not under the law before. The Senator should see that. The only thing they were under was a codifier's note, a special note, and that is all. They have no position whatever, unless the Senator wishes to contend that the codifier can write a statute. I cannot go along with such a contention.

Mr. JOHNSTON of South Carolina. I contend that the Ramspeck Act covers the classified workers, except those excluded.

Mr. McCARRAN. But they were not classified.

Mr. JOHNSTON of South Carolina. It covers deputy marshals.

Mr. McCARRAN. Deputy marshals were not classified at any time by statute. The Senator cannot find such a statute. I respectfully suggest that if the Senator can find a statute bringing the deputy marshals under it as civil servants, I should like to see it. The Judiciary Committee would like to see it. I think the Senator's own committee would like to see it. But no such statute exists.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. McCARRAN. Just a moment, please.

Such a statute does not exist. The Senator from Rhode Island [Mr. PASTORE] was evidently led astray. No such statute exists. There is no statute which puts deputy marshals under civil service. The only thing that can be found that even inferentially puts them under civil service is the codifier's note.

Mr. HUMPHREY. It is the Executive order of the President——

Mr. McCARRAN. I beg the Senator's pardon. The Executive order does not put them under civil service.

Mr. HUMPHREY. It was subsequent to the Executive order of the President that they were put under civil service.

Mr. McCARRAN. I beg the Senator's pardon. The Executive order could not have put them under civil service, because they were not under civil service before.

Mr. HUMPHREY. Is it not true that they did go under civil service under the Executive order?

Mr. McCARRAN. Inferentially, but not legally.

Mr. HUMPHREY. Perhaps what we should have is a bill to make it legal. The fact is that this is a common-law marriage under civil service. We ought to make it legal.

Mr. McCARRAN. I do not know anything about common-law marriage. There is only one kind of marriage that I know anything about.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. MONRONEY. I have been trying to follow the logic of the codifier's argument. According to the distinguished chairman's report this codification occurred in 1938. Deputy marshals were covered into civil service in 1940.

Mr. McCARRAN. They were never covered into civil service. The Senator cannot find a statute covering them into civil service.

Mr. MONRONEY. None of them were under civil service until the 1940 act. We included all the public employees who had not previously been included, and they were covered by the 1940 Ramspeck Act.

Mr. McCARRAN. Yes.

Mr. MONRONEY. Except those who were specifically exempted by section 1 of the act. In 1948 a codifier could not have changed, by this codification, a practice which had been in effect since 1940, which the Senator has been saying to the Senate occurred.

Mr. McCARRAN. Mr. President, I shall not labor this subject much longer. Presently I shall call for a quorum.

Mr. PASTORE. Mr. President, will the Senator yield for an observation?

Mr. McCARRAN. I yield.

Mr. PASTORE. When I mentioned the date of November 26, 1940, I was reading from a copy of a letter which was sent to the Senator from South Carolina [Mr. JOHNSTON], chairman of the Committee on Post Office and Civil Service, from the Department of Justice, Office of the Deputy Attorney General. The letter is dated March 16, 1951. It was in response to a request for information which we were seeking to obtain. The letter was signed by Peyton Ford, Deputy Attorney General. I read from the fourth paragraph of that letter. This is the authority for the statement which I made to the distinguished Senator from Nevada:

> Appointments to the position of deputy marshal have been under the provisions of the civil-service laws and regulations since the act of November 26, 1940, which authorized the President "to extend the classified civil service to any agencies and positions that may now be exempt by statute." Since that time deputy marshals have been appointed on the basis of competitive examinations in the same manner as appointments are made to other Federal positions under the civil-service system. A deputy marshal may be dismissed only in accordance with the regulations and procedures prescribed by the Civil Service Commission.

I do not wish to take issue with the statement made by the distinguished Senator from Nevada, but our authority for the statement that deputy marshals have been appointed under a system of competitive examination is predicated upon this letter, which came to us from the Department of Justice. According to this letter such action took effect as of the date of enactment of the act of November 26, 1940, which extended this authority. I did not use the word "statute" at all.

Mr. McCARRAN. I know the Senator did not, but he used the word "law," as I remember, which I took to mean "statute." That is my recollection. I would not labor that point either.

Mr. UNDERWOOD. Mr. President, will the Senator yield to me?

Mr. McCARRAN. I yield.

Mr. UNDERWOOD. With regard to the statement which I made about the deputy marshals being under civil service, they have thought they were under civil service since 1940, have they not?

Mr. McCARRAN. I know that some of them have, and some have not.

Mr. UNDERWOOD. No effort has been made to take them from under civil service in those 12 years.

Mr. McCARRAN. The Judiciary Committee has for a number of years tried to have this bill enacted, which would clarify their position. It is the position of the Senate Committee on the Judiciary, and it should be stated here that it is the position of the United States marshals throughout the country, that, being responsible for a type of service which is entirely different from any other service in the country, they should have the right to name their own deputies.

In other words, a United States marshal may have to take a person into physical custody. He may have to arrest someone. A deputy marshal may have to take physical custody of an individual. He may have to incarcerate him. He should be such a person as the marshal himself can be responsible for, because the marshal is required to put up bond. His deputies are not required to put up bond. Therefore, the marshal is personally responsible. It is an entirely different situation from any other situation. For that reason the marshals of the country have shown a desire to have legislation of this kind enacted. That is what gave rise to this bill in the first instance, and that is why the bill was referred to the Committee on the Judiciary. The reason for the difference

in jurisdiction was the very reason that has been discussed today. The Judiciary Committee took the position that the deputy marshals were not under civil service, and that it was only the codifier's note that put them inferentially under civil service. Therefore, having jurisdiction over marshals, the Committee on the Judiciary has jurisdiction over deputy marshals. That is our position.

Mr. UNDERWOOD. Mr. President, will the Senator yield further?

Mr. McCARRAN. I yield.

Mr. UNDERWOOD. Then is it the Senator's conclusion that instead of being under the classified civil service, deputy marshals are merely under the codified civil service?

Mr. McCARRAN. They are only inferentially under the civil service. Their status is precarious and uncertain. If we wish to put them under civil service, an act putting them under civil service should be passed. In the judgment of the Committee on the Judiciary—and this was the unanimous opinion of the Committee on the Judiciary—deputy marshals should not be under civil service, because of the nature of the service which they perform.

The principal, the marshal, is responsible for the acts of his deputy. The principal is under bond for the acts of the deputy. A deputy marshal may have to take physical possession of an individual. He performs a service which is entirely different from any other service.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. PASTORE. I wish to point out, in conjunction with the point which has been raised, that in a letter dated January 26, 1951, from the United States Civil Service Commission there appears the following language:

> The positions of deputy United States marshal were brought into classified service by the Ramspect Act, and this bill proposes that they now be excluded from the civil-service laws and regulations, and also from the Veterans' Preference Act.

I admit that there is considerable weight to the argument made by the distinguished Senator from Nevada with respect to the peculiar relationship which exists between a marshal and his deputy marshals. A marshal is responsible to the people for whom he carries out his process, and is under bond. Although the Senator says that the marshals themselves want the change made, not one marshal appeared during the extended hearings we held on the bill.

Mr. McCARRAN. That may be true. I do not question that fact.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. MAYBANK. The Senator from Nevada has mentioned the fact that a marshal must take physical possession of a person. Is it not a fact that a marshal is also subject to the orders of the local United States district judge?

Mr. McCARRAN. He is not appointed by the judge.

Mr. MAYBANK. But he carries out the orders of the district judge.

Mr. McCARRAN. That is correct.

Mr. MAYBANK. I should like to state that in my State last month, in Horry County, a deputy marshal was shot while carrying out an order of the judge. He lay dying for several days. Why should deputy marshals be under Civil Service? I cannot understand why they should be under civil service.

Mr. McCARRAN. They perform a peculiar service, in my judgment. Speaking as an individual, it is the peculiar service which is rendered that justifies the deputy marshals' being removed from this uncertain position. They occupy a very precarious position. In other words, they are neither fish, flesh, nor fowl. I do not care what the Civil Service Commission thinks about it. The history of the whole subject is as I have recited it. Nothing can be found to justify civil-service status for deputy marshals except the codifier's note; that is all.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. McCARRAN. I yield.

Mr. MAYBANK. Is it not a fact that a judge can tell a deputy marshal to raid a person's property and to take possession of it?

Mr. McCARRAN. That is correct.

Mr. MAYBANK. In my State Deputy Marshal Poulnot was shot while carrying out an order of the court.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. MONRONEY. If the bill is enacted into law would the deputy marshals who have served for 12 years be entitled to continue in the civil-service retirement system?

Mr. McCARRAN. I do not believe so.

Mr. MONRONEY. They would lose their civil-service status for retirement purpose?

Mr. McCARRAN. If they ever had it.

Mr. MONRONEY. They have had it. They have been paying into the retirement system at the rate of 6 percent of their salary. They would lose 12 years' credit, although, no doubt, they could get a refund of what they had paid into the system. Would the new men appointed under the provisions of the pending bill be eligible for civil-service retirement benefits?

Mr. McCARRAN. I do not believe so.

Mr. MONRONEY. Would they be entitled to social-security benefits?

Mr. McCARRAN. Oh, yes; I think they would be entitled to social-security benefits.

Mr. MONRONEY. I do not see how they could be entitled to social-security benefits.

Mr. McCARRAN. I believe they would be entitled to social-security benefits, but not to the civil-service retirement benefits.

Mr. MONRONEY. I am afraid they would not be entitled to anything.

Mr. KILGORE. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. KILGORE. I believe the Senator from Nevada will find that deputy marshals who have been members of the civil-service retirement system for 5 years or more will not lose their retirement rights. In other words, when they reach the age of 62 they will get the accumulated retirement benefits.

Mr. McCARRAN. I believe the Senator from West Virginia has correctly stated the situation.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. McCARRAN. I yield.

Mr. MAYBANK. We have been talking about war veterans. I want to say that the deputy marshal to whom I referred, Mr. Poulnot, was a war veteran. He was ordered by the judge to perform his duties, and he was shot to death while performing his duties.

Mr. PASTORE. Does the Senator from South Carolina mean to say that if the deputy marshal had not been under civil service he would not have been shot?

Mr. MAYBANK. I did not say that. I do not mean that at all.

Mr. PASTORE. I do not get the connection. What does the shooting have to do with civil service?

Mr. MAYBANK. Deputy marshals should not be under civil service, because they operate under instructions of a judge or the local marshal.

Mr. PASTORE. A deputy marshal would be carrying out the order of the judge even if he were under civil service.

Mr. MAYBANK. I am not talking about civil service. A great many people speak about civil service, when what they have in mind is s-i-l-v-e-r service.

Mr. SMITH of North Carolina. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. SMITH of North Carolina. With reference to the question of the ability to arrest persons, which deputy marshals must possess, under the present system are there any women marshals, who may not be capable of physically performing that kind of duty?

Mr. McCARRAN. I think that my reading has disclosed that women have been appointed United States marshals.

Mr. MONRONEY. Would it not be preferable for the marshal to name his deputies in order to get the kind of men—or the kind of women, if they wanted to go into that kind of work—who would be able to perform that character of service, such as the arresting of the dangerous persons, fugitives, and others, in that category?

Mr. McCARRAN. That is the point exactly. In other words, the marshal should be permitted, in view of his responsibility, to select those who will act under him. He is responsible for their acts and he is under bond.

Mr. KILGORE. Mr. President, will the Senator yield further?

Mr. McCARRAN. I yield.

Mr. KILGORE. Is it not a fact that in performing his duties a deputy marshal is dealing with the people of a district, similarly to the manner in which

a deputy sheriff deals with the people of a local district?

Mr. McCARRAN. That is correct.

Mr. KILGORE. He must know and understand his people, and he must be the kind of person the marshal can trust. It is a much closer relationship than that which exists in the FBI or in a similar service. For that reason the marshal must have control over his deputy.

Mr. McCARRAN. That is correct. Under civil service the list is open to anyone who takes an examination. It is possible to bring a deputy from somewhere in Texas and put him into a district in Idaho, or take a man from Idaho and send him to Texas as a deputy marshal. A marshal must take the man that is assigned to him, even though he does not know anything about the deputy's courage or his ability to perform the duties of his office.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. MONRONEY. Can the Senator from Nevada give one example in which a man from out of the State performed the duties of deputy marshal on more than a very temporary basis?

Mr. McCARRAN. Yes, I can speak about the situation in my own State.

Mr. MONRONEY. No such case exists in Oklahoma, I may say.

Mr. McCARRAN. Such cases do exist in my own State.

Mr. MAYBANK. Mr. President, will the Senator from Nevada yield to me?

Mr. McCARRAN. I yield.

Mr. MAYBANK. I wish to have no misunderstanding about my appreciation of the value of the civil-service system in connection with certain positions. I was referring to law-enforcement officers who can be ordered to perform dangerous duty, as I have seen happen in South Carolina. I favor the civil-service system for the Post Office Department, and I favor many of the civil-service regulations; but there is no need for civil-service appointment of deputy United States marshals.

So far as the civil-service system is concerned, I have never opposed it in the case of appointment of postmasters or Government accountants, or other Government employees.

On the other hand, when one must deal with law-enforcement activities, as a marshal must do, he should be able to have complete faith in the deputies who serve under him.

Mr. KILGORE. Mr. President, will the Senator from Nevada yield to me?

Mr. McCARRAN. I yield.

Mr. KILGORE. Let me say that I drew a rather unfortunate parallel when I compared the appointment of an FBI agent with the appointment of a deputy United States marshal. The FBI agents are selected without regard to the civil-service system. The selection of FBI agents is based upon what Mr. Hoover has established as the necessary qualifications; and those agents can be hired or fired at the will of the Director of the FBI.

Mr. McCARRAN. Yes. It would be disastrous to put the FBI under civil service.

Mr. KILGORE. In that respect there is similarity between the duties of FBI agents and the duties of deputy United States marshals.

Mr. MONRONEY. Mr. President, will the Senator from Nevada yield to me?

Mr. McCARRAN. I yield.

Mr. MONRONEY. I do not believe it is proper to compare the situation which exists in the case of appointment of FBI agents with the situation involved in the appointment of deputy United States marshals by a United States marshal.

As a matter of fact, the safeguard in respect to obtaining good officers was explained as follows by the Chairman of the Civil Service Commission in his letter to our committee:

> Except for the substitution of certain military or naval service or the completion of 1 year of law study for 1 year of experience, applicants must have had at least 1 year of experience as a Federal, State, or municipal police officer, county sheriff, outside deputy sheriff, constable, bailiff in United States district courts, or in other comparable types of occupations.

We want experienced officers.

On the other hand, this bill proposes the establishment of a system which would be similar to that which existed in the days when a ribbon clerk could be handed a gun and told to capture a bank robber.

Mr. MAYBANK. Mr. President, let me say that I have seen ribbon clerks appointed by the FBI and do a good job.

Mr. MONRONEY. However, I do not believe that men of the same caliber as those appointed by the FBI would be obtained by virtue of giving the United States marshals the authority to appoint the deputy United States marshals.

Mr. MAYBANK. Let me say that the arrangement the FBI has for the appointment of its agents is a rather good one.

Mr. MONRONEY. But that arrangement would not be had by means of giving the United States marshals authority to appoint the deputy marshals or by having the decisions in regard to such appointments made by the members of a political club.

Mr. UNDERWOOD. Mr. President, will the Senator from Nevada yield to me?

Mr. McCARRAN. I yield.

Mr. UNDERWOOD. Let me say that it is not at all unusual to have peace officers under the civil-service system. Many peace officers who are under the civil-service system make arrests and are engaged in that dangerous occupation; are they not? Are not many city police officers in the United States under the civil-service system, and are not many State police officers under the civil-service system?

Mr. McCARRAN. Of course.

Mr. KILGORE. Mr. President, will the Senator from Nevada yield on this point?

Mr. McCARRAN. I yield.

Mr. KILGORE. In regard to the appointment of police officers, let me say that in such cases there is a local civil-service board in each municipality.

Mr. McCARRAN. That is correct; and the appointments are made from the locality.

Mr. KILGORE. Yes.

Furthermore, in the case of the State police, in each instance there is a local board for the State police within that body itself.

Mr. McCARRAN. That is correct.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCARRAN. Mr. President, I ask that the further proceedings in connection with the call of the roll be dispensed with, and that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? Without objection, it is so ordered.

Mr. McCARRAN. Mr. President, on the question of passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senator from Iowa [Mr. GILLETTE], the Senator from Michigan [Mr. MOODY], the Senator from Montana [Mr. MURRAY], the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that, if present and voting, the Senator from Michigan [Mr. MOODY] would vote "nay."

Mr. WELKER. I announce that the Senator from North Dakota [Mr. LANGER] and the Senators from Pennsylvania [Mr. MARTIN and Mr. DUFF] are absent on official business.

The Senator from Kansas [Mr. CARLSON], the Senators from Massachusetts [Mr. LODGE and Mr. SALTONSTALL], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Idaho [Mr. DWORSHAK], the Senator from Utah [Mr. WATKINS], and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family, and, if present, would vote "nay."

If present and voting, the Senator from Massachusetts [Mr. LODGE] would vote "nay."

The result was announced—yeas 30, nays 39, as follows:

YEAS—30

Brewster	Hendrickson	Maybank
Connally	Hickenlooper	McCarran
Eastland	Hill	McClellan
Ecton	Holland	McFarland
Ellender	Jenner	McKellar
Ferguson	Johnson, Colo.	Neely
Frear	Johnson, Tex.	Schoeppel
Fulbright	Kerr	Smith, N. C.
George	Kilgore	Stennis
Hayden	Magnuson	Welker

NAYS—39

Aiken	Flanders	Millikin
Anderson	Green	Monroney
Bennett	Hennings	Mundt
Benton	Hoey	Nixon
Bricker	Humphrey	Pastore
Butler, Md.	Hunt	Seaton
Butler, Nebr.	Ives	Smathers
Cain	Johnston, S. C.	Smith, N. J.
Case	Kem	Sparkman
Clements	Knowland	Thye
Cordon	Lehman	Tobey
Dirksen	Long	Underwood
Douglas	Malone	Williams

NOT VOTING—27

Bridges	Langer	O'Mahoney
Byrd	Lodge	Robertson
Capehart	Martin	Russell
Carlson	McCarthy	Saltonstall
Chavez	McMahon	Smith, Maine
Duff	Moody	Taft
Dworshak	Morse	Watkins
Gillette	Murray	Wiley
Kefauver	O'Conor	Young

So the bill was rejected.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1953

Mr. McFARLAND. Mr. President, I move that the Senate proceed to consider House bill 7176, making appropriations for the Department of the Interior.

The PRESIDING OFFICER. The clerk will state the bill by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

AMENDMENTS TO UNIVERSAL MILITARY TRAINING AND SERVICE ACT

Mr. McFARLAND. Mr. President, the Senator from Wyoming [Mr. HUNT] has a bill which I think is very important. I understand that objection to its consideration has been withdrawn. I ask unanimous consent for its immediate consideration. It is a bill to amend the Universal Military Training and Service Act, House bill 7714, calendar 1608.

The PRESIDING OFFICER. The clerk will state the bill, by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7714) to amend the Universal Military Training and Service Act, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. CASE. Mr. President, reserving the right to object, the junior Senator from South Dakota raised the objection to consideration of the bill a short time ago, which was at the request of the Governor of South Dakota and representatives of the National Guard. The Governor wrote me on three different occasions to oppose consideration of the bill because he thought it would leave the States without their quotas. I have talked with the adjutant general of my State and he has conferred with the Governor, and the Governor, rather reluctantly but, nevertheless, definitely, is willing to withdraw his objection. Therefore, I interpose no objection to the consideration of the bill at this time.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. CORDON. Reserving the right to object, may I inquire as to the subject matter of the bill?

The PRESIDING OFFICER. The junior Senator from Wyoming is recognized for a statement as to the subject matter of the bill.

Mr. HUNT. Mr. President, the bill could be designated as an extension of the National Guard. National Guardsmen were called out as units. Their colors and their numbers went into service as units. They were generally at about 50-percent strength. They were soon filled up with recruits from all over the United States. To a certain extent they lost their designation. As soon as trainees were sufficiently trained they were sent where they were needed. These men are now returning to their States. It is important that the designations, the numbers, and the colors be retained in the respective States. However, it is impossible to take those colors and numbers from the National Guard at this time. The unit organizations may be retained for a total period in the Federal service of five consecutive years.

Mr. CORDON. I appreciate very much the explanation, and I have no objection.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Wyoming yield?

Mr. HUNT. I yield.

Mr. JOHNSON of Colorado. Is this a House bill?

Mr. HUNT. Yes.

Mr. JOHNSON of Colorado. Is there any possibility that it may be extended in conference to something more than the Senator has described?

Mr. HUNT. No. There are no amendments to the bill.

Mr. KILGORE. Mr. President, will the Senator from Wyoming yield?

Mr. HUNT. I yield.

Mr. KILGORE. Mr. President, I should like to read from the proviso in section 2, on page 3 of the bill:

> That the Secretary of the Army and the Secretary of the Air Force, as appropriate, under such regulations as he may prescribe, shall provide for the arming and equipping of such units in such manner and without regard to apportionment, from available Army, or Air Force stocks, as appropriate, or otherwise, as he may deem necessary. Such arms and equipment shall be provided initially on a reduced basis and changed from time to time depending on their availability.

Is there anything in the bill that changes existing law as to the handling of funds for the National Guard?

Mr. HUNT. Absolutely nothing.

Mr. KILGORE. There is a movement on foot to take National Guard funds away from National Guard control and place them in the General Staff, which is the final thing to wipe out the National Guard. That little proviso might be determined to be a part of that movement.

Mr. HUNT. I will say to the distinguished Senator from West Virginia that such is not the case. The National Guard is requesting the passage of the bill.

Mr. KILGORE. Sometimes the Adjutant Generals' Association requests things under pressure. I have seen the heat put on.

Mr. HUNT. To assure myself, I called up the adjutant general of the National Guard of my own State with regard to it, and I can assure the Senator that there is absolutely nothing in the bill which is detrimental to the present National Guard organization.

Mr. KILGORE. I wanted to show legislative intent, so that it cannot be expanded beyond that point. That is why I asked the question.

Mr. HUNT. I thank the Senator for his contribution and for placing it in the RECORD.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 7714) to amend the Universal Military Training and Service Act, as amended, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CONSTITUTION OF PUERTO RICO

Mr. LEHMAN. Mr. President, on Monday we approved with two reservations and a further proviso the Constitution of Puerto Rico. Our legislative act of

approval will now, I assume, go to conference with that of the House. I voted against and spoke against the amendment offered by the distinguished Senator from South Carolina which was, however, adopted. I have just received a cablegram from the Governor of Puerto Rico, Gov. Luis Muñoz-Marín, indicating his strong regret at the action taken by the Senate on the Johnston amendment.

Governor Muñoz says that this amendment "nullifies the significance of the whole constitutional process." My reaction, even without the great background which Governor Muñoz has on this matter, was exactly the same. I ask unanimous consent that this cablegram from Governor Muñoz be printed in the RECORD at this point. I hope and trust and urge with all the vigor at my command, that the conferees take the sentiments expressed by Governor Muñoz as the sentiments of one who knows the situation as few people do and who has the interests of the United States as close at heart as he has those of Puerto Rico. I hope that the conferees will come back with a report recommending against the Johnston amendment. I am confident that the Senate will accept such a conference report. To do otherwise would be to prejudice all the great efforts and all the high purposes that have gone into the act of granting a constitution to Puerto Rico and of establishing this new relationship between the United States and its constituent Territories.

I hope we will avoid this semblance of colonialism which was unfortunately included in the act of approval of the Puerto Rican Constitution.

I ask unanimous consent that the cablegram may be printed in the RECORD, as a part of my remarks.

Without objection, the cablegram was ordered to be printed in the RECORD, as follows:

SAN JUAN, P. R.

Hon. HERBERT H. LEHMAN,
United States Senate,
Washington, D. C.:

Deeply beholden to you for your fine and generous defense of Puerto Rico. People here are dismayed with amendment that nullifies the significance of the whole constitutional process. To the limitations rightfully imposed on State constitutions and on the Puerto Rican Constitution the amendment adds an obvious colonial touch. The people of Puerto Rico in voting to accept law 600 in the nature of a compact, in which the principle of government by consent was "fully recognized" certainly had no idea they were consenting to any trace of colonialism. No self-respecting people would. Free men may live under such circumstances but they will certainly not go to the polls and vote that they love and cherish them. I fear that if the matter cannot be remedied in conference great moral harm will be done to our people and some moral harm to the good name of the United States in the world. You can rely on us to protect the good name of the United States.

Best regards.

LUIS MUÑOZ-MARÍN.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, I hope we will be able to reach a unanimous-consent agreement to limit debate on the Interior Department appropriation bill tomorrow and dispose of the bill very rapidly.

If that bill is disposed of in time, and if there is then no objection, we shall take up H. R. 7289, which is the State, Justice, and Commerce appropriation bill. If there should be objection to proceeding with that bill, I now give notice that we shall proceed to the consideration of H. R. 7800, to increase old-age and survivors insurance benefits.

WHERE DID THE DEFENSE DOLLAR GO?

Mr. JOHNSON of Texas. Mr. President, what happened to the billions this Nation spent on its defenses prior to Korea? That is a queston which has baffled many Americans.

It is well known to all that Congress appropriated—and the Defense Department spent—many billions of dollars in maintaining the Military Establishment in the years preceding hostilities. And yet, when the fighting broke out, we were caught flatfooted—tragically unprepared.

What happened to the money?

In an effort to get the answer to that question, I recently asked the Defense Department to supply me with a breakdown of the defense spending for the five fiscal years that led to Korea. The figures are very interesting.

During those five fiscal years, the Armed Forces spent about $90,000,000,000. Of that staggering sum, approximately $42,000,000,000 was spent in 1946 alone. Most of that money went to liquidate the costs of World War II.

Some of those liquidation costs continued into other years. For example, in 1947 and 1948 the Defense Department spent about $2,250,000,000 to pay terminal leave for demobilizing enlisted personnel.

However, with the $42,000,000,000 liquidation cost out of the way, there still remained $48,000,000,000 to maintain our fighting forces. This money was spent in the fiscal years of 1947, 1948, 1949, and 1950.

During these 4 years we spent, on the average, $5,000,000,000 a year for personnel costs; $3,250,000,000 a year for operating and maintaining aircraft, ships, weapons, and military installations; $500,000,000 a year for National Guard and other reserve costs; $500,000,000 a year for various operating expenses; $250,000,000 a year for military public works; $500,000,000 a year for research and development of new weapons; $2,125,000,000 a year for procurement of aircraft, ships, weapons, and ammunition.

Mr. President, in these figures we can see the real shape of the problem that confronts those who want adequate defenses, but who also see the vital need for economy. Here we can find the true issues that must be tackled.

Of that $48,000,000,000 that was used to maintain our pre-Korean forces, 40 percent was spent to pay, feed, and clothe our men. Only 19 percent was used to buy the weapons of war and 27 percent to operate and maintain them.

Is it any wonder that our men were caught lacking some of the most essential weapons needed to hurl back the Communist invader in Korea?

Since Korea, of course, the situation has changed drastically. Forty-eight percent of the 1952 budget went into production and procurement of major weapons and only 18 percent into personnel. The percentage of the budget for operating and maintaining those weapons has remained about the same.

Nevertheless, the problem remains. We are still putting too much money into manpower and not enough into guns. I do not mean that we are maintaining our men at too high a level. I do mean we are wasting too many of our men and the waste must be stopped if we are to have both economic strength and the military might to defeat any invader.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a detailed memorandum from the Defense Department covering this subject.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE—UTILIZATION OF FUNDS, FISCAL YEARS 1947–53

During the 5 years preceding the Communist attack on Korea, the Armed Forces spent a total of $90,000,000,000. $42,000,000,000 of this was spent during fiscal year 1946, the year of transition from war to peace, which was characterized by demobilization and disorganization of our military strength. Virtually all the expenditures during this year went to meet World War II liquidation costs, with much of it paid for cancellation charges on scores of thousands of contracts. Some liquidation costs continued beyond fiscal year 1946 with a single item, terminal leave for demobilized enlisted personnel, accounting for $2,250,000,000 paid out during fiscal years 1947 and 1948.

Of the $48,000,000,000 made available to the Armed Forces during the four fiscal years 1947, 1948, 1949, and 1950, an average of close to $5,000,000,000 a year, or 40 percent of the total, was required to pay, feed, and clothe our military personnel. An average of $3,250,000,000 a year, or 27 percent, went to meet the cost of operating and maintaining aircraft, ships, weapons, and military installations; while an average of $500,000,000 a year, or 4½ percent, was used for National Guard and other reserve costs, and an additional $500,000,000 a year was used for other operating expenses for such things as retired pay, service-wide projects, industrial mobilization, claims, OSD, etc. Thus, over three-fourths of the funds available during these four fiscal years were required for the day-to-day operating costs of the Military Establishment.

Of the remaining one-fourth of the funds, an average of less than $250,000,000 a year, or 2 percent of the total, went for military public works, and an average of slightly over $500,000,000, or approximately 5 percent, was

used for research and development of new weapons. Procurement of major military items—aircraft, ships, weapons, ammunition, etc.—amounted to an average of $2,125,000,000 a year, or 18 percent of the total. This is in marked contrast to the military budgets for the 3 years following the attack on Korea, in which close to half of the total funds were for procurement of major items of military equipment.

Attached is a table which shows, in summary form, the utilization of new obligational authority available to the Department of Defense for fiscal years 1947 through 1952 and requested for 1953:

Department of Defense—New obligational authority by cost category—fiscal years 1947–53

[Millions of dollars]

	Fiscal year 1947		Fiscal year 1948		Fiscal year 1949		Fiscal year 1950		Subtotal, fiscal year 1947 to fiscal year 1950		Fiscal year 1951		Fiscal year 1952 [1]		Fiscal year 1953 [2]	
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent
Military personnel costs (pay, food, clothing, etc.)	5,540	48.4	4,512	46.1	4,576	32.8	4,558	34.9	19,186	39.8	8,154	16.9	10,751	17.7	10,933	22.5
Operation and maintenance (of aircraft, ships, installations, etc.)	3,367	29.4	2,505	25.6	3,544	25.4	3,749	28.7	13,165	27.3	11,443	23.8	12,904	21.2	12,223	25.2
Major procurement and production	930	8.1	1,393	14.2	3,644	26.1	2,568	19.7	8,535	17.7	22,696	47.1	29,431	48.4	21,807	44.9
(a) Aircraft	700	6.1	928	9.5	2,749	19.7	1,894	14.5	6,271	13.0	9,655	20.0	14,941	24.6	14,059	28.9
(b) Ships			264	2.7	387	2.8	45	.4	696	1.4	769	1.6	1,945	3.2	1,150	2.4
(c) Other (weapons, ammunition, etc.)	230	2.0	201	2.0	508	3.6	629	4.8	1,568	3.3	12,272	25.5	12,545	20.6	6,598	13.6
Military public works	217	1.9			250	1.8	348	2.7	815	1.7	2,426	5.0	3,994	6.6		
Civilian components (National Guard and Reserves)	381	3.3	415	4.3	624	4.5	739	5.7	2,159	4.5	844	1.8	703	1.2	852	1.8
Research and development	545	4.8	475	4.9	629	4.5	612	4.7	2,261	4.7	1,175	2.4	1,471	2.4	1,711	3.5
Other activities (retired pay, industrial mobilization, OSD, etc)	471	4.1	482	4.9	683	4.9	474	3.6	2,110	4.3	1,443	3.0	1,549	2.5	1,040	2.1
Total	11,451	100.0	9,782	100.0	13,950	100.0	13,048	100.0	48,231	100.0	48,182	100.0	60,804	100.0	48,566	100.0
Proposed supplemental (military public works and military pay increase)															3,500	
Grand total															52,066	

[1] Includes pending supplemental of $1,401 million as passed by House (H. R. 7860, May 20, 1952).
[2] Based on President's budget request.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SMATHERS in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

B. Bernard Greidinger, of New York, to be a member of the Renegotiation Board; adversely.

By Mr. NEELY, from the Committee on the District of Columbia:

James H. Flanagan, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia; favorably (reappointment).

The PRESIDING OFFICER. If there are no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read sundry nominations to the Diplomatic and Foreign Service.

The PRESIDING OFFICER. Without objection, the nominations in the Diplomatic and Foreign Service are confirmed en bloc, and the President will be notified.

That completes the Executive Calendar.

RECESS

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 7 minutes p. m.), as in legislative session, the Senate took a recess until tomorrow, Wednesday, June 25, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 24 (legislative day of June 21), 1952:

DIPLOMATIC AND FOREIGN SERVICE

Julian F. Harrington, of Massachusetts, a Foreign Service officer of the class of career minister and a secretary in the diplomatic service, to be also a consul general of the United States of America.

William J. Barnsdale, of California, a Foreign Service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Eugene V. Prostov, of the District of Columbia, a Foreign Service staff officer to be a consul of the United States of America.

IN THE MARINE CORPS

The following-named officer of the Marine Corps for permanent appointment to the grade of brigadier general:

Raymond P. Coffman

The following-named officer of the Marine Corps for temporary appointment to the grade of brigadier general, subject to qualification therefore as provided by law:

Samuel K. Bird

CONFIRMATIONS

Executive nominations confirmed by the Senate June 24 (legislative day of June 21), 1952:

DIPLOMATIC AND FOREIGN SERVICE

Burton Y. Berry, of Indiana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iraq.

Donald R. Heath, of Kansas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Vietnam and to the Kingdom of Cambodia.

James S. Moose, Jr., of Arkansas, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Syria.

ROUTINE APPOINTMENTS

To be consuls general of the United States of America

G. Lewis Jones
Theodore J. Hohenthal
William P. Maddox
Donald W. Lamm

To be consuls of the United States of America

John D. Gough
Frank J. Wathen
Charles M. Urruela
Frank R. LaMacchia

To be secretary in the diplomatic service of the United States of America

Thomas A. Lane

To be foreign service officer of class 2, consul, and secretary in the diplomatic service of the United States of America

Lionel M. Summers

To be foreign service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America

Frank Snowden Hopkins
Richard E. Kleinhans
Irwin M. Tobin

To be foreign service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America

Andrew E. Hanney
J. Phillip Rourk

To be Foreign Service officer of class 5, a vice consul of career, and a secretary in the diplomatic service of the United States of America

LeRoy Makepeace

To be Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Robert N. Allen	Ralph E. Lindstrom
Richard J. Bloomfield	William G. Marvin, Jr.
Donald E. Borgen	Dudley W. Miller
Frederic L. Chapin	Hugh B. O'Neill
Edward R. Cheney	Miss Grace F. Schuettner
Arva C. Floyd, Jr.	Charles W. Thomas
Miss Elizabeth J. Harper	William W. Thomas, Jr.
Michel A. Hosler	Frank A. Tinker
Edward L. Killham	Chester R. Yowell
Lyle F. Lane	

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 24, 1952

The House met at 12 o'clock noon.

Rev. Russell J. Clubb, pastor, First Baptist Church, West Memphis, Ark., offered the following prayer:

Our Father, cause us to be still and know that Thou art God, the giver and sustainer of our life and liberty. We would remember that all who trust in Thee shall not be ashamed.

In this time of uncertainty and confusion help us to know that "Thou wilt keep him in perfect peace whose mind is stayed on Thee; because he trusteth in Thee."

As we remember that righteousness exalteth a nation, we confess our sin, and pray that Thou will grant unto us Thy wisdom and power this day, that our decisions and acts may glorify Thee; in the name of Him who has overcome the world and conquered death, even Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 430. Joint resolution approving the Constitution of the Commonwealth of Puerto Rico, which was adopted by the people of Puerto Rico on March 3, 1952.

The message also announced that the Senate insists upon its amendment to the foregoing joint resolution; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. MURRAY, Mr. MCFARLAND, Mr. MILLIKIN, and Mr. CORDON to be the conferees on the part of the Senate.

PROVIDING FOR ECONOMICAL, EFFICIENT, AND EFFECTIVE SUPPLY MANAGEMENT ORGANIZATION WITHIN THE DEPARTMENT OF DEFENSE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7405) to provide for an economical, efficient, and effective supply management organization within the Department of Defense through the establishment of a single supply cataloging system, the standardization of supplies and the more efficient use of supply testing, inspection, packaging, and acceptance facilities and services, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 5 and 6, strike out "the Munitions Board of."

Page 2, strike out lines 3 to 13, inclusive, and insert:

"SEC. 3. There shall be a Director of the Agency and a Deputy Director, who shall act as Director in the absence or disability of the Director, and who shall perform such other duties as are prescribed by the Director. The Director shall be appointed for a 4-year term by the President, by and with the consent of the Senate. The Deputy Director shall be appointed by the Secretary of Defense. Both the Director and the Deputy Director shall be appointed from civilian life without regard to the civil-service laws, with due regard being given to the background and qualifications of each appointee to these provisions on the basis of his experience in the conduct of major supply operations, cataloging, standardization, engineering, and civilian industrial practices. The Director shall receive compensation at the rate of $14,800 a year and the Deputy Director shall receive compensation at the rate of $13,000 a year: *Provided*, That the present Director of the Munitions Board Supply Management Agencies shall be eligible for appointment under this section."

Page 3, line 19, after "shall", insert "under the direction of the Secretary of Defense."

Page 5, line 10, after "replaced", insert "according to schedules established by the Director."

Page 6, strike out lines 5, 6, and 7, and insert:

"SEC. 8. The reports required by sections 9 and 10 of this act may at the discretion of the Director be combined into one report."

Page 6, line 18, strike out "Munitions Board."

Page 6, line 19, after "numbers", insert "developed under the single catalog system."

Page 7, strike out all after line 21 over to and including line 6 on page 8 and insert:

"SEC. 11. The Administrator of General Services and the Secretary of Defense shall coordinate the cataloging and standardization activities of the General Service Administration and the Department of Defense so as to avoid unnecessary duplication."

Page 8, strike out lines 7, 8, and 9.

Page 8, line 10, strike out "13" and insert "12."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. HÉBERT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HÉBERT. Mr. Speaker, H. R. 7405, which was passed by the House, was amended in the Senate in several respects. The overwhelming majority of the Armed Services Committee and the subcommittee which wrote the bill are agreeable to the Senate amendments.

We think that the proposal to place the Agency in the Defense Department under a Director and Deputy, instead of in the Munitions Board, will not interfere with the basic objectives of the bill as passed by the House; and that the increases in salaries are so slight that we feel we should concur in them to achieve uniformity throughout the Federal Government within like fields of responsibility.

The Director, under the amended bill, is to be appointed by the President for a 4-year term with the consent of the Senate. Other amendments make the bill consistent with this principal change.

The Senate had added an amendment which provides:

The Administrator of General Services Administration and the Secretary of Defense shall coordinate the cataloging and standardization activities of the GSA and the Department of Defense so as to avoid unnecessary duplication.

This provision is consistent with existing law.

The Senate, however, struck a provision in the House bill which provided:

That nothing in the Federal Property and Administrative Act of 1949 shall impair or limit the authority of the Director of the Agency under this act.

This amendment, however, does not in any way relieve the Director of the Agency created in this bill from any duties he has been delegated. The prime purpose of the bill, as amended, is to create within the Military Establishment a single catalog system and related standardization program. This amendment does not interfere with that objective. Nothing relieves the Director of that responsibility as defined in the bill. Nor does the Administrator of GSA have any power to interfere with the Agency.

Ultimately, we hope to have a Federal cataloging and standardization program. When we do, the Military Establishment will have achieved its portion of that undertaking, because of the mandatory legislation in this bill, which requires a single catalog system and standardization program for the Military Establishment.

This legislation will be a monument to the Committee on Armed Services, headed by the distinguished Georgian, CARL VINSON, and in particular to the gentleman from California [Mr. ANDERSON], whose name is on this bill.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, following is a brief description of the Senate amendments to H. R. 7405 and their effect on the legislation:

First. (a) Page 2, section 3: The Senate bill places the Agency in the Department of Defense instead of in the Munitions Board as in the House bill.

(b) The Senate bill increases the salary of the Director and Deputy Director

from $14,000 and $12,500 respectively to $14,800 and $13,000 respectively.

(c) The Director is to be appointed by the President for a 4-year term and confirmed by the Senate. The House bill would have been a Secretary of Defense appointment.

Military men except the first appointee are barred as in the House bill.

Second. Page 4, lines 10 and 11, placed the Director "under the direction of the Secretary of Defense."

Third. Page 6, line 2, permits the Director to establish schedules for replacing existing catalogs.

Fourth. Section 8 as of the House bill is deleted by reason of amendment No. 1. This section had related only to the Munitions Board.

Fifth. A new section—8—permits the reports on cataloging and standardization to be combined instead of separate as in the House bill.

Sixth. Section 11 is changed to provide that the Administrator of General Services Administration and the Secretary of Defense coordinate their activities so as to avoid unnecessary duplication.

Seventh. Section 12 of the House bill providing that "Nothing in the Federal Property and Administrative Act of 1949 should impair or limit the authority of the Director" was stricken on the floor of the Senate on objection from the Senate Expenditures Committee.

The principles contained in H. R. 7405 when it passed the House originally are still contained in the bill and the ultimate objective of the legislation is not impaired. I am sure the departments in administering this act will understand that it is the definite intent of Congress that a single supply catalog for the Military Establishment and the civilian agencies of the Government should be speedily adopted and put into full use.

It is difficult to estimate the amount of savings that will be possible under this legislation but it is my firm belief that we can save at least $4,000,000,000 annually at the present rate of expenditures as has been indicated by Admiral Fowler, Director of Standardization and Cataloging in the Department of Defense.

I sincerely hope that the House and Senate Armed Services Committees will keep in close touch with all developments under H. R. 7405 as we know that continual scrutiny by congressional committees is necessary if the laws passed by Congress are to be administered properly.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. GARY submitted a conference report and statement on the bill (H. R. 6854) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes.

AMENDING SECTION 709 OF TITLE 18 OF THE UNITED STATES CODE

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2214) to amend section 709 of title 18 of the United States Code.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 709 of title 18 of the United States Code is amended by inserting immediately before the last paragraph thereof a new paragraph as follows:

"This section shall not make unlawful the use of the word 'national' as part of the name of any business or firm engaged in the insurance or indemnity business, whether such firm was engaged in the insurance or indemnity business prior or subsequent to the date of enactment of this paragraph."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING JUNE 25

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 10 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIAL ORDER GRANTED

Mr. ANGELL asked and was given permission to address the House today for 30 minutes, following any special orders heretofore entered, and to include extraneous matter.

SPECIAL ORDER VACATED

Mr. SMITH of Wisconsin asked and was given permission that the special order granted him for today be vacated.

THE JOE SCOTT STORY

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. McDONOUGH addressed the House. His remarks appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. MITCHELL addressed the House. His remarks appear in the Appendix.]

SPECIAL ORDER GRANTED

Mr. BROOKS asked and was given permission to address the House for 20 minutes today, following the legislative prorgam and any special orders heretofore entered.

THEFT OR RECEIPT OF STOLEN MAIL MATTER

Mr. MITCHELL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 679 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2198) to amend section 1708 of title 18, United States Code, relating to the theft or receipt of stolen mail matter generally. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MITCHELL. Mr. Speaker, the Committee on Rules granted a rule on this bill reported by the Committee on the Judiciary. It merely amends the law and requires stiffer penalties for theft or receipt of stolen mail.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, there is no objection to either the rule or the bill itself that I know of on this side of the aisle. Mr. Speaker, I reserve the balance of my time.

Mr. MITCHELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

EXTENSION OF DEFENSE PRODUCTION ACT

Mr. CLEMENTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLEMENTE. Mr. Speaker. It was not long ago that the free and peace-loving world was shocked by the spectacle of Vishinsky laughing at a serious proposal for peace. That laughter did not do either Vishinsky or the Soviet Union any good among the peoples of the world who pray for an end to bickering and tension.

I am sorry to say that this House may provide the Communists with a real excuse for laughter. The adoption of crippling amendments to the extension of the Defense Production Act will make more easy the work of the criminals in the Kremlin. Like birds of prey they wait for the last rattle of life, for the first signs of faltering.

One might ask: Where is our responsibility to our country, to the welfare of our people? Apparently there are Members of this Chamber who wear blinders on their eyes and plugs in their ears, because the facts of our present life have escaped them. Must we sacrifice everything because we are in an election year? Must we continue to act like irresponsible sophomores on a panty raid, when millions of families are just managing to live from payday to payday?

Passage of these amendments will increase the cost of living for everyone. The economic vise will tighten around the throats of millions here and abroad, while the deadly shadows of the circling vultures will multiply in the despair and bitterness that will certainly result from such wanton disregard for the future of our country.

We exist in a frightening period of the world's history. We cannot afford to concentrate on the comic strip while the front page is amputating our legs. The razor-edged pendulum of time that is left swings closer and closer. We must speak out with cold logic born of our concern with our Nation and our people. These amendments must be defeated, or the laughter of the would-be conquerors will be a crescendo that precedes the terrible cacophony of arms.

Mr. Speaker, as the Defense Production Act stands today, with the amendments adopted last week, our program of economic stabilization has been eliminated for all practical purposes. This House has written an invitation to higher living costs, higher national defense costs, and further inflation all across the board.

In taking that drastic action with respect to price stabilization, the Members of the House who voted for adoption of the Talle amendment have apparently forgotten or have deliberately chosen to ignore one compelling fact. That fact is that the national defense emergency still exists in all its seriousness.

We should not need daily newspaper headlines to remind us that there is no peace in Korea. We should not need any reminders about the tense situation in Berlin and other potential trouble spots around the globe. And, certainly, it is no secret that our defenses are far from adequate to cope with the new threats which may arise.

There was only one reason why the Defense Production Act was passed in the first place. That was to make it possible to rebuild our military might as rapidly, as economically, and as efficiently as possible. Until that job of rearming has been carried through to completion any weakening of this act and its provisions for economic stabilization is a gamble with the national security that no responsible Member of this House can take without breaking faith with the American people.

If we open the gate to further inflation the consequences to our national defense and to our entire economy can and will be of the most serious order. Higher prices can only mean hardship for millions of consumers. Higher operating costs can only damage essential community services, and community institutions such as schools, hospitals, State and local government.

The dangers inherent in the Talle amendment and the other amendments tacked on the bill last Friday were clearly pointed out Saturday by that able businessman who now is serving as Administrator of Economic Stabilization, Roger L. Putnam, a veteran of two world wars and an outstanding member of the New England business community. I believe that every member of this House has a responsibility to himself and his constituents to read and consider Mr. Putnam's statement, which is as follows:

STATEMENT BY ECONOMIC STABILIZER ROGER L. PUTNAM

I left my business and came down here to administer the price and wage controls only because I believe we are in a critical defense emergency and these controls are necessary to our national strength and security. But the House of Representatives, by its actions yesterday, doesn't seem to think there is any emergency at all. A minority in control of the House yesterday voted for higher food prices, higher living costs, higher defense costs. It voted for inflation. The absenteeism on the one hand and the to-hell-with-the-consumer attitude on the other gave us a bill which is now a monstrosity.

Inflation in America is Stalin's best ally. These amendments would weaken America in the face of Communist danger.

If the Congress tears the guts out of the stabilization program and lets the cost of living again run riot—as this bill would do—the housewife will find that the high prices she is now paying for food and other cost of living items will look like bargains compared to what will happen. The lobbies would win, but the people would lose.

It would be a tragedy for the consumers of America and for the defense program as well if these preliminary actions taken in the House yesterday are allowed to stand. I hope the Congressmen will reappraise the danger between now and next Wednesday, when the final roll-call votes are taken, and vote against more inflation and higher prices.

BANK EMBEZZLEMENTS

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'TOOLE. Mr. Speaker, at a time when there is much discussion of corruption, I want to call the attention of the House to a startling piece of news which seems to have been ignored by all the papers of the country except the press of the finance and insurance worlds such as the Wall Street Journal and the Casualty and Surety Journal.

The story I am referring to appeared in the Wall Street Journal back on Monday, March 17, 1952. It is entitled "Vanishing Money: Federal Deposit Insurance Corporation (FDIC) Studies Art of Bank Embezzling." The subhead reads: "Deduction: If the till's been tapped don't leave executives out of the line-up."

It reveals alarming facts regarding dishonesty in the banks in which our people have deposited their hard-earned savings.

The article shows that in the past 6 years, bank embezzling has jumped 125 percent. In 1946 there were 270 cases, last year more than 600.

On a percentage basis—

The Wall Street Journal reports—

officers were more crooked than hired hands. It works out to 30 defalcations for every 10,000 bank officers in the country, and only 13 for every 10,000 bank employees.

Since 1934, when FDIC started operating, embezzling has been the cause of financial difficulties in about 25 percent of the banks where the FDIC has had to step in. For example, in the last 6 years, 19 banks were merged with other banks with the direct and financial aid of the FDIC. Of the 19, embezzling forced the merger of 16 of them.

Of course, under our Federal Deposit Insurance system, the Federal Government ultimately foots the bill. I sincerely hope, therefore, that these studies of the FDIC will receive due attention by Members of Congress.

The March 1952 issue of the Casualty and Surety Journal also takes note of this disturbing trend. It says:

Although losses do occur through the hazards of burglary, robbery, hold-up, etc., they are not a major factor in determining the size of the blanket bond. The largest, and undoubtedly the most devastating, losses to banks are due to the dishonesty of officers or employees. Losses have mounted recently both in number and amount. While they were formerly measured in thousands of dollars, they are now occurring in the hundreds of thousands of dollars. Within the last year, there have been numerous newspaper accounts of large embezzlements from banks, some of which have been large enough to be headline news on a nation-wide scale. Sometimes, it is reported that the loss was fully covered by insurance. Unfortunately, there are times in which the insurance is inadequate, and the bank finds it necessary to dip into its surplus funds in order to make up the deficit. In all too many instances, the bank's capital and surplus funds are insufficient, and it is necessary for the Federal Deposit Insurance Corporation to protect the depositors.

Corruption is a malignant infection which spreads from one place to another.

If this were an isolated matter, it would be bad enough in itself. But from this focal point it is apparently spreading to other parts of the business community.

An FBI report tells us that embezzlements throughout the business world are seriously on the increase. Reported defalcations now run very closely behind property fire losses—$600,000,000 against $700,000,000 annually.

Vigilance in ferreting out bribery and favoritism from our tax-collection system should be matched by vigilance in dealing with corruption in the business community. The studies of the FDIC should receive the careful attention of the Congress, of the banking profession, and of the public. We must seek to develop a better system for the detection of these crimes. Screening and investigation of bank officers and employees on a scale comparable to the screening of Government employees might well be considered. It is a strange situation indeed, when a file clerk in the Treasury

Department receives a thorough and impartial investigation as to his previous employment, his associations, his living and spending habits, while a bank president, who has wide discretion in handling millions of dollars, undergoes no formal investigation whatsoever.

Corruption in one form or another will always taint men and women who are lacking in moral fiber and strength. It is not the peculiar vice of any particular profession any more than it is peculiar to any political party. When it shows itself it must be speedily punished. Steps must quickly be taken to make repetition of crime impossible.

In this respect the banking community might well emulate the zealous emphasis on honesty which has been displayed by the Federal Government. The President and the Congress have acted with exemplary dispatch in reorganizing the Bureau of Internal Revenue after Federal attorneys and Democratic congressional committees had brought to light and successfully prosecuted some of the few guilty employees who have disgraced the service.

This speed and energy should be matched in dealing with corruption among the faithless few bank employees who disgrace the vast majority of honest men and women in the banking business.

RENT CONTROL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there any objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, there appears to be some confusion in this body as to the difference between critical defense housing areas and ordinary defense housing areas for rent stabilization purposes. There appears also to be some confusion as to the necessity for these two types of rent control.

The truth is that the two types of control are designed to meet two entirely different types of housing shortage situations. There is the long-standing housing shortage situation which exists in many American communities. In spite of the tremendous efforts of private industry and Government, the new housing supply has not been able to keep pace with demand. Efforts to meet this problem have suffered from the ravaging effects of war, defense emergencies, materials shortages, and inflation. The private building industry has done a tremendous building job in spite of these disadvantages, but good as it is, there are still far too many communities where the supply of housing is not even close to meeting the demand. In these communities there has been a constant inflationary pressure on rentals simply because war and the effects of war have made it impossible to unleash the full power of the building industry for a long enough time to adequately meet the demand.

What has created this tremendous demand? There is no one simple answer. I think we should not forget that during the depression such things as barns and coke ovens were serving as housing for the unemployed and the underemployed. With the increase in available jobs these people were able to find employment and they quite naturally did not want to continue living in coke ovens and other makeshift dwellings. They wanted a decent house or an apartment for their wives and their children. For another thing, families today tend to be smaller and children depart from the family nest and set up homes of their own at an earlier age. Any attempt to compare simple population increase with the increase in dwelling units runs into the snag that new family formation and hence the need for additional housing has increased more rapidly than the population. For instance, the population of the United States increased 14.5 percent from 1940 to 1950, but the number of families increased 23.9 percent during the same period. Still another pressure on our housing supply has been the steady migration from the rural farm areas to our industrial cities. Mechanization of farming has constantly speeded up this flow of manpower from our farms. All of this adds to the net need for housing in our cities.

There are 53,000,000 people living in communities where the housing shortage, even by the judgment of the local governing bodies, is so acute as to have a continuing need for rent stabilization. It is in these cities that ordinary Federal rent stabilization is operating. It is in these cities where the bulk of our defense production is done. The ordinary or noncritical Federal rent stabilization is a limited type of control which exempts a number of important categories of housing. Some of the exempt types were made exempt in order to encourage the building of additional housing. For example, in these ordinary defense-rental areas new construction or any housing unit completed since February 1, 1947, is entirely exempt from rent controls. Also exempt are hotels, transient tourist accommodations, rooms in the private home of the landlord, and various other categories.

Rent control has worked well on the whole in these communities. It has prevented great hardship and suffering particularly among the low and middle-income families who form the bulk of the population of these cities. At the same time it has been fair to landlords in granting increases necessary to meet increased operating expenses and improvements in property or services.

But there was another type of area which the Congress had in mind when it passed provisions in Public Law 96 relating to the designation of critical defense housing areas. By and large these are the areas where the sudden and necessary shift to rearmament caused by the outbreak of the Korean crisis in 1950, have brought into the community practically overnight thousands of military or defense workers. Some unscrupulous landlords in each of the communities were quick to take advantage of the servicemen, defense workers, and the families of both.

Tar-paper shanties, slightly converted chicken coops, old coal sheds, packing-box houses and even houses built out of old beer bottles—nothing was too crude to offer the defenders of democracy and their families—and for a stiff price. In many instances responsible elements in the local communities were themselves alarmed at the situation and tried to organize fair rent committees and other community efforts to keep rent in line. But in most instances these local groups had no real authority and the only ones who abided by their decisions were the fair-minded landlords for whom the committees were not needed in any case.

The gouger and the tar-paper-shack landlord merely thumbed their noses at the local fair rent committees and went right on charging all the traffic could bear. How many broken GI marriages were caused by the high prices and the miserable living conditions offered by these rapacious few no one will ever know for sure. But you may be sure they took a high toll—even higher than their cost in the morale of the men of our Armed Forces and their families. Congress attempted to meet this situation with more defense housing and with more aid to private housing interests in these communities. But it takes time to build housing and while that housing is being built the servicemen and the defense worker need protection from the rent gouger.

It was specifically for this purpose that the Congress passed the provisions in Public Law 96 for the designation of "critical defense housing areas." In these areas controls were placed on all types of rental-housing accommodations without exception.

The results speak for themselves. No longer are we flooded with reports of outrageous prices being charged for outrageous housing in these areas near military camps and Defense Establishments. The general rent levels in these communities have been stabilized and the senseless and inflationary upward spiral of rentals has been stopped. Landlords are still able to obtain justifiable rent increases through the rent office and through the local rent advisory boards set up to assure that the Federal program meets the needs of their own community.

While critical defense housing area rent control is a relatively small portion of the whole rent stabilization program, it is, nevertheless, an important part. It has brought about the stabilization of rents in vitally important defense centers where it was badly needed.

In conclusion, I should like to point out that both the critical and the noncritical area rent controls serve a necessary defense function—and for the good of our Nation they should both be continued in this legislation.

AMENDING SECTION 1708, TITLE 18, UNITED STATES CODE

Mr. CELLER. Mr. Speaker, I call up the bill (S. 2198) to amend section 1708 of title 18, United States Code, relating

to the theft or receipt of stolen mail matter generally, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the fourth paragraph of section 1708, title 18, United States Code, is hereby amended by striking out the semicolon and the clause reading "but if the value or face value of any such article or thing does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than 1 year, or both."

With the following committee amendments:

Page 1, line 4, strike out the words "striking out" and insert in lieu thereof the word "changing."

Page 1, line 4, after the word "semicolon", add the words "to a period."

Page 1, line 5, after the word "and" insert the words "by striking out."

The committee amendments were agreed to.

Mr. CELLER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, there apparently is no controversy on this bill, and there seems to be complete unanimity on it.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. MITCHELL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 653 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That House Resolution 51, as amended, is further amended by inserting at the end thereof the following paragraph:

"The committee may report to the House at any time during the present Congress the results of any investigation made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report which is made when the House is not in session shall be filed with the Clerk of the House."

Mr. MITCHELL. Mr. Speaker, this resolution merely clarifies the rule with respect to the authority of the Committee on Interstate and Foreign Commerce to investigate matters within its jurisdiction.

There is no controversy on the resolution. I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, there is no objection to the resolution on this side of the aisle.

Mr. Speaker, I reserve the balance of my time.

Mr. MITCHELL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PORT MANSFIELD HARBOR IN TEXAS

Mr. LARCADE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6175) to provide for a preliminary examination and survey of Port Mansfield Harbor in Texas and the channel connecting such harbor to the Gulf of Mexico for the purpose of determining action necessary to enable such harbor and channel to accommodate deep-draft navigation.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Louisiana explain the bill?

Mr. LARCADE. There is no cost attached to the bill. It authorizes this Port Mansfield Channel to be made a part of the intercoastal canal waterway system.

Mr. MARTIN of Massachusetts. I understand.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to cause a preliminary examination and survey to be made at Port Mansfield Harbor in the State of Texas and the channel connecting such harbor to the Gulf of Mexico for the purpose of determining what action should be taken to enable such harbor and channel to accommodate deep-draft navigation. The cost of the preliminary examination and survey authorized by this act shall be paid from appropriations heretofore or hereafter made for defraying the costs of such preliminary examinations and surveys.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUADALUPE RIVER, TEX.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6812) to provide that the existing project for navigation on the Guadalupe River, Tex., be incorporated with and made a part of the project for the Gulf Intracoastal Waterway.

The Clerk read the title of the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this is simply a survey.

Mr. LARCADE. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the existing project for a navigation channel on the Guadalupe River, Tex., is hereby incorporated with and made a part of the project for the Gulf Intracoastal Waterway between Apalachee Bay, Fla., and the Mexican border: *Provided*, That the dimensions of the Guadalupe River channel and the requirements of local cooperation pertaining thereto are not modified hereby.

With the following committee amendment:

Page 1, line 4, after the word "Texas" insert "authorized by the River and Harbor Act approved March 2, 1945."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide that the existing project for a navigation channel on the Guadelupe River, Tex., be incorporated with and made a part of the project for the Gulf Intracoastal Waterway."

A motion to reconsider was laid on the table.

HUMBOLDT BAY, CALIF.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6007) to authorize the improvement of Humboldt Bay, Calif., as recommended by the Chief of Engineers in House Document No. 143, Eighty-second Congress, first session.

The Clerk read the title of the bill.

Mr. McGREGOR. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. LARCADE. Mr. Speaker, this bill authorizes the prosecution of work at Humboldt Bay, Calif., which is made necessary by the fact that the Federal Government has already spent over $5,000,000 on this project and additional surveys and work are required. This is simply an authorization bill.

Mr. McGREGOR. Further reserving the right to object, this is a project that has been given careful consideration and it is one project that will pay money back to the Government.

Mr. LARCADE. That is correct; the committee held very extensive hearings on it and approved it unanimously.

Mr. McGREGOR. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the improvement of Humboldt Bay, Calif., is hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in House Document No. 143, Eighty-second Congress, first session.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPERVISOR OF NEW YORK HARBOR

Mr. LARCADE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8234) to amend section 5 of the act of June 29, 1888, relating to the office of Supervisor of New York Harbor.

The Clerk read the title of the bill.

Mr. McGREGOR. Mr. Speaker, reserving the right to object, will the gentleman from Louisiana explain the bill?

Mr. LARCADE. Mr. Speaker, all this bill does is to take away from the United States Navy authority to supervise the port of New York and transfer it to the Corps of Engineers. Under the new arrangement it is anticipated, according to the testimony before the committee, that there will be a savings to the Federal Government of $100,000 a year by transferring this property to the Corps of Engineers. The property belongs to the Corps of Engineers because it is improper that the Navy Department should supervise and control the port of New York and the channels and the operation of the port; for, strictly speaking, that is an operation within the scope of the Corps of Engineers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DONOVAN. Mr. Speaker, I object.

COLLBRAN RECLAMATION PROJECT, COLORADO

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2813) to authorize the Secretary of the Interior to construct, operate, and maintain the Collbran reclamation project, Colorado, and to provide for disposition of the project upon completion of repayment, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 5, strike out all after "same." down to and including line 13.

Page 3, line 4, strike out all after "blocks:" down to and including "law" in line 13 and insert *"Provided further,* That, notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall be applied, first, to the amortization, with interest, of those portions of the actual cost of the construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply; and, thereafter, shall be applied to amortization of that portion of the cost allocated to irrigation which is beyond the ability of the irrigation water users to repay within the period specified above. Amortization of that portion of the construction cost allocated to commercial power shall include interest on the unamortized balance thereof at 3 percent per annum. Repayment of that portion of the actual cost of constructing the project which is allocated to municipal, domestic, and industrial water supply and of interest on the unamortized balance thereof at a rate (which rate shall be certified by the Secretary of the Treasury) equal to the average rate paid by the United States on its long-term loans outstanding at the time the repayment contract is negotiated minus the amount of such net revenues as may be derived from temporary water supply contracts or from other sources prior to the close of the repayment period, shall be assured by a contract or contracts satisfactory to the Secretary, the term of which shall not exceed 50 years from the date of completion of the municipal and industrial water supply features of the project as determined by the Secretary."

Amend the title so as to read: "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Collbran reclamation project, Colorado."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the amendments?

Mr. ASPINALL. I shall be pleased to.

Mr. Speaker, as the bill left the House it provided that all the facilities provided for in the act should be returnable to the users. The general reclamation law has that provisions as far as irrigation facilities are concerned and domestic water works facilities or the facilities necessary to the production of power. Inasmuch as 50 years will be required for the repayment of these facilities, it was decided this bill should not be made the vehicle to determine policy such as was stated in the House provision.

The second amendment has to do with the method of using the revenue from the sale of power and also has to do with the interest to be paid upon the money advanced by the Federal Government for the construction of domestic industrial waterworks facilities and also the construction of power facilities.

As the bill comes back to us from the Senate it complies with the general law at the present time that 3 percent shall be charged on all of the money advanced by the Federal Government for the construction of power facilities and that the interest shall be the same on those moneys advanced for the construction of domestic industrial water use that the Government has to pay for its money when it secures long-term loans. That is the way that the House provision read when the bill left the House.

Mr. MARTIN of Massachusetts. The House committee unanimously accepts the Senate amendments?

Mr. ASPINALL. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. MITCHELL] is recognized for 45 minutes.

HELLS CANYON DAM

Mr. MITCHELL. Mr. Speaker, on April 10 I brought to the attention of the Members the efforts of a certain witness before the House Committee on Interior and Insular Affairs to discredit the authorization of Hells Canyon Dam on the Snake River in the Columbia Basin.

That witness, one Holland Houston, employed by the Governor of Washington as a so-called engineering consultant and loaned to the Governor of Idaho for the purpose of presenting testimony to the aforesaid committee, made false and misleading statements concerning the proposed Hells Canyon Dam and other possible power developments in the Pacific Northwest.

My remarks will be found on pages 3991 to 3993 of the CONGRESSIONAL RECORD of April 10.

Subsequently the Honorable CLAIR ENGLE, chairman of the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs, requested the Department of the Interior to make an analysis of the testimony presented by the witness who had been borrowed from the Governor of Washington by the Governor of Idaho. This analysis, together with other pertinent data on reclamation and power developments on the Snake River, is contained in a committee print of the Subcommittee on Irrigation and Reclamation dated May 19, 1952. Competent power and reclamation engineers in the Department affirm what I brought out in my remarks; namely, that Mr. Houston's testimony was heavily seasoned with half-truths and untruths.

I say this without any partisan spirit, Mr. Speaker, even though the Governor of Washington, who produced this witness, is of the opposite political party. My only concern is the welfare of the Pacific Northwest and the Nation.

The authorization of Hells Canyon Dam and its rapid construction is vital to that welfare. The Nation needs the 1,400,000 kilowatts of electric energy that Hells Canyon can generate. My State of Washington and the region need the added protection from floods that Hells Canyon would make possible. Our farmers are interested in its irrigation benefits, our businessmen and workers in the jobs and factories that would be created by the sorely needed increment of hydroelectric power.

Let us look at the power benefits in specific terms. A private power monopoly is trying to stop the authorization and construction of the Hells Canyon project. In place of that project, this monopoly avers it wants to build five small power dams whose total capability will be less than half of that of Hells Canyon. Assuming that these private power dams would be built—and this is a generous assumption because the company has provided no reliable evidence to that effect—the losses in power benefits from private development would be exceedingly heavy. The power manager of the Bonneville Power Administration, testifying before the House Committee on Interior and Insular Affairs on June 17, 1952, pointed to these losses:

> Experience from the sale of power from Grand Coulee and Bonneville Dams indicates the kinds of losses in benefits to be expected from a loss of 594,000 prime kilowatts. On the average, out of 594,000 kilowatts of prime power, about one-third would be utilized in diversified manufacturing, one-third in electro-process industries, such as production of metals and phosphorus, and one-third in residential, farm, and commercial establishments. Such a usage would support an estimated 35,000 jobs in manufacturing, with an annual earning power of $140,000,000 in salaries and wages. Service industries would employ at least another 35,000 workers and add at least another $100,000,000 in annual salaries, wages, and other income. The estimated manufactured product produced would be an annual average of about $700,000,000 of industrial commodities of various sorts. This electric power

would also stimulate estimated sales of residential, agricultural, and commercial electric appliances and equipment having an aggregate value of about $1,000,000,000.

Furthermore, the Federal Government itself would obtain at least $45,000,000 in income and excess profits taxes annually.

Therefore, I say that the Governor of Washington has done a disservice to our State and region and to the National by sponsoring a witness to oppose the Hells Canyon project before a committee of this House, who either is not competent to testify or intends to deceive.

The Honorable WAYNE L. MORSE, a distinguished Member of the Senate from Oregon, who belongs to the same party as the Governor of Washington, affirms my judgment of the testimony presented by the witness loaned by the Governor of Washington to the Governor of Idaho.

In the other body of Congress, Senator MORSE made a detailed and penetrating analysis of the Hells Canyon project and a devastating criticism of Mr. Houston's testimony. His remarks will be found at pages 7323 and 7340 of the CONGRESSIONAL RECORD for June 13, 1952.

Senator MORSE referred to the man who advises the Governor of Washington on power problems as "an engineer of only limited familiarity with Columbia River Basin development." Senator MORSE laid at the door of this witness produced by the Governor of Washington an "attempt to tear apart the comprehensive engineering plan for the full development of the Columbia River Basin, as prepared by engineers of the Department of the Army and the Department of the Interior." The Senator charged him with making "one after another of the most bungling errors" and in presenting testimony that was "irrelevant and misleading." Senator MORSE stated further:

> I shall show that the so-called engineering expert, Mr. Holland Houston, who was loaned by the Governor of Washington to the Governor of Idaho to testify against the Hells Canyon Dam, made so many fundamental mistakes that he either disqualified himself as an engineer, or else practices unprofessionally for an ulterior purpose.
>
> In summary, I shall show that the conflict over the Hells Canyon Dam represents the clash of well organized and well financed, self-seeking private interest against the public interest in obtaining maximum benefits. The Congress cannot yield to private interest under these circumstances.

The "self-seeking private interest" to which the Senator referred is the Idaho Power Co. This company wants to kill the Hells Canyon project. It desires to build a small dam at another site called Oxbow, located within the reservoir area of the major Hells Canyon project.

Either Hells Canyon or Oxbow can be built, but not both.

The Oxbow Dam would develop only 106,000-kilowatts prime power capability, less than one-tenth the prime power capability of Hells Canyon. Oxbow would be solely a power dam. It would provide no active storage capacity for flood control or navigation benefits downstream, as compared to 3,880,000 acre-feet of active storage capacity which would be provided by Hells Canyon.

Although spokesmen for the Idaho Power Co. have made vague references to a plan for constructing four additional run-of-the-river dams the company has applied to the Federal Power Commission for a preliminary permit to construct only one dam.

I urge the Members to read Senator MORSE's appraisal of the role that the Idaho Power Co. has played in the Pacific Northwest. He recounts, for example, the story of the brazen and sordid, but successful, effort by that company to obliterate a little electrical cooperative organized by farmers in Vale, Oreg. He documents the refusal of that company to provide electrical power at rates low enough to permit farm cooperatives representing 1,600,000 farmers to develop fertilizer from abundant phosphate rock deposits in southeastern Idaho. He reminds those local groups who would espouse the cause of the Idaho Power Co. that it is not really a local enterprise; it is incorporated in the State of Maine, and holds its annual stockholders' meeting 3,000 miles away in the other corner of the country. Not one of the 10 largest stockholders in the company is a resident of Idaho. Dividends for absentee owners, the Senator suggests, are a more important concern to the company than building up local resources for the benefit of the Pacific Northwest.

The Idaho Power Co. is the most powerful single opponent of the Hells Canyon project—a project which would bring large benefits to the Pacific Northwest and the Nation in greatly increased power production and other resource development as part of a basin-wide system of multipurpose dam construction.

It is regrettable indeed that the Governor of Washington has espoused the cause of this private monopoly by providing it with a willing spokesman in the person of Holland Houston, his engineering consultant. The Grange News—Seattle, Wash.—reports that Governor Langlie stated before the American Public Power convention meeting in Seattle in May 1952, that he opposed the Hells Canyon project not because of power company opposition, but because "my advice from engineering sources is the Hells Canyon project will be of less value than other dams that might be constructed."

Remember that his engineering sources were characterized by the Senator from Oregon in these words:

> The borrowed Mr. Houston indulged himself in a numbers game in which he employed half-truths, garbled figures, inconsistent approaches, and illogical conclusions in such a way as to show complete lack of that objectivity which should characterize an engineering approach. In short, by his numbers game he showed that he was intending to reach a predetermined conclusion instead of making an impartial engineering analysis.

That was the kind of engineering advice the Governor of Washington relied upon in 1952 when the Idaho Power Co. launched an all-out drive to kill the Hells Canyon project.

In 1949 and in 1950 the Governor was of a different mind. On June 24, 1949, Governor Langlie testified before the House Committee on Public Works:

> I favor the development, to their full extent and for all useful purposes, of the water resources of the Columbia River and its tributaries * * * the integrated plans of the Army engineers and the Bureau of Reclamation are sound and adequate. I so testified before the House Committee on Public Works on May 20 of this year.

He told the House committee on June 24, 1949—referring to Columbia River system project plans, which included Hells Canyon:

> Credit should be given to those agencies that have done this engineering soundly and wisely.

On February 11, 1950, Governor Langlie wrote to the Senate Committee on Interior and Insular Affairs approving a bill, H. R. 5472, and asking amendments, one of which would have authorized Hells Canyon project.

In 1952 the Governor of Washington did not about-face. Playing the game of the Idaho Power Co., he found himself a new source of engineering advice. On March 19, 1952, the Governor was quoted by the Associated Press as follows:

> The feasibility, economically, of Hells Canyon Dam can seriously be questioned and is questioned by competent engineers.

Whereas Governor Langlie had nothing but praise for the Army engineers and the Bureau of Reclamation river development program several years ago, in 1952 he had come around to this position, according to the Associated Press:

> There are one or two agencies in the Federal Government that insist they must build Hells Canyon and it has been a stumbling block in the orderly development of the Columbia River to the best interests of the people of this region.

It just so happens, Mr. Speaker, that Hells Canyon is a stumbling block to the Idaho Power Co., a Maine corporation. The private power company is experienced in the ways of monopoly. It knows how to raise a smoke screen of propaganda to serve its ends. It can enlist the aid of organized private utilities throughout the Nation in planting phony stories and in promoting slick advertising campaigns. The costs of this advertising are borne by the customers of these private utilities and are deductible from company income taxes.

I hold in my hand an advertisement taken from a magazine of national circulation. This same ad has appeared in numerous magazines. Significantly enough the ad made its appearance immediately after the initial hearing by the House Committee on Interior and Insular Affairs on the proposed Hells Canyon project. Under a picture of what purports to be the rugged Hells Canyon site is printed this query:

> Would you throw 357,000,000 tax dollars into Hells Canyon?

The ad goes on to speak of a giant Federal power monopoly and raises the familiar bogey of a socialistic America.

The high paid ad writers, working, I suppose, in some New York office, probably never saw the Hells Canyon coun-

try whose development they depict in such false and deceitful terms. The sponsors of these advertisements, identified only as the business-managed, taxpaying electric light and power companies, insult the intelligence of the magazine readers.

One would think from the ad I have here that Hells Canyon is the first dam ever constructed by the Federal Government.

One is asked to believe that public investment in multipurpose projects which create power for defense production, which reclaim desert land for new farms, which help to control ruinous floods, which expand water-borne commerce, which bring additional benefits in health and recreation, is not public investment for the national good but is merely tax money thrown into a big hole in the ground.

I will not take any more time to discuss the lies and distortions contained in the advertisement which I mentioned. It seems to me that the Congress and the American people should have full information on the amounts of money that are being spent by big business corporations, and particularly by the electrical utilities which are subject to Federal regulation, in influencing Federal legislation.

The ad portraying dire consequences from construction of Hells Canyon informs the reader that "Congress will make the final choice within the next few months." This is one form of lobbying. Any revision of the Federal Lobbying Act should take account of such practices and provide for precise and accurate reporting of the expenditures they entail.

Furthermore I believe that the Federal Power Commission should require private utilities subject to its jurisdiction to report expenditures for political and legislative activity. An investigation conducted by the Federal Power Commission in regard to Pacific Northwest utilities, some 12 years ago, revealed astonishing facts about the political activities of these companies.

They made strenuous efforts to defeat State public power measures and objectives, both before the State legislature and at the polls, charging part of the cost of these activities to income deductions or surplus and a part to operating expense. Five Pacific Northwest utilities were found to have expended more than $1,000,000 over a period of 5 years in political and legislative activities. The investigation by the Federal Power Commission also found that accounting practices relating to political expenditures were neither consistent nor uniform; that records of such expenditures were meager and in many instances misleading; that certain of the accounting records relating thereto were falsified; that various front organizations were employed to veil legislative and political activities; that legislative and political expenditures were often hidden in expense accounts of officers and employees; that extensive advertising and radio programs were featured by the utility companies during political campaigns and that other techniques and practices were utilized in the attempts to defeat public measures which these utilities considered unfavorable to them.

The Federal Power Commission found that approximately one-half of the expenditures for these political and legislative activities were charged by the utilities to their operating expenses, that is, to the cost of rendering service to the electric consumers. This was done, in spite of the fact that the expenditures were obviously not made for the benefit of such consumers.

This investigation was undertaken by the Federal Power Commission, I may note, because of indicated irregularities in accounting for expenditures on the part of the utilities involved. The concern with proper accounts afforded an extremely limited base for investigations by the Federal Power Commission. Since the investigation of the Northwest utilities in 1940 no similar undertaking has ever been launched by the Commission, although I have urged such investigations from time to time.

I believe that the appropriate committees of the Congress should review the basic statutory authority of the Federal Power Commission and provide it with a positive mandate and more effective means to protect the public interest. This point was well made by one of the Federal Power Commissioners in a concurring opinion when the Commission handed down its formal opinion on the political activities of the private utilities in the Pacific Northwest. This Commissioner pointed out that the companies investigated were created under franchises of the State to engage in the public service, a business affected with a public interest. The very essence of their right to exist, he said, is a contract with the sovereign people that, in consideration of receiving a virtual monopoly, they shall devote their properties to a public use in furnishing essential utility services.

The Commissioner said:

> The activities of these companies, disclosed by the record, show no willingness to permit the sovereign citizenship of the areas in which they operate to maintain by normal democratic processes the choice of the means of providing for themselves essential utility services. Through the expenditures and subversive activities of these companies the strength gained from nursing at the public breast was used to strike at the very heart of the continuance of free elections by free people in the determination of great public issues. The record discloses that by subterfuge these companies sought to pollute the political process of free choice at public elections. Funds obtained from the consuming public have been lavishly expended to prevent the people from obtaining electric energy through publicly or cooperatively controlled organizations. The companies arrogated to themselves the right to defeat, if possible, the choice by the people of using other instrumentalities than company owned facilities to supply their requirements for electric energy.
>
> With respect to such multipurpose, public projects as those at Bonneville Dam and Grand Coulee Dam, the record discloses that the companies have continued to resist their development and utilization by the public, long after the will of the people has been expressed through their duly elected representatives in Congress. With other so-called private utility interests these companies have engaged in activities constituting economic warfare against such public instrumentalities created by the people through the duly and regularly conducted democratic processes of the ballot and election.
>
> If activities such as the record discloses, defying the will of the public, are permitted to continue, the people may be prevented from obtaining the full benefits of cheap electric energy made available to them by the Bonneville and Grand Coulee dams.
>
> The public has invested millions of dollars in these great projects, not for the purpose of increasing the profits of the private utilities, but to provide cheap electric energy for consumers generally. Not only is this public purpose threatened by the utilities' activities, but the great public investment itself is endangered. To make accounting entries or adjustments in the books of the utility companies is no solution of the basic problem posed by the record in this matter. The important thing is the adequate protection of the inherent right of the people to make economic and social progress and to permit them to utilize and enjoy a great natural resource.
>
> To accomplish these ends Congress may wish to notice the facts disclosed by this record and consider the necessity for appropriate action to protect the public investment and principles involved.

Mr. Speaker, those words are as applicable today as they were when stated 12 years ago, particularly when we consider the efforts of the Idaho Power Co. to defeat the Hells Canyon project with the help of the Governor of Washington and his power consultant, buttressed by a Nation-wide slick paper advertising campaign of the associated private utilities. Certainly that is a subject that merits congressional investigation. Yet the Congress is asked in a pending resolution—House Resolution 655—to investigate—not the expenditures and machinations of private power companies which indulge in political activities and seek to influence Federal legislation—but the Electric Consumers Conference which met in this city May 26 and 27. The resolution proposes to investigate, not the utilities that keep the cost of power high, but the consumers who foot the bill.

When complaint is registered as to the sponsorship of a conference addressed by the President of the United States, the Secretary of Interior, the president of Farm Bureau insurance companies, the former Chairman of the President's Water Resources Policy Commission, the master of the Washington State Grange, the president of the North Dakota Farm Bureau, the president of the National Farmer's Union, the president of the International Brotherhood of Paper Makers, AFL, the president of the United Automobile Workers, CIO, and many others, including Members of Congress, perhaps it is time to look fully into the matter. Perhaps it is time to let the American people know what electric power means to their security and freedom. Perhaps it is time to find out what are the real obstacles to expanded power production and resources development.

I note in the statement of principles unanimously adopted by the Electric Consumers Conference:

> There must be immediately established at every level of private utility operation a thorough and continuing investigation of all

expenditures of moneys by power monopolists for propaganda, lobbying, political activity, or corruption of public servants or institutions.

The Governor of Arkansas has responded to that recommendation. Rural Electrification magazine for May 1952 reports as follows:

Gov. Sid McMath, of Arkansas, has ordered an audit of the commercial utility companies operating in the State with a view of eliminating questionable and political expenditures from their rate bases. The action was taken in a letter to the public service commission which was asked by the Governor to determine:

1. The amount of waste and favoritism, if any, in the companies' construction and purchasing practices.
2. Whether contracts have been awarded to the lowest bidders.
3. Whether contracts have been influenced by politics.
4. Any unconscionable profits or any improper practices involved in building and buying.
5. Amounts charged to advertising, legal expense, contributions, travel and entertainment, and related matters.

The public service commission is now sending out a questionnaire to all utilities.

Mr. Speaker, I believe the American people could benefit greatly from similar inquiries by other State governments and by Federal agencies.

PERSONAL ANNOUNCEMENT

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, on March 11 and June 5 I was unable to attend the sessions of the House because of official business in my congressional district, and on March 21 I was absent because of illness. I find in reading the CONGRESSIONAL RECORD that roll call No. 20 on March 11 was on the passage of House Resolution 593, to authorize the Katyn investigating committee to conduct hearings outside of the United States. I would have voted "aye" on this resolution had I been present.

On March 21, roll call No. 33 was on an amendment to limit new starts of dwelling units by the Public Housing Administration to 5,000 in 1953 or any future year without specific approval of a larger number by Congress. I would have voted "aye" on this amendment had I been present.

Roll call No. 34 on March 21 was on an amendment to reduce the TVA appropriation from $185,270,000 to $171,270,000. I would have voted "aye" on this amendment had I been present.

On roll call No. 92, June 5, on the passage of H. R. 7656, a bill to take care of our veterans of the Korean war, I would have voted "aye" had I been present.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 60 minutes.

HON. CHESTER B. McMULLEN

Mr. SIKES. Mr. Speaker, I requested this time in order to pay tribute to the very fine and distinguished service which has been rendered to his district, to his State, and to his Nation by one of our colleagues for whom we all have learned to have the very highest respect, the Honorable CHESTER MCMULLEN, of Florida.

I have also requested this time in order to express my personal regret that he has found it necessary to give up his work in Congress and to return to his career as a private citizen in Florida.

CHESTER MCMULLEN has the makings of a great Congressman, and he has utilized those splendid qualifications to the utmost in his distinguished career here. I am confident that every person who has come to know him intimately during his service here endorses this statement to the fullest.

CHESTER MCMULLEN is clean, and there is not a finer tribute that can be paid to a man in public life than that. He has shown himself not only to be a clear thinker, but a man who thinks deeply and independently. He shapes his course of action from conclusions that are guided by those things which are fundamental to his Nation and to his God. He is a steady, reliable sort of person, who inspires a natural kind of confidence which comes quickly after you become acquainted with him and observe his work. He is the kind of man in whom the American people have always placed their greatest confidence.

We can sum all this very simply. CHESTER MCMULLEN is the kind of man this Nation needs in its positions of great responsibility, and it is regrettable indeed that he finds it necessary to leave public service.

He is leaving of his own volition, and I think that helps establish the character of the man. He has found that his own private enterprises require more of his attention, that he cannot continue to give the time to public work that he feels he must give in order to satisfy his own conscience as an officeholder. As a result he has announced his retirement so that his district may send someone to replace him who has the time and the desire to make a career of the work of being a Representative in Congress.

As a matter of fact, I think I may well point out that his State is going to send two men here to represent the people Chester now represents. His district has been divided, and two men will replace him in January in the Eighty-third Congress. That gives you a pretty good measure of the type of job CHESTER MCMULLEN has been doing. Two men are coming to attempt to carry on for him in January.

The tribute that I pay to CHESTER MCMULLEN is of course directed also to Mrs. McMullen. Veda, by her charm and loveliness has contributed infinitely to Chester's success as a Member of Congress. They are a great team.

Even in this short time, Mr. Speaker, our friend has made his mark here, a mark that will long endure, the mark of greatness. The friendships he has made and the work he has done are those of which any Member of Congress, regardless of his length of service, can well be proud. I shall miss him very much. I know that sense of personal loss is shared by all my colleagues.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to my friend from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I join with the Florida delegation as well as the other Members of this Congress in recording our deep and sincere regret and disappointment that our esteemed and distinguished colleague, the gentleman from Florida, Mr. CHESTER B. MCMULLEN, has voluntarily decided to retire from the Congress at the close of the present session.

I think I can say most sincerely and without any exaggeration that the retirement of CHESTER B. MCMULLEN brings about a loss and a vacancy in the House that will be most difficult to fill.

While he has only served for one term, he has made an indelible impression upon his colleagues and associates that he possesses those qualities of leadership for which this Nation is in great need in these perilous times. No one can question his ability, his high purpose, and abiding patriotism, as well as his Americanism. His record during his story stay here would be a badge of honor and distinction for any Member.

While we respect the reasons that prompt him to voluntarily retire, we regret his decision to leave the Halls of Congress.

During my association with him, even these two short years, I have learned to love and admire his sterling qualities. He is a man who shuns publicity, who is very conscientious and is moved by the "still small voice." His virtues are many and his leadership constructive. He possesses the qualifications of a public official in that he believes in honesty in Government; economy in Government; and that public office is a public trust.

In conclusion, may I say that Chester has my best wishes for a continued long and successful career in whatever field he directs his energies.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, I join with the gentlemen on both sides of the aisle who pay tribute to CHESTER MCMULLEN, who is retiring from the Congress at the end of the present session. It was my privilege to become a Member of the House of Representatives at the same time as the gentleman from Florida [Mr. MCMULLEN] and to be assigned to the Committee on Interior and Insular Affairs, where we have served together for some time and where I have come to know him well.

His service to that committee and to the Nation has been outstanding. He has been a delightful companion in committee work. It was my privilege to serve on a subcommittee of which the gentleman from Florida [Mr. MCMULLEN] was chairman. We went to Alaska together. I found him to be a fine chairman, courteous to the minority as well as the majority, and certainly fair to all the witnesses who appeared before

the committee. I have enjoyed every opportunity I have had to be with CHESTER MCMULLEN and his charming wife. We on the minority side of the committee and of the House will miss CHESTER MCMULLEN in the next Congress.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, when it became known some 2 or more years ago that our colleague, J. Hardin Peterson, of Florida, would not seek reelection and would not be a Member of the Eighty-second Congress, I asked him: "Who will be your successor?" He said, "A very splendid gentleman," and he gave me the name of CHESTER MCMULLEN. And so I became acquainted with CHESTER MCMULLEN more or less sight unseen. I told Mr. Peterson that I wanted to get acquainted with Mr. MCMULLEN as soon as he arrived and stated, "From what you say about him, he is a man I want to know better," and that I found later to be true, quite true.

I did become acquainted with Mr. MCMULLEN and I have become better acquainted with him because of his membership on the Committee on Interior and Insular Affairs. I know of no member of that committee or any other committee on which I have served who has been more faithful in attendance at meetings and in giving the best of his thought and effort to all measures before the committee than CHESTER MCMULLEN. He has been very faithful.

Not only has he done that, but, as the gentleman from Ohio said a little while ago, he served as chairman of a subcommittee which went to Alaska, not on a pleasure trip but on one involving even considerable risk to life and limb. I take it that the gentleman from Ohio did not mean to imply that the subcommittee that went to Alaska late last year was on a pleasure trip. It was necessary for them to use various types of transportation from dog teams to airplanes in their travel around Alaska. In fact it was a trip that involved considerable danger. However when I asked Mr. MCMULLEN whether he would be chairman of that subcommittee, he agreed to do so in spite of the probable hardship. Whenever a Member had to be absent from Washington, Mr. MCMULLEN has gladly filled in to help with committee work.

Mr. Speaker, he is a very competent man of judicial temperament and withal a Christian gentleman. I trust that he will not go into retirement, because he is too young a man to do that, but that he will serve in another position with as great distinction as he has served as a Member of this body.

Several times lately I have heard it said that some of the fine things stated about our Members are perhaps a little taffy—but not in the case of CHESTER MCMULLEN. I do believe, though, that we ought to send flowers at a time when they can be appreciated, as has already been said here, because, after all, I believe in "taffy" more than "epitaphy." I want to say it while he is with us, and I am not spreading taffy at this time when I say that CHESTER MCMULLEN is one of the finest Christian gentlemen I have ever known and one of the most competent Members of Congress with whom I have ever associated.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I am happy to take this time to join with my colleagues in paying tribute to CHESTER MCMULLEN. I take this opportunity, however, to disagree with the gentleman from Florida [Mr. SIKES] in saying that CHESTER MCMULLEN has the makings of a great Congressman. I want to say that in my opinion CHESTER MCMULLEN is now a great Congressman. CHESTER MCMULLEN has taken the duties of his office during the term he has been here with all the sincerity and fidelity that it is possible for a man to give to this office. As has been pointed out by other members of the Committee on Interior and Insular Affairs, that when there were few Members of the majority side sitting in that committee, day in and day out you could always find CHESTER MCMULLEN present at committee meetings and on the floor of the House. When I would chide him in a friendly manner and want to know why he was over there by himself he would say, "If this job is worth while doing, it is worth while doing well." That is the way that CHESTER MCMULLEN handled the duties of his office, in his committee, and on the floor while he has been here.

There have been other Members of Congress who have decided not to return, but I do not believe that any Member of Congress who is retiring is of the stature of CHESTER MCMULLEN, because whether you folks know it or not, it is going to take two men to replace him. His congressional district has been divided, and in the next session there will be two Representatives from the State of Florida representing his district.

I want to say to CHESTER MCMULLEN and to the other Members of Congress, that as he returns to the great State of Florida he is not going to retire, but he is going to take up again the law practice which he left. I know that I join with the other Members of the House in wishing to CHESTER MCMULLEN, his fine wife, and to the members of his family every best wish for their continued success.

Mr. SIKES. Mr. Speaker, I yield to my colleague from Florida [Mr. LANTAFF].

Mr. LANTAFF. Mr. Speaker, while it is a sincere pleasure for me to join with my colleagues from Florida and the other Members of Congress in paying this justly deserved tribute to CHESTER MCMULLEN, it is nevertheless with a feeling of deep regret that I do so.

While I am certain that the two Congressmen who will replace CHESTER MCMULLEN are eminently qualified and distinguished Floridians, nevertheless, they will experience considerable difficulty in achieving the fine record that Congressman MCMULLEN has attained during his short tenure as a Member of this body.

All of us fully sympathize with CHESTER MCMULLEN'S desire to return to the sun-kissed shores of south Florida to resume the practice of law in his own firm; but his district, the State of Florida, and the Nation will suffer a great loss by his voluntary retirement. He is a man of honor and integrity, a radiant personality and extremely conscientious.

We, in the Florida delegation value him as a good teammate, always willing to cooperate in working for the best interests of the entire State. His record as a first-termer in the House of Representatives is as outstanding as another of his records which is cited in the Congressional Directory. There it is recorded that our distinguished colleague, while playing golf, made a hole-in-one on two occasions.

I know that as a member of the bar in Florida, he undoubtedly will have more time to better this record than he would have by remaining a Member of this body, and perhaps that is the secret motive behind his retirement. In any event, the First District of Florida gains an outstanding attorney, while Florida and the Nation will lose an able and conscientious legislator.

Mr. POULSON. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. D'EWART] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. D'EWART. Mr. Speaker, I want to join with my colleagues in expressing my regrets that the Member from Florida [Mr. CHESTER B. MCMULLEN] is going to end his services in Congress. During his term here he has served on the Interior and Insular Affairs Committee of the House, of which I am a member. He has acted as chairman of the Indian Affairs Subcommittee in the absence of the regular chairman. He was chairman of a special subcommittee that made an extended study of land-tenure laws as applicable to Alaska.

I worked closely with Mr. MCMULLEN on these subcommittees. I have a high regard for his knowledge of the problems with which we sought to deal, for his untiring efforts in trying to work out an equitable solution of the problems, for his patience in long and involved hearings. He has contributed, through his service, very materially to improving the legislation considered not only by these subcommittees, but by the full committee. As chairman of the committee studying land-tenure problems in Alaska, he has taken the leadership in drafting proposed legislation that would solve an exceedingly intricate and difficult problem in Alaska, the solution of which will add immeasurably to the development and settlement of that huge area.

I regret exceedingly his determination to not again become a candidate for Congress. We need men of his ability and understanding in dealing with legislation which comes before us. I wish him prosperity and happiness as he returns to his home district and to a more intimate service to the people of his own community.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from California [Mr. POULSON].

Mr. POULSON. Mr. Speaker, I am glad to have this opportunity to pay a public tribute to a man whom I have learned to greatly respect. It is with mingled emotions that I make this statement because I sincerely regret his leaving Congress and, on the other hand, I am most happy to express my great admiration for him both as a man and as a public servant. There is always a natural tendency for us to say nice things about our departing colleagues, but never have I been more sincere when I say that I have yet to see a more able and conscientious Member of the House of Representatives than CHESTER MCMULLEN.

We serve together on the Interior and Insular Affairs Committee and I have seen him at work as he accepts all of the commitee tasks with grave responsibility whether the legislation in question affects his own State or not. In fact, most of the legislation deals with problems which have no connection whatsoever with Florida, nevertheless he attends the hearings with as great regularity as any single member of that committee, and, furthermore, he never fails to come up with logical and constructive suggestions.

Even after he had announced that he would not be a candidate for reelection, he continued attending hearings and working just as hard as any other member. That to me is a great tribute to a public servant who accepts his responsibility and fulfills it.

As an individual he has a most charming personality, and in that connection I must not fail to mention that his wife is equally gracious.

We on the Interior and Insular Affairs Committee will greatly miss Chet because of his ability, his regular attendance, and his congeniality. I bespeak for him, his charming wife and family, all of the blessings, happiness, and good health which they so richly deserve.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Speaker, this is certainly a privilege that I could not possibly forego, nevertheless it is not without pangs of regret when I realize that at the end of this Eighty-second Congress one of my best friends is going to retire to private life.

I consider it one of the fine fortunes that have been visited upon me to know outstanding men, and amongst that group no one ranks any higher in my opinion than Hon. CHESTER MCMULLEN, of Florida.

Chester is not only a man that you admire in every respect but he is a man that is worthy of and wins your love and affection. That is easy to understand because few men come to Congress with the qualifications that Chester brought here.

Chester is a graduate of the University of Florida and has had a long and most distinguished career as an outstanding lawyer, plus his experience over many years as a prosecuting attorney. I personally know he has made an exceedingly splendid record as prosecuting attorney and is known throughout the State for his ability, fearlessness, and eminent fairness.

Chester is possessed of an analytical mind and has the happy faculty of weighing both sides of every issue. He is possessed of a modesty flowing from the gentlemanly instincts that he is so fully clothed with. He has brought his mature and deliberate judgment into play during this one term to such an extent that he has truly won the confidence and respect of his colleagues in a manner that some of us never attain.

Of course he is going to be missed here, but Chester has been missed at home, too. During the Christmas holidays I went down into his district and it was a benediction to me to see how his constituents love Chester and how they depend upon him, upon his reasoning and his sound judgment. I received some compensation and satisfaction out of that because while we are going to miss him here, his work in this body is not going to be finished because he will be down there and he will be molding the opinions and the thoughts of the fine people in his district. He is going to make the job a little easier for us lawmakers up here.

Yes, we are going to miss him. Particularly am I going to miss him. But I understand the spirit that motivates him. All that I can say at this time is, "Chester, it has been a fine privilege to know you, and I am coming down there to see you. You know I am so glad that one of the privileges of the House here is that you will always have the opportunity to visit with us on the floor and to be with us on the floor. You will always be one of us."

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Wyoming [Mr. HARRISON].

Mr. HARRISON of Wyoming. Mr. Speaker, during the time I have had the pleasure and privilege of serving on the Committee on Interior and Insular Affairs with CHESTER MCMULLEN, I have learned to know, admire, and respect his ability, his sincerity, and his willingness to perform the duties assigned to him on that committee. CHESTER MCMULLEN has the admiration, respect and friendship of every individual member of the Committee on Interior and Insular Affairs. His voluntary decision to leave the Congress will be a loss to his State of Florida, it will be a loss to the Congress of the United States, and I want to assure Chester that it will be a loss to all Members of the House of Representatives, and particularly to me. It is with great regret that I stand here today to say the words that I have spoken because I would much prefer to go on watching Chester's smiling countenance across the room in our committee.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I do not recall in the history of my service in the House of Representatives any other occasion when I have heard such beautiful words of tribute and regret expressed over the announcement by a Member of his voluntary retirement after a service of only one term, as I have heard today. Our colleague, CHESTER MCMULLEN, may, I think with pardonable pride, take back to Florida and to the people whence he came these expressions of friendship and appreciation by the Members of the House of Representatives.

Mr. Speaker, the State of Florida has a habit of sending good, competent and able men to the Congress of the United States. I have noticed over a period of many years that the men from Florida are men who are sincere, earnest and conscientious in the performance of their duties in the House of Representatives. In this particular case, I think the First Congressional District of the State of Florida has measured up to the high standard of public service which the people of Florida apparently require of their representatives in the Congress of the United States.

Mr. Speaker, I have not served on any committee with our colleague, CHESTER MCMULLEN. My association with him, and my judgment of his character and ability has been formed by my contact with him on the floor of the House of Representatives from time to time. But during this period of time, brief though it may have been, as the years go, I have learned to build up a genuine appreciation of his quiet, innate abilities and great appreciation of his friendship. Therefore, Mr. Speaker, when several weeks ago I learned of his decision to retire voluntarily from the House of Representatives, I listened to that announcement with deep regret. Congressman MCMULLEN is following in the footsteps of his very able predecessor, J. Hardin Peterson, whom we all knew and loved.

CHESTER MCMULLEN carries back with him to the State of Florida similar feelings of emotion as did his predecessor when he left the House of Representatives after many years' service. I think, Mr. Speaker, upon the retirement of CHESTER MCMULLEN we in the House are losing a man of most unusual ability, a man with sincere devotion to duty and rare conscientiousness in performance of his responsibilities. I want to join with my colleagues from the State of Florida and others in expressing my own profound regret in losing such an able Member and such a fine friend.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. WOODROW W. JONES].

Mr. WOODROW W. JONES. Mr. Speaker, I wish to join with my colleagues in paying a tribute to the outstanding service rendered by the gentleman from Florida [Mr. MCMULLEN]. As he leaves Congress to return to the private practice of the law, he can do so with the feeling that he has served his country well. His outstanding ability, his sound thinking, his good judgment and common sense have contributed substantially to sound legislation during his tenure of office. He has served his district, his State, and our Nation well. I deeply regret to see him leave the Halls of Congress, but as he goes, I wish for him continued good health, prosperity, and longevity of life.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SITTLER].

Mr. SITTLER. Mr. Speaker, every Member of Congress is faced with a two-fold responsibility: First, so effectively to serve his district as to warrant his return if he wishes; second, to represent that district effectively on the floor by becoming effective with his fellow Members. That effectiveness within the House depends upon a capacity for work and fellowship and understanding.

In the brief time I have had to observe the activities of CHESTER MCMULLEN, who came into the House with me as a freshman in what we might call the class of the Eighty-second Congress, I have learned to admire and respect him. I have not been to his district; I do not know how effective he is there, but I can imagine and I do know that he has been most effective with his fellow Members on the floor by virtue of his conscientious effort in behalf of the people of his district and in behalf of the convictions which he has with regard to our own Government.

I would like to pay a high personal tribute to this gentleman from Florida whom I have learned to like very, very much.

This Congress—and the country—would be the richer if more men like CHESTER MCMULLEN decided to enter the field of politics and Government service.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. I thank the gentleman from Florida.

I take this moment, Mr. Speaker, to say a word on behalf of my father and mother who live in Dunedin, just a few miles from Clearwater in Chet's district. It is with a sense of deep regret that they learned and that I learn, Chet, that you are leaving Congress. When I go down there soon to see mother and dad, I hope to visit you as I did when I paid a courtesy call on your brother in your office last September. Chester, our friendship has just started. Some day I am sure you will be back in Washington. All good wishes to you and to your wife, and to your family, and to your many and devoted friends and constituents. Come back and see us—hear? And if you have time stop by dad's shack at 1727 Bayshore Drive and say "hello." O. K.?

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Speaker, it has been a great privilege for me to serve in my first term in Congress with another first-termer of the outstanding ability of CHESTER MCMULLEN. I have been very much impressed with his level-headedness, his conscientiousness, and his modesty. I think his decision not to seek reelection to the Eighty-third Congress is a great loss to the country. We cannot stand too many such losses.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Ohio [Mr. REAMS].

Mr. REAMS. Mr. Speaker, I grasp with enthusiasm this opportunity to express a tribute to one of the finest men I ever met, Mr. CHESTER MCMULLEN.

I shall never forget the first time we met. It was as we came from the hotel over to the Office Building on a cold January morning. Ice and snow were on the pavement and Chester was not doing very well on that kind of footing. When I asked him about it he said that he did not like ice very well, that he was geared for walking on sand. When I learned that he was on a committee assignment last fall to Alaska where the Members were going to have to use bobsleds, snowshoes, and other implements of the frozen North, I knew that this was not a junket or a pleasure trip for the gentleman from Florida.

CHESTER MCMULLEN has one of the finest, most disciplined minds I have had the privilege of coming in contact with. It is a mind that is trained and disciplined in the law in the true sense of the word. We are going to miss him here in the House of Representatives. I am going to miss him personally, his smile, and his friendly words of advice and help. As we have discussed together bills and rules and other matters of concern and amazement to Congressmen serving their first term, my appreciation of his ability and capacity and fine character has steadily grown.

I can well understand how a man who has the disposition, the training, and the outlook of a lawyer can be happier in the atmosphere of the courts, and the buckram volumes of his own law office and among his clients than he would be here in the Congress. But Mr. MCMULLEN is a man of such adaptability that he was able to turn his talents to the representation of the people of his District with outstanding success. He has made such a record here that whoever the two men who succeed him may be they will have a difficult time measuring up to the standard he has set as a Member of this body both as to the quality and the amount of work he has turned out.

The word "gentleman" is a word that has many definitions; it is used with all kinds of meanings. But the only definition of the word "gentleman" I have ever been satisfied with is the one that George Bernard Shaw used when he said, "A gentleman is a man who puts more back into life than he takes out of it."

That is the kind of man I think of when I refer to CHESTER MCMULLEN as being a fine gentleman. We will miss him a great deal here. I will miss him personally, but I am sure that the bright sun of Florida will always beckon to me with greater enthusiasm because I shall know that Chester is there, happier in the practice of law.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, the First Congressional District of Florida has the reputation of sending men of strong character, excellent reputation and exceptional qualifications to the Congress of the United States. When the Honorable J. Hardin Peterson decided to retire from Congress in 1950, the good people of Florida's First District found in CHESTER BARTOW MCMULLEN, a most worthy successor. Except for the matters of seniority of service and long-time experience in congressional responsibility, it has been almost impossible to notice that a break had been made in the membership of the Florida congressional delegation.

Congressman MCMULLEN, securing membership on the same committee as that of his most worthy, qualified and able predecessor, fitted most naturally and effectively in the vacancy caused by Mr. Peterson's decision not to be a candidate for reelection. Personally, I think no Member of Congress could have filled an able predecessor's position on a committee or membership in the House any more effectively than our colleague, Mr. MCMULLEN, has been able to do in the 2 years he has been in Congress.

The gentleman from Florida's First District has been a regular and on-time attendant at all of the meetings of his committee and its subcommittees. No Member of the Eighty-second Congress has a better record for attendance in committee or on the floor of the House than has this distinguished son of Florida. He consistently brought to each committee meeting a great interest in the matters coming before it and a keen understanding of the many problems involved. He has diligently strived for the correct answers. His ability to work, his sincerity of purpose, his able judgment and his fairness of decisions have made him an invaluable coworker at every step along the way of legislative operations. I can honestly say that I know of no Member of Congress who has impressed me more favorably than has our colleague from the First Congressional District of Florida.

All of my life, I have heard continually of and concerning southern gentlemen. To me Hon. CHESTER BARTOW MCMULLEN typifies such a person. He has the manly qualities that endear him to his fellows, whether it be around a committee table, on a committee investigational trip, at a social function, or in private associations. He is one of nature's noblemen. I, for one, shall miss him sorely when he leaves his congressional activities. I sincerely trust that I may find it possible to avail myself of the pleasure of his company and personality in the years to come, even though it may not be through the avenues of congressional comradeship. When Mr. MCMULLEN leaves Congress, Florida will lose, and the Nation will lose another fine Congressman. However, knowing him as I have been privileged so to do, I shall expect to find this fine American citizen giving of his best, wherever he may be, to his community, State and Nation.

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the Delegate from Alaska [Mr. BARTLETT] may have permission to extend his remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. LANTAFF). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BARTLETT. Mr. Speaker, possibly for the first time in history a Member of Congress from Florida called a congressional committee to order north of the Arctic Circle last November. On the sixth day of that month, CHESTER MCMULLEN, as chairman of a special Interior and Insular Affairs subcommittee investigating Indian and Eskimo land claims in Alaska, convened his committee in a small National Guard armory with an interested audience of Eskimo people present.

In these hearings in Alaska, which were held all over the Territory, his colleagues who accompanied him found in the close association which travel brings that the qualities they had already noted of kindliness, consideration for others, willingness and ability to work hard and a very lively intelligence were not of the surface but were part of the man.

The First District of Florida has sent outstanding men to the House of Representatives. Any man who followed the beloved J. Hardin Peterson could have been expected to be measured by the standards set by "Mr. Pete." CHESTER MCMULLEN was. And he was never found wanting.

All of us who have come to know and respect and admire CHESTER MCMULLEN cannot but regret his decision to leave the House. He will be missed in the fraternity of daily personal contacts and in the work which he has done so well. I join my colleagues in saluting him for a job well done and in expressing the hope that life will be good to him in every way.

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks at this point in the RECORD on the gentleman from Florida [Mr. MCMULLEN].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. YORTY. Mr. Speaker, when a Californian takes the floor to praise a Floridian, the Floridian must have exceptional ability. Our colleague, the Honorable CHESTER B. MCMULLEN, of Florida, does have exceptional ability. I am very sorry to see him retire from Congress, not only because he is a good friend whom I shall miss during the next Congress, but also because he is an able, conscientious, and talented legislator—the type of Representative we would all like to see remain in Congress.

When this Congress first convened in January last year, our beloved Speaker, the Honorable SAM RAYBURN, of Texas, addressing himself to the new Members, said it is a great honor to serve even one term in the Congress of the United States. I am sure our friend and colleague will leave here feeling that his life has been enriched by the singular experience and honor that has come to him as an elected Member of this body. Certainly the Nation has benefited from his services. I know I express the feeling of his constituents when I say I wish he had seen fit to continue to serve here.

Mr. Speaker, I think there is a particularly close bond between members of the same party who come here at the same time, and find themselves assigned to the same committee. CHESTER MCMULLEN and I have been going through the freshman class together. We sit next to each other as members of the Interior and Insular Affairs Committee and on several subcommittees. His keen discernment, ready wit, and constant good humor have added much to the pleasure of my service here. Our committee is losing one of its ablest members. He has chosen not to stand for election again. I wish him and his splendid family success and happiness throughout their journey through life. The people of his district sent to this Congress the distinguished gentleman from Florida. He has honored them and the Nation by exemplifying the finest qualities of a representative in a democracy.

Mr. BENNETT of Florida. Mr. Speaker, if I had to restrict myself to one adjective to describe Congressman CHESTER MCMULLEN, that adjective would have to be the word "genuine"; for Chester is true, a man of integrity at all times. In a word, he is genuine.

If I had to describe him with one noun, the one I would choose would be "friend." He has the gift of friendship, a gift he retains by giving it so freely. He illustrates the ageless truth that one has only what one gives away.

Chester has made a fine record here in Congress. He is at all times sound in his thinking and actions. He never fails to do what he believes to be best for all. He has no closed mind, no crystallizing fear of progress. He has faith in America, in what is right. Yet, he is no impractical visionary. His leaving this House will certainly be a great loss to us all.

If you will pardon a personal recollection, I recall one gray day last spring when Chester saw me walking in the rain and getting drenched in the process. He immediately came to my rescue and bought and presented to me a fine raincoat which has sheltered me since then. To say the least, that was an exceptionally thoughtful and kindly thing to do.

Last Sunday, my beloved father died as I clasped his hand and bent over his bed in Jacksonville; and when I just this afternoon returned to Washington, the first arm slung across my shoulders in quiet sympathy and the first eyes to greet mine in understanding friendship were those of CHESTER MCMULLEN.

Chester, in fact, reminds me of one of my father's favorite thoughts from Ralph Waldo Emerson: See how the great mass of men fret themselves into nameless graves, while here and there some noble soul forgets himself into immortality. CHESTER MCMULLEN is a noble soul.

Mr. ENGLE. Mr. Speaker, no man who has come to Congress in recent years has more quickly acquired the respect of his colleagues as an able legislator than our colleague and fellow committeeman, CHESTER D. MCMULLEN, who, unhappily, is retiring from Congress at the end of this session. Having served on the Committee on Interior and Insular Affairs with him during his service here, I have had a better opportunity than most Members of the House to become personally acquainted with him and to observe the effectiveness of his work. During his entire term in Congress he has been most industrious and attentive to the duties of his committee. There is no single Member of Congress who has been more regular in his attendance at the committee meetings or more careful and industrious in his work. In fact, CHESTER MCMULLEN first distinguished himself in the committee for the conscientious manner and the careful attention he gave to every piece of legislation before our committee. In addition, he brought to the committee one of its finest legal minds and a high order of ability. He has had an auspicious start as a legislator in the House of Representatives. His leaving will be a loss to his district and the State of Florida and to the Nation. It is unfortunate that for personal reasons he has found it necessary to retire from Congress and thus deprive this legislative body as well as the Nation of his services here. No tribute to CHESTER MCMULLEN would be adequate without a reference to his quiet and kindly personality. He made friends from the day he arrived in Congress and has continued to make them since, and will leave a host of admiring friends from all over the country here in the House of Representatives when he goes back to Florida. It is significant, I think that CHESTER MCMULLEN has established his reputation by stepping into a very large pair of shoes. He is the successor to J. Hardin Peterson, who for 18 years served from the same district, and who was the able and distinguished chairman of our Committee on Interior and Insular Affairs. Although we hoped that that district would send a man of equal caliber in the place of J. Hardin Peterson when he retired, we hardly expected that it would be a Member who duplicated so many of the talents and abilities of his distinguished predecessor. CHESTER MCMULLEN during his service here in Congress has in every way lived up to and met the high standard of representation which preceded him. His stepping aside at the threshold of his congressional career will be a sad loss to all of us on the committee who have acquired a deep affection for him and an intense admiration for his ability. I know that I speak for my California colleagues on the committee and for our California delegation when I say that we will miss him and that we wish him all happiness and success as he returns to Florida to resume the practice of the law. We trust that he will be happy and successful, and that other circumstances at a later time may enable him again to contribute his services here to the people of Florida and to the Nation.

Mr. REDDEN. Mr. Speaker, one of the most distinguished Members of our body, Hon. CHESTER B. MCMULLEN, Representative from the First District of Florida, whose home is in Clearwater, has announced that he will not seek election for another term.

No one will deny that Mr. MCMULLEN could have returned to Congress had it been his desire to do so. Knowing the people of his district as I do, I feel that he would have been without opposition

had it been his pleasure to continue to serve his district.

CHESTER MCMULLEN has been a member of the House Interior and Insular Affairs Committee, of which I am also a member, since he entered Congress in January 1950. While I knew of him before he came to Congress I became more intimately acquainted with him as the days passed and as I watched him in operation before the committee and on the floor of this House.

There is no finer man who ever served in this body. He is conscientious and sincere in all his work and has the greatest respect of his colleagues. The Nation, as well as his district, is sustaining a loss on account of his departure and I regret to see him leave. His record for uprightness, sincerity, and courage, while a Member of this body will long be remembered.

I join the many friends of CHESTER MCMULLEN in expressing personal regrets that he is to leave the Halls of Congress and wish for him a life of continued achievement and happiness.

Mr. LANTAFF. Mr. Speaker, the distinguished Senator from Florida, the Honorable SPESSARD HOLLAND, has joined with us in paying tribute to our distinguished colleague, Hon. CHESTER MCMULLEN, who is voluntarily retiring from this body. His remarks follow:

I join the other Members of the Florida congressional delegation in expressing deep regret at the decision of our distinguished colleague, Hon. CHESTER B. MCMULLEN, of the First Congressional District of Florida, to relinquish his seat in the House of Representatives, in order to return to private life. A native of Florida and a worthy member of one of our oldest and most respected Florida families, a distinguished lawyer and outstanding citizen, CHESTER MCMULLEN brought to the Congress unusual ability, high character, sound judgment, and friendly human qualities which established him, almost at once, as an able, respected, and highly serviceable Member of Congress. As a member of the Florida delegation he has cooperated in the fullest degree with all other members in the rendition of service to every worthwhile Florida objective. His presence, his sound opinions, his never failing good humor, and his energetic cooperation will be greatly missed.

From the personal standpoint I shall greatly miss CHESTER MCMULLEN and his cordial friendship. I wish for him the fullest measure of success, happiness, and high attainment as he returns, for compelling reasons which we all respect, to serve our native State and Nation as a private citizen, but always as a leader.

Mr. HERLONG. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to take this welcome opportunity to pay a justly deserved tribute to my friend and colleague, CHESTER B. MCMULLEN.

We in the Florida delegation will miss him the most, because it is we who have had the privilege of being the most closely associated with him in the teamwork our delegation has enjoyed, and I want to say that Chester is a great teammate.

Independent in his thinking and stanch in his integrity, cooperative in all matters requiring unity of action, devoted to his duty, and unwavering in his convictions of right and wrong, Chester is a man who embodies the qualities most desirable in a Representative of the people.

It is a matter of regret to his associates, and a loss to this body, that Chester's sense of duty leads him to retire from Congress. Had he felt that his duty called him to remain here, I know he would have done it at any personal cost to himself, and this knowledge compels us to reconcile ourselves to his decision. Wherever he is, he will be serving the people of Florida in some capacity, because that is his nature; and since he must leave us, I want him to be assured that we shall always remember these 2 years of association with him, and that our good wishes and our sincere admiration go with him.

Mr. RAYBURN. Mr. Speaker, I, too, with all other Members of the House, deeply regret that CHESTER MCMULLEN has decided to retire from the Congress. He has so conducted himself that he has endeared himself to every Member. He is a man of high character and splendid ability. I shall personally miss him very much.

Mr. SIKES. Mr. Speaker, I now yield to my distinguished friend from Florida [Mr. MCMULLEN].

Mr. MCMULLEN. Mr. Speaker, I wish I had a sufficient command of the English language to express my real feelings here in the well of the House today.

I wish to express my sincere thanks to my colleagues who have made this wonderful tribute to me. I hope that in some small measure I am worthy of this ovation. I am deeply grateful to each of you for these remarks.

Upon voluntarily retiring from the Congress, I must say that it has been a real privilege and honor for me to have served as a Member of the Eighty-second Congress. It has been a rich and wonderful experience that I shall never forget.

I especially want to express my thanks to the distinguished leader of the Florida delegation in the House of Representatives, my friend, BOB SIKES. From the day I was sworn in as a Member of the Eighty-second Congress. Bob has been at all times most helpful to me. I have, on many occasions, sought his advice and suggestions and he has given freely of his time and knowledge.

I feel, Mr. Speaker, that I would be remiss if I did not express my great admiration for my good friend, chairman of the Committee on Interior and Insular Affairs, Congressman JOHN R. MURDOCK, of Arizona. Undoubtedly, there is no one presiding over a committee who could be more patient, fairer, or more impartial, than the distinguished gentleman from Arizona [Mr. MURDOCK]. He is the very essence of kindness and consideration. The entire membership of that great committee, both Republicans and Democrats, have always shown an inspiring spirit of cooperation and unity in working together for the very best interest of our Government.

It is with real affection that I mention the individual Members of the Florida delegation: Congressmen CHARLIE BENNETT, Second District; BOB SIKES, Third District; BILL LANTAFF, Fourth District; SYD HERLONG, Fifth District; and DWIGHT ROGERS, Sixth District, are the gentlemen to whom I refer. They have exhibited a splendid attitude of service to their district, State, and Nation, and I have appreciated their personal consideration of the problems of my district and I have thoroughly enjoyed the camaraderie displayed among them.

Although I am retiring from Congress, it does not mean that I shall not continue to take a very active interest in Government. It is my purpose at all times to contribute to any and all things that will make a good, clean, and better Government. The insight I have gained through my associations here will broaden my perception of governmental affairs after I am no longer a Member of the Congress.

Permit me to thank all my colleagues for the fine spirit and cooperation they have shown me as a Member of this, the Eighty-second Congress.

May God bless, keep, and direct you all.

The SPEAKER pro tempore (Mr. LANTAFF). Under previous order of the House, the gentleman from Oregon [Mr. ANGELL], is recognized for 30 minutes.

AMERICA'S RENDEZVOUS WITH DESTINY

Mr. ANGELL. Mr. Speaker—

God give us men a time like this demands,
Strong minds, stout hearts, true faith, and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who express opinions and a will;
Men who have honor; men who will not lie.

Mr. Speaker, it has been my custom during my service in the House prior to the adjournment of the Congress at the end of a session to discuss some of the major legislative work of the Congress during the session, with particular reference to my own congressional district and the Pacific Northwest, as well as the domestic and international problems with which we have had to do. I have asked for this time to discuss the work of this session.

The Third Congressional District of Oregon, which I am privileged to represent, borders on the Columbia River and is in a strategic position in that great area known as the Columbia River Basin. Truly the Pacific Northwest stands at the threshold of a great development. The development and full utilization of the Columbia Basin's natural resources are the keys to the economy of Oregon and the Pacific Northwest. Fortunately the money invested in the development of these huge hydroelectric projects is a sound investment for the United States as the pay-out is ahead of schedule on the Bonneville project in my district and long before the amortization period expires the Federal Government will have received back the full cost with interest, upkeep and maintenance. During the 14 years I have had the privilege of serving the people of the Third District of Oregon, I have devoted much of my time to the problems of conserving, developing and utilizing to the full the great storehouse of natural resources in the

Columbia River Basin. Few regions are blessed with such a wealth of resources. The immense volume of water and hydro power of the Columbia River coupled with fertile soil and an equitable climate provides a combination of factors which spell success and prosperity in the Pacific Northwest region. This is true both from an industrial standpoint where great blocks of cheap hydroelectric power are needed and for agricultural development as well, which also requires both power and water.

The Pacific Northwest is a rich and growing region. It has great natural resources of forests, agricultural and grazing land, water supply, minerals, fish and wildlife, scenic and recreational areas. With about 10 percent of the Nation's land area and 3 percent of the people, the Pacific Northwest has 40 percent of all merchantable timber, 20 percent of all irrigated acreage, 4 percent of all crop land, 20 percent of all developed water power, 40 percent of all potential hydroelectric power, 60 percent of all phosphate rock; large deposits of lead, zinc, silver, copper, and other minerals; 4,680,000 people in April 1950—a gain of one-third over 1940. The basic region deficiencies are oil, gas, and coal. To overcome these deficiencies it is imperative that we develop the immense pool of hydroelectric power with which we are blessed, with almost one-half of the available United States' potential supply. Only some 10 percent has been developed thus far.

The Columbia River Basin is the greatest natural source of water and power resources not only in America but anywhere in the world. By reason of the large drainage basin it covers the river's flow is to a large extent continuous through most of the year, resulting in an unusual percentage of firm power in hydroelectric projects. This is an exceptionally valuable asset to large industries which need continuous firm power to maintain plant operation. My background has been such as to instill in me a deep and abiding interest in the abundant natural resources of the area. My parents came to Oregon by ox team in 1852, where I was born and raised, and I have spent all of my life in Oregon and much of it in working for the conservation, development, and utilization of these vast great natural resources. For many years I worked on public land surveys in Oregon, Washington, Idaho, and Montana which gave me an opportunity to secure first-hand information of the extent, the character, and the value of the unmatched natural resources of this great area. This, as well as my training and experience as a lawyer, has enabled me here in the Congress to present the arguments for the development of these resources to my colleagues which has resulted in favorable consideration at their hands. I take pride in reporting that in the years in which I have served in the Congress the Columbia River area has received in authorizations and appropriations for the development of navigation, reclamation, hydro power, and flood control deserved favorable consideration. It has received more appropriations for public works, many times over, than in any other like period in history. My seniority on Public Works, Rivers and Harbors and Flood Control Committees, with jurisdiction over this legislation, has aided much in this accomplishment.

The growth of power requirement in the Northwest is the result of an extremely rapid growth in population, coupled with expansion and electrification of farms, businesses, and industries in the area. In population growth, the Pacific Northwest has far outstripped the United States as a whole. In the period between 1940 to 1950 which is the major development period of the Bonneville Power Administration, the population of the State increased over 50 percent. The Pacific Northwest average increase in population was 44 percent compared with the United States average of 13 percent. Besides having a population increase, more electricity than ever before is being used by all classes of customers. Farm, business, and industrial enterprises are rapidly finding new uses for power, and home consumption is steadily increasing.

I feel justified in having been a vigorous advocate of the development of these great resources of the northwest not alone because they spell prosperity for the area, but because they are sound investments for the Nation as a whole. This Nation in the exercise of wisdom, instead of curtailing the development of these great revenue-producing projects, should make available the necessary funds for full development as rapidly as the demand for electric energy requires. Federal funds invested in these public works is in the interest of economy.

During my service I have seen the Bonneville and Grand Coulee projects through the development stage. Bonneville is completed and the Grand Coulee project is near completion. We are now well advanced in construction of the McNary Dam on the Columbia, and in the early stages of construction of the Chief Joseph Dam and The Dalles project, on the same river. The Columbia River and its tributaries has the greatest potential storehouse of electric power of any waterway in the Nation, some 20,000,000 kilowatts, of which only 10 percent has been developed, as I have said. The remainder of this great source of energy and power is flowing to the sea without let or hindrance with a resulting loss of untold wealth to our people and the loss of millions in revenues which would come into the coffers of the United States. The Bonneville plant during the war turned out 570,000 continuous kilowatts, which is equivalent to 8,800,000 barrels of oil. Only 15 units of the Grand Coulee plant is equivalent to 28,000,000 barrels annually. When McNary Dam is completed the oil saving will be about 15,500,000 barrels annually. The usable steam generation in the Pacific Northwest is about 275,000 kilowatts and when this capacity is running to meet low-water conditions, 5,000,000 barrels will be consumed. If this displacement energy were developed, the oil saving would be, in round numbers, 290,000,000 barrels annually, or about 95 percent of the total European consumption, or a quarter of our own prewar consumption. I cite these facts to show the importance of undeveloped hydropower in our future economy.

Unfortunately we have no large deposits of gas, coal, or oil in the Pacific Northwest, but the enormous pool of hydroelectric power stored in the Columbia and other rivers compensates for this loss. The McNary Dam project alone will provide the necessary energy for industries which will have a total investment of $100,000,000 and which will supply employment to 100,000 residents of the Northwest. It is estimated that benefits to navigation from this great dam will reach a million dollars a year, and it will reduce pumping costs for lands adjacent to the pool approximately $300,000 a year. The power alone generated at this huge project will return to the Government $17,500,000 a year to produce which 3,000,000 tons of coal or 11,000,000 barrels of oil would be required. It is significant to recall that hydroelectric power is not expendable like oil, gas, or coal, and that as long as the sun shines and water falls this great source of energy will work around the clock in the interests of the great industries of the Pacific Northwest.

Mr. Speaker, the Congress has been derelict in its duty to provide for the old folks of America who are eking out a miserable existence with the 53-cent dollar and the high cost of food, clothing, and shelter. I have been glad to sponsor legislation in their behalf. I again urge all Members interested in the welfare of the aged to sign petition No. 4 to bring this legislation to the floor. Why are the old folks ignored? Why are they the forgotten ones in our economy? Why do Congressmen vote billions for foreign peoples and nations and refuse a meager pittance to our old folks at home? Many of these same Congressmen who refuse help to America's aged voted without hesitation for the $112,000,000,000 for foreign spending since World War II ended. These senior citizens were the workers of yesterday. They helped build our cities, our roads, our industries, and helped to clear our lands. They were the trail blazers, the pioneers. They built for us. Now that they are old we cannot pass them by. They do not seek our charity. They only ask simple justice—a modest share in the fruits of American industry, to the production of which their labors in the past have contributed. Let us prove to the whole world that these aged American citizens are entitled to and shall have vouchsafed to them by their country, "life, liberty, and the pursuit of happiness." Let us prove that humanity is still on the march here in America by enacting an old-age annuity plan that will provide for all of our old people, not only a selected few, annuities sufficient to maintain them in decency and health.

Mr. Speaker, the hour has struck. American soldiers are again fighting and dying on foreign battlefields. Time alone will tell whether we are in a third world war. Let us give full support to the national-defense program to meet this crisis. Let us build to full strength forthwith our national defenses to pro-

tect our soldiers overseas and to stop the Communist aggressors and to win the war. Let us crack down on price gougers, war profiteers, and crooks, and grafters in Government. Let us put only loyal Americans on guard here at home, oust the Reds, subversives, bureaucratic blunderers, and spendthrifts from our own Government and restore honesty and sanity and save our own freedoms. There are still too many Reds and Communist sympathizers of the Alger Hiss type in key departments of Government. Unfortunately, the administration has coddled these enemies within the gates and as a result we find the Nation on the defensive in a world battle between freedom and communism. If the Soviet Union has the atomic bomb it is due to these subversives permitted to remain within our own house selling out their country to the enemy.

While we are associated with 52 other members of the United Nations in Korea we are almost alone in fighting to prevent its subjugation by the Red hordes from the north, aided and abetted by the Soviet Union, which threatens to overrun and communize the world, including the United States. As stated by J. Edgar Hoover:

The acceptance of communism as liberalism, as freedom, can mean but one thing: The utter destruction of the spirit of free inquiry, and thereby the motive power for the growth of democracy. The soul of America would be entombed; her body disemboweled. Communism is tyranny naked, brutal, and terrifying. The Communist myth stripped of its beguiling and ersatz clothes is a wicked, foul, hateful story. The individual in Communist society is a pawn subject to the whims of the ruling elite. Civil rights are nonexistent; concentration camps the symbol of justice; terror the order of the day. Communism is cynically immoral, an abject disillusionment—all the more so because it professes to be the savior of mankind, the architect of an alluring paradise where injustice, misery, and war will be abolished. The years ahead without question, will be years of critical decision, deep strain, and serious thought. At times the going will be rough, the destination dimly lighted, the motive power weak. But to surrender to compromise in the least iota with an alien philosophy is to forfeit the past and to betray the future. America's best, and only, hope lies in an intelligent and well-informed public opinion—conscious of the evils of communism and dedicated to the validity and sanctity of the democratic tradition. Democracy like life itself, must be conquered anew each day.

There are between 1,500 and 5,000 criminals, subversives, and like characters subject to deportation, roaming about freely in the United States. The time is long past to be gentle with Communists planning and scheming to foster discord and strife in the United States.

Mr. Speaker, I am receiving many letters from home asking who blundered in the Korean blitzkrieg and why our American boys are fighting and dying 6,000 miles from home against great odds with little support from other countries in the United Nations and without adequate military equipment. President Truman, without consulting the Congress, made the decision and our troops were ordered into the Korean war first and Congress advised afterward. This decision by the President was a complete right-about reversal of American foreign policy. It had been announced by administration officials that Korea and Formosa would not be defended which was a direct invitation to the Red forces to take over, which they are now attempting to do with the resulting loss of thousands of American lives. Brave Americans pitifully outnumbered by the Communist enemy have been ordered to stand and die in Korea. Many of them are paying the supreme sacrifice. They are dying because their country blundered and was not able to provide modern guns and weapons and reinforcements and air and naval support adequate to equip them for the mission on which it sent them.

The blame for unpreparedness did not lie with the Congress as shown by the following comparison:

Approved by Congress	*Allowed by the President*
Super aircraft carrier	Scrapped.
70 Army air groups	48
Armed Forces personnel of 2,005,682	1,507,000
Army, 837,000	630,000
Navy, 666,882	461,000
Air, 502,000	416,000
Organized Reserves:	
Total, 1,977,000	522,000
Army, 520,000	250,000
Navy, 1,103,000	204,000
Air, 354,000	68,000

Of the $50,000,000,000 appropriated by the Congress for national defense prior to Korea only $7,000,000,000 was spent by the administration for war equipment. David Lawrence recently reported:

It is now admitted by all our high officials that we had to intervene in Korea lest we lose face throughout the world and lest the Communists persuade the peoples in Italy, France, Greece, and Turkey and in southeast Asia that we would not protect them against aggressors. We have been wrong, therefore, on two major counts—we have failed on the psychological front and we have blundered even in applying our own military doctrines.

Why, for instance, have we put nearly all of the Navy's 100 or more aircraft carriers into moth balls? Why have we allocated just three aircraft carriers to the entire Pacific? Why are all our 71,000 marines—the best expeditionary force of ground-air troops in the world—encamped in continental United States? Why have European-minded heads of our armed services imagined that the Communists would start a war only in the places where we choose to meet them? We have had all along the ships and the equipment to create an area of strength in the Far East. We could have prevented a Communist march into Korea if we had kept a couple of aircraft-carrier task forces patrolling Korean waters. We have known for months it was a trouble area.

We have also failed to make better use of moral force and particularly of idea-penetration into the satellite states—where the Moscow regime would feel the harassment keenly. We are letting the Soviets take and keep the initiative while we sit back in a defensive attitude and wait for the next kick in the pants.

Jim G. Lucas, Scripps-Howard staff writer, in the June 16 issue of the Washington News, said:

We're not getting airplanes because no one ordered them when President Truman locked up the money Congress gave us for a 70-group Air Force. The month the Korean war started, General Electric—which makes our engines—cut back and canceled subcontracts and let thousands of people go. The next minute, GE was out in the street, begging the people to come back to work.

You've got to launch a program and stay with it; every time you change it you lose 2 years. According to Dutch Kindleberger, we've "got too damned many planners." You've got five echelons of planners in each of the services. On top of that you've got two echelons of planners in the Defense Department. Then you've got five more echelons of planners in the mobilization agencies.

As a result it is found that we must now appropriate many additional billions of dollars and impose restrictions and allocations of materials, equipment, and plants for war economy to put us in shape to carry on a successful war. As a result of this unpreparedness and the bungling of the foreign policy by the administration, our soldiers were thrown into the conflict in Korea without adequate preparation, with meager and outmoded military equipment, and with insufficient military strength and air and naval support to meet the well-organized and trained opposition. It is the old, old story of too little and too late.

While Russia has not participated openly in this conflict it is clear that the driving force behind the Korean Communists is the Soviets. The conflict is a camouflage on the part of the Russians in an endeavor to determine how far the United States and the United Nations will go in defending the small, free, Asiatic and European nations against Communist aggression. No doubt the Russian bear is hoping to get the United States embroiled in a war with China and other Soviet satellites so that we may be compelled to exhaust our resources and manpower while Russia itself stands on the side lines waiting to jump in with fresh Russian hordes when we are exhausted.

Mr. Speaker, now that we are at war we must, without regard to the blunders which have brought the crisis about, support the war effort, and forget that the vast sums appropriated for national defense have not been used to prepare our Nation for such an emergency. I join with every loyal American wholeheartedly, without partisan or political considerations, in giving full and unstinted support to the program to bring our military forces to full strength and to give every protection to our fighting men on the battlefronts to get the war ended and our boys home. Having sent the young men of the Nation to the battlefronts to sacrifice their lives, we on the home front should be willing to make every sacrifice essential not only to equip and support our military forces but to bring to an end this great crisis as soon as possible.

We must use the moneys appropriated, honestly, for national defense and we must not spend ourselves into bankruptcy through waste and profligacy as the Communists planned we should do. We cannot forget the words of Lenin uttered before World War I. Lenin said:

We will create fear, suspicion; we will work inside by creating racial hatreds, religious antagonisms; we will pit father against son; wife against husband; we will inaugurate campaigns to hate Jews and to hate Catholics and to hate Negroes; we will inspire strikes and riots; we will plant the seeds of turmoil and we will cover it all with an inflation which will lead to economic disaster until we have 14,000,000 unemployed people on the

streets of the democratic country of imperialistic America.

We will break their economy; we will send their dollar down until it is not worth 10 cents. We will destroy the future security from life insurance, from old-age pensions, until a life annuity that someone felt would be substantial for the last of life will buy but a loaf of bread. We will break their currency; we will break their spirit. We will frighten them; we will scare them. We will create political chicanery; we will confuse international diplomacy; we will do these things.

The Communist program has been working out as planned and as predicted by Lenin. The national debt has reached $260,000,000,000, and the President has asked for an $85,000,000,000 budget. The American dollar is now worth 53 cents. Our soldiers are fighting around the world while the Soviet Union sits back and waits. Communist spies have been planted in our strategic war departments and the atomic bomb and other war secrets have been funneled into Moscow before they were released at home.

When the late Franklin Delano Roosevelt was running for President, he made the following significant statement:

Any government, like any family, can for a year spend a little more than it earns. But you and I know that a continuance of that habit means the poorhouse.

It was not long after that statement was made and its author took over the Presidency of the United States, the spending spree began and we have not had a balanced budget since except for a short time when the Republican Party took control of the Congress. The Congress last year appropriated for the present fiscal year $91,626,563,165, and since July 1 of last year the Government has taken in $34,462,987,562, which was an average contribution from each American family of $776. Since July 1 the Government has spent $42,186,088,165, over $7,000,000,000 more than it took in, an average family cost of $950. The Government debt has now passed the $260,000,000,000 total. Each average family owes on this debt $5,864. The Truman administration alone has collected more taxes from the American people than all the Presidents of the United States who preceded him, and before his term expires he will have spent more than all his predecessors who held the Executive office.

The Truman administration has exacted in taxes from our citizens in the last 7 years $307,000,000,000. In the whole 157 years from George Washington to 1945 there was collected in taxes only two hundred and fifty-four billions. In other words, there was collected in the last 7 years $53,000,000,000 more in taxes than was previously collected in our whole history.

The President now is demanding that new and greater taxes be imposed on the American public, but there seems little hope that the Congress will go along with any plan to raise new taxes. I personally will not vote for any new taxes, but will vote to cut drastically the Federal budget, and particularly in overseas expenditures which will result in saving billions of dollars. If we would cut out the waste and losses from graft, corruption, and unnecessary spending, we can save many billions and provide fully for our national defense. We have reached the position where excessive taxation and increasing the tax levy will not bring in more but less tax dollars.

As Senator GEORGE, chairman of the Senate Committee on Finance, and an expert in his field, said:

I believe we have reached the safe limit of our taxable capacity and that higher income taxes will destroy a large segment of our free society, impair our productive strength, and add inflationary pressures. * * * Excessive taxation is not the answer to inflation. The cure lies rather in the adoption of an expenditure program tailored to fit the ability of people to pay. There is a limit to this ability and unless we are prepared to permanently surrender our free economy and free society for a regimented economy and a socialized society, this safe limit, in my judgment, has been passed.

Instead the administration constantly seeks expansion of bureaucracy. It seeks increased activities at home and abroad. It presses for more and more tax money to spend. The leadership fails to take into consideration the fact that the American people are already bearing an oppressive load of taxation when 31 cents out of every dollar earned is expended for government—city, State, and Nation. The red flag of danger is flying.

The Oregon Journal, published in my congressional district, in its issue of June 4 last called attention to the burden of hidden taxes, as follows:

THE HIDDEN TAXES THAT HARASS US

How much tax do you pay? Do you have any idea? Few persons have. Of course, you think you can easily figure it up. There is the property tax on your home and the State income tax in Oregon and the Federal tax. Here is the figure, you say. Wrong. It is the hidden tax that really mounts. On a $3,500 annual income a family pays $799 in hidden taxes and an estimated $299 income tax to Uncle Sam, so the tax experts say.

For example, on an automobile costing $2,000 some $624 goes to various tax collectors. Fill her up with gasoline—and in some States the price a gallon is nearly divided equally between the taxes and the seller. It is estimated that in most everyday items like milk, beef, and bread the hidden tax comes to half the purchase price.

Utilities and service stations are getting smart on this subject. They often print a diagram showing how much of the phone, gas, or electric dollar is passed on by the company to the tax collector.

Through the years many economists have taught that the tax load cannot safely be placed at higher than 25 cents out of each dollar. After that, dollars tend to stay in the bank and investments suffer. If the tax collector gets the cream from the investment, why take a risk? Thus, new industries with prospects of added employment starve for cash or aren't even erected.

Then where do we stand in this regard? Taxes now take 32 cents out of every dollar. In short, the Nation is described as being "7 cents past the danger line."

That is one reason the Journal opposed certain taxes in the May 16 primary, and it offers no apologies for so doing.

Excessive taxation discourages increased production by businessmen and workers alike; it destroys the incentive to invest and promotes extravagance in business operations. It does not result in better government administration, but, on the other hand, it stifles the morale of public workers, lowers their efficiency, and tends to bring the Government in disrepute, not only with the workers in the shops but with the man on the street or in the office and in every walk of life.

This spending program of the President was a direct issue submitted to the voters in the Queens County election in New York City, a Democratic district, which recently took place for the election of a Representative to Congress, in which the Republican, ROBERT TRIPP ROSS, won by 5,858 votes. Mr. Ross states that the issue of administration corruption, graft, and tax scandals determined the election, and the Democratic loser, Hugh Quinn, said:

Truman licked me. I lost out against the scandals in the national administration.

Where your tax dollars have gone and are going is shown by official figures from the Economic Section of the Library of Congress which disclose that the people of the United States, from July 1, 1940, through December 31, 1951, sent foreign aid to the value of $84,795,000,000 to other nations. This consisted of $49,224,000,000 during World War II years, and $35,571,000,000 that President Truman sent overseas since the end of that war.

The official report says:

If to this sum is added the total of unobligated funds as of December 31, 1951, the aid available to foreign nations for the period July 1, 1940, through June 30, 1952, amounts to approximately $104,285,000,000. This total includes United States commitments of $2,750,000,000 to the International Monetary Fund and $635,000,000 to the International Bank. Some observers go a step further and add the indebtedness of foreign governments to the United States arising from World War I. As of January 1, 1952, this stood at $16,567,450,774.23. It may be noted, also, that $7,900,000,000 have been currently requested but not yet appropriated for the continuation of foreign aid for fiscal 1953.

This makes a grand total of $128,752,000,000 in United States-dollar aid since 1917, equal to $831 for every man, woman, and child in the country.

The United States public debt, actual and potential, totals $504,898,000,000 which is about twice as large as most people think. The direct public debt on May 2, 1952, was $258,547,000,000, but there were also contingent liabilities totaling $249,676,000,000, making an overall total of $504,898,000,000.

The following is a list of contingent liabilities as of April 1952, and compiled by the Budget Bureau:

Guaranteed obligations of Government corporations	$29,000,000
Unliquidated obligations incurred against authorizations and appropriations	47,178,000,000
Postal-savings deposits	2,905,000,000
Federal Reserve notes	22,975,000,000
Loan guaranties (veterans' loans, home mortgages, defense loans, etc.)	19,378,000,000
Insurance (life, deposit, crop, etc.)	154,592,000,000
Miscellaneous	2,619,000,000
Total	249,676,000,000

It is the average American citizens who pay the bulk of this enormous Government spending. If all individual taxable earned incomes in excess of $26,000 were confiscated it would run the Federal Government only 3 days; and if all incomes in excess of $10,000 a year were confiscated it would run the Federal Government about 2 weeks; and if all such incomes in excess of $6,000 were confiscated, it would pay only about one-sixteenth of the proposed budget for the ensuing fiscal year. This makes it clear that the little man of modest income bears the brunt of this enormous expense of running our Government. The administration is spending a billion dollars a week on the war budget alone. The President is demanding a budget of $85,000,000,000 plus for the next fiscal year. Many outstanding leaders in his party in the Congress publicly announced that this budget could be cut ten to fifteen billion dollars without hurting the efficiency of our Government operations, either at home or abroad.

It is impossible to lighten the tax burdens which fall the heaviest on the low- and middle-income groups, or by any other method than a reduction in Government expenditures. If we would oust the tax thieves, grafters, and spendthrifts, stop waste and extravagant deficit spending, balance the budget and reduce the back-breaking tax load and restore Government thrift, honesty, efficiency and stability, free from war, we could end the orgy of tax and tax and spend and spend, and return to the honest precepts of Washington and Lincoln.

The burden of high taxes is accentuated by reason of the corruption and thievery which have taken place in the Bureau of Internal Revenue, which has the job of collecting this enormous tax take. These confidential employees, appointed by the President, and their subordinates, have proven in many cases to be grafters not only forcing the little man to pay with the last drop of blood from meager incomes but often letting the big fellows go scot free, particularly those who have had back-door entrance or were political cronies of those in top positions.

Many of them have resigned, many of them have been tried, convicted, and sent to jail, and many of them are still at large, but should be behind bars. The committee disclosures bring to light that many tax dodgers owing millions of dollars in accumulated taxes were permitted to go scot free and not only to escape their legitimate taxes but also to be immune from prosecution. This is due to the fact that they had contacts with those in control of the tax collections who were susceptible to bribery and political influence. By permitting these big tax dodgers to escape their taxes, the load was thereby increased on the honest little fellow, who paid not only his taxes but the taxes of these crooked tax evaders.

Government operations here in the Nation's Capital as brought to light by the congressional investigating committees have shown our Government here to be a school for scandal. While it is true that there are thousands of loyal, honest, effective workers on the Government payroll, it is also true as shown by these investigating committees that in almost every Department of our Government, corruption exists, with many dishonest Government officials permitting the Government Treasury to be looted by collusion and graft. The Internal Revenue Department, the Department of Agriculture, Maritime Commission as it previously existed, military, and many other Departments which the committees have had time and opportunity to investigate, have proved to be steeped in inefficiency, dishonesty, and favoritism.

While some dishonesty will be found in public administration under any party or during any period the unfortunate thing is that the present administration is soft-pedaling the crimes and corruption disclosed by its own committees in the Congress, and the President himself has shown an unwillingness to cooperate in cleaning up the mess. He seems more interested in covering up than cleaning up, as disclosed by his order issued to the various agencies under his control forbidding them to submit to the House committees the records of the Department of Justice which would show whether or not the Department of Justice is guilty of malfeasance or misfeasance in the failure to prosecute the hundreds of alleged violations of law which were submitted to the Justice Department by Federal agencies with the recommendations that prosecutions be had. It would seem that the Department itself would be anxious to have a full and complete investigation of its operation so that, if it is free of blame as it claims, it would have an opportunity to be cleared of the charges against it.

If the 1950 Republican proposals had been put into effect we would have avoided the chaos in which the Government now finds itself. These proposals were: First, a reduction in taxes; second, a balanced budget; third, elimination of Government waste; fourth, a fight against communism at home instead of condoning it; fifth, fair farm prices but no Brannan plan; sixth, improving management-labor relations; seventh, development of an adequate social-security system; eighth, protection of the rights of veterans and minorities; ninth, development of a united foreign policy for peace; tenth, safeguarding liberty against socialism.

Those of us here in the Nation's Capital delegated by our constituents back home to have a voice in the National Government are aroused over the corruption, waste, the inefficiency, and the lack of a forthright program in the administration which will lead us out of the morass in which our Nation and the world finds itself today. Those of us in the minority party can do little to stop the deluge. The administration is blundering along on an inept course of action which has kept us in war and which is bleeding our Nation white with high taxes and with inflated living costs, and which is leading only to chaos at home and world conflict abroad.

In our foreign affairs the present administration has evinced no understanding or ability to formulate a program which will free our Nation from war and bring about stability, understanding, good will, and peace throughout the world. It has signally failed in China and in Korea, where the President, without authorization by the Congress, thrust our Nation into a fighting war 6,000 miles from home which his continued for 2 years, in which we have suffered casualties of nearly 110,000 and have spent over five billions of American tax dollars. The administration directing the war from Washington is not fighting to win and has no objective other than to continue a stalemate while our forces are being decimated and American boys killed, wounded, or taken prisoner. For almost a year we have been marking time in the so-called armistice negotiations which are carried on in a humdrum fashion from day to day with no hope of successful conclusion. We have been outmaneuvered diplomatically while the Communist forces are building up their strength, which now, according to military authorities, far exceeds our own.

In the meantime administration forces are permitting corruption and thievery to continue to exist in many of the Government departments and agencies which are depleting the Federal Treasury and leading us down the road to bankruptcy. The 1953 budget of $85,400,000,000 is greater than all the income of all the people west of the Mississippi. The Federal debt of $260,000,000,000 is increasing with every tick of the clock. Every baby that is born in the United States begins with a $1,700 mortgage hanging over his head. Uncle Sam has disbursed or committed since World War II $112,000,000,000 in addition to $16,000,000,000 in loans to foreign nations that never will be repaid.

It is time to stop, look, and listen and reappraise our objectives and our resources and formulate a new program not only in our domestic affairs but in our foreign relations if we are to preserve the solvency of our Nation and return to a peaceful world. We cannot hope for success by greater and greater taxes and more and more spending at home and abroad. We cannot buy good will and world peace with dollars—even with billions of dollars.

Mr. Speaker, in order that my position may not be misunderstood, I want to say that I have supported all needed legislation for national defense, believing that we should keep our Nation militarily strong to enable us to defend our country against any attack. Thus far I have also voted for essential foreign aid. I also favor a pay-as-you-go policy and am opposed to deficit spending and believe that we should not saddle the debts of one generation upon a succeeding generation except in cases of great emergency. I feel that this Nation cannot feed, finance, and arm all the world outside the iron curtain and for that reason it behooves us to make drastic reductions in Government expenses, particularly in all programs for overseas expenditures which are not absolutely essential. The time has come to give some consideration to our own people. We are providing finances for public works of all types, river and harbor improvements, flood control, hydroelectric development, waterworks, public buildings

and roads and myriad of other public improvements overseas while we are drastically curtailing similar improvements here at home which are vitally needed for the welfare and protection of our own people and for our own economy. Many of the European nations to which we are furnishing economic and military aid are in a better economic condition than the United States. Many of them have an over-all per capita indebtedness less than ours and they are able to balance their budgets whereas we have been operating in the red almost continuously since 1932. The total expenditures of this Government have reached such staggering proportions that we are brought to the realization that a brake must be put on our spending if our financial structure is to be held intact. The nine nations allied in the North Atlantic groups have 175,000,000 people, Western Germany 48,000,000. The industries of those nations are turning out 50 percent more goods than they did before World War II.

The United States has only 6 percent of the population of the world, yet we are attempting to feed, finance, and equip for war all of Europe outside of the iron curtain. It is high time for the taxpayers to call for an accounting. The people of the United States are entitled to know why it is the leaders in control of our Government since 1933 have kept our country almost continuously in war and made it possible for the Communist Government of Russia to extend its domination from 170,000,000 people in 1945 to 800,000,000 today and while the United States was spending more than all other administrations in our history combined, and why it is that we lack effective, forthright, farsighted leadership at home and abroad, and why it is that, notwithstanding billions appropriated for national defense, we found ourselves inadequately prepared to meet the Korean conflict. This lack of leadership and the willingness to accept political expediency has left us confronted with exorbitant prices, mounting taxes, and insolvency. The administration is attempting to substitute the spending of billions of dollars for effective and forthright leadership and to substitute bullets for statesmanship.

No government can survive internal weakness, corrupt and vacillating leadership. In truth America's greatest need is honest and effective leadership on the national level—leadership that is courageous, farseeing, honest, and guided by high moral principles and spiritual values. This we do not possess today. It is time to take up this fight to restore such leadership in order to assure the preservation of democratic processes and our American way of life. We must give consideration to our own people here in the United States, reduce the tax burden, eliminate unnecessary gifts and loans to foreign countries, and insist that such countries take up the burden of their own defense and rehabilitation with reduced aid from this country.

We should return to the homely and sage advice of Abraham Lincoln, who saved the life of our Nation in another of its most critical periods. Lincoln said:

> You cannot bring about prosperity by discouraging thrift.
>
> You cannot strengthen the weak by weakening the strong.
>
> You cannot help small men by tearing down big men.
>
> You cannot help the poor by destroying the rich.
>
> You cannot lift the wage earner by pulling down the wage payer.
>
> You cannot keep out of trouble by spending more than your income.
>
> You cannot further the brotherhood of man by inciting class hatred.
>
> You cannot establish sound security on borrowed money.
>
> You cannot build character and courage by taking away a man's initiative.
>
> You cannot really help men by having the Government tax them to do for them what they can and should do for themselves.

With wise and honest handling of our governmental affairs, more common sense, less war and devastation, we could do our full share in bringing about world peace and at the same time we could maintain the solvency and economy of our Nation and be able from savings alone, without increasing the taxes, to take care of our own people here in America and provide decent retirement for all of our elderly citizens. With more reliance upon spiritual values of life and less corruption and dependence on material things, war, weapons of destruction, the atomic bomb, we would be able to bring our Nation out of the never ending international conflicts and out of the depths of despondency and despair in which it now finds itself.

The Federal Government is saturated with corruption, graft, collusion, influence peddling, tax fixing, and thievery. With living costs sky high, inflation and deficit spending rampant, round steak over a dollar a pound, a $260,000,000,000 debt, an $85,000,000,000 budget, stalemated in a bloody war 6,000 miles from home with 110,000 American soldier boys dead, injured, or missing, this spendthrift, deficit-spending, corrupt, blundering administration is impotent to keep out of war and to govern with honesty and efficiency and to preserve our liberties and freedoms. It is later than we think. It is high time for all honest citizens to rise up in righteous wrath and oust the tax thieves, grafters, and spendthrifts, stop waste and extravagant deficit spending, balance the budget, and reduce the back-breaking tax load and restore Government thrift, honesty, efficiency, and stability, free from war. Only a courageous, God-fearing electorate aroused from its lethargy at the ballot box, can end the orgy of tax and tax and spend and spend and return the Government to the honest precepts of Washington and Lincoln.

Two Maryland men recently ate an estimated quart of strawberries which they picked from a Government experimental field at Beltsville, Md. The Government said the berries were worth less than $1 but the men were arrested and brought before a police justice and fined $50 each plus costs. The petty larceny berry pickers were fined on June 10. On June 7 the House Judiciary Committee investigating the Justice Department heard testimony from Frank H. Weitzel, Assistant to the Comptroller General, that his office had referred to the Justice Department 562 cases involving more than $21,000,000 in improper war contract payments induced by fraud. Weitzel said that many of the cases were sent to the Justice Department more than 4 years ago and to date the Department has collected only about $300,000. Weitzel testified that through "fraud, overpayments, or overliberalities" the taxpayers will lose at least a half a billion dollars in the settlement of war contracts, "a frightful toll to pay."

The theft of a few handfuls of Government berries brought a jail sentence or fine but defrauding the Government of hundreds of millions of dollars brought a pat on the back from the Justice Department.

Mr. Speaker, in these times of crisis, with the turbulent unrest, confusion, and conflicts that exist in the world, there is no greater privilege than that enjoyed by the American people in the right guaranteed to them under our American system to vote for the men and women who shall represent them in the legislative and executive departments of our Government.

Freedom is a precious thing and the right to vote is one of the most important freedoms we possess. It is a sad commentary, however, that almost 50 percent of our people who are guaranteed this priceless privilege fail to exercise it when elections take place. In the last Presidential election only 51.9 percent of those who could vote in the United States exercised their rights by going to the polls and voting, and less than half that number voted for the winning candidate for President. Thus we have an administration that was put into power by a small minority of the voters of our country, less than a fourth of the voters of the Nation.

It has been said that those who fail to vote are the ones who rule our country. By failing to vote they permit organized groups, special interest groups, and in many cases those who do not have the best interests of our country at heart, to elect the candidates for public office. If we have inefficient and dishonest public officials, honest citizens who fail to take an interest in their Government and to vote at election time are responsible therefor.

It is disturbing to loyal voters that so many citizens eligible to vote fail to do so thereby permitting pressure groups to increase their influence over elections. It remains true today as it was in Plato's time when he said:

> The penalty good men pay for indifference to public affairs, is to be ruled by evil men.

Edmund Burke said this:

> All that is necessary for the triumph of evil is that good men do nothing.

I wish every American voter might take the time to read the book written by Senator CHARLES W. TOBEY which was recently released by Doubleday & Co., entitled "The Return to Morality." Senator TOBEY, as you will recall, was one of the members of the Senate committee investigating crime in the United States.

In this book Senator TOBEY made this statement:

These hearings have pointed up to the whole world how sordid our governmental fabric has become. Everyone recognizes that fact that it is the criminal element which gets out the vote, and so it really is that group which largely controls the office holders. Not nearly enough of the honest citizens take the trouble to really investigate the candidates. Apathy is the greatest reason for the selection of weak Government officials. Honest citizens do not go to the polls in large enough numbers to hold any weight. Many of the evils that now exist would be overcome if every good citizen would go to the polls on election day. Let us clean up America, so that we may again take our rightful place as a leader among nations, and be respected by all. * * * The deception, dishonesty, fraud, and double-dealing that has been brought to light in official Washington has seriously undermined the morale of the citizens of the United States.

While it is true crime exists outside of government as well as inside, nevertheless those who are charged with responsibility as officials or employees of government to protect their government, are doubly to blame for betraying their government and the public trust they occupy. The disheartening part of the whole sordid mess is that the administration which not only has the authority but the machinery of government to oust these unfaithful servants from the public trust they occupy and to punish them, is doing nothing effective to clean its own house of the stench of crime and corruption.

The need is great for the restoration of confidence in our Government. We see the waste, moral corruption, influence peddling, bribery, and dishonest administration on every hand. We cannot but reach the conclusion that the program the leaders in the administration have been following to tax and spend ourselves into prosperity and peace can only bring disaster and bankruptcy. It is clearly evident that the enormous concentration of governmental power and control in the Nation's Capital at the expense of powers reserved to the States by the Constitution is leading our Nation toward a totalitarian government in which free enterprise and the American way of life will disappear. The scandalous years in office of the administration has resulted in the destruction of public morals—witness the gift of mink coats for White House stenographers, deep freezers for palace favorites, pardons for gangsters, vote-stealing and voting frauds, influence peddling by 5 percenters with a key to the White House, income tax fixers, the enormous payments received by political henchmen and White House cronies from crooks and grafters seeking to cheat the Government by escaping from their just taxes and holding on to fraudulent profits from Government war contracts, the resistance by the administration to rid the Government of Communists on the Federal payrolls, incompetence and inefficiency in Government Departments, the spendthrift policy and the crushing burden of high taxes and exorbitant costs of living.

It is apparent on every hand that we need new leadership in the Nation's Government. The Democratic administration has been entrenched in office for 20 years and has become so waterlogged with political hangers-on and grafters and saturated with corruption and inefficiency that its usefulness is nearing the zero point. Only by an honest election can honesty and sanity in our Government be restored.

Walter Lippmann, frequently a supporter of the Truman administration, said Mr. Truman "has made a fiasco of dealing with the scandals in his administration which could be solved only by an election." Lippmann's diagnosis of what ails the administration, as printed in the New York Herald Tribune, April 7, was as follows:

It is the condition of coming apart at the seams, of becoming generally unraveled and disheveled and at sixes and sevens, which always exists when a government is in the hands of a party that has outlived its mandate and has spent its power. The condition of coming apart is infinitely more serious, mor expensive, and indeed more dangerous than all the graft and influence-peddling combined. The corruption is only one of its consequences; the much more serious consequences are the paralysis of decision and the sterilization of thought at the highest levels of our policy. This condition cannot be cured, as Mr. Truman wanted to think when he called in Mr. Morris, by catching some more crooks. It is not at bottom a problem of law enforcement. It is a problem in political responsibility, which could be solved only by an election that brought into office men who have—what the Truman administration once had but has no longer—a mandate, and with it a real working majority which gives it the power to govern.

The independent Scripps-Howard newspapers in a leading editorial in recent issues and published in the Washington News discussing the administration said:

A political party too long in power becomes corrupt, greedy, arrogant, weak, and divisive. You know that, and so do we. We have seen those taxers and spenders in Washington waste our substance, deplete the buying power of our savings and wages, knuckle under to selfish pressure groups, reaching out for ever more power over our lives. We have seen shysters, opportunists, and light-fingered crooks elevated to high places and their shameless pillage cynically defended. So the administration has gone to pot, spending money to buy votes which should have been used to building our military strength, limping aimlessly from crisis to crisis, finally forced into a war it was not prepared to win.

The American public is losing faith in our Government. The lack of moral stamina and adherence to decency and honesty by officials who are holding the key positions in Government, directing our affairs, is abhorrent to decent, honest citizens. Hundreds of letters are coming over my desk in which Democrats as well as Republicans are crying out against the moral let-down in Government administration.

As the poet said:

God give us men a time like this demands,
Strong minds, stout hearts, true faith, and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who express opinions and a will;
Men who have honor; men who will not lie.

The good people of America, regardless of political affiliation, are confronted with a great challenge in this year of our Lord 1952, as well as a great opportunity under our two-party system to rise up in righteous wrath and smite these grafting, dishonest officials who have been unfaithful to their trust, and who are not only undermining the moral fiber of our Nation, but are wasting our resources and embroiling us in a bloody war with victory far removed. The American people not only have the challenge but they have the opportunity to clean the Federal house of the stench, graft, corruption, and inefficiency which now prevail, and restore to the Nation a sound, workable governmental policy not only in our domestic affairs, but in our international relations. The destiny of our Republic hangs in the balance.

Daniel Webster on the Fourth of July in 1802 said:

I dare not undertake to assure you that your liberties and your happiness may not be lost. Men are subject to men's misfortunes. If an angel should be winged from heaven on an errand of mercy to our country, the first accents that would glow on his lips would be "Beware. Be cautious. You have everything to lose; you have nothing to gain." We live under the only Government that ever existed which was framed by the unrestrained and deliberate consultations of the people. Miracles do not cluster. That what has happened but once in 6,000 years cannot be expected to happen often. Such a Government once gone, might leave a void to be filled for ages with revolution and tumult, riot and despotism.

And Thomas Jefferson said:

I place economy among the first and most important virtues, and public debt as the greatest of dangers to be feared. To preserve our independence, we must not let our rulers load us with perpetual debt. We must make our choice between economy and liberty or profusion and servitude. If we run into such debts, we must be taxed in our meat and drink, in our necessities and our comforts, in our labors and in our amusements. If we can prevent the Government from wasting the labors of the people, under the pretense of caring for them, they will be happy.

The greatest issue not only facing our Nation but the world today is the issue of war or peace. In our generation we have been embroiled in three World Wars, now that the Korean war has resulted in 110,000 casualties, dead, wounded, and missing of our own soldiers and the expenditure of hundreds of billions of dollars.

In my trip last year around the globe I was privileged to see hundreds of our American war casualties soon after they were removed from the battlefield for hospitalization. As I viewed the ravages of war not only in the hospitals but throughout most of my journey in the war-ridden countries of Europe and Asia, I was impressed with the futility of attempting to solve by force of arms the grave international problems of the world having to do with political, social, and economic welfare. War does not provide a solution of these world-wide conflicts. We have attempted to bring peace to the world and settle our international difficulties through force of arms and dependency on material values

to the exclusion of the spiritual and moral values.

Mr. Speaker, has not the time arrived for us to take stock and determine whether or not, as a Nation, we are on the right road? We have gone down the war road now for over a generation, and as a result have bankrupted our Treasury and have filled the cemeteries around the world with our heroic war dead and yet we are proceeding from one war to another without any hope of achieving world stability and bringing peace and good will among men.

If humanity moves away from the corrupt and bestial, it will be by the reestablishment of the sense of society, the sense of what ties men to other men. This functioning sense of society at the level of daily living, is the course to which alone we can look. The program for moral rearmament is taking hold of many leaders throughout the world. Moral rearmament has been described as a "world force having as its principal objective adequate preparedness of free nations for the ideological conflicts in which the world is now engaged." That is an objective which challenges the interest and imagination of all of us who believe in the strength and guidance of God. We believe that material forces alone cannot assure permanent peace, security, and tranquillity among nations and among people. We who believe in God see that our spiritual strength, as well as our material strength, must be mobilized to meet the universal threat of godless Communist materialism. We are experiencing in America today and throughout the world a spiritual famine. Our leaders have demonstrated that they are helpless to steer the ship of state into peaceful waters and into a realm where spiritual values prevail rather than war and bloodshed. We have come to the stark realization that material forces alone cannot assure permanent peace, security, and tranquillity among the nations of the world. We have come face to face with the truth that our spiritual forces as well as our material strength must be mobilized to meet the universal threat of godless communism and materialism, which seeks to destroy all freedoms and civilization itself.

George Washington, our first President, who prayed in the snow at Valley Forge, said:

> The event is in the hands of God.

When the tide of battle was unfavorable, he said:

> How will it end? God will direct.

When the leaders of our country assembled to write the Constitution, it was proposed by Benjamin Franklin that each session be opened with prayer, for, said he:

> I have lived a long time, and the longer I live, the more convincing proof I see of this truth—that God governs the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?

We seem somewhere down through the years to have lost our ancient American faith that the Almighty is on our side; that He "moves in a mysterious way His wonders to perform."

Was not Billy Graham right when he said recently in the Nation's Capital:

> We are directing the ship of state unassisted by God, past the reefs and through the storms of time. We have dropped our pilot, the Lord Jesus Christ, and are sailing blindly on without divine chart or compass, hoping somehow to find our desired haven.

A troubled world seeking ways to solve its problems should be turning increasingly to those inexhaustible spiritual resources of moral strength and moral courage as a practical way to rebuild better government, business, labor, society, and every human activity. How these fundamental spiritual principles can be applied to solve the problems that face the world today is your problem and mine and may, indeed, determine the destiny of this great Republic.

Our people must arouse themselves to preserve our precious liberties and freedoms—the right to worship God in our own way; to speak freely our minds without fear; to conduct our lives and our affairs without officious meddling by a too powerful government. We must revivify those qualities of diligence, economy, courage, initiative, and patriotism which enabled our forefathers to make this Nation great.

As the late Senator Vandenberg said:

> With unwavering fidelity we must carry on the great adventure, but if there be any failure, let not the blood be upon our hands, nor the tragedy upon our souls. The United States has no ulterior design against any of its neighbors anywhere on earth. We can speak with the extraordinary power inherent in this unselfishness. We need but one rule. What is right? Where is justice? There let America take her stand.

Let us follow in the footsteps of the immortal Lincoln who in the dark days of 1865, said:

> With firmness in the right, as God gives us to see the right, let us strive to finish the work we are in—to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana [Mr. BROOKS] is recognized for 30 minutes.

POWER, PRICE, AND WASTE

Mr. BROOKS. Mr. Speaker, the times through which we are passing are enough to tax the physical well-being of every citizen. I came to Congress when the depression was at its worst and when unemployment was reaching a staggering figure. The national economy was in the dog house.

I have seen conditions pass from a greatly depressed and deflated economy to one of tremendous, dynamic inflation. But through it all—depression and inflation—runs the central theme of overspending and deficit spending. Whether it be in the era of the depression or that of inflation, our national budget has developed constantly recurring deficits. During the period of the last 20 years, we have been traveling the highway of fiscal irresponsibility. During this period of time, this Nation has spent—if we include the amount of tax receipts under the administration budget for 1952—a total of $339,000,000,000 in 7 years. This vast sum is more than all the money collected in taxes in the entire history of this Government from the days of George Washington and ending with Roosevelt—and as you know Roosevelt was no sluggard in spending tax money.

To spend this vast amount of money, the Federal Government today has 2,530,891 Federal civilian employees and during the last month, it is increasing at the rate of 500 more each day.

Of course, this is a great Nation. It is the greatest Nation in history and the greatest Nation of all times. Nothing but the greatest nation could have withstood the punishment this Nation has taken. Lesser nations would have already gone down the drain pipe to financial irresponsibility. The question is, How much longer can our Nation continue to survive?

During this 20-year period, we have paid into the yawning coffers of the United States Treasury more than 25 percent of our income. Actually the current rate is about 28 percent. Federal expenditures during this period have equaled 30 percent and at the same time we have piled up a Federal debt equal to twice the value of all assessed property—real and personal—in the United States.

It is not sufficient to merely say that a large part of this money was spent in war. Whether spent in war or peace, it must be repaid by the taxpayers. Only about one-half of this amount, however, has been spent during war periods—which includes Korea—and the depression costs were of a minor nature compared with the huge spending programs of the present. The remainder has gone for 100 new spending programs and subsidies; for foreign spending, interest on the national debt; civilian payrolls, Federal grants to States and localities; loans to business and other matters too numerous to mention. I might say that our interest payments on the public debt alone amount to twice the entire costs of the Government in 1930.

Another form of Federal spending which is increasing by leaps and bounds is the grants to the States and the municipalities. During the depth of the depression—the year 1932—there were 19 Federal programs of aid to the States costing $250,000,000, but in 1952, this amount had increased to 48 programs to the aid of the States to a sum exceeding $3,000,000,000 per year. These programs become greater each year. It is more than 12 times as much in dollars and has twice as many programs as in 1932.

Through this program we are gradually changing the form of our government. Localities and States begin to feel that they are receiving something for nothing and that they had better get in on the programs. Actually, of course, nothing could be further from the truth. We are building up a system of remote taxation—as far as possible from the people who pay the money—and of local spending on a level that would not dare to tax for some of the projects for which money is spent. We are making the States or subdivisions of them dependent upon Federal beneficences and we are making it hard to

track down and investigate the spending of these vast sums of money.

During this period, there has been great deterioration of our money. At the same time, there has been great moral corruption in public office.

The budget of the administration submitted to the Congress in January recommended sums which are sure to create deficits. This is the eighteenth deficit year in the last 20 years. I am convinced that taxes cannot be further increased. We have reached the point of diminishing returns. We have approached the point of confiscation. During the last 20 years, we have had 14 peacetime years, and we have had 12 deficits during these 14 years. Korea, which I call a war year, is costing us from eight to ten billion dollars per year. For 20 years, we have been on a spending spree in this country. Now, we are approaching the brink. We have reached the hour of decision. We are either going over into the unknown or we must make an about face and face a rigid policy of savings.

Another series of deficits in the future will again light the fierce fires of advanced inflation. They will further cheapen and debase our currency. They will create new and more ominous problems which will rise up to vex and trouble our financial experts, our politicians, our working people, and our citizens. The future problems to accompany another series of deficit years will make the past financial problems seem frivolous and Lilliputian.

Of course, the solution of these problems goes right back to our centralization of power in Washington. Centralized power and purse breeds sinister philosophy which scorns economy, efficiency, and even simple honesty. It attaches no importance to waste and extravagance and moves boldly upon a program of tax and spend and spend and elect. It has no conscience about using public funds to influence business or politics.

With concentrated power and purse, the primary appeal to save and provide is lost in the wild chant of a disordered public service. Deliberate waste is a dreadful thing. Incidental waste is tragic when it opens the dikes of public economy and lets the uncontrolled waters of inflation take over. It is easy to start but most difficult to stop. In the vast Federal bureaucracy is entrusted our freedom and our treasured institutions; and the slow, corrosive strain upon them at times seems inexorable. This Nation is cursed with improvidence and extravagance and waste and corruption. It is a part of the three-headed serpent of power, price, and waste.

The sordid conditions in Washington are brought about by the concentration of power there. This power has resulted in huge additional taxes and much additional revenue. Bureaus and agencies have become blighted with improper influences resulting from colossal spending. Public morals in some instances have begun to change and basic honesty has become affected. Attorney Newbold Morris was brought to Washington to become the chief Hawkshaw detective to ferret out all wrongdoing and eliminate all dishonest employees, be they high or low. He soon found that he could not endure the political weather in this torrid city and left Government hurriedly, returning to his Wall Street entrenchments, a sadder but a wiser man.

I might say that I do not mean to impeach the integrity of Government employees. I honestly believe that the great bulk of them are thoroughly honest and are capable and that they want to do a good job for the people of America. At the same time, corruption and wrongdoing are prevalent; and unfortunately these have struck in high places as lightning strikes when it strikes down the lonely tree in the field. Like lightning, it withers and kills that which it touches, leaving a blackened and broken path.

Socialistic programs have a tendency to further concentrate the powers of government in Washington. They work to undermine and overturn the institutions of our forefathers. They fester and fatten until they usurp and take over primary democratic functions; and in many instances they may have the viciousness of other foreign philosophies such as communism.

Communism strikes at the foundations of everything which you and I hold near and dear to us in governmental affairs. It tears down our Government, scraps our Constitution, our Bill of Rights, and our Declaration of Independence, and destroys our civilizations. Communism strikes at the cardinal virtues of honesty, integrity, fair dealing; it takes the Liberty Bell out of political America and the church bell out of the great and small churches throughout America. It destroys freedom of speech, freedom of the press, right of trial by jury, sanctity of contracts, and in place of all of these known and tried institutions erects a pagan, ungodly religion that knows no code of moral honesty and integrity.

Mr. Speaker, for 30 years I have fought communism. I have spoken out against it when others thought it was no menace to America. I have fought it when people smiled as though I was shadow boxing with a dummy. I continue to fight it at this very hour. I voted for the organization of the Committee of the House of Representatives on Un-American Activities as recommended by a great patriotic organization. I have constantly supported this committee, have voted each session of Congress since 1939 when it was founded for extension of its life and for money to be used to push its investigations. I have supported our national defense program, because it also promised protection of a very real nature from the incursions of this alien doctrine into the Western Hemisphere. I shall continue to support an adequate national defense.

The people of Louisiana need no definition of free enterprise from me. It is the system which in a relatively short time has taken this Nation from a wilderness and hewn it into the most powerful force in the world today. We may have problems, most serious problems, but I cannot concede that our institutions should be scrapped for socialism and communism which have not brought us the blessings and benefits in health, prosperity, and happiness which come from free enterprise.

Proceeding under this free enterprise system, we have developed freedom under constitutional guaranties the like of which the world has not heretofore seen. It has been the spur which has fired the ambition of the poor and humble and made them the proud and the genius of which America boasts. It has driven our people with only 6 percent of the world's population to outproduce the rest of the world combined. It is the system which produces steel, the metal needed more than any other metal in our defense program, at the rate of 2 tons compared to 1 ton for all of the rest of the world and 4 tons for every 1 ton produced by the Soviets. I challenge socialism and communism, and the enslaved satellite states of Soviet Russia, to produce a system which gives the same happiness to our people and at the same time produces to the point of holding the entire Communist world at bay.

At this hour nothing is more important to the future of the world than is the American currency. It is symbolic of American institutions. The American dollar is the one piece of currency that has the esteem and confidence of the people of every nation in the world. It is tied to military aid in other countries. If our economic system at home falls into real trouble and the American dollar throughout the other countries disintegrates, the world will be thrown into darkness. Where is there another force in the world that will combat communism as we have fought it since the end of World War II?

The forces of freedom need recruits. They need help and support.

We have entered a period different from anything like previous history. We are in the midst of threat of war and this threat may continue for 5, 10, or 20 years. It is so serious that we must husband our resources. There has never been a time when the need for prudent, careful, studious leadership in America was more important than there is today. Free institutions are tied to the American dollar which is the most potent force for freedom in all the world. We owe it to ourselves as well as to the forces of freedom throughout the world to move with caution and care during this difficult period. Short of total war, our budget must be balanced. We must cease asking for money to cover pet projects. We cannot pyramid deficit on top of deficit with a $260,000,000,000 debt without getting into real trouble. Our dollar will be ruined and we will enter into an age of international darkness. Without American solvency communism will meet no opposition throughout the world.

During the last several years I have repeatedly expressed increasing concern over the economic affairs of this Nation. In the last year or two I have tried to lead the way by suggestions for the elimination of unnecessary expenditures. In the House I have repeatedly voted for reductions in spending. I recall one week I voted to reduce expenditures by $5,380,000,000, things which I felt were

unnecessary expenditures and which could be eliminated during this period of time through which we are passing. In all, I have voted to reduce spending by a sum exceeding $12,250,000,000—a sum sufficient to balance the budget and leave some little surplus. I am sure that some results are seen from my effort, but our work must go on. We must resolve that America shall continue solvent and at the same time continue our great progress.

H. R. 8315 AND H. R. 8316

Mr. LARCADE. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a report on H. R. 8315 and H. R. 8316.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDING THE MERCHANT MARINE ACT, 1936

Mr. LYLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 704, Rept. No. 2287), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 241) to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMPUTING PARITY PRICES FOR BASIC AGRICULTURAL COMMODITIES

Mr. COLMER (at the request of Mr. LYLE), from the Committee on Rules, reported the following privileged resolution (H. Res. 705, Rept. No. 2288), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8122) to continue the existing method of computing parity prices for basic agricultural commodities, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

TRIBES, BANDS, AND GROUPS OF INDIANS

Mr. DELANEY (at the request of Mr. LYLE), from the Committee on Rules, reported the following privileged resolution (H. Res. 706, Rept. No. 2289), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 8) to authorize and direct the Secretary of the Interior to study the respective tribes, bands, and groups of Indians under his jurisdiction to determine their qualifications to manage their own affairs without supervision and control by the Federal Government. That after general debate which shall be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Lands, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

BUREAU OF INDIAN AFFAIRS

Mr. LYLE (at the request of Mr. DELANEY), from the Committee on Rules, reported the following privileged resolution (H. Res. 698, Rept. No. 2290), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Interior and Insular Affairs, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the activities and operations of the Bureau of Indian Affairs, with particular reference to (1) the manner in which the Bureau of Indian Affairs has performed its functions of studying the various tribes, bands, and groups of Indians to determine their qualifications for management of their own affairs without further supervision of the Federal Government; (2) the manner in which the Bureau of Indian Affairs has fulfilled its obligations of trust as the agency of the Federal Government charged with the guardianship of Indian property; (3) the adequacy of law and regulations to assure the faithful performance of trust in the exchange, lease, or sale of surface or subsurface interests in or title to real property or disposition of personal property of Indian wards.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable, including (1) a list of the tribes, bands, or groups of Indians found to be qualified for full management of their own affairs; (2) legislative proposals designed to promote the earliest practicable termination of all Federal supervision and control over Indians; (3) a listing of functions now carried on by the Bureau of Indian Affairs which may be discontinued or transferred to other agencies of the Federal Government or to the States; (4) names of States where further operation of the Bureau of Indian Affairs should be discontinued; (5) recommended legislation for removal of legal disability of Indians by reason of guardianship by the Federal Government; (6) findings concerning transactions involving the exchange, lease, or sale of lands or interests in lands belonging to Indian wards, with specific findings as to such transactions in the State of Oregon; (7) recommendations to the Attorney General for action by the Department of Justice if the committee finds any violation of trust in the disposition of property of Indian wards; (8) recommended legislation designed to achieve faithful performance by the Bureau of Indian Affairs of the obligations of guardianship for the benefit of Indian wards.

For the purpose of carrying out this resolution, the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, its Territories, and possessions, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any other member of the committee designated by him, and may be served by any person designated by such chairman or member.

INDEPENDENCE NATIONAL HISTORICAL PARK

Mr. LYLE (at the request of Mr. DELANEY), from the Committee on Rules, reported the following privileged resolution (H. Res. 707, Rept. No. 2291), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6544) to amend the act of June 28, 1948 (62 Stat. 1061), relating to the establishment of the Independence National Historical Park. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. LYLE (at the request of Mr. Cox), from the Committee on Rules, reported the following privileged resolution (H. Res. 708, Rept. No. 2292), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in

order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1203) to provide for the appointment of additional circuit and district judges, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ADDONIZIO (at the request of Mr. SIEMINSKI), for the balance of the week, on account of death in the family.

PRICE AND WAGE STABILIZATION

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, the most convincing evidence of the need for continuation of the price and wage stabilization provisions of the Defense Production Act was made public on Thursday, June 19, by the Labor Department when it published the current cost-of-living index.

If anyone has any doubts as to the need for continuation of price control, he only need note that the cost of living in the United States today is near the all-time peak in our history.

A great many critics of direct economic controls have argued that the best way to bring prices down is by increased production. Over the long pull certainly increased production is an effective brake on prices. But what is the present situation?

Today we have a higher output of food per capita than ever before and yet food prices are continuing to rise. We have built new homes at the rate of about a million a year and rents continue to go up.

Taking our production as a whole our output in 1952 bids fair to outdistance anything that we have accomplished in the past. This year we will have a greater gross national product than ever before.

Certainly if we could say that increased production were the whole answer or the only answer we should be seeing prices on the way down. Instead, we see them rising. This is sound evidence that unless we have direct controls the sky may well be the limit.

What does the cost-of-living index show? It shows that the costs of fuel, food, rent, miscellaneous services all have been on the upgrade in recent months. Only the costs of apparel and house furnishings have been dropping.

The meaning of these changes in the price situation ought to be pretty clear to all of us. Why have the people been putting off the purchase of apparel and house furnishings? Simply because these are things that the people can go without when they are pinched by rising costs of other commodities.

It is pretty hard to break the habit of eating. And there is no way to avoid the payment of the landlord or the utility bill. Because these are essentials, because they are the things that the consumer has to have each and every day, they have been going up in price.

Why have consumers been cutting down on apparel and home furnishings? Is it because we need less clothing or less furniture than we did last year? Certainly not. The answer is simply that the grocer and the butcher are taking so much of the average family's income that there is nothing left over for the other things that the consumer needs.

There has been a great deal of talk of soft markets in textiles. Almost without exception this industry has said that there no longer is need for price controls because its products are slow-moving and selling way below ceilings.

But the industries that are crying "soft market" are making a terrible mistake in seeking a solution to their merchandising problems by the elimination of price controls. Instead they should be urging stronger controls over the prices both of food and of rents. The textile industry can only look forward to additional trouble if the family grocery bill and the family rent bill is forced ever higher and higher.

The manufacturers of appliances and of automobiles likewise have been experiencing sales resistance on the part of their normal customers. Is this because the market has been saturated? Far from it. The answer is simply that high prices have put so many people on a hand-to-mouth basis. With cost-of-living items at their present levels that average consumer just doesn't have the margin for the other things that he needs.

What is the answer? Is it to relax restrictions, to relax controls? If that were the answer these various industries should be enjoying their greatest prosperity. Instead they are bemoaning slow sales. No; that is not the answer. The answer is to keep a firm rein on the cost-of-living items so that the average consumer will have a little left over after the grocer, the butcher, and the landlord have been paid. The answer is to strengthen controls so that all segments of our economy will share in this great output that we are turning out this year. The answer is for fair and equitable prices all across the board which can only be achieved if we keep a firm hand on the economy as a whole.

When the cost of living is at about the highest peak in the history of this country—and this at the very time when we have maximum production—we should be exhausting every effort to find ways and means to strengthen all phases of our economic stabilization program.

ZARUBIN, PANYUSHKIN, AND GROMYKO; WHERE WERE THEY?

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, on the nights of June 21, 1941, June 25, 1950, September 12, 1950, and yesterday when the Yalu power plants were blown up, where were Messrs. Zarubin, Panyushkin, Gromyko, and Gerhard Eisler? What did their reports show?

For that matter, where were Berea, Molotov, Vishinsky, and Malik?

Strange, is it not, how they have exposed the Politburo so often with its red flannels showing.

And what were those high jinks 5 nights ago at Dairen and Port Arthur? Some big Soviet fish involved, no? The moon was out. So are the power plants.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted as follows:

Mr. CELLER in two instances.

Mr. PRICE in two instances and to include extraneous matter.

Mr. BOLLING in two instances and to include extraneous matter.

Mr. LESINSKI and to include a newspaper article.

Mr. GOLDEN and to include an article prepared by Mr. Tom Dale, of the Soil Conservation Department, Department of Agriculture.

Mr. SMITH of Wisconsin and to include an article.

Mr. OSTERTAG and to include extraneous matter.

Mr. GROSS and to include an article by Mr. Ed Wimmer, vice president of the National Federation of Independent Business.

Mr. SHEEHAN in two instances and to include extraneous material.

Mr. WOOD of Idaho and to include an article on an evaluation of our foreign policy, notwithstanding the fact that it will exceed 2 pages of the RECORD and is estimated by the Public Printer to cost $357.

Mr. FISHER in two instances and to include extraneous matter.

Mr. MITCHELL in two instances and to include extraneous matter.

Mr. CLEMENTE in three instances and to include newspaper articles.

Mr. SADLAK and to include a copy of a letter directed to the New York Times.

Mr. KLUCZYNSKI and to include an editorial.

Mr. MILLER of California (at the request of Mr. MARSHALL) and to include a newspaper article.

Mr. ROGERS of Florida and to include an article.

Mr. BELCHER and to include extraneous matter notwithstanding that it is estimated by the Public Printer to cost $210.

Mr. SIEMINSKI in two instances, in each to include extraneous matter.

Mr. KEOGH (at the request of Mr. ASPINALL) and to include an address by

the corporation counsel of the city of New York.

Mr. JUDD (at the request of Mr. KEATING) and to include extraneous matter.

Mr. MCDONOUGH asked and was given permission to extend his remarks in the RECORD in 11 instances as a continuation of the remarks he made today.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 160. An act to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks;

H. R. 699. An act for the relief of Mrs. Blanche Richards, owner of the Bozarth Nursing Home, Toppenish, Wash.;

H. R. 812. An act for the relief of Karel Vaclav Malinovsky;

H. R. 856. An act for the relief of Dr. James F. Spindler;

H. R. 885. An act for the relief of Heinrich von Biel, Margarethe von Biel, and Doris Schumann;

H. R. 966. An act for the relief of Mrs. Solveig Normanson;

H. R. 1097. An act for the relief of Ethel White, Frankie Ezell, and Ralph James;

H. R. 1261. An act for the relief of Alexander L. Wiesiolowski;

H. R. 1583. An act for the relief of Francis A. Gunn;

H. R. 1690. An act for the relief of Carl M. Campbell, James R. White, and Frederick J. Powers;

H. R. 1788. An act to authorize the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians to make contracts with approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe;

H. R. 1847. An act for the relief of Margaret Frankel;

H. R. 2221. An act for the relief of Gertrude Manhal;

H. R. 2296. An act for the relief of Mother Anna Fasulo;

H. R. 2413. An act for the relief of the Kloman Instrument Co., Inc.;

H. R. 2510. An act for the relief of Mrs. Beverly Brunell Roth;

H. R. 2595. An act for the relief of Clarice D'Amico and Chiara Antonucci;

H. R. 2629. An act for the relief of Dr. Leonidas M. Peppas;

H. R. 2718. An act for the relief of Enrique M. Orpilla;

H. R. 2719. An act for the relief of Philip Fugh, Sarah Liu Fugh, and John Fugh;

H. R. 2810. An act for the relief of James Nels Ekberg;

H. R. 2832. An act for the relief of Leszek Kazimierz Pawlowicz;

H. R. 3155. An act for the relief of Sebastiano Bello, Dino Bianchi, Pierino Ciccarese, Vincenzo Dall'Alda, Vittorio De Gasperi, Salvatore Puggioni, Giovanni Battista Volpato, and Leone Montini;

H. R. 3220. An act for the relief of Joseph Wynn Steel and William Peter Kruse;

H. R. 3501. An act for the relief of Takae Nomura;

H. R. 3534. An act for the relief of Gabriella Rubido Zichy;

H. R. 3616. An act for the relief of the Pacific Fruit Express Co.;

H. R. 4067. An act for the relief of Samuel Thomas Wong;

H. R. 4070. An act for the relief of Isabelle F. Story;

H. R. 4182. An act for the relief of Clarence Sudbeck;

H. R. 4344. An act for the relief of Clyde R. Sharp;

H. R. 4465. An act for the relief of Angela Moniz McCracken;

H. R. 4543. An act for the relief of Mrs. Priscilla Crowley;

H. R. 5185. An act for the relief of Epifania Giacone;

H. R. 5208. An act for the relief of Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza;

H. R. 5301. An act for the relief of Leonard Jesse Richards (Michio Inoue);

H. R. 5349. An act for the relief of Mrs. Edith P. Powell;

H. R. 5479. An act for the relief of the estate of Floyd L. Greenwood;

H. R. 5526. An act for the relief of Dr. J. Ernest Ayre;

H. R. 5543. An act for the relief of Mrs. Elisabeth Rosalia Haste;

H. R. 5599. An act to provide for the conveyance of the Centre Hill Mansion, Petersburg, Va., to the Petersburg Battlefield Museum Corp., and for other purposes;

H. R. 5687. An act for the relief of Peter Mihaly Berend;

H. R. 5755. An act for the relief of Chong So Yong;

H. R. 5759. An act for the relief of Chizuko Nakagami;

H. R. 5957. An act for the relief of Veronica Merita Ritson;

H. R. 6010. An act for the relief of Mrs. Lennie G. Clarkson and William E. Clarkson;

H. R. 6023. An act for the relief of Fred Augustus Snead, Jr.;

H. R. 6117. An act for the relief of Deliana Meulenkamp;

H. R. 6152. An act for the relief of Lucille Hujima;

H. R. 6231. An act for the relief of Gordon Uglow;

H. R. 6259. An act to authorize the admission of Wong Ng Chin Chun to the United States;

H. R. 6264. An act for the relief of Louis R. Chadbourne;

H. R. 6500. An act to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder;

H. R. 6635. An act to exempt from taxation certain property of the AMVETS, American Veterans of World War II, in the District of Columbia;

H. R. 6754. An act to provide that salaries of rural carriers serving heavily patronized routes shall not be reduced by reason of increases in the length of such routes;

H. R. 6857. An act to amend section 7a of the act entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928;

H. R. 6943. An act to fix the seniority rights and service of Albert O. Raeder as sergeant in the District of Columbia Fire Department;

H. R. 7030. An act to amend certain acts and parts of acts which require the submission of documents to the Post Office Department under oath, and for other purposes;

H. R. 7253. An act to authorize the conveyance to the Columbia Hospital for Women and Lying-in Asylum of certain parcels of land in the District of Columbia, and for other purposes;

H. R. 7496. An act to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1955, the period for authorization for appropriations for carrying out the purposes of the act as amended;

H. R. 7758. An act to revise certain laws relating to the mail-messenger service;

H. R. 7783. An act to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes; and

H. R. 7877. An act to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1283. An act to remove the limitation on the numerical strength of the White House Police force.

ADJOURNMENT

Mr. MARSHALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 38 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 25, 1952, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 3 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1597. A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims for damages, audited claims, and judgments rendered against the United States, as provided by various laws, in the amount of $868,491.17, together with such amounts as may be necessary to pay indefinite interests and costs and to cover increases in rates of exchange as they may be necessary to pay claims in foreign currency (H. Doc. No. 517); to the Committee on Appropriations, and ordered to be printed.

1598. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1952 in the amount of $132,200 for the legislative branch (H. Doc. No. 518); to the Committee on Appropriations, and ordered to be printed.

1599. A letter from the Assistant Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to amend the act authorizing the Secretary of War to approve a standard design for a service flag and service lapel button"; to the Committee on Armed Services.

1600. A letter from the Attorney General, transmitting copies of orders of the Commissioner of Immigration and Naturalization suspending deportation as well as a list of the persons involved, pursuant to the act of Congress approved July 1, 1948 (Public Law 863), amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

1601. A letter from the Acting Director, Bureau of the Budget, transmitting a report by the Bureau of the Budget on the operation of the program set forth in title X of Public Law 429, Eighty-first Congress, for the period ending June 30, 1951, pursuant to section 1003 of that law; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARY: Committee of Conference. H. R. 6854. A bill making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import

Bank of Washington. (Rept. No. 2284). Ordered to be printed.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 6167. A bill to prohibit reduction of any rating of total disability or permanent total disability for compensation, pension, or insurance purposes which has been in effect for 25 or more years; with amendment (Rept. No. 2285). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEOGH: Committee on Ways and Means. H. R. 6366. A bill to amend certain provisions of the Internal Revenue Code to authorize the receipt in bond and tax payment at rectifying plants of distilled spirits, alcohol, and wines for rectification, bottling, and packaging, or for bottling and packaging without rectification; and the production in bond and tax payment of gin and vodka at rectifying plants; with amendment (Rept. No. 2286). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 704. Resolution for consideration of S. 241, an act to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes; without amendment (Rept. No. 2287). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 705. Resolution for consideration of H. R. 8122, a bill to continue the existing method of computing parity prices for basic agricultural commodities, and for other purposes; without amendment (Rept. No. 2288). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 706. Resolution for consideration of House Joint Resolution 8, joint resolution to authorize and direct the Secretary of the Interior to study the respective tribes, bands, and groups of Indians under his jurisdiction to determine their qualifications to manage their own affairs without supervision and control by the Federal Government; without amendment (Rept. No. 2289). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 698. Resolution to authorize the Committee on Interior and Insular Affairs to conduct an investigation of the Bureau of Indian Affairs; without amendment (Rept. No. 2290). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 707. Resolution for consideration of H. R. 6544, a bill to amend the act of June 28, 1948 (62 Stat. 1061), relating to the establishment of the Independence National Historical Park; without amendment (Rept. No. 2291). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 708. Resolution for consideration of S. 1203, an act to provide for the appointment of additional circuit and district judges, and for other purposes; without amendment (Rept. No. 2292). Referred to the House Calendar.

Mr. BUCKLEY: Committee on Public Works. H. R. 8315. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; with amendment (Rept. No. 2293). Referred to the Committee of the Whole House on the State of the Union.

Mr. BUCKLEY: Committee on Public Works. H. R. 8316. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes; with amendment (Rept. No. 2294). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CROSSER:

H. R. 8347. A bill to expedite and facilitate the termination of railroad reorganization proceedings under section 77 of the Bankruptcy Act by amending section 20 (b) (13) of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSS:

H. R. 8348. A bill to extend preference in public-housing occupancy and the benefits of title III of the Servicemen's Readjustment Act of 1944, as amended, to certain widowed mothers of deceased veterans; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FOGARTY:

H. R. 8349. A bill for the relief of John Demetrios Mbalses; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 8350. A bill for the relief of Karoline Mahr; to the Committee on the Judiciary.

By Mr. ROSS:

H. R. 8351. A bill for the relief of Mrs. Daisy M. Soros; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 8352. A bill for the relief of Stefan Jankielewicz; to the Committee on the Judiciary.

By Mr. VAN PELT:

H R. 8353. A bill for the relief of Mrs. Mary Perouz Derderian Donaldson; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 8354. A bill for the relief of Eugene Albert Bailly; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

769. Mr. HOEVEN presented a petition of the residents of Sioux City, Iowa, urging support of the President's veto of tidelands legislation and transfer of tidelands revenue to the Social Security Administration, which was referred to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 25, 1952

(Legislative day of Saturday, June 21, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, amid all the strident voices of this vast and varied world, save us from the supreme tragedy of missing Thy call. Rising above the violence and turbulence of human strife and all the deafening prejudices of our embittered days we would be the hearers and doers of Thy word and of Thy will.

We come today solemnized by the agony and heroism of two long years on Korea's devastated soil where, in the name of the God of righteousness, the forces of freedom have faced and fought pagan hordes of ruthless regimentation. On this sobering anniversary day may our conceptions not be darkened by irrelevant issues. May we see clearly that that ravaged eastern peninsula has global significance as the battlefield of freedom, where liberty is at death grips with slavery plotting the domination of the world.

We would pause to honor our brave sons and those of other nations who have fallen on the barren wastes of that far land, and for the sorrowing families in the homeland. Standing in awe of the divine destiny of our Nation in the molding of a new world, may we here make a new covenant, sealed in the patriots' blood of the past and in the crimson sacrifice of today. Keeping steadfast the faith of true democracy and facing the principalities and powers of darkness, may we never doubt the ultimate fulfillment of the ancient prophecy to tyrants of old: "Your covenant with death shall be annulled, your agreement with hell shall not stand, your refuge of lies shall be swept away; when the overflowing scourge shall pass through, you shall be trodden down by it. The mouth of the Lord hath spoken it."

We ask it in the name of that Holy One whose truth is marching on. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 24, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 24, 1952, the President had approved and signed the following acts:

S. 216. An act to amend section 631b of title 5 United States Code, by adding a new subsection to be cited as subsection (c); and

S. 2552. An act to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 2198) to amend section 1708 of title 18, United States Code, relating to the theft or receipt of stolen mail matter generally, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the

amendments of the Senate to the bill (H. R. 6854) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6007. An act to authorize the improvement of Humboldt Bay, Calif., as recommended by the Chief of Engineers in House Document No. 143, Eighty-second Congress, first session;

H. R. 6175. An act to provide for a preliminary examination and survey of Port Mansfield Harbor in Texas and the channel connecting such harbor to the Gulf of Mexico for the purpose of determining action necessary to enable such harbor and channel to accommodate deep-draft navigation;

H. R. 6812. An act to provide that the existing project for a navigation channel on the Guadalupe River, Tex., be incorporated with and made a part of the project for the Gulf Intracoastal Waterway; and

H. R. 7855. An act for improvement of Gowanus Creek Channel, N. Y.

LEAVE OF ABSENCE

On request of Mr. McFARLAND, and by unanimous consent, Mr. KERR was excused from attendance on the sessions of the Senate for the remainder of this week and Monday of next week.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators may be permitted to transact routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

NATIONAL CEMETERY FOR NEW ENGLAND—RESOLUTIONS OF GENERAL COURT OF MASSACHUSETTS

Mr. SALTONSTALL. Mr. President, on behalf of myself and my colleague the junior Senator from Massachusetts [Mr. LODGE], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the General Court of the State of Massachusetts, relating to the location of a national cemetery for the New England area in the State of Massachusetts.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, and, under the rule, ordered to be printed in the RECORD, as follows:

Resolution urging the establishment of a national cemetery for the New England area, to be located within the Commonwealth of Massachusetts

Whereas the Congress of the United States has provided for the establishment of national cemeteries, dedicated as final resting places for those who gave their lives in the service of their country; and

Whereas such honoring of our heroic dead is a constant reminder of, and an inspiration to greater devotion to the cause for which they gave the last full measure of sacrifice; and

Whereas many national military cemeteries have been established, no one of which is located in New England; and

Whereas the burial in a national military cemetery of New England men and women who served in the Armed Forces of the United States entails considerable expense to their families: Therefore, be it

Resolved, That the Senate of Massachusetts hereby respectfully urges the Congress of the United States to take such steps as may be necessary for the establishment of a national cemetery for the New England district, said cemetery to be located within the Commonwealth of Massachusetts; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the Members thereof from this Commonwealth.

GENOCIDE PRACTICES OF SOVIET RUSSIA—RESOLUTION OF ESTONIAN, LATVIAN, AND LITHUANIAN COUNCILS, BALTIMORE, MD.

Mr. O'CONOR. Mr. President, recently the Baltimore Council of the Lithuanian Society submitted to me a resolution relating to genocide practices of Soviet Russia. I present the resolution for appropriate reference.

The VICE PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

PARKWAY ALONG CHESAPEAKE & OHIO CANAL—RESOLUTION OF BOARD OF NATURAL RESOURCES OF MARYLAND

Mr. O'CONOR. Mr. President, in any Federal programs intimately affecting the lives of people of any section, it is most desirable that the views of the citizens of such areas be given fullest consideration. For this reason I present for appropriate reference a resolution adopted by the Board of Natural Resources of Maryland, opposing the programs of the National Park Service with regard to construction of a Federal Parkway along the Chesapeake and Ohio Canal, adjacent to the Potomac River.

The Board of Natural Resources is the coordinating group of the various official conservation groups of the State. It represents the State position in all such matters. The resolution, therefore, and the reasons therefor, deserve to be given thorough study on the Federal level in connection with the proposals mentioned.

The VICE PRESIDENT. The resolution will be referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. 2720. A bill to approve contracts negotiated with the Gering and Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district, and to authorize their execution; to authorize the execution of contracts with individual water-right contractors on the North Platte Federal reclamation project and with the Northport irrigation district, and for other purposes; with amendments (Rept. No. 1809);

H. R. 3438. A bill to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80); without amendment (Rept. No. 1810); and

H. R. 3494. A bill to authorize the sale of certain public land in Alaska to the Catholic Bishop of Northern Alaska for use as a mission; with an amendment (Rept. No. 1811).

By Mr. ECTON, from the Committee on Interior and Insular Affairs:

S. 1238. A bill authorizing the Secretary of the Interior to issue a patent in fee to Eileen Ida Sanders; with an amendment (Rept. No. 1812);

S. 2407. A bill authorizing the Secretary of the Interior to issue a patent in fee to George Scott; with an amendment (Rept. No. 1813);

S. 2453. A bill authorizing the Secretary of the Interior to issue a patent in fee to Donald B. Billiedeaux; without amendment (Rept. No. 1814);

S. 2810. A bill authorizing the Secretary of the Interior to issue a patent in fee to Winona Yellowtail; without amendment (Rept. No. 1815);

H. R. 6556. A bill authorizing the issuance of a patent in fee to Erle E. Howe; without amendment (Rept. No. 1816); and

H. R. 7302. A bill authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Blackfeet Indian Reservation; without amendment (Rept. No. 1817).

By Mr. CORDON, from the Committee on Interior and Insular Affairs:

H. R. 4407. A bill to amend sections 213 (b), 213 (c), and 215 of title II of the Hawaiian Homes Commission Act, 1920, as amended; without amendment (Rept. No. 1818);

H. R. 4408. A bill to amend section 73 (1) of the Hawaiian Organic Act; without amendment (Rept. No. 1819);

H. R. 4797. A bill to ratify and confirm Act 291 of the Session Laws of Hawaii, 1949, section 2 of Act 152 of the Session Laws of Hawaii, 1951, and section 2 of Act 171 of the Session Laws of Hawaii, 1951, which included Maui County Waterworks Board, Kauai County Waterworks Board, and the Board of Water Supply, County of Hawaii, under the definition of "municipality" in the issuance of revenue bonds pursuant to the Revenue Bond Act of 1935; without amendment (Rept. No. 1820);

H. R. 4799. A bill to amend section 73 (1) of the Hawaiian Organic Act; without amendment (Rept. No. 1821); and

H. R. 4800. A bill to further amend section 202 (a) of the Hawaiian Homes Commission Act, 1920, as amended, relating to membership on the Hawaiian Homes Commission; without amendment (Rept. No. 1822).

By Mr. McFARLAND, from the Committee on Interior and Insular Affairs:

S. 107. A bill to promote the rehabilitation of the Papago Tribe of Indians and a better utilization of the resources of the Papago Tribe, and for other purposes; without amendment (Rept. No. 1823).

By Mr. HILL, from the Committee on Labor and Public Welfare:

H. R. 7656. A bill to provide vocational readjustment and to restore lost educational opportunities to certain persons who served in the Armed Forces on or after June 27, 1950, and prior to such date as shall be fixed by the President or the Congress, and for other purposes; with amendments (Rept. No. 1824).

EXTENSION OF AUTHORITY TO INVESTIGATE ACTIVITIES OF COMMODITY CREDIT CORPORATION BY COMMITTEE ON AGRICULTURE AND FORESTRY—REPORT OF A COMMITTEE

Mr. ELLENDER. Mr. President, from the Committee on Agriculture and Forestry, I report an original resolution extending the authority to investigate the Commodity Credit Corporation activities, and I submit a report (No. 1808) thereon.

The VICE PRESIDENT. The report will be received and printed, and, under the rule, the resolution will be referred to the Committee on Rules and Administration.

The resolution (S. Res. 338) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the authority of the Committee on Agriculture and Forestry, investigating Commodity Credit Corporation activities, or any duly authorized subcommittee thereof, under Senate Resolution 256, Eighty-second Congress, agreed to January 24, 1952, is hereby extended to August 31, 1952.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. AIKEN:

S. 3385. A bill for the relief of Andrew D. Sumner; and

S. 3386. A bill for the relief of Norman F. George; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 3387. A bill for the relief of Frank B. Allen; to the Committee on the Judiciary.

By Mr. ELLENDER (for himself and Mr. AIKEN):

S. 3388. A bill to increase farmer participation in ownership and control of the Federal Farm Credit System; to make the Farm Credit Administration an independent establishment of the Federal Government; to create a Federal Farm Credit Board; to abolish certain offices; to impose a franchise tax upon certain farm credit institutions; and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ELLENDER when he introduced the above bill, which appear under a separate heading.)

By Mr. KNOWLAND (for himself, Mr. NIXON, and Mr. MAGNUSON):

S. 3389. A bill to direct the United States Tariff Commission and the Secretary of the Interior to make certain investigations with respect to the United States tuna industry; to the Committee on Finance.

By Mr. McCARRAN:

S. 3390. A bill to provide for the appointment of deputy United States marshals without regard to the provisions of the civil-service laws and regulations; to the Committee on the Judiciary.

By Mr. NIXON:

S. 3391. A bill for the relief of Giuseppe Bentivegna; to the Committee on the Judiciary.

By Mr. MOODY:

S. 3392. A bill for the relief of Ruth Mangold; and

S. 3393. A bill for the relief of Tadeusz Gasowski; to the Committee on the Judiciary.

(See the remarks of Mr. MOODY when he introduced the last above-named bill, which appear under a separate heading.)

By Mr. GEORGE (by request):

S. 3394. A bill to authorize certain administrative expenses in the Treasury Department, and for other purposes; to the Committee on Finance.

By Mr. HUMPHREY:

S. 3395. A bill for the relief of Wadih Bakhos Boula; to the Committee on the Judiciary.

FARM CREDIT ACT OF 1952

Mr. ELLENDER. Mr. President, on behalf of the Senator from Vermont [Mr. AIKEN] and myself, I introduce for appropriate reference a bill to be known as the Farm Credit Act of 1952. I ask unanimous consent that the bill, together with a summary thereof, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 3388) to increase farmer participation in ownership and control of the Federal Farm Credit System; to make the Farm Credit Administration an independent establishment of the Federal Government; to create a Federal Farm Credit Board; to abolish certain officers; to impose a franchise tax upon certain farm credit institutions; and for other purposes, introduced by Mr. ELLENDER (for himself and Mr. AIKEN), was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

TITLE

SECTION 1. This act may be cited as the "Farm Credit Act of 1952."

DECLARATION OF POLICY

SEC. 2. It is declared to be the policy of the Congress to encourage and facilitate increased borrower participation in the management, control, and ultimate ownership of the permanent system of agricultural credit made available through institutions operating under the supervision of the Farm Credit Administration, and the provisions of this act shall be construed in keeping with this policy.

FARM CREDIT ADMINISTRATION

SEC. 3. The Farm Credit Administration is hereby made an independent establishment of the Federal Government. There are hereby transferred to the Farm Credit Administration all functions, powers, and duties of the Governor of the Farm Credit Administration and all other officers therein, and of the Secretary of Agriculture with reference to the Farm Credit Administration.

FEDERAL FARM CREDIT BOARD

SEC. 4. (a) There shall be established in the Farm Credit Administration, a Federal Farm Credit Board (hereinafter referred to as the "Board"). Said Board shall consist of twelve members, one from each of the farm credit districts of the United States, to be appointed by the President with the advice and consent of the Senate, upon nominations made as follows: The district farm credit board of each such district shall by resolution spread upon its minutes, at least 60 days before an appointment is due to be made, nominate three persons, each of whom shall have had, in the judgment of the board, sufficient agricultural and financial experience to enable him to properly perform the duties of his office, and from the three persons so nominated in each district, one shall be appointed in the manner stated. Subsequent appointments shall be made upon like nominations and in like manner.

(b) Each member of said Board shall be a citizen of the United States and shall have been a resident of the farm credit district from which appointed for not less than 10 years next preceding his appointment, and the removal of residence from the district during his tenure shall operate as a termination of his membership on said Board; no member of said Board shall be eligible to serve for more than one full term of 6 years, and, in addition, a term of less than 6 years if he is one of the first members to be appointed or the unexpired portion of one term expiring before his appointment to a full term; and no person shall be eligible for appointment to membership on said Board if such person has within 1 year next preceding the commencement of the term been a member of a district farm credit board, a salaried officer or employee of the Farm Credit Administration or a salaried officer or employee of any corporation operating under the supervision of the Farm Credit Administration; and no person hereafter appointed as a member of said Board shall be eligible to continue to serve as a member of said Board, if such person is a member of any district farm credit board or an officer or employee of the Farm Credit Administration or an officer or employee of any corporation operating under the supervision of the Farm Credit Administration.

(c) The term of office of the members of said Board shall be 6 years, beginning with the first day of the calendar month in which this act takes effect, and members shall serve until their successors are duly appointed and qualified; however, of the first members appointed hereunder, 2 shall be appointed for a term of 1 year from said date, 2 for a term of 2 years, 2 for a term of 3 years, 2 for a term of 4 years, 2 for a term of 5 years, and 2 for a term of 6 years. All vacancies on said Board shall be filled for the unexpired portion of the term upon like nominations and by like appointments as herein provided for the appointment of the first members of said Board.

(d) As soon as practicable after their appointment, the members of said Board shall meet, subscribe the oath of office, and organize by electing from their number a chairman and a vice chairman; and said Board shall appoint a secretary from within or without its membership as it may see fit. The chairman, vice chairman, and secretary shall each be elected for a term of 1 year and until their successors are elected and take office, and the Board shall elect such officers each year. The chairman shall preside at all meetings and the vice chairman shall preside in the absence or disability of the chairman. The Board may, in the absence of both the chairman and vice chairman, elect a member to act as chairman pro tempore. Seven members shall constitute a quorum of the Board for the transaction of business. The Board may function notwithstanding vacancies provided a quorum as herein established shall be present. The Board shall meet at such times and places as it may fix and determine, but shall hold at least four regularly scheduled meetings a year; and special meetings may be held on call of the chairman or any three members of the Board.

(e) Each member of the Board shall receive the sum of $50 for each day or part thereof spent in the performance of his official duties, which compensation, however, shall not be paid for more than 75 days (or parts of days) in any calendar year; and in addition, shall be reimbursed for necessary travel, subsistence, and other expenses incurred in the discharge of his official duties, without regard to other laws with respect to allowances which may be made on account of travel and subsistence expenses of officers and employed personnel of the United States,

(f) The Board shall adopt such rules as it may see fit for the transaction of its business, and shall keep permanent and complete records and minutes of its acts and proceedings.

GOVERNOR OF FARM CREDIT ADMINISTRATION

SEC. 5. (a) The Board shall appoint a Governor of the Farm Credit Administration (hereinafter referred to as the "Governor") who shall serve at the pleasure of the Board, and who shall, subject to the general supervision and direction of the Board as to matters of a broad and general supervisory, advisory, or policy nature, and except as otherwise herein specifically provided, be responsible for the execution of this act, all acts amendatory thereof and supplemental thereto, and all acts creating the powers, functions, and duties of the Farm Credit Administration.

(b) The Board shall fix the compensation of the Governor: *Provided*, That the salary of the Governor shall not exceed $20,000 a year, together with necessary traveling and subsistence expenses, or per diem allowance in lieu thereof within the limitations prescribed by law, while away from his official station upon official business.

(c) It shall be the duty of the Governor to comply with all orders and directions, which he receives from the Board; as to all third persons, all acts of the Governor shall conclusively presumed to be in compliance with the orders and directions of the Board.

(d) The Governor shall appoint such other personnel as may be necessary to carry out the functions, powers, and duties vested in the Farm Credit Administration. The Farm Credit Administration shall consist of the Board, the Governor, and such other personnel as are employed in carrying out the functions, powers, and duties vested in the Farm Credit Administration. All functions, powers, and duties of the Farm Credit Administration, except those herein conferred upon the Board, shall be exercised and performed by the Governor and may be exercised and performed by him through such officers and employees of the Farm Credit Administration as he shall designate.

(e) The term of office of the incumbent of the office of Governor of the Farm Credit Administration appointed before the effective date of this act and holding office on that date shall terminate on that date and said office shall thereby become vacant.

RESPONSIBILITIES OF THE BOARD

SEC. 6. It shall be the function and duty of the Board (1) to see that the policies fixed by the Board hereunder are carried out; (2) to exercise adequate budgetary control over the Farm Credit Administration; (3) to require such reports as it deems necessary from the Governor and from any of the officials or corporations under the control or supervision of the Farm Credit Administration; (4) to make an annual report to Congress, including therein any recommendations of amendments to the laws relative to Federal agricultural credit; and (5) to exercise general direction and supervision over the performance of all functions, powers, and duties vested in the Governor when relating in the judgment of the Board to matters of a broad and general supervisory, advisory, or policy nature. It shall function as a unit without delegating authority to individual members and shall not operate in an administrative capacity; and all administrative powers, functions, and duties of the Farm Credit Administration shall be exercised and performed by the Governor.

OFFICES ABOLISHED AND FUNDS TRANSFERRED

SEC. 7. (a) The offices of the Land Bank Commissioner, Production Credit Commissioner, Cooperative Bank Commissioner, and Intermediate Credit Commissioner are hereby abolished. The Governor shall designate an officer or employee of the Farm Credit Administration to serve at the pleasure of the Governor as a member of the board of directors of the Central Bank for cooperatives, as chairman of said board of directors, and as executive officer of said bank, in lieu of the Cooperative Bank Commissioner. The Governor shall designate an officer or employee of the Farm Credit Administration to serve at the pleasure of the Governor as a member of the board of directors of the Federal Farm Mortgage Corporation, in lieu of the Land Bank Commissioner. The Federal Farm Mortgage Corporation and its functions and activities are hereby transferred to the Farm Credit Administration and shall be administered therein under the general direction and supervision thereof.

(b) Employees in the Department of Agriculture who are being utilized on the effective date of this act primarily for the performance of functions, powers, and duties heretofore or by this act vested in the Farm Credit Administration, shall be transferred to the jurisdiction and control of the Farm Credit Administration in those instances in which the Governor determines that they are qualified and necessary to carry out the functions, powers, and duties of the Farm Credit Administration.

(c) All assets, funds, contracts, property, and records used and employed in the execution of the functions, powers, and duties heretofore or by this act vested in the Farm Credit Administration are hereby transferred to the jurisdiction and control of the Farm Credit Administration.

(d) So much of the unexpended balances of appropriations, allocations, and other funds available or to be made available for salaries, expenses, and all other administrative expenditures as the Director of the Bureau of the Budget shall determine for use in the execution of the functions heretofore or by this act vested in the Farm Credit Administration, shall be transferred to and vested in the Farm Credit Administration.

(e) All unexpended balances of appropriations, allocations, or other funds, other than those mentioned in subsection (d) of this section, available (including those available for the fiscal year ending June 30, 1952) for the Farm Credit Administration and/or for the Secretary of Agriculture on account of the functions and activities of Farm Credit Administration, shall be transferred to the Farm Credit Administration and shall remain available for the exercise of the functions and activities of the Farm Credit Administration.

DELEGATIONS TO DISTRICT INSTITUTIONS

SEC. 8. The Farm Credit Administration is authorized and empowered, by order or rules and regulations, to delegate to a Federal land bank such of the duties, powers, and authority of the Farm Credit Administration with respect to and over National Farm Loan Associations, their officers and employees, in the farm credit district wherein such Federal land bank is located, as may be determined to be in the interest of effective administration; and, in like manner, to delegate to a production credit corporation such of the duties, powers, and authority of the Farm Credit Administration with respect to and over production credit associations, their officers and employees, in the farm credit district wherein such production credit corporation is located, as may be determined to be in the interest of effective administration; and, in either case the duties, powers, and authority so delegated shall be performed and exercised under such conditions and requirements and upon such terms as the Farm Credit Administration may specify. Any Federal land bank or production credit corporation to which any such duties, powers, or authority may be delegated is hereby authorized and empowered to accept, perform, and exercise such duties, powers, and authority as may be so delegated to it.

DIVISION OF COOPERATIVE MARKETING TRANSFERRED

SEC. 9. There is hereby transferred from the Farm Credit Administration to the Agricultural Research Administration in the Department of Agriculture, as a bureau of such agency, the Division of Cooperative Marketing (by whatever name now called) authorized and created under and by virtue of an act of Congress of July 2, 1926 (Public, Numbered 450, Sixty-ninth Congress), entitled "an act to create a Division of Cooperative Marketing in the Department of Agriculture; to provide for the acquisition and dissemination of information pertaining to cooperation; to promote the knowledge of cooperative principles and practices; to provide for calling advisers to counsel with the Secretary of Agriculture on cooperative activities; to authorize cooperative associations to acquire, interpret, and disseminate crop and market information, and for other purposes", together with all functions pertaining to the work and services of such Division, its personnel, property (including office equipment), assets, funds, contracts, and records used and employed in the execution of its functions, powers, and duties, and so much of the unexpended balances of appropriations, allocations, and other funds available or to be made available for salaries, expenses, and all other administrative expenditures as the Director of the Bureau of the Budget shall determine, for use in the execution of the functions, powers, and duties of said Division in said Department.

FRANCHISE TAX PROVISIONS

SEC. 10. Section 23 of the Federal Farm Loan Act, as amended, is further amended by adding at the end thereof a new paragraph as follows:

"Notwithstanding any other provision of this act, in the case of a Federal land bank having outstanding capital stock held by the United States during the whole or any part of a fiscal year, said bank shall, after complying with the reserve requirements of the preceding paragraphs of this section and before declaring any dividends to shareholders, pay to the United States a franchise tax equal to 25 percent of its net earnings then remaining, not to exceed, however, a rate of return on such Government capital equal to the average net interest cost of financing direct obligations of the United States during the fiscal year of the United States ending next before such tax is due (such rate to be determined by the Farm Credit Administration upon the basis of data obtainable from the Secretary of the Treasury)."

SEC. 11. Section 6 of the Farm Credit Act of 1933 is amended by adding at the end thereof a new paragraph as follows:

"(e) Each production credit corporation shall, at the end of each fiscal year (1) apply its earnings described in subsection (c) of this section in accordance with the provisions of subsections (c) and (d) of this section; and (2) apply its earnings from all other sources, first, to the payment of any operating expenses for the year remaining unpaid; second, to restore losses and impairment of capital, if any, of the corporation; third, to the creation and maintenance of a surplus equal to 25 percent of the paid-in capital of the corporation; fourth, to the payment of 25 percent of its earnings from all sources then remaining to the United States as a franchise tax, and fifth, to the payment of the remaining earnings into its surplus account."

SEC. 12. Section 36 of the Farm Credit Act of 1933 is amended to read as follows:

"The Central Bank for Cooperatives shall, at the end of its fiscal year, apply the amount of its earnings in excess of operating expenses during such fiscal year:

First, to making up any losses incurred; second, to the restoration of the amount of the impairment, if any, of capital and guaranty fund as determined by the chairman of the board; third, 25 percent of the remainder of such excess of earnings shall be applied to the creation and maintenance of a surplus equal to at least 25 percent of the amount of the capital and guaranty fund; fourth, if said bank shall have outstanding capital stock held by the United States during the whole or any part of the fiscal year, it shall next pay to the United States as a franchise tax, a sum equal to 25 percent of its net earnings then remaining, not exceeding, however, a rate of return on such Government capital equal to the average net interest cost of financing direct obligations of the United States during the fiscal year of the United States ending next before such tax is due (such rate to be determined by the Farm Credit Administration upon the basis of data obtainable from the Secretary of the Treasury); and fifth, any sums remaining shall be carried into its surplus account or devoted to the payment of dividends, as may be determined by the chairman of the board. Subscribers to the guaranty fund shall be entitled to dividends in the same amounts as the subscribers to the stock. No rate of dividend in excess of 7 percent per annum shall be paid. Dividends on stock held by the Farm Credit Administration or the Governor thereof, when paid, shall be credited to the revolving fund created under section 6 of the Agricultural Marketing Act, as amended."

SEC. 13. Section 42 of the Farm Credit Act of 1933 is amended to read as follows:

"The provisions of section 35, as amended, and the provisions of section 36, as amended, shall apply in the case of banks for cooperatives in the same manner and to the same extent as such provisions are applicable to the Central Bank for Cooperatives, except that powers conferred on the chairman of the Board of the Central Bank for Cooperatives shall be exercised by the boards of directors of the banks for cooperatives, subject to the approval of the Farm Credit Administration."

MEMBERSHIP OF DISTRICT FARM CREDIT BOARDS

SEC. 14. Section 5 (b) of the Farm Credit Act of 1937 is amended to read as follows:

"(b) There shall be in each farm credit district a farm credit board which shall be selected as hereinafter specified and shall be composed of seven members. Each farm credit board shall include in its title the name of the city in which the Federal land bank, Federal intermediate credit bank, production credit corporation, and regional bank for cooperatives of the district are located. Three of the seven members of said board shall be known as elected directors, of whom one shall be chosen by national farm loan associations and borrowers through agencies of the district, one shall be chosen by production credit associations of the district and one shall be chosen by cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives in the district. Subject to the other provisions hereof, three of the seven members shall be known as district directors and shall be appointed by the Governor of the Farm Credit Administration by and with the advice and consent of the Federal Farm Credit Board. The seventh member of such board shall be known as director-at-large and shall be appointed by the Governor of the Farm Credit Administration by and with the advice and consent of the Federal Farm Credit Board. Each farm credit board shall elect from its members a chairman and vice chairman, and shall appoint a secretary from within or without its membership as it may see fit. The chairman, vice chairman, and secretary shall each be elected for a term of 1 year and until their successors are elected and take office and the board shall elect such officers each year. The chairman shall preside at all meetings and the vice chairman shall preside in the absence or disability of the chairman. The board may, in the absence of both the chairman and vice chairman, elect a member to act as chairman pro tempore."

SEC. 15. Section 5 of the Farm Credit Act of 1937 is amended by striking out the entire text of subdivision (d) thereof and inserting in lieu thereof the following:

"(d) (1) The member of the farm credit board of each farm credit district known as the 'third district director' who is in office on the effective date of this act, shall serve as such until his term of office expires. Thereafter, there shall be no member of the district farm credit board to be known as the 'third district director'.

"(2) Notwithstanding the above provision with respect to the appointment of district directors, one additional member of said board shall be elected by each of the groups aforesaid (national farm loan associations and borrowers through agencies, production credit associations, and cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives of the district), and serve in lieu of a district director, under the following circumstances and conditions:

"(A) Whenever, as determined by the Farm Credit Administration, the sum of the capital stock held by national farm loan associations and borrowers through agencies, surplus, and reserves of a Federal land bank shall equal or exceed 66⅔ percent of the total of the capital stock, surplus, and reserves of such bank as of the date 3 months before the expiration of the term of office of the district director (or third district director) whose term next expires, the successor to such director shall be elected by the national farm loan associations and borrowers through agencies of the district in the manner herein provided, shall be known as an elected director, and successors to that office shall be so elected and known from term to term while such conditions obtain: *Provided*, That if and when, as determined by the Farm Credit Administration, such conditions do not obtain as of the date 3 months before the expiration of the term of office of any director so elected under the provisions of this subparagraph, the successor to such director shall be appointed by the Governor of the Farm Credit Administration by and with the advice and consent of the Federal Farm Credit Board, shall be known as a district director, and successors to that office shall be so appointed and known from term to term for such terms as appointment is not precluded by the election of an additional director by one of the groups aforesaid as herein provided: *And provided further*, That such national farm loan associations and borrowers through agencies shall again, and from time to time, elect one additional director as aforesaid if and when the required conditions named in this subparagraph shall be determined to obtain as aforesaid.

"(B) Whenever, as determined by the Farm Credit Administration, the sum of the capital stock held by persons other than the production credit corporation of the district, surplus and reserves of the production credit associations (collectively) of a farm credit district shall equal or exceed 66⅔ percent of the total of the capital stock, surplus, and reserves of the production credit associations (collectively) of said district as of the date 3 months before the expiration of the term of office of the district director (or third district director) whose term next expires, the successor to such director shall be elected by the production credit associations of the district in the manner herein provided, shall be known as an elected director, and successors to that office shall be so elected and known from term to term while such conditions obtain: *Provided*, That if and when, as determined by the Farm Credit Administration, such conditions do not obtain as of the date 3 months before the expiration of the term of office of any director so elected under the provisions of this subparagraph, the successor to such director shall be appointed by the Governor of the Farm Credit Administration by and with the advice and consent of the Federal Farm Credit Board, shall be known as a district director, and successors to that office shall be so appointed and known from term to term for such terms as appointment is not precluded by the election of an additional director by one of the groups aforesaid as herein provided: *And provided further*, That such cooperatives which are stockholders or subscribers to the guaranty fund of said bank shall again and from time to time elect one additional director as aforesaid if and when the required conditions named in this subparagraph shall be determined to obtain as aforesaid: *Provided*, That at no time and under no conditions shall there be in office less than one or more than two members of said board who are serving by election of any one of the groups aforesaid (national farm loan associations and borrowers through agencies, production credit associations, and cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives of the district): *And provided further*, That if two or more of said groups shall, under the terms and provisions hereof, become qualified to elect an additional director pending the expiration of the term of office of the district director (or third district director) whose term next expires, preference shall be given, first to national farm loan associations and borrowers through agencies, next to production credit associations, and next to cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives, to elect an additional director as herein provided as the terms of office of district directors, including the third district director if he be still in office, expire."

"(C) Whenever, as determined by the Farm Credit Administration, the sum of the capital stock and subscriptions to the guaranty fund held by cooperatives which are stockholders or subscribers to the guaranty fund of a regional bank for cooperatives, surplus and reserves of said bank shall equal or exceed 66⅔ percent of the total capital stock, subscriptions to the guaranty fund, surplus and reserves of said bank as of the date 3 months before the expiration of the term of office of the district director (or third district director) whose term next expires, the successor to such director shall be elected by the cooperatives which are stockholders or subscribers to the guaranty fund of said bank in the manner herein provided, shall be known as an elected director, and successors to that office shall be so elected and known from term to term while such conditions obtain: *Provided*, That if and when, as determined by the Farm Credit Administration, such conditions do not obtain as of the date 3 months before the expiration of the term of office of any director so elected under the provisions of this subparagraph, the successor to such director shall be appointed by the Governor of the Farm Credit Administration by and with the advice and consent of the Federal Farm Credit Board, shall be known as a district director, and successors to that office shall be so appointed and known from term to term for such terms as appointment is not precluded by the election of an additional director by one of the groups aforesaid as herein provided: *And provided further*, That such cooperatives which are stockholders or subscribers to the guaranty fund of said bank shall again and from time to time elect one additional director as aforesaid if and when the required conditions named in this subparagraph shall be determined to obtain as aforesaid: *Provided*, That at no time and under no conditions shall there be in office less than one or more than two members of said board who are serving by election of any one of the groups aforesaid (national farm loan associations and borrowers through agencies, production credit associations, and cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives of the district): *And provided further*, That if two or more of said groups shall, under the terms and provisions hereof, become qualified to elect an additional director pending the expiration of the term of office of the district director (or third district director) whose term next expires, preference shall be given, first to national farm loan associations and borrowers through agencies, next to production credit associations, and next to cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives, to elect an additional director as herein provided as the terms of office of district directors, including the third district director if he be still in office, expire."

SEC. 16. (a) Any other provisions of law to the contrary notwithstanding, after the effective date of this act any production credit association may, with the approval of the President of the Production Credit Corporation and of the Farm Credit Administration, issue nonvoting preferred stock, to be known as class C stock, which may be purchased and held by production credit corporations and by investors: *Provided*, That the issuance of such stock shall be authorized by vote of not less than two-thirds of the outstanding shares of class A stock (other than shares held by the Production Credit Corporation) and two-thirds of the outstanding shares of class B stock of the association; and for this purpose holders of class A stock (other than the Production Credit Corporation) and holders of class B stock shall be entitled to one vote for each share of stock held by them.

(b) Such class C stock of such associations shall be divided into shares of $5 each. The resolution of the stockholders authorizing the issuance of class C stock and every certificate of class C stock issued shall state and express the privileges, restrictions, limitations and qualifications affecting said stock, and the total amount of the authorized issue to which it belongs.

(c) Such class C stock may (1) be made subject to redemption in such manner, at such time or times, and at such price or prices; (2) be given such preferences as to net assets upon dissolution of the corporation, whether voluntary or involuntary; (3) be given the right to receive such cumulative or noncumulative dividends payable quarterly, semiannually, or annually, and payable as a whole or in part before any dividend shall be set apart for or paid on class A and class B stock; and (4) be made subject to such other restrictions, limitations, and qualifications; as shall be stated and expressed in the resolution of the stockholders authorizing the issuance thereof and in the face of the stock certificates.

APPROPRIATIONS AND EXPENDITURES

SEC. 17. (a) There are authorized to be appropriated such sums as may be necessary or appropriate for administering the provisions of this act.

(b) Farm Credit Administration may, within the limits of funds available therefor, make necessary expenditures for personnel services and rent at the seat of government and elsewhere; contract stenographic reporting services; purchase and exchange of lawbooks, books of reference, periodicals, newspapers, expenses of attendance at meetings and conferences; purchase, operation, and maintenance, at the seat of government and elsewhere, of motor-propelled passenger-carrying vehicles and other vehicles; printing and binding; and for such other facilities and services as it may from time to time find necessary for the proper administration of this act.

SEC. 18. This act shall take effect 90 days after the date of its enactment: *Provided, however*, That the members of the Federal Farm Credit Board shall be appointed sufficiently in advance of the effective date of this act to enable said Board to prepare to enter upon the discharge of its duties upon the effective date of this act; and after the effective date of this act, the compensation and expenses of the Board members shall be paid, as provided herein, from the date on which their appointments became effective, out of any funds available for the payment of administrative expenses of the Farm Credit Administration.

SEC. 19. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

SEC. 20. (a) If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

(b) The right to alter, amend, or repeal this act is hereby expressly reserved.

The summary is as follows:

PROPOSED FARM CREDIT ACT OF 1952

DECLARATION OF POLICY

It is declared to be the policy of the Congress to encourage and facilitate increased borrower participation in the management control and ultimate ownership of the permanent system of agricultural credit made available through institutions operating under the supervision of the Farm Credit Administration. The provisions of the act are required to be construed in keeping with this policy.

AT NATIONAL LEVEL

1. Farm Credit Administration: The FCA, as supervising agency, will be established as an independent agency of Government.

2. Federal Farm Credit Board: A 12-man bipartisan board, one member from each farm credit district, is established to exercise direction, supervision, and control of the Farm Credit Administration.

(a) Appointment, etc.: Each district farm credit board will nominate three persons, from which the President will appoint one, with the advice and consent of the Senate. The term of office will be 6 years and appointments will be made on staggered terms so that the terms of two members will expire each year. The Board will name its own chairman, vice chairman, and secretary; will hold at least four scheduled meetings a year, and as many special meetings as are needed; seven members will constitute a quorum; the members will be paid $50 per day plus expenses for time devoted to their duties; and the Board will keep minutes and records which will be public.

(b) Duties and functions: The Board will employ the Governor and fix his compensation (not to exceed $20,000 a year, plus expenses) and the Governor will serve at the pleasure of the Board; exercise direction and supervision of all affairs of FCA; see that the declared policies of the Congress are carried out; and make an annual report to Congress, including any recommendations as to farm credit legislation.

3. Offices consolidated: The offices of the Land Bank Commissioner, Production Credit Commissioner; Cooperative Bank Commissioner, and Intermediate Credit Commissioner are abolished and their functions are vested in the Farm Credit Administration.

4. Delegation of authority: The Governor is authorized to delegate to a Federal land bank such of his supervisory authority over National Farm Loan Associations of the district as he may see fit, and to a Production Credit Corporation, such of his supervisory authority over the production credit associations of the district as he may see fit.

5. Board supervision: All functions of the Farm Credit Administration, and of the Governor as its chief administrative officer, are, however, expressly placed under the direction, supervision, and control of the Board.

6. Functions transferred: All functions of the Cooperative Research and Service Division of FCA which arise under the act of July 2, 1926, establishing a "Division of Cooperative Marketing" are transferred to the Agricultural Research Administration in the Department of Agriculture. Ample statutory authority remains for such research functions as are actually needed in connection with the operations of FCA.

AT DISTRICT LEVEL

1. District Farm Credit Board: The Board remains seven in number and there follows a comparison of the present method of election or appointment with the method provided in the bill.

(a) Present method: At present the Board is constituted as follows:

One elected by national farm loan associations.

One elected by production credit associations.

One elected by cooperative borrowers.

One appointed by the Governor from three nominations made by National Farm Loan Associations and known as third district directors.

Two appointed by the Governor and known as district directors.

One appointed by the Governor and known as director at large.

(b) New method: The bill provides for this to be changed to the following:

One elected by national farm loan associations.

One elected by production credit associations.

One elected by cooperative borrowers.

Three appointed by the Governor with the approval of the Federal Farm Credit Board and known as district directors (see below).

One appointed by the Governor with the approval of the Federal Farm Credit Board and known as director at large.

Provided, however—

(1) When, and as long as, the sum of the capital stock held by NFLA's surplus and reserves of a Federal land bank equals or exceeds 66⅔ percent of the total capital stock, surplus, and reserves of the bank, the NFLA's of the district will elect one additional director, who will serve in lieu of a district director. This condition now obtains in all 12 districts, hence immediately upon passage of the bill, NFLA's in the several districts will elect one additional director when there is a vacancy in the office of a district director (or third district director). If the time should come when these conditions did not obtain in a district, the NFLA's would lose the privilege of electing the additional director, and he would be appointed by the Governor with the approval of the Board, until such time as the associations again qualified to elect him.

(2) When, and as long as, the capital stock privately owned, surplus and reserves of production credit associations (collectively) of a district equal or exceed 66⅔ percent of the total capital stock, surplus and reserves of the production credit associations (collectively) of the district, the PCA's may elect one additional director to serve in lieu of a district director, in like manner and with like provisions as stated above.

(3) When and as long as, the capital stock and subscriptions to the guaranty fund held by cooperatives in a regional bank for cooperatives, surplus and reserves of said bank, equal or exceed 66⅔ percent of the total capital stock, subscriptions to the guaranty fund, surplus and reserves of the bank, the cooperatives which are borrowers may elect one additional director to serve in lieu of a district director, and with like provisions as stated above.

2. Assessment of expense: Under existing law, the Farm Credit Administration assesses the district and local institutions with the cost of examinations and administrative supervision. Under the present bill, it will also assess the district institutions with the cost to the United States of contributions to the civil-service retirement and disability fund and to the Federal employees compensation fund, arising in connection with personnel of the central office on account of examinations and administrative supervision of the district and local institutions. Thus, the Government will be reimbursed for all expense of the examination service and the administrative supervision of the district and local institutions.

3. Franchise taxes: In order to afford the United States a return upon capital invested

in the district institutions, provisions are made for the payment of franchise taxes as follows:

(a) Any Federal land bank or regional bank for cooperatives in which the United States holds capital stock is required, after meeting reserve requirements, to pay to the United States a franchise tax equal to 25 percent of net earnings remaining, not to exceed, however, a rate of return on the Government capital equal to the net interest cost on United States Treasury financing of direct obligations of the United States during the preceding fiscal year.

(b) Production credit corporations, in which the United States owns all the capital stock, are required, after meeting reserve requirements, to pay 25 percent of net earnings to the United States as a franchise tax. This is without the alternative with respect to a rate of return equal to net interest cost, etc., as stated above, since the corporations are wholly owned by the United States. It is the same franchise tax basis as that fixed for Federal intermediate credit banks by existing law.

TADEUSZ GASOWSKI

Mr. MOODY. Mr. President, I introduce for appropriate reference a bill for the relief of Tadeusz Gasowski.

I ask unanimous consent that a statement regarding his record, which was written by John J. Najduch, one of the best newspapermen in my home city of Detroit, Mich., be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 3393) for the relief of Tadeusz Gasowski, introduced by Mr. MOODY, was read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. MOODY is as follows:

STATEMENT BY JOHN J. NAJDUCH, REPORTER, STAFF OF THE DETROIT NEWS

Tadeusz Gasowski was a Polish soldier when the Nazis invaded Poland in September 1939. When the Red armies joined in the attack from the rear, he, like much of the Polish Army, had to escape the trap through Rumania.

He worked his way to France, where he enlisted in the newly formed Polish Army and fought against the Germans until he was forced into the sea. Saved, he enlisted in the Polish Navy and was attached to the British fleet.

General Sikorski, general of the Polish armies, selected him for several special missions of vast importance to the Allies.

When the war ended in 1945 he found himself without a country, since the British were trying to force the Poles to return to Poland, although he was one of those marked for death by the Red-dominated Polish Government.

He sought a visa to the United States, but after delays of more than a year he could wait no longer. He took a ship to Brazil and thence to Argentina. When he could not find a job there he secured a position on a Swedish ship. He was discharged with most of the crew in Boston, and there he stayed.

This was in 1948. It was illegal entry, of course, and now he faces deportation.

His case came to light when he tried to enlist in the United States Army at the beginning of the Korean war. He held a good job, but he believed he owed this country a responsibility.

He still holds a good job, is well liked by the people who know him, and would make a good addition to this country.

INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENTS

Mr. BRIDGES (for himself and Mr. FERGUSON) submitted two amendments intended to be proposed by them, jointly, to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, which were ordered to lie on the table.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND JUDICIARY APPROPRIATIONS—AMENDMENTS

Mr. CASE submitted amendments intended to be proposed by him to the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO EXEMPTION FROM TAXES OF CERTAIN RECREATION FACILITIES—AMENDMENT

Mr. WILEY. Mr. President, I submit for appropriate reference a noncontroversial amendment intended to be proposed by me to the bill (H. R. 5734) to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein. The amendment is identical to House bill 6583, introduced by Representative NOBLE GREGORY.

The purpose of the amendment is to extend a deadline for the application for renegotiation rebates.

There is no objection on the part of any of the Government agencies, the General Services Administration, the Bureau of Internal Revenue, or the Bureau of the Budget, which I have contacted, thus far on this issue.

The amendment in effect merely provides for the protection of the rights of companies which have not filed for such rebate because the previous provision for deadline extension in their behalf was offered as a relatively obscure amendment to the Income Tax Law of 1951 and the deadline was reached but a short time after the law was enacted.

I ask unanimous consent that the amendment be printed at this point in the body of the RECORD.

It is my earnest hope that the Senate Finance Committee will adopt the amendment to H. R. 5734, when the bill comes over from the House side, and that it will clear both Chambers well in time prior to the recess.

There being no objection, the amendment was referred to the Committee on Finance, ordered to be printed, and to be printed in the RECORD, as follows:

At the end of the bill add a new section as follows:

"SEC. 2. Subsection (a) (4) (D) of the Renegotiation Act, as amended by section 201 (c) of the Renegotiation Act of 1951 and by section 617 of the Revenue Act of 1951, is hereby amended by striking out 'October 31, 1951' and inserting in lieu thereof 'December 31, 1952'."

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Public Works:

H. R. 6007. An act to authorize the improvement of Humboldt Bay, Calif., as recommended by the Chief of Engineers in House Document No. 143, Eighty-second Congress, first session;

H. R. 6175. An act to provide for a preliminary examination and survey of Port Mansfield Harbor in Texas and the channel connecting such harbor to the Gulf of Mexico for the purpose of determining action necessary to enable such harbor and channel to accommodate deep-draft navigation;

H. R. 6812. An act to provide that the existing project for a navigation channel on the Guadalupe River, Tex., be incorporated with and made a part of the project for the Gulf Intracoastal Waterway; and

H. R. 7855. An act for improvement of Gowanus Creek Channel, N. Y.

REPUBLIC OF INDIA—CORRECTION AND REPRINTING OF CONCURRENT RESOLUTION

Mr. SMITH of New Jersey. Mr. President, on June 5, along with several other Members of the Senate, I submitted Senate Concurrent Resolution 82, relating to our relations with the Republic of India. On June 6, the following day, I made two corrections in that resolution. I understand that a number of requests are being made for copies of the resolution but that the only ones that have been printed are the uncorrected versions. I ask unanimous consent that permission be given to print the resolution in its corrected form.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Jersey? The Chair hears none, and it is so ordered.

PRINTING OF COMPARISON OF POTENTIAL VOTERS AND ACTUAL VOTES CAST BY COUNTIES IN EACH STATE—(S. DOC. NO. 150)

Mr. BREWSTER. Mr. President, 45,000,000 eligible voters did not choose to vote in 1948—48 percent of the potential vote of the country. This was the lowest percentage of participation in many years—52 percent.

Apathy and indifference on the part of the voters can destroy representative government. A stimulated and aroused electorate can do much to preserve this Republic. Thousands of our leading citizens are disturbed by the decreasing percentage of participation in our elections.

The response to a tabulation of figures which I placed in the RECORD of April 8, 1948, showing a comparison of potential voters and actual votes cast in 1944 and 1948 for each State resulted in requests that required the subsequent printing of 100,000 copies to supply the demands.

The American Press, a monthly magazine for home-town newspapers, conducted a get-out-the-vote contest in 1950 which was based on giving awards to those weekly, semiweekly, and triweekly newspapers which, in the opinion of competent judges, did most to stimulate voting in their communities on November 7, 1950. This magazine used the tabulation referred to above to show the voting situation in 1944 and 1948.

This contest elicited much praise from governors, Senators, Congressmen, business and labor leaders, and I ask to have included at the conclusion of these remarks that portion of the article appearing on pages 14, 15, and 34 of the September issue—1950—which contains the statements of many of these leaders.

The VICE PRESIDENT. Without objection, the excerpts may be printed in the RECORD, as requested by the Senator from Maine.

(See exhibit 1.)

Mr. BREWSTER. I may interpolate that one of the statements is by the present Governor of Maine, who demonstrated the wisdom of this stimulated vote, because while I received more votes than any Republican ever received before in a primary, he received a few more. That was the result of a get-out-the-vote campaign. I feel rather like a Daniel Come To Judgment in urging that we proceed along this line to continue to get out the vote.

With almost every State political organization functioning as a county unit numerous requests were received asking for a similar comparison for their respective counties. Mr. L. W. Jeffery, who prepared the table on comparison of 1944 and 1948 votes, replied to these requests as far as possible. As a result of this interest—requests are still being received—and because of his keen interest in the subject, Mr. Jeffery has begun preparation of figures showing for each county in every State the potential voters as shown in the 1950 census and the vote cast for President in 1948 and the votes cast for Senator or governor whichever was the greater in 1950. Where no senatorial or governor contest was held the figures used are the total votes cast for all Members of Congress in the respective counties.

It has been impossible for Mr. Jeffery to complete this work because the figures are not all yet available from the Census Bureau. It has been my intention when completed to ask permission to have this tabulation printed as a Senate document. Owing to the fact that Congress anticipates an adjournment before this work can be completed I respectfully request that permission be granted to have a Senate document printed containing this information, after adjournment and at such time as all the figures are available.

I believe that with the cooperation of the printing clerk that this can be accomplished in time to be of great service to all those service clubs and other civic organizations that are now awake to this peril to our Republic.

I think Mr. L. W. Jeffery is to be highly commended for the great amount of time and effort he has put into making this compilation.

I can think of no greater service that this body can render to the citizens of this Nation than to make available to their elected officials, to political leaders regardless of party, to civic and business organizations, all possible material which will be helpful in their fight against the apathy and indifference which has been developing among the electorate.

I have before me a "mockup" of the proposed publication. I have discussed it with Mr. IVES, the printing clerk of the Senate, who feels that the work can be readily done within the 50-page limit, which is the limitation with respect to Senate documents without further reference.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. HAYDEN. The Senator from Maine has spoken to me about the proposed printing. I think this is a highly important document, and that it ought to be printed.

The VICE PRESIDENT. Without objection, the matter referred to will be printed as a Senate document.

EXHIBIT 1

GOVERNORS, CONGRESSMEN, BUSINESS, LABOR LEADERS PRAISE GET-OUT-THE-VOTE PLAN

Expressing the conviction that democracy can be greatly strengthened if weekly newspaper editors throughout the Nation will enter the American press' Get-out-the-vote contest, and thereby compete to see who can do the most to stimulate voting, letters praising the program have been pouring in from leaders of government and business.

Deeply concerned over the drastic decline in voting in recent years, State governors, Congressmen, and other public figures have stressed the vital importance of voting and the part that weekly newspapers can play in getting people to vote.

Bernard M. Baruch, known as the adviser to Presidents, summarized the opinion of many when he wrote:

"The man or woman who does not vote, does not deserve to be a citizen."

The get-out-the-vote contest, described in detail elsewhere in this issue, is based on giving awards to those weekly, semiweekly, and triweekly newspapers which, in the opinions of competent judges, do the most between now and November 7 to stimulate voting in their communities.

Excerpts from some of the many letters received by the American press regarding the contest follow:

COMMENTS FROM STATE GOVERNORS

Governor James E. Folsom, of Alabama: "I am especially pleased to learn of your efforts in behalf of a get-out-the-vote contest. During recent months in Alabama, we have carried on an extensive similar campaign. Efforts were exerted to get people to register before the deadline, and then focus was put upon a get-out-to-vote plan. Always the drive was to increase the number of the electorate. I believe that is good democracy. That is why I am so glad to hear of your plans to get local newspaper editors to join you in a broad national scheme designed to arouse interest in our people in the democracy of voting. I trust that you will enjoy bountiful success."

Gov. Sid McGrath, of Arkansas: "I wish you every success in your worth-while endeavor. The keystone in the arch of democracy is the right of the people to express their choice by secret ballot. The greatest enemy of a free people is the lack of interest in decisions which vitally affect them. Citizens of the recently liberated countries of the world who know first-hand the effect of disfranchisement welcome the return of the ballot by almost 100-percent participation in elections. Their example should teach us to exercise this precious right—or face the consequences."

Gov. Earl Warren, of California: "I wish there was some way in which we might fill the mind of every Californian with an understanding of the sacredness of the right which he is able to exercise with such ease. Men have fought and died for that right and there are places in the world today where men will still have to fight and die to restore that which has been lost to them through lack of vigilance. The privilege of voting is a privilege nourished by use. It is entrusted to the individual alone, to cherish and to exercise. Its importance transcends the ambitions of any and all candidates."

Gov. Walter W. Johnson, of Colorado: "My compliments and congratulations to the American Press for the contest you are sponsoring. To me there is nothing more important in the political life of our country than to see that every individual who has the right should cast his or her ballot."

Gov. Herman E. Talmadge, of Georgia: "The most far-reaching issues ever before the American people are being decided by local, State, and National elections throughout the country. It is incumbent upon all good Americans to make their feelings felt in going to the polls and voting their convictions on election day. Blood has been spilled everywhere for this right. By exercising it, we can keep it—by treating it lightly, we will lose it."

Gov. Adlai E. Stevenson, of Illinois: "I applaud most heartily the effort which you are making to stimulate renewed interest in this most basic cornerstone of our political system. And I also know of no group which can do more to quicken this interest than the weekly newspapers of America. They are now—they always have been—on the firing line of democracy in action. The comfortable knowledge that the vote exists seems to cause too many of us fellow citizens to ignore the occasions for its actual exercise. Such indifference is not only dangerous to the continued strength and vigor of the political principle of self-government but, in the context of our time, it is a breach of faith with those who are defending that principle in a remote corner of the earth."

Gov. Frederick G. Payne, of Maine: "The American Press is to be commended very highly for this splendid contribution to furthering good government. It is my belief that through the concerted efforts of all our civic organizations, in conjunction with programs sponsored by our radios and newspapers, that the American people will realize the importance of doing something about voters' apathy, which has been very evident in recent elections. We must all make use of this right to insure the future of our country."

Gov. G. Mennen Williams, of Michigan: "In a democracy like ours it is the duty of every citizen to exercise his right to vote. The low percentage of eligible voters who turn out to express their wishes at the polls has long been a matter of national concern. Any effort to impress our citizens with the fact that it is not only their right but their responsibility to vote on election day meets with my hearty approval."

Gov. Luther W. Youngdahl, of Minnesota: "I am pleased to note the plans of the American Press for a get-out-the-vote contest. The weekly newspaper editors of the Nation will contribute a high public service by joining in this important educational campaign to impress each American voter with the fact that he does a disservice to his country and to himself by his failure to vote. In these crucial days when democracy is endangered by an ideology that holds the right of free elections in contempt, it is tragic to find the great percentages of

qualified American voters who fail to exercise their franchise at the polls. This apathy, indifference, and neglect can undermine our heritage of 'government by the people' unless we take steps to overcome it."

Gov. John W. Bonner, of Montana: "I do feel that efforts along these and similar lines could and should be used on an extensive basis throughout the Nation to stimulate and encourage our citizens to go to the polls. Surely, the weekly newspaper editors of the country whose periodicals offer complete coverage of our rural areas could certainly do a splendid job of aiding in this work. Let me congratulate the American press for sponsoring this project."

Gov. Edward J. Reichart, of New Hampshire: "I think the idea is a fine one and hope that some tangible results can be achieved through this program."

Gov. Thomas J. Mabry, of New Mexico: "I want to congratulate your organization on the plan to award plaques to newspapers for distinguished achievement in getting out the vote. I believe this is a very worthwhile movement and will be productive of beneficial results. Public officials have, in many cases, been elected by a minority of the eligible voters. This is a condition that the people, for their own protection, should not allow to continue."

Gov. Thomas E. Dewey, of New York: "Failure to perform your duty to register and vote causes your right to vote to become weaker. Power residing in the people tends to wither away by so much as they do not use that power. Someone will always exercise the power of government. In America that power must forever rest with the people. But it will be kept in the people only if they use it."

Gov. Frank J. Lausche, of Ohio: "Admittedly, the American citizen has been indifferent to his great privilege to participate in the formulation of governmental policies and the selection of public officials. Any course taken that will bring a greater number of people to the ballot box is a contribution to the stability and security of our country."

Gov. J. Strom Thurmond, of South Carolina: "We, Americans, cannot expect to withstand the onslaughts against our democracy from without, if we allow our own indifference to weaken it from within. Lack of interest in public affairs is far more dangerous to democracy than communism or any other 'ism.' It is encouraging, therefore, to learn that the American Press is sponsoring a contest among home-town newspapers to get out the vote in future elections. All Americans should wish you success."

Gov. Arthur B. Langlie, of Washington: "My sincere commendation to you and your associates on the nation-wide get-out-the-vote contest being sponsored by the American press. It has probably never been more important in our national history that every American citizen go to the polls. Every American owes it to his country and to himself to study all the issues on the ballot, to inform himself about the candidates and the programs they espouse, and then to cast an informed, conscientious vote. I hope your contest will be most successful."

Gov. Oscar Rennebohm, of Wisconsin: "I am happy to learn of your project to stimulate a greater interest in civic affairs in this country. It is my opinion that the weekly newspaper editors of the United States can be a great force in improving our democracy if they will take an active interest in stimulating their readers to vote and participate in public affairs."

COMMENTS OF MEMBERS OF CONGRESS

Senator WILLIAM LANGER, of North Dakota: "You have a wonderful idea and I am 100 percent for it. The lack of interest shown by the voters in some regions certainly calls for some remedial action and I believe you have started a very good plan to familiarize the people with the importance of this great American privilege."

Senator LESTER C. HUNT, of Wyoming: The get-out-the-vote contest by the American press is a commendable effort to bring to the people their most important responsibility in our Government, that of voting. Constructive criticisms and suggestions by our people are a guide to Government activities, but no force of public opinion is greater than that expressed at the polls."

Senator HOMER FERGUSON, of Michigan: "I think this is a very fine undertaking on your part and I am sure it will prove exceedingly helpful in stimulating the interest of the American voters in this coming campaign. It is a fine public service you are rendering and I want to congratulate you on it."

Senator ROBERT C. HENDRICKSON, of New Jersey: "I want to commend you for giving this very important matter your personal attention as I am of the firm conviction that the apathy of our citizens in regard to elections is, to say the least, unpatriotic. Active participation in elections at all levels is a solemn duty and responsibility which must be assumed and discharged by all who believe in the ideals and principles of representative government."

Senator LEVERETT SALTONSTALL, of Massachusetts: "I believe the 'get-out-the-vote' contest currently being sponsored by the American Press deserves the highest praise and the participation of every newspaper and newspaper publisher sincerely concerned with our national political health and future. Nothing is more important in the effective functioning of a democracy than the maximum participation of those of our citizens eligible to vote. Let me stress especially, as a most important practical matter, the necessity of registration. Unless every citizen registers first, it is impossible for him or her to vote. Registration is the necessary first step in the casting of the ballot. I hope the American Press will receive an overwhelming response to its invitation to the Nation's press to participate in this 'get-out-the-vote' contest. I hope, too, that it will be the forerunner of a new awakening of our people to the deep significance of our birthright of the ballot."

Senator ROBERT A. TAFT, of Ohio: "I think any project which would stimulate the people to vote would be very helpful, and I am convinced that unless the people take an interest in their Government, they will lose control of it. With best wishes."

Senator ELBERT D. THOMAS, of Utah: "When one realizes how long men have fought for the right to vote, one can hardly believe that those who have the right fail to embrace it. I am sure that it is just the thoughtless in America who do not vote."

Senator RALPH E. FLANDERS, of Vermont: "The contest which you are sponsoring for getting out the vote does credit to your patriotism as well as your enterprise. There is nothing more important in carrying out the responsibilities of citizenship than the simple act of going to the polls on election day. I have been told that the citizen in Belgium is subject to a fine if he doesn't cast his vote. We do not have that provision here. There should be a sufficient sense of conscience in this matter so that the appeal of the papers you represent will be effective in bringing out a high percentage of the American electorate of all parties."

Senator JOHN SPARKMAN, of Alabama: "This is an excellent public service on your part and I want to commend you for it. The privilege of voting is one for which most Americans would fight if necessary. Yet, when time comes to exercise that privilege, far too many qualified American citizens fail to use it. This neglect of one of the strongest bulwarks of American democracy is a constant threat to stable government and to the Nation itself."

Senator WARREN MAGNUSON, of Washington: "This is a most worthy effort. The system of government in which Americans take such pride actually is as good as they make it through their own interest and participation. We prove that interest by going to the polls. The free ballot is something this Nation has paid dearly to gain. Everyone should make the effort to keep it—by using it."

Senator THEODORE FRANCIS GREEN, of Rhode Island: "Such a contest is probably valuable in attracting attention to this important subject. I do not think the American public needs to be convinced of its importance, but simply aroused to the need of present attention. However, anything that results in improvement of the percentage of voters—regardless of how they vote—is worth while."

Representative CHARLES R. HOWELL, of New Jersey: "The American press deserves the highest praise for its initiative in sponsoring such a worth-while contest. I endorse the program you have outlined and wish you every possible success. When one analyzes historically the voting trend in so-called off-year elections in this country, it would appear that the United States is losing democracy by default. I urge every American citizen to be sure to register for the fall elections, and once registered, to be sure to vote on November 7."

Representative J. K. JAVITS, of New York: "As the author of House Resolution 641 seeking a congressional investigation of why people do not vote, let me emphasize how important it is that the vote be gotten out through such efforts as you are sponsoring. Secondly, I would like to point out to our people that America's responsibilities in the world are so great that we must get the greatest collective judgment and collective responsibility in the interests of our peace and security. How can we expect the other peoples of the world to believe in our good faith and in the judgment of our people if they do not come out to manifest and exercise it on election day? No, the duty to vote goes far beyond civic duties and is now a question of the highest patriotism."

Representative JOHN P. DAVIES, of New York: "The American Press is to be commended for the sponsorship of the get-out-the-vote contest. Never before in our history has it been so vital that every eligible person exercise his blood-bought privilege of voting. Remember if you are casual about voting today, you may be a casualty tomorrow."

Senator BRIEN MCMAHON, of Connecticut: "Voting is the highest privilege of citizenship. In fact, the use of the ballot is the very foundation stone of democracy. The total number of votes has fallen off alarmingly in some recent national elections. When this happens, democracy is in danger. It is my earnest wish that each citizen will do his primary patriotic duty next November by voting."

Senator CLYDE R. HOEY, of North Carolina: "I think your effort to interest the American citizen in voting is most commendable. Certainly participation by as many people as possible in government adds to the strength of our democracy. I congratulate you upon the effort which you are putting forth to secure a larger participation on the part of the people in our Government."

COMMENTS FROM BUSINESS AND LABOR LEADERS

Capt. Eddie Rickenbacker, president and general manager of Eastern Air Lines, Inc., and well-known air war hero: "Your campaign to get out the vote is most commendable. Citizens who fail to exercise their prerogative to select able leaders for their city, county, State, and National Governments are not only breaking faith with those American men and women pioneers who built this great Nation but they are failing their children—and the generations to come."

E. S. Bowerfind, director of public relations, Republic Steel Corp.: "You are certainly carrying on a very useful and worthwhile promotion in sponsoring this contest. Too many of us have been too careless about exercising our greatest privilege, namely, voting."

Claude A. Putnam, president, National Association of Manufacturers: "Democracy compels very little. Democracy depends mostly on voluntary support from those who share the abundance of blessings she bears. The least every one of us can do to keep democracy healthy in America is to vote—to vote as we choose, for the candidate of our choice, after carefully studying the records and programs of those standing for election, no matter what office they seek."

William Green, president, American Federation of Labor: "The idea which is reflected in your contest is commendable, and I heartily approve it. The one thing we need to do in the political campaign is to concentrate our efforts to prevail upon working men and women to vote. If we can get them to put their votes in the ballot box, we can win in almost all the States where we carry on political campaigns."

Walter P. Marshall, president, the Western Union Telegraph Co.: "I heartily applaud the announced objectives of your campaign, which I am confident, will have the support of all thoughtful citizens. Please accept my sincere good wishes for the substantial degree of acceptance and success your public-spirited campaign deserves."

E. V. Lahey, chairman and president, United States Brewers Foundation, Inc.: "The right to vote is one of the great privileges of citizenship. In a democracy such as ours, it is only through the ballot that the people may exercise their constitutional right to govern. If we fail to exercise this right, we may eventually lose it. I believe you are performing a valuable public service in impressing upon your readers the importance of voting at all elections and I wish you success in your work."

CHAIRMEN OF BOTH MAJOR POLITICAL PARTIES SEE CONTEST AS SERVICE TO COUNTRY

Both political parties attach equal importance to the get-out-the-vote contest being sponsored by the American Press, it is indicated by letters received from the chairman of each party. The comments follow:

Guy George Gabrielson, chairman, Republican National Committee: "May I take this opportunity to congratulate you on a program which should be of enormous service to our country. Our Republic can survive only if we, as freemen, faithfully fulfill our primary civic duty—our obligation to vote. It is an appalling tragedy—it is a reflection on both our citizenry and our candidates—that 45,000,000 Americans eligible to vote failed to do so in the 1948 election. In view of world turbulence and the certain drift toward world war III, the American people even yet may have time to choose their own weapons—bullets or ballots. I hold it is the most solemn of obligations for each of us to ponder well the problem our country faces and issue ballot commands to our leaders. We must arm ourselves with this weapon lest we lose our way of life."

William M. Boyle, Jr., chairman, Democratic National Committee: "At a time when the whole concept of democracy, as we in the United States understand it, is under challenge all over the world by the forces of communism, I can think of nothing more important than an all-out nonpartisan effort to have a truly representative vote in the 1950 congressional elections. I believe the get-out-the-vote contest being conducted by the American Press is a fine contribution toward this goal and I hope it is highly successful."

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Anthony J. Teti, to be postmaster at Toughkenamon, Pa., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

Phelps Phelps, of New York, to be Ambassador Extraordinary and Plenipotentiary to the Dominican Republic, vice Ralph H. Ackerman, resigned;

Angus Ward, of Michigan, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Afghanistan, vice George R. Merrell; and

Julian F. Harrington, of Massachusetts, a Foreign Service officer of the class of career minister and a secretary in the diplomatic service, to be also a consul general of the United States of America;

William J. Barnsdale, of California, a Foreign Service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America; and

Eugene V. Prostov, of the District of Columbia, a Foreign Service Staff officer to be a consul of the United States of America.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. SMITH of New Jersey:

Address delivered by him before the American Committee for the Independence of Armenia at its second annual dinner commemorating Armenian Independence Day.

By Mr. MARTIN:

Text of radio broadcast by him of program No. 62 in the series entitled "Happenings in Washington."

By Mr. GILLETTE:

Editorial entitled "Korea Helped Make Free World Strong," published in the Des Moines Register of June 21, 1952.

By Mr. WILEY:

Memorandum of American Bar Association in support of the resolution of the Association regarding appointments to the Federal judiciary.

By Mr. IVES:

Editorial entitled "An American Foreign Policy," published in the New York Times of June 25, 1952.

By Mr. LEHMAN:

Editorial entitled "Colony or Commonwealth," published in the New York Times of June 25, 1952, and an editorial entitled "Nullification," published in the Washington Post of June 25, 1952.

By Mr. BENTON:

Article entitled "Steel Agreement Reached, Dropped," written by Joseph Loftus, and published in the New York Times of June 25, 1952, relating to the steel strike.

DEATH OF FORMER SENATOR AND REPRESENTATIVE JAMES W. WADSWORTH, OF NEW YORK

Mr. MONRONEY. Mr. President, at 5:30 this afternoon one of the greatest and most distinguished legislators in the history of our country will be buried, the Honorable James W. Wadsworth. Mr. Wadsworth served two terms in the Senate and nine terms in the House of Representatives.

His contributions to two world wars in the service of his country have been tremendous. He himself was a veteran of the Spanish-American War. During World War I, Mr. Wadsworth served as Chairman of the Senate Committee on Military Affairs. In World War II, he rendered outstanding service in the legislative field at a time when most members of the Government and the administration were fearful of the effect of the proposed draft act.

Representative Wadsworth sponsored the Selective Service Act and was instrumental in its passage more than 15 months before the outbreak of World War II at Pearl Harbor. It was his foresight and diligence in proposing the enactment of that legislation which helped to give America the early start it had and helped to bring about military victory as a result of our preparedness.

Mr. Wadsworth was a believer in the strength of our country in seeking victory for democracy. One of his last great and courageous acts was his service again for his country after his retirement, following a distinguished career in both Houses of Congress, in the sponsorship of universal military training. Despite the advice of physicians to care for his physical condition, Mr. Wadsworth stayed on the job to make a report on universal military training.

Mr. President, at this time I ask unanimous consent to have incorporated as a part of my remarks editorials regarding Mr. Wadsworth published in the Washington Post, the Washington Star, and the Washington Daily News.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 24, 1952]

JAMES W. WADSWORTH

The death of James W. Wadsworth removes from the American political scene one of the Nation's most effective advocates of a strong defense system and a man of great skill and experience as a legislative leader. He campaigned intelligently and effectively for a powerful military defense long before it was popular to do so. As a member of the Senate he advocated selective service before the United States entered World War I and as a member of the House he advocated it again before World War II. The able report of the National Security Training Commission, of which he was chairman by appointment of President Truman, is the basis for the present proposal for universal training.

While he came to believe firmly in international cooperation, his strong conservative instincts and party loyalty led him to oppose the League of Nations and the World Court and to advocate high tariffs. He had an abiding interest in agriculture and gave his support to many causes to aid the farmer. He strongly objected, however, to interference

by the Federal Government in farm affairs. He was an early opponent of woman suffrage and prohibition, and in 1926, having incurred labor's opposition, lost the Senate seat he had held since 1914. After 6 years on his enormous ancestral farm in New York he won election to the House in 1932 and served until his retirement in 1950. He was in Congress a total of 30 years and was one of the three men in our history who served first in the Senate and later in the House. Mr. Wadsworth was a disciple of Elihu Root, whom he succeeded in the Senate. He fought most of the New Deal and Fair Deal proposals, but his support of recent administration foreign and defense policies was of inestimable value in the struggle to make this country militarily secure.

Mr. Wadsworth will be remembered on Capitol Hill with admiration and affection, for he was no stiff-necked aristocrat, but a warm and engaging person, a man who almost reached the heights—he was several times mentioned for the Presidency—but was content to serve his country wherever it was possible for him to do so.

[From the Washington Evening Star of June 23, 1952]

MR. WADSWORTH

Probably James Wolcott Wadsworth, Jr., will be remembered longest for his work in behalf of preparedness. It was a basic principle with him that America should be strong enough to stand alone in a chaotic and hostile world. Lacking confidence in made-to-order schemes of universal pacification, he argued that the military power of the United States should be maintained at its most effective apex. During more than half of his career he specialized in legislation relating to the development of a citizen army and navy. He worked and fought for universal military training even when it was most unpopular.

Mr. Wadsworth himself was a soldier. The family to which he belonged is a dynasty of public servants tracing back to colonial times, and he was a worthy scion of the clan. Born in the beautiful Geneseo Valley in 1877, he went to Cuba and the Philippines at 21, was a member of the New York State Legislature at 25, a member of the United States Senate at 37. In the latter position he served two very busy terms. Then, defeated largely because of his opposition to prohibition, he sought election to the House of Representatives and became one of its most distinguished personalities in 1932. Until his retirement in 1950—and even afterward as a private citizen—he was a respected authority in the fields in which he specialized. The first and foremost of these was national defense, but he also labored constructively in foreign and domestic commerce, labor relations, interior affairs, and agriculture. A conservative by conviction as well as by birth and breeding, he opposed certain liberal and progressive movements because he simply did not believe that they could be made to stick. Much of the New Deal was distasteful to him, but prior to and during World War II he supported the foreign policies of the Roosevelt-Truman administrations, and they depended on him for the unpleasant sponsorship of the selective draft legislation. Even before Pearl Harbor he called for national unity behind lend-lease.

Tall, quiet, polite, a helpful neighbor, Washington counted him among its most interesting residents. He has left his mark in Congress—a man who won deep respect for the courage of his convictions, when many of his convictions were unpopular and politically dangerous.

[From the Washington Daily News of June 23, 1952]

WADSWORTH, STATESMAN

James Wadsworth could change his mind, as any wise man can. But when he had made it up, he stood like a rock for what he believed was right no matter how large the majority against him.

This distinguished public servant, who died Saturday at 74, once lost his Senate seat because he refused to approve the prohibition amendment. He fought for aviation when most people sneered at it. Though once an isolationist, he was one of the first to realize the threat of Hitlerism, and advocated preparedness when most Americans were complacent.

He saw years ago that universal military training is the soundest foundation for our security, and was still fighting for it when stricken by his fatal illness.

Jim Wadsworth was a great American. He never trimmed his sails.

AWARD OF CERTIFICATE OF MERIT TO DEAN S. S. STEINBERG

Mr. O'CONOR. Mr. President, when outstanding achievements for the welfare of human kind are recognized, it is an incentive to other citizens, as well as a just recognition of the abilities of the individual concerned.

Such a gratifying development has just occurred in the presidential award made to Dean S. S. Steinberg of the University of Maryland School of Engineering. Dean Steinberg has long been known to me as an educator of unusual attainments, a public-spirited citizen, and a well-qualified ambassador to other countries of the Western Hemisphere which he has visited in an official capacity.

I rejoice in the honor accorded him, and request unanimous consent that an article in the Baltimore Evening Sun of June 13, 1952, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRUMAN HONORS DEAN S. S. STEINBERG

COLLEGE PARK, MD., June 13.—Dean S. S. Steinberg, of the University of Maryland College of Engineering, has been awarded a special certificate of merit by order of President Truman for his outstanding contribution as chairman of the Committee on Education of the President's Conference on Industrial Safety, according to an announcement.

The presentation was made by Maurice J. Tobin, Secretary of Labor, during the conference at which the President praised the University of Maryland for its program of integration of safety into the engineering curricula.

COMPLETION AND DELIVERY OF LINER "UNITED STATES"

Mr. O'CONOR. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks a statement which I have prepared regarding the completion and delivery of the new superliner, *United States*, now entering the oceanic service under the operation of the United States Lines.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR O'CONOR

Secretary of Commerce Charles Sawyer deserves the gratitude of the citizenry of this Nation for his forthright attitude supporting the completion and delivery of the new superliner, the *United States*, now entering the oceanic service under the operation of the United States Lines. Secretary Sawyer has exhibited commendable courage in preventing undue delay and difficulty in the initiation of service of this much-needed addition to our maritime fleet.

One of the immediate needs of the American merchant marine, as we have pointed out upon the Senate floor on numerous occasions during recent years, is a fleet of modern, fast, passenger vessels capable of conversion to troop carriers in an emergency.

This need was stressed when our first long-range shipping bill was introduced several years ago. Throughout all the hearings on this bill before the subcommittee during the present and previous Congresses we have continued to stress this need. It has been generally conceded that other nations not only are better prepared at this time in the matter of troop-transport facilities, but their construction program has consistently kept ahead of that of the United States.

One of the points that it seems to me pertinent to keep ever in mind is that we might not always have available passenger liners from other nations as was the case in World War II. It is a dangerous policy to count upon any such contingency, just as I think it is contrary to sound reason to neglect the dry-cargo phase of the American shipping in the hope that, in an emergency, there will be sufficient shipping owned by friendly nations that can be borrowed.

I take occasion to stress the present condition of affairs at the very time when the magnificent modern liner, the *United States*, is to start upon regular trips overseas. Anyone so fortunate as to be able to see and inspect this great ship would agree that we now have realized the ideal of a speedy, thoroughly modern passenger liner that would be available for troop transport should the need arise.

In the past, on frequent occasions, it has been necessary to carry overseas thousands of American fighting men in unsatisfactory transports. In many cases the ships were too slow to offer any security against attacking submarines, while living conditions aboard them ofttimes were such as to be unworthy of American patriots who were offering their lives to preserve the Nation's security.

Let it be remembered also about World Wars I and II, that even though there were on both occasions more passenger liners available than we have now, the supply was thoroughly inadequate. The men carried aboard these ships were aware of the hazards they were facing due to lack of speed, a fact which certainly did nothing to bolster their morale.

All this has been kept uppermost in mind in the design and construction of the steamship *United States*. The largest ship ever built in this country, with a gross tonnage of 51,500 tons, it can be converted rapidly, should occasion arise, into a troop transport that would house with reasonable comfort 12,000 to 14,000 members of the Armed Forces.

Capable of a speed in excess of 30 knots, and structurally designed for utmost safety, it represents the most advanced ideas along such lines. Its extra speed and ease of maneuverability, combined with its exceptional cruising range, make it an extraordinarily

efficient addition to our peacetime and wartime fleets.

Thus its completion is in furtherance of the objective we had in mind in proposing the long-range shipping bill. While it does not by any means give us the total troop-carrying capacity that will be urgently needed in any sudden emergency, it does add greatly to present facilities and it furnishes a standard of design and usability that will be of tremendous help in accelerating construction of other fast passenger liners in the future.

In the two wars that have been fought by this country, and during the present hostilities in Korea, the United States fortunately has gotten away from the policy of looking at our fighting men as so many objects to be transported by whatever means were available, without any particular regard to convenience or safety. The steamship *United States* gives to this Nation the No. 1 troop transport in existence in the world today. Our maritime officials and all who assisted in the design and construction of this great vessel deserve congratulations and the appreciation of all citizens.

My one regret with regard to this magnificent new vessel is that it is but a single ship rather than an entire new fleet of passenger ships. I sincerely hope that the long-range shipping bill, now pending in the House, will be passed speedily and differences with the Senate version resolved so that, with the steamship *United States* as an inspiration, our American shipping industry and ship construction facilities will be given the needed stimulus to initiate construction of other vessels of this general type.

No one can say when, if ever, it may be necessary to draft all the passenger-carrying capacity at the Nation's command for military purposes. It can be said with certainty, however, that such a need today would find us very greatly unprepared, even with this splendid new ship which is now ready to be put into active service.

It cannot be emphasized too strongly that this country needs a number of fast modern vessels. Unless the Congress acts quickly, to make possible their construction, we will be laying the country open to danger in the event of sudden hostilities.

EXTENSION OF TERM OF CERTAIN PATENTS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1537) to amend the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II," which was, to strike out all after the enacting clause and insert:

That the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II," approved June 30, 1950 (Public Law 598, 81st Cong.), is amended by adding at the end thereof the following new section:

"SEC. 5. (a) No person shall be held not to be the sole owner of a patent within the meaning of this act, by reason of any interest of his spouse in such patent.

"(b) Notwithstanding the provisions of the first section fixing the time for filing application for an extension under this act, such application, in the case of any patent held by the applicant and his spouse may be filed at any time within 6 months following the date of enactment of this section."

Mr. McCARRAN. Mr. President, this bill was passed by the Senate on May 1, 1952, and has been amended by the House.

The bill concerns patents in which a husband and wife may share an interest.

A comparative study of the bill, as passed by the Senate, with the amendment of the House, indicates that there is no substantial difference between the two versions except that the House provides a 6-month time limit for filing an application for an extension of a patent, while the Senate bill made this time limit 1 year. The House provision seems unobjectionable.

I therefore move that the Senate concur in the amendment of the House.

The motion was agreed to.

The VICE PRESIDENT. The Chair calls attention to the fact that House bill 4413, relating to the same subject is on the Clerk's desk. Does the Senator from Nevada wish to have the House bill indefinitely postponed?

Mr. McCARRAN. I move that House bill 4413 be indefinitely postponed.

The motion was agreed to; and the bill (H. R. 4413) to amend the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II," was indefinitely postponed.

AMENDMENT OF CODE RELATING TO THEFT OR RECEIPT OF STOLEN MAIL MATTER

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2198) to amend section 1708 of title 18, United States Code, relating to the theft or receipt of stolen mail matter generally, which were, in line 4, strike out "striking out" and insert "changing"; in line 4, after "semicolon", insert "to a period", and in line 5, after "and", insert "by striking out."

Mr. McCARRAN. Mr. President, the House has approved the bill with an amendment which is entirely technical and does not change in any way the sense of the action taken by the Senate.

Therefore, Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the concurrent resolution (H. Con. Res. 191) favoring the granting of the status of permanent residence to certain aliens, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCARRAN. Mr. President, this is a routine concurrent resolution relating to the adjustment of status of certain displaced persons. The resolution originated in the House. In the Senate, it was amended to eliminate the names of certain persons, on the basis of information available to the Senate committee or questions raised in the Senate committee. The House has disagreed to the Senate amendments and has appointed conferees.

Mr. President, I move that the Senate insist on its amendments, agree to the request of the House for a conference on House Concurrent Resolution 191, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. McCARRAN, Mr. EASTLAND, Mr. SMITH of North Carolina, Mr. FERGUSON, and Mr. JENNER conferees on the part of the Senate.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the concurrent resolution (H. Con. Res. 206) favoring the granting of the status of permanent residence to certain aliens, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCARRAN. Mr. President, this is another concurrent resolution relating to the adjustment of status of displaced persons. It is the same kind of a resolution as House Concurrent Resolution 191. The situation with regard to this resolution is also the same. Accordingly, Mr. President, I move that the Senate insist on its amendments, agree to the request of the House for a conference on House Concurrent Resolution 206, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. McCARRAN, Mr. EASTLAND, Mr. SMITH of North Carolina, Mr. FERGUSON, and Mr. JENNER conferees on the part of the Senate.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 72) favoring the suspension of deportation of certain aliens, which was, on page 5, to strike out line 4.

Mr. McCARRAN. Mr. President, the House has amended this resolution by striking the name of one alien, whose case has been withdrawn by the Attorney General, after the resolution was agreed to by the Senate.

Since the resolution was approved by the Senate the Immigration and Naturalization Service has asked the withdrawal of an additional name. I am advised the other body will not object to this.

Therefore, Mr. President, I move that the Senate concur in the amendment of the House to Senate Concurrent Resolution 72, with a further amendment as follows: On page 14, strike out line 18.

The motion was agreed to.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1953

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, H. R. 7176.

The Senate resumed the consideration of the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes.

The VICE PRESIDENT. The Secretary will state the first amendment of the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Department of the Interior—Office of the Secretary—Enforcement of Connally Hot Oil Act," on page 2, line 2, after the word "only", to strike out "$170,000" and insert "$187,000."

REPUBLICAN FOREIGN POLICY PLANK

Mr. WILEY. Mr. President, I have prepared for submission to the resolutions committee of the Republican National Convention a series of suggestions with regard to the foreign-policy plank to be adopted by the Republican Party.

These suggestions are not intended to be all-inclusive, but I submit them as my frank judgment as one of the greatest single issues facing my party.

I feel very keenly on the importance of other platform planks, for example, a specific, dynamic farm plank which will spell hope and opportunity for America's great agricultural segment.

But I have confined my formal suggestions to the field of foreign policy in commenting to my good and able friend, the junior Senator from Colorado [Mr. MILLIKIN]—a man we are indeed fortunate to have as chairman of the resolutions committee.

THIS MUST BE A CHARTER OF OPPORTUNITY

It is said, Mr. President, that no one ever reads party platforms but the platform drafters themselves. But I say that the Republican platform of 1952 must be a well-read, well-understood, well-respected document. It must become a charter of the atomic age, a charter written in simple Anglo-Saxon terms, meaningful to the farmer at the crossroads and the garage mechanic and the housewife, a charter for the common man—yes, a charter which will spell hope, too, to all the peoples of the world, as a model of what this constitutional Republic can produce.

WE DO NOT WANT REPUBLICAN SCHISM

On the foreign policy issue, itself, I do not of course want to see a schismatic condition develop in my party, with two rival wings, one stressing international cooperation, the other stressing a so-called American "Gibraltar" concept—built, in my judgment, on sand.

I do not want to see such a schismatic condition destroy the opportunity for victory of my party this coming November.

I believe that such victory is urgently necessary, if we are to bring in the new blood, the new approach, the firmer hand at the helm in the next four crucial years.

But, in our earnest efforts to avoid a schism, I do not want to see our Republican Party adopt a platform, as some individuals seem to want, so weasel worded, so ambiguous, so based on an empty play of words, meaning all things to all men, that we break the heart of thinking Americans and of the thinking people in the world. These thinking people recognize that leadership against Soviet communism cannot be provided by weasel words and timid souls.

SOME PEOPLE LIVING IN DARK AGES

I do not want to see the Republican Party surrender to a small group of well-intentioned, but apparently medieval-minded men who are living in an intellectual dark age—in which the intercontinental supersonic airplane, the guided missile, the germ bomb, the atomic bomb, do not seem to exist; a medieval dark age which does not recognize America's crucial dependence upon foreign raw materials, much less her crucial dependence upon European manpower, factories, and spiritual aid.

I do not want to see the Republican Party surrender to spurious cure-all devices which are supposed to banish the sickness of communism from the world body, cure-alls like the phony remedy of airpower alone, which is supposed to win all wars at bargain basement prices, with no sacrifice on our part.

NO MAGIC WAND CAN ELIMINATE FOREIGN SPENDING

I do not want to see the Republican Party delude the American people into thinking that by a wave of a magic wand, we can save billions of dollars overnight in foreign aid; whereas within the last month, not so much as one single Republican—or Democrat—in the Senate offered an amendment for formal vote to cut the mutual aid bill by more than a billion or so dollars below the amount recommended by the Senate Foreign Relations Committee.

WE HAVE VOTED FOR BIPARTISAN POLICY

I do not want to see the Republican Party be guilty of complete inconsistency by condemning actions which we ourselves have voted for. It is a man's and a party's votes, not just his words, which count.

Only 10 Republicans voted against mutual aid when the conference report came up in the Senate, out of 46 Republicans in the Senate. The Senator from Ohio [Mr. TAFT] and other Senators, including myself, voted "yea." And every other single forward, international step—the United Nations Charter, the North Atlantic Treaty, has been supported overwhelmingly by the Republican Party.

LET'S DEBATE ISSUES, NOT PERSONALITIES

I do not want the Republican Party to attempt to climb to power by an unprincipled policy of pouring venom on individuals, on personalities, rather than by calm, reasoned analysis of issues and principles.

We Americans can, and must, get rid of the incompetent, the security risks, the disloyal individuals in Government—but we can do so in the traditional American way.

MILLIONS WILL SUPPORT US, BUT NOT FOR MUD-PIE THROWING

I know that there are millions of Americans who are ready, willing, and eager to switch from the Democratic Party or from independent ranks, and vote Republican, if we show that we are willing to rise to our responsibilities. This is indeed a time for greatness.

The millions will not, however, switch to our party and vote Republican if they think that we are mostly little boys who are capable only of making and hurling "mudpies," but not capable of leading the world—leading it at a time when it is threatened, not with just mass destruction of cities, but with the hydrogen bomb which can incinerate whole nations.

The Republican Party can be proud of its great contributions, its great leaders, its great history. We have fine candidates who can rise to great heights. But we Republicans can "snatch defeat from the jaws of victory," by mouthing of either meaningless generalities or irresponsible abuse which does not give the constructive solutions to the problems of our times, for which 100,000,000 voters hunger. I have not lost faith, I have faith in GENE MILLIKIN, in John Foster Dulles and our other platform writers.

I ask unanimous consent that the text of the series of suggestions which I have prepared for the Resolutions Committee be printed in the body of the CONGRESSIONAL RECORD at this point.

There being no objection, the suggestions were ordered to be printed in the RECORD, as follows:

RECOMMENDATIONS BY HON. ALEXANDER WILEY, OF WISCONSIN, RANKING REPUBLICAN, SENATE FOREIGN RELATIONS COMMITTEE, TO SENATOR EUGENE MILLIKIN, TEMPORARY CHAIRMAN, RESOLUTIONS COMMITTEE, REPUBLICAN NATIONAL CONVENTION

GENERAL OBSERVATIONS

1. The Republican foreign policy plank must be fundamentally constructive and forward-looking in its emphasis, not negative and purely backward-looking.

2. It must be specific on the points it recommends and endorses. Weasel-worded generalities capable of widely ambiguous interpretations must be avoided.

3. So, too, it should refer to specific shortcomings and mistakes of the administration's foreign policy. In so doing, it should neither overemphasize nor underemphasize those deficiencies.

4. It must radiate confidence to, and in our allies, demonstrating that there will be an unbroken continuity in the program of American leadership in collective security action and American spearheading of spiritual resistance to the Kremlin.

5. Conversely, it should provide no basis for encouragement to the Soviet Union that there will be an interruption of so much as 1 day or 1 month in constructive international cooperation—an interruption which the Soviets might otherwise exploit for their own purposes, let alone exploiting the possibility of any reversal of United States leadership policies.

6. Wherever foreign policy particularly strongly impinges on domestic policy, we should indicate our awareness of that fact. Thus, in our condemnation of the administration's inflationary spending policy, we should indicate unequivocally that this inflation at home has seriously reduced the effectiveness of America's aid program abroad.

7. The Republican platform in 1948 stated our intention to "invite the minority party to join us under the next Republican administration in stopping partisan politics at the water's edge." I believe a similar decisive affirmation of patriotic unity at the shore line is indispensable.

SPECIFIC AFFIRMATIVE SUGGESTIONS

1. We should state in clear, emphatic and unequivocal terms that the Republican Party intends to continue every constructive procedure, program, and technique by which the aggressive march of Soviet imperialism has been curbed and can be curbed in the future.

Specifically, this means our Republican Party pledges its continued effort to strengthen the United Nations so that it may more assuredly realize the hope of the world for the elimination of the possibility of world war III.

(a) The Republican Party further endorses the North Atlantic Treaty Organization as a regional instrumentality under the United Nations Charter for coping with the problem of Communist aggressive threats in Europe.

(b) Congratulates the countries of Western Europe on the splendid progress which they have made thus far in, (1) ratification of the Schuman plan, (2) formulation of the plans for a European army, (3) steps toward political unification of the continent.

(c) Urges intensified European allied effort, particularly along the lines of breaking down of customs and other economic barriers, political walls, psychological barriers which have prevented unity of the western powers and which in the face of the Soviet menace, prove extremely hazardous to the survival of Western Europe.

(d) Endorses the fullest contribution by every European power, including Western Germany and Spain to the economic and political strength and military defense of the continent against communism, while assuring necessary precautions against the reemergence of aggressive activity by any state in the alliance.

(e) Reaffirms our historic friendship toward all peoples who have emerged or are emerging from colonialism into an era of independence and sovereignty; but recognizes clearly the necessity for blocking those efforts of Soviet communism aimed at exploiting this colonial transition to its own Red ends in order to create conditions of chaos and opposition to the United States and its allies.

(f) Pledges continuance of the program of mutual aid—military and defense support—toward the end of establishing and maintaining a situation of balance in which Soviet military might can be successfully discouraged from ever initiating an attack. Primary emphasis of such aid will, however, be to so establish the allied lands on a firm footing of self-help that America's financial contributions can be carefully but progressively reduced.

(g) Intends to stand by our commitments to continue appropriate military, aerial, and naval personnel contributions toward the defense of international law and security, but again emphasizes the importance of self-help and duly proportionate contributions by other lands.

(h) Reaffirms its support for technical aid to underdeveloped areas with emphasis, however, on encouragement of a climate in foreign lands hospitable to maximum private investment.

(i) Pledges its efforts toward a prompt, honorable end of the Korean conflict—without compromise of our basic principles.

SPECIFIC CRITICISMS

We condemn—

(a) Sell-out secret agreements entered into without the knowledge, consent, or approval of the Congress and the people.

(b) Existence in high diplomatic positions, as well as elsewhere in Government, of any security risks and disloyal individuals—a condition requiring in turn that when we assume office, we completely cleanse such individuals from the entire Federal establishment.

(c) America's remaining on the defensive and allowing the Soviet Union to retain the initiative in the world-wide battle of ideas and of action.

(d) Administration failure fully to exploit the immense areas of tensions and hatreds behind the iron curtain.

(e) failure of the administration to consult the Republicans in the formulation of the Asiatic program, a failure which contributed to the downfall of Nationalist China.

(f) failure to initiate a policy of destruction of Red Chinese bases in Manchuria at a time when such destruction could have permitted an earlier end to the Korean conflict.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes.

The VICE PRESIDENT. Without objection, the committee amendment on page 2, line 2, is agreed to.

Mr. HAYDEN. Mr. President, I do not believe the Senate should undertake the consideration of a bill which is so important as the pending bill without having a quorum call. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Millikin
Bennett	Hayden	Monroney
Benton	Hendrickson	Moody
Brewster	Hennings	Morse
Bricker	Hickenlooper	Mundt
Bridges	Hill	Murray
Butler, Md.	Hoey	Neely
Butler, Nebr.	Holland	Nixon
Cain	Humphrey	O'Conor
Capehart	Hunt	O'Mahoney
Case	Ives	Pastore
Clements	Jenner	Robertson
Connally	Johnson, Colo.	Saltonstall
Cordon	Johnson, Tex.	Schoeppel
Dirksen	Johnston, S. C.	Smathers
Douglas	Kem	Smith, N. J.
Duff	Kilgore	Smith, N. C.
Dworshak	Knowland	Sparkman
Eastland	Lehman	Stennis
Ecton	Long	Taft
Ellender	Magnuson	Thye
Ferguson	Malone	Tobey
Flanders	Martin	Underwood
Frear	McCarran	Watkins
Fulbright	McClellan	Welker
George	McFarland	Wiley
Gillette	McKellar	Williams

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Virginia [Mr. BYRD] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from South Carolina [Mr. MAYBANK] is absent by leave of the Senate because of a death in his family.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The Senator from Nebraska [Mr. SEATON] is absent because of illness.

The VICE PRESIDENT. A quorum is present.

The next committee amendment will be stated.

The next amendment was, under the subhead "Construction, Southeastern Power Administration," on page 2, line 9, after the word "expended," to strike out "$959,500" and insert "$115,000"; and in the same line, after the amendment just above stated, to insert a colon and the following proviso: "*Provided*, That no part of the funds appropriated by this paragraph or any part of the unobligated balance appropriated under this heading in the Interior Department Appropriation Act for 1952 shall be available for the construction of transmission lines and related facilities in the Southeastern power area until (1) a contract with the affected power companies in the area of substantially the type which has heretofore been executed in other power areas for transmission of electric power and energy from Government-owned projects to preferred customers has been executed, or the said companies have refused to execute such contracts, and (2) the Secretary of the Interior has so informed the Congress."

Mr. GEORGE. Mr. President, I desire to ask a question of the Senator in charge of the bill. On page 2, beginning in line 15, we find the following language:

(1) a contract with the affected power companies in the area of substantially the type which has heretofore been executed in other power areas—

And so forth. Is that provision intended to exclude a type of contract which will comply with all requirements, such as that which has been discussed by the president of the Georgia Power Co.?

Mr. HAYDEN. No, not at all, because I am certain it would comply with the law, as it is of the type of bus-bar contract heretofore made.

Mr. GEORGE. It is not intended to exclude a particular contract?

Mr. HAYDEN. Not at all.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, beginning in line 9.

The amendment was agreed to.

Mr. MCFARLAND. Mr. President, in order that the consideration of the bill may be expedited, I ask unanimous consent that debate upon the amendments be limited to 30 minutes in total, or 15 minutes to a side, to be controlled, respectively, by the proponent of the amendment and my colleague, the senior Senator from Arizona [Mr. HAYDEN],

in the event he is opposed to the amendment; or if he is in favor of the amendment, then by the distinguished minority leader or some other Senator whom he may designate.

The VICE PRESIDENT. Is there objection?

Mr. DOUGLAS. Mr. President, reserving the right to object, let me say that I do not think that will be sufficient time to debate my amendment "B" which is lying at the desk, and which proposes a reduction of $31,000,000 in the appropriation for the Bureau of Reclamation, nor do I believe it will be sufficient time for debate on my amendment "C," which proposes a change in the so-called revolving fund. In the case of those amendments, I should like to have the time limited to 30 minutes to a side.

Mr. HAYDEN. I suggest that we can arrange for that by excepting the amendments relating to the Bureau of Reclamation, and having the debate on the other amendments limited as now proposed.

Mr. McFARLAND. Mr. President, if we are going to extend the time for debate on some amendments, we might as well extend the time for debate on all amendments. After all, I might wish to use a little additional time myself. I have an amendment to take care of some of the Indians. Fifteen thousand of them are not in school and cannot get into school. I believe it is just as important to use a little more time in debate on an amendment which will be of benefit to those Indians, as it is to use additional time in debate on an amendment relating to irrigation.

In the case of one of the amendments relating to the Indians, I ask that an hour be available for debate. The Senator from Utah [Mr. WATKINS] is joining me in submitting the amendment. Fifteen minutes to a side will be sufficient for debate on the first amendment.

Mr. HAYDEN. Mr. President, let us arrange to have 30 minutes available to a side in the case of amendments pertaining to the Bureau of Reclamation or the Bureau of Indian Affairs, and 15 minutes to a side available for all other amendments.

The VICE PRESIDENT. Let the Chair state his understanding of the pending unanimous-consent request. The Chair understands that the request is that in the case of all amendments not affecting the Bureau of Reclamation or the Bureau of Indian Affairs, debate be limited to 15 minutes to a side; and that in the case of amendments relating to the Bureau of Reclamation or the Bureau of Indian Affairs, debate be limited to 30 minutes to a side.

Is there objection? The Chair hears none.

Let the Chair inquire whether that agreement will apply to the committee amendments which now are being considered?

Mr. McFARLAND. Yes; I ask that the limitation apply to all amendments.

The VICE PRESIDENT. Without objection, it is so ordered.

The next committee amendment will be stated.

The next amendment was, under the subhead "Continuing fund, Southwestern Power Administration," on page 4, line 14, after the word "exceed", to strike out "$231,000" and insert "$1,000,000."

The amendment was agreed to.

The next amendment was, under the heading "Bonneville Power Administration," on page 6, after line 9, to insert:

"The Bonneville Power Administrator," is hereby added after "the Administrator of the Rural Electrification Administration," in subsection (a) of section 5 of the act of October 15, 1949 (Public Law 359, 81st Cong.).

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Land Management—Management of lands and resources," on page 6, line 21, after the word "Management", to strike out $9,722,605" and insert "$11,172,605."

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to insert:

CONSTRUCTION

For construction of access roads on the revested Oregon and California Railroad grant lands; acquisition of rights-of-way and of existing connecting roads adjacent to such lands; to remain available until expended, $2,750,000: *Provided*, That the amount appropriated herein for road construction shall be transferred to the Bureau of Public Roads, Department of Commerce: *Provided further*, That said sum of $2,750,000 is hereby made a reimbursable charge against the Oregon and California land-grant fund and shall be reimbursed to the general fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II, of the act of August 28, 1937 (50 Stat. 875).

The amendment was agreed to.

The next amendment was, under the subhead "Administrative provisions," on page 7, line 18, after the word "exceed", to strike out "thirty-six" and insert "forty-five", and on page 8, line 3, after the word "lands", to insert "(other than expenditures for construction of access roads and for acquisition of rights-of-way and of existing connecting roads adjacent to such lands)."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Indian Affairs—Health, education, and welfare services," on page 9, line 8, after the word "museums", to strike out "$51,266,019" and insert "$51,916,019."

Mr. DOUGLAS. Mr. President, to this committee amendment, I submit an amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 9, in line 8, it is proposed to strike out "$51,916,019" and insert "$43,916,019."

Mr. DOUGLAS. Mr. President, I am proposing that the appropriation recommended by the committee at this place in the bill be cut in the amount of $8,000,000. This cut will apply to the item for health, education, and welfare services for the Indian Bureau. I should like to give the justification for the proposed cut.

Last year the Congress appropriated $41,800,000 for this purpose. The Bureau of the Budget asked for a tremendous increase in this item for the year 1952–53. It requested a total of $61,900,000, representing an increase of more than $20,000,000, or 50 percent.

The House cut the figure to $51,266,019. The Senate committee voted to increase the figure to approximately $52,000,000. I am proposing a cut of approximately $8,000,000, to a figure which would be $2,000,000 more than the amount provided last year. I should like to give the reasons for this proposed cut.

Of course, the first reason is the obvious one of the huge deficit, which will be between $10,000,000,000 and $15,000,000,000 for the current year, indicating that this is not a time in which we should expand expenditures unduly.

RATIO OF EMPLOYEES OF INDIAN BUREAU TO INDIANS

The second reason which I should like to give is that we sometimes mistake appropriations for the Indians with appropriations for the Indian Bureau.

I have tabulated the figures pertaining to the Indian Bureau. I find that the total number of Indians under the care of the Bureau of Indian Affairs is 404,787, or just a little short of 405,000.

Mr. President, how many employees are there in the Bureau of Indian Affairs itself? There are 12,950, or approximately 13,000. We therefore have approximately one governmental employee for every 30 Indians. I submit that this is an unduly high ratio—one governmental employee to every 30 Indians.

I have tried to obtain a breakdown of the percentage of the appropriations for the Indians which goes, not to the Indians, but to the governmental employees who are presumably taking care of the Indians. Because of the shortage of time, I have not been able to obtain an entirely satisfactory breakdown.

I may say that, in order to speed up the processes of the Senate, I agreed to waive the 3-day requirement between the time this appropriation bill was reported and the time of its consideration. I agreed to reduce that to 2 days—really a day and a half, from the evening of Monday until the morning of Wednesday. I knew this would handicap my efforts; but I did it in view of the pressure of time.

However, if 13,000 Indian Bureau officials are to be paid from the current year appropriations of approximately $70,000,000 for the Bureau of Indian Affairs, and if my assumption is correct that the average governmental salary is not far from $3,500, it is obvious that the administrative costs of personnel will run $45,500,000 or 65 percent of the total amount expended.

Mr. President, I think there should be a review of the Indian policy of the United States. For at least 60 years we have been expending enormous sums of money on the Indians. But the condition of the Indians get no better; in fact, it may well be that the condition of the Indians has actually deteriorated despite the enormous sums we have expended, presumably for their benefit. I believe a revamping of our whole Indian

policy is called for. I know it is said that we are now trying to assimilate the Indians into the normal population of the country, and, reversing the policy which was established in the thirties by Mr. John Collier, then head of the Bureau of Indian Affairs, some of the increases in requested expenditures were for this purpose. About $8,000,000 was to be for placement. My proposal would allow a gross increase of $2,000,000, but it would eliminate some of the additional sums.

We then come to the item of construction. There we can make economies, but, it seems foolish for us on the one hand to say we should be assimilating the Indians into the population as a whole, and, on the other hand, that we should be providing large amounts for construction in order to take care of them upon the reservations. I do not think my amendment would cause any injustice to the Indians, but it would make the Indian Bureau function with greater efficiency, and it would check their tremendous expansion in personnel.

I want to emphasize that my amendment would permit a moderate increase in funds for the Indian Bureau's activities in health, education, and welfare service. But I do not think we should grant these huge increases until we can be assured of a definite plan for assimilating the Indians into our population.

Mr. WATKINS. Mr. President, will the Senator from Illinois yield for a question?

Mr. DOUGLAS. I yield to the Senator from Utah.

Mr. WATKINS. Does the Senator realize that in order to assimilate the Indians it is necessary to train them and prepare them to enter upon a civilized life?

Mr. DOUGLAS. There would still be $43,000,000 with which to do that. My amendment makes no reduction in the amounts we have been spending for this purpose.

Mr. WATKINS. Does the Senator realize that a great many Indians who ought to be in school are not in school simply because the facilities to educate them have not been provided?

Mr. DOUGLAS. I have seen handsome buildings and more buildings than many colleges possess, which are used in Western States as schools for the Indians. I have seen them with my own eyes.

Mr. WATKINS. In the Navajo Reservation alone there are more than 15,000 children who cannot go to school, simply because there are no facilities, although the Federal Government has been under obligation for more than 80 years to furnish those Indians with at least one teacher in each classroom of 30 pupils. That has never been done.

Mr. DOUGLAS. There are a great many schools in this country in which the ratio of 1 to 30 is not observed, although it is an ideal ratio and a proper ratio. I would not say it is necessary to build an elaborate school building. Equally good education can be received in modest structures as in elaborate buildings. Furthermore, if there are not enough teachers, the Bureau should decrease some of its administrative employees in order to hire more.

Mr. WATKINS and Mr. McFARLAND addressed the Chair.

The VICE PRESIDENT. Does the Senator from Illinois yield, and if so, to whom?

Mr. DOUGLAS. I am very glad to yield to Senators from the Indian country. I first yield again to the Senator from Utah.

Mr. WATKINS. Can the Senator from Illinois name an elaborate Indian school on any Indian reservation?

Mr. DOUGLAS. On an Indian reservation?

Mr. WATKINS. Or anywhere else, for that matter—an elaborate Indian school that has been constructed for the Indians?

Mr. DOUGLAS. I am not asserting that all Indian schools are elaborate affairs. I happened to spend a very beautiful month in the State of Arizona, in the city of Phoenix, and, since the Senator has challenged me, I would say that the Indian school in Phoenix is a very handsome school, indeed. But I should think that a program of assimilation would be aimed at placing Indians in public schools.

Mr. HAYDEN. Mr. President, if the Senator will yield to me, I may say there is not a building connected with that school which is not 40 years old.

Mr. DOUGLAS. But the buildings of that school would compare favorably with those of Harvard, Yale, Princeton, or any other college in the Ivy League

Mr. HAYDEN. I think a comparison of the buildings of the school at Phoenix with those at Princeton would prove very disappointing.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. Does the Senator desire me to yield in my time, or in the time of the Senator from Arizona?

Mr. HUNT. Mr. President——

Mr. McFARLAND. I do not ask the Senator to yield, unless he has the time.

The VICE PRESIDENT. If the Senator from Illinois yields at all, he will yield in his own time.

Mr. DOUGLAS. In order to be generous, I yield first to the Senator from Wyoming, in my own time.

The VICE PRESIDENT. The Senator from Illinois has 30 minutes.

Mr. DOUGLAS. I have more time than I thought. I am very glad to yield. Perhaps I should yield first to the Senator from Arizona.

Mr. McFARLAND. No; I shall be glad to have the Senator from Wyoming proceed first.

Mr. HUNT. I shall only take a moment of the time of the Senator from Illinois. I should like to say that possibly he has overlooked the fact that in many instances it is necessary for the Indian Bureau to pay tuition per school pupil, when the Indians are sent to schools under State jurisdiction. I know that is the situation in my State, and I think the cost runs considerably higher than the figures which the distinguished Senator from Illinois may have in mind.

Mr. DOUGLAS. But this does not justify a figure of 65 percent of all expenditures for Bureau personnel.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I merely want to make a statement, after which I shall be glad to yield to the Senator from Arizona.

I am permitting an increase of 5 percent in the amounts appropriated for this purpose to the Indian Bureau. If the Indian Bureau is anxious to give good service to the Indians, as I assume it is, I believe there is sufficient fat in its administrative overhead to enable it to squeeze out some of the excess personnel and devote the money to the purposes of the Indians. I now yield to the Senator from Arizona.

Mr. McFARLAND. Mr. President, I visited the Indians on the Navajo Reservation, last Saturday, and I should like to tell the Senator what they said. I know that, had the Senator been there to hear those Indians, he would be asking the Senate for more money for the construction of schools. The Indians said they did not care about any fancy schools, and that they did not care about any of the frills. They wanted to build the schools with the material they have on the reservation—the lumber, and cement from the cement plant. All they want is good, comfortable schoolrooms.

As has been pointed out by the Senator from Utah [Mr. WATKINS] 15,000 of those Indian children do not have an opportunity to enter school. We shall offer some amendments later to increase the facilities, and I hope the Senator from Illinois will join me in them, because I know he has a big heart and wants to see the downtrodden given a chance in life.

Mr. DOUGLAS. I hope my heart is large, but I should like to point out that in the past 10 years we have spent for this specific purpose $265,000,000. It is now proposed that we spend $53,000,000 more. It is proposed to proceed now at double the rate at which we have been operating during the past 10 years; and we have been operating at a rather high rate, too.

Of course, these appropriations are popular in the States where Indians are located and are popular among the Indians. We all love the Indians, because we have a smarting sense of inferiority in that we have treated them badly in the past; and that is true. But we should not think that appropriations to the Indian Bureau in themselves constitute appropriations for the Indians. "There's many a slip 'twixt the cup and the lip," and there is a lot of stuff that does not trickle down.

Mr. WATKINS and Mr. CASE addressed the Chair.

Mr. DOUGLAS. To which one of the Senators from the Indian States shall I yield? I yield first to the Senator from South Dakota.

Mr. CASE. No; I suggest that the Senator yield first to the Senator from Utah.

Mr. DOUGLAS. Very well. I yield first to the Senator from the Indian State of Utah.

Mr. WATKINS. I should like to know from the Senator whether he has any information pointing to any waste in administration within the Indian Bureau.

Mr. DOUGLAS. I submit that the ratio of one employee in the Indian Bureau for every 30 Indians is an excessive ratio, and I submit that 65 percent of all funds going for employees is far too high. We do not need to blow the noses of the Indians in order to take care of them. There has been a little bit too much of that. The Indians want to be citizens, not wards.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Utah.

Mr. WATKINS. Mr. President, I should like to point out that there is an entirely different situation with reference to the Indians than that which pertains to any other people. What we are attempting to do is to train them in order to enable them to take their places in society. In the past few years there has been a decided improvement in the program. I happen to know that the Indian Bureau itself is attempting to put the Indians on their own feet. In order to do that within the next few years they must step up the program; and that is one of the reasons for the requested increase in the appropriations.

If we are going to get the Indians on their feet, the Bureau must have the money. We must remember also that Indians, for many years, were almost prisoners of war, confined on reservations. The reservations did not actually have a wall around them, but the Indians could not leave them. We have now assumed an obligation; we have become their guardians, and in common decency we ought to put them on their feet.

If the Senator from Illinois will point out where there is any "fat" in this program, where money is actually being wasted and is not being expended as intended, I should be glad to hear about it.

Mr. DOUGLAS. Mr. President, I have cited the ratio of 1 employee to every 30 Indians and I have cited the huge percentage of these funds which go to employees. Now, let me quote from the House committee report, at page 7. The House committee goes into these questions pretty thoroughly. The House committee said it was in agreement with the program of assimilation, and then it went on to say:

> However, it finds itself without assurances that the program presented will meet the objective in the foreseeable future. In fact, it is of the opinion that certain of the proposals in this greatly expanded program could retard attainment of the ultimate objective rather than help to accomplish it.

Mr. WATKINS. Mr. President, I would simply say, in answer to that, that I doubt very much that the House committee has been among the Indians and made investigations on the spot to see whether any money has been wasted.

Mr. DOUGLAS. I think we should attach great weight to the statement of our corresponding committees in the House. The House Committee on Appropriations has to do with original appropriations, and without any reflection upon our eminent Senate Committee on Appropriations, the House committee does at least as careful a job as we do, and its opinions, I think, should be very persuasive.

I now yield to the Senator from the Indian State of South Dakota [Mr. CASE].

Mr. CASE. Mr. President, I would not disagree with what the Senator from Illinois says with respect to the high ratio of employees to Indians. I think the ratio is too high. I also think that there is many a slip 'twixt the cup and the lip, so far as concerns the money reaching the Indians.

Mr. DOUGLAS. I am glad to have this commendation from the Senator from South Dakota. I hope he will support my amendment.

Mr. CASE. If the Senator would be specific, there might be more point to his proposal. But we are dealing with health and education services, with which I would think the Senator from Illinois would be greatly concerned. I notice in the committee report that it is suggested that the House made a reduction of $45,081 in the item for educational assistance, expecting it to be applied against contracts with State departments of education. Personally, I do not see how that particular item could be reduced. State representatives of the office of the superintendent of public instruction came to Washington to point out that they were unable to meet the regular cost of providing education, and they needed more money rather than less money if they were to take over the job of providing education for Indian children in white schools rather than in Indian schools.

Mr. DOUGLAS. I point out to my good friend from South Dakota that the House committee stated that the Bureau of Indian Affairs had asked for an increase of 50 percent without specifying the plans they were going to use in spending the money. The House committee actually proposed that they pause for a year and establish a planning staff. In other words, the Bureau of Indian Affairs did a typical governmental stunt—they asked for many more millions of dollars without furnishing specific justification.

Mr. CASE. After having worked with the so-called Indian problem for many years, longer than I have been in the House and the Senate, it is my conviction that the more we can contract for the services of the local communities so as to have Indian children attend white schools, have Indians engaged in agriculture served by county agents, and have their welfare needs served by county welfare associations, the better off the Indians will be.

Mr. DOUGLAS. That would bring about a decrease, whereas, here is an increase of 50 percent.

Mr. CASE. Provided the purposes of the Johnson-O'Malley Act were carried out.

Mr. DOUGLAS. I welcome the support of the Senator from South Dakota, who, from his experience with the Indians of the Black Hills, has produced very eloquent testimony supporting my amendment.

Mr. CASE. Not Indians in the Black Hills, but in the prairie country. The Indians were ousted from the Black Hills.

Mr. LEHMAN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield to my good friend from New York.

Mr. LEHMAN. From the Indian State of New York? We have a good many Indians there.

Mr. DOUGLAS. I cannot forget the fact that the Seven Nations had their seat in New York, and the Iroquois Confederacy was located along the line where the New York Canal now runs. There are "Indian givers" as well as Indians there.

Mr. LEHMAN. There are from 15,000 to 20,000 Indians in New York State. They deal direct with the State of New York. We give them better education and better social and welfare care than the Federal Government gives many of its Indian wards in other States.

A little more than 400,000 Indians are under the Federal Government. I have been a member of the Committee on Interior and Insular Affairs for 3 years, and I have been shocked to see how little the Federal Government does for the Indians, people to whom we owe a great moral and political obligation. Our public help to the Indians is probably less than it is to any other group. We render a poor welfare and health services.

We talk about assimilation. I am strongly in favor of training the Indians to become a part of the life of their communities, but it is hopeless to expect such a result unless we raise the educational standards of the Indians, which today are far below those of white citizens of the various States. The schools are separated sometimes by as much as 10, 15, or 20 miles. There is difficulty in supplying an adequate teaching staff. I think the time has come when, if we are going to continue to recognize our responsibility to the Indians, we must see to it that substantial justice is done them. I think it would be a serious mistake to cut this item. I believe it would be a very great disservice to the Indian population in various States.

Mr. DOUGLAS. Mr. President, if the Senator from New York will do a little figuring he will find that the Senate is proposing to spend approximately $52,000,000 for the education, health, and welfare of 400,000 persons, which amounts to an average of $130 for each person, or $650 for a family of five. So far as the educational item is concerned, there cannot be involved more than 150,000 children of school age. If we use that as a divisor, we get a figure of about $350 per child. Those figures are vastly in excess of the amounts expended in the States having the highest per capita expenditures for education, which I presume are Massachusetts and California. So we are already spending these enormous amounts upon Indians, and the condition of the Indian gets no better. The one conclusion I have been driven to is that somehow the appropriations acts are acts for the relief of the Indian Bureau, rather than primarily for the relief of Indians. Those are rough words, but I am somewhat driven to that conclusion.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. DOUGLAS. Certainly.

Mr. LEHMAN. I do not think the figures the Senator has given us of the per capita cost of education are very responsive to the real situation. In addition to education, the Indian Bureau carries on all the health activities and welfare services among the Indians.

Mr. DOUGLAS. That is correct.

Mr. LEHMAN. The Bureau's assistance includes the expenses of Indians for boarding homes, institutions, and schools, and granting of other assistance to needy Indians. This appropriation is not a matter of education alone it covers many other essential services.

Mr. DOUGLAS. Taking the per capita figures, the amount is $130 per capita, or $635 for a family of five.

Mr. LEHMAN. Not all of that is for education.

Mr. DOUGLAS. I understand; it is for education and health. That is an extraordinary expenditure, in view of the fact that, presumably, the Indians have some private income of their own, and I want them to have private incomes of their own.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. DOUGLAS. Certainly.

Mr. LEHMAN. My examination of the situation has convinced me that the Indians, except in relatively few instances, cannot now possibly be wholly self-supporting.

Mr. DOUGLAS. They ought to be partially self-supporting.

Mr. LEHMAN. They are partially self-supporting; but, in spite of that, the $50,000,000 which is now asked, is not exclusively for education. It includes education, which is probably the principal item, but it is also for welfare and health services. The health services rendered to Indians are, in my opinion, less than those rendered to any other group of our population.

Mr. DOUGLAS. We spent $15,500,000 last year on health services for 400,000 Indians, which was an average health figure of about $40 per capita, or $200 for a family of five. The $40 per capita figure would make $6,000,000,000 for a population of 150,000,000, or 2 percent of the national income.

THE INDIANS PRISONERS OF WAR

Mr. MALONE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MALONE. The distinguished Senator from Illinois has put his finger on what is probably one of the most elaborate, expensive departments in the United States Government. The Indians were forgotten 50 years ago, and the Bureau has since been occupied with building itself.

There are more employees in the Indian Bureau, I am told, than there are full-blooded Indians in the United States of America, not counting the Navajos.

Mr. DOUGLAS. That must be an overstatement. My figures show there are 13,000.

Mr. MALONE. That may be but it is the information given me. I may say further to the Senator that I introduced a bill to abolish the Indian Bureau, but providing a reasonable time for the Bureau to close its affirs, and providing for holding hearings to determine what the Government owes the Indians, then to pay them, make citizens out of them, just as we do in the case of people of any other nationality, and get them off the reservations, since they have been prisoners of war for a hundred years.

Even a former Vice President of the United States, Charles Curtis, was never liberated completely. The people of the country thought he was good enough to be President of the United States, if the President should die, but the Indian Bureau never allowed him to have complete control his property. The Indian Bureau settled his estate when he died.

So I am heartily in sympathy with what the Senator from Illinois has said; namely, that when we have such an expensive organization we must give them whatever money they believe is necessary, because we apparently have little control over the Bureau, and very little of the money trickles down to the Indians.

Mr. DOUGLAS. I think that in his last remark the Senator from Nevada was indulging in what logicians term a nonsequitur, when he said that so long as we have an Indian Bureau, we should give them what they want. I do not believe we should make budgets that way.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. DOUGLAS. I yield.

Mr. MALONE. If we could be assured that some of the money would be spent for the benefit of the Indians, I would agree with the Senator. But when we cut the budget of the Indian Bureau, the Indian Bureau cuts the amounts received by the Indians, and does not cut the Bureau's administrative expenses.

Mr. DOUGLAS. That is a grave charge, if true.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. McFARLAND. I should like to call the Senator's attention to the fact that so far as Navajo Indians are concerned, in connection with the long-range program, we have a watchdog committee which, when money is to be spent for construction or any other purpose, is trying to see to it that all the water is squeezed out of the program.

As I told the distinguished Senator a few months ago, I conferred with the Navajo Indians last Saturday. One of the things they told me was that a Chicago architect was designing some of their buildings who did not know anything about what they needed. The Indians do not want buildings with frills, such as the Chicago architect had designed. So we are going to recommend that the Chicago architect be discharged and local architects be employed. We are going to get the water out of the program, but let us not, for the sake of a few dollars, take away the opportunity of the Indian youth to get educations.

Mr. DOUGLAS. I point out that all I am proposing is that we hold substantially to the appropriation of last year, with an increase of about 5 percent.

Mr. McFARLAND. Mr. President, will the Senator further yield?

Mr. DOUGLAS. May I continue? Last year Congress appropriated $41,800,000. I am saying, "All right. Let us appropriate $43,000,000"—a 5-percent increase.

The Indian Bureau and the Budget Bureau have proposed tremendous increases. Last year Congress appropriated for all Indian purposes $68,000,000. The appropriation which the Senate committee is now proposing aggregate, if my arithmetic is correct, $95,000,000, or an increase of about 45 percent. In a period when we are facing a deficit of $15,000,000,000, why should we skyrocket these expenditures, particularly in view of the lack of a definite plan and the somewhat dubious improvement which has been effected by the Indian Bureau itself?

Mr. HAYDEN. Mr. President, it was kind of the Senator from Illinois to say he had confidence in the judgment of the House Committee on Appropriations. The Senate committee looked into these items carefully, and what the House recommended was generally approved. If Senators will examine the situation, they will find that all the Senate committee did was to add $650,000 to the amount authorized by the House committee and adopted by the House in the appropriations for health, welfare, and education.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. I should probably have asked the Senator to yield for a statement. What the Senator says is, of course, correct. But the House committee pointed out that the Indian Bureau did not have a plan for the assimilation of Indians into the civil population of the country. In view of the lack of such a plan, why should we increase the appropriations by even 20 percent? Why not hold them to the figure of last year plus an amount to cover the increase in the cost of living?

Mr. HAYDEN. My point is that the House committee, which the Senator commended, authorized this appropriation in the amount of $51,916,000. All the Senate committee added to it was $650,000.

I should like to point out some very significant figures with respect to health, in connection with one tribe of Indians in which we are all interested, namely, the Navajos.

In the United States as a whole there is 1 doctor for every 750 population. In the Navajo country there is 1 doctor for every 3,000 Indians. There is 1 dentist for every 1,500 people in the United States. There is 1 dentist for every 10,000 population in the Navajo country.

The average life expectancy in the United States as a whole is 67 years. It is 52 years in the Navajo country. The infant mortality—I hope the Senator from Illinois will listen to these figures—in the United States as a whole is 32 per thousand. The infant mortality in the Navajo country is 138 per thousand. If that does not indicate the

necessity for better hospitals and medical care, I cannot find any better proof.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. The Senator has chosen the Navajo Indians as his standard of comparison. Probably the conditions among the Navajos have been worse than among any other Indian group. Secondly, what about the ratio between the Indian population as a whole and the population of the country, or the ratio between the Indian population as a whole and those who live in the poorer districts of our cities, for example?

Mr. HAYDEN. The point I am trying to make is that the money in the bill for hospital development is primarily for the Navajos. We made an agreement to assist in that development.

With respect to the feature of education, let me point out to the Senator that we added nothing to this bill above what the House allowed for this item, except for certain developments in Minnesota.

Mr. THYE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. THYE. I should like to make an explanation as to why an item for Minnesota is included in the bill.

First, Minnesota is endeavoring to establish a foster-home-care program for the orphan Indian or the Indian child who has no home at the present time. In order to establish that orphan home or foster-parent program, in the best judgment of the State welfare department and other interested persons, $200,000 will be required. The other $135,000 is for the Indian school, Pipestone. There is also $15,000 for welfare or relief assistance.

Mr. HAYDEN. The House directed that the Pipestone school be kept in operation, but provided no money for it.

Mr. THYE. That is entirely true. For that reason the Senate had to add $135,000. For State welfare assistance, which service the Indian Bureau has never rendered, there is an additional $15,000 in the bill. The Welfare Department of the State of Minnesota has taken care of all the welfare expenditures for the Indians in Minnesota without any Federal assistance. That is not true in most of the other States of the Union. They have always had assistance from the Federal Government. It is for that reason that the item of $15,000 is in the bill.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WATKINS. Is it not true that on the Navajo Reservation the cost of taking care of each patient, even in accordance with the standards which prevail there, runs higher than it does in areas of large population, near centers where facilities are available?

Mr. HAYDEN. That is true.

Mr. WATKINS. The Indians are scattered over the desert. It is difficult to persuade nurses to go to the reservations. It is difficult to induce doctors to accept employment in the Indian Service. We must pay fairly high salaries in order to get them to come at all. The same situation is true with respect to the schools, is it not?

Mr. HAYDEN. It is true with respect to both school teachers and those in the medical profession. They do not like to live far away from civilization. They like to be near towns. When they are asked to go away from the railroads and into the reservations, what is the result? If we pay low salaries we must accept doctors who have retired from practice, or who have been unsuccessful in their practice, or we must accept young doctors without experience.

With respect to school teachers, fortunately there are those among them who have a missionary spirit, who are willing to engage in that work even at a sacrifice to themselves. However, the situation is difficult.

I should like to add one further word for the benefit of the Senator from Illinois [Mr. DOUGLAS]. He complains about the administrative expense. We have not increased it one cent above the House figure. So we are not putting in a large amount of fat which could be taken out.

Mr. DOUGLAS. The existing amount of fat has not been reduced. I maintain that 13,000 employees are too many. That is too large a force to supervise 400,000 Indians. It is one for every 30 Indians.

Mr. HAYDEN. No one said that they were supervising them. It would be just as logical to say, in connection with a municipal or county government, that the school teachers and those employed in repairing streets and roads are supervisors. They are nothing of the kind. They are employed to do a specific piece of work. The supervisory personnel is exceedingly limited.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WATKINS. Is it not a fact that many of the employees of the Indian Bureau are themselves Indians?

Mr. HAYDEN. Many of them.

Mr. WATKINS. Many thousands of them are Indians.

Mr. HAYDEN. Indians are given the preference, when they are qualified under the civil-service law, for appointment in the Indian Bureau. If two persons obtain the same grade in the civil-service examination and one of them is an Indian, the Indian gets the appointment—and very properly so.

Mr. WATKINS. I call the Senator's attention to the fact that over the years many plans have been proposed to put the Indians on their feet so that they could become a part of our civilization. The trouble has been that the plans have not been used. They have gathered dust in the archives of the Indian Bureau. However, within the past 2 or 3 years there has been a marked improvement in the program of the Indian Bureau for the assimilation of the Indians. I happen to know, because I have visited many of the reservations. I have been in close touch with the Indian Bureau in connection with many of these problems. I happen to know the present Commissioner, Mr. Myer, and his assistant, Mr. Lee. They are doing a fine job among the Indians, in preparing them for assimilation.

Only recently the junior Senator from New Mexico [Mr. ANDERSON] and I introduced measures to put two of these groups on their own feet, and gradually to get the Indian Bureau out. Money is now being spent, and work is being done on definite programs, to take care of land titles, and to have the property which is in the name of the tribes surveyed. The Bureau is moving in the direction of assimilation of the Indians as rapidly as possible.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. Is it not true that the Bureau of Indian Affairs has no definite, detailed plan for the assimilation of Indians into the civil population?

Mr. HAYDEN. Definite, detailed plans have been prepared. The first step is for the Indian who cannot speak English to learn how to speak English so that he may be assimilated into the civil population.

Secondly, in Indian reservations where there are no roads to civilization, it is necessary that the Government build some roads.

Third, a sick Indian cannot be expected to be assimilated very well. Therefore, hospitals must be provided.

There was also a rather extensive plan for replacement surveys, which the House did not allow and the Senate committee did not allow, because we thought that work could perhaps be done just as well by the employment service. Nevertheless, the plan is definite. It includes education to fit the Indians for assimilation, and training in schools and in industry, so that they may obtain employment.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MONRONEY. Is it not a fact that dozens of Indian schools have been closed, and that the Indian children have been sent to the public schools of the States, because the Indian lands are nontaxable by the States? The Government must, in all fairness, pay tuition. That is included in one item of the bill.

Mr. HAYDEN. There is in this appropriation $3,172,000 to pay for tuition of Indian children in the public schools. To my mind that is the best investment in the entire appropriation because not only do the Indian children learn what is taught them in the school room, but they learn much from the white children with whom they associate on the playground.

Mr. MONRONEY. That is precisely the case. I am sure that that is exactly what the Senator from Illinois wishes to have done. It is being done with the greatest rapidity possible. However, unfortunately many Indians live in the backwoods areas of the various States. They have been pushed there by the white people, who have taken over the better land. There are still some Indian schools which must be maintained.

Mr. HAYDEN. It should be remembered also that on some reservations

there is no way of avoiding the boarding school. It is made impossible to avoid maintaining by reason of long distances and road conditions. When the cost of maintaining the boarding schools is compared with the cost of maintaining our regular public-school system, we must not overlook the fact that many Indians are attending boarding schools.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MONRONEY. Plus the fact that the Indians who attend the Indian schools today not only are taught reading, writing, and arithmetic, but they are also being given additional training in such subjects as agriculture.

I should like to say to the distingushed Senator from Illinois, who I know is interested in the welfare of Indians, that, contrary to some of the flossy day schools I have seen, I would not like to see the inmates of a reform school put in most of the facilities which are available to the Indians. Many of the buildings were built in 1880 or 1890. I have seen schools in which one toilet must serve more than 75 Indian boys, and they have to go down from the third floor of their dormitory to use the facility, which is located in the basement. That school is still in operation.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. If such condiitons exist, I say shame on the Indian Bureau which, given enormous amounts of money, still allows such conditions to exist.

Mr. MONRONEY. I shall not try to defend the Indian Bureau against that charge, because I think in years past something better should have been done. However, the condition does exist, and attempts are being made to improve it. I believe we are on the right path in our effort to assimilate the Indians by putting them into white schools instead of sending them to schools which are limited to Indians.

Mr. HAYDEN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. HILL in the chair). Eighteen minutes.

Mr. HAYDEN. I yield 5 minutes to the Senator from Utah.

Mr. WATKINS. Mr. President, I should like to point out to the Members of the Senate that plans have been under way to assimilate the Indians. One of the most remarkable methods has been the establishment of the vocational school for Indians at Brigham City, Utah. The Indian Bureau did not have to pay for the buildings. The buildings were already built as a very elaborate hospital for wounded veterans of World War II. Immediately after the war the buildings were abandoned. They were either to be wrecked or sold for whatever could be obtained for them. In undertaking to care for the Indians on the Navajo Reservation, who had no school buildings, although at the time there were approximately 16,000 Indian children, I prepared and introduced a bill under which there was conveyed to the Indian Bureau these hospital buildings. There are more than 104 buildings. I also sought an appropriation of $3,750,000 to remodel the buildings in order to convert them to school purposes, and also to add some buildings.

Mr. President, in my opinion, it is probably the best plant which the Indians have for school purposes anywhere in the country. It is a boarding school, and the Indian students remain there most of the year. They are being taken care of under almost ideal conditions. The buildings are beautiful, Mr. President, because they were originally erected with the idea that nothing was too good for our veterans.

The Indians would not have that facility today if it had been necessary to get a direct appropriation of $14,000,000, which was the cost of the original construction. It has been referred to as a lush, luxurious school. It is that when compared with other Indian schools. It was not constructed, however, at the cost of the taxpayers directly for the care of the Indian, but for the care of white boys, with the exception of some Indians who went there as patients in the hospital.

The school has been proceeding to train Indians and to prepare them to go into white communities. The only way we can train them to go into white men's homes and live in the white men's communities is to get them acquainted with the facilities that exist in white men's communities.

The Indians painted and decorated the buildings, without spending any more money to make them elaborate, and they did some wonderful art work in the painting and decorating.

A fine gymnasium was built. A swimming pool had been built at a cost of $300,000. It is one of the finest swimming pools in the United States. The Indians now have the use of it. It was to be wrecked because no one could be found who would pay for it. We obtained all that for the Indians, and they are using those facilities today. When they step out of there they are trained and they speak the English language. Seventy-five percent of the Indians when they first go to that school can neither write nor understand English. After they go through the course of study at the school, which is a very practical course, they speak English, and are able to work in shops and homes and on farms, and they never go back to the reservation.

The reservation itself does not have facilities and resources sufficient to sustain the Indians who are now there. There are more than 75,000 Indians on the reservation, but the resources will sustain only about 30,000. The program is designed to train Indians so that they will be able to be assimilated in white men's communities.

We are always importing Mexicans and Puerto Ricans for the purpose of doing certain kinds of agricultural work. Indians are good workers when they are trained. In the school to which I have referred a very definite and concrete program is going forward in behalf of the Indians. I wanted the Senate to know about it.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. FERGUSON. What the Senator has said brings me to the point of asking, in view of all the money the Government has spent on the Indians, how does the Senator account for the fact that we have not freed the Indians? Does not the Senator believe that the time has come when we ought to free the Indians?

Mr. WATKINS. The time has come when we should free the Indians. I am speaking from a knowledge of many years of the work of the Indian service, and I have been working on this problem ever since I came to Congress, as the Senator from Michigan knows.

Mr. FERGUSON. I know that the Senator has been doing fine work.

Mr. WATKINS. It is impossible to take an Indian who has lived on the Navajo Reservation, who does not speak a word of English, and put him in a community of white men and expect him to stay free. He will not be able to live there at all, and he will have to go back to the reservation. He must be taught to take care of himself first.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. HAYDEN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. Twelve minutes.

Mr. HAYDEN. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, in May I had a conversation with Mr. Dillon Myer, Commissioner of the Bureau of Indian Affairs. During my conversation with him I discussed the question of the personnel of the Bureau. I asked Mr. Myer to give me a breakdown of personnel in the field offices as well as in the home office, with respect to the number of people employed in each field office and the number of people employed in the Washington office; and also to break down the figures by area, appropriation, and activities, as the figures related to health, education and welfare services; resources management; construction; general administrative expenses; and other categories, such as trust funds and transfer of funds; and giving the aggregate total for the whole program and the amounts for the respective regional field offices.

Without making any evaluation of them or commenting on them too much, I believe the figures which have been furnished to me will afford valuable information to the Senate.

It is interesting to note, for example, that 7,681 persons are employed in health, education, and welfare services; 2,062 persons are employed under resources management, which includes forests and range lands, agricultural and industrial assistance, soil and moisture conservation, and so forth.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I shall be glad to yield in a moment. Under construction, 964 persons are employed. Under general administrative expenses and trust

funds and transfer funds, 2,038 persons are employed. The total number is 12,745. In the Washington office there are 285 persons employed.

It is interesting to note that the highest figure for any field office is 1,872, at Sacramento. The Minneapolis office employs 543. That office supervises the area in the Midwest.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. May I ask if it is true that 15 employees in the Indian Bureau are engaged in weed control?

Mr. HUMPHREY. That is what the chart shows.

Mr. DOUGLAS. Does that impress the Senator from Minnesota as a particularly important undertaking, to require 15 persons to control Indian weeds?

Mr. HUMPHREY. I may say to the Senator from Illinois that I am always opposed to weeds, but I do not know whether it takes 15 persons to control them.

Mr. DOUGLAS. Could not the Indians control the weeds themselves?

Mr. HUMPHREY. It would seem to me that they could do so. I join with the Senator from Illinois in trying to get the Bureau of Indian Affairs to put this program on a declining basis, and thereby ultimately being able to close up shop, after making it possible for the Indians to be absorbed as a part of the general population. I feel very strongly about it.

My senior colleague has referred to the Pipestone School in Minnesota, and to the fact that we are establishing a foster home program so that Indian children may be integrated into the public-school system of our State. In our State public assistance is carried on by each of the counties and by the State. It is a part of the general program of welfare assistance.

The sooner the Indian population can be integrated into the general population and can take part in all the activities of the general population in terms of education, health, and so forth, the better off everyone will be.

The number one job is to get behind a program which will do that; in other words, to have the Indian Bureau diminish its activities stage by stage and year by year, and place more of these fine Americans into the regular American communities.

In this bill there is a small appropriation for my home State, and that appropriation deals primarily, as the Senator from Arizona and my colleague have pointed out, with the Pipestone school and foster home, $135,000 is for the school.

Frankly, if we are going to maintain the school, we must repair it. If we are to eliminate these services on a stage-by-stage basis, we can use the school as long as it will hang together. But a decision must ultimately be made, namely, whether we are to continue with the reservation a paternalistic kind of program or whether we are to place the Indians on a basis of full citizenship.

I think it is well for the Congress to tell the Bureau of Indian Affairs that Congress expects it to promote programs which will make the Indians self-sustaining and free American citizens.

Mr. DOUGLAS. Mr. President——

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona realize that this is being taken out of his time?

Mr. HAYDEN. Yes. How much time remains to me, Mr. President?

The PRESIDING OFFICER. The Senator from Arizona has 7 minutes remaining.

Mr. HUMPHREY. Mr. President, I wish to ask unanimous consent to have the letter and tabulation from the Commissioner of Indian Affairs, to which I have referred, printed at this point in the RECORD, because I believe they tell the story of what the Bureau of Indian Affairs is doing, in terms of its personnel.

Mr. HAYDEN. I have no objection to having that done.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter and tabulation were ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT
OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D. C., May 9, 1952.

Hon. HUBERT H. HUMPHREY,
United States Senate.

MY DEAR SENATOR HUMPHREY: In accordance with your request during our recent conversation I am enclosing a statement showing the March 31, 1952, employment in the Bureau of Indian Affairs by appropriations, activities, and areas. Footnotes to the statement show the geographical extent of the individual areas and include statistics on the number of agencies, hospitals, and schools.

There is much more to the story than is revealed in the statement and its footnotes. The Bureau of Indian Affairs is the only governmental agency rendering to Indians all of the manifold services which the ordinary citizen receives from Federal, State, county, and municipal agencies, and some additional services which the general population obtains from public or private sources. These services include medical care, education, relief assistance, forestry management, extension work, irrigation work, and soil and moisture conservation services. There are large Government agencies, Federal, State, or local, devoted exclusively to rendering some of these services to the general population, such as the Extension Service of the Department of Agriculture. In other instances the average citizen provides for needs out of income or through insurance such as in the case of medical care. These services are rendered to Indians through the Bureau of Indian Affairs because of laws, treaties, and national custom.

In addition to these special services there are related activities without which the services could not be operated such as those that provide for construction of buildings and utilities, for the maintenance of these facilities, for building roads, and for general administration. Furthermore, the more than 430,000 Indians do not live in one place, but are scattered throughout the United States and in Alaska, and to the normal complexities of operation of such a varied program must be added the special complexities which arise out of the dispersed nature of the operation.

The program complexity and dispersal of activities is illustrated in the attached statement which shows that 7,681 of the 12,745 employees on duty March 31 were engaged in health, education, and welfare services for Indians. Included in this total, which represents slightly more than 60 percent of all employment, are the 4,469 employees who operate the Indian school system made up of 241 day schools and 93 boarding schools in 20 States and in Alaska. Also included here are the 2,969 people who operate the 62 Indian Service hospitals in 17 States and in Alaska and those who render general health services to the Indians such as is rendered by city or county health departments for the general population. Those two activities alone, which represent services which Indians could not otherwise get, account for 60 percent of the total Bureau employment.

The next largest group of employees is the 2,062 paid from the appropriation "Resources management." These employees are engaged in fulfilling the many obligations of the United States toward the Indians which arise out of the trust status of Indian property. They are managing the Indian forest lands, aiding Indian farmers and livestock operators, promoting soil and moisture conservation practices on Indian lands, operating Indian irrigation systems, maintaining roads on Indian reservations, promoting arts and crafts programs, managing the complex Indian real-estate business, maintaining the buildings needed for service operations and helping eradicate poisonous weeds. Practically all of these services are identical with similar services rendered to the general population or carried out on the lands belonging to all the people by other Federal and State agencies which do not operate among the Indians.

Less than 10 percent or 934 of the total employees on March 31 were engaged in construction activities on buildings, roads, and irrigation systems. Most of these, of course, are skilled, semiskilled, and nonskilled workers employed on a day basis. In addition to providing facilities needed for services to Indians, this phase of the work is a major source of employment for Indians. It should be noted here that this is not the only source of employment for Indians in the Bureau. Approximately 57 percent of all positions are filled by Indians at all levels and under all activities.

Only 642, or about 5 percent, of the total employment is in the field of general administration. The employees here must do the accounting, payrolling, personnel processing, property management, and related administrative work, including executive direction and program coordination, without which the service programs of the Bureau could not be conducted.

The remainder of the employment is under special funds available for specific purposes such as the power revenues which are used to operate the power projects at Flathead, Mont., San Carlos, Ariz., and Colorado River, Ariz.; those employees engaged in operation of irrigation projects paid from collections from the water users; employees paid from funds belonging to the Indian tribes, some of whom such as the workers at the Menominee Indian mills are only technically employees of the United States; and those engaged on special projects such as the white-pine blister-rust control work for which we receive allocations from other agencies.

The 1953 budget which is before the Congress provides for some expansion in this employment. It provides for additional personnel for new hospitals for additional tuberculosis beds through contract with existing institutions and for relief of overworked doctors and nurses at existing hospitals. It provides the necessary employees for opening newly constructed schools; also, it provides for program expansion in the resources field in those areas and activities where intensified work is absolutely essential to carrying out any program for termination of Indian service business such as that proposed in California. Another source of increased employment in 1953 as proposed in the budget is

for construction work on the Navajo and Hopi Reservations to carry out the will of the Congress as expressed in the act of April 19, 1950, Public Law 474, the Navajo-Hopi Rehabilitation Act.

I hope that the foregoing will give some picture of the diversity and dispersal of Indian service employment that is an aid to understanding of the need for what in total appears to be such a large number. Your interest in this problem and your continued interest in the welfare of Indians is appreciated.

Sincerely yours,

D. S. MYER, *Commissioner.*

Bureau of Indian Affairs: Distribution of March employment by area, appropriation, and activities

Appropriation and activities	Total	Aberdeen[1]	Albuquerque[2]	Anadarko[3]	Billings[4]	Juneau[5]	Minneapolis[6]	Muskogee[7]	Phoenix[8] and Sacramento[9]	Portland[10]	Window Rock[11]	Washington, D. C.
HEALTH, EDUCATION, AND WELFARE SERVICES												
1. Hospitals, disease preventive and curative services	2,909	304	211	202	132	584	142	253	375	299	385	22
2. Educational assistance, facilities and services	4,469	712	424	374	88	432	109	241	501	121	1,363	14
3. Welfare and guidance services	90	17	4	4	2	6	4	13	12	3	18	7
4. Placement services	74	15	3	3	3	5	5	5	11	3	16	5
5. Maintaining law and order	79	18	1		6	2	4		18	9	19	2
Total	7,681	1,066	643	643	231	1,029	264	512	1,007	435	1,801	50
RESOURCES MANAGEMENT												
1. Forest and range lands	311	12	22		47		20		72	69	61	8
2. Fire suppression	100						100					
3. Agricultural and industrial assistance	243	30	12	13	25	10	5	19	41	21	38	29
4. Soil and moisture conservation	228	16	15	45	21		3	24	28	26	46	4
5. Operation, repair and maintenance of Indian irrigation systems	159	2	29		11				22	23	72	
6. Repair and maintenance of roads and trails	474	90	43	6	30		30	32	70	98	73	2
7. Development of Indian arts and crafts	4											4
8. Management of Indian trust property	238	37	8	27	15	5	18	42	29	19	20	18
9. Repair and maintenance of buildings and utilities	290	34	11	5	13	64	8	17	33	17	79	9
10. Weed control	15								13	2		
Total	2,062	221	140	96	162	79	184	134	308	275	389	74
CONSTRUCTION												
1. Buildings and utilities	387	2	10	34	12	54	1	4		1	246	23
2. Roads and trails	232	11	7	2	3		1	16	24	28	138	2
3. Irrigation systems	345	1	10		55				200	23	47	9
Total	964	14	27	36	70	54	2	20	224	52	431	34
General administrative expenses	642	85	38	24	68	43	17	32	87	65	59	124
Payment to Choctaw and Chickasaw Nations of Indians, Oklahoma	14							14				
Proceeds of power	129				74				55			
Trust funds:												
Indian tribal funds	338	6	3	85		20	65	1	44	114		
Indian moneys, proceeds of labor	346	70	70		25	27	10	4	48	14	78	
Operation and maintenance, etc., irrigation systems	454		1		98				99	256		
Transfer funds:												
Control of forest pests	1						1					
Missouri River Basin	70				67							3
Working funds, access roads	44										44	
Total	2,038	161	112	109	332	90	93	51	333	449	181	127
Grand total	12,745	1,462	922	884	795	1,252	543	717	1,872	1,211	2,802	[13]285

[1] Aberdeen area includes the States of Nebraska, North Dakota, and South Dakota with 8 agencies, 10 hospitals, 10 boarding schools, and 55 day schools.
[2] Albuquerque area includes the States of Colorado and New Mexico, with 4 agencies, 6 hospitals, 4 boarding schools and 28 day schools.
[3] Anadarko area includes western Oklahoma and the State of Kansas, with 3 agencies, 4 hospitals, and 6 boarding schools.
[4] Billings area includes the States of Montana and Wyoming, with 7 agencies, 5 hospitals, 2 boarding schools and 7 day schools.
[5] Juneau area includes the entire Territory of Alaska, with 7 hospitals, 3 boarding schools and 96 day schools.
[6] Minneapolis area includes the States of Iowa, Michigan, Minnesota, North Carolina, and Wisconsin with 4 agencies, 6 hospitals, 2 boarding schools and 5 day schools.
[7] Muskogee area includes eastern Oklahoma and the States of Florida and Mississippi, with 3 agencies, 4 hospitals, 6 boarding schools and 10 day schools.
[8] Phoenix area includes the States of Arizona, Nevada, and Utah with 6 agencies, 10 hospitals, 4 boarding schools and 25 day schools.
[9] Sacramento area includes the State of California, with 1 agency, 1 hospital, and 1 boarding school.
[10] Portland area includes the States of Idaho, Oregon, and Washington with 8 agencies, 3 hospitals, 2 boarding schools and 1 day school.
[11] Window Rock area includes the Navajo and the Hopi Reservations in Arizona, New Mexico, and Utah and the Intermountain School in Utah, with 2 agencies, 6 hospitals, 14 area boarding schools, 37 community boarding schools, and 14 day schools.
[12] Includes 5 field employees paid on the Washington office payroll.

Mr. HAYDEN. Mr. President, I yield 3 minutes to the Senator from Illinois, so that he may ask a question.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. DOUGLAS. Mr. President, is the Senator from Minnesota aware of the fact that on the basis of 12,745 employees, according to his computation, or 12,950, according to mine, 1,138 are assigned to work on trust funds?

Mr. HUMPHREY. The Senator from Illinois is correct. He knows that I have a bill which proposes that the tribal funds be placed in the hands of the tribal councils. There is a place where a reduction in the personnel of the Bureau of Indian Affairs can well be made, namely, in connection with the administration of certain funds which the Bureau of Indian Affairs apparently is never willing to let go of; apparently it simply wishes to hang on to them forever.

I wish my position to be crystal clear, namely, that the Indians deserve health, welfare, and educational services, and deserve them to the full extent to which we are able to provide them.

Mr. LEHMAN. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. LEHMAN. Let me say that from my contact with the problems of the Indians—and their problems are very great—I have been particularly impressed with the fact that if we are going to integrate these fellow Americans of ours into the general economy of the communities, we must put them on an equal basis with their white brothers in the field of education, training, and employment opportunities.

Today many Indians simply cannot compete with the whites, for many do not have sufficient education or training. Many of them are lacking even in the fundamentals of education. Many of them have not even had an opportunity to attend a grammar school. Many have difficulty in reading or writing English.

When the Indians have received an education, they have been able to compete with the whites. But if the Indians are without education, it is absolutely hopeless to try to bring about a real degree of assimilation and integration.

So I believe we cannot afford to cut down the funds available for the education of the Indians or for health services or for welfare services. All those serv-

ices are necessary to bring about such a situation that the Indians can become established on a fair level. We must see that that work is done in order to keep the Indians from continuing on a far lower level than that of the whites.

Mr. MONRONEY. Mr. President, will the chairman of the committee yield to me, to permit me to ask a question of the distinguished Senator from New York?

Mr. HAYDEN. I yield for that purpose.

Mr. MONRONEY. Perhaps the Senator from New York does not know it, but in the Hall of Fame, at the other end of the Capitol, both of the two great Oklahomans who represent our State were Indians who enjoyed superior education opportunities. One of them was Sequoia, who perfected the first written Indian alphabet. The other was the great Will Rogers. They showed by their lives the achievements to which Indians can aspire if they are given a proper opportunity.

On the other hand, if we are going to treat the Indians as "reservation Indians" and as the tool or pawn of bureaucracy, the Indians will not be able to develop to the extent to which they are capable.

Mr. DOUGLAS. Mr. President, let me ask whether it will remedy the matter to give larger appropriations to the bureaucracy.

Mr. MONRONEY. The bureaucracy needs direction and a mandate from Congress, such as will be given by this program. The Bureau of Indian Affairs must be directed to inaugurate programs to bring about the assimilation of the Indians. They must be given an adequate opportunity.

Mr. LEHMAN. Mr. President, I fully agree with what the Senator from Oklahoma has said. It has been my experience that we encourage the Indians to draw up plans for their own welfare and to permit them to become integrated into the general communities; but after encouraging them to draft those plans, many of which we later approve, we do not do anything about them. We simply allow the Indians to exist as usual, without adequate help from us or sufficient opportunities to become assimilated into the communities and into the economic life of the Nation.

Mr. WATKINS. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER. The Senator from Arizona has 2½ minutes remaining.

Mr. HAYDEN. I yield to the Senator from Utah.

Mr. WATKINS. I simply wish to point out that there seems to be a difference between the point of view of the Indians today and the point of view they have had in the past. A change has occurred in their point of view. It can best be illustrated by referring to the situation on the Navajo Reservation. In the early days it was necessary to use the services of policemen to get the children into school and to see that they stayed in school. The Indian children were somewhat like some of the white children in that way.

However, as of today, when it is announced that the busses will collect the Indian children on a certain day and will take them to the Indian school at Brigham City, instead of having to have policemen to get the Indian children to the school, probably as many as 300 Indians will be found waiting, in the hope that they will be able to go to the school, in case some of the others do not show up. A big change has come about in respect to the desire of the Indians for education.

Mr. HAYDEN. That is absolutely true.

Mr. President, let us vote on this question.

The PRESIDING OFFICER. Does the Senator from Illinois desire to use any further time?

Mr. DOUGLAS. No, Mr. President.

The PRESIDING OFFICER. If not, the question is on agreeing to the amendment of the Senator from Illinois to the committee amendment on page 9, in line 8.

Mr. DOUGLAS. Mr. President, I ask for a division.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment on page 9, in line 8.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, under the subhead "Resources management," on page 9, line 18, after the word "exhibits", to strike out "$12,949,760" and insert "$13,700,000."

Mr. McFARLAND. Mr. President, to this committee amendment, I offer the amendment which I send to the desk and ask to have stated. The amendment is offered to the committee amendment by me, on behalf of myself and the Senator from Utah [Mr. WATKINS].

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 9, in line 18, it is proposed to strike out "$13,700,000" and insert in lieu thereof "$13,900,000."

Mr. McFARLAND. Mr. President, this is a small item.

The $200,000 increase proposed here is for range water development on the Papago Indian Reservation in southern Arizona.

This is one of the most important phases of the plan for the social and economic development of this tribe and the discharge of the Federal Government's obligation to these Indians. The object is to proceed constructively in establishing the 7,000 Papagos on an improved economic level, as a part of the purpose to integrate them into the social, economic, and political life of the Nation, and to terminate Federal supervision and control of the Indians.

The Papagos comprise about 1,200 family groups, and they live in 73 scattered villages. The total reservation area is 2,855,021 acres, divided into three units—the Papago, the San Xavier, and the Gila Bend Reservations.

There are about 7,000 Papago Indians, and they need this additional fund in order to prevent their soil from washing away and to provide money with which to build water holes for their cattle.

I hope the Senate will adopt this amendment to the committee amendment.

Mr. FERGUSON. Mr. President, will the Senator from Arizona yield for a question?

Mr. McFARLAND. I yield.

Mr. FERGUSON. How much would this amendment to the committee amendment add to the bill?

Mr. McFARLAND. $200,000.

Mr. FERGUSON. How much was budgeted for this particular item?

Mr. HAYDEN. I can give that figure. The item was budgeted; but as it stands today, under "Resources management" we are——

Mr. FERGUSON. No; I mean to ask whether there was any budget estimate for this particular item.

Mr. HAYDEN. No; there was not.

Mr. McFARLAND. It was in a lump sum, and the budget estimate was $500,000. Of course, we have had to split these items for irrigation.

Mr. FERGUSON. This item was before the Senate last year, was it not?

Mr. McFARLAND. No.

Mr. HAYDEN. No, it was not.

Mr. FERGUSON. Were not some of of these wells under consideration last year?

Mr. McFARLAND. No. This item is not for wells.

Mr. FERGUSON. This is for another location, is it?

Mr. McFARLAND. This is a small amendment far below the budget estimate in amount.

Mr. FERGUSON. Does it come under "Construction?"

Mr. HAYDEN. No; it comes under "Resources management."

Mr. McFARLAND. This item is for water development on the Papago Indian Reservation; it is to develop waterholes for range purposes. It is needed for the cattle on the reservation.

Mr. HAYDEN. If my colleague will permit, I may say that if the Senator from Michigan will look at the budget estimate for this item, he will observe that it was $18,372,000. The House allowed $12,949,760. The recommendation of the Senate Committee is still far below the budget. Had the full budget estimate been allowed, this work could have been taken care of.

Mr. FERGUSON. Yes, but this particular item is now sought to be earmarked.

Mr. HAYDEN. That is what my colleague seeks.

Mr. FERGUSON. The Senator proposes to add $200,000, to be earmarked.

Mr. HAYDEN. What I mean is that, had the full budget estimate of $18,372,000 been allowed, the program which my colleague advocates would have been included.

Mr. FERGUSON. But does not this bill add $1,700,000 to last year's appropriation for items of this kind?

Mr. HAYDEN. No; not over the appropriation of last year.

Mr. FERGUSON. It is $1,660,000, approximately, which I spoke of as being $1,700,000, over last year's appropriation.

Mr. HAYDEN. A very large budgetary increase was recommended.

Mr. FERGUSON. Would there not be sufficient in this item to cover the $200,000? Why must we have that earmarked? If it is so important, would not the department do the work out of the amount of money we are giving them, in the sum of about $13,900,000?

Mr. McFARLAND. No, there would not be sufficient money to do what my amendment contemplates. All I have done is to select a few items. The Senator speaks about earmarking. I have not offered amendments, and shall not do so, as to all the items included in the budget estimate. I selected a few items which I deemed most important to the Indians. In this instance only $200,000 is proposed to be provided.

Mr. FERGUSON. "It is only" that amount. That is what we hear when it is proposed to add $1,000,000,000. "It is only $1,000,000,000."

Mr. McFARLAND. Yes, but in the case of these items the proposed appropriation is $4,000,000 or $5,000,000 under the budget estimates.

Mr. FERGUSON. Similar situations come up in the committee from time to time. A Senator asks, "What is that item?" The reply is, "It is only $1,000,000,000 or $2,000,000,000."

The PRESIDING OFFICER (Mr. UNDERWOOD in the chair). The question is on the amendment offered by the Senator from Arizona [Mr. McFARLAND] to the committee amendment.

Mr. FERGUSON. I ask for a division.

On a division, the amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next committee amendment was, on page 10, line 1, to strike out "$5,310,000" and insert "$24,812,000."

Mr. McFARLAND. Mr. President, I send to the desk an amendment, which I desire to call up.

Mr. DOUGLAS. Mr. President, I desire to submit an amendment.

The PRESIDING OFFICER. The Senator from Arizona is recognized. The clerk will state the amendment offered by the Senator from Arizona to the committee amendment.

The CHIEF CLERK. It is proposed by Mr. McFARLAND for himself and Mr. WATKINS, to amend the committee amendment on page 10, line 1, by striking out "$24,812,000" and inserting "$31,312,000."

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. DOUGLAS. I have an amendment to reduce the figure from $24,812,000 to $14,812,000, a cut of $10,000,000. If the proposal of the Senator from Arizona were adopted, namely, an increase of approximately $7,000,000, would it then be in order subsequently for me to propose a reduction to $14,812,000, or would that be an amendment not in order?

The PRESIDING OFFICER. The amendment to reduce the amount would not be in order, if the amendment of the Senator from Arizona were adopted, except through reconsideration.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. FERGUSON. I have a similar parliamentary inquiry. The Senator from New Hampshire and the Senator from Michigan have an amendment on page 10, in line 1, to strike out "$24,812,000" and insert "$14,812,000." Would it be in order to offer that amendment as a substitute for the amendment of the distinguished Senator from Arizona?

Mr. McFARLAND. Mr. President, I do not yield any further in regard to this matter. I wish to address the Senate. I understand I have the floor. I have been willing to yield up to this time.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McFARLAND. Mr. President, the purpose of this amendment is to provide for the construction of necessary roads in the Navajo and Papago Indian Reservations, to provide schools, on the Navajo Reservation, and to make provision for increased irrigation facilities on the Papago Reservation.

On a recent trip to the Navajo Reservation, I participated in a long conference on the reservation between representatives of the University of Arizona, the University of New Mexico, and the Navajo Tribal Council. We heard from many tribal leaders and from each came the same entreaty:

"Give us schools. If we can have schools we can work out many of our secondary problems. But we need schools for our children."

These are a definitely self-respecting people. One can see in the effort the parents have made to provide what they consider boarding facilities for their children the eagerness, the strength of their positive desire to help themselves. It is hard for many in the Senate to realize the magnitude of the problem of meeting our responsibilities to these fine people.

The Navajo Reservation is the size of West Virginia—and has 12 miles of paved roads. There are more than 65,000 Indians living in this area. Of the approximately 26,000 Navajo children, of school age, 15,000 have no schooling because there are no schools for them. Another 5,000 have spasmodic schooling but insufficient to turn them out as literate people.

This alarming situation exists in spite of the fact that since 1868 there has been a treaty between these people and the Federal Government which provides for the presence of a school and teacher for each 30 children.

A prime requirement for any honest school program is a highway system sufficient to get the children to the schools—and to the hospitals—which are few and far between.

Let me say to my good friends on the floor of the Senate, who talk about the condition of the Indians not being any better than it was years ago, that I can tell them why it is not any better. It is because the Federal Government has not done the right thing by the Indian. Had we rehabilitated the Indian years ago, he would already have been assimilated into the life of the white people and would have been treated as one of them. But what did we do? We sent the Navajo, Hopi, and Papago Indians out to the desert, where they were virtually prisoners. As a matter of fact, they were prisoners, because they were not permitted to leave the reservation.

I heard an interesting story in regard to the Indians, when they were at Fort Sumter. The Army took them to the fort, where they were guarded. The Government supplied the Army with sufficient money to purchase 15,000 blankets for the Indians. The General Accounting Office recently discovered that only 5,000 of those blankets had ever been delivered. Ten thousand of them were lost, or were never purchased. If they ever were purchased, no one knew what had become of them. It is rather late now to undertake to find out what happened to 10,000 blankets in 1863. That illustrates the manner in which the Indians have been treated.

Senators talk about having a program. We have a program, for the first time. Twenty-three years ago we started to formulate a program for the benefit of these downtrodden citizens—the first citizens, if you please, Mr. President, of the United States of America.

The Navajo-Hopi rehabilitation program was the comprehensive plan approved by the Eighty-first Congress in 1950 after a careful study of the existing chaotic conditions in the Navajo country. The program contemplated an expenditure, over a 10-year period, of $88,570,000. There are approximately 26,000 Navajo children of school age. Of this number 15,000 are without school facilities.

Mr. President, the Navajos made a splendid record in World War II. They fought for their country, and they should not be deprived of the privilege of sending their children to school. We send money overseas to rehabilitate foreign nations, but we cannot take care of our own Indians. We whittle down appropriations designed to take care of the Indians who are good citizens.

As I pointed out, Mr. President, the Indians say they do not want buildings with frills as provided by the architect from Chicago. I told them that so far as I was concerned, our committee would recommend the firing of the architect from Chicago, and they all cheered. All they want is good, substantial buildings and an opportunity for their children to attend school.

Mr. McCARRAN. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield.

Mr. McCARRAN. Referring to the bill and the item to which the Senator is addressing himself, there has been publicized to some extent a statement to the effect that the Bureau intended to remove some of the Navajos to other States and to colonize them in other States. The matter has been referred to in my own State. I hope it is not the intention of the Senator from Arizona to promote this appropriation for the purpose of removing Navajos from the Navajo country, Arizona, New Mexico,

and the Southwest, to some place which has not been Navajo country in any sense of the word.

Mr. McFARLAND. I do not intend to touch upon that at all. All my amendment does is to provide for schools on reservations.

Mr. McCARRAN. Reading from page 9——

Mr. McFARLAND. But that is not the purpose of my amendment. There is a program to try to secure employment for these Indians off the reservation. Some of them are employed at mines at Morenci, Ariz. They are making good miners and are sending their children to school. But, Mr. President, they will not work there unless they understand the English language. Eighty percent of them do not know the English language.

Mr. McCARRAN. I very much favor the Senator's idea of education, but to move a Navajo out of the Navajo country and send him to till the soil in Utah, Nevada, Idaho, and other places where he has never been before, is contrary to the policy which I think is good for the Navajo. I certainly would object to their being so colonized. They vote in the State of Arizona and in the State of Nevada. I, in part, represent a State which has a voting population of 175,000 persons. If we move the Indians there it would be possible to gerrymander the State very easily.

Mr. McFARLAND. I can appreciate the fears of the distinguished Senator from Nevada. I know his State has a small population. I know there is not much opportunity in the State of Nevada for employment for the Indians.

Mr. McCARRAN. I am in favor of the Indians getting employment anywhere they can get it, because they make good mechanics and machinists when they are trained. There is no better worker than is the Indian when he is properly trained. I have noticed that all over the West.

Mr. McFARLAND. All we propose to do is to give the Indians an opportunity to work.

Mr. WATKINS. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield.

Mr. WATKINS. May I point out that I am a member of the Navajo "watchdog committee." That is one of the reasons why I am trying to discharge my duty today.

Mr. McCARRAN. Does the Senator now bear the title of "Chief"? If not, I should like to give it to him.

Mr. WATKINS. The title will probably be "Chief Mud Catcher" when we get through. The Indian Bureau is trying to place the young Indians, as fast as they learn English, in various localities where they can obtain employment. Not in colonies, I will say to the Senator from Nevada, but in communities where help is needed. In Utah many agricultural workers are needed. There are 75,000 Navajos on the reservation, but resources are adequate to take care of only about 35,000. We are employing Mexicans. On my own farm Mexican labor is being employed. We would be only too glad to have Navajos, but I can not find a sufficient number of them who are trained to work. We can not get them. The idea is not to place them in colonies, but to place them wherever they can make good as American citizens. I am against colonization.

Mr. McCARRAN. My observation has been that the Navajo, when first approached, does not know much English, but after a few minutes he can speak it about as well as any of us can.

Mr. HAYDEN. Mr. President, will my colleague yield?

Mr. McFARLAND. I yield.

Mr. HAYDEN. I know of no idea of colonizing the Navajos. Personally, I would oppose it. On the other hand, if the Indian can be trained to take a job he should be able to take it anywhere he can find it in the United States.

Mr. FLANDERS. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield for a question.

Mr. FLANDERS. I have been listening to the reasons for the proposed amendment which the Senator from Arizona seems to base largely on the requirements for increased education for the Navajos and other Indians, with which I am completely sympathetic. I do not find, however, that in the section of the bill which he seeks to amend education itself is mentioned more than incidentally. What assurance is there that the proposed increase in the appropriation will go for the purposes which have been so well presented by the Senator from Arizona.

Mr. McFARLAND. Mr. President, it is, of course, for construction, and I am placing in the RECORD the justification for it. I think the Bureau will be duty-bound to follow the justification.

The purpose of this amendment is to provide sufficient funds to carry through on at least a token basis the projects promised these people. Even with the educational facilities provided for by this amendment, there will still be thousands of Navajo children without schools.

The sum of $600,000 of the requested increase is for reconstruction of the Dennehotso boarding school to care for 150 pupils.

The sum of $800,000 is needed for the reconstruction of the Piñon School, also a boarding-school project to accommodate 120 Indian children.

The sum of $1,500,000 would be allotted for a new facility, the Keyenta School, a boarding school that would eventually accommodate 400 Navajo school children. The total cost of this facility will be $7,000,000, and the $1,500,000 requested here is to start construction.

There is no large boarding school on the entire west side of the reservations.

The sum of $700,000 would be required to provide the Sanostee School. This is a reconstruction program, the present school not being in operation because the building is unsafe. It would be designed as a boarding school to accommodate 150 pupils.

The sum of $800,000 is sought for a reconstruction program on the Steamboart School, also a boarding school, designed to care for 120 pupils.

On the long-range program $7,000,000 has been appropriated so far. There was $7,725,000 requested in the 1953 budget. Even with Senate restoration, too little can be done.

The appropriation thus far on the long-range program for roads is $1,118,000. There had been $2,280,000 requested in the budget. Even with the Senate restoration, this will take a cut. There should be built each year $5,000,000 worth of roads and trails. The amendment adds $1,000,000 and will still be under $3,360,000 to be used for "resources, schools, and hospitals."

On the whole Papago Reservation there is only one State highway which is constructed to modern standards for less than one-third of its length across the reservation. From this highway lead two Indian Service roads, one south from Sells and the other to Casa Grande, neither of which is built to present-day standards. Less than 150 miles of secondary roads built to truck trail standards complete the entire reservation road system. Only 36 of the 73 Papago villages are reached by graded roads. Two schools are more than 8 miles from the nearest improved highway.

The Papago road program proposes intensive support for the rapid completion by the State of Arizona of Route 86, the east-west highway; reconstruction by the Bureau of Indian Affairs of the road north from Sells to Casa Grande and of parts of the secondary road system to standards that will make them acceptable as part of the country road system. It also proposes the construction of a limited number of bus roads and access roads to the various villages.

The estimate capital investment for this feature is $3,500,000 which should be made available at the rate of about $350,000,000 per year.

This amendment authorizes $500,000. Without this amendment but $173,000 would be made available for this vital and much-needed project.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. HAYDEN. The breakdown of the budget shows buildings and utilities, $14,810,000; roads and trails, $10,000,000; irrigation systems, $11,000,000, under the construction item. We cannot have schools and hospitals without building utilities.

Mr. FLANDERS. What was the first item which the Senator read?

Mr. HAYDEN. Buildings and utilities.

Mr. FLANDERS. It does not tell what they are?

Mr. HAYDEN. The only kinds of buildings and utilities are school buildings, day schools, boarding schools, and hospitals.

Mr. FLANDERS. I thank the Senator.

Mr. McFARLAND. Mr. President, we talk about a long-range program. Congress authorized an appropriation of more than $88,000,000 for the Navajos and Hopis in the authorization legislation for rehabilitation. A total of $20,394,200 was recommended for this program for the fiscal year 1953. The House reduced the appropriation recommendation to $2,483,500. If the totally inadequate $2,483,000 appropriation is allowed to stand, it will mean a stalemate in the constitution program

already in progress and will result in financial loss and virtual abandonment of the long-range program promised by the act of April 1950.

Mr. President, these Indians have been relying on this program. They have been counting on having these schools for their children. If we are to establish the schools for them at some time, why not do so now, in order that they may rehabilitate themselves, and take their places as useful citizens.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. KNOWLAND. The distinguished Senator from Arizona is making a very good point. Certainly what has impressed itself upon members of the committee who listened to the testimony has been the fact that our country has not been very successful in laying a foundation for the integration of Indians into normal American life. The sooner they can be properly educated and trained vocationally and otherwise, so that they can take their places as citizens of our great Nation, on a basis of full equality with other citizens, earning their own way, the sooner, in the final analysis, we will have discharged our obligations to the Indians.

I believe the Senator from Arizona would also agree that we have not been satisfied over the years with the way in which the Indian Bureau has operated. It is a little short of shocking to me that there should still be thousands of Indians who cannot speak the language of the country with which they are expected to be integrated, and in which they are expected to take their places.

The Indians have contributed much by their service in the Armed Forces. They can make a real contribution to the general economic development of the United States. I think a very strong case has been made for granting the increase recommended by the committee. However, I think we must keep the Indian Bureau constantly under the close observation of Congress and of the Appropriations Committee, so that as soon as possible we can change the policy of having the Indians as merely wards of the Government, and enable them to get on a self-supporting basis, so that they can make their full contribution to the welfare of the United States.

Mr. McFARLAND. I thank the distinguished Senator from California for his statement. I agree with him that the appropriation suggested would be money well spent. It would be a good investment and, in the long run, would mean a saving to the United States. It is the only way in which we can relieve ourselves of the obligation we owe these Indians from year to year. After these Indians are educated, they will not want to live on reservations and eke out an existence under starvation conditions. I think we should act from a humanitarian standpoint, if for no other reason. I cannot conceive that the Senate would deny such assistance to these people, who plead with us to give their children an opportunity to succeed in life. I do not see how we can say "No" to them. There are 15,000 children on the Navajo Reservation. The Papagos are in equally as poor condition, if not worse. The money would be used on both reservations.

The Indians will be watching for the appropriation of this money. I wish to say again that they do not want school buildings having frills. All they desire is usable schoolrooms, and, of course, they want to have a few roads by which they can get to the schools.

Mr. THYE. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. THYE. I agree with the able and distinguished majority leader in his statement that what the Indians and Indian families are concerned with is that they have suitable school buildings. I believe we have failed very sadly in not equipping Indian schools for vocational education and manual training. The Indians should have an opportunity to work with their hands and to do the things which through the ages they have been trained to do.

Last fall I visited an Indian reservation in Minnesota. When I went through the general classrooms in the school, I did not find the interest among the pupils that I found when I stepped into the vocational education or manual training classrooms. There I found keener interest.

If we are ever to aid Indians to take care of themselves and to take their place among the citizens of this land, it will be through the educational system of our vocational classrooms. We shall have to begin preparing Indian youths to go into the various communities of the Nation and to live as citizens of the land, as do other youths.

I thank the Senator from Arizona for yielding.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. WATKINS. Is it not true that Congress has approved a 10-year program for rehabilitation of the Navajo Indians?

Mr. McFARLAND. That is correct.

Mr. WATKINS. Congress authorized $88,000,000 to take care of rehabilitation, and a definite program was worked out at the time.

Mr. McFARLAND. That is correct.

Mr. WATKINS. The pending amendment is in line with that program, and is intended to put it into effect; is it not?

Mr. McFARLAND. It is

Mr. WATKINS. The Senator from Arizona is chairman of the Navajo watchdog committee, authorized by Congress, is he not?

Mr. McFARLAND. Yes.

Mr. WATKINS. The Senator is now discharging one of his duties as chairman of that committee. I happen to be a member of the committee, as well.

Mr. McFARLAND. I wish to state another thing the watchdog committee has done. We have asked the universities and colleges of our States to help us observe the expenditure of the money, and they are doing so. They will make a report on the subject, and we can rest assured that we will get as much for the money we appropriate for the benefit of those Indian people as is possible.

I hope the Senate will agree to the amendment.

Mr. FERGUSON rose.

Mr. HAYDEN. Mr. President, I yield to the Senator from Michigan whatever time he may require.

Mr. FERGUSON. Mr. President, I suppose it might be presumed that there were no Indians in the State of Michigan. It so happens that there are Indians in the State of Michigan; but the Senator from Michigan opposes the proposed increase.

The distinguished Senator from Arizona [Mr. McFARLAND] talks about frills. He said that the Indians did not want any frills in connection with school construction. He stated that he knew that if anyone had ever been on the Navajo Reservation he would favor these increases.

The Senator from Michigan has been on the Navajo Reservation. He was out there at about the time the school project at Shiprock was started. These things come along gradually. That project was started back in 1947. In this year's appropriation, known as the fifth increment, only $1,990,000 is asked. That particular school is to have boarding facilities for 510, and facilities for 180 day students in addition. When completed—at least up to the fifth increment—the cost will be $6,918,900. That is only a little short of $10,000 per student for the cost of the facility. I notice one item for a gymnasium, auditorium, and office wing, $870,000.

Mr. President, this is not all for schools. About a third of it is for roads and trails and irrigation. We who oppose this amendment have some ideas. The amendment was considered in the Senate Committee on Appropriations and was rejected. It had been considered by the House, and the House allowed about $5,000,000 for this item. The Senate committee increased it $19,500,000. The sponsors of the pending amendment would increase it about $6,000,000 more.

This item has in it at the present time $1,800,000 unobligated. It has in it about $9,000,000 unexpended carry-over at the end of the year. So we who oppose this increase believe that not only have we allowed too much in the item of $19,500,000—and some of us are sponsoring an amendment to decrease that amount—but certainly the pending amendment should not prevail.

During the past 10 years this item has cost $76,240,454, indicating that we have not held down the support for Indian reservations and for the Indians individually.

The difficulty I found with respect to the Navajos, as I have discovered from a survey of the other cases, is that we have been spending great sums of money on them and we have not been accomplishing what we should have accomplished. I have felt at times that the difficulty is that there is too much time spent, by those who administer the Indian Bureau, in the spending of money itself, instead of educating and taking care of the Indians, so that they may go out into the world, into white men's communities, and take care of themselves.

The greatest need in this country today is for a program which would free the Indians. Those in charge of the Bureau, while taking care of the Indians should work to free them.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. McFARLAND. Is the Senator from Michigan in favor of carrying out the long-range program which was adopted by Congress?

Mr. FERGUSON. The trouble is that we have been carrying it out for 60 years.

Mr. McFARLAND. No, no, Mr. President; that is not correct. Is the Senator in favor of the long-range program which was adopted and which was supposed to rehabilitate the Indians? Is the Senator in favor of carrying out the program for which $88,000,000 was authorized, or is he opposed to it?

Mr. FERGUSON. Mr. President, I think that an authorization is no mandate upon either the members of the Appropriations Committee or on Congress as a whole to make appropriations. We did not say that the $88,000,000 would be used to carry out the program in one year or 10 years.

Mr. McFARLAND. It was to be done over a 10-year period. It is supposed to be completed in 10 years. Does not the Senator think if it is a good step forward that it should be taken now? Is the Senator in favor of spending money to carry out that program, or is he opposed to it?

Mr. FERGUSON. The Senator from Michigan feels that some things have happened since the program was adopted. Things have happened in the United States which make it necessary to cut the expenditure of money. We must determine whether we want to spend this additional amount of money by way of deficit spending. That is the question which confronts us. Naturally the Bureau will spend any amount of money Congress gives them. The House knew what it was doing. It allowed $5,000,000. We must make cuts somewhere.

Mr. President, this morning we had an appropriation bill before the subcommittee with respect to the military. The military are asking for approximately $52,000,000,000 to defend the United States. Here we have construction items. Are we going into 1953 fiscal year with an appropriation for roads and trails and certain other construction to be provided by deficit spending? The question is not whether we should or should not educate the Indians. That is the whole question before the Senate.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. McFARLAND. Is the Senator in favor of allowing to continue to exist a situation in which 15,000 Indians, wards of the Government, have no opportunity for education?

Mr. FERGUSON. We have been appropriating money every year to take care of the education of the Indians. Spending $88,000,000 over a 10-year period would only amount to $8,800,000 a year. We are being asked to appropriate $31,000,000.

Mr. McFARLAND. That is for construction work for all Indians throughout the United States, not merely for the Navajos. The Senator knows that to be the fact.

Mr. FERGUSON. How much will the Navajos get this year?

Mr. McFARLAND. They will not get enough.

Mr. FERGUSON. Naturally.

Mr. McFARLAND. They will not get enough. They will not get the amount which was budgeted and they will not get sufficient money to send their 15,000 children to school. That is the situation, Mr. President.

Mr. FERGUSON. Even if we appropriate the money this year they will not be sent to school.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. DWORSHAK. Is it not correct to say that the United States Government has neglected the Indian children? The prime objective of our educational program is to assimilate Indian children with our white school children. In my State an Indian school was closed down and the school district in the adjoining territory has been required to absorb the Indian children. While we appropriated vast sums of money annually for the Bureau of Indian Affairs, the Indians are becoming poorer and poorer as wards of the Government, and at the same time illogical claims are made that the Government is not doing enough for them. Somewhere there must be an inconsistency.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. That will help ward off some of the criticism we who are asking for cuts have been receiving.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. The Senator from Arizona desired to know how much the Navajos and Hopis get. Last year they wanted $10,500,000. Of this year's allotment, they want $16,731,500 for the Navajo-Hopi program.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. BRIDGES. Mr. President, on September 22, 1951, the distinguished Senator from Nevada [Mr. MALONE] made a very outstanding and able address on the Indian situation. I have it before me. Persons who feel that the Indians are abused and that the United States has not done its part for them should read the speech of the Senator from Nevada. In the CONGRESSIONAL RECORD, volume 97, part 9, page 11912, appears a table, which was printed in connection with the speech made by the Senator from Nevada. The table shows that in the fiscal year 1903 Congress appropriated $9,941,299.29 for the Indian Service. In 1951 Congress appropriated $80,635,055. It represents an increase of approximately 800 or 900 percent. Yet we are told that the condition of the Indians is getting worse year by year. The whole program has been mismanaged and mishandled.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FERGUSON. Apparently the more money we give to the Indian Bureau the less the Indians get out of it.

Mr. BRIDGES. The moment the Indian Bureau gets its hand on an Indian, no matter how little Indian blood the "Indian" may have, it never relinquishes its hold on him. The distinguished Senator from Nevada, during the course of his address on September 22, 1951, pointed out that in the case of former Vice President Curtis, who had only a very small amount of Indian blood, the Indian Bureau held on to his estate and insisted on settling it even though he had a very small amount of Indian blood in his veins. That is how the Indian Bureau performs its functions.

Mr. WATKINS. Mr. President, will the Senater yield?

Mr. FERGUSON. I yield.

Mr. WATKINS. I should like to say to the Senator from New Hampshire that the Indian Bureau at that time was under the direction of the Republican Party.

Mr. BRIDGES. It does not make any difference.

Mr. FERGUSON. I think it is even worse if it was done under a Republican administration, because they should have known better.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WATKINS. I should like to say that, so far as the Indian Bureau is concerned, and the statement that its history shows failure, I think a very fundamental fact is overlooked. I know something of the Indian Bureau people. I have lived near an Indian reservation, and I have lived on an Indian reservation itself. I have moved among those employed by the Indian Bureau people. I think they are very decent citizens. I have found for many years that the Indians themselves have not been willing to accept education. They have not been willing to improve themselves. For instance, I should like to invite the attention of Senators to the fact that on the Ute Reservation in Utah the white overseers who are in charge built little homes for the Indians to live in. They were fine little frame buildings. They asked the Indians to move into them. The Indians moved into the buildings and stayed there for perhaps a month. Then it was found that the Indians had put their saddles, harness, dogs, and general paraphernalia into the frame buildings, and they were living in the tepees which were standing to one side of the houses. But that condition no longer exists; there has been a big change in the Indians.

Mr. FERGUSON. When I was recently on the Navajo Reservation, I found that approximately 40 automobiles were being operated at the headquarters of the reservation. Those automobiles were being operated by the whites who were in charge of the headquarters. The Indians do not drive those automobiles. They are used by the white men who are supervising the Indians.

The taxpayers of the United States are paying for the operation of those automobiles.

If a few of the white supervisors rode horses to supervise the Indians, perhaps there would not be so many supervisors. But the present situation is that the supervisor rides in an automobile, and the Indian and his wife ride on a horse.

I am objecting to all these extravagant expenditures.

Mr. WATKINS. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield.

Mr. WATKINS. There may have been a time when there was extravagance, and perhaps there is extravagance now. However, let us remember that the 10-year rehabilitation program for the Navajos, for instance, is a definite program to improve the land and provide education for the Indians.

I realize that it is difficult to have perfect administration. On the other hand, the Senator from Arizona and I are saying that there is a different feeling among the Indians today. Congress has adopted a program for the Indians, but the work in connection with the program is far behind schedule. Certainly we are under obligation to carry out the program.

Mr. FERGUSON. That is the argument of the bureaucrat; namely, "Just give me more money and I will do better things."

Mr. WATKINS. But how can the Indian children be educated unless money is provided for the purpose?

Mr. FERGUSON. Will the Senator from Utah say that $10,000 per student must be spent for the Indian schools?

Mr. WATKINS. No; it would not be necessary to spend that much money if it were not for the inflation which has occurred.

Mr. FERGUSON. Mr. President, there is one item for $150,000 for a sprinkling system for a school in the desert. Is it necessary for quarters of that size to be provided?

I know, and the Senator from Utah knows, that the supervisors of these Indians not only drive automobiles, but in some cases fly in airplanes– all at the expense of the American taxpayers. On the other hand, the Indians have to ride horses.

Mr. WATKINS. If more airplanes and a landing field or two were available, there would not have to be so many supervisors or so many automobiles for the supervisors. It is not possible to drive an automobile over much of the reservation.

Mr. FERGUSON. But such a change would not result in decreasing the supervisory personnel. The only result would be to provide more airplanes, and then it would be necessary to provide more pilots and more ground forces.

Mr. McFARLAND. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield.

Mr. McFARLAND. I wish to state that at the meeting on Saturday the Indian agent who is in charge of that reservation came to an agreement with the tribal council, to the effect that no building will be constructed unless the chairman of the tribal council approves it.

The Indians do not care anything about frills, but they want education for their children.

Let me say to the Senator from Michigan that if we made reductions in all the other items of the budget in proportion to the reductions proposed in these items for the Indians, no doubt the budget would be balanced.

Mr. FERGUSON. We are trying to balance it.

Mr. McFARLAND. But the Senator from Michigan wishes all the cuts to be made in the items for the Indians, whose children now are not able to go to school.

Mr. FERGUSON. No; I want to make the reductions in the funds proposed to be appropriated for the supervisors.

Mr. McFARLAND. Mr. President, under my amendment a cut of 12 percent below the budget figure would be made. But the Senator from Michigan would pick on the poor Indian who cannot read or write or come to Washington to tell the Senate about his difficulties.

The poor Indian cannot go to school. Yet he is called on to fight for his country.

Does not the Senator from Michigan think it is just as important for the defense of the Nation to educate these Indians as it is to build the plant in which the Senator from Michigan is interested?

Mr. FERGUSON. Oh, yes; I realize how the Senator from Arizona feels.

Mr. McFARLAND. I did not see the Senator from Michigan asking that a cut be made in the case of the St. Lawrence seaway. I supported him on that measure.

Mr. FERGUSON. We did not even get it to a vote. If the distinguished Senator from Arizona had brought up that measure much earlier in the session, instead of so late, perhaps we could have had enough Senators here to keep it on the floor, and it would have gone through, and at least we would have gotten the St. Lawrence seaway started; and then the taxpayers would have purchased the bonds, and we would have had the seaway.

Mr. McFARLAND. That measure was brought up in good time, after it was reported. It was on the calendar for a month.

Mr. FERGUSON. I do not think so.

Mr. MALONE. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I am glad to yield.

Mr. MALONE. I wish to compliment the distinguished Senator from Michigan for bringing the entire Indian problem into focus.

Since 1947, I have introduced two bills calling for abolishment of the Bureau of Indian Affairs. The Bureau of Indian Affairs should be abolished, because that Bureau absorbs most of the appropriations which are made for the Indians.

Mr. FERGUSON. That is correct.

PRISONERS OF WAR

Mr. MALONE. It is my opinion that the Indians have been virtual prisoners of war for 100 years.

Mr. FERGUSON. They have really been in concentration camps since they were placed in the first camp in the West.

Mr. MALONE. Yes.

A great commotion was made when the Japanese were placed in concentration camps during World War II.

Mr. FERGUSON. However, the Japanese were released from those camps, and now we are paying them damages for having put them in the camps.

Mr. MALONE. At that time I was not a Member of the Senate; I was a special consultant to the Senate Committee on Military Affairs. I was sent to the Japanese camps, to make a report to the subcommittee. The conditions in those Japanese camps were no worse than the conditions which have existed for 100 years on the Indian reservations. Mr. President, we simply forgot the Indians.

Early this month it was my good fortune to make a commencement address at the high school at Fernley, Nev. That high school is within 15 or 20 miles of the Pyramid Lake Indian Reservation. The Indian boys and girls attend the Fernley High School. Some of them graduated from that high school this year, and they are some of the finest boys and girls I have ever seen. Certainly they are on a par with the white boys and girls. At that high school the Indian boys and girls receive a good education.

TREATED IN SAME WAY

The purpose of the bill which I have introduced twice since 1947 is to have Indians treated in the same way that everyone else is treated, and to permit Indians to have all the rights that all the rest of us have.

Today the Indian is told that he cannot do this or that, and that he cannot leave the reservation except under certain conditions, and that if he does leave the reservation, he loses whatever mythical rights he may have.

My proposal is simply to give the reservations to the Indians, and have the reservations divided among the Indians, and then have Congress hold hearings to determine whether anything more is owed the Indians. In other words, let us pay the Indians whatever we owe them, and then let them go on their own way.

If that were done, it might still be necessary to care for Indians who are 35 or 40 years of age or older, and who have passed the best age for obtaining an education and for learning to support themselves. It might be that such Indians would have to be given some sort of pension. In any event, after 15 or 20 years that problem would disappear. Certainly the cost of putting every Indian in the United States on a pension would be much less than the present cost of the Bureau of Indian Affairs.

DOING GREAT SERVICE

So I say to the distinguished Senator from Michigan that he is doing a great service to the Congress and to the Indians by bringing this question into focus.

On the other hand, until the system is changed, until the Indian Bureau is directed to wind up its affairs, and until the proper committees determine what should be done in this matter, I believe we probably shall have to continue the present wasteful system.

Mr. FERGUSON. But not at the rate of expenditure provided by means of this amendment.

BIGGER INDIAN BUREAU

Mr. MALONE. I admit that there may be some additional waste in this amendment.

Nevertheless, how are we going to check on the Indian Bureau? Any witnesses from that Bureau simply give us a big story about some mythical thing the Indian Bureau proposes to do for the Indians. That has been the situation for 100 years, but nothing ever is done for the Indians. The only result of all these programs is to build a bigger and better Indian Bureau.

So I shall go all the way with the distinguished Senator from Michigan.

I hope that by next January or February we can begin to hold hearings on a bill to rearrange the Indians' affairs, to make citizens of the Indians, to treat the Indians in the same way that all the rest of us are treated, and to permit the Indians to have all the rights that all the rest of us have. At that time we should pay the Indians whatever we owe them, and we should arrange to have the Indian children go to school, where they belong.

Mr. President, Indian blood is good blood.

I never have been able to understand the philosophy of those—particularly Senators on the other side of the aisle—who favor the importation of great numbers of foreigners into the United States, but who permit the Indians, the original settlers of this county, to remain virtual prisoners of war.

Mr. FERGUSON. Mr. President, I favor making a reduction in the appropriations for the Bureau of Indian Affairs and making it possible for the Indians to become free American citizens, with all the rights of American citizens.

At this point I wish to call the attention of the distinguished Senator to the number of automobiles the Indian Bureau has, as indicated in the budget figures. The total is 1,675.

This year they want 425 new ones. One thousand two hundred and fifty will be carried over. That shows what the white man is doing so far as the automobiles are concerned. He builds up his power, he builds up the amount of money he wants for each one of the projects. No wonder he wants these good roads. The Indian is not worrying about roads over which he may ride on his horse, but it is the white man, who will have one of the 1,675 automobiles, who is worried about the roads. That accounts for the demand for these roads.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from Nevada.

Mr. MALONE. I merely want to add that, if there is any race of people within the entire United States of America who have a kick coming, it is the Indian.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The question is on the amendment of the Senator from Arizona [Mr. MCFARLAND].

Mr. BRIDGES. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. BRIDGES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRIDGES. Mr. President, I ask unanimous consent that the order for a quorum call be vacated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the further proceedings under the call will be vacated.

Mr. BRIDGES. Mr. President, on the pending amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MCFARLAND. Mr. President, in the President's budget there was an item of $325,000 for the reconstruction of what is known as Picacho Reservoir. With the percentage cut in the committee amendment, the funds needed would be short approximately $100,000 for the rehabilitation of this reservoir. For that reason, $100,000 is added in this amendment to provide for this important rehabilitation work.

The San Carlos project located in my home county in central Arizona is different from most large western reclamation projects in that it is not managed and administered by the Bureau of Reclamation but by the Indian Service. The area improved under project works is 100,000 acres. Half of this area is Indian land—the property of the Pima Indians on the Gila River Indian Reservation. The remaining half, or 50,000 acres, is operated by white farmers and is in their private ownership.

Because of the large and important Indian interests included therein, the Secretary of the Interior, through the Bureau of Indian Affairs retains control and management of the main improvements which constitute the project's so-called works and which serve the common interests of the Indian lands and white-owned lands alike.

It is true that a portion of the works—distribution canals and laterals on Indian lands and those on white-owned lands—have been turned over to the two respective local units, and each of these runs its own business to that extent.

But the Secretary has the responsibility of operating and caring for the large joint features of the projects—Coolidge Dam, Picacho Dam and Reservoir, the main canal, the power system, and plants connected therewith. Related to that responsibility is the occasional need for funds wherewith the works under his direction must be kept in shape and added to and enlarged when necessary.

Picacho Reservoir is an important unit in the works of the project. It is a relatively small reservoir located down on the project area adjacent to the irrigated lands. The early settlers built the original dam and reservoir some 60 years ago. In it they caught and stored transient storm waters, releasing the same later in regulated amounts for the irrigation of their lands. When the San Carlos project was constructed, subsequent to the passage of the authorizing legislation in 1924, the Government took over the reservoir as a part of the project works.

Throughout the many years of its existence and service to the project, Picacho Reservoir has received and saved intermittent flood flows which follow desert storms. This silt-laden water has gradually dropped its burden, and the bed of the reservoir has slowly raised so that presently there remains but small storage space. The ability of the reservoir to capture and store these floodwaters must be restored or these valuable waters will run to waste unavailable for irrigation use. Not only will such waters be lost but, without the regulation and control furnished by the reservoir, they will run wild into and upon the adjacent improved lands to cause damage to lands and improvements.

As you know, water is the most important resource in our southwestern country. In our particular area, naturally arid, and during recent years visited by prolonged drought, no water must be wasted. The laws of our State and the customs of our irrigated areas demand that water must be conserved and put to beneficial use where possible.

These are some of the reasons why Picacho Reservoir must be reconstructed and enlarged. The Indian Office and the Secretary are aware of the need for this construction and of their responsibility to provide for it. Unless they have the support for appropriation of funds for necessary work, the Department cannot carry out its contractual obligations to the landowners on the project. These landowners look to the Department for that protection. If it were not for existing contracts and agreements made with the Government, the farmers on the project could provide funds for doing this vitally necessary work themselves. But, because of the direct interest of the United States, principally because of the extensive Indian interests involved, the Government has elected to keep this project feature under control of the Secretary, and therefore the farmers cannot find legal background for borrowing or otherwise raising the funds required.

Let me emphasize that the funds requested are not a gratuity. They are planned and requested as a capital investment in the project facilities and are repayable by the landowners as a part of project-construction costs in accordance with the repayment contract in vogue between the Department of the Interior and project farmers within the San Carlos irrigation and drainage district.

I am close to the interests of the people involved in this matter and thoroughly convinced of the urgent need for favorable action in connection with this item.

I wish to use merely a minute or two in discussing the amendment. The item

affected is a small one, and even with the increase suggested the figure represents a cut of more than 12 percent in the President's budget.

Why pick on the poor, downtrodden Indians? Fifteen thousand of their children without school facilities; there are no schools for them to attend. All we are trying to do, Mr. President, is to give them a chance in life to establish themselves as American citizens, if you please. They fought in World War I and in World War II, and they made good soldiers. When they returned home, after associating with white people, the boys told their parents, "We must see that the children go to school." They are begging us, on bended knee, to give them an opportunity in life. We are sending money all over the world to help other people. Are we going to deny the poor Indians the opportunity of an education?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from South Carolina [Mr. MAYBANK] is absent by leave of the Senate because of a death in his family.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that the Senator from Oklahoma [Mr. KERR] is paired on this vote with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Oklahoma would vote "yea," and the Senator from Oregon would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The Senator from Nebraska [Mr. SEATON] is absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The Senator from Oregon [Mr. MORSE] is detained on official business.

On this vote the Senator from Massachusetts [Mr. LODGE] is paired with the Senator from Maine [Mrs. SMITH]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Maine would vote "nay."

On this vote the Senator from Oregon [Mr. MORSE] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from Oklahoma would vote "yea."

The result was announced—yeas 49, nays 29, as follows:

YEAS—49

Aiken	Hennings	Moody
Bennett	Hill	Mundt
Butler, Nebr.	Hoey	Murray
Capehart	Humphrey	Neely
Case	Hunt	O'Mahoney
Clements	Johnson, Colo.	Pastore
Connally	Johnson, Tex.	Schoeppel
Dirksen	Johnston, S. C.	Smathers
Duff	Kilgore	Smith, N. J.
Eastland	Knowland	Sparkman
Ecton	Lehman	Stennis
Flanders	Long	Taft
Frear	Malone	Tobey
George	McFarland	Underwood
Gillette	McKellar	Watkins
Green	Millikin	
Hayden	Monroney	

NAYS—29

Benton	Ferguson	Nixon
Brewster	Hendrickson	O'Conor
Bricker	Hickenlooper	Robertson
Bridges	Holland	Saltonstall
Butler, Md.	Ives	Smith, N. C.
Cain	Jenner	Thye
Cordon	Kem	Welker
Douglas	Martin	Wiley
Dworshak	McCarran	Williams
Ellender	McClellan	

NOT VOTING—18

Anderson	Kerr	McMahon
Byrd	Langer	Morse
Carlson	Lodge	Russell
Chavez	Magnuson	Seaton
Fulbright	Maybank	Smith, Maine
Kefauver	McCarthy	Young

So Mr. MCFARLAND's amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment, as amended.

Mr. BRIDGES. It was the intention of the Senator from Michigan [Mr. FERGUSON] and myself to offer an amendment to the committee amendment to strike out $10,000,000, but obviously it is useless to do that. Last year $10,575,000 was appropriated for this item. This year the House allowed $5,310,000. The Appropriations Committee of the Senate allowed $24,812,000. The Senate has now raised the figure to $31,000,000 plus. So it is very obvious that there would be no object in attempting to reduce the figure below the committee figure, since the Senate by its vote has jumped the amount some $25,000,000 over the House figure, some $7,000,000 over the Senate Appropriations Committee figure, and is approving a figure more than three times as high as the figure for last year.

So the Senator from Michigan and the Senator from New Hampshire will not offer an amendment to reduce the amount further, because if the Senate triples the amount allowed last year, and makes a substantial increase over what the Senate Appropriations Committee has allowed, there is no use attempting to make a cut.

Mr. CASE. Mr. President, I wish to say a few words with respect to a construction item.

Included in the construction program, in a portion of the Interior Department appropriation hearings, there is an item for the building of a school for the Oglala community on the Pine Ridge Reservation. There are few projects that would make a greater appeal than that.

About a year and a half ago, when I visited the reservation, I saw a conglomeration of sheds that had been put together and called a school. I went into the basement, or cellar, under one of those sheds in which there was a class of 50 Indian boys. They were expected to go to that school. The walls were not plastered. There was a dirt floor, and only a little rickety stairway by which the boys could go to the cellar. If a fire ever started in that building, there would be a holocaust. The tragedy would be unspeakable. The type of construction program provided in the bill is expected to eliminate such buildings as that.

Mr. President, I ask unanimous consent that I may have printed in the RECORD at this point an exchange of correspondence I have had with the Commissioner of Indian Affairs, reciting the situation at that school, and the proposal for its improvement as now proposed by the appropriation bill before the Senate.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D. C. April 24, 1952.

Hon. FRANCIS CASE,
United States Senate,

MY DEAR SENATOR CASE: This is in reference to your letter of April 8, 1952, inquiring if funds were included in our 1953 budget for new school facilities for the Oglala community on the Pine Ridge Reservation to replace the present inadequate Lone Man Day School, No. 5.

There were included in our 1953 estimates presented to the House Appropriations Committee two projects for the Oglala community, Pine Ridge Reservation, S. Dak::

1. New school facilities, Oglala Community, $325,000.

2. New milking barn, Oglala High School, $23,000.

When the Bureau of the Budget allowed funds for these urgently needed facilities in our 1953 budget estimate, it appeared reasonable to assume that the Congress would appropriate the funds. However, due to the small amount allowed by the House Appropriations Committee for Indian Bureau construction projects and appropriated by the House in the 1953 Interior Department appropriation bill, it will not be possible to undertake these construction projects, as well as many other urgently needed construction projects which were approved by the Bureau of the Budget, unless additional funds are appropriated.

The Senate Appropriations Committee has been requested to restore the reduction made by the House in our construction budget estimates. If these funds are restored, we plan to proceed with the construction projects for Oglala community as soon as possible.

Sincerely yours,

D. S. MYER,
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D. C., November 26, 1951.

Hon. FRANCIS CASE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR CASE: Further reference is made to my letter of September 5, 1951, in reply to yours of August 28, 1951, pertaining to the condition of Day School No. 5 (Lone Man) at Oglala, on the Pine Ridge Reservation.

We are now in receipt of the report from the area director which includes the following recommendations:

1. That a new four-classroom school be constructed, with provision for the addition of two classrooms in the future plus the necessary quarters and other auxiliary facilities, including new water and sewage system.

2. That the new school be located approximately 1 mile south of the existing school which would be at the intersection of the present road and U. S. Highway No. 18 which we understand is to be relocated. This would make the new school readily accessible.

While no final estimates of cost have been prepared on the basis of a new school plant, it is tentatively estimated at today's prices that it would be between $400,000 and $500,000. We are exploring the matter further to see whether it might be possible to have it included in the 1953 budget.

Sincerely yours,

D. S. MYER,
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D. C., September 5, 1951.

Hon. FRANCIS CASE,
United States Senate.

DEAR SENATOR CASE: I have your letter of August 28 relating to the school problem at the Pine Ridge Reservation and discussing in particular the condition of the school building there. You have suggested that Ben Reifel be asked to look into the matter.

This letter is to let you know that that will not be possible because Ben Reifel is already on his way back to Harvard where he is planning to continue his work during this coming school year. He was on our staff in connection with the Missouri Basin Studies staff during the summer and did help with some of the work at Crow Creek.

I am glad to tell you that Mr. Spaulding, area director at Aberdeen, has already initiated action in this matter. He is having a thorough check made of present facilities and equipment. His report is expected soon and I will advise you more fully later. Be assured I appreciate your interest.

Sincerely yours,

D. S. MYER,
Commissioner.

AUGUST 28, 1951.

The Honorable D. S. MYER,
Commissioner, Bureau of Indian Affairs, United States Department of the Interior, Washington, D. C.

MY DEAR MR. MYER: You will recall a conference in my office of some weeks ago when Area Director G. Warren Spaulding was here, I mentioned the need for a better school building and community center at Oglala on the Pine Ridge Reservation.

I have also mentioned it to others in the Indian Bureau and I believe that all who have ever seen what passes for the school building at Oglala will agree that it is one of the most inadequate in the entire Indian service.

The building is an old frame shell and it is so crowded that some of the classes are crowded into a dark cellar that is a bad firetrap.

If my recollection is correct, the walls of the cellar are unfinished and the roof studding and supports and absence of daylight are a disgrace to the country.

I have not been in the building for more than a year, but, unless there has been a tremendous improvement, I am sure that you can scarcely believe that a school with the enrollment that there is at Oglala should be so inadequately and improperly used.

This letter is occasioned by the fact that I noted recently that Ben Reifel had been assigned to make a study of some problems for Crow Creek. If he is in the area and available for other studies and reports, could you not direct him to Oglala and ask for an on-the-ground and spot check?

Ben was at one time stationed at Pine Ridge Reservation and knows the people there well and can give a practical appraisal of needs, present and future.

His report should cover the number of pupils dependent upon the Oglala school, a summary of chairs, desks, and other furniture available and needed—either for use in the existing facility or its replacement.

My own feeling is that you were personally to inspect what has been used there for a school, you would want to place its replacement as No. 1 on your replacement needs.

May we have a report or it when you find out what the facts are?

Sincerely yours,

FRANCIS CASE.

UNITED STATES DEPARTMENT OF THE
INTERIOR, BUREAU OF INDIAN AFFAIRS,
Aberdeen, S. Dak., July 16, 1951.

Hon. FRANCIS CASE,
United States Senate.

MY DEAR SENATOR CASE: The maintenance engineer from this office plans to visit the Pine Ridge jurisdiction in the near future. During his visit he will check into the Lone Man School situation (No. 5) at Oglala, S. Dak.

The construction of a new plant at the above school has been under consideration for a number of years. From all indications it will be necessary to operate a school in the Oglala area for a long time. In view of this fact every effort should be made to replace the present conglomeration of buildings with a modern school building.

Sincerely yours,

G. WARREN SPAULDING,
Area Director.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended. [Putting the question.] The Chair is in doubt.

Mr. McCARRAN. Mr. President, will not the Chair restate the question?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 10, line 1, as amended.

Mr. McKELLAR. Mr. President, I ask for a division.

On a division, the committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was on page 10, in line 3, after the word "granted", to insert the following proviso: *"Provided,* That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further,* That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations."

The amendment was agreed to.

The next amendment was, on page 10, line 17, after the word "completed", to insert a colon and the following additional proviso: *"Provided further,* That the amount of $24,000 heretofore appropriated and now available under this heading for school facilities at Squaw Point Unorganized Territory, Minn., may be expended for school facilities for the Prairie Island Indian Community or for cooperation with Burnside Consolidated School District No. 3, Goodhue County, Minn., in the construction, extension, equipment, or improvement of public-school facilities as may be agreed upon by the Commissioner of Indian Affairs and the State Department of Education of Minnesota, under such terms and conditions as the Secretary may prescribe."

The amendment was agreed to.

The next amendment was, under the subhead "Administrative provisions," on page 11, line 15, after the word "exceed", to strike out "260" and insert "300."

The amendment was agreed to.

The next amendment was, under the subhead "Tribal funds," on page 12, line 3, after the word "appropriated", to strike out "$2,335,000" and insert "$2,920,000", and on page 13, line 4, after the word "Secretary", to insert a colon and the following proviso: *"Provided, however,* That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, Washington, and Wyoming, either inside or outside the boundaries of existing Indian reservations."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Reclamation—general investigations," on page 14, line 4, after the word "expended", to strike out "$3,000,000" and insert "$5,000,000", and in the same line, after the word "which", to strike out "$2,200,000" and insert "$4,200,000."

The amendment was agreed to.

The next amendment was, under the subhead "Construction and rehabilitation," on page 14, line 20, after the word "expended", to strike out "$153,355,400" and insert "$183,406,531."

Mr. DOUGLAS. Mr. President, I call up my amendment designated "6-24-52-B" which I offer on behalf of myself and the Senator from Connecticut [Mr. BENTON].

The PRESIDING OFFICER (Mr. UNDERWOOD in the chair). The clerk will state the amendment to the committee amendment.

The CHIEF CLERK. On page 14, line 21, it is proposed to strike out "$183,406,531" and insert "$152,406,531."

Mr. DOUGLAS. Mr. President, the amendment I am now submitting proposes a reduction of $31,000,000 in the construction funds of the Bureau of

Reclamation; in other words, dollar-wise; it proposes to reduce the total from $183,400,000 to approximately $152,400,000. This is the most important amendment which is likely to be offered today, and I should like to give a brief history of the situation.

The Bureau of the Budget did not recommend any new starts on reclamation projects this year. In view of the very serious budget situation and the impending deficit, it believed that we should not start any more new projects.

The House, when it passed the bill, did not provide for any new starts. The Senate Committee on Appropriations has included 10 new starts which call for initial appropriations of $15,000,000 for the coming year. But these initial appropriations are merely the "come-on." The ultimate cost of the 10 new projects will be $335,000,000, according to the figures in the House and Senate committee hearings which I have compiled.

So we are now about to decide by our vote on this amendment whether or not there is any justification for the ultimate total expenditure of $335,000,000, at a minimum, and we can be quite certain, based on the experience of the past, that if the present estimate is that the total cost will be $335,000,000, by the time the projects are completed the actual cost will be greatly in excess of that amount.

Furthermore, the committee accelerated the program of construction as it had been recommended by the House. My proposal is that we should somewhat slow down the rate of construction on existing irrigation projects already under way—slow them down from an annual volume of $167,000,000 to a volume of a little more than $150,000,000.

Mr. HAYDEN. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

Mr. HAYDEN. The Senator realizes, of course, that if the 10 new projects are started and completed as set forth in the committee report the average amount of money to be expended each year will be about the same as has been expended in past years. Is the Senator urging that that was too much?

Mr. DOUGLAS. What I am saying is that in this period we should not commit ourselves to capital expenditures of $335,000,000 additional.

Mr. HAYDEN. The Senator is repeating what he said with respect to the rivers and harbors and flood-control commitments.

Mr. DOUGLAS. No. I certainly am not repeating what I said. I may say that the reasoning of the Senate committee is extraordinary. The Senate committee says:

> The committee has been advised that the projects now under construction will soon be completed, and that if construction is not initiated on additional projects the appropriation requirements in the fiscal year 1958 for those projects under construction will be less than $14,000,000.

So, in order to keep up the expenditures additional projects are started. In other words, if the appropriations should fall to $14,000,000, that would be a catastrophe which the country could not stand. So projects are added which will ultimately cost $335,000,000, in order to maintain the volume of construction.

Mr. HAYDEN. Mr. President, will the Senator yield to me again?

Mr. DOUGLAS. Certainly.

Mr. HAYDEN. The Senator says he is not repeating the arguments he made with respect to the rivers and harbors and flood-control commitments. In the bill which we passed the other day $5,897,000 was appropriated with which to commence new river and harbor projects, and $28,750,000 for new flood-control projects, the total cost of which will be $474,000,000. But in that case the testimony was, as it is here, that the average level of expenditure, so far as the Federal Treasury is concerned, would not be materially increased, because the Corps of Engineers is running out of work.

Mr. DOUGLAS. In other words, we must spend enormous sums of money in order to keep the Corps of Engineers busy spending money.

Mr. HAYDEN. Not enormous sums; but the normal amounts which we have been spending in the average year.

Mr. DOUGLAS. There is one difference, at least in the case of the river and harbor projects of the Army Engineers, in that those projects had been approved by the Bureau of the Budget. The proposals now before us were not approved by the Bureau of the Budget. They have not been certified as being necessary to the defense effort. They emerge, like Minerva from the brow of Jove, out of the Senate Appropriations Committee, all in one burst of spontaneous combustion, so to speak.

Mr. HAYDEN. The Senator is aware that among the projects in the river and harbor bill which passed the other day were items not budgeted.

Mr. DOUGLAS. There were very few such items involving smaller amounts of money. I opposed them. However, the committee is now proposing to add projects the ultimate capital cost of which will be $335,000,000 projects which have not been recommended by any group except the Senate committee.

Mr. HAYDEN. Every one of them is authorized by law.

Mr. DOUGLAS. Congress authorized itself to appropriate for them. They are also recommended by the Bureau of Reclamation, of course, which naturally is interested in building as many projects as possible.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Utah.

Mr. BENNETT. In the case of the one project for Utah in this list——

Mr. DOUGLAS. That is the Weber Basin project.

Mr. BENNETT. The Weber Basin project——

Mr. DOUGLAS. Is the Senator from Utah going to oppose that project?

Mr. BENNETT. The Senator from Utah is obviously not going to oppose that project.

Mr. DOUGLAS. I am disappointed.

Mr. BENNETT. Using that as an example, and being fascinated by the Senator's statement that it has emerged, like Minerva from the brow of Jove, out of the Senate Appropriations Committee, does the Senator realize that for years the Bureau of Reclamation has been preparing that project for the beginning of construction? It did not emerge from the Senate Appropriations Committee. It has been under contemplation for years. The engineering work has been completed, and the project is ready to start.

Mr. DOUGLAS. I think Minerva was probably under contemplation for some time before she emerged.

Mr. BENNETT. Mr. President, will the Senator further yield?

Mr. DOUGLAS. Certainly.

Mr. BENNETT. Does the Senator realize that the Federal Government itself has created a situation in the area in which the Weber project lies which will practically either force the construction of such a project——

Mr. DOUGLAS. The Senator refers to the addition of facilities such as the Clearfield Naval Depot, the air bases, and other facilities.

Mr. BENNETT. That is correct.

Mr. DOUGLAS. Facilities which former Senator Thomas of Utah was successful in obtaining for that region.

Mr. BENNETT. Therefore, the men employed there must be provided with water to drink, and water for culinary purposes and for the maintenance of their homes and their jobs.

Mr. DOUGLAS. I point out to my good friend that in the beautiful Wasatch Valley, which has been developing with Government installations paid for by those of us from other sections of the country, there is the beautiful and flourishing city of Ogden, and that a part of this project is designed to provide water for the city of Ogden. The taxable capacity of the city of Ogden has been increased by the coming of the new facilities. Why should not Ogden pay for a large portion of its water supply, instead of passing the burden on to the Federal Government? Does not the Senator from Utah oppose the Federal Government coming in to usurp the functions of localities? Is not that undermining local government? Is it not a blow at the foundations of the American system to have the Federal Government reach in with its tentacles and take over control of facilities which should be local in nature? I heard the Senator from Utah speak at great length and very eloquently on that thesis. I am surprised now that he is not a vigorous protagonist of it.

Mr. BENNETT. Does the Senator from Illinois realize that the citizens of the city of Ogden will pay back a large part of the cost of erecting the Weber Basin project?

Mr. DOUGLAS. Let them pay for it directly through a bond issue.

Mr. BENNETT. Unfortunately the project involves an area far outside the city limits of the city of Ogden.

Mr. DOUGLAS. Now we come to one of the real skeletons in the closet in connection with irrigation and reclamation,

namely, that when the money is paid back for the so-called irrigation projects, it does not go into the Treasury of the United States. It does not go to pay back the taxpayers who advanced the money. It is used for additional reclamation projects. So when we appropriate this $335,000,000 we can kiss it goodby. It will be gone forever, gone with the wind. It will be used, as it is paid back, to build more irrigation projects. When the cost of such new irrigation projects is paid back, the money will be used to build still more irrigation projects. My good friends from the Southwest saw to that about 12 years ago.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. Certainly.

Mr. KNOWLAND. The Senator is, of course, perfectly justified in taking whatever position he wishes to take; but now he is apparently attacking the entire theory of reclamation in the West. I say most respectfully to the distinguished Senator that the money which has gone into the West to build reclamation projects has developed the economy of the West.

Mr. DOUGLAS. It has done so at the expense of the rest of the country. But I should like to point out that I am not opposing reclamation. I want to reduce it moderately during a period of severe financial strain.

Mr. KNOWLAND. As a result the people have been able to pay more taxes into the Federal Treasury. They have built up our country, thus enabling the Nation to be in a better position to defend itself. Under the theory of the distinguished Senator from Illinois in attacking the entire theory of reclamation, which I am proud to say was started under a Republican administration, he apparently believes that there is no benefit to the Nation growing out of such projects.

Mr. DOUGLAS. I repeat that I am not opposed to reclamation; only to spending more money than we can afford for it right now. I may say that I have a special amendment, which I submitted yesterday, my amendment C, which will come up later. The old-timers around the Capitol know perfectly well, but the citizens generally do not know, that the money which we spend for reclamation, in the first place, is interest free. No interest is paid upon it.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I should like to finish my statement. Am I in error in my statement?

Mr. KNOWLAND. The Senator is partially right and partially wrong.

Mr. DOUGLAS. Am I not 99.44 percent right?

Mr. KNOWLAND. No. With regard to the irrigation feature, if the Senator defines irrigation as putting water on land, the Senator is correct. But if we consider the multiple-purpose projects, dealing with power features, both principal and interest are paid back.

Mr. DOUGLAS. That is correct. I was referring to reclamation.

Mr. KNOWLAND. Take the situation with respect to the Hoover Dam. In connection with the construction of the Hoover Dam, not only will the principal be paid back, but the interest will be paid back. That is a great development which is bringing water to the thirsty lands of the West and bringing power to the metropolitan centers. It was required that the contracts be signed before a bit of concrete was poured in that dam, and that the contracts should provide for the repayment of principal and interest to the Federal Government. I think we will get far more out of the Hoover Dam in the West than we will get from the appropriations we have made to various foreign nations, because from some of them the American people will not get one penny back, and they will not add to our economic development.

Mr. DOUGLAS. I may say to the Senator from California that if he will compare his voting record with my voting record he will find that I have voted for practically every justifiable public-power project in the United States. I voted for public-power projects in the Northwest and in other sections of the country, because they conform to a set rule that on Government money not only the principal is repaid but interest is paid also.

But when we deal with irrigation only the principal is repaid, and no interest is paid. There is also an increasing tendency to load up on power some of the cost that should be borne by irrigation. Suppose we authorize a project at a total cost of $500,000,000, with $400,000,000 for irrigation and $100,000,000 for power. The interest is paid only on the $100,000,000. Power rates are charged sufficient to carry a portion of the $400,000,000 set aside for irrigation, but with no interest. In other words, power bears not only its own load but a part of the irrigation load.

When the principal is paid back to the Government for so-called irrigation purposes, what happens to it? It does not go into the General Treasury, as is the case with power projects. It is used for additional irrigation projects. It is money which the Government will never get back. It will roll on forever. It is one of the greatest injustices that could be perpetrated on the general taxpayers of the United States.

Years ago I used to look with approval on John Baer's cow which he drew representing the United States being milked by the bankers of Wall Street. I believe that a more appropriate cow representing the United States would be a cow with its hind quarters facing westward and being milked by the semiarid regions of the country for irrigation projects. The eight States in that region have small populations, but they are powerful States. They have 16 votes in the United States Senate. They constitute a powerful political force. I love them as individuals. But we must not forget the fact that we are being committed to spend hundreds of millions of dollars, and perhaps billions of dollars, for projects from which the taxpayer will never recover a penny, on which no interest will be paid, on which the principal will be donated, and on which the unit cost per acre is extremely high. Reclamation can be a valuable investment, especially in normal times when we do not face such enormous deficits. But we should protect the taxpayer's investment, too.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. KNOWLAND. I am sure the Senator wants to have all the facts. California last year paid in Federal taxes into the Federal Treasury three and a half billion dollars. That is more money paid into the Treasury by the people of California alone than was paid into the Federal Treasury by all the people of the 48 States as late as 1934. As the distinguished Senator from Illinois has said, in the development of power projects—and in connection with such projects I am willing to make a comparison of my voting record with the voting record of the Senator from Illinois, and I think my record will compare very favorably—the principal and interest must be paid back; but it is also true that in the development of irrigation throughout the West, which adds to and increases the standard of living of the American people, there is required—and properly so—the repayment of the principal by the people who go onto the lands, whereas in the case of many projects in other sections of the country no such requirement is applied.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I should like to finish my presentation first. As I remember, the great Central Valley project was originally started by the State of California. The State of California found the burden too heavy, and called on the Federal Government for aid. The project went forward, and ultimately called for the expenditure by the Federal Government of over $600,000,000. A large proportion of that amount will be charged to irrigation, and of the amount charged to irrigation not one cent of the money contributed by the taxpayers will be returned to the Treasury.

Mr. CASE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I shall yield in a moment. My time is limited. I should like to have at least an opportunity to present my views. Later I shall be very happy to yield.

Mr. President, when the principal is returned to the United States Treasury, it does not go back to the taxpayers of the country who financed the Central Valley project. It will go for further irrigation projects. This is a continuing operation under existing statutes, world without end. By the legislation which we have passed Congress has surrendered control over the disposition of those funds. When once appropriated, they are gone. The Federal Treasury does not get the interest and does not get the principal.

Mr. President, I should like to point out also that the costs per acre are extremely high. I do not have the information with respect to all acreage costs.

But I have been able to get the figures for the Marias division, which, being in the northerly part of the country, presumably is a wheat area. Under the pending bill, we are committing ourselves to projects for the Marias division of the Missouri Basin project. The Marias division will ultimately cost $60,000,000. It will irrigate 120,000 acres. According to my figures, that is at a cost of over $500 per acre.

The most fertile farming land anywhere in the country lies in the belt which in Illinois centers around Bloomington. I was in Bloomington about a month ago, and I talked to the editor of the Bloomington newspaper and to real-estate agents there. They told me that very fertile farm land there was selling for $550 an acre. Here we are confronted with land for which it will cost $500 an acre merely to irrigate, on which the taxpayer will not get back one penny.

Mr. President, I think we have plunged too far on irrigation so far as returns are concerned, and certainly so far as the taxpayers of the country at large are concerned.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. KNOWLAND. I am glad to have the Senator yield to me, because I must attend an Appropriation Committee meeting. I should like to invite the Senator's attention to the fact that when by flood-control projects and by the building of dikes water is prevented from overflowing lands none of the money expended for such projects is repaid, whereas in the case of reclamation projects every dollar of principal has to be repaid. Nevertheless, I think flood-control projects are a great investment in the future of our country, because if the topsoil is washed into the ocean there is destroyed an asset of the American people, the loss of which might cause our own civilization to fall into the condition of civilizations of the past which have lost their topsoil. Yet in the case of flood control in the great areas of our country not a penny, either of principal or interest, is repaid. I am not complaining about it, because I think the Federal Government has an obligation to see to it that this great resource is not lost.

Mr. DOUGLAS. Mr. President, may I reply to the Senator from California?

Mr. KNOWLAND. Yes.

Mr. DOUGLAS. If the Senator had been in the Chamber when the Senate was discussing the rivers and harbors bill he would have known that I offered an amendment to provide that half of the cost of a levee should be borne by assessment on the land which was thus protected. I am sorry the Senator was not in the Chamber, because from his present remarks I would judge that he would have supported my amendment. Unfortunately I did not have his support, but I hope that I have gained a new recruit on this point at least.

Mr. KNOWLAND. Why should it be only half?

Mr. DOUGLAS. I was not able to get even half. I often reflect on Cardinal Newman's hymn Lead Kindly Light;

> I do not ask to see
> The distant scene—one step
> Enough for me.

I am glad to note that the Senator is supporting me in one step at least.

The semiarid States are powerful. They are politically powerful in the United States Senate. But they have asked for excessive amounts of money. I love them as individuals. Oh how we love them. But they are getting enormous sums of money. Where are they getting them from? From the State which pay most of the income taxes. From my State of Illinois, from New York, from New Jersey, and from Connecticut and other States. We are glad to grubstake them, but sometimes the grubstaker likes to see his money come back. They take the money and use it for something else, and they always get more and more money. I submit, Mr. President, that at a time when we are faced with an impending $15,000,000,000 deficit we should not at this time make new starts in the case of reclamation projects.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Illinois has 6 minutes remaining.

Mr. DOUGLAS. I shall take 3 minutes to summarize my position, and then I shall yield the remainder of my time.

I should like to point out that vast irrigation projects already have been built. The new projects are not so well justified as the old ones were, and therefore we should look with especial care upon the new ones.

In the second place, the new projects are not certified, either by the Department of Defense or by the Bureau of the Budget, as necessary to the national defense.

In the third place, why is it such a crime, as the committee claims it is, to defer the construction of irrigation projects and to slow down the program a little during this period of emergency, so that the taxpayers may have some relief?

Fourth and finally, I wish to emphasize that the present budgetary situation is bad, with a $15,000,000,000 deficit facing us. Here is a chance to save $31,000,000.

Mr. President, that completes my argument.

Now, I am glad to yield to the Senator from South Dakota.

Mr. CASE. Mr. President, first let me say that, although I do not know about all the projects, at least I know that a small South Dakota project is included. To that project the Air Force will contribute at least $1,000,000——

Mr. DOUGLAS. Is the Senator referring to the Souris diversion?

Mr. CASE. I am referring to the Rapid Valley project in the Missouri Basin.

Mr. DOUGLAS. It is in Wyoming, is it not?

Mr. CASE. No; it happens to be in South Dakota?

At least $1,000,000 of the cost of that project will be paid by the Air Force. Without the construction of that project, the Air Force will be confronted with the necessity of drilling additional wells—which will cost more than this project will cost—for unsatisfactory water—water that is heavily mineralized, so-called hot water—which is destroying their plumbing systems.

Mr. DOUGLAS. This project is primarily one to provide a water supply for Rapid City, is it not?

Mr. CASE. No.

Mr. DOUGLAS. That is what the description says.

Mr. CASE. Some water will be for Rapid City, but Rapid City will, in turn, sell the water to the air base.

Mr. DOUGLAS. But it is for Rapid City, is it not? Does not the Senator from South Dakota believe that local government should take care of its own burdens, without coming to the Federal Government for relief?

Mr. CASE. Rapid City will pay back the cost of the water it receives and will pay it back with interest. The provision for interest payments is one which the Senator from Illinois has been overlooking. He has been talking about the lack of interest payments, but Rapid City will pay back all its part of the cost, with interest. In addition, the Air Force will pay for the water it uses.

Mr. DOUGLAS. Mr. President, that is a white blackbird, I must say.

What does the Senator from South Dakota say about the Souris project, which ultimately will cost $102,000,000?

Mr. CASE. The Senator from Illinois knows that the Souris project is not in South Dakota; it is in North Dakota.

Mr. DWORSHAK. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I am glad to yield.

Mr. DWORSHAK. The Senator from Illinois repeatedly has referred to these projects as ones which are being initiated; he has referred to them as projects "initiating new construction." I wish to call attention to the fact that the north side pumping division of the Minidoka project, in Idaho, has been in process of construction for many years. It is erroneous for the committee or for the Senator from Illinois or for anyone else to refer to that project as one "initiating new construction."

Mr. DOUGLAS. The committee listed it as such.

Mr. DWORSHAK. That was an erroneous statement.

Mr. DOUGLAS. All I can do is take the opinion of the committee.

Mr. DWORSHAK. I wish to point out that about $1,000,000 has been spent on that project since the end of World War II. The chairman of the subcommittee has called my attention to the foot note, as follows:

> The amount recommended is to continue construction which has been under way for a number of years and for which approximately $1,000,000 has already been expended.

Mr. DOUGLAS. Was the project approved by the Bureau of the Budget?

Mr. DWORSHAK. Yes, it has been approved. How would $1,000,000 have been spent on the project if it had not been approved?

Mr. DOUGLAS. Was it approved and certified by the Department of Defense for expenditures in the year 1952–53, the period for which we are now appropriating?

Mr. DWORSHAK. I cannot say.

Mr. DOUGLAS. I think the answer is "no."

Mr. DWORSHAK. I say to the Senator from Illinois that in the Columbia River Basin project, which is comparable to this one, approximately 60,000 acres are being brought into cultivation annually. Of course this project is comparable to it only on a limited scale, because the plan for this project contemplates bringing in 4,000 or 5,000 acres annually—on a project where wells are used and water is pumped from the river. As a matter of fact, the funds carried in this bill would cover only approximately half of the plan, and would bring in only 2,250 acres.

Mr. DOUGLAS. How much of that amount is for planning?

Mr. DWORSHAK. This amount is for construction—to sink wells. The project is in no sense a new one. I am sure the Senator from Illinois wants the RECORD to be accurate.

Mr. DOUGLAS. I wish to have the RECORD accurate, but I trust the committee.

Mr. President, I beg the Senator's pardon; the footnote to which he has referred is in fine type, and I must be nearsighted. Excuse me, please. It was listed as a new project, however, and has not been approved by the Budget or certified as necessary for defense for the year 1952–53.

Mr. WATKINS. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. WATKINS. I call the attention of the Senator from Illinois to the fact that in the Senate we have been voting indirectly for power and reclamation projects for a number of years.

Mr. DOUGLAS. I think I know what the Senator from Utah is going to say.

Mr. WATKINS. Let me say that before the Senator from Illinois was converted to the idea of not voting for such large expenditures for foreign countries, he generally voted for large expenditures for foreign countries, but voted against corresponding expenditures here in the United States.

Certainly the Senator from Illinois should consider these projects.

Let me point out that under the mutual security program the United States has either paid out or is to pay $1,893,695,000.

Mr. DOUGLAS. Is that in the bill which we are about to consider?

Mr. WATKINS. No; it is the loan program for which the Senator from Illinois has voted year after year, since he has been in the Senate.

The Senate has voted for that program, and has not even asked whether the people of the other countries could pay for the construction of those projects. Regardless of such considerations, Congress has voted for expenditures for such projects all over the globe—in Europe, in Africa, in Asia; we have been going right down the line.

On the other hand, when a small beginnning is made, for instance, on a small project in Utah, at a location where there are defense installations, and when the burden is so heavy that the people of the community cannot do the work themselves, strong objection is made in the Senate.

Mr. President, Utah pioneered in irrigation work; but when it comes to having any Federal appropriations made to help in that work, we in Utah find that we are at the tail end of the procession.

Now we have a project calling for several million dollars——

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DOUGLAS. Mr. President, will the Senator from Arizona yield one more minute to me?

Mr. HAYDEN. I yield two more minutes to the Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 minutes more.

Mr. DOUGLAS. Mr. President, at this moment I happen to be standing beside the desk of the chairman of the Foreign Relations Committee, the distinguished senior Senator from Texas [Mr. CONNALLY], an eminent Senator who is beloved by all of us. Again and again he has reminded us that the money spent on the foreign projects to which the Senator from Utah has referred is money from counterpart funds, and therefore those projects do not cost us anything.

I do not know that the Senator from Texas, at whose desk I am temporarily standing would approve of the particular application in the present case, but I am quoting him as he has replied to me on similar points on similar occasions in the past—that is to say, that the funds for projects in foreign countries come from counterpart funds, and therefore the projects are in a different category.

Furthermore, Mr. President, that bill is not before the Senate at this time, anyway.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. HAYDEN. Mr. President, I promised the Senator from Indiana [Mr. JENNER] that I would yield 5 minutes to him, to permit him to speak on another matter. I now yield that much time to him.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 5 minutes.

THE SITUATION IN KOREA

Mr. JENNER. Mr. President, the American press has recently carried stories of the declaration of martial law by President Syngman Rhee, of Korea, and the arrest, by him, of members of the Korean Legislature.

What is the truth? Are the Communists plotting a political revolution behind our lines in Korea?

Why do American Government agencies take sides against anti-Communist President Rhee?

On June 2, President Rhee said two underground Communist leaders have confessed that members of the assembly were drawn into a Communist plot to unify North and South Korea, through "peaceful negotiations."

Some of the assemblymen have confessed they received money from the Communists to finance the plan to unify North and South Korea, by electing a neutralist president, according to Communist orders.

It has long been part of the Communist plan to outflank us politically by setting up a "third force" in Korea. This would put Syngman Rhee out of power and then unite North and South Korea under a "government of national unity," like Poland. This "third force" would look neutral, sound neutral, and act neutral—until the American forces left Korea. Then it would be merely another puppet government in Asia.

Here is Owen Lattimore's formula again—to let Korea fall without letting it look as though we pushed her.

It is very curious that the United Nations Commission for the Unification and Rehabilitation of Korea—UNCURK—immediately ordered President Rhee to lift martial law and to free the assemblymen without reference to their being Communist plotters.

Of course, a United Nations agency could not criticize Communists, because the Soviet Union is on the Security Council of U. N.

The Voice of America broadcast the UNCURK criticisms of President Rhee before he had a chance to reply to UNCURK, but apparently did not broadcast Rhee's reply.

Dr. Paul Douglas, former president of American University and now adviser to President Rhee, said in an interview that intervention by the United Nations in the Korean domestic issue could cause open warfare behind our lines and bring about the collapse of the war against communism. With this threat to our soldiers and to our avowed political aims, did our Government help block any Communist fifth column in South Korea?

Oh, no. That would not be in character.

Instead, the Voice of America broadcast to the Korean people over stations of the Republic of Korea, all the criticisms of the Korean President which they could cull from the press of the world.

The administration told us that Syngman Rhee had censored the Voice of America, whereas he had, in fact, merely withdrawn the use of his own Government facilities because of one-sided criticisms of his regime.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. JENNER. I have but 5 minutes, and I should like to complete my statement for the RECORD. Moreover, the Senate is operating under an order limiting debate.

The administration told us Rhee had established martial law. Did they tell us martial law was established because the Communist guerrillas had killed five American soldiers and injured hundreds of South Koreans?

No; they did not.

Did they tell us the civil police are maintaining civil law and order in Korea? That martial law applies to guerrilla rebels only?

No; they did not.

Is this another Koje incident in which the truth will come out by inches?

We know the Communists hate Syngman Rhee as they hate Chiang Kai-shek.

They hate both men for the same reasons—because both understand communism; because they have the fighting spirit; because they are friends of ours.

In 1928, the Soviet Communist leaders gave orders to all branches of world communism to fight any Korean leaders who favored christianity.

But who gave orders to the Voice of America to fight Syngman Rhee?

The United States Information Service, in a press release from the United States Embassy in Korea, justifies its policies by citing the United Nations Declaration of Human Rights. It claims the right to send one-sided information about a sovereign nation over that nation's broadcasting facilities, because the United Nations Declaration of Human Rights says information must pass freely across frontiers.

What goes on here?

How long will it be before the United Nations decides that the Voice of America must broadcast information derogatory to us because the United Nations Declaration says so?

UNCURK, in its letter to President Rhee, says that it has the right to intervene within a nation and take action without delay, when the constitutional freedom of a member state is involved.

Freedom under what constitution?

The United Nations Charter?

UNCURK disclaims any intention of intervening in internal affairs, but redefines internal to suit its own purposes.

Any attempt by the United Nations to decide that constitutional rights are being violated would be a precedent for applying such intervention to the United States.

Is Congress ready to accept the right of the United Nations to enforce U. N. constitutional rights in member states?

If not, what is Congress going to do about the strange behavior of the American Embassy, the United States Information Service, and the Voice of America, which operate under American law, and UNCURK, which is operating in large part with American money?

I ask unanimous consent, Mr. President, to have printed in the CONGRESSIONAL RECORD certain excerpts from the UNCURK statement, President Rhee's reply to UNCURK, and the United States Information Service statement of policy on its criticisms of other nations' internal affairs.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

POLICIES OF THE U. N. COMMISSION FOR KOREA

The following statement, from UNCURK to President Rhee, urged the President to lift martial law and free the assemblymen, without any reference to the danger from Communist plots. UNCURK apparently assumes the right to decide when the constitutional freedom of citizens of a member nation is threatened and to "take action without delay."

"The United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK) has sent the statement below to Dr. Syngman Rhee, president of the Republic of Korea. The statement was delivered at the presidential residence on May 28, at 9:30 p. m.

"The Commission had this morning an interview with the president. This interview lasted over 1 hour and was held in the presence of the ministers of national defense, home affairs and justice, and of the martial law commander.

"President Rhee announced his intention to answer the Commission's statement in writing.

"The Commission's statement follows:

" 'Having taken cognizance of recent political events within the Republic of Korea, the United Nations Commission for the Unification and Rehabilitation of Korea wishes to make the following statement:

" 'The Commission is the principal representative body of the United Nations in Korea. One of its purposes is to cooperate as closely as possible with the Government of the Republic of Korea in order to ensure and maintain conditions of political stability within the country. The sovereignty of the Republic of Korea is fully acknowledged by the United Nations. However, the United Nations cannot but take an active interest in the political development of the country, in view of the fact that the free people of the world have made, and continue to make, enormous sacrifices in men and resources in order to endure the independence, freedom and welfare of the people of Korea.

" 'The observance of the democratic guaranties and form of government given to the people of Korea in the Constitution of the Republic remain therefore a matter of continuous concern to the United Nations. The Government of the Republic of Korea itself has repeatedly recognized that the maintenance of a truly independent, democratic and prosperous State in Korea is, under prevailing circumstances, a task of such magnitude that international cooperation was welcomed by the Republic.

" 'It goes without saying that the Commission, representing the United Nations in Korea, does not take sides in any internal political conflict or controversy nor does it want to impair the recognized freedom of the Government to act within constitutional limits, however, if in the performance of its duties, both to the Government of the Republic of Korea and to the United Nations, the Commission becomes aware of any danger of violation of the Constitution and fundamental laws of the country, it is incumbent upon it to take action without delay.

" 'Martial law in several rural districts around Pusan and in the city itself has been enforced since Sunday, May 25. The Commission has learned that the National Assembly today voted by a great majority for lifting martial law. It has further come to the knowledge of the Commission that article 49 of the Constitution and article 17 of the law governing the enforcement of martial law have not been observed. A number of assemblymen have been arrested under martial law and are still under arrest, while others live in fear of arrest or detention and are thereby prevented from attending meetings of the Assembly. The Commission has been unable to ascertain from official sources the exact number of those who have been arrested or detained, or whom it is intended to arrest or detain.

" 'In view of the above, the Commission urges that the following measures should be taken without delay:

" '1. Lifting of martial law in Pusan City.

" '2. Release of any assemblyman still under arrest or otherwise detained so as to enable the Assembly to function normally and freely, with the attendance of all members without impediment or threat. This is without prejudice to the right to prosecute assemblymen in accordance with the constitution for infringement of laws committed by them.

" 'In conclusion, the Commission wishes to reiterate that its good offices are available at all times to the authorities of the Republic of Korea in furthering the progress of the Republic along democratic lines.' "

(After the delivery of the UNCURK statement, on May 28, various officials of the Commission called on President Rhee the next day, when he promised the Commission a written reply. On that same evening—May 29—the Voice of America broadcast the statement to the Korean people without giving the President time to answer.

PRESIDENT RHEE'S REPLY TO UNCURK

JUNE 2, 1952.

The Honorable MEMBERS OF THE UNITED NATIONS COMMISSION FOR THE UNIFICATION AND REHABILITATION OF KOREA,
Pusan, Korea.

GENTLEMEN: When some of you gentlemen of the UNCURK came to see me on May 26, Monday, I made it clear, among other things, that the arrests of some assemblymen involved in a serious Communist plot were under investigation and everything would be made public through a legal trial conducted openly in full view of the public.

Your note of May 28, 1952, reached me after 9 p. m. of the same day. As you remember, we met again the morning of May 29, when I promised to send you a written reply to the note, never thinking that your note would be publicized before you received my answer. Some even heard it broadcast that evening by the Voice of America.

Naturally unaware of the true facts involved in this brewing political upheaval, some of our friends seem to have more confidence in what the group of assemblymen say, unknowingly, of course. Two of the well-known Communist underground leaders have been recently caught and confessed that some of the assemblymen are in league with the Communists in a scheme to unify north and south Korea through peaceful negotiations. Those who know what this means will understand why we feel deeply concerned.

The investigation of this case has been conducted by the police, and I get their reports. But I could not make them public then and have to wait until the police have completed the investigation. Knowing all this as I do, I have repeatedly assured you and other friends that everything will be made known within a short time, when the court is ready for an open trial of the case.

Meanwhile, some of our friends publicly accused me of being engaged in a struggle for power; this is entirely untrue. The real struggle for power is between the entire Nation bent upon electing the President by direct ballot and a group of assemblymen who are determined to elect the President by themselves, ignoring the expressed will of the people. Meanwhile, some of this group of

the Assemblymen have confessed that they had received money from the Communists to finance a plan to unify north and south after the Communist pattern. If we had ever wanted to settle our problem in this fashion, we could have halted the war and made peace with the Communists long ago, or even could have declined to resist communism in June 1950. I do not know how other nations may feel about this matter, but what I do know is that my people, each and every one of them, have been and are still deadly opposed to this kind of face-saving surrender. It is my duty as the chief executive of this Republic to stand by the declared mandate of the Nation. If I should fail in this, no one knows how to avoid the disastrous consequences that will follow.

From the very serious nature of the conspiracy case cursorily divulged above, I believe you will agree that a proper prosecution of the case itself demands keeping the involved assemblymen under detention for the time being.

There is no one more anxious than I am to see this country firmly established as a truly independent and democratic state. This has been the sole objective of my life-long struggle. I am now devoting my last days to set on a broader democratic basis this republic which has been established and is now being defended with your assistance and cooperation. This is exactly where I am now involved in a clash of opinion with certain sections of the national assembly. When I get through with this political conflict, you will see, I am sure, that it is I, not my opponents, who will help achieve the main purpose of your mission here in Korea.

As a matter of fact, it was generally understood at the time of enacting the present constitution—rather done hastily to suit the urgent demands of the then prevailing situation—that it was to be further democratized as soon as circumstances permitted. As I already have explained to you in person when you were good enough to come and discuss this matter with me, it is not the President but the assembly that ignores and suffocates the true spirt of the constitution and fundamental law of the country. The fundamental law of a democratic state is the expressed will of the people. The power of the government, including the legislative organ, is, of course, derived from the people themselves; there is no individual or group of individuals who can supersede the will of the people in a democratic state. All this is clearly stated in the Korean Constitution itself.

Completely ignoring the intrinsic and fundamental basis of the constitution, my political opponents in the assembly insist on adhering only to letters apt to be dead when severed from the underlying spirit that vitalizes them—of what has been openly admitted to be a temporary arrangement permitting the more expedient method of electing the president by the assembly and providing a unicameral legislature. This is what the entire nation is opposed to. This has been sufficiently demonstrated by the existence of a widespread demand for the dissolution of the assembly that stubbornly refuses to democratize the constitution, a process which has been long overdue. Piles of documents from all election districts, signed by their qualified electors, have been accumulating for the last 3 months. Furthermore, all of the seven provincial legislatures recently elected have sent in their resolutions demanding the dissolution of the assembly.

As I have offered to you personally, if you care to name any town or city where you want to attend a mass meeting at any time at your own convenience, I invite your attendance; you may go and tell them anything and ask any questions you may like to put to them. Then you will know without any doubt what the people want.

No political stability (so stressed in your statement) can be achieved by bypassing the decision of the people. Loopholes of the constitution are being taken advantage of by groups conspiring to grab power, on one hand, while, on the other, the evidence of where the will of the people lies is daily mounting. There could not be a clearer call for the executive branch of the government than to side with the people.

In regard to the martial law, it was proclaimed solely to counteract the guerrilla activities, which took the lives of five American soldiers in one single case not far removed from this city, besides numerous other cases where innocent human lives were involved. I need not repeat all that which I have already directly told you to convince you of the need of such a martial law in this city as well as elsewhere. Incidentally, the martial law has been salutary in stopping demonstrations which have recently caused hundreds of people to be injured. I should like to have it clearly understood that in its origin the martial law had no connection whatsoever with the arrest or detention of any assemblymen, or any men, for that matter. It is purported to be lifted as soon as the emergency conditions cease or mitigate to the point where martial law can be dispensed with.

As a matter of fact, the martial law is only for public security, and the policemen are maintaining the peace and law. The army is responsible for checking the Communist guerrilla activities only.

Sincerely yours,

SYNGMAN RHEE.

POLICIES OF UNITED STATES INFORMATION SERVICE

This statement apparently derives the policies of the United States Information Service, in the American Embassy, from the U. N. Declaration of Human Rights, and claims the right to send information critical of one of our allies into that country over the radio facilities of that country.

THE AMERICAN EMBASSY,
UNITED STATES INFORMATION SERVICE,
Pusan, Korea, May 31, 1952.

Memorandum to all concerned.

Subject: Policies of the United States Information Service (USIS).

The fundamental policy of the United States Information Service, in keeping with its "Campaign of Truth" in promoting and disseminating all news and information concerning world events and in accordance with United Nations and United States policy, is the same for USIS in Korea.

Due to the present political situation in Korea, it has become increasingly necessary to reiterate our position and policy. The United States Information Service will continue to give the widest circulation possible to all United States Government UNCURK (United Nations Commission for the Unification and Rehabilitation of Korea), United Nations and the United States Army official news release concerning the present situation. In addition, the USIS will present all official news releases of all recognized governments and organizations, including those which are in violation of the U. N. and U. S. policy or which have no basis in truthful facts.

The United States Information Service in Korea will continue to use the various channels or media for the dissemination of its news: radio, press, publications, bulletin boards and posters, and motion pictures, and would consider any infringement upon its right to use freely these media of information as unwarranted and illegal. Any purposeful withholding of truthful information to the people of the world, providing it does not violate public security or safety and welfare, would be in violation of Article 19, United Nations Declaration of Human Rights, which states:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontier."

THE STAFF, USIS.

Mr. KNOWLAND. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield 5 minutes to the Senator from California.

Mr. KNOWLAND. Mr. President, first of all, I should like to say to the Senator from Indiana that I have also been concerned over the activity of our own State Department and the Government of the United States in regard to the political crisis in Korea. In the CONGRESSIONAL RECORD of June 9, 1952, the Senator will find the statement made by me on the floor of the Senate relative to this situation, in which I suggested that the American Government and the American people withhold judgment until we could get the full facts. I thought a one-sided diet was being given, by information or propaganda, as the case might be, to the American people, regarding this situation.

I may say to the distinguished Senator from Indiana that I was so concerned about it that I sent to the State Department to ask for the transcript of what had been going out over the Voice of America. I have read the full transcript. I find that it is loaded with statements which are primarily derogatory and detrimental to the Republic of Korea. I also find that, while mention was made of the debate in the Indian Parliament, in which members of that Parliament were critical of President Rhee, there was no mention of the statement made on the floor of the United States Senate on June 9, which might be interpreted as at least asking that judgment be withheld. I think it is a matter which the appropriate Senate committee should inquire into.

Mr. JENNER. We had better wake up.

Mr. FERGUSON. Mr. President, will the Senator from Indiana yield?

Mr. KNOWLAND. I think I have the floor. I was yielded 5 minutes.

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. FERGUSON. Will the Senator yield for a question?

Mr. KNOWLAND. I yield.

Mr. FERGUSON. Did the Senator also ask for the evidence regarding the broadcasts which were made in Korea during that period?

Mr. KNOWLAND. I have that, too, and I shall be glad to turn it over to the Senator from Michigan.

Mr. JENNER. I have that, also.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 7176) making appropriations for the Department of the

Interior for the fiscal year ending June 30, 1953, and for other purposes.

Mr. KNOWLAND. Returning to the debate on the Interior Department bill, I desire to place certain tables before the Senate. I hope the Senator from Illinois is somewhere close by; if not, he can read the information I am about to place in the RECORD.

I ask unanimous consent to have printed in the RECORD as a part of my remarks the full list of appropriations for reclamation, including the general fund, emergency fund, and so forth, in the period from 1906, when the present reclamation law was enacted under the administration of President Theodore Roosevelt, to and through the fiscal year 1951, which shows that the total expenditures amounted to $2,331,143,833.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Annual appropriations,[1] summary by funds and total expenditures, 1902–51

Fiscal year	Reclamation fund	General fund [2]	Revenue available	Emergency funds	Permanent appropriation expenditures	Total funds available for expenditure	Total expenditures
1906	[3] $17,363,800					$17,363,800	[4] $12,658,163
1907	18,051,161					18,051,161	12,533,916
1908	9,562,038					9,562,038	11,799,956
1909	9,180,700					9,180,700	10,390,395
1910	8,183,300					8,183,300	10,050,733
1911	26,896,790					26,896,790	9,556,325
1912	8,262,367					8,262,367	11,663,193
1913	8,300,508					8,300,508	8,791,905
1914	15,931,922					15,931,922	10,437,941
1915	1,204,411					1,204,411	14,213,173
1916	13,530,000	[5]				13,530,000	8,805,940
1917	8,887,557		15,000			8,902,557	8,023,130
1918	8,227,990	310,213				8,537,213	8,982,355
1919	9,397,081	443,196				9,840,277	8,645,625
1920	7,300,000	548,927				7,848,927	6,399,871
1921	8,463,000	661,177				9,124,177	10,034,149
1922	20,266,000	335,871				20,601,871	8,760,134
1923	14,800,000	559,530				15,359,530	10,045,703
1924	13,800,000	314,067				14,114,067	11,873,766
1925	11,890,809					11,890,809	10,369,452
1926	12,563,240	50,000				12,613,240	8,906,138
1927	7,436,320	75,000				7,511,320	7,449,552
1928	12,148,800	50,000				12,198,800	8,636,998
1929	14,138,400	115,000	190,000			14,443,400	10,254,937
1930	8,253,000	10,760,000	390,000			19,403,000	10,995,304
1931	9,087,000	100,000	395,000			9,582,000	13,942,762
1932	6,971,000	25,100,000	300,000			32,371,000	26,345,915
1933	2,442,288	13,050,000	375,000			15,867,288	25,204,914
1934	3,003,000	8,048,000	405,000	$103,535,000		114,991,000	24,751,833
1935	860,750		316,000	34,076,000		35,252,750	40,882,912
1936	1,022,100	20,950,000	396,000	25,438,000		47,776,100	49,849,120
1937	12,028,600	36,850,000	666,000	−4,873,000		44,671,600	52,379,804
1938	11,991,600	[6] 30,670,000	831,000	39,547,500	$1,100,000	84,140,100	65,405,810
1939	10,574,600	32,995,000	896,000	−5,692,488	4,600,000	44,033,112	79,329,428
1940	13,269,600	63,715,000	1,181,000	23,334	5,700,000	83,888,934	96,365,934
1941	9,429,600	63,765,000	1,339,000	−119,287	6,600,000	81,014,313	85,596,484
1942	7,446,600	93,915,031	1,414,400	−19,965	2,600,000	105,356,066	91,438,941
1943	2,651,060	87,076,210	1,936,400	−1,127	2,600,000	94,262,543	69,287,440
1944	2,422,500	35,853,000	3,335,075	−72,709	5,669,468	47,207,334	54,587,242
1945	5,321,000	19,324,200	3,278,800	−22,332	5,282,501	33,184,169	50,376,076
1946	34,089,200	84,970,500	3,578,600		4,491,718	127,130,108	64,362,688
1947	36,315,968	77,846,135	3,284,245	−30,396	4,806,879	122,222,831	123,142,887
1948	20,127,250	117,508,288	5,549,500		5,545,400	148,730,438	176,153,466
1949	29,952,663	229,251,503	6,999,601		5,293,475	271,497,242	243,794,856
1950	35,447,705	313,557,275	9,327,097		8,034,825	366,366,902	298,373,537
1951	(7)	271,543,800	(7)		3,327,177	277,045,886	296,448,244

[1] Including allotments from the reclamation fund through 1915; authorizations for increased compensation from general fund, 1918 through 1924, power and other revenues made available; and allocations from emergency funds 1934–44.

[2] General fund includes appropriations for operation and maintenance of the Colorado River front work and levee system and for the Colorado River Dam fund.

[3] Allotments prior to 1906 were canceled on July 27, 1907, at Fallon, Nev., and summary allotments issued in lieu thereof.

[4] Total expenditures for 1903–06, as follows: 1903, $269,094; 1904, $1,513,431; 1905, $3,767,922; 1906, $7,107,716.

[5] Excludes appropriation of $100,000 to Secretary of the Interior for Imperial Valley protection.

[6] Includes appropriation of $100,000 to Bureau of Reclamation for Bonneville.

[7] All funds merged into the general fund appropriation in fiscal year 1951.

Mr. KNOWLAND. I also ask unanimous consent to have printed in the RECORD as part of my remarks a table showing that for the 15-year period, 1938 through 1952, the expenditures for rivers and harbors amounted to $927,952,554, set forth on a year-by-year basis.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Army Corps of Engineers

RIVERS AND HARBORS

	Construction	Planning	Total
1938			$90,822,101
1939			71,720,000
1940			52,500,000
1941			29,047,000
1942			$52,953,600
1943			29,979,000
1944			7,265,000
1945			11,359,000
1946	$38,605,600	0	38,605,600
1947	41,720,650	$1,533,100	42,253,750
1948	38,776,900	3,500,000	42,276,700
1949	99,288,000	1,924,000	101,212,000
1950	114,149,690	2,000,000	116,145,690
1951	114,620,500	1,500,000	116,120,500
1952	125,192,613	800,000	125,992,613
Total			927,952,554

Army Corps of Engineers—Continued

Mr. KNOWLAND. I also ask unanimous consent to have printed in the RECORD, at this point, as a part of my remarks, a table showing that, during the 15-year period, 1938 to 1952, there were total appropriations of $2,430,438,975 for flood control. If my addition is correct, these tables show that for reclamation, rivers and harbors, and flood control, for the period from 1906 to 1952, the appropriations totaled $5,689,535,362, which is $1,000,000,000 less than we are appropriating for foreign aid in 1 year alone.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Army Corps of Engineers

FLOOD CONTROL

	Construction	Planning	Total
1938			$47,553,000
1939			82,000,000
1940			131,742,000
1941			71,695,000
1942			98,780,000
1943			139,111,700
1944			12,100,000
1945			8,230,100
1946	$105,364,000	$12,455,000	118,799,000
1947	132,391,000	6,510,000	138,901,000
1948	231,309,825	4,500,000	235,809,825
1949	339,583,100	3,133,000	342,716,100
1950	348,811,400	3,210,000	352,021,400
1951	340,894,750	2,900,000	343,794,750
1952	306,184,100	1,000,000	307,184,100
Total			2,430,438,975

Mr. CASE. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield 3 minutes to the Senator from South Dakota.

Mr. CASE. Mr. President, I do not care to take much time, but I ask unanimous consent that there may be placed in the RECORD at this point in my remarks two paragraphs which appear at page 644 of the hearings, headed "Missouri River Basin Project, Cheyenne Division, Rapid Valley Unit, South Dakota," and a one-page statement which I submitted to the Appropriations Committee with reference to the supplemental water supply for Rapid City, S. Dak.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

MISSOURI RIVER BASIN PROJECT, CHEYENNE DIVISION, RAPID CITY UNIT, SOUTH DAKOTA

The Rapid City Air Force Base has not had, since its establishment in 1942, an adequate water supply. Anticipated peak demand during the coming year is more than double the available supply. Water is essential not only for domestic use at the base but for photographic laboratory, the aqua system of storing high-octane gasoline, maintenance of giant B-36's and B-36D's, etc. At the present time the Air Force base is required to reply on a very unsatisfactory source from wells of an average depth of over 4,000 feet which yield highly mineralized water at excessive temperatures of from 92° to 121° Fahrenheit. The necessary cooling, the corrosion of pipes, and treatment required present an expensive and continuing problem such as to make wells an entirely unsatisfactory source of supply. Furthermore, Rapid City's municipal use taxed existing facilities in the comparatively cool 1950 season. Even with some newly constructed equipment, the city's supply is expected to be far short of the peak demands in the coming year.

The only satisfactory source of additional water which can be economically developed

is through the Rapid Creek storage to be provided by Pactola Dam. Thus the Rapid Valley project would make a substantial contribution to the defense effort by providing an adequate water supply for the Air Force base and Rapid City and by increasing the food and fiber necessary to support such an effort through providing irrigation water for over 14,000 acres of land.

MEMO FOR APPROPRIATIONS SUBCOMMITTEE FOR INTERIOR

(By Senator FRANCIS CASE, of South Dakota)

SUBJECT

Construction Pactola Dam, second unit in Rapid Valley project, authorized Missouri Basin program.

URGENCY

1. To save Air Force from spending $1,000,000 for unsatisfactory wells at Rapid City Air Force base—a B–36 base of the Strategic Air Command.

2. Flood control—so important that project has feasibility ratio of 1.7 to 1.

ORIGINAL PURPOSES

1. To supply supplemental water for irrigators in Rapid Valley: District so interested that it has voted to waive rights in Deerfield Reservoir (first unit (15,000 acre-feet) to meet Rapid City and air-base demands during Pactola construction).

2. Supplemental municipal water for Rapid City: Present rights to 6,000 acre-feet in Deerfield Reservoir (constructed 1941–43). Designed for city of 30,000—Rapid City is over 28,000 now and is being asked to help supply air base which has 6,000 military personnel, plus families in housing projects adjacent to base.

3. Flood control: Rapid Creek flows through industrial section Rapid City. Greatest urgency, however, is in narrow canyon above old city where rapid expansion has built hundreds of valuable homes. Engineers rate situation critical.

STATISTICS

Capacity:	*Acre-feet*
Flood control	43,000
Water storage	55,000
Dead	3,000
Total	101,000
Current cost estimate	$10,992,000
Already expended, plans and surveys, approximately	350,000

The committee provided and earmarked funds to complete planning studies last year. If the committee contemplates providing funds for any "new starts" this year, this project should rate as high as any could in priority, since the Air Force simply must get additional water. It is believed that Bureau of Reclamation officials conversant with situation would confirm Pactola as among top three in urgency.

Mr. HAYDEN. Mr. President, I promised to yield to the Senator from Minnesota [Mr. THYE] 4 minutes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 4 minutes.

Mr. THYE. Mr. President, as a member of the committee, and having studied the amendment offered by the distinguished Senator from Illinois [Mr. DOUGLAS], which proposes to reduce the over-all appropriation by $31,000,000, let me say that it will reduce the amount provided in the House bill. The House passed this appropriation bill earlier in the session. After the House had acted on the bill, some floods occurred and some other items in the bill were developed in general.

Members of the House have called on me in person and suggested that I support an increase in the House appropriation bill in the amount the Senate Appropriations Committee has recommended as now appears in the bill.

Mr. President, I have voted against any increases in the appropriation bill, and shall continue so to do, but, likewise, I shall oppose any decrease proposed by amendments offered from the floor, because the committee, after lengthy public hearings and very thorough study, made its recommendations, and I believe the committee exercised good judgment when it recommended to the Senate the amount contained in the appropriation bill.

I would say, Mr. President, that if the amendment offered by the able and distinguished Senator from Illinois should prevail, there are certain projects in the bill which would have to be stricken entirely. One of them relates to a transmission line in Minnesota.

Mr. President, my best judgment is that that transmission line should be constructed, because it will not only make possible of utilization the electric current generated in the installations at Garrison Dam, but also at Randall and Gavin Point, and it would permit the hooking up of the steam plants owned by private interests. These plants would act as a firm-up of the hydroelectric current generated at the flood-control dams in both North Dakota and South Dakota.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. THYE. I am speaking on very limited time. If the Senator will interrogate me on his own time I shall be happy.

Nothing could be more unwise, Mr. President, than the elimination of this transmission line and the projects included in the appropriation bill as written by the Senate Appropriations Committee and which is before us this afternoon.

Mr. DOUGLAS. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. Mr. President, I thought I made it clear that my objections were entered against irrigation projects. I think the parliamentary record will show that to be a fact.

Mr. THYE. Mr. President, I can only say to the distinguished Senator from Illinois that he proposed a large reduction. If a reduction of $31,000,000 is made it will strike out the transmission lines, in my humble opinion. If I am incorrect in that statement, I shall be glad to be corrected.

Mr. DOUGLAS. If the Senator will look at the RECORD of yesterday, pages 7892–7893 he will find my objection did not go to power projects, but entirely to irrigation projects.

REPRESENTATION—CONTRACTS WITH VARIOUS INDIAN TRIBES

Mr. McCARRAN. Mr. President, if I may have the attention of the leaders of both sides, I should like to ask unanimous consent that I may make a statement of 3 minutes, not to be taken from the time of either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Nevada may proceed for 3 minutes.

Mr. McCARRAN. Mr. President, I make this statement because in the pending bill there is involved the Bureau of Indian Affairs, and I think the Commissioner of Indian Affairs should have his attention very seriously drawn to the matter which I shall discuss for a moment.

One James E. Curry is an attorney who represents various Indian tribes and tribal councils in claims against the Government. He has at least 32 separate accounts involving land-claim contracts. He also has a large number of general representation contracts, some of which have been canceled and some of which have not yet been approved by the Bureau of Indian Affairs, but many of which are still valid and in force.

Mr. Curry had a general representation contract with the Pyramid Lake Tribal Council, which by its terms ran for 2 years. This contract has now expired. At the time this contract still had about a year to run, Mr. Curry tendered to the tribal council a new contract to run for a term of 10 years. The Bureau of Indian Affairs refused to approve this contract. Mr. Curry induced three members of the tribal council of the Pyramid Lake Tribe to come back to Washington in an effort to bring pressure to bear on the Indian Bureau to approve this contract. They got back here in November of last year. These three members were Avery Winnemucca, Albert Alec, and Albert Mauwee. After their efforts to secure approval of Curry's contract proved unsuccessful, two of these three men, Alec and Mauwee, left Washington to return to Nevada. Avery Winnemucca stayed on in Washington for some months, in fact, until about the first of May. While Winnemucca was here, Curry sent out from his own office letters purporting to be signed by Winnemucca as chairman of the tribal council, asking for voluntary contributions to assist the Indians in fighting their cause. This letter stated that Winnemucca had been designated as treasurer of a special fund to be raised by such voluntary contributions. The letter promised a strict accounting of all contributions and promised that if any of the funds were not used to aid the Indians in fighting their cause, amounts not used would be returned to the contributors. These letters were sent to tribes all over the United States and even in Alaska.

These letters were not in fact prepared by or sent out by Avery Winnemucca. They were prepared by Mr. Curry. They were written in his office on stationery which he supplied. His office help prepared them and folded them and stuffed them in the envelopes for mailing and put postage on them and mailed them. Mr. Curry paid for the postage. Furthermore, the post-office

box which was given as a return address—that is, the address to which contributors were to send their contributions—was Mr. Curry's post-office box, rented by him.

Recently, affidavits have been secured from members of the Pyramid Lake Tribal Council showing that Avery Winnemucca never was designated treasurer of the so-called special fund, as stated in these letters soliciting contributions. These affidavits show that there has been no accounting of collections or contributions, and that the tribal council of the Pyramid Lake Tribe does not know how much has been contributed nor who may have made contributions.

Mr. HAYDEN. I yield 3 minutes to the Senator from Utah.

Mr. WATKINS. Mr. President, following the remarks of the Senator from Illinois, I may say that this is the first time during my service of 5½ years in the Senate that I recall hearing an attack on the reclamation policy.

It appears that the Senator from Illinois has gone completely over to the opponents of reclamation, who were quite numerous some 25 or 30 years ago, but have been dwindling in numbers until there are very few in the United States today.

The reclamation policy was established 50 years ago. We recently celebrated the fiftieth anniversary of the Reclamation Act. Reclamation has been a great boon to the United States. It is one program that is self-liquidating. There may have been frills added in various directions, but reclamation tends toward the solid development of the United States.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WATKINS. I have only 3 minutes, but I yield to the Senator from New Hampshire.

Mr. TOBEY. Thirty seconds is all I need. Is it not correct that reclamation projects were first instigated and pushed through to completion by a Republican administration, that of the lamented President Theodore Roosevelt?

Mr. WATKINS. The Senator is absolutely correct, and it has been a solid program.

I wish to say a few words about the Weber Basin project. There were heavy floods in Utah during the past spring, due to heavy winter snows. The mountains and canyons are steep, and the water from them runs off into the Great Salt Lake, where it is unusable. Everyone who has been to the Great Salt Lake knows that it is about 25 percent salt.

If we had established the Weber Basin project many hundreds of thousands of dollars would have been saved. All we are asking for this year is funds for the first phase, to furnish water to numerous cities and towns in an area where we have four defense installations and an increasing population.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WATKINS. I have only a few moments.

Mr. DOUGLAS. The Senator made a statement about me during my absence.

Mr. WATKINS. The only reason why the people are asking the Federal Government to undertake this reclamation project is that it is too big for them to handle themselves. It would require financing beyond their ability, so far as a private loan is concerned, but it falls squarely within the reclamation policy which has been established.

Mr. DOUGLAS. Mr. President, the Senator from Utah made a statement about me during my absence. Will he yield?

Mr. WATKINS. I yield.

Mr. DOUGLAS. I understand the Senator from Utah said that the Senator from Illinois was opposed to reclamation.

Mr. WATKINS. I understood the Senator to indicate that.

Mr. DOUGLAS. I am not opposed to reclamation, nor am I opposed to home, mother, or the American flag. I am in favor of all those things. However, I believe we should provide certain limitations in appropriating for irrigation; that is all.

Mr. WATKINS. That is all very well and good. I placed my interpretation on what the Senator said. It was the first real attack made on reclamation in this body, from my point of view, in many, many years.

The question of interest on the money was raised by the Senator from Illinois. In the case of the Weber project, the cities that get the water will pay the interest. About 40 percent of the water which is now lost will go to the cities to take care of the increasing population. They will pay interest and pay back every dollar that is spent on this project for the purpose of getting the water.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. WATKINS. Mr. President, I ask to have printed at the conclusion of my remarks two statements concerning the Weber Basin project, Utah.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

WEBER BASIN PROJECT, UTAH—AUTHORIZED BY PUBLIC LAW 273, EIGHTY-FIRST CONGRESS

The project is to be built in an area contiguous to Ogden, Utah, the second largest city in the State. It is in the center of a farming, manufacturing, mining, smelting, and defense area. It will ultimately provide supplemental irrigation for approximately 27,000 acres and bring 51,000 acres under new cultivation.

The population of Ogden and 22 cities and towns in the area are vitally concerned with the completion of this project.

An important element in the project relates to flood control. Utah has just recently been designated a disaster area. Much of the damage resulting from these floods could have been alleviated by the completion of the first phase of the project.

In addition to the civilian water needs to be supplied by the project, four vital defense establishments, located in the area will be dependent on the project's completion. These installations are: Hill Field; the Ogden Arsenal; the Clearfield Naval Depot; and the Ogden General Depot, located within the city limits of Ogden and depending entirely on the city water supply.

The civilian employees at these four bases exceed 20,000, the majority of whom live within the area to be served by the project.

The fire problem at the Ogden General Depot alone should merit the initial construction of the project. In excess of $1,000,000,000 in buildings, supplies, and materials is invested in this one depot, with over five billion in plants and supplies invested in the four major defense installations. These supplies include airplanes and airplane parts, naval supplies for the entire Pacific fleet, supplies for the western army area, and vital ammunition supplies.

The initial appropriation of $1,350,000 would provide funds for general investigation, drawing plans, and some initial construction on the following:

Enlargement of Pine View Dam and Reservoir	$100,000
Warship Dam and Reservoir	500,000
The Gateway canal	500,000
The Davis adqueduct	100,000
Miscellaneous drainage, etc	50,000
Total	1,350,000

The entire first phase of the project is scheduled for completion within 5 years and includes the following items:

The enlargement of the Pine View Dam and Reservoir.

Completion of the Wanship Dam and Reservoir.

Completion of the Stoddard diversion works.

Completion of the Gateway canal.

Completion of the Weber and Davis aqueducts.

The total cost of the initial phase is estimated at $35,887,000.

STATEMENT BY SENATOR WATKINS

In these times of huge Government deficit spending and inflation I almost hesitate to appear before this committee urging the appropriation of additional funds. In fact, I would not do so were I not convinced that the appropriations I am about to recommend are absolutely necessary.

I want to emphasize this point. Reductions must be made in the President's budget if our fiscal policies are to remain economically sound. I am confident that the President's budget can be cut without jeopardizing essential defense or essential civilian activities.

Most of the items for which I am urging consideration generally provide for the ultimate repayment of the amounts expended. On the other hand, our foreign-aid expenditures do not provide for the repayment of the United States of any amount. These foreign-aid programs relate to all ramifications in connection with foreign nations' economies.

We are only now considering a 1 year's program of approximately $7,000,000,000 for foreign aid. According to the Library of Congress, since the end of World War II, there have been 16 major aid programs for foreign nations, with a total expenditure of $55,061,000,000.

I have had a tabulation prepared which shows that we are now spending more United States taxpayers' dollars in foreign countries on water and power programs than we are spending on like projects in the United States. It is all very well for us to play Santa Claus to all the other peoples of the world, provided we can continue to maintain and develop our own defense and economy at the same time. Our domestic programs (especially as essential as reclamation projects) should not be stymied as a result of a foreign give-away program.

This tabulation shows that since the end of World War II through June 30, 1951, American taxpayers' dollars have been used to further reclamation and allied programs in foreign nations in the amount of approximately $2,000,000,000, and even this tabulation does not include the total cost since legislative reference informs me that some figures pertaining to these items are not available.

I call the committee's attention to the Weber Basin project. Public Law 273 of the Eighty-first Congress authorized the construction of this project. The President, when he signed this law, directed that detailed information on allocation and repayment be secured, and that certain Government agencies be consulted in this connection.

I am informed that this detailed information is now compiled. The Bureau of Reclamation in cooperation with the Department of Agriculture and the State of Utah has completed the necessary studies and this report should now be available for this committee. I urge that this committee request from the Bureau of the Budget and the Bureau of Reclamation a copy of this report to substantiate the request for construction funds.

The project will be built in the center of a farming, manufacturing, mining, smelting, and refining area. It will provide supplemental irrigation for approximately 27,000 acres and bring 51,000 acres of new ground under cultivation. Ogden, Utah, is the intermountain railroad hub of the transcontinental railroad systems, and several of the most important intermountain industrial activities such as canning, meat packing, milling, and manufacturing are located in and near Ogden.

The completion of the project is of supreme importance to the activities of this city, the second largest in Utah. Weber Basin project will develop the area's last remaining surplus water supply for irrigation and municipal needs.

An important element in the project relates to flood control. Utah has been having its share of floods this year. It is important that these waters, which now go to waste, and do inestimable damage during the spring runoffs, be harnessed for later beneficial use.

As important as these needs are, however, of even more direct concern are the water requirements of four vital defense establishments located in the Ogden area. These are Hill Field Airforce Base, Ogden Arsenal, Ogden General Depot located within the city limits of Ogden, and dependent entirely on the city water supply, and the Clearfield Naval Supply Depot.

This committee should be advised that when the Ogden General Depot was first constructed, a well was drilled in an endeavor to secure an independent water supply. When it came in, it developed in excess of 2,000 parts of chloride per 1,000,000, and was therefore unusable and abandoned. This same chloride situation has been found in other wells which have been drilled in an endeavor to augment the water supply of the area.

Not only are the defense establishments directly concerned with the water supply which will be made available by this project, but the majority of the employees, as well as the military personnel, live within Ogden and are dependent upon that municipality's water supply for culinary purposes.

It is interesting to note the effect these defense establishments have had on the population of the area. From 1920 to 1940, the area's population increased about 17 percent per decade. Since 1940, however, the population increase has been in excess of 50 percent. The latest available civilian employment figures at the four bases are as follows:

Utah General Depot	3,903
Hill Field	10,437
Ogden Arsenal	2,650
Clearfield Naval Supply Depot	3,281

The Weber Basin Water Conservancy District formed to sign the contract for operation, maintenance, and repayment recently received the following letter from Ogden Air Material Area, Hill Air Force Base:

"GENTLEMEN: The proposed Weber Basin development, under the jurisdiction of the United State Bureau of Reclamation, has been discussed with representatives of this command with particular reference to the desirability and necessity of supplementing domestic water supplies for communities in this area. It appears that this project, to provide both supplemental irrigation and domestic water for the Ogden Valley, is both economically feasible and a necessary adjunct to the water supply of the area. The economic well-being of the Ogden Valley is vital to the national defense effort in that the living conditions of employees of this command must necessarily be such as to maintain a highly efficient working force and one which is desirous of remaining domiciled in the immediate area.

"In addition to the city of Ogden, there are some 25 small communities in the valley in which reside a large number of the personnel employed at Hill Air Force Base. All of these communities, including the city of Ogden, are faced with a situation in which the locally available water supplies are progressively deteriorating in quality and rapidly diminishing in quantity per capita. The Weber Basin project will provide ample domestic water supplies of good quality for these communities. While it is anticipated that such supplemental water will not, even under an accelerated construction program, become available until about 1953, it is believed that, if the situation is not alleviated by that date, there will then exist difficult problems in connection with the maintenance of the status of the working force at this base.

"It is obvious that, from the standpoint of the economic and physical well-being of the approximately 8,200 employees at this base, the construction of the Weber Basin project is of importance to this command, as further delay in the implementation of this project will have an extremely adverse effect from the standpoint of employee morale, upon the accomplishment of the mission of the Ogden Air Material Area.

"Yours very truly,

"C. B. ROOT,
"Colonel, USAF, Commanding."

Culinary water and irrigation water are not the only needs of these people and these bases. Fire protection, sewage disposal, and all other functions essential to health and welfare should be considered.

For example, General Depot, which as I have said, is within the city of Ogden, has its own firefighting equipment, but is totally dependent upon the pressure from the city water supply. I am informed that there is an investment in excess of $1,000,000,000 in material and buildings in this one depot alone with over $5,000,000,000 invested in the buildings and supplies at these four major defense installations. I am sure the committee can imagine what would happen to that investment should a fire break out while the pressure in the water mains was down.

I cannot urge too strongly the necessity of beginning construction on this project. If we wait until a dry cycle comes (and I am informed that one is overdue) it will be too late. The construction contemplated will not conflict with any manpower needs for defense activities and no material considered critical or necessary for the war effort will be needed for this phase of the construction program.

I urge this committee to make available $1,350,000 for the initiation of construction on this project. This is less than two one hundred-thousandths of the amount the American taxpayers will be expected to give to foreign nations under the Mutual Security Act for this 1 year alone. It is sixty-seven ten-thousandths of the amount American taxpayers have donated since the end of the war to further foreign reclamation projects.

It should be kept in mind that the reclamation expenditures on Weber Basin and other domestic reclamation projects are repaid by those who receive the benefits.

Only last August the President is reported to have said that if the international situation gets no worse, it should be possible to make room for Weber in the budget. The President has indicated that the international situation is no worse. There is therefore no further excuse to hold up the initiating of construction on this project.

Mr. HAYDEN. Mr. President, I yield 3 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, a few minutes ago my colleague, the senior Senator from Minnesota [Mr. THYE], addressed the Senate in regard to this item in the appropriation bill. During the colloquy between the senior Senator from Minnesota and the Senator from Illinois [Mr. DOUGLAS], there was a discussion about the relationship of the Douglas amendment cut. I wish to make the RECORD expressly clear that, as was pointed out by the Senator from Illinois on June 24, yesterday, the projects to which the Douglas amendment would relate, in the amount, roughly, of $31,000,000, have been listed on page 7892 of the CONGRESSIONAL RECORD for Tuesday, June 24. It is expressly clear that under the interpretation of the Senator from Illinois in his listing, the power facilities and transmission lines were excluded. I make this statement as a matter of legislative record.

Mr. HAYDEN. Just a moment. The difficulty is that the House did not provide any money for the Minnesota transmission lines. The Senate committee has made provision for the lines.

Mr. HUMPHREY. I understand that.

Mr. HAYDEN. So the question will be considered in conference, but the statement submitted by the Senator from Illinois, and printed in the RECORD, will not be considered in conference, unfortunately.

Mr. HUMPHREY. I understand that. I was about to come to that. I want the RECORD to be perfectly clear what the intent was in case the Douglas amendment should be agreed to. I do not desire that the Senate conferees shall go to the conference feeling, during warm weather, that we were going to be left out in the cold, because we have been left out in the cold a long time with respect to the transmission lines.

Mr. HAYDEN. I am sorry about that, but if the Douglas amendment should be agreed to, there would be no money to warm the Senator up; he would still be in the cold.

Mr. HUMPHREY. The Senator is just getting warmed up to that subject.

If the amendment carries, the appropriation will be reduced from $183,406,531 to $152,406,531, which will be below the House figure. So the Senate figure will be lower than the House figure. I am sure that the Senator from Arizona will agree that in that event certain of the projects, in one of which the Senator from Minnesota is vitally interested, would be lost in the shuffle. In other

words, we would still be frozen out in this particular appropriation bill in our quest for funds for the construction of vitally needed transmission lines.

I want the Senate to know that provision for these transmission lines is the result of testimony before the Appropriations Committee on the part of REA, private utilities, and municipalities. I think there has seldom been a time when the combined utility groups—private, public, and cooperative—have come before the Appropriations Committee with such a splendid program of cooperation. This will mean wonderful things in terms of transmission lines and hydroelectric power.

I wish to make my position perfectly clear. I believe this program is needed. It is a program which is worthy in terms of production of the area, in terms of national defense, and in terms of the security of that section of the country. It is surely one which will bear results in terms of increased revenues for producers, as well as in lower costs for consumers.

I hope the Senate will support the project. We have waited a long time for it. It appears to me that it affords a golden opportunity, and it is for that reason that I must candidly say that the program which has been outlined by the committee is one which I shall feel compelled to support, although my friend, the Senator from Illinois [Mr. DOUGLAS] has made it perfectly clear, from his point of view, that his amendment does not include transmission lines. After hearing the chairman of the subcommittee, I am somewhat aware of the fact that in conference there may be a lack of enthusiasm to do what can be done unless we support this program all the way down the line.

Mr. HAYDEN. I believe all the time has been used, so I suggest that a vote be taken.

Mr. DOUGLAS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BUTLER of Maryland. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUTLER of Maryland. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 14, line 21. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Virginia [Mr. BYRD] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from South Carolina [Mr. MAYBANK] is absent by leave of the Senate because of a death in his family.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce that the Senator from Oklahoma [Mr. KERR] is paired on this vote with the Senator from Maine [Mrs. SMITH]. If present and voting, the Senator from Oklahoma would vote "nay," and the Senator from Maine would vote "yea."

I announce further that if present and voting, the Senator from Tennessee [Mr. KEFAUVER] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The Senator from Nebraska [Mr. SEATON] is absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Pennsylvania [Mr. DUFF], the Senator from Nevada [Mr. MALONE], and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

On this vote the Senator from Massachusetts [Mr. LODGE] is paired with the Senator from Maine [Mr. BREWSTER]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Maine would vote "nay."

On this vote the Senator from Maine [Mrs. SMITH] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Maine would vote "yea," and the Senator from Oklahoma would vote "nay."

The result was announced—yeas 17, nays 60, as follows:

YEAS—17

Benton	Gillette	Moody
Bricker	Hendrickson	Robertson
Bridges	Hoey	Saltonstall
Douglas	Holland	Smith, N. C.
Ferguson	Ives	Williams
Frear	Jenner	

NAYS—60

Aiken	Hennings	Monroney
Bennett	Hickenlooper	Morse
Butler, Md.	Hill	Mundt
Butler, Nebr.	Humphrey	Murray
Cain	Hunt	Neely
Capehart	Johnson, Colo.	Nixon
Case	Johnson, Tex.	O'Conor
Clements	Johnston, S. C.	O'Mahoney
Connally	Kem	Pastore
Cordon	Kilgore	Schoeppel
Dirksen	Knowland	Smathers
Dworshak	Lehman	Smith, N. J.
Eastland	Long	Sparkman
Ecton	Magnuson	Stennis
Ellender	Martin	Taft
Flanders	McCarran	Thye
Fulbright	McClellan	Tobey
George	McFarland	Underwood
Green	McKellar	Watkins
Hayden	Millikin	Welker

NOT VOTING—19

Anderson	Kerr	Russell
Brewster	Langer	Seaton
Byrd	Lodge	Smith, Maine
Carlson	Malone	Wiley
Chavez	Maybank	Young
Duff	McCarthy	
Kefauver	McMahon	

So Mr. DOUGLAS' amendment, offered for himself and Mr. BENTON, to the committee amendment was rejected.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). The question is on agreeing to the committee amendment on page 14, line 21.

Mr. DOUGLAS. Mr. President, I send an amendment to the desk and ask to have it stated.

The LEGISLATIVE CLERK. On page 14, line 21, it is proposed to strike out the figure "$183,406,531" and to insert in lieu thereof the figure "$168,406,531."

Mr. DOUGLAS. Mr. President, while Members of the Senate are in the Chamber I should like briefly to explain the amendment. The Senate has voted down a cut of $31,000,000. The pending amendment would reduce the appropriation $15,000,000. It would eliminate all new starts with the exception of the Savage Rapids Dam in Oregon, which is probably the most defensible of the various new projects. It would save $15,000,000 and would eliminate new starts, the ultimate cost of which, if we made the initial beginning would be $335,000,000.

I hope the Senate will accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 14, line 21.

The amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 14, line 22, after the word "fund", to strike out the colon and the following proviso: "*Provided*, That no part of this appropriation shall be used to carry on field engineering, survey work, design, or initiate the construction of the Southwest Contra Costa County Water District system to deliver industrial water to the vicinity of Richmond, Calif."

The amendment was agreed to.

The next amendment was, on page 15, line 1, after the amendment just above stated, to insert a colon and the following proviso: "*Provided*, That no part of this appropriation shall be available for other than the completion of field engineering, survey work, and preliminary designs of the Southwest Contra Costa County Water District System and no repayment contract shall be executed or construction begun until plans have been submitted to and approved by the Congress through its legislative and appropriation procedures."

The amendment was agreed to.

The next amendment was, on page 16, line 9, after the word "Congress", to insert a colon and the following additional proviso: "*Provided further*, That not to exceed $1,419,000 of the appropriation herein made for 'Construction and rehabilitation, Bureau of Reclamation' shall be expended for completion of construction of the Coachella division of the All-American Canal System, Boulder Can-

yon project in accordance with the terms and conditions of the appropriation for the same purpose contained in the Interior Department Appropriation Act, 1952."

The amendment was agreed to.

The next amendment was, on page 16, after the amendment just above stated, to insert a colon and the following additional proviso: *"Provided further*, That not to exceed $700,000 shall be available toward emergency rehabilitation of the Savage Rapids Dam to be repaid in full under conditions satisfactory to the Secretary of the Interior."

The amendment was agreed to.

The next amendment was, on page 16, line 20, after the amendment just above stated, to insert a colon and the following additional proviso: *"Provided further*, That no part of this appropriation shall be available for the initiation of construction under the terms of reclamation law of any dam or reservoir or water supply, or any tunnel, canal or conduit for water, or water distribution system related to such dam or reservoir until the Secretary shall certify to the Congress that an adequate soil survey and land classification has been made and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation."

The amendment was agreed to.

The next amendment was, under the subhead "Operation and maintenance," on page 17, line 11, after the word "fund", to insert "including operation and maintenance of Palo Verde weir."

The amendment was agreed to.

The next amendment was, under the subhead "General administrative expenses," on page 17, line 24, after the word "Reclamation", to strike out "$5,000,000" and insert "$5,500,000."

The amendment was agreed to.

The next amendment was, under the subhead "Administrative provisions," on page 20, after line 24, to strike out: "Sums appropriated herein which are expended in the performance of functions of the Bureau of Reclamation shall be reimbursable or returnable to the extent and in the manner provided by law."

The amendment was agreed to.

The next amendment was, under the heading "Geological Survey—Surveys, investigations, and research," on page 22, line 23, after the word "activities", to strike out "$25,362,685" and insert "$25,301,100."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Mines—Conservation and development of mineral resources," on page 24, line 15, after the word "owner", to strike out "$18,000,000" and insert "$18,657,000."

The amendment was agreed to.

The next amendment was, under the subhead "Administrative provisions," on page 26, line 20, after the word "Mines", to strike out "on July 1, of said fiscal year" and insert "and said sums, together with all other payments to the Bureau of Mines for helium, shall be credited to the special helium production fund, established pursuant to the act of March 3, 1925, as amended (50 U. S. C. 164 (c))."

The amendment was agreed to.

The next amendment was, under the heading "National Park Service—Construction," on page 28, line 4, after the word "expended", to strike out "$11,770,000" and insert "$19,670,000."

Mr. FERGUSON. Mr. President, on behalf of myself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Illinois [Mr. DOUGLAS], I offer the amendment which I ask be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 28, line 4, it is proposed to strike out "$19,670,000" and insert in lieu thereof "$12,750,000."

Mr. BRIDGES. Mr. President, this amendment would reduce the committee recommendation by $6,920,000. It would provide the full budget estimate for construction work in our national parkways. Last year for the same item there was an appropriation of $11,370,000. The amendment provides a modest increase over the appropriation of last year.

I invite attention to the fact that the committee report states that the funds so provided are to be allocated by the Park Service as it sees fit.

The amendment offered by the distinguished Senator from Michigan, the distinguished Senator from Illinois, and myself is in my judgment a sound amendment.

Many times we have stood on the floor of the Senate when a reduction was proposed, in which the allocation of the reduction would be left to the department or agency concerned. At such times Senators have protested and voted against proposed cuts because they were unwilling to delegate such authority to the department or agency concerned.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HAYDEN. This allocation is based upon the designation by the committee that the money should be spent nowhere else except upon roads and trails and parkways. Congress has stated that it wants the roads to be improved. The decision as to the particular roads on which the money would be spent would be left to the best judgment of the Park Service. It is a different matter from appropriating a lump sum to a particular service. This is road money, and nothing but road money. It is based upon the fact that in the past 10 years the number of visitors to our national parks has increased from 21,000,000 to 40,000,000. The roads are in terrible condition.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FERGUSON. The budget estimate was $12,750,000, as I understand.

Mr. BRIDGES. That is correct.

Mr. FERGUSON. The House allowed $11,770,000. The Senate committee proposes to go beyond the budget estimate, as I understand.

Mr. BRIDGES. That is correct.

Mr. HAYDEN. There is no dispute about that, but the money is allocated for one particular purpose. I do not agree with the Senator that the committee said it would allow the Park Service to spend the money where it pleased. The committee stated that this money was for roads, and for nothing but roads. The only judgment it allowed to the Park Service was as to which particular roads would be improved.

Mr. BRIDGES. Mr. President, at page 17 of the committee report I find the following statement:

> The remaining $6,920,000 of this increase will be allocated by the National Park Service for roads, trails, and parkway projects.

Mr. HAYDEN. A parkway is a road.

Br. BRIDGES. It says "roads, trails, and parkway projects."

Mr. HAYDEN. It is for nothing else but roads. A parkway is nothing but a road with a strip of land on each side which is controlled by the Government. Examples of parkways are the Natchez Trace, the Blue Ridge Parkway, and the parkway between Washington and Baltimore. They are nothing but parkways.

Mr. BRIDGES. On this item the committee has moved above the budget estimate. I am aware of the desirability of these projects. I am aware of the desirability of improving our national parks. I am aware of the fact that many projects in this country are desirable, but when we are faced with a budget of $85,600,000,000, and when we find that a committee has increased a budget figure, and that the Senate is willing to increase it even more, it is time to start to make some reductions.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. McKELLAR. Mr. President, we have already voted large appropriations for foreign nations in Europe, Asia, Africa—nations all over the world—to enable them to build such parkways as they wish and to plan for whatever parkways they would like to have. It is proposed that we give those countries $7,000,000,000 or $8,000,000,000. I hope the amount finally voted will be less than that, but it is likely to be that large.

It seems to me that if we wish to make savings, we should make some reduction in the appropriations we vote for those purposes, for that money is simply given away, and will never be returned to us. We should make reductions in those appropriations, rather than engage in cheese paring in connection with the appropriations for our own roads and trails.

I wish to say to the Senator from New Hampshire, whom I love very much, that I first became an advocate of good roads in the year 1911, when I traveled through New England, and found there a few good roads, principally in the parks. At that time there were no good roads elsewhere in the United States. For instance, at that time there were no good roads in Maryland or in Pennsylvania. In those days it was very difficult to reach Baltimore by road.

Mr. FERGUSON. Mr. President, will the Senator from New Hampshire yield to me?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Michigan?

Mr. BRIDGES. I yield.

Mr. FERGUSON. I wish to say a word in reply to the statement made by the distinguished senior Senator from Tennessee [Mr. McKELLAR], the chairman of the Appropriations Committee. He has referred to a matter which I believe to be most important to the people of the United States and, in particular, to the Senate. It appears that whenever an attempt is made in the Senate to reduce the amount of an appropriation recommended by the committee or by the Bureau of the Budget for a project in the United States, the argument is made that we are giving large sums of money to foreign countries, and therefore we cannot refuse to make appropriations for the people of the United States.

Mr. McKELLAR. Oh, no.

Mr. FERGUSON. I realize that parkways in the United States are important.

On the other hand, when Senators argue that because we are making large gifts to foreign countries, we cannot afford to reduce the appropriations for projects at home, and thus work toward balancing the budget, I should like to see those Senators help us to make reductions in the appropriations we make for foreign nations, and in that way balance the budget.

However, what is done? The Congress votes to send Americans all over the world, to virtually all the other nations of the world, to tell those nations how to balance their budgets. We even send American dollars to get counterpart funds to be used by foreign countries to balance their own budgets.

Then Senators state on the floor of the Senate that cuts cannot be made in the appropriations requested for American projects because we are giving large sums of money to foreign nations.

I think we had better have a revamping of the entire matter. We had better look at our own budget, as well as the budgets of foreign nations. We should try to balance our own budget.

Mr. McKELLAR. Mr. President, if the Senator from New Hampshire will yield to me, let me say that I agree that we should look at both. I agree entirely with the Senator from Michigan that we should have a balanced budget.

On the other hand, we are just dealing in chinquapins when we make a reduction of a few thousand dollars in this or that domestic item, while we are simply throwing down the drain billions of dollars which never will come back to us.

Today Russia is probably our chief enemy in all the world. Yet do Senators recall that at this time Russia owes us $12,000,000,000 which undoubtedly she will never repay?

Certainly we cannot buy the friendship of other peoples by giving them money.

Mr. FERGUSON. Mr. President, I am not arguing for appropriations for foreign aid; but I do not want the appropriations Congress makes for foreign aid to be used as the basis of an argument for increasing every one of the appropriations for domestic projects.

Mr. McKELLAR. I am opposed to that, too.

Mr. FERGUSON. That is what I am opposed to.

Mr. McKELLAR. I am opposed to increasing any appropriation unless it is necessary. But this work is necessary. These park roads are necessary for our own comfort and enjoyment. Our people have a right to expect that we shall provide for these projects.

Mr. FERGUSON. Here is what I want, Mr. President, insofar as my own conscience is concerned: I want to be able to say to the people of Michigan and to all the people of the United States that the fact that the Congress votes large sums of money for foreign aid does not mean that I should vote for an increase in appropriations for projects in the United States, and thus, in effect, vote to continue an unbalanced budget at home.

I would not vote for an appropriation which I did not believe was for the common defense. I have voted to make cuts in the appropriations for foreign aid because I have believed that those appropriations were not for the common defense of America. I believe that under the Constitution I have no right to vote for such appropriations.

Mr. McKELLAR. Mr. President, will the Senator from New Hampshire yield further to me?

Mr. BRIDGES. I yield.

Mr. McKELLAR. Let me say that the Senator from Michigan is a very able, splendid man, and I have the highest esteem for him. He serves very well on my committee, and he is really everything a Senator should be. I wish to say to him that park roads of the very type of those we are now discussing are being built in Europe today, and housing projects are being built at various places in Europe today—all at our expense; we are paying for those projects. Yet at this time the House of Representatives has refused to allow appropriations for planning for the future of our own country.

So, Mr. President, I think we should not interfere in such a cheese-paring manner. This fund is necessary for the good of our own people. For heaven's sake, let us get together and help our own people a little.

Mr. FERGUSON. Mr. President, the trouble is that the amount now requested is 50 percent more than the amount recommended by the Bureau of the Budget. How can such an amount be called "cheese-paring"?

Mr. McKELLAR. Mr. President, we are not bound by the recommendations of the Bureau of the Budget.

Mr. FERGUSON. No.

Mr. McKELLAR. This body is above the Bureau of the Budget. The Bureau of the Budget is our servant, not our master.

Mr. FERGUSON. But we should balance our own budget.

Mr. McKELLAR. I agree.

Mr. DOUGLAS. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. DOUGLAS. Is is not true that the projected appropriations are vastly in excess of the amounts to be appropriated during the current year?

Mr. BRIDGES. That is correct.

Mr. McKELLAR. That happens very frequently.

Mr. HAYDEN. Mr. President, the Senator should know that there was no road improvement in the parkways during the war, and there has been very little since the war. Actually, the Park Service asked the Bureau of the Budget for $30,000,000, this year. The Bureau of the Budget refused to recommend that amount; but there is a justification for $30,000,000, instead of the amount the Appropriations Committee included in the bill.

Mr. McKELLAR. Mr. President, will the Senator from New Hampshire yield to me, and then I shall conclude.

Mr. BRIDGES. Certainly.

Mr. McKELLAR. I think it is time for us to look after our own affairs a little and to build up our own country and our own strength, because when it comes to a showdown, we must depend upon our own strength.

We thought Russia was our friend, when we gave her $12,000,000,000; but today Russia is our chief enemy. Russia never has thanked us for giving her the $12,000,000,000 and never has paid any interest on it.

Everything we appropriate for our own people will not amount to as much as we are giving away to foreign countries.

Mr. CORDON. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. CORDON. In the subcommittee I found it necessary to vote against the proposed increase, and I voted against it in the full committee. I believe we can get along without it this year.

I recognize that there is need for improvement in the national park road system. I should like to think that we could make that improvement without having to borrow the money, by means of an unbalanced budget, to do it, but I know that cannot be done, and therefore I believe we should let this item go for another year.

I voted against the proposed increase, and I shall support the pending amendment to the committee amendment, which will make a reduction in the amount carried at this point in the bill.

Mr. President, I realize that there is a very telling argument in the comparison between our spending of money overseas and a failure to spend money at home. I believe the argument would be more telling, however, and would come with better grace if those who make it would at least vote against overseas spending before they criticize these programs.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON] for himself, the

Senator from New Hampshire [Mr. BRIDGES], and the Senator from Illinois [Mr. DOUGLAS], to the committee amendment on page 28, in line 4.

Mr. BRIDGES. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

SEVERAL SENATORS. Vote!

Mr. HAYDEN. Mr. President, I have no objection to having the vote taken at this time, for I understand that a number of Senators desire to attend the funeral of the late former Senator Wadsworth.

The PRESIDING OFFICER. The Senator from Arizona has 15 minutes available to him.

Mr. HAYDEN. Mr. President, I shall not use the time available to me. Let us vote now.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from New Hampshire [Mr. BRIDGES], on behalf of himself and other Senators, to the committee amendment on page 28, in line 4.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. GILLETTE], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from South Carolina [Mr. MAYBANK] is absent by leave of the Senate because of a death in his family.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that the Senator from Oklahoma [Mr. KERR] is paired on this vote with the Senator from Maine [Mrs. SMITH]. If present and voting, the Senator from Oklahoma would vote "nay," and the Senator from Maine would vote "yea."

I announce also that the Senator from Tennessee [Mr. KEFAUVER] is paired on this vote with the Senator from New York [Mr. IVES]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from New York would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The Senator from Nebraska [Mr. SEATON] is absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER], the Senator from Nebraska [Mr. BUTLER], the Senator from New York [Mr. IVES], the Senator from Nevada [Mr. MALONE], the Senator from Ohio [Mr. TAFT], and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. LODGE] and the Senator from Ohio [Mr. TAFT] would each vote "yea."

On this vote the Senator from New York [Mr. IVES] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from New York would vote "yea," and the Senator from Tennessee would vote "nay."

On this vote the Senator from Maine [Mrs. SMITH] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Maine would vote "yea" and the Senator from Oklahoma would vote "nay."

The result was announced—yeas 26, nays 47, as follows:

YEAS—26

Aiken	Ferguson	Morse
Benton	Flanders	Robertson
Bricker	Frear	Saltonstall
Bridges	Hendrickson	Smith, N. J.
Cordon	Hickenlooper	Thye
Dirksen	Jenner	Tobey
Douglas	Kem	Welker
Duff	Martin	Williams
Dworshak	Moody	

NAYS—47

Bennett	Hoey	Millikin
Butler, Md.	Holland	Mundt
Cain	Humphrey	Murray
Capehart	Hunt	Neely
Case	Johnson, Colo.	Nixon
Clements	Johnson, Tex.	O'Conor
Connally	Johnston, S. C.	O'Mahoney
Eastland	Kilgore	Pastore
Ecton	Knowland	Schoeppel
Ellender	Lehman	Smathers
Fulbright	Long	Smith, N. C.
George	Magnuson	Sparkman
Green	McCarran	Stennis
Hayden	McClellan	Underwood
Hennings	McFarland	Watkins
Hill	McKellar	

NOT VOTING—23

Anderson	Kefauver	Monroney
Brewster	Kerr	Russell
Butler, Nebr.	Langer	Seaton
Byrd	Lodge	Smith, Maine
Carlson	Malone	Taft
Chavez	Maybank	Wiley
Gillette	McCarthy	Young
Ives	McMahon	

So the amendment of Mr. FERGUSON to the committee amendment, offered for himself, Mr. BRIDGES, and Mr. DOUGLAS, was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

ORDER FOR RECESS TO 10 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that, as a mark of respect to the memory of Hon. James W. Wadsworth, Jr., former Senator and Representative from the State of New York, the Senate, at the conclusion of its business today, take a recess until 10 o'clock a. m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, under the subhead, "General administrative expenses," on page 28, line 8, after the word "offices", to strike out "$1,262,000" and insert "$1,342,000."

The amendment was agreed to.

The next amendment was, under the subhead "Administrative provisions," on page 28, line 11, after the word "exceed" to strike out "nineteen passenger motor vehicles for replacement only" and insert "twenty-four passenger motor vehicles of which twenty-two shall be for replacement only."

The amendment was agreed to.

The next amendment was, under the heading "Fish and Wildlife Service—Management of resources," on page 29, line 7, after the word "Service", to strike out "$7,292,000" and insert "$7,325,375."

Mr. DOUGLAS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Illinois.

The CHIEF CLERK. On page 29, line 7, immediately after "$7,325,375," it is proposed to insert a comma and the following: "of which $181,000 shall be made available to the Federal Security Administrator to defray the cost of studies of problems affecting the education of children of migratory workers".

SIX MILLION DOLLARS FOR MIGRATORY BIRDS—NOTHING FOR MIGRATORY CHILDREN

Mr. DOUGLAS. Mr. President, this amendment will not cost the Government anything. It is a proposal to divert $181,000 from the care of migratory birds to the educational needs of migratory children. We spend approximately $6,000,000 a year for the care of migratory birds. About $3,700,000 comes from the sale of stamps, about $2,000,000 from general appropriations.

By these expenditures, we take care of migratory birds in a very good fashion. We establish refuges for them so that they will not have to fly too far and so that they will not become exhausted and tired at the end of their day's flight. We provide food for them so that they will be amply fed. We provide sanctuaries where they will not be shot. In other words, we spend money and take a great deal of time, care, and effort to provide for migratory birds.

I am all for it, Mr. President, but let us not forget migratory children.

Mr. ROBERTSON. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I do not have very much time.

Mr. ROBERTSON. I wondered where the Senator got his figures. The migratory bird program is financed by sportsmen, through a tax which I helped to put through the Congress. There is

no appropriation of $3,000,000 for migratory birds.

Mr. DOUGLAS. Mr. President, I desire to read into the RECORD at this point in my remarks a letter from M. E. Corbin, acting director of the Fish and Wildlife Service, addressed to Mr. Sol Markoff, Brooklyn, N. Y. The letter reads as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, D. C., April 9, 1952.

Mr. SOL MARKOFF,
Brooklyn, N. Y.

DEAR MR. MARKOFF: Your letter dated March 28 addressed to the United States Department of the Interior inquiring as to the services the Department of the Interior provides in connection with migratory birds has been referred to this Service for reply.

This Service has a permanent indefinite appropriation which is made up of receipts from the sale of Federal hunting stamps. These receipts are set aside in the migratory bird conservation fund. Fifteen percent of the fund is used for enforcing the Migratory Waterfowl Hunting Stamp and Migratory Bird Treaty Acts and 85 percent is used for the acquisition and administration of migratory waterfowl. It is anticipated that the expenditures from this fund in the current fiscal year for the benefit of migratory waterfowl will approximate $3,722,000, of which $2,342,000 represent anticipated expenditures for the development and maintenance of migratory bird refuges. Other major expenditures under this fund which are anticipated are $500,000 for the acquisition of refuge lands for migratory waterfowl; $305,700 for enforcement activities; $201,500 for migratory waterfowl management investigations.

The Service also has other appropriations which are expended in part for the benefit of migratory waterfowl. The Service expects to spend in the current fiscal year from its appropriation for management of resources approximately $2,065,000 for the benefit of migratory waterfowl. Of this amount, $1,316,000 is earmarked for expenditure for management of wildlife refuges maintained for the benefit of migratory waterfowl; $320,000 for administration of Migratory Bird Acts; $250,000 for acquisition of migratory waterfowl management areas in the State of California, and the balance for other miscellaneous services.

From other appropriations available the Service expects to spend during the current fiscal year approximately $761,000 for the benefit of migratory waterfowl. Major items included in this total are $367,000 for construction of refuge facilities; $150,000 for refuge maintenance activities; $50,000 for population studies of migratory waterfowl; and $50,000 for studies to improve migratory wildlife management methods.

I trust that the foregoing information will satisfactorily answer your inquiry.

Sincerely yours,

M. E. CORBIN,
Acting Director.

The third paragraph of the letter shows that more than $2,000,000 of the appropriation for management of resources is spent for the benefit of migratory waterfowl. That is the item we are now considering. The letter is signed by the Acting Director of the Fish and Wildlife Service.

Mr. ROBERTSON. Did the Senator say $50,000,000 for migratory waterfowl?

Mr. DOUGLAS. No: $2,000,000. The birds are partially taken care of under the item for the management of resources. The writer of the letter says that the Service expects to spend in the current fiscal year from its appropriation for management of resources approximately $2,065,000, for the benefit of migratory waterfowl. That is in addition to the $3,722,000 from the sale of stamps and $761,000 from other appropriations, including $367,000 for the construction of refuge facilities, $150,000 for the maintenance of refuge facilities, $50,000 for population studies of migratory waterfowl——

Mr. ROBERTSON. Mr. President, will the distinguished Senator let me enlighten him a little further?

Mr. DOUGLAS. Please let me finish my remarks.

Mr. ROBERTSON. Some of the money comes from the 11 percent tax on guns and ammunition which I helped put through the Ways and Means Committee years ago. It does not come out of the General Treasury. The management fund is the 10 percent the Fish and Wildlife Service gets out of the funds to which I have just referred. The Senator from Illinois does not interpret the figures correctly. He should read what Solomon asked when the angel appeared to him in a vision and said to Solomon, "What would you have?" Solomon said, "Give me understanding to judge between good and bad."

The Senator from Illinois does not have the understanding when he reads the figures.

Mr. DOUGLAS. Mr. President, I shall let the letter speak for itself. What I am trying to say is that we spend more than $6,000,000 for the care of migratory birds, and I am in favor of it. I think they should be taken care of. But the other day the committee turned down a request for $181,000 to care for the educational needs of migratory children. There are well more than a million migratory children in this country, who move along with their parents with the crops. Since they do not remain long in any one place, they do not have the privilege of education, nor are they exempt from dangers or provided food and sanctuaries. We do not take care of the children of migratory farm workers, but we do take care of migratory birds.

About two and a half centuries ago a minister in Ireland made a proposal for dealing with famine in Ireland. He proposed that the English, who were the controlling government of Ireland, deal with the famine by killing the children and roasting them, and that would eliminate the famine. That was Dean Swift's modest proposal.

Mr. ROBERTSON. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. No. I want to discuss this Dean Swift proposal a little further.

We adopt a similar attitude with reference to children. We spend millions of dollars for wildlife and the birds, but not a cent for migratory children. I am proposing that $181,000 of the money which we now spend on birds shall go to such children. It is about time we made the beginning. There are more than a million children moving around, illiterate, disease-ridden, with no attention being paid to them. It is difficult for the localities to deal with them. I think we should establish refuges for them.

So, Mr. President, I hope the chairman of the committee will take this amendment to conference.

I was accused of being against reclamation, home and mother, apple pie, and the American flag. I hope the Senator from Arizona will not put himself in the position of being opposed to children and placing birds in a higher priority than children. It is my earnest hope that the Senator from Arizona will accept the amendment.

Mr. HAYDEN. I regret that I cannot do so, because we cannot in this bill permit appropriations to be made for the Federal Security Agency.

Mr. McFARLAND. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. McFARLAND. I am happy the Senator from Illinois has had a change of heart, because only a few minutes ago he voted against an appropriation for Indian children.

Mr. DOUGLAS. No; I voted against an appropriation for the Indian Bureau. There is a big difference between Indian children and the Indian Bureau. Furthermore, it was for a proposal to stop an increase of a $43,000,000 item.

Mr. McFARLAND. The Senator cannot get out of it that way. He voted against Indian children.

Mr. DOUGLAS. All I am asking for is that 3 percent of the money now spent on caring for migratory birds be spent in caring for migratory children Are we going to say that we spend $6,000,000 for birds and spend nothing for children?

Mr. President, I ask unanimous consent that material demonstrating the need for a modest program for children of migratory workers be inserted at this point in my remarks I think it shows that there is at least as great a justification for caring for the needs of migratory children as there is for caring for migratory birds And my proposal is to divert a mere 3 percent of what we spend for the birds to the needs of these children—only $181,000.

There being no objection, the material was ordered printed as follows:

EDUCATION OF CHILDREN OF MIGRATORY FARM WORKERS

(Appearing as a part of ch. 11 of the report of the President's Commission on Migratory Labor)

The Executive order directed the Commission to inquire into the "* * * educational conditions among migratory workers."

"Speaking broadly," said a Michigan educator, "about the only group in the United States that we do not consistently educate is the migrant child." Migrant children are among those with lowest educational attainments found in the United States. Nor are they likely to get educational opportunities so long as they work during school hours and move from place to place with their parents in search of employment. They suffer also from the discrimination and social stigma which excludes them from full participation in the community.

There have been many recommendations for bringing migrant children into the

schools and for bringing the schools to migrant children, but very little has been accomplished. Migratory life involving 4 to 6 months away from home is bound to cut into children's schooling, but their itinerant status is not the only obstacle to their education. School opportunities for migratory children are limited. Inadequate school facilities, community opposition to the admission of migratory children to the schools, discrimination because of color or economic status, family incomes too low to supply necessary clothing and food are among the handicaps under which they suffer. Moreover, poverty compels them to work when other children are in school. Retardation, irregular attendance in school, and emotional disturbance are logical results of their status as migrants. Moreover, nonenforcement of child-labor and compulsory school-attendance laws, crowded schools, lack of teachers, and school facilities are all characteristic of the migrant child's educational environment.

The testimony before this Commission was but an echo of the findings of earlier commissions and investigations, yet little or nothing has been done to find an adequate solution to the educational problem of migrant children.

LOCAL SCHOOLS DO NOT SERVE NONLOCAL CHILDREN

The fundamental problem in the education of migratory children is that our educational system is based on the principle of local responsibility and control—a sound principle for resident children. The migratory child, because he is itinerant and lacks equal community status, does not fit into the structure of our educational system. The local school district, hard pressed to provide for its own permanent resident children, finds it difficult to make adequate provision for migratory children.

State school funds supplied to local school districts are most frequently allocated on the basis of either a school census or average daily attendance. Migrant children are more likely to be counted in the school census than they are to attend the schools. If allocations of school funds are based on the census, migratory children may be counted even though they do not attend school. By thus increasing the census basis for the allocation of funds, but without attending school, migrant children help to increase the educational benefits available to those who do attend. If, on the other hand, the allocation of funds is based on average daily attendance, in those districts in which attendance and enrollment fluctuate widely because of migrants, school funds are usually too low to provide for peak enrollment needs. So, likewise, are they, if the school census is taken at a time when the migrant children are not on hand to be counted.

Most State school-attendance laws do not apply to migratory children, although in 7 States they specifically do apply and in 18 other States the laws are broad enough to include them. In 23 States laws apply specifically to resident children and whether or not these laws are extended to migrants depends upon local interpretation. Under such local interpretation, children without the necessary residence requirements are often excluded. However, in such States nonattendance by migrants is more likely to be due to nonenforcement of the school-attendance laws than to specify exclusion.

While most States have compulsory school-attendance laws, nonenforcement for migrant children is characteristic. Some States—New York, New Jersey, and California for example—have attempted enforcement of the attendance laws by State officers. Generally, however, this is left to the local community which, in the face of inadequate finances and physical facilities as well as social pressures against migrants, finds nonenforcement easier than enforcement.

No Federal agency and very few State agencies have been specifically charged with responsibility for investigating the educational problems of migratory children. There is great need for a comprehensive study of ways and means to deal with this problem.

Educational deficiencies of the children of migratory workers as they move from job to job are similar to those encountered at their home base. For example, in the Texas-North Central States migration, which is primarily Mexican-American, we find that the migrants have little chance to get an education while they are at home in south Texas. Being an area of concentrated wetback traffic, its school problem is aggravated by the presence of children in large numbers who are regarded as not belonging to the community and hence for whom little is done.

The States of Michigan, Illinois, Indiana, Wisconsin, and Minnesota, into which these Texas-Mexicans annually migrate, have endeavored to bring migratory children into their school systems but even with the best of will, they are confronted with a most difficult problem in meeting the educational needs of these young nomads. Not only do they spend but a short time within the State, but they move frequently from one local community to another. Since the bulk of migrant labor comes to these States during the summer months when schools are not in session, this further reduces what they can do.

In the predominantly Negro migratory stream of the Atlantic coast, there are many families with children. These migrants spend the winters at their home base in Florida where families work in various crops. Those who go to school in Florida enter late in the fall and drop out early in the spring. As a group, they are retarded from 2 to 5 years as compared with resident children. Thus, because the children work and the school-attendance laws are poorly enforced, their education while at home is irregular at best. Very few schools districts in Florida have made serious attempts to get migrant children into school for the 6 or 7 months they are at home. Some children do not go to school at all during the winter and the summer schools provided are wholly inadequate even if the children were there and could be persuaded to attend.

The northward trek begins in the spring, the families working in from two to six States before returning home in the fall. A majority of them work in New York and New Jersey. These States have made attempts to get migrant children into regular school sessions while they are there and also to provide child-care facilities and summer schools. They are able to reach some of the children, but encounter the same obstacles as do the North Central States in attempting supplementary education for Texas-Mexican children. New Jersey is distinctive in providing additional funds for schools which have migrant children enrolled.

In States where many of the migratory workers have their home base, as many as 40 percent of all the children of school age do not attend school. The percentage of children of migratory workers not in school in these localities is much larger and may be as high as 60 percent. This situation cannot be explained on a basis of the inability of such States to afford schooling for their resident children, for they are not lacking in economic resources and taxable wealth.

EXPERIMENTAL EFFORTS

We have said that no comprehensive program for the education of children has been devised; nonetheless, there have been a few experiments that may help to point the way.

For 3 years (1947–49, inclusive), the State of New Jersey operated a 6 weeks' demonstration summer school for migrant children at Freehold. It was successful in providing supplementary school experience for 50 to 70 children each year at a cost of less than $5,000 per year. Although State appropriations for its operation ceased in 1950, the school was continued under the auspices of the New Jersey Council of Churches.

Since the early 1920's California has made funds available for temporary elementary schools for migrant children. Such a school was built in the 1930's at the Arvin Farm Labor Supply Center. This school was integrated into the community so that both resident and migrant children attended. A number of similar schools were provided in California in areas of migrant concentration. At one time, California experimented also with mobile schools designed to follow the children as they moved from crop to crop. These schools were abandoned when it was found that as they moved, groups of migratory families scattered, thus breaking up the instructional unit. Moreover, this type of school provided no opportunity for community integration, attendance fluctuated widely, and it was found difficult to get qualified teachers.

During the 1940's, Michigan operated a number of summer schools in order to reach a few of the 8,000 migrant children in the State from April to November. None of these schools has been continued. They depended upon local interest and only one used the State aid available to school districts for this purpose. Nevertheless, these schools provided the first schooling some of the migrant children had ever had.

Religious and charitable organizations have worked with migratory children and have carried on programs which include religion, child care, and education. Limited funds and personnel, however, have meant that relatively few migrant children have been reached through this means.

Although these various experiments have not taken root, they have demonstrated that something can be done.

EDUCATION FOR MIGRANTS—A MUST

Hundreds of thousands of the children of migrant workers are today getting little or no education, and they face the prospect of being slightly, if any, better able to improve their earning power and to raise their level of living than have their parents before them. This is no fault of theirs, but is the inevitable result of present public policies in many parts of our Nation. These policies are creating a new generation of persons, inherently as competent as other Americans, but who will be compelled to spend their lives in poverty because the communities in which they spend their childhood do not provide them with even the rudiments of an education.

This Commission wishes to reiterate its conviction that the education of the children of migratory farm workers is one of the most urgent and most essential of the many steps which the Nation can and should take to improve the lot of migrants who have for so long been deprived of what the rest of us take for granted.

RECOMMENDATION

We recommend that:

1. The Federal Committee on Migratory Farm Labor, through the cooperation of public and private agencies, including the United States Office of Education, State educational agencies, the National Education Association, universities, and the American Council on Education, develop a plan which will provide an adequate program of education for migratory workers and their children. This

may include Federal grants-in-aid to the States.

PROGRAM FOR PROVIDING EDUCATION FOR CHILDREN OF MIGRATORY WORKERS

(Prepared by the Office of Education, FSA)

1953 budget estimate

	Amount
Personal services	$28,314
Travel	6,465
Communication services	300
Printing and reproduction	900
Cooperative agreements with non-Federal agencies	143,100
Supplies and materials	271
Equipment	1,500
Taxes and assessments	150
Total	181,000

INTRODUCTION

In fiscal year 1953, funds are needed to meet the problem of providing education for the children of migrant farm workers. The need for extension of school opportunities to the children of migrants has recently come into clear focus, with the report of the President's Commission on Migrant Labor. That need has taken on an additional urgency because of the 1950 amendments to the Fair Labor Standards Act requiring that children be free from work during school hours, and therefore exposing the inadequacy of the school opportunities available to many children of migrant agricultural laborers. The problem of educating such children is of long standing, yet demands an immediate beginning of corrective action.

The problem is uniquely difficult. It is inter-State and intersectional in character. Individual States acting alone cannot achieve results commensurate with the urgency and breadth of the need. Indeed, sometimes State and local school officials are tempted to turn away from the problem because of its difficulty, giving as an excuse that the children "are from another State." Actually, they are "from" no State, but live in several. This unique characteristic of the problem makes it particularly a Federal responsibility.

This Federal responsibility is not necessarily one of providing or operating schools for the children of migrant farm workers. That responsibility is properly to be lodged with the States and local communities, in accordance with the established and accepted pattern of American education. The Federal responsibility lies in giving the necessary coordination of effort and influence, the furnishing of consultative help, the guiding of cooperative activities, the carrying on of research, bringing together and analyzing and publishing basic facts, statistics and descriptions of best practices. Such Federal initiative is to be exercised, however, in such manner as most effectively to stimulate and coordinate and encourage State and local school leaders in moving quickly and effectively to meet the educational needs of migrants, by this process leaving a growing influence of continuing effort in the States and local districts as the Federal effort tapers off.

WORK PROGRAM AND OBJECTIVES

The Office of Education will initiate a research and action program in cooperation with Federal and non-Federal agencies and institutions directed toward identifying, defining, and beginning to meet the educational needs of the children of migrant agricultural workers. This program will involve close collaboration with other Federal agencies such as the Departments of Labor and Agriculture and the Children's Bureau, whose cooperation is being established through informal discussion leading toward more formal participation. The cooperative relationship with non-Federal agencies and institutions is to be achieved both through committee and conference work and through cooperative agreements (which are discussed below).

Research and action program: The program of research and action involves planning and working with national, regional, State and local school personnel, as well as with interested voluntary and public agencies and groups (1) to develop the facts about the children of migrant agricultural workers and their education or lack thereof; (2) to provide more nearly adequate educational services; (3) to provide better qualified teaching personnel, specially selected and trained to understand migrant rural children and to work effectively with them; (4) to identify best instructional methods and to encourage their wider use; (5) to provide such pupil personnel services as will tend to keep these children in school, both with and without the cooperative help of agencies enforcing the Fair Labor Standards Act; (6) to develop more nearly adequate learning materials, adapted to the needs of the child and to his migratory situation; (7) to provide more nearly adequate building and instructional facilities—possibly some that might travel with migrant families and groups of families; (8) to communicate knowledge about successful practices, improvements and progress to all those involved and interested; and (9) to secure a greater degree of social acceptance of the migrant child and his family by local communities, and of acceptance of citizenship responsibilities and rights by migrant parents and their children.

Cooperative agreements: While the Office of Education will assume a leadership role in this project, effective results will be realized only to the degree that State Departments of Education, local school people, and many nonschool agencies and groups become directly involved in planning, action and follow-through. To this end, it is not contemplated that the professional staff of the Office will be greatly augmented. Instead only certain minimal and inescapably essential additions to the Office staff will be made, with the bulk of expenditures being used to support the cooperative aspects of the project. Initiating conferences in each of the four principal "streams" of migrant labor will help to identify and enlist the active participation of the agencies, institutions, groups and organizations which in each area, give greatest promise of effective cooperation. Federal funds, matched by the participating agencies and institutions, will be doubled in effectiveness and multiplied many times in total impact. Such a cooperative device for putting a program into effect will make possible a concerted attack on problems which otherwise evade the efforts of educators in the States or of a single Federal agency working alone. Moreover, as the Federal dollar is multiplied in effectiveness, the foundation is also laid for continuance of the work after the ultimate withdrawal of the Federal agency. The first year of the project should serve to suggest the possible time schedule under which goals may reasonably be reached, but it is not expected that a single year will see anything more than a hopeful beginning. The children of migrant farm workers (estimated to comprise about five of six percent of the Nation's children) are the principal source of illiteracy, the least advantaged and most neglected of all groups in the country, the children least rooted in community life and having the most limited opportunity of personal development and growth into constructive citizenship. To make a significant beginning on the hitherto baffling and evasive problems of educating these children will be a minor triumph.

Explanation of budget requirements

Personal services $28,314

While some leadership for the project is being provided by persons now on the office professional staff, a few additional persons are required who have certain essential competencies in rural sociology and life and to provide the necessary full-time central direction and administration of the project. The real impact on the problem is dependent both upon securing this key small staff and upon tapping, through cooperative agreements, the fuller resources of non-Federal institutions and agencies.

An amount of $28,314 is requested for 6 new positions to assist in the development of educational services for migratory farm workers. (1 GS–14, chief; 1 GS–12, assistant specialist; 1 GS–9, research assistant; 1 GS–5, secretary; 2 GS–4 clerks.) This small staff will be responsible for determining centers which are strategically located, and which have an active interest in the education of children of migratory workers, for negotiating with State departments of education and educational institutions and arranging for cooperative agreements between the office and such institutions.

Other objects

Travel $6,465

Man-days of travel, 294.

Number of travelers, 3.

Travel funds will be required for the staff in order to permit them to work with State departments of education and educational institutions in arranging for cooperative agreements, in stimulating interest of school officials, in conducting regional conferences for planning purposes, for attending meetings of educational agencies and organizations and to render advisory and consultative services as required.

Communication services $300

Funds are requested to provide for telegraph and toll services and for postage for urgent official business, as follows: Telegraph service, $100; toll service, $150; postage, $50.

Printing and reproduction $900

An amount of $900 is requested to provide for printing forms, questionnaires, instructional and other materials which will be required in initiating this program.

Other contractual services 143,000

An amount of $143,000 is requested to enable the office to enter into contracts or cooperative agreements with educational institutions and organizations to conduct research which will include experimental work in curricular activities for migrant children; on teaching methods and practices suited to the learning needs of migrant children; development and adaptation of teaching materials; development of teacher materials; and the gathering of basic statistical and informational data.

The amount of $100 is requested for miscellaneous expenses such as labor services, installations and repairs to office equipment.

Supplies and materials $271

An amount of $271 is requested for office supplies and materials for the staff, an average of $45 per person.

Equipment $1,500

An amount of $1,500 is requested to provide office furniture and equipment for the staff of six persons requested.

Taxes and assessments $150

An amount of $150 is requested for compliance with the provisions of the Federal Insurance Contributions Act.

NATIONAL CONSUMERS' LEAGUE REPORT FROM WASHINGTON

HOUSE REFUSES AID TO EDUCATION FOR MIGRANT CHILDREN

WASHINGTON.—The children of migrant agricultural workers have practically no opportunity to obtain an education. Education, as a matter of fact, is a pretty big word. Most of these children have no opportunity to learn to read or write or get acquainted with the simple elements that constitute citizenship.

"It is literally scandalous, the treatment that some of these children, the future citizens of the United States, are getting with regard to education," said Commissioner Earl J. McGrath of the United States Office of Education, testifying before Senator HUMPHREY's Subcommittee on Labor and Labor-Management Relations. "They constitute our biggest reservoir of illiterates."

PARENTS WERE BETTER EDUCATED

Dr. Howard A. Dawson, executive secretary of the National Conference of County and Rural Area Superintendents of Schools of the National Education Association, also before the committee, said that according to the latest information his organization has been able to obtain, "there are somewhere in the neighborhood of 600,000 families among these [migrant] agricultural workers, and * * * there are at least a million children of school age involved in these families. * * * It is also fairly well established that the children of these families in this generation are receiving less education than their parents did and the average for those parents is little less than the fourth year of education."

"This is progress in reverse," said Senator HUMPHREY.

In a Texas study, in the migrants' home base where enrollment of children of migrant agricultural workers is largest, Dr. Dawson declared that "only slightly more than half the children between the ages of 6 and 15 were enrolled. Some had never attended any school at all and the chances are they never would enter a school. Of those enrolled many missed the first 2 or 3 months, and so on. Only 16 percent of the migrant children who enrolled attended as much as 120 days, and that is the minimum law for attendance in Texas. In other words, 84 percent of them did not even comply with the law, and there was nothing done to enforce the law. There is no expertly supervised attendance for children in rural areas, especially where these migrants are congregated to the largest extent."

ONE HUNDRED AND EIGHTY-ONE THOUSAND DOLLARS TO STUDY PROBLEM REQUESTED

In Florida Dr. Dawson told of one school where the enrollment increased from 280 to 503 from Friday to Monday morning. For several weeks the school ran a double shift. Then the beans came and the total school enrollment dropped overnight to 20.

While on the trek, the children of the migratory families did not often attend school, he said. In Michigan one study disclosed that of 2,570 migratory children only 710 were enrolled in school, "even in the State of Michigan, which in many respects had a superior school system."

"Let us not forget that the real strength of a nation is measured by the education of its citizens," said Senator CHAVEZ, Democrat, New Mexico, during the congressional debate, April 2, 1952, on tidelands oil leases.

The President, in his budget message to Congress this year, requested $181,000 to begin a survey and study of education among migrant children. He said:

"Children of migratory workers constitute a special group whose present educational opportunities are inadequate. As has been pointed out by the Commission on Migratory Labor, because these children move with their families, they start school later, attend fewer days, make less progress, and drop out earlier than others. As a first step toward meeting this problem we need to work out special teaching materials and methods suited to their education."

Miss Mary Dyckman, of the Consumers League of New Jersey, in a statement to the House Appropriations Committee in support of the President's request, pointed out that the summer school and cultural center for children and adults in Freehold, Monmouth County, "could be much more valuable to those who do attend if there were similar schools in other States to which they could transfer when they leave here, and if there were some conformity of teaching and curriculum for them in the various States."

"No State can cope effectively with an interstate educational problem of this kind," she said, declaring that the sum recommended for the Office of Education may be able to bring about this coordination.

PRESENT EXPERIMENTAL PROJECTS WOULD BE BENEFITED

Mrs. Rebecca Barton, director of the Wisconsin Governor's Commission on Human Rights, testifying before the Humphrey subcommittee, also told of a summer school experiment in Waupan, Wis., where "their eagerness for education was amazing. The mothers said to us that what they wanted most was not better housing, nor higher wages. It was a chance for the education of their children."

But the request was refused in the House. The House Report on the 1953 Appropriations Bill for Labor and Federal Security said:

"The request for $181,000 to make a special study of the educational needs of the children of migrant workers is also disallowed. While the need to better educational opportunities of this group of children is obvious, and has been for many years, the committee does not think there is an emergency need to set up a new program at this time."

This item is now up for consideration by a Senate Subcommittee of the Appropriations Committee, Senator CHAVEZ, Democrat, New Mexico, Chairman.

CONSIDERS IT AN INVESTMENT IN NATION'S FUTURE

Dr. McGrath, in explaining the plans proposed by the Office of Education, said:

"We want only six persons to act as coordinating agents in the Office. The rest of the money is to be used for what we have called cooperative agreements with the State departments of education, to buck up their staffs, to stimulate interest there, to make agreements with the colleges and universities * * * and with private organizations. They are all ready to go in fiscal 1953 to help us in making a national broadside attack on this problem. And I feel certain, Mr. Chairman, that the Federal Government will never have invested $181,000 any better if they provide these funds, than in this project."

From this study Dr. McGrath said he would expect:

1. The development of cooperative working agreements with States and private organizations and institutions.

2. A comprehensive census of migrant children and where they travel to, their conditions, health services, and so on.

3. A program, in cooperation with the States, of tests and records which could be sent with each child as he moves so that each succeeding school system would know the educational status of the child at the particular moment.

4. Specialized training for teachers of migrant children.

5. Teachers who, like the records, can go with the child.

6. Publicity campaigns with regard to the education of migrant children in communities in order that, in psychological terms, the children will be accepted as members of the community and not rejected as they are at present.

Mr. DOUGLAS. I hope the amendment will be adopted.

Mr. WELKER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. WELKER. I make the point of order that the amendment is legislation on an appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the subhead "Investigations of resources," on page 29, line 22, after the word "law", to strike out "$4,056,000" and insert "$4,062,000."

The amendment was agreed to.

The next amendment was, under the subhead "Construction," on page 30, line 8, after the word "expended", to strike out "$450,000" and insert "$628,000."

Mr. MUNDT. Mr. President, I submit an amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 30, line 8, it is proposed to strike out "$628,000" and to insert in lieu thereof "$673,800."

Mr. MUNDT. Mr. President, the committee amendment provides $20,000 for rip-rapping of the dike at Lake Andes, S. Dak. The Lake Andes Refuge, administered by the Fish and Wildlife Service, is one of South Dakota's great recreational areas, serving also a part of northern Nebraska.

In the original estimate of flood damage from the recent Missouri River floods submitted by the Fish and Wildlife Service several weeks ago, the item of $20,000 was included to repair the south dike. This amount was to provide for the replacement of lost fill and for rip-rap material. Subsequent to this, additional information was received from the field personnel indicating that, with present water levels in the lake, the dike should be raised an additional 2 feet to prevent extensive damage. The present freeboard on this dike is slightly over 1 foot, which means that any appreciable rise in lake level would result in water topping the dike.

It has been estimated that $45,800, in addition to the $20,000 already requested, will be required to raise this two-thirds mile long dike 2 feet. This would provide for 13,000 cubic yards of fill and 8,100 cubic yards of gravel and rip-rap protection for the new fill. The dike of which I am speaking is not only important for management of lake-water levels, but also provides a public road across the lake.

The chairman of the subcommittee has advised me that he is willing to accept the amendment as part of the bill,

and I would be truly gratified if the Senate would accept the amendment, since it will provide funds sufficient to retain the recreational facilities so much enjoyed by the people of South Dakota and Nebraska.

Mr. HAYDEN. Mr. President, I shall be glad to accept the amendment, because the floods which damaged the dikes on Lake Andes occurred since the estimates were made, and, as I understand, the matter was not considered by the House. We will take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. MUNDT] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the heading "Office of Territories—Administration of Territories," on page 31, line 24, after "(48 U. S. C. 1405)", to insert "and expenses of the High Commissioner of the Trust Territory of the Pacific Islands appointed pursuant to the trusteeship agreement approved by Public Law 204, Eightieth Congress"; on page 32, line 5, after "(c)" to insert "and the Trust Territory of the Pacific Islands under the trusteeship agreement approved by Public Law 204, Eightieth Congress"; in line 11, after the word "Islands", to strike out "and American Samoa" and insert "American Samoa, and the Trust Territory of the Pacific Island"; in line 16, after the word "houses", to strike out "$8,703,037" and insert "$9,320,287"; in line 20, after the word "Territories", to insert "including the Trust Territory of the Pacific Islands"; in line 25, after the word "necessary" to insert "in carrying out the provisions of article 6 (2) of the trusteeship agreement approved by Public Law 204, Eightieth Congress"; on page 33, line 2, after the amendment just above stated, to strike out the following additional provisos: "*Provided further*, That on and after July 1, 1952, all receipts from operation of the Trust Territory of the Pacific Islands, including receipts of all agencies or instrumentalities established or utilized by such Trust Territory or by other agencies or instrumentalities of the United States in administering such Trust Territory, shall be paid into the Treasury as miscellaneous receipts, and all financial transactions of such Trust Territory and of such agencies and instrumentalities shall be audited by the General Accounting Office in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23), as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 34). Receipts and expenditures of such Trust Territory and of such agencies and instrumentalities shall, except as otherwise expressly provided by law, be subject to all laws relating generally to the budgeting, receipt, custody, and application of public moneys: *Provided further*, That no part of any appropriation in this act shall be used in the administration of the Trust Territory of the Pacific Islands for any purpose not authorized by law."

The amendment was agreed to.

The next amendment was, on page 33, after line 21, to insert:

Until Congress shall further provide, there is hereby authorized to be appropriated, out of funds in the Treasury of the United States not otherwise appropriated, such sums not to exceed $5,500,000, to supplement local revenues as may be required to enable civilian authorities to continue to carry out the civilian activities which have heretofore been carried out by the Navy: *Provided, however*, That no new activity requiring expenditures of Federal funds shall be initiated without specific prior approval of Congress.

The amendment was agreed to.

The next amendment was, under the subhead "Alaska public works," on page 34, line 10, after the numerals "1955", to strike out "$7,000,000" and insert "$13,208,200"; and in the same line, after the word "exceed" to strike out "$486,000" and insert "$654,000."

The amendment was agreed to.

The next amendment was, under the subhead "Alaska Railroad revolving fund," on page 36, line 4, after the word "exceed", to strike out "$13,000" and insert "$14,000"; and in line 6, after the word "than", to strike out "$11,000" and insert "$12,000."

The amendment was agreed to.

The next amendment was, under the heading "Administration, Department of the Interior," on page 39, after line 19, to insert a new section, as follows:

SEC. 110. The Secretary hereafter is authorized without regard to section 505 of the Classification Act of 1949 to place the position of Director, Division of the Budget and Finance, in grade GS-17 in the General Schedule established by the Classification Act of 1949 so long as the position is held by the present incumbent.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Virgin Islands Corporation—Revolving Fund," on page 40, line 6, after the word "law", to strike out "$975,000" and insert "$1,515,000."

The amendment was agreed to.

The next amendment was, at the top of page 41, to insert:

TITLE III—EMERGENCY FLOOD AND STORM REPAIRS

OFFICE OF THE SECRETARY

Emergency flood and storm repairs

To enable the Secretary of the Interior to reimburse applicable appropriations for the cost of personnel, supplies, and facilities, diverted for the repair, reconstruction, rehabilitation, or replacement of structures, buildings, or other facilities, including equipment, damaged or destroyed by flood or storm, $1,350,000, to remain available until June 30, 1953.

The amendment was agreed to.

The next amendment was, on page 41, line 12, to change the title number from "III" to "IV."

The amendment was agreed to.

The next amendment was, on page 41, line 13, to change the section number from "301" to "401."

The amendment was agreed to.

The next amendment was, on page 43, after line 2, to strike out:

SEC. 302. No part of any appropriation contained in this act shall be used for publicity or propaganda purposes not heretofore authorized by the Congress.

The amendment was agreed to.

The next amendment was, on page 43, after line 5, to insert:

SEC. 402. (a) No part of the money appropriated by this act to any department, agency, or corporation or made available for expenditure by any department, agency, or corporation which is in excess of 75 per centum of the amount required to pay the compensation of all persons the budget estimates for personal services heretofore submitted to the Congress for the fiscal year 1953 contemplated would be employed by such department, agency, or corporation during such fiscal year in the performance of—

(1) function performed by a person designated as an information specialist, information and editorial specialist, publications and information coordinator, press relations officer or counsel, photographer, radio expert, television expert, motion picture expert, or publicity expert, or designated by any similar title, or

(2) functions performed by persons who assist persons performing the functions described in (1) in drafting, preparing, editing, typing, duplicating or disseminating public information, publications or releases, radio or television scripts, magazine articles, photographs, motion picture and similar material, shall be available to pay the compensation of persons performing the functions described in (1) or (2).

(b) This section shall not apply to the preparation for publication of reports and maps resulting from authorized scientific and engineering investigations and surveys, to photography incident to the compilation and reproduction of maps and reports, or publications of the National Park Service, or to photocopying of permanent records for preservation.

The amendment was agreed to.

The next amendment was, on page 44, after line 10, to strike out:

SEC. 303. No part of any appropriation or authorization contained in this act shall be used to pay the compensation of any incumbent appointed to any civil office or position which may become vacant during the fiscal year beginning on July 1, 1952: *Provided*, That this inhibition shall not apply—

(a) to not to exceed 25 percent of all vacancies;

(b) to positions filled from within the department;

(c) to offices or positions required by law to be filled by appointment of the President by and with the advice and consent of the Senate;

(d) to positions the personnel of which are engaged in health and safety, law enforcement, soil and moisture, activities in the field, exclusive of administrative personnel;

(e) to seasonal and casual workers;

(f) to employees of the Bureau of Mines;

(g) to employees of the Geological Survey;

(h) to employees in grades CPC 1, 2, and 3: *Provided further*, That when the total number of personnel subject to this section has been reduced to 90 percent of the total pro-

vided for in this act, such limitation may cease to apply and said 90 percent shall become a ceiling for employment during the fiscal year 1953, and if exceeded at any time during fiscal year 1953 this provision shall again become operative.

The amendment was agreed to.

The next amendment was, on page 45, after line 13, to insert:

SEC. 403. (a) No part of any appropriation made by this act for any purpose shall be used for the payment of personal services in excess of an amount equal to 90 percent of the amount requested for personal services for such purposes in budget estimates heretofore submitted to the Congress for the fiscal year 1953; and the total amount of each appropriation, any part of which is available for the payment of personal services for any purpose, is hereby reduced by an amount equal to 10 percent of the amount requested in such budget estimates for personal services for such purposes less an amount representing the reduction, if any, between the amount requested for personal services in the budget estimates and the amount appropriated herein for such services.

(b) This section shall not apply to appropriations for health, safety, law enforcement, or operation and maintenance activities in the field.

SEC. 404. (a) No appropriation or authorization contained in this act shall be available to pay—

(1) for personal services of civilian personnel above basic rates, or

(2) for transportation of things (other than mail), or

(3) for travel of civilian personnel more than 90 percent of the amount which the budget estimates heretofore submitted in connection with such appropriation or authorization contemplated would be expended therefrom for such purposes, respectively; and the total amount of each appropriation, any part of which is available for such purpose, is hereby reduced by an amount equal to 10 percent of the amount requested in such budget estimates for such purpose less an amount representing the reduction, if any, between the amount requested for personal services in budget estimates and the amount appropriated herein for such services.

(b) This section shall not apply to appropriations for construction of law enforcement.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, for the Senator from Connecticut [Mr. BENTON] and myself, I call up amendment designated "6-24-52-C," and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 17, line 3, immedately after the word "irrigation", it is proposed to insert a colon and the following: *"Provided further,* That no part of this appropriation shall be available for expenditure for or in connection with any reclamation project unless effective provision has been made pursuant to this proviso to cover into the Treasury as miscellaneous receipts all revenues hereafter derived by the United States from such project."

Mr. HAYDEN. Mr. President, I make a point of order that the amendment is legislation on an appropriation bill.

Mr. DOUGLAS. Do I understand that objection has been made in the way of a point of order?

Mr. HAYDEN. I have made a point of order.

The PRESIDING OFFICER. The point of order is sustained. The Chair understands that the Senator from Illinois desires to move to suspend the rule.

Mr. DOUGLAS. I do. Yesterday, as appears in the CONGRESSIONAL RECORD at page 7892, I gave notice of a motion to suspend paragraph 4 of rule XVI and I now move to suspend the rule.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois.

Mr. DOUGLAS. Mr. President, the purpose of the amendment is to deal with a situation which has already been referred to earlier in the debates this afternoon on the irrigation appropriation. In the debate on my amendment to reduce construction funds of the Bureau of Reclamation by $31,000,000, I discussed the matter fairly extensively.

It is at present the custom that a very large proportion of appropriations for irrigation purposes are never returned to the general Treasury. Instead, the revenues derived from repayment of loans on irrigation projects, must be used only for additional irrigation projects. This means that the taxpayers never get their money back. The money goes for more and more irrigation projects. It also means that Congress, in large part, loses its power over appropriations.

So far as I know, this provision is unique for irrigation projects. I think it is a very bad procedure, from a governmental standpoint, and the situation is going to get worse and worse with the years as the repayments accumulate. Some are carrying irrigation to a point which is not economical.

I shall not make an extended argument upon this point, but there is a grave abuse, which Congress, and particularly the Senate, needs to be aware of. I hope very much that the Senate will accept the amendment, although I must admit that in the light of the votes this afternoon, my hopes are not too high.

Mr. HAYDEN. Mr. President, the policy of using the receipts or proceeds from public lands as the private purse of the Nation has been long established. It was on that basis, and upon the recommendation of Senator Oscar Underwood, of Alabama, that the original Reclamation Act provided that the receipts from the sale of public lands or other revenues from public lands should be placed in the reclamation fund. Such receipts have been handled in that way ever since. That is all there is to it. The money which is applied to this fund does not come from the taxpayers, and obviously it should not be interfered with; and yet this amendment would kill the whole fund.

What the Senator from Illinois is complaining about is that a later statute provided that money received in repayment, when the original money came out of the General Treasury, should go into the reclamation fund. I am not particularly concerned whether that policy is maintained forever; but we should not kill the whole reclamation idea to get at what might be an objection with respect to a part of it.

For that reason I think the motion of the Senator from Illinois should be voted down.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois [Mr. DOUGLAS] to suspend paragraph 4 of rule XVI in order that he may offer a certain amendment. [Putting the question.]

In the opinion of the Chair, two-thirds of the Senators present not having voted in the affirmative, the motion is rejected.

Mr. DOUGLAS. Mr. President, I congratulate the Presiding Officer for the accuracy of his hearing in deciding that two-thirds of the Senators present did not vote for the motion. [Laughter.]

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. JOHNSON of Colorado. Mr. President, I should like to ask the Senator in charge of the bill [Mr. HAYDEN], one question before the bill is passed. It will require only half a minute.

On page 6 of the Committee report occurs the following language:

> The committee concurs with the House in the elimination of the proposed transfer of the facilities at Fort Logan, Colo., and has disallowed all funds for the purpose of operating such facilities.

The Senator from Arizona will recall that my colleague [Mr. MILLIKIN] and I submitted an amendment providing that no part of any appropriation contained in this bill should be available for the purpose of transferring to the Bureau of Indian Affairs the Veterans' Administration hospital facility located at Fort Logan, Colo.

Mr. HAYDEN. Mr. President, since there is no part of the bill containing money for any such purpose, it is not necessary for the Senator to offer his amendment. Such necessity has been completely eliminated.

Mr. JOHNSON of Colorado. In the opinion of the Senator from Arizona, no money in this bill could be transferred for that purpose?

Mr. HAYDEN. That is correct.

Mr. JOHNSON of Colorado. That is entirely satisfactory to the Colorado Senators.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 7176) was passed.

Mr. HAYDEN. Mr. President, I move that the Senate insist on its amendments,

request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. HAYDEN, Mr. O'MAHONEY, Mr. MCCARRAN, Mr. CHAVEZ, Mr. CORDON, Mr. YOUNG, and Mr. KNOWLAND conferees on the part of the Senate.

MESSAGE FROM THE HOUSE— ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2214. An act to amend section 709 of title 18 of the United States Code;

H. R. 2813. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Colbran reclamation project, Colorado;

H. R. 7405. An act to provide for an economical, efficient, and effective supply management organization with the Department of Defense through the establishment of a single supply cataloging system, the standardization of supplies and the more efficient use of supply testing, inspection, packaging, and acceptance facilities and services; and

H. R. 7714. An act to amend the Universal Military Training and Service Act, as amended, and for other purposes.

STATE, JUSTICE, AND COMMERCE DEPARTMENTS APPROPRIATIONS, 1953

Mr. HILL. Mr. President, I move that the Senate proceed to the consideration of Calendar 1737, House bill 7289, making appropriations for the Departments of State, Justice, and Commerce, and the Judiciary.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary for the fiscal year ending June 30, 1953, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

Mr. CASE. Mr. President, this is the appropriation bill for the Departments of State, Justice, and Commerce, and the Judiciary. It has not been before the Senate for the required period of time. I have no objection to making it the unfinished business if it is understood that the bill will not be taken up until tomorrow.

Mr. HILL. It is my understanding that the bill will not be taken up until the Senate convenes tomorrow.

Mr. CASE. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. HILL].

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

SECOND ANNIVERSARY OF THE KOREAN "POLICE ACTION"

Mr. SCHOEPPEL. On June 25, 1950, North Korean Communist forces attacked South Korean positions south of the thirty-eighth parallel, thereby beginning the bloody and savage military action which Democratic leaders of our country have chosen to designate as the Korean "police action."

It is a matter of historical record that President Truman, without the consent of the Congress, saw fit to order General of the Army Douglas MacArthur to use the American Armed Forces available to resist that aggression.

June 25, 1952, marks the second anniversary of this conflict. It is fitting that we in the Senate of the United States pause briefly in our deliberations and, without rancor, consider the situation in which our country has been placed.

For two long years the gallant sons of American mothers have been struggling against a brutal and ruthless enemy.

For two long years we have been engaged in a war, the like of which is unprecedented in American history.

Let us not deceive ourselves with political deceptions. This so-called "police action" is war. We have been at war for 2 years. Despite the platitudes which we hear from our so-called allies, let every American realize that this is not a United Nations war, but has been tailored into a full-fledged American war under the United Nations flag.

We have contributed 98 percent of all the air force in Korea; 83 percent of all the naval forces are furnished by the United States; 88 percent of all the ground forces, with the exception of the South Koreans, are furnished by the United States; 93 percent of all the casualties have been suffered by the United States; and more than 90 percent of those killed are American boys; 100 percent of the cost of the war is borne by the American taxpayer. To place a United Nations label on this Korean war is a shabby and disgraceful farce which can only be designed to deceive the American people.

This is a bizarre conflict. From the very beginning our gallant fighting men have been denied the right to punish the enemy with all the resources at our disposal. Tactically, we have been hamstrung by political and diplomatic limitations, novel and unnatural in the conduct of warfare, until this week.

We have allowed a vicious foe to crouch beyond the Yalu River, to amass men and materials, and to attack us at will from his protected sanctuary.

After our initial set-back, due to the overwhelming mass and power of our enemy, our forces were able to counterattack and to push the aggressors back to their boundary. On November 27, 1950, a more formidable adversary entered the conflict. Gen. Douglas MacArthur announced that our forces in Korea faced an entirely new war because of the intervention of Red Chinese troops. The American people were told on December 1, 1950, by Gen. MacArthur that the orders forbidding him to attack Chinese Communists north of the Korean border were putting his forces to "an enormous handicap without precedent in military history."

On March 7, 1951, the general further warned the American people that the battle line would remain in a theoretical military stalemate as long as there was a "continuation of the existing limitation upon our freedom of counteroffensive action."

On March 24, 1951, he added that, "I stand ready at any time to confer in the field with the commander in chief of the enemy force in an earnest attempt to find any military means whereby the realization of the political objectives of the United Nations in Korea might be accomplished without further bloodshed."

On April 10, 1951, the President of the United States, Harry S. Truman, saw fit to relieve Gen. Douglas MacArthur from his position as Commander in Chief of the United Nations Command, Commander in Chief of the Far East, and commanding general of the United States Army in the Far East.

Although relieved from his command, General MacArthur still believed that it was possible for the United States, since it had been embroiled in this war, to carry it forward to victory in the traditional American manner.

In his speech before the Congress of the United States on April 19, 1951, he spoke these prophetic words: "Once war is forced upon us, there is no other alternative than to apply every available means to bring it to a swift end. War's very object is victory—not prolonged indecision. In war, indeed, there can be no substitute for victory."

He recommended four steps in 1951 which he felt were dictated by military necessity in the conduct of the war:

First. The intensification of our economic blockade against China.

Second. The imposition of a naval blockade against the China coast.

Third. Removal of restrictions on air reconnaissance of China's coastal areas and of Manchuria.

Fourth. Removal of restrictions on the forces of the Republic of China on Formosa with logistical support to contribute to their effective operation against the Chinese mainland.

For reasons known only to the administration's political strategists, General MacArthur's recommendations were not followed. Instead, after our Armed Forces had punished the enemy and had him reeling back to the point of defeat, the State Department, at the suggestion of the Russians, allowed the enemy in July of 1951 to commence interminable armistice talks.

At that time our Armed Forces were in a position of strength in Korea. We had clear and undisputed control of the air; our planes roamed at will over Communist-held positions; we outnumbered the enemy in quality and quantity of the artillery and tanks.

But the lessons of the Communist conquest of China were ignored by Field Marshal Acheson. Month after month

our negotiators sit in the tents at Panmunjom, listening to Communist bickering and double talk; and by their very presence supply the Communists with a vehicle to broadcast vicious lies and diatribes against the United States.

In the meantime, this formidable foe reorganizes his army, brings in a Russian air force, prepares entrenched positions, and assembles artillery and self-propelled guns and tanks in vast quantities.

My fellow Americans and my colleagues in the Senate, the situation which faces us in Korea today is grim, as it is also in other areas of the world. In the opinion of Vice Adm. C. Turner Joy, former chief negotiater at Panmunjom, "We must accept a delayed armistice or a bloodletting."

He stated as early as February 29, 1952, that the military advantage which the Allies held in July 1951, had been lost during the armistice talks. He warned the American people that:

> We must realize that we are not negotiating from the same position of military strength as we were at the beginning, when the enemy was badly pressed, but from a position of mass stalemate.

Mr. President, at this point I refer to exhibit No. 1.

I ask unanimous consent to have certain printed exhibits inserted at the end of my remarks. During the course of my remarks I shall refer to the exhibits by number.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SCHOEPPEL. On June 20, 1952, Admiral Joy warned:

> The Reds will stop at nothing to gain their ends. The greatest lesson we have learned is that the only thing the Reds respect is unmistakable firmness and applied military strength.

I refer to exhibit No. 2.

The admiral went on to say that the truce talks began on the assumption that the Reds would bargain in good faith, but the Communists used that assumption and the prolonged negotiations as a tactical maneuver to build up their forces in North Korea.

As time passed, it has been revealed gradually to the American people that our aircraft losses in the Korean combat have been staggering, due to increased Communist air power which has become supreme in the Korean theater. Week after week the American people have listened to reports of no progress in the truce negotiations.

I refer to exhibit 2a.

Rear Adm. Ruthven Libby, on March 11, 1952, wearily told the Communists that he has been getting fed up with what Gen. Matthew Ridgway called known falsehoods by Red truce negotiators.

I refer to exhibit 3.

General Ridgway himself, on March 11, 1952, stated that the truce talks had now reached a point where it would be impossible for him to guess what would happen next.

I again refer to exhibit 3.

On March 8, 1952, General Van Fleet disclosed that the Chinese and Korean Reds had built up a force of over 900,000 men in Korea, and admitted that the Chinese and North Koreans had twice as many artillery pieces as the United Nations. "They are throwing a lot more artillery shells than they ever have. There are points on the front where they think nothing of throwing in concentrations of 1,000 rounds and more. In other words, they are being pretty liberal with their shells, so they must have plenty of them."

I refer to exhibit 4.

On June 1, 1952, General Van Vleet issued another ominous statement to the American people, in which he made no attempt to minimize the manpower, firepower, and latent airpower of the Communists.

They have, he calculated, two and one-half times the combat strength of the United Nations, and about twice the artillery power of the Eighth Army.

I refer to exhibit 5.

It is no wonder the American people have become confused and angered. If the public has been trying to keep informed with the assorted estimates, predictions, boasts, and analyses on the state of the United Nations forces in Korea, it must be confused.

Consider the statement of Maj. Gen. Daniel Hudelson, just arriving home from long combat experience as an infantry commander in Korea, to the effect that if the Communists launch a major offensive, we could not hold them. "We simply don't have the manpower," he said.

On this same day, in June 1952, General Van Fleet, despite his previous admissions of the Communist power and massed strength, practically dared the Reds to start a fight and announced that "if they do, they will be soundly defeated."

I refer to exhibit 6.

In the first week of June, President Truman, in a speech, claimed that we still have air superiority over most of North Korea, and can bomb the enemy at will almost anywhere in his territory.

I refer to exhibit 7.

The President also claimed that our planes have knocked out eight times as many enemy craft as we have lost, and yet only a few days earlier official Air Force and Navy reports placed our plane loss at 1,400 since the Korean war began, compared with an estimated loss of only 400 planes for the enemy.

Within the past few months we have had testimony from the highest civilian and military officials in our Government. The Secretary of Defense, Mr. Lovett, has stated:

> The Russians are outbuilding us—we are falling behind them, relatively speaking, in the arms race.

Secretary of the Army, Mr. Pace, has said that the Korean war was eating into reserves of armament faster than they could be replaced.

The Secretary of the Air Force, Mr. Finletter, has bluntly stated:

> We have lost time—time that cannot be recouped.

At home we are facing more and more strikes.

General Bradley, Chairman of the Joint Chiefs of Staff, has informed the American people that Russia "could overrun Europe today."

General Twining, Acting Chief of Staff of the Air Force, has admitted that Russia in the last 5 or 6 years has outstripped this country in aircraft production, and that, furthermore, the Russian air force would equal or surpass ours in the year 1954.

Is it any wonder that we are confused?

I refer to exhibits 8 and 9.

Mr. President, I could spend considerable time commenting upon the preposterous conduct of the Koje Island episode. Here were prisoners taken in battle who were allowed to organize, arm, and to forcibly resist their captors. They were allowed to hold court, try, condemn, and inflict punishment, including torture and even death to those who would not submit to their doctrine and authority. The culmination of this sordid affair was their seizure of the commandant and the resultant agreement between the Reds and our Army officials which gave the Communists tremendous propaganda material.

Mr. President, I make no pretense of being a military expert. I sincerely wish this world could live in peace and prosperity, yet, as a peace-loving American, it is impossible for me to fathom the devious thinking behind the present conduct of Mr. Truman's Korean fiasco, or police action, as he terms it.

In the great Midwest, from which I have the honor to come, the people are realistic, and they possess a lot of common sense which seems to be very uncommon in Washington today. We cannot understand why our sons are being sent to a far-off land to sacrifice their lives in a struggle which this administration apparently does not desire to win.

I do not know whether there is a connection between the Democratic Party's much-publicized prosperity, which is based on a war economy, and the urge to keep the Korean war simmering on the back burner. I do not know why we withdrew from Korea in the first place, and made that unhappy nation an inviting target for Communist aggression. With all the billions of dollars we have spent for armaments, I do not know why we were incapable of arming the South Koreans so that they could protect their own country from aggression.

I do not know why we reversed our position and ordered that brave handful of American soldiers back into Korea to stem the tide of the Red hordes—and, I may add, without the help of the United Nations. I do not know why General of the Army Douglas MacArthur was relieved from his command.

I do not know whether the program which Gen. Douglas MacArthur advised would ever end this conflict; neither do I know whether his suggestions can be used at this late date.

It is impossible for me to understand why we allowed the Red Chinese to enter this conflict without directing reprisals against them.

I cannot tell you, Mr. President, why we have squandered the victories gained by our men on the battlefield, and why, for 11 long months, we have allowed our badly mauled enemy to recoup his strength and to become a more formidable and dangerous foe. In my serious contemplation and study of the Korean debacle, I have been unalterably convinced that it is sheer folly for the United States to engage in an endless war of attrition which bleeds us of our most precious asset—the manhood of this Nation.

I cannot understand a war which the administration tries to fight with a philosophy of guns and butter. I am aware that even today we put more money into refrigerators, washing machines, and TV sets than we do into ordnance.

This fact has been cited as proof of Democratic prosperity. I, for one, want no part of a prosperity which stockpiles household appliances for some and caskets for others.

I have heard my Democratic colleagues stand on the floor of this Senate and orate at length about the fantastic superweapons which we have developed in the atomic and hydrogen fields. Being a mere Member of the Senate, I am not allowed to possess the information upon which they base their grandiose claims; but I do know that sons of the American mothers and fathers are fighting in Korea with bayonets and with guns, just as American boys did in the other two wars which have occurred under Democratic leadership.

I wish I could stand before you today, Mr. President, and offer some clear-cut solution to the Korean war.

Perhaps it would be possible if the Government of these United States operated in the open. Perhaps it would be possible for me to make some concrete suggestions if the administration saw fit to tell the representatives of the people the truth concerning the situation, the truth concerning the contributions of our allies, the truth concerning our military potential, the truth concerning our present rate of production of weapons, the truth concerning the State Department's plans for the "bold" new world, which they have been so long endeavoring to create.

It has been impossible for me and for other Members of the Senate, I am sure, to gain access to information concerning the trade which our allies are at present carrying on with Red Russia. So, I frankly confess that I do not know the entire story, Mr. President. I am disturbed when I see reports as late as June 4, 1952, in the New York newspapers, which quote London sources as saying that the British Empire sold Russia more raw rubber during the first 4 months in 1952, that she did in all of 1951. I cover that point in my exhibit No. 10.

It is incredible to me that while Britain shipped 51,000 tons of rubber to Russia in 1951, already in January, February, March, and April of 1952 she has sent 58,000 tons into the maw of the Kremlin. Mr. President, I am concerned when I read reports from Bonn, Germany, which disclose that the Mutual Security Agency has taken action against 87 West German concerns because of "improper trade with companies in the Soviet orbit."

My mind is not at ease when I read the opinions of the "experts" who say that the temptation for Japan to increase its trade with Communist countries of Asia will increase as time goes on. It would seem to me, Mr. President, that if we are allied with nations who are determined to resist Communist aggression, all of us must recognize the fact that we cannot be greedy and be free.

Mr. President, it is interesting to those who have noted the press reports today to observe what happens in Britain, when representatives of the former labor government of Britain question our representatives about what those who are directing the war in Korea have elected to do in order to save American lives there.

Mr. MUNDT. Mr. President, will the Senator from Kansas yield on that point?

The PRESIDING OFFICER (Mr. BRICKER in the chair). Does the Senator from Kansas yield to the Senator from South Dakota?

Mr. SCHOEPPEL. I am delighted to yield.

Mr. MUNDT. I am very much impressed by the very interesting and informative address which is being made by the Senator from Kansas.

I am glad he has called attention to the rather surprising news releases which crowd the news ticker—releases coming today from Britain, where it appears that the former Labor Government of Britain, and more especially one Mr. Bevan, along with Clement Attlee, have been attacking the United States with all kinds of criticism, indicating that they believe we had no right or authority to bomb the power plants on the Yalu River, and indicating that instead of applauding that very constructive, courageous, and successful raid by American fliers, those Britons have joined the Communists in criticizing that type of attack.

I wonder whether the Senator from Kansas believes that with that type of "support" from an ally which should be in the thick of the fight with us, in the attempt to protect the free world, there is much hope for success in Korea.

Mr. SCHOEPPEL. I may say to the distinguished Senator from South Dakota that I fail to see that there is much hope, especially when members of a former government of one of our chief allies—the United Kingdom—take such a position, and also in view of the fact that representatives of that government tried to convince our diplomatic forces and the American people that we should soften our attitude and should permit Britain or the United Nations to recognize Red China and the other satellites of Red Russia.

Mr. MUNDT. Mr. President, if the Senator from Kansas will yield further to me, let me ask whether it is also a fact that the same British Government induced a somewhat timid State Department in the United States to insist that our Seventh Fleet, now operating in Asian waters, instead of aiding in every way it could the land forces the United States has there so as to bring to a victorious close the war in Korea, follow orders—as it now is doing—whereby it prevents the Chinese Navy from stopping shipments of supplies to our Communist enemy?

Mr. SCHOEPPEL. It is the same Government. That, I am sure, is one thing among many others, that is most alarming to every American. I know it is alarming to the distinguished Senator from South Dakota.

Mr. MUNDT. It is indeed alarming.

I believe it should be said, to the credit of Winston Churchill, that that highly destructive policy which the former British Government sold to our State Department and eventually sold to our military and to our President, namely, the policy of using our fleet to protect the Communists by giving them an opportunity to ship supplies of war to their fighters in Korea, was initiated by the Labor government of Britain, although it seems to me that Winston Churchill cannot escape some cause for criticism by virtue of the fact that since he has ascended to power in Britain he has not changed that policy.

Would the Senator from Kansas, therefore, agree with me that we are fortunate—indeed, we know we are fortunate—that today the control of Britain is not in the hands of men like Bevan, who openly criticizes the recent raid against the Communists and openly indicates that Britain should withdraw the small modicum of support she now is giving the United Nations in support of the United States in the war in Korea?

Mr. SCHOEPPEL. I may say to the distinguished Senator from South Dakota that we should be truly grateful and thankful for the position taken by the great Prime Minister of England in the present situation. I desire to say further that it is to the credit of Anthony Eden, who apparently backed Winston Churchill in the face of criticism from the representatives of the Labor government.

Mr. MUNDT. I quite agree. It seems to me we must recognize that Winston Churchill and Anthony Eden operate in a very difficult situation when they have to contend with a man like Aneurin Bevan, who becomes an open apologist for the Communist cause by criticizing every effort we make to bring the war in Korea to a victorious close, to defeat the Communist troops, and to compel Red China to stop her aggressive activities on that peninsula.

Mr. SCHOEPPEL. I may say to the distinguished Senator from South Dakota, what alarms the Senator from Kansas is that, if the position presently brought to our attention by the representatives of the Labor government in England should prevail, it would make the American position in Korea very, very questionable, if we were expected to go it alone and were expected to complete the Korean war—and I call it a war—along the present lines. I think the American people and the Congress of the United States have every right and every reason to wonder what our next move will be and what our policies are to be. That is one of my reasons

for thinking that the situation with which we are confronted is most serious.

Mr. MUNDT. In that very connection, I wonder whether the distinguished Senator from Kansas would care to comment as to what he considers to be the future of NATO and the future of the mutual-security program in Europe, to which American taxpayers have contributed many, many billion dollars, if at the very entrance to Europe we should find Britain controlled by a Labor government which indicates that it wants to have no part in the resistance to communism and that it wants to be a neutral, thereby giving equally friendly attention both to the side of aggressive communism and to the side of Anglo-Saxon freedom.

Mr. SCHOEPPEL. I may say to the able Senator from South Dakota it cannot but have a depressing and a very questionable effect upon many sober, somber-thinking Americans, who probably thought that we had overreached ourselves in going the complete route, as we did, though we were willing to do it. But, when they see an attitude of this kind, supported probably by only a bare margin, as we know the present Government in England is supported at this time, and the likelihood that the present Government might fall, it certainly throws into bold relief America's position, and where we might be if we were to keep our guaranties and our positions, once we have given them, as we have always tried to do, in the face of the situation which exists in Korea. It makes the Senator from Kansas doubly apprehensive.

Mr. MUNDT. It would seem to me that unless the people of Britain generally, including their great and powerful newspapers, now repudiate, and repudiate in no uncertain terms, the Communist-appeasing words of Mr. Bevan and his associate, Mr. Clement Attlee, it indicates that this whole joint enterprise which we have been financing at such great cost to ourselves, in which we have been sending the flower of American youth to help build a European army under NATO, this whole effort toward collective security, of which the British are presumably a great part, is not only built upon shifting sands, but is indeed built upon shifting sands around a very wobbly island.

Mr. SCHOEPPEL. I appreciate the observation of the able Senator from South Dakota. He never spoke a truer word.

Mr. MUNDT. And, because the Senator from South Dakota believes, as I know the Senator from Kansas does, that the threat of aggressive communism is genuine and realistic, and because he and I believe that the one great effective way to defeat it is to have a genuine, collective security, it is indeed sickening and nauseating to find this strong minority, representing apparently a substantial group in Great Britain, engaged in the kind of castigation reported in the American press today. It is high time we heard from those British journalists, those British leaders of public opinion, those British statesmen, who will stand square-toed and courageously in the common defense against communism, and who will repudiate the kind of Communist-appeasing language attributed to Mr. Bevan and Mr. Attlee in the press today.

Mr. SCHOEPPEL. Does not the able Senator from South Dakota agree with the Senator from Kansas that it is all the more important, now, in the face of what is happening, for our own State Department, our own Government officialdom, to re-evaluate and to lay frankly and candidly before the Congress of the United States and the American people what our future policy shall be, when it seems to be shifting and on such shaky foundations as apparently the press reports indicate?

Mr. MUNDT. I most assuredly do, because the very basis of all the claims of success we have heard, as American leaders, from General Eisenhower on down, have come back to tell about the progress being made in Europe, is the assumption that the British are going to be a part, and a big part, in that defense line. Instead, we find the leaders of a great party in Britain, which is close to being a majority party, which is a large minority party, and which has recently been in power, not only failing to take a stand in their oratory and in their parliamentary procedures against communism, but going to the extent of criticizing the United States for exercising our rightful authority in Korea. We did attack the Communists, and we destroyed some of their sources of power on the Yalu River. Instead of patting us on the back, applauding us, and saying, "We wish we could be there to help you," they criticize us because of the devastating blows which have been dealt to the Communist strongholds in Korea and Manchuria.

Mr. SCHOEPPEL. I appreciate the able Senator from South Dakota bringing his enlightening viewpoints into the discussion this afternoon.

Mr. President, it is because of the situation, the things we are reading about, and the fearful prospect of what may happen in the future, if the adverse positions we are now finding are becoming popular in England and in some other parts of the world should prevail that I, for one, cannot and will not tolerate sending American boys abroad to fight Communist aggressors, while at the same time some nations are allowing trade to be carried on with the enemy.

I wish to further invite attention to some statistics concerning the three wars for which the Democratic administration must accept the responsibility. I ask unanimous consent at this time that a chart, which was prepared by the Legislative Reference Department of the Library of Congress, entitled "Casualties of United States Major Wars" be inserted in the RECORD at the close of my remarks, as exhibit 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 11.)

Mr. MUNDT. Mr. President, were it not for the fact that the rules of the Joint Committe on Printing prevent such a typographical situation, I would suggest that the Senator from Kansas follow the printing of his chart in the RECORD with a unanimous-consent request to have printed in the RECORD a companion chart showing the number of casualties which have occurred in wars precipitated under Republican Presidents since the turn of the century, because there have been no wars and no casualties, under Republican Presidents, since the turn of the century.

Mr. SCHOEPPEL. I should be glad to accede to that request, if under the rules of the Senate it could be done.

Mr. President, I call particular attention to the fact that, according to the official information released by the Department of Defense, on June 11, 1952, the American people have suffered 109,712 casualties in the Korean police action.

We have had 19,317 boys killed in this savage conflict. We considered World War I to be a bloody war, and yet we have already had 40 percent as many killed in Korea as we did in that struggle.

We have lost more than twice as many of our sons as we did during the Revolutionary War, the War of 1812, the Mexican War, and the Spanish-American War.

Already 1,000,000 American families have had sons in Korea; $25,000,000,000 have been spent; and the end is not in sight.

The news of June 19, 1952, is ominous. We read that in one skirmish Communist artillery and mortar fire was 7,174 rounds. We read of probing attacks on the allied lines by Red tanks and self-propelled guns, and the Secretary of the Army, Mr. Pace, has notified the American people that: "If we are called on to continue the war in Korea into fiscal year 1953—which, by the way, starts July 1—as now appears virtually certain, the support requirements placed on our forces here at home will be greater and their state of readiness correspondingly even less favorable." Exhibit 12 covers that point. He further states:

If the war continues in Korea, it will be imperative under these facts to ask Congress for more men.

Almost a year ago, Mr. President, an investigation was conducted on the dismissal of Gen. Douglas MacArthur, and the military situation in the Far East. At the conclusion of those hearings, eight of my Republican colleagues had the courage to tell the American people the truth.

I remind you, Mr. President, that no one dared to challenge their views. Were they right, Mr. President? They said:

(1) The victory won by our Armed Force in the Pacific has been squandered by our diplomats.

That is found on page 34 of the report.

(2) The Korean conflict is improperly labeled the police action.

That is found on page 41 of the report.

(3) Political considerations have prevented the full exploitation of American air and naval superiority in the Korean war.

That is found on page 42 of the report.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I shall be glad to yield.

Mr. KNOWLAND. I am sorry the Senator from South Dakota [Mr. MUNDT] has apparently temporarily left the Chamber, but apropos of the present discussion, I thought the distinguished Senator from Kansas would like to hear this information which has just come in over the ticker:

Eden said he would not like to estimate whether the action had lessened the chances of an armistice, adding, "If this bombing is intolerable to the Communists they really have the remedy in their own hands. An armistice can be concluded tomorrow on terms which satisfy the honor and interests of both sides if the Communists want it."

This is what I particularly wanted to bring to the attention of the Senator from Kansas:

While labor leaders criticized American leadership in Korea, French officials took an opposite view.

"The plants [that were bombed] are in North Korean territory, and they are a legitimate military objective," said a spokesman for the French Foreign Minister in France. "After all, we all know there is a war going on there."

The spokesman made the statement after the French Cabinet had discussed the bombings.

A Moscow dispatch said the House of Commons debate over Korean affairs was almost sure to be interpreted by the Russians as a serious division of British-American relations. The debate was said to have strengthened the opinion of a number of western diplomats in Moscow that Russia is sending Andrei Gromyko, Deputy Foreign Minister, as Ambassador to London to take advantage of the situation.

That is the end of the press dispatch. I think it is significant from two points of view. One is that the French recognize the realities of the situation in Korea; second, Mr. Bevan and the former members of the Labor Government, and now members of the Labor Party in Britain, are merely giving aid and comfort to the Soviet Union by the position they are taking in trying to undermine the position of the Government of the United States and also, incidentally, the position of the Prime Minister of Britain, Mr. Churchill, who has apparently taken a more realistic view of the situation than have the British Labor Party officials.

I merely wish to say, in conclusion, if the Senator from Kansas will permit, that it seems to me the British press and the responsible government officials of Britain will make clear to the British people that the Government of the United States and the American people have borne more than 90 percent of the burden of the action against aggression in Korea, and they must recognize the fact that international communism is global in character. If communism is successful in Asia, it will ultimately, in my judgment at least, be successful in Europe, because the great apostle of communism, Lenin, succinctly put it many years ago when he said that the road to Paris is through Peking. What he meant, of course, was that if international communism could dominate all Asia, with her vast strategic resources, she would then be prepared to turn against the west with an overwhelming amount of manpower and resources, and it is highly dubious that any defense set up in Western Europe could withstand that great aggregation of power. When the members of the Labor government of England attempt to give aid and comfort to Communists in the Far East, they may be actually cutting their own throats.

Mr. SCHOEPPEL. I appreciate the statement the able Senator from California has made and what he has brought to our attention, because as he well knows, the Senator from Kansas regards the Senator from California as one of the most diligent, courageous, honest, and forward-looking Senators, who has given much time and thought to the Asiatic situation. As the Senator has so ably put it, he has been concerned about the attitude of the British as contrasted to the present attitude of the French. The French attitude is most wholesome, because, apparently, without waiting for time to expire, they have indicated their approval. They realize the war is going on and they well know that the United States is bearing the brunt of it.

I thank the Senator from California for his statement.

Mr. President, finding No. 4 was as follows:

(4) The advice and information of our ablest and most experienced officials has been ignored.

That is covered by page 45 of the report.

(5) The Secretary of State has assumed military functions.

That is covered by page 23 of the report.

(6) Successful completion of the Korean war was essential since the United States cannot afford the attrition of manpower.

That is covered by page 31 of the report.

(7) The administration has no positive plan for achieving decisive victory.

That is found on page 31 of the report. They warned the American people to beware of "Munich-like respites which are only surrenders in disguise, and which make the ultimate reckoning infinitely more costly."

In retrospect I can see how far-reaching and how compellingly important were those findings which the committee made; at least, those on the committee who subscribed to them.

Mr. CAIN. Mr. President, will the Senator from Kansas yield for a question?

Mr. SCHOEPPEL. I yield.

Mr. CAIN. May I ask the distinguished Senator from Kansas the date on which the report to which he is making reference was published?

Mr. SCHOEPPEL. I think it was published between May 3 and June 27, 1951, and it is covered by Senate Document No. 69 of the Eighty-second Congress, first session.

Mr. CAIN. The Senator from Kansas has pointed out that in this report it is stated that the administration has no positive program or plan for victory in Korea. The report in question was published many months ago. No exception, so far as I know, was ever taken, and no challenge has ever been made to that report. Does the Senator from Kansas think that the administration today, on the second anniversary of the tragedy of Korea, is any closer to achievement or designing a program for victory in that bloody conflict in the Far East?

Mr. SCHOEPPEL. I am compelled to say to the able Senator from Washington that we are no closer to victory.

Mr. President, I sincerely recommend on this second anniversary of the Korean war, that every Senator of the United States take the time to read the report which their colleagues issued many months ago.

I am aware that the weather is warm in Washington, D. C., and that there are in the offing political conventions which are attracting the attention of Members on both sides of the aisle. I know that there is pressing legislation which the majority would like to get through as quickly as possible. Many Members of Congress would like to go home and attend to their personal affairs.

I suggest, however, that it is warm in Korea, too; warm with the blood of thousands of American boys who have been denied their opportunity to enjoy a full and happy life. There are pressing matters in Korea which those boys would like to see solved, and I have no doubt but that all of them would like to come home and attend to their personal affairs. I refer to exhibit 14.

I cannot face the people of the State of Kansas in the coming months ahead unless I have done everything within my power to try to find a solution to this conflict which is daily substituting in many an American home, black letters from the Defense Department for the hopes and aspirations of a loving mother or wife.

I call upon the Senate as representatives of the people this very day to begin immediate consideration of the difficult problem which we face in Korea. Let us put aside our partisan feelings for the moment, and let us consider the welfare of our youth.

Collectively, let us devise, as soon as possible, a solution to this problem, and utilizing the sovereign power of this august body let us carry our solution through with fortitude and resolution. Let us get the facts, and insist upon a clear-cut statement of our principles and objectives in Korea. Let us demand a program for victory, and return to some of the fundamental American concepts which have made this Nation great.

Mr. President, in the early part of my remarks, I asked unanimous consent to have appear at the end of my statement a series of exhibits which I have labeled and referred to. I ask again that they be made a part of my remarks, to appear at the conclusion of my statement.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT 1

[From the Washington Times-Herald of February 29, 1952]

JOY WARNS UNITED STATES MUST FACE PEACE DELAY OR BLOODLETTING

MUNSAN, February 28.—Vice Adm. C. Turner Joy declared tonight that America has the choice between a delayed armistice or a possibly unacceptable casualty toll in Korea.

He made it clear he believes a quick truce is unlikely without a high cost in blood.

"The speed with which an armistice is achieved," he said, "is in direct proportion to the military pressure applied."

In an exclusive interview inside the tent which is his home and office in Korea, the chief Allied armistice negotiator said the military advantage the Allies held last July has been lost during the armistice talks.

The lull in ground fighting, he said, has enabled the Communists to build a massive defense line across the Korean peninsula.

"I am informed," he said. "That the Communists now are dug-in in bunkers and tunnels extending back as far as 20 miles.

POINTS TO STALEMATE

"We must realize that we are not negotiating from the same position of military strength as we were at the beginning, when the enemy was badly pressed, but from a position of military stalemate."

Then, taking cognizance of expressions of impatience from home, the soft-spoken admiral from St. Louis, said:

"Some people get my goat. They don't want any casualties but they want an armistice quickly. And they want an armistice without any concessions to the enemy."

But Joy quickly qualified that statement to make his position completely clear.

NOT HURTING REDS ENOUGH

"What the Communists hate is to lose territory, to be pushed farther north, and we are not pushing them. I'm not criticizing our tactics. God knows I don't want to see a lot of casualties, and it would take a lot of casualties to push them back now.

"But I think that those people who complain that we are 'haggling' must realize that to expedite this armistice requires renewed military pressure, and that means casualties. They can't have their cake and eat it too."

"Navy bombardment and air power is exerting pressure," he said. "It is hurting them badly economically. But it is not hurting them badly enough. We have not isolated the battlefront.

"In spite of the fine work of the Air and Navy, the enemy is as strong or stronger now than he has ever been.

"We are causing him a lot of trouble. But, as a simple illustration, if he wants to get 100 bullets down to the line he simply starts out with 200."

EXHIBIT 2

[From the Washington Daily News of June 20, 1952]

JOY SAYS REDS STOP AT NOTHING

SAN FRANCISCO, June 20.—Vice Adm. C. Turner Joy, who argued with the Communist truce negotiators for 10 months in Panmunjom, said today the long talks convinced him the Reds will stop at nothing to gain their ends.

They are "ruthless • • • a very shrewd crowd," Admiral Joy said.

"The greatest lesson we have learned," he said, "is that the only thing the Reds respect is unmistakable firmness and applied military strength."

Admiral Joy will have 30 days before reporting as superintendent of the United States Naval Academy at Annapolis. He arrived here yesterday aboard the U. S. S. *Gen. H. W. Butner.*

Admiral Joy said the U. N. began the truce talks originally on the assumption that the Reds would bargain in good faith.

TACTICAL MANEUVER

"The Communists," he said, "used that assumption and the talks as a tactical maneuver to build up their forces in North Korea."

He was pessimistic about the changes in the over-all picture in Korea.

"When the truce talks began last July," he said, "the Red armies were on the ropes. They were pretty badly beaten."

"As a result," the admiral said, "we are negotiating from stalemate instead of from a position of strength."

"However," he said, "we have made progress in the negotiations—we have learned what the Communists are; we have learned a lesson that will serve us in the future."

NO PREDICTIONS

Admiral Joy declined to go out on a limb in predicting the ultimate outcome of the truce talks.

He said his long experience seated at the green baize-covered table in the little hut in Panmunjom convinced him further that the Red truce was closely controlled by a firm hand from above.

He arrived accompanied by his wife, Martha, and his son, Army Lieut. David D. Joy, a veteran of 13 months in Korea.

EXHIBIT 2A

[From the Washington Daily News of June 23, 1952]

LEMAY SAYS REDS HAVE 40,000 PLANES

NEW YORK, June 23.—Gen. Curtis E. Lemay says Russia now has four times as many planes as the United States plans to build in three to five years.

General Lemay, commander of the United States Air Force Strategic Air Command, told aviation officials at a dinner given in his honor last night that the Soviet air force surpasses the air forces of the free nations in numbers and approaches them in quality.

"It is the consensus of our own and Allied intelligence that the Soviet Union now has about 20,000 aircraft in organized air units," Lemay said. "They have almost that same number in reserve, and there are several thousand aircraft in the possession of their satellites."

EXHIBIT 3

[From the Washington Daily News of March 11, 1952]

COMMUNISTS SOFTEN THEIR TONES—ADMIRAL LIBBY TELLS REDS HE'S 'FED UP' WITH FALSEHOODS

PANMUNJOM, KOREA, March 11.—Rear Adm. Ruthven E. Libby wearily told the Communists today he was "getting fed up" with what Gen. Matthew B. Ridgway earlier called "known falsehoods" by Red truce negotiators in prisoner discussions.

The Communists, still blaming the armistice deadlock on the United Nations, dropped their threats and insults in prisoner of war discussions under Admiral Libby's warning yesterday that the Allies will walk out if the Reds kept it up.

ACCUSATIONS MILDER

All in all, Admiral Libby said later, the 45-minute meeting was "quite mild" and minus the vicious Communist invective of the past 2 days.

North Korean Maj. Gen. Lee Sang Cho again accused the U. N. of fabrications to cover up conditions in prisoner compounds, but his words were phrased more softly, Admiral Libby reported.

Admiral Libby, irritated by General Lee's insistence the U. N. command was stalling negotiations, said:

"We are getting fed up with your attempt to make things appear as facts when they are not facts."

General Ridgway, in a surprise visit to truce camp headquarters at Munsan, denounced Communist armistice negotiators for their known falsehoods and said the talks have now reached a state where it is impossible for him to guess what would happen next.

The Supreme U. N. Commander said the armistice conference was "a fight—a spiritual and ideological contest with communism" that has become increasingly trying in recent weeks.

EVIDENCE OF PLAGUE

General Ridgway assailed the Communist assertions charging Allied planes and artillery with loosing diseased insects in North Korea and China to spread epidemics.

"There is not a scintilla of truth in the Communist assertions," he said. "I repeat—not a scintilla of truth. The Communist statements of bacteriological warfare are completely and categorically false."

The Supreme Commander said he had seen evidence that bubonic plague exists in North Korea and that the Reds might have disseminated germ warfare propaganda in "covering up their own epidemics."

U. N. and Communist staff officers adjourned a discussion of armistice terms after only 5 minutes with no progress. It was the third straight day the session—deadlocked on Communist nomination of Russia as a truce inspector—lasted less than 10 minutes.

EXHIBIT 4

[From the Washington Evening Star of March 8, 1952]

NINE HUNDRED THOUSAND REDS READY IN KOREA, VAN FLEET SAYS—STRENGTHENED FORCE STILL GIVES NO SIGN OF SPRING OFFENSIVE

SEOUL, KOREA, March 8.—Gen. James A. Van Fleet disclosed today the Chinese and Korean Reds have built up a force of about 900,000 men in Korea, but there is no indication of a spring offensive.

The United States Eighth Army commander said in an interview the Reds had more men, weapons and planes, but that the Allies have enough to stop any attack. He said about 450,000 Reds are in the front lines.

General Van Fleet added that he would be surprised if the Communists attempted an offensive similar to their costly but unsuccessful major drives in April and May of last year.

"I am confident we could stop any attack the Communists might throw at us," he said. "It would be a good thing if we could get those people out of their fox holes and dugouts to mow them down the way we did last April and May.

HAS MEN AND AMMUNITION

"We still have an intense desire to do it. We have enough equipment, men, and ammunition available. We could do it just as effectively as we did last year."

It has been a difficult task for this general of action to become accustomed to the change of pace the Korean conflict took last November when action across the front slowed down to a snail's pace. If General Van Fleet had the decision to make, it seems certain he would have preferred to continue offensive maneuvers which cost the Communists heavily in men and equipment.

But with the armistice talks, political considerations weighed as heavily as Allied military operations.

"It was thought we could arrange an armistice if we slowed down in accordance with the wishes of the people back home who did not want heavy casualties when there was a chance for peace," he said.

"The future operations of the Eighth Army are still on the conference table at Panmunjom."

FOE HAS MORE ARTILLERY

General Van Fleet said the Chinese and North Koreans have twice as many artillery pieces as the United Nations strung along the 155-mile battle front and in reserve.

"They are throwing a lot more artillery shells than they ever have. There are points on the front where they think nothing of throwing in concentrations of 1,000 rounds and more. In other words, they are being pretty liberal with their shells so they must have plenty of them."

General Van Fleet said Allied artillery is better, however, "and that is where we feel we have the advantage."

He reported the enemy is using Chinese, American and Japanese field pieces and has some new Chinese and Russian guns.

A disconcerting fact for the Allies has been that the Chinese and North Korean units are now at near full strength.

NOT WORRIED OVER ROTATION

"It wasn't that way before when we were inflicting heavy casualties on the Reds that cut deeply into their combat strength," General Van Fleet observed, recalling the crushing blows his army delivered the Communists last year.

Communist tank strength along the front and in reserve totals about three brigades—roughly 500 tanks—General Van Fleet said.

Concern has been expressed in some quarters that rotation of troops and replacement of combat-hardened divisions with new units has weakened the fighting quality of Allied troops.

General Van Fleet said morale still is high among his doughboys. He said intensive training has been going on in each unit while present static conditions exist along the front.

EXHIBIT 5

[From the New York Times of June 1, 1952]

VAN FLEET DOUBTS ATTACK BY FOE NOW 2½ TIMES SIZE OF U. N. ARMY

(By Murray Schumach)

HEADQUARTERS, EIGHTH ARMY, IN KOREA, May 31.—Gen. James A. Van Fleet, Commander of United Nations Ground Forces in Korea, declared today he did not think the Communists would open an offensive. He pointed out that although the enemy's strength had been increased considerably during recent months so had that of the United Nations.

(In the Korean truce negotiations, the Communists charged the Allies Saturday with trying to extend the war through mistreatment of prisoners.)

In the press conference the general made no attempt to minimize the manpower, fire power, and latent air power of the Communists. They have, he calculated, two and one-half times the combat strength of the United Nations and about twice the artillery power of the Eighth Army. He said he was convinced that should the enemy open a large-scale attack he would undoubtedly throw in the air power he now has based in Manchuria. "Personally, I do not believe he is foolish enough to stage a major offensive," he said. "If he did the Eighth Army would meet it and defeat it decisively."

The general was equally optimistic about the prisoner of war situation on Koje Island where about 80,000 Communists are held. He said conditions on the island off the south coast of Korea were very favorable and that the worst is over.

General Van Fleet does not foresee any trouble in moving the prisoners from their present enclosures into compounds holding not more than 500 prisoners each. He declared that tension on the island already had decreased considerably and was fast disappearing.

"When the time comes to move the prisoners from one compound to another, we'll move them," he asserted. "Unfortunately, the great mass of the prisoners there are poor victims of fanatical leaders and it is the masses that get hurt rather than those leaders. I do believe that with firm and just measures, all within the Geneva Convention, we can soon have uncontested control over the prisoners and move them quickly."

Although the general had conferred with the President of Korea, Syngman Rhee, during the past week, he declined to discuss political matters today. The subject of political problems fall within the jurisdiction of the American Embassy, he indicated.

While the general seemed slightly uncomfortable in discussing the prisoners of war and politics, he was completely at ease and obviously pleased to talk without any notes on military matters.

U. N. HAS TANK ADVANTAGE

General Van Fleet said the Eighth Army had an advantage in tanks and would have the edge if fighting broke out during the rainy weather.

The Communists, he said, fared well during the winter and "are really suffering for nothing for combat." They had good winter clothes and received their summer issue before the United Nations troops did. They had ample supplies of food and of good quality among Communist outfits, he said, and other rations now included such items as candy, cigarettes, "and even liquor at times."

The general said the enemy forces obviously had "ample quantities of ammunition," because "they do not hesitate to fire any quantity in concentration whenever we stir them up, and concentrations up to 2,000 rounds are not uncommon."

There is no doubt, he went on, that despite the attempt of the United Nations Air Forces to cut down the forward movement of enemy supplies, the Communists now have enough at hand to "stage a limited major offensive."

Among the United Nations advantages should there be an enemy offensive, he said, was that the non-Korean forces have remained as good or better than during last year, and "the Korean Army is many times better." During an offensive, too, he pointed out, the enemy would not be able to replace supplies with sufficient speed to maintain the drive. It was unlikely the enemy could gather many more North Korean combat replacement units because "he must be getting down to the bottom of the barrel," the general said.

"If I were the enemy I would be extremely reluctant and would recommend against an offensive," the general concluded. " He must know the Eighth Army, with its trained divisions, fire power, and air and naval support, will make him pay a disastrous price for any attempt on his part for a major offensive. In my opinion, he is still smarting over the defeats of last summer and has no appetite for more of it."

EXHIBIT 6

[From the Washington Daily News June 9, 1952]

UNITED STATES GENERAL SAYS: "REDS CAN DRIVE US OUT OF KOREA ANY TIME THEY ATTACK"

LOS ANGELES, CALIF., June 9.—May. Gen. Daniel H. Hudelson, commander of the Fortieth Infantry Division, said here that Communist troops can drive United Nations armies out of Korea any time they decided to attack.

General Hudelson, who led the California National Guard Division into combat in Korea, returned here from the Orient last night and stated flatly the Reds have too much manpower for the U. N. forces.

Asked if he believed the U. N. troops could hold back the Communists, General Hudelson replied: "I certainly do not."

"They have too much manpower there. We do not have the manpower to compete with them," he said, emphasizing that the statement was his personal opinion.

"The enemy has the capability of shoving down right now," he said.

General Hudelson's statements were in direct contrast to those of Gen. James A. Van Fleet Eighth Army commander in Korea, who said that if Communist forces attacked United Nations men the Communists would be "soundly defeated."

General Van Fleet virtually challenged the Communists to launch an offensive.

VAN FLEET VIRTUALLY DARES REDS TO ATTACK

SEOUL, KOREA, June 9.—Gen. James A. Van Fleet virtually challenged the Communist armies today to attack United Nations forces in Korea and said if they did they would be "soundly defeated."

While his troops were knocking back strong probing attacks along the 155-mile front, the Eighth Army commander reiterated his faith in his army's ability to repel any major offensive mounted by the 1,000,000-man Red Force.

Van Fleet has conceded that the Reds outnumber the Allies 2½ to 1 but he said the U. N. forces morale continues high, almost to the point of wishing the enemy would attack.

Night raiding B–26 bombers destroyed a locomotive and a number of boxcars south of Wonsan on the east coast.

EXHIBIT 7

[From the Washington Daily News of June 10, 1952]

WE'RE WEAK, WE'RE STRONG (?)

If the public has been trying to keep up with the assorted estimates, predictions, boasts, and analyses on the state of United Nations readiness in Korea, it must be mighty confused.

Here comes Maj. Gen. Daniel H. Hudelson home from long combat infantry experience in Korea to say that if the Communists launch a major offensive, the U. N. forces couldn't hold them.

"We simply don't have the manpower," he said.

On the same day, the top commander in Korea, Gen. James A. Van Fleet, practically dares the Reds to start a fight and announces that if they do they will be soundly defeated.

Yet all official estimates of Communist strength indicate the U. N. forces are outnumbered in manpower, guns, and jets.

President Truman, in a speech last week end, claimed the U. N. still has air superiority over most of North Korea and can bomb the enemy at will, almost anywhere in his territory.

Mr. Truman also claimed that our planes have knocked out eight times as many enemy

craft as we have lost—in air combat. Which would seem to take no account of planes lost to enemy antiaircraft fire.

Only a few days earlier, official Air Force and Navy reports placed our plane losses at 1,400 since the Korean war began, compared with an estimated loss of only 400 planes for the enemy.

That hardly jells with the impression the President was trying to create.

If the public can't seem to understand what is going on in Korea, here are some of the reasons.

EXHIBIT 8

[From the Washington Times-Herald of June 21, 1952]

ENDS AND MEANS

Secretary Lovett and other spokesmen of the Defense Department, resisting the ceiling of $46,000,000,000 imposed by the House on military spending, presented an alarming account of the state of the Nation's preparedness in testimony before a Senate Appropriations subcommittee.

Mr. Lovett said that "the Russians are outbuilding us—we are falling behind, relatively speaking, in the arms race."

Secretary of the Army Pace said that the Korean war was eating into reserves of armament faster than they could be replaced.

Secretary of the Air Force Finletter said, "We have lost time—time that cannot be recouped."

General Bradley, chairman of the Joint Chiefs of Staff, said that Russia "could overrun Europe today," and that only Soviet recognition that American atomic retaliation would exact a high price has deterred Stalin.

General Twining, Acting Chief of Staff of the Air Force, said that Russia in the last 5 or 6 years has outstripped this country in aircraft production, particularly in jet fighters. The general said that qualitatively the Russian air force would equal or surpass ours by 1954.

There are two things to be said about these doleful estimates of American preparedness. The first is that in the 7 years through the end of this month the Truman administration has had more than $110,000,000,000 in appropriations to use in building up a secure defense for the United States. The testimony of the President's service chieftains shows how little has been achieved through this vast outlay.

The second pertinent point is that the administration has taken on an unsupportable burden of foreign policy commitments, so that no matter how much is spent it will never be enough to cover them all. It is fighting a war in Korea at a cost reckoned by Lovett at $9,000,000,000 to date and $400,000,000 every additional month. It is pledged to arm, in whole or in part, 13 allies under the North Atlantic Pact, and West Germany, which may cost us as much as $4,500,000,000 over the next 3 years.

We are staking the French in Indochina to arms, the Nationalist Chinese in Formosa, the Filipinos, the Japanese, and, presumptively, the Australians and New Zealanders. Although our Air Force in Korea is inferior to that of the Communists, the first multijet bomber wing organized for combat has been sent to a base in England rather than to Korea, where the war is on.

But Mr. Truman wasn't talking about his administration's project of underwriting the status quo everywhere in the world and making every war an American war. There is no bargain-counter way to do that. In truth, the entire resources of the American Treasury, now and in the future, can hardly make an impression in fulfilling such a project.

We are overcommitted in our pledges to the world. The foolhardy attempt to fulfill them has stripped us virtually bare of the means of defending ourselves.

EXHIBIT 9

[From the Washington Daily News of May 26, 1952]

MAY HAVE GUNS—POW'S ARM FOR BATTLE

KOJO ISLAND, KOREA, May 26.—An American officer said today Communist war prisoners inside Red-controlled compounds on Koje are arming themselves for battle.

First Lt. Robert L. Stock, of the 187th Airborne Regiment, on guard duty here, said a Communist arsenal was operating in one compound and was "presumed" to be making small guns to resist any effort to enter the enclosures.

The officer's report made it appear virtually certain that any U. N. attempt to regain control inside the compounds would result in a bloody fight.

It was disclosed that the rebellious captives also have built battlefield-type defenses inside the compounds and stocked a supply of home-made weapons including gasoline bombs.

CRUDE FORGE

Army engineers plugged an escape tunnel to the outside from notorious Compound 76, where Col. Francis T. Dodd was kidnapped May 7 and held hostage for 78 hours.

It was in this compound, Lieutenant Stock said, that the Communists are turning out knives, tomahawks, steel-tipped spears and gasoline "Molotov cocktails." He said they also had crude but serviceable wire cutters.

Lieutenant Stock said the prisoners used a crude forge to make weapons from wood, barbed wire, and steel gasoline drums.

Prisoners also were building supply piles of rocks, placing them on the thin roofs of barracks in Compound 76. In Compound 96, they broke large rocks into smaller ones that could be thrown easily.

The prisoners also defiantly raised forbidden flags and propaganda banners within all but 3 of the 17 compounds although they had hauled them down in 8 compounds Saturday on orders from Brig. Gen. Haydon L. Boatner, the Koje commandant.

General Boatner brought in flame-throwing jeeps to patrol the compound areas. Flame-throwing tanks already were on the scene.

TUNNELS

One officer reported that the prisoners were believed to have assembled a jeep of their own within one compound from parts smuggled in over a period of months.

Additional weapons—possibly even guns and ammunition—could have been smuggled into the compounds through a tunnel from the outside into Compound 66, and distributed to other compounds through connecting tunnels.

The tunnel from compound 66 to the outside was collapsed and filled in. Two other tunnels connecting compounds 66 and 76 were to be destroyed immediately. Whether other tunnels connected the various compounds was not known.

Lieutenant Stock said light observation planes were flying over the compounds to make photographs which could be studied for additional evidence. They already have spotted defense trenches and what appear to be deeply dug bunkers.

AVOID INCIDENTS

He said the captives got their metal for weapons from 55-gallon gasoline drums. The gasoline was sent into the compounds to furnish heating fuel. It was cut off several days ago when it was discovered they were storing gasoline and making clay fire bombs with it.

Allied troops still were on the outside of the compounds.

General Boatner told newsmen the Communists could have broken out of their compounds during recent disorders "if they had wanted to," but would have taken "hundreds of casualties."

He warned newly arrived British guard reinforcements not to start any fights with the prisoners. He said they must avoid any incidents that would hurt the U. N. position.

He said it would require considerable construction for the next few weeks to set up smaller compounds so the prisoners can be separated into smaller, more easily controlled groups.

An officer said they expected some trouble when the Reds are herded into 500-man enclosures. At present the 80,000 prisoners on the island are held in 17 compounds. Some, such as the infamous 76, hold as many as 6,000.

"We don't want to kill prisoners," General Boatner told the British Commonwealth troops—Canadians and the King's Shropshire Light Infantry. "We don't want to kill one prisoner."

CLARK CRACKED DOWN ON DODD AND COLSON

Mild punishments were originally recommended for the two generals who were finally demoted in connection with the Koje Island prison camp revolt, a reliable source revealed today.

The military board which first investigated the prison camp fiasco proposed that the Army deal leniently with Brig. Gen. Francis T. Dodd, captured by his Communist prisoners, and Brig. Gen. Charles F. Colson, who made concessions to the Reds to secure General Dodd's release.

The board's findings, however, were reviewed by a board of inquiry convened by Supreme Allied Commander Mark W. Clark.

General Clark then recommended that Generals Dodd and Colson be broken to colonel, their permanent rank, and Gen. J. Lawton Collins, Army Chief of Staff, concurred.

EXHIBIT 10

[From the American Mercury of July]

TRADING WITH THE ENEMY?

LONDON, June 4, 1952.—The British Empire sold Russia more raw rubber the first 4 months of this year than she did during all of 1951.

Britain and Malaya sold 63,900 tons of rubber to Russia in 1949, 77,900 tons in 1950, 56,000 tons in 1951.

Figures for reexports from Britain and direct exports from Malaya combined for the first 4 months of this year: January, 13,325; February, 18,914; March, 16,607; April, 9,579. Total for 4 months: 58,425. (New York World-Telegram and Sun.)

BONN, GERMANY, June 3, 1952.—The Mutual Security Agency's special mission here disclosed today that it had taken provisional action against 87 West German concerns because of "improper trade with companies in the Soviet orbit."

The disclosure indicated the seriousness United States officials attached to the apparent predilection of West German businessmen to trade with the Communist-dominated East. (The New York Times.)

WASHINGTON, May 31, 1952.—Experts are inclined to agree that the temptation for Japan to increase its trade with the Communist countries of Asia will mount as time goes on, for the simple reason that Moscow favors such trade and because it is considered cheaper for Japan to obtain raw materials from Asian sources than from such faraway places as America. (New York World-Telegram and Sun.)

EXHIBIT 11

Casualties of United States major wars

War	Branch of service	Numbers engaged	Battle deaths	Other deaths	Total deaths	Wounds not mortal	Total casualties [1]
Revolutionary War, 1775 to 1783.	Army	----------	4,044	----------	----------	6,004	----------
	Navy	----------	342	----------	----------	114	----------
	Marines	----------	49	----------	----------	70	----------
	Total	----------	4,435	----------	----------	6,188	----------
War of 1812, 1812 to 1815	Army	----------	1,950	----------	----------	4,000	----------
	Navy	----------	265	----------	----------	439	----------
	Marines	----------	45	----------	----------	66	----------
	Total	----------	2,260	----------	----------	4,505	----------
Mexican War, 1846 to 1848	Army	----------	1,721	11,550	13,271	4,102	17,373
	Navy	----------	1	----------	----------	3	----------
	Marines	----------	11	----------	----------	47	----------
	Total	----------	1,733	----------	----------	4,152	----------
Civil War,[2] 1861 to 1865	Army	----------	110,238	249,290	359,528	280,040	639,568
	Navy	----------	2,112	2,411	4,523	1,710	6,233
	Marines	----------	64	312	376	144	520
	Total	----------	112,414	252,013	384,427	281,894	646,321
Spanish-American War, 1898	Army	280,564	345	2,565	2,910	1,512	4,422
	Navy	22,875	10	0	10	47	57
	Marines	3,321	6	0	6	21	27
	Total	306,760	361	2,565	2,926	1,580	4,506
World War I, 1917 to 1918	Army	4,057,101	50,510	69,446	119,956	193,663	313,619
	Navy	473,262	436	7,285	7,721	884	8,605
	Marines	78,827	2,457	787	3,244	7,714	10,958
Total		4,609,190	53,403	77,815	130,921	202,261	333,182
World War II, 1941 to 1945	Army [3]	10,420,000	237,049	68,957	306,006	571,822	877,828
	Navy	4,424,557	36,488	23,618	60,106	32,754	92,860
	Marines	669,100	19,568	4,089	23,657	55,396	79,053
Total		15,513,657	293,105	96,664	389,769	659,972	1,049,741

[1] Excludes captured or interned and missing in action who were subsequently returned to military control.
[2] Union forces only. Totals should probably be somewhat larger as data on disposition of prisoners are far from complete.
[3] Army data include Air Force. Note: All data are subject to revision. For wars before World War I, information represents best data from available records. However, due to incomplete records and possible differences in usage of terminology, reporting systems, etc., figures should be considered estimates. Leaders (----------) indicate that information is not available.

Source: Information Please Almanac, 1952. Edited by John Kieran. New York, Macmillan, 1951. p. 232.

Report on United States casualties, summary No. 94

The Department of Defense announced the following report of battle casualties in the Korean area, based on notification to next of kin cumulated for the period through midnight, Friday, June 6, 1952:

	Total Department of Defense	Army	Navy	Marine Corps	Air Force
1. Total casualties (sum of items 3, 4, and 5)	109,712	88,832	1,375	18,318	1,187
2. Total deaths (sum of items 3, 4a, and 5a)	19,317	16,131	301	2,445	440
3. Killed in action, total	17,316	14,591	233	2,061	431
4. Wounded in action	79,918	62,920	1,031	15,919	48
a. Died of wounds	1,802	1,397	12	384	9
b. Other (current wounded, returned to duty, evacuated to the United States, etc.)	78,116	61,523	1,019	15,535	39
5. Missing in action, total	[1] 12,478	[1] 11,321	111	338	708
a. Died	199	143	56	0	0
b. Returned to military control	1,381	1,319	2	20	40
c. Current captured	1,223	1,219	0	0	4
d. Current missing	[1] 9,675	[1] 8,640	53	318	664

NOTE.—These figures represent cumulative casualties for which notification to next of kin was effected through midnight Friday, June 6, 1952. They do not reflect all casualties which have occurred up to that time because of the time lapse required to receive notifications of individual casualties from the Far East and to verify and process these notifications in the headquarters of each service. The data indicate the cumulative number of permanent and temporary losses from effective military strength as the result of enemy action.
[1] Reflects revisions of previously reported figures.

EXHIBIT 12

[From the Evening Star of June 19, 1952]

PACE TO ASK CONGRESS FOR MORE FORCES IF KOREA WAR CONTINUES

Secretary of the Army Pace said last night "it will be imperative * * * to ask Congress for more men" if the war in Korea continues.

He did not say how many more would be required. The United States now has nearly 3,500,000 men under arms in the Army, Navy, and Air Force.

The Secretary gave his appraisal to a Senate Appropriations subcommittee in a prepared statement made public by Senator O'MAHONEY, Democrat, of Wyoming. Senator O'MAHONEY is chairman of the group, which met in closed session.

SEEKS MORE FREEDOM ON FUNDS

Mr. Pace appealed to Congress for more money and more freedom to spend it for arming than the House has voted.

He said the Army has only 20 of the 21 divisions it needs, and could not afford to expand under the $46,000,000,000 ceiling the House has voted on military spending.

"Of the 20-division army now in being, we have 8 divisions in the Far East and 5 in Europe," he said. "Of the remaining 7 in the United States, we have been able to maintain only 1 as a strategic reserve, ready and capable of immediate deployment overseas.

EXPLAINS BASIS FOR VIEWS

"If we are called on to continue the war in Korea into fiscal year 1953 [starting July 1], as now appears virtually certain, the support requirements placed on our forces here at home will be greater and their state of readiness correspondingly even less favorable."

EXHIBIT 13

(Exhibit 13 is "individual views of certain members of the Joint Committee on Armed Services and Foreign Relations of the United States Senate relating to hearings held on the dismissal of General MacArthur and the military situation in the Far East, May 3–June 27, 1951.")

EXHIBIT 14

[From U. S. News & World Report of February 1, 1952]

DEATH DESERVES A REASON—A LETTER FROM KOREA

(This letter, written by an enlisted man serving in a medical battalion, is a soldier's cry for justification of the sacrifice that he and others make in Korea. Expressing approval of certain principles outlined from time to time on this page with reference to the spirit of America, he reminds us again that there must be an alternative to armed warfare—another way to freedom and peace than militarism and death. His letter speaks for itself.—David Lawrence, Editor.)

My war experiences in Korea have awakened me to the sad condition of the world today. I am desirous of submitting, for your respectful consideration the impressions and views of an American serviceman who has both witnessed and contributed to the many outrages of costly war. My 8 months in Korea have revealed much to me.

For quite some time now I've been of the opinion that our leaders are selling their constituents short. Whether or not this is the intended or inevitable result of their selfish applications, the unfortunate outcome cannot be ignored.

Why cannot sober, intelligent people be easily awakened? Are we such sound sleepers that we are impervious to the loud cries of the warnings about us? Or if we recognize these signals, why don't we act? Are we afraid? Or weak? Or disinterested?

It is too little to say that I am saddened by the tragedy of armed rule; so strongly have the black features of blood-fed war been engraved upon my sensibilities; I am now a resolute reformer who plans to stoutly oppose the threat that both militarism and the current wave of political corruption are massing against the very thing we believe we are defending—freedom.

My long service experience has exposed much that is dangerous to our democratic way: waste, extravagance, inefficiency, the caste system, inconsistencies of administrative policies, gross injustices and unfairness, mass classification and control, poor planning and execution—all peculiar to the

armed services. In my mind, regimentation can never become a healthy ally of a free, objective thinking peoples. It stands as a serious threat and must be checked and overhauled. It is inconceivable how any military group can become popular in America. The doctrines of regimentation are in sharp conflict with the honorable principles of freedom. Any move toward military control will meet violent resistance and crushing defeat by the heroic firebrands of liberty—the American citizenry.

Despite my many complaints and rebellions against the numerous faults of our Government and Armed Forces, I wish to emphasize: (1) I am proud of my American heritage and will defend, with even my life, the inherent freedoms in man, and (2) my resentments do not prevent me in the least from playing a competent role as an American serviceman. This is a very real war at times and many men painfully die. This consideration alone is sufficient to make any other motives obscure and so directs my wholehearted efforts to spare American lives. Often the only way to do this is by destroying the enemy. This we have done at times.

Clearly, I am not an advocate of war and its attendant devices. Nor do I propose an overthrow of our agencies but suggest, rather, a purge that would cleanse and provide substantial foundation for the old, but neglected, precepts of liberty as conceived by America's inspired and resolute founding fathers.

My pains are real. I've been wet with the warm, fresh blood of a dying boy. I've watched it make thick pools on the ground and seen the color fade from once smiling and hopeful faces. I wished to God I could have given answers to the imploring questions I read on the silent lips. It is tragic that such a supreme sacrifice cannot gain consolation, if not merit, from the recognition of clearly defined issues for which it is made. To me death deserves, at least, a reason. I see none in the beclouded and warped diplomatic volleys of contemporary and widespread popularity. These young men—is this our secret weapon? Our productive know-how? Our power punch? I think not. • • •

My war lessons have been costly but not without important gains. For I see more clearly than ever before that the defense and preservation of freedom and its popular tenant, democracy, lies not in armed warfare, but in the constructive example of righteous living. Unnatural war has equipped me with the very implements with which I seek to destroy it. It is paradoxical that we decide to promote peace by all-out subscription to its worst enemy, war. More than this, the destruction and tragedy in its wake are contrary to the patterns of man's natural evolution.

There is much to be done. I love my America. I've fought for her, and will at any time she is endangered. I am driven not by any blind heritage—not by a brightly waving flag—but by America's people who in themselves are freedom's own army: democracy, kindness, honor, and courage. It is as you say: "There is no strength comparable to the strength of a nation whose people know the meaning of sacrifice."

EXHIBIT 15

[From U. S. News & World Report of June 27, 1952]

ARE COMMUNISTS WINNING IN KOREA?—THEY HAVE MORE MEN, TANKS, PLANES—U. N. AT STANDSTILL

TOKYO.—Communists in Korea are pushing far ahead of U. N. forces in the build-up for any future renewal of full-scale war. Communists at this point are winning in the race for dominant strength.

A year ago, at the start of the second year of war, Communist armies were defeated—a ragtag, bobtail outfit, badly mauled. Losses in battle had been staggering. U. N. forces, largely American and South Korean, had smashed their armies, destroyed most of their equipment, put them on the ropes.

It was then that Jacob Malik, acting for Russia's Stalin, proposed a truce.

Now, at the start of the second year of the truce talks and the third year of war, Communist armies are vastly stronger than ever before, in manpower, in equipment, in training. At the same time, U. N. forces are little stronger in numbers, about the same in equipment, weaker in experience, battle-tested personnel.

A year from now, if present trends are continued, Communist strength in Korea may be overwhelming. The war at that time will be entering its fourth year and the truce talks their third year. All signs are that the Communists are determined to push ahead as rapidly as possible in their continuing build-up.

Three new Chinese armies, totaling 75,000 to 100,000 men, are reported both by the British and by the Chinese Nationalists to have moved into Korea in recent weeks. Aircraft from protected airfields across the Yalu River are more daring. Use of artillery by the Communists is in a rising trend. A big and steady increase in available armor is reported by U. N. intelligence sources.

The Communists, military commanders discover, are using the truce talks as a cover for a rapid build-up of their own forces and as a device for discouraging a build-up of U. N. forces.

In a single year of talks, the Communists have worked a revolution in relative military strength between their forces and those of the U. N. In a second year of talks, the Communists will strive to make ever greater gains.

Manpower in Communist armies in Korea has about doubled in size in this year. Where the Communist armies a year ago were defeated and demoralized, now they are fresh and trained. Then they were short of food, had little clothing. Now they are well fed, well clothed, ready to fight. Many of them are veterans with battle experience.

U. N. forces are little larger now than before the truce year started. Their principal gain in effective strength has come through the renovation of South Korean divisions. A year ago, only two of these divisions could be counted upon for real fighting. Today, American commanders say that the 10 South Korean divisions compare favorable with other U. N. units. American divisions, meanwhile; have been brought up to full strength. But rotation has sent home the veterans. The Americans now in Korea are not the battle-tested fighters who had the Communists on the run a year ago.

Much of the U. N. Army in Korea, thus, lacks experience in large-scale combat. Numerically, the Communists are far stronger. They still are short of the 3 to 1 superiority needed for an offensive with chances of success, but they are increasing in strength steadily.

In equipment, Communists gains in the truce year have been sensational .

Tank forces of the Communists had been destroyed just before the truce talks started. The Russian T-34s, which a year earlier had led the original push of the Communists into South Korea, had been knocked out by U. N. planes and guns or had been captured.

With artillery it was the same story. When the truce talks started, the Communists armies had been reduced to a fleeing rabble. They had some small arms, a few mortars and hand grenades, but no heavy weapons.

Today, after a year's respite, the Communists have three tank brigades in Korea. They are believed to have 500 to 1,000 tanks and self-propelled guns. Estimates are that the Communists are about equal to U. N. forces in armor strength and soon will be stronger.

The Communists today have more artillery in Korea than the U. N. Their guns are well placed and capably manned. Supplies of ammunition are large enough so that Communist commanders think nothing of firing 5,000 rounds in support of some minor, local action.

In antiaircraft artillery, the build-up is especially impressive. The Communists are well supplied with Russian-made antiaircraft guns, radar-equipped. These guns are concentrated around vital targets in North Korea. Communists guns, during the year of truce talks, have knocked down more than 500 U. N. planes.

In the air, Communist gains are even more sensational. When the truce talks started, the Communists had no effective air power. U. N. air forces, with overwhelming superiority, blasted targets all over North Korea, virtually at will. Today, with an estimated 1,700 military planes, the Communists strongly challenge U. N. air supremacy.

In numbers, Communist and U. N. planes are about equal. However, more than half of the Communist planes are jet interceptors. Russian-made, they can outperform most U. N. planes under some conditions. Because of their short range, they do not venture far from their Manchurian bases. But they are very fast, and they are making it hard for U. N. bombers to get at targets in North Korea.

Because of them, the big American B-29's have stopped making attacks by daylight. Smaller bombers now have to take jet-fighter escorts when they go on daylight missions.

Handicap to the Communist air force is its lack of airfields in North Korea. With fields closer to the front lines, their planes would be able to intercept U. N. planes more effectively and to attack ground troops. The Communists, thus, have been trying for many months to build airfields in North Korea.

So far, U. N. planes have been able to knock out these fields before they were ready for use. The Communists are persistent, however, and they have an unlimited supply of laborers. Airfields in North Korea, once in operation, can spell trouble for U. N. forces.

A new air threat now is beginning to appear in the form of an improved jet plane. U. N. observers say this new Russian plane seems to be heavier and to have a longer range than the jet now the backbone of the Communist air force. With large numbers of longer-range planes, the Communists could carry the air war back of U. N. lines.

Behind this build-up is the armament industry of Russia. Where the United States quickly converted her war plants to civilian production at the end of World War II, Russia has kept right on producing munitions. The end of that war made no change in Russia's policy of military priority on all goods—civilian existence on what is left, if anything. Now the munitions industries of Czechoslovakia and other satellites also are producing arms of Russian types.

Aircraft production in Russia, small at the end of World War II, has been extended so rapidly that today Russian factories are turning out military planes faster than the United States.

The Communists have these industrial resources, along with China's vast manpower, to draw upon in building their forces. They have in North Korea a well-trained, well-armed ground force in place of the poorly armed troops that were on the run when truce talks started. They have built their

air force to the point where it challenges U. N. supremacy.

An all-out offensive is not expected yet from the Communists, in spite of their increased strength. Their ground forces have not reached the point where they can knock U. N. troops out of their strong positions, and their air force still is not able to operate back of U. N. lines.

One year of truce talks, however, has enabled the Communists to build up to formidable strength. Truce talks, if they go on long enough, can be expected to see this build-up reach the point where the Communists can try to push the U. N. out of North Korea.

EXHIBIT 16

[From the New York Times of June 4, 1952]

PROSPECT OF TRUCE DIM, U. N. AIDE HOLDS—KOREA RELIEF CHIEF WILL BASE HELP PROGRAM ON PREMISE OF NO HALT IN WAR NOW

(By Michael L. Hoffman)

GENEVA, June 3.—After a 6-week on-the-spot survey of the situation in Korea, J. Donald Kingsley, United Nations Agent General for Korean Reconstruction, has decided to base all his planning on the assumption that there would be no armistice in the Korean war in the foreseeable future.

This abandonment of hope for an armistice, which drastically alters the United Nations programs for reconstruction, stems from the view that the Communists' demands for forcible repatriation of all war prisoners are deliberately intended to make settlement impossible. However, Mr. Kingsley believes, and is acting on the assumption, that a fairly stable front will be maintained and that the Eighth Army is fully capable of holding a line of its choice more or less indefinitely in the face of anything the Communists can throw against it.

In line with this reasoning, Mr. Kingsley and his top staff have begun framing an entirely new kind of venture in United Nations operations. They want to mobilize all the United Nations resources and those of its specialized agencies for a concentrated and coordinated drive in the area behind the arms front to reconstruct a workable civilian economy despite continuing hostilities in the center of the stricken peninsula.

BATTLE BEHIND FRONT

It is Mr. Kingsley's view, as expressed to officials of the specialized agencies with whom he is consulting here, that while the battle for Korea will not be lost by the Eighth Army it may be lost behind the front. His recent survey of the area has convinced him that local administration is so bad, health, communications, and agricultural conditions so poor and the fear of guerrilla activity so great that if the situation continues unchanged there will be nothing much left worth fighting for in South Korea.

In the past, a serious attack on all these problems has been postponed in the hope of an armistice. While this has been a normal and reasonable reaction to events, Mr. Kingsley believes that an attack on the economic and social front must be made without waiting any longer for an armistice that may never come.

Mr. Kingsley already has reached a preliminary agreement with the directors of the Food and Agriculture Organization in Rome and of the International Labor Office and World Health Organization in Geneva on the part these agencies can play in the program. He will consult with the Director General of the United Nations Educational, Scientific, and Cultural Organization in Paris later this week before returning to New York. All the agencies reached thus far have promised full cooperation.

MUCH AID ALREADY GIVEN

The United Nations Korean Reconstruction Agency, which Mr. Kingsley heads as Secretary General Trygve Lie's representative, is already providing a great deal of assistance to South Korea in a variety of fields, from central banking to public health. No effort has as yet been made, however, to develop a comprehensive program for putting the whole economy in working order.

As the first step in his new project Mr. Kingsley has asked each agency to prepare a 5-year program to make the Korean economy viable. All these programs will be drawn up in Korea with constant contact among the agencies to keep them related to one another.

No one concerned is underestimating the difficulties involved in trying to do the reconstruction job. There is a profound conviction, however, among United Nations civilian authorities and, Mr. Kingsley believes, a rapidly growing conviction among the United States military authorities who act for the United Nations in Korea, that the western position throughout Asia and the Middle East hangs more on the future handling of the Korean areas under western control than on any other single factor.

EXHIBIT 17

[From the New York Times of May 21, 1952]

JOY ACCUSES REDS OF VICIOUS TACTICS—SAYS FOE SEEKS TO PERPETUATE STALEMATE IN KOREAN WAR—CALLS ABUSE A NEW LOW

TOKYO, Wednesday, May 21.—Vice Adm. Charles Turner Joy, senior United Nations delegate at the truce discussions in Panmunjom, accused the Communists yesterday of "seeking by every vicious means at your disposal" to block an armistice in the Korean war. "If you seek to perpetuate a stalemate you will continue with your present pointless action," he said. "The responsibility is yours."

Admiral Joy was replying to another lengthy speech by Lt. Gen. Nam Il, in which the North Korean again accused the United Nations command of murderous violence against war prisoners in South Korean stockades where new rioting broke out yesterday.

The meeting was the longest in a fortnight and after adjournment Admiral Joy told correspondents the Communists had reached a new low in abuse.

TO TAKE NEW POSITION

Admiral Joy, who has conducted the negotiations since their start last summer and who shortly is to become superintendent of the United States Naval Academy at Annapolis, said: "I have been here nearly 10½ months but I have not heard such vicious, degrading propaganda as that thrown at us today. You have to read it to believe it. They accused us of forcibly retaining prisoners of war and of almost every other crime possible."

For more than 2 weeks the Communists have called for daily sessions of the plenary delegations, admittedly not to discuss armistice terms but to "tell the truth to the world" regarding alleged American atrocities.

General Nam reiterated the well-worn argument that the series of prison riots, which the United Nations Command said were carried out by a hard core of Communists in South Korean stockades and presumably were directed from the outside, "proved" that the prisoners had repudiated the United Nations' principle of voluntary repatriation of captives after an armistice.

COLSON LETTER CITED

General Nam cited the letter written to the prisoners by Brig. Gen. Charles F. Colson in an attempt to obtain the freedom of his kidnaped predecessor, Brig. Gen. Francis T. Dodd. The communication was repudiated by the headquarters of the United Nations Commander, Gen. Mark W. Clark, as extorted under duress.

"Your commandant admitted to the world your inhumane treatment and murderous violence against our captured personnel," the North Korean general said. The riots, he added, "killed and buried the myth that our captured personnel refused to be repatriated."

"No matter what despicable means you use you cannot quiet the righteous voice of our captured personnel," General Nam said, "and no amount of distortion and slander can twist our stand."

General Nam's long statement apparently was made in answer to the point Admiral Joy scored the previous day—that the Communists earlier in the proceedings had agreed openly to screening of prisoners to determine how many wished to return north of the thirty-eighth parallel after a truce. Admiral Joy had pointed out that the Communist charges of illegality of the poll began only after it was determined fewer than half of the captives would elect to return to their former command.

The admiral yesterday informed the Communists their stand was "fraudulent and hypocritical."

United Nations headquarters announced the appointment of Brig. Gen. Frank C. McConnell, assistant division commander of the United States Twenty-fifth Division, as a new member of the armistice delegation. Admiral Joy will be succeeded as chief delegate by Maj. Gen. William K. Harrison Jr., and General McConnell will take General Harrison's place.

EXHIBIT 18

[From the Washington Evening Star of March 25, 1952]

ATTEMPT TO HIDE "LAST GIVE-AWAY"?—GENERAL RIDGWAY MADE TWO PUZZLING STATEMENTS IN 72 HOURS; CALLED PEACE SHAKY, THEN ASKED UNITED STATES PEOPLE'S PATIENCE

(By Constantine Brown)

Gen. Matthew Ridgway made two puzzling statements within 72 hours. Last Thursday, he warned a group of Japanese editors about the dangers to Japan from a concentration of a massive Soviet ground, air, and naval force in Siberia and the Sea of Japan and intimated that that force could be set in motion in a short time against Japan. This was interpreted to mean that peace is even more shaky in the Far East than most superficially informed people believed.

Then Sunday the general urged the American people to have patience with the slow-moving Korean cease-fire parley because on its outcome depends the peace of the world. This statement was followed by the announcement of a partial news blackout regarding the last and most important part of the negotiations—the question of the exchange of prisoners of war. It was explained from Tokyo that "confidential sessions" might give staff officers more leeway in working out a compromise on this deadlocked issue.

The cease-fire talks have not been conducted completely in the open. The representatives of the belligerents met in tents at Panmunjom where they talked for an interminable time. Then the American public-relations officer, Brig. Gen. William P. Nuchols, gave the reporters a briefing related to the day's developments. Only the highlights of the negotiations were presented. And when it was inadvisable to present more than a sketchy picture, General Nuchols confined himself to stating that no or little progress had been made. The one thing the American people back home actually learned was the reason why the negotiations were difficult. The American public-relations officer succeeded in obtaining the American

people's backing by informing them correctly about the preposterous demands of the enemy, thus preparing public opinion for the step-by-step concessions we were making. Although these concessions were not always palatable, they were only mildly opposed at home. For all intents and purposes, however, General Nuchols had a free hand to withhold information from the American reporters.

General Ridgway's decision to pull the curtain of total secrecy on the remainder of the talks dealing with the vital exchange-of-prisoners problems appear strange since it was he who last summer protested most vigorously the attempts of the Red delegates to prohibit newspaper correspondents from entering the armistice discussion area. He actually ordered all negotiations stopped until the enemy agreed to permit the press to cover the meetings. The present news blackout imposed by him will be interpreted, rightly or wrongly, as an attempt to hide a "last give away" and facilitate the signature of a "package" armistice which may be opportune for the administration's domestic political purposes but will not give us the security advantages in Korea, which he set out to obtain.

For this reason some political quarters in Washington believe that the new move announced Sunday by General Ridgway was not his own idea but was imposed on him by higher quarters in Washington. General Ridgway cannot forget that the Chinese Communists employed similar tactics during their negotiations with Generalissimo Chiang Kai-shek in 1946. They then agreed to an armistice to be supervised by United States truce teams, and after they regrouped their forces and received more military supplies from Moscow, they did not hesitate to break it and took Manchuria from the Nationalists. This was followed by their complete victory over the American-friendly Nanking government.

As for the effect the signature of a truce in Korea would have on world peace, the expectations of General Ridgway seem to be contradicted not only by the statements in Washington of Secretary of Defense Robert A. Lovett who spoke last week about the arrival of Chinese Red troops in Indochina, where a shooting war is expected to grow in intensity, but also by his own statements that the Russians are concentrating large forces with Japan as their final aim.

The Chinese and Korean negotiators at Panmunjom have given no reason to induce the most optimistic individual in the world—and General Ridgway is a realist—that they look favorably toward a peace in Asia. Their truculent, deceitful and scornful attitude throughout these 9 months of negotiations has never changed. And if anybody has any doubts about the Kremlin's dictation of armistice terms he has only to draw a parallel between the accusations of the Reds that we are using germ warfare and the murder of the 14,000 Polish officers during the last war in the Katyn Forest.

In both cases the strictly neutral International Red Cross at Geneva was invited to investigate by the West, and in both cases such investigation was scornfully rejected by Moscow.

EXHIBIT 19

[From the Washington Daily News of March 11, 1952]

JOY SAYS REDS WILL STALL UNTIL WE FORCE A DECISION

Vice Adm. C. Turner Joy, senior United Nations truce delegate, believes the Communists will continue to stall on a Korean armistice until we force them to come to terms.

Admiral Joy's statement, made in reply to a question cabled him by United Press, was the strongest he has made since the truce talks opened July 10, 1951. The question: "Why are the Reds stalling?"

THE ONLY LOGIC

"While no good purpose is served in speculating on specific Communist reasons or on immediate Communist objectives, one fact is fixed and clear," he said in reply.

"The Communists are motivated simply and exclusively by self interest. They will stall as long as they believe it is to their advantage to stall. They will quit stalling when they are convinced that it is no longer to their advantage.

"While patience and cold logic constantly repeated are indispensable in negotiating with the Communists, they can never be decisive. The only real logic to the Communists is the imperative logic of military pressure.

"Until such time as we force them to come to terms, we can look forward to endless debate over their senseless side issues and their arrogant and ludicrous proposals."

NO TIME FOR TRIPE

Meanwhile, at Panmunjom, an allied truce delegate warned the Communists today that he will walk out of Korean armistice meetings if they continue to insult the U. N.

"There is a limit beyond which we are not going to go," he told newsmen after a 57-minute meeting on exchanging prisoners. "I am not going to sit and listen to that tripe. I'll just get up and walk out."

The Communists on Sunday had accused the U. N. command of "inhuman and barbarous" acts against Red prisoners, including forged tatooing and threatening them with bayonets and hand grenades to join anti-Communist societies.

Admiral Libby called Red accusations completely groundless.

"Unless and until you decide to negotiate," he told the Reds, "we can see no hope for any actual progress in resolving the issues confronting us."

PLAGUE IN THE NORTH

Allied intelligence has reports that cholera, typhus and bubonic plague are ravaging North Korea. While our serums and vaccines protect South Koreans and U. N. troops, the Reds apparently have no such controls. Recent Red charges we're waging germ warfare are probably made in an attempt to shift blame to keep from their own people their inability to provide preventive measures, our experts say.

WAR IN THE AIR

While the ground front was quiet, U. N. aircraft raided to the Yalu, striking rail lines and shooting up the Red capital, Pyongyang. Sabres jumped MIGs near the Manchurian border shot down seven.

MADE IN RUSSIA

In Tokyo, Gen. Matthew Ridgway's headquarters disclosed that North Korean and Chinese troops are being supplied with everything from pistols to tanks by Russia and Red satellites.

EXHIBIT 20

[From the Washington Star of June 22, 1952]

It was hard to realize, this calm summer week end, that the Korean war this coming Wednesday would enter its third year.

There were, of course, nearly 20,000 United States grave markers to testify to the fact. There were almost 13,000 missing American troops—most of them, it is presumed, in the hands of the Communists. There were 78,000 Americans wearing Purple Hearts in witness to the hazards of war.

Yet—even 2 years after—it was not officially war. The Supreme Court had made this clear in the epoch-making steel decision earlier this month.

And it did not feel like war—except to the men who were fighting it. True, there was the draft, and there were economic controls of a sort at home. The normal amount of grousing about both was heard in the land. But the general feeling was one of business as usual.

NOT EVEN POLITICS

Even politicians, with their eye on the main chance in even-numbered years, were not making the indicated amount of capital over the war. The Republicans were vociferous in their criticism of the way Korea had been handled. The Democrats generally hailed Korea as the only thing possible under the circumstances. But there was little convincing talk about "don't change horses" in one camp, or about "we can run it better" in the other.

In that sense, at least, it was probably the only war since the Black Hawk Rebellion that the public so successfully managed to overlook. Unlike the Black Hawk Rebellion, it was no little war. Already it had lasted longer than World War I; already it had cost more in life and blood than the Revolutionary, 1812, Mexican and Spanish-American Wars put together.

As the dawn of the third year of war approached, the end still was not even in sight.

THE FIRST YEAR

It was the dawn of a Sunday just 2 years ago. Korea was—at that instant—still the "Land of the Morning Calm," which had been its rather fanciful name for thousands of strife-torn years.

As the sun came up over the mountains of Korea, few American thoughts were on that far peninsula. The Secretary of Defense, Louis Johnson, and Gen. Omar Bradley—just back from a trip to the Far East—seemed convinced that continued peace in Asia was a good bet.

Then the traffic signal that is controlled in Moscow switched from red to green. Like a rush-hour crowd in a New York subway, the armies of the puppet North Korean Government surged forward against the ineffectively manner border posts of the South Korean Army. The war was on.

PICTURE IN FOCUS

By D-day plus 3—June 28—the picture was in focus. Unchecked by outside forces, the North Koreans would easily overrun the entire peninsula. The United Nations gave clearance for a police action against the aggressors. But there was no real police force under the U. N. Boldly, President Truman stepped in.

At first, the United States sought to give only air support. After three more days, ground troops—a single battalion—moved in. It was like trying to stop a tank with a barricade of eggshells. The Reds raced south, seemingly invincible.

Reinforcements came in; at first a regiment, then a division, then more substantial formations. Finally, the United Nations had enough power in the field to start fighting.

The mushrooming war effort in Korea posed a difficult problem for the United States. Gen. Douglas MacArthur, commanding the U. N. forces, also had the job of occupying Japan. He took a gamble. He stripped Japan of occupational forces and sent them to the front.

As the summer wore on, it began to look as though General MacArthur might get his troops back from Korea—or at least the remnants of them. The battlefront no longer was a line drawn ever farther southward across the peninsula. The advancing Reds turned the corner in southwest Korea. What had been a line became the boundary of a pocket, centered on the vital port of Pusan.

Lt. Gen. Walton H. Walker, the ground commander in Korea, told his men to stand or die. He had said it before, and always the Reds had pushed on. But this time the troops responded. Some died, but more

stood. The Reds were stopped only about 30 miles from the U. N.'s last toehold.

That turned the tide. In ill-kept secrecy, on the west coast of the peninsula, new forces waded ashore to cut the North Korean supply lines. It was a risky thing—riskier, even, than emasculating the occupation of Japan. But like the first gamble, the second one worked. Now it was the Reds' turn to run.

Perhaps, in a sense, the success at Inchon and later was too great. The inertia of the initial push took the Allied troops all the way to the Manchurian border.

There had been rumbles from inside China meanwhile—rumbles that no one in authority paid much attention to. Three times the Chinese warned that if North Korea were invaded, China would retaliate. Dean Acheson, Secretary of State, seemed to think it was a bluff. At Wake Island in October, General MacArthur seemed to support Mr. Acheson's view. In sending troops far to the north, General MacArthur was taking his third calculated risk.

THE HUMAN WAVE

This time the gamble did not pay off. Two hundred thousand Chinese—glibly styled "volunteers" in true Communist black-is-white language—swept down on the United Nations forces. The Allies had seen some dreadful fighting when only Koreans were opposing them. But when the Chinese came in, they got their first real taste of the human wave—an earnest of the absolute disregard Communists hold for human life.

It was a winter of suffering and strife, not only because of the type of war being fought but because of the weather as well.

As the impetus of the Allied drive the summer before had carried the U. N. far to the north, so their winter push took the Reds far south. It was not until January 15, 1951, that the Communist offensive, now mostly Chinese, was halted. The slow return push of the Allies began in February.

SECOND TEAM

A new cast of characters, meanwhile, was entering the drama. General Walker, the ground commander, had been killed in a jeep accident. He was replaced by a relatively unknown lieutenant general named Matthew B. Ridgway.

The big news of the spring had less to do with the fighting on the ground than with a battle on a higher plane. This struggle culminated in April with the relief of General MacArthur from all his commands, and his replacement by General Ridgway. Lt. Gen. James A. Van Fleet went to Korea to take over the battlefront.

General MacArthur had wanted to carry the war to the enemy on its own home ground. His superiors had felt the effect of such an effort would be too small to balance the risk of unleashing a full world war. The battle continued in Korea, quite overshadowed by the battle at home. Again the tide of war rolled northward across the thirty-eighth parallel.

Then, on June 23, Russia—the silent partner in the Red combination—broke silence.

THE SECOND YEAR

It was too pat for mere coincidence that Jacob Malik should agree to go before a United Nations microphone on the Saturday night before the first anniversary of the war. The series of broadcasts, in which Mr. Malik had agreed to take part, was called The Price of Peace. It was not a top-Hooper rating program, and those who tuned to it that Saturday evening expected to hear either pious mouthings or Communist gobbledygook. The "Price of Peace," quoted in rubles, was too high, most people felt.

But Mr. Malik, that night, put a bargain-basement price tag on the universally desired commodity, peace. After uttering the usual calumnies and citing as well-known truths the usual lies, Russia's U. N. delegate came to the point.

"The Soviet peoples further believe that the most acute problem of the present day—the problem of armed conflict in Korea—could also be settled.

"This would require the readiness of parties to enter on the path of a peaceful settlement of the Korean question. The Soviet peoples believe that as a first step, discussions should be started between the belligerents for a cease-fire and an armistice providing for the mutual withdrawal of forces from the thirty-eighth parallel.

"Can such a step be taken? I think it can, provided there is a sincere desire to put an end to the bloody fighting in Korea."

NEGOTIATIONS START

The Western world mulled this offer over. Six days later, General Ridgway offered the Reds an opportunity for meetings aboard a Danish hospital ship. They turned this down, suggesting the ancient, battered town of Kaesong instead. Kaesong had significance for the Communists. It was just inside North Korean-held territory, and just south of the thirty-eighth parallel. General Ridgway acceded.

Almost at the moment Mr. Malik spoke the fighting died down. And, except for relatively minor jockeying here and there along the line, the battle front has been in a stalemate ever since.

At the Kaesong conference table the two sides were like a large cat and a small dog, watching each other warily, now one giving way an inch, now the other, neither quite ready to make either peace or war. That was the way the situation stayed for 2 months. There was ill will aplenty. But on each side there also was a disinclination to call a halt to what amounted to a truce.

PANMUNJOM

The atmosphere at Kaesong eventually proved intolerable. There were charges and countercharges of violations of the neutral zone. Finally, when the talks seemed on the verge of collapse, they were moved to a crossroads not far away—a spot so little known that few Koreans even had heard of it. Its name, Panmunjom, is known today to people everywhere.

The issues on which the peace conference worked brought troubles one by one. The negotiators could not agree on a buffer zone. When they did, a cease-fire line gave them trouble. When this stumbling block was overcome, the matter of prisoners became an issue.

In December the Communists yielded to insistent Allied demands and produced a list of prisoners of war held by them. According to United Nations calculations, it should have had about 82,000 names on it, including about 12,000 Americans. The list brought joy to some families at home, but woe to many others. It contained 3,198 American names among a total of 11,559. To date the fate of the other 70,000 has never been explained.

PRISONERS OF WAR

If 1950 was the year of the galloping war, if 1951 was the year of the sluggish peace, 1952 has been the year of the prisoner of war.

The prisoner-of-war question now provides the only issue separating the negotiators at Panmunjom. But it holds them far apart. Our side has taken many prisoners under an implied promise of amnesty. We do not think we can properly force these people to go back to the Communists. The Reds, on the other hand, insist that we must return all prisoners, although a plebiscite in the camps has indicated a majority does not want to be repatriated.

There the issue rests. The Reds show no signs of budging. And "forcible repatriation" has been denounced so unequivocally by President Truman and other officials on our side that compromise on the point no longer seems possible.

The pressures created by the POW debate finally reached the overload point. They exploded last month on the U. N. prison-island of Koje, off the Korean coast.

The story of Koje is too fresh for detailed retelling: How an American brigadier general was captured by his captives; how another brigadier ransomed him with concessions; how the Reds made propaganda capital of the incident; how the two generals were broken to colonels and a third was sent in to clean up the prison island; how, only now, peace is being restored to Koje-do.

Midway in the Koje trouble, General Ridgway left to take over General Eisenhower's post in Europe. He turned over his job—and woes—to Gen. Mark W. Clark, former head of the Army field forces, on May 12.

So much has happened away from the battle front in the last 12 months that many persons have almost forgotten that there is a front. Yet the war in Korea in the last year has not been bloodless. 33,000 Americans have become casualties since Mr. Malik cried peace—almost half as many as in the first year of the war. The toll today stands at 110,000 American dead, wounded or captured, with hundreds of thousands more among our Korean and other United Nations Allies. No one knows the losses suffered by the Communists, but it is certain they are several times our own.

The third year in Korea begins this week. What lies ahead?

A THIRD YEAR?

Before trying to sort out the possibilities, let us face up to a couple of important questions: (1) What are we doing in Korea? (2) How has our purpose been affected by the battle lull in the past year?

We went into Korea to show the Reds that the free world could not be taken over piecemeal by armed aggression. We have shown them that. Communism's armies started marching 2 years ago at the thirty-eighth parallel. Today they are back where they started. We are still in Korea because having thrown the enemy back across his borders, we have not yet been able to negotiate a way of keeping them there. Our finger is in the dike, and we do not know when we can take it out.

The fact that we are having a hard time finding a way out of the Korean war does not, of course, mean that we made a mistake in getting into it. The merit of our original Korean decision cannot be judged by the results alone. It must also be judged against the alternative results which might have been expected if the Communists had been allowed to get away with this first blatant aggression. So judged, even today, it looks like a decision which had to be made.

BUILD-UP AND LETDOWN

The answer to our second question is somewhat more complex. In the year since the truce talks began, the Reds have had more than a chance to rest. They have had a chance to build their power. They now are estimated to have about 1,000,000 combat-ready troops in Korea, or waiting in reserve on the Manchurian border. They have tanks and heavy guns they did not have. They have new air strength—something like 1,800 planes, of which perhaps 1,000 are jets.

The U. N. forces meanwhile have put fresh (which means green) troops in the line. But the number of our troops committed has remained fairly constant. We had about 350,000 in Korea a year ago. We have about that number now.

And the year of hopeful waiting has had other, subtler effects. Undoubtedly, it has somewhat cooled our blood. With each passing month of the unwritten "truce," it has become harder to face the prospect of all out renewal of the war.

THE POSSIBILITIES

Anything can happen in Korea, of course. But it seems likely that one of five things will happen. Here they are:

1. There still may be a settlement—an agreement, at least, on a formal truce. Even if there is an agreement, it will not signal the end of our involvement in Korea. We might eventually be able to bring most of our troops back home. But we could do this only of, at the same time, we were able to make it unmistakably plain that we were both determined and prepared to punish any renewed aggression at the source. Of all the possible Korean solutions, this probably is the one that most appeals to our top strategists. Whether it ever materializes depends on whether it also appeals to the Kremlin.

2. The Panmunjom talks may continue indefinitely, with fighting confined to the relatively light skirmishing that now is taking place. This is a sort of war of nerves to which western man is ill-adapted. As we have seen, it poses a difficult problem of home-front morale, to say nothing of that of troops in the field. There is a question how long we could hold our resolve to stick it out under these circumstances.

3. The truce talks may collapse, yet the present "sitzkrieg" on the thirty-eighth parallel may continue indefinitely. This situation would present us with the same difficulties as arise in connection with possibility No. 2. The difficulties, indeed, would be heightened in this case. For there would be no apparent purpose nor end to our passive involvement, once we had stopped seeking a peaceful solution.

4. We may decide, if the talks break down, to go all out in an effort to carry the war to the home territory of our Korean enemy. Taking a leaf from MacArthur's book, General Clark indicated recently that if the fighting were renewed and the Reds hit us hard from the air, we would retaliate by bombing their airfields in the privileged sanctuaries of Manchuria and China. There is some question as to whether General Clark sees eye-to-eye with his Pentagon superiors on this point. In any event, there have been reports that we are preparing to carry out this threat with tactical atomic weapons. There are two great questions about such a course of action. One is whether it would be effective. The other is whether it would lead to an unleashing of the world war we have been trying all along to avoid. Both are serious questions.

5. We may, if the talks break down, be in for a renewal of the kind of war we fought during the first year in Korea—a bloody see-saw of maneuver and attrition, giving both sides a chance to test men and equipment in a limited theater of action and to kill each other's soldiers a long way from home. The trouble is that the Reds can afford to lose more young men than we can—particularly when few, if any, are Russians.

In threatening a new sort of Korean war if the Communists get rough in the air, General Clark implied that this old sort of Korean war was what could otherwise be expected. The experts seem to agree that the Red buildup of power would prevent us from running them out of Korea, as we did once before. They are unanimously hopeful, on the other hand, that we have too much power in Korea to be run out ourselves.

These, then, are the major possibilities ahead, on this grim anniversary. None of them is wholly pleasant. Americans do not like to think in these terms. The fact is, however, that there is nothing pleasant about our situation these days—in Korea, or anywhere else. These are not pleasant times. They are not going to be pleasant for a long time to come.

It boils down to this: There is no reasonable prospect of our extricating ourselves from Korea in the foreseeable future.

A DAY TO REMEMBER

Mr. CAIN. On the second anniversary of the war in Korea, we are reminded that beginning in 1945 the free nations within the United Nations, including the United States as a member, sought by political means to restore freedom, unity, and independence to Korea. I think it proper for just a few minutes to wonder how well we have carried out that mission. Of course, we remember that on this day 2 years ago aggressive forces from North Korea crossed the thirty-eighth parallel in their attempt to destroy freedom forever from the southern end of that peninsula. It was on this day 2 years go that the United States and, but a few short days later, a number of free nations within the United Nations, sought by military means, because every peaceful effort had failed in previous years, to be successful in carrying out a mission to restore freedom, unity, and independence to Korea.

After 2 years of bloodshed and death, how close are we now to the accomplishment of that mission? I have on my desk on this second anniversary of the war in Korea letter dated June 25, 1952, addressed to me, and simply saying:

Pursuant to your request, attached is a report of United States battle casualties in Korea, based on notifications to next of kin, as of June 20, 1952.

If I can be of further assistance to you in this matter, please advise.

Sincerely yours,

H. A. HOUSER,
Rear Admiral, USN, Director, Office of Legislative Liaison.

The figures indicate the number of losses in the categories of those killed, those wounded, and those missing in action. I ask unanimous consent that the table be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

United States battle casualties, Korea (based on notifications to next of kin)

	June 25, 1950, to Mar. 30, 1951	Mar. 31, to Sept. 28, 1951	Sept. 29, 1951, to Mar. 28, 1952	Mar. 29, to June 20, 1952	Total increase	
					Mar. 31, 1951, to June 20, 1952	June 25, 1950, to June 20, 1952
Total casualties	58,550	29,100	19,306	3,655	52,061	110,611
Total deaths	9,865	4,869	3,946	789	9,604	19,469
Killed in action, total	8,753	4,392	3,594	706	8,692	17,445
Wounded in action, total	39,023	23,143	15,485	3,009	41,637	80,660
Died of wounds	1,025	416	306	76	798	1,823
Other (current wounded, returned to duty, evacuated to the United States, etc.)	37,998	22,727	15,179	2,933	40,839	78,837
Missing in action, total	10,774	1,565	227	(60)	1,732	12,506
Died	87	61	46	7	114	201
Returned to military control	1,094	274	13	4	291	1,385
Current captured	112	58	905	214	1,177	1,289
Current missing	9,481	1,172	(737)	(285)	150	9,631

Figures in parentheses represent decreases, the result of adjustments to records.

Mr. CAIN. Mr. President, I have only this to say about those figures. They indicate that up until the time General of the Army Douglas MacArthur was relieved of his commands, the United States had suffered total casualties in the number of 58,550. It was said in April 1951, when General MacArthur was recalled to this country, that his removal from his commands would be an answer to the needs and requirements of the campaigns in Korea, and that with other management the war would more rapidly, more easily, and with less suffering, be brought to a successful conclusion.

The figures indicate that since Gen. Douglas MacArthur was relieved of his commands, 52,061 casualties have been suffered by the United States. How many more are yet to die?

As was earlier mentioned by the senior Senator from Kansas [Mr. SCHOEPPEL], in what I thought was a most constructive statement, the news ticker today has been filled with items of interest to every American. I wish to make brief reference to some comments offered by this source.

From London:

Jittery Labor Party forces House of Commons debate on American bombing of Yalu River power plants on Korean-Manchurian border.

From Pusan, Korea:

South Korean President Rhee narrowly escapes death at hands of would-be assassin.

From Washington:

New diplomatic donnybrook brewing between United States and Britain over Korean war strategy.

From London:

LONDON.—U. N.'s Secretary General Trygve Lie called on the Soviets today to help bring about a Korean truce as a first step toward global settlements in Europe and Asia.

He did not name the Soviet Union in his appeal during a speech before the U. N. and foreign press associations at a luncheon here, but it was clear he was speaking to the Russians.

"There are certainly causes for unhappiness, but the prolongation of the war is not the fault of the United Nations," Lie said.

"It should be apparent to those governments which have it within their power to

influence the course of the armistice negotiations that no real progress can be made on these larger problems, and indeed on the issues which divide the world in Europe as well as Asia, until the present hostilities are brought to an end.

"Let that war be brought to an end and a strife-torn world will have a real chance for a fresh start," he said.

But Lie admitted no definite end to the Korean war was in sight.

I think we should pay attention to what various world leaders say these days, especially on the second anniversary of the beginning of the war in Korea, which has already claimed well over 100,000 American casualties, and concerning which the Secretary General of the United Nations says there is no end in sight.

Another ticker reference from London is as follows:

Labor Leader Attlee charged in Commons that the United States deliberately kept Britain in ignorance of plans to bomb the Yalu River power plants in Korea.

Attlee said bitterly that the Yalu attacks will lessen the chances of a truce and may touch off a third world war.

The Labor leader, who as Prime Minister, took Britain into the Korean war, made his statement in opening a full-dress debate on Korea before a crowded house.

The Laborites threatened a vote of censure against Prime Minister Churchill because of the Korean situation.

Defeat for Churchill would force his government's resignation.

If Mr. Churchill's government should fail, what would the consequences be to the United States and to the free world in general? Would the ascendancy to power of the present day Labor Party in Great Britain mean a repudiation by that Government of its obligations and commitments made with respect to the war in Korea, as a member of the United Nations, through a resolution solemnly agreed to in July of 1950?

I continue to read from the ticker. This is an item from the United Nations, New York:

A top U. N. official said American forces bombed Yalu River power plants without consulting other allies in Korea because it was purely a military matter.

The spokesman said on the second anniversary of the outbreak of the Korean conflict that he believed the paralyzing attack on the big enemy installations was a justifiable military step.

How in heaven's name could this official of the United Nations, or any official of any free government, or any responsible human being and citizen anywhere, say other than that military necessity required the recent bombing of the power installations on the Yalu River? In heaven's name, what did Mr. Attlee mean when he bitterly assailed the attacking of those installations without his having been notified by the United States? Has he forgotten that the United States was selected by the United Nations to assume the command responsibility in the name of all the free members of the United Nations? It has been America's responsibility and burden to fight the war in Korea as the command agent, for what that agent thought was the best interests of all the United Nations members who were parties to the war in Korea.

The next item from the ticket is from London:

"I have been very favorably impressed by what I have seen in Korea," Alexander said at the airport. "I think that General [Mark W.] Clark and the American command are doing a fine job of work. They have got in Korea a real United Nations team doing a fine job of resisting aggression."

Though Alexander did not mention the Yalu River attacks, his statement was certain to anger the Laborites, who regard the raids as not merely resisting aggression but asking for Red retaliation.

I take it from what Field Marshal Alexander said that he understood the military necessity for destroying the power installations, which have too long been available for use by the enemy.

Going one logical step further, Field Marshal Alexander did not think it necessary that he be advised when his Government had been among other governments to delegate to the United States of America their authority for command operations, and only in part because it had been recognized by Great Britain and all other free nations that the United States has contributed much more in personnel, blood, and material to the war in Korea than all of our allies put together.

The next item on the news ticker is from London:

Attlee said Field Marshal Earl Alexander, Churchill's Defense Minister, who arrived here today, after a visit to Korea, apparently was kept in the dark about plans for the Yalu attacks.

There was no criticism by Field Marshal Alexander that he was kept in the dark.

"It is quite obvious that a raid of these dimensions could not have been mounted on short notice," Attlee said.

"It must have been decided before Lord Alexander left Korea—and yet he knew nothing about it."

Attlee called the Yalu attack "the biggest single raid of the war."

"I think it will lessen the chances of an armistice and may lead us dangerously near to a general conflagration in the Far East, and no one knows where that will stop," Attlee said.

Across the House from Attlee as he spoke were Churchill and Foreign Secretary Eden.

Immediately on his arrival, after an overnight flight from New York, Alexander had conferred with Churchill and Eden in the Parliament Building.

The next item is from London:

Attlee emphasized that Alexander, "the British Minister of Defense, holding a very high office," and, at the same time, "a very distinguished soldier visiting a command in which British land, naval, and air forces are engaged," apparently was told nothing of the bombing plans.

Eden followed, opening debate for the Government, and expressed regret that Britain was not consulted or informed beforehand about the raids.

Mr. President, I have a great respect for the British Empire and Commonwealth. I saw much of her soldiers during the last war. They were as gallant, effective, and brave as any soldiers I have ever known anywhere. But one sometimes wonders about political leadership, and particularly about what might have happened had Mr. Attlee and others been advised beforehand that military necessity required the demolition of the power installations on the Yalu River.

My memory may be incorrect, but it is not far wrong. I recall that during the month of January 1951, about 18 months ago, the Secretary of State was directed by the President of the United States and by the Joint Chiefs of Staff to advise the allies with whom we were joined in Korea of our intention to begin destroying at its source every enemy aircraft that crossed the Yalu River going south to destroy American military personnel and the personnel of our allies. Never in the course of the ensuing 18 months since the Secretary was directed to advise, among others, Great Britain, of what America thought was proper in saving the blood of young Americans, Britishers, Turks, Greeks, South Koreans, French, Belgians, and the others who are with us in Korea, has an enemy aircraft been chased back to its Manchurian lair and destroyed.

The answer is clear, if not understandable. When Mr. Attlee, then the Prime Minister of Great Britain, was advised of America's intention as the command agent for the free nations of the United Nations, Mr. Attlee said, "This is a bad intention. We frown on it conclusively."

Our Secretary of State and those who make high decisions with him were persuaded by Prime Minister Attlee's thought, and the reluctance of certain other allies, that we ought to engage in a war, while always giving to the enemy advantages to which that enemy, in terms of history and in terms of the future, never has been entitled to, and never should be entitled to, because, Mr. President, death deserves a reason. No American and no young Britisher should be permitted to die in combat without his Government having given to him every possible opportunity to survive. When enemy planes are unmolested, men die needlessly and without reason.

Mr. President, I have been very much disturbed by the ticker comments. Even though the hour is late, permit me to continue to reflect on them for just a short period.

Eden then described the attacks.

"Five targets were attacked—four of them nowhere near the Manchurian border," he said.

"The fifth station, on the Yalu River, provides no less than 40 percent of all the hydroelectric power in North Korea.

"As I understand it, the United Nations commander in Korea referred the question of bombing this station—not the other four—to Washington and the operation was approved.

"Her Majesty's Government was not informed or consulted."

"I regret this," Eden said.

With no desire to criticize Mr. Eden, this American believes he has a right to again point out to Mr. Eden, to make it even that much more clear, that the United States was selected by Great Britain and by other free nations within the United Nations to do what the United States thought properly must be done in protecting the best interests, in terms of military necessity, of all of the nations

with whom the United States is joined in Korea.

There were cries of "Oh, oh!" from the Laborites when Eden said Britain was not consulted and some cheers when he said he regretted it.

But Eden continued to defend the attacks themselves on the ground that they are perfectly legitimate military targets.

It is an important consideration to remember, that, though Mr. Eden regretted he had not been informed, he made it very clear today in the House of Commons that military necessity required or made legitimate the power plants as military targets.

The Laborites threatened to try to overthrow the government with a motion to reduce Eden's salary—a technical move to force a straight confidence vote. As the vote would involve money—Eden's salary—under British parliamentary procedure a defeat would force Churchill's resignation.

The present voting strength gives Churchill a majority of 24 over the Laborites and 19 over the combined Laborites and Liberals.

Mr. President, I should like to make one more reference to the ticker of today. It comes from London:

Plainly showing the anxiety of the Conservatives, as well as the Laborites, that American "get-tough" action might extend the war, Eden refused to say that the Yalu attacks did not hurt truce chances.

"It is said that this action is going to prejudice the conclusion of an armistice," Eden said. "I would not care myself to try to estimate that at all. I think it is a pretty difficult calculation to make."

He said the problem of consultation between the United States and its allies in Korea gives the government great concern. That problem, he added, is to a certain extent insoluble.

Eden said allied bombing was essential because of the enormous build-up of Communist strength in Korea about which the United Nations Command has frequently warned.

"If this bombing * * * is intolerable to the Communists, they have the remedy in their own hands," Eden said. "An armistice could be concluded tomorrow which would satisfy the honor and the interests of both sides if the Communists want it."

Left-wing Labor Leader Aneurin Bevan said an armistice could be reached quite easily if the United States, while resisting aggression in Korea, recognized the Chinese Communists, repudiated the Chiang Kai-shek Nationalist Government and agreed to let the Reds represent China on the U. N. Security Council.

It is said that Mr. Bevan is a man of considerable influence and prestige in Great Britain. It is thought to be by no means impossible that he may in time become the British Prime Minister, or assume any of a number of important Government portfolios.

Should his elevation to these portfolios come about, I think we ought to bear in mind his comments, made in London on the second anniversary of the beginning of a war in Korea concerning which the Secretary-General of the United Nations says there is no end in sight. On this day, after 2 years of war, Mr. President, we are impressed with one thing after reading the ticker comments all day, and that is that we allies have much yet to learn about each other. We must find a way in which to get closer together. Certainly this closeness which does not now exist has to become an imperative necessity if ever again in the future the United Nations selects the United States to lead a war for the restoration of freedom, independence, and unity to any place other than Korea, anywhere else on the face of the earth.

Mr. President, in the Sunday Star of June 22 there was published a provocative article on Korea. In it the Star has suggested, through an unnamed but I think very competent writer, that any one of five things may happen in and as a consequence of Korea.

It will not take very long to read this portion of the article. I am constrained to do so because this is not an average, ordinary day. This is the second anniversary of a war which may, according to the disagreements seemingly existing presently between ourselves and some of our allies, go on indefinitely.

I read from the article:

1. There still may be a settlement—an agreement, at least, on a formal truce. Even if there is an agreement, it will not signal the end of our involvement in Korea. We might eventually be able to bring most of our troops back home. But we could do this only if, at the same time, we were able to make it unmistakably plain that we were both determined and prepared to punish any renewed aggression at the source. Of all the possible Korean solutions, this probably is the one that most appeals to our top strategists. Whether it ever materializes depends on whether it also appeals to the Kremlin.

2. The Panmunjom talks may continue indefinitely, with fighting confined to the relatively light skirmishing that now is taking place. This is a sort of war of nerves to which western man is ill adapted. As we have seen, it poses a difficult problem of home-front morale, to say nothing of that of troops in the field. There is a question how long we could hold our resolve to stick it out under these circumstances.

3. The truce talks may collapse, yet the present sitzkrieg on the thirty-eighth parallel may continue indefinitely. This situation would present us with the same difficulties as arise in connection with possibility No. 2. The difficulties, indeed, would be heightened in this case. For there would be no apparent purpose nor end to our passive involvement, once we had stopped seeking a peaceful solution.

4. We may decide, if the talks break down, to go all out in an effort to carry the war to the home territory of our Korean enemy. Taking a leaf from MacArthur's book, General Clark indicated recently that if the fighting were renewed and the Reds hit us hard from the air, we would retaliate by bombing their airfields in the privileged sanctuaries of Manchuria and China. There is some question as to whether General Clark sees eye-to-eye with his Pentagon superiors on this point. In any event, there have been reports that we are preparing to carry out this threat with tactical atomic weapons. There are two great questions about such a course of action. One is whether it would be effective. The other is whether it would lead to an unleashing of the world war we have been trying all along to avoid. Both are serious questions.

5. We may, if the talks break down, be in for a renewal of the kind of war we fought during the first year in Korea—a bloody seesaw of maneuver and attrition, giving both sides a chance to test men and equipment in a limited theater of action and to kill each other's soldiers a long way from home. The trouble is that the Reds can afford to lose more young men than we can—particularly when few, if any, are Russians.

Mr. President, on this second anniversary of the war in Korea, it seems to me that we Americans should begin to decide as a nation what we wish to do in Korea in the future. There are other things, in addition to those mentioned in the article in the Sunday Star, that we could do.

It seems to me that our problem is that as a nation and as a government we have failed to select for ourselves a goal and to do everything within our power, both nationally and as citizens, to achieve it.

Mr. President, in connection with the war anniversary reflections, let me say that I picked up the United States News and World Report for this week, and in it found its first article to carry the following title: "Are Communists Winning in Korea?"

I believe the article is designed to cause all Americans to think. It seems to me that the substance of the article should be called to the attention of those who find it convenient to read the CONGRESSIONAL RECORD or who are certain to do so. I now read the article:

TOKYO.—Communists in Korea are pushing far ahead of U. N. forces in the build-up for any future renewal of full-scale war. Communists at this point are winning in the race for dominant strength.

A year ago, at the start of the second year of war, Communist armies were defeated—a ragtag, bobtail outfit, badly mauled. Losses in battle had been staggering. U. N. forces, largely American and South Korean, had smashed their armies, destroyed most of their equipment, put them on the ropes.

It was then that Jacob Malik, acting for Russia's Stalin, proposed a truce.

Now, at the start of the second year of the truce talks and the third year of war, Communist armies are vastly stronger than ever before, in manpower, in equipment, in training. At the same time, U. N. forces are little stronger in numbers, about the same in equipment, weaker in experienced battle-tested personnel.

A year from now, if present trends are continued, Communist strength in Korea may be overwhelming. The war at that time will be entering its fourth year and the truce talks their third year. All signs are that the Communists are determined to push ahead as rapidly as possible in their continuing build-up.

Three new Chinese armies, totaling 75,000 to 100,000 men, are reported both by the British and by the Chinese Nationalists to have moved into Korea in recent weeks. Aircraft from protected airfields across the Yalu River are more daring. Use of artillery by the Communists is in a rising trend. A big and steady increase in available armor is reported by U. N. intelligence sources.

The Communists, military commanders discover, are using the truce talks as a cover for a rapid build-up of their own forces and as a device for discouraging a build-up of U. N. forces.

In a single year of talks, the Communists have worked a revolution in relative military strength between their forces and those of the U. N. In a second year of talks, the Communists will strive to make even greater gains.

Manpower in Communist armies in Korea has about doubled in size in this year. Where the Communist armies a year ago were defeated and demoralized, now they are fresh and trained. Then they were short of food, had little clothing. Now they are well fed,

well clothed, ready to fight. Many of them are veterans with battle experience.

Mr. President, how much of this information are Americans thinking about? I believe Americans should get ready for larger operations in Korea. Such operations should not come as a surprise to the people of the United States. The present build-up cannot go on indefinitely without having an effort made by those who have built up these forces to employ them against their enemies, who happen to be the United States and our allies.

I read further from the article:

U. N. forces are little larger now than before the "truce" year started. Their principal gain in effective strength has come through the renovation of South Korean divisions. A year ago, only two of these divisions could be counted upon for real fighting. Today, American commanders say that the 10 South Korean divisions compare favorably with other U. N. units. American divisions, meanwhile, have been brought up to full strength. But rotation has sent home the veterans. The Americans now in Korea are not the battle-tested fighters who had the Communists on the run a year ago.

Much of the U. N. Army in Korea, thus, lacks experience in large-scale combat. Numerically, the Communists are far stronger. They still are short of the 3-to-1 superiority needed for an offensive with chances of success, but they are increasing in strength steadily.

In equipment, Communist gains in the "truce" year have been sensational.

Tank forces of the Communists had been destroyed just before the truce talks started. The Russian T-34's, which a year earlier had led the original push of the Communists into South Korea, had been knocked out by U. N. planes and guns or had been captured.

With artillery it was the same story. When the truce talks started, the Communist armies had been reduced to a fleeing rabble. They had some small arms, a few mortars and hand grenades, but no heavy weapons.

Mr. President, do you remember the day—it was June 23, 1951—when Mr. Malik announced, at a banquet in New York, I believe, that if only the parties to the dispute in Korea would get together and talk things over they could soon reconcile their differences and then sweetness, light, and peace would prevail throughout all of Korea? How smart are we Americans really, Mr. President? We should examine into that question, for what I am reading at this time only reflects on what has happened to the advantage of the enemy since we accepted Mr. Malik's proposal as one made in good faith.

I read further from the article:

Today, after a year's respite, the Communists have three tank brigades in Korea. They are believed to have 500 to 1,000 tanks and self-propelled guns. Estimates are that the Communists are about equal to U. N. forces in armor strength, and soon will be stronger.

The Communists today have more artillery in Korea than the U. N.

Mr. President, let me read that sentence again. It is difficult to believe; or do not you share my concern, Mr. President? I know how deeply you share it, sir; and that concern is shared by many Members of both parties in the Senate and by many other Americans throughout the Nation.

This is the sentence:

The Communists today have more artillery in Korea than the U. N.

Certainly they did not have any artillery to speak of a year ago, before the truce talks began. On the assumption that the author of this article knows precisely what he is talking about, every American should be conscious of the likelihood of future greater trouble, which obviously will come when an enemy has more big guns than we have.

I read further from the article:

Their guns are well placed and capably manned. Supplies of ammunition are large enough so that Communist commanders think nothing of firing 5,000 rounds in support of some minor, local action.

Mr. President, some persons say we have not done much fighting during the last year. Many Americans are lulled to sleep, and do not worry very much; but when any guns fire 5,000 rounds in so-called minor local action, Americans within the range of those guns will die needlessly, even though the battle lines are just about frozen or static.

I read further from the article:

In antiaircraft artillery, the build-up is especially impressive. The Communists are well supplied with Russian-made antiaircraft, guns, radar-equipped. These guns are concentrated around vital targets in North Korea. Communist guns during the year of truce talks have knocked down more than 500 U. N. planes.

In the air, Communist gains are even more sensational.

Mr. President, that is the second time the author of the article has used the word "sensational" with reference to the gains made by our enemy during a period in which we were seeking at a truce table to find an end to the hostilities.

When the truce talks started, the Communists had no effective air power. U. N. air forces, with overwhelming superiority, blasted targets all over North Korea, virtually at will. Today, with an estimated 1,700 military planes, the Communists strongly challenge U. N. air supremacy.

In numbers, Communist and U. N. planes are about equal. However, more than half of the Communist planes are jet interceptors. Russian-made, they can outperform most U. N. planes under some conditions. Because of their short range, they do not venture far from their Manchurian bases. But they are very fast, and they are making it hard for U. N. bombers to get at targets in North Korea. Because of them, the big American B-29s have stopped making attacks by daylight. Smaller bombers now have to take jet-fighter escorts when they go on daylight missions.

Handicap to the Communist air force is its lack of airfields in North Korea. With fields closer to the front lines, their planes would be able to intercept U. N. planes more effectively and to attack ground troops. The Communists, thus, have been trying for many months to build airfields in North Korea.

At the rate of the build-up of the enemy, again assuming that the author knows whereof he speaks, what does the future hold for our free people in Korea? If the prevailing truce talks continue for another year, accompanied by a proportionate build-up which has been accomplished during the past year, does it seem likely that the free forces will be able to do anything other than build cement cellars in an effort to hold the enemy at bay?

So far U. N. planes have been able to knock out these fields before they were ready for use. The Communists are persistent, however, and they have an unlimited supply of laborers. Airfields in North Korea, once in operation, can spell trouble for U. N. forces.

We ought not to forget in passing, on this second war anniversary, that in years gone by every qualified military authority that I have ever heard address himself to the subject has said that Korea was the last place in which American forces ought to be committed and employed on the ground.

A new air threat now is beginning to appear in the form of an improved jet plane. U. N. observers say this new Russian plane seems to be heavier and to have a longer range than the jet now the backbone of the Communist Air Force. With large numbers of longer-range planes, the Communists could carry the air war back of U. N. lines.

Behind this build-up is the armament industry of Russia. Where the United States quickly converted her war plants to civilian production at the end of World War II, Russia has kept right on producing munitions. The end of that war made no change in Russia's policy of military priority on all goods—civilian existence on what is left, if anything. Now the munitions industries of Czechoslovakia and other satellites also are producing arms of Russian types.

Aircraft production in Russia, small at the end of World War II, has been expanded so rapidly that today Russian factories are turning out military planes faster than the United States.

The Communists have these industrial resources, along with China's vast man power, to draw upon in building their forces. They have in North Korea a well-trained, well-armed ground force in place of the poorly armed troops that were on the run when truce talks started. They have built their air force to the point where it challenges U. N. air supremacy.

An all-out offensive is not expected yet from the Communists in spite of their increased strength. Their ground forces have not reached the point where they can knock U. N. troops out of their strong positions, and their air force still is not able to operate back of U. N. lines.

One year of truce talks, however, has enabled the Communists to build up formidable strength. Truce talks, if they go on long enough, can be expected to see this build-up reach the point where the Communists can try to push the U. N. out of North Korea.

The Senator from Washington believes that he will have reason on too many occasions in the future to come back to read what he has here offered for the CONGRESSIONAL RECORD. Mr. President, again, this is the second anniversary of the beginning of a war perhaps without end, at least for a very long time, in Korea. We know how we feel about the war. Some of us Americans are more frustrated than others. Some of us believe that our Government has lacked the courage and the imagination and the determination to carry out its military mission, once enemy action had attempted to impose the evil of tyranny upon the free peoples in Korea.

But, Mr. President, whatever our thoughts, regardless of the loved ones we may have lost, how lucky can we be? As a nation, we have not suffered as Korea has suffered. We have not been ex-

posed to gunfire, devastation, and destruction. On this second anniversay, my heart is completely filled with sympathy for the South Koreans and for many North Koreans, also, and with admiration and respect for the courage and stamina with which South Korea has done its best to withhold and withstand destruction and the Communist forces from North Korea.

I hold in my hand a recent statement made in New Hampshire by Dr. Lou Chan Yang, Korean Ambassador to the United States, I shall conclude my reflections on this second anniversary of the war in Korea by letting Dr. Yang speak for himself, as in this statement he does so feelingly, so realistically, so forcefully, and so beautifully, too. We Americans ought to join hands with the South Koreans whenever we have an opportunity to do so. Ambassador Yang says:

If I were to try to paint a brief word picture of Korea today, I should have to tell it to you just about like this:

Our past is sad;

Our present is terrible;

Our future is grim.

It is very difficult, under these circumstances, to make what might be termed an encouraging report on Korea. But I can tell you that the spirit of the Korean people, despite the misery and the horror of modern warfare which has been visited upon them, remains unconquerable. We shall never, never submit to communism. If the worst should come to the worst, I can assure you that we might be exterminated, but we would prefer death as a nation to the dishoner and degradation of being slaves of communism.

In my view—and it is only the view of one man, Mr. President—if my nation and its governmental leadership had been so motivated, with courage and determination, as those have been who have been under the heel of the tyrant in Korea for two long, bloody years, the war would have been over and done with long since. The Ambassador to the United States from the Republic of Korea went on to say:

What has happened to Korea since the fighting began is something you could hardly believe even if you saw it with your own eyes. General MacArthur said he had seen a great deal of war, but never anywhere, anything so utterly horrible as what happened to the Korean people in the terrible winter of 1950–51.

That was a very moderate winter in the United States, as I recall. We were all well housed, well fed, and well clothed. But not so with our friends and allies, the South Koreans. Dr. Yang continues:

General Ridgway has declared that in all the long and sometimes painful history of Asia there has never been another tragedy to equal it. Mr. J. Donald Kingsley, who has worked among all the refugees of Europe, in his capacity as Director of the International Relief Organization, has stated that the destruction he saw in Korea has never been equaled on a nation-wide scale, since the annihilation of Carthage by ancient Rome.

As I myself have visited and flown over the sites of our 55 cities which have been destroyed, and of our 1,200 villages that have been wiped off the face of the earth, the most tragic consideration of all has been the pitiful condition of the 60,000 and more lost children who wandered over the highways without parents, without homes, without food, and without any clear understanding of what is happening to them, or why.

Mr. President, I do not like to read such comments as this on the second anniversary of the war in Korea. But it is not so much a case of Americans reading such comments and thinking about them as it is a matter of getting rid of the war before it overwhelms the forces of freedom.

The Korean Ambassador tells us something about the losses in Korea. The Senator from Kansas [Mr. SCHOEPPEL] earlier today, in his splendid speech, mentioned the American casualties. They now run well over 100,000. Let us see what the Korean Ambassador says about Korean casualties:

Out of our South Korean population of 22,000,000, over 8,000,000 persons have lost their homes. More than 1,000,000 civilians have been killed and another million are missing, wounded, or invalided. In addition to these, some 300,000 of our Korean soldiers have been wounded, captured, or killed. Next to our own military casualties are your own, for the American list now has passed the 100,000 mark. All of this has happened in an area less than two-thirds the size of New England, and in the northern part of our country, where 9,000,000 of our helpless and innocent people have been captives and pawns of their Communist masters, the physical destruction and loss of life have been even greater.

In 800 brief days, Mr. President, 8,000,000 Korean homes have been destroyed, or 8,000,000 persons have lost their homes, and a million human beings, citizens of South Korea, have been killed or are missing or wounded or invalided. In addition, some 300,000 Korean soldiers have been killed, captured, wounded, or missing. That means, distressing as it is, that the South Koreans, whom we seek to liberate, have lost about 3 soldiers, killed, wounded, and missing, to every American who has made a comparable sacrifice in the Korean conflict.

Korea continues to need relief and needs it desperately. For nearly 2 years now our people have been driven up and down the Korean peninsula ahead of attacking armies and shuddering under the fearful rain of napalm and explosive bombs from the air. Our factories have been destroyed and our means of livelihood have all but disappeared. To a considerable extent we have become a nation of refugees, living in refugee camps and our children housed in orphanages. Homes that have escaped devastation and which originally housed a single family, now give crowded shelter to sometimes as many as six families. Others live in barren and partly destroyed factories and public halls. Even those whose lives have been saved have suffered agonies of body and spirit which comfortable people 10,000 miles away cannot even conceive.

It is hard to conceive of such tragedy, Mr. President. The Senator from Washington has seen quite a lot of war, but that was quite some time ago, and I do not think I can conceive of such tragedy as the Korean Ambassador is telling us about.

As our people stand in the midst of their ruins today, they have two things that they would like to say to their friends and allies. The first is—don't stop until the job of freeing and restoring our land is complete, and the second is, help us—for help we must have—to restore the broken ruins this war has spread across our entire nation. I realize that those two things might sound selfish—but we do not mean them to be so because we regard the war in Korea as not Korea's war alone. It is communism's war against the entire free world.

Mr. President, I think the Korean Ambassador believes it; I know he does. The United Nations and the United States have never acted as though they believed it, but the Ambassador says:

The first is: Don't stop until the job of freeing and restoring our land is complete.

It will be noticed, Mr. President, that this Korean does not distinguish between North Korea and South Korea. When he says "keep up your job until you have freed my country," that means the restoration of unity of the peninsula which is called Korea. Then he says:

The second is: Help us—for help we must have—to restore the broken ruins that war has spread across our entire nation.

Communism's actual attack in my country and communism's threatened attacks elsewhere in Asia are part and parcel of one war, and I will repeat what that war is—it is communism's war against the entire free world. We free peoples are interdependent. The fate of one portends the fate of all.

There are those who seemingly disagree with the Ambassador from Korea. I am reminded of the ticker tape from which I read earlier. Apparently Mr. Attlee, recently Prime Minister of Great Britain, does not recognize, as does the Korean Ambassador, that the Korean war is a Communist war against the free world and that all of the free world should participate in it and keep on going until that land had been restored to those to whom it belongs.

In conclusion, Mr. President, the Korean Ambassador has this to say:

It has been our conviction from the beginning that the Communists were not sincere when they proposed a truce talk.

I have offered for the RECORD those comments from the United States News which indicate what has happened to the enormous increased strength of the Communists during 12 months of negotiations. Maybe more persons in high authority should have listened with greater care to such observations as were being made in a public address in the sovereign State of New Hampshire by the Korean Ambassador. He said:

It has been our conviction from the beginning that the Communists were not sincere when they proposed for a truce talk. When the proposal was made by the enemy, the Communist invaders were suffering heavy casualties at the hands of the U. N. forces. The series of defeats had undermined the Communist power as a fighting force. They obviously desired an opportunity to recuperate, to regroup their forces, and to effect their build-up in order to increase their military strength.

I am sure that I am not alone in thinking that the Communists have been using the last 10 months to make the necessary preparations for an offensive with their ultimate objective to defeat the American and U. N. forces in Korea.

The Ambassador then concludes in positive fashion:

There is more, much more, that I would like to say. But I think you know what is in our hearts, and I think you know why.

Like every other nation on the border of Soviet power, we had our choice. We could have submitted, as so many other peoples have done, and our nation would remain whole today, but our spirits would be dead. We made our choice: to stand and fight, to stand if need be and die, to try to safeguard our liberty. We hope the United Nations will stand with us still. We hope our friends will strengthen their resolve. We hope the entire free world will not so far mistrust its own might as to step aside and give up the cause until the complete goal of liberation for our nation has been won.

Mr. President, the Senator from Washington makes but one guess. My guess is—and this is why I have imposed so long upon the indulgence of the Chair this afternoon, on this second anniversary of the war in Korea—that freedom will not again be restored to free men throughout the world, and then maintained, until the free forces decide to carry out, in fact, the resolve they made in the United Nations, at Lake Success, in early July of 1950, which was that the free nations, out of a free choice, and with their eyes open, were imposing upon themselves as a mission the restoration of freedom, unity, and independence to all of Korea.

Two years have gone by since we undertook that mission. There is no purpose in laboring the point that we are not within sight of the accomplishment of our mission. The challenge to free men everywhere on this second anniversary is to become much more successful in pursuance of that mission in the months which lie ahead, than we free people have been in the 24 months which have passed.

PRESIDENTIAL PREFERENCE PRIMARY BILL—STATEMENT BY SENATOR DOUGLAS

Mr. HILL. Mr. President, on behalf of the senior Senator from Illinois [Mr. DOUGLAS], I ask unanimous consent to have printed in the body of the RECORD a statement by the Senator from Illinois on the reporting of the presidential preference primary bill by the Senate Rules and Administration Committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOUGLAS ON THE REPORTING OF THE PRESIDENTIAL PREFERENCE PRIMARY BILL BY THE SENATE RULES AND ADMINISTRATION COMMITTEE

The Senate Rules Committee this morning favorably reported the presidential preference primary bill, which a group of us introduced 5 months ago. Senator HAYDEN and the committee deserve praise for the excellent work they have done.

The committee's action comes at a time when the needs and demands for electoral reform are at their highest. As the conventions draw near the temptations of the party bosses to make deals and use shenanigans are shockingly evident. While responsible party organizations will be quick to recognize and heed the voice of the people, the obvious attempts of some professionals to thwart the will of the people dramatizes the need for taking the selection of the candidates for the Nation's highest office out of the hands of the party bosses and putting it into the hands of the people.

The 60,000,000 "voteless" citizens of our nonprimary States are demanding their rightful say in the nomination of their party's presidential nominee. The committee's action, if sustained by Congress, will make this possible.

The people are banging at the door of the smoke-filled rooms. The chorus of letters and editorials, the unusually high number of primary write-in votes, and just plain grass-roots discussions all sound the note that Congress should pass this legislation before we adjourn. That is why I hope the Senate will immediately consider S. 2570, as reported by the committee.

Now is the time for us to make certain that more States hold preference primaries in 1956 than did this year. The primaries this year have frightened the politicians in both parties. But they are trying to ride out the popular storm and they may succeed in doing so. Experience shows that the time to have passed preferential primary legislation for 1952 would have been in 1948.

We cannot wait until 1956 to enact primary legislation for 1956. If we want more preference primaries in 1956 we must strike while the iron is hot and the abuses of the present convention system are obvious.

I recognize that the primary bill, as reported, will not necessarily rid us of all the evils of our present system of nominating presidential candidates. It directs the Attorney General to negotiate agreements with States planning to hold presidential preference primaries between February 1 and May 31 of an election year. The States are encouraged to sign agreements with the Attorney General since if they sign they will receive financial assistance for their election expenses. These agreements would provide for a consideration which is limited to a ceiling of 20 cents for each vote cast in a State presidential preference primary. In return for this Federal assistance the States would promise to include on their primary ballot the names of presidential candidates on whose behalf nominating petitions have been signed by 500 voters in three-fourths of the States participating in these agreements. No State is compelled to adopt the presidential primary if it does not wish to do so. The aim of our bill is merely to make it easier for the States to let the voice of the people be heard.

Undoubtedly as we go along we shall find that the presidential preference primary bill can be improved. But we are headed in the right direction and I sincerely hope that the Senate will consider the bill as soon as possible.

As I have said, the people are banging at the doors of the smoke-filled rooms where the party bosses will meet to choose their hand-picked candidates for the Presidency. Let the voice of the people be heard.

CONFIRMATION OF NOMINATION OF JAMES H. FLANAGAN

Mr. HILL. Mr. President, on the Executive Calendar is the nomination of James H. Flanagan, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia. I ask unanimous consent that, as in executive session, the nomination may be considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the question is, Will the Senate advise and consent to this nomination?

Mr. CAIN. Mr. President, may I ask the acting majority leader one question, please?

Mr. HILL. Certainly.

Mr. CAIN. Has the acting majority leader had occasion to confer with the Senator from New Hampshire [Mr. BRIDGES], the minority leader, as to his views on the question?

Mr. HILL. I conferred with the acting minority leader, the Senator from Idaho [Mr. WELKER], who is a member of the Committee on the District of Columbia. The Senator from Idaho was at the time the acting minority leader. I told him it was my purpose to ask that the nomination be confirmed.

Mr. CAIN. Then the acting minority leader, the Senator from Idaho [Mr. WELKER], was in agreement with the intention of the acting majority leader?

Mr. HILL. That is correct.

Mr. CAIN. I thank the Senator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be immediately notified.

RECESS AS A MARK OF RESPECT TO FORMER SENATOR AND REPRESENTATIVE JAMES W. WADSWORTH

Mr. HILL. Mr. President, in compliance with the previous order of the Senate, and as a mark of respect to the memory of the former Member of the Senate and former Member of the House of Representatives, the late James W. Wadsworth, of New York, I move that the Senate now stand in recess until 10 o'clock tomorrow morning.

The motion was unanimously agreed to; and (at 7 o'clock and 5 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, June 26, 1952, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 25 (legislative day of June 21), 1952:

TECHNICAL COOPERATION ADMINISTRATION

Jonathan B. Bingham, of New York, to be Deputy Administrator for Technical Cooperation.

NATIONAL LABOR RELATIONS BOARD

Abe Murdock, of Utah, to be a member of the National Labor Relations Board for the term expiring December 16, 1957. (Reappointment.)

FEDERAL HOUSING ADMINISTRATION

Walter L. Greene, of Alabama, to be Federal Housing Commissioner, vice Franklin D. Richards, resigned.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force under the provisions of sections 502, 508, and 509 of the Officer Personnel Act of 1947.

To be captain

MEDICAL

George Spangler Woodward, 23587A.

To be first lieutenants

AIR FORCE

John Dean Morgan, 23766A.
John Robert Ford, 23767A.
Armand Michael Carlomagno, 23769A.
Joseph William Allen, 23772A.
Eugene Lawrence Hudson, 23770A.

NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

John A. Alsbrooks, Sheffield, Ala., in place of J. H. Blake, deceased.

ARKANSAS

Carl D. Lynch, Smackover, Ark., in place of J. W. Byrd, deceased.

CALIFORNIA

Opal F. Hamilton, Leggett, Calif. Office established October 16, 1949.

GEORGIA

Katherine C. Wimberley, Bainbridge, Ga., in place of R. G. Hartsfield, retired.

ILLINOIS

George O. Downer, Downers Grove, Ill., in place of B. L. Kellogg, retired.

Joseph R. Sester, Genoa, Ill., in place of C. B. Faber, resigned.

MAINE

Lawrence M. Glidden, Palermo, Maine, in place of D. W. Worthing, deceased.

MASSACHUSETTS

Edward J. McCaffrey, Concord, Mass., in place of J. R. McManus, removed.

John F. Murphy, Northampton, Mass., in place of E. E. Cooney, retired.

Willard W. Ellis, Yarmouth Port, Mass., in place of W. P. Cook, deceased.

NORTH DAKOTA

Harriet R. Cowley, Ambrose, N. Dak., in place of R. L. Hanson, transferred.

Elmer W. Hoppa, Cayuga, N. Dak., in place of J. E. Murray, resigned.

Alvin O. Herberg, Wildrose, N. Dak., in place of R. W. McCoy, resigned.

OKLAHOMA

Paul S. Badami, Ponca City, Okla., in place of E. P. Souligny, deceased.

PENNSYLVANIA

Bernard T. Shilling, Conneautville, Pa., in place of C. G. Melcher, deceased.

Kenneth M. Bistline, Landisburg, Pa., in place of L. I. Wertz, transferred.

TENNESSEE

Bernard F. Vandergriff, Clinton, Tenn., in place of E. C. Cross, retired.

Nedgel R. Leathers, Toone, Tenn., in place of M. R. Kelley, retired.

UTAH

George E. Brown, American Fork, Utah, in place of D. G. Ingersoll, transferred.

WYOMING

Hugh M. Currah, Shoshoni, Wyo., in place of C. W. Hornbeck, resigned.

CONFIRMATION

Executive nomination confirmed by the Senate June 25 (legislative day of June 21), 1952:

PUBLIC UTILITIES COMMISSION

James H. Flanagan, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia for a term of 3 years, from July 1, 1952.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 25 (legislative day of June 21), 1952:

POSTMASTER

Anthony J. Teti, to be postmaster at Toughkenamon, Pa.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 25, 1952

The House met at 10 o'clock a. m.

Rev. Ernest A. de Bordenave, rector of Old Christ Church in Philadelphia, Pa., offered the following prayer:

O God, behold the Members of this Congress.

They are called upon to make fateful decisions that affect the life of all mankind, while they themselves are prideful, self-centered sinners like everybody else. Theirs is a great opportunity but an awful responsibility. Surely, they need Thy help.

Keep them humble by the knowledge that Thou art the final ruler in human history. Guide them by the knowledge that Thy justice is the measure of Thy demand upon their decisions.

Give them fortitude to accept what they cannot change, courage to change what they ought to change, and wisdom to know the one from the other. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 7714. An act to amend the Universal Military Training and Service Act, and for other purposes.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3168. An act to amend section 113 (b) (1) (B) of the Internal Revenue Code with respect to the adjustment of the basis of property for depreciation, obsolescence, amortization, and depletion.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following date the President approved and signed a joint resolution and bills of the House of the following titles:

On June 23, 1952:

H. R. 5633. An act to approve contracts negotiated with irrigation districts on the Owyhee, Riverton, Milk River, and Frenchtown Federal reclamation projects, to authorize their execution, and for other purposes;

H. R. 6336. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 6787. An act to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes;

H. R. 6909. An act to amend section 14 (b) of the Federal Reserve Act, as amended; and

H. J. Res. 449. Joint resolution to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS AND EXPORT-IMPORT BANK OF WASHINGTON, 1953

Mr. GARY. Mr. Speaker, I call up the conference report on the bill (H. R. 6854) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2284)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6854) "making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 8, 9, 10, 11, 12, 13, and 14.

That the House recede from its disagreement to the amendments of the Senate numbered 4 and 7; and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,725,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,825,000"; and the Senate agree to the same.

J. VAUGHAN GARY,
A. M. FERNANDEZ,
OTTO E. PASSMAN,
ALFRED D. SIEMINSKI,
CLARENCE CANNON,
G. CANFIELD,
BEN F. JAMES,
JOHN TABER,
Managers on the Part of the House.

HARLEY M. KILGORE,
BURNET R. MAYBANK,
JOHN L. MCCLELLAN,
KENNETH MCKELLAR,
OLIN D. JOHNSTON,
ZALES N. ECTON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6854) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes, submit the following state-

ment in explanation of the conference report as to each of such amendments, namely:

TITLE I—TREASURY DEPARTMENT

Amendment No. 1: Appropriates $2,585,000 for salaries and expenses, Office of the Secretary, as proposed by the House instead of $2,625,000 as proposed by the Senate.

Amendment No. 2: Appropriates $51,000,000 for administering the Public Debt as proposed by the House instead of $51,117,000 as proposed by the Senate.

Amendment No. 3: Appropriates $20,500,000 for salaries and expenses, Office of the Treasurer, as proposed by the House instead of $21,000,000 as proposed by the Senate.

Amendment No. 4: Relating to salaries and expenses, Bureau of Customs, permits the use of not to exceed $1,220,000 for personal services in the District of Columbia as proposed by the Senate instead of $1,150,000 as proposed by the House.

Amendment No. 5: Appropriates $2,725,000 for salaries and expenses, Secret Service Division, instead of $2,695,000 as proposed by the House and $2,770,000 as proposed by the Senate.

Amendment No. 6: Appropriates $4,825,000 for salaries and expenses, Bureau of the Mint, instead of $4,775,000 as proposed by the House and $5,275,000 as proposed by the Senate.

Amendment No. 7: Appropriates $19,250,000 for acquisition, construction, and improvements, United States Coast Guard, as proposed by the Senate instead of $20,000,000 as proposed by the House.

Amendment No. 8: Strikes out the Senate proposal to place a general limitation on amounts that may be used for personal services.

Amendment No. 9: Strikes out the Senate proposal to limit the amounts that may be used for travel, personal services and transportation of things.

Amendment No. 10: Strikes out the Senate proposal to provide an expenditure limitation of $644,384,591 on the purposes provided in the Treasury Department title of the bill.

Amendment No. 11: Changes section number.

TITLE II—POST OFFICE DEPARTMENT

Amendment No. 12: Appropriates $2,150,000,000 for postal operations as proposed by the House instead of $2,105,000,000 as proposed by the Senate.

TITLE IV—GENERAL PROVISIONS

Amendment No. 13: Strikes out the Senate proposal against use of funds in connection with the operation of seized plants, facilities, or other property.

Amendment No. 14: Changes section number.

J. VAUGHAN GARY,
A. M. FERNANDEZ,
OTTO E. PASSMAN,
ALFRED D. SIEMINSKI,
CLARENCE CANNON,
G. CANFIELD,
BEN F. JAMES,
JOHN TABER,
Managers on the Part of the House.

Mr. GARY. Mr. Speaker, the conference report which we present today makes the Treasury-Post Office appropriation bill the first of the regular 1953 appropriation bills to clear the Congress. The bill was reported to the House on February 29, 1952, and passed the House on March 3. The Senate Committee on Appropriations reported it to the Senate on April 22, and it passed that body on April 29. The conference was delayed pending a Supreme Court decision on seizure of the steel plants, inasmuch as the Senate had inserted an amendment which prohibited use of funds in connection with seized property.

This conference report carries total appropriations of $3,437,895,000 for the Treasury and Post Office Departments for the fiscal year 1953. This amount is $77,250,000 less than the budget estimates of $3,515,145,000, and $670,000 less than the amount approved by the House. In addition, the bill provides authorization for the Export-Import Bank of Washington to use its funds for administrative expenses in an amount not to exceed $1,125,000, but this item was not in conference inasmuch as the House and Senate had both approved the same figure.

Of the total in the bill, the major part, or $2,793,800,000, is for the Post Office Department, and $644,095,000 is provided to carry on the functions of the Treasury Department.

The largest item in conference was involved in amendment No. 12 under which the Senate proposed a reduction of $45,000,000 in the House figure for postal operations. The House had already slashed the Post Office request $28,300,000, which was considered the maximum reduction that could be made without impairing the postal service.

When the Congress reduced postal appropriations several years ago, the Department curtailed certain postal services in order to operate within the limits of the amount appropriated. Notwithstanding a flood of protests from all parts of the United States the curtailed services are still in effect and the Department estimates that the savings resulting therefrom approximate $100,000,000 annually. The additional cut of $45,000,000 in postal expenditures for 1953 proposed by the Senate would have necessitated a further substantial curtailment of postal services which the House conferees do not believe is justified at this time. We therefore insisted upon the restoration of the full amount approved by the House. Suggestion had been made to allow the Senate figure and permit the Post Office Department to submit deficiency estimates at the next session of the Congress, but this proposal was not agreed to inasmuch as the conferees felt that the Post Office Department should be required to plan its year's operations on the amount made available in the House bill. The Senate finally receded on this amendment, so that the amount appropriated for the Post Office is the same as in the House bill.

In fact, Mr. Speaker, the bill as recommended by the conferees is so nearly identical with the bill as it passed the House that I feel certain there will be no opposition to the conference report.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GARY. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

GOWANUS CREEK CHANNEL, N. Y.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7855) for improvement of Gowanus Creek Channel, N. Y., and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this is a so-called emergency measure, that it applies to the port of New York, and will be very helpful in the defense effort.

Mr. LARCADE. That is correct; it is absolutely essential to clear the harbor. There is a bar that has to be taken out that is impeding navigation.

Mr. MARTIN of Masachusetts. And it is a unanimous report of the committee?

Mr. LARCADE. Yes.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following improvement is hereby adopted and authorized in the interest of national security, to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans recommended in the report hereinafter designated:

Gowanus Creek Channel, N. Y., in accordance with the report submitted in House Document No. 318, Eighty-second Congress, and subject to the conditions set forth in said document.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING EXCESS PROFITS TAX LAW

Mr. BOGGS of Louisiana. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8271) to amend section 457 of the Internal Revenue Code.

The Clerk read the title of the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is this a unanimous report of the committee?

Mr. BOGGS of Louisiana. It is.

Mr. MARTIN of Massachusetts. Just what does it do?

Mr. BOGGS of Louisiana. The bill came out of the Ways and Means Committee unanimously. It corrects a provision in the excess profits tax law which was corrected in the Senate in 1950 when the act was passed. This was left over in conference for further study; this is the result of the further study.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, effective with respect to taxable years ending after June 30, 1950, section 457 of the Internal Revenue Code, as added by section 101 of the Excess Profits Tax Act of 1950, is hereby amended by changing its heading to read "Corporations completing contracts or making deposits under Merchant Marine Act" and by adding to said section 457 the following new subsection:

"(c) Base period earnings credit for deposits under Merchant Marine Act, 1936: The excess profits net income computed under section 433 (b) for any base period year shall be increased by the amount, if any, by which (1) the taxpayer's tax-deferred deposits of earnings, made in or accrued to reserve funds under section 607 of the Merchant Marine Act, 1936, in respect of such base period year, exceeds (2) the amount of such deposits of earnings for the taxable year. The Secretary shall provide, by regulation, for proper adjustment of the deposits made in or accrued to the reserve funds for any taxable year so as to exclude therefrom any amount payable for such year as reimbursement of operating-differential subsidy."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. ROGERS of Texas asked and was given permission to address the House for 40 minutes on Thursday, June 26, after the legislative business of the day and any special orders heretofore entered.

Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 5 minutes today, following the legislative program and any special orders heretofore entered.

Mr. JAVITS asked and was given permission to address the House for 10 minutes on Thursday, June 26, following any special order heretofore entered.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 110]

Aandahl	Dempsey	Horan
Abbitt	Dingell	Jackson, Calif.
Abernethy	Doughton	Johnson
Addonizio	Eaton	Kean
Albert	Evins	Kearney
Allen, La.	Fenton	Kennedy
Bates, Ky.	Fisher	Kilday
Beckworth	Frazier	McDonough
Bennett, Mich.	Gamble	Mitchell
Burdick	Gore	Morris
Carlyle	Gregory	Morton
Carnahan	Hall,	Moulder
Case	Edwin Arthur	Norblad
Coudert	Hand	O'Brien, N. Y.
Cox	Herlong	Patman
Dawson	Holifield	Pickett
Powell	Sasscer	Tackett
Redden	Scott,	Taylor
Reece, Tenn.	Hugh D., Jr.	Vinson
Richards	Steed	Vorys
Robeson	Stigler	Welch
Roosevelt	Stockman	Wickersham
Sabath	Sutton	Wood, Ga.

The SPEAKER. Three hundred and sixty-four Members are present, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUPPLEMENTAL APPROPRIATIONS BILL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding any rule or rules of the House to the contrary, that it may be in order for the Committee on Appropriations to file a supplemental appropriations bill on Thursday and for the same to be considered in the House on Friday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 8210, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Friday, June 20, there was pending an amendment offered by the gentleman from Virginia [Mr. SMITH].

Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 9, after line 10, insert the following new section:

"SEC. 111. Section 503 of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following: 'It is the sense of the Congress that by reason of the work stoppage now existing in the steel industry, the national safety is imperiled and the Congress therefore requests the President to invoke immediately the national emergency provisions of sections 206 to 210 inclusive of the Labor Management Relations Act of 1947 for the purpose of terminating such work stoppage'."

Mr. SPENCE. Mr. Chairman, in the interest of the expeditious consideration of this bill, which is essential, I shall insist on the rules of the House being followed and shall object to any extension of time under the 5-minute rule.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, 2 weeks ago the President appeared in this Chamber before a joint session of the Congress and at that time he asked the advice and assistance of the Congress in bringing about termination of the disastrous steel strike that now afflicts the country. At that time the President asked the Congress to make a difficult decision for him, namely, whether he should use the law of the land, the Taft-Hartley injunction provision, or whether the Congress would give him further authority for seizure which had been denied by Supreme Court decision.

The President was opposed to the use of the Taft-Hartley Act and the President very cogently in his message stated that from his standpoint he was against the use of that provision. At the conclusion of the President's argument on the subject he said:

Consequently, I feel that I should put the facts before the Congress, recommend the course of action I deem best, and call upon the Congress which has the power to do so to make the choice.

The choice lay between use of existing law and the enactment by the Congress of other laws. There have been a number of bills introduced. I know that bills are pending before three committees of the House of Representatives to enact other law. None of these committees have acted, the Congress is about to adjourn or to recess; so the question is plainly up to the House, what answer are you going to make to the President's request, or are you going to entirely ignore the responsibility of the Congress and do nothing?

That is the plain choice, that is all there is to it.

Some of us think that the President should use the law of the land, and all we are saying is that in response to your request for advice on this subject, we say to you: Just use the law of the land, we are not going to enact any other law. That is all there is to it.

I do not see why anybody should get excited about it, why anyone should get excited about suggesting to the President that he use the law of the land and that is all this does.

Some folks say, well, the law of the land will not be effective, the Taft-Hartley amendment is not any good. But what has been the experience? The Taft-Hartley feature of the law has been invoked on nine occasions. Of the nine times that the Taft-Hartley injunction was used only in one case has there been a work stoppage after the 80-day period. In three of those cases they did not even have to get the injunction. When the President appointed the board the thing was settled before injunction was applied for. In five cases there were injunctions and in all of those cases there was not an hour's work stoppage. The whole thing was settled before the injunction was over. In one case, that involving the maritime union, it did not work. I would say that when a law works in eight out of nine cases it is a pretty good law.

Some people say, well, the unions will not work under the law. Well, if there is any labor union, or if there are any other minority groups in this country,

that today say they are bigger than the law and refuse to observe the law, the quicker this Congress and the country knows about it, the better it is going to be both for the unions and for the country.

Now, my friends, I do not want to prolong this discussion. I do not want to get into any controversy about it. It is a simple thing. We ought to do something before we adjourn this Congress, and if we are not going to enact a law, then we ought to say to the President, "Go ahead and use the law that we have."

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we all agree that the proper settlement of the steel strike is essential to the stabilization of our economy and the defense production of our country. This is a very important matter, but it will never be settled unless it is settled right.

Mr. Chairman, we cannot approach this measure with hostility, either to management or to labor. The proper way to settle the strike is by mediation and conciliation or by collective bargaining, and it cannot be settled satisfactorily in any other way.

It has been said that under the Taft-Hartley Act there will be a cooling off period of 80 days. There has already been a cooling off period of 154 days. The men stayed at work, and then at the expiration of that time they proceeded to strike again. I think we all know that those men who are involved in this strike are hostile to the Taft-Hartley Act. Proceeding under that act rather than cooling off will throw additional fuel upon the flames. You cannot change the bent of men. I have no quarrel with labor because they organize. They have but one thing to sell, and that is their labor, the earnings of which support them and their families. It clothes them and houses them and they are dependent upon it for all they have. The industrial producer has many things to sell. He may have a loss on one article and make it up on another. Labor cannot do that. You cannot be hostile to labor because it attempts to assert its rights.

I think it is very unfortunate that this steel strike has occurred. I hope it can be settled amicably. When you send men back to work under injunction, they have not the same spirit that they would have if they went back voluntarily. I think that is a human characteristic. Of course, it is more pleasant for men to work under agreements, to have friendly association with employers, and that is the way it ought to be. Men who are working under those conditions will work better and produce more than working under the compulsory processes of the courts.

There is a practical question here. I think we all want this strike settled, but here by your request you are limiting the President on the methods he may use. Whether you like the President's views or not, I am sure we all know that he wants to see the strike settled. The President is the Chief Executive of this Government. He is just as supreme in that department as we are in ours. He has a powerful position with great responsibilities, and why do you want to tie his hands as to the methods that shall be pursued? I do not know the status of the steel strike at the present time; I do not know how near they are to a settlement. I hope it can be settled soon. But, suppose they were just on the verge of settlement, the use of the Taft-Hartley Act might prevent the settlement and prolong the dispute.

This amendment is but a request. The Congress recognizes the fact that they can tell the President what methods he shall pursue in his discretion as the Executive head of the Government, but he can use them or not as he pleases. The amendment has no merit. We have not the information with reference to the condition of the strike that the President has. I do not know how near it is to settlement, but let us do nothing that will prevent its speedy settlement under proper circumstances, and with the good will of all.

I hope the amendment will be defeated.

Mr. MULTER. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Chairman, if this Congress does not act and act wisely and promptly, the old slogan that "Nero fiddles while Rome burns" will probably give place in history to a new one which might well be written, "The Communist juggernaut drives on while Congress plays games." We have been playing football and kicking this issue around too long.

All the amendment now before you seeks to do is substitute a new game for the old game. Instead of football you are now going to play post office. According to what I heard last Friday, all this amendment would do would be to send the President a letter. We were told last Friday that all that would be accomplished by this amendment would be to send the President a letter and ask him to use the Taft-Hartley law.

There is not a man or woman in this Congress who does not know that we must build up our defenses here and abroad if we would stop the Communist threat. No one denies it. But when the President stepped in and seized the steel mills to give us the wherewithal to continue to build our defenses, many of you mocked and jeered him. The Communists stood back and laughed at us. When the Supreme Court said that it is up to the Congress to give him a law by which to act, you cheered the Supreme Court. Yet you have not done anything about it, and this amendment will not do anything about it.

When the President came before us he said that it is up to us, the Congress, to give him a law by which he can act. He called your attention to the defects in the Taft-Hartley Act, which will not give you steel, the steel which we need to continue to build up the defenses of this country and of free civilization throughout the world. He concluded by saying:

> The choice is squarely up to the Congress. I hope the Congress will meet it by enacting fair and effective legislation.

The Congress is not enacting fair and effective legislation. It is not enacting any legislation if it adopts this amendment to the Defense Production Act by which you will send the President a letter telling him to use the law which you and I know is not going to produce steel and is not going to get the men back to work.

It is all right for you to say, as has been said and as you will say again, that no minority is going to stand up against the law. No minority is going to stand up against the law in this country, and unions and laboring men and working men in this country will not violate the law. But when you gave the President the authority to seize our boys and send them wherever they are needed to defend our liberties, these workmen who were producing the material to supply them with the arms for defense turned to with a will to do the job. Now, you want to tell the President to seize these men and tell them to produce so that the steel mills and the steel owners can make more money at the expense of the American taxpayer.

If you think you can force them to produce more profits for the steel barons at their expense and at the expense of the free world, you are mistaken. They will do the right thing if you will enact a fair law and an effective law. They have never refused to stand up and work side by side with all those who have the best interests of this free land at heart, and they will do it again, but they will not do it because of any injunction by which you say, "You work," and at the same time you say to the steel mills, "You take the profits." That is not the American way, that is not the democratic way. The workers of America will produce for defense; yes, they will produce for profit—but they will not produce for the profit of the few at the expense of the many.

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it was very interesting to listen to the gentleman from New York draw a sharp line between management and labor. I am not so sure but that perhaps that is the purpose of the opposition to this amendment. Surely we are not going to get the production necessary for the defense effort, if we follow the tactics of the so-called Americans for Democratic Action, which by pitting management against labor and class against class, would create the same situation in America which existed until recently in Great Britain. This issue which we have before us in respect to this amendment is one of the most fundamental issues which has ever been presented to this House. We passed a law in respect to the settlement of these disputes, and the purpose of that law was to continue production not only in a period of emergency such as we are experiencing now, but even in peacetime so that they would not be such shocks to our economy as to necessitate drastic action on the part of the Con-

gress. The President of the United States took an oath to faithfully execute the laws passed by this Congress. He has no alternative under his oath of office than to execute the laws passed by the direct representatives of the people. All this amendment does is to reiterate in perhaps too mild terms the desire on the part of the Congress that the President under his oath of office execute the laws that we pass. That is all that it does.

Mr. Chairman, this action is short of impeachment because there is no time for impeachment. This is a serious situation. So we should take the responsibility which is ours, and tell the people that we have requested the President—at least requested the President—to, in keeping with his oath of office, execute the laws which the representatives have passed.

Mr. Arnall and Mr. Putnam should realize that the negotiations which are going on now in respect to the settlement of the steel-wage price dispute is a tripartite conference. Last month they said, "We will not give anyone any consideration in respect to price until they have settled the labor dispute." But, a short time before that they had said to steel, "Yes, you take the package and we will give you $4.50 a ton." Steel came back and said, "We think we need $5.50 a ton." So do we realize, Mr. Chairman, that at one time, a month or 6 weeks ago, and this situation can be brought up-to-date, if it were not for the stubbornness of the administrators of this act, they were only $1 a ton apart, and if they probably struck the difference and called it $5, then the steel strike would have been settled a month ago? The steel strike is being continued now because of the stubbornness of the administrators of this act who will not be realistic and see the facts of life in respect to it.

This amendment is the least we can do to further express the intent of the Congress in respect to this matter.

Mr. O'BRIEN of Michigan. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. O'BRIEN of Michigan. Mr. Chairman, I am opposed to the Smith amendment to put the Taft-Hartley Act in this bill. The controversy in the steel case was pending during the time the Committee on Banking and Currency were holding its hearings on this bill. Never did the sponsor of this amendment propose consideration of this amendment by the committee. It is rash and unconsidered action that is now proposed to be taken by the House of Representatives. I am sure the employees in the steel industry want no unnecessary prolongation of this strike. Their livelihood is involved.

Their sons, too, are in Korea. Their loyalty is more inflexible to the United States even than is that of capital which can find a congenial climate in which to operate under varied regimes and under almost any flag. Why then is there any logic in using this emergency control legislation as a vehicle by which the weight of congressional influence is thrown on capital's side of this dispute? If we can contribute constructively to a just solution of the wage and other problems involved in the steel strike, let us do so and with all possible speed. But in the name of fairness and for the good of our country let us refrain from an ill-considered and unfair thrust at the cause of American labor. Let us defeat the amendment by the gentleman from Virginia.

Mr. WALTER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER to the amendment offered by Mr. SMITH of Virginia: Insert *"Provided, however,* That the President shall first obtain from the leading employers in the steel industry assurances that any wage settlement reached during the period of any injunction obtained under the Labor Management Relations Act of 1947, shall be retroactive to January 1, 1952, or to any other expiration date of the prior collective bargaining contracts."

Mr. WOLCOTT. Mr. Speaker, I make a point of order against the amendment on the ground that it is not germane to the bill; and, at least by inference would amend the provisions of the Labor-Management Relations Act of 1947.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. WALTER. No, Mr. Chairman.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule.

The gentleman from Pennsylvania [Mr. WALTER] offers an amendment to the pending amendment offered by the gentleman from Virginia [Mr. SMITH].

The gentleman from Michigan [Mr. WOLCOTT] makes a point of order against the amendment on the ground that it is not germane.

The Chair has had an opportunity to read the language of the amendment. It is the opinion of the Chair that the amendment is not germane to the amendment offered by the gentleman from Virginia [Mr. SMITH], or to the pending bill.

The Chair, therefore, sustains the point of order made by the gentleman from Michigan.

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, we are simply going through another one of the dramatic fights of the last 20 years. We have heard the remarks of the gentleman from Michigan. One thing about him, he is always consistent and always has been consistent in opposition to legislation that has represented progress, and legislation that has represented the best interests of the working man and the working woman. We now find him taking the floor today and in an emotional outburst talking about the President of the United States not acting or living up to his oath of office. As a matter of fact, the President of the United States, President Truman, obtained far more in the industrial dispute in the field of steel than the Taft-Hartley Act. Further, President Truman was able to obtain close to 100 days of continuance of work. In addition to that, there has been about 3 months more of continued production on the part of the steelworkers without resort to the provisions of the Taft-Hartley Act.

If the President had lived up to the Taft-Hartley Act, the 80-day waiting period, if the injunction had been issued, would have expired long ago and we would still be without steel. There is absolutely no law on the statute books to take over after the expiration of the 80 days provided for in the Taft-Hartley Act which will permit anything to be done or the mills to be taken over, or any other action taken.

The President of the United States has accomplished more by the action he took than he could have by invoking the provisions of the Taft-Hartley Act. Yet they now come in and expect further restraint of the men who have voluntarily continued their work for close to 6 months without resorting to the Taft-Hartley Act, men who have effectively produced steel at the request of the President of the United States during this period.

The Taft-Hartley Act provides a breathing spell. If an injunction is issued the breathing spell is for 80 days. The President has done more than the Taft-Hartley Act could have done, yet we hear Members make arguments and give expression to emotional statements such as have been made by my friend from Michigan [Mr. WOLCOTT] only a few minutes ago.

As a matter of fact, Phil Murray—I say this objectively—Phil Murray has shown himself to be a real statesman in this industrial dispute. It has been a year ago last December since the steelworkers received an increase, yet since that time there have been increases for the workers of General Electric; there have been increases for the workers of Chrysler, increased within the wage formula, yet steel wages have not increased since December 1950.

Had they adopted the increase recommended by the Wage Stabilization Board it would not have been 26 cents, but 12½ cents as of January 1 of this year, 2½ cents additional, or a total of 15 cents as of July 1 of this year, and 2½ cents more on December 1 of this year, or a total 17½ cents as of the end of this year.

As to the "fringe benefits," they are not wage increases although they do represent an obligation on the part of business; yet, if the steelworkers received everything in the way of wage increases and fringe obligations or benefits recommended by the Wage Stabilization Board and its panel, they would still be behind the wages and fringe benefits received by the employees of General Electric.

So, therefore, if there is to be criticism, there should be criticism elsewhere. I am not now entering into the field of criticizing and I do not think that criticism at this time is going to be conducive to a solution of the trying situation, but if progress is to be made it must be made by men sitting down around a table with understanding minds in an approach to the solution of the issues or points in difference and dispute. Criticism is not going to be conducive to an understanding mind.

However, if you look over the whole period of time leading up to this crisis, the ones who should be complimented are the leaders of labor under the leadership of Phil Murray, because they have been very tolerant and understanding under the conditions.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio to the amendment offered by Mr. SMITH of Virginia: Strike out the word "requests" and insert in lieu thereof the word "directs."

Mr. SPENCE. Mr. Chairman, I make a point of order against the amendment. The language contained in the amendment is far beyond the power of the Congress to insert.

This Government is divided into three separate and coordinate branches, each independent and supreme in its own sphere—the executive, the legislative and the judicial.

We have no authority to direct the President to do anything within the scope of his authority. He has the right of free choice to take what measures he pleases in order to effectuate the objectives he desires to accomplish. This would put the House in a ridiculous position and I hope that there is some power in the Chairman to protect us from attempting to assume authority which we have no right to assume in invading the province of the Executive.

The CHAIRMAN. Does the gentleman from Ohio [Mr. BROWN] desire to be heard on the point of order?

Mr. BROWN of Ohio. Mr. Chairman, the Constitution of the United States—a document which is too often forgotten and overlooked in this House—in section 3 of article II, in stating the President's duties and responsibilities, contains this language:

He shall take care that the laws be faithfully executed.

The President in his message to the Congress asked for instructions as to what to do in the steel controversy. It is constitutional, it is entirely in line with our right and authority, in this particular instance at least, to give the President the instructions or directions that he has specifically requested.

In my opinion this amendment is entirely in order.

Mr. SPENCE. Mr. Chairman, this is new legislation. It is legislation, it seems to me, notwithstanding what the gentleman from Ohio says, that any court in the land that had jurisdiction would declare unconstitutional.

The President's powers are broad. The President could adjourn the House and Senate if they disagreed as to adjournment, he can convene the Congress when an emergency demands. I may say, too, that he is Commander in Chief of the Army and Navy and is vitally concerned with production. He is charged with increasing production and seeing that the steel plants of the country remain in operation.

Mr. BROWN of Ohio. Mr. Chairman, inasmuch as the gentleman from Kentucky has raised a new point of order, I would like to be heard on the new point he has made.

The Smith amendment has been ruled in order and all my amendment to the Smith amendment does is to change one word, the word "requests" to the word "directs." If it is in order to request the President to do something by this amendment, it is certainly in order to direct him to do so inasmuch as the Constitution provides that he shall execute the laws.

Mr. McCORMACK. Mr. Chairman, I think the gentleman from Kentucky pursued the right course in making the point of order he did, although, personally, I would rather see the matter go to a vote so that the country would know how drunk with power the coalition is.

Coming back to the point of order, and referring specifically to the organic law, that organic law is not compulsory or mandatory. There is nothing mandatory on the President. This amendment has got to be germane.

The Smith amendment was ruled to be germane because of the organic law, the references in the National Production Act to the Taft-Hartley Act. As I stated, going back to the organic law, there is nothing mandatory there.

The gentleman from Ohio says his amendment involves the changing of only one word. You could change the word "may" to "shall" and that would change the whole meaning of a bill or amendment and would be subject to a point of order. So the mere changing of a word is not controlling in itself. It is what the effect is. The word "direct" brings about a completely different effect than the wording of the Smith amendment.

The Smith amendment was ruled to be germane because there is a reference in the NPA organic act to certain other acts which can become traceable to the Taft-Hartley law. Now we have to go back to the Taft-Hartley Act through the National Production Act that we are extending in order to have the Smith amendment held germane. Now you have to go back there again in connection with this amendment to ascertain whether it is germane. The original Taft-Hartley Act does not use the word "mandatory." It is discretionary, and it provides for machinery that the President can resort to, if he desires. It is not mandatory, and there is nothing in the National Production Act which changes that. So, on the question of germaneness, regardless of the constitutional aspect, if there is something in the same that the Chair can pass upon—without regard to that, it seems to me that the amendment is not germane for the reasons I have stated.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania on the point of order if he desires to be heard.

Mr. FULTON. Mr. Chairman, I was going to make the point that under the existing 1947 Labor-Management Act the word "may" is used, so it is discretionary alone. Making it mandatory does change and amplify existing legislation, which is the point of order that I might have made.

I was going to ask a parliamentary inquiry of the chairman of the Committee on Banking and Currency. Would it not be possible, because this raises a basic issue, to have this point of order withdrawn and have a vote which I think the House is entitled to on this particular question, although I might disagree with it?

Mr. SPENCE. I shall not withdraw the point of order. I believe the language in the Constitution says that the President shall take care that the laws are faithfully executed. Let him take care.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Ohio [Mr. BROWN] offers an amendment to the amendment offered by the gentleman from Virginia [Mr. SMITH]. The gentleman from Kentucky [Mr. SPENCE] makes the point of order against the amendment on the ground that it is not germane to the so-called Smith amendment.

The Chair has had an opportunity to read the amendment offered by the gentleman from Ohio. Permit the Chair to advise the committee that the Chair is not called upon to rule on the question of constitutionality of a matter submitted. The Chair is only required to rule on the question of germaneness.

The Chair is of the opinion that the amendment offered by the gentleman from Ohio [Mr. BROWN] to the amendment offered by the gentleman from Virginia [Mr. SMITH] is germane; that the amendment merely proposes to change one word in the amendment offered by the gentleman from Virginia [Mr. SMITH]. The question of whether or not the Congress shall direct or request is a matter not before the Chair to determine but for the membership of the committee.

Therefore the Chair overrules the point of order made by the gentleman from Kentucky [Mr. SPENCE].

Mr. BROWN of Ohio. Mr. Chairman and members of the committee, a little over 4 years ago the Congress of the United States passed a law called the Taft-Hartley Act to meet conditions such as those which exist in the present steel controversy. For some unknown reason, or at least unknown until yesterday or the day before, the President has seen fit to either fail or refuse to use the law given to him by the Congress to meet the emergency situation in the steel case. The President then seized the steel plants of the Nation under what he claimed to be an inherent constitutional right but which action the Supreme Court of the United States ruled was unconstitutional and was therefore null and void.

Then the President of the United States delivered a message to Congress in a hastily called joint session in which he insisted that the Congress give him instructions and directions as to what to do in the steel controversy.

He, also, asked for authority from the Congress to seize private property. This Congress on five different occasions by five different actions has refused to do so.

We have been called upon to answer the President's demand that we give him instructions and directions. In the Congress of the United States rests the inherent power that governs this country. This is a government of the people and we, as representatives of the people, are here assembled in the Congress of the United States, with an amendment before us to request the President to do that which section 3, article II, of the Constitution requires him to do—to take care that the laws be faithfully executed.

What are we, in Congress, going to do? Just continue to be mice rather than men, and say to the President, "Now, if you do not want to faithfully execute the law we will just request you to do so. We will request you to enforce the law. We will request you to abide by the provisions of the Constitution. You have asked for our instructions and directions, but we are not going to give them to you. "We will neither direct nor instruct the President, but will just request him to do this, the very thing we have already said should be done once before by the passing of the Taft-Hartley Act. So we are going to request him to faithfully administer the laws of this country.

Why should we not be strong enough to say to the President, "You have asked for our instructions and our directions. Here they are. Abide by the law. Use the law we have given you." He will have received an explicit, direct instruction from the Congress when we do that, rather than a simple request.

However, if we adopt this Smith amendment as offered, and make only a simple request, the President can easily say, "Congress did not tell me to do it. They did not instruct me and direct me to do it, as I asked them to do. Instead, they just requested me to use the Taft-Hartley law. Of course, I will not do anything I am requested to do if I do not want to do it."

After this steel situation gets a little worse I suppose we will have another resolution offered saying, "Mr. President, will you please, pretty please, follow the Constitution and faithfully execute the laws of the Nation which we have given you?"

I say to you, if you believe the President should use the Taft-Hartley Act, and abide by the law as enacted by Congress, then you should say so plainly and unequivocally, without any argument or discussion, by adopting this amendment I have offered.

Mr. Chairman, I hope my amendment to the amendment will be adopted. In fact, I hope the gentleman from Virginia, the author of the original amendment, will accept my amendment to his amendment.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment to the amendment.

Mr. Chairman, it is a rather peculiar argument the gentleman from Ohio made. He implores the Congress to be strong enough to direct the President of the United States as to what he shall do. This implies that you shall be strong enough to disregard the provisions of the Constitution, to disregard the duties and the obligations of the different branches of this Government, and to invade the province of the executive branch of the Government.

Every Member here took the oath that he would support and defend the Constitution of the United States against all enemies, foreign and domestic, and that he would bear true faith and allegiance to the same. That is an essential oath. To attempt to invade the authority of the executive branch is certainly a violation of the spirit of that oath.

I do not believe there is a lawyer in this House who would say this direction to the President is constitutional.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. SPENCE. Just for a question.

Mr. HOFFMAN of Michigan. Agreeing with the gentleman from a legal standpoint, should we not be courteous enough, after the President asked us, to tell him?

Mr. SPENCE. No; I think that is a very specious argument. Whether the President requested it or not, the Congress has no constitutional authority to direct him as to what he shall do to endeavor to settle the strike.

This is absolutely disregarding the province of the Chief Executive. He did not get his powers from the Congress. He got them from the founding fathers. It is the greatest Constitution any government in the world has ever operated under. For 163 years it has been the charter of our liberties. Yet we hear gentlemen say, "Disregard the Constitution. Be strong enough to ignore its provisions and send a message to the President of the United States." We have no authority to send such a message to the President. I do not care how you feel with regard to the President of the United States. I challenge any lawyer in this House to say that he thinks we have the right to direct the President under the circumstances that exist to take any particular action in this controversy. I do not hear any response, and you cannot make any response. If the constitutionality of this amendment was considered by the courts, I am sure it would be held unconstitutional. I hope the Congress of the United States will not put itself in the position of ruthlessly invading the executive department, for if we do so what argument will we have against other departments usurping the power of the legislative?

Mr. ARENDS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the so-called Smith amendment. At the very least, I want the people of the district I am privileged to represent to know exactly where I stand, and why, on the issues presented by this proposed amendment.

Let us make that issue crystal clear. It is really very simple, and yet very, very fundamental. Let us not attempt to becloud it with all this discussion of collateral matters extraneous to the actual issue before us.

The pending amendment has nothing to do with the merit, or lack of merit, of the Taft-Hartley Act. The inescapable fact is that the Taft-Hartley Act is the law of the land. It was placed on the statute books and made the law of the land after the most painstaking consideration. We formally voted twice to make it the law, overriding the President's veto by more than the two-thirds majority necessary.

More than that, the Congress has even formally voted against a repeal of the law, notwithstanding the great pressure exerted for its repeal. We again considered various aspects of the law when we adopted certain perfecting amendments we found necessary from our experience with it in its practical applications. Those amendments had my support.

What's right or wrong about the Taft-Hartley Act is not the issue here. Nor is the issue whether the unions or the steel companies are right or wrong in the position they take. When we cast out vote on this amendment we will not be voting for or against the Taft-Hartley Act, nor will we be voting for or against either the unions or the steel companies.

The question, and the only question, presented by the Smith amendment is whether we, as Representatives of the people, purporting to represent all the people, believe that the law of the land should be invoked to meet a grave emergency situation confronting the entire country. It is just as simple as that. On a fundamental issue of this character I cannot see how any Member of Congress, however much he may dislike the Taft-Hartley Act, and however much he may be beholden to organized labor for its political support, can possibly vote against the pending amendment.

It has been argued that no useful purpose would be served by invoking the emergency provisions of the act, as the the union leaders will probably defy the injunction if one is granted. The President made that argument in his recent message to Congress. I was astounded. It amounted to a suggestion to the steelworkers to refuse to obey any injunction that may be issued by a court of the United States.

I am truly amazed that any Member of Congress, much less the President of the United States, should even suggest that a law should not be invoked because it will probably not be obeyed. That is as sound and as logical as saying that a policeman has no duty to arrest a law violator if the policeman has reason to believe that the man might resist arrest. To contend that the law should not be invoked, as it may not prove to be an effective remedy, is as nonsensical as saying that a doctor should not prescribe a well-known treatment for a well-known disease unless he is absolutely sure it will effectuate a 100-percent perfect cure.

Mr. Chairman, Philip Murray has said that the President promised him he would not invoke the Taft-Hartley Act. What Philip Murray promised the President, I do not know. I do know, however, that our whole country's security is at stake by virtue of the stoppage of vital steel production. I do know we are faced with an emergency situation. I also

know that the President sent a message to Congress asking us for our suggestions.

By voting for this amendment we will be saying in reply: "Mr. President, invoke the law of the land written by the people's representatives in Congress for just such an emergency situation and successfully used by you on several previous occasions." I deeply regret that it has become necessary for the Congress to ask the President of the United States to discharge his duty under the Constitution to execute faithfully the law of the land.

The Taft-Hartley Act emergency provisions having been invoked, we are then in a position to determine what, if any, additional emergency legislation may be desirable or necessary under the circumstances of the Steel case to insure the safety, security, and welfare of the country as a whole.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the Brown amendment and all amendments thereto conclude in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. MASON. Mr. Chairman, I object.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment. I want first to address myself to a statement made by the majority leader, the gentleman from Massachusetts [Mr. McCORMACK], to the effect that in this controversy, the steel controversy, the President had already done more than could have been done under Taft-Hartley. He seeks to reduce the matter to just a simple question of days, like the 80-day provision in the national emergency provisions of the Taft-Hartley Act. It just is not that simple, and that is not a fair explanation or a fair comparison.

What I think a lot of people forget is that, under the provisions of the act, when the President finds that a national emergency strike occurs or threatens he appoints a board to inquire into the particular controversy. This board reports in a short time, something less than 5 days, on the facts. Then, if the President sees fit, he can request the Attorney General to apply for an injunction. If that injunction is granted, what happens then? It is not just that the parties sit down and wait for the 80 days to run, but the law provides for the Mediation Service to step in and to promote the processes of real, genuine collective bargaining; and that is what everybody wants, but apparently it is what everybody is afraid of for some reason or other, especially those who oppose this amendment and who speak so viciously of the Taft-Hartley Act.

At the end of the 80 days, if agreement has not been reached, the last offer of the employer is made public knowledge; then within 15 days a vote is taken at the employee level on whether or not to accept the last offer of the employer.

As distinguished from that action, which should have been taken under existing law, what have we seen?

We have seen seizure invoked, which is to me completely antagonistic to collective bargaining. In the case before the Supreme Court do not forget that representatives of the railroad brotherhood were present, arguing against seizure.

There are many Members here, some of whom I am now looking in the eye, who drafted the Taft-Hartley Act. Do not forget that it was written here in the House of Representatives; it was written here in the Hartley Act, and one of the things that caused us the most concern was the question of how to deal with these national emergency strikes—and whether you believe in it or not, seizure was not incorporated, but this process set out in the law was the one adopted, and it is the law of the land.

I certainly have much sympathy with those who hold that it is a rather ridiculous thing for the Congress of the United States to find it necessary to ask the Chief Executive to enforce the law of the land. I trust that we are not here setting a precedent by which each time something like this arises we will have to ask the President to do the very thing that the Constitution obligates him to do.

Let me make a prediction: The Steel strike is going to be settled within a week.

Maybe the gentleman from Michigan [Mr. RABAUT] thinks that is funny. I do not think it is funny. He should agree with me that the controversy ought to be settled within a week; and if they will get the Government taking less of a part in it perhaps they can sit down and get it worked out.

I also say that it is somewhat futile, possibly, to request the President or even direct him to enforce the law of the land, because he said in his press conference a few days ago that he was not bound to do what the Congress wanted him to do. He said that the Taft-Hartley Act was generally written for peacetime and hence it would not apply now. That is a complete reversal of thinking, but at least it lets us know that he has come to realize the present situation for what it is, that we are actually at war.

But to my mind a much more serious thing than that transpired when Mr. Murray—and I have the highest regard for him; nobody ever heard me castigate him; certainly I shall not—went out to my State of Indiana and said in so many words that he had a deal with Mr. Truman before Christmas, last December, that if the union would postpone its strike on January 1, the provisions of the Taft-Hartley Act, the injunction, would not be used against them. So I say advisedly, that when Mr. Truman came up here and asked us for advice he already had so compromised himself by bargaining away his duty and his responsibility that probably he could not enforce the law if we asked him to.

Finally, it should be understood that we are not attempting here to invade the prerogatives of the Chief Executive. Nor are we passing on the possible merits or demerits of the Taft-Hartley Act.

What we are doing is expressing a conviction that the President should follow the course he is supposed to follow which is simply to administer to the best of his ability and in good faith the laws passed by the Congress.

Mr. SPENCE. Mr. Chairman, I understand that the House will adjourn at 5 o'clock this afternoon to pay respect to the memory of a very distinguished former Member of the House, the late James Wadsworth. As we cannot remain in session any longer than that time, I ask unanimous consent that debate on the pending amendment and all amendments thereto conclude at 12:30.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. HALE. Mr. Chairman, I object.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto conclude at 12:40.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. CRAWFORD. Mr. Chairman, I object.

Mr. SPENCE. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto conclude not later than 12:40.

The question was taken; and on a division (demanded by Mr. CRAWFORD) there were—ayes 173, noes 39.

The motion was agreed to.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. Under this limitation is the Chairman of the committee, who has already spoken once on this amendment, entitled to be heard again under the rule?

The CHAIRMAN. The chairman of the committee could rise in opposition to a pro forma amendment and be recognized again.

Mr. HOFFMAN of Michigan. Under the limitation?

The CHAIRMAN. Yes; under the limitation.

Mr. HOFFMAN of Michigan. Was not the time limited on both of the amendments?

The CHAIRMAN. And all amendments thereto.

Mr. HOFFMAN of Michigan. The Brown amendment.

The CHAIRMAN. On the Smith amendment and all amendments thereto, and a pro forma amendment is an amendment thereto.

Mr. MULTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MULTER. I have an amendment at the desk now to the Smith amendment which, of course, would not be in order until we disposed of the Brown amendment. Would it be in order to have my amendment read for the information of the Committee?

The CHAIRMAN. Yes; if the gentleman asks unanimous consent.

Mr. MULTER. I ask such unanimous consent.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. FULTON. Mr. Chairman, I ask unanimous consent that the time that has been allotted to me be given to the gentleman from South Carolina [Mr. DORN].

The CHAIRMAN. The Chair earlier during the discussion on this bill under the 5-minute rule, in the light of objection that was made, said that the Chair would not entertain any such request in the future for allocation of time when time is fixed.

Mr. FULTON. May I make a further unanimous-consent request that my time be called immediately following the time of the gentleman from South Coralina [Mr. DORN]?

The CHAIRMAN. That is within the control of the Chair. The Chair will try to accommodate the gentleman.

Is there objection to the request of the gentleman from New York that his amendment be read for the information of the Committee?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MULTER to the amendment offered by Mr. SMITH of Virginia: After the last word in the Smith amendment insert "Except that in view of the fact that the workers in the steel industry have voluntarily withheld any work stoppage for a period in excess of the maximum time during which an injunction could have been in force, the President is requested to proceed as though such injunction had been granted without, however, applying for such an injunction."

Mr. SMITH of Virginia. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The amendment has merely been read for the information of the Committee and has not been presented by the gentleman from New York for consideration.

Mr. WOLCOTT. In keeping with the procedure to reserve a point of order, would that not lie at this time?

The CHAIRMAN. The point of order can be raised when the gentleman from New York offers his amendment formally. It is merely offered for information on this occasion.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman, my sense of propriety is not offended by the Brown amendment, but I would like to make the observation that there is nothing in it that is any more compulsory than is to be found in existing law. The President in refusing to use Taft-Hartley law is already in defiance of established policy of Congress. If observance and obedience to law was a matter that was optional on the part of the President, then the argument of the gentleman from Kentucky [Mr. SPENCE] would be pertinent. The gentleman from Kentucky objects to the amendment because it impinges upon the constitutional rights of the President. I fail to get the force of that statement; in fact, I do not think it is pertinent to the question because the President is as much bound by the law as you or I, and he is at the present time, in my judgment, in defiance of the law.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Chairman, I rise in support of the Smith amendment. I do this with some reluctance because I think it most unfortunate that the Congress should find itself in the position of having to make any requests upon the President. The President has his constitutional duties to perform and we have ours. It is ordinarily beyond the province of the Congress to make requests of the President as to how he shall handle work stoppages imperiling the national interest, or as to how he shall handle any situation within his constitutional province. However, in the present instance, the President came before a joint session of Congress and said it was a question with him of using what he called the Taft-Hartley approach, which he did not wish to use, and the seizure approach, which he did wish to use. The Supreme Court had told the President that he could not use the seizure approach without new authorizing legislation from the Congress. Both branches of the Congress had told the President quite plainly that they are not in favor of his seizing the steel industry. There therefore remain only the provisions of the Taft-Hartley law. It is unfortunate that the President seems to have taken pleasure in thwarting the will of Congress. More than that, he said quite significantly that the strikers might not obey a Taft-Hartley injunction. The implication, as I read it, was that if the strikers were in contempt of court, the President's sympathies would be with them. Indeed, his speech was almost an incitement to contempt. It is, of course, entirely true that we cannot force the President to act under the Taft-Hartley law; we cannot force him to take any particular step with respect to this work stoppage. If this amendment should be defeated, which I can scarcely imagine, the President would then be in a position to say that Congress refused to give him seizure legislation and, at least by implication, disapproved the use of the Taft-Hartley law. We certainly cannot allow a recalcitrant President to impute his recalcitrance to the Congress and get away with it. I therefore think it is our plain duty to support the amendment offered by the gentleman from Virginia.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, ever since last December when the threat of a Nation-wide steel strike became imminent there have been loud cries that the President should use the Taft-Hartley Act to meet this crisis. There has been so much shouting about this solution to the steel crisis that we have lost sight of the basic facts involved.

We should remember that the Taft-Hartley Act merely provides an 80-day delay of a strike. Furthermore, the board of inquiry which is established under the act has no power to recommend a fair settlement. The act merely provides a delay of a settlement and it does not provide the most important element of all—machinery for the recommendation of a fair settlement of the issues in dispute.

At the request of the President last December 650,000 steelworkers postponed a strike scheduled for December 31. They stayed on the job for 99 days while the Wage Stabilization Board listened to the issues in dispute and made its recommendations for a just settlement. Up until the evening of April 8 there was every hope that the parties would reach a settlement, but when the President was advised that an impasse in bargaining had been reached he had no alternative but to resort to Government operation of the steel mills in order to prevent a serious breakdown in vital defense production.

If the President had invoked the Taft-Hartley Act on the evening of April 8 there would have been an inevitable delay of a week to 10 days within which the board of inquiry made its initial report to the President. Then under a Taft-Hartley injunction the workers would have been forced to stay on the job for 80 days, although they had voluntarily stayed at work some 99 days already, while the Wage Stabilization Board conducted detailed hearings on the issues in dispute. In the face of these facts, the President acted with complete justification to maintain essential steel production and at the same time, in the American tradition of fair play, to enable the Government to accord the steelworkers just treatment during the period in which in the national interest they were forced to abandon their resort to a test of economic strength in their dispute with the steel companies.

The Supreme Court has ruled that the President under the circumstances existing on April 8 exceeded his constitutional authority. Accordingly, the President has relinquished control of the steel mills and we are faced with the very situation which the President sought to avoid—a crippling strike in the steel industry, the industry which is the very backbone of our defense mobilization program.

The President has turned to the Congress for help in this situation. It avails us little to turn a deaf ear to his presentation of the facts in this case. To tell the President to resort to Taft-Hartley now is to tell him to waste a week or 10 days in setting up a needless board of inquiry and to force 650,000 steelworkers who have cooperated fully with the Government's stabilization rules to return to their jobs at 1950 wages while the steel companies continue to make profits on a 1952 price basis. The steel companies, who have continually refused to bargain in good faith unless guaranteed a price increase, will be benefiting from their refusal to abide by our stabilization rules.

This is not equal justice under the law. This is not the American way of doing things. The Congress cannot escape its responsibility to enact seizure legislation which will restore essential steel production and at the same time enable

the Government to treat both management and workers fairly during the period when this vital industry must proceed under Government operation if we are to meet our defense production goals.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, the amendment offered by the gentleman from Ohio [Mr. BROWN] to the amendment of the gentleman from Virginia [Mr. SMITH] can be described, and will be described as a "slave-labor" amendment. It seeks, as does the Taft-Hartley law, to swing the whole power of government and law enforcement machinery into the ranks of steel industry management and to force the workers in the steel industry to go back to work at the risk of heavy fines and other measures which a court might take to punish for contempt of its injunctive decrees. In itself, the procedure provided for in the Taft-Hartley Act, and which is sought to be effectuated by this amendment is unfair and un-American. But under the present circumstances, when the steel workers have voluntarily refrained from walking off the job, as they were entitled to do the moment their contract expired, and have stayed at work for 150 days, the tyranny of the Taft-Hartley procedure is even more offensive to one's sense of justice.

This amendment is nothing but a petty political attempt to force the President, by leaving him no alternative at a time when the national security is gravely threatened, to invoke a law that can accomplish, by force, nothing more than has already been accomplished by the voluntary agreement of the union. Supporters of such an amendment seem to forget that while these long-winded negotiations have been in progress, the steelworker has had to take home a wage that has lagged continuously behind the cost of living, a deficiency that is felt on his dinner table and seen in the clothes his wife and children wear. Nevertheless, this amendment is a direct slap in the face to that same steelworker, forcing him to go back to work for another 80 days without any better hope of the settlement of his wage demands.

A review of the Smith amendment, however, brings me to compliment my colleague from Ohio in one respect at least. The gentleman from Ohio has stood up on his hind legs and taken definite action in this important matter. He has responded to the clear choice which President Truman presented to this Congress when he told us there should be adequate seizure legislation enacted or that the Taft-Hartley Law should be used. The gentleman from Ohio repudiates any possiblity of seizure legislation and in straightforward terms directs the use of Taft-Hartley.

Not so with the amendment sponsored by the gentleman from Virginia. This amendment makes a game of volleyball out of the national security and with its approval the problem will be batted back to the President without a single solitary change in the realities of the situation. Everyone knows that the application of the pertinent provisions of the Taft-Hartley law is discretionary with the President. Under that law, section 206, the President may appoint a board of inquiry, and he may—section 208 (a)—direct the Attorney General to seek an injunction. The Smith Amendment changes none of that; it brings the country no nearer a solution of this grave problem.

The amendment is neither fish nor fowl. It does not take a positive stand like the suggestion offered by the gentleman from Ohio. It makes no provision for a solution after the 80-day Taft-Hartley injunction has expired. It is patty-cake, lollipop legislation that adds up to absolutely nothing—zero. Just a big fat goose egg, as far as getting steel into the tank and munition plants of the Nation is concerned.

It seeks only to put this Congress on record as favoring the use of a club on American labor. It seeks to replace collective bargaining with the injunction decree and the contempt citation. I ask that these unjust amendments be repudiated in the name of common decency.

And furthermore, Mr. Chairman, it is my fervent hope that when the House proceeds today and tomorrow to take final action on these 1952 amendments to the Defense Production Act, it will move to undo the crippling damage that has been done to the vital machinery on which we rely to keep our national economy on an even keel in this period of crisis.

It is my hope that we will see a great repentance for the sins that were committed against the best interests of the consuming public of this country. As usual, an unholy coalition has been running things here and, whatever may have been the motives of those who joined, it is certain that, as Economic Stabilizer Roger Putnam so aptly described it, a "to-h—-with-the-consumer spirit" prevailed in this House. These special-interest, decontrol amendments seem diabolically designed to create more inflation rather than to hold the line and keep economic forces in balance at this time when we just cannot afford to let anyone rock the boat.

How can we shut our eyes to the meaning of this action for the millions of Americans who must fight the battle of inflation in the grocery store, the butcher shop, and the clothing store. I have observed with some wonder the almost uncanny genius of the Republican Party for picking out the precise issue where the average American consumer and the small-business man, who is also a consumer, have the most at stake and I have watched the members of that same party blast away at those interests with reckless, ripper amendments to this anti-inflation law. This is, perhaps, the political marvel of our generation and during the past week we saw the same routine acted out again with strict adherence to the usual script.

It is not my purpose, however, to impress upon my Republican colleagues the elementary fact that the housewife looks for someone to blame when the weekly grocery bill drains her pocketbook. I am here pleading to keep that grocery bill within reasonable limits. I am here asking this House to back away from the brink of economic chaos to which it has brought the Nation by this sabotaging of our price-control machinery.

Specifically, let us beat down the Talle amendment which means the end of price control as the consumer knows it. The Consumer Price Index now stands within a point of the highest mark it has reached in modern history. The Talle amendment does nothing more nor less than to pull the safety valve off the boiler. To complete the metaphor, the escaping steam symbolizes the vanishing into thin air of the standard of living which the American people once enjoyed.

Let us knock out the amendment to emasculate the Wage Stabilization Board which, outside of the much publicized steel dispute, has had an excellent record of settling labor disputes within the framework of stabilization policy.

This bill as it now stands ravaged by the action of the House in the Committee of the Whole is bad enough, but let us at least resist any further attempts at strangulation of our efforts to keep living costs down and our economy producing the materials we must have to preserve the national security.

I earnestly request the Banking and Currency Committee to insist on roll-call votes on all crippling amendments so that the American people will know where each of their Representatives stand on this most crucial issue.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. ARMSTRONG].

(Mr. FULTON asked and was given permission to yield the time allotted to him to Mr. ARMSTRONG.)

Mr. ARMSTRONG. Mr. Chairman, I rise to oppose the Smith amendment and all amendments thereto. I do not have time to apologize or express my deep regret that I must oppose so many leaders of my own party and of the majority party as well, but I oppose this amendment for three reasons:

First, the amendment violates the principle of the separation of powers in the Federal Government as set forth in the Constitution. The executive power is vested in the President. Now he has asked us what he should do to settle the steel strike. The only responsibility the Congress of the United States has is to pass legislation for him to administer and to execute.

Secondly, I oppose this amendment because it would set a dangerous precedent. In effect, we ask the President to perform his duties under the Constitution. If we do that, then pretty soon all the Federal agencies will be sitting back and saying, "Well, we don't have to execute this law unless Congress gets angry enough to ask us to."

Thirdly, I oppose this legislation because of its utter futility. You cannot make Harry S. Truman a good President by congressional resolution. He is supposed faithfully to execute the Office of the Presidency, as the Constitution says, to the best of his ability. An able and a couragecus President, one who observes his duty under the Constitution, would

not have run up here to the Hill to ask Congress what he should do. He would have done his duty under existing law, or he would have asked for new legislation.

Mr. Chairman, I think we ought to let this matter go into the hands of the President to do what he thinks is wisest and best. If he does not do what is wisest and best, then, of course, we will have to go along with the same ineffectual and bungling leadership to which the country has become accustomed. But I repeat that it would set a dangerous precedent for Congress to tell the executive agencies and the executive leaders from the President down what they should do in regard to laws already on the books. We in Congress should let the Constitution operate as established.

May I close with this remark on the part of a new Member of this body: It seems to me we should face up to our responsibility, the responsibility of Congress to pass legislation that will prevent these crippling strikes. If new legislation is needed, to bring peace and cooperation between management and labor and at the same time to protect the rights of the public, then let us get busy and pass such legislation.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. HOWELL].

Mr. HOWELL. Mr. Chairman, I do not believe that anything we do here by way of the Smith amendment or the Brown amendment will necessarily compel the President to seek a Taft-Hartley injunction. I think the most helpful thing that could happen now would be for all Government auspices to be withdrawn. Let them try to settle the steel strike by free collective bargaining. If that does not happen, the President may, of course, have to use the Taft-Hartley injunction, although he has given reasons why he believes some other approach would be more fair at the present time. I hope if he does use it the workers will respect the injunction.

I want to say a word about another matter that was up for debate during the consideration of the Lucas amendment. The gentleman from Illinois [Mr. VAIL] placed in the RECORD some statements from the files of the Un-American Activities Committee dealing with certain public and labor members of the Wage Stabilization Board. I think it is only fair that replies of three of those members, Mr. Brophy, Mr. Childs, and Mr. Sigal, be presented to you for your consideration. I have here the statements of these gentlemen, and I am going to present them to you at this time. They are as follows:

STATEMENT OF JOHN BROPHY BEFORE HOUSE COMMITTEE ON EDUCATION AND LABOR IN ANSWER TO CONGRESSMAN VAIL, MAY 21, 1952

My name is John Brophy. I am an alternate member of the Wage Stabilization Board. Prior to this position I was consultant of the International Confederation of Free Trade Unions to the United Nations for 1 year.

I was one of those who helped to found CIO in 1935 and for 4 years I was its national director under the chairmanship of John L. Lewis. Following this for 10 years under the presidency of Philip Murray I was national director of Industrial Union Councils, CIO's State and community central labor bodies.

It is not my purpose to cover the ground already covered in the testimony of the labor members of the WSB, Messrs. Walker and Childs. That field has been adequately covered by them as to the position of the AFL and the CIO on the subject of wage stabilization.

Rather it is my purpose to deal with a phase of the record made on May 9, when Congressman VAIL propounded a series of questions as to the qualifications of certain unnamed individuals to sit as members of the WSB. These questions are based upon testimony of one Benjamin Gitlow submitted before the House Un-American Activities Committee.

Even though I am unnamed, it is evident, that I am one of those the Congressman tried to smear since there is sufficient information for identification purposes.

I became a member of the United Mine Workers of America in 1899. I was elected president of District 2, United Mine Workers of America, in 1916 and served in that capacity for 10 years. In 1927 I ran against John L. Lewis for the national presidency of the United Mine Workers of America, and according to the published official count was defeated. Shortly thereafter I was expelled for protesting what I considered the officers' violation of the union constitution and sound trade union policy. This was an intraunion affair entirely, and no question of loyalty to the country was involved in any way.

The great body of my support in that election in the miners union came from democratic trade-unionists. If Communists at that time opposed Lewis and therefore supported me, they did so for their own reasons which were not mine. I deny flatly that I "consorted" with Communists.

If Lewis ever accused me of being a paid agent of the Soviet Government he was only indulging in florid campaign oratory. There isn't a word of truth in it and he knows it.

All the expenses I incurred in my campaign (several leaflets and one automobile trip outside my own district) amounted to less than $250 and were paid out of my own money. I received no contributions from the Communist Party or from individual Communists. I might add that I was reinstated by Mr. Lewis in the UMW in 1933 and continued to be a member until after the UMW withdrew from the CIO and expelled all members who remained with the CIO.

As to what transpired in the inner circles of the Communist Party as referred to in the testimony, I would have no knowledge. But since they claim to have been in on the ground floor of everything since the invention of the wheel it would not surprise me if they had laid claim to having a hand in even my humble affairs. My trade union policies before, during, and since my campaign against Lewis were determined only by me, regardless of the claims of Communists or ex-Communists.

I was a member of a trade union delegation to Europe and the Soviet Union in 1927. It was sponsored, not by the Communists as claimed in the testimony, but by various American trade unionists and liberals, and was led by James H. Maurer, president of the American Federation of Labor's Pennsylvania State body.

I presume the Portland conference mentioned was the Federation of the Pacific, composed of west coast A. F. of L. and independent unions. On invitation of this group in 1937, I was assigned by John L. Lewis, then chairman of the CIO, to address this conference on the aims and purposes of CIO.

I repeat the statement in my letter to the House on Un-American Activities Committee when these false charges were originally made:

"I deny completely and emphatically that I ever received one penny, directly or indirectly, from the treasury of the Communist Party in my campaign for the presidency of the United Mine Workers of America. I enter this denial whether that statement was made by Ben Gitlow or anyone else, now or at any other time. I am not a Communist. Neither am I a Soviet agent, as claimed, and never have been. I am and always have been opposed to the philosophy of communism. No one knows this better than the Communists themselves. If at any time they have expressed approval and apparently supported views and policies for which I stood, they have done so without approval or consultation with me."

Those who indulge in the dissemination of baseless allegations and intimations against fellow citizens, public officials, or a great labor federation, such as the CIO and its responsible representatives, do an injury to social justice and truth. They weaken the fabric of a decent American society and endanger America in the great struggle between totalitarianism and the free world. Trade unions can be a powerful force in aiding the common cause to which all freemen are committed. Their full cooperation should be welcomed rather than restricted.

Naturally I am concerned in maintaining my good name, but even more I am interested in promoting the general welfare of America and its people. This I conceive to be possible only if democracy is strengthened. Free trade unionism is an extension of democracy in the field of labor-management relations.

I have had a long, active life in the trade-union movement. My work during all of these years has been in the open. I have operated according to the American democratic pattern with complete loyalty to and faith in the Constitution and its great Bill of Rights.

I am proud to stand on this record, confident in the knowledge that I have never committed a disloyal act to my country, from the day that I first went down into the mines in Indiana County, Pa., at the age of 12 to the present.

This is my answer to the insinuations which have been introduced into the records of this committee.

STATEMENT OF JOSEPH W. CHILDS BEFORE HOUSE COMMITTEE ON EDUCATION AND LABOR IN ANSWER TO CONGRESSMAN VAIL, MAY 21, 1952

Before concluding, I should like to say a few words with regard to certain charges made by Congressman VAIL during Mr. Feinsinger's testimony before the committee on May 9.

Perhaps Mr. VAIL's remarks are better described as insinuations than as charges.

What Congressman VAIL did was this: He read to Mr. Feinsinger what he asserted to be excerpts from testimony given at public hearings of the House Un-American Activities Committee and newspaper reports. Mr. VAIL did not give the date of these Un-American Activities Committee hearings, nor did he give the names of the witnesses he was quoting. Mr. VAIL did not name the individuals thus back-handedly accused. Instead he asserted that they were members of the present Wage Stabilization Board and indicated that they were CIO members.

Never having appeared before a congressional committee prior to this day, I cannot claim to be familiar with the procedure followed at committee hearings. Perhaps that is why I am shocked and surprised by Mr. VAIL's method of making these charges.

He said that he was quoting from public hearings before the Un-American Activities Committee (Tr. 639). Why then did he omit to state when these hearings were held, or to supply any information which would enable those against whom he made his dirty insinuations to locate the transcript?

I assume that the witnesses before the Un-American Activities Committee whom Mr. VAIL quotes were identified when they testified. So far as I know, it is not the practice of congressional committees to permit witnesses to wear masks or to refuse to give their names. Why then did Mr. VAIL omit to identify these witnesses, and even go to the length of striking out their names where they appeared?

The witnesses before the Un-American Activities Committee presumably gave that committee the names of the people they were making charges against. But Mr. VAIL also deleted those names, and leveled his insinuations only against unidentified CIO board members.

Now, since Mr. VAIL is exempt from the libel laws when he speaks here, it is difficult to understand the reason for this grotesque and unfair procedure. I can only conclude that Mr. VAIL has a preference for unidentified informants over named witnesses, and that he prefers vague insinuations to direct charges.

Further, Mr. VAIL chose to make his insinuations when Mr. Feinsinger, who could not possibly answer him, was on the stand, rather than any of the individuals he accused. Evidently, Mr. VAIL prefers to make his insinuations behind peoples' backs, rather than to their faces.

Mr. VAIL appears to be interested in smearing, not in getting at facts. This is a technique of the Communists and the Nazis. It is not the technique of Americans.

Some of Mr. VAIL's insinuations are so vague that it is not possible to say against whom they were directed. However, one of them is identifiable as being directed against me. On pages 648–649 of the transcript of May 9, 1952 the following statement by Mr. VAIL appears:

"Let us deal with another individual, also a member of the labor group.

"A statement of the Civil Rights Congress opposing Red-baiting and attacks on Communists was signed by this individual, identified as president of a local of the United Rubber Workers, from the Daily Worker of May 25, 1947. The Civil Rights Congress has been cited as an organization formed in April of 1946 as a merger of two other Communist-front organizations, International Labor Defense and the National Federation for Constitutional Liberties. It was dedicated, not to the broader issues of civil liberties, but specifically to the defense of individual Communists and the Communist Party, and controlled by individuals who are either members of the Communist Party or openly loyal to it. This is Report No. 1115 of the Committee on Un-American Activities, dated September 2, 1947.

"Attorney General Clark cited the Civil Rights Congress as subversive and Communist, press releases of December 4, 1947, and September 21, 1948."

Since I am the only member of the United Rubber Workers serving on the Wage Stabilization Board, it was quite evident to me when I read Mr. VAIL's statement that I was the individual to whom he referred.

I have secured a copy of the Daily Worker of May 25, 1947, and the Daily Worker does list Joe Childs, president of Local 9, United Rubber Workers, Akron, Ohio, as a signer of a petition opposing Red-baiting by the House Un-American Activities Committee.

I have searched my memory and I do not remember signing such a petition. I also cannot remember having any familiarity with or knowing anything about the Civil Rights Congress 5 years ago, in May 1947.

It is not and has never been my practice to associate or collaborate with Communist groups or organizations. To the contrary, I have always opposed and actively fought against Communist attempts to infiltrate the Rubber Workers Union and the CIO. If I signed this Civil Rights Congress petition, and I suppose that it is possible that I did, even though I do not remember it, I certainly did so without knowing that the organization had any tie-up with the Communists. The name "Civil Rights Congress" certainly sounds innocuous enough, and in 1947 I was opposed, as I am today, to the type of Red-baiting in which Mr. VAIL, for example, engages. I notice that, according to Mr. VAIL's statement, it was not until some time after May 1947 that Attorney General Clark cited the Civil Rights Congress as subversive. It seems to me a little unreasonable for even Mr. VAIL to expect a local union officer to be more forehanded in these matters than the Attorney General.

I have never been a member of the Communist Party and never expect to be. I have never been sympathetic with communism and never expect to be.

I consider myself as good an American as anyone else, and a better American than anyone who uses a congressional committee and congressional immunity to smear other people through unproven insinuations.

At the conclusion of my testimony Mr. John Brophy, another CIO labor member, wishes to reply to thinly veiled references directed at him. CIO member Benjamin Sigal will also have a statement on this same subject. He was present on Friday, May 16, when CIO labor members were originally scheduled to appear. He is unable to be here today and requests an opportunity to be heard on Monday or Tuesday, May 26 or 27, or some other date in the immediate future.

STATEMENT OF BENJAMIN C. SIGAL, CIO MEMBER, WAGE STABILIZATION BOARD, BEFORE COMMITTEE ON EDUCATION AND LABOR, MAY 27, 1952

My name is Benjamin C. Sigal. I am a CIO member of the Wage Stabilization Board. I am here to respond to certain vague insinuations which were introduced into the record of this committee's hearings on May 9, 1952, as well as to answer any questions which the committee may have in regard to the Wage Stabilization Board and its policies.

According to the transcript of May 9, 1952, Mr. VAIL made the following statement:

"The New York Times of September 21, 1947, reported that this individual was attorney for the United Shoe Workers, cited as one of the unions in which the Communist leadership was strongly entrenched at that time. He appeared in behalf of the Washington Chapter, Americans for Democratic Action, to protest against passage of H. R. 7595, hearings on legislation to outlaw certain un-American and subversive activities. What would you say about him?"

I assume that this statement refers to me inasmuch as I am the only labor member of the Wage Stabilization Board who is an attorney. I also assume that the conclusion which Mr. VAIL sought to infer from this statement is that the conduct attributed to me was in some respect derogatory, although he made no statement to that effect. It is for this reason that I have characterized the statement as one of vague insinuation.

It is true that in September 1947 I was an attorney for the United Shoe Workers. This is an international which was then, and is now, affiliated with the CIO. I first began to represent that organization in June 1946 and terminated my relationship with them in the fall of 1947. I had no previous relationship with that union in any capacity whatever, and so cannot testify as to the existence of Communist leadership in its ranks prior to 1946. However, I can assert, as my conviction, that at the time I was representing that organization its leadership was not communistic and that Communists were not strongly entrenched in the organization. It is possible that there were some Communists in the lower ranks of its leadership. I am confident, however, that the national officers of the organization were not influenced in their policies by any Communists or Communist sympathizers in their ranks.

Mr. VAIL's statement is presumably based on the pamphlet issued by the Un-American Activities Committee in 1944, in which it is stated that the United Shoe Workers is one of the unions in which Communist leadership was strongly entrenched. Since I had no connection with the organization at that time I cannot make any statement about Communist influence in 1944. I think it only fair to note, however, that even if that statement were true in 1944—and I am not prepared to admit the truth of that statement merely on the authority of that pamphlet—there is no reason to assume or assert that such was the case in 1947 when I was representing the union. To assume that I was a Communist sympathizer because I represented a union which may have harbored some Communists, is a conclusion utterly unjustified by logic or reason. I am not now, and have never been, a Communist or sympathetic with Communist ideology.

Mr. VAIL's statement then goes on to point out that I protested against the passage of H. R 7595, which later became the McCarran Act. Our democratic processes have indeed sadly deteriorated if it can now be said that one is tainted with subversion merely because he testifies against a proposed law which deals with subversive activities. What I said about the McCarran Act is spread on the records of the committee which handled the law. I do not propose now to reiterate my statements concerning it. It should suffice to say that the arguments I used were substantially similar to the ones President Truman used in vetoing the bill. The arguments I used were substantially similar to the arguments used by such Senators as KILGORE, LANGER, LEHMAN, and others when they opposed it. The arguments I used are similar to those used by the Members of this House who opposed it. It should be noted furthermore that four present members of this committee voted against the bill. Is Mr. VAIL prepared to assert that President Truman, as well as the distinguished Members of Congress who opposed the bill, are also tainted somehow with Communist sympathy? If not, I submit it was highly unfair even to suggest that my conduct was in any degree questionable because I testified against that bill.

The CHAIRMAN. Without objection, all Members on the list in the possession of the Chair may revise and extend their remarks.

There was no objection.

Mr. VORYS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS. Is it not possible by unanimous consent to secure the same permission for other Members who may want to speak but are not on the list?

The CHAIRMAN. Without objection, all other Members may extend their remarks on the pending amendment at this point.

There was no objection.

Mr. VORYS. Mr. Chairman, I am voting for the Smith amendment. I think the President should use Taft-

Hartley procedure in the steel strike. I think he should have used it long ago.

We have got to make it clear that neither the unions nor management nor the President are above the law or beyond the law in labor-management disputes, and Taft-Hartley is the law, and will continue to be until it is changed by Congress. I voted for it. I voted in 1949 for amendments that time and experience had demonstrated would improve the law, but these amendments were defeated by the Fair Deal. If the President will use the law now, instead of abusing it, instead of evading and avoiding it, I think this strike will be settled. In any event, by using the law we can find out whether further legislation is necessary. At present I am against any kind of seizure law. I believe in the collective-bargaining procedure, the democratic last offer and last chance to accept, provided by the Taft-Hartley Act. We need steel production, but we need also to protect the fundamental freedoms of workers and employers.

The President has requested the advice of Congress on this subject. Of course his request was political, to get him off the spot between the Supreme Court and Phil Murray. I do not believe, however, that we should play politics with his request, but should answer it in good faith. This is what Congress has done. We have denied seizure powers, and by this vote are advising the President to execute existing law.

It is argued that for Congress to ask the President to obey the law he is sworn to uphold creates a bad precedent. I suggest this precedent will apply only when we have a bad President, and I hope that condition will continue for only a few months more.

It is argued that the voluntary delay in striking in the steel case takes the place of the involuntary delay that may be required under a Taft-Hartley injunction. If this is true, then every delay in work stoppage during a labor dispute becomes an excuse to evade the law. The Taft-Hartley Act permits a court to enforce an involuntary delay in concerted action, while leaving every workman free to work or quit, as he desires.

In a time like this, when our men are fighting in Korea, we must protect the rights of individual workers here at home, but in disputes between unions and management organizations, the public interest, the safety of our Republic, must come first.

Mr. McGRATH. Mr. Chairman, the proposed amendment which, in effect, directs the President of the United States to invoke the Taft-Hartley law is just in keeping with the many amendments that have been offered to destroy this bill. A continuation of price control is necessary to stop inflation. The passage of this measure without the amendment is the only sensible and logical way in which we can have real price control.

I am in receipt of the following three letters: One from Martin T. Lacey, president of the Central Trades and Labor Council of Greater New York and Vicinity, A. F. of L., and a man who has done a great deal for organized labor and who understands the needs of the people of our country. It is as follows:

CENTRAL TRADES AND,
LABOR COUNCIL OF
GREATER NEW YORK AND VICINITY,
New York, N. Y., June 24, 1952.

MY DEAR CONGRESSMAN: We strongly urge the continuation of price controls where it affects food, fuel, everything relating to the farmer's needs and to the housewives' budget.

Do all you can to defeat the Talle amendment as it will place heavy burdens on the housewife's budget if controls are ended, causing living costs to zoom. Run-away inflation will follow placing in jeopardy the stabilization of the American economy.

Respectfully yours,
MARTIN T. LACEY,
President.

The following letter was received from Mr. Thomas A. Murray, the distinguished president of the New York State Federation of Labor, A. F. of L., representing hundreds of thousands of people in the Empire State which also urges the adoption of strong price control:

NEW YORK STATE
FEDERATION OF LABOR,
New York, N. Y., June 24, 1952.

MY DEAR CONGRESSMAN: Inflation can destroy American security just as readily as enemy bombs.

Vote and urge your brother Congressmen to support price controls where it affects the housewives' budgetary household needs and thus support the American economy and help continue the American way of life.

Respectfully yours,
THOMAS A. MURRAY,
President.

The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, A. F. of L., has added its strong voice in a plea to Congress to pass the proposed bill without the amendments which would in effect destroy it. That letter is as follows:

JOINT COUNCIL NO. 16,
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA,
June 24, 1952.

MY DEAR CONGRESSMAN: Vote in favor of retaining price controls because the American economy can be most readily destroyed by a run-away inflation.

The backbone of our American way of life is the family, the home, the children. Do not destroy the budget upon which the American housewife depends to provide the daily needs of her family group.

Vote the continuation of controls.

Respectfully yours,
LEONARD GEIGER,
Recording Secretary.

Mr. Chairman, I therefore will cast my vote against the Brown amendment, the Smith amendment, the Talle amendment, the Lucas amendment, and the Harrison amendment, and I urge the House to pass the committee bill without these crippling amendments.

Mr. RADWAN. Mr. Chairman, the present amendment would not be before us had it not been for the fact that on June 10 the President addressed a joint session of Congress, asking the Congress for aid or direction in the steel crisis. A strong and courageous President would never have done this. For that matter, a strong and courageous President would have acted with greater propriety in the first instance by preventing a muddle instead of encouraging it.

Frankly, I am not sure that the present request, if passed by this House, will mean anything to a President who has already by improper remarks, openly issued an invitation to the steel workers to continue the strike in the event the Taft-Hartley law is invoked. This the President did on two occasions: First, on June 10 when he addressed the Congress; and, second, at a recent press conference on June 19, or thereabouts. For the President to doubt in advance that the law would be disobeyed if invoked by the Chief Executive, amounts to bad faith, not only to all of the American people generally, but it is bad faith to the very steelworkers whom the President pretends to befriend.

The American people, including the steelworkers, all expect the President of the United States to keep faith with his oath of office, and give due respect to the laws of the land.

Since the President has stultified himself in coming before the Congress on June 10, I feel that I have no alternative but to give him the courtesy of an honest reply by voting in favor of this amendment. But, I do so in good faith, not only for myself, but for those whom I represent. Those I represent expect similar good faith from the Chief Executive. We do not expect a statement from the President with an attitude—"I did not want to use the Taft-Hartley law, but Congress asked me to." Such an attitude on his part would be a full invitation seeking disrespect for the Taft-Hartley law, if he decides to use it. Of course, if we do not pass this legislation, we could expect to have the President say that Congress did not want me to use the Taft-Hartley law. This is all the more reason why we must, today, reply affirmatively and disregard any other considerations of impropriety, whether it be his or ours.

Certainly, if the President admits his weakness and his inability to deal with this crisis, the least we must do is to comply with his request. Common courtesy requires this. Our need for steel commands it.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, there is one aspect of this entire attack on labor with which I am concerned. And that is that for the past 2 or 3 months I have been trying to determine leading issues for campaigning in my district for reelection in November. I have been somewhat concerned because I have found a satisfied, full-time working program with a lot of our workers so it has been rather difficult to arouse them to any aggressive political activity. But, I am sure as a result of the wires and letters I have received from workers in the city of Minneapolis, that they are considerably alarmed at the position of this Congress in its attitude and its approach to the question of this steel dispute. I feel satisfied now that I will have the same issues again in 1952, the issue which brought me here in 1948 with a 17,000 majority as a result of my opposition to the Taft-Hartley Act.

Mr. Chairman, this amendment is a vindictive attack against the President

of the United States and the workers in the steel industry.

That is all it is. It certainly provides no means whatsoever for settling the steel dispute, much less for bringing it to a conclusion in a manner that would be fair to all parties concerned—the steel companies, the steel workers, and the American people.

What is the real situation with which we are confronted? In the first place, and I stress this point, the demands of the steel workers are thoroughly reasonable. The representatives of the American Federation of Labor on the Wage Stabilization Board have prepared a detailed analysis of the Board's recommendation in the steel case. The conclusion of the A. F. of L. members is that not only do these recommendations fail to give the steel workers benefits which other workers have received, but on the contrary, even if the recommendations of the Board were put into effect the steel workers would still be far behind most of A. F. of L. unions. This analysis further emphasizes that the recommendations of the Wage Stabilization Board in the steel case were conservatively within the limits of its well-established policies. As a matter of fact, the steel case is simply the most publicized "catch-up" case the Wage Stabilization Board has processed.

Despite the fact that their demands were not at all excessive, the steel workers have already waited 120 days without taking any action to gain their demands. It was only after waiting all of that time and after there seemed to be no other avenue open to them, that they finally did cease work.

What is now proposed in the Smith amendment? In the first place there is no assurance that anything at all will result in the passage of this amendment. There is nothing in the amendment which requires the President to do anything. It simply asks the President to invoke the emergency provisions of the Taft-Hartley Act. The President has already made it clear that nothing is to be gained by his taking such action, and it is very unlikely that he will do so simply on the basis of such a request.

Secondly, even if the President should invoke the emergency dispute provisions of the Taft-Hartley Act, all that can be done under that act of any significance has already been done. The Taft-Hartley Act provides that the President shall say that there is a national emergency. Certainly no constructive purpose can be served by such a finding in the light of the accepted fact that if the steel dispute should continue for a prolonged period the Nation would undoubtedly be confronted with such an emergency.

The act then provides for a cooling-off period of 80 days, but the steelworkers have already gone through a cooling-off period of 120 days. What purpose can be served by attempting to force them to wait for another 80 days?

The third step is the appointment of a fact-finding board to make recommendations. The Wage Stabilization Board was just such a fact-finding board, and it has made recommendations which were thoroughly in harmony with accepted stabilization principles. What possible purpose can be served by the appointment of still another fact-finding board to plow over the same old ground and undoubtedly arrive at the same conclusions?

The only other step called for by the Taft-Hartley Act—and the only one which has not been utilized to date—is the holding of an election among the employees to vote on the last offer of management. The experience with such elections has shown that union members do not readily forsake their just demands when they vote in such elections. Moreover, in this case it would be very difficult to determine precisely what the last offer of management was, since it is quite clear that the companies involved in the Steel case are split among themselves and have not agreed on any offer to the steel workers.

Even if all of these apparently meaningless steps should be followed, the 80-day cooling-off period would elapse in September or October at a time when Congress would probably not be in session. The Nation would then be faced with exactly the same problem it faces today to which the Congress would have provided no solution whatsoever.

The proposed amendment can achieve no solution of the serious problem we face of securing resumption of steel production. If the Taft-Hartley Act is applied in this situation, it will simply deprive the workers in the steel industry of the wages and working conditions to which they are entitled, while the companies will be assured of continued high-level profits. Certainly this is the very opposite of the even-handed justice which all groups in this Nation have a right to expect from their Congress.

Mr. Chairman, the Smith amendment can achieve no constructive result. It will either be completely ineffective or it will do positive injustice to the steelworkers who have already been deprived of a fair disposition of their just demands.

I therefore urge my colleagues to vote down the Smith amendment.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, the Taft-Hartley law, which the gentleman by his amendment would invoke, was, at the time of its passage by the Congress, regarded as punitive legislation aimed at putting all organized labor in a strait-jacket.

It is clearly evident that the gentleman from Virginia and a group of labor haters still regard it as a club at their convenience with which they seek not social, economic, and political equality, but a means to gain their major objective—the destruction of all unions.

The sponsor of this amendment has been the author or supporter of most of the antilabor legislation offered in the Congress in the past decade. I refer to the Smith-Connally Act, the Taft-Hartley Act, and his more recent attempt to put the entire Nation into receivership.

President Truman appears to be the gentleman's pet peeve. If he feels that the President is not abiding by the Constitution and the laws he has taken an oath to enforce, then he should consider impeachment of the offender.

I object to his venting his wrath on all organized labor, and particularly on 650,000 steelworkers, in order to get at one individual. I recall the great sage of Monticello and his ideas of the equality of man. I wonder how hymn of hate fits into his theory.

I also protest the amendment on the ground that it is not germane to any section of the pending legislation. The proposal is only a gesture. The Taft-Hartley law says the President may, after certain preliminaries are taken care of, seek a court order. It appears to me that the gentleman could better direct his energy in a move to amend the Taft-Hartley law making action mandatory.

I ask, Mr. Chairman, will the gentleman's proposal produce steel? Is it not a subterfuge for action the Congress should take now to meet the emergency? Even though I stand as one "crying in the wilderness," I want to register my objection to the recess or adjournment of the Eighty-second Congress until such time as the Congress has met this issue by concrete legislation that will insure equality under the law to all segments of our economy.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, the Congress enacted the Taft-Hartley Act some years ago. It is on the books. The President has declined to use the emergency procedures contained in it, although he has used those procedures in nine other cases, and has asked for other legislation which would shorten the 80-day period and abolish the Board. He prior to that, had seized the mills, an action which was declared unconstitutional by the Supreme Court of the United States. Now he wants to pass the political buck to the Congress by having us tell him all over again what to do. It seems to me it is rather like "painting the lily" for the Congress of the United States to take any such action as is here proposed. Furthermore, at this season of the year, it looks like a political buck-passing game, and I am against helping anybody pass a political buck. Congress has taken its share of the responsibility by passing the law. The President has not yet taken his by carying out the provisions of the law. When he has done that, then the buck passing can begin. Mr. Chairman, I am against both amendments, as it is entirely unnecessary for the Congress to tell the President what to do when he already has law upon the statute books—and has taken an oath to administer the laws of the United States. This amendment requesting the President to invoke the law has all the earmarks of a political booby trap.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Chairman, this is a very serious period in the history of the United States, when the Congress finds it necessary to direct,

implore, or request the President to execute the laws which the Congress has passed and thereby uphold the Constitution. It raises the question as to whether the present occupant of the White House is President of the United States or a dictator.

It raises the question as to whether he is beyond the law because of what he thinks are his inherent powers, which the Supreme Court says he does not have, in defiance of the opinion of the public and the will of the Congress. It certainly raises the question as to whether this Congress should not give serious consideration to Mr. SHAFER's discharge petition, which is on the Clerk's desk, which would allow the House to proceed with impeachment of the President.

We have no assurance, we have no means of knowing whether the rank and file of labor is willing to accept the last best offer in the steel strike which the Taft-Hartley act would reveal by a vote of the strikers as provided in that act. We know that there is at least an understanding between the head of the Steel Workers' Union and the President of the United States not to use the Taft-Hartley law in this instance. But we know he found it necessary to use the Taft-Hartley law in several other instances, but not in this case. The question is why? I think that is one of the responsibilities and obligations of the Congress to find out in the best interests of the health and welfare, the national defense, and economy of this Nation. Perhaps the following news story from the June 23 edition of the Chicago Tribune reveals the reason why President Truman will not invoke the Taft-Hartley law in the steel strike:

CIO HEAD TELLS PLEDGE NOT TO USE TAFT LAW—EIGHT THOUSAND IN GARY HEAR BLAST AT IKE

Philip Murray, president of the CIO and its steelworkers, said yesterday in Gary that President Truman had given him a pledge not to use the Taft-Hartley law to end the steel strike.

He asserted he received the pledge last December 24, when Mr. Truman called him and asked that a strike then scheduled for January 1 be deferred.

Murray quoted the President as telling him, "If you will voluntarily agree to suspension of the strike, you need have no fear of the courts imposing the Taft-Hartley injunction on your union."

Since the courts could issue the injunction only on application of the Government, this assurance was equivalent to a pledge not to invoke the law.

CALLS RANDALL A "LIAR"

Murray spoke before 8,000 strikers who filled Memorial Auditorium and stood in the street outside, where his remarks were audible over loudspeakers. An estimated 90,000 strikers live in the Chicago area; 75,000 are members of the Gary local 1014, and 10,000 of the neighboring East Chicago local 1010.

Despite his reference to the Truman pledge, Murray criticized Clarence Randall, president of the Inland Steel Co., for saying that Murray and Mr. Truman had "made a deal." Murray said he had "more respect for the office of President than to try to do such a thing."

He accused Randall of "deliberately lying" and said the steel executive denied later in Washington that he had made the statement. "I called him a liar again," Murray said.

Murray charged the steel companies with conspiring to prevent a strike settlement.

CHARGES MISREPRESENTATION

He accused the companies of carrying on a campaign of misrepresentation of the issues and charged that the companies are controlled by the banks.

"I am prepared to carry on this fight, struggling and sweating just like you are, right down to the bitter end until a wholesome and satisfactory solution of our differences has been reached," he said.

Murray also assailed General Eisenhower for returning to the United States from Europe "without even trying to comb the salt out of his hair, putting on civilian clothing, and, with complete ignorance of the facts, saying, 'I don't see why they don't use the Taft-Hartley law.'"

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, there has been more hooey, more baloney, more pure political poppycock purveyed in the debate on this question than any since I have been in Congress. The charge has been made that the President has violated his oath of office and has failed to enforce some provisions of the Taft-Hartley law that it was his duty to enforce. As a matter of fact, this is not true at all. It is true that the President has failed to use the power that was given him in the Taft-Hartley law to try to stop the steel strike. But this was a matter of discretion with him. Frankly, I think he should have used the provisions of the Taft-Hartley law before he ever seized the steel mills but I can quite well understand his hesitation to do so for he had by agreement gotten the workers to postpone their strike for more than the 80 days as provided by the Taft-Hartley law. Moreover, it seems to me that the President should not have been criticized for asking both the steel mills and the employees to submit their differences to the Wage Stabilization Board for investigation and a report and in the meantime, to continue the production of steel. Many of you are lawyers and what one of you has not, as a matter of policy, advised his clients to submit their differences to arbitration or to arrive at a settlement without recourse to the courts? Certainly that has been my policy in the years I have been engaged in the active practice.

Be that as it may, I am sure the President should have used the injunctive provisions of the Taft-Hartley law before attempting the drastic method of seizure of the steel mills. He would have been in a much stronger position before the court and in all probability had he exhausted his remedies under the Taft-Hartley Act without a successful settlement of the strike, might have been upheld by the Supreme Court in the seizure of the mills.

But we seem to have forgotten throughout the whole controversy that the thing most necessary for the public welfare is to get steel production. Many of the Members of this body have been more interested apparently in rebuking the President and in making political capital out of the present steel strike than they have in the main purpose of getting steel, not only for the rearmament effort, but for the stabilization of our civilian economy as well.

One of my law professors used to tell this story to his classes. He was trying to emphasize the fact that a lawyer ought always to come to the very heart of his case when questioning witnesses. He said as a youth he found an old gun in his home—one of those old muzzle-loaders. He rammed it full of powder, then full of shot or slugs and took steady aim at a bird sitting in a nearby tree. He pulled the trigger. There was a tremendous flash and explosion. The boy was knocked down and temporarily out. As soon as he came to himself, he ran back to the house scared half to death. His dad met him and seeing that he was not too badly hurt, did not ask him about how badly he was hurt or show any solicitude for his welfare. He did put this question to the boy: "Son, did you hit the bird you aimed at?" We have lost sight of the bird in this case.

Because I am determined to keep my eye on the bird and to do everything possible to see that production of steel is resumed, and the present controversy settled between the operators of the mills and their employees, I am going to vote for the Smith amendment after voting against the proposal of the gentleman from Ohio [Mr. BROWN] to direct the President to use the powers given him under the Taft-Hartley Act to enjoin a continuation of the strike. I do not believe we have the power to direct the President; but I am voting to suggest or request the President to use this power. I am doing this not because I think it is the best remedy or the best solution of the problem that faces us, but because I think it will get us back into the production of steel; for I am sure the members of the union are good Americans and will abide by the order of the Court.

I am voting for this amendment because it is perfectly apparent that neither the House nor the Senate is willing to face the issue and give the President the power that he should have in an emergency of this sort. It is possible that a vote on the last offer of the employers by the members of the union as provided for in the Taft-Hartley procedure may get a settlement of this strike. I am afraid, however, that it will not. But it is clear that until the President has exhausted this remedy, the Congress is not going to face the real issues in this case and enact legislation that will give the President more power than he has under the Taft-Hartley Act. At the end of the 80-day waiting period, he will have exhausted every power that he now has to control such crippling Nation-wide strikes. Then perhaps the Congress will face up to its duty and obligation and enact the necessary legislation. Personally, I am willing now to give the President the right to seize the mills temporarily and operate them until the employers and employees arrive at a settlement of their differences. So long as men may be drafted and sent to the battlefront and maybe to their

death, I am certainly willing to do what is necessary in the way of seizure of private property to provide them with the arms and equipment they must have. And yet I know that seizure is not the best and final solution of this problem of Nation-wide strikes. Many remedies have been suggested, among them the following:

First. Bar strikes in any industry affecting defense whenever an emergency is declared. This obviously would be unfair to the workers unless some means was at the same time provided for a decision on their complaints.

Second. To apply the antitrust laws to the monopoly power of unions. Even Senator TAFT agrees that the antimonopoly laws cannot well be applied to the labor unions.

Third. Ban industry-wide collective bargaining and industry-wide contracts with unions. An effort was made to do this when the Taft-Hartley law was drafted. However, it was found almost impossible to define geographical or industrial areas in which collective bargaining could be conducted. Senator TAFT, while he opposed the attempt to define collective-bargaining areas in the Taft-Hartley Act, now seems to favor another effort in this direction.

Fourth. Keep the Taft-Hartley injunction as at present with the added power to place companies and unions in court receivership if a strike is threatened after the 80 days. This is, in my opinion, an entirely unjustified interference with both companies and unions.

Fifth. Compel arbitration of disputes in basic industries with Government enforcing arbitration awards. I will later discuss this proposal which, to me, makes more sense than any of the others suggested.

Sixth. Refuse to both management and labor the protection of the Taft-Hartley Act and other labor relations provisions of the law unless management and labor write into their contracts a provision for submitting their differences to arbitration.

Seventh. Seize industry by Presidential order under definite restrictions laid down by the Congress.

As I have suggested above, it seems to me that either plan 5 or plan 6 is to be preferred to any others. In the first place, the people have confidence in our courts and if labor courts were set up for determining issues submitted by the contending parties or if an appeal to the courts from the decision of boards of arbitration were provided, it seems to me that the rights of both parties would be amply protected and above all that the public would be protected from the disastrous results of the open warfare which a Nation-wide strike amounts to. Neither management nor labor is enthusiastic about this remedy which may indicate that it is the best and wisest after all. I know that there are objections to compulsory arbitration but it is my firm conviction that industrial disputes and eventually international disputes will be settled by courts set up for the purpose. I am convinced too that to date no better way has ever been devised for settling disputes and maintaining order than our courts.

In this connection, Mr. Marquis Childs in his syndicated column for May 8 has this to say:

> Compulsory arbitration of labor disputes in this country is coming as surely as night follows day if the present trend continues. It will come not because any group or an individual wants it. But the plain fact is that Nation-wide strikes in vital industries can no longer be tolerated.

Mr. Childs then goes on to say that in the Scandinavian countries, labor courts have functioned satisfactorily.

If the Congress does not establish labor courts or provide for compulsory arbitration in some other form, then it seems to me that plan 7, the seizure by Presidential order under strict regulation of such seizure by some such provisions as are suggested by Senator MORSE, should be adopted by the Congress.

The CHAIRMAN. The time of the gentleman from Georgia has expired. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, in answer to the chairman of the committee who opposed the Brown amendment and also to my friend from Georgia, Judge LANHAM, let me quote the President.

On June 10, CONGRESSIONAL RECORD, 6929, the President said to us:

> I feel that I should put the facts before the Congress, recommending the course of action I deem best, and call upon the Congress, which has the power to do so, to make the choice.

Note that word "choice." That shows the President wanted us to act—to use our judgment—which he hoped would be the action he approved. Then he said:

> A seizure law, if properly drafted, can achieve the objective of assuring steel—

And so on. Then he condemned the Taft-Hartley Act. He did not want any of that.

Then he said this:

> If however, the judgment of the Congress, contrary to mine, is that an injunction of the Taft-Hartley type could be used, there is a quicker way.

He did not want the Taft-Hartley Act type of injunction. He wanted another kind of injunction.

Then he went on:

> That would be for the Congress to enact legislation authorizing and directing the President to seek such an injunction.

Note the situation. The President finds a serious condition confronts the Nation. He finds the course he tried to follow to be illegal—he apparently will not use the Taft-Hartley Act—he asks the Congress to write a seizure or injunction law—which it will not do—as he well knows—and then leaves the issue to the Congress to solve. We should, as he requests write legislation authorizing and directing him to do what the Congress thinks should be done.

Inasmuch as the Congress apparently differs, from his views there is no reason at all why we should not comply with his very courteous request and give him our advice authorizing and directing him to use the Taft-Hartley Act.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Chair recognizes the gentleman from Missouri [Mr. BAKEWELL].

Mr. BAKEWELL. Mr. Chairman, I cannot see what would be accomplished by either of these amendments. I think the procedure represents the most unique, unprecedented, and possibly dangerous action on the part of the Congress. Under the separation-of-powers theory, certainly the Congress cannot tell the President what to do. On the other hand, it appears as a meaningless, idle, futile gesture for the Congress to suggest to the President that he administer the law. It appears ludicrous almost for the legislative branch to suggest that the Executive execute the law of the land.

I am therefore opposed to both amendments, and shall vote against them.

The CHAIRMAN. The gentleman from Missouri [Mr. CURTIS] is recognized.

Mr. CURTIS of Missouri. Mr. Chairman, I am opposed to both of these amendments on constitutional grounds. I feel that they go beyond the province of Congress, and I do not believe the fact that the President himself requested this Congress to act unconstitutionally is sufficient ground for our doing so.

I think we ought to look at this from a long-time viewpoint. It is a question of the separation of powers.

I think that the President should use the Taft-Hartley Act of course, and enforce the laws of this land; but I do not think the Congress should ever get itself into the position of asking, demanding, or instructing a President to enforce the laws; the Constitution of the United States requires that he do so.

Our only recourse, I submit, if the President has not enforced the laws of the land, is impeachment.

The CHAIRMAN. The gentleman from Michigan [Mr. MEADER] is recognized.

Mr. MEADER. Mr. Chairman, I am sorry the majority leader is not on the floor, because I should like to ask him now a question I tried to get him to yield for me to ask during his discourse when he said that the President was able to do more to solve the steel dispute than the Taft-Hartley law could have done.

I think the question the people of the country and the Members of Congress want answered is: Did or did not President Truman make a deal with Phil Murray that if Murray would withhold calling a strike the President would not enforce the laws of this country? We ought to have that information on the table.

I see the chairman of the Committee on Banking and Currency sitting at his desk. I wonder if he has the information, if he is close enough to the administration?

I see the majority leader has just entered the Chamber. I call his attention to the fact that I wanted to know whether he was able to say that the President did more than the Taft-Hartley

Act could do because the President had made a deal with Phil Murray that if Phil Murray would postpone the strike, the President would not enforce the law?

I gladly yield to the gentleman to answer the question.

Mr. McCORMACK. The gentleman from Massachusetts can answer that question very simply. The President of the United States with his persuasive powers, and Phil Murray and those around him, great men that they are, responded and did what was done. The question of deals is something that was not involved at all.

Mr. MEADER. I am glad the gentleman has explained that the President did not give Mr. Murray any consideration for this postponement; it was simply his winning personality.

Mr. McCORMACK. No considerations or deals were made. Now, do not misquote me.

The CHAIRMAN. The gentleman from Ohio [Mr. AYRES] is recognized.

Mr. AYRES. Mr. Chairman, last night I flew out to my district in Akron, Ohio, to attend a meeting I had called for labor, management, and the public to discuss the Defense Production Act and the various amendments thereto. In the Fourteenth Congressional District of Ohio there are 660,000 people, of whom 100,000 are union members—good, honest, God-fearing union members who do not always follow the dictates, right down the line, of union leadership. The meeting was most constructive. Mr. Leo Dugan, executive secretary of the CIO Council; Mr. G. L. Patterson, general counsel for the United Rubber Workers of America; Mr. Robert Shuff, of the American Federation of Labor; and Mr. William Fowler, of the United Auto Workers, CIO, were in attendance to express their views on the Defense Production Act, with particular emphasis being placed on the discussion of the Lucas amendment and the Smith amendment.

They also expressed concern over the manner in which the investigation of the Wage Stabilization Board was conducted. They also felt it grossly unfair that Joseph W. Childs, vice president of the United Rubber, Cork, Linoleum and Plastic Workers of America, should have been questioned as he was. For the sake of the record, I would like to add at this point that Mr. Childs enjoys an enviable reputation in his home community, and is a past member of the Akron City Council. According to his testimony before the Education and Labor Committee he apparently had been made an innocent victim of a Communist-front organization. It is regrettable that the Civil Rights Congress and the Daily Worker used Mr. Childs. Congressman VAIL used only information that was a matter of public record in the files of the Un-American Activities Committee. However, Mr. Childs was not the issue. Those interested in Mr. Childs' testimony can find the verbatim comment in the hearings now printed pursuant to House Resolution 532. This testimony is found on pages 599 to 660.

There was some difference of opinion between those representing the steel workers and those representing the rubber workers. I was told by the steel workers that the union-shop controversy was not causing the steel strike. However, Mr. Patterson spent considerable time in an effort to prove that the Wage Stabilization Board should have the power to rule on the union-shop question. The gentleman speaking for the steelworkers' union stated that the union leadership did not fear a secret vote as, in his opinion, the workers would vote not to accept the latest offer of the steel companies. Contrary to this view steelworkers have told me that if a secret vote was taken they would vote overwhelmingly to accept the latest wage offer and forget about the union shop. I was interested in the comment from the steel people, "If it were not for industry-wide bargaining there would be no steel strike in Lorain, Ohio."

Fair play is the most important thing in handling the legislation at hand. Neither side should have an unfair advantage and both sides should be willing to cooperate. I think it very commendable for the labor leadership to have been willing to express their position. I can agree that under the Lucas amendment there would be a possibility of the Wage Stabilization Board being lopsided. I can also remember that labor walked out on the Board when a decision was made that did not meet with their approval. I cannot agree, however, that the President should not have used the Taft-Hartley law nor that he should not use its provisions in the steel strike now.

The statement made to me after the meeting that was of most interest was that although the Taft-Hartley Act was objected to by union leaders, it is not by the rank and file of the union members. One gentleman of Hungarian descent came up to me after the meeting and said in a broken voice, "Bill, I am a good American. I own my home and am helping my son through college and have been working here at Goodrich for 17 years. Do not be kidded by all the arguments you have heard here this evening. We men in the shop are beginning to realize that we were wrong in 1948—we did not understand the Taft-Hartley law. Now we know that the Taft-Hartley is a law that regulates the union leader but not the union member. Please vote your conscience, Bill." That is what Bill is going to do.

The CHAIRMAN. The gentleman from Oregon [Mr. ELLSWORTH] is recognized.

Mr. ELLSWORTH. Mr. Chairman, I desire to call to the attention of the Committee the fact that the Brown amendment to the Smith amendment is in fact equivalent to an amendment to section 206 of the Taft-Hartley law itself. The Taft-Hartley Act has been criticized mostly on one particular point and that point is that it is a permissive law. The law reads, "may appoint a board of inquiry," and so forth. That fact has been the greatest point of criticism by those who are now objecting to the application of the emergency sections of the Taft-Hartley law.

The fact that the law is permissive and not mandatory is not controlling. We say now, if we enact the Brown amendment, that the President is "directed" to do these things called for in the emergency procedure sections of the Taft-Hartley law. It seems to me there is no possible conception here of a constitutional point, there is nothing involved in this discussion regarding the separation of powers, inherent powers or anything of that kind. The Congress of the United States wrote the Taft-Hartley law, it is the law of the land, and we now say that we did not say it quite right the first time, we now direct the President to use this procedure. The law could have been written in this way at the time it was enacted. There is therefore no reason why the suggested change cannot be voted now.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GREEN].

Mr. GREEN. Mr. Chairman, I am opposed to both the Brown and the Smith amendments and may I say here that there is a lot of confusion on the part of certain Members because some people believe that it is mandatory upon the President to use the Taft-Hartley injunction procedure. Actually, the Taft-Hartley Act, as far as the President is concerned, is a permissive proposition. It says he may use it. As our majority leader [Mr. McCORMACK] has stated, the President did a lot more than if he used the Taft-Hartley Act in connection with the matter of the steel strike.

It is also very interesting to hear many Republican Members get up on the floor and talk about a deal that the President was supposed to have made with Phil Murray. Certainly the steel company operators and the Republicans ought to know something about deals because previous to the turn of this present century there were plenty of deals made by the steel companies and steel management with Republican Presidents of the United States, when they used to be able to sell steel cheaper in Europe than they sold it in the State of Pennsylvania, when they used to bring immigrants over in order to work them at cheaper wages and keep the standard of living of the working people in this country down.

Mr. Chairman, I am sorry the Taft-Hartley Act ever passed the Congress. I was not here to vote against it, but I voted for the repeal of the act and I will vote for its repeal again.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, I speak in opposition to both the Brown and Smith amendments and I want the RECORD to show it is my belief that these amendments are merely a flagrant attempt by many in Congress to pass the buck. Instead of Congress proposing a constructive procedure in order to arrive at a workable solution which would keep steel production flowing, and be fair to both management and labor, we pass the buck to the President of the United States, and tell him to do that which we originally said was permissive, if his own discretion and good

judgment deemed it wise and effective to use that law.

The President appeared before us and explained why he could not use the Taft-Hartley Act and why it would not work. Now the House wants to take away from the President his power of discretion by compelling him to use the Taft-Hartley Act, and we refuse to give him the necessary authority to work out a solution to this grave issue by a sound, constructive procedure. If these amendments are adopted, this House will be alining itself on the side of steel, and against the workers in the steel industry, and there will not be free and collective bargaining, as was referred to some moments ago by the leadership on the other side. I say this will be strike breaking by injunction, and Congress, if it adopts the pending amendments will be responsible.

If the House would take time to examine the facts of the matter, it would find that all the equities are on the side of the steelworkers. It is a fact that the steelworkers have not had a wage increase since December 1950, despite the fact that the cost of living has skyrocketed since that date.

Since 1946 the record shows that the net profits in steel have increased 140 percent; steel prices have increased by 80 percent, and steel dividends have been upped by 148 percent.

Months ago, the steel workers attempted to negotiate a new contract with steel management—but management refused to bargain collectively. Finally, at the request of the President, the whole controversy was referred to the Wage Stabilization Board which recommended about 17½ cents an hour wage increase plus certain fringe benefits. The steel management refused to accept the recommendations of this fact-finding agency.

These are facts which cannot be denied and they point to one conclusion—and that is that justice is on the side of the steelworkers and that it is the steel companies who are responsible for the present breakdown in steel production. Throughout this long-drawn-out affair, the workers have conducted themselves in a most exemplary manner—abiding by the spirit and letter of the law, cooperating with the Government in every way, refraining from any strikes while they made every attempt possible to bargain freely and collectively. Now comes this open and brazen proposal to drive the hard-working and patriotic men who labor in our mines and steel mills back to work by means of coercion and arbitrary power. I am strongly and absolutely opposed to these amendments and I call on the House to vote them down.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, there is one phase of this argument that might be interesting to many lawyers in this distinguished body. This is an action in equity and in a proceeding in equity you appeal to the conscience of the chancelor, so we have been advised.

You now come into a court of equity, and one of the basic maxims of a court of equity is that it should never be asked to do a futile thing. If the gentleman from Indiana knows about what he speaks, and this strike is to be over in a week, then by what reason can this House ask or direct anybody to appeal to a court of equity to do a futile thing? Furthermore, when you go into a court of equity, and the chancelor is considering the petition for an injunction, it will be pointed out to him that the union has already acceded to the requirements of the act by many, many days. What chancelor in equity will not say to the petitioner, "You have been complied with now. Why should an injunction be granted in a case where the purpose has been met?" I certainly feel that if this is looked at flatly and narrowly as a proceeding in a court of equity, this petition will fail. Why do a futile thing? Both the Brown and the Smith amendments should be defeated.

Beware the Greeks bearing gifts—look at the list of names speaking for the Taft-Hartley Act today. Look at whose hearts are bleeding for labor today. Beware these false friends. These men have fought and spoken and voted against labor for many years. Are they to be believed today?

The gentleman from Ohio tells us what a rubber worker in Akron told him, that the Taft-Hartley Act is good for the worker—well, if there is any doubt in anyone's mind let me assure you that the mine workers and the steelworkers are united in their opposition to this bad law—and will vote so if necessary in open or secret ballot.

I do not intend to prolong this debate. My most eloquent effort today will be to vote against the Brown and Smith amendments, and I say in conclusion that my only regret is that I am not able to cast this vote for repeal of the nefarious slave-labor Taft-Hartley Act.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON of Texas. Mr. Chairman, just in order that the record may be perfectly clear, I want to state at the outset that I do not see how the President has any other choice but to invoke the Taft-Hartley Act, which is the law of the land. Now, having said that, and having made it publicly known as to how I feel about it, I think I have gone as far as duty requires any Member of Congress to go in a case of this kind. As to the remaining duty that is incumbent on me and on you in the present problem, if we adopt the amendments that are now before us, we then set a precedent that we will have to live with for the balance of time. We will by that action have invited every reluctant Executive from now on to come before the Congress and ask what he shall do, whether or not he shall obey the law, whether or not he shall enforce it. It seems to me that this sets an extremely dangerous precedent and one which will open the way to all manner of dilatory tactics by reluctant Executives of the future.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, when this legislation was debated on the rule last Wednesday and also in the Committee of the Whole last Friday I made my position plain in opposition to the Smith amendment. I want to repeat one remark that I made at that time. I said that the steel management made no real, sincere effort to collective bargain at any stage of the negotiations. A national magazine last week stated that the day before negotiations were broken off word was served to the steelworkers that management could not go along with any part of the Wage Stabilization Board recommendations. The men who had been doing the collective bargaining on both sides had practically agreed to negotiate, but a few bankers in New York closed the doors to any kind of collective bargaining. They overruled their own men who had been active collective bargaining for 4 months previously. Phil Murray, in his speech in Gary, Ind., last Sunday stated that absentee ownership, absentee collective bargainers, killed collective bargaining as far as the steel dispute was concerned. He said that the collective bargainers, men who were in close touch with the workers in the mills, were ready to settle the steel strike until word came from the absentee owners in New York, the bankers, and they overruled the men that spent 4 months trying to collective bargain and settle the steel trouble.

A Member stated that President Truman and Phil Murray made a deal that the Taft-Hartley law would not be used. That is a flagrant misrepresentation. The facts are President Truman told the union that if they would defer their strike last January it was almost certain that the dispute could be settled by collective bargaining. If the small group of bankers in New York, the absentee owners—yes; the absentee collective bargainers—were in good faith during the 4 months' negotiations, the dispute would have been settled months ago.

Certain reactionary newspapers falsely told their readers a deal was made. This whole steel dispute could have been adjusted long ago if the steel bargainers who sat in on the negotiations were given power and authority to close the negotiations. The absentee bankers overruled the 5 months of negotiations and caused the strike.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Chairman, we have many blue laws in New Jersey. They became blue because they were no longer appropriate; they passed into disuse. I hope the President will not find it necessary to use the Taft-Hartley law. It is a blue law.

We went through World War II without using the Taft-Hartley law. We have gone through 2 years of the Korean situation without using it. We can go through the future without using it.

To save the self-respect of the boys in Korea and that of their fathers who may

be in the factories, I hope the President does not find it necessary to use the Taft-Hartley Act.

I oppose both the Brown and the Smith amendments.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. WERDEL].

Mr. WERDEL. Mr. Chairman, we have heard men from the other side of the aisle say today that they are sorry the Taft-Hartley law passed. We have heard others say that it would be futile for the great Government of the United States to take action under law. I only say to you that I have just returned from the West, and there are many, many people in this great America who are also sorry. They regret there are so many men representing people of the United States in this House, coming from industrial areas, who have not the courage to tell the men in organized labor in their districts that there is one thing certain in life—that they are going to have law and order in their picket lines. They will either have it as free men under law enforceable in local courts by poor men or they will have it by Executive decree, with the Army enforcing it, as planned by this administration.

However, I assume that it is again futile to tell you, of the extreme left, what the real voice of America is saying on behalf of America.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, first, I cannot get the point of view of a man who would call a strike to cut off aviation gasoline for our boys who are fighting for their lives and for our security on the battle front in Korea. I cannot get the point of view of a man who would call a strike and cut off the production of steel for those boys. However, that has been done twice by the same man who called the strike to cut off the production of aviation gasoline.

On the 10th of June the President called a joint session of the House and Senate. He came before us of his own volition and asked us at that time to advise him whether in the opinion of the Congress he should use the Taft-Hartley law or, on the other hand, whether Congress would enact a law which would give him the authority to again seize the steel plants.

On the 10th of June, the same day, the other body gave him their answer. The next day, on the 11th of June, I offered an amendment in this body which would have given him on that day, 2 weeks ago, the answer of the House of Representatives which we are going to give to him today. The administration leaders blocked a vote on that amendment on that day by raising a point of order against it. Today, finally, I am thankful to see we will get a vote on it. I rise to say I am in favor of the Smith amendment.

I am sure the great majority of the Members of this body want to appropriate every dollar which is necessary to provide adequate equipment, armament, and munitions for our forces in Korea, and not only for our forces in Korea but for all our Armed Forces, wherever they may be.

I am sure that the Membership of this House want to see all the steel produced which is necessary to furnish planes, guns, tanks, mortars, and other armament which may be needed to carry the war in Korea to a victorious conclusion. I want to see all these things provided.

However, our military program must not be made a vehicle to carry radical and socialistic doctrines into effect. Congress must see to it that our military program must be divorced entirely from left-wing, radical, socialistic philosophies which new deal rubber stamps have been unable to enact into law through normal means, and which they are now trying to carry into effect through such devious methods as Wage Stabilization Board recommendations, followed by Presidential seizures, followed by strikes which paralyze essential war industries, and which in turn will paralyze our forces on the battlefront.

It is well known that the principal point of dispute between the steel companies and the heads of the steel workers union is the proposal for a compulsory union shop. The steel workers union heads are holding out for a provision in the contracts calling for a compulsory union shop, which would mean that every steelworker must join the union or lose his job.

This Philip Murray who called the strike and stopped production of aviation gasoline for our aviators in Korea, and who has twice called steel strikes and stopped production of steel, which is one of our Armed Forces' most vital needs, knows that he can never, under normal circumstances, force through such a provision in a contract. He is willing to jeopardize the lives of our boys now desperately fighting in Korea in order to satisfy his greed for power over the working people of America. He is willing to jeopardize the security of this country by stopping the production of steel at one of the most critical periods in this country's history in order to satisfy his greed for power over the working people of America. He is not only willing to do these things. He has already done them. Joseph Stalin, if he were occupying Philip Murray's position, could not have done more to help Russia and Communist China and to hurt America and hinder our war effort than Philip Murray himself has done.

It has been nauseating to me today to hear the statement made on the floor of this House that Philip Murray and his henchmen, who have called this strike and stopped steel production, have shown qualities of statesmanship.

The people of America can read today's CONGRESSIONAL RECORD giving the debate on the Smith amendment and can see from that debate the reasons for the sorry plight our country is in today and the influences which have brought it to pass.

I sincerely hope that the Smith amendment will be adopted by an overwhelming vote, and by that action the House of Representatives will inform the President of the United States that it desires him promptly to use the Taft-Hartley law which is now on the statute books, and which affords a complete remedy to bring an end to this unjustified steel strike and cause the production of vital and much-needed steel to begin at once.

THE SMITH AMENDMENT REQUESTING USE OF TAFT-HARTLEY INJUNCTION—STEEL STRIKE SELFISHNESS

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. YORTY].

Mr. YORTY. Mr. Chairman, I cannot see anything wrong in the President of the United States trying to use persuasion instead of compulsion. I think the atmosphere for collective bargaining is better if you can use persuasion.

If it is true that having the Taft-Hartley coercive procedure available he said to the unions, "If you will not strike, if you will forego going on strike now, if you will do that voluntarily, I will not use the Taft-Hartley Act," I think that was a perfectly proper thing for the President to do.

More time expired actually before the strike than could have been gained by use of the Taft-Hartley Act. I think it would be wrong now to change the rules and go back to the compulsion the Government promised not to use.

Mr. Chairman, my only point in coming to the well of the House is to comment on the statement made by the very distinguished gentleman from Michigan [Mr. WOLCOTT]. I am appalled, as I know you are, at some of the selfishness which goes on here at home while we have young men out there in the hills of Korea fighting in the slush and mud to protect our liberties. I think we could all do with less selfishness. All of us need to search our consciences much more here at home; to stop some of the grumbling; to realize how well off we are compared with people in other parts of the world, and particularly compared with those boys who by authority of acts passed by the Congress of the United States have been ordered from their homes and into the armed services with or without their consent.

There is selfishness involved in the steel strike. The gentleman from Michigan [Mr. WOLCOTT] argued that the Government was stubborn in refusing to give the steel companies a price increase of $5 or $5.50 per ton, which was what they demanded in return for acceptance by them of the wage increases recommended by the Wage Stabilization Board. The Government offered a price increase of $4.50 per ton, and refused to go higher. Yes, the Government was stubborn, but were not the steel companies also stubborn? The gentleman did not mention them in this connection. Is it not selfish to bring about a shut-down of desperately needed steel production rather than give up 50 cents per ton out of a price of over $100 per ton, that is yielding record profits, and this while we are confronted with a menace not just to profit but to our liberties and our existence as a free nation.

Yes, Mr. Chairman, the gentleman in directing criticism at the administration let the cat out of the bag. The steel crisis is not the result of a defense of lofty principles by the steel companies. It is a fight for profits as usual while American boys are dying on a foreign battlefield. Would not it be more consistent with patriotism to give up the 50 cents per ton in the interest of national defense? Are our precious liberties to be sacrificed on the altar of greed because we as a people refuse to act in the responsible, mature manner the times demand? The steel strike must, of course, be finally settled in a manner fair to all. But if one party insists on being unfair now, it may be that another will have to temporarily accept the unfairness in order to produce steel for defense of the free world. Such acceptance can be made honorably, not as a sign of weakness, but rather as a sign of strength, the strength that comes from patriotism worth more than 50 cents per ton.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I am for the Smith amendment because it will give us steel. After all, the point of all this discussion is to determine how can we get our steel mills into production again to take care of the emergency which is confronting our country. There is no hope, I regret to say, if we go on as we are now without governmental guidance or any semblance of compliance with the law now on the statute books. The President asked our advice. We now have a chance to give it to him. That advice is: Use the Taft-Hartley law. Our workingmen who are patriotic citizens want to go back to work, and during the intervening days immediately after the calling of the Taft-Hartley law into effect, the strike will be settled, because the men will meet at the conference table in an atmosphere free of any constraint and will have a chance to talk across the table freely and fairly, and we will once again have steel. Let us vote for the Smith amendment which gives us the one chance to get steel into production in the immediate future.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, I do not know when the Congress has ever been in a more humiliating position than we are in today. No person here likes to vote for either of these amendments. We stultify ourselves when we say to the President of the United States, "Will you please execute the law which the Congress of the United States has enacted as the way to handle this sort of labor dispute?" Yet the President has left no other course. He stultified himself when he came before us and asked, "Do you want me to enforce the law or not to enforce the law?" For us to vote against the Smith amendment that is now before us would be to tell him that we do not want him to execute the law which we, ourselves, passed; and that we are not concerned over his failure to use the law to get the strike settled and steel made. So, under the present circumstances, embarrassing and humiliating as they are and unjustifiable as it is that we are in such a predicament, it seems clear to me that we must vote for the Smith amendment to tell the President, in response to his own inquiry, that this is the law we have devised for just such situations as this, and his job is to enforce the law which the Congress has enacted, whether he likes it or not.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MCKINNON].

Mr. MCKINNON. Mr. Chairman, for us to try to tell the President of the United States what he shall do is not only unconstitutional, but as the gentleman from Missouri pointed out a moment ago, it is setting a dangerous precedent on our part. Personally, I do not think the Taft-Hartley Act is a fair answer to the problems that exist today, nor do I think it is going to solve our present problem of producing steel. The Taft-Hartley Act would have provided an 80-day period. But the President secured 155 days of negotiation. At any time during that period, 30 percent of the union members of any single mill could have petitioned the NLRB and secured a secret ballot on the offer by management. The fact that they did not do that indicates to me that a secret ballot which can be called for under the Taft-Hartley Act is not going to satisfactorily solve this industrial dispute and paralysis which we now find ourselves in. I think our responsibility is to pass a better piece of labor legislation to make sure that we have a means at our disposal by which we can settle these industrial disputes and produce steel and other products needed in our economic system. Our responsibility is to get better legislation, legislation that is up to date, instead of trying to tell the President to use an outmoded piece of legislation.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, the Taft-Hartley law seeks to accomplish four things. First. To determine the facts. There is not anybody in the Congress who does not know the facts, and there is not anybody in the country who does not know the facts.

Second. It provides delay for a cooling-off period. We have had twice that cooling-off period, as far as time is concerned, without the Taft-Hartley law.

Third. It provides for an injunction.

Fourth. It provides for a secret ballot.

As the gentleman from California [Mr. MCKINNON] explained, a secret ballot could have been had at any time.

If the amendment which I intend to offer prevails, the President will be requested to use Taft-Hartley, but not those provisions thereof for an injunction. An injunction is not necessary in this case and will accomplish nothing.

The only thing the Taft-Hartley law provides for that has not yet been had in the steel dispute is a secret ballot by the employees. If the employees had wanted such a ballot they could have had it a long time ago. Obviously they do not want it. I doubt whether the employers want it. No one in or out of Congress has the right to seek to use the Taft-Hartley law for any purpose except to obtain such balloting upon the acceptance or rejection of the best offer of steel management. The fact is that there are many small steel mills throughout the country that long since would have settled with the union on the basis of the recommendations of the Wage Stabilization Board. These small mills have not done so because the big mill owners have threatened that they would cut off their source of supply if the small mill owners did consummate such contracts with the union.

The national-emergency provisions of the Taft-Hartley Act provide for the appointment of a board of inquiry, an 80-day injunction against a strike, a vote by the employees on the employer's final offer, and a subsequent report to the Congress if the labor dispute is not settled during the 80-day period. The board of inquiry cannot make any recommendations for a settlement.

Thus the Taft-Hartley Act merely provides a delay in a strike and automatically operates against the interest of labor for the workers are compelled to stay on the job at terms and conditions which led them to strike, while management's position is not in any way changed during the injunction period.

There are two main objectives which the Government must seek in the current steel dispute—first, restoration of full production, and second, a fair settlement which will assure continued production of steel. Neither of these objectives can be assured by resort to the Taft-Hartley Act at this time.

The Taft-Hartley Act is undesirable under the present circumstances for the following reasons:

First. The inequities involved: The workers, who up to the time of the current strike had voluntarily stayed on their job some 150 days, would be forced to return to work at the terms and conditions which led to the strike. The union has cooperated fully with the stabilization rules but management has not, and yet resort to Taft-Hartley would operate against the workers automatically.

Second. Impracticalities involved: Forcing the workers to return to the job for 80 days without any change in terms and conditions would remove any incentive for management to settle during this period. Management would be assured that by the forces of law workers for 80 days would be compelled to operate the mills under the threat of an injunction. But even if the men did return to their jobs it is questionable whether the low morale that would prevail would result in the peak-production conditions that are required in the interest of national defense. In addition, Taft-Hartley procedure does not provide for any additional set of recommendations for a settlement. There has been a full hearing of the issues through the Wage Stabilization Board procedure and the fact-finding report of the Taft-Hartley Act board of inquiry would only

duplicate all that has taken place thus far. Also, the time involved at the outset in establishing a board of inquiry and obtaining its report to the President—a week or 10 days—would be an unnecessary waste of days within which the steel mills would, of course, stay closed. The so-called vote on the final offer provided in the Taft-Hartley procedure has proved meaningless in all of the nine cases where the Taft-Hartley emergency procedures have been invoked to date. In all of these cases the workers voted overwhelmingly to stand behind the bargaining position of their union leaders. The procedure has proved so meaningless that Senator TAFT in 1949 recommended the provision be deleted from the act.

Third. Questionable effectiveness: The Taft-Hartley procedure provides for an 80-day injunction granted by a district court. However, an injunction is always a matter of discretion for a court of equity, and in view of the voluntary postponement by the workers beyond the 80-day period of postponement required by the act, the court should rule that an injunction not be granted under these circumstances—Hecht against Bowles, a Supreme Court decision stemming from World War II, reaffirms the area of discretion given a court of equity under similar circumstances. Furthermore, if the court does grant an injunction it is possible that the individual workers may be so incensed at the injustice of this procedure that each one refuses to return to his job. Unless it can be shown that these refusals were part of a concerted action, the Government would not be able to force the men back on the job by court action. This was the situation in the mine workers' case in 1950 when the court held that in staying away from the mines the workers acted upon individual decisions and not a strike order.

Therefore, for reasons of fairness, practicality, and effectiveness, the Taft-Hartley Act does not provide the answer to the present steel dispute. What is needed is authority for the Government to operate the steel mills until a settlement is reached. An adequate seizure statute would provide the necessary authority. Under seizure the Government could immediately take possession and get the mills back into production. Given authority to change working conditions, the Government could make certain adjustments in pay for the workers in recognition of the merit of their claims for higher wages—claims which have been admitted by the steel companies to be valid. With the Government according such fair treatment to the workers, there is every likelihood that full production would be restored and maintained. By the same token pressures would be placed upon management to work out a fair settlement with the union so that the industry could be returned to the private owners and the companies could resume their full responsibility for the collective bargaining contract. The companies would be guaranteed just compensation but the possibility that just compensation would include something less than the full profits of operation would be an additional incentive for the companies to reach a settlement. The seizure statute might contain a prohibition against putting into effect any changes in union security arrangements. It is submitted that this prohibition would still provide sufficient latitude of action by the Government to permit effective operation resulting in the conclusion of a fair settlement of the dispute.

I urge that the Brown amendment be defeated and I also urge that the Smith amendment, with or without my own amendment, be defeated.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, we have gotten rather far afield in some of the discussion on these amendments. I think we can bring it down to a very simple thing. I regret that the gentleman from Ohio [Mr. BROWN] offered his amendment. I am sure that what he wants is what we all want; namely, the production of steel.

I am afraid that the Brown amendment will interfere with the objective of this amendment very seriously. First, we have no constitutional right to order the President to do anything. In the second place, the Senate has already passed an amendment to this same legislation in almost identical language, so that when this House acts, if it acts on the Smith amendment at all, we will have replied to the President; namely, that "We are not going to pass any more law. We think the law that has been enacted, should be enforced."

Now, that is all there is to it. Why anybody should hesitate to say to the President, in a very polite and courteous manner, in response to his invitation, "We suggest you use the law of the land," is beyond me to comprehend.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

The Chair recognizes the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, I yield back my time and ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN] to the amendment offered by the gentleman from Virginia [Mr. SMITH].

The amendment to the amendment was rejected.

Mr. RHODES. Mr. Chairman, I am opposed to the Smith amendment because it is not the answer to the problem in the steel crisis. But I am opposed to it for a more important reason. It is because it does not belong in this bill. It will add to the confusion which surrounds all the great controversial issues that divide the Members of the Congress.

I know of nothing which threatens the future strength and welfare of our country more than the growing confusion which beclouds all the important issues that come before us. Those who gain by confusion are the forces of totalitarianism of both extremes. Totalitarians of the right and left make their appeals to emotion and prejudice. They dare not face the real issue and debate questions on their merits. They resort to double talk, scare words, and the use of false labels in order to create confusion.

The Smith proposal should be entirely separate from this bill. If this amendment is accepted, Members who want to continue any controls will be forced to vote for the Smith proposal. If they want to oppose the Smith measure they have to vote against all controls.

Those who hope to profit by confusing the issue are gambling with the future welfare of our country and our democracy. Let us have a clear-cut decision on these issues so that the people can understand where each of us stands on every issue. Let those who want to kill all controls, except those on wages, stand up and be counted. Let them accept the responsibility for their acts.

The Smith proposal, no matter how you look at it, contains no merit. It is an effort to pass the buck for the irresponsibility of the coalition majority which dominates the House. It seeks to blame the President and the administration for the action and inaction of the coalition. The House has the power to legislate on the steel crisis. But it ducks its own responsibility. Instead of taking affirmative action it demands that the President follow a course which he believes wrong and dangerous.

President Truman lacks the power in this Congress to get approval for the major legislative proposals in his party's platform. Despite the fact that the people mandated Congress to enact that liberal Democratic Party program, and despite the President's stubborn and courageous fight for the people and for that program, he did not succeed.

All of which makes it quite clear that the Republican-Dixiecrat leaders in the House are resorting to a lot of double talk when they charge that the President is usurping his power or evading his responsibility.

The real truth is that the coalition is evading its responsibility as the majority and is seeking to place the blame for its shortcomings and ill-advised acts on the President and the House minority which supports the administration.

That may be good political strategy in an election year. But it is extremely dangerous to pass legislation that will increase antagonisms and which will divide our people when unity, understanding, cooperation, and good will are so essential to the defense effort and to the success of the free world in its fight against totalitarian tyranny.

If the Republican-Dixiecrat coalition which controls this Congress wants to destroy free labor unions, if it wants to give a free hand to special interests in exploit the consumers and to extend their monopolistic power, they should do it without faking the issue.

Mr. SAYLOR. Mr. Chairman, the purpose of the sixth amendment to the defense production act, despite all of the arguments in favor of and against such amendment, is best expressed by its author, the gentleman from Virginia [Mr. SMITH], in the words of his amendment:

It is the sense of the Congress that by reason of the work stoppage now existing in

the steel industry, the national safety is imperiled and the Congress, therefore, requests the President to invoke immediately the national emergency provisions of sections 206 to 210 inclusive, of the National Labor Management Relations Act of 1947, for the purpose of terminating such work stoppage.

An examination of sections 206 to 210 inclusive of the National Labor Management Relations Act of 1947 reveal the following:

When the labor management act of 1947 became law, the Congress of the United States placed in the sole discretion of the President of the United States the option as to whether or not that law should be used. Section 206 of the act provides:

> Whenever, in the opinion of the President of the United States, a threatened or actual strike or walkout affecting an entire industry or a substantial part thereof * * * will, if permitted to occur or continue, imperil the national health or safety, he may appoint a board of inquiry to inquire into the issues involved in the dispute and make a written report to him within such time as he shall prescribe.

The act further provides that after the report of the board of inquiry is filed, the President may direct the Attorney General to petition any district court of the United States, having jurisdiction of the parties, for an injunction, whenever a district court has taken jurisdiction and issued an injunction, the President shall reconvene the board of inquiry which has previously reported with respect to the dispute. At the end of a 60-day period, unless the dispute has been settled, the board shall report to the President the current position of the parties and the efforts which have been made for settlement and shall include a statement by each part of its position and a statement of the employers' last offer of settlement. This report shall be made available to the public.

The National Labor Management Relations Board, within the succeeding 15 days, shall take a secret ballot of the members involved in the dispute on the question of whether they wish to accept the final offer of settlement made by their employer and certify the results thereof to the Attorney General within 5 days. Upon certification of the results of such ballot or upon settlement, whichever happens sooner, the Attorney General shall move the court to discharge the injunction, which motion shall then be granted and the injunction discharged. When such motion is granted, the President shall submit to the Congress a full and comprehensive report of the proceedings, together with such recommendations as he shall see fit to make for consideration and appropriate action.

The President, for reasons which have not been disclosed, has failed to use the National Labor Management Relations Act of 1947. There is no doubt that his failure to use this act has resulted in the delay in the resumption of steel production. This delay lies directly and unequivocally at the door of the President of the United States. The blame cannot be transferred elsewhere. He alone is responsible for the present chaotic condition.

I oppose the Smith amendment because it is substituting the sense of Congress for the "opinion of the President of the United States," as specifically set forth in the National Labor Management Relations Act of 1947.

I have carefully examined the Constitution of the United States, especially article I, dealing with the legislative powers vested in Congress and can find no language in that article of the Constitution which, in my opinion, either directly or indirectly authorizes the Members of Congress to substitute their "sense" for the "opinion" of the President.

I have also carefully examined article II of the Constitution and can find absolutely no justification or basis for the President asking Congress for its advice with regard to executing the laws of the land.

Unfortunately, labor legislation or legislation affecting labor and management is brought to the floor of Congress for debate only in times of stress between management and labor. In my opinion, this results in bad legislation, because neither the representatives of management or the representatives of labor deal with the legislation in an impartial manner. Each feels that this is the opportunity for one to take advantage of the other.

If the Smith amendment becomes law, it will be a direct invasion by Congress of the President's rights and an attempt by Congress to substitute its opinion for the opinion of the President of the United States. If such a change is the will of Congress, it should not be made by an amendment such as offered by the gentleman from Virginia [Mr. SMITH], but it should be made by a change in the National Labor-Management Relations Act.

I am opposed to the Smith amendment because in my considered opinion it is the establishment of a precedent which will result, if carried out to its ultimate conclusion, in the destruction of our Republic. If this amendment is adopted and the precedent established, if any President of the United States or any representative of the executive branch of our Government does not like any present or future law which the Congress passes calling upon said President or representative of the Executive Department to use his discretion, all he need do is to state to Congress that he does not like the act or does not like to use his own discretion and ask that Congress substitute its discretion for his.

Much as been said that nothing could be gained by the use of the National Labor-Management Relations Act of 1947 because more than 80 days has already expired. When the President seized the steel mills early in April, he gave as one of the reasons for his action that time would not permit the invoking of the provisions of the Labor-Management Act of 1947. When the President's action was before the United States Supreme Court, the Government's attorneys defended the President's action and stated that seizure was safer and more effective. When the President addressed Congress with regard to this matter, he complained about the delays occasioned in the use of the Labor-Management Act of 1947. Yet throughout the entire steel crisis the administration has, by every means at its command, been stressing the importance of steel to the defense effort and the ill-effects that the steel shutdown would bring, not only to our own country, but also to the people of the noncommunistic world.

We are now in the fourth week of a disastrous steel strike. Steel is not being produced for defense of ourselves or our allies of the noncommunistic world, nor are we securing steel for vital domestic needs. It should be all too evident that the President is playing politics, not only with the steel mills but also with our national defense. He cannot shirk his responsibility by his failure to use every available means to again start steel production; to refrain in every way possible from having Federal intervention in labor-management negotiations, and to allow both management and labor to settle their differences by genuine collective bargaining.

Mr. D. B. Robertson, president of the Brotherhood of Locomotive Firemen and Enginemen, one of the oldest labor unions in existence in this country, said a week ago in Dallas, Tex., that "When we begin to run industry on a political basis there is no end of it. That is what we have been doing for the last 3 or 4 years."

It has always been my personal opinion that it is the duty of the Congress in labor-management matters to provide the rules and regulations under which collective bargaining shall proceed and that thereafter Government shall maintain a hands-off policy and allow the representatives of management and labor to settle their differences by true collective bargaining.

This is not the goal of the Smith amendment.

Mr. COLE of New York. Mr. Chairman, I am voting against the extension of all price and wage controls. I believe that the need for these emergency controls is rapidly passing, if it has not already passed. Furthermore, the record of the Truman administration in the handling of controls makes it extremely unwise, if not actually dangerous, to give the administration the power to continue to make a political football out of the Nation's economy.

The economic situation today demands a swift return to free markets. In 1946, price and wage controls were abruptly removed at a time when great inflationary pressure was present in the economy and many goods were scarce. Today there is little evidence of inflationary tendencies in the economy. The Nation's tremendous productive capacity has adjusted quickly to meet changes in our needs since the Korean war began. Almost all civilian goods are now available and in plentiful supply. In many cases capacity exceeds demand. In this situation the unnecessary prolongation of price and wage controls could do great harm. A buyer's market needs the flexibility that is hampered by price and wage controls.

In times of great national emergency, such as all-out war, price and wage con-

trols may be necessary to supplement indirect controls in the attempt to prevent sudden increases in the general price level and indicate to the public the Government's determination to stop inflation. But there is little, if any, need for these drastic measures today. In the case of materials urgently required for defense production, allocations can effectively limit civilian demand where this is necessary. I believe that tax, expenditure, monetary and credit policies, aided by allocation controls, can provide an adequate defense against inflation during the remainder of the rearmament period as it is now planned.

No system has yet been found that is as effective as the free market system in providing the driving force for economic growth and in regulating the flow of goods and services. Controls actually can impede the production of goods in short supply by preventing price adjustments that might bring forth greater output. The original controls established in 1951 over the machine-tool industry, for example, were so restrictive that the industry was severely handicapped in increasing production. By the time the controls were relaxed, the defense program had been seriously delayed. Another example is the recent potato shortage which was directly caused by the misuse of controls and the socialistic policies of the present leadership.

The underlying reason for my belief that price and wage controls should be eliminated is a conviction that tax, expenditure, monetary, and credit policies are fundamental instruments of government for economic stabilization in a dynamic, free economy, and that they can deal effectively with the present situation. If controls are maintained in order to cope with situations such as we now face, we may drift into accepting them as permanent. France had rent controls for nearly a quarter of a century resulting in an extreme shortage of housing. Except in times of great danger such as might arise in wartime, I believe that price and wage controls should not be used. I do not believe we are now in a situation that demands these controls.

Mr. JENISON. Mr. Chairman, I rise to support the Smith amendment, providing for Congress to request the President to invoke provisions of the National Labor Relations Act in the current labor dispute in the steel industry.

I must confess, however, that my support is given with some reluctance for it seems to me the Congress is being forced to take an unprecedented step that should be unnecessary. We are, in effect, politely asking the President to fulfill his sworn duty to enforce the law of the land as passed by the Congress and affirmed by the judicial branch of Government.

That it should be necessary to take such a step is a devastating indictment of an Administration that seems determined to nullify the action of the people as expressed and affirmed in both the Eightieth and Eighty-first Congresses. The expressed views of the President in attempting to justify such a course border dangerously close to an invitation to disobedience of established law and order in the event compliance ultimately is ordered.

Mr. Chairman, it should not be necessary for the legislative branch of Government to order, direct or "invite" the Administrative branch to enforce the law of the land. That is the sworn duty of the President. In the present instance, the steel crisis could have been averted and the dispute might now be settled with satisfaction to the workers themselves and with fairness to all concerned. Under the circumstances, there is no alternative but to repeat again, by way of approval of the Smith amendment, the expressed legislative demand that the President act immediately, through legislation presently in effect, to seek a solution of the dispute that keeps thousands of men out of work and denies the Nation the production of steel so urgently needed for our military defense and our domestic economy.

Mr. LYLE. Mr. Chairman, I favor the amendment offered by the gentleman from Virginia [Mr. SMITH].

I believe it to be consistent with our responsibilities at this time to inform the President, as he requested in his recent address before this Congress, that it is the best judgment of the House of Representatives that he should immediately invoke the provisions of the Taft-Hartley Act in the present steel dispute.

It would, of course, be foolish for any Member of this body to assert or believe that the provisions of the Taft-Hartley Act are capable of settling the dispute now existing between management and labor in the steel industry. It is, however, the only means that you and I, as Members of the Congress, or the President can use at this time to put steel back into production. It is a temporary and expedient method, yes, but it is a means whereby the production of steel can be resumed.

It can be argued with justification that the House and Senate should have considered legislation before now which would make it impossible, when our country is faced with war, as we are now, and when American soldiers are committed to battle, as they are now, for major industries producing or manufacturing vital materials used in the war to close down production.

That would be drastic action. So is it drastic, Mr. Chairman, when we take young boys from their parents, husbands from their wives and children, and send them to far lands, some to be injured and some to be killed.

During the past 20 years, Mr. Chairman, the Congress has voted many powers to the President of the United States. Few, I am sure, are familiar with all of the powers that have been granted. Through the very superior work of Mrs. Mollie Z. Margolin, of the American Law Section, Legislative Reference Service, Library of Congress, I have here a compilation and résumé of these powers. I shall insert it in the RECORD. I do so for a very good reason, and that is to dramatically call to your attention what might be called a modern trend of legislating.

It is seldom, if ever, that Congress actually writes into the laws the details and regulations under which most of our laws are administered. We have, for a great number of years, been delegating that power and responsibility to the President of the United States. The modern practice is for Congress to set out the broad principles which we think govern the problems confronting us and then authorize and direct the President to work out orders and regulations to make possible the administration of our acts.

This has brought the legislative and executive branches closer together and makes it more and more necessary that Congress and the President work in close harmony. We, the Congress and the President, share a great responsibility and therefore it should not be considered either rare, discourteous, or unparliamentary for either the President or the Congress to give to the other the benefit of his or our judgment on the many joint problems confronting us.

It cannot rightfully be said that it is discourteous or unusual, although it might be said to be uncommon, for Congress to request the President to use either one or many of the vast powers which we have granted to the office of the Presidency during the past years.

On the other hand, Mr. Chairman, I believe it would be a mistake for the House of Representatives to refuse to answer the question of the President as to whether he should use the provisions of the Taft-Hartley Act. At the present time there is no other legislation under which steel can be put into production.

I am sure, Mr. Chairman, that the Members of the House will find interesting the tabulation of the powers granted the President by the Congress, which I insert in the RECORD at this point:

POWERS WHICH HAVE BEEN VOTED TO THE PRESIDENT BY CONGRESS SINCE 1933

In this compilation of the powers which Congress has voted to the President in the last 20 years, the powers have been placed in various categories. In part I are the general powers, which the President may exercise at all times. Part II contains the emergency powers, which become operative only upon the occurrence of some specified contingency. Of these, some have become active upon the declaration by the President of a national emergency on December 16, 1950 (proclamation No. 2914; 15 F. R. 9029). Others are dormant, being contingent upon war, upon a national emergency declared by Congress, or upon some other specified unusual occurrence. The digest of each law in this category points out the event upon which the power is contingent.

In several instances the law which originally granted the President a certain power was enacted more than 20 years ago, but has been amended within the past 20 years by an act which reaffirms this power. Such acts have been listed separately in part III of this report.

The act of April 14, 1952 (Public Law 313, 82d Cong.) as amended May 28, 1952 (Public Law 368, 82d Cong.) is referred to frequently in dealing with the emergency powers. This act extends until June 15, 1952, certain powers of the President which would have expired or become dormant on April 28, 1952, the date on which the Japanese Peace Treaty officially ended World War II, and on which the President's Proclamation No. 2974 (17

F. R. 3813) terminated the national emergency proclaimed on September 5, 1939 (proclamation No. 2352), and the unlimited national emergency proclaimed on May 27, 1941 (proclamation No. 2487). Since these powers were previously dependent upon war or specified emergencies, and have now been extended "notwithstanding any limitation, by reference to war or national emergency" (Public Law 313 sec. 1 (a)), they were considered new powers and were included in this compilation.

The laws dealing with the power to make appointments or removals, to create new commissions, to accept United States membership in international conferences, and to make presentation of medals, have been omitted since these are not new grants of powers but merely new applications of already existing powers.

A topical index has been attached referring to item numbers. Also attached is a chronological table of statutes covered by this compilation.

I. GENERAL POWERS

Abaca production

Item 1: The Abaca Production Act of 1950, approved August 10, 1950 (64 Stat. 435–437) provides for the continuation and expansion of Western Hemisphere production by the United States. The President is authorized to issue such rules and regulations and make such determinations as he may deem necessary to carry out this program. Temporary, expires April 1, 1960.

Agriculture

Item 2: Act of May 12, 1933 (48 Stat. 37 (c)) as amended June 3, 1937 (50 Stat. 246, sec. 1 (h); 7 U. S. C. 610 (c)) empowers the President to approve the regulations made by the Secretary of Agriculture under the Agricultural Adjustment Act. This power does not extend to approval of agricultural marketing orders (61 Stat. 951, sec. 102).

Armed services

As Commander in Chief: From time to time certain powers are voted to the President which are incidental to his status as Commander in Chief of the Armed Forces. These have been omitted from this compilation. However, a few of these outstanding powers have been listed below by way of illustration:

Item 3: Act of June 15, 1933 (48 Stat. 155, sec. 4) authorizes the President to order officers of the National Guard, with their consent, into active service during peacetime.

Item 4: Act of December 13, 1941 (55 Stat. 800 c. 571, sec. 2) authorizes the President to terminate periods of service of all members of the Army of the United States earlier than the time prescribed by Congress.

Item 5: Act of February 21, 1946 (60 Stat. 27, sec. 6) gives the President discretion as to the retirement of Navy, Marine Corps, or Coast Guard officers after 20 years of service.

Item 6: Act of October 12, 1949 (63 Stat. 825, sec. 414) provides that the President may regulate disability retirement.

Delegation of Authority

Item 7: The President may delegate his authority under the Uniform Code of Military Justice and may provide for subdelegation of any such authority. Act of May 5, 1950 (64 Stat. 145, art. 140, sec. 1).

Detail of Men

Item 8: Philippine Commonwealth: The President is authorized to include the Commonwealth of the Philippine Islands with the Latin-American Republics in the matter of assisting such Governments in military and naval matters, and may detail members of the Armed Forces for such purpose. Act of May 14, 1935 (49 Stat. 218 ch. 109)..

Item 9: United Nations: The President is authorized to negotiate agreements with the Security Council, which shall be subject to approval by Congress, concerning Armed Forces to be made available to the Security Council upon its call for the purpose of maintaining international peace and security in accordance with article 43 of the United Nations Charter. The President shall not require the authorization of Congress to make available to the Security Council Armed Forces under article 42 of the Charter (act of December 20, 1945; 59 Stat. 621 ch. 584 sec. 6). The President may detail to the United Nations, without the consent of Congress, up to 1,000 members of the Armed Forces to serve in non-combatant capacity (act of October 10, 1949; 63 Stat. 735 sec. 5).

Atomic energy

Item 10: Act of June 25, 1946 (60 Stat. 308 ch. 487, sec. 1) gives the President the power to approve the use of naval vessels as targets for testing atomic weapons.

Item 11: Act of August 1, 1946 (60 Stat. 755–775): The "Atomic Energy Act of 1946" gives the President the power:

1. To make a final decision in a disagreement between the Military Liaison Committee and the Atomic Energy Commission (sec. 2 (c), as amended by act of October 11, 1949 (63 Stat. 762 ch. 763)).

2. To determine at least once each year the quantities of fissionable material which the Atomic Energy Commission shall produce in its own facilities (sec. 4 (ch. 2)).

3. To approve what materials may be regarded as source material (sec. 5 (b, 1)).

4. To determine the extent to which fissionable materials shall be utilized in the production of atomic bombs or other military weapons (sec. 6 (a, 2)).

5. To determine which property in control of Government agencies, is to be transferred to the Atomic Energy Commission (sec. 9 (a, 3)).

6. To utilize the services of any Government agency to the extent he may deem desirable in order to protect against the unlawful dissemination of restricted data and to safeguard facilities, equipment, materials, and other property of the Atomic Energy Commission (sec. 10 (b) (5B, iv)).

7. To exempt in advance, any specific action of the Commission in a particular matter from the provisions of law relating to contracts whenever he determines that such action is essential in the interest of the common defense and security (sec. 12 (b)).

Item 12: Act of October 30, 1951 (Public Law 235, 82d Cong.) gives the President the power to determine that an arrangement by the Atomic Energy Commission to produce fissionable material outside the United States or which will involve the communication of restricted data to another nation, would substantially promote and would not endanger the common defense and security of the United States.

Bankruptcy

Item 13: Act of June 26, 1936 (49 Stat. 1970–1971) provides that the President represent the United States when the United States or any agency thereof is a creditor under section 77 of the Bankruptcy Act.

Item 14: Act of August 13, 1940 (54 Stat. 788, ch. 666) authorizes the President or any officer whom he may designate to sell, exchange, etc., any bonds, notes, or other securities acquired on behalf of the United States under the provisions of the Transportation Act of 1920, including any securities acquired as an incident to a bankruptcy, receivership, etc.

Civil aeronautics

Item 15: The Civil Aeronautics Act of 1938, approved June 23, 1938 (52 Stat. 1014, sec. 801) makes all overseas or foreign air-transportation certificates subject to the approval of the President.

Item 16: The Federal Airport Act, approved May 13, 1946 (60 Stat. 179, ch. 251, sec. 16 (b)) requires the approval of the President to the conveyance of Government-owned lands for public airports.

Item 17: Act of September 9, 1950 (64 Stat. 825, ch. 938) authorizes the President to direct the Secretary of Commerce and the Civil Aeronautics Board to undertake security measures relative to the regulation and control of air commerce.

Coast and Geodetic Survey

Item 18: Act of January 19, 1942 (56 Stat. 7, sec. 2) and act of June 3, 1948 (62 Stat. 299, sec. 10 (a)) empower the President to make all promotions of officers, with the advice and consent of the Senate.

Coast Guard

Item 19: Act of August 4, 1949 (63 Stat. 507, sec. 149), authorizes the President to detail officers and enlisted men to assist foreign governments in matters concerning which the Coast Guard may be of assistance.

Item 20: Act of August 4, 1949 (63 Stat. 514, sec. 229), provides that the President may revoke commissions during the first 3 years of commissioned service.

Commodity Credit Corporation

Item 21: Act of March 8, 1938 (52 Stat. 107, sec. 3), directs the President or such officers as he shall designate to exercise all rights of the United States arising out of ownership of capital stock in the Commodity Credit Corporation.

Control of consumer and real-estate credit

Item 22: Title VI of the Defense Production Act of 1950, approved September 8, 1950 (64 Stat. 812–815), as amended by act of July 31, 1951 (Public Law 96, 82d Cong., sec. 106), and by act of September 1, 1951 (Public Law 139, 82d Cong., sec. 602), authorizes the President to prescribe regulations relative to consumer real-estate construction credit controls exercised by the Board of Governors of the Federal Reserve System. Such regulations may, among other things, prescribe maximum loan or credit values, minimum down payments, maximum maturities, maximum amounts of credit, and so forth. The President may utilize the services of the Board of Governors of the Federal Reserve System, the Federal Reserve banks, and any other available Federal or State agencies. Temporory; expires June 30, 1952 (Public Law 96, 82d Cong., sec. 111).

Customs laws

Item 23: Act of August 5, 1935 (49 Stat. 517, ch. 438), authorizes the President to establish or discontinue customs-enforcement areas.

Item 24: Act of August 24, 1935 (49 Stat. 773–774), as last amended by act of June 28, 1950 (64 Stat. 261–262, ch. 381, sec. 3), authorizes the President to restrict importations which tend to interfere with the operation of the Agricultural Adjustment Act.

Item 25: Act of April 30, 1946 (60 Stat. 151–155, secs. 401–501), authorizes the President to enter into executive agreements with the President of the Philippines.

Item 26: Act of July 15, 1947 (61 Stat. 322, sec. 3 (b) E) as last extended by act of July 31, 1951 (Public Law 96, 82d Cong. sec. 101 (c)) authorizes the President to control imports of fats and oils. Temporary, expires June 30, 1952.

Item 27: Act of June 25, 1948 (62 Stat. 687 sec. 43) authorizes the President to approve regulations for import and export of game mammals from or to Mexico.

Displaced persons

Item 28: Act of June 16, 1950 (64 Stat. 227 sec. 12 "14") authorizes the President to regulate loans by Reconstruction Finance Corporation to finance the reception and transportation of eligible displaced persons. Temporary, expires June 30, 1953.

Executive departments

Item 29: Act of August 9, 1939 (53 Stat. 1290 c. 616) provides that the President may utilize the services of the executive departments, agencies, etc., in carrying out the reciprocal undertakings enunciated in the treaties between the American Republics.

Item 30: Act of August 2, 1946 (60 Stat. 809–810, 812 secs. 14, 19) authorizes the President to prescribe regulations concerning cash awards to employees for meritorious suggestions effecting economy.

Item 31: Act of January 27, 1948 (62 Stat. 8–9 sec. 401) provides that the President may approve the utilization of services, facilities, and personnel of Government agencies in carrying out any activity authorized by the United States Information and Educational Exchange Act.

Item 32: A series of Reorganization acts were enacted, the first one in 1932, and the most recent on June 20, 1949 (63 Stat. 203), the "Reorganization Act of 1949." The President was given the power to consolidate, group, coordinate, or reduce the Government agencies in order to produce efficiency and reduce expenditures. Temporary, expires April 1, 1953.

Item 33: The Classification Act of 1949, approved October 28, 1949 (63 Stat. 959 sec. 505 (b)) provides that no position shall be placed in or removed from Grade 18 of the General Schedule except by the President upon recommendation of the Civil Service Commission.

Item 34: Act of August 26, 1950 (64 Stat. 477 ch. 803 sec. 3) authorizes the President to extend to other agencies the power of suspension of civilian officers and employees in the interest of national security.

Item 35: Act of September 12, 1950 (64 Stat. 838 sec. 202) authorizes the President to approve transfer of balances of appropriations upon transfer of functions.

Exports

Item 36: Act of June 30, 1942 (56 Stat. 463, ch. 461) authorized the President to control exports by curtailing or prohibiting the export of articles, materials, and supplies, including technical data. After several extensions, this act expired on February 28, 1949 (61 Stat. 946 sec. 3 (a)) and was replaced by the Export Control Act of 1949, approved February 23, 1949 (63 Stat. 7 ch. 11) which gives the President the same power but extends it also to the control of financing, transporting, and other servicing of exports. Temporary, expires June 30, 1953 (Public Law 33, 82d Cong.).

Farmers

Item 37: Act of July 22, 1937 (50 Stat. 525, 526, 530, secs. 23 (b), 32 (c), 45) as amended August 14, 1946 (60 Stat. 1069, sec. 45) authorizes the President to make allotments or appropriations and to make transfers of land under the Farmers' Home Administration Act of 1946, the title to which has been acquired by the United States in the national defense program, but which is no longer needed for same.

Foreign affairs

Item 38: Act of June 24, 1938 (52 Stat. 1034, c. 644) as last amended June 1, 1948 (62 Stat. 279–280, ch. 357) authorizes the President to designate a number of citizens of the American Republics to study at United States professional institutions, and at the United States Military and Naval Academies.

Item 39: Act of August 11, 1939 (53 Stat. 1418, ch. 701) requires the President's approval of the sale of surplus agricultural commodities by Commodity Credit Corporation to foreign governments.

Item 40: Act of June 15, 1940 (54 Stat. 395, sec. 1) empowers the President to authorize the manufacture and sale of coast-defense and antiaircraft material to the American Republics.

Item 41: The Bretton Woods Agreements Act, approved July 31, 1945 (59 Stat. 512–517) provides for the President's direction of the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development.

Item 42: Act of August 9, 1946 (60 Stat. 961, ch. 928) authorizes the President to designate 2 persons from each American Republic, not exceeding a total of 12 persons at any one time, to receive instruction at the United States Merchant Marine Academy at Kings Point, N. Y.

Item 43: Act of July 31, 1947 (61 Stat. 706 sec. 5) provides for authorization and direction by the President of admission of commissioned officers of military services of foreign countries to the Naval Postgraduate School.

Item 44: Act of July 1, 1948 (62 Stat. 1210 c. 785) authorizes the President to assist, by grants-in-aid, the Republic of the Philippines in providing medical care and treatment of veterans who served in the United States forces during World War II.

Item 45: Act of June 30, 1949 (63 Stat. 389 sec. 205 (a)) authorizes the President to prescribe policies and directives regarding the procurement, utilization and disposal of Government property.

Item 46: The Mutual Defense Assistance Act of 1949 (63 Stat. 714–721), as amended July 26, 1950 (64 Stat. 373–377); and the Mutual Security Act of 1951, approved October 10, 1951 (Public Law 165, 82d Cong.), authorize the President to extend military, economic, and technical assistance to friendly countries. Among these countries are the North Atlantic Treaty countries, and any other European country which the President determines to be of importance to the defense of the North Atlantic area, Greece, Turkey, Iran or other Near East countries, Republic of the Philippines, Republic of Korea, general area of China, the American Republics.

Item 47: The International Wheat Agreement Act of 1949, approved October 27, 1949 (63 Stat. 945–947) authorizes the President to regulate the quantities of wheat to be made available for export under this program, and to take any action which he deems necessary, including the restriction of exports and imports of wheat.

Item 48: The Act for International Development, approved June 5, 1950 (64 Stat. 204–209, title IV) as amended October 10, 1951 (Public Law 165, 82d Cong., sec. 2) authorizes the President to participate in multilateral technical cooperation programs carried on by the United Nations, and to plan and execute bilateral technical cooperation programs carried on by any United States Government Agency, for the purpose of assisting nations living in economically underdeveloped areas of the world to develop the resources of their lands.

Item 49: Act of September 28, 1950 (64 Stat. 1079 c. 1094) authorizes the President or such other officer or agency as he may designate to conclude and give effect to agreements with governments with which the United States was not at war in World War II, for the settlement of intercustodial conflicts involving enemy property.

Item 50: The Mutual Defense Assistance Control Act of 1951, approved October 26, 1951 (Public Law 213, 82d Cong.) provides for the control by the United States and cooperating foreign nations of exports to any nation or combination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination. The President is authorized to terminate all military, economic, and financial assistance to any nation which he determines is not effectively cooperating with the United States in this program. The President may direct the continuance of such assistance to a country which permits shipments of items other than implements of war and atomic energy materials when unusual circumstances indicate that the cessation of aid would clearly be detrimental to the security of the United States.

Item 51: Act of October 31, 1951 (Public Law 249, 82d Cong.) gives the President the power of discretion regarding economic, technical, and military assistance to Spain. Temporary, expires June 30, 1952.

Gold purchases

Item 52: Act of January 30, 1934 (48 Stat. 341, sec. 8) provides for approval by the President of gold purchases made by the Secretary of the Treasury.

Government corporations

Item 53: Act of December 6, 1945 (59 Stat. 598–600, secs. 102–107), as amended September 12, 1950 (64 Stat. 824, sec. 105), provides for regulation by the President of the annual budget program of wholly-owned Government corporations.

Housing

Item 54: Act of August 10, 1948 (62 Stat. 1268, ch. 832, sec. 101, as amended; 12 U. S. C. 1738 (a)) gives the President the power to approve an increase in the aggregate amount of mortgages on veterans' housing which may be insured by the War Housing Insurance Fund, provided however, that the aggregate amount does not exceed $6,650,000,000.

Item 55: Act of July 15, 1949 (63 Stat. 426, 427, secs. 304 (g), 305) provides that the Housing Authority obtain Presidential approval before entering into, amending, or superseding a contract for annual contributions, loans, or both. The President may increase the aggregate amount of annual contributions for which the Authority may contract or may determine that an increase in the number of dwellings is in the public interest.

Item 56: Act of July 15, 1949 (63 Stat. 419, sec. 108) authorizes the President in his discretion, to transfer to the Housing and Home Finance Administrator, at fair market value, any surplus Federal real property which will be located within the area of a planned low-rent housing project.

Item 57: Act of July 31, 1951 (Public Law 96, 82d Cong., sec. 203), provides that the President shall, by regulation or order, establish maximum rents which he deems fair and equitable in any State which by its laws require Federal rent control or in any political subdivision of a State which does not have rent control upon receipt of a resolution enacted by its governing body that Federal rent control is necessary. Temporary, expires June 30, 1952 (sec. 211 (b)).

Item 58: The Defense Housing and Community Facilities and Services Act of 1951, approved September 1, 1951 (Public Law 139, 82d Cong., sec. 101), empowers the President to proclaim that an area is a critical defense housing area and entitled to the benefits provided by this act relating to housing and community facilities and services. Temporary, expires June 30, 1953 (sec. 104).

Immigration

Item 59: Act of June 20, 1941 (55 Stat. 252, ch. 209) authorizes the President to prescribe regulations in connection with refusing visas, etc., to aliens whose admission would endanger the safety of the United States.

Information

Item 60: Internal Security Act of 1950, enacted September 23, 1950 (64 Stat. 991, sec. 4 (b, c)) recognizes the power of the President to classify information as affecting the security of the United States, for the purpose of the prohibition against communicating same to foreign agents.

Internal Revenue

Item 61: Act of March 17, 1941 (55 Stat. 45, sec. 1), provides that the President shall

approve regulations as to the silver bullion transfer tax.

National forests

Item 62: Act of March 10, 1934 (48 Stat. 400, ch. 54), authorizes the President to establish fish and game sanctuaries in national forests.

Item 63: Act of May 28, 1940 (54 Stat. 224, ch. 220, sec. 1), authorizes the President to withdraw national forest lands from location, entry, or appropriation, in order to protect watersheds from which water is obtained by municipalities.

National parks

Item 64: Act of April 24, 1948 (62 Stat. 199, ch. 230), authorizes the President to approve the transfer to the Department of the Interior of surplus Federal real property administered by any agency, if such property is located within the boundaries of a national park or monument. Temporary, expires July 1, 1952.

Panama Canal

Item 65: Act of July 9, 1927 (50 Stat. 486, ch. 470 sec. 1) which declares that the Government of the United States possesses exclusive control over the air space above the Canal Zone, authorizes the President to make rules and regulations governing aircraft, air navigation, air navigation facilities, and aeronautical activities within the Canal Zone.

Item 66: Act of June 13, 1940 (54 Stat. 389, sec. 2 "274") gives the President the power to establish the rate of interest, not exceeding 3 percent per annum, on postal-savings certificates in the Canal Zone.

Item 67: Act of June 28, 1940 (54 Stat. 676, sec. 39) authorizes the President to provide for the registration and fingerprinting of aliens in the Canal Zone.

Price and wage stabilization

Item 68: The Defense Production Act of 1950, approved September 8, 1950 (64 Stat. 803-812, title IV) as amended July 31, 1951 (Public Law 96, 82d Cong., sec. 104) authorizes the President to stabilize prices and wages. Temporary—expires June 30, 1952 (Public Law 96, 82d Cong., sec. 111).

Item 68A: Title V of this act as amended (64 Stat. 812) authorizes the President to initiate voluntary settlements of labor disputes.

Priorities and allocations

Item 69: The Defense Production Act of 1950, approved September 8, 1950 (64 Stat. 799, title I) as amended July 31, 1951 (Public Law 96, 82d Cong., sec. 101 (a)) authorizes the President to grant priorities to contracts pertaining to the national defense and to allocate materials and facilities in such manner as he shall deem necessary to promote the national defense. Temporary—expires June 30, 1952 (Public Law 96, 82d Cong., sec. 111).

Productive capacity expansion

Item 70: The Defense Production Act of 1950, approved September 8, 1950 (64 Stat. 800-802, title III) as amended July 31, 1951 (Public Law 96, 82d Cong., sec 103) provides that in order to expedite production, etc., under Government contracts, the President may authorize any procurement agency of the Government including Departments of Army, Navy, and Air Force, to guarantee any public or private financing institution (including any Federal Reserve Bank) against loss of principal or interest on any loan, discount, etc., which may be made by such financing institution for the purpose of financing any defense contractor or subcontractor.

The President may also make provision for loans to private business enterprises for the expansion of capacity, the development of technological processes, or the production of essential materials.

The President is given the power to procure, transport, store, process, and refine essential, critical and strategical materials.

When in his judgment it will aid national defense, the President is authorized to install additional equipment, facilities, processes, or improvements to plants, factories, and other industrial facilities owned by the Government, and to install Government-owned equipment in plants, factories, and other industrial facilities owned by private persons. Temporary, expires June 30, 1952 (Public Law 96, 82d Cong., sec. 111).

Public lands

Item 71: Act of June 6, 1942 (56 Stat. 326-327, ch. 380), requires Presidential approval of grants of recreational demonstration projects to the States or to their political subdivisions.

Requisitions

Item 72: The Defense Production Act of 1950, approved September 8, 1950 (64 Stat. 799, title II), as amended July 31, 1951 (Public Law 96, 82d Cong., sec. 102 (a), authorizes the President to requisition and condemn property which is needed for the national defense. Temporary, expires June 30, 1952 (Public Law 96, 82d Cong., sec. 111).

Rubber

Item 73: The Rubber Act of 1948, approved March 31, 1948 (62 Stat. 102-108), gives the President the power of allocation, specification, and inventory control of natural and synthetic rubber. Temporary, expires June 30, 1952 (64 Stat. 256 ch. 357).

Securities and exchanges

Item 74: Act of June 6, 1934 (48 Stat. 898, sec 19 (4)), gives the President the power to approve summary suspension of all trading on any national security exchange for a period not exceeding 90 days.

Seizure of plants

Item 75: The Selective Service Act of 1948, approved June 24, 1948 (62 Stat. 625 sec. 18) as last amended June 19, 1951 (Public Law 51, 82d Cong., sec. 1 (w)), authorizes the President to take immediate possession of and operate any plant, mine, or facility with which Government orders had been placed for articles or materials for use of the Armed Forces, and the owners of which had refused or failed either to give the orders procedence, to fill the orders within the prescribed time, to produce the kind or quality ordered, or to furnish same at the negotiated price.

If any producer of steel refuses to comply with the requirement to make available to Government contractors supplying the Armed Forces, quantities of steel in percentages deemed necessary for the expeditious execution of such orders, the President, through the Secretary of Defense, is authorized to take immediate possession of the plant of such producer.

Silver

Item 76: The Silver Purchase Act of 1934, approved June 19, 1934 (48 Stat. 1178-1181) requires Presidential approval of the regulation by the Secretary of the Treasury of transactions in silver, and authorizes the President, when in his judgment such action is necessary, to require, by Executive order, the delivery to the United States mints of any or all silver by whomever owned or possessed.

Tennessee Valley Authority

Item 77: Act of July 18, 1941 (55 Stat. 600 ch. 309) provides that the transfer of real property of the Tennessee Valley Authority to private persons for summer homes, resorts, etc., or to any Government agency, shall require approval of the President.

Veterans

Item 78: Act of December 28, 1945 (59 Stat. 624 ch. 588 sec. 4) empowers the President to approve or disapprove proceedings of boards of review set up under the GI bill of rights.

Item 79: Act of August 1, 1946 (60 Stat. 788 sec. 12) provides that the President shall have general direction over the Administrator of Veterans' Affairs in the administration of the National Service Life Insurance Act of 1940.

II. EMERGENCY AND WAR POWERS

Aliens

Item 80: Act of April 14, 1952 (Public Law 313, 82d Cong. sec. 1 (a) (40)), amended May 28, 1952 (Public Law 368, 82d Cong.), grants the President the power to determine that the interests of the United States require that additional restrictions and prohibitions be imposed upon the entry to and departure from the United States of aliens and citizens, and to regulate such entries and departures. Although the President had this power under act of May 22, 1918 (40 Stat. 559, c. 81), as amended June 21, 1941 (55 Stat. 252 c. 210, sec. 1), the power was restricted to wartime and to the emergency which ended on April 28, 1952, when the Japanese Peace Treaty became effective. The President can now exercise this power even though we are not at war. Temporary, expires June 15, 1952.

American National Red Cross

Item 81: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (32)), amended May 28, 1952 (Public Law 368, 82d Cong.), authorizes the President to utilize the services of the American National Red Cross to assist our Armed Forces. Although the act of April 24, 1912 (37 Stat. 90, 91, secs. 1, 2), as amended, gave this power to the President, that act restricted it to time of war or "when war is imminent." Temporary, expires June 15, 1952.

Armed Forces

Item 82: Act of June 15, 1933 (48 Stat. 156, sec. 7), provides that in the event of an emergency declared by Congress, the President may extend the enlistment terms of the National Guard and of the National Guard of the United States for a period of 6 months after the termination of the emergency.

Item 83: Act of June 15, 1933 (48 Stat. 160, sec 18), amended June 19, 1935 (49 Stat. 392, sec. 7), provides that during a period of war or emergency declared by Congress, the President may order units or members of the National Guard of the United States into active military service.

Item 84: Act of June 15, 1933 (48 Stat. 161, sec. 20), as amended September 9, 1940 (54 Stat. 875, sec. 101), authorizes the President in time of war or national emergency determined by the President to appoint any officer of the Regular Army to a higher temporary grade without vacating his permanent appointment.

Item 85: Act of May 14, 1940 (54 Stat. 214, c. 195), provides that in time of actual or threatened hostilities the President may allow additional enlistments in the Medical Department of the Army in such numbers as he may deem necessary.

Item 86: Act of July 24, 1941 (55 Stat. 604, secs. 5, 6), as amended April 9, 1943 (57 Stat. 60 c. 38 sec. 1) and June 30, 1951 (Public Law 67, 82d Cong. sec. 2 (a)) provides that in time of war or national emergency determined by the President, the President may make temporary appointments and advancements of certain personnel of the Navy and Marine Corps.

Item 87: Act of October 1, 1942 (56 Stat. 763 c. 571), provides that during a war or a declared national emergency, the President may detail officers and enlisted men of the Army, Navy, and Marine Corps to assist, in military and naval matters, the governments of such countries as he deems it in the interest of our national defense to assist.

Item 88: Act of August 7, 1947 (61 Stat. 893, 906, 907 secs. 507 (b), 514 (f), 515 (e)), provides that in time of emergency declared by the President, or by Congress, and in time of war, the President may suspend the provisions of the Officer Personnel Act pertaining to promotions and to mandatory retirement of Army officers, and may appoint temporary officers in the Army of the United States in commissioned grades.

Item 89: Act of August 7, 1947 (61 Stat. 907 sec. 515 (d)), authorizes the President, in time of a national emergency expressly declared by Congress, to order any officer of any Reserve component of the Army of the United States into active Federal duty without his consent for as long a period as the President may prescribe.

Item 90: Act of October 12, 1949 (63 Stat. 810, 811 secs. 204 (d), 205 (d)), authorizes the President, in time of war, to suspend incentive pay for the performance of hazardous duty and diving duty.

Item 91: Act of April 14, 1952 (Public Law 313, 82d Cong. sec. 1 (c)), amended May 28, 1952 (Public Law 368, 82d Cong.) authorizes the President to continue in force the present appointments of warrant officers and of Reserve component officers of the Army and the Air Force, the National Guard of the United States and the Air National Guard of the United States, which were made under the provisions of title 10, United States Code section 591a, and which would have expired on April 28, 1952, when the Japanese Peace Treaty became effective. Although these officers could have been reappointed for the period of the national emergency declared December 16, 1950, and for 6 months thereafter, the President now has the power to continue these appointments in force without a new reappointment. Temporary, expires June 15, 1952.

Coast and Geodetic Survey

Item 92: Act of June 3, 1948 (62 Stat. 299 sec. 10 (b)), provides that in time of emergency declared by the President or by Congress, and in time of war, the President is authorized to suspend the provisions of the Coast and Geodetic Survey Commissioned Officer's Act pertaining to promotion.

Communications

Item 93: Act of June 14, 1934 (48 Stat. 1104, sec. 606 (c)), amended and superseded October 24, 1951 (Public Law 200, 82d Cong., sec. 1) provides that upon proclamation by the President that there exists war or a threat of war or a state of pubic peril or disaster or other national emergency, the President may suspend or amend for such time as he sees fit, the regulations of the Federal Communications Commission as to radio communications, and may cause the closing of any radio station, and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station by a department of the Government, upon just compensation to the owners.

Item 94: Act of January 26, 1942 (56 Stat. 18, ch. 18), provides that upon a proclamation by the President that there exists a state or threat of war involving the United States, the President, if he deems it necessary in the interest of national security, may suspend or amend the regulations of the Federal Communications Commission applicable to any or all facilities or stations for wire communications, may cause the closing of any facility or station and the removal therefrom of its apparatus and equipment, or may authorize the use or control of such facility or station by any department of the Government, upon just compensation to the owner.

Contracts

Item 95: Title II of the First War Powers Act, 1941, approved December 18, 1941 (55 Stat. 839, sec. 201), as amended January 12, 1951 (64 Stat. 1257, ch. 1230), provides that during the national emergency proclaimed by the President on December 16, 1950, the President may authorize any department or agency of the Government exercising functions in connection with the national defense, to enter into or amend contracts and to make payments thereon without regard to the provisions of law relating to the making, performance, etc., of contracts, whenever he deems that such action would facilitate the national defense. Temporary, expires June 30, 1952.

Item 96: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (3)), amended May 28, 1952 (Public Law 368, 82d Cong.), authorizes the President to designate a Government officer or agency to inspect the plants and audit the books of any contractor with whom a defense contract has been placed. The President was given this power by act of March 27, 1942 (56 Stat. 185–186, secs. 1301–1304), but that act restricted the power to the duration of World War II and would have expired on April 28, 1952, when the Japanese Peace Treaty officially ended the war. Public Law 313 extended this power beyond the termination of the war. Temporary, expires June 15, 1952.

Emergency detention

Item 96A: The Emergency Detention Act of 1950, enacted September 23, 1950 (64 Stat. 1021, secs. 102, 103), provides that in the event of invasion, declaration of war by Congress, insurrection within the United States in aid of a foreign enemy, the President may proclaim a state of internal security emergency, and may then through the Attorney General apprehend and detain certain persons who may conspire to engage in acts of espionage or sabotage.

Foreign exchange

Item 97: Act of March 9, 1933 (48 Stat. 1, 2, secs. 2, 4), amended December 18, 1941 (55 Stat. 839, sec. 301) provides that during the time of war or during any period of national emergency declared by the President, the President may regulate transactions in foreign exchange and certain transactions of member banks of the Federal Reserve System and may regulate transactions regarding alien property or its ownership.

Hawaii

Item 98: Act of June 19, 1936 (49 Stat. 1535), gives the President the power to determine that an emergency exists which requires the use for public defense, of certain territory transferred to the Territory of Hawaii, so that the United States may resume occupation of same.

Labor

Item 99: Act of August 30, 1935 (49 Stat. 1013 c. 825, sec. 6), provides that in the event of a national emergency the President is authorized to suspend certain provisions of law relating to wages of laborers, etc., under public building contracts.

Priorities

Item 100: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (33)), amended May 28, 1952 (Public Law 368, 82d Cong.) extends the war power which the President had been granted under act of February 4, 1887 (24 Stat. 380, sec. 6) as amended by section 2 of the act of June 29, 1906 (34 Stat. 586, c. 3591) to demand and receive preference and precedence over all other traffic for the transportation of troops and materials of war. Temporary, expires June 15, 1952.

Item 100A: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (35)), amended May 28, 1952 (Public Law 368, 82d Cong.) extends the war power which was granted to the President by act of February 28, 1920 (41 Stat. 477, sec. 402 (15)) to certify to the Interstate Commerce Commission that it is essential to the national defense and security that certain traffic shall have preference or priority in transportation. Temporary, expires June 15, 1952. This authority is made applicable to freight forwarders by sec. 1 (a) (36) of Public Law 313, 82d Congress as amended. Temporary, expires June 15, 1952.

Public Health Service

Item 101: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (9)), as amended by act of May 23, 1952 (Public Law 368, 82d Cong.) extends the war power granted to the President by act of July 1, 1944 (58 Stat. 689–691, secs. 212, 213, 216) to declare the commissioned corps of the Public Health Service to be a military service, making it a branch of the land and naval forces of the United States, subject to the Uniform Code of Military Justice, and entitling its members to full military benefits such as death payments and veterans compensation. Temporary, expires June 15, 1952.

Public works

Item 102: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (17)), amended by act of May 28, 1952 (Public Law 368, 82d Cong.) extends the power under the Lanham act, granted the President by act of June 28, 1941 (55 Stat. 362, 363, secs. 3, 4 (a)) which is needed to operate or reactivate existing public works necessary to the welfare of persons engaged in national defense activities. The power is vested in the Housing and Home Finance Administrator "with the approval of the President." Temporary, expires June 15, 1942.

Ships and shipping

Item 103: Act of June 29, 1936 (49 Stat. 1993, 2010, secs. 302 (h), 712 (d)) provides that during a national emergency as proclaimed by the President, he may, in his discretion, suspend any or all provisions of section 302 of the Merchant Marine Act of 1936, relating to citizenship requirements of officers and crews of vessels, and may terminate private charter operation.

Item 104: Act of June 29, 1948 (62 Stat. 1095–1096 c. 715), provides that during time of war or national emergency, the President is authorized to arm American vessels.

Item 105: Act of August 9, 1950 (64 Stat. 427–428 ch. 656), authorizes the President to control the anchorage and movement of foreign flag vessels in the territorial waters of the United States, whenever he finds that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity or of disturbances or threatened disturbances of the international relations of the United States.

Item 106: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (38)) amended by act of May 28, 1952 (Public Law 368, 82d Cong.), extends the emergency power, which had been granted to the President by act of June 6, 1941 (55 Stat. 242 ch. 174 sec. 1) as amended, to purchase, charter, or requisition the use of foreign merchant vessels lying idle in waters within the jurisdiction of the United States, which are necessary for the national defense. Temporary, expires June 15, 1952.

Strategic materials

Item 107: Act of June 7, 1939 (53 Stat. 811, sec. 4), amended July 23, 1946 (60 Stat. 598 sec. 5) provides that stockpiles of strategic and critical materials shall be released for use, sale or other disposition only on order of the President when required for purposes of the common defense, or in time of war or national emergency with respect to common defense proclaimed by the President, on order of such agency as the President may designate.

Transportation

Item 108: Act of April 14, 1952 (Public Law 313, 82d Cong., sec. 1 (a) (34)), as amended May 28, 1952 (Public Law 368, 82d Cong.), extends the war power which had been granted to the President by act of August 29, 1916 (39 Stat. 645 ch. 418 sec. 1) to assume control, through the Secretary of the Army, of transportation systems, and to utilize same to the

exclusion of all other traffic for the movement of troops, war material and equipment, and other purposes connected with the emergency. The President may now exercise this authority through such officers or agencies as he may designate. Temporary, expires June 15, 1952.

III. POWERS GRANTED BY ACTS WHICH HAVE BEEN AMENDED SINCE 1933

Armed Forces

Item 109: Act of July 1, 1918 (40 Stat. 717), superseded by act of August 4, 1949 (63 Stat. 558, sec. 8) provides that in time of war or national emergency declared by the President to exist, any commissioned or warrant officer of the Navy or Marine Corps on the retired list, who was ordered to active duty, may be temporarily advanced to and commissioned in such higher grade or rank on the retired list as the President may determine, but not above lieutenant commander in the Navy, or major in the Marine Corps.

Item 110: Act of January 28, 1915 (38 Stat. 800–801, sec. 1), superseded by act of August 4, 1949 (63 Stat. 496, sec. 3) provides that upon a declaration of war or when the President directs, the Coast Guard shall operate as a service in the Navy and shall so continue until the President by Executive order transfers the Coast Guard back to the Treasury Department.

Item 111: Act of June 15, 1917 (40 Stat. 219, sec. 6), last amended and superseded by act of September 23, 1950 (64 Stat. 1003, sec. 18 (a)), recognizes the power of the President in time of war or in case of national emergency, to designate places in which anything for the use of the Army, Navy, or Air Force is being prepared or constructed or stored, concerning which information is not to be published, which the President has determined would be prejudicial to the national defense.

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Jan. 28, 1915	38 Stat. 800–801, § 1	110
Aug. 29, 1916	39 Stat. 645, ch. 418, § 1	108
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June 28, 1950	64 Stat. 261–262, ch. 381, § 3	24
July 26, 1950	64 Stat. 373–377	46
Aug. 9, 1950	64 Stat. 427–428, ch. 656	105
Aug. 10, 1950	64 Stat. 435–437	1
Aug. 26, 1950	64 Stat. 477, ch. 803, § 3	34
Sept. 8, 1950	64 Stat. 799, title I	69
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	§1 (a) (40)	80
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Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER to the Smith amendment: After the last word in the Smith amendment insert "Except that in view of the fact that the workers in the steel industry have voluntarily withheld any work stoppage for a period in excess of the maximum time during which an injunction could have been in force, the President is requested to proceed as though such injunction had been granted without, however, applying for such an injunction."

Mr. SMITH of Virginia. Mr. Chairman, I make the point of order against the amendment that it is not germane, and imposes additional legislation.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. MULTER. Mr. Chairman, it simply elaborates on the request in the Smith amendment.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from New York [Mr. MULTER] offers an amendment to the amendment offered by the gentleman from Virginia [Mr. SMITH]. The gentleman from Virginia [Mr. SMITH] makes a point of order against the amendment on the ground that it is not germane. The gentleman from New York [Mr. MULTER] advises that his amendment elaborates on the Smith amendment.

The Chair is of the opinion that it elaborates on the Smith amendment to the extent of amending existing law not within the purview of this bill or the jurisdiction of this committee and is not germane.

The Chair, therefore, sustains the point of order.

The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. McCORMACK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. SMITH of Virginia and Mr. MULTER.

The Committee divided, and the tellers reported that there were—ayes 190, noes 133.

So the amendment was agreed to.

Mr. BOLLING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, today it seems to me that many of the people of the country must be looking at the Congress, and especially the House, with a feeling that, I believe, Will Rogers described years ago as similar to that of distracted parents discovering junior approaching the china cabinet armed with a hammer.

It seems that in this case junior will do great damage before it is possible for his parents to catch up with him. The catching up will have to wait until November, I suppose.

But even in the midst of events which are tragic for the people of this country, it is possible to find examples of pure comedy—not slapstick comedy but comedy as defined by the dramatists of the ancient Greeks.

Let me make clear at this point that I respect the views of every Member of this House, and do not question the motives of any Member of this House. Of course, I mean that statement in the sense that I respect the right of all Members to have whatever views and motives they desire.

But in the Greek meaning of comedy it is truly comic to watch not only the rank and file but also the leadership of the Republican Party following the leadership of a handful of distinguished gentlemen from certain States in the South on crippling amendments to this bill. To see the members of the party of the great emancipator, Abraham Lincoln, slavishly following the lead of gentlemen who are the bitterest enemies of that great principle for which Lincoln stood, the principle of the equality of all men in the eyes of God and in law, is truly comic.

The phalanx of House Republicans led by a handful of those who have been unkindly called Dixiecrats is a curious sight. In symbolic terms one is reminded of the old saw about the tail wagging the dog.

Mr. Chairman, in this case the situation is even more peculiar and one would think zoologically impossible did not one observe it with one's own eyes and hear it with one's own ears. Here we have a case of the most backward part of the Democratic donkey leading the whole Republican elephant around by the nose.

What a fate of the party of Lincoln.

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I think that this bill up to the present time has been as devoid of politics as any bill which has been considered on this floor for a good, long while. Now, we quite often hear the remark made about an unholy alliance which is said to exist between certain southern Democrats and certain northern Republicans. There is nothing unholy about any coalition of Americans sworn to uphold the Constitution of the United States when they join hands to protect the American system of government. I am glad the gentleman from Missouri brought this out in order that we may know where the opposition comes from to the majority of this House which has stood up here repeatedly during the last 15 years and has fought off these attempts of Socialist-minded individuals to infiltrate the great Democratic Party—to destroy it as effectively as the Fabian Socialists of Great Britain destroyed the great Liberal Party of Great Britain. I hope you keep that up if you want to develop the issue.

If you want the issue clearly stated, keep the issue before the people that there are two great political philosophies in America today: One, perhaps not wholly but at least partly sponsored by those for whom the gentleman from Missouri was speaking, which perhaps without their knowledge is being used as a vehicle by the American Socialist movement—the American Fabian Socialist movement masquerading under the name of Americans for Democratic Action—which would as effectively destroy the American system of government as the Fabian Socialist movement in Great Britain destroyed democracy in Great Britain. They did not wake up to it in Great Britain until it was too late.

It is the duty and the purpose of the Republican Party, with the help, I hope, of those Americans on my right who are jealous of the American system and want to see it preserved, to recognize that not in spite of but because of the American system of government we have become great, and we are going to continue to join hands to save America from the onslaughts of those who would destroy it.

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 5, line 3, at the end of section 104 insert the following subsection lettered (c):

"(c) Paragraph 2 of subsection (b) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"'Any ceiling price now or hereafter established for any material or service shall be suspended whenever the President finds that during the preceding 30 days the average price of such material or service has been 2 percent or more below the ceiling price established for such material or service; and whenever a ceiling price on any material is suspended at any level of production, processing, or distribution, the ceiling price of such material shall also be suspended at all subsequent levels of distribution of such material: *Provided*, That whenever the ceiling price for any material or service has been suspended pursuant to the provisions of this section, the President may require any seller of such material or service to report periodically sales made above the ceiling price in effect at the time such ceiling price was suspended. No ceiling price shall be reestablished or maintained for such material or service unless the President finds that the average price of such material or service has (i) equaled or exceeded for a period of the preceding 30 days or (ii) has exceeded by more than 10 percent for any 1 day, the ceiling price previously established, and any ceiling price so reestablished shall be no less than the ceiling price previously established: *And provided further*, That upon presentation of evidence to the President to the effect that the average price of any material or service has been below ceiling price for as much as 30 days the President shall make an investigation and make his findings public within 15 days after the presentation of such evidence.

"'For the purpose of this section any material shall be considered to be another

material when it is substantially altered in form.'"

Mr. POAGE. Mr. Chairman, this amendment would, in short, automatically decontrol the price of any commodity when it remains as much as 2 percent below the ceiling price for more than 30 days.

I recognize that we have probably already adopted amendments which, if they are retained in the bill, will accomplish almost everything this amendment attempts to accomplish. I believe, however, that this amendment carefully spells out a workable method of decontrol, and avoids the meat-ax approach. I believe that if we can adopt this amendment, whether we retain the other amendments or not, we will still have a method of automatic decontrol that will be workable and will not completely wreck price control.

In all fairness, I think I should say it is my intention and expectation to vote against any continuation of price control. I think the time has come to abandon it. I think price control is, at this time, tending to prevent production and that it is definitely building up trouble for us all in the future. But if we are to retain it, and I do not know what this House wants to do, we should make it workable, we should make it honest, we should make it real price control of high priced goods rather than a method of creating jobs for certain individuals. Price controls on articles or services which may be had in the open market at less than ceiling are not only useless; they are dishonest. They are a useless expense. They are an unnecessary irritation and burden on business.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. YATES. Is not the effect of your amendment an invitation to all producers to lower their prices by 2 percent for a period of 30 days and thereafter——

Mr. POAGE. Exactly.

Mr. YATES. Will the gentleman permit me to finish my question—and thereafter be able to increase their prices by 10 percent above ceiling?

Mr. POAGE. No, sir. The gentleman doubtless did not have the opportunity to hear the reading of my amendment by the Clerk. My amendment very carefully provides that if a price goes back to 10 percent above the ceiling, which is the figure he named, even for 1 day then controls may be reimposed. If the price goes up as much as 2 percent above the ceiling price for 30 days, then ceilings may be reimposed at the original figure. No, sir, we take care of the very thing that you suggested. We do offer an invitation to everybody to lower their prices—and surely those who propose price controls will not object to a method of encouraging dealers to lower their prices? Surely the gentleman from Illinois does not object to encouraging everybody to lower their prices. Certainly this amendment does, as the gentleman from Illinois pointed out, offer encouragement to lower prices and to keep them low because if you as a dealer keep prices below the ceiling price, then you will not be aggravated by the 10,000 inspectors, by the multitude of red tape, the volume of irritations which afflict every business in these United States under the present system.

Let me call attention to the fact that it is not only the price situation which is involved in this matter of decontrol, it is the eternal irritation to business. It is the irritation here and there and yonder, the regulations, the inspectors, and the expense. Why, the expense of maintaining the records to meet price control is ofttimes far more burdensome on business than the mere control of prices itself.

Mr. YATES. Is not the gentleman therefore arguing in favor of the committee provision that says when a price falls below the ceiling by 7 percent, there need not be any further report to the Office of Price Stabilization?

Mr. POAGE. No; I am not arguing in favor of the committee provision because I do not think it goes far enough to give us the relief we need. We are now paying tremendous sums for these inspections. We ought to cut out some of them. Just because the Congress is debating this matter today, we are getting the OPS to lift the ceiling on hundreds of articles which should have been done months and months ago. Unfortunately the only way you can get them to lift ceilings is to lead them to the chopping block, and threaten them with extinction; and then they become practical. We had ceilings on cotton for nearly 2 years while cotton on the open market never reached to within $25 per bale of the ceiling price. What good did this do?

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. McCORMACK. The gentleman stated frankly that he is against price-control legislation. Is my friend in favor of parity and price-support legislation for agricultural products?

Mr. POAGE. Yes; I am in favor of parity and price-support legislation. I am in favor of encouraging production of those articles on which the American people must depend for their food and raiment. I am not in favor of a price-control program which discourages production. Price control, if used where it is not needed, can be very dangerous as well as expensive. I don't believe we need price control at present. I believe that its bad effect more than outweighs any advantages that may come from it. I know that price control which is maintained simply to prove that the Government has some kind of paramount right over the people is bad. I know that when control is retained after the price sinks below ceiling price it cannot be to protect the public from unfair prices. It must, therefore, be either for the purpose of asserting the power of big Government or for the purpose of supporting the job holders who administer these ineffective controls.

OPS has had repeated opportunities to decontrol items which are selling at less than ceiling price. Nothing was done until Congress gave evidence that it would clean house for OPS. Then and only then did that agency show the slightest interest in decontrol. Experience has shown that if we are to get any effective decontrol after this bill is extended, if it is extended, we must write a clear-cut formula in the law itself. That is what this amendment does.

Mr. RAINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I sat here for 2 or 3 days last week and was a bit dismayed at the meat-ax tactics being used to kill this legislation. To my esteemed colleague, the gentleman from Texas, I say that it would be better to do the job up brown, cut it off, kill it completely, rather than to keep a shell and render it totally inoperative. For a long time I have studied the idea, both last year and this year, of an automatic recontrol amendment. I confess to you that after studying it for several weeks and months, I have not been able to find one which I believe would work. In other words, as I see it, it is either to have some reasonable system of price control or to have none. It is my humble judgment that the gentleman from Texas [Mr. POAGE] wants none, and that he is attempting to leave the corpse of price control barely breathing, with the amendment he has offered. It is impossible to administer any such provision as this amendment would set up. While I would like to see all of these articles which are soft in the market decontrolled, and I cannot see any need in keeping ceiling prices on articles that for a reasonable period of time stay below ceiling, I do not think you can confine it to a 30-day period. Neither do I think you should allow a 10-percent increase in any 1 day before you reimpose it.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Texas.

Mr. POAGE. Well, it is not 10 percent. It allows 2 percent if it stays up 30 days. If it stays up any one day, you can reimpose it.

Mr. RAINS. In other words, your amendment would allow a 9-percent increase for 1 day.

Mr. McKINNON. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from California.

Mr. McKINNON. The 30-day period has to expire before price controls can go back into operation. Prices can go up even more than 10 percent in a 30-day period. Then you are faced with the problem of roll-backs, of higher prices, and a dozen other things that are all bad.

Mr. RAINS. I submit to the House that the amendment is thoroughly unworkable, and that it is just another knife in the back of any kind of price control.

I do not like controls any more than you do. I admit that. But I say this to you, if we take off controls I want somebody else to bear the burden for the price increases—or let us put it another way—for the wage increases that I know are going to happen. I want someone else to bear the burden of

causing more inflation, of increasing the cost of living to the people of America.

I would like to say one more thing. I have watched many of my good friends, who today want to take off price controls who only 2 years ago were demanding complete and total freezes in prices and wages. In other words, they switch from one extreme to another when the situation of emergency is the same.

This is the second anniversary of the terrible and bloody fighting in Korea. As far as I am concerned, I would like to think that I at least did a little on my part to hold in line prices and wages when these boys get back home. I do not make any ardent argument all inclusive for price controls. If we could retain the committee bill, we would at least be holding in status quo wages and prices.

I do not know whether you have read the bill passed in the other body but I do know that it was passed by substantial majority. We are doing a lot of fiddling in the closing days of this session, and we are adopting one amendment after another which will either have to be stricken in conference or the bill will never come out of conference.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. TALLE. Mr. Chairman, I move to strike out the last word.

Mr. TALLE. Mr. Chairman, inasmuch as there is some kinship between the amendment just offered by the gentleman from Texas [Mr. POAGE] and the one which I offered and which was agreed to last Friday, I welcome this opportunity to comment further on my amendment, especially since the OPS has gone out of its way to say things about it that are not true.

For instance, in a letter under date of June 24 from the Director of the ESA to the Speaker of the House, Mr. Putnam said:

> The Talle amendment would destroy price controls outright.

Either he has not read the law which he is supposed to administer or he has not read my amendment, or both. So I want to answer.

Mr. Chairman, during the interval since last Friday when the House approved my amendment to title IV of the Defense Production Act, I have been besieged with visitors, long distance telephone calls, telegrams, and letters from all over the Nation. My office has been flooded with newspaper accounts and editorials concerning the so-called Talle amendment. So far as I have been able to determine, the principal opposition to it comes from the cult of that gasping group in our society, the self-styled liberals on the payroll of the DPA, the NPA, the ESA, and the OPS. There is a line in the beautiful Song of Solomon, "The voice of the turtle is heard in the land." If I may indulge in paraphrase, I believe it appropriate to suggest that today "the anguished squeal of the bureaucrat is heard through the land."

Be that as it may, my purpose at the moment is to explain my amendment and the need for it in simple, clear language. At the outset, I want to emphasize that it is in the nature of a transition proposal, a cushion as it were. In this connection, let me say some people do not realize that the controls authorized in the Defense Production Act are not permanent. At least, I hope not. They are temporary. They will expire next Monday evening, if not extended. The Senate after due deliberation, passed a bill proposing to extend controls for 8 months. The House Committee on Banking and Currency was more generous—we agree to a 12-month extension.

Now the underlying thought behind my amendment is that it would be much wiser to embark upon the gradual decontrol of our free enterprise system in an orderly, methodical manner, rather than to select an arbitrary date in the future on which to lift controls en masse. Despite reports to the contrary, my proposal does not scrap title IV. On the contrary, it assumes there will be a standby price control authority appropriately staffed to meet whatever needs may exist or arise in the transition period. I, for one, do not want Government control merely for the sake of control. I am not one who believes you have to burn down a house to roast a pig. I want only such controls as the economic situation warrants—and no more.

A cushion period, such as I am proposing, will avert repetition of the widespread price rises that followed the lifting of World War II controls in 1946. Of course, in 1946 we were emerging from a long and terrible war. There was a huge backlog of demand for automobiles, refrigerators, radios, and all kinds of consumer goods that had not been produced in adequate quantity over a 5-year period. The price spiral affected principally commodities that were in short supply. A comparable situation does not exist in 1952. The economic conditions are not parallel, and some may argue that a transition stage is not necessary. Nevertheless, it is a safeguard.

Surely, Mr. Chairman, everyone who believes in free enterprise will agree that there is no justification for controlling competitive goods which are available in abundant supply. All my amendment does is to free such goods from price control. It provides that ceiling prices for any material shall be suspended whenever and as long as it is selling below the ceiling price and has been selling below that price for 3 months, or is in adequate or surplus supply to meet current civilian and military demands and has been in such status for a period of 3 months. In this latter case, the amendment provides that a commodity is in adequate or surplus supply whenever it is not being allocated or rationed.

I want to call special attention to the use of the word "suspended" and the words "as long as" in my amendment. Can any reasonable person doubt the meaning of those words? The amendment is just what it purports to be—a formula for suspending controls on commodities that are not scarce, and for keeping controls off such commodities as long as the supply is adequate to meet our needs.

There is nothing whatever in my amendment which bars the reimposition of price ceilings. Other sections of the Defense Production Act set forth the authority and the procedure for imposing such ceilings. My amendment merely spells out a formula for determining whether a commodity is in short supply, and provides for the removal of controls on items that are not in short supply.

Let me discuss the two parts of the formula in more detail. First, it provides that price ceilings shall be lifted on any material selling below ceiling price for 3 months. Bearing in mind that the material can be recontrolled under the act, if necessary, what reasonable person can object to this proposal? To maintain controls over commodities selling below ceiling prices is an abuse of governmental power and an unconscionable waste of public funds.

The second part of the formula provides that price ceilings shall be suspended on goods that are in "adequate or surplus supply." The problem is, then, to determine adequacy of supply. The acid test for ascertaining the extent of supply of any material is simply a question of checking to find out if civilian and military needs are being satisfied. If not, title I of the act clothes the President with full authority to allocate and ration materials of every kind and to prevent hoarding. If the supply of any material is so abundant that it is not necessary for him to invoke this power, there is no necessity for controlling the price of that commodity. The President has imposed allocation control over metals and raw materials that have been adjudged to be in short supply. If there are other commodities in short supply over which he is not exercising distribution control, then he is derelict in his administration of the Defense Production Act. Free competition will assure fair prices for any commodity in adequate supply that is sold competitively. And we have plenty of statues, including the rationing power, to take care of monopoly or price-conspiracy situations.

Mr. Chairman, one of the principal functions of the free price system is the distribution of consumer goods. Under this system, each consumer has a money income, each commodity has a money price, and the consumer buys what he wants and can afford. Thus, the free price system brings about a precise adjustment of consumer goods to consumer preferences and income. When you interfere with this machinery by artificially controlling prices, the result is maldistribution. Such price tampering, even on a small scale, may have strange but disastrous results; it may send oranges scheduled for Memphis to Atlanta; it may direct fluid milk needed for evaporation into cheese production; it may channel cotton into sheets rather than into shirts; it may result in the feeding to beef cattle of corn needed for hog production; it may result in the shipping of vegetables to the cannery rather than to the fresh market. Any one of such developments can disorgan-

ize a market resulting in serious financial loss and unemployment.

As a matter of fact, since price control, by definition, destroys prices and profits as the means of distribution, it follows logically that some other method must be employed simultaneously for distributing a controlled commodity if the normal distribution pattern is not to be upset. In other words, when you control prices only in a price economy, you automatically disrupt the distribution machinery. Unless you take countermeasures to control distribution, a breakdown of the economic machine cannot be long avoided. That is the reason why the British find it necessary to ration goods and to subsidize production as well as to fix prices. Therefore, it is my judgment that if the supply of a commodity is so scarce as to warrant price fixing, it warrants rationing as well.

I hardly think it necessary, Mr. Chairman, for me to demonstrate in detail to Members of the Congress the superiority of the free-price system over a government-controlled system in directing production, in allocating labor and resources, and in distributing consumer goods. I do, however, want to point briefly to one facet of price controls that is often overlooked—namely, they are in themselves inflationary:

First. Controls are expensive to administer—both in money and in manpower. This is inflationary.

Second. Controls, if they do hold prices down temporarily, encourage and expand consumption. Increased consumption aggravates the inflationary spiral.

Third. Controls restrict production. What could be more inflationary?

At best, price controls are a temporary stopgap solution. They do not solve the problem of inflation. As I have pointed out on numerous previous occasions, inflation is primarily a monetary phenomenon. It is an economic condition in which there are more dollars than goods in circulation. The practical solution is to remove restraints from the productive machinery, thereby stimulating production. The only practical way I know to achieve minimum prices is through maximum production.

During World War II, I supported the price control and rationing programs as necessary because of the military demand on our productive machinery which resulted in the sharply curtailed production of civilian goods.

In 1950, I voted for the 1-year controls contained in the Defense Production Act because we were then embarking on a multi-billion dollar program for mobilizing our industrial machinery and directing production into special channels, and the outlook indicated the use of cutbacks in the production of consumer goods. Strong controls, including rationing of scarce goods, applied for a brief time at that point, could have been beneficial, that is, holding prices in check while industrial adjustments were made. But what happened? For six full months, while the industrial mobilization program was getting under way, the Truman administration sat on its hands. Raw materials were diverted from civilian production, consumer goods became scarce, prices and costs started spiraling. Finally, half a year later, in January 1951, the price freeze came—catching the price structure in motion and therefore out of balance. Then came the attempted rollbacks, causing further headaches and inequities.

Nevertheless, in 1951 I supported another 1-year extension of these controls, though with serious misgivings. At that time I expressed doubt as to the capability of the Truman administration to administer the program effectively. Unfortunately, I was 100 percent right in my doubt. The control agencies have confused themselves, to say nothing of our citizens, with mountains of regulations and orders. They have burdened our businessmen with unending reports and questionnaires, and have harassed them with investigations. Not only have these agencies frittered away vast sums of public money, they have added incalculable billions to the operating costs of our free enterprise system, resulting in higher prices on all consumer goods.

And yet, these bureaucratic empire builders had the temerity to come before the Banking and Currency Committee to ask not merely for extension of controls but for added powers to play around further in the economic mess they have created through their blundering and bungling.

Mr. Chairman, I say the time has come to start dismantling the control bureaucracy. And I say further that my amendment sets forth a simple and sound economic guide for proceeding with the dismantling. It provides an orderly means for achieving decontrol as rapidly as conditions justify that action. It will strike some of the shackles from agriculture and from industry, thereby stimulating production. It is a genuine anti-inflation measure, and deserves the full support of every Member of this Chamber who has faith in the American free-enterprise system—the system that has given the American people the greatest individual freedom and the highest standard of living ever known to man.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from California.

Mr. McDONOUGH. As I understand the gentleman's amendment, OPS would continue to operate.

Mr. TALLE. That is correct.

Mr. McDONOUGH. Therefore the OPS could easily discover whether the conditions the gentleman outlines in his amendment exist.

Mr. TALLE. Certainly.

Mr. McDONOUGH. Therefore you are not abolishing the office.

Mr. TALLE. No, sir.

Mr. McDONOUGH. What the gentleman is saying in effect is that if these conditions exist in the economy of the country there is no need for controls, because that would be control for control's sake.

Mr. TALLE. The gentleman is correct.

Mr. McKINNON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I dislike price controls just as much as anybody else. I want to see a free economy and a free market as soon as conditions permit. But I say that if we are going to have price control let us have something that is workable, equitable, and effective, or not have any at all.

The Poage amendment seeks to do two things: One is to relieve the seller of the burden of filing reports. The committee has felt the same need. The amendment we have in the bill, put in by the committee, provides that when prices drop below 7 percent the seller does not have to make reports, he is freed of the onerous work of reporting. Perhaps that percentage is too high. Maybe it ought to be 5 percent, maybe it ought to be 2 percent, or some other figure. I happen to know that my friend, the gentleman from Florida, is going to offer an amendment that will give the House a voice in what that figure ought to be. You will have a chance to exercise your judgment as to where that suspension of controls in the matter of filing reports may be terminated, whether it should be 2 percent, 7 percent, or whatever it may be. That is going to be within your determination in a few minutes. Therefore, the committee and the Members of the House are going to have a chance to take care of that objective in the Poage amendment and this action will relieve the seller from filing reports. Let us not adopt the Poage amendment for that purpose because that purpose is taken care of.

The second thing the Poage amendment seeks to do is to raise prices. Do you want to raise prices? You can do it either by adopting the Poage amendment or by cutting out price controls entirely. I would suggest if you want to raise prices, let us eliminate price control completely, let us save the taxpayers a little money by making it unnecessary to have an Office of Price Stabilization and the attendant expense. Let us do away with price controls completely. Let us be honest with the people of the country and say: We do not need price controls any longer, we do not want them, therefore we are honestly doing away with them.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Is it fair to assume that under the Poage amendment, if adopted, and the law is extended, in order to ascertain these various changes in individual items, down and up and everything else, suspension and reimposing, you would have to increase the personnel of the OPS by a tremendous number of employees?

Mr. McKINNON. That is correct, but that would be the smaller cost to this Nation. The great cost would be in the increased cost of living and the terrible inflation in everything we buy, particularly the increase in the cost to this Government in connection with its national defense procurement program.

The Poage amendment says that the President cannot impose price controls unless the average—it is going to take a

long time to determine what the average is—has exceeded for 30 days the ceiling price established.

Now, in 30 days the price can go up 1 percent a day to 9 percent and you could conceivably have an increase of 270 percent in 30 days time, although I will admit that is an exaggeration. But you could have a great increase in price in the 30-day period before the President can reimpose price controls.

That poses another problem. If prices go up 10, 15, or 20 percent and price ceilings are reimposed, what levels are you going to reimpose them at—at the new level, which means an increase of 10, 15, or 20 percent to the consumer, or are they going to be rolled back to present ceilings? If they are rolled back to the old level what kind of equity are you going to have so far as people who are caught with the inventories at the higher price are concerned? We had a terrific fight on this floor a year or so ago on the matter of rollbacks. Many of you thought rollbacks were not fair and would penalize the merchants and farmers; therefore, we did away with rollbacks. If you adopt this amendment you will have inequitable rollbacks, and even worse, the public will be subjected to a higher cost of living. Either way is going to be disastrous to our economy.

This amendment should be defeated. It is inconceivable to me that an amendment like this could work fairly. The Poage amendment, in my opinion, is an invitation to higher cost to consumers and I may say further that the gentleman from Texas would not have submitted this if he had not wanted higher prices.

Mr. O'TOOLE. Mr. Chairman, I move to strike out the last word.

The last refuge of a scoundrel is hiding behind the American Flag. Once again we hear the cry of "socialism" raised in this House. Once again we must be on our mettle and determine the sincerity of those who raise the cry.

When I first came into politics in New York State, the Socialist Party was in its heyday. Under the leadership of Eugene Debs and Meyer London it had attained the strongest position it had ever reached in the history of our State. In the city of New York, the Socialist Party had succeeded in electing six assemblymen. The Socialist Party in our city and State was then defeated and destroyed in one election by the man who brought me into politics and a man whose policies I have endeavored to follow through the years. I refer to that great American and great Governor the Honorable Alfred Emanuel Smith. I am a member of a church that has fought socialism throughout the centuries and will fight it as long as it rears its head anywhere in the world. Following two such leaderships, I cannot be sympathetic with socialism, but I am sufficiently mature to realize that the cry of Americanism and socialism is raised by the Republican Party every time an effort is made to help the mass of our people.

When Governor Smith was a member of the legislature and worked for the passage of the Workmen's Compensation Act; when he strongly urged widows' pensions which would keep the children in their mothers' homes and keep them out of orphan asylums; when he fought for State parks and old-age pensions and fair factory laws, the Republican Party fought both Al Smith and these legislative proposals tooth and nail. When they could not justify their opposition on the grounds of pure reason they again brought out their label of socialism.

The Republican Party, itself, had a great American and a great President in the person of Theodore Roosevelt, but when he championed the cause of the people and fought the control of big business over the masses; when he waged his momentous battle for conservation of natural resources, the Republican Party turned against him and labeled the program socialism and cast him out into the exterior darkness.

Eighty million working people of this country struggling day after day and week after week in their efforts to meet the high cost of living have expressed publicly and privately their strong and earnest desire not only for the continuation of controls, but for the strengthening of controls. When this representative body, which should be responsive to the call of the people ignores their desires and labels the demand as socialism then, gentlemen, this has ceased to be a representative legislative body.

Gentlemen, you know that the continuation of controls is not socialistic in any manner, form, or shape. It is merely a safeguard erected by the people's representatives against the profiteer who would heartlessly take advantage of existing conditions. You know in your hearts that this is the only way that we can prevent the inflation that has bled Europe and Asia white. You further know that this is simple Christian justice that recognizes the problem of the American citizen. However, from the way the Republican side has voted all day, it is evident that once again you are not interested in human rights. You are taking your dictation from the National Association of Manufacturers. You are taking it from the United States Chamber of Commerce and the American real estate boards. To you, human rights do not mean anything. However, the day of reckoning is coming in November and the people of this country who fortunately have an opportunity to express themselves every 2 years will reaffirm their faith in all the things that the Democratic Party has fought for for the last 20 years.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, I would like to say in answer to the gentleman from New York who just spoke, that every charge that he made, that the Republican Party or those of us who want to see some semblance of common sense knocked into this Production Control Act, is absolutely false on the record. The Republican Party throughout the years has played a very strong part in making this the strongest Government in the world. It has tried to protect the working people of this country and it has, and always will have, a large share of the support of the working people of this country. We in the Republican Party oppose policies that we know are detrimental or unfair to labor. We tell the rank and file of labor why we do so and do not try to deceive them. We support legislation beneficial to labor.

If those who follow the dictates of the left-wing crowd continue as they have, then the great bulk of the Jeffersonian Democrats and the great bulk of labor will be with the Republican Party. Your party has exploited labor too long now for political purposes. Labor has got on to your political motives, your unbearable taxes, and will continue to leave you.

May I say further that there are some pretty formidable elements, good people who want to do away with controls. If we must keep them, they do not want controls kept for the sole purpose of playing politics in order to continue to spend $68,000,000 a year for 13,600 political jobs, many of which are not necessary. I refer to the great Farm Bureau representing millions of producers. I refer, yes, to the chambers of commerce of this country, and to a great many of the finest patriotic, thinking people in America.

Those who are administering price control are absolutely in the opposite direction from the purposes of the act, which was to get greater production. Their controls are decreasing production. The consumers know they cannot consume goods that are not produced. That prices go up when manufactured and agriculture production goes down. That prices go down when as production increases. What we need is greater production to help reduce the high cost of living.

The OPS retards and reduces production. It hurts the consumer as well as the producer. It is bad for both of them. It is a farce and should be abolished.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, I have before me an editorial from one of America's most distinguished newspapers, the Philadelphia Inquirer, which for a hundred years has been the bible of the Republican Party in Pennsylvania. This is an editorial of June 23. It reads as follows:

> What was in actuality a minority of the House of Representatives has voted a series of stultifying amendments that have virtually crippled the anti-inflation bill.
>
> If these actions prevail, the bill would eliminate curbs on just about everything but rents and wages, would kill credit and price restrictions except on commodities which are rationed or allocated.
>
> This bit-in-the-teeth runaway system of dealing with a question of vast national im-

portance is downright shocking. The serious aspect of the matter is that the action put over in a lightly attended House session can involve highly dangerous consequences. In the present delicate situation of the American economy there is a good deal of force in the heated protest of Economic Stabilizer Roger L. Putnam that the votes jammed through to take the heart out of controls were actually votes for inflation.

We are not fond of controls. Few people are. But it is by no means established that conditions have arisen to justify discarding them entirely and let food and other necessities run wild. Last week saw the cost of living at its highest peak. With all restraints taken off the prices ahead of us may become appalling.

Steps such as are contemplated in the current House amendments should be taken only after the most thoughtful study, not shoved through by a headstrong group that took advantage of week-end absenteeism.

Fortunately what has been attempted is not irretrievable. The amendments must be approved by a roll call vote Wednesday. This whole illogical mess, which proposes to keep wage controls but permits costs of living to go whenever they may, ought to be cleared up. The amendments should be expunged.

Congress should not pass a fake controls bill which has been rendered meaningless. It must consider the inflationary dangers grimly close to us now. It must not gamble on the effects upon the defense program, on numerous labor contracts, and on the living standards of American homes if prices are to be permitted to go where they please, because they will go up.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. SHELLEY].

Mr. SHELLEY. Mr. Chairman, the remarks I was about to make have been much better made by the previous speaker who read the editorial from a paper which has been friendly to, and has worked with the Republican Party throughout the years. Therefore, I will not be repetitious, but simply want to say that it is about time we calmed down and considered what we are doing for the best interests of the American people.

Mr. Chairman, last Friday a series of amendments to the price stabilization provisions of the Defense Production Act were offered to the Committee of the Whole House and adopted. One of these is such an outrageous piece of legislation that I want to examine it briefly with you. I refer to the amendment sponsored by the gentleman from Iowa [Mr. TALLE].

I congratulate Mr. TALLE, and his fellow Republicans. Rarely has the work of the advocates of profiteering and complete decontrol been done so thoroughly and so well.

The Talle amendment would end price controls on all food, on all clothing and apparel, on all other consumer goods, on all things farmers buy, on practically everything business buys, on almost everything the Government buys; and it would do so immediately, by next Monday.

Does this legislation come right out and say this is its intent? If it did, I think I could respect its forthrightness, much as I might deplore its willingness to scuttle the only safeguards this country has against the threat of a crippling inflation.

But the Talle amendment is not forthright. It is not clear. Instead, it cloaks itself in some 158 words of pious double talk. It pretends concern for some program of protective controls. It has been designed to wear the engaging air of plausibility, to appear in the light of sense and reason, not only to the gentlemen of the House, but to the American public as well.

I am not shocked to find that the gentlemen on the Republican side of the House are up to their old tricks of defending the schemes of privileged business, to get rid of price controls. I expect this. What horrifies me is the smiling treachery behind this particular attack, and its callous disregard of the economic facts of our time.

The amendment has two parts. The first part would prohibit the Office of Price Stabilization from placing controls on the price of any commodity that has sold below ceilings for 3 months or more. The second part would forbid ceilings for any commodity in "adequate supply." Mr. TALLE's amendment would consider that a commodity not being allocated or rationed by the Government is in adequate supply. Let me speak of the second part of this amazing document first.

At first blush, the words "adequate supply" are disarming. If goods are in adequate supply, they argue, there should be no need to be concerned with their prices in any way.

Mr. Chairman, to my certain knowledge there has been no rationing of consumer goods of any kind in the last 2 years. Using the logic of the amendment of the gentleman from Iowa there should have been no need for any concern about prices. Prices should have adjusted themselves right along, happily for the consumer and the businessman, and the farmer.

But have they? Does anyone acquainted with the record think that prices, although there has been no need for rationing, have not consistently presented the picture of a dangerous inflationary trend?

Here are the facts. In the last 2 years, and with no slightest hint of rationing for consumers' goods, prices as measured by the Bureau of Labor Statistics have been steadily rising. The cost of living has gone up 11 percent. Eight percent of that rise came before the institution of direct price controls.

Today, the cost of living is within one-tenth of 1 percent of its all-time high.

Apparently, inflation does not always obey the simple rules which the amendment offered by the gentleman from Iowa would lay down for it. Apparently, we can have, and have had, dangerous inflationary pressures, without the accompanying scarcities the gentleman from Iowa would have us believe are the inevitable concomitant of higher prices.

Were there any real shortages, right after Korea, when prices zoomed suddenly? You all know that the real shortages were few. Actually, what we in this country were treated to then, in the 8 months that followed Korea, and before direct price controls, working with other Government controls, took effect, was a dangerous rash of scare buying, pure and simple.

Nobody was talking about rationing anything.

Businessmen, concerned over stocks of raw materials, built up inventories.

People spent out of their savings. They borrowed if they lacked cash. Total consumer credit rose to a record $20,000,000,000 at the end of 1950.

Wholesale prices were leaping.

Consumers' prices rose at the average rate of 1 percent a month.

A family that was spending $3,600 annually for its cost-of-living budget in January 1950 suddenly found, 8 months after Korea, that an additional $300 was needed to purchase what $3,600 bought before. Where the family income remained the same—and there are undoubtedly many millions of Americans whose income has remained the same—the family was $300 poorer.

These losses, these price rises, this really dangerous flurry of inflation had not a thing in the world to do with whether or not the commodities concerned were in adequate supply. They had not a thing in the world to do with any real or supposed need for rationing.

Mr. Chairman, I submit that when we look at the Talle amendment in this way all its fine pretense of reason and logic fall away and what is disclosed is a fraud, and the smiling fraud walks among us, wired for sound, and the sound track seems to be saying: "Look, we Republicans, we defenders of privileged businesses, are really anxious to retain all necessary price controls. But let us put price controls only on things that are not in adequate supply."

Once you tie price control to rationing, you have really opened the door to higher and higher prices. You are really doing the bidding of big business, which wants all price protections removed so it can take higher and higher profits at the expense of millions and millions of Americans. Once say unless it is rationed, no ceilings, no controls, and you would see prices rocket right off into space. You could have no price controls unless a program of rationing with all the red tape of ration books and blue points and red points and lining up at the stores went along with the price controls.

But the first part of the amendment of the gentleman from Iowa makes another set of assumptions. It assumes that prices are generally below ceilings and are going to remain below. It assumes that there is a soft-market bandwagon rolling and all the consumer has to do is go out and jump aboard.

Where is this soft-market bandwagon?

It does not show up in recent investigations by the Bureau of Labor Statistics. The cost of living, as I said earlier, is right now within one-tenth of 1 percent of its all-time high.

Among the items that BLS recently found selling at or near their 1951–52 peak prices were corn flakes, corn meal, bread, vanilla cookies, milk, ice cream, bananas, onions, flour, rolled oats, veal cutlets, cheese, apples, canned peaches, canned corn, and canned baby food. Women's suits, boys' suits, men's and children's shoes, and other items of apparel were at their peaks or close to

them. Automobiles, auto repairs, and insurance were also. Rents, beer, haircuts, permanent waves—I could go on with the list. In March, items representing one-half the average urban consumer's purchases were at their peaks. Practically 71 percent were within 2 percent of their peaks. Less than a tenth were as much as 10 percent below their peaks.

Where prices have been materially below established ceilings OPS has realistically been proceeding with a program of orderly suspensions. I do not need to go into that. The House knows that whatever suspensions are economically, safely possible are going forward. There is no warrant at all for the propaganda which tries to give the impression that unnecessary controls are being maintained.

Our economy today is not a soft one. Basically, the economy is firm, with widespread upward pressures on prices.

Recently OPS found that food retailers, as an industry, were right in their claim that they needed some price relief. Higher retail mark-ups had to be granted on a wide range of foods, including dry cereals, canned vegetables and fruits and soups, and frozen foods. The price increases for these items are expected to be about 1 cent an item. The Nation's food bill, as a result of this one necessary action, is probably going to have to go up another $100,000,000 a year.

The dairy industry has been asking for higher ceilings. High-protein feeds, which affect beef prices, are currently pressing OPS ceilings. Increases in freight costs are bringing other pressures for price increases. OPS has recently been compelled to issue a number of special regulations permitting distributors to pass on increases in transportation costs.

In the service trades generally, OPS is constantly receiving requests for higher ceilings because of increasing labor costs, usually the largest single cost item in this field.

That is the picture that confronts us today. It is a picture of production at high levels, with goods of nearly every kind available, no scarcities worth even the mention of the need for rationing, and yet prices are rising. Prices are, for the most part, at peak or right up to peak. And they are still rising.

I submit that the job before the House of Representatives is not one of trying to find ways to kill price control with feigning talk. We are not here to joust with such will-o'-the-wisps as "adequate supply." Our responsibility is prices. Let us confine ourselves to what has happened to prices, and what is likely to happen to them, without adequate controls. Let us not be bemused by the generally irrelevant talk of items or commodities that may be selling below the protective ceilings, or by the myth which would set up scarcities and rationing as the only preconditions requiring a firm program of price controls.

That is special interests double-talk of the most dangerous sort. But it does not fool the American people. They are up to their necks in high prices right now. They are not likely to look kindly on this latest Republican big business move to push them under.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. POAGE].

The question was taken; and on a division (demanded by Mr. POAGE) there were—ayes 22, noes 82.

So the amendment was rejected.

Mr. JAVITS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: On page 3, strike out from line 19 to line 4 on page 4, inclusive.

Mr. JAVITS. Mr. Chairman, this amendment proposes to strike out that provision of this bill which places a floor under food prices instead of dealing with a ceiling on them. And it does that by legislating into effect a fixed floor of 90 percent of parity for basic agricultural commodities for another year. Right now, or at the end of this crop year, the law provides in these basic commodities that parity may be established at a sliding scale of 75 percent to 90 percent, depending upon whether there has been a surplus of growing according to the Secretary of Agriculture in which case he fixes the parity percentage low, and if there is a shortage he fixes the parity percentage high in order to encourage growing.

There is a bill pending upon which a rule has been obtained by the Committee on Agriculture seeking to do this very thing, and one other thing which is not important for the discussion here for 2 years, whereas the provision in this DPA bill makes it 1 year.

It seems to me that in the interest of even fundamental and orderly legislating we should not pass this here, but we should wait until debate takes place and the opportunity occurs for the consideration of the bill, upon which a rule has been granted, which bill is H. R. 8122.

Mr. Chairman, I would like to state for myself why I have taken this position with respect to agricultural bills. I hope very much that the Members from the cities, and this is very important to them, will listen. The general idea here seems to be that all matters affecting agriculture are the business only of those who represent rural areas or those who are members of the Committee on Agriculture. I do not think anything else could be further from what is right for Members of the Congress, and if we needed any proof of it, here is the proof. The fact is that the Bureau of Labor Statistics, which makes the consumers' price index now shows for May 15, which is the last figure, that the index for food prices has climbed to 230.8 which is almost the high which was reached between November 1951 and January 1952, and that the food price index far outstrips the index for everything which is at 189, again close to the high mark. Anyone who has analyzed food costs in his own community will realize that food costs have generally gone up an average of one-third more than price increases across the board of everything else which enters into the cost of living. Business has gotten bad in the big cities in soft goods, because the people say they do not have the money to pay for their food and the taxes which are necessarily being levied in connection with the defense mobilization program.

All I say about these farm price parities and farm price floors is that there has to be an adversary proceeding. Somebody has to have an interest which will test out whether these increases in the guaranties and price flows for agricultural commodities are right or wrong. They cannot be permitted to go by default. They cannot be permitted to go by consent.

The farm people themselves do not want it that way. Two of the great national organizations in the farm field, the National Grange and the American Farm Bureau Federation, have recorded themselves as being against H. R. 8122 on which a rule has been granted.

It is an oversimplification to think that everybody can get a cut at will out of this economic pie. That is, if food prices go up, then wages will go up, and the thing will equalize itself. The farmer has got into a squeeze on that, because in 1951 he had the highest total gross income he had ever had, $37,000,000,000, yet his net was $3,000,000,000 lower than it was in 1947—$14,000,000,000 against $17,000,000,000. The answer is that this kind of situation is catching up with him and his costs are taking away from him what he gains by the higher guaranties of the farm price program.

Now, there are many millions of people in our country who are pure consumers—Government workers, social security beneficiaries, veterans on pension and their families, and many who live on savings and annuities. Not enough of us seem to realize that. They cannot get their cut out of any increase in wages or salaries or prices in order to make up what they pay in inflationary prices for food and other items. To these are to be added millions of nonfactory workers, white collar whose salaries lag behind the cost of living. Then, too, all other workers are caught in the squeeze of rising prices and taxes to eat up rising wages. All these need the protection for which I am contending.

The CHAIRMAN. The time of the gentleman from New York has expired.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The amendment was rejected.

Mr. ROGERS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Florida: Page 9, line 8, after "are", strike out "7 per centum or more."

Mr. ROGERS of Florida. Mr. Chairman, this is a simple amendment, an amendment that seems to me would bring some benefit not only to the consumer but to the little merchants, producers, and manufacturers.

The only thing this amendment does is this: It provides that if the little merchant sells material or services for less than ceiling, he does not have to

make a report to the President. Now, that looks like sense.

Our merchants are so encumbered at the present time with all of these rules and regulations that they just pile up on the desk. People cannot even read them. I just want to read one that came to the Atlanta office. This is a verbatim copy of an order. It reads like this:

He—

Retailer—

may establish his ceiling price by referring to the listing of comparable categories in appendix C of Ceiling Price Regulation 7 and using pricing rule 5 for mark-up. If necessary he may use rule 6 and appendixes D and F. The extension of in-line pricing is effected by expanding use of appendixes C, D, and F of CPR 7 to give additional categories (860–985 and 1050–1070). These categories were previously added to appendix B by amendments 2 and 8 to CPR 7.

If there is any Member of Congress who can interpret this I will pay for the time he spends trying to interpret it. When we are trying to bring about some simplification, why should we not say to these merchants, "Now, so long as you stay below the ceiling price you make no report to the President or anyone else?"

Instead of that it is 7 percent. He would have to hire a Philadelphia lawyer to determine whether or not he is above or below 7 percent, as provided in this section.

I say to you this would help the little merchant, because he will not have to employ men to help him see whether or not he sold 7 percent or below at the ceiling price that has been promulgated.

The only thing he has got to do if you pass my amendment is to say: "Go ahead and do your business; we are with you, but if you sell below ceiling prices you make no report." That would be an incentive for the merchant to keep his goods below ceiling prices, which, I say, is good for the consumer. Certainly it would be worth something to him instead of going ahead and having to make out all these reports and to figure out whether it is 7 percent, 1 percent, half a percent, or 6⅞ percent below ceiling. In other words, you have a play of from 1 to 7 percent to penalize him for refusing to send in a report, and do not think they would not penalize him. They sent out 14,000 warnings the other day in south Florida alone, according to a report in the Miami Herald.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I cannot; my time is too limited.

Mr. MORANO. I want to support the gentleman's amendment.

Mr. ROGERS of Florida. Then I shall have to yield to the gentleman.

Mr. MORANO. The gentleman is making a splendid statement. He has made a real contribution to the small-business man, and I am going to support his amendment when the vote comes.

Mr. ROGERS of Florida. I thank the gentleman for his support and endorsement of this amendment.

Mr. RAINS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. My time is so limited; I hope the gentleman will not press it.

Mr. RAINS. I am with the gentleman, too.

Mr. ROGERS of Florida. I thank the gentleman.

Just to show the type of orders that they have issued, listen to this: I have been informed that the OPS in setting the price of an article passed an order containing 26,911 words dealing with that article. Whereas you might be interested to know that the Declaration of Independence contains only 1,458 words, including the signatures; the Constitution of the United States has only 4,543 words, including the signatures; the Ten Commandments have only 297 words, Lincoln's Gettysburg Address has only 266 words, and the Lord's Prayer has only 56 words. But when you get to the OPS they send out an order which the little merchant would have to spend half his time trying to read. Generally, a simple regulation is never used when a complicated one can be used instead by the OPS.

Mr. RIVERS. If the gentleman will yield, the OPS never heard of the Lord's Prayer.

Mr. ROGERS of Florida. I am not going to say that, but I do think this amendment ought to be adopted.

Mr. BROWN of Georgia. Is the gentleman's amendment designed to help the merchants, the producers, or the consumers?

Mr. ROGERS of Florida. It is designed to help all of them, every one of them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was agreed to.

Mr. COLE of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of Kansas: Page 6, line 15, strike out section 106 and insert as follows:

"The first sentence of section 402 (k) of the Defense Production Act of 1950 as amended, is amended to read as follows:

" 'No rule, regulation, order, or amendment thereto shall be issued under this title or remain in effect under this title, for more than 60 days after the date of the enactment of the Defense Production Act amendments of 1952, which shall deny a seller of materials at retail or wholesale his customary percentage margins over costs of the materials or his customary charges during the period May 24, 1950, to June 24, 1950, or on such other nearest representative date determined under section 402 (c), as shown by his records during such period, except as to any one specific item of a line of material sold by such seller which is in short supply as evidenced by specific Government action to encourage production of the item in question'."

Mr. COLE of Kansas. Mr. Chairman, the purpose of my amendment is to permit wholesalers and retailers to have their historical and individual mark-up. This is an amendment to what was originally known as the Herlong amendment. When the House passed the Herlong amendment last year, it was passed in the same form and manner as I have presented this amendment. In other words, the House of Representatives believed that an individual wholesaler or retailer had the right to mark his goods on the basis of his historical individual practices. This amendment permits the individual wholesaler or retailer to follow that customary practice.

The other day I walked through one of the great department stores of Washington, and there I saw offered for sale hundreds and hundreds of items. Some of the items were large, some of the items were medium-sized, and some of them were quite small. Following that I went through a hardware store, and there I saw hundreds of items offered for sale, some of them large and some of them small. Then I went to a clothing store, and I saw hundreds of items offered for sale. This is the interesting thing: The Office of Price Stabilization has permitted drygoods and department stores their individual mark-ups, their historical individual mark-ups. The Office of Price Stabilization has permitted the hardware merchants and wholesalers their individual historical mark-ups. They have permitted the clothing merchant to do the same. As a matter of fact, only one group of merchants has been discriminated against arbitrarily, and I say this advisedly, and not permitted their individual historical mark-up, while over a million wholesalers and retailers in this country are granted that relief.

Mr. Chairman, individual mark-ups for the nonfood retailer, with very few exceptions, are permitted. The grocers in the small and large towns are required to follow a mark-up system provided for them by the OPS.

Mr. Chairman, some people say that it may be impossible for the OPS to go into these various businesses and determine whether or not they are complying with the regulations. If that is true in one branch of the wholesale and retail trade, it must be true in the millions of others. So the only purpose of my amendment is to permit a fair and reasonable mark-up for the grocers, both large and small, and to bring them in line with the rule laid down for other wholesalers and retailers.

I hope the Committee will accept the amendment, because once before the House did accept it, believing that it was a fair and proper manner of fixing prices.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, those who administer price control believe that this amendment would make it impossible of administration. If we are going to have individual cases, if the administration has to get evidence on the historical mark-up of each individual, it seems that it would be labor that would be absolutely impossible to perform. I venture to say that the distinguished gentleman, for whom I have a high regard, will not vote for this bill whether this amendment is in it or is not in it. I am sorry, instead of having these whittling amendments, that the issue is not clearly made as to whether or not we want price control. The gentleman from Iowa a little while ago said that his amendment was

not destructive of price control at all, but as I understand his amendment it will take off ceilings and they cannot be put back in until rationing is established. As one of the characters in Shakespeare said: The wound is not so deep as a well or not as wide as a church door, but it is enough. This is another amendment that will have the same purpose.

Mr. Chairman, I ask that the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. COLE].

The question was taken; and on a division (demanded by Mr. RIVERS) there were—ayes 56, noes 42.

Mr. SPENCE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. COLE of Kansas and Mr. MULTER.

The Committee again divided, and the tellers reported that there were—ayes 105, noes 83.

So the amendment was agreed to.

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Missouri: On page 5, after line 3, insert a new section to read as follows:

"SEC. 105. (a) Paragraph (iii) of subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"'(iii) Price of rentals for (a) materials furnished for publication by any press association of feature service, or (b) books, magazines, motion pictures, periodicals, or newspapers, other than as waste or scrap; or rates charged by or wages paid to any person in the business of operating or publishing a newspaper, periodical, or magazine, or operating a radio-broadcasting or television station, a motion picture or other theater enterprise, or outdoor advertising facilities.'"

Mr. JONES of Missouri. Mr. Chairman, do not get alarmed over the reading of that long amendment. Actually, it is just quoting from the present law. This is not a whittling amendment; it is not a crippling amendment; it is offered in the spirit of bringing into conformity the present law, and also to make this section in the present law conform to the amendments which have been included in this bill by the Committee.

I have talked to members of the Committee on both sides of the aisle, and all the members I have talked to have voiced no objection to this amendment.

Briefly, what it does is this: Under the present law there is no ceiling on prices charged by newspapers, periodicals, magazines, radio stations, television stations, motion picture houses, and so forth.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Kentucky.

Mr. SPENCE. When there is no price control, there should be no wage control. That is the basis of the gentleman's amendment?

Mr. JONES of Missouri. That is the basis of the amendment.

Mr. SPENCE. I have no objection to it.

CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: On page 6, line 11, add a new subsection to be numbered 105 (f) to read as follows:

"The provisions of section 12 of the Fair Labor Standards Act of 1938, as amended (29 U. S. Code, sec. 212), relating to child labor shall not apply with respect to any employee employed in agriculture while not legally required to attend school."

Mr. MULTER. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the bill.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. ROGERS of Texas. Yes, sir; I do, Mr. Chairman.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. ROGERS of Texas. Mr. Chairman, my position is simply this: As I understand, this is emergency legislation. I presume that the point of order made by the gentleman from New York is based on the proposition that this is an attempt to amend another law in the Defense Production Act. My position is that this is emergency legislation, and that it does not amend another law, but merely creates an exemption during the effective period of this act, and has nothing in the world to do with amending or appealing any section of the Fair Labor Standards Act.

The CHAIRMAN. Does the gentleman from New York desire to be heard further on the point of order?

Mr. MULTER. Mr. Chairman, the point is that the amendment offered by the gentleman from Texas will amend the Fair Labor Standards Act, which is not a part of this act and, therefore, is not germane to the bill now before us.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule. The gentleman from Texas [Mr. ROGERS] offers an amendment to which the gentleman from New York [Mr. MULTER] makes a point of order on the ground that the amendment is not germane to the bill before the Committee. The Chair has had an opportunity to read the amendment offered by the gentleman from Texas [Mr. ROGERS]. The Chair is of the opinion that the amendment is not germane to the bill before the Committee since it proposes in effect an amendment to another law with reference to which the Committee on Banking and Currency would have no jurisdiction. Therefore, the point of order is sustained.

Mr. ROGERS of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS of Texas. Mr. Chairman, I have the amendment in other language, which I think meets the objection raised by the gentleman. May I offer it at this time.

The CHAIRMAN. The gentleman may offer an amendment at this time, if he desires to do so.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: On page 6, after line 11, add a new subsection to be numbered 105 (f) to read as follows:

"Employment of any employee in agriculture, while such employee is not legally required to attend school shall be deemed to not constitute oppressive child labor."

Mr. MULTER. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Texas on the point of order.

Mr. ROGERS of Texas. Mr. Chairman, my position is the same as it was on the other amendment, that it is not an amendment to any existing law.

Mr. MULTER. Mr. Chairman, what I have said on the other amendment applies to this amendment with equal force.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule. The gentleman from Texas [Mr. ROGERS] offers an amendment to which the gentleman from New York makes the point of order on the ground that it is not germane. The Chair has had opportunity to read the amendment offered by the gentlemen from Texas [Mr. ROGERS] and, of course, the section of the bill to which the amendment is offered. The Chair is of the opinion that the amendment in its present form is germane in that the gentleman from Texas proposes a further exemption from the wage control provisions of the existing bill. Therefore, the Chair overrules the point of order raised by the gentleman from New York.

Mr. ROGERS of Texas. Mr. Chairman, it is my understanding that the Secretary of Agriculture has called upon the farmers in this country for larger production. Production, of course, will provide the bulwark against rationing and against price controls. In 1949, the Congress amended the Fair Labor Standards Act of 1938, and I want to read that amendment to show you how unfair it was to the farmers and to the people who are depending upon their ability to obtain work at harvesttime in order to earn a livelihood.

Subsection C of section 213 reads as follows:

The provisions of section 212 of this title relating to child labor shall not apply with respect to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, or to any child employed as an actor or performer in motion pictures or theatrical productions or in radio or television productions.

The next section goes on and extends it to newspaper boys.

Of course, this in effect says that it is more important to this country to have a bunch of kids acting on the stage and in motion pictures to entertain people than

it is to have a bunch of children learning the responsibilities of life and how to be honest Americans and pay their bills and not depend upon the state for sustenance. If that is the place that this country has gotten to, we had better take stock and back up a little bit.

This amendment I have offered does not in any manner exploit child labor. I do not care what some of these sobsisters have put out in the way of propaganda all over this country to try to exploit child labor and jump on a bill which I introduced before this Congress. It does not do anything in the world but put compulsory school attendance of the child back in the hands of the State where it belongs.

Under the present law a child can go and make a fabulous sum in motion pictures and entertain you and the rest of the people, while he should be in school, but another child, maybe the child of a poor migrant worker family, does not have the same right—and I am not talking about wetbacks now—don't get crossed up on that—these are people who live in the United States and depend upon the harvest to make their living to carry them through the winter and into the next harvest season. Those children, even though they are not legally required to attend school in the particular State or district, because they have already met the compulsory attendance requirements, cannot go into the field and help their families make a living for themselves if school is in session in the district where the harvest is being had, or where they have moved with their families.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Michigan.

Mr. CRAWFORD. You say they cannot do that, although they have met all the legal requirements in the State where they came from?

Mr. ROGERS of Texas. That is exactly correct. In other words, if you have a 120-day compulsory attendance provision in a State and the child has attended 120 days in that State already and has gotten it behind him, and he goes with his parents and his brothers and sisters into a harvest area simply because any school in the district is in session, he cannot work, and if the farmer puts him to work some of these labor agents come in and threaten to put the man in jail and fine him $10,000 for doing it.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Texas. I yield.

Mr. CRAWFORD. In some agricultural areas they organize the school days to fit in with the harvest days also?

Mr. ROGERS of Texas. That is exactly right, simply for the reason that man has not been able to change nature yet, as much as we have tried sometimes.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Michigan.

Mr. DONDERO. The further fact is that it is almost impossible today to get labor out on the farms to harvest the crops.

Mr. ROGERS of Texas. Mr. DONDERO, this device in this law of 1949 was nothing in the world but a device designed to cut off a pipeline of labor to the small farmers in this country, so that farm labor could be organized; and when it is, you are going to break the small farmers in the United States, and there are going to be some hungry people in this country.

I repeat that this amendment does not exploit children, and if anyone will show me that it does I would be willing to withdraw the amendment. The truth is that children will be exploited if the amendment is not adopted.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BAILEY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas [Mr. ROGERS].

Mr. Chairman, may I recall, for the information of my colleagues, that I am a member of the Committee on Education and Labor, which considered the amendment to the Fair Labor Standards Act in the Eighty-first Congress. This matter was thoroughly discussed when that legislation was written. All of these people have had ample opportunity to come before our committee and we turned down their request, the same request that the gentleman is making today, because we did not feel that we should encroach upon the standards set up for the protection of children in this country from exploitation by anyone who desired to take advantage.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

I know that the House has been doing some peculiar things today, but I sincerely hope they have not lost their equilibrium to the point that they are going to violate the child-labor laws of this country or approve an amendment that will in any way interfere with the standards that have already been set up, standards that are upheld and observed all over the Nation with the exception of that peculiar section down near the Rio Grande.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield.

Mrs. CHURCH. I wonder if the gentleman would explain at what age the gentleman from Texas is attempting to relax current provisions affecting children in farm labor?

Mr. BAILEY. Any age from the time they are large enough to do any work up until they come out from under the provisions of the Child Labor Standards Act.

Mrs. CHURCH. May I say to the gentleman from West Virginia that I think any such move would be a step backward in the matter of protecting our children. I shall most certainly oppose the amendment.

Mr. BAILEY. As I recall, this question arose in the Eighty-first Congress and it refused to cut the work age down to as low as 11 or 12.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I do not yield.

Mr. ROGERS of Texas. Misstatements have been made, and I challenge them.

Mr. BAILEY. I sincerely hope that without any further discussion the House will vote down this amendment. Everybody knows the child-labor laws of this country. We have standards set up that should not be violated. We gave these people permission to use wetback Mexican labor down there, but now they want to go further and put the children to work in violation of the child-labor laws of the country and I am opposed to it.

Mr. McCARTHY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, under the present Child Labor Standards Act States are permitted to shut down the schools during seasons of unusual agricultural labor needs and let all the school children work in the fields if they want to. What is proposed in this amendment is to keep the schools going for some of the children so that they can continue their study, but to permit the taking of other children from the school for work in the fields.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. That is one of the main points in this entire situation. Your school systems have been concentrated and the result has been that if you close down the schools in the agricultural areas you are penalizing 75 percent of the children because only 25 percent are working in agriculture. Why not let them be legally excused and do the work?

Mr. McCARTHY. That establishes the point. Some children will be taken out of school, but the school will be continued. If work in the field is such a good thing, as the gentleman from Michigan states, it must be good for all of the children and the whole school system should be shut down. I do not think the committee should accept this amendment which is clearly discriminatory and permits the withdrawal from the schools of about 25 to 30 percent of the children.

Mr. BUFFETT. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Nebraska.

Mr. BUFFETT. Will this amendment permit them to work on their own farms or on the farms of other families?

Mr. McCARTHY. As I understand the amendment, they could be used on any farm.

Mr. O'TOOLE. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from New York.

Mr. O'TOOLE. Does the gentleman from Michigan believe in putting a harness on the children or just pulling the truck without the benefit of a harness?

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The gentleman from New York knows that is a perfectly asinine statement, unfair and demogogic, and should not have been made on the floor of this House.

Mrs. CHURCH. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the gentleman from Texas has tried to indicate that I am not familiar with this problem. I confess that I am a product of the city streets, but I have grown up in a strong knowledge of what good value there is in farm work; and I have been a proud member of an Illinois farm family since my marriage 34 years ago. I make a distinction however, between working upon one's own family farm as against the gentleman's proposition to remove present protection from our children working commercially for hire, on farms. It has taken us years to build up this protection.

I would say to the gentleman from Texas that there is one thing with which I am thoroughly familiar and that is the long struggle in this country to take American children out of any possible exploitation, a struggle in which I have gladly taken part. I believe that farm work is health-building and character-building, as stated by the gentleman from Michigan, and I also think that discipline taught by any means is much needed. Any one step nevertheless which might even tend to put more of our children into the path of what we have known as the evils of child labor should not be taken by this House. I would particularly say to those who believe as I do that industry merits much protection and also to those who agree that we are in an emergency: If we relax one iota in the protection of our children, we shall not survive; and I am not sure that we should.

Mr. ROGERS of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. CHURCH. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. The gentlewoman misunderstands the amendment and I want to point it out, because I think she is fair and I think she tries to do the right thing. The language in this amendment is the identical language that was employed in the Fair Labor Standards Act from 1938 to 1949 when the Labor Department conceived some trick language down here to make their enforcement problems easier.

Mrs. CHURCH. If I had misunderstood the amendment, I would be happy so to state. I do not think however, that I have misunderstood it, or its implications. Whether the language was tricky or not tricky, this amendment would relax a protection on some of our children, and I would not take a chance on that.

Mr. ROGERS of Texas. Does not the gentlewoman think the children of the migrant labor on our farms should have the same rights as the children in the cities?

Mrs. CHURCH. I think that all children merit the continuation of all protection previously written into law.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I agree with what the gentlewoman from Illinois has just stated in her opposition to this amendment. We can put any interpretation on this amendment that we want to but the plain facts are that we are letting down some of the barriers that we as Members of the Congress have voted to protect the youth of this country and see to it that the majority of them, at least, get the education that they deserve. The reason we voted this amendment to the Fair Labor Standards Act of 1949 was because the majority of the Members of Congress thought that this protection should be given to these children, and if we give in now to this segment of agriculture, under the pretense that it is all right for them to work on the farm, we are letting down the barriers that many men and women have been fighting for for years and years in this country to guarantee to these children, who were prevented from getting an education in the past, under the guise of working on the farm or anywhere else, to get that education. The gentleman from Michigan talks about these city people not understanding the problems of the farmer. I appreciate the fact that he had a son who started to work on the farm and worked until he got through high school or college, I presume, but at least he had the sense of responsibility to his child, while he was working on that farm, to see to it that he got a good and proper education, and that is something that the children of these farm workers, that this amendment pertains to, will not be getting if you vote for this amendment today. You will be discriminating against the child, that is what you will be doing by accepting this amendment. I find myself in the same position as the son of the gentleman from Michigan. I was born and brought up on a farm. I still live on that same farm. I milked cows a long time, from the time I was 9 or 10 years old, until I graduated from high school. I think that is a good thing for any young fellow to do. But, thank God my father had sense enough to see to it that I got an education while I was working on that farm. If I thought this amendment would allow that to be done, I would vote for it, because I know it is a good thing for any young fellow to have the experience that goes with a man working on the farm. But, I am convinced just as sure as I stand before you this afternoon that that is not the case. The people who are arguing for this amendment are the ones who argued against the amendment being enacted into law when it was enacted by the overwhelming vote of this Congress. If we adopt this amendment or one like it we are letting down the barriers that many good men and women have been fighting for for years, for the youths of our country, to see to it that they get a proper education.

One of the worst conditions existing in our country today are the children of the migratory farm workers. There we have a condition, I will say to my friend from Texas, that we should be looking into at the present time. There are thousands and thousands of children of migratory farm workers today that are not getting any education at all, and we, as Members of Congress, are not doing anything about it. That is an actual fact. I do not know how many thousands of migratory farm workers there are today going from Texas right up to Minnesota, and there is not one way in the world that it can be checked upon whether or not they are going to school 1 day or 5 days or 10 days, and those conditions that exist with the children of migratory farm workers existed with the children of farmers in your area which caused the Congress to take the action it did in the amendment to the Fair Labor Standards Act of 1949. If we vote for this amendment today, we are breaking down the barriers for the protection of the children of our country, and we should see to it that they at least get a semblance of a decent education.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ROGERS].

The question was taken; and on a division (demanded by Mr. ROGERS of Texas), there were—ayes 10, noes 97.

Mr. O'TOOLE. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. SPENCE. Mr. Chairman, may I ask how many amendments are at the desk?

The CHAIRMAN. The Chair understands there are now 15 amendments at the desk, to all sections of the bill.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that debate on each amendment that is offered to the bill be limited to not to exceed 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Reserving the right to object, Mr. Chairman, I do this for this purpose. There may be amendments which for clear understanding demand more than 10 minutes of debate. There may be other amendments which may be disposed of in 2 minutes. I am afraid that if we set the time at 10 minutes on each amendment, it is an invitation to speak 10 minutes on each amendment whether we have to or not.

I would think the better procedure might be to dispose of as many amendments as we can, restricting the time on each amendment as we come to it.

May I say that when we have disposed of the amendments which are in order at the present time, then if the gentleman cares to ask unanimous consent that the reading of the rest of the bill be dispensed with, I do not think there will be any objection to it. At that time the gentleman may be able to limit debate on all the remaining amendments.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Never since I have been here have I placed myself in opposition to a chairman's request of this nature, but in view of the proceedings here today and on this bill in the last several days, I will object to any limitation of debate on any amendment or upon the bill itself. I think the public should be fully acquainted with the conduct of the House on such extremely important legislation as this. If nobody else objects, I will.

Mr. SPENCE. I withdraw my request, Mr. Chairman.

Mr. DAGUE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAGUE: On page 6, insert "or services" after "materials" in lines 16 and 17.

Mr. DAGUE. Mr. Chairman, the purpose of my amendment is to reach the problem which faces the Nation's frozen food locker plants insofar as processing charges are concerned. This problem arises from the fact that the Office of Price Stabilization has frozen processing charges which locker plants may levy but will provide no price adjustment relief to compensate for increased costs.

Locker plants perform many functions in each community. They enable their patrons to spread out the use of seasonal surpluses of food by packaging and quick freezing it and then storing it at zero degrees in separate lockers. Besides renting lockers, these plants provide a wide scope of meat processing services, including slaughtering, chilling, aging, cutting, grinding, wrapping, labeling, quick-freezing, smoking, and curing. Not all plants provide slaughtering, smoking, and curing services, but nearly all of them do provide the other meat-processing services. Most of these services are performed at a very low cost to the consumer, the average charge for chilling, cutting, wrapping, and freezing of carcass meats being only 3 to 4 cents per pound for the entire job. These charges together with locker rentals are today frozen at their January 1951 level. These are controlled by ceiling price regulation 34 which is administered by the Service Trades Branch of the Office of Price Stabilization.

Up until only a few years ago many locker plants actually operated their processing departments at a loss. This service was provided as a sort of loss leader to make the use of frozen food lockers attractive. This loss was entirely offset by the subsidy received from the rental of lockers. But the advent of the home freezer has changed this picture. Today it is no longer possible for locker plants to gain locker rental income from each customer thus subsidizing the processing that is done for him because more and more home freezers customers are having their meat processing done at locker plants and then are storing the meat at home in their home cabinets. This processing volume continues to increase while locker rentals decline.

There is another and far more important factor—this is the matter of rising processing costs. Recently Locker Management magazine, the leading trade publication in the locker field, conducted a survey to ascertain the average direct and indirect processing cost increases which have taken place during the past year. This survey reveals the following percent increases which locker plants have had to absorb:

	Percent
Paper	20.8
Tape	22.3
Cures, seasoning	31.7
Wages	15.3
Electric power	15.7
Water	8.8
Fuel	9.0
Repairs	48.0
Office supplies	41.2
Insurance	16.6
Laundry	38.0
Taxes	15.2

The only basis for relief which is now available to locker plants is one of overall financial hardship. According to OPS, a locker plant which can prove that it is making less profit than it did in 1949 will be eligible for relief and will be granted permission to raise its prices. Incidentally, 1949 was one of the worst profit years the industry has ever had and is, therefore, a very unrealistic base for this purpose. Since many plants have taken on the sale of frozen foods, meats, packaging supplies, and so forth in the past few years, many of them have been able to hold to or even improve their profit positions as compared to 1949, in spite of the fact that they are losing money in their processing departments. Thus, since OPS will grant no locker plant departmental relief, the progressive operators are the ones who are being penalized. This policy will result in the creation of many inequities and discourages rather than encourages progressive advancement in the industry.

It is clearly understood that the intention of the Defense Production Act of 1950, as amended in 1951, was to guarantee American industry its customary margins and to permit the pass-through of cost increases. However, since the act does not specifically make this provision in regards to retail services, the Office of Price Stabilization has refused to provide relief from mounting locker plant processing costs. This stand has also been taken by the Office of Price Stabilization in regards to retail services provided by other service industries—laundries, dry-cleaning establishments, and so forth. In order to correct this problem by legislative action, we respectfully recommend, therefore, that the wording of section 106, paragraph (k) of the Defense Production Act, as amended, be amended by the appropriate addition of two words throughout the section, making it read as follows:

No rule, regulation, order, or amendment thereto shall be issued or remain in effect under this title, which shall deny to sellers of materials or services at retail or wholesale their customary percentage margins over costs of the materials or services during the period May 24, 1950, to June 24, 1950—

And so forth.

We believe that this slight addition to the wording of the act will make mandatory the granting of relief to our Nation's retail service industries by the Office of Price Stabilization and will, therefore, broaden the scope of the fair and equitable treatment intended by the act as previously amended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. DAGUE].

The amendment was agreed to.

Mr. COLE of Kansas. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLE of Kansas: Page 9, line 3, insert a new section as follows:

"SEC. 110. Notwithstanding the other provisions of this section, administration of salary stabilization for executive, administrative, supervisory, and professional personnel shall be under the judisdiction of the Bureau of Internal Revenue, under stabilization policies promulgated by the Economic Stabilization Administrator. The term 'supervisory personnel' as used herein shall have the same meaning as the term 'supervisor' as defined by the 'Labor-Management Relations Act, 1947,' and the terms 'executive,' 'administrative,' and 'professional' shall have the same meaning as the corresponding terms as defined in existing regulations of the Administrator of the Wage and Hour Division for the purposes of the Fair Labor Standards Act."

Mr. MULTER. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the bill but attempts to amend other legislation that is not before us. It attempts to impose other duties upon the Bureau of Internal Revenue, Treasury Department, and also attempts to change the Fair Labor Standards Act.

The CHAIRMAN. Does the gentleman from Kansas desire to be heard on the point of order?

Mr. COLE of Kansas. Mr. Chairman, the purpose of this amendment is to place the responsibility for salary stabilization in the Bureau of Internal Revenue. The purpose of the bill before the House is to determine the process and the laws in connection with salary stabilization. The amendment which I offer merely transfers the responsibility of salary stabilization from the Wage Stabilization Board to the Bureau of Internal Revenue, as it was during World War II.

Mr. WOLCOTT. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be glad to hear the gentleman from Michigan.

Mr. WOLCOTT. Mr. Chairman, the title which we are considering in this bill has to do with price controls, wage and salary stabilization. The manner of stabilizing salaries and wages surely is not only germane to the bill, because the bill compels the President to stabilize wages and salaries when he controls prices, but in this particular section he is compelled to stabilize wages and salaries, even though the present act was silent on the manner in which he stabilizes salaries. An amendment which provides the machinery for stabilization of salaries would surely be in order.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule.

The gentleman from Kansas [Mr. COLE] offers an amendment to the bill. The gentleman from New York [Mr. MULTER] makes a point of order against the amendment on the ground that it is not germane.

The Chair has had an opportunity to read the amendment proposed by the gentleman from Kansas [Mr. COLE]. The Chair has also had an opportunity to reread section 403 of the Defense Production Act of 1950, as amended.

The Chair is of the opinion that the amendment offered by the gentleman from Kansas [Mr. COLE] proposes to change the existing provisions of section 403 by making specific, whereas 403 now leaves discretion.

The Chair is of the opinion, therefore, that the amendment offered by the gentleman from Kansas [Mr. COLE] is germane and therefore overrules the point of order made by the gentleman from New York [Mr. MULTER].

The gentleman from Kansas [Mr. COLE] is recognized in support of his amendment.

Mr. COLE of Kansas. Mr. Chairman, salary stabilization and wage stabilization are handled by two separate administrative bodies today; salary stabilization is now processed by the Salary Stabilization Board. Wages are administered by the Wage Stabilization Board. During the last war salary stabilization was handled by an appropriate division of the Bureau of Internal Revenue. The Bureau of Internal Revenue now has all the facts, statistics, and information necessary properly to administer salary stabilization laws, regulations, and rules. The Salary Stabilization Board is thus required to duplicate 100 percent all of the work, the gathering of statistics and facts which are already in the possession of the Bureau of Internal Revenue.

During the last war the salary stabilization program was handled satisfactorily, efficiently, and ably by the Bureau of Internal Revenue.

There are reasons why there should be a distinction between the methods of handling and processing wage stabilization and salary stabilization, for the latter has to do with executives and supervisory personnel, and it can be done more efficiently by the Bureau of Internal Revenue.

This appears to be not a very controversial issue, but one which I think would correct the situation as it now prevails. This proposed amendment will provide that the administration of salary stabilization shall be handled by the Bureau of Internal Revenue while the basic policy will be set up by the Economic Stabilizer.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield.

Mr. HALLECK. I want to commend the gentleman for offering this amendment and to express the hope that it is adopted.

The gentleman has well pointed out that the Bureau of Internal Revenue handled this matter of salary stabilization very well during World War II.

The necessity for the adoption of this amendment arises out of the fact that the present Wage Stabilization Board is to be abolished and a new statutory board created in its place; hence comes the necessity for providing for the manner of salary stabilization to which the gentleman's amendment refers. As I said before, I hope the amendment is adopted.

Mr. COLE of Kansas. I thank the gentleman.

Mr. McKINNON. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield.

Mr. McKINNON. Is it not true that with the adoption of the Lucas amendment the newly created Wage Stabilization Board is given jurisdiction over and the responsibility of establishing wage and salary policies, and the gentleman's amendment would simply create a duality of control?

Mr. COLE of Kansas. I would say to the gentleman that it does change perhaps the policy not only of present law but although not in any material sense, it might also change a part of the Lucas amendment.

The Lucas amendment is an effort to process wage-stabilization problems. Frankly, it has nothing to do with nor is it basically concerned with salary stablization; salary stabilization is completely different; it involves different problems; it does not involve the usual bargaining between labor and management and all of those various ramifications that are involved in wage stabilization. So I do not believe it would materially affect the Lucas amendment having to do with wage stabilization.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. COLE of Kansas. I yield.

Mr. HALLECK. I think it should be pointed out in respect to what the gentleman from California has just said, that the Lucas amendment preserves the tripartite character of the make-up of the Wage Stabilization Board. That is, there are representatives of labor and of industry, then there are representatives of the general public. That is a perfectly reasonable manner in which to handle wage stabilization matters. You do not have any necessity for any such tripartite arrangement in respect to salary stabilization because there is no such diversity of interest as exists in respect to wage stabilization.

Mr. COLE of Kansas. That is just what I was trying to say.

Mr. McKINNON. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield to the gentleman from Minnesota.

Mr. WIER. Let me make an observation on the debate that has just taken place. We of the Committee on Education and Labor have heard all of the testimony of Mr. Wilson. In that testimony was much testimony dealing with the stabilization of salaries brought in there by management. In many cases management has offered to employees salaried positions where there was no organization existing at all. They came along and asked for increases for these salaried employees. So they did process them in connection with the yardstick they had but not beyond that. So the question of salaries is very important in this discussion. If the Lucas amendment is left in the bill they will still be concerned with salaries as well as wages.

Mr. McKINNON. Mr. Chairman, it occurs to me that the whole intent of the House in recent years has been to follow the recommendations of the Hoover Commission report which is to streamline our Government and put responsibility in the hands of a single agency to do the whole job. In line with that thinking one of the great problems of management is where wages stop and salaries begin, who is the man who is working as a wage earner and where does the wage earner stop when the position is turned into a supervisory job or salaried position? Ofttimes it is hard to determine between a man on salary and a man on wages. In view of the Hoover Commission report, in view of the idea of streamlining the Government and making it more effective and efficient, in view of the fact we have adopted the Lucas amendment setting up a new Stabilization Board, it appears to me a wise solution to the situation would be to let one agency, the Wage Stabilization Board, take over the whole stabilization program, administering wages as well as salaries. In that way you do not have the conflict of jurisdiction between two separate boards or agencies. You would have a streamlining effect and a quicker operation. We have too much delay now in the matter of wage stabilization without complicating it further.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield to the gentleman from Indiana.

Mr. HALLECK. I take it the gentleman understands that presently under the Defense Production Act by Executive order a salary stabilization board has been created that is right now dealing with matters of salary stabilization, but matters of wage stabilization have been left to the Wage Stabilization Board up to this time.

Mr. McKINNON. I think the gentleman has given a better argument against the amendment than I could, if present conditions allow the law already in operation to operate satisfactorily. Furthermore, may I say that the present two boards are closely correlated; they work closely together, whereas if this amendment is adopted you would have them completely separated; you would have a lack of cooperation which is so essential in our wage-stabilization program.

Mr. HALLECK. Certainly what I said is not an argument against the amendment; it is an argument for the amendment. If the Lucas amendment stands up in the House there is no need for the recreation of a Wage Stabilization Board as we have it under Executive order. This simply tries to cure that deficiency by availing ourselves of the services of an already constituted agency of the Government that is well qualified to handle the matter.

Mr. McKINNON. I might point out to the gentleman that the Lucas amend-

ment does basically two things: It creates a new tripartite board with certain jurisdiction. The jurisdiction and the limitations on jurisdiction that the Lucas amendment sets forth as opposed to the old law is such that the newly created Wage Stabilization Board will be more limited than the old Wage Stabilization Board has been. But it still does not take away the necessity for streamlining the stabilization of wages and salaries into one over-all board and one over-all group, and under the Cole amendment you would have the Internal Revenue Bureau completely independent of the Wage Stabilization Board, while the need is to keep them together.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield to the gentleman from Kansas.

Mr. COLE of Kansas. The basic policies will still be fixed by the Economic Stabilizer under my amendment, and it will have a direct line of supervision.

Mr. McKINNON. What is the sense then of having two separate agencies?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. COLE].

The question was taken; and the Chair being in doubt, the Committee divided and there were—ayes 59, noes 56.

Mr. SPENCE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. COLE of Kansas and Mr. McKINNON.

The Committee again divided; and the tellers reported that there were—ayes 95, noes 77.

So the amendment was agreed to.

The CHAIRMAN. If there are no further amendments to the pending section, the Clerk will read.

Mr. SHELLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHELLEY. At what point of the bill are we now? I have an amendment to offer.

The CHAIRMAN. The Clerk has read through line 10 on page 9 of the bill.

Mr. FLOOD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, about half an hour ago I had the opportunity of reading to the Committee an editorial from the Philadelphia Inquirer criticizing severely the action of this Committee in adopting the amendments thus far agreed to. Certainly nobody would accuse the Philadelphia Inquirer of being pro-Democratic. It has been the bible of the Republican Party for 100 years.

I have a statement here which Mr. Bernard Baruch wrote to a distinguished Member of the other body.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. The editorial writer who wrote that editorial did not sit on the committee for 6 weeks and hear all the evidence, did he?

Mr. FLOOD. But I am sure the conclusion of the Philadelphia Inquirer for my friends on that side of the aisle should be paramount and absolute whether or not he did.

Mr. Baruch had this to say:

> Removal of price, wage, rent, and other mobilization controls would be a tragic, perhaps mortal, blow to our efforts to rebuild our defenses in time to avert another war.

I might say that Mr. Baruch repeated those words this week before the War College here in Washington. Mr. Baruch is certainly no long-haired, flat-heeled, wild and woolly left-wing screwball by any stretch of the imagination.

Mr. Baruch said that there should be absolutely no exemption or favoritism for any group. His letter hit hard, without citing names, at recent testimony before the Banking and Currency Committee in which large organizations have asked either that all price and wage control be removed or that their own groups be given immunity.

Mr. Baruch said:

> The issue before your committee—and the Nation—is a simple one. It is a question of which is to be put first—the national interest or the selfish interest.
>
> It is not how little in the way of economic controls we stagger along with, but of how much we are willing to give up in the defense of our liberties.

This is Mr. Baruch. The elder statesman, in answer to a question by a distinguished Member of the other body, said further:

> Whether the greatest danger of inflation is behind us or ahead depends upon the law the Congress enacts and the courage with which it is administered.
>
> Mr. Baruch declared that removing prices and wage controls would sap the stability and soundness of our economic system, and would double or treble the cost to the people in rearming for defense. There is no avoiding the issue; until the gap between Soviet armament and our American defenses is bridged, there can be no basis for peace or the elimination of control.

In a curt note to the Senator, Mr. Baruch says further:

> You know well enough what to do, damn the political torpedoes, full speed ahead.

Those are the words of that brave, old American.

Mr. Baruch said that the issue before the Congress has now become this and I quote:

> The test of what we prize most highly—
>
> Mark this—
>
> petty profits and trivial comforts or freedom—American freedom.

Mr. Baruch said it is the test of whether we are a nation united in awareness of our common interests, or whether we are a mere aggregation of pressure groups divided in a scramble for selfish gain.

There are words far beyond your poor power, gentlemen, to detract. There are the words of an American whose patriotism cannot be questioned.

Mr. MULTER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it seems that everybody in the country except the Members of Congress know that what Mr. Baruch has said is absolutely true. I have been informed that since yesterday morning and up to 1 hour ago the telegraph office of the Capitol had received in excess of 8,000 telegraphic messages protesting against the decontrol action taken in this House.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. FLOOD. I have here a memo taken from the wire ticker which I am advised says that tomorrow General Eisenhower will make a statement at Denver that gradually, and very gradually only should any change be made in existing controls on prices and wages.

Mr. MULTER. Mr. Chairman, I yield back the balance of my time.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we all know Mr. Baruch is a great and wise man. The gentleman spoke about physical hardships. I never heard of Mr. Baruch suffering any physical hardship. My understanding from the press is that two or three, maybe more, Presidents have invited him down here to advise them, and that he has given them sound advice. However, I never learned or have been aware that he had ever been a candidate and then elected to any public office where he is responsible to anyone for the success of a program. Last week, my colleague the gentleman from Michigan [Mr. POTTER] offered an amendment which he believed would have taken care of some of these thousands and perhaps hundreds of thousands who have been thrown out of employment and others who will be out of employment because of production activities being changed over from civilian production to war production.

Our colleague the gentleman from Georgia [Mr. BROWN] used that occasion to call up the old, old issue of sectionalism. In at least four, perhaps five, instances he referred to the issue as being one of sectionalism. See the CONGRESSIONAL RECORD, page 7721. Then he stated that I had abused him because I had said they dragged out the "old bloody shirt" issue. He, not I, brought up the issue of sectionalism. What he actually said was, "Let us not fight the War Between the States over again." If commenting on an issue he raised is abuse, then I am guilty of abusing him. Then, inadvertently, he went on to pay me a compliment or two, refusing to yield for a reply or correction. He said I was a great friend of labor. I plead guilty to that, even though he made the statement with intent to belittle it—did not mean it. A friend of labor? Yes, I always have been. What section of labor? The men and women who do the work, the laborer, the worker. Friend of what group? Not—and do not mistake me for one moment—not for one moment a friend or advocate of those who in labor organizations seek power for their own benefit or for the benefit of some political organization.

Ever since the last day of 1936 and the first day of 1937, from the well of this

House and in other places I have opposed the programs of John L. Lewis, of Walter Reuther, and of Phil Murray, the latter of whom now has under control and dictates what 650,000 working men and women shall do; programs designed to gather more power to themselves to control government; that is, to say whether women and men shall or shall not work at jobs and wages with which they are satisfied.

I voted in favor of asking the President to use the Taft-Hartley Act, although I do not think that will solve the present situation in the steel strike or in other strikes to follow. Labor is in the position of power it is today because and only because this Congress has given labor organizations and the members of labor organizations special privileges. Privileges for which I voted in many instances and which were designed to strengthen unions. What would I do to provide a remedy when employees go on strike in an industry where the strike adversely affects the public health, safety, and welfare? I would take away from those on strike those special privileges. Just as if a father who lets his boy drive the car and when he finds that the boy is driving at an excessive speed, going through stop lights, getting a group of his friends in the car and racing down the street, takes the car away from that young man. I would do the same thing with labor organizations when they make the public suffer. When they go on a strike which ties up steel production, which prevents an adequate supply of munitions of war or equipment to the men who have been drafted to fight abroad, I would say, "All right. We cannot make you work, that is true; we do not intend to make you work, but get out of the way and let someone else work. Go on strike. Remain on strike for an unreasonable length of time and you are out of a job and we will hire someone else to make what is needed to protect the public. If you want to come back later on without the special privileges, which otherwise would be yours; come back and you will be welcome."

It is true that you cannot make men work, but there is no reason why if you can draft young men to fight abroad you cannot say to these men here, "You shall continue production, or get out of the way for those who will stand back of the men who have been conscripted."

The true issue was earlier stated by the gentleman from Virginia [Mr. SMITH] when he said in effect that it was time we learned just who governed this country.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that section 111, through section 114 of the bill, be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, would it be in keeping for the Chairman at this time to add a limitation of time on the balance of the bill, say until 4:30?

Mr. SPENCE. I do not think that is desirable. I do not know how much damage could be done to the bill, when after all time had expired amendments might be presented which we would not have any opportunity to know what they contain.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The bill reads as follows:

SEC. 111. (a) Title VI of the Defense Production Act of 1950, as amended, is hereby repealed. The table of contents in the first section of the Defense Production Act of 1950, as amended, is amended by striking out "Title VI. Control of consumer and real estate credit." and inserting in lieu thereof "Title VI. [Repealed]."

(b) Section 708 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new subsection:

"(f) After the date of enactment of the Defense Production Act amendments of 1952, no voluntary program or agreement for the control of credit shall be approved or carried out under this section."

SEC. 112. The first sentence of section 707 of the Defense Production Act of 1950, as amended, is amended by striking out the word "his."

SEC. 113. Section 717 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new subsection:

"(d) No action for the recovery of any cooperative payment made to a cooperative association by a market administrator under an invalid provision of a milk marketing order issued by the Secretary of Agriculture pursuant to the Agricultural Marketing Agreement Act of 1937 shall be maintained unless such action is brought by producers specifically named as party plaintiffs to recover their respective share of such payments within 90 days after the date of enactment of the Defense Production Act amendments of 1952 with respect to any cause of action heretofore accrued and not otherwise barred, or within 90 days after accrual with respect to future payments, and unless each claimant shall allege and prove (1) that he objected at the hearing to the provisions of the order under which such payments were made and (2) that he either refused to accept payments computed with such deduction or accepted them under protest to either the Secretary or the Administrator. The district courts of the United States shall have exclusive original jurisdiction of all such actions regardless of the amount involved. This subsection shall not apply to funds held in escrow pursuant to court order. Notwithstanding any other provision of this act, no termination date shall be applicable to this subsection."

SEC. 114. (a) Paragraph (4) of subsection (a) of section 714 of the Defense Production Act of 1950, as amended, is amended by striking out "1952" and inserting in lieu thereof "1953."

(b) Subsection (a) of section 717 of the Defense Production Act of 1950, as amended, is amended by striking out "1952" and inserting in lieu thereof "1953."

Mr. WOLCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 9, after line 23, insert a new section as follows:

"SEC. 701 (c) of the Defense Production Act of 1950, as amended, is hereby amended by striking out the colon at the end of the first sentence thereof and adding the following: 'during such period'."

The CHAIRMAN. The gentleman from Michigan is recognized in support of his amendment.

Mr. WOLCOTT. Mr. Chairman, I offered an amendment to this section of the bill which has to do with the competitive position of established business. The base period was the period preceding June 24, 1950. There seems to have been some uncertainty in respect to the intent of the language which was enacted at that time, so there has been a little confusion in the administration of the law. I have offered this amendment merely to clarify the fact that it is the period preceding June 24, 1950, that is meant when we say that the competitive position of established business shall be maintained.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Page 9, strike out everything in lines 11 to 23, inclusive.

Mr. MULTER. Mr. Chairman, originally when the Defense Production Act was passed it contained provisions for credit controls. When the bill originally came to the floor we struck out general credit controls but enacted the consumer credit controls and real estate credit controls, and also voluntary bank credit controls.

The bill as it is now before us strikes out all credit controls. My amendment would strike that provision out of the bill so as to restore to the act and continue as part of the law the credit controls as originally enacted. I think that those credit controls, even though we may not need them now, must be continued and should be continued on a standby basis so that if the time occurs either while we are out of session or something happens quickly before the Congress can act again, we would have these standby credit controls in such shape that we could act promptly. I therefore urge the adoption of my amendment.

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. NICHOLSON. Does that amendment strike out regulations X and W?

Mr. JAVITS. The amendment, as I understand it, proposes that the power remain to impose regulations X and W if the Federal Reserve Board considers that necessary to control inflation.

Mr. Chairman, I proposed to offer the same amendment which has been offered by my colleague from New York. I would like to spend just a minute in going over the reasons:

First, the power to control credit if needed has been retained in the other body, so it is not a matter of first impression or a matter to be treated lightly. It will arise importantly in the conference.

Second, I think it epitomizes the error into which it is awfully easy to fall.

I think it is demonstrated, with all deference and respect in the adoption of the price decontrol amendment offered by the gentleman from Iowa [Mr. TALLE], which was adopted and which I think is unwise. We are proceeding upon the assumption that the left hand does not know what the right hand is doing. We appropriate colossal sums for military defense. In the year 1952 we will be spending, at the beginning of the year, at the rate of $55,000,000,000 a year for defense alone, and by the end of the year at the rate of $60,000,000,000 a year. We will be spending throughout the year 1952 $42,000,000,000 for hard goods, the actual planes, ships, and tanks of military defense. That is our one hand, our right hand. Then with our left hand we completely disregard the fact that just out of that spending a great inflation can be created and the proposal is to jettison controls.

It is one thing to say that you want this decontrolled and you do not want reports sent in on that, and you want to set standards by which there should be mandatory decontrol. Those could be matters of detail; but it is quite another thing to dismantle the fire department, created to extinguish an inflation fire, and put it out of business. I fear that is what is being done with respect to prices by saying that no food prices may be decontrolled unless there is rationing which we know there is not going to be, according to the amendment offered by the gentleman from Iowa [Mr. TALLE], and in the amendment to take fresh and canned fruits and vegetables out from under control; and we fall into the same error if we defeat the amendment offered by the gentleman from New York on the credit control machinery.

The Federal Reserve Board has shown itself very sensitive to the fact where real estate credit controls under regulation X or consumer credit control under regulation W are not required, they have been rather quick to withdraw them. Instead of encouraging them in that kind of action, which has been responsive to our financial and economic situation, the bill now proposes to withdraw completely that power, and to leave the country defenseless as to a threat of credit inflation in the next 6 months, I say advisedly, 6 months in which the world and the Russians are waiting for the country to be defenseless in any respect, 6 months in which policy may be in suspense in connection with the heat of a controversial presidential campaign, 6 months in which, if we ever needed control machinery, we ought to keep it in effect. I think it is very unwise if we take this out. You dismantle what we have had dealing with the engines of inflation, consumer credit, and real estate credit, and you leave only the power to cope with bank credit which does not begin to answer the situation at a time when consumer credit alone is around the $14,000,000 or $15,000,000 mark. I repeat, we have been acting in a way in which the left hand does not know what the right hand is doing and is an evidence of it.

I hope very much that good common sense will reassert itself and that we will pass this amendment and cause this effort to dismantle the credit control machinery to be stricken out of the bill.

Mr. RIVERS. Mr. Chairman, I move to strike out the last word.

I oppose the amendment.

Mr. Chairman, last year when this bill was under discussion I made this statement verbatim, punctuatim, litteratim, and spellatim. The only scarcity in America today is the scarcity of storage space. When we thought this stupid, ill-advised, nonsensical regulation W should have been repealed a year ago, I called that to the attention of this august body, but the body down at the other end of the Capitol did not see fit to give the people of this Nation 21 months for installment buying last year. With great reluctance the brass heads in the Federal Reserve, came here the other day and agreed to remove regulation W with production at an all time high. The people down here on F Street in Washington were begging you to take television sets for practically nothing. Refrigerators, furniture, and all kinds of merchandise were sticking out their ears. All of the retailers and wholesalers had their shelves full. Why, you could not find a foot of storage space in Charlotte, N. C., Atlanta, Ga., or Memphis, Tenn., or any of the other sections of this country. You could not find storage space with a microscope. Then these school boys—and that is what I call them, advisedly, with no reflection on my distinguished friend—in the departments beg you for standby controls over these items.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. The committee, by a substantial vote, cut out consumers credit and real estate credit.

Mr. RIVERS. Why, of course you did. The distinguished gentleman from Georgia was the leader in that. That indicates his fine vision for which he is noted, and I am glad to be on his side in this. I want to say this to you in that connection, and I want to get this in, too: You heard about the song "Marching Through Georgia." I saw the gentleman march through Michigan the other day without any encumbrances or road blocks. But, I will say this to you, if you fall asleep for one fleeting moment and give these people controls through regulation W and regulation X, your conscience will smite you for the next 6 months. There is not enough money and there is not enough credit in the United States to buy all the consumer goods on hand in 6 months. If we need these things we will be back here in plenty of time. Do not lapse for 1 minute. Keep the controls out of their hands and your people one of these days will rise up and call you blessed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was rejected.

Mr. BYRNES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 9, after line 23, insert the following new section:

"SEC. 705 of the Defense Production Act of 1950, as amended, is amended by adding thereto the following new subsection:

"'(f) Any person subpenaed under this section shall have the right to make a record of his testimony and to be represented by counsel'."

Mr. SPENCE. Mr. Chairman, I believe every man has a right to counsel by reason of the Constitution of the United States. I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. BYRNES].

The amendment was agreed to.

Mr. BARDEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: On page 11, line 10, after "1953", insert "*Provided, however*, That title 4 and all authority thereunder shall terminate at the close of July 31, 1952."

Mr. BARDEN. Mr. Chairman, on several occasions during the debate on this measure the call has been made for an outright vote on the continuation of wage and price controls. I have thought and now think that under the existing circumstances in the world and in this country that the allocation of strategic materials should remain in force. I have felt that the provisions for loans and other activities which would tend to produce the materials necessary for carrying on our present war and defense production should remain in effect. But I think if there has been anything clearly demonstrated in this House it has been that there is no need for price control.

I hold in my hand a magazine, a nationally known and pretty well accepted magazine, that contains a solid page listing the articles that now are selling under ceiling prices. Call on the textile folks and they will tell you that some of them at the present time would be delighted to get cost of production. One of the largest producers in the country told me just 2 days ago over the phone that he would be glad to get cost of production if he could, that then he would not have to shut down four of the largest textile plants in this country on Saturday night.

What were we doing the other day? We were talking of 18 States in which a tremendous amount of unemployment exists. Why? Because the plants are closed down and there is no market for their products.

Mr. Chairman, this does not affect the other parts of the bill. It permits price and wage control, and I might say we have had very little wage control, to remain in effect until July 31, 1952. That will give them time to bundle up their unused blanks, petitions, regulations, orders, and so forth, that they are so busily engaged in passing out at this time.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Minnesota.

Mr. WIER. Does the gentleman's amendment eliminate rent control?

Mr. BARDEN. No, it has no bearing on rent control, it has no bearing on the allocation of strategic materials, it has no bearing on the defense plant construction loans and those things. It simply relates to price and wage control. And neither price nor wage control should be abolished without the other—if one goes the other should go.

Mr. Chairman, let us think for a moment. We have just listened to a debate here that is clear evidence to me that at the present moment there is a lack of faith and confidence in our economic system. Have we become so afraid? Do we not have faith in our American way of life? Do we not have faith in our competitive economic system? Have we reached the point that we cannot leave this House for 6 months without shuddering for fear something is going to come down and destroy our economy? I sometimes wonder how those people figured out a comfortable living this long. These laws are for economic emergencies. If we permit them to gnaw into the very vitals of our economic system we will wake up some day and find that our normal American economy will not function. Think for instance of France, which now has every single control, every one of the regimentation acts that were passed in World War I, plus many others. In what condition is France today? Her economy is paralyzed.

You can look at Great Britain. Do you think the regimentation, the detailed regulation of the internal economy of Great Britain is strengthening the functioning of that economy? I do not think so.

I do not think there is a man or woman in this House who can stand up here now and name even one-third enough items that are selling for even ceiling prices to justify the continuing of price and wage controls.

This amendment is just bringing it down to a practical point. I do not think the House wants to continue price control. I believe I can sense the feeling of this House. At any rate this is the time for each Member to use his best judgment regardless of how the total vote adds up.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I compliment the gentleman for his honesty in offering this amendment. It seems he wants to do that which by indirection we have been doing all day. He says the natural law of supply and demand should now govern our commercial and industrial world. I wish that were true. But is the world in a normal condition? Are there any reasons for apprehension? On the horizon in the east there are always dark and ominous clouds, and every now and then we can hear the hiss of the angry winds that come before the storm. You can sometimes see a flash in the distance, and hear the rumble of thunder. I do not want price control or wage control unless it is necessary. But, I think in this vote you are holding in the hollow of your hand the destiny of your country. There is no more insidious enemy to the American people, and there is no more insidious enemy to the economy of our Nation than inflation. Who knows what the result will be if you strike down price control and wage control? I am in favor of discontinuing wage control if you destroy price control. But with the Government of the United States spending more than a billion dollars a week for defense and going into the pockets of our people, and with the national characteristic of the American citizen to buy what he wants regardless of the price, what is going to be the effect of destroying price controls at this time? Why have we been considering the bill these last few days if it is the opinion of this House that these things should be stricken down? Why did we not strike them down at the commencement of the consideration of the bill so that we might avoid taking up all the time that we have taken up, and avoid using all the energy that has been used in consideration of these matters? I hope you will not vote on this matter lightly. If the minority party, aided by some of the Members on our side, do this, then the responsibility will be known. The Democratic Party is in favor of the continuation of price controls and of wage controls, and everybody who has studied the conditions and the history of our country for the last few years knows that. You can use your own judgment about this. But, when you cast your vote, you will be casting one of the most important votes that you have ever cast since you have been Members of the Congress. If the injury occurs, it cannot be repaired. If you continue price controls for the next year, or the next 6 months, we can then consider the discontinuance of it. But right now, with the condition of the world, and with the uncertainty of what may take place abroad, and whether or not we may be engulfed in a world war, no man knows. We cannot afford under the circumstances which now exist to do away with price controls and wage controls. Not only will a spiral of inflation rob our people and destroy their savings but it will also rob our Government. The immense amount of materials it must purchase for our defense effort involving billions upon billions of dollars is also under price control; and a rise in these prices will cost the Government a sum that cannot be estimated. The appropriations for this purpose will have to be supplemented and supplemented if the destruction of price control results as I anticipate. Has price control held down prices in the United States? I do not think anyone can deny that they have, and I do not think anyone would deny that for a continuation of the stability of our prices we must have price control. I hope the committee will not agree to this amendment.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. COLE of Kansas. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this is a very simple amendment. It extends price and wage controls until July 31, 1952, and all the authority thereunder shall cease as of that date.

Mr. Chairman, I am well aware of the seriousness of this occasion. I am well aware of the need of our country to protect itself by mobilizing our military might. I voted for price and wage controls in World War II. I voted for the price and wage stabilization bill of 1950 because at that time I, together with many Members of this House, believed that it was quite possible the Korean war might become inflamed to such an extent that we would be immersed in a worldwide conflagration. That we would then siphon from consumer production a great percentage of the goods needed for our military. But the situation today is different. I want to read to you parts of two articles which set forth the difference in the situation today and as it was then, and why today we should end price and wage controls.

First I read to you from a pamphlet, "Ending price-wage controls, a statement by the program committee of the Committee for Economic Development." The Committee for Economic Development is a committee of businessmen who have in the past supported price and wage controls, and their policies are forward-looking and progressive. I quote:

> The need for price and wage controls is rapidly passing, if it has not already passed. We believe that price and wage controls are inappropriate instruments for the control of inflation except in times of great emergency. No emergency now exists which requires their use. Price and wage controls place too much power in the hands of Government. They tend to distort production and limit the ability of the economy to respond to changing needs. They involve substantial waste and inefficiencies in production and distribution and, as now employed, are unfair to large sections of the economy.
>
> Any renewal of inflation during the present rearmament period should be met by action with respect to taxes, Government expenditures, and monetary and credit policy. Such measures can effectively control inflation except in extreme emergencies, and do not involve the heavy economic costs of price and wage controls.
>
> WE ARE NO LONGER IN AN EMERGENCY THAT CALLS FOR PRICE AND WAGE CONTROLS
>
> In the past 15 months there has been little evidence of general inflationary pressure. Many prices have fallen below their ceilings, and many more would not rise if their ceilings were removed. We do not believe that removal of price and wage controls would be the signal for a general increase in prices.
>
> Defense expenditures are still rising, and are scheduled to continue to increase until the end of the year, after which they are scheduled to remain at their peak level for about 2 years. We believe, however, that the impact of the defense program on the economy has already largely been felt, even though Government expenditures have not reached their scheduled high point. This is so because business firms buy and install the machinery needed to produce military equipment, hire and train the necessary labor, purchase needed materials, and put production lines into operation before the Government pays for the goods delivered to it under the rearmament program. The public has already anticipated the change in civilian markets brought on by the defense program.

I hold in my hand another very interesting statement which appears in the

Journal of Commerce of Friday, June 20, 1952. It is a statement by Mr. Leon H. Keyserling, chairman of President Truman's Council of Economic Advisers.

He predicted today that there will be a continuing, noninflationary pick-up in business activity throughout the last half of this year and the first half of 1953.

I want you to listen to this. Chairman Keyserling says:

There is no serious danger of inflationary pressures of a generalized and over-all character over the next year, the President's top economist told a national group of business editors. This means that the United States can maintain price stability, he added.

Mr. Keyserling said his appraisal of the next 12 months is based upon the fundamental relationship between supply and demand. He emphasized the expansion of national production since Korea, particularly in essential defense areas, has made a more important contribution than credit restraints or wage and price controls to the growing easiness in the United States economy.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield to my chairman.

Mr. SPENCE. If it appears desirable to discontinue price control, why did not the amendment provide that it should be discontinued on June 30 as the present law provides, instead of July 31?

Mr. COLE of Kansas. I shall not argue with the gentleman about that.

Mr. ROGERS of Florida. Mr. Chairman, I rise to support the amendment of the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, will the gentleman yield that I may answer the question of the chairman who asked why it did not provide for it to end June 30 instead of July 31?

Mr. ROGERS of Florida. I yield.

Mr. BARDEN. For the simple reason that I gave when I was on the floor; and that was it allows a period of 1 month for an orderly closing up of their offices.

Mr. ROGERS of Florida. Mr. Chairman, I think this is a fine amendment for this reason: Those of us—and I am one of them—who are opposed to the continuation of controls on prices and wages will have an opportunity to express ourselves on this one particular subject. Unless it is stricken from the bill and the bill comes up on a final vote with this title in it, we cannot vote against the bill, since a number of us favor allocations, a number of us favor the Smith amendment, and other good things in the bill. This amendment is the only way to vote out controls and vote for the other good provisions in the bill.

Those of us who have watched price control and what it is doing to the dealers in our districts feel very intensely over it. I have more complaints about the operation of control over prices than any other complaint. To let the memberships know how the people of my district feel, I will tell you about a questionnaire I sent out recently. The citizenry of my district is like the citizenry of yours—good, common people who want to do right. I submit a questionnaire to them every year. I do not send that questionnaire directly to them because when the answers come back it would be said that I had picked out the ones to whom I had sent the questionnaire; I send it to the papers in my district and they publish it as a public service.

I got some 1,200 answers to this questionnaire I speak of, and as I say, the people of my district are just like the people in yours. There were 20 questions that I asked, but I shall read you only three and give the answers received. I asked: "Do you favor regulation of prices and wages?" The answers came back: Yes, 271; no, 883.

I asked: "Do you favor control of consumer credit?" The answers were: Yes, 279; no, 837.

Consumer credit has since been done away with, regulation W or X.

"Do you favor imposing Federal quotas for beef slaughter?" The answers came back: Yes, 104; no, 1,029.

That comes from the people of my district who are against controls on wages and on prices. I think this Congress should give those people some relief. I want my people to know that I am against the continuation of these controls but that I am for some of the other provisions of this bill.

In my opinion there is absolutely no excuse for such price controls as we now have in effect, a free nation, except in case of total war. Total war forces many undesirable things upon us. Controls have never worked and they never will work except in a totalitarian government. Controls kill the incentive to produce and eventually drive what goods that are available into the black market.

Continued price control will lead to a breakdown of respect for the law, and a consequent breakdown in public morality. Price controls create an opportunity for the unscrupulous to make money by violating price-ceiling regulations with only a slight possibility of getting caught. They establish a premium for dishonesty and violation of law. The disrespect for law created by price controls and related measures inevitably will result in the deterioration of the moral stamina of all citizens. Price controls continued for any significant period of time thus break down those ideals and concepts which are basic to a Christian democracy.

Controls waste manpower—our scarcest resource—not only in the Government where millions of man-hours must be spent on the unproductive job of writing regulations and the impossible job of enforcing them, but at every level of industry where people subject to regulations must try to interpret and comply with them. In time, price controls lead to subsidies, because special incentives become necessary to get needed production. Subsidies increase Government costs in a period when the Federal budget is already inflated. They conceal the true cost of an item and give the public an unrealistic idea of its worth. Some contend that controls will hold down prices and prevent inflation but while they may hold down prices to a certain extent, I believe it far better to have plenty of goods at some price than no goods at a controlled price. It is better to maintain the incentive to produce than to place prices in a straitjacket. Controls do not prevent inflation—I believe we have seen that fallacy demonstrated in the last couple of years.

So many OPS rules and regulations have been put out that the average small-business man does not have time to read them—in many instances they have to take one of their employees off the work he has been doing and give him the job of endeavoring to read the OPS regulations in order that the businessman can continue to run his small business and not be harassed with the thought that he is breaking some OPS rule or regulation. Not only are these rules and regulations numerous but they are almost impossible for the average person to interpret.

Only harm to our economy and thus to our mobilization effort can come from the continuation of price, wage, and civilian material controls. The record against economic controls is overwhelming. They impede production, impair incentives, and increase costs both to industry and Government, and they require tons of useless red tape. They lead to demands for even more controls to attempt to shore up the inevitable failures of existing controls. One of the most vicious aspects of all Government controls is the fact that control mechanism, in addition to being ineffective, inevitably lead to exercise of additional powers entirely removed from congressional intent at the time that controls were adopted.

I am sure the membership of this House has been receiving complaints, as have I, from business people. They are told that they must file an application before they can do certain things—then an order comes out that the application must be filed on a certain form but have you ever tried to secure one of those specified forms? We are told they are not available—they have not come from the printer, and so forth. Our people will file a request, under the OPS rules and regulations, and wait weeks to hear something. They then contact their Congressman and in some instances the Congressman has to make daily phone calls for even weeks, before he can secure any information—and we are told there is insufficient staff; however, on page 1132 of the hearings before the Committee on Banking and Currency, on H. R. 6546, a witness stated that in Helena, Mont., where they have a district office, the OPS payroll was $246,780 a year. This is an indication of the high cost of the price stabilization program—and remember that is the cost for just one OPS office.

We have recently been very conscious of the Constitution. In 1777 Mr. Witherspoon, in a letter to George Washington, stated:

To fix the price of goods, especially provisions in the market, is as impractical as it is unreasonable. The whole persons concerned, buyers and sellers, will use every art to defeat it and will certainly succeed.

Controls do not work any better today than they did then. We have learned a lot since 1777, but I do not believe that we will ever learn enough to substitute successfully man-made controls for that great old law of ours, supply and demand. We should return to the system that we know works, free enterprise, and the rewarding of individual initiative.

I think it is unnecessary to extend controls any further. The matter of controls is a fallacy.

Price control is expensive, wasteful, and unfair and does not prevent inflation. Production and distribution is the answer and only answer to inflation.

We have reached the place where there is just too much Government in business and too little business in Government.

I am including in my remarks, for the information of the House, an editorial in the Fort Lauderdale Daily News. It exemplifies the burden that the taxpayer is carrying to maintain this expensive agency.

READ THIS AND WEEP

Back in March of this year the enterprising Missoula Times in Missoula, Mont., sent its reporters around to the district office of the OPS in Helena, Mont., with the assignment to find out, if possible, what it was costing United States taxpayers each year just to pay the salaries of the employees in this one, fairly small office.

The Times reporters were fortunate enough to obtain the payroll figures for this office as they stood on February 12 of this year. The Times published these payroll figures in the March 14 issue and they must have been quite an eye opener for the citizens and taxpayers around Missoula and Helena.

As a public service to taxpayers in this area we are reprinting below the figures published by the Missoula Times and we sincerely hope all of our readers will take the time to examine this payroll for it shows in cold, hard figures the full extent of the terrible rooking American taxpayers are taking from a politically inspired and economically worthless Federal Government effort to control prices. Here are the figures just as they appeared in the Missoula Times.

Payroll—Helena district office employees, Office of Price Stabilization, February 12, 1952

Title	Base salary
District director	$9,600
Clerk stenographer	3,175
District price executive	8,360
Clerk stenographer	2,950
District price economist	7,040
Price economist	5,940
Chief, food branch	7,040
Business analyst	5,940
Business analyst	5,060
File clerk	2,750
Business analyst	5,940
File clerk	2,750
Chief, Ind. Nat. and Mfd. Goods	7,040
Business analyst	5,940
Business analyst	5,060
Clerk stenographer	2,950
Clerk stenographer	2,950
Chief, fuel and chemicals	7,040
Business analyst	5,940
Clerk typist	2,750
Business analyst	5,940
Attorney adviser	7,040
Clerk stenographer	2,950
District enforcement director	9,600
Clerk	3,410
Clerk stenographer	2,950
Chief, trial section, attorney	8,360
Trial attorney	7,040
Clerk stenographer	2,950

Payroll—Helena district office employees, Office of Price Stabilization, February 12, 1952—Continued

Title	Base salary
General attorney (supervisor)	$7,040
General attorney	5,940
General attorney	5,060
General attorney	5,940
Special agent in charge	7,040
Investigator	5,940
Investigator	5,940
Livestock marketing specialist	5,060
Investigator	4,205
File clerk	2,750
District information officer	7,040
Clerk stenographer	2,950
District executive officer	7,040
Administrative assistant	4,205
File clerk	3,175
Clerk typist	2,750
Clerk	2,750
File clerk	2,750
File clerk	2,750
Total	246,780

There you see it. In this one OPS district office we, the taxpayers, are supporting 48 Federal employees at a total payroll cost of $246,780 a year. Multiply this figure by all the other district OPS offices in the country, most of which are larger than the Helena office, and you can begin to see how a political party perpetuates itself in power. Then add to the costs of maintaining the district offices the costs of the innumerable local OPS offices and it becomes quite clear why the Federal Government finds it necessary to grab off one-third of our entire national income just to support itself and its millions of employees.

The ordinary citizen might think that now that many price controls are being relaxed and there is less for the OPS to do that some of these fancy-titled employees could be released. But that wouldn't be wise in an election year. So instead of reducing its payroll the OPS just keeps on growing bigger and ever bigger and adding more and more employees all of whom can vote next November for the party responsible for their pay checks.

We, the poor, bemused little taxpayers are supposed to stand up and cheer because the Federal Government is making such a tremendous effort to protect our pocketbooks from high prices. But the catch is that we still have high prices and in addition we are paying the salaries of an army of employees whose major function seems to be to pat themselves on the back for a marvelous job. The truth of the matter is that the taxpayers of this country are shelling out for something they could easily do without. Price control has now become a matter of wasting dollars to save pennies. It is no bargain for us taxpayers and the sooner we can get rid of this bureaucratic monstrosity the better off we will be.

Mr. BROWN of Georgia. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the author of this amendment, the gentleman from North Carolina [Mr. BARDEN] is a very fine character and thoroughly sincere. He is against control of wages and control of prices. The gentleman who has just left the well of the House, Mr. ROGERS, of Florida, I am sure, is sincere. The gentleman from Kansas [Mr. COLE] is one of the best men on our committee. He is against continuing controls and always has been against controls and has been conscientious about that. There are a lot of people throughout the various sections of the country and in this Chamber against continuing controls and they are thoroughly conscientious in their views.

Mr. Chairman, I do not like controls either, but I am afraid to take them off of wages and prices at this particular time. Why do I make that statement? Of the $133,000,000,000 that we have appropriated for national defense, more than $100,000,000,000 remains to be spent. I am afraid we would make a mistake to take controls off of wages and off of prices at this particular time.

Mr. MULTER. Mr. Chairman, I rise in opposition to the pending amendment.

It seems that the very people who are constantly clamoring for economy in the operation of emergency agencies and for simplification of the work and for elimination of duplication are the same people who constantly sponsor amendments to complicate, confuse, duplicate, and make it more expensive, if not impossible to administer the controls legislation. While we are on the subject of economy, incidentally, permit me to correct a few of the inaccuracies that we have heard with reference to these emergency agencies.

Among other things we have been told that the Office of Price Stabilization is increasing its staff and now has in excess of 16,000 employees. The facts with reference to that statement are as follows: The Office of Price Stabilization never had more than 12,263 employees. Since April 30, 1952, the agency has separated 347 employees. Because of the decontrol actions OPS is taking, that agency will release an average of 160 employees per month, each and every month, from July 1952 through February 1953.

You heard considerable about the delays in getting action on applications filed with the various emergency agencies. These agencies now require that all applications must be processed and action taken within 30 days after the filing thereof.

Particular attention has been given by every emergency agency to small business, with the result that all the procedures have been streamlined so that small business can have its wants and needs attended to and taken care of with a minimum of paper work and with maximum speed.

The instant amendment flies in the face of all of those procedures. It would have the Economic Stabilization Administration attempt to set policy. It would have the Wage Stabilization Board attempt to stabilize wages and then would require the same businessmen who must supply those two agencies with information on which they must act, to go to the Internal Revenue Bureau and start all over again when they desire to adjust salaries. Throughout all of the debate up to this time we have not heard a word of criticism leveled at the Salary Stabilization Board, yet this amendment would destroy that Board and require a new department to be set up in the Treasury Department under the jurisdiction of the Internal Revenue Bureau to do the work that is now being done so well.

The amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. BARDEN].

Mr. SHORT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MULTER and Mr. BARDEN.

The Committee divided; and the tellers reported that there were—ayes 118, noes 87.

So the amendment was agreed to.

Mr. KLEIN. Mr. Chairman, I must confess that I am terribly disheartened at the action taken in the Committee of the Whole today and Friday in emasculating the bill under consideration.

It would seem to me that the Barden amendment just adopted is at least a more honest and direct approach than the previous amendments which would actually have the same effect, although under the guise of continuing price and wage controls. We have now reached the stage where the special interests and those who speak for them here in the House are out in the open. They do not want any price or wage controls whatsoever—this in the face of a terrific threat to our economic system, and in the face of one of the greatest emergencies facing the American people since the Declaration of Independence was signed.

It is difficult to imagine what is passing through the minds of those who have voted for these devastating amendments. Do they feel that the poorer and less fortunate of our people should be forgotten? Do they feel that only the wealthier of our people who do not need price or wage controls are the ones entitled to the protection of the Congress?

Whatever it is that is motivating them in their efforts to permit prices to rise to such an extent that the ordinary necessities of life may be denied to the very people who cannot afford to pay these high prices, is a mystery to me I have no doubt that the American people will soon realize the effects of this "special interest" legislation; and will be heard from in no uncertain terms in November.

Over the years I have voted consistently to maintain price controls; even though in each succeeding year amendments were introduced and passed which further weakened real and effective controls. I have voted for these bills even though I felt they were not going as far as they should, on the theory that they were better than no controls at all.

The entire question is now out in the open. The question is: Are we more interested in property rights than we are in human rights? As for myself, I can only say that I will continue to fight on behalf of the mass of our people who must have these controls during this period of emergency.

Mr. SPENCE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose: and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1953

Mr. THOMAS submitted a conference report and statement on the bill (H. R. 7072) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1953, and for other purposes.

KOREA EMERGENCY RESOLUTION

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, I have asked for this 1 minute to put the House on notice that in view of the bombing of the Yalu power plants and the possibility of a breakdown in truce negotiations, if it becomes necessary for United Nations troops to move to the Yalu this House put the aggressor on notice, through the U. N., that with a move to the Yalu, we will automatically zone off a safety belt north of the Yalu for patrolling of our planes; if U. N. troops occupy the Yalu they will certainly expect frontal protection against surprise or other attack. I recommend that the Congress, through proper authorities, forthwith advise the United Nations that if we move to the Yalu, a safety-belt will be zoned off. Precedent exists for the step. The Soviet is loaded with safety belts—its satellites.

HANDICAPPED PEOPLE

Mr. FURCOLO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FURCOLO. Mr. Speaker, I want to again call the attention not only of the Members but also of the Nation, and particularly the employers of the Nation, to the work that our handicapped people are able to do if given an opportunity.

Members will recall that during the past few years I have often spoken with them about the handicapped people and their problems.

Several weeks ago I mentioned several instances where various departments and agencies of the Federal Government had hired people who were deaf or blind or crippled, or had some other handicap. The people so hired did wonderful work. In fact, they did such an excellent job that more handicapped people were hired. They proved what many of us have always believed; namely, that handicapped people do not ask for anything more than a chance to prove their ability. They are willing to go on their own merit and ability. They do not ask any favors or special concessions. They simply say, "Give me a chance. If I don't work out, let me go. But do not refuse me the chance to prove that I can do the work in spite of my handicap."

Today I want to direct the country's attention to the fact that approximately 10 percent of the civilian employees working in the Air Force of the United States are handicapped people. More than 30,000 such persons—physically handicapped—are doing a good job for the Air Force. They are proving their worth every day. They are proving that they can make a contribution to this Nation.

Among their number is almost every type of physically handicapped person. There are literally hundreds of illustrations and all who hire people should be familiar with them.

I hope the employers of this Nation will give some thought to those illustrations. I hope they will think that that is some proof that handicapped people can do a job—perhaps may be able to fill positions that are vacant right in the employer's own establishment.

Giving employment to a physically handicapped person will not only be helpful to both the employer and the employee, but it will also benefit this Nation. The manpower shortage is going to increase and we cannot overlook the productive potential of the handicapped. They can do a job and they have something to offer. Let us give them their opportunity.

If the Members and the employers of the Nation will investigate, they will find there is ample proof that they can do a job and contribute to this Nation's productive effort.

I ask the employers of this Nation to consider the cases that have been cited and then to give some thought to whether or not they may have openings for handicapped people.

PRICE CONTROL

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KENNEDY. Mr. Speaker, since the start of the Korean war, 2 years ago, I have been a vigorous supporter of strict across-the-board controls in order to offset inflation and keep the cost of living within bounds.

Last year I spoke at length, on the floor, urging the House of Representatives to strengthen the 1950 defense production bill. The original bill was, however, weakened rather than strengthened by Congress in 1951.

And now, again this year, we witness the same forces who were responsible for the weakened 1951 bill going all-out to completely kill controls.

In hearing the arguments of these anticontrols forces, one is supposed to be convinced that the inflation danger is past.

And yet just last week the cost-of-living index published by the Bureau of Labor Statistics showed prices to be just one-tenth of 1 percent under the all-time peak reached in January. When one considers the fact, moreover, that since a drop last February prices have been steadily increasing, it is obvious that the threat of inflation has not been turned aside.

There are many deficiencies in this controls bill before us, most of them the result of House action last week. The most dangerous of these, of course, is the Talle amendment, which would virtually kill controls. And now by the acceptance of the Barden amendment, which would end all controls next month, this House is faced with a most serious situation.

I want to take this opportunity of recording my unalterable opposition to any such injustice to the American consumer. Tomorrow I will vote to rescind the action of the House last week by voting against the Talle amendment.

I will likewise vote against the Lucas amendment to abolish the present Wage Stabilization Board. I believe, as the Education and Labor Committee's minority report, in which I concurred said last week, "that the wage-stabilization program should be administered by a board tripartite in nature"; and the attempt to abolish it is but another method of loosening or invalidating presently set up stabilization processes.

With the cost of living still on the upgrade, with the Korean struggle continuing, with defense expenditures expected to exceed $60,000,000,000 in the next year, the duty of the House is clear.

SPECIAL ORDER GRANTED

Mr. KENNEDY asked and was given permission to address the House today for 15 minutes, following the conclusion of special orders heretofore entered.

RESIGNATION FROM A COMMITTEE

The SPEAKER. The Chair lays before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 25, 1952.

Hon. SAM RAYBURN,
Speaker, House of Representatives, United States Capitol, Washington, D. C.

DEAR MR. SPEAKER: I herewith submit my resignation as a member of the House Committee on the Judiciary effective immediately.

Sincerely yours,

TOM PICKETT,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

BRIDGE ACROSS DELAWARE RIVER

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8315) granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is this the Pennsylvania-New Jersey bridge bill?

Mr. FALLON. That is right. It grants the consent of the Congress to build an additional bridge across the Delaware River under a compact between the two States of Pennsylvania and New Jersey.

Mr. MARTIN of Massachusetts. As I understand it, there is no difference of opinion on this matter and it is not controversial.

Mr. FALLON. The gentleman is correct.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, I am in favor of the bill now before the House and the one that is to follow. They are companion bills, and are similar to the bills I have introduced dealing with the same matters.

The purpose of the bills is to provide for the development of the port of Philadelphia, and the area surrounding it in the States of Pennsylvania and New Jersey.

The need for increased port facilities, an additional crossing of the Delaware River, and rapid transit for the surrounding area is recognized by all business, financial, civic, and governmental agencies. There is a unanimous demand for this legislation by all parties. Both political parties have supported it locally, in the State legislatures, and now in Congress. There is not a dissenting voice. It is imperative to have favorable action at the earliest possible day to the end that the development program can be started and the public be given early relief.

In urging the passage of the pending bills, I wish to bring to your attention the industrial importance of that section of the Delaware River that comes within the objectives of the pending compacts.

That portion of the States of Pennsylvania and New Jersey lying on either side of the Delaware River, for many miles north and south of Philadelphia on the Pennsylvania side, and Camden on the New Jersey side, comprises what is generally known as the port of Philadelphia.

This portion of these two States constitutes one of the greatest industrial areas within the entire United States. It is unnecessary for me to enumerate the numerous and varied industries in the city of Philadelphia and along the Pennsylvania side of the river that go to make that portion of the State of preeminent importance, and the port of Philadelphia the second largest in the Nation.

It is also appropriate that I should bring to your attention that on the New Jersey side of the river, and, within what may be described as the port of Philadelphia, an area that also has an outstanding number and variety of industrial establishments. In the city of Camden, directly opposite the city of Philadelphia, there are industries of Nation-wide and world-wide reputation. I need only mention the RCA Victor plant, that manufactures radios, television sets, and electronical instruments of untold value in our defense effort; the Campbell Soup Co., with a capacity of making 7,000,000 cans of soup in a single day; the Esterbrook Pen works whose products are also known around the world; the New York Shipbuilding Corp., that is one of the largest shipbuilding plants in the world, and from which have gone forth some of our greatest naval and commercial ships; the R. H. Hollingshead Co., the Radio Condenser Co., and many others too numerous to mention. In addition to these, all along the river front are great petroleum plants operated by the Cities Service, Texaco, and Socony-Vacuum Companies; and on the Pennsylvania side of the river are facilities operated by the Atlantic, Gulf, Sinclair, and Sun Oil Cos. On the lower Delaware, on the New Jersey side, are the great Dupont factories, together with Government installations. Adding to the greatness of this area is the plant of the National Steel Co., soon to be built on the New Jersey side and the U. S. Steel Co. works on the Pennsylvania side almost completed. The latter when completed will be the greatest steel plant in the world.

The products from all these local establishments, the manufactured goods, the products of our mines and farms, as well as those that come from foreign countries make this one of the greatest shipping ports in the world. The port of Philadelphia is second only to that of New York.

In addition to all this industrial activity the area that is brought within the jurisdiction of these compacts constitutes a great residential area. Philadelphia is known as the city of homes. New Jersey is an area that is fast building up residential facilities that are increasing the population of all the south Jersey counties to a degree that is astonishing.

The future of all this area is beyond description. Already the growth has been phenomenal. Each day brings a new problem because of the rapid growth that is taking place. It is to provide for this expansion, both industrial and residential, that has brought together on both sides of the river the political, civic, educational, industrial and all

other progressive groups to devise ways and means of meeting the situation. After years of conferring and studying it was determined the problem could be solved only by the manner provided in these compacts now awaiting your approval.

When the plan was determined upon it was laid before the legislatures of the two States. It was approved by each of them and the governors of the two States. The plan calls for a port authority, similar to that which has produced such satisfactory results in the New York area. It enables an authority composed of representatives of both States to do any or all of those things that will promote the welfare of the industrial, commercial and individual welfare of the citizens by providing the facilities that are necessary to enable commerce, both interstate and intrastate, to progress and move in a satisfactory way. It sets up a great service organization that requires the cooperation of both States if it is to succeed.

If the affected area did not lie within two States either State could, through its own legislature, provide the necessary legislation to make it effective, but, as the area covers a part of two States across a State boundary line, and, although both States agree, it is nevertheless necessary to come to Congress to obtain its approval. All this because it is an agreement between two States.

I submit that it is the duty of Congress to grant approval. The clause in the Constitution that requires congressional approval was never intended to interfere or prevent a matter of this kind. That clause was adopted when our States, especially the small ones, were suspicious, jealous, and fearful of larger States or States of a section of the country combining against others in a manner that would be detrimental to their best interests. This is no such case. These compacts are detrimental to no State or the citizens of any State. They do not financially obligate the Federal Government. They accomplish something for the benefit of commerce in the building of wharves, docks, bridges, tunnels, terminals, warehouses, and rapid transportation between the two States for all citizens that would have use for these facilities regardless of what State or section of our country they happen to be residents.

It is inconceivable that the Congress would fail to give its approval. To do so would be setting up a theory of government that would stifle all progress. It would prevent two sovereign States from accomplishing something that would be of great benefit to a whole area and to all the people.

In conclusion, I wish to emphasize the fact that these bills only give the same privilege to New Jersey and Pennsylvania as had already been given to New York and New Jersey. We seek to have the same advantages in the Philadelphia area as now prevail in the New York area. There is no disadvantage shown to exist to the citizens of the United States as a result of the port of New York Authority, nor will there be any as a result of a similar authority for the port of Philadelphia. We respectfully urge approval of the compacts.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. FALLON]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the supplemental compact or agreement set forth below, and to each and every term and provision thereof: *Provided*, That nothing therein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of said supplemental compact or agreement or otherwise affected by the terms thereof: *Provided further*, That the consent of Congress hereby given shall not be construed to affect in any manner whatsoever the application of the internal-revenue laws of the United States to the bonds or other securities or obligations issued by the commission, their transfer and the income therefrom (including any profits made on the sale thereof):

SUPPLEMENTAL AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY

AMENDING AND SUPPLEMENTING THE AGREEMENT ENTITLED "AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY CREATING THE DELAWARE RIVER JOINT COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES," CHANGING THE NAME OF THE DELAWARE RIVER JOINT COMMISSION TO THE DELAWARE RIVER PORT AUTHORITY, CHANGING THE METHOD OF APPOINTMENT OF THE COMMISSIONERS, EXTENDING THE JURISDICTION, POWERS, AND DUTIES OF SAID THE DELAWARE RIVER PORT AUTHORITY, AND DEFINING SUCH ADDITIONAL JURISDICTION, POWERS, AND DUTIES

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other, as follows:

(1) Article I of the "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the 1st day of July, 1931, and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on the 1st day of July, 1931, and which was consented to by the Congress of the United States by Public Resolution No. 26, being chapter 258 of the Public Laws, Seventy-second Congress, approved the 14th day of June, 1932, is amended to read as follows:

Article I

The body corporate and politic, heretofore created and known as the Delaware River Joint Commission hereby is continued under the name of the Delaware River Port Authority (hereinafter in this agreement called the "commission"), which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes, and which shall be deemed to be exercising an essential governmental function in effectuating such purposes, to wit:

(a) The operation and maintenance of the bridge, owned jointly by the two States across the Delaware River between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of Camden in the State of New Jersey, including its approaches, and the making of additions and improvements thereto.

(b) The effectuation, establishment, construction, operation and maintenance of railroad or other facilities for the transportation of passengers across any bridge or tunnel owned or controlled by the commission, including extensions of such railroad or other facilities within the city of Camden and the city of Philadelphia necessary for efficient operation in the Port District.

(c) The improvement and development of the Port District for port purposes by or through the acquisition, construction, maintenance or operation of any and all projects for the improvement and development of the Port District for port purposes, or directly related thereto, either directly by purchase, lease or contract, or by lease or agreement with any other public or private body or corporation or in any other manner.

(d) Cooperation with all other bodies interested or concerned with, or affected by, the promotion, development or use of the Delaware River and the port district.

(e) The procurement from the Government of the United States of any consents which may be requisite to enable any project within its powers to be carried forward.

(f) The construction, acquisition, operation and maintenance of other bridges and tunnels across or under the Delaware River, between the city of Philadelphia and the State of New Jersey, including approaches and the making of additions and improvements thereto.

(g) The promotion as a highway of commerce of the Delaware River, and the promotion of increased passenger and freight commerce on the Delaware River and for such purpose the publication of literature and the adoption of any other means as may be deemed appropriate.

(h) To study and make recommendations to the proper authorities for the improvement of terminal, lighterage, wharfage, warehouse and other facilities necessary for the promotion of commerce on the Delaware River.

(i) Institution through its counsel, or such other counsel as it shall designate, or intervention in, any litigation involving rates, preferences, rebates or other matters vital to the interest of the port district; provided, that notice of any such institution of or intervention in litigation shall be given promptly to the Attorney General of the Commonwealth of Pennsylvania and to the Attorney General of the State of New Jersey, and provision for such notices shall be made in a resolution authorizing any such intervention or litigation and shall be incorporated in the minutes of the commission.

(j) The establishment, maintenance, rehabilitation, construction and operation of a rapid transit system for the transportation of passengers, express, mail, and baggage between points in New Jersey communities within the port district and within a 35 mile radius of the city of Camden, N. J., and points within the city of Philadelphia, Pa., and intermediate points. Such system may be established by either utilizing existing rapid transit systems, railroad facilities, highways and bridges within the territory involved or by the construction or provision of new facilities where deemed necessary.

(k) The performance of such other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the port district for port purposes and the use of its facilities by commercial vessels.

(2) Article II of said agreement is amended to read as follows:

Article II

The commission shall consist of 16 commissioners, eight resident voters of the Commonwealth of Pennsylvania and eight resident voters of the State of New Jersey, who shall serve without compensation.

The present members of the commission, including ex-officio members, shall continue to serve, respectively, as commissioners until the expiration of their terms or the terms of office by virtue of the holding of which they are members of the commission and until succeeding commissioners shall be appointed and qualify, except that the terms of the present members of the commission for the Commonwealth of Pennsylvania shall expire as of the date of the coming into force of the supplemental compact or agreement authorized by the act of the 1951 General Assembly of said Commonwealth providing for amendment of this article.

The commissioners for the State of New Jersey shall be appointed by the Governor of New Jersey with the advice and consent of the Senate of New Jersey, for terms of 5 years, and in case of a vacancy occurring in the office of commissioner during a recess of the legislature, it may be filled by the Governor by an ad interim appointment which shall expire at the end of the next regular session of the senate unless a successor shall be sooner appointed and qualify and, after the end of the session, no ad interim appointment to the same vacancy shall be made unless the Governor shall have submitted to the senate a nomination to the office during the session and the senate shall have adjourned without confirming or rejecting it, and no person nominated for any such vacancy shall be eligible for an ad interim appointment to such office if the nomination shall have failed of confirmation by the senate.

Six of the eight commissioners for the Commonwealth of Pennsylvania shall be appointed by the Governor of Pennsylvania for terms of 5 years. The Auditor General and the State Treasurer of said Commonwealth shall ex-officio be commissioners for said Commonwealth, each having the privilege of appointing a representative to serve in his place at any meeting of the commission which he does not attend personally.

All commissioners shall continue to hold office after the expiration of the terms for which they are appointed or elected until their respective successors are appointed and qualify, but no period during which any commissioner shall hold over shall be deemed to be an extension of his term of office for the purpose of computing the date on which his successor's term expires.

(3) Article IV of said agreement is amended to read as follows:

Article IV

For the effectuation of its authorized purposes the commission is hereby granted the following powers:

(a) To have perpetual succession.

(b) To sue and be sued.

(c) To adopt and use an official seal.

(d) To elect a chairman, vice-chairman, secretary and treasurer, and to adopt suitable bylaws for the management of its affairs. The secretary and treasurer need not be members of the commission.

(e) To appoint, hire, or employ counsel and such other officers and such agents and employees as it may require for the performance of its duties, by contract or otherwise, and fix and determine their qualifications, duties, and compensation.

(f) To enter into contracts.

(g) To acquire, own, hire, use, operate and dispose of personal property.

(h) To acquire, own, use, lease, operate, mortgage and dispose of real property and interests in real property, and to make improvements thereon.

(i) To grant by franchise, lease or otherwise, the use of any property or facility owned or controlled by the commission and to make charges therefor.

(j) To borrow money upon its bonds or other obligations, either with or without security, and to make, enter into and perform any and all such covenants and agreements with the holders of such bonds or other obligations as the commission may determine to be necessary or desirable for the security and payment thereof, including without limitation of the foregoing, covenants and agreements as to the management and operation of any property or facility owned or controlled by it, its tolls, rents, rates or other charges to be established, levied, made and collected for any use of any such property or facility, or the application, use and disposition of the proceeds of any bonds or other obligations of the commission or the proceeds of any such tolls, rents, rates or other charges or any other revenues or moneys of the commission.

(k) To exercise the right of eminent domain within the Port District.

(l) To determine the exact location, system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own, construct, establish, effectuate, operate or control.

(m) In addition to the foregoing, to exercise the powers, duties, authority and jurisdiction heretofore conferred and imposed upon the aforesaid the Delaware River Joint Commission by the Commonwealth of Pennsylvania or the State of New Jersey, or both of the said two States;

(n) To exercise all other powers not inconsistent with the constitution of the two States or of the United States, which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers, except the power to levy taxes or assessments, and generally to exercise in connection with its property and affairs, and in connection with property within its control, any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

(o) To acquire, purchase, construct, lease, operate, maintain and undertake any project, including any terminal, terminal facility, transportation facility, or any other facility of commerce and to make charges for the use thereof.

(p) To make expenditures anywhere in the United States and foreign countries, to pay commissions, and hire or contract with experts and consultants, and otherwise to do indirectly anything which the commission may do directly.

The commission shall also have such additional powers as may hereafter be delegated to or imposed upon it from time to time by the action of either State concurred in by legislation of the other.

It is the policy and intent of the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey that the powers granted by this article shall be so exercised that the American system of free competitive private enterprise is given full consideration and is maintained and furthered. In making its reports and recommendations to the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey on the need for any facility or project which the commission believes should be undertaken for the promotion and development of the Port District, the commission shall include therein its findings which fully set forth that the facility or facilities operated by pirvate enterprise within the Port District and which it is intended shall be supplanted or added to are not adequate.

(4) Article XI of said agreement is amended to read as follows:

Article XI

The effectuation of its authorized purposes by the commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions; and since the commission will be performing essential governmental functions in effectuating said purposes, the commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes, and the bonds or other securities or obligations issued by the commission, their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylavnia and the State of New Jersey.

To the end that municipalities may not suffer undue loss of tax revenue by reason of the acquisition and ownership of property therein by the commission, the commission is hereby authorized and empowered, in its discretion, to enter into a voluntary agreement or agreements with any municipality, whereby it will undertake to pay a fair and reasonable sum or sums to compensate the said municipality for any loss of tax revenue in connection with any property acquired by the commission after one thousand nine hundred and fifty other than property acquired for bridge, tunnel or passenger transportation purposes. Any such payment or payments which the commission is hereby authorized and empowered to make may be made on an annual basis, in which case the payment or payments shall not be in excess of the amount of the taxes upon the property when last assessed prior to the time of its acquisition by the commission, or such payment or payments may be made in a lump sum or sums, or over a stated period of years, as shall be agreed upon by and between the commission and such municipality. Every municipality wherein the property shall be acquired by the commission is authorized and empowered to enter into such agreement or agreements with the commission to accept the payment or payments which the commission is herein authorized and empowered to make.

(5) Article XII of said agreement is amended to read as follows:

Article XII

The commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions, and may make such additional reports from time to time to the Governors and legislatures as it may deem desirable. Copies thereof shall be available for public information and use.

Whenever the commission after investigation and study shall have concluded plans, with estimates of cost and means of financing, for any new project for a purpose other than any described in Article I, subdivisions (b) or (j) hereof, for transportation across or under the Delaware River within the Port District or improvement of the Delaware River's port facilities, the commission shall make to the legislature of each State a detailed report dealing only with the contemplated project and shall request of said legislatures authority to proceed with the project described and it shall not be within the power of the commission to construct,

erect or otherwise acquire any new facility or project, for a purpose other than any described in Article I, subdivisions (b) or (j) hereof, unless and until the legislatures of both States shall have authorized the commission to proceed with the project outlined in its special report thereon.

In addition to other powers conferred upon it, and not in limitation thereof, the commission may acquire all right, title and interest in and to the Tacony-Palmyra bridge, across the Delaware River at Palmyra, New Jersey, together with any approaches and interests in real property necessary thereto. The acquisition of such bridge, approaches and interests by the commission shall be by purchase or by condemnation in accordance with the provisions of the Federal law consenting to or authorizing the construction of such bridge and approaches, or the acquisition of such bridge, approaches or interests by the commission shall be pursuant to and in accordance with the provisions of section 48; 5-22 and 48: 5-23 of the Revised Statutes of New Jersey, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said Federal law or section to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The commission shall have authority to so acquire such bridge, approaches and interests, whether the same be owned, held, operated or maintained by any private person, firm, partnership, company, association or corporation or by any instrumentality, public body, commission, public agency or political subdivision (including any county or municipality) of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by an instrumentality, public body, commission or public agency of, or created by or in, a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania. None of the provisions of the preceding paragraph shall be applicable with respect to the acquisition by the commission, pursuant to this paragraph, of said Tacony-Palmyra bridge, approaches and interests. The power and authority herein granted to the commission to acquire said Tacony-Palmyra bridge, approaches and interests shall not be exercised unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania have filed with the commission their written consents to such acquisition.

It shall not be within the power of the commission to construct, erect, or otherwise acquire any new facility or project for a purpose described in Article I, subdivision (j) hereof, unless and until the commission shall have made to the Legislature and Governor of the State of New Jersey and to the Legislature and Governor of the Commonwealth of Pennsylvania a detailed report dealing only with such contemplated facility or project, and the Governor of said State and the Governor of said Commonwealth shall have filed with the commission their written consent to such construction, erection or acquisition.

Notwithstanding any provision of this agreement, nothing herein contained shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority, to finance, construct, operate and maintain the Pennsylvania Turnpike system or any turnpike-project of the New Jersey Turnpike Authority, respectively, throughout the Port District, including the right and power, acting alone or in conjunction with each other, to provide for the financing, construction, operation and maintenance of one bridge across the Delaware river south of the city of Trenton in the State of New Jersey; provided that such bridge shall not be constructed within a distance of ten miles, measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey, from the existing bridge, operated and maintained by the commission, across the Delaware River between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of Camden in the State of New Jersey, so long as there are any outstanding bonds or other securities or obligations of the commission for which the tolls, rents, rates, or other revenues, or any part thereof, of said existing bridge shall have been pledged. Nothing contained in this agreement shall be construed to authorize the commission to condemn any such bridge.

Anything herein contained to the contrary notwithstanding, no bridge or tunnel shall be constructed, acquired, operated or maintained by the commission across or under the Delaware River north of the boundary line between Bucks County and Philadelphia County in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river, and any new bridge or tunnel authorized by or pursuant to this compact or agreement to be constructed or erected by the commission may be constructed or erected at any location south of said boundary line notwithstanding the terms and provisions of any other agreement between the Commonwealth of Pennsylvania and the State of New Jersey. Except as may hereafter be otherwise provided in conformity with Article IX hereof with respect to specific properties designated by action of the Legislatures of both of the signatory States, no property or facility owned or controlled by the commission shall be acquired from it by any exercise of powers of condemnation or eminent domain.

(6) Said agreement is further amended by adding thereto, following the last article thereof, a new article reading as follows:

Article XIII

As used herein, unless a different meaning clearly appears from the context:

"Port District" shall mean all the territory within the counties of Delaware and Philadelphia in Pennsylvania, and all the territory within the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean and Salem in New Jersey.

"Commission" shall mean the Delaware River Port Authority and, when required by the context, the board constituting the governing body thereof in charge of its property and affairs.

"Commissioner" shall mean a member of the governing body of the Delaware River Port Authority.

"Terminal" shall include any marine, motor truck, railroad and air terminal, also any coal, grain and lumber terminal and any union freight and other terminals used or to be used in connection with the transportation of passengers and freight, and equipment, materials and supplies therefor.

"Transportation facility" and "facilities for transportation of passengers" shall include railroads operated by steam, electricity or other power, rapid transit lines, motor trucks, tunnels, bridges, airports, boats, ferries, carfloats, lighters, tugs, floating elevators, barges, scows, or harbor craft of any kind, and aircraft, and equipment, materials and supplies therefor.

"Terminal facility" shall include wharves, piers, slips, ferries, docks, drydocks, ship repair yards, bulkheads, dock walls, basins, car floats, float bridges, dredging equipment, radio receiving and sending stations, grain or other storage elevators, warehouses, cold storage, tracks, yards, sheds, switches, connections, overhead appliances, bunker coal, oil and fresh water stations, markets, and every kind of terminal, storage or supply facility now in use, or hereafter designed for use to facilitate passenger transportation and for the handling, storage, loading or unloading of freight at terminals, and equipment, materials and supplies therefor.

"Transportation of passengers" and "passenger transportation" shall mean the transportation of passengers by railroad or other facilities.

"Rapid transit system" shall mean a transit system for the transportation of passengers, express, mail and baggage by railroad or other facilities, and equipment, materials and supplies therefor.

"Project" shall mean any improvement, betterment, facility or structure authorized by or pursuant to this compact or agreement to be constructed, erected, acquired, owned or controlled or otherwise undertaken by the commission. "Project" shall not include undertakings for purposes described in Article I, subdivisions (a), (d), (e), (g), (h) and (i).

"Railroad" shall include railways, extensions thereof, tunnels, subways, bridges, elevated structures, tracks, poles, wires, conduits, powerhouses, substations, lines for the transmission of power, car barns, shops, yards, sidings, turnouts, switches, stations and approaches thereto, cars and motive equipment.

"Bridge" and "tunnel" shall include such approach highways and interests in real property necessary therefor in the Commonwealth of Pennsylvania or the State of New Jersey as may be determined by the commission to be necessary to facilitate the flow of traffic in the vicinity of a bridge or tunnel or to connect a bridge or tunnel with the highway system or other traffic facilities in said Commonwealth or said State; *Provided, however*, That the power and authority herein granted to the commission to construct new or additional approach highways shall not be exercised unless and until the Department of Highways of the Commonwealth of Pennsylvania shall have filed with the commission its written approval as to approach highways to be located in said Commonwealth and the State Highway Department of the State of New Jersey shall have filed with the commission its written approval as to approach highways to be located in said State.

"Facility" shall include all works, buildings, structures, property, appliances, and equipment, together with appurtenances necessary and convenient for the proper construction, equipment, maintenance and operation of a facility or facilities or any one or more of them.

"Personal property" shall include choses in action and all other property now commonly, or legally, defined as personal property, or which may hereafter be so defined.

"Lease" shall include rent or hire.

"Municipality" shall include a county, city, borough, village, township, town, public agency, public authority or political subdivision.

Words importing the singular number include the plural number and vice versa.

Wherever legislation or action by the Legislature of either signatory State is herein referred to it shall mean an act of the legislature duly adopted in accordance with the provisions of the constitution of such State.

In witness whereof, this 23d day of August, 1951, Alfred E. Driscoll has affixed his signature hereto as Governor of the State of

New Jersey and caused the great seal of the State to be attached thereto.

[GREAT SEAL] ALFRED E. DRISCOLL,
Governor, State of New Jersey.

Attest:

LLOYD B. MARSH,
Lloyd B. Marsh
Secretary of State.

In witness whereof, this 30th day of August, 1951, John S. Fine has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

[GREAT SEAL] JOHN S. FINE
Governor, Commonwealth of Pennsylvania.

Attest:

GENE D. SMITH
Gene D. Smith
Secretary of the Commonwealth.

SEC. 2. Subject to the provisions of the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission, as amended and supplemented, the Delaware River Port Authority (herein called the "commission"), formerly the Delaware River Joint Commission, is hereby authorized to construct, acquire, finance, operate, maintain and own bridges and tunnels across or under the Delaware River, including any bridge heretofore constructed under the authority or with the consent of the Congress, with such approaches thereto and highway connections as may be necessary or desirable, in accordance with the applicable provisions of section 502 (b) of the General Bridge Act of 1946 and section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U. S. C., sec. 403), and is further authorized to effectuate, establish, maintain, rehabilitate, construct and operate railroad or other facilities for the transportation of passengers across any such bridge or tunnel owned or controlled by the commission and a rapid transit system for passengers, express, mail, and baggage between points within the city of Philadelphia, Pennsylvania, and points within the State of New Jersey, and intermediate points.

SEC. 3. Notwithstanding any limitation on the collection of tolls as prescribed by section 506 of the General Bridge Act of 1946, as amended, or as prescribed by any Act heretofore enacted by the Congress authorizing or consenting to the construction or acquisition of any bridge constructed or acquired by the commission, the commission is hereby authorized to fix, charge and collect tolls or other charges for the use of any bridge or tunnel heretofore or hereafter established, controlled, constructed, or acquired by the commission, and to combine any two or more of such bridges or tunnels, or combine any one or more of such bridges or tunnels, with any railroad, rapid-transit system, or other properties or facilities for transportation, terminal or port improvement purposes (each such bridge, tunnel, railroad system, or other property or facility being hereinafter referred to as a "facility") heretofore or hereafter established, controlled, constructed or acquired by the commission, and combine the tolls or revenues therefrom, and to fix, charge, and collect tolls or other charges for the use of such facilities so combined, and to use or pledge any such tolls or other charges for purposes of financing, acquiring, constructing, operating or maintaining any facility or facilities, all to the extent provided by and in accordance with the provisions of the aforesaid compact or agreement as amended and supplemented, as consented to by the Congress, and the laws of the State of New Jersey and Commonwealth of Pennsylvania with respect thereto or to said commission: *Provided*, That, as a specific exemption from the provisions of section 506 of the General Bridge Act of 1946, as amended, the collection of tolls for the use of any bridge hereafter constructed or acquired by the commission, in excess of amounts reasonably required for the operation and maintenance thereof under economical management, shall cease at the expiration of fifty years from the date of the opening of traffic by the commission of the bridge latest constructed or acquired by said commission after the effective date of this Act, and the rate of such tolls shall be subject to the provisions of section 503 of the General Bridge Act of 1946, as amended.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 12, after the word "thereof", insert a parenthesis.

Page 24, line 8, after the word "desirable", insert a comma.

Page 26, line 2, after the word "opening", strike out the word "of" and substitute the word "to."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENNSYLVANIA AND NEW JERSEY PORT AUTHORITY

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8316) granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. SIEMINSKI. Mr. Speaker, I reserve the right to object; will the gentleman from Maryland explain the bill?

Mr. FALLON. Mr. Speaker, this bill creates a port authority between the States of Pennsylvania and New Jersey, and allows those two States to enter into a compact, which was agreed upon by their respective legislatures. It allows them to build toll bridges across the Delaware River. The tolls will terminate in 50 years from the date of the beginning of the last bridge. The money that is collected from the tolls can be used for other purposes that have to do with commerce. This simply gives the two State legislatures the right to enter into these compacts. We had before our committee the Governors of the two States, Members of the United States Senate from the two States, and many of the Members of the House from the two States. It was the thought of the committee that this does nothing but to give the States the right to form a compact which they would have a right to do. Had it not involved interstate commerce, they would not have to come to the Congress at all. There is a serious traffic condition in Camden and Philadelphia area the existing facilities cannot take care of. There are few places in the United States like it, where a river is the boundary line between the two cities, and it is necessary that they have some means of income from the bridges to complete other public-works projects for the public good, which they probably could not finance otherwise.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Michigan.

Mr. DONDERO. The nearest thing we have as a precedent to this is that which obtains in the State of New York, where they have used the income from the tolls to build other bridges, and in fact that was the only way they could get it.

Mr. FALLON. With one exception: In this compact they must go back to the legislatures of both States in order to start any new project. As I understand the New York compact, the Commission decides which projects to finance out of the tolls of existing bridges and tunnels.

Mr. DONDERO. That is right.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. I would like to inquire of the gentleman from New Jersey [Mr. SIEMINSKI] who has reserved the right to object, if he would submit what his objection really is. It is difficult for me to understand the position he takes at this time, in view of the fact that there is no difference of opinion whatsoever in southern New Jersey nor in the State of Pennsylvania. The mayors of Camden and Philadelphia are of the same political persuasion as is the gentleman who has reserved the right to object. They have been in Washington and testified before the committees in support of these bills.

This legislation is desired by every civic organization, financial, business, and all other groups, and so far as I know, the reservation of objection that has now been made by the gentleman from north New Jersey is the first and only objection that has been made by anybody to this legislation. The compacts were passed without objection by the legislatures of New Jersey and Pennsylvania, and approved by the respective governors of both States. They have the approval of all who are in authority in the areas that are affected by it, and I hope that the gentleman will give the matter the consideration which I think the importance of the bills are entitled to have. I do not want to believe that the gentleman is opposed to the same degree of progress in south New Jersey as has come to north New Jersey, nor to the opportunity these bills will give to the area within the jurisdiction of the bills to have the same opportunity to develop. I certainly hope that under the circumstances the gentleman will withdraw his reservation of objection.

Mr. SIEMINSKI. Mr. Speaker, I should like to state that I have no objection to anyone having any progress in any State. The question of progress

is, of course, at whose expense and for whose benefit. The booby trap in this bill is that it pledges tolls on a bridge or tunnel for 50 years even though the bridge might be paid for in 10 years. It allows for one project to finance others, to finance white elephants at commuters' expense. It soaks the toll payer. He unknowingly finances projects for big business which may not be purely for public purposes, though so stated.

I rise against abuses created in the northern part of the State in the operation of the Port of New York Authority over the past 30 years. I do not want to sit silent to allow this compact to go into effect without serving notice on that body and on all concerned that such abuse must cease and that it must not be given a chance to exist in the operation of this bill now before us.

I expressed my protest on such abuse on two separate occasions: First, before Chairman CELLER, chairman of the Committee on the Judiciary. His subcommittee heard my resolution; it called for the abolition of the New York Post Authority until such time as abuses were corrected. The resolution was tabled. Second: I appeared before Senator CHAVEZ's committee which considered the merits of the elements in this bill. I stated my objections. They are on record. I said I would fight the bill on the House floor if loopholes now in the New York-New Jersey Compact setting up the New York Port Authority were not closed.

Accordingly, in keeping with my statement, I fight this bill because it gives a hosing to toll-paying passengers.

For instance, this bill asks 50 years to amortize the payment of any installation. I do not think that that is fair to the toll-paying motorist. The Holland and the Lincoln Tunnels have over the years, and are today, keeping the whole New York Port Authority going. Tolls on these two projects are pledged way into the future. Pledged not to amortize the cost of the Holland and the Lincoln Tunnels, not pledged merely to service and maintain them, but pledged to pay off obligations incurred by the New York Port Authority on other installations including white elephants, and even on some in competition with private enterprise. The Holland and the Lincoln Tunnels have long since been paid for.

That is what I object to. If project No. 1 is going to pay for itself, and then you want project No. 2, let it be financed the same way project No. 1 was financed. I am objecting to piggy-back pledging these tolls for the next 50 years for various white elephants that might grow up, as they have grown up in the New York Port Authority area.

In the United States, a motorist pays a toll in the belief he is helping to pay off the cost and to service and repair the direct installation he uses. Nine out of ten toll payers through the Holland and the Lincoln Tunnels would hit the roof if they knew the truth, if they knew they were paying for warehouses, bus terminals, airports and white elephants. Basic morality would make them froth at the mouth at the facts, especially in the light of these tolls being pegged at 50 cents for so many years with no relief in sight for bread-and-butter commuters. That is the shame of this 50-year toll pledge deal. I tell you it is wrong, wrong, wrong. You are on slippery ground.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I think I know the objection the gentleman has to this type of legislation. In an attempt to meet those objections, amendments were made to the compact. I assure him that this is not the same kind of compact that he has complained about. The States of New Jersey and Pennsylvania find that they cannot finance this badly needed tunnel or bridge. The traffic between Philadelphia and Camden will amount to nearly 35,000,000 automobiles 2 years hence. There is only one crossing at this time. It is anticipated that the new bridge or tunnel, whichever the legislatures decide to construct, will take care of the traffic for some time to come; but it is entirely possible that in the near future it will be necessary to construct another bridge, and it is impossible to obtain the financing from the banking concerns that are going to finance these projects unless they are given 50 years within which to collect the tolls.

Furthermore, I would like to call the gentleman's attention to one other very important fact, that over 95 percent of the traffic across the Delaware River in the Philadelphia-Camden area is local traffic; so the people throughout the United States are not affected by compelling them to pay tolls for any unreasonable length of time.

Mr. SIEMINSKI. I appreciate the viewpoint of the gentleman from Pennsylvania, [Mr. WALTER], and if I may have just a few more minutes in which to state my objections for the RECORD, then I will go along with this.

The same talk made now here in favor of this legislation was heard, I understand, in this Congress around 1921 when New York and New Jersey wanted to set up a port authority. It was only for local purposes; it was only to facilitate commerce. Fine.

But you and I know that the motorists of the United States have been financing New York's huge projects. You hear of risk capital, venture capital. Why are the Port of New York Authority bonds tax-free? GI's cannot buy tax-free United States Government bonds, but the New York Port Authority can issue tax-free bonds. Some gravy, eh? That is No. 1.

Bond issuance and the parceling out of insurance are hush hush. How many GI's of World War II or of Korea hold New York Port authority tax-free bonds? How many disabled veterans hold them? Who gets the business? How? Why?

I say to the gentleman from New Jersey [Mr. WOLVERTON], for the RECORD, the abuses I know of in the operation of the Port of New York Authority must not exist in the operation of the Delaware Commission. With your pledge that they will not exist, I withdraw my objections to this bill.

However, I think the motorists of America and the AAA should be made to realize that a new movement is taking place in the United States; it puts the bite on tourists, vacationers, and commuters to finance big business operations, warehouses, bus terminals, airports, grain elevators, and so forth. Apprised of the facts, if the people consent, fine.

However, if we can use the World Bank for reconstruction and development, the Export-Import Bank, the RFC, and other fiscal sources for credit, where is the courage of private bankers? Why can not they insist, as does the Export-Import Bank, that each project justify itself? The Export-Import Bank allows no piggy-backing of projects for credit. Its profit record is first class; its losses miniscule.

If project No. 1 across the Delaware River could pay for itself, if a New Jersey turnpike could pay for itself and justify the risk capital that went into it, why cannot other projects justify themselves? I will tell you why some want this 50 years: Because they figure that with a 50-year period, although they may have a couple of white elephants, it will pay them off, but at the expense of bread-and-butter motorists.

Carried to an extreme, I say it is a racket. I want to go on record as saying such, but on Mr. WOLVERTON's assurances of no abuses, I will go along with this thing, and withdraw my objections so that I do not further oppose my very good friend, Mayor Brunner, who, the gentleman from New Jersey [Mr. WOLVERTON] assures me, is for the bill. I rather think Mayor Brunner is for the bridge and not the booby traps in the bill.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. WOLVERTON. I want to express appreciation to Mr. SIEMINSKI, the gentleman from North Jersey, for his action in withdrawing his objection, notwithstanding the sincerity of the views he has expressed. I can assure him it will be greatly appreciated in South Jersey and for the gentleman's comfort, may I say further, that amendments have been made to this bill that will eliminate the tax objection to which the gentleman has made reference. The amendments provide that the bonds and the obligations issued by the authority shall be subject to the internal revenue laws of the United States.

Mr. SIEMINSKI. Good. I just want the gentleman to know that I am going to pounce on this if it allows to come into being evils that now exist in the operations of the Port of New York Authority.

Go ahead with your bridge or tunnel, I will not hold up progress, but I serve notice personally, privately, and officially, and unofficially as far as this bill is concerned, in receding from my objections, I do not recede to grant a continuation of public abuse; I do not recede to promote private rackets under the guise

of public works at the expense of bread-and-butter toll-paying commuters.

I recede to promote progress, to promote the prompt convenience of the commuters of South Jersey and of northern Pennsylvania. I trust they will be alert to the facts involved. Good luck.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the supplemental compact or agreement set forth below, and to each and every term and provision thereof: *Provided*, That nothing therein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of said supplemental compact or agreement or otherwise affected by the terms thereof: *Provided further*, That the consent of Congress hereby given shall not be construed to affect in any manner whatsoever the application of the internal-revenue laws of the United States to the bonds or other securities or obligations issued by the commission, their transfer and the income therefrom (including any profits made on the sale thereof):

SUPPLEMENTAL AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY

AMENDING AND SUPPLEMENTING THE AGREEMENT ENTITLED "AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY CREATING THE DELAWARE RIVER JOINT COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES," CHANGING THE NAME OF THE DELAWARE RIVER JOINT COMMISSION TO THE DELAWARE RIVER PORT AUTHORITY, CHANGING THE METHOD OF APPOINTMENT OF THE COMMISSIONERS, EXTENDING THE JURISDICTION, POWERS AND DUTIES OF SAID THE DELAWARE RIVER PORT ANTHORITY, AND DEFINING SUCH ADDITIONAL JURISDICTION, POWERS AND DUTIES

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other, as follows:

(1) Article I of the "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the first day of July, one thousand nine hundred and thirty-one, and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on the first day of July, one thousand nine hundred and thirty-one, and which was consented to by the Congress of the United States by Public Resolution Number Twenty-six, being chapter two hundred fifty-eight of the Public Laws, Seventy-second Congress, approved the fourteenth day of June, one thousand nine hundred and thirty-two, is amended to read as follows:

Article I

The body corporate and politic, heretofore created and known as the Delaware River Joint Commission hereby is continued under the name of the Delaware River Port Authority (hereinafter in this agreement called the "commission"), which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes, and which shall be deemed to be exercising an essential governmental function in effectuating such purposes, to wit:

(a) The operation and maintenance of the bridge, owned jointly by the two States across the Delaware River between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of Camden in the State of New Jersey, including its approaches, and the making of additions and improvements thereto.

(b) The effectuation, establishment, construction, operation and maintenance of railroad or other facilities for the transportation of passengers across any bridge or tunnel owned or controlled by the commission, including extensions of such railroad or other facilities within the city of Camden and the city of Philadelphia necessary for efficient operation in the Port District.

(c) The improvement and development of the Port District for port purposes by or through the acquisition, construction, maintenance or operation of any and all projects for the improvement and development of the Port District for port purposes, or directly related thereto, either directly by purchase, lease or contract, or by lease or agreement with any other public or private body or corporation or in any other manner.

(d) Cooperation with all other bodies interested or concerned with, or affected by the promotion, development or use of the Delaware River and the Port District.

(e) The procurement from the Government of the United States of any consents which may be requisite to enable any project within its powers to be carried forward.

(f) The construction, acquisition, operation and maintenance of other bridges and tunnels across or under the Delaware River, between the city of Philadelphia and the State of New Jersey, including approaches and the making of additions and improvements thereto.

(g) The promotion as a highway of commerce of the Delaware River, and the promotion of increased passenger and freight commerce on the Delaware River and for such purpose the publication of literature and the adoption of any other means as may be deemed appropriate.

(h) To study and make recommendations to the proper authorities for the improvement of terminal, lighterage, wharfage, warehouse and other facilities necessary for the promotion of commerce on the Delaware River.

(i) Institution through its counsel, or such other counsel as it shall designate, or intervention in, any litigation involving rates, preferences, rebates or other matters vital to the interest of the Port District; provided, that notice of any such institution of or intervention in litigation shall be given promptly to the Attorney General of the Commonwealth of Pennsylvania and to the Attorney General of the State of New Jersey, and provision for such notices shall be made in a resolution authorizing any such intervention or litigation and shall be incorporated in the minutes of the commission.

(j) The establishment, maintenance, rehabilitation, construction and operation of a rapid transit system for the transportation of passengers, express, mail, and baggage between points in New Jersey communities within the Port District and within a thirty-five (35) mile radius of the city of Camden, New Jersey, and points within the city of Philadelphia, Pennsylvania, and intermediate points. Such system may be established by either utilizing existing rapid transit systems, railroad facilities, highways and bridges within the territory involved or by the construction or provision of new facilities where deemed necessary.

(k) The performance of such other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the Port District for port purposes and the use of its facilities by commercial vessels.

(2) Article II of said agreement is amended to read as follows:

Article II

The commission shall consist of sixteen commissioners, eight resident voters of the Commonwealth of Pennsylvania and eight resident voters of the State of New Jersey, who shall serve without compensation.

The present members of the commission, including ex-officio members, shall continue to serve, respectively, as commissioners until the expiration of their terms or the terms of office by virtue of the holding of which they are members of the commission and until succeeding commissioners shall be appointed and qualify, except that the terms of the present members of the commission for the Commonwealth of Pennsylvania shall expire as of the date of the coming into force of the supplemental compact or agreement authorized by the Act of the 1951 General Assembly of said Commonwealth providing for amendment of this article.

The commissioners for the State of New Jersey shall be appointed by the Governor of New Jersey with the advice and consent of the Senate of New Jersey, for terms of five years, and in case of a vacancy occurring in the office of commissioner during a recess of the legislature, it may be filled by the governor by an ad interim appointment which shall expire at the end of the next regular session of the senate unless a successor shall be sooner appointed and qualify and, after the end of the session, no ad interim appointment to the same vacancy shall be made unless the governor shall have submitted to the senate a nomination to the office during the session and the senate shall have adjourned without confirming or rejecting it, and no person nominated for any such vacancy shall be eligible for an ad interim appointment to such office if the nomination shall have failed of confirmation by the senate.

Six of the eight commissioners for the Commonwealth of Pennsylvania shall be appointed by the Governor of Pennsylvania for terms of five years. The auditor general and the state treasurer of said Commonwealth shall ex-officio be commissioners for said Commonwealth, each having the privilege of appointing a representative to serve in his place at any meeting of the commission which he does not attend personally.

All commissioners shall continue to hold office after the expiration of the terms for which they are appointed or elected until their respective successors are appointed and qualify, but no period during which any commissioner shall hold over shall be deemed to be an extension of his term of office for the purpose of computing the date on which his successor's term expires.

(3) Article IV of said agreement is amended to read as follows:

Article IV

For the effectuation of its authorized purposes the commission is hereby granted the following powers:

(a) To have perpetual succession.

(b) To sue and be sued.

(c) To adopt and use an official seal.

(d) To elect a chairman, vice-chairman, secretary and treasurer, and to adopt suitable bylaws for the management of its affairs. The secretary and treasurer need not be members of the commission.

(e) To appoint, hire, or employ counsel and such other officers and such agents and employees as it may require for the performance of its duties, by contract or otherwise, and fix and determine their qualifications, duties, and compensation.

(f) To enter into contracts.

(g) To acquire, own, hire, use, operate and dispose of personal property.

(h) To acquire, own, use, lease, operate, mortgage and dispose of real property and interests in real property, and to make improvements thereon.

(i) To grant by franchise, lease or otherwise, the use of any property or facility owned or controlled by the commission and to make charges therefor.

(j) To borrow money upon its bonds or other obligations, either with or without security, and to make, enter into and perform any and all such covenants and agreements with the holders of such bonds or other obligations as the commission may determine to be necessary or desirable for the security and payment thereof, including without limitation of the foregoing, covenants and agreements as to the management and operation of any property or facility owned or controlled by it, the tolls, rents, rates or other charges to be established, levied, made and collected for any use of any such property or facility, or the application, use and disposition of the proceeds of any bonds or other obligations of the commission or the proceeds of any such tolls, rents, rates or other charges or any other revenues or moneys of the commission.

(k) To exercise the right of eminent domain within the Port District.

(l) To determine the exact location, system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own, construct, establish, effectuate, operate or control.

(m) In addition to the foregoing, to exercise the powers, duties, authority and jurisdiction heretofore conferred and imposed upon the aforesaid the Delaware River Joint Commission by the Commonwealth of Pennsylvania or the State of New Jersey, or both of the said two States;

(n) To exercise all other powers not inconsistent with the constitutions of the two States or of the United States, which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers, except the power to levy taxes or assessments, and generally to exercise in connection with its property and affairs, and in connection with property within its control, any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

(o) To acquire, purchase, construct, lease, operate, maintain and undertake any project, including any terminal, terminal facility, transportation facility, or any other facility of commerce and to make charges for the use thereof.

(p) To make expenditures anywhere in the United States and foreign countries, to pay commissions, and hire or contract with experts and consultants, and otherwise to do indirectly anything which the commission may do directly.

The commission shall also have such additional powers as may hereafter be delegated to or imposed upon it from time to time by the action of either State concurred in by legislation of the other.

It is the policy and intent of the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey that the powers granted by this article shall be so exercised that the American system of free competitive private enterprise is given full consideration and is maintained and furthered. In making its reports and recommendations to the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey on the need for any facility or project which the commission believes should be undertaken for the promotion and development of the Port District, the commission shall include therein its findings which fully set forth that the facility or facilities operated by private enterprise within the Port District and which it is intended shall be supplanted or added to are not adequate.

(4) Article XI of said agreement is amended to read as follows:

Article XI

The effectuation of its authorized purposes by the commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions; and since the commission will be performing essential governmental functions in effectuating said purposes, the commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes, and the bonds or other securities or obligations issued by the commission, their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey.

To the end that municipalities may not suffer undue loss of tax revenue by reason of the acquisition and ownership of property therein by the commission, the commission is hereby authorized and empowered, in its discretion, to enter into a voluntary agreement or agreements with any municipality, whereby it will undertake to pay a fair and reasonable sum or sums to compensate the said municipality for any loss of tax revenue in connection with any property acquired by the commission after one thousand nine hundred and fifty other than property acquired for bridge, tunnel or passenger transportation purposes. Any such payment or payments which the commission is hereby authorized and empowered to make may be made on an annual basis, in which case the payment or payments shall not be in excess of the amount of the taxes upon the property when last assessed prior to the time of its acquisition by the commission, or such payment or payments may be made in a lump sum or sums, or over a stated period of years, as shall be agreed upon by and between the commission and such municipality. Every municipality wherein the property shall be acquired by the commission is authorized and empowered to enter into such agreement or agreements with the commission to accept the payment or payments which the commission is herein authorized and empowered to make.

(5) Article XII of said agreement is amended to read as follows:

Article XII

The commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions, and may make such additional reports from time to time to the governors and legislatures as it may deem desirable. Copies thereof shall be available for public information and use.

Whenever the commission after investigation and study shall have concluded plans, with estimates of cost and means of financing, for any new project for a purpose other than any described in Article I, subdivisions (b) or (j) hereof, for transportation across or under the Delaware River within the Port District or improvement of the Delaware river's port facilities, the commission shall make to the legislature of each State a detailed report dealing only with the contemplated project and shall request of said legislatures authority to proceed with the project described and it shall not be within the power of the commission to construct, erect or otherwise acquire any new facility or project, for a purpose other than any described in Article I, subdivisions (b) or (j) hereof, unless and until the legislatures of both States shall have authorized the commission to proceed with the project outlined in its special report thereon.

In addition to other powers conferred upon it, and not in limitation thereof, the commission may acquire all right, title and interest in and to the Tacony-Palmyra bridge, across the Delaware River at Palmyra, New Jersey, together with any approaches and interests in real property necessary thereto. The acquisition of such bridge, approaches and interests by the commission shall be by purchase or by condemnation in accordance with the provisions of the Federal law consenting to or authorizing the construction of such bridge and approaches, or the acquisition of such bridge, approaches or interests by the commission shall be pursuant to and in accordance with the provisions of section 48:5–22 and 48:5–23 of the Revised Statutes of New Jersey, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said Federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The commission shall have authority to so acquire such bridge, approaches and interests, whether the same be owned, held, operated or maintained by any private person, firm, partnership, company, association or corporation or by any instrumentality, public body, commission, public agency or political subdivision (including any county or municipality) of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by any instrumentality, public body, commission or public agency of, or created by or in, a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania. None of the provisions of the preceding paragraph shall be applicable with respect to the acquisition by the commission, pursuant to this paragraph, of said Tacony-Palmyra bridge, approaches and interests. The power and authority herein granted to the commission to acquire said Tacony-Palmyra bridge, approaches and interests shall not be exercised unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania have filed with the commission their written consents to such acquisition.

It shall not be within the power of the commission to construct, erect, or otherwise acquire any new facility or project for a purpose described in Article I, subdivision (j) hereof, unless and until the commission shall have made to the Legislature and Governor of the State of New Jersey and to the Legislature and Governor of the Commonwealth of Pennsylvania a detailed report dealing only with such contemplated facility or project, and the Governor of said State and the Governor of said Commonwealth shall have filed with the commission their written consents to such construction, erection or acquisition.

Notwithstanding any provision of this agreement, nothing herein contained shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority, to finance, construct, operate and maintain the Pennsylvania Turnpike System or any turnpike project of the New Jersey Turnpike Authority, respectively, throughout the Port District,

including the right and power, acting alone or in conjunction with each other, to provide for the financing, construction, operation and maintenance of one bridge across the Delaware river south of the city of Trenton in the State of New Jersey; provided that such bridge shall not be constructed within a distance of ten miles, measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey, from the existing bridge, operated and maintained by the commission, across the Delaware river between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of Camden in the State of New Jersey, so long as there are any outstanding bonds or other securities or obligations of the commission for which the tolls, rents, rates, or other revenues, or any part thereof, of said existing bridge shall have been pledged. Nothing contained in this agreement shall be construed to authorize the commission to condemn any such bridge.

Anything herein contained to the contrary notwithstanding, no bridge or tunnel shall be constructed, acquired, operated or maintained by the commission across or under the Delaware River north of the boundary line between Bucks county and Philadelphia county in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river, and any new bridge or tunnel authorized by or pursuant to this compact or agreement to be constructed or erected by the commission may be constructed or erected at any location south of said boundary line notwithstanding the terms and provisions of any other agreement between the Commonwealth of Pennsylvania and the State of New Jersey. Except as may hereafter be otherwise provided in conformity with Article IX hereof with respect to specific properties designated by action of the legislatures of both of the signatory States, no property or facility owned or controlled by the commission shall be acquired from it by any exercise of powers of condemnation or eminient domain.

(6) Said agreement is further amended by adding thereto, following the last article thereof, a new article reading as follows:

Article XIII

As used herein, unless a different meaning clearly appears from the context:

"Port District" shall mean all the territory within the counties of Delaware and Philadelphia in Pennsylvania, and all the territory within the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean and Salem in New Jersey.

"Commission" shall mean the Delaware River Port Authority and, when required by the context, the board constituting the governing body thereof in charge of its property and affairs.

"Commissioner" shall mean a member of the governing body of the Delaware River Port Authority.

"Terminal" shall include any marine, motor truck, railroad and air terminal, also any coal, grain and lumber terminal and any union freight and other terminals used or to be used in connection with the transportation of passengers and freight, and equipment, materials and supplies therefor.

"Transportation facility" and "facilities for transportation of passengers" shall include railroads operated by steam, electricity or other power, rapid transit lines, motor trucks, tunnels, bridges, airports, boats, ferries, carfloats, lighters, tugs, floating elevators, barges, scows, or harbor craft of any kind, and aircraft, and equipment, materials and supplies therefor.

"Terminal facility" shall include wharves, piers, slips, ferries, docks, drydocks, ship repair yards, bulkheads, dock walls, basins, carfloats, float-bridges, dredging equipment, radio receiving and sending stations, grain or other storage elevators, warehouses, cold storage, tracks, yards, sheds, switches, connections, overhead appliances, bunker coal, oil and fresh water stations, markets, and every kind of terminal, storage or supply facility now in use, or hereafter designed for use to facilitate passenger transportation and for the handling, storage, loading or unloading of freight at terminals, and equipment, materials and supplies therefor.

"Transportation of passengers" and "passenger transportation" shall mean the transportation of passengers by railroad or other facilities.

"Rapid transit system" shall mean a transit system for the transportation of passengers, express, mail and baggage by railroad or other facilities, and equipment, materials and supplies therefor.

"Project" shall mean any improvement, betterment, facility or structure authorized by or pursuant to this compact or agreement to be constructed, erected, acquired, owned or controlled or otherwise undertaken by the commission. "Project" shall not include undertakings for purposes described in Article I, subdivisions (a), (d), (e), (g), (h) and (i).

"Railroad" shall include railways, extensions thereof, tunnels, subways, bridges, elevated structures, tracks, poles, wires, conduits, powerhouses, substations, lines for the transmission of power, carbarns, shops, yards, sidings, turnouts, switches, stations and approaches thereto, cars and motive equipment.

"Bridge" and "tunnel" shall include such approach highways and interests in real property necessary therefor in the Commonwealth of Pennsylvania or the State of New Jersey as may be determined by the commission to be necessary to facilitate the flow of traffic in the vicinity of a bridge or tunnel or to connect a bridge or tunnel with the highway system or other traffic facilities in said Commonwealth or said State: *Provided, however*, that the power and authority herein granted to the commission to construct new or additional approach highways shall not be exercised unless and until the Department of Highways of the Commonwealth of Pennsylvania shall have filed with the commission its written approval as to approach highways to be located in said Commonwealth and the State Highway Department of the State of New Jersey shall have filed with the commission its written approval as to approach highways to be located in said State.

"Facility" shall include all works, buildings, structures, property, appliances, and equipment, together with appurtenances necessary and convenient for the proper construction, equipment, maintenance and operation of a facility or facilities or any one or more of them.

"Personal property" shall include choses in action and all other property now commonly, or legally, defined as personal property, or which may hereafter be so defined.

"Lease" shall include rent or hire.

"Municipality" shall include a county, city, borough, village, township, town, public agency, public authority or political subdivision.

Words importing the singular number include the plural number and vice versa.

Whenever legislation or action by the legislature of either signatory State is herein referred to it shall mean an act of the legislature duly adopted in accordance with the provisions of the constitution of such State.

In witness whereof, this 23d day of August, 1951, Alfred E. Driscoll has affixed his signature hereto as Governor of the State of New Jersey and caused the great seal of the State to be attached thereto.

[GREAT SEAL] ALFRED E. DRISCOLL,
Governor, State of New Jersey.

Attest:

LLOYD B. MARSH
Lloyd B. Marsh,
Secretary of State.

In witness whereof, this 30th day of August, 1951, John S. Fine has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

[GREAT SEAL] JOHN S. FINE,
Governor, Commonwealth of Pennsylvania.

Attest:

GENE D. SMITH
Gene D. Smith,
Secretary of the Commonwealth.

SEC. 2. Subject to the provisions of the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission, as amended and supplemented, the Delaware River Port Authority (herein called the "commission"), formerly the Delaware River Joint Commission, is hereby authorized to construct, acquire, finance, operate, maintain and own bridges and tunnels across or under the Delaware River, including any bridge heretofore constructed under the authority or with the consent of the Congress, with such approaches thereto and highway connections as may be necessary or desirable, in accordance with the applicable provisions of section 502 (b) of the General Bridge Act of 1946 and section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U. S. C., sec. 403), and is further authorized to effectuate, establish, maintain, rehabilitate, construct and operate railroad or other facilities for the transportation of passengers across any such bridges or tunnel owned or controlled by the commission and a rapid transit system for passengers, express, mail, and baggage between point within the city of Philadelphia, Pennsylvania, and points within the State of New Jersey, and intermediate points.

SEC. 3. Notwithstanding any limitation on the collection of tolls as prescribed by section 506 of the General Bridge Act of 1946, as amended, or as prescribed by any Act heretofore enacted by the Congress authorizing or consenting to the construction or acquisition of any bridge constructed or acquired by the commission, the commission is hereby authorized to fix, charge and collect tolls or other charges for the use of any bridge or tunnel heretofore or hereafter established, controlled, constructed, or acquired by the commission, and to combine any two or more of such bridges or tunnels, or combine any one or more of such bridges or tunnels, with any railroad, rapid-transit system, or other properties or facilities for transportation, terminal or port improvement purposes (each such bridge, tunnel, railroad, system, or other property or facility being hereinafter referred to as "facility") heretofore or hereafter established, controlled, constructed or acquired by the commission, and combine the tolls or revenues therefrom, and to fix, charge, and collect tolls or other charges for the use of such facilities so combined, and to use or pledge any such tolls or other charges for purposes of financing, acquiring, constructing, operating or maintaining any facility or facilities, all to the extent provided by and in accordance with the provisions of the aforesaid compact or agreement as amended and supplemented, as consented to by the Congress, and the laws of the State of New Jersey and Commonwealth of Pennsylvania with respect thereto or to said commission: *Provided,*

That, as a specific exemption from the provisions of section 506 of the General Bridge Act of 1946, as amended, the collection of tolls for the use of any bridge hereafter constructed or acquired by the commission, in excess of amounts reasonably required for the operation and maintenance thereof under economical management, shall cease at the expiration of fifty years from the date of the opening of traffic by the commission of the bridge latest constructed or acquired by said commission after the effective date of this Act, and the rate of such tolls shall be subject to the provisions of section 503 of the General Bridge Act of 1946, as amended.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 12, after the word "therefrom", insert (including any profits made on the sale thereof).

Page 14, line 17, after the word "transactions", insert a comma.

Page 26, line 2, after the word "opening", strike out the word "of" and insert the word "to."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FALLON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

DEFICIENCY APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CANNON, SIKES, and TABER.

OFFICE OF SUPERVISOR OF NEW YORK HARBOR

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8234) to amend section 5 of the act of June 29, 1888, relating to the office of Supervisor of New York Harbor, and its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair understands that the gentleman from New York [Mr. DONOVAN] objected yesterday, but that he has withdrawn his objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, this is the bill that transfers supervision from the Navy to the Corps of Engineers?

Mr. LARCADE. That is correct. The gentleman from New York [Mr. DONOVAN] has withdrawn his objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act entitled "An act to prevent obstructive and injurious deposits within the harbor and adjacent waters of New York City, by dumping or otherwise, and to punish and prevent such offenses," approved June 29, 1888, as amended (33 U. S. C. 451), is hereby amended to read as follows:

"SEC. 5. That an officer of the Corps of Engineers shall be designated by the Secretary of the Army as supervisor of the harbor, to act under the direction of the Chief of Engineers in enforcing the provisions of this act, and in detecting offenders against the same. This officer shall have personal charge and supervision under the Chief of Engineers, and shall direct the patrol boats and other means to detect and bring to punishment offenders against the provisions of this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTITUTION OF THE COMMONWEALTH OF PUERTO RICO

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 430, approving the Constitution of the Commonwealth of Puerto Rico, which was adopted by the people of Puerto Rico on March 3, 1952, with Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arizona? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ENGLE, BENTSEN, Mrs. BOSONE, Messrs. CRAWFORD, and Mr. MILLER of Nebraska.

BUNKER HILL DEVELOPMENT CORP.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4277) conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp., with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out all after "for" down to and including "York" in line 5 and insert "alleged damages arising out of the construction of Stewart Field, a United States Air Force Base located at Newburgh, N. Y., in such a manner as to allegedly destroy a housing development of said corporation, and for alleged damages to the property of said corporation by reason of the alleged failure of the Government to provide proper drainage from said Stewart Field, which resulted in the storm flooding of the property of the corporation."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ROBERT A. BUCHANAN

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4455) for the relief of Robert A. Buchanan, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 4, strike out "reinstate" and insert "renew."

Line 4, strike out "N-8683625" and insert "N-8683265."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

STAMEY CONSTRUCTION CO.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1267) to reimburse the Stamey Construction Co. and/or the Oklahoma Paving Co., as their interests appear, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Amend the title so as to read: "An act conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim of the Stamey Construction Co. and/or Oklahoma Paving Co."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING MILITARY PERSONNEL CLAIMS ACT OF 1945

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 404) to amend the Military Personnel Claims Act of 1945,

with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 11, after "claim", insert "not in excess of $2,500."

Page 5, line 6, after "contrary." insert "All such settlements shall be reported to the Congress annually by the heads of the departments concerned and the report shall state with respect to each settlement the name of the claimant, the amount claimed, and the amount paid."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, this then limits the payments that can be made to $2,500?

Mr. LANE. Yes. Not only that, but the department shall report to the Congress all the payments made, and the amounts paid, and to whom they were paid.

Mr. GROSS. As the bill passed the House, was it unlimited, or was there a limit of $5,000 or $6,000?

Mr. LANE. It was unlimited.

Mr. GROSS. I ask this question, may I say to the gentleman, because there is a bill pending before the House to pay ECA employees, who were evacuated from Korea, for personal property losses, very much in excess of what this bill provides.

Mr. LANE. This puts on a limitation of $2,500 and publicizes the names and the amounts.

Mr. GROSS. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred.

A motion to reconsider was laid on the table.

AMENDING THE TARIFF ACT OF 1930

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7594) to amend the Tariff Act of 1930, with respect to the importation of the feathers of wild birds, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1518 of the Tariff Act of 1930 (19 U. S. C., sec. 1001, par. 1518) is hereby amended by inserting "(a)" after "1518."; and by striking out the two provisos at the end of the first subparagraph and all the second subparagraph, and inserting in lieu thereof the following new subparagraphs:

"(b) Except as provided in subparagraphs (c) and (d), the importation of the feathers or skin of any bird is hereby prohibited. Such prohibition shall apply to the feathers or skin of any bird—

"(1) whether raw or processed;

"(2) whether the whole plumage or skin or any part of either;

"(3) whether or not attached to a whole bird or any part thereof; and

"(4) whether or not forming part of another article.

"(c) Subparagraph (b) shall not apply—

"(1) in respect of any of the following birds (other than any such birds which, whether or not raised in captivity, is a wild bird): chickens (including hens and roosters), turkeys, guinea fowl, geese, ducks, pigeons, ostriches, rheas, English ring-necked pheasants, and pea fowl;

"(2) to any importation for scientific or educational purposes;

"(2) to the importation of fully manufactured artificial flies used for fishing;

"(4) to the importation of birds which are classifiable under paragraph 1682; and

"(5) to the importation of live birds.

"(d) Notwithstanding subparagraph (b), there may be entered, or withdrawn from warehouse, for consumption in each calendar year the following quotas of skins bearing feathers:

"(1) For use in the manufacture of artificial flies used for fishing: (A) not more than 5,000 skins of grey jungle fowl (Gallus sonneratii), and (B) not more than 1,000 skins of mandarin duck (Dendronessa galericulata); and

"(2) For use in the manufacture of artificial flies used for fishing, or for millinery purposes, not more than 45,000 skins, in the aggregate of the following species of pheasant: Lady Amherst pheasant (Chrysolophus amherstiae), golden pheasant (Chrysolophus pictus), silver pheasant (Lophura nycthemera), Reeves pheasant (Syrmaticus reevesii), blue-eared pheasant (Crossoptilon auritum), and brown-eared pheasant (Crossoptilon mantchuricum).

For the purposes of this subparagraph any part of a skin which has been severed shall be considered to be a whole skin.

"(e) No article specified in subparagrah (d) shall be entered, or withdrawn from warehouse, for consumption except under a permit issued by the Secretary of the Interior. The Secretary of the Interior shall prescribe such regulations as may be necessary to carry out the purposes and provisions of subparagraph (d) (including regulations providing for equitable allocation among qualified applicants of the import quotas established by such subparagraph). Whenever the Secretary of the Interior finds that the wild supply of any species mentioned in subparagraph (d) is threatened with serious reduction or with extinction, he shall prescribe regulations which provide (to such extent and for such period as he deems necessary to meet such threat)—

"(1) in the case of grey jungle fowl or mandarin duck, for the reduction of the applicable import quota; or

"(2) in the case of any species of pheasant, for the reduction of the import quota established for pheasants, for the establishment of a subquota for such species of pheasant, or for the elimination of such species from the import quota for pheasants, or any combination thereof.

The authority granted to the Secretary of the Interior by the preceding sentence to reduce any import quota shall include authority to eliminate such quota.

"(f) Any article of a kind the importation of which is prohibited or subjected to a quota by subparagraphs (b), (c), and (d) and which is in the United States shall be presumed for the purposes of seizure and forfeiture to have been imported in violation of law and shall be seized and forfeited under the customs laws unless such presumption is satisfactorily rebutted, except that such presumption shall not apply to articles in actual use for personal adornment or for scientific or educational purposes. Any article so forfeited may (in the discretion of the Secretary of the Treasury and under such regulations as he may prescribe) (1) be placed with any agency of the Federal Government or of any State government, or any society or museum, for exhibition or scientific or educational purposes, or (2) be destroyed."

SEC. 2. Such paragraph 1518 is further amended by striking out "That nothing in this act" at the beginning of the third subparagraph thereof and inserting in lieu thereof "(g) Nothing in this act."

SEC. 3. Paragraph 1535 of such act is hereby amended by striking out the proviso at the end thereof.

SEC. 4. The amendments made by this act shall take effect at the close of the thirtieth day after the day on which this act is enacted. For the period beginning on the thirty-first day after the day on which this act is enacted and ending on December 31, 1952, the import quota established by paragraph 1518 (d) of the Tariff Act of 1930, as amended by this act, shall be the import quotas specified in such paragraph 1518 (d) for a full calendar year.

With the following committee amendments:

Page 2, line 12, strike out "birds" and insert "bird."

Page 2, line 15, strike out "rink neck" and insert "ring-necked."

Page 2, line 19, strike out "fully manufactured" and insert "fully-manufactured."

Page 3, line 20, strike out "subparagrah" and insert "subparagraph."

The committee amendments were agreed to.

Mr. EBERHARTER. Mr. Speaker, this bill would strengthen the provisions of existing tariff laws so as to aid in the conservation of wild birds. At the present time, feathers of wild birds can be imported only for use in the manufacture of artificial flies for fishing and for scientific or educational purposes. There are now no limitations on the importation of feathers of wild birds used in the manufacture of artificial flies for fishing and where such feathers are imported for this purpose the importers are only required to file affidavits to this effect.

Abuses have grown up under the affidavit system in that feathers of wild birds have been diverted from the stated purpose. Also some importers have claimed that the feathers are from domestic birds rather than wild birds. In general, the millinery industry cannot now legally import feathers of wild birds for its use.

This bill would remedy these abuses by setting up quotas for the importation of feathers and skins of certain wild birds for use in the manufacture of artificial flies used for fishing and for millinery purposes, and would continue to permit the importation of the feathers and skins of certain domestic birds. These importations would be under the administration of the Secretary of the Interior and a permit would be required before the feathers of birds could be entered or withdrawn from warehouse for consumption under the quotas established. If it should develop that wild birds are becoming extinct or their numbers are being seriously reduced, the Secretary of Interior would reduce or eliminate the quotas.

The National Audubon Society, and other organizations interested in the conservation of wild life, the Associated

Fishing and Tackle Manufacturers and the Feather Industries of America, Inc., have agreed that this bill would eliminate abuses with relation to the importation of feathers for use in the manufacture of artificial flies, the inequities as to the millinery industry and would limit the quantities imported to the maximum amount needed for the above purposes without endangering the supply of wild birds.

The Departments of Commerce and Interior reported favorably on this bill and the Treasury Department anticipates no administrative difficulties in administering it. The bill was reported unanimously by the Committee on Ways and Means.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, this bill would strengthen the provisions of existing tariff laws so as to aid in the conservation of wild birds. At the present time, feathers of wild birds can be imported only for use in the manufacture of artificial flies for fishing and for scientific or educational purposes. There are now no limitations on the importation of feathers of wild birds used in the manufacture of artificial flies for fishing and where such feathers are imported for this purpose the importers are only required to file affidavits to this effect.

Abuses have grown up under the affidavit system in that feathers of wild birds have been diverted from the stated purpose. Also some importers have claimed that the feathers are from domestic birds rather than wild birds. In general, the millinery industry cannot now legally import feathers of wild birds for its use.

This bill would remedy these abuses by setting up quotas for the importation of feathers and skins of certain wild birds for use in the manufacture of artificial flies used for fishing and for millinery purposes, and would continue to permit the importation of the feathers and skins of certain domestic birds. These importations would be under the administration of the Secretary of the Interior and a permit would be required before the feathers of birds could be entered or withdrawn from warehouse for consumption under the quotas established. If it should develop that wild birds are becoming extinct or their numbers are being seriously reduced, the Secretary of Interior would reduce or eliminate the quotas.

The National Audubon Society, and other organizations interested in the conservation of wild life, the Associated Fishing and Tackle Manufacturers, and the Feather Industries of America, Inc. have agreed that this bill would eliminate abuses with relation to the importation of feathers for use in the manufacture of artificial flies, the inequities as to the millinery industry and would limit the quantities imported to the maximum amount needed for the above purposes without endangering the supply of wild birds.

The Departments of Commerce and Interior reported favorably on this bill and the Treasury Department anticipates no administrative difficulties in administering it. The bill was reported unanimously by the Committee on Ways and Means.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTIES AND IMPORT TAXES ON METAL SCRAP

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6845) to continue until the close of June 30, 1953, the suspension of duties and import taxes on metal scrap and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of September 30, 1950 (Public Law 869, 81st Cong., ch. 1119, 2d sess.), is hereby amended by striking out "June 30, 1952" and inserting in lieu thereof "June 30, 1953."

Mr. EBERHARTER. Mr. Speaker, this measure simply extends to June 30, 1953, the suspension of duties and import taxes on metal scrap. This suspension of duties has been in existence for 3 or 4 years now. It is felt that the duty should not be imposed at the present time on scrap metal because of the emergency requirements.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FERMENTED MALT LIQUORS

Mr. FORAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6241) to provide for the refund or credit of the internal-revenue tax paid on fermented malt liquors lost or rendered unmarketable by reason of the floods of 1951 where such fermented malt liquors were in possession of, first, the original taxpayer; second, a dealer who sells fermented malt liquors at wholesale; or, third, a dealer who sells fermented malt liquors at retail.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

Mr. GROSS. Reserving the right to object, Mr. Speaker, is this a bill to pay losses on liquor that has been damaged in floods, or something of that kind? May we have an explanation of this bill?

Mr. FORAND. Yes, I can give the gentleman an explanation. This does not pay for the merchandise itself, it merely provides for the refund or credit of taxes that have been paid on beer that was lost in the flood. It was intended that this should be covered in the Internal Revenue Act of 1951, when we did the same thing for distilled liquors, but, unfortunately, through an oversight beer was left out. This just provides for the refund of the taxes, and it must be a refund or credit only to the original taxpayer, the wholesaler, or the retailer.

Mr. GROSS. What about service station operations on the western border of Iowa, that were affected by the Missouri River flood? Are those service station operators going to be reimbursed for their tax loss on gasoline? And what about the drug stores that were flooded? Are they going to be reimbursed for the taxes paid on cigarettes?

Mr. FORAND. I would not object to anybody getting a refund of taxes on merchandise he cannot dispose of.

Mr. GROSS. Under the circumstances, Mr. Speaker, I am going to have to object to the consideration of this bill until more people are brought under it. If this is good legislation for the liquor dealers it is good legislation for everybody who suffers a loss from a flood who has paid a Federal tax on the goods damaged.

I object to the consideration of the bill.

Mr. FORAND. Has the gentleman introduced any legislation to that effect?

Mr. GROSS. No, but this legislation ought to be amended to take in everyone.

Mr. Speaker, I object.

Mr. FORAND. The gentleman is free to introduce any legislation he wants. I assure the gentleman I will go along with him on the refund of taxes on any merchandise that is lost in a flood. Once you have paid a tax on something you do not have, you are entitled to a refund. I hope the gentleman will change his mind and go along with us on this.

The SPEAKER. The gentleman does not seem disposed to do that. Objection is heard.

AMENDMENT OF SECTION 3115, REVISED STATUTES

Mr. KING of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6245) to amend section 3115, Revised Statutes, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3115, Revised Statutes, as amended (19 U. S. C., sec. 258), is amended to read as follows:

"If the owner or master of such vessel furnishes good and sufficient evidence—

"(1) that such vessel, while in the regular course of her voyage, was compelled, by stress of weather or other casualty, to put into such foreign port and purchase such equipments, or make such repairs, to secure the safety and seaworthiness of the vessel to enable her to reach her port of destination; or

"(2) that such equipments or parts thereof or repair parts or materials, were manufactured or produced in the United States, and the labor necessary to install such equipments or to make such repairs was performed by residents of the United States, or by members of the regular crew of such vessel; or

"(3) that such equipments, or parts thereof, or materials, or labor, were used as dunnage for cargo, or for the packing or shoring thereof, or in the erection of bulkheads or other similar devices for the control of bulk cargo, or in the preparation of tanks for the carriage of liquid cargo.

then the Secretary of the Treasury is authorized to remit or refund such duties, and such vessel shall not be liable to forfeiture, and no license or enrollment and license, or renewal of either, shall hereafter be issued to any such vessel until the collector to whom application is made for the same shall be satisfied, from the oath of the owner or master, that all such equipments or parts thereof or materials and repairs made within the year immediately preceding such application have been duly accounted for under the provisions of this and the preceding sections, and the duties accruing thereon duly paid; and if such owner or master shall refuse to take such oath, or take it falsely, the vessel shall be seized and forfeited."

With the following committee amendments:

Page 1, line 5, at the beginning of the line insert "SEC. 3115."

Page 2, line 14, after "cargo" insert a comma and the following: "and that the need for such equipments, or parts thereof, or materials could not reasonably have been foreseen when the vessel left the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT CALENDAR AND SUSPENSIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar may be in order on Wednesday of next week, and that the Speaker on Wednesday of next week may recognize for suspension of the rules.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. COLMER. Reserving the right to object, Mr. Speaker, and I shall not object, may I call the attention of the distinguished majority leader to the bill H. R. 7888, on which there is a resolution out of the Rules Committee? Since that is a privileged resolution, I was hopeful the majority leader might see fit to place that bill on the program for consideration at the earliest possible date.

Mr. McCORMACK. As I recollect the rules, seven legislative days after being reported out of the Rules Committee it is a privileged matter having equal status with other privileged matters that might be before the House at the time. I understand the gentleman, as a member of the Rules Committee, is serving notice on me that he would like to have the resolution programed for next week, when the resolution will have been out of committee over seven legislative days. Is that correct?

Mr. COLMER. That is correct, on my behalf and on behalf of the gentleman from Virginia [Mr. SMITH].

Mr. McCORMACK. The gentleman is acting within his rights. I appreciate the fact that he has taken the method he has to call it to my attention. Under those circumstances, I shall program it for next week. For the gentleman's information, so that he may not think it will be Friday or Saturday of next week, I shall do everything I can to program it for Wednesday.

Mr. COLMER. I just hope the gentleman can program it as early as Wednesday and not later than Wednesday.

Mr. McCORMACK. I assure the gentleman I shall do everything I possibly can, and as I am talking now I see no reason why it cannot be programed for Wednesday. Of course, I do not know what the situation will be then in relation to conference reports, and so forth. My friend of course is aware of that, as well as I am or any other Member. However, I shall program it for Wednesday. That means that if there is any other matter which takes priority it will be on the program and be the first order of free business.

Mr. COLMER. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

IMMIGRATION AND NATIONALITY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 520)

The SPEAKER laid before the House the following message from the President of the United States, which was read and together with the accompanying papers was ordered to be printed as a House document:

To the House of Representatives:

I return herewith, without my approval, H. R. 5678, the proposed Immigration and Nationality Act.

In outlining my objections to this bill, I want to make it clear that it contains certain provisions that meet with my approval. This is a long and complex piece of legislation. It has 164 separate sections, some with more than 40 subdivisions. It presents a difficult problem of weighing the good against the bad, and arriving at a judgment on the whole.

H. R. 5678 is an omnibus bill which would revise and codify all of our laws relating to immigration, naturalization, and nationality.

A general revision and modernization of these laws unquestionably is needed and long overdue, particularly with respect to immigration. But this bill would not provide us with an immigration policy adequate for the present world situation. Indeed, the bill, taking all its provisions together, would be a stop backward and not a step forward. In view of the crying need for reform in the field of immigration, I deeply regret that I am unable to approve H. R. 5678.

In recent years, our immigration policy has become a matter of major national concern. Long dormant questions about the effect of our immigration laws now assume first-rate importance. What we do in the field of immigration and naturalization is vital to the continued growth and internal development of the United States—to the economic and social strength of our country—which is the core of the defense of the free world. Our immigration policy is equally, if not more, important to the conduct of our foreign relations and to our responsibilities of moral leadership in the struggle for world peace.

In one respect, this bill recognizes the great international significance of our immigration and naturalization policy, and takes a step to improve existing laws. All racial bars to naturalization would be removed, and at least some minimum immigration quota would be afforded to each of the free nations of Asia.

I have long urged that racial or national barriers to naturalization be abolished. This was one of the recommendations in my civil rights message to the Congress on February 2, 1948. On February 19, 1951, the House of Representatives unanimously passed a bill to carry it out.

But now this most desirable provision comes before me embedded in a mass of legislation which would perpetuate injustices of long standing against many other nations of the world, hamper the efforts we are making to rally the men of east and west alike to the cause of freedom, and intensify the repressive and inhumane aspects of our immigration procedures. The price is too high, and in good conscience I cannot agree to pay it.

I want all our residents of Japanese ancestry, and all our friends throughout the Far East, to understand this point clearly. I cannot take the step I would like to take and strike down the bars that prejudice has erected against them, without, at the same time, establishing new discriminations against the peoples of Asia and approving harsh and repressive measures directed at all who seek a new life within our boundaries. I am sure that with a little more time and a little more discussion in this country the public conscience and the good sense of the American people will assert themselves, and we shall be in a position to enact an immigration and naturalization policy that will be fair to all.

In addition to removing racial bars to naturalization, the bill would permit American women citizens to bring their alien husbands to this country as nonquota immigrants, and enable alien husbands of resident women aliens to come in under the quota in a preferred status. These provisions would be a step toward preserving the integrity of the family under our immigration laws, and are clearly desirable.

The bill would also relieve transportation companies of some of the unjustified burdens and penalties now imposed upon them. In particular, it would put an end to the archaic requirement that carriers pay the expenses of aliens detained at the port of entry, even though such aliens have arrived with proper travel documents.

But these few improvements are heavily outweighed by other provisions of the bill which retain existing defects in our

laws, and add many undesirable new features.

The bill would continue, practically without change, the national origins quota system, which was enacted into law in 1924, and put into effect in 1929. This quota system—always based upon assumptions at variance with our American ideals—is long since out of date and more than ever unrealistic in the face of present world conditions.

This system hinders us in dealing with current immigration problems, and is a constant handicap in the conduct of our foreign relations. As I stated in my message to Congress on March 24, 1952, on the need for an emergency program of immigration from Europe:

> Our present quota system is not only inadequate to meet present emergency needs, it is also an obstacle to the development of an enlightened and satisfactory immigration policy for the long-run future.

The inadequacy of the present quota system has been demonstrated since the end of the war, when we were compelled to resort to emergency legislation to admit displaced persons. If the quota system remains unchanged, we shall be compelled to resort to similar emergency legislation again, in order to admit any substantial portion of the refugees from communism or the victims of overcrowding in Europe.

With the idea of quotas in general there is no quarrel. Some numerical limitation must be set, so that immigration will be within our capacity to absorb. But the over-all limitation of numbers imposed by the national origins quota system is too small for our needs today, and the country by country limitations create a pattern that is insulting to large numbers of our finest citizens, irritating to our allies abroad, and foreign to our purposes and ideals.

The over-all quota limitation, under the law of 1924, restricted annual immigration to approximately 150,000. This was about one-seventh of 1 percent of our total population in 1920. Taking into account the growth in population since 1920, the law now allows us but one-tenth of 1 percent of our total population. And since the largest national quotas are only partly used, the number actually coming in has been in the neighborhood of one-fifteenth of 1 percent. This is far less than we must have in the years ahead to keep up with the growing needs of our Nation for manpower to maintain the strength and vigor of our economy.

The greatest vice of the present quota system, however, is that it discriminates, deliberately and intentionally, against many of the peoples of the world. The purpose behind it was to cut down and virtually eliminate immigration to this country from southern and eastern Europe. A theory was invented to rationalize this objective. The theory was that in order to be readily assimilable, European immigrants should be admitted in proportion to the numbers of persons of their respective national stocks already here as shown by the census of 1920. Since Americans of English, Irish, and German descent were most numerous, immigrants of those three nationalities got the lion's share—more than two-thirds—of the total quota. The remaining third was divided up among all the other nations given quotas.

The desired effect was obtained. Immigration from the newer sources of southern and eastern Europe was reduced to a trickle. The quotas allotted to England and Ireland remained largely unused, as was intended. Total quota immigration fell to a half or third—and sometimes even less—of the annual limit of 154,000. People from such countries as Greece or Spain or Latvia were virtually deprived of any opportunity to come here at all, simply because Greeks or Spaniards or Latvians had not come here before 1920 in any substantial numbers.

The idea behind this discriminatory policy was, to put it baldly, that Americans with English or Irish names were better people and better citizens than Americans with Italian or Greek or Polish names. It was thought that people of west European origin made better citizens than Rumanians or Yugoslavs or Ukrainians or Hungarians or Balts or Austrians. Such a concept is utterly unworthy of our traditions and our ideals. It violates the great political doctrine of the Declaration of Independence that "all men are created equal." It denies the humanitarian creed inscribed beneath the Statue of Liberty proclaiming to all nations, "Give me your tired, your poor, your huddled masses yearning to breathe free."

It repudiates our basic religious concepts, our belief in the brotherhood of man, and in the words of St. Paul "there is neither Jew nor Greek, there is neither bond nor free, for ye are all one in Christ Jesus."

The basis of this quota system was false and unworthy in 1924. It is even worse now. At the present time, this quota system keeps out the very people we want to bring in. It is incredible to me that, in this year of 1952, we should again be enacting into law such a slur on the patriotism, the capacity, and the decency of a large part of our citizenry.

Today, we have entered into an alliance, the North Atlantic Treaty, with Italy, Greece, and Turkey against one of the most terrible threats mankind has ever faced. We are asking them to join with us in protecting the peace of the world. We are helping them to build their defenses, and train their men, in the common cause. But, through this bill, we say to their people: You are less worthy to come to this country than Englishmen or Irishmen; you Italians, who need to find homes abroad in the hundreds of thousands—you shall have a quota of 5,645; you Greeks, struggling to assist the helpless victims of a Communist civil war—you shall have a quota of 308; and you Turks, you are brave defenders of the eastern flank, but you shall have a quota of only 225.

Today we are protecting ourselves, as we were in 1924, against being flooded by immigrants from Eastern Europe. This is fantastic. The countries of Eastern Europe have fallen under the Communist yoke; they are silenced, fenced off by barbed wire and mine fields; no one passes their borders but at the risk of his life. We do not need to be protected against immigrants from these countries; on the contrary, we want to stretch out a helping hand, to save those who have managed to flee into Western Europe, to succor those who are brave enough to escape from barbarism, to welcome and restore them against the day when their countries will, as we hope, be free again. But this we cannot do, as we would like to do, because the quota for Poland is only 6,500, as against the 138,000 exiled Poles all over Europe, who are asking to come to these shores; because the quota for the now subjugated Baltic countries is little more than 700, against the 23,000 Baltic refugees imploring us to admit them to a new life here; because the quota for Rumania is only 289, and some 30,000 Rumanians who have managed to escape the labor camps and the mass deportations of their Soviet masters, have asked our help. These are only a few examples of the absurdity, the cruelty of carrying over into this year of 1952 the isolationist limitations of our 1924 law.

In no other realm of our national life are we so hampered and stultified by the dead hand of the past as we are in this field of immigration. We do not limit our cities to their 1920 boundaries; we do not hold corporations to their 1920 capitalizations; we welcome progress and change to meet changing condition in every sphere of life except in the field of immigration.

The time to shake off this dead weight of past mistakes is now. The time to develop a decent policy of immigration—a fitting instrument for our foreign policy and a true reflection of the ideals we stand for, at home and abroad—is now. In my earlier message on immigration, I tried to explain to the Congress that the situation we face in immigration is an emergency—that it must be met promptly. I have pointed out that in the last few years we have blazed a new trail in immigration, through our displaced persons program. Through the combined efforts of the Government and private agencies, working together not to keep people out, but to bring qualified people in, we summoned our resources of good will and human feeling to meet the task. In this program, we have found better techniques to meet the immigration problems of the 1950's.

None of this fruitful experience of the last 3 years is reflected in this bill before me. None of the crying human needs of this time of trouble is recognized in this bill. But it is not too late. The Congress can remedy these defects, and it can adopt legislation to meet the most critical problems before adjournment.

The only consequential change in the 1924 quota system which the bill would make is to extend a small quota to each of the countries of Asia. But most of the beneficial effects of this gesture are offset by other provisions of the bill. The countries of Asia are told in one breath that they shall have quotas for their nationals, and in the next, that the nationals of the other countries, if their ancestry is as much as 50 percent Asian, shall be charged to these quotas.

It is only with respect to persons of oriental ancestry that this invidious discrimination applies. All other persons are charged to the country of their birth. But persons with Asian ancestry are charged to the countries of Asia, wherever they may have been born, or however long their ancestors have made their homes outside the land of their origin. These provisions are without justification.

I now wish to turn to the other provisions of the bill, those dealing with the qualifications of aliens and immigrants for admission, with the administration of the laws, and with problems of naturalization and nationality. In these provisions, too, I find objections that preclude my signing this bill.

The bill would make it even more difficult to enter our country. Our resident aliens would be more easily separated from homes and families under grounds of deportation, both new and old, which would specifically be made retroactive. Admission to our citizenship would be made more difficult; expulsion from our citizenship would be made easier. Certain rights of native born, first generation Americans would be limited. All our citizens returning from abroad would be subjected to serious risk of unreasonable invasions of privacy. Seldom has a bill exhibited the distrust evidenced here for citizens and aliens alike—at a time when we need unity at home, and the confidence of our friends abroad.

We have adequate and fair provisions in our present law to protect us against the entry of criminals. The changes made by the bill in those provisions would result in empowering minor immigration and consular officials to act as prosecutor, judge, and jury in determining whether acts constituting a crime have been committed. Worse, we would be compelled to exclude certain people because they have been convicted by "courts" in Communist countries that know no justice. Under this provision, no matter how construed, it would not be possible for us to admit many of the men and women who have stood up against totalitarian repression and have been punished for doing so. I do not approve of substituting totalitarian vengeance for democratic justice. I will not extend full faith and credit to the judgments of the Communist secret police.

The realities of a world only partly free, would again be ignored in the provision flatly barring entry to those who made misrepresentations in securing visas. To save their lives and the lives of loved ones still imprisoned, refugees from tyranny sometimes misstate various details of their lives. We do not want to encourage fraud. But we must recognize that conditions in some parts of the world drive our friends to desperate steps. An exception restricted to cases involving misstatement of country of birth is not sufficient. And to make refugees from oppression forever deportable on such technical grounds is shabby treatment, indeed.

Some of the new grounds of deportation which the bill would provide are unnecessarily severe. Defects and mistakes in admission would serve to deport at any time because of the bill's elimination, retroactively as well as prospectively, of the present humane provision barring deportations on such grounds 5 years after entry. Narcotic drug addicts would be deportable at any time, whether or not the addiction was culpable, and whether or not cured. The threat of deportation would drive the addict into hiding beyond the reach of cure, and the danger to the country from drug addiction would be increased.

I am asked to approve the reenactment of highly objectionable provisions now contained in the Internal Security Act of 1950—a measure passed over my veto shortly after the invasion of South Korea. Some of these provisions would empower the Attorney General to deport any alien who has engaged or has had a purpose to engage in activities "prejudicial to the public interest" or "subversive to the national security." No standards or definitions are provided to guide discretion in the exercise of powers so sweeping. To punish undefined "activities" departs from traditional American insistence on established standards of guilt. To punish an undefined "purpose" is thought control.

These provisions are worse than the infamous Alien Act of 1798, passed in a time of national fear and distrust of foreigners, which gave the President power to deport any alien deemed "dangerous to the peace and safety of the United States." Alien residents were thoroughly frightened and citizens much disturbed by that threat to liberty.

Such powers are inconsistent with our democratic ideals. Conferring powers like that upon the Attorney General is unfair to him as well as to our alien residents. Once fully informed of such vast discretionary powers vested in the Attorney General, Americans now would and should be just as alarmed as Americans were in 1798 over less drastic powers vested in the President.

Heretofore, for the most part, deportation and exclusion have rested upon findings of fact made upon evidence. Under this bill, they would rest in many instances upon the "opinion" or "satisfaction" of immigration or consular employees. The change from objective findings to subjective feelings is not compatible with our system of justice. The result would be to restrict or eliminate judicial review of unlawful administrative action.

The bill would sharply restrict the present opportunity of citizens and alien residents to save family members from deportation. Under the procedures of present law, the Attorney General can exercise his discretion to suspend deportation in meritorious cases. In each such case, at the present time, the exercise of administrative discretion is subject to the scrutiny and approval of the Congress. Nevertheless, the bill would prevent this discretion from being used in many cases where it is now available, and would narrow the circle of those who can obtain relief from the letter of the law. This is most unfortunate, because the bill, in its other provisions, would impose harsher restrictions and greatly increase the number of cases deserving equitable relief.

Native-born American citizens who are dual nationals would be subjected to loss of citizenship on grounds not applicable to other native-born American citizens. This distinction is a slap at millions of Americans whose fathers were of alien birth.

Children would be subjected to additional risk of loss of citizenship. Naturalized citizens would be subjected to the risk of denaturalization by any procedure that can be found to be permitted under any State law or practice pertaining to minor civil lawsuits. Judicial review of administrative denials of citizenship would be severely limited and impeded in many cases and completely eliminated in others. I believe these provisions raise serious constitutional questions. Constitutionality aside, I see no justification in national policy for their adoption.

Section 401 of this bill would establish a Joint Congressional Committee on Immigration and Nationality Policy. This committee would have the customary powers to hold hearings and to subpena witnesses, books, papers, and documents. But the committee would also be given powers over the executive branch which are unusual and of a highly questionable nature. Specifically, section 401 would provide that "the Secretary of State and the Attorney General shall without delay submit to the committee all regulations, instructions, and all other information as requested by the committee relative to the administration of this act."

This section appears to be another attempt to require the executive branch to make available to the Congress administrative documents, communications between the President and his subordinates, confidential files, and other records of that character. It also seems to imply that the committee would undertake to supervise or approve regulations. Such proposals are not consistent with the constitutional doctrine of the separation of powers.

In these and many other respects, the bill raises basic questions as to our fundamental immigration and naturalization policy, and the laws and practices for putting that policy into effect.

Many of the aspects of the bill which have been most widely criticized in the public debate are reaffirmations or elaboration of existing statutes or administrative procedures. Time and again, examination discloses that the revisions of existing law that would be made by the bill are intended to solidify some restrictive practice of our immigration authorities, or to overrule or modify some ameliorative decision of the Supreme Court or other Federal courts. By and large, the changes that would be made by the bill do not depart from the basically restrictive spirit of our existing laws—but intensify and reinforce it.

These conclusions point to an underlying condition which deserves the most careful study. Should we not undertake a reassessment of our immigration policies and practices in the light of the conditions that face us in the second half

of the twentieth century? The great popular interest which this bill has created, and the criticism which it has stirred up, demand an affirmative answer. I hope the Congress will agree to a careful reexamination of this entire matter.

To assist in this complex task, I suggest the creation of a representative commission of outstanding Americans to examine the basic assumptions of our immigration policy, the quota system and all that goes with it, the effect of our present immigration and nationality laws, their administration, and the ways in which they can be brought into line with our national ideals and our foreign policy.

Such a commission should, I believe, be established by the Congress. Its membership should be bipartisan and divided equally among persons from private life and persons from public life. I suggest that four members be appointed by the President, four by the President of the Senate, and four by the Speaker of the House of Representatives. The commission should be given sufficient funds to employ a staff and it should have adequate powers to hold hearings, take testimony, and obtain information. It should make a report to the President and to the Congress within a year from the time of its creation.

Pending the completion of studies by such a commission, and the consideration of its recommendations by the Congress, there are certain steps which I believe it is most important for the Congress to take this year.

First, I urge the Congress to enact legislation removing racial barriers against Asians from our laws. Failure to take this step profits us nothing and can only have serious consequences for our relations with the peoples of the Far East. A major contribution to this end would be the prompt enactment by the Senate of H. R. 403. That bill, already passed by the House of Representatives, would remove the racial bars to the naturalization of Asians.

Second, I strongly urge the Congress to enact the temporary, emergency immigration legislation which I recommended 3 months ago. In my message of March 24, 1952, I advised the Congress that one of the gravest problems arising from the present world crisis is created by the overpopulation in parts of Western Europe. That condition is aggravated by the flight and expulsion of people from behind the iron curtain. In view of these serious problems, I asked the Congress to authorize the admission of 300,000 additional immigrants to the United States over a 3-year period. These immigrants would include Greek nationals, Dutch nationals, Italians from Italy and Trieste, Germans and persons of German ethnic origin, and religious and political refugees from communism in Eastern Europe. This temporary program is urgently needed. It is very important that the Congress act upon it this year. I urge the Congress to give prompt and favorable consideration to the bills introduced by Senator HENDRICKSON and Representative CELLER (S. 3109 and H. R. 7373), which will implement the recommendations contained in my message of March 24.

I very much hope that the Congress will take early action on these recommendations. Legislation to carry them out will correct some of the unjust provisions of our laws, will strengthen us at home and abroad, and will serve to relieve a great deal of the suffering and tension existing in the world today.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 25, 1952.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and the message and bill printed as a House document.

Mr. WALTER. Mr. Speaker, I move that further proceedings be postponed until tomorrow.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania.

The motion was agreed to.

The SPEAKER. Under the previous order of the House, the gentleman from Massachusetts [Mr. KENNEDY] is recognized for 15 minutes.

SHOULD AN OLD MASSACHUSETTS INDUSTRY BE PENALIZED?

Mr. KENNEDY. Mr. Speaker, I want to express my alarm over the strangulation of the fishing industry of Massachusetts by vastly increased imports of groundfish fillets from other nations. If the trend continues, as it shows every sign of doing, the investment of many millions of American capital will be wiped out and thousands of men who have made fishing a lifelong career will be out of work. The ports of Boston, New Bedford, and Gloucester are particularly affected.

In the case of Gloucester, a community of some 25,000 people, the fishing industry gives employment, directly or indirectly, to more than two-thirds of the entire working population. Consequently, the banking, mercantile, in fact the entire business structure of the city depends for survival on the local fisheries. If they are destroyed, Gloucester will become a dead city, since it can turn to no other industry.

In 1940, less than 10,000,000 pounds of fillets entered this country from foreign sources, principally from Canada and Newfoundland. Five years later, this figure had risen to more than 43,000,000 pounds. In 1950, imports mounted to nearly 67,000,000 pounds, and, in 1951, soared to more than 87,000,000 pounds.

For the first 4 months of 1952 imports had reached 42,734,478 pounds compared with 31,662,446 pounds in the same period of 1951. If imports continue at the same rate throughout the current year, total imports will rise to the fantastic total of more than 110,000,000 pounds. In other words, imports would reach something like 75 percent of total New England production. I think it fair to say that, unless emergency measures are taken to correct the situation, the crack of doom is sounding for an industry which has flourished in New England for many generations.

The increased imports are coming from Iceland, Norway, Denmark, Greenland, particularly Iceland, whose production of groundfish fillets mushroomed during World War II. Before 1940 annual Iceland production was around 1,000,000 pounds. By 1945 it had grown to 53,000,000, and in 1949 to 80,000,000 pounds. Because of the loss of European markets, Iceland exports dropped thereafter, but the United States has taken more than 15,000,000 pounds in the first 4 months of this year.

I am a firm believer in the philosophy of the Reciprocal Trade Agreements Act, for which Cordell Hull labored so long and ably; and I am a firm believer in subsequent international agreements by which other nations have been enabled to sell their products in the United States, as we sell our products to them. World trade can never be a one-way street. But neither the Reciprocal Trade Agreements Act nor any international agreement has ever contemplated the assassination of an industry, such as is now happening in Massachusetts.

To make that perfectly clear, Congress last year passed H. R. 1612, now Public Law No. 50 of the Eighty-second Congress, otherwise known as the Bailey amendment to the Reciprocal Trade Agreements Act. This resolution provides that if a product on which a concession has been granted is being imported into this country in such amounts that the domestic industry is being seriously injured, or is threatened with serious injury, then the concession may be withdrawn, modified, or an import quota established to afford proper and adequate protection to that industry. The fishing industry of Massachusetts is asking for such relief through the United States Tariff Commission.

It is rather ironic that the filleting of fish, an American idea for which a huge market has been developed, has backfired against its originators. Formerly, whole fish, bones and all, were sold to the retail markets. Fillets consist of boneless slabs of flesh cut from the sides of fish. These slabs are wrapped in cellophane and packed in 5- or 10-pound laminated cardboard boxes. Foreign nations have seized this popular idea and, because of lower labor and other costs and because of governmental subsidies of various kinds, have been able to take over a large part of the American market.

Under prevailing tariff formulas, it has been determined that in the current year, more than 31,000,000 pounds of groundfish fillets can be imported at the very low rate of 1⅞ cents per pound, and an unlimited amount at the rate of 2½ cents. These rates offer small obstacles to foreign producers, whose costs of processing, packing, and freezing fillets give them an advantage of from 11 to 15 cents a pound in shipping fillets to this country. When a duty of 1⅞ or 2½ cents is deducted, foreign operators still have a wide margin of operation.

These other countries pay considerably lower sums to their fishermen than we

do. The same is true of workers who process the fish. In addition, the governments of these competing countries have subsidized the building of vessels, processing plants, and freezers and even have subsidized transportation. In some cases, American money has financed these subsidies schemes, so that American taxpayers have helped foreign governments to compete unfairly with our own countrymen.

Two years ago, the United States Fish and Wildlife Service, with industry's cooperation, asked Congress to supply funds for study of the possibility of freezing fish at sea. Such a development would be revolutionary in its implications for our Massachusetts fishing industry because of cost reductions. The appropriation requested was small, just enough to cover bare necessities, such as transfer of a trawler to the Fish and Wildlife Service. Yet Congress cut the amount so drastically that it has become impossible to operate the trawler for more than 6 months at a time, seriously hampering the progress of the study.

At the same time, ECA was able to find $750,000 to give to Portugal to build and maintain a hospital ship for its countrymen who were fishing the Grand Banks. ECA was able to give Indonesia $1,200,000 to develop its commercial fishery potentials. Iceland got $315,000 to buy industrial supplies and commodities, including cardboard boxes used in packing fillets. I make no criticism of ECA's remarkable efforts to strengthen the war-torn economies of other countries, but I do insist that when its efforts tend to wreck American industry, action should be taken to redress the balance.

As I have said, the present tariff duties represent no obstacle to the foreign producer. His heavy original advantage of low cost allows him a very high mark-up at the selling point. Our own domestic fillet is based upon actual cost of manufacturing plus a normal mark-up. The foreign producer, having a greater gross profit at the outset, assures himself of a substantial net profit by offering his fillets at prices slightly below those listed for American-produced fillets.

It is freely admitted by the Massachusetts fishing industry that if the American housewife were able to buy foreign fillets for much less than domestic fillets would cost her, then it could not logically sustain a case against importers. But that is not true.

There is very little difference, if any, between the retail prices of the domestic fillet and the retail price of the imported fillet. So, actually, the domestic producer finds himself in the unhappy predicament of providing an umbrella for the foreign producer. Surely such a situation cannot have been contemplated by the philosophy of the reciprocal-trade pacts.

I have spoken of the need for emergency relief, and I now cite to you some very significant evidence, namely, the telltale one of rising inventories. On January 1, 1952, there were nearly 21,000,000 pounds of ocean perch in cold storage, compared with less than 10,000,000 pounds in 1951. In other words, there was an increase of 11,000,000 pounds—an amount impossible to move on any regular-price schedule. The result is to throw fish on the market at sacrifice prices—real losses.

These are the portents of disaster.

I am obviously not arguing for exclusion of all foreign groundfish fillets from the American market, but only for a realistic approach of live and let live. I believe a fair and equitable quota limitation should be established. I believe that the rate of duty on all fillets should be adjusted so as to provide a greater degree of protection for the domestic industry.

Recognition of the problem was given by the Committee on the New England Economy in its July 1951 report to the President of the United States, when it said that one of the major problems "facing the New England fishing industry is the increasing competition from foreign sources. Imports provided only 4 percent of United States consumption of fresh and frozen fish in 1931; they accounted for 23 percent in 1948."

As a Member of Congress from Massachusetts, I believe it is my grave duty to call attention to what seems a classic case of inequity and injustice to an industry which for many generations has been interwoven with the honorable and gallant traditions of my State.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks was granted to:

Mrs. KEE and to include a sermon delivered by the Rev. E. A. deBordenave, rector of Old Christ Church, Philadelphia, Pa., on the occasion of the one hundred and seventy-fifth anniversary of the signing of the Declaration of Independence.

Mr. KLUCZYNSKI and to include a resolution by the Back of the Yards Council of Chicago.

Mr. LYLE and to include extraneous matter.

Mr. ASPINALL in two instances, in each to include extraneous matter.

Mr. BOLLING and to include extraneous matter.

Mr. CLEMENTE and to include extraneous matter.

Mr. LANTAFF and to include a letter.

Mr. RANKIN on the so-called soldiers' voting bill and include a speech he made on this subject when the matter was before the House several years ago.

Mr. SMITH of Wisconsin in four instances, in each to include extraneous matter.

Mr. BOW and to include an editorial.

Mr. MULTER in two separate instances, in each to include extraneous matter, and to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mrs. ROGERS of Massachusetts and to include a colloquy between herself and the gentleman from Texas last week, which through error was not in the CONGRESSIONAL RECORD.

Mr. SIKES and to include extraneous material.

Mr. RHODES and to include an editorial.

Mr. ROGERS of Florida to revise and extend his remarks made today and to include extraneous material.

Mr. BONNER.

Mr. DOYLE in three instances and to include appropriate material.

Mr. HAVENNER and to include a radio broadcast.

Mr. LYLE to include with his remarks on the Smith amendment a compilation of powers heretofore granted by the Congress to the President of the United States.

Mr. POULSON in two instances and to include extraneous matter.

Mr. MILLER of New York in three instances and to include two resolutions and an editorial.

Mr. VAN ZANDT and to include extraneous matter.

Mr. JENISON and to include extraneous matter, and also to extend his remarks previous to the vote on the Smith amendment.

Mr. OSTERTAG in two instances and to include extraneous matter.

Mr. SIMPSON of Pennsylvania and to include a statement on two bills which passed on June 23.

Mr. SADLAK and to include an editorial.

Mr. FINE and to include extraneous material.

Mr. REES of Kansas and to include extraneous matter.

Mr. GAVIN.

Mr. O'NEILL and to include an editorial.

Mr. JOHNSON.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2813. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Collbran reclamation project, Colorado;

H. R. 7405. An act to provide for an economical, efficient, and effective supply management organization with the Department of Defense through the establishment of a single supply cataloging system, the standardization of supplies and the more efficient use of supply testing, inspection, packaging, and acceptance facilities and services; and

H. R. 7714. An act to amend the Universal Military Training and Service Act, as amended, and for other purposes.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2214. An act to amend section 709 of title 18 of the United States Code.

BILLS PRESENTED TO THE PRESIDENT

Mr. STANLEY, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On June 21, 1952:

H. R. 5990. An act to amend the Federal Civil Defense Act of 1950; and

H. R. 6291. An act to amend section 281 (f) of the Social Security Act with respect to effective dates of agreements entered into with States before January 1, 1954.

On June 24, 1952:

H. R. 160. An act to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks;

H. R. 699. An act for the relief of Mrs. Blanche Richards, owner of the Bozarth Nursing Home, Toppenish, Wash.;

H. R. 812. An act for the relief of Karel Vaclav Malinovsky;

H. R. 856. An act for the relief of Dr. James F. Spindler;

H. R. 885. An act for the relief of Heinrich von Biel, Margarethe von Biel, and Doris Schumann;

H. R. 966. An act for the relief of Mrs. Solveig Normanson;

H. R. 1097. An act for the relief of Ethel White, Frankie Ezell, and Ralph James;

H. R. 1261. An act for the relief of Alexander L. Wiesiolowski;

H. R. 1583. An act for the relief of Francis A. Gunn;

H. R. 1690. An act for the relief of Carl M. Campbell, James R. White, and Frederick J. Powers;

H. R. 1788. An act to authorize the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians to make contracts with approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe;

H. R. 1847. An act for the relief of Margaret Frankel;

H. R. 2221. An act for the relief of Gertrude Manhal;

H. R. 2296. An act for the relief of Mother Anna Fasulo;

H. R. 2413. An act for the relief of the Kloman Instrument Co., Inc.;

H. R. 2510. An act for the relief of Mrs. Beverly Brunell Roth;

H. R. 2595. An act for the relief of Clarice D'Amico and Chiara Antonucci;

H. R. 2629. An act for the relief of Dr. Leonidas M. Peppas;

H. R. 2718. An act for the relief of Enrique M. Orpilla;

H. R. 2719. An act for the relief of Philip Fugh, Sarah Liu Fugh, and John Fugh;

H. R. 2810. An act for the relief of James Nels Elberg;

H. R. 2832. An act for the relief of Leszek Kazimierz Pawlowicz;

H. R. 3155. An act for the relief of Sebastiano Bello, Dino Bianchi, Pierino Ciccarese, Vincenzo Dall'Alda, Vittorio De Gasperi, Salvatore Puggioni, Giovanni Battista Volpato, and Leone Montini;

H. R. 3220. An act for the relief of Joseph Wynn Steel and William Peter Kruse;

H. R. 3501. An act for the relief of Takae Nomura;

H. R. 3534. An act for the relief of Gabriella Rubido Zichy;

H. R. 3616. An act for the relief of the Pacific Fruit Express Co.;

H. R. 4067. An act for the relief of Samuel Thomas Wong;

H. R. 4070. An act for the relief of Isabelle F. Story;

H. R. 4182. An act for the relief of Clarence Sudbeck;

H. R. 4344. An act for the relief of Clyde R. Sharp;

H. R. 4465. An act for the relief of Angela Moniz McCracken;

H. R. 4543. An act for the relief of Mrs. Priscill. Crowley;

H. R. 5185. An act for the relief of Epifania Giacone;

H. R. 5208. An act for the relief of Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza;

H. R. 5301. An act for the relief of Leonard Jesse Richards (Michio Inoue);

H. R. 5349. An act for the relief of Mrs. Edith P. Powell;

H. R. 5479. An act for the relief of the estate of Floyd L. Greenwood;

H. R. 5526. An act for the relief of Dr. J. Ernest Ayre;

H. R. 5543. An act for the relief of Mrs. Elisabeth Rosalia Haste;

H. R. 5599. An act to provide for the conveyance of the Centre Hill Mansion, Petersburg, Va., to the Petersburg Battlefield Museum Corp., and for other purposes;

H. R. 5687. An act for the relief of Peter Mihaly Berend;

H. R. 5755. An act for the relief of Chong So Yong;

H. R. 5759. An act for the relief of Chizuko Nakagami;

H. R. 5957. An act for the relief of Veronica Merita Ritson;

H. R. 6010. An act for the relief of Mrs. Lennie G. Clarkson and William E. Clarkson;

H. R. 6023. An act for the relief of Fred Augustus Snead, Jr.;

H. R. 6117. An act for the relief of Delina Meulenkamp;

H. R. 6152. An act for the relief of Lucille Hujima;

H. R. 6231. An act for the relief of Gordon Uglow;

H. R. 6259. An act to authorize the admission of Wong Ng Chin Chun to the United States;

H. R. 6264. An act for the relief of Louis R Chadbourne;

H. R. 6500. An act to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder;

H. R. 6635. An act to exempt from taxation certain property of the AMVETS, American Veterans of World War II, in the District of Columbia;

H. R. 6754. An act to provide that salaries of rural carriers serving heavily patronized routes shall not be reduced by reason of increases in the length of such routes;

H. R. 6857. An act to amend section 7a of the act entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928;

H. R. 6943. An act to fix the seniority rights and service of Albert O. Raeder as sergeant in the District of Columbia Fire Department;

H. R. 7030. An act to amend certain acts and parts of acts which require the submission of documents to the Post Office Department under oath, and for other purposes;

H. R. 7250. An act to authorize the conveyance to the Columbia Hospital for Women and Lying-In Asylum of certain parcels of land in the District of Columbia, and for other purposes;

H. R. 7496. An act to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, as amended, so as to extend to June 30, 1955, the period for authorization for appropriations for carrying out the purposes of the act as amended;

H. R. 7758. An act to revise certain laws relating to the mail-messenger service;

H. R. 7783. An act to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes; and

H. R. 7877. An act to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ASPINALL to be absent from the sessions of the House for the balance of the week beginning at 4:30 this afternoon to attend a meeting of the Missouri Basin Conservation Commission in Denver, as well as the Democratic Party congressional and State assemblies in Colorado on Friday and Saturday.

Mr. DAVIS of Tennessee (at the request of Mr. PRIEST), for 1 week, on account of official business.

ADJOURNMENT

Mr. RABAUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 41 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Thursday, June 26, 1952, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1602. A letter from the Under Secretary of Agriculture, transmitting the report on cooperation of the United States with Mexico in the control and eradication of foot-and-mouth disease for the month of April 1952, pursuant to Public Law 8, Eightieth Congress; to the Committee on Agriculture.

1603. A letter from the Under Secretary of the Interior, transmitting a copy of each of certain legislation passed by the Municipal Council of St. Thomas and St. John and the Municipal Council of St. Croix, pursuant to section 16 of the Organic Act of the Virgin Islands of the United States approved June 22, 1936; to the Committee on Interior and Insular Affairs.

1604. A letter from the Under Secretary of the Interior, transmitting a copy of each of certain laws enacted by the First Guam Legislature, pursuant to section 19 of Public Law 360, Eighty-first Congress, the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

1605. A letter from the Acting Director, Administrative Office of the United States Courts, transmitting a draft of a proposed bill entitled, "A bill to amend section 372 of title 28, United States Code, with respect to the appointment of additional judges when permanently disabled judges fail to retire"; to the Committee on the Judiciary.

1606. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled, "A bill to provide an income credit in the case of civil service annuities received by nonresident alien individuals not engaged in trade or business within the United States"; to the Committee on Ways and Means.

1607. A letter from the Secretary of the Treasury, transmitting the annual report for the fiscal year ending June 30, 1951, of the exchange stabilization fund created by section 10 (b) of the Gold Reserve Act of 1934, including a summary of operations of the fund from its establishment to June 30, 1951, pursuant to section 10 (a) of the Gold Reserve Act of 1934, approved January 30, 1934, as amended; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 51. A bill to change

the name of Medicine Creek Reservoir in Frontier County of the State of Nebraska to Harry Strunk Lake; without amendment (Rept. No. 2296). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 7487. A bill to amend section 1 of the act approved June 27, 1947 (61 Stat. 189); with amendment (Rept. No. 2297). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURDOCK: Committee on Interior and Insular Affairs. H. R. 7553. A bill to amend the act entitled "An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona," approved August 18, 1941 (55 Stat. 630); without amendment (Rept. No. 2298). Referred to the Committee of the Whole House on the State of the Union.

Mr. REGAN: Committee on Interior and Insular Affairs. H. R. 8341. A bill to amend the act of July 31, 1947 (61 Stat. 681); without amendment (Rept. No. 2299). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 8194. A bill to amend an act approved May 26, 1928, relating to a bridge across the Mississippi River at Bettendorf, Iowa; without amendment (Rept. No. 2307). Referred to the House Calendar.

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 7104. A bill to amend the act of Congress of September 3, 1935 (49 Stat. 1085), as amended; with amendment (Rept. No. 2308). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRYSON: Committee on the Judiciary. H. R. 8273. A bill to amend title 17 of the United States Code entitled "Copyrights" with respect to the day for taking action when the last day for taking such action falls on Saturday, Sunday, or a holiday; without amendment (Rept. No. 2309). Referred to the House Calendar.

Mr. HART: Committee on Merchant Marine and Fisheries. S. 556. An act authorizing the transfer of certain lands in Putnam County, Fla., to the State Board of Education of Florida for the use of the University of Florida for educational purposes; without amendment (Rept. No. 2310). Referred to the Committee of the Whole House on the State of the Union.

Mr. KARSTEN of Missouri: Committee on Post Office and Civil Service. H. R. 554. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; with amendment (Rept. No. 2311). Referred to the Committee of the Whole House on the State of the Union.

Mr. BUCKLEY: Committee on Public Works. H. R. 6436. A bill to change the name of the Bonneville Power Administration to the Columbia Power Administration; without amendment (Rept. No. 2313). Referred to the House Calendar.

Mr. BUCKLEY: Committee on Public Works. S. 1989. An act to designate the lake to be formed by the waters impounded by the Chief Joseph Dam in the State of Washington as Rufus Woods Lake; without amendment (Rept. No. 2314). Referred to the House Calendar.

Mr. THOMAS: Committee of Conference. H. R. 7072. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1953, and for other purposes (Report No. 2315). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMULLEN: Committee on Interior and Insular Affairs. H. R. 6274. A bill to authorize the issuance of a patent in fee to Charles I. Chattin; without amendment (Rept. No. 2295). Referred to the Committee of the Whole House.

Mr. CASE: Committee on the Judiciary. H. R. 6938. A bill for the relief of Wong Gook Ying; without amendment (Rept. No. 2300). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 6969. A bill to effect entry of a minor child adopted by United States citizens; with amendment (Rept. No. 2301). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 7164. A bill for the relief of Peter Rousetos, also known as Panagiotis Roussetos, also known as Panagiotis Roussetos Metritikas; without amendment (Rept. No. 2302). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 7713. A bill for the relief of Giesela Helen Snowdy; without amendment (Rept. No. 2303). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 7833. A bill for the relief of Prof. Werner Richter; with amendment (Rept. No. 2304). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 7850. A bill for the relief of Leopold Laufer and Elfriede Laufer; without amendment (Rept. No. 2305). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 8163. A bill for the relief of Hildegard Hobmeier; without amendment (Rept. No. 2306). Referred to the Committee of the Whole House.

Mr. BROOKS: Committee on Armed Services. S. 2582. An act to authorize and direct the Secretary of the Army to convey a certain tract of land in Russell County, Ala, to W. T. Heard; without amendment (Rept. No. 2312). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTLE:

H. R. 8355. A bill to establish a legal holiday to be known as American Management Day; to the Committee on the Judiciary.

By Mr. HESELTON:

H. R. 8356. A bill to provide for the separation of subsidy from air-mail pay, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LOVRE:

H. R. 8357. A bill to provide for the control of noxious weeds on federally owned or controlled lands; to the Committee on Agriculture.

By Mr. WINSTEAD:

H. R. 8358. A bill to amend the Universal Military Training and Service Act, as amended; to the Committee on Armed Services.

By Mr. GOODWIN:

H. Res. 709. Resolution providing for sending to the United States Court of Claims the bill (H. R. 1918) for the relief of Dewey J. Crites, Jack Mayta, and James Willette; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. GOODWIN: Memorial of the Massachusetts Legislature urging the establishment of a national cemetery for the New England area, to be located within the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs.

By Mr. HESELTON: Memorial of the Senate of Massachusetts urging the establishment of a national cemetery for the New England area, to be located within the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs.

By Mrs. ROGERS of Massachusetts: Memorial of the Senate of Massachusetts urging the establishment of a national cemetery for the New England area to be located within the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, urging the establishment of a national cemetery for the New England area, to be located within the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H. R. 8359. A bill for the relief of Daniel Robert Leary; to the Committee on the Judiciary.

By Mr. ENGLE:

H. R. 8360. A bill to provide for perfecting the title of C. A. Lundy to certain lands in the State of California heretofore patented by the United States; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H. R. 8361. A bill for the relief of Pavol J. Olas; to the Committee on the Judiciary.

By Mr. GAMBLE:

H. R. 8362. A bill for the relief of Carlo Andreoli or Carlo Mario Fernando Andreoli; to the Committee on the Judiciary.

By Mrs. HARDEN:

H. R. 8363. A bill for the relief of Sin Hyun Sook; to the Committee on the Judiciary.

By Mr. KERSTEN of Wisconsin:

H. R. 8364. A bill for the relief of the Shea-Matson Trucking Co.; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 8365. A bill for the relief of Icchok Fajncajg and Chaja Fajncajg; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. R. 8366. A bill for the relief of Elie Joseph Hakim; to the Committtee on the Judiciary.

By Mr. THORNBERRY:

H. R. 8367. A bill for the relief of Kogyo and Shizuye Kathleen Yonegaki; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H. R. 8368. A bill for the relief of Mrs. Joyce Aitcheson Lock; to the Committee on the Judiciary.

By Mr. WITHROW:

H. R. 8369. A bill for the relief of Setsuko Sasaki; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

770. By Mr. GRAHAM: Petition of 25 residents of Ellwood City, Pa., urging that Army

clubs for enlisted men, post exchanges and other service-connected recreation areas should be prohibited from serving and selling alcoholic drinks; to the Committee on Armed Services.

771. By Mr. BEAMER: Petition of 50 people in Pendleton, Lapel, Fortville, and McCordsville, Ind.; in behalf of H. R. 2188 (Bryson bill); to the Committee on Interstate and Foreign Commerce.

772. Also, petition of 75 members of the Friends Church of Amboy, Ind., in behalf of H. R. 2188 (Bryson bill); to the Committee on Interstate and Foreign Commerce.

773. Also, petition of 51 members of the South Kokomo, Ind., W. C. T. U.; to the Committee on Interstate and Foreign Commerce.

774. Also, petition of 57 people in Macy, Ind., in behalf of H. R. 2188 (Bryson bill); to the Committee on Interstate and Foreign Commerce.

775. Also petitions of 301 residents of the city of Anderson, Ind., in behalf of H. R. 2188 (Bryson bill); to the Committee on Interstate and Foreign Commerce.

SENATE

THURSDAY, JUNE 26, 1952

(Legislative day of Saturday, June 21, 1952)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God our Father, we would make our hearts, cleansed by Thy forgiving grace, a temple of Thy presence, knowing that only to the pure dost Thou grant the vision of Thy face. We come asking not that Thou wouldst give heed to the faltering petitions our lips frame, but that Thou wilt bend Thy ear to the crying of our deep needs. We bring to the altar of prayer our inmost selves, cluttered and confused, where good and evil, the petty and the great are so entwined. May the eternal immensities shame our little thoughts and ways. May the vision of what we might be convict us of what we are. In this great day of Thy testing, when mankind faces the blessing or the curse, life or death, may we not miss the things belonging to our peace and to the peace of the world. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 25, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 25, 1952, the President had approved and signed the following acts:

S. 2256. An act for the relief of Col. Julia O. Flikke and Col. Florence A. Blanchfield; and

S. 3019. An act to amend the Career Compensation Act of 1949, as amended, to extend the application of the special-inducement pay provided thereby to physicians and dentists, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1267. An act to reimburse the Stamey Construction Co. and/or the Oklahoma Paving Co., as their interests appear; and

H. R. 4277. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 404. An act to amend the Military Personnel Claims Act of 1945;

H. R. 1853. An act to authorize the granting to Kaiser Steel Corp. of rights-of-way on, over, under, through, and across certain public lands, and of patent in fee to certain other public lands; and

H. R. 4455. An act for the relief of Robert A. Buchanan.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. SIKES, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the joint resolution (H. J. Res. 430) approving the constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ENGLE, Mr. BENTSEN, Mrs. BOSONE, Mr. CRAWFORD, and Mr. MILLER of Nebraska were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6245. An act to amend section 3115, Revised Statutes, as amended;

H. R. 6845. An act to continue until the close of June 30, 1953, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 7594. An act to amend the Tariff Act of 1930 with respect to the importation of the feathers of wild birds, and for other purposes;

H. R. 8234. An act to amend section 5 of the act of June 29, 1888, relating to the office of Supervisor of New York Harbor;

H. R. 8271. An act to amend section 457 of the Internal Revenue Code;

H. R. 8315. An act granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; and

H. R. 8316. An act granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1537. An act to amend the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II";

S. 2198. An act to amend section 1708 of title 18, United States Code, relating to the theft or receipt of stolen mail matter generally;

H. R. 404. An act to amend the Military Personnel Claims Act of 1945;

H. R. 1267. An act conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim of the Stamey Construction Co. and/or Oklahoma Paving Co.;

H. R. 4277. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.; and

H. R. 4455. An act for the relief of Robert A. Buchanan.

SEMIANNUAL REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Banking and Currency:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, a report of the National Advisory Council on International Monetary and Financial Problems covering its operations from October 1, 1951, to March 31, 1952, and describing in accordance with section 4 (b) (5) of the Bretton Woods Agreements Act, the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development for the above period.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 26, 1952.*

THIRD SPECIAL REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the

President of the United States, which was read, and, with the accompanying report, referred to the Committee on Banking and Currency:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the third special report on the operations and policies of the International Monetary Fund and the International Bank for Reconstruction and Development in accordance with section 4 (b) (6) of the Bretton Woods Agreements Act.

This report of the National Advisory Council on International Monetary and Financial Problems covers the 2-year period ending March 31, 1952. The first special report on the Fund and Bank was submitted in May 1948 and the second such report was submitted in May 1950.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 26, 1952.*

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to transact routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, DISTRICT OF COLUMBIA (S. DOC. NO. 151)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of $1,200,000, for the District of Columbia, for the fiscal year 1953 (with the accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT ON EXCHANGE STABILIZATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the Exchange Stabilization Fund, for the fiscal year ended June 30, 1951 (with an accompanying report); to the Committee on Banking and Currency.

INCOME CREDIT TO CERTAIN NONRESIDENT ALIENS FOR CIVIL SERVICE ANNUITIES

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide an income credit in the case of civil-service annuities received by nonresident alien individuals not engaged in trade or business within the United States (with an accompanying paper); to the Committee on Finance.

TEMPORARY ADMISSION INTO UNITED STATES OF CERTAIN ALIENS

A letter from the Attorney General, transmitting, pursuant to law, copies of orders entered in cases where the ninth proviso to section 3 of the Immigration Act of February 5, 1917, was exercised in behalf of such aliens (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Attorney General, transmitting, pursuant to law, copies of the orders of the Commissioner of Immigration and Naturalization granting the applications for permanent residence to certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien and the reasons for granting the applications (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Iwao Inaba or Harry Iwao Inaba alias Harry I. Kida from a report relating to aliens whose deportation had been suspended, transmitted to the Senate on September 14, 1951 (with an accompanying paper); to the Committee on the Judiciary.

ADMISSION OF DISPLACED PERSONS—WITHDRAWAL OF NAMES

A letter from the Attorney General, withdrawing certain names from a report transmitted to the Senate, pursuant to section 4 of the Displaced Persons Act of 1948, as amended, with a view to the adjustment of their immigration status (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF CODE RELATING TO APPOINTMENT OF ADDITIONAL JUDGES

A letter from the Acting Director, Administrative Office of the United States Courts, Washington, D. C., transmitting a draft of proposed legislation to amend section 372 of title 28, United States Code, with respect to the appointment of additional judges when permanently disabled judges fail to retire (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

Resolutions of the General Court of the Commonwealth of Massachusetts, relating to the establishment of a national cemetery for New England, to be located in Massachusetts; to the Committee on Interior and Insular Affairs.

(See resolutions printed in full when presented by Mr. SALTONSTALL (for himself and Md. LODGE) on June 25, 1952, p. 7952, CONGRESSIONAL RECORD.)

A telegram in the nature of a petition, signed by Shirley Rose, and sundry other citizens of the State of New York, relating to the deletion of all reference to Federal workers' leave in the Independent Offices Appropriation Act; to the Committee on Appropriations.

A paper in the nature of a petition adopted by the Central Conference of American Rabbis, of Rockville Centre, Long Island, N. Y., relating to the Government's foreign policy; to the Committee on Foreign Relations.

A resolution adopted by the representatives of 14 Latvian organizations, of Chicago, Ill., expressing their unqualified loyalty to the United States; to the Committee on Foreign Relations.

Cablegrams and letter in the nature of memorials from Jose A. Balseiro, San Juan, Pedro Ruberte Robles, of Penuelas, Juan Arroyo, of Sabana Grande, Armando Mignucci Caler, of Yauco, Rodriguez Menandez, of Yauco, and Blanca E. Colberg, of Cabo Rojo, all of Puerto Rico, remonstrating against the adoption of the amendment of Mr. JOHNSTON of South Carolina to the Puerto Rican Constitution; ordered to lie on the table.

A telegram in the nature of a petition from the Amalgamated Meat Cutters and Butcher Workmen of North America, San Francisco, Calif., signed by Earl W. Jimerson, president, and Patrick E. Gorman, secretary-treasurer, praying that the President's veto of the McCarran-Walter immigration bill be sustained; ordered to lie on the table.

CONSERVATION PROBLEMS—RESOLUTIONS OF SEVENTEENTH CONSERVATION CONGRESS, MADISON, WIS.

Mr. WILEY. Mr. President, I present two resolutions on conservation problems, which were adopted by the Wisconsin Conservation Congress at its Statewide meeting in the capital of my State earlier this month and as forwarded by Emery A. Premeau, congress secretary.

This splendid grassroots body of conservation-minded civic leaders consists of three delegates from each of the 71 counties in my State. I have previously spoken on the Senate floor of the very fine work done by this group which has set a fine standard for other conservation groups throughout the Nation.

I am delighted that my State has pioneered in seeking to preserve the great outdoor heritage which we and earlier generations have often so recklessly squandered in times past.

I ask unanimous consent that the resolutions be printed in the RECORD and be thereafter appropriately referred.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Resolution 1

Whereas the existing wet lands of the Nation constitute a resource of great value through their contribution to water and soil conservation and their support of habitat vital to many important wildlife species; and

Whereas the United States Department of Agriculture has demonstrated that, if necessary, lands now in food and fiber production can produce under proper management much more than they do at present; and

Whereas that Department provides technical assistance and payments to landowners to promote drainage of wet lands which destroy large and irreplaceable tangible and intangible values; and

Whereas the new Chief of the United States Soil Conservation Service told the National Farm Institute at Des Moines on February 15, 1952, that "along the east coast and Gulf States there are at least 10,000,000 acres of swampland that could be drained and put into production" and "on hundreds of thousands of farms throughout the country there are corners or patches of idle wet land, often several acres in size, that could be drained": Now, therefore, be it

Resolved by the Seventeenth Conservation Congress, in convention assembled at Madison this 2d day of June 1952—

1. That there should be initiated a program that will eliminate or curtail drainage subsidies now in effect, and that will inaugurate a system of subsidies for the restoration and maintenance of marshlands and pot-hole areas throughout the country;

2. That the agencies of the United States Department of Agriculture and the United State Department of the Interior cooperate in an objective appraisal of the various values of the wet lands in the Nation;

3. That the United States Department of Agriculture discontinue the encouragement of private drainage of natural swamp, marsh, open water, and seasonally flooded areas not now in cultivation, through provision of technical assistance and financial aid, until a national policy is established regarding these wet lands and water areas.

4. That the Wisconsin Conservation Commission and Department continue to study this problem and take such action as is necessary to protect the public interest, especially in respect to continued cooperation on the State level, whenever possible, with those branches of the United States Department of Agriculture most concerned, the Soil Conservation Service and the Production and Marketing Administration, and with the Natural Resources Council of America and other interested national conservation agencies.

5. That copies of this resolution be sent to the Honorable Charles F. Brannan, Secretary of the United States Department of Agriculture, the Natural Resources Council of America, the Natural Resources Committee of Wisconsin, to each Congressman and Senator from Wisconsin, and to the Wisconsin Conservation Commission.

RESOLUTIONS COMMITTEE,
LARRY WHIFFEN, *Chairman.*

Resolution 10

Whereas under present Federal laws the Federal Forest Service does not have money available for the development and maintenance of recreational facilities in the national forests; and

Whereas the International Association of Fish, Game, and Conservation Commissioners has recommended a proposal whereby 10 percent of the national-forest receipts be set aside for recreational and wildlife administration; and

Whereas at the present time lack of funds in the Federal Forest Service has resulted in expense to the Wisconsin conservation program, which has found it necessary to expend funds for recreational purposes in the Federal forests; and

Whereas bill H. R. 565, by Congressman TACKETT, contains such a proposal: Now, therefore, be it

Resolved by the Seventeenth Conservation Congress, in convention assembled at Madison this 2d of June 1952, That it does hereby support the principles involved in bill H. R. 565 and recommends its passage; be it further

Resolved, That copies of this resolution be sent to the Congressmen and Senators from Wisconsin and to the appropriate committee of Congress before which the bill will be heard.

RESOLUTIONS COMMITTEE,
LARRY WHIFFEN, *Chairman.*

RESOLUTIONS OF BALTIMORE ASSOCIATION OF COMMERCE

Mr. O'CONOR. Mr. President, the board of directors of the Baltimore (Md.) Association of Commerce recently adopted three constructive resolutions dealing with some of the most difficult problems that face the Congress.

I ask unanimous consent that the resolutions be appropriately referred, and that two of the resolutions be printed in the RECORD.

There being no objection, two of the resolutions were referred and ordered to be printed in the RECORD, as follows:

To the Committee on Appropriations:

"RESOLUTION ON REDUCTION OF THE 1953 FEDERAL BUDGET ADOPTED BY THE BOARD OF DIRECTORS OF THE BALTIMORE ASSOCIATION OF COMMERCE

"Whereas the Baltimore Association of Commerce has consistently advocated all proper measures for a reduction in the Federal budget and has urged the elimination of all nonessential governmental expenditures, and the adoption of the Hoover recommendations for Federal economy; and

"Whereas in an open letter to Congress, the Chamber of Commerce of the United States recently submitted definite and concrete recommendations for reduction of the Federal budget to the extent of $14,400,000,000; these recommendations showing how and where, and to what extent savings should be made in expenses for operating various Government departments and functions: Now, therefore, be it

"*Resolved,* That the board of directors of the Baltimore Association of Commerce strongly endorses the recommendations of the Chamber of Commerce of the United States for a reduction of $14,400,000,000 in the Federal budget for the year 1953; and be it further

"*Resolved,* That copies of this resolution be sent to (1), all Members of Congress; and (2), the members of the association of commerce and to chambers of commerce and trade organizations throughout the State."

To the Committee on Public Works:

"RESOLUTION ON NIAGARA POWER DEVELOPMENT ADOPTED BY THE BOARD OF DIRECTORS OF THE BALTIMORE ASSOCIATION OF COMMERCE

"Whereas there is now pending before the Congress of the United States proposed legislation which would authorize the development of the Niagara River Power Project by the Federal Government or the State of New York; and there is also pending in the Congress, legislation which would grant to private enterprise the right to develop and transmit the electric energy to be produced; and

"Whereas the Baltimore Association of Commerce is now on record, through action taken by its board of directors, as opposed to any legislation or the appropriation of any funds for unnecessary socialistic experiments, the direct or indirect use of which would put the Government in competition with its own citizens or would further the nationalization of the electric power business or any other industry; and

"Whereas private enterprise has the resources, the willingness and the ability necessary to efficiently construct and operate the Niagara Power Development Project: Now, therefore be it

"*Resolved,* That the board of directors of the Baltimore Association of Commerce approves and strongly urges the passage of the pending Capehart-Miller bill (S. 2021–H. R. 3146) designed to permit the Niagara River power development by private industry and that the board is opposed to and strongly urges the defeat of the pending Lehman-Roosevelt bill (S. 517–H. R. 1642) advocating Federal development and control and the Ives-Cole bill (S. 1963–H. R. 5099) proposing that a public agency, the Power Authority of the State of New York, undertake the Niagara Power Development; and be it further

"*Resolved,* That copies of this resolution be sent to (1) all members of Congress and (2) the members of the Association of Commerce and to chambers of commerce and trade organizations throughout the State."

The third resolution presented by Mr. O'CONOR, relating to Federal expenditures for State and local projects, was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Finance:

S. 2584. A bill to provide for the establishment of a Veterans' Administration domiciliary facility at Fort Logan, Colo.; without amendment (Rept. No. 1835).

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

S. 3367. A bill to provide for the conveyance by the United States to Fulton County, a political subdivision of the State of Georgia, of certain land in said county; without amendment (Rept. No. 1836).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

S. 2702. A bill to amend section 4472 of the Revised Statutes, as amended, to further provide for the safe loading and discharging of explosives in connection with transportation by vessel; with amendments (Rept. No. 1827); and

S. 3145. A bill to amend section 508 of title 14, United States Code, to provide the United States Coast Guard with broader authority with respect to the apprehension and delivery of deserters, stragglers, and prisoners; without amendment (Rept. No. 1826).

By Mr. ELLENDER, from the Committee on Appropriations:

H. R. 7313. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1953, and for other purposes; with amendments (Rept. No. 1828).

By Mr. GEORGE, from the Committee on Finance:

H. R. 6245. A bill to amend section 3115, Revised Statutes, as amended; without amendment (Rept. No. 1829);

H. R. 6845. A bill to continue until the close of June 30, 1953, the suspension of duties and import taxes on metal scrap, and for other purposes; without amendment (Rept. No. 1830);

H. R. 7255. A bill to amend section 165 (b) of the Internal Revenue Code (relating to employee stock purchase plans); without amendment (Rept. No. 1831);

H. R. 7594. A bill to amend the Tariff Act of 1930 with respect to the importation of the feathers of wild birds, and for other purposes; without amendment (Rept. No. 1832);

H. R. 8270. A bill to amend section 112 (n) of the Internal Revenue Code (relating to nonrecognition of gain from sale or exchange of residence) with respect to persons serving on active duty with the Armed Forces of the United States; without amendment (Rept. No. 1833); and

H. R. 8271. A bill to amend section 457 of the Internal Revenue Code; with amendments (Rept. No. 1834).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

H. R. 1558. A bill to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc.; without amendment (Rept. No. 1838);

H. R. 5327. A bill to amend the act of July 26, 1946 (Public Law 551, 79th Cong.), relating to the issuance of general obligation bonds by the city of Anchorage, Alaska; without amendment (Rept. No. 1839); and

H. R. 7305. A bill to authorize the sale of certain land in Utah to the Bench Lake Irrigation Co., of Hurricane, Utah; without amendment (Rept. No. 1840).

By Mr. CORDON, from the Committee on Interior and Insular Affairs:

H. R. 2470. A bill granting the consent of Congress to the States of Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming to negotiate and enter into a compact for the disposition, allocation, diversion, and apportionment of the waters of the Columbia River and its tributaries, and for other purposes; with amendments (Rept. No. 1841); and

H. R. 4197. A bill to withdraw and restore to its previous status under the control of the Territory of Hawaii certain Hawaiian home lands required for the use of the Board of Water Supply of the City and County of Honolulu for the location of a water shaft, pump station, and tunnel, and to amend

section 203 of the Hawaiian Homes Commission Act, 1920, so as to confer upon certain lands of Auwaiolimu, Kewalo-Uka, and Kalawahine, on the island of Oahu, T. H., the status of Hawaiian home lands; without amendment (Rept. No. 1842).

By Mr. ECTON, from the Committee on Interior and Insular Affairs:

S. 2236. A bill to extend certain 10-year oil and gas leases; with an amendment (Rept. No. 1843);

H. R. 5917. A bill to authorize the sale of land on the Crow Reservation, Mont., allotted to William Big Day; without amendment (Rept. No. 1844);

H. R. 6681. A bill authorizing the issuance of a patent in fee to John B. Cummins; without amendment (Rept. No. 1845);

H. R. 7009. A bill authorizing the issuance of a patent in fee to Franklin Yarlott; without amendment (Rept. No. 1846);

H. R. 7301. A bill authorizing the Secretary of the Interior to issue a patent in fee to Viola Delaney; without amendment (Rept. No. 1847); and

H. R. 7303. A bill authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation; without amendment (Rept. No. 1848).

By Mr. PASTORE, from the Committee on Post Office and Civil Service:

H. R. 7806. A bill to authorize the participation by certain Federal employees, without loss of pay or deduction from annual leave, in funerals for deceased members of the Armed Forces returned to the United States from abroad for burial; without amendment (Rept. No. 1849).

By Mr. UNDERWOOD, from the Committee on Post Office and Civil Service:

H. R. 5850. A bill to authorize the Postmaster General to impound mail in certain cases; with an amendment (Rept. No. 1850); and

H. R. 7641. A bill to provide benefits for certain Federal employees of Japanese ancestry who lost certain rights with respect to grade, time in grade, and rate of compensation by reason of any policy or program of the Federal Government with respect to persons of Japanese ancestry during World War II; without amendment (Rept. No. 1851).

By Mr. HUNT, from the Committee on Armed Services:

S. 1393. A bill to amend section 67 of the National Defense Act, as amended, to provide for an active-duty status for all United States property and disbursing officers; with amendments (Rept. No. 1855);

S. 2262. A bill to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period; without amendment (Rept. No. 1856);

H. R. 4021. A bill to amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950); without amendment (Rept. No. 1859);

H. R. 6769. A bill to amend section 301, Servicemen's Readjustment Act of 1944, to further limit the jurisdiction of boards of review established under that section; without amendment (Rept. No. 1857); and

H. J. Res. 222. Joint resolution authorizing the President to issue posthumously to the late William S. Cox, a commission as third lieutenant, United States Navy, and for other purposes; without amendment (Rept. No. 1852).

By Mr. HUMPHREY, from the Committee on Labor and Public Welfare:

S. J. Res. 161. Joint resolution to create a Commission on Labor-Management Relations, and for other purposes; with amendments (Rept. No. 1853).

By Mr. CLEMENTS, from the Committee on Rules and Administration:

S. 2570. A bill to authorize the Attorney General to conduct preference primaries for nomination of candidates for President and Vice President; with amendments (Rept. No. 1858).

PRODUCTION OF VITAL STEEL AND STEEL PRODUCTS DURING CURRENT EMERGENCY—REPORT OF A COMMITTEE

Mr. HUMPHREY. Mr. President, from the Committee on Labor and Public Welfare, I report an original bill to promote the production of vital steel and steel products during the current emergency, and I submit a report (No. 1854) thereon.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

The bill (S. 3407) to promote the production of vital steel and steel products during the current emergency, reported by Mr. HUMPHREY, from the Committee on Labor and Public Welfare, was read twice by its title, and ordered to be placed on the calendar.

STUDY OF ORGANIZATION AND OPERATION OF INTERSTATE COMMERCE COMMISSION — REPORTS OF COMMITTEE ON RULES AND ADMINISTRATION

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, the resolution (S. Res. 332), reported by Mr. JOHNSON of Colorado from the Committee on Interstate and Foreign Commerce on June 9, 1952, and I submit a report (No. 1825) thereon. I ask unanimous consent for the immediate consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution.

The amendments of the Committee on Rules and Administration were, on page 1, line 10, after the word "Senate", to strike out "at the earliest practicable date" and insert "not later than January 31, 1953"; on page 2, line 2, after the word "assistants", to insert a semicolon and "and with the consent of the Rules and Administration Committee of the Senate to contract for such facilities, services, and information"; and in line 4, after the word "exceed", to strike out "$100,000" and insert "$50,000."

The amendments were agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized to make an investigation and study of the organization and operations of the Interstate Commerce Commission for the purpose of determining what changes should be made in order to promote maximum efficiency in such organization and operations.

SEC. 2. The committee shall report its findings, together with its recommendations for such legislation as it may deem advisable, to the Senate not later than January 31, 1953.

SEC. 3. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants; and with the consent of the Rules and Administration Committee of the Senate to contract for such facilities, services, and information as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL APPROPRIATIONS FOR THE COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN, from the Committee on Rules and Administration, to which was referred the resolution (S. Res. 335), reported by Mr. MCKELLAR from the Committee on Appropriations on June 16, 1952, reported it favorably, without amendment, and it was considered and agreed to, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate during the Eighty-second Congress $15,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946, Senate Resolution 162, agreed to June 29, 1951, and Senate Resolution 204, agreed to September 27, 1951.

ADDITIONAL EXPENDITURES BY COMMITTEE ON BANKING AND CURRENCY

Mr. HAYDEN, from the Committee on Rules and Administration, to which was referred the resolution (S. Res. 337), reported by Mr. MAYBANK from the Committee on Banking and Currency on June 24, 1952, reported it favorably, without amendment, and it was considered and agreed to, as follows:

Resolved, That the Committee on Banking and Currency hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-second Congress, $10,000 in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946, as increased by Senate Resolution 192, Eighty-second Congress, agreed to August 23, 1951.

EXTENSION OF AUTHORITY TO INVESTIGATE ACTIVITIES OF COMMODITY CREDIT CORPORATION BY COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. HAYDEN, from the Committee on Rules and Administration, to which was referred the resolution (S. Res. 338), reported by Mr. ELLENDER from the Committee on Agriculture and Forestry, on June 25, 1952, reported it favorably, without amendment, and it was considered and agreed to, as follows:

Resolved, That the authority of the Committee on Agriculture and Forestry, investigating Commodity Credit Corporation activities, or any duly authorized subcommittee thereof, under Senate Resolution 256, Eighty-second Congress, agreed to January 24, 1952, is hereby extended to August 31, 1952.

ZETTA ELLEN ROLLINS—REPORT OF A COMMITTEE

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report an original resolution to pay a gratuity to Zetta Ellen Rollins. I ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 339) was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Zetta Ellen Rollins, widow of William Edward Rollins, an employee of the Office of the Architect of the Capitol at the time of his death, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

BOOKS FOR THE ADULT BLIND

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, the bill (H. R. 7231) to amend the act entitled "An act to provide books for the adult blind." I ask unanimous consent for its immediate consideration.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

MARINE CORPS WAR MEMORIAL FOUNDATION

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with an amendment, the joint resolution (H. J. Res. 418) to amend the act of July 1, 1947 (61 Stat. 242). I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. McCARRAN. Reserving the right to object, may we have an explanation of the joint resolution.

Mr. HAYDEN. The joint resolution changes the title of the Marine Corps League, Inc., to the Marine Corps War Memorial Foundation.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution. The amendment of the Committee on Rules and Administration was on page 1, line 6, to strike out "and by striking out 'District of Columbia' and inserting 'District of Columbia or immediate vicinity'."

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 26, 1952, he presented to the President of the United States the following enrolled bills:

S. 1537. An act to amend the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II;

S. 2198. An act to amend section 1708 of title 18, United States Code, relating to the theft or receipt of stolen mail matter generally; and

S. 2214. An act to amend section 709 of title 18 of the United States Code.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL:

S. 3396. A bill for the relief of August Alcsuti and Vilma Kann Alcsuti; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for Mr. LODGE):

S. 3397. A bill for the relief of Alfonso Felici; and

S. 3398. A bill for the relief of Guiseppe Frisoni and Gloria Frisoni; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 3399. A bill for the relief of Njdeh Hovhanissian Aslanian; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 3400. A bill for the relief of Edward Kowalczyk; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 3401. A bill for the relief of certain Chinese children; and

S. 3402. A bill for the relief of certain parties liable for the breach of bonds posted in the case of Zelmonas Lebjusas and Yehudith Lebjusas; to the Committee on the Judiciary.

By Mr. McFARLAND:

S. 3403. A bill to reinstate Oscar Haefer with the rank of first lieutenant and to authorize his retirement; to the Committee on Armed Services.

S. 3404. A bill for the relief of Lina Anna Adelheid (Adam) Hoyer; to the Committee on the Judiciary.

By Mr. O'CONOR:

S. 3405. A bill for the relief of James Piedrafite; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 3406. A bill for the relief of Paulus Youhanna Benjamen; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3407. A bill to promote the production of vital steel and steel products during the current emergency; ordered to be placed on the calendar.

(See the remarks of Mr. HUMPHREY when he reported the above bill from the Committee on Labor and Public Welfare, which appear under a separate heading.)

COMMISSION ON IMMIGRATION IN RELATION TO POPULATION, EMPLOYMENT, RESETTLEMENT, AND FOREIGN POLICY

Mr. LEHMAN. Mr. President, on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], the junior Senator from New Jersey [Mr. HENDRICKSON], the Senator from Rhode Island [Mr. GREEN], the senior Senator from New Jersey [Mr. SMITH], the Senator from Connecticut [Mr. BENTON], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. KILGORE], my colleague, the senior Senator from New York [Mr. IVES], the Senator from Washington [Mr. MAGNUSON], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Montana [Mr. MURRAY], I introduce for appropriate reference a joint resolution to establish a bipartisan commission, on the Hoover Commission model, to study and review our laws and policy on immigration, their basic assumptions and their relationship to population, to employment, to our economic and cultural growth, to integration of immigrants and aliens into our national life, to our foreign policy and to our national security. The commission would also study the machinery of government designed to deal with and integrate immigration policy and these other factors.

I prepared a statement which I intended to make at the time of the introduction of the joint resolution, but not wishing to take the time of the Senate, I ask unanimous consent that the statement be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The joint resolution (S. J. Res. 169) to establish a Commission on Immigration in Relation to Population, Employment, Resettlement, and Foreign Policy, introduced by Mr. LEHMAN (for himself and other Senators), was read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. LEHMAN is as follows:

STATEMENT BY SENATOR LEHMAN

This commission would further study the relationship between our immigration laws and our institution of civil liberties—the basic relationship between our Bill of Rights and immigration, not only as the courts interpreted that relationship in the past, but also from the point of view of what the desirable relationship should be.

We have introduced this resolution pursuant to the recommendations made by the President of the United States in his message of disapproval of H. R. 5678, the McCarran-Walter omnibus immigration bill. The President said in his message as follows:

"These conclusions point to an underlying condition which deserves the most careful study. Should we not undertake a reassessment of our immigration policies and practices in the light of the conditions that face us in the second half of the twentieth century? The great popular interest which this bill has created, and the criticism which it has stirred up, demand an affirmative answer. I hope the Congress will agree to a careful reexamination of this entire matter.

"To assist in this complex task, I suggest the creation of a representative commission of outstanding Americans to examine the basic assumptions of our immigration policy, the quota system and all that goes with it, the effect of our present immigration and nationality laws, their administration, and the ways in which they can be brought into line with our national ideals and our foreign policy.

"Such a commission should, I believe, be established by the Congress. Its membership should be bipartisan and divided equally among persons from private life and persons from public life. I suggest that four members be appointed by the President, four by the President of the Senate, and four by the Speaker of the House of Representatives. The commission should be given sufficient funds to employ a staff and it should have adequate powers to hold hearings, take testimony, and obtain information. It should make a report to the President and to the Congress within a year from the time of its creation."

We have broadened our resolution to include factors beyond those specifically mentioned by the President. The duties of the Commission as defined in the resolution we are submitting are to make a full and complete study and evaluation of—

1. Population trends and manpower needs of United States economy with respect to immigration.
2. Impact of immigration on economic and cultural development in the United States.
3. Effect of immigration on employment and labor force.
4. Basic assumptions of United States immigration law, including national-origins quota system.
5. Relationship between immigration policy and foreign policy.
6. Relationship between immigration and national security.
7. Operations and basic approaches of law and present governmental machinery for dealing with immigration.
8. Governmental machinery for promoting integration and resettlement of immigrants.
9. Basic rights of immigrants and aliens.
10. Naturalization, nationality, and the status of naturalized citizens.
11. Effect of our present immigration and nationality laws, and their administration, upon our domestic and foreign policies, and ways in which they can be brought into line with our national ideals and our foreign policy.

We believe that these matters require and warrant study and review from this new and broad-gage perspective.

For too long this subject has been considered a narrow and parochial one rather than one intimately and inextricably connected with the very heartbeat of the Nation, with its economic life, its traditions, its basic constitutional concepts and the entire fabric of our foreign policy. The study of this subject must be removed from the narrow and traditional framework within which it has been, up to now, pursued.

The detailed and intensive study given to immigration law by a subcommittee of the Senate Judiciary Committee under the authority of Senate Resolution 137 of the Eightieth Congress was an exhaustive one within its own limits. But that study accepted as one of its limits, as one of its assumptions, the national origins quota system which we believe should be reviewed and reexamined on its own merits in its relationship to the broad and predominating factors already mentioned.

We believe this resolution to be of the highest importance. We believe it should be reported out and acted upon in the course of the next few days, before this Congress adjourns.

We believe that this resolution can be appropriately referred to the Committee on Labor and Public Welfare, to the Committee on Foreign Relations, and to the Judiciary Committee. All three have a direct interest in this study. All three should have an opportunity to make a recommendation to the Senate. We respectfully submit these views to the President of the Senate for his consideration in referring this resolution.

The Hoover Commission has established a pattern for high-minded and bipartisan studies of this kind. That pattern should be followed in the present instance. This study can no longer be delayed. The controversy aroused by the McCarran-Walter omnibus immigration bill shows the need of such a broad gage study. The people of this Nation, the national security, and the national need fully justify it.

COMMITTEE TO ATTEND MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION IN CANADA

Mr. GREEN submitted the following concurrent resolution (S. Con. Res. 86), which was referred to the Committee on Foreign Relations:

Resolved by the Senate (the House of Representatives concurring), That the Vice President and the Speaker of the House of Representatives are authorized to appoint four Members of the Senate and four Members of the House of Representatives, respectively, to attend the next general meeting of the Commonwealth Parliamentary Association to be held in Canada on the invitation of the Canadian branch of the association, and to designate the chairmen of the delegations from each of the Houses to be present at such meeting. The expenses incurred by the members of the delegations and staff appointed for the purpose of carrying out this concurrent resolution shall not exceed $4,500 for each of the delegations and shall be reimbursed to them from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

DELEGATES TO MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. GREEN submitted the following resolution (S. Res. 341), which was referred to the Committee on Foreign Relations:

Resolved, That the President of the Senate is authorized to appoint not more than four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in Canada on the invitation of the Canadian branch of the association, and to designate the chairman of the delegation to be present at such meeting. The expenses incurred by the members of the delegation and staff appointed for the purpose of carrying out this resolution shall not exceed $4,500 and shall be reimbursed to them from the contingent fund of the Senate, upon submission of vouchers approved by the chairman of the delegation.

INVESTIGATION OF DUPLICATION OF RESEARCH WORK BY GOVERNMENT AGENCIES OR PRIVATE ORGANIZATIONS

Mr. FERGUSON. Mr. President, I submit for appropriate reference a resolution authorizing an investigation of the research activities of the Federal Government.

The attached table, furnished by the Bureau of the Budget, indicates that research activities of the Government during the 1953 fiscal year involves 17 Government departments and agencies. Appropriations requested for the coming fiscal year for research activities total more than $2,225,000,000.

The resolution I am submitting authorizes an investigation to determine the extent to which these research activities overlap and the extent to which they are unnecessary.

I hope the resolution will receive prompt consideration since this study is one that could well be made during the interim between sessions.

I ask unanimous consent that the table, prepared by the Bureau of the Budget, showing appropriation requests for research be printed in the record.

The VICE PRESIDENT. The resolution will be received and appropriately referred, and, without objection, the table will be printed in the RECORD.

The resolution (S. Res. 340) was referred to the Committee on Appropriations, as follows:

Resolved, That the Committee on Appropriations, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation and study for the purpose of determining to what extent appropriations for the departments and agencies of the executive department of the Government are being used to carry on any type of research work which is also being carried on by another such department or agency or by any governmental or private organization, or which is in the opinion of the committee not a necessary and proper function of any such department or agency. The committee shall report its findings and recommendations to the Senate at the earliest practicable date.

Sec. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $_____, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The table presented by Mr. FERGUSON is as follows:

TABLE I-A.—*Research and development operations, excluding construction of facilities*

[In thousands]

	Obligations			Expenditures		
	1951 actual	1952 estimate	1953 estimate	1951 actual	1952 estimate	1953 estimate
BY DEPARTMENT AND AGENCY						
Atomic Energy Commission	$164,281	$210,895	$198,193	$123,109	$170,835	$206,825
Federal Civil Defense Administration	1,042	1,593	2,910	43	791	2,100
Federal Communications Commission	206	190	215	193	180	201
Federal Security Agency	36,881	29,675	42,699	36,462	40,759	42,050
Housing and Home Finance Agency	706	200	340	379	381	376

TABLE I-A.—*Research and development operations, excluding construction of facilities*—Con.

[In thousands]

	Obligations			Expenditures		
	1951 actual	1952 estimate	1953 estimate	1951 actual	1952 estimate	1953 estimate
BY DEPARTMENT AND AGENCY—Con.						
National Advisory Committee for Aeronautics	45,428	50,675	54,364	44,305	49,438	51,530
National Science Foundation	151	2,150	9,735	74	1,100	3,350
Reconstruction Finance Corporation	6,167	8,840	8,675	6,167	8,840	8,675
Smithsonian Institution	208	267	267	235	254	253
Tennessee Valley Authority	16,183	17,168	17,388	2,038	1,993	2,264
Veterans' Administration	5,071	4,513	5,100	4,585	4,579	4,781
Department of Agriculture	50,944	51,389	52,548	49,782	51,672	51,918
Department of Commerce	12,310	11,920	12,759	12,936	17,214	13,257
Department of Defense, military functions:						
Department of the Air Force	415,608	613,046	679,000	319,739	433,000	545,000
Department of the Army	330,806	478,164	805,637	194,815	313,000	404,000
Department of the Navy	507,222	598,624	655,649	403,726	474,000	571,000
Office of the Secretary of Defense	1,905	82,315	62,006	1,830	11,900	42,000
Total, military functions	(1,255,541)	(1,772,149)	(1,902,292)	(920,110)	(1,231,900)	(1,562,000)
Department of Defense, civil functions	2,300	2,000	2,000	2,300	2,000	2,000
Department of the Interior	32,192	34,475	36,873	30,203	33,579	34,619
Department of State	537	63	1,500	472	85	1,243
Treasury Department	528	503	653	374	599	453
Total research and development operations	1,630,736	2,208,665	2,348,511	1,233,787	1,616,199	1,987,895

RESEARCH AND DEVELOPMENT WORK BY DEPARTMENTS OF ARMY, NAVY, AND AIR FORCE—AMENDMENTS

Mr. SCHOEPPEL submitted amendments intended to be proposed by him to the bill (H. R. 1160) to facilitate the performance of research and development work by and on behalf of the Departments of the Army, the Navy, and the Air Force, and for other purposes, which were ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 6245. An act to amend section 3115, Revised Statutes, as amended; to the Committee on Finance.

H. R. 6845. An act to continue until the close of June 30, 1953, the suspension of duties and import taxes on metal scrap, and for other purposes; to the Committee on Finance.

H. R. 7594. An act to amend the Tariff Act of 1930 with respect to the importation of the feathers of wild birds, and for other purposes; and

H. R. 8271. An act to amend section 457 of the Internal Revenue Code; to the Committee on Finance.

H. R. 8234. An act to amend section 5 of the act of June 29, 1888, relating to the office of supervisor of New York Harbor; to the Committee on Public Works.

H. R. 8315. An act granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; and

H. R. 8316. An act granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes; to the Committee on Public Works.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

One hundred postmasters.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. O'CONOR:

Statement by Vice Adm. E. L. Cochrane, Maritime Administrator, regarding the steamship *United States*.

By Mr. BENTON:

Address delivered by himself at the Baltic States freedom rally, Town Hall, New York, N. Y., Sunday, June 15, 1952.

By Mr. UNDERWOOD:

Tribute by Ambassador Rene Lepervanche, representative of Venezuela on the Council of the Organization of American States, commemorating the one hundredth anniversary of the death of Henry Clay, and a response by Ambassador John C. Dreier, United States representative on the Council, delivered at Washington, D. C., June 25, 1952.

By Mr. SMATHERS:

Interim report of the special grand jury impaneled by Judge John W. Holland in the United States District Court of Miami, Fla., March 5, 1952, for the investigation of crime and other matters.

By Mr. DIRKSEN:

Report by the Religious Liberty Committee to the State convention of the Knights of Columbus at Springfield, Ill., on May 26, 27, 1952.

By Mr. NIXON:

Editorials and news articles on a motion picture entitled "Walk East on Beacon."

By Mr. SCHOEPPEL:

Editorial entitled "Peace and the U. N.," written by William Henry Chamberlin and published in the Wall Street Journal of June 26, 1952.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes.

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bennett	Hendrickson	Neely
Bridges	Hickenlooper	Nixon
Butler, Md.	Hill	Pastore
Cain	Johnson, Tex.	Robertson
Case	Johnston, S. C.	Smith, N. C.
Dirksen	Lehman	Thye
Douglas	Magnuson	Tobey
Eastland	Maybank	Underwood
Ferguson	McCarran	Welker
Fulbright	McFarland	Wiley
Gillette	McKellar	Williams
Green	Monroney	
Hayden	Mundt	

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The VICE PRESIDENT. A quorum is not present.

Mr. McFARLAND. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BENTON, Mr. BRICKER, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CAPEHART, Mr. CLEMENTS, Mr. CONNALLY, Mr. CORDON, Mr. DUFF, Mr. DWORSHAK, Mr. ECTON, Mr. ELLENDER, Mr. FLANDERS, Mr. FREAR, Mr. GEORGE, Mr. HENNINGS, Mr. HOEY, Mr. HOLLAND, Mr. HUMPHREY, Mr. HUNT, Mr. IVES, Mr. JENNER, Mr. JOHNSON of

Colorado, Mr. KEM, Mr. KILGORE, Mr. KNOWLAND, Mr. LONG, Mr. MALONE, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MOODY, Mr. MORSE, Mr. MURRAY, Mr. O'CONOR, Mr. O'MAHONEY, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SEATON, Mr. SMATHERS, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. STENNIS, Mr. TAFT, Mr. WATKINS, and Mr. YOUNG entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

Mr. McFARLAND. Mr. President, I ask unanimous consent that following the explanation by the distinguished Senator from Nevada [Mr. MCCARRAN] of the appropriation bill for the Departments of State, Justice, Commerce, and the Judiciary, debate upon amendments to that bill be limited as follows: 1 hour on any amendment involving the Voice of America, and 1 hour in the case of the amendment to be offered by the Senator from South Dakota [Mr. CASE], with the time to be divided equally, and controlled, respectively, by the proponent of the amendment and the Senator from Nevada, in the event he is opposed to the amendment, or if he is in favor of the amendment, then by the distinguished minority leader or any other Senator whom he may designate, and that debate on all other amendments be limited to 30 minutes, or 15 minutes to a side, with the time to be controlled in the same manner.

The VICE PRESIDENT. Is there objection?

Mr. DOUGLAS. Mr. President, reserving the right to object, let me say I was not in the Chamber when the distinguished majority leader began his request. It is my intention to submit an amendment to the first committee amendment, so as to reduce the appropriation for the overseas branch of the Foreign Service. I would ask that for my amendment the same allotment of time be made as in the case of the amendment intended to be offered by the Senator from South Dakota.

Mr. MCCARRAN. Mr. President, I believe the amendment the Senator from Illinois has in mind and the amendment the Senator from South Dakota has in mind are almost identical.

Mr. McFARLAND. Mr. President, does the Senator from Illinois wish to have 1 hour allowed for debate on his amendment?

Mr. DOUGLAS. Perhaps the Senator from South Dakota and I can jointly sponsor an amendment.

Mr. McFARLAND. Mr. President, in order to obtain an agreement, I shall include provision for 1 hour for debate on the amendment of the Senator from Illinois, with the understanding that, with the exceptions noted, the limitation of 30 minutes will apply to debate on all other amendments.

The Senator from Delaware [Mr. WILLIAMS] wishes to have 10 minutes——

Mr. BRIDGES. Has the Senator from Arizona included in his request permission for the Senator from Delaware to speak?

Mr. McFARLAND. Yes; I meant to say that the proposed limitation would apply after the Senator from Delaware spoke.

Mr. FERGUSON. Mr. President, may I have 3 minutes?

The VICE PRESIDENT. The Chair does not know what the request is.

Mr. McFARLAND. Mr. President, I shall restate it: I ask unanimous consent, first, that there be a morning hour, during which Senators may be permitted to transact routine business without debate, except that 3 minutes be allowed the Senator from Michigan [Mr. FERGUSON] and 10 minutes be allowed the Senator from Delaware; that thereafter, following the opening statement by the Senator from Nevada [Mr. MCCARRAN] on the appropriation bill for the Departments of State, Justice, Commerce, and the Judiciary, there be a limitation on debate on all amendments, as follows: One hour on any amendment involving the Voice of America; 1 hour on the amendment of the Senator from South Dakota [Mr. CASE]; and I believe the Senator from Illinois [Mr. DOUGLAS] wishes to have 1 hour.

Mr. DOUGLAS. Mr. President, let me say that the Senator from South Dakota and I have consolidated our amendments, and we shall offer a joint amendment.

Mr. McFARLAND. Very well. Then I include in the request a provision that 1 hour be allowed on the amendment to be offered by the Senator from South Dakota and the Senator from Illinois; and that the time be divided equally, with 30 minutes to each side, to be controlled, respectively, by the proponent of the amendment and the Senator from Nevada [Mr. MCCARRAN], on the other side, if he is opposed to the amendment; or if he is in favor of the amendment, then by the distinguished minority leader or some other Senator whom he may designate; that debate on all other amendments be limited to 30 minutes in total, or 15 minutes to a side, with the time to be controlled in the same manner.

The VICE PRESIDENT. Does the Senator from Arizona include in the request a provision in regard to motions and appeals?

Mr. McFARLAND. Yes; that motions and appeals be treated in the same manner.

The VICE PRESIDENT. Is there objection?

Mr. CASE. Mr. President, reserving the right to object, let me say that in view of the fact that the Senator from Illinois [Mr. DOUGLAS] and I are consolidating our amendments, and for that reason it will be necessary to request the allowance of another hour, could not we have 40 minutes to a side on our amendment, in order that both of us may make our presentations?

Mr. McFARLAND. I hope that an hour will be sufficient; but if the Senator from South Dakota insists upon it, I shall include in the request a provision for 40 minutes to a side on that amendment.

Mr. CASE. I believe that is proper, in view of the original request.

Mr. McFARLAND. Very well.

The VICE PRESIDENT. Is there objection?

Mr. LEHMAN. Reserving the right to object, I may say that some of my colleagues and I intend to present an amendment to provide an appropriation for the detection, apprehension, and deportation of wetbacks, which, in my opinion, is an important subject, and I would ask that we be given an hour on that, 30 minutes to a side.

Mr. McFARLAND. Mr. President, I also include in my request, an hour on that amendment.

Mr. LEHMAN. We may not need an hour.

Mr. McCLELLAN. Is that 1 hour, with the time equally divided?

Mr. McFARLAND. It is 1 hour, with the time divided, 30 minutes to a side, to be controlled in the same manner as previously stated.

The VICE PRESIDENT. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object can the majority leader tell me what his estimate is as to the time it will now take, if this unanimous-consent request is agreed to, to complete the consideration of this particular appropriation bill?

Mr. McFARLAND. That is what might be called the "$64 question." But I would say we ought to conclude the consideration of this bill by 3 or 4 o'clock.

Mr. MORSE. What is the Senator's program, after that?

Mr. McFARLAND. We wanted to take up House bill 7800, which is the social-security bill, if possible.

Mr. MORSE. Under the suggested unanimous-consent agreement, how much time would be available on amendments other than those to which 1 hour is allotted? Would the limitation be 30 minutes on all other amendments, 15 minutes to a side?

Mr. McFARLAND. On amendments other than those pertaining to the Voice of America, the amendment of the Senators from South Dakota and Illinois, and the amendment of the Senator from New York, 30 minutes, 15 minutes to a side.

Mr. MORSE. Mr. President, I have certain comments I intend to make before the day is over, and some evidence that I wish to present to the Senate.

Mr. McFARLAND. I assure the Senator he will have time, after we finish this bill.

Mr. MORSE. If the Senator will permit——

Mr. McFARLAND. I yield to the Senator.

Mr. MORSE. I desire to serve notice now that I have certain evidence that I want to submit to the Senate before the day is over, regarding what I consider to be the absolutely unwarranted conduct on the part of the Passport Division of the State Department in the handling of certain cases, such as the Linus Pauling case and the Owen Lattimore case. I cannot put myself in a position where a unanimous-consent agreement would prevent my presenting that evidence to the Senate and to the country today, with a thorough discussion of the problem, because it deals with certain basic questions of American lib-

erty and freedom. It deals with whether we are to protect innocent people from the kind of abuse of power that is being exercised by the Passport Division of the State Department. Therefore, I object.

The VICE PRESIDENT. Objection is heard.

Mr. McCARRAN obtained the floor.

Mr. WILLIAMS. Mr. President——

Mr. McCARRAN. I yield to the Senator from Delaware.

TAX CASE OF WILLIAM RHODES DAVIS AND HIS AFFILIATED COMPANIES

Mr. WILLIAMS. Mr. President, today I wish to discuss how a $38,000,000 tax case was settled for $850,000 after the taxpayer had fired his other lawyers and hired William M. Boyle, Jr., former Democratic bigwig, and Daniel J. Hanlon, former Treasury Department official.

As of December 31, 1947, there were proposed tax assessments amounting to $38,149,741.60 pending against William Rhodes Davis and his affiliated companies—the Davis & Co., Inc.; W. R. Davis, Inc.; and Gibraltar Securities, Ltd.; official address care of James Lee Kauffman, 55 Liberty Street, New York City.

These assessments, representing deficiencies in the years 1936 to 1941, against William R. Davis and his companies had all been pending since early 1942 with the exception of the $9,000,000 assessment against the Gibraltar Securities, Ltd., which assessment was made in 1946.

Mr. Davis, through his affiliated companies, operated a big international oil brokerage business. His organization is reported to have been the owners of one of the largest oil refineries in Germany prior to World War II, and it was this group which was credited with having supplied Germany with a large part of her accumulated oil reserve prior to the outbreak of the war.

Mr. Davis had negotiated in the 1930's a brokerage agreement with the Mexican Government, whereby he obtained his supply from the confiscated oil fields in Mexico.

In the early stages of World War II, two of his tankers, the Mexican ship *Charles Racine* and the Mexican ship *Petter*, loaded with petroleum, were captured in restricted waters while attempting to run the British blockade.

The Davis & Co. had been claiming from the Government of Great Britain as compensation for this confiscated oil approximately $500,000 out of which would be deducted the lawyers' fees.

The Davis & Co. claimed that the oil was en route to a neutral country whereas the British Government claimed that the two tankers were captured in restricted waters while attempting to run the blockade.

This disputed claim for whatever it might be worth after the lawyers' fees had been paid, was assigned to the United States Government along with the $850,000 offer as full settlement of all their tax obligations totaling over $38,000,000.

Mr. Davis died August 2, 1941, while this multi-million-dollar tax case was in the process of investigation, and James Lee Kauffman, an attorney in New York City, who had been representing the companies, was appointed executor of the estate.

For the next several years this $38,000,000 tax claim remained in dispute, during which time the estate of William R. Davis and the various companies were represented before the Treasury Department by James L. Kauffman and other attorneys. However, no settlement could be agreed upon.

On August 6, 1945, following 3 years of unsuccessful negotiations, Mr. Kauffman, acting for the Davis estate and the Davis companies, canceled all powers of attorney which had been extended to their lawyers.

Three days later new powers of attorney were filed with the Treasury Department, naming William M. Boyle, Jr., and Daniel J. Hanlon as associate attorneys with Mr. Kauffman, thereby turning this $38,000,000 tax case over to Mr. Boyle and his partner.

Reading from "Who's Who," Mr. President, we find Mr. Boyle described as follows:

> Assistant Counsel, Truman's War Investigating Committee, 1941. Secretary and later executive assistant to Senator Harry S. Truman, 1942–1944.
>
> Served in supervisory capacity in his presidential campaign, 1948; executive vice chairman, Democratic National Committee, 1944 and 1945, and from February to August 1949.

Quoting further, Mr. President, from a United Press radio report, from Kansas City, Mo., we find Mr. Boyle described as follows:

> He's no newcomer to the ways of Washington. He went there years ago to serve as a special investigator for the Senator Truman committee. At that time an old Missouri pal named Harry Vaughn was Mr. Truman's secretary. When Vaughn went into the Army, Boyle became the Senator's secretary.
>
> Then he was named as executive assistant to Robert E. Hannegan in the 1944 Presidential campaign. After that he opened a law office in Washington. Like Mr. Truman, he went to the old Kansas City School of Law, from which he was graduated in 1926.

It should be noted that less than 3 months before, or shortly after landing his former boss in the White House, Mr. Boyle had taken his first major plunge into private law practice by opening an office in Washington.

During the succeeding months, while Mr. Boyle was gaining national recognition both as a powerful political figure as well as an influential Washington attorney, renewed negotiations to compromise this tax case for a few cents on the dollar were instituted.

Participating in these negotiations and in the final determination of the terms, the Government was represented by Joseph D. Nunan, Jr., the then Commissioner of Internal Revenue; Daniel A. Bolich, who at that time was serving as special agent in charge in the New York office; and Charles Oliphant, the then chief counsel of the Bureau of Internal Revenue.

Upon the recommendations of these three Government officials—Nunan, Bolich, and Oliphant—this $38,000,000 tax case was settled on March 15, 1948, for $850,000 plus the contested claim against the British Government, or less than 3 percent of the original proposed assessment.

One of the most interesting phases in this settlement is a statement made by Charles Oliphant, chief counsel of the Treasury Department, concurred in by Dan Bolich, in which he expressed "substantial doubts as to the ability of the Government to sustain the liabilities in an amount exceeding the sum herein offered by the taxpayers."

Significantly, all three of these once prominent tax officials who recommended this favorable compromise are today suffering from a severe case of "overexposure."

Joseph Nunan, who as Commissioner of Internal Revenue participated in the final determination of the compromise offer, is now being questioned by the Federal grand jury in New York regarding alleged acceptances of bribes while serving as a top Government tax official.

Dan Bolich, who during these negotiations was working in New York City as a special agent in charge, was promoted shortly thereafter to the position of Assistant Commissioner of Internal Revenue in Washington.

Soon after the tax scandal broke in 1951, Mr. Bolich was removed from that position as a part of the clean-up program. He too left the Government service for a more healthy climate.

Charles Oliphant, who signed this report as chief counsel of the Bureau of Internal Revenue, resigned in a great fanfare of charges that he was being unjustly smeared and hurriedly departed from the Government service leaving many important questions unanswered regarding his close connection with certain recognized tax fixers.

This compromise tax case was approved by the Treasury Department under the same Secretary of Treasury, John W. Snyder, who for the past 6 years has nonchalantly been sitting on the lid of all the corruption which has recently been exposed in the Treasury Department.

This is only one of the scores of large tax cases which have been compromised for an insignificant fraction by the Treasury Department during the past several years.

No doubt many of these compromises can be fully justified; however, in the light of the laxity which has been exposed as existing in the Treasury Department at the upper level, all these cases should be reexamined.

Frankly, I see no reason why all compromise settlements should not automatically be publicized. There are but two important reasons why any tax case is properly reduced: First, the Government may recognize an error in the agent's computations; or, second, the taxpayer may be insolvent.

In this particular case I have made no effort to examine it from the standpoint of determining the accuracy of the Government's claims; however, if Mr.

Oliphant, Mr. Nunan, and Mr. Bolich were correct in their statements that they were recommending acceptance of this less-than-3-percent offer because they did not feel that in a showdown the Government could actually prove that the taxpayer owed an amount greater than that which was being offered in compromise, then the Government should have voluntarily reduced its claim accordingly.

For the Government to claim a $38,000,000 assessment against this taxpayer, thereby forcing him to hire expensive lawyers, when actually it did not think he owed anywhere near that amount, would constitute nothing short of blackmail.

If at any time the Bureau of Internal Revenue in Washington reviews a tax case which has been prepared by the agents in the field and the Review Board determines that the agents have overassessed the taxpayer, there is no reason for the Government's not telling the taxpayer that it has made an error and that it is reducing his liability accordingly.

On the other hand, if the taxpayer did owe the amount claimed, the settlement for less-than-3-percent is something which cannot be explained to the millions of other taxpayers who are being compelled to pay their tax obligations to the last dime.

Mr. TOBEY. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. TOBEY. It seems like a boil on the neck of the body politic. Does the Senator agree?

Mr. WILLIAMS. I agree.

Every American taxpayer must be guaranteed that the Government will recognize his right to have his tax case considered solely on its merits and not on the basis of whom he employs as an attorney or accountant. Under no circumstances can we condone a situation where any taxpayer can get the idea that he can have his tax claims successfully compromised for a few cents on the dollar, provided he will pay off the right attorney who has the required political connections.

The manner in which certain formerly obscure lawyers suddenly achieve widespread recognition as experts in the handling of problems relating to the Federal Government arouses strong suspicion that their extraordinary success is due to their administration connections and their ability to peddle such influence.

The reprehensible manner in which this practice of recognized "influence peddling" has been condoned and protected during the recent years by this "Cozy Deal" administration is something which the average American citizen cannot understand and will not forget.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes.

Mr. McCARRAN. Mr. President, before the Senate proceeds to a consideration of H. R. 7289, the appropriation bill for the Departments of State, Justice, Commerce, and the Judiciary, I should like to make an explanatory statement.

Mr. HILL. Mr. President, will the Senator from Nevada yield? I dislike to disturb his speech, but I must leave the floor to attend a committee meeting.

Mr. McCARRAN. I yield.

Mr. HILL. I should like to ask the distinguished Senator from Nevada a question relative to section 208 of the bill which is now before the Senate. The question I had in mind was with reference to this section being in accordance with Senate bill 18 which was passed by the Senate, as I recall, last Saturday. As I understand the section would not apply to States east of the Mississippi where the doctrine of riparian rights prevails. Is that correct?

Mr. McCARRAN. That is correct. Let me say to the Senator, since he has to leave the floor, that I have had a conference within the past few minutes with the Senators from California, and I have partially agreed that I would accept their suggested amendment, together with the language of Senate bill 18, and take it to conference. The language of the amendment of the Senators from California, offered in the committee, was to be taken in place of the House provision.

I have agreed to take the amendment to the conference and we will work something out in the conference.

Mr. HILL. It is not the idea, is it, that the bill or any amendment to it would apply in any way to States east of the Mississippi, where the doctrine of riparian rights applies?

Mr. McCARRAN. Where the doctrine of riparian rights is in force, it would not apply.

Mr. HILL. It would not apply. I thank the Senator.

Mr. McCARRAN. The committee had before it for consideration this year budget estimates for the fiscal year 1953 for the Departments of State, Justice, Commerce, and the Judiciary, of almost a $1,250,000,000. With a deficit confronting this Nation of billions of dollars, we have passed the point where we can continue to pour out our fiscal and material resources in a never-ending stream without exerting maximum effort to reduce the total of Federal expenditures.

Economizing is not pleasant, but economy in Government must be achieved, or this country will collapse internally; and if that happens, our enemies abroad will have accomplished their purposes beyond their fondest hopes. With these thoughts in mind, the committee has considered each item on its merits and has effected sizable reductions in the budget estimates submitted to the Congress.

The bill as recommended by the committee is 18.3 percent under the budget and point 1 percent under the House. The total amount, recommended for the Departments of State, Justice, and Commerce, and the judiciary, is $1,015,016,735, which is $228,120,074 under the budget, and $1,906,996 under the House.

The committee recommends the elimination of the Jensen amendment and the substitution therefor of the Ferguson amendment on personal services, and the Ferguson-Byrd amendment on travel and the transportation of things. The committee further recommends that the same agencies exempted from the operation of these two amendments last year be exempted this year, with the addition of the field office service, and operational personnel of the Bureau of Standards, Department of Commerce, and the construction personnel of the International Boundary and Water Commission, United States and Mexico. Where these two amendments have been applied the funds have been adjusted accordingly.

For the Department of State the recommendation of the committee is $214,338,730, which is 32.6 percent under the budget and point 7 percent under the House. The recommendation represents a reduction of $104,069,280 under the budget, and $1,649,652 under the House.

For the Department of Justice the recommendation of the committee is $184,523,000, which is 2.8 percent under the budget and 0.2 percent over the House. The recommendation represents a reduction of $5,384,000 under the budget, and is $464,000 over the House.

For the Department of Commerce the recommendation of the committee is $588,606,305, which is 16.7 percent under the budget, and 0.1 percent under the House. The recommendation represents a reduction of $118,516,194 under the budget, and $963,194 under the House.

For the Judiciary the recommendation of the committee is $27,548,700, which is 0.5 percent under the budget, and 0.8 percent over the House. The recommendation represents a reduction of $150,600 under the budget, and $241,850 over the House.

Mr. President, I should like now to call the attention of the Senate to various items in the bill. For salaries and expenses, Department of State, the committee recommends $77,392,306, an increase of $1,392,306. The amount recommended is a reduction below the going rate for 1952 of $557,694. $946,000 of the increase is necessary because of the additional responsibilities involved in opening an embassy and consulates in Japan in fiscal year 1953, which expenditure was not required in fiscal year 1952. In connection with this appropriation item the committee is also recommending language put in by the House requiring that $20,000,000 of the funds made available to the Department of State be used to purchase foreign currencies or credits owed to or owned by the Treasury of the United States.

For contributions to international organizations, the committee has restored a cut made by the House in the amount of $2,561,586, and is recommending a total for this item of $30,484,749, which amount is $1,961 below the budget estimate. This reduction was volunteered

by the Department and represents a reduction in the estimate for the International Hydrographic Office. The committee has stricken an amendment inserted by the House which would limit all contributions to international organizations to 33⅓ percent. The committee is in complete agreement with the House in this respect, but believes that some leeway must be given, because in the case of many of the organizations, they are about to start the third quarter of their fiscal year. Therefore, the committee has approved a substitute amendment which was included in the law for fiscal 1952, with the change to provide that after fiscal year 1953, no United States representative to any international organization shall make any commitment in excess of 33⅓ percent, which organization's United States contribution is contained in this bill. As is also provided in the House amendment, the committee recommends that inter-American organizations be exempt from the operation of this amendment. Mr. President, for international information and education activities, the committee is recommending the amount allowed by the House, $86,575,000 which is the same amount as allowed this year. The committee believes that a good job can be done with this amount.

The subcommittee, of which I have the honor to be chairman, held long and exhaustive hearings on this item, and it was their considered judgment, concurred in by the full committee, that the amount recommended would allow this program to go forward at about the same rate as this year.

As the Senate knows, Dr. Wilson Compton has recently become the Administrator of the International Information Administration. The committee has been very much impressed by Dr. Compton. He has been forthright with the committee, and has his feet very much on the ground. Dr. Compton is a man with a broad background and a fine record of sound administration. We, in no way, wish to hinder Dr. Compton, but we do believe that this program must be slowed a little, until such time as Dr. Compton has had an opportunity to complete an internal reorganization in which he is now engaged. It was most refreshing to see that Dr. Compton is interested in facts, not glittering generalities. I, for one, have great hopes for this program under the able leadership of this fine Administrator.

Mr. President, I know that the argument will be made that we should appropriate more money for this item. However, I believe that if the proponents of such a move will stop and consider the situation for a moment, they will agree that an effective job can be done with the amount recommended. For too long a time, the efficiency of this program was justified by the amount of money asked for. It seemed to be a magic formula, that by appropriating more and more money, more and more efficiency resulted. Unfortunately, such did not prove to be the case. I, for one, believe that after Dr. Compton has been in this program for a year he will have it operating as a smoothly operating, effective, propaganda weapon, so that he can concentrate on that objective, and not be sidetracked with having to expand his activities at the same time. I hope that the committee recommendation will be agreed to.

Mr. President, on June 17 there appeared an item in the local press relative to a plan to appoint two Foreign Service officers to the staffs of two of the State governors. The subcommittee immediately called before it representatives of the Department of State and went into this matter. The justification given was that this was a part of the program to re-Americanize Foreign Service officers. The committee is in complete agreement with that objective, but does not believe that the talents of Foreign Service officers can best be utilized by assigning them to the staffs of governors. Accordingly, the committee is recommending a limitation in the bill which will prohibit funds appropriated in this bill from being used for these purposes.

Mr. President, the subcommittee heard a great deal of testimony relative to a very clever propaganda campaign to sell the people of this country, and particularly the school children, on the doctrine of one world government and world citizenship. The subcommittee held three hearings on this matter, one hearing in which the witness making the charge was heard, one hearing in which officials of the State Department were heard in rebuttal, and one hearing in which both sides were present. It seems that there is a group in UNESCO, a United Nations organization, as well as some thinking in the Department of State of the belief that our objective should be to set up one world government and have only one kind of citizenship—world citizenship. The committee had presented to it documentary proof of this insidious campaign. They feel that international cooperation is one thing, but that for us to stand idly by and appropriate funds to be used to destroy this country as a political entity is quite another. Accordingly they recommend a limitation in the bill which provides that none of the funds appropriated herein shall be used to pay our contribution to any international organization which promotes the doctrine of one world government and world citizenship, nor shall any of the funds be used for promoting this doctrine. This limitation then not only applies to UNESCO and any other international organization in which we hold membership, but also applies to any activity in this respect that may be carried on by the State Department.

Mr. President, the committee is recommending the deletion of a rider put in by the House, the so-called Vatican amendment. The committee feels that religious issues should not be interjected into an appropriation bill.

For the Department of Justice, Mr. President, the committee recommends a total of $31,500,000, an increase of $464,000 over the House, but $5,384,000 under the budget. Two hundred and eighty thousand dollars of this increase is for general legal activites, and is primarily for the Criminal Division. This Division's workload has increased tremendously. One hundred thousand dollars of the increase is for additional United States marshals in Alaska. As the Senate knows, law enforcement in Alaska falls in the main on Federal officials. This problem is becoming increasingly severe and additional help is badly needed. The remaining amount of the increase, $84,000, is to complete a Federal jail in Anchorage, Alaska. The Department, under the instructions of the Congress, has tried to build this jail for $400,000. They have been unable to do so, even after reducing their plans to the bare minimum. The additional amount is required, and the committee recommends approval.

Mr. WELKER. Mr. President, will the Senator yield to me for a question?

Mr. McCARRAN. I yield.

Mr. WELKER. How much is it proposed to spend on the Anchorage, Alaska, jail?

Mr. McCARRAN. A total of $484,000.

Mr. WELKER. If the Senator will permit me to make a brief observation, I have seen and inspected the present jail at Anchorage, Alaska. When I inspected this jail it was at midwintertime. It was thoroughly obsolete and outdated. I venture the opinion that at no place in the United States or in its Territories is there a more terrible place for the incarceration of prisoners than at Anchorage. Certainly if any appropriation was ever well founded, it is this one. Anchorage is a thriving, growing city. The process of justice will be greatly aided by the erection and maintenance of a good jail in Anchorage.

Mr. McCARRAN. I thank the Senator. I may add that the jail is frightfully overcrowded at the present time. It is in deplorable condition. The new jail cannot be built for $400,000. The Department estimates that $434,000 will be sufficient to build it, and has recommended such an appropriation. The committee is recommending the additional $84,000.

Mr. President, for the Department of Commerce the committee is recommending the inclusion of two new items. The first item is the census of governments and the amount recommended is $806,841. As the Senate knows, this census was provided for in a law passed by the Congress. It is to be taken every 5 years. Last year the Congress denied any funds and this is the second request. There is widespread interest in the item and the committee has allowed one-half of the requested amount, which will allow the Bureau of the Census to get started on this important piece of work.

The second item is $1,383,074 for transport aircraft development. This money is to be used to do research on the flight characteristics of commercial jet transports and to also determine what changes are necessary in airport specifications in order to accommodate this new type of aircraft. This research by the CAA will in no way duplicate that being carried on by the Air Force or any other defense agency. As Senators know, the flight characteristics and safety factors of commercial planes is entirely different from those which are found in military aircraft. The United States is

far behind foreign countries in this field and at the moment we are entirely dependent on other countries for a supply of commercial type jet transports. The committee strongly recommends that this item be approved.

For the judiciary, Mr. President, the committee recommends a total of $27,548,700, an increase of $241,850 over the House, but $150,600 under the budget; $91,850 of this increase is to restore a House cut which would eliminate some 52 deputy clerks throughout the country and impose a severe hardship on those wishing to do business with the Federal courts. Many Senators are interested in this item. The balance of the increase, or $150,000, is for the United States judicial system in the District of Columbia. This amount is badly needed if Federal courts and Federal judicial agencies in the District are to operate at the required efficiency. The Federal courts in the District have an extremely heavy workload and it has been necessary for the Congress to increase the number of judges in the District from time to time. The amount recommended will provide the supporting personnel, so that the increased number of judges will be able to carry out their assigned tasks.

Mr. President, at this time I wish to pay my compliments and respects to the members of the subcommittee, of which I have the honor to be chairman, and to thank them for their very fine assistance and the hard work that each of them has done on this bill. I also, at this time, wish to pay my respects and thank the full committee for the confidence they have expressed in the recommendations of the subcommittee. I wish also to pay my respects to the two fine young men sitting beside me who labored with me day and night for many, many weeks in preparing and perfecting the bill.

Mr. President, I ask that the bill be read for amendment.

The PRESIDING OFFICER (Mr. HOEY in the chair). The clerk will proceed to state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Department of State—Salaries and expenses," on page 3, line 25, after the word "advance", to strike out "$76,000,000" and insert "$77,392,306."

Mr. CASE. Mr. President, I call up my amendment, which is a substitute for the committee amendment just stated.

Mr. WELKER. Mr. President, will the Senator from South Dakota yield so that I may suggest the absence of a quorum?

Mr. CASE. I yield for that purpose.

Mr. WELKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. WELKER. Mr. President, I ask unanimous consent that I may withdraw my suggestion of the absence of a quorum, and that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McFARLAND. Mr. President, I feel reasonably certain that if we can obtain a unanimous-consent agreement regarding this bill, we can complete action on the bill early this afternoon. I have talked to the distinguished junior Senator from Oregon [Mr. MORSE], and I believe he will be willing to consent now to the unanimous-consent agreement which I proposed a little while ago.

In order that all Senators may be informed, I shall restate the proposed agreement. I ask unanimous consent that there be a limitation on debate on all amendments to the bill, as follows: On the amendment proposed jointly by the Senator from South Dakota [Mr. CASE] and the Senator from Illinois [Mr. DOUGLAS], 1 hour and 20 minutes in total, with the time to be divided equally; on any amendment involving the Voice of America, 1 hour; on the amendment to be proposed by the Senator from New York [Mr. LEHMAN] and any other Senators who may join him in sponsoring the amendment, 1 hour; that in the case of all other amendments, debate be limited to 30 minutes; and, as I previously stated, that the time on the amendments be equally divided, and be controlled, respectively, by the proponent of the amendment and the distinguished senior Senator from Nevada [Mr. MCCARRAN], in the event he is opposed to the amendment; or in the event he is in favor of the amendment, then by the distinguished minority leader or any Senator whom he may designate.

The PRESIDING OFFICER. Will the request include a provision in regard to the germaneness of amendments?

Mr. McFARLAND. Amendments will have to be germane, for the bill is an appropriation bill.

I do not suppose Senators will care very much about any particular limitation in regard to debate on the bill itself, after the amendments are disposed of; but let us propose a limitation of 30 minutes on the bill, or 15 minutes to a side, with the time to be controlled in the same manner.

The PRESIDING OFFICER. And with motions to be treated in the same manner?

Mr. McFARLAND. Yes; both motions and appeals.

The PRESIDING OFFICER. Very well.

Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, although I shall not object, I simply wish to announce that during the debate on the bill I shall ask for time to make a few remarks, not to exceed 15 minutes in length, on certain problems connected with recent developments concerning the Passport Division of the State Department. If I am unable to secure that time, I now serve notice that I shall offer an amendment to the bill for the purpose of obtaining the necessary time to discuss the Passport Division matter.

Mr. WELKER. Mr. President, reserving the right to object, let me ask a question: In view of what my distinguished colleague from Oregon has said, would it be possible to agree to provide as much as 1 hour to a side, let us say, for debate on the bill, so that the Senator from Oregon will have the 15 minutes he will need?

Mr. McFARLAND. Of course, debate on the bill will come at the end of debate on the amendments. The Senator from Idaho does not mean to suggest that 1 hour to a side for debate on the bill itself be allowed, does he?

Mr. WELKER. I understand that the Senator from Oregon wishes to speak for 15 minutes, and certainly 15 minutes should be allowed for debate on the bill itself.

Mr. McFARLAND. Yes, let us allow a total of 1 hour for debate on the bill itself. I am willing to modify the proposed agreement in that way.

Mr. McCARRAN. Is the Senator from Arizona proposing that there be 1 hour to a side for debate on the bill?

Mr. McFARLAND. No; 1 hour on the bill, 30 minutes to each side.

Mr. FULBRIGHT. Mr. President, reserving the right to object, I wish to ask a question: When the majority leader referred to amendments in regard to the Voice of America, he meant to include the entire section dealing with education, and so forth, did he not?

Mr. McFARLAND. That is correct.

Mr. MORSE. Mr. President, I appreciate very much the courtesy the Senator from Arizona has extended to me. I really do not believe it will be necessary to increase the time for debate on the bill itself, because I believe sufficient time will be available for my purpose during the debate on the amendments. If not, I can offer an amendment, proceed to debate it, and then withdraw it.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and it is so ordered.

Mr. CASE. Mr. President, I call up my amendment designated "B."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 3, in line 25, it is proposed to strike out "$77,392,306" and insert "$72,936,907."

In the committee amendment on page 64, it is proposed to strike out line 16 and to renumber the succeeding paragraphs accordingly.

In the committee amendment on page 65, it is proposed to strike out line 24 and to renumber the succeeding paragraphs accordingly.

Mr. McFARLAND. Mr. President, let me inquire whether the amendment is offered by both the Senator from South Dakota and the Senator from Illinois. Is this the amendment on which there is a limitation on debate of 1 hour and 20 minutes?

Mr. CASE. That is correct. The amendment is offered jointly by the Senator from Illinois [Mr. DOUGLAS] and myself.

Mr. President, the briefest way to describe this amendment is to say that it seeks to apply the Ferguson amendment to the Foreign Service of the State Department.

Under the bill as reported by the committee, there is an exemption, so far as the Foreign Service is concerned, from the limitation of 90 percent on budget estimates.

This amendment would strike out that exemption and would reduce the total appropriations for the Domestic and Foreign Service of the State Department from $76,000,000, as passed by the House, to $72,936,907.

The committee voted to increase the amount allowed by the House of Representatives from $76,000,000 to $77,392,306.

Mr. President, my interest in the astounding growth of the Foreign Service of the State Department stems from reading an item to the effect that our newly reopened Embassy in Japan, is to start with a personnel of 214 Americans and 257 non-Americans, or a total of 471; while at the time our Embassy in Japan was closed, in 1941, it had only 82 American employees.

In other words an increase of nearly 300 percent is proposed.

Because of that astounding fact, I endeavored to secure from the State Department statistics regarding the growth of our representation in various countries. The remarks I shall make are based upon what I have discovered in connection with that study.

Let me state for the benefit of Senators who are on the floor at this time that this astounding growth in the Foreign Service has been observed by others than myself. Disinterested people working in the field have noted it and are commenting on the adverse effects of this overstaffing.

For instance, we find in the New York Times of as recent a date as June 20, 1952, that Mr. Michael L. Hoffman, a special correspondent of the New York Times, in writing from Bonn, Germany, began his dispatch of June 19 with the following statement:

> The United States Government's influence as a promoter of European economic cooperation has suffered a marked decline lately among top-level Western European officials.

And the reason Mr. Hoffman gives for the decline of our influence abroad is as follows—and I quote directly from Mr. Hoffman's dispatch, as printed in the New York Times on June 20:

> There are so many American officials dealing at so many levels with European governments on so many different aspects of economic policy that very often one branch of the United States Government does not even know what another is doing in a European capital.

Mr. Hoffman reports that one official recently said:

> We don't mind having Ambassador So-and-So visit us, but we do mind his bringing his whole court along.

Mr. Hoffman goes on to say:

> When fifteen or twenty United States officials, including men of ambassadorial rank, generals, and ministers, descend on a small European capital they all have to be entertained, often by officials who can barely make ends meet on low European salaries. They all have to be "briefed" and they all have to meet the important people in the local administration—all of whom have plenty of work of their own to do.
>
> IMPEDIMENT TO OBJECTIVES
>
> The European officials on whom these burdens fall are convinced that overelaboration of American operations in Europe is both hurting American-European relations and impeding the advance toward commonly held objectives.

So, Mr. President, I have offered this amendment, which would seek to apply to the Foreign Service of the State Department the same 90 percent limitation on Budget estimates that is proposed by the Ferguson amendment for the domestic activities and operations of the State Department.

I congratulate the committee on the amendments it has proposed in general to the State Department title of the bill for they represent, in the main, a reduction below the Budget estimate and also impressive cuts below this year's appropriation and the amounts allowed by the House committee and the House, with the particular exception of the Foreign Service. It is difficult for me to understand how or why the committee failed to make a corresponding reduction in that item.

In the case of the domestic staff of the State Department the committee's report points out that, by the application of the Ferguson amendment, the current rate of employment would be reduced by 363 positions.

In the case of the Foreign Service, however, the budget estimate contemplated 8,548 employees on a full-year basis, and the committee has recommended a reduction of only $25,000 and the elimination of only two employees from the request, the two employees who have been referred to in the Senate as ambassadors to the States. Why the committee should cut the domestic service by 383 employees—which I applaud—and then recommend an increase of 25 positions in the Foreign Service, in the face of the evidence that the Foreign Service is cluttered up with so many employees as to interfere with the attainment of our objectives abroad, I am unable to understand.

We must recognize, of course, that the comparison with the 1952 appropriations includes a supplemental appropriation for this year; and I hope that the committee has impressed upon the State Department the necessity of so operating that no deficiency bill will be necessary next year.

The core of the State Department's work and funds is represented by the item "Salaries and expenses," and it is to that item and the committee amendments which affect it that I am directing my attention. On the other items, I believe the committee has made reductions and other economizing proposals, such as the limitation on American contributions to international organizations, which will be applauded by everyone interested in efficiency and economy. Investigations which I have been making during the past month or more have convinced me that at least the recommended 10 percent domestic cut is in order. Specifically, I believe the Intelligence area, the Bureau of Economic Affairs, the Bureau of Public Affairs and the Bureau of United Nations affairs all can stand sizable reductions in staff, and it is my hope that the reduction will be applied in those areas.

But I am sorry that the committee did not see fit to apply the Ferguson amendment—the 10-percent cut—to the much larger and equally overstaffed Foreign Service.

On April 4, Representative BONNER, in discussing this subject in the House of Representatives, said:

> During the hearings of the Committee on Expenditures in the Philippines, I asked the Ambassador how many employees were in the American Embassy, both citizens of the United States and Filipinos. His answer was 1,200. I could not believe it, so I asked him to check the figures * * * he came back finally with an answer of 1,200. * * * Not only that, but in other cases wherever we visited, we repeatedly saw a surplus of employees, and we heard it stated time after time that there was an unnecessary amount of civil service or other employees attached to our foreign Embassies.

I began to look into this situation further and was amazed to learn that we send almost five times as many people to 15 of the foreign governments who maintain large Embassies here as they send to us. We employ, according to the New York Times of June 18, some 10,609 persons in those countries—48 percent of them Americans, the others locals—while those governments are represented here by a total of only 2,359 persons. So the State Department employs five times as many persons to conduct its business in those 15 countries as they find necessary in order to transact their business in the United States.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from Illinois.

Mr. DOUGLAS. Normally it is believed that the productivity of American workers is greater than the productivity of foreign workers. But would the figures the Senator from South Dakota has given indicate that the productivity of American diplomats is somewhat less than the productivity of foreign diplomats?

Mr. CASE. That, at least, must be the estimate of the productivity of our workers by the State Department itself.

Mr. President, the New York Times, on June 18, carried a United Press statement which began with this startling sentence:

> The United States maintains almost 5 times as many persons in 15 selected foreign countries as their respective governments send here.

I ask unanimous consent that the entire dispatch be printed in the RECORD at this point in my remarks.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

> DIPLOMATIC STAFFS IN LANDS OVERSEAS
>
> WASHINGTON.—The United States maintains almost 5 times as many persons in 15 selected foreign countries as their respective governments send here.
>
> In a State Department listing, the size of the staffs of 15 of the largest foreign Embassies here were compared with that of the

American Embassies in those countries. The findings indicated the growth of the worldwide influence and responsibility of the United States.

These countries were included in the list: Argentina, Belgium, Brazil, Canada, France, Germany, Greece, India, Italy, the Netherlands, Pakistan, Philippines, Spain, United Kingdom and the U. S. S. R.

A breakdown in part shows that this country employs 10,609 persons in those 15 countries, including colonial possessions. Of that number, foreigners make up more than half of the United States overseas staff. Americans total 4,995 or 48 percent, while nonnationals total 5,614 or 52 percent.

In turn, these foreign countries employ 2,359 persons in Washington, but prefer to send their own nationals to fill the Embassy staffs. United States citizens number only 224 or just under 10 percent of the total.

In Moscow, Russian employees at the American Embassy outnumber American citizens 94 to 58, for a total of 152, while in Washington the Soviet employs no Americans and 129 of their own nationals.

Mr. CASE. Mr. President, I recognize that our foreign relations are more complex than they used to be. But one would think that this growing complexity would be reflected in larger representations to the United States as well as from the United States.

For nearly 2 months, I have been trying to get some information and meaningful figures from the Department on this situation. I haven't had much luck, but what I have been given may surprise you. After waiting 4 weeks for a reply, on May 27 I was given a list of State Department employees in certain overseas posts that shows the tremendous growth in our representation abroad.

Let me give a few examples.

In England, in 1940, we had 37 officer personnel; in 1945, at the conclusion of the war, we had 69; and in 1952, we had 169. In other words, with all the intricate and complex relationships we had with England during the war, the State Department, during that period had an officer personnel of only 69 in 1945, whereas, in 1952, in the postwar period, the number grew to 169. The total State Department personnel in England grew from 215 in 1940 to 472 in 1945, and to 732 in 1952.

Think of it, Mr. President, from a personnel in 1945, of 472, to 732 in 1952, Those are not my figures. They are not casual figures. They are the figures supplied to me, perhaps somewhat reluctantly, but supplied, nevertheless, by the State Department.

In Argentina, in 1940, we had officer personnel of only 22; in 1945, that had grown to 36; and in 1952, it had grown to 41. State Department personnel in Argentina in 1940 numbered 68; in 1945, 137; and in 1952, 215. What possible explanation is there, Mr. President, for that increase in personnel in Argentina from 68 in 1940 to 215 in 1952?

In Mexico in 1940, our officer personnel numbered only 73; today it numbers 109. All State Department personnel in Mexico numbered 209 in 1940, and it numbers 542 in 1952. What possible explanation can there be for an increase from 209 in 1940 to 542 in 1952?

In Belgium, in 1940, our affairs were handled by 8 officers and a total of 33 State Department personnel. At the end of 1945, our Embassy in Belgium had 25 officers, compared with 8, 5 years before; 96 in total personnel, compared with 38 in 1940. But today, in Belgium, we have 42 officers, compared with 8 in 1940, and a total of 266 for all State Department personnel in 1952, compared with 38 in 1940.

Mr. DOUGLAS. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. DOUGLAS. Do these figures include the mutual security personnel?

Mr. CASE. They are figures from the State Department. They do not include mutual security personnel.

Mr. President, I ask unanimous consent to have included in my remarks at this point an exchange of letters with the Department setting forth these and other figures for various countries which tell the story of our vastly expanded overseas representation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 1, 1952.*

Mr. EDWIN N. MONTAGUE,
Director, Office of Personnel,
Department of State,
Washington, D. C.

DEAR MR. MONTAGUE: Will you kindly supply me with the figures showing the persons on duty for the State Department as of March 15, or some close-by calendar date for the years 1935, 1940, 1945, 1950, and 1952 in the countries of Argentina, Belgium, Cuba, England, France, Iceland, India, Iran, Japan, and Mexico. Also, in the capital cities of each of those countries for the same dates.

Thanking you, I am

Sincerely yours,

FRANCIS CASE.

DEPARTMENT OF STATE,
Washington, May 27, 1952.

The Honorable FRANCIS CASE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Please refer to your letter of May 1, 1952, in which you requested certain employment figures for the years 1935, 1940, 1945, 1950, and 1952.

The number of American employees of the Department in the countries and capitals you mentioned are shown in the attached table I for the years 1950 and 1952. Considerable research in files which have been retired to storage would be required to extract comparable data for the earlier years. Figures are available, however, of the number of personnel, other than clerical and custodial employees at each post for all the years in which you are interested. These are a reliable indication of the general increase in strength, and are shown in table II. All figures are as of approximately April 1.

In general, this growth in the Department's personnel requirements abroad reflects the increased leadership and responsibilities of the United States in world affairs. It includes personnel to carry out new programs such as those of the International Information Administration and the Technical Cooperation Administration, and to provide administrative services abroad to other United States agencies such as the Mutual Security Administration.

In some of the countries listed, the increase in strength has been proportionately greater that for the Foreign Service as a whole due to changes in world conditions. You will note for example, that in New Delhi, now the capital of an independent India, we had no representation before the war, but maintain a sizable mission there today.

It is hoped that this information will be useful to you, and if I can be of further assistance, do not hesitate to write.

Sincerely yours.

E. N. MONTAGUE,
Director of Personnel.

TABLE I.—*Number of Foreign Service employees, selected posts (includes all American personnel)*

Country or capital	April 1950	April 1952
Argentina	83	86
Buenos Aires	83	86
Belgium	79	94
Brussels	66	79
Cuba	77	89
Habana	72	85
England	248	277
London	230	261
France	340	438
Paris	298	388
Iceland	21	23
Reykiavik	21	23
India	98	200
New Delhi	47	118
Iran	80	131
Tehran	45	115
Japan	96	218
Tokyo	61	165
Mexico	270	282
Mexico City	155	171

TABLE II.—*Number of Foreign Service employees, selected posts (officer personnel only)*

Country or capital	1935	1940	1945	1950	1952
Argentina	17	22	36	47	41
Buenos Aires	17	22	36	47	41
Belgium	14	8	25	35	42
Brussels	8	4	16	26	33
Cuba	19	25	36	38	42
Habana	16	22	32	34	38
England	37	45	69	122	169
London	22	33	58	106	155
France	53	53	69	142	207
Paris	35	33	53	110	176
Iceland	0	1	5	7	8
Reykjavik	0	1	5	7	8
India	12	16	24	64	91
New Delhi	0	0	7	33	45
Iran	3	7	15	29	53
Tehran	3	7	15	24	46
Japan	24	29	0	49	74
Tokyo	13	20	0	31	53
Mexico	58	73	109	111	109
Mexico City	18	22	54	58	62

JUNE 4, 1952.

Mr. E. N. MONTAGUE,
Director of Personnel,
Department of State,
Washington, D. C.

DEAR MR. MONTAGUE: Thank you for your letter of May 27, replying to mine of May 1. As you will see by referring to my letter of May 1, I asked for "figures showing the persons on duty for the State Department" in the various countries and for the years listed. You kindly furnished me with the number of Americans working at the various posts for two of the five specified years and the number of officer personnel at the various posts for each of the 5 years.

What I should like to have is the total number of employees, American and non-American, for each of the specified countries for as many of the specified years or other years as possible.

Because the State Department appropriation bill will be before the Senate for consideration shortly, I must ask that this information be supplied as quickly as possible. Thank you.

Sincerely,

FRANCIS CASE,
United States Senator.

DEPARTMENT OF STATE,
Washington, June 13, 1952.

The Honorable FRANCIS CASE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR CASE: Please refer to your letter of June 4, 1952, in which you requested additional information concerning the number of State Department employees in certain countries.

We have compiled for your use employment figures for the years 1940, 1945, 1950, and 1952. These include all persons on the Department's rolls in any capacity and without distinction as to nationality or the appropriation from which they are paid. In 1940 and 1945 all these employees were paid from Department's own appropriation. In 1950 and 1952 the rolls include personnel engaged for new postwar programs which have their own appropriations. As mentioned in my previous letter, these include such things as the information and point 4 programs and administrative support personnel for the Mutual Security Administration. These operations, together with the leading role of the United States in world affairs, have increased substantially the personnel requirements of the Department.

I hope this information will meet your needs, even though it is not possible to supply you with similar data for any year prior to 1940. Files of that period have been retired, and only the information on officer strength previously furnished remains available.

If I can be of further assistance, do not hesitate to write.

Sincerely yours,

E. N. MONTAGUE,
Director of Personnel.

Personnel on duty for State Department, selected posts

Country or capital	July 1940	July 1945	April 1950	April 1952
Argentina	68	137	212	215
Buenos Aires	68	137	212	215
Belgium	38	96	251	266
Brussels	15	69	198	211
Cuba	73	153	150	162
Habana	66	128	139	152
England	215	472	703	732
London	166	389	615	646
France	185	413	1,006	1,104
Paris	132	318	852	942
Iceland	2	14	36	38
Reykjavik	2	14	36	38
India	68	162	785	887
New Delhi	0	82	291	362
Iran	29	75	274	355
Tehran	29	67	239	309
Japan	132	0	245	367
Tokyo	78	0	139	243
Mexico	209	443	530	542
Mexico City	35	235	317	333

Mr. CASE. Mr. President, the persons to whom I am referring are State Department overseas personnel. Some of them do provide administrative services, liaison, and so forth, in connection with mutual security, but are not mutual security personnel which are covered in appropriations for the Mutual Security Administration. A total attack on this overseas representation will have to include examination of the mutual security bill when it comes before the Senate. But this is a good place to start.

At this point, Mr. President, I should like to refer again to the dispatch of Michael L. Hoffman, written from Bonn, Germany, which was published in the New York Times on June 20, 1952:

There are so many American officials dealing at so many levels with European governments on so many different aspects of economic policy that very often one branch of the United States Government does not even know what another is doing in a European capital. Rightly or wrongly, Europeans who have to deal with United States agencies believe that a great deal of this activity is solely a result of the efforts on the part of various Americans to justify what are, on the whole, rather pleasant jobs. * * *

European officials on whom these burdens fall, the Times continues, are convinced that overelaboration of American operations in Europe is both hurting American-European relations and impeding the advance toward commonly held objectives.

Despite the tremendous postwar growth in our foreign representation, the committee recommends an increase in the appropriation of approximately $900,000, and 25 more positions. The justification for this increase is supposed to lie in the reopening of our embassy in Japan.

Mr. President, the mention of Japan brings out the astonishing fact that when we close an embassy in the Far East we do not take anyone off the payroll, and when we open an embassy we put on three times as many persons as were employed there before. When we were kicked out of China the State Department said, "We do not want to discharge all these people. We will simply use them somewhere else."

Representative CLEVENGER, on April 2, had this to say in the House with reference to what happened when we were kicked out of China:

When we discontinued the missions to China the request was made by the State Department to keep those people on the payroll and to assign them to the periphery areas around China that they might be there when we needed them. As far as I know, we have been paying them all; I have never seen any place where they have been removed; so I think possibly in view of what is going on in China, we might decide that they are not going to be needed right away in Communist China and use some of the money to pay the new personnel in Japan.

I do not know exactly where these personnel were put in the "periphery," but I would assume that we had representation in southeast Asia, the Philippines, with 1,200 employees, and elsewhere in the Far East, on the periphery, before these employees had to leave China. Why not now send them to Japan?

Even if more personnel are needed in reopening relations again with Japan, certainly we do not need nearly three times as many as we had before the war, despite our increased interest and responsibilities, and considering also the tremendous number of the military there.

Apparently the State Department wants 214 Americans and 257 non-Americans for the Japanese Embassy, a total of 471. Before the war we got along with 82 Americans for the State Department in all Japan. Even when we were governing the country, the State Department had 154 persons there, and now the request is for 60 more Americans, plus non-Americans. The explanations of what they will all do—which Senators may read at pages 123, 124, and pages just before and after, in the Senate hearings—are pretty nebulous.

It appears that the Department will maintain what amounts to a Department of Commerce for Japan, reporting and analyzing all phases of her economic life, including, to quote one witness, "whether or not it is going to be necessary for them to apply for loans." Evidently we cannot wait to find a new area for the beneficence of our taxpayers.

Mr. President, I wish every Member of Congress could have seen the play Call Me Madam. One foreign country was found whose representative had the courage to stand up and say, "We are going to solve our own problems, and we respectfully decline this loan." But they were told, "In return for your courtesy, we are not going to loan you only $100,000,000 but $200,000,000."

Apparently the State Department has adopted that philosophy, and now it is placing in Japan a large additional number of persons, "to determine whether or not it is going to be necessary for them to apply for loans," without waiting for Japan to say that loans are necessary.

The most common defense of the size of our Foreign Service, probably, is that it performs services for many agencies other than the State Department. That is true. But in the bill before us today what we are considering is the Service principally as it operates for the Department itself. For, in addition to the $52,000,000 we are here asked to provide for the State Department, the Foreign Service gets another $25,000,000 from other agencies to employ another 4,600 persons to perform "outside" services. I respectfully refer Senators to page 22 of the hearings.

The three amendments I propose, dealing with the Foreign Service, are simply an application of the Ferguson amendment, the 10-percent cut, to this area as it has been applied by the committee to the domestic area and to other items of the State Department's budget. One part refers to the dollars-and-cents figures.

I should like to ask unanimous consent, Mr. President, that the three amendments may be voted on as one, because they all pertain to the same objective.

The PRESIDING OFFICER. Without objection, the three amendments will be voted on en bloc.

Mr. CASE. Mr. President, the figure of $72,936,907 which I propose to substitute for the committee figure was arrived at in this way: The Department asked, for the Foreign Service, $36,741,685 for personal services; $5,637,616 for travel and $2,174,687 for transportation of things. Those are the items the Ferguson amendment has been applied to on the domestic side, with one minor exception. The amendment usually is applied to transportation of things other than mail. I was unable to get that breakdown for the Foreign Service readily, in the short time we have had, so I have applied it to the entire "Transportation of things" item. Ten percent of the three items of Foreign Service budget estimates which I have cited is $4,455,399. Deducting that from the committee figure of $77,392,306 leaves us with a total of $72,936,907.

The Ferguson amendments to sections 604 and 605 are on pages 64 to 66 of

the bill. As reported by the committee, they exempt the Foreign Service. I would strike that exemption. Then I propose an actual application of the Ferguson formula to the figure at the bottom of page 3. This seems to be the way in which the committee itself proceeded where it has applied the Ferguson reduction. It really takes a double crack at it, but it does not double the cut, because the over-all provision merely would exempt the Foreign Service from the effects of the Ferguson rider.

Mr. President, in concluding my remarks on these particular amendments, I should like to quote the incisive summary of the ills of our Foreign Service written by my distinguished colleague from Illinois [Mr. DOUGLAS] in his book, Economy in the National Government. After discussing domestic overstaffing, which, by the way, he believes requires more than a 10-percent reduction, he says this:

> There is much the same degree of overstaffing in the overseas branches of the Department of State. * * * Staffs are multiplied, the pace is leisurely, and useless paper work abounds in order to create a semblance of business. There is little doubt, therefore, that the Department of State is phlegmatic and fat. A reducing diet—supplemented by skillful, yet rigorous, surgical operations—would help to restore the Department to better health. This would save money for the taxpayers and increase the efficiency of the Department.

Therefore, Mr. President, I have proposed that the Ferguson amendment be applied to the Foreign Service of the State Department and that the exemptions applying to it be eliminated from the bill.

I reserve the remainder of my time.

Mr. DOUGLAS. Mr. President, how much time does the Senator from South Dakota have remaining?

The PRESIDING OFFICER. Eighteen minutes.

Mr. DOUGLAS. Will the Senator yield me 10 minutes?

Mr. CASE. Certainly.

Mr. DOUGLAS. I rise to support the amendment of the Senator from South Dakota, in the offering of which I have joined. I offered an amendment similar to this to the appropriation bill last year, but it was defeated. I am very glad the Senator from South Dakota has taken up the matter this year, and I congratulate him upon the factual study which he has made.

I believe there is little doubt but that the Foreign Service of the State Department is overstaffed. The Senator from South Dakota has given a detailed analysis by embassies and countries. As I remember the rough, over-all figures, in about 1941 there were approximately 4,000 employees in all branches of the State Department. Now there are 4,500 at home, and 8,500 abroad, a total of 13,000. That figure is exclusive of the numbers in the information and education service, in which the total number is almost equal.

I think the Department of State is characterized by administrative elephantiasis and suffers administratively from overweight in much the same way that individuals suffer from overweight. I have recently been reading articles on the effects of obesity upon the health of individuals. Obesity is said to be the greatest single ailment from which the American population suffers at the present time. The fatter a person is, the greater is the strain upon his heart. Incidentally, obesity seems somewhat to slow up his mental processes, also. So doctors are trying to get the American people to go upon reducing diets, and become more like the Uncle Sam we used to picture. I think this is a very beneficial effort.

I am of the opinion that overweight has the same effect administratively upon a department that it has upon an individual. When one of the departments multiples the number of its employees, as the Department of State has done, the difficulties of the department increase in geometric ratio. In fact, we really should have a new Malthusian law of administrative application, namely, that as personnel increases arithmetically, administrative red tape increases geometrically.

It is the testimony of a great many diplomats that they are so busy filling out forms and approving housekeeping details for their personnel that they do not have much chance to think about or to frame policy. The department has a touching faith that the more people it can hire, the more readily it can solve problems. It believes in intellectual formations of mass depth. It treats the decision of policy as though it were an infantry organization. Of course, that is not a correct attitude.

Not only is thought inhibited, but the necessity for communication increases. Before a policy can be agreed upon, there must be horizontal consultation among persons in the same echelon of the administrative hierarchy, in order that plans may be formulated and then the plans must move vertically upward through the administrative hierarchy. So, although there is vertical consultation, it is also necessary to have transverse consultation between one echelon and its diagonal superior. Therefore, really the consultations describe the full 360 degrees of a circle and the personnel spend their time largely talking with one another, rather than in doing the business of the United States of America.

I believe we should begin to apply a reducing diet to the Department of State. We should begin to put the Department on more rigorous fare.

I congratulate the Senator from South Dakota. I have joined with him in the amendment, in this initial beginning to reduce administrative elephantiasis in the State Department, which would afford leaders of the State Department an opportunity to think a larger percentage of the time, and to increase the efficiency of this agency of the United States, and save money for the Government as well.

Mr. McCARRAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Nevada has 40 minutes.

Mr. McCARRAN. How much time remains on the other side?

The PRESIDING OFFICER. Thirteen minutes.

Mr. McCARRAN. At the outset, I may say that the matter which has been brought forward by the able Senator from South Dakota and the able Senator from Illinois has been before a subcommittee of the Committee on Appropriations, and before the full committee, as well. It should be remembered that in the Foreign Service there are many elements: the information program, the point 4 program, the mutual security and economic programs, the Department of Defense and mutual security military programs, plus military attachés and Marine guards. The personnel for all these activities are in the service which the Senator from South Dakota and the Senator from Illinois propose to reduce.

Mr. President, any attempt on the part of this body to reduce the funds proposed by the committee for the Foreign Service or other parts of the Department of State represents a most serious threat to the effective conduct of foreign relations of this country in a perilous period.

Your subcommittee, over a period of weeks, has held most exhaustive hearings on every phase of operation of the Department of State, including the Foreign Service. It was the considered judgment of the subcommittee, as unanimously approved by the full Appropriations Committee, that the over-all reduction of approximately $1,000,000 below the 1952 appropriation is the maximum reduction which could be accomplished by the Department and still retain adequate resources to accomplish the functions imposed upon the Department by the present world situation.

As my colleagues are aware, I have not been a consistent supporter of many phases of the foreign policy of the present administration. However, it is my firm conviction that in the Foreign Service Establishment of the Department of State—which serves not only the Department of State but all other departments of the Government having foreign operations—that we have a strong, commendable group of career representatives, the existence of which should not be jeopardized by arbitrary and forced attrition.

If the 10-percent reduction were to be made in the staff of the Foreign Service, it would represent approximately 850 positions in a total complement of approximately 8,500 serving in 75 countries in which over 300 posts are operating. It is interesting to note that over 160 of the Foreign Service posts have an existing staff of 25 employees or less. Thus, to apply any radical reduction in the number of employees would seriously restrict the staffs at a large number of posts which have a very limited number of employees at present.

I have referred to the career nature of the Foreign Service personnel structure. Not so many years ago the only persons who could afford to enter the Foreign Service Establishment of this country were those with private incomes or resources, and this factor rather seriously handicapped the Department in maintaining a well-balanced and well-rounded representation of the American

people in foreign lands. This situation no longer exists and today it may be said that the Foreign Service is truly representative of the average intelligent American citizen, drawn from all States of the Union, educated in a representative group of our institutions of higher education, and fully indoctrinated with the zeal for the American and democratic way of life. The applicants for this service acquire years of specialized training in foreign affairs, including language specialization. Any reduction in the Service would not only be applied to those with fewer years of tenure but would disrupt the career structure upon which many young men of our country have planned their future.

Between 1946 and 1952 the Foreign Service has reduced its total positions from 10,455 to 8,694. At the same time it has been increasingly difficult, particularly in view of the demands of defense mobilization of both Government and industry, to recruit the number of applicants of suitable caliber to maintain an adequate staff. The number of applicants to take examinations to enter the career Foreign Service has fallen off by 50 percent—from 2,015 in 1948 to 1,090 in 1951. This downward trend in applicants has continued through the current year. If we were to disturb the career aspect of the service by arbitrary reduction in its total staff, recruiting in the future would undoubtedly be rendered more difficult by reason of the potential insecurity of the Service as a career.

As pointed out before, it is important to note that the Foreign Service represents all agencies of this Government.

I wish to repeat that, so that those who listen to me may understand. As pointed out before, it is important to note that the Foreign Service represents all agencies of this Government.

I come back to the agencies to which I referred at the outset, the information program, the point 4 program, the mutual security and economic programs, the Department of Defense, mutual security, and military programs, plus military attachés and marine guards. All these agencies are represented in the group which Senators would reduce arbitrarily by an amendment on the floor of the Senate.

Mr. CASE. Mr. President, will the Senator yield?

Mr. McCARRAN. I shall be glad to yield in a moment.

This subject has been gone into at length over the years by the subcommittee hearing the appropriations in hand. Hearings have been held on it, and consideration has been given to the question of reduction. I invite the attention of the able Senators who sponsor this amendment to the fact that the chairman of the subcommittee has not supported by his vote all these agencies abroad. However, the agencies have been established by law. They must be staffed, and the staffs must be paid.

I yield to the Senator from South Dakota for a question.

Mr. CASE. Let me say to the able chairman of the committee that I respect his position with respect to the authorizing legislation in connection with many of these programs. That is why I thought his feelings would not be too badly hurt if we tried to bring a little more order into the allowances for personal services.

Is it not a fact that there is a separate item in the bill for the informational and educational activities, namely, an item in the amount of $86,000,000? The amendment which the Senator from Illinois and I offer does not go to the informational and educational activities, the $86,000,000 figure. It is applied to the item for salaries and expenses.

Mr. McCARRAN. That is correct; but the personnel representative of the total personnel in the embassies, and that total is what the Senator is driving at by his amendment.

Mr. CASE. The amendment which we have offered applies to the figure recommended by the committee of $77,392,000, but does not go to the international informational and educational activities, which constitute a separate item.

Mr. McCARRAN. The Senator is correct.

Mr. CASE. To that extent it seems to me that the answer which the chairman has been giving, to the effect that we would be hurting the information program, is somewhat modified. That is a separate item.

Mr. McCARRAN. But I invite the Senator's attention to the fact that the total personnel in the embassies is made up partly of personnel in all these agencies.

Mr. CASE. I will say to the able Senator that I asked the Department for some figures in that connection, and was given the following breakdown of the $86,000,000: $18,000,000-plus for domestic personal services; $17,088,356 for overseas personal services; $4,471,000 for travel; $2,874,000 for transportation of things. In other words, in the $86,000,000 item there is $17,088,356 for overseas personal services. That is why I felt that we were on solid ground in saying that we were not striking at the personal services in connection with the informational program.

Mr. McCARRAN. I suggest to the Senator from South Dakota that it would be difficult to conduct a propaganda campaign by keeping everyone in this country. Employees must go overseas to carry on that work.

Mr. CASE. That is true.

Mr. McCARRAN. If we want to abandon these programs, let us abandon them by repealing the statutes which created them. But inasmuch as they were created by statute, they must of necessity be staffed, and when they are staffed we must pay the staffs.

Mr. CASE. Perhaps I did not make myself clear. In the $86,000,000 figure there is $18,000,000 for domestic personal services and $17,000,000-plus for overseas personal services. Those are both in the $86,000,000 figure, which we are not touching at all. I grant that there must be some overseas personal service, but that is the other item, not touched by my amendment.

Mr. McCARRAN. Let me say to the Senator that the information program cannot carry on the overseas service for the Foreign Service.

Mr. CASE. There are other parts of the Foreign Service, to be sure; but I thought the Senator's main objection to the amendment was that we might hurt the informational program.

Mr. McCARRAN. I fear that the Senator is being led astray by the very thing which perplexed the chairman of the subcommittee, a subject into which he went at length, not only this year but in years past, and into which he will go again next year. My leaning is toward the very thing which the Senator is driving at. I have voted, and will continue to vote, to reduce expenditures wherever they can be reduced. The point I am endeavoring to make is that we cannot destroy these agencies completely at one fell swoop. We must reduce as we can, while maintaining efficiency. That is my position. I say to the Senator, with all due respect, that if he imposes on the bill the amendment which he now sponsors, in my judgment he will cripple the service which has been established by statute.

As pointed out before, it is important to note that the Foreign Service represents all agencies of this Government, including the Departments of Labor, Agriculture, Commerce, and, further, about 40 percent of its facilities are devoted to providing consular and other reporting services to United States citizens and private enterprise. Only 25 percent of its resources are devoted to international negotiations and the normal conduct of foreign affairs.

I request the support of my colleagues in sustaining the committee's recommendation in the funds provided for the Department of State, particularly the Foreign Service.

In conclusion I may say that the very thought which has been expressed by the able Senator from South Dakota and which has also been expressed rather picturesquely by the able Senator from Illinois, with reference to the overcorpulence of the State Department, has been considered by the subcommittee, by the chairman of the subcommittee, and worked into the bill as carefully as it was possible to do without destroying the effectiveness and efficiency of that which the statute requires we carry out.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. FERGUSON. Mr. President, I should like to have the RECORD show the number of personnel in the Foreign Service. We are at times misled by the number of persons who are connected with our embassies in foreign countries. We are inclined to think of all of them as being in the Foreign Service. I want to make sure that the RECORD shows the figures. I feel that there are too many persons in the various embassies, but that the Foreign Service should not be held accountable for many of those in the embassies. I should like to have the Senator from South Dakota answer that point a little later if he has the answer. For instance, my figures show 38 persons in the Embassy at Iceland.

As to how many of them are Foreign Service personnel I do not know. Many of them are there on special missions, but assigned to the Embassy. Several years ago when I visited Mexico City there were 380 persons in the Embassy and in various offices connected with the Embassy in Mexico City. How many of them were Foreign Service personnel is a different question.

Mr. McCARRAN. I draw the attention of the Senator to certain figures. I do not have the figures for Iceland before me, but I do have the figures for Mexico City. The total number of Americans in the Mexico City Embassy is 219.

Mr. FERGUSON. Two hundred and nineteen is the total as of today. I was speaking about 3 or 4 years ago, when I visited there.

Mr. McCARRAN. The figures I gave are as of this year.

Mr. FERGUSON. I do not have the figures for this year.

Mr. McCARRAN. Of the 219, 126 are in the Foreign Service, 38 in Information Service, and 55 in point 4 service, making a total of 219.

What confuses those who look into the bill is the fact that there is an intermingling of agencies of the Government in its foreign embassies. They are all seated and centered in the embassies. We think that there are too many persons in personnel. As a matter of fact, they are there by reason of the fact that they represent different activities provided for by statute.

Mr. FERGUSON. Mr. President, will the Senator yield further?

Mr. McCARRAN. I yield.

Mr. FERGUSON. With respect to Mexico City, the figures which the Senator from Nevada gave are the figures for this year. I was talking about the time when I visited the Embassy at Mexico City. Today the total number of Americans is 219, and the total number of local employees is 126. Is that correct?

Mr. McCARRAN. That is correct. Ninety-one of the number which the Senator has mentioned are with the Information Service.

Mr. FERGUSON. I appreciate that fact. The military and naval attachés and the marine guards are over and above that number?

Mr. McCARRAN. Yes; they are over and above that figure.

Mr. FERGUSON. The record should be clear that there are many persons assigned to embassies. A few months ago the Byrd committee, of which I am a member, showed in its report that 174,612 Americans were employed outside continental United States. I wondered whether the distinguished Senator from South Dakota or the distinguished Senator from Illinois was striking at that figure, rather than at the Foreign Service officers. Does the Senator from Nevada have the answer to that question?

Mr. McCARRAN. I did not quite catch the thought of the Senator from Michigan.

Mr. FERGUSON. The total number of employees, rather than Foreign Service officers, is what I have in mind.

Mr. McCARRAN. The Senator from South Dakota, as I understand, has offered an amendment which affects only the Foreign Service officers.

Mr. FERGUSON. It does not affect the number of employees outside the Foreign Service?

Mr. CASE. It affects those who are paid by State Department funds, not including the Information Service, because that is a separate item.

Mr. FERGUSON. I want the RECORD to be clear on that point.

Mr. McCARRAN. Mr. President, I yield the floor.

Mr. CASE. Mr. President, the chairman of the committee has made answer as to two points. First, he fears the amendment might cripple the Information Service, and, secondly, that there are military attachés and other persons, associated with the State Department in some of the foreign posts, who might be affected by the amendment.

I have already pointed out that the funds for the Information Service are an entirely different and distinct appropriation and are accounted for elsewhere in the bill.

With respect to the services performed by other agencies, I should like to invite attention to the hearings at page 22, in which the distinguished chairman himself explored this point. The testimony which he developed there shows that the State Department gets an additional $25,643,000 through reimbursable funds from other agencies for their employees. I invite the attention of Senators to the hearings at pages 21 and 22, at which point the chairman of the committee made inquiries with reference to the $52,000,000 for the Foreign Service:

> Senator McCARRAN. And you receive $25,643,000 in addition to that paid in to you for additional service that you perform for other agencies.
>
> Mr. WILBER. It is slightly more than that, Mr. Chairman, but that is approximately right. There are some reimbursable items that are not included in the President's budget.

Mr. President, in other words, the services performed for other agencies are paid for out of the $25,000,000, or more, which is provided in other appropriations.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. FERGUSON. Do I understand that figure to refer to Foreign Service officers, or to other personnel?

Mr. CASE. Is the Senator from Michigan referring to the $25,000,000 or the $52,000,000?

Mr. FERGUSON. Are the Foreign Service officers paid out of other funds?

Mr. CASE. The Foreign Service officers are paid out of other funds only if they are on the reimbursable account of some other agency. Further along, on page 22 of the hearings the Senator from Louisiana [Mr. ELLENDER] asked:

> Senator ELLENDER. Could you tell us how many more people that entails, in round numbers?
>
> Mr. WILBER. About 4,600 more people in total for all reimbursable services.

In other words, Mr. President, it comes down to what we are working for here; namely, a cut in the Foreign Service personnel. The chairman of the committee himself said that he had some reluctance in voting for some of these programs, but he said that, having been created, they must be staffed, and we should not cripple them or cut them too much.

I point out, Mr. President, that, after all, this is only a 10 percent cut. The committee itself recommends a 10 percent cut in the domestic services. Certainly the chairman will not say that a 10 percent cut on something that has grown so fantastically as the Foreign Service is a crippling cut.

Mr. McCARRAN. Mr. President, inasmuch as the Senator from South Dakota has addressed a question to me, I should like to answer it.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from South Dakota yield to the Senator from Nevada?

Mr. CASE. I yield.

Mr. McCARRAN. Let me say that between 1946 and 1952 the personnel of the Foreign Service was reduced from 10,455 to 8,694. We have been reducing the number of personnel in the Service right along.

To reduce it now, at one fell swoop, on the floor of the Senate, would be destructive; and I object to it.

The Senator from South Dakota forgets the number of agencies and services involved, as required by statutory provisions.

Mr. CASE. Mr. President, let me read from page 3 of the committee report. At that point the committee states that for the domestic staff the appropriations reported require a reduction to the extent of 383 employees. But the next sentence dealing with the Foreign Service says:

> For the Foreign Service, the budget estimate contemplated 8,548 employees on a full-year basis and an appropriation of $52,762,000. The committee recommends that $25,000 and two employees be cut from this estimate.

How can it be contended that a cut of only 2 employees from the budget estimate, on the basis of a total of 8,548 employees, is adequate?

Mr. FERGUSON. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I yield.

Mr. FERGUSON. Those two employees are the proposed ambassadors to Michigan and California, and the recommended reduction in the amount of $25,000 is to cover the pay proposed for those two employees. I make that statement in order to have the record show what the committee is attempting to do in that respect.

Mr. CASE. Certainly, and I am in sympathy with that reduction in the budget estimate. But the committee still ends up with an increase of 25 positions over 1952. Mr. President, we are asking only a 10 percent cut, and if this is a crippling amendment, the country can stand a few more like it.

Mr. DOUGLAS. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I yield.

Mr. DOUGLAS. The amendment is a reducing amendment. It is designed to reduce the administrative obesity of the Foreign Service, so that it may function more vigorously and may have a longer and more virile life. Is that not correct?

Mr. CASE. Yes, and to improve the health of the economy of the country as a whole.

Mr. McCARRAN. Mr. President, let me say that the blanket cut or horizontal cut which would be made by this amendment would affect many embassies where there are less than 25 employees. The amendment, if adopted, would destroy the efficiency of many embassies, because of the nature of the cut, in that it would require that a total 841 employees be removed from the Foreign Service.

Again I invite the attention of the Senator from South Dakota to the futility of enacting legislation of this kind on the floor of the Senate, after the committee has given this bill weeks and weeks of study.

Mr. CASE. Mr. President, of course I respect the hard work the committee does. The volume of hearings of 1,800 pages is eloquent testimony to the hard work the committee has done, and I myself know something about the work required by such long hearings on an appropriation bill.

Nevertheless, Mr. President, when the committee by its own report says it proposes to cut only two employees out of a total budget request of 8,548, and allows an increase of 25 positions over the current year, I submit that a reduction is in order.

Mr. McCARRAN. Let me say that those two employees, as the Senator from Michigan has stated, are the two ambassadors to the respective States of Michigan and California, two officers who would be taken from the Foreign Service and sent to the State of California and to the State of Michigan. The Senator from Michigan does not want an ambassador to be sent to Michigan; he thinks he can get along without an ambassador; and I think he can, for he is a very good ambassador here, himself.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments submitted by the Senator from South Dakota, for himself and the Senator from Illinois, to the committee amendment on page 3, in line 25, and also to the committee amendments on pages 64 and 65.

Mr. CASE. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CASE. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the order is rescinded and the proceedings under the call will be abandoned.

The question recurs on the amendments offered by the Senator from South Dakota [Mr. CASE], for himself and the Senator from Illinois [Mr. DOUGLAS]. By unanimous consent, the amendments will be voted on en bloc. The clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Virginia [Mr. BYRD] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Montana [Mr. ECTON] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. LODGE] and the Senator from Maine [Mrs. SMITH] would each vote "yea."

The result was announced—yeas 46, nays 36, as follows:

YEAS—46

Aiken	Hendrickson	Mundt
Bennett	Hickenlooper	Nixon
Bricker	Hoey	O'Conor
Butler, Md.	Hunt	Schoeppel
Butler, Nebr.	Ives	Seaton
Cain	Jenner	Smith, N. J.
Capehart	Kem	Smith, N. C.
Case	Knowland	Taft
Cordon	Long	Thye
Dirksen	Malone	Watkins
Douglas	Martin	Welker
Duff	McCarthy	Wiley
Dworshak	McClellan	Williams
Ferguson	Millikin	Young
Flanders	Moody	
Frear	Morse	

NAYS—36

Benton	Holland	Monroney
Clements	Humphrey	Murray
Connally	Johnson, Colo.	Neely
Eastland	Johnson, Tex.	O'Mahoney
Ellender	Johnston, S. C.	Pastore
Fulbright	Kilgore	Robertson
George	Lehman	Saltonstall
Gillette	Magnuson	Smathers
Green	Maybank	Sparkman
Hayden	McCarran	Stennis
Hennings	McFarland	Tobey
Hill	McKellar	Underwood

NOT VOTING—14

Anderson	Chavez	Lodge
Brewster	Ecton	McMahon
Bridges	Kefauver	Russell
Byrd	Kerr	Smith, Maine
Carlson	Langer	

So the amendments offered by Mr. CASE, for himself and Mr. DOUGLAS, were agreed to.

Mr. CASE. Mr. President, I move that the vote by which the amendments were agreed to be reconsidered.

Mr. DIRKSEN. I move that that motion be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois [Mr. DIRKSEN] to lay on the table the motion of the Senator from S. Dakota [Mr. CASE].

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the subhead "Acquisition of buildings abroad," on page 5, line 8, after the word "act", to strike out "$7,500,000" and insert "$3,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Contributions to international organizations," on page 6, line 8, after the word "Congress", to strike out $27,923,163" and insert "$30,484,749."

The amendment was agreed to.

The next amendment was, on page 6, line 9, to strike out:

None of the funds appropriated in this paragraph shall be used to pay an assessment to any international organization which exceeds one-third of the total annual cost thereof: *Provided, however,* That such limitation shall not apply to assessments to inter-American organizations

And in lieu thereof to insert:

No representative of the United States Government in any international organization after fiscal year 1953 shall make any commitment requiring the appropriation of funds for a contribution by the United States in excess of 33⅓ percent of the budget of any international organization for which the appropriation for the United States contribution is contained in this act: *Provided, however,* That this section shall not apply to the United States representatives to the inter-American organizations.

No representative of the United States Government to any international organization of which the United States is not now a member shall, unless specifically authorized in an appropriation act or other law, make any commitment requiring the appropriation of funds for a contribution by the United States in excess of 33⅓ percent of the budget of such international organization.

The amendment was agreed to.

The next amendment was, under the subhead "Missions to international organizations," on page 7, line 18, after the word "chauffeurs", to strike out "$1,400,000" and insert "$1,321,112."

The amendment was agreed to.

The next amendment was, under the subhead "International contingencies," on page 8, line 23, after "(44 U. S. C. 111)", to strike out "$2,000,000" and insert "$1,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Construction," on page 11, line 3, after the word "further", to strike out "That construction shall not be started

on the Anzalduas diversion dam until" and insert "That the Anzalduas diversion dam shall not be operated for irrigation or water supply purposes in the United States unless"; and in line 9, after the word "allocated", to strike out "to irrigation or water supply purposes" and insert "to such purposes."

The amendment was agreed to.

The next amendment was, under the subhead "American sections, international commissions," on page 12, line 12, after the word "Commissions", to strike out "$525,000" and insert "$500,344."

Mr. CLEMENTS. Mr. President, to the committee amendment I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Kentucky to the committee amendment.

The CHIEF CLERK. On page 12, line 12, it is proposed to strike out "$500,344", and insert in lieu thereof "$505,344, of which $45,000 shall be available for the American Section, International Joint Commission."

Mr. McCARRAN. Mr. President, I have discussed this matter with the Senator from Kentucky, and I am willing to take his amendment to conference.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kentucky [Mr. CLEMENTS].

Mr. FERGUSON. Mr. President, I understand the amendment specifically applies to hearings on the St. Lawrence waterway and Lake Ontario?

Mr. CLEMENTS. That is correct.

Mr. FERGUSON. I hope the Senator from Nevada will take the amendment to conference.

Mr. CLEMENTS. It would add $5,000 for hearings on the Lake Ontario and the St. Lawrence waterways.

Mr. FERGUSON. Mr. President, I think the RECORD should show that this item came up after the budget was prepared.

Mr. CLEMENTS. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky.

The amendment was agreed to.

The PRESIDING OFFICER. The question is now on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The Clerk will state the next committee amendment.

The next amendment was, under the subhead "International information and educational activities," on page 15, line 14, after the figures "$86,575,000," to insert "of which sum, $200,000 shall be made available to one or more private international broadcasting licensees for the purpose of developing and broadcasting, under private auspices but under the supervision of the Department of State, radio programs to Western Europe and Latin America, which programs shall be designed to cultivate friendships with the peoples of the countries in those areas, and to build improved international understanding."

Mr. SMITH of New Jersey. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMITH of New Jersey. My inquiry is whether it would be in order at this point to offer an amendment to substitute a different figure in lieu of $86,575,000?

The PRESIDING OFFICER. The Chair will say to the Senator that if he is seeking to amend a provision in the House bill and not a committee amendment to the bill, that can be done only at this time by unanimous consent, since we are considering presently only committee amendment to the bill.

Mr. SMITH of New Jersey. That was the reason for my question. I shall refrain until we have concluded the committee amendments.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 15, line 14.

The amendment was agreed to.

The next amendment was, under the subhead "General provisions—Department of State," on page 20, after line 10, to strike out:

SEC. 111. No part of any appropriation contained in this title shall be used to pay the salaries or other expenses of maintaining any foreign service post or mission, exclusive of consular posts, in any state or country prior to confirmation by the Senate of the appointment of the first chief of mission or other diplomatic representative to that state or country.

The amendment was agreed to.

The next amendment was, on page 20, after line 16, to insert:

SEC. 111. No part of any appropriation contained in this title shall be used to pay the salary or expenses of any person assigned to or serving in any office of any of the several States of the United States or any political subdivision thereof.

The amendment was agreed to.

The next amendment was, on page 20, after line 21, to insert:

SEC. 112. None of the funds appropriated in this title shall be used (1) to pay the United States contribution to any international organization which engages in the direct or indirect promotion of the principle or doctrine of one world government or world citizenship; (2) for the promotion, direct or indirect, of the principle or doctrine of one world government or world citizenship.

Mr. DOUGLAS. Mr. President, I wonder if the distinguished chairman of the committee will be willing to modify the amendment incorporating section 112 in the bill by inserting the word "one" after the word "or" in the first line of page 21, and, similarly, in line 3, page 21, so that it would read "one world citizenship." I noticed that the distinguished chairman of the committee, in his speech explaining the bill, used the term "one world citizenship."

Mr. McCARRAN. I gladly accept the amendment offered by the Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from Nevada.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. DOUGLAS. Mr. President, for the sake of legislative history I should like to point out that Webster's Unabridged Dictionary describes a citizen of the world as "a cosmopolitan."

I am sure it is not the intent of the committee to be opposed to cosmopolitanism, but merely to the principle or doctrine of one world government.

I agree with the distinguished Senator from Nevada that we do not wish any of the money appropriated in this bill to propagandize our people to become "citizens" in a one-world government.

I have followed closely the United Nations, UNESCO, other specialized agencies of the United Nations, as well as the United States National Commission for UNESCO, since they were organized. I do not find that they have in the past, or that they contemplate in future plans, the promotion of the political principles or political doctrines of one-world government or of world citizenship in the sense of advocating individual adherence in such one world government.

Consequently, in voting for the appropriation bill as reported to the Senate by the committee, I want to make it clear, in view of the reservations contained in section 112, that I do not wish to imply that any effort has been made, by the United Nations, or UNESCO, or the United States National Commission for UNESCO, to promote the principle or doctrine of one-world government, or to advocate citizenship in such a one-world government. I am confident that my distinguished colleagues would agree with me in this view.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was on page 21, after line 3, to insert:

SEC. 113. No part of any appropriation contained in this title shall be used to pay any expenses incident to or in connection with participation in the International Materials Conference.

Mr. FULBRIGHT. Mr. President, I desired to say a few words about the amendment on page 21, line 4, which has just been stated. I do not intend to oppose the amendment, although I wish to make it clear that the adoption of the amendment does not constitute an expression on the part of the Senate that the United States should not participate in the International Materials Conference. That question has been decided by the Senate. The latest expression of the Senate on that issue was on June 11, when it adopted, by a vote of 46 to 31, an amendment which I proposed to the Defense Production Act.

It occurs to me that the question of whether we should participate in the International Materials Conference is a legislative question. I have made no particular investigation or study of what

should be the source of the fund for such participation and, therefore, I am not in a position to oppose the amendment at this time. I assume the conference committee on the appropriation bill will consider the question, just as the conference committee on the Defense Production Act will consider the legislative question as to what extent, if any, our Government should participate in the International Materials Conference.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. FERGUSON. I hope also the House in its action on the Defense Production Act will not retain the section the distinguished Senator had the Senate vote into the bill, or that the conference committee will drop it.

Mr. FULBRIGHT. I should like to say, in response to the comments of the Senator from Michigan, that that particular question was debated in the Senate, as the Senator well knows. There were two votes on the question as a legislative matter, one on the amendment of the Senator from Michigan and the other on my amendment.

It will be in conference, I understand, this afternoon, when the House completes its action on the Defense Production Act. It should be properly settled as a legislative matter. This amendment would certainly come very close to being legislation on an appropriation bill, because it involves broad public policy. I do not know whether the only funds available for participation in this conference would arise from this particular appropriation bill or not. I doubt it. I think it very likely that if we should participate, there may be other sources from which to pay for any participation. But that is another matter.

The question of whether or not we should have anything to do with an effort to distribute and allocate materials in short supply on an equitable basis seems to me to be a legislative question for Congress to decide, and I think it will be settled by the conference committee.

Mr. SALTONSTALL. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. When the matter was discussed in committee yesterday, my feeling was somewhat one of sympathy with the position of the Senator from Arkansas. As I understand, at the present time the House has adopted what corresponds to the Ferguson amendment in the Senate. The House has not considered the so-called Fulbright amendment. Therefore, the Fulbright amendment will be in conference, if it is not adopted by the House. If the amendment is not agreed to in conference, then the Ferguson amendment will be sustained by both Houses. If the pending amendment is agreed to, it will be in conference, and we can see, when the conference is held, the conferees will know the result of the conference on the price-control bill.

If the Fulbright amendment is inserted by the conference, then the pending amendment should come out of this bill. If the Fulbright amendment is not inserted, then this amendment is a perfectly proper amendment. That is the basis on which I, for one, voted for this committee amendment, or did not object to it, when it was considered.

Mr. FULBRIGHT. As I read the amendment, it would affect only the State Department appropriations. It would not settle the general question as to whether there should be participation. But I am not informed as to the final action of the House. It was my understanding that the amendment adopted by the House was not identical with the Ferguson amendment. I understood there was a difference. So the whole subject will be in conference. It seems to me very proper that this should be considered as a legislative matter.

Mr. SALTONSTALL. To the best of my ability I have checked the language adopted by the House and the language adopted by the Senate. It is my understanding that the language contained in the House bill is identical with the language of the Ferguson amendment in the Senate bill. As I see it, the issue will be decided in conference. So there will be no harm at all in having this committee amendment either come out or stay in this bill, pending action of the conference on the defense production bill.

Mr. FULBRIGHT. As I have said, I am not opposing it. I merely wished to make clear my position. I am in no position to object. I do not think our Government should be prohibited from participating in the International Materials Conference. I do think it is a little unusual that we should undertake to settle a legislative matter by what is called a limitation on an appropriation bill.

From the point of view of legislative history, at least from my position, this amendment does not constitute a determination of the correctness of the policy of seeking to allocate materials in short supply among various friendly nations which are trying to coordinate their efforts in the struggle against communism.

Mr. McCARRAN. Mr. President, with regard to this item, I state only my individual views. I do not propose to sanction the existence of some ad hoc agency not set up by statute, by making appropriations for it. I do not propose to be a party to that. I hope that if, as, and when the Congress sees fit, if ever it does see fit to set up such a commission, it will be done by legislative act, not merely by making appropriations.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. FERGUSON. I should like to join in the statement made by the Senator from Nevada. He has stated the view of the Senator from Michigan.

The PRESIDING OFFICER (Mr. HUNT in the chair). The question is on agreeing to the amendment, on page 21, inserting section 113.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, under the heading "Title II—Department of Justice—salaries and expenses, general legal activities," on page 21, line 25, after "(31 U. S. C. 529)", to strike out "$9,750,000" and insert "$10,030,000."

The amendment was agreed to.

The next amendment was, under the subhead "Salaries and expenses, United States attorneys and marshals," on page 22, line 15, after the word "ammunition", to strike out "$13,750,000" and insert "$13,850,000."

The amendment was agreed to.

The next amendment was, under the subhead "Federal Bureau of Investigation—Salaries and expenses," on page 24, line 15, after the word "incumbent", to insert a colon and the following additional proviso: "*Provided further*, That the Director of the Federal Bureau of Investigation hereafter is authorized, without regard to the Classification Act of 1949, to place 20 positions in grade GS–16 in the General Schedule established by the Classification Act of 1949."

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and facilities," on page 27, line 14, after the word "account", to strike out "$740,000" and insert "$824,000," and in line 21, after the word "appropriation", to insert a colon and the following additional proviso: "*Provided further*, That the limitation under this head in the Supplemental Appropriation Act, 1952, on the amount available for construction of a complete Federal jail at Anchorage, Alaska, is increased from '$400,000' to '$484,000'."

The amendment was agreed to.

The next amendment was, under the subhead "General provisions—Department of Justice," at the top of page 31, to strike out:

SEC. 208. None of the funds appropriated by this title may be used in the preparation or prosecution of any suit or proceeding in any court by or on behalf of the United States (1) against a State of the Union; or (2) against in excess of 2,500 defendants.

The amendment was agreed to.

The next amendment was, on page 31, after line 5, to insert:

SEC. 208. (a) Consent is hereby given to join the United States as a defendant in any suit (1) for the adjudication of rights to the use of water of a river system or other source, or (2) for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange, or otherwise, and the United States is a necessary party to such suit. The United States, when a party to any such suit, shall (1) be deemed to have waived any right to plead that the State laws are inapplicable or that the United States is not amenable thereto by reason of its sovereignty, and (2) shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances: *Provided*, That no judgment for costs shall be entered against the United States in any such suit.

(b) Summons or other process in any such suit shall be served upon the Attorney General or his designated representative.

(c) Nothing in this act shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream.

Mr. KNOWLAND. Mr. President, I have spoken to the Senator from Nevada and suggested the possibility of taking to conference an amendment which I presented to the committee, so that in addition to the House language, which is being stricken out, and an amendment of the Senator from Nevada, which has been inserted, the additional language of an amendment which I submitted to him could be taken to conference.

Mr. McCARRAN. I believe I have a comprehensive grasp of the amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 32, between lines 5 and 6, it is proposed to insert the following:

(d) None of the funds appropriated by this title may be used in the preparation or prosecution of the suit in the United States District Court for the Southern District of California, Southern Division, by the United States of America versus Fallbrook Public Utility District, a public service corporation of the State of California, et al.

Mr. McCARRAN. Mr. President, I have a comprehensive grasp of this whole subject. The matter inserted by the committee, together with the matter offered now by the Senator from California, could well go to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, under the heading "Title III—Department of Commerce—Office of the Secretary," on page 32, line 15, after the figures "$1,000", to strike out "$1,850,000" and insert "$1,904,000."

The amendment was agreed to.

The next amendment was, on page 32, line 23, after "(5 U. S. C. 55a)", to strike out "$270,000" and insert "$259,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of the Census," on page 33, line 11, after the word "diem", to strike out "$6,975,000" and insert "$6,410,935."

The amendment was agreed to.

The next amendment was, on page 33, line 22, after the word "work", to strike out "$1,750,000" and insert "$1,650,005."

The amendment was agreed to.

The next amendment was, on page 34, line 16, after the word "appropriation," to strike out "$1,450,000" and insert "$1,330,517."

The amendment was agreed to.

The next amendment was, on page 35, line 4, after the word "appropriation", to strike out "$125,000" and insert "$116,382."

The amendment was agreed to.

The next amendment was, on page 35, after line 4, to insert:

Census of governments: For expenses necessary for taking, compiling, and publishing the 1952 census of governments as authorized by law, including personal services by contract or otherwise, at rates to be fixed by the Secretary of Commerce without regard to the Classification Act of 1949, as amended; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); and additional compensation of Federal employees temporarily detailed for field work under this appropriation; $806,841, to remain available until June 30, 1955.

The amendment was agreed to.

The next amendment was, under the subhead "Civil Aeronautics Administration," on page 36, line 9, after the word "snowshoes", to strike out "$106,470,000" and insert "$105,594,000."

The amendment was agreed to.

The next amendment was, on page 37, line 11, after the word "expended", to strike out "$13,091,499" and insert "$11,091,499."

The amendment was agreed to.

The next amendment was, on page 38, line 16, after the word "Administration", to strike out "$1,225,000" and insert "$1,162,972."

The amendment was agreed to.

The next amendment was, on page 39, line 7, after the numerals "1955", to strike out "$20,000,000" and insert "$19,821,154"; in line 15, after "(7)" to strike out "$2,750,000" and insert "$2,571,154"; and in line 19, after the word "which", to strike out "$2,750,000" and insert "$2,571,154."

The amendment was agreed to.

The next amendment was, on page 40, line 9, after the word "uniforms", to strike out "$435,000" and insert "$433,594."

The amendment was agreed to.

The next amendment was, on page 40, after line 22, to insert:

Transport aircraft development: For expenses necessary for carrying out the provisions of the act of September 30, 1950 (Public Law 867), relating to the development of improved transport aircraft, including hire of aircraft; and services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); $1,383,074, to remain available until expended.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Foreign and Domestic Commerce," on page 43, line 4, after "(5 U. S. C. 55a)", to strike out "$2,900,000" and insert "$2,792,932."

The amendment was agreed to.

The next amendment was, on page 43, line 12, after the word "possessions", to strike out "$1,925,000" and insert "$1,965,00."

The amendment was agreed to.

The next amendment was, on page 43, line 19, after the word "individuals", to strike out "$5 750,000" and insert "$5,504,300."

The amendment was agreed to.

The next amendment was, under the subhead "National Bureau of Standards," on page 48, line 24, after the word "thereto", to strike out "$1,140,000" and insert "$1,351,000."

The amendment was agreed to.

The next amendment was, on page 49, line 2, after the word "for", to strike out "$4,000,000" and insert "$4,156,000."

The amendment was agreed to.

The next amendment was, on page 49, line 11, after the word "frequency", to strike out "$2,750,000" and insert "$2,910,000."

The amendment was agreed to.

The next amendment was, under the subhead "Weather Bureau," on page 49, line 23, after the word "only", to strike out "$27,000,000" and insert "$27,500,000."

The amendment was agreed to.

The next amendment was, under the heading "Title IV—The Judiciary—Salaries of clerks of courts," on page 54, line 4, after the word "assistants", to strike out "$4,900,000" and insert "$5,042,850."

The amendment was agreed to.

The next amendment was, under the subhead "Probation system," on page 54, line 8, after the numerals "3656", to strike out "$2,420,000" and insert "$2,445,500."

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous salaries," on page 55, line 19, after the word "for", to strike out "$2,900,000" and insert "$2,955,500."

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous expenses," on page 56, line 23, after "(34 Stat. 476)", to strike out "$837,200" and insert "$855,200."

The amendment was agreed to.

The next amendment, as heretofore amended by the amendment offered by Mr. CASE (for himself and Mr. DOUGLAS), was, under the heading "Title VI—General provisions," on page 62, after line 19, to strike out:

SEC. 604. No part of any appropriation or authorization contained in this act shall be used to pay the compensation of any incumbent appointed to any civil office or position which may become vacant during the fiscal year beginning on July 1, 1952: *Provided*, That this inhibition shall not apply—

(a) to not to exceed 25 percent of all vacancies;

(b) to positions filled from within a Department provided for in this act;

(c) to offices or positions required by law to be filled by appointment of the President by and with the advice and consent of the Senate;

(d) to the employees of the Department of Justice, except general administration personnel;

(e) to the employees of the Federal Bureau of Investigation;

(f) to the employees of the Civil Aeronautics Administration, and the Civil Aeronautics Board;

(g) to the operational personnel of the Coast and Geodetic Survey;

(h) to the employees of the National Bureau of Standards;

(i) to the employees of the Judiciary Branch;

(j) to employees in grades CPC 1, 2, and 3: *Provided further*, That when the total number of personnel subject to this section has been reduced to 90 percent of the total provided for in this act, such limitation may cease to apply and said 90 percent shall become a ceiling for employment during the fiscal year 1953, and if exceeded at any time

during fiscal year 1953 this provision shall again become operative.

And in lieu thereof to insert:

SEC. 604. (a) No part of any appropriation made by this act for any purpose shall be used for the payment of personal services in excess of an amount equal to 90 percent of the amount requested for personal services for such purpose in budget estimates heretofore submitted to the Congress for the fiscal year 1953; and the total amount of each appropriation, any part of which is available for the payment of personal services for any purpose, is hereby reduced by an amount equal to 10 percent of the amount requested in such budget estimates for personal services for such purpose less an amount representing the reduction, if any, between the amount requested for personal services in the budget estimates and the amount appropriated herein for such services.

(b) This section shall not apply to—

(1) construction, International Boundary and Water Commission, United States and Mexico.

(2) the Department of Justice.

(3) The Civil Aeronautics Administration.

(4) the Civil Aeronautics Board.

(5) the operational personnel of the Coast and Geodetic Survey, the Bureau of Public Roads, the National Bureau of Standards, and the Weather Bureau.

(6) the Field Office Service of the Bureau of Foreign and Domestic Commerce.

(7) the Patent Office.

(8) the Judiciary Branch.

The amendment, as amended, was agreed to.

The next amendment, as heretofore amended by the amendment offered by Mr. CASE (for himself and Mr. DOUGLAS), was, on page 65, after line 4, to insert:

SEC. 605. (a) No appropriation or authorization contained in this act shall be available to pay—

(1) for personal services of personnel above basic rates;

(2) for transportation of things (other than mail); or

(3) for travel of employees,

more than 90 percent of the amount which the budget estimates heretofore submitted in connection with appropriation or authorization contemplated would be expended therefrom for such purposes, respectively; and the total amount of each appropriation, any part of which is available for such purpose, is hereby reduced by an amount equal to 10 percent of the amount requested in such budget estimates for such purpose less an amount representing the reduction, if any, between the amount requested for such purpose in the budget estimates and the amount appropriated herein for such purpose.

(b) This section shall not apply to—

(1) construction, International Boundary and Water Commission, United States and Mexico.

(2) the Department of Justice.

(3) the Civil Aeronautics Administration.

(4) the Civil Aeronautics Board.

(5) the operational personnel of the Coast and Geodetic Survey, the Bureau of Public Roads, the National Bureau of Standards, and the Weather Bureau.

(6) the Field Office Service of the Bureau of Foreign and Domestic Commerce.

(7) the Patent Office.

(8) the Judiciary Branch.

The amendment was agreed to.

The next amendment was, on page 66, after line 12, to insert:

SEC. 606. No part of the money appropriated by this act to any department or made available for expenditures by any corporation included in this act which is in excess of 75 percent of the amount required to pay the compensation of all persons the aggregate budget estimates for personal services heretofore submitted to the Congress for the fiscal year 1953 contemplated would be employed by such department or corporation during such fiscal year in the performance of—

(1) functions performed by a person designated as an information specialist, information and editorial specialist, publications and information coordinator, press relations officer or counsel, photographer, radio expert, television expert, motion-picture expert, or publicity expert, or designated by any similar title, or

(2) functions performed by persons who assist persons performing the functions described in (1) in drafting, preparing, editing, typing, duplicating, or disseminating public information publications or releases, radio or television scripts, magazine articles, photographs, motion pictures, and similar material,

shall be available to pay the compensation of persons performing the functions described in (1) or (2). No person whose only performance of the functions described in (1) or (2) of the preceding sentence is in activities necessary for the enforcement of law, promotion of safety of human life, dissemination of weather information, or scientific experimentation, or whose compensation is paid from funds appropriated specifically for International Information and Educational Activities shall be deemed to be engaged in the performance of the functions so described.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to further amendment.

Mr. McCARRAN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 48, line 22, after the words "plant equipment", it is proposed to insert "not to exceed $175,000 for construction and equipment of cafeteria facilities."

This amendment does not add any funds to the committee bill. The committee recommended the cafeteria facilities, and this language should be included in the paragraph as a limitation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

Mr. McCARRAN. Mr. President——

Mr. McFARLAND. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield for a question.

Mr. McFARLAND. I stepped out of the Chamber for a moment. I wish to inquire about the amendment on page 31, section 208.

Mr. McCARRAN. The amendment on page 31 is Senate bill 18, which was approved by the Senate some days ago. To that has been added the amendment offered by the Senators from California [Mr. KNOWLAND and Mr. NIXON]. The chairman of the subcommittee believes that this question can be settled in conference.

Mr. McFARLAND. What is that amendment, may I inquire?

Mr. McCARRAN. Mr. President, may the clerk read the amendment offered by the Senators from California?

The PRESIDING OFFICER. Without objection, the clerk will read the amendment.

The LEGISLATIVE CLERK. On page 32, between lines 5 and 6, insert the following:

(d) None of the funds appropriated by this title may be used in the preparation or prosecution of the suit in the United States District Court for the Southern District of California, Southern Division, by the *United States of America* v. *Fallbrook Public Utility District*, a public service corporation of the State of California, et al.

Mr. McFARLAND. That is a very restrictive provision applying to only one State. I do not believe that is the way to dispose of a lawsuit.

Mr. McCARRAN. I will say to the Senator from Arizona that the amendment offered by the Senator from California is not a substitute for the committee amendment. I simply accepted it as a part of the committee amendment.

Mr. McFARLAND. I understand. I have gone over the committee amendment. As the Senator knows, I withdraw my objection to it. I think it should have been enacted as a separate bill, but it has been considered by a legislative committee. Hearings have been held. For that reason I have no objection.

Mr. McCARRAN. The Senate approved it.

Mr. McFARLAND. I understand. The Senate did approve it. It has gone through the regular legislative process.

Mr. McCARRAN. That is correct.

Mr. McFARLAND. Mr. President, will the Senator further yield?

Mr. McCARRAN. I yield.

Mr. McFARLAND. I hope the Senator will insist that it be not changed in conference. That is the only danger in connection with such proposals. I hope the Senator will stand by the committee amendment.

Mr. McCARRAN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 59, after line 15, it is proposed to insert the following new section:

SEC. 404. When the buildings in Judiciary Square now occupied by the District Court of the United States for the District of Columbia and the United States Court of Appeals for the District of Columbia are vacated by such courts, the Architect of the Capitol shall cease to perform any duties in connection with such buildings and any duties theretofore performed by him with respect to these buildings shall thereafter be performed by the General Services Administration. Such amounts of the appropriations herein provided for expenditure for such buildings by the Architect of the Capitol as may be unobligated at the time of transfer of duties shall be transferred by the Architect of the Capitol to the General Services Administration. The building now occupied by the district court shall, when funds are made available therefor, be renovated by General Services Administration for the use of the Tax Court of the United

States. The General Services Administration is authorized to prepare plans and specifications therefor, to be paid for out of such funds, under the direction and supervision of the Chief Judge of the Tax Court.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

Mr. HAYDEN. Mr. President, I should like to make an inquiry. Unfortunately I was detained at a meeting of the Appropriations Committee when the item on page 15, line 14, of $86,575,000 was acted upon. This is the item for the Voice of America. I wish to inquire whether there was included in that amount provision for the new duties to be imposed on the Department by reason of the fact that it has taken over the work which was done by the Army in Japan. That work involves a cost of some $5,000,000.

Mr. McCARRAN. It will have to be absorbed in this amount of money.

Mr. HAYDEN. As I understand, that is also true with respect to the new Coast Guard cutter *Courier*. That cost will also have to be absorbed.

Mr. McCARRAN. Yes.

Mr. HAYDEN. Therefore the other work the Department has been doing must be curtailed in order to take on the new work.

Mr. McCARRAN. This is the House figure, just as the House approved it. The items referred to by the Senator will have to be absorbed in the $86,575,000.

Mr. HAYDEN. What I was concerned about was the question of taking over the work in Japan. Was that question considered by the House, and was the operation of the Coast Guard vessel which was recently put in commission considered by the House?

Mr. McCARRAN. I am unable to answer the question as to whether the House considered the work in Japan. The figure of $86,000,000 was the House figure, established on the floor of the House. Within that amount there must be absorbed the two items to which the Senator from Arizona has referred.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCARRAN. Mr. President, I inquire whether there is objection at this time to rescinding the order for the quorum call.

Mr. PASTORE. There is no objection on my part.

Mr. McCARRAN. I ask unanimous consent that the order for the quorum call be rescinded, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President, I offer an amendment which is submitted by me on behalf of myself, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Dakota [Mr. MUNDT], and the Senator from California [Mr. NIXON]. I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 15, in line 14, it is proposed to strike out "$86,575,000" and insert in lieu thereof "$88,556,516"; and in line 23, after the colon, it is proposed to insert the following: "*Provided further*, That $7,967,958 shall be available for the exchange of persons."

Mr. SMITH of New Jersey. Mr. President, I wish to make a brief statement regarding this amendment. First, I ask unanimous consent that a somewhat longer statement in explanation of the amendment be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXCHANGE OF PERSONS PROGRAM UNDER H. R. 7289, AS REPORTED BY APPROPRIATION COMMITTEE

Under H. R. 7289, as it passed the House, $86,575,000 is provided for the entire program of International Information and Educational activities. (P. 13, line 20 to p. 17, line 3, H. R. 7289.)

Of this amount $5,500,000 is available for exchange of persons under the Smith-Mundt and Fulbright acts. In its report (S. Rept No. 1807) the Senate Appropriations Committee (p. 8) states: "The committee believes that the amount (for the total IIE program) allowed by the House is adequate and will allow for the program to proceed at about the same rate as the current year. It is the opinion of the committee that this activity should have a breathing spell for a year and get itself organized and integrated before embarking on another expansion."

Although the committee indicates a desire that the program "proceed at about the same rate as the current year", the effect of its action is to reduce the exchange of persons program. The fiscal 1952 appropriation was $6,567,958. Therefore, the direct reduction is $1,067,958, or 16.3 percent below the level of the current year.

The Army has been carrying out an exchange of persons program in Japan, the present year's budget for which was approximately $1,400,000. As the occupation of Japan has ended, the program has been transferred to the State Department, and the House committee required that the program be carried on within the limits of the total of $86,575,000. However, only $690,000 of the total is available for exchange students, and, therefore, the result is a further reduction in the current program of $710,000.

Pay increases directed by Congress ($37,958) and an increase in per diem necessary to be paid to leaders brought to this country under the Smith-Mundt Act ($10 to $12, total, $135,600) require the absorption of $203,558, reducing the amount available for grants by that amount.

Therefore, the action of the committee, far from maintaining the program at its present level, reduces it as indicated below:

1952 (Smith-Mundt and Fulbright)	$6,567,958
1952, Japan	1,400,000
Total, 1952	7,967,958
1953 (Smith-Mundt and Fulbright)	5,500,000
1953, Japan	$690,000
	6,190,000
Less absorption of increase costs	203,558
Total available for 1953	5,986,442
Total reduction	1,981,516
Percentage reduction	24.9

A further comparison might be made with the bill passed by the Senate last year. Under the sponsorship of Senators MUNDT, NIXON, SMITH, FULBRIGHT, and others, the Senate increased the appropriation of funds for the entire information and exchange program of $85,000,000. As a part of this appropriation, $10,000,000 was earmarked for exchange of persons, although this amendment was stricken in conference. This amount, which did not include funds for the Japanese program, would be comparable to the $5,500,000 figure in the pending bill. Thus, the Senate was on record last year as favoring a program of almost twice the amount carried in the pending bill.

The effect of the reduction in numbers of persons to whom grants may be made is as follows:

Fulbright program	102
Smith-Mundt program	176
Japanese	143
Total	421

A further factor is that Fulbright agreements have been instituted, since last year, with five additional countries: South Africa, Iceland, Ceylon, Sweden, and Indonesia. Unless Smith-Mundt funds are made available for these countries, or unless the programs with other countries are reduced further, a two-way exchange with these countries will not be possible.

If it is desired that the exchange of persons program should be carried on in 1953 at the same level as the present, the total for international information and educational activities (appearing at p. 15, line 14, of H. R. 7289) should be increased to $88,556,516 ($86,575,000 plus $1,981,516), and by adding a proviso that $7,967,958 should be available for the exchange of persons.

Mr. SMITH of New Jersey. Mr. President, the purpose of the amendment is to make a small increase in the appropriation for the international information and education program as it applies to the exchange of students and other persons. This amendment is limited to the exchange of students and other persons, a subject in which those of us who are sponsoring the amendment are very much interested.

As a result of the action the House of Representatives has taken on this bill, we are afraid that the program which has been carried on during the past year will be curtailed. I am among those who feel that the exchange of students and other persons is one of the most important programs we have. That is why I am offering the amendment.

The increased appropriation called for by the amendment amounts to somewhat less than $2,000,000. The amendment provides that the increase proposed be earmarked for the exchange-of-persons program.

Mr. President, I have already requested that there be printed in the RECORD a statement regarding the amendment. The statement explains how we have arrived at the amount of the proposed increase, and indicates the purpose of the amendment.

I understand from the distinguished chairman of the subcommittee, the Senator from Nevada [Mr. McCARRAN], that he is willing to accept the amendment.

Mr. McCARRAN. Yes.

The PRESIDING OFFICER. The amendment is in two parts. Are they to be considered as one amendment or are they to be considered separately?

Mr. SMITH of New Jersey. Mr. President, I have submitted the amendment as a single amendment. The several parts cover the same subject. Therefore, I should like to have both parts of the amendment considered as one amendment.

I understand that the distinguished Senator from Nevada is willing to accept the amendment.

Mr. McCARRAN. Mr. President, I am willing to accept the amendment and take it to conference, where the conferees can handle it as they see fit.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey, for himself and other Senators.

The amendment was agreed to.

Mr. FULBRIGHT. Mr. President, I wish to say a few words in regard to the amendment and the exchange-of-persons program. I have followed the program very closely, and have interviewed hundreds of persons who have participated in it, and have also discussed it with a number of our important representatives in the Government service, both abroad and here in the United States. They have expressed themselves very favorably regarding this program.

At this point I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, a letter which I received recently from Mr. Walter J. Donnelly, United States High Commissioner to Austria.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN EMBASSY,
Vienna, Austria, June 3, 1952.

The Honorable J. WILLIAM FULBRIGHT,
United States Senate.

MY DEAR SENATOR FULBRIGHT: With reference to our recent conversation concerning the initiation in Austria of the educational exchange program authorized by Public Law 584 (the Fulbright Act), I wish to send you the enclosed copy of the first annual report of the United States Educational Commission in Austria and to offer the following comments and observations regarding the first year of program operations in this country.

The program thus far is generally regarded as an outstanding success. The Commission has benefited by the experience in other countries. It has been possible, for example, to coordinate the program closely with exchange activities financed from appropriated dollar funds and those carried on by private organizations and institutions. In consequence, travel grants were awarded last year to 117 Austrian students, 4 school teachers, 19 university lecturers or research scholars; on the American side, 48 students received grants, 4 school teachers and 12 lecturers or research scholars. The numerical predominance of Austrian over American beneficiaries has averted the criticism, frequently directed against the program in some other countries, that its benefits are primarily for Americans. In fact, the Communist press in Austria has found little in the program that it could pervert for propaganda purposes.

The United States Educational Commission succeeded in holding its administrative costs, even in its first year of operation, to 4.14 percent of program costs, the lowest percentage of any country participating in the program. Moreover Austria, although it ranked only twelfth among the participating countries in the amount of funds expended in 1951, ranked fifth in the number of persons receiving benefits under the program.

The successful initiation of the program in Austria is doubtless due in considerable measure to the high caliber of the Commission's membership and the careful attention which it has given to all problems. Under the chairmanship of the Embassy's Cultural Affairs Officer, it includes the Director of the CARE organization in Austria, the Educational Adviser to United States forces in Austria, and a retired United States Foreign Service officer; the Austrian members include the rectors of the University of Vienna and the Vienna Academy of Fine Arts, a high official of the ministry of education, and a distinguished professor of biology. There has been excellent cooperation on the part of Austrian officials in overcoming obstacles to the execution of the program. For example, the Austrian National Bank has approved a blanket exception to its usual currency control regulations, making it possible for transportation companies serving Austria to accept payment of international travel in Austrian currency.

Very few of the Austrial grantees have returned from the United States as yet, but uniformly good reports have been received concerning their activities and contributions. In one case, a petition was signed by over 100 students urging a visiting professor to remain for an additional semester at his American host university.

Americans of all categories applying for awards in Austria appear to be interested predominantly in the humanities, particularly literature and music. This year there were relatively small but good representations of students in the natural and social sciences. It has been a disappointment that few qualified lecturers in American literature have applied to come to Austria so far, and none in American history. In preparing the program plan for the next academic year, these fields have been stressed particularly.

Because of the circumstances of the occupation and the critical international political situation which centers in Vienna, the American grantees in Austria have an important mission and an unusual responsibility. They have been encouraged to subordinate their relations with the large American community to the important field of developing close contacts with Austrian people and institutions. Most of them have responded extremely well to the challenge of the situation. They have adjusted to Austrian life and to the peculiar conditions which they face here. Their behavior and attitudes have been such as to create a generally good impression upon their Austrian associates. It is perhaps surprising that virtually no incidents have been reported involving the American scholars which would tend to increase tensions or hard feelings. On the other hand, many of them have made concrete, demonstrable contributions to information and educational programs sponsored by this mission.

Particularly striking has been the voluntary participation of a considerable number of the grantees in an American lecture program. Not only the professors, research scholars and teachers, but a number of the graduate students have lectured extensively in all parts of Austria. Between October 1951 and May 1952, Fulbright scholars have reported a total of 132 lectures to a combined audience of more than 10,000 people. They have lectured not only at all of the nine United States information centers and subcenters in Austria but also at numerous Austrian organizations and institutions, including youth groups, trade-unions, international relations clubs, adult education centers and schools at all levels. The response has been surprising. At the small agricultural town of Ried in upper Austria, for example, 300 people attended a lecture by a graduate student on life in the American Middle West; a similar number attended a lecture on modern American music in the provincial capital of Klagenfurt. Besides the reported lectures, many of the scholars participate regularly in less formal discussion groups and club meetings. Others have given concerts, spoken on the radio, taught American folk songs and dances, etc.

In Austria's present situation, a program such as this one can make a very real and significant contribution in support of American policies in Austria. It is gratifying that the potentialities of the program have been realized to such an extent in its first year of operation. There is every reason to believe that the program will grow in effectiveness during the coming years.

Sincerely yours,

WALTER J. DONNELLY,
United States High Commissioner to Austria.

Mr. FULBRIGHT. Mr. President, I have had Mr. Donnelly's letter printed in the RECORD because it illustrates what some of our finest representatives abroad think about this program and how they have evaluated it.

I have also discussed this matter with Mr. McCloy, our High Commissioner to Germany. His statements regarding this program are in accord with those of Mr. Donnelly.

I have also discussed the program with Mr. David Bruce, our Under Secretary of State, who recently returned from Paris, where he was our Ambassador. His views regarding this program are similar to those stated by Mr. Donnelly in his letter.

I have received letters about the program from Mr. Jarman, our Ambassador to Australia, and formerly a Member of the House of Representatives. In those letters Mr. Jarman states his opinion of this program in very much the same way that Mr. Donnelly has stated his opinion of it.

I wish to emphasize that from the point of view of dollars, this program calls for a relatively small part of the appropriations carried by this bill. As I estimate the amount of appropriations involved for the exchange-of-persons program, it is approximately one one-hundredth of 1 percent of the amount we are spending this year on military preparations.

The exchange-of-persons program is a very important one if we assume that war with Russia is not inevitable. Of course, if we assume that war with Russia is inevitable, then perhaps my emphasis on the importance of this program may not be justified. On the other hand, if there is any hope of a solution short of total war between the free world and the Communists, I believe this program can make and is making a great a contribution as anything else we are doing.

In the past year the program has been operated in connection with 19 countries.

and I believe 5 additional countries have recently joined in the program, with the result that now it approaches the point where it brings us into contact with practically all the other free nations.

The program has one very unique characteristic which no other program that I know of has, namely, that the Communists cannot and do not dare follow this example. The Communists do not dare invite people from the free countries to go to Russia and travel freely there and examine what the Russians are doing. On the other hand, under this program we invite people from practically all the other free countries to visit the United States and see what we are doing in our country. To my mind, that is the most persuasive aspect of this program.

Of course the Russians can build and are building bigger and better radio stations. Almost every time we build a large radio station, the Russians build one that is equally as large, if not larger; and frequently the Russian radio stations jam the broadcasts made by our stations. Similarly, no matter how much information we print in newspapers or no matter how much information we publish abroad in magazines, the Russians do likewise; in fact I believe the Russians are spending a great deal more money in the field of psychological warfare and information and propaganda than we are, as an over-all matter.

But the one thing the Russians do not dare do, and have not done, is to invite people from the free countries—for instance, the countries of the Middle East or the countries of South America—to visit Russia and to travel freely there and to judge for themselves about the Communists' so-called paradise.

So that aspect of this program is extremely important. Even in the short time the program has been under way, it has made a great impression, particularly on the smaller countries, because it has given them some basis by means of which they can judge the truthfulness of what they hear on the radio about our country. If they do not have some basis for judging who is telling the truth, they usually are confused by the tremendous program of propaganda and counter-propaganda. On the other hand, when the leaders of other free countries or the young people who eventually will be the leaders of those countries visit the United States and see for themselves what we in the United States are doing here, they are able to judge correctly the truth of the situation.

In fact, I do not believe there is any other way to describe effectively what is of value in the United States. It cannot be effectively described in words; I cannot do it, and I do not believe anyone else can. If the peoples of other free countries are to learn adequately of the values of the democratic society we have built up in our country. I think there is no other way for them to do so except by visiting the United States and living here for a certain period of time and experiencing for themselves what life in the United States means. Then they can correctly determine who is right in the present world conflict.

So I am very much pleased that the chairman of the subcommittee who is handling this bill has accepted the amendment. As the Senator from New Jersey has said, the amendment will simply retain the program on the level at which it now exists, plus including the Japanese program, which formerly has been paid for by the military.

Thus, I do not believe that by adopting the amendment we shall be violating the spirit of the statement contained in the committee report, in which the committee states in a general way that it intends to maintain the over-all program of information on the same basis on which it was maintained this year.

So, Mr. President, I appreciate very much the action of the chairman of the subcommittee in agreeing to take the amendment to conference, and I hope that in the conference he will insist that the amendment be agreed to by the conferees.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 5, line 4, it is proposed to strike out "$650,000" and insert "$500,000."

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DOUGLAS. Mr. President, this is a proposal to reduce the so-called "representation allowances" from the committee recommendation of $650,000 to $500,000. The term "representation allowances" is a euphemism designed to conceal the truth. No citizen knows what the term "representation allowances" means, that is, no one outside the sacred precincts of the Appropria- permit members of the Foreign Service But once we penetrate the inner mystery of this language we find that it is an entertainment allowance designed to permit members of the Foreign Service to give cocktail parties and dinners to entertain other diplomats, sometimes distinguished visitors from home, and other persons.

I may point out that I suppose the major portion of this item of representation allowances goes for alcoholic beverages. I want to make it clear that I, myself, am not a teetotaler, and I do not wish to pose under any false colors in urging this amendment. But I do not think the United States of America needs to spend $650,000 in cocktails and champagne in order to win friends and influence people in other portions of the globe.

In the first place, in Mohammedan countries the United States actually loses prestige by serving liquor, because the Mohammedans are by their religion nonalcoholic. The prestige of the United States in a number of the Mohammedan countries, ranging from Cairo to Singapore, has been distinctly reduced by the representation expenditures, or the liquor expenditures of the members of the Foreign Service. So far as the non-Mohammedan sections of the world are concerned, it is not necessary for the United States to spend $650,000 in order to acquire prestige in those quarters. The prestige of the United States comes from the strength of the United States and the moral purpose of the United States, and it is not necessary to float American foreign policy in a sea of liquor in order to win friends and influence people. Our diplomats could do it equally well with nonalcoholic fruit punch and cookies. Entertainment does not need to be accompanied by a filet mignon, martinis, and champagne cocktails. I believe that simplicity of life should be characteristic of all public officials, and quite as characteristic of foreign officers as of domestic officials here at home. There is great danger that we may take on the customs of the foreign countries of Europe and adopt them in toto for our Foreign Service.

I shall not criticize the Foreign Service today, but if the Foreign Service has a fault—and I think it has many—it is usually because of the fact that they have aped the manners of the British Foreign Service and have almost completely adopted their scale of values.

The United States does not have to enter into competitive entertainment with other countries, and as a matter of fact most of the cocktail parties given by diplomats consist of an exchange in which each entertains the other, and each nation says that it must spend money in order to keep up with the other nations. Now, it may be well if, with the strength of the United States, this powerful Nation sets an example of withdrawing from this process of competitive expenditure, instead of allowing the other parties to set the pace and determine our scale of values. And so, Mr. President, my amendment is an appeal for greater simplicity of life. Just as we have reduced the number of Foreign Service officers by our amendment, and I hope that will be agreed to in conference, I may say that this is a proposal to introduce greater simplicity—I shall not say greater sobriety, but greater simplicity—into the Foreign Service.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. McCARRAN. Mr. President, the amount of representation allowances was cut by the committee from $750,000 to $650,000. This is not for cocktails, this is not for liquor, this is not for the brand of entertainment to which the Senator from Illinois refers. It may be that, in his experience, that was the only line of entertainment that appealed to him; I do not know; but for 2 years I have heard him talking about diplomatic cocktail parties. This fund is not for cocktail parties. The fact is that the filet mignon accompanying the entertainment, of which he speaks, is referred to as though it were some kind of liquor.

Mr. DOUGLAS. Oh, no.

Mr. McCARRAN. The Senator included it with martinis.

Mr. DOUGLAS. It is frequently a concomitant of liquor, but it is not liquor, itself.

Mr. McCARRAN. I do not know about the concomitant. What I am talking about is that this is not an item for liquor, but on the contrary, has nothing to do with liquor. Tomato juice could be served, or anything else that might be desired.

Mr. DOUGLAS. How often has the Senator from Nevada seen tomato juice served in large quantities at diplomatic cocktail parties?

Mr. McCARRAN. I have seen it in great bowls, so large that one could swim in it. I did not try to swim in it. [Laughter.]

Mr. President, what I am drawing to the attention of the Senate is that the Senator from Illinois brings this up, and he gets a little amusement out of it. I like to see the Senator from Illinois laugh once in a while. As a rule, he is of a serious turn of mind. But if this were a liquor amendment, if it were an appropriation for liquor, I would go along with the Senator in eliminating it. But it is not. We must at least keep abreast of the remainder of the civilized world. We must provide a certain amount of entertainment when meeting the other peoples of the world in our Embassies, in our consulates, and so forth, both in Washington and abroad. The amount is so modest that I wonder that the Senator raises the question at all. So far as the item of liquor is concerned, I say there simply is no liquor in it. It is a prohibition amendment.

Mr. DOUGLAS. The Senator must mean that there is hardly any liquor in the representation allowance, does he not?

Mr. McCARRAN. I say none.

Mr. DOUGLAS. What? None? No liquor?

Mr. McCARRAN. No liquor that I have ever seen—none so far as I know, I will put it that way.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Illinois [Mr. DOUGLAS]. (Putting the question.)

Mr. DOUGLAS. I ask for a division.

The PRESIDING OFFICER. The "noes" seem to have it. The "noes" have it, and the amendment is rejected.

The Chair did not understand a remark made by the Senator from Illinois. Will he repeat it, please?

Mr. DOUGLAS. I asked for a division.

The PRESIDING OFFICER. The Senator from Illinois calls for a division. Those in favor of the amendment——

Mr. McCARRAN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state the point.

Mr. McCARRAN. The result has been announced.

The PRESIDING OFFICER. The Senator from Illinois requested a division before the result was announced. The question is on agreeing to the amendment of the Senator from Illinois.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 26, line 9, it is proposed to strike out "$40,399,000" and insert "$44,400,000."

The PRESIDING OFFICER. The Senator from Washington.

Mr. MAGNUSON. Mr. President, I offer this amendment at the suggestion of the Department of Justice, which is responsible for the enforcement and administration of what is called the wetback bill passed by the Congress several weeks ago. The proposed amendment, which would add $4,001,000, would allow the Department, according to their estimates and figures, to administer the law passed by the Congress, with the administration of which the Department was charged.

On June 5, 1952, funds and authoritative language were provided by the Third Supplemental Appropriation Act, 1952—Public Law No. 375—to permit the Immigration and Naturalization Service to accomplish the following:

First. Strengthen the border patrol force on the Mexican border by 335 additional positions.

Second. Establish and operate two processing facilities for the purpose of documenting and fingerprinting apprehended illegal entrants prior to removal to Mexico.

Third. Remove approximately 25,000 Mexican nationals to the interior of Mexico following their apprehension after entry into the United States illegally.

An item of $4,001,000 was included in the 1953 budget for the purpose of carrying forward the emergency program authorized by the Third Supplemental Appropriation Act, 1952. On March 28, 1952, the House committee recommended a reduction of $1,000,000. By floor action on April 4, 1952, the House eliminated the entire item of $4,001,000. On June 13, 1952, the Commissioner of the Immigration and Naturalization Service appeared before a Senate Appropriations subcommittee and testified in support of an appeal for restoration of the item of $4,001,000. On June 24, 1952, the Senate committee reported the 1953 bill without restoring the item of $4,001,000.

Pursuant to the authorization in the Third Supplemental Appropriation Act, 1952, the Immigration and Naturalization Service has caused to report for duty some 300 additional employees, recruited from various locations throughout the United States and reporting at their own expense to positions of duty on the southern border; also, construction work has been started for the two processing stations and supplies and equipment have been ordered to implement the program. Unless the Congress now provides money to carry forward this emergency program already authorized, it will mean that those additional employees so far recruited must be separated as of June 30, 1952, and that they must return to their homes at great personal expense and sacrifice. It will also mean that augmented corrective measures on the Mexican border must be immediately halted and that much of the money already appropriated and expended during the current fiscal year will have been in vain.

I know there was some controversy about this proposal. I am in hope that some of the items can be taken to conference so that the Commissioner may at least proceed with the processing stations, which are necessary, in order that someone can check the entry of so-called wetbacks.

Mr. HAYDEN. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. HAYDEN. I am concerned with the breakdown of the $4,000,000. I am thoroughly in accord with continuing the number of men who have been employed to carry on this work. I think they should not be discharged. They are needed in order to enforce the program.

Mr. MAGNUSON. Under a law which Congress passed.

Mr. HAYDEN. Yes. A law was passed authorizing the work to be done, and we are obligated by an international agreement to see that the law is carried into effect. It is necessary that the immigrants be placed in barracks where they can be examined. In order to do that there must be buildings. Sending them back to Mexico by airplane or by other means is another matter. How is the amount broken down?

Mr. MAGNUSON. I have received from the chairman of the subcommittee a statement in which it is broken down as follows:

Border patrol, $1,460,500; detention and deportation, which is broken down into operation of detention camps, $540,500, and removal of aliens, $2,000,000.

I think the controversial figure was the figure relating to removal.

Mr. McCARRAN. Mr. President will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. McCARRAN. Mr. President, the Senator from Texas [Mr. JOHNSON] is the Senator most interested in this item. I think, in all fairness, in view of the bill which has been passed and has become law, there should be consideration of some of these items.

The border patrol involves some 300 men who are supposed to be hired to patrol the border. That involves a figure of $1,465,500.

The operation of detention camps amounts to $540,500.

Mr. MAGNUSON. Would not that be in connection with the erection of buildings and to check the wetbacks in and out?

Mr. McCARRAN. That is what I understand. I do not want to take the Senator off his feet.

Mr. HAYDEN. Those two figures amount to how much?

Mr. McCARRAN. They amount to $2,000,000. I do not want to take the Senator from Arizona off his feet, either.

Let me say that a great deal of unfavorable comment came to the committee with reference to the air trips which are afforded the Mexicans. They come across the border and are returned to Mexico by airplanes. Some people say there are hostesses on the planes, but I do not believe that. But they are flown south into Mexico. It is said—I do not know it to be a fact, but I repeat what has been told to me—after being returned to Mexico they get on the first freight train bound north and in a few days are back again at the border. If that is true, it is a waste of money.

With regard to these two items of border patrol and the operation of detention camps, speaking for myself, I would be willing to take those two items to conference.

Mr. THYE. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield, but before I do so I should like to modify my amendment so as to strike out "$40,399,000" and insert "$42,400,000," thus making the increase $2,000,000 instead of $4,000,000.

Mr. THYE. It was exactly to that point that I wanted to speak.

Mr. MAGNUSON. On page 26, line 9, I would strike out "$40,399,000" and insert "$42,399,000.

Mr. McCARRAN. The additional $2,000,000 is to cover border control, $1,460,500, and operation of detention camps, $540,500.

Mr. MAGNUSON. Yes.

I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I believe that $2,000,000 will be sufficient. The chairman is entirely correct when he says there has been much criticism of the flying of so-called wetbacks back into Mexico.

I think the amendment will correct the situation.

Mr. McCARRAN. Mr. President, I should like to have the understanding that no part of the $2,000,000 shall be used to transport wetbacks to Mexico by air. If they are to be transported, let it be in some other manner. It seems to me that to transport them by air is a little bit too luxurious.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I do not have the floor.

Mr. MAGNUSON. I yield the floor.

Mr. FERGUSON. I do not think this amendment relates in any way to bringing in farm labor. It refers to immigration inspection, and provides for keeping out illegal entrants. The detention camps are intended to keep illegal entrants under detention until they are returned, rather than to obtain farm labor.

Mr. HAYDEN. I am sure the Senator understands that unless some methods are adopted to prevent illegal immigration from Mexico, legal immigration will not operate satisfactorily. That is the point.

Mr. FERGUSON. The Labor Department has jurisdiction of the matter of legal entry.

Mr. HAYDEN. I understand, but the United States has entered into an agreement with Mexico to supervise the legal entry of agricultural laborers. The agreement is conditioned upon the fact that illegal immigration will be restrained. That is our part of the bargain.

Mr. THYE. If the Senator from Washington will yield further, it is my understanding that in the event we do not in some manner patrol the border and safeguard it from illegal entrants, Mexico may have to stop her cooperation with the United States, and we would not have the benefit of Mexican workers to aid in the harvest in the United States. That is the threat with which we are faced.

Mr. HAYDEN. The essence of the agreement with Mexico was that we would restrain illegal immigration in order to facilitate the admission of legal entrants.

Mr. FERGUSON. Does the Senator contend that Mexico is now cooperating in keeping out illegal immigrants?

Mr. HAYDEN. Yes.

Mr. FERGUSON. I do not so understand.

Mr. HAYDEN. That was the understanding between the two Governments. Mexico has insisted that the United States do its part to prevent illegal immigration, and in return Mexico will do its part to encourage legal immigration.

Mr. FERGUSON. The only way in which I knew Mexico was cooperating was that she allowed planes to fly the wetbacks half way into Mexico. That was the only way in which I could ascertain Mexico was helping.

Mr. HAYDEN. I hope the amendment will be agreed to.

Mr. HUMPHREY. Mr. President, I should like to speak in my own time.

Mr. McCARRAN. Does the Senator desire to speak on this amendment?

Mr. HUMPHREY. Yes.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. MAGNUSON. I yield.

Mr. HUMPHREY. I myself had intended to offer an amendment identical with the one offered by the Senator from Washington. I had intended to do so primarily because the Committee on Labor and Public Welfare held extensive hearings on the whole subject of migratory labor and the wetbacks. There are volumes of testimony on the subject.

First of all, the airlift has been the most effective weapon we have had against illegal entrants, and it has been phenomenally successful.

In the hearings, we learned that the airlift began in June, 1951. In the Imperial Valley area, 15 days before the airlift began, the apprehension of wetbacks had averaged 878 a day. Simultaneously with the beginning of the airlift, the effective border patrol was increased 100 percent, which should have drastically increased apprehensions. Yet within 2 weeks apprehensions had dropped to between 200 and 300 a day, and in 3 weeks to less than 100. This was within the same crop cycle, so there was no change in terms of job opportunities. The airlift was directly responsible for this marked improvement in the situation.

Let me point out that the airlift system, under which the illegal entrants are picked up, screened, checked by immigration authorities from Mexico as well as from the United States and deported to the heart of Mexico, has slowed down drastically the movement of illegal entrants across the Rio Grande into the United States. In other words, it has diminished the flow of wetbacks. To be sure, the program has cost money, but it has been effective. However, the complaint about the program is made because of its effectiveness.

The figures are quite revealing as to how most of the illegal entrants get into the United States and where they go after they have entered. During the fiscal year 1951, the border patrol in the Imperial Valley of California apprehended 221,502 illegal aliens. This year the service has moved a sufficient number of illegally entered aliens from that area to the interior of Mexico, to have reduced during the first 6 months the number of apprehensions to 46,486. In other words, this operation has helped the Immigration Service regain very substantial control over the illegal entry of aliens in that area.

When we consider the Texas situation, we find that most of the difficulty is concentrated in about six counties along the border of Texas. There is a great hue and cry rising from that area, the complaint being that the airlift is extravagant and ridiculous; that all it does is to give the aliens a nice ride. The fact is that the airlift has reduced the number of illegal entrants. The effectiveness of the program is what some persons are complaining about.

Unless the Government takes drastic measures to stop the wetback invasion, the gates will be opened for every kind of influence that could possibly be dreamed of to permit illegal entry into the United States.

Next door to us is the Republic of Mexico. Under our immigration laws, citizens of the Republic of Mexico have free access back and forth across the border. If illegal entrants can come into the United States, why check with consuls? Why check with immigration officials? We must have an idea of the type of people who are moving into some areas of this country.

Furthermore, the wetback invasion is not concentrated in the Imperial Valley or the Rio Grande Valley; it has gone as far north as Detroit and Chicago. Thousands of such people have been moved out of the Chicago and Detroit areas, from Cleveland and Akron, Ohio, and from other places. They were working in factories, and in packinghouses, in particular, but were picked up by the Immigration Service as illegal entrants. We have been able to move those people out of the United States effectively.

What is the difference between deportation by airlift and the other type of deportation? Ordinary deportation

takes illegal entrants just across the bridge and deposits them on the other side of the river. When they have gone across the bridge, they come right across the river again. Air deportation makes it possible to put them down into the heart of Mexico.

The Mexican Government is cooperating with the airlift operation. It is cooperating to make the program effective. I think it would be a serious mistake to limit these funds.

I wish to thank the Senator from Arizona for what he said in reference to detention centers and patrolmen. Unless an appropriation is provided for 300 patrolmen, the effectiveness of the program will be lost.

Detention centers are for the purpose of holding illegal entrants until they can be screened and checked by the Immigration Service, for a host of different reasons, before they are put on planes and deported.

The airlift is not a Fancy Dan operation. It is the cheapest kind of coach service. The kind of planes on which these people are sent home are DC–4's, a type of converted military craft, having a maximum number of seats so as to be able to fill the plane, consistent with safety, and to transport the illegal entrants from the United States border literally as far south into Mexico as the planes can travel. The planes go far below Mexico City.

Mr. President, I believe we should continue this operation.

Mr. MAGNUSON. Mr. President, will the Senator yield to me for a question?

Mr. HUMPHREY. I yield.

Mr. MAGNUSON. I was quite concerned about making the amount $4,000,000. Not having as much knowledge about the airlift as has the Senator from Minnesota, I, of course, compromised to the extent that I wanted to be sure that detention places and an adequate personnel at the border would be provided.

Mr. HUMPHREY. I think that is vital.

Mr. MAGNUSON. I would have no objection to having the Senator from Minnesota, amending my amendment by adding the amount for the airlift, at least, and keeping it open, so that the amendment might be taken to conference and the facts ascertained.

Mr. HUMPHREY. My desire is to get this subject into conference. I know that can be done through the amendment of the Senator from Washington. In that way the subject can be properly reviewed.

It is inconceivable to me that both the House of Representatives and the Senate committee should have done nothing about this particular item. This is one of the most serious problems we have. The wetback problem is not a Texas or California problem. It has become a problem for the State of Washington. It is a problem in the State of Michigan. It is a problem in the State of Minnesota, in the State of Ohio, and in the State of Illinois. We are picking up literally hundreds of illegal entrants. In the city of Chicago hundreds of them have been picked up and held for deportation proceedings. The only way they can be adequately and quickly deported and gotten back to the country where they belong is through the airlift service. If we want this program to work we must maintain the airlift operation. Even with the border patrol as good as it is—and we could put on another thousand officers—it will never stop this invasion unless it is made clear to the wetbacks that the minute they are picked up they will be deported. When they are deported by means of the airlift operation they cannot immediately get back on a freight train and return to the United States in equal numbers. No one can substantiate the claim that they are returning to the United States in equal numbers.

The evidence before the committee showed that the airlift operation augmented and supplemented the effectiveness of the immigration program. It was proved quite conclusively that with the airlift, a limited number of border patrol officers can do a good job. Without the airlift, we have the border patrol officers playing "ring around the rosy" with illegal entrants. The border patrol officers take them across the bridge and deposit them at the other end of the bridge, and almost immediately they come back across the river.

I should like to modify the Senator's amendment, if I may be permitted to do so. I do not know what the parliamentary situation is.

The PRESIDING OFFICER. The Senator from Washington may modify his own amendment.

Mr. HUMPHREY. I ask the Senator from Washington to modify his amendment so as to provide at least for a continuation of the airlift service. I want to be reasonable. The Bureau of the Budget has asked for approximately a $4,000,000 appropriation.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to withdraw my amendment, so that the Senator from Minnesota may offer his amendment.

The PRESIDING OFFICER. The Senator from Washington withdraws his amendment. Does the Senator from Minnesota wish to offer an amendment?

Mr. MAGNUSON. I yield to the Senator from Minnesota for the purpose of enabling him to offer an amendment.

Mr. HUMPHREY. It is not necessary for the Senator to withdraw his amendment. I ask the Senator if he will not modify his amendment.

Mr. MAGNUSON. I took the position that it was vital to get the other two items into conference, but I appreciate the importance of the suggestions of the Senator from Minnesota. It would be simpler for the Senator from Minnesota to offer an amendment on page 26, line 9, to strike out "$40,399,000" and insert the new figure.

Mr. McCARRAN. Mr. President, may I interrupt the Senator?

Mr. LEHMAN. Mr. President——

Mr. HUMPHREY. I yield first to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I now withdraw the offer which I made to accept the two items referred to, in the amount of approximately $2,000,000. I am opposed to the whole thing. I offered to take to conference an item of $2,000,000 for two separate purposes, namely, $1,460,500 for the border patrol, and $540,500 for operation of detention camps. That was to carry out the spirit and the provisions of the law already enacted. I offered to take that proposal to conference. Now it is proposed to increase the amount to $4,000,000, and I withdraw my offer.

Mr. HUMPHREY. Mr. President, I still have the floor.

Mr. LEHMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota wish to offer an amendment?

Mr. HUMPHREY. I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota will be stated.

The LEGISLATIVE CLERK. On page 26, line 9, it is proposed to strike out "$40,399,000" and insert in lieu thereof "$44,400,000."

Mr. HUMPHREY. Mr. President, I regret that the Senator from Nevada has taken the position he has taken. I was trying to explain the airlift operation. I recognize that in the Senate we frequently do not get what we think we ought to have. The Senator from Nevada is hurting no one but himself, as the responsible chairman of the subcommittee. Whether the wetbacks come in or not is not a personal problem. It is a problem of national magnitude. If we are to look at it from the personal standpoint, then all we shall be doing will be jeopardizing the security and the standard of living of this country.

Frankly, the Congress has an obligation under the law and under the treaty and agreement which we have entered into.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I do not yield at this time.

The PRESIDING OFFICER. If the Senator from Minnesota will suspend, the Chair thinks it might clear the atmosphere if the Chair were to explain that before the Senator from Minnesota came into the Chamber the Senator from Washington [Mr. MAGNUSON] offered the identical amendment which the Senator from Minnesota is now offering.

Mr. HUMPHREY. I understand.

The PRESIDING OFFICER. Later the Senator from Washington modified his amendment to the smaller amount, at which time the Senator from Nevada [Mr. McCARRAN] indicated that he would not oppose the smaller amount.

Mr. HUMPHREY. I understand that clearly.

Mr. McCARRAN. Mr. President, will the Senator yield for a word of explanation?

Mr. HUMPHREY. I yield.

Mr. McCARRAN. In furtherance of that plan the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], and I held a

discussion on the floor of the Senate, in which it was agreed that the $2,000,000 appropriation necessary for the two items referred to would be taken to conference.

Mr. HUMPHREY. I thank the Senator for his explanation. I presume that is where we shall land eventually. However, I hope that we may at least have the privilege of debating what we consider to be a desirable program. So long as I am exercising my rights as a United States Senator, I propose to do so.

Mr. McCARRAN. The Senator from Minnesota says that I am making it a personal matter. It is not personal with me. It has nothing to do with me. I am here simply as a responsible chairman of the subcommittee. The subcommittee submitted a certain figure to the full committee, and the full committee adopted it. I was offering to take one-half of the amount for two particular items which are provided for in the law already in existence.

Mr. HUMPHREY. I thank the Senator for his observation and contribution to this debate. I have no objection to compromising on the basis of the total amount of the budget figure. I simply say that I feel a deep responsibility. I attended all the hearings on this subject, for 7 weeks. There were 7 weeks of hearings on the entire problem of migratory labor and wetback invasion. I would feel derelict in my duty as a United States Senator if I did not tell the Senate that the airlift operation is an integral part of the whole Immigration Service and the border patrol.

It is not sufficient merely to put on additional officers, and to have two detention centers. To be sure, that helps. That fulfills our legal commitments, so far as concerns any agreements which we have made. However, the simple truth is that the airlift operation has been an effective weapon against the illegal invasion of wetback entrants.

All I am arguing is that the Senate should take cognizance of the evidence which has been submitted. I am no expert in the field of wetbacks. All I know is that every single witness who appeared before our committee testified as to the value of this kind of operation. It seems to me that the Senate should want the truth. It seems to me that the Senate should want to know what the witnesses who have appeared before a committee of the Senate have said. It seems to me that it is right that we should express our opinions, when we know that this service is vital to the immigration program. We shall have to be satisfied with whatever figure we can get. We shall do the best we can. It is my hope that, if the figure of $4,000,000 is too large, we can compromise on a lower figure. I do not think we should tie the hands of the Immigration Service today and say that it cannot use any of this money for an airlift operation. The facts reveal that the border patrol and the detention centers alone are not adequate to meet the problem.

The facts further reveal that there are some people in this country who want this cheap labor. The facts further reveal that the most of the problem is concentrated in five or six counties in one State, and in the Imperial Valley of California. The facts reveal that the airlift operation in the Imperial Valley of California was a phenomenal success. It was successful from Detroit. It was successful from Chicago; and it has been successful in Texas, in dealing with the situation along the Rio Grande.

Mr. LEHMAN. Mr. President, will the Senator yield to me to explain the parliamentary situation?

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. McCARRAN. Mr. President, may I inquire as to the time?

The PRESIDING OFFICER. The time of the proponents of the amendment, controlled by the Senator from Minnesota [Mr. HUMPHREY] has not yet elapsed. After that time has elapsed, the Senator from Nevada [Mr. McCARRAN] will have the full time.

Mr. LEHMAN. That is exactly what I wish to address my remarks to.

Earlier in the day when it was sought to obtain a unanimous-consent agreement for the limitation of debate I raised an objection to the proposed arrangement unless 30 minutes on a side were allowed in connection with an amendment which was to be proposed by certain of my colleagues and myself. It was agreed to by the distinguished majority leader. Unanimous consent was given to that effect. The amendment which is offered by the Senator from Minnesota is the amendment which I had in mind and as to which unanimous consent was given to limit debate to 1 hour, 30 minutes to a side. Therefore, the proponents are entitled to 30 minutes of debate on this amendment. I believe the distinguished majority leader will bear me out.

In connection with the amendment itself I should like to say that we have been hearing for a long time about the large number of people who are coming into this country illegally. It was for that reason—and it is a very valid reason—that immigration legislation was proposed.

I believe that we should do everything we possibly can to stop at the border and to turn back persons who seek to enter this country illegally. I know of no class which is so typical of illegal entrants as the wetbacks.

My distinguished colleague, the Senator from Minnesota, has already referred to the hearings which were held by the Labor Committee. Testimony was offered before the committee by well-informed officials of the Government that as many as 700,000 or 800,000 persons annually come into this country illegally by swimming the Rio Grande or coming across the border at other points. These persons do not enter the country under an agreement with the Mexican Government, but come into the country under the protection of darkness or by other means. They take up residence in this country and compete illegally with our labor. They are willing to work for a pittance. They are willing to work for as little as half or a third of the prevailing wages which are guaranteed to American citizens and foreigners who come into this country legally.

Naturally many of those who want to employ that kind of labor do not cooperate in apprehending and deporting such illegal entrants. The amendment offered by the Senator from Minnesota provides for the detection, apprehension, and deportation of this large number of persons who have come across the Mexican border illegally, and who have taken up residence in this country and compete with agricultural labor in the South, with railroad labor all over the country, and with labor in industry as far north as Detroit, Minneapolis, and New York City.

Mr. President, there are no adequate means to apprehend and deport this great number of illegal immigrants. There is no doubt whatever that one of the greatest weapons with which to control this bad situation is to deport these people by airplane, not by taking them across the international bridge and turning them loose, because in that way they can get back into the country within 2 days. They must be taken deep into Mexico, from which it will be difficult for them to return to the border. I believe we are receiving the cooperation of the Mexican Government in that regard. I feel very strongly that the Senate should adopt the amendment in the full amount asked for, namely, $4,000,000. It is the only way in which the situation can be handled.

If we earnestly desire to exclude people who want to come into this country illegally, and who are actually coming into this country illegally, the Senate will agree to the amendment, so that it may be taken to conference, in the hope that it will be accepted by the conferees of both Houses.

Mr. KILGORE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. KILGORE. Is it not a fact that no immigration quota applies to Mexicans?

Mr. HUMPHREY. That is correct.

Mr. KILGORE. Any Mexican who can pass the qualification with respect to health, criminal record, and so forth, can come into this country legally without regard to any quota?

Mr. HUMPHREY. That is correct.

Mr. KILGORE. It is entirely possible that among the wetbacks there may be diseased persons and persons with criminal records; and that is one reason why we should prohibit the illegal entry of such people.

Mr. HUMPHREY. That is correct.

Mr. KILGORE. Is it not also true that the budget estimate for immigration was made up on the theory that we would be able to take these people so far down into Mexico that it would be hard for them to get back into this country; otherwise we would have to have a border patrolman for every 25 miles of border?

Mr. HUMPHREY. The Senator is correct. It would be impossible adequately to police the border without a division of troops.

Mr. KILGORE. It would require more than a division of troops. It would require several divisions. Is that not correct?

Mr. HUMPHREY. That is my understanding.

Mr. KILGORE. The reason for the airlift is to limit the number of border patrolmen necessary, so that it will be possible for a limited number of border patrolmen adequately to protect the border from illegal entrants.

Mr. HUMPHREY. The Senator is correct. The Senator from West Virginia has made a very valuable contribution to the debate by pointing out that legal entrants are not subject to any quota. Anyone in this hemisphere can come into the United States if he meets certain qualifications. There is no quota in effect. Any Mexican who wants to come into the United States under our immigration law can come in.

Therefore, what is the wetback problem all about, Mr. President? Why is it that some persons are so much concerned about the wetback problem? It is because the testimony before the committees of Congress reveal the fact that wetbacks are exploited to the extent of paying them as little as 5 cents an hour. They are paid from 5 to 20 cents an hour. That is the prevailing wage for wetback labor. The prevailing wage for labor which comes into this country legally runs from 50 cents to $1 an hour.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. Is it not a fact that, in addition to exploiting the wetbacks to the extent of paying them as little as 5 cents an hour, the inevitable result is to drive down the wages paid to American labor?

Mr. HUMPHREY. There can be no doubt about that at all.

Mr. LEHMAN. The wages paid to American labor are driven down from 30 percent to 60 percent. Is that correct?

Mr. HUMPHREY. That is correct.

Mr. LEHMAN. There is absolutely no control over the wages that can be paid to wetbacks. Is that correct?

Mr. HUMPHREY. That is correct.

Mr. LEHMAN. Is it not also a fact that the wet-back problem affects not only labor in the agricultural States of the South and the States which border on Mexico but also affects labor in every State of the Union?

Mr. HUMPHREY. That is correct. Testimony before our committee revealed the fact that there was an influx of wetbacks into industry in Detroit, into the packing houses of Chicago, and into other areas of the United States. It has become a very serious problem in every industrial area of the United States.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. KILGORE. Is it not a fact that it is possible that leprosy might be brought into the country by an illegal entrant?

Mr. HUMPHREY. That is a possibility.

Mr. KILGORE. That is a possibility, in the light of the fact that no health inspection is carried on so far as wetbacks are concerned.

Mr. HUMPHREY. Yes. It is a possibility.

Mr. KILGORE. Any kind of disease might be brought into the packing houses, or even spread through medium of fruits and vegetables handled by such labor.

Mr. HUMPHREY. That is correct.

Mr. President, I have a statement which is much more explanatory than any spontaneous or ad lib remarks can be. I ask unanimous consent to have the statement printed in the RECORD at this point as a part of my remarks, together with documentations as to appropriations for the Immigration Service as they pertain to the wetback problem.

There being no objection, the statement and material were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

During the past 10 years the illegal entry of aliens over the Mexican border has increased from a few thousand annually to an unknown figure in excess of a half million during the fiscal year 1951. During that year the border patrol of the Immigration and Naturalization Service apprehended more than 510,000 aliens who had entered illegally, the vast majority of them over the Mexican border. During the first 11 months of the current fiscal year, border patrol has apprehended 478,352 aliens, of which 242,407 were made in one border patrol sector in the extreme lower Rio Grande Valley. Ten years ago the border patrol had an authorized officer force of 1,450. This force had gradually been reduced to 1,081 officers until on the 5th of this month this Congress authorized an increase of 335 additional border patrol positions.

Much has been said recently before congressional committees and in debate upon the floor of Congress concerning the evils to the country at large of the so-called Mexican wetback invasion. It is not only those evils with which Congress should feel concerned, great as they are. What should concern Congress is the threat of the internal security of the United States that such an uncontrolled border situation should be permitted to exist under present world conditions. To the south of us, only one country removed, lies what amounts to a Soviet beachhead in the Western Hemisphere and, yet, for the sake of permitting the illegal entry of a horde of cheap Mexican illegal aliens, the Congress until recently has repeatedly refused to strengthen our border patrol force.

On June 5, 1952, 3 weeks ago today, this Congress approved in the third supplemental appropriation bill for 1952 the sum of $1,390,000 for the purpose of enabling Immigration and Naturalization Service to do the following:

1. Increase the border patrol force by 335 positions.

2. Establish two detention camps required for the assembling and processing of illegal Mexican aliens being removed to the interior of Mexico, and provide 90 positions for the manning of these camps.

3. Make possible the removal to the interior of Mexico by aircraft with the full cooperation of the Mexican Government approximately 25,000 nationals of Mexico who have entered this country illegally.

Pursuant to this authorization by Congress, which of course the Immigration and Naturalization Service would be expected to take as a directive, that Service has caused approximately 300 men from all parts of the United States who were on border patrol eligible registers to report for duty at border patrol stations along the Mexican border. These men gave up jobs to accept appointments, proceeded to the border at their own expense, in many cases accompanied by their families. If Congress does not provide the funds which appear to have been guaranteed when the Third Supplemental Appropriation Act was passed, these new officers who have just reported for duty will have to be separated on June 30, and they will have to return to their homes at their own expense.

Next, the Immigration Service has obligated the funds which were appropriated for the establishment of the two camps, one at Chula Vista, Calif., and the other at Brownsville, Tex., and, in fact, construction has already commenced. Therefore, unless this amendment is passed the Service will find itself in the position of having two camps, on or shortly after July 1, with no personnel authorized to man them. The money which has been appropriated will have been wasted.

Lastly, the Immigration Service resumed the airlift on June 12. This has already had a telling effect, but it will be of no effect unless the operation can be continued until the Mexican border situation is brought under control. Unless the amendment is passed the operation will have to be discontinued and the money thus far expended upon it will have been for naught.

Incidentally, there has been a most violent reaction in the lower Rio Grande Valley to the recent resumption of the airlift. It has been attacked in the lower valley, where the greatest numbers of illegal laborers are used, as being extravagant and ineffective. Note again that so far this year more than half of all of the illegal aliens apprehended in the United States have been arrested in this small area embracing only about six counties. I am sure that the users of illegal labor are not concerned with its ineffectiveness. As a matter of fact, the violence with which this operation has been attacked is the best evidence of its effectiveness.

During the fiscal year 1951 border patrol in the Imperial Valley of California apprehended 221,502 illegal aliens. This year the Service has moved a sufficient number of illegally entered aliens from that area to the interior of Mexico to have reduced during the first 6 months the number of apprehensions to 46,486. In other words, this operation has helped the Service regain very substantial control over the illegal entry of aliens in that area. Obviously what needs to be done is to extend that control instead of abandoning it.

There is another aspect of this matter. Last July Congress passed Public Law 78 for the purpose of providing in a legal manner, pursuant to an agreement between the United States and the Republic of Mexico, Mexican workers needed in American agriculture. That act, among other things, imposed certain sanctions, although weak, against the employment of Mexican aliens not lawfully within the United States.

On August 11, 1951, a new agreement was signed between the United States and Mexico relating to the legal importation of Mexican farm workers. The agreement prohibits the use of Mexican laborers illegally in the United States and commits the United States to enforce to the fullest extent the provisions of our applicable laws, and to take all possible additional measures for the elimination of illegal Mexican traffic across the international boundary. Perhaps the most serious impediment to the success of the program relating to the importation of Mexican farm workers has been the continued presence in the United States of scores of thousands of illegal Mexican aliens.

Further, to carry out this country's commitment to enforce the immigration laws relating to the illegal entry of Mexicans as well as of other aliens, Congress only last March passed Public Law 283 to provide

clearer penalties against the illegal bringing in, harboring and concealing, shielding from detection and transporting of aliens illegally in the United States. This act also clarified the authority of immigration officers to carry out their responsibilities under the law.

And now, as recently as March, Congress having taken that action, and as recently as 3 weeks ago it having provided funds to step up the enforcement program of the Immigration Service, it is proposed that as of 5 days hence the Congress completely eliminate the same necessary funds.

MEMORANDUM REGARDING PROPOSED AMENDMENT TO H. R. 7289, DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATION BILL, 1953

On June 5, 1952, funds and authoritative language were provided by the Third Supplemental Appropriation Act, 1952 (Public Law 375) to permit the Immigration and Naturalization Service to accomplish the following:

1. Strengthen the border patrol force on the Mexican border by 335 additional positions.

2. Establish and operate two processing facilities for the purpose of documenting and fingerprinting apprehended illegal entrants prior to removal to Mexico.

3. Remove approximately 25,000 Mexican nationals to the interior of Mexico following their apprehension after entry into the United States illegally.

An item of $4,001,000 was included in the 1953 budget for the purpose of carrying forward the emergency program authorized by the Third Supplemental Appropriation Act, 1952. On March 28, 1952, the House Committee recommended a reduction of $1,000,000. By floor action on April 4, 1952, the House eliminated the entire item of $4,001,000. On June 13, 1952, the Commissioner of the Immigration and Naturalization Service appeared before a Senate Appropriations Subcomittee and testified in support of an appeal for restoration of the item of $4,001,000. On June 24, 1952, the Senate Committee reported the 1953 bill without restoring the item of $4,001,000.

Pursuant to the authorization in the Third Supplemental Appropriation Act, 1952, the Immigration and Naturalization Service has caused to report for duty some 300 additional employees, recruited from various locations throughout the United States and reporting at their own expense to positions of duty on the southern border. Also construction work has been started for the two processing stations and supplies and equipment have been ordered to implement the program. Unless the Congress now provides money to carry forward this emergency program already authorized it will mean that those additional employees so far recruited must be separated as of June 30, 1952 and that they must return to their homes at great personal expense and sacrifice. It will also mean that augmented corrective measures on the Mexican border must be immediately halted and that much of the money already appropriated and expended during the current fiscal year will have been in vain.

CHRONOLOGY OF APPROPRIATION EVENTS, MEXICAN BORDER PROBLEM

July 25, 1951: Supplemental estimate for fiscal year 1952 in amount of $6,500,000 requested by President (H. Rept. No. 208).

August 17, 1951: House Committee recommended $4,000,000 (H. Rept. 890).

August 20, 1951: By floor action the House eliminated entire item.

October 6, 1951: Senate Committee recommended restoration of $3,000,000 (S. Rept. No. 891); bill was passed by Senate for $3,000,000.

October 19, 1951: Joint Committee of Conference recommended $1,000,000.

November 1, 1951: Amount of $1,000,000 made available by Supplemental Appropriation Act, 1952 (Public Law 253).

February 14, 1952: Supplemental estimate for the fiscal year 1952 in amount of $2,000,000 requested by President (H. Doc. No. 348).

March 7, 1952: House Committee recommended $1,390,000 (H. Rept. No. 1503).

March 13, 1952: By floor action the House eliminated the entire item.

April 10, 1952: Senate Committee recommended restoration of $1,390,000 (S. Rept. No. 1454); passed by Senate April 22, 1952.

June 3, 1952: Joint Committee of Conference recommended $1,390,000 (H. Rept. No. 2017).

June 5, 1952: Amount of $1,390,000 made available by Third Supplemental Appropriation Act, 1952 (Public Law 375).

1953 budget: Item of $4,001,000 included for continuance of program covered by Third Supplemental Appropriation Act, 1952.

March 28, 1952: House committee recommended a reduction of $1,000,000 (H. Rept. 1655).

April 4, 1952: By floor action the House eliminated the entire item of $4,001,000, leaving a recommended appropriation of $40,399,000 for the entire service.

June 13, 1952: Commissioner Mackey appeared before the Senate committee and gave testimony in support of an appeal for restoration of the item of $4,001,000.

June 24, 1952: The Senate committee reported the 1953 bill in the amount of $40,399,000, thus failing to restore the item of $4,001,000.

Mr. HUMPHREY. It is my hope that we will make a proper settlement of the problem. I wish the Senator from Nevada were on the floor. I feel an obligation to the Senator from Washington to permit him to again offer his amendment. I wanted time to discuss the proposal, because I believe that the RECORD should be perfectly clear. It is my understanding that the Immigration Service feels that under no circumstances could they operate for even a short period of time for less than $2,500,000, and that $4,000,000 is a basic minimum for the program for a full year's operation.

Mr. President, I withdraw my amendment so as to permit the Senator from Washington to offer his amendment and thereby permit the Senate to get some action on this problem through the conference committee.

Mr. MAGNUSON. Mr. President, I offer an amendment on page 26, line 9, to strike out "$40,399,000" and to insert in lieu thereof "$42,399,000."

The PRESIDING OFFICER Mr. HOLLAND in the chair). Does the Senator from Washington desire to be heard?

Mr. MAGNUSON. No; I do not.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HUMPHREY. If the Senator's amendment is accepted it places the whole item in conference. Is that correct? Is it possible that in conference adjustment can be made in terms of the total sum?

Mr. KILGORE. The conference may not go above the figure.

Mr. MAGNUSON. I incorrectly informed the Senator from Minnesota. I thought that the conference committee could change a figure up or down. I understand now that the conference committee cannot go above a figure.

Mr. HUMPHREY. I wonder whether the Senator from Washington would be willing to modify his amendment so as to provide an additional half million dollars, because $2,500,000 is considered the basic minimum needed for the program.

Mr. MAGNUSON. Mr. President, I broke down the figures shown in the hearings. For the border patrol there is provided $465,500, and for the operation of detention camps there is provided $540,500. I eliminated the item of $2,000,000 for the removal of Mexican aliens. I understood that is the figure that would be acceptable. Those are the figures as broken down in the hearings.

If we were to add $500,000, I do not know what the additional amount would be used for, other than in connection with the item for removal of Mexican aliens.

Mr. HUMPHREY. Mr. President, in view of the explanation the Senator has given, I feel morally bound at least to place before the Senate my amendment to the amendment of the Senator from Washington. I would not feel that I had done my duty as a responsible Member of this body if I did not offer my amendment to his amendment, so as to provide that the airlift be placed in operation.

If the Senate wishes to reject my amendment to the amendment of the Senator from Washington, that is for the Senate to decide. I simply wish to have the RECORD perfectly clear.

Mr. MAGNUSON. Mr. President, of course, the Senator from Minnesota can submit such an amendment to my amendment.

Mr. HUMPHREY. Then, Mr. President, at this time I offer to the amendment of the Senator from Washington an amendment calling for an additional $500,000.

Mr. MAGNUSON. Mr. President, that amendment to my amendment is in order, of course.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The Chair understands the present parliamentary situation to be as follows: The Senator from Washington [Mr. MAGNUSON] has submitted an amendment, on page 26, in line 9, to strike out "$40,399,000" and insert in lieu thereof "$42,399,000." To that amendment, the Senator from Minnesota [Mr. HUMPHREY] has submitted an amendment to strike out "$42,399,000" and insert "$42,899,000."

In short, the Chair understands that the amendment of the Senator from Minnesota would increase by $500,000 the amendment submitted by the Senator from Washington to the amount appearing in the bill on page 26, in line 9.

Mr. McCARRAN. Mr. President, previously I offered to compromise this matter, but apparently my offer was not acceptable. I offered to accept an amount of $2,000,000, specifying the items; but that was not acceptable.

I must resist this amendment.

My information is that the luxury flights by which the wetbacks are taken back to Mexico, result in taking them to Mexico City, and thereafter they board

the first northbound train, and soon have crossed the border again. Thereafter they are given another airplane ride to central Mexico, and so forth.

This item was cut on the floor of the House, as being unnecessary. The item has been critized severely. In view of the fact that my compromise was not accepted, it seems to me that at this time I must resist the amendment.

I now ask for the yeas and nays on the amendment of the Senator from Minnesota to the amendment of the Senator from Washington.

The yeas and nays were ordered.

The PRESIDING OFFICER. Let the Chair explain the parliamentary situation: The Senator from Washington reoffered his amendment, which previously had been withdrawn, to change the item of "$40,399,000" in line 9, on page 26, to "$42,399,000."

The Senator from Minnesota has submitted to that amendment an amendment to increase that amount by $500,000.

The question now is on agreeing to the amendment submitted by the Senator from Minnesota to the amendment submitted by the Senator from Washington.

All time on the so-called Magnuson amendment has expired.

All time on the amendment calling for $44,000,000 has expired.

The only time remaining is on the amendment submitted by the Senator from Minnesota to the amendment of the Senator from Washington.

Mr. HUMPHREY. Mr. President, I shall not take much time. I merely wish to say that the Immigration Service has told the Senate's committee and, in fact, told my legislative counsel within the last half hour, that an additional amount of $2,500,000 is the absolute minimum with which it can possibly "get by."

The Senator from Nevada was willing to accept the amount of $2,000,000 in reference to the detention camps and border patrol.

The simple fact of the matter is that this airlift operation is an integral part of the enforcement plan of the Immigration Service. I submit that all that has been stated today is a charge that these flights are "luxury" flights, and that thereafter the wetbacks board northbound trains and return to the United States. However, there is no evidence to support such a statement.

The evidence before the Congress, already published in our committee reports, indicates that the airlift operation has been very effective and has had positive results.

Soon we shall vote on the question of whether the Senate wishes to do something about the wetbacks, or whether again the Senate will fail to act in accordance with its responsibility to stop this invasion of the United States by illegal entrants, who drive down our standard of living and our standard of labor and jeopardize the health and security of our Nation.

Some of us have worked long hours on this problem. A number of Senators who listened to the testimony on this problem are now on the floor. I regret that the Senator from Illinois [Mr. DOUGLAS] has recently left the Chamber, but he attended the hearings. The Senator from Montana knows that hearings were held before this committee. The Senator from New York attended the hearings. In all, 13 Senators attended those hearings. Among them was the Senator from Rhode Island [Mr. PASTORE]. Those Senators heard the testimony.

All I say is that there must be something more than an assertion that this program is a luxury program and is ineffective. The fact of the matter is that the testimony reveals that the program has been effective. The additional $500,000 that is requested will be enough to keep the program operating for a short period of time.

Congress has acted on this matter on other occasions. The airlift is now in operation, and it has been in operation. It is not a new operation; Congress has previously authorized it.

I submit that the appropriation of an additional amount of $2,500,000 certainly is justified, inasmuch as it is approximately $1,500,000 below the amount of the Budget estimate, and is smaller than any appropriation previously made for this purpose.

So I plead with the Senator from Nevada to give us help in having this amendment included in the bill as finally enacted. I know of his influence in this body. I know he can get his way. But I know he is a man of fair judgment. If he will simply consider this proposal for an increase of $2,500,000 in the appropriation, he will see that it is needed. He has already said that an increase of $2,000,000 is needed. I say that the extra $500,000 will provide an opportunity to continue the airlift. If anyone wishes to say that the airlift is not effective, I think we should have the proof of that.

Mr. LEHMAN. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I think the issue involved in this matter is far more important than that of appropriating an additional $500,000, even though that is a large amount of money. I believe this issue is vital in connection with our entire migration problem. We have made every effort—and it is proper for us to do so—to exclude from our country those who have no right to be here—those who do not meet the standards and qualifications which have been established. We have made every effort—and we shall continue to do so—to deport from the United States all who enter our country illegally.

I assume that a considerable number of persons have entered the United States illegally. In most instances I believe it has been found possible, under our laws, to deport them.

On the other hand, in this case we are dealing with a number of persons far greater than the number involved in any other classification with which we have had to deal or with which we are dealing today.

About 700,000 of these wetbacks are entering the United States illegally each year, and in most instances they remain in the United States illegally.

When the question of an agreement with the Mexican Government came before the Senate, I remember that my distinguished colleague the Senator from Illinois [Mr. DOUGLAS] and I submitted an amendment to impose a penalty on those who knowingly employ persons who are illegally in the United States and who remain here illegally. We did not wish to have that penalty imposed on an honest farmer who employs such a person through ignorance. We merely proposed that it be a misdemeanor or a felony for a person to employ a person known by him to be a wetback or, in short, to be in the United States illegally.

The amendment, as the Senator from Illinois will recall, was defeated. No effort whatever was made to strengthen the enforcement arm of the law so as to exclude persons who had entered this country illegally. The only way by which it was possible to get at them was to punish the employers who sought to use their labor, knowing that they had come in as wetbacks or in other illegal classifications.

We provide for the exclusion of a sailor who jumps ship, as we should do, if he is not eligible to come here as a legal immigrant. We deport other persons who, in small numbers, may have entered the United States, in one way or other illegally; and we should deport them. Yet, in the same breath, we say we are willing to tie the hands of our law-enforcement officials in the case of at least 700,000 immigrants whom we know to be here illegally. That, to me, simply does not make sense. If we are really sincere in trying to exclude those who cannot legally enter this country; if we are really sincere, as has been claimed, in seeking to deport those who have entered illegally and who do not belong here, then certainly we are not justified in refusing to strengthen the arms of our law-enforcement officials in detecting, apprehending, and deporting this vast number of persons, many of whom are now openly employed in Southern States, and many of whom in other sections of our country compete illegally with American labor in railroad work and in other lines of industry.

Mr. President, this issue far transcends the matter of a half million dollars. This issue, I think, goes to the very heart of the question of whether we are sincere in trying to exclude persons who do not belong in this country, persons who, because of acts of moral turpitude or through failure to possess the qualifications set forth in our laws, should be excluded. Are we sincere in our determination to deport persons who have entered this country illegally, and who should be deported? Seven hundred thousand persons enter this country illegally each year. I hope the amendment of the Senator from Minnesota will prevail.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I am glad to yield to the Senator from Iowa.

Mr. HICKENLOOPER. Will the Senator please explain what seems to me to be the incompatible situation in which he finds himself? I now find him zealously advocating the deportation of persons who are in the United States illegally, when, only a week or two ago, he bitterly and at length fought an immigration bill which provided machinery under which a potential 1,000,000 people who are here illegally and who are competing with our labor could have been deported. The Senator's position, to me, seems incredible.

Mr. LEHMAN. I am delighted to answer the question of the Senator from Iowa. My position from the very start has been that I want no man or woman to come into the United States who is guilty of an act involving moral turpitude or who has otherwise shown by his or her acts that he or she will not make a good citizen.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. LEHMAN. No; I decline to yield until I have fully answered my distinguished colleague from Iowa. I shall then be very glad to yield.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. LEHMAN. I decline to yield until I have answered my distinguished colleague from Iowa. I shall then be very glad indeed to answer my colleague from Nevada.

I have taken the position consistently from the start—and I took this position long before I came to the Senate—that if a person were in this country illegally and could be shown to be here illegally, he should be deported, after he has been given a fair hearing and a fair trial on the charges or accusations made against him. I do not believe that any agency of the Government should have the power to go into homes and seize and deport men without a fair trial, without compliance with our judicial procedure. But, when a trial has been had, when the test has been made, and the facts justify, I certainly favor deportation.

In the instant case, the immigrants certainly have made no effort whatever to come into this country under the agreement which we have with the Mexican Government, permitting the entry of many thousands of persons—I do not recall the number—under the protection and supervision of our Government and that of the Mexican Government, with the idea that they should be returned at the conclusion of their employment or service. With respect to the 700,000 so-called wetbacks, who enter this country clandestinely, even when they are shown to have entered illegally, I do not want to deprive them of their rights to defend themselves, any more than I would want to deprive anyone else of such rights. But when it has been demonstrated, and when, in fact, most of these people acknowledge and confess, that they have entered the United States illegally, I want to make it possible to deport them by legal means, under the close supervision of our law enforcement agencies.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for another question?

Mr. LEHMAN. I am glad to yield.

Mr. HICKENLOOPER. I may suggest to the Senator, I agree with him that people who are here without proper authority should all go back to the places from which they came. But, by the same token, I think the hundreds and hundreds of thousands of people who have been brought into this country by entirely illegal means and who are living off the bounty of the United States, and competing with American labor, should be deported, and most of them would have been deported in due time under the McCarran bill.

Mr. DOUGLAS. Mr. President, will the Senator yield at that point?

Mr. HICKENLOOPER. I do not have the floor.

The PRESIDING OFFICER. The Senator from New York has the floor. Does the Senator yield to the Senator from Illinois?

Mr. LEHMAN. Gladly.

Mr. DOUGLAS. The position of the Senator from New York and the position of several of the other Senators has been made perfectly clear. We want administrative, quasi-judicial review of individual cases; but, when it is decided that a person is an illegal entrant, we want him deported, whether on the Atlantic coast or on the Mexican border.

Mr. FERGUSON. Does the Senator think it fair that when a man is deported he should be flown to some point hundreds of miles away from his home, or from the place at which he entered this country? It suggests to me that perhaps this amendment, instead of being called the wetback amendment, perhaps should be called the catback amendment, having in mind the time-honored custom of taking a cat as far away from home as possible and then turning it loose, in the hope that it could not get back.

Mr. DOUGLAS. I would call it a parcheesi amendment, parcheesi being a game in which the player goes back two places from where he started originally, that serving as a deterrent. Perhaps the Senator from Michigan did not play parcheesi when he was a boy.

Mr. FERGUSON. The older Senators may remember that game.

Mr. HUMPHREY. Mr. President, the Senator from Michigan ought to know that it is at the request of the Mexican Government that the wetbacks are being flown back to Mexico.

Mr. FERGUSON. Why does not the Mexican Government fly them?

Mr. HUMPHREY. Because they come into the United States as illegal entrants, and it is to our advantage to get them as far back into Mexico as may be possible.

Mr. FERGUSON. They should be put back across the border.

Mr. HUMPHREY. That is what we have been doing.

Mr. FERGUSON. Then Mexico could prevent their return to the United States.

Mr. HUMPHREY. The Senator knows more about the Rio Grande than that; he is a world traveler. The only thing we can do is to put them in the heart of Mexico—not of Texas.

Mr. McCARRAN. Mr. President, one statement made by the Senator from New York [Mr. LEHMAN], I am sure he did not mean to make, namely, that these Mexican laborers are guilty of moral turpitude, and that they are not to be regarded as proper citizens. Many Mexican have come to the United States and have become very honorable citizens. I do not think his statement should stand as I understood it to be made. The fact is that these unfortunate Mexican laborers are seeking employment. They are not guilty of being immoral; they are not guilty of any moral turpitude; they are simply seeking employment. They come into this country, and are encouraged to come here, as a matter of fact. I think the Senator from New Mexico [Mr. CHAVEZ] should be here, and he would probably tell us that Mexicans make very good citizens.

Mr. LEHMAN. Mr. President, I believe I have the floor, have I not?

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The Senator from New York yielded the floor.

Mr. HUMPHREY. Mr. President, how much time have we?

The PRESIDING OFFICER. There are 10 minutes remaining.

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. LEHMAN. Mr. President, I have the highest regard and respect for Mexicans, as I have for other persons, but the fact is that some of them enter this country clandestinely and illegally, and we do not have the slightest idea what their qualifications are, what their character is, what their record was, or anything in connection with them. I say to the Senator from Nevada, and I mean what I say, that I do not want such persons to remain in this country. I want them to get out.

Mr. KILGORE. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. KILGORE. Is it not a fact that the Mexican Government has requested that they be sent into the interior of Mexico?

Mr. LEHMAN. I understand that that is the case.

Mr. KILGORE. One reason why I have felt favorably toward an appropriation of $500,000 in this connection is that it may be an incentive to have a treaty with Mexico under which that nation will do more than it has been doing. We have been flying wetbacks into the interior of Mexico, making it more difficult for them to get to the border.

Mr. McCARRAN. Mr. President, I yield 2 or 3 minutes to the Senator from South Dakota [Mr. CASE].

Mr. CASE. Mr. President, we are just starting the third year of the Korean war. It seems to me it would be very cheering news to our soldiers to say to them that while they are short of airplanes, we are voting $500,000 to set up an airlift to give plush rides to wetbacks

entering or leaving this country. It would be a very cheering message to our farmers, too, to tell them the Senator from Minnesota is in favor of this airlift.

I hope the amendment will be rejected.

Mr. HUMPHREY. Mr. President, I should like to ask the Senator from South Dakota, with reference to his statement about plush rides, if he thinks it is a plush ride to sit on steel bucket seats for a 7-hour trip into Mexico? Apparently the Senator has not read the testimony before the committee and has no evidence whatsoever on which to base his comments. Furthermore, he said we were bringing the Mexicans in on plush rides.

Mr. CASE. I said we were bringing them in and taking them out.

Mr. HUMPHREY. It is a one-way trip, out. It is an out-ride, not an in-ride. They are being taken a considerable distance into Mexico at the request of the Government of Mexico, which wants to make sure that it cooperates with our Government in the enforcement of the immigration laws.

I want to thank the Senator from South Dakota for his observations. The farmers of the United States are not asking for wetbacks. The farm organizations of the United States have testified before committees of the Congress in favor of stringent controls on wetbacks. The Senator is not representing the farmers or speaking in their behalf when he says that the farmers will be interested in knowing that the Senator from Minnesota is in favor of these plush rides.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] to the amendment of the Senator from Washington [Mr. MAGNUSON]. On this question the yeas and nays have been ordered.

Mr. McCARRAN. Mr. President, I hope this amendment will be rejected. The question has been discussed at length. It seems to me we should stop the procedure which is now going on. What we are doing, according to the statements made, is to pick these Mexicans up after they come across our border and return them to places in the central part of Mexico remote from their homes, since their homes must have been close to the border or otherwise they would not have come across. On the first freight train which runs north they will come back and again cross the Rio Grande, or the border, wherever it may be.

I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] to the amendment of the Senator from Washington [Mr. MAGNUSON]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Alabama [Mr. HILL], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The Senator from Washington [Mr. CAIN], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], and the Senator from New Hampshire [Mr. TOBEY] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. LODGE] and the Senator from Maine [Mrs. SMITH] would each vote "nay."

The result was announced—yeas 11, nays 65, as follows:

YEAS—11

Benton	Kilgore	Morse
Douglas	Lehman	Murray
Hayden	Magnuson	Neely
Humphrey	Moody	

NAYS—65

Aiken	Hennings	Mundt
Bennett	Hickenlooper	Nixon
Bricker	Hoey	O'Conor
Bridges	Holland	Pastore
Butler, Md.	Hunt	Robertson
Butler, Nebr.	Ives	Saltonstall
Case	Johnson, Colo.	Schoeppel
Clements	Johnson, Tex.	Seaton
Connally	Johnston, S. C.	Smathers
Cordon	Kem	Smith, N. J.
Dirksen	Knowland	Smith, N. C.
Dworshak	Long	Sparkman
Eastland	Malone	Stennis
Ecton	Martin	Taft
Ellender	Maybank	Thye
Ferguson	McCarran	Underwood
Frear	McCarthy	Watkins
Fulbright	McClellan	Welker
George	McFarland	Wiley
Gillette	McKellar	Williams
Green	Millikin	Young
Hendrickson	Monroney	

NOT VOTING—20

Anderson	Duff	Lodge
Brewster	Flanders	McMahon
Byrd	Hill	O'Mahoney
Cain	Jenner	Russell
Capehart	Kefauver	Smith, Maine
Carlson	Kerr	Tobey
Chavez	Langer	

So Mr. HUMPHREY's amendment to Mr. MAGNUSON's amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON].

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. The Chair is advised that there is no further time for debate.

Mr. McCARRAN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, may we have the question stated?

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 26, line 9, it is proposed to strike out "$40,399,000" and to insert in lieu thereof "$42,399,000."

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. Is the Senate now voting on my amendment, which increases the amount by $2,000,000 for maintenance and employees?

Mr. JOHNSON of Texas. Mr. President, a point of order. The roll call has started.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that he is correct.

The clerk will proceed with the roll call.

The roll call was resumed and concluded.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Alabama [Mr. HILL], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CARLSON], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] is absent because of illness in her family.

The Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], and the Senator from Nevada [Mr. MALONE] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. LODGE] and the Senator from Maine [Mrs. SMITH] would each vote "nay."

The result was announced—yeas 17, nays 62, as follows:

YEAS—17

Aiken	Kilgore	Murray
Benton	Knowland	Neely
Douglas	Lehman	Nixon
Hayden	Magnuson	Thye
Hennings	Moody	Tobey
Humphrey	Morse	

NAYS—62

Bennett	Dirksen	Hendrickson
Bricker	Dworshak	Hickenlooper
Bridges	Eastland	Hoey
Butler, Md.	Ecton	Holland
Butler, Nebr.	Ellender	Hunt
Cain	Ferguson	Ives
Capehart	Frear	Jenner
Case	Fulbright	Johnson, Colo.
Clements	George	Johnson, Tex.
Connally	Gillette	Johnston, S. C.
Cordon	Green	Kem

Long	Mundt	Sparkman
Martin	O'Conor	Stennis
Maybank	Pastore	Taft
McCarran	Robertson	Underwood
McCarthy	Saltonstall	Watkins
McClellan	Schoeppel	Welker
McFarland	Seaton	Wiley
McKellar	Smathers	Williams
Millikin	Smith, N. J.	Young
Monroney	Smith, N. C.	

NOT VOTING—17

Anderson	Flanders	Malone
Brewster	Hill	McMahon
Byrd	Kefauver	O'Mahoney
Carlson	Kerr	Russell
Chavez	Langer	Smith, Maine
Duff	Lodge	

So Mr. MAGNUSON's amendment was rejected.

Mr. MUNDT. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota will be stated.

The CHIEF CLERK. On page 15, line 8, after the word "radio", it is proposed to insert the words "and television."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota.

Mr. MUNDT. Mr. President, I shall take only a minute to explain the amendment. The distinguished chairman of the subcommittee [Mr. MCCARRAN], has agreed to take the amendment to conference. It is a clarifying amendment.

It is my feeling that under the terms of the Smith-Mundt bill the authority to use television is now included, but if there is any doubt about it and since the world of television is moving so rapidly and the opportunity for conveying ideas is so great in the field of television, I feel that it would be wise to make certain that the Voice of America operation has the authority to explore further the activities and potentialities of television.

This amendment involves the expenditure of no additional funds. It is simply clarifying language. I believe the chairman of the subcommittee is willing to accept it.

Mr. McCARRAN. I have not looked into this matter. The Senator from South Dakota spoke to me about it a little while ago. I said I would be willing to take the amendment to conference. I understand there may be a plan on foot to televise a program in Europe to which I might not be willing to give my assent. However, I shall keep my word and shall be glad to take the amendment to conference.

Mr. MUNDT. I thank the Senator from Nevada. In concluding my presentation of the amendment I should like to say that I know nothing about any particular program. I am not interested in any particular plan or program. I am interested only in clarifying the language of this provision of the Smith-Mundt bill so that America will not be left behind in the progress that is being made in other countries with respect to television development. It is my thought that the President or our Department of State might want to create a committee of television experts to counsel with other countries on the techniques of expanding television for transoceanic purposes. Last week the House of Commons took very constructive action when for the first time it provided that television development shall henceforth be financed by private corporations, instead of by Government operation. It is conceivable that by the expenditure of smaller sums than we are now spending we will be able to carry the voice and vision of America to a great many more people than we can do now by radio alone.

The PRESIDING OFFICER (Mr. HOEY in the chair). The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. MUNDT].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I send an amendment to the desk and ask to have it stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 51, after line 2, it is proposed to insert the following:

SEC. 305. No part of the funds appropriated in this title shall be available for disbursement to any State which submits programs to the Bureau of Public Roads for Federal-aid highways in excess of 91 percent of the amounts apportioned to that State by the Bureau of Public Roads for the two fiscal years beginning July 1, 1953.

Mr. DOUGLAS. Mr. President, this amendment is designed to recapture the savings in highway funds which the Senate voted during the consideration of the highway bill a short time ago.

If Members of the Senate will check the RECORD they will find that the House appropriated $550,000,000 a year for the Federal aid road program. When the bill was reported to the Senate by the Committee on Public Works it contained the figure of $600,000,000. That is the amount of the authorization which the Committee on Public Works reported to the Senate.

By amendment the authorization was reduced from $600,000,000 to $500,000,000, by the overwhelming vote of 57 to 14. But when the bill went to conference, the committee of conference agreed with the House figure of $550,000,000, and the House figure was upheld. The pending amendment is designed to recapture the $50,000,000-a-year savings in highway funds. The amendment will recapture that amount. The amendment will not affect any program.

The highway bill to which I have referred was signed by the President late yesterday afternoon. The Bureau of Public Roads has not even apportioned the funds to the States. They are unapportioned at this time. Commonly, the apportionment is made in the fall of the year preceding the year when the funds will be committed. Thus the funds are not committed at the present time. I want to make that point perfectly clear.

Adoption of the amendment will not cause any administrative problems in the slightest. The amendment will not effect the $325,000,000 appropriation included in the pending bill. The appropriation will be used merely as a lever with which to effect a reduction in the amount to be expended in the two subsequent years.

Mr. President, without presuming to anticipate a motion or any ruling by the Chair, I may say humbly that in my judgment the amendent is not properly subject to a point of order. It is a limitation on the use of funds. It does not require the performance of any duty by the admininstration, and the Bureau of Public Roads can proceed as it has always proceeded. The amendment merely states that those States which submit programs in excess of the amounts which the Senate voted they should receive cannot qualify for the $325,000,000 provided in this bill.

It is a very simple amendment, and constitutes a very simple way of recapturing the savings which the Senate voted in the highway bill. An amendment of exactly the same wording, with the exception of the applicable fiscal years, was declared not subject to a point of order by the Vice President on April 21. I hope it may be adopted.

Mr. McCARRAN. Mr. President, I hope the Senate will reject the amendment. If the amendment prevails it will penalize States under the Federal-highway program and would set at naught the Federal-highway program as it is now in effect.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill (H. R. 7289) was read the third time and passed.

Mr. McCARRAN. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the presiding officer appointed Mr. MCCARRAN, Mr. MCKELLAR, Mr. ELLENDER, Mr. GREEN, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. FERGUSON conferees on the part of the Senate.

NOTICE OF MOTION TO RECONSIDER VOTE ON HOUSE BILL 5693

Mr. MORSE. Mr. President, I enter a motion to reconsider the vote by which House bill 5693, to amend the Tariff Act of 1930, so as to impose certain duties upon the importation of tuna fish, and for other purposes, failed of passage on June 24.

The PRESIDING OFFICER (Mr. HOEY in the chair). The motion will be entered.

INVESTIGATION OF THE TUNA-FISH INDUSTRY

Mr. GEORGE. Mr. President, on yesterday the Senate considered the so-called tuna-fish bill. Today the Senate

Finance Committee approved a resolution directing the Tariff Commission to make a thorough investigation of the domestic tuna industry, including the effect of imports of fresh or frozen tuna fish on the livelihood of American fishermen, and to report the result of its investigation to the Finance Committee of the Senate on or before March 1, next. The resolution has other provisions, as well.

The resolution was submitted by the distinguished senior Senator from California [Mr. KNOWLAND], I believe, on behalf of himself and his colleague the junior Senator from California [Mr. NIXON].

Mr. KNOWLAND. It was sponsored also by the Senator from Washington [Mr. MAGNUSON].

Mr. GEORGE. Yes.

Mr. KNOWLAND. Mr. President, I merely wish to express, on behalf of my colleagues and other Senators in the Chamber, the concern we have felt about the problem facing the tuna industry; and I wish to express our appreciation to the distinguished Senator from Georgia [Mr. GEORGE], the chairman of the Finance Committee, and to the committee itself for taking action on this matter, so that the Tariff Commission will make the study and will present the facts to the Congress before March 1.

Mr. GEORGE. That is the request the committee is making.

Mr. President, as chairman of the committee, and by direction of the committee, I have today transmitted a copy of the resolution to the Chairman of the Tariff Commission. Because this matter is one of interest and concern, I ask that a copy of my letter, as chairman of the committee, and a copy of the resolution be printed at this point in the body of the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

JUNE 26, 1952.

The Honorable OSCAR B. RYDER,
Chairman, United States Tariff Commission, Washington, D. C.

DEAR CHAIRMAN RYDER: The Finance Committee today approved a resolution directing the Tariff Commission to make an investigation of the domestic tuna-fishing industry. A copy of that resolution is enclosed.

As you have been aware, the House last year passed a bill which, among other things, would have directed the Tariff Commission to carefully study this matter. That bill failed of passage in the Senate. It was brought out during the debate that the action of the Senate should probably be delayed until a thorough study had been made. The committee felt that the situation was such that an investigation by your agency would be of great help to the Congress should any future action be considered.

Sincerely yours,

WALTER F. GEORGE,
Chairman.

Resolved, That the Tariff Commission is hereby directed, pursuant to section 332 of the Tariff Act of 1930, as amended (19 U. S. C. 1332), to make a thorough investigation of the domestic tuna industry, including the effect of imports of fresh or frozen tuna fish on the livelihood of American fishermen, and to report the results of its investigation to the Senate Finance Committee on or before March 1, 1953.

SEC. 2. Such investigation shall be made after due notice and opportunity for hearing is given to interested parties. The report of the Commission shall set forth the facts so determined relative to the production, trade, and consumption of tuna fish in the United States, and shall take into account all relevant factors affecting the domestic economy, including the interests of consumers, processors, and producers. Such report also shall contain a statement of findings as to the effect upon the competitive position of the domestic tuna fishing industry of the present free entry of foreign tuna, so as to assist the Congress in determining what change, if any, shall be made in the tariff status of fresh or frozen tuna.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATIONS—CONFERENCE REPORT

Mr. KILGORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6854) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6854) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 8, 9, 10, 11, 12, 13, and 14.

That the House recede from its disagreement to the amendments of the Senate numbered 4 and 7 and agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert $2,725,000; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert $4,625,000; and the Senate agree to the same.

HARLEY M. KILGORE,
BURNET R. MAYBANK,
JOHN L. MCCLELLAN,
KENNETH MCKELLAR,
OLIN D. JOHNSTON,
ZALES N. ECTON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

J. VAUGHN GARY,
A. M. FERNANDEZ,
OTTO E. PASSMAN,
ALFRED D. SIEMINSKI,
CLARENCE CANNON,
G. CANFIELD,
BEN F. JAMES,
JOHN TABER,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the report was considered and agreed to.

PALMER, ALASKA, AIRPORT—CORRESPONDENCE WITH THE COMPTROLLER GENERAL

Mr. BUTLER of Nebraska. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared, together with some letters attached thereto, relating to the Palmer, Alaska, Airport.

There being no objection, the statement and letters were ordered to be printed in the RECORD, as follows:

REJECTION BY COMPTROLLER GENERAL OF APPLICATION FOR FEDERAL GRANT FOR THE PALMER, ALASKA, AIRPORT—STATEMENT BY SENATOR HUGH BUTLER IN THE SENATE, JUNE 26, 1952

Mr. President, nearly 2 years ago, I first exposed what has since become notorious in Alaska as the Palmer Airport deal. This was an attempt by certain officials of the Territory of Alaska in collusion with representatives of the Civil Aeronautics Administration to extract from the Federal Government the sum of $150,000 to which they were not entitled under the Federal Airport Act. My disclosures were based on the facts developed by the Fairbanks News-Miner, a daily newspaper in Fairbanks, Alaska.

At that time, I introduced Senate Resolution 331, Eighty-first Congress, calling for a Senate investigation of all the ramifications of this attempt.

Subsequently, the Senate Committee on Expenditures in the Executive Departments conducted a very thorough and complete investigation. The committee concluded that these representatives of the territory were attempting to obtain by subterfuge Federal matching funds which could not be obtained directly under the law, and that there had been collusion between territorial officials and representatives of the Civil Aeronautics Administration. The committee recommended that the Comptroller General make a very careful study of the facts developed by its investigation before approving any Federal payment.

Mr. President, I wish to announce that the Comptroller General of the United States, Mr. Lindsay Warren, has now finally ruled that because of this misrepresentation of the facts, no Federal funds may be paid under the Federal Airport Act on any of the items included by the Territory of Alaska in its application for final grant payment.

If these representatives of the Territorial Government had set forth the true facts in a sincere and forthright manner, they would have been entitled to a Federal grant for at least part of the cost of the airport. As it is, the Territory will receive nothing from the Federal Government because of the misrepresentations by these men.

I hope this incident may serve as a lesson and a warning to any other person who may be tempted to secure Federal funds to which they are not entitled.

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, June 24, 1952.

Hon. HUGH BUTLER,
United States Senate.

MY DEAR SENATOR BUTLER: Reference is made to your letter of March 4, 1952, relative to the Palmer (Alaska) Airport project. I have made a very careful study of all the facts of this case. For the reasons stated in my decision of today to the Secretary of Commerce on this matter, a copy of which is transmitted herewith for your information,

it is my view that the facts and circumstances of the case preclude allowance of any of the project costs on the present record.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, June 24, 1952.

The honorable the SECRETARY OF COMMERCE.

MY DEAR MR. SECRETARY: Reference is made to letter dated January 31, 1952, from the Acting Secretary of Commerce, requesting a decision on certain questions presented by the Administrator of Civil Aeronautics in a memorandum enclosed therewith, concerning, in general, the allowability of costs involved in the acquisition of project lands under the Federal Airport Act approved May 13, 1946, 60 Stat. 170, and, in particular, the propriety of making grant payments on the Palmer (Alaska) Airport project.

On January 9, 1950, the Territory of Alaska, through the Director of Aviation, submitted a project application to the Civil Aeronautics Administration for Federal aid under the Federal Airport Act for the development of the Palmer Municipal Airport. The application shows the estimated cost of the land as $5,500 and other estimated project costs totaling $124,500. The estimated Federal share of the total cost was $94,750, representing 25 percent of the cost of the land and 75 percent of the other project costs. It is recited in paragraphs 3 and 14 of the application that the sponsor held full title to tract No. 1, as identified on the map attached as exhibit A, and would acquire full title to tract No. 2 and aviation easements to tracts 3 and 4. A grant offer upon the basis of such project application was made by the Civil Aeronautics Administration but was rejected by the officials of the Territory of Alaska.

On March 17, 1950, a second project application was submitted which shows the estimated cost of the land as $150,000 and other estimated project costs as $143,500. The estimated Federal share of the total costs is shown as $145,125. This project application recites in paragraph 3 that the sponsor did not hold title to any land, and in paragraph 14 that the sponsor would acquire title to tracts 1 and 2. Grant Agreement C8ca-3390, offered upon the basis of the second project application, was accepted on March 31, 1950. The grant agreement provides that the Government would pay, as its share of the cost incurred in accomplishing the project, a maximum of $145,125 upon the basis of 25 percent of the cost of the land and 75 percent of other project costs to the extent such costs are determined to be allowable.

By application for grant payment dated June 6, 1951, the sponsor applied for the first and final payment in the total amount of $148,922.68, which is in excess of the maximum of $145,125 specified in the grant agreement. The application for payment shows the Federal share of the cost of the land to be $38,285.96, representing 25 percent of the total estimated cost of $153,143.85, and the cost of construction, engineering, and administration to be $110,636.72 representing 75 percent of the cost of $147,515.63.

Senate Resolution 331, Eighty-first Congress, authorized a study and investigation of the circumstances surrounding the acquisition of the Palmer Airport with a view to determining whether any actions with respect thereto were taken for the purpose of obtaining Federal funds in excess of the amount authorized by law and whether such actions were fraudulent or otherwise in violation of law. An inquiry was conducted by the Subcommittee on Investigations, Senate Committee on Expenditures in the Executive Departments, hearings having been held on January 18 and 19, 1951, and an interim report was filed, Senate Report No. 357, Eighty-second Congress.

It appears from the entire record before this office that on February 26, 1945, a group of citizens representing the various civic organizations of Palmer and the Matanuska Valley organized a nonprofit organization to be known as the Palmer Airport Association for the announced purpose of acquiring, equipping, maintaining, and otherwise operating an airport at Palmer, Alaska. A landing field was selected upon the recommendation of officials of the Civil Aeronautics Administration in Alaska and construction was begun in 1945. Following the subsequent enactment of the Federal Airport Act, the Palmer Airport Association repeatedly attempted to obtain Federal aid for development of the airport through the cooperation of the Territory of Alaska. However, there was no public agency in Alaska which could qualify as a sponsor under section 2 (9) of the Federal Airport Act (60 Stat. 170), for the Palmer Airport until passage of Territorial enabling legislation, which became effective June 1, 1949. Prior to the passage of the enabling legislation, the Territory of Alaska made Territorial funds available to the association for airport construction, allegedly in the approximate amount of $53,000. Also extensive and valuable improvements were donated by individuals in the form of labor and the use of machinery. The airport as thus constructed comprised what was designated in the project application and the grant agreement as tract No. 1.

It appears from all available evidence that the Territorial officials clearly intended to claim reimbursement from the Federal Government on a matching basis for their expenditures on tract No. 1 when they could qualify as a sponsor. The said officials testified that the money was expended on the strength of representations made by officials of the Civil Aeronautics Administration in Alaska that a claim for reimbursement of such costs could be eligible as a project cost under the Federal Airport Act. The testimony of the Civil Aeronautics officials as to such representations is to the contrary.

In any event, it finally was learned that, because of the prohibition in section 13 (2) of the Federal Airport Act (60 Stat. 177) against the allowance of a project cost (except the cost of acquiring land) incurred prior to the execution of a grant agreement, the construction cost expended on the airport prior to the grant agreement, dated March 31, 1950, could not be used as a project cost. The alternative method of including the reasonable value of the land as enhanced by the airport improvements as a project cost of land acquisition was not suggested to the Territorial officials until after submission of the project application of January 9, 1950.

After such alternative method had been suggested by the Civil Aeronautics officials, the first grant offer dated January 9, 1950, of $94,750 was rejected by letter of March 15, 1950, and a revised project application dated March 17, 1950, was submitted showing the estimated cost of all of the land as $150,000 rather than $5,500 as shown in the first application. The only reason assigned for the increase in land value was that recent developments adjacent to the airport resulted in a substantial increase of property values. See exhibit No. 6A, page 186 of the hearings pursuant to Senate Resolution 331. The regional office of the Civil Aeronautics Administration forwarded the project application to the regional administrator, who was then in Washington, D. C., by letter dated March 21, 1950 (exhibit No. 6B), wherein it was stated that the land costs have been increased from $5,500 to $150,000, construction costs from $106,500 to $122,500, and an amount of $3,000 inserted for administrative costs, and that the statement concerning land ownership of tract No. 1, which appeared in the original application, had been omitted. The increase was explained to the Administrator of Civil Aeronautics in a memorandum dated March 27, 1950 (exhibit 6C), upon the basis that the land which the sponsor originally thought was to be donated had to be purchased, making a considerable increase in the project costs.

In suggesting the alternative method above, the Civil Aeronautics Administration officials testified that they had advised the Territorial officials in effect that the prior construction cost could be recouped, in part, by including as a cost of acquiring land the purchase price of the entire airport; that appraisals be made of the value of the property, including improvements as it existed at the time of acquisition, which would be reviewed by the Civil Aeronautics Administration; and that, if necessary, the appraised value would be confirmed by additional appraisals. The appraisals were made and, rather than use the appraisals to establish the value of the land acquisition for the purposes of evaluating a donation to the Territory, the Territorial officials followed the highly irregular means of using a paper transaction whereby they allegedly purchased the airport for $150,000 and the airport association immediately donated $145,000 back to the Territory. The difference of $5,000 was retained by the association for the acquisition of the additional land from private owners. In regard to the title to the land, which was certified in the first application as being held by the Territory, it was testified that the certification was based upon an oral option and that the land of the existing airport was to be donated whenever desired by the Territory; also, there was testimony to the effect that the erroneous certification was made upon advice of the Civil Aeronautics Administration regional officials who were of the view that it was easier to get approval of an application if a sponsor was shown to have title to the land and that the title actually was not required until the application was made for a grant payment.

The subcommittee stated in its interim report that it was of the opinion the Territory attempted by subterfuge to obtain Federal matching funds which could not have been obtained directly under existing law; and that as a result of collusion between officers of the Territory and those of Civil Aeronautics Administration in Alaska there was an attempt to shift the entire cost of the new improvements on the Palmer Airport to the Federal Government. The report of the subcommittee specifically recommends that the Comptroller General make a very careful study of the facts of this case before making any final decision relative to the disbursement of Federal funds.

The specific questions presented by the Administrator of Civil Aeronautics in connection with the Palmer project, on the basis of the foregoing facts, are as follows:

"Query No. 1. In view of the facts and circumstances developed in the Senate subcommittee's investigation of the Palmer, Alaska, airport project, the information contained herein, and such additional facts as the Comptroller General may deem it desirable to obtain by further investigation, is it proper to consider for allowance as project costs any of the items of cost for which payment is requested by the Territory in the subject application for final grant payment (attachment No. 1)?

"Query No. 2. Is the Territory's claimed acquisition of the Palmer Municipal Airport from the Palmer Airport Association,

under the circumstances and conditions developed in the Senate subcommittee investigation of the subject project and as outlined herein, an eligible item of airport development under the Federal Airport Act?

"Query No. 3. If the answers to queries Nos. 1 and 2 are in the affirmative, may the allowable projects costs of acquisition by the Territory of the two parcels comprising tract No. 2, exceed the sum of approximately $5,000 of territorial moneys which the Territory appears to have been out of pocket for such acquisition, if the transfer of such parcels by the association to the Territory is determined by the Administrator of Civil Aeronautics to be (a) valid or (b) invalid? It will be noted that the Palmer Airport Association retained such sum of $5,000 for use in paying to the respective record owners of the two parcels comprising tract No. 2 the full purchase price of each such percel, as described in attachment No. 2.

"Query No. 4. If the answers to queries Nos. 1 and 2 are in the affirmative, may the allowable project costs of acquisition by the Territory of the two parcels comprising tract No. 1, being the nucleus of the airport, include or reflect any portion of the sum of approximately $6,000, representing the total purchase price and interest on unpaid balances which the Palmer Airport Association paid during the years 1945–49 to the record owners of such parcels, if the transfer of tract No. 1 by the association to the Territory is determined by the Administrator of Civil Aeronautics to be (a) valid or (b) invalid?

"Query No. 5. If the answer to either part of query No. 4 is in the affirmative, may the allowable project costs of acquisition by the Territory of the two parcels comprising tract No. 1 exceed such sum of approximately $6,000, the total purchase price and interest paid the former record owner?

"Query No. 6. If the answer to query No. 5 is in the affirmative, may the allowable project costs of acquisition of the two parcels comprising tract No. 1 include or reflect the reasonable value of airport improvements or construction accomplished on such parcels prior to the date of execution of the subject Grant Agreement?

"Query No. 7. If the answer to query No. 6 is in the affirmative, may the allowable project costs of acquisition of the two parcels comprising tract No. 1 include or reflect any portion of (a) the cost of airport improvements or construction accomplished on such parcels with the aid of Territorial funds, totaling approximately $53,000, claimed to have been granted to the Palmer Airport Association for such purpose, or (b) the reasonable value of such airport improvements or construction at the time of the alleged transfer of such tract No. 1 to the Territory by the Palmer Airport Association, which value may or may not exceed such sum of $53,000?"

In connection with such questions, and with general questions 8 and 9 presented by the Administrator, attention is invited to the fact that, under section 13 of the Federal Airport Act, as amended, it is the responsibility of the Administrator of Civil Aeronautics to determine in the first instance whether a cost incurred in carrying out a project is allowable. Therefore, unless a determination of allowability is made by the Administrator, there ordinarily is no question presented for advance decision by this Office as to whether the proposed action is authorized by law and otherwise is free from objection. The record here involved indicates that the Administrator has not made any determinations as to whether or not any item of cost in connection with the Palmer project is allowable. However, you may be advised that the views of this Office in the matter are as follows:

It is felt that the record of the hearings adequately supports the views expressed in the report of the subcommittee that there was collusion between officials of the Territory and those of Civil Aeronautics Administration in Alaska to the end that the Territory might receive credit in the grant agreement for funds which it had previously expended in improving the airport. Such officials were aware of the provisions of section 13 (2) of the Federal Airport Act which provides in part that—

"A project cost shall be allowable if—

* * * * *

"(2) it was incurred subsequent to the execution of the grant agreement with respect to the project, and in connection with airport development accomplished under such project after the execution of such grant agreement * * *."

Those officials were also aware of the implementing regulations of Civil Aeronautics Administration which precluded the allowance of such an item as an eligible project cost.

As a result of the methods used by Territorial officials to conceal the true nature of the estimated costs of the project and the failure of regional officials to disclose fully the facts to the Civil Aeronautics Administration officials in Washington, a grant agreement was approved for an amount in excess of that which was legally permissible under the provisions of the basic law.

The decision of November 19, 1948, B–81321, held that the value of land donated to the sponsor properly may be for consideration, under certain conditions, as a part or all of the sponsor's share of the project cost. It did not hold that such value might be enhanced by the value or cost of improvements to the land, otherwise unallowable, which had previously been added by the sponsor; nor did it contain such elements of irregularity and nondisclosure of facts as here indicated. It does not appear, therefore, that the cited decision in any respect authorizes or sanctions the type of transaction or the methods used in this case.

Accordingly, it is my view that, on the present record, the facts and circumstances would require that exception be taken to the payment as project costs of any items included by the Territory of Alaska on its application for final grant payment. In such connection, it is noted that paragraph 5 of the grant agreement accepted by the Territory of Alaska on March 31, 1950, provides as follows:

"Any misrepresentation or omission of a material fact by the sponsor concerning the project or the sponsor's authority or ability to carry out the obligations assumed by the sponsor in accepting this offer shall terminate the obligation of the United States, and it is understood and agreed by the sponsor in accepting this offer that if a material fact has been misrepresented or omitted by the sponsor, the Administrator on behalf of the United States may recover all grant payments made."

Question No. 1 is answered accordingly, making unnecessary replies to questions 2, 3, 4, 5, 6, and 7.

It is felt that questions 8 and 9 are too indefinite and general to permit of any expression of views thereon at this time. If such questions are involved in any application or applications for payments now pending before the Civil Aeronautics Administration, and the Administrator determines that the items are properly allowable, submission may be made of the individual case or cases for a decision as to whether or not this Office perceives any objection to his determinations.

The administrative officer's copy of the Administrator's memorandum of January 18, 1952, and the Acting Secretary's letter of January 31, 1952, apparently forwarded here by mistake are returned herewith, together with the application for grant payment and supporting documents thereto.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 5734) to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6854) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes, and it was signed by the Vice President.

HOUSE BILL REFERRED

The bill (H. R. 5734) to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein, was read twice by its title and referred to the Committee on Finance.

ADDITIONAL REPORT OF COMMITTEE ON FINANCE

Subsequently,

Mr. GEORGE, from the Committee on Finance, to which was referred the bill (H. R. 5734) to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein, reported it with amendments, and submitted a report (No. 1837) thereon.

AMENDMENT OF TITLE II OF THE SOCIAL SECURITY ACT

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1736, H. R. 7800, to amend title II of the Social Security Act, and for other purposes.

The PRESIDING OFFICER. The clerk will state the bill by title; for the information of the Senate.

The CHIEF CLERK. A bill to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill

(H. R. 7800) to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes, which had been reported from the Committee on Finance with amendments.

Mr. BRIDGES. Mr. President, this is a very important bill, and many Senators have requested to be notified when it is taken up by the Senate. Therefore, I will take the liberty of suggesting the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BRIDGES. Mr. President, I ask unanimous consent that the suggestion of the absence of a quorum may be withdrawn and that the order for the call of the roll may be rescinded.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. GEORGE. Mr. President, the bill now before the Senate, having been made a special order, is comparatively short, but in the form in which it now stands it is of very great importance. In reporting this bill to the Senate I called attention specifically to a provision in the report in which it was stated that the committee had deleted the provisions contained in the House bill which would have (1) preserved the insurance rights of permanently and totally disabled persons, and (2) extended to the States the option of placing under old-age and survivors' insurance certain State and local employees covered by existing local or State retirement systems. In deleting these provisions, as stated in the report, it was the sentiment of the committee that the committee had not predetermined or considered the merits of these provisions, but that, because of the unusual demand for the right to be heard by people interested in both sections of the bill, the committee had simply deleted these two sections of the bill—which, incidentally, of course, reduces the cost of the bill somewhat—and had then proceeded to consider all the other sections which were included by the House. To some of these sections the committee has recommended amendments; to others, it has not.

The bill now before the Senate does these things:

First, it raises the benefits for retired persons now on the roll—that is, those who have the benefit of the old-age and survivors insurance system—by $5, or 12½ percent, whichever is larger.

Second, it increases the benefit formula from 50 percent to 55 percent of the first $100 of the average monthly wage. This, Mr. President, is an important provision, and it becomes a permanent provision of the law. The remainder of the formula, 15 percent of the next $200, would remain unchanged. This higher benefit formula will apply to those who retire in the future.

Third, the bill will increase proportionately the benefits for wives, widows, children, and beneficiaries in other categories.

Fourth, it raises from $20 to $25 a month the minimum benefit payable to a retired person. That is, the minimum benefit is raised from $20 to $25 a month, and the maximum amount payable to a family is raised from $150 to $168.75.

Fifth, the four changes noted above would become effective beginning with the month of September 1952; that is, if the bill is passed during this month and is submitted to the President.

Sixth, credits of $160 a month are provided members of the Armed Forces serving since the close of World War II, through 1953. These credits are the same as those provided in the Social Security Act amendments of 1950 for servicemen of World War II. This section was amended by the Senate Finance Committee to provide that such credits be paid out of the old-age and survivors insurance trust fund, rather than out of general revenues, as provided in the House bill.

Seventh, it makes technical changes that will simplify the administration of the insurance payments and correct certain inequities of the 1950 amendments.

Eighth, it provides that States may disregard the first $50 of the earned income of a needy, blind recipient, in determining the need of other members of his family receiving old-age assistance, aid to dependent children, or aid to the disabled. The committee amendment makes this provision mandatory upon the States after June 30, 1954.

Mr. President, I may explain—and this is an important provision of the bill—in the amended Social Security Act of 1950, the committee, with the Senate's approval and with approval in final conference with the House, provided that the first $50 of income earned by a blind person should not necessarily be denied the blind person by the State in fixing the amounts which his dependents might receive under some other form of aid. It was left optional, so to speak, with the States.

Again, the House has dealt with the problem, but not in the same manner the Senate dealt with it. The Senate Finance Committee has said that in their judgment the first $50 of earnings of a blind person should not be taken into consideration by the State in reducing, let us say, the amount of old-age benefits payable to the wife, or the amount payable to a dependent child living in the family. We said that, until June 30, 1954, the States may take into consideration earnings of the blind person; but that, after June 30, 1954, they may not do so. The purpose of leaving it optional with the States, until June 30, 1954, is to enable the States to make such readjustments in their laws as perhaps one or two of them may be required to make. It is not done for the purpose of encouraging the States to deduct the earned income of a blind person from the amounts which otherwise would be allowed to his wife or dependent or helpless children if they were receiving benefits under one of the assistance programs.

Mr. CASE. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I am glad to yield.

Mr. CASE. First, I may say I think the committee has acted very commendably in relation to the amount of earned income which either those who come under the general provisions of the bill or the blind could earn. I think it desirable that we encourage self-help to the extent that that is possible.

I realize that it may, as the committee report suggests, take care of the eligibility of certain individuals. At the same time, I feel that if it were not for that, there would be much greater pressure for an even greater expansion of the benefits to be paid out of the fund. The pressure comes from a lack of income by which to live, so that to the extent income may be supplemented by earned income, it reduces the pressure for a greater increase.

Mr. GEORGE. I think the Senator from South Dakota is correct. In that connection, we have increased the amount which the insured beneficiary may earn, even in a covered industry, from the present $50 a month to $100 a month. The House increased the figure from $50 to $70, but the Finance Committee was of the opinion, particularly during this period, that the recipient should be allowed to earn $100 a month without affecting his retirement benefits.

Mr. CASE. I have noted that with interest. The question I want to raise, however, is with relation to the amendment proposed by the Senator from Alabama and other Senators, which has to do with the other side of social security; namely, old-age assistance. If it is desirable to liberalize the amount of money that may be earned by individuals under the insurance features of social security, would it not also be desirable to raise the amount which persons coming under old-age assistance may earn, because there is no greater eligibility created, and, actually, the earned income will supplement the needs of older persons who receive old-age assistance.

Mr. McFARLAND. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I shall be glad to yield to the Senator from Arizona.

Mr. McFARLAND. The amendment which I propose to offer for myself and a group of Senators contains the amendment which the distinguished Senator from Georgia offered a year ago when the Senate adopted an amendment which would exempt farmers up to an amount not in excess of $50 a month for agricultural labor. We have attached the Senator's amendment to our amendment.

Mr. GEORGE. I think that meets the inquiry of the distinguished Senator from South Dakota.

Mr. CASE. Mr. President, I made a mistake when I referred to the Senator from Alabama as having offered the amendment.

Mr. McFARLAND. I thought the Senator was referring to the amendment which I expect to offer.

Mr. CASE. It is very much in line with what the distinguished Senator from Georgia had just been saying.

Mr. GEORGE. Mr. President, the effect of the amendment is to raise the allowable earnings of beneficiaries of old age and survivors' insurance from $50 to $100, and also to raise the amount of the earned income of the self-employed, so that the self-employed person may be permitted to earn $100 a month and not be denied his benefits unless his earned income exceeds $1,200 a year. Both of those provisions seem wise to the committee.

Mr. O'CONOR. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. O'CONOR. May I ask the able chairman of the committee a question or two concerning the possible inclusion of parts of State retirement systems? I inquire whether any consideration was given, or is to be given, to the question, because I recall distinctly that the able Senator from Georgia gave special attention to this question in the past and manifested a very keen interest in the welfare features of State systems and those affected thereby who might properly be included in the Federal system.

Mr. GEORGE. I may say to the distinguished Senator from Maryland that the committee is not unaware of that problem; it is also acutely aware that it is a problem which ought to be fully considered. Speaking for myself, and I am rather of the opinion that I am speaking for a majority of the committee, we recognize the necessity of broadening the present provision of the Social Security Act so that State employees may have the option, at least, and the State itself may be given the option, of bringing those employees under the Federal social-security system if they wish. We have, in a separate bill which has already passed the Senate, given the States until January 1, 1954, to readjust their agreements with the Social Security Board if they wish to bring employees under the Federal system.

Mr. O'CONOR. Mr. President, will the Senator yield further?

Mr. GEORGE. I shall be glad to yield.

Mr. O'CONOR. I thank the Senator very much. I am sure he is aware of the fact that at the present time there are some conditions which, in the estimation of certain of the retired and other employees, appear discriminatory and which may very well deserve the attention of the committee. I believe the Senator's suggestion is a very good one, because I think that in the end it will expedite the matter rather than delay it. I think the attention which the Senator intends to give it will actually hasten the day when the proper solution is reached.

Mr. GEORGE. That was the view taken by the committee. We were faced with the request of a large number of important witnesses, both for and against the proposal in the House bill, and the general proposal to bring State employees who are under separate retirement systems under Federal social security.

We are not predetermining the merits of the issue at all, but in the report, politely, as we should, we are asking the House to send us back a bill containing the two sections which we have deleted, in order that we may begin work on it, if we are to remain in session beyond next week.

I wish to say to the Senator from Maryland, and to all other Senators interested in this important phase of social security, that the Finance Committee proposes, in any event, to open hearings in January on this question, and on another question involved in a section which had been stricken from the bill, to wit, the freezing of wage payments during the permanent and total disability of the wage earner. Early in January we shall be able to complete the hearings and report a bill. There is always some bill to which social-security amendments may be attached, even if the Senate has no original jurisdiction of this particular question.

Mr. O'CONOR. I am very much indebted to the Senator from Georgia for the assurance that the committee will give consideration to the question. While I have the opportunity, may I say that the Senator from Georgia is entitled to the gratitude of all concerned in connection with other provisions, specifically, that pertaining to the blind, to which reference was previously made. I certainly think we owe him a debt of gratitude for his painstaking care in this connection.

Mr. GEORGE. I wish to emphasize that the Finance Committee has every disposition to proceed with the hearing on these two particular matters in January. Speaking for myself, and not for the committee, I would be disposed to go even further than the House committee went on the question of permanent and total disability. They merely froze the wages and stopped payment during the period of permanent and total disability. We must try to bring the permanent and totally disabled cases under old-age and survivors' insurance at an earlier age than 65, or else we must make a specific provision for adequate benefits under State-aid systems. We must do one or the other.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. MOODY. I have noted with a great deal of satisfaction the provision in the bill reported by the distinguished chairman, increasing from $50 to $100 the maximum amount that can be earned by a person who is eligible to receive an annuity. Does not the chairman feel that it would be fair—in view of the fact that these annuities are paid for by the people as they work and their payroll taxes are collected from them—that the eventual objective of Congress should be to remove such a limit?

Mr. GEORGE. In the 1950 act, the Finance Committee, with the final approval of the Senate, removed any limitations upon earnings of a beneficiary who had reached the age of 75. It is true that very few people have any great earning capacity after they become 75, but many professional people, including architects, engineers, lawyers, doctors, and various others, have.

If we were to remove all limitations as to such work, and allowed a beneficiary to earn as much as he could, it would possess elements of equity, but under our system the experiment would be very costly, because a great many payments are made on the basis of earnings after the recipient becomes 65 years of age. Really they are adding to their benefits.

The increase from $50 to $100 a month, which would carry with it an increase of $100 a month, or $1,200 a year, to the self-employed person, will not be very costly. It will cost a small fraction, perhaps one-tenth of 1 percent, of the payroll. It would not be a very costly amendment, but it would seem to be just. It seemed to the committee that the beneficiaries of the old-age and survivors insurance ought to be allowed to earn at least $100 a month.

Mr. MOODY. I wish to congratulate the chairman of the committee on taking what I consider to be a step forward. My question was related to the principle of a system in which a great many people are now paying into the fund weekly or monthly a part of their earnings, with the idea that they are laying aside an annuity they can collect at the age of 65 or some later age. As a matter of fact, unless they retire, they will not be able to collect the annuity they are paying for now. If they earn more than $50 a month or, if the bill goes through as the committee has recommended it, more than $100 a month, they will receive nothing for all the years they have been paying for their annuity. In my judgment, this is wrong and should be changed.

I desired to get the view of the distinguished chairman of the committee as to whether or not, as a question of justice, the committee would not be wise to consider the fact that the beneficiaries, after all, have bought and paid for the old-age insurance.

Mr. GEORGE. That is true. The Senator is quite correct. It is not a gift, because the old-age and survivors fund is now in the neighborhood of $16,000,000,000. It is a self-sustaining operation, and would even support somewhat greater benefits. I do not mean to say that the money is lying idle in the Treasury, because the Treasury has probably given a bond and has become obligated to the fund.

Mr. MOODY. I merely wish to call attention to the fact that since the annuities have been earned and paid for, when the committee considers the subject again, it should consider the possibility of allowing people who have earned their annuities to collect them whether they are working or not.

Mr. GEORGE. The Senator's suggestion is certainly worthy of consideration. I neglected to say that the committee had four or five bills before it, and the distinguished Senator from Michigan himself was the author of one of the bills suggesting that the limitation on monthly earnings be increased to $100.

Mr. MOODY. I thank the Senator. Along with the chairman of the committee, I felt that a step forward now would be worth while. I merely bring up the matter of lifting the earnings limitation entirely for future consideration of the committee.

Mr. GEORGE. I thank the Senator very much.

Mr. President, there are various amendments in the bill which I think would be very helpful. It is not necessary for me to enumerate them, unless some Senator desires to ask about them.

However, I wish to call attention to a provision for the filing of a claim for lump-sum payment in the case of a soldier killed while in active military service outside the United States. In that provision there is a time limitation requiring the application to be made within a certain number of months. The committee has amended the provision so as to provide that the application for lump-sum payment in the case of a member of the Armed Forces killed outside the United States, or who dies outside the United States, may be made within 2 years, or perhaps it is 4 years, after his body is returned to his country, if the family should request return of the body to the United States. In other words, the period in which the lump-sum payments may be made has been extended. We are providing for soldiers now engaged in the Korean war the same credit of $160 a month on their social security that was provided for soldiers in World War II. I think everyone recognizes that as a very just provision.

Mr. President, the committee has acted as promptly as possible on the bill, in order that, if it receives approval of the Senate, and we finally succeed in obtaining a conference report which both Houses will approve, the bill may become effective within the month of September, or at least in October; otherwise it would be almost the end of the year before it could become effective.

ANNIVERSARY OF THE SIGNING OF THE UNITED NATIONS CHARTER

Mr. CONNALLY. Mr. President, 7 years ago today, on June 26, 1945, in San Francisco, we signed the Charter of the United Nations. I said then, and I repeat now, that the U. N. "offers the world's best hope to outlaw war and to ordain peace."

The United States delegation to the San Francisco conference consisted of the late Edward R. Stettinius, Jr., then Secretary of State; the Senator from Texas, Mr. Connally; the late Senator from Michigan, the Honorable Arthur H. Vandenberg; the late Sol Bloom, then Chairman of the House Committee on Foreign Affairs; the Honorable Charles A. Eaton, then, as now, ranking Republican member of the House Committee on Foreign Affairs; the Honorable Harold Stassen, then on leave from the Navy; and Dean Virginia Gildersleeve of Barnard College.

None of us ever proclaimed the Charter as embodying perfection. In the intervening 7 years, the United Nations has been frustrated on occasion by the Soviet Union's excessive use of the veto, which we did not then foresee.

The important point, Mr. President, is that on the most crucial occasions the United Nations has been able to overcome these frustrations through the General Assembly and other means. It has demonstrated a capacity for growth and change to meet new circumstances as they arise, and that is one of its most hopeful aspects.

Mr. President, I do not approve of all the things the United Nations has done and is doing. I do not suppose there is anyone who does approve of all of them. I think the U. N. has engaged in altogether too many subsidiary enterprises not directly related to its main, overriding job of adjusting international differences and keeping the peace. It has caused trouble for itself by these irrelevant excursions.

But, Mr. President, simply because we do not agree with every minor action an organization takes is no reason to disavow it. I do not approve of all the things the United States Government is doing, either, and I doubt very much that there is a Senator who does approve of all of them. We have all from time to time voted against bills that have passed and become law. But in my time in the Senate, at least, I never knew a Senator to resign his seat because he disapproved of something the Senate did.

Mr. President, in its main objective of providing collective security, the United Nations has measurably succeeded. I do not agree at all with the complaint which is heard from time to time that it has been a failure. On the whole, it has been remarkably successful. It has done a great deal of good—in Iran, in Greece, in Turkey, in Korea, and elsewhere.

If it had not been for the United Nations, we might very well have been in world war III at this moment.

On its seventh birthday, the United Nations is a going concern, which has on numerous occasions demonstrated its vitality and its courage. It deserves our wholehearted support.

KOREAN WAR POLICIES

Mr. KNOWLAND. Mr. President, the United Press today carries a story out of London, the opening paragraphs of which read as follows:

LONDON, June 26.—Former Labor Defense Minister Emanuel Shinwell, winding up Commons debate on American bombing of the Yalu power stations, indicated last night Britain had forced the recall of Gen. Douglas MacArthur from Korea.

The Commons debate on Monday's bombing came as United States Secretary of State Dean Acheson and British Foreign Secretary Anthony Eden prepared to resume discussions today during which Britain is expected to press for a greater voice in the Korean war.

Yesterday's debate ended in a stand-off when the Labor Party did not call for a vote of censure against the government of Prime Minister Winston Churchill. However, the Laborites made it clear they may yet push for a showdown with the government over Korea when a full report from Defense Minister Earl Alexander and Minister of State Selwyn Lloyd is presented to Commons Tuesday.

EQUALITY

Mr. Shinwell, in a fighting speech concluding the debate for the Laborites, implied that the former Labor government of Premier Clement R. Attlee had forced General MacArthur's removal as Allied Commander in Chief of the Far East in 1951.

A few minutes ago, over one of the news tickers in the anteroom, there came this additional dispatch, dated London:

LONDON.—Informed sources said United States Secretary of State Acheson apologized to about 200 Members of the British Parliament today for failure to notify Britain in advance of the American bombing of Yalu River plants in Korea this week.

Mr. President, for a period of 2 years now the United States has been engaged in a war in Korea. It is not a police action. We have suffered 110,000 casualties up to the present time. The United States is supplying more than 90 percent of the forces in Korea.

We did not go across the Yalu River. Our bombing was within the area of an enemy who is trying to destroy our forces there. I have no objection to the British Government or any other government having a larger voice in this situation if they will supply a larger share of the troops and furnish a larger number to help carry this very heavy burden which the American people have been carrying.

I believe that this subject should be thoroughly investigated. Inquiry should be addressed to the State Department and the Department of Defense to see if, as a matter of fact, any representations were made by the British Government which caused the recall of General MacArthur a year ago.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BRIDGES. The statement which the Senator from California read was to the effect that Secretary Acheson had apologized to 200 Members of the British Parliament. If that be true, it is a shocking thing that a Secretary of State of the United States should go over to a foreign country and apologize for an American action in fighting a war in which America is bearing some 92 percent of the burden. I hope it is not true.

Mr. KNOWLAND. I will say to the distinguished Senator from New Hampshire that I hope it is not true. The dispatches come from two responsible American press associations. I think we should withhold final judgment until the full facts can be obtained from the State Department. However, I believe that the Senate has a responsibility to request forthwith—and I am doing so this afternoon—that the full text of the debate in Commons be presented to us so that we can see whether or not there is ground for inferring from this story that the British former Minister of Defense was laying claim to the credit for getting the scalp of MacArthur. I think the American Congress and the American people are entitled to know if there is any basis of fact for such a claim.

Mr. BRIDGES. Mr. President, will the Senator further yield?

Mr. KNOWLAND. I yield.

Mr. BRIDGES. The Senator remembers the hearings we held in connection with the so-called MacArthur inquiry. The hearings ran last year for 7 or 8 weeks. The Senator will remember that it was specifically and emphatically denied that either the British or any other government had anything to do with the recall of MacArthur. It is very interesting that a year later some officials over there are claiming credit for it.

Mr. KNOWLAND. I will say to the distinguished Senator that I think we should do some staff work in going through the testimony, because I know that that question was raised.

I also know that when we began to make inquiries with respect to certain White House conferences and other discussions which took place, an iron curtain was lowered so that we could not pursue some of those questions. It was said that they related to a confidential relationship between the President of the United States, certain Cabinet officials, and members of the Joint Chiefs of Staff. My recollection is that the inference was certainly left with the committee that no such representations had been made from abroad. It seems to me that perjury was committed if in fact it now turns out that such representation had been made.

Mr. BRIDGES. With American boys dying in Korea, with more than 110,000 battle casualties, more casualties than the United States suffered in four previous wars in which it participated, and with probably 150,000 nonbattle casualties, making the total battle and nonbattle casualties mount to staggering figures, I think it ill becomes any nation which claims to be an ally of ours to protest because the United States, whose boys are dying, has started to loosen one arm or a finger of one hand which has been tied behind her, by bombing some of the power plants on the Korean side of the Yalu River.

Mr. KNOWLAND. Particularly when that power is being supplied to industrial plants which are being used for arsenal and other purposes, for the purpose of supplying the North Koreans and the Chinese Communists with the wherewithal to make war against the United States and the other United Nations forces and the Republic of Korea, which has been defending itself for a period of 2 years.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CAIN. The Senator from Washington has felt that the very recent bombings of the power plants along the Yalu River should have been undertaken several years ago.

Can the Senator from California give us any reason why there is anything about the recent bombings to apologize for to the British Government or to any other people anywhere?

Mr. KNOWLAND. In fairness to the Secretary of State, let me say that the dispatch which I read did not refer to an apology for the bombing, but an apology because the British Government had not been given advance notice of the bombing. However, we are engaged in a military operation. I know of no commitment which this Government has ever entered into that in carrying out the war south of the Yalu River and within the confines of Korea, we had to obtain advance permission from any other government to protect the security of our forces in Korea. No apology should be needed, if indeed such an apology has been made, to any members of the British House of Commons or to the members of any other parliament of the world, for our taking action in defense of our own forces which are so heavily engaged in Korea.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CAIN. Does not the Senator from California understand, as does the Senator from Washington, that the United States has been, since the beginning of the collective war in Korea, the command agent for our allies, which is to say that as the command agent we are authorized to take any steps required by military necessity, without referring the need for a particular operation to anyone?

Mr. KNOWLAND. That is certainly true within the confines of Korea.

Mr. President, I ask unanimous consent that the entire article may be printed as a part of my remarks at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEBATE RAGES IN COMMONS—LABORITES CLAIM MACA.'S SCALP

LONDON, June 26.—Former Labor Defense Minister Emanuel Shinwell, winding up Commons debate on American bombing of the Yalu power stations, indicated last night Britain had forced the recall of Gen. Douglas MacArthur from Korea.

The Commons debate on Monday's bombing came as United States Secretary of State Dean Acheson and British Foreign Secretary Anthony Eden prepared to resume discussions today during which Britain is expected to press for a greater voice in the Korean war.

Yesterday's debate ended in a stand-off when the Labor Party did not call for a vote of censure against the government of Prime Minister Winston Churchill. However, the Laborites made it clear they may yet push for a showdown with the government over Korea when a full report from Defense Minister Earl Alexander and Minister of State Selwyn Lloyd is presented to Commons Tuesday.

EQUALITY

Mr. Shinwell, in a fighting speech concluding the debate for the Laborites, implied that the former Labor government of Premier Clement R. Attlee had forced General MacArthur's removal as Allied Commander-in-Chief in the Far East in 1951.

The former Defense Minister also demanded that the United States treat the British as equal partners in the Korean war.

When there was a prospect of MacArthur taking action which exceeded his authority and which was resented not only in this country, but in the United States we took effective action," Mr. Shinwell said.

Cries of disbelief were heard from the Conservative benches.

"If we had not taken effective action I would ask them why I and others were accused of taking action which brought about his (MacArthur's) recall?"

REGRETS

"We must be treated by the United States Administration and military commanders as equal partners in this affair. That is our demand," Mr. Shinwell said.

Mr. Eden and Mr. Lloyd, who returned yesterday from Korea and Washington, assured Commons they regretted that America had bombed the Yalu bases without informing Britain beforehand.

Mr. Lloyd closed the debate for the government. He said he told "certain officials in the Department of State" when he was in Washington how Britain felt about not having been advised in advance of the major bombing raid.

EDEN WILL HAVE SOME SUGGESTIONS

LONDON, June 26.—The British Cabinet heard today an eye-witness report on Korea from Defense Minister Earl Alexander and discussed demands which Foreign Secretary Anthony Eden will present to United States Secretary of State Dean Acheson.

Official sources said Lord Alexander and Minister of State Selwyn Lloyd had brought back special recommendations which Mr. Eden could be expected to make to Mr. Acheson at their meeting.

Mr. Acheson took a day off yesterday to receive an honorary degree at Oxford University.

Meanwhile, United States Ambassador to Moscow George F. Kennan, reported to be disturbed by increasing anti-American feeling in Moscow, was expected to arrive by plane to inform Mr. Acheson of his impressions of the Soviet capital.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. What the Senator from California has stated is very fundamental, for this reason. I supported, as I know he supported, the United Nations' action in going into Korea 2 years ago, because the whole future of the United Nations was at stake. If we had not gone into Korea the United Nations would have gone the way of the League of Nations. It seems to me that the debate in the House of Commons with respect to the support which the British are to give to our efforts goes fundamentally to the existence of the United Nations Charter. If we are not successful and if we are not supported, when we are carrying 90 percent of the load, the whole program of NATO, the whole program in Europe, and the whole program of mutual security, and all that goes with it, may become involved in the situation.

We must have their support in Korea, where we are carrying 90 percent of the load, if they want the United Nations Charter to succeed in other sections of the world, as well as NATO and the whole mutual-aid program.

Mr. KNOWLAND. I agree with the Senator from Massachusetts. I think it must be recognized that communism is a global menace, and that we cannot merely close the door to it in Europe and leave it wide open in Asia.

The policy which some of the members of the former Labor Government of Britain have been following, and which they are apparently still following on the floor of the House of Commons, even though they are no longer responsible for the Government of Great Britain, would in my judgment lead to the fall of all of Asia into the Communist orbit. If Korea were allowed to pass completely into Communist hands, there is grave doubt in the minds of a great many people as to whether ultimately Japan could be kept out of Communist hands, and whether Southeast Asia, India, and Pakistan could be kept out of Communist hands. If we lose all of Asia, we lose 1,100,000,000 people, a worth-while strategic position, and the resources of that vast area of the world.

As I pointed out yesterday afternoon, the Communists clearly understand the importance of Asia. Many years ago Lenin said that the road to Paris was through Peking. He meant that if the Communists could get control of the manpower of Asia and the resources of Asia they could turn that overwhelming power against the West. It is highly dubious whether any structure of defense could stand up against such overwhelming mass power.

Therefore, the persons in Great Britain who are criticizing the United States for undertaking the bombings on the Yalu River are giving aid and comfort to the Communists by their action, and it may ultimately destroy the very fabric of security in Europe as well.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I fundamentally agree with what the Senator from California has stated. The Senator has supported the United Nations Charter, as I have supported it, and as a great majority of our people in our own States and throughout the country have supported it. If the state of mind revealed by the criticisms of some persons in Britain prevails it will shake the confidence of our people in the United Nations Charter. Does not the Senator from California agree with that statement?

Mr. KNOWLAND. I certainly agree.

Mr. McFARLAND. Mr. President, I yielded the floor for only a few minutes. I may be called off the floor on an emergency matter at any moment. I would appreciate it if the Senators would permit me to offer my amendment to the pending bill.

Mr. KNOWLAND. This is a matter of grave importance.

Mr. McFARLAND. I understand, but it may take me off the floor for some time. I should like to proceed with the offering of my amendment.

Mr. KNOWLAND. I shall yield only to the Senator from New Jersey and the Senator from New Hampshire. With that we shall bring the discussion to a close.

Mr. McFARLAND. Very well.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SMITH of New Jersey. I am very happy to rise in support of the position taken by the Senator from California. I think I speak from some experience, because I have recently traveled in the Far East. I am greatly concerned over the whole situation. Mr. President, I am shocked and surprised to find that our Government is being criticized by the British Parliament because we are doing what so obviously is necessary for us to do.

I support the Senator from California in taking a strong position. If only we could get our British friends to join with us in a sound policy in the Far East we could make great strides toward a settlement in Korea. We can never reach such a settlement if we do not get the support of our allies. Particularly at a time when 90 percent of the effort in Korea is being made by our country, it is important that we express our thoughts on this important matter.

Mr. KNOWLAND. Mr. President, I agree with the Senator from New Jersey. It is a well-known fact that international communism and the men in the Kremlin have a strong desire to drive a wedge between the people of Great Britain and the people of the United States.

When the members of the Labor Party take the position which they have taken in criticizing this Government, at a time when we bear more than 90 percent of the load in Korea, they are giving aid and comfort to the men in the Kremlin and to the Communist satellites in Red China.

Mr. SMITH of New Jersey. The Senator from California is exactly right in what he says. We are in great danger unless we face the issue and our friends face it with us, and unless we head up to what is our position in Asia.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BRIDGES. The Senator has pointed out that members of the British Parliament are protesting because they were not consulted with respect to our bombing of the power plants on the Yalu River, when we are furnishing 92 percent of the manpower and supplies in Korea.

The Senator from California is thoroughly informed with respect to our foreign relations, and he is one of the outstanding men in that field. I should like to ask him whether he has ever heard that the British, who are supposed to be our allies, or any other nation which is a member of the United Nations, ever gave us advance information or obtained our advance consent to furnishing materials to Communist China or to Communist Korea prior to the time they furnished the materials?

Mr. KNOWLAND. So far as I know, they did not do so. I would be deeply shocked if I learned that they had received advance approval for such shipments. It seems to me that the least they could do would be to stop playing footsie with the Communists by shipping war materials and materials with which they can build up the economic life of Red China and aid the Government of Red Korea.

AMENDMENT OF TITLE II OF THE SOCIAL SECURITY ACT

The Senate resumed the consideration of the bill (H. R. 7800) to amend title II of the Social Security Act, and for other purposes.

Mr. McFARLAND. Mr. President, I offer the amendment which I send to the desk, and ask unanimous consent that it may be considered immediately, out of order, because I may be called off the floor in a very short time.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The Senator from Arizona asks unanimous consent that his amendment may be considered prior to the consideration of the committee amendments. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. McFARLAND. Mr. President, on behalf of myself, the Senator from Georgia [Mr. RUSSELL], the Senator from Colorado [Mr. JOHNSON], the Senator from Alabama [Mr. HILL], the junior Senator from Texas [Mr. JOHNSON], the Senator from South Carolina [Mr. JOHNSTON], the junior Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. BENTON], the Senator from Nebraska [Mr. BUTLER], the senior Senator from New Mexico [Mr. CHAVEZ], the senior Senator from Texas [Mr. CONNALLY], the senior Senator from Mississippi [Mr. EASTLAND], the Senator from Montana [Mr. ECTON], the senior Senator from Florida [Mr. HOLLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oklahoma [Mr. KERR], the Senator from West Virginia [Mr. KILGORE], the senior Senator from North Dakota [Mr. LANGER], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from South Carolina [Mr. MAYBANK], the Senator from Oregon [Mr. MORSE], the Senator from Wyoming [Mr. O'MAHONEY], the junior Senator from Mississippi [Mr. STENNIS], the junior Senator from South Dakota [Mr. CASE], the senior Senator from South Dakota [Mr. MUNDT], the junior Senator from North Dakota [Mr. YOUNG], and the junior Senator from Florida [Mr. SMATHERS], I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following new sections:

SEC. 7. (a) Section 3 (a) of the Social Security Act, as amended, is amended to read as follows:

"SEC. 3 (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1952, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to the sum of the following proportions of the total amounts expended during such quarter as

old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"(A) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received old-age assistance for such month; plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose."

(b) Section 408 (a) of such act, as amended, is amended to read as follows:

"SEC. 403 (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing October 1, 1952, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to dependent children, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $30, or if there is more than one dependent child in the same home, as exceeds $30 with respect to one such dependent child and $21 with respect to each of the other dependent children, and not counting so much of such expenditure for any month with respect to a relative with whom any dependent child is living as exceeds $30—

"(A) four-fifths of such expenditures, not counting so much of the expenditures with respect to any month as exceeds the product of $15 multiplied by the total number of dependent children and other individuals with respect to whom aid to dependent children is paid for such month, plus.

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to dependent children, equal to one-half of the total of the sums expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $18, or if there is more than one dependent child in the same home, as exceeds $18 with respect to one such dependent child and $12 with respect to each of the other dependent children; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose."

(c) Section 1003 (a) of such act, as amended, is amended to read as follows:

"SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing October 1, 1952, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the blind, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"(A) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the blind for such month, plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the blind, equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose."

(d) Section 1403 (a) of such act, as amended, is amended to read as follows:

"SEC. 1403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, beginning with the quarter commencing October 1, 1952, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the permanently and totally disabled, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"(A) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such month, plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the permanently and totally disabled, equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the permanently and totally disabled, or both, and for no other purpose."

(e) The amendments made by this section shall become effective October 1, 1952.

SEC. 8. (a) If—

(1) during the 1-year period beginning October 1, 1952, or the 1-year period beginning October 1, 1953, the total State expenditures (as defined in subsection (b)) for any State under a State plan approved under title I, IV, X, or XIV of the Social Security Act are less than the total State expenditures for such State under such plan during the base period (as defined in subsection (b)), and

(2) the State expenditure per recipient under such plan for such year is less than the State expenditure per recipient under such plan during the base period, then the amount payable to such State under such title for such year shall be reduced by whichever of the following is the least:

(3) the amount by which the total State expenditures during the base period under such plan exceeds the total State expenditures during such year under such plan;

(4) the amount by which the State expenditure per recipient during the base period under such plan multiplied by the monthly average of the number of individuals who received aid or assistance under such plan during such period exceeds the State expenditure per recipient under such plan for such year multiplied by the monthly average of the number of individuals who received aid or assistance under such plan during such year; or

(5) the amount by which the sum which would be payable to such State for such year under such title but for the provisions of this section exceeds the sum which would be payable to such State for such year under such title if this section had not been enacted.

(b) For purposes of this section, the term "total State expenditures" means, in the case of a State plan approved under title I, IV, X, or XIV of the Social Security Act, the difference between (1) the total expenditures (other than expenditures to meet the cost of administering the State plan) with respect to which amounts are payable to the State under sections 3, 403, 1003, and 1403, respectively, and (2) the amount so payable to the State; the term "State expenditure per recipient" with respect to any year or with respect to the base period, as the case may be, means, in the case of a State plan approved under title I, IV, X, or XIV of the Social Security Act, the total State expenditures during such year or period under such plan divided by the monthly average of the number of individuals who received aid or assistance under such plan during such year or period; the term "base period" means the 1-year period ending September 30, 1952; and the term "State" includes Alaska, Hawaii, and the District of Columbia.

SEC. 9. For a period of 1 year commencing October 1, 1952, notwithstanding provisions of title I of the Social Security Act, as amended (relating to grants to States for old-age assistance), and of appropriations for payments thereunder, in any case in which any State pays old-age assistant to any individual at a rate not more than $5 in excess of the rate of old-age assistance paid to such individual during the month of September 1952, any failure to take into consideration any income and resources of such individual not in excess of $50 per month arising from agricultural labor performed by him as an employee, or from labor otherwise performed by him in connection with the raising or harvesting of agricultural commodities, or income and resources from performance of

service as a nurse as an employee, or in connection with the care of the sick or confined persons as an employee, shall not be the basis of excluding payments made to such individual in computing payments made to States under section 3 of such title, of refusing to approve a State plan under section 2 of such title, or of withholding certification pursuant to section 4 of such title.

Mr. McFARLAND. Mr. President, I can explain in a few moments the amendment which I have offered. It was before the Senate previously. I will make my explanation very brief. First, I wish to commend the distinguished Senator from Georgia [Mr. GEORGE], for reporting the bill to give additional assistance to the people covered by old-age and survivors insurance.

The amendment I have offered similarly takes care of the aged, the blind, the disabled, and the dependent children. It increases by $5 a month the Federal Government's share in caring for the aged, the blind and the disabled, and it increases by $3 a month the contribution of the Federal Government in caring for the dependent children.

The amendment also includes the amendment voted by the Finance Committee, to the effect that any State which fails to pass along these increased funds to the recipients in the four specific programs cannot obtain the benefit of this measure.

The amendment also includes an amendment submitted by the distinguished Senator from South Dakota [Mr. CASE], at the time when the bill was previously under consideration here on the floor. That amendment provides that for a period of 1 year, beginning October 1, 1952, earnings of up to $50 a month of an assistance recipient in agricultural or nursing pursuits shall not be taken into consideration by the States in determining need.

Mr. President, with that statement, I hope the distinguished Senator from Georgia will accept the amendment.

Mr. BRIDGES. Mr. President, will the Senator from Arizona yield for a question?

Mr. McFARLAND. I yield.

Mr. BRIDGES. I understand in a general way the amendment the Senator from Arizona has submitted. The amendment has a fine objective, but does the Senator from Arizona know what the amendment will cost?

Mr. McFARLAND. It will cost approximately $240,000,000 a year.

Mr. BRIDGES. Where will the $240,000,000 a year come from?

Mr. McFARLAND. It will come from the same place from which all other appropriations come—from the same place from which the funds required for salary increases for Government employees come, from the same place from which the funds required for salary increases for those in the armed services come, from the same place from which the funds required for all increases in benefits, other than those to which the beneficiaries contribute come—namely, from the taxpayers, of course.

Mr. BRIDGES. Yes, from the taxpayers of the United States.

Mr. McFARLAND. But I say to my good friend, the Senator from New Hampshire, that I hope he will join me in supporting the amendment, because I know he wishes to see the persons covered by the amendment taken care of. They have not had a general increase in their benefits during the past 4 years. During that time the cost of living has risen about 10 percent. The increase made by this amendment will not meet the increase which has occurred in the cost of living.

Mr. BRIDGES. Mr. President, I know the Senator from Arizona is in a hurry to leave the Chamber, but I wish to have this matter stated clearly.

Mr. McFARLAND. Mr. President, I shall remain here as long as the Senator from New Hampshire wishes me to.

Mr. BRIDGES. Very well.

Today the Federal Government is operating at a deficit, is it not?

Mr. McFARLAND. That is true. I concede that today the Federal Government is operating at a deficit and I concede that we should save every dollar we possibly can save.

On the other hand, Mr. President, we cannot afford to neglect the aged, the blind, the disabled, and the dependent children.

Mr. BRIDGES. How much do the States contribute at this time?

Mr. McFARLAND. That depends upon the State, but the over-all average for public assistance throughout the country is 46 percent from the Federal Government, 43 percent from State funds, and 11 percent from local funds.

Mr. President, I ask unanimous consent that at this point in the RECORD I be permitted to insert statistical data I have obtained from the Federal Security Agency.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

Old-age assistance: Recipients and payments to recipients, by State, February 1952 [1]

[Exclusive of vendor payments for medical care and cases receiving only such payments]

State	Number of recipients	Payments to recipients		Percentage change from—			
		Total amount	Average	January 1952 in—		February 1951 in—	
				Number	Amount	Number	Amount
Total [2]	2,685,066	$120,215,489	$44.77	−0.3	+0.1	−3.3	+0.9
Alabama	75,921	1,615,024	21.27	−1.2	−.9	−6.7	−3.5
Alaska	1,646	93,206	56.63	−.5	−.6	+1.1	+10.9
Arizona	13,941	686,397	49.24	−.7	−.8	−4.3	−9.4
Arkansas	58,931	1,269,178	21.54	−.6	+.2	−14.5	−2.8
California	273,687	18,172,892	66.40	−.2	−.3	−.1	−1.8
Colorado [3]	52,154	3,689,884	70.75	−.2	−.2	+.6	+6.2
Connecticut	18,330	1,129,158	61.60	−2.0	−2.3	−8.3	−5.8
Delaware	1,620	52,370	32.33	−1.2	−.4	+1.7	+14.6
District of Columbia	2,774	134,308	48.42	−.3	+.3	−2.4	+5.3
Florida	67,869	2,594,990	38.24	−.5	−.3	−2.2	−4.0
Georgia	95,296	2,966,427	31.13	−.1	(4)	−6.6	+21.7
Hawaii	2,246	74,294	33.08	−.5	−2.1	−2.0	−3.2
Idaho	9,394	473,868	50.44	−.7	−.8	−18.0	−11.0
Illinois	113,016	4,840,191	42.83	−.4	−3.6	−4.6	−7.0
Indiana	44,231	1,581,627	35.76	−1.1	−.8	−12.6	−11.9
Iowa	48,420	2,476,713	51.15	−.4	−.1	−1.3	+2.2
Kansas	37,532	1,973,075	52.57	−.1	(4)	−3.8	+3.2
Kentucky	64,412	1,908,059	29.62	−1.1	−1.1	−4.2	+37.9
Louisiana	119,134	5,560,995	46.68	+.1	+.3	+.5	+.4
Maine	14,395	619,159	43.01	−.9	−.8	−6.0	−5.7
Maryland	11,368	462,597	40.69	−.2	(4)	−2.6	+5.8
Massachusetts	100,418	6,936,871	69.08	−1.3	+3.6	−1.6	+9.8
Michigan	93,375	4,522,090	48.43	−.3	+.2	−4.1	+1.4
Minnesota	54,814	2,498,999	45.59	−.2	−.1	−.9	+5.0
Mississippi	57,428	1,205,198	20.99	−.1	+12.0	−5.7	+7.6
Missouri	132,194	5,739,724	43.42	−.1	(4)	−.1	+.3
Montana	11,312	580,720	51.34	−.4	−.4	−4.2	−8.6
Nebraska	22,014	1,014,988	46.11	−.9	−1.1	−4.4	+1.6
Nevada	2,740	149,030	54.39	−.9	−.9	+.4	+5.2
New Hampshire	6,935	305,358	44.03	−.8	−1.5	−6.5	−10.3
New Jersey	22,288	1,197,793	53.74	−.5	+1.0	−6.2	+5.2
New Mexico	10,698	421,406	39.39	(4)	+.2	+2.2	+4.8

[1] For definition of terms see the Social Security Bulletin, January 1951, p. 21. All data subject to revision.
[2] Includes 4,032 recipients under 65 years of age in Colorado and payments to these recipients. Such payments are made without Federal participation.
[3] Decrease of less than 0.05 percent.
[4] Increase of less than 0.05 percent.

Old-age assistance: Recipients and payments to recipients, by State, February 1952 [1]—Continued

[Exclusive of vendor payments for medical care and cases receiving only such payments]

State	Number of recipients	Payments to recipients		Percentage change from—			
		Total amount	Average	January 1952 in—		February 1951 in—	
				Number	Amount	Number	Amount
New York	115,139	$6,455,282	$56.07	−.4	−1.0	−1.5	+1.4
North Carolina	51,777	1,229,746	23.75	−.4	+.1	−15.8	−9.8
North Dakota	8,961	462,550	51.62	[2]	+2.1	−1.2	+1.2
Ohio	117,265	5,751,064	49.04	−.5	−.6	−3.6	+5.9
Oklahoma	96,593	4,686,984	48.52	−.3	−.4	−2.8	+4.4
Oregon	22,802	1,302,469	57.12	−.3	+.2	−3.2	+6.8
Pennsylvania	74,961	2,929,238	39.08	−.9	−.1	−9.7	−8.8
Puerto Rico	26,898	203,970	7.58	+7.4	+7.0	+58.3	+66.8
Rhode Island	9,565	453,419	47.40	−.6	−.1	−3.9	+1.1
South Carolina	42,615	1,162,551	27.28	−.3	−.2	+1.2	+11.2
South Dakota	11,977	496,246	41.43	−.4	+.8	−2.2	+2.0
Tennessee	60,414	1,866,771	30.90	−.3	−.3	−8.6	−5.6
Texas	219,279	7,323,262	33.40	−.1	+1.5	−2.1	−.1
Utah	9,777	542,512	55.49	−.2	+3.8	−1.2	+20.2
Vermont	7,010	276,368	39.42	+.2	+.4	+.6	+10.4
Virgin Islands [3]	665	7,420					
Virginia	19,060	435,243	22.84	−.5	+.1	−3.2	+1.8
Washington	67,929	4,192,674	61.72	−.3	−.5	−5.5	−6.3
West Virginia	25,903	751,852	29.03	−.7	+13.0	−2.8	+6.9
Wisconsin	51,659	2,501,362	48.42	−.3	+.1	−1.2	+12.7
Wyoming	4,284	237,917	55.54	−.4	−.4	−2.4	−3.9

[1] For definition of terms see the Social Security Bulletin, January 1951, p. 21. All data subject to revision.
[2] Decrease of less than 0.05 percent.
[3] Estimated.

Aid to dependent children: Recipients and payments to recipients, by State, February 1952 [1]

[Exclusive of vendor payments for medical care and cases receiving only such payments]

State	Number of families	Number of recipients		Payments to recipients			Percentage change from—			
		Total [2]	Children	Total amount	Average per—		January 1952 in—		February 1951 in—	
					Family	Recipient	Number of families	Amount	Number of families	Amount
Total	594,042	2,050,853	1,531,121	$45,275,761	$76.22	$22.08	+0.1	+0.3	−8.9	−5.4
Total, 52 States [3]	594,011	2,050,742	1,531,041	45,274,247	76.22	22.08	+.1	+.3	−8.9	−5.4
Alabama	18,285	65,018	50,895	639,670	34.98	9.84	+.5	+.7	−3.1	+1.0
Alaska	723	2,291	1,662	52,712	72.91	23.01	+1.4	+2.1	+8.9	+17.5
Arizona	3,492	12,979	9,680	254,749	72.95	19.63	−1.7	−1.6	−18.0	−33.9
Arkansas	13,371	48,889	37,395	513,158	38.38	10.50	+.2	+2.6	−28.1	−33.8
California	55,228	172,377	129,403	6,359,026	115.14	36.89	[4]	−.2	−2.6	+3.4
Colorado	5,189	19,053	14,207	510,791	98.44	26.81	−.2	−.3	−7.3	−.8
Connecticut	4,913	16,032	11,631	525,741	107.01	32.79	−2.5	−3.3	−12.3	−12.1
Delaware	706	2,728	2,090	57,046	80.80	20.91	+1.3	+.8	+2.6	+15.1
District of Columbia	2,043	8,350	6,489	200,205	98.00	23.98	−.3	−.2	−5.1	+1.8
Florida	17,897	57,566	42,792	811,215	45.33	14.09	−4.3	−4.0	−38.1	−43.8
Georgia	21,381	71,090	54,535	1,065,535	49.84	14.99	+1.9	+1.9	+19.0	+27.7
Hawaii	3,247	12,037	9,375	372,318	83.87	22.62	−.2	+.1	−12.1	−17.0
Idaho	2,203	7,678	5,671	246,807	112.03	32.14	+1.0	+1.0	−12.4	−6.5
Illinois	22,967	81,896	60,719	2,560,661	111.49	31.27	+.8	+.8	−2.7	+10.7
Indiana	8,523	28,425	21,004	570,235	66.91	20.06	−1.1	−.9	−22.7	−21.2
Iowa	5,298	18,607	13,849	[5] 530,599	100.15	28.52	+1.8	+2.2	+2.2	+4.7
Kansas	4,312	15,300	11,591	399,802	92.72	26.13	−.4	+.2	−16.5	−8.2
Kentucky	20,633	73,036	53,844	864,700	41.91	11.84	−1.1	−1.0	−13.9	−3.1
Louisiana	21,836	79,597	59,192	1,315,382	60.24	16.53	[6]	+.8	−17.7	−.4
Maine	4,458	15,462	11,203	326,366	73.19	21.10	+.2	+.1	−.5	−2.2
Maryland	5,124	19,767	15,083	434,708	84.84	21.99	+.8	+.6	−19.2	−13.3
Massachusetts	13,162	43,343	31,875	1,535,433	116.66	35.43	+.3	+.6	−2.1	+3.2
Michigan	24,875	80,503	57,335	2,406,472	96.74	29.89	+.7	+1.5	−3.2	+5.9
Minnesota	7,903	26,516	20,180	778,213	98.47	29.35	+1.3	+.4	−.2	+8.4
Mississippi	10,280	38,866	29,885	270,847	26.35	6.97	+1.0	+.9	−4.7	+35.6
Missouri	22,392	75,935	55,886	1,167,805	52.15	15.38	−.9	−.9	−9.8	−9.6
Montana	2,373	8,292	6,146	204,973	86.38	24.72	−.5	−.2	−3.1	−2.7
Nebraska	2,853	9,570	7,028	254,782	89.30	26.62	−.3	−.6	−19.0	−11.7
Nevada	*37*	*111*	*80*	*1,574*	[7]	[7]	[7]	[7]	[7]	[7]
New Hampshire	1,445	4,990	3,648	151,043	104.53	30.27	−1.8	−2.4	−13.7	−14.8
New Jersey	5,149	17,240	13,045	518,289	100.66	30.06	+.5	+1.0	−2.7	+5.6
New Mexico	5,309	18,390	14,117	274,619	51.73	14.93	+.1	+.8	−3.0	−15.9
New York	53,208	179,840	128,263	6,015,794	113.06	33.45	−.2	−.4	−3.9	−.4
North Carolina	16,944	60,910	47,126	793,683	46.84	13.03	+.4	+1.0	+4.8	+10.0
North Dakota	1,653	5,877	4,452	158,121	95.66	26.91	+.2	+3.2	−10.0	−17.8
Ohio [5]	13,574	49,936	37,579	983,820	72.48	19.70	−.4	+.7	−8.3	−15.0
Oklahoma	20,342	68,044	51,288	1,434,338	70.51	21.08	−.6	−.5	−6.2	−6.3
Oregon	3,411	11,450	8,807	357,874	104.92	31.26	+1.2	+1.9	−15.0	−12.2
Pennsylvania	32,921	119,972	89,576	2,900,092	88.09	24.17	−2.3	−.7	−26.1	−27.4
Puerto Rico	17,920	54,560	40,467	164,734	9.19	3.02	+7.9	+7.7	+57.2	+71.6
Rhode Island	3,357	11,272	8,134	324,019	96.52	28.75	[8]	+.8	−3.7	+4.6
South Carolina	6,507	24,269	18,831	310,516	47.72	12.79	+.6	[8]	−3.3	+33.9
South Dakota	2,619	8,491	6,350	183,848	70.20	21.65	+1.0	+2.8	+1.6	+5.8
Tennessee	20,726	74,630	55,955	997,546	48.19	13.37	−.2	+.1	−14.8	−14.0
Texas	16,231	62,954	46,989	801,178	49.36	12.73	[8]	+.6	−15.9	−4.2

[1] For definition of terms see the Social Security Bulletin, January 1951, p. 21. Figures in italics represent program administered without Federal participation. All data subject to revision.
[2] Includes as recipients the children and 1 parent or other adult relative in families in which the requirements of at least 1 such adult were considered in determining the amount of assistance.
[3] States with plans approved by the Social Security Administration.
[4] Decrease of less than 0.05 percent.
[5] Excludes cost of medical care, for which payments are made to recipients quarterly.
[6] Increase of less than 0.05 percent.
[7] Average payment not computed on base of less than 50 families; percentage change, on less than 100 families.
[8] In addition to these payments from aid to dependent children funds, supplemental payments of $92,209 from general assistance funds were made to 2,861 families.

Aid to dependent children: Recipients and payments to recipients, by State, February 1952 [1]—Continued

[Exclusive of vendor payments for medical care and cases receiving only such payments]

State	Number of families	Number of recipients		Payments to recipients			Percentage change from—			
		Total [2]	Children	Total amount	Average per—		January 1952 in—		February 1951 in—	
					Family	Recipient	Number of families	Amount	Number of families	Amount
Utah	2,953	10,272	7,616	$323,030	$109.39	$31.45	−1.0	+.8	−9.9	+6.8
Vermont	1,019	3,543	2,734	54,284	53.27	15.32	+1.3	+1.1	−1.7	−1.8
Virgin Islands [3]	230	707	624	3,740						
Virginia	7,773	29,007	22,055	406,070	52.24	14.00	+.5	+1.7	−8.7	−4.8
Washington	9,173	30,543	22,196	950,109	103.58	31.11	+1.2	+.9	−18.7	−36.1
West Virginia	16,878	62,099	48,066	1,021,765	60.54	16.45	+.3	+7.6	−7.2	−3.7
Wisconsin	8,434	28,489	20,950	958,412	113.64	33.64	+.9	+2.3	−5.7	+5.2
Wyoming	568	2,054	1,545	57,462	101.17	27.98	+2.9	+3.7	−11.0	−11.2

[1] For definition of terms see the Social Security Bulletin, January 1951, p. 21. Figures in italics represent program administered without Federal participation. All data subject to revision.

[2] Includes as recipients the children and 1 parent or other adult relative in families in which the requirements of at least 1 such adult were considered in determining the amount of assistance.

[3] Estimated.

Aid to the blind: Recipients and payments to recipients, by State, February 1952 [1]

[Exclusive of vendor payments for medical care and cases receiving only such payments]

State	Number of recipients	Payments to recipients		Percentage change from—			
		Total amount	Average	January 1952 in—		February 1951 in—	
				Number	Amount	Number	Amount
Total [2]	97,144	$4,840,382	$49.83	−0.1	+0.7	+1.1	+8.7
Total, 51 States [3]	97,089	4,837,332	49.82	−.1	+.7	+4.1	+11.4
Alabama	1,514	36,283	23.96	−.8	−.8	−2.9	+5.7
Alaska	*17*	*888*	(4)	(4)	(4)		
Arizona	722	39,225	54.33	−1.6	−1.8	−19.4	−25.4
Arkansas	1,883	50,514	26.83	+.2	+1.4	−7.8	−20.2
California [5]	11,522	*939,556*	81.54	+.1	+.1	+4.0	+3.4
Colorado	351	22,394	63.80	−1.1	−1.5	−5.6	+1.6
Connecticut	306	20,465	66.88	−.3	−1.8	+3.4	+10.7
Delaware	224	10,213	45.59	+1.4	+1.8	+12.6	+15.3
District of Columbia	263	13,543	51.49	0	−.1	+1.9	+8.4
Florida	3,226	131,363	40.72	−1.0	−1.1	−2.8	−7.2
Georgia	2,916	104,797	35.94	+.2	+.2	+2.7	+29.1
Hawaii	114	4,593	40.29	−3.4	−4.1	+.9	+7.3
Idaho	198	10,903	55.07	−2.9	−3.9	−4.8	−1.6
Illinois	4,080	203,774	49.94	(5)	−2.2	−3.9	+.4
Indiana	1,732	67,224	38.81	−.5	−.5	−5.8	−5.3
Iowa	1,293	[6] 76,700	59.32	+.2	+.1	+3.2	+6.4
Kansas	620	34,594	55.80	−1.4	−.4	−6.8	+1.9
Kentucky	2,533	79,506	31.39	+.7	+.5	+2.8	+46.1
Louisiana	1,886	85,278	45.22	+.4	+.9	+.9	+4.0
Maine	596	27,323	45.84	−1.5	−1.1	−9.7	−8.7
Maryland	474	21,557	45.48	−2.9	−3.1	−2.1	+7.3
Massachusetts	1,632	124,851	76.50	+.8	+2.9	+6.7	+19.2
Michigan	1,875	100,589	53.65	+.9	+1.1	+1.1	+5.5
Minnesota	1,165	72,933	62.60	−.8	−1.3	+2.4	+14.9
Mississippi	2,808	72,257	25.73	+.3	+.3	+.2	+9.8
Missouri [5]	2,977	148,850	50.00	+2.0	+2.0	+6.4	+32.9
Montana	*528*	30,019	56.85	−1.5	−.6	−.4	−5.4
Nebraska	760	47,848	62.96	−.1	(5)	+3.8	+14.0
Nevada	*38*	*2,162*	(4)	(4)	(4)	(4)	(4)
New Hampshire	304	14,937	49.13	+.3	−1.4	−5.0	−7.2
New Jersey	794	47,508	59.83	0	+.6	+2.2	+12.8
New Mexico	489	17,992	36.79	−2.0	−1.4	−6.3	−6.4
New York	4,068	263,436	64.77	+.1	+.5	+1.3	+5.7
North Carolina	4,443	152,275	34.27	−.4	−.1	+2.5	+2.7
North Dakota	111	5,962	53.71	0	−1.6	+1.8	−3.4
Ohio	3,740	183,420	49.04	−.6	−.6	−3.8	+4.1
Oklahoma	2,584	132,500	51.28	0	−.1	−3.0	+4.2
Oregon	385	25,552	66.37	−.8	−.8	−2.5	+1.6
Pennsylvania [5]	15,355	772,215	50.29	−.2	+3.3	−.6	+25.9
Puerto Rico	566	4,160	7.35	+2.7	+4.2	+7.8	+8.2
Rhode Island	187	10,853	58.04	−1.6	+.2	−.5	+5.5
South Carolina	1,596	44,904	28.14	+.2	+.9	+1.3	+5.3
South Dakota	210	8,138	38.75	−.5	+.7	−5.0	−1.6
Tennessee	2,776	105,077	37.85	+.4	+.4	+2.6	+2.7
Texas	6,012	225,668	37.54	−.2	+1.5	+22.3	+20.5
Utah	222	13,258	59.72	0	+2.4	+8.3	+30.4
Vermont	179	7,725	43.16	−.6	−.2	−3.2	+5.6
Virgin Islands [7]	45	475					
Virginia	1,482	45,918	30.98	−.7	−.2	−3.1	+.8
Washington [5]	832	63,249	76.02	−1.1	−1.1	−1.7	−1.8
West Virginia	1,070	36,525	34.14	−.7	+10.2	−.8	+8.6
Wisconsin	1,343	73,177	54.49	+.3	−.1	−3.1	+9.0
Wyoming	99	5,256	53.09	(5)	(5)	−10.8	−14.8

[1] For definition of terms see the Social Security Bulletin, January 1951, p. 21. Figures in italics represent programs administered without Federal participation. All data subject to revision.

[2] Data include recipients of payments made without Federal participation and payments to these recipients in California (556 recipients, $46,179 in payments), in Washington (13 recipients, $677 in payments), in Missouri (1,038 recipients, $51,985 in payments), and in Pennsylvania (6,118 recipients, $314,935 in payments). State plans for aid to the blind in Missouri and Pennsylvania were approved under the Social Security Act amendments of 1950.

[3] States with plans approved by the Social Security Administration. In computing percentages, data for Missouri for February 1951 were excluded because the State did not have an approved plan in that month. (See also footnote 2.)

[4] Average payment not computed on base of less than 50 recipients; percentage change, on less than 100 recipients.

[5] Decrease of less than 0.05 percent.

[6] Excludes cost of medical care, for which payments are made to recipients quarterly.

[7] Estimated.

Aid to the permanently and totally disabled: Recipients and payments to recipients, by State, February 1952 [1]

[Exclusive of vendor payments for medical care and cases receiving only such payments]

State	Number of recipients	Payments to recipients		Percentage change from January 1952 in—	
		Total amount	Average	Number	Amount
Total [2]	131,779	$6,097,622	$46.27	+2.6	+2.7
Alabama	8,524	190,036	22.29	−.2	+.4
Colorado	3,621	185,748	51.30	+2.0	+2.2
Delaware	129	5,624	43.60	−.8	−1.0
District of Columbia	1,268	68,594	54.10	+.8	+1.3
Hawaii	1,140	53,166	46.64	+.1	+1.5
Idaho	760	41,242	52.21	+.8	+1.1
Illinois	2,532	109,569	43.27	+4.9	−.6
Kansas	2,623	133,981	51.08	+.8	+.7
Louisiana	14,515	569,519	39.24	+.8	+1.1
Maryland	2,583	122,612	47.47	+.4	+.3
Massachusetts	*3,846*	*231,373*	*60.16*	*+14.7*	*+16.2*
Michigan	1,098	66,318	60.40	+3.8	+5.3
Mississippi	782	15,465	19.78	+5.0	+5.8
Missouri	10,743	497,151	46.28	+2.0	+1.9
Montana	1,078	59,839	55.51	+2.1	+2.0
New Jersey	1,247	73,896	59.26	+17.3	+20.4
New Mexico	2,000	78,992	39.50	+1.2	+1.2
New York	29,088	$1,784,140	$61.34	+1.7	+1.5
North Carolina	4,354	118,643	27.25	+1.7	+1.9
North Dakota	615	37,592	61.13	+1.0	+7.0
Ohio	4,607	204,828	44.46	+3.0	+3.0
Oklahoma	*2,046*	*59,780*	*29.21*	*+11.1*	*+11.5*
Oregon	1,727	117,516	68.05	+2.9	+3.1
Pennsylvania	9,498	422,177	44.45	+.8	+2.2
Puerto Rico	3,579	32,844	9.18	+10.8	+10.4
Rhode Island	*198*	*12,810*	*64.70*	*+3.7*	*+5.7*
South Carolina	3,925	124,741	31.78	+3.6	+3.6
South Dakota	160	6,471	40.44	+11.1	+11.3
Utah	1,558	89,064	57.17	−.4	+1.6
Vermont	191	7,892	41.32	−1.0	−1.1
Virgin Islands [3]	25	265			
Virginia	2,918	98,107	33.62	+3.9	+4.6
Washington	5,358	327,861	61.19	+.4	−.4
West Virginia	2,039	66,527	32.63	+13.8	+27.2
Wisconsin	891	57,654	64.71	+2.5	+3.8
Wyoming	483	25,605	53.01	+.8	+.1

[1] For definition of terms see the Social Security Bulletin, January 1951, p. 21. Figures in italics represent programs under State plans not yet approved by the Social Security Administration. All data subject to revision.

[2] Represents States reporting plans in operation.

[3] Estimated.

Special types of public assistance and general assistance: Expenditures for assistance to recipients, by program and source of funds, fiscal year ended June 30, 1951 [1]

[Including vendor payments for medical care]

Program	Expenditures from—			
	Total	Federal funds	State funds	Local funds
	Amount (in thousands)			
Total	$2,409,142	$1,122,204	$1,025,326	$261,612
Special types of public assistance:				
Old-age assistance	1,472,617	704,013	594,960	83,644
Aid to dependent children	567,685	288,794	219,805	59,086
Aid to the blind	54,372	24,453	26,030	3,889
Aid to the permanently and totally disabled	32,506	14,944	13,930	3,633
General assistance	281,961		170,551	111,410
	Percentage distribution by program			
Total	100.0	100.0	100.0	100.0
Special types of public assistance:				
Old-age assistance	61.1	70.8	58.0	32.0
Aid to dependent children	23.6	25.7	21.4	22.6
Special types of public assistance—Con.				
Aid to the blind	2.3	2.2	2.5	1.5
Aid to the permanently and totally disabled	1.3	1.3	1.4	1.4
General assistance	11.7		16.6	42.6
	Percentage distribution by source of funds			
Total	100.0	46.6	42.6	10.9
Special types of public assistance:				
Old-age assistance	100.0	53.9	40.4	5.7
Aid to dependent children	100.0	50.9	38.7	10.4
Aid to the blind	100.0	45.0	47.9	7.1
Aid to the permanent and totally disabled	100.0	46.0	42.9	11.2
General assistance	100.0		60.5	39.5

[1] Expenditures for assistance include all money payments to recipients, vendor payments for medical care and assistance in kind to, and vendor payments on behalf of recipients for goods and services to meet their maintenance needs. Vendor payments for burial are excluded. Amounts cannot be compared with annual data based on monthly series or with amounts of Federal grants to the States. For aid to dependent children and aid to the blind, data include programs administered under State laws without Federal participation.

Mr. McFARLAND. Under the present matching formula, of the first $20, the Federal Government contributes $15 and the States contribute $5. Above that amount, the contributions are made on a 50–50 basis, up to $50.

This amendment would have the Federal Government contribute four-fifths of the first $25, and above that amount, the contributions would be made on a 50–50 basis up to $55.

Mr. BRIDGES. In other words, the additional contribution made by means of this amendment would be made only by the Federal Government, would it not, and the States would not cooperate in any way in connection with the additional contribution? In short, the amendment proposes that the Federal Government provide an additional amount, to be added to the first $15. Is that correct?

Mr. McFARLAND. It has been the experience that when the Federal Government adds $5, the States contribute a corresponding amount, except in the case of the States that are not in a position to do so. Frequently the poorer States do not increase the contributions they make to the same extent that some of the other States do.

This is the third time I have offered an amendment of this sort, and the previous two amendments, in 1946 and 1948, were enacted into law. My State has always matched a Federal Government contribution of $5 by providing an additional $5, and I think that will be done in this case, for certainly the people affected by the amendment need this additional amount, in order to be able to eke out a bare existence.

Mr. BRIDGES. At the present time the Federal Government contributes $15 of the first $20; is that correct?

Mr. McFARLAND. Yes.

Mr. BRIDGES. And the State contributes $5, I believe.

Mr. McFARLAND. That is correct.

Mr. BRIDGES. Above $20, the State and the Federal Government share on a 50–50 basis up to $55, I believe.

Mr. McFARLAND. Up to $50; and this amendment would increase it to $55.

Mr. BRIDGES. Very well, the amendment the Senator from Arizona submits would change that arrangement, so that of the first $25, the Federal Government would contribute $20 and the State would contribute $5; and above the amount of $25, each would contribute the same amount, or would divide the expense on a 50-50 basis, as I understand. Is that correct?

Mr. McFARLAND. Yes; up to a maximum of $55.

Mr. BRIDGES. Can the Senator from Arizona tell us how many States now are contributing, so that we can get some idea of how this plan operates? Two hundred and forty million dollars is a very large amount of money.

As I have said, the objective of the proposal of the Senator from Arizona is an excellent one, and of course we wish to do all we can for the aged people of the United States. On the other hand, we must also consider the practicability of such proposals.

Mr. McFARLAND. I have placed in the RECORD a chart showing what the various States have done in this respect.

Mr. BRIDGES. My point is that at the present time the persons in this category in some States are receiving much less than such persons in other States are receiving, even though the Federal Government is cooperating to the same extent with all the States. Is not that correct?

Mr. McFARLAND. That situation has existed ever since the law was passed. In some of the Southern States, in particular, when the law began to operate on a 50–50 contribution basis, many of the States were not able to reach even the minimum amount. But at this time the contributions are increasing year by year, as the revenues of those States increase. Gradually the respective payments are leveling off, and we are approaching the point where the same amount will be received in all the States. Of course, the States only receive Federal funds in proportion to the amounts they themselves contribute.

Mr. BRIDGES. If we are not to increase the deficit, where would the Senator from Arizona suggest that we obtain the $240,000,000 which would be needed if the amendment were agreed to?

Mr. McFARLAND. Of course, the $240,000,000 could be obtained from one place or another, but we cannot earmark money saved from a cut and say that the amount thus saved will be used for any particular purpose.

I concede that we should save every dollar we possibly can save. I myself would not be in favor of increasing the amount of these payments if these needy people were receiving enough for a livelihood. Today their condition is pathetic. I think we can well afford to make a reduction of $240,000,000 in the appropriations for almost any other Government activity, in order to be able to take care of the aged and the blind, the disabled and the dependent children. In terms of national defense activities or any other activities on the part of the Federal Government, I believe that taking care of the aged, the blind, the disabled, and the dependent children is one of the most important things for a democracy to do. If a democracy does not take care of its needy, it does not set a good example of what a democracy should do for its people.

So I say to my good friend, the distinguished minority leader, that I believe it would be well for us to obtain the necessary amount by making a reduction in almost any other appropriation, if necessary, in order to provide this amount of money for these needy people.

Mr. BRIDGES. First of all, Mr. President, I do not wish the Senator from Arizona to fall into error in any way. I remind him that we do not live in a democracy; we live in a republic. Sometimes the distinguished majority leader, as the leader in the Senate for the Democratic Party, rather confuses those words. I wish to remind him that we live in a republic.

In the second place, I agree completely as to the worthiness and desirability of caring adequately for our elderly people and those in the category he mentions. No other subject has a greater appeal to our hearts. I wish to see those people cared for.

On the other hand, I am disturbed about the way the Federal Government is spending money; I am disturbed about the failure to obtain votes for economy on the floor of the Senate; I am disturbed about the way increased appropriations have been voted, and I am disturbed about the high rate of taxes and the terrifically large deficit.

I wish to have all of us realize very clearly what we are going into when we vote for additional appropriations.

I agree with the Senator from Arizona about the desirability of achieving the goal which he wishes to have us achieve.

Mr. McFARLAND. I thank the distinguished Senator from New Hampshire.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. McFARLAND. I am happy to yield to the Senator from Washington.

Mr. CAIN. I have found the argument of the majority leader to be both persuasive and appealing. He has said that, as a matter of duty, we must take care of our aged. My question is, how can we properly take care of the aged in America through our social-security system, when more than 50 percent of all the men and women in this Nation, over 65 years of age, are benefiting today neither from old-age assistance nor from old-age survivors' insurance? What, I may ask the majority leader, are we intending to do about the 6,000,000 aged Americans who today receive no assistance from any source?

Mr. McFARLAND. I should like to point out to the able junior Senator from Washington that, during the past two years, Congress has enacted legislation which has considerably broadened the scope of the old-age and survivors' insurance program. Of the 6,000,000 persons he mentions, I am sure that many are those who neither want nor need social-security aid. Naturally, it is our desire that the contributory system take care of all our needy aged, but, since there are so many thousands of old people who were not making social security payments during their productive years, we have created the public-assistance program.

Mr. CAIN. By his response, the distinguished Senator from Arizona gives evidence of strong sympathy for the needs of all the aged persons in America. He seems clearly to indicate that he is conscious of the fact that the social-security system we now have is not designed ever to cover all the aged persons within the United States.

Mr. McFARLAND. I presume the Senator is correct. It does not cover them.

Mr. CAIN. And it will not cover them. Is that correct?

Mr. McFARLAND. We shall have to determine that.

Mr. President, may I have a vote on my amendment, as I must leave the floor? We might have a unanimous-consent agreement that any Senator who wants to offer an amendment may do so later on. I should like to leave the floor in response to an emergency telephone call, provided I could have this amendment voted on and adopted; following which, any Senator who desires may offer an amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arizona [Mr. McFARLAND].

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

Mr. McFARLAND. Mr. President, I first ask unanimous consent that any Senator who cares to amend my amendment may do so, after it has been adopted, if it is adopted. I do that in order that Senators may not be precluded from proposing amendments to the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. KNOWLAND. Mr. President, I presume the Senator means that any Senator may offer an amendment to the amendment, without being precluded therefrom.

Mr. McFARLAND. That is correct.

Mr. KNOWLAND. The Senator does not mean that any Senator may amend it.

Mr. LEHMAN. Does the Senator from Arizona mean that any Senator who desires to do so may offer an amendment to the amendment now proposed by the Senator from Arizona?

Mr. McFARLAND. Yes, and it could be acted upon the same as though it were offered now.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Arizona? The Chair hears none, and it is so ordered.

The question is on the amendment of the Senator from Arizona [Mr. McFARLAND]. [Putting the question.] The Chair is in doubt, and will request a division.

On a division, the amendment was agreed to.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from New York.

Mr. LEHMAN. A little later on, I shall propose an amendment to the amendment of the Senator from Arizona [Mr. McFARLAND]. In the meantime, I merely wish to congratulate the distinguished chairman of the committee upon his report, and upon the work that has been done. I think this is a very fine step forward. I have a statement prepared in regard to the report of the committee and the proposed amendments. I do not wish to take up the time of the Senate unnecessarily, and I

therefore ask unanimous consent to have my statement, with supporting papers, printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

There being no objection, the statement and supporting papers were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR LEHMAN

I rise in support of H. R. 7800, the Social Security Act amendments of 1952. The provisions of the bill increasing the Federal old-age and survivors insurance benefits are practically the same as the provisions of the bill (S. 1983) that the distinguished junior Senator from Minnesota [Mr. HUMPHREY] and I sponsored a year ago. The benefit increases were badly needed by the beneficiaries last year; the need is even more desperate now.

I am also glad to say that H. R. 7800 embodies also two provisions of the omnibus social-security bill (S. 2705) which I introduced on February 21, 1952, in association with Senators MURRAY, MAGNUSON, and HUMPHREY, and which was introduced simultaneously in the House by Representatives DINGELL, ROOSEVELT, and others. These two provisions, which I am glad to note are included in H. R. 7800, are as follows:

1. Provision to grant employment credit for time spent in the military service of the United States.

2. Provision to liberalize the retirement test.

I am glad that the Committee on Finance has taken such prompt action in reporting out H. R. 7800. I commend the distinguished senior Senator from Georgia [Mr. GEORGE] for seeing to it that the bill has reached the floor so soon after the passage of the bill by the House.

I strongly favor the provisions in the bill as reported out by the Committee on Finance. These provisions are as follows:

1. It would provide larger benefit payments than present law.

2. The bill would liberalize the amount of earnings from covered work a beneficiary could have and still receive his benefits.

3. Persons serving in the Armed Forces during the present emergency period would get old-age and survivors insurance wage credits.

4. The bill corrects a defect in the blind-assistance provisions of present law.

I am in complete agreement with the bill as reported by our Finance Committee. I am sorry, however, that the committee felt that there was insufficient time to take action on the provision in the House bill for preserving the retirement and survivorship rights of disabled people.

It seems to me that the need for what has been described as a "waiver of premium" is every bit as great under our program of old-age and survivors insurance as it is in private life insurance contracts. I have before me a letter which has come to me only recently and in which the writer complains as follows:

"I am going on 66 years of age. I got the first check for social security in March, and I find it * * * very hard to make it on $20 per month. Twenty per week would be more like it. I am a disabled person through accident in 1945 and I have not had any employment owing to disablement since. I would be pleased if I could get my monthly check raised so I may be able to buy the necessities of living; I need shoes and clothes badly. It seems every time the Nation has a strike, up goes the price of food. I ask you how can I get along on $20 a month. I have to have medicines.

"Please help me all you can and those who are in the same state as myself."

This letter is as timely as it is moving. The writer's benefit is a minimum one because he was disabled before he reached 65 and every day between his disablement and his reaching 65 reduced his retirement benefit to the point where only the minimum is payable. It could have been worse. His entire right to a retirement benefit could have been wiped out by the fact that he was disabled. But that is small consolation.

I have closely followed the debate on the floor of the House and in the newspapers about the merits of this provision and I have studied the reservations expressed in regard to it by the American Medical Association. At best, their opposition must be construed as arising out of a concern lest the administration of this provision by an agency of the Federal Government might in some way constitute an encroachment upon the prerogatives of their profession. I submit that these fears are groundless. There is no medical care involved in a waiver of premium provision. There is no circumstance that could arise where any doctor would be subject to any controls whatsoever.

There are a variety of programs already administered by the Federal Security Agency that involve close relationships with the medical profession. For instance, the Federal-State rehabilitation program, the administration of the Hospital Construction Act, and the administration of Federal grants for medical and allied research through the National Institute of Health. In these programs and in many others the Federal Government has been able to work out reasonable provisions, satisfactory to the representatives of the professions concerned. I urge the Committee on Finance to give early attention to this disability waiver provision so that the large group of people who stand to benefit from it can be spared further disappointment.

H. R. 7800 is a stopgap measure providing only a few of the necessary changes in the old-age and survivors insurance program. Much more than this is needed to provide a truly effective program of social insurance against the economic hazards of our industrial civilization. S. 2705, our omnibus bill, to which I have already referred, contains some further necessary steps toward the achievement of that result. I would like to mention a few of the most desirable provisions of that bill which I hope will become law next year and which must become law. Our omnibus social-security bill (S. 2705) would—

1. Extend the coverage of the insurance program;

2. Raise the wage base for taxes and insurance benefits from $3,600 to $6,000, to bring the program in line with changing wage levels and provide more adequate benefits for a large segment of our working population;

3. Raise insurance benefits for both present and future beneficiaries considerably above the levels of H. R. 7800;

4. Base the average monthly wage for figuring insurance benefits on the best 10 consecutive years of earnings, so that periods of low earnings will not cut down benefits;

5. Provide cash disability insurance benefits for people with long-term disabilities;

6. Provide cash sickness insurance benefits for shorter periods of illness.

I realize that these changes require study, and that they cannot be considered during the next 2 weeks.

However, the changes made by H. R. 7800 require no such prolonged consideration and debate. The pending bill should be enacted speedily, so that those on the benefit rolls can receive the additional income they so sorely need. I trust that in the near future we will be able to consider fully the broader and equally necessary improvements in the insurance program contained in S. 2705 that our Nation deserves and has a right to expect. I shall continue to urge consideration of the broad and comprehensive changes in the social-security program which are embodied in that omnibus bill.

SUMMARY OF PROVISIONS OF LEHMAN SOCIAL SECURITY BILL, S. 2705

A. EXTENSION OF COVERAGE

Coverage is provided under the program for the following groups not protected under existing law (unless otherwise indicated estimates are of employment in March 1952):

1. Farm operators (over 3,000,000) with annual net earnings from self-employment of at least $400.

2. Farm workers (about 500,000 in March 1952, nearly 2,800,000 during a year) who are paid at least $50 in cash by one employer for agricultural services performed in any calendar quarter.

3. Domestic workers (over 100,000) who are paid at least $50 in cash by one employer in a calendar quarter for domestic service in a private home of the employer.

4. Active members of the uniformed services (over 3,500,000) on a compulsory and contributory basis. Free wage credits of $160 a month are given for military or naval service between the end of World War II and the beginning date of permanent coverage.

5. Persons who are paid at least $50 in cash by one employer for service not in the course of the employer's trade or business, performed in any calendar quarter.

6. Employees in the field service of the Post Office Department and certain employees under State and local retirement systems, i. e., employees of higher educational institutions, employees in the State of Wisconsin, and employees of housing authorities (150,000).

7. Fishermen performing service on vessels of 10 net tons or less, (5,000 in March 1952, about 25,000 during a year) and citizens and resident aliens performing services on vessels or aircraft of foreign registry when they perform services for an American employer.

B. INCREASE IN BENEFITS

1. An increase, averaging 35 percent, over present benefit levels, subject to certain maximum provisions for present and future beneficiaries whose benefits are computed on the basis of earnings beginning with 1937.

2. For other future beneficiaries:

(a) The benefit formula will replace 50 percent of the first $120 of average monthly wage plus 15 percent of the next $380 rather than 50 percent of the first $100 and 15 percent of the next $200 as under present law.

(b) For individuals with 10 or more years of coverage, the benefit is based on the average monthly earnings in the highest 10 consecutive years of coverage after 1950 or after 1952, whichever is more favorable, rather than in all years as under present law. Where the individual has fewer than 10 years of coverage, his average monthly earnings will be computed essentially as under present law. Periods of disability are excluded from the computation.

(c) A regularity-of-service factor is applied to the average derived in (b), so that in the long run, a person in the system only some years after 1950 or 1952 will receive less than one with the same average who has been in every year since that time, unless the absence is caused by disability.

3. The minimum benefit for a retired or disabled worker is raised from $20 to $25.

4. The limit on total family benefits is raised from $150 to $200 subject to the proviso that, for surviving families and

families of old-age beneficiaries, they cannot exceed 80 percent of the worker's average monthly wage and for families of disabled workers they cannot exceed 70 percent of that average monthly wage. The lowest point to which either of these percentages can reduce family benefits is raised from $40 to $50.

5. The maximum annual amount of wages and self-employment income taxable under the program and creditable for figuring benefits, is $6,000 rather than the present $3,600. Tips paid to an employee by customers of his employer are counted as wages if they are reported in writing to the employer within 10 days of the end of the quarter in which they were received, if the report is accompanied by a remittance of the employee portion of the tax or if the employer can withhold same from funds in his possession belonging to the employee.

C. LONG-TERM DISABILITY BENEFITS AND REHABILITATION SERVICES

1. Monthly benefits are provided, after a 6-month waiting period for disabled insured workers and their dependents. Benefit amounts would be computed in the same manner as benefits for retired workers and their dependents.

2. To be eligible for disability benefits, the disabled worker—

(a) must have a disability which makes him unemployable and which has lasted for at least 6 months;

(b) must have engaged in covered work in at least half of the time in the last 10 years before onset of his disability and in half of the time in the last 3 years before his disability occurred.

3. Totally disabled children receiving or eligible to receive child's benefits would be eligible to receive such benefits after they attain age 18 provided they continue to be totally disabled.

4. Rehabilitation services are provided for totally disabled workers entitled to old-age or disability insurance benefits or serving a waiting period for disability benefits and for totally disabled children entitled to child's benefits as a disabled child, provided they are potentially employable.

5. Existing rehabilitation facilities of the various States would be used to give rehabilitation services and the cost of the services would be paid from the trust fund.

D. CASH SICKNESS BENEFITS

1. Cash sickness benefits are provided for temporarily incapacitated insured workers other than the self-employed, Federal civilian employees, and members of the Armed Forces. (Federal civilian employees and members of the Armed Forces normally do not suffer loss of income for temporary periods of illness.)

2. Benefit amounts and eligibility are related to earnings in covered occupations.

E. FINANCING THE PROPOSED BILL

1. To finance the benefits in the bill, the tax rates for employees, other than those of the Federal Government, and for their employers are scheduled as follows:

	Percent each
1953 and 1954	2
1955 and 1956	2½
1957 and 1958	3
1959 and 1960	3½
1961 and thereafter	4

2. Because Federal civilian employees and members of the armed services are not eligible for cash sickness benefits, the rate of tax for them and for their employers, is less than the amounts shown in the tax schedule for other employees. Their rates are:

	Percent each
1953 and 1954	1½
1955 and 1956	2
1957 and 1958	2½
1959 and 1960	3
1961 and thereafter	3½

3. The rates for the self-employed (who are also excluded from cash sickness benefits) are one and a half times the rate for Federal employees and members of the Armed Forces:

	Percent each
1953 and 1954	2¼
1955 and 1956	3
1957 and 1958	3–3½
1959 and 1960	4½
1961 and thereafter	5¼

4. Authorization is added for appropriations from general funds for benefits for World War II veterans which are not financed from contributions.

5. During periods when the Armed Forces are large, the President may direct that no contributions be paid by servicemen for service performed in designated areas or in designated pay grades. Under these conditions, the servicemen's contributions would be paid by the Government.

Examples of benefits under benefit formula contained in bill for persons whose benefits are based on wages and self-employment income beginning with either 1951 or 1953.

Average monthly wage	Old-age benefits under present law [1]	Old-age benefits under bill after—			
		10 years of coverage	20 years of coverage	30 years of coverage	40 years of coverage
$50	$25.00	$27.50	$30.00	$32.50	$35.00
$100	50.00	55.00	60.00	65.00	70.00
$150	57.50	71.00	77.40	83.90	90.30
$200	65.00	79.20	86.40	93.60	100.80
$250	72.50	87.50	95.40	103.40	111.30
$300	80.00	95.70	104.40	113.10	121.80
$350 [2]	80.00	104.00	113.40	122.90	132.30
$400 [2]	80.00	112.20	122.40	132.60	142.80
$450 [2]	80.00	120.50	137.40	142.40	153.30
$500 [2]	80.00	128.70	140.40	152.10	163.80

[1] The amount does not change on account of additional years of covered employment.
[2] The average monthly wage cannot exceed $300 under present law.

Examples of benefits under conversion table in bill, for persons whose benefits are based on all wages and self-employment income beginning with 1947:

Old-age benefit under present law:	*Old-age benefit under this bill*
$20.00	$25.00
$30.00	39.00
$40.00	52.30
$50.00	71.00
$60.00	84.70
$68.50	94.00

Mr. GEORGE. Mr. President, I ask for the regular order, and that the bill be read for committee amendments.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. Beginning at the top of page 9, it is proposed to strike out:

PRESERVATION OF INSURANCE RIGHTS OF PERMANENTLY AND TOTALLY DISABLED

SEC. 3. (a) (1) Section 213 (a) (2) (A) of the Social Security Act (defining quarter of coverage) is amended to read as follows:

"(A) The term 'quarter of coverage' means, in the case of any quarter occurring prior to 1951, a quarter in which the individual has been paid $50 or more in wages, except that no quarter any part of which was included in a period of disability (as defined in section 216 (i)), other than the initial quarter of such period, shall be a quarter of coverage. In the case of any individual who has been paid, in a calendar year prior to 1951, $3,000 or more in wages, each quarter of such year following his first quarter of coverage shall be deemed a quarter of coverage, excepting any quarter in such year in which such individual died or became entitled to a primary insurance benefit and any quarter succeeding such quarter in which he died or became so entitled, and excepting any quarter any part of which was included in a period of disability, other than the initial quarter of such period."

(2) Section 213 (a) (2) (B) (i) of such act is amended to read as follows:

"(i) no quarter after the quarter in which such individual died shall be a quarter of coverage, and no quarter any part of which was included in a period of disability (other than the initial quarter and the last quarter of such period) shall be a quarter of coverage;"

(3) Section 213 (a) (2) (B) (iii) of such act is amended by striking out "shall be a quarter of coverage;" and inserting in lieu thereof "shall (subject to clause (i)) be a quarter of coverage."

(b) (1) Section 214 (a) (2) of the Social Security Act (defining fully insured individual) is amended by striking out subparagraph (B) and inserting in lieu thereof the following:

"(B) 40 quarters of coverage

not counting as an elapsed quarter for purpose of subparagraph (A) any quarter any part of which was included in a period of disability (as defined in section 216 (i)) unless such quarter was a quarter of coverage."

(2) Section 214 (b) of such act (defining currently insured individual) is amended by striking out the period and inserting in lieu thereof: "not counting as part of such 13 quarter period any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage."

(c) (1) Section 215 (b) (1) of the Social Security Act (defining average monthly wage) is amended by inserting after "excluding from such elapsed months any month in any quarter prior to the quarter in which he attained the age of 22 which was not a quarter of coverage" the following: "and any month in any quarter any part of which was included in a period of disability (as defined in sec. 216 (i)) unless such quarter was a quarter of coverage."

(2) Section 215 (b) (4) of such act is amended to read as follows:

"(4) Notwithstanding the preceding provisions of this subsection, in computing an individual's average monthly wage, there shall not be taken into account—

"(A) any self employment income of such individual for taxable years ending in or after the month in which he died or became entitled to old-age insurance benefits, whichever first occurred;

"(B) any wages paid such individual in any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage;

"(C) any self-employment income of such individual for any taxable year all of which was included in a period of disability."

(3) Section 215 (d) of such act (relating to primary insurance benefit for purposes of conversion table) is amended by adding at the end thereof the following new paragraph:

"(5) In the case of any individual to whom paragraph (1), (2), or (4) of this subsection is applicable, his primary insurance benefit shall be computed as provided therein; ex-

cept that, for purposes of paragraphs (1) and (2) and subparagraph (C) of paragraph (4), any quarter prior to 1951 any part of which was included in a period of disability shall be excluded from the elapsed quarters unless it was a quarter of coverage, and any wages paid in any such quarter shall not be counted."

(d) Section 216 of the Social Security Act (relating to certain definitions) is amended by adding after subsection (h) the following new subsection:

"Disability; period of disability

"(i) (1) The term 'disability' means (A) inability to engage in any substantially gainful activity by reason of any medically determinable physical or mental impairment which can be expected to be permanent, or (B) blindness; and the term 'blindness' means central visual acuity of 5/200 or less in the better eye with the use of correcting lenses. An eye in which the visual field is reduced to five degrees or less concentric contraction shall be considered for the purpose of this paragraph as having a central visual acuity of 5/200 or less. An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.

"(2) The term 'period of disability' means a continuous period of not less than six full calendar months (beginning and ending as hereinafter provided in this subsection) during which an individual was under a disability (as defined in paragraph (1)). No such period with respect to any disability shall begin as to any individual unless such individual, while under such disability, files an application for a disability determination. Except as provided in paragraph (4), a period of disability shall begin on whichever of the following days is the latest:

"(A) the day the disability began;

"(B) the first day of the 1-year period which ends with the day before the day on which the individual filed such application; or

"(C) the first day of the first quarter in which he satisfies the requirements of paragraph (3).

A period of disability shall end on the day on which the disability ceases. No application for a disability determination which is filed more than 3 months before the first day on which a period of disability can begin (as determined under this paragraph) shall be accepted as an application for the purposes of this paragraph.

"(3) The requirements referred to in paragraph (2) (C) and (4) (B) are satisfied by an individual with respect to any quarter only if he had not less than—

"(A) six quarters of coverage (as defined in section 213 (a) (2) during the thirteen-quarter period which ends with such quarter; and

"(B) twenty quarters of coverage during the forty-quarter period which ends with such quarter,

not counting as part of the thirteen-quarter period specified in clause (A), or the forty-quarter period specified in clause (B), any quarter any part of which was included in a prior period of disability unless such quarter was a quarter of coverage.

"(4) If an individual files an application for a disability determination after March 1953, and before January 1955, with respect to a disability which began before April 1953, and continued without interruption until such application was filed, then the beginning day for the period of disability shall be whichever of the following days is the later:

"(A) the day such disability began; or

"(B) the first day of the first quarter in which he satisfies the requirements of paragraph (3)."

(e) Title II of the Social Security Act is amended by adding after section 219 the following new section:

"DISABILITY PROVISIONS INAPPLICABLE IF BENEFITS WOULD BE REDUCED

"SEC. 220. The provisions of this title relating to periods of disability shall not apply in the case of any monthly benefit or lump sum death payment if such benefit or payment would be greater without the application of such provisions."

(f) Notwithstanding the provisions of section 215 (f) (1) of the Social Security Act, the amendments made by subsection (a), (b), (c), and (d) of this section shall apply to monthly benefits under title II of the Social Security Act for months after June 1953, and to lump-sum death payments under such title in the case of deaths occurring after March 1953; but no recomputation of benefits by reason of such amendments shall be regarded as a recomputation for purposes of section 215 (f) of the Social Security Act.

The amendment was agreed to:

The next amendment was, on page 15, line 23, to change the section number from "4" to "3"; on page 16, line 2, after the word "thereof", to strike out "$70" and insert "$100"; in line 5, after the word "thereof", to strike out "$70" and insert "$100"; in line 8, after the word "thereof", to strike out "$70" and insert "$100"; in line 11, after the word "thereof", to strike out "$70" and insert "$100"; on page 17, line 5, to change the section number from "5" to "4"; in line 14, after the word "paragraph", to strike out "(5)" and insert "(4)"; on page 19, after line 23, to strike out:

(4) There are hereby authorized to be appropriated to the trust fund from time to time, as benefits which include service to which this subsection applies become payable under this title, such sums as may be necessary to meet the additional costs, resulting from this subsection, of such benefits (including lump sum death payments). The Administrator shall from time to time estimate the amount of such additional costs through the use of appropriate accounting, statistical, sampling, or other methods.

The amendment was agreed to.

The next amendment was on page 20, at the beginning of line 8, to strike out "(5)" and insert "(4)"; on page 21, line 25, after "217 (e)", to strike out "(5)" and insert "(4)"; on page 24, after line 2, to strike out:

COVERAGE OF CERTAIN EMPLOYEES COVERED BY STATE AND LOCAL RETIREMENT SYSTEMS

SEC. 6. (a) Subsection (d) of section 218 of the Social Security Act (relating to voluntary agreements for coverage of State and local employees) is amended by striking out "Exclusion of" in the heading, by inserting "(1)" after "(d)," and by adding at the end thereof the following new paragraphs:

"(2) Notwithstanding paragraph (1), an agreement with a State may be made applicable (either in the original agreement or by any modification thereof) to service performed by employees in positions covered by a retirement system (including positions specified in paragraph (3) but excluding positions specified in paragraph (4)) if

"(A) there were in effect on January 1, 1951, in a State or local law, provisions relating to the coordination of such retirement system with the insurance system established by this title; or

"(B) the Governor of the State certifies to the Administrator that the following conditions have been met:

"(i) A referendum by secret written ballot was held on the question whether service in positions covered by such retirement system should be excluded from or included under an agreement under this section;

"(ii) An opportunity to vote in such referendum was given (and was limited) to the employees who, at the time the referendum was held, were in positions then covered by such retirement system (other than employees in positions to which, at the time the referendum was held, the State agreement already applied and other than employees in positions specified in paragraph (4) (A));

"(iii) Ninety days' notice of such referendum was given to all such employees;

"(iv) Such referendum was conducted under the supervision of the Governor or an individual designated by him; and

"(v) Two-thirds or more of the employees who voted in such referendum voted in favor of including service in such positions under an agreement under this section.

No referendum with respect to a retirement system shall be valid for the purposes of this paragraph unless held within the 2-year period which ends on the date of execution of the agreement or modification which extends the insurance system established by this title to such retirement system.

"(3) For the purposes of subsections (c) and (g) of this section, the following employees shall be deemed to be a separate coverage group:

"(A) All employees in positions which were covered by the same retirement system on the date the agreement was made applicable to such system;

"(B) All employees in positions which were covered by such system at any time after such date; and

"(C) All employees in positions which were covered by such system at any time before such date and to which the insurance system established by this title has not been extended before such date because the positions were covered by such retirement system.

"(4) Nothing in the preceding paragraphs of this subsection shall authorize the extension of the insurance system established by this title to service in any of the following positions covered by a retirement system—

"(A) any policeman's or fireman's position or any elementary or secondary school teacher's position; or

"(B) any position covered by a retirement system applicable exclusively to positions in one or more law-enforcement or fire-fighting units, agencies, or departments.

For the purposes of this paragraph, any individual in the educational system of the State or any political subdivision thereof supervising instruction in such system or in any elementary or secondary school therein shall be deemed to be an elementary or secondary school teacher.

"(5) If a retirement system covers positions of employees of the State and positions of employees of one or more political subdivisions of the State or covers positions of employees of two or more political subdivisions of the State, then, for purposes of the preceding paragraphs of this subsection, there shall, if the State so desires, be deemed to be a separate retirement system with respect to each political subdivision concerned and, where the retirement system covers positions of employees of the State, a separate retirement system with respect to the State."

(b) Subsection (f) of section 218 of the Social Security Act (relating to effective dates of agreements and modifications thereof) is hereby amended by striking out "January

1, 1953" and inserting in lieu thereof "January 1, 1955."

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Alabama?

Mr. GEORGE. I shall be glad to yield. Has the Senator from Alabama an amendment to offer?

Mr. SPARKMAN. Mr. President, I think I am entitled to the floor in my own right, with reference to this amendment.

The PRESIDING OFFICER. The Senator from Alabama is entitled to recognition.

Mr. SPARKMAN. However, I hope to be able to ask the distinguished Senator from Georgia certain questions.

Mr. GEORGE. I shall be glad to yield to the Senator for that purpose.

Mr. SPARKMAN. In order to get the matter before the Senate, I propose an amendment, which is a perfecting amendment to the House language, on page 26, line 21, to strike—

Or any elementary or secondary school teacher's position; or

(B) Any position covered by a retirement system applicable exclusively to positions in one or more law-enforcement or fire-fighting units, agencies, or departments.

For the purposes of this paragraph, any individual in the educational system of the State or any political subdivision thereof supervising instruction in such system or in any elementary or secondary school therein shall be deemed to be an elementary or secondary school teacher.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Alabama [Mr. SPARKMAN].

Mr. WILEY. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. WILEY. Do I correctly understand the situation to be that at present we are considering whether section 6 shall be stricken?

Mr. SPARKMAN. That is correct; but I have offered a perfecting amendment, namely, to strike certain words in the House language which would allow elementary and secondary school teachers to be covered. Those words are to be found on page 26, lines 21 and 22, and on page 27, line 4 through line 8. If the language of the House provision is stricken out, it would permit elementary and secondary school teachers to be included under social security. If my amendment is agreed to, my hope would be that the Senate would disagree to the Senate amendment which, in effect, would bring in State and local employees, including teachers, but excluding policemen and firemen.

Mr. WILEY. I am sorry there was so much noise in the Chamber that apparently I did not fully understand the distinguished Senator. As the distinguished chairman in charge of the bill intimated his position in relation to this matter, I would suggest a secondary amendment, because I understand the Senator from Georgia wants to strike section 6. On that point I should like to be heard, and I should like to understand the position of the Senator from Georgia.

Mr. GEORGE. I made my position clear, I thought. It is that the Senate Finance Committee recommended striking the whole section, because we expect to make a study of the entire question not later than January, in which we will deal with the problem as a whole. We cannot do it if the bill is passed with section 3 and section 6 in it, because a question of good faith is involved. We have had applications from a large number of persons who want to be heard, and we have assured them that if these sections were retained in the bill we would ask that the bill go back to the committee. I have tried to explain the situation to the Senate and tried to assure the Senate that in January we shall be able to deal with this particular problem in a comprehensive way.

As to the question which troubles the Senator from Wisconsin, the committee would have no objection to the Wisconsin system coming in because prior to the passage of the Social Security Act the Wisconsin law contemplated and anticipated the setting up of an old-age and survivors' insurance system. That can be cared for in January.

I ask Senators to contemplate the situation. Here is a bill which gives great benefits to the aged and other beneficiaries under the old-age and survivors' insurance system. The Senator from Arizona has just amended it by providing for an additional sum to be paid out of the general treasury to the blind, the disabled, and dependent children. We have done many good things in this bill, but we simply find ourselves in the position of working under great pressure. The House did not send us this bill until a very few days ago, so we have done the very best we could to bring the bill before the Senate. We have given assurance to the Senate that if the House did not care to send us another bill containing these two sections, so that we can deal with the entire problem after hearings, we would do so ourselves not later than January.

I can say to the Senator that the committee will not offer any objection to permitting the State of Wisconsin to bring its system under the Federal system, because that has been anticipated. There is a provision in the section which would——

Mr. WILEY. In what section?

Mr. GEORGE. I believe it is in section 6.

Mr. WILEY. I should like to say that I am very happy the Senator from Georgia gives us this assurance, inasmuch as my people back home are very much concerned because heretofore, apparently, there has been some misunderstanding of our position. Wisconsin led in this matter. I want to make my position clear that section 6 should remain, but, after the assurance of such a distinguished statesman as the Senator from Georgia that he will hold hearings in January and that he and his committee feel favorable to the position which we have maintained for some time, I shall not insist upon it.

I again thank the Senator from Alabama and the Senator from Georgia for their courtesy in the matter.

ORDER FOR A VOTE AT 2:30 P. M. TOMORROW ON VETO OF IMMIGRATION BILL

Mr. McFARLAND. Mr. President, will the Senator from Alabama yield in order that I may make a unanimous-consent request?

Mr. SPARKMAN. I yield.

Mr. McFARLAND. Mr. President, I am informed that the House has overridden the President's veto of the immigration bill. I have consulted with most of the Senators interested in that bill, and they are agreeable to vote on the question tomorrow at 2:30 o'clock.

I ask unanimous consent that the call of a quorum be waived——

The PRESIDING OFFICER. It does not require a quorum call.

Mr. HUMPHREY. Mr. President, do I correctly understand that the House has already acted on the President's veto?

Mr. McFARLAND. If they have not acted, my request is premature.

Mr. HUMPHREY. I understand there is some doubt about it. The House had not acted up to 2 o'clock this afternoon.

Mr. McFARLAND. Then I shall make a request later on. I wanted Senators to know about it while there was a good attendance on the floor.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MAYBANK. How late is the Senate to remain in session today?

Mr. McFARLAND. I should like to finish the bill which is before us, and then there is a Reserve bill.

Mr. MAYBANK. A message from the House with reference to the control bill will come before the Senate, and when it comes I shall ask for a quorum and shall make no mistake in letting the people of the United States know of the action taken on the bill by the House of Representatives. The control bill expires at the end of the week, and I think we should remain in session all night, if necessary, in order that the bill may go to conference and the conference report may be acted on.

Mr. McFARLAND. I was in hope that we could finish tonight the bill which is now before the Senate.

Mr. MAYBANK. I do not suggest that we should not do that.

Mr. HUMPHREY. Mr. President, I have just received the information that the House intends to vote on the President's veto of the McCarran immigration bill at 10 o'clock tonight.

In the light of the desire to have a unanimous consent agreement if the House should override the veto, then we could have a tentative agreement to vote as of tomorrow. If the House should not override the veto, there would be no need of the Senate's voting at all.

Mr. McFARLAND. The Senate could not vote in that event.

Mr. HUMPHREY. That is correct; but it seems to me it would be well to take preliminary action, so that we would know what the situation would be.

Mr. McFARLAND. Mr. President, with that understanding, I ask unani-

mous consent that, in the event the House should override the President's veto on the immigration bill, the Senate finally vote upon the question at 2:30 tomorrow afternoon; and that the time between 12 o'clock and 2:30 be divided equally between the proponents and the opponents, to be controlled by the Senator from Minnesota on the one side, and the Senator from Nevada on the other side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. CAIN. Mr. President, was the hour of 2:30 tomorrow afternoon related to the so-called McCarran immigration bill and the question of overriding of the veto?

Mr. McFARLAND. That is correct.

Mr. CAIN. It has nothing whatsoever to do with the social-security bill now pending?

Mr. McFARLAND. It has nothing to do with any other matter.

The PRESIDING OFFICER. Without objection, the request of the Senator from Arizona is agreed to.

AMENDMENT OF TITLE II OF THE SOCIAL SECURITY ACT

The Senate resumed the consideration of the bill (H. R. 7800) to amend title II of the Social Security Act, and for other purposes.

Mr. SPARKMAN. I do not expect to take long, but I desire Senators present to understand the point I hope to make.

First let me say that I propose the amendment at the present time with a great deal of reluctance, because I have a very high regard for the able chairman of the Committee on Finance, the distinguished Senator from Georgia, and also for every member of his committee. I wish to join with others in paying a compliment to the chairman and members of the Committee on Finance for having done an excellent job in reporting the bill.

Furthermore, I am pleased with the assurances the able chairman has given to us and his expression of sympathetic understanding of what was sought to be done in section 6.

The reason why I felt the amendment should be presented at this time was that the matter is not new with the Senate. I believe in connection with the reporting of H. R. 6000 on March 29, 1950, the matter received some consideration. That bill contained a provision relating to the bringing of State and local employees under the social-security plan. On previous occasions the House has reported a similar plan. Now the House sends to the Senate a bill with the provision included. In other words, both the House and the Senate have already acted on such a measure. The only question is whether the Senate at this time will go along with the House in the pending bill, and include State and local employees.

Mr. President, I am in complete sympathy with what the Senator from Georgia is trying to do. He is trying to have as much of the bill acted on as possible, the provisions which he considers noncontroversial, and which stand a good chance of passage before the adjournment of Congress. Of course, I am in complete sympathy with that proposal.

I should like to have the able Senator from Georgia listen to my statement and correct me if I am wrong; in fact, I wish to ask him a few questions regarding it.

I have felt that the controversy on the question of State and local employees has been narrowed to a very limited field. As originally proposed, I believe it was to include all State and local employees. However, policemen and firemen objected, and many school teachers, though not all of them, objected. Therefore, when the House wrote the proposed legislation this time, it excepted three groups—firemen, policemen, and elementary and secondary school teachers.

I do not know how school teachers everywhere feel about the bill, but I believe that in my State school teachers are almost unanimous in their desire to be covered under social security. As I understand, the school teachers' national organization has not taken a stand on the question, though many in the organization have expressed opposition to being covered. It is also my understanding that the organization, the NEA, will hold a meeting beginning on June 29. I am not sure whether it is to be a convention of the whole organization, or a meeting of the executive committee. At any rate, a body having jurisdiction to make a decision in the matter will hold a meeting starting on June 29, the first of next week. I think it most likely that early in the sessions of that meeting a resolution relating to this matter will be adopted.

Mr. President, I hope that the chairman of the committee will agree to the first amendment I offer, to strike the language only to the extent of at least putting the provision with respect to teachers in conference; and in the event official action is taken which he feels would be sufficient to enable him to agree to including teachers, I would hope that at least the parliamentary situation would be such as to enable us to present the matter. The amendment does nothing except simply to put the matter in conference.

Mr. MILLIKIN. Mr. President, will the Senator yield, so that I may address a question to the distinguished chairman of the committee?

Mr. SPARKMAN. I yield, provided I retain my right to the floor.

Mr. MILLIKIN. Whether rightly or wrongly, but certainly in the belief that we were serving the general interest, the Senate Finance Committee told a large number of people that before any kind of action would be taken, they would be accorded hearings. If we are now to depend upon a resolution which a conference might or might not agree to, we would not be keeping our word with the people to whom it has been given that we would not take action on the section until they had a hearing. Is not that correct?

Mr. GEORGE. That is correct. It is a matter of good faith on the part of the committee. I have frankly stated we would be obliged to grant hearings on section 6 and on section 3, if they were taken out of the bill.

I may say to the Senator from Alabama that by striking section 6, every part of it, including the Wisconsin amendment, will be in conference anyway. The matter will be open in conference.

Mr. SPARKMAN. I may say to the chairman——

Mr. GEORGE. The Senator does not let me finish my statement.

Mr. SPARKMAN. I wish to bring up a point there.

Mr. GEORGE. There is no point there, because the subject will be in conference. Since the House excluded school teachers, the Senate conferees, in the event it becomes necessary to compromise, will be prepared with an amendment.

I frankly say to the Senator, that that is one of the real reasons why I would not want to accept section 6 as the House has framed it, because there is very little sense in excluding school teachers. Some of them are covered by good systems, and do not wish to come under the Federal system. They are highly organized. Other teachers are covered by very poor systems, and would like to come under a Federal system. So the Senator would be protected if the committee felt that, as a matter of harmony, we could accept section 6 without giving the witnesses who were interested an opportunity to be heard.

There are many collateral issues involved, which pertain to organizations other than teachers, firemen, and policemen. There are very many collateral issues, and it is highly important to make a very careful study of section 6. The House acted upon it and put it in the bill, whereas a few months ago it opposed it. At any rate, it is in the bill, and it will be in conference, in such a way that if we agree to it, I, as a member of the conference, certainly would want to accept it only with an amendment. But I could not do it as a matter of honor, as the distinguished Senator from Colorado [Mr. MILLIKIN] has suggested. It is a matter of good faith. I do not know how many witnesses I told that if these two sections were out, before we agreed to take them back, even though the bill passed and the Senate put them back and we were forced into conference, we would certainly give them an opportunity to be heard. As a mere matter of good faith, we cannot accept any compromise with respect to section 6, although there are some things in section 6 to which I would not object, and some thing which I favor. The Wisconsin system is involved in it, and I have assured the Senator from Wisconsin [Mr. WILEY] that in January we shall find some way of taking care of the Wisconsin situation.

I know of the very deep interest of the Senator from Alabama [Mr. SPARKMAN] in this subject. I assure him that we can do something in January. I do not think the House has exclusive jurisdiction over the Social Security Act. If a bill does not propose to raise taxes we have original jurisdiction along with the

House. In good faith we shall be glad to consider the question in January. I am anxious to examine the whole of section 6. Personally I agree with the Senator from Alabama that teachers should have the optional right, without being compelled to do so, to come under the Federal Social Security System, even though there are retirement systems in their respective States. I do not want to force any of the associations to come under the act, but I should be glad to see a great many teachers who do not have the advantage of anything like an adequate retirement system have the optional right to come in under the Federal system. That is what the Senator from Alabama really wants.

I again assure the Senator that there are a great many collateral issues and questions involved, when the States and the municipalities within the States, and school districts within counties, are holding elections and providing for formulating a decision as to whether they want to come under the act. There are many collateral isues on which we are obliged to give people an opportunity to be heard. Not all of them relate to teachers, by any means, or to associations.

I wish the Senator would allow us to complete action on the bill, because of the great benefits it provides. It is a great step forward. We have amended the formula, for example. On the first $100 earned by the wage earner he now will receive credit of 55 percent, whereas under the old law he received only 50 percent. That is only one illustration. There are many other beneficial provisions in the bill. I hope that we can complete action on it and go to conference with the House, in the hope of reaching an agreement.

Mr. SPARKMAN. Mr. President, let me assure the distinguished Chairman of the committee that I would not be a party to any action which would hold up completion of this proposed legislation, because I know its importance. I know that the provision for which I am arguing is only one of many important provisions which I feel ought to be acted upon.

I say again that the able Senator from Georgia and his committee are all entitled to our gratitude for the speed with which they worked in getting this legislation to the calendar in order that we might complete action on it at this session of the Congress.

Mr. President, I agree with the statement the Senator from Georgia has made with reference to this type of legislation. My understanding is that there is nothing in section 6 which requires anyone to come under it. It is optional. There is one thought which I should like to bring out, and I should like to have the comment of the Senator from Georgia on it.

This proposed legislation itself is not self-enforcing. In other words, it is permissive so far as the States are concerned. It is in the nature of an enabling act. The States themselves must take action before State employees come under the act. The thought occurs to me that many States will have to take action in their State legislatures before they come under the act. Most of our State legislatures will be in session next January, I believe.

Mr. GEORGE. Mr. President, let me say to the Senator that, anticipating exactly that situation, a bill has already passed both the House and Senate and has gone to the President, who, I am sure, will sign it. That bill gives to the States an additional year in which to make their arrangements with the social security officials to take care of that very situation.

Mr. SPARKMAN. I recall that bill; but would it take care of the provisions in section 6 if section 6 should later be enacted into law?

Mr. GEORGE. Oh, yes.

Mr. SPARKMAN. In other words, that would cover any provsion already in the law, or any provision which might be enacted into law?

Mr. GEORGE. Oh, yes.

Mr. SPARKMAN. Mr. President, I feel that this is highly desirable legislation. As I said previously, both the House and Senate have expressed themselves as to the desirability of this type of legislation. We have had assurance from the able chairman of the committee that his committee will start hearings in January, or certainly very early in the next session of Congress, looking toward perfecting this type of legislation.

He has also told us in a very clear way, I think, of the pledge that he, representing the committee, has made to various witnesses that they would be given an opportunity to be heard on this question. Of course, I would not want to be put in the position of trying to force a situation in which anyone might feel that that pledge had been violated.

I wish very much that we could have this proposed legislation enacted at this time. It is not going to hurt anything to wait 6 months. I feel that we have just about as clear an assurance as we can have that action will be taken, and will be taken speedily, upon the convening of the new Congress. I am certainly willing to abide by the assurances which have been given to us by the able chairman of the committee. Because of such assurances, I will not press my amendment.

Mr. GEORGE. Mr. President, I sincerely thank the Senator from Alabama. I am sure that his great interest has controlled him in this matter. He has shown a very fine spirit.

The PRESIDING OFFICER. Does the Senator from Alabama withdraw his amendment?

Mr. SPARKMAN. I withdraw my amendment.

Mr. SPARKMAN subsequently said: Mr. President, today I made certain remarks regarding an amendment to House bill 7800. Some time ago I introduced Senate bill 2957, which had for its purpose the very thing that the amendment which I suggested today proposes. I ask unanimous consent to have inserted in the RECORD at the conclusion of my remarks on that bill today, a letter from the clerk of the Senate Finance Committee, transmitting a copy of a letter written by John L. Thurston, Acting Administrator of the Federal Security Agency, to the Senator from Georgia [Mr. GEORGE], chairman of the Finance Committee, under date of June 16, 1952, regarding Senate bill 2957, the substance of which, as I stated, was the same as the substance of the amendment which I proposed today.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
June 17, 1952.

The Honorable JOHN J. SPARKMAN,
United States Senate,
Washington, D. C.

DEAR SENATOR SPARKMAN: I am enclosing for your information copy of a report from the Federal Security Agency relative to your bill, S. 2957, to amend the Social Security Act so as to prescribe circumstances under which the Federal old age and survivors' insurance system may be extended to State and local employees who are covered by retirement systems.

Sincerely yours,
ELIZABETH SPRINGER,
Clerk.

FEDERAL SECURITY AGENCY,
Washington, June 16, 1952.

Hon. WALTER F. GEORGE,
Chairman, Committee on Finance,
United States Senate,
Washington, D. C.

DEAR MR. CHAIRMAN: This letter is in response to your request of April 4, 1952, for a report on S. 2957, a bill "to amend the Social Security Act so as to prescribe circumstances under which the Federal old-age and survivors insurance system may be extended to State and local employees who are covered by retirement systems."

The objective of S. 2957 is to permit old-age and survivors insurance coverage of State and local Government employees who are in positions covered by State or local retirement systems without the necessity of abolishing these systems. The Federal Security Agency believes that this objective is highly desirable. Under present law, as the committee will recall, an employee in a position which is covered by a retirement system on the date when the coverage group to which he belongs is brought into the old-age and survivors' insurance program cannot be covered by that program. This provision was included at the request of representatives of State and local retirement systems in order to protect those systems, but it has actually had the opposite effect since the only way such employees can be covered by old-age and survivors insurance is by abolishing the systems. Several systems have in fact been abolished because of this provision. In one case a new system has been established, after the date of old-age and survivors insurance coverage, to supplement the protection provided by old-age and survivors insurance. Old-age and survivors insurance coverage of retirement systems is therefore not an impossibility under present law, but the process of abolishing a system and establishing a new system where one is desired is a complicated, difficult, expensive procedure, the result of which may be uncertain and which may cause considerable uneasiness and anxiety among the employees affected.

Under S. 2957 this procedure would be unnecessary; members of retirement systems could be brought into old-age and survivors insurance and any necessary adjustments could be made in the systems in a much more simple and direct way than is

possible when the system must be abolished and a new one set up. Moreover the bill contains provisions to safeguard the interest of those employees who prefer not to have old-age and survivors insurance protection and a supplementary system, but rather to remain in their present status. Under these provisions, members of a retirement system could be brought under old-age and survivors insurance only if (1) there were in effect on January 1, 1951, in a State or local law, provisions relating to the coordination of the retirement system with old-age and survivors insurance (we believe this would apply only to the Wisconsin system, or (2) if the Governor of the State certifies that a majority of the members of the system voted in favor of coverage in a written referendum and that certain conditions, designed to assure an expression of the true opinion of the group, were met regarding the referendum.

The bill would also allow two additional years for enacting enabling legislation and making the necessary arrangements for covering retirement system members without depriving the members of the opportunity of making coverage retroactive to January 1, 1951. This provision is necessary to enable these members to obtain full protection under old-age and survivors insurance.

We have one suggestion regarding the detailed provisions of the bill. Under the bill all of the members of a retirement system would constitute a single coverage group even though employed by different political subdivisions. Since the law requires that all members of a coverage group be covered if any are covered, this would mean that, in general, all members of a retirement system would have to be covered if any were to be covered.

As mentioned in our report on S. 2650, such a provision would create serious administrative and legal problems for the State where the members of a retirement system are employees of a number of political subdivisions. Unless all of the politcal subdivisions were willing to cover those among their employees who are under the retirement system, the State would have to impose its will on the political subdivisions in order to secure coverage, obtain necessary reports and collect contributions. In some cases the State might not have the authority to require uniform action of the political subdiviisons. In any case, the State would have to maintain controls to assure that all members of the system were covered.

We recommend that the language of the bill be amended so that those members of a retirement system who are employed by a single governmental unit could, at the option of the State, constitute a separate group for purposes of the referendum and subsequent coverage. This alternative would involve fewer problems for the States, and although it would permit partial coverage of a retirement system, it would not result in weakening the system, since the system could be adjusted to take the partial coverage into account. Moreover, the fact that the separate treatment was made optional with the State would mean that, where feasible, the retirement system could be treated as a single group for purposes of coverage.

We strongly urge that the bill, modified as suggested above, be enacted by the Congress. We shall be glad to furnish advice or assistance in drafting any changes the committee desires to make in the bill.

We are advised as follows by the Bureau of the Budget:

"The President has stated, on numerous occasions, the objective of making old-age and survivors insurance a basic protection for all employed groups, with special pension plans supplementing this basic protection. The proposal to permit all employees of State and local governments to obtain old-age and survivors' insurance coverage, whether or not they are covered under an existing pension system, is a move toward this objective. Its enactment would therefore be in accord with the program of the President."

Sincerely yours,

JOHN L. THURSTON,
Acting Administrator.

Mr. WILEY. Mr. President, I have prepared a statement showing why I favor the retention of section 6. As I have said, Wisconsin is very much interested in having such a statute. If this were to become law it would not be necessary to have the amendment which I have prepared, and which I shall submit, but shall not press because of the wonderful assurance which has been given by the Senator from Georgia. However, I ask that the statement which I have prepared, showing why I favor the retention of section 6, be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I submit the following statement on behalf of the amendment offered by the junior Senator from Alabama [Mr. SPARKMAN] and in favor of retaining section 6.

The purpose of the amendment is to remove the present bar to coverage of certain employees under State and local retirement systems.

PRIVATE WORKERS GET SUPPLEMENTARY COVERAGE BUT NOT PUBLIC WORKERS

When we passed the 1950 amendment to the Social Security Act, we unfortunately prohibited coverage under the Federal system to State and local retirement systems.

As a result, several of those State and local retirement systems are being liquidated, according to report No. 1944 of the House Ways and Means Committee, p. 8. This situation, Mr. President, seems to be very unfair. Over 10,000,000 workers in private industry are covered under 14,000 private retirement plans. In addition, they are entitled to supplementary Federal coverage. Why should not public workers be similarly entitled to supplementary Federal coverage?

PRESENT PLANS PROVIDE ONLY PITTANCE

I have in my hand a telegram received from Mr. Arnold Zander, president of the American Federation of State and County and Municipal Employees.

Mr. Zander points out that, if section 6 is not added back on the bill, the retirement rights of some 2,500,000 employees will be jeopardized.

I see no justification for harming these faithful public workers. A full one-fourth of all of these State and local public workers are now drawing only $22 per month or less retirement pay, Mr. Zander points out.

How one can keep body and soul together on $5.50 per week is beyond me. Why should the Federal Government deny these workers opportunity to receive Federal coverage and a few additional dollars per month? All that section 6 does is to provide for a referendum under which workers could come under Federal coverage, if they so choose. That is a fair, democratic procedure.

GROUPS OPPOSING COVERAGE ARE NOT INCLUDED

Section 6 specifically excludes policemen, firemen, and elementary and secondary school teachers, who apparently do not want to come under supplementary Federal coverage.

This is their American right. I do not quarrel with them in the slightest. Coming from a family of teachers, myself, I know the problems of teachers, and I am deeply sympathetic with them.

However, I do not believe that any group which may not—for its own reasons—want to be included under the Federal social-security system should deny that right to others.

As a matter of fact, I cannot understand how any group can justifiably take the position that because it does not want Federal coverage, it will raise so much of a question as to prevent other groups which do want coverage from being allowed the right to exercise their voluntary option.

I have no quarrel with any group of State or municipal workers who do not want to be included. But I do not think that any group should interfere with the right of other groups to come under the Federal system.

I say that with frankness, candor, and with nothing but friendship for any group involved.

SECTION 6'S SO-CALLED CONTROVERSY HAS BEEN MINIMIZED

I note that the senior Senator from Georgia [Mr. GEORGE] states that:

(a) Section 6 of H. R. 7800 could not be considered in his committee in view of the fact it was controversial, and

(b) that he felt that rather than lose the entire bill, because of the relatively short time remaining in this session, it would be preferable to drop section 6, but would be considered fully in January 1953 by the committee.

I can appreciate the desire to make sure that some version of social security legislation passes. I, too, want the over-all bill with aid to the aged, the blind, dependent children, etc., passed.

I know from long experience that compromises must now and then be made, and controversies must relatively be avoided in the closing hours of the session.

Nevertheless, I cannot help but feel that in the case of a voluntary, optional matter where no single group is going to be forced to do anything it doesn't want to do, that in the case of such a situation, section 6 could well have been retained.

It seems to me that the controversy has been sucessfully reduced to the absolute minimum, and that with a relatively short review, the various groups could have been heard and a more affirmative decision taken on retaining section 6. Why should 2,500,000 public workers who do want Federal coverage be left out in the cold?

WISCONSIN TAKEN CARE OF IN SECTION 6

I want to point out that section 6 provides the answer to the needs of Wisconsin public workers (by pages 24 and 25, lines 19–25 and 1–3), of H. R. 7800 (House version). These lines provide that for workers under coverage under a State retirement system on January 1, 1951, and in which there is agreement between Federal and State governments for coverage, no referendum for coverage is necessary.

This provision is uniquely applicable to the State of Wisconsin, because we, alone, provided for Federal-State integration not just in 1950, but as far back as 1943 in our basic law.

IF SECTION 6 PASSES, SEPARATE WISCONSIN PROVISION NOT NECESSARY

I earnestly trust that the Senate will accept section 6 as a whole. If, however, it does not do so, it will be necessary for me to offer the Wisconsin provision as a separate amendment to the bill.

I will do so in order to strengthen our position and to increase the likelihood of the Wisconsin provision being included in the ultimate conference committee version.

WISCONSIN FEARS CONFERENCE COMMITTEE WILL REJECT HOUSE'S VERSION PROVIDING FOR SECTION 6

The people under the Wisconsin system are concerned that if section 6 is not now restored, the Senate conferees will not accept the House version, containing section 6.

My people are concerned that, for the same reason that the Senate Finance Committee dropped section 6, namely, a fear of controversy—that for that same reason—the Senate conferees will not accept section 6 in conference.

Now, let me state that I have the highest personal regard for the distinguished chairman of the Senate Finance Committee, Mr. GEORGE, and for the ranking members who will accompany him to the conference committee. I know of no Members of this body more earnest, more conscientious, more hard working than these men.

But I have a responsibility to my own people—a responsibility to try to increase the possibility of their being assured justice. I feel that this can be done by restoring to the Senate version—

(a) Section 6 as a whole, or

(b) The Wisconsin provision separately.

And so, I want to discharge my responsibility to my people.

I include herewith, therefore, Mr. Zander's telegram to be printed in the body of the RECORD at this point.

I earnestly entreat my colleagues to vote for section 6 and in that way guarantee that the final version of H. R. 7800 will contain it, in view of the fact that it is already contained in the House version.

MADISON, WIS., *June 23, 1952.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

There are approximately 3,600,000 State, county, and municipal employees; 900,000 of these are elementary and secondary school teachers, and 200,000 are police officers and firemen. The action of the Senate Finance Committee in striking section 6 from H. R. 7800 deprives the remaining 2,500,000 employees of their rights as citizens with the consent of their employing officers to acquire benefits of OASI to supplement local systems or to use in place of local systems. According to survey made by this union within 2 years 25 percent of all retirants in these State and local systems were drawing $22 per month or less and more than half of all persons on retirement from these State and local systems were drawing less than $50 per month. In behalf of these 2,500,000 State and local employees we plead with you and other United States Senators to reincorporate section 6.

ARNOLD S. ZANDER,
International President,
GORDON W. CHAPMAN,
International Secretary-Treasurer,
American Federation of State, County, and Municipal Employees.

Mr. WILEY. Mr. President, in order to make the RECORD complete I desire to submit my amendment at this time for printing in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

In lieu of the matter proposed to be stricken out by the committee amendment beginning on page 24, line 3, insert the following:

"COVERAGE OF CERTAIN EMPLOYEES COVERED BY STATE AND LOCAL RETIREMENT SYSTEMS

"SEC. 6. (a) Subsection (d) of section 218 of the Social Security Act (relating to voluntary agreements for coverage of State and local employees) is amended by striking out 'Exclusion of' in the heading, by inserting '(1)' after '(d)', and by adding at the end thereof the following new paragraphs:

"'(2) Notwithstanding paragraph (1), an agreement with a State may be made applicable (either in the original agreement or by any modification thereof) to service performed by employees in positions covered by a retirement system (excluding positions specified in paragraph (3)) if there were in effect on January 1, 1951, in a State or local law, provisions relating to the coordination of such retirement system with the insurance system established by this title.

"'(3) Nothing in the preceding paragraph of this subsection shall authorize the extension of the insurance system established by this title to service in any of the following positions covered by a retirement system—

"'(A) any policeman's or fireman's position or any elementary or secondary school teacher's position; or

"'(B) any position covered by a retirement system applicable exclusively to positions in one or more law-enforcement or fire fighting units, agencies, or departments.'

For the purpose of this paragraph, any individual in the education system of the State of any political subdivision thereof supervising elementary or secondary instruction in such system or in any elementary or secondard school therein shall be deemed to be an elementary or secondary school teacher."

Mr. WILEY. On the assumption that section 6 will go out in conference, Wisconsin takes the position that my amendment then would be necessary. I offer it for the RECORD in order that next January we may be in a position to present the question to the committee of which the Senator from Georgia [Mr. GEORGE] is chairman.

Mr. President, I also offer at this time a statement which I have prepared. It explains the amendment and gives the reasons therefor.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

I am offering now an amendment to H. R. 7800, the purpose of which is to validate the bringing in under the Federal old-age and survivors insurance system of those Wisconsin employees who were covered under the State retirement fund prior to the passage of the Social Security Act of 1951.

This is a unique amendment, uniquely affecting but one State—my own.

It does not include Wisconsin policemen, firemen, or elementary or secondary teachers.

The amendment merely authorizes a State which had the foresight to plan for integration of the Federal and State systems to achieve such integration.

Last Saturday, on page 7772 of the RECORD, I presented the case for this particular amendment.

I pointed out how way back on June 19, 1950, I had offered the amendment on the Senate floor but unfortunately the amendment was rejected.

I stated that Wisconsin, in preparing its basic retirement law in 1943, had with foresight and genuine interest in the workers, arranged for them to be covered under the Federal system, once the Federal Government permitted such coverage. Now 8 years later, at last the Federal Government may be getting around to permitting coverage, but instead of the State of Wisconsin being rewarded for its foresight, it is penalized, and instead of its workers being helped, they, too, are penalized.

WHY WORK FOR STATE OR LOCALITIES?

The situation is that the State of Wisconsin cannot keep workers in State institutions and on the State and local payrolls, for example, hospital workers, university teachers, orphan asylum people, county clerks, treasurers, etc., because if they were to go out to work in private industry, they could often come under a private retirement plan plus getting Federal coverage.

Under these circumstances, there is little reason why a man approaching his later years would want to work for the State and localities other than for purposes of civic service, whereas he could be far better looked after, by working in private industry and getting a more equitable old-age coverage—a combination of two plans, not just one.

What we are in effect doing, therefore, by the status quo is discouraging public workers from working for the State and localities.

This is obviously a short-sighted and wholly unfair arrangement; and it is quite clear that this discriminatory provision in the law should be changed.

That is what I am attempting to do now.

The amendment is fair and helpful. It hurts no one, helps literally thousands of workers, sets no adverse precedent.

Among the favorable messages which I have received on this issue is a message from the distinguished president of the University of Wisconsin, Dr. E. B. Fred.

I send his and other messages to the desk now and ask unanimous consent that they be printed in the body of the CONGRESSIONAL RECORD at this point.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point three telegrams, and a resolution adopted by the Common Council of the City of Eau Claire, Wis.

There being no objection, the telegrams and resolution were ordered to be printed in the RECORD, as follows:

MADISON, WIS., *June 23, 1952.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

UW is on record in favor of social-security coverage for college and university employees. Understand Senate Finance Committee has deleted provision for voluntary coverage from H. R. 7800. Hope sincerely that Senate will restore this provision in the bill.

E. B. FRED,
President, University of Wisconsin.

SHEBOYGAN, WIS., *June 23, 1952.*

Hon. ALEXANDER WILEY,
United States Senator,
Washington, D. C.:

The Wisconsin Clerk of Circuit Courts Association, at its annual convention, today respectfully ask that you support section 6 of H. R. 7800 so as to permit integration of the Wisconsin State and municipal retirement plan with Federal social security. If it is impossible to secure passage of section 6, we ask for support of Byrnes and Raines integration bills.

G. ADOLPH STRANGBERG,
President of the Clerk of Circuit Courts Association.
EUGENE A. HICKEY,
Vice President.
VERA C. TERRY,
Secretary-Treasurer.

SHEBOYGAN, WIS., *June 23, 1952.*

ALEXANDER WILEY,
United States Senator,
Washington, D. C.:

The county treasurers association passed the following resolution this a. m.:

"The Wisconsin County Treasurers Association, at its annual convention, today respectfully ask that you support section 6 of H. R. 7800 so as to permit integration of the Wisconsin State and municipal retire-

ment plan with Federal social security. If it is impossible to secure passage of section 6, we ask for support of Byrnes and Raines integration bills."

V. M. KELLY.
ARLETTA ORTENDAHL.
W. C. SMITH.

Be it resolved by the Common Council of the City of Eau Claire, That whereas the Legislature of the State of Wisconsin in adopting sections 66.903 (2) (F) and 66.99 (3) created an enabling act to permit the inclusion of city employees under the old age and survivor's insurance benefit provisions of the Federal Social Security Act, the same to be effective when Congress makes such inclusion available, and

Whereas the benefits under the Wisconsin retirement system appear presently to be wholly inadequate and that sufficient liberalization thereof would impose prohibitive burdens to the contributing employees and municipalities, and that such inclusion would be of much greater benefit to employees without presently increasing the municipal contribution; and

Whereas it appears that pending legislation in Congress, to wit: H. R. 6816 and 6817, provides for the aforesaid inclusion: It is therefore and hereby

Resolved, That said inclusion be adopted when available and that if said legislation is enacted, that the State retirement board be authorized to transfer such necessary funds to make full coverage and inclusion effective as early as possible, it is further

Ordered, That certified copies hereof be forwarded to the Wisconsin Senators and Congressmen with the request that they exert every effort to effectuate the passage of said legislation at the present session of Congress.

Mr. GEORGE. I thank the Senator from Wisconsin for his very generous attitude.

Mr. HUMPHREY. Mr. President, first I wish to commend the Committee on Finance and the distinguished chairman upon bringing the bill (H. R. 7800) to the attention of the Senate and for its action.

The chairman of the committee knows that I have been the sponsor and cosponsor of several bills which have been referred to his committee on the subject of social-security benefits. I was very happy to note that the bill, as it comes from the Committee on Finance, contains three provisions which I have sponsored before the committee.

Mr. GEORGE. We were very glad to have the assistance of the distinguished Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point in my remarks a statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

A CONSTRUCTIVE PROGRAM FOR IMPROVING SOCIAL SECURITY

Today, just 2 years after the last major amendments were made in the old-age and survivors insurance program, the Senate is considering adjustments in that program to meet the needs of 1952. I find it very gratifying that after 15 years of operation of the old-age and survivors insurance program, there is a growing realization of the importance of that program to the American people and the importance of keeping the program in tune with our changing times. I am glad to see that realization reflected in the very important and essential changes which this social security bill, H. R. 7800, will make in the insurance program—the increases in benefits to take account of rising prices and wages, the increase in the amount of earnings permitted without loss of benefits, and the provision of social security wage credits for the men and women who are serving in our Armed Forces in this time of national emergency.

All three of these changes in the insurance program are ones which I have proposed in various bills now pending before the Senate. The benefit increases in the committee bill are very similar to those which would be provided by S. 3079 which I introduced on April 28, 1952. As a matter of fact, I introduced a bill increasing insurance benefits along these lines nearly a year ago—S. 1983. In discussing my proposal for a benefit increase last year I pointed out.

"The increased insurance payments could be made immediately without changing the contributions or the actuarial status of the system as calculated when the 1950 amendments were enacted. This is due to the fact that increased wages have resulted in an increase in the income to the trust fund that will be more than adequate in the long run to pay the increased benefits."

This is now a generally recognized fact. These benefit increases do not require any change in the contribution schedule of the insurance program and do not change the actuarial status of the fund.

I would like to quote further from my remarks to the Senate at that time:

"Mr. President, I appeal in this Chamber for equity. Thousands of persons have been given cost-of-living increases in wages. I think everyone will agree that this is fair. Surely, then, it is fair on the part of the Government to increase insurance payments. No person or body but the Congress of the United States can increase them. * * *

"These people must eat every day. They must pay the rent. They have to take care of their doctor's bills. They cannot sit around waiting until committees of Congress have gone into the matter when, as a matter of fact, the proposal is a sound one, and money is available to effectuate it. * * *

"Mr. President, there is a great, inarticulate body, a great silent mass among the American people, of more than four million recipients of old-age and survivors insurance, who have no lobbyists here, who have no business agents here to represent them. They have no five-percenters representing them here. The only ones they have to represent them are their respective Senators and Representatives in Congress."

Those statements are still true and I want to emphasize them. If anything there is even a greater need for these benefits increases now than when I urged them a year ago.

The financial plight of our older people today is nothing less than tragic. There are in the United States more than 13,000,000 men and women past 65 years of age. Less than a third of them are able to find even part-time employment. As for the rest: a fortunate minority have savings and dividend income; some, also fortunate, still own their own homes and can rent rooms; some are partially supported by their adult children and other relatives. Most older men and women, however, must look to social security insurance or public old-age assistance as their chief source of dependable income.

Yet, in the face of the highest cost of living in our Nation's history, benefits under social security insurance average only about $43 a month. Not counting luxuries, not counting doctor and hospital bills, not counting even shoes and clothing, can anyone say that $43 a month is enough to live on? Of course it isn't and something must be done at once to increase these benefits. Surely our Government can increase the insurance payments. This is but to ask simple justice.

THE WORK CLAUSE

I am also pleased to see that the committee bill provides for raising the work clause to $100. I proposed this change in the program in S. 3121 which I introduced on May 5, 1952.

PROTECTION FOR SERVICEMEN

In S. 2705, introduced by my distinguished colleague from New York [MR. LEHMAN] in which I joined with Senator MURRAY and Senator MAGNUSON, we provided for protection of the servicemen and women now in Korea. It is a matter of great pride to me that this bill now before you incorporates these changes which I have been advocating.

PRESERVATION OF THE INSURANCE RIGHTS OF THE DISABLED

I cannot let this occasion go by, though, without expressing my disappointment at the deletion by the Finance Committee of two additional provisions of H. R. 7800 which were approved by the House, the provision for a waiver of premium for permanently and totally disabled workers and the granting to additional State and local employees the opportunity to come under the old-age and survivors insurance program. I recognize that the Finance Committee does not oppose these provisions and deleted them only because they felt their consideration might delay the much-needed benefit increases and other important program improvements provided by other sections of the bill. I am completely in accord with the objective of speed. It seems to me absolutely essential that these benefit increases be provided for now and without delay. However, I do not believe that prolonged consideration of these additional provisions are really required. They are simple and straightforward propositions which merit serious consideration.

The objections which were raised against the disability provisions in the House were exposed as groundless, either arising from a misinterpretation of the bill's provisions or from a deliberate distortion of the facts. As was pointed out on the floor of the House, the freezing of rights for the disabled is no more—no less—than the waiver of premium Congress has provided for veterans under National Service Life Insurance. The authority provided is the same as in civil service laws, Federal workmen's compensation laws, and the railroad retirement law. The cry of "socialized medicine" raised against the provision has been recognized as a false and fraudulent argument in most of the Nation's press. Typical of the editorials of recent weeks is one which appeared in the Baltimore Sun of June 18. I quote:

"SEEING THE POINT

"A month ago the House shied away from passing a bill increasing the monthly payments to old-age and survivor beneficiaries under the social security system because the cry 'socialized medicine' was raised. It was a fine—that is, a glaring—example of catchphrase thinking. Yesterday the House took up the same legislation again, with only a minor change or two, and approved it. * * *

"There is no reason to regard this as socialized medicine or even a move in the direction of socialized medicine. If the principle of protecting totally disabled beneficiaries is sound, then there clearly must be some means of deciding in a given instance what degree of disability exists. And under a social security system the Government, which controls the payments to beneficiaries, obviously must be responsible for making the decision.

"That is all there is to it. And yesterday Congress managed to see the point. Every now and then that does happen."

I regret the omission of the provision preserving the rights of the disabled. Nevertheless, the Senate cannot and should not delay enacting the vitally necessary changes that the Finance Committee has recommended to us. I urge that the Senate pass H. R. 7800 without delay.

COVERAGE OF STATE UNIVERSITIES AND COLLEGES

I would like to see this bill give the opportunity to more State and local employees to come under old-age and survivors insurance. In S. 3122, which I introduced on May 5, the opportunity for coverage under old-age and survivors insurance is opened up to college and university employees. Up until now these employees have been excluded from the social-security system because they are covered by State or local retirement systems. This is an inadequate reason. Their colleagues in private colleges and universities now generally have both old-age and survivors insurance protection and supplementary protection under a private system. This is also the plan followed for the employees of nearly 15,000 industrial concerns. Practically all the biggest corporations in America now have pension systems designed to supplement the old-age and survivors insurance system. Yet we continue to discriminate against persons employed in State universities and normal schools. To them, we say, if you are under a retirement system—no matter how inadequate, and many of them are inadequate—you cannot come under old-age and survivors insurance.

I introduced S. 3122 at the request of these State and local university and college people. They want to come under the social-security program. They want to have this basic protection. Under the present situation when they change to a private university or college, they will have social-security coverage but their insurance benefits will be adversely affected by their lack of coverage during the time they taught at the State university.

The fact that State and local employees are barred from social-security coverage is not only a bad thing for the teachers but for the universities and colleges as employers. It puts them at a disadvantage in competing with private universities for the best teaching brains in the country. It also puts them at a disadvantage from a financial standpoint in trying to provide a good retirement plan for their employees. Thousands of industrial employers and nonprofit employers have found it cheaper and better to provide for their employees through a combination of old-age and survivors insurance and a supplementary system rather than through a separate system alone. Both employers and employees in the field of State and local higher education want to come under old-age and survivors insurance. They have every right to it. I believe we should let them have this opportunity.

I hope in this area, too, that either we can amend this bill to provide what S. 3122 provides for, or, in any case, I hope the Senate conferees will accept the House position on this point.

INCREASED PAYMENTS FOR THE NEEDY AGED RECEIVING STATE ASSISTANCE

I have also favored an increase in the Federal share of payments to the States for public assistance. I was a sponsor of the amendment proposed by Senator McFARLAND on July 18, 1951, to increase old-age assistance by $5 a month. I introduced a separate bill, S. 3120, on this matter on May 5, 1952. I am again joining Senator McFARLAND in offering this as an amendment to H. R. 7800.

I believe, however, it is important that improvements be made in our insurance system so that in the long run the need for assistance to the needy will greatly diminish. I look forward to the day when all of our aged will be receiving insurance benefits as a matter of right. But until the Congress improves the insurance program to make this goal possible, I am going to continue to urge increasing the public assistance payments to those who are needy.

A CONSTRUCTIVE PROGRAM FOR IMPROVING OLD-AGE INSURANCE

I recognize as do other Senators that it is not possible to consider today all the various amendments which would make the basic improvements in old-age and survivors' insurance which are needed. We must pass H. R. 7800 promptly. But important as H. R. 7800 is, we must keep in mind that it falls far short of what is needed to make our insurance program fully effective.

I feel it is important to point out this fact because I do not want any Member of this body to think that H. R. 7800 does a really complete job. What H. R. 7800 does—and it is, of course, essential that this be done—is to keep the program as revised in 1950 in adjustment with changes which have occurred since that time. That is all that H. R. 7800 does. It does not make any of the basic improvements in the program which are clearly needed and which ought to be made as soon as possible.

I have talked with the distinguished Senator from Georgia, who heads the Finance Committee, and he has assured me that the more fundamental improvements in the program will receive consideration next year.

What are these basic improvements? Well, first of all, there are many more people who ought to be brought into the insurance program. The program now covers about 80 percent of the people who work in paid civilian jobs. An additional 7 or 8 percent are covered by other public retirement systems. A little over 10 percent do not yet have any form of organized insurance protection. Among this 10 percent are self-employed farm operators and those farm and household workers who, though regular workers in every usual sense of the work, do not work for a single employer long enough to meet the strict requirements for coverage that were written into the 1950 amendments. There is no question that these people need the protection of the insurance program. They ought to be given that protection promptly.

Second, further improvements are needed in the benefit provisions of the insurance program. It is not enough merely to adjust benefit levels to increases in wages and prices after such increases have occurred. The benefit structure itself ought to be made responsive to increases in wages and prices. One provision which would help to accomplish this objective is a provision for computing the average earnings on which benefits are based over the worker's best 10 years of earnings, instead of over his entire working lifetime as is now required. The present method of computing average earnings, though reasonably satisfactory now because of the 1950 amendments, is simply not realistic for the long run. Benefit amounts awarded in the future will be diminished by periods of unemployment, by low wages earned early in the worker's life, and by sickness. Many other public retirement programs base benefits on the best 5 or 10 years of earnings, and a similar provision should be adopted for old-age and survivors insurance.

The benefit formula itself should also be revised. Ever since 1939 the formula has provided for paying in benefits a larger proportion of what might be thought of as low earnings than of high earnings. Thus prior to the 1950 amendments the formula was 40 percent of the first $50 of average earnings plus 10 percent of the remainder; at present the formula is 50 percent of the first $100 of average earnings plus 15 percent of the remainder. As wages go up, of course, the amount that constitutes low earnings also goes up. The level of earnings represented by $50 a month in 1939, and by $100 a month in 1950, might be represented by, say, $115 or $120 today. The benefit formula of the program must be adjusted to take these changes into account.

Even more important, the maximum amount of annual wages creditable toward benefits needs to be raised above the present level of $3,600. The $3,600 level is simply not high enough so that most workers can have all of their earnings credited toward benefits. The $3,600 figure should be raised, and raised substantially.

Another change I would suggest in the benefit provisions is one to correct an inequity brought about by the 1950 amendments. Those amendments eliminated from the benefit formula the so-called increment for years of service. As a result, a man now aged 60 will get the same benefit amount after contributing for only 5 years as a man now aged 40 who has the same average earnings and who will contribute for 25 years. This simply does not seem fair to the younger workers, and it is not fair to those workers. Some recognition should be given to length of participation in the system. An increment should be restored.

If these four benefit changes are made—basing benefits on the best 10 years of the worker's lifetime, an increase in the benefit formula, an increase in the maximum wage base, and restoration of the increment—the old-age and survivors insurance program will become the best program in the world providing security against wage losses caused by the old age or death of the family breadwinner. We can do no less.

HOSPITALIZATION

I have introduced one other bill which would greatly improve the old-age and survivors insurance system. This bill, S. 3001, which I introduced jointly with Senator MURRAY would provide prepaid hospitalization up to 60 days a year for everyone receiving old-age insurance who is in need of hospital care. The problem of sickness is serious for the aged. Again and again it wipes out a lifetime's savings overnight. Voluntary nonprofit plans and commercial insurance companies, almost without exception, do not cover people 65 years of age and over. This bill would help not only the aged but the communities in which they live. It would help the hospitals which now often provide hospitalization free of charge or for partial-pay services. It is my hope this bill will be accepted by the Congress as a partial solution to a very critical social problem—sickness in old age.

CONCLUSION

I want to conclude, Mr. President, by urging the immediate passage of H. R. 7800 and then early consideration of further and even more basic improvements in the old-age and survivors insurance program.

The great mass of people of this country have indicated that they want the right to earn their security, to pay their own way and to have the dignity and independence in old age which goes with an earned right. It is heartening indeed at this time in our struggle with totalitarian philosophies to find Americans united in their determination to end poverty at home—by giving each man the opportunity, in the American way, through our Federal insurance program, to earn his own security.

This is the way the American people want it, and this is the answer to communistic charges that the democracies cannot protect their people against want.

Mr. HUMPHREY. Mr. President, I again thank the chairman of the committee for giving me the time to make my statement. I again commend him.

The PRESIDING OFFICER. The question is on agreeing en bloc, to the committee amendments on pages 20, 21, and 24.

The amendments were agreed to en bloc.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 28, line 2, it is proposed to change the section number from "7" to "5".

The PRESIDING OFFICER. Without objection the amendment is agreed to.

Mr. GEORGE. Mr. President, it may be necessary to ask for a change in the title of the bill, but I understand that would have to be done after the bill has been passed.

The PRESIDING OFFICER. There are several committee amendments remaining to be acted upon.

Mr. MORSE obtained the floor.

Mr. GEORGE. Mr. President, will the Senator from Oregon yield to me for a minute? May we have the remaining committee amendments stated?

Mr. MORSE. I yield for that purpose.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 30, line 4, after "(4)", it is proposed to strike out "(A)."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The CHIEF CLERK. On page 31, at the beginning of line 19, it is proposed to strike out "$70" and insert "$100."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The CHIEF CLERK. In line 21, after the word "than", it is proposed to strike out "$70" and insert "$100."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The CHIEF CLERK. At the top of page 32 it is proposed to insert:

(e) In case the benefit of any individual for any month after August 1952 is computed under section 2 (c) (2) (A) of this act through use of a benefit (after the application of secs. 203 and 215 (g) of the Social Security Act as in effect prior to the enactment of this act) for August 1952 which could have been derived from either of two (and not more than two) primary insurance amounts, and such primary insurance amounts differ from each other by not more than $0.10, then the benefit of such individual for such month of August 1952 shall, for the purposes of the last sentence of such section 2 (c) (2) (A), be deemed to have been derived from the larger of such two primary insurance amounts.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The CHIEF CLERK. On page 32, line 14, it is proposed to change the section number from "8" to "6."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The CHIEF CLERK. On page 32, line 21, after the word "may", it is proposed to insert "until June 30, 1954, and thereafter shall."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

That completes the committee amendments.

Mr. GEORGE. Mr. President, the Senator from New York has an amendment which he wishes to offer to the amendment previously offered by the Senator from Arizona and agreed to by the Senate.

The PRESIDING OFFICER. The Senator from Oregon [Mr. MORSE] has been recognized and has the floor. Does the Senator from Oregon yield; and if so, to whom?

Mr. LEHMAN. Mr. President, I offer an amendment.

Mr. McFARLAND. Mr. President, will the Senator from Oregon yield? I have no objection to the Senator's amendment being adopted. The Senator from Georgia [Mr. GEORGE] has stated that he is willing to take it to conference. Perhaps we can dispose of the bill today.

Mr. LEHMAN. Mr. President, may I explain the amendment?

Mr. MORSE. I yield to the Senator from New York, provided I do not lose my right to the floor. Because there may be an attempt made to pass the bill this evening, I wish to state that I will not yield for that purpose, for the reason that the Senator from Washington [Mr. CAIN] has advised me that he intends to discuss the bill at some length. I do not know how long he will take, but he told me he wishes to discuss it at some length. I do not know whether the Senator from Washington intends to offer any amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a moment?

Mr. MORSE. I yield.

Mr. SALTONSTALL. Mr. President, I should like to state to the Senator from Oregon that I have sent for the Senator from Washington, who I understand wants to speak on the bill before it is passed.

Mr. MORSE. That is the point I wish to make. I assured the Senator from Washington that I shall, as a matter of courtesy, protect his right to discuss the bill before it is passed. That is why I proposed to make my speech on another subject at this time. I shall make my speech as soon as we dispose of the amendment of the Senator from New York, if I may have unanimous consent to yield for that purpose without losing the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon [Mr. MORSE] that he may yield to the Senator from New York without losing the floor? The Chair hears none, and it is so ordered.

Mr. LEHMAN. Mr. President, I send to the desk certain amendments which really constitute one amendment to H. R. 7800, I have shown the amendment to the Senator from Georgia, and he has no objection to taking it to conference.

I have a statement which I have prepared, dealing with the amendment, but I shall not take the time of the Senate to read the statement. I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

My amendment is a very simple one. Its apparent complexity is due to the fact that our social security laws are complex. All I propose is to amend the pending bill to provide for Puerto Rico and the Virgin Islands a somewhat more equitable formula for Federal grants for public assistance than is now the case. My proposal would somewhat increase Federal payments to Puerto Rico and the Virgin Islands, but would not even begin to place these Territories on a par with the States. In actual effect, my amendment would increase Federal grants to Puerto Rico by a maximum of about $1,800,000 and to the Virgin Islands, by about $70,000. This is a small amount, indeed, compared to the $250,000,000 which is proposed to be paid to the States under the terms of the McFarland amendment.

In 1950, when the last social security amendments were adopted, a formula was written into the law whereby Puerto Rico and the Virgin Islands were authorized to be given Federal payments of 50 percent of any expenditures for public-assistance payments in the categories of old-age assistance, aid to dependent children, and aid to the blind. The Federal Government was authorized to match, dollar for dollar, Puerto Rico's own expenditures for these purposes. However, a ceiling was written into our law so that Puerto Rico could not receive in any event more than $4,250,000 and the Virgin Islands $160,000 for all those categories of public assistance.

Puerto Rico has a population of over 2,000,000 in an area whose agricultural economy does not support this number of people. Unemployment is severe. The government and the people have been making Herculean efforts in recent years to expand their economy and to diversify it to give more employment and to raise the standard of living. Those efforts have been called operation bootstrap, and they have resulted in very significant progress.

But as a result of the basic economic situation, the Puerto Rican Government is severely limited in its ability to raise money for public assistance payments. The appropriation for public assistance is running at the level of $3,200,000 annually. There is little or no possibility that this amount can be substantially increased at the present time.

Thus, under the present matching formula, we can give Puerto Rico a maximum of $3,200,000 annually for its public assistance programs, despite the fact that the authorized ceiling now in our Federal law is $4,250,000. The Congress authorized grants up to $4,250,000 to Puerto Rico, but we are giving Puerto Rico only about $3,200,000. For the Virgin Islands, the authorized ceiling is $160,000. But this Territory is receiving only $70,000 annually.

The average monthly public assistance payment to an aged person in Puerto Rico at the present time is $7.53 a month, as against the authorized ceiling of $30 a month.

Think of it, today in Puerto Rico the total payment for an aged person is $7.53 a month. The same average is paid to the needy blind. The average payments for dependent children are actually $9.09 a month.

The number of cases receiving old-age assistance as of recent date was 32,400. The number of cases of aid to dependent children was 22,600. The number of cases of aid to the blind was 656.

But there are 45,000 pending applications for public assistance. There are 13,000 applicants for old-age assistance, 18,000 applicants for aid to dependent children, 700 applicants for aid to the blind, and 14,000 permanently and totally disabled cases. Few of these cases can receive any assistance unless the amendment now offered shall be accepted.

The cost of living in Puerto Rico is actually very little less than it is in continental United States. For an aged person to be forced to live on $7.53 a month, or an average of 25 cents a day, is a shocking situation. I cannot understand how these unfortunate fellow citizens of ours can exist at such a level.

Nor can we shut our eyes to the 45,000 cases of need which receive no payment at all. These are individuals—aged and infirm persons, permanently disabled persons, blind people, and dependent children—who are hungry and needy, who get no help at all from the government. There just is not money enough to help them.

How can we, as fellow Americans, as Members of the United States Senate, close our eyes to these conditions? How can we turn our backs on them? How can we say that we have discharged our obligation to these fellow citizens when we have provided a formula which in practice does not even make available the money which Congress has authorized?

The figures I have cited are official figures. They were supplied me by officials of the Social Security Administration who have just returned from Puerto Rico and the Virgin Islands where they compiled these statistics. The Puerto Rican government does not have the resources to enable it to increase its total expenditures for public assistance at the present time. Great progress has been made in the past year, but the backlog of need is so great that additional funds are needed if even the present program is to be maintained. The Puerto Rican government wants to increase payments to individual cases, but it desires even more to increase the case load, to do something for the many cases who now receive no payments at all.

There is a Federal law which requires that there be no discrimination as between applicants for public assistance. Yet in Puerto Rico there is, in effect, an unfortunate discrimination based solely on the fact that there are no funds available to take care of all the cases.

The pending amendment would increase the authorized ceiling on the Federal payment to Puerto Rico from $4,250,000 to $5,000,000. This is certainly a modest increase and still leaves the territory at a great disadvantage as compared to the States. In fact, the increase in the ceiling which I propose would not, in any sense, allow Puerto Rico to receive in Federal funds all the money which the change in the formula for the Federal contribution from one-half to two-thirds should bring to the territory. But this amendment certainly will allow more funds to be used to help these unfortunates, these underprivileged, these uncared-for individuals who are our fellow citizens and the citizens of tomorrow.

My amendment changes the basis for the formula to one roughly paralleling that for the several States, but it is one which is still much less liberal. The maximum payment for the aged and the blind authorized in my amendment remains the same as in present law—$30, instead of $50 as in other parts of the country, or $55 as proposed by the Senator from Arizona. My proposed change is in the Federal contribution which would be increased to two-thirds of the first $26 and one-half of the remaining $4 up $30. This is roughly the formula that was in effect in the States in 1946.

But this is, as I said, a theoretical formula. There is no prospect that Puerto Rico can increase its payments to anything like $26, even though that would not be an excessive amount to meet the cost of living in Puerto Rico. Today, as I said, these payments average $7.53 monthly.

I hope that with the funds which would become available under this amendment, Puerto Rico would be able to increase the size of the payments and also to take care of more of the individuals who need to be taken care of.

For aid to dependent children, my amendment provides that the Federal Government will pay two-thirds of the first $16 average per person and one-half of the balance up to $18 average. The maximum payment, which is unchanged from present law, is $18 for the first dependent child, $18 for one adult in each family, and $12 for each additional child. But this again is a purely theoretical maximum. There is no prospect for even approaching it. The change in the formula for the Federal contribution, from one-half to two-thirds, is the real heart of my amendment.

I point out that at the present time the only payments that come from both the Federal Government and Puerto Rico are in the aggregate less than $9 a month. Certainly no child or no mother caring for a child can subsist on that amount.

What I have said about Puerto Rico also applies with respect to the Virgin Islands. The payments actually being made in the Virgin Islands are slightly higher than in Puerto Rico, but they are still far below the limits set in the pending amendment. The number of pending applications is less in the Virgin Islands than in Puerto Rico, and most of the money made available under my amendment for the Virgin Islands, namely, a total of $70,000, would be used to increase the payments to somewhere nearer the level of need.

This figure is based on the fact that $70,000 is approximately the le[illegible] of present appropriations by the Virgin Islands for public assistance. The present Federal contribution is in the same amount. If my amendment is approved, the Federal contribution to the Virgin Islands would be about $140,000, still below the authorized ceiling of $160,000.

I earnestly hope that this amendment will be accepted by the chairman of the committee and by the Senate, because, in my opinion, the facts are so plain that I cannot believe the Senate, in making provision for the aged and the blind, and for dependent children, in continental United States, will overlook the even greater need of our fellow Americans in Puerto Rico and the Virgin Islands.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be read.

The Chief Clerk read the amendment, as follows:

On page 2 to strike out beginning in line 19, down to and including the word "and" in line 24, and insert:

"and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance, under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30—

"(A) two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $26 multiplied by the total number of such individuals who received old-age assistance for such month; plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and."

On page 4, line 9, after the word "and", to strike out down to and including the word "and" in line 18, and insert:

"(2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to dependent children, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $18, or if there is more than one dependent child in the same home, as exceeds $18 with respect to one such dependent child and $12 with respect to each of the other dependent children, and not counting so much of the expenditures with any month with respect to a relative with whom any dependent child is living as exceeds $18—

"(A) two-thirds of such expenditures, not counting so much of such expenditure for respect to any month as exceeds the product of $16 multiplied by the total number of dependent children and other individuals with respect to whom aid to dependent children is paid for such month, plus

"(B) one-half of the amount by which such expenditure exceeds the maximum which may be counted under clause (A); and."

On page 5, strike out lines 1 and 2 down to and including the word "and" and insert:

(c) Clause (2) of subsection (a) of section 1003 of such act, as amended, is amended to read as follows:

"(2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the blind, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30—

"(A) two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $26 multiplied by the total number of such individuals who received aid to the blind for such months, plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and."

On page 7, to strike out all down to and including the word and, and insert:

"(2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to the permanently and totally disabled, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30—

"(A) two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $26 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such month, plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and."

On page 7, strike out lines 23 and 24, and insert:

(e) The amendments made by this section shall become effective October 1, 1952.

SEC. —. (a) Section 1108 of the Social Security Act, as amended, is amended by

striking out "$4,250,000" and inserting in lieu thereof "$5,000,000."

(b) The amendment made by this section shall become effective October 1, 1952.

Mr. GEORGE. Mr. President, I have agreed to take the amendment to conference. In substance, if not strictly technically, it is an amendment to the amendment offered by the Senator from Arizona [Mr. McFARLAND]. The Senator from Arizona has no objection, and I have no objection. I shall be glad to take the amendment to conference.

Mr. LEHMAN. I should say very briefly that the amendment includes in a modified form the people of Puerto Rico and the Virgin Islands in the provisions of the bill.

Mr. GEORGE. We have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. MORSE. Mr. President, I am sure the Senator from Georgia has been advised by the majority leader that I sought to wait to make my speech until after we had disposed of the pending bill, which the Senator from Georgia has presented on the floor this afternoon. I had hoped that that could be done. However, in view of the parliamentary situation which has developed, when I was advised that the Senator from Washington [Mr. CAIN] wishes to speak at some length on the bill before it is passed, I shall now proceed to discuss another subject matter, and the Senator from Washington will then be able to discuss the points which he wishes to make with regard to the pending bill.

Subsequently, during the delivery of Mr. MORSE's speech, the following occurred:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 2594) to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, and for other purposes, with an amendment; that the House insisted upon its amendment, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. RAINS, Mr. WOLCOTT, Mr. GAMBLE, and Mr. TALLE had been appointed managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Am I correct in my understanding that a message from the House of Representatives in connection with a bill has precedence?

The PRESIDING OFFICER. The Senator is correct. The Chair will state that there are no official papers with the message from the House at this time.

Mr. SALTONSTALL. Does not the message represent the action of the House and is in place of the full papers?

The PRESIDING OFFICER. Not until it is documented by all the papers.

Mr. GEORGE. Mr. President, I hope that no Senator will suggest bringing up any other measure until we have a final vote on the pending bill.

Mr. MAYBANK. Mr. President, I should like to ask the Senator from Georgia how long the pending bill will take.

Mr. GEORGE. All the committee amendments have been agreed to.

Mr. MAYBANK. Mr. President, if I cannot ascertain how long it will take, I shall have to insist upon making the House message a privileged matter. A most important piece of legislation will expire on Monday. There is supposed to be a conference tomorrow, and I do not intend to go to the conference unless there is a yea-and-nay vote to show who believes in controls and who does not believe in controls.

Mr. MORSE. Mr. President, I was about to make a statement as to what I am willing to do in view of these developments. I have sought all afternoon for an opportunity to make this speech. I said earlier that I was going to protect the rights of the Senator from Washington [Mr. CAIN] who had left the floor. If the Senator from Washington is willing to forego his speech until the bill is passed, if I understand the majority leader correctly, I am perfectly willing to stop my speech at this point for a vote on the bill sponsored by the Senator from Georgia, and then proceed with my speech with the understanding that it will be printed in continuity in the RECORD.

Mr. McFARLAND. That would be very fine.

Mr. CAIN. Mr. President, I want to accommodate, as best I can, the wishes of the chairman of the Finance Committee as well as the wishes of the chairman of the Banking and Currency Committee, and if that can best be done by permitting me to address myself to the social-security bill, after a vote has been taken on the defense-production bill, it will be quite agreeable to me.

Mr. MORSE. With the understanding that I have unanimous consent to proceed with my speech after the vote, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF TITLE II OF THE SOCIAL SECURITY ACT

The Senate resumed the consideration of the bill (H. R. 7800) to amend title II of the Social Security Act, and for other purposes.

Mr. CAIN. Mr. President, may I make the request that the statement which I wish to offer on the question of social security be printed in the RECORD immediately prior to the taking of the vote?

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement submitted by Mr. CAIN is as follows:

For the Senate Finance Committee and particularly for its Chairman, Mr. GEORGE, and for its ranking minority member, Mr. MILLIKIN, I have a profound admiration and respect.

I do not like to take exception to any legislative recommendation which the Committee offers to the Senate. I generally find myself in support of recommendations which the Committee makes from time to time.

I must, however, offer some criticisms of H. R. 7800. These criticisms represent my conviction that no lasting good can result from amending our Nation's social security system which was established in 1935. In my judgment, this system ought to be eliminated as having been unjust and discriminatory in its treatment of the aged population in the United States. I believe that now is the time to consider and take action on a social security system which will provide and give equal consideration to all, rather than to some, of the aged in our Nation.

More than 2 years ago, on May 24, 1950, I submitted Senate Concurrent Resolution 92 calling for the appointment of an independent commission to investigate the Social Security System and report to the Congress recommendations and particulars for a soundly financed, universal coverage, pay-as-you-go system of old-age benefits.

I was moved to present this resolution for numerous reasons.

In my experience our present system was inordinately complex, many people were unjustly treated. The propaganda activities of the Federal Social Security Agency were more than suspect. The trust fund had been raided by the administration and the money used for other things. Numerous competent actuaries had concluded that the system would wind up in bankruptcy. The tendency of the Social Security bureaucrats to strive ceaselessly to expand their authority had roused the liveliest fears that they would eventually get control of our whole economic and cultural life

I could not, for my life, see why American ingenuity could not devise some honest, straightforward, and equitable system to deal with this problem.

To my mind a universal coverage, pay-as-you-go system was the obvious answer.

In part, at least, my proposal was scarcely new and startling. Sixteen years ago the platform of the Republican Party declared, among other things, that "we approve a pay-as-you-go policy, which requires of each generation the support of the aged and the determination of what is just and adequate."

How to set up such a system was another question and that was the reason for my resolution calling for the appointment of an independent commission to make recommendations to Congress.

My resolution failed to pass, but it was instrumental in the presentation of Senate Resolution 300 which was agreed to a month later on June 20, 1950. This resolution gave the Senate Finance Committee full power "to make a full and complete study and investigation of social security programs" including study of "a pay-as-you-go universal coverage system and the problems of transition to such a system" (CONGRESSIONAL RECORD, vol. 96, pt. 7, p. 8634).

It was my great hope that from this restudy we might receive some simple and clear proposal upon which the Congress could go to work. Many other people had such hopes also: bewildered beneficiaries, irate persons whose benefits for some mysterious reason had been suspended, insurance people, private pension administrators, not to forget harassed and bedeviled legislators.

From time to time I asked for particulars about the restudy. What success had been attained in getting independent experts? How soon could we have the plans? And so forth. But no new action or progress was forthcoming.

A year went by and we had before us a bill (H. R. 2416) dealing with the exclusion from gross income of income from the discharge of indebtedness. Hitched to this bill was an amendment providing for the increase of public assistance grants. On July 18, 1951, I took the floor to discuss this amendment. Over and over again the Congress had been jockeyed by the social security people on Old Age Assistance versus Old Age Survivors Insurance. We must expand the OASI benefits to cut down on the zooming costs of Assistance. We must jack the Assistance payments because of rises in the cost of living. Never would Ewing or Altmeyer or any of the other social-security burenucrats come clean on where they were going.

In discussion of this amendment a year ago I said (CONGRESSIONAL RECORD, vol. 97, pt. 6, p. 8364) "the original legislation of 1935 was a horrible mass of contradictions and that further expansion only made confusion worse confounded." I said that I believed that our present law was a cruel cheat that shut great numbers of old people out and would continue to do so. I called again for the recommendations supposedly forthcoming as a result of the restudy and urged as earnestly as I could that no time be lost in pressing the social security investigation.

I ended my discussion last year by repeating once more what I had said long before in 1950 at the conclusion of the debate on H. R. 6000, a brief set of remarks which I have repeated so often since that they have come to be a sort of theme song, shouted—I regret to say—into the teeth of the wind. I said:

"My position is this: If we are to have a social-security system at all, let us have one that freemen can accept with self-respect. Let us accept and act upon this bald truth:

"That our old people, who have done their life's work and have quit, must be helped by those of us who still work. In due time, our children must look after us. Not in the old way of the old folks on the farm, but in the same spirit adapted to the institutions of our day—through taxation. Let us have done with this nonsense of a contributory system, this playing house and calling it insurance.

"I accept wholeheartedly this proposition of having us who work help the old folks who have quit. I stand ready to pay as high a tax as my fellow citizens are willing to pay to put such an honest social security into operation.

"I refused to support H. R. 6000—not to evade a responsibility but rather to accept one.

"No kid stenographer in her first job in Tacoma will ever be able to accuse me of being an accessory to her defraudation when her retirement age finally comes. No down-and-out logger on the skidroad at the foot of Yesler Way in Seattle will be able to accuse me of forgetting his plight. No part-time apple picker in the Yakima and Wenatchee Valleys will be able to say that I did not recognize and seek to admit and save his rights.

"I say once more: If we are to look after some of our old people, we must look after them all; and, if we do this, let us find a way to do the whole job up year by year, starting every January 1 with a clean slate. If our Nation's economy gets pinched, the old folks will be pinched also. If we prosper, the aged will share in the Nation's prosperity. This is as it ought to be.

"But let us have done with the jobbery that for 15 years we have had the crust to call social security" (CONGRESSIONAL RECORD, vol. 97, pt. 6, p. 8365).

Some weeks ago the Senate granted me a leave of absence for some surgery. I had looked forward to 10 days of easy-going convalescence. No such luck. I did not wish to evade a responsibility undertaken so long ago. I quit my convalescent leave and have come back in order to urge the Senate once more to act before we are so deeply entangled in the present system that we can never escape.

The core of the problem remains exactly what it was. We have an unworkable system, riddled with injustices, backed up by a phony trust fund and on its way to bankruptcy.

The chief provision of the bill increases the benefit rate by $5 a month or by 12½ percent, whichever is the larger. This is usually referred to as the $5 raise.

It is commonly said that the beneficiaries need the $5. Of course they need the $5. But they are not the only ones who need it.

The April 1952, issue of the Social Security Bulletin tells us (p. 27) that there are about 2,600,000 persons receiving old-age assistance. Next, the April 1952 report of the trust fund (p. 12) tells us that we have about 3,500,000 persons 65 and over who are beneficiaries of OASI. (This latter figure is reached by subtracting from the number of OASI beneficiaries the dependent children and widows under 65 now drawing benefits.)

If we add these 2 figures we get a total 6,100,000 persons who are getting money under these 2 programs. But the very same trust fund report also tells us (p. 8) that as of June 30, 1951, there were 12,700,000 persons 65 and over in the country.

In other words, more than half of the old people are left outside.

Are we to suppose that these 6,600,000 left outside, couldn't use $5 a month? They could use $5 as well as other aged.

The 6,600,000 left outside would have in it the people 65 and over who are getting railroad retirement and civil-service retirement pensions but the total of these 2 groups would be less than 500,000 still leaving 6,000,000 outside.

What about the aged people in my own State of Washington? Are all of them covered by social security and will all of them benefit from the passage of H. R. 7800?

According to the closest estimates available to me, there are in the State of Washington about 225,000 men and women 65 and over. Some of these men and women are presently drawing either old-age and survivors insurance or getting old-age assistance. They are drawing these benefits and getting this assistance in varying amounts and according to a set of calculations that will drive you crazy. But they are getting something.

But, according to the nearest figures I can get, there are 102,900 men and women 65 and over in the State of Washington who receive nothing. That is almost half of the total number of old people in the State. Some are still working, some have looked after themselves and don't need to worry. There wil be many others in this indistinct crowd of 102,900 for whom circumstances are anything but pleasing. But the only thing we know for sure is that they are outside the system. I am speaking to and for this great half of the crowd. What are we going to do about them?

Most earnestly I urge the Senate to do something about the forgotten old people in Washington State and the 6,000,000 aged persons who live forgotten throughout the Nation.

We could act promptly and constructively if we only would.

It had been my intention to move to recommit H. R. 7800 in this language:

"I move that H. R. 7800 be recommitted to the Committee on Finance with instructions to report the bill back to the Senate, so amended as to provide for a pay-as-you-go, universal coverage social-security system which will pay a flat benefit to every person in the United States who is 65 years of age or over, and that the Committee on Finance report this amended bill at the earliest possible moment."

I believe in this motion, and hope to see such a motion prevail in the near future. I shall not so move today because of the pressure being exercised to adjourn by Saturday, July 5. But should I be so fortunate as to be reelected in November to a second term in the Senate of the United States, I shall seek an opportunity to work, I trust, with many others, for the approval of a social-security system which recognizes that all of our aged are entitled to the same consideration.

I am not an expert and I certainly do not propose to debate the mathematics of the present social-security labyrinth.

I contend, however, that the following points represent only common sense and, if I may say so, common honesty:

1. A universal coverage, flat benefit, pay-as-you-go system is a simple concept and can be simply administered.

2. The individual recipient must apply for the benefit and his application may be validated in any local agency which the governor of the State may specify.

3. The payment of the benefit checks could be handled by a single Treasury bureau and the transaction should be a relatively simple matter.

4. Such a system sweeps away at a stroke the weirdly complicated and expensive administration we have now. The Social Security Administration presently employs twelve or thirteen thousand persons. Two years ago we were paying a million dollars a year in business-machine rental to tabulate, I suppose, nearly a hundred million wage records.

5. Not only would administration be much simpler under the new system; such a reformation as I have described would deal a body blow, a death blow, to the political and economic ambitions of the bosses of the existent system. Their power lies in the contrived complexities of the system and their control over the cabalistic mysteries which few persons can understand.

6. It may be contended that by such sweeping expansion of the number of benefit recipients that a giant political pressure group would be created. We have got such a group already, and I submit that if there were but one single benefit everyone in the country would be conscious of it and, I would judge, be far more conscious of the total cost than they are today.

7. Such a new system as I have described would be paid for at the year's end. We pay as we go out of the general revenue. We are free of debt. Competent actuaries have warned that the impenetrable tangle of deferred benefits that we have today will lead to bankruptcy of the system. How can these security agency figure jugglers undertake promises due 40 years hence when they can't predict with certainty our economic future, our birth and death rate, and a dozen other factors?

8. Would the annual cash outlay be big? Yes, it would, but we would know what we were doing and where we were going. We don't now.

9. The saving in both money and time in the community in general would be incalculable. I cannot tell the number of clerks, statisticians, and accountants who today are employed in the sterile, profitless, and unproductive labor of keeping social-security records in business offices throughout the land, but the number must mount far, far into the thousands. Imagine the feeling of relief when this burden is lifted.

10. Of course there is the problem of that trust fund. According to the most recent report of the trustees (April 1952) the fund has assets of upward of $14,000,000,000. But we all know that almost all of those assets are Government paper and there's no point in discussing the grief of double taxation again. Millions of people not yet drawing benefits have paid in taxes. They feel they have an equity. Some way must be devised to pay back their equity, pro rata or some way. This may be a troublesome job but it would be better to do it and extract this particular bone that chokes the public throat. We have got to pay something as a penalty for having made a terribly wrong beginning.

These points would constitute the foundation from which a respected and respectable social-security system could be hammered out and established. It would be a system which we could understand and trust. The cost of this system could be accurately determined. We must someday adopt such a social security system if we do really believe in fairness to our aged and if we believe in financial integrity. What must be done sometime we ought to do in our time. I can think of no greater contribution we could make to the future than to replace a system which few people understand and fewer people trust with a system which would always be as honest, good, and reliable as the nation which supports it.

Mr. MURRAY subsequently said: Mr. President, earlier in the day I had intended to make some remarks on the social security measure, but while I was temporarily absent from the Chamber final action was taken on that bill. I now ask permission to make those remarks, and to have them printed in the RECORD prior to final action on that measure.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair understands that the request is that the remarks appear at a prior point in the RECORD, together with a statement indicating that the remarks were made subsequently.

Mr. MURRAY. That is correct.

Mr. President, H. R. 7800, the bill we have before us today, would make some vitally needed changes in the old-age and survivors insurance program, affecting the present and future security of millions of American citizens.

The bill would—

First. Increase the insurance benefits;

Second. Liberalize the retirement test;

Third. Provide wage credits under the insurance system for members of the Armed Forces during the present emergency period; and

Fourth. Make several changes to correct inequities and to improve administration.

I deeply regret that the Finance Committee saw fit to drop two very important provisions contained in the House version of the bill.

One of these is the provision which would permit certain State and local government employees to obtain old-age and survivors insurance coverage without giving up the protection of their present retirement systems. The provision in the present law which excludes all members of retirement systems from old-age and survivors insurance coverage has prevented many groups who want old-age and survivors insurance coverage from obtaining it. Moreover, it has resulted in the dissolution of retirement systems by a number of groups which wanted coverage and took the only way open to obtain it. The provision which the House adopted to correct this situation would continue the exclusion of the groups that still want to be excluded, elementary and secondary school teachers and policemen and firemen, but would give other retirement system members the chance to decide for themselves through a referendum, whether they want old-age and survivors insurance coverage. I believe that was a good provision and I wish it had been retained.

I also regret the dropping of the provision which would preserve the full retirement and survivors' rights of workers who are permanently and totally disabled before they reach age 65. This so-called waiver of premium provision which was thoroughly debated and overwhelmingly adopted by the House of Representatives would prevent many thousands of workers from losing all rights to benefits when they become disabled. It would prevent additional hundreds of thousands of workers from having their retirement benefits reduced $5, $10, or even $40 a month by excluding periods of permanent total disability from their benefit computations.

It is true that an atmosphere of controversy was created by those in control of the American Medical Association concerning the waiver of premium provision for permanent and total disability. But their opposition to this proposal is misguided. The House which was at first stampeded by the AMA opposition reconsidered the question and voted for this proposal by the overwhelming vote of 361 to 22. This would not have happened had there been anything to the AMA's position. As Mr. KEAN, Republican member of the Ways and Means Committee from New Jersey, pointed out in the House debate, the American Medical Association just does not represent the ordinary doctor on this issue. He said that he had talked to doctor after doctor about this proposal and they all agreed with him that the provision in the bill was a good thing and they all disagreed with the AMA. As a matter of fact, all six doctors who are Members of the House voted against the American Medical Association on this issue.

Anyone can see that there is no truth to the AMA's charge that this provision is socialized medicine. This is a waiver of premium provision just like the Congress provided in the National Service Life Insurance program. Because a handful of political doctors in the American Medical Association hierarchy want to make it appear to be something it is not is no reason to consider this proposal a controversial one. It is not controversial among intelligent men as soon as it is understood.

Twice within 2 years the lower House has sent us a bill containing a conservative, judicious, reasonable provision intended to answer the pleas of the unfortunate disabled whose rights are impaired or lost under the present system. In 1950 the House sent us a provision in H. R. 6000 that would have permitted payment of a man's social-security benefit before 65 if he became permanently and totally disabled. In addition, the 1950 provision preserved the rights of such a person to his old-age benefit and the rights of his widow and dependents to survivor benefits.

The Senate Finance Committee has also received recommendations favoring such a program from an advisory council composed of outstanding citizens appointed when the distinguished junior Senator from Colorado [Mr. MILLIKIN] was chairman of the Finance Committee. This council, headed by the late Edward Stettinius, Jr., and with Sumner Slichter, the famous economist, as associate chairman, represented labor, business, and government, and expert and professional opinion. They, too, recommended a cash benefit program for the permanently and totally disabled after a thorough study of all sides of the question.

Proposals for disability insurance were also considered at length by the Senate Committee on Finance during the 1950 hearings. Because of this long consideration of the general subject of disability it does not seem necessary to me to delay longer in putting into effect this much more limited proposal of a waiver of premium.

Mr. President, there will be bitter disillusionment among the thousands of seriously disabled persons who had hoped and prayed that the provision preserving their insurance rights would be included in this bill. These tragic and helpless persons—some blind, many with cancer, many bedridden, and many more confined to their homes with incurable chronic ailments—these unfortunate sufferers ask us just one question. Why must they lose rights they have earned under the old-age and survivors insurance program? Why?

I venture to say that every single Member of this body is agreed that the misfortune of disability should not count against these persons when we come to figure their social-security benefits. But still we are going to continue cutting their insurance benefits in half. And for some, we will wipe out their rights entirely.

They ask us just one question. "Why?" Why in all fairness and decency will we not let them submit their doctor's certificate to the Bureau of Old-Age and Survivors Insurance so that the fact of their disability can be established for the record?

We have provided this right under veterans' insurance. Why not under OASI? We have provided much fuller rights to railroad workers and to civil-service workers under their retirement programs. Why not under OASI?

I will tell the Senate the answer we shall have to give our constituents this summer when they ask "Why?" The political hierarchy of the AMA says waiver of premium does not belong in an insurance program. Believe it or not, that is what they telegraphed to every Member of the House of Representatives on May 17. I quote:

American Medical Association objects to disability provisions for following reasons:
1. It does not belong in insurance bill.

Please note, the political AMA does not say that it is medically impossible or medically impractical to establish the

fact of disability for purposes of waiver of premium. The political AMA says that in its political judgment this provision does not belong in an insurance bill. The truth is that thousands of doctors are conducting disability examinations all over the country, every day, for hundreds of life insurance companies and for scores of public and private retirement systems. Waiver of premium is a standard, everyday type of insurance provision. It does not involve any medical care. It does not involve any control over doctors. It is essential to any good insurance or retirement program. Waiver of premium is all—absolutely all—the House of Representatives provided for in H. R. 7800. I hope the Senate conferees will accept the House provision on this point because I believe the members of this chamber will not be satisfied to let the record testify to the fact that we have become confused about an issue so simple. I do not think that we want the record to show that we have been bowled over by a barrage of false charges laid down to suit the political motivations of the AMA hierarchy.

Mr. President, over 62,000,000 people are insured today under old-age and survivors insurance. The value of this protection for every insured person is potentially at stake.

Mr. President, this Congress has repeatedly strengthened and improved the Nation's social insurance system because we believe that program is a bulwark of individual initiative and of our American way of life. Less than 2 years ago we brought 10,000,000 more people under the system so that today about 80 percent of the persons who work for a living are helping to contribute to their own future security through payroll and self-employment contributions.

When a man contributes to this program for years and years, it is in the hope and expectation that it will help to sustain his independence in old age and the independence and security of his loved ones. He either owns his own home, or hopes to. His savings may be modest, but he intends to manage somehow, God willing. He does not look forward to the prospect of local relief or public assistance when he becomes too old to work.

Now let us see what happens to this man's social security if he is unfortunate enough to suffer a severe stroke, or become blind, or otherwise so seriously disabled before 65 that he cannot continue in his job. We say to him: Use up your savings and, if need be, sell or mortgage your home. Your plight, the AMA would have us say, is not properly the subject of social insurance.

"All right," the man says, "it is going to be tough, but I will try to get along until I am 65. I do not think I will be able to hold out, but I will try. Just do not take my social security away from me. And do not make my family suffer because of my bad luck."

How can we face this man and tell him that we have been advised by the AMA not to even protect this man's status for old-age and survivors insurance benefits? If we are concerned about the mounting costs of public assistance, how can we tell this man that the dependency of his family is not a matter of our concern?

Mr. President, we have established a program of Federal old-age and survivors insurance and have demonstrated our concern for the adequacy of these benefits. The waiver of premium proposal addresses itself purely and simply to the adequacy of existing benefit rights. I submit, Mr. President, that the provision is an appropriate and necessary measure to correct a shameful deficiency in the present method of computing benefits. The provision belongs in an insurance bill. It belongs in this bill.

The American Medical Association opposes the disability provision in an insurance bill because they say it is "socialized medicine." Representative DOUGHTON, chairman of the House Committee on Ways and Means, categorically denies this allegation. Representative KEAN, a Republican member of the Committee on Ways and Means, vigorously denies it.

The Senator from Georgia [Mr. GEORGE], the Chairman of the Finance Committee, when asked during the debate on the 1950 amendments whether disability insurance involved socialized medicine said he did "not think that is a valid objection" to the proposal (CONGRESSIONAL RECORD, vol. 96, pt. 7, p. 8094).

Now what is the AMA position on disability insurance and examining individuals who are permanently and totally disabled.

The American Medical Association has been officially on record for some 10 years as supporting the viewpoint that it is the responsibility of a Government agency to certify the fact of disability. This is in contrast to the statement of its board of trustees, which recently adopted a contrary position when it opposed H. R. 7800. The House of Delegates of the American Medical Association—the governing body of the organization—on September 17, 1938—as reported in the Journal of the American Medical Association of September 24, 1938, page 1216—adopted the following recommendation of the Reference Committee on Consideration of the National Health Program:

> Under recommendation V on insurance against loss of wages during sickness: In essence, the recommendation deals with compensation of loss of wages during sickness. Your committee unreservedly endorses this principle, as it has distinct influence toward recovery and tends to reduce permanent disability. It is, however, in the interest of good medical care that the attending physician be relieved of the duty of certification of illness and of recovery, which function should be performed by a qualified medical employee of the disbursing agency.

The following statement was published in the Journal of the American Medical Association, issue of December 11, 1945, page 953:

> COMPENSATION FOR LOSS OF EARNINGS DUE TO SICKNESS
>
> The first proposal in the President's program and in Senator Wagner's measure is compensation for loss of earnings due to sickness. The American Medical Association through its house of delegates has consistently favored such insurance.

As recently as October 1947 the house of delegates adopted the position, with respect to chronic illness, that:

> Social security measures to maintain income such as disability insurance, old-age insurance, and public assistance are likewise of vital importance. (Journal AMA, October 11 and October 18, 1947, p. 436.)

These official statements of the house of delegates have never been rescinded, nor has the house of delegates taken any action inconsistent with them.

Why then does the AMA continue to fight against helping the disabled?

I have been interested in the social security program from its inception. Over the years I have introduced many bills to greatly expand and improve our Federal social security system. I am for this bill because it is a step in the right direction. Actually, much more is needed to make the old-age and survivors' insurance program the real bulwark of economic security this Nation has a right to expect it to be. I hope we will not wait long to take much greater strides toward this better program.

Mr. President, the 2 years that have elapsed since passage of the 1950 amendments to the Social Security Act have brought renewed support across the Nation and in this Congress for the contributory principles of social security. I have heard no serious complaints about the coverage extension and other improvements voted by us at that time. On the contrary, everywhere I go doctors, lawyers, dentists, farmers, and others ask me why they have been left out of this system.

It is heartening to find labor, business and the public in all walks of life supporting the principles of contributory social security. We have here a method—an American method—that fosters individual initiative and that helps people to help themselves. This method deserves our support and our closer attention. It is a bulwark to our way of life.

The people of this country want the right to earn their social security. They want the independence in old age that comes from having helped to pay for their benefits, the dignity that comes from an earned right. Old-age and survivors insurance is a means of preventing dependency integral to our system of wages and self-employment earnings. As each man works he earns not only wages. He also earns rights to social security. Because the benefits are variable and wage related, security becomes a reward for work. This is a conservative, constructive approach to the problems of dependent old age. It avoids the stigmas and the economic and political dangers of a system of hand-outs or of indiscriminate pensions.

The first social security bill I introduced with Senator Wagner and Representative DINGELL was in 1943. We reintroduced our proposals in 1945, 1947, and 1948.

When we first introduced our bill the opposition called it the American Beveridge plan. This was the first step in an attempt to defeat the proposal. It

was given a foreign name so as to make it seem that we were just copying a foreign proposal. But since our plan was an American plan, this attempt to stop interest in our proposal was not successful.

When we introduced our original bill, and on each successive occasion when we introduced a new bill in a new Congress, we expressed the hope that the bill would provide a basis for constructive thinking and legislation in a field where it was sorely needed. During 1943 and 1944 our proposals were the target of a most widespread campaign of opposition, almost unprecedented in volume and in character. I have often witnessed the use of false and misleading propaganda for political purposes and the use of extravagant charges in order to defeat legislation, but I never knew an opposition quite so unprincipled as the campaign which was conducted against the legislation which we introduced.

We recognized, however, that every important proposal to advance the public welfare has always met opposition at first from groups who care only about their own selfish interests. Usually they are satisfied with the status quo, and are opposed to any change whatsoever. Free public education, child-labor legislation, bank-deposit insurance, universal suffrage, the Federal income tax, and other measures to safeguard the general welfare of the public were all bitterly opposed when they were first suggested. The opposition which we faced when we first introduced our social-security bill never shook our faith in the need for social security or in the fundamental soundness of our proposals. I believe that we have been vindicated. The 1950 social-security bill contained many things which we advocated several years ago.

Practically all Members of the Senate in 1950 supported the provisions for improvement of the Federal old-age and survivors insurance program, for the extension of its coverage and liberalization of its benefits. I am delighted that the minority members of the Senate Finance Committee supported the 1950 bill. But I should like to recall to the attention of the Senate that in 1935, when the question of old-age insurance first came before the Senate, a Republican-sponsored amendment offered by Senator Hastings, of Delaware, sought to eliminate the old-age insurance program from the bill. His amendment was defeated, 15 to 63.

When the social-security bill was reported out of the Ways and Means Committee of the House of Representatives in 1935, seven of the Republican members of the committee signed a minority report in which they opposed the establishment of the old-age insurance system. Speaking of the insurance program they said as follows:

> These titles impose a crushing burden upon industry and upon labor.
>
> They establish a bureaucracy in the field of insurance in competition with private business.
>
> They destroy old-age retirement systems set up by private industries, which in most instances provide more liberal benefits than are contemplated under title II. (Conference committee report on H. R. 7260, 74th Cong., 1st sess., Rept. No. 615, pp. 43–44.)

Not a single one of these fears expressed by the Republican opposition has come to pass. The philosophy of fear is frequently used to try to defeat progressive legislation, but after the legislation has been put into effect and has been made workable by a Democratic administration the Republicans come around and support it as if they were the original friends of the program who had gotten it enacted into law.

I do not want my remarks to indicate criticism of anyone. I am just trying to bring out the facts. Every time we on the Democratic side have advanced progressive social legislation it has been repeatedly criticized, in the beginning by conservative groups and representatives of the Republican Party, but later on the Republicans see the light and begin to defend what we have done and to take credit for trying to do the job bigger and better than we have.

Of course, I recognize that this is an inevitable human tendency. I believe those of us who are in favor of social legislation must recognize the fact that we are going to get a lot of criticism when we first advance proposals, but that as time goes on we shall get more and more support, and, finally, after our proposals are enacted, those who first opposed them will begin to see their merit.

One of the very fine provisions in the 1950 amendments was the one which for the first time includes small-business men under the insurance program. In 1943 I was chairman of a special committee to study problems of American small business. In conjunction with former Senator Capper, our committee published a study called Small Business Wants Old-Age Security.

That was the first time there had been any real study of the problem of covering small-business men under the Federal OASI program. I am very proud of that study. I am proud of the fact that the committee of which I was chairman recognized the problem and indicated, 7 years in advance, how social-security protection could be extended to persons in business for themselves.

One reason why I have long been in favor of national social legislation such as old-age and survivors insurance is that it helps small business. Contrary to the false statements, that are sometimes made, that national social legislation hurts small business, I am convinced that workmen's compensation, accident and health insurance, old-age insurance, and unemployment insurance help small business to retain its employees against the competition from big business, and also help small business by maintaining purchasing power for families, so that they can buy merchandise at their local grocery, drug store, and hardware store, can pay for tickets to their local movie, and can pay their doctor and hospital bills.

In the bill which former Senator Wagner and I introduced on June 30, 1943, we included a provision for the coverage of all self-employed businessmen, and that provision was repeated in every insurance bill that we introduced thereafter. We did not get very much support in 1943, 1945, or 1947 from any of the Republican Members of the Congress for our proposal, but I am deeply gratified that now the Members of the minority have come around to seeing that we had a sound idea.

In the bill we introduced in 1943, we included a provision for giving wage credits to individuals while they were in military service. We repeated this provision in our succeeding bills. Although the Congress did not see fit, for 7 years, to go along with this provision until 1950, when it included wage credits for persons who served in the military service during World War II we are all agreed today to an extension of it to present-day servicemen.

I have consistently supported social security and full-employment legislation, because I believe that such legislation will help us to preserve our free enterprise system. I believe that if we are to have a dynamic economy people must have an opportunity to work at rates of pay that will sustain a rising standard of living, and that there must be common protection against the causes of insecurity which face people who work for a living.

The program of full employment and social security under a free enterprise system, which I have advocated during these past years is not going to come in the United States of its own accord. If we want that kind of program and want to put it in operation we must plan for it, we must work for it, and we must fight for it, against the opposition of those who are constantly trying to defeat our proposals.

I believe that we are going to go forward to improve our wages, increase our employment, and raise our standard of living. As we do this, we can provide social security for our people without impairing incentives or placing too great a burden upon the productive members of our society. If we are to act as a humanitarian, intelligent, democratic Nation, we must make adequate provision for those in our country who become sick, disabled, aged, or unemployed, or who die prematurely. We must continue to improve our social security program.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to increase the amount of earnings permitted without loss of benefits, and for other purposes."

SENATOR McMAHON, OF CONNECTICUT

Mr. BENTON. Mr. President, I have received numerous inquiries from Senators regarding the health of my colleague, the senior Senator from Connecticut [Mr. McMAHON] about which there is much concern. I am glad to advise the Senate that I have encouraging reports from the doctors and from Mrs. McMahon. The doctors say that the Senator should be out of the hospital within a week or so. I trust he will be back on his feet within 2 weeks or less, or at least that he will be out of his sickbed.

I ask unanimous consent to have printed in the RECORD the leading editorial, entitled "McMAHON'S Candidacy," published in the Bridgeport Sunday Post on June 22, 1952.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

McMAHON'S CANDIDACY

Senator BRIEN McMAHON, candidate for the Democratic nomination for the Presidency, is having a hard time of it these days, campaigning from a sickbed in his Washington home.

The senior Connecticut Senator has been ill a month with a sacroiliac condition, a most unpleasant ailment which has kept him from his duties in the Senate as well as his important post as chairman of the Joint Committee on Atomic Energy. For a man of Mr. McMAHON'S energy and numerous activities, to be confined to his home with illness, is aggravating, to say the least.

The Senator was unable to attend the recent Democratic convention in Hartford, when the State's 16 delegates were pledged to him. Mr. McMAHON read a stirring address to the convention from his bed, in which he offered a five-point program for peace.

This included appointment of a commission to "rethink the twin problems of world disarmament and world development." He would, if President, deliver a formal note to Stalin, demanding appointment in Russia of a similar commission to study and prepare a campaign against weapons and want.

The Senator would wage peace by bringing together heads of states within the U. N. Security Council to consider development of the world while at the same time disarming it.

But he would also order the production of hydrogen bombs in four figures, to prevent war and win us time to wage peace. Finally, he would substitute cheap atomic and hydrogen fire power for expensive, conventional fire power to reduce taxes and balance the budget while we wage peace. In his address he pointed out that we cannot go on indefinitely spending fifty and sixty and seventy billions of dollars a year on defense without threatening the backbone of our economy.

We hope Senator McMAHON will be fully recovered in time to head his delegation in Chicago on July 21, and repeat to the huge assembly of delegates as well as to millions by radio and television his powerful and progressive plan for dealing with the Communist empire and his tactical proposals to win back the peace.

Republicans as well as Democrats who have a high regard for the distinguished Connecticut Senator wish him well at this time, hoping he will be fully recovered, long before convention time, so as to be on hand when the presidential nominations are being offered.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. MAYBANK. Mr. President, as I understand, the Senate may now take action on the request of the House for a conference with the Senate on the amendment of the House to the Defense Production Act.

The PRESIDING OFFICER. That is correct.

Mr. MAYBANK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER (Mr. SCHOEPPEL in the chair). Is there objection?

Mr. MAYBANK. Mr. President, I have no objection, with the understanding that a quorum call will be continued after the distinguished Senator from Oregon [Mr. MORSE] has spoken.

Mr. McFARLAND. We cannot make any such stipulation.

Mr. MAYBANK. Then I object to discontinuing the quorum call.

The PRESIDING OFFICER. Objection is heard.

Mr. MAYBANK. I want to have the situation distinctly understood. I want the American people to know, in no uncertain terms, about the bill which was passed by the House today. I want to be instructed, as a humble Member of this body, as to what I shall do tomorrow in the conference. I expect to be instructed.

The PRESIDING OFFICER. The Chair is informed that probably a quorum can be announced, because a sufficient number of Senators are present.

Mr. MAYBANK. If a quorum is present, then let us go ahead.

The PRESIDING OFFICER. The clerk will continue with the call of the roll.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Hendrickson	Moody
Bennett	Hennings	Morse
Benton	Hickenlooper	Mundt
Bricker	Hill	Murray
Bridges	Hoey	Neely
Butler, Md.	Holland	Nixon
Butler, Nebr.	Humphrey	O'Conor
Byrd	Hunt	O'Mahoney
Cain	Ives	Pastore
Capehart	Jenner	Robertson
Case	Johnson, Colo.	Saltonstall
Clements	Johnson, Tex.	Schoeppel
Connally	Johnston, S. C.	Seaton
Cordon	Kem	Smathers
Dirksen	Kilgore	Smith, N. J.
Douglas	Knowland	Smith, N. C.
Duff	Lehman	Sparkman
Dworshak	Long	Stennis
Eastland	Magnuson	Taft
Ecton	Malone	Thye
Ellender	Martin	Tobey
Ferguson	Maybank	Underwood
Flanders	McCarran	Watkins
Frear	McCarthy	Welker
Fulbright	McClellan	Wiley
George	McFarland	Williams
Gillette	McKellar	Young
Green	Millikin	
Hayden	Monroney	

The PRESIDING OFFICER. A quorum is present.

Mr. McFARLAND. Mr. President, will the Senator from Oregon yield for an announcement?

Mr. MORSE. Provided I do not lose my rights to the floor.

Mr. McFARLAND. The Senator from South Carolina [Mr. MAYBANK] wishes a yea-and-nay vote on the question of the amendment of the House of Representatives to the defense production bill, and the request of the House for a conference. So I hope Senators will remain in the Chamber. The Senator from Oregon, of course, has the right to proceed with his remarks.

Mr. MORSE. I hope the majority leader and the Senator from South Carolina understand that a vote can now be taken.

I understand that it is a privileged matter, and I shall certainly cooperate by yielding the floor for the purpose of considering the privileged matter.

Mr. McFARLAND. Mr. President, I wish to thank the distinguished Senator for his attitude and his graciousness.

Mr. MORSE. I have repeatedly said that I would not interfere with the consideration by the Senate of any privileged matter. I repeat that statement.

Mr. MAYBANK. Mr. President, I appreciate the statement of my good friend from Oregon. We have spent many a long night together on the floor of the Senate. I appreciate his willingness to go along.

Mr. MORSE. Mr. President, I remind the Presiding Officer that we have an agreement, my remarks will be printed in continuity in the RECORD.

The PRESIDING OFFICER. The Chair so understands.

Mr. MAYBANK. Mr. President, I ask the Chair to lay before the Senate the message from the House on the defense production bill.

The VICE PRESIDENT laid before the Senate the message from the House of Representatives insisting upon its amendment to the bill (S. 2594) to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MAYBANK. The message has been laid before the Senate. I move that Senate disagree to the amendment of the House, agree to the request of the House for a conference, and that the Chair appoint conferees on the part of the Senate.

Mr. KNOWLAND. Mr. President, before the motion is acted upon, may we have an explanation as to what action the House took on this bill?

Mr. MAYBANK. Unfortunately, I may say to my good friend from California, it may be a long time before the House amendment is printed, and Senators would not have access to it. So I have moved that the Senate disagree to the House amendment, agree to the request of the House for a conference, and that conferees on the part of the Senate be appointed by the Chair.

The VICE PRESIDENT. The question is on the motion of the Senator from South Carolina that the Senate disagree to the amendment of the House, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

Mr. DWORSHAK. Mr. President, do we know what action we are taking here? What are we doing?

The VICE PRESIDENT. The Senate is about to send the bill to conference.

Mr. DWORSHAK. Did the motion include disagreement to all the House amendments?

The VICE PRESIDENT. That is correct.

Mr. DWORSHAK. What are those amendments?

The VICE PRESIDENT. There is but one amendment.

Mr. DWORSHAK. How do we know what it is? Is the Senate not entitled to some information?

Mr. McFARLAND. Mr. President, if the Senator will yield, we know that the Senate did, and we know we want the bill the Senate passed.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield to the Senator from Illinois.

Mr. DIRKSEN. I suppose there is some concern, Mr. President, about what sending the bill to conference and disagreeing to the amendment of the House may involve, so far as future action of the Senate is concerned.

Mr. MAYBANK. The Senator is correct.

Mr. DIRKSEN. I am quite agreeable that the bill go to conference, notwithstanding the fact that the action taken by the House on many individual items is quite consonant with proposals I offered in the form of amendments on the Senate floor. My desire was not consummated here. I, of course, expect the House conferees to give a good account of themselves, and that the Senate conferees, who share the views that we expressed when the bill was here, will do likewise.

That matter, of course, must necessarily be adjusted in conference. If I were to express a personal viewpoint, I would hope that the Senate conferees would concur in all or most of the action that has been taken by the House. But, notwithstanding that, we will still have an opportunity to vote on the conference report when it comes from conference, and it will be subject to rejection or acceptance, as each individual Senator may see fit.

The VICE PRESIDENT. The question is on the motion of the Senator from South Carolina.

Mr. MAYBANK. I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on the motion of the Senator from South Carolina.

The motion was agreed to.

The VICE PRESIDENT. The Chair will appoint the following conferees——

Mr. MAYBANK. I regret that I am going to have to ask for the yeas and nays. I ask that my friends in the Senate give me a vote of confidence.

The VICE PRESIDENT. It is too late for that. The Chair has already announced the decision.

Mr. MAYBANK. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hendrickson	Moody
Bennett	Hennings	Morse
Benton	Hickenlooper	Mundt
Bricker	Hill	Murray
Bridges	Hoey	Neely
Butler, Md.	Holland	Nixon
Butler, Nebr.	Humphrey	O'Conor
Byrd	Hunt	O'Mahoney
Cain	Ives	Pastore
Capehart	Jenner	Robertson
Case	Johnson, Colo.	Saltonstall
Clements	Johnson, Tex.	Schoeppel
Connally	Johnston, S. C.	Seaton
Cordon	Kem	Smathers
Dirksen	Kilgore	Smith, N. J.
Douglas	Knowland	Smith, N. C.
Duff	Lehman	Sparkman
Dworshak	Long	Stennis
Eastland	Magnuson	Taft
Ecton	Malone	Thye
Ellender	Martin	Tobey
Ferguson	Maybank	Underwood
Flanders	McCarran	Watkins
Frear	McCarthy	Welker
Fulbright	McClellan	Wiley
George	McFarland	Williams
Gillette	McKellar	Young
Green	Millikin	
Hayden	Monroney	

The VICE PRESIDENT. A quorum is present.

The action on this matter has been completed except that the Chair has not yet appointed the conferees on the part of the Senate.

The Chair appoints the following Senators conferees on the part of the Senate: Mr. MAYBANK, Mr. FULBRIGHT, Mr. ROBERTSON, Mr. SPARKMAN, Mr. FREAR, Mr. CAPEHART, Mr. BRICKER, and Mr. IVES.

Mr. McFARLAND. Mr. President, in order that the Senate may know what business will be considered tomorrow——

Mr. MAYBANK. Mr. President, we have not yet had a yea-and-nay vote.

The VICE PRESIDENT. There is no way to get a yea-and-nay vote now.

Mr. MAYBANK. Mr. President, I ask unanimous consent——

The VICE PRESIDENT. Let the Chair state the situation. The Senator moved to disagree to the amendment of the House, and that the Chair appoint conferees. The Senator asked for the yeas and nays, and then withdrew his request. The vote was taken, and there is no way, now, by which a yea-and-nay vote may be had.

Mr. FREAR. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FREAR. Would a motion to reconsider be in order?

Mr. MAYBANK. I intend to have a yea-and-nay vote.

The VICE PRESIDENT. The only way to get one is to move to reconsider.

Mr. McFARLAND. Mr. President, if the Senator from South Carolina insists upon a yea-and-nay vote, I ask unanimous consent that the action just taken by the Senate be reconsidered.

Mr. DIRKSEN. I move that it be laid on the table.

The VICE PRESIDENT. There is nothing to lay on the table. The Senator from Arizona asked unanimous consent that the vote just taken be reconsidered.

Mr. DIRKSEN. I object.

The VICE PRESIDENT. That is the end of it.

THE PASSPORT DIVISION OF THE STATE DEPARTMENT

Mr. MORSE. Mr. President, I wish to direct my attention to another subject.

The PRESIDING OFFICER. The Senator from Oregon may proceed.

Mr. MORSE. Mr. President, on June 6, I made a speech on the floor of the Senate in which I criticized the State Department for the procedures it is following in the Passport Division, to wit, that in the main those procedures do not permit a Member of Congress, an elected representative of the people, to find out the reasons and the evidence, if any, in support of those reasons, for denying to an American citizen a passport.

In my speech on June 6, I deplored that procedure in the State Department, making the point that although obtaining a passport is not a matter of absolute right, it is a very precious right which no American should be denied unless good cause can be shown and that substantial evidence exist justifying a denial of the passport.

I said in my speech on June 6, and again on June 13, and I repeat today, that I do not want any person to receive a passport if the evidence discloses that that person is a bad security risk.

I tried to make clear—although I am inclined to believe Mr. President, that we are living in the day in which so much emotion prevails in the thinking of so many people that it is impossible to make such a point as this clear, especially to those who want to believe what they want to believe—that there is no one in the Senate who is more opposed to subversive activities and more opposed to communism, or who hates communism more than the junior Senator from Oregon.

The procedural check on discretion for which I am standing in the Senate on this issue in my judgment is so important to the preservation of some of the basic concepts of American justice, that I intend to continue to raise my voice in protest of what I consider to be the truly un-American practices of the State Department in regard to the Passport Division procedures. I shall do this irrespective of any criticism that may be heaped upon me and irrespective of any attempt that may be made, as is being made by some persons, to smear me because I dare to defend and advocate what I think is a very precious American safeguard against the exercise of arbitrary power by mere men—men who apparently think it is all right to change our Government from a government by law into a government by men exercising arbitrary power.

I charged on June 6 and again on June 13, and I charge again today, that

in my judgment Dean Acheson, the Secretary of State, is so guilty of improper conduct as an administrator, by sustaining and supporting the perpetuation of the Passport Division's procedures regarding the issuance of passports, that I consider him unfit to continue as Secretary of State. It is my opinion that one who will tolerate and defend a procedure which does not permit of a review of the exercise of discretion by an administrator in the State Department, one who has not set up an independent group to pass judgment in review on the question of whether substantial evidence exists for the denial of a passport, is a Secretary of State who has so lost his perspective of basic American rights that he should be removed from office.

Mr. President, I know how harsh that statement is, but let me say that if the time ever comes in our country when we, as Senators, remain silent when a high official of our Government seeks to defend—as did Dean Acheson the other day in his press conference in regard to this matter—a procedure which does not permit of a review, by an independent tribunal, of the exercise of discretion which results in denial to American citizens of basic rights without a clear showing of the evidence which exists in support of the decision, then I believe we shall be encouraging the spreading of what I regard a very dangerous trend in the administration of our Government, namely, Government by unchecked, arbitrary discretion of mere men.

Mr. President, I wish to say that I incorporate here today, by reference, every statement I made in my speeches of June 6 and June 13, as my answer to Dean Acheson as to whether I have changed my opinion regarding any statement he has made since those speeches were made by me. The answer to him is "no."

In my speech of June 6, I referred to "Professor X." I did not know the person concerned, and I do not know him now, except through correspondence which I shall place in the RECORD this afternoon. At his request, as the Senate will see from a letter which I received from him under date of June 20, it is his desire that his name be publicly known. Hence I shall report his name, and I shall proceed to discuss the communications I have before me in regard to his problem with the Passport Division of the State Department and with the Secretary of State, Mr. Acheson.

His name is Prof. Linus Pauling, of the California Institute of Technology, Pasadena, Calif. Under date of June 23, 1952, I wrote Professor Pauling the following letter:

JUNE 23, 1952.

Prof. LINUS PAULING,
California Institute of Technology,
Pasadena, Calif.

DEAR PROFESSOR PAULING: Thanks very much for your letter of June 20.

I don't know what more, if anything, I can do in regard to your passport problem, but I shall be glad to make specific reference to your case by name in the Senate. Although I do not know you personally, I am satisfied from the letters of endorsement of you which I have received from very responsible people in Oregon, some of whom I know very well, that your case is deserving of the personal attention of the Secretary of State, in the absence of any independent review board to pass judgment upon denial of your passport.

I am glad to have your affidavit, which I shall place in the CONGRESSIONAL RECORD.

Sincerely,

WAYNE MORSE.

Mr. President, let me make clear that I do not know Professor Pauling. I have never seen him. I would not know him if he were to walk into this Chamber at this moment. I know very little of the background of Professor Pauling. I have not the slightest idea of the organizations to which he may belong.

It may very well be—in fact, I believe I would have to say that I would be surprised if it were not so, although I do not know it to be a fact—that probably one basis for the denial of his passport is that he may belong or may at one time have belonged to an organization which is on the Attorney General's list of subversive organizations. There may be no basis in fact for my expression of the view that that might possibly be the case, for I do not know whether it is the case. But I have tried to figure out, by reading between the lines of the communications I have received from the State Department in regard to this case, what may be the basis for the refusal to issue a passport.

Of course, Mr. President, not one of those communications gives me any statement of fact as to why the passport has been denied, other than the usual, general statement that for reasons satisfactory to the State Department, it thinks this passport should be denied. I say I do not know what may be the facts behind the denial, but I have tried to put two and two together. I am inclined to guess that apparently in this case we are dealing with a university professor who at some time might have belonged, or so far as I know may still belong, to an organization generally known as a front organization.

If he does belong to such an organization, I certainly do not condone it, Mr. President. So I wish to make clear that so far as Professor Pauling is concerned, I hold no brief for him, insofar as what his record may show the facts to be.

All I say is that Professor Pauling is entitled, as is any other American citizen, to have his passport case reviewed by an independent board, to have it pass judgment on whether evidence exists justifying denial of a passport by the Passport Division of the State Department.

As I have said before, Mr. President, the denial of a passport does great damage to an American citizen. The denial of a passport in effect ruins the reputation of an American citizen in a great many circles. In fact, Mr. President, it is difficult for me to imagine how anyone could say that the denial of a passport is not necessarily a reflection on the character or reputation or standing of an American citizen. I believe that the denial of a passport, if there is not good cause for that denial, does irreparable damage to the reputation and character standing and rights of an American citizen.

That is why I am so insistent that a check be established in the case of the exercise of discretion by the State Department in refusing to issue a passport. I place primary responsibility for the failure of the State Department to provide for a checking procedure in this matter on the desk of Dean Acheson, the Secretary of State, who in my judgment has the authority, within the administrative power already granted to him under the law, to provide voluntarily for a procedure which would permit of a review of the decisions of his Passport Division by an independent committee or tribunal, and which would provide the citizen himself with the fair procedures which I believe are so essential if we are to have in the United States what amounts to trial by our peers. I understand it is said in the State Department that, in view of the 1950 Subversive Activities Control Act, the State Department officials have no discretion about this matter. If they reach the conclusion that an individual, such as Dr. Pauling, for example, belongs to some organization which, within the spirit and intent and meaning of the Subversive Activities Control Act of 1950 is considered a so-called subversive organization, Mr. President, I want to say in reply to that allegation on the part of the State Department, if I am correctly informed that it is one of their allegations, that there is nothing in the act of 1950 which prevents the Secretary of State from setting up a review procedure to pass judgment on whether his Passport Division, or any official within the State Department, had adequate and substantial evidence upon which to base a finding or to reach a conclusion as to whether the facts supported the inference or the judgment that a given individual being denied a passport was or was not a member of an organization which in the opinion of the Passport Division would justify a denial of the passport.

I do not intend so to speak, Mr. President, as to let Mr. Acheson or any of his subordinates off that hook, because they are hung on that hook; and as long as they are hung on that hook, they cannot successfully deny the major premise of my case; and the major premise of my case, I repeat, is that justice and a fair trial require the adoption of a procedure which will permit a review of the exercise of judgment on the part of the Passport Division and those working with the Passport Division, as to the existence or nonexistence of good cause for the denial of a passport.

Mr. President, I now turn to the letter which I received from Dr. Pauling under date of June 20, 1952. I shall read certain excerpts from the letter:

I am grateful to you for your letter of June 14, and for the tear sheets from the CONGRESSIONAL RECORD of June 6 and June 13. I had seen only a very brief report in the local paper about your speech on June 6, and I am glad to read the whole speech.

I think that it is an admirably clear and powerful presentation of the problem. I had not seen the text of the telegram from

the members of the faculty of Reed College. It is similar to strong letters of protest that have been sent by individual faculty members and groups of faculty members in a number of other institutions, copies of which have been sent to me. I can hardly believe that the Department of State can continue to refuse to issue a passport to me, with no statement of the reasons or the charges against me, that would permit me to offer effective opposition.

I have not yet received from the Secretary of State any answer to my letter of May 16 and my two later letters. It is over a month since my new request for a passport was sent in. I have plane reservations for my wife and me for July 16, less than a month from now. Since I have been elected president of honor of the section on the biogenesis of proteins at the Second International Congress of Biochemistry, to be held in Paris July 21–26, 1952, I should like very much to be present at this scientific meeting—this section of the meeting deals, of course, with the branch of science to which I have been devoting myself most vigorously during recent years, proteins and their structure.

I digress from the letter for a moment, Mr. President, to say that on the basis of the communications I have in front of me, from great scientists, I judge that Doctor Pauling is one of the great chemists of the world in the field of proteins, with a world-wide reputation of being one of the outstanding scientists in the field of biochemistry.

Therefore, Mr. President, I think we should be very certain that a scientist of his standing, with the world-wide reputation that he has in the field of science, is not denied a passport to participate in a scientific meeting in Paris and in London, unless very good cause can be shown for believing that this man is subversive. And let me say about Dr. Pauling, as I would say about any other individual, if there is evidence that he is subversive, then the junior Senator from Oregon would be among the first to insist that he be denied a passport. Why all the secrecy about this? Mr. President, I am becoming very much frightened about the adoption of an attitude on the part of so many in Government and so many within our citizenry in respect to this matter of hush-hush, this attitude that we must act with the greatest serecy in such matters as determining whether facts exist which justify the denial of a passport.

We must be on guard against that, Mr. President. Let me say that when a government starts functioning on the basis of the principle of hush-hush and secrecy, and its administrators seek to justify a failure to make public disclosure, a start is made down the road toward a police state.

Mr. President, the frightening thing to me about the growing tendency in this country of ours to justify a denial of public disclosure of the reasons behind governmental acts affecting the rights of individual citizens, is that such technique itself is totalitarian. I do not think we should be so foolish or so excited in our endeavor to defeat communism as to adopt communistic methods ourselves. One of the police state weapons of communism, denying freedom and liberty to the people of the Soviet Union, is the adoption of the same technique of operating behind a cloak of secrecy. Where the public security, where the survival of our country is at stake; where we have before us in a given case a matter which involves top secret information the disclosure of which would constitute aiding and abetting the enemy, let the record speak for itself, so far as the position of the junior Senator from Oregon is concerned. As a member of the Armed Services Committee of the United States Senate, I have supported in the committee, as I have on the floor of the Senate, the principle that secret information of that type must be kept secret. In that kind of a situation, Mr. President, the interest of national security is paramount. In all other cases, however, we must protect the rights of an individual citizen from star chamber proceedings which, if not stopped, will deny to that citizen his precious right of freedom. He must be given an opportunity to answer specific charges made against him, to confront his accusers, to examine his accusers—yes, Mr. President, he must be guaranteed all those basic procedural rights which, under the Bill of Rights of our Constitution, have always been the essential criteria of protection to an individual citizen of his right to a fair trial.

We have gone far afield in this country by the development of administrative law procedure, in denying American citizens a fair trial. A fair trial was what was intended by our constitutional fathers and what the people insisted upon when the Bill of Rights was adopted.

That is what we are denying in connection with this passport problem when we do not give an American citizen the right to have his case reviewed on the facts, or when we take away his right to be confronted by those who bring charges against him, and his opportunity to make reply. We must stop this trend in denying these in the field of administrative law in which the Passport Division operates basic rights.

(At this point a message from the House regarding the Defense Production bill was received; debate ensued on that bill, for which Mr. MORSE yielded, and also for the passage of House bill 7800, all of which debate and proceedings appear elsewhere in today's RECORD.)

Mr. MORSE. I return to the reading of the letter of June 20, which I received from Dr. Linus Pauling, of the California Institute of Technology:

As I stated in my letter of June 3, even if a passport were not to be issued to me that would permit me to attend the meeting in Paris (perhaps to prevent me from seeing again the professors of the University of Paris who were good enough to confer upon me the honorary degree of docteur de l'université in the fall of 1948), I should still like very much to go to England alone, in order to participate in the discussion meeting on the physical chemistry of proteins that has been arranged by the Faraday Society for August 6 to 8 in Cambridge, and to discuss problems of protein structure with the various British scientists who have been working vigorously in this field.

May I say that the only part of your speech of June 6 to which I might offer objection is your selection of the letter X, rather than some other symbol, to refer to me.

I judge that whatever else this writer may be, he also has a rather refreshing sense of humor, even concerning himself, which I think is always a good characteristic for any man to possess. He says:

In algebra, as you remember, x is used to refer to an unknown quantity—usually the letters a and b are used to refer to known quantities. I am not, however, an unknown quantity. I have not tried to keep anything hidden in any way. I have been willing to answer any questions that the Secretary of State might care to ask me—in fact, I have emphasized my willingness in my letters to him, which he has not answered. I wish accordingly that you had used one of the letters in the first part of the alphabet in referring to me. Let me say, however, that I have no objection to your referring to me by name. My character has already been damaged (I would not say assassinated, because I hope that there is some chance of its being restored to full vigor); and now any statement that you make about me, referring to me by name, will be helpful to me.

I feel much concern that you should have been smeared with the tar of Communist association. I have accordingly prepared an affidavit, bringing up to date my sworn statement that I am not a Communist, never have been a Communist, and never have been involved with the Communist Party. I enclose it.

I have before me what appears to be an affidavit in proper form. It is on the letterhead of the California Institute of Technology, Pasadena 4, and is dated June 20, 1952. It reads as follows:

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, June 20, 1952.

To Whom It May Concern:

I am not a Communist. I have never been a Communist.

I have never been involved with the Communist Party.

LINUS PAULING.

Subscribed and sworn to before me this 20th day of June 1952.

IDA A. RITCHIE,
Notary public in and for the County of Los Angeles, State of California.

My commission expires April 8 ,1953.

Returning, now, to Dr. Pauling's letter:

I have offered to come to Washington, to answer questions, if the Secretary of State desired me to do so. Let me say that I feel strongly enough about the passport matter to be willing to make a trip to Washington, at any time during the coming month, if I could be helpful to you in your effort to improve the passport procedures. Please let me know if there is any information that you would like me to give you—if you yourself have any questions that you would like to have answered, with respect to my interest in politics and my political activities, be assured that I shall do my best to answer them.

Sincerely yours,

LINUS PAULING.

P. S.—You may have known my uncle, J. U. Campbell, who was circuit judge in the region around Oregon City for many years, and then was justice of the Supreme Court, and finally chief justice of the supreme court of the State of Oregon.

Let me say that I knew Justice Campbell very well. In fact, he was the chairman of the board of justices of the Oregon Supreme Court which gave me

my bar examination. He was a distinguished member of the bar and the judiciary of the State of Oregon, and one of our fine citizens. So far as I know, the entire family which Dr. Pauling mentions in his letter represents one of the finest families in the history of our State. Many of the members of the family have been outstanding State leaders. I would say, to the extent labels can characterize ideologies, it was a very conservative family in the field of politics, but a family which was devoted to the highest traditions and principles of American patriotism. Although I cannot speak of Dr. Pauling himself, because I do not know him personally, this afternoon I certainly can witness the fact that the members of the Campbell family to which he refers in his letter are as fine and patriotic citizens, in my judgment, as ever lived in the State of Oregon. He goes on to say:

My paternal grandfather lived in Oswego.

Oswego is a short distance from Portland.

My mother's father, Linus W. Darling, was postmaster and sheriff in Condon, Gilliam County, in the 1880's, and then moved to Portland, where he practiced law until his death in 1909. My father was a druggist in Condon and in Portland. He died in 1910.

Mr. President, I have read the excerpts from the letters into the RECORD, first because I believe a reading of the excerpts into the RECORD draws the issue with the State Department, so far as secrecy is concerned. Dr. Pauling himself is perfectly willing to have a pubic disclosure of the fact that he is the individual to whom I referred in my speech of June 6 as Professor X. I believe that Dr. Pauling is entitled to have the State Department publicly disclose why it is that it denies him a passport.

If there is a basis for denying him a passport, I want the State Department to know that it will have my support. If there is not a basis, supported by evidence, for denying him a passport, then I think that if we are going to protect the freedom and rights of the American people we should insist upon a type of procedure which will reverse the State Department, so that in such cases, if innocence is established, passports can issue.

Under date of June 3, 1952, Dr. Pauling sent a letter to the Secretary of State, which reads as follows:

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, June 3, 1952.

The SECRETARY OF STATE,
Washington, D. C.

MY DEAR MR. SECRETARY: In my letter to you of May 16, 1952, I requested that a passport be issued to me to permit me to travel to England to take part in scientific meetings and to discuss scientific problems, especially the problem of the structure of proteins, with my British colleagues.

I have during the past year considered the possibility of taking part in the International Congress of Biochemistry, to be held in Paris on July 21–27, 1952. I am interested in particular in the symposium on the biogenesis of proteins that is to be held at this congress.

I have now received notice that I have been elected honorary president of this symposium.

I should like to be present at this International Congress of Biochemistry, and to have the opportunity of discussing scientific questions with the biochemists who will be present at the congress. I ask accordingly that consideration be given to the possibility of issuing a passport to me to permit me to take part in this International Congress of Biochemistry in Paris, as well as the Faraday Society meeting in England, to be held on August 6–8, 1952. My proposed travel to Paris, as well as that to the British Isles, as discussed in detail in my letter of May 16, 1952, would be purely for scientific purposes.

I have also been invited by the Institute International de Chimie Solvay to take part in the Ninth Solvay Congress, to be held in Brussels during 1 week early in April of 1953, and I have accepted the invitation. A Solvay Congress is held every third year, and the participants, 25 in number, are invited from all over the world. The subject of the Ninth Solvay Congress is Proteins, excluding their biological properties, and I have been invited to lead the discussion on the structure and configuration of proteins. I ask that consideration be given at the present time to the possibility of having the passport that is issued to me be valid for the travel to Brussels next spring, in order to permit my participation in the Ninth Solvay Congress. This travel would also be purely for scientific purposes.

In case that it is your decision not to issue me a passport to permit travel for scientific purposes to the British Isles, Paris, and Brussels, I ask that consideration be given to the issuance of a passport to me permitting travel this summer to Paris and the British Isles, or, if that is not approved, to the British Isles alone, as requested in my letter of May 16, 1952.

Let me repeat my offer to answer any questions that you may wish to ask me.

Sincerely yours,

LINUS PAULING.

Mr. President, I submit that the letter, coming from an American citizen to the Secretary of State, was deserving of an answer.

It will be noted that in a letter which I received from Dr. Pauling under date of June 20, 1952, he stated that up to the time he wrote the letter he had not received an answer to his letter to the Secretary of State either of June 13, or of May 16.

Under date of June 20, 1952, I received a letter from Dr. Pauling, as follows:

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, June 20, 1952.

Senator WAYNE MORSE,
United States Senate, Washington, D. C.

DEAR SENATOR MORSE: You may be interested to see the copy of the letter that has been sent by Professor Arne Tiselius to the Secretary of State. I also enclose, as representative of many letters of which copies have been sent to me, a copy of a letter sent by the professors of the Institute for Nuclear Studies of the University of Chicago.

If it would help you to have copies of all of the letters of this sort that have come to my attention, I shall prepare them.

Sincerely yours,

LINUS PAULING.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks a copy of the letter which Dr. Pauling sent to me under date of June 20, 1952. The letter was sent to him by Dr. Arne Tiselius, Ph. D., D. Sc., M. D., Nobel laureate, president of the International Union of Pure and Applied Chemistry.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UPPSALA, SWEDEN, *June 12, 1952.*

To the SECRETARY OF STATE OF THE UNITED STATES,
Washington, D. C., United States of America.

DEAR SIR: I take the liberty of writing to you to express my concern about the difficulties which have arisen for Prof. Linus Pauling, California Institute of Technology, in obtaining a passport to go to Europe in order to take part in important scientific conferences. This concern is shared by scientists all over the world. No doubt you are aware of the fact that Professor Pauling is one of the leading scientists of our time, well known for his epoch-making contributions to the modern development of chemistry. His recent work on the structure of proteins—a result of many years of painstaking investigations—is of the utmost importance to chemistry, medicine, and the science of life. It will certainly be one of the main subjects at several scientific meetings the next few months, among them the second International Congress of Biochemistry in Paris, July 21–27, 1952. I cannot believe that it is in the interest of the United States that the man who has the credit for these discoveries and who greatly deserves the gratitude of mankind, should be prevented from establishing personal international contacts, which are essential for the development of a field of the utmost importance for the welfare of human beings.

Respectfully yours,

ARNE TISELIUS,
Ph. D., D. Sc., M. D., Nobel Laureate President of the International Union of Pure and Applied Chemistry.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a letter, dated May 22, 1952, addressed to the Secretary of State by Joseph E. Mayer. First, I shall read an excerpt into the RECORD, as follows:

MY DEAR MR. SECRETARY: The enclosed letter has been signed by all the full professors of the Institute for Nuclear Studies at the University of Chicago except one who is not an American citizen. They are:

There is listed in the letter from Mr. Mayer the names of great American scientists familiar on every university campus as being among not only the greatest scientist in our country but men of great international scientific reputation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 22, 1952.

The Honorable DEAN G. ACHESON,
Secretary of State,
Washington, D. C.

MY DEAR MR. SECRETARY: The enclosed letter has been signed by all the full professors of the Institute for Nuclear Studies at the University of Chicago except one who is not an American citizen. They are:

Prof. Samuel K. Allison, director, Institute for Nuclear Studies; member, National Academy of Sciences; director, Metallurgical Laboratory (atomic bomb), Chicago, 1942–44.

Prof. Herbert L. Anderson, Institute for Nuclear Studies; physicist, Metallurgical Laboratory, Chicago, 1942–44; and Los Alamos, 1944–46.

Prof. Enrico Fermi, Institute for Nuclear Studies; Nobel Laureate, 1938; member, National Academy of Sciences; Metallurgical Laboratory, Chicago, 1942–44; Los Alamos, 1944–46.

Prof. Willard F. Libby, Institute for Nuclear Studies; member, National Academy of Sciences; Manhattan District Project, Columbia, 1942–45; member, General Advisory Committee, Atomic Energy Commission.

Prof. Joseph E. Mayer, Institute for Nuclear Studies; member, National Academy of Sciences; member, Scientific Advisory Committee, Ballistic Research Laboratories, United States Ordnance Department.

Prof. Edward Teller, Institute for Nuclear Studies; member, National Academy of Sciences; Manhattan District Project, Columbia, 1941–42; Metallurgical Laboratory, Chicago, 1942–44; Los Alamos, 1944–45 and 1950–51.

Prof. Harold C. Urey, Institute for Nuclear Studies; Nobel Laureate, 1934; member, National Academy of Sciences; Director, Manhattan District Project, 1940–45.

Very truly yours,

JOSEPH E. MAYER.

The letter attached to the letter written to the Secretary of State by Mr. Mayer reads, in part, as follows:

MAY 22, 1952.

The Honorable DEAN G. ACHESON,
Secretary of State,
Washington D. C.

MY DEAR SECRETARY: The scientific community has been deeply shocked by the statement that Prof. Linus Pauling, American citizen, former president of the American Chemical Society, and professor of chemistry at the California Institute of Technology has been refused an American passport for travel to a meeting of the Royal Society in England.

Most of the scientists of America feel that they know Linus Pauling. All of us know his scientific work. Many of us who sign this letter have known him with varying degrees of intimacy for very many years, and have discussed with him not only scientific matters but subjects of social and political import. Probably none of us have agreed with him in all his subjects. We have all found reason to respect his scientific opinions. Most, if not all of us, have disagreed with his political views, and some of us may have found occasion to regard them as not even worthy of the high regard we have found necessary for his scientific viewpoints. But no one of us, nor any with whom we have talked, has questioned his integrity and sincerity nor his essential loyalty to the United States.

Mr. President, I digress from the letter long enough to say that, as I intimated earlier, I do not know Professor Pauling; I never have met him. The only things I know about him are those set forth in the communications I have before me here this afternoon. The Senate will have all of them, because, Mr. President, believe me, knowing how widespread is the technique of smearing, these days, against liberals generally, I intend to place in the RECORD everything I have in this case. It will speak for itself and it will show that in this case I am making a fight, not for an individual, but for the principle that any American citizen, be he Professor Pauling or any other American citizen, who is denied a passport is entitled to know the reasons for that denial, is entitled to have an opportunity to answer the charges, and is entitled to have the decision reviewed in accordance with our sound principle of judicial checks by a third, independent party or group. That is what I am fighting for.

So, Mr. President, in view of the comments made in the paragraph of the letter to which I have just referred—a letter received from these great scientists at the University of Chicago—and having lived for a great many years in the academic world, and being somewhat familiar with faculty people, and knowing, as I have said, from my experience over the years, that many faculty people are idealists and theorists, and often are not very practical, especially when it comes to the rough-and-tumble problems of politics, and even though I do not know this man, yet I have a suspicion that probably he is not as scientific in the field of politics as he is in the field of chemistry.

Mr. President, I suppose some persons may misunderstand the observation I shall now make, because except for the statement I make at this point, the RECORD will not show that I make it with a smile on my face; but I have often marveled how some of my friends on the scientific faculties of our great universities—men who are trained in the scientific techniques of laboratory work, and are trained in cause and effect and the effects of cause and the application of sound reasoning in the field of science—seem to have so much difficulty in transferring that training into the field of social science. Frequently we discover that in the field of social science they are not very scientific at all. In that field we often see them fail to exercise the keen reasoning they exercise in the laboratory and in connection with their research in the field of pure science.

So, although I may be doing Professor Pauling an injustice, yet I believe it is perfectly all right for me to give voice to a "hunch" in view of what these scientists at the University of Chicago say in the paragraph of their letter which I have just read, in which they refer to the discussions they have had with Professor Pauling in regard to political matters, and political views, and to say that probably in this case we are dealing with a man who is highly theoretical in the field of political science, even though he thinks he is standing for principles of pure political science.

I also have a suspicion that if I participated in the political discussions to which these University of Chicago scientists have referred, and in which they say they have participated with Professor Pauling, I probably would sign a similar letter, and probably would say, as they say in their letter, that—

> Most, if not all of us, have disagreed with his political views, and some of us may have found occasion to regard them as not even worthy of the high regard we have found necessary for his scientific viewpoints.

I think that was very tactfully put, Mr. President. However, the important sentence is this one:

> But no one of us, nor any with whom we have talked, has questioned his integrity and sincerity nor his essential loyalty to the United States.

Mr. President, that is what I think should be investigated; that is what I think we should find out about.

If it is true that the State Department is questioning Professor Pauling's essential loyalty to the United States, then I think we should find out what is the evidence and what are the facts on which the State Department bases such a conclusion. That is my point.

I continue to read from the letter:

> We have all been long convinced that the world is deeply enmeshed in a desperate struggle between the forces of evil repression and those of freedom and liberty. Those of us who sign this letter have had no doubt that the Russian Government has represented the evil in this conflict. We have always hoped that the Government of the United States would stand clearly on the side of freedom and liberty. We cannot reconcile with this hope the withdrawal of passport privileges without trial, without a hearing, and without recourse to an appeal, on the suspicion that the political opinions of a citizen are not those of the majority of the Nation.

How well put, Mr. President, by that group of scientists at the University of Chicago. How clearly they have expressed the principle for which I am arguing in connection with this entire issue regarding the procedures of the Passport Division of the State Department. That group of scientists at the University of Chicago have, in one sentence, stated my case when they write that—

> We cannot reconcile with this hope the withdrawal of passport privileges without trial, without a hearing, and without recourse to an appeal, on the suspicion that the political opinions of a citizen are not those of the majority of the Nation.

Then they go on in their letter to say:

> Our main plea in this case is a matter of pure principle.

That is mine, too, Mr. President—not a plea for Professor Pauling as Professor Pauling, but a plea for the principle involved in connection with the question of whether in a democracy it is safe to permit unlimited, arbitrary, discretionary power to be used in such a way as to deny a passport to an American citizen without a hearing and without an appeal, resulting in irreparable damage to him, if in fact there is no sound basis for denial of a passport.

These scientists at the University of Chicago go on in their letter to say:

> The principle of freedom is that a man is innocent of wrongdoing until proven guilty before a jury of his peers of a violation of a law of our land. Professor Pauling is a man of international fame. It is essential for the maintenance of what remains of our free world that free interchange of ideas within this world be maintained. The travel of citizens of the free countries within this free community is an absolutely essential requirement of this freedom. Since Professor Pauling is not guilty of violation of our laws, we see no justification for suspension of this fundamental necessary freedom.
>
> But even aside from our interest in the principle of freedom we are incredulous of the reason given for withholding the passport: that it "is not in the best interests of the United States" to grant the passport.

That is the only reason anyone can obtain from the State Department, Mr. President. All we can ascertain, when we try to learn the factual basis for the denial of a passport to Professor Pauling, is that it "is not in the best interests of the United States" to grant the passport.

I say that is a police-state method; I say that is putting into practice a policy of dark secrecy, which, if not checked, can be so developed as to threaten government by law in the United States.

Mr. President, it reminds me of playing a game of skull and dagger. In my judgment those in the State Department who are denying passports in such cases as this, and who refuse to give any evidence as to why they are refusing to issue a passport, are jeopardizing the security of the United States much more, in my opinion, than are those to whom they deny the passport.

If the American people knew of good reasons for denial of a passport, there is no doubt that they would support the refusal to issue a passport to such persons, once those reasons were publicly disclosed—as they should be disclosed. If such persons are subversive, we should know it; and in that case the American people, in the exercise of public opinion, will take care of such persons. But the State Department itself, by resorting to this totalitarian technique, that is characteristic of communism and fascism, really is striking a blow at government by law in the United States.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from South Carolina?

Mr. MORSE. For what purpose?

Mr. MAYBANK For the purpose of permitting the Chair to lay before the Senate a message from the House requesting a conference with the Senate on the defense production bill.

Mr. MORSE. Will the Senator permit me to finish the reading of this letter?

Mr. MAYBANK. Of course.

Mr. MORSE. Mr. President, this letter from these Chicago scientists goes on to say:

> We cannot believe, with the greatest stretch of our imagination, that any reason can exist which would make the granting of a passport of so great harm to this country as its withdrawal.
>
> We are well aware that information, or the suspicion of information, of which we are not informed may be in governmental files. Those of us who think that we know Pauling well cannot believe that any really detrimental facts exist. Those of us who know him less well may be less sure of this. But none of us can imagine circumstances by which the granting of a passport can be one-tenth so harmful to the interests of this country as the creation in the world of this "cause celebre" that its withholding has done. What harm, what information, what tales could Professor Pauling take with him to England, even were he so inclined, that can compare in damage to the incredible advertisement that this country forbids one of its most illustrious citizens to travel? We ask you respectfully, Mr. Secretary, that this decision be reversed.

I may say to these University of Chicago scientists that I do not go as far as they go in the last paragraph of the letter. If in those files there is evidence that justifies the denial of a passport to Pauling, I do not want him granted a passport. What I do want for Dr. Pauling is an independent review by a board, such as the Subversive Control Board, appointed under the Subversive Activities Control Act of 1950, which I asked in my bill be given jurisdiction to pass judgment on appeal cases. I asked that such a board determine whether there is a justifiable basis for denying a passport after looking at the evidence. I say that Pauling or any other citizen, even a guilty one, Mr. President, is entitled to be confronted by the evidence against him, an opportunity to have that evidence reviewed, and the privilege on his part, in keeping with the meaning of a fair trial, to have that evidence passed upon by an independent appeal board.

Mr. President, earlier I stated that I intended to place in the RECORD this afternoon all material from my file relating to the Pauling case, so that all will know the limits of my connection with it.

From my files, under date of May 26, 1952, there is a letter from George Barton, of Reed College, which I ask to have printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> DEAR SENATOR MORSE: I wish to register vehement protest concerning the denial of a passport to Dr. Linus Pauling for a lecturing trip to London. I know the man, his family, his work and the subject of his lecture, none of which are subversive and it was a considerable shock to me to find that one whom I and any thinking American consider to be one of the finest of citizens should have such action taken against him.
>
> I don't know what you can do, but I do hope that you will investigate the case and transfer my protest into the proper channels. Dr. Linus Pauling is a great American and it must be with great joy that Uncle Joe reads of the reaction that victimizes him.
>
> Thank you.
>
> GEORGE BARTON,
> *Reed College.*

Mr. MORSE. Mr. President, I find in my file a letter under date of May 23, 1952, which I received from Dr. Pauling. I ask unanimous consent that the entire letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> CALIFORNIA INSTITUTE OF TECHNOLOGY,
> *Pasadena, May 23, 1952.*
>
> Senator WAYNE MORSE,
> *Senate Office Building,*
> *Washington, D. C.*
>
> DEAR SENATOR MORSE: I have again submitted to the Department of State my application for a passport, to permit me to make a trip for scientific purposes to the British Isles during July and August of this year.
>
> Details about my application are given in the enclosed copies of my letter to the Secretary of State and my letter to the President. I am sending you these letters to keep you informed about the matter. I have not as yet received an answer to either of them.
>
> Sincerely yours,
>
> LINUS PAULING.

Mr. MORSE. Mr. President, in my file is a copy of a letter dated May 16, 1952, which Dr. Pauling sent to the Secretary of State. I ask unanimous consent that the letter be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> CALIFORNIA INSTITUTE OF TECHNOLOGY,
> *Pasadena, May 16, 1952.*
>
> The SECRETARY OF STATE,
> *Washington, D. C.*
>
> MY DEAR MR. SECRETARY: I write to ask that a passport be issued to me, to permit me to travel to England to take part in scientific meetings and to discuss scientific problems, especially the problem of the structure of proteins, with my British colleagues.
>
> On January 24, 1952, I requested a passport for this purpose, especially in connection with the discussion meeting on the structure of proteins arranged by the Royal Society of London for May 1, 1952. I was told in a letter dated February 14 that a passport was not being issued to me. After my appeal for reconsideration, I was told by telephone, on the afternoon of April 28, that the previous decision had been upheld, and I was accordingly not able to go to England to participate in the Royal Society meeting, and to discuss scientific problems with British scientists.
>
> The problem of the structure of proteins is considered to be one of the most important scientific problems under investigation at the present time. It is important not only to chemistry but also to biology and medicine. For a number of years I have been attacking this problem, together with my colleagues in the Gates and Crellin Laboratories of Chemistry, and we have made some discoveries, especially during the last year or two, that seem to be significant. The most effective attack on this problem that is being made in other places is that of Prof. Sir Lawrence Bragg and his collaborators in the Cavendish Laboratory of the University of Cambridge. Other British workers, in the Royal Institution of Great Britain, the University of Leeds, and other laboratories in England, are also working vigorously on this problem. The time has come when it might well be of considerable significance to the progress of science for me to have detailed discussions with these British workers on the problem of the structure of proteins.
>
> The importance of the protein problem is indicated by the fact that, although the Royal Society discussion meeting was held as recently as May 1, 1952, the Faraday Society has also scheduled a discussion meeting on the physical chemistry of the proteins, in Cambridge, England, for August 6–8, 1952.
>
> I am now planning to spend a month in the British Isles this summer, in order to attend this meeting and to participate in scientific discussions, especially on the structure of proteins, with British scientists. My wife and I propose to travel to England by air (New York to London) at some time after July 15 and to return to the United States by air (London to New York) after approximately 4 weeks in the British Isles. This proposed travel is purely for scientific purposes. I plan to participate in the discussion meeting of the Faraday Society on the physical chemistry of the proteins. It is probable that I shall give scientific talks at universities or laboratories, on the structure of proteins or other phases of my scientific work; a possibility is that I could present at this time the Friday Evening Discourse on the Structure of Proteins that I was scheduled to give before the Royal Institution of Great Britain on May 16, 1952. I shall discuss scientific questions, in particular the problem of the structure of proteins, with Sir Lawrence Bragg and other British scientists. My wife and I propose to obtain information about the use of my

books (which are all scientific books) in the British Isles, and to gain knowledge useful in the preparation of future editions of the books. Our only other activities will be the ordinary social intercourse with friends and acquaintances and a small amount of sightseeing for pleasure.

When my earlier request for a passport was denied the statement was made that your Department was of the opinion that my proposed travel would not be in the best interests of the United States. I am strongly of the opinion that my proposed travel to the British Isles, purely for scientific purposes, would in fact be in the best interests of the United States, and that the statement does not constitute a reason for refusing me a passport. I ask accordingly that if my present request for a passport be denied I be provided with a statement of the reason for the action.

I have just received a letter from the Executive Office of the President announcing my selection as participant in the Panel on Research of the President's Commission on the Health Needs of the Nation. It is necessary for me, in serving on this panel, to come to Washington for a meeting of the panel on May 26, 1952. I shall be busy on this day, but available the following day, Tuesday, May 27. I ask that you let me know if there are any questions that you wish to ask me, in order that I could come to your office to answer them in person on May 27. I shall be staying at the Hay-Adams House, and on May 26 I can be reached at the President's Commission on the Health Needs of the Nation, 901 Sixteenth Street NW.

Sincerely yours,

LINUS PAULING.

Mr. MORSE. Mr. President, there is also in my file a copy of a letter written by Dr. Pauling, apparently under date of May 16, 1952, addressed to the President of the United States. I ask unanimous consent that the letter be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, May 16, 1952.

The PRESIDENT,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: On February 29, 1952, I addressed a petition to you that, as President of the United States, you rectify the action of the Department of State in refusing a passport to me, by arranging for the issuance of the passport. I mentioned that you had honored me 4 years ago by the award of the Medal for Merit, given for my services to the Nation between 1940 and 1946 and stated on the certificate, bearing your signature, to have been awarded for extraordinary fidelity and exceptionally meritorious conduct. I mentioned that I had applied for the passport in order to visit England to take part in scientific meetings and discussions, in particular the discussion meeting of the Royal Society of London on the structure of proteins, scheduled for May 1, 1952. I mentioned that I am a loyal and conscientious citizen of the United States, who has never been guilty of any unpatriotic or criminal act. I stated my confidence that no harm whatever would be done to the United States by my proposed travel, and my fear that, on the contrary, announcement of the denial of a passport to me would do damage to the United States. I mentioned that I am well known in Great Britain because of my scientific work; that I am a foreign member of the Royal Society of London, an honorary member of the Royal Institution of Great Britain, an honorary member of the Chemical Society of London, and the recipient of honorary degrees from the Universities of Oxford, Cambridge, and London. I stated that through these connections, and through my services 4 years ago as George Eastman Professor at the University of Oxford and as scientific lecturer at other universities, I have become personally acquainted with many distinguished men of science in Great Britain, and that I felt that these men would consider the denial of a passport to me to be unjust, and that their opinion of the United States would be adversely affected.

Presumably through your intervention, the earlier decision not to issue a passport to me was reconsidered by the Department of State, and I was permitted to have personal interviews with some representatives of this Department. I regret to say, however, that the decision was made, and communicated to me by telephone on the afternoon of April 28, that the earlier decision would be upheld, and that accordingly I was prevented from participating in the discussion meeting of the Royal Society on the structure of proteins, and from discussing scientific problems with my British colleagues.

The letters that I have received from England show that my fear that the opinion of the United States held by distinguished men of science in Great Britain would be adversely affected was justified. An illustration is provided by the letter to the editor of the London Times by Sir Robert Robinson, former president of the Royal Society, which appeared in the May 5 issue.

I have now applied to the Department of State for a passport to permit my wife and me to spend approximately 1 month in the British Isles this summer, from about the middle of July to about the middle of August. Our proposed travel is purely for scientific purposes. My own work on the problem of the structure of proteins, a problem that is important to biology and medicine as well as to chemistry, has reached the state where it is highly desirable that I engage in personal discussions with Sir Lawrence Bragg and other British scientists who are working actively in this field. I plan also to take part in the discussion meeting on the physical chemistry of the proteins that has been arranged by the Faraday Society for August 6–8, 1952, in Cambridge, England. Except for ordinary social intercourse with friends and acquaintances and a small amount of sightseeing for pleasure, my wife and I plan to participate only in scientific discussions with British scientists on this trip.

It is my conviction that the proposed travel is in fact in the best interests of the United States, and that the refusal of a passport to me, preventing the proposed travel during July and August 1952, would constitute the unjustified interference by the Government not only with the freedom of a citizen but also with the progress of science, and would in fact be seriously harmful to the best interests of the United States. Accordingly, not as the recipient from you of the highest honor that is given by the Nation to a civilian but as an individual citizen, I appeal to you to interest yourself in this matter, and to arrange that my request for a passport receive proper consideration.

Yours respectfully,

LINUS PAULING.

Mr. President, for the benefit of those who may wish to read my record in this case, I wish to insert in the RECORD at this point copies of letters which I have sent to Dr. Pauling, because those letters speak for themselves. They show very clearly the impersonal attitude I have taken in connection with any correspondence I have had with Dr. Pauling. Therefore, I ask unanimous consent to have printed in the RECORD at this point as part of my remarks a letter which I sent to Dr. Pauling under date of June 14, 1952.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

JUNE 14, 1952.

Prof. LINUS PAULING,
California Institute of Technology, Pasadena, Calif.

DEAR PROFESSOR PAULING: This supplements my letter of May 23 relative to your passport problem. Enclosed are tear sheets from the CONGRESSIONAL RECORD of June 6 and June 13. You will find that they supply in detail the situation which I encountered when I made inquiry of the Passport Division in your case.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. I also ask to have printed in the RECORD at this point as a part of my remarks a letter under date of June 14, 1952, which I wrote to Prof. Frank Fussner, of Reed College, Portland, Oreg., in regard to the Pauling case.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 14, 1952.

Prof. FRANK FUSSNER,
Reed College, Portland, Oreg.

DEAR PROFESSOR FUSSNER: This supplements my letter of May 23 relative to your inquiry concerning Professor Pauling's passport problem.

Enclosed are tear sheets from the CONGRESSIONAL RECORD of June 6 and June 13. You will find that they supply in detail the situation which I encountered when I made inquiry of the passport problem in Professor Pauling's case.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a copy of my letter to Mr. George Barton, of Reed College, under date of June 14, 1952.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 14, 1952.

Mr. GEORGE BARTON,
Reed College, Portland Oreg.

DEAR MR. BARTON: This will supplement my letter of May 26 relative to your inquiry concerning Professor Paulin's passport problem.

Enclosed are tear sheets from the CONGRESSIONAL RECORD of June 6 and June 13. I believe that you will find the speeches contained therein to be of interest.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I received from Mrs. R. B. Shipley, Chief of the Passport Division of the State Department, under date of June 2, 1952.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, June 2, 1952.

The Honorable WAYNE MORSE,
United States Senate.

MY DEAR SENATOR MORSE: The Department has received your letter of May 23, 1952, regarding the refusal of passport facilities to Prof. Linus Pauling.

In view of the confidential nature of the passport files the Department is not in a position to furnish detailed information concerning the facts which were the basis for its decision in the case of Professor Pauling. It may be said that the refusal of the passport was made after most careful consideration by the officers of the Department who found no other course open to them.

There is enclosed for your information a copy of a press release dated May 24, 1952, setting forth the Department's policy with regard to the refusal of passports in certain categories of cases.

Sincerely yours,

R. B. SHIPLEY,
Chief, Passport Division.

Mr. MORSE. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a copy of a letter under date of May 26, 1952, which I wrote to Mr. George Barton, of Reed College, Portland, Oreg.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 26, 1952.

Mr. GEORGE BARTON,
Reed College, Portland, Oreg.

DEAR MR. BARTON: I have your letter of May 20 addressed to me in reference to the case of Prof. Linus Pauling.

I have requested the State Department to advise me as to the reasons for its refusal to issue a passport to Professor Pauling. As soon as I have received a reply from the State Department I shall communicate with you again.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a copy of a letter which I wrote to Dean Acheson, Secretary of State, under date of May 23, 1952. It is a letter to which I have already referred in my speech of June 6, but I think it also ought to be incorporated in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 23, 1952.

Hon. DEAN ACHESON,
Secretary of State,
Department of State,
Washington, D. C.

MY DEAR MR. SECRETARY: In the past few days, I have received inquiries concerning the alleged refusal of the Department of State to issue a passport to Prof. Linus Pauling, of the California Institute of Technology, Pasadena, Calif.

It is my understanding that Professor Pauling had desired to make a trip to England. If the passport was, in fact, refused I would appreciate being advised of the reason for such action. Needless to say, if the information which the State Department has, discloses that he is a security risk, I agree that he should not receive a passport. However, in view of the inquiries I have received, I think it might be helpful if a recheck were made in order to insure that an injustice has not occurred.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. Mr. President, I also ask to have printed in the RECORD at this point as a part of my remarks a copy of the letter from myself to Prof. Frank Fussner, of Reed College, Portland, Oreg., under date of May 23, 1952.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 23, 1952.

Prof. FRANK FUSSNER,
Reed College, Portland, Oreg.

DEAR PROFESSOR FUSSNER: This will acknowledge your recent wire which was addressed to me by 49 members of the Reed College faculty with respect to the matter of Prof. Linus Pauling. I am addressing this letter to you inasmuch as your name was the first of the 49 listed on the wire.

I have made inquiry of the State Department as to the reasons for the refusal to issue a passport to Professor Pauling. As soon as I have heard from the State Department, I shall communicate with you.

Sincerely yours,

WAYNE MORSE,

Mr. MORSE. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a copy of a letter which I wrote to Professor Pauling, under date of May 23, 1952.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 23, 1952.

Prof. LINUS PAULING,
California Institute of Technology,
Pasadena, Calif.

DEAR PROFESSOR PAULING: This will acknowledge your letter of May 12 advising me of the State Department's refusal to issue you a passport.

I have made inquiry of the State Department as to the reasons for its refusal to issue the passport. As soon as I have received the requested information, I will communicate with you.

I appreciate the very kind remarks set forth on the last page of your letter. I assure you that I receive my full share of the opposite type in my work at this office.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the letter referred to in the previous letter, just inserted in the RECORD, a letter which I received under date of May 12, 1952, from Dr. Pauling, in which there is enclosed a statement by Dr. Pauling with regard to his passport problem.

I ask unanimous consent that both the letter and the statement be printed in the RECORD at this point.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, May 12, 1952.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: I am writing to you as a native Oregonian, because my daughter, a student at Reed College, has told me that some of the faculty members of Reed College have submitted a protest to you against the action of the Department of State in refusing me a passport.

In order to give you additional information about the matter, I send you herewith three documents which I have prepared. One describes some of the circumstances of the refusal of the passport to me. The second is a copy of my earlier letter to President Truman. The third is a copy of a statement that I made last year about my political beliefs, and which I then made under oath before the committee mentioned in the statement.

One aspect of the refusal of the passport to me disturbs me considerably. It was not until I made a personal visit to Mrs. Shipley, and was sent by her to her superior officer, Mr. Boykin, only 6 days before the date of my scheduled departure for England, to take part in the Royal Society conference on protein structure, that I was given any information whatever about the reason for the refusal of the passport to me. The information that Mr. Boykin then gave me was very vague, but it was enough to permit me to submit some documents to him which I hoped would bear on the matters that were troubling the Department of State. This date, April 21, also represents the first time that it was indicated to me that I could submit documents to the Department of State and have the matter reconsidered.

I have received a number of letters from members of the Royal Society expressing their indignation. Sir Robert Robinson, former president of the Royal Society of London, has written me that he sent a strong letter of protest against the action of the Department of State to the London Times, and that it was published in the Times May 5. I have not seen this letter.

Let me take this opportunity to tell you that my wife and I, who are both native Oregonians, have a feeling of pride that our native State should be represented in the Senate by a man of such great ability and integrity as you possess. Let me also say that if at any time some question involving science should arise with which I could be of possible help to you, I should be very glad to attempt to be of help.

Sincerely yours,

LINUS PAULING.

STATEMENT BY LINUS PAULING, APRIL 29, 1952

I had planned to make a trip to England, accompanied by my wife, in order that I might take part in a conference of the Royal Society of London on the structure of proteins, and also present a discourse before the Royal Institution of Great Britain. I have been informed by the State Department that a passport is not being issued to me since the Department of State is of the opinion that LIY proposed travel would not be in the best interests of the United States.

It is my opinion that my proposed travel, solely for the purpose of taking part in scientific discussions in Great Britain, would in fact be in the best interests of the United States. On the other hand, I believe that the refusal of a passport to me is not in the best interests of the United States, and that it involves the unjustified interference by the Government with the freedom of action of a citizen of the United States.

When I was first informed of the decision of the Department of State, 2 months ago, I wrote to President Truman and to the Department of State, asking that the decision be reconsidered. On April 21 a State Department official said to me that the decision had been made because of suspicion that I was a Communist, and because my anti-Communist statements have not been sufficiently strong, and he suggested that I provide the Department with some evidence. I then submitted to the Department of State my statement, made under oath, that I am not a Communist, never have been a Communist, and never have been involved with the Communist Party, as well as some other documents. I was then notified on the afternoon of April 28 that the original decision not to issue a passport to me had been upheld.

I surmise that the action of the Department of State is the result of the McCarran Act. The damage done to the Nation by the refusal to permit me to attend scientific

meetings in England must be attributed to the McCarran Act, and is an argument for the repeal of this act.

I am a foreign member of the Royal Society of London and an honorary member of the Royal Institution of Great Britain. One year ago Prof. Robert B. Corey and I announced that we had discovered the structure of some proteins. The Royal Society of London arranged for a conference to be held on this subject. Because I was unable to attend at the time originally set, which conflicted with a meeting of the American Philosophical Society in Philadelphia, of which I am a vice president, the date of the Royal Society conference was changed to May 1. I also accepted an invitation from the director of the Royal Institution of Great Britain to speak before the Royal Institution on May 16 on the subject of the structure of proteins. Aside from this, my wife and I had planned to visit universities in London, Oxford, Cambridge, and Leeds, in order to talk with scientists there about the structure of proteins and other scientific problems, and I had accepted an invitation to be guest of honor at a reception to be held in London by the Society for Visiting Scientists.

Originally we had planned also to go to France, to take part in an International Congress on Biochemistry in Paris. We also had planned to go to Toulouse, in order that I might receive from the University of Toulouse an honorary doctor's degree that had been granted to me some years ago. Later we decided to restrict the trip to England and to return to the United States after the scientific meetings in London and the visits to British universities.

During recent years my work on the theory of resonance in chemistry has been under attack in Russia. Russian chemists have been forbidden to make use of this theory in their scientific work. The action of the State Department in refusing me a passport represents a different way of interfering with the progress of science and restricting the freedom of the individual citizen. In my opinion, it reflects a dangerous trend away from our fundamental democratic principles upon which our Nation is based.

FEBRUARY 29, 1952.

The PRESIDENT,
The White House,
Washington, D. C.

MY DEAR MR. PRESIDENT: Four years ago I was honored by the award of the Medal for Merit, given for my services to the Nation between 1940 and 1946. The two accompanying documents, bearing your signature, are the certificate and the citation for this medal. I am proud to have received the Medal for Merit, which is stated on the certificate to have been awarded for extraordinary fidelity and exceptionally meritorious conduct.

Last week I received from Mrs. R. B. Shipley, of the Passport Division of the Department of State, a letter containing the sentence "In reply to your letter of January 24, 1952, you are informed that your request for a passport has been carefully considered by the Department. However, a passport of this Government is not being issued to you since the Department is of the opinion that your proposed travel would not be in the best interests of the United States."

I applied for a passport in order to visit England to take part in scientific meetings and discussions. I had been invited by the Royal Society of London to participate in a discussion meeting on the structure of proteins, to be held on May 1, 1952. This is a subject to which I have recently made contributions; and when my obligation to attend the spring meeting of the American Philosophical Society, of which I am vice president, prevented my accepting the invitation to the Royal Society discussion meeting at the time originally set for it, the date of the meeting was changed to May 1 by the Royal Society, in order to permit my attendance.

I have also agreed to present a Friday evening discourse before the Royal Institution of Great Britain on May 16, 1952.

The only other activity that I propose on this trip, aside from visits to universities and laboratories for discussion of scientific questions, is attendance at a ceremony at the University of Toulouse, in France. Two years ago the honorary degree of docteur de l'universite was conferred upon me by this university, and I was notified that the ceremony of presenting the diploma would be held when I found it convenient to come to Toulouse.

I am now writing to ask you, as President of the United States, to rectify this action, and to arrange for the issuance of a passport to me. I am a loyal and conscientious citizen of the United States. I have never been guilty of any unpatriotic or criminal act. I am confident that no harm whatever would be done to the Nation by my proposed travel. On the contrary, I feel sure that the announcement of the denial of a passport to me, preventing my attendance at the Royal Society Conference on May 1, would do damage to the United States, and that the denial of the passport would not be in the best interests of the United States.

I am well known in Great Britain, because of my scientific work. I am a foreign member of the Royal Society of London, an honorary member of the Royal Institution of Great Britain, an honorary member of the Chemical Society of London, and the recipient of honorary degrees from the Universities of Oxford, Cambridge, and London. Through these connections, and through my services 4 years ago as George Eastman professor at the University of Oxford and as scientific lecturer at other universities, I have become personally acquainted with many distinguished men of science in Great Britain. I fear that these men would consider the denial of a passport to me to be unjust, and that their opinion of the United States would be adversely affected, and for this reason I address this petition to you.

May I ask that the two accompanying documents be returned to me?

Yours respectfully,

LINUS PAULING.

STATEMENT BY LINUS PAULING, NOVEMBER 14, 1950

Yesterday I was ordered by subpena to appear as a witness before the senate investigating committee on education of the State of California. I testified for over 2 hours, mainly about my reasons for objecting to special loyalty oaths involving inquiry into political beliefs. I also emphasized my convictions about the importance of security regulations for workers on classified projects—to be applied, however, in such a way as to do the minimum of harm to those who are considered to be poor security risks.

My own political views are well known. I am not a Communist; I have never been a Communist; I have never been involved with the Communist Party; I am a Rooseveltian Democrat; I believe that it is of the greatest importance that citizens take political action in order that our Nation not deteriorate.

My basic concept of democracy is that no one man is wise enough to make the fundamental decisions determining the course of the Nation, but that the correct decisions are made by the people as a whole. The political opinions of the people can be represented by a distribution curve. If one end of the curve is suppressed, as by political pressure on a minority, the decisions made by averaging the remainder are wrong, by the democratic criterion. I am convinced that the constitutional provision of freedom of political belief is designed to preserve the basic democratic procedure of obtaining the average of opinions of all citizens, and that when this principle is violated our democracy is seriously endangered.

It is my conviction that special loyalty oaths that involve inquiry into political beliefs constitute a violation of the fundamental principle of our democracy and hence endanger our Nation. We all agree that the secret ballot is essential to the working of the democratic system—the ballot must be secret in order to protect the voter from pressure by employers or people in political power. The protection of the secret ballot would be nullified if unscrupulous public officials were free to inquire into the political beliefs of the voters, and accordingly the citizen must be protected against inquiry into his political beliefs.

So long as the Communist Party remains a legal political party in the United States, inquiry into membership in this party constitutes inquiry into political beliefs. It is my conviction accordingly that the imposition of a special loyalty affirmation such as that require by the regents for employees of the University of California, which involves inquiry into political beliefs, violates this fundamental constitutional principle of our democracy.

I stated to the Senate Investigating Committee that in my opinion the loyalty affirmation requirement of the university had done far more harm than good. I said that I was convinced that the teachers whom I knew personally who had refused to sign had done so because of their principles, their strong convictions about freedom of political belief and the danger to our Nation that accompanies the imposition of political tests, and that great harm had been done through their persecution. I also pointed out that the earlier witnesses before the committee had testified that they believed that Communists would sign these loyalty oaths without compunction, and that these oaths could not be considered effective in controlling communism.

I am not opposed to loyalty oaths in general. I have voluntarily taken many loyalty oaths in connection with my services to the Nation. I would voluntarily take the oath prescribed by the Constitution of the State of California if I were to become an officer of the State. None of these pledges of loyalty involve inquiry into political beliefs.

In testifying before the Committee, the application of the principle of freedom of political belief caused me to refuse to answer the question about membership in the Communist Party. It was made clear through questions by Senator Dilworth that I considered the Communist Party to be a political party, and that I refused to answer because of principle.

I think that there is no inconsistency in my preparing this voluntary statement and also having previously made voluntary statements about my political beliefs, and my objecting on principle to being required to make a statement. I believe that a citizen has the right to announce his political beliefs if he desires, and that also he has the right to keep them to himself if he desires. I believe that, in order to protect our constitutional rights, everyone should refuse to permit inquiry under pressure into his political beliefs.

I may say that I am not personally sympathetic to the extremes of belief and policy that I understand some Communists to hold; but I feel that we must stanchly support the basic principles of our democracy, including the right of people to hold even extreme political beliefs. We must at the same time do our duty as citizens by striving to improve our social and political system.

LINUS PAULING.

Mr. MORSE. Mr. President, I try very hard to be fair to all sides involved in an issue. I think I would be less than fair—even though I think it is a very unkind and very unfair column—if I did not ask to have inserted in the RECORD at this point a column which appeared recently in the press, written by Victor Riesel, entitled "Americans Aid Red Propaganda," in which Mr. Riesel says some very unkind things about the junior Senator from Oregon because of the stand which I have taken with regard to the procedures of the Passport Division. I would be less than human if I did not say that the Riesel column hurt my feelings very much. I expect this kind of an attack in my work in the Senate. Anyone who believes in standing for what he thinks is a sound principle, irrespective of the individuals who may be involved, may expect such attacks. I was disappointed that Mr. Riesel would say such unkind things, because I thought he knew me better. In fact I thought he had a higher regard for me than he indicates in this column, because in recent years he has on two different occasions invited me to write a guest column for him while he was away on vacation, which I was very glad to do. He seemed to appreciate it. At least, the correspondence which I received from him at the time does not seem to indicate that he then held the view of me which he expressed in this column.

In fairness to Mr. Riesel I am satisfied that if he would take the time really to study the position of the junior Senator from Oregon in regard to the principle he is seeking to defend in connection with this passport problem, he would change his views, as expressed in this column, in regard to the justification for the stand which the junior Senator from Oregon has taken. Nevertheless, I think it is only fair that his view be presented, so I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks this highly critical column about me, written by Victor Riesel under the heading "Inside Labor: American aid Red propaganda."

There being no objection, the column was ordered to be printed in the RECORD, as follows:

INSIDE LABOR

(By Victor Riesel)

AMERICANS AID RED PROPAGANDA

NEW YORK.—There are Americans—if you can still find the charity in your soul to call them that—now fellow-traveling across Europe, Russia, and Sovietized China, helping our military enemies devise and hurl spearheaded propaganda at the United States. This is propaganda aimed at making even more fanatic the doped-up Communist troops so they can kamikaze themselves and take as many American boys as possible with them into death on Korean mountainsides.

This is propaganda skillfully whipped up to keep high the morale of enemy nations now supplying the soldiers to kill our young draftees in Korea.

To get abroad, to make themselves available for briefing in Moscow, to be able to sit as "American representatives at Peking peace conferences" under American flags, and to charge that their fellow Americans are using horrible vermin and germ plague bombs on Korean and Chinese women and children, these Americans, whose names I give you shortly, have lied to our State Department Passport Division.

They have misrepresented their destinations. They have used aliases. They have betrayed their land. And just as the overworked State Department Passport Division, without an effective security screening or policing system, begins to crack down on such noninnocents abroad, along comes a United States Senator to attack the Passport Division and complicate the lives of those of us who are trying to expose the enemy.

This Senator, WAYNE MORSE, of Oregon, reacts in the typical professional liberal style. The Senator sneers at the Passport Division's efforts to keep these Sovieteers from going abroad. He shouts about unchecked powers. He wants a review board. When that happens the fellow travelers might just as well build themselves a bridge across; sea and air travel couldn't carry the load. And the Senator takes this position like all professional liberals. Not that he's pro-Soviet. He's just got to be a militant.

Let's look at some who have managed to sneak passports through the State Department. Most of them are financed by the American Committee To Survey Trade-Union Conditions in Europe.

This outfit, first exposed here a year ago, is run by Irving Charles Velson and Esther Letz, two notorious Sovieteers, friends of high Russian officials.

There is another outfit, a peace committee without a formal name. Two of the men it sent abroad are youngish John Darr, in his early thirties, and John Adams Kingsbury, a former New York City welfare commissioner. Only a few weeks ago they arrived in Peking with expired United States passports. Senator MORSE might like to know (or would he?) that they were hailed by the enemy press there as delegates from the United States to the coming Asiatic peace conference.

Dr. Kingsbury has been propagandizing abroad against his own country for 2 years now. All this time he has been ducking American consuls who want to pick up his passport. On arrival in Peking he was placed on the platform of a special preparatory conference to set up the agenda for the Soviet-run intercontinental Asiatic and Pacific peace conference. He sat amid the enemy, the very enemy directing the slaying of our young GI's.

Then the doctor made a speech—just a few days ago, June 15. He hailed the leadership of Mao Tse-tung. And his colleague, John Darr, did other work on the peace conference and on us.

Soon all Asia was being told by the Peking radio that here were Americans admitting our atrocities, Senator MORSE. And I can show you, Senator, American Communists who are in the Near East and all through South America who are dispatching across the world similar horrendous hooey against us from their comfortable and expensive hotel suites.

The Passport Division, even in this sweltering season of thronging vacationers who travel for pleasure, is trying to stop only the enemy propagandists. It's difficult. Now comes the Senator to shout about unchecked powers.

That isn't liberalism, Senator.

Mr. MORSE. Only an excerpt or two will give the Senate some indication of Mr. Riesel's unfriendly attitude. He points out that there are those seeking passports who should not receive them. He makes clear that he considers them subversives. I wish to assure Mr. Riesel that in each and every one of such cases, when the evidence shows that there is a basis for denying a passport, I think the passport should be denied.

The point I would have Mr. Riesel keep in mind is that I am seeking to have a review of the evidence, in keeping with the sound American principle of reviewing and checking decisions which affect the rights, freedoms, and liberties of the American people. I would be very much surprised if Mr. Riesel did not agree with that principle. If he accepts that principle, then I should think he would be willing to agree with me that it ought to be applied even to individuals who he and I might agree were not individuals for whom we necessarily would have a very high regard.

Our problem, when we talk about applying the principles which safeguard American citizens, is that we have no right to choose which individuals we shall grant such protections to, and which individuals we will deny such protections to. We must apply justice equally and uniformly. We must keep faith with the principle of equality of justice before the law. I think we are making a great mistake in this time of crisis, when we are confronted with a serious problem involving a Communist threat around the world, when we at home express—and I think that is what we are really doing—a fear so far as the efficacy of our own safeguards of liberty is concerned. I have no fear of the efficacy of those safeguards.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from South Carolina?

Mr. MORSE. I yield for a question.

Mr. MAYBANK. I commend the Senator for his statement. The Senator read a letter from Mrs. Shipley. I am acquainted with a few persons in the State Department. I hope the Senator has an appreciation of what the situation is in that Department. Mrs. Shipley is only a clerk in that department.

Mr. MORSE. I did not hear the last sentence.

Mr. MAYBANK. Mrs. Shipley is only a clerk employed in the State Department.

Mr. MORSE. The letter speaks for itself.

Mr. MAYBANK. I should like to ask the Senator from Oregon to read the letter again.

Mr. MORSE. I shall be very glad to do so. The letter which I received from Mrs. Shipley under date of June 2, 1952, reads as follows:

MY DEAR SENATOR MORSE: The Department has received your letter of May 23, 1952, regarding the refusal of passport facilities to Prof. Linus Pauling.

In view of the confidential nature of the passport files the Department is not in a position to furnish detailed information concerning the facts which were the basis for its decision in the case of Professor Pauling. It may be said that the refusal of the passport was made after most careful consideration by the officers of the Department who found no other course open to them.

There is enclosed for your information a copy of a press release dated May 24, 1952, setting forth the Department's policy with regard to the refusal of passports in certain categories of cases.

Sincerely yours,

R. B. SHIPLEY,
Chief, Passport Division.

Mr. MAYBANK. I am glad that the Senator from Oregon reread the letter, because it was a little hard for me to hear in this part of the Chamber. All that she said is what the Department has said. Am I correct?

Mr. MORSE. That is all that the letter said. The letter speaks for itself. I assume it represents the position of the Secretary of State.

Mr. President, returning to the column by Victor Riesel—and it presents a point of view which I believe is held by a great many people—he says:

There are Americans—if you can still find the charity in your soul to call them that—now fellow-traveling across Europe, Russia, and Sovietized China, helping our military enemies devise and hurl spearheaded propaganda at the United States. This is propaganda aimed at making even more fanatic the doped-up Communist troops so they can kamikaze themselves and take as many American boys as possible with them into death on Korean mountainsides.

This is propaganda skillfully whipped up to keep high the morale of enemy nations now supplying the soldiers to kill our young draftees in Korea.

To get abroad, to make themselves available for briefing in Moscow, to be able to sit as "American representatives at Peking Peace Conferences" under American flags, and to charge that their "fellow Americans" are using horrible vermin and germ-plague bombs on Korean and Chinese women and children, these Americans whose names I give you shortly have lied to our State Department Passport Division.

They have misrepresented their destinations. They have used aliases. They have betrayed their land. And just as the overworked State Department Passport Division, without an effective security screening or policing system, begins to crack down on such noninnocents abroad, along comes a United States Senator to attack the Passport Division and complicate the lives of those of us who are trying to expose the enemy.

This Senator, WAYNE MORSE, of Oregon, reacts in the typical professional liberal style. The Senator sneers at the Passport Division's efforts to keep these "sovieteers" from going abroad. He shouts about "unchecked powers." He wants a review board. When that happens, the fellow-travelers might just as well build themselves a bridge across; sea and air travel couldn't carry the load. And the Senator takes this position like all professional liberals. Not that he's pro-Soviet. He's just got to be a militant.

Mr. President, I digress to say that this is an interesting chain of false assumptions on the part of Mr. Riesel. I wish particularly to point out that I am at a complete loss to follow his line of reasoning, if one wishes to call it that, in which he suggests or seems to imply that a review of the decisions of the Passport Division in appeal cases would of course result in building a bridge for what he calls these subversive characters, which would permit them by sea and air travel to spread their propaganda abroad.

I do not know where he got the idea that I am in favor of granting a passport prior to a judgment of the appeal board, and I certainly have made as clear as I can by the use of the English language that if there is any evidence on any individual which justifies characterizing him, as Mr. Riesel does in his column, I would stand shoulder to shoulder with Mr. Riesel in insisting that a passport be not granted to that individual.

But of course, what Mr. Riesel is overlooking is the very basic American principle of reveiw of discretionary power. We can assume, because he does not challenge it, that Mr. Riesel is aware that at the present time when the Passport Division reaches its decision in regard to a passport it is a final decision, insofar as any review by an independent board is concerned.

I would not wish to think—for I have a very high regard for Mr. Riesel—that he would like to sustain a proposition that the Passport Division is infallible and incapable of making a mistake and always is correct in the decision it reaches in denying a passport.

Mr. President, the denying of a passport relates to what I have previously pointed out is a precious American right to which a citizen is entitled, unless there are good grounds for denying the passport; and I should think that Mr. Riesel would join forces with me, rather than castigate me, in trying to protect this right for the individual citizen.

I hold to the point of view that one of the great strengths of our democracy is to be found in the principle that the Government must always be kept the servant, not the master, of the people. We have developed our concept of judicial checks on the decisions of administrators of government, so as to guarantee to the American people that their Government will remain their servant, and will not be their master. We cannot protect that principle if we simply take the position that it is to be applied only to those whom we like, only to those whom we believe to be innocent.

I would suggest to Mr. Riesel that he reflect on another basic principle of American jurisprudence, namely, that if we are to preserve American liberty to its fullest—and if we do not preserve it in full bloom, it will wither and die—then it is much better that a guilty man escape now and then the application of the legal restrictions upon him, rather than to have a single innocent person wronged by his government. We shall never protect the American people from the growth of tyranny and police-state methods, Mr. President, unless we always safeguard the principle that has been taught throughout our history, namely, that for our own safety as free men and women, we must follow a procedure which protects the innocent and guarantees full protection to the innocent, and that it is better to have a guilty person escape the law now and then, rather than to have one innocent person wronged by the administration of the law.

So I would say to Mr. Riesel, knowing him to be as patriotic as I am, that I believe he should reflect upon the principles I am defending in the debate on this issue, for if he will reflect on them, I do not believe he can escape the conclusion that we can protect the security of the United States from any of the designs of subversive elements within our population who may be seeking to obtain passports, and at the same time we can provide for a check upon the presently existing discretionary power on the part of the Passport Division of the State Department, by providing for a review of its decisions by the Subversive Activities Control Board under the Subversive Activities Control Act of 1950, as set forth in the bill I have introduced in the Senate.

Mr. President, to return to the column by Mr. Riesel, let me point out that in it he says—

Let's look at some who have managed to sneak passports through the State Department. Most of them are financed by the American Committee To Survey Trade-Union Conditions in Europe.

This outfit, first exposed here a year ago, is run by Irving Charles Velson and Esther Letz, two notorious "sovieteers," friends of high Russian officials.

Mr. President, I do not know about that. I never heard of them until I read Mr. Riesel's column. If those persons are of the type that he says they are, I still remain at a loss to understand why Mr. Riesel fears that a review, upon appeal, of a decision by the Passport Division of the State Department will make it possible for any such Soviet characters or subversive characters as Mr. Riesel mentions in his column—assuming that he is correct in his accusations against them—to obtain passports.

A review of the decisions of the Passport Division will not result in the granting of passports to persons who do not deserve them; but, on the contrary, that procedure will strengthen the hands of the Passport Division in the cases in which substantial evidence exists to warrant or justify the denial of a passport. It will strengthen Government by law, and it will check the arbitrary exercise of discretion. Mr. President, in my judgment it will make very clear to the subversive elements in the United States that we can make our system of checks and balances work successfully—the system under which the mere decisions of Government administrators must be subject to review, upon appeal, in the instances in which those decisions go to fundamental American rights, freedoms, or liberties.

I return to Mr. Riesel's column. In it he points out, further, that—

There is another outfit, a "peace committee" without a formal name. Two of the men it sent abroad are youngish John Darr, in his early thirties, and John Adams Kingsbury, a former New York City welfare commissioner.

Mr. President, let me say that I know nothing about them, and I never heard of them until I read Mr. Riesel's column.

I read further:

Only a few weeks ago they arrived in Peking—with expired United States passports. Senator MORSE might like to know (or would he?) that they were hailed by the enemy press there as delegates from the United States to the coming Asiatic peace conference.

Mr. President, what in the world has that to do with the principle of my proposal for a review, on appeal, of a decision of the Passport Division, where a citizen feels he has been wronged by a denial of a passport, and asks to have the evidence on which the denial allegedly was based reviewed, so as to see whether it is substantial evidence and justifies the denial of a passport?

If ever I read a nonsequitur argument, it is Mr. Riesel's argument which I have just read, in which he refers to one Darr and one Kingsbury, and then in a none-too-kind spirit asks the rhetorical question—

> Senator MORSE might like to know (or would be?) that they were hailed by the enemy press there as delegates from the United States to the coming Asiatic peace conference.

Let me assure Mr. Riesel, to change his rhetorical question into a direct answer by me, that if the gentlemen to whom he refers there are of the type that he says they are, I favor strengthening the procedures which will prevent their getting out of the United States; but I would not do it by star-chamber procedures. I would do it in keeping with what I believe is the rich meaning of the American judicial process based upon the Bill of Rights. Even if those persons are the kind of human vermin that Mr. Riesel says they are, I would see to it that they had an opportunity to have a hearing on appeal.

Then, Mr. President, believe me, unless good cause could be shown why it would endanger the security of the Nation to make public the findings, I would broadcast the findings to the people of the United States. I believe that is the way to treat such human vermin as Mr. Riesel describes, if they are guilty of the things which he says they are guilty of. In other words, let us bring them out into the open, under the penetrating light of public opinion. But let us not follow a course of action which tends to drive these subversives underground. Let us keep faith with the type of procedure that you and I, Mr. President, would like to have applied to ourselves if we were subjected to a charge which I believe is just about as bad as any which could be leveled against anyone, namely, the charge of disloyalty to one's government.

We, too, Mr. President, would want an opportunity under our system of jurisprudence to meet the charges and to insist that the presumption of innocence be guaranteed to us, unless the evidence could be presented substantiating the charges. It will be realized that when we start applying this principle for which I am speaking, not to such human vermin as Riesel describes in his column, but to American citizens of our own acquaintance, it then becomes clear that it is our duty to see to it that these protections are guaranteed.

Mr. President, let me tell you, in this period of hysteria and high emotion that is sweeping this country, we had better remember the old maxim, "Except for the grace of God," the individual charged might be ourselves, because I do not know who is safe any more in America from smear attacks. I know the best way to meet the smear attacks; I know the best guaranty we can give to our people to protect them from smear attacks is to guarantee them these procedures about which I am speaking, which would offer them an opportunity to establish their innocence, and in a fair hearing where they would be confronted by their accusers, and where their accusers would be charged with the responsibility of sustaining their burden of proof.

Victor Riesel goes on to write:

> Dr. Kingsbury has been propagandizing abroad against his own country for 2 years now. All this time he has been ducking American consuls who want to pick up his passport. On arrival in Peking, he was placed on the platform of a special preparatory conference to set up the agenda for the Soviet-run intercontinental Asiatic and Pacific peace conference. He sat amid the enemy, the very enemy directing the slaying of our young GI's.

Mr. President, if those are the facts, and I assume they are, Victor Riesel does not deplore them any more than does the junior Senator from Oregon. But I am at a complete loss to understand the causal relationship between these comments of Mr. Riesel and my proposal that there be an appeal procedure set up in the State Department for the handling of passport cases on appeal. That appeal procedure has no causal relationship whatever to whatever chain of events made it possible for Dr. Kingsbury to get out of this country. In fact, I think it could be argued that under the procedure that I propose it conceivably would have been more difficult for Dr. Kingsbury to get out of the country. Again, I say this paragraph in Mr. Riesel's column is a non sequitur. Returning to his column, I read:

> Then the doctor made a speech—just a few days ago, June 15. He hailed the leadership of Mao Tse-tung. And his colleague, John Darr, did other work on the peace conference and . . . us.
>
> Soon all Asia was being told by the Peiping radio that here were Americans admitting our atrocities, Senator MORSE. And I can show you, Senator, American Communists who are in the Near East and all through South America, who are dispatching across the world similar horrendous hooey against us from their comfortable and expensive hotel suites.

I do not doubt it, and I do not think they ought to have received passports. I am as much opposed to their getting out of the country as is Victor Riesel. Then again, I say, Mr. President, what in the world has the activity of those individuals who are out of this country to do with my proposal that there should be an appeal procedure set up in the State Department under the jurisdiction of the Subversive Control Board, created under the Subversive Control Act of 1950, which will review on appeal those decisions of the Passport Division regarding which disputes have been raised? Absolutely no relationship at all, Mr. President, is the answer.

And so we find Victor Riesel deploring the activities of alleged Communists and Soviet agents, and seeking to smear me with the charge that my proposal to provide a sound checking procedure for reviewing the discretionary decisions of the Passport Division, somehow, some way, has a causal connection with the fact that somebody by the name of John Darr, or someone by the name of Dr. Kingsbury is carrying on some subversive activities somewhere in the Orient or in South America. It is not becoming to Victor Riesel to engage in that sort of journalism; and I regret that he has done so.

The last paragraph of his column reads as follows:

> The Passport Division, even in this sweltering season of thronging vacationers who travel for pleasure, is trying to stop only the enemy propagandists. It is difficult. Now comes the Senator to shout about "unchecked powers."
>
> That isn't liberalism, Senator.

Mr. President, I have a very simple question to ask Victor Riesel: Are these powers unchecked or are they not? The answer is that they are unchecked. The burden of my case, the essence of my argument, is that I think it jeopardizes the liberty and the rights of any American citizen to permit the State Department to exercise finality of decision in the granting or denying of a passport without an appeal procedure under which a fellow American citizen will have an opportunity to have the decision of the State Department reviewed on appeal if he wishes the opportunity to present evidence showing that no just cause exists for denying a passport.

That is the burden of my argument.

I say, Mr. President, that if we want to protect freedom in this country, then my colleagues in the Senate of the United States ought to join me in the adoption of a provision such as that which I have introduced which will guarantee that protection, because without it I say we ourselves are adopting police-state methods; we ourselves are forming a partnership with Stalin himself in denying a fair trial, a fair hearing, and a public disclosure in cases of dispute over whether just grounds exist for the denial of a passport.

I now come to the closing point of my argument, the Lattimore case.

May I say that I hold no brief for Owen Lattimore. I do not know him. Anything I know about him is what I have read in the newspapers or have read in connection with hearings which have been held in the Senate.

I have always said that Owen Lattimore, as any other American citizen, is entitled to the benefit of a presumption of innocence in respect to charges which have been made against him, until his guilt has been established. I assume, and shall continue to assume, Mr. President, that if Owen Lattimore is a subversive person, if there is any basis in fact for the charge that he has been acting in a manner which makes him a bad security risk in the United States, there is ample law on the books to bring him to justice. It was done in the Hiss case, Mr. President. I think it is rather interesting that the prosecutions of Owen Lattimore, if we want to use that term, have been limited up to this time to congressional hearings, with all the remarkable flexibility of procedural privilege going along with congressional hearings. In fact, only the lateness of the hour causes me to do no more than to mention it in passing. Not only a great opportunity is ours, but a great opportunity which we have not fulfilled as yet, to improve the proceedings of congressional investigations so that the investigations which in recent years

have become quasi judicial, at least, in name, so that some of the same safeguards about which I have been speaking, protecting the presumption of innocence and guaranteeing to the citizen an opportunity to be confronted by those who testify against him, to cross-examine them, to make a full and complete statement of his own case, and be protected by the benefit of counsel, shall be adopted as requirements of congressional procedure in the handling of congressional investigations.

Something tells me, Mr. President, that there is a growing demand in this country for an improvement in our congressional investigating procedures. But, be that as it may, and returning to the Lattimore case, I want to say that up to this time prosecutions have been limited, and, so far as I know, on the record, in spite of all the charges, the presumption of innocence has not been overcome in this sense: I think a similar record made before any court in this country would result in a sustaining of a motion by counsel to dismiss the charges.

I think he should be tried in court if there is any evidence in existence that will support the accusation that he is a subversive person.

I make these statements, Mr. President, because I well know—if there is any doubt about it, visit my office 3 or 4 days from now and read the incoming mail—I know that even my mentioning on the floor of the Senate the name of Owen Lattimore will cause many unthinking persons to jump to the conclusion that WAYNE MORSE defended Owen Lattimore in connection with charges that have been made against him. But let the record show that I did not because I do not know enough about either the charges or about Owen Lattimore to justify my making the statement by way of judgment of either the charges or the man. But I do claim that, as a lawyer, I know something about fair procedure.

If one wants any evidence, Mr. President, as to the soundness of the position I am taking for the adoption of some procedure that will place a check upon the arbitrary discretion of the State Department in connection with passport cases, take a look at the recent happening in the so-called Lattimore case. It is very shocking, if what I read in the press constituted an accurate statement of what had transpired. It is my understanding of the press account that the State Department, without any contact whatsoever with Lattimore, but based upon a charge or accusation made by a citizen to an investigating officer of our Government that Owen Lattimore was seeking to escape from the United States and fly to Russia to participate in subversive activities, issued instructions to customs officers and customs offices in the United States to watch out for Owen Lattimore. If he was found at any point of exit seeking to leave the country, he was to be apprehended, because the State Department would not grant him a passport.

Still without getting in touch with Owen Lattimore, I understand from the press—and that is the complete limit of my understanding of the matter—the State Department broadcast the information to the world. The devotion of the State Department to secrecy is rather paradoxical, is it not? But when they wanted to smear somebody, they forgot all about the policy of secrecy.

Mr. President, I say that even if the facts were just the opposite, even if investigation showed that Lattimore had such intentions and plans as the State Department announced he had, by the statement they made to the press the other day, under our system of American justice they first ought to have brought the accused before them. Mr. President, it is neither right nor safe to permit any department of Government to play such havoc with the reputations and the rights of American citizens, I care not who they be. After all as Senators have heard me say before, it is the procedures which Government applies that determine substantive rights. Unless procedures protect substantive rights, there are no substantive rights. What good is a man's reputation once it has been smeared and destroyed? All the apologies, all the retractions, yes, Mr. President, even in the case of private suits, all the damages that are paid, can never reestablish a broken reputation. As far as public opinion is concerned, a broken, destroyed reputation is a Humpty Dumpty. It cannot be mended; it cannot be built up again.

Our Government, if it is to remain our servant and not our master, must never be allowed to commit the type of wrong which, if the newspapers are correct, was committed in the Lattimore case.

So that there may be no misunderstanding of my view, I want it clearly understood that I even think it was shabby procedure for the State Department to make the announcement it made in the Lattimore case before checking into the matter with Lattimore nimself. If it is true, as the newspapers report, that the information upon which the State Department relied in sending its instructions to the customs officers and immigration officials was false information, then a double injustice has been done to Lattimore. In my opinion, it was an injustice not to have communicated with him in the first instance to check on whether or not he denied any such allegation, and in the second place, it certainly was an injustice to publish such accusations without making certain that they were true.

If anyone does not understand the application of the principle I am fighting for on this issue, let him look at the most recent episode in the Lattimore case. Oh, yes, if—and I underline the word "if"—the announcement made the other day by McDermott, the State Department press relations officer, is true, the Department disclosed to the public that it had issued instructions to customs and immigration officers of our country to be on the lookout for Lattimore. But if there is no basis in fact for the accusations that were made, on the foundation of which the State Department took the action it did, then no doubt the officials of the Government responsible for such arbitrary action ought to be disciplined in whatever way it is possible to discipline, under existing Government rules and regulations.

But what I consider very important is that we learn a lesson from this episode. The lesson I think it teaches is that those who apparently have assumed infallibility on the part of the Passport Division of the State Department now know, in a case that has been publicly disclosed, that such a reputation for infallibility is unwarranted. I suggest that if the newspaper accounts of what happened in the Lattimore case represent an accurate statement of the facts, it is fair to argue that the case justifies at least a suspicion that possibly there are some decisions of the Passport Division that do not receive public disclosure. The findings and conclusions in those decisions may be as unwarranted as the findings and conclusions by the State Department in the last episode of the Lattimore case appear to be.

So I close with a little message to Dean Acheson: "Take a look, Mr. Acheson, at this last episode in the Lattimore case. Take a look at the procedures of the Passport Division, and then get out your notes—which I hope you still have—in the freshman courses you took at the Harvard Law School, on Procedure, in which you were taught, if you learned, that under our system of American justice, inherent in a fair trial is the right to appeal and review of the evidence, a right, Mr. Acheson, which you are denying in the State Department. So long as you continue to deny it I shall continue to say that you, Mr. Acheson, are guilty of maintaining an un-American procedure in your own department; and so long as you do I shall continue to say I think you are disqualified for public service."

ORDER FOR ADJOURNMENT

Mr. McFARLAND. Mr. President, I ask unanimous consent that at the conclusion of its business today the Senate adjourn until 12 o'clock noon tomorrow; and, because of the unanimous consent agreement which has been entered into with respect to the limitation of debate, that the morning hour be dispensed with.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

LEGISLATIVE BRANCH APPROPRIATIONS, 1953

Mr. McFARLAND. Mr. President, in order that the Senate may know what the pending business will be tomorrow, after the vote is taken on the veto of the immigration bill, I move that the Senate proceed to the consideration of House bill 7313, the legislative appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7313) making appropriations for the legislative branch for the fiscal year ending June 30, 1953, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

LEGISLATIVE PROGRAM

Mr. McFARLAND. It is our hope that we shall be able after the passage of the legislative appropriation bill, to dispose of House bill 5426, to consolidate all laws relating to the Reserve components of the Armed Forces of the United States.

After that, if the Korean veterans' bill is ready, we may take up that bill.

We expect to take up Calendar No. 1514, Senate bill 2592, to amend the Civil Aeronautics Act of 1938.

We may proceed to the consideration of Calendar No. 1671, House bill 5767, to amend the Federal Trade Commission Act with respect to certain contracts and agreements, which is the so-called fair-trade bill.

Mr. McCARRAN. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield.

Mr. McCARRAN. Can the Senator tell me when the Senate is likely to consider the joint resolution proposing a constitutional amendment?

Mr. McFARLAND. I shall try to give the Senator an answer to that question tomorrow.

Mr. WELKER. Mr. President, I have previously asked whether it was likely that the Senate would be in session on Saturday of this week.

Mr. McFARLAND. Considering the program I have outlined, if the Senate expects to adjourn by a week from Saturday, I think there should be a Saturday session, unless something happens to enable us to dispose of a great many bills tomorrow. I do not expect the Senate to be able to do that.

Mr. WELKER. Then it is safe to assume that the Senate will work on Saturday?

Mr. McFARLAND. It is, unless we can dispose of the agenda and get caught up.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. TOBEY. Is it the Senator's suggestion that we might adjourn a week from Saturday?

Mr. McFARLAND. I am not only suggesting it; I say that we expect to do so.

Mr. TOBEY. I say, God bless the Senator for those kind words.

Mr. CASE. Mr. President, what time will the Senate meet tomorrow?

Mr. McFARLAND. The Senate will convene at 12 o'clock.

Mr. CASE. Will the first vote be on the President's veto of the immigration bill?

Mr. McFARLAND. That is correct.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. HENDRICKSON. As I understand, the second vote will be on the Reserve bill. Is that correct?

Mr. McFARLAND. Mr. President, there seems to be some doubt as to the program. The first business will be to dispose of the Presidential veto of the immigration bill. The time for consideration of that is limited to the period between 12 o'clock and 2:30. The legislative appropriation bill has already been made the unfinished business. Following the vote on the veto message, we shall dispose of the legislative appropriation bill. Then we shall take up the Reserve bill. If the Korean veterans' bill is ready, we shall take it up next. Then we shall take up the fair-trade bill.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I am interested in a District of Columbia bill, Calendar No. 1664, H. R. 5768. It is very necessary that the bill be passed soon. If it is not, the boxing commission of the District of Columbia will not be able to function after the 30th of this month. I do not believe there will be any opposition to the bill.

Mr. McFARLAND. So far as I am concerned, I would have no objection to its consideration now. I believe I asked that it be passed over to enable Senators to study it, but I am willing to have the Senate pass on the bill immediately.

REGULATION OF BOXING IN THE DISTRICT OF COLUMBIA

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 1664, H. R. 5768. It will not take long to dispose of the bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina?

There being no objection, the Senate proceeded to consider the bill (H. R. 5768) to amend the act entitled "An act to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes, to which amendments offered by Mr. JOHNSTON, of South Carolina were agreed to on June 21, 1952, as follows:

On page 1, line 9, after the word "licensed", to insert "professional"; in line 10, after the word "licensed", to insert "professional"; and on page 3, line 4, after the word "contest", to insert a colon and "*Provided*, That no person holding or conducting any amateur boxing contest under the jurisdiction and with the sanction of the District of Columbia Association of the Amateur Athletic Union of the United States shall be required to pay to the Commission any such sum which includes receipts derived from the sale, lease, or other exploitation of radio, television, or motion-picture rights relating to any such amateur boxing contest."

Mr. CASE. Mr. President, the bill was reported by the committee unanimously and without amendment. Amendments proposed by the Senator from South Carolina were agreed to on June 21, 1952.

The VICE PRESIDENT. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed without amendment the bill (S. 2421) to amend the act of January 12, 1951 (64 Stat. 1257), amending and extending title II of the First War Powers Act, 1941.

The message also announced that the House having proceeded to reconsider the bill (H. R. 5678) entitled "An act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was—

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

NEED FOR CONSTRUCTION OF NEW BRIDGE AT SUMMIT, DEL.

Mr. FREAR. Mr. President, I ask the attention of the Senate for just a few moments to a matter of unusual importance to the people of Delaware and to many others residing along the eastern seaboard.

We are all concerned in improving our bridge and highway systems in the interest of better transportation facilities for the millions of motorists who annually use the routes between Maine and Florida. A great bulk of this traffic passes between Washington and New York. I know that many Members of the Senate have driven over this route frequently.

In order to meet requirements of these expanding traffic loads, the State of Delaware last year completed a new four-lane bridge which spans the Delaware River and connects with the great State of New Jersey.

More recently New Jersey opened its magnificent new turnpipe, and now traffic flows faster and safer between the Delaware bridge, across New Jersey, and into New York City.

In our adjoining State of Maryland to the west, the new Chesapeake Bay bridge will shortly be finished, thereby adding another modern link to the north-south traffic system.

Additional efforts are under way to connect the Chesapeake Bay bridge and the Delaware River crossing by highways of a turnpike caliber.

Unfortunately, however, a serious obstacle is preventing satisfactory completion of these connecting routes.

That obstacle is an inadequate bridge which spans the Chesapeake and Delaware Canal at Summit, Del.

Several weeks ago a collision of two vessels, sinking one in the narrow canal not far from this bridge, halted all traffic in that vital waterway. Now that the sunken ship has burned out, the engineers are going to attempt the costly task of raising it so that water-borne commerce can again move.

One of the contributing factors to inadequate safety in the canal is poor vision caused by various bends and by such structures as the Summit Bridge.

As if this was not enough, an abutment supporting one end of the bridge gave

way some months ago and required a lengthy closing of the span for repairs.

Yesterday, Mr. President, with summer road traffic at the height, the abutment on the other side of this bridge was found to be dangerously weak and now the structure has been closed again for an indefinite period of time. Long and costly detours are facing motorists who have used the bridge not only for pleasure but for business. Resort areas along the Delaware River and Bay are to be confronted with serious hardships.

The prohibition of vehicles over the Summit Bridge is a blow to the whole traffic pattern between north and south. I assume that the engineers propose to patch up the weakened abutment and hope that further erosion will not sooner or later cause the whole structure to collapse.

Mr. President, the only answer to this problem is replacement of this inadequate crossing with a high-level fixed bridge of four lanes, so that the traffic capacity can be met and so that the present obsolete structure—a continuing danger to vessels passing through the canal—can be removed.

For months now I have had legislation pending to accomplish this objective. In spite of the fact that the Department of Commerce has given the bill a favorable report, the Department of the Army has so far refused to recommend any more than a two-lane crossing. Mr. President, a bridge of only two lanes is not adequate to meet our present, not to mention our future, needs.

If Delaware shared proportionately in Federal grants to the amount of taxes which are collected, I would be more reluctant to ask the Senate's support of this measure. But, in spite of the fact that well over half a billion dollars in Federal taxes were collected in my State last year, the amount of public-works funds which we have received has been practically nothing. As a matter of fact, although Congress appropriated an amount of $122,000 to dredge an inlet in the lower part of my State in order to insure the livelihood of fishing interests in that area, the funds were deleted by Executive order.

Therefore, Mr. President, I take this occasion to again urge the distinguished chairman of the Senate Public Works Committee to consider S. 483 and to promptly report it favorably to the floor.

Construction of a new bridge at Summit, Del., is not a measure intended for Delaware only. Rather, as I have attempted to emphasize, it is a major factor in the continued development of our whole bridge and highway system from Maine to Florida.

NOMINATIONS ON THE EXECUTIVE CALENDAR

Mr. McFARLAND. Mr. President, as in executive session, I ask that the nominations on the Executive Calendar, under new reports, in the Diplomatic and Foreign Service, be considered en bloc at this time. I exclude from my request the nomination to the Renegotiation Board, which was adversely reported.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

Mr. FERGUSON. Mr. President, one of the nominations is adversely reported.

Mr. McFARLAND. I do not include the nomination which was adversely reported.

The VICE PRESIDENT. The Chair understands that the majority leader is not requesting that the nomination which was adversely reported be confirmed.

Mr. McFARLAND. That is correct.

Mr. FERGUSON. I thank the Senator for making the statement on the record.

The VICE PRESIDENT. To clarify the situation, the Chair will state that Executive Calendar No. 683, message No. 133, covering the nomination to the Renegotiation Board, is excluded from the request of the majority leader.

Mr. McFARLAND. That is correct.

The VICE PRESIDENT. Without objection, as in executive session, the nominations in the Diplomatic and Foreign Service are confirmed en bloc, and the President will be immediately notified.

ADJOURNMENT

Mr. MURRAY. Mr. President, in accordance with the unanimous-consent agreement previously entered into, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Friday, June 27, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 26 (legislative day of June 21), 1952:

IN THE ARMY

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), title II of the act of August 5, 1947 (Public Law 365, 80th Cong.), Public Law 36 (80th Cong.), and Public Law 625 (80th Cong.), subject to physical qualification:

To be lieutenant colonel

Franklin B. Cooper, MC, O443126.

To be major

Frederic E. Simpson, MC, O391271.

To be captains

Nicholas G. Bottiglieri, MC, O1704963.
Harold R. Widdowson, MC, O2028216.
Irving Wikler, MC, O966304.

To be first lieutenants

Asdrubal Arzola, MC, O411664.
Cecil F. Clement, Jr., DC, O1182542.
John F. Cornely, MC, O2203692.
Eugen W. Eberlin, MC, O986952.
William C. Hurt, DC, O945364.
Jack F. Wisman, MC, O2096738.

To be second lieutenants

Diana B. Amoss, WAC, L1010387.
Ann V. Awdukewich, WAC, L1010437.
Therese E. J. Bissen, WAC, L1010393.
Moray J. Black, WAC, L1010394.
Ethel M. Bridgeforth, WAC, L1010419.
Doris A. Carr, WAC, L1010461.
Dorothy L. Crook, WAC, L1010550.
Joann Elliott, WAC, L1010399.
Vivian Farland, ANC, N792745.
Ruth J. Geer, WAC, L1010392.
Mary J. Grimes, WAC, L1010444.
Shirley R. Heinze, WAC, L1010431.
Dorothy M. Holtz, ANC, N805554.
Nancy M. Hopfenspirger, WAC, L1010386.
Marcella E. Huggins, WAC, L1010465.
Eleanor P. Hutchins, WAC, L1010425.
Mary V. Jackson, WAC, L1010480.
Margaret M. Jebb, WAC, L1010447.
Jeanette Johnson, WAC, L1010404.
Miriam J. Johnson, WAC, L1010466.
Maida E. Lambeth, WAC, L1010432.
Mary E. Lerche, WAC, L1010467.
Rachel R. Malone, ANC, N901198.
Dorothy I. McCarthy, WMSC, M2911.
Harriet J. McKinley, WMSC, M2912.
Geraldine T. McNutt, WAC, L1010468.
Martha R. Meacham, WAC, L1010433.
Patricia G. Mitchell, WAC, L1010450.
Katsuyo Nanchi, ANC, N805333.
Doris D. Polk, WAC, L1010453.
Pollie L. Rawlinson, WAC, L1010374.
John K. Read, MSC, O986736.
Mar-gret A. Rupp, WAC, L1010454.
Edna A. Sargent, WAC, L1010474.
Florence T. Saunders, WAC, L1010473.
Elizabeth R. Smith, Jr., WAC, L1010476.
Nancy V. Smith, ANC, N805117.
Margaret A. Snyder, WAC, L1010573.
Dorcas A. Stearns, WAC, L1010456.
Mary C. Strain, WAC, L1010477.
Clauda M. Surratt, WAC, L1010478.
Ruth B. Walsh, WAC, L1010371.
Mary E. Waters, WAC, L1010457.
Elizabeth J. Wilde, WAC, L1010458.

The following-named persons for appointment as chaplain of the Regular Army, in the grade of captain, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), subject to physical qualification.

Joseph B. Messing, O932394.

The following-named persons for appointment in the Medical Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), subject to completion of internship, and subject to physical qualification:

Stanley D. Callas, O2102261.
Jerald R. Cureton, O1915224.
Alphonsus L. Doerr, O2103458.
George D. Edwards, O1873502.
Donald M. Hayes, O2041849.
LeRoy P. Houck, O2103389.
William R. Howard, O1541572.
John F. Hurdle, O996224.
Foster C. McCaleb, Jr., O1915225.
Eugene P. McKeown, O1873503.
Robert W. Neidlinger.
William W. Richardson, O1915229.
Mervin H. Schwartz, O1873504.
Victor J. Slominski, Jr., O2103399.
Vincent C. Sweeny, O2102263.
Henry T. Uhrig, O2042052.

The following-named persons for appointment in the Regular Army of the United States in the grades specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), subject to physical qualification:

To be first lieutenants

William E. LeGro, Jr., O2210053.
Sterling T. Post, Jr., O2203020.
Bertram L. Zartner, O2208001.

To be second lieutenants

Ralph O. Benefield, O2206563.
Stephen J. Borys, O1688792.
Jack A. Bump, O1918441.
James W. Clawson, O1873152.
David O. Cochran, O987874.
Conrad G. Conley.

Orris F. Haynie, O1115626.
Alvin S. Jacobs, O2003075.
Robert J. McCaffree, O1883661.
John E. McGlone, O1878758.
Carlisle R. Petty, Jr., O2030506.
Kenneth R. Rogers, O2104126.
John I. Smith, O1878923.
William J. Storey, O1881534.
James G. White, Jr., O2204475.
Earle C. Williams, O2004312.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), subject to designation as distinguished military graduates, and subject to physical qualification:

Curtiss M. Bailey	John H. Lewis
Parry Barnes, Jr.	William J. Lillis
Herbert J. Bickel, Jr.	Alfred C. Malmgren
Clarence A. Brest, Jr.	Raymond F. McGuire, Jr.
Earl N. Bridgman, Jr.	Richard J. McManus
George C. Broome, Jr.	Samuel Meyer
Lawrence E. Bryan	John C. Meyers
James M. Catterson, Jr.	Russell J. Mittelstadt
Herbert J. Cooke	Glenn Petrenko
Francis W. Cotten	Galyn D. Pownell
Elton J. Delaune, Jr.	Laurence H. Reece, Jr.
Eddie C. Dixon	John J. Repko, Jr.
William J. Dunlap, O1914881	Victor M. Robertson, Jr.
Edward R. Dyer, Jr., O1872775	John J. Sandhaas, Jr.
Eugene W. Ennis	Edmond P. Schexnayder
Arlen L. Fowler	Wilbur D. Stites, O2104252
Donald J. Funk	Albert G. Stefanik
Robert M. Garrison, O1874386	Joseph M. Stevenson
Robert C. Gaskill	Clarence E. Stiefel, O2003117
Merle R. Greene	Randol C. Tucker
Jeremiah B. Hawkins	Frank D. Turner, Jr.
Ross F. Hawkins, Jr.	Fred H. Walton, Jr.
John R. Hennigan, O1914636	Harold T. Webb
Carl L. Hooper, Jr.	Medicus S. Williams, Jr.
Jack P. Huddle	Thomas R. York
William E. Jenkins	Joseph E. Zaice
Charles P. Jones	Alfred W. Zielonka
Jack J. Jumper	
Richard L. Laybourne	

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), subject to designation as distinguished military graduates, and subject to physical qualification:

Joseph G. McGlade
Gerald A. Ramthun

The following-named person for appointment in the Regular Army of the United States effective August 7, 1952, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

Lee P. Moore, O1182197.

IN THE NAVY

Vice Adm. Edward L. Cochrane, United States Navy retired, to be a member of the Federal Maritime Board for the term expiring June 30, 1956. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate June 26 (legislative day of June 21), 1952:

DIPLOMATIC AND FOREIGN SERVICE

Phelps Phelps, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

Angus Ward, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan.

ROUTINE APPOINTMENTS

To be consul general of the United States of America

Julian F. Harrington

To be consuls of the United States of America

William J. Barnsdale
Eugene V. Prostov

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 26, 1952

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty and ever-blessed God, who hast revealed Thyself as the Supreme Intelligence, we pray that we may begin, continue, and end each new day with a greater confidence in Thy wise and beneficent purposes.

May all who represent our beloved country in the affairs of government be guided in some special way by the eternal truth and wisdom and righteouness of God.

Give us the glad assurance that where Thou dost guide Thou wilt also provide. To Thy name we shall ascribe all the praise and glory, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7176. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 19[illegible] and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. O'MAHONEY, Mr. MCCARRAN, Mr. CHAVEZ, Mr. CORDON, Mr. YOUNG, and Mr. KNOWLAND to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the concurrent resolution (H. Con. Res. 206) entitled "Concurrent resolution favoring the granting of the status of permanent residence to certain aliens," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. EASTLAND, Mr. SMITH of North Carolina, Mr. FERGUSON, and Mr. JENNER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the concurrent resolution (H. Con. Res. 191) entitled "Concurrent resolution favoring the granting of the status of permanent residence to certain aliens," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. EASTLAND, Mr. SMITH of North Carolina, Mr. FERGUSON, and Mr. JENNER to be conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1537. An act to amend the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II"; and

S. 2198. An act relating to the theft or receipt of stolen mail matter generally.

The message also announced that the Senate agrees to the amendments of the House to a concurrent resolution of the Senate entitled "Concurrent resolution favoring the suspension of deportation of certain aliens," with an amendment as follows: On page 14, strike out line 18.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 418. Joint resolution to amend the act of July 1, 1947 (61 Stat. 242).

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 7231. An act to amend the act entitled "An act to provide books for the adult blind."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6854) entitled "An act making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes."

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on June 25, 1952, the President approved and signed bills of the House of the following titles:

H. R. 1739. An act to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy;

H. R. 5990. An act to amend the Federal Civil Defense Act of 1950; and

H. R. 7340. An act to amend and supplement the Federal-Aid Road Act, approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

BRIDGE ACROSS MISSISSIPPI RIVER AT BETTENDORF, IOWA

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8194) to amend an act approved May 26, 1928,

relating to a bridge across the Mississippi River at Bettendorf, Iowa.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this comes to the floor with the unanimous report of the committee?

Mr. FALLON. That is right.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the act approved May 26, 1928, is hereby amended by adding at the end of the section the following: "Any State or public agency or political subdivision thereof that may have originally constructed said bridge as assignee of the rights, powers, and privileges conferred by this act, and any State or public agency or political subdivision thereof that may have succeeded to the rights of such assignee and that may have taken over or acquired said bridge, is hereby authorized, and subject to approval of the pertinent plans by the Chief of Engineers and Secretary of the Army, to enlarge and reconstruct said bridge and approaches, including the construction of a separate but adjacent span across the Mississippi River and approaches thereto with interconnections with the original span, and to continue to charge tolls for transit over such bridge as so enlarged and reconstructed, subject to the limitations expressed in section 3 hereof, to provide a fund sufficient to pay the cost of maintaining, repairing, and operating the bridge and its approaches as so enlarged and reconstructed under economical management and to provide a sinking fund to amortize the cost thereof including interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the date of completion of such improvements, and after a sinking fund sufficient for such amortization shall have been so provided, such bridge and adjacent span shall thereafter be maintained and operated free of tolls in accordance with such arrangement as may be mutually agreed upon by the public agency or political subdivision then owning said bridge and the State highway departments or other appropriate authorities of Iowa and Illinois, and, in connection with any such enlargement and reconstruction of said bridge and approaches thereto, shall have the right and power to enter upon and acquire, condemn, occupy, possess, and use such real estate and other property as may be needed upon making just compensation therefor to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings for such condemnation shall be the same as in the condemnation of private property for public purposes in such State."

SEC. 2. The second sentence of section 5 of the act approved May 26, 1928, is hereby amended by striking out all of said sentence after the words "operated free of tolls" and inserting in lieu thereof "in accordance with such arrangement as may be mutually agreed upon by the public agency or political subdivision then owning said bridge and the State Highway Departments or other appropriate authorities of Iowa and Illinois."

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING TO KAISER STEEL CORP. CERTAIN RIGHTS OF WAY

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1853) to authorize the granting to Kaiser Steel Corp. of rights-of-way on, over, under, through, and across certain public lands, and of patent-in-fee to certain other public lands, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, strike out lines 7 to 11, inclusive, and insert "That such rights-of-way be subject to existing rights in conflict therewith and shall be subject to reversion to the United States if the rights-of-way are abandoned or not used for a continuous period of 7 years by said corporation or its successors in interest: *Provided further*, That the Secretary of the Interior shall attach and impose such further conditions on said rights-of-way, and promulgate such rules and regulations as he shall deem appropriate, consistent with the use of said rights-of-way for the purposes prescribed in this act."

Page 3, line 25, after "less", insert ": *Provided*, That such patent shall be subject to a reservation to the United States of all deposits of minerals together with the right of the United States, its agents, permittees, lessees, or assigns to enter upon, prospect for, mine, and remove such minerals under the laws of the United States and regulations prescribed by the Secretary of the Interior: *Provided further*, That said property shall revert in fee to the United States in the event that said property is not used for a continuous period of 7 years as a camp site or mill site or for other incidental purposes in connection with the mining operations of said corporation or its successors in interest."

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what are these Senate amendments?

Mr. ENGLE. Mr. Speaker, the Senate added some additional reservations which grant certain rights-of-way to the Kaiser Steel Corp. These amendments have been cleared with the author of the bill.

Mr. MARTIN of Massachusetts. Who is the author?

Mr. ENGLE. The author of the bill is the gentleman from California [Mr. SHEPPARD]. The amendments have been take up with the minority side of the committee.

Mr. MARTIN of Massachusetts. As I heard the amendments read, they were more restrictive than the original bill?

Mr. ENGLE. That is correct.

Mr. MARTIN of Massachusetts. There is no opposition on the part of either the Republican or Democratic side?

Mr. ENGLE. That is correct.

Mr. SMITH of Wisconsin. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California if these rights are permanent rights inuring to the Kaiser Steel Corp. or are they only temporary rights?

Mr. ENGLE. They are temporary rights that can become permanent by a certain period of time, and the Senate put in the reservation which includes mineral rights.

Mr. SMITH of Wisconsin. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDING SECTION 3268 OF THE INTERNAL REVENUE CODE

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5734) to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3268 (a) of the Internal Revenue Code (relating to tax on bowling alleys and billiard and pool tables) is hereby amended by adding at the end thereof the following new sentence: "The tax imposed under this section shall not apply for any period beginning after June 30, 1952, with respect to any bowling alley, billiard table, or pool table maintained exclusively for the use of members of the Armed Forces on any property owned, reserved, or used by, or otherwise acquired for the use of, the United States if no charge is made for their use."

With the following committee amendment:

Page 1, line 3, after "(a)", insert "of the Internal Revenue Code."

The committee amendment was agreed to.

Mr. DOUGHTON. Mr. Speaker, this bill would exempt from the $20 a year occupational tax bowling alleys and billiard or pool tables where they are used exclusively by members of the Armed Forces on United States property and there is no charge for their use.

In the usual case, these alleys and tables are operated from profits derived from ships' service stores and post exchanges. Profits from these stores and exchanges are devoted to recreational programs for members of the Armed Forces, and the occupational taxes reduce funds available for these purposes.

This bill was reported unanimously by the Committee on Ways and Means.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING CERTAIN PROVISIONS OF THE INTERNAL REVENUE CODE RELATING TO DISTILLED SPIRITS AND ALCOHOL

Mr. KEOGH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6366) to amend certain provisions of the Internal Revenue Code to authorize the

receipt in bond and tax payment at rectifying plants of distilled spirits, alcohol, and wines for rectification, bottling, and packaging, or for bottling and packaging without rectification, and the production in bond and tax payment of gin and vodka at rectifying plants.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. REED of New York. Mr. Speaker, reserving the right to object, will the gentleman please explain the bill?

Mr. KEOGH. Mr. Speaker, this bill would enable rectifying plants to receive and store in bond distilled spirits, alcohol, and wines pending tax payment, and remove it for rectification and bottling, or for bottling without rectification, and to produce gin and vodka in bond.

At the present time rectifiers must pay taxes on these items before they receive them. Since rectifiers must keep on hand a sufficient supply of spirits, alcohol, and wines to carry on their operations, they have large amounts of capital tied up in taxes. Most large rectifiers are also distillers and operate liquor warehouses which are situated near their rectifying plant. Thus, they suffer no great disadvantage in complying with the requirement that all liquors brought to their rectifying plant must be tax-paid. However, those rectifiers who are not situated near the places of storage and tax payment must invest considerable capital in liquors which must be tax-paid and then shipped to them. This means that small rectifiers with limited capital and rectifiers located at some distance from bonded warehouses are working under a competitive disadvantage. This bill would alleviate this disadvantage by permitting rectifiers to establish in-bond departments, in which untax-paid liquors may be stored. To insure that only the amount of spirits, alcohol, and wines are kept on hand which are necessary to carry on operations, the bill provides that the tax must be paid on these products at the time of their withdrawal or within 1 year from their deposit in the in-bond department.

The bill also authorizes the use of untax-paid neutral spirits or alcohol produced at a proof of 190° or more in the production of gin or vodka in a separate part of the in-bond department, which would be designated as the "special process room." Distillers at the present time are permitted to use untax-paid spirits of their own production in manufacturing gin and vodka. This bill would provide equal treatment for rectifiers, and also, due to the loss of spirits which normally occurs in the manufacturing of gin and vodka, would relieve rectifiers from having to pay taxes on spirits which are lost.

The Treasury Department advised the Committee on Ways and Means that it had no objection to the enactment of this bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subchapter A of chapter 26 of the Internal Revenue Code is amended by changing the designation of part IV to part V, and by inserting a new part IV as follows:

"PART IV—IN-BOND DEPARTMENT OF RECTIFYING PLANTS

"SEC. 2896. Withdrawal of spirits, alcohol, and wines in bond.

"(a) General: The Secretary may in his discretion, upon a showing of necessity, and upon the execution and filing of notices and bonds, authorize any qualified rectifier as defined in section 3254 (g) to withdraw and transfer in bond distilled spirits from any registered distillery, including fruit distillery (such registered distillery and registered fruit distillery being hereinafter referred to as "distillery") or internal revenue bonded warehouse, alcohol from any industrial alcohol plant or bonded warehouse, and wines from any bonded winery or bonded wine storeroom, to a separate portion of his rectifying plant (hereinafter referred to as the in-bond department) which shall be set apart and, except as provided in section 2897, used exclusively for the receipt and storage of such distilled spirits, alcohol, and wines pending tax payment and removal for rectification and bottling and packaging subsequent to rectification or for bottling and packaging without rectification.

"(b) Security of premises: The in-bond department shall be securely constructed and shall be separated from other portions of the rectifying plant or contiguous premises as regulations shall prescribe. Permanent storage tanks not located within a room or building, such as are authorized at bonded warehouses, may in the discretion of the Secretary be approved as a part of the in-bond department.

"(c) Control: The in-bond department of a rectifying plant shall be under the control of the District Supervisor of the Alcohol and Tobacco Tax Division district in which the rectifying plant is located, and shall be in the joint custody of the storekeeper-gauger and the proprietor thereof, and shall be kept securely locked and shall at no time be unlocked or open or remain open except in the presence of such storekeeper-gauger or other person who may be designated to act for him. The keys to all Government locks shall remain at all times in the custody of such storekeeper-gauger or in the custody of the district supervisor, or such other person as may be designated by the district supervisor.

"(d) Transfers to in-bond department: Distilled spirits may be transferred from any distillery or internal revenue bonded warehouse, alcohol may be transferred from any industrial alcohol plant or bonded warehouse, and wines may be transferred from any bonded winery or bonded wine storeroom to the in-bond department of a rectifying plant in approved containers and pipelines, as regulations may provide. The quantity of distilled spirits, alcohol, and wines transferred to the in-bond department of a rectifying plant when added to the quantity of distilled spirits, alcohol, and wines on deposit in such in-bond department shall not be in excess of that required to meet the needs, for not more than 1 year, of such plant or of one or more additional plants operated by a subsidiary or affiliate on contiguous premises.

"(e) Payment of taxes:

"(1) Basic taxes: The taxes imposed by sections 2800 (a) (1) and 3030 (a) shall, except as otherwise provided in paragraph (2), be paid by the rectifier at the time of withdrawal of the distilled spirits, alcohol, or wines from the "in-bond department" of the rectifying plant in which they were deposited.

"(2) Time limitation: The tax imposed on distilled spirits, alcohol, and wines deposited in the in-bond department of a rectifying plant shall be due and payable 1 year from the date of deposit therein unless earlier withdrawn: *Provided*, That in no event shall the total period of storage of distilled spirits in a bonded warehouse and in the in-bond department of a rectifying plant be in excess of the 8-year period prescribed by section 2879 (b).

"(f) Bond: Every rectifier intending to provide an in-bond department for the receipt and storage of untax-paid distilled spirits, alcohol, or wines for the purposes authorized by this section, or for the receipt, storage, and use of untax-paid alcohol for the purposes authorized by section 2897, shall, upon filing with the Commissioner his notice of such intention, and before withdrawing any untax-paid distilled spirits, alcohol, or wines from any place of manufacture or storage, execute a bond in the form prescribed by regulations, conditioned that he shall faithfully comply with all provisions of law relating to the duties and business of a rectifier, and shall pay all taxes and penalties for which he may become liable. The said bond shall be in a penal sum not less than the sum of: (1) the amount of the tax on distilled spirits (including gin and vodka), alcohol, and wines on deposit or on hand in the in-bond department of the rectifying plant and in transit thereto at any one time, plus (2) the amount of the tax on rectified products that the rectifier will be liable to pay in a period of 30 days: *Provided*, That the penal sum of such bond shall not exceed the sum of $200,000. The provisions of section 2815 (c), (d), and (e) shall so far as applicable apply to bonds required under this subsection.

"(g) Transfer of unused spirits, alcohol, and wines: Untax-paid distilled spirits (except gin and vodka subject to the tax imposed by section 2800 (a) (5)), alcohol, or wines on deposit in the in-bond department of a rectifying plant for which the rectifier has no use, upon discontinuance of the plant or other reason, may be transferred to an internal revenue bonded warehouse, an industrial alcohol bonded warehouse, or a bonded winery or bonded wine storeroom, respectively, as regulations may provide.

"SEC. 2897. Production in bond and tax payment of gin and vodka.

"(a) Authorization: Any duly qualified rectifier who has provided on his rectifying plant premises an in-bond department in accordance with section 2896 may, under regulations, use neutral spirits or alcohol produced at a proof of 190° or more in the production of gin or vodka in a separate portion of such department (hereinafter referred to as the special process room) which shall be set aside and used exclusively for the purpose. The special process room shall be separated from other portions of the in-bond department or other contiguous premises and shall be constructed and secured as regulations shall provide.

"(b) Manufacturing process: The manufacturing process employed in the production of gin or vodka in the special process room shall be such as that authorized at registered distilleries and by which the spirits or alcohol shall pass through continuous, closed stills, tanks, pipes, and vessels until the finished gin or vodka is deposited in locked receiving tanks located in such room.

"(c) Payment of taxes: The taxes by section 2800 (a) (1) and by section 2800 (a) (5), if any, shall be paid by the rectifier at the time of withdrawal of the gin or vodka from the receiving tank in the Special Process Room and such gin and vodka shall, upon tax payment, be immediately removed from the in-bond department.

"SEC. 2898. Loss allowances.

"The provisions of sections 2901, 3113, and 3039 shall, insofar as applicable, apply in respect of losses of untax-paid distilled spir-

its (including gin and vodka), alcohol, and wines, respectively, occurring in the in-bond department of a rectifying plant or in transit thereto or therefrom.

"SEC. 2899. Regulations.

"The Secretary of the Treasury shall prescribe such regulations as may be necessary to carry out the provisions of this part."

EXTENSION OF OTHER PROVISIONS

SEC. 2. (a) Section 2913 of the Internal Revenue Code is amended by inserting "or in-bond department of a rectifying plant" following the world "warehouse" wherever it appears in such section.

(b) Section 2914 of the Internal Revenue Code is amended by inserting "or in-bond department of a rectifying plant" before the comma following the word "warehouse."

(c) Section 3107 of the Internal Revenue Code is amended by inserting before the period a comma and the following: "or to the in-bond department of a rectifying plant for beverage purposes only."

EFFECT OF OTHER LAWS

SEC. 3. Nothing contained in this act shall be construed as restricting or limiting other provisions of the internal revenue laws.

EFFECTIVE DATE

SEC. 4. The amendments made by this act shall become effective on the first day of the first month which begins 6 months or more after the date of enactment of this act.

With the following committee amendments:

Page 8, after line 7, insert the following:

"(d) Section 2878 (a) of the Internal Revenue Code is amended by striking out 'Except as provided in section 2883' at the beginning of the section and inserting in lieu thereof 'Except as otherwise provided by law.'"

Page 8, line 11, insert the following new sentence: "The provisions of Reorganization Plan No. 26 of 1950 shall be applicable to all functions vested by this act in any officer, employee, or agency of the Department of the Treasury."

The committee amendments were agreed to.

Mr. BYRNES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BYRNES. Has unanimous consent been granted for the consideration of this bill?

The SPEAKER. Yes.

Mr. BYRNES. I know there is considerable opposition to certain elements in it.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. PRICE asked and was given permission to address the House on tomorrow for 20 minutes, following any special orders heretofore entered.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MILLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 111]

Aandahl	Evins	Prouty
Abernethy	Fenton	Reece, Tenn.
Addonizio	Fisher	Richards
Albert	Frazier	Sabath
Allen, La.	Gore	Sasscer
Anderson, Calif.	Havenner	Steed
Aspinall	Herlong	Stigler
Bates, Ky.	Kennedy	Stockman
Beckworth	Lyle	Sutton
Burdick	Mansfield	Tackett
Carlyle	Morris	Thompson, Tex.
Carnahan	Nelson	Vinson
Davis, Tenn.	O'Brien, N. Y.	Welch
Dawson	Pickett	Wickersham
Dempsey	Powell	

The SPEAKER. On this roll call 354 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUPPLEMENTAL APPROPRIATION BILL, 1953

Mr. CANNON, from the Committee on Appropriations, reported the bill (H. R. 8370, Rept. No. 2316) making supplemental appropriations for the fiscal year ending June 30, 1953, and for other purposes, which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

COMMITTEE ON EDUCATION AND LABOR

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to sit during general debate during the sessions of the House for the remainder of the week.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 8210, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday it was agreed that sections 111 through 114, ending at line 10 on page 11 of the bill, be considered as read and open to amendment at any point.

Are there further amendments to be offered at this time?

Mr. McKINNON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday the committee adopted, tentatively at least, the Cole amendment which provided for individual ceilings on price control. This amendment has a lot of things in it that I am sure the Members are not familiar with or I am sure they would not have adopted the amendment. In view of that, the chairman of the committee requested Governor Arnall, for whom I am sure the House has a high regard, to comment on what that would mean in regard to enforcement of price ceilings, and I should like to read what Governor Arnall has to say about it. He said this:

It is my considered judgment that an amendment of this kind——

Mr. WOLCOTT. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WOLCOTT. I have not gone into this too thoroughly, but I make the point of order, Mr. Chairman, that it is against the rules of the House, which control the rules of the committee, to read letters from other than Members of Congress. We have been propagandized enough on this bill already.

The CHAIRMAN. If the gentleman from Michigan objects to the reading of the letter, the question will then be put to the members of the Committee of the Whole for a decision. Does the gentleman object to the further reading of the letter?

Mr. WOLCOTT. Yes; at this time I do object, Mr. Chairman.

The CHAIRMAN. The question is, Shall the gentleman from California be permitted to proceed with the reading of the letter?

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 103, noes 102.

Mr. WOLCOTT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WOLCOTT and Mr. BOLLING.

The Committee again divided; and the tellers reported there were—ayes 141, noes 113.

So Mr. McKINNON was permitted to proceed with the reading of the letter.

The CHAIRMAN. The gentleman from California is recognized.

Mr. McKINNON. Mr. Chairman, I want to thank the membership. I am sure there are many Members who are very desirous of getting all the information they can.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield to the gentleman from Kentucky.

Mr. SPENCE. I suggest the gentleman read the entire letter.

Mr. McKINNON. The letter reads as follows:

It is my considered judgment that an amendment of this kind, if adopted, would throw a costly monkey-wrench into the food price-control machinery. It would come close to making it completely unworkable. Its effects can be simply stated:

For the consumer it would mean higher food prices. For small food retailers it

would mean real hardship. And enforcement of food price ceilings would become impossible.

More about each of these points in a moment. But first let me emphasize my belief that it is absolutely essential for the House to follow the lead of your committee and reject any attempt to put the Herlong amendment on an individual mark-up basis.

Individual mark-ups would raise food prices. That is why some food organizations and particularly big chain grocers want to use them. They don't like uniform mark-ups for groceries, and they don't like dollars-and-cents ceilings on beef. They want individual mark-ups because that way they will get higher prices.

I don't need to tell you that food prices are too high right now. They are over 13 percent higher than they were before Korea and in the areas where we don't have controls they are going still higher, heading toward an all-time high. I just cannot believe that Congress will take any action which would raise food prices even more.

I want to give you just one illustration of what individual mark-ups might mean. Safeway Stores, Inc., is one of the food organizations principally interested in this amendment. This company has filed a protest claiming that our dollars-and-cents ceilings for beef are too low. They have asked for higher beef prices, saying that their mark-ups before Korea were higher than present ceilings allow.

We have looked at the proposed prices in the Safeway protest, and this is what we find would happen to retail beef prices if we gave Safeway the individual mark-ups it claims it is entitled to:

(a) Round steak would go up 10 cents a pound in Portland, and 12 cents a pound in Dallas.

(b) Ground beef would go up 3 cents a pound in Portland and in Dallas.

(c) Chuck roast would go up 10 cents a pound in Portland and 4 cents a pound in Dallas.

I have given figures for the cities for which Safeway has given us the information. You can bet your bottom dollar that you would have similar results in Chicago, Birmingham, Miami, Boston, and Detroit.

It may be argued that Safeway's mark-ups are lower than they claim. That may well be, but how are we going to check it? I don't believe Congress is going to give us an appropriation to quintuple our enforcement staff so we can find out whether the individual mark-ups, which hundreds of thousands of sellers are using are the ones they are entitled to.

What kind of control will we have over beef prices if every seller has his own ceiling, and if the consumer has no way of knowing what that ceiling ought to be? The enforcement problem alone is enough to show that food ceilings dependent on individual mark-ups are completely undesirable.

Who is pushing for individual mark-ups? The big grocery chains. We haven't heard any such demand from the small retailer. On the contrary, this amendment will hurt the small retailer.

Right now a small retailer finds his ceiling for a beef cut by looking at the dollars-and-cents table in our regulation. He finds his ceiling for a can of peas by adding to his invoice cost a fixed mark-up set out in our regulation. In order to get his ceiling he doesn't have to have any records except his current purchase invoices; he doesn't have to dig out old records and labor through a series of mathematical computations; and he doesn't have to file anything with OPS.

If this proposal goes through, he will have to go back to his old records—if he has them—and determine his individual mark-ups on between 1,000 and 3,000 items and file pricing charts with CPS.

Most small retailers, according to the testimony of their own representatives, just do not have such records. The few small retailers who do have the records will be justifiably angry at the work, the nuisance, and the red tape which this proposal means.

Individual mark-ups are all right for some distributive trades where prices are stable and where records are available. But even in such businesses, mark-ups must be based on some date near the time when the regulation is issued. You simply cannot get records on individual mark-ups for the period before Korea, as this proposal requires.

We recently had an experience showing how small-business men feel about ceilings based on individual mark-ups. A retail liquor regulation provided that liquor retailers should esablish their ceilings by adding individual mark-ups as shown by their records. We got so many complaints from liquor retailers about the amount of work that this required that we had to revise the regulation to put retail liquor dealers on a uniform mark-up basis.

In the retail grocery field, it is virtually out of the question to maintain effective price control on an individual mark-up basis. Prices fluctuate from day to day, and selling price records are not generally available.

On previous occasions, we have shown that present ceiling-price regulations are designed to give grocers their traditional mark-ups. The margins now permitted them were fixed on the basis of the best information available as to pre-Korea practices. And we are about to complete a survey to determine whether adjustments—either upward or downward—are in order.

Approval of the individual mark-up provision is, therefore, neither necessary nor desirable. It would only lead to high prices for chain groceries and needless red tape for small retailers.

On top of the unnecessary labor with which businessmen would be saddled, there would be confusion twice confounded. OPS does not have the staff to check the individual filings required by this proposal. Nor could it possibly have enough enforcement people to check on compliance.

I am confident that if Congress is informed of the consequences of this high-food price, red-tape amendment, it will be overwhelmingly defeated. This is no time to raise the prices of food to housewives or to make the small-business man go through mountains of red tape just to satisfy a few food organizations.

I hope that you will call these considerations to the attention of the House if the individual mark-up amendment is offered on the floor.

Sincerely yours,

ELLIS ARNALL.

The CHAIRMAN. The gentleman has consumed 5 minutes.

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. EBERHARTER. Mr. Chairman, a parliamentary inquiry.

Mr. WOLCOTT. Mr. Chairman, I do not yield for that purpose.

Mr. EBERHARTER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. EBERHARTER. Mr. Chairman, the House decided by a teller vote to permit the reading of this letter. I submit that the letter should be read in its entirety; that is the point of order I make.

The CHAIRMAN. That is not the decision made by the Committee. The Committee made the decision that the gentleman could read the letter within the time allotted to the gentleman of 5 minutes.

Mr. EBERHARTER. I did not hear it so stated when the motion was put, Mr. Chairman.

The CHAIRMAN. The question put to the Committee had nothing whatsoever to do with the time to be consumed by the gentleman from California. The Chair recognized the gentleman from California for 5 minutes; the question arose as to whether or not he could within that 5 minutes time read extraneous papers.

The point of order is overruled.

Mr. WOLCOTT. Mr. Chairman, when I objected to the reading of the letter I did not know what it contained. I had no idea what was in the letter; I merely thought that this Committee of the Whole should protest as strongly against lobbying on bills by administrative agencies as by any other segment of our economy.

It would be lamentable—now that Safeway is mentioned I shall mention Safeway—it would be lamentable if Safeway Stores were to be given 5 minutes on this floor to tell you why there should be these individual mark-ups; that is what we have legislative committees for.

Mr. Arnall appeared before the Committee on Banking and Currency, and if he proved anything to the committee it was that Mr. Arnall in his position as Administrator of OPS is merely a public relations man and is not administering OPS.

I wish that the watchdog committee which we set up under this bill 2 years ago would ask Mr. Arnall how many hours he has spent at his desk in the last 2 months.

Mr. O'TOOLE. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. No; I cannot.

Mr. O'TOOLE. How many has he spent?

Mr. WOLCOTT. Ask the press.

Mr. O'TOOLE. I am asking you.

Mr. WOLCOTT. They will tell you; they told me. The watchdog committee is set up for that purpose.

Mr. Chairman, this is an all-time job, this stabilizing of the economy of the United States, if it is to be done through direct controls. Mr. Arnall, as well as Mr. Putnam, showed a lamentable lack of information in respect to fundamental economics; not as much as you would expect the corner grocerman to have in respect to his business.

I attended a forum down at the Statler Hotel in which Mr. Arnall and Mr. Putnam spoke. Mr. Arnall convinced all of us that he was so lost in a labyrinth of red tape in his own office he did not know what he was doing. There were five-hundred-and-some-odd divisions, the heads of which he did not know, he could not recall their names and did not know them when they walked into his office. But you cannot get acquainted with the heads of all these divisions by making speeches all over the United States, and this letter that was read today is evidence of the fact he is in there not doing his job necessarily as Administrator but is more interested in lobby-

ing for continuance of controls than he is in the application of these controls under the direction of the Congress. That is why I object to that letter. Under the circumstances, with the man's lack of knowledge of the fundamentals of economics, in view of the fact he is at his desk so seldom, I did not think he should have the right to assume this Congress would give too much credence to his views on pending questions.

Mr. SPENCE. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have been a Member of this House for quite a long time and this is the first time I have ever seen a point of order made objecting to the reading of a letter that was pertinent to the consideration of a bill. I never expected it and least of all from the very able senior minority member of the Committee on Banking and Currency, but with all his faults I have a deep affection for him.

The gentleman did not attack the letter; he attacked the Administrator, Governor Arnall. Well, I consider that just a Republican statement about a Democratic official. Mr. Arnall gave some very good reasons why you should not adopt the Cole amendment. The gentleman who just made the statement in reference to that did not say a word about the letter, but made an attack upon the Administrator.

Mr. Chairman, I want to say a few words as to what is going to happen if the House adopts the Barden amendment. The greatest purchaser in the United States or in the world of goods and services is the Government of the United States. In 8 months after Korea you appropriated $35,000,000,000 for defense, but because of inflation that shrunk in purchasing power to $28,000,000,000. We are appropriating $3,500,000,000 a month for defense. Before long it will go to $4,500,000,000, I am informed, and next year there will be appropriated $60,000,000,000. What will be the result of taking the price ceilings off of the strategic and critical materials that this Government has to purchase? There will be a spiraling rise and there will be supplemental appropriation after supplemental appropriation to make up the difference. The Government will lose billions of dollars if price ceilings are taken off, and the Government has no way to protect itself any more than the individual consumer. Because of that rise and because of the lack of purchasing power of our money there will be an increase in taxation for we have to get the materials.

When you vote on the Barden amendment I want you to think of that. Do you want to cripple the defense effort? Many people think we ought not to be making any defense effort; that we ought not to look to the future; that we ought to stick our heads in the sand as the ostrich does; see nothing, hear nothing, and know nothing.

I believe it would be a tragic mistake to take these ceilings off at this time and subject the Government to the will of the producers in the things it needs. There is no law on the statute books that will protect the Government; it has no means of protecting itself except by the action of this Congress. I want you to consider that when you come to vote on the Barden amendment, which I hope will be shortly.

Mr. COLE of Kansas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems that we cannot finally adopt an amendment in this Committee without having the Members once again attempt to bring it back upon the floor and discuss it.

Mr. Chairman, I want to call your attention to this letter written on June 18 by Mr. Arnall to the chairman of our committee. The letter was written long before the House started consideration of the amendment which I offered. That is No. 1.

No. 2. The letter, in my judgment, is a flamboyant effort to deceive, to prejudice, to mislead, not only the membership of this body, but the people of the Nation. I want to show why and talk about the letter itself. Mr. Arnall says, "It is my understanding that some large food organizations are urging that the Herlong amendment be changed."

No. 3. Mr. Arnall knows and every person in the OPS knows as well as every person on the Committee on Banking and Currency knows that it is not just the large food organizations which are insisting upon this change. It is every retailer in this country. Every retailer, large and small, retailers who are in chain organizations, retailers who are independent, every single one of them have asked that this amendment be adopted by the House. And, why?

Mr. CRAWFORD. In the grocery business.

Mr. COLE of Kansas. In the grocery business as well as other retailers. Why? Because every other retailer and wholesaler in the country has the relief which the grocers have asked for in the Herlong amendment and in the Cole amendment. The other businesses believe in fairness and justice. Mr. Arnall says that for small retailers it would mean a real hardship. The small retailers have asked for the Cole amendment and are continuing to ask for it. Why? Because the other retailers of the country have the right to have a historical, individual mark-up. All should be in the same class.

Mr. Arnall further says:

> Who is pushing for individual mark-ups? The big grocery chains. We haven't heard any such demand from the small retailer.

Mr. Chairman, I want to say this as strongly as I can: That is an untruth and Governor Arnall knows it is an untruth.

The Governor further said:

> If this proposal goes through, he will have to go back to his old records.
>
> Right now a small retailer finds his ceiling for a beef cut by looking at the dollars-and-cents table in our regulation.

Who fixes the price of groceries today? It is the supermarkets, the large grocery stores, of course, and the chains. Those prices are fixed by competition. Hundreds of items are selling under ceiling prices today. They are fixed by the large grocers, of course. Why? Because they have the opportunity to buy in greater amounts. The small grocery must meet those prices in order to stay in business. All the small grocer asks for is that he be permitted to have his individual historical mark-up in order that he may have the same type of profit that he had prior to Korea. Is not that fair? Is there anything unjust about it? He merely wants to be treated the same as other retailers.

I ask this question: If individual mark-ups are fair and proper for all other wholesalers and retailers, why are they not fair for this one group? This question has not, and will not be answered by Mr. Arnall or anyone opposing my amendment.

Mr. DEANE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, and Members of the House, never before in the history of the world has one nation carried the same measure of responsibility for the whole future of mankind that the United States carries today.

At a time when the threat to civilization comes from a highly organized and powerful ideological force, whose world plan is to divide man from man, class from class, nation from nation, the existing situation in the steel industry is a serious reflection of the weakness of this country in face of such strategy.

It has not been easy for me to reach the conclusion that I will support the amendment to the Defense Production Act of 1950 to request the President to use the provisions of the Labor Management Relations Act of 1947. I do so however because of a fundamental belief in the democratic procedure of legislation. The law of the land, passed by Congress by a majority vote, must be given every opportunity to function. To suggest that the law should not be invoked because it may not be obeyed is to undermine the confidence of the Nation in the effectiveness and the whole process of the legislature.

This decision is made on a basis of what I believe to be right and not on a basis of expediency. It is made too in the interest of upholding the decision of Congress and with no thought for the possible loss of the votes of labor supporters who like myself have come honestly to feel that certain provisions of the Taft-Hartley Act have become divisive and will continue to drive a wedge between labor and management.

Mr. Chairman, a standard has been set for our action in this House by our late respective colleague, James N. Wadsworth, at whose funeral it was said that he was a man "shorn of cheap expediency."

I am reminded of his prophetic words in 1943 when he addressed a Philadelphia audience after a showing of the Forgotten Factor. These are his words:

> The crisis, so far as our institutions in this country are concerned, will not end with victory on the field of battle. New difficulties will confront us—complications extraordinary; and if we do not work together with each other, but work apart, distrusting each other, we may tear down everything that we hold sacred in this country after we have defeated our country's enemies.
>
> The crisis is not tapering off. The going will be tougher before it is easier. It is

going to strain all our strength and demand all our spirit. We shall do the task so infinitely better if we do it together, hand in hand, trusting one another, having faith in one another.

At times it seems to me if our Nation is to endure, we must be resolute in sacrificing our selfishness for our country. Otherwise, we will sacrifice our country for our selfishness.

The issues at stake today go far beyond the immediate one, whether Congress should suggest to the President alternative methods of approach to the deadlock in the steel industry, with its causing suffering to all those involved and serious curtailment to the defense program.

The main issue is the challenge to us—the elected representatives of the people—to create the atmosphere in which men of divergent points of view can find unity in the highest interests of the Nation. That is the answer to the deadlock in steel. That is the answer for this Nation in a time of crisis.

The provisions of the Taft-Hartley Act may be invoked; the economic and social systems of the country may be changed; the terms of contracts, wage agreements, and methods of collective bargaining can be altered; but without a new spirit no contribution will have been made toward bridging the chasms of bitterness and mistrust which divide and weaken this Nation. In a recent airline strike here in America, one of the contestants stated, "Bitterness gets so high no reasonable problem can be discussed."

If America is to fulfill its destiny as the defender of freedom and democracy, industry—labor and management together—must assume a new commitment to lay the foundations of unity in the Nation. This can only be born out of a fundamental change of heart on both sides.

Right across the world today thousands of ordinary men, leaders of labor and management alike, are finding a new factor which can be applied immediately, however difficult economic or national conditions may be, which creates unity of hearts and minds. This is no theory. From personal experience I know of the mass of evidence demonstrating the efficacy of this simple yet forgotten factor.

Negotiations opened by honest apology from both sides and continued with an adherence to the principles of absolute honesty, absolute unselfishness, and the simple idea of what is right instead of who is right, by men who have decided to seek the guidance of God in their lives, are producing a new industrial relationship and the answer to division.

Recently in this country there have been many remarkable instances. A labor leader, with statesmanlike qualities, solved the difficulties in his own company. Then with a new-found sense of responsibility and a conception of the true function of industry, was instrumental in bringing an answer to another industry. When asked to address a group of leading American industrialists, he said:

It is the function of labor to anticipate the needs of management in the best interests of the Nation, and so it is for management to meet the needs of labor. I still fight for the interests of labor, but decisions reached on the basis of what is right mean a fuller and more satisfying life for labor and management. An industrialist recently talked "of the steely selfishness of management which produced the bitterness of labor," and went on to say: "All my experience convinces me that without widespread trust and confidence we face industrial chaos. We cannot trust unless we become trustworthy, and that demands change and acceptance of moral standards."

I am reminded of a great American, a world statesman, who has said:

Human nature can be changed, that is the root of the answer. National economies can be changed, that is the fruit of the answer. World history can be changed, that is the destiny of our age.

Mr. Chairman and Members of the House, if the President sees fit to invoke the provisions of the Taft-Hartley Act in this emergency, we shall have a so-called cooling-off period of 80 days. These days are a time of grace giving both sides an opportunity to apply the new factors here discussed. In my judgment only on the assumption that these factors will be given trial can our request of the President be justified.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I feel that Governor Arnall is one of the best administrators in Government today. He is one of the few administrators I have found who is aware of the fact that many of the bureaucrats in the various departments are very contemptuous of the people and the rights of the people, and especially so of their elected representatives to whom the people come when they have problems with those departments. I think I would be remiss if I did not say that Governor Arnall, when I have called on him with a problem from a constituent, has been very alert to solve that problem and find an answer for it. I have never called down there when I have not found him at his desk. But I would like to say this: Any administrator must do some public-relations work by the very nature of the job he has. I might say to my good friend the gentleman from Michigan that I visited the office of another administrator last November in Paris—an administrator by the name of Eisenhower. I found that his office was crowded with employees and policymakers whose names he did not know, and I found that he was frequently away from his desk on public-relations missions, not only in the immediate vicinity of his office but all over the world. Of course, then, he was busy, too, on another mission plotting in a not so public way with certain sections of the Republican Party. I might say to my good friend the gentleman from Michigan, he was busily engaged most of the time with the eastern internationalist wing of that party to steal the nomination from the very Republicans who have carried the banner of the Republican Party through 20 lean years. I might say further that, in my opinion, the mumbo-jumbo artists who are managing Mr. Eisenhower's campaign care nothing for him or his principles. They merely want to use his name, if possible, as a springboard to power. Does anyone think that the Eisenhower bureaucrats are superior to bureaucrats in general?

Specifically, on this amendment—the Cole amendment—I am interested in the small retailer. I am interested in decontrol as soon as it is practicable and possible to decontrol. But I have served on the Committee on Banking and Currency, and I have not had one letter from one small retailer—not the first letter—in support of the Cole amendment because, as was pointed out here, there is no small retailer who has the records and the bookkeeping facilities to find out what his markup would be if the Cole amendment is adopted.

Any small retailer who has any knowledge of price-control law will tell you how it is far more simple and more expedient and that he would rather have a dollar-and-cents mark-up so that he would know exactly where he stands.

Mr. McKINNON. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from California.

Mr. McKINNON. Is it not true that in the rather lengthy hearings which our committee held, no representative of a small-business group appeared before our committee and asked for the Cole amendment? We had in our committee two statements; one from a Mr. Bauer, head of the Retail Meat Dealers' Association, and a Mr. Draft, of the National Association of Retail Grocers, who both made statements to the committee, but neither asked for the Cole amendment nor desired the Cole amendment.

Mr. HAYS of Ohio. I think that is essentially the fact. I think that this is essentially a chain store amendment. They are the people who will profit by this amendment.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. The committee heard from the retailers in the distribution of milk, did they not?

Mr. HAYS of Ohio. That is true.

Mr. NICHOLSON. And Mr. Arnall heard from them, too, did he not, and he will not give them their mark-up.

Mr. HAYS of Ohio. I agree with the gentleman in that feature, but that has nothing to do with this retail food business.

Mr. NICHOLSON. It is a part of the mark-up in the price of the commodity, whatever business the man may be in.

Mr. HAYS of Ohio. I think there is a big problem in the mark-up on milk, but I do not think the gentleman from Massachusetts [Mr. NICHOLSON] believes for a minute that the Cole amendment will give any relief in that situation. I think there is a real problem there which the small milk dealer has against the big chain dealers, but this amendment will not give any relief to him.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. COLE of Kansas. In reply to the gentleman from California [Mr. McKINNON] I would say that both of those organizations represent small retailers and

both of them in their statements support the theory on which the Cole amendment was adopted. That is the individual, historical mark-up.

Mr. HAYS of Ohio. I will say to the gentleman I have talked to some small retailers about this, and they tell me they do not have the facilities to determine the mark-up under the Cole amendment.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the House should be aware of this particular fact in reference to the letter that the gentleman from California [Mr. McKINNON] read to us a few minutes ago. The gentleman read it to the House, and as I understood it, and probably as many of you understood it, as if it were an expression of the Director of OPS written to the chairman of the committee yesterday on some action which the House had taken on the bill before us yesterday. That is not true.

Mr. McKINNON. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. In just a moment. After I have made my statement I will yield.

The fact of the matter is that the letter was written on June 18 by the Director of OPS to the chairman of the Committee on Banking and Currency in anticipation of some action that the committee or the House might take on this bill, that would give the right to individual retailers for their historic mark-ups. In reading the letter I find that Mr. Arnall is trying to give retailers some relief from the red tape that is required by his office by saying that the individual mark-up would burden the retailer with a lot of bookkeeping and a lot of detail that he would not have to go through if the individual mark-up was not guaranteed.

Now, that is very considerate of Mr. Arnall, but it does not give the retailer the right to add to his cost of his products a fair addition that he should in order to establish the price. Regardless of that, let me say that if the Cole amendment were adopted and if the Herlong amendment were adopted, and even if this bill is made more stringent than it is now, regardless of all this action, the public is going to determine the price of food by supply and demand, whether price control is in effect or not.

It is that way now; you can buy almost any commodity if you search the market enough at below the ceiling set by OPS. So you have the over-all imposition of responsibility on the retailer and wholesaler to keep a lot of books and go through a lot of red tape to keep a Federal bureau operating with some 16,000 employees at a cost to the taxpayers of something like $100,000,000.

In relation to the individual mark-up, I received from my district in southern California a complaint of the last increase in ceilings that was approved by OPS on certain food products. They said it was strictly propaganda for the reason that every item on which ceilings were increased were selling from 2 to 5 cents below OPS ceilings at the time; there was no reason to increase the ceiling; they did not want it; they could not raise their prices to the ceilings, for the public would not pay them. The public would not pay them because the goods were in ample supply. So I think the House should realize that this letter is not one that was writen last night because of some action we took in the House yesterday.

The Cole amendment is not going to change the fundamental law of supply and demand, and the public is going to determine how much the retailer can add to the cost of his product. He has got to put a price on it at which it will sell. So we should cease laboring under the impression that OPS is doing a favor to retailers and wholesalers by saying that they do not have to do all this bookkeeping.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. CRAWFORD. It is a fact, is it not, that basic commodity prices all over the world have broken substantially in the last few weeks?

Mr. McDONOUGH. That is right.

Mr. CRAWFORD. It is a fact that people have been trying to unload their inventories all over this country, this stuff that is in these retail stores, and we find that there is a breaking market. Everyone knows what happens when there is this inventory unloading; you cannot keep the price up by regulation.

Mr. McDONOUGH. The demand will determine the price insofar as the public is concerned.

Mr. CRAWFORD. Certainly.

Mr. SPENCE. Mr. Chairman, may I ask how many amendments are at the desk?

The CHAIRMAN. The Chair is advised there are seven amendments at the Clerk's desk at this time.

Mr. SPENCE. I ask that the amendments be considered; I ask that the Clerk read the first amendment.

The CHAIRMAN. The mere fact that an amendment is at the Clerk's desk does not mean that it is pending; somebody has to offer an amendment before it can be considered.

Mr. SPENCE. Mr. Chairman, I move that all debate on this title of the bill and all amendments thereto do now close.

The motion was agreed to.

Mr. PRESTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PRESTON. Mr. Chairman, are there amendments pending to the section upon which debate has just been closed?

The CHAIRMAN. The Chair is advised that there are three amendments pending that have not been offered by Members.

Mr. JAVITS. Mr. Chairman, I offer an amendment to this title and I ask unanimous consent for 1 minute to speak on it.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. McDONOUGH. Mr. Chairman, reserving the right to object, as I understand it, the action the Committee just took closed debate on this section?

The CHAIRMAN. That is correct, but the gentleman asks unanimous consent to proceed for 1 minute.

Mr. McDONOUGH. Mr. Chairman, I have an amendment to the next section and I desire recognition.

Mr. RANKIN. Mr. Chairman, we are not going to debate these amendments. I object.

Mr. JAVITS. Mr. Chairman, this is an amendment agreed to by the committee. May it be read?

The CHAIRMAN. Does the gentleman from New York offer an amendment?

Mr. JAVITS. I do, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: On page 11, after line 10, insert the following new section:

"Subsection (B) of section 712 of the Defense Production Act of 1950 is amended by striking out the first sentence thereof and inserting in lieu thereof the following:

"'It shall be the function of the committee to make a continuous study of the programs and of the fairness to consumers of the prices authorized by this act and to review the progress achieved in the execution and administration thereof.'"

Mr. JAVITS. Mr. Chairman, may I propound a unanimous-consent request?

The CHAIRMAN. The gentleman may.

Mr. JAVITS. Mr. Chairman, I ask unanimous consent to proceed for 1 minute to discuss this amendment.

Mr. RANKIN. Mr. Chairman, I object.

Mr. JAVITS. Mr. Chairman, this amendment proposes only to add to the duties of the Joint Committee on Defense Production under section 712 of the existing law, also known as the watchdog committee, the additional duty of study "of the fairness to consumers of the prices authorized by this act." This duty being in addition to the duty of the committee as presently authorized to study and review the program under the act. The bill is essentially one to protect consumers against inflation.

Everyone is a consumer but in addition there are millions of pure consumers in our country among the adult population. For example, there are 4,500,000 social-security annuitants, 6,000,000 Government workers and approximately 2,500,000 receiving veterans compensations and pensions in the shape of disability and death benefits. In addition, there are millions of widows, orphans and retired persons living on fixed incomes. To this number may be added the almost 25,000,000 who are known as white collar workers and whose salaries traditionally lag behind living costs. Under my amendment the watchdog committee would study the impact upon them of the prices allowed under the Defense Production Act.

I believe that this amendment is especially necessary in view of the evident temper of the House and Senate for

widespread decontrol of prices while leaving the machinery for price and wage stabilization. This has not been accomplished in the bill now before the House but probably will be before it becomes law in view of the general temper of both Houses. My amendment takes on an added significance and importance under these circumstances.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 61, noes 49.

So the amendment was agreed to.

Mr. SHELLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHELLEY: On page 9, line 24, insert the following new section:

"SEC. 112. Section 704 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new sentences: 'No rule, regulation, order, or policy issued under this act shall direct that preference be given to the placement of procurement in geographic areas designated as areas of current or imminent labor surplus, unless such rule, regulation, order, or policy specifies that in each individual procurement to be so placed a study shall be made of the skilled labor supply and the production facilities available in the industry involved and in the geographic area which would be deprived of the procurement contract through such preference, and that if such study shows that skilled labor and adequate production facilities are available in that geographic area for the production of the item or items to be acquired by the Federal Government through the subject procurement preference shall not be given any other area. Any such rule, regulation, order, or policy heretofore issued is hereby rescinded'."

And renumber the following sections accordingly.

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Mr. Chairman, I make the point of order against the amendment offered by the gentleman from California [Mr. SHELLEY]. It is not germane. The amendment seeks to amend the general statute. It does not amend a particular item of the bill. It is not germane to the sections either preceding or succeeding or that portion of the bill against which it is aimed. It does not come within the four squares of the purpose of this legislation. It is a matter that is peculiarly within the jurisdiction of the Committee on Education and Labor. It is a new section to the bill. Even if it bore a direct relation to the bill—and made the question somewhat difficult of determination—certainly there is no question but that the amendment is offered in a wrong place. It should have been offered earlier. It comes too late. It cannot now be considered.

Mr. SHELLEY. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be glad to hear the gentleman on the point of order.

Mr. SHELLEY. Mr. Chairman, on the point of order, the amendment is germane to the bill because section 704 of the Defense Production Act allows the President to make such rules and regulations and orders as he deems necessary or appropriate to carry out the provisions of the act. The amendment refers to that section of the bill referring to orders and regulations. It simply straightens out a situation that has existed which needs correction and which is causing great hardship in some areas of the country. A result has been obtained by the issuance of an Executive order, and it is my sense and my belief that the Congress has the right, and the proper right, when it is legislating, to legislate to make corrections of improprieties or of injustices which have occurred through the issuance of Executive orders which are issued in implementing the legislation originally enacted by the Congress. Mr. Chairman, I feel that the point of order does not apply and that the amendment should be considered on its merits.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from California [Mr. SHELLEY] offers an amendment on page 9, line 24 of the bill. The gentleman from New York [Mr. CELLER] makes the point of order against the amendment on the ground that the amendment is not germane.

The Chair has had an opportunity to read the amendment proposed by the gentleman from California [Mr. SHELLEY] and the Chair has also had an opportunity to reread section 704 of the Defense Production Act of 1950, as amended, to which the gentleman proposes his amendment.

The Chair is of the opinion that the amendment offered by the gentleman from California is not germane at this point in the bill. Section 704 authorizes the President to make such rules and regulations and orders as he deems necessary or appropriate to carry out the provisions of this act. As the Chair understands the amendment offered by the gentleman from California, the gentleman is proposing a substantive change in the law, and the proposal would not be germane at this point in the bill.

Therefore the Chair sustains the point of order made by the gentleman from New York [Mr. CELLER].

Mr. SHELLEY. Mr. Chairman, I regret that my amendment modifying defense manpower policy No. 4 will not be brought before the House for a vote because of the Chair's ruling. When this issue was before us last Friday in voting on the amendments offered by the distinguished gentlemen from Pennsylvania and Georgia [Mr. POTTER and Mr. LANHAM] many of the Members of the House, including myself and others from the California delegation, were under a misapprehension as to the possible future effects of the policy on our own districts and on our States. If my amendment had come to a vote those Members would, I am sure, have appreciated the opportunity to pass on the matter again in the light of later evidence which has reached us.

Just before the House went into session last Friday, and knowing that manpower policy No. 4 would be an issue before the Committee that day, a group of California Members met with representatives of Government agencies administering the policy, in my office. In the discussion that morning strenuous attempts were made to convince those Members present that manpower policy No. 4 would, both in the long run and in the immediate future, have a beneficial effect on industry in California and in our own districts. We were told that within a very short time the major industrial areas in California would move into group 4 classifications as areas of labor surplus, and that when that happened we would be eligible for preference under policy No. 4 in placing Government contracts. We were also told that the New York area, the major surplus labor area now competitive with California industries which have suffered from the policy, particularly the shipbuilding and electronics industries, would soon be out of the group 4 classification and would no longer be able to take contracts from us.

On the basis of that supposedly authentic information we went to the floor and voted on whether policy No. 4 should be retained or eliminated. A check since made with the Bureau of Employment Security field offices in California discloses that there is small possibility that California industrial areas will move into a group 4 classification at any time in the near future. This report is completely at variance with the information we were given here by Bureau representatives. While I do not wish to make charges on the floor naming names, I do want to go on record as personally deeply resentful of what I consider to be a deliberate attempt on the part of certain of the agency representatives at last Friday's meeting to mislead the California representatives as to the true situation. No matter whether the attempt was made from misguided zeal to preserve the policy, or from ignorance, there can be no defense for that type of misrepresentation. I want here and now to condemn the action in the strongest terms.

Defense manpower policy No. 4 as it is now administered is a bungling effort. Its aim is to preserve labor skills and industrial facilities in areas suffering from lack of work due to dislocations produced by the defense emergency. What it now does is to shift contracts away from skilled labor and essential facilities into areas where there is an excess labor supply which may be composed of bartenders, beauticians, elevator operators and doormen. It creates distressed labor conditions within essential industries in new areas, while for the most part the only relief it brings is to areas where the unemployed labor is largely unskilled. Unless the formula I have proposed in the amendment just ruled out of order is put into effect, the policy will never help the defense effort. It is certainly hurting it now. It causes confusion, uncertainty, and resentment among essential producers in areas not certified under the policy to have an excess of labor. It causes disaster in one-industry towns when a big con-

tract is taken from them and shifted elsewhere. It takes sorely needed contracts from distressed industries struggling to keep their skilled labor working, as is the case with the shipbuilding industry on the west coast. The policy is, in short, a blundering attempt to cure a slight headache, which, in the process of cure brings acute and disabling attacks to the other vital parts of our industrial body.

Although the House has been deprived of the chance to direct a change in the policy, I call upon the Office of Defense Mobilization and the administration to bring about its elimination or drastic revision. The harmful effects of policy No. 4 are rapidly snowballing—in spite of our 98° weather. The number and value of contracts shifted as a result of preference under the policy is mounting daily. California has already lost millions of dollars in vital contracts and stands to lose millions more. The evidence that the policy has misfired cannot now be overlooked. It is high time for an overhaul—and the officials charged with the responsibility should see to it without delay.

Mr. WEICHEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEICHEL: On page 9, after line 16, add the following:

"SEC. 111 (b) Subsection (c) of section 109 of the Defense Production Act Amendments of 1951 which amends section 704 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: 'and provides for extending natural gas for house heating to amputee veterans, other hardship cases, and totally disabled individuals'."

Mr. SPENCE. Mr. Chairman, I cannot speak for the committee, but personally I have no objection to the amendment, and I do not think the committee has.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. MULTER. Mr. Chairman, some people refuse to learn from experience. We all know what happened to prices when OPA came to an end.

Advocates of the suspension of price controls persist in the erroneous claim that you need no price controls when items are selling under ceiling and that the suspension of such price controls on such items will not affect the prices thereof.

The proof is directly to the contrary. On June 5, 1952, because of the terrific pressures and demands on OPS the price of potatoes was decontrolled. The prices immediately went up to well over the ceiling price. We were told that was only temporary and as soon as the black marketeers got rid of their potatoes the prices would drop. They were right.

The prices did drop for a day or two and then they climbed right on up again. Today, exactly 3 weeks after potato prices were decontrolled, potatoes are selling at $2 to $4 per cwt., more than they were selling for on June 5, 1952, the difference in prices varying in accordance with the kind of potatoes and the market in which they are being sold.

What happened to potatoes will happen to every commodity when you remove price control before the end of the emergency.

The attacks we heard today on Governor Arnall were entirely unwarranted. They remind me of the young lawyer who was warned by the experienced trial practitioner, that if he tried a case that was weak on the facts, to argue the law and if it was weak on the law, to argue the facts, and if it was weak on both the facts and the law, to attack his adversary. Having no better argument to offer in support of their position, the advocates of price decontrol now attack the administrator.

Mr. FLOOD. Mr. Chairman, the question we are deciding here today is of the greatest importance to the people of the United States. It involves our economic well-being and our security.

If all danger of inflation had disappeared—if there were no possibility that the prices all of us must pay for our daily necessities would shoot up, I would be for removing all unnecessary burdens from our business community. But is the danger over? We have heard a great deal about commodities which are selling below their legal ceiling prices. But it is a fact that this past spring 50 percent of all the things that make up the Consumer Price Index—our best measurement of the cost of living—were still at their peak or very near it. Twenty-one percent of these commodities were only 2 percent below their all-time high levels. Less than 10 percent of these items were as much as 10 percent below their peaks. These are the results of a study made early this spring by the Bureau of Labor Statistics. Since then, the cost-of-living index has advanced another 0.6 percent. It stands today only a fraction of a percent below its all-time high. Are these facts indications that there are no pressures pushing prices up?

Freight rates recently went up again. These rates have increased 16 percent since January 1951. This has forced OPS, in many cases, to grant price increases to compensate for greater transportation costs.

Since enactment of the Defense Production Act of 1951, thousands of industries have applied to OPS for higher ceilings based on the Capehart amendment formula. Do these industries want higher ceilings when they foresee the clear possibility of producing and selling at lower prices?

There is another aspect of this question which worries me even more than the possibility of increases in the cost of living.

It seems hardly necessary to recall that what we are considering today is part of the Defense Production Act. Price and wage controls have a very definite bearing on our ability to carry out our present defense production program. And we must be able to carry out this program. On that point there is no argument. No one would disagree to the proposition that we must be strong enough to resist aggression—that we must be able to negotiate only from a position of overwhelming strength.

The inflationary period we endured during the months immediately following the outbreak in Korea took two billion out of every ten billion the Congress appropriated for defense. Should another inflationary spiral of the same intensity develop this fall it would add more than nine billions to the cost of our security, at the present rate of spending. By October, the additional cost might be $12,000,000,000.

Another bout with inflation would seriously hinder our ability to finish up the job of building up our defenses.

To tinker with the machinery set up to prevent the reoccurrence of other inflationary periods seem to be foolhardy under present world conditions. The situation in Korea has not improved despite our infinite patience at the conference table. While we have been trying to bring about an armistice there, Communist forces have built up tremendously. Only yesterday our Secretary of Defense warned that Communist China's air fleet has more than 2,000 planes. Our top military and diplomatic leaders have warned us of the "evil pattern visible today both in the Far East and in the West."

Is it good statesmanship, is it wise to do anything that might weaken our economic health under these circumstances?

One of the main arguments advanced for removal of all price and wage control machinery at this time is that these temporary controls impose heavy burdens on our industrial and business communities. So they do. But this is a period of national emergency. In such periods, all of us must accept extra burdens.

Our present price stabilization machinery is geared to suspend ceilings on commodities that are selling below legal ceilings and which do not threaten to climb to those ceilings in the foreseeable future.

Such a system of selective relaxation of controls would remove all unnecessary burdens from our business and industrial communities whenever and wherever it is safe to do so. Is not this wiser than to destroy the entire machinery, built at the cost of many millions of dollars? Let us keep in mind that if we destroy this machinery, we may not have the opportunity to rebuild it in time, should inflation again threaten our defense program and our standards of living.

I do not doubt for a minute the sincerity and good intentions of those who sincerely believe controls are no longer needed. Neither do I doubt the patriotism and sincerity of those who think inflation is still the main threat to our economic strength. Being as impartial as one can be, it must be recognized that there is at least a serious difference of opinion on this point. While such difference lasts, is it wise to knock down the fences we have been building against this danger? Does a prudent businessman cancel his fire insurance just when some well-qualified people tell him that there is a fire smoldering in his plant?

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS,
Washington, June 25, 1952.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN FLOOD: Thank you for calling to my attention today that some Member of the Congress has expressed the view that I have said that the emergency is no longer with us, and that price and wage controls are no longer needed. I am sure that any Member of the Congress who said this was honest in his impression of my views, but he was erroneously informed as to my views. I have never made any such statement, at any time, in any place. On the contrary, I believe that the emergency is still with us, and that price and wage controls are still needed.

This is a high matter of legislative policy, now being considered by the Congress, and each Member must exercise his own honest judgment. I am not writing you this letter to attempt to influence anybody. But since you inform me that my views have been referred to in the course of debate, I want to set the record straight on what they are.

In the January 1952 Annual Economic Review published by the Council of Economic Advisers and transmitted to the Congress, of which I was one of the signatories as chairman of the council, a strong argument for the continuation of price and wage controls is contained on pages 144–148. The argument for their continuance now is at least as strong as in January, because business conditions now are stronger than in January and the cost of living is now higher than in January.

In my printed testimony on January 23, 1952, before the Joint Committee on the Economic Report, I strongly urged the continuation of price and wage controls.

Testifying in March 1952 before the Subcommittee on General Credit Control and Debt Management of the Joint Committee on the Economic Report, I stated on page 285 of the published hearings that we should "hold on to and keep in good working order the variety of anti-inflationary tools which are now in active use" and that "I think it would be most imprudent now to get rid of these tools."

In the course of the same hearings (p. 204) I placed price and wage stabilization importantly on the list of necessary anti-inflationary measures in these times.

The economic situation now is stronger than it was in March, defense outlays are higher and rising, unemployment is lower, and the Government deficit is rising. For all of these reasons, anyone who favored price and wage controls in March should certainly favor them now, and I do.

A couple of weeks ago, I submitted an article for publication in the New York Times, which has not yet been published, in which I indicate the necessity for maintaining the kind of economic controls that we now have.

In the current draft of the Midyear Review by the Council of Economic Advisers, which is being prepared for issuance in mid-July, the retention of price and wage controls is urged.

I have consistently advised the President, and the stabilization officials, as well as any Member of the Congress who may have asked for my advice, that it is much too early to get rid of price and wage controls.

In an oral presentation, which I made to the President's National Advisory Board on Mobilization Policy on June 16, I expressed my view to the assembled group of leaders of industry, agriculture, and labor that it is much too early to get rid of price and wage controls.

Consequently, it is clear that this is the position which I have constantly taken; and nobody can produce any statement that I have made anywhere taking a contrary position.

More generally, and in response to what you said to me on the telephone today, I certainly do not believe that the emergency is over. On the contrary, I have been saying all over the country that the emergency is still with us, and that no danger could be so great as the danger of our relaxing prematurely. In fact, that is the main theme of the New York Times article which I submitted a couple of weeks ago and which will appear shortly.

Let me repeat that I do not want to engage in dispute with any Member of the Congress or to intrude upon the legislative function. But in response to your specific inquiry of me today, I have felt bound to transmit to you my actual views with respect to price and wage controls at this time.

Very sincerely yours,
LEON H. KEYSERLING,
Chairman.

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS,
Washington, June 26, 1952.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN FLOOD: Since writing to you yesterday, I have had opportunity to read page 8067 of the CONGRESSIONAL RECORD of June 25. On this page, there is quoted an excerpt from a news report in the New York Journal of Commerce of June 20, 1952, reporting upon an extemporaneous talk which I made on June 19 to a national group of business editors.

The excerpt quoted from the New York Journal of Commerce news account does not say that I am against the continuation of price and wage controls. It merely says that the expansion of production has been even more important than the controls in maintaining the economy on an even keel; this is true and I have always said it. My statement that there is no serious danger of inflationary pressures of a serious and over-all character over the next year, and that we can maintain price stability, is predicated upon maintaining the controls which have been in effect since early 1951 and which have helped to maintain price stability since that time.

As a matter of fact, the news story in the Journal of Commerce on June 20 contained two paragraphs immediately following the limited portion of the news story quoted in the CONGRESSIONAL RECORD on page 8067. In other words, the quotation in the CONGRESSIONAL RECORD did not go far enough to show my views correctly. These two additional paragraphs in the Journal of Commerce news story read as follows:

"In declaring that there is no danger of booming inflation during the next months, the council chairman injected the customary warning that his prediction could be upset by a marked worsening in international conditions or a sudden shift in consumer psychology.

"At the same time, he said that because of these dangers he would not torpedo the tattered remnants of the controls program."

The foregoing quotation makes it absolutely clear that even the Journal of Commerce news story left no doubt that I am in favor of the retention of the remnants of the controls program which was still in effect on June 19, despite previous weakening, and that I am not in favor of the torpedoing of price and wage controls.

Let me emphasize again, as I did in my letter to you yesterday, that I am simply responding to your request for information about my views, and do not desire to engage in any debate with any Member of Congress or to intrude in any way upon legislative functions. If any Member of Congress has conveyed an erroneous impression of my views, I am sure that this was done unintentionally.

Very sincerely yours,
LEON H. KEYSERLING,
Chairman.

When naked Communist aggression forced America into the Korean conflict, this Congress took prompt and effective action to ward off a disastrous inflation and preserve a sound economy by sponsoring a price stabilization program which was enacted and has been maintained throughout the period of the Korean struggle. As a result, the soundness of our American dollar has been maintained, the disruption of our civilian economy minimized, and America's internal stability and strength preserved. And all this was achieved while our defense production program was notably advanced.

America's internal stability is a vital front in its defense against Communist aggression; and only selfish, irresponsible leadership would jeopardize America's future by premature relaxation of measures designed to prevent the undermining and crippling of that stability. American defenses for peace can only be as effective as its economy is strong. The military front is only an extension of the home front.

We must make ourselves militarily secure, safeguard our economy from the dangers of runaway inflation with all its consequent social chaos and human ruin.

Only a strong America can be a free America, and provide the world leadership needed to combat the growing menace of international communism.

Do not scrap controls—if you do you will present Stalin with a priceless boon in the Kremlin's drive for world conquest.

[From the Washington Star of June 25, 1952]

UNITED STATES LEADERS DOUBT LESSENING OF RISK OF WAR WITH RUSSIA

The possibility of war with Russia has not lessened in the past year, the Nation's top military and diplomatic leaders believe.

Their views on the subject were given to the House Appropriations Committee during hearings on a bill financing the foreign-aid program. The committee, which took the testimony in closed session, made parts of it public yesterday.

While none of the witnesses was overly pessimistic, most of them cautioned against a slowing down of the aid program at a time when the defenses of the free world are being built up with American help.

Here is what they said when asked about "the possibility of war:"

LOVETT SEES EVIL PATTERN

Defense Secretary Lovett: "It seems to me that there is an evil pattern visible today both in the Far East and in the west * * * and that pattern is the violence and the reckless character of the propaganda war which is conducted by the Soviets and their satellites. I believe it is recognized that an essential part of the military strategy of the Communists is the initial build-up of a strategic propaganda barrage the degree of tension developed is greater than it was 1 year ago."

Averell Harriman, Mutual Security Director: "I think if the Congress appropriates adequate sums of money for carrying forward the program, it (the possibility of war) is substantially less."

HAVE CHANCE TO ACT

Secretary of State Acheson: "We now have a very good chance to make certain that no such tragedy (as control of most of the world by an aggressive tyranny) will ever occur * * * throughout most of the world, our hands are not tied. We have a chance to act, while action still counts. We have an opportunity to create an edifice of strength which will shelter our own security and foster the continued growth of the ideals and institutions which we cherish."

W. J. Kenny, Deputy Mutual Security Director: "I would say the stresses are as great today as they have ever been."

COMMENT ON THE TALLE AMENDMENT

This amendment would terminate all price control on June 30, 1952, except for materials that are allocated or rationed.

In effect, this amendment would end all the protection against inflation which the Government now provides for the consumer. It would terminate most price control.

The exception provided for materials under allocation or rationing would not preserve price control where it is most needed. Allocation and rationing means that the businessman is told to whom he may sell his goods, how much of them and, perhaps, for what purpose. So ruthless an interference with the free market is justifiable only where a material is needed for the defense program and its supply is so short that defense needs could not be met without allocation.

But the general inflationary trend resulting from the defense program causes price pressure for many commodities whose allocation would not be justified.

Bread and meat prices may rise 5 or 10 or 20 percent, causing hardship to many consumers, but, under this amendment, their prices could not be controlled unless they were also rationed.

Fencing wire or cotton-ginning machinery may be raised in price unreasonably—and nothing could be done about it under this amendment unless farmers and ginners were also made to submit to the needless red tape of allocation.

In fact, this amendment would remove all protection of price control from consumers, farmers, and most businessmen.

Every Member who wants to be on record against price control should vote for this amendment. Every Member who wants to protect the country against inflation should vote against it. This amendment should be defeated.

The Talle amendment is shortsighted.

It is based on the theory that prices will go up only when there is a shortage of supply.

I hope that the memory of this House is not short enough to fall for a theory which has so recently been proven completely wrong before our own eyes.

There was no shortage of anything after Korea. You could buy all you wanted. But prices went up, and fast.

There was no shortage of rubber; you could buy all you wanted, but it went up 187 percent.

There was no shortage of wool; you could buy all you wanted, but it went up 118 percent.

There was no shortage of cotton print cloth; you could buy all you wanted, but it went up 58 percent.

There was no shortage of beef cattle; you could buy all you wanted, but it went up 30 percent.

There was no shortage of lard; you could buy all you wanted, but it went up 84 percent.

It is true that there was acute international tension and fear of war at that time. But, is there no tension today? Can we be sure that there will be no fear of war next week or next month, or next September or October?

Prices could skyrocket again in September or October. The American people would not want that to happen. But the Government could not do anything about it if the Talle amendment were enacted.

The Talle amendment must be voted down.

PRICES WILL GO HIGHER WITHOUT CONTROLS

First. Businessmen are asking OPS for higher ceiling prices.

Food retailers want higher prices.

Milkmen want higher prices.

Packers want higher prices.

Machine manufacturers want higher prices.

Gasoline refiners want higher prices.

Cement manufacturers want higher prices.

Second. National security expenditures will increase $15,000,000,000 to $20,000,000,000 during the next year.

Before Korea they were $17,000,000,000 per year—6 percent of our national output.

In the first quarter of 1952 they were $47,000,000,000—14 percent of our national output.

Next year they will be $65,000,000,000—18 percent of our national output.

Add to this a vast expansion of private facilities.

You cannot dump that much added spending on an economy which is already operating practically at capacity and expect prices to control themselves.

Third. Lifting price controls will raise prices by causing scare buying.

Right after Korea:

There were no shortages.

The budget was balanced.

Defense spending had not really started.

Yet, people were scared of higher prices.

They rushed out and bought goods they didn't need.

They bid up prices.

Prices rose 8 percent in 7 months.

Today people are confident and savings are at record levels.

If price controls are lifted, they will be scared again.

They will spend instead of saving. They will bid up prices.

WITHOUT CONTROLS PRICES WILL GO UP EVEN IF THERE ARE NO SHORTAGES

First. Right after Korea, prices went up when there were no shortages.

After Korea the budget was balanced; defense spending had not really started; there were no shortages.

Yet prices went up 8 percent in 7 months.

Second. Prices are pressing ceilings and businessmen are asking OPS for higher prices in areas where supplies are plentiful.

There is no milk shortage, yet milkmen want higher prices.

There is no oil shortage, yet oilmen want higher prices.

There is no cigarette shortage, yet cigarette men want higher prices.

Third. Prices will go higher because demand will be high even if materials are plentiful.

(a) Defense spending will increase fifteen to twenty billion dollars to a total of $65,000,000,000 within a year. This will mean more dollars to bid up prices.

(b) If controls are removed people will start scare buying just like they did after Korea. This will increase demand and push up prices.

The issue is prices—not supplies, and prices will go up if controls are removed.

The CHAIRMAN. Are there further amendments to title I of the bill? If not, the Clerk will read.

The Clerk read as follows:

TITLE II—AMENDMENTS TO HOUSING AND RENT ACT OF 1947, AS AMENDED

SEC. 201. (a) Subsection (e) of section 4 of the Housing and Rent of 1947, as amended, is amended by striking out "June 30, 1952" and inserting in lieu thereof "June 30, 1953."

(b) Subsection (f) of section 204 of the Housing and Rent Act of 1947, as amended, is amended by striking out "June 30, 1952" and inserting in lieu thereof "June 30, 1953."

Mr. CAMP. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have heard certain criticisms, and what has been said regarding Hon. Ellis G. Arnall, Director of the Office of Price Stabilization. I feel it is my duty, and it certainly is a privilege to rise at this point to his defense and to refute what has been said regarding his work here. Mr. Arnall is a distinguished Georgian, a former Governor of our great State. I have known him all of his life; he was born and reared and still resides in my home town. He is a man of honor, integrity, and courage, and possesses the highest educational qualifications, and can hold his place anywhere with any man in this country.

I happen to know what time he is devoting to the duties of his office. I have made many appointments with him for people who sought his advice and his instruction regarding price matters. I know of many conferences he has had with them after supper, at late hours in the evening, when he could not get to them in the daytime. If anyone says he is running around the country only acting as a public-relations officer, that person simply does not know what he is talking about. No man in this country is better versed in price-control matters. The distinguished gentleman from Georgia, Mr. BROWN, vice chairman of the House Banking and Currency Committee has told me that no witness who testified before that committee had a better knowledge or keener appreciation of his work nor was more sincere in his efforts.

Mr. COX. Mr. Chairman, will my friend yield for an observation?

Mr. CAMP. Gladly.

Mr. COX. I simply want to say that I never voted for Governor Arnall in my life. Politically speaking, we have been as far apart, almost, as the poles. I expect that I have criticized him as much as any person living. But I do feel it is fair to say that as Office of Price Stabilization Administrator he has been the most courteous man I have known in the carrying along of his work in Washington. I have confidence in his integrity. I have the faith to believe that he is doing his utmost to do a good job, and therefore I regret the criticism, indirect though it may be, but criticism nevertheless which has been aimed at him.

Mr. CAMP. I thank the gentleman. Mr. Chairman, in closing I would like to say that any job which Ellis Arnall undertakes to do, he will try to do it to the best of his ability, and his ability is great.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CAMP. I yield.

Mr. CELLER. I have known Ellis Arnall for a great many years. I know of no man who has been more painstaking and more efficient in carrying out his duties, not only as Governor of his State, because he was a great credit to his State when he was Governor, but in carrying out his duties as head of the OPS. It is a very difficult and arduous task, but he has carried on forthrightly and honestly and with the greatest integrity.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. CAMP. I yield.

Mr. SPENCE. I have not been acquainted with Governor Arnall for a long period, but it has impressed me that everything you say about him is true. He is a high-class gentleman who has a public spirit, and he is trying to carry out the duties of his office to the very best of his ability. He is subjected to that criticism which falls on every man who offers himself for public service, and it falls upon the best just as it falls upon the worst.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. CAMP. I yield.

Mr. LANHAM. I have known ex-Governor Arnall, the present price administrator, for a number of years. As a matter of fact, since he was a young man. I want to join with the gentleman from Georgia [Mr. CAMP] in what he has said in praise of Ellis Arnall as well as with the gentleman from Georgia [Mr. Cox] and other Members who have spoken. I have the utmost confidence in his integrity. I know he is an able and capable man trying to do a good job.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. CAMP] has expired.

Mr. MULTER. Mr. Chairman, I ask unanimous consent to extend my remarks immediately prior to the closing of debate on title I.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Page 11, line 20, insert the following new sections:

"SEC. 202. Section 204 (j) of the Housing and Rent Act of 1947, as amended, is hereby amended by adding at the end thereof the following:

"'(4) No action taken under this section 204 (j) shall be valid unless the President certifies that the vacancy ratio in low and middle income housing accommodations in the area to be affected by such action is 10 percent or more of the available habitable housing accommodations in that area.'"

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. MULTER) there were—ayes 15, noes 53.

So the amendment was rejected.

Mr. WHEELER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHEELER: On page 11 strike out lines 17 to 20, inclusive, and insert in lieu thereof the following:

"(b) Subsection (f) of section 204 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"'(f) (1) The provisions of this title shall cease to be in effect at the close of September 30, 1952, except that they shall cease to be in effect at the close of March 31, 1953—

"'(A) in any area which prior to or subsequent to September 30, 1952, is certified under subsection (1) of section 204 of this act as a critical defense housing area;

"'(B) in any incorporated city, town, or village which, at a time when maximum rents under this title are in effect therein, and prior to September 30, 1952, declares (by resolution of its governing body adopted for that purpose, or by popular referendum in accordance with local law) that a substantial shortage of housing accommodations exists which requires the continuance of Federal rent control in such city, town, or village; and

"'(C) in any unincorporated locality in a defense-rental area in which one or more incorporated cities, towns, or villages constituting the major portion of the defense-rental area have made the declaration specified in subparagraph (B) at a time when maximum rents under this title were in effect in such unincorporated locality.

"'(2) Any incorporated city, town, or village which makes the declarations specified in paragraph (1) (B) of this subsection shall notify the President in writing of such action promptly after it has been taken.

"'(3) Notwithstanding any provision of paragraph (1) of this subsection, the provisions of this title shall cease to be in effect upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the further continuance of the authority granted by this title is not necessary because of the existence of an emergency, whichever date is the earlier.

"'(4) Notwithstanding any provision of paragraph (1) or (3) of this subsection, the provisions of this title and regulations, orders, and requirements thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit or action with respect to any right or liability incurred prior to the termination date specified in such paragraph.'"

Mr. WHEELER. Mr. Chairman, it will not require 5 minutes to explain this amendment. The amendment simply provides that on the 30th of September next rent control will cease to be in existence in all areas except in critical defense areas or in those areas where the local governing authorities ask that Federal rent control be extended.

In order to get rid of rent control under the present law, where Federal rent control is in effect, the local governing authorities are required to formally ask that it be discontinued. This amendment simply reverses that procedure and allows control to expire on September 30, 1952, unless the local governing authorities take positive action requesting the President to impose control. It does not affect, until after the 31st of March, 1953, the rent control status of the critical defense areas that have been so designated. It is simply a question of whether you want rent control to continue to be imposed on those communities unless they take positive action and ask for it. It does not in any way affect rent control in the critical defense areas.

The question is that simple.

Mr. McKINNON. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from California.

Mr. McKINNON. Do I understand your amendment would provide that in areas now under rent control, that are considered critical impact areas, this status would not be changed until possibly March, 1953?

Mr. WHEELER. March 31, 1953.

Mr. McKINNON. But in case of another area that becomes impacted by a military operation, if the Federal Government wanted to put Federal rent control into effect in that impacted area, it could not do so without the consent of the local governing body? Do I understand the gentleman correctly?

Mr. WHEELER. That is right.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from California.

Mr. McDONOUGH. Your amendment says in critical areas now existing. Your amendment has no effect on them.

Mr. WHEELER. That is right.

Mr. McDONOUGH. If under the terms of the Rent Control Act an area surveyed to be made critical, do you provide that the local governing body must determine whether the Federal authorities are ready to make it a critical area?

Mr. WHEELER. I am sorry. I gave the gentleman from California the wrong information. Where it has been declared a critical defense area, rent control automatically goes on until March 31, 1953, without any determination by the local authorities. Where it has been declared to be a critical defense area the Federal rent-control law applies automatically until March 31, 1953.

Mr. McKINNON. But any new area would not be able to be controlled unless the local government took positive action.

Mr. WHEELER. Yes; it would come under control immediately upon the determination that it was a critical defense area.

Mr. McKINNON. What happens after March 1953 on a present impact area that now has rent control?

Mr. WHEELER. That remains for the next Congress to determine.

Mr. McKINNON. There is no provision in the gentleman's amendment for such contingency?

Mr. WHEELER. Not beyond March 1953. It merely says that in these noncritical areas the rent control law shall cease as of September 30 this year unless the local governing authorities request the President to extend it. It does not go off in critical areas until March 1953.

Mr. McKINNON. The gentleman knows that many places throughout the country will become critical defense areas soon because of our new defense effort.

Mr. WHEELER. They will be controlled.

Mr. McKINNON. In other words, in a newly created impact area because of national defense there can be no rent control until the local governing authorities take affirmative action.

Mr. WHEELER. Once it has been determined to be a critical defense area they need take no action whatsoever.

Mr. McKINNON. Between now and March.

Mr. WHEELER. March 1953.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield.

Mr. YATES. Does the gentleman know that not one of the principal cities of this country has been defined to be a critical defense area? If the gentleman's amendment were adopted, rent control in cities like Chicago, Boston, Philadelphia, and other places that do not have State rent control laws would automatically be decontrolled.

Mr. WHEELER. If the local governing authorities wanted it, they could simply ask for it.

Mr. YATES. The gentleman knows that if they do not want it they can bring themselves out from under rent control right now; they have done it in many places throughout the country. The present law permits decontrol by action of the local authorities.

Mr. WHEELER. My amendment merely requires affirmative action instead of negative action.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the original act was passed on the theory that the people wanted local self-government; that particularly appealed to the people of the South. We gave them local self-government with reference to rent control; they can impose it or they can take it off as they please.

This amendment, as I understand, would take away that right, and on September 30 of this year all of the areas that are not critical defense areas would be decontrolled without local action. We have reversed the attitude we took, and we have taken away from the people the authority they asked us for.

I hope the amendment will be defeated.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Mississippi as a substitute for the amendment offered by Mr. WHEELER: On page 11, strike out lines 17 to 20 inclusive and insert the following:

"(b) Subsection (f) of section 204 of the Housing and Rent Act of 1947, is amended to read as follows:

"'(f) (1) The provisions of this title shall cease to be in effect at the close of June 30, 1952, except that they shall cease to be in effect on March 31, 1953, in any area which prior to or subsequent to June 30, 1952, is certified under subsection (1) of section 204 of this act as a critical defense housing area.

"'(2) Notwithstanding any provision of paragraph (1) of this subsection, the provisions of this title shall cease to be in effect upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the further continuance of the authority granted by this title is not necessary because of the existence of an emergency, whichever date is the earlier.

"'(3) Notwithstanding any provision of paragraph (1) or (2) of this subsection, the provisions of this title and regulations, orders and requirements thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit or action with respect to any right or liability incurred prior to the termination date specified in such paragraph'."

Mr. WILLIAMS of Mississippi. Mr. Chairman, I am in complete sympathy with what the gentleman from Georgia seeks to do by his amendment. Nevertheless, in my opinion, the time has come for us to meet the issue of Federal rent control head-on.

In 1949 Congress provided for "local option" rent control, giving the right to the local communities and the States to decontrol their areas if they saw fit. That was the first step toward placing rent control in the hands of the local and State governments.

The amendment offered by the gentleman from Georgia [Mr. WHEELER] retains Federal rent control, but regardless of what might be said, it does not give the local communities full and complete responsibility in the matter of these controls.

In my opinion, the time has come for the Federal Government to relinquish this responsibility. We should turn it over completely to the States.

Because of the local option provision in the rent-control bill, there are only scattered sections throughout the country that still retain Federal rent control outside critical defense areas. In those areas designated as critical defense areas, it should be provided by the Federal Government In other words, it is the Federal Government's responsibility to control rents where the critical situation is caused by action of the Federal Government. Therefore, in the amendment I have offered as a substitute for the amendment offered by the gentleman from Georgia [Mr. WHEELER], we would leave rent control in the critical areas to be administered by the Federal Government but return to the States the responsibilities that are rightfully theirs by decontrolling once and for all the rest of the country that does not need Federal rent contral.

It will be agreed that my proposal would leave certain parts of the country without rent control, particularly the large cities. Well, several of the States have already decontrolled themselves; several States, so I understand, have stand-by legislation that goes into effect the minute the Federal Government abandons rent control.

There is no reason why the State, county, and local governing bodies cannot meet and provide controls for themselves if such necessity presents itself.

If rent control is to be a permanent function of the Federal Government, then vote my amendment down; if you believe that it is a Federal responsibility to continue to control rents, regardless of the fact that the need is not national, then vote my amendment down.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Illinois.

Mr. JONAS. In the gentleman's substitute does he have a provision when the present law is to expire or does it expire on June 30?

Mr. WILLIAMS of Mississippi. On June 30.

Mr. JONAS. The gentleman does not have a provision in there that it expires on September 30?

Mr. WILLIAMS of Mississippi. No.

Mr. JONAS. That raises the point in metropolitan areas, like the city of Chicago, and I use the city of Chicago simply as an example. If we follow the amendment submitted by the gentleman from Georgia [Mr. WHEELER], we are apt to walk into the same trap we did in 1948. The 60-day notices will be served on the tenants just about 2 days before election day, and I do not want to get into that situation. As I understand it, the gentleman's amendment, this expires on June 30?

Mr. WILLIAMS of Mississippi. I presume that in the city of Chicago you have a city governing body?

Mr. JONAS. Yes; but under existing law the city council has no jurisdiction over passing on any question dealing with rent control. Under the prevailing law, as we have it now, they do not have that jurisdiction.

Mr. WILLIAMS of Mississippi. The gentleman has a very distinguished Governor who is trying to slip into the back door of the White House. I have heard a lot down South about his belief in States' rights. I am sure that the gentleman's "States' rights" Governor will be pleased to see to it that the Illinois Legislature takes care of your situation in the next few weeks. If my amendment is accepted, it will remove some, if not all, of the present Federal interference into private business and local affairs.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. McKINNON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask the distinguished gentleman from Mississippi about his amendment. As I understand his amendment, the difference between that and the amendment submitted by the gentleman from Georgia, as far as impacted areas are concerned, is that the Federal Government may only step in and control rents in areas that had not been declared critical prior to June 30 of this year.

Mr. WILLIAMS of Mississippi. If the gentleman will read the amendment, the amendment reads as follows: With reference to critical areas it says that—

The provisions of this title shall cease to be in effect at the close of June 30, 1952, except that they shall cease to be in effect on March 31, 1953, in any area which prior to or subsequent to June 30, 1952, is certified under subsection (1) of section 204 of this act as a critical defense housing area.

Mr. McKINNON. In other words, the gentleman's amendment permits rent control set up to be initiated by the Federal Government on impacted areas throughout the United States now or at a later time up to March 1953?

Mr. WILLIAMS of Mississippi. That is right.

Mr. McKINNON. In other words, the Federal Government can control rents in impacted areas without the consent of the local governing bodies.

Mr. WILLIAMS of Mississippi. That is correct, but it has to be certified as a critical defense area.

Mr. YATES. Mr. Chairman, I rise in opposition to the Wheeler amendment and to the Williams amendment.

Mr. Chairman, a few months ago I had the privilege of addressing the legislative section of the National Association of Rural Electrification Cooperatives. To that legislative panel came representatives from rural sections all over the United States, many of them unaware of the peculiar and critical problems facing those of us who live in metropolitan areas. I asked them to turn north as they walked out of the hotel so that they would see the district within the city of Chicago which I represent, a district which contains approximately 335,000 people within an area of three square miles. That is a lot of people. They live in huge multistoried apartment buildings, small and medium apartment buildings, and in private homes. They are crowded together. They are congested. They have made use of almost every housing accommodation in the city, including those which a few years ago, relatively, were classified as uninhabitable. They depend upon rent control to tide them over this temporary period of housing shortage, for if rent controls are removed, there are no apartments or houses into which they can move at rentals they can afford to pay. I feel sure that the people to whom I spoke that day gained a fine appreciation of our housing problems, an appreciation they did not have before.

Much has been said during this debate on items in abundant supply. The gentleman from South Carolina spoke of warehouses filled with refrigerators and other consumer items. Other gentlemen have spoken of potatoes and fresh fruits and vegetables. In this bill we must make the determination as to whether the items that are sought to be brought under control are in sufficient supply. If they are, controls will be no longer needed. Yet I would like to point out one significant difference, between shortages in housing and food. If controls are removed and food and food- commodities, and prices go up, consumers can still shop around for cheaper foods. They can find substitutes for foods which become too expensive or for clothing which becomes too expensive, if need be. But housing is in a different category. If there are no housing accommodations on the market, you cannot shop for them or buy them or even try to find a substitute, because no substitutes exist.

Let me read to you from the report of the Metropolitan Housing and Planning Council of the city of Chicago, a very recent report issued on February 29, 1952. The Metropolitan Housing and Planning Council is a private agency, not a Government agency, and is established for the purpose of promoting better housing throughout the city of Chicago. It numbers among its members some of the largest real estate dealers in the city of Chicago. The report which is entitled "Chicago and Its Housing Supply" makes clear exactly what the housing shortage is. Let me read to you the following:

In 1940, 3.8 percent of the total dwelling units in the city of Chicago were vacant, for sale or for rent, while in the metropolitan area outside of the city of Chicago, there were 2.2 percent of the total dwelling units which were vacant and for sale or rent. In 1950, this vacancy rate of inhabited or inhabitable units had fallen to 0.8 percent in the city of Chicago, and to 0.7 percent in the metropolitan area outside the city.

With this vacancy factor, do you believe that people who have their rents raised beyond their means can find other quarters at prices they can afford to pay? Of course they cannot. I read further:

The vacancy rate which will insure that persons seeking housing will have a minimum amount of freedom of choice in the housing market ranges from a minimum of 2½ percent to a maximum of 6 percent. This percent of the dwelling units in a city the size of Chicago must at all times be vacant and on the market for sale or rent, to provide the frictional buffer to care for the constant movement of persons into and out of housing, and into and out of the city itself.

Mr. Chairman, the amendments offered by both the gentleman from Georgia and the gentleman from Mississippi limiting rent controls to critical areas completely overlook the needs of the people in the tremendous crowded urban communities today because not one of such communities has been classified as a critical defense area. If either of these amendments prevails, if rent control is removed, there will be chaos in large communities such as the city of Chicago. There will of necessity have to be demands for wage increases, giving another push to the inflationary spiral, for the tenants will have to have some means of obtaining increased rents to pay for shelter they must have. The number of our families is growing; the population is growing out of all proportion to the number of housing accommodations presently in existence and being built. This is a problem that can be licked only by building more and more housing—to unfreeze and liberalize the limited housing market.

Mr. SITTLER. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Pennsylvania.

Mr. SITTLER. The gentleman has just made some statements about the city of Chicago that are quite revealing to me. I wonder if it is not true that under the amendment offered by the gentleman from Georgia the people of Chicago, who know about that very well, and the governing officials could thereupon invoke rent control in the city just as well. I wonder if the amendment offered by the gentleman from Georgia does not meet very completely the situation the gentleman is speaking about.

Mr. YATES. A few years ago the gentleman from Mississippi [Mr. WILLIAMS] offered an amendment which he said would provide for local control. It would give the right to local communities to take themselves out from rent control in the event they thought it was necessary. That part of the law is still in effect. If a local community does not want rent control, they can take themselves out from under rent control under the local-option provision, as many have done already in the past few years.

Mr. MULTER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, my city and State have local rent controls, so these amendments cannot affect my city or State. I think you can then consider what I have to say on the subject as being entirely objective.

Both these amendments will not only decontrol large cities but will also decontrol many small cities. I have in my hand a list of cities which either one of these two amendments, if adopted, would immediately decontrol.

In the State of Georgia, which is represented in part by the gentleman who offered the first amendment, we find that there will be immediate decontrol under either amendment of the following cities: Atlanta, Macon, Albany, Rome, Athens, and Americus.

There are 36 States and Puerto Rico in which hundreds of cities would be immediately decontrolled.

Mr. MORTON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Kentucky.

Mr. MORTON. The State of Mississippi passed a law that you cannot have rent control. If the Office of Rent Control here does not know it, it had better find out about it.

Mr. MULTER. In the State of Mississippi only those cities are under rent control which are in critical defense areas.

Mr. MORTON. These are defense impact cities.

Mr. MULTER. Right.

Mr. MORTON. The gentleman's amendment permits them to continue controls.

Mr. SITTLER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. SITTLER. I, too, am objective about the situation in the State of Mississippi and in these small communities because I do not live in them.

But I wonder if the gentleman does not accord to the governing bodies of these small communities the native in-

telligence to handle their own problems and invoke rent control if it is necessary. Whom does the gentleman fear?

Mr. MULTER. I do not fear anybody, but we know the pressures upon the local city councils and the local governing bodies are such that they will not take the action that is required.

Mr. SITTLER. By whom is the pressure exerted?

Mr. MULTER. The same persons who pressure us year after year to discontinue rent control throughout the country.

Mr. SITTLER. Who exerts these terrible pressures, if the gentleman will tell us?

Mr. MULTER. You know these local councils have not been taking any such action with the exception of Los Angeles, I think, which is the only local council in the country that has taken such action. The State of Mississippi, as a State, has done so. What other local governing body in the country has taken such action?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. YATES. In answer to the gentleman from Pennsylvania, let me say that the city council of the city of Chicago in 1947, at the time when it appeared that rent control was going off the books, passed an ordinance providing for the continuation of rent control. That ordinance was held unconstitutional by the Supreme Court of the State of Illinois on the theory that the legislature had not given the city council that legislative authority to pass the ordinance. In the State of Illinois, we have a fight, or rather we have a misunderstanding with some of the down-State communities as to what our problems in the city of Chicago are. We would have a terrible time trying to get rent control legislation through the legislature of the State of Illinois, because there is no appreciation of our peculiar problems within the city of Chicago. Therefore, the only protection we have to obtain rent control, and to keep rent control, is to have the act continued.

Mr. SITTLER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. SITTLER. Then what the gentleman from Chicago would do would be to remove by one further step from the city of Chicago the responsibility for the management of that city. He cannot handle it in his own State legislature, therefore, he wants to push it all the way to the National Capitol in Washington.

Mr. YATES. On the contrary, if Chicago wants local control, we cannot have local control because of the legislative situation. We want rent control, but cannot get it as a result of the lack of legislative power, which the State legislature will not give the city.

Mr. MULTER. The advocates of local option overlook the fact that these amendments would automatically decontrol these small cities, as well as many large ones. The right given by the amendments to recontrol could never be invoked by them because their States have never given them that legislative authority.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I desire to make a few brief observations. Under the present law, outside of defense critical areas, as I understand it, and if I am mistaken I would like to be corrected, a community or city can only be taken out of rent control by action on the part of the city or community through negative action. Of course, the legislature has power to do it so far as the application of rent control to the entire State is concerned. So when I use the word "community" I am referring to it in its broad as well as limited sense.

The amendment offered by the gentleman from Georgia [Mr. WHEELER], as I understand it, does not disturb the basic situation in relation to rent control outside of critical defense areas except that instead of negative action on the part of the State, county, city, or town, or any other political subdivision of a State, it requires that they take affirmative action in order to have rent control continued, and by rent control I mean outside of a critical defense area. The amendment offered by the gentleman from Mississippi completely terminates rent control, as I understand it, outside of critical defense areas. It seems to me, in the light of the present emergency, there is a necessity for the continuance of rent control. I hope the Williams amendment will be defeated.

Now coming to the Wheeler amendment, and expressing my own views, there is a question involved there as between the present law and whether it should be negative or affirmative action to have rent control. I recognize that men may honestly differ on that. I had not intended to speak on the Wheeler amendment, if it was confined to the Wheeler amendment, so my main purpose in taking the floor in this discussion is, with all due respect to the gentleman from Mississippi, to express the hope that his substitute amendment will be defeated. While personally I might feel that the present law would bring about the greatest results, and I shall vote against the Wheeler amendment, the principle or the policy or the idea involved in the amendment offered by the gentleman from Georgia [Mr. WHEELER] in relation to the affirmative action on the part of the community in order to have rent control is one on which persons may, as I say, honestly differ. My main purpose is to express the hope that the Williams substitute will be defeated.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from California.

Mr. McDONOUGH. There is a point that I think is a very fine point, as to whether the governing body should have any say so or not. For the information of the gentleman from Massachusetts and the rest of the Members, I asked Mr. Tighe Woods during the hearing that very question. I asked him:

> What do you think of an amendment providing that after the survey is made in an area to determine whether it is a critical area or not, is presented to the local governing body for review?

Mr. Woods said:

> Actually we have been doing that informally, and such an amendment would not bother me at all.

Now, there is the Administrator saying that cooperation with the local governing body is a good thing, and I think for that reason this amendment should be approved.

Mr. McCORMACK. As I said, with all due respect to my friend from Mississippi [Mr. WILLIAMS], my main purpose is to call attention to the complete termination of rent control, if a situation existed where it was reasonably necessary. The difference in the Wheeler amendment—and it is an important difference—is whether a community should be permitted to say they did not want it, or they should be compelled to say, "We want it."

May I ask a question of the gentleman? In the event your amendment is adopted and it should become incorporated into law, in a case like Chicago or Boston—I do not mean to confine my inquiry to large metropolitan cities alone, but there are hundreds of thousands of population in other cities, the local, duly elected city authorities, the city council or selectmen, or whatever they may be called, duly elected in accordance with its municipal charter, would they be the agency or authority to affirmatively request rent control?

Mr. WHEELER. Absolutely.

Mr. McCORMACK. In other words, it would not have to be submitted to the people for a vote?

Mr. WHEELER. That is right.

Mr. McCORMACK. It could be done through their duly elected officials?

Mr. WHEELER. Through their duly elected officials.

Mr. YATES. They have that right at the present time.

Mr. McCORMACK. The one thing that I have taken the floor particularly for is to call attention to the fact that the Williams amendment means the death of anything being done in relation to rent control outside of critical defense areas. While I do not favor the Wheeler amendment, I hope that the Williams amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to ask the gentleman from Georgia [Mr. WHEELER] a question about his amendment, as I agree with him it is time for the local communities to take the responsibility and say affirmatively whether there is a local emergency condition that requires rent control. In large cities there are various parts of a city that do not currently need rent control. Under the gentleman's amendment, I wonder if there is a possibility for the particular municipality, by its own vote, by a designation of wards or sections, having rent control in one portion and releasing it in another portion where rent control is not needed.

Mr. WHEELER. The amendment anticipates the local governing authorities knowing more about their needs, insofar as rent control is concerned, than does any agency of the Federal Government. I could very well envision under this amendment the local governing authority of any city doing pretty much as they please about the imposition of rent control.

Mr. FULTON. That means that within a town or city, under this amendment, they could have a part or all of the city under rent control if they so wanted it. For instance, sections or wards that do not need rent control, under certain standards of living, and having adequate supply of a particular level of housing, might be decontrolled, and other parts of the municipality that do need it will have rent control according to the local agency's authorization. The local community can and should decide its own problems on rent control.

Mr. WHEELER. I believe this amendment is broad enough to take care of that situation.

Mr. FULTON. That is what I wanted to make sure. Blanket action on a national level is causing inequities and injustices in the administration of rent control at present. I believe the local real-estate dealers and owners at present have legitimate complaint on the administration of rent control from Washington.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. McDONOUGH. The gentleman is familiar with the Housing and Rent Act which states that if an area is decontrolled, the director is then directed to decontrol the surrounding area to a certain extent; it is a matter of reasonableness in order to prevent discrimination, because if you decontrolled a certain area of the city but left the remainder of the city controlled you might have discrimination that would not be equitable.

Mr. FULTON. I think the position of the gentleman from Georgia [Mr. WHEELER] and mine is that there should be the right within the particular municipality or local subdivision to decide what portion of that subdivision shall be under rent control or shall be released, not that the local municipality must act as an open or shut matter so that the whole municipality is under rent control or the whole municipality released from rent control.

Mr. WHEELER. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. WHEELER. I think this amendment would place in the hands of the local authorities that determination.

Mr. FULTON. I thank the gentleman very much.

I come from a large industrial, residential and farm area, parts of which want rent control and need it, and the other parts and subdivisions and municipalities do not want it and do not need it. Some of the communities in my district have been released from rent control.

I shall be glad to support the Wheeler amendment because it will give to the local communities this right to determine whether they locally have an emergency, and the decision should be in local hands. If the communities do not have an emergency, then through their elected officials they can say there is no such emergency and they do not want rent control. As a matter of fact we in Congress on all these emergency regulation and control acts should be looking toward the time when the controls come off, and work toward that end. A free economy works best. Because we have been operating and governed on emergency after emergency and control after control, some New Deal people in the Government use this as a method to stay in power and keep controls on indefinitely. We in Congress must work toward a free economy and the relaxing of controls as soon as the emergency conditions lessen. Otherwise the American people face a permanent controlled economy. Rather than have rent control entirely under the Federal Government, I think it is one step toward decentralization in requiring affirmative action by the local community to decide whether under the Federal act they have such an emergency that their individual community requires rent control. In that part of the community where rent control is needed, it will be continued and where it is not needed it will be released by the local community officials.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mrs. KELLY of New York. My question is: Have these local bodies the authority in all cases to act affirmatively?

Mr. FULTON. I believe that the action will be by resolution or by ordinance of the local authority. That then will be the method by which it is determined whether the conditions of this national act have been complied with in each case.

It is not a case, I believe, as the gentleman from Illinois has been trying to argue, that the local authorities take an action under the State law or constitution. That does not have any bearing whatever, as the local community by its action is simply meeting the conditions or requirements of the Federal statute.

Mr. YATES. I did not say that.

Mr. Chairman, will the gentleman yield for a correction?

Mr. FULTON. I yield.

Mr. YATES. I did not say that the local authorities should take any unconstitutional action. I stated that the Supreme Court of Illinois had declared unconstitutional the effort of the city of Chicago to provide rent control, because the city had not been delegated such authority by the State Legislature. Under this amendment, there might be the question again whether the city can vote controls without specific legislative grant of authority.

Mr. FULTON. Under the Federal statute the local municipal authority is given the right to say whether or not they want rent control. Once the municipality complies with that statute or the regulations under it, the action becomes effective regardless of State law. That is the deciding factor.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. McDONOUGH. Mr. Chairman, reserving the right to object, does this have any effect on section 202?

The CHAIRMAN. It does not; the request applies only to the pending amendment and amendments thereto.

Mr. McDONOUGH. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES. Mr. Chairman, there has been some effort to confuse what the basic issues are here, particularly as between the Wheeler amendment and the Williams amendment. The fundamental issue raised by the Williams amendment is the question, Who is going to assume the responsibility for control in an area where control may be found to be needed? The Williams amendment simply says that if controls are needed in areas other than defense-impacted areas, then it is the local responsibility, they should set up their own rent-control offices and their own rent-control plan, that the Federal Government should not be forced into the responsibility of furnishing that service. If they need it, fine. We do not say they cannot have it. All we say is, you do it yourself in your own way and in your own manner. It seems to me that is the American way of doing it. In my judgment, the Williams amendment should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, as I understand the two pending amendments or at least one of them practically leaves the question of rent control in the hands of the local people. I cannot see any objection to that.

It is my purpose in taking this time to say to the gentleman from Illinois [Mr. YATES] who pointed out the critical rent situation in the city of Chicago that the city of Chicago has had rent control for 10 years. Does he propose to continue that same policy in the hope that he will obtain a solution of that problem in that city by continuing rent control as it is now?

Mr. YATES. In answer to the gentleman's question, I would say I do not like controls any more than the gentleman does, but where you have a monopolistic housing market as you do in many large cities today, where there is a housing shortage which does not permit freedom or opportunity to find a place to live at a reasonable rental, if rents are increased beyond the ability of consumers to pay, then I certainly believe rent controls should be retained.

Mr. DONDERO. There will be no houses built for rent by private owners or private investment as long as rent control hangs over the heads of the investors. That has caused the shortage

of houses in this country. It is also true in other countries.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SITTLER].

Mr. SITTLER. Mr. Chairman, may I say that the gentleman from Wisconsin [Mr. BYRNES] has expressed my own thoughts very clearly on this matter. In addition, as I understand it, the estimate is that the amendment of the gentleman from Georgia [Mr. WHEELER] or the gentleman from Mississippi [Mr. WILLIAMS] would save about $10,000,000 of administrative cost in the Division of Rent Control of OPA.

Mr. Chairman, if there is anything that should be subject to local option it is the matter of rent. On the basis of personal experience, as a former municipal official, I can testify that I was much better qualified to pass upon the need of my community of Uniontown for rent control, housing, or most anything else than was the then Member of this House who had the responsibility of representing our whole district, which contains several cities comparable to Uniontown and which are far removed from Washington.

To the gentleman from Illinois [Mr. YATES] may I say that the Legislature of the State of Illinois should provide relief for the city of Chicago by passing legislation to meet its needs. If relief for the city of Chicago is not to be found in the State capital of Illinois then State lines should not, in effect, be abolished by having every city go to the Federal Government for relief.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SITTLER. I yield to the gentleman from Illinois.

Mr. YATES. May I say to the gentleman that he has argued favorably, and I agree with him, in favor of local option. You have that option under the present law because a municipality can take itself out from under rent control if it so desires.

Mr. SITTLER. I thank the gentleman for his agreement. I support the amendment of the gentleman from Georgia [Mr. WHEELER] because I would put the force of inertia on the side of decontrol rather than on the side of controls. I have faith in the good judgment of the average city council and in its responsiveness to the local electorate. If the people of any city outside a critical defense area want rent controls they can get them through the action of their local officials.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, I rise at this time in opposition to both amendments, because I represent, perhaps, the biggest bloc of low-income working people in the State of Minnesota. I have five wards that come in the category of low-income groups. Now I have watched this rent-control situation very carefully for a number of years, both as a member of our State legislature and serving on one of our municipal boards. Somebody asked a question a minute ago as to who puts the pressure on to kill rent controls, I do not think that question need be asked. We know it here in Washington. One of the strongest lobbies in Washington and one of the strongest in my State is the real-estate board. I witnessed a mass meeting in the city of Minneapolis that was called for the purpose of determining rent-control policy. Our State has a stand-by rent-control act. The result was that the city council of the city of Minneapolis listened and took the recommendation of about 40 members of the real-estate board, but when the opponents were heard there were over a thousand of them there protesting against the proposed decontrol legislation. This is a typical example of the power of organized power.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Chairman, I think it is a good idea to let local people handle things as much as it is possible for them to do so. However, if Members on the left side of the aisle want fairly to get rid of rent control, I suggest they can do it in one very effective way; do not be so pinchpenny in the amount of money you allow every year for public housing for low-income families. Like housing our defense contracts are awarded on a Federal, not on a regional basis; when you make everything equal, either local or regional, and not just rent, you can handle rent lifting more equitably than the amendments allow. We could use many times more housing units in our area, before rents can be fairly decontrolled. We are not declared a war-impact area; we do not get war contracts; we are between New York and Pennsylvania; we are out in the cold. If you want to get rid of rent control fairly on a Federal basis, one way is to step up your allocation of low-income dwelling units. Both amendments should be defeated. The supply of low-income dwelling units does not equal by any means our needs.

Mr. BROOKS. Mr. Chairman, I favor the Wheeler amendment. It carries out the principle of States' rights for which I have always fought and worked. It gives the decision to local authorities in reference to the continuation of rent controls. In the final analysis I believe local government in a general sense is the best government and this amendment certainly does decentralize the operations of rent control.

I think this amendment is a good amendment and should receive an overwhelming vote from the House of Representatives.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, the Committee on Banking and Currency considered at length and heard from various witnesses on the necessity for the extension of rent control. We reported a bill that extends it for 1 year. It would certainly be inadvisable to extend it for just a few days when the people who are renters would have no opportunity to get sufficient notice of the conclusion of rent control. The great argument that was made for the present Rent Control Act was that it gave the local people the authority to manage their own affairs, based on the principle of local self-government. They can now do away with rent control at any time they desire. It seems to me that that system is far more preferable than for the United States Government to tell each section of the country whether they want control or not, that on September 30 of this year it will be ended.

Mr. Chairman, I ask that the amendment and the amendment thereto be defeated.

Mr. BARRETT. Mr. Chairman, the amendment to the Defense Production Act which would decontrol all localities except those which have been designated as critical defense housing areas should be defeated.

On the face of it—but only on the surface—this amendment sounds reasonable and logical. Any closer examination of the facts will reveal it for the trick and the sham that it is. This amendment purports to remove rent controls except from those areas which have been designated as critical. Any one of us might logically ask why rent controls should exist in any area unless the housing shortage is critical. To this there is only one answer. Rent controls should not exist unless there is a critical housing shortage in the area under control. However, the proponents of this amendment are fully aware that the critical is the technical and limited sense that is defined in Public Law 96.

Let us examine the facts as to what constitutes a critical area under Public Law 96.

The law specifically restricts certification as critical defense housing areas to those localities which meet all three of the following criteria: first, a new defense plant or installation has been or is to be provided, or an existing defense plant or installation has been or is to be reactivated or its operation substantially expanded; second, substantial in-migration of defense workers or military personnel is required to carry out activities at such plant or installation; and third, a substantial shortage of housing required for such defense workers or military personnel exists or impends which has resulted or threatens to result in excessive rent increases and which impedes or threatens to impede the activities of such defense plant or installation.

The proponents of this amendment know that under these complex restrictions that only 109 areas, containing some 550,000 rental housing units and a total population of around 8,000,000 persons, have been designated as critical.

They also realize that the majority of our industrial cities such as Chicago, Philadelphia, Cleveland, Boston, Pittsburgh, St. Louis, and San Francisco would be decontrolled because of this amendment—simply because they could not meet one of the technical definitions of the word "critical" as it appears in Public Law 96. These cities are all highly important defense production centers, they simply cannot meet one condition proposed for critical designations, they have not had a substantial in-migration of labor. They have a critical housing

shortage—they have new and expanded defense plants—but they also have a nearly adequate local labor market.

The fact that these cities do not need any great in-migration of labor has nothing to do with whether the rents will skyrocket if controls are lifted in these great industrial cities. The plain fact is that these cities are of vital importance to the defense effort and the suspension of rent controls on these cities could only result in hampering defense production and adding another push to inflation and defense costs.

Nearly half of cities in the United States having more than 100,000 population now have rent stabilization of the "noncritical" type. More than 53,000,000 people live in communities which could be decontrolled by this proposal. For renters in these communities we would be tampering with the second most important component in their cost of living—their rent.

Even more important to me and to all believers in local self-determination, for the past several years the local people in all of these cities under noncritical rent stabilization have had the legal right to end rent stabilization for themselves through their local governing bodies. Are we to sit here in this Chamber and say that we in our wisdom know better than the local governing bodies of each of these communities that rent control is no longer needed in their city?

If the Federal rent control is onerous or unnecessary in these cities, the local governing body can abolish it through the simple process of passing a resolution to that effect after holding a hearing.

When a person examines the facts on the proposed amendment—he can only conclude that not only is it unwise but, also, it is an aid to inflation and a detriment to defense production. To an even greater extent it is an unnecessary amendment which attempts to make the judgment of the Congress superior to the judgment of local people who know the local situation.

I am attaching a list of cities in the United States now under rent control which would automatically be decontrolled if this amendment were adopted:

Cities with 1950 population in excess of 10,000, which are subject to rent control but are not located in critical defense housing areas as of May 29, 1952

(City and 1950 population)

ARKANSAS	
El Dorado	23,047
CALIFORNIA	
San Francisco	775,357
Richmond	99,545
Vallejo	26,038
Merced	15,278
San Pablo	14,476
San Lorenzo	14,000
Chico	12,342
COLORADO	
Denver	415,786
Pueblo	63,685
Boulder	19,916
Lakewood	15,000
Wheat Ridge	10,000
CONNECTICUT	
New Haven	164,443
Bridgeport	158,709
Waterbury	104,477
Stamford	74,293
New Britain	73,726
Norwalk	49,458
Bristol	35,873
West Haven	31,876
New London	30,367
Norwich	23,382
Greenwich	23,000
Danbury	22,424
Hamden	21,623
Ansonia	18,711
Naugatuck	17,463
Willimantic	13,565
Shelton	12,384
Thompsonville	11,000
Derby	10,264
DELAWARE	
Wilmington	110,356
FLORIDA	
Panama City	26,248
GEORGIA	
Atlanta	331,314
Macon	70,252
Albany	30,967
Rome	29,617
Athens	28,102
Americus	11,367
ILLINOIS	
Chicago	3,620,962
Peoria	111,856
Springfield	81,628
Evanston	73,641
Cicero	67,544
Oak Park Village	63,529
Aurora	50,576
Quincy	41,402
Waukegan	39,099
Danville	37,892
Bloomington	34,048
Belleville	32,701
Alton	32,176
Galesburg	31,357
Granite City	29,139
Maywood	27,409
Freeport	22,425
Pekin	21,912
Elmwood Park	18,771
Ottawa	16,951
Highland Park	16,767
Streator	16,442
Brookfield	15,484
Forest Park	14,946
Skokie	14,821
Lincoln	14,344
Melrose Park	13,109
LaSalle	12,023
Collinsville	11,907
Downers Grove	11,868
De Kalb	11,567
Dixon	11,532
Carbondale	10,911
Macomb	10,586
Evergreen Park	10,515
Wood River	10,217
Marion	10,130
INDIANA	
Gary	133,911
Evansville	128,636
South Bend	115,911
Terre Haute	64,214
Elkhart	35,556
Mishawaka	32,878
Michigan City	28,379
Logansport	20,933
La Porte	17,280
Goshen	12,977
Valparaiso	11,966
IOWA	
Des Moines	177,865
Sioux City	83,991
Cedar Rapids	72,296
Dubuque	49,528
Burlington	30,639
Iowa City	27,018
Fort Dodge	25,025
Keokuk	16,076
KANSAS	
Garden City	10,893
KENTUCKY	
Louisville	369,129
Lexington	55,534
Owensboro	33,983
Hopkinsville	12,531
Frankfort	11,949
St. Matthews	10,000
LOUISIANA	
New Orleans	570,445
Shreveport	127,206
Lake Charles	41,202
Bossier City	15,368
Gretna	13,848
MAINE	
Portland	77,634
Lewiston	41,142
Bangor	31,473
South Portland	21,732
Auburn	23,078
Westbrook	12,280
MARYLAND	
Baltimore	949,708
Silver Spring	44,294
Cumberland	37,632
Hagerstown	36,282
Bethesda	29,756
Frederick	18,092
Middle River	17,442
Catonsville	16,018
Dundalk (district 12)	15,436
Annapolis	15,016
Towson	14,778
District 13	13,366
Takoma Park	13,301
Hyattsville	12,288
College Park	11,137
Mount Rainier	10,978
Cambridge	10,366
MASSACHUSETTS	
Boston	801,444
Worcester	203,486
Springfield	162,399
Cambridge	120,740
Fall River	111,963
New Bedford	109,189
Somerville	102,351
Lynn	99,738
Lowell	97,249
Quincy	83,835
Newton	81,994
Lawrence	80,536
Medford	66,113
Brockton	62,860
Malden	59,804
Holyoke	54,661
Pittsfield	53,348
Chicopee	48,939
Haverhill	47,213
Waltham	47,198
Everett	45,789
Arlington	43,984
Fitchburg	42,671
Salem	41,842
Taunton	40,056
Chelsea	39,038
Watertown	37,339
Revere	36,663
Weymouth	32,695
Northampton	29,998
Beverly	28,855
Framingham	27,845
Belmont	27,379
Melrose	26,919
Gloucester	25,048
Methuen	24,411
Leominster	24,084
Attleboro	23,665
Braintree	23,130
Peabody	22,647
Milton	22,395
North Adams	21,475
Westfield	20,961
Wellesley	20,847
West Springfield	20,398
Woburn	20,269

Natick	19,663
Wakefield	19,600
Gardner	19,617
Winthrop	19,494
Dedham	18,499
Southbridge	17,511
Greenfield	17,237
Saugus	17,146
Lexington	17,098
Norwood	16,693
Needham	16,262
Marlboro	15,741
Danvers	15,702
Winchester	15,567
Milford	15,405
Newburyport	14,073
Reading	13,879
Marblehead	13,711
Plymouth	13,652
Webster	13,215
Stoneham	13,208
Fairhaven	12,811
Clinton	12,295
Andover	12,261
North Attleboro	12,119
Adams	12,027
Athol	11,540
Swampscott	11,535
Stoughton	11,139
Dartmouth	11,120
Amherst	10,850
Amesbury	10,810
Easthampton	10,694
Hingham	10,674
Barnstable	10,397
Northbridge	10,328
Middleboro	10,139
South Hadley	10,122
Randolph	10,007
MICHIGAN	
Detroit	1,849,568
Dearborn	94,994
Kalamazoo	57,704
Bay City	52,523
Highland Park	46,155
Hamtramck	43,245
Wyandotte	36,666
Monroe	21,275
River Rouge	20,366
St. Clair Shores	19,785
Benton Harbor	18,612
Ecorse	17,457
Livonia	17,413
Van Dyke	17,000
Midland	14,202
Niles	13,117
Albion	10,395
St. Joseph	10,123
MINNESOTA	
Minneapolis	521,718
St. Paul	311,349
Duluth	104,511
Rochester	29,634
St. Cloud	28,375
Austin	23,035
St. Louis Park	22,495
Mankato	18,785
Richfield	17,415
Hibbing	16,212
Faribault	16,012
South St. Paul	15,996
Moorhead	14,798
Albert Lea	13,488
Brainerd	12,558
Virginia	12,332
Robbinsdale	11,239
Owatonna	10,149
MISSOURI	
St. Louis	856,796
Kansas City	456,622
St. Joseph	78,588
Springfield	66,731
University City	39,595
Independence	36,832
Jefferson City	24,990
Cape Girardeau	21,539
Webster Groves	23,289
Kirkwood	18,587
Clayton	15,925
Jennings	15,236
Fairmount	15,000
Richmond Heights	14,827
St. Charles	14,307
Maplewood	13,238
Gravois	12,000
Ferguson	11,527
Overland	11,463
Luxemburg	10,686
MONTANA	
Missoula	22,320
NEW HAMPSHIRE	
Manchester	82,732
Nashua	34,666
*Berlin	16,545
NEW JERSEY	
Newark	438,776
Jersey City	299,017
Paterson	139,336
Trenton	128,009
Camden	124,555
Elizabeth	112,817
East Orange	79,340
Bayonne	77,203
Clifton	64,511
Atlantic City	61,657
Irvington	59,201
Passaic	57,702
Union City	55,537
Hoboken	50,676
Bloomfield	49,313
Montclair	43,775
Plainfield	42,212
Perth Amboy	41,291
Kearny	39,828
New Brunswick	38,768
Orange	38,413
West New York	37,754
Belleville	32,059
Linden	30,434
Hackensack	29,207
West Orange	28,624
Garfield	27,605
Nutley	26,746
Fair Lawn	23,865
Englewood	23,092
Long Branch	23,049
Westfield	21,335
Rahway	21,287
Phillipsburg	18,909
Summit	17,890
Roselle	17,646
Bergenfield	17,611
Rutherford	17,394
Cliffside Park	17,123
Morristown	17,078
Asbury Park	17,035
Millville	16,116
N. Arlington	15,977
East Paterson	15,391
Lodi	15,384
Collingswood	15,255
South Orange	15,175
Hawthorne	14,828
Gloucester	13,692
Harrison	13,535
Dumont	13,030
Carteret	13,003
North Plainfield	12,760
Red Bank	12,710
Princeton	12,160
Pleasantville	12,032
Ridgefield Park	12,001
Fort Lee	11,611
Somerville	11,566
Roselle Park	11,521
South River	11,323
NEW MEXICO	
Albuquerque	96,815
Roswell	25,572
Santa Fe	25,547
Clovis	17,168
NORTH CAROLINA	
Durham	71,311
Raleigh	65,679
Rocky Mount	27,644
Wilson	22,954
Salisbury	19,999
Lexington	13,192
Elizabeth City	12,332
Thomasville	11,126
NORTH DAKOTA	
Fargo	37,931
Grand Forks	26,617
Minot	21,924
Bismarck	18,544
Jamestown	10,601
OHIO	
Cleveland	914,808
Cincinnati	503,998
Columbus	375,901
Toledo	303,616
Akron	274,605
Dayton	243,872
Youngstown	168,330
Canton	116,912
Springfield	78,506
Cleveland Heights	59,141
Hamilton	57,951
Lorain	51,202
Lima	50,246
Warren	49,674
Mansfield	43,363
Euclid	41,447
Zanesville	40,424
East Cleveland	39,875
Portsmouth	36,663
Norwood	34,626
Newark	34,178
Marion	33,786
Middletown	33,634
Elyria	30,197
Sandusky	29,030
Parma	28,852
Barberton	27,893
Alliance	26,112
Garfield Heights	21,606
Chillicothe	20,121
Niles	16,733
Maple Heights	15,556
South Euclid	15,415
New Philadelphia	12,966
Xenia	12,871
Campbell	12,830
Bexley	12,235
Bowling Green	11,972
Struthers	11,905
Delaware	11,783
Sidney	11,413
Rocky River	11,036
Washington Court House	10,457
Conneaut	10,073
Girard	10,068
OKLAHOMA	
Ardmore	17,831
PENNSYLVANIA	
Philadelphia	2,071,605
Pittsburgh	676,806
Erie	130,803
Scranton	125,536
Reading	109,320
Allentown	106,756
Harrisburg	89,544
Altoona	77,177
Wilkes-Barre	76,826
Bethlehem	66,340
Chester	66,039
Lancaster	63,774
Johnstown	63,232
York	59,953
McKeesport	51,502
New Castle	48,563
Williamsport	44,964
Norristown	38,193
Hazelton	35,486
Easton	34,410
Sharon	26,305
Aliquippa	26,067
Washington	25,898
New Kensington	25,226
Pottsville	23,642
Butler	23,511
Pottstown	22,616
Kingston	21,061
Uniontown	20,432
Dunmore	20,303
Nanticoke	20,140

Clairton	19,418
Meadville	18,906
Monessen	17,929
West Mifflin	17,929
Duquesne	17,612
Greensburg	17,237
Chambersburg	17,205
State College	17,142
Shamokin	16,884
Braddock	16,518
Swissvale	16,467
Munhall	16,422
Ambridge	16,415
McKees Rock	16,278
Carbondale	16,235
Carlisle	16,232
Jeannette	16,179
Shenandoah	15,792
Sunbury	15,600
West Chester	15,109
Pittston	14,992
Warren	14,747
North Braddock	14,724
Hanover	16,439
Coatesville	13,839
Farrell	13,677
Connelsville	13,302
Darby	13,188
Plymouth	13,026
Phoenixville	12,913
Ellwood City	12,898
Dormont	12,731
Steelton	12,564
Turtle Creek	12,347
Brentwood	12,312
Carnegie	12,154
Lansdowne	12,140
Columbia	11,962
Latrobe	11,952
Donora	11,831
South Hills	11,750
Bellevue	11,573
Tamaqua	11,491
Lock Haven	11,325
Yeadon	11,322
Mahanoy City	10,930
Conshohocken	10,909
Springfield	10,500
Coraopolis	10,491
Waynesboro	10,321
Arnold	10,271
Homestead	10,031
RHODE ISLAND	
Providence	248,674
Pawtucket	81,436
Cranston	55,060
Woonsocket	50,211
Warwick	43,027
East Providence	35,791
Central Falls	23,610
North Providence	13,798
Cumberland	12,825
Johnston	12,735
Westerly	12,354
Bristol	12,311
Lincoln	11,020
SOUTH CAROLINA	
North Charleston	20,000
St. Andrews	15,000
SOUTH DAKOTA	
Sioux Falls	52,696
Aberdeen	20,976
Huron	12,713
TENNESSEE	
Memphis	396,000
Nashville	174,307
Oak Ridge	30,236
Columbia	10,921
VERMONT	
Burlington	33,039
Rutland	17,647
Barre	10,866
WASHINGTON	
Seattle	467,591
Everett	33,807
Walla Walla	24,071
Lake City	23,000
Riverton Heights	20,000
Renton	16,039
WEST VIRGINIA	
Huntington	86,353
Charleston	73,501
Wheeling	58,891
Clarksburg	31,817
Parkersburg	29,510
Fairmont	29,273
Morgantown	25,446
Weirton	24,143
Bluefield	21,341
South Charleston	16,627
Moundsville	14,759
WYOMING	
Cheyenne	31,807
Casper	23,557
Laramie	15,497
PUERTO RICO	
San Juan	169,247
Ponce	65,182
Mayaguez	50,376
Caguas	24,377
Arecibo	22,134
Rio Piedras	19,935
Guayania	16,913
Bayamon	14,596
Aguadilla	13,468

Mr. EBERHARTER. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. EBERHARTER moves that the Committee do now rise and report the bill (H. R. 8210) back to the House with the recommendation that the enacting clause be stricken out.

Mr. EBERHARTER. Mr. Chairman, I present this motion in all seriousness.

Mr. Chairman, the Committee on Banking and Currency, after extensive hearings and extensive consideration reported out a bill which purported and did to some extent control prices, wages, and rents. This House in Committee of the Whole saw fit to tear that bill, as reported out, to pieces, so that now we have before us and will have before us nothing but a skeleton without any meat on whatsoever; just a naked title to the bill.

When this committee adopted the so-called Talle amendment, it wiped out absolutely all controls as far as the housewife is concerned and also absolutely so far as all consumers are concerned. This was fortified by the amendment presented by the gentleman from Virginia, Mr. Harrison, which decontrols vegetables and fruits, including fresh vegetables and all canned fruits and vegetables, such as tomatoes and corn, and peas, and peaches, pears, in fact, practically all food it is possible to put in a can. Where does that leave the housewife, the consumer? There will be no controls whatsoever on food.

Then we have the Sadlak amendment, which will deny to the United States of America, in favor of the financially well heeled industrial corporations, the critical and strategic materials the Government of the United States and its Allies need for the defense of the free world.

Then the Lucas amendment hobbles a new Wage Stabilization Board so that it cannot pass upon fringe benefits, which are in many instances more important than the mere matter of wages and hours.

We have nothing left but a fiction here, Mr. Chairman. Why should we go through the agony of voting now after going through the agony of several days of passing upon amendments to this bill? The agony we have gone through is nothing whatsoever in comparison with the agony the Administrator of this act will go through.

I call your attention also, Mr. Chairman, to the fact that every businessman will suffer agonies in trying to interpret this measure and to obey the law as it will be. And what will the consumer go through, agonizing from day to day and week to week and month to month? We will also be passing upon something that will cause chaos in the labor market, in the business market, and in the financial market and cripple our efforts for defense.

So, Mr. Chairman, I hope the committee in its wisdom will see fit to refer this bill back to the committee with the recommendation that the enacting clause be stricken out. Then if we want to pass upon a true price and wage control bill let the Committee on Banking and Currency report out a bill, which will meet the present conditions, and let us not go through the motions of passing nothing but a title, and attempt to fool the American people by saying that we passed price controls or wage controls. Vote one way or another, but do not try to sell this skeleton to the American public and the defense officials; do not say to the whole world that we here are in favor of inflation, and that we are not going to accept our responsibilities and take the lead in defending the free world. Are we playing the game just as Mr. Stalin predicted years ago when he said the United States would collapse economically and then the Soviet Union could take over not only all of these small nations in Europe and Asia, but later on gobble up the South American countries and finally the United States of America.

I hope my motion to strike out the enacting clause is adopted.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Illinois.

Mr. YATES. The amendments proposed by the gentleman from Georgia and the gentleman from Mississippi will kill rent control.

Mr. EBERHARTER. The bill will, with the Wheeler amendment will kill rent control, so that we will have nothing whatsoever except the naked bones of a control act. That is all. So I think we ought to send it back to the Committee on Banking and Currency.

Mr. YATES. On June 8, 1952, the Washington Post contained an article in which there was a statement by the president of the National Association of Real Estate Boards that higher production costs will drive the prices of new houses up during the coming months; yet we propose to take rent control off by this amendment.

Mr. EBERHARTER. I hope my motion will be adopted. If it is not adopted, well, I can truly say that I have tried to present the facts so that the people of the country are not fooled. They will see what the House has been doing here and can be guided accordingly when it comes to expressing their will in the future.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I do not think any of my colleagues will believe that I am satisfied with this bill. I think it has been emasculated. I think it has been weakened, but I think it would be a great error to agree to the motion of the gentleman who has just preceded me. We have not yet ceased to consider this bill. We are going back into the House. We may have votes on some questions, the result of which may correct the errors we have made. It would certainly be a great mistake, because the bill has been weakened, to recommit it to the Committee on Banking and Currency. As much as I would like to see a better bill enacted, I do not know that we will succeed in doing any better if you recommit it than we have done. I would hate to see it come back to that committee. We will have no time to consider it. The sands are fast running out. It would be a tragedy if you do not maintain some semblance of price control and wage control. I am hopeful that the Members, after they have slept on the matter and after they have had time to consider it, will rectify some of the errors they have made. You are soon going to have an opportunity to do that. This would mean that the bill, after all the consideration that has been given to it, is now going to be cast aside without consideration. Certainly that is not admissible. If you want to offer a motion to recommit, do so after we have had every opportunity to correct the bill, and then let the House pass upon it. But to do it now would put the Committee on Banking and Currency in a position in which they could not render any service, and it would cause the death not only of price control and wage control but of allocations and priorities which are so essential to the conduct of our defense effort. Certainly you do not want to do that. I ask that you vote this motion down.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania [Mr. EBERHARTER].

The question was taken; and on a division (demanded by Mr. EBERHARTER) there were—ayes 42, noes 132.

So the motion was rejected.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent to extend my remarks prior to the Eberharter amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Mississippi [Mr. WILLIAMS] to the amendment offered by the gentleman from Georgia [Mr. WHEELER].

The question was taken; and on a division (demanded by Mr. WILLIAMS of Mississippi) there were—ayes 69, noes 119.

So the substitute amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Georgia [Mr. WHEELER].

The question was taken; and on a division (demanded by Mr. FULTON) there were—ayes 125, noes 103.

Mr. SPENCE. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WHEELER and Mr. PATMAN.

The Committee divided; and the tellers reported that there were—ayes 144, noes, 113.

So the amendment was agreed to.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that the bill be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

(The balance of the bill reads as follows:)

SEC. 202. Section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof the following new subsection:

"(p) Consistent with the other provisions of this Act, all affected agencies, departments, and establishments of the Federal Government shall, by July 15, 1952, establish and administer rents and service charges for quarters supplied to Federal employees and members of the Uniformed Services furnished quarters on a rental basis in accordance with regulations promulgated by the Bureau of the Budget."

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto conclude at 2:30.

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, how many amendments are at the desk?

The CHAIRMAN. The Chair is advised that there are now 5 amendments at the desk.

Mr. WOLCOTT. Why does not the gentleman make it 2:45?

Mr. SPENCE. Mr. Chairman, I modify my request and ask unanimous consent that all debate on the bill and all amendments thereto conclude not later than 2:45.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. McDONOUGH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment to H. R. 8210 offered by Mr. McDONOUGH: Page 12, after line 5, insert the following new subsection:

"(c) Subsection (1) of section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof the following new sentences: 'If any locality which has been decontrolled as a result of action by its local governing body under paragraph (3) of subsection (j) of this section is included in an area certified under this subsection as a critical defense housing area, the President shall promptly notify the local governing body of that fact, and shall not establish any maximum rent for any housing accommodation in the locality until 60 days have elapsed after the date on which such notice is given. If, within such 60-day period, the local governing body adopts a resolution in accordance with applicable local law and based upon a finding by it reached as the result of a public hearing held after 10 days' notice, that any of the conditions listed in paragraphs (1), (2), and (3) of this subsection does not exist in the locality, the certification involved shall have no effect with respect to the locality for the purposes of this subsection and subsection (m) of this section. The preceding two sentences shall not apply with respect to any housing accommodation occupied by, or by the family of a member of the Armed Forces who is stationed at an Armed Forces installation in or adjacent to the locality, or with respect to any certification made before the date of enactment of the Defense Production Act amendments of 1952'."

Mr. WHEELER. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from Georgia.

Mr. WHEELER. Mr. Chairman, I understand from the reading of the amendment the gentleman has offered that it is the same amendment I have at the desk. I shall support the gentleman's amendment and hope it will be adopted by the Committee.

Mr. McDONOUGH. Mr. Chairman, I hope the Members are not confused insofar as these rent-control amendments are concerned. I will attempt to describe the difference between my amendment and the Wheeler amendment which the Committee has just adopted.

The Wheeler amendment provides that if an area is now a critical defense area his amendment will have no effect so far as changing that situation is concerned; that in any area in the United States that is now under rent control, and it is not a critical defense area, rent control will cease at a certain date, unless the local governing body invokes rent control under existing law by appropriate legislative action.

Insofar as my amendment is concerned, I say that if a local governing body has deconrolled the area by legislative action, it shall not be recontrolled unless the findings of the Defense Mobilizer and the Secretary of Defense, who must make a survey to determine whether it is a critical defense area, are turned over to the local governing body for review. If the local governing body finds that the conditions exist as the result of a survey made by these two Federal agencies, that they in fact exist, then the local governing body will by affirmative vote agree with the Federal Government that rent control should apply. If, on the other hand, the local governing body finds that the conditions the Federal agency investigating that area determine are not true, and take negative action, the certification of that area as a critical defense area shall have no force and effect.

There are three things that are necessary to determine whether an area is critical or not: If a new plant or installation has been built in the area, and there is a substantial in-migration of defense workers, or military personnel is required to carry out the activities of such plant or installation, and that there is a substantial shortage of housing to house the defense workers or military personnel. All three of these things must be found in any area that is not now a critical defense area before it can be determined to be a critical defense area and rent control imposed. The essential difference is that if the local governing body has decontrolled rents, my amendment only applies to those areas that have taken such legislative action.

I think that this gives to the local governing body a right to review the findings, and it gives recognition on the part of the Congress that the local governing body has some responsibility to this area.

In order to inform you what the attitude of the Rent Control Administrator is, during the hearings I asked Mr. Tighe Woods this question. You will find it on page 322 of the hearings:

Mr. McDONOUGH. What do you think of an amendment providing that after the survey is made, it is presented to the local governing body for review?

Mr. WOODS. Actually we have been doing it informally. Such an amendment would not bother me at all.

I do not think it is necessary to go into any more detail on this amendment. I trust that the Members of the Committee fully understand it. It is a further amplification of the question of local governing bodies in relation to rent control, and I urge its adoption.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the national defense of our country is not a local matter; it is a Federal matter. Defense areas are defined by the Secretary of Defense in conjunction with the Defense Mobilizer. To turn over to the local authorities the right to say whether or not rents in a critical defense area shall be controlled, it seems to me, would be very ill-advised. I understand that is just what the gentleman's amendment does. That amendment, my recollection is, was submitted to the committee and was rejected. It certainly would weaken our defense and weaken the measures we take for our own protection if we turn over to each local community the discretion in regard to these matters.

Mr. Chairman, I hope the amendment will be defeated.

Mr. POULSON. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from California.

Mr. POULSON. Could the gentleman tell me how it would work, for instance, in Los Angeles? If in one particular section of the city there was an acute shortage, because of the defense program, would it apply to the entire city?

Mr. SPENCE. The local authorities can decontrol now if they want to.

Mr. POULSON. I mean, in a defense area. The city of Los Angeles has decontrolled rents. But, let us assume there was one particular area where there was an acute need because of the defense program, and they would certify that in that particular area there should be rent control. Would that affect the entire city or not?

Mr. SPENCE. No. The critical area is defined by the authorities that are charged with its definition. The critical area would be confined to that part which was designated as a critical area by Government authority. The local authorities have the right to decontrol as they please the entire city or any part of it.

Mr. MULTER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Chairman, I sincerely believe that the local-option principles of the present rent-control law are desirable and in keeping with our American democratic tradition. However, with equal sincerity and conviction I believe that it would be a great mistake to give the local governing body a veto over the initial introduction of rent control into a critical defense-housing area.

In these critical areas, the Federal Government—not the local government—is responsible for the acute housing situation and the pressure on rents. The Federal Government has established the military installations, and has directed the men who are stationed at these installations. The construction and expansion of defense production plants are the direct effect of defense orders which the Federal Government has placed. For these reasons the Federal Government has a responsibility which it cannot evade, to provide—at least initially—protection to servicemen and defense workers against exorbitant rents.

Actually, in most of these areas, only the Federal Government is able to clearly evaluate the need for rent control at the beginning. This is not because Federal officials are any wiser than local officials, but because only the Federal Government has the full information upon which the decision to certify the locality as a critical area was based. Much of this information must remain classified for security purposes, and cannot be divulged to the general public or to the mayors and members of our elected city councils. In the course of time, the plans which are reflected in this classified information come into actuality, and their actual effect upon the local housing situation becomes clear to the people in the community. If, at this point, it appears that the Federal Government has miscalculated on the effect which the activation of its military installations or the construction of defense plants would have on the housing situation in the community, the governing body of the community will realize the mistake. If it finds that rent control actually is not necessary, it then has ample authority under the present legislation to remove it.

It may be argued that members of the Armed Forces and their families would be protected. Quite the contrary is true because landlords generally would not rent to a member of the Armed Forces and thereby subject their property to rent control when other properties are not under control. If a landlord rents to a soldier he might later be subject to rent control, but if he did not rent to a soldier there is always the possibility that the city council would override any determination by the Secretary of Defense and the Director of Defense Mobilization.

For these reasons, I urge that there be no local veto of the introduction of rent control in a critical area. I believe the local option decontrol provision in the present law is not only sufficient, but provides a much sounder basis for a local determination. The amendment proposed by the Congressman from California should be rejected.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. POULSON].

Mr. POULSON. Mr. Chairman, I rise in behalf of the amendment.

Mr. Chairman, in line with the question of the gentleman from Kentucky [Mr. SPENCE] in which he stated that the military authorities or those who have the power to designate a critical area could take in the whole city of Los Angeles, just because a little section was designated a defense area, it seems to me we certainly should have some method by which the governing body within the city would have the right to decontrol certain portions of the city if they did take the whole city. Assume that because they take one area they say the whole city of Los Angeles is a defense area. Anybody who has been out there knows that would be about as silly and ridiculous a thing as you could do, but we know they do those things.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. POULSON. I yield to the gentleman from New York.

Mr. MULTER. I understood the chairman of our committee to tell the gentleman in answer to his question that that supposition could not happen.

Mr. POULSON. Yes, but the question is how they can define it. It is still within the city. That is his opinion, but I should like to have some protection for the city of Los Angeles.

Mr. MULTER. You have the protection in the law which now gives you the right to decontrol. Los Angeles is decontrolled and has the right to decontrol. You do not need this amendment to continue that right.

Mr. POULSON. Yes, but suppose they declare the whole city a critical area?

The reason I was in support of the motion offered by the gentleman from Pennsylvania [Mr. EBERHARTER] was that I am, naturally, going to vote against the whole bill, but I thought this was just as good a time to finish it up as it would be later on. What I predict right now is that we who are opposed to this type of control, which is not getting any results but merely creates this large bureaucracy, will find this is what will happen. We think we are making headway, but the committee will go into conference and they will be in disagreement up until about the last day or two before the recess or adjournment. Then they will come back in the usual method and say ,"We cannot agree, so let us have a continuing resolution." That will leave this Price Control Act, this monstrosity with all its evils, in effect. So I say, let us settle it right now.

Mr. WOLCOTT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOLCOTT. Mr. Chairman, may I ask how many amendments there are on the desk?

The CHAIRMAN. The Chair is informed there are three amendments at the desk. The gentleman from New York [Mr. MULTER], the gentleman from Tennessee [Mr. BAKER], and the gentleman from Ohio [Mr. AYRES], now have amendments at the desk.

Mr. WOLCOTT. May I suggest that in order that the Members offering the amendments may have at least 5 minutes each on their amendments they be recognized for the purpose of offering their amendments. It might complicate the situation, but it will be in lieu of cutting off debate on this amendment or on the amendments as they come up. Would that be agreeable?

The CHAIRMAN. The gentleman knows time has been fixed for debate to close at 2:45. The gentleman might ask unanimous consent that out of the time remaining these three gentleman who have amendments to offer be allotted 5 minutes apiece to explain their amendments.

Mr. WOLCOTT. I make that request, Mr. Chairman.

Mr. YORTY. Reserving the right to object, Mr. Chairman, would that mean they would be recognized now?

The CHAIRMAN. They would not be recognized until the pending amendment is disposed of, but the Chair would retain for them 5 minutes apiece.

Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROOKS. Mr. Chairman, I ask unanimous consent to extend my remarks on the Wheeler amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

STATEMENT IN OPPOSITION TO THE AMENDMENT WHICH WOULD CAUSE DISCRIMINATION AGAINST SOLDIERS

Mr. YORTY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there probably is not any place in the United States where the battle over rent control has been fought out as it has been in the city of Los Angeles. I certainly do not blame the gentleman from California [Mr. MCDONOUGH] for interesting himself in this problem. But I want to call to your attention what you are doing if you vote for this amendment. The last two sentences of this amendment provide that it will not apply to housing occupied by soldiers or their families where the soldier is stationed nearby. Therefore, this amendment should be called the amendment to rent no more houses to soldiers in areas that are not now controlled, but which may be in the future if they become critical defense areas.

Under this amendment if a defense area is declared impacted because of defense activity, and the local body reviews the Federal decision and decides against controls, then control will be applied only to houses occupied by soldiers or their families. What person offering a house for rent in an uncontrolled area would rent that house to a soldier from this date forward if we adopt this amendment? I remember when I came home I had a lot of trouble getting into my own house. It is very difficult for soldiers sometimes. This amendment does not even purport to take care of the families of veterans if the veterans are overseas. It only makes provision that control may be placed on housing where a veteran is stationed nearby. I cannot understand the kind of reasoning that puts that sort of wording into an amendment and asks the House of Representatives to vote against the soldiers of this country and against their families by practically barring them from the opportunity to rent houses.

Mr. MCDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. YORTY. I yield.

Mr. MCDONOUGH. Would the gentleman say that the amendment should apply to the armed services, and if the local governing body says that there shall be no rent control there, that the soldiers in that area shall be under rent control? Mr. YORTY, I can see where you are attempting to say that this is discrimination against members of the armed services, which is not my intention. My intention is to protect members of the Armed Forces. The House legislative counsel may have made a mistake in drafting the amendment.

Mr. YORTY. Mr. Chairman, I yielded to the gentleman only for a question. Let me say to the gentleman, I am not making a theoretical argument. I am making a factual, legal argument. I believe the gentleman should again study the last two sentences of his amendment. In my opinion, the legislative counsel has not properly considered the effect of the last part of the amendment as it would apply to members of the armed services. What it does is to say that this amendment does not apply to housing occupied by soldiers if they are stationed nearby, or housing occupied by their families if the soldiers are stationed nearby. If a soldier is in Korea it does not even purport to protect his family. Only if a soldier is stationed at home on duty nearby is he supposed to be protected by this amendment construed in the most favorable way. I say again, and I repeat, and it cannot be refuted, that this is an antisoldier amendment because no person will rent to a soldier in the future if there is a chance that the area might be controlled and applied only to people who rent to soldiers. It would definitely cause discrimination against members of the armed services who desire to rent houses in areas not now under control.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time for the purpose of asking the author of this amendment some questions.

Do I understand that this amendment applies in those areas that have heretofore been decontrolled, and thereafter the National Government determines that this is a critical area, and that after the National Government determines it is a critical area you must have the concurrence of the local council in order to make rent controls effective?

Mr. MCDONOUGH. That is right. In other words, the local governing body has to make an affirmative finding that the findings of the Federal Government as they have found them are correct.

Mr. ROGERS of Colorado. You could and would visualize that in some instances in those areas that have been decontrolled and the National Government finds it is a critical area, before rent control can become effective, the local authorities must also enter into the same findings in order to have rent control?

Mr. MCDONOUGH. That is right.

Mr. ROGERS of Colorado. I also understand that your amendment goes further and says that it shall not apply to a man in the Armed Forces stationed nearby. Is that correct?

Mr. MCDONOUGH. The last two sentences of the amendment read that it shall not apply to housing accommodations occupied by the family of a member of the armed services who is stationed at an armed services installation adjacent to the locality. That has reference to camps in the immediate area.

Mr. ROGERS of Colorado. Then I understand that in order for it to be effective the National Government and the local government must approve it; and if they do approve it, then it shall apply to the Armed Forces.

Mr. MCDONOUGH. That is correct. It shall not apply to the Armed Forces and their families.

Mr. ROGERS of Colorado. Shall not apply to the Armed Forces?

Mr. MCDONOUGH. That is right. If they say that rent controls shall go into effect, it shall apply to the Armed Forces. If they say it shall not go into effect, it shall not apply to the Armed Forces.

Mr. ROGERS of Colorado. Then if they do not both concur, you have no rent control as it deals with the Armed Forces stationed in that area?

Mr. MCDONOUGH. Except whatever control may be under the Government itself on those Army installations.

Mr. ROGERS of Colorado. Of course, in the installation owned by the Government itself they have control of that, but I am talking of areas outside of Government ownership.

Now, if you have a decontrol situation, it has already been decontrolled, in order for your amendment to become effective in critical areas, then who, under your amendment, would administer the terms and conditions of the rent control, and what would it be?

Mr. MCDONOUGH. Of course, if the local government determines that the Federal findings are not according to their findings, there is no rent control applied. If they find that they are, then rent control is applied; but if it is applied, it does not apply to any Army personnel stationed in Army installations in that adjacent locality.

Mr. ROGERS of Colorado. Then the Federal Government Rent Control Office would be in force and effect and would be reestablished, if you had a

combination of the National Government in a critical area and the local government concurred in their findings?

Mr. McDONOUGH. That is correct.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. McDONOUGH. Mr. Chairman, I would like to offer a substitute to my own amendment.

The CHAIRMAN. The gentleman may withdraw his amendment and modify it, if he desires to do so.

Mr. McDONOUGH. I withdraw the amendment and will offer another amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. McDONOUGH: On page 12, following line 5, add another section as follows:

"SEC. — Section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof a new subsection as follows:

"'(q) Except in the case of action taken after full compliance with subsection (k) of this section, the President shall not reestablish maximum rents in any locality which has previously been decontrolled under this act until a public hearing, after 30 days' notice, has been held in such locality, and the governing body of said locality has by resolution, adopted in accordance with applicable local law, found that the conditions set forth in subsection (1) exist in said locality'."

Mr. McDONOUGH. Mr. Chairman, this is the same amendment. I recognized the possibility of misconstruing the last section of the amendment I originally offered insofar as the armed services are concerned.

I have five sons who are veterans of World War II. My oldest son is at present in the Armed Forces and a Korean veteran.

I would never discriminate against or provide any means whereby the members of the armed services and their families would be discriminated against.

The language referring to the Armed Forces and their families was inserted by the House legislative counsel and since it might be misconstrued to be discriminatory I have removed it in my substitute amendment.

This amendment as proposed will merely provide for a review of the findings of the Federal Government and to determine whether those findings are in accordance with the facts and then take affirmative or negative action.

If there is any doubt in the minds of those who had the idea that the last section of my first amendment would discriminate against the armed services, I have by this amendment removed that section and I want the RECORD to show that it was never my intention regardless of any remarks to the contrary by my colleague from California [Mr. YORTY]—that there was any desire on my part to discriminate against the members of the armed services and their families, but rather to protect them against decontrol in the immediate area where they may be living in an armed services installation in an area that is not declared critical by the local governing body and consequently would not be under rent control.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. McDONOUGH].

The question was taken; and on a division (demanded by Mr. McDONOUGH) there were—ayes 39, noes 60.

So the amendment was rejected.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: At page 12 of H. R. 8210, add the following after line 5:

"SEC. 302. The Director of Defense Mobilization is hereby authorized to appoint a Defense Areas Advisory Committee to advise him in connection with the exercise of any function or authority vested in him by section 204 (1) of the Housing and Rent Act of 1947, as amended, or section 101 of the Defense Housing and Community Facilities and Services Act of 1951, as amended, or by delegation thereunder, with respect to determining any area to be a critical defense housing area. Any committee so appointed shall consist, in addition to a chairman, of representatives of the Department of Defense, the Housing and Home Finance Agency, and the Office of Rent Stabilization. Any Federal agency shall, to the fullest practicable extent, furnish such information in its possession to the Defense Areas Advisory Committee as such committee may request from time to time relevant to its operations."

Mr. MULTER. Mr. Chairman, this merely sets up an advisory committee to help the Director of Defense Mobilization to reach a proper determination in connection with the defense areas. I understand the agencies involved have no objection to it, and at least some of the members of the committee on the other side have indicated that they have no objection to it.

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. MULTER].

Mr. Chairman, I might say that my opposition to the amendment is quite qualified. There probably is not very much reason why it should not be agreed to. However, I want to take this time to talk on other matters.

Mr. Chairman, before we close debate on this bill we should bear in mind that there is a school of thought here in the Committee of the Whole that through the exercise of some very smart tactics, which are political in nature, if this bill is made too ineffective according to the standards of certain administrators of the act, then those who have done this will find themselves in very serious political straits come next October and November. Because those statements have been made I think the counterstatement should also be made that it is obviously within the province of the administration, if it sees fit to do so, to increase prices. This may be done in several ways. It may be done, as Mr. Arnall and Mr. Putnam have tried to do in weeks gone by, by throwing out scarce propaganda which impels the people against the possibility of rising prices to turn their money into commodities. That has been done and prices can be increased in that manner. Also the Commodity Credit Corporation can go on a buying spree and force the price of any commodity up almost as high as it wants to by accumulating in its warehouses huge and unnecessarily large stocks of goods. This is also true of the Defense Department and the other procurement agencies of the Government.

May I say to you that under the present circumstances and in the foreseeable future if prices do rise in the United States it will be because of the deliberate actions taken by the administration to put this House and the Congress in the embarrasing position of not having gone along with it on price control. Do not be frightened. If we cannot take care of ourselves in that situation, then we do not deserve to be here in this Congress. Inflation cannot be stopped by direct price controls alone, but prices can be maintained at a high level by the manipulation of the commodity markets by the agencies of Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The question was taken; and on a division (demanded by Mr. MULTER) there were—ayes 58, noes 22.

So the amendment was agreed to.

Mr. BAKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAKER: On page 12, line 5, after "budget", strike out the period and insert a semicolon and the following: *"Provided, however,* That the provisions of this subsection shall not apply to housing units under the jurisdiction of the Atomic Energy Commission where Federal rent control is now in effect."

Mr. SPENCE. Mr. Chairman, there is no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. BAKER].

The amendment was agreed to.

Mr. AYRES. Mr. Chairman, I offer ar amendment.

The Clerk read as follows:

Amendment offered by Mr. AYRES: On page 12, after line 5, insert a new section as follows:

"Section — subsection (1) of section 204 of the Housing and Rent Act of 1947 as amended, is amended by striking out paragraphs 1, 2, and 3 and insert in lieu thereof the following paragraph:

"'1. A new defense plant or installation has been provided or an existing defense plant or installation has been reactivated or its operations substantially expanded;

"'2. Substantial immigration of defense workers of military personnel has occurred to carry out activities at such plant or installation;

"'3. Substantial shortage of housing required for such defense workers of military personnel exists which has resulted in excessive rent increases and which impedes activities of such defense plant or installation'."

Mr. AYRES. Mr. Chairman, last year Lorain, Ohio, was declared a critical defense-housing area. At the same time they imposed rent control on the area they took in a number of smaller communities, including some rural areas, that had no need for rent control at all.

All my amendment does is to differentiate properly between the conditions for certification as a critical area under the

Defense Housing Act, and conditions for certification as critical under the Housing and Rent Act.

At present these conditions are substantially the same, yet the objectives are far apart.

The conditions for certification of a critical defense-housing area under the Defense Housing Act must necessarily look to the future; that a military installation is to be reactivated, a substantial inmigration of personnel will be required, and a substantial shortage of housing impends. This is necessary because the object of the Defense Housing Act is to construct housing that would be ready for occupancy at some future date when the area would sustain the impact of increased defense activity.

However, rent control deals with a situation in the present, and therefore the conditions for certification of a critical defense area under the Rent Act should deal in the present.

For example, under the present law the President may impose full Federal rent control in an area which may sustain substantial immigration of defense workers at some future date and which would result in a threat of excessive rent increases. There is no basis whatsoever for providing such broad authority to impose rent control because of a future need. Particularly, is this so when we realize that when an area is certified for rent control, the rents may be rolled back 6 months, a year or all the way back to June 24, 1950.

In effect, the amendment would prevent a premature designation of an area as critical for full Federal rent control, yet would not affect the maximum rent or the roll-back date once the area is certified to meet an actual existing situation.

Mr. Chairman, I trust the committee will adopt the amendment.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Kentucky.

Mr. SPENCE. As I understand the amendment it would prevent a critical defense area from being designated until the workers or the soldiers were in that area; is that true?

Mr. AYRES. No, that is not true at all. For instance, in the Lorain situation which was declared a critical defense area, if they do not get the steel strike settled pretty soon there will not be any need for calling it a critical defense area.

Mr. SPENCE. As I understand the amendment, at the time the area would be declared a critical defense area, controls would be placed on housing.

Mr. AYRES. All my amendment does is to separate the two, and say two decisions have to be made and not one.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. AYRES].

The question was taken; and on a division (demanded by Mr. MULTER) there were—ayes 87, noes 61.

So the amendment was agreed to.

Mr. JUDD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Chairman, if the Talle amendment had been limited to its first half, decontrolling any material that has been selling below ceiling price for 3 months, I would have voted for it. There ought to be specific rules laid down requiring orderly decontrol by OPS when the criteria are met—and that is a fair and reasonable one.

But the second yardstick in the Talle amendment, namely, mandatory suspension of ceiling price for any material in adequate or surplus supply, and judged to be in adequate or surplus supply if not rationed—is unwise, in my opinion. It would either compel rationing, which I do not favor, or permit prices to rise above ceilings without limit. This is a price control bill, and while I support amendments to make sure that the ceilings OPS establishes are fair and will not discourage production because production is the main answer to rising prices, I believe it is unwise to remove ceilings entirely except when the ceiling was proved unnecessary by the material selling below the ceiling.

So I am compelled to vote against the Talle amendment in its present form because of the second criterion established. If the amendment is adopted, I hope it will be revised in conference.

Mr. ZABLOCKI. Mr. Chairman, it is with deep apprehension that I have watched the action of this House in deliberately and systematically decimating our economic controls. Although I fully realize that certain changes in the present structure and scope of these controls are warranted by the change in economic conditions, I am gravely perturbed by the adoption of the numerous amendments which have crippled this legislation to the point where it is now a mere skeleton of its former self—a skeleton with which the Government is supposed to maintain the economic stability of our Nation.

The argument has been repeatedly advanced while the bill has been under consideration, that the need for economic controls has disappeared. Now, there are two ways, it would appear to me, of looking at this question. On one hand, there are people who feel that controls, with their requirements, are burdensome, and that it would be politically expedient to remove them. It is that kind of thinking that prevailed in Congress in 1946, when all price controls were suddenly removed with the assurance that prices would soon level off and decline. The opposite, however, proved to be the case, and there are very few consumers who will ever forget the hardships of inflationary pressures which were released on the public as a result of hasty congressional action.

The other way of looking at this question consists of judging hard, practical facts, and having some concern for the average wage earner and taxpayer, to whom every increase in prices brings additional hardships. It is from this viewpoint that the advisability of maintaining economic controls should be determined.

Let us look at some plain facts. The Members who voted to cripple economic controls pointed out, for instance, that the general level of prices has leveled off and is relatively stable. This condition prevailed, however, only for a brief period during the early part of the year. The past few months, in contrast, have witnessed a steady and continued increase in the cost of living. The indexes compiled by the Bureau of Labor Statistics show that, since a drop last February, prices have been steadily going up, and are today only one-tenth of 1 percent below the all-time peak reached in January.

The argument was also raised that many goods are presently in plentiful supply, some of them selling below price ceilings. With this assertion I have no quarrel to pick. But if one looks a bit deeper than just the surface, we must come to the realization that our defense program, which largely affects the available supply of goods and their prices, is still increasing in volume. It is estimated that defense expenditures will amount this coming fiscal year to $60,000,000,000. This tremendous influx of money into our economy cannot pass by without an inflationary effect on the average, day-to-day cost of living.

All these factors, and many others which were brought out during the debate, point to the fact that the economic state of the Nation is not as yet stable, and can be very easily thrown out of balance to the detriment of the consumers and the Nation as a whole.

It should also be remembered that the abolition of a large part of the structure of our present economic-stabilization program, envisaged in the present form of the legislation before this House, will preclude the possibility of maintaining a close and accurate check on the economic changes occurring in our Nation, which may require prompt remedial action. In addition, the proposed abolition of the Wage Stabilization Board, which in my opinion should remain tripartite in nature, constitutes but another attempt to cripple or invalidate the presently set up stabilization process.

In view of the above-mentioned factors—namely, the continuing increase in the cost of living; the anticipated $60,000,000,000 outlay for defense during fiscal 1953; and the lack of adequate evidence of economic stability—it would appear to me that the crippling of economic controls, so as to make them completely ineffectual, is unwise at the present time; further a failure to provide preventive checks that could be invoked promptly, is foolhardy.

THE NEED FOR CONTINUING PRICE CONTROLS

Mr. RODINO. Mr. Chairman, we, the representatives of the people of the United States, must recognize that it is imperative during this time of emergency to continue price controls as they have been established under the Defense Production Act of 1950, as amended. The threat of inflation and the resultant

danger to our national economy and defense effort is as prevalent today as it has been at any time during the past 2 years.

We often hear it said that the Federal Government should cut down expenditures in the interest of economy. But there would be no gain realized by cutting down expenditures if, at the same time, the Members of Congress in one short-sighted moment allowed the evils of inflation to befall our Nation as a result of lifting price controls and if the necessary quantity of goods and services so desperately needed for the defense effort were further reduced by increasing prices.

The facts seem to indicate clearly that price controls have been very effective in diminishing the fires of inflation, for in the 15 months prior to establishment of price controls in January 1951 the consumers' price index increased by 7.7 percent, and in the short span of 6 months following the outbreak of hostilities in Korea this index increased by 6.6 percent. In the 15 months following establishment of price controls the consumers' price index has increased by only 3.9 percent.

In little more realistic terms, these figures simply mean that the increases in prices in the 15 months prior to the establishment of price controls decreased the value of the dollar in terms of the 1939 purchasing power by 4 cents, and in the 15 months since price controls were instituted the purchasing power of the dollar has decreased by only 2 cents.

Shakespeare once said, "What is past is prologue." Yes, the past is merely an introduction—a beginning—and we should grow as a result of what has happened in the past and should be in a position to face the future more intelligently. The situation that resulted from our unwisely lifting of price controls after the Second World War in the face of similar inflationary pressures should be lesson enough to show us the way for the future.

Mr. Bernard Baruch got to the heart of this whole question of continuing price controls in a single sentence in his letter to Senator BLAIR MOODY, Democrat, of Michigan. "It is a question," wrote Mr. Baruch, "of which is to be put first, the national interest or the special interest." It is our obligation as representatives of the people of the United States to act in their best interest for we and they are the roots from which democracy must draw its life. If we do our share, as Mr. Baruch has said, considering only the national interest and not the special interest, it becomes obvious that price controls should be continued.

In conclusion it must be noted that the removal of price controls at this time would have the following possible effects:

First. Uncontrolled inflation with a resultant decrease in the purchasing power of the dollar because the total demand for goods and services for consumer consumption is greater than their supply.

Second. Inflated dollars would mean that the Government would have to expend more money to get the same quantity of goods and services needed for defense.

Third. The Government's increased spending would have to be financed by larger taxes or increased deficit spending.

Fourth. The lower and middle income groups would be forced to live on a relatively lower level because of higher prices.

Fifth. Fixed income pensions and institutions would be squeezed by the pressure of depreciated purchasing power of their income.

Mr. Chairman, the voices raised most earnestly in behalf of retention of controls and holding the line against each and every special interest comes from no one political party and no one economic level. It is the voice of the American people demanding a workable and effective Defense Production Act that can successfully do the job for which it has been designed.

It is true that nobody likes to take unpalatable medicines. Yet when the family doctor orders the patient to do so, in order to combat illness or disorder, the patient usually does so. If not, he suffers the consequences.

I think we should view controls in the same light. Nobody likes them. However, as undesirable as controls are, they pose less of a peril to a free economy than does the near confiscation of uncontrolled inflation which can be disastrous or ruinous to our economy. Controls are the necessary medicines with which to combat inflation. All of us are aware of what inflation can do when it is allowed to run rampant through a nation. We have too many examples in history of this terrifying and destructive power. We caught a glimpse of this power after the United States went into war in Korea and prices soared from day to day and from hour to hour.

In this time of emergency the question which is squarely put to us is this: What is to come first, the national interest or the special interest?

If we are to maintain a stabilized economy, one that will not explode in our faces and wreck the whole country at a time of crisis, we must adopt an effective measure of control. That challenge is ours now. In the interest of our people, in the interest of our economy, in the interest of our national security, I shall vote against any and all amendments that will cripple and make ineffective the Defense Production Act which we are now considering.

Mr. WALTER. Mr. Chairman, under the permission granted to extend my remarks at this point, I desire to include the following article from the New York Times of yesterday:

STEEL AGREEMENT REACHED, DROPPED—BETHLEHEM AND UNION EFFECT ACCORD WITH MODIFIED UNION SHOP—INDUSTRY REJECTS IT

(By Joseph A. Loftus)

WASHINGTON, June 24.—The Bethlehem Steel Co. and the United Steelworkers of America, CIO, reached an understanding last week that would have ended the steel strike, but the deal was subject to the approval of other major steel companies and they, or a majority of them, refused to go along.

Well-placed industry sources said the understanding covered the two remaining major issues blocking a settlement of the 23-day-old steel strike—the union shop and back pay. They described the union-shop compromise as a modification of the principle that requires all employees to become members of the union within 30 days after their employment begins. Steel union officials declined to comment.

Other aspects of the steel story today were:

A project to reopen certain mills for the production of top priority military material apparently has failed.

The Senate Labor Committee approved two plant-seizure bills but the Democratic policy committee decided not to put them on the calendar for consideration in view of recent Senate rejections of similar proposals.

The understanding between Bethlehem and the union was reached at an informal meeting last Thursday in New York. The Bethlehem officials reported this to a meeting of steel industry leaders on Friday. The industry turned it down. Bethlehem, in accordance with a kind of compact, or gentlemen's agreement, that binds the steel companies, bowed to this decision, and talks with the union were broken off.

The understanding, it was reported, would have given the employees more back pay than the offer made by the companies in Washington 2 weeks ago. The objections of the industry, however, were grounded on the union-shop compromise and not on the back-pay proposal.

The veto strength was exercised largely by United States Steel, Inland, National, and Armco. The last two companies are only partly affected by the strike. Some of their units, which have independent unions or are unorganized, are producing steel.

Republic Steel and Jones & Laughlin stood with the group but they are believed to be more amenable to compromising the union-shop issue than the others are at this time.

Two weeks ago, just before the collapse of bargaining in Washington, Republic was reported to be out in front in the union-shop negotiations, but backed away under pressure from United States Steel, it was said.

Bethlehem was the first to settle with the union 2 years ago. There was some kind of understanding among the steel companies at that time, too, although it was not believed to be as tight as the current compact. Anyhow, the Bethlehem settlement became the industry pattern.

VARIOUS FACTORS IN DEADLOCK

The impasse in the steel negotiations probably cannot be ascribed to any single factor. It is the belief of many informed persons that the large supplies of some types of steel is the major influence in the companies' decision and that when these inventories are reduced a price increase will be more meaningful and bargaining will be conducted on a more realistic basis.

Likewise, as the steelworkers feel the pinch of payless paydays more and more the union becomes more amenable to compromise.

The possibility that President Truman may have to use the Taft-Hartley law against the union to restore production and possibly will invoke it Thursday, also may figure in the industry's calculations to some extent.

Resistance to compulsory unionism on grounds of principle varies in strength among employers generally and this is true within the steel industry. Clarence B. Randall, president of Inland, is probably the most articulate of the steel employers who oppose the union shop on moral grounds. The fact that Inland once made a union-shop agreement in its coal mines is not regarded by Mr. Randall as a refutation or contradiction of his position. He feels that the coal-mine contract was something the

company had to take and did not agree to voluntarily.

Other steel employers, while believing that union membership should be held to a voluntary basis, say privately that they probably would conform to the prevailing practice.

When the Washington talks were called off about 2 weeks ago, both sides announced they were willing to produce steel for essential armaments. They appointed committees, which met with defense production officials several times, but so far the Government has not designated a single plant for reopening on an emergency basis.

The project apparently involved so many technical problems, as well as labor-management bargaining problems, that it is not going to yield much if anything. The union concedes that it is reluctant to send some of its members back to work in an area where other members would continue striking.

The industry and the Government, for their part, seem unwilling even to ventilate the problems involved.

The seizure bills, which were pigeonholed almost as fast as they were reported out of committee today, were sponsored by Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, and Senator WAYNE L. MORSE, Republican, of Oregon.

The Humphrey bill was tailored specially for the current steel dispute to provide for just compensation for both sides. It would not permit the Government to impose the union shop. The committee also proposed another bill offered by Senator HUMPHREY providing for the establishment for a labor-management study.

The Morse bill would give the President a flexible set of tools, including seizure and an injunction to use whenever the national security was threatened by a labor-management dispute.

Mr. DOLLINGER. Mr. Chairman, I find it necessary to cast my vote against final passage of the Defense Production Act now before us. Previous to this vote, I have voted against the crippling amendments offered by various Congressmen which have been included in the bill.

In my opinion, the Defense Production Act as it now comes before us, is a spineless, useless measure which betrays the American people and which would undermine our defense program as well as the Nation's economy. I cannot conscientiously vote for it. It is a control bill in name only; it utterly destroys controls and paves the way for skyrocketing prices, profiteering, increased living costs, and terrible hardships for the American people to bear. It protects special interests and those who stand to make huge profits when controls are removed; it is a boon to those who seek unconscionable gains even though it means jeopardizing our freedom.

This so-called control bill makes our people defenseless against those who have now been given the go sign to charge outrageous prices for food and other necessities of life; it throws them to the wolves of greed and selfishness. At the same time the wage freeze is extended so that most people will find it impossible to meet the further increased living costs. Their wages remain the same while costs boom upward. This is a shocking and conscienceless act, and I want no part of it.

The American people looked to Congress for protection and help in these days of spiraling living costs. Furthermore, they expected us to prevent further inflation in order that our Nation's economy would remain safely stabilized. The terrific inflation which is now bound to come will prove disastrous; we will destroy ourselves as surely as any enemy could, for when our economy is dangerously undermined, our Nation stands defeated.

The crippling amendments which have been adopted and which so seriously destroy the effectiveness of this control measure have made this a no-control measure. For these reasons, I am voting against it.

Mr. YORTY. Mr. Chairman, my vote against this miscalled price-control bill is a protest against what I regard as a fraud on the people of the United States. This bill as amended by the coalition of Republicans and southern Democrats is no longer a price-control bill. The people should not be misled into thinking that it is a control bill. It is, as it now stands, a decontrol bill. It will remove controls from items which already are so high that people are rightfully complaining. Another price spiral would do untold damage to our economy and perhaps completely wreck our defense effort. Prices which skyrocketed before controls were instituted cost us thousands of planes, tanks, and ships, for which the sums appropriated turned out to be insufficient. We cannot permit this to happen again by passing a watered-down fraudulent price-control bill in our haste to adjourn. We have time to do the job right, and it is our duty to do so.

Mr. Chairman, I detest controls, their bureaucracy, red tape, and all the annoyance that goes with them. But what is the alternative at a time like this? Defense expenditures will be larger during the ensuing months than heretofore. Huge defense payrolls will give consumers more funds, but not more consumer goods. The inflationary pressure on prices which will result must be held down by price control. I wish there were some other way, but there is not. Under these circumstances, this decontrol bill is a threat to our economy. The original bill reported by the committee remains in name only. The gentleman from Massachusetts [Mr. MCCORMACK] has described the coalition which riddled this bill by amendments as being "drunk with power." I believe that power has been used against the best interests of the Nation. Perhaps a House-Senate conference committee can repair the damage enough to make the bill workable, but as the bill now stands it is an unjustified attempt to lift the lid and let inflation rob our people of their savings and earnings.

Mr. FURCOLO. Mr. Chairman, of course we must all vote for passage of this bill for one reason: that is the only way it can go to conference where there may be a possibility of getting a better bill. In its present form, the bill is a betrayal of the consumer and the American public.

It is with the greatest reluctance that I shall vote for passage. I must do so only in the hope that the conference committee may change it so we have controls.

In other words, a vote for passage is not a vote for this bill. It is only a vote to send it to conference where a better bill may be worked out. That will give us the opportunity in a couple of days to vote either for or against the conference report.

Mr. McGRATH. Mr. Chairman, I have long felt that the only answer to inflation is controls. That opinion has been justified by the rising costs of food, clothing, and the necessaries of life. These rises have been occasioned because of the limited legislation that we have adopted in our struggle against inflationary prices. The original bill, as reported by the committee, would have been a great factor in stabilizing our economy. However, the many amendments that have been adopted to this measure in the last few days, have merely placed wages in a strait-jacket and given carte blanche to those who have been making profit out of consumers' goods.

Having consistently voted against the crippling amendments to the bill, I now find myself, along with many of my distinguished colleagues, in the position that it is necessary to cast my vote against final passage of the Defense Production Act. It is not a control bill, except in name. It, in effect, destroys controls and opens the way to increased living costs.

The provision providing for a wage freeze puts the employee into the position of having his wages remain the same while prices go steadily upward.

Reference to invoking the Taft-Hartley law is further evidence that this bill is, in truth, an antilabor measure. Hence I cannot, and will not, vote for passage of the bill.

Mr. DONOHUE. Mr. Chairman, I am vigorously opposed to the attempts being made here to completely remove every reasonable economic regulation from the existing Defense Production Act. The paramount domestic problem facing the Nation now is to prevent the collapse of our economic stability from the ruinous ravages of threatening, runaway inflationary pressures. The eyes of all the American taxpayers are focused on us today to observe our determination to legislate wisely for the general welfare or surrender to the persuasive lobbying tactics of special groups. I earnestly hope this House will act for the common interest of all the people, without political partisanship or misplaced confidence in the extravagant cries of selfish-seeking organizations.

Under ordinary living conditions I would be the first to protest against the imposition of any controlled economy but will any person dare say we are living under normal circumstances today? In the complex economic turmoil surrounding American life now I am deeply and gravely apprehensive of the disastrous effects which would most surely seem to follow any full elimination of the sensible control safeguards presently protecting our economic structure. I earnestly believe the removal of all price controls

at this time would inevitably lead to these chief crippling results:

First. Uncontrolled inflation with a resultant decrease in the purchasing power of the dollar because the total demand for goods and services for consumer consumption is greater than their supply.

Second. Inflated dollars would mean that the Government would have to expend more money to get the same quantity of goods and services needed for defense.

Third. The Government's increased spending would have to be financed by larger taxes or increased deficit spending.

Fourth. The lower- and middle-income groups would be forced to live on a relatively lower level because of higher prices.

Fifth. Fixed-income pensions and institutions would be squeezed by the pressure of depreciated purchasing power of their income.

The average American taxpayer and wage earner well remembers what happened back in 1946 when all price controls were suddenly removed, with the naive assurance that prices would soon level off and decline. Just the opposite proved to be the case, and few consumers will ever forget the hardships thrust on the buying public by that hasty congressional action. Our experience right after World War II should be lesson enough to convince us of our duty to protect the American housewife and wage earner from another morale-demoralizing price-gouging era.

The plain facts existing today point to the truth that the economic state of this country is not yet soundly stable and can be very easily thrown out of balance to the detriment of the consumers and the national welfare as a whole. The indexes compiled by the Bureau of Labor Statistics show that, since a drop last February, prices have been steadily going up and are right now only one-tenth of 1 percent below the all-time peak reached in January of 1951. The continuing increase in the cost of living necessities; the anticipated $60,000,000,000 outlay for defense spending in fiscal 1953 with the accompanying effect on the supply of goods for civilian use; the lack of any real evidence proving our basic economy will remain stable convinces me the failure to provide preventive inflationary checks now is practically unwise and an invitation to economic disaster.

Mr. Chairman, in this time of great emergency when the Communist leaders are deliberately and admittedly trying to promote disunion and demoralization among the people of the United States we have only one challenge squarely facing the Members of this House. Are we going to legislate wisely for the general welfare of the country or are we going to further the selfish objectives of a few organized groups? The question is simple and our answer should be clear, in voting to maintain a reasonable system of price controls for the protection of the great majority of our citizens, the wage earners and their families. I earnestly hope the Senate and the conference committee will demand and insist that the retention of sensible price controlling machinery is vitally essential to our continuing economic stability while we are engaged in this desperate struggle for survival against the Godless Communist leaders seeking to destroy us from within and without.

Mr. Chairman, I also feel in duty bound to speak against the attempts to legislate on gravely important national problems by hasty amendment actions when the Congress is rushing toward a deadline of adjournment, either temporary or permanent. This is not the temperate, unprejudiced atmosphere in which to calmly deliberate on such nationally important problems as the application of the Taft-Hartley law provisions to the steel production difficulty, the abolition of the Wage Stabilization Board and the decimation of the Housing and Rent Control Act. These are matters that deeply affect the welfare and morale of the whole country. They demand long, careful, unpassioned legislative exploration for decisions of wisdom in solution. Until the overpublicized steel dispute the Wage Stabilization Board possessed an excellent record of helping to equitably settle many vexing labor and management differences to the acceptance of both sides. A summary dissolution of this Board, which in my conviction should remain tripartite in nature, would prove to be ill-advised at this time. The hurried and exciting efforts here to pressure the President into forceful use of the injunctive penalties of the Taft-Hartley Act against the steelworkers is a regrettable punitive gesture in this hour of serious threat to our national security.

That suggestion is obviously against the full sense of American justice when we reflect the steelworkers themselves voluntarily refrained from walking off their jobs, as they were legally entitled to do the moment the contract expired, and stayed at their work of producing steel for 150 days. To say the least it is indeed questionable common sense to destroy and discourage the spirit and will of management and labor to continue to resolve their honest differences by the orderly processes of real, genuine collective bargaining without unwarranted Government interference, of imperialistic directive. In the last analysis the responsibility of insuring the public safety is adequately protected by sufficient defense material production belongs to the Congress. We cannot and should not try to evade that obligation to the people we represent by any subterfuge imposition saddled, without any careful or thoughtful examination, on the Chief Executive. Let us remain at work here in the Congress and meet our duty by making a full and complete study to determine the necessity of enacting a fair and balanced seizure law safeguarding the interests of management, labor, and the public, if it becomes imperative to do. This is a problem that should be given separate and concentrated attention. It ought not to be cursorily passed on amidst a jumble of amendments surrounding other legislation.

Mr. Chairman, the proposal to limit rent stabilization to critical defense housing areas has been accorded too little scrutiny to judge its real effect. Unfortunately the significance of the terms "critical" and "noncritical" are not their usual ones when applied to rent-controlled areas. Critical areas are those brought under control because they have experienced sudden population increases of defense workers or military personnel since June of 1950; noncritical areas are those which have not had that unexpected population development. However the so-called noncritical areas are of great importance to our over-all defense program because they include most of our great industrial cities.

In fact, this proposal would be a damaging blow to the general stabilization effort. A majority of our major industrial cities would suddenly find themselves without rent control. Of 106 cities in the United States with 100,000 or more population a total of 52 have ordinary types of noncritical rent control that would be affected by the decontrol action. This amendment would disturb the lives of the one-third of our people who live in cities for which decontrol is proposed.

There are completely adequate guarantees in the present law to assure that the rent-stabilization program will not be unduly prolonged in any area, whether critical or noncritical. The governing body of every municipality, and of every county, has full authority to terminate the rent-stabilization program whenever it finds control is no longer required. The fact that local governing bodies with over 53,000,000 persons in their jurisdiction have refused to exercise their authority under this provision is emphatic proof that most local officials, who know their particular areas best, are firmly convinced the rent-stabilization program is still urgently needed in their own communities.

Mr. Chairman, some great and experienced authorities have declared this period to be the most dangerous in the history of our great Nation. Even without such authoritative warning I believe the average citizen and wage earner realizes full well our very existence and civilization is being threatened by the most devilish and resourceful enemy the world has ever known; certainly the Members of this body understand the Communist military threat as well as their insidious design to incite our people toward class-hatred and group-quarreling. I, therefore, wish to urge and implore my colleagues to calmly and judiciously dwell on the fundamental importance of the action we take here as it affects the national welfare. Sound and wise laws cannot be enacted in a legislative atmosphere of confusion, excitement, and prejudice. I earnestly ask you all to consider long and thoughtfully on the doubtful wisdom of approving any legislation that may well increase antagonisms and divide our people when unity, understanding, cooperation, and good will are so essential to our national-defense effort and the success of the free world in this decisive fight against totalitarian tyranny.

Mr. BUCKLEY. Mr. Chairman, I am opposed to the amendments to the Defense Production Act offered here today

since they would, in effect, remove controls or weaken them to such extent that they would no longer be effective. I find it necessary to vote against final passage of the bill since I cannot conscientiously give my support to a program designed to undermine the Nation's economy. I am deeply shocked at the action of the House in permitting the price control law to be amended and revised in such manner that it cannot possibly be anything but a control law in name only. In reality, the amendments adopted here today offer a green light signal to the profiteers to impose financial burdens upon the American people who are looking to us to protect them from further increases in the cost of living.

The issue being fought here today is an old one. Carrying the ball for the removal of price controls are those special interests who stand to profit most from high prices. Alined against the special interests are the farmers, wage and salary earners, and housewives, the consumers of the Nation.

The votes cast here today will reveal which side we are on. And I warn the Members of the House that the action taken on this bill will not soon be forgotten by the American public.

The Defense Production Act has had my support consistently. With controls in force we have barely been able to hold the line of the cost of living. I believe, most emphatically, that if we remove all of the reduction of $31,920,000 achieved price controls the flame of inflation will burn higher and higher. That portion of our population who live on annuities and pensions will be faced with disaster. Lower and middle income groups will be forced to a lower standard of living. This bill now before us is but a feeble gesture to extend the present law. It is so badly mangled that if it becomes law it will carry little meaning.

The people of this country look to Congress for protection against spiraling living costs. We cannot let them down. I vote against this bill in protest against its inequities.

Mr. SHELLEY. Mr. Chairman, the House has proven today that, in spite of air conditioning, the heat of 102° here in Washington affected a great many. The "coalition" has amended price control out of the law and has tried to use the bill to wreak vengeance on the American wage earner. They have succeeded in so riddling the stabilization program that there is no program left. With each amendment wedged through today they have struck another blow for the price profiteers and another blow at the consumer and the American worker. They have also added billions of dollars to the price we are going to have to pay for defense weapons and to the eventual reckoning when we have to raise the taxes to pay for the defense effort. It may also be that an individual day of reckoning will come sooner than they think for some of our Republican colleagues who have so happily swung the ax. The consumer will have an ax of his own to swing in November and 4 months of higher and higher prices to work up to the point of swinging it in the right direction. Outraged labor will also have its innings then, and so will the tenant whose rent has hit the ceiling between now and November.

It is only by a complete run-down of the amendments tacked on to the Defense Production Act by the House that we get a full picture of the almost incredible disregard for the national stability and safety shown by the Dixie-GOP's. Apparently they set out to do two things: to straitjacket labor and the consumer and to give a clear field to business and agricultural interests for making hay in the sunshine of the Republican smile. What this may do to the defense effort God knows, but seemingly the other side of the aisle is willing to leave it up to the Almighty to take care of that—they have certainly forced the House to abdicate its responsibility in the matter.

Let us note for the record just what we have done to any hope of controlling inflation and keeping production going in these deadly serious times. On the question of labor, wages, and industrial peace we have first the Lucas amendment. Under its terms the Wage Stabilization Board is thrown out the window. With the present set-up of the Board both labor and management were provided with a sensible, workable arrangement under which collective bargaining could be allowed to operate with a minimum of interference—where their representatives had an effective voice in decisions of vital importance to both sides—where the fundamental national policies on labor policies could be hammered out in free discussion among equals—and where irreconciliable disputes could be brought for settlement of all issues without paralyzing the defense effort. The tripartite composition of the Board—with equal representation for industry, labor, and the public—assured at least some of the elements of justice to both sides. Under the Lucas amendment we have a kangaroo court dictating terms, with no effective voice given to either labor or management. The labor and industry members can do no more than plead their special cases. The decisions will not be the result of negotiations between equals, but the unilateral edict of the majority of public members. Wage policies set by this method cannot be realistic. In the limited conditions where the Board may advise on disputes brought before it the collective-bargaining principle has been destroyed. With no authority to offer advice on other than wage issues the procedure becomes a farce. When labor is told, "This will be your maximum wage" and is denied the chance to trade wage concessions for fringe and security benefits it becomes slave labor in a subtle form. Labor will not and cannot willingly submit to such a system. Labor has given up more than its share already in voluntarily submitting to the restrictions placed on its bargaining freedom under the present law. The obvious intent of the supporters of the Lucas amendment is to set up a packed Board sympathetic to industry and unfriendly to labor. I have heard reports that when the Lucas amendment proposals were suggested to former Defense Mobilizer Charles Wilson he was all for them. He was asked what sort of people he thought should be made "public" members of the proposed Board—the majority and dictating group. His reply is supposed to have been, "Why, businessmen, of course." That is a perfect illustration of the kind of "fair" thinking behind the Lucas amendment and an indication of the fairness of the policies it would put out.

The House has ripped out of the act the only means we now have for getting a quick settlement of labor disputes threatening stoppage of defense production. We have put nothing in its place. I suppose that the House's action in adopting the Smith amendment, "requesting" the President to use the Taft-Hartley law procedures in the steel strike, means that we are content to let all disputes ride and leave them up to the "tender mercies" of Taft-Hartley. The House is fooling only itself if it thinks that the steel strike or any other strike will be settled by that means. If we adjourn sine die on July 5 and the President does see fit to request an injunction under the Taft-Hartley law, what happens after the 80-day so-called cooling-off period is over? The steel unions voluntarily cooled off for better than 5 months before they were forced to strike. It would be ridiculous to expect them to give up their just demands under the force of a Taft-Hartley injunction. The steel industry certainly has not demonstrated any likelihood that they will accept the reasonable settlement presented to it. So that would leave us around the end of September with a steel strike on again. We will then either come back to Washington and do what we should be doing now—give the President the powers he needs to handle the situation and keep steel production going, or set up a wage board able to do more than sit back and look piously on—or we will have a 3 months' shutdown in steel until we make up our minds to do something about it in January. If a strike situation should arise in any other industry vital to the defense effort, we will be confronted with the same problem there. Such a strike is threatening right now in the jet engine industry. But what have we done to face up to these cold facts? Nothing. The House is playing ostrich and hiding its head in the sands. With our heads buried we may think we can safely ignore what is going on around us. But let my Republican colleagues not forget that they are exposing themselves to attack just as the ostrich does when he lets his tail feathers fly in the breeze.

The Lucas amendment and the Smith amendment combined will work to put a ceiling on the workingman's wages—the wages out of which he has to feed and clothe and house himself and his family. What have we done to keep a ceiling on the prices of his food, clothing, and shelter? And what have we done to hold down the cost of rearming ourselves so that we will not have to pass a tax bill with skyrocketing tax rates in the next few years? The Dixie-GOP coalition has put through the Talle amendment,

which for all practical purposes decontrols everything the workingman has to buy. Watch the cost of living shoot up after that one goes into effect—if it does. They have adopted the Cole amendment guaranteeing pre-Korea percentage mark-ups to wholesalers and retailers—the price push-up amendment. And not content with that, our colleagues on the other side of the aisle with help from their Dixiecrat friends, have effectively terminated Federal rent controls as of 3 months from now by adopting the Wheeler amendment.

Looking over the roster of those who voted for these monstrous amendments we find the same old story. The Republican friends of big business have again joined forces with the reactionary elements from the South to put a halter on the wage earner and the people on low fixed incomes—the elderly people retired on social security and pensions, the pensioned veteran, and the small-salaried white-collar worker. I, personally, want no part of the responsibility for such action.

I cannot conscientiously vote for H. R. 8210 in its present form. I voted against each of the amendments I have named. In the face of the amendment-ridden controls laws that will come out of this bill it would almost have been better had the Barden amendment taking off all wage and price controls been allowed to stand. At least, the laboring man would have had a sporting chance to try for wage increases to match soaring prices. As it is we are left with a choice of voting for a bill to clamp down on wages while letting business put the clamps on the consumer, or no bill at all. I cannot go for that kind of a squeeze play. The RECORD will show that I voted against this controls bill. Let it also show that I believe a firm and fair system of controls to be an urgent necessity now, but that I cannot and will not be a party to passage of a bill controlling nothing but the price of labor, and, at the same time, handcuffing labor against any effort to keep its standards up to what is referred to as the "American way of life."

Mr. McKINNON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Time was fixed to conclude debate at 2:45 p. m. There are still 3 minutes remaining. Does the gentleman desire to be recognized for that time?

Mr. McKINNON. I do, Mr. Chairman.

Mr. Chairman, as this debate closes, may I point out that if the House adopts the Talle and Cole amendments, this bill cannot be truthfully called an anti-inflationary bill but a superinflationary act. Time will prove that statement.

I understood the gentleman from Michigan to say a few moments ago that if prices go up in the next few months as the result of this bill—and he must presume they will—it will not be the fault of the House but the fault of the executive agency.

Nothing could be further from the truth. Take the Tolle amendment, as an example. If this amendment is finally adopted, no item can be price controlled if it is deemed in surplus for the preceding 90 days. Surplus is defined in the amendment as an item not being allocated, or rationed at the retail level.

Now many things today are in surplus, according to that definition but they most assuredly are selling at ceiling prices, and will sell at even higher prices if the Talle amendment is adopted.

Consider the shoes you are now wearing. You bought them at ceiling prices, but they are not in short supply. If we are to maintain ceiling prices, we must ration them—at a burden to the consumer and a cost to the taxpayer. If we do not ration them, the price increases.

On page 12 of the committee hearings is a table which shows that, on March 15, 1952, 50 percent of the items included in the cost-of-living index were at their all-time peak. Eighty-five percent of these items were within 5 percent of their all-time peak. On March 15, this cost-of-living index was at 188 percent of the prewar average but, on May 15, the index had risen further to 189 percent of the prewar average—it was within one-twentieth of 1 percent of its all-time high and I understand that since May 15 it probably has gone to a new high.

On page 14 of the record of the hearings I find that 96 percent of the wholesale prices that are of primary interest to business and to procurement agencies were at the very peak or only very slightly below it during the early part of this year. And, I understand that since then very little change has occurred.

Indeed, price pressure is continuing all the time. On page 1508, I find a list of items two pages long—items on which ceiling price increases have been requested from the Office of Price Stabilization as late as last month. There are 79 items, and they are not small items but many of them are broad categories. They include such a variety of things as steel mill products, glass containers, cotton ginning machinery, dinnerware, automotive repair services, fertilizer, cosmetics, newsprint, beef, pork, canned peas, soft drinks, coal at retail, and heating oil.

I looked through this long list of items for those whose prices might be controlled under the Talle amendment. I can assure you there are less than a dozen of them. There are more than five dozen of those items which, under the Talle amendment, would not be decontrolled—right after ceiling price increases have been requested for them. Does anyone believe that this five dozen items might not be immediately raised in price the day after the Talle amendment went into effect?

Does anyone believe that when the price spiral had started with these five dozen items it would stop right there? The cost of living, already at an all-time high and on the uptrend, would keep rising and rising fast. I need not tell you that the wages of millions of workers now are automatically tied to the cost of living index. They would have to be raised under the Talle amendment—industry's costs would go up—prices would be raised, wages would climb—and we would be right back on the inflationary merry-go-round.

The supporters of the Talle amendment might find it merry—but the American people would not. The American people have suffered enough from inflation. They do not want any more of it. They do not want prices raised by the Talle amendment. They want to see this amendment defeated and this time we should think of the best interest of the American consumer and not the special interest of a few who seek to make more profit.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended, pursuant to House Resolution 696, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. SPENCE. Mr. Speaker, I demand a separate vote on the Talle, Lucas, Smith, Barden, Cole, and Wheeler amendments.

The SPEAKER. Is separate vote demanded on any other amendment?

If not, the Chair will put them en gross.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment offered by Mr. TALLE: On page 3, after line 18, insert the following new section:

"SEC. 104. Section 402 (d) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"'(5) The ceiling price for any material shall be suspended as long as (1) the material is selling below the ceiling price and has sold below that price for a period of 3 months; or (2) the material is in adequate or surplus supply to meet current civilian and military consumption and has been in such adequate or surplus supply for a period of 3 months. For the purpose of this paragraph, a material shall be considered in adequate or surplus supply whenever such material is not being allocated for civilian use, or in the case of an agricultural commodity or product processed in whole or substantial part therefrom, is not being rationed at the retail level of consumer goods for household and personal use, under the authority of title I of this act'."

Mr. HAYS of Ohio. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAYS of Ohio. Mr. Speaker, is not the parliamentary situation such that if this amendment prevails, no commodity can be controlled unless it is rationed?

The SPEAKER. The gentleman does not state a parliamentary inquiry. It is

not in the province of the Chair to interpret the laws.

The question is on the amendment.

Mr. TALLE. Mr. Speaker, I demand a division.

Mr. SPENCE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 210, nays 182, answered "present" 1, not voting 38, as follows:

[Roll No. 112]

YEAS—210

Abbitt	George	Nicholson
Adair	Golden	Norrell
Allen, Calif.	Goodwin	O'Hara
Allen, Ill.	Graham	O'Konski
Andersen, H. Carl	Grant	Osmers
	Gregory	Ostertag
Anderson, Calif.	Gross	Passman
Andresen, August H.	Gwinn	Patman
	Hagen	Patten
Andrews	Hall, Edwin Arthur	Phillips
Arends		Poage
Armstrong	Hall, Leonard W.	Potter
Auchincloss		Poulson
Baker	Halleck	Prouty
Barden	Harden	Radwan
Beamer	Harris	Rankin
Belcher	Harrison, Nebr.	Redden
Berry	Harrison, Va.	Reed, Ill.
Betts	Harrison, Wyo.	Reed, N. Y.
Bishop	Harvey	Rees, Kans.
Blackney	Hill	Regan
Boggs, Del.	Hillings	Riley
Bonner	Hinshaw	Rivers
Bow	Hoeven	Robeson
Boykin	Hoffman, Ill.	Rogers, Fla.
Bramblett	Hoffman, Mich.	Rogers, Tex.
Brehm	Holmes	Sadlak
Brooks	Hope	St. George
Brown, Ohio	Horan	Saylor
Brownson	Hunter	Schenck
Bryson	Ikard	Scrivner
Budge	Jackson, Calif.	Scudder
Buffett	James	Shafer
Burleson	Jarman	Sheehan
Busbey	Jenison	Short
Bush	Jenkins	Sikes
Byrnes	Johnson	Simpson, Ill.
Cannon	Jonas	Simpson, Pa.
Carrigg	Jones, Hamilton C.	Sittler
Chatham		Smith, Kans.
Chelf	Jones, Woodrow W.	Smith, Wis.
Chenoweth		Springer
Chiperfield	Kearney	Stanley
Church	Kearns	Stockman
Clevenger	Kersten, Wis.	Taber
Cole, Kans.	Kilburn	Talle
Cole, N. Y.	Kilday	Taylor
Cooley	King, Pa.	Thompson, Mich.
Cox	Larcade	
Crawford	Latham	Tollefson
Cunningham	LeCompte	Vail
Curtis, Mo.	Lovre	Van Pelt
Curtis, Nebr.	Lucas	Velde
Dague	McConnell	Vorys
Davis, Ga.	McCulloch	Vursell
Davis, Wis.	McDonough	Weichel
Denny	McGregor	Werdel
Devereux	McIntire	Wharton
D'Ewart	McMillan	Wheeler
Dolliver	McVey	Whitten
Dondero	Mack, Wash.	Widnall
Dorn	Mahon	Williams, Miss.
Doughton	Martin, Iowa	Williams, N. Y.
Durham	Martin, Mass.	Willis
Eaton	Mason	Wilson, Ind.
Ellsworth	Meader	Wilson, Tex.
Elston	Merrow	Winstead
Fernandez	Miller, Md.	Wolcott
Ford	Miller, Nebr.	Wood, Ga.
Forrester	Miller, N. Y.	Wood, Idaho
Gamble	Morton	Woodruff
Gathings	Mumma	
Gavin	Murray	

NAYS—182

Anfuso	Bennett, Fla.	Buckley
Angell	Bennett, Mich.	Burnside
Ayres	Bentsen	Burton
Bailey	Blatnik	Butler
Bakewell	Boggs, La.	Camp
Baring	Bolling	Canfield
Barrett	Bolton	Case
Bates, Mass.	Bosone	Celler
Battle	Bray	Chudoff
Beall	Brown, Ga.	Clemente
Bender	Buchanan	Colmer
Cooper	Howell	O'Brien, Mich.
Corbett	Hull	O'Brien, N. Y.
Cotton	Irving	O'Neill
Coudert	Jackson, Wash.	O'Toole
Crosser	Javits	Patterson
Crumpacker	Jones, Ala.	Perkins
Dawson	Jones, Mo.	Philbin
Deane	Judd	Polk
DeGraffenried	Karsten, Mo.	Preston
Delaney	Kean	Price
Denton	Keating	Priest
Dingell	Kee	Rabaut
Dollinger	Kelley, Pa.	Rains
Donohue	Kelly, N. Y.	Ramsay
Donovan	Kennedy	Reams
Doyle	Keogh	Rhodes
Eberharter	Kerr	Ribicoff
Elliott	King, Calif.	Riehlman
Engle	Kirwan	Roberts
Fallon	Klein	Rodino
Feighan	Kluczynski	Rogers, Colo.
Fine	Lane	Rogers, Mass.
Flood	Lanham	Rooney
Fogarty	Lantaff	Roosevelt
Forand	Lesinski	Ross
Fugate	Lind	Scott, Hardie
Fulton	McCarthy	Scott, Hugh D., Jr.
Furcolo	McCormack	
Garmatz	McGrath	Secrest
Gary	McGuire	Seely-Brown
Gordon	McKinnon	Shelley
Granahan	McMullen	Sheppard
Granger	Machrowicz	Sieminski
Green	Mack, Ill.	Smith, Miss.
Greenwood	Madden	Smith, Va.
Hale	Magee	Spence
Hand	Mansfield	Staggers
Hardy	Marshall	Thomas
Hart	Miller, Calif.	Thornberry
Havenner	Mills	Trimble
Hays, Ark.	Mitchell	Van Zandt
Hays, Ohio	Morano	Walter
Hébert	Morgan	Watts
Hedrick	Morrison	Wier
Heffernan	Moulder	Wigglesworth
Heller	Multer	Withrow
Herter	Murdock	Wolverton
Heselton	Murphy	Yates
Hess	Norblad	Yorty
Holifield	O'Brien, Ill.	Zablocki

ANSWERED "PRESENT"—1

Combs

NOT VOTING—38

Aandahl	Evins	Richards
Abernethy	Fenton	Sabath
Addonizio	Fisher	Sasscer
Albert	Frazier	Steed
Allen, La.	Gore	Stigler
Aspinall	Herlong	Sutton
Bates, Ky.	Jensen	Tackett
Beckworth	Lyle	Teague
Burdick	Morris	Thompson, Tex.
Carlyle	Nelson	Vinson
Carnahan	Pickett	Welch
Davis, Tenn.	Powell	Wickersham
Dempsey	Reece, Tenn.	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Nelson for, with Mr. Addonizio against.

Mr. Reece of Tennessee for, with Mr. Sabath against.

Mr. Herlong for, with Mr. Aspinall against.

Mr. Fisher for, with Mr. Welch against.

Mr. Lyle for, with Mr. Combs against.

Mr. Pickett for, with Mr. Vinson against.

Until further notice:

Mr. Abernethy with Mr. Aandahl.

Mr. Wickersham with Mr. Fenton.

Mr. Dempsey with Mr. Burdick.

Mr. COMBS. Mr. Speaker, I have a live pair with the gentleman from Texas, Mr. LYLE. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. BEALL and Mr. SECREST changed their vote from "yea" to "nay."

Mr. LARCADE changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment offered by Mr. COLE of Kansas: Page 6, line 15, strike out section 106 and insert as follows:

"The first sentence of section 402 (k) of the Defense Production Act of 1950 as amended, is amended to read as follows:

"'No rule, regulation, order, or amendment thereto shall be issued under this title or remain in effect under the title for more than 60 days after the date of the enactment of the Defense Production Act amendments of 1952, which shall deny a seller of materials or services at retail or wholesale his customary percentage margins over costs of the materials or services or his customary charges during the period May 24, 1950, to June 24, 1950, or on such other nearest representative date determined under section 402 (c), as shown by his records during such period, except as to any one specific item of a line of material sold by such seller which is in short supply as evidenced by specific Government action to encourage production of the item in question'."

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. SHORT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 231, nays 164, not voting 36, as follows:

[Roll No. 113]

YEAS—231

Adair	Cooper	Hess
Allen, Calif.	Corbett	Hill
Allen, Ill.	Coudert	Hillings
Andersen, H. Carl	Cox	Hinshaw
	Crawford	Hoeven
Anderson, Calif.	Crumpacker	Hoffman, Mich.
Andresen, August H.	Cunningham	Holmes
	Curtis, Mo.	Hope
Andrews	Curtis, Nebr.	Horan
Arends	Dague	Hunter
Armstrong	Davis, Ga.	Ikard
Auchincloss	Davis, Wis.	Jackson, Calif.
Barden	Denny	James
Bates, Mass.	Devereux	Jarman
Battle	D'Ewart	Jenison
Beall	Dolliver	Jenkins
Beamer	Dondero	Jensen
Belcher	Dorn	Johnson
Bennett, Mich.	Doughton	Jones, Hamilton C.
Bentsen	Durham	
Berry	Eaton	Jones, Woodrow W.
Betts	Ellsworth	
Bishop	Elston	Judd
Blackney	Engle	Kearney
Boggs, Del.	Fernandez	Kearns
Boggs, La.	Forrester	Keating
Bolton	Fulton	Kerr
Bow	Gamble	Kilburn
Boykin	Gathings	Kilday
Bramblett	Gavin	Larcade
Brehm	George	Latham
Brooks	Golden	LeCompte
Brown, Ga.	Goodwin	Lovre
Brown, Ohio	Graham	Lucas
Bryson	Grant	McConnell
Budge	Gross	McCulloch
Buffett	Gwinn	McDonough
Burleson	Hagen	McGregor
Busbey	Hale	McIntire
Bush	Hall, Edwin Arthur	McMillan
Butler		McVey
Byrnes	Hall, Leonard W.	Mahon
Cannon		Martin, Iowa
Carrigg	Halleck	Martin, Mass.
Chatham	Hand	Mason
Chenoweth	Harden	Meader
Chiperfield	Harris	Merrow
Church	Harrison, Nebr.	Miller, Md.
Clevenger	Harrison, Va.	Miller, Nebr.
Cole, Kans.	Harrison, Wyo.	Miller, N. Y.
Cole, N. Y.	Harvey	Morton
Colmer	Hébert	Mumma

Murray	Rogers, Fla.	Teague
Nelson	Rogers, Tex.	Thomas
Nicholson	Sadlak	Thompson,
Norblad	St. George	Mich.
Norrell	Saylor	Thornberry
O'Hara	Schenck	Tollefson
Osmers	Scott, Hardie	Vail
Ostertag	Scott,	Van Pelt
Passman	Hugh D., Jr.	Velde
Patten	Scrivner	Vorys
Phillips	Scudder	Vursell
Poage	Shafer	Weichel
Potter	Sheehan	Werdel
Poulson	Sheppard	Wharton
Preston	Short	Wheeler
Prouty	Simpson, Ill.	Whitten
Radwan	Simpson, Pa.	Widnall
Rankin	Sittler	Williams, Miss.
Redden	Smith, Kans.	Williams, N. Y.
Reed, Ill.	Smith, Miss.	Willis
Reed, N. Y.	Smith, Va.	Wilson, Ind.
Rees, Kans.	Smith, Wis.	Wilson, Tex.
Regan	Springer	Winstead
Riehlman	Stanley	Wolcott
Riley	Stockman	Wood, Ga.
Rivers	Taber	Wood, Idaho
Robeson	Talle	Woodruff
Rogers, Colo.	Taylor	

NAYS—164

Abbitt	Gordon	Mansfield
Anfuso	Granahan	Marshall
Angell	Granger	Miller, Calif.
Ayres	Green	Mills
Bailey	Greenwood	Mitchell
Baker	Gregory	Morano
Bakewell	Hardy	Morgan
Baring	Hart	Morrison
Barrett	Havenner	Moulder
Bender	Hays, Ark.	Multer
Bennett, Fla.	Hays, Ohio	Murdock
Blatnik	Hedrick	Murphy
Bolling	Heffernan	O'Brien, Ill.
Bonner	Heller	O'Brien, Mich.
Bosone	Herter	O'Brien, N. Y.
Bray	Heselton	O'Konski
Brownson	Hoffman, Ill.	O'Neill
Buchanan	Holifield	O'Toole
Buckley	Howell	Patman
Burnside	Hull	Patterson
Burton	Irving	Perkins
Camp	Jackson, Wash.	Philbin
Canfield	Javits	Polk
Case	Jonas	Price
Celler	Jones, Ala.	Priest
Chelf	Jones, Mo.	Rabaut
Chudoff	Karsten, Mo.	Rains
Clemente	Kean	Ramsay
Combs	Kee	Rhodes
Cooley	Kelley, Pa.	Ribicoff
Cotton	Kelly, N. Y.	Roberts
Crosser	Kennedy	Rodino
Dawson	Keogh	Rogers, Mass.
Deane	Kersten, Wis.	Rooney
DeGraffenried	King, Calif.	Roosevelt
Delaney	King, Pa.	Ross
Denton	Kirwan	Secrest
Dingell	Klein	Seely-Brown
Dollinger	Kluczynski	Shelley
Donohue	Lane	Sieminski
Donovan	Lanham	Sikes
Doyle	Lantaff	Spence
Eberharter	Lesinski	Staggers
Elliott	Lind	Trimble
Fallon	McCarthy	Van Zandt
Feighan	McCormack	Walter
Fine	McGrath	Watts
Flood	McGuire	Wier
Fogarty	McKinnon	Wigglesworth
Forand	McMullen	Withrow
Ford	Machrowicz	Wolverton
Fugate	Mack, Ill.	Yates
Furcolo	Mack, Wash.	Yorty
Garmatz	Madden	Zablocki
Gary	Magee	

NOT VOTING—96

Aandahl	Dempsey	Reece, Tenn.
Abernethy	Evins	Richards
Addonizio	Fenton	Sabath
Albert	Fisher	Sasscer
Allen, La.	Frazier	Steed
Aspinall	Gore	Stigler
Bates, Ky.	Herlong	Sutton
Beckworth	Lyle	Tackett
Burdick	Morris	Thompson, Tex.
Carlyle	Pickett	Vinson
Carnahan	Powell	Welch
Davis, Tenn.	Reams	Wickersham

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Nelson for, with Mr. Addonizio against.
Mr. Herlong for, with Mr. Powell against.
Mr. Fisher for, with Mr. Welch against.
Mr. Pickett for, with Mr. Aspinall against.
Mr. Vinson for, with Mr. Bates of Kentucky against.

Until further notice:

Mr. Abernethy with Mr. Aandahl.
Mr. Wickersham with Mr. Fenton
Mr. Dempsey with Mr. Reece of Tennessee.
Mr. Lyle with Mr. Burdick.
Mr. Evins with Mr. Reams.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment offered by Mr. LUCAS as a substitute for the amendment offered by Mr. KEARNS: On page 7, after line 18, insert the following new section:

"SEC. 109. Section 403 of the Defense Production Act of 1950, as amended by Defense Production Act Amendments of 1951, is amended by inserting '(a)' after '403.' and by adding at the end thereof the following new subsection:

"'(b) (1) There is hereby created, in the Economic Stabilization Agency, a Wage Stabilization Board (hereinafter in this subsection referred to as the "Board"), which shall be composed of members representative of the general public, members representative of labor, and members representative of business and industry. The number of offices on the Board shall be established by Executive order, but the number of members representative of the general public shall at all times exceed the aggregate of the number of members representative of labor and the number of members representative of business and industry. The number of offices on the Board for representatives of labor shall equal the number of offices on the Board for representatives of business and industry. Among the members representative of labor, at least one shall be a person who is not a representative of any organization which is affiliated with either of the two major labor organizations.

"'(2) The members representative of the general public shall be appointed by the President by and with the advice and consent of the Senate. The members representative of labor, and the members representative of business and industry, shall be appointed by the President. The President shall designate a Chairman and Vice Chairman of the Board from among the members representative of the general public.

"'(3) The term of office of the members of the Board shall be 1 year, unless sooner terminated in accordance with section 717. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"'(4) Each member representative of the general public shall receive compensation at the rate of $15,000 a year, and while a member of the Board shall engage in no other business, vocation, or employment. Each member representative of labor, and each member representative of business and industry, shall receive $50 for each day he is actually engaged in the performance of his duties as a member of the Board, and in addition he shall be paid his actual and necessary travel and subsistence expenses in accordance with the Travel Expense Act of 1949 while so engaged away from his home or regular place of business. The members representative of labor, and the members representative of business and industry, shall, in respect of their functions on the Board, be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U. S. C. 99).

"'(5) The Board shall, under the supervision and direction of the Economic Stabilization Administrator—

"'((A) formulate, and recommend to such Administrator for promulgation, general policies and general regulations relating to the stabilization of wages, salaries, and other compensation; and

"'(B) upon the request of (i) any person substantially affected thereby, or (ii) any Federal department or agency whose functions, as provided by law, may be affected thereby or may have an effect thereon, advise as to the interpretation, or the application to particular circumstances, of policies and regulations promulgated by such Administrator which relate to the stabilization of wages, salaries, and other compensation.

"'For the purposes of this act, stabilization of wages, salaries, and other compensation means prescribing maximum limits thereon. Except as provided in clause (B) of this paragraph, the Board shall have no jurisdiction with respect to any labor dispute or with respect to any issue involved therein. Labor disputes, and labor matters in dispute, which do not involve the interpretation or application of such regulations or policies shall be dealt with, if at all, insofar as the Federal Government is concerned, under the conciliation, mediation, emergency, or other provisions of law heretofore or hereafter enacted by the Congress, and not otherwise.

"'(6) Paragraph (5) of this subsection shall take effect 30 days after the date on which this subsection is enacted. The Wage Stabilization Board created by Executive Order No. 10161, and reconstituted by Executive Order No. 10233, is hereby abolished, effective at the close of the 29th day following the date on which this subsection is enacted'."

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. My recollection is that a separate vote was demanded on the Lucas amendment. My understanding is that there is no Lucas amendment, but that there is a Kearns amendment as amended by the Lucas substitute.

The SPEAKER. The gentleman is correct. It is the Kearns amendment as amended by the Lucas substitute, but it is still the Kearns amendment.

Mr. HALLECK. A further parhamentary inquiry, Mr. Speaker. In view of the fact that a request was made for a separate vote on the Lucas amendment, and all the other amendments have already been acted upon as a whole, is it in order now to have a separate vote on the Kearns amendment?

The SPEAKER. Whatever there is left is the Kearns amendment as amended by the Lucas substitute. The Chair is going to hold that it is subject to being voted on now.

The question is on the amendment.

Mr. GREEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 256, nays 138, not voting 37, as follows:

[Roll No. 114]

YEAS—256

Abbitt	Gary	Morton
Adair	Gathings	Mumma
Allen, Calif.	Gavin	Murray
Allen, Ill.	George	Nelson
Andersen, H. Carl	Golden	Nicholson
	Goodwin	Norblad
Anderson, Calif.	Graham	Norrell
Andresen, August H.	Grant	O'Hara
	Greenwood	Osmers
Andrews	Gregory	Ostertag
Arends	Gross	Passman
Armstrong	Gwinn	Patman
Auchincloss	Hagen	Patten
Baker	Hale	Patterson
Bakewell	Hall, Edwin Arthur	Phillips
Barden		Poage
Bates, Mass.	Hall, Leonard W.	Potter
Battle		Poulson
Beamer	Halleck	Preston
Belcher	Hand	Priest
Bender	Harden	Prouty
Bennett, Fla.	Hardy	Radwan
Bennett, Mich.	Harris	Rains
Bentsen	Harrison, Nebr.	Rankin
Berry	Harrison, Va.	Reams
Betts	Harrison, Wyo.	Redden
Bishop	Harvey	Reed, Ill.
Blackney	Hébert	Reed, N. Y.
Boggs, Del.	Herter	Rees, Kans.
Boggs, La.	Hess	Regan
Bolton	Hill	Riehlman
Bonner	Hillings	Riley
Bow	Hinshaw	Rivers
Boykin	Hoeven	Robeson
Bramblett	Hoffman, Ill.	Rogers, Fla.
Brehm	Hoffman, Mich.	Rogers, Mass.
Brooks	Holmes	Rogers, Tex.
Brown, Ga.	Hope	Ross
Brown, Ohio	Horan	Sadlak
Brownson	Hunter	St. George
Bryson	Ikard	Schenck
Budge	Jackson, Calif.	Scott, Hardie
Buffett	James	Scrivner
Burleson	Jarman	Scudder
Burton	Jenison	Seely-Brown
Busbey	Jenkins	Shafer
Bush	Jensen	Sheehan
Butler	Johnson	Short
Byrnes	Jonas	Simpson, Ill.
Camp	Jones, Mo.	Simpson, Pa.
Chatham	Jones, Hamilton C.	Smith, Kans.
Chenoweth		Smith, Miss.
Chiperfield	Jones, Woodrow W.	Smith, Va.
Church		Smith, Wis.
Clevenger	Judd	Springer
Cole, Kans.	Kean	Stanley
Cole, N. Y.	Kearney	Stockman
Colmer	Kearns	Taber
Cooley	Keating	Talle
Cooper	Kerr	Taylor
Cotton	Kersten, Wis.	Teague
Coudert	Kilburn	Thompson, Mich.
Cox	Kilday	
Crawford	King, Pa.	Thornberry
Cunningham	Larcade	Vail
Curtis, Mo.	Latham	Van Pelt
Curtis, Nebr.	LeCompte	Van Zandt
Dague	Lovre	Velde
Davis, Ga.	Lucas	Vorys
Davis, Wis.	McConnell	Vursell
Denny	McCulloch	Weichel
Devereux	McDonough	Werdel
D'Ewart	McGregor	Wharton
Dolliver	McIntire	Wheeler
Dondero	McMillan	Whitten
Dorn	McMullen	Widnall
Doughton	McVey	Wigglesworth
Durham	Mack, Wash.	Williams, Miss.
Eaton	Mahon	Williams, N. Y.
Ellsworth	Martin, Iowa	Willis
Elston	Martin, Mass.	Wilson, Ind.
Engle	Mason	Wilson, Tex.
Fallon	Meader	Winstead
Fernandez	Merrow	Wolcott
Ford	Miller, Md.	Wood, Ga.
Forrester	Miller, Nebr.	Wood, Idaho
Fugate	Miller, N. Y.	Woodruff
Gamble	Morano	

NAYS—138

Anfuso	Beall	Burnside
Angell	Bolling	Canfield
Ayres	Bosone	Cannon
Bailey	Bray	Carrigg
Baring	Buchanan	Case
Barrett	Buckley	Celler
Chelf	Hull	O'Brien, N. Y.
Chudoff	Irving	O'Konski
Clemente	Jackson, Wash.	O'Neill
Combs	Javits	O'Toole
Corbett	Jones, Ala.	Perkins
Crosser	Karsten, Mo.	Philbin
Crumpacker	Kee	Polk
Dawson	Kelley, Pa.	Price
Deane	Kelly, N. Y.	Rabaut
DeGraffenried	Keogh	Ramsay
Delaney	King, Calif.	Rhodes
Denton	Kirwan	Ribicoff
Dingell	Klein	Roberts
Dollinger	Kluczynski	Rodino
Donohue	Lane	Rogers, Colo.
Donovan	Lanham	Rooney
Doyle	Lantaff	Roosevelt
Eberharter	Lesinski	Saylor
Elliott	Lind	Scott, Hugh D., Jr.
Feighan	McCarthy	
Fine	McCormack	Secrest
Flood	McGrath	Shelley
Fogarty	McGuire	Sheppard
Forand	McKinnon	Sieminski
Fulton	Machrowicz	Sikes
Furcolo	Mack, Ill.	Sittler
Garmatz	Madden	Spence
Gordon	Magee	Staggers
Granahan	Mansfield	Thomas
Granger	Marshall	Tollefson
Green	Miller, Calif.	Trimble
Hart	Mills	Walter
Havenner	Mitchell	Watts
Hays, Ark.	Morgan	Wier
Hays, Ohio	Morrison	Withrow
Hedrick	Moulder	Wolverton
Heffernan	Multer	Yates
Heller	Murdock	Yorty
Heselton	Murphy	Zablocki
Holifield	O'Brien, Ill.	
Howell	O'Brien, Mich.	

NOT VOTING—37

Aandahl	Dempsey	Richards
Abernethy	Evins	Sabath
Addonizio	Fenton	Sasscer
Albert	Fisher	Steed
Allen, La.	Frazier	Stigler
Aspinall	Gore	Sutton
Bates, Ky.	Herlong	Tackett
Beckworth	Kennedy	Thompson, Tex.
Blatnik	Lyle	Vinson
Burdick	Morris	Welch
Carlyle	Pickett	Wickersham
Carnahan	Powell	
Davis, Tenn.	Reece, Tenn.	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Herlong for, with Mr. Powell against.
Mr. Fisher for, with Mr. Welch against.
Mr. Pickett for, with Mr. Aspinall against.
Mr. Vinson for, with Mr. Addonizio against.

Until further notice:

Mr. Abernethy with Mr. Aandahl.
Mr. Wickersham with Mr. Fenton.
Mr. Dempsey with Mr. Reece of Tennessee.
Mr. Lyle with Mr. Burdick.

Mr. SITTLER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 9, after line 10, insert the following new section:

"SEC. 111. Section 503 of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following: 'It is the sense of the Congress that by reason of the work stoppage now existing in the steel industry, the national safety is imperiled and the Congress therefore requests the President to invoke immediately the national emergency provisions of sections 206 to 210, inclusive, of the Labor Management Relations Act of 1947 for the purpose of terminating such work stoppage'."

The SPEAKER. The question is on the amendment.

Mr. SPENCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 228, nays 164, answered "present" 1, not voting 39, as follows:

[Roll No. 115]

YEAS—228

Abbitt	Gavin	Norblad
Adair	Goodwin	Norrell
Allen, Calif.	Graham	Ostertag
Allen, Ill.	Grant	Patman
Andersen, H. Carl	Greenwood	Patten
	Gregory	Phillips
Anderson, Calif.	Gwinn	Poage
Andresen, August H.	Hale	Potter
	Hall, Edwin Arthur	Poulson
Andrews		Preston
Arends	Hall, Leonard W.	Priest
Auchincloss		Prouty
Ayres	Halleck	Radwan
Barden	Hardy	Rankin
Bates, Mass.	Harrison, Nebr.	Reams
Battle	Harrison, Va.	Redden
Beall	Harrison, Wyo.	Reed, Ill.
Belcher	Harvey	Reed, N. Y.
Bender	Hays, Ark.	Rees, Kans.
Bennett, Fla.	Herter	Regan
Bentsen	Hess	Riehlman
Berry	Hill	Riley
Betts	Hillings	Rivers
Blackney	Hoeven	Robeson
Boggs, Del.	Hoffman, Ill.	Rogers, Fla.
Boggs, La.	Hoffman, Mich.	Rogers, Mass.
Bolton	Holmes	Rogers, Tex.
Bonner	Hope	Ross
Bow	Horan	Sadlak
Boykin	Hunter	St. George
Bramblett	Ikard	Schenck
Brehm	Jackson, Calif.	Scott, Hardie
Brooks	Jarman	Scrivner
Brown, Ga.	Jenison	Scudder
Brown, Ohio	Jenkins	Shafer
Bryson	Jensen	Short
Buffett	Johnson	Sikes
Burleson	Jonas	Simpson, Ill.
Burton	Jones, Hamilton C.	Simpson, Pa.
Busbey		Smith, Kans.
Bush	Jones, Woodrow W.	Smith, Miss.
Byrnes		Smith, Va.
Camp	Judd	Smith, Wis.
Chatham	Kean	Springer
Chelf	Kearney	Stanley
Chenoweth	Kearns	Stockman
Chiperfield	Keating	Taber
Church	Kerr	Talle
Clevenger	Kersten, Wis.	Taylor
Cole, Kans.	Kilburn	Teague
Cole, N. Y.	Kilday	Thomas
Colmer	Lanham	Thompson, Mich.
Cooper	Lantaff	
Cotton	Larcade	Thornberry
Coudert	Latham	Trimble
Cox	LeCompte	Vail
Crawford	Lovre	Van Pelt
Cunningham	Lucas	Van Zandt
Curtis, Nebr.	McConnell	Velde
Davis, Ga.	McCulloch	Vorys
Davis, Wis.	McDonough	Vursell
Deane	McGregor	Watts
Denny	McIntire	Weichel
Devereux	McMillan	Werdel
D'Ewart	McMullen	Wharton
Dondero	McVey	Wheeler
Dorn	Mahon	Whitten
Doughton	Martin, Iowa	Widnall
Durham	Martin, Mass.	Wigglesworth
Ellsworth	Mason	Williams, Miss.
Elston	Meader	Willis
Fallon	Merrow	Wilson, Tex.
Fernandes	Miller, Md.	Winstead
Fisher	Miller, Nebr.	Wolcott
Ford	Miller, N. Y.	Wood, Ga.
Forrester	Mills	Wood, Idaho
Gamble	Mumma	Woodruff
Gary	Murray	
Gathings	Nicholson	

NAYS—164

Anfuso	Bishop	Burnside
Angell	Blatnik	Butler
Armstrong	Bolling	Canfield
Bailey	Bosone	Cannon
Bakewell	Bray	Carrigg
Baring	Brownson	Case
Barrett	Buchanan	Celler
Beamer	Buckley	Chudoff
Bennett, Mich.	Budge	Clemente

Cooley	Holifield	O'Brien, Ill.
Corbett	Howell	O'Brien, Mich.
Crosser	Hull	O'Brien, N. Y.
Crumpacker	Irving	O'Hara
Curtis, Mo.	Jackson, Wash.	O'Konski
Dague	James	O'Neill
Davson	Javits	Osmers
DeGraffenried	Jones, Ala.	O'Toole
Delaney	Jones, Mo.	Passman
Denton	Karsten, Mo.	Patterson
Dingell	Kee	Perkins
Dollinger	Kelley, Pa.	Philbin
Dolliver	Kelly, N. Y.	Polk
Donohue	Kennedy	Price
Donovan	Keogh	Rabaut
Doyle	King, Calif.	Rains
Eberharter	King, Pa.	Ramsay
Elliott	Kirwan	Rhodes
Engle	Klein	Ribicoff
Feighan	Kluczynski	Roberts
Fine	Lane	Rodino
Flood	Lesinski	Rogers, Colo.
Fogarty	Lind	Rooney
Forand	McCarthy	Roosevelt
Fugate	McCormack	Saylor
Fulton	McGrath	Scott,
Furcolo	McGuire	Hugh D., Jr.
Garmatz	McKinnon	Secrest
Gordon	Machrowicz	Seely-Brown
Granahan	Mack, Ill.	Sheehan
Granger	Mack, Wash.	Shelley
Green	Madden	Sheppard
Gross	Magee	Sieminski
Hagen	Mansfield	Sittler
Hand	Marshall	Spence
Harden	Miller, Calif.	Staggers
Harris	Mitchell	Tollefson
Hart	Morano	Walter
Havenner	Morgan	Wier
Hays, Ohio	Morrison	Williams, N. Y.
Hébert	Morton	Wilson, Ind.
Hedrick	Moulder	Withrow
Heffernan	Multer	Wolverton
Heller	Murdock	Yates
Heselton	Murphy	Yorty
Hinshaw	Nelson	Zablocki

ANSWERED "PRESENT"—1

Combs

NOT VOTING—39

Aandahl	Dempsey	Reece, Tenn.
Abernethy	Eaton	Richards
Addonizio	Evins	Sabath
Albert	Fenton	Sasscer
Allen, La.	Frazier	Steed
Aspinall	George	Stigler
Baker	Golden	Sutton
Bates, Ky.	Gore	Tackett
Beckworth	Herlong	Thompson, Tex.
Burdick	Lyle	Vinson
Carlyle	Morris	Welch
Carnahan	Pickett	Wickersham
Davis, Tenn.	Powell	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Vinson for, with Mr. Addonizio against.
Mr. Herlong for, with Mr. Powell against.
Mr. Pickett for, with Mr. Aspinall against.
Mr. Lyle for, with Mr. Combs against.
Mr. Eaton for, with Mr. Welch against.

Until further notice:

Mr. Abernethy with Mr Aandahl.
Mr. Wickersham with Mr. Fenton.
Mr. Dempsey with Mr. George.
Mr. Bates of Kentucky with Mr. Golden.
Mr. Evins with Mr. Reece of Tennessee.
Mr. Morris with Mr. Baker.

Mr. COMBS. Mr. Speaker, on this roll call I voted "nay." I have a live pair with my colleague, the gentleman from Texas, Mr. LYLE. Were he present he would have voted "yea." I therefore withdraw my vote and ask to be recorded present.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: On page 11, line 10, after "1952", insert "*Provided, however,* That title 4 and all authority thereunder shall terminate at the close of July 31, 1952."

The SPEAKER. The question is on the amendment.

Mr. SPENCE. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 151, nays 244, answering "present" 1, not voting 35, as follows:

[Roll No. 116]

YEAS—151

Allen, Calif.	Fisher	Mumma
Allen, Ill.	Gavin	Nicholson
Andersen, H. Carl	George	O'Hara
Anderson, Calif.	Golden	Patten
Andresen, August H.	Goodwin	Phillips
Andrews	Graham	Poage
Arends	Gross	Potter
Ayres	Gwinn	Poulson
Barden	Hagen	Rankin
Beamer	Halleck	Redden
Belcher	Harden	Reed, Ill.
Berry	Harrison, Nebr.	Reed, N. Y.
Betts	Harrison, Va.	Rees, Kans.
Bishop	Harvey	Regan
Blackney	Hébert	Rivers
Bogga, Del.	Hill	Robeson
Bow	Hillings	Rogers, Fla.
Bramblett	Hoeven	Rogers, Tex.
Brehm	Hoffman, Ill.	St. George
Brown, Ohio	Hoffman, Mich.	Saylor
Buffett	Hope	Schenck
Burleson	Hunter	Scrivner
Busbey	Ikard	Scudder
Bush	Jackson, Calif.	Shafer
Byrnes	James	Sheehan
Cannon	Jarman	Short
Chatham	Jenison	Simpson, Ill.
Chenoweth	Jenkins	Simpson, Pa.
Chiperfield	Jensen	Smith, Kans.
Church	Jones, Woodrow W.	Smith, Miss.
Clevenger	Kearns	Smith, Wis.
Cole, Kans.	Kilburn	Springer
Cole, N. Y.	Kilday	Stockman
Cooley	King, Pa.	Taber
Cox	LeCompte	Talle
Crawford	Lovre	Teague
Crumpacker	Lucas	Thompson, Mich.
Cunningham	McConnell	Vail
Curtis, Mo.	McCulloch	Velde
Curtis, Nebr.	McDonough	Vorys
Davis, Ga.	McGregor	Vursell
Davis, Wis.	McIntire	Werdel
D'Ewart	McVey	Wharton
Dolliver	Mahon	Wheeler
Dorn	Martin, Iowa	Wilson, Ind.
Doughton	Mason	Wilson, Tex.
Durham	Merrow	Wolcott
Ellsworth	Miller, Md.	Wood, Ga.
Elston	Miller, Nebr.	Wood, Idaho
Fernandez	Mills	Woodruff
	Morton	

NAYS—244

Abbitt	Brownson	Denton
Adair	Bryson	Devereux
Anfuso	Buchanan	Dingell
Angell	Buckley	Dollinger
Armstrong	Budge	Dondero
Auchincloss	Burnside	Donohue
Bailey	Burton	Donovan
Baker	Butler	Doyle
Bakewell	Camp	Eberharter
Baring	Canfield	Elliott
Barrett	Carrigg	Engle
Bates, Mass.	Case	Fallon
Battle	Celler	Feighan
Beall	Chelf	Fine
Bender	Chudoff	Flood
Bennett, Fla.	Clemente	Fogarty
Bennett, Mich.	Colmer	Forand
Bentsen	Cooper	Ford
Blatnik	Corbett	Forrester
Bogga, La.	Cotton	Fugate
Bolling	Coudert	Fulton
Bolton	Crosser	Furcolo
Bonner	Dague	Gamble
Bosone	Dawson	Garmatz
Boykin	Deane	Gary
Bray	DeGraffenried	Gathings
Brooks	Delaney	Gordon
Brown, Ga.	Denny	Granahan
Granger	Lane	Rabaut
Grant	Lanham	Radwan
Green	Lantaff	Rains
Greenwood	Larcade	Ramsay
Gregory	Latham	Reams
Hale	Lesinski	Rhodes
Hall,	Lind	Ribicoff
Edwin Arthur	McCarthy	Richlman
Hall,	McCormack	Riley
Leonard W.	McGrath	Roberts
Hand	McGuire	Rodino
Hardy	McKinnon	Rogers, Colo.
Harris	McMillan	Rogers, Mass.
Harrison, Wyo.	McMullen	Rooney
Hart	Machrowicz	Roosevelt
Havenner	Mack, Ill.	Ross
Hays, Ark.	Mack, Wash.	Sadlak
Hays, Ohio	Madden	Scott, Hardie
Hedrick	Magee	Scott,
Heffernan	Mansfield	Hugh D., Jr.
Heller	Marshall	Secrest
Herter	Martin, Mass.	Seely-Brown
Heselton	Meader	Shelley
Hess	Miller, Calif.	Sheppard
Hinshaw	Miller, N. Y.	Sieminski
Holifield	Mitchell	Sikes
Holmes	Morano	Sittler
Horan	Morgan	Smith, Va.
Howell	Morrison	Spence
Hull	Moulder	Staggers
Irving	Multer	Stanley
Jackson, Wash.	Murdock	Taylor
Javits	Murphy	Thomas
Johnson	Murray	Thornberry
Jonas	Nelson	Tollefson
Jones, Ala.	Norblad	Trimble
Jones, Mo.	Norrell	Van Pelt
Jones, Hamilton C.	O'Brien, Ill.	Van Zandt
	O'Brien, Mich.	Walter
Judd	O'Brien, N. Y.	Watts
Karsten, Mo.	O'Konski	Weichel
Kean	O'Neill	Whitten
Kearney	Osmers	Widnall
Keating	Ostertag	Wier
Kee	O'Toole	Wigglesworth
Kelley, Pa.	Passman	Williams, Miss.
Kelly, N. Y.	Patman	Williams, N. Y.
Kennedy	Patterson	Willis
Keogh	Perkins	Winstead
Kerr	Philbin	Withrow
Kersten, Wis.	Polk	Wolverton
King, Calif.	Preston	Yates
Kirwan	Price	Yorty
Klein	Priest	Zablocki
Kluczynski	Prouty	

ANSWERED "PRESENT"—1

Combs

NOT VOTING—35

Aandahl	Dempsey	Richards
Abernethy	Eaton	Sabath
Addonizio	Evins	Sasscer
Albert	Fenton	Steed
Allen, La.	Frazier	Stigler
Aspinall	Gore	Sutton
Bates, Ky.	Herlong	Tackett
Beckworth	Lyle	Thompson, Tex.
Burdick	Morris	Vinson
Carlyle	Pickett	Welch
Carnahan	Powell	Wickersham
Davis, Tenn.	Reece, Tenn.	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Pickett for, with Mr. Vinson against.
Mr. Lyle for, with Mr. Combs against.

Until further notice:

Mr. Addonizio with Mr. Aandahl.
Mr. Abernethy with Mr. Reece of Tennessee.
Mr. Dempsey with Mr. Burdick.
Mr. Wickersham with Mr Fenton.
Mr. Evins with Mr. Eaton.

Mr. COMBS. Mr. Speaker, I voted "nay." I have a live pair with my colleague, the gentleman from Texas, Mr. LYLE. Were he present, he would vote "yea." I, therefore, withdraw my vote and vote "present."

Mr. MEADER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. WHEELER: On page 11, strike out lines 17 to 20, inclusive, and insert in lieu thereof the following:

"(b) Subsection (f) of section 204 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"'(f) (1) The provisions of this title shall cease to be in effect at the close of September 30, 1952, except that they shall cease to be in effect at the close of March 31, 1953—

"'(A) in any area which prior to or subsequent to September 30, 1952, is certified under subsection (1) of section 204 of this act as a critical defense housing area;

"'(B) in any incorporated city, town, or village which, at a time when maximum rents under this title are in effect therein, and prior to September 30, 1952, declares (by resolution of its governing body adopted for that purpose, or by popular referendum in accordance with local law) that a substantial shortage of housing accommodations exists which requires the continuance of Federal rent control in such city, town, or village; and

"'(C) in any unincorporated locality in a defense-rental area in which one or more incorporated cities, towns, or villages constituting the major portion of the defense-rental area have made the declaration specified in subparagraph (B) at a time when maximum rents under this title were in effect in such unincorporated locality.

"'(2) Any incorporated city, town, or village which makes the declarations specified in paragraph (1) (B) of this subsection shall notify the President in writing of such action promptly after it has been taken.

"'(3) Notwithstanding any provision of paragraph (1) of this subsection, the provisions of this title shall cease to be in effect upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the further continuance of the authority granted by this title is not necessary because of the existence of an emergency, whichever date is the earlier.

"'(4) Notwithstanding any provision of paragraph (1) or (3) of this subsection, the provisions of this title and regulations, orders, and requirements thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit or action with respect to any right or liability incurred prior to the termination date specified in such paragraph.'"

The SPEAKER. The question is on the amendment.

Mr. YATES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 225, nays 170, not voting 36, as follows:

[Roll No. 117]

YEAS—225

Abbitt	Bender	Bryson
Adair	Bennett, Fla.	Budge
Allen, Calif.	Bennett, Mich.	Buffett
Allen, Ill.	Bentsen	Burleson
Andersen, H. Carl	Berry	Busbey
	Betts	Bush
Anderson, Calif.	Bishop	Byrnes
Andresen, August H.	Blackney	Carrigg
	Boggs, Del.	Chatham
Arends	Bolton	Chenoweth
Armstrong	Bow	Chiperfield
Auchincloss	Boykin	Church
Ayres	Bramblett	Clevenger
Barden	Bray	Cole, Kans.
Bates, Mass.	Brehm	Cole, N. Y.
Beall	Brooks	Colmer
Beamer	Brown, Ohio	Cooley
Belcher	Brownson	Cooper
Cotton	Ikard	Rankin
Cox	Jackson, Calif.	Redden
Crawford	James	Reed, Ill.
Crumpacker	Jarman	Reed, N. Y.
Cunningham	Jenison	Rees, Kans.
Curtis, Mo.	Jenkins	Regan
Curtis, Nebr.	Jensen	Riehlman
Dague	Johnson	Riley
Davis, Ga.	Jonas	Rivers
Davis, Wis.	Jones, Mo.	Robeson
Denny	Jones, Hamilton C.	Rogers, Fla.
Devereux		Rogers, Tex.
D'Ewart	Jones, Woodrow W.	Ross
Dolliver		Sadlak
Dondero	Judd	St. George
Dorn	Kearney	Saylor
Doughton	Kearns	Schenck
Durham	Keating	Scott, Hardie
Ellsworth	Kersten, Wis.	Scrivner
Elston	Kilburn	Scudder
Engle	Kilday	Shafer
Fernandez	King, Pa.	Sheehan
Fisher	Lantaff	Short
Ford	LeCompte	Sikes
Forrester	Lovre	Simpson, Ill.
Fulton	Lucas	Simpson, Pa.
Gamble	McConnell	Sittler
Gathings	McCulloch	Smith, Kans.
Gavin	McDonough	Smith, Va.
George	McGregor	Smith, Wis.
Golden	McIntire	Springer
Goodwin	McMullen	Stanley
Graham	McVey	Stockman
Grant	Mack, Wash.	Taber
Gross	Mahon	Talle
Gwinn	Martin, Iowa	Taylor
Hagen	Martin, Mass.	Teague
Hale	Mason	Thompson, Mich.
Hall, Edwin Arthur	Meader	
	Merrow	Vail
Hall, Leonard W.	Miller, Md.	Van Pelt
	Miller, Nebr.	Van Zandt
Halleck	Miller, N. Y.	Velde
Harden	Morton	Vorys
Harrison, Nebr.	Mumma	Vursell
Harrison, Va.	Murray	Weichel
Harrison, Wyo.	Nicholson	Werdel
Harvey	Norblad	Wharton
Hébert	O'Hara	Wheeler
Hedrick	Osmers	Widnall
Hess	Ostertag	Williams, Miss.
Hill	Passman	Williams, N. Y.
Hillings	Patten	Willis
Hinshaw	Phillips	Wilson, Ind.
Hoeven	Poage	Wilson, Tex.
Hoffman, Ill.	Potter	Wolcott
Hoffman, Mich.	Poulson	Wood, Ga.
Hope	Preston	Wood, Idaho
Horan	Prouty	
Hunter	Radwan	

NAYS—170

Andrews	Eberharter	Kennedy
Anfuso	Elliott	Keogh
Angell	Fallon	Kerr
Bailey	Feighan	King, Calif.
Baker	Fine	Kirwan
Bakewell	Flood	Klein
Baring	Fogarty	Kluczynski
Barrett	Forand	Lane
Battle	Fugate	Lanham
Blatnik	Furcolo	Larcade
Boggs, La.	Garmatz	Latham
Bolling	Gary	Lesinski
Bonner	Gordon	Lind
Bosone	Granahan	McCarthy
Brown, Ga.	Granger	McCormack
Buchanan	Green	McGrath
Buckley	Greenwood	McGuire
Burnside	Gregory	McKinnon
Burton	Hand	McMillan
Butler	Hardy	Machrowicz
Camp	Harris	Mack, Ill.
Canfield	Hart	Madden
Cannon	Havenner	Magee
Case	Hays, Ark.	Mansfield
Celler	Hays, Ohio	Marshall
Chelf	Heffernan	Miller, Calif.
Chudoff	Heller	Mills
Clemente	Herter	Mitchell
Combs	Heselton	Morano
Corbett	Holifield	Morgan
Coudert	Holmes	Morrison
Crosser	Howell	Moulder
Dawson	Hull	Multer
Deane	Irving	Murdock
DeGraffenried	Jackson, Wash.	Murphy
Delaney	Javits	Nelson
Denton	Jones, Ala.	Norrell
Dingell	Karsten, Mo.	O'Brien, Ill.
Dollinger	Kean	O'Brien, Mich.
Donohue	Kee	O'Brien, N. Y.
Donovan	Kelley, Pa.	O'Konski
Doyle	Kelly, N. Y.	O'Neill
O'Toole	Rodino	Thomas
Patman	Rogers, Colo.	Thornberry
Patterson	Rogers, Mass.	Tollefson
Perkins	Rooney	Trimble
Philbin	Roosevelt	Walter
Polk	Scott, Hugh D., Jr.	Watts
Price		Whitten
Priest	Secrest	Wier
Rabaut	Seely-Brown	Wigglesworth
Rains	Shelley	Winstead
Ramsay	Sheppard	Withrow
Reams	Sieminski	Wolverton
Rhodes	Smith, Miss.	Yates
Ribicoff	Spence	Yorty
Roberts	Staggers	Zablocki

NOT VOTING—36

Aandahl	Dempsey	Richards
Abernethy	Eaton	Sabath
Addonizio	Evins	Sasscer
Albert	Fenton	Steed
Allen, La.	Frazier	Stigler
Aspinall	Gore	Sutton
Bates, Ky.	Herlong	Tackett
Beckworth	Lyle	Thompson, Tex.
Burdick	Morris	Vinson
Carlyle	Pickett	Welch
Carnahan	Powell	Wickersham
Davis, Tenn.	Reece, Tenn.	Woodruff

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Herlong for, with Mr. Vinson against.

Mr. Pickett for, with Mr. Addonizio against.

Mr. Woodruff for, with Mr. Aspinall against.

Until further notice:

Mr. Abernethy with Mr. Aandahl.

Mr. Wickersham with Mr. Eaton.

Mr. Lyle with Mr. Fenton.

Mr. Dempsey with Mr. Burdick.

Mr. Welch with Mr. Reece of Tennessee.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, and was read the third time.

Mr. NICHOLSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. NICHOLSON. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. NICHOLSON moves to recommit the bill (H. R. 8210) to the Committee on Banking and Currency with instructions to report the same back forthwith with the following amendment: On page 12, following line 5, add another section as follows:

"SEC. —. Section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof a new subsection as follows:

"'(q) Except in the case of action taken after full compliance with subsection (k) of this section, the President shall not reestablish maximum rents in any locality which has previously been decontrolled under this act until a public hearing, after 30 days' notice, has been held in such locality, and the governing body of said locality has by resolution, adopted in accordance with applicable local law, found that the conditions set forth in subsection (1) exist in said locality.'"

Mr. SPENCE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 185, not voting 35, as follows:

[Roll No. 118]

YEAS—211

Abbitt	Gavin	Morrison
Allen, Calif.	Gordon	Morton
Anfuso	Graham	Moulder
Angell	Granger	Multer
Armstrong	Gregory	Mumma
Auchincloss	Hale	Murdock
Ayres	Hall,	Murphy
Baker	Leonard W.	Murray
Bakewell	Halleck	Norblad
Baring	Hand	Norrell
Bates, Mass.	Hardy	O'Brien, Ill.
Battle	Harris	O'Brien, Mich.
Beamer	Hart	O'Brien, N. Y.
Bender	Hays, Ark.	Osmers
Bennett, Fla.	Hébert	Ostertag
Bentsen	Hedrick	Passman
Blackney	Heffernan	Patman
Boggs, Del.	Heller	Philbin
Boggs, La.	Herlong	Polk
Bolling	Herter	Preston
Bolton	Heselton	Priest
Bonner	Hess	Prouty
Bosone	Holifield	Rabaut
Boykin	Holmes	Radwan
Brooks	Horan	Rains
Brown, Ga.	Howell	Ramsay
Brownson	Hull	Reams
Bryson	Irving	Redden
Burton	Jackson, Wash.	Riehlman
Byrnes	James	Riley
Camp	Jarman	Rivers
Canfield	Javits	Roberts
Cannon	Johnson	Robeson
Carrigg	Jones, Ala.	Rodino
Case	Jones, Mo.	Rogers, Colo.
Celler	Jones,	Rogers, Fla.
Chatham	Hamilton C.	Rogers, Mass.
Chelf	Jones,	Rooney
Clemente	Woodrow W.	Ross
Colmer	Judd	Sadlak
Combs	Kean	Schenck
Cooley	Kearney	Scudder
Cooper	Keating	Secrest
Cotton	Kennedy	Sieminski
Coudert	Keogh	Sikes
Cox	Kerr	Smith, Miss.
Crosser	Kersten, Wis.	Smith, Va.
Crumpacker	Kilburn	Spence
Curtis, Mo.	King, Calif.	Stanley
Dague	Kluczynski	Talle
Deane	Lane	Taylor
DeGraffenried	Lantaff	Thomas
Delaney	Larcade	Thornberry
Denny	Latham	Tollefson
Devereux	Lesinski	Trimble
Dingell	Lind	Van Pelt
Dondero	McCarthy	Van Zandt
Donohue	McConnell	Vorys
Doughton	McCormack	Watts
Durham	McKinnon	Weichel
Eaton	McMillan	Whitten
Elliott	McMullen	Widnall
Engle	Machrowicz	Wier
Fallon	Mack, Wash.	Wigglesworth
Fernandez	Magee	Williams, Miss.
Forrester	Martin, Mass.	Williams, N. Y.
Fugate	Meader	Willis
Furcolo	Merrow	Winstead
Gamble	Miller, Calif.	Yates
Garmatz	Miller, N. Y.	Zablocki
Gary	Mitchell	
Gathings	Morano	

NAYS—185

Adair	Berry	Busbey
Allen, Ill.	Betts	Bush
Andersen,	Bishop	Butler
H. Carl	Blatnik	Chenoweth
Anderson, Calif.	Bow	Chiperfield
Andresen,	Bramblett	Chudoff
August H.	Bray	Church
Andrews	Brehm	Clevenger
Arends	Brown, Ohio	Cole, Kans.
Bailey	Buchanan	Cole, N. Y.
Barden	Buckley	Corbett
Barrett	Budge	Crawford
Beall	Buffett	Cunningham
Belcher	Burleson	Curtis, Nebr.
Bennett, Mich.	Burnside	Davis, Ga.
Davis, Wis.	Jenison	Reed, Ill.
Dawson	Jenkins	Reed, N. Y.
Denton	Jensen	Rees, Kans.
D'Ewart	Jonas	Regan
Dollinger	Karsten, Mo.	Rhodes
Dolliver	Kearns	Ribicoff
Donovan	Kelley, Pa.	Rogers, Tex.
Dorn	Kelly, N. Y.	Roosevelt
Doyle	Kilday	St. George
Eberharter	King, Pa.	Saylor
Ellsworth	Kirwan	Scott, Hardie
Elston	Klein	Scott,
Feighan	Lanham	Hugh D., Jr.
Fine	LeCompte	Scrivner
Fisher	Lovre	Seely-Brown
Flood	Lucas	Shafer
Fogarty	McCulloch	Sheehan
Forand	McDonough	Shelley
Ford	McGrath	Sheppard
Fulton	McGregor	Short
George	McGuire	Simpson, Ill.
Golden	McIntire	Simpson, Pa.
Goodwin	McVey	Sittler
Granahan	Mack, Ill.	Smith, Kans.
Grant	Madden	Smith, Wis.
Green	Mahon	Springer
Greenwood	Mansfield	Staggers
Gross	Marshall	Stockman
Gwinn	Martin, Iowa	Taber
Hagen	Mason	Teague
Hall,	Miller, Md.	Thompson,
Edwin Arthur	Miller, Nebr.	Mich.
Harden	Mills	Vail
Harrison, Nebr.	Morgan	Velde
Harrison, Va.	Nelson	Vursell
Harrison, Wyo.	Nicholson	Walter
Harvey	O'Hara	Werdel
Havenner	O'Konski	Wharton
Hays, Ohio	O'Neill	Wheeler
Hill	O'Toole	Wilson, Ind.
Hillings	Patten	Wilson, Tex.
Hinshaw	Patterson	Withrow
Hoeven	Perkins	Wolcott
Hoffman, Ill.	Phillips	Wolverton
Hoffman, Mich.	Poage	Wood, Ga.
Hope	Potter	Wood, Idaho
Hunter	Poulson	Yorty
Ikard	Price	
Jackson, Calif.	Rankin	

NOT VOTING—35

Aandahl	Dempsey	Sabath
Abernethy	Evins	Sasscer
Addonizio	Fenton	Steed
Albert	Frazier	Stigler
Allen, La.	Gore	Sutton
Aspinall	Kee	Tackett
Bates, Ky.	Lyle	Thompson, Tex.
Beckworth	Morris	Vinson
Burdick	Pickett	Welch
Carlyle	Powell	Wickersham
Carnahan	Reece, Tenn.	Woodruff
Davis, Tenn.	Richards	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Addonizio for, with Mr. Dempsey against.

Mr. Welch for, with Mr. Aspinall against.

Mr. Vinson for, with Mr. Pickett against.

Mr. Bates of Kentucky for, with Mr. Reece of Tennessee against.

Mr. Powell for, with Mr. Woodruff against.

Until further notice:

Mr. Abernethy with Mr. Aandahl.

Mr. Wickersham with Mr. Fenton.

Mrs. Kee with Mr. Burdick.

Mr. FEIGHAN, Mr. JONAS, Mr. HARDIE SCOTT, Mr. CORBETT, Mr. WOLVERTON, Mr. BEALL, Mr. FULTON, Mr. GREENWOOD, Mr. WITHROW, and Mr. BURNSIDE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. KLEIN. Mr. Chairman, I have voted against final passage of this so-called Price and Rent Control Act.

Actually this bill as passed controls neither prices nor rents, and as a matter of fact the only control feature in it is that it controls wages. This seems to me manifestly unfair. In fact it is a fraud on the American people since it gives the impression that it controls prices and rents. With the Talle amendment it decontrols prices on all of the essential commodities. With the Wheeler amendment, leaving up to the local communities the decision as to whether there should be rent control, it in effect provides for no rent controls whatsoever.

While it is true that in the State of New York we have a State rent-control law, when we legislate here we do so for the entire country and not on a sectional basis; and therefore I cannot bring myself to vote for a bill which will really offer no rent controls to the people of the country.

As I pointed out in my remarks yesterday, we are in an emergency period where we need these controls—both price and rent. The cost of living has been going up consistently; yet we take the position here that we do not need any of these controls. It does not require much of a memory to remember what happened when the Emergency Price Control Act, which was in effect during World War II, was discontinued In spite of the cries of the business interests that if controls were removed prices would come down, they actually had the opposite effect. Prices have never been as high in the history of our country as they are today; yet here we are making the same mistake again.

I appreciate that many of my colleagues have been undecided as to whether to vote for this bill and take a chance on a better bill coming out of conference, or to take the straightforward action of voting against it. I am certain that if this bill were defeated, a simple extension resolution would be brought in extending the law as it now stands, even though it is quite weak, what with the Capehart and Herlong amendments in it.

The manifest fraud in presenting this bill to the country as a price-control bill is evidenced by the fact that a majority of the unholy coalition, that is the Republicans and Southern Democrats who were instrumental in the passage of all of the emasculating amendments just passed, have voted for this bill on final passage. They evidently want to create the impression that they favor price and rent controls when actually they are guilty of destroying them. I know my constituents would have wanted me to vote against such a fraud; and I trust that when prices and rents do go up, as they inevitably must, the people of this country will know where to assess the blame.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to correct the section numbers and the cross references in the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the bill (S. 2594) to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, and for other purposes, be taken from the Speaker's table, that all after the enacting clause be stricken

out, that the bill just passed be substituted, and that the bill as so amended do pass.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That this act may be cited as the "Defense Production Act Amendments of 1952."

TITLE I—AMENDMENT TO DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

PRIORITIES AND ALLOCATIONS

SEC. 101. Section 101 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: "If the domestic production of any commodity is in excess of the amount necessary to meet allocations for defense, stockpiling, and military assistance to any foreign nation authorized by any act of Congress, then no restriction or other limitation shall be imposed under this title upon the right of any person to purchase such commodity in any foreign country and to import and use the same in the United States. No restriction or other limitation shall be imposed under this title if the domestic production of any commodity is sufficient to meet all civilian domestic requirements and the requirements for defense, stockpiling, and military assistance to any foreign nation authorized by any act of Congress."

SEC. 102. Section 104 of the Defense Production Act of 1950, as amended, is hereby amended to read as follows:

"SEC. 104. Notwithstanding any other provision of law, title III of the Second War Powers Act, 1942, as amended, and the amendments to existing law made by such title are hereby revived and shall continue in effect until June 30, 1953, for the purpose of authorizing and exercising, administering, and enforcing of import controls with respect to fats and oils (including oil-bearing materials, fatty acids, and soap and soap powder, but excluding petroleum and petroleum products and coconuts and coconut products), peanuts, butter, cheese and other dairy products, and rice and rice products, upon a determination by the President that such controls are (a) essential to the acquisition or distribution of products in world short supply, or (b) essential to the orderly liquidation of temporary surpluses of stocks owned or controlled by the Government: *Provided, however,* That such controls shall be removed as soon as the conditions giving rise to them have ceased. This section shall not be construed to limit the authority contained in sections 101 and 704 of this act."

SEC. 103. Paragraph (3) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: "No ceiling shall be established or maintained under this title for fresh fruits or vegetables."

SEC. 104. Title I of the Defense Production Act of 1950, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 105. (a) In carrying out the policy of the United States as set forth in section 2 of this act, the President, by and with the advice and consent of the Senate, may appoint representatives to confer with other friendly nations through the mechanism of the International Materials Conference in an effort to ascertain the existing and potential supply of materials useful in the economic mobilization of this and such other nations, as well as the most effective distribution of such materials in executing that policy. Upon a finding by the President, reached after a hearing at which interested parties may express their views, that a pattern of international distribution recommended after such consultation is necessary or appropriate to promode the national defense and compatible with the best interests of the United States, he may, any other provision of this title to the contrary notwithstanding, use the authority vested in him by this act to make it possible for this Nation to carry out the recommendations made by any such conference.

"(b) Subject to the provisions of subsection (a) of this section, nothing contained in this act shall impair the authority of the President under this act to exercise allocation and priorities controls over materials both domestically produced and imported and facilities through the controlled materials plan or other methods of allocation."

PRICE AND WAGE STABILIZATION

SEC. 105. Paragraph (4) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: "The provisions of this paragraph shall not apply in the case of a seller of a material at retail or wholesale within the meaning of subsection (k) of this section."

SEC. 106. (a) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding after the word "profession" in paragraph (ii) thereof the following: "; wages, salaries, and other compensation paid to professional engineers employed in a professional capacity; wages, salaries, and other compensation paid to professional architects employed in a professional capacity by an architect or firm of architects engaged in the practice of his or their profession; and wages, salaries, and other compensation paid to certified public accountants licensed to practice as such employed in a professional capacity by a certified public accountant or firm of certified public accountants engaged in the practice of his or their profession."

(b) Declaratory of existing law, paragraph (v) of subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"(v) (1) Rates and charges by any common carrier or other public utility, including rates charged by any person subject to the Shipping Act, 1916 (Public Law 260, 64th Cong.), as amended, and including compensation for the use by others of a common carrier's cars or other transportation equipment, charges for the use of washroom and toilet facilities in terminals and stations, and charges for repairing cars or other transportation equipment owned by others; charges for the use of parking facilities operated by common carriers in connection with their common carrier operations; and (2) charges paid by common carriers for the performance of a part of their transportation services to the public, including the use of cars or other transportation equipment owned by a person other than a common carrier, protective service against heat or cold to property transported or to be transported, and pick-up and delivery and local transfer services: *Provided,* That no common carrier or other public utility shall at any time after the President shall have issued any stabilization regulations and orders under subsection (b) make any increase in its charges for property or services sold by it for resale to the public, for which application is filed after the date of issuance of such stabilization regulations and orders, before the Federal, State, or municipal authority, if any, having jurisdiction to consider such increase, unless it first gives 30 days' notice to the President, or such agency as he may designate, and consents to timely intervention by such agency before the Federal, State, or municipal authority, if any, having jurisdiction to consider such increase;".

(c) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"(viii) Rates, fees, and charges for materials or services supplied directly by the States, Territories, and possessions of the United States, and their political subdivisions and municipalities, the District of Columbia, and any agency of any of the foregoing."

(d) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"(ix) Annual or semiannual payments in the nature of compensation made to employees or officers of a business or enterprise which constitutes a distribution of a portion or percentage of its profits according to a profit-sharing plan or practice which was established and in effect on or before January 15, 1950. If the determination of any amount or part of the plan or practice involves the exercise of the discretion of managers of the business or enterprise, such plan or practices may be continued and payments made thereunder so long as the discretion is exercised according to the same policy standards and principles which were applicable and in effect on or before January 15, 1950."

SEC. 107. Subsection (k) of section 402 of the Defense Production Act of 1950, as amended, is amended by striking out the word "hereafter" in the first sentence thereof.

SEC. 108. Section 402 (k) of the Defense Production Act of 1950, as amended, is further amended by adding at the end of the first sentence thereof before the period the following proviso: ": *Provided, however,* That if the antitrust laws of any State have been construed to prohibit adherence by sellers of materials for wholesale or retail to uniform suggested retail resale prices, the President shall issue regulations giving full consideration to the customary percentage margins of such sellers during the period hereinbefore set forth."

SEC. 109. Section 402 of the Defense Production Act of 1950, as amended, is further amended by adding at the end thereof two new subsections as follows:

"(l) No rule, regulation, order or amendment thereto issued under this title shall fix a ceiling on the price paid or received on the sale or delivery of any material in any State below the minimum sales price of such material fixed by the State law (other than any so-called fair trade law) or regulation now in effect.

"(m) If the domestic production of any commodity is in excess of the amount necessary to meet allocations for defense, stockpiling, and military assistance to any foreign nation authorized by any act of Congress, no rule, regulation, or order issued under this title shall apply to purchases by any person of any material outside of the United States or its Territories and possessions for importation into the United States for his own use or for fabrication by him into other products for resale."

SEC. 110. Notwithstanding any other provision of this act, whenever price ceilings are declared in effect on any agricultural commodity at the farm level, the Director of Price Stabilization must at the same time put into effect margin controls on processors, wholesalers, and retailers, such margin controls to allow the processors, wholesalers, and retailers the normal mark-ups as provided under this act, except that under no circumstances are the sellers to be allowed greater than their normal margins of profit.

SEC. 111. Section 403 of the Defense Production Act of 1950, as amended, is amended by inserting "(a)" after "403." and by adding

at the end thereof the following new subsection:

"(b) (1) There is hereby created, in the present Economic Stabilization Agency, or any successor agency, a Wage Stabilization Board (hereinafter in this subsection referred to as the 'Board'), which shall be composed, in equal numbers, of members representative of the general public, members representative of labor, and members representative of business and industry. The number of offices on the Board shall be established by Executive order.

"(2) The members representative of the general public shall be appointed by the President, by and with the advice and consent of the Senate. The members representative of labor, and the members representative of business and industry, shall be appointed by the President, by and with the advice and consent of the Senate. The President shall designate a Chairman and Vice Chairman of the Board from among the members representative of the general public.

"(3) The term of office of the members of the Board shall terminate on March 1, 1953. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(4) Each member representative of the general public shall receive compensation at the rate of $15,000 a year, and while a member of the Board shall engage in no other business, vocation, or employment. Each member representative of labor, and each member representative of business and industry shall receive $50 for each day he is actually engaged in the performance of his duties as a member of the Board, and in addition he shall be paid his actual and necessary travel and subsistence expenses in accordance with the Travel Expense Act of 1949 while so engaged away from his home or regular place of business. The members representative of labor, and the members representative of business and industry, shall, in respect of their functions on the Board, be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U. S. C. 99).

"(5) The Board shall, under the supervision and direction of the Economic Stabilization Administrator—

"(A) formulate, and recommend to such Administrator for promulgation, general policies and general regulations, relating to the stabilization of wages, salaries, and other compensation; and

"(B) upon the request of (i) any person substantially affected thereby, or (ii) any Federal department or agency whose functions, as provided by law, may be affected thereby or may have an effect thereon, advise as to the interpretation, or the application to particular circumstances, of policies and regulations promulgated by such Administrator which relate to the stabilization of wages, salaries, and other compensation.

For the purposes of this act, stabilization of wages, salaries, and other compensation means prescribing maximum limits thereon. Labor disputes, and labor matters in dispute, which do not involve the interpretation or application of such regulations or policies shall be dealt with, if at all, insofar as the Federal Government is concerned, under the conciliation, mediation, emergency, or other provisions of laws heretofore or hereafter enacted by the Congress: *Provided, however,* That the Board may undertake to mediate and/or arbitrate labor disputes involving wages, salaries, and other compensation, if the Director of the Federal Mediation and Conciliation Service certifies to the Administrator of the Economic Stabilization Agency that all remedies available to the Service have been exhausted, and (i) the parties themselves request the Board to mediate and/or arbitrate, or (ii) the President requests the Board to mediate and/or arbitrate the dispute and the parties consent: *Provided further,* That in any effort to mediate and/or arbitrate a labor dispute referred to the Board pursuant to the terms of the foregoing proviso, a panel of the Board, the membership of which is constituted in the same proportion as is the Board itself, may act on behalf of the Board.

"(6) Paragraph (5) of this subsection shall take effect 30 days after the date on which this subsection is enacted. The Wage Stabilization Board created by Executive Order No. 10161, and reconstituted by Executive Order No. 10233, as amended by Executive Order No. 10301, is hereby abolished, effective at the close of the twenty-ninth day following the date on which this subsection is enacted."

SEC. 112. Section 403 of the Defense Production Act of 1950, as amended, is further amended by adding at the end thereof the following new subsection:

"(c) It shall be the express duty, obligation, and function of the present Economic Stabilization Agency, or any successor agency to coordinate the relationship between prices and wages, and to stabilize prices and wages."

SEC. 113. Title IV of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new section:

"SUSPENSION OF CONTROLS

"SEC. 411. It is hereby declared to be the policy of the Congress that the President shall use the price, wage, and other powers conferred by this act, as amended, to promote the earliest practicable balance between production and the demand therefor of materials and services, and that the general control of wages and prices shall be terminated as rapidly as possible consistent with the policies and purposes set forth in this act; and that pending such termination, in order to avoid burdensome and unnecessary reporting and record keeping which retard rather than assist in the achievement of the purposes of this act, price or wage regulations and orders, or both, shall be suspended in the case of any material or service or type of employment where such factors as condition of supply, existence of below ceiling prices, historical volatility of prices, wage pressures and wage relationships, or relative importance in relation to business costs or living costs will permit, and to the extent that such action will be consistent with the avoidance of a cumulative and dangerous unstabilizing effect. It is further the policy of the Congress that when the President finds that the termination of the suspension and the restoration of ceilings on the sales or charges for such material or service, or the further stabilization of such wages, salaries, and other compensation, or both, is necessary in order to effectuate the purposes of this act, he shall by regulation or order terminate the suspension."

SEC. 114. Title V of the Defense Production Act of 1950, as amended, is hereby amended by adding a new section, as follows:

"SEC. 504. *Resolved,* That, by reason of the work stoppage now existing in the steel industry, the national safety is imperiled, and the Congress requests the President to immediately invoke the national emergency provisions (secs. 206 to 210, inclusive) of the Labor Management Relations Act, 1947, for the purpose of terminating such work stoppage."

SEC. 115. The first sentence of section 707 of the Defense Production Act of 1950, as amended, is amended by striking out the word "his."

SEC. 116. (a) Section 717 (a) of the Defense Production Act of 1950, as amended, is amended to read as follows:

"(a) Titles I, II, III, VI, and VII of this act and all authority conferred thereunder shall terminate at the close of June 30, 1953; and titles IV and V of this act and all authority conferred thereunder shall terminate at the close of February 28, 1953."

(b) Paragraph (4) of subsection (a) of section 714 of the Defense Production Act of 1950, as amended, is amended by striking out "June 30, 1952" and inserting in lieu thereof "June 30, 1953."

TITLE II—AMENDMENTS TO HOUSING AND RENT ACT OF 1947, AS AMENDED

SEC. 201. Subsection (e) of section 4 and subsection (f) of section 204 of the Housing and Rent Act of 1947, as amended, are each amended by striking out "June 30, 1952" and inserting in lieu thereof "February 28, 1953."

SEC. 202. Section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof the following:

"(p) Except in the case of action taken after full compliance with subsection (k) of this section, the President shall not reestablish maximum rents in any defense-rental area, including any community owned and operated by the Federal Government, which has previously been decontrolled under this act until a public hearing, after 30 days' notice, has been held in such area."

TITLE III—MISCELLANEOUS

PUBLIC CONTRACTS

SEC. 301. The act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936 (41 U. S. C. 35–45), is amended (1) by redesignating sections 10 and 11 as sections 11 and 12, respectively, and (2) by inserting immediately following section 9 a new section 10 as follows:

"SEC. 10. (a) Notwithstanding any provision of section 4 of the Administrative Procedure Act, such act shall be applicable in the administration of sections 1 to 5 and 7 to 9 of this act.

"(b) All wage determinations under section 1 (b) of this act shall be made on the record after opportunity for a hearing. Review of any such wage determination, or of the applicability of any such wage determination may be had within 90 days after such determination, is made in the manner provided in section 10 of the Administrative Procedure Act by any person adversely affected or aggrieved thereby, who shall be deemed to include any manufacturer of, or regular dealer in, materials, supplies, articles, or equipment purchased or to be purchased by the Government from any source, who is in any industry to which such wage determination is applicable.

"(c) Notwithstanding the inclusion of any stipulations required by any provision of this act in any contract subject to this act, any interested person shall have the right of judicial review of any legal question which might otherwise be raised, including, but not limited to, wage determinations and the interpretation of the terms 'locality,' 'regular dealer,' 'manufacturer,' and 'open market.'"

Mr. SPENCE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPENCE: Strike out all after the enacting clause of the bill S. 2594 and insert the provisions of the bill H. R. 8210 as passed, as follows: "That this act may be cited as the 'Defense Production Act Amendments of 1952'.

"TITLE I—AMENDMENTS TO DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

"SEC. 101. Section 101 of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new sentence: 'Nor shall any restriction or other limitation be established or maintained upon the species, type, or grade of livestocks killed by any slaughterer, nor upon the types of slaughtering opera-

tions, including religious rituals, employed by any slaughterer; nor shall any requirements or regulations be established or maintained relating to the allocation or distribution of meat or meat product unless, and for the period for which, the Secretary of Agriculture shall have determined and certified to the President that the over-all supply of meat and meat products is inadequate to meet the civilian or military needs therefor: *Provided*, That nothing in this act shall be construed to prohibit the President from requiring the grading and grade marking of meat and meat products.'

"SEC. 102. Section 101 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: 'When all requirements for the national defense, for the stockpiling of critical and strategic materials and for military assistance to any foreign nation authorized by any act of Congress have been met through allocations and priorities it shall be the policy of the United States to encourage the maximum supply of raw materials for the civilian economy, including small business, thus increasing employment opportunities and minimizing inflationary pressures. No authority granted under this act may be used to limit the domestic consumption of any material in order to restrict total United States consumption to an amount fixed by the International Materials Conference.'

"SEC. 103. Section 101 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new subsection:

"'(c) Whenever priorities are established or allocations made under section (a) with respect to any raw material, and such priorities or allocations operate to limit the production of articles or products produced in the United States, the President shall by proclamation limit the importation, during the period such priorities or allocations are in effect, of any article or product in the manufacture or production of which such raw material is used to 100 percent of the average annual imports of such article or product during the calendar years 1947 through 1949: *Provided*, That the Tariff Commission has reported to the President that a substantial portion of the American producers of such article or product, or an article or product competitive therewith, has requested such limitations on imports: *Provided further*, That the Secretary of Defense has not certified to the President that the American production of such article or product is insufficient to supply the essential defense needs therefor. Upon the application of any substantial American producer, the Tariff Commission shall publish the fact of having received such application, shall hold public hearing thereon and shall report the facts to the President within 60 days of the receipt of such application. Such report to the President shall include the article or product on which the import limitation has been requested, whether it contains any raw material which is under priority or allocation control, whether a substantial portion of the American producers thereof have requested the above-specified import limitation, the maximum quantity of imports which would comply with said import limitation and such other facts as the Tariff Commission deems appropriate. A copy of said report to the President shall be submitted to the Secretaary of Defense. If said report of the Tariff Commission indicates that the above-specified conditions have been met by the applicant and the Secretary of Defense has not certified to the President that the American production of such article or product is not sufficient to meet the essential defense needs, the President shall proclaim such import limitation within 30 days of his receipt of the report from the Tariff Commission. If the Secretary of Defense has certified that the American production of such article or product is insufficient to meet the essential defense needs therefor, the President shall, by proclamation, limit the imports of such article or product to such quantity as the Secretary of Defense certifies as necessary, in excess of American production, to meet the essential defense needs. All reports of the Tariff Commission and all certifications of the Secretary of Defense made hereunder shall be made public at the time of their issuance.'

"SEC. 104. Section 104 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"'SEC. 104. Import controls of fats and oils (including oil-bearing materials, fatty acids, and soap and soap powder, but excluding petroleum and petroleum products and coconuts and coconut products), peanuts, butter, cheese and other dairy products, and rice and rice products are necessary for the protection of the essential security interests and economy of the United States in the existing emergency in international relations, and imports into the United States of any such commodity or product, by types or varieties, shall be limited to such quantities as the Secretary of Agriculture finds would not (a) impair or reduce the domestic production of any such commodity or product below present production levels, or below such higher levels as the Secretary of Agriculture may deem necessary in view of domestic and international conditions, or (b) interfere with the orderly domestic storing and marketing of any such commodity or product, or (c) result in any unnecessary burden or expenditures under any Government price support program: *Provided, however*, That the Secretary of Agriculture after establishing import limitations, may permit additional imports of each type and variety of the commodities specified in this section, not to exceed 10 percent of the import limitation with respect to each type and variety which he may deem necessary, taking into consideration the broad effects upon international relationships and trade. The President shall exercise the authority and powers conferred by this section.'

"SEC. 105. The first sentence of section 302 of the Defense Production Act of 1950, as amended, is amended by inserting before the period at the end thereof the following: ', and manufacture of newsprint.'

"SEC. 106. Paragraph (2) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by inserting after the first sentence thereof the following new sentence: 'No regulation or order shall be issued or remain in effect, under this title, which prohibits the payment or receipt of hourly wages at a rate of $1 per hour or less.'

"SEC. 107. Section 402 (d) of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"'(5) The ceiling price for any material shall be suspended as long as (1) the material is selling below the ceiling price and has sold below that price for a period of 3 months; or (2) the material is in adequate or surplus supply to meet current civilian and military consumption and has been in such adequate or surplus supply for a period of 3 months. For the purpose of this paragraph, a material shall be considered in adequate or surplus supply whenever such material is not being allocated for civilian use, or, in the case of an agricultural commodity or product processed in whole or substantial part therefrom, is not being rationed at the retail level of consumer goods for household and personal use, under the authority of title I of this act.'

"SEC. 108. (a) Paragraph (3) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by inserting in the fifth sentence thereof, after '(1) the Agricultural Act of 1949,' the following: 'except that under any price support program announced while this title is in effect the level of support to cooperators shall be 90 percent of the parity price, or such higher level as may be established under section 402 of that act, for any crop of any basic agricultural commodity with respect to which producers have not disapproved marketing quotas.'"

"(b) Paragraph (3) of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: 'No ceiling prices for products resulting from the processing of agricultural commodities, including livestock, milk, and other dairy products shall be established or maintained in any agricultural marketing area at levels which fail to reflect for the processing of such products the cost adjustments provided in paragraph (4) of this subsection and which fail to reflect for the distributing and selling of such products the customary margin or charge provided in subsection (k) of this section. Where a State regulatory body is authorized to establish minimum and/or maximum prices for sales of fluid milk, ceiling prices established for such sales under this title shall (1) not be less than the minimum prices, or (2) be equal to the maximum prices, established by such regulatory body, as the case may be: *And provided further*, That in the case of prices of milk established by any State regulatory body, with respect to which price, parties may be deemed to contract, no ceiling price may be maintained under this title which is less than the price so established. No ceiling shall be established or maintained under this title for fruits or vegetables in fresh or processed form.'

"SEC. 109. Subsection (d) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"'(6) For the purpose of determining the applicable ceiling price under the general ceiling price regulation issued January 26, 1951, as amended, any sale of fertilizer to the ultimate user by a person who acquired it for resale shall be considered a retail sale. This paragraph shall take effect as of January 26, 1951.'

"SEC. 110. (a) Paragraph (111) of subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"'(iii) Price of rentals for (a) materials furnished for publication by any press association of feature service, or (b) books, magazines, motion pictures, periodicals, or newspapers, other than as waste or scrap; or rates charged by or wages paid to any person in the business of operating or publishing a newspaper, periodical, or magazine, or operating a radio-broadcasting or television station, a motion picture or other theater enterprise, or outdoor advertising facilities.'

"SEC. 111. (a) Paragraph (v) of subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended to read as follows:

"'(v) Rates charged by any common carrier or other public utility, including rates charged by any person subject to the Shipping Act, 1916 (Public Law 260, 64th Cong.), as amended;'.

"(b) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"'(viii) Prices charged and wages paid by bowling alleys.'

"(c) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"'(ix) Wages paid for agricultural labor.'

"(d) Subsection (e) of section 402 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new paragraph:

"'(e) Wages, salaries, or other compensation of persons employed in small-business enterprises as defined in this paragraph: *Provided, however,* That the President may from time to time exclude from this exemption such enterprises on the basis of industries, types of business, occupations, or areas, if their exemption would be unstabilizing with respect to wages, salaries, or other compensation, prices, or manpower, or would otherwise be contrary to the purposes of this act. A small-business enterprise, for the purpose of this paragraph, is any enterprise in which a total of eight or less persons are employed in all its establishments, branches, units, or affiliates. This paragraph shall become effective 30 days after its enactment.'

"(e) Subsection 2 of section 402 of the Defense Production Act of 1950, as amended, is amended by adding to the end thereof the following new paragraph:

"'(xi) Sales of surplus materials by the States, Territories, and possessions of the United States and their political subdivisions and municipalities, the District of Columbia, and any agency of any of the foregoing.'

"SEC. 112. The first sentence of section 402 (k) of the Defense Production Act of 1950, as amended, is amended to read as follows: 'No rule, regulation, order, or amendment thereto shall be issued under this title, or remain in effect under this title for more than 30 days after the date of the enactment of the Defense Production Act amendments of 1952, which shall deny a seller of materials or services at retail or wholesale his customary percentage margins over costs of the materials or services or his customary charges during the period May 24, 1950, to June 24, 1950, or on such other nearest representative date determined under section 402 (c), as shown by his records during such period, except as to any one specific item of a line of material sold by such seller which is in short supply as evidenced by specific government action to encourage production of the item in question.'

"SEC. 113. Section 402 (k) of the Defense Production Act of 1950, as amended, is further amended by adding at the end of the first sentence thereof before the period the following proviso: ": *Provided, however,* That if the antitrust laws of any State have been construed to prohibit adherence by sellers of materials for wholesale or retail to uniform suggested retail resale prices, the President shall issue regulations giving full consideration to the customary percentage margins of such sellers during the period hereinbefore set forth.'

"SEC. 114. Section 402 of the Defense Production Act of 1950, as amended, is further amended by adding at the end thereof the following new subsections:

"'(l) No rule, regulation, order, or amendment thereto issued under this title shall fix a ceiling on the price paid or received on the sale or delivery of any material in any State below the minimum sales price of such material fixed by any State law (other than any so-called fair trade law) enacted prior to July 1, 1952, or by regulation issued pursuant to such law.

"'(m) No rule, regulation, order, or amendment thereto shall be issued or maintained under this title, which shall deny to any hotel supply house or combination distributor, affiliated with any slaughterer or slaughtering establishment, the same ceiling price or prices for meat accorded to hotel supply houses or combination distributors which are not so affiliated.'

"SEC. 115. Section 403 of the Defense Production Act of 1950 as amended by Defense Production Act amendments of 1951, is amended by inserting '(a)' after '403.' and by adding at the end thereof the following new subsection:

"'(b) (1) There is hereby created, in the Economic Stabilization Agency, a Wage Stabilization Board (hereinafter in this subsection referred to as the "Board"), which shall be composed of members representative of the general public, members representative of labor, and members representative of business and industry. The number of offices on the Board shall be established by Executive order, but the number of members representative of the general public shall at all times exceed the aggregate of the number of members representative of labor and the number of members representative of business and industry. The number of offices on the Board for representatives of labor shall equal the number of offices on the Board for representatives of business and industry. Among the members representative of labor, at least one shall be a person who is not a representative of any organization which is affiliated with either of the two major labor organizations.

"'(2) The members representative of the general public shall be appointed by the President, by and with the advice and consent of the Senate. The members representative of labor, and the members representative of business and industry shall be appointed by the President. The President shall designate a Chairman and Vice Chairman of the Board from among the members representative of the general public.

"'(3) The term of office of the members of the Board shall be 1 year, unless sooner terminated in accordance with section 717. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"'(4) Each member representative of the general public shall receive compensation at the rate of $15,000 a year, and while a member of the Board shall engage in no other business, vocation, or employment. Each member representative of labor, and each member representative of business and industry shall receive $50 for each day he is actually engaged in the performance of his duties as a member of the Board, and in addition he shall be paid his actual and necessary travel and subsistence expenses in accordance with the Travel Expense Act of 1949 while so engaged away from his home or regular place of business. The members representative of labor, and the members representative of business and industry, shall, in respect of their functions on the Board, be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U. S. C. 99).

"'(5) The Board shall, under the supervision and direction of the Economic Stabilization Administrator—

"'(A) formulate, and recommend to such Administrator for promulgation, general policies and general regulations relating to the stabilization of wages, salaries, and other compensation; and

"'(B) upon the request of (i) any person substantially affected thereby, or (ii) any Federal department or agency whose functions, as provided by law, may be affected thereby or may have an effect thereon, advise as to the interpretation, or the application to particular circumstances, of policies and regulations promulgated by such Administrator which relate to the stabilization of wages, salaries, and other compensation.

For the purposes of this act, stabilization of wages, salaries, and other compensation means prescribing maximum limits thereon. Except as provided in clause (B) of this paragraph, the Board shall have no jurisdiction with respect to any labor dispute or with respect to any issue involved therein. Labor disputes, and labor matters in disputes, which do not involve the interpretation or application of such regulations or policies shall be dealt with, if at all, insofar as the Federal Government is concerned, under the conciliation, mediation, emergency, or other provisions of laws heretofore or hereafter enacted by the Congress, and not otherwise.

"'(6) Paragraph (5) of this subsection shall take effect 30 days after the date on which this subsection is enacted. The Wage Stabilization Board created by Executive Order No. 10161, and reconstituted by Executive Order No. 10233, is hereby abolished, effective at the close of the 29th day following the date on which this subsection is enacted.'

"SEC. 116. (a) (1) The first sentence of subsection (a) of section 407 of the Defense Production Act of 1950, as amended, is amended by striking out 'relating to price controls under this title' and inserting in lieu thereof 'relating to price controls under this title or rent controls under the Housing and Rent Act of 1947, as amended'; and by striking out 'relating to price controls' after 'any such regulation or order'.

"(2) Subsection (b) of section 407 of the Defense Production Act of 1950, as amended, is amended by inserting after 'this title' the following: 'and the Housing and Rent Act of 1947, as amended,'; and by inserting after 'section 705 of this act' the following: ' , or section 206 of the Housing and Rent Act of 1947, as amended, as the case may be'.

"(b) Section 408 of the Defense Production Act of 1950 as amended is amended to read as follows:

"'SEC. 408. (a) Any person who is aggrieved by the denial or partial denial of his protest may, within 30 days after such denial, file a complaint with the Emergency Court of Appeals specifying his objections and praying that the regulation or order protested be enjoined or set aside in whole or in part. A copy of such complaint shall forthwith be served on the President, who shall certify and file with such court a transcript of such portions of the proceedings in connection with the protest as are material under the complaint. Such transcript shall include a statement setting forth, so far as practicable, the economic data and other facts of which the President has taken official notice. Upon such filing, the court shall have exclusive jurisdiction of the proceeding and of all questions determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper; to permanently enjoin or set aside, in whole or in part, the regulation or order or the amendment of or supplement to the regulation or order protested; to make and enter upon the pleadings, evidence, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the President; to dismiss the petition; or to remand the proceeding to the President for further action in accordance with the court's decree: *Provided,* That the regulation or order may be modified or rescinded by the President at any time notwithstanding the pendency of such complaint. No objection to such regulation or order, and no evidence in support of any objection thereto, shall be considered by the court, unless such objection shall have been set forth by the complainant in the protest or such evidence shall be contained in the transcript. The findings of the President with respect to questions of fact, if supported by a preponderance of the evidence on the record, shall be conclusive. If application is made to the court by either party for leave to introduce additional evidence which was either offered to the President or not admitted, or which could not reasonably have been offered to the President or included by the President in such

proceedings, and the court determines that such evidence should be admitted, the court shall order the evidence to be presented to the President. The President shall promptly receive the same, and such other evidence as he deems necessary or proper, and thereupon he shall certify and file with the court a transcript thereof and any modification made in the regulation or order as a result thereof; except that on request by the President, any such evidence shall be presented directly to the court.

"'(b) The Emergency Court of Appeals is hereby continued for the purpose of the exercise of the jurisdiction granted by this title, with the powers herein specified, together with the powers heretofore granted by law to such court which are not inconsistent with the provisions of this title. The court shall have the powers of a district court with respect to the jurisdiction conferred on it by this title. So far as necessary to decision the court shall decide all relevant questions of law, interpret constitutional and statutory provisions, interpret the meaning or applicability of the terms of any official action under this title or under this act as amended, of which this title is a part and with respect to this title. The court shall exercise its powers and prescribe rules governing its procedure in such manner as to expedite the determination of cases of which it has jurisdiction under this title.

"'(c) Within 30 days after entry of a judgment or order, interlocutory or final, by the Emergency Court of Appeals, a petition for a writ of certiorari may be filed in the Supreme Court of the United States, and thereupon the judgment or order shall be subject to review by the Supreme Court in the same manner as a judgment of a United States court of appeals as provided in section 1254 of title 28, United States Code. The Supreme Court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this subsection. The Emergency Court of Appeals, and the Supreme Court upon review of judgments and orders of the Emergency Court of Appeals, shall have exclusive jurisdiction to determine the validity of any such regulation or order under this title. Except as provided in this section, no court, Federal, State, or Territorial, shall have jurisdiction or power to consider the validity of any such regulation or order, or to stay, restrain, enjoin, or set aside, in whole or in part, any provision of this title authorizing the issuance of such regulations or orders, or any provision of any such regulation or order, or to restrain or enjoin the enforcement of any such provision.

"'(d) (1) Within 30 days after arraignment, or such additional time as the court may allow for good cause shown, in any criminal proceeding, and within 5 days after judgment in any civil or criminal proceeding, brought pursuant to section 409 or 706 of this act or section 371 of title 18, United States Code, involving alleged violation of any provision of any such regulation or order, the defendant may apply to the court in which the proceeding is pending for leave to file in the Emergency Court of Appeals a complaint against the President setting forth objections to the validity of any provision which the defendant is alleged to have violated or conspired to violate. The court in which the proceeding is pending shall grant such leave with respect to any objection which it finds is made in good faith and with respect to which it finds there is reasonable and substantial excuse for the defendant's failure to present such objection in a protest filed in accordance with section 407 of this title. Upon the filing of a complaint pursuant to and within 30 days from the granting of such leave, the Emergency Court of Appeals shall have jurisdiction to enjoin or set aside in whole or in part the provision of the regulation or order complained of or to dismiss the complaint. The court may authorize the introduction of evidence, either to the President or directly to the court, in accordance with subsection (a) of this section. The provisions of subsections (b) and (c) of this section shall be applicable with respect to any proceeding instituted in accordance with this subsection.

"'(2) In any proceeding brought pursuant to section 409 or 706 of this act or section 371 of title 18, United States Code, involving an alleged violation of any provision of any such regulation or order, the court shall stay the proceeding—

"'(i) during the period within which a complaint may be filed in the Emergency Court of Appeals pursuant to leave granted under paragraph (1) of this subsection with respect to such provision;

"'(ii) during the pendency of any protest properly filed by the defendant under section 407 of this title prior to the institution of the proceeding under section 409 or 706 of this act or section 371 of title 18, United States Code, setting forth objections to the validity of such provision which the court finds to have been made in good faith; and

"'(iii) during the pendency of any judicial proceeding instituted by the defendant under this section with respect to such protest or instituted by the defendant under paragraph (1) of this subsection with respect to such provision, and until the expiration of the time allowed in this section for the taking of further proceedings with respect thereto.

Notwithstanding the provisions of this paragraph, stays shall be granted thereunder in civil proceedings only after judgment and upon application made within 5 days after judgment. Notwithstanding the provisions of this paragraph, in the case of a proceeding under section 409 (a) or 706 (a) of this Act the court granting a stay under this paragraph shall issue a temporary injunction or restraining order enjoining or restraining, during the period of the stay, violations by the defendant of any provision of the regulation or order involved in the proceeding. If any provision of a regulation or order is determined to be invalid by judgment of the Emergency Court of Appeals which has become effective in accordance with section 406 (b) of this title, any proceeding pending in any court shall be dismissed, and any judgment in such proceeding vacated, to the extent that such proceeding or judgment is based upon violation of such provision. Except as provided in this subsection, the pendency of any protest under section 407 of this title, or judicial proceeding under this section, shall not be grounds for staying any proceeding brought pursuant to section 409 or 706 of this Act or section 371 of title 18, United States Code; nor, except as provided in this subsection, shall any retroactive effect be given to any judgment setting aside a provision of a regulation or order issued under this title.'

"SEC. 117. At the end of section 403, add the following new paragraph:

"'Notwithstanding the other provisions of this section, administration of salary stabilization for executive, administrative, supervisory, and professional personnel shall be under the jurisdiction of the Bureau of Internal Revenue, under stabilization policies promulgated by the Economic Stabilization Administrator. The term "supervisory personnel" as used herein shall have the same meaning as the term "supervisor" as defined by the "Labor-Management Relations Act, 1947", and the terms "executive", "administrative", and "professional" shall have the same meaning as the corresponding terms as defined in existing regulations of the Administrator of the Wage and Hour Division for the purposes of the Fair Labor Standards Act.'

"SEC. 118. Title IV of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new section:

"'SEC. 411. No person shall be required under this act to furnish any reports or other information with respect to sales of materials or services at prices which are below ceiling, if such person certifies to the President that such sales were made at such prices.'

"SEC. 119. Section 503 of the Defense Production Act of 1950, as amended, is hereby amended by adding at the end thereof the following: 'It is the sense of the Congress that, by reason of the work stoppage now existing in the steel industry, the national safety is imperiled, and the Congress therefor requests the President to invoke immediately the national emergency provisions (sections 206 to 210, inclusive) of the Labor-Management Relations Act, 1947, for the purpose of terminating such work stoppage.'

"SEC. 120. (a) Title VI of the Defense Production Act of 1950, as amended, is hereby repealed. The table of contents in the first section of the Defense Production Act of 1950, as amended, is amended by striking out 'Title VI. Control of consumer and real estate credit,' and inserting in lieu thereof 'Title VI. [Repealed]'.

"(b) Subsection (c) of section 109 of the Defense Production Act amendments of 1951, which amends section 704 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following: 'and provide for extending natural gas for house heating to amputee veterans, other hardship cases, and totally disabled individuals.'

"(c) Section 708 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new subsection:

"'(f) After the date of enactment of the Defense Production Act Amendments of 1952, no voluntary program or agreement for the control of credit shall be approved or carried out under this section.'

"SEC. 121. Section 701 (c) of the Defense Production Act of 1950, as amended, is hereby amended by striking out the colon at the end of the first sentence thereof, and adding the following: 'during such period:'.

"SEC. 122. Section 705 of the Defense Production Act of 1950, as amended, is amended by adding thereto the following new subsection:

"'(f) Any person subpenaed under this section shall have the right to make a record of his testimony and to be represented by counsel.'

"SEC. 123. The first sentence of section 707 of the Defense Production Act of 1950, as amended, is amended by striking out the word 'his.'

"SEC. 124. Section 717 of the Defense Production Act of 1950, as amended, is amended by adding at the end thereto the following new subsection:

"'(d) No action for the recovery of any cooperative payment made to a cooperative association by a Market Administrator under an invalid provision of a milk marketing order issued by the Secretary of the Agriculture pursuant to the Agricultural Marketing Agreement Act of 1937 shall be maintained unless such action is brought by producers specifically named as party plaintiffs to recover their respective share of such payments within 90 days after the date of enactment of the Defense Production Act Amendments of 1952 with respect to any cause of action heretofore accrued and not otherwise barred, or within 90 days after accrual with respect to future payments, and unless each claimant shall allege and prove (1) that he objected at the hearing to the provisions of the order under which such payments were made and (2) that he either refused to accept payments computed with such deduction or accepted them under

protest to either the Secretary or the Administrator. The district courts of the United States shall have exclusive original jurisdiction of all such actions regardless of the amount involved. This subsection shall not apply to funds held in escrow pursuant to court order. Notwithstanding any other provision of this act, no termination date shall be applicable to this subsection.'

"SEC. 125. (a) Paragraph (4) of subsection (a) of secton 714 of the Defense Production Act of 1950, as amended, is amended by striking out '1952' and inserting in lieu thereof '1953.'

"(b) Subsection (a) of section 717 of the Defense Production Act of 1950, as amended, is amended by striking out '1952' and inserting in lieu thereof '1953.'

"SEC. 126. Subsection (b) of section 712 of the Defense Production Act of 1950 is amended by striking out the first sentence thereof and inserting in lieu thereof the following: 'It shall be the function of the committee to make a continuous study of the programs and of the fairness to consumers of the prices authorized by this act and to review the progress achieved in the execution and administration thereof.'

"TITLE II—AMENDMENTS TO HOUSING AND RENT ACT OF 1947, AS AMENDED

"SEC. 201. (a) Subsection (e) of section 4 of the Housing and Rent Act of 1947, as amended, is amended by striking out 'June 30, 1952' and inserting in lieu thereof 'June 30, 1953.'

"(b) Subsection (f) of section 204 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"'(f) (1) The provisions of this title shall cease to be in effect at the close of September 30, 1952, except that they shall cease to be in effect at the close of March 31, 1953—

"'(A) in any area which prior to or subsequent to September 30, 1952, is certified under subsection (1) of section 204 of this act as a critical defense-housing area;

"'(B) in any incorporated city, town, or village which, at a time when maximum rents under this title are in effect therein, and prior to September 30, 1952, declares (by resolution of its governing body adopted for that purpose, or by popular referendum in accordance with local law) that a substantial shortage of housing accommodations exists which requires the continuance of Federal rent control in such city, town, or village; and

"'(C) in any unincorporated locality in a defense-rental area in which one or more incorporated cities, towns, or villages constituting the major portion of the defense-rental area have made the declaration specified in subparagraph (B) at a time when maximum rents under this title were in effect in such unincorporated locality.

"'(2) Any incorporated city, town, or village which makes the declarations specified in paragraph (1) (B) of this subsection shall notify the President in writing of such action promptly after it has been taken.

"'(3) Notwithstanding any provision of paragraph (1) of this subsection, the provisions of this title shall cease to be in effect upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the further continuance of the authority granted by this title is not necessary because of the existence of an emergency, whichever date is the earlier.

"'(4) Notwithstanding any provision of paragraph (1) or (3) of this subsection, the provisions of this title and regulations, orders, and requirements thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit or action with respect to any right or liability incurred prior to the termination date specified in such paragraph.'

"SEC. 202. Section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof the following new subsection:

"'(p) Consistent with the other provisions of this act, all affected agencies, departments, and establishments of the Federal Government shall, by July 15, 1952, establish and administer rents and service charges for quarters supplied to Federal employees and members of the Uniformed Services furnished quarters on a rental basis in accordance with regulations promulgated by the Bureau of the Budget: *Provided, however,* That the provisions of this subsection shall not apply to housing units under the jurisdiction of the Atomic Energy Commission where Federal rent control is now in effect.'

"SEC. 203. The Director of Defense Mobilization is hereby authorized to appoint a Defense Areas Advisory Committee to advise him in connection with the exercise of any function or authority vested in him by section 204 (1) of the Housing and Rent Act of 1947, as amended, or section 101 of the Defense Housing and Community Facilities and Services Act of 1951, as amended, or by delegation thereunder, with respect to determining any area to be a critical defense housing area. Any committee so appointed shall consist, in addition to a chairman, of representatives of the Department of Defense, the Housing and Home Finance Agency, and the Office of Rent Stabilization. Any Federal Agency shall, to the fullest practicable extent, furnish such information in its possession to the Defense Areas Advisory Committee as such Committee may request from time to time relevant to its operations.

"SEC. 204. Subsection (1) of section 204 of the Housing and Rent Act of 1947, as amended, is amended by striking out paragraphs (1), (2), and (3), and inserting in lieu thereof the following paragraphs:

"'(1) a new defense plant or installation has been provided, or an existing defense plant or installation has been reactivated or its operation substantially expanded;

"'(2) substantial in-migration of defense workers or military personnel has occurred to carry out activities at such plant or installation; and

"'(3) a substantial shortage of housing required for such defense workers or military personnel exists which has resulted in excessive rent increases and which impeded activities of such defense plant or installation.'"

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings by which the bill H. R. 6210 was passed were vacated, and that bill was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the Senate bill and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. SPENCE, BROWN of Georgia, PATMAN, RAINS, WOLCOTT, GAMBLE, and TALLE.

GENERAL LEAVE TO EXTEND

Mr. SPENCE. Mr. Speaker, I also ask unanimous consent that all Members may have five legislative days to extend their remarks at the conclusion of the debate in Committee of the Whole, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

IMMIGRATION AND NATIONALITY ACT

The SPEAKER. The unfinished business is the further consideration of the veto message of the President of the United States, on the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality; and for other purposes.

The question is, Will the House on reconsideration pass the bill the objection of the President to the contrary notwithstanding?

The gentleman from Pennsylvania [Mr. WALTER] is recognized.

Mr. WALTER. Mr. Speaker, I yield myself 20 minutes.

Mr. Speaker, I urge the House to override the veto and pass the bill H. R. 5678, the President's objections notwithstanding. I have gone very carefully over the lengthy veto message, and I have tried very hard to find in this elaborate opus certain points which would lend themselves to discussion, points that would be pertinent to the provisions of H. R. 5678. Unfortunately, it is impossible, because of the fictional and amateurish character of the message. Therefore, in discussing the veto message, I do feel that I am not discussing the Chief Exectuive's specific objections to the legislative measure now before us. I feel that I am discussing certain thoughts propounded by the President's ghost writers who have neglected to do one thing—to read the bill.

More than half of the veto message deals with the question of whether or not the United States needs more immigrants. The answer to the President's ghost writers is in the affirmative. They say that we need more immigrants to enter our country because our population has grown since 1924 when the quota system was established. In other words, the authors of this message believe that the more population a country has the more people it is able to absorb. This is a brand new argument and shall run counter to the internationally accepted theory, according to which underpopulated and not overpopulated countries offer resettlement opportunities for new immigrants.

Without stretching too much the Presidential ghost writer's argument, Italy, India, and Japan, and not Brazil, Canada, and Australia would be best suited to accept more immigrants.

This extravagant theory, coming to us right after the President's Commission found that we were running out of raw materials, provides for a rather strange illustration of the working of the mind of some of the Presidential advisers. As far as I am concerned, I have noticed among the American people very little support for this brand new theory of overpopulating overpopulated countries, and I do not know of any

widespread desire of enlarging our immigration quotas over and above their present size and over and above the considerable number of additional immigrants that we have received and are still receiving, under special emergency enactments of the postwar years. In any event, the President's ghost writers' demographic dissertations have nothing to do with the legislation before us.

As I pointed out earlier this year on several occasions, this bill is not another displaced persons bill. It is designed to be a permanent statute, codifying and revising the hodgepodge of our immigration and nationality laws. Should the American people decide that they want to admit more immigrants, their representatives in Congress would act according to their wishes, but not in connection with this particular legislation. Similarly, should the American people desire to change the time-tested principle of national origins, from which I believe it would be very dangerous to depart, they would so signify to us and we might then act accordingly. I have not heard any such demands except those coming from isolated groups motivated by political and professional considerations.

The message before us points to many good and desirable provisions of the bill. Among them it lists the removal of racial barriers to immigration and naturalization; the removal of discriminations between sexes, and other improvements of the existing law. If the President's veto is sustained, none of these improvements will be written into the law. The old people of Japanese ancestry, 85,000 of them, whose sons covered themselves with glory on the battlefield of the last war, fighting and dying for the United States, these old people will not become citizens of the United States, and they will continue to face difficulties even in holding to their property in the several States. This, despite the fact that every one of them is legally in the United States and cannot be deported.

If the President's veto is sustained, several thousands of Chinese children of American citizens would remain stranded in Hong Kong under the constant threat of being captured by Chinese Communists and brought up to be our enemies.

If the President's veto is sustained, several thousands of Americans of Italian ancestry who voted in Italian elections in order to help us defeat the Communists will not see their citizenship restored.

If the President's veto is sustained, the American girl who marries an Italian or a Greek, or an Indian or a Japanese, will not be able to bring her husband to the United States.

If the President's veto is sustained, the GI in Japan or in Korea will not be permitted to bring his oriental wife into this country.

If the President's veto is sustained, the homeless and abandoned Korean and Japanese children whose plight has appealed to the big-hearted American boys who prompted their families to adopt them, will be barred from entering the country of their adoption.

If the President's veto is sustained, Communist propaganda in the Far East will be given a new shot in the arm by being permitted to spread the word that we intend to keep the orientals out and that the words of friendship we addressed to them remain just empty slogans.

In that connection I would like to read a paragraph from a letter that I received from General MacArthur bearing date May 23, 1949, in which the general stated:

> The gravity of the issue demands that American policy governing international relationships be raised to the highest moral plane and attuned realistically to a course of broad statesmanship and enlightened vision. * * * The action you advocate is based upon just that type of statesmanship. It completes rectification of a past wrong and gives honor where honor has been well earned and is due. It renews in peace bonds of fraternal understanding and mutual confidence welded in the crucible of war and reaffirms our desire to extend these bonds to embrace all of the peoples of the earth. It repudiates the concept which holds to the superiority of some over the inferiority of others.

We should not permit this to happen, and we should not permit the veto to stand, thus jeopardizing both our domestic and international relations.

As I said in the beginning, I do not know who the President's ghost writers are, but I do find in the veto message most of the statements made by certain persons and certain groups whose motives in fighting this legislation are highly questionable, if not suspicious. On the other hand, I do know that every Government agency charged with the administration of our immigration and nationality laws, the Department of Justice, the Department of State, the Central Intelligence Agency, the Bureau of Immigration and Naturalization, the Federal Bureau of Investigation, have strongly recommended the enactment of this bill.

I do know that many patriotic American organizations, including the American Legion, the American Federation of Labor—and in that connection I would like to point out that according to an article that appeared in the Star last week the CIO branded this legislation as being antilabor. If this bill is antilabor, then north is south, and east is west.

The American Federation of Labor participated in the drafting of the bill, and they have stated that for the first time in the history of our immigration laws steps have been taken to protect the American worker.

More than that, in this same letter the CIO said that this legislation could be used to punish labor leaders. I found a case reported in the Southeast Reporter in which there is a very short definition of punishment:

> Punishment in a legal sense is any pain, penalty, suffering, or confinement inflicted upon a person by the authority of the law, and the judgment and sentence of a court for some crime or offense committed by him or for his omission of a duty enjoined by law. (*State* v. *Pope* (60 S. E. 234, 236 and 79 S. C. 87,).)

What crimes or offenses have labor leaders committed that makes them falsely brand this legislation as antilabor?

In addition to the organizations I have mentioned, there is the National Catholic Welfare Conference. Please bear that in mind because there is a Catholic clergyman who has been buttonholing Members of Congress all days trying to influence them improperly, if you please. But the National Catholic Welfare Conference endorses this particular bill.

All associations of our shipping and airlines, as well as the Japanese-American Citizens League and the Chinese-American organizations, have recommended its enactment.

The main purpose of the strengthening of our immigration laws was to give the executive branch a better instrument to protect the security of our country and our citizens. The loopholes in our old statutes have gradually become larger and larger, so that while fighting communism abroad we actually became powerless in fighting its infiltration into our own country. I believe that the Congress is under the obligation—under a mandate—to provide for better protection of our country from subversives, gamblers, narcotic peddlers, stowaways, ship jumpers, and foreign agents who know not only too well how to slip into and remain in our country.

There is no question that under the Constitution and under hundreds of court decisions the Congress has the power to provide for such protection.

Instead of following the presidential ghost writers' example and indulge in writing fiction into veto messages, let me quote in that respect a few court decisions.

The power of Congress to control immigration stems from the sovereign authority of the United States as a Nation and from the constitutional power of Congress to regulate commerce with foreign nations—*Chae Chan Ping* v. *United States* (130 U. S. 581 (1889)); *Edye* v. *Robertson, Collector* (112 U. S. 580 (1884)).

Every sovereign nation has power, inherent in sovereignty and essential to self-preservation, to forbid entrance of foreigners within its dominions, or to admit them only in such cases and upon such conditions as it may see fit to prescribe—*Nishimura Ekiu* v. *United States* (142 U. S. 651, 659 (1892)).

Congress may exclude aliens altogether or prescribe terms and conditions upon which they may come into or remain in this country—*Fok Young Yo* v. *United States* (185 U. S. 296 (1902)).

The power and authority of the United States, as an attribute of sovereignty, either to prohibit or regulate immigration of aliens, are plenary and Congress may choose such agencies as it pleases to carry out whatever policy or rule of exclusion it may adopt, and, so long as such agencies do not transcend limits of authority or abuse discretion reposed in them, their judgment is not open to challenge or review by courts—*Kaorn Yamataya* v. *Fisher* (189 I. S. 86 (1903)).

It has been settled by repeated decision that Congress has power to exclude

any and all aliens from the United States, to prescribe the terms and conditions on which they may come in or on which they remain after having been admitted, to establish the regulations for deporting such aliens as have entered in violation of law or who are here in violation of law, and to commit the enforcing of such laws and regulations to executive officers—*In re Kosopud et al.* (272 F. 330 (1920)).

It has been repeatedly held that the right to exclude or to expel all aliens or any class of aliens, absolutely or upon certain conditions, in war or in peace, is an inherent and inalienable right of every sovereign and independent nation, essential to its safety, its independence, and its welfare; that this power to exclude and to expel aliens, being a power affecting international relations, is vested in the political departments of the Government, and is to be regulated by treaty or by act of Congress and to be executed by the executive authority according to the regulations so established, except so far as the judicial department has been authorized by treaty or by statute, or is required by the paramount law of the Constitution to intervene—*Colyer* v. *Skeffington* (265 F. 17 (1920)).

The United States may exclude any alien for any reason whatsoever, such as the Government's dislike of the alien's political or social ideas, or because he belongs to groups which are likely to become public charges, or for other similar reasons—*United States* v. *Parson* (22 F. Supp. 149 (1938)).

Although an alien who had acquired residence in this country was entitled to the same protection of life, liberty, and property as a citizen, he acquired no vested right to remain and the Government has power to deport him if, in the judgment of Congress, public interests so required, and such power is not dependent upon the existence of statutory conditions as to his right to remain at the time he became a resident—*United States* v. *Sui Joy* (240 F. 392 (1917)).

An alien resident in the United States may be deported for any reason which Congress has determined will make his residence here inimical to the best interests of our Government—*Skeffington* v. *Katzeff* (277 F. 129 (1922)).

In the more recent decisions on March 10, 1952—Harisiades against Shaughnessy, Mascitti against McGrath, and Coleman against McGrath—Justice Jackson cited 11 Supreme Court decisions sustaining the sovereign nation's power to terminate its hospitality to an alien who failed to comply with the laws of the land of his adoption.

Said Justice Jackson:

> It is a weapon of defense and reprisal confirmed by international law as a power inherent in every sovereign State. Such is the traditional power of the Nation over the alien, and we leave the law on the subject as we find it.

Regarding the President's ghost wrters' complaint that certain provisions of this legislation are applicable to the deportation of subversives, this is what Justice Jackson had to say:

> During all the years since 1920 Congress has maintained a standing admonition to aliens, on pain of deportation, not to become members of any organization that advocates overthrow of the United States by force and violence, a category repeatedly held to include the Communist Party. These aliens violated that prohibition and incurred liability to deportation. They were not caught unawares by a change of law.

Regarding the President's ghost writers' complaint about the constitutionality of the other provisions of this bill, Justice Reed, in delivering the opinion of the Supreme Court in the case of Carlson against Landon—March 10, 1952—cited five Supreme Court decisions to sustain the following finding:

> The power to expell aliens, being essentially a power of the political branches of Government, the legislative and executive, may be exercised entirely through executive officers, "with such opportunity for judicial review of their action as Congress may see fit to authorize or permit." This power is, of course, subject to judicial intervention under the "paramount law of the Constitution."

This judicial intervention has been fully preserved in the bill presently before us. So have been other rights and privileges of the alien foreign-born and native-born citizens.

Notwithstanding the fiction contained in the veto message, all existing statutes governing the loss of United States citizenship have been liberalized, and I want to stress the words "all of them"—those relative to loss of citizenship by dual nationals as well as those relative to children of American citizens born abroad.

The paragraphs of the veto message which discuss these provisions of the bill prove once more what I said at the outset, that the ghost writers simply neglected to acquaint themselves with the provisions of the proposed law before they advised the President to disregard the recommendations of all his executive agencies and succumb to pressures motivated by political interests.

After having spent close to 4 years in studying and drafting this law, its authors, supported by every one of the administrative agencies working in the field of immigration and naturalization, recommended the passage of this legislation and now they most sincerely recommend that it be passed again, the Presidential "illadvisers" notwithstanding.

Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, it was not my intention to address this group on this veto. However, the gentleman from Pennsylvania, having given voice to his views whereby he took the President to task for, shall I say, having what might be deemed the temerity in vetoing this bill, I feel it incumbent upon myself to say a few words in support of the President.

The President exercised his discretion. I believe he acted with fortitude, with integrity, and with wisdom, as he saw fit. The President's motive in vetoing this bill must be deemed above reproach. His views are above suspicion.

Even those of Catholic faith have the right to present their views for or against this veto. All faiths have the right to do this and they should not be castigated. The gentleman from Pennsylvania has somewhat offended against the preservation of the right of protest.

I can understand very well the perturbation of mind of the gentleman from Pennsylvania. He has labored long and assiduously on this bill. He feels a keen rebuff. I do not think that warrants, however, the severity and the bitterness, shall I say, of his denunciation of the President. I think he should take it in his stride. We cannot win at all times. In this work with which we are confronted here we meet with many rebuffs and frustrations, but there come times when we have victories and it compensates us for all our disappointments. He is disappointed. His disappointment should not warp his judgment.

Ghost writing, which he attacks, is apparently essential in the busy life of any President. Turn the mirror upon yourselves. I do not think there is a Member in this House who has not had at some time or other a ghost writer. I venture that there is not a Member of this House who has not at some time or other been at least aided and given some comfort by others in the writing of his speeches. It may be only a matter of degree, that is all. But when you take the multifarious duties of a President, it is almost impossible for him to write every speech or every observation that comes from his pen. He must have the aid and the counsel of others. Consider his herculean tasks, his varied pursuits, the intensity of his work and you readily see that continual speech writing requires considerable assistance

The test is: "are the remarks embraced to the President." If so, they are his. The veto is the veto of the President, beyond all doubt. It has been the practice of many Presidents to have ghost writers. I just read Judge Rosenman's book about 20 years with the President. He spoke of the ghost writing that was involved in many of the presentations of President Roosevelt. Even General Eisenhower has his ghost writer. President Hoover, President Coolidge, and President Taft all had their ghost writers, and they received such aid and comfort from many of their counselors in that regard.

The strictures laid on the President are rather heavy and I think a bit unfair. All wisdom does not reside either in the President or in the gentleman from Pennsylvania or any Member of the House, for that matter. We are all endowed with human frailties. I say the President is well within his rights to veto this bill. The disappointment of the gentleman from Pennsylvania is understandable, but his heavy handed criticism of the President is not.

The gravamen of the veto was the objection to further imbedding in our statutes what is known as the national origins theory. Most of the veto message is in opposition to the national origins theory. I believe that theory is out moded and should have been cast into limbo long since. It stems from a sort of claustrophobia, xenophobia, or chauvinism, popular at the end of the last century but which seems to animate many of the people in this land and a

goodly portion of the membership of this House. Too many people believe aliens have horns and that they are the very embodiment of the devil.

The bill vetoed continues to divide the immigration pie in a very unfair and unrealistic manner. We allow something like a total of 154,000 aliens to come into this country yearly, and how do we divide that pie? We give almost half of it to Great Britain. What does Great Britain do? It thumbs its nose at us and says, "We do not want to come to the United States, we do not want to use your immigration quota numbers."

Then what do we do? We continue the hoax. We continue, shall I say, the lie. We continue the fake, as it were. We say we give to Britain almost half the quota, sixty-eight-thousand-odd. They hardly use any of the numbers, and all those numbers go down the drain. That is to the great disadvantage of the aliens who seek to come here from other lands, particularly those from southern and eastern Europe, from Spain and from Greece and from Italy. The President said: "Do not let the British quota numbers go to waste. Assign unused numbers to aliens anxious to come to us, but who cannot because the quotas of their country of origin are ridiculously if tragically small."

Why do we discriminate with pitifully small quotas for those countries in southern and eastern Europe and give to Germany over 25,000 quota numbers, and give to Great Britain all those numbers that I have mentioned, whereas Great Britain does not want to use them? Why so generous to Germany? And so parsimonious to Italy? Why do we continue that course? The President wisely pointed all that out in his veto message.

Names of worthy people from southern and eastern Europe, who are discriminated against by the bill vetoed are part of the warp and woof of American life. These names are found on baseball rosters, in the lists of Congressmen, and governors.

I suggest that if you look at the casualty lists coming from Korea you will see what? Only British or German names? Indeed no. You will see many names of those who came from southern and eastern Europe, Polish names, Hungarian names, Croatian names, Italian names, Greek names, and Turkish names. These diverse names belong to honored dead and wounded. Why should their people be so discriminated against by virtue of the national origins theory, against which the President very properly inveighed, a theory which also flies in the face of our foreign policy?

In one breath we say we wish to hold out a helping hand to you people in Italy, and you people in Greece, and you people in Spain, and you people in other parts of southern and eastern Europe. And in the other breath we do all in our power to wound their sensibilities, to curb their spirit and injure their feelings when it comes to immigration quotas. The President very properly pointed that out. In effect he said they are just as good as the British or the Germans. These people who come from those parts have America born in them—most of them. I do not ask the question whether a man was born in America. I ask the question, "Is America born in you?" Benedict Arnold was born in this country, but America was not born in him. Earl Browder was born in this country, but America was not born in him. Carl Schurz was not born in this country, but America was born in him. Alexander Hamilton was not born in America. America was born in him. Vincent Impelliteri, our great mayor of the city of New York, was born in Italy, but America was born in him. That should be the test. So many Italians and Greeks despite America being born in them are kept out. But this immigration bill which was passed by this House and vetoed by the President, flies in the face of that theory of Americanism.

Those who sponsored this bill, and many members of the House, are forgetful that we built our great country because we siphoned off the best of the brain and the best of the brawn of all peoples of Europe everywhere—not from just a few countries but from all countries of Europe—as a result of which we have the highest standards of living that civilization has ever seen. But this bill again flies in the face of all that. It turns the clock backward, and the President in his wisdom very properly points all that out in his veto message.

What do we do with reference to the escapees coming out from behind the iron curtain or from behind the bamboo curtain? In one breath we say, "Come in, we want to entice you to come from behind the iron curtain or the bamboo curtain." Then when they ask to come into this country and they go to our consuls in the far-spread cities of the world, and when one of them says, "I have come out of Russia," or another says "I have come out of Poland," or "I have come out of Czechoslovakia, or Yugoslavia, or Rumania, or Hungary." What does the consul say: "No soap. You will have to wait." "How long must I wait?" "You must wait until your quota number is reached." "How long will that be?" "Maybe 10 years, maybe 20 years." Meanwhile what are they to do?

Well, in the case of some of the small countries of Europe, the wait might be over 100 years. We have mortgaged the quotas of some countries for so many years. These are some of the reasons assigned for the veto. The President, indeed, was well within his rights in vetoing this bill.

The praiseworthy provisions of the bill regarding the naturalization of our Japanese residents and the entry of oriental spouses and children, could be readily and speedily enacted in a separate measure on which, I am certain, we could all quickly agree.

The President himself recommends such action.

The veto does not foreclose these essential remedies.

Furthermore, the President properly recommends the setting up of a commission to make a profound study of our immigration and naturalization laws.

Mr. SIEMINSKI. Mr. Speaker, I am sure that those who vote against the President's veto will do so thinking they serve the best interests of the United States. I hope they are right. But I think they are wrong. I will vote to sustain the President's veto.

The greatest fear of man seems to be man.

I recall James Matthew Barrie's Admirable Crichton. In England, the hero was a butler. On a shipwrecked island, he was a regular guy, cock of the walk, real Joe.

That is America. Afraid of no one. It has made it possible for each of us to be "Admirable Crichtons."

Mr. WALTER. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, surely nobody questions the right of the President to veto this bill. The think which a great many of us do question is the wisdom of his vetoing it, especially at a time like the present. Today we have thousands and thousands of American boys in Korea whose very lives depend upon the faith in us and good will toward us of the Koreans among whom they are living and fighting. The President's veto perpetuates a situation whereby in our immigration laws those Koreas are officially insulted and stigmatized as biologically inferior beings. What effort do you suppose news of the President's veto has on our allies in Korea?

We have lost a good part of continental Asia to Communist control. Everybody knows what we have done in the last year to try to keep on our side what can be a bulwark of freedom in that part of the world—Japan. She is the third best workshop in the world. Rusisa now controls plenty of manpower. She has territory. She has raw materials. What does she need? She needs a workshop. And there it is—Japan, the best in Asia. To keep it on our side and out of Russia's hands, we must depend on people whom the President chooses today to declare unfit for even one of them, no matter how gifted or cultured, to come into the United States as an immigrant because he is not of the white, the black, or the red race. That is what existing law provides, and the President's veto keeps it as it is.

We want and need the people of Asia to stand with us at a time when things are not going too well—and then our President slaps them in the face.

Mr. Speaker, racial discrimination in our dealings with other peoples is the weakest spot in America's armor. Make no mistake about the importance of this issue. The colored peoples around the world outnumber the white peoples two to one. They can outwork and undereat any white men that ever lived. They will outwait him and outsuffer him and outendure him; and they will outbreed him. They will win out, if our enemies succeed in uniting them against us, and I fear they will if the white man continues much longer on his statute books immigration laws that publicly discriminate against friendly peoples by denying, with certain exceptions, any quota whatsoever for those whose skins happen to be yellow or brown.

Those are the very people on whose faith in us, whose friendship for us, whose sense of unity with us the lives of our own sons in Korea, Japan, and other parts of the Far East depend, and on whom our future security in the Pacific basin depends, and on whom ultimately the survival of this Republic may depend.

America formerly had a privileged position in the world. Other countries got into conflicts and we stood on the side and watched until we determined where out interests lay, and then we threw in our strength on this side or the other, and that usually tipped the scales.

That fortunate day has gone. Today we are not an observer, we are one of the two main contenders. On one side of the balance is the Soviet Union with 800,000,000 people under its domination. On the other side is the free world, with the 800,000,000 people of the Western Hemisphere, Western Europe, the Mediterranean area, South Africa, Australia, New Zealand, and a few others. Who controls the balance of power between these two contenders, locked in mortal combat? The other 750,000,000 in the world. Where do they live? They live in Asia. They are the peoples branded as inferior and unworthy human beings under the present laws whose discrimination this bill is designed to correct. And the President has vetoed it.

They live in Korea, Japan, southeast Asia, and across South Asia to Iran. These are the 750,000,000 people who control the balance of power in the world today—and whom the President chooses to affront anew. What happens to them in the immediate future depends in no small degree, in my opinion, on what the United States does; but what happens to the United States in the long run depends on which way those people go. Will it be with the Communists who offer all sorts of lies and fake and fraudulent promises of racial equality? Or with us, who, while not pretending to any perfection and not denying the inequities that still exist, are nevertheless trying, step by step, to correct them?

Is it not better to accept the bill with its real gains, even though it does not correct all that many believe to be inequities, than to reject the great forward steps which it represents in the very areas where we are sustaining our most serious losses? Is it sensible to reject those forward steps just because the bill does not achieve the Kingdom of Heaven on earth?

Mr. Speaker, it is not possible to produce positively all the good and justice and brotherhood that we would like to have in the world, but the least we can do is to remove the negative acts of injustice that are in our immigration and naturalization statutes today. That is what this bill does that the President has vetoed.

In his message the President said the bill "repudiates our basic religious concepts, our belief in the brotherhood of man."

Mr. Speaker, I submit that it is the President's veto that repudiates our basic religious concepts, our belief in the brotherhood of man, because it keeps our statutes as they are, with hundreds of millions of people in those crucial areas still outlawed because of the color or the pigment of their skin. I cannot believe that in a time of such crisis and such peril, when such gigantic issues are hanging in the balance, we will fail to override the President's veto. We must make clear to watching millions that the representatives of the people of the United States believe in trying to correct things that are inequitable; that we want to improve relations between our country and all the peoples in the world who want to be free; and that because we believe the action of our President to be mistaken and short-sighted, the representatives of the people, as is certainly within their rights, take this action to make this bill the official law of the land.

Mr. McCORMACK. Mr. Speaker, the veto message of President Truman on H. R. 5678 presents convincing reasons why the President should have vetoed this bill and why the House should sustain his veto.

Among other reasons, the President stressed strongly, and properly so, the unfairness of the so-called national origins clause of the 1924 immigration act as our basic law in determining quotas for other countries.

While the national-origins clause as a basis of our quota allocations was incorporated into the 1924 law, it was suspended from time to time by the Congress until 1929, when it finally became effective.

This is rather clear evidence that the very Members of the Congress who passed the immigration law of 1924 entertained serious doubts in relation to the wisdom, soundness, or fairness of the national-origins clause as the vital part of our organic immigration law in determining quotas that the various countries of the world should have.

I remember well that the first speech I made in the House as a new Member was against the national-origins clause.

And now, over 32 years later, President Truman in a ringing veto message, calls attention to this very clause, its unfairness and the fact that this quota system—always based upon assumptions at variance with our American ideals—is long since out of date and more than ever unrealistic in the face of the present world conditions.

This clause was unrealistic when enacted into law in 1924, and when it became effective in 1929.

It is equally unrealistic now. Its result, if not objective, in 1924 was to reduce far below what was fair and equitable immigration from certain countries of Europe. At that time one of these countries was Ireland, as were the countries of all of southern Europe. The result, if not the purpose, on the other hand, was to give other countries a much higher quota than the rule of fairness and equity called for.

I opposed the national-origins clause before it became operative in law because I considered it unfair, contrary to American fairness, and inconsistent with American ideals. It brought about a quota system that was an insult to many racial groups that made up our people.

For we must remember, heretofore and now, Americans are not a race; they are a people.

Any effort to base a quota system upon such a concept as the national-origins clause is wrong from the outset. While it must be tolerated and adhered to as long as it is the law, the fact that it has been in operation for 32 years does not make it right.

President Truman has made a ringing contribution to a restoration of American idealism and justice in relation to our quota system by his condemnation and repudiation of the national-origins clause.

The bill is the result of 4 years of study and effort by the members of the committee who considered the same. The veto of the President is not a reflection on them. The drafting of a codification or of a new immigration law is a very difficult task. There is much good in the present bill.

However, in addition to the objectionable national-origins clause there are other provisions of an objectionable nature that justifies the action taken by President Truman in vetoing this bill.

For the reasons stated by the President, his veto should be sustained by the House of Representatives.

I include in my remarks a speech I made in the House on February 14, 1929, and appearing in volume 70, part 4, on pages 3472, 3473, 3474, 3475, 3476, and 3477) of the RECORD of 1929:

Mr. McCORMACK. Mr. Chairman and members of the Committee, the subject that I am going to discuss is quite different from the full and able speech which has just been rendered by the distinguished Member [Mr. Garber], who has just preceded me and which I found very interesting. I might say in passing that I have listened to the gentleman on two different occasions and his profound knowledge of the subject that he has discussed has made a marked impression upon me.

One of the most important questions remaining to be determined before this session of Congress is over, is what action will be taken from the repeal, deference, or going into operation of the national-origins clause of the immigration law of 1924. The interest in this question is not confined to any one section of our country; neither is it confined to any one of the so-called nationals that constitute our inhabitants. The action of Congress on this question is being watched closely.

At the outset it must be borne in mind that the controversy over the national-origins clause of the Immigration Act has been misrepresented so as to be made to appear a controversy over increasing or decreasing numerically the number of immigrants that can come to this country. This misrepresentation is very unfortunate because it gives a false statement of facts. The repeal of the national-origins clause has nothing to do with the question of the number of people that shall be permitted to come here each year. The effort to repeal the national-origins clause has been characterized as an attack upon the immigration law of 1924. It is nothing of the kind. It is, in fact, an effort to prevent the law from being ridiculous.

The national-origins clause is a part of the immigration law of 1924. Nobody seems to

know its real parenthood, although one John B. Trevor, of New York City, who was a captain in the Intelligence Department of the Army, detailed in New York City during the war, appears to claim the credit for it.

I have heard that the Ku Klux Klan claims the credit for conceiving it and securing its adoption as an amendment to the immigration law. I am satisfied, however, that their only knowledge of it was after its adoption in the Senate in 1924, as an amendment to the bill that passed the House, and that thereafter the Ku Klux Klan used it as a means of trying to carry out its purposes by attracting additional members to its ranks. It seems rather hard for me to believe that anything that such an organization might sponsor would receive the favorable consideration of either or both branches of Congress.

It appears from the records of the hearings of the House Committee on Immigration and Naturalization which reported the 1924 immigration law that the national-origins clause received little, if any, consideration from the committee. It is quite probable—and so far as I can find it is a fact—that it was not presented to the committee for consideration. In any event, when the bill was reported to the House it was not a part thereof, and during debate an amendment was offered in the House which included in substance the provisions of the present law. The amendment was rejected. The House later passed the bill and while under consideration in the Senate, Senator Reed of Pennsylvania, moved the amendment which inserted the present national-origins clause into the bill. Upon its return to the House it was sent to conference, and the House conferees recommended the adoption of the amendment, which action was taken. Whether or not it is correct, I am informed this amendment was reluctantly accepted by the House in order that the whole bill might not fail of passage.

As I have said before, this is to my mind one of the most important questions that confront us today, particularly in view of the fact that we have only a few weeks left in this session of Congress, and during which period it is essential that some affirmative action be taken in order to prevent the operation of this particular clause. To prevent its operation affirmative action must be taken by Congress. There are two ways in which we can take affirmative action, and when I say "we," of course I refer to both branches of Congress. One is by joint resolution deferring its operation and the other is by enacting necessary legislation to repeal its provisions. The other procedure that we may employ is the passive, inactive negative, do-nothing method, as a result of which, in accordance with the ruling given by the Attorney General, as I understand it, the President of the United States is compelled on or before April 1 of this year to proclaim the provisions of this clause to be in operation. This means that the quotas established thereunder by the President's commission will become operative July 1, 1929.

That President's commission to which I refer was made up of the Secretary of State, the Secretary of Labor, and the Secretary of Commerce (now President-elect Hoover), and they in turn each appointed two members of their respective departments as a joint committee to make a more thorough investigation of the matter.

I realize that men have different opinions and different views on this question. I appreciate the fact they have the right to entertain their views if they are honestly arrived at, and naturally every Member of this House arrives at honest views, so far as my opinion is concerned. I do not use the above language with the intent that you might infer that I have any feeling to the contrary, because you, like myself, are actuated by a desire to render that degree of public service in this body which you feel the best interests of the country demand and which is in accordance with your conscience. [Applause.]

I also considered it my duty to vote as my conscience dictated on any matters which came before any legislative body of which I was a member, and the question of party affiliation never influenced me unless a party principle or responsibility was involved. In that case I followed, and will follow, the principles enunciated by the Democratic Party, because the incorporation of them into law will be for the best interests of the people.

It is my belief that a public servant should represent all elements and political creeds in his district. So, in approaching this question, let me say that I recognize that men in both political parties differ and differ honestly.

I am going to try to impress upon you the fact that the basis of the determination, as provided in the national origins clause, so-called, is almost impossible of ascertainment. It is left to the field of conjecture.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. MCCORMACK. I will.

Mr. DICKSTEIN. Is it not a fact you have to go back 300 years to determine the statistics as to national origin?

Mr. MCCORMACK. Yes.

Mr. DICKSTEIN. And is it not a fact we have not the statistics available?

Mr. MCCORMACK. Exactly. That is in part correct. The basis prescribed by this clause for the establishing of quotas of countries affected has as its object a definite purpose which is unfair and discriminatory, and a reflection upon elements of past immigrants, now Americans, some for many generations, that have contributed so much toward the building up and progress of our country. The basis for computation is also uncertain and leaves the calculation, whichever it may be, to the field of conjecture. The clause provided a method of calculation which is incapable of ascertainment without resort to guesswork. Any such basis is bound to result in quotas which will be discriminatory, if not insulting, in their character. A careful examination of testimony presented to different committees, also books written by some of the proponents, and addresses made on different occasions by some of them justify the assertion that the underlying motive is un-American.

If we are going to establish an immigration policy, let it be definite. Let it be certain. The expression of the principle should be definite and certain, whether it be a closed immigration policy, a restrictive immigration policy, or a partially restrictive policy as set forth in the 1924 act.

Let it be definite and certain, but not left to uncertainty; and let both branches of Congress determine with certainty not only the expression of the principle we believe in, but with certainty as to the quotas the different quota countries shall be entitled to. Not only does Congress, by permitting the national-origins clause to go into operation, evade the duty of making the quotas themselves, but it passes the responsibility to the President's commission, composed of three secretaries, and they in turn pass it on to Doctor Hill and his associates.

I might say at this time that I intend to follow the suggestion made by Governor Smith in his statement after the last election, in which he urged the Democratic Members of Congress to support President-elect Hoover during his term of office on all legislation that relates to the general welfare and progress of the people.

Mr. DENISON. Mr. Chairman, will the gentleman yield there?

Mr. MCCORMACK. Yes.

Mr. DENISON. I hope at some not distant time the gentleman will inform the House what the fundamental principles of the Democratic Party are.

Mr. MCCORMACK. I think those fundamental principles are so well known that the average man knows them, but I shall be glad to enlighten the gentleman out in the lobby some time.

The first indication of the unreliability and uncertainty of the basis of determination as provided in the national-origins clause was the postponement of its operation until July 1, 1927, in order that the quotas might be established. In order to regulate immigration up to the going into effect of the national-origins clause it was provided in the 1924 act—"that the annual quota of any nationality shall be 2 percent of the number of foreign-born individuals of such nationality resident in continental United States as determined by the United States census of 1890, but the minimum quota of any nationality shall be 100."

This, like the national-origins clause, only governed quota countries. The practical operation of the present law meant that 164,000 immigrants constituted 2 percent of our foreign-born population as of 1890, and were allotted among the several European countries in accordance with the terms of this provision. Whether one believes in the policy of restrictive immigration or not, there is no question but what the original provision is at least definite and certain in its theory and operation. While the national-origins clause is certain as to the number of immigrants admissible each year from Europe, which is 153,000, every other provision thereof is unreliable, uncertain, and therefore inequitable.

This would be particularly so in its operation, if it ever goes into effect. I want to call to the attention of the Members that in accordance with the provisions of the national-origins clause the Secretaries of State, Commerce, and Labor, as a joint board, each appointed two representatives to try and perform the impossible task therein provided. It is fair to infer from all correspondence made by them that they approached this task with the realization of its difficulty of approximate ascertainment, and the fact that, in the main, they would have to rely upon conjecture. The results have clearly shown that to be the fact. Their work has been tirelessly and unselfishly rendered and yet their reports and findings are the strongest evidence of the human impossibility of performing such a task. In their report on December 16, 1926, will be found the following:

"We have found our task by no means simple, but we are carrying it out by methods which we believe to be statistically correct, utilizing the data that are available in accordance with what seems to us to be the intent and meaning of the law. We have not completed our work, but the figures which we are submitting for your information, though provisional and subject to revision, indicate approximately what the final results will be."

What stronger evidence of uncertainty?

Accompanying this report were the quotas which they had determined in accordance with the law, and which, while not complete and subject to revision, indicate approximately what the final results will be. These are not my words, but the words of Dr. Hill and his associates.

Thereafter, the operation of the law was deferred until July 1, 1928, and on February 27, 1928, other quotas were recommended by Dr. Hill and his associates. Having in mind the statement above quoted from report of 1927, that the 1927 quotas "indicated approximately what the final results will be," a comparison of these two quotas is very interesting and convincing as showing

further the grave uncertainty of the basis of determination.

Country or area	(1) National-origin quotas submitted Feb. 27, 1928	(2) National-origin quotas submitted Jan. 7, 1927	(3) Present quotas, based on 1890 foreign-born population
Armenia	100	----------	124
Australia, including Papua, etc.	100	100	121
Austria	1,639	1,486	785
Belgium	1,328	410	512
Czechoslovakia	2,726	2,248	3,073
Danzig, Free City of	137	122	228
Denmark	1,234	1,044	2,789
Estonia	100	109	124
Finland	568	559	471
France	3,308	3,837	3,954
Germany	24,908	23,428	51,227
Great Britain, Northern Ireland	65,894	73,039	34,007
Greece	312	367	100
Hungary	1,181	997	473
Irish Free State	17,427	13,862	28,567
Italy, including Rhodes, etc.	5,989	6,091	3,845
Latvia	243	184	142
Lithuania	492	494	344
Netherlands	3,083	2,421	1,648
Norway	2,403	2,267	6,453
Poland	6,090	4,978	5,982
Portugal	457	290	503
Rumania	311	516	603
Russia, European and Asiatic	3,540	4,781	2,248
Spain	305	674	131
Sweden	3,399	3,259	9,561
Switzerland	1,614	1,198	2,081
Syria and the Lebanon (French)	125	100	100
Turkey	233	233	100
Yugoslavia	739	777	671
Total	[1] 153,685	[1] 153,541	[1] 164,647

[1] Including 37 minimum quotas of 100 each.

As a further indication of the uncertainty that existed in the minds of the President's Commission, I quote a letter to the President under date of January 3, 1927:

JANUARY 3, 1927.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: Pursuant to the provisions of sections 11 and 12 of the Immigration Act of 1924, we have the honor to transmit herewith the report of the subcommittee appointed by us for the purpose of determining the quota of each nationality in accordance with the provisions of said sections.

The report of the subcommittee is self-explanatory, and, while it is stated to be a preliminary report, yet it is believed that further investigation will not substantially alter the conclusions arrived at.

Although this is the best information we have been able to secure, we wish to call attention to the reservations made by the committee and to state that in our opinion the statistical and historical information available raises grave doubts as to the whole value of these computations as a basis for the purposes intended. We therefore cannot assume responsibility for such conclusions under these circumstances.

Yours faithfully,

FRANK B. KELLOGG,
Secretary of State,
Department of State.
HERBERT HOOVER,
Secretary of Commerce,
Department of Commerce.
JAMES J. DAVIS,
Secretary of Labor,
Department of Labor.

Furthermore, on February 25, 1928, the President's Commission in transmitting the 1928 quotas above referred to said:

"We wish it clear that neither we individually nor collectively are expressing any opinion on the merits or demerits of this system of arriving at the quotas. We are simply transmitting the calculations made by the departmental committee in accordance with the act."

An analysis of the report of Dr. Hill and his associates, dated December 16, 1926, showing the manner upon which calculations were determined is further evidence of the impossibility of a fair determination, particularly in determining what portion of our white population of 1920 is derived from the "old native stock" of 1790. The records of immigration giving the number of immigrants arriving annually from each foreign country from 1820 to 1920 was in part relied upon. It is a well-known fact that a good portion of those who came from southern Ireland, Scotland, Wales, and Ulster came on vessels that started from an English port and were listed as emigrating from England. This was particularly true prior to 1870. In the case of Scotland, Wales, and Ulster it makes no difference, because their quotas under this law will be combined into one, but this situation seriously affects the quota that southern Ireland would be entitled to. Such a situation is further evidence of the grave uncertainty of a determination that will not be discriminatory.

The above immigration quotas were printed for the House Committee on Immigration and Naturalization, and column No. 1 is the report for 1928, column 2 the report for 1927, both made by Doctor Hill and his associates, and column 3 is the quotas under the present law.

Columns 1 and 2 relate to the national origins clause and the marked difference between them in the short period of 1 year seems to me to be inescapable evidence of the uncertainty of ascertainment.

A comparison will show that under the quotas that will be established if the national-origins clause goes into effect that Germany will be reduced from 51,227 to 24,908; Irish Free State from 28,567 to 17,427; Norway from 6,453 to 2,403; Sweden from 9,561 to 3,399; Switzerland from 2,081 to 1,614; Denmark from 2,789 to 1,234; France from 3,954 to 3,308; while Great Britain and northern Ireland will be increased from 34,007 to 65,894; Austria from 785 to 1,639; Belgium from 512 to 1,328; Hungary from 473 to 1,181; Italy from 3,845 to 5,989; Netherlands from 1,648 to 3,083; Russia from 2,248 to 3,540. These are the most important changes that will occur. As I have said before, the strongest evidence of uncertainty is the difference between the report of 1927 and 1928.

Another year has gone by since the last computation was submitted and which will be the quotas if the national-origins clause goes into effect. It is fair to assume that if a report had been made this year by Dr. Hill and his associates, that further changes would have been noted.

In passing I want it clearly understood that I have the greatest of admiration for Dr. Hill and his associates. They are performing what must be to them an unpleasant task, because of its impossibility of performance. They have performed their work unselfishly and tirelessly. They are simply trying to carry out the law. It is clear from their reports, so far as I am concerned, that they realize that the records are so lacking that they had to rely upon conjecture.

It is significant that the only census taken in the United States prior to 1850 was that of 1790. In the 1790 census only the heads of families were reported, and there was no indication of the land of their nativity or of their ancestors.

Dr. Hill and his associates deemed that they would have to depend in the main upon the sounding of names to determine nativity, and he frankly admitted in the House hearings held in 1927 that names may indicate origin from any one of two or more countries. He further said that in the event of the names having an origin from England or Scotland or Ireland, the probabilities were that because of the predominance of the English of foreign birth and descent at that time the census takers designated them as being of English descent.

The census of 1790 showed the white population of the then 17 States was 3,172,444. The following figures show in detail the population of the several States, with an estimate of the strength of the various nationals therein, which, so far as I can ascertain, is based upon guesswork:

White population in 1790 as classified by nationality in ch. IX of A Century of Population Growth, published by the Bureau of the Census in 1909

Nationality as indicated by name	United States		Maine		New Hampshire		Vermont		Massachusetts		Rhode Island	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
All nationalities	3,172,444	100.0	96,107	100.0	141,112	100.0	85,072	100.0	373,187	100.0	64,670	100.0
English	2,605,699	82.1	89,515	93.1	132,726	94.1	81,149	95.4	354,528	95.0	62,079	96.0
Scotch	221,562	7.0	4,154	4.3	6,648	4.7	2,562	3.0	13,435	3.6	1,976	3.1
Irish	61,534	1.9	1,334	1.4	1,346	1.0	597	.7	3,732	1.0	459	.7
Dutch	78,959	2.5	279	.3	153	.1	428	.5	373	.1	19	(1)
French	17,619	.6	115	.1	142	.1	153	.3	746	.2	88	.1
German	176,407	5.6	436	.5	----------	----------	35	(1)	75	(1)	33	.1
Hebrew	1,243	(1)	44	(1)	----------	----------	----------	----------	67	(1)	9	(1)
All other	9,421	.3	230	.2	97	.1	148	.2	231	.1	7	(1)

[1] Less than 1/10 of 1 percent.

White population in 1790 as classified by nationality in ch. IX of A Century of Population Growth, published by the Bureau of the Census in 1909—Continued

Nationality as indicated by name	Connecticut		New York		New Jersey		Pennsylvania		Delaware		Maryland	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
All nationalities	232,236	100.0	314,366	100.0	169,954	100.0	423,373	100.0	46,310	100.0	208,649	100.0
English	223,437	96.2	245,901	78.2	98,620	58.0	249,656	59.0	39,966	86.3	175,365	84.0
Scotch	6,425	2.8	10,034	3.2	13,156	7.7	49,567	11.7	3,473	7.5	13,562	6.5
Irish	1,589	.7	2,525	.8	12,099	7.1	8,614	2.0	1,806	3.9	5,008	2.4
Dutch	238	.1	50,600	16.1	21,881	12.7	2,623	.6	463	1.0	209	.1
French	512	.2	2,424	.8	3,565	2.1	2,341	.6	252	.5	1,460	.7
German	4	(1)	1,103	.4	15,678	9.2	110,357	26.1	185	.4	12,310	5.9
Hebrew	8	(1)	385	.1	(2)		21	(1)	(2)		626	.3
All other	6	(1)	1,394	.4	5,253	3.1	194	(1)	185	.4	209	.1

	Virginia		North Carolina		South Carolina		Georgia		Kentucky		Tennessee	
All nationalities	442,117	100.0	289,181	100.0	140,178	100.0	52,886	100.0	61,133	100.0	31,913	100.0
English	375,799	85.0	240,309	83.1	115,480	82.4	43,948	83.1	50,802	83.1	26,519	83.1
Scotch	31,391	7.1	32,388	11.2	16,447	11.7	5,923	11.2	6,847	11.2	3,574	11.2
Irish	8,842	2.0	6,651	2.3	3,576	2.6	1,216	2.3	1,406	2.3	734	2.3
Dutch	884	.2	578	.2	219	.2	108	.2	122	.2	64	.2
French	2,653	.6	868	.3	1,882	1.3	159	.3	183	.3	96	.3
German	21,664	4.9	8,097	2.8	2,343	1.7	1,481	2.8	1,712	2.8	894	2.8
Hebrew			1	(1)	85	.1	(2)		(2)		(2)	
All other	884	.2	289	.1	146	.1	53	.1	61	.1	32	.1

[1] Less than 1/10 of 1 percent.
[2] Included in "All other."

As one indication of the uncertainty of relying on the 1790 census I may mention that it does not take into consideration the size of the families and that some nationalities are quite prone to more productivity than others.

In determining the quotas under the national-origins clause the white population of 1920, numbering about 94,000,000, were divided into two groups, one called "old native stock" and the other "immigrant stock." The census of 1790 was taken as the basis for determining what portion of our population in 1920 were descended from the population of 1790. It was determined that 41,000,000 persons in the United States in 1920 were descendents of the "old native stock." Bearing the fact in mind that all persons who arrived here since 1790, or their descendents, are described as "immigrant stock," and looking through the roll of the Members of Congress it is apparent to me that 80 percent of our membership fall within that class.

When you consider that the first decennial census taken in the United States, outside of the one in 1790, was in 1850; that there are no official records prior to 1790, together with the loss, in the Ellis Island fire in 1896, of records of immigrations that flowed through the great city of New York from 1820 on, the destruction of many historical records by the British, when they occupied the city of Washington in the War of 1812, together with many other matters of consideration, we can then realize the impossibility of establishing quotas which will not be discriminatory to some of our nationals.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. DICKSTEIN. Is it not a fact that Dr. Hill testified before the Committee on Immigration that he could only go back about 100 years?

Mr. McCORMACK. My impression is that Dr. Hill testified that the United States decennial censuses could only go back to 1850; that the records of the ports of entry go back only to about 1820; that is, the immigrants coming into different ports of entry, as distinguished from the facts revealed in the decennial censuses. My observation and study further show that thousands and thousands of immigrants coming from Germany, from Ireland, from Scotland, and from other places were compelled to come over on ships owned by English interests and they were listed as English citizens.

That is not submitted as criticism, but as a piece of evidence. Everything based on conjecture is bound to be discriminatory and offensive to some of our nationals. We are not an English, or an Irish, or a German, or a French nation. We do not want any element to predominate. We are an American Nation. We may have a great feeling of fondness and regard for the land of our forbearr, as we should, but above every other consideration we are Americans. The history of the recent war has evidenced the fact that Americanism means the same thing to all of our citizens, irrespective of their national origin—that is, love of flag, country, and that upon which everything that we possess governmentally stands, the Constitution of the United States.

We want Americans. We want the immigrants who come over here—the same as my forbears did two generations ago—to be filled with a love of our institutions. To a certain extent, undoubtedly, they will come here seeking material gain, but in the main they look up to this Government of ours as a land of opportunity. I recognize that conditions might change our immigration policy. That necessity might arise some day when we might consider the advisability of a change, but if we are going to have a change, let it be definite and certain, not only in principle but definite and certain in practice.

Now, Mr. Chairman and members of the committee, the fact that this uncertainty exists is further evidenced by the report made by the President's commission, comprised, as I said before, of the Secretary of State, the Secretary of Labor, and the Secretary of Commerce—the then Secretary of Commerce, President-elect Hoover. Not only that, but President-elect Hoover in his acceptance speech said he favored the repeal of the national-origins clause. He recognized the impossibility of human determination in accordance with the basis provided in that law. He recognized the offensiveness of it, and he recognized that this was not bringing into effect in America a new policy with reference to the restriction of immigration, because we have it now. We have it now in the act of 1924. Two percent of the foreign-born population as of 1890 means approximately 164,000 immigrants who are entitled to admission from quota countries in Europe each year, and in turn the number to which each country is entitled is simply a matter of mathematics. That can be arrived at. It is a definite and certain enunciation of a principle, and it naturally follows that there is a definite and certain determination of the quotas.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. DICKSTEIN. Can the gentleman tell the House how this national origins was determined, based upon what figures, what the present quota is as based on the act of 1924, and what would be the quota of all nationals under the national-origins clause? Has the gentleman those figures?

Mr. McCORMACK. As I understand it, the present law permits one hundred and sixty-four thousand and a few odd hundred to come in each year, while the national-origins clause authorizes one hundred and fifty-three and some few hundreds to come in each year. Am I correct?

Mr. DICKSTEIN. That is correct.

Mr. McCORMACK. While the national-origins clause provides a maximum of 150,000, it also provides in addition that certain countries which had no quota before or whose computation would be less than 100, are entitled to the admission of a minimum of 100, and that is the reason why it comes to approximately 153,000.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. ROBSION of Kentucky. As I understand it, the gentleman is opposed to the national-origins provision of the present law?

Mr. McCORMACK. Precisely.

Mr. ROBSION of Kentucky. Does the gentleman favor the quota based on the 1890 census? The present law is based on the 1890 census, as I understand.

Mr. McCORMACK. Yes; and that is definite and certain.

Mr. ROBSION of Kentucky. Does the gentleman favor the 1890 census as a basis, or some other census—the 1910 census or the 1920 census?

Mr. McCORMACK. To be frank with the gentleman, his question goes into something that I did not intend to discuss, and I am equally frank in saying that I am rapidly approaching a mental state where I realize that through necessity we must close this open door and bring about some kind of a restriction. Whether that should be based on the 1910 census or the 1890 census is just a question of policy, based upon the necessity.

I can see where conditions might change; where in the years to come through depletion in our population, because of some great catastrophe, for example—and population increases either by a greater number of births than deaths or by an increase in immigration over emigration; that is the only means through which an increase in population takes place—and I can see where a principle applicable to one period might of necessity be changed when applied to conditions in a different period.

Mr. ROBSION of Kentucky. We are legislating for this period.

Mr. McCORMACK. I have no objection to the present quota, based on the 1890 census.

Mr. GARBER. Will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. GARBER. The proposed change would greatly facilitate the administration of the law, would it not?

Mr. McCORMACK. Does the gentleman refer to the national-origins clause?

Mr. GARBER. Yes.

Mr. McCORMACK. I do not think so.

Mr. GARBER. I mean that the proposed change to a definite basis would greatly facilitate the administration of the law.

Mr. McCORMACK. The gentleman means the law as it exists at present?

Mr. GARBER. Yes.

Mr. McCORMACK. I agree with the gentleman. Now, bearing on that, may I call attention to a statement made by the Commissioner General of Immigration in his annual report for 1925, page 29:

"The bureau feels that the present method of ascertaining the quotas is far more satisfactory than the proposed determination by national origin; that it has the advantages of simplicity and certainty. It is of the opinion that the proposed change will lead to great confusion and result in complexities, and accordingly it is recommended that the pertinent portions of section 11, providing for this revision of the quotas as they now stand, be rescinded."

I am now coming back to 1790. One interesting phase of the evidence about the 1790 census, where it showed a little over 3,000,000 in the 17 States, was in the State of Pennsylvania, as indicating the uncertainty of the 41,000,000 being even approximately a fair estimate of the descendants of the inhabitants as shown in that census.

I do not want to depend upon memory, so let me quote verbatim from the extract which I have here.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SANDLIN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. McCORMACK. In an article written in 1789, as to the immigration into Pennsylvania in the period around 1749, it was said by the writer that—

"In the summer of the year 1749, 25 sail of large vessels arrived with German passengers alone, which brought about 12,000 souls, some of the ships about 600 each; and in several other years near the same number of these people arrived annually."

This is for only a limited period around 1746, and it is fair to assume that some came before and some came afterward, and yet according to the 1790 census there were only 110,000 Germans in the State of Pennsylvania.

But let us go a step further:

"And in some years nearly as many annually from Ireland."

Yet in 1790 there was only an estimated population of 8,000 in the State of Pennsylvania of either Irish birth or Irish descent.

This is some evidence indicating the uncertainty we have in the records prior to 1790. We have absolutely none from 1790 to 1820, and from 1820 our records of ports of entry are entirely unreliable, first, because of giving their birth in the wrong country, in some cases because of necessity; and, second, because the records in the city of New York were destroyed in the Ellis Island fire in 1896. Furthermore, many historical records of the colonial days were destroyed when the British occupied the city of Washington during the War of 1812.

All of these things have brought about an air of uncertainty so that the basis for the determination of national origins is inadvisable, unwise, inequitable, bound to be discriminatory because in the main it is left to the field of conjecture.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. DICKSTEIN. Under the present quota law Ireland receives a quota of 28,000, but under the national origins law, if it takes effect, Ireland only gets 8,000, thereby losing 20,000.

Mr. McCORMACK. I think there have been two corrections made since that estimate.

Mr. DICKSTEIN. Is there anything the gentleman can find from his investigation to show how they base that loss, upon what percentage and how far they have gone back?

Mr. McCORMACK. That basis of 8,330 was an estimate given by Captain Trevor, who, I understand, is the parent of this idea, although the Klu Klux Klan claims the credit for it.

Mr. DICKSTEIN. The parent of this piece of legislation is Mr. Reed. The House never passed it at all.

Mr. McCORMACK. Yes; in the Senate it was an amendment offered by Senator Reed, of Pennsylvania, and right there let me say that if this law goes into effect it is those of German birth and descent and those of Irish birth and descent in Pennsylvania that in the main can take the blame.

Mr. DICKSTEIN. May I ask the gentleman another question? Senator Reed takes the credit for it, but he borrowed it from Senator LODGE. Does the gentleman know that?

Mr. McCORMACK. Yes; this Captain Trevor consulted Senator LODGE first, who took him to Senator Reed.

Mr. DICKSTEIN. You will find the date given in the hearings as of March 6, 1924.

Mr. McCORMACK. There is just one more reference I might make. During the past few days a representative of the American Legion unfortunately made a reference with which I am not in accord. I am sorry he made this reference, because I am a member of the Legion and the two other members of my family, two younger brothers, who constitute the whole family, are also members of the Legion. This representative made a statement which is offensive to all of our citizens, and I hope sincerely that the Legion members throughout the country who might be offended by it will not go to the unwise direction of resigning their membership.

The American Legion is a great body. It is a much-needed body, the same as the Veterans of Foreign Wars, which is another one of our great veterans' organizations, as well as all of the minor organizations which have as their foundation purposes consistent with the progress of our country in establishing traditions which the future generations will be proud of; but in this particular respect, by stating that the Legion is in favor of the national-origins provision, they have taken a position which, if a referendum were submitted to the members of the Legion, would undoubtedly amaze the Members of Congress as to the vote to the contrary in the Legion.

Mr. CONNERY. Will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. CONNERY. May I say to my colleague that I have just received three telegrams from three Legion posts in Lawrence, Peabody, and Lynn, Mass., saying that the sentiments which the representatives of the Legion gave before the committee are not in accord with the sentiment of the membership of those posts?

Mr. McCORMACK. I thank the gentleman for his observation. May I say at this time that Mr. Connery recently displayed the finest act of courage that I have ever seen on the part of any legislator when he voted for the reapportionment bill. I hope that his constituents appreciate his type of representation.

May I add the danger of this, Mr. Chairman, is that we are going back 300 years and making you and me, who are Americans, and consider ourselves Americans, take a position which would destroy the assimilation which all elements and all races have undergone during the past 300 years, and making not only the foreign born of 1920 take a position on this but every one of us, no matter what the origin of our common ancestors who first came to America may have been?

But going back to the American Legion, it has taken a position on quotas. When they take a position favoring the underlying principle of the national-origins clause, they take a position upon the quotas, and when they do that they make a mistake and they exceed the purposes of their organization.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. SANDLIN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SCHAFER. Will the gentleman yield?

Mr. McCORMACK. I will.

Mr. SCHAFER. Has the American Legion in convention assembled gone on record in favor of the national-origins scheme for determining the immigration quotas?

Mr. McCORMACK. I understand they have, yes; but it was very peculiarly worded:

"Therefore be it resolved by the American Legion in convention assembled, That we favor and recommend continuance of the method of restriction upon immigration," That is a primary part, and they may have the right to do that. They could go on record in favor of closed or open or restricted immigration. I do not dispute their authority to do that; but then the resolution continues: "that we favor and recommend continuance of the method of restriction upon immigration in the 1924 immigration law with its fundamental national-origins provision, so that American citizenship and economic prosperity may be maintained at the highest possible level."

And in a statement to the Senate Committee on Immigration they said:

"We emphatically uphold the theory underlying the national-origins provision, which is that immigration quotas based upon entire population of the Nation is not only the fairest method for selecting immigrants, but is the most certain method," mark this language, "the most certain method of maintaining in the future the blend of population and the racial mixtures as they exist in America today."

In convention assembled they went on record in favor of that because it was the best means "by which prosperity may be maintained at the present time," the resolution read.

It must be borne distinctly in mind that the quotas cannot be disassociated from the principle itself. The going into effect of the clause automatically established the

quotas, and when the Legion takes a position on the principle they take a position on the quotas established thereunder.

What those quotas will be are a matter of record. Furthermore, the representative said that it was a question between patriotism and slackerism. I also deny such a question is involved. In support of this argument he cited the number of aliens that claimed exemption in the late war. In the first place, the figures do not present the facts correctly. In the second place, the only inferences to draw therefrom is that the nationals of those countries which will receive a reduced quota by the operation of the national origins were the slackers in the late war. This is not only vicious and unwarranted but false. Such an argument is an attack not only on those foreign-born who were here in 1917–18 but upon all generations of Americans of the same blood or descent. Let us see who they are that will suffer by the operation of the national-origins clause and then we can see what elements of our citizenry were insidiously offended and insulted by this argument.

The French, Swiss, Swedish, Norwegians, Danish, Irish, and Germans. All elements representing our best blood, the equal of any other and second to none. In every great crisis their descendants have proven their love for our flag and our institutions of government as set forth in the Constitution. In the Revolutionary War their representation was outstanding, particularly the Irish and the Germans, and the French Government showed its friendship in a way that occupies one of the foremost pages in our history. Are they slackers? Some may think so, but history records otherwise. During the Civil War alone the Irish and the Germans in the service outnumbered the whole army of the South, and each element, as we are compelled to refer to them under this law, had more men in service than any other element of our citizenry. And, yes; after the war was over, and when the men of the South had laid down their arms, and after the death of the great President, which was an unfortunate event for the South at that time, an unthinking North imposed conditions upon the South that were unbearable and inhuman. In the dark days of the carpet-bagging period of the days of reconstruction following the war the only voice raised in Congress for the South were the Representatives in Congress from the city of New York, all of Irish descent, and Charles Francis Adams, of Massachusetts. It was their voices that finally brought about some degree of reason.

Mr. SCHAFER. Will the gentleman yield?

Mr. MCCORMACK. I yield.

Mr. SCHAFER. Then the American Legion did not go on record in favor of the national-origins clause?

Mr. MCCORMACK. All I know is what it says in this statement, and from that I draw certain inferences. The gentleman's inferences are as good as mine. I am going to rely on my inference and I do not think the gentleman and I will have any dispute. May I further say to the gentleman that the great agricultural districts of the country have been brought to their present high level by that class of immigrants which the national-origins scheme will discriminate against, and I hope it will be brought to a higher state by the enactment of legislation which will be carrying out the platforms of both parties.

Mr. SCHAFER. I will state that the people of the great State of Wisconsin are absolutely opposed to the national-origins clause, and so are the members of the American Legion in my State. I am not talking about the few officers who may claim to speak for the Legion. The national-origins clause should be repealed. The gentleman is making a fine argument for its repeal.

Mr. MCCORMACK. Some argument has been advanced on the question of certain nationals failing to assimilate. What is the best test of assimilation? To me it is what percentage of immigrants from different countries indicate their permanence and love for America by becoming a citizen. The records of the census of 1920 are interesting in this respect. I will simply read it and allow you to draw your own conclusions:

"The census of 1920 shows that the foreign born from England proper, who were here when that census was taken and who were naturalized, is 64.8; Scotland, 65.6; Wales, 73.5; Ireland, 72.3; Norway, 67.3; Sweden, 69.5; Denmark, 69.6; Netherlands, which has a marked gain, 58.1; Belgium, which has a gain, 55.3; Switzerland, 64.9; France, 60.1; Germany, 73.3; Canada, French, 47.0; Canada, others, 58; and other countries, ranging from 44.7 down to 8.9, every one of the latter of which, under national origins, will gain, with the exception of Rumania."

The argument has also been advanced by certain people that America must maintain a British ascendancy in order that our institutions of Government might be preserved. They say that the operation of the national-origins clause will bring that situation about. Since when has the United States had to depend upon any other country for its existence? The last time that history records that we were a dependency of England was prior to 1776. Yorktown, with its victory, brought about the consummation of our independence. In that conflict for independence, 10,000 men of Irish blood served from Massachusetts alone. Those of German descent, particularly from Pennsylvania, showed their love for the cause of freedom. Likewise, those of Swiss, Swedish, French, Scotch, and other nativities, rendered yeoman service. No one excelled the other. They fought inspired.

We cannot deny, and would not want to deny it, that those of English blood and extraction have contributed in every way in the settling of the Colonies, in the war for independence, and in building up our country and protecting it in time of danger, but we should not discriminate against others who have likewise done their duty.

The operation of the national-origins clause is an affirmative statement by the Congress of the United States that the continuity of our Government is dependent upon England. Such a declaration of subservience should be abhorrent to all who consider themselves Americans.

Mr. Chairman, both parties through their standard bearers in the recent campaign went on record as favoring the repeal of the national-origins clause. Between now and March 4 action will have to be taken in order to prevent its operation. While both parties have responsibilities, the party in the majority will be directly responsible for this iniquitous, discriminatory law unless proper action is taken to repeal or defer its operation. [Applause from both sides of the aisle.]

I have received the following telegrams from American Legion posts:

SOUTH BOSTON, MASS., *February 14, 1929.*
Hon. JOHN W. MCCORMACK,
House of Representatives,
Washington, D. C.:

Post opposed to statement of Legion representatives. Do not know of any slackers in this district of nationals mentioned. District predominantly Irish. Exceeded quota in every instance. * * *

COLUMBIA POST, NO. 51, AMERICAN LEGION,
JAMES F. VAUGHAN, *Commander.*

BOSTON, MASS., *February 11, 1929.*
Hon. JOHN W. MCCORMACK,
Congressman, Washington, D. C.:

Michael J. Perkins Post, American Legion, resents any individual attempting to represent the thought of the American Legion when he says that our neighbors in Europe, whether they be Scandinavian, Jews, English, Greek, Polish, or Irish, are alien slackers. Fortunately our allies and ourselves united as one people. * * *

JOHN J. LYDON, *Commander.*

Mr. DOLLINGER. Mr. Speaker, I voted against the McCarran-Walter omnibus immigration bill when it came before the House, and I am happy to have the opportunity to vote to sustain the President's veto of the measure at this time.

Inasmuch as we have had no good, constructive legislation on immigration for 27 years, it was hoped that the bill presented to us for action would be reasonable and practicable; that it would cure the basic prejudices and discriminatory ills found in the laws now in effect. This was not our good fortune. It is essentially an exclusionist bill; as the President puts it:

> None of the crying human needs of this time of trouble is recognized in this bill.

It is a bill which ignores elementary standards of fairness in dealing with aliens; in the President's words:

> Seldom has a bill exhibited the distrust evidenced here for citizens and aliens alike, at a time when we need unity at home and the confidence of our friends abroad.

The McCarran-Walter bill, in my opinion, contains more inequities than any immigration bill ever passed by Congress, instead of allowing us to show a more humane attitude toward immigration, it threatens to close our doors tighter than ever. It perpetrates a grave injustice upon the peoples of Southern and Eastern Europe. The National Origins formula adopted in 1929 discriminates against them and the bill before us makes the national-origins legislation even more rigid and exclusive. It will reduce to a minimum the number of those admitted from Italy, Greece, Austria, Hungary, Poland, and Yugoslavia.

As for nations like Estonia, Latvia, and Lithuania, now behind the iron curtain, the excuse is made that there is no need for immigration legislation in their favor, but I am concerned about refugees from those countries and that in the displaced-persons legislation their quotas have been frozen for years to come. Our regular immigration legislation prevents even a single Austrian from coming here before 1955; any Latvian before 2074; no Lithuanians can be admitted before 2087, and not one Pole before 1999. The only hope refugees from those countries have in gaining entrance to the United States is by special legislation which would remove immigration restrictions; the McCarran bill continues to freeze all quotas originally included in the Displaced Persons Act.

As the leading nation of the world, we have held ourselves out to be democratic, generous, and in sympathy with the oppressed peoples of other nations who seek shelter within our boundaries. Passage of the Displaced Persons Act and its amendments bore out our kindly

intentions. Enactment of the McCarran-Walter bill, with its glaring inequities and prejudices, will greatly jeopardize our standing among nations, and our international relations are bound to suffer.

This omnibus immigration bill also fails to provide adequate protection to those threatened with deportation; there is not effective provision for hearings held in deportation cases. It makes it far too easy for the Immigration Bureau to deport people; it would pave the way for the Attorney General to deport an alien for any one of a variety of causes, or to denaturalize a person who may have been a United States citizen for years. The persons affected and being proceeded against are entitled to a fair hearing and necessary protection should be given them under the law.

Our country became great because we opened wide the doors to all who wished to come. Peoples from every country have contributed to our growth, culture, and strength. There should be equality for all in the immigration laws we pass—one nation should not be placed above another.

We can afford to continue to be generous. Certainly, our aim should be to eliminate the inequities and prejudices in our present immigration laws—not to enhance them.

Enactment of this bill will damage our standing as a nation; it will saddle us with poor, unfair, discriminatory laws; it will cause untold hardship to countless persons. Indeed, the bill, considering all its provisions, would be a step backward and not a step forward.

We should sustain the President's veto and work for a measure we can be proud of.

Mr. HELLER. Mr. Speaker, I want to add my voice in support of the President's action in vetoing the McCarran-Walter immigration bill. The President acted bravely and humanely. He acted in the best American traditions and in the best interests of the American people.

While the aim of the McCarran-Walter measure was to codify and revise our immigration and naturalization laws, the bill as it was actually presented to us proposes to write into basic legislation the most discriminatory and restrictive immigration policy this country has ever known. The bill also contains major threats to our civil liberties, to the promulgation of our foreign policy, and to our democratic way of life.

For these reasons I voted against this measure when it first came up in the House last April, and I shall vote to sustain the President's veto.

This bill is a dangerous piece of legislation and a threat to the future of our country because the system it prescribes and the methods it proposes are those of the totalitarian and Communist state, or police-state methods. In these crucial days, it is worth while to stop for a moment and reflect upon the direction in which we are heading. Let us remember that even in the worst crisis faced by the American people in the past, they never backed down on their democratic principles and beliefs.

Ours is a government of laws, rather than of men. Our liberties and our way of life must be protected through laws, rather than by dictators.

The McCarran-Walter immigration bill is a step in the direction of dictatorship and police methods. As such, it is contrary to American ideals, principles and traditions. I am happy once again to cast my vote against this bill and I urge all my colleagues to uphold the President's action.

Mr. WALTER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House on reconsideration pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution this vote must be determined by the yeas and nays.

Mr. KLEIN. Mr. Chairman, I trust that the House will vote to sustain the President's veto. Nothing that I can say here can improve on the very clear and lucid remarks of the President in his veto message. He has once more demonstrated his great statesmanship and his interest in keeping this country great, and in preserving our leadership of the world.

Coming as I do from a district, populated largely by first and second generation Americans, I have been in the forefront of the fight to amend our immigration laws so that they may keep the doors of this great country open to the persecuted and harassed peoples of other countries who seek sanctuary within our borders. The founders of this Nation were in that same category. The continued admission of immigrants has made us the great Nation which we are today. They have brought to our shores many of their skills, in the arts, sciences, and business, and in my opinion, have made us a better nation, more understanding of the problems of the world; and have helped to bring us to the point where we are in a position of world leadership, and in a position to aid those less fortunate throughout the world.

We have proven, I believe, that democracy in its fullest sense means that peope of all religions and racial backgrounds can live together in peace and amity and produce a force which is unbeatable. The bill under consideration which was vetoed, and rightly so, by the President would jeopardize our international relations. It would freeze into law many of the prejudices now contained in our immigration laws and the policies of the Immigration and Naturalization Service of the Department of Justice. This legislation has been debated at a period when the world is most sensitive to the thinking of the people of the United States. I had hoped that during the past 5 years the new world position of the United States would induce it to take a more humane and democratic attitude toward immigration. The passing of the Displaced Persons Act in 1948 and of its amendments in 1950 contributed to this belief. Our country has offered a haven to nearly 350,000 displaced persons since the beginning of 1949; but now the bill under consideration which contains more inequities than any immigration bill ever passed by Congress, threatens to close our doors tighter than ever.

The strongest criticism that can be leveled at this bill is its injustice to the peoples of southern and eastern Europe. Let us consider what this measure would mean to the people of Italy. It perpetrates against the Italians all the injustices originally included in the Quota Act of 1924 and the National Origins Formula adopted in 1929, really designed to bar people born in southern and eastern Europe. It is no secret that it was then the intention to keep people from southern and eastern Europe out of the stream of United States life due to the prejudices which existed against people from those areas. With regard to the Italians, for the period from 1900 to 1910, Italian immigration amounted to 2,045,877, or an average of over 200,000 a year. By the act of 1921 it was reduced to 42,000 a year. Under the national origins legislation it was further reduced to 5,800 a year. The Walter bill, I believe, would make it difficult to admit even this number; and what is said about Italy might be said with equal truth about Austria, Greece, Hungary, and Yugoslavia and Poland.

As has been so well said in the other body with regard to the different waves of immigration:

> Differences do not mean inferiority. I believe that at times America is enriched by the fact that there are differences. Think of the contributions which the southern and eastern Europeans have made in the field of art and music.

The Senator whom I am quoting went on to state:

> At each stage in American history the recent comer has been looked down upon by those who were already here * * * The tragedy is that sometimes those who came here and were oppressed when they were new immigrants, once they established themselves, looked down upon the recent immigrant.

All Americans should study the implications of these remarks. All proponents of decent, humane immigration legislation had hoped that new legislation would attempt to eliminate, at least in part, the injustices of the National Origins Act. They had hoped that any new long-term legislation would provide for the pooling of the unused quotas under the National Origins Act, which are largely those of Great Britain and Ireland. The National Origins Act set the British quota at 65,721, but in no year have the British used more than a third of this number. The Irish quota was set at 17,853, but from 10,000 to 12,000 of this quota has not been used each year.

One proposal included in the Lehman-Humphrey bill would pool the unused quotas of from sixty to seventy thousand among the countries with very low quotas. This provision would be of great importance in the Italian situation. The Lehman-Humphrey bill would base the quotas on the 1950 census instead of the census of 1920. Since the population in this period has increased by 40,000,000, this would mean consid-

erably increased quotas for the various countries. That bill would also include Indians and Negroes in computing the population on which quotas are based. This would have the effect of upping the British quota very greatly and increasing the number of immigrants who could be admitted from 153,000 to 263,000.

I had not intended to speak at such length, due to the fact that these matters have been so fully explained heretofore and have been covered in the President's veto message. It is my hope that if we sustain the President's veto we may still get legislation which will accomplish these very humane purposes.

Mr. VURSELL. Mr. Speaker, I want to congratulate Mr. THOMAS, the gentleman from Texas, chairman of the Subcommittee of the Appropriations Committee, who has brought before us today for consideration the conference report on the independent-offices bill.

I want to congratulate him particularly for the stubborn and victorious fight he has led in the conference committee to preserve the will of the House in stopping the abuse of accumulated leave and in securing the agreement of the Senate Members in the conference. He deserves great credit for his fine work.

I also want to give great praise to Congressman TABER, of New York, ranking Republican minority member and to all members of the subcommittee for helping to put an end to the very wasteful practice of accumulated leave. When the report is approved by the House, as it will be, such action will save the Federal Government from $150,000,000 to $200,000,000 annually. At the same time it will protect every legitimate right of the Federal workers. This is a great progressive step on the part of the committee and of the Congress.

Mr. Speaker, I would like to refer to another progressive step toward economy in government which ties in with this same department of Federal service by pointing out that late in the session in 1951 the Congress passed graduated leave legislation for Federal employees which reduced, in most instances, the amount of leave with pay, and at the same time increased, in a limited way, leave to postal employees so that all would be treated on more equitable basis. The important part of this reduction in leave, which became effective January 6, 1952, is that it is estimated to save the Government a minimum annually of $175,000,000. It is difficult to be exact. However, from the best information I am able to get it would appear that these two pieces of legislation, if the one before us today is ratified by the House and Senate, should add up to a total saving of a minimum of about $320,000,000 a year.

Mr. Speaker, I have followed this legislation rather closely because I was interested to the extent of introducing a bill, H. R. 2378, on February 5, 1951, which provided for graduated reduction of leave and to stop the abuse of accumulated leave. I am gratified that these abuses I pointed out at that time have finally been taken care of at a great saving to the Government.

On February 5, 1951, speaking in favor of my bill, I said:

Mr. Speaker, if the President and this Congress really want to make savings in the cost of the Government by reducing nonmilitary expenses, I am introducing a bill that will make it possible to save $200,000,000 to $250,000,000 in the next fiscal year and every year thereafter.

My bill will cut back the present 26-day annual leave for all Federal civilian employees in the executive department of the Government to 15 days' annual leave with pay, on and after June 30, 1951.

Mr. Speaker, this proposed legislation also provides that, beginning July 1, 1951, all leave thereafter accruing during the year must be used during the fiscal year in which the same is earned.

Mr. Speaker, the abuse of accumulated leave, if gone into carefully, would really amaze the Members of Congress and would certainly justify the action the Congress is about to take. I have been informed on reliable authority that some employees who start at a low salary allow the leave to accumulate, and as they are promoted to higher salaries as they remain in service, this leave is often drawn not based on the lower salary rates but on the highest rate. This is possibly the worst abuse.

Here is another abuse of accumulated leave. There are about 48,000 high-ranking officials in Government agencies and thousands of military employees who write their own tickets so far as leave is concerned. They do not have to sign a leave slip as the great bulk of low salary employees do. They can travel all over the Nation and be absent from their offices whether on business, recreation, or politics, and they still control their leave. There are instances of high public officials, I understand, who when they have resigned, have drawn several thousand dollars in a lump sum for accumulated leave.

An investigation I have conducted this week reveals that one official drew a lump sum of $3,515.12 termination pay and, I understand, another official who recently resigned received a check of $4,000 as a terminal-leave payment. Even some security risks have been paid off in handsome sums when they left the service. Policy-making officials in addition to controlling their own leave usually determine their travel itinerary which in some instances coincides with sporting events, national conventions, winter investigations in Florida, and so forth.

The Comptroller General has reported to the Congress that the accumulations of annual leave of some postmasters, and these are included among the policy making officials who control their own leave, have reached alarming proportions. He points out one case of a postmaster who had not charged himself with a single day's leave for more than 13 years. It is difficult to believe that in such a case a man had not been away from the office to attend even his "grandmother's funeral." CAF 2 and other low bracket employees, of course, would have to charge to annual leave any failure to report for duty.

Mr. Speaker, I am not against permitting a reasonable amount of annual leave; I think it will make for better employment and service. Those in the lower brackets whose time is certified by a superior have little opportunity to violate the intent of the law. My objection is against those in high brackets who certify or, shall we say, who fail to certify their own leave taking.

If there is any justification for annual leave at all paid by the Government or paid by any employer it is for the employee to refresh himself to come back to the office ready to work harder on his job after a period of relaxation. It is not to create a large stake for terminal leave or retirement purposes. If such policies are desirable, they should be approved on their own merits.

I think it would be a good idea for the proper committee of Congress to keep a watchful eye on this accumulated leave to see that any prevailing abuses are not continued in the future.

The question was taken; and there were—yeas 278, nays 112, not voting 40, as follows:

[Roll No. 119]

YEAS—278

Abbitt	Cooper	Hoffman, Mich.
Adair	Corbett	Holmes
Allen, Calif.	Cotton	Hope
Allen, Ill.	Coudert	Horan
Andersen, H. Carl	Cox	Hull
Anderson, Calif.	Crawford	Hunter
Andresen, August H.	Crumpacker	Ikard
Andrews	Cunningham	Jackson, Calif.
Angell	Curtis, Mo.	James
Arends	Curtis, Nebr.	Jarman
Armstrong	Dague	Jenison
Auchincloss	Davis, Ga.	Jenkins
Bailey	Davis, Wis.	Jensen
Baker	Deane	Johnson
Barden	DeGraffenried	Jonas
Baring	Denny	Jones, Ala.
Bates, Mass.	Devereux	Jones, Mo.
Battle	D'Ewart	Jones, Hamilton C.
Beall	Dolliver	Jones, Woodrow W.
Beamer	Dondero	Judd
Belcher	Donohoe	Kearney
Bender	Durham	Kearns
Bennett, Fla.	Elliott	Kilburn
Bennett, Mich.	Ellsworth	Kilday
Bentsen	Elston	King, Pa.
Berry	Fallon	Lanham
Betts	Fernandez	Lantaff
Bishop	Fisher	Larcade
Blackney	Ford	Latham
Boggs, Del.	Forrester	LeCompte
Boggs, La.	Fugate	Lind
Bolton	Gamble	Lovre
Bonner	Gary	Lucas
Bosone	Gathings	McConnell
Bow	Gavin	McCulloch
Boykin	George	McDonough
Bramblett	Golden	McGregor
Bray	Goodwin	McIntire
Brehm	Graham	McMillan
Brooks	Granger	McMullen
Brown, Ga.	Grant	McVey
Brown, Ohio	Greenwood	Mack, Wash.
Brownson	Gregory	Mansfield
Bryson	Gross	Marshall
Budge	Gwinn	Martin, Iowa
Buffett	Hagen	Martin, Mass.
Burleson	Hale	Mason
Burnside	Hall, Leonard W.	Meader
Burton	Halleck	Merrow
Busbey	Harden	Miller, Md.
Bush	Hardy	Miller, Nebr.
Butler	Harris	Miller, N. Y.
Byrnes	Harrison, Nebr.	Mills
Camp	Harrison, Va.	Mumma
Carrigg	Harrison, Wyo.	Murdock
Chatham	Harvey	Murray
Chelf	Hays, Ark.	Nelson
Chenoweth	Hébert	Nicholson
Chiperfield	Hedrick	Norblad
Church	Herlong	Norrell
Clevenger	Hess	O'Hara
Cole, Kans.	Hill	O'Konski
Cole, N. Y.	Hillings	Passman
Colmer	Hinshaw	Patman
Combs	Hoeven	Patten
Cooley	Hoffman, Ill.	Perkins

Phillips	Scrivner	Vail
Poage	Scudder	Van Pelt
Polk	Secrest	Van Zandt
Potter	Shafer	Velde
Poulson	Sheehan	Vorys
Preston	Sheppard	Vursell
Priest	Short	Walter
Prouty	Sikes	Watts
Rains	Simpson, Ill.	Weichel
Reams	Simpson, Pa.	Werdel
Redden	Sittler	Wharton
Reed, Ill.	Smith, Kans.	Wheeler
Reed, N. Y.	Smith, Miss.	Whitten
Rees, Kans.	Smith, Va.	Widnall
Regan	Smith, Wis.	Wigglesworth
Riehlman	Springer	Williams, Miss.
Riley	Stanley	Williams, N. Y.
Rivers	Stockman	Willis
Roberts	Taber	Wilson, Ind.
Robeson	Talle	Wilson, Tex.
Rogers, Fla.	Teague	Winstead
Rogers, Mass.	Thomas	Withrow
Rogers, Tex.	Thompson, Mich.	Wolcott
St. George	Thornberry	Wolverton
Saylor	Tollefson	Wood, Ga.
Schenck	Trimble	Wood, Idaho
Scott, Hardie		

NAYS—112

Anfuso	Hart	Morgan
Ayres	Havenner	Morrison
Bakewell	Hays, Ohio	Moulder
Barrett	Heffernan	Multer
Blatnik	Heller	Murphy
Bolling	Herter	O'Brien, Ill.
Buchanan	Heselton	O'Brien, Mich.
Buckley	Holifield	O'Brien, N. Y.
Canfield	Howell	O'Neill
Cannon	Irving	Osmers
Case	Jackson, Wash.	Ostertag
Celler	Javits	O'Toole
Chudoff	Karsten, Mo.	Patterson
Clemente	Kean	Philbin
Crosser	Keating	Price
Dawson	Kelley, Pa.	Rabaut
Delaney	Kelly, N. Y.	Radwan
Denton	Kennedy	Rhodes
Dingell	Keogh	Ribicoff
Dollinger	Kerr	Rodino
Donohue	Kersten, Wis.	Rogers, Colo.
Donovan	King, Calif.	Rooney
Doyle	Kirwan	Roosevelt
Eberharter	Klein	Ross
Engle	Kluczynski	Sadlak
Feighan	Lane	Scott, Hugh D., Jr.
Fine	Lesinski	Seely-Brown
Flood	McCarthy	Shelley
Fogarty	McCormack	Sieminski
Forand	McGrath	Spence
Fulton	McGuire	Staggers
Furcolo	McKinnon	Taylor
Garmatz	Machrowicz	Wier
Gordon	Mack, Ill.	Yates
Granahan	Madden	Yorty
Green	Magee	Zablocki
Hall, Edwin Arthur	Miller, Calif.	
Hand	Mitchell	
	Morano	

NOT VOTING—40

Aandahl	Evins	Richards
Abernethy	Fenton	Sabath
Addonizio	Frazier	Sasscer
Albert	Gore	Steed
Allen, La.	Kee	Stigler
Aspinall	Lyle	Sutton
Bates, Ky.	Mahon	Tackett
Beckworth	Morris	Thompson, Tex.
Burdick	Morton	Vinson
Carlyle	Pickett	Welch
Carnahan	Powell	Wickersham
Davis, Tenn.	Ramsay	Woodruff
Dempsey	Rankin	
Eaton	Reece, Tenn.	

So (two-thirds having voted in favor thereof) the bill was passed, the objections of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On this vote:

Mr. Fenton and Mr. Reece of Tennessee for, with Mrs. Kee against.

Mr. Abernethy and Mr. Vinson for, with Mr. Addonizio against.

Mr. Eaton and Mr. Morton for, with Mr. Aspinall against.

Until further notice:

Mr. Rankin with Mr. Woodruff.

Mr. Wickersham with Mr. Aandahl.

Mr. Dempsey with Mr. Burdick.

Mr. MURPHY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

GENERAL LEAVE TO EXTEND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may insert their remarks in the RECORD on the veto message, prior to the roll call.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, it happens that my first speech in Congress in February 1929 was against the national origins clause. I ask unanimous consent in connection with my remarks that I may include the speech I made in the House in February 1929.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING THE FIRST WAR POWERS ACT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2421) to amend the act of January 12, 1951 (64 Stat. 1257) amending and extending title II of the First War Powers Act 1941 and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. CELLER. Mr. Speaker, I want to say firstly that this bill has the unanimous vote of the Committee on the Judiciary. It seeks to extend title II of the First War Powers Act for 1 year. Those powers expire on Monday next, and in a word they empower the Department of Defense to make certain fair and equitable amendments and changes in procurement contracts. For example, in some instances there is permitted extension of delivery dates in appropriate cases and the making of advance payments or partial payments where such payments would not otherwise be authorized. It has permitted the emergency sale of spare parts to civil airlines when necessary to keep airlines operating.

Mr. MARTIN of Massachusetts. I understand it is chiefly a matter concerning the Department of Defense, and it is a unanimous report on the part of the committee?

Mr. CELLER. Substantially the Department of Defense—not completely but substantially the Department of Defense. There is a safeguarding provision, namely: the Comptroller General must pass upon all these changes.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of January 12, 1951 (64 Stat. 1257), is hereby amended by striking out "1952" and inserting in lieu thereof "1953".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INDEPENDENT OFFICES APPROPRIATION ACT, 1953—CONFERENCE REPORT

Mr. THOMAS. Mr. Speaker, I call up the conference report on the bill (H. R. 7072) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1953, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2315)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7072) "making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1953, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 40, 42, 98, 103, 105, 123, 131 and 132.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 12, 14, 15, 16, 18, 28, 67, 76, 77, 79, 82, 87, 119, 124, 127, and 129, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$59,250"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,461,200"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,475"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,590"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,509,350"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$479,250"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$321,450,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,408,460"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$88,525"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$202,500"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,085,700"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$142,235"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,053,800"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,062,500"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,960,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"Executive direction and staff operations: For necessary expenses in the performance of executive direction and staff operations for activities under the control of the General Services Administration; including not to exceed $97,385 for expenses of travel; not to exceed $250 for purchase of newspapers and periodicals; and processing and determining net renegotiation rebates; $4,140,750.

"Public Buildings Service: For necessary expenses of real property management and related activities as provided by law; including the salary of the Commissioner of Public Buildings at the rate of $16,500 per annum so long as the position is held by the present incumbent; repair and improvement of public buildings and grounds (including furnishings and equipment) under the control of the General Services Administration; rental of buildings in the District of Columbia; restoration of leased premises; moving Government agencies in connection with the assignment, allocation, and transfer of building space; demolition of buildings; acquisition by purchase or otherwise and disposal by sale or otherwise of real estate and interests therein; purchase of not to exceed three passenger motor vehicles for replacement only; and not to exceed $177,335 for expenses of travel; $101,046,030: *Provided*, That the foregoing appropriation shall not be available to effect the moving of Government agencies from the District of Columbia into buildings acquired to accomplish the dispersal of departmental functions of the executive establishment into areas outside of but accessible to the District of Columbia.

"Federal Supply Service: For necessary expenses of personal property management and related activities as provided by law; including not to exceed $250 for the purchase of newspapers and periodicals; not to exceed $77,600 for expenses of travel; and the purchase of not to exceed one passenger motor vehicle for replacement only; $2,154,100.

"National Archives and Records Service: For necessary expenses in connection with Federal records management and related activities as provided by law; including preparation of guides and other finding aids to records of the Second World War; purchase of not to exceed one passenger motor vehicle for replacement only; and not to exceed $23,340 for expenses of travel; $4,868,200."

And the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$24,300"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,750,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$37,550"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,250,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$74,500"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$133,900"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$14,536,500"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$160,425"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$237,500"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,606,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", but such nonadministrative expenses shall not exceed $455,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$112,500"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert ": *Provided further*, That notwithstanding the provisions of the United States Housing Act of 1937, as amended, the Public Housing Administration shall not, with respect to projects initiated after March 1, 1949, (1) authorize during the fiscal year 1953 the commencement of construction of in excess of thirty-five thousand dwelling units, or (2) after the date of approval of this Act, enter into any agreement, contract, or other arrangement which will bind the Public Housing Administration with respect to loans, annual contributions, or authorizations for commencement of construction, for dwelling units aggregating in excess of thirty-five thousand to be authorized for commencement of construction during any one fiscal year subsequent to the fiscal year 1953, unless a greater number of units is hereafter authorized by the Congress"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,000,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$91,400"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,275; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$230,650"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,319,500"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$163,050"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$974,500"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$112,620"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$709,500"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$240,050"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$48,586,100"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "$24,940"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$118,750"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,750,000;" and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$235,500"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,407,900"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$101,250"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: "not to exceed $78,125 for expenses of travel, National Administration, Planning, Training, and Records Management; not to exceed $408,925 for expenses of travel, State Administration, Planning, Training, and Records Servicing; $92,500 for the National Selective Service Appeal Board, of which not to exceed $3,875 shall be available for expenses of travel; and $215,200 for the National Advisory Committee on the Selection of Doctors, Dentists, and Allied Specialists, of which not to exceed $45,000 shall be available for expenses of travel;"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,225"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,419,500"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,800"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,240,550"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,500"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$13,500"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,291,375"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,546,650"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,530,700"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$343,382,260"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,750,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$734,550"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows: In lieu of the date named in said amendment insert "July 1, 1952"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,617,850"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$145,525"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,655,850"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows: In lieu of the number proposed by said amendment insert "four hundred"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,490"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,921,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendmend of the Senate numbered 95, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,041,000"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,490"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amend-

ment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,238,900"; and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows: In lieu of sum proposed by said amendment insert "$25,625"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$65,540"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,252,100"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "and $320,200 for allowances for uniforms, textbooks, and subsistence of cadets at State marine schools, to be paid in accordance with regulations established pursuant to law (46 U. S. C. 1126 (b)); $663,200"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,509,500"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$138,105"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ":*Provided further*, That administrative expenses not under limitation for the purposes set forth in the budget schedules for the fiscal year 1953 shall not exceed $151,000"; and the Senate agree to the same.

Amendment numbered 109: That the House reced from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,750"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,500"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That the nonadministrative expenses for the examination of Federal and State chartered institutions shall not exceed $1,775,000; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,150"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$146,125"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That expenditures for nonadministrative expenses classified by section 2 of Public Law 387, approved October 25, 1949, shall not exceed $28,870,000"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,534,000"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$697,500"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That all expenses of the Public Housing Administration not specifically limited in this Act, in carrying out its duties imposed by or pursuant to law shall not exceed $32,722,080"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: "not to exceed $142,500 of"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,755"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment, as follows: In lieu of the number named in said amendment, insert "one"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended by adding at the end thereof and before the period the following: ": *Provided further*, That this section shall not be applicable to annual leave accumulated prior to January 1, 1952"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment, as follows: In lieu of the number proposed by said amendment insert "403"; and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows: In lieu of the number proposed by said amendment insert "404"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows: Omit the matter stricken out and inserted by said amendment.

The committee of conference report in disagreement amendments numbered 1, 8, 9, 10, 11, 17, 19, 37, 48, 68, 86 and 130.

ALBERT THOMAS,
ALBERT GORE,
GEORGE ANDREWS,
SIDNEY R. YATES,
CLARENCE CANNON,
Managers on the Part of the House.

BURNET R. MAYBANK,
JOSEPH C. O'MAHONEY,
KENNETH MCKELLAR,
LISTER HILL,
LEVERETT SALTONSTALL,
STYLES BRIDGES,
HOMER FERGUSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7072) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1953, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

EXECUTIVE OFFICE OF THE PRESIDENT

Emergency fund for the President

Amendment No. 1—National Defense: Reported in disagreement.

Bureau of the Budget

Amendments Nos. 2 and 3—Salaries and expenses: Appropriate $3,461,200, instead of $3,314,400 as proposed by the House and $3,608,000 as proposed by the Senate; and provide $59,250 for expenses of travel, instead of $54,000 as proposed by the House and $64,500 as proposed by the Senate.

Counsel of Economic Advisers

Amendments Nos. 4, 5, and 6—Salaries and expenses: Appropriate $225,000, as proposed by the Senate instead of $208,900 as proposed by the House; provide that the appropriation shall remain available until March 31, 1953, as proposed by the Senate; and limit funds available for expenses of travel to $2,475, instead of $2,200 as proposed by the House and $2,750 as proposed by the Senate.

INDEPENDENT OFFICES

American Battle Monuments Commission

Amendment No. 7—Expenses of travel: Authorizes the use of $11,590 for this purpose, instead of $10,300 as proposed by the House and $12,865 as proposed by the Senate.

Amendments Nos. 8 and 9—Salaries and expenses: Reported in disagreement.

Amendments Nos. 10 and 11—Construction of memorials and cemeteries: Reported in disagreement.

Atomic Energy Commission

Amendments Nos. 12, 13 and 14—Operating expenses: Strike out the provision of the

House authorizing the purchase of automobiles, as proposed by the Senate, authorize the use of $2,509,350 for expenses of travel, instead of $2,230,500 as proposed by the House and $2,788,200 as proposed by the Senate; and consolidate funds for program direction and administration personnel into one fund as proposed by the Senate instead of providing separate limitations for the District of Columbia and the field as proposed by the House.

Amendments Nos. 15 and 16 and 18—Plant and equipment: Authorize the purchase of plant and equipment, as proposed by the Senate; and the purchase of aircraft, including the purchase of not to exceed two hundred and twenty-five passenger motor vehicles, as proposed by the Senate; and except from audit contracts with a foreign government, and contracts for source material with foreign producers, as proposed by the Senate.

Amendments Nos. 17 and 19—Plant and equipment: Reported in disagreement.

Civil Service Commission

Amendment No. 20—Salaries and expenses: Authorizes the use of $479,250 for expenses of travel, instead of $426,000 as proposed by the House and $532,500 as proposed by the Senate.

Amendment No. 21—Payment to civil-service retirement and disability fund: Appropriates $321,450,000 for payment to the fund, instead of $321,000,000 as proposed by the House, and $321,900,000 as proposed by the Senate.

Federal Communications Commission

Amendments Nos. 22 and 23—Salaries and expenses: Appropriate $6,408,460, instead of $6,108,460 as proposed by the House and $6,708,460 as proposed by the Senate; and authorize the use of $88,525 for expenses of travel, instead of $78,700 as proposed by the House and $98,350 as proposed by the Senate. The conferees are advised that the Federal Communications Commission, under the provisions of Title V of the Independent Offices Appropriation Act, 1952, are authorized to levy fair and equitable fees in connection with the issuing of licenses. The conferees, therefore, request the commission to give prompt attention to the matter with a view to levying such fees at the earliest practicable date.

Federal Power Commission

Amendments Nos. 24 and 25—Salaries and expenses: Appropriate $4,085,700, instead of $3,935,700 as proposed by the House and $4,235,700 as proposed by the Senate; and authorize the use of $202,500 for expenses of travel, instead of $180,000 as proposed by the House and $225,000 as proposed by the Senate.

Federal Trade Commission

Amendments Nos. 26 and 27—Salaries and expenses: Appropriate $4,053,800, instead of $3,978,800 as proposed by the House and $4,128,800 as proposed by the Senate; and authorize the use of $142,235 for expenses of travel, instead of $126,470 as proposed by the House and $158,000 as proposed by the Senate.

General Accounting Office

Amendment No. 28—Salaries: Appropriates $30,100,000 as proposed by the Senate instead of $28,600,000 as proposed by the House. The conference committee is in agreement that foreign offices should be established at strategic points abroad. It is the understanding of the conferees that a sum sufficient to enable the General Accounting Office to initiate this program in the fiscal year 1953 shall be used for this purpose.

Amendments Nos. 29 and 30—Miscellaneous expenses: Appropriate $1,960,000, instead of $1,835,000 as proposed by the House and $2,085,000 as proposed by the Senate; and authorize the use of $1,062,500 for expenses of travel, instead of $1,000,000 as proposed by the House and $1,125,000 as proposed by the Senate.

General Services Administration

Amendment No. 31—Operating expenses: The conferees have approved the House version of appropriation structure for this activity, which consists of separate appropriations and appropriation paragraphs for executive direction and staff operations; Public Buildings Service; Federal Supply Service; and National Archives and Records Service; in lieu of a lump-sum appropriation under the heading "Operating expenses" as proposed by the Senate. The action of the conferees provide a total increase of $3,000,000 in excess of the total provided by the House for these four items, and this sum has been distributed proportionately. Adjustments also have been made to provide funds for expenses of travel somewhat in excess of the limitations proposed in the House bill. In accepting the appropriation structure as contained in the House bill the conferees recognize that a few additional auditors may be required to keep accounts under the four separate appropriations, and due consideration will be given to any request for such personnel (not in excess of ten) which may be submitted at a later date.

Amendment No. 32—Emergency expenses: Authorizes the use of $24,300 for expenses of travel, instead of $21,600 as proposed by the House and $27,000 as proposed by the Senate.

Amendments Nos. 33 and 34—Renovation and improvement of federally owned buildings outside the District of Columbia: Appropriate $4,750,000, instead of $4,500,000 as proposed by the House and $5,000,000 as proposed by the Senate; and authorize the use of $37,550 for expenses of travel, instead of $33,400 as proposed by the House and $41,700 as proposed by the Senate.

Amendments Nos. 35 and 36—Repair, preservation, and equipment, outside the District of Columbia: Appropriate $9,250,000, instead of $9,000,000 as proposed by the House and $9,500,000 as proposed by the Senate; and authorize the use of $74,500 for expenses of travel, instead of $66,000 as proposed by the House and $83,000 as proposed by the Senate.

Amendment No. 37: Reported in disagreement.

Amendments Nos. 38, 39, and 40—Expenses, general supply fund: Appropriate $14,536,500, instead of $13,998,000 as proposed by the House and $15,075,000 as proposed by the Senate; authorize the use of $133,900 for expenses of travel, instead of $119,000 as proposed by the House and $148,800 as proposed by the Senate; and authorize the purchase of five passenger motor vehicles as proposed by the House instead of twelve as proposed by the Senate.

Amendments 41 and 42—Strategic and critical materials: Authorize the use of $160,425 for expenses of travel, instead of $142,600 as proposed by the House and $178,250 as proposed by the Senate; and authorize the purchase of two passenger motor vehicles as proposed by the House. No funds have been allowed for the construction of storage facilities and it is the decision of the conferees that such facilities shall be secured through the rental of such space. In the event an emergency should arise in this connection which may demand construction of facilities, approval of the chairmen of the Senate and House Committee on Appropriations shall be secured for the expenditure of funds for such purpose.

Housing and Home Finance Agency

Office of the Administrator

Amendments Nos. 43, 44, and 45—Salaries and expenses: Appropriate $4,606,000, instead of $3,606,000 as proposed by the House and $5,606,000 as proposed by the Senate; authorize the use of $237,500 for expenses of travel, instead of $210,000 as proposed by the House and $265,000 as proposed by the Senate; and restore the limitation on nonadministrative expenses proposed by the House, amended and increased from $374,000 to $455,000.

Amendments No. 46—Defense Community Facilities and Services: Inserts the provision of the Senate amended to provide $112,500 for such purpose instead of $225,000.

Public Housing Administration

Amendment No. 47—Annual contributions: Strikes out the proposal of the Senate and restores the proposal of the House amended to limit during the fiscal year 1953 the commencement of not to exceed 35,000 dwelling units.

Amendment No. 48—Annual contributions—occupancy of housing units by subversives: Reported in disagreement.

Amendment No. 49—Administrative expenses: Appropriates $8,000,000, instead of $7,000,000 as proposed by the House and $9,000,000 as proposed by the Senate.

Indian Claims Commission

Amendments Nos. 50 and 51—Salaries and expenses: Appropriate $91,400, instead of $89,300 as proposed by the House and $93,500 as proposed by the Senate; and authorize $2,275 for expenses of travel, instead of $2,000 as proposed by the House and $2,550 as proposed by the Senate.

Interstate Commerce Commission

Amendments Nos. 52 and 53—Salaries and expenses: Appropriate $9,319,500, instead of $8,935,000 as proposed by the House and $9,704,000 as proposed by the Senate; and authorize $230,650 for expenses of travel, instead of $205,000 as proposed by the House and $256,300 as proposed by the Senate.

Amendments Nos. 54 and 55—Railroad safety: Appropriate $974,500, instead of $907,000 as proposed by the House and $1,042,000 as proposed by the Senate; and authorize the use of $163,050 for expenses of travel, instead of $145,000 as proposed by the House and $181,100 as proposed by the Senate.

Amendments Nos. 56 and 57—Locomotive inspection: Appropriate $709,500, instead of $664,000 as proposed by the House and $755,000 as proposed by the Senate; and authorize the use of $112,620 for expenses of travel, instead of $100,000 as proposed by the House and $125,240 as proposed by the Senate.

National Advisory Committee for Aeronautics

Amendments Nos. 58 and 59—Salaries and expenses: Appropriate $48,586,100 for this purpose, instead of $46,522,200 as proposed by the House and $50,650,000 as proposed by the Senate; and authorize the use of $240,050 for expenses of travel, instead of $213,400 as proposed by the House and $266,700 as proposed by the Senate.

National Capital Park and Planning Commission

Amendment No. 60—Land acquisition: Authorizes the use of $24,940 for necessary expenses in connection with land acquisition, instead of $22,375 as proposed by the House and $27,500 as proposed by the Senate.

National Science Foundation

Amendments Nos. 61 and 62—Salaries and expenses: Appropriate $4,750,000, instead of $3,500,000 as proposed by the House and $6,000,000 as proposed by the Senate; and authorize the use of $118,750 for expenses of travel, instead of $95,000 as proposed by the House and $142,500 as proposed by the Senate.

Renegotiation Board

Amendments Nos. 63 and 64—Salaries and expenses: Appropriate $5,407,800, instead of $4,907,800 as proposed by the House and $5,907,800 as proposed by the Senate; and authorize the use of $235,500 for expenses of travel, instead of $180,000 as proposed by the House and $291,000 as proposed by the Senate.

Securities and Exchange Commission

Amendment No. 69—Salaries and expenses: Authorizes the use of $101,250 for expenses of travel, instead of $90,000 as proposed by the House and $112,500 as proposed by the Senate.

Selective Service System

Amendments Nos. 66 and 67—Salaries and expenses: Appropriate $36,772,000 as proposed by the Senate instead of $36,597,000 as proposed by the House; and restores the language of the House placing limitations on the several activities of this agency including limitations on funds available for the use of travel adjusted to provide a compromise figure in each instance on the funds which may be used for travel expense.

Amendment No. 63: Reported in disagreement.

Smithsonian Institution

Amendments Nos. 69 and 70—Salaries and expenses: Appropriate $2,419,500, instead of $2,274,000 as proposed by the House and $2,565,000 as proposed by the Senate; and authorize use of $10,225 for expenses of travel, instead of $9,100 as proposed by the House and $11,350 as proposed by the Senate.

Amendments Nos. 71 and 72—Salaries and expenses, National Gallery of Art: Appropriate $1,240,550, instead of $1,181,100 as proposed by the House and $1,300,000 as proposed by the Senate; and authorize the use of $1,800 for expenses of travel, instead of $1,600 as proposed by the House and $2,000 as proposed by the Senate.

Subversive Activities Control Board

Amendment No. 73—Salaries and expenses: Authorizes the use of $5,500 for expenses of travel, instead of $4,000 as proposed by the House and $7,000 as proposed by the Senate.

Tariff Commission

Amendments Nos. 74 and 75—Salaries and expenses: Appropriate $1,291,375, instead of $1,194,750 as proposed by the House and $1,388,000 as proposed by the Senate; and authorize the use of $13,500 for expenses of travel, instead of $12,000 as proposed by the House and $15,000 as proposed by the Senate.

Tennessee Valley Authority

Amendments Nos. 76, 77, 78 and 79: Appropriate $186,027,000 as proposed by the Senate, instead of $171,270,000 as proposed by the House; authorize the purchase of 220 automobiles of which 150 shall be for replacement only as proposed by the Senate, instead of 110 for replacement only as proposed by the House; authorize the use of $1,546,650 for expenses of travel, instead of $1,375,000 as proposed by the House and $1,718,300 as proposed by the Senate; and strike out the provisions of the House requiring a performance bond or satisfactory warranty in connection with the purchase of coal, and placing a limitation on funds available for personal services, as proposed by the Senate.

Veterans' Administration

Amendments Nos. 80 and 81—Administration, medical, hospital, and domiciliary services: Appropriate $843,382,260, instead of $809,382,260 as proposed by the House and $877,382,260 as proposed by the Senate; and authorize the use of $3,530,700 for expenses of travel, instead of $3,138,400 as proposed by the House and $3,923,000 as proposed by the Senate. Conferees have approved the full amount of the Budget estimate for research including work in connection with prosthetic appliances and have further agreed that there should be no reduction in the number of doctors, dentists, nurses, and dietitians.

Amendment No. 82—Hospital and domiciliary facilities: Appropriates $66,316,000 as proposed by the Senate, instead of $153,600,000 as proposed by the House. It is the opinion of a majority of the members of the committee on conference that the hospital needs of neuropsychiatric veterans, and those veterans afflicted with tuberculosis, should have immediate consideration, and that a careful review of the funds to be available during the next fiscal year should be made with a view to diverting all such funds as may be available for use in the provision of NP and TB beds in the western area of the United States where there is an urgent and growing need for such facilities.

Amendment No. 83—Major alterations, improvements, and repairs: Appropriates $8,750,000, instead of $3,000,000 as proposed by the House and $9,500,000 as proposed by the Senate.

War Claims Commission

Amendments Nos. 84 and 85—Administrative expenses: Appropriate $734,550, instead of $683,000 as proposed by the House and $786,100 as proposed by the Senate; and authorize the use of $9,000 for expenses of travel, instead of $8,000 as proposed by the House and $10,000 as proposed by the Senate.

Amendment No. 86—Reduction in appropriation, National Capital Sesquicentennial Commission: Reported in disagreement.

Independent offices—general provisions

Amendment No. 87—Persons engaged in personnel work: Exempts from the provisions of the section persons engaged on work as committees of expert examiners and boards of civil service examiners as proposed by the Senate.

TITLE II—DEPARTMENT OF COMMERCE

Maritime Activities

Amendment No. 88—Operating-differential subsidies: Inserts the language of the Senate amendment in lieu of the proposal of the House in connection with the number of voyages for subsidized operators amended to be effective as to new operators on July 1, 1952, instead of July 1, 1951, as proposed in the Senate amendment.

Amendments Nos. 89, 90, 91, 92, 93, 94, 95 and 96—Salaries and expenses: Appropriate a total of $15,617,850 for such purpose, instead of $14,375,700 as proposed by the House and $16,860,000 as proposed by the Senate; provide $8,655,850 for administrative expenses, instead of $8,099,700 as proposed by the House and $9,212,000 as proposed by the Senate, of which $145,525 shall be available for expenses of travel, instead of $130,700 as proposed by the House and $160,350 as proposed by the Senate, authorize the transfer of funds from the Vessel Operations Revolving Fund for the employment of four hundred employees, instead of three hundred as proposed by the House and five hundred as proposed by the Senate; provide $1,921,000 for maintenance of shipyard facilities, operation of warehouses, etc., instead of $1,764,000 as proposed by the House and $2,078,000 as proposed by the Senate; of which $2,490 shall be available for expenses of travel, instead of $2,200 as proposed by the House and $2,775 as proposed by the Senate; and provide $5,041,000 for reserve fleet expenses, instead of $4,512,000 as proposed by the House and $5,570,000 as proposed by the Senate, of which $7,490 shall be available for expenses of travel, instead of $6,650 as proposed by the House and $8,325 as proposed by the Senate.

Amendments Nos. 97, 98, 99, 100, 101, 102 and 103—Maritime training: Appropriate $3,252,100, instead of $2,795,200 as proposed by the House and $3,990,000 as proposed by the Senate; authorize the use of $2,238,900 for personal services, instead of $1,881,600 as proposed by the House and $2,474,100 as proposed by the Senate, and eliminate the provision of the Senate excluding from the foregoing amount for personal services the pay of cadet midshipmen; authorize the use of $2,000 for contingencies for the superintendent, instead of $1,500 as proposed by the House and $2,500 as proposed by the Senate; authorize the use of $25,625 for expenses of travel, instead of $20,500 as proposed by the House and $30,750 as proposed by the Senate; authorizes the transfer of $65,540 to the Public Health Service, instead of $55,680 as proposed by the House and $72,500 as proposed by the Senate; and eliminate the proposal of the Senate providing for pay of cadet midshipmen, restoring in lieu thereof the House provision for uniforms and textbooks.

Amendment No. 104—State marine schools: Appropriates $663,200, instead of $643,400 as proposed by the House and $1,092,050 as proposed by the Senate; and eliminates the proposal of the Senate providing for the pay of cadet midshipmen at $65 per month and $275 per annum for subsistence, restoring the provision of the House bill providing for allowances for uniforms, textbooks, and subsistence, amended to provide $320,200, instead of $300,400 as proposed by the House.

Amendment No. 105: Restores the provision of the House relating to payment for vessels requisitioned or insured by the Government and lost while so requisitioned or insured.

TITLE III—CORPORATIONS

Housing and Home Finance Agency

Amendments Nos 106, 107, and 108—Federal National Mortgage Association: Authorize the use of $3,509,500 of available funds for administrative expenses, instead of $3,371,425 as proposed by the House and $3,647,600 as proposed by the Senate; authorize the use of $6,750 for expenses of travel, instead of $122,760 as proposed by the House and $158,450 as proposed by the Senate; and restore the limitation of the House on administrative expenses not under limitation, amended to fix such limitation at $151,000.

Amendment No. 109—Office of the Administrator (prefabricated housing): Authorizes the use of $6,750 for expenses and travel, instead of $6,000 as proposed by the House and $7,500 as proposed by the Senate.

Amendments Nos. 110 and 111—Home Loan Bank Board: Authorize the use of $22,500 for expenses of travel, instead of $20,000 as proposed by the House and $25,000 as proposed by the Senate; and restore the limitation of the House on nonadministrative expenses for examination of Federal and State chartered institutions, amended to fix such limitation at $1,775,000.

Amendment No. 112—Federal Savings and Loan Insurance Corporation: Authorizes the use of $4,150 for expenses of travel, instead of $3,700 as proposed by the House and $4,600 as proposed by the Senate.

Amendments Nos. 113 and 114—Federal Housing Administration: Authorize the use of $140,125 for expenses of travel, instead of $130,000 as proposed by the House and $162,250 as proposed by the Senate; and restore the limitation of the House on nonadministrative expenses, amended to fix such limitation at $28,870,000.

Amendments Nos. 115, 116, 117, and 118—Public Housing Administration: Authorize the use of $11,534,000 of available funds for administrative expenses, instead of $10,455,000, as proposed by the House and $12,613,000 as proposed by the Senate; authorize the use of $697,500 for expenses of travel, instead of $620,000 as proposed by the House and $775,000 as proposed by the Senate; restore the limitation of the House on nonadministrative expenses, amended to fix such limitation at $32,722,080; and authorize the use of $142,500 of available funds for expenses in connection with the sale of certain properties, instead of $50,000 as proposed by the House.

Inland Waterways Corporation

Amendments Nos. 119, 120, and 121—Administrative expenses: Authorize the use of $481,200 of available funds for administrative expenses, as proposed by the Senate, instead of $467,330 as proposed by the House; authorize the use of $10,755 for expenses of travel, instead of $9,560 as proposed by the

House and $11,950 as proposed by the Senate; and authorize the purchase of one and hire of passenger motor vehicles, instead of the purchase of two such vehicles as proposed by the Senate.

TITLE IV—GENERAL PROVISIONS

Amendment No. 122—Limitation on annual leave, civilian officers and employees: Restores the matter stricken out by said amendment, adding thereto a provision to the effect that the section shall not be applicable to annual leave accumulated prior to January 1, 1952.

Amendment No. 123: Corrects a section number.

Amendment No. 124: Limitation on number of automobiles operated at seat of government: Strikes out the proposal of the House in this connection.

Amendments Nos. 125 and 126: Correct section numbers.

Amendment No. 127: Restriction on compensation of persons acting as chauffeurs: Inserts the proposal of the Senate to except persons on duty in a foreign country.

Amendment No. 128: Prohibition against appointment of personnel and percentage reduction in funds available for personal services: Omits the matter stricken out and inserted by said amendment.

Amendment No. 129: Fixes a ceiling of $1,600 which may be paid for the acquisition of passenger motor vehicles, with certain exceptions, as proposed by the Senate.

Amendment No. 130: Limitation on funds available for personnel engaged in information, publicity, editorial, and similar work: Reported in disagreement.

Amendment No. 131: Limitation on funds available for pay above basic rates and for transportation of things: Strikes out the proposal of the Senate.

Amendment No. 132: Corrects a section number.

ALBERT THOMAS,
ALBERT GORE,
GEORGE ANDREWS,
SIDNEY R. YATES,
CLARENCE CANNON,
Managers on the Part of the House.

Mr. THOMAS. Mr. Speaker, I understand there will be a motion to recommit by our distinguished colleague from California [Mr. PHILLIPS]. In order to be perfectly fair in the matter, I understand I have 1 hour, and I want to yield one-half of that to the gentleman from California [Mr. PHILLIPS]. We will have only two or three speakers on this side and I would like to close debate so if the gentleman will use his 30 minutes it will be fine.

Mr. PHILLIPS. I thank the gentleman, and, in accepting the terms of that offer, I yield myself 10 minutes.

Mr. Speaker, the hour is late, and the question before us, grouped as one problem, is a very simple problem.

The conference report on independent offices, when we went to conference with the Senate, had 132 points at issue. Several of those were technical points. The important point is that out of the entire lot, the committee of conference was in agreement upon all those which I can now group.

In order to save time, the minority managers on the part of the House, did not sign the report and I shall explain our reasons for that. I shall also say that in order to save time we will not attempt, as the items are read by number in the conference report, to amend or change or to return any of those at that time. At the proper time I shall offer a motion to recommit, and in order that this matter may be clear in the discussion I shall read the motion to recommit:

I move to recommit the bill H. R. 7072 to the committee of conference with instructions to the managers on the part of the House to insist on the House provisions on the number of housing units to be commenced in fiscal 1953—

Which is item 47—

to insist on the inclusion of the money necessary for new hospital construction.

This is for veterans' hospitals and appears as item 82—

to insist on the orderly formula for personnel replacement contained in the so-called Jensen amendment.

That is item 128, which I shall further explain—

and further to insist on the Senate provisions for the appropriations for maritime training.

Items 97 to 103, inclusive.

There was one other item because of which the minority members did not sign the report, and that had to do with the number of steam plants for the Tennessee Valley Authority. But since it is a small matter, whether we discuss it in this conference report or whether we discuss it tomorrow when the supplemental bill comes up, the minority members with whom this was discussed decided not to include that in the motion to recommit.

Why do we bring this back? Because when this subcommittee came to you with the independent offices bill we said to you that these were our best opinions, and in several of those cases, by recorded vote upon the floor, you changed our decisions. We felt that we did not have the right to accept in conference the changes which were made in the Senate and concurred in by a majority of the conferees without bringing it back to the floor for action.

On the floor on March 20 we proposed 25,000 houses. The gentleman from Texas [Mr. FISHER] offered an amendment limiting that to 5,000 houses. This was carried by a recorded vote. The Senate changed this to 45,000 houses, and by a vote of approximately 2 to 1 in the conference 35,000 houses would be permitted to be started in fiscal year 1953.

There are many people upon this floor who believe that that is a larger number of houses than should be permitted to be started in the fiscal year 1953, and you will have an opportunity to express your opinion whether you agree with the people who think that way.

On the matter of the Jensen amendment I want you to understand thoroughly what the situation is, because I, for one, think it is very important. Actually, in many of the individual agencies for which we are providing money we, between the House and Senate, have cut the amount to an amount equal to or less than the amount which would have been provided in the Jensen amendment. The question therefore arises, why do I ask you to vote on the Jensen amendment to authorize us to insist upon the orderly formula for personnel replacement? Because if we do not insist upon this and send us back to conference the head of an agency, included in this bill, will have the right to remove people to meet the reductions in money and, therefore, in personnel, at his judgment.

The Jensen amendment provided a formula by which people who left the agency for any reason, voluntarily or otherwise, would not be replaced until these figures were reached; and I, for one, think that is an important amendment and that we should insist upon it.

I do not believe that this House knowingly would permit the figure to stand for the Veterans' Administration hospitals. The Senate cut out all construction for the new hospitals for veterans, leaving us in this situation—and please, Mr. Speaker, I do not stand here to defend the number of hospitals that have been built, the number of beds in the hospitals that have been built, or the location of the hospitals that have been built. For 10 years I have been endeavoring to induce the Veterans' Administration to make a re-evaluation of the veterans' hospital program. We have built these hospitals, whether or not they were correct; we have built them of a size which may or may not have been correct, and now when we reach the greatest need of all, the need for neuropsychiatric hospitals, with one stroke the other body cuts out the money for the neuropsychiatric hospitals, the NP hospitals.

In the program there were four hospitals, one to be built in the Middle West—that was not in this money and that will come next year—one to be built in the Middle West, Cleveland, of a thousand beds; and two to be built on the west coast of a thousand beds each. We have leveled ground for one of them and have asked for bids. We have acquired the land for the other. We would have to stop the bids and pay a penalty.

We may have put hospitals in the wrong place, we may have built too many general medical and surgical hospitals, but we cannot today deny the hospitals most needed for the veterans where the veterans are today and not where they used to be 10 years ago.

And so, in conclusion, because I do not wish to delay the House, it seems to me that the House should send us back to conference on the four items I have indicated in this particular motion to recommit.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. VAN ZANDT. The four hospitals that have been cut out by the Senate, is that in addition to the 16,000 beds the President took away from the VA some years ago?

Mr. PHILLIPS. That is correct as I understand it.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mrs. ROGERS of Massachusetts. I understand the conferees have approved the full amount of the budget estimate for research, including work in connection with prosthetic appliances. There is to be no reduction in the number of nurses, dieticians, and so forth?

Mr. PHILLIPS. That is correct.

The SPEAKER. The time of the gentleman from California has expired.

Mr. PHILLIPS. Mr. Speaker, I yield myself two additional minutes.

Mr. COTTON. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from New Hampshire.

Mr. COTTON. I am sure that the gentleman from California will agree with me when I interpolate this observation. I think those of us representing the minority side of the subcommittee have always admired greatly our chairman, the distinguished gentleman from Texas [Mr. THOMAS]. I, for one, never admired him so much as in the course of the conference on this bill. He did a truly magnificent job and he came back with a magnificent victory on almost all of the 130 items. He saved the important language in the housing clause, he saved the important Thomas rider, he saved a great deal of the matters that are very important in this bill. I am sure the gentleman from California will agree that it is only because of the solemn vote taken in this House on the housing question and on the matter of veterans' hospitals as well as the Jensen amendment that compels us to come back to make sure that the House passes on those vital questions; is that correct?

Mr. PHILLIPS. The gentleman makes my peroration for me. That is exactly the situation. We greatly admire the gentleman from Texas [Mr. THOMAS] and, furthermore, we bring this bill back with an unusual condition in it—with less money than when it left the House. I think this marks a milestone in the relations between the two bodies.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Will the gentleman explain to us why we have to consider all four of these together?

Mr. PHILLIPS. Because all four are in the minds of some people. You may not be interested in all four, other people are not interested in the ones you are interested in.

I neglected to say anything about the maritime appropriation. I will not go into it at length, but it has to do with the maritime training schools which is an obligation of the Federal Government and which I feel is important.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Is there any possibility under the present procedure to have the four items divided as separate amendments so that there could be separate votes on each one?

Mr. PHILLIPS. No; I am making them as one motion to recommit.

The SPEAKER. The time of the gentleman from California has expired.

Mr. PHILLIPS. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I simply want to explain some points of the Jensen amendment. I want every Member of this body to know that there is nothing in the Jensen amendment any place which keeps a department from reducing its personnel to a greater degree than what is provided for in the Jensen amendment. Also on items which the committee and the conferees have reduced to a greater degree than is provided in the Jensen amendment the figures in the bill still hold good. In other words, the Jensen amendment does not apply to any item that the committee has cut to a greater degree than the Jensen amendment provides. The original Jensen amendment that passed this House would cut the bill passed by the House approximately $50,000,000. It applied to the number of personnel who were on the rolls in each one of these agencies as of July 1, 1952. Hence, any claim that might be made that the committee cuts are greater than are provided for in the Jensen amendment, is simply not a fact.

The minority members of the committee have suggested a compromise which was printed in the Appendix of the CONGRESSIONAL RECORD, on page A3868. This proposed compromise will not save as much money as the original amendment, because it applies to the budget instead of applying to the number on the rolls as of July 1, 1952. So much for that.

Now regarding the four veterans hospitals which the Senate saw fit to cut out of the House bill. It can be said truthfully and honestly that we Members of Congress, on both sides of the aisle, who have been constantly fighting to cut out waste and extravagance for nonessential expenditures for Government have not and will not economize for the facilities needed for proper care of disabled veterans, and hence we hope the fund for these hospitals will be restored. I shall support the motion to recommit.

Mr. THOMAS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I want to talk about the public-housing amendment that was accepted by the conference committee. The acceptance of 35,000 units was a matter of compromise. I would have preferred to have seen the entire 45,000 units voted by the Senate accepted by the House conferees, and I would have preferred to see the language of the Fisher amendment stricken from the conference report. The Senate considered this bill, and it struck the entire Fisher amendment including the very harsh language which prevents advance planning by the Public Housing Authority. The conferees reinserted it. I would like to remind the gentleman from California who now seeks to recommit this report to conference, that when he was arguing for the antiadvance planning language, the so-called antileapfrog provision last year, he stated that this provision was even more important than the limitation upon public-housing starts. He said at that time it would prevent the Public Housing Administration from making plans for thousands and thousands of units for years into the future. Personally, I believe advance planning is necessary, but in the interest of achieving a compromise I was willing to abide by the decision of the conferees to accept 35,000 units and to include this language. Let me point out that under this language, the number of units that may be constructed in any single year is entirely within the control of the Congress.

The only matter in controversy, therefore, is the number of public-housing units that shall be constructed this year. The conference approved 35,000 units. Is this an inordinate number? Does this number even approach the number contemplated in the Public Housing Act of 1949 which this House adopted? Of course not. That act provided for the construction of 135,000 units each year. This number is 100,000 less. It is less than half the number approved this year by the Bureau of the Budget.

Moreover, in the Housing act of 1949, it was contemplated that the number of public-housing units would be constructed at a rate of 10 percent of the total number of housing starts. The number we are asking the House to approve today does not even approximate that ratio. In the year 1949, for example, we had over a million private housing starts. In 1950, there were more than 1,400,000 private housing starts. In 1951, despite defense cutbacks, there were over 1,100,000 private housing starts, and this year bids fair to pass even the mark set during 1951. In addition, it must be remembered that the Government has provided tremendous advantages to the private building industry which must be considered in the total picture as well. The Federal Government has provided reserves and investment insurance in savings and loan institutions with resources totaling $17,500,000,000 serving 12,000,000 individual borrowers and investors. Through the Federal Housing Administration there have been more than 15,000,000 housing loans totaling more than $25,000,000,000, enabling more families to own their own homes and builders and renters to greatly extend their business. The Government has guaranteed 2,500,000 home loans to veterans, totaling more than $15,000,000,000 and has provided over $2,750,000,000 for Government mortgage purchases. This has given tremendous impetus toward the construction of private homes, and the sum total of all the investment by the Government toward stimulating the construction of private housing is in excess of $70,000,000,000.

Much has been said about the fact that this is socialized housing. The effort is made by using this term to conjure up a horrible implication toward public housing. It was not so very long ago that the senior Senator from Ohio [Mr. TAFT], in a speech in the other body appearing in the CONGRESSIONAL RECORD, volume 94, part 4, pages 4600–4601, stated the following:

> The question we have to meet, in addition to private housing, arises from the tremendous number of slum dwellings, of indecent dwellings, in many cities in the United States, and to some extent in the rural districts, which have gradually developed. We have a system of private enterprise which has built millions of

houses for us over the years, and yet, regardless of the fact that that system has been free, the houses at the bottom have steadily deteriorated, and there are approximately five or six million homes the rentals of which are about $15, because the homes have deteriorated. Many of them are gradually being replaced, and will be replaced through private enterprise. But I, myself, became convinced that there was nothing to show that private building in the future, any more than private building in the past, would ever eliminate the slums; and the result of simply tearing them down is to develop slums in other areas exactly as the previous slums were developed.

The difficulty arises from the fact that housing is still more expensive than it ought to be for the income of the people. Today the fact still is that the people's income is such that families that are perfectly able to pay for their food and their clothing and their other activities are unable to pay a rent sufficient to obtain a decent house.

He also stated:

If we can reduce the cost of housing I should say we might eliminate the problem of public housing, but otherwise there is a very considerable group of persons who are unable to pay for decent houses, but who are able to pay for everything else.

The question is, What can the Government do about it? It cannot be said that the Government has no interest in the problem. The Government has gone into it through FHA and through private housing. The Government has an interest in seeing that the lower-income groups have decent homes. It has long been recognized in this country and in England and elsewhere that there is an obligation of government to see that every family shall have a minimum amount of food in the form of relief. We have long recognized the principle that persons who cannot pay for medical care should be given a minimum of medical care. We have recognized the principle that persons who cannot pay for education should be given a free education. We have gone further in education than we have in the other fields. We have not, until within the past 10 years, recognized a similar obligation with regard to shelter. I very strongly believe we have that obligation. I believe that if we desire to have reasonable equality of opportunity for the children of this country they must be allowed to grow up in a situation in which there is at least decent shelter in which families can live as human beings and can receive a start in life free from crime and free from the demoralization of character resulting from living in a slum area.

Today housing is a more difficult problem than is relief or medical care. We have tried different methods. Can it be solved through the giving of relief? Can we solve the problem simply by paying tenants a sufficient amount to enable them to pay their rent, if they receive a very low income or no income at all? The general answer is that that will not solve the problem. There are still slum areas, and in all probability we shall not improve them. The persons who own them will simply receive larger rents. They may put the housing in better condition, but no one will build a new home on the chance that 10 years from today someone may not be receiving relief. We do not know whether it will work.

What about the question of private industry doing this job? To use the words of the same gentleman as they appear later in the speech:

There has been much criticism of the bill by real estate boards and private contractors. As the bill is written, there is not the slightest competition with private industry. We provide in the bill that no one shall be allowed to occupy a house in one of these areas if he is paying within 20 percent of the rental which must be paid for housing of a reasonably decent character in the particular community. As we have limited the terms of the bill, no private industry is justified in making the claim that there is any competition with industry in the type of public housing proposed in title VI. So far as I can judge, no way can be discovered to eliminate slums, unless while we are reducing the cost we are helping private industry.

Further in his speech the Senator stated:

A complete housing program cannot be carried on unless we are prepared to provide some public housing at the bottom of the scale, and set an example, help eliminate slums, and take the edge off the problem at the bottom.

I doubt that any of the gentlemen on the Republican side of the aisle who are opposing this conference report and the construction of public-housing units, and I doubt that the gentleman from Texas [Mr. FISHER], who would cut the number of housing units to 5,000, can successfully claim that the gentleman from Ohio is a Socialist or is in any way the champion of socialism.

Mr. Speaker, this report is a compromise. In conferences we cannot get everything we want, although I think that under the very able leadership of the gentleman from Texas [Mr. THOMAS] the House won a victory in the conference. I think the House should support the conferees and vote down the motion to recommit.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Michigan.

Mr. CRAWFORD. If the citizen gets a loan for construction and that loan is paid by the citizen, the Government does not put up the guarantee, and simply because the citizen meets his own obligation.

Mr. YATES. That is correct.

Mr. CRAWFORD. What has the Government furnished, then? The Government is carrying an insurance policy on the Federal housing, financed by local banks for the use of the citizen.

Mr. YATES. That is correct, except I should like to point out to the gentleman that I was attempting to enumerate the financial aids given by the Government to private enterprise for the construction of private housing.

Mr. CRAWFORD. One is money out of the tax box, the other is something entirely different.

Mr. YATES. The gentleman knows we make appropriations every year for the Federal National Mortgage Association, for example. The appropriations bill that will be considered tomorrow contains almost $1,000,000,000 for the Federal National Mortgage Association. That sum is being appropriated out of the taxpayers' pockets. It will be repaid later, it is true, but nevertheless there is a current appropriation for private housing purposes.

Mr. CRAWFORD. What is the $1,000,000,000 used for?

Mr. YATES. For secondary mortgages.

Mr. CRAWFORD. Oh, sure, but again if the citizen pays the obligation, the Government does not have to pay it.

Mr. YATES. That is true, but the question we are debating is whether the Federal Government shall help those who cannot afford to purchase private housing or pay current rentals. I believe it should. To use the phrase of the senior Senator from Ohio, "I believe that if we desire to have reasonable equality of opportunity for the children of this country they must be allowed to grow up in a situation in which there is at least decent shelter in which families can live as human beings and can receive a start in life free from crime and free from the demoralization of character resulting from living in a slum area."

Mr. PHILLIPS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, first let me thank the gentleman from California [Mr. PHILLIPS] for so kindly yielding time to me.

We are in a situation here where an effort is being made to dress up a motion to recommit the conference report to the conferees, in order to scare those who want to vote for the 35,000 public-housing units into voting for it and killing the provision for these units. A vote could easily have been taken on each particular item of the four in the motion to recommit as it came up, but they have been lumped together in a motion to recommit expressly for that purpose. I will prove that, and I do not think any Member should be taken in by it. It is perfectly legitimate but my point is that no Member should succumb to that bait.

People in the big cities are going to be watching this vote. This is a public-housing vote. The conference report is giving them this year 35,000 units, 3.5 percent of the million housing units to be produced this year. Last year the Congress gave them 50,000, which is 5 percent. The House has just taken off most of the controls because Members apparently believed there were more materials available, and that the defense emergency is not too great a limitation on them. But that action on the Defense Production Act cannot be justified if at the same time a very minor percentage of public housing is being denied and reduced even below last year.

Now for the proof: What the movants hope for on this motion to recommit is to go back to the Senate and insist upon the amount the Senate gave for maritime training, not the amount the House gave; the amount the Senate gave is a few hundred thousand dollars more. I ask you, is that put in for window dressing or because they really and seriously are interested in taking that back to the Senate? Generally, they would be expected to insist on what the House did and not to try to get what the Senate did. No; this is a package to try to induce you to defeat this particular conference report because it contains a small 35,000 public-housing units. I hope you will not be taken in by it.

We have just lost seven people in a flash fire in substandard housing in New York. There are 50,000 such buildings in

the city of New York. The State and the city—and that is true of many of the great cities—have tried to meet this obligation for better housing and much has been done, but not nearly enough. They cannot meet it and the help of the Federal Government is urgently needed.

Forty percent of our population have families earning less than $3,000 per year. For that 40 percent of the population this conference report is providing only 3.5 percent of the housing units expected to be started in the next fiscal year.

I assure you the conference committee and the Appropriations Committee will be able to work out all of these problems about the veterans' hospitals and the other matters they are putting into this motion to recommit, if they want to, but what is being attempted by this kind of a motion is to scare those who are willing to give this bare fragment of public housing to the millions who need it so urgently, from doing it. I do not think we ought to be scared and I ask you to vote down the motion to recommit.

Mr. THOMAS. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts, the distinguished majority leader [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, it is very apparent that the motion to recommit is what might properly be termed a trick motion. The gentleman from New York [Mr. JAVITS] pointed his finger at that very fact, and clearly conveyed to the Members of the House the combination of four factors which constitute nothing but a trick motion. Two of the hospitals that are involved here are in California I am informed. It would be very interesting to know some of the history that took place in the conference committee in relation to some of the items in dispute. The gentleman knows when he offers his motion to recommit that you cannot demand a separate vote on each one of the four items. If it was an amendment before the House, you could have a separate vote on the different items. You could have a separate vote on housing and you could have a separate vote on any one of the other three items, if any Member so demanded. But on a motion to recommit on a conference report, you cannot demand a separate vote on any of the component matters which constitute the motion to recommit. The 35,000 units for public housing is about one-half of what was recommended in the budget message of the President. As I remember, the President recommended appropriations which would build 75,000 housing units. When the Committee on Appropriations reported its appropriation bill, it provided an appropriation for 25,000 units. A motion was made to reduce it to 5,000 units, which on the roll call the House adopted. The other body inserted appropriations in the bill for 45,000 units, and the House conferees agreed upon 35,000 units, but, retained the so-called provision which prevents leap-frogging. The important part of this motion to recommit is public housing. There is no question about that, and the other part is the Jensen amendment. The other two items are just thrown in for the purpose of confusing and for the purpose of getting Members into an embarrassing position, if it can possibly be done. If this motion should prevail, I hope my friend, the gentleman from Texas, will cross up such an attempt and bring back in disagreement the various items. That is if the motion should prevail, and I hope it does not; I hope he will bring them back so that they can be put to the House on a separate vote, and thus prevent this trick motion to recommit from being carried successfully into operation.

We are going to either adjourn or recess on July 5. One thing is certain: We have to do that in connection with the two coming national conventions. That is the only fair thing to do. We would like to adjourn. If we cannot adjourn, we certainly will have to take a recess due to the fact that the Republican convention starts on July 7. If we are going to adjourn, we have to get the appropriation bills out of the way, and certainly we cannot take a chance, if we do expect to adjourn, on recommiting appropriation bills, because, in my opinion, that is the one thing which will prevent an adjournment sine die. I hope, in view of the trick motion which is offered, that it will not be carried, and that the House will not recommit the conference report, and I hope between now and July 5 the various appropriation bills will be disposed of so that we can adjourn sine die. It would be very interesting if it were possible to obtain the real history of what took place in the conference committee in relation to some of these veterans' hospitals.

Mr. Speaker, I hope the motion to recommit will be defeated.

Mr. PHILLIPS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Speaker, I earnestly hope the House will not retreat from the stand it took on March 21 against socialized housing, when we had a record vote on that occasion.

I am not at all surprised that the advocates of public housing are at least satisfied with the so-called compromise of 35,000 socialized units, the construction of which will begin during the next fiscal year.

Let us see how much of a compromise this is. I hope, even though at this last minute when we are already hearing that warning that we are nearly through and that we have to rush things through without thinking them through, I hope the House will stand up this afternoon on this important issue and say that we can sit here until Christmas, if necessary, in support of the vital principle that is involved in this socialized housing program.

On March 21 the House, on a record vote of 168 to 192, announced that it wanted no more than 5,000 of the socialized housing units to be begun during the next fiscal year, including the so-called leapfrog provision that has been referred to, which was a fine thing. It went to the other body and there, by a very narrow margin, the House figure was not accepted. The vote was 31 to 37. A shift of three votes on the part of the other body would have accepted the so-called Fisher amendment and it would not even have been in conference. So apparently there is very substantial support in the other body for the position that the House took. Despite that fact, the conferees apparently not informed about the extent of the support which our position had in the Senate, instead of a compromise of a reasonable figure they go to 35,000. Now they come in and say, "Yes, but we have got the entire leapfrog provision in there so that they cannot commit themselves for future years." That is well and good, but it does not attack the evil that is involved in this socialized housing program. It does not do anything to help stop the evil of this thing that is going on.

I wish, Mr. Speaker, I could discuss a number of the factors that are involved. I have made some study of it recently, but we do not have very much time. The big cry you always hear is that this is slum clearance and we have to get rid of the slums. Recently I have seen repeated evidence of the fact that many of the larger projects are built on vacant land, practically built entirely on vacant land. Recently the city of Los Angeles in an important referendum voted 3 to 1 against a 10,000-unit program out there. The newspaper report said 80 percent of the land that was purchased for that construction was vacant, not slum clearance. Instance after instance of the same thing is going on all over the country. This is not a slum-clearance program. That is an incidental thing. It is a good vote-getter. It sounds good. Nobody is in favor of slums. But after all is said and done, it is one of the most expensive housing construction operations ever undertaken anywhere. If you will just study the details of this it is absolutely appalling. I will refer to it briefly.

These units actually cost, according to the figures put out by the Public Housing Authority, more than $12,000 in Federal subsidies donated to the local housing authorities, and which are applied on the payment of the bonds that are sold on Wall Street and throughout the country. Then the local contribution, after taking the "in lieu" contribution, amounts to about half that amount. Therefore, each individual unit is costing the American taxpayers, either on the local level or the Federal taxpayers, a total of more than $18,000. The total cost of the 30,000 units added in conference amounts to more than $500,000,000. The American taxpayers have to pay that. It would be much cheaper for the Government to donate these housing units to these people and not be bothered with this tremendous cost and all the social evils that are involved in it.

Mr. JACKSON of California. Mr. Speaker, will the gentleman yield?

Mr. FISHER. I yield.

Mr. JACKSON of California. The gentleman mentioned the Los Angeles situation. The voters of that city went to the polls and voted 3 to 2 against public housing in Los Angeles. Is the

gentleman aware of the fact that the Housing Administration has said it does not make any difference what the people of Los Angeles want; we have a valid contract with the city of Los Angeles; we are going to build the public housing there and it does not make a bit of difference what your people think about it?

Mr. FISHER. The gentleman is exactly correct; and it is amazing how inconsistent, how absolutely inconsistent the Public Housing people are in promoting these projects and foisting them upon the people all over the country. Would it surprise the gentleman to learn that in this bill they have nearly $1,000,000 for traveling expenses for this agency? This is for nearly a thousand people, I think 919—that they want to send all over the country just to traipse around and promote and impose this program, including many, many misrepresentations, I can assure the gentleman, imposed upon local city councils who do not know just what they are getting into; and many of them are begging and pleading to be released from the projects.

Mr. Speaker, a vote to recommit this conference report is a vote against socialized housing, a vote against recommiting is a vote for socialized housing.

Mr. PHILLIPS. Mr. Speaker, I may say to the gentleman from Texas that we have but one speaker. Would it not be proper for him to use all but his last speaker on his side before I yield the balance of my time to the gentleman from New York?

Mr. THOMAS. I will close the debate.

Mr. PHILLIPS. The gentleman has no other speaker?

Mr. THOMAS. No.

Mr. PHILLIPS. Then, Mr. Speaker, I yield the balance of my time to the gentleman from New York, Mr. TABER.

The SPEAKER. The gentleman from New York is recognized for 8 minutes.

Mr. TABER. Mr. Speaker, I should like to clear up two or three things about this situation.

The increase above the House figures of 30,000 units: What does it mean? It means that every month after these housing units go into operation there is paid a subsidy of approximately $32.50 for every apartment or individual in a housing project. And what does that mean over the lifetime of the project? It means, as the gentleman from Texas has told you, $12,160 on 30,000 units; it means $364,800,000. That is what you are voting on; it is not any little subsidy; it is not any little item; it is, to my mind, a great big swindle, because you could hand these people dollar-free units to live in cheaper than that in almost any place in the United States. It is the most outrageous way of handling anything that I ever saw invented, and it is about time that we stopped that kind of contribution and subsidy.

There has been an effort here to dodge the issue. It was absolutely impossible to offer a motion to recommit this bill unless everything that we wanted to raise was put in it.

I am going to tell you because somebody who has preceded me expressed an interest in some of the things that took place over in the conference with reference to the veterans' hospitals. The gentleman from California [Mr. PHILLIPS] opposed accepting the approximately $100,000,000 cut that the Senate had made in veterans' hospitals and he specified the places where the need existed. He said there were insufficient neuropsychiatric hospitals to take care of the real serious veterans' cases resulting from the Korean situation. That is what took place and that is why he did not like it. He was the one who did the talking on the part of the minority.

Now, why do we want the Jensen amendment? Why do we need it? We need it for the protection of the Federal civil-service employees who are in the various departments so that the cuts and reductions that are made will not result in the firing of people. The normal attrition of these departments is in every case sufficient to take care of the reduction. That is the fair way to approach the matter, it is the honest way to approach it, and that is why so many of us have been anxious to have the Jensen amendment.

I hope the membership of the House will put its stamp of disapproval on further efforts at socialized housing with enormous subsidies, designed ultimately to break the United States, because the kind of housing they put up is never as good as the kind that private capital puts up. I hope that we can get down to a situation where we will permit ordinary folks to build houses instead of having the Federal Government do it.

Mr. Speaker, I hope the motion to recommit will prevail.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. If the motion to recommit is not carried, will the items in dispute be taken up one by one for a vote?

Mr. TABER. No. If the motion to recommit fails, the previous question will be moved on the conference report, and you will have to vote it up or down. In other words, shall we take the conference report with everything in it?

Mrs. ROGERS of Massachusetts. There will be no opportunity to vote on the hospitals and on the other items?

Mr. TABER. You cannot vote on anything except on the question of agreeing to the conference report.

Mrs. ROGERS of Massachusetts. I think it is an outrage to cut out the hospital here in Washington. The Mount Alto Hospital is horribly overcrowded. You cannot get men who are dying into it. It is an outrage to cut that out, and I think also there should be housing.

Mr. PHILLIPS. The gentlewoman is correct. There are 500 beds in Washington and there are 3,000 beds which we do need for the NP patients.

Mr. TABER. Mr. Speaker, I hope the motion to recommit will prevail and that we may have a better bill presented to us, and in saying that I am not throwing stones at the gentleman from Texas [Mr. THOMAS], because he is a very able member of the Appropriations Committee and he handles things very cleverly. But the situation is such that we ought to have uppermost in our minds first the interest of the United States.

Mr. THOMAS. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. ROONEY].

(Mr. ROONEY asked and was given permission to revise and extend his remarks and include a newspaper article appearing in the Washington Post.)

Mr. ROONEY. Mr. Speaker, in the Washington Post yesterday morning, buried back in the inside pages where many Members may have missed it, was a report by George Gallup, the director of the American Institute of Public Opinion, headlined "Majority Prefers Democrats as Best for Their Interests."

This survey by the Gallup poll shows that a clear majority of white-collar workers, of farmers, and of manual workers answered Democratic when asked "Looking ahead for the next few years, which political party—the Republican or Democratic—do you think will be best for people like yourself?" Business people, of course, answered the other way—that is understandable.

The atrocious actions taken on the bill before the House today to weaken the stabilization controls demonstrate clearly why the Gallup poll got the kind of answers it did to its question.

The Republican Party was in here fighting to get higher prices for business all down the line. At whose expense? At the expense of the rest of the people—of the consumer, the farmer, the white-collar worker, the teacher, the pensioner, the veteran, the workingman.

I know that some of our Republican colleagues have lost confidence in the Gallup poll because it was off base on the 1948 election. We all know what happened—the results came in from the field indicating a Democratic victory and the pollster experts just could not believe that was accurate, so they adjusted a little here and there. When the pollsters, however, ask fair, straight-out questions which put the issues clearly and squarely up to the person being interviewed—as this survey reported this morning did—and if they do not go adjusting the results but let them speak for themselves, then they are more likely to be accurate.

The solidarity of the Republican side of the House last Friday, yesterday, and today in jamming through some of the amendments on price control to give inflation another shot in the arm proves once again to the voters which party represents them and which party represents the special interests.

One thing Gallup points out is the sad state of the Republican Party's influence with the farmers. The farmer has been hurt by inflation, just like everyone else who has to work hard for a living. Amendments put in here last year to weaken price control did not help the farmer—although some of them were supposed to, according to their sponsors—but instead, they hurt the farmer

by raising the cost of everything he buys and reducing his income.

This article says:

The attitude of farmers in today's survey is of significance, particularly since it was the farm vote which helped Truman win in 1948. The farmers—

The article adds—

again give the nod to the Democrats today.

The complete article, Majority Prefers Democrats as Best for Their Interests, is as follows:

THE GALLUP POLL

(By George Gallup, director, American Institute of Public Opinion)

MAJORITY PREFER DEMOCRATS AS BEST FOR THEIR INTERESTS

PRINCETON, N. J., June 24.—When it comes to a question of self-interest or the "pocket-book nerve" of the American voter, the Democratic Party has an advantage over the GOP.

More people consider the Democratic Party best for people like themselves, than choose the Republicans, according to interviews just completed with a national cross section of voters.

The survey put this question to the voters interviewed:

"Looking ahead for the next few years, which political party—the Republican or Democratic—do you think will be best for people like yourself?"

The vote is:

	Percent
Democrats best	42
Republicans best	37
No difference	13
No opinion	8
	100

All those who voted "no difference" or "no opinion" were asked this second question:

"If you had to make up your mind today on which party has your best interest at heart—which would you choose, the Republican or Democratic Party?"

This showed 6 percent Republican, 6 percent Democratic and 9 percent still undecided—making up the 21 percent answering "no difference" or "no opinion" on the first question.

The results high light the central problem of the Republican Party in trying to win this year's election.

That is, many political observers believe that the "pocket-book nerve" influences the way many people vote.

The attitude of farmers in today's survey is of significance, particularly since it was the farm vote which helped Truman win in 1948.

The farmers again give the nod to the Democrats today.

Manual workers also indicate a marked preference for the Democratic Party, whereas business and professional people list the Republicans as best for their interests.

White-collar workers are more evenly divided with the Democratic Party being favored.

Here is the vote, combining the two questions, by occupation groups.

	Democrats best	Republicans best	No opinion
	Percent	*Percent*	*Percent*
Business and professional	32	58	10
White collar	48	43	9
Farmers	50	42	8
Manual workers	54	37	9

President Truman's popularity has increased in recent weeks, although it still remains comparatively low.

Today's survey however, would indicate that the strength of the Democratic Party should be judged not in terms of Truman's popularity but in terms of the very evident appeal which the party has to the voting public.

Mr. THOMAS. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. FINE].

Mr. FINE. Mr. Speaker, I favor the adoption of the report of the committee, which recommends a compromise figure of 35,000 federal-aided dwelling units during the next fiscal year.

I believe this figure is too low. We need more public housing, not less.

Our public housing developments fulfill a definite need. They give decent housing at moderate rentals to our own people who could not afford it otherwise.

In New York City, for example, where the Bureau of Labor Statistics calculates that it take a minimum of $4,083 a year to support a family of four, only four-person families with incomes below $3,000 can be admitted to federally-aided housing projects. The rents average $37 per month. There is no place in New York City outside of public housing where families in this income category can find a decent place to live at a rental they can afford.

The projects built under the Housing Acts of 1937 and 1949 must meet the requirements established by the Public Housing Administration, which administers Federal aid to public housing. This means that we can be sure that every new apartment meets American standards so far as space, light, and air are concerned; that there is sufficient open space around the buildings for the children to play in—in short, that every apartment built is one which is fit for an American family to live in.

Although the Federal Government provides financial aid and sets up certain architectural and administrative standards which the local housing authorities must meet, the emphasis has been and still is on local initiative. The local housing authority selects the site for a new project, hires private architects to draw up the plans, lets contracts for construction of the project, and operates the project with its own personnel after construction is completed.

The country's housing authorities, by and large, have carried out their functions in a workmanlike and efficient manner. The authority with which I am best acquainted, of course, is the New York City Housing Authority. Under the leadership of its chairman, Philip J. Cruise, and its executive director, Gerald J. Carey, the New York City Housing Authority has achieved an enviable place among the most highly esteemed governmental agencies in the country. Governmental officials, architects, and engineers from every quarter of the globe, as well as from all parts of the United States, come to New York City each year to inspect the Authority's projects and to study its methods of operation. The Authority has been fortunate in being able to work with a city administration whose leaders, including Mayor Vincent R. Impellitteri and Comptroller Lazarus Joseph, are keenly aware of the need for low-rent housing in New York City. I want you to know that we are proud of our public-housing developments in New York City. They have razed slums which were eyesores and replaced them with modern buildings beautifully landscaped and affording plenty of light, air, and play space for children.

We still need public housing. The growth of our population; the substandard condition of a large portion of our supply of housing; the abnormal shortage of residential construction from 1930 through 1945; and the cost of homes built since 1946; are the reasons why we should continue our public-housing program.

We often tend to forget that the United States is still a growing country. Between 1930 and 1940 the population of the continental United States grew by 9,000,000. In the following 10-year period our population jumped by another 19,500,000, and since 1950 we have been expanding at an average of 2,500,000 each year.

In addition to providing homes for the huge increase in population, there has been and still is an urgent need to replace the tremendous number of slum dwellings and other substandard homes we had at the beginning of the period I have been discussing, as well as to replace the homes which have been destroyed by disasters such as floods and fires, or which have deteriorated to a point where they are no longer fit for human habitation. In 1950 we had 2,500,000 homes which were described by the Housing and Home Finance Agency as "dilapidated," an additional 4,000,000 without toilet or bath, and 2,000,000 more which had no running water of any kind. The picture of millions of American children growing up under such conditions is not one we can view with complacency.

During the period 1930–1952, with the exception of the last 6 years, the amount of residential construction has been far below normal. In the early 1930's the depression brought construction almost to a halt. Building activity improved later in the decade, bringing the total of dwelling units started between 1930 and 1940 to 2,700,000. With the start of World War II residential construction was paralyzed again. Even with the abnormally high rate of construction since 1946, the total number of units started between 1940 and 1950 was only 5,700,000. About 2,500,000 units have been started since 1950, making a total of about 10,900,000 for the period 1930 to 1952.

The rapid increase in construction costs since 1946 has of course, put new private housing far out of the reach of low-income families. Nor have a substantial number of old dwelling units been left vacant by the families who moved into postwar housing. Many of these families were newlyweds who had never had a home before; many of them had been sharing apartments with in-laws or relatives. It cannot be assumed, therefore, that every new home meant an

old apartment for a low-income family to move into.

For these reasons the need for public housing is still acute. The New York City Housing Authority, for example receives an average of 4,000 applications per month from families with incomes under $3,000 a year, in spite of the fact that it has a backlog of more than 500,000 applications. But there is no need to cite statistics on this point. Every time I take a walk through certain sections of my own district in the Borough of the Bronx, or in other sections of New York City, I am appalled by the thousands of ramshackle, overcrowded slum buildings in which so many of our families—many of them families of war veterans—must continue to live because they do not earn enough money to pay the rents demanded in available private housing.

At this point let me pause to bring to the attention of the Congress one specific area in my congressional district which shows the dire need for increased housing units. I refer specifically to what is known as the Washington-Claremont area of the borough of the Bronx, New York City. In this area there is a preponderance of old-law tenements. The area is known to have the oldest houses in the central Bronx. The buildings are not only old, but contain many violations. There are quite a few buildings in the area which were condemned and which, as a result of demands for increased housing, were reopened. Most of these buildings were so arranged as to provide single rooms for housing for entire families. The perniciousness of such an arrangement is pointed up by the fact that in one such reopened, condemned building there were five infant deaths within a short period of time.

This area is much more congested than the rest of the county of the Bronx with an average of 266 persons per occupied area, as compared with 66 persons elsewhere in the borough and 91 persons for the city as a whole. Health area No. 24, which includes most of the Washington-Claremont area I am referring to, has a population density that is even greater—355 persons per acre. This is hardly a desirable condition and militates against an adequate home life for children. Available information from the police department on juvenile delinquency in the area indicates that youth delinquency is more serious with substandard conditions and as a result, the forty-second precinct covering most of the Washington-Claremont area is one of the precincts having the highest volume of delinquents in the borough. The youth board for the area also reports that the highest incidents of delinquency in the borough of the Bronx are found in this area.

Similar conditions prevail in other cities, I am sure, and in rural areas as well.

I want to point out, however, that a continuation of our public housing construction program would benefit not only low-income families. There are millions of families in the middle-income category—let us say those with incomes of $4,000 to $8,000 a year—who are now living in quarters they consider inadequate because they are overcrowded or for other reasons, and who are, of course, ineligible for low-rent public housing. Title I of the Housing Act of 1949 provides for Federal assistance to cities which seek to redevelop slum areas by clearing the slums and selling the cleared areas to private investors for approved purposes, such as construction of apartment houses designed for middle-income families.

A number of projects have already been planned under title I of the 1949 Housing Act. The problem that arises in almost every case, however, is, what to do with the families who are now living in the old building which must be destroyed before the title I projects can be started. Many of these families are within the income limits for public housing, and it would be a comparatively simple matter to relocate them to new public housing projects to be completed within the next few years. Continuation of the public housing construction program, laid down in the Housing Act of 1949 is necessary in order to clear the title I on projects now in the planning or development state. The action we take on this bill will therefore affect middle-income families as well as low-income families.

Now we come to a point which is very important in these budget-conscious days—what would it cost the Government if we authorized the start of construction of 75,000 units in the coming fiscal year? Based on past experience with federally aided public housing, we can estimate that it would cost the United States more than $30,000,000 a year in subsidies for a period of not more than 40 years. This is certainly a modest price to pay for the addition of such valuable permanent assets to our economy—assets which will serve as an investment in democracy, and which will stand our people in good stead for the next century, come good times or bad, come peace or come war.

While we consider costs, we should also consider the cost of not continuing our public-housing-construction program. This is not a cost that can be measured in dollars and cents, but it is a very real cost nonetheless. It can be measured in terms of bad citizenship, of disease, of juvenile delinquency, of reduction in the number of young men who will be capable of meeting the Armed Forces' physical standards 5 years hence, 10 years hence, 25 years hence. The price of our failure to continue building decent homes for low-income families is far too high. We simply cannot afford to cut off Federal aid to low-rent housing.

In taking action on this bill, let us remember that ours is still a growing country—growing at the rate of 2,500,000 persons per year. The need for low-rent housing is going to increase, not decrease, and it is our duty to look to the future in making our decisions now. By the year 2000, the tanks, the planes, and the battleships for which we have appropriated billions of dollars—an expenditure which I think was and still is essential—will long since have been scrapped and forgotten, but the housing projects we build now will still be standing as proof to the historians of that era of the foresight and statesmanship of America's political leaders in the mid-twentieth century.

Mr. THOMAS. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. DOLLINGER].

Mr. DOLLINGER. Mr. Speaker, if we slaughter the administration's public-housing program, we betray hundreds of thousands of our population in the lower income brackets who must rely upon us for adequate housing at prices they can pay. Furthermore, we would seriously obstruct our defense production and mobilization plans and efforts.

Shelter is an absolute necessity to everyone. Keeping a roof over their heads has become one of the gravest problems of all to our people. The housing shortage remains acute; we have never begun to catch up with the housing needs of our fast-growing population, and they have been pyramiding since the beginning of World War II. Before any constructive housing program could be put into effect and real results accomplished after the last war, we were forced again to channel materials to defense production. All this has somewhat hampered the building of homes and housing projects, but we must recognize the seriousness of the housing shortage and our duty to provide decent housing for the many thousands who are desperate for a place to live.

In any highly populated metropolitan area we find tragic housing conditions. Numbers of families are herded together in a small apartment; unhappiness, discontent, ill-health, juvenile delinquency are among the evils which are a direct result of poor housing conditions. Many persons are forced to live in a deplorable state—in basements overrun with vermin and rodents; in damp, dingy, uninhabitable places which are occupied only because there is no other place to go. Dozens of persons are forced to use the same kitchen and bath; children and babies sicken and die; lives are endangered—all because suitable housing is not to be had. The 1950 census figures show that more than 11,000,000 nonfarm dwellings are substandard. There is no excuse for this in this great country of ours; there is no good reason why every American should not be able to enjoy a decent place to live.

Veterans of World War II who looked forward to occupying their own homes after the war are still forced to live with relatives or in furnished rooms. A happy life with his wife and family in a place of his own is still only a dream to most veterans. After their sacrifices for their country the deserve better treatment than this from us.

When Congress passed the Housing Act of 1949 it promised our people that the underprivileged and ill-housed could look forward to housing they could afford. We authorized a level of 135,000 public-housing units per year, and even at that rate many persons could not expect relief for years. However, that number of units would have alleviated the housing shortage somewhat, and at least the people could hope.

At this time we are fighting those who would destroy the housing program, and who would utterly defeat the will of Congress as expressed in the Housing Act of 1949. They would betray those who expect us to keep our word now; they would undermine the faith of the people in their Congress. The enemies of the public-housing program are grasping at any excuse to sabotage the housing program at the expense of the homeless and helpless thousands who are relying upon us.

I maintain that there is no reason why we should not adhere to our original purpose and provide for the 135,000 units per year authorized heretofore. Granted, there are shortages of materials and that our defense program must have first consideration, we also know that private industry contemplates building 1,000,000 new units during the coming year. If private industry can accomplish that much, it is obvious that the Federal Government has no excuse for cutting its own housing program to the bone. We must remember that the persons Congress had in mind when it passed the Housing Act of 1949 will not be benefited by private industry's accomplishments; they cannot afford the homes now being built; low-cost housing is the only answer to the needs of those in the low-income brackets.

The proposed reduction in housing units in the bill now before us would result in serious hardship to the people of New York City where lack of housing is a heartbreaking and terrible problem. It would delay four-fifths of the federally aided public housing construction program for the coming year; would reduce the scheduled start of 10,581 apartments to a little more than 2,000. Projects in the entire New York area would be affected; planning would be delayed. The sad consequences of a reduced number of housing units cannot be measured, and what is true of New York is also true of thousands of other cities and communities in our country.

If we fail to provide housing for our people, we undermine our defense production program. We have been told by spokesmen for the aircraft industry that the Nation's critical housing shortage is a major reason for the dangerous lag in United States plane production. One aircraft corporation official in California recently stated that when his firm found it necessary to expand from 5,900 employees to its present 24,460 it had to hire 40,000 to reach that total because of the high turn-over due to lack of housing. He said that between 25 and 60 percent of all employees hired by four San Diego plane firms quit and returned east because of the lack of housing. This is only one example; many other important defense industries are similarly handicapped.

We must remember that those in the lower-income brackets are the very ones who carry the heaviest part of the defense load and who are called upon to make the greatest sacrifices. They are the laborers, the low-wage earners, the factory workers, who are turning out the ammunition, planes, and other defense-production items. They work until they are ready to drop; they are spending every ounce of physical and mental energy in the defense effort. Surely, they are entitled to a home when their day's work is done; they deserve to know that their families have decent living quarters, and that their children's health is not in jeopardy.

As I have said before, those in the lower-income brackets, the underprivileged, and the homeless, received our pledge of help in 1949. To break that promise would be a stark betrayal of all those whom we allowed to hope for decent housing. When we deny homes to our people, we take away more than shelter—we deny them security, peace, mental as well as physical health, and we weaken the fundamental structure of our democracy—for in a true democracy the home is the foundation.

Let us aim for the 135,000 units as originally planned in the Housing Act of 1949; let us fulfill our promises to the American people. I say there is no reason why we cannot do so. If we do not provide housing, we will fail miserably in our duty to our people and our responsibility for the security of our Nation.

Mr. LEONARD W. HALL. Mr. Speaker, I trust that the motion to recommit will prevail. I shall address myself to that portion of the motion referring to maritime training.

Mr. Speaker, the Kings Point Maritime Academy is in my district. About 10-years ago it was dedicated—in ceremonies in which the late President Roosevelt took part—to take its place alongside of Annapolis, West Point, and the Coast Guard Academy—another great national academy—to train men as officers in our merchant marine fleet.

Since the end of World War II only one group has raised its voice against Kings Point and that group is composed of maritime unions who apparently feel that their unions will be affected adversely if our maritime fleet is manned by graduates of Kings Point. No protest comes from any other source.

The records of Kings Point graduates are such that all of us can be justly proud of them.

The attempt to scuttle Kings Point each year should end. The cadets should continue to receive their monthly allowances, the Academy should be allowed to keep the teaching staff intact. A vote for this motion to recommit will insure this.

Mr. Speaker, the pride of America—the liner the *United States*—as we all know—is going to make her maiden voyage to England on the 3d of July.

I hope my colleagues will bear with me when I call attention to the fact that on this great ship there will be large representation in its officer personnel, by men who are graduates of the United States Maritime Academy at Kings Point, which is in my district.

The *United States* is going to try to smash the record of the *Queen Mary*, which has held the blue ribbon for crossing time since 1938. Many of us will recall that the *Queen Mary's* time was 3 days, 20 hours, 42 minutes. Her average speed was 31.69 knots.

There will be 52 deck and engine room officers who will be intent in their job to beat the *Queen Mary's* record.

I should like to point out that of the nine deck officers on board the *United States*, six are Kings Point graduates.

Of the 43 engine room officers, 12 are Kings Point graduates.

I know that the whole country will be watching the maiden voyage of the *United States* on July 3 next, and I think all of us are expecting that she stands better than simply a good chance to recapture for the United States the Atlantic crossing blue ribbon, which has been in British hands now for over 100 years.

We will be hoping that the United States will again win the speed record which she held for many years during the days of the clipper ships.

Kings Point will be very strongly in evidence when this ship sails, not alone in navigational personnel, but in engineering officers. The motive power of this ship is tremendous, developing 163,000 horsepower.

Under the captaincy of Harry Manning, Kings Point graduates who will be among the deck officers come from all over the United States .

The first deck officer of the ship—a Kings Point graduate of the class of 1942—is Richard W. Ridington, of Conshohocken, Pa. The third officer, another outstanding man, is John S. Tucker, of Belmont, Mass. He is a 1950 graduate.

Here are the names of additional deck officers on the *United States*, and I know that Members of Congress who represent them will welcome the information that their districts are intimately represented in the maiden voyage of the *United States:*

Third officer: Paul L. Krinsky, Brooklyn, N. Y.

Second officers: Asterio Alessandrelli, Louisiana; Samuel L. Ely, Zelienople, Pa.; Kenneth E. Pederson, Brooklyn, N. Y.

Here are the engine room officers.

The second officers are: Nicholas Landiak, Andover, N. J.; Joseph H. Lion, Arlington, Va.; Winton T. Ames, Hampton, Va.; William H. Van Cott, Elmhurst, N. Y.; Edward M. Almburg, St. Petersburg, Fla.

Third engineering officers are: Michael Squillace, Detroit, Mich.; James D'Andrea, Weatherby, Pa.

On this ship we also have three junior third engineering officers: Donald A. Prew, West Haven, Conn.; Arthur C. Taddei, Newport, R. I.; James B. Keating, Long Island City, N. Y.; and Louis Paehler, Brownsville, Tenn., and Lawrence C. McCloskey, Hamlin, Pa., both of whom are licensed junior engineers.

Throughout the years that Kings Point has been in operation, this great institution has paid a great return on the investment that our country has made there.

It is noteworthy that on this great new ship—the *United States*— we should have such a large representation of Kings Pointers. It goes to show that not only is Kings Point paying off in her contributions to our security program, through the creation of Naval Reserve

officers, but that she is making a vital contribution to our maritime industry.

Graduates of Kings Point are serving your country in vital capacities. Let us build up—not destroy—this great national institution.

Mr. SIEMINSKI. Mr. Speaker, now it is called socialized housing. The sloganeers are at it again. Anything for a name.

Sleep on stones and you are in free enterprise. Sleep in a low-income housing unit, and you are socialized. My, my.

Reminds me of Molière's Le Bourgeois Gentilhomme. The fellow got rich at midlife. Called a tutor. Asked him what he could learn. "Poetry, literature, prose, arithmetic." "Can you teach me prose?" "My dear sir," he was told, "you have been using it all your life."

Same with housing. From caves to the Eighty-second Congress, people have liked living under a roof. Only today if you want a home instead of a cup of coffee, and are willing to pay a modest price for it, but cannot get it, you are told to stop being socialized.

If some people could bottle up the sun they would sell you sunshine—at a price. And if you could not afford to buy it, but still wanted it, they would tell you to stop being socialistic. Same with oxygen. Too bad.

Mr. Speaker, I oppose the amendment to cut out the 35,000 housing units. I oppose the motion to recommit. I am for all the housing we can get.

Mr. THOMAS. Mr. Speaker, the hour is growing late, and I would like to try to summarize this thing as fairly and as succinctly as I possibly can. But first I must acknowledge those kind words that my close personal friends, the gentleman from New Hampshire [Mr. COTTON], the gentleman from California [Mr. PHILLIPS], and the gentleman from New York [Mr. TABER] said about me. I am so reminded about what happened down in my little home town of Nacogdoches, Tex. One of the old colored boys was having a birthday, and some member of the family called on Mose to congratulate him. And he did a good job congratulating Mose. But Mose said, "Boss, you are trying to substitute kind words for a nice present."

Well, my friends, seriously, if the committee has done a reasonably good job, back us up now. Now is the time. We have worked hard, and I will give you some facts and I know you will be delighted to hear them. It is once in a blue moon, and everybody on this floor knows it is true, that the House version prevails; that when the House has gone to conference with the Senate in the last 10 years, 99 out of every 100 times the Senate has raised us. Now, is that not true? No one will deny that. Yet we have done a reasonably good job. We bring you back a conference report that is $24,000,000 less than the amount you voted out of this House. No one will deny that.

Mr. TABER. Mr. Speaker, will the gentleman yield there?

Mr. THOMAS. I cannot deny my friend.

Mr. TABER. If you figure in these extra 30,000 housing units, is is $340,000,000 more.

Mr. THOMAS. The gentleman is exactly right. I am talking about the appropriated funds. I am not going to hide anything from you. And we are not counting $125,000,000 in one item, and another, where we said no telling how much, on the maritime item regarding payments for vessels lost where insured by the Government. We are talking about the appropriated funds, and this is the first time in many a year that a conference report has come back here at a lesser figure. We have always been raised. Can that be denied?

Mr. TABER. Oh, the Senate has almost always raised us.

Mr. THOMAS. Sure.

Mr. TABER. The conference reports have been higher, generally, than the House figure.

Mr. THOMAS. Thank you so much. Then my statement is correct.

Let us get right down to specific things. As has been pointed out here, we have a Mother Hubbard motion to recommit, which is perfectly legal, and it cannot be separated. You have to vote it up or down.

First, let us take the housing problem. Last year and this year, for 2 years, your subcommittee has taken the punishment. It was the subcommittee that originated the cuts. It was the subcommittee that put the tough language in. Now, give us credit for that. It had not been done before.

If the House wants to take this subcommittee to task, even after we have restored that tough language, and you know it is tough, if the House wants to kill this thing, why not kill it entirely? You have that opportunity. Do not wait till your subcommittee takes all the punishment on this cutting and then come in and say you do not like what we have done.

We are going to do the best we can with whatever instructions you may give us. I hope you do not give us any, but we are not going to quibble with you, we are not going to cry, we are going to do whatever you tell us to do and we are going to do it the best we can. Whether we can do what you suggest is another thing.

Bear in mind the other body is one-half of the show. Bear in mind that they are elected for 6 years and we are elected for only 2 years, so they can stay here about three times as long as we can if they want to assert their prerogatives.

What did they do? They kicked out the tough language. Let us be honest about it. You know, your language is far more important than the number of your units, and I will explain it to any fair-minded person on this floor, and you are all fair. I believe in you.

Someone said something about Los Angeles. If you had had this tough House language you would never have had the Los Angeles situation. There it is. They had a contract for $100,000,000. The people repudiated it. But they had their legal representatives, the people had authority, they had bound them with a contract, and now the people say, "We do not want it." Now, it is a contract, yet the people say, "We want out of it."

I might add that the gentleman from California [Mr. PHILLIPS] in an effort to be helpful to his people in California—and Los Angeles is not in his district—and the committee went several miles out of their way to help straighten out that situation. Let the gentleman from California [Mr. PHILLIPS] do the testifying. I believe he will testify that it is just about satisfactorily straightened out by virtue of your subcommittee trying to help.

Again we go back over to the Senate and say, "You knocked out that tough language, but now you see the light and put it back in. Now we want you to back up on your own language." Of course, they can say to us, "Well, we will give you maybe your 5,000, but we want you to kick out your tough language." Where would you be then?

Without your tough language, and I say this to my good southern friends, and I am still one of you, and I say to my good friends over here that without this tough House language, and there are 610,000 units uncommitted out of the 810,000 authorized in the bill, they can tomorrow commit the whole 610,000 units, and you would be obligated to build them.

Again, my distinguished friend from Texas was wrong. It is not a partial payment by the taxpayers of the United States for these houses, it is a 100 percent payment.

It is going to cost you $336,000,000 a year for 40 years. Roughly that is just about $13,500,000,000, and it is a 100 percent contribution. Now by keeping this tough language of the House in, you have it in the palm of your hand and they can never build them unless you authorize it. Do you want to swap off the difference between 35,000 and 5,000 units for 610,000? You are too good at arithmetic for that; are you not? I am talking now to the people who want to kill the bill altogether.

I have been honest and frank with you to the best of my ability. There is the picture. If you want to send it back we are going to do the best we can for you, but remember the other body can sit here three times as long as we can, and they are a coequal part of the Congress with the House of Representatives.

Mr. Speaker, the other item I wish to call to the attention of the House is the amendment of my distinguished friend, the gentleman from Iowa. We all admire and we all love BEN JENSEN. This bill carried that amendment last year. On top of that amendment which was carried last year, what did your subcommittee do? Now listen to me. We made those agencies, every one of them with perhaps one little exception, absorb that 10 percent pay raise. That is a cut in personnel. A good many of these agencies had increased duties, there is no getting around that. Because you passed the laws last year telling them to do these things. That is not the fault of the agencies, and certainly

it is no fault of your subcommittee. The other body threw out the Jensen amendment and substituted the Ferguson amendment. Your conferees asked them to yield on both points, and they did. The reason they did is because we took the figures, and I have them here, agency by agency, and I can give you the exact dollars and cents, if you want me to take the time to read them, but anyway your regular subcommittee cuts in personnel costs as they left the House, were $85,000,000, and under the Ferguson amendment they were $40,000,000. So you cut just about 105 percent deeper than the Ferguson amendment.

The Jensen amendment says 10 percent—not below the budget estimate—no—your subcommittee and this House cut as deeply as that. The Jensen amendment says 10 percent on top of what you have already cut. But then it says with "with several exceptions" and one is the General Accounting Office, one is employees in grades CPC 1, 2, and 3, amounting to about 14,000 employees and then there are about 127,000 Veterans' Administration employees excepted. There are only 282,000 positions in the entire independent offices bill as presented in the budget, and yet 55 percent of them are exempted at one fell swoop.

I am not saying anything about what is provided in the other bills, but this House has already cut this independent offices bill as deeply as it can be cut. Frankly, the Jensen amendment would go deeper because it says 10 percent below that which you have already cut, but when you exempt 55 percent of them, the cut would be very, very little.

Yet some of these regulatory agencies, like the Interstate Commerce Commission, have been cut too much. A great many of our colleagues have come to the subcommittee one by one and said, "This agency has been cut too much. This one has been cut too much." There is more truth than poetry in it. So I respectfully ask you not to send this bill back to conference.

Those are the two big things. The other is martime training, which will add to the bill $500,000 increase on the taxpayers, all to subsidize a single industry. That is all it is.

The other item has to do with veterans hospitals. If I may, I will tell you what happened in conference. It is no secret. There was nothing happened in conference that was irregular. In fact, I had to admire JOHN PHILLIPS, if I may affectionately call him that in violation of the rules of the House. The Senate cut out five hospitals, two in California, two in Ohio, and one in the District of Columbia, at a total cost of $87,000,000. There have been hundreds of newspaper articles written in our daily papers, and I am surprised at my distinguished friend from New York [Mr. TABER], because he said many time that we had too many bed vacancies. Of course, he was right, The facts proved it.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. TABER. That was on the beds that were vacant, and they are in the medical section rather than the neuropsychiatric.

Mr. THOMAS. That is right, but they are still vacancies. You have always been against building more hospitals. Now you ask us to build five more.

Now, in conference, here is where you have to admire him—I went down to Mr. PHILLIPS and I said, "If you need an NP hospital in California, your population has increased, we know that, say so. Now is the time to write it in here." He said, "I am not talking for my own district." You have to admire the gentleman, do you not? I renew that proposition now. I know that California is growing fast, and when we come back here if JOHN PHILLIPS says California has to have a hospital, I will lead the procession for you, Mr. PHILLIPS.

None from Illinois were cut out. Now, there is a situation. We have a 20 percent bed vacancy in a great many hospitals.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. In just a moment, if I have time.

You are still under your authorized program of $822,500,000. You are still going to complete and put in operation 59 hospitals. With the old ones and the new ones you will have 179 hospitals in operation throughout the United States for the veterans by June 30, 1953. We all know that the vacancies run from 5 to 20 percent, and in a great many it is more than 20 percent. We have put $15,000,000 in this bill this year, and we will double it next year, whatever the budget estimate is, to convert these vacant general hospital beds into neuropsychiatric beds. Now, that makes sense. You have started that program this year and we will continue it and we will give them every dollar that the budget requests, and if the budget does not request enough we will go over the budget for that purpose, and that will take care of these five hospitals.

The SPEAKER. The time of the gentleman from Texas has expired.

All time has expired.

Mr. THOMAS. I hope you will vote down this motion to recommit.

Mr. Speaker, I move the previous question.

The yeas and nays were ordered.

Mr. PHILLIPS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. PHILLIPS. Yes, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. PHILLIPS moves to recommit the bill, H. R. 7072, to the committee of conference, with instructions to the managers on the part of the House to insist on the House provisions on the number of housing units to be commenced in fiscal year 1953 (item 47); on the inclusion of the money necessary for new hospital construction (item 82), and on the orderly formula for personnel replacement contained in the so-called Jensen amendment (item 128), and further, to insist on the Senate provisions for the appropriations for maritime training (items 97 to 103, inclusive).

Mr. THOMAS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. PHILLIPS) there were—ayes 144, noes 150.

Mr. PHILLIPS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 195, nays 181, not voting 55, as follows:

[Roll No. 120]

YEAS—195

Abbitt	Gavin	Nelson
Adair	George	Nicholson
Allen, Calif.	Golden	Norblad
Allen, Ill.	Goodwin	Norrell
Andersen, H. Carl	Graham	O'Hara
Anderson, Calif.	Greenwood	Osmers
Andresen, August H.	Gross	Ostertag
Arends	Gwinn	Patten
Armstrong	Hagen	Patterson
Auchincloss	Hale	Phillips
Ayres	Hall, Leonard W.	Poage
Bates, Mass.	Halleck	Potter
Beamer	Harden	Poulson
Belcher	Harrison, Nebr.	Prouty
Berry	Harrison, Va.	Radwan
Betts	Harrison, Wyo.	Redden
Bishop	Harvey	Reed, Ill.
Blackney	Herlong	Reed, N. Y.
Bow	Hess	Rees, Kans.
Bramblett	Hill	Regan
Bray	Hillings	Riehlman
Brehm	Hinshaw	Rivers
Brooks	Hoeven	Rogers, Mass.
Brown, Ohio	Hoffman, Mich.	Rogers, Tex.
Brownson	Hope	Ross
Bryson	Horan	Sadlak
Budge	Hunter	St. George
Buffett	Ikard	Saylor
Burleson	Jackson, Calif.	Schenck
Busbey	James	Scrivner
Bush	Jenison	Scudder
Butler	Jenkins	Secrest
Byrnes	Jensen	Shafer
Chatham	Johnson	Sheehan
Chenoweth	Jonas	Short
Chiperfield	Jones, Hamilton C.	Simpson, Ill.
Church	Jones, Woodrow W.	Simpson, Pa.
Clevenger	Kearney	Smith, Kans.
Cole, Kans.	Kearns	Smith, Va.
Colmer	Keating	Smith, Wis.
Cooley	Kersten, Wis.	Springer
Corbett	Kilburn	Stanley
Cotton	Kilday	Stockman
Cox	King, Pa.	Taber
Crawford	Larcade	Talle
Crumpacker	Latham	Teague
Cunningham	LeCompte	Thompson, Mich.
Curtis, Mo.	Lovre	Vail
Curtis, Nebr.	Lucas	Van Pelt
Dague	McConnell	Van Zandt
Davis, Ga.	McCulloch	Velde
Davis, Wis.	McDonough	Vorys
Denny	McGregor	Vursell
Devereux	McIntire	Weichel
D'Ewart	McVey	Werdel
Dolliver	Mack, Wash.	Wharton
Dondero	Mahon	Wheeler
Durham	Martin, Iowa	Wigglesworth
Ellsworth	Martin, Mass.	Williams, Miss.
Elston	Meader	Williams, N. Y.
Fernandez	Miller, Md.	Willis
Fisher	Miller, Nebr.	Wilson, Tex.
Ford	Miller, N. Y.	Winstead
Gamble	Murray	Wolcott
Gathings		Wood, Ga.
		Wood, Idaho

NAYS—181

Andrews	Bentsen	Camp
Anfuso	Blatnik	Canfield
Angell	Boggs, Del.	Cannon
Bailey	Boggs, La.	Carrigg
Baker	Bolling	Case
Bakewell	Bolton	Celler
Baring	Bosone	Chelf
Barrett	Brown, Ga.	Chudoff
Battle	Buchanan	Clemente
Beall	Buckley	Combs
Bender	Burnside	Cooper
Bennett, Fla.	Burton	Coudert

Crosser	Hull	O'Konski
Dawson	Irving	O'Neill
Deane	Jackson, Wash.	O'Toole
DeGraffenried	Jarman	Passman
Delaney	Javits	Patman
Denton	Jones, Ala.	Perkins
Dingell	Jones, Mo.	Philbin
Dollinger	Judd	Polk
Donohue	Karsten, Mo.	Preston
Donovan	Kean	Price
Dorn	Kelley, Pa.	Priest
Doyle	Kelly, N. Y.	Rabaut
Eberharter	Kennedy	Rains
Elliott	Keogh	Reams
Engle	Kerr	Rhodes
Fallon	King, Calif.	Ribicoff
Feighan	Klein	Riley
Fine	Kluczynski	Roberts
Flood	Lane	Rodino
Fogarty	Lanham	Rogers, Colo.
Forand	Lantaff	Rogers, Fla.
Forrester	Lesinski	Rooney
Fugate	Lind	Roosevelt
Fulton	McCarthy	Scott, Hardie
Furcolo	McCormack	Scott,
Garmatz	McGrath	Hugh D., Jr.
Gary	McGuire	Seely-Brown
Gordon	McKinnon	Shelley
Granahan	McMullen	Sheppard
Granger	Machrowicz	Sieminski
Grant	Mack, Ill.	Sikes
Green	Madden	Sittler
Gregory	Magee	Smith, Miss.
Hall,	Mansfield	Staggers
Edwin Arthur	Marshall	Taylor
Hand	Merrow	Thomas
Hardy	Miller, Calif.	Thornberry
Harris	Mills	Tollefson
Hart	Morano	Walter
Havenner	Morgan	Watts
Hays, Ark.	Morrison	Whitten
Hays, Ohio	Moulder	Widnall
Heffernan	Multer	Wier
Heller	Mumma	Wilson, Ind.
Herter	Murdock	Withrow
Heselton	Murphy	Wolverton
Holifield	O'Brien, Ill.	Yates
Holmes	O'Brien, Mich.	Yorty
Howell	O'Brien, N. Y.	Zablocki

NOT VOTING—55

Aandahl	Eaton	Rankin
Abernethy	Evins	Reece, Tenn.
Addonizio	Fenton	Richards
Albert	Frazier	Robeson
Allen, La.	Gore	Sabath
Aspinall	Hébert	Sasscer
Barden	Hedrick	Spence
Bates, Ky.	Hoffman, Ill.	Steed
Beckworth	Kee	Stigler
Bennett, Mich.	Kirwan	Sutton
Bonner	Lyle	Tackett
Boykin	McMillan	Thompson, Tex.
Burdick	Mason	Trimble
Carlyle	Mitchell	Vinson
Carnahan	Morris	Welch
Cole, N. Y.	Morton	Wickersham
Davis, Tenn.	Pickett	Woodruff
Dempsey	Powell	
Doughton	Ramsay	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Morton for, with Mr. Addonizio against.

Mr. Reece of Tennessee for, with Mr. Vinson against.

Mr. Eaton for, with Mrs. Kee against.

Mr. Fenton for, with Mr. Aspinall against.

Mr. Hoffman of Illinois for, with Mr. Welch against.

Mr. Mason for, with Mr. Powell against.

Mr. Woodruff for, with Mr. Mitchell against.

Mr. Hébert for, with Mr. Bates of Kentucky against.

Until further notice:

Mr. Abernethy with Mr. Aandahl.

Mr. Wickersham with Mr. Cole of New York.

Mr. Dempsey with Mr. Burdick.

Mr. Rankin with Mr. Bennett of Michigan.

Mr. BENNETT of Florida changed his vote from "yea" to "nay."

Mr. BENDER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to revise and extend their remarks on the conference report.

The SPEAKER. Is there objection?

There was no objection.

INTERNATIONAL MONETARY FUND AND THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—(H. DOC. NO. 522)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed, with illustrations:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the third special report on the operations and policies of the International Monetary Fund and the International Bank for Reconstruction and Development in accordance with section 4 (b) (6) of the Bretton Woods Agreements Act.

This report of the National Advisory Council on International Monetary and Financial Problems covers the 2-year period ending March 31, 1952. The first special report on the Fund and Bank was submitted in May 1948 and the second such report was submitted in May 1950.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 26, 1952.*

NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 523)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed, with illustrations:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, a report of the National Advisory Council on International Monetary and Financial Problems covering its operations from October 1, 1951, to March 31, 1952, and describing in accordance with section 4 (b) (5) of the Bretton Woods Agreements Act, the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development for the above period.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 26, 1952.*

CONSTITUTION OF PUERTO RICO

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, the friends of Puerto Rico are deeply concerned regarding the Senate amendment of the resolution approving the Constitution of Puerto Rico.

The Congress, like an individual, becomes the target of ridicule and suspicion when a promise is broken.

Public Law 600 of the Eighty-first Congress granted the people of Puerto Rico the right to adopt their own constitution. Certain limitations were contained in that act—"no amendment to this constitution shall alter the republican form of Government established by it or abolish its Bill of Rights."

On June 4, 1951, 506,185 American citizens—registered voters of Puerto Rico, with full confidence in the Congress—voted on the constitutional referendum, that is, to adopt Public Law 600; 387,016 voted in favor of a constitutional convention.

On August 27, 1951, 92 delegates were elected by the people of Puerto Rico to a constitutional convention created under authority of Congress. For 62 days they labored and deliberated—delegates composed of all walks of life and from three of the major political parties of the Island.

On March 3, 1952, 457,562 American citizens—again exercising the right of franchise—voted on the adoption of the Constitution written by these citizens of the United States under the authority of Congress; 374,649 voters—82 percent—cast their ballots in favor of adoption of their constitution.

I witnessed this election. Some of the aged were taken to the polling places on stretchers so that they might vote. I saw literally thousands in rural areas walking miles through the hot sun to the polling places to exercise their rights which, as a proud people, they cherish—rights given them by Congress—the right of self-government.

In addition to Public Law 600, both major political parties made pledges to the people of Puerto Rico. The Democratic platform of 1948 stated:

> We urge * * * immediate determination by the people of Puerto Rico as to their form of government and their ultimate status with respect to the United States.

The Republican platform of 1948 stated:

> We favor eventual statehood for * * * Puerto Rico.

Both pledges are clear and without reservation.

The amendment to the Senate Resolution provides "that no amendment to the constitution of the Commonwealth of Puerto Rico shall be effective until approved by the Congress of the United States."

It is my opinion, Mr. Speaker, that a one-man lobby, Leonard D. Long, of

South Carolina, has succeeded in thwarting the aspirations of more than 2,000,000 American citizens in Puerto Rico. This man is being sued by the Government of Puerto Rico for $1,000,000 in unpaid taxes. He has publicly threatened to use his money and influence to defeat the constitution which the people approved on March 3, 1952, by a 4 to 1 vote.

Through his press agents in Miami, led by Arthur Curtis, Long has paid for a campaign of vilification against Governor Muñoz-Marín and the administration in Puerto Rico.

If the House accepts the emasculated Constitution of the Commonwealth of Puerto Rico which the Senate has approved, Leonard D. Long will have convinced 2,000,000 American citizens in Puerto Rico and liberty-loving peoples of the world that our high-sounding protestations of anticolonialism are insincere to the degree that one man, such as Leonard D. Long, can wield more power than can the entire people of Puerto Rico.

Here is a situation where an individual has found an honest government he cannot buy—so he seeks to destroy it.

Mr. Speaker, if it were not so late in this Congress, I would introduce a resolution asking for an investigation of Leonard D. Long and his activities in Puerto Rico; I would ask for an investigation of F. D'a Carpenter, formerly with FHA in Puerto Rico, who was removed from his post; of Herman Bailey, formerly with FHA in South Carolina, who resigned shortly after Carpenter was fired. I think the Congress should know who paid Bailey's expenses at luxury hotels in San Juan.

It would also be interesting to know what connection, if any, Franklin D. Richards had in the Long activities in Puerto Rico. Such an investigation might properly be the subject of action in the Eighty-third Congress.

I say now, Mr. Speaker, in the Eighty-third Congress one of my first acts will be to introduce a bill to amend the resolution approving the constitution by striking out the amendment inserted by the Senate requiring congressional approval of constitutional amendments. I hope this will be done in conference now.

It seems to me, Mr. Speaker, that a "constitution," as we use that word with reference to civil government, means the framework, the fundamental, organic law of a nation, State, or commonwealth.

The virtue of a written constitution is that it is adopted by the people in their sovereign capacity as electors; it can be changed only by the people; it is as binding upon departments and officers of the Government as upon the individual citizen.

Like the constitutions of the several States, the constitution of Puerto Rico must conform to the Constitution of the United States. No language inserted by the Senate can create a greater safeguard against improper amendments than the Federal Constitution.

I wonder, Mr. Speaker, what the people of South Carolina would say if we passed a law requiring them to submit any amendments to their constitution? Would not the ghost of 1861 rise and fight again?

Mr. Speaker, I cannot conclude without paying tribute to a great American, the Governor of Puerto Rico, Luis Muñoz-Marín. He is the first elected native governor of the islands.

His first and foremost interest is the United States. He feels that a strong, thriving Puerto Rico is in our best national interest. Each time he accomplishes his ambition to better the life and progress of his island, he puts the accomplishment on display in the showcase of Latin and South America, for that is Puerto Rico.

What we do now, Mr. Speaker, will live in memories for many years. We can keep our word and recognize the dignity of man. We can grant self-government to worthy and qualified citizens of the United States—or, we can destroy good will in Latin and South America. We can offend several million fine American citizens. We can break faith with hundreds of the dead of Puerto Rico's Sixty-fifth Infantry Regiment now lying in their graves in Korea.

In closing, Mr. Speaker, I would like to read from a cablegram I have received from the distinguished Governor of Puerto Rico:

FRANK T. BOW,
House of Representatives,
Washington, D. C.:

No blow against the hopes of our people could have been harsher than amendment to constitution in the Senate which takes away all sense of political equality from this constitution process that we have all engaged in such high hopes and good faith. A constitution that cannot be amended by the people to whom it applies within definite limits previously accepted freely by themselves, such as the limits in law 600 and the applicable provision of the Federal Constitution, is not a constitution at all. Free citizens can be conceived to accept such limitations, but not to have voted to consent to them. I earnestly hope that a remedy can be found in conference committee. If the desire is to create the legal assurance that section 20 would not be put back in the future nor section 5 modified again to its original language specific provisions could be made to that end without doing the most serious moral harm to a very fine good people who are your loyal fellow citizens.

Best regards,

LUIS MUÑOZ-MARÍN.

SPECIAL ORDER GRANTED

Mr. REDDEN asked and was given permission to adress the House on Monday next for 30 minutes, following the legislative business of the day and any special orders heretofore entered.

PROCEEDS FROM SPORTING EVENTS CONDUCTED FOR AMERICAN NATIONAL RED CROSS

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, and I ask unanimous consent that the statement on the part of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2282)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 4. (a) Section 23 (o) of the Internal Revenue Code (relating to deductions by individuals for charitable contributions) is hereby amended by striking out '15 per centum' and inserting in lieu thereof '20 per centum'.

"(b) Section 120 of the Internal Revenue Code (relating to unlimited deduction for charitable and other contributions) is hereby amended by striking out '15 per centum' and inserting in lieu thereof '20 per centum'.

"(c) The amendments made by this section shall apply only with respect to taxable years beginning after December 31, 1951."

And the Senate agree to the same.

Amend the title so as to read: "An Act to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, and for other purposes."

R. L. DOUGHTON,
JERE COOPER,
JOHN D. DINGELL,
W. D. MILLS,
DANIEL A. REED,
ROY O. WOODRUFF,
THOMAS A. JENKINS,
Managers on the Part of the House.

WALTER F. GEORGE,
TOM CONNALLY,
HARRY FLOOD BYRD,
E. D. MILLIKIN,
ROBERT A. TAFT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed the House provides that, subject to certain limitations, a corporation primarily engaged in the furnishing of sports programs may conduct a sports program exclusively for the benefit of the American National Red Cross without including the proceeds from the program in its gross income.

The Senate amendments make no change in the provisions of the House bill relating to the American National Red Cross. However, the Senate amendments provide for the amendment of section 23 (o) of the

Internal Revenue Code so as to increase, from 15 to 20 percent of an individual's adjusted gross income, the limit for income-tax deductions for individuals for contributions to charitable, educational, religious, and other organizations specified in such section 23 (o).

The effect of the action recommended in the accompanying conference report would be to adopt the substance of the Senate amendments, together with a technical amendment to section 120 of the Internal Revenue Code changing the cross-reference in such section to section 23 (o) of the Code.

R. L. DOUGHTON,
JERE COOPER,
JOHN D. DINGELL,
W. D. MILLS,
DANIEL A. REED,
ROY O. WOODRUFF,
THOMAS A. JENKINS,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, this is a unanimous conference report.

I move the previous question, Mr. Speaker.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CLEMENTE. Mr. Speaker, on yesterday I submitted an article for extension in the Appendix of the RECORD. I am advised by the Public Printer it will require two and three-quarter pages at an additional cost of $231. Notwithstanding the additional cost, I ask unanimous consent that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

REREFERENCE OF BILL

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of House Resolution 684, relative to establishment of the seaward boundaries of inland waters and that the same be rereferred to the Committee on Interior and Insular Affairs.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SPECIAL ORDERS GRANTED

Mr. MADDEN asked and was given permission to address the House for 1 hour on Wednesday next and 1 hour on Thursday next, following the legislative business of the day and any special orders heretofore entered.

Mr. JAVITS asked and was given permission to address the House for 20 minutes on Thursday, July 3, and that the special order granted him for today be vacated.

NAVAL CARRIER AIRCRAFT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it is with great pride and interest that I invite the attention of the House to the performance of the naval aircraft flown from carriers in the attack on the North Korean power plants. The New York Times of yesterday reports that the hydroelectric power complexes at Suiho located near the northwest corner of Korea were attacked on June 23 by Navy dive bombers launched from aircraft carriers operating off the east coast of Korea in the Sea of Japan.

Douglas Skyraider aircraft, each carrying 5,000 pounds of bombs, made the initial attack on Suiho supported by carrier based (F9F) Panther Jet Fighters to attack the defending antiaircraft guns. Ninety tons of bombs were used to destroy this plant.

The Navy attack aircraft were followed on the target by Air Force F84 Thunder Jet Fighter bombers. The power plant suffered many direct hits, and is believed to be destroyed. Other installations were heavily damaged.

These planes came all the way across Korea from the Sea of Japan to deliver a surprising and devastating attack with almost surgical precision. Mr. Speaker, I hope that it will be noted how a relatively few number of planes can be used effectively. If ever proof were clear, I am satisfied that the mobility, flexibility, precision and readiness of carrier-based planes are warrant for this Nation's urgent need for aircraft carriers as a part of our country's power in the air.

Mr. Speaker, I believe the House will place the carrier back in the appropriation bill.

PERSONAL EXPLANATION

Mr. JENSEN. Mr. Speaker, when the roll was called today on the Talle amendment I was unavoidably detained in other duties and I did not have the opportunity to cast my vote. Had I been present I would have voted for the Talle amendment.

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. ROGERS] is recognized for 30 minutes.

FAIR LABOR STANDARDS ACT OF 1938

Mr. ROGERS of Texas. Mr. Speaker, on January 12, 1951, I introduced H. R. 1271, a bill to amend section 13 (c) of the Fair Labor Standards Act of 1938, as amended, with respect to the exemption from the child labor provisions of such act of certain employees employed in agriculture. Subsequent to the introduction of this bill a number of other Members of this Congress introduced similar bills to solve the same problem. All of these Members were thoroughly familiar with the problem to be solved and are to be highly commended for their interest in the matter. Immediately after these bills were filed, word went out from some source that the bills were designed to exploit child labor and the Members began to receive communications from all directions condemning these bills. I take violent exception to the sinister method that was employed in misrepresenting the true purposes of this legislation. Most of the mail that I received on the matter came from sources outside of my district and in the great majority of instances from sources outside my State. Also most of these communications were from city dwellers who had not the slightest conception of the problems of the farmer or the plight faced by many members of American society who depend upon harvest work for their livelihood. These communications came from people who would be the first to cry and complain if the supply of food, clothing, and other farm products were curtailed because of inability on the part of the farmer to harvest his products. They set up a great hue and cry about having the interest of children at heart. I yield to no one in my interest for the welfare of children. As most of you know, I have a sizable family, and do my best to take care of them. Certainly if there is anyone in the United States who is primarily interested in the welfare of children, it is the gentleman from Texas who is addressing you now. The truth is that these centralized Government advocates, who know how to run everybody's business but their own, have done a great injury to a large segment of American society and at the same time have exempted from the application of the law certain entertainment fields that produce no products for human consumption or raiment.

I want to give you a brief history of the situation so that you will understand what has and will be done under this legislation unless it is corrected as I have suggested in my bill. In the original Fair Labor Standards Act of 1938 it was provided that the oppressive child labor provisions would not be applicable to children employed in agriculture except while they were legally required to attend school. Under this provision the question of whether or not a child could or could not be employed in agriculture depended upon the State laws, both labor

and school attendance laws. Those are the laws that should have controlled. However, the Department of Labor, in its efforts to assume jurisdiction over the entire citizenry of the United States, received reports from its various agents that they were finding it difficult to keep up with the State laws and to carry out the purpose that they had intended to carry out by the Fair Labor Standards Act, that is, to control and regulate the activities of working people all over this country regardless of the field in which they were employed. However, they were unsuccessful in getting any changes in the law until 1949, at which time they prepared and submited some language that was most innocent looking with which they proposed to correct the Fair Labor Standards Act, and so told the Congress. The language was devised as an amendment to section 13 (c) of the Fair Labor Standards Act and reads as follows:

> The provisions of section 12 of this title relating to child labor shall not apply with respect to any employee employed in agriculture outside of school hours for the school district where such employee is living while so employed, or to any child employed as an actor or performer in motion pictures or theatrical productions or in radio or television productions.

Section 13 (d) was also added, which provided as follows:

> The provisions of sections 6, 7, and 12 of this title shall not apply with respect to any employee engaged in the delivering of newspapers to the consumers.

The effect of these amendments was to say this: that the provisions of section 12 (c) which read as follows: "No employer shall employ any oppressive child labor in commerce or in the production of goods for commerce," do not apply to any child employed as an actor or performer in motion pictures or theatrical productions or in radio or television productions, or to any employee engaged in delivering newspapers to the consumers, and does not apply to children working in agriculture on the condition that the children working in agriculture cannot so work while school is in session in the district where they are working. If this last condition was a good condition to put on children working in agriculture, I ask the simple question: "Why was it not a good condition to put on child actors, performers, and newspaper boys?" The truth is that agricultural work is not oppressive child labor and the act so declares.

In other words, if this language is so good, as the Department of Labor would have you believe, why did not they insist that it apply to everyone alike? Only recently the Congress passed a bill providing that children could be allowed to appear in the District of Columbia in theatrical performances late at night. I ask you, is it good sense to penalize a child of poor parentage who in many instances is called upon to help in feeding and clothing himself and the other members of his family, while at the same time special laws are passed so that theatergoers may enjoy seeing a small child traipse across the stage at 11:30 p. m.? What kind of business is it that denies to an American child the right to learn that advancement in life must depend upon one's individual ability to work and assume responsibility?

I have had numerous conferences with the officials of the Department of Labor, from the Secretary of Labor down through the ranks, in an effort to remedy the situation by administrative application. In every instance I have been advised that the Department is looking out for the welfare of children and does not intend to change the interpretations of the law under which they are now proceeding. I have asked them why they exempt the different business that I named above, the theatrical and other groups. Their only explanation is that in those fields arrangement is made for the education of those children separate and apart from the public-school proceedings. The thought occurred to me, and has caused me much concern, that all of the records of this Congress and several preceding Congresses have divulged a number of Communists and Communist fellow travelers in several industries. But none of the records of the Congress have divulged any Communists or fellow travelers among the farmers or their helpers. Are they trying to instill in these children that they are charges of the State and will be taken care of by the State? Such a program would eventually lead to the child refusing to recognize the authority of his own parents and saying, "I do not have to work; the Government through the Department of Labor is going to look after me." That is not the kind of principle that this country was built on. I worked in the harvest fields when I was a child, as did many of the other children in my community and in my State, and I challenge any group of people anywhere to show me better Americans than live in the State of Texas. The officials of the Department of Labor told me that under the 1938 act they found it most difficult to enforce the law. What they meant was that they found it difficult to accomplish the purpose that they set out to accomplish in the first instance, and that was to centralize control over all workers in the United States, every man, woman, and child, and to regiment them under Federal edict. Of course, none of us should expect these Federal workers to extend themselves insofar as their responsibilities are concerned. Are we supposed to pass laws to make it easier for them to perform their duties and dictate to the taxpayers that are paying the bills, so that they will be sure to have plenty of holidays and be in good physical shape to enjoy them? I say "No." I charge that the 1949 amendment (13c) of the Fair Labor Standards Act, which I have above referred to, has not helped the children of this country, but on the contrary, has done irreparable injury to the economy of a large segment of American society, and I stand ready to prove my charges.

I represent a district in West Texas that is overflowing with sound, solid basic Americans who have been brought up on the principle that in order to reap you must sow. The south end of my district produces a great amount of cotton, as does the district of the Honorable GEORGE MAHON, the Honorable OMAR BURLESON, and the Honorable FRANK IKARD, who have worked hard to correct the situation. Since this section of the country has been inhabited, the crops have been harvested by migrant workers of several nationalities and colors, including those of Latin-American descent, those of Negro descent, and many white families. This of course has been a tradition with these people, who begin their activities in the lower Rio Grande Valley where the crops are early. They harvest these crops and work north as the harvest season progresses in that direction. They get into the northern part of Mr. MAHON'S district, Mr. BURLESON'S district, and Mr. IKARD'S district in the late summer and early fall, and on into my district and into Colorado, the Panhandle of Oklahoma, and Kansas in the early and late fall. The great majority then return to their homes in the southern part of Texas, where they and their forebears have lived for generations. By following this method they accumulate enough money during that season of the year to provide them with sufficient sustenance through the winter and to enable them to send their children to school and to properly clothe and feed them. These people are a closely knitted people insofar as family life is concerned, and the family usually travels together in a group with other families. They have their children with them, and those who are large enough help their parents in the fields in harvesting the products. In my particular district the harvesting of cotton is commonly referred to as "boll pulling," that is, the entire boll is pulled off the stalk and subsequently carried to the gin where the cotton is separated from the seed and the boll. This, of course, is paid for by weight, that is, so much for each hundred pounds of bolls pulled.

A family with several children, and many of them have 8, 10, and 12, can by working together earn enough money during the harvest season to give them a good living during the winter and spring months. The children are under the constant surveillance of their parents and obey them. The family ties are strong, and the families work as a unit cooperating one with the other. These families flood the post offices in our section of the country with postal money orders which they are sending home as savings to see them through the winter and spring. In 1950, the year that the 1949 monstrosity amendment to the Fair Labor Standards Act first went into effect, these people, in complete ignorance of what had been done to them, their economy and their families, blissfully commenced their operations as they, their fathers, and grandfathers had done. When they reached my district and the northern part of Mr. MAHON'S district, they were confronted by agents of the Department of Labor who advised the farmers that if they hired the children, they could be taken into court and fined $10,000, that these children were supposed to be in school because school was in session in the districts where the farm products were ready for harvest. The

farmers became frightened, as they, too, were wholly unaware of what the fast boys in Washington had pulled. The school authorities in these districts understood that a Federal law had been passed requiring these children to be placed in school. Nothing was done by the Federal agents to straighten out that misunderstanding. The Federal Fair Labor Standards Act is not a compulsory school attendance act. There is no provision in it which requires a child to attend school. This was not told to these people, and they, in their desire to abide by the law regardless of how damaging it might be, tried to work the children of these migrant workers into the schools. The result was that the school facilities were absolutely inadequate. Children of Latin-American descent who could not speak English were placed in schoolrooms with children who were in regular attendance in the schools. The result was that the migrant children in many instances did not know when to turn the page of the book unless they watched their seatmate or some other child in the schoolroom. The situation also presented a health problem, as you can well understand, in these overcrowded, congested schoolrooms.

The migrant workers did not understand, and the farmers did not understand. The migrant workers soon found out that the mother and father of seven or eight children ranging between the ages of 4 and 14 years could not possibly pull enough bolls in a day to feed 10 hungry mouths, much less clothe them. They also found out that the children who were under school age quickly noticed the separation of the family and were much harder to control on the site of the field where the mother and father were trying to work, than they ever had been before. The situation left the migrant workers with two choices. One was to appeal to the public-welfare authorities for assistance, and this many of them did. The public-welfare authorities soon discovered that they were confronted with a problem with which they were not remotely prepared to cope. Efforts were made by these authorities, but the funds for that purpose were quickly exhausted and there were no more to be had. The other choice left to the migrant worker was to return to his home in south Texas and half starve himself and his family through the winter months without sufficient funds to clothe his children so that they could attend school. The situation that was faced by these migrant workers also shook their very character to the roots. I have had many of them plead with me with tears in their eyes to help them out so that they could work and meet their own responsibilities.

To give you one pointed example I tell you about a case in the fine town of Memphis, Tex., in Hall County. I was on a trip back to the district in 1951 and was visiting with the editor of the newspaper. A fine looking Latin-American came into the newspaper plant and asked if I was the Congressman. I told him that I was. Tears came into his eyes and he said: "Mr. Congressman, you have got to do something to help me. I have three children; two of them are of school age and are healthy and strong and want to work. Not many days ago the little girl fell and broke her arm, and I had to take her to the hospital. I stayed with her until she had been properly treated. I have a little boy 10 years old who is a fine boy. He goes to school and he wants to help me, but the law says he cannot. My wife is not too strong, and both of us together cannot pull enough bolls in a day to feed our family and to pay our bills. I am an honest man and I have always paid my bills, and I want my son to be an honest man and I want him to pay his bills, and I want to teach him how to do it. If you will let my son help me and my wife, we can pick enough so that we can save and in a few weeks we can pay the doctor's bill and we can pay the drug store and we can pay the hospital bill, and that is what we want to do."

I do not need to tell you how deeply I was moved by this plea. However, I had to tell him that I did not have the authority to let his boy help him, but that I had been fighting for a correction of this law and would continue to do it. I had to tell the man that I did not have the power to help him be an honest man and to help him teach his son how to work and how to be an honest, good American citizen. I did not tell him that the Department of Labor or the Federal Government was going to keep him up nor that they were going to keep his son up. Had I done so, he would have been insulted, and he should have been. He was an honest American citizen whose hands had been tied behind him, about which I could do nothing.

Another Latin-American family who had been working for one particular farmer for years came to his farm in the fall of 1950 prepared to harvest his crop. The farmer told him that he was very sorry but that he could not employ anyone but the mother and the father. The Latin-American gentleman asked why. The farmer told him because the Government had passed a law. The Latin-American gentleman summed the situation up in one sentence. He shrugged and said, "The Government make law I can't work children; let Government make law to feed my children."

These children that I am talking about are not denied an education. They attend schools in accordance with the school attendance laws of the State of Texas, yet they are by Federal law required to run loose and are denied the right to work. Their standard of living is lowered simply because some bureaucrats are sticking their noses into businesses that they know nothing in the world about.

The bill that I introduced is in exactly the same language as the 1949 amendment, with one exception. It provides that the oppressive child-labor provision shall not apply to these children during school hours for such school district if the child has been excused by the superintendent of schools or equivalent official of either the school district where the child is employed or the school district where he has his legal residence. This simply means that the school authorities with whom we all entrust the custody of our children in both urban and rural districts have the discretionary authority to allow these children to work in harvesting the crops. It does not in any manner circumvent State attendance laws. It simply puts the problem and the responsibility back in the States and localities where it rightfully belongs. In addition, it provides a means by which the Labor Department agents could easily enforce the law. The children or their parents would have to have some evidence showing that they were not in violation of the Fair Labor Standards Act. The officials of the Department of Labor have told me that they are afraid of my bill because of possible political influences that might be exerted in the localities. Mr. Speaker, I ask this Congress if the Department of Labor is in any position to be casting a shadow or a cloud upon any local agency about the exercise of political influence. Frankly, I would much prefer to entrust the welfare of my children to school superintendents in these various districts than to permit them to become pawns of the State at the hands of a bureaucratic, centralized agency in Washington.

Several of the farmers of my district and of Mr. MAHON's district came to Washington at their own expense and testified before the Committee on Education and Labor. They did an admirable job of presenting the entire problem and a solution. The Labor Department wanted to be heard before that committee, but to this day they have never appeared before the committee on this particular matter, or so I am informed. Recognizing the fact that the delay in getting this legislation out was becoming longer and longer, I placed on the Clerk's desk a discharge petition, petition No. 10, to bring this bill before the Congress. Needless to say, there have not been many signers on that petition. Some have the policy of not signing discharge petitions as a matter of principle, and I do not question their judgment in that respect. However, I do at this time urge you to acquaint yourself with this problem, to sign this discharge petition, and get this legislation through this Congress before the harvest season starts. Unless it is passed, you can expect to hear many, many complaints from the farmers of this country and from these migrant workers, whose economy has been upset, and everyone of those complaints will be justified.

Some people have said, "Why not close the schools during harvest season?" I am prepared to answer that. Such a philosophy would have worked 20 years ago, when school districts were small and there were many rural schools. However, in the progress and advance of education during the past 20 years the school systems have been concentrated and central educational plants have been set up and utilized. The red schoolhouse in the rural community has been closed, and in many instances torn down, and the children are being carried in school busses to small or large towns in the localities in which they live. A number of the students in these central

school plants do not work in agriculture, and I have been advised that in most instances the ratio is about 75 percent out of agriculture and 25 percent in. Now, would it make sense to close a school system and penalize 75 percent of the children in a school district who are not in agriculture and would not be employed in the harvest of the crops? Would it not be much sounder to stop this arbitrary regulatory power that has been assumed by the Department of Labor, and permit these people to conduct their own business, as they have so successfully done for many generations?

The Labor Department tells me that they want these children to go to school, and I say to the Labor Department that these children do go to school. If it is their position that these children are not going to school, why do not they advocate a Federal school attendance law, instead of trying to go through the back door and slip up on these people with a larger statute and impose upon the farmer a responsibility not his. If it is wrong for these children to work in the fields during school hours from a child-labor standpoint, then it is just as wrong for these children to work in those fields after school and on week ends. The truth is that they are not interested in whether or not agricultural work is oppressive child labor or whether or not these children get an education. This 1949 amendment to the Fair Labor Standards Act is nothing in the world but a device devised by the Department of Labor to cut off a labor supply in agriculture. By doing this, they feel that it will be another step in their attempt to organize farm labor. If they are allowed to get away with it, it is not only going to upset the economy of these harvest workers, and put many of them on public charity, but it is going to break every small farmer in this country. It will also result in the greatest contribution in our age to juvenile delinquency.

The Department of Labor was not satisfied with the trick language that was placed in the 1949 amendment and that experience has taught us is definitely an unworkable monstrosity. The Department went further, and on the 13th day of March, this year, the Secretary of Labor invoked a regulation under his regulatory powers contained in the Fair Labor Standards Act. This regulation is printed in the Federal Register of Thursday, March 20, 1952, at page 2399. I want all of you to get that Register and read it. The Secretary of Labor has not only robbed the farmers of the source of labor to harvest their crops and upset the economy of the migrant harvest workers, but has now made a bookkeeper for the Government out of all farmers in this country. He has decided that the farmers must keep records, which are a complete biographical sketch of every child that works on the farm. Of course, the farmer does not have enough to do now trying to fill out forms for all the other departments of the Government, he must now set aside time to write a biography about every child that pulls a boll, cuts a head of lettuce or picks a peach on his farm. Of course, these records are much more important to human beings than the crops that could be raised by the farmer while he is sharpening his pencil and writing these biographies. The farmer by this regulation becomes a Federal employee without compensation, without social security, without pension benefits, without week ends off, and without holidays. I do not hesitate to tell you that I do not think the farmers of this country intend to take any such treatment as that.

In conclusion, I want to talk about the injustice that is being done to these children. I have seen many of them and I know many of them. I know many who have gone to school on the earnings that they have made in the cotton field, and in many instances they have saved enough money to carry them on to the higher institutions of learning. I can look out across this Chamber and see men entrusted with the affairs of this Nation who have spent many long hours in agricultural work and who learned many things in that field that have stood them well through the years. The children of today are no different from the children of yesterday, who are the leaders of today. They can learn much, as you and I did, in the fields when we were young, of God's bounties and what they mean to the human race. They can learn what it means to commune with nature, to see and appreciate God's creatures in all their glories. They can better understand the separation of the good from the bad and develop the character that is so essential to a full life.

I have complete and abiding faith in the honesty, the fairness and the decency of the American farmer, and the children of this Nation affected by this legislation will be better entrusted to the characteristics of those true Americans, than to bureaucratic control of a Washington agency.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted as follows:

Mr. JACKSON of Washington and to include an article appearing in the New Republic.

Mr. ZABLOCKI and to include an editorial.

Mr. ALLEN of Illinois in two instances and to include extraneous matter.

Mr. FARRINGTON and to include a letter.

Mr. EDWIN ARTHUR HALL in two instances.

Mr. FENTON (at the request of Mr. TABER).

Mr. BEAMER (at the request of Mr. MARTIN of Massachusetts) and include a newspaper article.

Mr. MILLER of New York (at the request of Mr. MARTIN of Massachusetts) in three instances and to include excerpts from newspapers.

Mr. GREEN and to include a commencement address by Frank C. Nash, of St. Joseph College, Philadelphia.

Mr. ROOSEVELT in two instances and to include extraneous material.

Mr. SIEMINSKI.

Mr. FLOOD to extend his remarks at the end of title I of the bill H. R. 8210, the Defense Production Act, and include extraneous matter.

Mr. FLOOD and to include a statement by Mr. Paul Kasimer before the Judiciary Committee of the House.

Mr. SIKES and to include extraneous material.

Mr. PERKINS.

Mrs. CHURCH and to include extraneous matter.

Mr. CELLER and to include extraneous matter.

Mr. BENDER in four instances and to include extraneous matter.

Mr. RIEHLMAN and to include two newspaper articles.

Mr. DAVIS of Wisconsin.

Mr. O'KONSKI and to include an article.

Mr. CANFIELD in two instances and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 404. An act to amend the Military Personnel Claims Act of 1945;

H. R. 1267. An act conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim of the Stamey Construction Co. and/or Oklahoma Paving Co.;

H. R. 4277. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

H. R. 4455. An act for the relief of Robert A. Buchanan; and

H. R. 6854. An act making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1953, and for other purposes.

The SPEAKER announces his signature to enrolled bills of the Senate of the following titles:

S. 2198. An act to amend section 1708 of title 18, United States Code, relating to the theft or receipt of stolen mail matter generally; and

S. 1537. An act to amend the Act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LARCADE, for an indefinite period, on account of health.

Mr. ADDONIZIO (at the request of Mr. RODINO), for Thursday, June 26, 1952, on account of death of father.

ADJOURNMENT

Mr. HAMILTON C. JONES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 31 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, June 27, 1952, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1608. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1953 in the amount of $71,750 for the legislative branch (H. Doc. No. 521); to the Committee on Appropriations, and ordered to be printed.

1609. A letter from the Attorney General, transmitting a letter relative to the case of Iwao Inaba or Harry Owao Inaba, alias Harry I. Kida, file No. A-4892595 CR-36120, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1610. A letter from the Attorney General, transmitting a letter relative to certain cases involving the provisions of section 4 of the Displaced Persons Act of 1948, as amended, requesting that they be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1611. A letter from the Attorney General, transmitting copies of orders entered in cases where the ninth proviso to section 3 of the Immigration Act of February 5, 1917 (8 U. S. C. 136), was exercised in behalf of such aliens, pursuant to section 6 (b) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950 (Public Law 831, 81st Cong.); to the Committee on the Judiciary.

1612. A letter from the Attorney General, transmitting copies of orders of the Commissioner of Immigration and Naturalization granting the applications for permanent residence filed by the subjects of such orders, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. H. R. 8370. A bill making supplemental appropriations for the fiscal year ending June 30, 1953, and for other purposes; without amendment (Rept. No. 2316). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON. Committee on Public Works. H. R. 8100. A bill to amend the act of February 7, 1905, as amended, authorizing the Kensington & Eastern Railroad Co. to construct a bridge across the Calumet River; without amendment (Rept. No. 2317). Referred to the House Calendar.

Mr. HARRIS: Committee on the District of Columbia. H. R. 7397. A bill to amend and extend the provisions of the District of Columbia Emergency Rent Act of 1951; with amendment (Rept. No. 2318). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 7876. A bill relating to the taxation of life-insurance companies; without amendment (Rept. No. 2319). Referred to the Committee of the Whole House on the State of the Union.

Mr. FEIGHAN: Committee on the Judiciary. S. 2234. An act to amend the Bankruptcy Act, approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and to repeal subdivision b of section 64, subdivision h of section 70, and sections 118, 354, and 643 thereof and all acts and parts of acts inconsistent therewith; without amendment (Rept. No. 2320). Referred to the Committee of the Whole House on the State of the Union.

Mr. FEIGHAN: Committee on the Judiciary. S. 2240. An act to amend section 40 of the Bankruptcy Act, so as to increase and fix the salary of full-time referees and to authorize increased salaries for part-time referees; without amendment (Rept. No. 2321). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H. R. 2572. A bill to provide for the alteration, reconstruction, or relocation of certain highway and railroad bridges over the Columbia River or its navigable tributaries; with amendment (Rept. No. 2322). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 8321. A bill to authorize the improvement of Duluth-Superior Harbor, Minn. and Wis.; without amendment (Rept. No. 2323). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON:

H. R. 8370. A bill making supplemental appropriations for the fiscal year ending June 30, 1953, and for other purposes; to the Committee on Appropriations.

By Mr. VAN ZANDT:

H. R. 8371. A bill to amend the Railroad Retirement Act of 1937, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. BUDGE:

H. R. 8372. A bill authorizing the Secretary of the Interior to issue a patent to the State of Idaho for certain land; to the Committee on Interior and Insular Affairs.

By Mr. LESINSKI:

H. R. 8373. A bill to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. BENNETT of Florida:

H. R. 8374. A bill authorizing the Attorney General to enter into agreements with States holding preferential primary elections for the nomination of candidates for President and Vice President, providing for the making of certain grants to such States, and the certification by the Attorney General of the names of candidates for inclusion on ballots prepared by such States for use in such elections; to the Committee on House Administration.

By Mr. MARTIN of Iowa:

H. R. 8375. A bill relating to the amount of gross income which a dependent of a taxpayer may have without loss by the taxpayer of an income tax exemption for such dependent; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H. R. 8376. A bill to repeal section 117 (p) of the Internal Revenue Code (relating to the taxability to employee of termination payments); to the Committee on Ways and Means.

H. R. 8377. A bill to amend section 124A of the Internal Revenue Code to provide that amortization deductions shall not be granted when to do so might tend to promote an undue concentration of economic power; to the Committee on Ways and Means.

By Mr. ROOSEVELT (by request):

H. R. 8378. A bill to amend section 4 of the International Claims Settlement Act of 1949; to the Committee on Foreign Affairs.

By Mr. SPENCE:

H. J. Res. 488. Joint resolution to continue for a temporary period the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended; to the Committee on Banking and Currency.

By Mr. GARY:

H. Res. 710. Resolution for the relief of Mrs. Annie G. Heinmiller, widow of A. W. Heinmiller, late an employee of the House of Representatives; to the Committee on House Administration.

By Mr. GWINN:

H. Res. 711. Resolution to exclude consideration of productivity as a part of wages by the Wage Stabilization Board; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution 25, requesting to make available the necessary funds and take all necessary steps to prevent a decrease in the number of beds required in the area of New Orleans and vicinity to adequately treat and hospitalize sick veterans, and particularly tubercular veterans; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H. R. 8379. A bill for the relief of Richard Brenneis; to the Committee on the Judiciary.

By Mr. CASE:

H. R. 8380. A bill for the relief of Elzbieta Grzymkowska Jarosz; to the Committee on the Judiciary.

By Mr. HELLER:

H. R. 8381. A bill for the relief of Cornelio Plata Lobero; to the Committee on the Judiciary.

By Mr. JACKSON of Washington:

H. R. 8382. A bill for the relief of Michael David Montgomery; to the Committee on the Judiciary.

H. R. 8383. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on any and all claims in law or equity, which Maquinna Jongie Claplanhoo of Neah Bay, Wash., may have against the United States; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 8384. A bill for the relief of Faiga Kunda; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 8385. A bill for the relief of Mrs. Stella Rebner; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H. R. 8386. A bill for the relief of Lech Szczepan Korgol; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 8387. A bill for the relief of Agnes Alberta R. Nixon Francis; to the Committee on the Judiciary.

By Mr. PRICE:

H. R. 8388. A bill for the relief of Kuniko Maemori; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 8389. A bill for the relief of George Reichman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

776. By Mr. BEAMER: Petition of 92 residents of the city of Marion, Ind., in behalf of H. R. 2188 (Bryson bill); to the Committee on Interstate and Foreign Commerce.

777. By Mr. BRYSON: Petition of Rev. Wesley R. Hutchings, Beaumont, Tex., and other citizens, of Beaumont, Tex., petitioning consideration of their resolution with reference to H. R. 2188, a bill to prohibit the transportation of alcoholic-beverage advertising in interstate commerce and ban its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

778. By Mr. GROSS: Petition of Mrs. Charles L. Childe, of Cresco, Iowa, and 13 other citizens, urging passage of H. R. 2188; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, JUNE 27, 1952

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, before whose face the generations rise and fall, we pause with reverence and contrition, knowing that it is a good thing to give thanks unto Thee, to show forth Thy loving kindness in the morning and Thy faithfulness every night. We come asking that Thou wilt cleanse our purposes and desires, as in Thy name we face the tasks committed to our hands. We would put our hands in Thine and walk with Thee in trust and peace. When the way is uncertain, the day dreary, the problems baffling, inspire us to perform well our daily tasks, asking light for but one step at a time. Keep our lips clean and our thoughts pure. May we never doubt that at last truth and righteousness shall claim their rightful throne. May Thy kingdom come in us and through us: In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 26, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 27, 1952, the President had approved and signed the following acts:

S. 779. An act for the relief of Ziemowit Z. Karpinski;

S. 1363. An act for the relief of Ceasar J. (Raaum) Syquia;

S. 1527. An act for the relief of Sisters Dolores Ilia Marteri, Maria Josefa Dalmau Vallve, and Ramona Cabarrocas Canals;

S. 1555. An act for the relief of Rosarina Garofalo;

S. 1637. An act for the relief of Doreen Iris Neal;

S. 1715. An act for the relief of Else Neubert and her two children;

S. 1776. An act for the relief of Sister Stanislaus;

S. 1843. An act for the relief of John Kintzig and Tatiana A. Kintzig; and

S. 2706. An act for the relief of Sister Julie Schuler.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KIRWAN, Mr. NORRELL, Mr. JACKSON of Washington, Mr. FURCOLO, Mr. CANNON, Mr. JENSEN, Mr. JAMES, and Mr. TABER had been appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROONEY, Mr. FLOOD, Mr. PRESTON, Mr. MARSHALL, Mr. MAHON, Mr. CLEVENGER, Mr. H. CARL ANDERSEN, and Mr. TABER had been appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7345) to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6366. An act to amend certain provisions of the Internal Revenue Code to authorize the receipt in bond and tax payment at rectifying plants of distilled spirits, alcohol, and wines for rectification, bottling, and packaging, or for bottling and packaging without rectification; and the production in bond and tax payment of gin and vodka at rectifying plants; and

H. R. 8194. An act to amend an act approved May 26, 1928, relating to a bridge across the Mississippi River at Bettendorf, Iowa.

LEAVES OF ABSENCE

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to be excused from attendance on the sessions of the Senate from 5 o'clock this afternoon until next Monday morning, in order that I may attend a Republican assembly in Massachusetts, on June 28, at which, I believe, I am to be asked to be the presiding officer.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MILLIKIN. Mr. President, I ask unanimous consent to be absent from the Senate until July 14, if the Senate does not recess or adjourn prior to that time.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. MCFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to transact routine business, without debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

A letter from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of the Commission for the year ended December 31, 1951 (with an accompanying report); to the Committee on the District of Columbia.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the committee on the part of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on Appropriations:

H. R. 7391. A bill making appropriations for the Department of Defense and related independent agencies for the fiscal year ending June 30, 1953, and for other purposes; with amendments (Rept. No. 1861).

By Mr. HUNT, from the Committee on Armed Services:

S. 324. A bill to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to provide for the crediting of certain service in the Army of the United States for certain members of the Reserve components of the Air Force of the United States; without amendment (Rept. No. 1862);

S. 1993. A bill to authorize payment for transportation of dependents, baggage, and household goods and effects of certain officers of the naval service under certain conditions, and for other purposes; with amendments (Rept. No. 1863); and

S. 2727. A bill to amend the act of July 16, 1892 (27 Stat. 174, ch. 195), so as to extend to the Secretary of the Navy, and to the Secretary of the Treasury with respect to the Coast Guard, the authority now vested in the Secretaries of the Army and Air Force

with respect to the withholding of officers' pay; without amendment (Rept. No. 1864).

By Mr. HUNT, from the Committee on the District of Columbia:

S. 3351. A bill to establish a policy with respect to the granting of special exemptions to organizations and corporations from taxes imposed by the laws of the District of Columbia; with an amendment (Rept. No. 1870).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

S. 3255. A bill to amend subsection (c) and (d) of section 3 of the Postal Salary Act of July 6, 1945, as amended; without amendment (Rept. No. 1866).

By Mr. UNDERWOOD, from the Committee on Post Office and Civil Service:

S. 3263. A bill relating to the rate of postage on certain publications entered as second-class matter prior to June 28, 1932; without amendment (Rept. No. 1867); and

H. R. 6839. A bill to modify and extend the authority of the Postmaster General to lease quarters for post-office purposes; with amendments (Rept. No. 1868).

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

S. 2918. A bill to prohibit the introduction or movement in interstate commerce of articles of wearing apparel and fabrics which are so highly flammable as to be dangerous when worn by individuals, and for other purposes; with an amendment (Rept. No. 1869).

By Mr. GEORGE from the Committee on Finance:

H. R. 6366. A bill to amend certain provisions of the Internal Revenue Code to authorize the receipt in bond and taxpayment at rectifying plants of distilled spirits, alcohol, and wines for rectification, bottling, and packaging, or for bottling and packaging without rectification; and the production in bond and taxpayment of gin and vodka at rectifying plants; without amendment (Rept. No. 1871).

By Mr. McCARRAN, from the Committee on the Judiciary, without amendment:

S. 1049. A bill for the relief of Alfred Theodore Ex (Rept. No. 1874);

S. 1159. A bill for the relief of Stevan Durovic, Marko Durovic, Olga Wickerhauser Durovic, and Stevan M. Durovic (Rept. No. 1875);

S. 1433. A bill for the relief of Malica Macesich (Rept. No. 1876);

S. 1596. A bill for the relief of Phed Vosniacos (Rept. No. 1877);

S. 1716. A bill for the relief of Sister Odilia, also known as Maria Hutter (Rept. No. 1878);

S. 1816. A bill for the relief of Shizu Hasegawa Crockett (Rept. No. 1879);

S. 1916. A bill for the relief of Olga Madsen, a minor (Rept. No. 1880);

S. 1927. A bill for the relief of Francesco Cracchiolo (Rept. No. 1881);

S. 2125. A bill for the relief of Margit Stolz Bohm and Klaus Seigfreid Bohm (Rept. No. 1882);

S. 2185. A bill for the relief of Annemarie E. Peterson and Wilhelm Ernst Geisel (Rept. No. 1883);

S. 2303. A bill for the relief of Miki Takano (Rept. No. 1884);

S. 2311. A bill for the relief of Marie-Antoinette Kerssenbrock (Rept. No. 1885);

S. 2332. A bill for the relief of Fumiko Ito Stewart (Rept. No. 1886);

S. 2373. A bill for the relief of the Rev. A. E. Smith (Rept. No. 1887);

S. 3060. A bill for the relief of Carol R. Gray (Rept. No. 1888);

S. 3162. A bill for the relief of Andrew Alexander Nara and Mary Kimberly Nara (Rept. 1889);

S. 3193. A bill for the relief of Robert Royce Farkas (Rept. No. 1890);

S. 3248. A bill for the relief of Mekaru Tatsubo (Rept. No. 1891);

S. 3277. A bill for the relief of Paul D. Banning, Chief Disbursing Officer, Treasury Department, and for other purposes (Rept. No. 1892);

S. 3280. A bill for the relief of Sadie Badir Ellis Nassif-Azar and George Badir Ellis Nassif-Azar (Rept. No. 1893);

S. 3284. A bill for the relief of Beverly Jane Ruffin (Rept. No. 1894);

S. 3343. A bill for the relief of Hannah Crumet (Rept. No. 1895);

H. R. 657. A bill for the relief of Tony Marchiondo (Rept. No. 1896);

H. R. 707. A bill for the relief of John Michael Ancker Rasmussen (Rept. No. 1897);

H. R. 728. A bill for the relief of Mrs. Mildred Lewis Morgan (Report. No. 1898);

H. R. 765. A bill for the relief of John George Papailias (Rept. No. 1899);

H. R. 954. A bill for the relief of Elvira Suzanne Oosterwyk (Rept. No. 1900);

H. R. 963. A bill for the relief of Chu Bud Yick (Rept. No. 1901);

H. R. 1448. A bill for the relief of Mr. and Mrs. Charles Fuxman and their two daughters (Rept. No. 1902);

H. R. 1464. A bill for the relief of Arokiaswami Arumai Singh (Rept. No. 1903);

H. R. 1477. A bill for the relief of Linda Azar Karam Batrouny (Rept. No. 1904);

H. R. 1490. A bill for the relief of Henryk Kramarski (Rept. No. 1905);

H. R. 1718. A bill for the relief of Mrs. Tomiko Munakata Millhollin (Rept. No. 1906);

H. R. 1814. A bill to authorize the admission of Flora Fung Wah Miu Wong to the United States (Rept. No. 1907);

H. R. 1838. A bill for the relief of Fong Bat Woon and Fong Get Nan (Rept. No. 1908);

H. R. 1843. A bill for the relief of Nahan Abdo Haj Mousaa (Rept. No. 1909);

H. R. 1849. A bill for the relief of the alien Malke Kresel Mohrer (Rept. No. 1910);

H. R. 2351. A bill for the relief of Naoki and Yoshiki Sakamoto (Rept. No. 1911);

H. R. 2405. A bill for the relief of Food Service of Evansville, Inc. (Rept. No. 1912);

H. R. 2447. A bill for the relief of George M. Sanger (Rept. No. 1913);

H. R. 2606. A bill for the relief of Dimitra Gaitanis (Rept. No. 1914);

H. R. 2635. A bill for the relief of Mrs. Sumako Egashira (Rept. No. 1915);

H. R. 2713. A bill for the relief of Lt. Comdr. Evan L. Krogh (Rept. No. 1916);

H. R. 2716. A bill for the relief of Kunigunde Beldie (Rept. No. 1917);

H. R. 2856. A bill for the relief of Jan J. Wojciechowski (Rept. No. 1918);

H. R. 2906. A bill for the relief of Kenji Kusumoto (Rept. No. 1919);

H. R. 2913. A bill for the relief of Mrs. Evelyn Campbell (Rept. No. 1920);

H. R. 3157. A bill for the relief of Anny Scher (Rept. No. 1921);

H. R. 3275. A bill for the relief of Miyoko Nakagawa (Rept. No. 1922);

H. R. 3280. A bill for the relief of Mrs. Emi Yasuda and her minor son, Keichiro Yasuda (Rept. No. 1923);

H. R. 3334. A bill for the relief of Paul Busbey (Rept. No. 1924);

H. R. 3382. A bill for the relief of Haruyo Takahashi (Rept. No. 1925);

H. R. 3564. A bill for the relief of Reuben Krakovsky (Rept. No. 1926);

H. R. 3592. A bill for the relief of Paul Tse, James Tse, and Bennie Tse (Rept. No. 1927);

H. R. 3727. A bill for the relief of the Professional Arts Building Corp. (Rept. No. 1928);

H. R. 3774. A bill for the relief of Dr. David M. Ju (Rept. No. 1929);

H. R. 3778. A bill for the relief of Wong See Sun (Rept. No. 1930);

H. R. 3810. A bill for the relief of Aldo Vallesa (Rept. No. 1931);

H. R. 3969. A bill for the relief of Franco Berardi (Rept. No. 1932);

H. R. 3858. A bill for the relief of Mr. and Mrs. Peter Copeyon (Rept. No. 1933);

H. R. 4001. A bill for the relief of Dr. Manuel Magtalis Geronimo and Dr. Rita Villaroman Geronimo (Rept. No. 1934);

H. R. 4128. A bill for the relief of Antonio and Francesco Lo Schiavo (Rept. No. 1935);

H. R. 4157. A bill for the relief of Sister Helena Ginal, Sister Anna Szoldrska, Sister Anna Gluchowska, and Sister Bronislawa Szewczyk (Rept. No. 1936);

H. R. 4250. A bill for the relief of Ruben George Varga and Mrs. Ilona Varga (Rept. No. 1937);

H. R. 4326. A bill for the relief of Tashiko Nakamuta Takimoto and her minor son (Rept. No. 1938);

H. R. 4466. A bill for the relief of Rahel Zakar Peters (Rept. No. 1939);

H. R. 4503. A bill for the relief of Suzanne Marie Schartz (Rept. No. 1940);

H. R. 4588. A bill for the relief of Mark Yen Hui (Rept. No. 1941);

H. R. 4632. A bill for the relief of Linda Lee Converse (Rept. No. 1942);

H. R. 4709. A bill for the relief of Baron Fred Alexander D'Osten-Sacken (Rept. No. 1943);

H. R. 4762. A bill for the relief of Deborah Anita Hudson (Rept. No. 1944);

H. R. 4866. A bill for the relief of Emma Gazzaniga, Cecelia Trezzi, Clelia Mainetti, Bonosa Colombo, Emma Baldisserotto, Lina DalDosso, Lucia Paganoni, and Regina Pagani (Rept. No. 1945);

H. R. 4891. A bill for the relief of the estate of Emil A. Peshek (Rept. No. 1946);

H. R. 5087. A bill for the relief of Hoong Moy Lam (Rept. No. 1947);

H. R. 5107. A bill for the relief of Margarite Mary Fujita (Rept. No. 1948);

H. R. 5496. A bill for the relief of F. Archie Meatyard (Rept. No. 1949);

H. R. 5515. A bill for the relief of John H. Vogel (Rept. No. 1950);

H. R. 5517. A bill for the relief of Mrs. Katharina Luise Trenye (Rept. No. 1951);

H. R. 5591. A bill for the relief of Sister Angelantonia Diana (Rept. No. 1952);

H. R. 5864. A bill for the relief of Sachiko Kanemochi (Rept. No. 1953);

H. R. 5955. A bill for the relief of Delma L. Mauzey (Rept. No. 1954);

H. R. 6025. A bill for the relief of David Daryl Dalko (Rept. No. 1955);

H. R. 6381. A bill for the relief of Ayako Sukiura (Rept. No. 1956);

H. R. 6446. A bill for the relief of Jeanne Marie Miura (Rept. No. 1957);

H. R. 6505. A bill for the relief of Karen Ann Crowley (Rept. No. 1958);

H. R. 6850. A bill for the relief of Martha Bridges (Rept. No. 1959);

H. R. 6870. A bill for the relief of Louie Bon Kong (Rept. No. 1960);

H. R. 6945. A bill for the relief of Katharina Hoffmann (Rept. No. 1961);

H. R. 7095. A bill for the relief of Ruth Ann Holecek (Rept. No. 1962);

H. R. 8052. A bill for the relief of Ai-Ling Tung Tsou and her son, Moody Tsou (Rept. No. 1963).

By Mr. McCARRAN, from the Committee on the Judiciary, with an amendment:

S. 142. A bill for the relief of Vito Rizzi (Rept. No. 1964);

S. 697. A bill for the relief of Teh-Jen Lee (Rept. No. 1965);

S. 1126. A bill for the relief of Vera Sarah Keenan (Rept. No. 1966);

S. 2046. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Llewellyn B. Griffith for retirement as an emergency officer under the provisions of Emergency Officers Retirement Act or as a disabled officer of the Regular Army of the United States (Rept. No. 1967);

S. 2862. A bill for the relief of Sadako Ishiguro (Rept. No. 1968);

S. 2907. A bill to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; without recommendation (Rept. No. 1969);

H. R. 1095. A bill for the relief of Shelby Shoe Co., of Salem, Mass. (Rept. No. 1970);

H. R. 1098. A bill for the relief of the estate of C. G. Allen (Rept. No. 1971);

H. R. 3527. A bill for the relief of Morris Tutnauer (Rept. No. 1972);

H. R. 4180. A bill for the relief of Joseph Denekar and Mrs. Mary A. Denekar (Rept. No. 1973); and

H. R. 5238. A bill for the relief of Albert O. Holland and Bergtor Haaland (Rept. No. 1974).

By Mr. McCARRAN, from the Committee on the Judiciary, with amendments:

S. 1613. A bill for the relief of Lian-Tong Wen (Rept. No. 1975);

S. 2372. A bill for the relief of Sizuko Kato (Rept. No. 1976);

S. 2439. A bill to provide funds for the acquisition and maintenance of a German Embassy by the Federal Republic of Germany (Rept. No. 1977); and

H. R. 746. A bill for the relief of Harris A. Bakken (Rept. No. 1978).

By Mr. WILEY, from the Committee on the Judiciary:

H. R. 7794. A bill to revise and codify the laws relating to patents and the Patent Office, and to enact into law title 35 of the United States Code entitled "Patents"; with amendments (Rept. No. 1979).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. 3333. A bill to vest title in the United States to certain lands and interests in lands of the Shoshone and Arapaho Indian Tribes of the Wind River Reservation and to provide compensation therefor, and for other purposes; with amendments (Rept. No. 1980).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 3281. A bill for the relief of Chiu But Yue (Rept. No. 1981).

PROVISION FOR SUNDRY ADMINISTRATIVE MATTERS AFFECTING THE FEDERAL GOVERNMENT—REPORT OF A COMMITTEE

Mr. HUNT. Mr. President, from the Committee on Armed Services, I report favorably an original bill to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes, and I submit a report (No. 1865) thereon.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the Calendar.

The bill (S. 3409) to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes, reported by Mr. HUNT, from the Committee on Armed Services, was read twice by its title, and ordered to be placed on the calendar.

INCREASED LIMIT OF EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS—REPORT OF A COMMITTEE

Mr. CONNALLY. Mr. President, from the Committee on Foreign Relations, I report an original resolution to increase the limit of expenditures by the Committee on Foreign Relations.

The PRESIDENT pro tempore. The resolution will be received, and, under the rule, referred to the Committee on Rules and Administration.

The resolution (S. Res. 342) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Foreign Relations hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-second Congress, $10,000 in addition to the amount and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946, and Senate Resolution 171, agreed to August 6, 1951, and Senate Resolution 219, agreed to October 11, 1951.

RELIEF OF CERTAIN CONSTRUCTION FIRMS—REFERENCE OF BILL TO COURT OF CLAIMS—REPORT OF A COMMITTEE

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I report an original resolution to refer the bill (S. 3326) for the relief of certain construction firms, to the Court of Claims, and I submit a report (No. 1872) thereon.

The PRESIDENT pro tempore. The report will be received, and the resolution will be placed on the Calendar.

The resolution (S. Res. 343) was placed on the calendar, as follows:

Resolved, That the bill (S. 3326) for the relief of certain construction firms, now pending in the Senate, together with all the accompanying papers, is hereby referred to the United States Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimants: *Provided, however*, That the passage of this resolution shall not be construed as an inference of liability on the part of the Government of the United States.

V. A. VERHEI—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I report an original resolution to refer the bill (S. 1609) for the relief of V. A. Verhei, to the Court of Claims, and I submit a report (No. 1873) thereon.

The PRESIDENT pro tempore. The report will be received, and the resolution will be placed on the calendar.

The resolution (S. Res. 344) was placed on the calendar, as follows:

Resolved, That the bill (S. 1609) for the relief of V. A. Verhei, now pending in the Senate, together with all the accompanying papers, is hereby referred to the United States Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant: *Provided, however*, That the passage of this resolution shall not be construed as an inference of liability on the part of the Government of the United States.

UNAUTHORIZED USE OF ALUMINUM IN STORM-WINDOW INDUSTRY—REPORT OF A COMMITTEE (REPT. NO. 1860)

Mr. SPARKMAN, from the Select Committee on Small Business, submitted a report relating to the unauthorized use of aluminum in the storm-window industry, which was ordered to be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CORDON:

S. 3408. A bill to permit exploration, location, entry, and disposition under the mineral-land laws of the United States of certain lands acquired by the United States; to the Committee on Interior and Insular Affairs.

By Mr. HUNT:

S. 3409. A bill to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes; ordered to be placed on the calendar.

(See the remarks of Mr. HUNT when he reported the above bill from the Committee on Armed Services, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 3410. A bill to provide for more local control and support and to regulate and limit public housing and to provide for slum clearance; to the Committee on Banking and Currency.

By Mr. MORSE:

S. 3411. A bill for the relief of Marie T. Gonsalves; to the Committee on the Judiciary.

AMENDMENT OF SECTION 457 OF INTERNAL REVENUE CODE—AMENDMENTS

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (H. R. 8271) to amend section 457 of the Internal Revenue Code, which was ordered to lie on the table and to be printed.

Mr. MARTIN. Mr. President, I submit an amendment intended to be proposed by me to the bill (H. R. 8271) to amend section 457 of the Internal Revenue Code. I ask unanimous consent that a statement by me in support of the amendment be printed in the RECORD.

The PRESIDENT pro tempore. The amendment will be received and printed, and will lie on the table; and, without objection, the statement presented by the Senator from Pennsylvania will be printed in the RECORD.

The statement is as follows:

STATEMENT BY SENATOR MARTIN IN SUPPORT OF AMENDMENT

The purpose of the excess profits tax law is to tax as excess profits all corporate earning in excess of normal earnings of the base period years 1946–49, inclusive.

Shipping corporations which operate merchant vessels and receive operating-differtial subsidies from the United States are required to deposit certain earnings in reserve funds, to be used for the replacement of subsidized vessels and for the construction of new vessels. Such deposits are not subject to income tax until later withdrawal by the company (46 U. S. C. A. 1171, et seq.). Under existing law, the computation of base period earnings would exclude from income any earnings of those years so deposited, treating them, in effect, as deductions from gross income in the year deposited. It is manifestly out of keeping with the theory of the excess profits tax law to exclude such base period deposits by a corporation which either did not make any such deposit, or made a smaller deposit, in the excess profits tax year.

H. R. 8271 is designed to rectify this inequity and supply a rule better designed to measure the normal earnings, on which the earnings credit is based, as compared with the earnings of the excess profits tax year.

The situation with which H. R. 7784 deals is in principle the same, namely, where a corporation during the base period operated, as a separate branch, a business which differed substantially from its other business and incurred substantial losses in such branch, operation, but which either had no loss or a smaller loss in the excess profits tax year.

Just as under H. R. 8271, the earnings of each base period year would be increased by the excess of the reserve-fund deposits for that year over similar deposits for the taxable year, so H. R. 7784 would provide that the earnings of each base period year would be increased by the excess of the branch plant loss for that year over such loss for the taxable year.

H. R. 7784 was drafted after several conferences with Mr. Stam, Chief of Staff of the Joint Committee on Internal Revenue Taxation, and it meets with his approval, except for two provisions inserted after his study of the bill and which his office has not had the opportunity to examine. Attached hereto is a copy of H. R. 7784, as introduced in the House, with these two provisions stricken out. While we feel that each of these provisions has merit, we accept their elimination in order to avoid the delay which would be entailed by asking the staff to give them further study.

Attention is directed to the fact that H. R. 7784 would not give the full relief given by section 459 of the code in the case of a newspaper publishing or radio broadcasting business which operated a television station as a branch operation and incurred losses from that branch operation in the base period. Section 459 not only increases the base-period earnings by the amount of such branch losses, but also gives the corporation an increased credit by adding to base-period earnings a constructive income from the branch.

An additional reason for eliminating these base-period losses from branch operations is that the present law discriminates against the corporation which did not incorporate its branch operations, and in favor of the corporation which did. The decision to incorporate or not to incorporate, made at a time when the provisions of the Excess Profits Tax Act of 1950 could not possibly have been foreseen, now carries with it an illogical and discriminatory premium or penalty, as the case may be, having no reasonable relation to the theory of taxing excess profits.

H. R. 7784, as so revised, should not have a substantial effect on the revenues, first, because most branch operations of a substantially different kind are normally incorporated and would, therefore, be unaffected by this bill, and secondly, because of the restrictions on qualification, namely:

1. To avoid the application of the amendment to a mere "bookkeeping" loss, such as might result from a mere change in inventory method, it is provided that there must have been branch losses in at least two of the base-period years.

2. Relief is confined to cases of substantial and significant hardship by the requirement that the aggregate branch losses during the base period must have amounted to more than 10 percent of the profits from the rest of the business during the same 4 years.

3. To prevent use of the provision by the corporation which normally carries on a single business through numerous branches, it must be shown that the branch differed substantially from the rest of the corporation's business, with respect to manufacturing processes or the character of products or services.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DEPARTMENT OF DEFENSE APPROPRIATION BILL

Mr. FERGUSON submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7391) making appropriations for the Department of Defense and related independent agencies for the fiscal year ending June 30, 1953, and for other purposes, the following amendment, namely: On page 58, after line 3, insert the following new section:

"SEC. 640. None of the procurement items purchased with funds appropriated for the Department of Defense by this or any other Act shall be subject to any tax imposed on the sale or transfer of such articles, or components used by manufacturers in producing such procurement items, or components purchased for replacement parts for such procurement items."

Mr. FERGUSON also submitted an amendment intended to be proposed by him to the bill (H. R. 7391) making appropriations for the Department of Defense and related independent agencies for the fiscal year ending June 30, 1953, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

HOUSE BILLS REFERRED

The following bills were each read twice by their titles, and referred, as indicated:

H. R. 6366. An act to amend certain provisions of the Internal Revenue Code to authorize the receipt in bond and tax payment at rectifying plants of distilled spirits, alcohol, and wines for rectification, bottling, and packaging, or for bottling and packaging without rectification; and the production in bond and taxpayment of gin and vodka at rectifying plants; to the Committee on Finance.

H. R. 8194. An act to amend an act approved May 26, 1928, relating to a bridge across the Mississippi River at Bettendorf, Iowa; to the Committee on Public Works.

NOTICE OF HEARING ON NOMINATION OF GUTHRIE F. CROWE TO BE UNITED STATES DISTRICT JUDGE FOR THE CANAL ZONE

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to announce that, under a waiver of the committee rule requiring that notice be published in the CONGRESSIONAL RECORD 7 days in advance of any hearing on a judicial nomination, the committee has scheduled a public hearing for Tuesday, July 1, 1952, at 10 a. m., in room 424, Senate Office Building, on the nomination of Guthrie F. Crowe, of Kentucky, to be United States district judge for the Canal Zone, vice Joseph J. Hancock, resigned. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. MCCARRAN], chairman, the Senator from North Carolina [Mr. SMITH], and the Senator from New Jersey [Mr. HENDRICKSON].

NOTICE OF HEARING ON NOMINATION OF HERMAN E. MOORE, TO BE JUDGE OF THE DISTRICT COURT OF THE VIRGIN ISLANDS OF THE UNITED STATES

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to announce that under a waiver of the committee rule requiring that notice be published in the CONGRESSIONAL RECORD 7 days in advance of any hearing on a judicial nomination, the committee has scheduled a public hearing for Tuesday, July 1, 1952, at 10 a. m., in room 424, Senate Office Building, on the nomination of Hon. Herman E. Moore, of Illinois, to be judge of the district court of the Virgin Islands of the United States. Judge Moore is now serving in this post under an appointment which expired May 6, 1952. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommitee consists of the Senator from Nevada [Mr. MCCARRAN], chairman, the Senator from North Carolina [Mr. SMITH], and the Senator from New Jersey [Mr. HENDRICKSON].

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session.

The following favorable reports were submitted:

By Mr. GEORGE, from the Committee on Foreign Relations:

Jonathan B. Bingham, of New York, to be Deputy Administrator for Technical Cooperation; and

Executive S, Eighty-second Congress, second session, an international convention for the high seas fisheries of the North Pacific Ocean; without reservation (Ex. Rept. 15).

By Mr. MURRAY, from the Committee on Labor and Public Welfare:

Abe Murdock, of Utah, to be a member of the National Labor Relations Board, reappointment.

By Mr. McCARRAN, from the Committee on the Judiciary:

Maurice Sanchez, of New Mexico, to be United States attorney for the district of New Mexico, vice Everett M. Grantham, resigned.

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

Anthony F. Arpaia, of Connecticut, to be an Interstate Commerce commissioner, vice John L. Rogers, resigned; and

Martin Kelso Elliott, of Indiana, to be an Interstate Commerce Commissioner, vice Clyde B. Aitchison.

By Mr. JOHNSON of Colorado (for Mr. TOBEY), from the Committee on Interstate and Foreign Commerce:

Charles D. Mahaffie, of the District of Columbia, to be an Interstate Commerce Commissioner, reappointment; (Ex. Rept. 14).

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. BYRD:

Address on the subject The Presidency Under the Constitution, delivered by him before the Institute of Public Affairs, University of Virginia, June 26, 1952.

By Mr. SMITH of New Jersey:

Address delivered by him at the convention of the Polish-American Congress, at Atlantic City, N. J., on May 30, 1952, and introductory remarks of Mr. Charles Rozmarek, president of the Polish-American Congress.

By Mr. SMITH of New Jersey (by request):

Memorandum relating to application of wagering taxes to suit and merchandise clubs, prepared by the staff of the Joint Committee on Internal Taxation, dated June 20, 1952.

By Mr. HOLLAND:

Editorial entitled "Tribute to a Weatherman Who Lived Close to God," published in the Florida Times-Union of June 26, 1952.

By Mr. IVES:

Article entitled "A Good Man Retires," referring to Assemblyman D. Mallory Stephens, of New York, printed in the New York Herald Tribune, on June 26, 1952.

By Mr. WILLIAMS:

Editorial entitled "They Can't Be That Stupid," dealing with the tax cases of Frank Costello and Phil Kastel, published in the Tampa, Fla., Sunday Tribune of June 22, 1952.

By Mr. O'CONOR:

Article relative to the United States merchant marine, entitled "United States Lines' Head Calls Ship Fruition of a Great Dream," written by Gen. John M. Franklin, president, United States Lines.

By Mr. JOHNSON of Texas:

Article entitled "Russell Looms as Strong Contender," written by Roscoe Drummond, chief, Washington news bureau of the Christian Science Monitor.

By Mr. SCHOEPPEL:

Address entiled "Audit Control of Bank Operations," delivered by Lester A. Pratt at the annual convention of the Pennsylvania Bankers' Association held at Atlantic City, N. J., on June 2.

By Mr. WILEY:

Policy resolution adopted by the International Chamber of Commerce, and an article from the Christian Science Monitor of June 25, 1952, concerning the investing of American capital abroad through certain agreements.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY—VETO MESSAGE (H. DOC. NO. 520)

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 26, 1952.

The House of Representatives having proceeded to reconsider the bill (H. R. 5678) entitled "An act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read by the legislative clerk.

(For President's message see pp. 8082–8085, proceedings of the House of Representatives of June 25, 1952.)

The Senate proceeded to reconsider the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality; and for other purposes, returned by the President on June 25, 1952, without his approval, and passed by the House, on reconsideration, on June 26, 1952.

The PRESIDENT pro tempore. The question before the Senate is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

The Senate is operating under a unanimous-consent agreement. The Chair suggests that the clerk read the unanimous-consent agreement.

The legislative clerk read as follows:

Ordered, That on Friday, June 27, 1952, at the hour of 12 o'clock noon, the Senate proceed to the reconsideration of the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes, and at 2:30 o'clock p. m., on said day vote, without further debate, upon the question of passing said bill over the President's veto; and that the time between said hours of 12 o'clock and 2:30 o'clock be equally divided between the proponents and the opponents and controlled, respectively, by Mr. McCARRAN and Mr. HUMPHREY.

Mr. McFARLAND. Mr. President, I ask unanimous consent that there may be a quorum called, and that the time be charged equally to both sides.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. LEHMAN. Mr. President, I ask unanimous consent that the order for a quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McCARRAN. Mr. President, at the outset I ask unanimous consent that the clerk may read an article published in the Daily Worker, the Communist voice of America, of June 26, 1952, under the caption "Truman vetoes bill perilling foreign-born."

The PRESIDENT pro tempore. Without objection, the clerk will read.

The legislative clerk read as follows:

TRUMAN VETOES BILL PERILING FOREIGN-BORN

WASHINGTON, June 25.—President Truman today vetoed the McCarran-Walter bill, which would bar immigration, hitting particularly at the colored peoples, and which would impose thought control on the foreign born.

The danger still exists, however, that the vicious measure may become law unless there is mass protest to the Senators and Members of the House. Before going to the President, the bill was passed by tremendous majorities.

Representative FRANCIS E. WALTER, Democrat, Pennsylvania, who sponsored the bill in the House, said he will move tomorrow to override the President's veto. He said he expects his motion to pass without question because anyone who read the bill or listened to the debate will vote to override.

A two-thirds vote in both Houses overrides a veto.

Truman endorsed the aim of the bill but contended that the more desirable features were embedded in a mass of legislation which would perpetuate injustices of long standing against many nations.

He criticized the bill's continuance of the national origins immigration quota system which pegs quotas for various countries to the number of persons of such national origin already living here. This favors English, German, and Irish immigrants.

The President said he has no quarrel with the theory of quotas but that the national origins system has been a constant handicap in the conduct of our foreign relations.

Mr. McCARRAN. Mr. President, it is difficult to formulate, point by point, answers to the veto message on the omnibus immigration and naturalization bill, because the points contained in the veto message are in most instances vague generalities based upon conclusions which are not supported by the provisions of the bill.

The President commences his message by commending the bill for the elimination of the racial bars to naturalization and he faintly commends the bill for the provisions which establish minimum quotas for those aliens who are presently racially ineligible for admission into the United States. The President then commends the bill for those provisions which would permit American women citizens to bring their alien husbands to this country as nonquota immigrants and enable alien husbands of resident women aliens to come in under a quota in a preferred status. Then the President commends the bill for accomplishing a revision and codification of the hodge-podge of our immigration and naturalization laws and the elimination of such deadwood as the unjust and archaic requirements that carriers pay the expenses of aliens detained at the port of entry, even though such aliens have arrived with proper travel documents.

But, Mr. President, notwithstanding all these good things which the President finds in the bill, he has vetoed it. Notwithstanding the fact that every agency of the Government which is concerned with immigration and naturalization has urged the President to sign the bill, including the Immigration and

Naturalization Service, the Visa Division, our Central Intelligence Agency, the Department of Justice, and the Department of State, he has vetoed the bill. Notwithstanding the fact that over 100 Nation-wide patriotic, civic, and religious organizations have urged the President to approve the bill, he has vetoed it. Notwithstanding the fact that as much care and time and effort has gone into this bill as into any legislation which has been in the Congress in the last generation, the President has vetoed it. Notwithstanding the fact that the bill passed both Houses of the Congress by overwhelming majorities, the President has vetoed it.

Why is it that the President of the United States has vetoed this measure?

His first principal objection is that the bill retains the basic pattern of our present national origins quota system which he attacks as unfair and discriminatory. The President complains that the national origins quota system is at variance with our American ideals, is out of date, and unrealistic. If his veto is sustained, what do we have? We have the national origins quota system which has been the law of this land since 1924. Indeed, Mr. President, may I point out that even the so-called Humphrey-Lehman substitute measure contains the national origins quota system formula.

Mr. President, the basic principles upon which the national origins quota system is founded are fair and just. Furthermore, the national origins quota system is the only system that has been suggested which is practicable and reasonable for the control of immigration. In a word, the national origins quota system allocates quota numbers on the basis of the ratio of each racial group in the United States to the aggregate population.

Let it be emphasized, Mr. President, that although the national origins quota system has been in effect since 1929, no one has yet come forth with a satisfactory substitute for the allocation of quota numbers. If this veto is sustained we shall continue to have the national origins quota system under the present law, but without the desirable revisions within such system which are made by the instant bill. If this veto is sustained we will not have met the problem of the oriental races which are presently inadmissible to the United States. If this veto is sustained we will not have those provisions of the bill which grant nonquota status to husbands of citizens. If this veto is sustained we will not have the system of selective immigration within our quota system so that we can meet the needs in this country of aliens of special skill or knowledge. If this veto is sustained we shall not have those provisions of the bill which are designed to prevent the separation of families by permitting a more liberal designation of the quota to which certain relatives of admissible aliens may be charged.

In his veto message the President next proceeds to criticize those provisions of the bill which are designed to strengthen the exclusion and deportation procedures so that we can prevent the entry and cause the deportation of subversives, criminals, and undesirables. The President states in his message that we have adequate and fair provisions in our present law to protect us against the entry of such aliens. If the President of the United States would consult the experts of the Immigration and Naturalization Service of the Department of Justice, and the Visa Division of the Department of State he would know, as the committee of the Senate which studied our immigration system for 5 years found out, that our present laws are shot through with weaknesses and loopholes, and that criminals, Communists, and subversives of all descriptions are even now gaining admission into this country like water through a sieve and we cannot under our present laws effectively exclude or deport them.

The sponsors of this bill, Mr. President, have leaned over backward in the drafting of the bill, in the acceptance of amendments and in refining the language in conference, in order to avoid the strained misconstructions which the opponents of the bill have been giving the provisions of this measure which they charge would establish unfair or arbitrary procedures. Mr. President, the criticisms of the bill in this respect in the veto message of the President are unfounded and untrue. They are, moreover, in most respects a rehash of the misconstructions, not of this bill, but of the provisions of existing law which we incorporated in this bill because experience demonstrated that they are fair, workable, and sound.

I want here and now, Mr. President, to commend those officials of the Immigration and Naturalization Service, the Visa Division, the Department of Justice, the Department of State, and the Central Intelligence Agency who, in the face of White House pressure, have stood firm in their representations and recommendations that this bill marks a tremendous improvement over our present laws, and should be approved. They are the men who are on the firing line, and who know whereof they speak. They are the men who, being charged with the enforcement of our immigration and naturalization laws, know the problems, the loopholes, and the weaknesses in our present system, and know that this bill plugs those loopholes and strengthens those weaknesses. Indeed, as I have repeatedly pointed out to the Senate, this bill would not be possible were it not for the thousands of hours of time which these officials and the experts of the executive agencies devoted in collaboration with the Senate committee and its staff in the preparation of the bill.

Although the President commends the provisions of the bill which remove racial ineligibility to naturalization and to immigration, one of the grounds for his veto is that the bill sets up special provisions with regard to the quotas to which persons of races indigenous to an area designated as the Asia-Pacific triangle shall be charged. He protests what he terms "this discrimination against the oriental groups" and what he regards as its adverse effect on our foreign relations. The fact is, however, that these provisions have the unqualified endorsement of every major oriental group in the United States as the only fair and reasonable solution to this problem, and the Department of State has repeatedly taken the position—and takes the position to this moment—that the bill marks a decided advance in our foreign relations in the Far East.

Let me say also, Mr. President, that not only has the Department of State endorsed the bill because it would be a step in the direction of better foreign relations but the Department of State has expressed itself to the White House that a veto of this measure would have serious adverse effects on our foreign relations in the Far East.

Mr. President, I think it is time to call a halt to name calling in the guise of a Presidential veto. I think it is time here and now to remind the Senate that on another occasion the President of the United States vetoed a bill which would have removed, once and for all, racial barriers to naturalization. I refer, of course, to the President's veto of such proposed legislation in the closing days of the Eighty-first Congress.

The veto now before the Senate, if sustained, would for the second time dash the hopes of 86,000 orientals within our borders who have been our friends and neighbors for a quarter of a century, and who have hoped to realize their ambitions to become American citizens.

The President states that all our citizens returning from abroad would be subjected to serious risk of unreasonable invasions of privacy, but he does not explain how this would come about under the provisions of the bill. I say to you, Mr. President, that there is nothing in the bill which is before us which would permit unreasonable invasions of privacy of citizens, as alleged by the President.

The President alleges that the bill contains provisions which would result in empowering minor immigration and consular officials to act as prosecutor, judge, and jury in determining whether acts constituting a crime have been committed. Nowhere in the bill, Mr. President, is there a provision which would permit such action in the administration of the immigration laws.

The President objects to the reenactment by this bill of certain provisions contained in the Internal Security Act of 1950. He alleges that such provisions in our law constitute thought control. Mr. President, those provisions are already in the law of the land. In fact, certain provisions of the Internal Security Act have been modified by the bill in order to remove even a possibility of misconstruction that there would be even a semblance of thought control.

The President's veto message on the omnibus immigration and naturalization bill not only misrepresents the facts, but also conceals material facts from the Congress and the American people.

The veto message does not disclose the fact that all the departments which would be concerned in any way with the administration of this measure recommended to the President that it be signed. The veto message does not disclose the fact that the Justice Department said enactment of this bill was required in

the national interest. The veto message does not disclose the fact that the State Department said failure of the President to approve this bill would greatly embarrass the United States in the conduct of foreign relations throughout all Asia, and particularly in the conduct of relations with Japan. The veto message does not disclose the fact that the Central Intelligence Agency urged the President to sign this bill in the interests of national security. The veto message does not disclose the fact that when some person or persons in the executive office of the President sent to the State Department a memorandum purporting to find objectionable provisions in this bill, and virtually ordering the State Department to revise its previous favorable report on the bill, both the policy committee of the Department and the Department itself not only refused to revise the previous favorable report, but took the critical memorandum from the executive offices and analyzed it point by point and answered it point by point. The State Department literally took that critical memorandum to pieces and showed it up for what it was—a piece of chicanery. But the Presidential veto message does not reveal any of that.

The President has vetoed this bill because it fails to repeal existing law, because it fails to tear down the barriers which Congress has erected to protect this country against a flood of unregulated immigration.

Toward the end of the veto message, the President gets to one of the points which seems to concern him most. There is a frantic overtone in the veto message when it speaks of the provisions respecting the joint congressional committee on immigration and naturalization policy. The President complains that this committee "would be given powers over the executive branch which are unusual."

Specifically, the President says, this section of the bill would provide that—

> The Secretary of State and the Attorney General shall without delay submit to the committee all regulations, instructions, and all other information as requested by the committee relative to the administration of this act.

The President objects most strenuously to that provision. The President says it is unconstitutional for the Congress to demand that a joint congressional committee be given, on request, information relative to the administration of an act of Congress. Mr. President, if it is unconstitutional, this provision in the bill will have no force and effect, and the President has nothing to worry about. He is worried because he knows it is not unconstitutional, and he does not like the idea of Congress asserting itself.

The President says the provision requiring the submission of regulations to a joint congressional committee, on request, "seems to imply that the committee would undertake to supervise or approve regulations." And then the President declares: "Such proposals are not consistent with the constitutional doctrine of the separation of powers." Apparently the President of the United States does not realize that the power of an executive department to make regulations is a power which must be delegated to it by the Congress. Without such delegation of power by the Congress, no executive department has the power to make regulations. The President himself has certain regulatory powers, the extent of which, under the Constitution, is in my opinion much narrower than the license which the President has exercised in that regard; but an executive department which would make regulations under this act, assuming this body overrides the Presidential veto, would be making regulations not by virtue of any power of the President, but entirely by virtue of a grant of authority, a delegation of authority, if you please, from the Congress of the United States. What the President is really saying on this point is that after the Congress has delegated regulatory authority to an agency in the executive branch, the Congress has no right to approve or disapprove the regulations which that executive department writes; that the Congress has no authority to seek to supervise regulations which are written by authority of Congress.

The President is not satisfied with the work of the committees of Congress in revising and codifying, over a 3-year period, the immigration laws. The President wants the immigration laws reassessed and revised. He says so in his message. But how does he want it done? Does he want the Congress to do it? No; he wants a commission to do it—a commission of 12 members, with the President and Vice President appointing 8 of the 12. Mr. President, this is a direct insult to the Congress of the United States.

Mr. President, on yesterday the House of Representatives passed this measure over the Presidential veto by a vote of 278 to 113. It did so because it realizes that this bill establishes a fair and sound immigration and naturalization system which is urgently needed by this country. The House of Representatives passed this bill over the veto of the President because the membership of that great body has confidence in the ability and integrity of the many experts of this Government who have produced this bill as an answer to a crying need. The House of Representatives passed this bill over the President's veto because the Members of that great body are aware of the thousands of hours of work which have gone into this bill during the course of some 4 years' time by the appropriate committees of the Congress. Mr. President, on yesterday the coauthor of this bill, Representative WALTER, of Pennsylvania, when he took the floor in furtherance of his advocacy that the House should override the veto, spoke at length regarding the system of "ghost writing" and "ghost writers." When he had concluded, the House to a man, without regard to political lines, rose to cheer his position. He denounced the writing of messages by the President through the pens of "ghost writers" who enter the White House through the back door, or the side door, as the case may be.

Mr. President, one might become exasperated at this veto message, because the preparation of and the work on this bill have cost the people of the United States two-thirds of a million dollars and have consumed nearly 3½ years' time, during which time the departments of the Government entrusted with immigration and naturalization have given to the bill their best thought, their best efforts, and long and tedious hours. After almost 4 years of study, the bill is now vetoed. If there be weak spots in the bill, as there might be in any bill, the bill is subject to congressional review and amendment.

Mr. President, the people of the United States today are watching the action of this body as they watched and applauded the action of the body on the other side of the Capitol. In God's name, in the name of the people of America, in the name of the future of America to which we all look, let us have the courage today to override this unfortunate veto message, which has come to the Senate and to the House of Representatives.

Mr. LEHMAN. Mr. President, in the absence of the co-sponsor of this bill, the Senator from Minnesota [Mr. HUMPHREY], I allot myself 20 minutes.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield for a question.

Mr. SMITH of New Jersey. Would the Senator like to have a quorum call?

Mr. LEHMAN. Would the Senator from Nevada agree to divide the time required for a quorum call?

Mr. McCARRAN. I may say to the Senator that we tried that only a little while ago. The Senator from New York asked that the order for a quorum call be rescinded and that further proceedings under the call be dispensed with; and that was done. In my judgment, if we were to try it again, we would arrive at the same result.

Mr. LEHMAN. I should be very glad, indeed, to have the Senator from New Jersey suggest the absence of a quorum, though I would not want it to be prolonged. I say that, in the hope that we might obtain the attendance of a few more Senators on the floor. I think it very unfortunate that very few Senators were on the floor when the distinguished author of the bill spoke.

Mr. President, there are two particular claims made with reference to this bill. One is that the committee and its staff have worked on it for 3 years. Of course, I greatly respect the amount of work which has gone into the preparation of the bill, but it does not seem to me that the time devoted to a bill should be controlling in the consideration of the merits of the bill. The Senator from Vermont [Mr. AIKEN] and I have been working on the St. Lawrence seaway and water-power project for 30 years, when it came up in the Senate a few days ago I did not feel that we should demand that the Senate support our position merely because we had been working on it for 30 years.

The other claim is that the bill gives recognition to Orientals. It is true that there has been some recognition accorded them, but it is very niggardly recognition, for under the bill only 100 persons can come into the United States each year from China or India or the

Philippines, and the entire immigration from that great expanse called the Asiatic-Pacific triangle is limited to an aggregate of 2,000 a year, in spite of the fact that that triangle is populated by more than a billion persons. If that is recognition, if that is a concession, then I certainly do not agree with it. It seems to me it is an insult to say that not more than 100 persons from the Philippine Islands can come to the United States. The Philippine people have been great friends and allies of ours. An official protest was lodged with the State Department by the Philippine Government against that provision. It is not a concession; it is not an advance; it is an insult and a step which we certainly should not recognize with any sense of gratitude.

Mr. President, in the Senate there are men who descended from many national and racial strains—English, Irish, Italian, Scandinavian, Dutch, German, French and many others. Each one of the three great religious faiths is represented here.

Would anyone dare in his conscience claim that because of any national strain or religious affiliation, one Senator or group of Senators were more loyal to our country, more devoted to its welfare, more sincere in protecting its interest, than are other Senators?

So it is in the country as a whole. Our strength, our prosperity, our advance in the arts and sciences, our progress in industry, our spiritual leadership, our military genius—none of these is the product exclusively of one racial or national strain or of one religious faith. We in the United States have grown strong because of the flow of sturdy immigrants who with their descendants have brought strength and prosperity and security to this country. Every race, every nationality has contributed to the welfare and the strength of our country.

Mr. President, I desire to read from two editorials which have come to my notice in regard to the bill. One is from the New York Times of June 26, 1952, entitled "A Wise Veto," which reads as follows:

A WISE VETO

The McCarran anti-immigration bill, full of hatreds, fears and prejudices that have no proper place in American legislation, richly deserves the veto that President Truman courageously has given it.

The measure admittedly has good features—not the least being the fact that it codifies the whole body of our immigration, naturalization and nationality statutes—but it reenacts much that is bad in existing law and in many instances makes it worse. It continues the antiquated quota system (based on 1920 figures); it preserves and in some cases accentuates distinctions founded solely on race; it runs counter to fundamental American concepts of justice; it emphasizes the differentiation between naturalized and native-born citizens; it witlessly plays straight into the hands of our Communist enemies. It is, in short, racist, restrictionist and reactionary. In the interests of American self-respect and in conformity with American foreign policy the veto ought to be sustained.

Mr. President, I desire to read in part from an editorial appearing in the latest issue of America, a national Catholic weekly review, one of the great publications of this country, in regard to the President's veto of the immigration bill. It reads as follows:

President Truman's message of June 25 vetoing the McCarran-Walter omnibus immigration bill should have removed all doubts about the grave mistakes in this restrictive and reactionary piece of legislation.

* * * * *

The national-origins quota system of the McCarran bill, as the President declared, assumes that Americans of English, Irish, and German descent make better United States citizens than those of Italian, Polish, Greek, or other descent. When we want allies to fight side by side with us against Communists, we welcome Italians, Greeks, and Turks. But when we revise our immigration policy, we tell such peoples that they are not the stuff of which red-blooded Americans are made.

That charge, I may say parenthetically, has been applied on the floor of the Senate.

I continue to quote from the editorial:

This is a narrow-minded, nationalistic, and discriminatory attitude. It reflects a throwback to the isolationism of a generation ago. It raises havoc with our transformed foreign policy and with the whole idea of American cooperation with other free peoples, on a nondiscriminatory basis, in the United Nations.

The President was perfectly right when he said that the McCarran bill is entirely out of tune with the Declaration of Independence and that it makes a mockery of the inscription on the Statue of Liberty. More than that, it flatly contradicts the basic concept of Christian brotherhood as proclaimed by St. Paul. The United States, in its foreign policy, has been gradually growing up to the moral demand of twentieth-century international cooperation. The McCarran bill asks us to do an about-face.

In a televised statement the author of this bill charged that the President's veto message was "one of the most un-American acts I have witnessed in my public career." He accused the President of having "adopted the doctrine promulgated by the Daily Worker." This is the old ding-dong: If Communists oppose anything, it must be good. They oppose lynching. Does that make lynching patriotic?

At their annual meeting, held this year at the University of Notre Dame, the editors of a 100 Catholic newspapers and a score of Catholic magazines on June 20 urged this veto on the ground that the bill was "nationally and racially discriminatory." Msgr. John O'Grady, that seasoned fighter for human rights, denounced the bill in the Commonweal of June 20. Many Protestant and Jewish organizations have done the same. The patriotic organizations supporting it are most unimpressive, to say no more.

This review has nothing to learn about Americanism from the authors of this un-American and un-Christian bill. Immigration policy involves great complexities, admittedly. But this bill is so wrong on fundamentals that we have no hesitation in hoping that Congress will sustain the veto.

Mr. President, what the proponents of the bill are doing is to seek to nullify the principles of equal citizenship, equal opportunity, and equal responsibility among our people. They seek to raise one group, one race, one national strain, above another. They are willing to reflect on the contributions and the character of many groups and many national strains. They are willing to insult them grievously and to humiliate them.

My colleagues—and I am sorry there are so few on the floor at this time—I beg of you, do not slap at and insult the millions of fine citizens who have come to us from the countries of southern and eastern Europe—from Poland, from Italy, from Greece, from Turkey, from the Baltic and Slovak countries, and from other lands. We will be doing just that if we pass the McCarran bill. Mr. President, I assure you that that will not make for a united America.

I beg of you Senators not to exclude those who are refugees from Communist tyranny, who seek haven in this land of freedom. We have encouraged people to leave countries behind the iron curtain—people from Poland, Russia, Rumania, Hungary, Czechoslovakia. When they take that step at risk to their lives and limbs, are we to say, "Oh, it is all right, it is fine, that you leave the iron-curtain countries, but we are not going to permit you to seek a refuge, haven, and livelihood in this great land of opportunity, whose proud boast it has been to give haven and refuge to the oppressed people of the world"?

I beg you Senators not to make second-class citizens of millions of naturalized Americans. From the very beginning of the Republic we have prided ourselves on the fact that there was no difference between native-born and naturalized citizens. Yet we are asked to subject our naturalized citizens to threats, penalties, and inequalities which are not imposed on native-born citizens. That would be a complete reversal of the policy pursued by this Republic for more than 2 centuries.

I pray that you Senators will not subject millions of loyal aliens to the fear of deportation for trivial reasons. Do not subject them to the threat, the fear, and the real possibility of deportation without the right of adequate appeal. Do not make immigration a myth and a delusion by reducing it to a mere trickle, further circumscribed by doubts, fears, and uncertainties, and the threat of prosecution by powerful agencies or individuals.

Mr. President, I have been in public life for 30 years or more. I have been a Member of the Senate for 3 years. I do not believe I have ever lived through a more solemn hour than that which confronts us today. What we do today will be watched in every corner of the world. Our claim to be the champion of democracy, justice, fair play, and, above all things, brotherhood, hangs in the balance today.

To me it has been a source of great regret, I may say of disillusionment—although it is not a new disillusionment, after being in the Senate for 3 years—that although this bill, one of the most important within my memory, a bill which affects a great majority of our 155,000,000 people, was debated for a long time, for several weeks, its opponents have not even had the courtesy of a reply from the authors of the bill to objections made and questions asked by us.

The main author of the bill made his address. Opponents of the bill were here to reply to him. We did him the

courtesy of listening to his remarks, and we had hoped he would answer questions to justify his bill.

Today I speak to empty chairs in the Senate. I was opposed to having the question of passing the bill over the President's veto considered this afternoon on such short notice. I appealed to the Senate to have the vote postponed until Monday or Tuesday, so that every Member of the Senate, whether he was for or against the bill, could have a chance to express his opinion, and to cast his vote so that the American public could know just where he stood on this highly important question.

But no, that was refused. Senators were compelled to subject themselves to a vote on the bill this afternoon, even though it was known that many Senators were absent. I do not know how the Senators who are absent would vote if present. I believe many of them would vote to sustain the President's veto, but they are absent. All I can say is that Senators who are present today have a greater responsibility than ever to consider the bill from every angle, and to consider its effect on the traditions, principles, and high ideals of our country, and to cast their votes accordingly.

Mr. President, I conclude by saying again that I know of no bill within my memory—and my memory is a long one, because I have lived a good many years and have been in public life a good many years—that is more important in its implications and in its possible results than is the bill which is being considered today. The immigration laws have not been changed for a quarter of a century. If the Senate passes this bill today over the President's veto, it is unlikely that the immigration laws will be changed again within a quarter of a century.

Mr. President, this is a highly important, superlatively important bill, one which will affect the United States in every part of the globe. It will affect our country in the hearts and minds of people all over the world. I think we can all agree that at no other period of history has it been so important to gain the hearts, minds, confidence, and respect of the peoples of the world.

I strongly urge that the veto of the President be sustained.

Mr. HUMPHREY. Mr. President, does the Senator from Nevada or one of his associates wish to use some time at the moment? If not, I shall yield whatever time may be necessary for the remarks of the Senator from Connecticut [Mr. BENTON]. I have talked with the Senator from Nevada. It was our hope and understanding that we would alternate the speeches pro and con, and I hope we may do so.

Mr. BENTON. Mr. President, I have been deeply moved by the eloquent address to which we have just listened. It is indeed a most unhappy fact that so few Senators have been on the floor to listen to the distinguished Senator from New York [Mr. LEHMAN] speak to us from his great experience with and deep insight into problems of this kind. As is the case with so many issues that come before the Senate. I fear that the minds of Senators are already made up, which in part accounts for the small attendance during this critical and important discussion.

There is one particular point, however, which I wish in particular to emphasize to the Senate today. I have spoken again and again on this bill on the floor of the Senate, and I do not think anything would be gained by repetition today. However, since the 13th of May I have had the opportunity of addressing nearly 30 banquets, conventions, luncheons, and other gatherings in my home State of Connecticut as well as several in New York City. I have thus had a much greater opportunity to talk with the people of my own State than many of my colleagues have had in their respective States, because, for one thing, Connecticut is reasonably close to Washington, and it is possible for me to leave late in the afternoon and be in my State for an evening meeting. I assure Senators that interest in the McCarran immigration bill is running very high among the people of Connecticut. This interest is far more widespread than any Senator would gather, sitting here in Washington and reading the newspapers which come into Washington from back home, or listening to the radio.

The interest is particularly keen among the so-called nationality groups which make up such a large percentage of our economy and social life. I have no accurate statistics on the subject, but I should not be surprised if 60 percent or more of the population of my State consisted of the so-called nationality groups. Certainly a good 50 percent or more are people who are sons or daughters, or at the most grandchildren, of people who were born outside the United States. For example, when I spoke in Norwich 2 weeks ago at the annual Connecticut State Convention of the Sons of Italy, the presiding officer, Mr. Joseph Mazzola, explained the deep interest in the McCarran immigration bill by the observation that more than 99 percent of those present at the banquet were persons one or both of whose parents had been born in Italy and who if not first-generation citizens are thus second-generation citizens of this country.

As I have previously pointed out, this proposed legislation is particularly offensive to the millions of loyal Americans—and I take them only as an example—of Italian ancestry, because it maintains the insulting and discriminatory theory which the distinguished Senator from New York [Mr. LEHMAN] has just described, the theory which was behind the quota system estblished in the law of 1924, when the Italian quota was fixed at about 6,000. As a contrast, in 1914, before the First World War, 296,000 Italians entered this country. There was a deliberate reduction in 1924 of 98 percent. The 1924 law fastened into our immigration laws, from that day to this, the vicious and odious fallacy that the peoples of southern and eastern Europe are somehow inferior to their neighbors in other areas of Europe.

President Truman himself, in his fine and penetrating veto message, recognized this doctrine as false and unworthy. To use his own words, the President said that it was incredible to him that in 1952 we should again be enacting into law such a slur on the patriotism, the capacity, and the decency of a large number of our citizenry.

I have had the opportunity to serve our country in the field of foreign policy. I served in the State Department for more than 2 years; and I have served as a delegate at eight international conferences, representing the people of the United States. I can assure you, Mr. President, that if Members of the Senate had had the kind of exposure which I have had, or even a partial exposure to problems in the field of foreign policy, it would not be conceivable or thinkable that this bill could receive a majority of the votes in the Senate, much less two-thirds of the votes in the Senate.

The New York Times, which called the President's action "a wise veto," also stated flatly yesterday that the false doctrine imbedded in the McCarran bill is "racist, restrictionist, and reactionary." I can attest to the fact that it is a reactionary throwback to the attitudes which prevailed in this country in 1924, before we were forced into the great responsibility of world leadership. The New York Times said further that the bill "witlessly plays straight into the hands of our Communist enemies."

I have not checked the Communist radio since the action of the House yesterday, and I do not even intend to check it in the next 24 hours if the Senate makes the mistake of failing to sustain the veto of the President; but I predict now that the airways all over the world, dominated by the Communist radio, will be playing up this action by the American Congress as again indicating our discriminatory attitudes toward people with colored skin, toward the people of Southern and Eastern Europe, and the people of other sections of the world.

The Washington Post has published similar editorial arguments. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks its editorial entitled "Immigration Veto," from the Washington Post of June 26, 1952; also the editorial entitled "A Wise Veto," published in the New York Times of June 26, 1952.

The PRESIDENT pro tempore. Without objection, the editorials may be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. BENTON. Only last week I had the honor of attending a dinner in New York of the American Jewish Committee and the Anti-Defamation League of B'nai B'rith, which awarded me a silver plaque. In the course of my remarks I told the group that I had learned that day, at lunch, that the State Department had recommended to President Truman that he sign the McCarran immigration bill. It had recommended against his veto. I assure Senators that this news evoked a mass gasp of astonishment from that audience.

As soon as I could reach a telephone I called Secretary of State Acheson, on the eve of his departure for Europe, to tell him that in my judgment this recommendation was a grievous error. I

expressed the belief that the Congress would most assuredly repeal the Oriental Exclusion Act, in which the State Department is so much interested, and that it would be willing to establish quotas for oriental immigrants. This bill has already passed the House in the form of separate legislation, and I told Dean Acheson I was sure that the Congress, if not at this session, most assuredly next year, would pass such legislation.

I expressed the belief that this object could be achieved without paying the terrible price involved in accepting the hundreds of evil features written into the McCarran immigration bill. I told Mr. Acheson that I could only apply the words "defeatist" and "cynical" to the recommendations of a State Department committee with respect to this proposed legislation. In my judgment the State Department committee had on its cap of public-relations experts in dealing with the Congress, rather than its cap of experts in the field of foreign policy, when it reached its most unhappy recommendation.

I am glad to report that Mr. Acheson assured me that the State Department had not pressed and would not vigorously press this recommendation, and that he recognized that there were involved many other factors which the President had to take into consideration. I am pointing this out to the Senate today because of Representative WALTER'S statement yesterday to the House of Representatives.

Secretary Acheson's manner was such that I concluded—and I believe correctly—that he would not be personally distressed or greatly surprised if the President vetoed the bill. This, I may say, is not the first time the judgment of the head of an executive department has not fully or forcefully accorded with the recommendations of a departmental committee, down in the bowels of the department. I can tell the Senate, from my own experience in the administrative departments, that all too frequently departmental committee recommendations merely confirm the fears of the weakest member of the committee. Indeed, in my observation this is not only true of committees in the Federal Government, but it tends to be true of committees in general.

I hope that the Congress, in the pressure of these closing days—on the assumption that we uphold and sustain the veto of the President today—will take the time to authorize the establishment of a committee of outstanding Americans, modeled after the Hoover Commission, as President Truman has urged, to make the fundamental study of our immigration policy which we so desperately need, as well as a study of our quota system. I am proud to be a cosponsor of the joint resolution to set such a study in motion. The joint resolution was introduced in the Senate yesterday and referred to the Senate Judiciary Committee.

Mr. President, I trust it is not too much to hope that Congress may also enact the temporary emergency immigration legislation urged by the President on March 24 and now embodied in the Hendrickson-Celler bill. That bill authorizes the admission of 300,000 Europeans, many of them refugees from Communist terror. The total number is spread over the next 3 years, so that there would be admitted 100,000 a year, which is approximately one-fifteenth of 1 percent of our population. The whole 300,000 is only one-fifth of 1 percent. This temporary program is urgently needed. Our failure to put it into effect now will, in the eyes of all the world, represent, pro tanto, an abandonment of our American ideals.

If the Presidential veto, by some misadventure, is not sustained today, as the distinguished Senator from New York has pointed out, I predict that more than one seat in this Chamber is going to change hands, based on this vote alone. Many of those who vote to override the veto are not sufficiently conscious of the strength of feeling in their constituencies against this bill. First and second generation Americans are far more interested in foreign policy, and much more literate about it, than some Senators give them credit for being. Furthermore, this feeling, which is found among the Polish-Americans, the Italian-Americans, the Greek-Americans, and so many others in my State of Connecticut is, I am sure, an accurate reflection of the reactions of their kinsmen overseas.

I again ask the question which I have asked previously about the inconsistency about our foreign policy, when we appropriate $600,500,000,000 for military and economic aid for the countries of Europe, and at the same time slap so many of those proud and sensitive peoples in the face and tell them that they are not worthy of equality of treatment under our immigration laws.

Mr. President, too few Members of this body have read the pending bill. A knowledge even of its details is far more widespread throughout many groups in the Nation than it is in Washington. By the vote taken today literally millions of loyal Americans will discover who are the Senators who have a compassionate understanding of their problems, as well as an understanding of the grave problems of our own world leadership which are involved.

As President Truman states in his veto message:

> The time to develop a decent policy of immigration—a fitting instrument for our foreign policy and a true reflection of the ideals we stand for, at home and abroad—is now.

I know that President Truman feels deeply on this score, entirely apart from his eloquent veto message of yesterday. As recently as last Monday I talked with him at length over the telephone to report not only on my conversation with Mr. Acheson with regard to the bill, but also to urge him again to veto the proposed legislation in the interest of justice and in the interest of helping to reassert the principles of moral leadership which are essential to the great and critical role we have assumed in today's world. To sustain that great role, I think it will be agreed that more than military force and atom bombs are needed; we must continue to exert moral leadership.

Therefore, I urge Senators who are uncertain to weigh carefully their own lack of knowledge of the consequences of this bill overseas before they vote to override the President's most carefully considered veto message.

It is a bill which gravely affects our relations with peoples whom we are seeking as allies, both east and west. The issue in the Senate may be settled, the newspapers say, by a margin of one or two. Is it thus a grave matter for the conscience of each Senator, when his own individual vote may determine our national official action in this critical area. A vote to sustain the veto will be a vote to reaffirm this Nation's basic humanitarianism and its Americanism in the truest meaning of those words.

I yield the floor.

EXHIBIT 1

[From the Washington Post of June 26, 1952]

IMMIGRATION VETO

President Truman's veto message on the McCarran-Walter immigration bill provides not only an illuminating analysis of the measure's defects; it provides also a brilliant exposition of the immigration policy which the President believes the country should pursue. This newspaper heartily agrees with his view that the McCarran-Walter bill "would not provide us with an immigration policy adequate for the present world situation. Indeed, the bill, taking all its provisions together, would be a step backward and not a step forward."

The President's reasons for rejecting the measure are much the same as the arguments against its adoption set forth repeatedly by the Washington Post. It is essentially an exclusionist bill; as the President puts it, "None of the crying human needs of this time of trouble is recognized in this bill." It is a bill which ignores elementary standards of fairness in dealing with aliens; in the President's words, "Seldom has a bill exhibited the distrust evidenced here for citizens and aliens alike—at a time when we need unity at home and the confidence of our friends abroad." It is a bill which authorizes arbitrary administrative action in the name of security; the President summarizes it by saying, "No standards or definitions are provided to guide discretion in the exercise of powers so sweeping. To punish undefined 'activities' departs from traditional American insistence on established standards of guilt. To punish an undefined 'purpose' is thought control."

Revision and modernization of the country's antiquated immigration and naturalization statutes are long overdue. Members of the House and Senate Judiciary Committees worked at the task for nearly 4 years—no doubt earnestly and arduously. But apparently, as the President observed, they were "hampered and stultified by the dead hand of the past." Mr. Truman thinks that "the time to develop a decent policy of immigration—a fitting instrument for our foreign policy and a true reflection of the ideals we stand for, at home and abroad—is now." And he suggests that the best way to develop such a policy is to establish a bipartisan commission jointly appointed by the President and the leaders of Congress to examine the basic assumptions of immigration policy, survey the entire problem and then make a report. The suggestion is a thoroughly constructive one.

We think the President deserves warm congratulations on this veto message. He made his decision despite importunate pleadings

from the State Department which seems determined to out-McCarran Senator McCARRAN. The message is humane, eloquent, temperate, and rational—an exemplary document of its kind. It ought to be sustained.

[From the New York Times of June 26, 1952]

A WISE VETO

The McCarran anti-immigration bill, full of hatreds, fears, and prejudices that have no proper place in American legislation, richly deserves the veto that President Truman courageously has given it.

The measure admittedly has good features—not the least being the fact that it codifies the whole body of our immigration, naturalization, and nationality statutes—but it reenacts much that is bad in existing law and in many instances makes it worse. It continues the antiquated quota system (based on 1920 figures); it preserves and in some cases accentuates distinctions founded solely on race; it runs counter to fundamental American concepts of justice; it emphasizes the differentiation between naturalized and native-born citizens; it witlessly plays straight into the hands of our Communist enemies. It is, in short, racist, restrictionist, and reactionary. In the interests of American self-respect and in conformity with American foreign policy, the veto ought to be sustained.

Mr. HUMPHREY. Mr. President, I suggest that Senators who wish to override the veto message take some time to speak in opposition.

The PRESIDENT pro tempore. The Senator from Minnesota has 27 minutes remaining.

Mr. HUMPHREY. The Senator from Minnesota does not choose to use any of his 27 minutes at this time.

Mr. SMITH of New Jersey. Mr. President, is it appropriate to make insertions in the RECORD at this time, or is all time controlled?

The PRESIDING OFFICER. All time for debate is controlled under the unanimous-consent agreement.

Mr. HUMPHREY. Mr. President, I surely do not wish to have the business of the Senate stopped because of the failure of those who are supposed to be engaged in this discussion to perform properly their part in the debate. It was clearly understood that we would have some give and take and that there would be debate as to the merits and demerits of the President's veto. Apparently we are confronted with the same situation with which we were confronted during the original debate on the bill; it is once more a one-way street.

In line with the unanimous-consent agreement, I shall continue in good faith to use our time. However, we will obviously find ourselves at the conclusion of the debate without a chance to reply to the arguments of the opposition. I am one who will keep his word.

Mr. President, I yield 4 minutes to the Senator from Rhode Island, if he wishes to make some comments.

Mr. PASTORE. Mr. President, I had not intended to speak on this subject this afternoon because I am among those Senators who feel that debate on the floor at this time will not change the views or minds of any Members of the Senate. I had the opportunity to speak my mind on the McCarran bill a few weeks ago. I have attended as conscientiously and as attentively as I could the proceedings of the Senate. I have followed the debate very closely. I am willing to admit that at this juncture about every conceivable argument which could be made for or against the bill has already been made, has been printed in the RECORD, and has been read by Members of the Senate.

The other day when the news reached us that the President had vetoed the McCarran bill I rejoiced that again the President had distinguished himself by exhibiting the courage he has always demonstrated to the American people in meeting the issues of the day.

Mr. President, it always is difficult to appraise a person amid the tumult and confusion of contemporary times, for we have learned from American history that great men, great Presidents of the United States, have been subjected to vitriolic attacks by their contemporaries, but when the true and final history of their times was written they were shown to be great leaders of our Nation and were revered as such.

I do not know what history will write about our distinguished President, Harry Truman. But whether we have agreed or disagreed with his administration, in appraising him as a man I think all of us must agree that he has been a bulwark of determination and has had the courage of his convictions, as he demonstrated once again when he vetoed the discriminatory McCarran bill.

Not very many years ago, Mr. President, when I attended the public schools of my native city of Providence, I was instructed by my teacher to commit to memory the second paragraph of the immortal Declaration of Independence. That paragraph begins with these words:

> We hold these truths to be self-evident that all men are created equal.

Believe me, Mr. President, sometimes when I see what goes on in the Senate of the United States, I blush when I realize that I must explain back in my State what has transpired here, chiefly with reference to this McCarran immigration bill.

I know it is difficult to add to the arguments which already have been made; but the truth of the matter is that the immigration formula of 1924, which was conceived in bigotry and born in hate, has been reaffirmed in this bill.

The PRESIDING OFFICER (Mr. WELKER in the chair). The time of the Senator from Rhode Island has expired.

Mr. PASTORE. Mr. President, will the Senator from Minnesota yield a few more minutes to me?

Mr. HUMPHREY. I yield three additional minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 3 minutes more.

Mr. PASTORE. I thank the Senator from Minnesota.

Mr. President, in the main, the McCarran immigration bill seeks to perpetuate, reestablish, and reaffirm a policy of bigotry with relation to our immigration laws and procedures.

I do not mind particularly to whom we extend our invitation to come to America. But surely, if any Member of the Senate had invited a person to his home over a period of 20 years, and if that person never accepted that cordial invitation, there would be in the invitor's mind a serious question as to whether that invitation should come to an end.

I am not opposed to the number of persons who come to the United States from Great Britain, under our immigration laws. But the record for the past 20 years has been that while approximately 66,000 were eligible to come to the United States each year, less than one-third of that number has come. Yet there are other peoples, in other areas of the world, who have been willing to come, who have been willing to make their contribution to America, but who have not been wanted.

I say that now is the time and this is the place for us to correct this great injustice. I say to the Members of the Senate that if we override the President's veto today, we shall perpetuate for a long time to come a terrible injustice and a terrible inequity.

Mr. President, I never thought there was too much difference between a babe who sat in the lap of a mother who came from one racial stock or strain and a babe who sat in the lap of a mother who came from another racial stock or strain. I have been brought up to believe in and revere the ideal that all men are created equal.

Mr. President, what I am saying at this time, I have said before, possibly in a different fashion. Everything that could be said either for or against this ugly bill has been said before in one fashion or another.

I admonish the Members of the Senate to search their hearts, their consciences and their intellects, and realize that the very persons against whom this bill would have us discriminate are the ones who gave us their sons to fight under the American flag and to bring victory to America in the last two catastrophic wars.

The PRESIDING OFFICER. The three additional minutes yielded to the Senator from Rhode Island have expired.

Mr. PASTORE. Mr. President, will the Senator from Minnesota yield 2 minutes more to me?

Mr. HUMPHREY. I yield that much additional time to the Senator from Rhode Island.

Mr. PASTORE. I thank my colleague.

Mr. President, I fervently hope and pray that a sufficient number of Members of the Senate will vote to sustain the hand of the President, the man who has the responsibility on a national level to meet the challenges of the world. He cannot afford to be parochial; he cannot afford to be provincial in his thinking. He must be national and international.

The problems we face are grave. All of us are hoping and praying for enduring peace in the world. However, so long as there are countries bulging at the seams with excess population, there will be unrest; and so long as there is unrest, there will not be peace; and so

long as America does not take the leadership that dutifully is hers, I am afraid these problems will never be reasonably and rightly solved.

I fervently pray that the Senate will sustain the veto of the President.

Mr. HUMPHREY. Mr. President, I inquire how much time remains to me.

The PRESIDING OFFICER. The Senator from Minnesota has 17 minutes remaining.

Mr. HUMPHREY. Mr. President, first of all, I wish to say that until a few moments ago, I did not know that the daughter of the Senator from Nevada had been injured. I deeply regret that that has happened, and I trust that he will clearly understand that he has my deepest sympathy for the injury sustained by his daughter.

Mr. President, I have listened attentively and with a deep sense of emotion to the brilliant address by the Senator from Rhode Island [Mr. PASTORE]. I know of no Member of this body, unless it be the Senator from New York [Mr. LEHMAN], who speaks with a greater depth of conviction and sincerity and with more feeling and understanding about immigration matters and immigration policy, than the Senator from Rhode Island. What he has stated is, indeed, the theme of this whole struggle. There is no need of our going into the details of this bill, the administrative aspects of it, section by section, subsection by subsection. The bill is more than 300 pages long. It contains hundreds and hundreds of sections and subsections. It is a complex legislative proposal. It would be impossible in the few moments that are ours to analyze it again. We have done it once. For 10 long days on this floor we debated every section of the bill. We critically and constructively analyzed every section of it. As the result of that discussion, 23 amendments were accepted by the chairman, to correct 23 mistakes which he himself saw as the result of the debate. Later on, in conference, other adjustments were made. But they were adjustments, so to speak, in the decorations; they were not adjustments in the basic architectural plan or structure of this immigration bill.

The heart of this immigration measure, Mr. President, is in the quota system. The heart of it is in the discriminatory aspects of the quota system to which the Senator from Rhode Island directed his attention. The President of the United States, in his message, stated:

> The greatest vice of the present quota system, however, is that it discriminates, deliberately and intentionally, against many of the peoples of the world. The purpose behind it was to cut down and virtually eliminate immigration to this country from southern and eastern Europe. A theory was invented to rationalize this objective. The theory was that in order to be readily assimilable, European immigrants should be admitted in proportion to the numbers of persons of their respective national stocks already here as shown by the census of 1920.

The President went on to discuss this question in greater detail. I want to tell Members of the Senate what they will be doing if they override this veto; I want the Members of the Senate, who have in their States constituents who have a yearning for their loved ones, now living in foreign lands, to be with them, to realize exactly what the result will be if the veto is not sustained. They will be denying to thousands of people of ethnic German origin, thousands of people who have fled from Nazi or from Communist tyranny, a chance to come to the United States of America under our immigration laws. Let me repeat that all through America hundreds of thousands of wonderful citizens who came to our shores, people of Nordic and Teutonic and Scandinavian origin, who will be denied a chance to have their loved ones come to America under the quota system which is perpetuated by the McCarran bill.

There are literally hundreds of thousands of people who have had to flee Poland. Who were these people? They were the people who were willing to leave their homes, their lands, and their farms, in order to live in some other country where they could get away from Communist brutality. How many Poles can come into the United States under this bill? I should like to have the proponents of this measure tell the people of Polish ancestry in America how many persons of Polish background will be able under this bill to come to America. None. None. Poland is through, her people are through, so far as coming to the United States is concerned.

I ask, how many people of Rumanian background, how many people of Bulgarian background, how many Greeks can come into the United States under this bill? At the most, a pitiful handful. Yet some of these people are the ones to whom we want to appeal in order to get them to move to the side of freedom. Surely there is room in America for these people, particularly under a system which is supposed to give priorities to men of competence and ability, men of background, technicians, and artists. This is the central issue. The issue in this entire debate is whether America wants to slam the door in the face of thousands and thousands of people who have every right to seek entrance into this country.

Mr. BENTON. Mr. President, will the Senator yield for one moment?

Mr. HUMPHREY. I yield.

Mr. BENTON. In the Senator's recent comment on the Poles being through, with no more Poles being able to come into the United States, does the Senator recall that there are many military experts who regard the exploit of the Polish troops at Monte Cassino in Italy as the most heroic exploit of the entire Italian campaign, and that these are the kinds of people against whom we now proposed to discriminate, by telling them that they are not good enough to come into the United States?

Mr. HUMPHREY. The Senator from Connecticut is correct. From the Baltic countries—and I want Senators who have within their respective States Lithuanians, Estonians, and Latvians, to listen to this—from all the Baltic countries, only 700 are permitted to enter this country a year, if they can escape from Russian-dominated countries. Yet there are 23,000 Baltic refugees, lovers of freedom, who, under a pooled quota system, would be fully able to come in—men and women who are living in Germany today, an overcrowded country. Yet the Senate of the United States, if it overrides the President's veto, will tell the people of Baltic origin now living in America and the people of the world, "No more 'Balts,' no more Lithuanians, no more Estonians, no more Latvians."

We will tell the Poles the same thing. There are now 138,000 liberty-loving Polish people in Germany, France, Belgium, and Holland, at least a portion of whom would be eligible, over the years, to come to the United States under a pooled quota system or under a revised quota system. But under this bill, not one of them would be eligible. Six thousand five hundred have had to get out of Poland. But the Communists will not allow the 138,000 who are already out of Poland and who would like to come to America, to do so.

I shall not continue further. I merely want every Member of the Senate to know what we are about to do, if we should be so foolish, so heartless, and so insensitive to social justice as to override this veto.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Oregon.

Mr. MORSE. I desire to take but half a minute to tell the Senator from Minnesota that I wish to associate myself with the powerful argument he has made, not only today, but in previous days, on this immigration bill. I think time will prove it to be one of the historic arguments in this Congress. I commend not only the Senator from Minnesota, but also the Senator from New York [Mr. LEHMAN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. BENTON], and the Senator from Michigan [Mr. MOODY] for the inspiring exhibitions of keeping faith with what I consider to be true Americanism which they have given throughout the debate on the immigration bill. It is a great pleasure to me to be associated with them in this fight to sustain the veto by the President of the immigration bill.

Mr. HUMPHREY. I sincerely thank the Senator from Oregon. He has again been most generous in his comments. But all he has said about his colleagues could easily be turned around and said in reference to the Senator from Oregon. We are proud to have him as a partner and as an associate in the struggle for what I call nothing more nor less than the living practice of American democracy. That is what it amounts to.

Mr. President, I shall yield the floor, because I want the Senator from Michigan to have an opportunity to speak.

The PRESIDING OFFICER. The Senator from Minnesota yields the floor. The Chair advises the Senator from Minnesota that he has 7 minutes remaining.

Mr. HUMPHREY. Mr. President, I should like to reserve those 7 minutes for a few moments, while we hear some-

thing from the opposition. The debate has really been rather one-sided this morning.

The PRESIDING OFFICER. The Chair understands there will be a speaker shortly. The Chair advises the Senator from Minnesota that, according to the understanding of the Chair, the time that is being wasted as of this moment will be divided.

Mr. HUMPHREY. Mr. President, I am very, very sorry that those who are supporting the bill and who are opposed to the President's veto have not seen fit to be present and at least to join the argument. I consider it not only to be somewhat embarrassing to the Senate, but as indicating the weakness of their cause.

Mr. LEHMAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield

Mr. LEHMAN. Mr. President, I merely wish to say that I know the rules of the Senate, and we have been on the floor debating this question for a long time. I have great sympathy with the distinguished chairman of the Judiciary Committee who, because of an accident to his daughter, is prevented from being present at the moment, but I think it is outrageous and a sign of great weakness in the case of the proponents who do not appear to sustain their cause.

Mr. MOODY. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield 4 minutes to the Senator from Michigan.

Mr. MOODY. Will there not be arguments by the proponents of the bill?

Mr. HUMPHREY. I will say to the Senator from Michigan that a squeeze play is on. I have seen it in the Senate on previous occasions.

Mr. MOODY. Mr. President, Senators should come forward and state their case.

I think the issue in face is clear.

In my judgment, if the Senate votes this afternoon to override the President's veto, it will be striking a blow for Stalin. It will place in Kremlin hands a weapon of propaganda which will damage our position gravely. Peoples all over the world are waiting to see what the Senate does this afternoon. Peoples of various races, who have made good American citizens, as good American citizens as any Member of the Senate, will be prevented, as the Senator from Minnesota has so eloquently pointed out, from coming into the United States, if the bill should be passed over the President's veto. Should the veto be overriden, we will be serving notice on thousands of people from Poland, from the Baltic States, from Hungary, from Greece, and from other countries which have made our Nation fine, productive citizens, that the Senate majority does not fully understand and sympathize with the magnificent, courageous fight so many of them are putting up against Communist tyranny. We will be serving notice of a myopia and lack of understanding of the spiritual and emotional side of this human question which will throw a chill and a pall over the world's confidence in our leadership.

Think of it. This bill could leave the quotas of many countries, already outmoded because of this rigid attachment to statistics more than 30 years old, heavily mortgaged, in some cases for more than a century.

The Polish quotas would be mortgaged until the year 1999; the Yugoslav quotas until 2001; the Lithuanian until 2087; the Latvian until 2274; the Russian-Ukranian until 1978; the Greek until 2013; the Hungarian until 1985; the Rumanian until 2004; the Estonian until 2146, and so on.

Senators have said that in some respects this bill improves the present law, which is true. But is there any reason why Congress must at the same time freeze into law cruel, heartless inequities, which will destroy the hopes of thousands and thousands of men, by keeping American families from uniting with their loved ones across the sea? I say there is not. I say Congress need not commit the moral crime inherent in some provisions of this measure in order to get the good things in it. There is no reason the job should not be done right and, so far as I am concerned, I shall continue to fight on this issue until the job is done right. Excepting only the Indians every citizen of the United States has ancestors who came to this country from overseas.

Despite some favorable provisions of the bill, it utterly fails to write a decent codification of the immigration laws of the United States. It constitutes a slur and an insult not only to thousands of persons who would like to come to the United States, but to people of ethnic origins already here who would be discriminated against by this measure.

A vote to override the President's veto will add to the slur and insult.

The bill sets up 20 new grounds to deport persons admitted to the United States. It establishes 13 new grounds for excluding people from the United States. It increases the ways by which people can lose their citizenship and their right to citizenship.

It has often been said in the Senate that we are strong on voting military appropriations, but that we do not have a proper sense of propaganda value. We have not used the weapon of propaganda so well as the international conspirators known as Communists. Mr. President, we must reach the hearts and minds and understanding of peoples around the world who are subjected to a steady barrage of propaganda from the Kremlin.

Yet some of the very persons who object to the comparative weakness, as they see it, of American performance, in selling ourselves to the world, would vote to exclude from the United States people who would make good citizens; people who, having fled from the tyrannies of the Kremlin, are now in concentration camps in Europe; people who have fought the Nazis and the Reds; people whose friends and loved ones will never forget the fact that Senators who vote to override this veto regard them as second-class citizens.

There are many more things I should like to say, but my time has expired. I thank the Senator from Minnesota for yielding to me this brief period in which to speak. I hope the Senate will sustain the President's veto and then formulate a recodification of immigration laws which will be just, humane, and in the national interest.

Mr. McCARRAN. Mr. President, I regret that I had to be absent from the Chamber. May I ask how much time I have remaining?

The PRESIDENT pro tempore. The Senator from Nevada has 15 minutes.

Mr. McCARRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

Mr. HUMPHREY. Mr. President, I must object.

The PRESIDENT pro tempore. The Senator from Minnesota objects. The clerk will resume the call of the roll.

The Chief Clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Green	McKellar
Bennett	Hayden	Millikin
Benton	Hendrickson	Monroney
Brewster	Hennings	Moody
Bricker	Hickenlooper	Morse
Bridges	Hill	Mundt
Butler, Md.	Hoey	Murray
Butler, Nebr.	Holland	Neely
Byrd	Humphrey	Nixon
Cain	Hunt	O'Conor
Capehart	Ives	O'Mahoney
Case	Jenner	Pastore
Clements	Johnson, Colo.	Robertson
Connally	Johnson, Tex.	Saltonstall
Cordon	Johnston, S. C.	Schoeppel
Dirksen	Kem	Seaton
Douglas	Kilgore	Smathers
Duff	Knowland	Smith, N. J.
Dworshak	Lehman	Smith, N. C.
Eastland	Long	Sparkman
Ecton	Magnuson	Stennis
Ellender	Malone	Thye
Ferguson	Martin	Underwood
Flanders	Maybank	Watkins
Frear	McCarran	Welker
Fulbright	McCarthy	Wiley
George	McClellan	Williams
Gillette	McFarland	Young

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness in their respective families.

The PRESIDENT pro tempore. A quorum is present.

Mr. McCARRAN. Mr. President, I yield 10 minutes to the Senator from North Carolina [Mr. SMITH].

Mr. SMITH of North Carolina. Mr. President, I have read the bill which was vetoed by the President, and I had hoped that many others who were criticizing the bill, who were very vicious in their opposition to it, had done likewise. In my reading of editorials, news stories, and the comments of those who have taken great interest in the bill, it has seemed to me that many persons who have been its severest critics have not, in fact and in truth, read the bill.

As a member of the Committee on the Judiciary, I participated in reporting the bill, realizing that for 3 or 4 years, even before I came to the Senate, there were those in the Department of State, the Department of Justice, and other departments, and also members of the Committees on the Judiciary of both the Senate and the House, who had labored very diligently and faithfully to try to perfect a codification of the immigration laws of the United States in order to place our country in a better position to deal with immigration problems, and likewise to put us in the best light possible among the peoples of the world. Yet critics of the bill have heralded to the world that it is a bad bill and should not be passed. For my part I know of very few specific particulars in which the bill could be said to be in any respect one which ought not be passed.

Of course, I realize that in a body such as the Senate, or in a body such as the House of Representatives, there are always differences of opinion. But the fact remains that the bill is a product of several years' work, in which agencies of our great Government have participated with agencies of Congress, in order to be able to submit to Congress a bill codifying the immigration laws of the United States, so that people all over the world, who might wish to use them, could tell what the law is and has been.

Mr. President, all over America there has been great misrepresentation and distortion of the bill, more than I have noticed with respect to any other bill during the short time I have been a Member of the Senate. The chairman of the Committee on the Judiciary has been belabored and damned by those who wished to see the bars let down for the peoples of all the world to come into the United States without any regulation or restriction whatsoever.

There has even been talk as to whether the rights of the people who wished to come here were being respected. Whose rights should be respected first, those of the people of America, who have built and are maintaining the Nation, or should we conjure up imaginary rights for people scattered all over the globe, and say that they have rights superior to the rights of Americans to say exactly what we should do in a matter of this kind?

I have found, too, that among editorials published in small newspapers throughout the country have been what are called "canned" editorials. The other day a friend of mine in North Carolina was embarrassed—in fact, humiliated—because of a column-long editorial which appeared in his local newspaper. As soon as some of us in Washington read it, we knew beyond a doubt that it was a canned editorial, sent out by a lobbying group in this city or in New York. Similar editorials appeared all over the United States, with the result of enabling some Members of the Congress having such editorials, to offer them for printing in the RECORD.

There has been all sorts of lobbying, the like of which I have not seen before, the object being to convince the American people that this is a bad bill. Yet no one can point out a really serious defect in the bill. At least, it is an improvement upon the present situation.

Yesterday, when I went over to the House of Representatives, I was very much impressed by an address by a great statesman from Pennsylvania, Representative WALTER. He enumerated some of the results which might be expected if the veto were not overridden. In talking about the veto message, Mr. WALTER said:

> The message before us points to many good and desirable provisions of the bill. Among them it lists the removal of racial barriers to immigration and naturalization; the removal of discrimination between sexes, and other improvements of the existing law. If the President's veto is sustained, none of these improvements will be written into the law. The old people of Japanese ancestry, 85,000 of them, whose sons covered themselves with glory on the battlefield of the last war, fighting and dying for the United States, these old people will not become citizens of the United States, and they will continue to face difficulties even in holding to their property in the several States. This, despite the fact that every one of them is legally in the United States and cannot be deported.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. SMITH of North Carolina. I cannot yield. I have only a few minutes.

Continuing from Mr. WALTER's speech:

> If the President's veto is sustained, several thousands of Chinese children of American citizens would remain stranded in Hong Kong under the constant threat of being captured by Chinese Communists and brought up to be our enemies.
>
> If the President's veto is sustained, several thousands of Americans of Italian ancestry who voted in Italian elections in order to help us defeat the Communists will not see their citizenship restored.
>
> If the President's veto is sustained, the American girl who marries an Italian or a Greek, or an Indian, or a Japanese, will not be able to bring her husband to the United States.
>
> If the President's veto is sustained, the GI in Japan or in Korea will not be permitted to bring his oriental wife into this country.
>
> If the President's veto is sustained, the homeless and abandoned Korean and Japanese children whose plight has appealed to the big-hearted American boys who prompted their families to adopt them, will be barred from entering the country of their adoption.
>
> If the President's veto is sustained, Communist propaganda in the Far East will be given a new shot in the arm by being permitted to spread the word that we intend to keep the orientals out and that the words of friendship we addressed to them remain just empty slogans.

That is the situation, Mr. President. The opponents of the bill have not said that they are willing to do such things. They have not told in their propaganda exactly what the President's veto, if sustained, would do to the people I have mentioned. I think the American people ought to know just what this veto means. It means precisely what Representative WALTER has said.

Mr. WALTER further said:

> On the other hand, I do know that every Government agency charged with the administration of our immigration and nationality laws, the Department of Justice, the Department of State, the Central Intelligence Agency, the Bureau of Immigration and Naturalization, the Federal Bureau of Investigation, have strongly recommended the enactment of this bill.

Yesterday I heard Mr. WALTER tell about the part played in the preparation of the bill by the American Federation of Labor. The charge has been made that the bill is against labor. Do the working people of America believe that it would help their situation to bring to America millions of additional workers to compete with them, without any restriction whatsoever? Of course not. Some leaders may have taken that position, but I know that the workingmen of America know better than that, because they know that when there is a surplus of labor in America there is the same situation to be dealt with as when there is a surplus of anything else. I was glad to hear Mr. WALTER explain that situation yesterday.

The PRESIDENT pro tempore. The time of the Senator from North Carolina has expired.

Mr. McCARRAN. Mr. President, I extend the time of the Senator from North Carolina for 5 minutes.

The PRESIDENT pro tempore. The Senator from North Carolina is recognized for five additional minutes.

Mr. SMITH of North Carolina. Mr. President, much has been made of the fact that at least one member of that great organization, the Catholic Church, was around the House yesterday buttonholing and importuning legislators to vote to sustain the veto. Mr. WALTER explained the true situation. I read again from his speech of yesterday:

> In addition to the organizations I have mentioned, there is the National Catholic Welfare Conference. * * * The National Catholic Welfare Conference endorses this particular bill.

I looked a little further in the RECORD and read what was said by a man who has devoted much of his life to the Orient. I refer to the great Representative from Minnesota, Mr. JUDD. Let me read what he said:

> The President's veto perpetuates a situation whereby in our immigration laws those Koreans are officially insulted and stigmatized as biologically inferior beings. What effect do you suppose news of the President's veto has on our allies in Korea?

Mr. JUDD further said:

> Is it not better to accept the bill with its real gains, even though it does not correct all that many believe to be inequities, than to reject the great forward steps which it represents in the very areas where we are sustaining our most serious losses? Is it sensible to reject those forward steps just because the bill does not achieve the Kingdom of Heaven on earth?

There are other things in the speech of Representative JUDD, who, as I have said, has spent much of his life in the Orient and has rendered great service to the oriental people. Are we to heed the opposition of a few groups, backed by the same groups which opposed the Internal Security Act? Are we going to listen to their voices of protest and predictions when we know that the bill, if enacted into law over the President's veto, will take care of some of the imperfections of the present situation?

So far as I am concerned—and I hope that is the way most other Senators feel—when I go back to my constituents I want to be able to defend my position when I read to them the provisions of the bill and explain it to them as they ought to have it explained. I think we should study most carefully every proposal to let down the bars of immigration.

I have conducted hearings involving some of the people from Central Europe. I have noticed the intense hatred which exists among them. I know how they talk about one another. I realize the hatreds that are in their hearts. I know that if America is to maintain a stable Government it must under all circumstances be sure that we welcome to our shores from foreign countries only those who believe in the principles in which we as Americans believe. Among our constituencies are varying percentages of what we refer to as the foreign element, those who have recently come to our shores. In my State there are not very many foreign born. I believe that the percentage of foreign born in my State is the smallest of any State in the Union. Yet we have never failed to welcome to our State men and women of foreign birth who came there to live the lives of American citizens. Perhaps the largest percentage in our foreign-born group in North Carolina consists of the Greeks. I know that my statement will be borne out by my colleague [Mr. HOEY] when I say that there are no better citizens in North Carolina than the people of Greek ancestry who have come there and have conducted themselves in a businesslike way. Never has there been any discrimination against them. I know that they are my friends. They came to this country under our past immigration laws. I know that if they have relatives or friends who wish to come to America they are willing to have them screened, even as they themselves were screened.

Mr. President, I can find no serious fault with the bill.

The PRESIDENT pro tempore. The time of the Senator from North Carolina has again expired.

Mr. McCARRAN. Mr. President, I yield 4 minutes to the Senator from Maryland [Mr. O'CONOR].

The PRESIDENT pro tempore. The Senator from Maryland is recognized for 4 minutes.

Mr. O'CONOR. Mr. President, I address myself to the consideration before us with full appreciation of the great contribution which has been made by citizens of foreign birth who have come to our various States. They and their descendants have become outstanding citizens in many instances.

But, Mr. President, we are confronted with a single question, and that is whether to accept or reject—not to modify, not to amend—the proposed legislation, which has already passed both Houses of Congress and now is before the Senate in connection with the President's veto.

Mr. President, I believe it would be tragic indeed to lose the positive benefits included in this bill in order to gratify the idealistic wishes of those who would revolutionize our Nation's immigration policies. Under these policies America has become great. It has been able to withstand efforts of enemies who would subvert this Government. One of the most urgent considerations for overcoming such efforts is to retain, rather than remove, these necessary provisions and safeguards.

This bill represents years, not months, of assiduous toil and devoted effort. It received the sanction of Federal agencies and of patriotic organizations which look at this challenging problem with objectivity. It is opposed by well-meaning citizens and groups who may be affected by appealing considerations. But I am convinced that such considerations must yield to the over-all requirements of the United States of America.

We must keep in mind that admission to this country is a privilege, not to be dispensed lightly. Such a privilege is granted to individuals who, beyond all other considerations, have the duty and responsibility of preserving the integrity of their own country. There is no obligation on our part to permit entry of large numbers of nationals of other countries to a point that might be detrimental to America's interests.

It would be a great boon to the world if we could assist all those who look to us in their need, in their desire to better their conditions. But on the other hand, the worst tragedy that could happen for free people everywhere would be the weakening of the economic or political structure of the United States. This has been the motivating thought of those who have devoted themselves to the preparation of this legislation. I sincerely believe its passage will be decidedly in the interests of our people and our country.

Just as sincerely do I feel that failure to enact this legislation would deprive our Government for many years to come, of the benefits of a liberalized immigration system such as is provided in this bill. Its provisions may not all be perfect, some may not prove workable in practice. Only time can tell. If imperfections do develop, however, they can be corrected in approaching sessions of Congress without sacrificing all of the many positive achievements of the bill. For those reasons I shall vote to override the veto of the President.

Mr. McCARRAN. Mr. President, I inquire how much time I have remaining.

The PRESIDENT pro tempore. The Senator from Nevada has 7 minutes remaining, and the Senator from Minnesota has 2 minutes remaining.

Mr. DOUGLAS. Mr. President, the pending bill continues the injustices of the quota provisions of the 1924 act and 1929 national-origins-quota system. It discriminates against refugees from communism and against the very populous areas of southeastern Europe. I have just made some calculations and find that there are only about 11,000 persons who can be admitted each year from countries which are behind the iron curtain, whereas there are hundreds of thousands and perhaps millions of refugees from these countries who have fled to Germany and Western Europe, who want to come to our country, and against whom we have closed the door.

We admit only 6,000 each year from Italy, Greece, and other overpopulated countries. At the same time there are approximately 45,000 places in the British quota which are unused, and approximately 8,000 in the Irish quota, which are unused. Unfortunately, the German quota cannot be used for many of the ethnic Germans whose national origin, from a geographical point of view, was in other countries, and a portion of that quota is unused. In other words, the quota system is inapplicable at the present time. I hope very much that the veto of the President may be sustained.

I ask unanimous consent to have printed in the RECORD at this point an article analyzing the weaknesses of this bill entitled "The McCarran Immigration Bill," written by Msgr. John O'Grady and published in the Commonweal of June 20, 1952.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MCCARRAN IMMIGRATION BILL

(By John O'Grady)

The Senate debate preceding the passage of the McCarran omnibus immigration bill was the first real discussion we have had on immigration for 27 years. The exchanges on the floor of the Senate brought out into the open most of the implications of our restrictive immigration legislation. Able speeches were made by Senators LEHMAN, BENTON, HUMPHREY, DOUGLAS, O'MAHONEY, PASTORE, MCMAHON, MOODY, IVES, and others, which should be studied by anyone who wants to erase the basic prejudices now contained in our immigration legislation.

I do not see how any fair-minded person can examine American immigration legislation since 1921 without being aroused by the prejudices involved in it. I do not see how anybody can study the McCarran omnibus bill and its companion bill, introduced by Representative WALTER and recently passed by the House of Representatives, without being greatly disturbed by them. This legislation has been debated at a period in which the world is most sensitive to the thinking of the people of the United States. I doubt if there has ever before been a piece of legislation passed by Congress so capable of jeopardizing our international relations as the McCarran-Walter bill.

It had been hoped during the past 5 years that the new world position of the United States would induce it to take a more Christian and more humane attitude toward immigration. The passing of the Displaced Persons Act in 1948 and of its amendments in 1950 contributed to this belief. The fact that the United States has offered a haven to nearly 350,000 displaced persons since the beginning of 1949 was certainly encouraging. But now the McCarran-Walter bill, which contains more inequities than any immigration bill ever passed by Congress, threatens to close our doors tighter than ever.

The strongest criticism that can be leveled at the McCarran bill is its injustice to the peoples of southern and eastern Europe.

Take, for example, what this measure would mean to the people of Italy. The McCarran bill perpetuates against the Italians all the injustices originally included in the Quota Act of 1924 and the national origins formula adopted in 1929, really designed to bar people born in southern and eastern Europe. At the time we heard the old stories against them—that they were unassimilable, that they were clannish, that there were higher rates of delinquency among them. But underlying all these claims was the real reason for the restrictions—a new philosophy of Nordic superiority. Without saying it in so many words, our immigration was framed in the belief that the peoples of Anglo-Saxon and Teutonic origin were superior peoples and that peoples of southern and eastern Europe were inferior. Therefore, the legislators reasoned, everything possible should be done to keep people from southern and eastern Europe out of the stream of United States life.

This perpetuation of the doctrine of Nordic superiority I regard as the basic question involved in the discussion of the McCarran bill. The bill makes our national origins legislation even more rigid and more exclusive, and this is the point that should be emphasized all over the country.

The National Quota Act, with its new national origins formula, went into effect in 1929. How it worked out can be seen in the case of Italy. For the period from 1900 to 1910, Italian immigration amounted to 2,045,877, or an average of over 200,000 a year. By the act of 1921, it was reduced to 42,000 a year. Under the national origins legislation it was further reduced to 5,800 a year.

The McCarran bill will, I believe, make it difficult to admit even this number, and what has been said about Italy might also be said with equal truth about Greece, Austria, Hungary, Poland, and Yugoslavia. In the case of nations like Estonia, Latvia, and Lithuania, it may be said that there is no need for concern at the present about immigration since these countries are behind the iron curtain. But we are concerned about refugees from those countries and about the fact that in the displaced-persons legislation their quotas have been frozen for years to come.

Under our regular immigration legislation, not a single Austrian can get into this country before 1955. Not a single Latvian can get in before 2074. No Lithuanians can get in before 2087, and not one Pole before 1999. The only hope of the refugees who are still coming out of these countries is special legislation to remove the immigration restrictions; the McCarran bill continues the principle of freezing all quotas originally included in the Displaced Persons Act.

In a speech before the Senate on May 19, Senator PAUL DOUGLAS, of Illinois, pointed out:

"When the Irish came to this country in 1840's and 1850's, the native white stock pronounced them to be unassimilable and inferior, and organized against them. * * * Some pretty rough tactics were used against the Irish, and some pretty rough things were said about them. We have now had a century of experience. I think the Irish have established themselves as a worthy element in American life."

In speaking of the different waves of immigration, the able Senator went on to say:

"Differences do not mean inferiority. I believe that at times America is enriched by the fact that there are differences. Think of the contributions which the southern and eastern Europeans have made in the field of art and music. We Yankees are a somewhat dour people. We have never been accused of having within us a high percentages of artistic qualities. If America had to depend upon the people of my stock to fill its symphony orchestras, write its music, and provide its painters and sculptors, it would be an esthetically barren country."

And then the Senator added a sad note:

"At each stage in American history the recent comer has been looked down upon by those who were already here. * * * The tragedy is that sometimes those who came here and were oppressed when they were new immigrants, once they established themselves, looked down upon the recent immigrant."

All Americans should study the implications of Senator DOUGLAS' remarks. Certainly the attitude he describes is very like that of many Catholic leaders toward the national origins legislation of 1924. From it developed one of the saddest chapters in Catholic history in the United States and the frame of mind of many Catholic leaders toward the McCarran bill is equally sad. If we had worked hand in hand on this matter with other religious denominations, the McCarran bill would never, in my opinion, have passed the Senate.

In his omnibus bill, Senator MCCARRAN does make what at first sight looks like a generous gesture toward oriental countries, including the Philippine Islands, Japan, India, China, and Pakistan. To each of these countries he would assign an annual quota of 100. But follow through and see how this works out in the case of Filipinos.

Heretofore, Filipinos have had no quota; they were free to come to the United States without any restrictions as to numbers. Now they are going to have a generous annual quota of 100. But, if a Filipino who was born in Brazil wanted to come to the United States, he would have to come in under that quota of 100. This ruling would apply if he were only 50 percent Filipino, and the same would be true of Filipinos living in any other country in the world.

Colored people can still come in from Brazil without any restrictions, provided of course they can pass the literacy test and can establish the fact that they will not become dependents. Within the past few years the United States has been leaning somewhat on Jamaican labor for the harvesting of crops. From two to three thousand Jamaicans have been coming in each year. Since Jamaica is a British colony, these workers came in under the unused British quota. Now, this British colony is placed under its own quota of 100 a year. The same is true of Trinidad and other European colonies in the Caribbean.

Those who back the McCarran bill claim that these new restrictions on immigration from British and other European colonies are designed to prevent the migration of large numbers of people from these colonies to the United States. But despite the fact that they could have come in under the quotas of the mother countries, the fact is that no large numbers have ever come in, probably because not many of them could pass the literacy test or demonstrate to the satisfaction of the American consul that they could be self-supporting.

An important limitation of the omnibus immigration bill is its failure to provide adequate protection for people who are threatened with deportation. In deportation cases the McCarran bill authorizes the Attorney General to appoint an examiner. But this examiner has no independence; he is a part of the staff of the Bureau of Immigration. He may be hearing cases today and working up evidence for deporting people tomorrow. What this procedure virtually amounts to is that the immigration bill really makes no effective provision for hearings in deportation cases.

This lack is one of the great defects in the administration of our immigration legislation. The officials of the Immigration Bureau are subject to constant pressures for more rigid administration. If the McCarran bill becomes law, the provision for fair hearing and judicial determination of cases of deportation will become doubly important. But in fact this bill makes it easier for the Immigration Bureau to deport people. It shows a drift toward a time when it will be relatively simple for the Attorney General to deport an alien for any one of a variety of causes, or to denaturalize a person who may have been a United States citizen for many years.

All proponents of decent, humane immigration legislation had hoped that such legislation would attempt to eliminate, at least in part, the injustices of the National Origins Act. They had hoped that any new long-term legislation would provide for the pooling of the unused quotas under the National Origins Act, which are largely those of Great Britain and Ireland. The National Origins Act set the British quota at 65,721, but in no year have the British used more than a third of this number. The Irish quota was set at 17,853, but from 10,000 to 12,000 of this quota has not been used each year.

One proposal included in the Lehman-Humphrey bill would pool the unused quotas of from sixty to seventy thousand among the countries with very low quotas. This provision would be of great importance in the Italian situation. The Lehman-Humphrey bill would base the quotas on the 1950 census instead of the census of 1920. Since the population in this period has increased by 40,000,000, this would mean considerably increased quotas for the various countries. The Lehman-Humphrey bill would also include Indians and Negroes in computing the population on which quotas are based. This would have the effect of upping the British quota very greatly and increasing the number of immigrants who could be admitted from 153,000 to 263,000.

Those who have been interested in promoting a Christian philosophy of immigration, in keeping with the attitude of Pope Pius XII, were greatly distressed to read the statement to the press, dated April 26, 1952, by Mr. Bruce Mohler, director of the bureau of immigration of the National Catholic Welfare Conference. In this statement Mr. Mohler announced that the NCWC had supported the omnibus immigration bills, and he referred to certain provisions of the proposed legislation as a milestone in American history. Again, in a letter to Senator MCCARRAN, dated May 8, 1952, Mr. Mohler virtually states that the NCWC has supported the legislation.

In my opinion, Mr. Mohler's statement and his letter do not represent the considered thinking of the bishops of the United States. They are certainly at variance with the attitudes expressed by representatives of Catholic organizations at a meeting held on March 3, 1952, to discuss policies of immigration legislation. It is hard to understand why the statement was made or the letter written. The legislation proposed by Senator MCCARRAN deserves no such support.

Mr. DOUGLAS. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter addressed to me by the Reverend John W. Harms, executive vice president of the Church Federation of Greater Chicago, together with an analysis of immigration and naturalization legislation which, among other things, recommends the veto of this bill and the sustaining of the veto by Congress.

There being no objection the letter and statement were ordered to be printed in the RECORD, as follows:

THE CHURCH FEDERATION
OF GREATER CHICAGO,
Chicago, June 10, 1952.

Hon. Senator PAUL H. DOUGLAS,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR DOUGLAS: We are enclosing a document which sets forth our analysis of immigration and naturalization legislation for the United States, together with a statement of policy and recommendations and action taken by the administrative committee of the Church Federation of Greater Chicago. This represents the overwhelming sentiment of our constituents, who comprise nearly half a million people from 24 denominations and more than a thousand churches in the Chicago area.

We commend this document to your careful study as you consider immigration legislation. We hope that you will press for a liberal, flexible, and humane long-term immigration policy in accord with the principles expressed in this document.

In accord with action recommended, we have written to the President of the United States, asking him to veto the McCarran-Walter immigration bills. We strongly urge you to sustain the President's veto, if that opportunity is presented to Congress.

We further urge you to support House Joint Resolution 411, and we favor amending it to include additional visas for German ethnic and political refugees.

We oppose the "surplus populations" category of the Celler bill (H. R. 7376) and oppose any emergency legislation which would bring surplus populations to this Nation in any other way than as part of an over-all United Nations plan.

Very sincerely,

JOHN W. HARMS,
Executive Vice President.

ANALYSIS AND RECOMMENDATIONS OF THE DEPARTMENT OF CITIZENSHIP, EDUCATION, AND ACTION AND OF THE DISPLACED PERSONS COMMITTEE OF THE CHICAGO CHURCH WORLD SERVICE COMMITTEE RE IMMIGRATION AND NATURALIZATION LEGISLATION FOR THE UNITED STATES

JUNE 6, 1952.

THE PROBLEM

There is no more important or controversial legislation before Congress than United States immigration and naturalization legislation. Throughout Europe many millions of refugees are in acute need. Surplus populations are not being absorbed in many lands. United States immigration laws are outmoded. Emergency immigration legislation expires June 30, 1952.

THE ISSUES

Now before Congress are:

I. The McCarran-Walter omnibus immigration bill (introduced January 29, 1952, in the Senate and February 14, 1952 in the House), regulating long-term United States Immigration.

II. House Joint Resolution 411 (introduced March 26, 1952), designed to provide during the next 6 months enough additional visas to admit persons whose papers were processed at the expiration of one section of the Displaced Persons Act last December 31.

III. The Celler bill, H. R. 7376 (introduced April 3, 1952), providing a 3-year emergency program admitting 300,000 refugees and surplus population.

Analysis of I (the McCarran-Walter bill): It is highly controversial. It has passed both Houses of Congress and will become law unless the President vetoes it and Congress sustains his veto.

Arguments pro: (1) It eliminates race as a bar to immigration, (2) it eliminates sex discrimination, (3) it provides for a certain amount of selective immigration.

Arguments con: (1) It establishes new racial discriminations, (2) it imposes more restrictions on immigration and naturalization than the present law, (3) it facilitites unfair deportation and denaturalization proceedings, (4) it weakens the safeguards against arbitrary treatment of aliens, (5) it fails to provide for a pooling of quotas.

Analysis of II (H. J. Res. 411): It is generally a noncontroversial bill which passed the House on May 19, and is awaiting action by the Senate. It provides for the completion of the Displaced Persons Act of 1948 as amended, and brings up no new issues.

Arguments pro: It has the humanitarian purpose of providing visas for DP's whose papers are already processed, whose bridges have been burned behind them, whose hopes were about to be realized when the visas gave out, and whose morale is now suffering greatly. In familiar terms, it "clears the pipeline."

Arguments con: No more DP's should be admitted. (This argument was overcome with the passage of the DP Act in 1948.)

Analysis of III (the Celler bill, H. R. 7376): It is an emergency measure to bring to the United States during the next 3 years 300,000 nonquota immigrants: 162,000 surplus populations (117,000 from Italy, 22,500 from Holland, 22,500 from Greece), and 138,000 refugees (117,000 German ethnics and 21,000 political refugees from the iron-curtain countries). It is a highly controversial bill because: (a) It calls for admitting surplus populations on an emergency basis which is a new departure in United States immigration policy, (b) because it does not include surplus populations from other overpopulated countries, (c) because this bill discriminates in favor of a Roman Catholic over-populated country whereas there are other equally deserving over-populated countries representing other faiths, (d) because it would continue for a 3-year period the sectarian operation of the present DP Act, (e) because it would provide financial support for voluntary agencies (including sectarian ones) from tax funds, and (f) because it gives numerical priority to surplus populations rather than to refugees.

Argument pro: (1) Many more refugees needing homes should be admitted to the United States during the next 3 years. (2) Some European nations, especially our allies, should be helped to relieve the pressure of their surplus population. (3) The immediate needs of refugees and surplus populations should be met by emergency legislation because our regular immigration laws do not permit their immigration.

Arguments con: (1) No more refugees should be brought to the United States. (2) Immigration is not the solution to the problems of surplus populations. (3) It is time to end emergency legislation. (4) This bill would continue the sectarian operation of the present DP Act which places the major burden of resettlement upon sectarian agencies. (5) It provides financial support from tax funds to sectarian agencies.

THE MORAL AND SPIRITUAL PRINCIPLES INVOLVED

Our Christian faith calls us to a compassionate concern for the millions of uprooted and surplus people throughout the world. They are fellow beings. They are in unfortunate circumstances through no fault of their own. Some are in these circumstances because of the war, some due to postwar vengeance, others due to the present cold war, and still others due to the economic and social conditions of their countries. All are subjects for Christian concern and compassion. The Christian Church is the agent of God's mercy and will in the world. The Christian Church in the United States is in an unusually favorable position to press for and to help facilitate the amelioration of the world's suffering people through immigration.

STATEMENT OF POLICY ON IMMIGRATION AND NATURALIZATION LEGISLATION

The plight of the world's uprooted peoples creates for the United States, as for other liberty-loving nations, a moral as well as an economic and political problem of vast proportions. Among these peoples are those displaced by war, and its aftermath; the refugees made homeless by reason of Nazi, Fascist, and Communist tyranny, and more recently, by military hostilities in Korea, the Middle East, and elsewhere; the expellees forcibly ejected from the lands of their fathers, and the escapees who every day break through the iron curtain in search of freedom. These persons long for the day of their deliverance and for the opportunity to reestablish themselves under conditions of peace and promise.

A problem of equal urgency is involved in the surplus populations that cannot now be supported by the economies of their respective countries. The pressure exercised by these surplus people is of a kind seriously to threaten the stability and well-being of the entire world.

We see in this situation an issue that can be resolved only as nations, collectively and separately, adopt policies dictated by considerations not only of justice and mercy, but also of sound mutual assistance.

On the international level, we believe the United States for moral reasons, as well as in the interest of its own economic and political security, should remain steadfast in its purpose to cooperate with other nations in meeting the needs of displaced persons, refugees, and surplus populations. Through the United Nations, the United States contributed generously of its resources in the work of the International Refugee Organization. Likewise, the United States is participating in the activities of the Office of the High Commissioner for Refugees, the United Nations Korean Reconstruction Agency, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Our country, through the United Nations, and in other ways, assisted in providing a haven in Israel for many thousands of Jewish refugees. More recently the United States joined with 16 governments in the creation of the Provisional Intergovernmental Committee for the Movement of Migrants From Europe. The purpose of this committee, in part, is to continue, for a limited period, the migration activities previously carried on by the International Refugee Organization.

The Congress of the United States is considering a revision of our immigration and naturalization laws. It is of the utmost importance that legislation be enacted that will conform with our democratic tradition and with our heritage as a defender of human rights. The adoption by Congress of an enlightened immigration program would add immeasurably to the moral stature of the United States and would hearten those nations with which we are associated in a common effort to establish the conditions of a just and durable peace.

In the formulation of its immigration policy, Congress should take into account the plight of the world's uprooted peoples and the tensions occasioned by the surplus populations that cannot now be supported by the economy of their respective countries. It is right and proper that Congress shall approve such precautionary measures as may be required to insure our Nation against the infiltration of hostile forces. We believe this end can be achieved without the imposition of such restrictive measures

as would violate the American conception of justice.

We believe that the revision of our immigration and naturalization laws should provide a more flexible quota system. This system, based upon the national origins formula, was dictated by considerations which are not relevant to the present international situation. Under existing legislation, provision is made for the possible admission to the United States, each year, of 154,000 immigrants. For one reason or another the quotas assigned to many countries cannot now be filled. Serious considerations should be given to the pooling or adjusting of unused quotas in order to facilitate family reunion, provide skills needed in our country, and to offer asylum to persecuted victims of totalitarian regimes. Whatever new plans for the use of unused quotas for refugees may be established, admission and transportation should be the responsibility of government and not of the voluntary agencies.

We believe that Congress should complete the process of amending immigration and naturalization laws so that, within the quota system, all discriminatory statutes based upon considerations of color, race, or nationality would be removed not only in principle but in fact.

We believe that Congress should establish a system of fair hearings and judicial appeals respecting the issuance of visas, admission and deportation practices.

We believe that Congress should adopt such legislation as may be required fully to complete the displaced persons program to which our country is committed under the Displaced Persons Act of 1948 as amended. This legislation should provide for the admission to the United States of (a) those who were processed under the Displaced Persons Act but for whom visas were not available on December 31, 1951, (b) an additional number of persons of those groups, especially German ethnic refugees, for whom a clearly insufficient number of visas were provided in the original legislation, and (c) our fair share, under proper safeguards, of those who have escaped from behind the iron curtain subsequent to January 1, 1949, the cut-off date specified under the original displaced persons legislation. The additional visas here recommended should be authorized within the period ending December 31, 1952 and should be granted without regard to sectarian considerations.

We believe that Congress should adopt special legislation to permit a generous number of German ethnic refugees and political refugees from behind the Iron Curtain to find new homes in our country during the next 3 years.

We believe that immigration from overpopulated countries should be handled through our regular immigration system on a fair, nondiscriminatory basis. Any emergency legislation to bring "surplus populations" to this Nation should be enacted only as a part of an over-all United Nations plan.

We believe that Congress should remain steadfast in its commitments to cooperate with other nations looking toward the migration and resettlement of displaced persons, refugees, and surplus populations under circumstances of freedom and opportunity. We therefore oppose any proposals which would hinder in any way the operation of those international agencies in this field to which the United States is a party or which would diminish the participation of our country in them.

At the same time we would welcome the immediate establishment of a national Commission truly representative of governmental and nongovernmental bodies to study and analyze the problems of refugees and surplus populations, and to make recommendations looking toward a just and humanitarian solution to these problems so important to world peace and security.

RECOMMENDATIONS

The following recommendations are made because of the extreme urgency, the immediacy, and the world-wide importance of the problem. The immigration policy of the United States is being rewritten by the present session of Congress. Before that body adjourns the first week in July, it may be expected to define United States policy regarding refugees, surplus populations, remaining DP's and long-term immigration. The decision of Congress regarding "uprooted" and "surplus" people will have much to do with world cooperation and church-state relations as well as with the future of hundreds of thousands of individuals. The following recommendations are made in the light of these facts:

(A) That the Church Federation of Greater Chicago adopt the foregoing statement as its "Statement of Policy on Immigration and Naturalization Legislation."

(B) That it circulate this statement along with the analysis and recommendations among the Protestant citizenry of the Chicago area in an effort to educate the citizenry as to the present immigration issues before our Nation.

(C) That it carry out the following specific actions which follow directly from the above statement, and that it encourage Protestant groups and individuals in our community to act in a similar fashion:

1. Re long-term legislation: (a) Write to the President of the United States declaring our opposition to most of the principles embodied in the McCarran-Walter immigration bill; and ask the Congress to sustain a Presidential veto. (b) Ask the Congress to enact legislation more in accord with the policy set forth above, and which, to a large extent, was proposed in a bill, S. 2842, introduced by Senators HUMPHREY, LEHMAN, DOUGLAS, and 10 others, on March 12, 1952.

2. Re 6-month legislation (July 1–December 31, 1952): Ask Congress to enact emergency legislation to admit those DP's, German ethnic refugees, and political refugees who have been processed but for whom visas were not available. H. J. Res. 411 intends to carry out this principle but it includes only DP's. In order to fully carry out the above principle, it should be amended to include visas for German ethnic and political refugees who were also caught in the "pipeline."

3. Re 3-year emergency legislation (January 1953 through December 1955): Ask Congress to enact new emergency legislation to admit over a period of 3 years a generous number of German ethnic refugees and political refugees. This could be done by revising or amending the Celler bill, or by introducing and enacting a new bill.

4. Re surplus populations: Ask Congress not to enact any emergency legislation which would bring surplus populations to this Nation, but to appoint a commission to study the surplus population problem at an international level in order to advise on methods of permanent solution.

Adopted (in general) by DP resettlement committee of the Chicago Church World Service Committee on May 9, 1952.

Adopted (with minor changes) by the department of citizenship, education, and action of the Church Federation of Greater Chicago on June 5, 1952.

Adopted (as here reproduced) by the board of directors of the Church Federation of Greater Chicago on June 6, 1952.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the RECORD a very excellent editorial published in the Washington Post of June 26.

The PRESIDENT pro tempore. The Senator from New York will have to have some time yielded to him.

Mr. LEHMAN. I thought the Senator from Nevada yielded the time to me.

Mr. McCARRAN. I did not yield the time, but I shall be glad to yield half a minute to the Senator from New York.

Mr. LEHMAN. I have made my request.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IMMIGRATION VETO

President Truman's veto message on the McCarran-Walter immigration bill provides not only an illuminating analysis of the measure's defects; it provides also a brilliant exposition of the immigration policy which the President believes the country should pursue. This newspaper heartily agrees with his view that the McCarran-Walter bill "would not provide us with an immigration policy adequate for the present world situation. Indeed, the bill, taking all its provisions together, would be a step backward and not a step forward."

The President's reasons for rejecting the measure are much the same as the arguments against its adoption set forth repeatedly by the Washington Post. It is essentially an exclusionist bill; as the President puts it, "None of the crying human needs of this time of trouble is recognized in this bill." It is a bill which ignores elementary standards of fairness in dealing with aliens; in the President's words, "Seldom has a bill exhibited the distrust evidenced here for citizens and aliens alike—at a time when we need unity at home and the confidence of our friends abroad." It is a bill which authorizes arbitrary administrative action in the name of security; the President summarizes it by saying, "No standards or definitions are provided to guide discretion in the exercise of powers so sweeping. To punish undefined 'activities' departs from traditional American insistence on established standards of guilt. To punish an undefined 'purpose' is thought control."

Revision and modernization of the country's antiquated immigration and naturalization statutes are long overdue. Members of the House and Senate Judiciary Committees worked at the task for nearly 4 years—no doubt earnestly and arduously. But apparently, as the President observed, they were "hampered and stultified by the dead hand of the past." Mr. Truman thinks that "the time to develop a decent policy of immigration—a fitting instrument for our foreign policy and a true reflection of the ideals we stand for, at home and abroad—is now." And he suggests that the best way to develop such a policy is to establish a bipartisan commission jointly appointed by the President and the leaders of Congress to examine the basic assumptions of immigration policy, survey the entire problem and then make a report. The suggestion is a thoroughly constructive one.

We think the President deserves warm congratulations on this veto message. He made his decision despite importunate pleadings from the State Department, which seems determined to out-McCARRAN Senator McCARRAN. The message is humane, eloquent, temperate and rational—an exemplary document of its kind. It ought to be sustained.

Mr. McCARRAN. Mr. President, I understand that I have 7 minutes remaining. Is that correct?

The PRESIDENT pro tempore. The Senator from Nevada has 4 minutes remaining.

Mr. McCARRAN. I did not yield time to the Senator from Illinois. He spoke on the opponents' time. They have exhausted their time. I promised to yield 2 minutes to the Senator from Washington.

Mr. CAIN. Mr. President, I hold in my hand several telegrams which I shall read. They represent one of the many reasons why I am anxious to vote to override the President's veto. The first one is dated June 26, 1952, in San Francisco, and reads as follows:

SAN FRANCISCO, CALIF., *June 27, 1952.*

Sen. HARRY P. CAIN,
Senate Office Building,
Washington, D. C.:

As delegate of the Seattle chapter of the Japanese American Citizens League at its national convention in San Francisco and on behalf of the Seattle chapter, I strongly urge you to push the Senate to override the Presidential veto of the McCarran bill. I specially urge you to be present on the Senate floor and cast your vote to override an action which threatens the security of the United States.

KENJI OKUDA,
Seattle.

The second telegram is addressed to me also under date of the 26th of June, from San Francisco, and reads as follows:

SAN FRANCISCO, CALIF.,
June 27, 1952.

Senator HARRY P. CAIN,
Senate Office Building,
Washington, D. C.:

Puyallup Valley chapter of JACL now at national convention here in San Francisco requests your presence on the floor of the Senate to override, underline override, the Presidential veto of the Walter-McCarran bill. This Presidential veto is an insult to our ancestry.

THOMAS S. TAKEMURA,
Official Delegate, Puyallup, Wash.

It is good to join hands with Mr. Okuda and Mr. Takemura in support of legislation which we believe to be reasonable, constructive, and of assistance to our Nation's security.

The PRESIDENT pro tempore. The Senator from Nevada has 2 minutes remaining.

Mr. FERGUSON. Mr. President, will the Senator yield me 2 minutes?

Mr. McCARRAN. I cannot yield 2 minutes. I yield 1 minute to the Senator from Michigan.

Mr. FERGUSON. As a member of the joint committee of the House and Senate which studied this bill, as a member of the Judiciary Committee, and as a member of the conference committee, I should like to state that some changes were made in conference.

I am of the opinion that every Senator can do justice to his country and to the peoples of the world by voting to override the veto and making the bill the law of the land. Enactment of the bill will not change the quota system. By allowing the President's veto to stand, we will not make any correction in the law. I urge the enactment of the bill. If there are any defects, we can remedy them in the future, as we do with any other laws. I urge every Senator to vote to override the veto for the good of his country and the good of the world.

The PRESIDENT pro tempore. The time of the Senator from Michigan has expired.

Mr. McCARRAN. Mr. President, has all time for debate expired?

The PRESIDENT pro tempore. The Senator from Nevada has 1 minute remaining.

Mr. McCARRAN. Mr. President, just one final word. There was never a time in the history of America, there was never a time in the history of the world, when the position of the United States was so important. Our internal security is of the greatest importance. If we destroy the internal security of this country by opening the floodgates of unlimited immigration, without screening and without curtailment, we will have destroyed the national security of the United States. In the name of God, in the name of the people of America, let us override this veto.

Mr. HUMPHREY. Mr. President, how much time remains to me?

The PRESIDENT pro tempore. One-half minute.

Mr. HUMPHREY. Mr. President, the issue is not internal security. The laws of this land protect us, so far as internal security is concerned. If this veto is sustained, the present immigration laws will remain in effect.

The issue is whether we shall adopt the policy of the good neighbor. The issue is whether we shall have the respect of people all around the world. The issue is whether the United States is big enough to act like a big brother and a good neighbor and a good Samaritan. The issue is whether the freedom-loving people of the United States will set an example for the world. That is the issue.

Senators who vote to sustain the veto will be voting to place themselves on the side of fair and equal treatment for all people, and to place themselves on the side of the little people of the world, who cry out to America to lead them like a kindly light in the sea of darkness which engulfs them. That is the issue, Mr. President.

The decision the Senate makes today on this historic issue will decide for the days to come whether we are to take our position as a great republic.

The PRESIDENT pro tempore. Under the unanimous-consent agreement, all time has expired.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DOUGLAS. If one wishes to vote to sustain the veto, how should one vote? How is the present parliamentary situation properly stated?

The PRESIDENT pro tempore. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. DOUGLAS. Therefore, Mr. President, a vote "yea" is a vote to override the veto; is that correct?

The PRESIDENT pro tempore. It is.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY (when his name was called). I have a live pair with the Senator from Connecticut [Mr. MCMAHON]. If the Senator from Connecticut were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The roll call was concluded.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Tennessee [Mr. KEFAUVER] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Massachusetts [Mr. LODGE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness in their respective families.

On this vote the Senator from Kansas [Mr. CARLSON] and the Senator from Maine [Mrs. SMITH] are paired with the Senator from Massachusetts [Mr. LODGE]. If present and voting, the Senator from Kansas and the Senator from Maine would each vote "yea," and the Senator from Massachusetts would vote "nay."

If present and voting, the Senator from New Hampshire [Mr. TOBEY] would vote "nay."

The yeas and nays resulted—yeas 57, nays 26, as follows:

YEAS—57

Bennett	Flanders	McCarthy
Brewster	Frear	McClellan
Bricker	Fulbright	McFarland
Bridges	George	McKellar
Butler, Md.	Hayden	Millikin
Butler, Nebr.	Hickenlooper	Mundt
Byrd	Hoey	Nixon
Cain	Holland	O'Conor
Capehart	Jenner	Robertson
Case	Johnson, Colo.	Schoeppel
Clements	Johnson, Tex.	Smathers
Connally	Johnston, S. C.	Smith, N. C.
Cordon	Kem	Stennis
Dirksen	Knowland	Thye
Dworshak	Long	Watkins
Eastland	Malone	Welker
Ecton	Martin	Wiley
Ellender	Maybank	Williams
Ferguson	McCarran	Young

NAYS—26

Aiken	Humphrey	Neely
Benton	Hunt	O'Mahoney
Douglas	Ives	Pastore
Duff	Kilgore	Saltonstall
Gillette	Lehman	Seaton
Green	Magnuson	Smith, N. J.
Hendrickson	Moody	Sparkman
Hennings	Morse	Underwood
Hill	Murray	

NOT VOTING—13

Anderson	Langer	Smith, Maine
Carlson	Lodge	Taft
Chavez	McMahon	Tobey
Kefauver	Monroney	
Kerr	Russell	

The PRESIDENT pro tempore. The bill, on reconsideration, is passed, the vote being 57 yeas and 26 nays. Two-thirds of the Senators present having voted in the affirmative, the bill is passed, on reconsideration.

Mr. McCARRAN. Mr. President, is it not correct to say that the bill is passed, notwithstanding the veto of the President?

The PRESIDENT pro tempore. Under the constitutional provision, the Senate has proceeded to reconsider the bill; and, on reconsideration, the bill has been passed, as stated by the Chair, the objections of the President of the United States to the contrary notwithstanding.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, I have been asked what time the Senate will convene tomorrow. I have made the best check I could, and I find that quite a number of conferences have been arranged for the morning. It is very important that the conferences be disposed of, so I cannot see how we can meet before 12 o'clock.

We hope that it will be possible today to dispose of the unfinished business, the legislative appropriation bill, and also the military reserve bill, House bill 5426, and possibly another little bill which is not very controversial, Calendar 1344, House bill 401, to amend the Nationality Act of 1940. Tomorrow we expect to take up the GI bill for the Korean veterans, and if we complete consideration of that bill in time—which I hope we shall—we can consider the fair-trade bill.

On Monday we shall begin work on the German treaty and the military appropriation bill.

I greatly appreciate the cooperation which Senators are giving in expediting the consideration of legislation. It has meant long hours for some of us, but we are certainly making progress, and we can now begin to see the goal of Saturday night next week.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield for a question?

Mr. McFARLAND. I yield.

Mr. SMITH of New Jersey. As a member of the Foreign Relations Committee, I am interested in the German Treaty. I understand that the German peace treaty is to be brought up for consideration on Monday.

Mr. McFARLAND. That is correct.

Mr. SMITH of New Jersey. I did not know whether the Senator had announced that or not.

Mr. McFARLAND. I just announced it.

Mr. SMITH of New Jersey. I did not hear the Senator.

LEGISLATIVE APPROPRIATIONS, 1953

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, the legislative appropriation bill.

The Senate resumed consideration of the bill (H. R. 7313) making appropriations for the legislative branch for the fiscal year ending June 30, 1953, and for other purposes.

Mr. ELLENDER. Mr. President, if Senators will refer to the committee report on House bill 7313, the legislative branch appropriation bill for 1953, they will note that the entire amount carried in the bill for the legislative branch, for the Library of Congress, and for others, aggregates $76,886,648.

The Senate added to the House bill $14,494,863, to take care of Senate expenditures. It has been customary for the House to take care of its own expenditures, and when the bill comes to the Senate the Senate provides such amounts as may be necessary to cover its own expenditures. Senators will note however, that the bill is $9,285,765 below the budget estimates for 1953, and $1,225,237 below the 1952 appropriation. The committee has provided for no new positions in the Senate, and the amount to be appropriated this year is the same as the appropriation for last year. The House, on page 9 of the bill, inserted a proviso declaring that, for income-tax purposes, the home of a Representative or Senator shall be considered to be in the State from which he is elected. Under that provision Senators and Representatives would have been given the right to deduct an unlimited amount for living expenses. After consideration, the Senate subcommittee, of which I am chairman, decided in favor of the proposed amendment, but with an amendment to limit the amount of deductions for living expenses to $2,400.

In the Office of the Architect of the Capitol, there has been provided an additional physiotherapy, and with a classification of GS–4, amounting to $3,175.

There has also been added to the bill an amendment proposed by the distinguished Senator from Arizona [Mr. HAYDEN] providing a sum of $3,000 in order to complete a revision of the annotated Constitution. It will be recalled that several years ago $25,000 was appropriated for that purpose, and only $3,000 additional will be necessary in order to bring the annotation up to the end of the present term of the Supreme Court. The revised annotations will include the decision recently rendered in the steel-seizure case.

With reference to the appropriation for the Library of Congress, the Senate committee thought the Library should be provided the same number of employees as last year. Therefore, the appropriation recommended is about the same as that of last year, with the exception of a small sum, $19,024, for the catalog-card distribution section of the Library. That facility is self-sustaining, and the committee thought sufficient funds to properly operate the catalog-card section should be provided.

The appropriation for the Office of the Architect of the Capitol is virtually the same as last year, except for the addition of $7,500, which is necessary to repair the subway transportation system that takes us to and from the Senate Office Building.

It was also necessary to provide an additional sum of $25,000 to operate the restaurant.

Mr. President, I ask that the bill be read for amendment, and that the committee amendments be first considered.

Mr. WILLIAMS. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. WILLIAMS. I notice on page 2 of the bill the committee has recommended the full amount for compensation of Senators and for the Vice President. It will run for 6 months, and I am wondering if we should not change the figures slightly.

Mr. ELLENDER. Why? It is a continuous operation.

Mr. WILLIAMS. On page 2 of the bill, line 6, there is an item of $1,200,000 for compensation of Senators, and on line 10, page 2, there is an item of $240,000 for expense allowance of Senators. That would be all right for the past fiscal year, but in the next fiscal year, beginning in January, the expense account——

Mr. ELLENDER. The fiscal year begins July 1.

Mr. WILLIAMS. Beginning July 1, we are appropriating for next year.

Mr. ELLENDER. That is correct. Only the deductibility feature of the expense allowance has been removed. The amount will be the same.

Mr. WILLIAMS. It will be the same, but would it not be more appropriate to put it in the other column?

Mr. ELLENDER. I do not see why.

Mr. WILLIAMS. If it is classified as an expense allowance, it will not be taxable.

Mr. ELLENDER. It is still an expense allowance, insofar as the Government is concerned.

Mr. WILLIAMS. But beginning January 1 it becomes compensation.

Mr. ELLENDER. So far as individual Senators are concerned, but insofar as the Government is concerned, it is an expense allowance.

Mr. WILLIAMS. That is correct, but I think if the Senator will check with the committee he will find that it should be changed to the other column. The Vice President's salary is listed at $30,000, with a $10,000 expense account. Beginning July 1 his salary will be $40,000.

Mr. ELLENDER. I can see no point in changing it. Insofar as the Federal Government is concerned, it is an expense, whether Senators are permitted to charge it off or not.

Mr. WILLIAMS. That is correct. In the past 6 months it makes no difference, but if it is not corrected, we shall have to cancel a portion of the expense account and apply it over to the salary account I have been advised. Whether we do it now or after January 1 is immaterial.

Mr. ELLENDER. It is still an expense account. I do not see any point in changing it, Mr. President.

Mr. WILLIAMS. I think it should be changed, but it is perfectly all right with me if we take care of it in the next bill, beginning January 1. From the standpoint of the Treasury, it makes no difference, except——

Mr. ELLENDER. What is the difference if it is allowable as expense or salary?

Mr. WILLIAMS. The Government can tax it if it is compensation, and it does not tax it if it is an expense. Beginning January 1 it must be classified as compensation.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The first amendment of the Committee on Appropriations was, at the top of page 2, to insert:

SENATE

SALARIES AND EXPENSE ALLOWANCE OF SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND OF SENATORS, AND EXPENSE ALLOWANCE OF THE VICE PRESIDENT

The amendment was agreed to.

The next amendment was, on page 2, after line 5, to insert:

For compensation of Senators, $1,200,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 6, to insert:

For mileage of the President of the Senate and of Senators, $51,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 8, to insert:

For expense allowance of the Vice President, $10,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 9, to insert:

For expense allowance of Senators, $240,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 10, to insert:

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others, as authorized by law, as follows:

OFFICE OF THE VICE PRESIDENT

For compensation of the Vice President of the United States, $30,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 16, insert:

For clerical assistance to the Vice President, at rates of compensation to be fixed by him in multiples of $5 per month, $55,410.

Mr. McKELLAR. Mr. President, on page 2, line 19, the appropriation of $55,410 for clerical assistance to the Vice President; I move that the item be increased by $800, to $56,210. The reason for my request is that a young man employed in tha office, who does excellent work, is now receiving only $4,200 a year. The purpose of the amendment is to increase his salary to a trifle over $5,000. I ask unanimous consent that the amendment be agreed to.

Mr. ELLENDER. Mr. President, I dislike to object to the amendment.

Mr. McKELLAR. Then I shall move that the amendment be agreed to.

Mr. ELLENDER. Very well.

Mr. McKELLAR. I move that the amendment be agreed to.

Mr. ELLENDER. Mr. President, as chairman of the subcommittee I have been requested on many occasions to make provision for increases in salaries. Salaries were increased last year, so I have been turning down all such requests. If we start now to increase the salary of one person, someone else will request an increase. I do not believe that would be fair to all those whom we have refused. I dislike objecting to the amendment, but I must ask the Senate to reject it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. McKELLAR] to the amendment of the committee.

Mr. McKELLAR. I ask the Senate to agree to the amendment. The young man is doing fine work for the Vice President of the United States. The increase should be made, and I hope Senators will vote for it. The salary would be increased by only $800.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee to the committee amendment. [Putting the question.]

The Chair is in doubt.

Mr. McKELLAR. Mr. President, I ask for a rising vote.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 2, after line 19, to insert:

CHAPLAIN

Chaplain of the Senate, $2,946.

The amendment was agreed to.

The next amendment was, on page 2, after line 21, to insert:

OFFICE OF THE SECRETARY

For office of the Secretary, $420,870, including one cameraman, Joint Recording Facility, at the basic rate of $3,600 per annum, as authorized by Public Law 375, Eighty-second Congress.

The amendment was agreed to.

The next amendment was, on page 3, after line 2, to insert:

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees, and the Select Committee on Small Business, $1,687,045.

The amendment was agreed to.

The next amendment was, on page 3, after line 6, to insert:

CONFERENCE COMMITTEES

For clerical assistance to the conference of the majority, at rates of compensation to be fixed by the chairman of said committee, $33,310.

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to insert:

For clerical assistance to the conference of the minority, at rates of compensation to be fixed by the chairman of said committee, $33,310.

The amendment was agreed to.

The next amendment was, on page 3, after line 13, to insert:

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants and messenger service for Senators, $5,552,785, including additional clerical assistants for each Senator from the State of Minnesota, as authorized by Public Law 282, Eighty-second Congress.

The amendment was agreed to.

The next amendment was, on page 3, after line 18, to insert:

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of Sergeant at Arms and Doorkeeper, $1,245,750.

The amendment was agreed to.

The next amendment was, at the top of page 4, to insert:

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

For the offices of the secretary for the majority and the secretary for the minority, $62,165.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert:

CONTINGENT EXPENSES OF THE SENATE

Legislative reorganization: For salaries and expenses, legislative reorganization, including the objects specified in Public Law 663, Seventy-ninth Congress, $100,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 8, to insert:

Senate policy committees: For salaries and expenses of the majority policy committee and the minority policy committee, $64,670 for each such committee; in all, $129,340.

The amendment was agreed to.

The next amendment was, on page 4, after line 11, to insert:

Joint Committee on the Economic Report: For salaries and expenses of the Joint Committee on the Economic Report, $133,275, including compensation for stenographic assistance at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration notwithstanding the provisions of Public Law 304, Seventy-ninth Congress.

The amendment was agreed to.

The next amendment was, on page 4, after line 18, to insert:

Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, including the objects specified in Public Law 20, Eightieth Congress, $188,060, and including compensation for stenographic assistance at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration notwithstanding the provisions of Public Law 585, Seventy-ninth Congress.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to insert:

Joint Committee on Printing: For salaries for the Joint Committee on Printing at rates to be fixed by the committee, $38,125; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; for compiling, preparing, and indexing material for the biographical directory, $1,900, said sum, or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation to any employee of the United States; and for travel and subsistence expenses at rates provided by law for Senate committees, $4,500; in all, $46,125.

The amendment was agreed to.

The next amendment was, on page 5, after line 13, to insert:

Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $5,835.

The amendment was agreed to.

The next amendment was, on page 5, after line 16, to insert:

Automobile for the President pro tempore: For purchase, exchange, driving, maintenance, and operation of an automobile for the President pro tempore of the Senate, $5,835.

The amendment was agreed to.

The next amendment was, on page 5, after line 20, to insert:

Automobiles for majority and minority leaders: For purchase,, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate, and one for the minority leader of the Senate, $11,670.

The amendment was agreed to.

The next amendment was, at the top of page 6, to insert:

Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $135,785.

The amendment was agreed to.

The next amendment was, on page 6, after line 3, to insert:

Furniture: For services in cleaning, repairing, and varnishing furniture, $3,190.

The amendment was agreed to.

The next amendment was, on page 6, after line 5, to insert:

Furniture: For materials for furniture and repairs of same, and for the purchase of furniture, $18,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 7, to insert:

Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including compensation for stenographic assistance of committees at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration notwithstanding the provisions of section 134 (a) of Public Law 601, Seventy-ninth Congress; and including $150,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution No. 193, agreed to October 14, 1943, and Public Law 20, Eightieth Congress, $974,120: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses (as defined in the Travel Expense Act of 1949) at rates in excess of $9 per day except that higher rates may be established by the Committee on Rules and Administration in the case of travel beyond the limits of the continental United States.

The amendment was agreed to.

The next amendment was, at the top of page 7, to insert:

Folding documents: For folding speeches and pamphlets at a gross rate not exceeding $2 per thousand, $31,765.

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to insert:

Materials for folding: For materials for folding, $1,500.

The amendment was agreed to.

The next amendment was, on page 7, after line 3, to insert:

Fuel, and so forth: For fuel oil, cotton waste, and advertising, exclusive of labor, $2,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 5, to insert:

Senate restaurants: For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended under the supervision of the Committee on Rules and Administration, United States Senate, $65,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 11, to insert:

Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $9,560.

The amendment was agreed to.

The next amendment was, on page 7, after line 15, to insert:

Miscellaneous items: For miscellaneous items, exclusive of labor, $801,955.

The amendment was agreed to.

The next amendment was, on page 7, after line 17, to insert:

Packing boxes: For packing boxes, $3,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 18, to insert:

Postage stamps: For office of Secretary, $500; office of Sergeant at Arms, $225; offices of the secretaries for the majority and the minority, $100; in all, $825.

The amendment was agreed to.

The next amendment was, on page 7, after line 21, to insert:

Air-mail and special-delivery stamps: For air-mail and special-delivery stamps for Senators and the President of the Senate, as authorized by law, $12,815.

The amendment was agreed to.

The next amendment was, on page 7, after line 24, to insert:

Stationery: For stationery for Senators and for the President of the Senate, including $10,000 for stationery for committees and officers of the Senate, $87,600.

The amendment was agreed to.

The next amendment was, on page 8, after line 2, to insert:

Communications: For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 292; 2 U. S. C. 46c, 46d, 46e), the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U. S. C. 46d–1), and Second Supplemental Appropriation Act, 1952, Public Law 254, Eighty-second Congress, $14,550.

The amendment was agreed to.

The next amendment was, on page 8, after line 14, to insert:

The Sergeant at Arms is authorized and directed to secure suitable office space in post office or other Federal buildings in the State of each Senator for the use of such Senator and in the city to be designated by him: *Provided*, That in the event suitable space is not available in such buildings and a Senator leases or rents office space elsewhere, the Sergeant at Arms is authorized to approve for payment, from the contingent fund of the Senate, vouchers covering bona fide statements of rentals due in an amount not exceeding $900 per annum for each Senator.

The amendment was agreed to.

The next amendment was, on page 8, after line 24, to insert:

The Secretary of the Senate and the Sergeant at Arms are authorized and directed to protect the funds of their respective offices by purchasing insurance in an amount necessary to protect said funds against loss. Premiums on such insurance shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of the Committee on Rules and Administration.

The amendment was agreed to.

The next amendment was, on page 9, after line 6, to insert:

Salaries or wages paid out of the foregoing items under "Contingent expenses of the Senate" shall be computed at basic rates, plus increased and additional compensation, as authorized and provided by law.

The amendment was agreed to.

The next amendment was, under the heading "House of Representatives—Salaries, mileage, and expenses of Members," on page 10, line 2, after the word "Code," to insert "but amounts expended by such member within such taxable year for living expenses shall not be deductible for income tax purposes if in excess of $2,400."

Mr. WILLIAMS. Mr. President, I have an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Delaware.

The CHIEF CLERK. On page 9, line 19, beginning with the proviso, it is proposed to strike out down to and through line 4 on page 10, and insert in lieu thereof the following:

Section 23 (k) of the Internal Revenue Code (relating to deductions for bad debts) is amended by adding at the end thereof a new paragraph as follows:

"(6) Exception: This subsection shall not apply in the case of a taxpayer, other than a bank, as defined in section 104, with respect to debts owned by (A) any political party, (B) any National, State, or local committee of any political party, or (C) any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of presidential or vice presidential electors or of any individual whose name is presented for election to any Federal, State, or local elective public office, whether or not such individual is elected. For the purpose of this paragraph, the terms 'contributions' and 'expenditure' shall have the meanings prescribed for such terms in section 591 of title 18 of the United States Code."

The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1951.

The PRESIDING OFFICER. The Chair will state to the Senator from Delaware that the amendment which he now proposes is not in order at this time. The Senate is considering only committee amendments. The Senator's amendment would strike out language contained in the House text, including a committee amendment.

Mr. WILLIAMS. Mr. President, in the event the amendment is not offered now, and the Senate adopts the committee

amendment, would my amendment be in order following such action?

The PRESIDING OFFICER. It would be in order after the committee amendment was adopted, and after all committee amendments have been disposed of, to move to strike out the proviso as amended.

Mr. WILLIAMS. My amendment includes striking out the proviso of the Senate amendment as well as the proviso of the House text.

The PRESIDING OFFICER. That is correct. After the amendment is approved as a committee amendment, the Senator can then move to strike out the entire proviso as amended, as he proposes to do. That would be in order after all committee amendments had been disposed of.

Mr. WILLIAMS. I misunderstood. I thought it was in order now. But if it is not in order until after the committee amendments have been acted on, I shall withhold my amendment until the committee amendments have been disposed of.

The PRESIDING OFFICER. The Chair advises the Senator that that is correct. His proposal will be in order when all committee amendments have been disposed of.

Mr. FERGUSON. Mr. President, I ask that the amendment be passed over and taken up at the end of the bill.

The PRESIDING OFFICER. Without objection, the amendment will be passed over. The clerk will state the next committee amendment.

Mr. ELLENDER. Was the amendment, on line 2, agreed to?

The PRESIDING OFFICER. It was stated, but not agreed to. The Senator from Delaware [Mr. WILLIAMS] had an amendment to offer to it.

The Senator from Michigan has now asked that it go over.

Mr. FERGUSON. I have asked that the amendment be passed over, and that it be considered after all other committee amendments have been acted upon.

The PRESIDING OFFICER. Without objection, the amendment will be passed over and considered at the conclusion of action on the other committee amendments. The clerk will state the next amendment.

The next amendment was, under the subhead "Office of the Sergeant at Arms," on page 10, line 22, after the word "Arms," to strike out "$385,545" and insert "$384,045."

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses of the House," on page 13, line 8, after the word "House", to strike out "$500,000" and insert "$501,500."

The amendment was agreed to.

The next amendment was, on page 19, after line 7, to insert:

JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

For an amount to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $20,000, to be disbursed by the Secretary of the Senate.

The amendment was agreed to.

The next amendment was, under the heading "Architect of the Capitol—Capitol Buildings and Grounds," on page 22, after line 8, to insert:

Subway transportation, Capitol and Senate Office Buildings: For maintenance, repairs, and rebuilding of the subway transportation system connecting the Senate Office Building with the Capitol, including personal and other services, $10,100.

The amendment was agreed to.

The next amendment was, on page 22, after line 13, to insert:

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services; including five female attendants in charge of ladies' retiring rooms at $1,800 each, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, $768,975.

The amendment was agreed to.

The next amendment was, under the heading "Library of Congress," on page 25, line 16, after the word "binding", to strike out "$3,400,000" and insert "$3,488,210."

The amendment was agreed to.

The next amendment was, under the subhead "Copyright Office," on page 25, line 24, after the word "binding", to strike out "$975,000" and insert "$1,008,409."

The amendment was agreed to.

The next amendment was, under the subhead "Legislative Reference Service," on page 26, line 9, after the word "materials", to strike out "$866,300" and insert "$891,159."

The amendment was agreed to.

The next amendment was, on page 26, after line 13, to insert:

REVISION OF ANNOTATED CONSTITUTION

Salaries and expenses: For necessary personal services to enable the Librarian to revise and extend the Annotated Constitution of the United States of America, to include Supreme Court cases through the 1951–52 term, $3,000.

The amendment was agreed to.

The next amendment was, under the subhead "Distribution of catalog cards," on page 27, line 4, after the word "Librarian", to strike out "$620,000" and insert "$648,607."

The amendment was agreed to.

The next amendment was, under the subhead "Union catalogs," on page 27, line 13, after the word "expenses", to strike out "$80,000" and insert "$35,492."

The amendment was agreed to.

The next amendment was, under the subhead "Printing and binding," on page 29, line 17, after the word "copyrights", to strike out "$39,500" and insert "$44,500."

The amendment was agreed to.

The next amendment was, on page 29, line 21, after the word "printing", to strike out "$550,500" and insert "$586,500."

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous expenses of the Library," on page 30, line 6, after the word "photoduplications", to strike out "$60,000" and insert "$80,000."

The amendment was agreed to.

The next amendment was, under the subhead "Library Buildings," on page 30, line 19, after the word "expenses", to strike out "$750,000" and insert "$794,820."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments, with the exception of the one on page 10, line 2, which will now be considered.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. What is before the Senate?

The PRESIDING OFFICER. The amendment on page 10, line 2, which was passed over, at the request of the Senator from Michigan, until after other committee amendments had been completed.

Mr. FERGUSON. I wish to say a few words with respect to this amendment. During the past year we struck from the law, to be effective after the 1st of January of the current year, the provision exempting the expense allowances of Members of Congress from payment of income taxes. This matter ought to be treated as the distinguished Senator from Illinois [Mr. DIRKSEN] has proposed, namely, that there should be a committee or commission appointed to go into the whole question of salaries of United States Senators and Representatives, and that we should not hastily take action, during the consideration of an appropriation bill, to include a tax matter.

I, for one, do not like the provision included in the bill. I do not think my living expenses in Washington should be a deductible item when I figure my income tax. Particularly is that true in relation to food. Whether I was in the city of Detroit, my home, or in Washington, my food would be paid for by myself. I would not have an exemption for the food bill in Detroit; therefore, I should not have an exemption of my food bill in Washington.

I hope the Senate will not agree to the amendment. The amendment recommended by the committee is an improvement. Certainly it would not have been proper to allow living expenses in any amount. I realize that there are persons who come to Washington who pay more in the way of their living expenses than what they receive as salaries from the Government, and then deduct the whole amount, and do not pay any tax.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. AIKEN. As I read the wording of the amendment, it does not apply to Members of the Senate, anyway. Under the wording, it applies simply to Representatives, Delegates from the Territories, and the Resident Commissioner of Puerto Rico.

Mr. FERGUSON. The Senator has found a defect which I had not seen. I think he is correct.

Mr. AIKEN. As I read the provision, it allows a deduction of living expenses in the case of Members of the House of Representatives, but not in the case of Senators.

Mr. FERGUSON. No; it includes Members of Congress. The proviso on page 9, line 19, reads as follows:

Provided, however, That in the case of taxable years beginning after December 31, 1952, the place of residence of a Member of Congress (including any Delegate and Resident Commissioner) within the State, congressional district, Territory, or possession which he represents in Congress shall be considered to be his home for the purposes of section 23 (a) (1) (A) of the Internal Revenue Code, but amounts expended by such Member within such taxable year for living expenses shall not be deductible for income tax purposes if in excess of $2,400.

We cannot go by what is found in line 13 on page 9.

Mr. AIKEN. I was reading two or three lines too far up the page. The Senator is correct.

Mr. FERGUSON. I believe that the way to take care of this situation is on a straight salary basis. Members of the Senate and Members of the House of Representatives should be treated in the same manner as anyone else who works for a salary is treated. We should pay income taxes, just as other citizens do. I believe that as a Nation we are spending too much money. Some Members of the Senate are voting for such expenditures. We ought to realize the great tax burden on the people. The way to realize the tax burden is to pay the taxes. If we pay taxes, we realize that salaries must be raised in order to meet living expenses. Then we can appreciate the fact that the people back home, in the midst of inflation, must have higher salaries and higher wages if they are to be compelled to support the Government as it is now being operated.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WATKINS. I think the Senator will recall that in 1949 an act was passed increasing the salaries of certain executive officers of the Government, including the President. At that time there was a group in the Senate who voted against such increases, largely on the ground that the tax-free expense allowances were increased. As I recall, at that time there was considerable discussion. Former Senator Donnell, of Missouri, made an argument on the subject. Many of us joined with him. Does the Senator feel that the situation has changed from that date until now?

Mr. FERGUSON. No; I do not think so. I think we are in the same position. I believe that the salaries of Senators and Representatives are too low. I think the people would be better off if Members of Congress were paid larger salaries, and if they paid income taxes on the same basis as other citizens. However, I should like to bring about such a situation in an orderly manner.

I think the distinguished Senator from Illinois [Mr. DIRKSEN] has the right solution. This is a question in which we are all personally interested. If a commission were established to study this problem and report to the Congress, as citizens, it could report to Congress what it believed the salaries should be. Then we could act accordingly, and the people would feel that we were acting upon the advice of disinterested citizens. Under our system of government, there is no other way to pass upon our salaries, or to pass upon other questions in which we are personally interested. In a republic such as ours we cannot avoid that duty. We cannot say to the President of the United States, "You fix our salaries." We cannot say to the Supreme Court, "You fix our salaries," because that would be a nonjudicial function. The only agency which can fix the salaries of Senators and Representatives is the Congress itself. I think we would do well to have an independent examination of this question. The people themselves, through the commission established to study the question, would enter into the picture. The commission would advise Congress what it considered to be a reasonable and fair salary for a Senator or a Representative.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. DIRKSEN. The bill to which reference has been made has been pending on the Senate Calendar since last autumn.

Mr. FERGUSON. That is correct.

Mr. DIRKSEN. I sincerely hope that the Senate will get over its timidity and pass the bill forthwith, before the present session concludes.

Mr. FERGUSON. That would not be timid. I think it would be the proper thing.

Mr. DIRKSEN. So do I. However, I am not unmindful of the fact that there is timidity in some quarters about such a bill. I think we should come to grips with the problem. Members of the House and Senate are the only constitutional officers who are called upon to pass upon their own remuneration. It is not a fair challenge to put up to them. The way out is an independent commission, as suggested in the bill, which has languished on the calendar for a long time. I trust that those who have raised objection to it in the past will finally relent, and that action can be taken during the present session of Congress.

Mr. FERGUSON. Does not the Senator feel that the other bill could be acted upon, rather than to adopt the proposed amendment, so that the bill could become law and the commission could be established, and could go to work while we are out campaigning in the national election? The first of the year we could come back and adjudicate the matter.

Mr. DIRKSEN. The Senator is correct.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WATKINS. I agree largely with the arguments of the Senator from Michigan. I was one of those who, in 1949, opposed the increase of tax-free expense allowances. I voted against that bill. I was one of the sponsors of the so-called Williams amendment, along with the Senator from Delaware [Mr. WILLIAMS] to repeal that particular section and make all those expense allowances subject to taxation, on the same basis on which other citizens of the country are taxed.

I believe the Senator from Michigan and the Senator from Illinois have placed their fingers upon a way out of this rather difficult situation. It is very difficult for Members of Congress to fix their own salaries. It is embarrassing. We always seem to be selfish when we do it. We are placing our own estimate on the value of our services, rather than having someone else do it. So I heartily agree with the proposal that a commission be established to determine the question.

Mr. FERGUSON. Mr. President, I think this question is clear to the Senate. I hope that we may have a quorum call and a vote on the pending amendment. Do we want to handle the question in this way by voting to exempt from taxation our living expenses to the extent of $2,400? The issue is very clear.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. MUNDT. By adopting this amendment are we not actually reversing the position which we took earlier in the session, when we eliminated the tax-exempt expense allowances?

Mr. FERGUSON. I believe so. I think we went up the hill at that time, when we removed the exemption. Now we are going down the hill again, right into the swamp. The people will not understand such action. The exemption from taxation of living expenses is a means of increasing our salaries indirectly. I do not think this is the way to do it. I think the way to do it is to establish a commission, and then face the issue.

Mr. MUNDT. It seems to me that whenever Members of Congress are placed in a separate category from the standpoint of taxes, it is something that no reasonable taxpayer can understand. Legislators should be in the same category as other taxpayers.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. SALTONSTALL. I will say to my friend and colleague from South Dakota that I have opposed a salary increase. This provision seems to me to have very considerable merit. In the first place, it is not compulsory. No Member must accept it unless he wishes to do so.

In the second place, it is not making an exception of Members of Congress who come to Washington. By law or custom they must maintain a residence in their own communities. Every businessman who comes to Washington for a week, 3 weeks, a month, or a day, has the privilege of charging up his living expenses, his meals and lodging, while he is here. The pending provision would permit Senators and Members of the House of Representatives to charge their living expenses as a deduction if they so desired. It seems to me quite different from any proposal which has been made up to the present time. I think it is a fair and proper provision. This is the first such provision I have favored.

Mr. FERGUSON. Mr. President, I think we must look at the question in this way: A Senator may own his home in Washington, or he may pay rent. I pay rent in an apartment house. Under the terms of this amendment I would be able to deduct my rental if it did not exceed $2,400. But I do not know how a Member of Congress would apply this provision if he owned his own home and lived with his family. He would not have the advantage of an exemption.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. FERGUSON. I shall be very glad to yield.

Mr. ELLENDER. As I understand, under the amendment the Senator would not be able to deduct all his rent, because his wife and children are living with him. The deduction would apply only to Members of Congress. The amount would have to be apportioned.

Mr. FERGUSON. Will anyone tell me how much of the rent I could apply to myself?

Mr. ELLENDER. That is left to the Senator from Michigan, and to the Internal Revenue Bureau.

Mr. FERGUSON. I should hate to take more than half of it and leave my wife in the position of feeling that she was not coequal in residence.

Mr. ELLENDER. The amendment applies solely to expenses of Members of Congress.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. BUTLER of Maryland. The Senator from Maryland would like to call attention to the fact that under the amendment, I would have no deductible items. I live in my home in Baltimore. I commute back and forth and I am not allowed to deduct the cost of my transportation. It means that I suffer a loss in salary of approximately $1,000 or more a year.

Mr. FERGUSON. Under the amendment, the Senator would be able to deduct his carfare and he would be able to deduct the cost of his meals in the Senate if he worked late at night and had dinner in the restaurant. He would be able to deduct such amounts under the amendment.

Mr. BUTLER of Maryland. Even if I ate my head off I would still lose $1,000 a year.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. MUNDT. I think there is the element, too, which sets Members of Congress apart from other taxpayers, which was recognized by the committee. The exemption of $2,400 does not apply to other taxpayers, and it looks as though it would be universally considered as a deduction of $200 a month.

Mr. FERGUSON. It also limits the expenses of a Senator, indicating that he ought to be able to live in Washington on $200 a month. I am sure that businessmen who come to Washington for a day probably spend $200 in 1 day, and they can deduct that amount from their income tax liability.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. McKELLAR. I hope the Senator from Louisiana [Mr. ELLENDER] will not insist on the committee amendment. He will be charged all over the country with legislating for the purpose of lessening our tax. I do not think we ought to be placed in such a position. I presided at the meeting at which the amendment was adopted. I did not vote then. I have thought about the matter and I think that the amendment ought not to be enacted into law. Notwithstanding that the committee has supported the amendment, I shall vote against it.

Mr. ELLENDER. The Senator from Tennessee has the right to change his mind.

Mr. McKELLAR. I have not changed my mind at all.

Mr. ELLENDER. That is not my understanding.

Mr. McKELLAR. The Senator is entirely wrong about it.

Mr. HUNT. Mr. President, I should like to ask the distinguished chairman of the subcommittee how he arrives at the fact that it costs only $2,400 a year to live in Washington.

Mr. ELLENDER. I will say that it is an arbitrary figure. I know it costs more that that. The intention was that it would put the maximum amount just about in line with the tax exemption which we now have. That exemption was the guidepost, so to speak.

Mr. HUNT. The Senator from Louisiana, however, fell a little short of restoring what was taken way from us, by $100.

Mr. ELLENDER. That is true.

Mr. HUNT. I should like to ask the distinguished chairman of the subcommittee one more question. Does he know of any reason why, because we are public officials, we should not have the privilege which men in private life enjoy.

Mr. ELLENDER. The reason we are providing a limited exemption in this way is to put Members of the Congress on the basis of a businessman who leaves his home and comes to Washington on business. He is permitted to deduct all his expenses. He may deduct his expenses for meals, lodging, and everything else.

There is another point involved. I studied some sample tax cases in deliberating upon this subject.

Under a ruling of the Bureau of Internal Revenue, an individual appointed—not elected, but appointed—and spends three-quarters of his time in the city of Washington attending to business, is permitted to deduct his expenses including living costs, travel, and everything else. However, with respect to elected officials, a change has been made. Under a ruling of the Bureau of Internal Revenue, and sustained by the courts, a Representative or Senator has two homes, one in his State, and one in Washington. Under the ruling we cannot claim deductions for living expenses while in Washington. All the committee amendment seeks to do is declare that, for income tax-purposes, the home of a Representative or Senator is in his home State.

Mr. President, I ask unanimous consent that excerpts from several internal revenue rulings and court findings dealing with this problem, and advisory memorandum No. 1838 signed by George J. Schoeneman, Internal Revenue Commissioner, be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WALTER F. BROWN, PETITIONER, *v.* COMMISSIONER OF INTERNAL REVENUE, RESPONDENT

Where one accepts a Government appointment which requires his presence and work in Washington about half the time, and who retains his home and professional connection in a distant city, held, that his expenses for travel to and from Washington, D. C., for meals and lodging while there, and the like, are properly deductible from gross income as "ordinary and necessary expenses incurred" in carrying on a trade or business (13 B. T. A. 832, decided October 9, 1928).

POWELL *v.* COMMISSIONER (34 B. T. A. 655)

The petitioner was earning salaries and other income for services performed in New York, while his home and principal place of business was in Boston. Held, he is entitled to deduct the amount which he expended in traveling, for food and lodging, and for other necessary purposes while away from home.

LINDSAY *v.* COMMISSIONER (34 B. T. A. 840)

Expenditures by a Member of Congress for his personal living expenses at a hotel while in Washington, D. C., attending sessions of Congress, and amounts he expended for railroad fare in making trips from Washington to his district to confer with constituents, were not deductible in computing his net income.

Since "home" as used in the quoted applicable act thus means business location, post, or station, what is the business location, post, or station of a Congressman?

Title 4, United States Code Annotated, sections 6 and 7, are as follows:

6. * * * All that part of the territory of the United States included within the present limits of the District of Columbia shall be the permanent seat of Government of the United States.

7. * * * All offices attached to the seat of Government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

From those provisions, we conclude that, at least, unless otherwise properly authorized, which authorization is not established here, the business of a Congressman is to be performed at the seat of Government. Thus, that was petitioner's "home," within the meaning of the controlling statutory provision. It follows that the living expenses of petitioner while attending a session of Congress are personal and are, therefore, not deductible (Revenue Act of 1932, sec. 24 (a) (1)).

SCHURER *v.* COMMISSIONER (3 T. C. 544)

The petitioner is a journeyman plumber by trade. His home is in Pittsburgh, Pa. In 1941 he accepted temporary employment at Indiantown Gap, near Harrisburg, Pa., at Aberdeen, Md., and at Morgantown, W. Va. Upon the completion of each of these assignments he returned to Pittsburgh. In 1941 he spent $920 for board and lodging and $21.26 for railroad and bus fares while away from home. Held, that these amounts are deductible from gross income as expenses of carrying on his trade or business.

COMMISSIONER V. FLOWERS (326 U. S. 465)

J. N. Flowers, an attorney living in Jackson, Miss., accepted a position as general counsel and vice president of the Gulf, Mobile and Ohio Railroad Co., whose main office was located in Mobile, Ala., where Mr. Flowers was principally employed. He continued to live in Jackson. On his income tax return, he deducted the cost of his meals and lodging while in Mobile, as well as traveling expenses from Jackson to Mobile.

The Court held: Travel expenses in pursuit of business within the meaning of section 23 (a) (1) (A) could arise only when the railroad's business forced the taxpayer to travel and to live temporarily at some place other than Mobile, thereby advancing the interests of the railroad. Business trips are to be identified in relation to business demands and the traveler's business headquarters. The exigencies of business rather than the personal conveniences and necessities of the traveler must be the motivating factors. Such was not the case here.

ADVISORY MEMORANDUM NO. 1838

JANUARY 7, 1948.

Hon. PETE JARMAN,
House of Representatives,
Washington, D. C.

MY DEAR MR. JARMAN: Further reference is made to your letter of July 16, 1947, inquiring whether the living expenses incurred by a Member of Congress while in Washington, D. C., may be offset, for Federal income-tax purposes, against the $2,500 expense allowance being received in 1947 and whether other congressional expenses incurred and paid during 1947 may be deducted on page 3 of Form 1040 for the purpose of arriving at net income.

Section 601 (b) of the Legislative Reorganization Act of 1946 (60 Stat. 812) provides the following expense allowance for Members of Congress:

"Effective on the day on which the Eightieth Congress convenes there shall be paid to each Senator, Representative in Congress, Delegate from the Territories, Resident Commissioner from Puerto Rico, an expense allowance of $2,500 per annum to assist in defraying expenses relating to, or resulting from the discharge of his official duties, for which no tax liability shall incur, or accounting be made; such sum to be paid in equal monthly installments."

Sections 601 (c) and (d) of that act repeal, effective on the day on which the Eightieth Congress convenes, the expense allowance of $2,500 per annum provided to each Member of Congress by the Legislative Branch Appropriation Acts of 1946 and 1947 (59 Stat. 238; 60 Stat. 386) "to assist in defraying expenses related to or resulting from the discharge of his official duties."

It is noted that the purpose of such expense allowances, as specified in the three enabling acts, is substantially the same. It may be helpful therefore to review, insofar as pertinent to your inquiry, the position taken by this Bureau with respect to the allowances paid in 1945 and 1946. Bureau ruling dated July 20, 1945, to Hon. Emmet O'Neal (Appendix of the CONGRESSIONAL RECORD, vol. 91, pt. 12, p. A3607), held in part that the expense allowance paid in each of those years was includable in gross income, and that a Congressman claiming such allowance as a deduction from gross income by listing it as "fully expended in the performance of official duties" could be required, if so requested, to substantiate the claimed deduction by showing that the entire $2,500 was used for expenses which are properly deductible under section 23 (a) (1) (A) of the Internal Revenue Code. In reply to specific questions presented by other Members of Congress, the Bureau further held that the Legislative Branch Appropriation Acts of 1946 and 1947 did not entitle a Congressman to any deduction to which he would not otherwise have been entitled and did not permit him to deduct amounts spent for meals and lodging while in Washington.

The Legislative Reorganization Act of 1946, however, expressly provides an expense allowance "for which no tax liability shall incur, or accounting be made." Clearly, therefore, the $2,500 allowance received by a Member of Congress in 1947 is excludable from gross income. Furthermore, where a Congressman does not claim any deduction for congressional expenses on his 1947 tax return (other than those provided for by a specific appropriation, such as the mileage or stationery allowance), it appears that the Bureau has no authority to declare what expenses may be charged against such allowance to question whether such allowance was properly exhausted, or to require any accounting in connection therewith.

On the other hand, where a Congressman does claim a deduction for congressional expenses on his 1947 return (in addition to those provided for by a specific appropriation), the Bureau takes the position that in order to be allowable such expenses (1) must qualify as a proper deduction under section 23 (a) (1) (A) of the code (for the Legislative Reorganization Act of 1946 does not enlarge the scope of legal deductions); and (2) must be in excess of those properly chargeable against the $2,500 allowance (inasmuch as to permit a deduction for expenses paid from a tax-exempt allowance would result in granting a double tax benefit).

Admittedly, it is difficult to reconcile this second prerequisite with the statutory provision that no accounting shall be made with respect to the $2,500 expense allowance. To abandon such prerequisite, however, would not only permit a double tax benefit but would also, in effect, treat the $2,500, or a portion thereof, as constituting additional tax-free compensation rather than an allowance for congressional expenses as authorized by law. Since it appears evident that Congress did not intend either such result, it necessarily follows that a Congressman may deduct on his 1947 return only such expenses (qualifying under section 23 (a) (1) (A) of the code) as exceed those properly chargeable against the $2,500 allowance. Furthermore, since a Congressman, like any other taxpayer, is required to substantiate his claim for deduction, if so requested by the internal-revenue agent examining his return, and as he could substantiate such a deduction only by showing that the expenses claimed were actually in excess of those which fully and properly exhausted his $2,500 allowance, he would virtually have to render an accounting for his tax-exempt expense allowance. This result is believed to be in accord with the legislative intent (compare Senator Overton's explanation of an amendment having similar import which the Committee on Appropriations adopted in connection with the legislative branch appropriation bill of 1946 (CONGRESSIONAL RECORD, vol. 91, pt. 4, pp. 4950–4953), and the Bureau is therefore of the opinion that the statutory preclusion of an accounting was designed to apply only to those cases where no deductions are claimed for such excess expenditures.

Whether a Congressman claiming such a deduction may offset his living expenses in Washington against the $2,500 allowance received in 1947 necessarily depends upon what expenses Congress intended "to assist in defraying" by means of this allowance. As the language "expenses relating to, or resulting from the discharge of his official duties" appears to have no fixed legal connotation, and as the significance thereof is not readily ascertainable from the statute itself, it is necessary to resort to the legislative history of this provision in order to fully comprehend its meaning.

Section 601 of the bill (S. 2177) as introduced in the Senate would have (a) increased the compensation of Members of Congress to $15,000 per annum; (b) fixed their "home" for the purpose of section 23 (a) (1) (A) of the Internal Revenue Code at their place of residence within the State, Territory, or possession which they represent; and (c) repealed their then-existing expense allowance. Senate Report No. 1400, (79th Cong., 2d sess., p. 36) stated that the purpose of subsection (b) was to permit Congressmen to deduct their living expenses in Washington and other expenses incident to their absence from home on congressional service. That subsection was eliminated, however by Senator La Follette's amendment (CONGRESSIONAL RECORD, vol. 92, pt. 5, p. 6675) for the reason that it was a revenue proposal which, under the Constitution, must originate in the House of Representatives (see CONGRESSIONAL RECORD, vol. 92, pt. 8, p. 10050). The House then debated the question (see particularly CONGRESSIONAL RECORD, vol. 92, pt. 8, p. 10038, 10048, 10096, and 10097) whether to restore that subsection to the bill or to adopt the amendment offered by Representative BROWN, of Ohio, which fixed the compensation at $12,500 per annum and provided the new, tax-free expense allowance. The latter amendment was agreed to and was ultimately enacted into law, apparently because it was considered more fundamental to recompense a Member of Congress for such expenses (including his living expenses in Washington) from a tax-free allowance than to provide simply for the deductibility of those expenses which would otherwise have had to be paid from salary.

Accordingly, it is held that amounts expended in 1947 by a Member of Congress for expenses relating to or resulting from the discharge of his official duties, including his meals and lodging while in Washington, D. C., may be offset against the $2,500 expense allowance for that year. If such offset does not exceed the $2,500 expense allowance, no deduction for congressional expenses may be taken in computing net income. If such offset does exceed the $2,500 expense allowance, then those congressional expenses in excess thereof which qualify under section 23 (a) (1) (A) of the Internal Revenue Code may be deducted in computing net income.

If further correspondence relative to this matter is necessary, please refer to IT:P:TR-VSW-3.

Very truly yours,
GEO. J. SCHOENEMAN,
Commissioner.

Business expenses: Section 23 (a), I. R. C.
Gross income (exclusions): Section 601 (b), Legislative Reorganization Act of 1946.
Personal expenses: Section 24, I. R. C.

The $2,500 expense allowance received by a Member of Congress for 1947 pursuant to section 601 (b) of the Legislative Reorganization Act of 1946 is excludible from gross income. Amount disbursed in 1947 by a Member of Congress for expenses relating to or resulting from the discharge of his official duties, including his meals and lodging while in Washington, D. C., may be offset, without accounting therefor, against the allowance received, provided that no deduction may be allowed for congressional expenses if the amount offset does not exceed the amount of the allowance. If the amount offset exceeds the $2,500 expense allowance received, then those congressional expenses in excess thereof which qualify under section 23 (a) (1) (A) of the Internal Revenue Code may be deducted in computing net income.

Mr. HUNT. I should like to ask the Senator whether he is allowed any exemptions at all for carrying on his work as a Senator. Let us start with campaign expenses. Is the Senator allowed any deduction for campaign expenses?

Mr. ELLENDER. None whatever.

Mr. HUNT. Is the Senator from Louisiana allowed any expenses for the many trips he must take back to his home State?

Mr. ELLENDER. None whatever.

Mr. HUNT. Is the Senator from Louisiana allowed any additional exemption because he must maintain two homes, one in Washington and one in his home State?

Mr. ELLENDER. I do not know of any.

Mr. HUNT. Does the Senator from Louisiana know of any class of people who are treated the way Members of Congress are treated by the Internal Revenue Bureau and by the laws which we, timid souls that we are, constantly enact?

Mr. ELLENDER. I do not know of any. We are trying to rectify the situation.

Mr. HUNT. Does not the Senator feel that if the trend is kept up the Senate will become a millionaires' club, and no one who is not a millionaire will be able to aspire to membership in the Senate?

Mr. THYE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. THYE. In my opinion this is a question which should have careful study by disinterested persons. The fact that we are in the United States Senate is because someone voted for us and we got a majority of the votes. That is why we are here. To an outsider, when he considers the salary of $12,500, our salary sounds like a very high sum of money to receive as a salary. When they consider the $2,500 tax exempt provision, they think it is an enormous amount of money to be allowed tax free.

If I buy a railroad ticket for a trip to my home State it costs me more than $125, to say nothing of tips and meals, and so forth.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield at that point?

Mr. THYE. I should like to carry through my argument. I am not allowed to deduct as an expense the cost of a trip to my home State. An airplane ticket to Minneapolis costs $124.20. There must also be considered the extra cost of taxi fare to and from the airport, and additional sums of money which must be paid in connection with the trip. There is no way in which I can collect that money from the Government.

If a businessman comes to Washington he can deduct the cost of the trip as a business expenditure on his income-tax return.

If I worked in one of the Federal bureaus or agencies of the Government and I traveled out of that office, whether it was to California or anywhere else, the expense would be paid for and I would receive also a per diem allowance to cover living costs.

These questions are not understandable to the general public. I have gone into places of business and have met half a dozen men who spoke to me about my salary. They had all kinds of ideas about how much Senators were allowed as salary and how much they were allowed as expenses. I have good, honest, and sincere taxpayers say to me, "You can come back here to the State because the Government pays your expenses." When I explained to them that the Government did not pay the expense they did not believe me. I have to go into lengthy and detailed explanations about the salary and the $2,500 exemption, and I must tell them that we are allowed so much for one trip to Washington and one trip back home during each session of Congress.

The fact is that in order to have the public completely enlightened, I believe it would be highly desirable for Senate bill 1117 to be enacted. That bill was introduced by the Senator from Illinois [Mr. DIRKSEN], and it would create a citizens' committee to make a study of the entire question.

Mr. HUNT. Mr. President, will the Senator from Louisiana yield, to permit me to ask a question of the Senator from Minnesota?

Mr. ELLENDER. I yield for that purpose, provided I do not lose the floor.

Mr. HUNT. I am sure the Senator from Minnesota knows that the so-called Dirksen bill has been resting and sleeping peacefully in committee now since 1950, and there is no possibility of having it brought out of committee. Many of us pleaded to have it reported by the committee months and months ago, but we had no success. Exactly the same thing will happen to that bill next year and the following year.

If we do not do something along this line when we have an opportunity to do it, I say my very good friend, the Senator from Minnesota, whom I have known so long, it simply will not be done.

Mr. THYE. Mr. President, in the event a citizens' committee is appointed, it could make to Congress a recommendation regarding what it thought a Senator's salary should be and likewise the salary of Members of the House, and then we could proceed to act on that recommendation.

The fact of the matter is that I do not believe we should be allowed any special tax exemption, and personally I will vote against any provision of this bill to make any living expense of a Member of Congress deductible, because such a provision would not be understandable and such an approach would be the wrong one.

I shall accept the salary that is allowed to me in the bill. If that salary does not please me, I do not need to run for this office.

The other point is that someone should determine what the salary of a Member of Congress should be. I think a citizens' committee would be the proper one to make that recommendation and determination.

Since I have been in the Senate, we have acted on the salaries of Cabinet officers and we have acted on the salary of the President and the salary of the Vice President, including the tax exemptions in connection with the running expenses of the White House and the administrative function of the Vice President. I think it was our duty to do so. But when it comes to regulating our own salaries, I think that is an embarrassing matter to be dealt with by a Member of Congress.

I support the amendment of the Senator from Delaware to strike from the bill the tax-exemption provision. I shall oppose the making of any tax exemptions for Members of Congress by means of the bill now before us. I think that approach would be the wrong one.

On the other hand, I would not hesitate at all to vote for a bill to create a citizens' committee to make a study of this entire question and to report to Congress when it reconvenes in 1953. When the citizens' committee made its recommendation, I would not hestitate to act on it.

If we do that, I believe the general public, who pay taxes as well as we do, would be satisfied that the right thing was being done.

On the other hand, regardless of what action is taken on the amendment submitted by the Senator from Delaware, and regardless of what tax-exempt provisions are included in the bill, the public will not understand the situation and will not be satisfied with such provisions, and in that event we shall simply be confusing the issue. Therefore, I will not be a party to confusing the taxpayer any more than he is already confused. [Laughter.]

So I shall vote to support the amendment submitted by the Senator from Delaware.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana has the floor. Does he yield?

Mr. ELLENDER. I shall yield to the Senator from Georgia in just a moment.

First, however, I wish to say to my good friend, the Senator from Minnesota, that this bill seeks only to assure him virtually the same salary that he received when he was elected to the Senate. As he knows, Congress previously went on record as favoring doing away with the present $2,500 tax exemption. This bill simply seeks to give to a Member of the House or a Member of the Senate the same right that a businessman has, namely, the right to deduct his living expenses when he is away from home, on business. That is all this bill seeks to do in that respect.

If the Senator from Minnesota does not wish to take advantage of that provision, it will be up to him; but this provision simply means that he, as a United States Senator from Minnesota can claim a maximum $2,400 deduction. Thus, he will receive about the same amount that he received when he first was elected to the Senate.

Mr. THYE. Mr. President, a person who has a salary of $3,000 or $5,000 and has no income-tax deductions available to him, except those for dependents, will say, "I am not allowed any living expense that I have and that I must pay."

Mr. ELLENDER. That is because he works at the place where his home is.

Mr. THYE. That is true.

Mr. ELLENDER. This amendment does not provide for any exemptions at a Senator's home. In that respect, a Senator would be treated in the same way that any other citizen is treated.

On the other hand, when a Senater leaves his home and spends time in Washington, doing his work as a Senator, the amendment will permit him then to deduct his living expenses; just as a businessman is allowed to do.

The House provision as written into the bill, places no limit on the amount that can be deducted under those circumstances; but the amendment voted by the Senate committee to the House provision imposes a ceiling of $2,400. That is the question which is before the Senate.

Mr. THYE. Mr. President, I wish to say to my good friend, the distinguished Senator from Louisiana, that I am opposed to the provision the House wrote into the bill, because it would have the effect of going even much further than the $2,500 exemption which previously has been written into the legislative bill, and which we are enjoying at the present time.

Even though the House endeavored to write that provision into the bill, I think the House was wrong. I believe we would be wrong if we tried to concur in that provision, even though we modified it to the extent of limiting it to $200 a month, for, as I previously stated, a person who has a salary of $2,000 or $3,000 or $4,000 or $5,000, and who is allowed only the nomal exemptions for dependents, cannot understand why a Senator, even though he is required to spend 6 months in Washington and 6 months in his own State, should receive special treatment.

Of course, if we are fortunate, Congress will take a recess in the fore part of July. But when we return to our States, the good people there do not realize that we are not on vacation, but that we are compelled to handle our office business every day while we are in the State. In fact, Mr. President, if a Member of Congress is able to take a day or two to go fishing, he has to make up for that time off by spending longer hours at his office on the days following his return, for there is no vacation for a Member of Congress in these days of so much world confusion. I have now been in the Senate for almost 5½ years, and I find that there is no vacation for a Member of Congress in the fall, the winter, the spring, or the summer. Regardless of whether a Member of the Senate is in Washington or is in his own State, he is faced with the business of the Senate, and that is true no matter whether the Senate is in recess or is in session.

Twenty or thirty years ago, Members of Congress may have had real vacations at the time of congressional recesses, but that is no longer the case, for we are constantly faced with our office routine and with the necessary handling of our office and official duties.

Be that as it may, Mr. President, I asked to be elected a Senator, and I am not complaining. I will "take it" to the best of my ability.

However, I believe a definite salary should be provided for Members of Congress. Whatever salary is determined to be the proper one should be paid, but there should be no tax exemptions, because what might be a legitimate expense to me would not be a legitimate expense to some other Member of the Senate.

Mr. HUNT. Mr. President, will the Senator from Louisiana yield, to permit me to ask a question of the Senator from Minnesota?

Mr. ELLENDER. I yield for that purpose, provided I do not lose the floor.

Mr. HUNT. Mr. President, I wish to preface my question by stating that I agree wholeheartedly with the approach proposed by the bill introduced by the Senator from Illinois [Mr. DIRKSEN]. Certainly that is the proper way to handle this matter. However, the matter was not handled in that way, and probably as the years roll on it will not be handled in that way.

The Senator from Minnesota seems to feel there should be some way by which we can obtain a salary increase that will not be objectionable to our constituents, the taxpayers.

My view is that regardless of the method used, regardless of when it is used, or regardless of how it is used, there will be criticism. The people at large will not know who recommended it or when it was recommended or what committee was named to make the recommendation, or what was the result of the committee's study. All they will know is that we will receive a little increase in salary.

Now, one other statement. I think that we are probably the only category of people within the United States who have taken a reduction in salary for 3 years.

Mr. THYE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Minnesota.

Mr. THYE. I do not want to prolong the discussion. I merely want to say that any tax deduction which may be allowed to a Member of Congress is involved in a misunderstanding, which I think should be corrected. I am willing to take my chances on a straight salary; and I believe the public would prefer to have it that way. I think the average man in America could not answer the question as to what the average salary of a Member of Congress is. If he were asked what tax exemption is granted to a Member of Congress, I doubt that he could tell. I doubt that the average citizen has had occasion to give much thought to the subject. From a practical standpoint, I think it would be better for us to have a salary with no tax exemptions, rather than to write into this legislative bill some form of tax exemption.

Mr. ELLENDER. Let me correct my friend from Minnesota. This is not a matter of tax exemption. It simply seeks to place Representatives and Senators in the same position as that of the ordinary business man or the appointed official who leaves his home to take a position in Washington, where he may work for 6 or 8 months. Those persons are allowed a deduction for all living expenses. All this amendment seeks to do is to place a Member of Congress in the same position as a business man or appointive official. That is all.

Mr. THYE. No. Mr. President, I may say if that is all the Senator from Louisiana proposes, it would not even make it possible for a Member of Congress to pay the expense of ordinary living quarters. It is impossible to rent a room, to be occupied only at night, for less than $200 a month.

Mr. ELLENDER. If it were left to me, I would suggest a greater ceiling than that; but, for fear that we might be unable to obtain a higher figure than the $2,400, I have proposed this amendment. It would simply enable a Senator to receive about the same amount next year that he has been receiving since 1948. That is the sole purpose of the amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Vermont.

Mr. AIKEN. I think it would be very unwisely if we were to undertake to evade our constitutional duty to fix an appropriate amount of compensation for each of the Members of Congress. I realize the validity of arguments which could be advanced in favor of having the salaries of Members of Congress determined by the representatives of labor, industry, and agriculture, though it would seem to me that that might, in a way, embarrass us. Let us suppose that the representatives of labor, industry, and agriculture were to decide that Members of Congress needed an increase in salary. If we were then to vote for an increase in a ship subsidy, or in an agricultural subsidy, or if we were then to vote for laws more favorable to labor, would we not be laying ourselves open to the charge of attempting to repay them for the increase in salary? It seems to me that we would be.

If the matter should be left to a special commission of some kind, why not appoint a commission composed of Belgians, Guatemalans, and Japanese. If we were to do that, we would only have to consider their feelings on those rare occasions when we might be voting for international cooperation. Although I cannot but admire the courage demonstrated by so many Senators in insisting that they be allowed to serve their State and their country at a possible loss, nevertheless it seems to me that the Members of Congress ought to discharge fully the duties which naturally rest upon them by facing the issue squarely and making our own determinations.

Mr. WILLIAMS. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. AIKEN. I do not have the floor.

The PRESIDING OFFICER. The Senator from Louisiana may yield for a question only.

Mr. AIKEN. Mr. President, my position is that we should stand on our own feet.

The PRESIDING OFFICER. The Senator from Louisiana has the floor, and may yield for a question only.

Mr. AIKEN. Does not the Senator from Louisiana think that the Congress should stand upon its own feet, and make its own determinations?

Mr. ELLENDER. Yes; and that is why I am opposing the creation of a commission that will have the authority to fix the salaries and expense allowances of Members of Congress.

Mr. AIKEN. I thank the Senator for answering my question.

Mr. ELLENDER. Mr. President, as I understand the question before the Senate is the committee amendment beginning on line 2, page 1, and ending on line 4. Before a vote is taken on the amendment I should like to modify it. On page 10, line 4, I should like to strike out the word "if." I think it is unnecessary.

Mr. SALTONSTALL. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. SALTONSTALL. I should like to ask the Senator from Louisiana a question. The Senator from Illinois [Mr. DIRKSEN] has an amendment, and the Senator from Delaware [Mr. WILLIAMS] has an amendment to strike out the whole section of the Internal Revenue Code having to do with bad debts, and so forth. The House provision is bound to go to conference. If the amendment of the Senator from Illinois to the committee amendment were adopted, and then the amendment of the Senator from Delaware striking out that whole section were adopted, the matters would be in conference, including the House provision. The conference committee would have to work out the problem to the best of its ability, and then the Senate could vote up or down the decision of the conference committee.

It seems to me that we must remember that regardless of what we have here, the House provision will be in conference. It seems to me that should accelerate our action. All three questions would be in conference, and the conference committee could then study the entire subject and submit a report which the Senate could vote either up or down.

I would put it in the form of a question, because it seems to me it would save time.

Mr. ELLENDER. I assume that what the Senator has in mind is more or less a time saver.

Mr. SALTONSTALL. That is what it is.

Mr. ELLENDER. I would not have any objection, but I wish to invite the attention of my good friend to the fact that the amendment of the Senator from Delaware is not germane to the subject at all. Why we should put an item of that kind in an appropriation bill is beyond my understanding.

Mr. SALTONSTALL. It is very difficult for us not to consider it favorably when we see what has been done in the past 6 months in connection with the scandals in the Internal Revenue Bureau. It makes it impossible for a political debt to be wiped off——

Mr. ELLENDER. Does the Senator mean a bad debt of a Senator or a Representative? Is that the idea? As I read the amendment, it is designed to show some respect for the Internal Revenue Code.

Mr. WILLIAMS. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. WILLIAMS. With all due respect, I think it would be more appropriate for the Senator to yield the floor and permit me to discuss my own amendment.

The PRESIDING OFFICER. The question is on agreeing to the modification of the amendment by striking out the word "if."

Without objection, the modification is agreed to.

Mr. ELLENDER. Mr. President, I have nothing further to say. The question before the Senate is simply to place a limitation of $2,400 on what a Representative or a Senator can claim on his income-tax return for living expenses while in Washington.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

Mr. GEORGE. Mr. President, I do not want to take issue with the committee, but I am not able to support this amendment, although it does improve the provision as it came from the House. That I am perfectly willing to concede. At the proper time I expect to move to strike out the proviso beginning in line 19, on page 9, of the bill, but as that is House text, of course, such a motion is not now in order.

I do not think this is a proper approach to the problem. My own feeling is that we should fix the salary of Members of the Congress without any apology and without any hesitation at what we think it should be. If we think it should be $15,000 or $17,500, we should do it and do it directly.

The House provision to which the Senate committee amendment is attached simply classifies Members of the Congress as businessmen within the meaning of a section of the revenue law. I cannot help feeling that the matter has not been properly analyzed.

Representatives are not businessmen. They do not come to Congress to advance their own personal fortunes. The meaning of the revenue provision, Mr. President is that if A is engaged in business, he is taxable, of course, upon his net income at the end of the year, or at the time he makes his return. If he is engaged in business and has to be away from his own home incurring necessary expenses in carrying on his own personal business, he is supposed to earn an income, and he may deduct all reasonable and necessary expenses in connection with the trip he is obliged to make and other expenses which he is obliged to incur.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. HAYDEN. What puzzles me is a ruling of the Treasury Department that a Member of Congress has two homes, one where he lives in the State from which he is elected and the other in Washington. How does the Senator account for that?

Mr. GEORGE. That is one of the unaccountable rulings the Treasury sometimes makes. Of course, it is nonsense.

Mr. HAYDEN. That is all the House provision tries to avoid.

Mr. GEORGE. No; it is not all. A Member of Congress is not engaged in business for profit. The Senator's congressional office is not undertaken for the profit he receives or does not receive from it. In my judgment, when a Senator is elected to public office, he takes on all the burdens of the office. He assumes all the duties of the office. When a Senator comes to Washington and spends a good deal of his time here, he has simply undertaken that sort of official function.

Mr. HAYDEN. That is very true. But if the Treasury Department had not ruled that we had two homes, our homes in our States and those in Washington, then we could make the same kind of deductions businessmen make.

Mr. GEORGE. The Senator probably could have done that. The decision of the Treasury is perfect nonsense, as are so many of their decisions. I do not defend the Treasury at all, but they could have placed their decision upon a sound basis—namely, that a public official is not conducting a private business for gain—and, therefore, in computing his profits which are taxable, has a right to charge off the expenses he is obliged to incur in order to discharge the duties of his office.

Mr. CASE. Mr. President, will the Senator yield?

Mr. GEORGE. I am not saying that a Member of Congress should not have more salary, but I think we should have the frankness and courage to write into this bill, if it is germane, a provision saying that the salaries of Members of Congress shall be $16,500, $17,500, or whatever the amount should be in the judgment of Congress.

I yield to the Senator from South Dakota.

Mr. CASE. What would the able chairman of the Committee on Finance say with respect to travel within one's State. If one is a Senator, but does not happen to live at the State capital, frequently he finds it necessary, as I at least have found, to go to the State capital to visit the Governor; at other times to visit an Indian reservation; at other times to visit another Federal institution within the State. What would the Senator say about travel expenses incurred in going from one's home to such places, which no one could say it was necessary to visit, but which are visited in the performance of what are believed to be the proper functions of office?

Mr. GEORGE. If it is part of one's official business, then it stands on a different basis. But a Member of Congress is elected to come to Washington. He knows it is necessary for him to come here at the time when Congress is required to convene. The Constitution provides that he shall come to Washington once a year; and he may come oftener, if the President calls Congress into extra session. A Member of Congress understands that. He takes his office with an understanding of that burden, and it cannot be likened to a private business, which is supposed to make a profit, which is supposed to be taxable, and from which one is allowed to deduct the usual, ordinary, necessary expenses incurred in making the profit.

Mr. CASE. I am inclined to agree with the argument made by the Senator. So far as coming to Washington is concerned, that is accepted as a part of the responsibility. But it is within the individual's discretion as to how many trips one may make within his State.

Mr. GEORGE. That is quite true. I believe the Senator could make official trips within his State on official duty, and deduct the expenses in connection therewith. But that is a different story.

Mr. CASE. Does the Senator think such expenses could be deducted?

Mr. GEORGE. As an expense, unquestionably. I do not think there can be any doubt about it.

Mr. CASE. Does the Senator feel that the tax collector would recognize it as a deductible expense?

Mr. GEORGE. Yes; I think so. I think it is so recognized. As a matter of fact, I know it is, because I keep but one automobile, and I estimate that I use my automobile one-tenth of the time for official duties. Therefore, I can deduct one-tenth of the expense of operating the car. I do not deduct tentenths, because that would not be honest, and would not be an allowable deduction. But unquestionably when one is in the discharge of official functions, official duties, in his State, such as making a trip that is necessary in the discharge of one's duties, he can deduct his expense. The Senator would have to be the judge of that, of course; he could not abuse the privilege, and he is necessarily the judge of the fact that he should, as a matter of duty, visit a military camp, a prison camp, or some other establishment within the State, over which the Federal Government has jurisdiction. Undoubtedly the cost of such a trip could be deducted. The usual or necessary expense of making such a trip could be deducted.

Mr. CASE. I think the statement of the Senator from Georgia, occupying the position he holds, will be helpful in an interpretation of the law on that point. I have found that many people assume that if I go to a military installation, an Indian reservation, or a veterans' hospital, in my State, or if I go to the State capital, in some way I could claim the expenses of my trip as deductible. Of course, I go or do not go, according to my personal decision as to whether it is important or helps me in performing my duties better for my State. I am glad to have the statement of the Senator from Georgia on the point. I think it would be advisory to a great many collectors of internal revenue.

Mr. GEORGE. I think unquestionably the Senator can deduct ordinary, usual, and necessary expenses for trips on official business. But he is actually elected to serve in Washington, and to come here and discharge certain duties. I myself do not believe the provision in the bill is the proper approach. On the contrary, I believe the proper approach is to write into this bill, or an appropriate bill, the amount we think we should receive as salaries, and then pay our taxes on that amount, just as is done by everyone else.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. AIKEN. I should like to have the Senator express his opinion about tax exemption on travel tickets for Members of Congress. It has been my opinion that Members of Congress might be entitled to tax exemption up to the amount they are allowed for mileage in going to and from their homes.

Mr. GEORGE. Undoubtedly. Not only is that true, but a Senator is entitled to deduct or to exclude from income his mileage allowance, because that is not income; it is simply allowance given by the Government.

Mr. AIKEN. It is simply over and above the amount which he is allowed by the Congress for travel. Is that what the Senator means?

Mr. GEORGE. I mean he could exclude whatever is allowed by Congress for travel expense because that is not taxable income. It is simply an allowance made to defray the expenses of travel to and from Washington each year. We may do it in an affirmative way. We may figure it on a basis of 10 cents a mile or 20 cents a mile. If the Senator is asking if he would have the right to deduct anything exceeding that amount, I think he might. That would depend on whether or not he was attending to official duties.

Mr. AIKEN. That is correct.

Mr. GEORGE. I think that if the Senator was discharging an official responsibility and he exceeded the amount of the mileage allowed, he could deduct the excess.

Mr. AIKEN. I was seeking the Senator's opinion as to the right of a Member of Congress to exemption from the transportation tax. Of course, employees of Government sign certificates saying that the expense is to be paid by the Federal Government. However, Members of Congress have their transportation paid by the Federal Government up to a certain amount.

Mr. GEORGE. Yes, that is all. I do not think we could exclude or would have the right to deduct an excise tax of that type.

Mr. AIKEN. Over and above the amount which is actually paid by the Government?

Mr. GEORGE. Over and above the amount actually allowed for travel expense.

Mr. AIKEN. I am glad to have the Senator's opinion on the subject, because I would like to be correct.

Mr. GEORGE. I dislike very much to take the position I have indicated, because I feel very strongly that Members of Congress are not adequately compensated. However, I believe the provision in the bill presents the wrong approach to the matter. I must say again that the amendment reported by the Senate committee is an improvement upon the House provision; and if the House provision is to be retained, the amendment is undoubtedly a wise one, because all the amendment provides is that the necessary expenses—"living expenses" is the phrase used in the amendment—shall not exceed $2,400 a year. If that amendment is not placed in the bill, some very wealthy man who comes to Washington and spends $10,000 or $15,000 a year—and that is easy to do if one has the money—could escape all taxes on his income, if he had no income except his official salary.

I merely wished to express my own feeling that, while the Senate amendment is a wise one in that it establishes a limitation, I think the House provision is decidedly unwise. If no other Senator offers an amendment, at the proper time I shall move to strike out all after the semicolon in line 19, on page 9 of the bill, extending to the comma in line 2 on page 10.

Mr. WILLIAMS. Mr. President, I have no objection to the Senate committee amendment. Like the senior Senator from Georgia, I am opposed to the entire provision. However, I think the Senate committee amendment does improve the House provision, in that it prescribes a limit to the tax exemption. Therefore I shall withhold my remarks until the Senate committee amendment is acted upon, following which I shall offer an amendment striking out the whole section and inserting in lieu thereof new language which I will explain.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 10, beginning in line 2, as amended.

The amendment as amended was agreed to.

Mr. WILLIAMS. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The CHIEF CLERK. On page 9, line 19, beginning with the proviso, it is proposed to strike out down to and through line 4 on page 10, and insert in lieu thereof the following:

Section 23 (k) of the Internal Revenue Code (relating to deductions for bad debts) is amended by adding at the end thereof a new paragraph as follows:

"(6) Exception: This subsection shall not apply in the case of a taxpayer, other than a bank, as defined in section 104, with respect to debts owned by (A) any political party, (B) any National, State, or local committee of any political party, or (C) any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of

Presidential or Vice Presidential electors or of any individual whose name is presented for election to any Federal, State, or local elective public office, whether or not such individual is elected. For the purpose of this paragraph, the terms 'contributions' and 'expenditures' shall have the meanings prescribed for such terms in section 591 of title 18 of the United States Code."

The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1951.

Mr. WILLIAMS. Mr. President, I may say for the information of the Senate, that the amendment I have offered is a reproduction of Senate bill 3176, which was introduced on May 15 on behalf of the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Maryland [Mr. O'CONOR], the junior Senator from New Jersey [Mr. HENDRICKSON], the junior Senator from Delaware [Mr. FREAR], the senior Senator from New Jersey [Mr. SMITH], the Senator from Nebraska [Mr. BUTLER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Ohio [Mr. TAFT], the Senator from South Dakota [Mr. MUNDT], the Senator from New York [Mr. IVES], the Senator from California [Mr. NIXON], and myself. The amendment is being offered at this time for the accomplishment of a dual purpose.

First, I agree fully with everything the distinguished Senator from Georgia [Mr. GEORGE] has said, in that this is not the bill in which to take care of congressional compensation. Only a few months ago the Congress repealed the special $2,500 tax exemption which had been previously extended to Members of Congress. At the same time we repealed the Vice Presidential tax exemption of $10,000, and the $50,000 exemption for the President of the United States. If we accept the House provision as modified by the Senate, we shall in effect be restoring $2,400 of the original $2,500 exemption or all except $100. We shall not be restoring the tax exemption which was taken away from the President and the Vice President. As a sponsor of the bill which repealed tax exemption for all I had no more intention or desire to take such exemption away from the President and the Vice President than from Members of Congress.

I think the whole principle of special tax exemption for any public official is wrong. That was the basis for offering the original bill. To reinstate such exemption now for Members of Congress only, and leave it repealed so far as the President and Vice President are concerned, seems to me just a little cheap on the part of the Congress. Today's amendment would first strike out entirely all the provisions of this bill which would reinstate any of the tax exemption so far as Members of Congress or others are concerned.

I recognize that any approach by way of an amendment to the Revenue Code would normally be out of order in an appropriation bill. Nevertheless, the House did open the subject by incorporating this provision, and since this provision would amend section 23 of the Internal Revenue Code, and since I had a bill pending before the Senate Finance Committee to amend the same section of the Revenue Code, that means that my bill would be germane as a substitute. Therefore, I am offering it as a substitute, because it is a measure which I think this Congress cannot afford to go home without passing.

Secondly, my amendment would amend the Internal Revenue Code so as to prohibit the deduction from gross income of bad debts owed by political parties or political organizations, or other organizations which accept contributions or make expenditures for the purpose of influencing or attempting to influence the nomination or election of a candidate for National, State, or local public elective office, or for Presidential and Vice Presidential electors.

Several weeks ago I presented to the Senate copies of several rulings which had been made by the Treasury Department, whereby they had allowed certain wealthy individuals to deduct from their income taxes contributions which they had made to the New York State Democratic Committee, by disguising such contributions under the classification of loans. The net result of those rulings was to allow the Democratic Party to finance a portion of its political campaign in 1948 indirectly out of the Federal Treasury.

Frankly, I question the legality of those rulings under the existing law. However, the Attorney General's office appears to be reluctant to take any action. Therefore we have no alternative other than to spell out in the law more specific instructions. I have yet to hear any Member of the Senate take exception to this proposal. If there is any Member of the Senate who thinks that the proposed amendment to the Revenue Code should not be adopted, I should be glad to hear him express his opinion.

I cannot conceive of any Member of the Senate supporting the principle that the political party in power can, by engineering a favorable ruling from the Treasury Department finance its campaigns indirectly out of the Federal Treasury. Yet that is exactly what was done by this administration in the 1948 elections. The whole country was shocked when the facts were exposed, and I believe the whole country will insist that something be done about it. If Congress wants to plug that loophole, this is the time to do it.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. WELKER. Mr. President, I wish to take occasion to commend the Senator from Delaware for offering his amendment. Certainly it is germane and certainly it is one I believe the American people will welcome. I thank the Senator from Delaware and the cosponsors of the amendment. I believe it is a sound amendment, and I shall support it.

Mr. WILLIAMS. I thank the Senator from Idaho very much. I may say that the reason I am offering the amendment at this time and urging so much that it be agreed to is that I have read in the press that a similar bill in the House, which was intended to be brought out of committee, to plug such loopholes, has been dropped for the duration of this session. I understand the Ways and Means Committee does not believe that it has time to take action at this session.

Action must be taken before adjournment, otherwise we shall leave it possible through the existing loophole for large supporters to make contributions to political parties, disguising them as loans, and after the election is over collecting part of the debt and writing the rest off as a bad debt for income-tax purposes. I cannot conceive of any Member of the Senate not supporting this amendment which would plug up such a loophole, and which would at the same time strike out the special privilege provision in the bill under discussion.

Mr. ELLENDER. Mr. President, there may be some merit to the amendment offered by the Senator from Delaware. However, it has no place in an appropriation bill. What the Senator from Delaware seeks to cure is the practice of listing under the heading of bad debts contributions to certain political parties, which I understand was the case with respect to one of the political parties some time ago.

Mr. President, it strikes me that such an amendment should be attached to a revenue bill or to any other bill except an appropriation bill.

I make the point of order that the amendment is out of order in that it is legislation on an appropriation bill.

Mr. WILLIAMS. I agree with the Senator from Louisiana with respect to one point, and that is, that an amendment to the Internal Revenue Code should not normally be offered on an appropriation bill. However, it must be remembered that in the bill before us the House violated the same rule, and no point of order was made in the House. An amendment to section 23 of the Internal Revenue Code is pending before the Senate. The amendment which I have offered deals with the same section of the Revenue Code, and both relate to bad debts. Therefore, I argue that the amendment is germane.

The PRESIDING OFFICER. Rule XVI of the Senate provides:

All questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate.

Therefore, the question of germaneness is a question for the Senate to decide.

The question is, Is the amendment of the Senator from Delaware [Mr. WILLIAMS] germane?

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that my suggestion of the absence of a quorum may be withdrawn, and that the order for the call of the roll may be rescinded.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. WILLIAMS. Mr. President, on the pending question, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. FERGUSON. What is the pending question?

The PRESIDING OFFICER. The Senator from Delaware has submitted an amendment to the pending appropriation bill. The pending question is whether the amendment of the Senator from Delaware is germane to the bill.

Senators who believe the amendment is germane will vote "yea." Senators who hold a contrary view will vote "nay."

The clerk will call the roll.

Mr. SPARKMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Alabama will state it.

Mr. SPARKMAN. For the information of the Senate, may the amendment be restated?

The PRESIDING OFFICER. The amendment submitted by the Senator from Delaware will be read again.

The LEGISLATIVE CLERK. On page 9, line 19, beginning with the proviso, it is proposed to strike out down to and through line 4 on page 10, and insert in lieu thereof the following:

Section 23 (k) of the Internal Revenue Code (relating to deductions for bad debts) is amended by adding at the end thereof a new paragraph as follows:

"(6) Exception: This subsection shall not apply in the case of a taxpayer, other than a bank, as defined in section 104, with respect to debts owned by (A) any political party, (B) any National, State, or local committee of any political party, or (C) any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of Presidential or Vice Presidential electors or of any individual whose name is presented for election to any Federal, State, or local elective public office, whether or not such individual is elected. For the purpose of this paragraph, the terms "contributions" and "expenditures" shall have the meanings prescribed for such terms in section 591 of title 18 of the United States Code."

The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1951.

Mr. WILLIAMS. Mr. President, although, under the rule, questions of relevancy are to be decided without debate, I ask unanimous consent that I may speak for 1 minute at this time.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Delaware? The Chair hears none, and the Senator from Delaware may proceed for 1 minute.

Mr. WILLIAMS. Mr. President, for the information of Senators who have just entered the Chamber, I wish to point out that although I recognize that an amendment to the Internal Revenue Code would not normally be germane to the legislative appropriation bill, yet in the present case the bill as it has come to us from the House of Representatives contains a provision pertaining to section 23 of the Internal Revenue Code, and my amendment relates to the same section of the Internal Revenue Code. Therefore, I maintain that the amendment is germane.

The PRESIDING OFFICER. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. HUMPHREY], the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Kansas [Mr. CARLSON], the Senator from Indiana [Mr. JENNER], the Senator from Massachusetts [Mr. LODGE], the Senator from California [Mr. NIXON], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness in their respective families.

The Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], the Senator from Nevada [Mr. MALONE], and the Senator from Wisconsin [Mr. MCCARTHY] are detained on official business.

The Senator from Colorado [Mr. MILLIKEN] is absent by leave of the Senate.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from California [Mr. NIXON], the Senator from Maine [Mrs. SMITH], and the Senator from Wisconsin [Mr. MCCARTHY] would each vote "yea."

The yeas and nays resulted—yeas 47, nays 25, as follows:

YEAS—47

Aiken	Frear	Moody
Bennett	Gillette	Morse
Brewster	Hendrickson	Mundt
Bricker	Hennings	Robertson
Bridges	Hickenlooper	Saltonstall
Butler, Nebr.	Hoey	Schoeppel
Byrd	Ives	Seaton
Cain	Johnson, Colo.	Smith, N. J.
Capehart	Kem	Stennis
Case	Kilgore	Thye
Cordon	Knowland	Watkins
Dworshak	Martin	Welker
Eastland	Maybank	Wiley
Ecton	McClellan	Williams
Ferguson	McFarland	Young
Flanders	McKellar	

NAYS—25

Benton	Fulbright	Holland
Clements	George	Hunt
Connally	Green	Johnson, Tex.
Douglas	Hayden	Johnston, S. C.
Ellender	Hill	Lehman
Long	Murray	Sparkman
Magnuson	Pastore	Underwood
McCarran	Smathers	
Monroney	Smith, N. C.	

NOT VOTING—24

Anderson	Kefauver	Neely
Butler, Md.	Kerr	Nixon
Carlson	Langer	O'Conor
Chavez	Lodge	O'Mahoney
Dirksen	Malone	Russell
Duff	McCarthy	Smith, Maine
Humphrey	McMahon	Taft
Jenner	Millikin	Tobey

The PRESIDING OFFICER. On this question the yeas are 47, the nays 25. The Senate, by its vote, has decided that the amendment of the Senator from Delaware is relevant.

The question is on agreeing to the amendment offered by the Senator from Delaware. The Senator from Delaware is recognized.

Mr. GEORGE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield to the Senator from Georgia.

Mr. GEORGE. I should like to ask the Senator from Delaware precisely what would be done by this amendment. I voted against it because I did not think it germane to the real purpose of the House amendment to the Internal Revenue Act; but it is designed merely to strike out the House language. Is that correct?

Mr. WILLIAMS. That is correct. It would strike out all the House language, including the language which was included in the Senate bill, beginning on page 9, line 19, with the word "provided", to and through line 4 on page 10. That is all of the language, including the language of both the House and Senate, relating to the conditions under which an expense account would be deductible for income-tax purposes, for Members of the Congress.

Mr. GEORGE. As I understand, this is the amendment which the Senator discussed with the committee.

Mr. WILLIAMS. That is correct.

Mr. GEORGE. It would forbid deduction of a nonbusiness bad debt, in any case in which the debt was really a loan or an advance to a political committee or party. Is that correct?

Mr. WILLIAMS. The purpose of the amendment is to prohibit a repetition of the situation to which I called the attention of the Senate on the 29th day of April, at which time I pointed out that four of the large contributors in 1948 had made contributions to the New York Democratic State Committee, and classified them as loans; then following the election, when the treasury was naturally low, they settled them for a small fraction on the dollar, marking off the remainder, upon which they were allowed to take a deduction. This amendment would prevent a repetition of that.

Mr. GEORGE. I think the amendment is sound; that is to say, it is germane. The Senate has voted upon that question. But the Senator's amendment would not prohibit a bank, for example, from making a bona fide loan to a political committee, would it?

Mr. WILLIAMS. That is correct. Banks would be exempt under this provision. It applies to individuals making

loans to political committees or parties, in either a primary or a general election. Such loans would not be deductible for income-tax purposes, under my amendment.

Mr. GEORGE. A bank loan would, of course, be a business loan.

Mr. WILLIAMS. That is correct; and the bank loan would also be under the supervision of National or State bank examiners.

Mr. CONNALLY. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. CONNALLY. Under the Senator's amendment, would there be an allowance or a deduction for living expenses in Washington?

Mr. WILLIAMS. This amendment would strike out all the language of the bill dealing with that subject.

Mr. CONNALLY. Then, if the amendment is adopted, there will not be any such allowance?

Mr. WILLIAMS. That is correct.

Mr. CONNALLY. That is the way I want to vote.

Mr. WILLIAMS. My amendment strikes it out and leaves the provision exactly as it was when we passed a bill on the subject some time ago.

Mr. CONNALLY. The Senator's amendment would not change anything except as to bad debts?

Mr. WILLIAMS. That is correct.

The reason I offered the amendment here was that I noticed in the press the other day that the House committee had announced that there was a doubt that it could get a bill over to the Senate correcting certain recognized loopholes. I felt that this was certainly one loophole in which we wanted to make a correction before adjournment.

Mr. CONNALLY. The Senator's amendment would strike out the House text which provides for allowances for living expenses in Washington and makes them deductible for income-tax purposes.

Mr. FERGUSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. FERGUSON. In order that the RECORD may be clear, I should like to say that I opposed the amendment which would give income-tax favors to Senators so far as living expenses were concerned. The amendment of the Senator from Delaware strikes out the entire provision and leaves no evidence of it in the bill at all, but puts in its place an amendment which prohibits individuals making loans to any political party and then treating them as bad debts.

Mr. WILLIAMS. That is correct.

Mr. DOUGLAS. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. DOUGLAS. I wonder if the Senator from Delaware would state what the present ruling of the Internal Revenue Bureau is as to whether any deduction is permitted for adequate living expenses in Washington.

Mr. CONNALLY. There is none whatever.

Mr. WILLIAMS. I suggest that the Senator direct a letter to the Commissioner of Internal Revenue on the subject.

Mr. DOUGLAS. The Senator from Delaware has made a study of this question.

Mr. WILLIAMS. But rules are made so fast and rulings are so varied that I am afraid to say what the present ruling is. The present Commissioner has not been asked to rule since he has been in office.

Mr. DOUGLAS. What was the last ruling?

Mr. WILLIAMS. That was before Congress passed the law in 1945 which gave Members of Congress an allowance of $2,500. That law was repealed, but as of today we are still enjoying the benefits of it and will continue to do so until January 3.

Mr. DOUGLAS. I do not think the Senator from Delaware has answered the question with his usual frankness—or perhaps I have not asked my question in the proper manner.

Does the Bureau of Internal Revenue permit a deduction by Members of Congress for added living expenses in Washington?

Mr. WILLIAMS. No, I do not think it does. But the Senator would have to request a specific ruling on his case, because in connection with political contributions no one thought the Treasury Department would ever make such a ruling as to allow large contributors to the Democratic Party to write off the contributions as bad debts, but it did.

Mr. DOUGLAS. May I ask the Senator from Delaware whether he is in favor of permitting deductions for added living expenses?

Mr. WILLIAMS. No, I am not.

Mr. DOUGLAS. May I ask if businessmen who have residences at home but come to Washington may deduct their expenses in Washington in making their tax returns?

Mr. WILLIAMS. The best answer to that question was given by the Senator from Georgia [Mr. GEORGE] a few moments ago. He pointed out that there was a difference between a Member of Congress and a businessman in that respect. I think we should let Congressmen pay their expenses as other men do. When the Senator and I ran for office we knew that if elected we were coming to Washington. I think the expenses should be considered in the gross salary. If salaries are too low, raise them, but under all circumstances Government officials should pay taxes as other people do.

Mr. DOUGLAS. Without deduction for added expenses?

Mr. WILLIAMS. The salary is supposed to take care of expenses.

Mr. DOUGLAS. To take care of expenses at home and in Washington also?

Mr. WILLIAMS. That is true. Those who work in our offices have the same situation. Many of the men and women who are working in Washington are in the same situation. Where are we going to stop if we give special tax exemption to everyone who works in Washington, particularly when we notice the growth of bureaucracy under this administration? If it keeps on very much longer everyone will be here, then who will pay the taxes? I see no reason why any Member of Congress should not pay taxes, the same as everyone else does. Then we would be more sympathetic for their burden.

Mr. MOODY. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. MOODY. I certainly agree with the Senator from Delaware on that point, but I am wondering whether he feels that it is justifiable for businessmen and others, for the purpose of promoting their business affairs, to maintain expensive apartments in Washington, in New York, in Miami, and other places, which are paid for by taxpayers. I am sure the Senator from Delaware knows that many are maintained on a luxury basis and are paid for by the taxpayers.

Mr. WILLIAMS. I will say to the Senator from Michigan that the law to prevent that is already on the statute books, and I think the Senator from Georgia [Mr. GEORGE] will bear me out in saying that a businessman is not entitled to any deductions which he cannot justify as being needed in the course of his business. Unnecessary or extravagant entertaining expenses for business are not legitimate tax deductions now.

Mr. MOODY. The Senator does not believe the taxpayers should have to pay those expenses?

Mr. WILLIAMS. Certainly not.

Mr. MOODY. I am glad to hear the Senator say that.

Mr. WILLIAMS. However, let us not criticize all businessmen, as is so often done by this administration, because I have seen deductions made by tax officials that would turn the stomachs of taxpayers. Collectors of Internal Revenue have taken credit for as much as $1,000 a month for entertaining "customers." Why should any collector spend $1,000 a month in entertaining "customers"? I have not yet heard of any prosecution in those cases. There is a law on the statute books which would prohibit it, but it has not been enforced against those who have political pull in this administration.

Mr. MOODY. I am, of course, not criticizing all businessmen. I merely contend that luxurious quarters paid for by the taxpayers for anyone, whoever he may be, is not justifiable. I hope the Senator will look into both sides of the situation.

Mr. WILLIAMS. I have looked into it. We have already allowed for legitimate expenses of taxpayers. At the same time, Mr. President, I will not sit back while this administration, which has its own hands so dirty with corruption, tries to divert criticism to the American businessmen.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, I intend to vote in favor of the Williams amendment, and I ask that there be inserted in the RECORD a memorandum prepared by me indicating my opposition to the action taken by the House of Representatives in adopting the provision sought to be

amended by the Senator from Delaware.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

MY REASONS FOR OPPOSING THE M'CORMACK HOUSE PROVISION ALLOWING DEDUCTIONS FOR LIVING EXPENSES OF SENATORS AND REPRESENTATIVES

Section 23 (a) (1) of the Internal Revenue Code provides that in computing net income there shall be allowed as deductions all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business; traveling expenses, including the entire amount expended for meals and lodging while away from home in the pursuit of a trade or business.

Section 24 (a) (1) of the Internal Revenue Code provides that in computing net income no deduction shall be allowed in respect of personal, living, or family expenses.

Section 48 (d) of the Internal Revenue Code provides that the term trade or business includes the performance of a public office. Thus, in order to determine whether traveling expenses and amounts expended for meals and lodging are deductible, they must be incurred away from home and in the pursuit of a trade or business. In the *Flowers* case (326 U. S. 465 (1946)) J. N. Flowers, an attorney living in Jackson, Miss., accepted a position as general counsel and vice president of the Gulf, Mobile & Ohio Railroad Co., whose main office was located in Mobile, Ala., where Mr. Flowers was principally employed. He continued to live in Jackson. On his income tax return, he deducted the cost of his meals and lodging while in Mobile, as well as traveling expenses from Jackson to Mobile. The Supreme Court held that three conditions must be satisfied before the deductions could be allowed under section 23 (a) (1) (A):

1. The expense must be reasonable and necessary;

2. The expense must be incurred while away from home; and

3. The expense must be incurred in pursuit of a trade or business, which meant in direct connection and as necessary or appropriate to the development and pursuit of the trade or business.

In denying the deduction, the Court said:

"The facts demonstrate clearly that the expenses were not incurred in the pursuit of the business of the taxpayer's employer, the railroad. Jackson was his regular home. Had his post of duty been in that city the cost of maintaining his home there, and of commuting or driving to work concededly would be nondeductible living and personal expenses lacking the necessary direct relation to the prosecution of the business. The character of such expenses is unaltered by the circumstances that the taxpayer's post of duty was in Mobile, thereby increasing the cost of transportation, food, and lodging. Whether he maintained one abode or two, whether he traveled three blocks or 300 miles to work, the nature of these expenditures remained the same.

"The added costs in issue, moreover, were as unnecessary and inappropriate to the development of the railroad's business as were his personal and living costs in Jackson. They were incurred solely as the result of the taxpayer's desire to maintain a home in Jackson while working in Mobile, a factor irrelevant to the maintainence and prosecution of the railroad's legal business. * * * The fact that he traveled frequently between the two cities and incurred extra living expenses in Mobile, while doing much of his work in Jackson, was occasioned solely by his personal propensities. The railroad gained nothing from this arrangement except the personal satisfaction of the taxpayer.

"Travel expenses in pursuit of business within the meaning of section 23 (a) (1) (A) could arise only when the railroad's business forced the taxpayer to travel and to live temporarily at some place other than Mobile, thereby advancing the interests of the railroad. Business trips are to be identified in relation to business demands and the traveler's business headquarters. The exigencies of business rather than the personal convenience and necessities of the traveler must be the motivating factors. Such was not the case here."

In another case, Victor Barnhill (148 F. (2d) 913 (C. C. A. 4th, April 9, 1945)), petitioner was an associate justice of the North Carolina Supreme Court of Raleigh, and had his legal residence at Rocky Mount, N. C. He attended two terms of court each year, February and September. He had some farm properties and other investments which produced relatively minor income. It was considered that petitioner's permanent business was that of a supreme-court judge, with the business conducted entirely at Raleigh, and that the latter city was to be regarded as petitioner's home. It was held he was entitled to no deduction for traveling expenses to Raleigh or for meals and lodging while there.

In construing section 23 (a) (1) (A), the Department holds that the word "home" for the purpose of this section means the place of the principal post of duty of the taxpayer, even though such post of duty is away from his residence.

The Board of Tax Appeals in *George W. Lindsay* (23 B. T. A. 840) held that in the case of a Member of Congress his principal post of duty was in Washington and that personal living expenses while in Washington and railroad expenses for trips between Washington and his home district to confer with constituents during sessions of Congress were not deductible in computing net income. The Board concluded that the principal post of duty of a Member of Congress was the District of Columbia, because section 7 of title 4 of the United States Code specifically provides that "all offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law."

Thus, at the present time, there is a uniform rule which applies for deducting traveling expenses, including expenses for meals and lodging, under section 23 (a) (1) (A) while away from home and in pursuit of a trade or business. The expense must be incurred away from the principal post of duty of the taxpayer. The McCormack amendment would reverse this uniform rule in the case of a Member of Congress. Instead of construing the word "home" as being at the principal post of duty of the taxpayer, it would make an exception in the case of a Member of Congress, and provide that "home," for the purpose of this section, means his place of residence within the State which he represents in Congress. This would seem to me to create a discrimination in favor of a Member of Congress as contrasted to the ordinary taxpayer who is not allowed personal living expenses incurred in the place where his principal post of duty is located. Aside from this fact, I see other objections to the amendment. There would be difficulties in determining what is a reasonable expense. Thus, the Bureau of Internal Revenue would be given the task of determining whether it could allow the expense of a Member of Congress maintaining an expensive home or apartment in Washington as compared with the expense of a Member who simply rents a room or a modest apartment. The expenses incurred which are attributed to a Member's wife or other members of his family would have to be segregated from the expenses necessary to maintain the Member himself, and disallowed.

The administrative difficulties of enforcing such an amendment would be very great and result in trouble for the Bureau enforcement officers and embarrassment to the Senator or Congressman affected. I believe it should be defeated.

Mr. LONG. Mr. President, for myself, the Senator from Idaho [Mr. WELKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. SMITH], the Senator from Florida [Mr. SMATHERS], and the Senator from Illinois [Mr. DIRKSEN], I offer an amendment to the Williams amendment, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. To the amendment of Mr. WILLIAMS it is proposed to add the following:

That the salaries and mileage of Members of Congress, including the Vice President, the Speaker of the House, the Delegates from the Territories, and the Resident Commissioner from Puerto Rico, shall be at such rates, as shall be appropriated for by the Congress from time to time. Such rates shall not exceed those determined by the commission hereinafter provided for. The salaries and mileage so appropriated for shall be in lieu of those otherwise provided by law and in lieu of the expense allowances provided for by section 111 of title 3 of the United States Code, section 601 (b) of the Legislative Reorganization Act of 1946, and subsection (e) of the first section of the act entitled "An act to increase rates of compensation of the President, Vice President, and the Speaker of the House of Representatives," approved January 19, 1949 (63 Stat. 4). Whenever there is no Vice President, the President of the Senate for the time being shall be entitled to the compensation provided by this section for the Vice President. The full amount of any salary provided for by this section shall be taken into account for the purposes of the Civil Service Retirement Act of May 29, 1930. This section shall become effective with respect to each of the officers to whom it is applicable upon enactment of the first act appropriating funds for the payment of salary or mileage to such officer which is enacted after the commission hereinafter provided for shall have made its final report.

SEC. 2. The name of the commission shall be the Commission on Congressional Salaries, hereinafter referred to as the Commission.

SEC. 3. The Commission shall be composed of 18 members, of which three shall be appointed by the Speaker of the House, three by the President of the Senate, six by the President of the United States, one of whom, so designated by him, shall be Chairman of the Commission, and six by the Chief Justice of the United States, each of which appointing officers shall select his appointees in equal number from outstanding leaders in each of the following groups:

Group 1. Labor.

Group 2. Business and Professional.

Group 3. Agriculture.

SEC. 4. The members of the Commission shall serve without pay but shall be entitled to $10 per diem in lieu of subsistence while attending meetings of the Commission away from their homes, together with transportation costs and other expenses incidental to attendance upon such meetings.

SEC. 5. The Commission shall be empowered to expend such sums as may be necessary not in excess of $10,000, which is hereby authorized to be appropriated, for necessary assistance and such other costs as it shall deem appropriate to the purposes hereof, at

rates determined by itself, and the Commission's certificate, or that of its authorized representative, of such expenditures or obligations shall be binding upon all officials of the Government.

SEC. 6. The Commission shall determine by majority vote such salaries and mileage for Members of Congress as it may deem necessary to provide fair and reasonable compensation, taking into consideration any and all factors deemed by itself pertinent and appropriate, including, but not limited to—

(a) qualifications desirable for Members of the National Legislative body;

(b) compensation or income currently earned by persons of comparable qualifications in labor, business, and professional groups, or other private pursuits;

(c) sacrifices involved in the acceptance of membership in the legislative body, including the interruption of a private career, the importance of preserving, to the extent possible, the Member's station in his private career against the day when he may be retired to private life, and the difficulties accompanying the resumption of a private career without reduction of income;

(d) the interruptions to normal family life, necessitating the maintaining of two domiciles—one at the seat of Government and the other in the Member's home district—and the complications of educating the Member's children without a break in the family ties;

(e) the frequency of trips between the seat of Government and the Member's home district occasioned by the foregoing considerations.

SEC. 7. The foregoing and all other pertinent considerations shall be weighed by the Commission, and, to the end that the Commission shall be adequately advised and informed of the difficulties and sacrifices entailed by membership in the National Legislative body, there shall be, in addition to the members hereinbefore provided, six advisory members who shall be or shall have been Members of the Eighty-first or the Eighty-second Congress, three of whom shall be appointed from the House group by the Speaker of the House and three from the Senate group by the President of the Senate. The advisory members shall have all the rights and privileges of other members of the Commission except that of voting upon matters before the Commission.

SEC. 8. No person shall be qualified to serve as a member of the Commission, except as an advisory member, who is or has at any time been a Member of Congress.

SEC. 9. The Commission shall make its final report to the President, the President of the Senate, and the Speaker of the House on or before March 1, 1953.

Mr. LONG. Mr. President, the amendment is the same as Senate bill 1117, which was reported favorably by the Committee on Post Office and Civil Service, by the chairman of the committee, the Senator from South Carolina [Mr. JOHNSTON]. The amendment would provide for the appointment of a civilian commission to determine what the salaries of the Members of Congress should be.

Mr. President, I once served on a subcommittee of the Committee on Post Office and Civil Service, headed by the very able Senator from South Carolina, and on that occasion I handled a pay bill increasing the salaries of executive officers of the Government. I recall that at that time many Senators asked me why we did not include Members of the Senate in the proposed legislation. It was my position, as one Member of the Senate, that I did not want to become involved in anything, by way of attempting to say what his salary should be, which would be embarrassing to a Senator.

It seems to me that about the best solution of the problem, since Senators do not wish to face it themselves, and determine what their salaries should be, is this amendment originally proposed by the junior Senator from Illinois [Mr. DIRKSEN] in the form of a bill, which would establish a commission, composed of representatives of labor, industry, and agriculture, to determine what the salaries of Members of Congress should be. It seems to me that that is a fair way to settle the question. It is the most logical way that has been suggested, and the procedure has been approved by a Senate committee that has studied the matter and reported the Dirksen bill. I hope the amendment will be agreed to. I believe Senators would rather have an impartial commission study the matter and determine what their salaries should be, than to determine the question for themselves.

A question of germaneness was raised against the Williams amendment. I point out that the Williams amendment is offered as a substitute for an amendment that relates to expenses of Members of Congress living in Washington. Certainly it is germane to the language of the Williams amendment which proposes to strike out the House provision and the Senate committee amendment.

The amendment offered by me also involves a question that I feel is germane to the provision adopted by the House. Therefore, I submit that the amendment is germane. It is also germane to the proposed legislation in the Williams amendment.

Mr. WILLIAMS. Mr. President, I make a point of order that the amendment of the Senator from Louisiana is not in order, because it deals strictly with salaries of Members of Congress, while the pending amendment deals with an amendment to the Internal Revenue Code.

Mr. LONG. I make a point of order that there is a question of germaneness, which is to be decided by the Senate.

The PRESIDING OFFICER. The question of germaneness must be decided by the Senate.

Mr. WILLIAMS. Mr. President, is the point of order sustained?

The PRESIDING OFFICER. The Chair will submit to the Senate the question, Is the amendment germane?

Mr. ELLENDER. Mr. President, I desire to make the same point of order made by the distinguished Senator from Delaware, namely, that the amendment of the junior Senator from Louisiana is purely legislation. It is legislation on an appropriation bill, and is, therefore, out of order.

Mr. LONG. Mr. President, my amendment is offered as an amendment to an amendment. The amendment I am offering will strike out the provision relating to living expenses in Washington which Members of Congress may deduct from their tax returns. It relates to the salaries of Senators and Members of the House. Therefore, this amendment is germane to the language it is proposed to strike out.

The PRESIDING OFFICER. The question of germaneness is not debatable. The question is submitted to the Senate for its decision.

Mr. McFARLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McFARLAND. The question whether the amendment proposes legislation. It seems that we are having one amendment after another proposing legislation on an appropriation bill.

Mr. LONG. Mr. President, I make a point of order that the question of germaneness is not debatable.

The PRESIDING OFFICER. The question is, Is the amendment of the junior Senator from Louisana germane to the bill? The Senate will decide that question by their vote.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The question is, Is the amendment germane?

Mr. WILLIAMS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS. Does the Chair rule on a point of order before submitting the question of germaneness?

The PRESIDING OFFICER. The Chair does not rule on the point of order. The Senate decides whether the amendment is germane.

Mr. McFARLAND. Mr. President, a parliamentary inquiry.

SEVERAL SENATORS. Vote!

Mr. McFARLAND. Mr. President, I wish to make a parliamentary inquiry. I think I am entitled to that courtesy.

The PRESIDING OFFICER. The Senator will state it.

Mr. McFARLAND. I understood that the point of order was that the amendment was legislation on an appropriation bill.

The PRESIDING OFFICER. That is correct as to whether it is legislation proposed to be attached to another provision that is legislation. The question now is whether it is germane.

Mr. LONG. I make the point that it is germane to a legislative provision already in the bill.

The PRESIDING OFFICER. The question is, Is the amendment germane?

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. BENTON], the Senator from Minnesota [Mr. HUMPHREY], the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent because of illness.

Mr. BRIDGES. I announce that the Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CARLSON], the Senator from Indiana [Mr. JENNER], the Senator from Massachusetts [Mr. LODGE], the Senator from California [Mr. NIXON], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness in their respective families.

The Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], the Senator from Nevada [Mr. MALONE], and the Senator from Wisconsin [Mr. McCARTHY] are detained on official business.

The Senator from Colorado [Mr. MILLIKIN], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent by leave of the Senate.

If present and voting, the Senator from Wisconsin [Mr. McCARTHY] and the Senator from California [Mr. NIXON] would each vote "nay."

On this vote the Senator from Maryland [Mr. BUTLER] is paired with the Senator from Massachusetts [Mr. LODGE]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Massachusetts would vote "nay."

The result was announced—yeas 43, nays 26, as follows:

YEAS—43

Bennett	Hoey	Moody
Bridges	Holland	Murray
Butler, Nebr.	Hunt	Pastore
Capehart	Johnson, Tex.	Seaton
Clements	Johnston, S. C.	Smathers
Cordon	Kem	Smith, N. J.
Douglas	Kilgore	Smith, N. C.
Dworshak	Lehman	Sparkman
Ferguson	Long	Thye
Flanders	Magnuson	Underwood
Fulbright	Martin	Watkins
Hayden	Maybank	Welker
Hennings	McCarran	Wiley
Hickenlooper	McKellar	
Hill	Monroney	

NAYS—26

Aiken	Frear	McFarland
Bricker	George	Morse
Byrd	Gillette	Mundt
Cain	Green	Robertson
Case	Hendrickson	Schoeppel
Connally	Ives	Stennis
Eastland	Johnson, Colo.	Williams
Ecton	Knowland	Young
Ellender	McClellan	

NOT VOTING—27

Anderson	Jenner	Neely
Benton	Kefauver	Nixon
Brewster	Kerr	O'Conor
Butler, Md.	Langer	O'Mahoney
Carlson	Lodge	Russell
Chavez	Malone	Saltonstall
Dirksen	McCarthy	Smith, Maine
Duff	McMahon	Taft
Humphrey	Millikin	Tobey

So the Senate decided that Mr. LONG's amendment to the amendment of Mr. WILLIAMS was germane.

The PRESIDING OFFICER. The question now is on agreeing to the amendment offered by the Senator from Louisiana to the amendment of the Senator from Delaware [Mr. WILLIAMS].

Mr. McFARLAND. Mr. President, I wish to say a few words in regard to the vote which has just been taken. I think this is one of the poorest precedents the Senate has set since I have been in the Senate. I think I would be derelict in my duty if I did not say so. Merely because there is some legislation already in an appropriation bill, are we asked to add one amendment after another to it and say that they are germane because there is already legislation in the bill?

Mr. LONG. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. LONG. I am sure the Senator knows that the junior Senator from Louisiana was not the first one who moved to amend. Another Senator moved to amend the bill. The Senate held his amendment to be germane, and the Senator from Louisiana moved to amend the amendment of the Senator from Delaware by an amendment which he felt was equally germane. The Senate has a right to determine whether an amendment is germane.

Mr. McFARLAND. The other amendment pertained to tax exemptions. This amendment pertains to salaries. Furthermore, I think that it is setting a bad precedent for the Senate to turn the question of salaries over to a commission and ask the commission to make recommendations to the Appropriations Committee. I am against that form of legislating to increase the compensation of Members of Congress. If we are in favor of increasing our salaries I think we should be forthright and vote for an increase.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. McKELLAR. I think the Senator from Arizona is exactly right. I think legislation designed to increase salaries is improper on this bill. It ought not to be done, and I hope to high heaven that the Senate will vote down the whole amendment.

Mr. McFARLAND. Mr. President, I do not object if the Senators want to increase their own salaries, but I think that they should vote for such increases directly. We should not run around the bush to do it.

Mr. LONG. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. LONG. I am sure that the Senator from Arizona realizes that the proposal does not mean necessarily that there would be an increase in salary. It might very well be that the salaries would be reduced. The Senator from Louisiana has found during his service in the Senate that a great many Members of Congress, especially when they are candidates for office, would not vote to raise their salaries if their lives depended on it, because they feel it would prejudice them politically. We should face up to the situation, whatever it is, namely, whether salaries should be reduced or increased.

Mr. McFARLAND. This is an attempt to increase salaries by an indirect method.

Mr. CASE. Mr. President, the junior Senator from South Dakota is not a lawyer, and certainly not a constitutional lawyer. However, I think any fair reading of the Constitution would show that the proposal before us is violative of the spirit of the Constitution. The first sentence of the amendment provides that the salaries in the Senate and House of Representatives shall be fixed at such rate as may be appropriated for from time to time. The very first sentence suggests, Mr. President, that the salaries of Senators and Representatives may be changed from time to time and annually fixed in appropriation bills. The amendment certainly is in violation of the spirit of the Constitution. With respect to the President, the Constitution provides:

> The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

With respect to Senators and Representatives, section 6 of article I of the Constitution provides:

> The Senators and Representatives shall receive a compensation for their services to be ascertained by law, and paid out of the Treasury of the United States.

Then there is a further provision in section 6, which reads:

> No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments shall have been increased during such time.

I recognize the fact that the civil offices of Senators and Representatives are not created during the term of a Member; but certainly the spirit of the Constitution suggests that no Senator or Representative should increase his salary during the time for which he was elected.

I believe we observed that spirit when we adopted the amendment offered by the Senator from Delaware [Mr. WILLIAMS] last year, which was applicable at the end of a Congress. If annually on appropriation bills the salaries of Members of Congress are to be fixed in appropriation bills it will mean that the question will be before us every time we consider an appropriation bill providing for salaries for Members of Congress.

It seems to me it is a bad precedent to set. So far as I am concerned it violates the spirit of the Constitution, which says that Members of Congress shall not be appointed to an office for which the emoluments have been increased.

SEVERAL SENATORS. Vote! Vote!

Mr. AIKEN. Mr. President, I am fully in accord with the part of the amendment which was offered by the Senator from Delaware, and I would vote for it if it were not encumbered by the amendment offered by several Members of the Senate. I think the Senator from South Dakota is exactly right. I believe that the attempt to create an outside commission to determine what the compensation of Members of this body

should be is nothing more than an evasion of a responsibility which was intended to be vested in Congress by the Constitution.

We fix the salaries of those who appoint the members of the Commission who determine what our salaries shall be. That does not make sense at all. I think we should have the courage to determine what our own salaries should be. No one knows better than we do how much we should be paid. Perhaps we should deduct a flat discount from what we think we are worth before determining the final amount. Much as I like the amendment offered by the Senator from Delaware, I shall vote against it, if the amendment of the Senator from Louisiana [Mr. LONG] is attached to it, because I will not vote for ducking a responsibility which this body ought to assume.

Mr. WILLIAMS. Mr. President, I certainly hope that the Senate will reject the amendment. I agree with what the Senator from Vermont has said, and also with what the Senator from Arizona has said. The Long amendment does not belong on this bill. The Senator from Louisiana has said that his amendment did not attempt to fix salaries.

Mr. LONG. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. LONG. The Senator from Delaware said that the amendment does not belong on this bill. Mr. President, I point out that the Senator from Delaware offered to the appropriation bill an amendment which had to do with persons not Members of Congress who make contribution to someone's campaign. Coupled with it was a proposal to prevent a Senator from taking legitimate deductions.

Mr. WILLIAMS. I have great respect for the Senator from Louisiana, but I do not think he knows what he is talking about.

Mr. LONG. Of course, the Senator from Delaware realizes that that is a matter of opinion.

Mr. WILLIAMS. I should like to say that the bill as it came to the Senate from the House carried an amendment to the Internal Revenue Code amending section 23 of the code. In the House a point of order against the amendment would have been in order, but it was not raised. Therefore, the bill came to the Senate with an amendment to section 23 of the Internal Revenue Code. My amendment deals solely with that section of the Internal Revenue Code regarding the deductibility of bad debts or deductions for income-tax purposes, which has no relation to salaries.

Mr. LONG. Mr. President, will the Senator yield?

Mr. WILLIAMS. I shall be glad to yield in a moment. The Senator from Louisiana said that his amendment does not fix salaries. He said the Commission would recommend salaries, and that it could recommend lower salaries. I wish to point out that the amendment provides that the Commission can recommend raises for Members of Congress and it can recommend increases in mileage rates, but under no circumstances—and I am quoting from page 2, line 5—shall such rates be less than those prevailing on the date of the enactment of the provision. In other words, the Commission would be told, "We will let you review all the evidence; and if you think we need an increase in salary, you may recommend it. But do not recommend a decrease in our salary."

On the same page, I refer to the provision beginning in line 15, providing that whenever there is no Vice President, the President pro tempore of the Senate shall be entitled to the compensation provided by that section for the Vice President. That would mean that if the Vice President died in office the President pro tempore of the Senate would automatically receive an increase in salary.

The question of whether that provision is justified should be decided by means of a regular bill, introduced in an orderly manner, and with hearings held on the bill. The Senator from Louisiana has been a member of the committee, and he knows how such bills are normally handled.

Mr. President, if the Members of the Senate think salaries are too low and do not have the courage to bring to the floor of the Senate a bill providing for an increase, then I say they are not worth the salaries they are now getting. But this is not the place to deal with that subject.

The amendment which I have pending is one of the most important amendments upon which the Senate can vote. All Members of the Senate should favor the amendment, for it would prevent any person from contributing to a political party and then being able to treat that contribution as a deduction for income-tax purposes. Our acceptance of this amendment should not be contingent upon an increase in salary.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. HOLLAND. I hope the Senator from Delaware will change his decision regarding this matter, because a great many Senators are anxious to have this subject matter examined and are anxious to have the injustice which was done last year corrected.

Let me say to the Senator from Delaware that under no circumstances would I charge him with acting in any way other than in completely good faith; but the statement he himself made to the Senate last year contributed to the difficulty in which we find ourselves. In support of my statement, I read now from the CONGRESSIONAL RECORD, volume 97, part 9, page 12148:

> Mr. WILLIAMS. Mr. President, if this amendment is adopted, the Members of Congress and all others affected by the amendment will be entitled to include all the deductions which now are available to American businessmen and to the average American taxpayer. They are entitled to all these same exemptions now.

On the strength of that statement, I joined in supporting the amendment of the Senator from Delaware at that time, and I am sure other Senators acted on the same basis. I think I remember that the Senator from Oregon made at about the same time a statement that was in line with the statement I made in debate. From the assurance which was given us by the Senator from Delaware, who is generally quite careful as to his facts, we understood that we would be entitled to make the same deductions for expenses which are duplicate expenses—since we have to maintain homes in our home States, as well as homes in Washington—that the average businessman would be able to make.

It seems to me and to other Members of the Senate that it is fair and proper to get under way the machinery by which to correct what was not intended, but what actually was done, entirely to deprive the Members of the Senate of the right to make deductions for duplicate expenses.

So I hope the Senator from Delaware will not insist on opposing the amendment offered by the Senator from Louisiana to his amendment.

Mr. WILLIAMS. I shall insist on opposing the amendment the Senator from Louisiana has offered to my amendment.

Again I ask Senators to point out any section of the law which gives a businessman a deduction, but excludes from that privilege the Members of the House of Representatives or the Members of the Senate.

There is no provision of the law which excludes Members of Congress from any consideration which other taxpayers get—if I am wrong in that statement and you can show me one I will help correct it.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield further to me?

Mr. WILLIAMS. I yield.

Mr. HOLLAND. Yet the Senator from Delaware knows that, as a matter of fact, the statement he made last year to the Senate—which statement I have just quoted—is not in accord with the rulings which are enforced against all of us; and the Senator from Delaware knows that we have not had any recognized right to deduct, as permissible exemptions, the expenses, which are necessary ones, which have to do with our service here in Washington, and which duplicate the expenses we have in maintaining our homes in our own States.

Mr. WILLIAMS. Mr. President, I most respectfully point out to the Senator from Florida that he is anticipating an adverse ruling by the Commissioner of Internal Revenue when that ruling has not been asked for as yet. I question now the validity of anticipating such a ruling, because the ruling cannot be obtained until after January 3, for the present law specifically excludes such deductions until January 3, and the Commissioner of Internal Revenue would be reluctant to rule at this time on the question of whether a deduction which now is specifically excluded by law, could properly be made later.

I submit that after January 3, we would find that many of these expenses would be deductible the same as they are deductible for the average businessman.

Nevertheless, we cannot obtain an advance ruling from the Commissioner of Internal Revenue, and particularly so in view of recent developments, for the Commissioners of Internal Revenue

change so rapidly that we cannot tell who will be in that office on January 3.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield further to me?

Mr. WILLIAMS. I yield.

Mr. HOLLAND. I understand that in the same debate of last year the senior Senator from New Hampshire brought out the fact that in the years before the $2,500 exemption was voted, the Commissioner of Internal Revenue had ruled on this specific matter and had denied Members of the Congress the right to deduct necessary and duplicate expenses of living in Washington as a necessary detail or expense of their service.

Mr. WILLIAMS. The same Commissioners of Internal Revenue referred to by the Senator from New Hampshire also ruled that political contributions were not deductible, but that policy was reversed in 1948 without any changes in the law.

Mr. ELLENDER. Mr. President, if the Senator from Delaware will yield to me, let me point out, in connection with what the Senator from Florida has just said, that in the tax case of George W. Lindsay, 34 Board of Tax Appeals 840, in 1936, the Court decided that the expenses of a Member of Congress in attending the sessions of Congress were not deductible. That ruling was made by the Tax Court.

Mr. HOLLAND. Mr. President, I should like to say to the Senator from Louisiana, if the Senator from Delaware will permit, that I see no reason whatsoever why all expenses allowed to the average businessman should not be allowed to the Members of Congress as deductible items for income-tax purposes. I believe the failure to allow the deduction of such expenses limits the right of persons who do not have large means to serve in Congress and to represent in Congress the people of their States.

I am not afraid to stand before my people anywhere and say that I think we are entitled to decent treatment in the matter of being able to make deductions for expenses which are duplicate expenses because of the fact that we live here in Washington and at the same time must maintain homes in our own States. I do not believe we are jeopardizing our position in any way by taking that attitude. I think that is a decent position which the ordinary citizen can understand, and I do not think we should have the slightest hesitancy in taking that position.

I recall that the distinguished junior Senator from Oregon took a very firm position on this same point last year, and I thought he was completely correct.

We do not wish to make the Senate a rich man's club, and it never will be made a rich man's club if we take the right action in connection with matters of this sort.

The Senator from Oregon was misled last year, I believe, as I was, by the statement made—in completely good faith, I am sure—by the Senator from Delaware. I have just read that statement into the RECORD. At that time the Senator from Delaware said that as a matter of fact and as a matter of law, Members of the Senate would be entitled to make the deductions which apparently the Tax Court has ruled that Members of the Senate are not entitled to make.

So I believe we should set in motion machinery by which to correct that manifest injustice. I believe that will be the right thing to do, and I believe it will appeal to our constituents as the right and decent thing to do.

Mr. WILLIAMS. Mr. President, if the distinguished Senator from Florida voted for the amendment last year under a misapprehension, I am sorry.

Mr. HOLLAND. I am sure that is the fact, because I know the Senator from Delaware is always most candid and is generally certain of his facts.

Mr. WILLIAMS. I may say that the Senator from Florida now has an opportunity to undo what he did last year, if he wishes to undo it. But I ask him to proceed in a direct, affirmative manner.

Let us reject the amendment submitted by the Senator from Louisiana to my amendment.

Then, on the question of agreeing to my amendment, by itself, the Senator from Florida can vote against my amendment if he wishes to do so. If the Senator from Florida votes in that way at that time, he will be voting to restore all but $100 of what he was allowed before. So all Senators will have a chance to vote on that question at that time.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield at this point?

Mr. WILLIAMS. I yield.

Mr. HOLLAND. I would favor the amendment of the Senator from Delaware, if it were to be considered independently. I agree with him and with other Senators that no one should have a right to deduct, for income-tax purposes, debts which are purely political.

On the other hand, the amendment of the Senator from Delaware is offered in such a way that it would strike from the bill a good-faith approach to the problem, which is a very definite problem which faces all Members of the Senate who do not happen to be independently wealthy. The amendment of the Senator from Delaware would make it impossible for Members of the Senate to have an opportunity to approach this problem in a corrective and honorable way, for the amendment would strike from the bill everything relating to that problem, and would insert a provision in regard to an entirely separate matter. Although the provision which would be inserted by the amendment of the Senator from Delaware is a worthy one, yet it has no relationship whatever to the question of the right of Members of Congress to deduct, for income-tax purposes, the same expenses which any businessman is able to deduct for income-tax purposes, as a matter of right and as a matter of law.

Certainly the average businessman should have a right to make such deductions, and I believe the Members of the Congress are equally entitled to make such deductions, for even though service in Congress is public business, yet it is the business of those who serve in Congress; and Members of Congress who are not making service in Congress their business are not giving to the people they represent a fair deal. We are elected to make service in Congress our all-day business for 365 days of the year; and most of us are doing that.

Mr. McCLELLAN. Mr. President, will the Senator from Delaware yield, to permit me to propound a parliamentary inquiry?

Mr. WILLIAMS. I yield for that purpose.

Mr. McCLELLAN. Mr. President, I have been trying to obtain the floor, in order to propound the following parliamentary inquiry: After the amendment submitted by the Senator from Louisiana [Mr. LONG] to the amendment of the Senator from Delaware is adopted, if it is adopted, could we divide the provisions of the amendment as thus amended, and vote on them separately? Three separate issues would then be involved by the amendment as thus amended: First, to strike out the provision the House has already inserted in the bill; second, to add the provision with reference to political loans; third, the amendment of the Senator from Louisiana to the amendment of the Senator from Delaware.

Can those matters be voted on separately, in the event the amendment of the Senator from Louisiana to the amendment of the Senator from Delaware is adopted?

The amendment includes some provisions for which I do not wish to vote. It includes other provisions for which I do wish to vote. The amendment comes to us with all three provisions; and the situation is so confusing that we shall not know whether we are voting for the good or for the bad or for both.

The PRESIDING OFFICER. If the amendment of the Senator from Louisiana to the amendment of the Senator from Delaware were adopted, the amendment of the Senator from Delaware would then be subject to further amendment. But the several questions would not be divisible. A motion to amend by striking out certain language and inserting other language is not divisible, and cannot be voted on in that fashion.

Mr. McCLELLAN. There are certain provisions of the amendment upon which I think every Member of this body would like to vote.

The PRESIDING OFFICER. The Senator, as an amendment, could move to strike from it whatever he might desire, but it cannot be divided merely for the purpose of a vote.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. McFARLAND. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. WILLIAMS. In just a moment. By unanimous consent, if the Senator from Louisiana would agree, we might vote on each of these issues upon their own merits. I was wondering whether the Senator would go along on a unan-

imous-consent agreement, whereby his amendment would be withheld temporarily, in order that we might vote on my amendment, with the understanding that, following the vote on my amendment, his amendment would be in order. This will give every Member an opportunity to vote for those provisions he favors and against the others. I have no intention of keeping congressional salaries at a level where only a rich man can afford to serve. But let us place the salaries where we think they are adequate, and then pay taxes the same as other people.

I made the same argument when the special exemption was given to the President in 1949.

Special tax privileges for any Government official are not a part of our American principles.

Mr. LONG. I am willing to go along with an agreement to strike temporarily the language proposed by the Senator from Delaware, because that language strikes language from the bill which I had understood was to be proposed this year. That was to permit Senators to take a deduction for at least some of their living expenses in Washington. It is agreeable to me to strike that, provided we establish a method to determine what the salary shall be.

There is no constitutional conflict here, inasmuch as the Appropriations Committee is not required to appropriate any particular amount. I did not realize that my amendment contained the language referred to on page 2, line 3. I desire to strike the words "shall not be less than the amount prevailing on the date of the enactment hereof, including the amount of expense allowance hereinafter described," in order that the matter may be clear.

The PRESIDING OFFICER. The Senator may modify his own amendment. The amendment of the Senator from Louisiana is modified accordingly.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from Arizona.

Mr. McFARLAND. Mr. President, this situation simply goes to show that this is not the proper way to attempt to legislate. Senators came to the Senate floor from conferences, and very quickly voted on a question of germaneness without having been fully informed as to the situation. Now there comes to the floor a new and different amendment. Whether we made a mistake on the previous vote is a question, but we are always liable to make mistakes when amendments of this kind are brought up. It is for that reason the rules of the Senate provide that no legislation may be proposed to appropriation bills. If that were not the rule, we would always be liable to make mistakes.

As I understand the parliamentary situation at the moment, an entire bill has been submitted as an amendment to another amendment. The first amendment is already an amendment in the second degree, and it cannot be further amended. In any event this is not the way to legislate.

I am of opinion that probably the best thing to do at this time would be to strike all of this section, allow the matter to go to conference, and see what could be accomplished there. Senators may say what they wish, but a vote for the amendment of the Senator from Louisiana is a vote to increase salaries by an indirect method. We ought to vote directly on such a question. The purpose of it must be as I have indicated, otherwise the Senate would not be voting for it. I hope the amendment will be defeated. I think it would be good business to strike out the entire provision and let it go to conference, to see what could be worked out.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. CASE. If the Long amendment were rejected—or if it were accepted, for that matter—would it be possible thereafter to amend the Williams amendment by striking out the words "to strike out" and insert "to add"? In other words, would it be possible to leave the language as it comes from the House, plus the Williams amendment?

The PRESIDING OFFICER. The Senator from Delaware could modify his amendment, either by adding thereto, or by offering a substitute. That could be done.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana, as modified, to the amendment of the Senator from Delaware.

Mr. LONG. Mr. President, I have modified my amendment, as indicated, by striking out the words "shall not be less the amount prevailing on the date of the enactment hereof, including the amount of expense allowance hereinafter described." I desire to modify it further by striking out on page 6 "1952" and inserting "March 1, 1953."

The PRESIDING OFFICER. The Senator from Louisiana modifies his own amendment, as he has a right to do.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. ELLENDER. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been ordered on the Long amendment. They have been ordered on the Williams amendment.

Mr. LONG and Mr. ELLENDER asked for the yeas and nays on Mr. LONG's amendment to the amendment of Mr. WILLIAMS.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BRIDGES. I suggest the absence of a quorum. I told the distinguished Senator from Virginia [Mr. ROBERTSON] that I would suggest the absence of a quorum. I shall not insist upon a prolonged quorum call, but I do desire to keep the promise I made to the distinguished Senator from Virginia.

The PRESIDING OFFICER. Does the Senator from New Hampshire suggest the absence of a quorum?

Mr. BRIDGES. I do.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRIDGES. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRIDGES. Mr. President, with reference to the amendment offered by the distinguished Senator from Louisiana [Mr. LONG] and several of his colleagues, it is an effort to bring to the floor for action a bill introduced by the Senator from Illinois [Mr. DIRKSEN], which was studied by the Committee on Rules and Administration of the Senate and reported by that committee. It has been on the calendar of the Senate week after week, month after month, without any action being taken on it.

It is all very well for Senators—and I know they are very sincere—to say that a separate bill should be brought to the floor and the question voted on directly. The Senate so increased the salaries of the higher officials in the executive departments that a Senator or a Representative, as compared with those employees, is a minor leaguer. It is all very well to say that we will take action. When we voted on the bill in connection with the executive departments, we were told that we would act on the question of the salaries of Members of Congress within a few months. We are now saying we will do it a little later. We may, but I doubt it very much. However, we have an opportunity to do it now, and this is certainly a fair way. The matter could be placed in the hands of an impartial body, with a Hoover Commission approach, to determine the fair compensation.

Mr. WELKER. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. WELKER. Mr. President, I am tired of hearing all of these complaints about a Senator receiving too much salary—or a Senator receiving not enough salary. After all there is not a Member of this body who did not know his salary limit when he sought election. Will the Senator agree with me that the American people will have some confidence in a committee such as would be established by this amendment? It is not exactly wholesome for the people to see Members of the United States Senate go through the back door to get a salary increase, to get postage stamps, and travel allowances and other minor reimbursements that serve only to make our constituents wonder as to why we receive them. Let us be fair to the people and let a Commission such as this decide this matter and I am certain the Senators and the people who sent us here will be better satisfied. If we do not like the findings of the Commission either in raising or lowering our salary we could then retire from office. We are taking a chance that the Commission may say we deserve a reduction. Our people do not want their Senators to lose money while serving in Washington. On the other hand, they appreciate frankness

and direct approach. We go through the back door and say, "Let us get $30 more in postage stamps and stationery." I think the people should know just how we stand on this matter, and this Commission representing all segments of our society will satisfy the Senators and the people.

Mr. BRIDGES. I went through the same thing in connection with the new Senate Office Building. Practically all Senators were asking for more office space. Every room was being used and everyone was complaining, but when it came time for a vote, it was voted down. If we build a new Senate Office Building now it will cost practically 40 percent more than it would have cost when it was first proposed.

When it came to the $2,500 expense account, the House had it for 2 years before the Senate had sufficient courage to put it into effect in the Senate.

When are we going to get the courage? When are we going to act?

Mr. McFARLAND. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. McFARLAND. I commend the Senator from New Hampshire for being consistent in what he says, because he did make a motion to double the amount provided in the amendment of the Senator from Delaware [Mr. WILLIAMS] when it was brought up last year. I agree with him that the Senate should have courage to do what it thinks should be done, without asking some commission to do it for us. If we are going to have courage, let us have it, and come right out and say what we want to do.

Mr. BRIDGES. Mr. President, I hope the amendment offered by the distinguished Senator from Louisiana [Mr. LONG] will be adopted.

Mr. DWORSHAK. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. DWORSHAK. I think the Senator said the amendment was comparable to the Dirksen bill which has been pending for some time.

Mr. BRIDGES. Yes.

Mr. DWORSHAK. What is responsible for th fact that it has not been considered?

Mr. BRIDGES. I cannot say why it has not been considered.

SEVERAL SENATORS. Vote! Vote!

Mr. ELLENDER. Mr. President, I shall not detain the Senate very long, but I should like to point out some very pertinent reasons why I do not see how we can seriously vote for this proposed commission. The amendment provides for the appointment of a commission composed of representatives of labor, business, the professions, agriculture, and so forth. The American taxpayer is asked to pay these men $10 a day while they are serving, together with all their expenses, plus $10,000 a year—people are asked to do this so their elected Representatives can avoid performing duties specifically charged to them by the Constitution.

Let me read from the amendment, Mr. President. Let me indicate by the amendment itself just how ridiculous this proposal is:

> The commission shall determine by majority vote such salaries and mileage for Members of Congress as it may deem necessary to provide fair and reasonable compensation, taking into consideration any and all factors deemed by itself pertinent and appropriate, including, but not limited to—
>
> (a) qualifications desirable for Members of the National Legislative body—

Imagine that, Mr. President. The commission would take even qualifications of the Members of the Congress into consideration. Shall we empower them to say that the distinguished Senator from Michigan [Mr. FERGUSON] might be worth $12,000, and the Senator from Texas [Mr. CONNALLY] might be worth $20,000? No, Mr. President. That is a function that is rightfully and constitutionally that of the people and the Congress. It cannot be delegated or shared.

I continue to read:

> (b) compensation or income currently earned by persons of comparable qualifications in labor, business, and professional groups or other private pursuits.

Listen, Mr. President and Senators, to section (c)—

> sacrifices involved in the acceptance of Membership in the legislative body, including the interruption of a private career, the importance of preserving, to the extent possible, the Member's station in his private career against the day when he may be retired to private life, and the difficulties accompanying the resumption of a private career without reduction of income.

Just think of it. A Commission would have to take all that into consideration, just as though Members of Congress were forced to run for office. Serving the American people is not forced labor. It is a privilege. This bill would take the high position of a Member of Congress and treat it as an obnoxious obligation, instead of a sacred trust. I continue to read:

> (d) the interruptions to normal family life, necessitating the maintaining of two domiciles—one at the seat of government and the other in the Member's home district—and the complications of educating the Member's children without a break in the family ties.

All those factors would have to be taken into consideration by the proposed Commission. Nothing, it seems, would be left out. I wonder if the color of a Member's hair would be considered, too.

I continue, Mr. President:

> (e) the frequency of trips between the seat of government and the Member's home district occasioned by the foregoing considerations.

I cannot believe the Senate would be serious in voting for such a proposal as this. We must face facts, Mr. President. We are responsible only to our own principles and the people who elect us, and the people who elect us, above all others know our duties, and our obligations. This amendment, if adopted, would place the actual determination of the worth of the Congress in a small group of people instead of in all the people. Mr. President, the Constitution forbids it. We are not able to take our more difficult or distasteful duties and bestow them on anyone else. Why should we not act courageously and do our own salary-fixing? We do it for everyone else. Why should we not do it for ourselves?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CONNALLY. The Senator has read about Members of Congress making trips back and forth between Washington and their homes. If a Member of Congress had a law practice in Philadelphia, and the demands of his law practice required that he go home very frequently, would it not be possible for him to get a deduction for the expenses of these trips?

Mr. ELLENDER. The Commission would permit such a situation to be taken into consideration. And I do not believe that is right. The responsibility of representing the American people cannot be shared. It is an obligation, a duty, we assume under oath. This is not a part-time job.

Mr. CONNALLY. The Constitution, however, provides——

Mr. ELLENDER. I may say to the Senator that I was coming to that.

Mr. CONNALLY. Section 6 of the Constitution provides:

> The Senators and Representatives shall receive a compensation for their services, to be ascertained by law.

Mr. ELLENDER. That is correct.

Mr. CONNALLY. Would the Commission be a law maker?

Mr. ELLENDER. We would be transferring legislative powers to a Commission, which is something the Congress cannot do.

Mr. CONNALLY. We cannot transfer power.

Mr. ELLENDER. Of course not. The provision would be ridiculous. It would be unconstitutional. The Congress is the lawmaking body. That function cannot be split up, as though it were an apple.

Mr. CONNALLY. The question must be determined by law. That means on the floor of Congress.

Mr. ELLENDER. Certainly. Although the distinguished Senator from South Dakota [Mr. CASE] said he was not a lawyer, he saw the point immediately and brought it to the attention of the Senate awhile ago. I cannot believe the Senate will be so lax in its responsibility as to vote for such a proposition as this.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The question is on the amendment as modified, offered by the Senator from Louisiana [Mr. LONG] to the amendment of the Senator from Delaware [Mr. WILLIAMS]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll, and Mr. AIKEN voted in the negative when his name was called.

Mr. LONG. Mr. President, may I propound an inquiry?

Mr. ELLENDER. The roll call has started.

The PRESIDING OFFICER. The roll call has started and is in progress. The clerk will proceed with the call of the roll.

The Chief Clerk resumed and concluded the call of the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. BENTON], the Senator from Minnesota [Mr. HUMPHREY], the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. BRIDGES. I announce that the Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CARLSON], the Senator from Indiana [Mr. JENNER], the Senator from Massachusetts [Mr. LODGE], the Senator from California [Mr. NIXON], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness in their respective families.

The Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Vermont [Mr. FLANDERS] are detained on official business.

The Senator from Colorado [Mr. MILLIKIN] and the Senator from Massachusetts [Mr. SALTONSTALL] are absent by leave of the Senate.

If present and voting the Senator from California [Mr. NIXON] would vote "nay."

On this vote the Senator from Maryland [Mr. BUTLER] is paired with the Senator from Massachusetts [Mr. LODGE]. If present and voting, the Senator from Maryland would vote "yea" and the Senator from Massachusetts would vote "nay."

The result was announced—yeas 32, nays 38, as follows:

YEAS—32

Bennett	Holland	Seaton
Bridges	Hunt	Smathers
Clements	Johnson, Tex.	Smith, N. J.
Cordon	Johnston, S. C.	Smith, N. C.
Douglas	Kilgore	Sparkman
Ferguson	Lehman	Thye
Fulbright	Long	Underwood
Hayden	Magnuson	Welker
Hennings	Maybank	Wiley
Hickenlooper	Moody	Young
Hoey	Murray	

NAYS—38

Aiken	Dworshak	Hendrickson
Bricker	Eastland	Hill
Butler, Nebr.	Ecton	Ives
Byrd	Ellender	Johnson, Colo.
Cain	Frear	Kem
Capehart	George	Knowland
Case	Gillette	Malone
Connally	Green	Martin
McCarran	Monroney	Schoeppel
McCarthy	Morse	Stennis
McClellan	Mundt	Watkins
McFarland	Pastore	Williams
McKellar	Robertson	

NOT VOTING—26

Anderson	Humphrey	Nixon
Benton	Jenner	O'Conor
Brewster	Kefauver	O'Mahoney
Butler, Md.	Kerr	Russell
Carlson	Langer	Saltonstall
Chavez	Lodge	Smith, Maine
Dirksen	McMahon	Taft
Duff	Millikin	Tobey
Flanders	Neely	

So Mr. LONG's amendment to Mr. WILLIAMS' amendment was rejected.

Mr. MONRONEY. Mr. President, I offer the amendment, which I send to the desk and ask to have stated. It is an amendment to the Williams amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 9, line 19, after the Williams amendment, it is proposed to insert "*Provided, however*, That in the case of taxable years beginning after December 31, 1952, the place of residence of a Member of Congress (including any Delegate or Resident Commissioner) within the State, congressional district, Territory, or possession which he represents in Congress shall be considered his home for the purposes of section 23 (a) (1) (A) of the Internal Revenue Code, and amounts actually expended by such Member within such taxable year for duplicate living quarters required by such congressional service shall be deductible for income-tax purposes but not in excess of $2,400 in any taxable year."

Mr. MONRONEY. Mr. President, this amendment to the Williams amendment attempts to correct what I think are defects in the language of the limitations contained in the Senate committee amendment to the bill. In other words, I have tried to strengthen the proviso so as to require that the amounts in question must be actually expended for duplicate living quarters required by congressional service. My amendment requires that the duplicate living quarters be actually required by the congressional service.

What does this mean? It simply means that if Congress is in session for only 2 months, we have not given ourselves a blanket $2,400 deduction for duplicate living quarters.

It means that if we do not require duplicate residential quarters for which we pay rent, we shall not be entitled to an automatic deduction of $2,400. In other words, we are trying to go down the line, exactly as any business or professional person operating away from his home and serving in Washington would do; but only to the extent of $2,400 for living quarters, which everyone knows are required to be duplicated because of the law requiring Senators to maintain places of residence in their home States. In addition, they must have a place to live in Washington.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished chairman.

Mr. ELLENDER. How does the Senator's amendment differ from the provision in the bill?

Mr. MONRONEY. My amendment, accenting the new language, reads in part as follows:

> and amounts actually expended by such Member within such taxable year for duplicate living quarters required by such congressional service shall be deductible for income-tax purposes but not in excess of $2,400 in any taxable year.

If Senators will bear with me for a moment, I should like to give a little history as to how the $10,000 salary became $12,500, as provided in the reorganization bill, plus an item of $2,500, which was not required to be accounted for, and was a deductible item, which was removed last year at the instance of the Senator from Delaware [Mr. WILLIAMS].

The Reorganization Committees of both the House and Senate recommended a flat salary increase from $10,000 to $15,000 a year. At the same time, the report of the Reorganization Committee called attention to the fact that when duplicate living quarters were required by congressional service, within reasonable limitations those items should be deductible. That is found in the congressional reorganization report. It was approved by most of the newspapers, and by almost all students of government. As Senators know, the general public approval of the report led to the Reorganization Act in 1946.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MONRONEY. The bill, as passed by the Senate, contained a $15,000 salary. It went to the House. For 1 year prior to that time the House had been enjoying a $2,500 nontaxable expense allowance. Some of the Members of the House, over the opposition of the Committee on Reorganization, proposed that we cut the salary from $15,000 to $12,500 and continue the $2,500 nontaxable deductible expense allowance. I believe that was done purely for political coloration. A salary of $12,500 sounded to their constituents like a good deal less than $15,000. We opposed the proposal on the basis that we should be honest and say that we were drawing $15,000. We should be honest enough to say that we intend to allow the deductibility of the duplicate residence required by congressional service, up to a reasonable amount.

That is the history of the matter. The mistake we made, which the Senator from Delaware complained about last year, was the sleight-of-hand trick which was played on the Reorganization Act, against which we protested. In the reorganization study, which was approved by almost everyone, the point of deductibility for duplicate residences required by congressional service, up to a limited amount, was discussed and included in the report.

In trying to amend the amendment of the Senator from Delaware to strike out all this language, I have attempted to correct the language so as to provide that the moneys must actually be extended, and that the duplicate living

quarters are required for congressional service. So if we meet only 6 months a year, as formerly was the case, we shall not be entitled to a deductibility of $2,400. We shall be entitled only to $1,200. I think that is fair. We must pay the money out, or it will not be deductible.

I say that that puts us on a par with any business organization. If one is operating a store and his branch manager works in the store 1 day a week, in his home city, and has to work 6 days in a town 100 miles distant, the money which he pays out for a second residence is deductible. We all know that. I do not see why Congress does not face up to the issue, election or no election, and say, "This is the problem we face. This is the reason why we are in a different category from men who need to maintain only one residence." Let us spell it out, put it on top of the table, and show what the situation is.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Michigan.

Mr. FERGUSON. I should like to ask a hypothetical question. Suppose a Member of the Senate rents an apartment or a residence. He could deduct the amount of the rent, could he not?

Mr. MONRONEY. He could, up to $2,400 a year. Let me add that the reason we have stayed with the $2,400 figure is that I do not believe I should be allowed to deduct a rental of $1,000 a month at the Mayflower or the Shoreham, because my congressional service does not require that kind of quarters. We struck an average. I believe the Senator from Michigan knows that it is difficult to obtain decent living quarters, or an apartment, for $200 a month.

Mr. FERGUSON. Mr. President, will the Senator yield for a second question?

Mr. MONRONEY. I yield.

Mr. FERGUSON. Let us assume the case of another Senator; it does not apply to the Senator from Michigan, but suppose another Senator comes to Washington and buys a residence and lives in it. What could he deduct, under the terms of the Senator's amendment?

Mr. MONRONEY. If he is renting a residence back home for his occupancy, and it is a duplicate residence, then he is entitled to deduct that rental, up to $2,400 a year.

Mr. FERGUSON. How much could he deduct?

Mr. MONRONEY. He could deduct up to $2,400 a year if he actually spent it. If he spent only $1,000, he could deduct only $1,000.

Mr. FERGUSON. He is already entitled to deduct interest on a mortgage.

Mr. MONRONEY. That is correct. If I own my home in Washington, I am allowed to deduct interest which I pay on the mortgage.

Mr. FERGUSON. That is correct. A Senator who owns his own home could obtain the benefit of any deduction under the Senator's amendment, but a Senator who rents a place would have the benefit of a deduction for the amount of rent which he paid.

Mr. MONRONEY. That is correct. Today the Senator who owns his own home can make certain deductions. The Senator who rents has nothing but rent receipts to show for his investment.

Mr. President, I think the Senate should face up to the issue.

Mr. HUNT. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HUNT. Does the Senator contend that a Representative or Senator who owns his own home in Washington and owns a home also in his home State which is bringing him no revenue would not be entitled to ask for a deduction for insurance, taxes, or depreciation?

Mr. MONRONEY. Taxes are deductible now.

Mr. HUNT. How about insurance?

Mr. MONRONEY. Insurance? Insurance on his personal home is not deductible. Taxes are deductible.

Mr. HUNT. A Member of Congress who owns his home in Washington is at a very great disadvantage compared with the one who rents a home in Washington.

Mr. MONRONEY. But I will say to the distinguished Senator from Wyoming that the amendment puts him on a par with every other businessman. Let us not write new regulations, but let us take care of situations which other businessmen face.

Mr. HUNT. The amendment would put a penalty on the man who owns his home in Washington and also owns his home in his home State.

Mr. MONRONEY. Yes. I happen to be in that category.

Mr. HUNT. So do I.

Mr. MONRONEY. The amendment is in line with good taxation practice. I think it would clarify the whole matter.

Mr. SMITH of North Carolina. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SMITH of North Carolina. What consideration has the Senator from Oklahoma given to this situation, which does not apply to me, but may apply to other Senators? A Senator buys a home and makes a small down payment, if it is possible to do so, and his interest is deductible under the general law.

Mr. MONRONEY. That is correct.

Mr. SMITH of North Carolina. That is true regardless of whether he has his home in one city or another.

Mr. MONRONEY. That is correct.

Mr. SMITH of North Carolina. A Senator who has a fine home and has put a big mortgage on it, could deduct the interest he pays.

Mr. MONRONEY. He can do it today.

Mr. SMITH of North Carolina. That is correct. Does the Senator from Oklahoma think it is fair, having in mind the other situation?

Mr. MONRONEY. I do not. I get my advantage, if I own a home and my mortgage is big enough, by having a greater legal deductibility than others have. On the other hand Members of Congress who are renting homes are paying out money and are not building up any equity in their homes. Therefore they have no such deductibility. I think we ought to be fair and we ought to say that those who are renting, and who have no other deductibility, should get the same credit that is extended to any business person. However, we should limit it to $2,400, because we do not want to have a $10,000 a year rental allowance, for example, because that would not be consistent with the prerogatives of the Senate.

Mr. SMITH of North Carolina. Does the Senator from Oklahoma believe that there is any Senator in this body, unless per chance it is one who is living nearby, who has expenses in connection with performing his duties in the Senate of as little as $2,400 a year?

Mr. MONRONEY. No; I cannot think of any such Member; unless he is living at the "Y." Certainly it is impossible to rent any decent apartment in this town within the limit of $2,400.

Mr. SMITH of North Carolina. Why should we not go back to the old practice which allowed every Senator $2,500 for expenses? It is fair to everyone, because everyone gets the same amount.

Mr. McFARLAND. Mr. President, may we have order in the Senate? Some of us would like to know what is going on in the Chamber.

Mr. SMITH of North Carolina. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SMITH of North Carolina. After all, if we have to adopt the new procedure, we will have to be accountants and bookkeepers of ourselves.

Mr. MONRONEY. We will not have to do so necessarily. If we pay rent of three or four hundred dollars a month, or $4,800 rent for the year, we can still deduct only $2,400. It is not complicated.

Mr. SMITH of North Carolina. There may be cases like last year, when within 2 months of the time we left Washington we had to return, and many of us were afraid to give up our apartments for fear that we could not get them back in January.

Mr. MONRONEY. In that case, the Senator would be entitled to the full deduction of $2,400.

Mr. SMITH of North Carolina. That means, then, that we must make some calculations.

Mr. MONRONEY. It is limited to the money actually expended. If the Senator from North Carolina keeps an apartment for the year, and the rental should run as low as $2,400 for the year, he could deduct the $2,400.

Mr. SMITH of North Carolina. Why should we be required to do that, when we are supposed to be giving our attention to national business? Why should we be required to perform a lot of bookkeeping work, when everyone knows that $2,500 does not cover the expenses of any Member of Congress? Why do we not agree that that was the simplest and best provision and go back to it?

Mr. MONRONEY. The Senate in its wisdom decided that it did not like the idea of nonaccountable, nontaxable expense allowances. We took the tax-free amount away from the President, the Vice President, the Speaker of the House, and we took it away from Senators and from Representatives.

Mr. President, I say that this amendment puts the practice in line with what is good business practice everywhere in the country, and it limits the expense allowance to $200 a month. That is all that can be deducted, and that amount

must actually be spent—spent for living quarters. I think it is a fair amendment.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to my colleague from Idaho.

Mr. WELKER. Will the Senator explain the amendment a little more fully? Assume a Member of Congress is fortunate enough to be able to own his home in his State and also own his home in the District of Columbia. What relief, if any, would he get under the amendment proposed by the Senator from Oklahoma?

Mr. MONRONEY. The only relief he would get would be the deduction of taxes, which he may make both on his Washington home and on his home in his State. If his homes are well covered with mortgages, he could also make deductions for interest on both homes.

Mr. WELKER. I should like to inquire with reference to the plutocrats who own their own homes. I assume that a man who owns his home in the District of Columbia would be entitled to deduct taxes.

Mr. MONRONEY. He has that right now.

Mr. WELKER. Under the Senator's amendment would he have that right?

Mr. MONRONEY. Yes; he would still be entitled to make deduction for taxes.

Mr. WELKER. That would amount to perhaps $400 or $500 for a $40,000 home. I do not think it is fair for a man to receive a $2,400 benefit because he rents his home, whereas the man who owns his home gets the benefit only of the tax reduction.

Mr. MONRONEY. He can deduct his interest, if he has a mortgage on his house.

Mr. HUNT. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HUNT. Would the Senator tell me how his amendment would apply in the case of a Senator who owns his own home in Washington and goes to his home State, but does not occupy his own home in Washington, and lives at a hotel or an apartment in his home State?

Mr. MONRONEY. I would say that under the House provision his living expenses would not be deductible. I think it would be placing the man back home in the same position that a Representative finds himself in regarding a place of residence in Washington.

Mr. HUNT. I am afraid that the Senator's amendment is not very fair to the home owner.

Mr. MONRONEY. I will agree with the Senator from Wyoming, but neither do business people have a right to deduct anything for homes they own. If Pan-American owns a big place in fee, they cannot deduct the expenses of ownership. They can deduct only taxes. However, if they rent the house they can deduct the expenses incurred in connection with the property.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. McFARLAND. I should like to suggest that there is a great deal of confusion in the Senate. If any Senator knows what this is all about, he knows more than the Senator from Arizona knows, because instead of having one speaker we have had about a half dozen ever since the distinguished Senator from Oklahoma began to speak.

Mr. President, it seems to me that the whole situation as it has developed all afternoon sums up to this: It is not good practice to legislate on an appropriation bill. The thing to do would be to let the distinguished Senators work the question out in committee. The conference committee could work out something. The amendment would put the question in conference and the conference committee could work out a compromise. After all this is not a very good time or place to be legislating with regard to this subject matter. I think we should vote on the amendment and get the bill into conference. Let us see what the conference committee can work out.

Mr. ELLENDER. Mr. President, the subcommittee did its best to provide relief for Representatives and Senators. Since the Williams amendment strikes from the bill the provision which would make it possible to provide relief I believe that the amendment of the Senator from Oklahoma would be in line, because it does provide some relief. If a Senator owns his own home, of course he is at a disadvantage; but there are very few Senators who own their own homes in Washington. It strikes me that we should give the relief afforded by the amendment offered by the distinguished Senator from Oklahoma, which will at least do some good to those who do not own their own homes. I hope the amendment will be agreed to.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. HOEY in the chair). The Senator from South Dakota will state it.

Mr. CASE. Is it not a fact that even if the amendment of the Senator from Oklahoma [Mr. MONRONEY] to the amendment of the Senator from Delaware is rejected, the subject matter of the amendment of the Senator from Oklahoma will be in conference, by reason of the fact that it is substantially or in large part the language which has been inserted by the House of Representatives, but which would be stricken out by the amendment of the Senator from Delaware, and thus necessarily would be involved in the conference?

The PRESIDING OFFICER. Of course anything contained in the bill as passed by the House that is changed by action taken by the Senate would be in conference.

The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY] to the amendment of the Senator from Delaware [Mr. WILLIAMS].

Several Senators asked for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma to the amendment of the Senator from Delaware. [Putting the question.]

The Chair is unable to decide.

Mr. FERGUSON. Mr. President, I ask for a division.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now recurs on agreeing to the amendment submitted by the Senator from Delaware [Mr. WILLIAMS]. On this question the yeas and nays have previously been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. BENTON], the Senator from Virginia [Mr. BYRD], the Senator from Minnesota [Mr. HUMPHREY], the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

I announce further that, if present and voting, the Senator from Virginia [Mr. BYRD] and the Senator from West Virginia [Mr. NEELY] would vote "yea."

Mr. BRIDGES. I announce that the Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CARLSON], the Senator from Indiana [Mr. JENNER], the Senator from Massachusetts [Mr. LODGE], the Senator from California [Mr. NIXON], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent on official business.

The Senator from Maine [Mrs. SMITH] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness in their respective families.

The Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Vermont [Mr. FLANDERS] are detained on official business.

The Senator from Colorado [Mr. MILLIKEN] and the Senator from Massachusetts [Mr. SALTONSTALL] are absent by leave of the Senate.

If present and voting, the Senator from Maine [Mr. BREWSTER], the Senator from Maryland [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from Maine [Mrs. SMITH], and the Senator from California [Mr. NIXON] would each vote "yea."

The result was announced—yeas 67, nays 2, as follows:

YEAS—67

Aiken	Frear	Johnston, S. C.
Bennett	Fulbright	Kem
Bricker	George	Kilgore
Bridges	Gillette	Knowland
Butler, Nebr.	Green	Lehman
Cain	Hayden	Long
Capehart	Hendrickson	Magnuson
Case	Hennings	Malone
Clements	Hickenlooper	Martin
Connally	Hill	Maybank
Cordon	Hoey	McCarran
Douglas	Holland	McCarthy
Dworshak	Hunt	McClellan
Eastland	Ives	McFarland
Ecton	Johnson, Colo.	McKellar
Ferguson	Johnson, Tex.	Monroney

Moody	Smathers	Watkins
Morse	Smith, N. J.	Welker
Mundt	Smith, N. C.	Wiley
Pastore	Sparkman	Williams
Robertson	Stennis	Young
Schoeppel	Thye	
Seaton	Underwood	

NAYS—2

Ellender Murray

NOT VOTING—27

Anderson	Flanders	Neely
Benton	Humphrey	Nixon
Brewster	Jenner	O'Conor
Butler, Md.	Kefauver	O'Mahoney
Byrd	Kerr	Russell
Carlson	Langer	Saltonstall
Chavez	Lodge	Smith, Maine
Dirksen	McMahon	Taft
Duff	Millikin	Tobey

So Mr. WILLIAMS' amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ELLENDER. Mr. President, at the request of Representative CHRISTOPHER C. MCGRATH, chairman of the subcommittee of the House Committee on Appropriations, who handled the bill in the House of Representatives, I send to the desk an amendment to provide for an additional employee in the House of Representatives with the title "laboratory technician," at the basic salary of $3,300.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 10, after line 16, it is proposed to insert:

For the office of laboratory technician, $3,300.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks three letters justifying this amendment. The first is a letter dated June 26, 1952, from Representative CHRISTOPHER C. MCGRATH, addressed to me; the second is a letter dated June 26, 1952, written by Ralph R. Roberts, Clerk of the House of Representatives, to Representative MCGRATH, and the third is a letter dated June 25, 1952, written by Robert J. Coar, coordinator of the joint Senate and House recording facility, addressed to Ralph R. Roberts, Clerk of the House of Representatives.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 26, 1952.

Hon. ALLEN J. ELLENDER,
Chairman, Subcommittee on Legislative Committee on Appropriations, United States Senate, Washington, D. C.

MY DEAR SENATOR: I request that an item providing for an additional employee in the House of Representatives with the title of laboratory technician at the basic salary of $3,300 be added to the legislative appropriation bill for 1953.

I am herewith enclosing a letter from the Clerk of the House and a letter from Mr. Robert J. Coar, coordinator of the joint Senate and House recording facility, which are self-explanatory.

Assuring you of my appreciation of your cooperation, I am

Yours sincerely,
CHRISTOPHER C. MCGRATH,

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 26, 1952.

Hon. CHRISTOPHER C. MCGRATH,
Chairman, Subcommittee on the Legislative Appropriation Bill, House of Representatives, Washington, D. C.

DEAR MR. MCGRATH: I am herewith attaching a letter from Robert J. Coar, coordinator of the joint Senate and House recording facility, relative to adding an additional employee with the title of laboratory technician at the basic salary of $3,300 to the legislative appropriation bill for the fiscal year 1953.

I understand this bill has not been marked up in the Senate and we still have time to have this item included. I therefore respectfully ask that you endeavor to have this item added to the legislative appropriation bill.

Sincerely yours,
RALPH R. ROBERTS,
Clerk of the House of Representatives.

JOINT SENATE AND HOUSE
RECORDING FACILITY,
Washington, D. C., June 25, 1952.

Hon. RALPH R. ROBERTS,
Clerk of the House of Representatives, United States Capitol, Washington, D. C.

DEAR SIR: If you will refer to my letter relative to the motion picture equipment, you will note that I indicated two additional employees would be required for this operation. Even though the equipment was ordered several months ago, I have postponed requesting authority to hire the second man indicated in my letter as a laboratory technician, however, with Congress coming to a close I would greatly appreciate your doing whatever is necessary to authorize the hiring of this man no later than August 1, 1952, since by that date, not only will all of the equipment have arrived, but also the laboratory which will be under construction be well on the way to completion. The laboratory will be located in the basement, room B–133.

For the last 3 months I have been trying to locate a man qualified to handle this position and after discussion with various Government departments engaged in motion-picture work I have found that such a man is currently commanding a salary of $6,500 per year. This is the amount that is currently being paid the camera man who is on the Senate payroll and is actually a higher amount than the job at the moment warrants. I have been able to locate a combination lab and camera man who has in the past carried on his own motion picture business under the name of Colonial Films and who is willing to start at $5,720 per year.

May I ask that you do everything to arrange for this man to be taken on the House payroll on or before the date indicated above.

Very truly yours,
ROBERT J. COAR,
Coordinator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7313) was read the third time and passed.

Mr. ELLENDER. Mr. President, I move that the Senate insist upon its amendment, request a conference, thereon, with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. CHAVEZ, Mr. MCKELLAR, Mr. BRIDGES, and Mr. SALTONSTALL conferees on the part of the Senate.

During the consideration of the legislative appropriation bill,

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, at the conclusion of the consideration of the pending bill, a statement upholding the position taken by the Comptroller General and the President relative to subsidy payments for the superliner, the *United States*.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. DOUGLAS

The Comptroller General of the United States, Mr. Lindsay Warren, an outstanding public servant, appears to have been fighting almost a lone battle to see that the public's interests are adequately protected in the matter of the subsidy payments for the superliner steamship *United States*. I was gratified to see that the President has lent support to Mr. Warren's efforts, by instructing the Attorney General to take whatever steps are necessary to review the contract between the Government and the United States Lines, and to recover for the Government any excessive subsidies which may have been paid. The President's letter to the Attorney General, dated June 20, sets forth the considerations which lead to some doubt as to the propriety of the original contract, including notably the recent investigations made by one of the most effective committees in Congress, the Hardy Subcommittee of the House Expenditures Committee.

The President's letter does not entirely square with a letter written the same day by the Secretary of Commerce to the Comptroller General, critical, to say the least, of Mr. Warren's role in this matter. I am glad, in any case, that the President has directed the Attorney General to take whatever steps are necessary to protect the interests of the taxpayers in this matter, and trust that the Attorney General will persist in this matter.

In the interest of presenting a concise summary of the case, the President's letter of June 20 to the Attorney General is printed herewith.

MY DEAR MR. ATTORNEY GENERAL: You are perhaps aware of the problems surrounding the sale by the Government of the superliner, the steamship *United States*, to the United States Lines Co. As you may know, the amount of subsidy involved in the contract sales price for the ship has been seriously challenged as being excessive.

Through my administration, I have consistently supported actions necessary to assure the maintenance of a strong and healthy American flag merchant fleet. I am firmly convinced of the importance of such a fleet for reasons of national defense and our international commerce. The steamship *United States* admirably serves both of these purposes. I feel, therefore, that this ship will represent an important addition to our merchant fleet. It was for that reason I supported its construction in my budget recommendations to the Congress. However, the clearly desirable objective of promoting an adequate merchant marine cannot be used to condone the allowance of excessive subsidies to individual ship operators.

Under the terms of the original contract, which was executed in April 1949, the United States Lines Co. would obtain this vessel at a price of about $28,000,000, compared with the total cost to the Government of almost $78,000,000. The difference between these amounts would be borne by the Government in the form of construction subsidy and national defense allowances.

In July 1949, the Comptroller General issued a special report to the Congress strongly criticizing the terms of this and similar contracts. As a result of this report, a subcommittee of the House Committee on Expenditures in the Executive Departments, under the chairmanship of Mr. Porter Hardy, made an independent investigation. The findings of this subcommittee, as adopted by the whole committee, largely substantiated the report of the Comptroller General and give reason to believe that the contract reflects certain errors in calculation, together with possible misconstructions of law, with the result that the operator may have been offered an excessive subsidy allowance. This view would appear to be borne out by the recent redetermination by the Federal Maritime Board of sales prices under a similar contract, also investigated by the Hardy subcommittee, covering two vessels purchased by the American Export Lines. In that redetermination, the Federal Maritime Board found that a subsidy allowed in the original contract was excessive.

The House committee report stated, among other things, that "In the light of the findings and conclusions of this report, it is recommended that the contracts executed or to be executed with the operators in each of the three cases involved be reviewed and all possible action taken to prevent excessive expenditures of Government funds."

In November 1949 and again in March 1950, I requested that, as recommended by the Hardy subcommittee, the former Maritime Commission review the legal and substantive aspects of this contract, with a view toward obtaining whatever adjustments might be necessary to protect the financial interests of the Government. I asked that this review include an appraisal of the basic data, assumptions, and calculations underlying the contract. However, I have received no information, from a review or from any other source, which answers the charges as to the substantive deficiencies in the contract from the Government's point of view.

I recently requested that representatives of the United States Lines be invited to discuss with the Government possible adjustments in the contract. I proposed that these discussions be without prejudice to any rights either party might have under the contract and that they be on a purely exploratory basis. Despite the purely tentative character of the proposed discussions, the company on two occasions refused to accept this invitation. I deplore this attitude on the part of the company.

The Secretary of Commerce has informed me that, our offer of exploratory discussions having been rejected, he felt the Government had no alternative but to deliver the superliner to the company on the scheduled delivery date under the terms of the original contract.

In view of the doubt as to the correctness of the subsidy allowance cited above, it would seem advisable to consider the steps that should now be taken to protect the Government's rightful interests. Accordingly, I request that you determine what legal action should be taken by the Government. I would like for you to consult freely with the Secretary of Commerce, the Maritime Board, and the Comptroller General.

The Government is not helpless in this matter. Viewing the situation in its broadest aspects, I am impressed by the fact that the company has been operating for many years under the benefits of construction subsidies, operating subsidies, tax benefits, and other privileges accorded by the Merchant Marine Act. In view of the generous assistance provided by the Government, it is difficult to believe that the Government would lack a basis for obtaining an adjustment that would compensate fairly for any excessive subsidy that may have been involved in the contract in this case. In the event you should find it impossible to take corrective action under existing law, please consider the kind of new legislation that could be recommended for this purpose.

Sincerely yours,

HARRY S. TRUMAN.

SECOND ANNIVERSARY OF THE KOREAN WAR—ADDRESS BY SENATOR SCHOEPPEL

Mr. BRIDGES. Mr. President, on Wednesday of this week, June 25, on the occasion of the second anniversary of the Korean war, the distinguished senior Senator from Kansas [Mr. SCHOEPPEL] delivered an address which is worthy of the attention of the Members of the Senate. In my opinion, Mr. President, the Senator from Kansas pointed out in clear and concise fashion the situation in which we find ourselves.

My distinguished and able colleague from Kansas reviewed with clarity the blunders of the administration which led us into the Korean debacle. He pointed out the steps which should be taken by the Senate to ascertain the facts concerning our military potential.

In my opinion, the remarks of the Senator from Kansas are a real contribution. They should be read by every Member of the Senate who earnestly seeks a solution of the present conflict. I commend his address, which will be found in the CONGRESSIONAL RECORD of June 25, 1952, at page 8002.

CONFIRMATION OF VICE ADM. EDWARD L. COCHRANE, UNITED STATES NAVY, RETIRED, AS A MEMBER OF THE FEDERAL MARITIME BOARD

Mr. MAGNUSON. Mr. President, as in executive session, and by direction of the Committee on Interstate and Foreign Commerce, I ask unanimous consent to report favorably the nomination of Vice Adm. Edward L. Cochrane, United States Navy, retired, to be a member of the Federal Maritime Board, I request that the nomination be read by the clerk.

The PRESIDING OFFICER. Without objection, the clerk will read the nomination.

The Chief Clerk read as follows:

Vice Adm. Edward L. Cochrane, United States Navy, retired, to be a member of the Federal Maritime Board for the term expiring June 30, 1956. (Reappointment.)

Mr. MAGNUSON. Mr. President, the nomination is by way of a reappointment of Admiral Cochrane to head the Maritime Board in the Department of Commerce. The committee was unanimous in approving Admiral Cochrane, who is well and favorably known to us, as well as to most of the other Members of Congress. His present term of office expires tomorrow. I have conferred with the majority leader, and also with the Senator from Massachusetts [Mr. SALTONSTALL], the acting minority leader, and I was wondering whether this nomination could be taken up and confirmed at this time.

Mr. BRIDGES. Mr. President, I may ask the ranking minority member of the Committee on Interstate and Foreign Commerce, the Senator from Indiana [Mr. CAPEHART], whether the committee was in complete accord on this nomination?

Mr. CAPEHART. The action of the committee was unanimous. I know of no objection to it.

Mr. BRIDGES. I have no objection.

Mr. MAGNUSON. I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the question is, Will the Senate advise and consent to this nomination?

The nomination was unanimously confirmed.

Mr. MAGNUSON. I do not desire to take up the time of the Senate. I therefore ask unanimous consent that there be printed in the RECORD at this point a biographical sketch of Admiral Cochrane. In doing so, I merely want to add one sentence. As Senators know, I had a great deal to do with the old Maritime Commission and the old Maritime Board. Admiral Cochrane was chairman of the new Maritime Board. I think that not only members of the Committee on Interstate and Foreign Commerce, but also all Members of the Senate agree that he did a wonderful job. He had intended to retire, but was persuaded to continue, in order to discharge his duties in connection with this important work. I could say a great deal more about the fine work he has done. He has been a credit to the Maritime Board, in the handling of all its complex maritime problems.

There being no objection the biographical sketch was ordered to be printed in the RECORD, as follows:

VICE ADM. EDWARD LULL COCHRANE, UNITED STATES NAVY (RETIRED)

Vice Adm. Edward L. Cochrane was nominated by President Truman as a member of the Federal Maritime Board on July 28, 1950, and was confirmed by the Senate on August 1, 1950, to serve for a term extending until June 30, 1952. He was designated chairman of the Federal Maritime Board and administrator of the Maritime Administration, United States Department of Commerce, and sworn into office by Secretary of Commerce Charles Sawyer on August 7, 1950.

Vice Admiral Cochrane assumed his new post under a leave of absence from his position as head, department of naval architecture and marine engineering, Massachusetts Institute of Technology.

Vice Admiral Cochrane was borne in Mare Island, Calif., on March 18, 1892. He attended Chester (Pa.) High School and the University of Pennsylvania at Philadelphia, before his appointment to the United States Naval Academy in 1910, graduated with distinction, standing second in his class, and was commissioned as ensign in June 1914. He was transferred to the Construction Corps of the Navy with the rank of lieutenant, junior grade, in June 1917; received temporary promotion to the rank of lieutenant during World War I, was commissioned in that rank in 1919, and subsequently became commander on June 30, 1934. He was transferred to the line of the Navy and designated for engineering duty only in June 1940,

thereafter attaining the rank of vice admiral to date from April 3, 1945. He was transferred to the retired list of the Navy with the rank of vice admiral on November 1, 1947.

After graduation from the Naval Academy in 1914, Vice Admiral Cochrane joined the U. S. S. *Rhode Island*, and served on her during the Vera Cruz, Mexico, operation and until January 1916. Selected for further training in preparation for transfer to the Construction Corps, he reported in January 1916 to the Postgraduate School, Annapolis, Md., and later to the Massachusetts Institute of Technology, where he was studying naval construction when the United States entered World War I. He was appointed an assistant naval constructor in June 1917 and served throughout World War I in the hull division of the navy yard, Philadelphia, Pa.

In October 1919 he reentered the Massachusetts Institute of Technology to complete the postgraduate course, and in June 1920 he received the degree of master of science in naval architecture. He then returned to the Philadelphia Navy Yard, where he served in the hull division, first in charge of construction of two battle cruisers and later in charge of repairs, until April 1924, when he reported for duty in the design division (submarines) of the Bureau of Construction and Repair, Navy Department. In 1929 he served as a technical advisor to the United States delegation to the Conference on Safety of Life at Sea held in London, England. After his return to the United States in September 1929 he assumed duty in connection with submarine construction at the navy yard, Portsmouth, N. H., where he remained until May 1933, when he was ordered to duty as force constructor on the staff of the Commander, Scouting Force, United States Fleet, serving in this capacity until August 1935.

In September 1935 Vice Admiral Cochrane returned to the Bureau of Construction and Repair, Navy Department, where he served in the design division until September 1940, with the exception of 3 months at the Naval War College, Newport, R. I., in 1939. From 1935 and throughout the World War II period he was concerned in the design of practically every type of warship involved in the greatly expanded navy.

In September 1940 Vice Admiral Cochrane went to London as assistant naval attaché at the American Embassy. During the winter blitz of 1940–41 he studied battle damage to British warships and also made a survey of antisubmarine warfare, returning to the United States in January 1941 with an understanding of the need for small antisubmarine vessels. This idea grew into the destroyer escort design.

In January 1941 Vice Admiral Cochrane reported for duty as assistant to the Head of the Design Division in the Bureau of Ships, Navy Department, where he served until November 1942. In December 1941 he accompanied Secretary of the Navy Knox to Pearl Harbor to inspect damage resulting from the Japanese attack and to aid in planning for the salvage and repair of those ships.

Vice Admiral Cochrane was appointed Chief of the Bureau of Ships with the rank of rear admiral on November 1, 1942. In this capacity he directed the Navy's shipbuilding and maintenance program during the remainder of the war. He was appointed vice admiral on April 3, 1945. In August 1944 he visited the Pacific area to study battle damage and to observe the operational conduct of our vessels, returning to Washington in October 1944. In July 1945 he accompanied Secretary of the Navy Forrestal to Germany, where he visited a number of industrial plants and technical centers. He also visited similar institutions in England, returning to Washington on August 14, 1945.

For his outstanding achievements during World War II, Vice Admiral Cochrane was awarded the Distinguished Service Medal. In 1945 he was also awarded the David W. Taylor Medal for notable achievement in naval architecture and marine engineering. In 1946 the Government of Great Britain conferred upon him the award of Honorary Knight Commander of the Military Division of the Order of the British Empire.

Upon completion of duty as Chief of the Bureau of Ships, Vice Admiral Cochrane became Chief of the Material Division, Office of the Assistant Secretary of the Navy, in November 1946. In March 1947 he was appointed as a member of the President's Advisory Committee on the Merchant Marine, a committee to assist in developing a sound merchant marine policy, and served in that capacity until relieved of all active duty pending his retirement on November 1, 1947. After his retirement he served as head, Department of Naval Architecture and Marine Engineering, Massachusetts Institute of Technology, from which position he was appointed to the Federal Maritime Board.

Vice Admiral Cochrane is a member of the National Academy of Sciences; the American Society of Naval Engineers, the Society of Naval Architects and Marine Engineers, of which he is past president; the Institution of Naval Architects (British); and the Newcomen Society of England (American branch). He holds the honorary degree of doctor of laws, Hahnemann Medical College of Philadelphia, Pa., 1943; the honorary degree of doctor of engineering, Polytechnic Institute of Brooklyn, N. Y., 1946; the honorary degree of doctor of science, Tufts College, Medford, Mass, 1951. Admiral Cochrane also received a diploma of honorary membership of the Institution of Naval Architects and of the Institute of Marine Engineers on June 29, 1951, in London.

ARMED FORCES RESERVE ACT OF 1952

Mr. McFARLAND. Mr. President, I am hopeful that we may be able to pass one more bill before we recess. It appears to be a long bill, but if Senators would give their attention to the junior Senator from Louisiana, I think we could pass the bill within a very few minutes. So I hope it will be passed; and, if it is we shall then quit for the evening, so far as the transaction of any other business is concerned.

Mr. President, I move that the Senate proceed to the consideration of House bill 5426, relating to the reserve components of the Armed Forces of the United States. It is Calendar No. 1725.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 5426) relating to the reserve components of the Armed Forces of the United States, which had been reported from the Committee on Armed Services, with an amendment to strike out all after the enacting clause and insert:

SHORT TITLE

That this act may be cited as the "Armed Forces Reserve Act of 1952."

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PART I—GENERAL PROVISIONS

SEC. 101. When used in this act—

(a) "Duty" means military service of any nature under orders or authorization issued by competent authority.

(b) "Active duty" means full-time duty in the active military service of the United States, other than active duty for training.

(c) "Active duty for training" means full-time duty in the active military service of the United States for training purposes.

(d) "Inactive-duty training" means any of the training, instruction, duty, appropriate duties, or equivalent training, instruction, duty, appropriate duties, or hazardous duty, performed with or without compensation by members of the reserve components of the Armed Forces of the United States as may be prescribed by the appropriate Secretary pursuant to section 501 of the Career Compensation Act of 1949, as amended, or any other provision of law, and in addition thereto includes the performance of special additional duties, as may be authorized by competent authority by such members on a voluntary basis in connection with the prescribed training or maintenance activities of the unit to which the members are assigned. Work or study performed by such members of the reserve components in connection with correspondence courses of the Armed Forces of the United States shall be deemed inactive-duty training for which compensation is not authorized under the provisions of section 501 of the Career Compensation Act of 1949, as amended. Any inactive-duty training performed by members of the National Guard of the United States or of the Air National Guard of the United States, while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia pursuant to section 92 of the National Defense Act, as amended, or pursuant to any other provision of law, shall be deemed to be inactive-duty training in the service of the United States as members of one of the reserve components specified in section 202 of this act.

(e) "Armed Forces of the United States" means the Army, Navy, Air Force, Marine Corps, and Coast Guard, including all components thereof.

(f) "Member of a reserve component" means a person appointed or enlisted as a Reserve of an Armed Force of the United States or a person who acquires such status by transfer pursuant to law to any of the reserve components specified in section 202 of this act: *Provided*, That no person shall be a member of the National Guard of the United States or the Air National Guard of the United States unless he first be duly enlisted or appointed in the National Guard

or the Air National Guard of the appropriate State, Territory, or the District of Columbia, pursuant to law.

(g) "Officer" unless otherwise specified, means a commissioned or warrant officer.

(h) "Appropriate Secretary" means—

(1) the Secretary of the Army with respect to the Army;

(2) the Secretary of the Navy with respect to the Navy and Marine Corps and, when the Coast Guard is operating as a service in the Navy, the Coast Guard;

(3) the Secretary of the Air Force with respect to the Air Force; or

(4) the Secretary of the Treasury with respect to the Coast Guard, when the Coast Guard is operating as a service in the Treasury Department.

(i) "Competent authority" means any authority designated by the appropriate Secretary.

PART II—RESERVE COMPONENTS GENERALLY

CHAPTER 1—MISSION AND GENERAL ORGANIZATION

SEC. 201. (a) The Congress hereby declares that the Reserve components of the Armed Forces of the United States are maintained for the purpose of providing trained units and qualified individuals to be available for active duty in the Armed Forces of the United States in time of war or national emergency, and at such other times as the national security may require, to meet the requirements of the Armed Forces of the United States in excess of those of the regular components thereof, during and after the period needed for procurement and training of additional trained units and qualified individuals to achieve the planned mobilization.

(b) The Congress further declares, in accordance with our traditional military policy as expressed in the National Defense Act of 1916, as amended, that it is essential that the strength and organization of the National Guard, and the Air National Guard, as an integral part of the first line defenses of this Nation, be at all times maintained and assured. It is the intent of the Congress that whenever Congress shall determine that units and organizations are needed for the national security in excess of those of the Regular components of the Ground Forces and the Air Forces, the National Guard of the United States, and the Air National Guard of the United States, or such part thereof as may be necessary, together with such units of the other Reserve components as are necessary for a balanced force, shall be ordered into the active military service of the United States and continued therein so long as such necessity exists.

SEC. 202. The Reserve components are—

(a) The National Guard of the United States;

(b) The Army Reserve;

(c) The Naval Reserve;

(d) The Marine Corps Reserve;

(e) The Air National Guard of the United States;

(f) The Air Force Reserve; and

(g) The Coast Guard Reserve.

SEC. 203. The maximum numerical strength of each of the Reserve components referred to in section 202 of this act shall be as authorized by the Congress, or, in the absence of such authorization, shall be fixed by the President.

SEC. 204. (a) There shall be within each armed force of the United States a Retired Reserve, which shall consist of those members of the Reserve components whose names are placed on Reserve retired lists established pursuant to subsection (b) of this section.

(b) In accordance with regulations prescribed by the appropriate Secretary, Reserve retired lists shall be established upon which will be placed the names of those members of the Reserve components who make application therefor, if otherwise qualified. Such Reserve retired lists shall be in addition to the Army of the United States Retired List, the Air Force of the United States Retired List, and the United States Naval Reserve Retired List authorized pursuant to section 301 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended.

SEC. 205. (a) A person transferred to a Reserve component of an armed force of the United States pursuant to the Universal Military Training and Service Act, as amended, shall, if qualified and accepted, be permitted to enlist or accept an appointment in such armed force of the United States as he may elect (except that consent of the appropriate Secretaries shall be required for enlistment or appointment as a Reserve of another armed force of the United States) and to participate in such programs as are authorized for such armed force of the United States. Any such person who enlists or is appointed in an armed force of the United States shall be required to perform the remaining period of his required term of service in the armed force of the United States in which such enlistment or appointment is made, or in any other armed force of the United States in which he subsequently enlists or is appointed. All periods of such participation shall be credited against total periods of obligated service imposed by the Universal Military Training and Service Act, as amended, but no period of time shall be credited more than once.

(b) Nothing in this section shall be construed to reduce, limit, or modify any period of service which any person may undertake to perform pursuant to any enlistment or appointment or agreement, including an agreement entered into prior to, or at the time of, entering a program authorized by an armed force of the United States.

SEC. 206. (a) Within each armed force of the United States, an inactive status list shall be maintained. When deemed by competent authority to be in the best interests of the service concerned, members of the Reserve components who are not required to remain members of a Reserve component and who are unable to participate in prescribed training may, if qualified, be transferred to the inactive status list, in accordance with regulations prescribed by the appropriate Secretary: *Provided*, That no member of the National Guard of the United States or Air National Guard of the United States may be transferred without the consent of the Governor or other appropriate authority of the State, Territory, or District of Columbia concerned. Such regulations shall provide for the return of such members to an active status under such conditions as the appropriate Secretary shall prescribe.

(b) Members of the Reserve components in an inactive status shall not be eligible for pay, promotion, or award of retirement point credits under title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended.

SEC. 207. (a) Each member of the Reserve components shall be in an active, inactive, or retired status.

(b) Members of the Reserve components shall be in an active status, except those on an inactive status list, members in the Retired Reserve, and those assigned to the inactive National Guard.

(c) Members of the Reserve components on an inactive status list and members assigned to the inactive National Guard shall be in an inactive status.

(d) Members of the Retired Reserve shall be in a retired status.

SEC. 208 (a) Every person who is a member of a Reserve component on the effective date of this act shall be deemed, without further action, to retain his active, inactive, or retired status in his Reserve component. Any such member in an honorary Reserve status or an honorary Retired Reserve status when this act takes effect shall be placed in the Retired Reserve of the appropriate Armed Force of the United States.

(b) Any person who is on the honorary retired list of the Naval Reserve or the Marine Corps Reserve when this act takes effect shall be placed in the Retired Reserve of the appropriate Armed Force of the United States.

SEC. 209. Except in the case of the National Guard of the United States and the Air National Guard of the United States, each Reserve component shall be divided into training categories according to the types and degrees of training including the number and duration of drills or equivalent duties to be completed in stated periods of time, as the appropriate Secretary prescribes. The designation of such training categories shall be the same for each Armed Force of the United States.

SEC. 210. (a) Within such numbers as may be prescribed by the appropriate Secretary, enlisted members of the Reserve components may, with their consent, be selected for training as officer candidates, and members so selected shall be designated as officer candidates for the period of such training: *Provided*, That when not in the active military service of the United States, no member of the National Guard of the United States or Air National Guard of the United States shall be so selected, or designated, without the consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned.

(b) Subject to any limitations imposed on the authorized numerical strengths of each Reserve component, the numbers of officers and enlisted personnel authorized in the various ranks, grades, and ratings shall be the numbers determined by the appropriate Secretary to be necessary to provide for planned mobilization requirements. The appropriate Secretary shall review such determinations not less than once annually and revise them as he deems necessary. No member of a Reserve component shall be involuntarily reduced in his permanent rank, grade, or rating as a result of such a determination.

SEC. 211. The appropriate Secretary shall establish an adequate and equitable system for the promotion of members of the Reserve components in an active status. Such promotion system shall, insofar as practicable, be similar to that provided for members of the Regular component of the appropriate Armed Force of the United States. Promotion policies for officers of the Reserve components shall be based upon the mobilization requirements of the appropriate Armed Force of the United States in order to provide qualified officers in each grade, at ages suitable to their assignments and in numbers commensurate with mobilization needs. In order that vigorous Reserve forces may be maintained, necessary leadership encouraged, and a steady flow of promotion provided, such promotion systems shall provide for forced attrition to the extent necessary.

CHAPTER 2—APPOINTMENTS AND ENLISTMENTS

SEC. 212. (a) Subject to the limitation that no person other than a person who has had prior service in the Armed Forces of the United States or the National Security Training Corps shall be appointed or enlisted as a Reserve in the Armed Forces of the United States who is not a citizen of the United States, its Territories or possessions, or who has not made a declaration of intent to become a citizen thereof, the appropriate Secretary shall, except as otherwise provided by law, prescribe physical, mental, moral, professional, and age qualifications for appointment or enlistment of Reserve members of the Armed Forces of the United States. No person shall be appointed as a Reserve officer in any of the Armed Forces of the United States who is under the age of 18 years.

(b) Women may be appointed or enlisted as reserves in the Armed Forces of the United States for service in the Army Reserve, the

Naval Reserve, the Marine Corps Reserve, and the Air Force Reserve, as appropriate, in the same grades, ranks, and ratings as are authorized for women in the Regular component of the appropriate Armed Force of the United States. Women may be appointed or enlisted in the Coast Guard Reserve as provided in section 762, title 14, United States Code. Any female former officer or enlisted woman of an Armed Force of the United States may, if otherwise qualified, be appointed or enlisted as a Reserve in that Armed Force of the United States in the highest rank, grade, or rating satisfactorily held by her on active duty.

(c) Except in the case of Adjutants General and Assistant Adjutants General of the several States, Territories, and the District of Columbia, a person who has not held an appointment as a commissioned officer in any of the Armed Forces of the United States, or any component thereof, may not be appointed as a commissioned officer in a grade higher than major or lieutenant commander in any of the Armed Forces of the United States, except upon the recommendation of a board of officers convened by the appropriate Secretary.

SEC. 213. The President, by and with the advice and consent of the Senate, shall make all appointments of Reserves in general or flag officer grades.

SEC. 214. The President shall make all appointments of Reserves in commissioned grades below general or flag officer grades.

SEC. 215. The appropriate Secretary shall make all appointments of Reserves in warrant officer grades.

SEC. 216. All Reserve commissioned officers shall hold appointment during the pleasure of the President.

SEC. 217. (a) To become an officer of a Reserve component an individual shall be appointed as a Reserve commissioned officer or Reserve warrant officer of an Armed Force of the United States in a grade corresponding to one of the grades of the Regular component of that Armed Force of the United States and subscribe to the oath prescribed by section 1757 of the Revised Statutes, as amended (5 U. S. C. 16): *Provided*, That no person shall become a member of the National Guard of the United States or Air National Guard of the United States in a commissioned officer or warrant officer grade, hereunder, unless he first be appointed to and federally recognized in the same commissioned or warrant officer grade in the National Guard or Air National Guard in the appropriate State, Territory, or the District of Columbia and subscribe to the oath provided in section 73 of the National Defense Act, as amended.

(b) Each person appointed in a commissioned officer grade as a Reserve in an Armed Force of the United States shall be commissioned as a Reserve officer in the Army of the United States, the United States Navy, the United States Marine Corps, the United States Air Force, or the United States Coast Guard, as appropriate.

SEC. 218. Reserve warrant officers shall hold appointment during the pleasure of the appropriate Secretary.

SEC. 219. After the date of enactment of this act, all appointments of Reserve officers shall be for an indefinite term. All officers holding appointments on the date of enactment in the National Guard of the United States, or the Officers' Reserve Corps, or the Naval Reserve, or the Marine Corps Reserve, or the Air National Guard of the United States, or the Air Force Reserve, or the Coast Guard Reserve shall be considered to hold such appointments as Reserve officers, as the case may be, in the Army, Navy, Marine Corps, Air Force, or Coast Guard, as appropriate, and in the case of commissioned officers to hold commissions as provided in section 217 (b) of this act. Each such officer not holding an appointment for an indefinite term on the date of enactment of this act shall be given an appointment for an indefinite term in lieu of his current appointment if such officer, within 6 months after written notification by competent authority which shall be given within 6 months from the effective date of this act, shall agree in writing to have his current appointment continued for an indefinite term. In the event such officer does not so agree in writing, the term of his present appointment shall not be changed by this section. All persons now enlisted in the National Guard of the United States, or the Enlisted Reserve Corps, or the Naval Reserve, or the Marine Corps Reserve, or the Air National Guard of the United States, or the Air Force Reserve, or the Coast Guard Reserve shall be considered to be enlisted as Reserves in the Army, Navy, Marine Corps, Air Force, or Coast Guard, as appropriate, without change in the periods of their current enlistments.

SEC. 220. When not on active duty all members of the Reserve components, except those in the Retired Reserve, shall be given physical examinations at least once every 4 years, or more often as the appropriate Secretary deems necessary, and shall be required to submit personal certificates of physical condition annually.

SEC. 221. Except as otherwise provided by law, the appropriate Secretary may provide for the honorable discharge, or transfer to a retired status, of members of the Reserve components who are found not physically qualified for active duty: *Provided*, That no member of the National Guard of the United States or Air National Guard of the United States may be so transferred without the consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned. In determining physical qualifications for active duty, due consideration shall be given to the character of the duty to which the member may be assigned in the event he should be ordered to active duty pursuant to law.

SEC. 222. (a) Except as otherwise provided by law and subject to the provisions of subsection (b) of this section, enlisted members of the Reserve components shall be enlisted for such periods as the appropriate Secretary prescribes.

(b) Unless sooner terminated by the appropriate Secretary, all enlistments as Reserves in the Armed Forces of the United States, in force at the beginning of a war or national emergency hereafter declared by the Congress or entered into during the existence of such war or national emergency, which otherwise would expire, shall continue in force until 6 months after the termination of the war or national emergency, whichever is later.

(c) In time of war or national emergency hereafter declared by the Congress, the period of service of any member of a Reserve component who has been transferred thereto pursuant to law, unless sooner terminated by the appropriate Secretary, shall, if such period of service otherwise would expire, be extended until 6 months after the termination of the war or national emergency, whichever is later.

SEC. 223. To become an enlisted member of a Reserve component an individual shall be enlisted as a Reserve of an Armed Force of the United States and subscribe to the oath prescribed by section 8 of the act of May 5, 1950, as amended, or be transferred to a Reserve component pursuant to law: *Provided*, That no person shall become an enlisted member of the National Guard of the United States or Air National Guard of the United States, hereunder, unless he first be duly enlisted in the National Guard or Air National Guard of the appropriate State, Territory, or the District of Columbia, subscribe to the oath provided in section 70 of the National Defense Act, as amended, and is a member of a federally recognized unit or organization thereof in the same grade.

SEC. 224. Except as otherwise provided by this act, no person shall be a member of more than one Reserve component at the same time.

SEC. 225. (a) When an enlisted member of a Reserve component is designated as an officer candidate for temporary service in such category, his enlistment or period of service therein is extended by such period as he may remain in such officer candidate status beyond the normal expiration date thereof.

(b) No person while designated an officer candidate pursuant to this act shall participate in any Reserve Officer Training Corps program of the Armed Forces of the United States.

SEC. 226. Any Reserve officer whose age exceeds the maximum age prescribed for his grade and classification may be separated, or retained in or transferred to an active, inactive, or, upon his application, a retired status, as the appropriate Secretary may prescribe: *Provided*, That no officer of the National Guard of the United States or Air National Guard of the United States shall be so retained or transferred without the consent of the governor or other appropriate authority of the State, Territory, or the District of Columbia concerned.

SEC. 227. Persons who are otherwise qualified but who have physical defects, which as determined by the appropriate Secretary will not interfere with the performance of general or special duties to which they may be assigned, may be appointed or enlisted as reserves in any of the Armed Forces of the United States.

CHAPTER 3—DUTY AND RELEASE FROM DUTY

SEC. 228. (a) In time of war or national emergency hereafter declared by the Congress or when otherwise authorized by law, any unit and the members thereof, or any member not assigned to a unit organized for the purpose of serving as such, of any reserve component may, by competent authority, be ordered to active duty for the duration of the war or national emergency and for 6 months thereafter, but members on an inactive status list or in a retired status shall not be ordered to active duty without their consent unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a Military Department) determines that adequate numbers of qualified members of the reserve components in an active status or in the inactive National Guard in the required category are not readily available.

(b) Except in time of war or unless hereafter authorized by Congress, no member of the Armed Forces of the United States who has been assigned to duty and has served in the Korean combat zone during the existence of hostilities as prescribed by the Secretary of Defense shall be ordered to active duty as a member of a reserve component without his consent unless no other member of that reserve component who is qualified in the required military specialty is available as determined in accordance with regulations prescribed by the Secretary of Defense. The provisions of this subsection shall not apply to any member of the reserve components who has voluntarily become a member of an organized unit.

(c) At any time, any unit and the members thereof, or any member not assigned to a unit organized for the purpose of serving as such, in an active status in any reserve component may, by competent authority, be ordered to and required to perform active duty or active duty for training, without his consent, for not to exceed 15 days annually: *Provided*, That units and members of the National Guard of the United States or the Air National Guard of the United States shall not be ordered to or required to serve on active duty in the service of the United

States pursuant to this subsection without the consent of the Governor of the State or Territory concerned, or the commanding general of the District of Columbia National Guard.

(d) A member of a reserve component may, by competent authority, be ordered to active duty or active duty for training at any time with his consent: *Provided*, That no member of the National Guard of the United States or Air National Guard of the United States shall be so ordered without the consent of the Governor or other appropriate authority of the State, Territory, or District of Columbia concerned.

(e) A member of a reserve component ordered into the active military service of the United States will be allowed a reasonable period of time between the date he is alerted for active duty and the date on which he is required to enter upon active duty. Such period shall be at least 30 days unless military conditions as determined by the appropriate Secretary do not permit.

(f) If any expansion of the active Armed Forces of the United States which requires the ordering into the active military service involuntarily of individual officers of the reserve components who are not members of units organized for the purpose of serving as such, it shall be the policy to utilize to the greatest practicable extent the services of qualified and available officers of the reserve components in all grades in accordance with the requirements of branch, grade, and specialty.

(g) Insofar as practicable, in any expansion of the active Armed Forces of the United States which requires that units and members of the reserve components be ordered into the active military service of the United States, members of units organized and trained for the purpose of serving as a unit shall be ordered involuntarily into active duty only with their units. This shall not be interpreted as prohibiting the reassignment of personnel of such units after being ordered into the active military service of the United States.

SEC. 229. Members of the reserve components may with their consent, and in the case of the members of the National Guard of the United States and Air National Guard of the United States with the consent of the Governor or other appropriate authority of the State, Territory, or District of Columbia concerned, be ordered to or retained on active duty to perform duties in connection with organizing, administering, recruiting, instructing, or training the reserve components. Hereafter, members ordered into the active military service of the United States under the provisions of this section shall be so ordered in the grade held by them in the Reserve of their Armed Force, and shall, while so serving, continue to be eligible for promotion in the Reserve of their Armed Force, if otherwise qualified. For the purpose of insuring that members of the reserve components ordered to or retained on duty under this section receive periodic refresher training in the various categories for which individually qualified, the appropriate Secretary may order those members to duty with any of the Armed Forces of the United States or the components thereof, or otherwise as he sees fit.

SEC. 230. (a) In order that members of the reserve components may remain on or be ordered to active duty voluntarily for terms of service of definite duration, the appropriate Secretary may, except in time of war hereafter declared by the Congress enter into standard written agreements with members of the reserve components for periods of active duty not to exceed 5 years. Upon expiration of an agreement for active duty, a new agreement may be effected pursuant to this section. Each agreement shall provide that the member shall not be released from active duty involuntarily during the period of the agreement,

(1) by reason of a reduction in numerical strength of the military personnel of the Armed Force of the United States concerned unless his release is in accordance with the recommendation of a board of officers appointed by competent authority to determine the members to be released from active duty under regulations prescribed by the appropriate Secretary; or

(2) for reasons other than that prescribed in paragraph (1) above without an opportunity to be heard by a board of officers prior to such release, unless such release from active duty is pursuant to sentence of courts-martial, unexplained absence without leave of 3 months' duration, final conviction and sentence to confinement in a Federal or State penitentiary or correctional institution.

(b) Any member involuntarily released from active duty prior to the expiration of the period of service under his agreement (except when such release is pursuant to sentence of courts-martial, or unexplained absence without leave of 3 months' duration, or final conviction and sentence to confinement in a Federal or State penitentiary or correctional institution, or when such release is due to a physical disability resulting from the member's intentional misconduct or wilful neglect, or when the member is eligible for retirement pay or severance pay under any other provision of law, or when he is placed on a temporary disability retired list, or when he is released for the purpose of accepting an appointment or enlisting in a Regular component) shall be entitled to receive an amount equal to 1 month's pay and allowances multiplied by the number of years (including any pro rata part thereof) remaining as the unexpired period of his agreement for active duty, such amount to be in addition to any pay and allowances which he may otherwise be entitled to receive. Computation of amounts payable by reason of termination of each such agreement shall be based on the basic pay, special pay, and allowances to which the member concerned is entitled at the time of his release from active duty. Fractions of a month less than 15 days shall be disregarded and 15 days or more shall be counted as 1 month.

(c) A member of a reserve component who enters into a written agreement under this section shall be obligated to serve for the full period of active duty specified in the written agreement.

(d) No person shall be offered a written agreement under this section unless the period of active duty specified in the agreement exceeds by at least 12 months any period of obligated or involuntary active duty to which he is otherwise liable.

(e) Agreements entered into pursuant to this section shall be as uniform as practicable, and shall be subject to such standards and policies as the Secretary of Defense (and the Secretary of the Treasury for the Coast Guard when the Coast Guard is not operating as a service in the Navy) may prescribe.

(f) This section shall be effective upon enactment of this act.

SEC. 231. In time of war or national emergency hereafter declared by the Congress or in time of national emergency proclaimed by the President after the effective date of this act, a member of a reserve component whose period of active duty expires under an agreement entered into pursuant to section 230 of this act may be retained on active duty involuntarily in accordance with law.

SEC. 232. Notwithstanding any other provision of law, members of the reserve components now or hereafter serving on active duty may, under such regulations as may be prescribed by the appropriate Secretary, be detailed or assigned to any duty authorized by law for officers and enlisted members of a Regular component of the Armed Forces of the United States.

SEC. 233. When units or members of the reserve components are ordered to active duty during a period of partial mobilization, the appropriate Secretary shall continue to maintain mobilization forces by planning and budgeting to insure the continued organization and training of the reserve components not mobilized, and, consistent with the approved joint mobilization plans, to utilize to the fullest extent practicable the Federal facilities vacated by mobilized units.

SEC. 234. (a) Except as otherwise provided by this act, the appropriate Secretary may release any member of the reserve components from active duty or active duty for training at any time.

(b) In time of war or national emergency hereafter declared by the Congress, or in time of national emergency hereafter proclaimed by the President, a member of a reserve component who is serving on active duty, shall not be released from active duty except on the approved recommendation of a board of officers convened by competent authority if he requests such action: *Provided*, That the provisions of this subsection shall not be applicable to any Armed Force during a period of demobilization or reduction in strength of any such Armed Force.

CHAPTER 4—PAY, ALLOWANCES, AND BENEFITS

SEC. 235. Subject to the provisions of this act, members of the reserve components may be ordered to active duty, active duty for training, or other duty with pay and allowances as provided by law, or, with their consent, without pay. Duty without pay shall be counted for all purposes the same as like duty with pay.

SEC. 236. Members of the reserve components retained or continued on active duty or active duty for training pursuant to law after the expiration of their term of service are entitled to pay and allowances while on such duty except to the extent that forfeiture thereof is adjudged by an approved sentence of a court martial or nonjudicial punishment by a commanding officer, or unless otherwise in a nonpay status pursuant to law.

SEC. 237. When employed on active duty or on active duty for training with pay and when engaged in authorized travel to and from such duty, enlisted members of the reserve components designated as officer candidates under the provisions of section 210 (a) of this act shall have the pay and allowances of their enlisted grade, but not less than the pay and allowances of pay grade E–2 under the Career Compensation Act of 1949, as amended.

SEC. 238. (a) An officer of a reserve component or of the Army of the United States without component or the Air Force of the United States without component shall be entitled to an initial sum not to exceed $200 as reimbursement for the purchase of required uniforms and equipment, either—

(1) upon first reporting for active duty for a period in excess of 90 days; or

(2) upon completion, as a member of a reserve component, of not less than 14 days' active duty or active duty for training, or

(3) after the performance of 14 periods of not less than 2 hours' duration each, of inactive-duty training as a member of a reserve component: *Provided*, That only duty requiring the wearing of the uniform shall be counted for the purpose of this section: *Provided further*, That any initial uniform reimbursement or allowance heretofore or hereafter received as an officer under the provisions of any other law shall be a bar to the entitlement for any initial sum authorized under the provisions of this section: *And provided further*, That any individual who has served on active duty as an officer of a Regular component of the Armed Forces of the United States may not be qualified for entitlement under this section by duty performed within 2 years after separation from such Regular component.

(b) An officer of a reserve component shall be entitled to an additional sum of not to exceed $50 for reimbursement for the purchase of required uniforms and equipment, upon completion of each period after the date of enactment of this act for 4 years of satisfactory Federal service as prescribed in title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended, performed in an active status in a reserve component and which shall include at least 28 days of active duty or active duty for training: *Provided*, That any period of active duty or active duty for training for a period in excess of 90 days shall be excluded in determining the period of 4 years required for eligibility under this subsection: *Provided further*, That a person who receives or has heretofore received a uniform reimbursement or allowance as an officer shall not be entitled to the reimbursement provided in this subsection until the expiration of not less than 4 years from the date of entitlement to the last reimbursement or allowance: *And provided further*, That, until 4 years after the date of enactment hereof, an officer may elect to receive the uniform reimbursement not to exceed $50 of which he may be entitled under existing regulations issued pursuant to section 302 of the Naval Reserve Act of 1938, as amended, or section 11 of the act of August 4, 1942, as amended.

(c) An officer of a reserve component or of the Army of the United States without component or of the Air Force of the United States without component entering on active duty or active duty for training on or after June 25, 1950, shall be entitled, for each time of such entry or reentry on active duty or active duty for training of more than 90 days' duration to a further sum not to exceed $100 as reimbursement for additional uniforms and equipment required on such duty: *Provided*, That the reimbursement provided by this subsection shall not be payable to any officer who, under any provision of law, has received an initial uniform reimbursement or allowance in excess of $200 during his current tour of active duty or within a period of 2 years prior to entering on his current tour of active duty: *Provided further*, That the reimbursement provided in this subsection shall not be payable to any officer entering on active duty or active duty for training within 2 years after completing a previous period of active duty or active duty for training of more than 90 days' duration.

(d) The receipt of a uniform and equipment reimbursement as an officer of one of the reserve components shall be a bar to entitlement to a uniform reimbursement upon transfer to or appointment in another, except where a different uniform is required: *Provided*, That reimbursement for uniforms and equipment upon transfer to or appointment in another reserve component within the limits and under the conditions prescribed by subsections (a) and (c) of this section may be made in accordance with regulations approved by the Secretary of Defense or the Secretary of the Treasury in the case of the Coast Guard when the Coast Guard is operating as a service in the Treasury Department.

SEC. 239. Section 501 of the Career Compensation Act of 1949, as amended, is further amended, by substituting a comma for the colon immediately preceding the proviso in subsection (a) thereof, and inserting the following: "and additionally, in the discretion of the Secretary concerned, enlisted members of the above services shall be entitled to rations in kind, or a portion thereof, when the instruction or duty period or periods concerned total eight or more hours in any one calendar day."

SEC. 240. (a) All provisions of law applicable to the Organized Reserve Corps or the Air Force Reserve, and to the members thereof and their dependents and beneficiaries, not inconsistent with the provisions of this act, shall be applicable to the Army Reserve and to the Air Force Reserve referred to in this act, respectively, and to the members thereof and their dependents and beneficiaries. All provisions of law applicable to the Officers Reserve Corps and to the members thereof or to officers of the Air Force Reserve, and their dependents and beneficiaries, not inconsistent with the provisions of this act, shall be applicable to officers of the Army Reserve and the Air Force Reserve referred to in this act, respectively, and their dependents and beneficiaries. All provisions of law applicable to the Enlisted Reserve Corps and to the members thereof or to enlisted members of the Air Force Reserve, and their dependents and beneficiaries, not inconsistent with the provisions of this act, shall be applicable to enlisted members of the Army Reserve and the Air Force Reserve referred to in this act, respectively, and their dependents and beneficiaries.

(b) All provisions of law applicable to the Naval Reserve, Marine Corps Reserve, or the Coast Guard Reserve (other than temporary members of the Coast Guard Reserve), and to the members thereof and their dependents and beneficiaries, not inconsistent with the provisions of this act, shall be applicable to the Naval Reserve, Marine Corps Reserve, and the Coast Guard Reserve (other than temporary members of the Coast Guard Reserve) referred to in this act, respectively, and to the members thereof and their dependents and beneficiaries. All provisions of law applicable to officers of the Naval Reserve, Marine Corps Reserve, or of the Coast Guard Reserve (other than temporary officers of the Coast Guard Reserve), and their dependents and beneficiaries, not inconsistent with the provisions of this act, shall be applicable to officers of the Naval Reserve, Marine Corps Reserve, and of the Coast Guard Reserve (other than temporary officers of the Coast Guard Reserve) referred to in this act, respectively, and their dependents and beneficiaries. All provisions of law applicable to enlisted members of the Naval Reserve, Marine Corps Reserve, or Coast Guard Reserve (other than temporary members of the Coast Guard Reserve), and their dependents and beneficiaries, not inconsistent with the provisions of this act, shall be applicable to enlisted members of the Naval Reserve, Marine Corps Reserve, and of the Coast Guard Reserve (other than temporary members of the Coast Guard Reserve) referred to in this act, respectively, and their dependents and beneficiaries.

(c) All laws applicable to commissioned, warrant, or enlisted members of the National Guard of the United States and the Air National Guard of the United States, and to their beneficiaries and dependents, not inconsistent with the provisions of this act, shall be applicable to commissioned, warrant, and enlisted members, respectively, of the National Guard of the United States and the Air National Guard of the United States referred to in this act, and to their beneficiaries and dependents.

CHAPTER 5—CIVIL EMPLOYMENT

SEC. 241. When not on active duty, members of the Reserve components shall not be held or considered to be officers or employees of the United States, or persons holding any office of profit or trust or discharging any official function under or in connection with any department or agency of the United States, solely by reason of their appointments, oaths, commissions, or status as such, or any duties or functions performed or pay and allowances received as such.

SEC. 242. Members of the Reserve components, subject to the approval of the appropriate Secretary, may accept civil employment with and compensation therefor from any foreign government or any concern which is controlled in whole or in part by a foregin government.

CHAPTER 6—SEPARATION

SEC. 243. Subject to the provisions of this act, the discharge of commissioned officers of the Reserve components shall be effected at the pleasure of the President, and the discharge of other members of the Reserve components shall be in accordance with regulations promulgated by the appropriate Secretary.

SEC. 244. (a) An officer of the Reserve components who has completed 3 years of commissioned service shall not be involuntarily discharged or separated except pursuant to the approved recommendation of a board of officers convened by competent authority or the approved sentence of a court-martial: *Provided*, That this subsection shall not apply to separation effected under subsection (b) of this section or section 226 of this act.

(b) The President or the appropriate Secretary may drop from the rolls any member of the Reserve components who has been absent without authority from his place of duty for a period of 3 months or more, or who, having been found guilty by the civil authorities of any offense, is finally sentenced to confinement in a Federal or State penitentiary or correctional institution.

(c) A member of a Reserve component discharged or separated for cause other than as specified in subsection (b) of this section shall be given a discharge under honorable conditions unless—

(1) a discharge under conditions other than honorable is effected pursuant to the approved sentence of a court-martial or the approved findings of a board of officers convened by competent authority, or

(2) the member consents to a discharge under conditions other than honorable with waiver of court-martial or board proceedings.

CHAPTER 7—ADMINISTRATION

SEC. 245. There shall be no discrimination between and among members of the Regular and Reserve components in the administration of laws applicable to both Regulars and Reserves.

SEC. 246. The Secretary of the Treasury with the concurrence of the Secretary of the Navy, and, subject to such standards, policies, and procedures as may be prescribed by the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall make and publish such regulations as he determines necessary to carry out the provisions of this act. Insofar as practicable, the regulations for all the Reserve components shall be uniform.

SEC. 247. Each of the Armed Forces of the United States shall have officer members of its Reserve components on active duty at the seat of the Government and at such headquarters as are charged with responsibility for Reserve affairs, in addition to those authorized pursuant to the provisions of sections 5 and 81 of the National Defense Act, as amended, or any other provision of law, within such numbers and in such grades and duty assignments as the appropriate Secretary shall prescribe, to assist and participate in the preparation and administration of all policies and regulations affecting their Reserve component. While so serving such officers shall be considered as additional numbers of the staff with which serving.

SEC. 248. The appropriate Secretary shall detail such members of the Regular and Reserve components as may be necessary for effectively developing, training, instructing, and administering the Reserve components.

SEC. 249. (a) All boards convened for the appointment, promotion, demotion, involuntary release from active duty, discharge, or retirement of members of the Reserve components shall include appropriate representation from the Reserve components, as pre-

scribed by the appropriate Secretary in accordance with standards and policies established by the Secretary of Defense.

(b) The members of all boards convened for selection for promotion or for the discharge or demotion of members of the Reserve components shall be senior to the members under consideration, except that a member of a board serving in a legal advisory capacity may be junior to any person, other than a judge advocate or a law specialist, being considered and that a member of a board serving in a medical advisory capacity may be junior to any person, other than a medical officer, being considered.

SEC. 250. (a) The appropriate Secretary shall make available to each Reserve component such supplies, equipment, services, and facilities of the Armed Forces of the United States as he may deem necessary and advisable for the support and development of the Reserve components.

(b) The appropriate Secretary or his authorized representative may issue supplies and equipment of the appropriate Armed Force of the United States to the Reserve components without charging the cost or value thereof, or any expenses in connection therewith, against or in any way affecting the appropriation provided for the Reserve components: *Provided*, That the appropriate Secretary finds it to be in the best interests of the United States to issue such equipment and supplies: *And provided further*, That any such equipment and supplies so furnished may, pursuant to this section, be repossessed or redistributed as the appropriate Secretary may prescribe. This subsection shall not apply to supplies and equipment issued to the National Guard and Air National Guard of the several States, Territories, and the District of Columbia, under sections 67 and 84, National Defense Act, as amended, but applies to supplies and equipment issued in addition thereto.

(c) Nothing in this section shall be construed to repeal, limit, or modify in any manner the provisions of sections 67 and 84, National Defense Act, as amended.

SEC. 251. (a) The Secretary of Defense shall designate an Assistant Secretary of Defense who shall, in addition to other duties, have the principal responsibility for all Reserve affairs of the Department of Defense. The Secretary of each military department and, when the Coast Guard is not operating as a service in the Navy, the Secretary of the Treasury, or as such Secretary may prescribe for his department, the Under Secretary or an Assistant Secretary of such department, shall, in addition to other duties, have the principal responsibility for supervision of all activities of the Reserve components under the jurisdiction of that department.

(b) The Secretary of each military department and, when the Coast Guard is not operating as a service in the Navy, the Secretary of the Treasury shall designate a general or flag officer of each Armed Force of the United States therein who shall be directly responsible for Reserve affairs to the Chief of Staff of the Army, the Chief of Naval Operations, the Commandant of the Marine Corps, the Chief of Staff of the Air Force, and the Commandant of the Coast Guard, as appropriate. Nothing in this subsection shall be deemed to curtail or infringe upon the present missions and functions of the Chief of the National Guard Bureau.

SEC. 252. (a) There is hereby established in the Office of the Secretary of Defense a Reserve Forces Policy Board consisting of—

(i) a civilian chairman appointed by the Secretary of Defense;

(ii) the Secretary, the Under Secretary, or an Assistant Secretary of each military department designated pursuant to section 251 (a) of this act;

(iii) one Regular officer from each military department designated by the appropriate Secretary;

(iv) four Reserve officers appointed by the Secretary of Defense upon recommendation of the Secretary of the Army, two of whom shall be members of the National Guard of the United States and two of whom shall be members of the Army Reserve;

(v) four Reserve officers appointed by the Secretary of Defense upon recommendation of the Secretary of the Navy, two of whom shall be members of the Naval Reserve and two of whom shall be members of the Marine Corps Reserve;

(vi) four Reserve officers appointed by the Secretary of Defense upon recommendation of the Secretary of the Air Force, two of whom shall be members of the Air National Guard of the United States and two of whom shall be members of the Air Force Reserve; and

(vii) a Reserve officer of general or flag officer grade appointed by the chairman of the Board with the approval of the Secretary of Defense, who shall act as military adviser to the chairman and shall serve as executive officer of the Board without vote.

(b) When the Coast Guard is not operating as a service in the Navy, the Secretary of the Treasury may designate a Regular or Reserve officer of the Coast Guard to serve with the Reserve Forces Policy Board but he shall not be a voting member.

(c) The Reserve Forces Policy Board, acting through the Assistant Secretary of Defense designated pursuant to section 251 (a) of this act, shall be the principal policy adviser to the Secretary of Defense on matters pertaining to the Reserve components.

(d) Nothing in this section shall be construed to limit or modify in any manner the functions of the committees on reserve policies established pursuant to section 5 of the National Defense Act, as amended, or by this act: *Provided*, That nothing herein shall prevent a member of those committees from serving as a member of the Reserve Forces Policy Board.

(e) The semiannual report of the Secretary of Defense as required by the National Security Act of 1947, as amended, shall contain a report of the Reserve Forces Policy Board on the status of the reserve programs of the Department of Defense.

SEC. 253. Each armed force of the United States shall maintain adequate and current personnel records of each member of its reserve components, indicating the physical condition, dependency, status, military qualifications, civilian occupational skills, availability, and such other data as the appropriate Secretary may prescribe.

SEC. 254. The Secretary of Defense is directed to require the complete and up-to-date dissemination of information of interest to the reserve components to all members of the reserve components and to the public in general.

PART III—RESERVE COMPONENTS OF THE ARMY

SEC. 301. The National Guard of the United States and the Army Reserve are reserve components of the Army. All officers and enlisted members of the National Guard of the United States and all officers and enlisted members of the Army Reserve and Reserve officers and Reserve enlisted members, respectively, of the Army.

SEC. 302. The Organized Reserve Corps is redesignated as the Army Reserve.

SEC. 303. The Army Reserve includes all Reserve officers and Reserve enlisted members of the Army other than those who are members of the National Guard of the United States.

SEC. 304. Except as otherwise specifically provided, all laws now or hereafter applicable to male officers and former officers of the Army Reserve, to enlisted men and former enlisted men of the Army Reserve, and to their dependents and beneficiaries shall in like cases be applicable, respectively, to female Reserve officers and female former Reserve officers of the Army Reserve, to Reserve enlisted women and former Reserve enlisted women of the Army Reserve, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the female persons in the Army Reserve. The husbands of women members of the Army Reserve shall not be considered dependents unless they are in fact dependent on their wives for over half of their support, and the children of such members shall not be considered dependents unless they are in fact dependent on their mother for over half of their support.

PART IV—RESERVE COMPONENTS OF THE NAVY, MARINE CORPS, AND COAST GUARD

SEC. 401. The Naval Reserve is the Reserve component of the Navy.

SEC. 402. The Marine Corps Reserve is the Reserve component of the Marine Corps.

SEC. 403. The Coast Guard Reserve is the Reserve component of the Coast Guard.

SEC. 404. The Naval Reserve shall be organized, administered, trained, and supplied under the direction of the Chief of Naval Operations. The bureaus and offices of the Navy shall hold the same relation and responsibility to the Naval Reserve as they do to the Regular Establishment.

SEC. 405. The Marine Corps Reserve shall be organized, administered, trained, and supplied under the direction of the Commandant of the Marine Corps. The departments and offices of the Marine Corps shall hold the same relation and responsibility to the Marine Corps Reserve as they do to the Regular Establishment.

SEC. 406. The Coast Guard Reserve shall be organized, administered, trained, and supplied under the direction of the Commandant of the Coast Guard. The departments and offices of the Coast Guard shall hold the same relation and responsibility to the Coast Guard Reserve as they do to the Regular Establishment.

SEC. 407. For the purpose of considering, recommending, and reporting to the appropriate Secretary on Reserve policy matters, there shall be convened at least annually at the seat of government a Naval Reserve Policy Board, a Marine Corps Reserve Policy Board, and a Coast Guard Reserve Policy Board. At least half of the members of each such Reserve policy board shall be officers of the appropriate Reserve component.

SEC. 408. The act of March 17, 1949 (ch. 23; 63 Stat. 14), is amended by striking out the first proviso thereof.

SEC. 409. The Secretary of the Navy shall prescribe a suitable flag to be known as the Naval Reserve flag. This flag may be flown by seagoing merchant vessels—

(a) documented under the laws of the United States, which have been designated by the Secretary of the Navy under such regulations as he may prescribe as suitable for service as naval auxiliaries in time of war, and

(b) the master or commanding officer and not less than 50 percent of the other licensed officers of which are members of the Navy or Naval Reserve.

SEC. 410. The Secretary of the Navy shall prescribe a suitable pennant to be known as the Naval Reserve yacht pennant. This pennant may be flown by yachts and similar-type vessels—

(a) documented under the laws of the United States, which have been designated by the Secretary of the Navy under such regulations as he may prescribe as suitable for service as naval auxiliaries in time of war, and

(b) the captain or owner of which is a member of the Navy or Naval Reserve.

SEC. 411. In time of national emergency declared by the President or by the Congress and in time of war, the President is authorized to appoint qualified persons (including persons who hold no Regular or Reserve status) as temporary officers in the Naval Reserve and the Marine Corps Reserve in any of the several commissioned officer grades, and persons so appointed may be ordered to active duty for such periods of time as the President may prescribe. The appointment of such a temporary officer, if not sooner vacated, shall continue during the national emergency or war in which the appointment was made and for 6 months thereafter. All such temporary appointments may be vacated at any time by the President. Temporary officers so appointed may, upon application, and, if selected, be commissioned as a Regular or Reserve officer of the Armed Force of the United States in which he served as provided by law.

SEC. 412. Temporary members now or hereafter enrolled in the Coast Guard Reserve are excluded from the provisions of this act.

SEC. 413. (a) Members of the Naval Reserve and the Marine Corps Reserve who have performed a total of not less than 30 years' active Federal service; or who have had not less than 20 years' active Federal service, the last 10 years of which shall have been performed during the 11 years immediately preceding their transfer to a Retired Reserve; may be placed in a Retired Reserve upon their request.

(b) Except while on active duty, personnel transferred to a Retired Reserve as provided by this section shall be entitled to pay at the rate of 50 percent of their active-duty rate of pay.

(c) If a performance of duty for which commended occurred not later than December 31, 1946, officers specially commended for a performance of duty in actual combat with the enemy by the head of the executive department under whose jurisdiction such duty was performed shall be advanced to the next higher grade when placed in a Retired Reserve. However, officers heretofore holding rank or grade on the honorary retired lists of the Naval Reseve or Marine Corps Reserve or hereafter holding rank or grade in a Retired Reserve pursuant to this section above captain in the Naval Reserve or above colonel in the Marine Corps Reserve solely by virtue of such condemnation, if hereafter recalled to active duty, may, in the discretion of the Secretary of the Navy, be recalled either in the rank or grade to which they would otherwise be entitled had they not been accorded higher rank or grade by virtue of such commendation, or in the rank or grade held by them in a Retired Reserve.

(d) The provisions of this section shall not be applicable to any person who is not a member of the Naval Reserve or Marine Corps Reserve on the effective date of this act.

(e) The provisions of this section shall terminate 20 years from the effective date of this act, but such termination shall not affect any accrued rights to retired pay.

(f) Nothing contained in this section shall be construed as prohibiting any person eligible for retirement under the provisions of this section from retiring under the provisions of any other law under which he may be eligible.

SEC. 414. Except as otherwise specifically provided, all laws now or hereafter applicable to male officers and former officers of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve; to enlisted men and former enlisted men of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve; and to their dependents and beneficiaries shall in like cases be applicable respectively to female Reserve officers and female former Reserve officers of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve, as appropriate, to Reserve enlisted women and former Reserve enlisted women of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve, as appropriate, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the female persons. The husbands of women members of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve shall not be considered dependents unless they are in fact dependent on their wives for over half of their support, and the children of such members shall not be considered dependents unless they are in fact dependent on their mother for over half of their support.

PART V—THE NAVAL MILITIA

SEC. 501. The Naval Militia consists of the Naval Militia of the States, Territories, and the District of Columbia.

SEC. 502. The Secretary of the Navy may appoint any officer or enlisted member of the Naval Militia to the rank, grade, or rating for which qualified in the Naval Reserve or Marine Corps Reserve.

SEC. 503. When ordered to active duty in the service of the United States, members of the Naval Reserve or Marine Corps Reserve who are members of the Naval Militia of any State, Territory, or the District of Columbia shall stand relieved from all service or duty in the Naval Militia from the active duty date of the orders and for so long as they remain on active duty.

SEC. 504. Such vessels, material, armament, equipment, and other facilities of the Navy and Marine Corps as are or may be made available to the Naval Reserve and the Marine Corps Reserve may also be made available in accordance with regulations prescribed by the Secretary of the Navy for issue or loan to the several States, Territories, or the District of Columbia for the use of the Naval Militia if—

(a) at least 95 percent of the personnel of the portion or unit of the Naval Militia to which such facilities would be made available are members of the Naval Reserve or Marine Corps Reserve, and

(b) the organization, administration, and training of the Naval Militia conform to standards prescribed by the Secretary of the Navy.

PART VI—RESERVE COMPONENTS OF THE AIR FORCE

SEC. 601. The Air National Guard of the United States and the Air Force Reserve are reserve components of the Air Force. All officers and enlisted members of the Air National Guard of the United States and all officers and enlisted members of the Air Force Reserve or Reserve officers and Reserve enlisted members, respectively, of the Air Force.

SEC. 602. The Air Force Reserve includes all Reserve officers and Reserve enlisted members of the Air Force other than those who are members of the Air National Guard of the United States.

SEC. 603. Except as otherwise specifically provided, all laws now or hereafter applicable to male officers and former officers of the Air Force Reserve, to enlisted men and former enlisted men of the Air Force Reserve, and to their dependents and beneficiaries shall in like cases be applicable respectively to female Reserve officers and female former Reserve officers of the Air Force Reserve, to Reserve enlisted women and former Reserve enlisted women of the Air Force Reserve, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the female persons in the Air Force Reserve. The husbands of women members of the Air Force Reserve shall not be considered dependent unless they are in fact dependent on their wives for over half of their support, and the children of such members shall not be considered dependents unless they are in fact dependent on their mother for over half of their support.

PART VII—THE NATIONAL GUARD OF THE UNITED STATES AND THE AIR NATIONAL GUARD OF THE UNITED STATES

SEC. 701. The National Guard of the United States and the Air National Guard of the United States are reserve components of the Army and the Air Force, respectively, and references in this act, in the absence of express provision otherwise, are to be construed accordingly. Whenever joint reference is made to the National Guard of the United States and the Air National Guard of the United States on any matter of common concern together with reference to the Army and Air Force or other component thereof, the reference in the case of the National Guard of the United States shall be construed to be to the Army and in the case of the Air National Guard of the United States to be to the Air Force.

SEC. 702. (a) The National Guard of the United States shall consist of all federally recognized units, organizations, and members of the National Guard of the several States, Territories, and the District of Columbia, who, in addition to their status as such, are Reserves of the Army in the same commissioned, warrant, or enlisted grades as they hold in the National Guard of the several States, Territories, or the District of Columbia.

(b) The Air National Guard of the United States shall consist of all federally recognized units, organizations, and members of the Air National Guard of the several States, Territories, and the District of Columbia, who, in addition to their status as such, are Reserves of the Air Force in the same commissioned, warrant, or enlisted grade as they hold in the Air National Guard of the several States, Territories, or the District of Columbia.

SEC. 703. (a) To be federally recognized, a member of the National Guard or Air National Guard of any State, Territory, or the District of Columbia must be a member of a federally recognized unit or other federally recognized subdivision of the National Guard or Air National Guard, respectively, and possess the qualifications prescribed by the appropriate Secretary for the grade, branch, position, and type of unit or other subdivision involved, and, in the case of officers, except as provided in section 705 of this act, successfully pass the examination prescribed by section 75 of the National Defense Act, as amended.

(b) Upon being federally recognized, those officers who do not hold appointments as Reserve officers of the appropriate Armed Force of the United States shall be appointed as Reserve officers of the appropriate Armed Force of the United States in the same grade in which they hold federally recognized appointments in the National Guard or Air National Guard of a State, Territory, or the District of Columbia, for service as a member of the National Guard of the United States or Air National Guard of the United States, as appropriate: *Provided*, That the acceptance of an appointment in the same grade and branch as a Reserve officer of the Armed Force of the United States concerned, by an officer of the National Guard or Air National Guard of a State, Territory, or the District of Columbia, shall not operate to vacate his State, Territory, or District of Columbia National Guard or Air National Guard office.

SEC. 704. The appropriate Secretary may by regulation authorize the temporary extension of Federal recognition to any officer of the National Guard or Air National Guard who shall have successfully passed the examination prescribed in section 75 of the National Defense Act, as amended, pending final determination of his eligibility for, and his appointment as, a Reserve officer of the Army or Air Force in the grade concerned. If and when so appointed the appointment shall be dated as of, shall be considered to have been accepted on, and shall be deemed to have been effective from, the date of such

recognition. However, a temporary extension of Federal recognition shall be granted only when the officer takes oath that during such recognition he will perform all Federal duties and obligations required of him the same as though he were appointed as a Reserve officer of the Army or Air Force in the same grade. Such temporary recognition may be withdrawn at any time and if not sooner withdrawn or replaced by permanent recognition upon appointment as a Reserve officer in the same grade, it shall automatically terminate 6 months after its effective date: *Provided*, That temporary extension of Federal recognition may, as provided in this section, be granted to Reserve officers pending final determination of their eligibility for such Federal recognition.

SEC. 705. (a) Notwithstanding the provisions of section 75, National Defense Act, as amended, whenever a member of the Army Reserve or Air Force Reserve becomes an officer of the National Guard or Air National Guard of any State, Territory, or District of Columbia in the same grade in which he is appointed as a Reserve officer of the appropriate Armed Force of the United States, he shall, subject to such physical examination as may be prescribed, be extended Federal recognition in such grade as of the date of his appointment in the National Guard or Air National Guard and concurrently become a member of the National Guard of the United States or Air National Guard of the United States, as appropriate, and ceases to be a member of the Army Reserve or of the Air Force Reserve.

(b) Whenever a member of the Army Reserve or of the Air Force Reserve is duly enlisted in the National Guard or Air National Guard of any State, Territory, or the District of Columbia, and is a member of a federally recognized unit or organization thereof, in the same grade in which he is a Reserve of the appropriate Armed Force of the United States, he becomes a member of the National Guard of the United States or of the Air National Guard of the United States and ceases to be a member of the Army Reserve or of the Air Force Reserve.

SEC. 706. Under such regulations as the appropriate Secretary may prescribe, and with the consent of the Governor or other appropriate authority of the State, Territory, or District of Columbia concerned, a member of the National Guard of the United States or of the Air National Guard of the United States may be transferred in grade at any time to the Army Reserve or the Air Force Reserve, and such transfer shall terminate his federally recognized National Guard or Air National Guard status. Upon the transfer of any person whose service has been honorable, from the National Guard of the United States or from the Air National Guard of the United States to the Army Reserve or to the Air Force Reserve, he shall be eligible for promotion to the highest permanent grade previously held in the Army or any component thereof, or in the Air Force or any component thereof.

SEC. 707. Unless discharged from his appointment or enlistment as a Reserve officer or Reserve enlisted member, respectively, whenever a member of the National Guard of the United States or of the Air National Guard of the United States ceases to hold a status as a federally recognized member of the National Guard or of the Air National Guard of any State, Territory, or the District of Columbia, he becomes a member of the Army Reserve or of the Air Force Reserve and ceases to be a member of the National Guard of the United States or of the Air National Guard of the United States.

SEC. 708. Notwithstanding any other provisions of this Act, warrant officers and enlisted members of the National Guard of the United States and of the Air National Guard of the United States may, without affecting such status, hold appointments as Reserve commissioned officers of the Army or of the Air Force in the grade of second lieutenant or first lieutenant without vacating their warrant or enlisted grades and ratings in the National Guard or Air National Guard of the appropriate State, Territory, or the District of Columbia.

SEC. 709. Except when ordered thereto in accordance with law, members of the National Guard of the United States and of the Air National Guard of the United States shall not be on active duty in the service of the United States. When not on active duty in the service of the United States, they shall be administered, armed, uniformed, equipped, and trained in their status as members of the National Guard and Air National Guard of the several States, Territories, and the District of Columbia.

SEC. 710. When ordered to active duty in the service of the United States, members of the National Guard of the United States and of the Air National Guard of the United States shall stand relieved from duty in the National Guard and Air National Guard of their respective States, Territories, and the District of Columbia from the active-duty date of the orders and for so long as they remain on active duty in the service of the United States. During such active duty in the service of the United States, they shall be subject to the laws and regulations applicable to members of the Army and Air Force.

SEC. 711. Upon ordering any portion of the National Guard of the United States or of the Air National Guard of the United States into the active military service of the United States, the President may relieve the State, Territory, or District of Columbia concerned of such accountability and liability under such terms and conditions as he may prescribe for any United States property theretofore issued to it for the use of such portion of the National Guard of the United States or of the Air National Guard of the United States.

SEC. 712. (a) During the initial mobilization, insofar as practicable, the organization of units of the National Guard of the United States and of the Air National Guard of the United States existing at the date of an order to active Federal service shall be maintained intact.

(b) Upon being relieved from active duty, insofar as practicable, units, organizations, and individuals shall be returned to the National Guard and Air National Guard in their respective States, Territories, and the District of Columbia, together with sufficient arms and equipment as determined by the appropriate Secretary to accomplish their peacetime mission.

SEC. 713. (a) When officers and enlisted members of the National Guard of the United States or of the Air National Guard of the United States are ordered into Federal service they shall be ordered to active duty in their status as Reserve officers and Reserve enlisted members of the Army or Air Force.

(b) When the National Guard of the United States or the Air National Guard of the United States is ordered into the active military service of the United States, officers of the National Guard and of the Air National Guard who do not hold appointments as Reserve officers of the Army or Air Force may be so appointed by the President in the same grade and branch held by them in the National Guard or Air National Guard.

SEC. 714. For the purposes of all laws now or hereafter enacted providing benefits for members of the National Guard of the United States and of the Air National Guard of the United States and their dependents and beneficiaries—

(a) All military training, duties, and service performed by members of the National Guard of the United States or members of the Air National Guard of the United States while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia, for which they are entitled by law to receive pay from the United States, shall be considered military training, duties, and service in the service of the United States performed by them as Reserve members of the Army or Air Force.

(b) The full-time training or other full-time duty performed by members of the National Guard of the United States or members of the Air National Guard of the United States while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia pursuant to sections 94, 97, 99, and 113 of the National Defense Act, as amended, for which they are entitled to receive pay from the United States or without pay as provided in section 235 of this Act shall be considered active duty for training in the service of the United States as Reserve members of the Army or Air Force: *Provided*, That from the date of enactment of this act such duty for a period of 30 days or more shall be considered active service as members of the Armed Forces for the purposes of the Armed Forces Leave Act of 1946 (60 Stat. 963) as amended (37 U. S. C. 31a et seq.).

(c) The inactive-duty training performed by members of the National Guard of the United States or members of the Air National Guard of the United States while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia under regulations prescribed by the appropriate Secretary pursuant to section 92 of the National Defense Act, as amended, or other express provision shall be considered inactive-duty training in the service of the United States as Reserve members of the Army or Air Force.

PART VIII—APPROPRIATIONS, REPEALS, AMENDMENTS, AND MISCELLANEOUS PROVISIONS

SEC. 801. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

SEC. 802. Except as otherwise specifically provided, this act shall become effective on the first day of the sixth month following the month of enactment.

SEC. 803. The following acts and parts of acts are repealed:

The Naval Reserve Act of 1938, as amended, except for all provisions of title II and section 304 of title III. Notwithstanding the repeal of section 1 and section 4 of title I of the Naval Reserve Act of 1938, as amended, the Fleet Reserve established by said act, as amended, shall be composed of persons transferred thereto in accordance with title II of said act, as amended, including (a) those former members of the Fleet Naval Reserve as a result of 16 of more years of active naval service who were transferred to the Fleet Reserve in accordance with the said act, and (b) citizens of the Philippine Islands who were in the naval service on July 4, 1946, or who, having been discharged from the naval service on or prior to that date, reenlisted therein subsequent to July 4, 1946, but before the expiration of 3 months following discharge. The unrepealed provisions of the Naval Reserve Act of 1938, as amended, shall continue to apply to the Marine Corps as well as the Navy.

The act of March 17, 1941 (ch. 19, 55 Stat. 43, as amended; 34 U. S. C. 855c–2).

Section 10 of the Naval Aviation Cadet Act of 1942 (56 Stat. 738; 34 U. S. C. 8501).

Section 1 of the act of December 18, 1942 (56 Stat. 1066; 34 U. S. C. 853c–5).

The act of January 20, 1942 (ch. 12, 56 Stat. 10; 34 U. S. C. 853a–1).

Title 14, United States Code, sections 751, 752, 753, and 759.

Sections 37, 37a, 38, 55a, 55b, and 111 of the National Defense Act, as amended.

The second paragraph of section 58 of the National Defense Act, as amended (32 U. S. C. 4a).

Subsection (b) of section 71 of the National Defense Act, as amended (32 U. S. C. 4b).

The last paragraph of section 75 of the National Defense Act, as amended (32 U. S. C. 113).

The second sentence of section 77 of the National Defense Act, as amended (32 U. S. C. 114).

That portion of section 109 of the National Defense Act, as amended, which precedes the final proviso of the section (32 U. S. C. 143).

Section 11 of the act of August 4, 1942 (56 Stat. 738, as amended; 34 U. S. C. 850j).

Sections 2, 3, and 4 of the act of December 4, 1942 (56 Stat. 1039–1040; 10 U. S. C. 904b, c, and d).

Section 117 of the Army-Navy Nurses Act of 1947 (61 Stat. 47, as amended; 10 U. S. C. 377).

Sections 109 and 310 of the Women's Armed Services Integration Act of 1948 (62 Stats. 362 and 374; 10 U. S. C. 378, 5 U. S. C. 627i).

SEC. 804. (a) The third and fourth paragraphs under the subheading "Ordnance Stores and Equipment for Reserve Officers' Training Corps" of the act of May 12, 1917 (40 Stat. 72), as amended (10 U. S. C. 371 and 371b), are further amended by striking out the words "Officers' Reserve Corps or Enlisted Reserve Corps" wherever they appear therein and by inserting in lieu thereof the words "reserve components of the Armed Forces" and by inserting in the third paragraph after the word "ordered" where it first appears the words "to active duty for training, or active duty, or."

(b) Section 412 of the Mutual Defense Assistance Act of 1949 (63 Stat. 721; 22 U. S. C. 1584) shall not apply to any person, not on active duty in the Armed Forces, solely by reason of his having served on active duty or active duty for training as a member of a reserve component within the preceding 2 years.

SEC. 805. The Army-Navy Nurses Act of 1947, as amended (10 U. S. C. 374–377), is further amended as follows:

(a) Section 115 is amended to read: "Except as otherwise specifically provided, all laws and regulations now or hereafter applicable to commissioned officers and former commissioned officers of the Army Reserve and to their dependents and beneficiaries, shall, in like cases, be applicable respectively to commissioned officers and former commissioned officers of the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Army Reserve and to their dependents and beneficiaries."

(b) Section 116 is amended to read: "Appointments of Reserve officers for service in the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Army Reserve may be made in such grades and under such regulations as may be prescribed by the Secretary of the Army from female citizens of the United States who have attained the age of 21 years and who possess such physical and other qualifications as may be prescribed by the Secretary of the Army: *Provided*, That female officers appointed pursuant to the act of June 22, 1944, and honorably separated from the service thereafter may, if otherwise qualified, be appointed as Reserve officers in the highest grade satisfactorily held by them in active service."

SEC. 806. The National Defense Act, as amended, is further amended as follows:

(a) Section 60, as amended (32 U. S. C. 124), is further amended by striking out the words "and in the National Guard of the United States."

(b) Section 70, National Defense Act, as amended (32 U. S. C. 123), is further amended by striking out the language contained therein and inserting in lieu thereof the following:

"Men enlisting in the National Guard and Air National Guard of the several States, Territories, and the District of Columbia, shall sign an enlistment contract and subscribe to the following oath or affirmation:

"'I do hereby acknowledge to have voluntarily enlisted this day of , 19 , in the National Guard (Air National Guard) of the State of for a period of year(s) under the conditions prescribed by law, unless sooner discharged by proper authority.

"'I, , do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America and to the State of ; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the Governor of and the orders of the officers appointed over me, according to law and regulations.'

"The oath of enlistment prescribed in this section may be taken before any officer of the National Guard (Air National Guard) or any other person authorized to administer oaths of enlistments in the National Guard of the several States, Territories, and the District of Columbia, by respective laws thereof."

(c) The first paragraph of section 73, as amended (32 U. S. C. 112), is further amended by striking the words "and in the National Guard of the United States" and the words "in the National Guard of the United States and".

(d) Section 72, as amended (32 U. S. C. 125), is further amended by striking out the words "and the National Guard of the United States".

(e) Section 76, as amended (32 U. S. C. 115), is further amended by striking out the words "the National Guard of the United States" in the second sentence thereof and inserting in lieu thereof the words "his appointment as a Reserve of the Armed Force concerned" and by striking out the words "in the National Guard of the United States" in the third sentence thereof and inserting in lieu thereof the words "as a Reserve of the Armed Force concerned."

(f) Section 78, as amended (32 U. S. C. 132, 133, 134), is further amended by striking out the words "and in the National Guard of the United States" in paragraph 1 thereof, and by striking out the words "or the National Guard of the United States" in paragraph 2 thereof.

(g) Section 81, as amended (32 U. S. C. 172 and 175), is further amended by striking out the words "The Chief of the National Guard Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of officers of the National Guard of the United States recommended as suitable for such appointment by their respective governors, and who have had 10 or more years' commissioned service in the active National Guard, at least five of which have been in the line, and who have attained at least the grade of colonel. The Chief of the National Guard Bureau shall hold office for 4 years unless sooner removed for cause, and shall be eligible to succeed himself, and when 64 years of age shall cease to hold such office. Upon accepting his office, the Chief of the National Guard Bureau shall be appointed a major general in the National Guard of the United States, and commissioned in the Army of the United States, and while so serving he shall have the rank, pay, and allowances of a major general, provided by law, but shall not be entitled to retirement or retired pay." and inserting in lieu thereof the following: "The Chief of the National Guard Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of officers of the National Guard of the United States or Air National Guard of the United States recommended as suitable for such appointment by their respective governors, and who have had 10 or more years' commissioned service in the active National Guard or Air National Guard or any combination thereof, and who have attained at least the grade of colonel. The Chief of the National Guard Bureau shall hold office for 4 years unless sooner removed for cause, and shall be eligible to succeed himself and when 64 years of age shall cease to hold such office. Upon accepting his office, the Chief of the National Guard Bureau shall be appointed as a Reserve officer of the appropriate Armed Force in the grade of major general, and shall be commissioned in the Army of the United States, and shall be a member of the National Guard of the United States or Air National Guard of the United States, as appropriate." in paragraph 1 thereof, and by striking out the words "hold appointments in" and inserting in lieu thereof the following words: "are members of" in paragraph 2 thereof, and by inserting after the word "States," where it first appears in paragraph 3 thereof, the words "or the Air National Guard of the United States,", and by striking out the words "provided in this section" in the last sentence of said paragraph, and in the same sentence after the word "States" by inserting the words "or Air National Guard of the United States," and by striking the period at the end of the sentence and adding the words "or Air National Guard."

(h) The seventh paragraph of section 127 (a), as amended (10 U. S. C. 513), is further amended by deleting the period at the end thereof and substituting a colon and adding the following: "*Provided further*, That persons may be appointed as Reserve officers of the Army or the Air Force in time of war."

(i) Section 55, as amended (10 U. S. C. 421, 423, 424, 425), is further amended by deleting all of the section except the last sentence thereof; and the last sentence of section 55, as amended, is further amended by deleting the comma first appearing therein and the words "whether" and "or the Enlisted Reserve Corps", and by inserting after the words "Regular Army" the words "or in the Regular Air Force."

(j) Section 58, as amended (32 U. S. C. 4), is further amended by striking the word "twenty-one" appearing in the first sentence thereof and inserting in lieu thereof the word "eighteen."

SEC. 807. (a) Subsection (b) of section 2 of the Army Organization Act of 1950 is amended by inserting after the words "in any of the components of the Army;" the words "all persons appointed or enlisted as Reserves of the Army, including persons transferred to such status under any provision of law."

(b) Section 301 of the Army Organization Act of 1950 is amended—

(1) by striking out the words "Organized Reserve Corps" and inserting in lieu thereof the words "Army Reserve"; and

(2) by inserting after the words "above-named components:" the words "all persons appointed or enlisted as Reserves of the Army, including persons transferred to such status under any provision of law."

SEC. 808. Section 205 of the Naval Reserve Act of 1938 (34 U. S. C. 854 (d)) is amended by deleting the second proviso therein and inserting in lieu thereof: "*Provided further*, That men so transferred to the Fleet Reserve for the 4-year period and officers and men otherwise assigned thereto pursuant to title II of this act, or other provision of law, may be ordered by competent authority to active duty without their consent (a) in time of war or national emergency declared by the Congress for the duration of the war or national emergency, and for 6 months thereafter, and (b) in time of national emergency declared by the President or

when otherwise authorized by law; and, except as otherwise provided in this title, shall be under no obligation to perform training duty or drill, and shall be paid in advance $20 per annum: *And provided further*, That the Secretary of the Navy may release any member of the Fleet Reserve from active duty or active duty for training at any time, except that, in time of war or national emergency hereafter declared by the Congress, or in time of national emergency hereafter proclaimed by the President, a member of the Fleet Reserve who is serving on active duty shall be released from active duty only on the approved recommendation of a board of officers convened by competent authority if the member requests such action, if such release from active duty is not during a period of demobilization or reduction in strength of the Navy."

SEC. 809. All provisions of law which refer to appointment or enlistment in or transfer to any of the reserve components shall be deemed to refer to appointment or enlistment as a Reserve or transfer to such status in the appropriate Armed Force of the United States. All provisions of law which refer to persons enlisted or appointed in or transferred to any of the reserve components shall be deemed to refer to persons appointed or enlisted as Reserves or transferred to such status in the appropriate Armed Force of the United States.

SEC. 810. Any right accrued or any proceeding commenced before this act takes effect is not affected by the provisions of this act, but all procedure thereafter taken shall conform to the provisions of this act.

SEC. 811. (a) Nothing in this act shall be construed to repeal, limit, or modify, in any manner, the authority to order persons or units to active military service or training pursuant to the Universal Military Training and Service Act, as amended.

(b) Except as otherwise specifically provided in section 806 (g), nothing in this act shall be construed as changing existing laws pertaining to the Chief of the National Guard Bureau.

SEC. 812. Except as otherwise provided in this act, no back pay or allowances shall be held to have accrued under the provisions of this act for any period prior to the effective date thereof.

SEC. 813. Section 4 (d) (3) of the Universal Military Training and Service Act, as amended, is further amended by striking out the words "appointed in the Armed Forces" where first appearing therein and by inserting in lieu thereof the words "appointed, under any provision of law, in the Armed Forces, including the reserve components thereof,".

This section shall be effective as of June 19, 1951.

Mr. LONG. Mr. President, this Reserve bill is one which has been needed for some time. The committee has unanimously reported it to the Senate. I believe we have succeeded in eliminating all controversial features.

Basically, this bill is an essential preliminary step in the development of a unified and a uniform Reserve program. Although the bill is rather lengthy—some 73 pages—it does not involve any fundamental change in policy, nor does it authorize any basically new programs.

The primary purpose of the bill is one of codification. We have attempted to bring together, in one piece of legislation, the great number of laws which have grown up in the past 50 years in connection with the reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard. We feel that this codification is of the utmost importance, because until we have sorted out this diverse, and frequently outmoded, mass of law we have no basis upon which to build a pattern for the management, training and mobilization of our reserve components.

For example, a Reserve commission in one branch of the Reserves means one thing, while it means something else in another branch. The Naval Reserves are appointed for an indefinite period of time, while the Army Reserves serve for 5 years, and commissions must be renewed. When one speaks of a "Voluntary Reserve" in one phase of the armed services, it means something different from what it means in another part of the service. Therefore, it seems to us that we should unify the Reserve and should make it uniform. This bill works out the great mass of details involved and makes law uniform and consistent.

The second purpose of the bill is to provide legislative authority, which shall be uniform among all services, for certain practices which are now in effect on an administrative basis, and to authorize certain new provisions which have been shown to be urgently needed.

As examples of provisions made in the interest of uniformity among the Reserves, let me cite some instances. The bill provides that the units and members of the Reserve components shall be arranged in categories according to the type and degree of training, and that these categories shall be uniform among the services. Actually the reserve components are now arranged in categories, but the categories differ in each of the Reserve components, and it is impossible to use comparable terminology when discussing the problems of the various services.

The bill provides that medical records shall be kept up to date, and it makes commissions uniform among Reserves. It also provides that in the event of another national emergency Reserves who were called up and who served in Korea shall not be the first to be drawn into another Korean-type emergency or any police action. A loud protest went up when those who were veterans of World War II, and who had signed up in the Reserves, were called up because they had commissions in the Reserves, and were sent to Korea. The bill provides that those who fought in Korea shall go to the bottom of the list and shall not be called up involuntarily so long as there are qualified men to take their place.

I hope, Mr. President, that there will not be any opposition to the bill and that it may pass this afternoon. Some features, which were somewhat controversial, we have stricken from the bill. Because the bill is rather lengthy and contains many different provisions, it may require very lengthy conferences.

The Reserve officers' associations and veterans' organizations have been asking for years for this type of legislation, and they are hopeful that we will make progress with this bill.

Mr. HUNT. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. HUNT. I have three questions to ask the Senator, although he has already answered one of them. This bill is agreed to by the Reserve units, is it not?

Mr. LONG. Yes.

Mr. HUNT. It is agreed to by the National Guard?

Mr. LONG. It is.

Mr. HUNT. It is agreed to by the Defense Establishment?

Mr. LONG. Yes.

Mr. HUNT. And it is agreed to by the Marines and by the Coast Guard?

Mr. LONG. That is correct.

Mr. HUNT. Was objection of any kind registered with the subcommittee when the bill was finally prepared to be submitted to the full committee and to the Senate?

Mr. LONG. To the best of my knowledge, there is nothing in the bill that any of the organizations oppose. There are perhaps some other things that some of the organizations and the Defense Department would like to have included.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. STENNIS. There is one point about which I wish to inquire. I want to commend the Senator, in the first place, for having a provision in the bill with reference to the calling of Korean veterans. Is there any selective process that would be controlling with reference to the calling of Reserves?

Mr. LONG. That is a matter which we shall have to consider when Congress returns. The only provision in the bill concerning that point is a provision to protect the boys who have served in Korea.

Mr. STENNIS. The plan is to cover that matter in subsequent legislation, which could not be adequately provided for in this bill, and that is the only reason it was omitted. Is that correct?

Mr. LONG. The Senator is entirely correct. It is a controversial problem which requires a great deal of study on the part of the committee. We simply would not have opportunity to work it out at this time, and in view of the failure of the universal military training bill to pass the House, we felt that that part should be stricken from the bill.

Mr. STENNIS. I am glad to have the assurance of the Senator that study will continue on that problem.

Mr. BRIDGES. Mr. President, I want to commend the Senator from Louisiana and the members of the subcommittee who have done such excellent work on this bill. Perhaps not all the provisions of the bill are to the liking of everyone, but I think that, generally speaking, the bill goes a long way toward correcting injustices to which Reserve officers have been subjected. If this Nation is going to survive and be solvent, it must be brought about not by a great standing army but by Reserve units, the National Guard, and so forth, because there must be civilian components to supplement the Regular units of our armed services. I think the bill goes a long way in that direction.

It has been stated to me that this is the ultimate answer to the overburdened taxpayer. That is in part true.

A sound Reserve system that will attract and hold men, together with a National Guard, is one way of providing for the national defense at less cost than is entailed by a huge standing army.

As minority leader I was asked by the distinguished Senator from Ohio [Mr. TAFT] to offer an amendment.

Mr. CONNALLY. Who was that?

Mr. BRIDGES. The distinguished Senator from Ohio [Mr. TAFT].

Mr. WELKER. Not Mr. Harriman. [Laughter.]

Mr. BRIDGES. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER (Mr. STENNIS in the chair). The clerk will state the amendment offered by the Senator from New Hampshire.

The CHIEF CLERK. It is proposed to add a new section 814, as follows:

SEC. 812. Notwithstanding any other provision of law, all service performed as a cadet at the United States Military Academy pursuant to an appointment made prior to August 24, 1912, and all service performed as a midshipman in the United States Navy, pursuant to an appointment made prior to March 4, 1913, shall be credited in determining the amount of retirement pay, including longevity pay, to which officers in the Reserve components of the Armed Forces may be entitled under any provision of law.

Mr. LONG. Mr. President, I have become somewhat familiar with that problem. Although I do not think there was testimony before the subcommittee on the subject, I am willing to take the amendment to conference. It appears to have merit. We shall see what we can work out.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. HENDRICKSON. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from New Jersey.

The LEGISLATIVE CLERK. On page 118, after line 2, it is proposed to insert:

Sec. 305. The Secretary of the Army shall establish adequate provisions with respect to female Reserve officers, female former Reserve officers, Reserve enlisted women, and former Reserve enlisted women of the Army Reserve to insure (1) that such personnel shall not be declared ineligible for appointment or enlistment in the Army Reserve solely on the basis of having minor or dependent children, and (2) that such personnel shall not be discharged involuntarily therefrom solely because of the birth or assumption of care or custody of such children.

On page 123, after line 14, insert:

Sec. 415. The Secretary of the Navy shall establish adequate provisions with respect to female Reserve officers, female former Reserve officers, Reserve enlisted women, and former Reserve enlisted women of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve to insure (1) that such personnel shall not be declared ineligible for appointment or enlistment in the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve solely on the basis of having minor or dependent children, and (2) that such personnel shall not be discharged involuntarily therefrom solely because of the birth or assumption of care or custody of such children.

On page 126, after line 3, to insert:

SEC. 604. The Secretary of the Air Force shall establish adequate provisions with respect to female Reserve officers, female former Reserve officers, Reserve enlisted women, and former Reserve enlisted women of the Air Force Reserve to insure (1) that such personnel shall not be declared ineligible for appointment or enlistment in the Air Force Reserve solely on the basis of having minor or dependent children, and (2) that such personnel shall not be discharged involuntarily therefrom solely because of the birth or assumption of care or custody of such children.

Mr. HENDRICKSON. Mr. President, at this late hour I shall not labor the Senate with a detailed explanation of the amendments. They speak for themselves. There are three sections. One applies to the Army, one to the Navy, and one to the Air Force. The main purpose of the amendments, as stated, is to prevent injustices to women who are members of our military Reserve components and who have become mothers.

In New Jersey there arose a notable case in which an able and distinguished young woman, the wife of an Army officer, became a mother and was then involuntarily discharged from the Women's Army Corps Reserve. By this action the services lost a very valuable technician. It was my pleasure and privilege to hear that fine woman testify before the subcommittee. I think the distinguished chairman of the subcommittee will agree that her testimony made a splendid case in favor of these amendments.

I wish to say for the RECORD that the young woman's name is Maj. Alba C. Martinelli, of East Orange, N. J. She has a splendid record of service, a record indicating great competence in all her military undertakings.

Of course, I realize that we are dealing with a very delicate problem. I realize that with the advent of motherhood, most officers serving in the various branches of the military service would be incapacitated. Nevertheless, there are many instances in which the skill and ability of a person would justify recall after childbirth and assignment to special duty of some character, so that we would not lose the valuable services of some of our best trained women officers and enlisted personnel.

I understand that the distinguished chairman is willing to take the amendments to conference. I will appreciate it very much if he does so.

Before concluding, I wish to commend the distinguished chairman of the subcommittee for the excellent work which has been done on the bill. The bill is an excellent measure. I have examined it very carefully, and I believe it improves tremendously the status of our Reserve officers. I am sure that all Reserve officers throughout the Nation are very happy about the result of the excellent work the committee has put in on the bill. I attended some of the hearings and know of the work which was done in order to arrive at these final conclusions, which will eradicate many of the difficulties we have known in the past. I hope the chairman will take the amendments to conference.

Mr. LONG. Mr. President, the committee took some testimony in regard to this problem. It did not propose any legislation covering the subject of the amendment, for fear it would involve us in a controversy. However, I should be willing to take the amendments to conference, with the understanding that the Senate conferees would not be in any way bound if a controversy should develop.

It seems unfair that women who have become mothers should be discharged from the Reserves when the need for their service is plain, and when they have skills which might be extremely useful to the service in case they were needed. The young woman who came from the Senator's State of New Jersey spoke five languages, including Tibetan, which she spoke fluently. She also spoke Chinese and Japanese, as well as some of the European languages.

I believe that in 99 cases out of 100, when a woman has a young child, she would not be eligible to serve on active duty with the armed services. However, I believe there are perhaps cases in which it might be wise, in accordance with carefully worked-out regulations, as the Senator's amendments would indicate, that mothers of young children might serve, just as we have cases of secretaries and other working girls who have children, and who have managed to contribute to the economy of the Nation.

Mr. CAIN. Mr. President, it seems apparent that the Senate wishes to vote in support of H. R. 5426. Reservists in large numbers who are situated in the United States, and those who presently reside abroad, will applaud such action.

No argument is required by me in support of the bill, but as a member of the subcommittee I should like to make a very brief observation. In my opinion, and that of other members of the committee, H. R. 5426, leaves unsolved some very serious problems. But the bill represents a constructive effort to write a bill of rights for the reservists of the Armed Forces of America.

I wish to express my admiration and respect for the chairman of the subcommittee, the Senator from Louisiana [Mr. LONG], and for his colleague, the Senator from Wyoming [Mr. HUNT].

As one who has himself been a reservist for about a quarter of a century, I consider it to have been a great privilege to have sat in the company of the gentlemen on the other side of the aisle who contributed so very much more than did the Senator from Washington, for the latter was hospitalized out of the city during some of the time while the bill was being written.

Mr. LONG. I very much appreciate the remarks of the junior Senator from Washington on the subject. I think the RECORD should show that had it not been for the junior Senator from Washington, probably we would not have had a Reserve bill passed this year, because it

looked as though to do so would have meant a great amount of work in the dying days of the session. It was only through the determination of the Senator from Washington that we should try to work out some form of Reserve legislation that the committee proceeded to assign the subcommittee to the work.

The Senator from Washington served on the committee, and his help was invaluable. I believe it would have been impossible to report a Reserve bill without his assistance.

Mr. CAIN. By his remarks, the Senator from Louisiana, who has been my chairman, has apparently forgiven my absence from the city during some of the committee deliberations.

I believe it to be highly proper to point out the invaluable work which was done for the Senate Armed Services Subcommittee by Maj. Gen. Verne D. Mudge, of the full committee staff, who presently sits next to the Senator from Louisiana. I am sure General Mudge will not begrudge me this comment certainly under these circumstances. Many people who do not know that in periods when his great Nation has been in trouble, he earned the right to be known as a splendid combat division commander in his own name. General Mudge has been devoted to and has been a part of the Army of the United States for several decades.

But with reference to the bill upon which the Senate is, I trust, about to take affirmative action, General Mudge was fair and gave equal consideration to the needs and requirements of all the services. As one who himself has been a member of the Army, I make mention of this fact in order that the other services will become more conscious of how helpful General Mudge was in the designing of a bill which will bring great satisfaction to all of the services.

Mr. HENDRICKSON. Mr. President, as one who can speak without prejudice or bias, I wish to pay tribute to the entire subcommittee and its able staff, because I think that an excellent piece of work has been done.

Mr. SMATHERS. Mr. President, I desired to commend the committee, but in view of all that has been said, I do not think there is anything I can add in any way, and certainly I do not wish to take the time of Senators who are anxious to obtain the floor to speak on other matters. However, I desire to ask the distinguished chairmen of the subcommittee one question. I notice in a résumé of the bill, distributed by the Majority Policy Committee, that the purposes and methods of the bill are explained. Paragraph No. 2 says:

> Provide for an equitable promotion system for the Reserves, similar to that of the Regulars, including a provision for forced attrition.

I should like to ask the distinguished Senator from Louisiana if that means that the law which is now in effect, which requires Reserve officers to retire at the discretion of the President of the United States, will be in effect so far as concerns the reservists who are now in the program or who may come into the program in the future.

Mr. LONG. Mr. President, will the Senator restate his question?

Mr. SMATHERS. Let me put it this way: At present there is on the President's desk, as I understand, a proposed Executive order which is to set aside the forced attrition operation so far as colonels are concerned, in the belief that at the present moment, in this emergency situation, there should be no forced attrition among the colonels, and possibly some generals, because every time a colonel is forced out the service reaches out and grabs another Reserve officer who does not want to come in. I would not like to see an already bad situation perpetuated by this bill, when I know that otherwise it is a very fine bill.

Mr. LONG. The Senator from Washington [Mr. CAIN] has addressed himself to this subject on previous occasions. I believe that he is more familiar with it than I am. I hope he will answer the question.

Mr. CAIN. Mr. President, my understanding is that there is at present on the President's desk a proposed Executive order which would give to the Army the authority to continue on extended active duty up to 60 percent of some 900 colonels who otherwise would be required by statute to leave the services on July 1, 1953. It has been the contention of some of us on the Armed Services Committee that it would be extraordinarily unwise at this time to retire any qualified officer whose place can be filled only by some other officer brought in from civilian or reservist life.

Mr. SMATHERS. I thank the able Senator for his observation. I thoroughly agree with him, and I hope there is not in this bill, by inadvertence, any provision which would continue the situation about which we are talking because we do not want to put out of the service by law in time of emergency colonels who are needed in the service because of their experience and ability. They should not be forced out by law.

Mr. LONG. I assure the Senator that there is no such provision in the bill. I agree with him that such very worthy public servants should not be discharged at this time.

Mr. SMATHERS. I thank the Senator from Louisiana and the Senator from Washington. Again I commend the committee for an excellent piece of work. It is one which has long been needed by the reservists of the Nation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. HENDRICKSON] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. MURRAY. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Montana will be stated.

The LEGISLATIVE CLERK. On page 139, after line 4, in the committee amendment, it is proposed to insert the following:

> (c) Graduates of colleges of osteopathy whose graduates are eligible for licensure to practice medicine or osteopathy in a majority of the States of the United States shall be eligible for appointment as commissioned medical officers in the Reserve components of the Armed Forces. Section 201 of the act of August 5, 1947 (61 Stat. 777) is amended by striking out the words "doctors of medicine" wherever they may appear therein and by inserting in lieu thereof the word "physicians."

Mr. MURRAY. Mr. President, section 37 of the National Defense Act, as amended, which authorizes the appointment of individuals, including doctors, in the Officers Reserve Corps, is silently regarding an authorization to appoint doctors of osteopathy. This amendment is proposed to remove the legal impediment to the appointment of osteopaths in the permanent commissioned corps.

I point out that there are six colleges of osteopathy accredited by the American Osteopathic Association. All these colleges have been approved by the Veterans' Administration and the Public Health Service, for purposes of qualifying in the respective medical services. This amendment does not require them to be appointed, but it merely removes the present impediment to their appointment and makes it possible for them to be appointed in case the services desire to appoint them. I think it is a very appropriate amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MURRAY].

Mr. LONG. Mr. President, I regret very much that I cannot agree with the Senator from Montana. At this time the Medical Corps is restricted to physicians. The Senate recently sustained the action of the conferees in deleting an amendment comparable to this one, with respect to a bill which related to the appointment of women physicians. I therefore feel that such an amendment to this bill would be inconsistent with the prior action of the Senate. Therefore I feel that I must oppose the amendment.

Mr. MURRAY. Could not the Senator take it to conference? The amendment does not require that osteopaths be appointed. There is a great shortage of doctors of medicine in the country. Osteopathy has come to be recognized as a profession, entitled to practice in all the hospitals of the country, and is recognized, as I have just pointed out, by the Veterans' Administration and the Public Health Service. It seems to me that osteopaths should be available for appointment in case the services desired to appoint them. That is all the amendment seeks to bring about. I certainly hope the Senator can take the amendment to conference.

Mr. LONG. Mr. President, this amendment involves a very fundamental question. I have attempted to avoid any controversial issues in connection with this bill. I believe that this is a controversial issue. The standing of osteopaths, as against the medical profession, is a controversial question. The

medical profession seems to oppose this type of amendment.

Recently, in acting with regard to a related bill dealing with women physicians, the Senate spoke very clearly on this subject. Therefore I do not believe it would be the will of the Senate to place this amendment in the bill.

Mr. MURRAY. Mr. President, the medical profession has also opposed the appointment of dentists in the services. It has since withdrawn its objection with respect to dentists, and dentists are now recognized in the Army on an equal footing with the medical profession. It seems to me that osteopaths should be entitled to the same status.

Mr. LONG. My opposition to the Senator's amendment is not based upon the opposition of the medical profession so much as it is based upon the recent action of the United States Senate, when the same issue arose in connection with a related bill.

Mr. McFARLAND. Mr. President, I believe that the Senate understands this amendment. The Senator from Missouri [Mr. KEM] has been waiting patiently for us to dispose of the bill. I hope we can vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MURRAY] to the committee amendment.

Mr. HUNT. Mr. President, I should like to say a word with reference to the pending amendment. Recently, as chairman of a subcommittee, I handled the bill which made it possible to commission women as physicians and dentists in the Regular Establishment. In the House this particular amendment, which has been offered many times to like bills, was placed in the bill. In the conference, however, the House itself receded from its position.

It is not compulsory, of course, under the terms of the amendment, that the services appoint osteopaths to commissions, as the Senator has said. But I say to the Senate that the armed services simply do not want this amendment, because it places the responsibility on them. I am sure the Senate understands that osteopaths can practice only a limited type of the healing art in many States. I think it would be an imposition on the services for the Senate to accept this amendment. I surely hope the Senate will not vote to accept it.

Mr. MURRAY. Mr. President, as I have already stated, the Public Health Service recognizes graduates of colleges of osteopathy and grants them licenses. The Veterans' Administration accepts osteopaths.

Mr. HUNT. I will say to the distinguished Senator that that is done by virtue of legislation by the Congress, and not because of the desire of the Public Health Service. They are used in a very limited capacity. Under the Senator's amendment, if it should be adopted, and any of the services were to take osteopaths, if an osteopath from a State where osteopaths were not licensed and not allowed to practice medicine were assigned to a ship which was at some distant station, and a member of the crew needed an appendectomy or some other form of surgery which an osteopath was not capable of performing, I am sure a very unpleasant situation would be created.

Mr. MURRAY. In all States of the United States osteopaths are licensed.

Mr. HUNT. But not to perform surgery and not to prescribe drugs. That is not true in all States.

Mr. MURRAY. They would not be called upon to perform surgery.

The PRESIDING OFFICER (Mr. BENNETT in the chair). The question is on agreeing to the amendment offered by the Senator from Montana.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. LONG. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LONG, Mr. HUNT, and Mr. CAIN conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1705. An act to amend title 28 of the United States Code so as to provide for two United States commissioners for Great Smoky Mountains National Park;

S. 2234. An act to amend the Bankruptcy Act, approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and to repeal subdivision b of section 64, subdivision h of section 70, and sections 118, 354, and 643 thereof and all acts and parts of acts inconsistent therewith; and

S. 2240. An act to amend section 40 of the Bankruptcy Act, so as to increase and fix the salary of full-time referees and to authorize increased salaries for part-time referees.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3600) for the relief of Dr. Alexander Symeonidis.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 418) to amend the act of July 1, 1947 (61 Stat. 242).

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3589) to amend title 17 of the United States Code entitled "Copyrights" with respect to recording and performing rights in literary works; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BRYSON, Mr. RAMSAY, and Mr. CRUMPACKER had been appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 7397. An act to amend and extend the provisions of the District of Columbia Emergency Rent Act of 1951; and

H. J. Res. 490. Joint resolution to continue the effectiveness of certain statutory provisions until July 3, 1952.

The message further announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 70. Concurrent resolution accepting the statues of Dr. John McLoughlin and Rev. Jason Lee from the State of Oregon for placement in the Capitol; and

S. Con. Res. 71. Concurrent resolution authorizing temporary placement in the rotunda of the Capitol of the statues of Dr. John McLoughlin and Rev. Jason Lee, of Oregon, and holding of ceremonies.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2421) to amend the act of January 12, 1951 (64 Stat. 1257), amending and extending title II of the First War Powers Act of 1941, and it was signed by the President pro tempore.

HOUSE BILL PLACED ON CALENDAR

The bill (H. R. 7397) to amend and extend the provisions of the District of Columbia Emergency Rent Act of 1951, was read twice by its title, and ordered to be placed on the calendar.

APPROVAL OF CONSTITUTION OF PUERTO RICO—CONFERENCE REPORT

Mr. O'MAHONEY submitted the following conference report, which was ordered to lie on the table:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 430) approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: In lieu of the language of the Senate amendment insert the following: "That the constitution of the Commonwealth of Puerto Rico which was drafted by the selected delegates to the Constitutional Convention of Puerto Rico and adopted by the people of Puerto Rico in a referendum of March 3, 1952, in accordance with the Act entitled 'An Act to provide for the organization of a constitutional government by the people of Puerto Rico,' approved July 3, 1950 (64 Stat. 319; 48 U. S. C., secs. 731b–731e), is hereby

approved by the Congress of the United States, except section 20 of article II of said constitution: *Provided*, That section 5 of article II thereof shall have no force and effect until amended by the people of Puerto Rico under the procedure prescribed by article VII of the constitution of the Commonwealth of Puerto Rico by adding to such section 5 the following declaration: 'Compulsory attendance at elementary public schools to the extent permitted by the facilities of the state as herein provided shall not be construed as applicable to those who receive elementary education in schools established under nongovernmental auspices': *Provided further*, That except for the purpose of adopting the amendments to section 5 of article II and to section 3 of article VII as herein provided, article VII of said Constitution likewise shall have no force and effect until amended by the people of Puerto Rico under the terms of said article by adding to section 3 of article VII the following new sentence: Any amendment or revision of this Constitution shall be consistent with the Resolution enacted by the Congress of the United States approving this Constitution, with the applicable provisions of the Constitution of the United States, with the Puerto Rican Federal Relations Act, and with Public Law 600, 81st Congress, adopted in the nature of a compact: *And provided further*, That the constitution of the Commonwealth of Puerto Rico hereby approved shall become effective when the Constitutional Convention of Puerto Rico shall have declared in a formal resolution its acceptance in the name of the people of Puerto Rico of the conditions of approval herein contained, and when the Governor of Puerto Rico, being duly notified by the proper officials of the Constitutional Convention of Puerto Rico that such resolution of acceptance has been formally adopted, shall issue a proclamation to that effect."

And the Senate agree to the same.

JOSEPH C. O'MAHONEY,
JAMES E. MURRAY,
ERNEST W. MCFARLAND,
EUGENE D. MILLIKIN,
GUY CORDON,
Managers on the Part of the Senate.

CLAIR ENGLE,
LLOYD M. BENTSEN,
REVA BECK BOSONE,
FRED L. CRAWFORD,
A. L. MILLER,
Managers on the Part of the House.

VIOLENCE AT THE USIBELLI COAL MINE, ALASKA—LETTER FROM SENATOR KNOWLAND TO THE ATTORNEY GENERAL

Mr. KNOWLAND. Mr. President, there is a matter which I should like to call to the attention of the Senate and which will not take long. Today I addressed a letter to the Attorney General of the United States, the Secretary of the Interior, and the Secretary of National Defense, reading as follows:

JUNE 27, 1952.

Hon. JAMES P. MCGRANERY,
Attorney General of the United States,
Washington, D. C.

DEAR GENERAL: Information has been furnished me that the Usibelli coal mine, Alaska, which furnishes over 60 percent of the coal required by the vital air bases at Ladd Field and Eielsen Field, is being prevented from shipping to the Air Force by violence of the United Mine Workers, who are not employees of this mine, but of a competitor; that this violence has included burning of a power plant, oil tanks and trucks, the destruction of equipment in the tipple, and the dumping of loaded cars on the Alaska Railroad; that these acts are in defiance of the United States Marshal and of a court injunction; that the Usibelli employees are at work and not on strike; that unless order is restored and shipments are resumed, this mine must close down; that the mine is a stripping operation, requiring the removal of large quantities of rock in the summer to expose the coal for mining in the winter; that if this is stopped, it will be physically impossible to furnish coal to the Air Force bases this winter; and that there are no mines in Alaska capable of supplying the deficiency.

I am further advised that the Governor of Alaska and the Delegate from Alaska have appealed to the Attorney General and the Secretary of the Interior for adequate protection, and that the men employed in the mine have telegraphed and written to the same end. So far such adequate protection has not been furnished.

If the above information is correct, the situation is potentially disastrous to the defense of Alaska. Would you furnish me with a report advising me as to the steps that are being taken by the Department of Justice, the Department of Defense, and the Department of the Interior to correct this situation and restore law and order.

Sincerely yours,

WILLIAM F. KNOWLAND.

I direct the attention of the chairman of the Committee on Interior and Insular Affairs, the Chairman of the Committee on the Judiciary, and the Chairman of the Armed Services Committee to a situation which is loaded with potential disaster to our defenses in Alaska.

TAX TREATMENT OF LIVESTOCK EXPENSES OR CAPITAL GAINS—LETTER FROM SECRETARY OF THE TREASURY

Mr. GEORGE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury, addressed to me, relating to the tax treatment of expenses of raising livestock held for draft, breeding, or dairy purposes, a subject dealt with in the 1951 Revenue Act. Certain difficulties are pointed out by the Secretary of the Treasury in the letter. Although the Secretary recognizes that it is too late in the session to go into this difficult subject, nevertheless, I believe the letter should be printed in the RECORD, for the information of the public.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, June 27, 1952.

Hon. WALTER F. GEORGE,
Chairman, Committee on Finance,
United States Senate,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: The Commissioner of Internal Revenue has called to my attention a tax situation which deserves serious legislative consideration. The problem is of such importance that I feel it should promptly be brought to the attention of the Congressional Committees concerned with taxation. For this reason I am writing to you and am sending a similar letter to Representative Doughton.

The problem arises from a combination of two circumstances:

1. The long-continued administrative practice of permitting farmers to take current expense deductions for the cost of raising livestock held for draft, breeding, or dairy purposes; and

2. The recently developed capital-gains treatment of profits upon the sale of livestock held for those purposes.

Taxpayers have always been required to capitalize, rather than to deduct currently, the cost of buildings, machinery, equipment, and other types of property used in the conduct of a trade or business and subject to the allowance for depreciation. Since livestock used by a farmer for draft, breeding, or dairy purposes is property used in his trade or business and subject to the allowance for depreciation, farmers have long been required to capitalize the cost of animals purchased for those purposes.

However, since the early days of the income tax, the regulations have permitted farmers to take current expense deductions for the cost of raising livestock intended for draft, breeding, or dairy purposes. The apparent reason for this regulation, which was introduced before favorable tax treatment had been granted to capital gains, was that the cost of raising an animal to maturity might be difficult to ascertain, particularly since the Bureau of Internal Revenue did not at that time recognize methods of approximating such costs. Since the sales price of the animal then represented ordinary income the regulation resulted in no loss of revenue to the Government. For more than 20 years after the provisions favoring capital gains were introduced into the income-tax law (in the Revenue Act of 1921), this method continued to produce acceptable results since gain upon the sale of livestock from dairy or breeding herds was consistently treated as ordinary income.

However, the treatment of profits upon the sale of such animals as ordinary income has gradually been departed from in recent years. The first step in this direction was the issuance in 1944 and 1945 of two rulings by the Bureau of Internal Revenue (IT 3666, C. B. 1944, p. 270, and IT 3712, C. B. 1945, p. 176), developed with the assistance of representatives of livestock associations. These rulings granted capital-gains treatment to unusual sales which reduced the size of the breeding or dairy herd, but not to routine sales of culled animals. The second step was a series of court decisions, beginning with that in *Albright* v. *United States* (CA–8, 1949) 173 F. 2d 339, which went beyond the published rulings and extended capital-gains treatment to routine sales of animals culled from dairy or breeding herds. The third and latest step was the 1951 legislation (sec. 324 of the Revenue Act of 1951, amending sec. 117 (j) (1) of the Internal Revenue Code) designed to restate and clarify the results of the court decisions. This legislation provided that profits from the sale of "livestock, regardless of age, held by the taxpayer for draft, breeding, or dairy purposes, and held by him for 12 months or more" should be eligible for capital-gains treatment.

The interaction of (1) the regulation permitting deduction of costs of raising livestock added to a dairy or breeding herd and (2) the granting of capital-gains treatment upon the sale of such livestock is best shown by an example. Assume that a farmer raises to maturity, at a cost of $100, an animal which he places in a dairy or breeding herd. Later the animal is culled from the herd and sold for $150. The farmer's profit is $50, which should be taxed as capital gain. However, the farmer is able to take the $100 cost as a current deduction to offset $100 of otherwise taxable income. If he is using the cash receipts and disbursements method of accounting, the basis of the animal is then treated as zero, and the whole of the sales price ($150) is treated as capital gain. Only one-half of the sales price, or $75, is included in net income, which is less than the $100 previously deducted. This profitable transaction not only escapes tax completely but is actually permitted to create a tax loss

which decreases the amount of the farmer's taxable income from other transactions.

This situation is creating a serious distortion in taxable income. Obviously, the larger the scale of the taxpayer's business, the more serious is the distortion. Applying the figures of the above example to a rancher who adds 200 head of cattle annually to his breeding herd, it will be seen upon computation that the taxpayer's income would be distorted downward by $10,000 annually.

The adverse effect of this situation upon the revenue can be estimated from Department of Agriculture statistics which indicate that there are about 44,000,000 mature cows in this country, 23,400,000 being held for dairy purposes and 20,600,000 for the production of beef calves. It would be conservative to estimate that one-eighth of these cows, or 5,500,000 head, are sold annually. If the average cost of raising a cow to maturity is assumed to be $100, the expensing of the cost would distort taxable income downward by $275,000,000 a year. This figure would be increased if pigs, sheep, and other livestock were taken into consideration.

These revenue considerations are important. However, what makes the situation even more serious is that almost intolerable inequities have been created among farmers and ranchers using different accounting methods. The windfall which has been illustrated is being shared only by those farmers and ranchers who file returns upon the cash receipts and disbursements method of accounting. This discriminates heavily against farmers and ranchers who use the accrual method of accounting. The general practice of the latter group is to inventory the animals raised for draft, breeding, or dairy purchases at round figures representing the estimated costs normally incurred in raising animals of the particular age and class. Therefore, if the farmer on the accrual basis raises at a cost of $100 an animal for addition to his dairy or breeding herd and later sells the animal for $150, he will pay a tax upon one-half of the gain (that is, upon $25).

The result is that farmers and ranchers using the accrual basis are now paying tax on the true amounts of their capital gains, whereas those on the cash basis are receiving windfalls which not only wipe out their capital gains but also a part of their income from other sources.

In three recent instances the Congress, upon recommendation of your committee, has enacted remedial legislation to prevent actual gains from being converted into tax losses. First, in section 211 of the Revenue Act of 1950, legislation was enacted to prevent short sales from being used for that purpose. Secondly, in section 322 of the Revenue Act of 1951, the method of offsetting short-term and long-term capital gains and losses was changed in order to prevent profits of speculators or investors from taking on the appearance of tax losses. Thirdly, in section 323 of the Revenue Act of 1951, the costs of growing unharvested crops which were sold with the land at capital-gain rates were required to be capitalized in order to prevent tax windfalls. The livestock situation falls in this same general category; moreover, the existing inequity between users of the cash basis and users of the accrual basis presents an additional reason for legislative action.

It is estimated that perhaps 75 percent of the cattle ranchers are now on the accrual basis and that a relatively small percentage of the farmers who raise some dairy or breeding cattle are also on that basis. Since the accrual basis reflects income more accurately and is helpful in preventing a bunching of income when the size of the herd is reduced, the Deparment of Agriculture and the livestock associations have for years been encouraging the use of that method.

However, the windfall now available to users of the cash basis has led to a large and increasing number of requests from farmers and ranchers now on the accural basis for permission of the Bureau of Internal Revenue to change to the cash basis. In 1951 about 45 such requests were received, all of which were denied. At the present time there are 200 such requests pending and the number continues to grow.

As you know, a taxpayer can change his accounting method only if he receives permission from the Commissioner of Internal Revenue. Obviously, it is the duty of the Commissioner of Internal Revenue to deny the requests of the livestock raisers to change from the accrual to the cash basis: (1) because the accrual basis now being used by them better reflects their income than the cash basis which they desire to use, and (2) because the requests are not being made for any business reason but solely in order to obtain a tax windfall. Moreover, the change requested by these taxpayers is inhibited by the report of your committee upon the Revenue Act of 1951, stating the belief of your committee that gains from sales of livestock should be computed "in accordance with the method of livestock accounting used by the taxpayer and presently recognized by the Bureau of Internal Revenue." For these reasons, it has been decided that, consistent with the action taken upon the requests last year, the pending requests are to be denied.

However, even though it is clearly the Commissioner's duty to deny these requests, this action will prolong the serious inequity which has been described unless action is taken to eliminate the windfall now being enjoyed by the users of the cash basis. Consideration has been given to elimination of this windfall by an exercise of the administrative authority to prescribe accounting methods. This course of action has been carefully explored in conferences with representatives of the livestock association and of the Department of Agriculture. However, the conclusion has been reached that administrative action to eliminate the windfall is undesirable in view of the report of your committee referred to above. It has been urged that this report, to the effect that gains from sales of livestock should be computed in accordance with "the method of livestock accounting used by the taxpayer and presently recognized," prevents amending the regulations to require capitalization of the cost of raising livestock held for draft, breeding or dairy purposes.

This Department has given careful consideration to the development of a method of capitalization which will not require detailed record keeping on the part of farmers. It would be feasible to permit farmers to use as their costs for tax purposes a round amount representing the estimated normal cost of raising animals of the particular age and class. This is similar to the so-called unit-livestock-price method of inventory now permitted to accrual basis ranchers and farmers. Once a reasonable figure is established, it could be permitted to remain undisturbed for 5 years or more in the absence of noticeable changes in costs of feed, labor, etc. It is recognized that farmers in different parts of the country may have different costs and the Bureau of Internal Revenue would be expected to permit some tolerance. A farmer who does his own work and raises his own feed would have little, if any, cost to capitalize, since only the outlay of cash or its equivalent would be taken into consideration. All in all, it is believed that this system will present no greater difficulty in bookkeeping than the presently required capitalization of the cost of purchased animals, farm machinery and equipment, and farm improvements.

Since there is disagreement as to the existence of administrative authority to eliminate the windfall and resulting inequity, legislative action appears to be the wisest course. Therefore, your committee will need to give consideration to the approval of legislation to require capitalization of the cost of raising livestock held for draft, breeding, or dairy purposes. This would bring the tax treatment of raisers of such livestock who use the cash basis into line with the treatment of those who use the accrual basis and with the treatment of farmers and ranchers who purchase livestock for such use.

In order to avoid retroactive hardship, only future costs of raising animals for draft, breeding, or dairy purposes should be required to be capitalized. For convenience, the new rule might be applied only to taxable years beginning after the date of new legislation. Mature animals in the herd would then retain their existing basis; that is, if they were raised by the taxpayer and have a zero basis they will retain that basis. Only the costs of raising the growing animals during future taxable years would be capitalized. In this manner, the taxpayer would gradually change into the new treatment and retain the advantages of whatever basis he had in the past.

In view of the foregoing, it is clear that this matter requires legislative consideration not only for the protection of the revenues but also in the interest of equity among taxpayers. The Department recognizes, however, that because of the complex nature of this problem and the heavy calendar already facing this Congress it may be necessary to defer legislative consideration until early next year. Nevertheless, in view of widespread interest in this matter, it is considered desirable that the Department's position be made known without delay.

Very truly yours,

JOHN W. SNYDER,
Secretary of the Treasury.

PROTEST AGAINST CERTAIN INTERPRETATIONS OF REVENUE LAWS—LETTER FROM SENATOR GEORGE

Mr. GEORGE. Mr. President, I also ask unanimous consent to have printed in the RECORD a protest which I filed with the Secretary of the Treasury in regard to a ruling which had been promulgated by the Commissioner of Internal Revenue in interpreting certain of the provisions of the revenue laws.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 29, 1952.

Hon. JOHN W. SNYDER,
Secretary of the Treasury,
Washington, D. C.

DEAR MR. SECRETARY: I am still disturbed by some regulations of the Treasury interpreting the revenue laws. In some instances, the regulations of the Treasury are not conforming to the intent of Congress as reflected in the committee reports. One example is the regulation interpreting section 131 (h) of the Internal Revenue Code. Section 131 (h) was adopted as a result of an amendment offered by the Senate Finance Committee to the revenue bill of 1942, which was accepted by the House conferees. The Finance Committee report specifically mentioned among the type of taxes to be allowed as a foreign-tax credit under section 131 (h), foreign taxes measured by gross income, gross sales or a number of units produced within the country. It was intended under section 131 (h) that these taxes should be allowed as a credit if they were in lieu of a tax upon income, war profits or excess profits which would otherwise be imposed upon such taxpayer by any

foreign country or by any possession of the United States. However, under the existing Treasury regulations and rulings, it is required, in effect, that taxes of this nature, in order to be allowed as a credit, must be in complete substitution of an income or profits tax and also that the amount of the foreign-tax credit cannot exceed the amount of the income tax that would otherwise have been paid. Thus, the present Treasury regulations cover only one class of taxes intended to be allowed as a foreign-tax credit as shown by the explanation in the 1942 Senate Finance Report on this section of law.

When I mentioned this matter to Treasury representatives during consideration of the 1951 bill by the Senate Finance Committee, they stated that it would be difficult to administer section 131 (h) if it were extended beyond the interpretation set forth in the existing regulations unless all excise taxes were allowed as a foreign-tax credit, even though they were not in lieu of an income tax that would otherwise be imposed. While it was not intended by the section that all excise taxes should be allowed as a credit, the 1942 Finance Committee report clearly shows it was intended by the 1942 amendment to extend the scope of the section to taxes other than income taxes, because of the difficulty experienced by many foreign countries in using net income as the tax base.

Since the enactment of the 1951 law, I understand that your staff, the staff of the Joint Committee on Internal Revenue Taxation, and the representatives of the National Foreign Trade Council have been studying this problem to determine whether rules could be evolved which would make it possible administratively to ascertain the type of taxes intended to be covered under section 131 of the code as broadened by the 1942 amendment.

As a result of these studies, it is believed that amendments to the regulations can be made which will carry out the intent of the 1942 report of the Senate Finance Committee and will make it possible for the Treasury to apply the section without administrative difficulty and without extending the section to allow credit for the ordinary type of excise tax which is passed on to the purchaser. The following amendments to the regulations will, I believe, carry out the intent of the 1942 amendment as expressed in the 1942 Finance Committee report.

In addition to allowing a foreign tax credit for the type of taxes included at present, the regulations could be amended to include also a tax imposed by statute or decree by a foreign country or by a possession of the United States if—

(a) such tax is allowed by said law or decree as a credit against the income tax imposed by said country or possession of the United States, or,

(b) such tax is measured, for example, by gross income, gross sales, or number or price of units produced in said country or possession, provided—

(1) said country or possession has in force an income tax law;

(2) such tax, as shown by its legislative history or otherwise, is intended to reach income in its broadest sense;

(3) such tax reduces an income tax by being allowed as a deduction from income subject thereto; and

(4) such tax is not required by law to be passed on to the purchaser of goods sold by the taxpayer.

For the purposes of section 131, where a country or possession of the United States has imposed on a taxpayer a tax based on units of production or otherwise in substitution of an income tax and later such foreign country or possession also imposes a tax on the income of such taxpayer, credit should be allowed for both taxes. The credit to be allowed should be the entire amount of both taxes, even though this amount exceeds the amount of the income tax payable to the foreign country or possession. The aggregate credit for the above taxes should be subject only to the limitation that the total amount claimed as a credit cannot exceed the American tax on the income from such country under section 131 (b) of the Internal Revenue Code.

As these changes in the Treasury regulations are designed merely to carry out the intent of the 1942 act, they should be made effective as of the date of the enactment of the Revenue Act of 1942.

Examples of some of the types of taxes to which the foregoing paragraphs are intended to apply are as follows:

1. The Cuban tax on sugar companies producing sugar which measures gross income by officially established prices for pounds of sugar produced and measures net income by deducting therefrom a fixed percentage of 50 or 80 percent of such income as representing costs. Subsequent to the enactment of this Cuban tax, the sugar companies were also subjected to an income tax and the tax just referred to is allowed as a deduction from income subject to the income tax.

(This tax is imposed under the Cuban law of municipal taxes, promulgated by decree No. 928 of September 22, 1908, and to it are added additional percentages for the benefit of the province and of the National Government.)

2. A tax imposed by Cuba which, according to the law, is levied by reason of extraordinary war profits but is measured by a certain number of cents per unit produced.

(This tax is imposed by the Cuban law of July 31, 1917, as amended, and is allowed as a deduction from income subject to the profits tax.)

3. A Cuban tax measured by a certain number of cents per unit produced levied instead of the profits tax upon certain companies which are also subjected to a special income tax.

(This tax is known as the Speyer loan tax, which was imposed by the Cuban law of February 27, 1903, as amended.)

4. A tax levied on mining companies based upon world market prices per unit produced with rates increasing as prices increase. This tax is levied on companies that are also subject to an income tax and the tax referred to is allowed as a deduction from income subject to the income tax.

(An example of these taxes is the tax paid by companies producing metals under the mining tax laws of Mexico.)

Sincerely yours,

——— ———.

VETERANS' READJUSTMENT ASSISTANCE ACT OF 1952.

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1754, H. R. 7656.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7656) to provide vocational readjustment and to restore lost educational opportunities to certain persons who served in the Armed Forces on or after June 27, 1950, and prior to such date as shall be fixed by the President or the Congress, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7656) to provide vocational readjustment and to restore lost educational opportunities to certain persons who served in the Armed Forces on or after June 27, 1950, and prior to such date as shall be fixed by the President or the Congress, and for other purposes; which had been reported from the Committee on Labor and Public Welfare with amendments.

NOMINATIONS ON THE EXECUTIVE CALENDAR

Mr. McFARLAND. Mr. President, I ask unanimous consent as in executive session, that the nominations of postmasters on the Executive Calendar, under new reports, be considered en bloc at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and, without objection, as in executive session, the nominations of postmasters under new reports on the Executive Calendar are confirmed en bloc, and the President will be immediately notified.

Mr. McFARLAND. I wish to compliment and thank the Senator from Missouri [Mr. KEM] for his patience. He has helped to expedite the work of the Senate by waiting until this late hour to make his address, when he could have claimed the floor at any time in the afternoon. I think he should be commended for his action.

Mr. KEM. It is very kind of the majority leader to say so.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

CHARGES OF SECRETARY OF AGRICULTURE ARE UNFOUNDED

Mr. KEM. Mr. President, every citizen owes a duty to support his Government in every measure for the common good. As all Senators know, it is an unpleasant task to criticize those in positions of governmental authority. It is much easier to bend the knee to those exercising high executive authority and to join in the reverberating chorus of "me too." But the successful working of free government requires that the policies of those in control be subjected to constant, unremitting, searching examination. As I have said before, and as I believe most Senators will agree, at no time in the life of anyone now living has this been more true than at this very hour.

It is well known that any Senator or Representative who undertakes to expose unwholesome conditions existing in the Federal Government under the present Administration subjects himself to personal attack by those who have permitted such corruption to exist.

The Senator from Arkansas [Mr. FULBRIGHT] found this out very well when his Senate investigating subcommittee began to delve into the affairs of the RFC and uncover RFC loans wrapped up in a royal, pastel mink coat. His charges were denounced as "asinine." The House Un-American Activities Committee, when it began to uncover the Hiss case, encountered similar tactics.

Last fall when I introduced a resolution for an investigation of graft and

irregularities in the Department of Agriculture it was with a full knowledge of these unpleasant facts. I expected to be subjected to the "smear" treatment. It was not long forthcoming.

DISCLOSURES BY SENATE COMMITTEE

Let me digress at this point to say that the evidence uncovered in the investigation of the management of the grain-storage program amply justified the efforts of the committee.

Unfortunately, as the hearings before the committee progressed, an extensive record of graft, corruption, and mismanagement was revealed. This is regrettable in view of the glorious history of the Department of Agriculture through so many years, and the fine service of so many thousands of loyal, honest employees. Jack Cowart, an assistant to the Administrator of the Production and Marketing Administration, was involved in a number of irregular dealings with persons doing business with the Department. One of these enterprises was described as so "hot politically" by the Director of the Transportation and Warehousing branch, that his office would have to "bend to meet the situation." When the Secretary of Agriculture was advised of another instance of such irregular conduct, he did nothing to correct the situation, but buried the information so deep in his files that even he had trouble finding it. Mr. Cowart was subsequently discharged from the Department, indicted and convicted for accepting money for obtaining payment of a claim against Commodity Credit Corporation. Nor was Mr. Cowart the only high official engaged in questionable activities. A friend of the head of the cotton branch appears to have been able to obtain information which is still too secret to be revealed to your committee. The head of the cotton branch resigned after the situation was disclosed by the committee. An assistant director of another branch has given some conflicting testimony concerning certain rice transactions as to make it virtually impossible for the courts and your committee to get to the truth of the matter. Other employees accepted gratuities from warehousemen dealing with the Department, and one of them was convicted for taking a bribe.

The testimony before the committee revealed that contracts were entered into with warehousemen, without preinspection and without adequate financial investigation or bonding. Quantitative checks to determine whether the Department's grain was actually in store were not made in most cases, although in some cases inspectors duplicated each other's efforts. In one of the latter cases the Department's acceptance of improper receipts from a United States warehouseman made it possible for the warehouseman to conceal his shortage from the United States Warehouse Act inspectors. Loading orders were issued for as much as four times the quantity of grain desired loaded, and loading orders went unfilled for months before investigations were made to determine if the warehouse was short. Grain was left in store after the Department had notice that it was going out of condition, and payments were made to warehousemen after stop payment orders had been placed on their accounts. Warehousemen who converted commodities stored for the Department and were caught, frequently paid up and went right back to doing business with the Department.

Indeed, the Department of Agriculture was authorized "to screen" certain criminal cases arising in the Department, and to decide whether there should be a prosecution. This authority was revoked when the manner in which it was being exercised was brought out in the committee's hearings.

With this type of management, there is little wonder that 129 shortage or conversion cases were referred to the Compliance and Investigation Branch during the period from January 1, 1951 to April 30, 1952, or that the Office of Audit found, material shortages in 49 out of 302 warehouses examined in the Dallas area alone. With this type of management there is little wonder that the Department sustained extensive losses through deterioration, as at Arkadelphia, Ark. It also was due to this type of management that Cargill, Inc., was able to collect $37,000 in loading-out charges from the Commodity Credit Corporation on grain that remained in storage, and later was able to collect a like sum for actually loading out the grain. The same Cargill Co. made another neat profit when the Commodity Credit Corporation purchased grain from it in early 1949 at cash grain prices which were considerably higher than the May 1949, future prices, and then deferred delivery until after May 1949.

SMEAR TECHNIQUE

The experience of the Senate committee with this investigation is an excellent example of the smear technique in full flower.

Members of the Senate committee's investigating staff in the discharge of their duties incurred the displeasure of Secretary of Agriculture Brannan. At a public hearing he denounced them as "muscle men" and referred to their "mental browbeating" of employees of his Department—charges that have subsequently been proven in the record to be without foundation in fact.

The Senator from Vermont [Mr. AIKEN], the ranking minority member of the Senate committee, was accused by Mr. Brannan of "unfair tactics."

Inasmuch as I had submitted the resolution which disclosed the inefficiency and graft in Mr. Brannan's agency, perhaps it is not surprising that the Secretary singled me out for his most vicious attacks.

On May 14, 1952, Mr. Brannan released a public statement in which he said, among other things, that I am "against nearly everything that farmers need." I demanded that Mr. Brannan set out in detail what he meant by this astounding charge.

On June 11, after much prodding on my part, Mr. Brannan sent me a letter in which he set forth 31 of my votes which he claimed were "ample" to document his charge.

When Mr. Brannan appeared before the Senate Committee for cross-examination, he told me that—

> Until you insisted and reinsisted that I document the opinion, I was willing to let it go at that.

What the Secretary apparently had in mind was "a hit-and-run operation." I did not propose to allow him to get away with it.

In the examination of Mr. Brannan, I proceeded to take up, vote by vote, every one of the 31 he listed as being against the interests of the farmers, and to prove just how false his charge is.

The votes Mr. Brannan cited fall into four general categories: First, flexible price supports; second, economy moves; third, the Commodity Credit Corporation; and fourth, public-power projects.

I asked Mr. Brannan whether he believed that the 31 votes set out in his letter constituted "nearly all" the legislation the farmers had an interest in, which has been before the Senate during the nearly 6 years I have been a Member. He replied: "No, sir." But he did not move to withdraw the charge he had made so recklessly and heedlessly.

FLEXIBLE PRICE SUPPORTS

Mr. Brannan complained because I have voted repeatedly to support the present system of flexible farm price supports, which has been adopted by law. He cited a vote on June 17, 1948, on the so-called Cooper-Barkley amendment to the long-range farm program.

The effect of this amendment was to remove tobacco from the list of commodities found in the price-support table in the bill, and to give tobacco special treatment—that is, a fixed support price. I voted against the amendment, along with 39 other Senators, including the present chairman of the Senate Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER].

The Senator from Vermont [Mr. AIKEN] pointed out that in opposing this amendment I was voting exactly as Mr. Brannan's Department of Agriculture had recommended. The Senator from New Mexico [Mr. ANDERSON] recalled that the Department of Agriculture had sent up a report in opposition to that amendment.

Here is a portion of the discussion that took place, exactly as it appears in the official transcript:

> Senator KEM. Was I voting that day on June 17, 1948, against what the farmers needed?
>
> Secretary BRANNAN. In my opinion, sir.
>
> Senator KEM. Was it your opinion on that day?
>
> Secretary BRANNAN. I think it was, sir.
>
> Senator AIKEN. That was not in accord with the information which we received that day, Mr. Secretary, as you will recall.
>
> Secretary BRANNAN. What was the date of this?
>
> Senator AIKEN. You were working very closely with the committee that I was the chairman of, and my recollection is very plain that you were not in favor of the 90 percent of support for the tobacco as expressed by your men working with us on the Hill.

So Mr. Brannan found himself in the embarrassing, not to say ridiculous, position of criticizing me for taking exactly

the same position on this amendment that his own Department took when the amendment was under consideration.

It was brought to Mr. Brannan's attention that in criticizing me for supporting the flexible price-support program, he was also criticizing the position taken not only by himself, but also by both major political parties in 1948, and by the President's Council of Economic Advisers.

It was pointed out that in President Truman's message to Congress in January 1948 the President emphasized the need for "keeping support levels flexible."

The Senator from New Mexico [Mr. ANDERSON] inserted into the RECORD a letter dated June 25, 1948, from Mr. Brannan to the Director of the President's Bureau of the Budget, in which letter Mr. Brannan recommended that the President sign the bill to set up a system of flexible price supports.

Mr. Brannan's attempts to squirm out of this situation led the Senator from Vermont [Mr. AIKEN] to say:

Mr. Secretary, what in the world is the use of your coming up here sidestepping, beating around the bush, when you know yourself that we cooperated wholeheartedly in this and you agreed with us what went into that, and we agreed with you what went in there, and now you come up here and act silly.

The Senator from Minnesota [Mr. THYE] said to Mr. Brannan on this point:

The facts here disclose that if the Senator from Missouri was wrong, there were a great many senior Members of this United States Senate, as well as the Agriculture Committee members that voted exactly the same as he did. And so help me, Mr. Secretary, those same men would not injure the farmer or the agricultural economy of this Nation any more than they would lose their right hand. And you know that, Mr. Secretary.

Mr. President, I ask unanimous consent to have inserted at this point in the RECORD the vote in the Senate on October 19, 1949, and a synopsis thereof, on the motion to agree to the conference report on the so-called Anderson farm bill.

There being no objection, the vote and synopsis were ordered to be printed in the RECORD, as follows:

Subject: Farm price support (H. R. 5345).

Synopsis: Vote on motion to agree to the Conference Report on the Anderson Farm Bill. The report was a compromise between the high-support schedule of the House bill and the sliding scale of supports passed by the Senate. It embodied the principle of flexibility as a long-range peacetime policy, but assured high prices for basic commodities during a 4-year transitory period.

NOTE.—Those opposing the report contended that it would mean higher prices for the consumer and higher governmental costs in carrying out its objectives.

The result was announced—yeas 46, nays 7, as follows:

Yeas, 46: Aiken; Anderson; Brewster; Chapman; Connally; Cordon; Donnell; Downey; Dworshak; Ecton; Fulbright; George; Graham; Gurney; Hayden; Hickenlooper; Hill; Hoey; Holland; Johnson of Colorado; Johnson of Texas; Kem; Kerr; Kilgore; Knowland; Langer; Leahy; Long; Lucas; McFarland; McKellar; McMahon; Malone; Millikin; Morse; Neely; O'Conor; O'Mahoney; Pepper; Russell; Schoeppel; Smith of Maine; Thomas of Utah; Watkins; Wherry; Young.

Nays, 7: Baldwin; Bridges; Ives; Lodge; Saltonstall; Tobey; Williams.

Not voting, 43: Bricker; Butler; Byrd; Cain; Capehart; Chavez; Douglas, Dulles; Eastland; Ellender; Ferguson; Flanders; Frear; Gillette; Green; Hendrickson; Humphrey; Hunt; Jenner; Johnston of South Carolina; Kefauver; McCarran; McCarthy; McClellan; Magnuson; Martin; Maybank; Mundt; Murray; Myers; Reed; Robertson; Smith of New Jersey; Sparkman; Stennis; Taft; Taylor; Thye; Thomas of Oklahoma; Tydings; Vandenberg; Wiley; Withers.

So the conference report was agreed to.

CONSERVATION PAYMENTS

Mr. KEM. Mr. President, Mr. Brannan complained of a number of my votes for economy in Government. The record in this connection shows that the major farm organizations and the farmers who speak through them believe in the urgent necessity of preserving the solvency of this Government. They are willing to absorb their fair share of reductions, in an effort to make an equal contribution to a balanced budget.

Mr. Brannan falsely said in his letter that my record shows "constant efforts to cut the agricultural conservation payment program."

The truth is that I have supported adequate funds for the agricultural conservation payment program. In certain instances when conditions warranted it, I voted for increases in funds for this program.

Mr. Brannan set out certain instances in which I voted for reductions in past years, but he failed to mention the instances in which I had voted the other way.

On July 21, 1947, for example, I voted to increase the appropriation for soil conservation by $35,500,000 over the amount appropriated by the House of Representatives.

Mr. President, I ask unanimous consent to have inserted at this point in the RECORD the vote on July 21, 1947, and its synopsis.

There being no objection, the vote and synopsis were ordered to be printed in the RECORD, as follows:

Subject: Agricultural Department appropriation bill—Conference report (H. R. 3601).

Synopsis: Vote on Brooks' motion to insist upon Senate amendment No. 42, to increase the appropriation for soil conservation by $35,500,000 over House appropriation; and to provide for a program of soil-conservation for the year 1948.

Action: Agreed to.

The result was announced—yeas 81, nays 0, as follows:

Yeas, 81: Aiken; Baldwin; Ball; Barkley; Brewster; Bricker; Brooks; Buck; Butler; Byrd; Cain; Capehart; Capper; Chavez; Connally; Cooper; Donnell; Downey; Dworshak; Eastland; Ecton; Ellender; Ferguson; Flanders; Fulbright; George; Green; Gurney; Hatch; Hawkes; Hill; Hoey; Holland; Ives; Jenner; Johnson of Colorado; Johnston of South Carolina; Kem; Kilgore; Knowland; Langer; Lodge; Lucas; McCarran; McClellan; McFarland; McGrath; McKellar; McMahon; Magnuson; Malone; Martin; Maybank; Millikin; Morse; Murray; Myers; O'Conor; O'Daniel; O'Mahoney; Pepper; Revercomb; Robertson of Virginia; Russell; Saltonstall; Smith; Sparkman; Stewart; Taft; Taylor; Thomas of Oklahoma; Thomas of Utah; Thye; Umstead; Vandenberg; Watkins; Wherry; White; Wiley; Wilson; Young.

Nays, 0.

Not voting, 14: Bridges; Bushfield; Cordon; Hayden; Hickenlooper; McCarthy; Moore; Overton; Reed; Robertson of Wyoming; Tobey; Tydings; Wagner; Williams.

So Mr. BROOKS' motion was agreed to.

Mr. HICKENLOOPER subsequently said: Mr. President, I should like to have the RECORD show that immediately previous to the vote just recorded I was absent from the Chamber on committee business and was unable to return to the Chamber in response to the bill, until after the vote had been concluded. Had I been able to return in time to vote, my vote would have been "yea."

Mr. KEM. Mr. President, again on June 6, 1952, when the Department of Agricultural appropriations bill was before the Senate, I voted against cutting the ACP program below $250,000,000.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point the vote on June 6, 1952, on the amendment to reduce appropriations for the agricultural conservation payment program.

There being no objection, the vote was ordered to be printed in the RECORD, as follows:

The result was announced—yeas 23, nays 35, as follows:

Yeas, 23: Anderson; Bennett; Bridges; Cain; Case; Cordon; Dirksen; Douglas; Dworshak; Ferguson; Frear; Hendrickson; Hickenlooper; Holland; Hunt; Knowland; Millikin; Schoeppel; Smith, Maine; Smith, New Jersey; Watkins; Welker; Williams.

Nays, 35: Aiken; Chavez; Clements; Connally; Eastland; Ellender; Fulbright; George; Hayden; Hennings; Hill; Hoey; Humphrey; Johnson, Colorado; Johnson, Texas; Johnston, South Carolina; Kem; Kilgore; Long; Malone; Maybank; McCarran; McFarland; McKellar; Monroney; Moody; Morse; Mundt; Neely; Russell; Smith, North Carolina; Sparkman; Stennis; Thye; Underwood.

Not voting, 38: Benton; Brewster; Bricker; Butler, Maryland; Butler, Nebraska; Byrd; Capehart; Carlson; Duff; Ecton; Flanders; Gillette; Green; Ives; Jenner; Kefauver; Kerr; Langer; Lehman; Lodge; Magnuson; Martin; McCarthy; McClellan; McMahon; Murray; Nixon; O'Conor; O'Mahoney; Pastore; Robertson; Saltonstall; Seaton; Smathers; Taft; Tobey; Wiley; Young.

So Mr. ANDERSON'S amendment, as modified, was rejected.

Mr. KEM. So Mr. Brannan's charge that my records shows "constant efforts to cut the agricultural conservation-payment program" simply is not in accord with the facts.

COMMODITY CREDIT CORPORATION

Secretary Brannan in his letter complained of several of my votes pertaining to the Commodity Credit Corporation He implied falsely that I am against the farm grain-storage program. As I brought out at the hearings, one of these votes involved the question as to whether there should be two directors of CCC taken from outside the Department of Agriculture. I may say, in passing, if there had been outside directors actively participating in the management and direction of the Commodity Credit Corporation, it is possible that the sorry record of mismanagement in that agency during the past few years would never have existed.

The other vote, on June 26, 1950, was concerned with an amendment offered by the Senator from Washington [Mr. MAGNUSON], which I supported, to protect the American farmers' price-support program against excessive imports of agricultural commodities from abroad.

Now, the Senator from Washington [Mr. MAGNUSON] did not want anyone to think that he was opposing the $2,000,000,000 increase in the borrowing authority of the CCC, and no one in his right mind had any reason to believe that the Senator from Washington was doing that. He made this abundantly clear when he said:

> The pending bill provides a mere expansion of the borrowing power of the Commodity Credit Corporation. The CCC has the money anyway. It will have no effect on the power of the CCC should this bill be returned to conference through an insistence by the Senate upon this amendment. The Corporation will proceed with its business in the interests of American agriculture and in the interests of the stability of the American agricultural economy regardless of how long it may take a conference to agree upon this amendment. So, we are faced with a much different legislative situation at the present time.
>
> Both House and Senate were in complete agreement that the CCC's borrowing authority should be increased. In consequence, any Senator who votes with me to reject this conference report cannot be accused by that action of being against the farmers of this country. Irrespective of whether or not this bill goes back to conference, a $2,000,000,000 increase in the CCC's borrowing authority is assured.

I voted for the original CCC charter in 1948, and I voted for the amendments to the CCC charter in 1949. The RECORD shows that at no time have I voted against the best interests of the farmers with respect to the storage program.

COTTON BILL

Here is something that will be of particular interest to cotton farmers in southeast Missouri and other cotton-producing areas. One of my votes which Mr. Brannan criticized was that in favor of increasing acreage allotments to cotton farmers in 1950. On that occasion, I left my party to vote with 34 Democratic Senators in favor of this bill.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point the vote on March 23, 1950, on House Joint Resolution 398, and its synopsis.

There being no objection, a statement of the vote on House Joint Resolution 398 and a synopsis were ordered to be printed in the RECORD, as follows:

Subject: Cotton-and-peanut-acreage allotments and potatoes (H. J. Res. 398).

Synopsis: Vote on agreeing to the conference report on the cotton-acreage bill. The report had been previously sent back to conference on a point of order made by ANDERSON that it contained new matter—increased cotton acreage due to destruction by "green bugs." The pending report eliminated this objectionable feature, increased cotton acreage by approximately 1,200,000 acres; increased acreage for peanuts in Texas and Alabama and removed the penalty for peanuts grown in excess of the acreage permitted by the quota, if such excess peanuts are marketed for oil; on the 1949 surplus potato crop more potatoes were channeled to human consumption with transportation costs paid, no support was given to potatoes where the growers had disapproved marketing orders nor was support given to any culls, and no support whatever was given to potatoes after the crop year of 1950 unless marketing quotas were in effect.

NOTE.—The Republican managers—AIKEN, THYE, and YOUNG—refused to sign the report.

Action: Agreed to.

The result was announced—yeas 37, nays 33, present 1, as follows:

Yeas, 37: Anderson; Byrd; Chapman; Chavez; Connally; Donnell; Ellender; Fulbright; George; Gillette; Graham; Green; Hayden; Hill; Hoey; Holland; Hunt; Johnson, Colorado; Johnson, Texas; Johnston, South Carolina; Kefauver; Kem; Kerr; Kilgore; Long; McClellan; McFarland; McKeller; Magnuson; Millikin; Neely; O'Mahoney; Robertson; Russell; Sparkman; Stennis; Withers.

Nays, 33: Aiken; Benton; Brewster; Butler; Cain; Cordon; Darby; Douglas; Dworshak; Ferguson; Flanders; Hendrickson; Ives; Knowland; Langer; Lehman; McMahon; Malone; Martin; Morse; Mundt; Schoeppel; Smith, Maine; Smith, New Jersey; Taft; Taylor; Thye; Tobey; Watkins; Wherry; Wiley; Williams; Young.

Answered "present," 1: Tydings.

Not voting, 25: Bricker; Bridges; Capehart; Downey; Eastland; Ecton; Frear; Gurney; Hickenlooper; Humphrey; Jenner; Leahy; Lodge; Lucas; McCarran; McCarthy; Maybank; Murray; Myers; O'Conor; Pepper; Saltonstall; Thomas, Oklahoma; Thomas, Utah; Vandenberg.

So the conference report was agreed to.

Mr. KEM. Mr. President, I asked Mr. Brannan how he would have voted, had he been sitting in my seat in the Senate today. He replied that he would have voted against the bill.

PUBLIC POWER PROJECTS

Mr. Brannan in his letter cited 12 votes he said were against the best interests of the rural-electrification program.

His charge in this instance proved fully as baseless as the others. He confused the issues involved in my votes for aid to the REA cooperatives which are owned by farmer members, with my votes against certain unnecessary public-power projects which would have been owned by the Government. The REA cooperatives are farmer-owned. They belong to the members. Power projects built by the Secretary of the Interior are Government-owned. The two types of operation should not be confused. It is a disservice to the great REA movement, which I have always supported, to confuse the two in the way the Secretary has done.

One of the votes Mr. Brannan objected to was on a proposal in 1951 to provide funds to build a transmission line from Buggs Island to supply power, not to an REA cooperative, or to any organization connected with REA, but a strictly military installation, the Langley Field wind tunnel.

Mr. Brannan, during the course of the discussion, declared that "the REAs indicated their need" of this line. But the Senator from Louisiana [Mr. ELLENDER], chairman of the committee, recalled that actually the cooperatives were apprehensive that they might lose part of the Buggs Island power if the line were built. So they opposed its construction.

Mr. Brannan thus found himself in the position of criticizing one of my votes as being anti-REA when actually the REA cooperatives approved my position.

And so it went.

RECORD SPEAKS FOR ITSELF

The hearing before the committee proved adequately and completely the ridiculous character of the charges made against me by Secretary Brannan. The record speaks for itself. Mr. Brannan has not produced and cannot produce a shred of evidence that shows I have ever opposed a sound, workable farm program run by the farmers in the interest of farmers. In general, my votes have been in accord with other Senators representing agricultural States. The positions I have taken on most although not all of my votes which Mr. Brannan has said are against what the farmer needs have been in complete accord with the leading farm organizations of America. Let me quote from a letter from the Missouri Farm Bureau Federation of June 9, 1952. That is quite recent. It was written since this controversy arose. The letter is signed by H. E. Slusher, president of the Missouri Farm Bureau Federation:

> I certainly admire your courageous efforts to do those things in the Congress which are helping to bring before the people the real issues confronting the American people today. I do appreciate your support of those things which we consider to be very fundamental at this time.

What I have done in exposing irregularities in the Department of Agriculture has been in the performance of what I regarded as a duty. My own ideas or my own fortunes are not important. What is important is to establish the principle that Members of Congress can proceed in the discharge of their duties in good faith without being subjected to personal, scurrilous, and unfounded attacks by members of the executive branch of the Government in an effort to throw up a smokescreen to cover up their own shortcomings.

I yield the floor.

RECESS

Mr. BENNETT. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Saturday, June 28, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 27, 1952:

TENNESSEE VALLEY AUTHORITY

Raymond Ross Paty, of Georgia, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1960.

UNITED STATES DISTRICT JUDGES

Monroe Mark Friedman to be United States district judge for the northern district of California, vice Herbert W. Erskine, deceased.

Guthrie F. Crowe, of Kentucky, to be United States district judge for the district of the Canal Zone, vice Joseph J. Hancock, resigned.

MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

Hon. Thomas D. Quinn, of the District of Columbia, to be chief judge of the Municipal Court for the District of Columbia, vice George P. Barse, term expiring July 7, 1952.

Hon. Walter J. Casey, of the District of Columbia, to be associate judge of the Municipal Court for the District of Columbia. He is now serving in this post under an appointment which expires July 7, 1952.

MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Hon. Frank Hammett Myers, of the District of Columbia, to be an Associate Judge of the Municipal Court of Appeals for the District of Columbia, vice Thomas D. Quinn.

UNITED STATES ATTORNEY

Edward M. McEntee, of Rhode Island, to be United States attorney for the district of Rhode Island, vice George F. Troy, retired.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following-named employees of the Coast and Geodetic Survey for permanent appointment to the grade indicated:

To be commissioned ensign

Robert B. Noble, effective September 3, 1952.

Kenneth A. MacDonald, effective September 10, 1952.

Kurt W. Bauer, effective October 1, 1952.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 27, 1952:

FEDERAL MARITIME BOARD

Vice Adm. Edward L. Cochrane, United States Navy, retired, to be a member of the Federal Maritime Board for the term expiring June 30, 1956.

POSTMASTERS

ALABAMA

Robert H. Kirksey, Aliceville.
Harold D. Lyon, Bayou La Batre.
Frances Mae Mathis, Newville.
James W. Davis, Town Creek.

ARIZONA

Richard P. Sherman, Naco.

ARKANSAS

Albert M. Haberer, Ozark.
Elmo R. Moss, State Hospital.

CALIFORNIA

Etta Phydelia Wagner, East Nicolaus.
LaVera M. Hancock, Fouts Springs.
Emmett J. Nickles, Gerber.
Martha W. Bost, Orangevale.
Daisy M. Stanley, Parker Dam.
Teddy Chiappari, Paso Robles.
Charles G. Nance, Plymouth.
Gladys J. Oylear, Princeton.
Sidney F. Greenleaf, Rancho Mirage.
Ruth E. Cruess, San Miguel.
George Langford, Stockton.
Lucille B. O'Loughlin, Sunol.

COLORADO

Luella A. Drage, Lyons.

GEORGIA

Benjamin E. Hopkins, Washington.

ILLINOIS

Jessica P. Bartholmey, Bensenville.
Stanley R. Piascyk, Depue.
Paul M. O'Donnell, Evanston.

INDIANA

Victor A. Burger, Kendallville.
Thelma Nelson, Kennard.
Arlie C. Morphew, Plainfield.
Frank L. Miklozek, Terre Haute.
Frederick M. Plummer, Windfall.

IOWA

Samuel George Peterson, Archer.
Melvin L. Larsen, Brandon.
Osborne K. Owens, Carlisle.
Howard F. Whitman, Clarion.
Homer H. Beede, Kellerton.
Lola V. Haskins, Lawton.
James W. Miller, Plainfield.

KANSAS

Luster W. Love, Bronson.
David L. Kirsch, Chase.
Edna J. Lee, Englewood.
Jennie E. Nelson, Galva.
Dale E. Rauscher, Goodland.
Harry F. Brighton, Milford.
Freda F. Reed, Oil Hill.
Mary Lee Thomas, West Mineral.

LOUISIANA

John N. Jones, Bastrop.
Naideen J. Sevier, Ferriday.
Jesse E. Hicks, Morrow.
Nathan L. Haas, Opelousas.

MAINE

John H. Clark, Ocean Park.

MICHIGAN

Owen J. Breece, Cassopolis.
John R. Vincent, Eloise.
Edward M. Verellen, Pinconning.
Jack G. Metcalf, Tecumseh.

MINNESOTA

Walter H. Hoving, Brandon.
George Haines, Hinckley.

MISSISSIPPI

Dewitt V. Ferrell, Batesville.
Sophie G. Jackson, Tougaloo.

MISSOURI

Arthur M. Sames, Centralia.
Homer T. Seaton, Lexington.
Harold H. Hester, Malden.
Loren M. Parker, Meta.
Harry B. Anderson, Seneca.

NEBRASKA

Arnold H. Stuckwisch, Battle Creek.
Paul J. Smeall, Dodge.

NEW HAMPSHIRE

Kellett V. Stockheimer, Woodsville.

NEW MEXICO

Faris E. Roberts, Clayton.

NEW YORK

Roy P. Clawson, Athens.
John L. Light, Avon.
Irene H. Crysler, Evans Mills.
Caroline R. Bahnmuller, Farmingville.
John D. Chatfield, Hensonville.
Robert F. Jones, Holbrook.
George D. McMillan, Johnstown.
Walter A. Williams, Lake Grove.
Bernard F. Green, New Hartford.
Mary O. Drury, Scarsdale.
Francis P. Tobin, Yonkers.

NORTH CAROLINA

Dera K. Kirk, Badin.
John E. Laughter, Horse Shoe.

NORTH DAKOTA

Oscar G. Tang, Cooperstown.

OHIO

Randall B. Craven, Brilliant.
Herman L. West, Canfield.
Ulrich A. Sinkora, Dillonvale.
Bessie R. Waite, Kipton.
Donald E. Denver, Senecaville.
Jacob Paul Businger, Weston.

OKLAHOMA

Orval T. Smelser, Washington.

PENNSYLVANIA

Ronald F. Hayman, Confluence.

TEXAS

Melvin W. Kincheloe, Burnet.
Frank L. Roark, Jr., Cleveland.
R. V. Welch, Jr., Lufkin.

WASHINGTON

Eulalia J. Stafford, Chelan Falls.
Paul R. Rader, Ephrata.
Glen C. Adams, Fairfield.
Emer F. Pardee, Lake Stevens.
James S. Wise, Lebam.
Hans P. Greggersen, Olalla.

WEST VIRGINIA

Ralph A. Bush, Bolivar.

WISCONSIN

Edward J. Oldenburg, Lac du Flambeau.

WYOMING

Mary E. Busko, Winton.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 27, 1952

The House met at 10 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Infinite and eternal God, humbly and reverently we are again coming unto Thee in the sacred attitude of prayer with our many needs and longings.

Grant that in the midst of the world's struggles and tribulations we may cleave with increasing tenacity of faith and courage to the abiding truth that nothing can ever impede the progress and triumph of Thy Kingdom of reason and righteousness.

We pray that we may labor more earnestly for universal peace and do all within our power to lead the spirit of man out of the bondage of hatred and selfishness into the glorious light of love and brotherhood.

May the day soon come when all nations shall have a clearer vision and understanding of the utter futility and waste and insanity of war and see that war is hell and the brutal destruction of human life and property and nobody can make anything else out of it.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7289. An act making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. MCKELLAR, Mr. ELLENDER, Mr. GREEN, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. FERGUSON to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is

requested, bills of the House of the following titles:

H. R. 5768. An act to amend the act entitled "An act to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes," approved December 20, 1944; and

H. R. 7800. An act to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2594) entitled "An act to amend and extend the Defense Production Act of 1950, and the Housing and Rent Act of 1947, and for other purposes"; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAYBANK, Mr. FULBRIGHT, Mr. ROBERTSON, Mr. SPARKMAN, Mr. FREAR, Mr. CAPEHART, Mr. BRICKER, and Mr. IVES to be the conferees on the part of the Senate.

AMENDING THE MERCHANT MARINE ACT OF 1936

Mr. HART. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 241) to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American Merchant Marine, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand that a similar bill, but I think probably on a larger scale, passed the House in the Eightieth Congress, but failed to pass the Senate.

Mr. HART. I would not say that that is exactly so. I have already discussed this matter with the ranking minority member of the Committee on Merchant Marine and Fisheries, and he joins with me in the request. This is a unanimous report.

I will say to the gentleman from Massachusetts that a bill similar to this, for the same general purposes, amending the Merchant Marine Act, passed the House unanimously in the Eightieth Congress, but this is a bill that passed the Senate and which the House has amended in certain particulars and which affects broadly the same general provisions.

Mr. MARTIN of Massachusetts. And this bill has passed the Senate?

Mr. HART. This bill has passed the Senate, but the House has amended it.

Mr. MARTIN of Massachusetts. And it has the unanimous support of the Committee on Merchant Marine and Fisheries?

Mr. HART. Yes.

Mr. McCORMACK. Mr. Speaker, further reserving the right to object, this is what is known as the long-range shipping bill. The committee worked very hard on it during this Congress and they reported out a bill which, in my opinion, is satisfactory. I want to compliment the committee and the gentleman from New Jersey [Mr. HART] for their efforts. The bill has received clearance and is, in my opinion, in very good shape as it came out of the committee.

Mr. HART. I thank the majority leader.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 501 (a) of the Merchant Marine Act, 1936, as amended, is amended to read as follows:

"(a) Any citizen of the United States may make application to the Commission for a construction-differential subsidy to aid in the construction of a new vessel to be used in the foreign commerce of the United States. No such application shall be approved by the Commission unless it determines that (1) the plans and specifications call for a new vessel which will meet the requirements of the foreign commerce of the United States, will aid in the promotion and development of such commerce, and be suitable for use by the United States for national defense or military purposes in time of war or national emergency; (2) the applicant possesses the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the proposed new vessel, and (3) the granting of the aid applied for is reasonably calculated to replace worn-out or obsolete tonnage with new and modern ships, or otherwise to carry out effectively the purposes and policy of this act. The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price shall not restrict the lawful or proper use or operation of the vessel except to the extent expressly required by law."

SEC. 2. The first sentence of section 501 (c) of such act is amended to read as follows: "Any citizen of the United States may make application to the Commission for a construction-differential subsidy to aid in reconstructing or reconditioning any vessel that is to be used in the foreign commerce of the United States."

SEC. 3. Section 503 of such act is amended by (1) amending the third sentence to read as follows: "At the time of delivery of the vessel the applicant shall execute and deliver a first-preferred mortgage to the United States to secure payment of any sums due from the applicant in respect to said vessel: *Provided*, That, notwithstanding any other provisions of law, the payment of any sums due in respect to a passenger vessel purchased under section 4 (b) of the Merchant Ship Sales Act of 1946, reconverted or restored for normal operation in commercial services, or in respect to a passenger vessel purchased under title V of this act, which is delivered subsequent to March 8, 1946, and which (i) is of not less than 10,000 gross tons, (ii) has a designed speed approved by the Commission but not less than 18 knots, (iii) has accommodations for not less than 200 passengers, and, (iv) is approved by the Secretary of Defense as being desirable for national defense purposes, may, with the approval of the Commission, be secured only by a first-preferred mortgage on said vessel.", and (2) by inserting the following sentences immediately after the third sentence "With the approval of the Commission such preferred mortgage may provide that the sole recourse against the purchaser of such a passenger vessel under such mortgage, and any of the notes secured thereby, shall be limited to repossession of the vessel by the United States and the assignment of insurance claims, if the purchaser shall have complied with all provisions of the mortgage other than those relating to the payment of principal and interest when due, and the obligation of the purchaser shall be satisfied and discharged by the surrender of the vessel, and all right, title, and interest therein to the United States. Such vessel upon surrender shall be (i) free and clear of all liens and encumbrances whatsoever, except the lien of the preferred mortgage, (ii) in class, and (iii) in as good order and condition, ordinary wear and tear excepted, as when acquired by the purchaser, except that any deficiencies with respect to freedom from encumbrances, condition, and class, may, to the extent covered by valid policies of insurance, be satisfied by the assignment to the United States of claims of the purchaser under such policies of insurance."

SEC. 4. The last sentence of section 504 of such act is amended to read as follows: "Such vessel shall be documented under the laws of the United States as provided in section 503 of this title. The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price, shall not restrict the lawful or proper use or operation of the vessel, except to the extent expressly required by law."

SEC. 5. Section 507 of such act is amended by inserting therein after the words "foreign trade" the words "or domestic trade."

SEC. 6. Section 509 of such act is amended by amending that part of the fourth sentence preceding the proviso to read as follows: "In case the vessel is designed to be of not less than 3,500 gross tons and to be capable of sustained speed of not less than 14 knots, the applicant shall be required to pay the Commission not less than 12½ percent of the cost of such vessel, and in the case of any other vessel the applicant shall be required to pay the Commission not less than 25 percent of the cost of such vessel (excluding from such cost, in either case, the cost of national defense features); and the balance of such purchase price shall be paid by the applicant within 20 years in not to exceed 20 equal annual installments, with interest at 3½ percent per annum, secured by a preferred mortgage on the vessel sold and otherwise secured as the Commission may determine: *Provided*, That, notwithstanding any other provisions of law, the balance of the purchase price of a passenger vessel constructed under this section which is delivered subsequent to March 8, 1946, and which has the tonnage, speed, passenger accommodations, and other characteristics set forth in section 503 of this act, may, with the approval of the Commission, be secured as provided in such section, and the obligation of the purchaser of such a vessel shall be satisfied and discharged as provided in such section: *And provided*,".

SEC. 7. Paragraph (1) of section 510 (a) of such act is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That until June 30, 1953, the term "obsolete vessel" shall mean a vessel or vessels, each of which (A) is of not less than 1,350 gross tons, (B) is not less than 12 years old, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least 3 years immediately prior to the date of acquisition hereunder."

SEC. 8. Section 510 (d) of such act is amended by adding the following sentence at the end thereof: "The rate for the use of the obsolete vessel shall be fixed for the entire period of such use at the time of execution of the contract for the construction of the new vessel."

SEC. 9. Section 511 (b) of such act is amended to read as follows:

"(b) For the purpose of promoting the construction, reconstruction, reconditioning, or acquisition of vessels, or for other purposes authorized in this section, necessary

to carrying out the policy set forth in title I of this act, any citizen of the United States who is operating a vessel or vessels in the foreign or domestic commerce of the United States or in the fisheries or owns in whole or in part a vessel or vessels being so operated, or who, at the time of purchase or requisition of the vessel by the Government, was operating a vessel or vessels so engaged or owned in whole or in part a vessel or vessels being so operated or had acquired or was having constructed a vessel or vessels for the purpose of operation in such commerce or in the fisheries, may establish a construction reserve fund, for the construction, reconstruction, reconditioning, or acquisition of new vessels, or for other purposes authorized in this section, to be composed of deposits of proceeds from sales of vessels, indemnities on account of losses of vessels, earnings from the operation of vessels documented under the laws of the United States and from services incident thereto, and receipts, in the form of interest or otherwise, with respect to amounts previously deposited. Such construction reserve fund shall be established, maintained, expended, and used in accordance with the provisions of this section and rules or regulations to be prescribed jointly by the Commission and the Secretary of the Treasury."

SEC. 10. Section 511 (c) of such act is amended to read as follows:

"(c) (1) In the case of the sale or actual or constructive total loss of a vessel, if the taxpayer deposits an amount equal to the net proceeds of the sale or to the net indemnity with respect to the loss in a construction reserve fund established under subsection (b), then—

"(A) if the taxpayer so elects in his income-tax return for the taxable year in which the gain was realized, or

"(B) in case a vessel is purchased or requisitioned by the United States, or is lost, in any taxable year beginning after December 31, 1939, and the taxpayer receives payment for the vessel so purchased or requisitioned, or receives from the United States indemnity on account of such loss, subsequent to the end of such taxable year, if the taxpayer so elects prior to the expiration of 60 days after the receipt of the payment or indemnity, and in accordance with a form of election to be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury,

no gain shall be recognized to the taxpayer in respect of such sale of indemnification in the computation of net income for the purposes of Federal income or excess-profits taxes. If an election is made under subdivision (B) and if computation or recomputation in accordance with this subsection is otherwise allowable but is prevented, on the date of making such election or within 6 months thereafter, by any statute of limitation, such computation or recomputation nevertheless shall be made notwithstanding such statute if a claim therefor is filed within 6 months after the date of making such election.

"(2) Effective with respect to the taxable years ending after July 31, 1951, earnings or receipts deposited in the construction reserve fund as provided in this section shall be treated as follows for Federal tax purposes:

"(A) Receipts, in the form of interest or otherwise, on amounts representing the net proceeds of sales or losses of vessels shall not be recognized for purposes of Federal income or excess-profits taxes.

"(B) Earnings from the operation of vessels documented under the laws of the United States and from services incident thereto and receipts, in the form of interest or otherwise, with respect to such amounts for the purposes of Federal income or excess profits taxes shall be treated as 'partially tax, deferred'. 'Partially tax deferred' earnings shall not be recognized for the purposes of normal tax and surtax on corporations, but shall be recognized for the purposes of excess profits tax imposed upon corporations. 'Partially tax deferred' amounts shall not include capital gains deposited in the construction reserve fund.

"(3) For the purposes of this subsection no amount shall be considered as deposited in a construction reserve fund unless it is deposited within 60 days after it is received by the taxpayer except that in the case of earnings from the operation of vessels documented under the laws of the United States and from services incident thereto in any taxable year, the deposit may be made not later than the prescribed date of filing for the taxpayer's Federal income-tax return for such year, and if such deposit is made on or before such date it shall be considered to have been deposited on the last day of the period covered by the tax return.

"(4) As used in this subsection the term 'net proceeds' and the term 'net indemnity' mean the sum of (A) the adjusted basis of the vessel and (B) the amount of gain which would be recognized to the taxpayer without regard to this subsection."

SEC. 11. Section 511 (d) of such act, effective with respect to taxable years ending after July 31, 1951, is amended to read as follows:

"(d) (1) The basis for determining gain or loss and for depreciation, for the purposes of Federal income or excess profits taxes, of any new vessel constructed, reconstructed, reconditioned, or acquired by the taxpayer, or with respect to which purchase-money indebtedness is liquidated as provided in subsection (g), in whole or in part out of the construction reserve fund shall be as follows:

"(A) Amounts representing the gain from the sale or losses of vessels and receipts on amounts representing the net proceeds of sales or losses of vessels deposited in the construction reserve fund, which are not recognized for tax purposes under subsection (c) shall not be recognized in the determination of the tax basis of any such property or in the determination of equity capital or total assets for excess profits tax purposes;

"(B) Amounts treated as partially tax-deferred under subsection (c) shall be recognized in the determination of the tax basis of any such property and in the determination of equity capital or total assets for excess profits tax purposes in such proportion as the excess profits tax attributable to such amount bears to the total tax which would have been imposed on such amounts except for the provisions of subsection (c); and

"(C) If any vessel (or property having a substituted basis by reference to such vessel) is sold, exchanged, distributed, or otherwise disposed of (except to the extent that gain is not recognized by reason of subsection (c) of this section or section 112 of the Internal Revenue Code), then the excess over the adjusted basis of the vessel (or of the property having a substituted basis by reference to such vessel), of—

"(i) in the case of a sale or exchange, the amount realized; or

"(ii) in the case of a distribution or disposition other than by sale or exchange, the fair market value of the vessel or property, at the time of such distribution or disposition, shall to the extent that funds so expended represent earnings or receipts which have not been recognized for tax purposes under this section, be considered, for the purposes of the provisions of title I of the Internal Revenue Code, as short-term capital gain. Notwithstanding the provisions of section 511 (c) the earnings and profits of a corporation shall, for the purposes of section 115 of the Internal Revenue Code only be treated as if increased by the amount of any deposits in the construction reserve fund which have not been recognized for Federal tax purposes under section 511 (c). The term 'substituted basis' as used in this section shall have the same meaning as in section 113 (b) (2) of the Internal Revenue Code.

"(2) In computing the net operating loss deduction of the taxpayer under section 122 of the Internal Revenue Code—

"(A) the gross income of the taxpayer for purposes of section 122 (a) of the net income of the taxpayer for purposes of section 122 (b) and (c) shall include amounts treated as 'partially tax deferred' under subsection 511 (c);

"(B) the normal-tax net income of the taxpayer for purposes of section 122 (c) shall include amounts treated as 'partially tax deferred' under subsection 511 (c); and

"(C) the net income of the contractor, for purposes of the computation under section 122 (c), shall be increased by the amount of interest on obligations of the United States or its instrumentalities described in section 26 (a).

"(3) For the purpose of determining the excess profits credit the equity capital of the taxpayer for purposes of section 437 (c) of the Internal Revenue Code and the total assets of the taxpayer for purposes of sections 435 (e) (3), 440 (b), and 442 (f) of the Internal Revenue Code shall be computed by determing, to the extent applicable, the adjusted basis of assets of the depositor in accordance with the provisions of 511 (d) and by attributing to amounts on deposit in the construction reserve fund the basis which under this subsection would be attributed to property acquired therewith."

SEC. 12. Clause (3) of section 511 (e) of such ac is amended to read as follows: "(3) if any deposit arising out of the same transaction consist in part of gain, earnings, or receipts, not recognized under subsection (c), any expenditure, obligation, or withdrawal applied against such deposit shall be considered to consist of gain, earnings, or receipts in the proportion that the part of the deposit consisting of gain, earnings, or receipts, bears to the total amount of deposit."

SEC. 13. Section 511 (g) of such act is amended to read as follows:

"(g) The provisions of subsections (c) and (f) shall apply to any deposit in the construction reserve fund only to the extent that such deposit is expended or obligated for expenditure, in accordance with rules and regulations to be prescribed jointly by the Commission and the Secretary of the Treasury—

"(1) under a contract for the construction or acquisition of a new vessel or vessels (or in the discretion of the Commission, for a part interest therein), or, with the approval of the Commission, for the reconstruction or reconditioning of a new vessel or vessels, entered into within (i) 2 years from the date of deposit or the date of any extension thereof which may be granted by the Commission pursuant to the provisions of section 511 (h), in the case of deposits made prior to the date on which these amendatory provisions become effective, or (ii) 3 years from the date of such deposit in the case of a deposit (other than a deposit of earnings) made after such effective date, only if under such rules and regulations—

"(A) within such period not less than 12½ percent of the construction or contract price of the vessel or vessels is paid or irrevocably committed on account thereof and the plans and specifications therefor are approved by the Commission to the extent by it deemed necessary; and

"(B) in case of a vessel or vessels not constructed under the provisions of this title or not purchased from the Commission, (i) said construction is completed, within 6 months from the date of the construction contract, to the extent of not less than 5 percent thereof (or in case the contract covers more than 1 vessel, the construction of the first vessel so contracted for is so completed to the extent of not lesse than 5 percent) as estimated by the Commission

and certified by it to the Secretary of the Treasury, and (ii) all construction under such contract is completed with reasonable dispatch thereafter.

"(2) under a contract (i) for the construction of a new vessel or vessels, or (ii) for the acquisition, reconstruction, or reconditioning of a new vessel or vessels when the Commission determines by an affirmative vote of not less than 3 members that the objectives of the act will be promoted thereby, entered into within 3 years from the date of a deposit of earnings made after the effective date of these amendatory provisions, only if under such rules and regulations within such period the contract price of the vessel or vessels is paid or committed, and the construction of such vessel or vessels is completed, as provided in subparagraphs (A) and (B) of paragraph (1) of this subsection;

"(3) for the liquidation of existing or subsequently incurred purchase-money indebtedness to persons other than a parent company of, or a company affiliated or associated with, the mortgagor on a new vessel or vessels within (i) 2 years from the date of deposit or the date of any extension thereof which may be granted by the Commission pursuant to the provisions of section 511 (h), in the case of deposits made prior to the date on which these amendatory provisions become effective, or (ii) 3 years from the date of such deposit in the case of a deposit made after such effective date."

SEC. 14. Section 511 (h) of such act is amended by striking out the proviso thereto and substituting the following: "*Provided*, That until March 31, 1952, in addition to the extensions hereinbefore permitted, further extensions may be granted ending not later than September 30, 1952."

SEC. 15. Section 511 (i) of such act is amended, effective with respect to the taxable years ending July 31, 1951, to read as follows:

"(i) Any such deposited gains, earnings, or receipts, or portions thereof, which are not so expended or obligated within the period provided, or which are otherwise withdrawn before the expiration of such period, or with respect to which the construction has not progressed to the extent of 5 percent of completion within the period provided, or with respect to which the Commission finds and certifies to the Secretary of the Treasury that, for causes within the control of the taxpayer, the entire construction is not completed with reasonable dispatch, shall be taxable as follows:

"(1) Partially tax-deferred amounts shall, in the year in which the period for expending or obligating the amounts expires or terminates, or in the year in which otherwise withdrawn, be subject to the amount of normal tax and surtax which would have been imposed but for this section, in the year in which such amounts were deposited; and

"(2) Other tax-deferred amounts shall, to the extent not taxable upon deposit in the funds, be taxable in the year in which the period for expending or obligating the amount expires or terminates, or in the year in which otherwise withdrawn, under the conditions, tax rates, and provisions applicable to the year of deposit: *Provided*, That any such amounts representing gains, or portions thereof, with respect to deposits made in any taxable year ending on or before June 30, 1945, shall not be considered in computing gross income for purposes of the declared value excess-profits tax and capital-stock tax, and there shall (in addition to any other deficiency) be assessed, collected, and paid in the same manner as if it were a deficiency, an amount equal to 1.1 percent of the amount of gain, such amount being in lieu of any adjustment with respect to the declared value excess-profits tax for such taxable year."

SEC. 16. Section 511 of such act is amended by adding at the end thereof a new subsection to read as follows:

"(o) The terms 'reconstruction and reconditioning', as used in this section, shall include the reconstruction, reconditioning, or modernization of a vessel for exclusive use on the Great Lakes, including the St. Lawrence River and Gulf, if the Commission determines by an affirmative vote of not less than three members that the objectives of this act will be promoted by such reconstruction, reconditioning, or modernization, and, notwithstanding any other provisions of law, such vessel shall be deemed to be a 'new vessel' within the meaning of this section for such reconstruction, reconditioning, or modernization."

SEC. 17. Clause (5) of section 606 of such act is amended by striking out the phrase "20-year life expectancy of the subsidized vessels" and inserting in lieu thereof the following: "life expectancy of the subsidized vessels determined as provided in section 607 (b)."

SEC. 18. Section 607 (b) of such act is amended by (1) amending that part of the second sentence preceding the proviso to read as follows: "In this fund the contractor shall deposit annually or oftener, as the Commission may require, an amount equal to the annual depreciation charges on the contractor's vessels on which the operating differential is being paid, such depreciation charges to be computed on a 20-year life expectancy of the vessels, except that the life expectancy of a vessel which shall have been or is to be wholly or partially reconstructed or reconditioned shall upon request be determined jointly by the Secretary of the Treasury and the Commission, and the depreciation charges on such vessel shall be computed on the life expectancy so determined."

SEC. 19. Section 607 (d) of such act is amended by striking out the phrase "being 20 years" and inserting in lieu thereof the following: "as provided in section 607 (b)".

SEC. 20. Section 607 (g) of such act is amended by adding at the end thereof the following new sentence: "If a voluntary deposit of earnings approved by the Commission under this subsection after December 31, 1950, results in an overpayment of Federal taxes for any year, interest shall not be allowed on such overpayment for any period prior to the date of approval of the deposit by the Commission; similarly, interest on any deficiencies shall not accrue until disapproval of the proposed deposit by the Commission."

SEC. 21. Section 607 (h) of such act is amended, effective with respect to taxable years ending after July 31, 1951, to read as follows:

"(h) The earnings or gains of any contractor holding an operating-differential subsidy contract under authority of this act, which are deposited, or accrued for deposit, in the contractor's reserve funds as provided in this section, shall be treated as follows for Federal tax purposes:

"(1) Amounts required to be deposited as depreciation in the capital reserve fund shall be deductible in computing income subject to income and excess profits taxes.

"(2) The proceeds of any insurance or indemnities received by the contractor on account of the total loss of subsidized vessel and the proceeds of any sale or other disposition of a subsidized vessel, to the extent such proceeds represent gain, and earnings or gains on amounts deposited in the reserve funds (which are required to be deposited in the capital reserve fund) shall not be recognized for income or excess profits tax purposes.

"(3) Amounts deposited as depreciation in the capital reserve fund which exceed the depreciation which would be allowed under the Internal Revenue Code (assuming the life expectancy determined under section 607 (b)) and amounts described in paragraph (2) which are not recognized for tax purposes, shall not be recognized in the determination of the tax basis of any property in the acquisition, construction, or reconstruction of which such amounts are expended or in the determination of equity capital or total assets for excess profits tax purposes. If such amounts are used to reduce indebtedness, proper adjustment shall be made in the basis of the property subject to the indebtedness.

"(4) Earnings deposited in the capital reserve fund, other than the amounts described in paragraph (1) and (2), and earnings deposited in the special reserve fund shall be treated as 'partially tax deferred'. 'Partially tax deferred' earnings shall not be recognized for purposes of normal tax and surtax on corporations, but shall be recognized for purposes of the excess profits tax imposed upon corporations. 'Partially tax deferred' amounts shall not include capital gains deposited in capital reserve fund or the special reserve fund.

"(5) Accounts treated as 'partially tax deferred' under paragraph (4) shall be recognized in the determination of the tax basis of any property acquired, constructed, or reconstructed therewith and in the determination of equity capital or total assets for excess profits tax purposes in such proportion as the excess profits tax attributable to such amount bears to the total tax which would have been imposed on such amount but for paragraph (4). If 'partially tax deferred' amounts are used to reduce indebtedness, proper adjustment shall be made in the basis of the property subject to the indebtedness.

"(6) In computing the net income of the contractor for income and excess profits tax purposes—

"(A) the amount of operating-differential subsidy accrual payable to the contractor at final rates determined by the Commission for any taxable year, including amounts withheld by the Commission, shall be included in the income of the contractor for such year;

"(B) a deduction shall be allowed for the taxable year in the amount of subsidy reimbursement determined by the Commission to be then chargeable to the contractor, and not previously allowed; and

"(C) in respect of any amount previously withheld from subsidy payments as determined by the Commission to offset such reimbursement, which is released and paid to the contractor, the adjustment of such subsidy reimbursement shall be included in the income of the contractor, as follows:

"(i) for accruals made in respect of taxable years ending prior to the first taxable year ending after July 31, 1951, any such amount shall be included during the year in which paid and taxable under the conditions, tax rates and provisions applicable in the year of accrual, including provisions of any closing agreement entered into between the contractor and the Bureau of Internal Revenue:

"(ii) for accruals made in respect of taxable years ending after July 31, 1951, any such amount shall be included in the income of the contractor in the year to which such determination is applicable.

"(7) Deposit requirements in respect of any amount previously withheld from subsidy payments to offset reimbursement liability and excused from deposit in the reserve funds and other deposit requirements shall be satisfied as follows:

"(A) For amounts accrued in taxable years ending prior to July 31, 1951, the full amount thereof shall be deposited to the extent such amounts are tax-deferred under any closing agreements entered into between the contractor and the Bureau of Internal Revenue;

"(B) For amounts accrued in taxable years ending after July 31, 1951, the amount of any such requirements, less taxes payable thereon under this section, shall be deposited.

"(8) Earnings or gains on deposit in the reserve funds at the termination without extension, continuation or renewal of the contract, or withdrawn from the special reserve fund and paid into the contractor's general funds (other than for reimbursement of operating losses as provided under section 607 (c)) or distributed as dividends or bonuses, shall be taxable as follows:

"(A) 'Partially tax deferred' amounts shall, in the year in which the amounts become available for withdrawal after termination or other withdrawal, be subject to the amount of normal tax and surtax which would have been imposed but for this section in the year in which such amounts were accrued for deposit, and

"(B) Other tax deferred earnings or gains shall, to the extent not taxable upon deposit in the funds, be taxable, in the year in which the amounts become available for withdrawal after termination or other withdrawal, under the conditions, tax rates and provisions applicable in the year accrued for deposit.

"(C) Earnings or gains which were for the year of accrual treated as tax exempt under the terms of any closing agreement entered into by the contractor and the Bureau of Internal Revenue shall be treated as provided in the closing agreement. Amounts withdrawn from the special reserve fund and used to reimburse the contractor's general funds for operating losses under section 607 (c) shall, to the extent such amount would not be recognized in the determination of tax basis under paragraph (5) or under the provisions of any closing agreement entered into between the contractor and the Bureau of Internal Revenue applicable with respect to deposits made prior to the first taxable year ending after July 31, 1951, be included in income of the contractor in the year to which the withdrawal from the fund is applicable.

"(9) Amounts deposited in the capital or special reserve funds shall not constitute an accumulation of earnings or profits within the meaning of section 102 of the Internal Revenue Code.

"(10) In computing the net operating loss deduction of the contractor under section 122 of the Internal Revenue Code—

"(A) the gross income of the contractor for purposes of section 122 (a) and the net income of the contractor for purposes of section 122 (b) and (c) shall include amounts treated as 'partially tax deferred' under paragraph (4);

"(B) the normal-tax net income of the contractor for purposes of section 122 (c) shall include amounts treated as 'partially tax deferred' under paragraph (4); and

"(C) the net income of the contractor, for purposes of the computation under section 122 (c), shall be increased by the amount of interest on obligations of the United States or its instrumentalities described in section 26 (a).

"(11) The excess-profits credit of the contract shall be determined in accordance with the following provisions:

"(A) The average base period net income of the contractor shall be computed by including in excess-profits net income determined under section 433 (b) of the Internal Revenue Code for any taxable year the amount of earnings (not including capital gains) deposited by the contractor in the reserve funds in such year other than—

"(i) required deposits of depreciation;

"(ii) the amount of subsidy reimbursement determined by the Commission to be chargeable to the contractor for such year; and

"(iii) earnings on amounts deposited in the capital reserve funds (other than amounts transferred from the special reserve fund).

"(B) The equity capital of the contractor for purposes of section 437 (c) of the Internal Revenue Code and the total assets of the contractor for purposes of section 435 (e) (3), 440 (b) and 442 (f) of the Internal Revenue Code shall be computed by determining, to the extent applicable, the adjusted basis of assets of the contractor in accordance with the provisions of paragraphs (3) and (5) except that the provisions of any closing agreement entered into by the contractor and the Bureau of Internal Revenue applicable with respect to amounts deposited in the reserve funds prior to the first taxable year ending after July 31, 1951, shall govern determinations of the basis of property acquired, constructed, or reconstructed with such deposits, by attributing to amounts on deposit in the reserve funds the basis which under this subparagraph would be attributed to property acquired therewith.

"(12) For the purposes of this section, amounts withdrawn from the reserve funds or expended in accordance with the purposes of such funds shall be considered to represent the deposits in such funds in order of deposit and the funds shall be treated as a unit.

"(13) Deficiencies or overpayments of tax resulting from delay by the Commission in any of the determinations required under paragraph (6) shall not be subject to interest until ninety days after such determinations are made by the Commission."

SEC. 22. Section 805 (c) of such act is amended to read as follows:

"(c) In determining the rights and obligations of any contractor under a contract authorized by title VI or title VII of this act, no salary for personal services in excess of $25,000 per annum paid to a director, officer, or employee by said contractor, its affiliates, subsidiary, or associates, shall be taken into account. The terms 'director', 'officer,' or 'employee' shall be constructed in the broadest sense. The term 'salary' shall include wages and allowances of compensation in any form for personal services which will result in a director, officer, or employee receiving total compensation for his personal services from such sources exceeding in amount or value $25,000 per annum."

SEC. 23. Section 905 of such act is amended by adding at the end thereof a new subsection to read as follows:

"(1) The terms 'United States Maritime Commission' and 'Commission' shall mean the Secretary of Commerce, the Maritime Administrator, or the Federal Maritime Board as the context may require to conform to Reorganization Plan Numbered 21 of 1950, effective May 24, 1950."

With the following committee amendments:

Page 6, line 9, after the word "fixed", insert the words "by the Commission."

Page 7, line 17, strike out "(1)."

Page 7, line 22, strike out "(A)" and insert in lieu thereof "(1)."

Page 7, line 25, strike out "(B)" and insert in lieu thereof "(2)."

Page 8, line 14, strike out "(B)" and insert in lieu thereof "(2)."

Page 8, strike out lines 22 and 23, and on page 9, strike out lines 1 through 17.

Page 9, line 18, strike out "(3)."

Page 9, line 21, after the words "by the taxpayer," insert a period and strike out the remainder of line 21 and line 22, and on page 10, strike out lines 1 through 7.

Page 10, line 8, strike out "(4)."

Page 10, line 9, strike out "(A)" and insert in lieu thereof "(1)."

Page 10, line 10, strike out "(B)" and insert in lieu thereof "(2)."

Page 10, amend lines 13, 14, and 15 to read "SEC. 11. Section 511 (d) of such act is amended to read as follows."

Page 10, line 16, strike out "(1)."

Page 10, line 22, strike out the words "as follows:" and the remainder of section 11, through and including line 18, on page 13, and insert in lieu thereof the following: "reduced by that portion of the deposits in the fund expended in the construction, reconstruction, reconditioning, acquisition, or liquidation of purchase-money indebtedness of the new vessel which represents gain not recognized for tax purposes under subsection (c)."

Page 13, line 19, strike out all of section 12 through and including line 2 on page 14.

Page 14, line 3, strike out "SEC. 13" and insert in lieu thereof "SEC. 12."

Page 14, line 22, strike out the parenthetical clause "(other than a deposit of earnings)."

Page 15, line 19, strike out all of paragraph (2), section 13, through and including line 6 on page 16.

Page 16, line 7, strike out "(3)" and insert in lieu thereof "(2)."

Page 16, line 18, strike out all of section 14, through and including line 22.

Page 16, line 23, strike out all of section 15, through and including line 7 on page 18, and insert in lieu thereof the following:

"SEC. 13. Section 511 (1) of such act is amended by inserting after the words 'portion thereof' in the second sentence the following: 'with respect to a deposit made in any taxable year ending on or before June 30, 1945.'"

Page 18, line 8, strike out "SEC. 16" and insert in lieu thereof "SEC. 14."

Page 18, lines 14 and 15, strike out the words "by an affirmative vote of not less than three members."

Page 18, after line 20 insert a new section to read as follows:

"SEC. 15. Section 605 (b) of such act is amended to read as follows:

"(b) No operating-differential subsidy shall be paid for the operation of a vessel that is more than 20 years of age except one whose life expectancy has been determined as provided in section 607 (b) for a period in no case to exceed the life expectancy determined thereunder, unless the Commission finds that it is to the public interest to grant such financial aid for the operation of such vessel and enters a formal order thereon, and the Commission shall include in each annual report a full report covering each case in which such exception is made, with the reasons therefor."

Page 18, line 21, strike out "SEC. 17" and insert in lieu thereof "SEC. 16."

Page 19, line 1, strike out "SEC. 18" and insert in lieu thereof "SEC. 17."

Page 19, line 8, insert word "subsidized" before the word "vessels."

Page 19, line 15, strike out "SEC. 19" and insert in lieu thereof "SEC. 18."

Page 19, line 19, strike out "SEC. 20" and insert in lieu thereof "SEC. 19."

Page 19, line 25, strike out the semicolon and insert a period after the word "Commission" and strike out lines 1 and 2 on page 20.

Page 20, line 3, strike out all of section 21, through and including line 19, page 27, and insert in lieu thereof the following:

"SEC. 20. Section 607 (h) of such act is amended, effective with respect to taxable years ending after July 31, 1951, to read as follows:

"'(h) The earnings or gains of any contractor receiving an operating-differential subsidy under authority of this act, which are deposited in the contractor's reserve funds as provided in this section, shall be treated as follows for Federal tax purposes:

"'(1) Amounts required to be deposited as depreciation in the capital reserve fund

shall be deductible in computing income subject to income and excess-profits taxes.

"'(2) The proceeds of any insurance or indemnities received by the contractor on account of the total loss of subsidized vessel and the proceeds of any sale or other disposition of a subsidized vessel, to the extent such proceeds represent gain, and earnings or gains on amounts deposited in the capital reserve fund (other than amounts transferred from the special reserve fund) shall not be recognized for income or excess-profits tax purposes.

"'(3) Amounts deposited as depreciation in the capital reserve fund which exceed the depreciation which would be allowed under the Internal Revenue Code (assuming the life expectancy determined under section 607 (b)) and amounts described in paragraph (2) which are not recognized for tax purposes, shall not be recognized in the determination of the tax basis of any property in the acquisition, construction, or reconstruction of which such amounts are expended or in the determination of equity capital or total assets for excess profits tax purposes.

"'(4) Earnings deposited in the capital reserve fund, other than the amounts described in paragraphs (1) and (2), and earnings deposited in the special reserve fund shall be treated as "partially tax deferred." "Partially tax deferred" earnings shall not be recognized for purposes of the normal tax on corporations, but shall be recognized for purposes of the surtax and excess profits tax imposed upon corporations. "Partially tax deferred" amounts shall not include capital gains deposited in the capital reserve fund or the special reserve fund.

"'(5) Amounts treated as "partially tax deferred" under paragraph (4) shall be recognized in the determination of the tax basis of any property acquired, constructed, or reconstructed therewith and in the determination of equity capital or total assets for excess tax purposes as follows:

"'(A) So much of the "partially tax deferred" deposit in any year as would be subject, but for paragraph (4), only to the normal tax shall not be recognized in determining basis or in determining equity capital or total assets for excess profits purposes, and

"'(B) The amount of the "partially tax deferred" deposit in excess of the portion of the deposit described in the preceding subparagraph shall be recognized in the determination of basis and in the determination of equity capital or total assets for excess profits tax purposes in such proportion as the sum of the surtax and the excess profits tax attributable to such amount bears to the total tax which would have been imposed on such amount but for paragraph (4).

"'If "partially tax deferred" amounts are used to reduce indebtedness, proper adjustment shall be made in the basis of the property subject to the indebtedness.

"'(6) In computing the net income of the contractor for income and excess profits tax purposes—

"'(A) The amount of operating-differential subsidy accrual payable to the contractor for any taxable year, including amounts withheld by the Commission, shall be included in the income of the contractor for such year;

"'(B) A deduction shall be allowed for the taxable year in the amount of subsidy reimbursement determined by the Commission to be chargeable to the contractor for such year; and

"'(C) Any amount previously withheld from subsidy payments to offset such reimbursement liability which is released and paid to the contractor shall be included in the income of the contractor in the year in which paid.

"'(7) Earnings or gains on deposit in the reserve funds at the termination of the contract, or withdrawn from the special reserve fund and paid into the contractor's general funds (other than for reimbursement of operating losses as provided under section 607 (c)) or distributed as dividends or bonuses, shall be taxable as follows:

"'(A) "Partially tax deferred" amounts shall, in the year of termination or withdrawal, be subject to the amount of normal tax which would have been imposed but for this section in the year in which such amounts were deposited, and

"'(B) Other earnings or gains shall, to the extent not taxable upon deposit in the funds, be taxable, in the year of termination or withdrawal, under the tax rates and provisions applicable in the year of deposit. Amounts withdrawn from the special reserve funds and used to reimburse the contractor's general funds for operating losses under section 607 (c) shall, to the extent such amount would not be recognized in the determination tax basis under paragraph (5) or under the provisions of any closing agreement entered into between the contractor and the Bureau of Internal Revenue applicable with respect to deposits made prior to the first taxable year ending after July 31, 1951, be included in income of the contractor in the year of withdrawal from the fund.

"'(8) Amounts deposited in the capital or special reserve funds shall not constitute an accumulation of earnings or profits within the meaning of section 102 of the Internal Revenue Code.

"'(9) In computing the net operating loss deduction of the contractor under section 122 of the Internal Revenue Code—

"'(A) The gross income of the contractor for purposes of section 122 (a) and the net income of the contractor for purposes of section 122 (b) and (c) shall include amounts treated as "partially tax deferred" under paragraph (4);

"'(B) The normal-tax net income of the contractor for purposes of section 122 (c) shall be an amount equal to the surtax net income; and

"'(C) The net income of the contractor, for purposes of the computation under section 122 (c), shall be increased by the amount of interest on obligations of the United States or its instrumentalities described in section 26 (a).

"'(10) The excess-profits credit of the contractor shall be determined in accordance with the following provisions:

"'(A) The average base period net income of the contractor shall be computed by including in excess-profits net income determined under section 433 (b) of the Internal Revenue Code for any taxable year the amount of earnings (not including capital gains) deposited by the contractor in the reserve funds in such year other than:

"'(i) Required deposits of depreciation.

"'(ii) The amount of subsidy reimbursement determined by the Commission to be chargeable to the contractor for such year; and

"'(iii) Earnings on amounts deposited in the capital reserve fund (other than amounts transferred from the special reserve fund).

"'(B) The equity capital of the contractor for purposes of section 437 (c) of the Internal Revenue Code and the total assets of the contractor for purposes of sections 435 (e) (3), 440 (b), and 442 (f) of the Internal Revenue Code shall be computed by determining, to the extent applicable, the adjusted basis of assets of the contractor in accordance with the provisions of paragraphs (3) and (5) or the provisions of any closing agreement entered into by the contractor and the Bureau of Internal Revenue applicable with respect to amounts deposited in the reserve funds prior to the first taxable year ending after July 31, 1951, and by attributing to amounts on deposit in the reserve funds the basis which would be attributed, under paragraphs (3) and (5) or under such closing agreement, to property acquired therewith.

"'(11) For the purposes of this section, amounts withdrawn from the reserve funds or expended in accordance with the purposes of such funds shall be considered to represent the deposits in such funds in the order of deposit.'"

Page 27, line 20, strike out "SEC. 22" and insert in lieu thereof "SEC. 21."

Page 28, line 3, strike out the word "constructed" and insert in lieu thereof the word "construed."

Page 28, line 9, strike out "SEC. 23" and insert in lieu thereof "SEC. 22."

Page 28, line 11, strike out "(1)" and insert in lieu thereof "(e)."

The committee amendments were agreed to.

Mr. HART. Mr. Speaker, I offer an amendment. This involves simply changing in three places a date which was inadvertently placed in the bill.

The Clerk read as follows:

Amendment offered by Mr. HART. On page 33, line 6, page 29, line 11, page 35, line 5, delete "1951" and insert in lieu thereof "1952."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

House Resolution 704 was laid on the table.

TAXATION OF LIFE-INSURANCE COMPANIES

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7876) relating to the taxation of life-insurance companies.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 201 (a) (1) relating to imposition of tax on life-insurance companies) of the Internal Revenue Code is hereby amended by adding after "1951" wherever it appears, "and 1952."

(b) Section 203A (relating to adjusted normal-tax net income of life-insurance companies of the Internal Revenue Code is hereby amended by adding after "1951," wherever it appears, "and 1952."

(c) Section 433 (a) (1) (H) (relating to excess profits net income of life-insurance companies) of the Internal Revenue Code is hereby amended by adding after "1951," wherever it appears, "and 1952."

SEC. 2. The provisions of section 201 (f) of the Internal Revenue Code and sections 201 (a) (1), 203A, and 433 (a) (1) (H) of the Internal Revenue Code as amended by this Act shall be applicable to taxable years beginning in 1952.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, this bill continues for another year, 1952, the method adopted in the Revenue Act of 1951 for the taxation of life-insurance

companies. This is stopgap legislation pending a permanent solution of the problem of the taxation of life-insurance companies.

The provision in the Revenue Act of 1951 which is continued by this bill imposes an income tax of 3¾ percent of so much of the net investment income of life-insurance companies as is not in excess of $200,000 and 6½ percent of the amount over $200,000.

Another provision in the Revenue Act of 1951 was intended to relieve from a substantial part of the tax those companies whose investment income is inadequate with respect to their policy obligations.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATION BILL, 1953

Mr. GARY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ROONEY, FLOOD, PRESTON, MARSHALL, MAHON, CLEVENGER, H. CARL ANDERSEN, and TABER.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1953

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7176) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1953, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. KIRWAN, NORRELL, JACKSON of Washington, FURCOLO, CANNON, JENSEN, JAMES, and TABER.

SUPPLEMENTAL APPROPRIATION BILL, 1953

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8370) making supplemental appropriations for the fiscal year ending June 30, 1953, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours.

Mr. TABER. That is all right.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8370) making supplemental appropriations for the fiscal year ending June 30, 1953, and for other purposes, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANNON. Mr. Chairman, this is the last of the appropriation bills for the session, and the Congress. The estimates on which the appropriations submitted by the bill are based aggregate $13,750,796,030. The bill as recommended by the committee carries a total of $10,283,133,780, a reduction of $3,467,662,250.

The bill, like all final deficiency bills, provides for numerous items from many departments. But three items require special note.

The atomic-energy program embraces an appropriation of $485,000,000 for the Atomic Energy Commission, and $150,000,000 for the Tennessee Valley Authority which is tied in with the program.

The Military Public Works section includes $600,090,000 for the Army, $386,409,840 for the Navy, and $1,200,000,000 for the Air Force.

And for Mutual Security, the appropriation for which has just been authorized by the legislative bill, the sum of $6,275,940,750.

We do not want to minimize the significance of the figures in this bill. They are very large. But I do wish to call attention to the fact that they are practically all, with minor exceptions, appropriations for the national defense, appropriations about which we have little choice. National defense accounts for $13,600,000,000 of the total estimates. And only $150,000,000 are for nondefense items and they have been reduced from $150,000,000 to $28,000,000. In the beginning, when war seemed imminent, we necessarily accepted the estimates without question. There was neither opportunity nor time to question them. But now that the probability of war is receding, we are scrutinizing these items just as carefully as we scrutinize nonmilitary items, and we submit a bill today which has been exhaustively considered and investigated and carefully processed and weeded out, and in which we have made material savings.

Mr. Chairman, time is short. The session is nearing its close. These are items that are generally understood and largely familiar to the membership and to the country at large. There is no occasion for extended debate. Certainly no amount of debate will change the votes we expect to cast on the various items as they come up for individual determination.

So, Mr. Chairman, I trust members of the Committee will take no time unnecessarily. Members can extend their remarks in the RECORD, and get the same results back home, while here on the floor we can better express our attitude by votes rather than by what we say.

Mr. Chairman, I yield to the gentleman from New York.

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized.

Mr. TABER. Mr. Chairman, I yield myself 23 minutes.

Mr. Chairman, this bill involves an over-all total of $10,283,000,000. It presents some kind of an appropriation in one way or another for almost every agency of the Government. The big items are the atomic energy picture, involving almost $1,700,000,000; the Defense Department, involving $2,187,000,000; the mutual security set-up, involving $6,275,000,000; and approximately $81,000,000 for emergency agencies.

There are some things about the bill that I do not like. Frankly, I do not see what else we can do except to provide the atomic energy item and the small items for independent offices, with the exception of the TVA.

The Defense Department set-up has been reduced $805,000,000. It was almost all for military construction, and of a type that it was absolutely necessary that we allow it. We were unable to get anything in the nature of line-item justifications from the Air Force as to the items that were involved in their estimates, and for that reason we had to give them a blind appropriation. They have unobligated a billion and a half of funds that have been previously appropriated, and had obligated only a very small percentage of the funds that were allowed to them by previous appropriations. I think we have provided very liberally for them.

The Army and the Navy were able to give us a justification by line items, because they had prepared their programs with a great deal more care, and the cuts that were made on them were very moderate and of a small percentage.

I think the funds which have been allowed the Air Force will readily carry them through the 30th of June next. I do not believe they will be able to obligate the $1,200,000,000 that we have allowed before the end of June 1953.

We had the Secretary of Defense and the Secretary of the Air Force before us on this proposition because it was absolutely impossible to go over a stack of applications that high—that is as high as my hip from the floor—and give them any consideration in the time allotted to the committee for hearings on this subject, and it would have been very difficult for them to operate in that way.

In the Air Force they need more decisions as to what they want to do. For instance, there were airports where, after construction had started, they changed the design at least five times. You get that same sort of irresponsibility and failure of capacity to make decisions all along the line. That has been a great handicap to our Air Force for a very considerable period, and I believe has been more responsible than lack of appropriations for failure to get more airplanes. There was one other

small item in the defense picture besides construction, but not a big one.

On the mutual-security item the committee found a lot of things that disturbed us; for instance, we found that while the estimates of unobligated balances were given to the Committee on Foreign Affairs of the House and Foreign Relations of the other body when the authorization bill for mutual security was under consideration as being $400,000,000. We had a special hearing on that, and the clerk of the committee, Mr. Harvey, made a special investigation into it with Mr. Foster, the Under Secretary of Defense, and Mr. Tyler Wood, the representative of the Mutual Security set-up, and it appeared that instead of their being $400,000,000 unobligated balances as of the 1st of July there was no question but what it would amount to $668,400,000. That appears on page 9 of the special hearings; and it appears from the table on page 15 that out of a figure that was given later, $138,000,000 out of another figure of $257,000,000 will be unobligated. So that the total unobligated balance as of July 4 will be not less than $807,000,000.

Mr. Chairman, the committee, acting upon the information that was given it in connection with this $807,000,000, did cut $200,000,000 off the figure; but the bill is still in an embarrassing situation, because we could very readily, in my opinion, have taken the whole $400,000,000 that is excess in unobligated balances over the figure that the Mutual Security people gave to the Foreign Affairs Committee. There is no sense in our giving them money to spend when we know they cannot obligate it.

There is also involved the question of administrative expense. They are planning to use approximately $42,000,000 that this bill provides in United States funds and upward of $30,000,000 in counterpart funds that are available to us on account of the things that the governments of these different countries have sold to their own people.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Illinois.

Mr. MASON. The gentleman is giving an excellent analysis of the various items in this bill, a comprehensive analysis I may say, but, I want to get clear in my mind just exactly what we are doing and what is before us. This is an appropriation bill to cover authorizations we have already made, is it not?

Mr. TABER. It is.

Mr. MASON. It is an appropriation bill that covers an authorization for mutual security of about $6,400,000,000, is it not?

Mr. TABER. Six and one-quarter billions.

Mr. MASON. Then if a Member voted against the mutual security authorization, to be consistent he should vote against this appropriation bill, is that right?

Mr. TABER. That would depend on how he felt. Those who feel that they should be consistent undoubtedly might feel obliged to do so. There is, however, one thing involved that is different from the authorization bill, and I would not want anyone to take that position without thoroughly understanding it. We have in this bill various sums for the Atomic Energy Commission and for the Defense Department, and they run into approximately $4,000,000,000, and the question whether they would really want to vote against the bill with those items in it might be something that would temper their judgment.

Mr. MASON. That is the point I want to make. We have some things in this bill we want to vote for, but we have got some things in this bill that we do not want to vote for, and we have got to swallow it all in order to vote for the things we want. Now, I think that it is a mistake to bring before this House a mutual security appropriation that a good many of us have been opposed to and tie it up with some of the things that are necessary.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Virginia.

Mr. GARY. I ask the gentleman if it is not also true that the funds authorized for mutual security have been reduced a quarter of a billion dollars, and the amount in this bill is a quarter of a billion dollars less than the amount authorized.

Mr. TABER. That is true. On the other hand, we have failed to take the additional $200,000,000 reduction that the hearings indicate should be taken, and we have not reduced the administrative expenses in the way that they should be reduced. That administrative proposition is one of the most serious things of the lot, because we have a good many buildings with an enormous number of employees drawing enormous salaries. Why, one fellow came over here, after he had been over there for a couple of years, who had been drawing pay and allowances and all that sort of thing, to the tune of about $18,000 a year. He had been allowed to buy army gasoline at 15 cents a gallon without paying any tax and had been able to sport around in a Cadillac automobile. He had four or five servants. Maybe that is the way to do it. When you get those stories you can understand why it is that these spread eagle performances are getting us in bad with the people over there and are creating more ill will for us in a good many cases than the good will the expenditure of this money produces. That thing ought to be stopped.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. Will the gentleman give the Committee the benefit of his conclusions as to how much this administrative cost can be reduced?

Mr. TABER. I would not want to go into that particularly because I have not had the opportunity to study it that other people, like the gentleman from Massachusetts [Mr. WIGGLESWORTH] have had, and I think he will be able to elaborate on it. I have just tried to call attention to the seriousness of these grants for large administrative expenditures.

Mr. SMITH of Wisconsin. Does the gentleman know who is going to be the Administrator of this fund?

Mr. TABER. Well, we have an incompetent one this year.

Mr. SMITH of Wisconsin. The present Administrator is running all over the country now seeking the Democratic nomination for the Presidency.

Mr. TABER. He does not seem to be as much interested in his job as he is in trying to find something else.

Mr. SMITH of Wisconsin. Will it not be possible somewhere in this legislation to make sure that he either continue in that capacity, or resign; one or the other?

Mr. TABER. Well, I do not know what you can do in this bill on that, because I do not know what kind of an amendment might be possible.

Mr. SMITH of Wisconsin. I thank the gentleman.

Mr. LECOMPTE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. LECOMPTE. On page 21 of the bill, under Chapter 9, Mutual Security, title I, Department of Defense, I note that it states on line 21, "travel expenses and transportation; services as authorized," and so forth, "at rates not in excess of $50 per diem for individuals."

I want to ask the gentleman if that is not excessive. Are we going to allow folks traveling at the rate of $50 a day?

Mr. TABER. It is more than you and I would expect to have to figure.

Mr. LECOMPTE. Is that subject to an amendment at the proper time?

Mr. TABER. It is.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I wanted to ask a question on the atomic energy program, as to the effect of the cuts on that program, but first, since the name of the Mutual Security Director has come up, I might say to the House that I have heard no criticism of his actions as Mutual Security Director, and I believe, as well as the entire Committee on Foreign Affairs, regardless of party, I think that he has done a good job.

Mr. TABER. Frankly, I do not think the gentleman is well posted. If the Committee on Foreign Affairs believes that, I do not believe they are. Frankly, I cannot go much further in yielding at this time or taking much more time.

Mr. FULTON. Mr. Chairman, will the gentleman yield for a question?

Mr. TABER. I cannot yield any further to the gentleman because I have demonstrated beyond question in my mind what the situation is.

I do feel that there are some things in these emergency agencies that stick out like a sore thumb, and that we ought to do something about them before we get through.

The Small Defense Plants Administration was given $3,000,000 in a revolving fund, which is absolutely unnecessary. They were given $3,500,000 for administrative expenses, which is way beyond what ought to be allowed.

I do not know what the committee is going to propose with reference to the price-control set-up and the materials control set-up in the controls bill. We probably will not know until we get to reading the bill and until the situation becomes a little bit more apparent as to what the conference might do, if we can find out anything about it before we get to that point in the bill. There is nothing in the bill at the present time for either set-up.

I think that is all I care to say at the present time.

Mr. GARY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, as chairman of the subcommittee on Treasury and Post Office appropriations, I desire to call the attention of the members to the fact that the Reconstruction Finance Corporation appears in this supplemental bill because at the time we considered the regular bill a new Administrator had just been appointed for the Reconstruction Finance Corporation. We postponed consideration to give the new Administrator an opportunity to familiarize himself with the duties of his office, and the needs of the Corporation.

This, however, is not an appropriation from the Treasury. It is a limitation upon the amount which the corporation can spend from its own receipts for administrative purposes. The amount is considerably reduced. It is $2,250,000 below this year, and $1,350,000 below the estimate.

Mr. Chairman, I want to take the rest of my time to announce the distressing news of the death of Mr. A. W. Heinmiller, executive secretary of our committee. Mr. Heinmiller exemplified the very high type of men we have on the staff of the Committee on Appropriations. He had been assistant superintendent of schools for the District of Columbia. Many of the members of Congress will remember him because of his appearances before congressional committees in support of the schools of the District of Columbia.

He served with signal ability as executive secretary of our subcommittee. He was an indefatigable worker, a thorough investigator, and a careful analyst of facts. Even when his health was failing, he made an extensive trip on behalf of the committee to obtain first-hand information for our deliberations. Bert, as he was familiarly called, will be sorely missed by our committee, and the entire Nation will be the worse off because of his passing.

Mr. Chairman, I yield back the balance of my time, and now yield 5 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, a considerable portion of this bill is for military public works. Of course, we have to have men and we have to have equipment, and we must have bases from which to operate if we are to have an effective national defense program. The Committee on Appropriations has been performing a very fine work, in my judgment, in connection with the military construction program. Mr. RILEY of South Carolina began in January to conduct an investigation of military public works. He was assisted on the subcommittee by Mr. FURCOLO and Mr. GLENN DAVIS. For weeks and months they carried on an investigation of our public works program. They conducted weeks of hearings on the North African base situation, for example, and voluminous testimony was presented. As a result of the long and arduous work of this subcommittee on military public works, and the work of our full subcommittee on defense appropriations it is my judgment that many millions of dollars will be saved and have been saved. Our public works program is being streamlined and nonessential frills are being eliminated from military public works. I think Mr. RILEY, Mr. FURCOLO, and Mr. DAVIS should be commended for the fine work they have done, together with the investigators who have worked with them in this program, and the very able committee staff.

When it came to marking up the military public works portion of this bill, the entire subcommittee on defense appropriations participated. Not only did they participate in the mark-up, but they also participated in the hearings presided over by the gentleman from South Carolina [Mr. RILEY], chairman of the Public Works Subcommittee, on the items which are contained in this bill. So the bill does contain the best judgment of the special Subcommittee on Public Works as well as the entire Subcommittee on Military Appropriations.

We realize we live in a dangerous world, and that a certain minimum base structure for the Army, Navy, and Air Force is absolutely essential. We have been disappointed at the slowness with which the public works program has moved forward. In my judgment the military build-up is proceeding too slowly and there is every reason why more rapid progress should be made to increase our military strength. This is no time for complacency.

We have given the defense establishment adequate funds since Korea for implementations of the public works program but defense officials have been rather slow in doing their planning and actually getting construction. However, they are now moving along fairly well. It is not the desire of the committee, and it is not the desire of the Congress, in my judgment, to retard the military public works program. We need more, not less action. We have made reductions in the budget estimate in excess of $800,000,000, but those reductions were made largely after consultation with defense officials and after they, themselves, generally agreed that this reduction would not impede our military build-up.

So under all the facts and circumstances, it seems to me that the military public-works portion of the bill should be fully supported by the Congress. As I have said, the gentleman from South Carolina [Mr. RILEY] and the other two Members whose names I referred to, the Military Public Works Subcommittee, are more informed as to all the details, and will discuss some of the details with the House. I believe the disposition of the House will be to go along with the committee on this program.

Mr. Chairman, I yield back the remainder of my time.

Mr. TABER. Mr. Chairman, I yield 28 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, the over-all expenditure for the purposes of foreign aid since the termination of World War II amounts, as of December 31, 1951, to $35,500,000,000.

You will find a breakdown by program and by country at page 319 of the hearings.

If we add to that figure the amount expended since that date, the amount in the pipeline, and the amount carried in this bill, the over-all total reaches a figure well over $50,000,000,000.

This bill which carries funds for 60 different nations the world over carries a total of $6,275,000,000, $30,000,000 for Austria, Germany, and the Ryukyu Islands; the balance for the countries under the Mutual Security Act, as amended.

I call attention to page 290 of the hearings which lists the countries which are to receive aid, and the type of aid they are to receive.

This bill is a one-package bill providing for military aid, for defense-support aid, for bilateral technical aid under the Mutual Security Administration, for bilateral technical aid under the State Department, for multilateral technical aid under the United Nations, and for miscellaneous items.

Your committee received requests in respect to Austria amounting to $9,887,000 as compared with $9,097,000 in the present year, this figure being composed of $3,675,000 and $6,212,000—the dollar equivalent of Austrian schillings.

The committee has reduced the dollar figure by $372,500 and has placed a ceiling on the foreign currency that may be utilized, which should be adequate to carry on the program requested.

The committee also received requests in respect to Germany amounting to an over-all figure of $47,833,000 as compared with $100,833,000 in this fiscal year, made up of $16,700,000 and the dollar equivalent in deutschemarks of $31,133,000.

The committee has effected a reduction of $1,127,500, and, again, has placed a ceiling on the use of foreign currency which should be adequate to carry on the requested program.

The request for the Ryukyus amounting to $11,810,000 has been reduced to $11,000,000.

For the Mutual Security Administration the bill carries $6,245,000,000 as compared with $7,378,000,000 in the present fiscal year, a reduction of $250,000,000 under the figure in the recent authorization legislation, a reduction of about $1,750,000,000 under the original request by the President.

Compared with the original request the amount now recommended reflects an over-all reduction of about 21 percent.

The cuts effected by your committee are three in number:

First, there is a reduction of $200,000,000 due to an admitted increase in unobligated balances as of June 30 of

a minimum of $270,000,000 and a maximum of $408,000,000.

Second, there is a reduction of $45,000,000 in respect to the United Nations Korean Reconstruction Agency which clearly has no need for the money in view of the unexpended balances on hand.

Third, there is a reduction of $5,300,000 in respect to the three appropriations already referred to for Austria, Germany, and the Ryukyus.

You will find a breakdown by title on page 47 of the report, and breakdowns by activity and country within titles in other tables in the report.

On page 297 of the hearings you will find a statement of the unobligated and unexpended balances. You will note that the unobligated balances as of June 30, 1952, amount to $809,000,000 at a minimum and that the unexpended balances amount to about $9,700,000,000.

When we say that this bill carries an appropriation of $6,245,000,000 for the Mutual Security Administration, plus $30,000,000 in respect to Austria, Germany, and the Ryukyus, we should not lose sight of the $809,000,000 of unobligated balances and of $200,000,000 more which is authorized to be made available from items considered excess to our needs. If these items be included, the amount really authorized by this bill is not $6,245,000,000, but, rather, $7,254,000,000 for the Mutual Security Administration, plus $30,000,000 for Austria, Germany and the Ryukyus.

We should also have in mind the transfer clauses in this legislation.

You will recall that there is authority among others to transfer 10 percent in title I for military aid to defense support aid or vice versa.

There is also authority to transfer 10 percent as between titles provided the transfer is made from military aid to military aid, or from economic aid to economic aid.

Both of these transfer authorities were utilized in the current fiscal year in respective amounts of $478,000,000 and $153,000,000.

It should also be noted that there has been a substantial slippage in the program of deliveries contemplated.

A letter which I have received from the office of the Assistant Secretary of Defense dated June 21, 1952, indicates that it was estimated in September of 1951, that shipments of materials to all countries cumulative through June 1952, would aggregate $5,300,000,000, and that the present estimate of expenditures for all countries through June 30, 1952, is approximately $2,700,000,000. In other words, on that basis there has been a slippage in delivery of almost 50 percent.

Attention should also be called to the fact that relief from tax provisions in other countries should represent a very substantial increase in funds available.

I also suggest in passing that there is something like 25 percent of the total military request which is for spare parts. This seems to the nonexpert to be a very high percentage.

Furthermore in computing economic aid those making the calculations have been very liberal in my judgment in respect to the gold and dollar balances which have been allowed to be retained by the recipient nations.

By a curious coincidence, the over-all figure resulting from the Lisbon Conference late in February, supposed to determine the needs of the recipient countries, was identical with the figure in the President's budget submitted to the Congress early in January.

GENERAL OBSERVATIONS

I want to make a few general observations Mr. Chairman.

COMMITTEE HANDICAPS

In the first place, the committee this year has again worked under severe handicap.

There have been constant changes in figures.

Only last Tuesday at the mark-up of the bill there was a revision upward in unobligated balances as of June 30, 1952, of from $270,000,000 to $408,000,000.

Only a few days before that we had a revision upward in unexpended balances as of the same date of $550,000,000.

If you will look at the month-by-month obligations and expenditures appearing in a table in the hearings at page 313, you will note a tremendous variation as between months and the apparent rush to obligate and spend money during the last 2 months of the fiscal year.

You will note that 43 percent of the funds available at the time were obligated in May and June of 1951.

If you will look at part 2 of the hearings in which the errors referred to are discussed, you will find that between June 4 and June 24 of this year the committee received three official guesses as to funds to be obligated in the month of May; first $1,100,000,000, second $1,074,000,000 and third, the actual obligation figure of $352,000,000.

You will also note a report by a representative of the General Accounting Office to the effect that the method of obligating used "would permit the obligation to be recorded and later canceled" and also "to obligate for one type of item in stock, and later change to another type of item after a contract has been entered into."

It appears in one instance that $300,000,000 was obligated in March, deobligated in April, and reobligated in June.

In dealing with military items, Mr. Chairman, which represented the great bulk of the request, the committee was given two secret sheets showing end items contemplated by major category and by dollar equivalent country by country. The committee was also given secret lists of programs by the three armed services for the several countries.

But, Mr. Chairman, when it comes to passing upon the alleged deficiencies, or upon tables of organization, or upon the enormous percentage of spare parts, to which I have referred, the committee has been forced to take on faith the determinations of the various military advisory set-ups on the other side of the water.

Similarly when it comes to unit costs the committee has been forced to take on faith the findings of the Department of Defense.

I suggest that tables of organization and unit costs require careful examination by Representatives of the Congress.

Let me quote briefly from the hearings at pages 364 and 366:

Mr. WIGGLESWORTH. You have given us, also off the record, a breakdown of items included in the proposed Air Force program for fiscal 1953 with unit costs for certain of the items.

I do not suppose that there is any way in the world that this committee can be given any understanding as to how those figures were arrived at. We have no indication of what is available or what is needed, and we are simply asked to take it on faith that the various items are required for the forces in being, and that the unit costs in each case are fairly determined. Is not that about the situation, Colonel?

Colonel KLEIN. That is the situation with regard to cost of the items, Mr. WIGGLESWORTH. With regard to the requirements, these are stated deficiencies that have come in, as we outlined to you last year when we were here, and as General Olmsted outlined yesterday as to how the deficiency lists are prepared. These figures are based on those deficiency lists which have been screened by country teams and by JAMAG.

Mr. WIGGLESWORTH. There is no way in the world for this committee to check those determinations. We simply have to accept them on faith as well as the determination of costs as I see it. Would you disagree with that, Colonel?

Colonel KLEIN. No, sir.

I may add, Mr. Chairman, that the testimony given by the military was largely off the record and therefore of no value for presentation here.

In dealing with defense support aid and economic aid, the committee was again asked to rely on the yardstick of balance of payments, coupled with a new multiplier formula which seems to be sheer guesswork.

The balance of payments formula, at best, is an estimate, it is dependent largely upon local policies, and it results only in so-called illustrative programs which have no binding effect on anyone.

I often recall the words of a distinguished financier in Europe who said to me some years ago, "If you will guarantee to meet the adverse balance of payments in any country in Europe, and will let me control the fiscal policy of that country, I will guarantee to show you an adverse balance of payments."

A short while ago I inserted in the RECORD an article from a magazine called the Tablet, published in London. Under date of May 24 it discussed the coal situation in England. It pointed out that—

Coal is the only raw material which could be produced in this country [Great Britain] in such quantity that there is a substantial surplus available for export. Last year it fell to 3.5 percent of the total output of the mines.

• • • Up to the outbreak of the last war, over a period of some 60 years, Britain supplied many countries of Europe with coal, particularly France and Italy, as well as countries farther afield like Argentina. The surplus available for export reached a record of 75,000,000 tons in the early 1920's, of which more than four-fifths went to Europe.

The export of even half this volume today would solve our balance-of-payments problems for many years to come and, incidentally, would release many goods for the

home market now being sent abroad, and so help raise our standard of living. But, probably more important that this, it would provide a much-needed blood transfusion for the sick economies of our western allies.

It went on to state that—

During 1951, serious consequences were averted only by resorting to imports from the United States, which, after having fallen away to nothing in 1950, rose during the following year to no less than 26,000,000 tons, of which Britain had the ignominy to account for 1,000,000.

It added that—

Since 1947, some 18,000 foreign workers have been placed in the mines. These figures look ludicrously small compared with, say, Belgium, where in 1951 no less than 66,000 workers from other European countries were at work in her mines, representing two-fifths of her total manpower.

This is just one example of local conditions or policies which directly affect the yardstick used in determining the amount of defense aid to be furnished.

The truth of the matter, Mr. Chairman, is that we just have not had the facts we should have, and that if we had them we could not present them to the House.

The task of intelligent analysis and proper supervision is impossible without the aid of expert investigators.

Miss THOMPSON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentlewoman from Michigan.

Miss THOMPSON of Michigan. Mr. Chairman, I am interested in section 4 of this bill on page 33, line 15, the children's emergency fund:

For contributions authorized by section 12 of the mutual security aid bill, $16,481,000.

That is foreign aid for children, is it not?

Mr. WIGGLESWORTH. That is the amount requested for the agency in which the lady is interested. The amount was allowed in full.

Miss THOMPSON of Michigan. Has the gentleman been able to arrive at any figure as to the cost per child for such care as may be necessary?

Mr. WIGGLESWORTH. I think those figures have been available in other years. I am not sure that they appear in this year's hearings.

Miss THOMPSON of Michigan. I am interested in this particular section, and I would like to tell you of a situation which I think is of interest in connection with this bill. I belong to an adult Sunday school class here in the city. A few weeks ago we had a woman missionary as our speaker, and she urged us to contribute to the care of these children. She told us that they, as missionaries could feed, house, clothe and educate a child in India and those other Asian countries for 20 cents per day. Could the administrators of this part of the Mutual Security Act do the same for the same amount of money?

Mr. WIGGLESWORTH. I do not believe they could, and I think there has been considerable question raised as to whether this is the most effective way to carry out the laudable objectives the Agency had in mind.

Miss THOMPSON of Michigan. In view of that fact, has any thought ever been given to designating the missionaries of the various churches, under perhaps the Federal Council of Churches, or if not that, perhaps the organization of Quakers, to handle this mutual security fund for these children and other distressed peoples? They, by reason of their years of experience, and their financial background, or lack of financial background, I might say, could do it for much less.

Mr. WIGGLESWORTH. I cannot say to the gentlewoman whether these specific suggestions have or have not been considered. I know various alternatives have been considered.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New York.

Mr. JAVITS. Just by way of explaining the International Children's Fund, it is a fund to which we only make our contribution. Other countries contribute their money and materials. It is a cooperative venture. The cost per day per child is in cents and very low, in addition it is supplementary help in the main.

In addition, the job that is being done is a world-wide job. There are organizations of the type to which the gentlewoman referred which are, I believe, anxious to see the International Children's Fund carried on and are cooperating in its work. It has generally been considered a very constructive effort by the United Nations in cooperation in the free world. Certainly, it is basically appealing field and is building helpful human relations and sound youth in many areas.

Miss THOMPSON of Michigan. Does the gentleman think we should endeavor to have such a setup carried in this bill?

Mr. JAVITS. I think if the gentlewoman will study the full record before the Committee on Foreign Affairs, which can easily be made available, she will find her objectives are being fully served. The question of turning this over to particular religious groups has been thoroughly explored. They just do not have the coverage. They do a fine job in places A, B or C, but they just do not have the coverage to do the job which is being done by the International Children's Fund. Many of the organizations themselves are very much in favor of carrying it on in this fashion. I think the gentlewoman will find all of that spelled out in the testimony before our committee.

Miss THOMPSON of Michigan. It seems to me we should have some sort of organization that could do it for less money.

Mr. RIBICOFF. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Connecticut.

Mr. RIBICOFF. In the mutual security bill I sponsored an amendment which as amended cut the administrative personnel 5 percent. I wonder how you would adjust that 5-percent cut in personnel in the total administrative funds made available in the act. On page 36, I notice a provision for $42,000,000 for administrative expenses. Could the able gentleman explain to the House the amount of money actually cut on the basis of that amendment?

Mr. GARY. If the gentleman will yield, the estimated amount allowed in the bill deducted from the administrative expenses because of the Ribicoff amendment was $1,735,000.

Mr. WIGGLESWORTH. I thank the gentleman.

Mr. TABER. If the gentleman will yield further, the trouble with that is that it is supposed to be 5 percent out of forty-odd-million dollars, and 5 percent of forty would be $2,000,000. I do not understand how it could be $1,000,000.

Mr. WIGGLESWORTH. The original request for administrative expenses, after applying the Ribicoff amendment was for $43,790,000, plus the dollar equivalent of $30,719,000 local currency, or a total of $74,509,000. That compares with $69,949,000 in the current fiscal year, and is an increase of 6.6 percent.

The $43,790,000 has been reduced to $42,000,000 by the amendment of the committee.

Mr. RIBICOFF. Is it the intention of the gentleman to offer an amendment cutting this sum further?

Mr. WIGGLESWORTH. I believe that an amendment will be offered with that end in view.

Mr. RIBICOFF. My comment is that my original amendment, after deep study of this subject, indicated that the administrative personnel not only for the amount of money saved, but for the benefit of American foreign policy could be cut a minimum of 15 percent. The committee then adopted a 10-percent cut, which the House went along with. In conference the conferees cut that to 5 percent. Now it is my feeling that a minimum 15-percent cut in administrative personnel would make a much more effective program than the program contemplated today.

Mr. WIGGLESWORTH. My own judgment is that the Agency has been very much overmanned for years, both abroad and at home. I think a further reduction should be made in the request for administrative expenditure, and that a ceiling of some kind should be placed on the use of local currencies for that purpose.

Mr. RIBICOFF. I thank the gentleman very much.

Mr. JACKSON of California. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. JACKSON of California. With further reference to UNICEF, the International Children's Emergency Fund, I think the gentlewoman from Michigan would be interested to know that this particular agency, in my opinion, represents the classic example of self-perpetuation of an agency which is created for an express emergency purpose, and then later is found almost impossible to get rid of. In the hearings on the International Children's Emergency Fund in 1950, every agency concerned agreed, including the Committee on Foreign Affairs, to terminate the International Children's Emergency Fund on June 30, 1951. On June 30, 1951, they were back again, and they are back again

this year, and I dare say we will have this particular fund with us from now until Gabriel blows his horn because once you get one of these things, you are never able to get rid of it.

Mr. GOLDEN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. GOLDEN. I notice in the bill on page 12 the committee has provided $1,400,000,000 for expansion of the atomic-energy program. In reading the hearings I notice they ask for almost twice that amount. I would like to inquire of the gentleman, because I think this is the most essential part of the bill and the most essential part of our defense program, if the committee feels that that sum is sufficient for the Atomic Energy Commission to go forward with the expansion program?

Mr. WIGGLESWORTH. That item was not included among the items considered by the subcommittees on which I have been serving. I think perhaps some member of the Independent Offices Subcommittee or perhaps the chairman can answer better than I can.

Mr. TABER. I think I can answer the gentleman. The Atomic Energy Commission came before the Subcommittee on Independent Offices and they had no justifications for the money at all except that they wanted it. They had no plans as to what they were going to build or as to how they were going to use it. The committee figured out how much it was that they could possibly contract for or use, and the committee gave them what they figured they could possibly use. In other words, $7,000,000 was every cent that they figured that they could use, and then they gave them double. That is the reason that it is not more. To give them more money would just mean that it would be wasted like a lot of the money that they have had before.

Mr. GOLDEN. If the gentleman will yield further, I notice in the bill also that the Tennessee Valley Authority is granted $150,000,000, and in the report they state that all of this expansion of the Tennessee Valley Authority is to create electricity to be used by the Atomic Energy Commission; is that correct?

Mr. TABER. That is what they say, but I do not believe that is accurate, because I understand the local power outfits are prepared to take on the burden. That is the way I understand it. I do not have all the detail of that available at the moment, but that is the way I understand it.

Mr. YATES. With respect to the Tennessee Valley Authority, its facilities are being expanded to provide a portion of the power to be used at the new site to be constructed by the Atomic Energy Commission. The amount that is requested in this bill is for new plants to generate electricity to serve the Atomic Energy Commission's new site. There will be private utilities also which will enter into contracts with the Atomic Energy Commission for the construction of facilities under private ownership, which would, in turn, serve that new site as well.

Mr. GOLDEN. Will the gentleman yield further?

Mr. WIGGLESWORTH. I yield.

Mr. GOLDEN. After closely scrutinizing the report, it indicates that all of this new electricity will go into the Atomic Energy plants, those that are to be built, the one at Oak Ridge and the one at Paducah, Ky. Is that correct?

Mr. YATES. That is correct.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield briefly.

Mr. FLOOD. I wish to observe, with reference to the gentleman's comment on the exportation of coal by Great Britain, that just this very week the British interior people have released figures which indicate a great increase in the export of coal from Britain for dollars. I think that is an increasing indication of their awareness of the necessity for the export of coal and the month-by-month British export and obtaining of dollars for the purpose the gentleman suggested as being accomplished by the British mines.

Mr. WIGGLESWORTH. I am very glad to hear this.

FURTHER GENERAL OBSERVATIONS

I want now, Mr. Chairman, to refer very briefly to certain other general observations and suggestions.

My first observation was in respect to the handicaps under which the committee has been compelled to work.

END ITEMS

Second. End items for our defense agencies and for the Mutual Security Administration are identical in character, and come from identical firms under identical procurement procedure. They are all for the purposes of our national defense. Their ultimate destination is controlled by Department of Defense officials. It would seem that presentation of all programs to one subcommittee would be advisable in the interest of over-all consideration.

OFFSHORE PROCUREMENT

Third. If Europe is ever to be self-supporting it must be put in a position to produce end items for itself. It is hoped that greater progress than that achieved to date will be achieved in the field of offshore procurement.

NONGOVERNMENT FINANCING

Fourth. Very little foreign financing is contemplated by the World Bank, the Export-Import Bank or private financing. It is believed that allied cooperation could materially increase this type of financing and that this coupled with expenditure for infra-structure and other military purposes should materially reduce the need for defense support.

SPAIN

Fifth. One hundred million dollars was made available for Spain in the fiscal year 1952. Twenty-five million dollars more is carried in this bill. Not 1 cent has been obligated to date. The excuse given is pending negotiations. A comparison of the time involved in negotiations with Yugoslavia a year ago is striking.

BILATERAL TECHNICAL ASSISTANCE

Sixth. Bilateral technical assistance is still carried on by two Government agencies, the State Department and the Mutual Security Administration. Consolidation would seem to be desirable with a view to eliminating duplication and assuring efficiency.

MULTILATERAL TECHNICAL ASSISTANCE

Seventh. Multilateral technical assistance is carried on by the United Nations in 55 different countries. Duplication of effort would seem almost inevitable and the share of the over-all cost for the United States seems to run in certain instances as high as 60 percent.

PROGRESS

The Committee will find on pages 320 and 321 of the hearings, two tables. The first shows the gross national product and percentage used for military expenditure in all countries involved, including America, for the fiscal years 1950, 1951, 1952, and 1953. The second shows the population and the percentage of men in the active forces for all countries including America.

The United States percentage is the largest in both tables.

But there is a steady increase in allied percentages which it is hoped will continue to increase.

The trend is reflected in increased military budgets, in increased periods of compulsory service, and in specific progress toward definite goals in terms of military divisions, naval forces, and air wings.

A long step in terms of cooperation will also be reflected, assuming ratification in the Schumann plan, the European Defense Community, and the proposed plan for greater federalization submitted in about 6 months.

CONCLUSION

The over-all policy in respect to the fiscal year 1953, Mr. Chairman, has been determined by the authorization legislation recently enacted into law.

There are differences of opinion in respect to that policy on both sides of the aisle.

I happen to be one who has been and is in accord with its major objectives.

Our mission to Europe, until recently under General Eisenhower, seems to me to be vitally important from the standpoint of national defense, not only to this country but to the entire free world.

If successful, it is clear that we can equip and maintain essential military power in Europe far more cheaply than in America.

If successful, our allies should soon be in a position to take off our shoulders the present tremendous burden in money and manpower.

In the light of progress to date it is vitally important in my judgment not to do anything at this time which could jeopardize possible success.

This does not mean that I believe in pouring billions of dollars every year into 60 different nations of the world.

It just cannot be done.

We can easily spend ourselves and our allies into destruction as Lenin once predicted.

We should not spend $1 more than is essential to major objectives.

We are between the devil and the deep blue sea—between the armed might of the Kremlin and its satellites, and the threat of destructive Nation-wide inflation.

The task of statesmanship is to steer a course between the two.

I believe the committee recommendations are fully justified.

I repeat, however, Mr. Chairman, that thorough and intelligent analysis and proper supervision of this tremendous expenditure can only be achieved under present conditions with the aid of adequate staffs of expert investigators, working the year round, responsible to the Appropriations Committees of the House and the Senate and to them only.

Mr. Chairman, I yield back the balance of my time.

Mr. GOLDEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GOLDEN. Mr. Chairman, while it may be true, as just stated by the gentleman from New York, that the Atomic Energy Commission did not submit to this honorable committee detailed figures concerning their entire plan for expansion, I do believe that the evidence heard before this committee and which I took the time to read yesterday afternoon and last night, shows they do have a well defined, comprehensive program for expansion not only of the present atomic energy plants at Oak Ridge, Paducah, and other places but in addition to this they have plans for a new plant that will, in my opinion, when carried out give more security to this country than any other one step that we can take.

It is further my opinion that the possession of the atomic bomb stayed the hand of Russia and prevented world war III from breaking out over the past 2 years. It is now reported that Russia has the atomic bomb, but thanks to the ingenuity of the scientists of America and the industry and patriotism of the Atomic Energy Commission and their staff, it is reported in the public press that this Commission has now developed a whole family of new atomic ammunition and weapons that can place us again far ahead of any other world power in this new development and if we have the wisdom and courage to support this expansion program of the Atomic Energy Commission we can be assured that it will do more than any other one thing to prevent world war III and secure the peace of the world.

In these modern times the two things which America needs to do in my humble opinion is to expand our air power and expand our atomic weapons program. There are many provisions in this bill appropriating money that I am opposed to because of the great burden upon the taxpayers of this country. If we cut down anywhere, we ought to cut somewhere else other than in the item providing for an expansion of the atomic energy program.

As I pointed out a moment ago, the money to be appropriated in this bill for an expansion of the Tennessee Valley Authority power plants is to create electricity all of which will be used by the new atomic-energy plant and by those already in existence.

Some objection has been voiced to this expansion of electric power by the TVA. Ordinarily, I would go along with them, but the report of the committee shows clearly that these two programs are tied together, that you cannot have an expanded atomic energy program unless you have additional electric power to run it, and it further shows that all of the contemplated increase in electric energy is to be used by the Atomic Energy Commission in prosecuting the development of new weapons for the defense of this country and the peace of the world.

It appears, in the report and hearings before this honorable committee that it is proposed to build new electric generating plants at least one of which will probably be located near Rogersville, Tenn. The reports say that this selection is being considered so that this steam-generating plant can use coal from the eastern bituminous-coal fields in Kentucky and some neighboring States. Everybody knows that you can transport electric energy much cheaper than you can transport coal. It would appear to me that it would be feasible and cheaper to locate some new steam-generating plants in southeast Kentucky where the chief item of expense, namely coal, could be had without much transportation cost.

However, I know that I cannot control the location of any of these plants. I can only advance the arguments in favor of that section of the United States which I have the honor to represent. The paramount purpose of all of us is to have the steam generating plants and the new atomic energy plant located where they can be constructed at the smallest cost and where everything considered, they can render the greatest service to the entire country.

However, it has been made to clearly appear in my appearance before the Atomic Energy Commission that southeast Kentucky has all of the necessary raw material—coal in abundance, which is the chief item of cost, plenty of water, thousands upon thousands of unemployed skilled and unskilled labor, and a patriotic people that would give as great a degree of cooperation in the construction and operation of such plants as could be found anywhere else in the United States.

It is expected that Congress will either recess or adjourn in about 10 days. If we adjourn, we will be out of session for approximately 6 months. In this time of crisis and tension, when the peace of the world is hanging in the balance, we should not lose this time and provision should now be made to build up as rapidly as we can the defense of this country. It will be far cheaper for us to so strengthen and arm ourselves so as to maintain the peace of the world than for us to be derelict in our duty and allow the ruthless dictators to precipitate world war III. If this war comes, to win it would cause much misery, suffering, and death; also, it would take enormous expenditure of funds to prosecute such a war. It appears to me, from a purely economic standpoint, that we cannot afford to miss this opportunity to go rapidly forward with our defense preparations.

More money is appropriated in the bill for the Mutual Security Program abroad and for many other programs than is provided in the bill for the expansion of the atomic-energy program. If we have to cut anywhere in order to economize, we certainly should not cut or reduce the appropriations provided for this essential expansion of the atomic-energy program.

I have steadfastly voted for economy in all nonessential expenditures, but I am opposed to any reduction in the amount provided by this honorable committee to furnish us with the one thing that we are superior in—the atomic bomb and the many other recent developments along this line.

In reading the evidence heard before this committee, I was happy to find that the Atomic Energy Commission is trying to obtain all necessary electric power from private industry. It appears in these hearings that they have invited private industry, which creates electric power to furnish any part or all of the energy necessary to operate the new plant. This is wholesome. Private industry should be given this work if it can and will furnish the necessary power to operate the new contemplated plant.

The amount of money asked for the creation of a new steam generating plant by the TVA, as I understand it, is to be used only if private industry cannot furnish the necessary power to supply the new atomic-energy plant. We should always let private industry do everything that it possibly can and resort only to publicly owned power when we cannot obtain the necessary power from private industry.

Furthermore, it is far better if plants are built, to build steam generating plants. This stimulates and helps the coal industry. The coal industry of the entire United States, and especially in Kentucky, is suffering from one of the worst depressions in many years. Anything that is reasonably possible to be done to cause more production of coal and to give men work should be done in this particular. These hearings do not disclose where the new atomic-energy plant may be located. For security reasons, none of us know where it will finally be built.

It is referred to in the hearings as location No. 3. Of course, the paramount consideration is to place the new plant where it will best serve our defense program, but I do wish to point out again that from all the information that I have been able to obtain, southeast Kentucky affords as good a location as could be found anywhere else in the United States.

Mr. GARY. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, I take this time for the purpose of placing in the RECORD my objections to the cut made by the Committee on Appropriations in the mutual-security fund of some $250,000,000.

I am aware that $45,000,000 of that fund is for the Korean aid, for rehabilitation, and that there is merit to the fact that the problem is not proximate, and that it could be delayed.

I am aware, as well, that the most of the balance of the cut is because of very creditable examinations and investigations made by the staff of the committee, and particularly of the subcommittee under the jurisdiction of the gentleman from Virginia [Mr. GARY], to show the failure to properly commit and obligate funds, particularly by the Air Force, and also the other military agencies. But, Mr. Chairman, the authorization bill from the great Foreign Affairs Committee of this House was recently on this floor, and I sat on this floor during every minute of several days of serious debate on that bill. Both sides of the aisle devoted themselves to that debate. Amendment after amendment was offered for the purpose of further cutting the foreign-aid bill. This House, after serious consideration, prevented any further cuts, and now at the last minute two hundred and fifty additional million dollars has been taken from these funds.

Mr. Chairman, I do not believe that global warfare should be reduced to the concept of some one town in some one state; certainly I do not believe that global warfare and these extremely delicate relations between the nations of the world today can be conducted by slide-rule computation or by rule of thumb; certainly I do not think that one committee or one subcommittee, and certainly not one Member or more on this floor, can decide to ration the number of shells being fired by the artillery or determine here in his omnipotence the number of missions to be flown by aircraft or some fighters or bombers based at the front lines.

Mr. Chairman, I have observed, after several years in this House, that when matters dealing with agriculture are before this body most of it is left to the men from the agricultural districts and the Committee on Agriculture, and we sit by, except for two or three sidewalk farmers from some big city or other, but generally we will yield to the knowledge and understanding of the agricultural problem to the men on this floor who come from those districts, who have been born and raised with the problem, and who understand it. But, Mr. Chairman, I have never failed to support the recommendations of the agriculturalists in this House. Sometimes I have acted with an abundance of caution, but I have acted.

Whenever there is a question here dealing with the Department of the Interior, reclamation, or whatever those vast problems may be, we let the specialists from those areas and from that committee present the case, and we act accordingly; and invariably we follow the recommendation of the men in this House who live with the problem, who sit on these committees, who hear the testimony.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FLOOD. Mr. Chairman, will the gentleman yield me 5 minutes additional time?

Mr. GARY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. FLOOD. I thank the gentleman for his courtesy.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. McCORMACK. On the question of agriculture, we from the cities have supported them, and we do not hear any claims of socialism; but when something in the nature of public housing comes up they cry out: Socialistic public housing!

Mr. FLOOD. I, of course, hasten to agree with the distinguished Majority Leader. I was not talking about that thing just at this moment, but he was. It certainly is a one-way street; of that there is no doubt.

During the last 2 or 3 days in the course of the debate on the extension of the Defense Production Act I have heard distinguished Members from agricultural districts, after we had knocked our brains out in the city districts supporting their agricultural authorizations and appropriation bills here in the committees, they came on the floor and took over for 3 or 4 days with amendments to control salaries and wages in the great industrial areas of the Nation. That has been going on for years and I do not hope to change it, but it is a one-way street, I may say to the gentleman from Massachusetts.

But to return to the problem I am addressing myself to, Mr. Chairman, I have mentioned some place before, and I think I will do it again for an emphatic purpose, two or three things that every man in this House thinks he can do better than anybody else. I refer to managing a baseball club, running a hotel and being an expert on international relations and foreign affairs. That seems to be a consistent fault with all of us. Now, for me to develop the deadly seriousness of the situation that exists in the world today would be gilding the lily. I am sincere in trying to determine if the House is seriously aware of what the situation is all over the world, north, south, east, and west. If the facts are true, as I think they are, it is inconceivable how we would persist in this ostrich-like policy of refusing to recognize those facts once they are identified. And may I add that this cut, with the exception of $45,000,000 for Korean aid, is in the military end of the bill. You are cutting nearly $200,000,000 from the military part of the bill.

I realize that you are sure you are all fully qualified and completely competent, as are the members of the Joint Chiefs of Staff of the United States, I realize you all are positive you are fully competent to sit with all the high ranking military leaders of all the nations of the world and of the NATO conference; but to sharpen up your meat ax and to cut $200,000,000 more off military aid just to show you can use your ax this morning is quite a desperate, a quite serious and a quite highly questionable pastime. I hold no brief, Mr. Chairman, for the leaders of many of these nations who are supposed to be our friends. I doubt as seriously as do you if under certain circumstances they are or will be, but must you insist that your tail feathers have to be preened and that these people have to fall on your necks and tell you how much they love you and appreciate what you are doing? Of course, they will not do that. They are jealous, they are envious and have little affection for you. But the fact remains, Mr. Chairman, if I am the only man in the House who will raise my voice today against this cut I shall do so because I believe so deeply in the principle of this mutual-aid plan, I believe it is a serious error to make the cut and I shall object as strenously as I can.

Mr. GARY. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I would like to call the attention of this House to the new section 514 of the Mutual Security Agency's authorizing legislation which enlarges and expands on our Government's powers to develop and procure materials for the United States stockpile and for our allies. This new section authorizes the Director for Mutual Security to initiate and develop, wherever they may be located, new and expanded sources of supply of materials which are in short supply in any country receiving United States assistance. Operations under this section can thus contribute substantially to the security and strength of the free world and that of the United States.

Before speaking of the question of what this new section means, in detail, I would call the attention of the House to the fact that the Director for Mutual Security is called upon as in the past to carry out a vigorous program in association with Defense Materials Procurement Agency—DMPA—to develop new sources of materials which are in short supply in the United States. The Director will continue to make available counterpart to DMPA to obtain materials and expand production of these materials abroad which are needed by the United States.

The new section 514 of the Mutual Security Act enlarges and emphasizes the powers of the Director to promote increased production of materials in which our allies are deficient. He is called upon to find out what potential shortages might weaken collective security and he is authorized to assist in and initiate projects for expanding the production of materials to minimize such shortages. The testimony of representatives of Mutual Security Agency who have come before us indicate that the Director intends to set aside such dollar funds as may be required for these purposes and for assisting, where appropriate, the improvement of transport and other facilities for carrying materials either to the United States or to our allies. It is further our understanding that the Director will use the United States Government-owned counterpart

funds arising in accordance with section 115 (h) of the ECA Act of 1948, as amended, to make loans for the purposes of section 514, and that he will seek repayment of these loans in local currency or such other form as he considers advantageous to the United States.

This House should welcome this added concern for materials for the remainder of the free world. Any additions to the supplies of vital raw materials to our allies not only helps them to complete their vital rearmament tasks, but will tend to release other supplies of material for United States military and civilian production purposes.

Mr. FORD. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Chairman, I shall confine my remarks here this morning to chapter 8 of the bill, the part which deals with the military public works program for the Department of Defense.

If you have availed yourself of the opportunity to look at the hearings which have been published you probably will feel, well, there have not been very many hearings, and I will grant you that the hearings that have been published are not voluminous. But, as a matter of fact, the bill and the report on chapter 8 represent results of hearings which started back early this year; hearings in connection with the investigation of the public works program of the Department of Defense under the chairmanship of the gentleman from South Carolina [Mr. RILEY]. Those hearings were based on investigations that had been made by members of the Committee on Appropriations staff. The information thus obtained was assembled and presented to us by our very industrious and capable executive secretary of the subcommittee, John Donnelly. Those hearings went on almost continuously from last February right until the time we started to hold the hearings that have been printed and are now available to you. As our report indicates, there will be published later the complete hearings on the investigation that we did make of the existing public works program, including the situation in North Africa.

Mr. Chairman, I do not know of two more genial subcommittee members that anyone could work with than the gentleman from South Carolina [Mr. RILEY] and the gentleman from Massachusetts [Mr. FURCOLO]. I do not know of anyone who has worked harder in order to keep the committee work going than those two gentlemen have in the course of the last 4 or 5 months.

The appropriation for the Air Force portion of the public works program of necessity represents a new approach to appropriations this year, and that had to be done because the original approach that the Air Force used, the original presentation that was made to the subcommittee, simply was not made on a practical and usable basis. They came before us with a list of items that they wanted to build. Some of them were funded at 100 percent, some of them at 75 percent, and some at a less percentage, and if we had attempted to bring an appropriation bill to the floor of the House on that basis, we still would not have known what they were going to be able to build on any of the bases in accordance with the justifications that were submitted. They also presented to us, with respect to 10 overseas bases and a series of bases in the United Kingdom, completely fictitious justifications. Experience had demonstrated that a cost factor of 2.5 had to be used; in other words, that was the ratio of cost in those areas as compared to the cost that would be necessary for building in continental United States. So, when the Bureau of the Budget cut the amount that they requested for those bases, instead of deleting a single item in presenting that matter to our subcommittee, they fictitiously reduced that cost factor and came before us and said, "Well, this is not on the basis of 2.5; this is on the basis of 1.5, and that brings us within the dollar ceiling that the Bureau of the Budget set for us." It was artificial; they admitted it was artificial; they knew it could not be done on that basis, and every member of the subcommittee knew it could not be done on that basis. At that point we were all about ready to give up.

There was a widespread feeling that the only thing we could do would be to give the Air Force some advance planning money and tell them to go ahead and do some of the planning they needed in order to come in and present a program that meant something to the subcommittee. But you cannot build air bases that way. Some of the bases are already in progress. We are committed to the construction of them. There has already been too much indecision and too much delay in the construction of those bases. So a new approach was worked out through the cooperation of high officials of the Air Force. That was the approach that you will find outlined on pages 37 and 38 of the committee report, where we said to the Air Force:

> We cannot tell just how much you ought to spend on any one of these bases you have listed. Your presentation to us has not been practical enough to permit us to do that. But we can pretty well decide, and we will expect you to present a program to us that will help to decide, how much, on an over-all basis, you ought to spend in the various categories of the construction program.

That is the basis of this appropriation and that is explained pretty well on those pages of the report.

Do not let anyone leave this Chamber today thinking that that is all, that that is the bite for the Air Force construction program during this fiscal year. Actually what is done here today represents merely a stopgap. The Air Force anticipates another appropriation prior to April 1 of next year. So that the bill here today represents a stopgap to carry us through on some kind of basis of surveillance until the Air Force comes back with a program that will mean something, so that appropriations can be made prior to April 1 of next year. So when you read the fact that a substantial cut has been made in the Air Force construction program do not subtract that from this year's appropriation because it merely means a deferral of the work that has to be done and will be done when the Air Force can submit a reasonable justification for it.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from Ohio.

Mr. VORYS. Referring to page 37 of the committee report, do I correctly understand that the appropriation is in amounts for pavements, maintenance, land, and so forth? Is that the form of the appropriation?

Mr. DAVIS of Wisconsin. That is correct.

Mr. VORYS. I thought the weakness was that the Air Force had given you a percentage figure—I attempted to read a little bit about it—where they had said, "We will build one-third of all the bases," and you had said, "It is better to have more finished bases than one-third finished bases all over the world," and tried to pin them down to a priority system. It seems to me this form of appropriation would be even more vague, in that it would permit all of this stuff to be spread out all over the world and might not complete any single base.

Mr. DAVIS of Wisconsin. Except for the commitment that they are not to build half a runway or half a troop housing facility or half a shop and come back for more money for it. These are to be complete units that are to be done within the limits of this appropriation.

Mr. VORYS. Did the committee get a list of priorities? It seems to me there would be certain priorities as between all the desirable or convenient bases in the world.

Mr. DAVIS of Wisconsin. We did not. We asked for that and we were unable to get it. I might say to the gentleman from Ohio that we have tried to protect Congress in this respect by requiring monthly reports to the committee outlining commitments made by bases and by categories.

With respect to the Army and the Navy the picture is a little more encouraging. They did have their justifications in shape that could be understood. They have done defense planning. Their program is firm so that they knew and we knew pretty much what they expected to do.

As far as the Army presentation was concerned, the cuts which were made are pretty well explained in the report. About the only basic complaint we had, I think, was that we felt a tendency there to put something in the category of classified, and then to clam up and not give the subcommittee the information to which we are entitled. Some of these things have been the subject of magazine articles and newspaper articles, and it seems as if everybody else in the entire country has been able to learn something about these things except the committees of Congress. That was the difficulty we had with respect to the Army, but otherwise, as I say, they did present us with a pretty well firmed-up program.

Mr. Chairman, with respect to the Navy, there was one item, which, in my opinion, stood out like a sore thumb. It stood out like a sore thumb because the Navy in general and Admiral Jelley, the Chief of the Bureau of Yards and

Docks, in particular, has been very frank and candid with the subcommittee. Admiral Jelley has not only been frank and candid; but he has been cooperative and effective, and directly so, in connection with the attempt to enforce a measure of austerity in the Navy public works program. He issued orders and sent people out, and came back in and said, "Here is $30,000,000 that we have already saved on the basis of recommendations that you have made." So that in general, his approach has been of the best. But then there came this item which stood out like a sore thumb, as I saw it. It is down here at Little Creek, Va., where they have the Navy amphibious training base. Last year they came in and got about $100,000 to buy land. It is land that they had used on a lease basis during World War II. That is where they did most of their amphibious training during that time. This year they came back and said, "We are all right on this land now, but we need more." There were two parcels of about 30 or 35 acres each which were not too much out of line. But then they came in with the request for a 35-acre buffer area—35 acres at $6,000 per acre adjacent to Virginia Beach. Now it may be that they have a need for this land. It may be that the facilities that they had during World War II are not adequate for this purpose. It may be that this is the only area on the Atlantic coast which would serve their purpose, but I do submit it was a complete lack of candor and a complete lack of fairness to the committee and the Congress that they did not inform us that that kind of request for 35 acres of land at $6,000 per acre was coming in here at the time they received the $100,000 appropriation last year. I think that is something that the House of Representatives is entitled to know, and perhaps do something about.

Mr. Chairman, this specific instance of land acquisition is illustrative of an over-all Defense Department problem. Last year the Congress appropriated enough money for the Defense Department to buy more land than there is in the whole State of Rhode Island. This year's request is for abcut one-third as much. I believe every member of our subcommittee strongly feels that there is a definite need for a study of the land holdings of the Department of Defense. Sometimes we wonder just how accurate an inventory of land holdings the Department of Defense itself has, but certainly there ought to be a study made to assure that land that the Department of Defense now has is properly utilized and the land which they are not using, and do not intend to use, will be disposed of so that it does not lie there as a dead drone on the taxpayers of this country. I strongly hope that before the Congress adjourns the Committee on Appropriations will authorize its staff to make an investigation, and that the results of that investigation will be made known to a proper subcommittee as the basis for hearings early in the Eighty-third Congress.

Mr. Chairman, there are mistakes in chapter 8 of this bill, I am sure. But I do believe that we can anticipate much better staff and committee surveillance of the program than has heretofore been the case. This required surveillance is most important. The work must go forward. There has already been too much indecision and delay.

We are in a position here today where it is our responsibility to provide a reasonable amount of money to permit the construction work to go forward under careful congressional scrutiny of the use of the funds appropriated. We may be disgusted with some of the things that have gone on, but our disgust will not build the installations that are required.

Mr. GARY. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. RILEY].

Mr. RILEY. Mr. Chairman, the Subcommittee on Military Construction brings to you today its recommendation for another payment for the expansion of the bases for our armed services. I am sure that every Member of this Congress realizes the importance of having an adequate base for the armed services. There are three projects that must go along in parallel order to develop a firm defense program. The end items must come off the production lines, such as tanks, planes, and things of that nature. The personnel to handle these items must be trained and bases must be developed on which they can operate and on which they can train and from which they can operate. No ship can sail without a proper harbor and maintenance facilities. No plane can fly without a base or an airport from which to fly. No infantry can be trained without a military base on which to train and to practice. So all of these things must be coordinated, and in order to keep up with the expanding program of our defense forces, we must continue to expand our base structure.

The Army and Navy are older services and their base structure is in better shape and more complete than is the Air Force. You will find in this public works bill that we have presented to you today for your consideration that the Army and Navy are largely expanding facilities on the bases which they already have. The Air Force needs more facilities. Their set-up in World War II was more or less temporary. Many of their bases have deteriorated to the point where they have to be absolutely rehabilitated in order to be usable.

I call your attention to one more factor in regard to the Air Force. On July 1, 1950, we had 48 wings. The Chiefs of Staff and the President and the Congress agreed that it should be expanded to an ultimate of 95 wings. During the past 2 years we have been engaged in building the Air Force up to these 95 wings. Since the 1952 appropriations for maintenance and construction, the Joint Chiefs of Staff have decided, and wisely so I think, that the Air Force should be increased another 48 wings, as many wings as we had in 1950 to start with, or to a total of 143 wings. Each of those wings is to be stronger than the wings we had in 1950, have more groups, more personnel, and more fire power. Because of that the Air Force has reprogramed, reviewed, and reconsidered its entire program. That has been done. They have located the bases and have decided on the missions for which these bases are to be used, both here at home and abroad; they have the master plan for these bases; they know in reason now just about what is necessary.

I am not going to tell you that mistakes have not been made and that waste has not occurred in a program as tremendous as this. The committee in its 4 or 5 months of study is happy to tell you that it has found no evidence of graft, no evidence of misconduct, and I submit to you that human nature, being what it is, has not yet reached the stage where it makes no mistakes where any progressive effort is made. I think we must review this request for appropriations in line with that philosophy.

Notwithstanding the fact that we have reduced or transferred some $803,987, we believe that we have a sound appropriation, adequate to carry out the proposed programs until next June.

The subcommitte in its study of the construction program in conjunction with the armed services—and it was a joint study—believes that it has been instrumental in saving many millions of dollars to the American taxpayers. Procedures have been expedited, standardization has been more nearly approached. The committee is insisting that those buildings which are in common use on bases must be built from standard plans. In making this appropriation the committee has insisted that complete increments shall be built, that no such thing as half a barrack, half a runway, or half a dock in the case of the Navy, shall be built, but that any increment started shall be completed, and that sufficient funds for its completion shall be apportioned.

In order to have a better check over the money expended by the Armed Forces the committee has requested that each 30 days each of the services submit to the committee an account of the money which has been spent, the base on which it is spent, and the increment for which it is being obligated or spent.

The committee has decreed that there shall be no cost-plus-fixed-fee contracts over $25,000 unless justified in writing by the Secretary of Defense. Unless the situation worsens I do not believe there will be any attempt to make cost-plus-fixed-fee contracts under the 1953 appropriations.

The committee has worked diligently, cooperatively, and long hours to bring you a sound recommendation. I know of no man who has worked more intelligently and willingly and patriotically than the gentleman from Wisconsin [Mr. DAVIS], the gentleman from Massachusetts [Mr. FURCOLO], and the very fine staff assigned to us headed by Mr. Donnelly.

The gentleman from Wisconsin [Mr. DAVIS] has discussed with you the new approach which we recommend in regard to the Air Force brought about by reprograming on account of the expansion of the Air Force in the last few months. This approach was brought about largely by the suggestions of the distinguished gentleman from Wisconsin. I think it is a logical approach and

that it surrounds with the safety which Congress demands, the appropriations which the Congress makes. The appropriation is recommended on the basis of categories, so much for runway and apron paving, maintenance and shop facilities, and so forth. There will be no transfers between categories. We did give them the opportunity of transferring 10 percent between commands but within the same category. The names of all the bases on which this money is to be spent in the United States are listed in this report, the committee has been given the location of the bases abroad on which they propose to spend the money, but, of course, those bases are in confidence and cannot be published.

Mr. Chairman, in regard to the Army let me give you some of the principal items which are listed by categories: Research and development, sixty-five and two-tenths million; warehousing and storage, eleven and nine-tenths; maintenance and shops for these new heavy implements of war which are coming off the assembly lines thirty-one and one-tenth.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. GARY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. RILEY. Continuing, permanent barracks, thirty-eight and one-tenth million; antiaircraft, twenty-five million; land acquisition, eighteen and one-tenth million. This land is largely at Fort Bragg, N. C.; Fort Hood, Tex.; Fort Knox, Ky.; to take care of the longer range artillery which is coming off the lines. We simply must have more land on which to practice with these modern guns.

Expansion of base utilities, sixteen and four-tenths; training facilities, fifteen and four-tenths. A total of $260,000,000 requested at home and $393,000,000 requested abroad for the Army.

For the Navy, shipyard facilities, twenty-six and eight-tenths million; fleet facilities, thirty-three and eight-tenths; aviation facilities, one hundred and fifty and two-tenths; supply facilities, thirty-four and eight-tenths; Marine Corps facilities, twenty-four and two-tenths; ordnance facilities, fifty-four and eight-tenths; yards and docks, twenty-three and one-tenth. Zone of the interior, two hundred and sixty-seven million requested; abroad, one hundred and thirty-seven million requested; largely, you see, for storage of fuel, ammunition, and things of that kind, also proper utilities to take care of the great fleet.

In the Air Force will you note that pavements are $373,000,000. I want to say here that the operation of facilities for all these services must be constructed first and the auxiliary structures secondly. Operational facilities, fuel lines, and so forth, two hundred and six million; housing for troops—no family housing at home but some abroad—one hundred and eighty-one million; maintenance and storage shops, two hundred and eleven and five-tenths million. Zone of the interior, five hundred and sixty million requested; overseas, six hundred and ninety million requested.

We believe, Mr. Chairman, we have brought you a sound justification for the requests of the armed services. We believe we have given them all the money they can properly spend between now and next June. We believe that we are providing for the defense of the United States in its ever expanding defense program and we hope that you will consider favorably the recommendations made by the committee.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. RILEY. I yield to the gentleman from Louisiana.

Mr. BROOKS. Did I understand the gentleman to say that this would cover all of the money that could be spent between now and next June?

Mr. RILEY. I feel that way, yes.

Mr. BROOKS. That is not the information that I have obtained. As I understand it, in your hearings is a statement that this money will just last until the 1st of March rather than June.

Mr. RILEY. I will say to the gentleman from Louisiana that the lowest estimate we have is that it will last until the 1st of April. I believe the majority of the committee are of the opinion that it will last until June. I do not believe that this money can be properly obligated before June.

Mr. BROOKS. There is a $550,000,000 cut in the Air Force?

Mr. RILEY. Either a cut or deferment.

Mr. BROOKS. That reduction, as I understood, was put in there with the idea that beginning in the early part of January we could get another appropriation to continue the work in the Air Force, otherwise it will be interrupted.

The gentleman does not share that view though, does he?

Mr. RILEY. The Air Force has unobligated as of June 30, 1952, in round numbers, $1,500,000,000. This committee is recommending $1,200,000,000 which would give $2,700,000,000 to be obligated between now and next June. If the Air Force takes that and does a good job, I will be one of the happiest people in this country.

Mr. BROOKS. I agree with the gentleman in reference to round numbers, but all of it is not for public works. Some of it is for overseas and designated by the Congress, wisely, for certain purposes. But, for your general air program, you really are leaving the matter in shape where we will have to put through a bill early next year, otherwise the air program will be interrupted; is that not true?

Mr. RILEY. I do not think so. If the Air Force finds it is running out of money between now and next April 1 or June 1, this committee will be glad to hear any application that they may make for additional funds.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. RILEY. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I want to ask the gentleman whether he has read the last report of the Johnson committee of the other body, dealing with the Air Force. According to that report we are confronted with a very serious situation, concerning the preparedness of our country.

Mr. RILEY. I will say to the gentlewoman from Ohio that this committee has been making a study of the construction program since early last February. We have had our own hearings, our own testimony, our own investigators in regard to the operations of all the services, including the Air Force.

Mrs. BOLTON. Have you compared the findings with those of the other committee?

Mr. RILEY. We have also read some of the testimony of the Johnson committee, but we believe that our testimony is fully as adequate as theirs.

Mrs. BOLTON. And your testimony is available, is it?

Mr. RILEY. Yes. Most of the hearings have been published, and are available if the gentlewoman cares to read them.

Mrs. BOLTON. I thank the gentleman.

Mr. FORD. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, my remarks will be confined to the emergency agencies which comprise chapter 10 of the bill. The portion of the bill to which I will refer begins on page 37 and extends through page 42, and in the committee report it begins on page 60 and runs through page 66.

The emergency agencies subcommittee took the following action which I think the Committee of the Whole should understand. I would first like to refer to the action which was taken in reference to the Defense Production Administration. We made a cut of 21 percent in the budget request for this particular agency. For the Defense Transport Administration the subcommittee has recommended a cut of 12 percent.

For the Small Defense Plants Administration we have made a rather minor reduction totaling 16 percent.

For the Federal Security Agency the reduction totals 26 percent.

For the Department of Agriculture the reduction is 33⅓ percent.

For the Department of Commerce the reduction is 28 percent. Dollarwise it is $10,000,000.

For the Department of the Interior the reduction is 37 percent below the budget request, a dollar reduction of $1,500,000.

The Department of Justice has received a reduction percentagewise of 59 percent, a reduction dollarwise totaling $125,000.

The Department of Labor has a percentage reduction of 16 percent. Dollarwise that amounts to $350,000.

Out of the funds requested totaling $61,610,000 our subcommittee has recommended funds totaling $44,190,000 a total dollar reduction of $17,420,000 a percentagewise reduction of 28 per cent.

You will find that in the bill there are certain omissions, omissions which I think are legitimate, at this point, anyhow. The committee did not take any action on the budget request for the Economic Stabilization Agency and all of its component parts. The Economic Stabilization Agency requested $103,250,000 for the next fiscal year. That is an

increase of about $2,500,000 over the current fiscal year. In other words, the Economic Stabilization Agency, despite their own admission that their job is not quite as all-encompassing as it has been, wants the Congress to increase the funds for the coming fiscal year. This point of view is a little ridiculous, in my judgment.

The committee has not made any recommendation concerning this agency because at the time we marked up the bill the Defense Production Act had not as yet been approved in the House of Representatives. It is my understanding that the House will not include any amount for this agency in this bill. When the appropriation bill goes to the Senate they can put in what they see fit and we can adjust it in conference.

Let me give you a situation, however, which points out the ridiculousness of some of the budget requests, that come before the Committee on Appropriations. Last year for the Economic Stabilization Agency the budget requested $143,430,000. Mr. Charles Wilson, Mr. Eric Johnston, and Mike DiSalle all came up and pleaded with the committee for $143,430,000. The Congress finally approved for those agencies that are part of the Economic Stabilization Agency $100,553,375. In other words, we cut that appropriation almost $43,000,000. Yet in the testimony that was taken by our committee this year on their budget request for the next fiscal year practically every agency admitted they had enough money to do the job that was assigned to them. It just points out the complete ridiculousness of the Bureau of the Budget request for this kind of agency.

I should like to turn for just a minute to the budget request that was submitted for the Office of Price Stabilization. As I indicated, we are not including any funds in this bill for this agency. Nevertheless, I think you should know what the Bureau of the Budget requested.

The Bureau of the Budget has suggested that Congress approve for OPS for the next fiscal year $68,420,000. They want 12,741 permanent positions for OPS. That is slightly less dollarwise than the Congress approved for OPS last year. The budget this year for OPS totaled $69,430,000 for 13,131 permanent positions.

I am sure everyone thinks OPS has had too much money and too many jobs, but let me show you some factual evidence which will substantiate that statement and that belief.

The House Committee on Appropriations in January and February of this year undertook investigations of the operations of four district offices of the OPS—one in Grand Rapids, Mich., one in Atlanta, Ga., one in Birmingham, Ala., and one at Omaha, Nebr. Following local complaints I requested the investigation of the Grand Rapids office, which is in my district. Here is a copy of the investigation. It is most revealing. It shows without question of doubt that there is substantial overstaffing and there is extreme duplication. In addition the various investigations point out that we ought to cut out all regional offices for the OPS. There is no need for any continuation of the 14 regional offices throughout the United States for OPS. I cannot tell you how much money they involve, but the reports made by our investigators, the investigators for the Committee on Appropriations, indicate clearly that there is little need for any of the regional offices. These four investigations further show that there could be at least a 50-percent reduction in the appropriations for OPS generally. Conditions in OPS have been very bad for the past year with a budget of $69,430,000. One wonders how much worse it would have been if the Congress had approved the budget request of $105,500,000.

I respectfully request that you turn to the emergency agency hearings. I think they start at page 439 of that particular volume. During the hearings the gentleman from Mississippi [Mr. WHITTEN] and I interrogated Mr. Putman and Mr. Arnall throughout these hearings you will see without any doubt whatsoever that that agency, the Economic Stabilization Agency and its component parts is greatly overstaffed. It has received for the past fiscal year altogether too much money, and it is my hope in conference, we will be able to reduce substantially the funds for the coming fiscal year for all agencies that come under Mr. Putnam's jurisdiction.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. VURSELL. I do not know if you found in your investigations that they have a great number of people employed, sort of public relations people, to go out and sell the idea of the beauty and benefits of this OPS. I know that is being abused in my own State of Illinois. I know that from my own personal knowledge.

Mr. FORD. May I say to the gentleman from Illinois, there is no doubt that the numerous information officers have not been doing the job that they should have been doing, instead they have been going out throughout the length and breadth of the land trying to sell the need and necessity for the continuation of OPS.

Mr. GARY. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Chairman, in connection with the building up of the Armed Forces of this Nation to the point where we can adequately defend ourselves in the Communist world of today, and to protect this Nation for future generations, I want to call to the attention of the committee a few facts which I have prepared, which have appeared in the public press and on the radio concerning the conduct of this Nation in carrying on the Korean meat-grinding operation. Along with other Americans, I am continually amazed, shocked, infuriated, disgusted, and now am contemptuous of the criticism leveled at this Nation by members of the so-called United Nations for the manner in which we are conducting the meat-grinding operations in Korea. At this time the Department of Defense admits officially—and I speak on my own responsibility because I have not cleared this with the Department of Defense and do not propose to—they admit at least 100,000 of the flower of American youth have been wounded or killed or are missing in this questionable conflict. At this time $400,000,000 are being spent monthly, and over $7,000,000,000 have been spent on the Korean war.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield briefly to the gentleman from Illinois.

Mr. BUSBEY. Does the gentleman from South Carolina appreciate the fact that the casualties he refers to are only the battle casualties in Korea, and the casualties off of the front are more than that?

Mr. RIVERS. I am not at all surprised.

America has furnished over 93 percent of all the air power in Korea, over 85 percent of all the naval support in Korea. It has financed—that is a very sensitive term; that is the most sensitive nerve in your body—has financed over 90 percent of all the United Nations in Korea; has over 50 percent of all the ground troops in Korea; and to make things even more alarming, of the 17 United Nations in Korea or represented on the peninsula, 15 of the nations contribute only 10 percent or less of the ground troops on that peninsula. The South Koreans who live there did not have any place else to go. They are fighting for their homes. I do not blame them, and they did a pretty good job. We financed them. There was nobody else to finance them. They contributed roughly 41 percent of all the troops in Korea. Those two countries, South Korea and the United States, contributed over 91 percent of all the ground troops in that part of the world. The rest of them, and I will name them, Britain, Luxemburg, Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, New Zealand, Philippines, Thailand, Turkey, Union of South Africa, have provided 1.56 percent of the ground troops.

Incidentally, the other day the Prime Minister of Canada did not like the fact that some Canadians were sent to Koje to try to preserve order. He complained to Truman. I do not know why he did not complain to the United Nations.

Then we get down to Great Britain. They contributed 3.69 percent—less than 3¾ percent of the ground troops in Korea.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman is talking my language.

Mr. RIVERS. Any old port in a storm.

Mr. GROSS. I am not going to knock him off the track when he talks that way. I saw figures the other day

showing that out of 1,400 planes lost the United Nations lost 16.

Mr. RIVERS. I appreciate that contribution.

We read in the press and hear over the radio that certain people in Great Britain are dissatisfied with our bombing of the power plants in the area of the Yalu. We hear it stated that Acheson has even made an apology or is on the brink of jumping in to make an apology for our actions in Korea, for the actions of Mark Clark who is implementing the recommendations of MacArthur made well over a year ago. As one American, speaking for countless thousands of other Americans, and particularly for RIVERS, I want to state right here and now that we neither owe Great Britain nor any segment of Great Britain nor anybody else in the United Nations any apologies for our actions of recent days. Had we bombed this area when MacArthur recommended it—I am defending MacArthur as an American too; not as a Republican, not as a Democrat. I am defending him as an American and on my own responsibility again. The fact remains, and nobody can deny it, that had his advice been heeded parts of Manchuria today would have smoldering ruins, and those hydroelectric power plants would have been as dry as the Woman's Christian Temperance Union.

The bombing of the power plants at the Manchurian border, as I said, comes a long time too late. This part of the landscape generally would have looked like a desert.

Had MacArthur's request been heeded the Chinese would not have been given the golden time to replace obsolete or obsolescent aircraft with MIG jets using British motors. Had MacArthur's advice been heeded a great percentage of those people would still be radiating in the broad light of atomic energy.

We have read the disgusting account in the papers of yesterday on the left-wing Attlee-crats and Bevin-ites—you can take either one of them; I do not want any part of them—gloating over allegedly participating in MacArthur's dismissal. I am glad to see that the President of the United States has repudiated that statement, and I hope it is true.

We view the hideous specter on the floor of Commons in Great Britain of these Communist sympathizers using America as the international whipping boy before the world and criticizing the good faith of this Nation in our conduct of the war nobody in America wanted. But we are there and we are going to stay there until we win, I hope—or get out and forget it, but do something.

America has not forgotten that it was the British Empire who gave the Russians jet motors. We have not forgotten that they run oil on the coast of China, and we have not forgotten that Hong Kong prospers today through Red China dealing with the outside world and that city reaping the benefits of that traffic.

Speaking on my own responsibility again, and speaking as one who has labored tirelessly in the Committee on the Armed Services trying to build up our Armed Forces for whatever may come in the future, I call upon these people to cease their criticism of this Nation, to participate in the Korean struggle in good faith, to terminate running with the foxes and the hounds in Korea and in Red China; and as condition precedent to requiring any information on the strategy employed by MacArthur's successor, Mark Clark, to acknowledge the eternal debt she owes this Nation for her very existence and to acknowledge officially to the world that if they desert us we will not stand alone; they will not stand at all.

I am not criticizing the distinguished Britons who, like us, admire Churchill and who admire Eden, and I am not criticizing those Britons who despise socialism and communism as we do; I am criticizing that crew, whomsoever the hat fits, who want to keep this country in the twilight area of socialism and communism and who do not want to return to the democratic way of life. I am getting "derned" tired of my Nation's being held up to ridicule and scorn when we are paying the bill for their right to use the sounding board of the United Nations to our detriment and of the conduct of the war which we are running and from which they are running.

Mr. GARY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. JACKSON].

Mr. JACKSON of California. Mr. Chairman, first of all, I should like to thank the chairman of the subcommittee for his kindness in making available this time and, secondly, I should like to say that while I disagree with some of the individual items in this measure I feel that the subcommittee has done a splendid job, considering some of the things they had to ponder over and the controversial nature of certain of the items.

The gentleman from Pennsylvania [Mr. FLOOD] in his remarks a few moments ago—I am glad to see he is on the floor because I have the deepest admiration for him and I respect his opinion—protested the minute cut in the military aspects of this bill, some $200,000,000 odd. When that figure is related to the over-all appropriations for the military in this country for the next fiscal year it is truly minute. The gentleman from Pennsylvania [Mr. FLOOD] calls attention to the serious global situation, the turmoil, and the dissention. We could devote many hours of discussion in how we happen to be in a world turmoil and to what extent our diplomatic ineptness has brought us to our present pass or impasse.

In the first place, I think that all of the people of this country realize and recognize the fact that the Congress cannot approach the military demands for money in any way, acknowledging that those demands and requests are sacrosanct or a sacred cow. Unfortunately, military men by the very nature of their profession are not economists. They are interested in obtaining X number of planes, tanks, and guns, X number of bases and the other sinews of war, and are not by the nature of their duties versed in either economics or in economy.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of California. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. I think most of us would have more confidence in their requests for funds if we were sure that they were giving us their own personal candid opinion in the matter. If I recall correctly, there has always been with respect to this international problem the gentleman speaks of, a great deal of doubt as to where they did stand on this Korean incident, to take one example, but I have never heard any of them raise one question of protest when Secretary Acheson laid down a policy that was militarily unsound in that area.

Mr. JACKSON of California. I am very happy the gentleman brought that up. I was not going to discuss it, but I think it apropos to this discussion.

This House will remember; and the American people will remember, that in June 1949, almost 1 year to the day when the North Koreans attacked across the thirty-eighth parallel, the representatives of the Joint Chiefs of Staff appeared before the House Committee on Foreign Affairs to give, as their professional opinions, the idea that under no circumstances, at any time, should American forces be committed to the Korean Peninsula. Every one of them, representing the Army, the Navy, the Air Corps, came before the committee and said Korea is an isolated, untenable position; that to permit American forces to be committed onto the Korean Peninsula under any circumstances would be folly of the highest order.

Now if that was the considered professional opinion of the Joint Chiefs of Staff in June 1949, what could possibly have occurred in the interim between that time and the attack which made Korea any less isolated, any less untenable, any less militarily dangerous? They further testified that Korea played no part in our national defense; that it was in no way essential or necessary that we hold Korea, yet in spite of that to this time we have suffered one-hundred-thousand-and-odd casualties in Korea.

Mr. CLEVENGER. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. SMITH].

Mr. SMITH of Wisconsin. Mr. Chairman, quite briefly I would like to supplement the statement made by the gentleman from South Carolina [Mr. RIVERS], who properly calls attention to the situation in Korea. I do not know how others have reacted to the news report we had yesterday but I, as an American citizen, was certainly chagrined. I have been embarrassed and insulted by the action of our own Secretary of State, Mr. Acheson, who abjectly apologized, according to a news report, for the action we have taken in bombing Yalu. I want to read into the RECORD a brief news report that appeared in the Washington Star last evening:

APOLOGY BY ACHESON TO BRITISH REPORTED

LONDON.—Informed sources said United States Secretary of State Acheson apologized to about 200 members of the British Parliament today for failure to notify Britain in advance of the American bombing of Yalu River plants in Korea this week.

Imagine this ignominious attitude by the Secretary of State, while our sons are dying in Korea. If anything ought to be clear to us today it is that this idea of collective security is an absolute, futile attempt to avoid war. Collective security is a misnomer. If we, as Americans, do not realize that the situation in Korea is controlled almost entirely by political decisions, then we are not awake to the situation. We know that in the Far East, in Korea and Asia, the national interests of Britain and France are not the same interests that we have, and it does not seem possible that collective security will work where there is a conflict of interest between the big powers. History proves that national interests always prevail as against collective interests of any group. Failure of Britain, France, and the United States to agree on policy in Korea is undermining the United Nations.

Mr. Chairman, I do want to get into the RECORD, in support of the statement made by the gentleman from New York [Mr. TABER] earlier in the day, when he said that so far as our programs in Europe are concerned, that there are too many people from the United States roaming all over Europe trying to do work that is not necessary. I am going to read from a news dispatch from Bonn, Germany, under date of June 19, by Michael L. Hoffman, which appeared in the New York Times on last Friday, June 20. Now, mind you, this is Hoffman speaking, not SMITH:

UNITED STATES IRKING EUROPE BY SWARM OF AIDES—ORGANIZATION FOUND BAD FOR AMERICAN INFLUENCE ON ECONOMIC RECOVERY

(By Michael L. Hoffman)

BONN, GERMANY, June 19.—The United States Government's influence as a promoter of European economic cooperation has suffered a marked decline lately among top-level Western European officials.

With increasing frankness, men in various countries who have been the real driving force in the whole postwar movement for remaking the European economy in a more sensible form are expressing irritation and despair at the manner in which the United States overseas operations are being handled.

There are not many of these men. They are the people seen at nearly every important international meeting, a small but valiant band of architects of the new Europe of which the Organization for European Economic Cooperation, the European coal and steel community, and the European Defense Community are the main symbols and, it is hoped, precursors. They are the people on whose continued enthusiastic cooperation the United States must rely completely for translating the policies to which the United States is committed into terms that will make them workable in Europe.

POLICY ADMINISTRATION SCORED

Unlike their political ministers, these civil servants are worried not so much about the possible overturn of American policy as the result of the coming elections as they are about the way in which the present policies are administered.

I am wondering what Mr. Averell Harriman has to say about this so-called administration defect.

I continue:

If their criticism could be summed up in one word it would be "overorganization."

There are so many American officials dealing at so many levels with European governments on so many different aspects of economic policy that very often one branch of the United States Government does not even know what another is doing in a European capital. Rightly or wrongly, Europeans who have to deal with United States agencies believe that a great deal of this activity is solely a result of the efforts on the part of various Americans to justify what are, on the whole, rather pleasant jobs.

"The amount of interference in our domestic economic affairs has increased in almost direct proportion to the decrease in American aid," one high official of an extremely competently run country said recently. The increasing complication of the laws establishing aid programs and the inclusion of numerous minor and in themselves perfectly laudable conditions for aid recipients has just meant that many more jobs and that many more points at which American officials feel bound to "poke their noses into our affairs," this official, among the greatest friends of United States in Europe, added.

The increasing amount of protocol surrounding American officials is also getting Europeans down. "We don't mind having Ambassador so-and-so visit us," one official recently remarked, "but we do mind his bringing his whole court along."

When 15 or 20 United States officials, including men of ambassadorial rank, generals, and ministers, descend on a small European capital they all have to be entertained often by officials who can barely make ends meet on low European salaries. They all have to be "briefed" and they all have to meet the important people in the local administration—all of whom have plenty of work of their own to do.

IMPEDIMENT TO OBJECTIVES

European officials on whom these burdens fall are convinced that overelaboration of American operations in Europe is both hurting American-European relations and impeding the advance toward commonly held objectives. They believe a drastic simplification of American representation in Europe and the elimination of many aspects of the aid programs involving more or less interference in domestic affairs of European countries are necessary to get cooperation back on the right track.

While there are good economic considerations behind the slogan of "trade instead of aid" that has become the keynote of Western Europe's approach to the United States, a good deal of the phrase's popularity in circles where these attitudes really count is simply a reflection of the feeling that the apparatus constructed by the United States in Europe on the basis of the aid programs must be got rid of at almost any price.

Mr. McGRATH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, if there is anybody in the House who holds no brief for the British Empire, I should be that one. My ancestors escaped from Ireland at the end of British sabers into Virginia over 200 years ago because of the rapacious, evil imperialism of Great Britain. When I stood on this floor and voted for the British loan, my grandfather McCarthy turned over in his grave. There is no doubt about it. But I was in Britain during the war, and I saw the blitz in London and I saw the V-bombs land. They are a brave and courageous people—God save my soul.

Mr. Chairman, the gentleman from Wisconsin laments the appearance of the Secretary of State of the United States of America speaking before the members of the British Parliament. The gentleman from Wisconsin stated absolutely incorrectly the situation. Mr. Acheson did not apologize to anybody for the bombing of the power plants on the Yalu. Mr. Acheson quite properly apologized to a sister nation of the United Nations for having failed to advise that sister nation of what was obviously an important matter of policy beyond mere tactics of air operations. Of that there is no doubt.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. The only other man in the House who is a better Irishman than I am is the gentleman who asks me to yield. Of course, I yield.

Mr. O'HARA. Do you not think we ought to apologize in about the same ratio or on the same basis which the British Empire furnishes their contribution to the Korean war, and that is on a 5-percent basis?

Mr. FLOOD. In direct ratio to that contribution—perhaps the apology should be so worded. But the fact remains that the gentleman from Wisconsin, and my friends on this side of the aisle, are down here one day saying that Mr. Acheson is running the whole show, and then they are down here the next day saying that everybody else is running it but him. But the fact remains that we do not under any circumstances, Mr. Chairman, and we have said so repeatedly, want the Korean operation to be known as a United States action. This is an action of the United Nations. It must be understood to be so, and we want it to be known as such, and for the record in case anybody is laboring under any doubt, especially the gentleman from Wisconsin who knows much better because he has been on the Committee on Foreign Affairs with me when I served on it several years ago—he knows better than that, this is a United Nations action. Such action beyond tactics or strategy dictated by American participants must be after consultation, and failure to consult involves a question of courtesy and becomes a matter of proper explanation. The United States of America is the leading nation in the world today, whether my friends to the left think so or not. There is only one thing for a leader to do. A leader must lead or quit. He must get out—hand in your uniform. We are leading.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. ARMSTRONG. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I had better yield to the gentleman who is well versed on foreign affairs.

Mr. ARMSTRONG. I just want to inform the gentleman, I think I can put it this way, that the reason the British were not told of the prospective proposed bombing of the hydroelectric plants was because our military men knew that they would veto that proposal and they were utterly fed up waiting to bomb that utility, and they finally did it.

Mr. FLOOD. I think there is a great deal to what the gentleman says. He

may be right. If it was done for that reason, then certainly my friend who just made that important contribution has no objection to the Secretary of State, as a great diplomat, going to the British and saying, "I apologize because we did not tell you." You do not object to the apology? It was simply good manners under the circumstances.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McGRATH. Mr. Chairman, I yield the gentleman one additional minute.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Minnesota.

Mr. O'HARA. First, let me say I did not presume there was any need to apologize because I do not presume there were any British planes flying. But I wonder if there were any British stockholders who owned some of these plants or were interested in some of these plants.

Mr. FLOOD. I am sure the gentleman can find out. That has nothing to do with the case, tra la. The gentleman from Minnesota usually makes much more pointed contributions.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Montana.

Mr. MANSFIELD. It is my understanding these plants were built by the Japanese. These were their biggest plants before they were lost to Korea.

Mr. FLOOD. These were all built by the Japanese and run by them from 1939 down to the time they were turned over at the end of occupation. Secretary Acheson apologized for nothing, and if I thought for one moment that he was doing so or running to the British with his hat in his hand I would be the first to blast him. But this business of twisting the tail of the British lion by certain Americans and the barking at Uncle Sam by certain Englishmen must be stopped. It does no one good and can do all a lot of harm. I hold no brief for British lack of cooperation in Korea, but I also know what Britain has been doing in Malaya for 5 years against communism. It was admittedly an administrative mistake in failing to inform the British and all Secretary Acheson did was to say so and rightly so. It was a case of misunderstanding. It is, of course, difficult for the command to keep all allies informed of every action. This incident will lend itself to better liaison.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. McGRATH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. CLEVENGER].

Mr. CLEVENGER. Mr. Chairman, I yield myself an additional 4 minutes on this side.

The CHAIRMAN. The gentleman from Ohio is recognized for 9 minutes.

Mr. CLEVENGER. Mr. Chairman, there is a very important section of this appropriation that has not been touched upon as yet, and it has not been touched upon in the committee with a scalpel to reach down to make some savings.

The point 4 program that begins to spread American interest and interference and personnel into some 36 countries of the world is more than doubled, it is more than trebled, and I think probably quadrupled in this appropriation. One hundred and ninety million dollars, says Mr. Wood, is on the straight point 4 program, technical cooperation. I just want to reiterate something that I said when we had the State Department appropriation bill before us, at a time when we really did a job of rationalizing it to the extent of about 33 percent. Here is the State Department appropriation virtually as big as the House of Representatives left that regular bill when it was in here for consideration.

I made this observation, that "there is nothing so permanent as a temporary Federal job." Kick that around a little bit, because, as a previous speaker stated, once you activate a thing and give it an appropriation it turns up with more lives than the proverbial cat.

I want to give you one little item. We are presently in the program, sending 1,150 technicians into the field. This program contemplates 2,761. That is just five times as many as you have in both Houses of your United States Congress. The average cost for each of these is $14,000 plus per annum. That is more than they pay you. No one can measure the new things these people will turn up with.

There is one thing that ought to be exploded, that communism is based on poverty. It is not so. We have got more Communists in the high-level brackets of income—many of them do not know they are Communists. They will plead guilty to being Socialists, but I never could see much difference in a Marxist, except for the length of the fuse, between a Communist and a Socialist. It seems, too, that we like it when the theory of socialism alone is considered, but when we reach the point where socialism fails to work, which it always does, and we engage in some violence to make it work, then we have got a lot of these people that do not like it at that point. They then call it communism.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. CLEVENGER. Yes, at the risk of never getting this slow mind of mine back on the idea, I yield to my delightful friend from Michigan.

Mr. DONDERO. I just want to make one observation in support of the gentleman's contention: Some of the highest-salaried people in this country have turned Communist. I call the gentleman's attention to Paul Robeson as one.

Mr. CLEVENGER. Hollywood is full of examples, and I might say to the gentleman that the sons and grandsons of some of our very rich men have a way of falling off after this Marxist proposition.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CLEVENGER. I yield.

Mr. RANKIN. The best informed man on communism who testified before the Committee on Un-American Activities said he had never seen a Communist who was not well-fed, well-clothed, and well-financed; the idea that it is poverty that promotes communism is bunk.

Mr. CLEVENGER. I will admit that nearly every normal boy, especially if he falls in love at about 19 with a very clever young lady and he thinks that all his life is centered in winning the affections of this young lady—it is a very appealing doctrine if he can have a nice home, and a car, and the young lady. That part is what makes socialism appealing; and it is a perfectly understandable thing in the adolescent period of nearly every youth of either sex. So many of these people have been born to wealth and so few of them have had the hammering from the other side of the tracks to put a cutting edge on them so they can live in a competitive free economy. They failed to grow up. As they get along in years they get a job in the Government, and sometimes some of them get into the State Department. Many of them are these bleeding hearts, these professional do-gooders, these people who have found a new way of life, a new avocation.

Let me tell you the way it works out in the matter of the taxes paid by the people in my county, an agricultural county in Ohio. This budget submitted to us costs each person in this county $695 a year, $2,420 per family; and I have one county where it is $720 per capita, Wood County, Ohio. This thing gets into the realm of the fantastic, and I say to you seriously we should take this point 4 and cut it back at least to last year and pull in our horns a little bit.

You know they do not have hypertension, high blood pressure—well, they are the same thing, I guess—they do not die of coronary thrombosis in any of these primitive lands, yet we are helping them forward those projects, racing all over the world, stirring up these people who have no tradition of self-government at all; and we are not making Asia happy, and we are not making Indonesia happy by action upsetting the present governments that do more for them than our efforts can.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CLEVENGER. Briefly.

Mr. GROSS. Can the gentleman tell me what is meant by the use of this perfumed phrase "multilateral technical aid"—multilateral?

Mr. CLEVENGER. Yes. Multilateral; that means many-sided, a united effort. Korea gives a pretty good example of it. But let me tell you that in the case of all these things with fancy names we pick up over 60 percent of the check. This House has already taken legislative action stating that we will not contribute more than 33 1/3 percent; nevertheless, here is another program where we are supposed to contribute 60 percent-plus of the money.

I am one of a big family of 14 children; eight of us are still living and rustling around for a living and we have

got along all right, we have enjoyed life all right, but we have not enjoyed some of the things that have been done to this country that means so much to us. I say we should stop making so many commitments that we bleed our own people to the point of weakness, bankruptcy, and despair.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CLEVENGER. I yield.

Mr. GROSS. Is not this the first time in an appropriation bill that we have seen this title "multilateral"?

Mr. CLEVENGER. No; these fancy words have become more or less commonplace. What we all need to do is to get a little pocket dictionary that has a list of all this alphabet soup set-up and governmental gobbledygook, and use it when we hear them speak of GARIOA and FIA and the rest of the jargon that goes with this planned economy for the whole world. I am serious about this. We are rapidly reaching the point where you cannot increase taxation in the United States. If any man who has intelligence will look at the reports of corporations he will see that the earnings are falling off, that the high ones after the Korean police action are earning less, which means a bigger deficit from a public that either does not want to buy bonds that depreciate very rapidly or are unable to pay any more taxes.

I think we should take a serious look at this and cut it back to size. We should not increase the program above the 1952 figure.

Mr. McGRATH. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Chairman, when sponsors outfitted ships to explore the United States a good argument was made to promote the spirit of adventure and of wealth. Mutual-security aid is an adventurous program. If successful, it will mean more security and wealth for the United States and for the people of the world.

Current complaints rippling the 7-year harmony of United Nations allies is a healthy sign. The giant stirs.

Some criticize the United States for its seemingly unilateral idea to destroy the Yalu power projects. Others are concerned with U. N.'s prestige. Can we attribute all this to Gromyko? Was not his move to the London post supposed to cleave the British from NATO? The solid citizens of England, Europe, Asia, Africa, Australia, Canada, and the United States will not be taken in.

I look at overseas complaints at this time against the mutual-security efforts of the United States as an indication of success.

For over 125 years shop foremen of European countries, and of Asiatic for that matter, have been on the ground doing a job in their own way. A newcomer, the United States, has arrived. Others think they can do the job better because they have been at it longer. Question of adjustment, is it not? Pure, simple human relations. America is a Nation of coaches—turns out good teams, stays on the side lines, delights in the excellence of others, especially up-and-comers.

The fact that 100,000 people at Koje threw off Communist allegiance under the most adverse circumstances convinces me that the hearts of the people of the world are still with us. Our fight for mutual security and the liberty of man is a good one. Of course, there are those who jockey for positions in government and on jobs in aid areas who might be self-centered and confused. Too much enlightenment growing in the free areas?

America has grown because it has had faith in the people. I think we should keep this faith abroad.

We have a job to do. We must convince the people of Europe that their efforts can help keep Great Britain, France, and Germany in peace, and the same for the people of Asia. Japan and a free China can live in peace.

Our presence on the world scene has caused some consternation, perhaps. We call our shots as we see them. We dislike double-dealing, tricky moves, playing one off against the other. Our simplicity will win; it is of the people, direct.

I am sure the people of Europe and of Asia realize the reason for our enthusiasm in mutual security. We have been smacked in the jaw by war twice now, in my life; twice in the Atlantic and twice in the Pacific. In the Atlantic, in World War I, and World War II. In the Pacific, at Pearl Harbor and in Korea.

We have qualified for membership in the fight to promote mutual security.

Our hands are extended in friendship to the people of the Atlantic and the Pacific. We are not encased in a shell, like a turtle in the middle of the road, ripe target for squashing by a juggernaut.

Our guard is extended to Europe and to Asia in the factories, fields, and in the homes. The hearts of the people are with us. They are secure in the feeling that, by mutual aid to promote knowledge and health we promote the spirit of adventure and of wealth, like sponsors of ships of old, to explore the United States.

Genuine mutual security aid is an adventurous program. If successful, it means more security and wealth for the United States and for the people of the world.

I ask to list in the RECORD at this point, Mr. Chairman, by unanimous consent several items dealing with:

(a) The Yalu River hydroelectric power project.

(b) The Yalu River power project: The case for and against its destruction, as of December 21, 1950.

(c) British foreign policy in Europe and Asia, 1850–1950. This is a brief outline of British interest in both areas, and points up how England has sought friends in Europe to keep from being overcome on her channel flank (the American flank is secure) and how her policy in Asia has shifted from support of China in 1895 to Japan in 1902, then back to China. I shall develop this later.

A and B below were developed by the Library of Congress:

THE YALU RIVER POWER PROJECT: THE CASE FOR AND AGAINST ITS DESTRUCTION, AS OF DECEMBER 1950

(Prepared for the use of Members of Congress)

BACKGROUND

The installed capacity of the hydroelectric power plants in North Korea has been estimated at about 1,500,000 kilowatts. These plants were established during the period of Japan's occupancy of the country, and were designed to serve not only North and South Korea but also parts of South Manchuria.

It is the hydroelectric project along the Yalu River, sometimes spoken of as the TVA of Asia, which has been mentioned in the press as a possible target for destruction. The installations which make up this project are located partly in Manchuria and partly in North Korea.

When the military conflict in the Far East concerned only the North Korean aggressors and the United Nations forces, little public consideration was given to the Yalu project. In the fall of 1950, however, with the appearance of Chinese volunteers in the opposing lines, there was some speculation that their purpose was to protect this hydroelectric system. But as far as can be determined, Peking has never indicated publicly that such a consideration was a specific reason for its intervention in Korea. Furthermore, President Truman, on November 16, 1950, made clear that we would support a United Nations policy which was designed "to hold the Chinese frontier with Korea inviolate, to protect fully legitimate Korean and Chinese interests in the frontier zone, and to withdraw the United Nations forces from Korea as soon as stability has been restored and a unified, independent, and democratic government is established throughout Korea." By implication this statement would appear to include the protection of the Chinese interests in the Yalu project.

Once it became apparent that not merely volunteers but regular Chinese Communist army units in mass strength were involved in North Korea, the question of the destruction of the Yalu project received considerable public attention. As of this date no action has been taken against these installations.

In considering the pro and con aspects of this question, it is difficult to confine the discussion solely to the Yalu project. The problem is not merely one of whether we shall or shall not destroy the hydroelectric system. In the last analysis it involves the larger question of whether or not the area of combat is to be extended to include Manchuria and other parts of China.

MILITARY ASPECTS OF THE QUESTION

Arguments in favor of the destruction of the Yalu project are concerned largely with the handicap which strict regard for the Chinese-Korean border places on the United Nations military command. General MacArthur, for example, has expressed his consternation over the "privileged sanctuary" which Manchuria affords the Communist forces. He has not requested publicly, however, specific permission to destroy the Yalu project.

It has also been pointed out that failure to destroy the installations tends to create a serious morale problem among the forces who are called upon to do the fighting. Maj. ALFRED SIEMINSKI, a Congressman from New Jersey, reported on his return from Korea that the soldiers there "are saying that a cartel has a stake" in the power project. While the specific charge may have no validity, the fact remains that some men in the field are disturbed by the failure to take action against what appears to them

to be a legitimate target. Moreover, as the major has pointed out, to argue that it is not a military target is difficult to reconcile with our bombing of the nitrate plant in Hungnam (North Korea).[1]

Still another argument in favor of destruction is that such action would shut off power to the Mukden (Manchuria) arsenal. In prewar years this arsenal was an important source of military equipment for the Japanese Kwantung army. While Mukden undoubtedly suffered serious damage during the Russian occupation of 1945–46 and the drawn-out struggle for Manchuria (1946–48), the arsenal probably still retains some productive capacity. There is no reason, this argument contends, why we should not attempt to cut off this supply if it is possible to do so by destroying its source of power.

Those who argue against bombing the Yalu project point out that it would have little, if any, effect on the fighting capacity of the Chinese armies in Korea. The Chinese Communists, it is pointed out, use largely light weapons which are either manufactured in small arsenals scattered throughout China, supplied by the Russians, or captured from opposing forces. If destruction would not interfere appreciably with the supply of the Communists, what other military advantage, it is asked, would be obtained?

Still another argument in opposition to bombing the project is derived from the fact that the United Nations has not sanctioned the carrying of the war beyond the Korean border. If we were to move on our own initiative, therefore, we could not be certain of allied support. Destruction of the plants, moreover, according to this argument, would almost certainly be the beginning of conflict with Communist China of unforetellable consequences. What advantage, it is asked, would be derived from such a struggle? Do we have the resources to spare for even "limited war" with China when there are so many other danger spots in the world struggle with communism perhaps of greater significance to the free nations?

POLITICAL ASPECTS OF THE QUESTION

Political arguments in favor of action against the Yalu project and other targets in Manchuria stress the fact that the United States tried without success to forestall Communist intervention by pledging itself to safeguard China's border interests. What more is there to be gained by further efforts to conciliate or to appease the Chinese Communists? Why talk about avoiding war with China when the Communists have already precipitated war?

If we destroy the Yalu project, it is contended, it will spell out in the only language which the Peiping leaders understand that they cannot expect to launch aggressive actions without suffering the consequences in the form of retaliation. The lesson will not be lost on the Chinese people. It will be clear to them that they must get rid of the Communist rulers who have plunged them into this dangerous situation.

It is, furthermore, the duty of the United Nations, which is responsible in the first instance for the police action in Korea, to accept the logic of the Chinese intervention and now declare Peiping the aggressor. Such a step will clear away any doubts about the legal or political validity of the bombing of the Yalu project. If the United Nations delays any longer in this vital matter, it will lose the respect of the world's peoples and especially of the United States which has made by far the greatest sacrifices on its behalf.

[1] Washington Star, December 21, 1950, p. A-28.

On the other side of the question, a principal reason for opposing the destruction of the Yalu project is to be found in the fact that the United Nations has not yet sanctioned extension of the area of conflict beyond Korea. Supporters of this view contend that we should, at all costs, avoid a unilateral step if only because such action, if it became necessary, should have the widest possible support since it may involve a protracted and formal struggle with Communist China. Opponents also point out that Peking has charged that our invasion of Korea is but a preliminary to an attack on China proper. If, therefore, we destroy the project and are then led by military necessity to extend our operations to Chinese cities and ports, Peking's propaganda claims will obtain considerable validity in the eyes of the Chinese people. This fact, plus our action in regard to Formosa and the deep-rooted antiforeignism of the Chinese will tend to draw the Chinese people closer to the government in Peking than they now are. If there is any possibility of splits within China, therefore, they are less likely to appear under these circumstances to plague the Communist regime.

ECONOMIC ASPECTS OF THE QUESTION

Those who support destruction insist that the rehabilitation and reconstruction of China depends very heavily upon full utilization of the industrial establishment in Manchuria. The main source of power for this establishment will disappear if the Yalu project is crippled. Deprived, thus, of the productive potential of Manchuria, the Chinese Communists will face a serious economic crisis. China will become a nation on relief and if the Soviet Union fails to supply it with this relief, serious internal difficulties may be expected. Either way the free world stands to benefit.

In opposition to this point of view, it is pointed out that China managed to survive the long war with Japan without the use of the Manchurian facilities, much of the time without any considerable external aid. The Chinese are primarily an agricultural people and the Communists draw their strength heavily from the rural areas. Crippling the Yalu power system, even assuming that alternative sources could not be improvised, the argument runs, is not likely to have much effect on the survival power of the Peking regime. Destruction of the Yalu project, moreover, will make the ultimate job of rehabilitating Korea extremely difficult. While it is all very well to speak of the principle involved, the fact remains that the Korean people have suffered most deeply and most directly as a result of the conflict. If the United Nations is to fulfill its responsibilities in Korea, power from the Yalu will be urgently needed when the military campaigns are over.

The Yalu River Hydroelectric Power Project

ORIGIN

After the Japanese obtained full control of Manchuria in 1932, they moved swiftly to increase the power facilities of the region in line with their plans for rapid industrialization. Among the projects which were envisioned was the construction of a system of hydroelectric installations along the Yalu River which forms part of the border between Manchuria and Korea. During the 1940's, the Yalu project and its associated distribution network became a principal source of electricity for Manchuria and Korea.

CONSTRUCTION

Work began in August 1937 on the installation at Sup'ong (Suiho) on the Korean side of the river. The Sup'ong site is located about 75 miles north of the mouth of the Yalu River (at latitude 40°27′ and longitude 124°57′). In 1941, the installation was brought into partial operation with a reported capacity of 445,000 kilowatts with an average volume of water and 640,000 kilowatts with a maximum flow.[1]

The turbines installed in the plant were made by the Dengyosha Prime Mover Works and the generators by the Shibaura Engineering Works. Both were Japanese firms located in Tokyo.

Two other sites along the river were laid out as parts of the Yalu project and some work was done on them. The degree to which they were completed and equipped, however, is not determinable from available sources. An additional four sites along the river were scheduled for development but no evidence has been found to indicate that construction of installations was actually begun.

OWNERSHIP AND MANAGEMENT

Because of the complexities of the economic and financial structure of Imperial Japan, it is extremely difficult to trace precisely which interests owned and managed the Yalu project. At the time the Sup'ong construction was initiated, the Japanese were engaged in an immense expansion and rationalization of the industry of Manchuria and Korea. The financing of this expansion was, for the most part, an intricate blending of effort by governmental bodies and the so-called Zaibatsu, the great oligarchic business houses of Japan.

Available information indicates that the construction and management of the Sup'ong power station was a joint undertaking of the Oryokko (Yalu) Hydroelectric Co. of Korea and the Oryokko (Yalu) Hydroelectric Co. of Manchukuo. Both companies, apparently, were established in 1937 especially for the Yalu development project, the former under the laws of Japan and the latter under the laws of Manchukuo.

The companies each had a capitalization of yen 50,000,000.[2] Initially, at any rate, the Government of Manchukuo owned the entire 500,000 shares of the Yalu Hydroelectric Co. of Manchukuo while the 500,000 shares of the Yalu Hydroelectric Co. of Korea appear to have been divided as follows:

	Shares
The Oriental Development Co. (Toyo Takushoku)	200,000
Chosen Sup'ong (Changjin River Hydroelectric Co.)	200,000
Chosen Electrical Transmission Co.	100,000

By 1942, it seems that the Japan Nitrogen Co. (Nippon Chisso Hiryo) had become the exclusive owner of the Yalu Hydroelectric Co. of Korea. The stock of Japan Nitrogen Co., one of Japan's great business firms, was held by numerous owners. Among the largest were banks, trust companies, and life insurance companies in Japan which, in turn, were largely subsidiaries of various Zaibatsu.

The Japan Nitrogen Co. was in exclusive control of the actual construction of the Sup'ong installation. Previously, it had developed hydroelectric power sites in various other parts of North Korea.

Since the end of the war, the Yalu project has been under the control of Communist authorities in Manchuria and North Korea.

Sources: Manshukoku Gensei (current conditions in Manchuria), 1943. Edwin Pauley. Report on Japanese Assets in Manchuria, 1946. The Manchukuo Year Book, 1942. Report of the Mission on Japanese

[1] Grajdanzev, A. J., Modern Korea, John Day Co., New York, 1944: p. 137. Grajdanzev takes his figures from Seüchi Kojima, Sen-Man-Shi Shinko Keizai, pp. 70–77.

[2] In 1937, the yen was worth about United States $0.35. In 1941, the capitalization of each company was apparently increased by an additional yen 50,000,000.

Combines, 1946. Andrew J. Grajdanzev, Modern Korea, New York, 1944.

NEW CONGRESSMAN SPEAKS—GI's REPORTED TO BELIEVE DAMS PRESERVED BECAUSE OF CARTEL

(By Russell Brines)

TOKYO, December 21.—Military circles here appeared baffled today by comments on the Korean campaign by Maj. ALFRED SIEMINSKI, New Jersey's new Congressman-elect. He dwelt particularly on the fact that Allied planes had not bombed out the Communists' Yalu River power dams on the Korean-Manchurian border and inside North Korea.

The Jersey City Democrat, who was elected to Congress while fighting in Korea, arrived in New York yesterday.

SIEMINSKI told New York reporters that soldiers at the front "are saying that a cartel has a stake" in the Yalu power dams and the Changjin Reservoir district in northeast Korea. A cartel in this sense usually is an international combine or pool of business interests operating an economic development.

A military spokesman said if there is such a cartel in Soviet satellite, North Korea, "I would like to know how the cartel converted its rubles into good American dollars." The Japanese-built power project along the Yalu has been under tight Russian control since 1945.

SIEMINSKI was quoted in New York as saying:

"It seems that the United Nations places more value on cement and concrete than on the blood of those who gave their lives for the cause. They—the GI's—want to know who has a stake in the power dams and the power installations in the reservoir district where the Tenth Corps and marines fought their way out.

"The Japanese, the Chinese, the North Koreans, and the Soviet Union have not destroyed them, and we have not destroyed them. They—the GI's—are saying that a cartel has a stake in those projects. * * *

"If we are out to defeat Communist China, we can do it by taking their source of power today. If we blow up the installations, Communist China cannot exist, and you will have Soviet Russia with a nation on relief."

The military spokesman here contended the power projects were saved from destruction because they were not sufficiently important in the total military situation. He added that the projects provided "a very little amount of electricity for Communist China and a little bit for North Korea."

I thought the interpretations of the military in Tokyo in December 1950, rather interesting in comparison to Pentagon attitudes today.

Mr. GARY. Mr. Chairman, we have no further request for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Contingent expenses of the House

Stationery (revolving fund): For an additional amount for "Stationery (revolving fund)", $132,200, including an additional stationery allowance of $300 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the second session of the Eighty-second Congress, to remain available until expended.

Mr. McGRATH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 4, strike out lines 21 and 22 and insert the following:

"For an additional amount for House Office Buildings: $48,750.

"House Restaurants: For structural and mechanical changes, labor, materials, equipment and all other necessary items to provide for carrying out food service in the New and Old House Office Buildings, to be operated as part of the House of Representatives restaurants, $23,000."

Mr. McGRATH. Mr. Chairman, this is just a perfecting amendment to make the necessary change in the language of the bill and does not change the amount nor the intent. I have conferred with the ranking Republican Member and I understand he has no objection.

Mr. HORAN. There is no objection, Mr. Chairman.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

ARCHITECT OF THE CAPITOL

For an additional amount for "House Office Buildings," including structural and mechanical changes, $71,750.

Mr. TABER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. (After counting) 145 Members are present, a quorum.

The Clerk read as follows:

CHAPTER IV

TREASURY DEPARTMENT

COAST GUARD

Operating expenses

For an additional amount for "Operating expenses," $4,500,000.

Mr. CANFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, with my colleagues on the subcommittee handling the Treasury and Post Office Department funds, I mourn the passing of our subcommittee clerk, Mr. Adelbert Heinmiller.

Bert, as we affectionately knew him on the committee, came to us 2 years ago from his assignment as budget officer for the District of Columbia schools. He was most characterful. He was very able and he loved his work. He felt he was making a real contribution to the cause of better government through the Appropriation Committee processes and he did so chiefly because of his earnest approach and keen powers of analysis.

Bert was born in Minnesota 44 years ago. He was graduated from Coe College and received an M. A. from George Washington University. He took further graduate work at American University in public finance and before joining the District school system he helped organize the Strayer School of Accountancy. He was active in church and Masonic activities and belonged to the Board of Trade and the Washington Rotary Club.

My heart goes out to Bert's courageous and lovable wife and his two young daughters who can be proud of the niche Bert carved for himself in Government.

The Clerk read as follows:

GOVERNMENT CORPORATION

RECONSTRUCTION FINANCE CORPORATION

Administrative expenses

Not to exceed $15,500,000 (to be computed on an accrual basis) of the funds of the Reconstruction Finance Corporation shall be available during the current fiscal year for its administrative expenses, including hire of passenger motor vehicles; and use of the services and facilities of the Federal Reserve banks: *Provided*, That as used herein the term "administrative expenses" shall be construed to include all salaries and wages, services performed on a contract or fee basis, and travel and other expenses, including the purchase of equipment and supplies, of administrative offices: *Provided further*, That the limiting amount heretofore stated for administrative expenses shall be increased by an amount which does not exceed the aggregate cost of salaries, wages, travel, and other expenses of persons employed outside the continental United States; the expenses of services performed on a contract or fee basis in connection with termination of contracts or in the performance of legal services; and all administrative expenses reimbursable from other Government agencies: *Provided further*, That the distribution of administrative expenses to the accounts of the Corporation shall be made in accordance with generally recognized accounting principles and practices.

Mr. BOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOW: On page 6, line 13, strike out "$15,500,000" and insert "$14,500,000."

Mr. BOW. Mr. Chairman, I offer this amendment to the Reconstruction Finance Corporation administrative expenses which would reduce the amount they are authorized to spend by $1,000,000.

The reason for this amendment is the fact that the testimony in the record shows a considerable reduction in the workload of the Reconstruction Finance Corporation, and the reduction in funds made in this bill is not consistent with the reduction in the workload.

I think the officials of the Reconstruction Finance Corporation are to be complimented on coming before the committee and admitting that their workload has been considerably reduced. They asked for some reduction but I do not think they asked for enough.

On page 39 of the hearings Mr. McDonald said that his request for a reduction was initiated in recognition of the smaller volume of new loans which he had previously referred to. I call the committee's attention to page 40 of the hearings. On new commitments in 1951, the actual commitments were $280,000,000. The 1952 estimate is only $67,000,000, a considerable reduction in the workload.

In view of the reduction that has been made in the workload of the Reconstruction Finance Corporation, it will be found on page 73 of the hearings that they have only reduced the size of their administrative staff by 53 employees. It must be recognized that the administrative funds of the Reconstruction Finance Corporation are funds of the Corporation itself. Of course, whether this money is the funds of the Corporation itself or comes out of the Treasury, it is still the money of the American taxpayers.

I believe this amendment should be adopted to further reduce the operating expenses of the Reconstruction Finance Corporation. I am sure they will not be

affected by the $1,000,000 decrease in their appropriation.

Mr. MORAN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mr. MORANO. The gentleman has offered a good amendment, and I shall support it. I think the amendment ought be supported generally by the members of the committee. I compliment the gentleman on the fine statement he has made.

Mr. BOW. I thank the gentleman.

Mr. GARY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, our subcommittee was thoroughly familiar with the decrease in the workload of the Reconstruction Finance Corporation, and took it into consideration in arriving at the amount recommended in the bill. The original request of the RFC was $18,500,000 for administrative expenses. When the new Administrator came in, we postponed our hearings in order to give him an opportunity to familiarize himself with the duties of his office and also with the needs of the department. Subsequently, he came in with a reduced request. He, himself, reduced the request from $18,500,000 to $16,850,000. That was considerably less than was authorized for 1952. Our committee, however, did not allow that amount. We felt that the Corporation could get along with less, and therefore, we recommended $15,500,000. We believe this amount is necessary to properly administer the various activities of the Corporation. I call your attention to the fact that the RFC in addition to its lending activities also has complete charge of the tin program in this country which is an essential program, the synthetic rubber program, and the Abacá fiber program. It is also the agency designated by the Congress to liquidate the various war agencies. One way, in my judgment, to encourage poor administration is to refuse to appropriate sufficient funds to permit good administration. In this item, we are not appropriating $1 from the Treasury. What we are doing is merely limiting the amount that the Corporation can spend from its own receipts for administrative expenses. This is the best estimate that our committee could make of the administrative needs of the Corporation, and I trust it will be the pleasure of this body to sustain our recommmendation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BOW].

The question was taken; and on a division (demanded by Mr. GARY), there were—ayes 72, noes 32.

Mr. GARY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. BOW and Mr. GARY as tellers.

The Committee again divided; and the tellers reported there were—ayes 97, noes 49.

So the amendment was agreed to.

The Clerk read as follows:

Education of the blind

For an additional amount for "Education of the Blind", $60,000.

Mr. D'EWART. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment to appropriate the funds necessary to complete full payment of the Federal obligation to schools in districts affected by Federal activities.

I note that the committee has refused the amounts requested on the grounds that the Federal activities result in an increase in local income, and the committee feels that the school districts should therefore be willing to bear a larger share of the amounts required for education of the children brought to such districts.

This kind of reasoning deals with only one part of the problem with which Public Law 874 is concerned. For example, in my district assistance has been extended under Public Law 874 to the school districts at Nashua and Glasgow, in the vicinity of the Fort Peck Dam project, and at Gardiner near Yellowstone Park. These are instances where the acquisition of land by the Federal Government has severely reduced the tax base of the school district, while at the same time the districts have had to assume the heavy burden of educating children of Federal employees living on these tax-exempt lands. The committee's reasoning, that the school districts should be willing to bear additional expense because of increased income, does not apply in these cases. There is no defense boom here. It is simply a burden that these districts have carried for many years at great cost to the taxpayers. I believe that they are entitled to the full amount of Federal assistance determined by Congress in Public Law 874. This is an obligation of the Federal Government which should be discharged.

The Clerk read as follows:

OFFICE OF EDUCATION

Salaries and expenses

For an additional amount for "Salaries and expenses," $60,000.

Mr. DENTON. Mr. Chairman, I offer an amendment.

The Clerk read as folows:

Amendment offered by Mr. DENTON: Page 8, after line 20, insert: "payment to school districts: For an additional amount fiscal year 1952 for payments to school districts, $11,570,000."

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield for a consent request?

Mr. DENTON. I yield.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, the last five to be reserved to the committee.

Mr. DONDERO. Mr. Chairman, reserving the right to object, there are a number of Members standing. That would mean 2 minutes apiece; that is not long enough.

Mr. FOGARTY. Mr. Chairman, I amend my request and ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 30 minutes, the last five to be reserved to the committee.

Mr. SADLAK. Mr. Chairman, reserving the right to object, does that include or exclude the time of the gentleman from Indiana?

The CHAIRMAN. That is exclusive of the time of the gentleman from Indiana who has already been recognized.

Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. DENTON. Mr. Chairman, this amendment proposes an additional appropriation of $11,570,000 to be paid for the maintenance of schools in the Federal-impact areas.

During the Eightieth Congress the Committee on Education and Labor of the House held very extensive hearings concerning the condition of schools in the so-called Federal-impact areas. They found the conditions such, when the Government established an installation—either an Army camp, airfield, defense plant, or anything of the kind—and thereby took local property off the taxable list, that, because of the Government installation, there was a great influx of people and the school population doubled, trebled, or rose even more than that in certain cases. To relieve that situation, the House Committee on Education and Labor proposed two bills: H. R. 874, which provided that the Federal Government should make a contribution toward the maintenance and operation of those schools in Federal-impact areas; and H. R. 815, which provided for the construction for the additional school buildings. I have another amendment which applies to the construction of school buildings in these Federal-impact areas.

For maintenance and operation of these schools, this Congress has already appropriated $40,000,000. That will pay 76 percent of the amount to which these Federal-impact districts are entitled. It will take this sum of $11,570,000 to pay them the remaining 24 percent to which they are entitled. These schools have been told they were entitled to this money, and they were so entitled under Federal law. They made commitments, they hired their teachers, they had contracted for other expenses. It is very likely that many of of these schools will have to close down, for they will not be able to pay the salaries of their teachers.

After all, while the Government does not have to pay taxes on the property it owns, the Government should be a good citizen. It should accept responsibilities, the same as a good taxpayer. When you own property there are certain obligations of ownership you assume, one of them being the obligation to pay the expenses of local government. The Government should do that. The Government should not renege on its obligation.

In this appropriation bill we have a very large sum of money for foreign aid, the building of air bases, and so forth, in foreign countries, money appropriated under the Mutual Security, or foreign-aid program, and I am in favor of that. But this is a very small sum compared to the amount we are spending for foreign aid. This Federal impact in defense areas arises for exactly the some reasons

as are causing us to spend money in Europe, Asia, and in other places.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. DENTON. I yield to the gentleman from Montana.

Mr. MANSFIELD. I want to compliment the gentleman from Indiana for offering this particular amendment and I want to commend him also for his explanation of it. I believe that the Government has created an obligation which it cannot forego at the present time because, if it does, the very things which the gentleman has been talking about will take place. I am going to support the amendment and the other one which he will offer later.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. DENTON. I yield to the gentleman from Michigan.

Mr. DONDERO. I expect to support the gentleman's amendment. This amendment does not include an amount for distressed school districts which are not in the immediate area of a Federal military installation; is that correct? That is in the eleven and one-half million.

Mr. DENTON. The $80,000,000 is for construction of school buildings that will finish up the program, and the $11,570,000 is for maintenance and operation of the schools.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. DENTON. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to commend the gentleman for offering the amendment and for the fine fight he has made on behalf of these impacted schools. I shall support the gentleman's amendment. As I understand it, this $11,500,000 will bring it up to just 100 percent of the Government's share of the contribution?

Mr. DENTON. That is correct. It will pay what the Government has contracted and agreed to pay.

Mr. ANDREWS. And unless this amendment carries the Government will only contribute 74 percent of the Government's obligation?

Mr. DENTON. Seventy-six percent, and a large number of schools will have to close down because they cannot pay their bills.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. DENTON. I yield to the gentleman from Ohio.

Mr. VORYS. I am supporting the gentleman's amendment. When we talk about a 100-percent Federal contribution, remember, we are not talking about 100 percent of the cost of maintaining the schools. The Federal payment is only a portion of the total school expense, and sometimes only a small portion, figured out on a formula that the Congress worked out. This amendment, as I understand, will provide for carrying out the full present obligation under that formula. I have a school district in my district where they may not be able to continue this fall unless this is provided. This amendment should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Indiana [Mr. DENTON] because in the section of the country I come from we have more than one example of Federal responsibility; for instance, in my own district in the city of Livonia the schools simply cannot continue to operate adequately and properly unless there is some Federal assistance given to them in the construction field. I have had many telegrams—and this is not a new matter—and I have been receiving them for several years because of the impact and growth of the school district on account of military installations and the defense effort nearby. In the city of Livonia, adjacent to Detroit, the people have exhausted all legal limits in their effort to raise money to provide school buildings in which to house their children and to take care of them. The board of education has done everything within its power to solve the problem. They cannot go any further. They must look to us—and when I say "us" I mean the Federal Government—because the Federal Government has created the condition which they cannot meet. For that reason I am supporting the amendment offered by the gentleman from Indiana. No one is going to accuse me of a want of economy on the question of Federal expenditures. I have consistently voted for economy, but here is one case where the people simply cannot meet the conditions that the Federal Government has itself created.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. BUSBEY].

Mr. BUSBEY. Mr. Chairman, the amendment offered by the gentleman from Indiana [Mr. DENTON] was discussed at length in our hearings. The committee, outside of the gentleman from Indiana, was unanimous in eliminating this amount from the appropriation. The gentleman from Indiana, talked about a contract or obligation of the Government. There is no contract or obligation of the Government to supply this amount of money 100 percent for the salaries and maintenance of this program. There is no such contract anywhere. That is the reason we have an appropriations committee in this House. If we did not have an appropriations committee you could appropriate on legislative bills. The subcommittee on appropriations of which I am a member considered this item and its judgment was that it not be allowed in the supplemental appropriation bill. I think the amendment offered by the gentleman from Indiana should be voted down. Members of Congress and merchants plead for these projects in their districts, and after they get them they plead for money, because they are in a federally impacted area, and want appropriations out of the Federal Treasury. I say we have to call a halt to this spending sometime, and this is a good time to do it. If you vote for the appropriation contained in this amendment do not go back into your districts and say you voted for economy.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I support the amendment offered by the gentleman from Indiana [Mr. DENTON], simply because I believe the Federal Government should meet its obligations the same as any citizen or any private industry. The Federal Government has come into many of the school districts of the land and taken over a part of the taxable property, and then, after the Government's defense installations have dumped thousands of additional children into the schools of those areas it has failed or refused to pay a fair share of the cost of operating the schools affected. This measure now before us carries billions of dollars to take care of the very same sort of situations in foreign countries for the benefit of foreign peoples. We have reached a sad state of affairs here in America when we cannot educate our own children, or are unwilling, as a Federal Government, to meet the cost of educating the children the Government moves into these school districts, and yet at the same time our Government is ready and willing to freely spend our money to help educate the children of other lands. So I say, as a matter of simple justice this amendment should be adopted. It is not a waste of money; but it is a real economy to support the public school systems in defense areas, because after all the greatest resource America has is the children of today who will be the leaders of tomorrow.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. WERDEL].

Mr. WERDEL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I hope that the House will see fit to support the good work in this field that has been done by the Committee on Education and Labor. I am advised that not only this $11,500,000 has been approved by the Bureau of the Budget, but also the construction program of $80,000,000. That is to be considered later. In their hearings and in their work, the Committee on Education and Labor has taken the Army and Navy schools in local areas out of politics. They have provided that the local school boards can run their own affairs. Now there are some districts where thousands of citizens have been moved into arid areas, where there is not a sufficient tax base to hire a janitor. The local people are doing everything that they can. This is a program based on a formula that will allow the Army and the Navy to rely on local schools. They thus avoid raising these funds through a military deficiency appropriation 4 or 5 months after the schools start. I believe the Congress should support the Education and Labor Committee, of which I am a member. I think every member of that committee, including the distinguished chairman, the gentleman from North Carolina [Mr. BARDEN], sup-

ports this amendment, and the one to provide construction, which I will offer in a few minutes.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Indiana, and to point out that this is the right step in trying to meet the situation that has developed in the Federal impact areas, not that it particularly applies to my district entirely, but surrounding it we have many Federal installations, such as the General Hospital, Lowry Field, and other Federal agencies, where we have children who must be educated.

It is true that as one of these laws is drawn it discriminates against my district, that is the city and county of Denver, in that they had too much school population at a certain date in order to become eligible to receive some of these funds. However, I believe that this amendment is absolutely necessary, and that we should support this program.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. REGAN].

Mr. REGAN. Mr. Chairman, I rise in support of the amendment. I come from an area where we have tremendous military installations. One school there has had its enrollment increased by more than 3,000 military children. They would benefit through this appropriation to the extent of $34,000, or about $11 per student. I think that is a very small amount that this Government owes to that school to educate the children of military personnel.

I do not agree with my friend from Illinois [Mr. BUSBEY] that we do not have a contract, an obligation. We certainly do have a strong moral obligation to support the schools where these military children are being educated.

I hope this body will give this amendment offered by the gentleman from Indiana unanimous support.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. REGAN. I yield to the gentleman from Illinois.

Mr. PRICE. May I point out that most of these school districts are in rural areas where they would not have the financial assets to build the schools that are needed if it were not for Federal assistance.

Mr. REGAN. The gentleman is entirely correct. This school district has increased its valuation for tax purposes for schools two and one-half times since this deluge of military children moved in there. They have reached their financial limit.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. DEVEREUX].

Mr. DEVEREUX. Mr. Chairman, I rise in support of this amendment, and I should like to give you one case as an example, although I know we should not generalize from the particular. Close to Aberdeen we have taken away much of the taxable land that would have been available to the county for the support of the schools. Then by a shift of population we have caused an increased enrollment in the schools in that area by 42 percent. I suggest that we have an obligation to help support these schools, as this program calls for.

Mr. TOLLEFSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Chairman, I concur in all the arguments which have heretofore been advanced in support of the amendment offered by the gentleman from Indiana [Mr. DENTON] to add $11,500,000 for Federal assistance in taking care of current expenditures of those schools in the Nation which have felt the impact of Federal activities in their districts. Under Public Law 874 Congress has recognized its obligation in this regard and should therefore appropriate the full funds necessary to meet that obligation. These schools are hard put to take care of the burden which has been placed upon them by the Federal activities that have resulted in great increases in their school population. I do not wish to take the time of the Committee in repeating the arguments already made. I only want to urge the Members to support this amendment and to support also the amendment which Mr. DENTON will later offer to add $80,000,000 for Federal assistance in construction of additional school facilities which are desperately needed to house the increased school population.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, we have two laws on the statute books here that take care of this situation. I think the Committee on Appropriations is going a long way out of its way to disregard the law that we have on our statute books. We have had to build a school in my town which cost over a million dollars this year, and we have to build another one which will cost nearly a half million dollars. We had to build these schools to take care of the extra children from the camps that surround us. I want to go on record with the rest of these forward-looking gentlemen who have spoken today and expressed the same opinion that I have on this matter.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. I regret time will not permit me to give the House some information that they ought to have on this matter. I am the author of Public Laws 874 and 815. As soon as those laws went into effect, the several school districts affected by the Federal impact were asked to submit applications for participation in Federal funds. They did file those applications and were advised by the Federal Commissioner of Education that they would be entitled to so much money for the maintenance and operation of their schools, as a result of the Federal impact. They went ahead and you know, if you know anything about local and county school systems, that there is only one time in the year when you can raise money for the school budget, and that is the time fixed by law. On the strength of this entitlement issued by the Federal Commission of Education, these people went ahead and budgeted those funds as a part of the school budget. The year has elapsed now, and the school year will close on the 30th day of this month. They find their budgets overdrawn because all of that Federal money, which they were promised, was not paid to them. They were paid 75 percent instead of the full 100 percent. The purpose of this $11,500,000 is to pay them what the Government promised it would pay them, a full 100 percent on the Government's commitment.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Chairman, the gentleman from Ohio [Mr. BROWN] is absolutely right about it. It is not a local problem. It is a national problem, and because it is a national problem, Congress approved Public Law 874 under which the appropriation is made to take care of the situation. It was my privilege to serve as Chairman of the Committee of the Whole on the day that the bill was presented. I remember how many tributes were paid from the floor of the House on both sides of the aisle to the committee headed by the gentleman from North Carolina [Mr. BARDEN] and the subcommittee headed by the gentleman from West Virginia, for that remarkable piece of legislation. Now we cannot afford to back down on these commitments. We have made our promise, it amounts to that, and we should carry it through under the terms of the bill that we approved 2 years ago.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Arkansas. I yield.

Mr. VORYS. Is it not a fact that this is not a case of Federal aid to education, but the prevention of further Federal damage to education?

Mr. HAYS of Arkansas. That is a very fine way of putting it, and I am indebted to my friend, the gentleman from Ohio for phrasing it that way.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Arkansas. I yield.

Mr. CHELF. I heartily endorse all that the gentleman has said regarding this problem. We have a unique situation down in the Fort Knox section of Kentucky, by reason of the acquisition of additional lands to increase the Government area there, that is the Fort itself. But, the little county units have lost the taxes which were collected from that land. So that there is an additional problem which I thought might be pinpointed here to show the difficulties with which the local governments are confronted.

Mr. HAYS of Arkansas. And that is the result of the Federal operation; is it not?

Mr. CHELF. That is correct.

Mr. HAYS of Arkansas. Mr. Chairman, I was a member of the subcommittee investigating housing conditions on the west coast in 1949. We saw situations in the district of the gentleman from California [Mr. MILLER], for example, where the children have never had a full day of schooling. We cannot afford to neglect them.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, of course the gentleman from Illinois [Mr. BUSBEY] is technically correct. There is no legal obligation, but as the gentleman from Texas [Mr. REGAN] has said, there is the very strongest sort of moral obligation because our schools have depended upon the enactment of these laws and on the faith of them have incurred obligations. It would be a tragedy if the House of Representatives refused to appropriate the money that is necessary. It is a piddling amount. The gentleman from Georgia [Mr. WHEELER], during the consideration of the appropriation bill including items for vocational education, read some astonishing figures. We are actually spending more money on vocational education in foreign countries than we are in America. We simply cannot fail to appropriate this money that these schools need so badly.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. BROWN of Georgia. The gentleman is making a very splendid statement, and I rise for the purpose of urging all Members to vote for this amendment.

Mr. LANHAM. I thank the gentleman.

Please let me make it clear that I am supporting not only this amendment by the gentleman from Indiana [Mr. DENTON] but also the one that is to follow which would implement Public Law 815 by providing funds for helping local communities suffering from Federal impact to build necessary school buildings to accommodate the children.

The Committee on Appropriations may say that the States have not done their share to provide the necessary buildings for the children who come into the area because of Government installations. That certainly is not true of Georgia for the State has just put into effect what is known as the minimum foundation program for education and has levied a sales tax, a large portion of which goes for educational purposes. In addition, the local communities involved have issued bonds up to the 7-percent limit on assessments fixed by the Georgia Constitution. It is my hope that both of these amendments will be adopted by substantial majorities.

Before taking my seat, I want to say a word of praise for the gentleman from West Virginia [Mr. BAILEY] and his subcommittee which includes the gentleman from Indiana [Mr. DENTON] who is offering these amendments and the gentleman from California [Mr. WERDEL] who also favors them. Other members of the committee, I am sure, deserve the same praise for all of them have given their time unselfishly and some of them without any local schools to share in the funds provided by Public Laws 874 and 815.

The gentleman from West Virginia [Mr. CLEVELAND BAILEY] has, in addition, pursued the matter of appropriations through the Budget Bureau and the President to the Appropriations Committees of the House and Senate. And now he joins the gentleman from Indiana [Mr. DENTON] in leading the fight for the amendments which would add to the appropriation bills the sums which the Committee on Appropriations did not see fit to put in the bill. The school people and the children of our country owe the gentleman from West Virginia [Mr. BAILEY] and his subcommittee, as well as the entire Committee on Education and Labor, a debt of gratitude for their splendid, unselfish work.

The CHAIRMAN. The gentleman from Georgia [Mr. DAVIS] is recognized.

Mr. DAVIS of Georgia. Mr. Chairman, I am supporting the Denton amendment. I have no criticism, of course, of the committee in its efforts to economize. I think it is to be commended for that. I am generally 100 percent with any committee in that effort. But I cannot support them in cutting out these funds.

I notice in the committee report that the justification for cutting out this 11½ million dollars is that the committee thinks that State and local governments should make provision for bearing a greater share of these costs, especially under circumstances where an increase in Federal activities results in increased income to the area, as well as an increase in the number of children to be educated. In my home county this reason is not applicable, because that county is largely a county of homes. We have a homestead exemption there. We are faced with the proposition there that it is impossible for us to comply with the suggestion which the committee has made here. Our school authorities have been preparing their plans and are making arrangements, and have made arrangements, relying upon this money, and if it should be cut out they would be at a great disadvantage.

We have built in my home county, using local tax funds, a number of new and modern school buildings, for children of both races. These schools are now overflowing, and that condition is due in considerable measure to the impact of the defense effort in that area. It is only just and fair that the funds provided in the Denton amendments be placed in this bill.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

The gentleman from Connecticut [Mr. SEELY-BROWN] is recognized.

Mr. SEELY-BROWN. Mr. Chairman, I rise in support of the Denton amendment. It is of tremendous importance to me in my district, and particularly to the taxpayers of the towns of Groton and New London, because it will help enable the school boards to pay the current expenses to the extent of the aid to which they are entitled under Public Law 874.

I think all of us recognize that the Federal Government itself must meet its obligations just as it insists that you and I as citizens meet our obligations. I am sure all of us agree that nothing is more important to anyone of us than the proper education of our children.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from Connecticut.

Mr. MORANO. I wish to endorse all the arguments the gentleman is making in favor of this amendment. I want to say the town of Stratford in my district has made application over a year ago for aid in school construction, and although it has been approved it has not been started because funds are not available. The Government has a big airplane installation in Stratford and the taxpayers of Stratford are punished and their children inadequately educated because of the loss of taxation which would normally accrue to the town if the Government property were owned privately. I am of course a strong economy advocate. But this is a Federal obligation incurred under previous law and is directly a part of our national-defense program.

So I support this amendment.

Mr. SEELY-BROWN. I thank the gentleman.

The CHAIRMAN. The gentleman from Ohio [Mr. SCHENCK] is recognized.

Mr. SCHENCK. Mr. Chairman, nothing is more important than the education and development of our children. I spent 7 years from 1941 to 1950 as president of a board of education, so I know something about some of the problems with which schools are faced.

Federal development in many areas has caused a tremendous impact on those areas, and they do need help. Others have shown why they need this help from a financial point of view. It is because the local funds are inadequate, because tax duplicates and legal limits on taxation makes it impossible for the local school boards to finance their entire program when they have been highly impacted by these Federal developments.

So I rise in support of the Denton amendment, both the one for maintenance and operation and the one he said he would offer for constructing buildings.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The CHAIRMAN. The gentleman from Michigan [Mr. WOLCOTT] is recognized.

Mr. WOLCOTT. Mr. Chairman, I rise to support this amendment enthusiastically.

When this legislation was set up there was much discussion as to the need for Federal help in the impacted areas which has not been able to keep pace with the increase in population incident to the defense effort. It was recognized at that time that if it became necessary to spend the billions which we have spent and which we expect to spend building the physical machine with which to fight the war, that it likewise was necessary to recognize the need for education and the part it played in our national defense and to build and

maintain the buildings in which could be educated the operators of those machines.

We have one area in my district in which the population has increased one hundredfold in the last 10 years because of the defense effort. If those children are to be educated it is absolutely necessary that this program go through to its complete fulfillment.

The CHAIRMAN. The gentleman from South Carolina [Mr. RIVERS] is recognized.

Mr. RIVERS. Mr. Chairman, I think this is one coalition that will be generally approved. I am glad to have so many people on my left and on my right at my side; I am glad to help promote this leadership in this instance.

Have you seen a town grow from 10,000 to 70,000 overnight? I have. We are trying to build for you an H-bomb plant in South Carolina in my distinguished friend's district. If you do not help by implementing our constitution in South Carolina, we cannot operate, and if we do not educate our people, we cannot afford you leadership. Give us the schools and we will furnish the brains.

The CHAIRMAN. The gentleman from Florida [Mr. MCMULLEN] is recognized.

Mr. MCMULLEN. Mr. Chairman, I appreciate this opportunity to say a few words in support of the amendments offered by the gentleman from Indiana [Mr. DENTON]. These amendments to the supplemental appropriations bill call for an increased appropriation for the Office of Education.

It strikes me as being only fair, just, and equitable that the Federal Government should contribute a reasonable amount to the schools which are now overcrowded, and are increasingly becoming more overcrowded, by children whose parents are military personnel or are otherwise employed by the Federal Government. In my opinion, this is not a local problem but a national one. Uncle Sam steps in and takes over a piece of property, thereby removing it from the tax rolls, and it is not fair that the increased school enrollment caused by the Government people moving in should be fully and completely borne by the local taxpayers. For instance, in my district, the Hillsborough County school system is very overcrowded by reason of the great number of children from MacDill Field, Tampa. The local school authorities from Tampa have advised me that it will cost the local taxpayers thousands of dollars—over $50,000 as a very minimum, above the funds already available—to carry on the routine costs of teaching these youngsters from MacDill Field alone. This illustrates how important it is that the Federal Government bear a part of the burden brought about by the military operations there.

This cannot be honestly called an aid to Federal education. It is actually a fulfillment of a moral obligation of the Government as set forth in Public Law 847 of the Eighty-first Congress. Rather than a Federal aid to education, it could more properly be termed a measure to prevent Federal damage to education.

I want it thoroughly understood that there is no possible chance of any Federal control of the handling or the expenditures of these funds, insofar as the policies of the schools are concerned. The policies would still be in the hands of the local school authorities.

This same supplemental appropriation bill calls for some $190,000,000 for our point 4 program and some $4,000,000,000 for our foreign aid or Mutual Security Program. It is my opinion that there is nothing more important to the welfare of our defense efforts than the education of our children. I, therefore, heartily endorse the amendment of the gentleman from Indiana and urge its passage.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. MCMULLEN. I yield.

Mr. COLMER. Mr. Chairman, I have asked the gentleman to yield in order that I might make this brief statement. I think everyone here knows my position of this question of unnecessary expenditures. As has been pointed out, however, we have an obligation here not to Europe, not to point 4, not to the far-flung corners of the earth, but we have an obligation to our own school children at home in these impacted areas.

This bill carries approximately $190,000,000 for point 4 for foreign countries. All told, there is in this bill approximately $6,500,000,000 for foreign aid. The money appropriated by the gentleman's amendment is just as much a part of the defense effort as the guns, the planes, and the ships. Let us support this amendment and cut out something else and economize later on in this bill where cuts can be more appropriately made.

The CHAIRMAN. The gentleman from Georgia [Mr. FORRESTER] is recognized.

Mr. FORRESTER. Mr. Chairman, I want to plead with this Committee to pass not only this amendment but also the other amendment to be introduced by the gentleman from Indiana [Mr. DENTON]. The passage of these amendments is absolutely vital to certain counties in my district. You can talk about your business, or your wheat crop, your cotton crop, your corn crop, but the most precious crop you have is your children crop. Down in one county in my district the population increased by 50 percent on account of a military installation and the families who moved in there did so to further the defense effort. Their children make up 50 percent of the pupils of that county and has created a burden that county cannot handle and should not be expected to handle. Georgia has a compulsory school attendance law, and it is obligatory that children attend school. The committee states that counties asking for aid fail to take into consideration the advantages derived from military installations. In some instances the advantages are few. Sometimes the advantages are obtained by larger cities in another county lying just a few miles away, as happens to be the case I am citing. I want to say to the splendid committee that if they do not have the problems I have mentioned, that when they do, they will realize what headaches they are. The county school superintendents and school boards can tell you what they are. The State of Georgia and the county I mentioned are paying over $525,000 this year for education in that county. If these amendments are passed, the Government will be paying only about one-fourth of what the State and county are paying, although children brought in because of the military installation, and who are rightfully the responsibility of the Government, total 50 percent of the school children. You can pass these amendments with assurance that the Government is really getting a big bargain, in fact, the Government is effecting a saving of 50 percent. To fail to pass these amendments will simply mean that in certain counties of my district, the large areas are removed from the tax books because the lands are owned by the Government, that the people living away from the Federal area will have the burden of supporting such schools. Counties in my district have carried this burden as long as they can. These counties look to the fairness of Congress, expecting aid in this problem that they did not invite. I confidently expect Congress to give this aid.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD on the pending amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. DOYLE. Mr. Chairman, I support the amendment of the gentleman from Indiana [Mr. DENTON] that there be added to the school funds the sum of $11,500,000. I am pleased to add my voice to that of the 12 or 15 Members who have already risen and spoken for this increase to this appropriation. I believe it is necessary and timely that this sum be made available as soon as possible. Yes; it could be made later, but the objectives of Public Law 874 will be made more effective, in my judgment, if it is made at this time. Also it now appears that this additional sum is logically necessary to accomplish the desired objectives which this Congress last year approved.

Nor do I criticize the members of the Subcommittee on Appropriations who voiced opposition to this increase, for certainly we expect them to be very conservative and careful and considerate of the amounts they approve and the causes for which they approve appropriation moneys. But, Mr. Chairman, I cannot go along with the argument of the committee members that we have no obligation to add this $11,500,000 because there is no technical contractual relationship between the United States and any of these impacted school districts which will benefit by this additional sum. I was pleased to hear the distinguished gentleman, a member of the Rules Committee, that his support of this additional amount was based on the premise that he believed it to be part

of our national defense. So do I so believe. I was pleased also to hear the gentleman from Michigan state that he enthusiastically supported it. I believe that not only this $11,500,000 additional sum should be today voted by way of amendments to the supplemental appropriation bill, but I am ready to vote for the $80,000,000 for school construction costs in federally impacted areas over the Nation, which I am told by the distinguished gentleman [Mr. DENTON], a member of the Subcommittee on Appropriations handling this bill, will be the subject matter of a second amendment. Having been informed by several of the distinguished school administrators and executives in the great congressional district which I represent that both of these sums are absolutely necessary in certain portions of my congressional district, as well as dozens of other impacted school districts, I therefore know that I am reliably informed; I know these able and patriotic school administrators and executives well enough personally to personally rely upon their representations and give them always full faith and credence. Furthermore, I personally am acquainted with and personally observed many of the results of the impact of Federal installations and programs upon certain of the school districts in my congressional district in my native State. Therefore, I shall be pleased to vote for this amendment and, in a few minutes, when the gentleman's amendment for $80,000,000 comes before us, I shall again actively support that amendment. Both are timely and in the best interests of the destiny of our beloved Nation. For, Mr. Chairman, what our Nation is to be, our children in our schools are beginning.

Mr. FOGARTY. Mr. Chairman, I have the greatest respect and admiration for my colleague on the Subcommittee on Appropriations for the Labor Department and Federal Security Agency, the gentleman from Indiana [Mr. DENTON], I believe he is one of the most conscientious, one of the hardest working Members of Congress; and because of the respect I have for him I find it very difficult to appear in the well of the House this afternoon and oppose an amendment he has offered.

There has been a great deal of talk about the obligation we owe to these various school districts under the legislation we enacted in 1950. There is no legal obligation on the Federal Government to meet 100 percent these entitlements. There has been no way to date that the committee has been able to check on the authenticity of these applications that have been received in the Department of Education. The Department of Education has admitted itself that it has found several discrepancies in the applications received that it is now just beginning to catch up with. The Department has not been able to screen all applications.

Last year we granted them enough money to meet 96 percent of the entitlements and for 1952 we appropriated $40,000,000 which will allow them to meet 76 percent of these entitlements.

I know there are many school districts throughout the country where we have a definite obligation to assist because of Federal activities that have added to the burdens of the schools without any financial gain to the community, but, Mr. Chairman, under section 3 of this bill there are no eligibility requirements that relate to financial need and we are asked to appropriate, under section 3, about $41,000,000 of the $51,000,000 that they claim is necessary to meet 100 percent of entitlements. As an example, in the area around the city of Washington—in Alexandria, Arlington, Prince Georges, Montgomery, and these various other counties surrounding Washington, where they are reducing their taxes in this fiscal year—we are asked to appropriate in the neighborhood of $1,000,000 to help maintain and operate the schools. At the same time they are reducing their taxes. That is the absolute fact. Regardless of whether or not there is financial need in such school districts we are giving them the money. As I said before, I know that there are many districts where there is a financial need and where it is an obligation of the Federal Government. Those districts should be helped. But you take a navy yard or an old army depot that has been in existence in some city for 25 or 30 years, that district is eligible under the act to receive their portion of these Federal grants even though they may have gotten along with no great difficulty or Federal assistance for years.

I have heard expressed before on the floor of the House that we do not want Federal aid to medical education, that we would get some kind of Federal control over the schools. I have heard it argued in this House that we should never give any grants to medical schools to assist in their cost of operation and maintenance. They say, "Do not give any grants at all, because once you take a grant there will be control." But, we do not hear anything today about the danger of controls over education following these grants.

Under the Lanham Act, during the last war, from 1941 to 1946, all we appropriated for the maintenance and operation of these schools in federally impacted areas was about $43,000,000; that was all. Up to date we have appropriated about $100,000,000 since the passage of this act in September 1950, for this same thing.

I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. DENTON].

The question was taken; and on a division (demanded by Mr. FORD) there were—ayes 147, noes 40.

So the amendment was agreed to.

Mr. DENTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DENTON: On page 6, after line 20, insert:

"School construction: For an additional amount for school construction, $80,000,000, to remain available until expended."

Mr. FOGARTY. Mr. Chairman, if the gentleman will yield, this is practically along the same line as the other amendment we just adopted. I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

Mr. BARDEN. Mr. Chairman, reserving the right to object, this amendment involves considerably more money. There is approximately $80,000,000 involved in this amendment. I sincerely hope the House will take a little bit more than 20 minutes to discuss it. It might take me almost that long to explain why I am in favor of larger expenditures for this program.

Mr. BAILEY. I object, Mr. Chairman.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

Mr. BAILEY. I object, Mr. Chairman.

Mr. FOGARTY. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 30 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. DENTON].

Mr. DENTON. Mr. Chairman, this is the other half of the same program, and comes under Public Law 815 of the Eighty-first Congress. It deals with the construction of school buildings in Federal-impact areas. We have already appropriated $135,000,000 for this construction program, and the $80,000,000, which my amendment adds to this appropriation, will clean up the program. All of the applications for construction grants must be in by the 30th of this month. They can make an estimate, and they have agreed that this will be the end of this construction program under Public Law 815.

When the House Education and Labor Committee made their investigation, they found situations all over the country which I think were very much like one which existed in my district. In my district, the Government came in and built a powder plant and a bag-loading plant. That took 40 percent of the taxable property off the taxable list, because the Government owned it. When the Government is through with their present work they will have spent $240,000,000 on that project. Here is 40 percent of the property taken off the taxable list, and a $240,000,000 installation set-up there which cannot be taxed. One part of the installation is operated by du Pont, and the other by Goodyear, on a cost-plus-fixed-fee contract.

These installations are just like any other factories. If they were privately owned, you could see exactly what taxable property we would have. But say they had property valued at $100,000,000 for taxation, and we are limited to 2 percent in Indiana on bonded indebtedness. Most of the States are. Most of these school buildings have to be built through issuing bonds. You can see how easy the problem would be. We could build schools costing as much as $2,000,000.

As it is, however, they cannot raise any money to build schools. To make matters worse, the school population of that community has almost quadrupled. There are almost four times as many children there now as there were before Federal impact. The schools are absolutely inadequate. There was no way they could build more schools. So the children had to go to school in an administration building in the powder plant.

In this particular case, the school building has been authorized and is being constructed now. So as far as I am concerned, my community is taken care of. However, we have a good many communities that have not been taken care of.

This situation came about for this reason: You remember that in the last session of Congress we passed a bill which provided for schools and other facilities in defense areas. The President, for a reason that does not affect the question, vetoed the bill. That meant that many Federal-impact areas were created that were not in existence when basic legislation was passed, around Paducah, Savannah River, Texarkana, and places like that. These were critical situations. The money that was to have gone to build many schools in previously existing impact areas was allocated to these particular new areas. As a result, the Government made commitments and told these people—these are the smaller areas that are left now—that they could go ahead and construct their school buildings. Some of them have gone so far as to issue bonds. They have bought land. They are all ready to build the schools, and they are waiting for the Government to pay its share of the money.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. DENTON. I yield to the gentleman from Illinois.

Mr. BUSBEY. I believe I understood the gentleman to say this $80,000,000 should complete the program.

Mr. DENTON. That is right.

Mr. BUSBEY. I call the attention of the gentleman to the testimony of Mr. Lillywhite on pages 235 and 236 of the hearings. That does not coincide with what he told us.

Mr. DENTON. You notice further that the gentleman from West Virginia [Mr. BAILEY] had an agreement with the Budget Bureau, and Mr. Stephens had an agreement with them that, under Public Law 815, this was the end of the program. I think that is right, is it not?

The Budget Bureau has approved this. This is the same problem as we had before, under Public Law 874. This is an obligation of the Federal Government. You say it is not a legal obligation? Why, certainly, the Federal Government ought to be a good citizen. When you own property, there is a certain responsibility in connection with such ownership. You have to take care of the roads; you have to support the schools; you have to pay for fire and police protection. While the Government may not be legally obligated to do it, it certainly is morally obligated to do it in the impact areas.

I want to see my Government a fair government. That is all we are doing in this program. We are being a fair government. As I said before, this will close up the school construction program under Public Law 815. These people have obligated themselves in accordance with the assurances we have given to them. Compared to the amount of money we are spending for other programs, this expenditure is infinitesimal. This problem arises from exactly the same conditions which have caused all the other expenditures under the defense program, and I certainly hope that the House will support this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BARDEN].

(By unanimous consent (and at their request), the time allotted to Mr. LANHAM, Mr. SCHENCK, Mr. LUCAS, and Mr. TOLLEFSON was given to Mr. BARDEN.)

Mr. BARDEN. Mr. Chairman, I thank the gentlemen so such, but I do not want to impose myself too long on the Members of the House.

This legislation was handled by the Committee on Education and Labor. It was a well-thought-out bill. The bill provides for the construction of school buildings. The formula is a very carefully prepared formula, and it has operated well all over the country.

Now, Mr. Chairman, we need not discuss too much, I think, the actual responsibility of the Federal Government. Let us think a little too of the emergencies that exist and of the school construction that is absolutely necessary. There would have been considerably more money for use in other sections of this country had it not been for the construction of the Savannah River project which took a great amount of the money for needed school buildings that could have been used in this program for other areas. This amount of money, $80,000,000, will close up the program. That is the general concession made by all. I say to this House in all sincerity, being familiar with the manner in which the department has handled this program, and the care they have exercised in selecting the eligible areas that I think they have done a good job. And I would remind the House that I am hard to please when it comes to administrators. I want to say this too, Mr. Chairman, normally I think I am a fairly conservative fellow, or at least I am generally accepted as such. But I certainly would not care to be so conservative that I could not recognize a real existing need and an emergency in this situation.

Mr. VELDE. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Illinois.

Mr. VELDE. I am sure the gentleman is as much interested as I am in seeing that no further Federal control be instigated in this case. I know that a great many Members on this side are very much interested in preventing any further control going from the States to the Federal Government. I wonder if the gentleman can assure that the minimum of control of the educational policies is present in this particular bill.

Mr. BARDEN. If there is any man in America who is thoroughly conscious of the possibility of that at all times, I believe I can qualify. There is absolutely not one particle of opportunity for any Federal control, interference, or direction of policy. This is for the actual building of school buildings for the children to go to school in, and the money is turned over to the local authorities and they build the buildings. We safeguarded that in every possible way.

I went to the Savannah River project, and I had a delegation of fine women come to me and then I went out and looked at the situation. They were in real distress. Those kids had nothing to say about where they were carried or where they should live, but there they were with no school buildings and something had to be done. We are more or less inclined to think that some way will be provided but faith alone will not build them school buildings. I say to you in all sincerity there are some Federal impact or defense areas where these buildings are needed that local taxes cannot be provided. There is no need to stand here and abuse a community for doing its best. We have had considerable expansion of Federal Government ownership of property that normally would be taxable property. I think we should pass a law and let the Federal Government, when it moves into a community and takes a certain amount of property from the tax books, pay its proportionate part of the tax as any other citizen in that county or State should pay. Once we do that we will do away with the necessity of coming in here trying to work out a so-called piecemeal program.

On this list of buildings for which construction is needed at this time are applications from various communities and various States where parhaps there is only a small percentage difference between the community that receives funds for the school building and the community that does not receive funds for a school building. That list of unfortunate applications is approved, accepted, they are worthy, and they are qualified under the law this House passed almost unanimously. I may say that not one single complaint has been offered about the operation of this law. It is a safeguarded program, but when you have these applications and on one side you say, "Well, you would get this money if there were two more children," and to another, "Yes, you get your money application A because you have in school two more children than applicant B," that is a very arbitrary way to say who is worthy and who is unworthy. But there had to be some way of saying who should get help. This money will help the rest of the qualified applicants.

I sincerely hope this House will add the $80,000,000 provided for in the amendment. It is needed and it is for our own American folks.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BARDEN] has expired.

The gentleman from West Virginia [Mr. BAILEY] is recognized.

Mr. BAILEY. Mr. Chairman, supplementing what the gentleman from North

Carolina [Mr. BARDEN] has just said, may I say to you that this $80,000,000 will involve 274 districts that the Federal Commissioner of Education had no funds to distribute to them because the money was diverted and used in the construction of building facilities at places like Aiken, Paducah, and Texarkana. This is to make good the promise of the Government. When these people were told they were to have this money they went ahead and voted bonds, made special levies, and they are ready to start the school projects, and there is no Federal money available.

Let me say to you I have a list of the names of the school districts. There are 7 in Alabama, 9 in Arizona, 18 in California, 3 in Colorado, 7 in Georgia, 5 in Idaho, 10 in Indiana, 5 in Iowa, 5 in Kansas, 6 in Kentucky, 6 in Maine, 3 in Massachusetts, 4 in Maryland, 9 in Michigan, 7 in Minnesota, 7 in Missouri, 3 in Nebraska, 2 in Nevada, 2 in New Hampshire, 6 in New Jersey, 1 in Connecticut, 4 in North Carolina, 3 in North Dakota, 16 in Ohio, 4 in Oklahoma, 8 in Oregon, 4 in Pennsylvania, 3 in South Carolina, and 8 in Tennessee.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. BAILEY. I am sorry I do not have an opportunity to tell you where these districts are, but they are Nationwide.

The CHAIRMAN. The gentleman from Michigan [Mr. DONDERO] is recognized.

Mr. DONDERO. Mr. Chairman, what I said in regard to the previous amendment offered by the gentleman from Indiana [Mr. DENTON] a little while ago, and which was adopted by an overwhelming vote by this committee, applies as well to this amendment. I rise now simply to indicate to what extent the board of education of one school district in my congressional district has gone to provide facilities or schoolrooms for the children. They obtained prefabricated wooden barracks once used for soldiers, and are now housing some of their children in those buildings. They moved them a long distance, repaired them, patched them up, and are making them do in order to provide schoolrooms for these children in the Livonia district in the metropolitan area of Detroit.

The impact of the Federal Government in that area because of the defense program is the reason why that district and the people of that district, now Livonia City, have exhausted all legal and financial means in an effort to provide school facilities for their children.

This amendment should be adopted. I am in favor of it.

The CHAIRMAN. The gentleman from Illinois [Mr. BUSBEY] is recognized.

Mr. BUSBEY. Mr. Chairman, if you will turn to page 236 of the hearings you will find that this $80,000,000 does not conclude this program, because the man in charge of administering it testified:

> In the requirements under the other sections of the act there will be roughly $198,000,000 still standing on the books.

There are about 1,600 construction projects.

The pending amendment was brought into the committee on 2 hours' notice; it was cleared by the budget only late the night before. There was no time for anyone to give proper consideration to this appropriation. We can very well consider voting down this amendment because in January a new Congress comes in and it will have plenty of time to consider the appropriation as it should be considered.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. BUSBEY. I have not time to yield.

One thing more: This discriminates about as badly as any law we have on the books; for instance, in my district in the city of Chicago I have a 100 percent Federally impacted area, yet we cannot qualify for a nickel under this law.

I have listened with a great deal of interest to the emotional appeals made here today for the educaion of our children. I agree 100 percent that everything possible should be done to see that the children in the United States are properly educated. But I wish to call attention to the fact that our subcommittee has already recommended and the House approved $135,000,000 for this program for the fiscal year 1953, and no harm will be done if this $80,000,000 is held in abeyance until some future date.

These Federally impacted areas are the result of our defense program and the moneys for the program should be appropriated in the defense budget. To give one illustration of how impractical the program is operated under the present law, we only have to look around us at such nearby communities as Arlington and Alexandria, Va. At the present time they are actually reducing their taxes, but still these two communities, with other surrounding communities, would be entitled to receive approximately $1,000,000 of this appropriation. All the large cities of the United States, such as Chicago, New York, Philadelphia, Detroit and many others, cannot participate to the extent of 1 penny, notwithstanding the fact that they have also had an impact in certain sections of their cities due to the defense program.

Even during World War II when we passed the Lanham Act to help build schools in Federally impacted areas we only appropriated $50,000,000 from 1941 to 1946. This program, if continued under the present formula will cost the taxpayers many hundreds of millions of dollars. As a matter of fact, if this amendment stays in the supplemental appropriation bill there will be a total amount of $215,000,000 and that will not start to take care of the entitlements that the various communities think they are qualified to receive.

We had testimony before our committee that the applications are coming in so fast that they do not even have a chance to check them. The practical thing to do is to hold any consideration of this additional $80,000,000 in the amendment offered by the gentleman from Indiana [Mr. DENTON] in abeyance until after January 3. The men responsible for administering this school construction program should have a chance to ascertain just exactly what the requirements are, how much it will cost, and then report back to the Subcommittee on Appropriations for Labor and Federal Security after the first of the year.

In conclusion, I wish to assure the Members that the school construction program will not be hindered one iota by not allowing this additional $80,000,000. I sincerely trust the amendment will be defeated.

The CHAIRMAN. The gentleman from California [Mr. DOYLE] is recognized.

Mr. DOYLE. Mr. Chairman, just a minute ago you heard the distinguished gentleman from West Virginia [Mr. BAILEY], who last year with his special subcommittee has already done such valiant work in the field of study and action in the matter of what the Federal Government's responsibility is as relates to the school children in these impacted areas all over our great Nation, read a list of States of the United States which had these affected areas and the number of such areas in each of said States. Therefore, you heard him read from the list that my native State of California had 18 such Federal active areas in it. But, Mr. Chairman, the distinguished Representative from West Virginia in making that reference to the 18 such areas was using a broader breakdown or classification for I am reliably informed that at this particular time there are 190 such impacted school districts in my native State of California. It is clear, therefore, that the 18 areas which he referred to are much more extensive geographically than just the local school districts which I specify. Therefore, both of us are right numerically.

This, as I recall it, is at least twice as many as any other State in the Union. Another pertinent fact showing the extent to which California has so rapidly increased population-wise in this last decade is the fact that January 1953 the State of California will be represented by seven additional Members of this House of Representatives. This, of course, on account of the increase in population according to the last census. This congressional membership increase also, I believe, is twice as many additional Representatives in Congress as any other State. I mention these two items of material evidence as to the population growth in connection with my vigorous support of the gentleman's amendment to add $80,000,000 for school construction in these impacted areas during the next year because one of the logical reasons for this great increase of population and influx into the State of California from other States is the fact of there having been constructed in my State so many national defense installations; or, for the reason that so many great industrial plants and factories there have now of necessity turned their total production to the necessity of defending our national security and defense against aggressive communism.

And many of these 18 impacted areas referred to by the gentleman from West Virginia are in Los Angeles County, a vital portion of which county I have the honor to represent in this great legislative body. Also, my particular congressional district has several of these concerned school districts. As it is always true and timely that we keep up our obligations to help protect the peace of the world by being strong enough to help preserve the peace against threatened communistic or military aggression or dictatorships, so it is always timely and no less important that we never neglect our own home domestic front and our school districts in this Nation by neglecting to assume an honorable and prompt discharge of any Federal obligation which exists toward providing for adequate school buildings and facilities. If we neglect the education of our children for a generation our national existence will surely be jeopardized and our destiny made uncertain. An unschooled, illiterate childhood resulting from no school facilities or inadequate school facilities places that child in line for becoming an adult liability. I do not have to point up to you, my distinguished colleagues in this House of Representatives, any further my viewpoint as to the value and place of importance of children of school age in shaping the destiny of our Nation. I assume I have your 100-percent concurrence with my statements on this premise.

This $80,000,000 will enable the school districts throughout the Nation to complete the school building construction upon which they embarked in whole or in part because they were led to believe that the Federal Government would continue cooperatively with each of these school districts which had already received some funds under Public Law 815 until their building projects were completed.

Yes, I agree that there is no technical legal obligation or contract on the part of Uncle Sam to vote and distribute this additional $80,000,000 at this time. But, Mr. Chairman, there is the moral obligation which is as clear cut as the finest diamond in existence. They expended their moneys to date in full faith and confidence that when the time came we of Congress would vote the necessary moneys to make their initial building program complete. Therefore no less than complete compliance on the basis of good faith and confidence should be tolerated. Nor, in stating this conclusion do I criticize our splended Subcommittee on Appropriations. They have made it clear that their thought was that this money could be added at a later date but in the matter of school facilities and construction in my native State, Mr. Chairman, time is of the essence. Thousands of school children are in part-time sessions. Therefore, there is no time like the present to begin more fully to provide absolutely necessary school buildings for the children of our Nation. The States and school districts are doing their share. We of this great Congress ought to provide the share of the United States Government to the same essential objective.

Before I became a Member of this legislative body, I had the benefit and enjoyment of serving as a member of the Board of Education of the State of California and if I had not already been a strong believer-supporter of the schools of my State, and an appreciative recipient of public school educational advantages, my term of service on the State board, at which time I personally gained much information and knowledge of such matters, I came to the conclusion that any time and opportunity when I could emphasize the worthwhileness and essentiality of education for children, I would do so. I cannot now recall any proposed amendment to any bill on the floor of this House during my three terms already served in this Congress which received such a spontaneous, sincere, and emphatic support from the membership on the floor. I am glad it is so—it should be so. And the fact that dozens of Members are arising to this emergency and urging that this $80,000,000 be now made available is invigorating and should have concrete evidence to the people of America that the United States Congress not only believes in the children of America but believes emphatically that the children of America be well schooled and while they are obtaining their schooling that they be housed well in adequate school buildings and with adequate school facilities. For these reasons and others which I do not have time to here relate, I urge you, my colleagues, to vote this amendment to strengthen the hands of Public Law 815.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Indiana [Mr. DENTON].

I am pleased the House saw fit to approve the previous amendment offered by the gentleman from Indiana which provides $11,500,000 for maintenance and operations of schools affected by Federal impact and I am hopeful it will again exercise good judgment and support this amendment to provide $80,000,000 for Federal assistance in construction.

Congress, I feel, is under a moral obligation to fulfill its contract with school districts in these Federal impact areas. Unless we provide the funds in this bill, districts which have been compelled to expand school facilities far beyond normal needs to take care of children channeled into their systems because of Federal operations in their areas, will be under a severe handicap.

I have had first-hand knowledge and experience regarding Federal impact on local school systems. Four or five districts in Madison and St. Clair Counties in Illinois have been forced to construct new buildings and to expand facilities to take care of a great influx of children because of defense programs. The districts affected normally would not have their present heavy load which creates financial problems they cannot solve without Federal assistance.

All these districts have cooperated with the Office of Education in working out programs to take care of the Federal impact and they have done so with the understanding the Federal Government would bear its share of the burden. We should make certain here today that the Government fulfills its agreements.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. Mr. Chairman, I am heartily in accord with the purposes of the amendment that has been offered by the gentleman from Indiana [Mr. DENTON]. I hope it passes. It is a very worthy amendment. Western Pennsylvania needs additional money to educate its children.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I was pleased to vote for the preceding amendment by the gentleman from Indiana [Mr. DENTON], for, of course, a smaller amount, which had reference to maintenance and operation of these crowded schools. This amendment by the same gentleman is far more vital than the other and also larger in amount.

As the gentleman from West Virginia [Mr. BAILEY] said, there are nine schools to which this legislation applies in the State of Arizona, one of them in my home town. I know about them personally because I am acquainted with the situation. To illustrate, when I came to the Congress one of these school districts was out in the country. You could look out from the front door of the administration building and see nothing but three or four farm houses. Today that same area is a solid city with a great war production manufacturing plant within about two blocks of the school itself, mostly of Federal housing. So I know what I am talking about, both as to the crowded condition of the schools and of the restricted tax base.

In my State of Arizona there is a bond debt limit for school districts. The school districts cannot go beyond that limit. These districts have taxed themselves to the limit, they have issued the limit in bonds; therefore we must have this additional help if we are going to meet our obligations to those children and the Government's obligation to those districts.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, the passage of this amendment providing funds for the building of school houses means the elimination of double sessions in the schools in many districts of the United States. Those of you who are familiar with this vicious practice appreciate that it is not a good one.

May I point out that the projects submitted under the law are very carefully screened. There are no monumental buildings involved. The buildings authorized are functional in type and they are kept to a minimum cost. The cost of construction of many of the buildings projected by the schools has gone up since this law went into effect.

The whole situation has been dislocated on account of increased costs. While I hope the program may be concluded with the appropriation of this sum of money, I point out that the problem is a continuing one and it depends on what we do here in Congress and what the Federal Government in its defense effort does in the location of establishments necessary to the defense effort as to whether or not it can be concluded.

Mr. HAYS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Arkansas.

Mr. HAYS of Arkansas. I referred to California in my question on the amendment offered by the gentleman from Indiana a moment ago. I would like to confirm what the gentleman has said about the situation in California because as a member of the subcommittee investigating conditions there I found this situation to be true.

Mr. MILLER of California. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. Chairman, the two or three words I have to say will not be said with any hope or much desire of defeating this amendment, but simply in defense of the Committee on Appropriations, in order that this RECORD, which shows laudable efforts of many Members to take care of their districts and communities, will also show the position of our committee. Not all but most of the communities having these problems went out and sought the military installations and the defense plants that are there located. Those plants brought into most of those communities large payrolls, money that goes to the butcher, the baker, the candlestick maker. Most of the States in which these installations are located have little or no debt, while the Federal Government is wallowing in it. These facts should be borne in mind. Even though the testimony before the Committee on Education and Labor had great appeal and that committee acted sincerely, it is still the duty of the Committee on Appropriations to examine this program and provide the money with caution.

Many of these communities which are fortunate in having defense plants want to have their cake and eat it, too. They believe the Federal Treasury is inexhaustible. They may kill the goose that lays the golden egg.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. WHEELER.]

Mr. WHEELER. Mr. Chairman, there is just one suggestion that I might make to some of my friends who have these educational problems in these federally impacted areas, and that is that they get the State Department to declare their area foreign territory and then they will not have any trouble; there will be no question raised as to receiving Federal funds.

In support of that suggestion, I might remind you that during last year, for the financing of just one little facet of the educational picture, vocational education, your Government and mine spent $30,000,000 importing students to this country to teach them vocational education.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from West Virginia.

Mr. BAILEY. I appreciate the gentleman from Georgia yielding to me. I want to correct a wrong impression that was given by the gentleman from Illinois, a member of the Committee on Appropriations. The 30th day of this month, next Monday, will be the last day that anybody can make any request for assistance under Public Law 815. No further appropriations can be made unless they are made here today under Public Law 815.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, I do not know about how well or how poorly this is administered, and I certainly do not want to defend the tardiness of the budget request. But I know about this problem as it applies to my district, and if the problem is as acute elsewhere, the Federal Government is not doing its duty. It is not a question of Federal aid to education; it is a question of preventing further Federal injury to education. There are two of these Federal impact school districts in my congressional district. For instance, you have all heard about Lustron. That expensive and tragic experiment, I regret to say, took place in my district in a factory that had been making aircraft. When Lustron died, unwept and unsung, the Navy took title to the factory and put North American Aircraft in there to make airplanes for the national defense. The employees poured in and the children poured into Jefferson local school district. Taking that plant off the tax duplicate cut off about 40 percent of the tax resources of that district. Only a few years ago this school district built a new school, bonding itself almost to the limit under Ohio laws. Children from nearby Federal installations promptly filled up the school, but even under these two laws nothing was allowed to help pay for the bonds, even though the Government would have had to provide construction money if the school had not been built by the local district. Now, that new school is full and overflowing and the district cannot issue bonds within the statutory limit for the necessary additional construction. It is not merely unfair; it is impossible for this district to carry the load forced on it by the Federal Government's defense build-up. Our Government must be just before it is generous and these districts ask not generosity but justice. This amendment should be adopted.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Chairman, I rise in support of the amendment appropriating funds to assist in the construction of school buildings and in carrying on the school programs in defense-impacted areas. I think the people of each community and State should do everything they can to take care of their school problems and expenditures. This legislation is for assistance in areas where the Government has placed defense installations. The responsibility for the additional expense is created because of the unusual number of people brought to these areas for so-called war work. So, taking care of and educating the extra number of families is more than the taxpayers of the community can handle. It therefore becomes necessary to call upon the Federal Government to render assistance in a situation where the Government is at least partly responsible. I think such funds should be used only after it is clearly shown that an unusual situation exists because of defense operations, and where it is shown the local communities have done all they should to provide their share of the funds.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. BAKER].

Mr. BAKER. Mr. Chairman, I rise in support of this amendment. I call to the attention of the Committee the fact that the district I represent is probably affected more than any district in the United States due to Oak Ridge. About half the workers of Oak Ridge live in Oak Ridge and their children go to school there. The other half live in such nearby towns as Knoxville, Harriman, Lenoir City, Browdertown, Kingston, Loudon, Clinton, Lake City, and Rockwood. Some 35,000 or 40,000 workers from all over the world live there. The conditions in the schools in those adjoining towns are desperate. The children go to school in cloak rooms, gymnasiums, and in the halls. Sanitary conditions are bad. Danger of fire is inherent at all times. There has been one fire in the Harriman School that I think was directly due to the overcrowded conditions caused by the influx of these defense workers.

Replying to the gentleman from New Hampshire as to Oak Ridge, nobody asked for Oak Ridge to come to Tennessee. The first anybody knew about it, a large number of condemnation suits had been filed. I urge the adoption of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, these people came up before the committee on the 17th of June on a request for a deficiency item. They had previously been allowed $135,000,000 in the regular labor-Federal security appropriation bill. At that time the committee expected that that would be the story. All of us expected that. If we go ahead and allow a terrific lot of money in this case, $80,000,000 on top of $135,000,000 makes $215,000,000. That is a terrific lot of money.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, I rise in opposition to the amendment and hope it will not prevail.

Mr. Chairman, I now yield to the gentleman from New York [Mr. TABER].

Mr. TABER. It would seem to me we were going far enough when we provided $135,000,000, that has not become available to them and which has not yet been allocated. I know they say they can allocate it in a minute, but we know they cannot allocate it in a minute if they do a good, honest job.

I think this thing ought to rest just where it is, with the $135,000,000 which is not in dispute and which has not been used and which will not be used, until after the conference on that bill is completed. It is not in disagreement. But it seems to me we have gone far enough with it at this time, and we ought to stop.

Mr. H. CARL ANDERSEN. Does not the gentleman agree that this could well stay over until January?

Mr. TABER. It would be better to have them do a good job, allocating what money they have to allocate, than to have them make a mess out of it.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I find myself in the same position again in opposing the amendment offered by my good friend, the gentleman from Indiana [Mr. DENTON]. Some members who have spoken on this amendment this afternoon would try to make you believe we want to kill the program. That is not the fact at all. As the gentleman from New York has just pointed out, since there is no disagreement between the House and the Senate, we have in effect already appropriated $135,000,000 for this program for the next fiscal year. That money has not been allocated as yet. Technically, it has not been appropriated. When we were hearing testimony on this bill, back in February, they said then that they were before the Bureau of the Budget for an additional supplemental appropriation at the same time they were coming to us for the regular appropriation. The Budget Bureau refused that supplemental appropriation of $215,000,000. It was not until the 16th of June, the day before we held these hearings which was on the 17th, that the Bureau of the Budget all at once and without much preparation O. K.'d this justification for $80,000,000. On June 17 we held this hearing. The budget officer said:

> We have some information, Mr. Chairman, and part of the original estimates that were estimated originally. This came so suddenly we didn't get the regularly prepared justification, but he will discuss it.

And Mr. Lillywhite said:

> The first thing I knew about this, Mr. Chairman was a telephone call last night that this might be up today.

Now there you have it. A telephone call the night before asking for an appropriation of $80,000,000, and then these people from the Office of Education appeared before our committee on that afternoon with no preparation at all. That is all admitted, and then they ask us as a committee to O. K. this appropriation. We are not against the program, we believe in the program and have already appropriated $135,000,000 because we think it is a good program, but at least we want to have these departments justify such expenditures when they appear before us. They did not justify them. Now you are telling the House today that this has been justified. They were not justified before the committee, and that is why the committee could not go along with this request.

Mr. SCHENCK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Chairman, I rise in support of the Denton amendment to provide $80,000,000 for the construction of very badly needed school buildings.

It is an accepted fact that the birth rate in the United States has continued at an increased rate since the beginning of World War II. The impact of these new children plus the shifting of population as the result of military installations and defnse production has caused tremendous need for school rooms. Children certainly deserve a proper seat in a school room and I am sure none of us are willing to run our schools on a double shift basis in order to accommodate these children.

An examination of the amount of tax duplicates in various areas indicates a wide variance in the amount of taxable property behind each student. Also many school districts are already levying the maximum legal amount of taxes and have no other place from which to secure this necessary fund because other sources of tax funds are not open to them.

Therefore, Mr. Chairman, it is only right and proper that Federal funds should be spent for necessary school buildings. It seems to me, Mr. Chairman, that if we can afford huge sums of money in building all sorts of installations in foreign countries we can certainly afford to spend money for our own children here in this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. DENTON].

The question was taken; and on a division (demanded by Mr. DENTON) there were—ayes 115, noes 74.

Mr. H. CARL ANDERSEN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. DENTON and Mr. H. CARL ANDERSEN as tellers.

The Committee again divided; and the tellers reported there were—ayes 109, noes 62.

So the amendment was agreed to.

Mr. JUDD. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to speak out of order for 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Chairman, I am happy to announce that the United States Senate has just voted to override the President's veto of the immigration bill even as we voted to override it yesterday. The vote in the Senate was 57 to 26.

The removal of racial bars from our immigration and naturalization laws represents for many people in this House, including myself, 10 long years of hard work. When I first came here, I said that if I could help get this injustice removed, it would be worth my giving up my profession to enter political life. For without this act there will not be peace in Asia. It is worth divisions to our side and destroys the strongest propaganda weapon the Communists had against us.

We recognize that the bill does not remove all the inequities in existing law, but it does remove a great many; the President's veto, if sustained, would continue them all—as ill-liberal a course as I can imagine. I congratulate particularly the two gentlemen from Pennsylvania [Mr. WALTER and Mr. GRAHAM] for the long, meticulous study they have given to this legislation, and their leadership in carrying it through to this successful conclusion.

Mr. BAILEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to advise my colleagues of the House that the Committee on Education and Labor has under consideration a very important piece of legislation to provide for greater safety in the mines.

I want to advise my colleagues that we had another explosion in a mine in West Virginia last night that killed four miners and injured a fifth miner so badly he is not expected to live.

I just want to call the attention of the House to the necessity for action on this legislation before we adjourn.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. PRICE. Could the gentleman give us some idea when this legislation might be considered on the House floor?

Mr. BAILEY. It will be acted on before the day is over.

The Clerk read as follows:

NATIONAL PARK SERVICE

Construction

For an additional amount for "Construction," $525,000, to remain available until expended: *Provided*, That restrictions contained within the Interior Department Appropriation Act, 1952, limiting the amounts which may be expended from appropriations to the National Park Service for personal services, are hereby waived to the extent necessary to meet the costs of fire suppression and of emergency reconstruction or replacement of facilities damaged or destroyed by fire, flood, storm, or other unavoidable causes.

Mr. RANKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 10, line 15, after the word "construction", strike out "$525,000" and insert "$5,525,000"; and on line 16, before the semicolon insert the following: "$5,000,000 of which shall be used for the construction of the Natchez Trace Parkway, as authorized by law."

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. RANKIN. Mr. Chairman, I wonder if the other Members of the House are as much disturbed as I am over the possibility of an atomic war. In my opinion we are facing a most serious condition.

This Natchez Trace project means more, from that standpoint, than any other highway in America. It extends from Nashville, Tenn., to Natchez, Miss., where the road crosses the river and goes on to New Orleans.

Nashville is about half-way between our atomic bomb plant at Oak Ridge and the one we now have at Paducah, Ky. Nashville is connected with both those plants by splendid highways.

Let us see what this Natchez Trace would mean: It would mean a straight paved highway along the route Andrew Jackson marched in 1814 on his way to New Orleans to win the final battle of the War of 1812. All road crossings are eliminated. Cross roads are carried either under or above the Natchez Trace. This means that in case of military necessity everything can be excluded from this highway except military traffic, without in any way interfering with the traffic in the area through which it passes.

It is the most important highway from that standpoint in the United States. It is the only one that will furnish an exclusive route from our two atomic bomb plants all the way to the Gulf.

In case we do not have a war, it would be the finest passenger highway for north and south traffic to be found anywhere in the United States, since all bus and truck traffic is excluded. It would be confined to passenger traffic and would save the lives of many of those 37,000 people who are killed in automobile accidents every year.

This project is already under way. It is 449 miles long. A large portion of it has already been constructed. The right-of-way for the rest of it has either been acquired or can be acquired at any time. That is supplied by the States through which it passes.

The longer we drag this project out the more it will cost. It is economy to speed up this construction as much as possible and get it completed as early as we can. In addition to the economy of speeding up this construction, as I said, it is the outstanding highway of America from the standpoint of national defense.

I sincerely trust that the Members will support my amendment and help us to speed up its construction, and not let it drag out, thereby multiplying the cost, during a time when we never know when we will need it and need it badly.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. NORRELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Mississippi [Mr. RANKIN].

Mr. Chairman, the responsibility falls upon me to say something regarding this amendment since the Interior section of the bill has been reached and this amendment has to do with that section. I am the ranking member present of the Interior subcommittee on appropriations.

Mr. Chairman, I agree with my good friend from Mississippi that this is a great memorial highway. I have been interested in it for years. One year I succeeded in getting the subcommittee to allow in excess of the Budget estimate for this highway.

But there is no construction money for roads in this bill. There is no money in the bill for road construction in any of our national parks. If you add this $5,000,000 you will single out this one project and give it preferred treatment. While I would like to see it get larger appropriations, I do not think this is the way to legislate. I favor the construction of this parkway. The gentleman knows that the Subcommittee on Appropriations has always allowed the full budget estimates. On at least one occasion we allowed in excess of the budget estimate.

I hope the Committee will not adopt the amendment. Then I can tell the gentleman from Mississippi [Mr. RANKIN] that he will certainly have a friend in court if he will bring the matter to our subcommittee next year.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. NORRELL. I yield to the gentleman from Mississippi.

Mr. RANKIN. You are appropriating over $6,000,000,000 in this bill to send to foreign countries or $2,000,000 for every country. It is far more important that we appropriate funds to defend our own country than it is to build power dams, highways and flood control projects all over the world at the expense of the American taxpayers. This project is necessary from a military standpoint.

Mr. NORRELL. I agree with the gentleman that this is a good highway to spend money on, but I do not want to ask for any money for my State or for my section that is not also equally shared in the other areas of the country. Although I am sympathetic to this highway I do not feel that this is the way to do it.

Mr. RANKIN. When you speak about sections of the country, if we get into an atomic war, every section of America will be interested in having a highway ingress and egress to and from these atomic bomb plants.

Mr. NORRELL. May I say about atomic warfare that it is bad, I will go along with that, but that has nothing to do with the pending amendment before us.

Mr. RANKIN. Yes; it does.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. RANKIN].

The amendment was rejected.

The Clerk read as follows:

ATOMIC ENERGY COMMISSION

Operating expenses: For an additional amount for "Operating expenses," including the hire of passenger motor vehicles, $35,000,000, of which $30,000,000 shall be available only for the weapons program: *Provided*, That appropriations granted to the Commission under this head for the fiscal year 1953 shall be available in amounts not to exceed $25,064,275 for expenses of program direction and administration personnel, and not to exceed $2,709,350 for expenses of travel.

Plant and equipment: For an additional amount for "Plant and equipment," including the purchase (not to exceed an additional 100) and hire of passenger motor vehicles, $1,450,000,000: *Provided*, That in connection with the expansion of facilities provided in this appropriation, the Commission is authorized without regard to section 3679 of the Revised Statutes to enter into new contracts or modify existing contracts to provide for electric utility services for periods not exceeding 25 years, and such contracts shall be subject to termination by the Commission upon payment of cancellation costs provided in the contracts, and any appropriation presently or hereafter made available to the Commission shall be available for the payment of such cancellation costs: *Provided further*, That no part of the foregoing appropriation shall be available for the construction of any building, utility, or other specific portion of a project, unless funds are available for the completion of such building, utility, or other specific portion of such project.

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 13, line 5, after the word "cost", strike out the words "provided in the contracts" and insert the words "of not to exceed $57,000,000."

Mr. YATES. Mr. Chairman, this amendment is designed to correct what to my mind is a rather improvident provision in the bill, a provision which in effect gives a blank check to the Atomic Energy Commission to incur cancellation costs without limit in connection with its purchase of power under its proposed expansion program. Under its program, the Commission contemplates deriving power from three sources: The Tennessee Valley Authority at Oak Ridge; a private power group known as the E. E. I. at Paducah, Ky.; and another group of private-power interests which is now being organized to supply power to a new site in the Ohio Valley, which as of the present time has not been selected.

The Commission is now in the process of negotiating such contracts, and in view of the fact that the Commission will be the sole user of the power to be developed, those supplying the power demand assurance that in the event the contracts are terminated by the Commission, they will be protected against financial loss. The testimony given to our subcommittee shows that the maximum cancellation cost to TVA will be approximately $28,000,000 plus, and the maximum cost to the E. E. I. group will

be in the same amount. This is the $57,000,000 provided by my amendment.

The Commission also requested an additional $220,000,000 to be used either for construction of a generating plant in the event it could come to no agreement with the private group negotiating to furnish power to the new site, or in the alternative to be used for cancellation costs in the event it does reach such an agreement. The private group proposes to invest some $400,000,000 to furnish power to the Commission. It seemed to me at the time of the hearings, as it does today, that an allowance of $220,000,000 for possible cancellation costs on such an investment is unreasonable. I do not think that the Commission made a case justifying the appropriation of this sum for cancellation costs, because the terms of the deal are not yet known, its new site has not yet been selected, and the potential market in the area has not yet been determined. The amount of the estimate is in my opinion excessive, and yet the language of the bill would permit payment of an indefinite amount of cancellation costs, without limitation of any kind. It could be the $220,000,000 maximum requested by the Commission, or for all we know, under the powers granted by this section of the bill, the entire amount of $400,000,000 could be allocated toward cancellation costs, a procedure which would certainly be unwarranted and unjustifiable.

It is not my intention in anywise to retard the expansion program. I know how urgently it is needed, and I favor its progress at top speed, but the fact that we favor the expeditious completion of the atomic program does not mean that we must throw reason to the winds and provide unending funds for the purpose without exercising in measure, at least, some business judgment. The amendment I have offered will not hurt the new program, and it will give us a chance to follow the costs. It should be adopted.

Mr. THOMAS. Mr. Chairman, if the gentleman will yield, we have considered the amendment and the committee will accept it if there is no objection.

Mr. PHILLIPS. Mr. Chairman, if the gentleman will yield further, having consulted with my colleagues, there is no objection to the amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. DURHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DURHAM: On page 13, line 8, after "cost", strike out "*Provided further*, That no part of the foregoing appropriation shall be available for the construction of any building, utility, or other specific portion of a project, unless funds are available for the completion of such building, utility, or other specific portion of such project."

Mr. DURHAM. Mr. Chairman, I do not like to take the floor of the House here and oppose a great committee like that on appropriations, but this morning the Joint Committee on Atomic Energy, of which I am acting chairman at the present time, met and passed unanimously a resolution that we oppose the proviso on page 13, beginning on line 8, and that is the reason I have offered an amendment to strike this proviso from the bill before the House. The joint committee, which has made a very intensive study of this program over the past 9 months, is fully aware of all the difficulties that we face. Some of these projects are entirely new. None have ever been built before and the time required for building them would be 4 or 5 years, so it becomes very difficult for the Commission to determine the exact end cost which this proviso requires. The over-all request by the President was $3,200,000,000 and this measure before us carries less than one-half that amount. This is not so serious, in my opinion, if we could immediately start the whole program at one time. The committee is informed by people, I believe, who know the facts, that it will delay the completion of the over-all program. In this I am in agreement. That is why I am asking the House to take out this proviso. I know the gentleman from Texas, who is head of this subcommittee [Mr. THOMAS], and I are in agreement on some things that the Commission should do. I have personally introduced legislation over the past 4 or 5 years that would require the Commission to secure authorization from the joint committee, and I believe this is what the gentleman from Texas [Mr. THOMAS] and other members of the Appropriations Committee would like.

It is true that many of the projects in the present program are duplications of what we have already built, and there is little reason why plans could not be prepared and estimates given that are fairly accurate, but the hydrogen program, we all realize, is entirely new, and there are many other things that are new and have never been built before.

I know that no member of the Appropriations Committee, or other Members of the House, desires in any way to delay the project which, in my opinion, is the most important in our defense program. I know the gentleman from New York [Mr. TABER], whom I have high regard for, is just as patriotic as I or any other Member of the House.

Mr. TABER. If the gentleman will yield, how will this possibly interfere with any legitimate operation of the Atomic Energy Commission? That is what I should like to have the gentleman discuss.

Mr. DURHAM. The fact is you cannot start this over-all program under this proviso, as I have stated before. The cut in appropriations is not so serious, but this proviso will delay the projects, and it would simply put the Commission in the position of not starting all of the program because no one can determine final cost on facilities never built before, and much of this program is new for hydrogen facilities.

Mr. TABER. I am afraid the gentleman has not read it.

Mr. DURHAM. I have tried to analyze it and the committee has also tried to analyze it as best we could in the short period of time, and we have come to the conclusion, as I have stated before, that it will delay the program. I trust the House will adopt my amendment.

Mr. Chairman, as acting chairman of the Joint Committee on Atomic Energy I feel it is my duty to place before the House, to the best of my ability, the facts concerning the atomic plant expansion program.

This program has its roots in studies and discussion that commenced more than a year ago. During the spring of 1951 it became apparent to members of the joint committee, the Military Liaison Committee to the Atomic Energy Commission, Commission personnel, and high officers of the Military Establishment, that we should consider the advisability of stepping up our national atomic effort.

On June 7, 1951, the joint committee wrote to the Commission and to the Defense Department requesting an estimate as to the cost of increasing, by various degrees and amounts, existing and planned atomic production capacity. About 3 months later, on August 31, the Commission furnished cost estimates covering each of the various degrees of expansion.

With this report in mind, on September 18, the joint committee chairman introduced in the Senate, and I introduced in the House, a concurrent resolution resolving that "the United States must go all-out in atomic development and production." In our resolution the chairman and I pointed out that "the cost of military firepower based upon atomic bombs is hundreds of times cheaper, dollar for dollar, than conventional explosives." We pointed out that the Nation's defense plans, as of that time, still assigned only 3 cents in the military dollar to these weapons. The resolution proposed in effect, an atomic army, an atomic navy and an atomic air force.

Later in September of last year the joint committee heard extensive and detailed testimony from the Secretary of Defense, each of the Service Secretaries, and each of the Joint Chiefs of Staff. Without exception these gentlemen declared, in strong terms, that they need many more atomic weapons for the defense of the United States. Most of this testimony was so secret that it did not lend itself to security censorship followed by publication. However, in one case—that of Secretary of the Navy Kimball—the testimony was capable of being published after security censorship, and according to the published version Mr. Kimball said this:

> We think the atomic bomb family is and will remain our most potent weapon. • • • Generally I would think that of all of the services, we have needs for atomic bombs the same way as the Air Force have, and we have need for atomic bombs the same way as the Army has, but plus that we have some additional needs that neither of them have, so we cover all of the fields that they cover plus some additional fields.

An official joint committee statement, following the meeting with Secretary of the Army Pace on September 25, says this:

> The witnesses commented upon Army programs designed to make tactical use of fissionable material, especially from the viewpoint of military effectiveness and methods of delivery. The Army attaches high significance to its work looking toward atomic

energy exploitation on the field of battle in case of war.

Secretary Pace made plain that future Army tactical requirements for atomic materials will be very substantial in quantity and all fissionable material should be produced as soon as practicable.

An official joint committee statement, following the meeting with Secretary of the Air Force Finletter on September 26, says this:

Secretary Finletter expressed in strong terms his belief that it would be highly desirable in the best interests of the security of the United States that a major expansion of the atomic project be undertaken at once.

An official joint committee statement, following the meeting with Secretary of Defense Lovett and the Joint Chiefs of Staff on October 1, says this:

Mr. Lovett and the Joint Chiefs vigorously recommended a major expansion program.

It was while we were taking this testimony from the Defense Department that President Truman announced the second and third atomic bomb test explosions within the Soviet Union.

On October 17, 1951, the joint committee unanimously adopted a resolution calling upon the Atomic Energy Commission and the Department of Defense to submit to us a "definite and concrete report on maximizing the role which atomic energy can and should play in the defense of the United States." This report was to be submitted to the joint committee by January 3 of the present year.

On October 19, 1951, the Joint Chiefs of Staff established a formal atomic production requirement that foreshadowed the program which we are now considering in this House. In other words, what the Congress has been asked to appropriate through the supplemental budget request for atomic energy is an implementation of what the Joint Chiefs of Staff laid down as a military requirement in October of last year. I cite the date—it was October 19, 1951—because more than 8 months have now elapsed.

Also on October 19 I addressed the House and stated my reasons "why I have supported and why I shall continue to support an all-out atomic program." I said that "we can have as much uranium as we want, within limits, provided that we are willing to pay the cost," and I added that "I have done my best to help dispel the illusion that supplies of uranium are a rigid and fixed quantity." I also quoted an official statement by Mr. Gordon Dean, the Atomic Energy Commission Chairman, in which he said:

Every dollar of the American taxpayer's money that you spend on the atomic energy program, up to the tune of approximately $5,000,000,000 additional in capital plant and equipment, with an allowance for approximately $700,000,000 a year for operating that plant and equipment, over and above our present program, would be dollars very well spent.

On January 21, 1952, the Defense Department and the Atomic Energy Commission made available the report requested through the unanimous resolution of the joint committee. This report strongly recommends a plant expansion on the scale which the House of Representatives is currently considering. The next day we were advised that the Atomic Energy Subcommittee of the National Security Council had unanimously approved and that the President himself had approved this expansion program and further that money to pay for it would very soon be requested of the Congress.

On January 23 the joint committee met with the Military Liaison Committee to the Atomic Energy Commission. On February 6 we met with the Secretary of Defense and the Joint Chiefs of Staff. With all these gentlemen and with the Atomic Energy Commissioners, the joint committee thoroughly reviewed and weighed the report we had received and the expansion program vigorously recommended in it. I think I speak for every committee member, Democrat and Republican alike, in saying that we all approved the substance of what was proposed, at least as a minimum.

Following this, Mr. Chairman, 5 months elapsed and nothing happened. Two and three times a week and sometimes every day or even twice a day, we made inquiries as to when the supplemental budget request would be sent up to the Congress. Almost invariably the reply was that the budget request would be received next week. But it did not actually arrive until May 29.

I mention these facts because the joint Atomic Energy Commission-Defense Department report prepared at the committee's request states on page 5 the following:

Schedules are based on an assumption of congressional authorization of expansion as of July 1, 1952. Earlier authorization to permit programing of requirements with mobilization agencies and placing of orders with suppliers would permit an acceleration of schedules.

On page 20, the report states:

Each month of earlier authorization before July 1, 1952, would save more than a month in the construction completion date, since suppliers of equipment for the presently authorized program could maintain current production lines in operation.

This official and momentous report, in other words, stresses that months count and that, in the interest of national security, the Congress should act speedily to approve the funds to be requested. Despite this emphasis upon the need for speed, 5 months were permitted to elapse before the appropriation request in question was actually transmitted.

I feel that the record should show that the delay up through May 29 of the present year is attributable to the absence of an appropriation request and that up and until May 29 the Congress has had no opportunity to act. There are documents in the joint committee files which show that, after 3 months had elapsed, the committee protested against the delay and asked that the appropriation request be submitted "in the immediate future."

The supplemental budget request, when it arrived, asked for the Commission's use not quite $3,200,000,000. Of this sum, about $2,900,000,000 is for the plant expansion program, and the money is to be spent over a period of about 5 years. Approximately $970,000,000 will be requested at a later date to expand plant, so that the total expansion cost to the Commission will be something under $4,000,000,000 and the average annual cost will be something on the order of $800,000,000. Outlays next fiscal year for this program will be about $600,000,000. The supplemental budget now before us also asks about $267,000,000 in other current requests apart from the expansion program.

There are several points that I would like to clarify for the record and for the consideration of this House. First of all, I have been flatly assured by the Atomic Energy Commission, in no uncertain terms, that we will indeed have the raw materials necessary to operate all the new plants.

Second, in general, the new program calls for expanding Hanford and expanding Oak Ridge—the two major installations started since the war. The program also calls for one major new site, as well as the necessary supporting facilities—some of which will also be located at new sites.

Third, I want to make clear that this is not an all-out program. It calls for doing about 50 percent of what our experts believe we are capable of doing—and the new plants are to go forward at perhaps 70 percent of the speed with which comparable plants were constructed during the Second World War.

The fact that we are undertaking this program, rather than a larger or smaller program, is strictly the responsibility of the military. It is they who have said, in written recommendations going back as far as October 19 of last year, that they need and must have what is now proposed. I desire to state most emphatically that, in my view, the fact that the military do not ask for all the Atomic Energy Commission is capable of giving them is their solemn decision, one for which they will, of course, be held accountable by the American people and by the judgment of history. It is now the equally solemn duty of the Congress to do its part in carrying out this decision for the defense of our country.

Although I regret the 5 months which elapsed between January and May 29, when the supplemental appropriation request was received, and although I regret that the Congress as a whole has not yet had even 1 month to consider this program, I also point out that the time consumed by the executive branch reflected an attempt to cut to a minimum the costs involved. In January the Commission believed that the expansion program would cost on the order of five billion or more. The Commission now believes that the cost will be less than four billion. In other words, through exhaustive study and planning, more than a billion dollars has been pared. The appropriation, I am convinced, cannot safely be cut further.

I therefore strongly urge the House to approve the money request as it was transmitted—and to approve it before we leave for the political conventions. The fact that the executive branch has been late in sending up the supplemental is all the more reason why the Congress should not delay this program further.

As is clear from the quotations in the official report which I read to you, it is

exceedingly important that the money be available by July 1, the start of fiscal 1953. Let it not be said that Congress dragged its feet in building the irreducible minimum of atomic preparedness. This program is the very least the Nation can do. Let us therefore do our part quickly.

Mr. PHILLIPS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from North Carolina.

Mr. Chairman this is not a new provision. It has been in bills before and I hope it will be in bills in the future. Otherwise we have that situation which has been apparent in the past, in which an agency of Government, having been refused the amount of money it wanted, went right ahead and started a project upon some scale beyond the desires of Congress.

This wording was very carefully prepared. If the gentleman will read it carefully, he will see that it says that no part of the appropriation shall be available for the construction of any building, or any utility, or any specific portion of a project, unless funds are available for the completion of such building, or any utility, or any specific portion of the project. That was worded very carefully to meet the situation the gentleman from North Carolina fears.

It is desirable that the Atomic Energy Commission, like any agency of Government, come to the committee of the Congress charged with the responsibility for the spending of money and indicate as accurately as it can the amount of money needed. It can do that in almost every type of construction, administration buildings, cafeterias, roads, on down the line. It has the money, therefore, when it starts, to complete them.

When it comes to larger objectives, it has built similar plants in the past. The Atomic Energy Commission does not know the specific cost, and at times it does not have the plans fully prepared, but it knows approximately what it costs. This subcommittee on which I serve has never been hesitant in giving money for any construction work for which the Atomic Energy Commission can give us any reasonable evidence of the need for that money.

The gentleman from Tennessee [Mr. GORE], was quoted in the paper the other day on this same subject, as having said that the Atomic Energy Commission had a record of over-estimating its needs by 106 percent.

It is little by little getting a more accurate knowledge of what it needs and I think the gentleman from North Carolina need have no concern, if that is left in, that it will handicap the development of the entire project in which he is interested, and concerning which we also know the details. However, it must be left in if you are to prevent, as you should prevent, the general start of projects in this agency, and I hope in other agencies when we have not yet approved the construction and the appropriation of the money.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. PRICE. I will say that we on the Atomic Energy Committee have been concerned, and I think this Congress should give the green light to this program.

Mr. PHILLIPS. I said you were concerned about it.

Mr. PRICE. I think we should give the green light to the Atomic Energy program. The recommendations of the President were more or less the results of the efforts of our committee to force an expansion of this very important program.

Mr. PHILLIPS. We recognize that.

Mr. PRICE. I think this is the most important program in our defense effort. The President made his recommendations to Congress, I think, more or less as a result of the pressure put on him by our congressional committee, and we are deeply concerned because of the language in this bill, and we fear that instead of giving the green light, it is putting the red light in their way.

Mr. PHILLIPS. We think we have given them the green light.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. YATES. Certainly there is no intention on the part of any member of our subcommittee to put any barrier in the way of the Atomic Energy Commission's program of expansion.

Mr. PHILLIPS. That is correct.

Mr. YATES. What we tried to do was to provide sufficient funds to permit them to go forward with the construction of their expanded program on a reasonable basis without a limitation which would hamper them unduly.

Mr. PHILLIPS. I think it would help us if either of the gentlemen who are discussing this and who are on the joint committee would explain how this could prevent the Commission or handicap the Commission in getting the work going.

Mr. PRICE. I would say very simply that it would prevent the start of new work.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent that all debate on this chapter dealing with the Atomic Energy Commission close in 10 minutes, with the last 5 minutes to be reserved for the chairman of the subcommittee.

Mr. HINSHAW. Mr. Chairman, this is a very important subject, and I would not object otherwise. But this is terrific, and I must object to such a short length of time.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent that all debate on this chapter dealing with the Atomic Energy Commission close in 20 minutes, the last 5 minutes to be reserved to the subcommittee chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. HINSHAW] is recognized.

Mr. HINSHAW. Mr. Chairman, if the Members will take the bill at page 13 and read this proviso with me they will see exactly what the difficulty is:

Provided further, That no part of the foregoing appropriation—

That is the current one—

shall be available for the construction of any building, utility, or other specific portion of a project unless funds are available for the completion of such building, utility, or other specific portion of such project.

I hope the committee will give very careful attention to this, because a great deal of their future may depend upon it.

The Joint Committee on Atomic Energy has initiated through its own processes a material expansion of the productive facilities of the Atomic Energy Commission in certain areas which we would enjoy very much discussing with you were this not such a public meeting. If this appropriation were for the entire amount that is required to complete this expansion program then of course the proviso would be perfectly O. K. But by this language AEC is limited to starting parts of the project that will cost a total of $1,450,000,000 when that is only a part of the total program. If the AEC is to complete this program on time to meet the military needs of our country they must start the entire project almost simultaneously. They do not expect to expend the entire cost in 1 year. It will be over a period of years, but it must be started practically simultaneously, and this limitation will prevent them from starting but a fraction of the program.

I do not believe that the Appropriations Committee realizes what it is doing by this proviso. It will certainly stymie the production program which has been very carefully worked out for increasing the production of fissionable material, a thing which is vitally important to this country and the free world in the race in which we are engaged, as you know.

We hope that the committee itself will see fit to permit the deletion of this language without its going to a vote. I assure you it is vitally important. I say that as a member of the joint committee which has been engaged on this program for some time. We were shocked to find the language as it is in the bill, quite frankly, and we do not believe that the Appropriations Committee has given full consideration to the needs and the urgency of this program. I urge the deletion of the proviso by the adoption of Mr. DURHAM'S amendment.

I yield back the remainder of my time, Mr. Chairman.

The CHAIRMAN. The gentleman from New Hampshire [Mr. COTTON] is recognized.

Mr. COTTON. Mr. Chairman, as a member of the subcommittee which handled this appropriation, I would like to add briefly to the explanation already given by the gentleman from California [Mr. PHILLIPS]. We cannot believe that these good Members who are doubtful about this language have quite understood the effect of it, because this provision was very carefully drawn. Of course we cannot discuss the details of these atomic problems, but your Committee on Independent Offices when faced with the request for a large amount of money for the expanded atomic energy program attempted to do two things: First, to grant a sufficient portion of the money at once so that the

program would not be endangered or retarded a single day; second, to make sure that the program was safeguarded until they came before us again with more detailed estimates for the remainder of the funds.

This is only a supplemental bill. Presumably when the Congress reassembles next January there will be a further request from the Commission, and at that time presumably they will have worked out in greater detail their estimates. Certainly the appropriation will be completed when we come to the regular appropriation bill next year.

In order that their program should not be delayed, and at the same time that we may fully protect the interests of the taxpayers by keeping control of the program until the Commission has worked out its plans and estimates, this language was carefully drawn:

It does not say that they cannot start a project until they have all the money to complete it. In fact ,they can start several projects if they wish to do so, but they must build unit by unit and not start one portion unless they have funds to carry it through. That means they can get going on the necessary drainage, the necessary sewerage, the necessary railroad sidings, highways and approaches, and everything else necessary so that no time will be lost from now until next January or such time as further action is taken.

This language "any portion of a project" is something quite new in this type of appropriation, and it was inserted for the purpose of safeguarding this program in order that they could start all the projects, all the program and go ahead, the only condition being that they could not start any portion of it unless they were prepared to complete it, that portion, and certainly they could not complete any very large project even if they had all the money and there were no restrictions, before next January when this matter will be acted on again.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. COTTON. I yield.

Mr. YATES. Was it not the gentleman's recollection, too, of the testimony before our subcommittee that the Commission representatives testified that they were sent back by the Senate to make a reestimate of the amount of money they would need, and they came down approximately $2,000,000,000 in the total?

Mr. COTTON. That is true. They were perfectly frank in telling us they did not have all their plans worked out. This limitation does not hurt them. It merely compels them to come back to us with definite plans and specifications before they obtain the remainder of the money. This language in the bill will not retard the program for 1 day, but it will prevent waste.

I hope the amendment proposed by the gentleman from North Carolina [Mr. DURHAM] will be rejected.

The CHAIRMAN. The gentleman from Ohio [Mr. ELSTON] is recognized.

Mr. ELSTON. Mr. Chairman, I rise in support of the amendment offered by the gentleman from North Carolina.

As a member of the Joint Committee on Atomic Energy since the creation of that committee, I believe I am in position to know something about the importance of the comprehensive program of the Atomic Energy Commission to increase the production of atomic weapons. I am inclined to believe that the members of the subcommittee on the Committee on Appropriations that drafted the proviso in question were not fully aware of what is contemplated in the expanded program.

This morning our committee met with the members of the Commission, and on a number of other occasions we have met with the Commission for the purpose of discussing this program.

We are satisfied that the Commission does not intend to start any projects that are unnecessary or which are not contemplated as a part of the expansion plan. Our committee is satisfied that the language contained in this proviso, instead of being a green light will definitely be a red light which will prevent or at least hamper the Commission from going ahead with the program to step up the production of atomic power.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I yield.

Mr. YATES. Will the gentleman tell us in what respect this provision will prevent the Atomic Energy Commission from proceeding?

Mr. ELSTON. I think it will prevent them from proceeding, because the amendment definitely indicates that money must be available for a project before it can be proceeded with.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. In just a moment I will be glad to.

For example, some of the plants contemplated under the program will take years to build. Certainly the Commission does not want to start to build them until they are certain the funds are going to be available. The Commission feels, and I agree with it, that this amendment will greatly restrict its building of essential facilities.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I am glad to yield to the distinguished majority leader.

Mr. McCORMACK. If this amendment had been in existence as law when the Manhattan project was started, we would not have the atomic bomb now. In other words, as I understand this, if the Atomic Energy Commission has in mind a plant that it would take 3 to 5 years to build they cannot proceed until the Congress appropriates the full amount of money. My understanding is that the ordinary procedure is to appropriate from year to year, pretty much as the work can be done during that year.

Mr. ELSTON. The gentleman from Massachusetts is correct. The Commission cannot proceed with its plan to expand atomic production unless it has a green light to go ahead. The Commission agrees with the gentleman from Massachusetts, and every member of our committee, I feel, agrees with him, that this proviso will definitely retard the Commission in its effort to go ahead. This is in a supplemental appropriation bill and I see no harm whatever in eliminating the proviso. If the Appropriations Committee later on, when the Commission comes in and asks for the remainder of the funds, sees fit to put some limitation in the bill, that might not be objectionable, but for the present it certainly should be stricken out.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, the gentleman from Ohio has made several good points. Particularly the last point was a very good one. Because this is highly questionable language and controversial it might be wise to take it out of this supplemental bill and reconsider the language.

I am certain that the subcommittee is favorable to expansion of the atomic-energy program. It is not the committee's intention in any way to delay that expansion program. We who are members of the Joint Committee on Atomic Energy, the Members on both sides of the aisle, the Members on both sides of the Capitol, are unanimous in our feeling this is dangerous language and would hamper the expansion program. As a matter of fact, we have a feeling it may set the program back as much as 2 years.

I would like for the Members to bear in mind that we are actually talking about the so-called H-bomb program. This expansion program is pretty much the baby of the Congress itself because the joint committee has sponsored and pushed this program and has urged the expansion of the program.

I would like to ask the chairman of the subcommittee a question because I think he feels this way about it. I wonder if he does not think that by the passage of this section of the bill pending here that the Congress has given its full approval to the expansion program on the urgent basis suggested by the President and the Joint Chiefs of Staff, and if he does not think and feel it is necessary for the security of the Nation?

Mr. THOMAS. What is the direct question?

Mr. PRICE. The question is whether or not the gentleman's committee supports this expansion program fully?

Mr. THOMAS. I may say to my distinguished friend from Illinois that I have not the slightest hesitancy in making the statement that it is unanimous, 100 percent, in the subcommittee.

Mr. PRICE. I was certain that was going to be the answer of the gentleman. I know that is the feeling of all the members of his subcommittee and I am certain it is the feeling of all the Members of the House that we want this expansion program. We who are on the Atomic Energy Committee feel honestly and sincerely that this language should be more carefully considered, that it would hamper the program.

I would like to read to the House a resolution adopted this morning by our joint committee, and I will say that it was adopted unanimously by Members

of both parties and of both Houses. This resolution reads as follows:

The Joint Committee on Atomic Energy met this morning and considered with the Atomic Energy Commission the proviso beginning on page 12, line 6, in the supplemental appropriations bill now pending before the House. It is clear that if this proviso becomes law, the Atomic Energy Commission will not be able to meet military requirements for atomic weapons as laid down by the President, the National Security Council, the Secretary of Defense, and the Joint Chiefs of Staff. The joint committee has unanimously requested that the House and Senate give consideration to deleting the proviso in question. In effect, as the proviso stands, the Commission cannot start on the programs necessary to meet military requirements, because the funds requested of the Congress were cut in half and because the proviso provides that no building project may be started unless funds are available to complete it.

The joint committee has studied this program over an extended period of time and believes that the rider will prevent this program from going forward as national security requires.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, we all must frankly say that there are no finer Members in this House than our distinguished friends, the gentleman from Ohio [Mr. ELSTON], the gentleman from Illinois [Mr. PRICE], the gentleman from North Carolina [Mr. DURHAM], and the gentleman from California [Mr. HINSHAW]. They are on the Committee on Armed Services and they are on the Joint Committee on Atomic Energy. So, we cannot lightly dismiss or discount what they say.

But, let us look at the facts. My good friend, the gentleman from California [Mr. HINSHAW], said that the atomic energy program had been carefully worked out. Oh, my goodness, how I wish that were true. Let us look at the general picture first; just start in from scratch.

The present Commission and its staff and its predecessors have been working on this problem for 10 long years. They have an expansion program under way, but it will not be completed for from 24 to 30 months from now at a cost of no telling how much—two to three billion dollars. It is about a hundred percent expansion. And, they did not start with a single plan or specification. Du Pont is the contractor. Du Pont had to hire 2,500 architect engineers who drew plans one day for construction work, they were to undertake a day or so later. Now, that is putting it rather bluntly, but it gives a pretty good example of how they have operated. It is the most extravagant, it is the most expensive way in the world to operate. Talk about the committee having considered it, gentlemen. We have urged and we have pleaded with the Atomic Energy Commission for four long years to do a little advance planning and have some plans and specifications drawn. Why? Because it will save your taxpayers hundreds of millions of dollars, and we think it will save time, too.

Now here you are, and you are starting out on another 100 percent expansion program, building up one that is not even finished, and they come up with the idea that it is going to cost in round figures $3,900,000,000 without any plans or specifications. All they know is that they are going to have 200 or 300 units, and by that we mean railroad lines, power plants, warehouses, offices, and so forth. And how long is it going to take?

They say we are not to mention that, but, of course, there will be 50,000 or 75,000 people in the neighborhood who will know how long it takes, and I do not know why this House should not have it—6 years. And yet they do not want to have any plans and specifications.

We made one mistake here. We did not put it into the law that they should come up with plans and specifications. If they do not know what they want now, after spending six or seven billion dollars and having been in the business for 6 years, building here and building there, they never will know, and you know that is true.

Look at the testimony of the General Contractors of America, and I respectfully refer you to the hearings on this point. If they do not know what they are talking about, certainly the Atomic Energy Commission does not know, because these people have a national office here in Washington. They have no ax to grind. They are not representing any one man or anybody. They are just representing the contractors as a whole. They say that you will not only save many millions of dollars but you will save time, by doing what? By saying, "Go out here and get yourselves a set of architects and engineers and give them 6 months' advance planning."

Mr. Chairman, this language ought to stay in the bill. It will save you hundreds of millions of dollars.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired.

The question is on the amendment offered by the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. DURHAM) there were—ayes 29, noes 92.

So the amendment was rejected.

The Clerk read as follows:

Office of the Administrator

Defense housing

For an additional amount for "Defense housing", including not to exceed $1,433,735 for administrative expenses of the Public Housing Administration in connection with construction of housing under such appropriation, $50,000,000, to remain available until expended: *Provided*, That the funds hereby appropriated shall not be available in excess of the amount now or hereafter authorized to be appropriated to the Housing and Home Finance Agency for defense housing by title III of the Defense Housing and Community Facilities and Services Act of 1951: *Provided further*, That no part of the foregoing appropriation shall be used for the construction of any project unless funds are available for the completion of such project.

Mr. McDONOUGH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McDONOUGH: On page 14, line 18, after the period, insert the following: "No part of this appropriation may be used for administrative expenses or to pay salaries to any employee within the Public Housing Administration or for any other purposes so long as that agency proceeds with any public-housing project after such project has been rejected or previous approval thereof canceled by the governing body of the locality by resolution or otherwise or by public vote and the governing body has recognized local liability to reimburse the Federal Government for funds, if any, advanced on such project prior to such cancellations."

Mr. THOMAS. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the bill, and it introduces new subject matter.

The CHAIRMAN. Does the gentleman from California desire to be heard on the point of order?

Mr. McDONOUGH. Yes, briefly, Mr. Chairman.

Mr. Chairman, this is an amendment which is restrictive as to the use of funds provided for in this bill. As I read the bill, there are similar restrictions in other clauses in the bill which limit the use of funds for specific purposes. Since this is of the same nature as the other restrictions, in my opinion, it is germane and I trust the Chairman will so find.

The CHAIRMAN. Does the gentleman from Texas desire to be heard further on the point of order?

Mr. THOMAS. No, Mr. Chairman.

The CHAIRMAN (Mr. WALTER). The Chair is ready to rule. The Chair has had opportunity to examine this amendment, and is of the opinion that it is merely a limitation upon the manner in which, and the purpose for which, the money can be used and therefore is germane and overrules the point of order.

Mr. THOMAS. Mr. Chairman, I have consulted with some of the gentlemen on the committee, and since the amendment is germane, the committee will accept the amendment.

Mr. PHILLIPS. Mr. Chairman, I find here at the table no objection to the amendment, and we accept it here at the table also.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the reason I ask for this time is because I want the House to know exactly what it is doing on this particular amendment.

The amendment provides that no money can be spent of the Public Housing appropriation for administration or any other purpose in a project that has been rejected, or previous approval thereof guaranteed by the governing body of the locality by resolution or otherwise or by public vote. Now that sounds very reasonable, but here is the subject matter in dispute. What is the governing body of a locality in regard to this particular thing? Of course, this refers specifically to the Los Angeles situation where the public housing authority of the city was set up under the laws of the State of California, and proceeded to make certain contracts with the Federal Government. They spent $13,000,000 of the Federal Government's money under this particular contract, a valid contract, and so held by the California supreme court. If the governing

body of the locality refers to the city council of Los Angeles, you have a conflict there because the city council of Los Angeles has recently voted not to continue this contract. But the power to contract and the power to negotiate with the Federal Government is not in the city council of Los Angeles, but in the city housing authority set up under the laws of the State of California. Therefore, you have a conflict as to who is the governing body and this is the subject of litigation at the present time. If the governing body of the locality refers to the city council, you are, in effect, taking sides in a suit which is before the court. If it refers to the city housing authority set up under the laws of the State, then that is another matter. It is directed at a situation which is in litigation at the present time between the city housing authority and the city of Los Angeles. It has to do with contracts entered into in good faith by both the Federal Government and the city housing authority.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. THOMAS. We have thought about this matter a great deal in the subcommittee. We carried a similar limitation in the regular bill. It is not the purpose, as the gentleman pointed out, for the subcommittee or even the Congress of the United States, I am sure, to get mixed up in anybody's local fight.

Mr. HOLIFIELD. Of course, that is exactly what you are doing. That is what the amendment does, in my opinion.

Mr. THOMAS. Will the gentleman permit me to make a statement?

Mr. HOLIFIELD. Yes, indeed.

Mr. THOMAS. Now the limitation on the use of Federal funds.

Mr. HOLIFIELD. That is right. I am aware of that.

Mr. THOMAS. When we go to conference and have an opportunity to study the thing, if it develops after study that the limitation will prevent the Federal Government from protecting itself through recovery of funds that it has already invested not only in the project that you mention, but others of course, we are going to do our best to take it out of the bill.

Mr. HOLIFIELD. Of course I recognize the gentleman's persuasive powers in making his statement to the House, that if the matter becomes embarrassing in conference it will be taken out, but the gentleman also said he studied this amendment before in committee.

Mr. THOMAS. No. I beg the gentleman's pardon. I stated the committee had studied the subject. We had a similar one.

Mr. HOLIFIELD. Yes; but this is retroactive, and it has to do with an attempt to nullify a contract which was entered into in good faith and has been declared valid by the Supreme Court of the State of California between the city housing authority and the Federal Government. $13,000,000 is at stake. The City Council of Los Angeles has never offered to pay the Federal Government the $13,000,000 Federal funds which it spent. So there is at least that much at stake. Until the Los Angeles City Council comes into court with clean hands and offers to refund to the Federal Government the $13,000,000 of Federal money which it has spent, the Congress has no right to come in and nullify a contract which is now being fought over in the courts. If the amendment of the gentleman from California [Mr. McDONOUGH] provides for complete reimbursement of Federal expenditures, then I could not oppose it.

I am in favor of discharging contractual obligations in an honorable manner.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PHILLIPS. Mr. Chairman, I think we are ready to vote upon this amendment, but rather than leave the record with a statement that might be misunderstood, I would like to read two statements.

First, the City Council of Los Angeles on the 5th of May this year, by a vote of 11 to 4, adopted a resolution, the following two sentences of which were:

1. That if the majority of the people vote "yes" in favor of the 10,000 units of public housing, the program will go forward as planned.

2. But if the majority of the people vote "no," this will be accepted as a mandate to abandon the program and an expression of the willingness of the majority of the people that the city assume the damages subsequent to this action.

That means to repay approximately $12,000,000 involved in this.

There is no question but that the city would have to pay back the money. The reason this amendment becomes necessary is contained in an opinion of the Supreme Court of the State of California in a recent decision, No. 22211, if anybody is interested, on page 26 of the decision, and I quote:

If it be desirable to include provisions for cancellation by city action, as distinguished from withholding of city approval prior to initiation, the subject is one to be addressed to the respective Federal and State legislative bodies for appropriate permissible enactments which would protect the rights of all interested parties.

The State legislature meets in August. They may take action then. This is our opportunity to take action on the Federal level. The actual question is whether we shall get back from the city of Los Angeles the $12,000,000, or whether we shall force upon them, against a vote of over 100,000 majority, $97,000,000 more of Federal money which is desired in other areas of the country and not desired here.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Illinois.

Mr. YATES. Does the amendment offered by the gentleman from California protect, in the gentleman's opinion, the investment of the Federal Government to date?

Mr. PHILLIPS. Yes. That is clear. Page 323 and subsequent pages of the hearings clear that up.

Mr. YATES. Does it apply to California alone?

Mr. PHILLIPS. As far as I know.

Mr. McDONOUGH. No, it does not.

Mr. PHILLIPS. I think it would be applied anywhere if the people do not want public housing.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. THOMAS. Mr. Chairman, will the gentleman yield for a consent request?

Mr. McDONOUGH. I yield.

Mr. THOMAS. Mr. Chairman, I am advised by the Speaker and the majority leader that while it is their hope we can finish this bill this afternoon, that if we do not, it will have to be finished tomorrow. With that thought in mind I ask unanimous consent that all debate on chapter VII of this bill end in 5 minutes; there is nothing controversial about it.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The gentleman from California is recognized.

Mr. McDONOUGH. Mr. Chairman, I have too much respect for the members of this great House Appropriations Committee on both sides of the aisle to take the time for an explanation of what my amendment would do when I found that both the majority and minority leadership of this committee would not oppose it and agreed to accept my amendment; but since my colleague the gentleman from California [Mr. HOLIFIELD] has taken time to explain his side of the question, I think you are entitled to hear a little of the other side also.

Mr. Chairman, this amendment is not specifically directed at the public housing controversy that exists in Los Angeles; although it will do a great deal to clarify and help to settle that controversy. The people of Los Angeles, by a vote of 379,050 "no" to 258,777 "yes," or a majority of 120,273, voted "no" to public housing on June 3. This amendment will protect any number of cities in the United States, the list of which follows that have voted "no" on public housing:

Results when citizens are given opportunity to vote on subsidized public housing—Defeats of Government housing through referenda (rejection of programs under Housing Act of 1949)

City	Date	Against Public Housing	For Public Housing
Grand Rapids, Mich.	July 20, 1949	10,678	6,874
St. Petersburg, Fla.	Nov. 18, 1949	3,876	3,200
Seattle, Wash.	Mar. 14, 1950	57,732	33,529
Yakima, Wash.	Mar. 14, 1950	7,377	1,216
Lubbock, Tex.	Apr. 4, 1950	4,045	3,944
Racine, Wis.	Apr. 4, 1950	12,312	2,839
Rapid City, S. Dak.	Apr. 18, 1950	1,707	1,390
South Haven, Mich.	Apr. 25, 1950	613	603
Astoria, Oreg.	May 19, 1950	2,274	1,557
Portland, Oreg.	May 19, 1950	62,478	53,327
San Luis Obispo, Calif.	June 6, 1950	2,869	2,831
La Crosse, Wis.	June 6, 1950	3,021	2,807
Raymondville, Tex.	July 15, 1950	535	154
Houston, Tex.	July 22, 1950	35,141	22,060
Pine Bluff, Ark.	Aug. 29, 1950	1,165	1,061
Flint, Mich.	Sept. 12, 1950	16,937	10,596
Tucson, Ariz.	Sept. 26, 1950	6,403	1,213
Madison, Wis.	Nov. 7, 1950	16,064	13,480
Kenosha, Wis.	Nov. 7, 1950	12,294	10,631
Lane County, Oreg.	Nov. 7, 1950	22,196	11,018
Edinburg, Tex.	Nov. 14, 1950	(1)	(1)
Roanoke, Va. (advisory referendum—not binding)	Jan. 9, 1951	5,009	1,592

[1] Data on vote not available.

Results when citizens are given opportunity to vote on subsidized public housing—Defeats of Government housing through referenda (rejection of programs under Housing Act of 1949)—Continued

City	Date	Against Public Housing	For Public Housing
Dillon, S. C.	Mar. 13, 1951	436	391
Tyler, Tex.	Apr. 3, 1951	1,919	649
Milwaukee, Wis.	Apr. 3, 1951	(2)	
St. Joseph, Mo.	Aug. 21, 1951	9,288	4,987
Jamestown, N. Y.	Sept. 29, 1951	2,176	1,909
East Orange, N. J.	Nov. 6, 1951	7,141	5,644
Clifton, N. J.	Nov. 1951	8,829	2,475
Bristol, Conn.	Nov. 26, 1951	3,017	1,772
Southington, Conn.	Nov. 26, 1951	71	42
Belton, Tex.	Dec. 4, 1951	(1)	(1)
Akron, Ohio	May 7, 1952	43,009	21,152
Decatur, Ill.	May 1952	8,813	4,858
Columbia, Mo.	May 6, 1952	(2 to 1)	
Patterson, Calif.	May 1952	139	100
Hughson, Calif.	May 1952	228	126
Hillsboro, Tenn.	June 3, 1952	652	208
Los Angeles, Calif.	June 3, 1952	357,343	238,718

[1] Data on vote not available.
[2] Margin of 1,588 votes.

My amendment does guarantee that the local government is obligated to reimburse the Federal Government for the total amount of money spent on public housing projects up to the time when a contract is canceled or rejected.

The attitude of the Public Housing Administrator, Mr. Raymond Foley, on the public housing controversy in Los Angeles is clearly revealed in his testimony before the House Banking and Currency Committee recently, when I had an opportunity to question him on that subject. Let me read to you my questions and Mr. Foley's answers:

EXCERPTS FROM HEARINGS BEFORE THE BANKING AND CURRENCY COMMITTEE ON S. 3066 ON JUNE 23, 1952, IN WHICH CONGRESSMAN MCDONOUGH QUESTIONS RAYMOND M. FOLEY, PUBLIC HOUSING ADMINISTRATOR, ON THE CONTROVERSIAL LOS ANGELES PUBLIC HOUSING ISSUE AND MR. FOLEY'S REPLIES INDICATING THE POSITION OF THE FEDERAL HOUSING ADMINISTRATION ON THIS ISSUE

The CHAIRMAN. Mr. McDONOUGH——

Mr. McDONOUGH. Mr. Foley, I presume that you are familiar with the situation so far as the public housing controversy is concerned that has been raging in Los Angeles for some time?

Mr. FOLEY. I think I am familiar with what has occurred up until very recent date.

Mr. McDONOUGH. The most recent action was a proposition on the ballot in which the people voted by a majority of more than 120,000 in effect to cancel the existing contract between the Federal Government and the Los Angeles Public Housing Authority and to declare that they did not want to proceed with the program now in effect. The question I would like to ask you, Mr. Foley, is this. If you were assured as Public Housing Administrator that all of the funds spent up to date by the Los Angeles Public Housing Authority would be reimbursed to the Federal Government, would you be willing to cancel the existing contract or cooperative agreement or the commitments that now exist between the Federal Public Housing Administration and the Los Angeles Public Housing Administration?

Mr. FOLEY. We have a very definite position on that, Congressman, if I may make a very brief statement on it. First, since it is a complicated legal question, I will ask our general counsel to state it to you for us, as he stated it within the past few days to another committee of the House.

There seems to be an impression prevailing in some quarters, I think an impression being manufactured in some quarters, that the housing agency is necessary and that Los Angeles go forward with the public housing program under discussion.

Mr. McDONOUGH. That is, the Federal housing agency?

Mr. FOLEY. The Federal agency. That is not the case. We have a situaton here where we have a contract entered into, with all of the requirements of law, and there are some very specific requirements in the act of 1949, of actions that must be taken by a community government as distinguished from the local authority with whom we enter into a contract through the Public Housing Administration. All of those have been complied with. The contract is entirely in accordance with law.

We have taken the position that we cannot unilaterally abrogate a contract, and have taken the position that a large amount of public funds, some $12,678,000, which is, I think, the exact figure, has already been advanced; and without the request on the part of the other party of the contract, and the tender of the funds, we are not in a position to cancel the contract. Up to this time, to the best of our knowledge, neither of those conditions has been met.

Now I would like to ask Mr. Fitzpatrick to state a little more fully because I think it is an extremely important matter to this committee what is our position on it.

Mr. FITZPATRICK. Mr. Congressman, our problem arises out of the fact that our contract runs to the Housing Authority of the City of Los Angeles. Under the decision of the Supreme Court, particularly the decision in the Lynch case, the Court held specifically that rights arising out of a contract with the United States are protected by the due-process clause of the fifth amendment—that if the Federal Government has the power to enter into a contract, and does enter into it, the contract may not be abrogated unilaterally.

If the Los Angeles Authority comes to us and pays off the obligation under the contract, we have to terminate it. But the other party has to come to us and pay off and get the cancellation. We cannot ourselves simply cut off. I have suggested that remedy——

Mr. McDONOUGH. Let me interrupt you at that point. I understand that you cannot cut off because that would be unilateral action. You can, however, accede to the request of the Los Angeles Public Housing Authority to cancel the contract.

Mr. FITZPATRICK. Oh, yes; provided they pay us back.

Mr. McDONOUGH. Provided the Federal Government is reimbursed for all losses up to that point.

Mr. FITZPATRICK. That is right.

Mr. McDONOUGH. Do you feel as a Federal agency that since the people have so expressed themselves, that there is public sentiment that is not favorable and therefore the security of the public housing project would not be as firm in Los Angeles as it would be if this vote had not been expressed and therefore there is danger of continuing the controversy?

Mr. FITZPATRICK. Certainly there is danger of continuing the controversy quite apart from any question about security. I think the basic and controlling intent of the Housing Act of 1949 was that the initiative for local housing plans rest with the community and with the people of the community that if they do not desire to take advantage of those programs which the Congress has authorized, it is not for the Federal Government to impose any such program upon them. It rests entirely on their decision.

If I may answer you further, I have this suggestion which I have made to Congressman PHILLIPS and I also discussed it with Senator NIXON, and that is that these are two agencies that are involved in a local row. They are in fact political subdivisions of the State of California. They are governed by the laws of California and were both created by the Legislature of the State of California.

Mr. McDONOUGH. When you say both, what do you mean?

Mr. FITZPATRICK. I mean both the city of Los Angeles and the Housing Authority of the City of Los Angeles. I think the situation may be dealt with properly by the Legislature of the State of California which in such case may well say in terms of the law, when a situation occurs such as has occurred in Los Angeles, through the commissioner of the Los Angeles Housing Authority or any other housing authority that they are under a mandatory duty to go with your city council to the Federal Government and pay back the money and get out. That can be done appropriately by State law, since both are creatures of the legislature and subject entirely to its control.

Mr. McDONOUGH. I appreciate your reply very much, Mr. Fitzpatrick, and yours, Mr. Foley. In other words, you are stating that there is no effort being made on the part of the Federal Housing Administrator or the Commissioners to pursue the contract in Los Angeles in view of the expressed vote of the people in this primary election?

Mr. FOLEY. That is correct, even to the point of trying to keep from having further involvement as far as possible, through the letting out of funds, until it is settled, with one reservation; we have to point out that where the local authority has actually entered into a contract with others for the construction, or what have you, that we are not in a position to say to them, "You cannot proceed with those." In other words, we cannot order them to abrogate their contracts with someone else.

Mr. McDONOUGH. And I am further assured that you are willing to acquiesce providing the reimbursement is made?

Mr. FOLEY. Provided those conditions are met; yes, sir.

I thought it was necessary to bring this to your attention because my colleague the gentleman from California [Mr. HOLIFIELD] has taken the floor to speak his piece, and I believe that this side of the controversy should be heard.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. HOLIFIELD. Is it not true that the city attorney of Los Angeles has said that the city council does not have the money to pay this back? And is it not also true that they have not agreed to accept liability for the money that has been spent?

Mr. McDONOUGH. I do not believe that is correct.

Mr. HOLIFIELD. I believe it is.

Mr. McDONOUGH. Just a minute; I do not yield further. In the first place, the city attorney has no authority to tell the city council that it has or has not funds for such purposes. The city attorney's job is to advise the Los Angeles City Council on legal matters, not on financial matters.

Mr. HOLIFIELD. He rendered an opinion at the request of the city council.

Mr. JACKSON of California. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. JACKSON of California. I think in order to clarify the point—I assume it

was listened to when the gentleman from California [Mr. PHILLIPS] read it—the resolution of the city council states—nothing can be clearer:

If the majority of the people vote no—

This is on the public-housing question—

this will be accepted as a mandate to abandon the program, and the expression of the willingness of the majority of the people that the city assume the damages subsequent to that action.

Nothing can be clearer than that as an expression of the intent of the people of Los Angeles.

Mr. McDONOUGH. I urge the adoption of my amendment, not only because it will help to clarify the Los Angeles public-housing controversy but also because it will give positive assurance to all the other cities that have voted against public housing that they will not be burdened or influenced by the Federal Public Housing Administration to proceed with public housing against the will of the people.

Mr. POULSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. POULSON. Mr. Chairman, I think my colleague from California has misunderstood the amendment as offered by the gentleman from California [Mr. McDONOUGH], because it does not cancel any liability of the city of Los Angeles. It merely prevents public housing from being crammed down the throats of those communities which do not want it. The amendment provides that there shall be a settlement.

As to the statement that the city council is not the governing body in this subject matter of housing, let me say that my colleague certainly does not advocate that the voice of the people be not taken into consideration.

The housing authority was created by the State legislature and can be dissolved by that body, and if the authority takes the attitude that they are the "Almighty," then I would certainly recommend that the State legislature dissolve them, which it is likely to do if they continue such dictatorial tactics.

However, I am sure my colleague the gentleman from California [Mr. HOLIFIELD], will agree that the will of the people should rule, and in Los Angeles with a large percentage of the majority of the registered voters voting, a majority of that vote, in excess of 120,000 voters, voted to cancel the contract and pay the damages. Yes, we are suggesting that this be handled by the democratic processes and according to the will of the people, and that any damages to the Federal Government be settled satisfactorily.

I might state further that yesterday this House rejected the conference committee report because of the number of houses to be built under this public-housing program, and in favor of the 5,000, instead of the 35,000. So if the program of the housing authority has been curtailed from 75,000 to 5,000, surely they do not want to cram down the throats of the citizens of Los Angeles a program which they are opposed to, when they do not have enough houses for areas where they want public housing.

Therefore, I think the chairman of the subcommittee, the gentleman from Texas [Mr. THOMAS], has very ably stated how this matter can be satisfactorily handled.

I would like to say to the gentleman that it is very surprising to me that various people who get up and oppose this amendment are the ones who are always saying that we should exercise the will of the people.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. COUDERT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COUDERT. Is it appropriate at this time to offer an amendment to section 7?

The CHAIRMAN. Yes, the gentleman may offer an amendment to any portion; however, there is an amendment pending.

Mr. COUDERT. Then is it clear I may offer that amendment when the pending amendment has been disposed of?

The CHAIRMAN. That may be done. The Chair recognizes the gentleman from California [Mr. JACKSON].

Mr. JACKSON of California. Mr. Chairman, I take this time simply to point out the clear intent of the Congress on the housing rider to the independent offices appropriation bill and to that point I would like to read into the RECORD an exchange betwen Senators WHERRY and MAYBANK:

Mr. WHERRY. The Senate increased the number to 50,000, and the Senate amendment prevailed.

Mr. MAYBANK. That is true, except for one provision, to the effect that if a community desires, through its governing body, to vote not to have housing projects, it may do so; and provided further, that they may, if they wish—and I desire to make this perfectly clear, so that there will be no misunderstanding—cancel a contract which has been made for public housing. But, of course, they will be responsible for any money which the Government has put into the project.

The people of Los Angeles, Calif., have said "No" to public housing unmistakably by a majority of 120,000. Certainly it is not the intent of the Congress of the United States to force on any community in this country housing units which they have no need for and which they do not want.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. McDONOUGH].

The amendment was agreed to.

The CHAIRMAN. Without objection, the balance of section 7 will be considered as having been read.

There was no objection.

Mr. COUDERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COUDERT: On page 16, line 1, strike out "$150,000,000" and insert "$85,000,000."

Mr. COUDERT. Mr. Chairman, my amendment would reduce by $65,000,000 the appropriation herein carried for TVA to increase its power delivery for this new atomic-energy program. Private companies representing over a billion dollars in capital have offered to produce the power and they have offered to produce it without expense to the United States.

It is a clear-cut issue as to whether the House is going to deliberately further extend at public expense the TVA empire or take this offer of responsible, competent, private industrial power producers that will supply all the power needed for the Paducah plant in connection with this atomic-energy production. Members from States outside the Tennessee Valley area would do very well to vote for this in order to protect their own industries, to save the taxpayers this $65,000,000 plus a second $65,000,000 which would be the cost of the second half of the project.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, this money is put in here for one specific purpose. It is to implement the atomic energy program. Without this money your atomic energy program is not worth anything. You need it. They testified that it is going to cost $305,000,000 to do the job, so we gave them $150,000,000, knowing we were going to have to come up with another $155,000,000. I do not think it would serve any useful purpose to cut it, because we are going to have to spend the money.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. COUDERT. Is there not a valid and binding offer from six great utility companies to perform the precise services that TVA has offered?

Mr. THOMAS. No. I do not understand it that way. I understand they could produce only a very small part of it.

Mr. COUDERT. They have bid and offered to produce 100 percent for the Paducah plant, and it is in the RECORD.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Tennessee.

Mr. COOPER. All of this is needed for the atomic energy plant and the power is not available from any other source except the TVA.

Mr. THOMAS. That is my understanding.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COUDERT].

The question was taken; and on a division (demanded by Mr. COUDERT) there were—ayes 95, noes 77.

Mr. THOMAS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. THOMAS and Mr. COUDERT.

The Committee again divided; and the tellers reported that there were—ayes 100, noes, 73.

So the amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF THE ARMY

Military construction

For construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Army, as authorized by the act of January 6, 1951 (Public Law 910, 81st Cong.), the act of September 28, 1951 (Public Law 155, 82d Cong.), and the act of ———, 1952 (Public Law —, H. R. 8120, 82d Cong.), without regard to sections 1136 and 3734, Revised Statutes, as amended, including hire of passenger motor vehicles; and not to exceed $5,000,000 for advance planning as authorized by section 504 of said act of September 28, 1951; $600,090,000, to remain available until expended.

Mr. SHORT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHORT: On page 17, line 8, after the period, insert "of total amount appropriated in this paragraph, $1,980,000 shall be allocated for Camp Crowder, Mo."

Mr. SHORT. Mr. Chairman, the amendment I have offered does not increase by one thin dime the total appropriation for military construction in the Department of the Army.

In August 1941, before Pearl Harbor, Camp Crowder opened and operated all during World War II as a central Signal Corps school, and Army service forces training center. They trained more than 300,000 men in that particular camp. The original investment was approximately $40,000,000, with a maximum capacity of troops of 42,000, but at one time it was overcrowded to 90,000 troops. Two thousand four hundred civilian employees were also there. There was a medical detachment and also 1,000 WAC trainees.

The hospital area at that place was designed for 1,816 beds. More than 100,000 troops were hospitalized during the war years. In 1947, a year and a half following VJ-day, Camp Crowder was discontinued, and approximately 30,000 of the 42,000 acres were disposed of. Some of the buildings were sold. Others were given away. Some were used for grain storage and poultry raising. But with the outbreak of the Korean conflict Camp Crowder was, shortly after the outbreak of the conflict, reactivated, and the Army already has spent approximately $1,000,000 in construction and in refurbishing and renovating the barracks there. They contemplate spending another $1,400,000, or more than $2,000,000 altogether.

At the present time there are in Camp Crowder 12,619 acres. Included in this reservation, the current value of which is estimated at more than $19,000,000 by GSA, which transferred it back to the Army, are 608 buildings, 24 easements water pumping plants and mains, fire system and telephone network, railroad trackage, and electric and gas distribution systems, and a sanitary sewer system. The estimated cost to replace the existing facilities at Camp Crowder is in excess of $27,000,000.

The Congress has wisely gone on record, and I want to congratulate the members of the Appropriations Committee, especially the subcommittee, on insisting that we get maximum utilization out of existing facilities. Here we have more than 12,000 acres in a camp worth approximately $19,000,000 or $27,000,000 if we had to replace it, which is being used as an induction or reception center and also a separation center.

I visited this camp a month ago. I was told that we have approximately 100 officers at Camp Crowder, 500 enlisted men, 500 civilian employees, and there is an average flow of inductees or draftees of 2,500 to 3,000 per month, and an outflow of men returning from Korea and from abroad about to be separated of somewhere between 1,200 and 1,500 men a month.

Our Committee on Armed Services in the House, by unanimous vote, on recommendation of the Army itself, included Camp Crowder as a permanent troop and troop-support facilities center, and authorized $1,980,000 for the purpose of further rehabilitating this center that is going to serve the Fifth Army Area, of perhaps 8 or 10 States in the Middle West. The only reason that the estimate was not requested of the subcommittee was because it was submitted late. They did not have time to go through all the red tape and details, but I feel confident that the Army itself would have no objection to the adoption of this amendment.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(On request of Mr. RIVERS, and by unanimous consent, Mr. SHORT was allowed to proceed for one additional minute.)

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from South Carolina.

Mr. RIVERS. The gentleman will recall that when our committee went into this matter we went into it exhaustively. We had the Army come up and give us this information which we were not able to get in the regular request. We found it would be highly economical that this be included in this program. It was a unanimous report of the committee.

Mr. SHORT. It was the unanimous report of the committee acting upon the recommendation of the Army itself.

Mr. RIVERS. That is right.

Mr. SHORT. And that is the fact I would like to impress upon the members of the subcommittee. It is due more or less to a technical error, or position, or the lack of time that the Army did not appear.

Mr. RIVERS. And it serves the entire area in which it is located.

Mr. SHORT. The whole Fifth Army Area of 10 or a dozen States in the Midwest with headquarters in Chicago.

I hope the subcommittee can see its way clear to adopt this amendment which will not increase $1 or dime the total appropriation.

Mr. RILEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would suggest to the distinguished gentleman from Missouri that if the Army would bring up a proper justification for this project and show the committee that it is more urgent than some other project which they have already justified, the committee will be very glad to give consideration to making the transfer; and this, of course, will not increase the amount of the appropriation which the committee has recommended.

There has been no justification of this project before the committee; and, for that reason, the committee does not feel it can accept the amendment. But it offers to the gentleman from Missouri this other solution which I believe can be worked out if the Army will justify the project before the subcommittee.

Mr. SHORT. Mr. Chairman, will the gentleman from South Carolina yield?

Mr. RILEY. I yield.

Mr. SHORT. Does the gentleman suggest to me that we would have sufficient time at this late date to get this included unless we adopt the amendment today?

Mr. RILEY. The Army has the privilege of appearing before the subcommittee and asking for a transfer from some other project which has already been justified, to this project if they feel it is more urgent than the same one they have already justified.

Mr. SHORT. That is all this amendment would do, I might say to the gentleman from South Carolina. That has been stated also by the gentleman from South Carolina [Mr. RIVERS] and will be supported, I am sure, by other members of the Committee on Armed Services. Perhaps the approach was faulty. This is a matter which came up on recommendation of the Army appearing before the Armed Services Committee of the House.

Mr. RILEY. Unfortunately the Army made no justification before the Subcommittee on Appropriations for this project, and I feel that the subcommittee is entitled to have this justification made before they take action. I therefore hope the gentleman will either withdraw his amendment or that it will be voted down, and the solution suggested by the gentleman from South Carolina be followed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. SHORT) there were—ayes 74, noes 65.

Mr. RILEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. RILEY and Mr. SHORT.

The Committee again divided, and the tellers reported that there were—ayes 102, noes 35.

So the amendment was agreed to.

Mr. GAVIN. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order, and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAVIN. Mr. Chairman, I take this time to return to the colloquy of this morning between my very good and able friends, Representative FLOOD, of Pennsylvania, and Representatives SMITH of

Wisconsin, and O'HARA, from Minnesota, and JACKSON of California, on the foreign policy in Korea.

It is my opinion that the resignation of Dean Acheson is long overdue.

There is a need for new leadership. Today we are assailed by doubts and insecurity. Even in the darkest days of the American Revolution the people never lost faith in the outcome, but today we are experiencing fear for our national security. This fear has been created to intimidate our people.

On the international scene we have been outbargained, outsmarted, outmaneuvered. We have undergone humiliations unparalleled in our history.

The art of statecraft is rapidly vanishing. Particularly in the field of foreign policy and national defense. We have an administration operating under the appeasement policy. Every time a breeze wafts from the Kremlin, our leaders in Washington tremble anew, seeking a peace that is impossible to obtain while their blunders continue. They advocate appeasement and more appeasement. While they appease, the Soviet Union grows stronger in armaments and prestige.

For 20 years, starting with the recognition of Russia in 1933, our Government's official policy has been to appease Russia, and up until our troops were sent into Korea we let them have no more than a polite slap on the wrist.

Permit me to say the peak of confusion in the foreign policy field was reached with the decision to enter the war in Korea. This lightning decision which it is stated has cost us about 110,000 battle casualties—plus thousands of nonbattle casualties, is one of the most mystifying occurrences in our history. The Senate, after months of investigation was unable to discover what prompted the decision.

However, if I recall correctly, in 1949 the Armed Services Committee, of which I am a member, considered a budget of some $17,000,000,000 for the national-defense program previous to the Korean war. But the administration suddenly became economy-minded. My very good and able friend, whom I greatly admired, the late Secretary of Defense James Forrestal, was replaced by Louis E. Johnson. The national-defense budget was cutback from $17,000,000,000 to around $13,500,000,000. The 70-group Air Force was reduced to 48; they mothballed the fleet; they canceled the carrier; Admiral Denfeld was fired. They cutback the Navy Air; cutback the ground forces; and cutback the Marine Corps.

Now, the American people were for effecting economies in all Government activities for other than defense activities; but the administration was economy-minded in the wrong place at the wrong time.

Then suddenly somebody conceived the idea—even though we had some 60,000 troops in Korea at one time which were gradually reduced to 4,000—in June 1949 to pull our troops out of Korea as it was considered outside of our perimeter of defense with the result that Stalin decided to move in. So, when he reached the decision to move in we reached the decision to fight our way back in, which we did at a tremendous cost of lives. We were sending our American youths into Korea to fight tanks with carbines—totally unprepared.

Now, throughout American history we have gone to war with only one purpose—to win. However, restrictions were imposed on our fighting men in Korea that made a clear-cut victory immeasurably difficult. These restrictions were imposed in the name of appeasing the Chinese Reds, even though those Reds were killing American men at every opportunity. For instance, our fliers were forbidden to bomb the important North Korean supply center of Raskin in the early days of the war, supposedly because it was close to the Chinese border. However, in August 1951, the administration changed its mind and granted permission. In the meantime, innumerable American casualties undoubtedly could have been prevented.

General MacArthur wanted peace in Asia, but he wanted peace on our terms—not on those of the Kremlin. General MacArthur wanted a peace that would stick, a peace that would restore the prestige of America, a peace that would bring new hope to the hundreds of millions of Europeans and Asiatics who have been enslaved by the Communist regimes. For his efforts, MacArthur was fired. He was not even accorded the courtesy of a direct message from Washington to that effect. He heard the news via a news broadcast after the hurriedly called midnight press conference at the White House.

How much longer can America survive the State Department's policy of retreat and defeat? How then can the State Department ever exert the kind of moral and spiritual leadership that the rest of the world is crying for?

We are a mighty and humane Nation. We are too mighty for appeasement. We are too humane to support a senseless drain of blood in an endless treadmill war.

Time is not on our side. Time is a full partner in the Communist conspiracy. Only by full employment of strength, courage, and incisive leadership can the world Communist conspiracy be repelled and eventually defeated. It is only by adopting this principle that we can avert a third world war.

We must forge new weapons and new techniques to beat the threat of communism without resort to war. Our counterpropaganda is weak, unimaginative, and without appeal to the oppressed peoples of the world. We must devise new methods and new techniques.

We need new leadership in the State Department, and with new leadership, there will be new hope, a new spirit, and new confidence throughout the anti-Communist world.

The Clerk read as follows:

DEPARTMENT OF THE AIR FORCE

Acquisition and construction of real property

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Air Force, as authorized by the act of March 30, 1949 (63 Stat. 17), the act of October 27, 1949 (63 Stat. 936) as amended, the act of June 17, 1950 (Public Law 564, 81st Cong.), the act of January 6, 1951 (Public Law 910, 81st Cong.), the act of September 28, 1951 (Public Law 155, 82d Cong.), and the act of ——, 1952 (Public Law, —, H. R. 8120, 82d Cong.), without regard to sections 1136 and 3734, Revised Statutes, as amended, and the land, and interests therein, may be acquired and construction may be prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; not to exceed $52,620,000 for planning (including advance planning, master planning, and investigational engineering) as authorized by section 504 of said act of September 28, 1951; and hire a passenger motor vehicle; $1,200,000,000, to remain available until expended: *Provided*, That no part of these funds shall be expended for actual construction of facilities or structures at Grandview Air Terminal, Mo., until the city of Kansas City, Mo., has conveyed to the United States Government the fee simple title to all lands required for the base or has given the United States Government at least a 25-year lease to such land on a nominal rental basis: *Provided further*, That no part of these funds shall be expended (except for planning) in connection with the proposed Strategic Air Command installation at Lincoln Municipal Airport, Lincoln, Nebr.

Mr. SIKES. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Chairman, I wish to call attention to the language in the last paragraph appearing on page 31 of the report accompanying the supplemental appropriation bill. I quote:

> The second approach upon which the committee insists is the maximum utilization of existing structures. The services are not to build to replace existing structures and are not to build new structures if any practicable means can be devised to utilize those already existing. More attention must be given to this problem, and promptly.

Mr. Chairman, I take the floor at this time to emphasize that the committee means no less than it has stated in the report. Construction is costly. It is twice as costly as it was when we were building facilities for World War II. The practice of building huge, new, and complete military installations from one part of this land to the other is resulting in astronomical bills which must be passed on to the American taxpayer added to the national debt.

Now I want to point again to something that each of you already knows, and that is there are throughout this Nation unused military installations, many of them intact. These are military installations that were used and used successfully during World War II. Many of them can now be used without substantial repair or rehabilitation cost in training men for whatever emergency lies ahead. They may not be as nice as the services would like to have. Their use might even result in some temporary hardships or at least a lack of conveniences to some people to have to utilize some of those bases. But this is an emergency, a costly emergency, and if we can utilize existing facilities to

greater advantage than we are utilizing them, that should be done. If by doing so the services can save money for the American people, without injuring the defense effort, it becomes a patriotic duty to use them.

It is commonly known and it is pointed out in this report that the Air Force has been the worst offender by spending a lot of money which it has not thoroughly and completely explained or justified before committees of Congress. It has been guilty of building or starting to build facilities for which it later discovered it had no need. It has the greater number of unused facilities today and some of those facilities have recently been used successfully for training for which the Air Force now wants new bases.

I would be reluctant to say that the services are taking advantage of this opportunity to get what they want while they can get it. I am not going to say that. But the fact remains that they are asking for more money than they have been able to justify, as we feel they should justify requests for funds before the committees of the Congress. I feel that by conscientious effort, they could save substantial funds by standardized construction, by stringent economies, and by using wherever possible existing structures that are scattered throughout the Nation today. I fear that the taxpayer is the forgotten man when we consider armament and defense problems.

I want to commend the gentleman from South Carolina [Mr. RILEY], and his subcommittee. They have done the most thorough and conscientious job toward holding down construction costs I have seen since the build-up in our military forces started at the outset of the Korean war. They have done a fine and commendable job. I congratulate them and their chairman most highly.

May I also point out that I have just seen a report published by the Hardy subcommittee. It deals in a clear and straightforward manner with the problem of unnecessary construction of military facilities. Their report pinpoints places where savings can be made. The gentleman from Virginia and his committee are doing commendable work.

We, in the Congress, must take a stronger grip on this matter. We must remember that we are the appropriating body and we must reassert our constitutional control over the Federal budget. We must stop spending where spending can properly be stopped.

Mr. FLOOD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I direct my attention to the remarks of the gentleman from Pennsylvania, a member of the Committee on Military Affairs with reference to my colloquy with the gentleman from Wisconsin with reference to Korea earlier today. Last week over the air waves, and in the press of America, somber and sad recognition was given to the second anniversary of the Korean war. Mr. Chairman, I hold no brief for the fateful policy or the deeds that have taken place which have put us in Korea—the fact remains that we are there—but as we look at the second anniversary of the war in Korea, it should tend to sharpen and place in clearer perspective America's tradition for liberty and independence. Liberty and independence, Mr. Chairman, we know, but we have a tendency to forget, imposes very high and very heavy responsibilities on the spirit as well as the body. As the Fourth of July, in this year of our Lord, approaches, every citizen of the United States of America can reexamine with pride the spirit and independence of this Nation because when we reexamine and realize the basic reasons why we are in Korea every man in this country and every woman can be prouder than ever before that he is an American citizen.

Mr. CURTIS of Nebraska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CURTIS of Nebraska: On page 19, lines 10 to 13, strike out "*Provided further*, That no part of these funds shall be expended (except for planning) in connection with the proposed Strategic Air Command installation at Lincoln Municipal Airport, Lincoln, Nebr."

Mr. CURTIS of Nebraska. Mr. Chairman, since the hearings were held and the hearings were published, and this bill was printed, further hearings were conducted on this item. Yesterday, beginning at 2 o'clock and running past 5 o'clock, the subcommittee went into this matter. I understand that they are in accord on this amendment, and that it has been taken up with both sides. I yield to the gentleman from South Carolina.

Mr. RILEY. Mr. Chairman, the gentleman from Nebraska is eminently correct. On yesterday, after the bill was marked up, the committee held further hearings on this Lincoln Airport.

One of the situations that has arisen is that we are asking three and a half million to move a naval unit out of the Lincoln Area Base to another location. This has been worked out so that the naval unit is going to remain and use the base facilities. In view of the further hearings and in view of the fine cooperation which has been extended the military service by the citizens of Lincoln who have invested some million dollars in an effort to build up housing for the troops, who have canceled leases and who have otherwise provided for funds to cooperate with the military, the committee will accept the amendment offered by the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS of Nebraska. Mr. Chairman, I ask for a vote on the amendment, and I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. CURTIS].

The amendment was agreed to.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Georgia [Mr. BROWN] has discussed with the committee a project in Athens, Ga., wherein certain existing buildings which are not being used will be used in connection with the Navy training program. However, the committee did not have sufficient time to get all the details necessary to include it in the measure at this time. I think it is sound, and I think the funds should be provided, but we needed certain basic information before we could request the Congress to approve these funds.

I did not want the RECORD to leave the impression that the committee would want the Navy to suspend plans which are being made to utilize this facility at Athens, Ga.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Louisiana.

Mr. BROOKS. I understand there is no pending amendment with reference to this, but the House Armed Services Committee considered the matter carefully and did approve it for the authorization bill, and approved it on the basis that the State of Georgia was giving in use or in fee a very large facility there with fine buildings on it, worth five or six million dollars, for utilization by the military services. It seemed to me to be a very fine thing economically for the United States Government.

Mr. MAHON. I think the gentleman is correct. Except for the fact that the gentleman from Georgia [Mr. BROWN] and the gentleman from Georgia [Mr. VINSON] had presented this matter to the committee, it would have been impossible that any progress could be made. While we did not have time to fully go into the matter, we have started the wheels moving and it can be worked out in accordance with the desire of the gentleman from Georgia [Mr. BROWN]. I would be pleased if the matter could be clarified and the funds included when this bill goes before the other body.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. BROWN of Georgia. Of course, they need money to repair some of the buildings. They were supposed to start this fall. It has been leased for 10 or 20 years with an option to buy within 3 years. Unless they can get the money to repair some of the buildings I am afraid they cannot operate as early as they should.

Mr. MAHON. In view of the fact that the gentleman has called this to the attention of the committee, and as a result of his efforts we have started the wheels moving in the Navy, I am hopeful it may be possible to get sufficient information to the Senate in time to include the necessary funds in this bill in its final form.

Mr. HARDY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been considerably concerned to note that the committee has eliminated from this bill funds for a naval hospital in the Norfolk area. I have been especially concerned about it because already 2½ million dollars have been appropriated for the plans and site acquisition. I would like to have an expression from the committee concerning the reason for cutting this out and when they expect to approve some funds for this construction.

Mr. RILEY. I will say to the gentleman it is my understanding that appropriations have been made for the acquisition of the land and for the construction of the buildings. No plans so far have been made.

If the Navy completes its plan and at a later date presents justification to the committee I can assure the gentleman this project will be given every consideration.

Mr. HARDY. Does the gentleman understand that there may be some question as to whether or not the Navy can use those funds at this time?

Mr. RILEY. I believe they have planning funds.

Mr. HARDY. I mean the additional funds that have been deleted by the committee.

Mr. RILEY. They cannot use them for this project; no.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I shall be glad to yield to the gentleman from Texas.

Mr. MAHON. The committee sought to effect some savings, make some reductions in the Navy, Army, and Air Force.

The committee felt, at least I as a member of the committee felt, that as long as this was a low priority item of the Navy at this time. since they were not ready to obligate or spend the money, that they could come up at a later date and ask for an appropriation.

Mr. HARDY. Then am I to understand from the able chairman of the subcommittee that if the Navy comes back with a supplemental request and is ready to proceed that careful consideration will be given to the request?

Mr. MAHON. The gentleman is correct in that assumption.

Mr. HARDY. I thank the gentleman from Texas.

Now I wish to discuss another matter, and I am very grateful for the kind remarks of my friend from Florida [Mr. SIKES] in connection with a report which was released by our subcommittee today. I want to call the attention of the membership to the fact that in connection with a failure on the part of the Air Force to utilize existing structures, as a result of a report which we issued in March, the Air Force has already saved $13,000,000 by requiring utilization of suitable existing troop housing rather than demolishing it and replacing it with new structures.

In addition to that, as a result of a careful analysis of the Air Force construction program, through the correction of errors in factors which the Air Force has employed, it was demonstrated clearly that in the program for 1952 for which funds have already been appropriated, there is more than $50,000,000 which the Air Force cannot use.

In addition, in the funds for construction which has been authorized by the Armed Services Committee and this House, there is an additional amount o. approximately $32,000,000 which presumably will be covered in the appropriations carried in this bill.

I am not in position to say whether we can cut this bill by the $32,000,000 which the Air Force will not spend, but Secretary Huggins has assured us that our analysis is correct and that he has taken steps to eliminate the construction of this unneeded $32,000,000 worth of barracks.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Texas.

Mr. MAHON. When the Committee rises and we get back in the House I shall ask consent to insert in the RECORD at this point a letter from the Secretary.

The gentleman and his committee have done an excellent job in connection with this investigation. It is true, of course, that many more barracks and facilities will be required than we provided last year and than are provided now, because we are only providing increments of a much larger program.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent, Mr. HARDY was allowed to proceed for two additional minutes.)

Mr. HARDY. I would just like to pursue that with the chairman of the subcommittee, because in this analysis which the Air Force has acknowledged to be a correct analysis, it is pointed out that there are already in existence appropriated funds in excess of $50,000,000 which the Air Force under its policy now adopted cannot use. Now, the first question that arises is the question as to whether there should be a rescission with respect to that $50,000,000. The second question arises in connection with the $32,000,000.

Mr. MAHON. Mr. Huggins agrees with the gentleman from Virginia, and I include his letter, dated June 26, 1952.

(The letter referred to follows:)

DEPARTMENT OF THE AIR FORCE,
Washington, June 26, 1952.

HON. GEORGE H. MAHON,
House of Representatives.

DEAR MR. MAHON: You have asked for information concerning Congressman HARDY'S report to you about barracks included in H. R. 8120 for the Air Force. Briefly, the facts are these:

The Air Force has in the past computed barracks space on the basis that 20 percent of its enlisted personnel would be married and living off-base. That reflected not only past experience, but also standard practices on housing allowances to airmen. Another factor in the computation is available off-base housing.

Analysis of figures made by Congressman HARDY'S staff have shown an increase in married personnel in the Air Force to approximately 30 percent, with approximately that percentage living off-base. This reflects a change with the growth in the Air Force since Korea.

Accordingly, on the basis of discussions with Congressman HARDY'S committee and his staff, the Air Force has agreed to adjust its 80 percent factor to 70 percent.

Also, the study of Congressman HARDY'S staff disclosed that much of the information which the Air Force was using as to available off-base housing was obsolete and that the available off-base housing was underestimated.

These two factors increased the number of barracks spaces called for in the 1953 program over the number required, which Congressman HARDY'S staff estimates to aggregate approximately $32,000,000. The Air Force has not as yet had time to check these figures and determine what they actually are.

However, in a hearing before Congressman HARDY'S committee today, Congressman HARDY stated that, in the light of the manner in which the appropriations bill was prepared and reported out by the House Appropriations Committee, with the elimination of line item appropriations, he did not feel it appropriate to ask for any amendment of this bill. He inquired about authorizations in H. R. 8120. I advised him that, when the Air Force recomputed the number of authorized barracks spaces under the new formula, it would restrict any building program under H. R. 8120 to the lower figure and would seek cancellation of those unnecessary authorizations in the next Congress. Congressman HARDY agreed to this procedure.

All of the foregoing is on the record of the hearings before Congressman HARDY'S committee this afternoon.

Since the funding provided in the bill reported out yesterday approximates 50 percent of the new authorizations plus residual authorizations intended to be implemented, it is clear that barracks are not over appropriated for.

If there are any further facts which you wish, please let me know.

Sincerely yours.

E. V. HUGGINS,
Assistant Secretary of the Air Force.

Mr. HARDY. That is on the assumption that at least $100,000,000 of this reduction which you have made relates to barracks.

Mr. MAHON. There is no request for $100,000,000.

Mr. HARDY. I understand that. But we have shown that more than $50,000,000 of funds appropriated in fiscal 1952 and more than $30,000,000 authorized for fiscal 1953 are unneeded.

These plus $13,000,000 which the Air Force has saved by reprograming previous proposed construction aggregates nearly $100,000,000.

Mr. MAHON. The reprograming will save money, but we will still need the money we have on hand for additional purposes.

Mr. HARDY. I thank the gentleman. I just wanted to clear this matter up and try to be sure that such additional cuts as are made will be done on a proper basis. We ought to reduce the appropriation if we can do so without doing harm to the defense effort.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. RILEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8370) making supplemental appropriations for the fiscal year ending June 30, 1953, and for other purposes, had come to no resolution thereon.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. REDDEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1705) to amend title 28 of the United States Code so as to provide for two United States

commissioners for Great Smoky Mountains National Park.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 631 (a) of title 28 of the United States Code is amended by striking out "Great Smoky Mountains" and by inserting after the second paragraph of such section the following new paragraph:

"Two United States commissioners may be appointed for Great Smoky Mountains National Park. One, whose jurisdiction shall be limited to the portion of the park situated in Tennessee, shall be appointed by the district court for the eastern district of Tennessee; the other, whose jurisdiction shall be limited to the portion of the park situated in North Carolina, shall be appointed by the district court for the western district of North Carolina."

SEC. 2. The jurisdiction of the United States commissioner holding office as commissioner of the Great Smoky Mountains National Park on the date of enactment of this act shall be limited to the portion of the park situated in North Carolina.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COPYRIGHTS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3589) to amend title 17 of the United States Code entitled "Copyrights" with respect to recording and performing rights in literary works, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. BRYSON, RAMSAY, and CRUMPACKER.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate having proceeded to reconsider the bill (H. R. 5678) entitled "An act to revise the laws relating to immigration, naturalization, and nationality, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two thirds of the Senators present having voted in the affirmative.

AMENDING THE ACT OF JULY 1, 1947

Mr. REGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 418) to amend the act of July 1, 1947 (61 Stat. 242), with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Lines 6 and 7, strike out ", and by striking out 'District of Columbia' and inserting 'District of Columbia or immediate vicinity.'"

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the amendment?

Mr. REGAN. Mr. Speaker, it was thought we would change the law to provide for the Marine Corps Memorial to be erected in the District of Columbia or vicinity, because they found that they could best place it on Columbia Island. The Corporation Counsel has now decided that Columbia Island is within the District, so the language is unnecessary and the Senate has properly stricken it from the resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

DR. JOHN McLOUGHLIN AND THE REVEREND JASON LEE

Mr. REGAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. Con. Res. 70) accepting the statues of Dr. John McLoughlin and the Reverend Jason Lee from the State of Oregon for placement in the Capitol.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is it necessary to have legislative action for a State to present a statue?

Mr. REGAN. In this instance Oregon, for the first time, has presented a statue to Congress for Statuary Hall. It was passed by the Senate in May.

Mr. MARTIN of Massachusetts. They have none there now?

Mr. REGAN. That is my understanding.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statues of Dr. John McLoughlin and the Reverend Jason Lee, presented by the State of Oregon, one to be placed in Statuary Hall, are accepted in the name of the United States, and the thanks of the Congress be tendered said State for the contribution of the statues of two of its most eminent citizens, Dr. McLoughlin, illustrious as a great humanitarian, and first to govern the Oregon country, who often is called the "Father of Oregon"; and Reverend Lee, illustrious as the first missionary and colonizer in the Oregon country; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Oregon.

The resolution was concurred in.

A motion to reconsider was laid on the table.

DR. JOHN McLOUGHLIN AND REV. JASON LEE

Mr. REGAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. Con. Res. 71) authorizing temporary placement in the rotunda of the Capitol of the statues of Dr. John McLoughlin and Rev. Jason Lee, of Oregon, and the holding of ceremonies.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Oregon Statuary Committee is hereby authorized to place temporarily in the rotunda of the Capitol the statues of the late Dr. John McLoughlin and the Reverend Jason Lee, of Oregon, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor; and be it further

Resolved, That one statue shall be permanently located in Statuary Hall.

The resolution was concurred in.

A motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 10 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DR. ALEXANDER SYMEONIDIS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3600) for the relief of Dr. Alexander Symeonidis, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, in the administration of the laws relating to immigration and naturalization, Dr. Alexander Symeonidis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 25, 1947, the date of his first entry into the United States."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENDING THE PROVISIONS OF THE DISTRICT OF COLUMBIA EMERGENCY RENT ACT OF 1951

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7397) to amend and extend the provisions of the District of Columbia Emergency Rent Act of 1951.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MILLER of Nebraska. Reserving the right to object, will the gentleman tell us what the date of termination will be under this bill?

Mr. McMILLAN. March 31, 1953.

Mr. MILLER of Nebraska. Has the Senate passed this bill?

Mr. McMILLAN. The bill has been reported out of committee, but the Senate has not passed it.

Mr. MILLER of Nebraska. There was an understanding on the part of some members of the committee that this bill was to conform with the Federal law as to its termination date. Of course we do not know what the Federal law will be. I am wondering whether the Senate would accept an amendment so that it would conform to the Federal law.

Mr. McMILLAN. It is my understanding that it will.

The House District Committee considered the bill in committee yesterday and reported the bill with an amendment which would strike June 30, 1953, and insert March 31, 1953. The purpose in this amendment would be to make the District rent control conform to the Federal rent act. The committee wrote this date into the bill on the assumption that the effective date of the Federal bill would be March 31 and also with the understanding that any change in the date of the Federal bill would be conformed with by amending the bill presently under consideration, H. R. 7397, at the time it is considered on the floor of the House.

Mr. MILLER of Nebraska. I withdraw my reservation of the right to object, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 (b) of the District of Columbia Emergency Rent Act of 1951 (Public Law 63, 82d Cong.) is hereby amended by striking "June 30, 1952" and inserting in lieu thereof "June 30, 1953."

With the following committee amendment:

Page 1, line 6, strike out "June 30, 1953" and insert "March 31, 1953."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 689, Rept. No. 2339) which was referred to the House Calendar and ordered to be printed:

Resolved, That House Resolution 95, as amended, is further amended by inserting at the end thereof the following paragraph:

"The committee may report to the House at any time during the present Congress the results of any investigation made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report which is made when the House is not in session shall be filed with the Clerk of the House."

MOTOR CARRIERS

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 713, Rept. No. 2340), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2360) to amend the Interstate Commerce Act to increase the amounts of securities issued by motor carriers without requiring approval by the Interstate Commerce Commission. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AGRICULTURAL COMMODITIES

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 714, Rept. No. 2341), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2357) to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EMERGENCY FLOOD-CONTROL WORK

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 715, Rept. No. 2342), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7817) to provide for emergency flood-control work made necessary by recent floods, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

MRS. ANNIE G. HEINMILLER

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 710) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Anne G. Heinmiller, widow of A. W. Heinmiller, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate he was receiving at the time of his death and an additional amount not to exceed $360 toward defraying the funeral expenses of said A. W. Heinmiller.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ESTATE OF HELEN HOGAN COMLEY

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 688) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to the estate of Helen Hogan Comley, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate she was receiving at the time of her death and an additional amount not to exceed $350 toward defraying the funeral expenses of said Helen Hogan Comley.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. FURCOLO asked and was given permission to address the House for 45 minutes today, following any special orders heretofore entered.

Mr. FURCOLO asked and was given permission to address the House for 30 minutes on Tuesday next, following the legislative program and any special orders heretofore entered.

Mr. SIEMINSKI asked and was given permission to address the House for 30 minutes on Tuesday next, following any special orders heretofore entered.

PERSONAL EXPLANATION

Mr. REAMS. Mr. Speaker, yesterday on roll call No. 113, on the Cole of Kansas amendment, appearing in the CONGRESSIONAL RECORD at page 8204, I am shown as not voting. I was called from the Chamber and when I returned the result of the vote had been announced. Had I been present, I would have voted "nay" on that roll call.

AMENDING BANKRUPTCY ACT

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2234) to amend the Bankruptcy Act, approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and to repeal subdivision b of section 64, subdivision h of section 70, and sections 118, 354 and 643 thereof and all acts and parts of acts inconsistent therewith.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and I shall not object. I would like to have the gentleman offer a brief explanation for the RECORD of the measure before us.

Mr. REED of Illinois. This bill is what is termed a noncontroversial bill. It is a bill which has already passed the House in the Eightieth Congress and the Eighty-first Congress. It has never been acted upon in the other body. The bill has been endorsed by the American Bar Association and the National Bankruptcy Conference. It is mostly corrective of the Chandler Act.

Mr. McCORMACK. It has been unanimously reported out of the committee? With all due respect to the associations which the gentleman has referred to, the unanimous action of the committee would carry greater weight with me.

Mr. REED of Illinois. That is correct.

Mr. McCORMACK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) paragraph (3) of section 1 of the Bankruptcy Act, approved July 1, 1898, as amended, is amended to read as follows:

"(3) 'Appellate courts' shall include the United States courts of appeals and the Supreme Court of the United States."

(b) Paragraph (5a) of such section is amended to read as follows:

"(5a) 'Circuit' shall mean judicial circuit."

(c) Paragraph (7a) of such section is amended to read as follows:

"(7a) 'Conference' shall mean the Judicial Conference of the United States."

(d) Paragraph (8a) of such section is amended to read as follows:

"(8a) 'Council' shall mean the Judicial Council of the circuit."

(e) Paragraph (10) of such section is amended to read as follows:

"(10) 'Courts of bankruptcy' shall include the United States district courts and the district courts of the Territories and possessions to which this act is or may hereafter be applicable."

(f) Paragraph (14a) of such section is amended to read as follows:

"(14a) 'Director' shall mean the Director of the Administrative Office of the United States Courts."

(g) Paragraph (24) of such section is amended to read as follows:

"(24) 'Petition' shall mean a document filed in a court of bankruptcy or with a clerk thereof initiating a proceeding under this act."

(h) Paragraph (30) of such section is amended to read as follows:

"(30) 'Transfer' shall include the sale and every other and different mode, direct or indirect, of disposing of or of parting with property or with an interest therein or with the possession thereof or of fixing a lien upon property or upon an interest therein, absolutely or conditionally, voluntarily or involuntarily, by or without judicial proceedings, as a conveyance, sale, assignment, payment, pledge, mortgage, lien, encumbrance, gift, security, or otherwise; the retention of a security title to property delivered to a debtor shall be deemed a transfer suffered by such debtor."

SEC. 2. (a) Paragraph (1) of subdivision a of section 2 of such act, as amended, is amended to read as follows:

"(1) Adjudge persons bankrupt who have had their principal place of business, resided or had ther domicile within their respective territorial jurisdictions for the preceding 6 months, or for a longer portion of the preceding 6 months than in any other jurisdiction, or who do not have their principal place of business, reside, or have their domicile within the United States, but have property within their jurisdictions, or who have been adjudged bankrupts by courts of competent jurisdiction without the United States, and have property within their jurisdictions, or in any cases transferred to them pursuant to this act."

(b) Paragraph (7) of subdivision a of such section is amended to read as follows:

"(7) Cause the estates of bankrupts to be collected, reduced to money, and distributed, and determine controversies in relation thereto, except as herein otherwise provided, and determine and liquidate all inchoate or vested interests of the bankrupt's spouse in the property of any estate whenever, under the applicable laws of the State, creditors are empowered to compel such spouse to accept a money satisfaction for such interest; and where in a controversy arising in a proceeding under this act an adverse party does not interpose objection to the summary jurisdiction of the court of bankruptcy, by answer or motion filed before the expiration of the time prescribed by law or rule of court or fixed or extended by order of court for the filing of an answer to the petition, motion or other pleading to which he is adverse, he shall be deemed to have consented to such jurisdiction."

(c) Paragraph (21) of subdivision a of such section is amended to read as follows:

"(21) Require receivers or trustees appointed in proceedings not under this act, assignees for the benefit of creditors, and agents authorized to take possession of or to liquidate a person's property to deliver the property in their possession or under their control to the receiver or trustee appointed under this act or, where an arrangement or a plan under this act has been confirmed and such property has not prior thereto been delivered to a receiver or trustee appointed under this act, to deliver such property to the debtor or other person entitled to such property according to the provisions of the arrangement or plan, and in all such cases to account to the court for the disposition by them of the property of such bankrupt or debtor: *Provided, however*, That such delivery and accounting shall not be required, except in proceedings under section 77 and chapters X and XII of this act, if the receiver or trustee was appointed, the assignment was made, or the agent was authorized more than 4 months prior to the date of bankruptcy. Upon such accounting, the court shall reexamine and determine the propriety and reasonableness of all disbursements made out of such property by such receiver, trustee, assignee, or agent, either to himself or to others, for services and expenses under such receivership, trusteeship, assignment, or agency, and shall, unless such disbursements have been approved, upon notice to creditors and other parties in interest, by a court of competent jurisdiction prior to the proceeding under this act, surcharge such receiver, trustee, assignee, or agent the amount of any disbursement determined by the court to have been improper or excessive."

SEC. 3. (a) Subdivision a of section 3 of such act, as amended, is amended to read as follows:

"a. Acts of bankruptcy by a person shall consist of his having (1) concealed, removed, or permitted to be concealed or removed any part of his property, with intent to hinder, delay, or defraud his creditors or any of them, or made or suffered a transfer of any of his property, fraudulent under the provisions of section 67 or 70 of this act; or (2) made or suffered a preferential transfer, as defined in subdivision a of section 60 of this act; or (3) suffered or permitted, while insolvent, any creditor to obtain a lien upon any of his property through legal proceedings or distraint and not having vacated or discharged such lien within 30 days from the date thereof or at least 5 days before the date set for any sale or other disposition of such property; or (4) made a general assignment for the benefit of his creditors; or (5) while insolvent or unable to pay his debts as they mature, procured, permitted, or suffered voluntarily or involuntarily the appointment of a receiver or trustee to take charge of his property; or (6) admitted in writing his inability to pay his debts and his willingness to be adjudged a bankrupt."

(b) Subdivision b of such section is amended to read as follows:

"b. A petition may be filed against a person within 4 months after the commission of an act of bankruptcy. Such time with respect to the third act of bankruptcy shall expire 4 months after the date the lien through legal proceedings or distraint was obtained and, with respect to the first or fourth act of bankruptcy, such time shall not expire until 4 months after the date when the transfer or assignment became so far perfected that no bona fide purchaser from the debtor could thereafter have acquired any rights in the property so transferred or assigned superior to the rights of the transferee or assignee therein, and such time with respect to the second act of bankruptcy shall not expire until 4 months after the date when the transfer became perfected as prescribed in subdivision a of section 60 of this act. For the purposes of this section, it is sufficient if intent to hinder, delay, or defraud under the first act of bankruptcy,

where such intent is an element of such act, or if insolvency under the second act of bankruptcy, exists either at the time when the transfer was made or at the time when it became perfected, as hereinabove provided."

SEC. 4. Clause (8) of subdivision a of section 7 of such act, as amended, is amended to read as follows:

"(8) prepare, make oath to, and file in court within 5 days after adjudication, if an involuntary bankrupt, and with his petition, if a voluntary bankrupt, a schedule of his property, showing the amount and kind of property, the location thereof and its money value, in detail; and a list of all his creditors, including all persons asserting contingent, unliquidated, or disputed claims, showing their residences or places of business, if known, or if unknown that fact to be stated, the amount due to or claimed by each of them, the consideration thereof, the security held by them, if any, and what claims, if any, are contingent, unliquidated, or disputed; and a claim for such exemptions as he may be entitled to; all in triplicate, one copy for the clerk, one for the referee, and one for the trustee: *Provided, however,* That the court may for cause shown grant further time for the filing of such schedules if, with his petition in a voluntary proceeding or with his application to have such time extended in an involuntary proceeding, the bankrupt files a list of all such creditors and their addresses;".

SEC. 5. Subdivision a of section 11 of such act, as amended, is amended to read as follows:

"a. A suit which is founded upon a claim from which a discharge would be a release, and which is pending against a person at the time of the filing of a petition by or against him, shall be stayed until an adjudication or the dismissal of the petition; if such person is adjudged a bankrupt, such action may be further stayed until the question of his discharge is determined by the court after a hearing, or by the bankrupt's filing a waiver of, or having lost, his right to a discharge, or, in the case of a corporation, by its failure to file an application for a discharge within the time prescribed under this act: *Provided, however,* That such stay shall be vacated by the court if, in a proceeding under this act commenced within 6 years prior to the date of the filing of the petition in bankruptcy, such person has been granted a discharge, or has had a composition confirmed, or has had an arrangement by way of composition confirmed, or has had a wage earner's plan by way of composition confirmed."

SEC. 6. (a) Clause (5) of subdivision c of section 14 of such act, as amended, is amended to read as follows:

"(5) in a proceeding under this act commenced within 6 years prior to the date of the filing of the petition in bankruptcy had been granted a discharge or had a composition or an arrangement by way of composition or a wage earner's plan by way of composition confirmed under this act."

(b) Subdivision e of such section is amended to read as follows:

"e. If the bankrupt fails to appear at the hearing upon the objections to his application for a discharge, or having appeared refuses to submit himself to examination, or if the court finds after hearing upon notice that the bankrupt has failed without sufficient excuse to appear and submit himself to examination at the first meeting of creditors or at any meeting specially called for his examination, he shall be deemed to have waived his right to a discharge, and the court shall enter an order to that effect."

SEC. 7. Subdivision a of section 18 of such act, as amended, is amended to read as follows:

"a. Upon the filing of a petition for involuntary bankruptcy, service thereof, with a writ of subpena, shall be made upon the person therein named as defendant. Upon the filing of a voluntary petition in behalf of a partnership by less than all of the general partners, service thereof, with a writ of subpena, shall be made upon the general partner or partners not parties to the filing of such petition. Such service shall be returnable within 10 days, unless the court shall, for cause shown, fix a longer time, and shall be made at least 5 days prior to the return day, and in other respects shall be made in the same manner that service of summons is had upon the commencement of a civil action in the courts of the United States; but in case personal service cannot be made within the time allowed, then notice shall be given by publication in the same manner as provided by law for notice by publication in suits to enforce a legal or equitable lien in courts of the United States, except that, unless the court shall otherwise direct, the order shall be published only once and the return day shall be 5 days after such publication."

SEC. 8. Subdivision k of section 21 of such act, as amended, is amended to read as follows:

"k. In all proceedings under this act, the parties in interest shall be entitled to all rights and remedies granted by the Rules of Civil Procedure for the United States District Courts established from time to time by the Supreme Court pertaining to discovery, interrogatories, inspection and production of documents, and to the admission of execution and genuineness of instruments: *Provided, however,* That the limitations of time therein prescribed may be shortened by the court to expedite hearings."

SEC. 9. (a) Subdivision a of section 24 of such act, as amended, is amended to read as follows:

"a. The United States courts of appeals, in vacation, in chambers, and during their respective terms, as now or as they may be hereafter held, are hereby invested with appellate jurisdiction from the several courts of bankruptcy in their respective jurisdictions in proceedings in bankruptcy, either interlocutory or final, and in controversies arising in proceedings in bankruptcy, to review, affirm, revise, or reverse, both in matters of law and in matters of fact: *Provided, however,* That the jurisdiction upon appeal from a judgment on a verdict rendered by a jury shall extend to matters of law only: *And provided further,* That when any order, decree, or judgment involves less than $500, an appeal therefrom may be taken only upon allowance of the appellate court."

(b) Subdivision c of such section is amended to read as follows:

"c. The Supreme Court of the United States is hereby vested with jurisdiction to review judgments, decrees, and orders of the United States courts of appeals in proceedings under this act in accordance with the provisions of the laws of the United States now in force or such as may hereafter be enacted."

SEC. 10. Subdivision a of section 25 of such act, as amended, is amended to read as follows:

"a. Appeals under this act to the United States courts of appeals shall be taken within 30 days after written notice to the aggrieved party of the entry of the judgment, order, or decree complained of, proof of which notice shall be filed within 5 days after service or, if such notice be not served and filed, then within 40 days from such entry."

SEC. 11. Section 32 of such act, as amended, is amended by lettering the present section 32 as subdivision a and inserting in the section the following two subdivisions:

"b. Where venue in any case filed under this act is laid in the wrong court of bankruptcy, the judge may, in the interest of justice, upon timely and sufficient objection to venue being made, transfer the case to any other court of bankruptcy in which it could have been brought.

"c. The judge may transfer any case under this act to a court of bankruptcy in any other district, regardless of the location of the principal assets of the bankrupt, or his principal place of business, or his residence, if the interests of the parties will be best served by such transfer."

SEC. 12. Clause (9) of subdivision a of section 39 of such act as amended, is amended to read as follows:

"(9) transmit forthwith to the clerks all bonds filed with and approved by them, the originals of all orders made by them granting adjudications or dismissing the petitions as provided in this act, and certified copies of all orders made by them, granting, denying, or revoking discharges or adjudging that bankrupts have waived their right to a discharge, confirming or refusing to confirm, or setting aside the confirmation of, arrangements or wage earner plans, and reinstating the proceedings or cases."

SEC. 13. Subdivision a of section 42 of such act, as amended, is amended to read as follows:

"a. The records of all proceedings in each case before a referee shall be kept in the manner as prescribed by the Supreme Court of the United States."

SEC. 14. (a) Subdivision j of section 57 of such act as amended, is amended to read as follows:

"j. Debts owing to the United States or to any State or any subdivision thereof as a penalty or forfeiture shall not be allowed, except for the amount of the pecuniary loss sustained by the act, transaction, or proceeding out of which the penalty or forfeiture arose, with reasonable and actual costs occasioned thereby and such interest as may have accrued on the amount of such loss according to law."

(b) Subdivision n of such section is amended to read as follows:

"n. Except as otherwise provided in this act, all claims provable under this act, including all claims of the United States and of any State or any subdivision thereof, shall be proved and filed in the manner provided in this section. Claims which are not filed within 6 months after the first date set for the first meeting of creditors shall not be allowed: *Provided, however,* That the court may, upon application before the expiration of such period and for cause shown, grant a reasonable fixed extension of time for the filing of claims by the United States or any State or any subdivision thereof: *Provided further,* That the right of infants and insane persons without guardians, without notice of the bankruptcy proceedings, may continue 6 months longer: *And provided further,* That a claim arising in favor of a person by reason of the recovery by the trustee from such person of money or property, or the avoidance by the trustee of a lien held by such person, may be filed within 30 days from the date of such recovery or avoidance, but if the recovery is by way of a proceeding in which a final judgment has been entered against such person, the claim shall not be allowed if the money is not paid or the property is not delivered to the trustee within 30 days from the date of the rendering of such final judgment, or within such further time as the court may allow. When in any case all claims which have been duly allowed have been paid in full, claims not filed within the time hereinabove prescribed may nevertheless be filed within such time as the court may fix or for cause shown extend and, if duly proved, shall be allowed against any surplus remaining in such case."

SEC. 15. Clause (8) of subdivision a of section 58 of such act, as amended, is amended to read as follows:

"(8) all applications by receivers, ancillary receivers, marshals, trustees, committees, and attorneys for compensation from the

estate for services rendered, specifying the amount and by whom made: *Provided, however,* That where a creditors' committee has been appointed pursuant to this act, the notice required by clauses (1), (4), and (6) of this subdivision shall be sent only to such committee and to the creditors who have filed with the court a demand that all notices under this subdivision be mailed to them."

SEC. 16. Subdivision b of section 59 of such act, as amended, is amended to read as follows:

"b. Three or more creditors who have provable claims liquidated as to amount and not contingent as to liability against any person which amount in the aggregate in excess of the value of securities held by them, if any, to $500 or over, or, if all of the creditors of such person are less than 12 in number, then one or more of such creditors whose claim or claims equal such amount, may file a petition to have him adjudged a bankrupt."

SEC. 16a. Section 61 of such act, as amended, is amended to read as follows:

"SEC. 61. Depositories for money: The judges of the several courts of bankruptcy shall designate, by order, banking institutions as depositories for the money of estates under this act, as convenient as may be to the residences of receivers and trustees, and shall require from each such banking institution a good and sufficient bond with surety, to secure the prompt repayment of the deposit. Said judges may, in accordance with the provisions of, and the authority conferred in title 6, United States Code, section 15, accept the deposit of the securities therein designated, in lieu of a surety or sureties upon such bond and may, from time to time, as occasion may require, by like order increase or decrease the number of depositories or the amount of any bond or other security or change such depositories: *Provided,* That no security in the form of a bond or otherwise shall be required in the case of such part of the deposits as are insured under title 12, United States Code, section 1821: *And provided further,* That depository banks shall place such securities, accepted for deposit in lieu of a surety or sureties upon depository bonds, in the custody of Federal Reserve banks or branches thereof designated by the judges of the several courts of bankruptcy, subject to the orders of such judges. All national banking associations designated as depositories, pursuant to the provisions of this section of this act, are authorized to give such security as may be required. All pledges of securities heretofore made for the purposes herein named are hereby ratified, validated, and approved."

SEC. 17. Subdivision d of section 62 of such act, as amended, is amended to read as follows:

"d. A receiver or trustee or the attorney for any of them, or any other attorney, seeking compensation for services rendered by him in a proceeding under this act or in connection with such proceeding, shall file with the court his petition setting forth the value and extent of the services rendered, the amount requested, and what allowances, if any, have theretofore been made to him. Such petition shall be accompanied by his affidavit stating whether an agreement or understanding exists between the petitioner and any other person for a division of compensation and, if so, the nature and particulars thereof. If satisfied that the petitioner has, in any form or guise, shared or agreed to share his compensation or in the compensation of any other person contrary to the provisions of subdivision c of this section, the court shall withhold all compensation from such petitioner."

SEC. 18. Subdivision c of section 63 of such act, as amended, is amended to read as follows:

"c. Notwithstanding any State law to the contrary, the rejection of an executory contract or unexpired lease, as provided in this act, shall constitute a breach of such contract or lease as of the date of the filing of the petition initiating a proceeding under this act."

SEC. 19. (a) Clause (1) of subdivision a of section 64 of such act, as amended, is amended to read as follows:

"(1) the actual and necessary costs and expenses of preserving the estate subsequent to filing the petition; the fees for the referees' salary fund and for the referees' expense fund; the filing fees paid by creditors in involuntary cases or by persons other than the bankrupts in voluntary cases; where property of the bankrupt, transferred or concealed by him either before or after the filing of the petition, shall have been recovered for the benefit of the estate of the bankrupt by the efforts and at the cost and expense of one or more creditors, the reasonable costs and expenses of such recovery; the costs and expenses of administration, including the trustee's expenses in opposing the bankrupt's discharge or in connection with the criminal prosecution of an offenre punishable under chapter 9 of title 18 of the United States Code, or an offense concerning the business or property of the bankrupt punishable under other laws, Federal or State; the fees and mileage payable to witnesses as now or hereafter provided by the laws of the United States, and one reasonable attorney's fee, for the professional services actually rendered, irrespective of the number of attorneys employed, to the petitioning creditors in involuntary cases and to the bankrupt in voluntary and involuntary cases, as the court may allow: *Provided, however,* That where an order is entered in a proceeding under any chapter of this act directing that bankruptcy be proceeded with, the costs and expenses of administration incurred in the ensuing bankruptcy proceeding shall have priority in advance of payment of the unpaid costs and expenses of administration, including the allowances provided for in such chapter, incurred in the superseded proceeding and in the suspended bankruptcy proceeding, if any;".

(b) Subdivision b of such section is hereby repealed.

SEC. 20. Subdivision d of section 65 of such act, as amended, is amended to read as follows:

"d. Whenever a person shall have been adjudged a bankrupt by a court without the United States and also by a court of bankruptcy, all creditors with claims allowed by the court of bankruptcy who have not had a dividend paid or declared in their favor by the court without the United States shall first be paid a dividend equal to that paid or declared in such foreign court in favor of other creditors of the same class under this act, before creditors who have had a dividend paid or declared in their favor by such foreign court shall be paid any amount in the court of bankruptcy."

SEC. 21. (a) Paragraph (1) of subdivision a of section 67 of such act, as amended, is amended to read as follows:

"a. (1) Every lien against the property of a person obtained by attachment, judgment, levy, or other legal or equitable process or proceedings within 4 months before the filing of a petition initiating a proceeding under this act by or against such person shall be deemed null and void (a) if at the time when such lien was obtained such person was insolvent or (b) if such lien was sought and permitted in fraud of the provisions of this act: *Provided, however,* That if such person is not finally adjudged a bankrupt in any proceeding under this act and if no arrangement or plan is proposed and confirmed, such lien shall be deemed reinstated with the same effect as if it had not been nullified and voided."

(b) Paragraph (2) of subdivision a of such section is amended to read as follows:

"(2) If any lien deemed null and void under the provisions of paragraph (1) of this subdivision a, has been dissolved by the furnishing of a bond or other obligation, the surety on which has been indemnified directly or indirectly by the transfer of or the creation of a lien upon any of the nonexempt property of a person before the filing of a petition initiating a proceeding under this act by or against him, such indemnifying transfer or lien shall also be deemed null and void: *Provided, however,* That if such person is not finally adjudged a bankrupt in any proceeding under this act, and if no arrangement or plan is proposed and confirmed, such transfer or lien shall be deemed reinstated with the same effect as if it had not been nullified and voided."

(c) Subdivision b of such section is amended to read as follows:

"b. The provisions of section 60 of this act to the contrary notwithstanding, statutory liens in favor of employees, contractors, mechanics, landlords, or other classes of persons, and statutory liens for taxes and debts owing to the United States or to any State or any subdivision thereof, created or recognized by the laws of the United States or of any State, may be valid against the trustee, even though arising or perfected while the debtor is insolvent and within 4 months prior to the filing of the petition initiating a proceeding under this act by or against him. Where by such laws such liens are required to be perfected and arise but are not perfected before bankruptcy, they may nevertheless be valid, if perfected within the time permitted by and in accordance with the requirements of such laws, except that if such laws require the liens to be perfected by the seizure of property they shall instead be perfected by filing notice thereof with the court."

(d) Subdivision c of such section is amended to read as follows:

"c. Where not enforced by sale before the filing of a petition initiating a proceeding under this act, and except where the estate of the bankrupt is solvent: (1) though valid against the trustee under subdivision b of this section, statutory liens, including liens for taxes or debts owing to the United States or to any State or any subdivision thereof, on personal property not accompanied by possession of such property, and liens, whether statutory or not, of distress for rent shall be postponed in payment to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this act and such liens for wages or for rent shall be restricted in the amount of their payment to the same extent as provided for wages and rent respectively in subdivision a of section 64 of this act; and (2) the provisions of subdivision b of this section to the contrary notwithstanding, statutory liens created or recognized by the laws of any State for debts owing to any person, including any State or any subdivision thereof, on personal property not accompanied by possession of, or by levy upon or by sequestration or distraint of, such property, shall not be valid against the trustee: *Provided, however,* That so much of clause (1) of this subdivision c as restricts liens for wages and rent and clause (2) of this subdivision c shall not apply in proceedings under chapter X of this act, unless an order shall be entered therein directing that bankruptcy be proceeded with, or in proceedings under section 77 of this act. The court may on due notice order so much of any lien in excess of the restricted amount under clause (1) and any lien invalid under clause (2) of this subdivision c to be preserved for the benefit of the estate and, in any such event, such lien for the excess and such invalid lien, as the case may be, shall pass to the trustee."

(e) Paragraph (2) of subdivision d of such section is amended to read as follows:

"(2) Every transfer made and every obligation incurred by a debtor within 1 year prior to the filing of a petition initiating a

proceeding under this act by or against him is fraudulent (a) as to creditors existing at the time of such transfer or obligation, if made or incurred without fair consideration by a debtor who is or will be thereby rendered insolvent, without regard to his actual intent; or (b) as to then existing creditors and as to other persons who become creditors during the continuance of a business or transaction, if made or incurred without fair consideration by a debtor who is engaged or is about to engage in such business or transaction, for which the property remaining in his hands is an unreasonably small capital, without regard to his actual intent; or (c) as to the existing and future creditors, if made or incurred without fair consideration by a debtor who intends to incur or believes that he will incur debts beyond his ability to pay as they mature; or (d) as to then existing and future creditors, if made or incurred with actual intent as distinguished from intent presumed in law, to hinder, delay, or defraud either existing or future creditors."

(f) Paragraph (3) of subdivision d of such section is amended to read as follows:

"(3) Every transfer made and every obligation incurred by a debtor who is or will thereby be rendered insolvent, within 4 months prior to the filing of a petition initiating a proceeding under this act by or against him is fraudulent, as to then existing and future creditors: (a) if made or incurred in contemplation of the filing of a petition initiating a proceeding under this act by or against the debtor or in contemplation of liquidation of all or the greater portion of the debtor's property, with intent to use the consideration obtained for such transfer or obligation to enable any creditor of such debtor to obtain a greater percentage of his debt than some other creditor of the same class, and (b) if the transferee or obligee of such transfer or obligation, at the time of such transfer or obligation, knew or believed that the debtor intended to make such use of such consideration. The remedies of the trustee for the avoidance of such transfer or obligation and of any ensuing preference shall be cumulative: *Provided, however*, That the trustee shall be entitled to only one satisfaction with respect thereto."

(g) Paragraph (4) of subdivision d of such section is amended to read as follows:

"(4) Every transfer of partnership property and every partnership obligation incurred within 1 year prior to the filing of a petition initiating a proceeding under this act by or against the partnership, when the partnership is insolvent or will be thereby rendered insolvent, is fraudulent as to partnership creditors existing at the time of such transfer or obligation, without regard to actual intent if made or incurred (a) to a partner, whether with or without a promise by him to pay partnership debts, or (b) to a person not a partner without fair consideration to the partnership as distinguished from consideration to the individual partners."

(h) Paragraph (5) of subdivision d of such section is amended to read as follows:

"(5) For the purposes of this subdivision d, a transfer shall be deemed to have been made at the time when it became so far perfected that no bona fide purchaser from the debtor could thereafter have acquired any rights in the property so transferred superior to the rights of the transferee therein, but, if such transfer is not so perfected prior to the filing of the petition initiating a proceeding under this act, it shall be deemed to have been made immediately before the filing of such petition."

(i) Paragraph (6) of subdivision d of such section is amended to read as follows:

"(6) A transfer made or an obligation incurred by a debtor adjudged a bankrupt under this act, which is fraudulent under this subdivision d against creditors of such debtor having claims provable under this act, shall be null and void against the trustee, except as to a bona fide purchaser, lienor, or obligee for a present fair equivalent value: *Provided, however*, That the court may, on due notice, order such transfer or obligation to be preserved for the benefit of the estate and, in such event, the trustee shall succeed to and may enforce the rights of such transferee or obligee: *And provided further*, That such purchaser, lienor, or obligee, who without actual fradulent intent has given a consideration less than fair, as defined in this subdivision d, for such transfer, lien, or obligation, may retain the property, lien, or obligation as security for repayment."

SEC. 22. Subdivision d of section 69 of such act, as amended, is amended to read as follows:

"d. Upon the filing of a petition under this act, a receiver or trustee, appointed in proceedings not under this act, of any kind the property of a bankrupt, an assignee for the benefit of creditors of a bankrupt, or an agent authorized to take possession of or to liquidate any of the property of a bankrupt shall be accountable to the bankruptcy court, in which the proceeding under this act is pending, for any action taken by him subsequent to the filing of such bankruptcy petition, and shall file in such bankruptcy court a sworn schedule setting forth a summary of the property in his charge and of the liabilities of the estate, both as of the time of and since becoming receiver, trustee, assignee, or agent, and a sworn statement of his administration of the estate. Such receiver, trustee, assignee, or agent, with knowledge of the filing of such bankruptcy proceeding, shall not make any disbursements or take any action in the administration of such property without first obtaining authorization therefor from the bankruptcy court."

SEC. 23. (a) The introductory clauses of subdivision a of section 70, of such act, as amended, are amended to read as follows:

"a. The trustee of the estate of a bankrupt and his successor or successors, if any, upon his or their appointment and qualification, shall in turn be vested by operation of law with the title of the bankrupt as of the date of the finding of the petition initiating a proceeding under this act, except insofar as it is to property which is held to be exempt, to all of the following kinds of property wherever located (1) * * *."

(b) The second sentence of such subdivision a is amended to be a separate unlettered paragraph to read as follows:

"All property, wherever located, except insofar as it is property which is held to be exempt, which vests in the bankrupt within 6 months after bankruptcy by bequest, devise, or inheritance shall vest in the trustee and his successor or successors, if any, upon his or their appointment and qualification, as of the date when it vested in the bankrupt and shall be free and discharged from any transfer made or suffered by the bankrupt after bankruptcy."

(c) The third sentence of such subdivision a is amended to be a separate unlettered paragraph to read as follows:

"All property, wherever located, except insofar as it is property which is held to be exempt, in which the bankrupt has at the date of bankruptcy an estate or interest by the entirety and which within 6 months after bankruptcy becomes transferable in whole or in part solely by the bankrupt shall, to the extent it becomes so transferable, vest in the trustee and his successor or successors, if any, upon his or their appointment and qualification, as of the date of bankruptcy."

(d) The fourth sentence of such subdivision a is amended to be a separate unlettered paragraph, as follows:

"The title of the trustee shall not be affected by the prior possession of a receiver or other officer of any court."

(e) Subdivision c of such section is amended to read as follows:

"c. The trustee may have the benefit of all defenses available to the bankrupt as against third persons, including statutes of limitation, statutes of frauds, usury, and other personal defenses; and a waiver of any such defense by the bankrupt after bankruptcy shall not bind the trustee. The trustee, as to all property, whether or not coming into possession or control of the court, upon which a creditor of the bankrupt could have obtained a lien by legal or equitable proceedings at the date of bankruptcy, shall be deemed vested as of such date with all the rights, remedies, and powers of a creditor then holding a lien thereon by such proceedings, whether or not such a creditor actually exists."

(f) Paragraph (2) of subdivision e of such section is amended to read as follows:

"(2) All property of the debtor affected by any such transfer shall be and remain a part of his assets and estate, discharged and released from such transfer and shall pass to, and every such transfer or obligation shall be avoided by, the trustee for the benefit of the estate: *Provided, however*, That the court may on due notice order such transfer or obligation to be preserved for the benefit of the estate and in such event the trustee shall succeed to and may enforce the rights of such transferee or obligee. The trustee shall reclaim and recover such property or collect its value from and avoid such transfer or obligation against whoever may hold or have received it, except a person as to whom the transfer or obligation specified in paragraph (1) of this subdivision e is valid under applicable Federal or State laws."

(g) Subdivision h of such section is hereby repealed.

SEC. 24. Section 118 of such Act, as amended, is hereby repealed.

SEC. 25. Paragraph (4) of section 224 of such act, as amended, is amended to read as follows:

"(4) distribution shall be made, in accordance with the provisions of the plan, to creditors and stockholders (a) proofs of whose claims or stock have been filed prior to the date fixed by the judge and are allowed, or (b) if not so filed, whose claims or stock have been listed by the trustee or scheduled by the debtor in possession and are not contingent, unliquidated, or disputed."

SEC. 26. Chapter X of such act, as amended, is amended by inserting at the end of article XI of such chapter the following section:

"SEC. 229. a. A plan shall be deemed to have been substantially consummated if, insofar as applicable, each of the following events has occurred:

"(1) transfer, sale or other disposition of all or substantially all of the property dealt with by the plan pursuant to the provisions of the plan;

"(2) assumption of operation of the business and management of all or substantially all of the property dealt with by the plan by the debtor or by the corporation used for the purpose of carrying out the plan; and

"(3) commencement of the distribution to creditors and stockholders, affected by the plan, of the cash and securities specified in the plan as provided for in section 224 of this act.

"b. Upon notice to the trustee, the debtor, the Securities and Exchange Commission and such other persons as the judge may designate, the trustee, the debtor in possession, the corporation to which the assets of the debtor are to be transferred under the plan,

or any other party in interest may apply to the judge for an order declaring the plan to have been substantially consummated under the provisions of subdivision a of this section.

"c. When a plan has been substantially consummated as defined in subdivision a of this section, or an order has been entered under subdivision b of this section, the plan may not thereafter be altered or modified if the proposed alteration or modification materially and adversely affects the participation provided for any class of creditors or stockholders by the plan."

SEC. 27. Paragraph (3) of section 238 of such act, as amended, is amended to read as follows:

"(3) only claims for taxes legally due and owing to the United States or any State or any subdivision thereof at the time of the filing of the original petition under this act and such claims as are provable under section 63 of the act shall be allowed; and, as to any such claims not already duly filed, where the petition was filed under section 127 of this act and an order setting the first date for the first meeting of creditors was made before the filing of such petition, the date of mailing of notice to creditors of the entry of the order directing that bankruptcy be proceeded with shall, for the purposes of subdivision n of section 57 of this act, be deemed to be the first date set for the first meeting of creditors: *Provided, however,* That if the time for filing claims in a pending bankruptcy proceeding had expired prior to the filing of a petition under this chapter, claims not filed within the time prescribed or as permitted by subdivision n of section 57 of this act, shall not be allowed in the reinstated bankruptcy proceeding."

SEC. 28. Clause (11) of subdivision a of section 265 of such act, as amended, is amended to read as follows:

"(11) the orders directing that bankruptcy be proceeded with, or adjudging the debtors bankrupt and directing that bankruptcy be proceeded with, or dismissing proceedings."

SEC. 29. Section 324 of such act, as amended, is amended to read as follows:

"SEC. 324. The petition shall be accompanied by—

"(1) a statement of the executory contracts of the debtor, and the schedules and statement of affairs, if not previously filed: *Provided, however,* That if the debtor files with the petition a list of his creditors and their addresses and a summary of his assets and liabilities, the court may, on application by the debtor, grant for cause shown further time, not exceeding 10 days, for filing the statement of the executory contracts and the schedules and statement of affairs, and such time shall not further be extended except for cause shown and on such notice and to such persons as the court may direct; and

"(2) payment to the clerk of the fees, if not already paid, required by this act."

SEC. 30. Chapter XI of such act, as amended, is amended by inserting at the end of article IV of such chapter the following section 328:

"SEC. 328. The judge may, upon application of the Securities and Exchange Commission or any party in interest and upon such notice to the debtor, to the Securities and Exchange Commission, and to such other persons as the judge may direct, if he finds that the proceedings should have been brought under chapter X of this act, enter an order dismissing the proceedings under this chapter, unless, within such time as the judge shall fix, the petition be amended to comply with the requirements of chapter X for the filing of a debtor's petition or a creditors' petition under such chapter, be filed. Upon the filing of such amended petition, or of such creditors' petition, and the payment of such additional fees as may be required to comply with section 132 of this act, such amended petition or creditors' petition shall thereafter, for all purposes of chapter X of this act, be deemed to have been originally filed under such chapter."

SEC. 31. Paragraph (2) of section 337 of such act, as amended, is amended to read as follows:

"(2) fix a time within which the debtor shall deposit, in such place as shall be designated by and subject to the order of the court, the consideration, if any, to be distributed to the creditors, the money necessary to pay all debts which have priority, unless such priority creditors shall have waived their claims or such deposit, or consented in writing to any provision of the arrangement for otherwise dealing with such claims, and the money necessary to pay the costs and expenses of the proceedings, and the actual and necessary expenses, in such amount as the court may allow, incurred after its appointment by a committee appointed pursuant to section 338 of this act, or incurred before or after the filing of the petition under this chapter by a committee designated in writings filed with the court and signed and acknowledged by a majority in amount of unsecured creditors whose claims have been scheduled otherwise than as contingent, unliquidated or disputed and who would not be disqualified by section 44 of this act to participate in the appointment of a trustee: *Provided, however,* That in fixing such allowances the court shall give consideration only to the services which contributed to the arrangement confirmed or to the refusal of confirmation of an arrangement, or which were beneficial in the administration of the estate, and the proper costs and expenses incidental thereto; and."

SEC. 32. Section 338 of such act, as amended, is amended to read as follows:

"SEC. 338. At such meeting the creditors may appoint a committee, if none has previously been designated or appointed under this act, and, if a trustee has not previously been appointed, may nominate a trustee who shall thereafter be appointed by the court in case it shall become necessary to administer the estate in bankruptcy as provided under this chapter."

SEC. 33. Section 354 of such act, as amended, is hereby repealed.

SEC. 34. Section 355 of such act, as amended, is hereby renumbered section 354 and amended to read as follows:

"SEC. 354. Upon the entry of an order under the provisions of this chapter directing that bankruptcy be proceeded with, only claims for taxes legally due and owing to the United States or any State or any subdivision thereof at the time of the filing of the original petition under this act and such claims as are provable under section 63 of this act shall be allowed; and, as to any such claims not already duly filed, where the petition was filed under section 321 of this act and an order setting the first date for the first meeting of creditors was made before the filing of such petition, the date of mailing of notice to creditors of the entry of the order directing that bankruptcy be proceeded with shall, for the purposes of subdivision n of section 57 of this act, be deemed to be the first date set for the first meeting of creditors: *Provided, however,* That if the time for filing claims in a pending bankruptcy proceeding had expired prior to the filing of a petition under this chapter, claims not filed within the time prescribed or as permitted by subdivision n of section 57 of this act shall not be allowed in the reinstated bankruptcy proceeding."

SEC. 35. Section 366 of such act, as amended, is amended to read as follows:

"SEC. 366. The court shall confirm an arrangement if satisfied that—

"(1) the provisions of this chapter have been complied with;

"(2) it is for the best interests of the creditors and is feasible;

"(3) the debtor has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to the discharge of a bankruptcy; and

"(4) the proposal and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by this act.

"Confirmation of an arrangement shall not be refused solely because the interest of a debtor, or if the debtor is a corporation, the interests of its stockholders or members will be preserved under the arrangement."

SEC. 36. Paragraph (3) of section 367 of such act, as amended, is amended to read as follows:

"(3) the consideration deposited, if any, shall be distributed and the rights provided by the arrangement shall inure to the creditors affected by the arrangement whose claim (a) have been filed prior to the date of confirmation and are allowed or (b) whether or not filed have been scheduled by the debtor and are not contingent, unliquidated, or disputed; and".

SEC. 37. The first unnumbered paragraph of section 369 of such act, as amended, is amended to read as follows:

"The court shall in any event retain jurisdiction until the final allowance or disallowance of all debts affected by the arrangement which—".

SEC. 38. Section 371 of such act, as amended, is amended to read as follows:

"SEC. 371. The confirmation of an arrangement shall discharge a debtor from all his unsecured debts and liabilities provided for by the arrangement, except as provided in the arrangement or the order confirming the arrangement, but excluding such debts as, under section 17 of this act, are not dischargeable."

SEC. 39. The introductory clauses of section 376 of such act, as amended, are amended to read as follows:

"SEC. 376. If the statement of the executory contracts and the schedules and statement of affairs, as provided by paragraph (1) of section 324 of this act, are not duly filed, or if an arrangement is withdrawn or abandoned prior to its acceptance, or is not accepted at the meeting of creditors or within such further time as the court may fix, or if the money or other consideration required to be deposited is not deposited or the application for confirmation is not filed within the time fixed by the court, or if confirmation of the arrangement is refused, the court shall—".

SEC. 40. Chapter XI of such act, as amended, is amended by inserting in its numerical order the following section:

"SEC. 381. Where, after the confirmation of an arrangement, the court shall enter an order directing that bankruptcy be proceeded with—

"(1) the trustee shall, upon his appointment and qualification, be vested with the title to all the property of the debtor as of the date of the entry of the order directing that bankruptcy be proceeded with;

"(2) the unsecured debts incurred by the debtor after the confirmation of the arrangement and before the date of the entry of the final order directing that bankruptcy be proceeded with shall, unless and except as otherwise provided in the arrangement or in the order confirming the arrangement, share on a parity with the prior unsecured debts of the same classes, provable in the ensuing bankruptcy proceeding, and for such purpose the prior unsecured debts shall be deemed to be reduced to the amounts respectively provided for them in the arrangement or in the order confirming the arrangement, less any payment made thereunder; and

"(3) the provisions of chapters I to VII, inclusive, of this act, shall, insofar as they

are not inconsistent or in conflict with the provisions of this section, apply to the rights, duties, and liabilities of the creditors holding debts incurred by the debtor after the confirmation of the arrangement and before the date of the final order directing that bankruptcy be proceeded with, and of all persons with respect to the property of the debtor, and for the purposes of such application, the date of bankruptcy shall be taken to be the date of the entry of the order directing that bankruptcy be proceeded with."

SEC. 41. Section 424 of such act, as amended, is amended to read as follows:

"SEC. 424. The petition shall be accompanied by—

"(1) a statement of the executory contracts of the debtor, and the schedules and statement of affairs, if not previously filed: *Provided, however,* That if the debtor files with the petition a list of his creditors and their addresses and a summary of his assets and liabilities, the court may, on application by the debtor, grant for cause shown further time, not exceeding 10 days, for filing the statement of the executory contracts and the schedules and statements of affairs, and such time shall not further be extended except for cause shown and on such notice and to such persons as the court may direct; and

"(2) payment to the clerk of the fees, if not already paid, required by this act."

SEC. 42. Section 459 of such act, as amended, to read as follows:

"SEC. 459. Upon the entry of an order under the provisions of this chapter directing that bankruptcy be proceeded with, only claims for taxes legally due and owing to the United States or any State or any subdivision thereof at the time of the filing of the original petition under this act and such claims as are provable under section 63 of this act shall be allowed, and claims not already filed may be filed in accordance with the provisions of subdivision n of section 57 of this act."

SEC. 43. Section 472 of such act, as amended, is amended to read as follows:

"SEC. 472. The court shall confirm an arrangement if satisfied that—

"(1) the provisions of this chapter have been complied with;

"(2) it is for the best interests of creditors and is feasible;

"(3) the debtor has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to the discharge of a bankrupt;

"(4) the proposal and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by this act; and

"(5) all payments made or promised by the debtor, by any person issuing securities or acquiring property under the arrangement or by any other person, for services and for costs and expenses in, or in connection with, the proceeding or in connection with and incident to the arrangement, have been fully disclosed to the court and are reasonable, or, if to be fixed after confirmation of the arrangement, will be subject to the approval of the court.

"Confirmation of an arrangement shall not be refused solely because the interest of a debtor will be preserved under the arrangement."

SEC. 44. Paragraph (3) of section 473 of such act, as amended, is amended to read as follows:

"(3) distribution shall be made, in accordance with the provisions of the arrangement, to the creditors, proofs of whose claims have been filed prior to the date fixed by the court and are allowed, or, if not so filed, whose claims have been scheduled by the debtor and are not contingent, unliquidated, or disputed: *Provided, however,* That where such debts are objected to by any party in interest, the objections shall be heard and summarily determined by the court."

SEC. 45. The introductory clauses of section 481 of such act, as amended, are amended to read as follows:

"SEC. 481. If the statement of the executory contracts and the schedules and statement of affairs, as provided by paragraph (1) of section 424 of this act, are not duly filed, or if an arrangement is withdrawn or abandoned prior to its acceptance and no other arrangement is pending, or if no arrangement is accepted at the meeting of creditors or within such further time as the court may fix, or if the money or other consideration required to be deposited is not deposited or the application for confirmation is not filed within the time fixed by the court, or if confirmation of the arrangement is refused, the court shall—."

SEC. 46. Chapter XII of such act, as amended, is amended by inserting in its numerical order the following section:

"SEC. 466. Where, after the confirmation of an arrangement, the court shall enter an order directing that bankruptcy be proceed with—

"(1) the trustee shall, upon his appointment and qualification, be vested with the title to all the property of the debtor as of the date of the entry of the order directing that bankruptcy be proceeded with;

"(2) the unsecured debts incurred by the debtor after the confirmation of the arrangement and before the date of the entry of the final order directing that bankruptcy be proceeded with shall, unless and except as otherwise provided in the arrangement or in the order confirming the arrangement, share on a parity with the prior unsecured debts of the same classes, provable in the ensuing bankruptcy proceeding, and for such purpose the prior unsecured debts shall be deemed to be reduced to the amounts respectively provided for them in the arrangement or in the order confirming the arrangement, less any payment made thereunder; and

"(3) the provisions of chapters I to VII, inclusive, of this act shall, insofar as they are not inconsistent or in conflict with the provisions of this section, apply to the rights, duties, and liabilities of the creditors holding debts incurred by the debtor after the confirmation of the arrangement and before the date of the final order directing that bankruptcy be proceeded with, and of all persons with respect to the property of the debtor, and, for the purposes of such application, the date of bankruptcy shall be taken to be the date of entry of the order directing that bankruptcy be proceeded with."

SEC. 47. Section 624 of such act, as amended, is amended to read as follows:

"SEC. 624. The petition shall be accompanied—

"(1) by a statement of the executory contracts of the debtor, and the schedules and statement of affairs, if not previously filed: *Provided, however,* That if the debtor files with the petition a list of his creditors and their addresses and a summary of his assets and liabilities, the court may, on application by the debtor, grant for cause shown further time, not exceeding 10 days, for filing the statement of the executory contracts and the schedules and statement of affairs, and such time shall not further be extended except for cause shown and on such notice and to such persons as the court may direct; and

"(2) where a petition is filed under section 622 of this act, by payment to the clerk of $15 to be distributed, $10 to the Treasury of the United States for deposit in the referees' salary fund and $5 to the clerk, in lieu of the fees of $17 and $8 as prescribed in sections 40 and 52 of this act: *Provided, however,* That such fees may be paid in installments, if so authorized by general order of the Supreme Court of the United States."

SEC. 48. Section 643 of such act, as amended, is hereby repealed.

SEC. 49. Section 644 of such act, as amended, is hereby renumbered section 643 and amended to read as follows:

"SEC. 643. Upon the entry of an order under the provisions of this chapter directing that bankruptcy be proceeded with, only claims for taxes legally due and owing to the United States or any State or any subdivision thereof at the time of the filing of the original petition under this act and such claims as are provable under section 63 of this act shall be allowed; and, as to any such claims not already duly filed, where the petition under this chapter was filed under section 621 of this act, and an order setting the first date for the first meeting of creditors was made before the filing of such petition, the date of mailing of notice to creditors of the entry of the order directing that bankruptcy be proceeded with shall, for the purposes of subdivision n of section 57 of this act, be deemed to be the first date set for the first meeting of creditors: *Provided, however,* That if the time for filing claims in a pending bankruptcy proceeding had expired prior to the filing of a petition under this chapter, claims not filed within the time prescribed or as permitted by subdivision n of section 57 of this act shall not be allowed in the reinstated bankruptcy proceeding."

SEC. 50. Subdivision a of section 656 of such act, as amended, is amended to read as follows:

"a. The Court shall confirm a plan if satisfied that—

"(1) the provisions of this chapter have been complied with;

"(2) it is for the best interests of the creditors and is feasible;

"(3) the debtor has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to the discharge of the bankrupt; and

"(4) the proposal and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by this act.

"Confirmation of a plan shall not be refused solely because the interest of a debtor will be preserved under the plan."

SEC. 51. Section 660 of such act, as amended, is amended to read as follows:

"SEC. 660. Upon compliance by the debtor with the provisions of the plan and upon completion of all payments to be made thereunder, the court shall enter an order discharging the debtor from all his debts and liabilities provided for by the plan, but excluding such debts as are not dischargeable under section 17 of this act held by creditors who have not accepted the plan."

SEC. 52. Section 661 of such act, as amended, is amended to read as follows:

"SEC. 661. If at the expiration of 3 years after the confirmation of a plan the debtor has not completed his payments thereunder, the court may nevertheless, upon the application of the debtor and after hearing upon notice, if satisfied that the failure of the debtor to complete his payments was due to circumstances for which he could not be justly held accountable, enter an order discharging the debtor from all his debts and liabilities provided for by the plan, but excluding such debts as are not dischargeable under section 17 of this act held by creditors who have not accepted the plan."

SEC. 53. The introductory clauses of section 666 of such act, as amended, are amended to read as follows:

"SEC. 666. If the statement of the executory contracts and the schedules and statement of affairs, as provided by paragraph (1) of section 624 of this act, are not duly filed, or if a plan is not proposed at the meeting of creditors or within such further

time as the court may fix, or if the plan is withdrawn or abandoned prior to its acceptance, or if the plan is not accepted at the meeting of creditors or within such further time as the court may fix, or if the deposit required under this chatper and under the plan is not made or the application for confirmation is not filed within the time fixed by the court, or if confirmation of the plan is refused, or if after confirmation, a debtor defaults in any of the terms of the plan, or if the plan terminates by reason of the happening of a condition specified in the plan, the court shall—."

SEC. 54. Chapter XIII of such act, as amended, is amended by inserting in its numerical order the following section:

"SEC. 669. Where, after the confirmation of a plan, the court shall enter an order directing that bankruptcy be proceeded with—

"(1) the trustee shall, upon his appointment and qualification, be vested with the title to all the property of the debtor as of the date of the entry of the order directing that bankruptcy be proceeded with;

"(2) the unsecured debts incurred by the debtor after the confirmation of the plan and before the date of the entry of the final order directing that bankruptcy be proceeded with shall, unless and except as otherwise provided in the plan or in the order confirming the plan, share on a parity with the prior unsecured debts of the same classes, provable in the ensuing bankruptcy proceeding, and for such purpose the prior unsecured debts shall be deemed to be reduced to the amounts respectively provided for them in the plan or in the order confirming the plan, less any payment made thereunder; and

"(3) the provisions of chapters I to VII, inclusive, of this act shall, insofar as they are not inconsistent or in conflict with the provisions of this section, apply to the rights, duties, and liabilities of the creditors holding debts incurred by the debtor after the confirmation of the plan and before the date of the final order directing that bankruptcy be proceeded with, and of all persons with respect to the property of the debtor, and, for the purposes of such application, the date of bankruptcy shall be taken to be the date of the entry of the order directing that bankruptcy be proceeded with."

SEC. 55. (a) All acts or parts of acts inconsistent with any provisions of this amendatory act are hereby repealed.

(b) If any provision of this amendatory act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this amendatory act which can be given effect without the invalid provision or application, and to this end the provisions of this amendatory act are declared to be severable.

SEC. 56. Effect of this amendatory act: (a) Nothing herein contained shall have the effect to release or extinguish any penalty, forfeiture, or liability incurred under any act or acts of which this act is amendatory.

(b) The provisions of this amendatory act shall govern proceedings so far as practicable and applicable in cases pending when it takes effect; but proceedings in cases then pending to which the provisions of this amendatory act are not applicable shall be disposed of conformably to the provisions of said act approved July 1, 1898, and the acts amendatory thereof and supplementary thereto.

SEC. 57. This amendatory act shall take effect and be in force on and after 3 months from the date of its approval.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to ask the majority leader what will be taken up tomorrow besides the bill under consideration this afternoon. Will any other reports, or conference reports, be taken up?

Mr. McCORMACK. I am unable to state at this time whether anything in addition to the pending bill will be brought up tomorrow. There will be no additional legislation, but whether or not there will be conference reports I am unable to state.

Mrs. ROGERS of Massachusetts. Would the gentleman venture a guess?

Mr. McCORMACK. It would be so speculative that I cannot do so. If I were to make a guess, it would have to be based upon some logical reasoning, but I am unable to advise the lady.

S. 2594

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent that the conferees on the bill, S. 2594, may have until midnight tonight to file their report.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

SALARIES OF REFEREES IN BANKRUPTCY

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2240) to amend section 40 of the Bankruptcy Act, so as to increase and fix the salary of full-time referees and to authorize increased salaries for part-time referees, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what are the salaries of the referees in bankruptcy now?

Mr. FEIGHAN. The present maximum salary of full-time referees is $10,000 and the maximum salary of the part-time referee is now $5,000. Under this bill the maximum salary would be raised from $10,000 to $12,500 for the full-time referees, and for the part-time referees it would be raised from $5,000 to $6,000. Of course the judicial conference sets the salaries.

Mr. MARTIN of Massachusetts. How long since have they had an increase in salary?

Mr. FEIGHAN. Not since July 1, 1947.

Mr. MARTIN of Massachusetts. How much time do they put in at their work?

Mr. FEIGHAN. The full-time referees of course put in their full time, but the time of the part-time referee varies. The minimum salary is $500, and 34 of the 108 part-time referees receive a maximum salary of $5,000.

Mr. MARTIN of Massachusetts. Who makes these appointments of referees in bankruptcy?

Mr. FEIGHAN. They are appointed by judges of Federal districts of bankruptcy.

The Judicial Conference sets the salaries. The Judicial Conference consists of the Justice of the Supreme Court and the Chief Judges of the judicial circuits.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the resolution, as follows:

Be it enacted, etc., That section 40a of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, is amended, to read as follows:

"SEC. 40. Compensation of referee's salary and expense funds; retirement of referees: a. Referees shall receive as full compensation for their services salaries to be fixed by the conference, in the light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, at rates not more than $12,500 per annum for full-time referees, and not more than $6,000 per annum for part-time referees. In fixing the amount of salary to be paid to a referee, consideration shall be given to the average number and the types of, and the average amount of gross assets realized from, cases closed and pending in the territory which the referee is to serve, during the last preceding period of 10 years, and to such other factors as may be material. Disbursement of such salaries shall be made monthly by or pursuant to the order of the Director."

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUING CERTAIN STATUTORY PROVISIONS UNTIL JULY 3, 1952

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 490, a joint resolution to continue the effectiveness of certain statutory provisions until July 3, 1952.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, when are the conferees going to come to an agreement on this?

Mr. FEIGHAN. We have been very hopeful, but we have found it very difficult to arrange a time within the last 2 weeks to get together with the Senate. It is hoped that we might be able to conclude our conference meetings by next Thursday.

Mr. MARTIN of Massachusetts. The gentleman knows that the Congress is not going to keep on giving these temporary grants of stay. We have to agree pretty soon or take the responsibility for the legislation lapsing.

Mr. FEIGHAN. Our subcommittee has been very reluctant to ask for this extension, but the members of the Senate subcommittee with whom we met this

afternoon, being unable to come to an agreement, have requested that we extend these powers until next Thursday so that in the meantime we may be able to reach an agreement and present a conference report.

Mr. MARTIN of Massachusetts. I would say to the Senate conferees that they had better get together.

Mr. FEIGHAN. I hope they will.

Mr. RANKIN. Reserving the right to object, what is in this bill?

Mr. FEIGHAN. This bill continues 59 emergency power statutes that have been in existence during the war. Many of them would expire next Monday, or by their own terms, they would expire either 6 months, or 1 year subsequent to April 28 of this year when the Japanese Peace Treaty became effective.

Mr. RANKIN. How long does this extend it?

Mr. FEIGHAN. Until next Thursday.

Mr. RANKIN. And that is all?

Mr. FEIGHAN. That is all.

Mr. RANKIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution to continue the effectiveness of certain statutory provisions until June 1, 1952," approved April 14, 1952 (Public Law 313, 82d Cong.), as amended, is amended by striking out "June 30, 1952" wherever it appears in such joint resolution, as amended, and inserting in lieu thereof "July 3, 1952."

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

URGENT DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT

Mr. CANNON submitted the following conference report and statement on the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes, which was referred to the House Calendar and ordered printed:

CONFERENCE REPORT (H. REPT. No. 2343)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

That the Senate recede from its amendment numbered 10.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, and 18 and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6 and agree to the same with an amendment as follows:

In lieu of the matter proposed by said amendment insert ", at a location to be selected by the Secretary of Agriculture after full hearings of which reasonable public notice shall be given to those who may reside within twenty-five miles from the island selected"; and the Senate agree to the same.

CLARENCE CANNON,
ROBERT L. F. SIKES,
JOHN TABER,
Managers on the Part of the House.
KENNETH MCKELLAR,
CARL HAYDEN,
PAT MCCARRAN,
JOSEPH C. O'MAHONEY,
STYLES BRIDGES,
HOMER FERGUSON,
GUY CORDON,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1: Appropriates $113,000 for District of Columbia retirement and relief funds, as proposed by the Senate.

Amendment No. 2: Appropriates $350 for contingent expenses of the Senate, as proposed by the Senate.

Amendments Nos. 3, 4, and 5: Correct chapter numbers.

Amendment No. 6: Includes language of the Senate granting to the Secretary of Agriculture authority to select a site for the proposed foot-and-mouth laboratory, but in modified form.

Amendments Nos. 7, 8, 9, and 10: Make available during fiscal years 1952 and 1953 funds appropriated for maintenance and operations, Department of the Army, as proposed by the Senate; and restore language of the House extending unexpended balances of appropriations heretofore made for construction of armories for Army civilian components.

Amendments Nos. 11, 12, 13, and 14: Include language, as proposed by the Senate, to authorize the Department of Defense to (*a*) accept during fiscal years 1952 and 1953 properties and services from foreign countries; (*b*) make expenditures during the remainder of fiscal year 1952 for recruitment advertising for personnel who cannot be obtained through selective-service processes; and (*c*) continue during fiscal year 1953 10 temporary positions, 5 of which to be at reduced grades.

Amendments Nos. 15, 16, 17, and 18: Correct chapter and section numbers and authorize the Department of Defense and the Department of Commerce to utilize fiscal year 1952 funds for the payment of increased costs of pay and allowances for said fiscal year authorized by the act of May 19, 1952.

CLARENCE CANNON,
ROBERT L. F. SIKES,
JOHN TABER,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report on the bill H. R. 7860, an act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RANKIN. Mr. Speaker, reserving the right to object, what is in this bill?

Mr. CANNON. This is the urgent deficiency bill. There is complete accord.

Mr. RANKIN. Now, I am going to object to rushing this legislation through in this way. The majority of the Members have gone. This ought to be carried over until tomorrow when the Members can be here to find out what is in it.

Mr. RIVERS. What is in it?

Mr. TABER. Not much.

Mr. RANKIN. I have heard that before. If you are going to carry on this kind of legislative procedure I am going to make a point of no quorum.

Mr. TABER. Will the gentleman reserve that for a minute?

Mr. RANKIN. Yes.

Mr. TABER. I think perhaps the gentleman would like to know what is involved and the differences between the House and the Senate:

There is a comparatively small amount for compensation and retirement fund expenses of the District government.

There is $350 for miscellaneous items in the other body.

There is a rider that was placed on the provision for a foot-and-mouth disease laboratory which has been revised so that it is not obnoxious.

There is a division of expenses on an appropriation for the Army between 1953 and 1952 which does not change the over-all figure.

There are two or three little items such as the Defense Department's being allowed to accept property and services in foreign countries for the use of the United States.

There is another item that allows five positions to be continued that we set up last year in the Defense Department.

There is another provision that the Secretary of Defense can have certain appropriations available for increased costs due to the pay act.

That is all that is involved.

Mr. RANKIN. Does not the gentleman think that is sufficient that the Congress ought to consider it?

Mr. TABER. It is perfectly all right with me; it does not make any difference to me.

The SPEAKER. Is there objection to the present consideration of the conference report?

Mr. RANKIN. Mr. Speaker, I will withdraw my objection.

There was no objection.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the conference report be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, unless someone desires to speak on the conference report I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

SPECIAL ORDER GRANTED

Mr. DONDERO asked and was given permission to address the House for 10 minutes on tomorrow and 10 minutes on

Monday, following the legislative program of the day and special orders heretofore entered.

RIFLE MARKSMANSHIP: THE SKILL WHICH HELPED MAKE AMERICA FREE

Mr. KING of California. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING of California. Mr. Speaker, I desire to address the House on the subject of our current failure to provide any funds whatsoever for the maintenance of the National Board for the Promotion of Rifle Practice, for the coming fiscal year.

Today is an appropriate time for this matter to be brought to the attention of the House. Very shortly the Senate Appropriations Committee will present their report to the Senate on the defense appropriation bill. It is my firm belief that the Senate will restore the item of $130,000 for the promotion of civilian marksmanship which the House has eliminated. If I am correct—then this item will, within a few days, be under discussion by House and Senate conferees. Therefore, although I address my remarks to the whole House, which will eventually have to accept or reject the conference report, I am speaking particularly to those members of the Appropriations Committee who will undoubtedly be designated as House conferees.

There is no doubt that the members of the subcommittee did an excellent over-all job on the defense appropriations bill for 1953. I know that they spent many long hours of work on this bill and I wish to commend them for their excellent and conscientious job. It is my belief, however, that in an honest effort to save the Nation money they have made an error on one particular item.

It may be that there was inadequate evidence presented, upon which they could recommend this item to the House. My personal opinion, after looking at the record and talking to the committee members, is that the Department of the Army made a completely inadequate presentation. Therefore, our committee, on the evidence presented, could not recommend this item of $130,000 for acceptance by the House.

On the Senate side, however, I am informed that an excellent presentation was made, largely due to the efforts of the National Rifle Associaiton and the veterans' organizations. Furthermore, I believe that thousands of young men in every State of the Union were shocked to hear that, after giving their own time and money to receive preliminary training in military marksmanship, the Congress was about to withdraw all military weapons and range equipment and do away with the only agency where Government ammunition could be purchased. As soon as the young rifle shooters of America learned that Congress, without any notice, was about to reverse a 50-year-old policy of encouragement of civilian rifle practice, these young rifle shooters, their fathers, their friends, and patriotic citizens generally wrote literally thousands of letters to their Senators and Representatives complaining about what the Congress was about to do. As a result of this Nation-wide expression of concern—as a result of the excellent presentation before the Senate Appropriations Committee, and as a result of the Senate committee's wise deliberations—I fully expect that our conferees will, within a few days, be meeting to confer on this item.

So, I say to the members of our subcommittee—approach this conference with an open mind. Listen carefully to what the Senate conferees have to say about the evidence presented to them—and return to the House with an agreement which does justice not only to Theodore Roosevelt and Elihu Root, the founders of this policy, but also to its leading contemporary proponents—Gen. Omar Bradley and Maj. Gen. Merritt A. Edson, the famous Marine Corps marksman and holder of the Congressional Medal of Honor.

We all know General Bradley and honor him not only as "the GI's general" but for his great victories in Europe and his outstanding record since the war as Chief of Staff of the United States Army and now, currently, as Ch rman of the Joint Chiefs of Staff.

I am not going to quote General Bradley at length but I should like to quote briefly from his message to the National Rifle Association last year, in which he said in part:

> It is reassuring to know that the National Rifle Association is actively supporting our national preparedness by fostering the skill which helped make America free—rifle marksmanship. Your present program for preinduction training in small arms is an outstanding example of your contributions to the essential partnership of civilian and military effort in national security.
>
> As advances of science have produced new weapons of war, the need for this fundamental skill which you encourage and develop has not diminished. One problem in war is, and always will be, to deliver decisive fire power at the critical points in a tactical situation. Marksmanship becomes vital. And as always, the final resolution of combat rests with the skill and courage of the individual infantryman, armed with a rifle.

As to Maj. Gen. Merritt A. Edson, now retired from the Marine Corps after 30 years of valorous and meritorious service to his country, let me say to this House that General Edson, though retired, is still serving his country, as a civilian, as executive director of the National Rifle Association. General Edson is, without doubt, the most highly qualified of all the eminent witnesses who appeared before the Senate committee recommending the restoration of funds for the promotion of civilian marksmanship.

General Edson first became connected with the military service when he joined the Vermont National Guard in 1915 and served with them on the Mexican border in 1916. In May 1917, he enlisted in the United States Marine Corps as a private and was commissioned a second lieutenant on October 9, 1917, just 6 months after his twentieth birthday. He then served 15 months in France with the Marines in World War I. In 1928 and 1929 he served long periods in Nicaragua, commanding marine patrols operating in the jungle against the bandit leader Sandino. He was awarded his first Navy Cross for heroism in an engagement with guerrillas on August 7, 1928, while leading a marine patrol of 45 men against a force of over 400.

Throughout his career the General has been closely associated with small arms shooting, both from the military and civilian viewpoints. From 1931 to 1934 he was ordnance officer at the Marine Corps Depot of Supplies, Philadelphia, in charge of all small arms ordnance procurement for the Corps. He was a firing member of Marine Corps teams in 1921, assistant team coach in 1927, 1930 and 1931, team coach in 1932 and team captain in 1933. In 1935 and 1936, he captained the Marine Corps national rifle and pistol teams which carried off all top honors for both years. In June of 1939, General Edson was assigned to headquarters, Marine Corps, as officer in charge of target practice.

General Edson's service during World War II was outstanding—even for a Marine. In the first American offensive of the war, Edson commanded both the First Marine Raider Battalion—famed as Edson's Raiders—and the Second Battalion, Fifth Marines, in the seizure of Tulagi, in the Solomon Islands. In September 1942 he commanded the raid on Tasimboko, Guadalcanal, and conducted the defense of Henderson Field on Edson's Ridge, for which he won the Congressional Medal of Honor. Tarawa, Saipan, and Tinian followed Guadalcanal, and for his work during the battle of Tarawa he was promoted to brigadier general, late in 1943, jumping over many seniors. Altogether, General Edson was in the Pacific theater for 44 months, the longest continuous assignment of any Marine Corps officer in the combat area.

After this brilliant military career the general retired from the Marine Corps in 1947 with more than 30 years' service. At that time he returned to his native Vermont to serve as the State's first commissioner of public safety and to organize its State police force. Throughout his professional career General Edson has strongly advocated and given much assistance to the promotion of civilian marksmanship. He has helped guide the affairs of the National Rifle Association for over 30 years, coming to the vice presidency in 1947. He was elected president in 1949 and executive director in 1951.

So I say again, Mr. Speaker, that the testimony given before the Senate Appropriations Committee by General Edson was the testimony of the best qualified expert in the country—a fighting man who for 30 years has trained and led American riflemen to victory and made history with the hot barrel of a rifle.

And now I wish to give the House a brief description of the National Rifle Association, of which General Edson is the eminent executive director.

The National Rifle Association is a patriotic nonprofit organization organized in 1871 to promote marksmanship among civilians and members of the National Guard. It is supported by its dues-paying members and has never sought or received appropriations aid from Congress. Since the establishment by Congress in 1903 of the National Board for the Promotion of Rifle Practice, the National Rifle Association has acted as the civilian organization which trains and qualifies instructors, and implements the congressional act by aiding, in every way, the encouragement of civilian rifle practice.

The National Rifle Association has no financial interest in the appropriation, but its members have an earnest and patriotic interest in maintaining an adequate national defense. The only connection NRA has with this program is that the association provides the screening process for determining eligible trainees, by means of which process the Office of the Director of Civilian Marksmanship is able to effectuate the promotion of rifle practice.

The $130,000 appropriation does little more than preserve the basic administrative machinery which makes possible the program whereby thousands of rifle clubs—approximately 2,000 are sponsored by American Legion, VFW, and AMVET posts—are able to borrow service rifles and service range equipment. This $130,000 appropriation makes possible a program by means of which, in the past, thousands of young men have purchased at their own expense ammunition, targets, and other range supplies from the Government in order to participate in this program. These purchases have averaged $1,500,000 per year for the past 5 years.

Unless the amount of $130,000 is returned to the budget, all assistance from the Director of Civilian Marksmanship will be withdrawn. Rifles and range equipment now issued to rifle clubs by the Director of Civilian Marksmanship will no longer be available. In fact, the entire program of civilian marksmanship training by the National Board for the Promotion of Rifle Practice will cease.

I cannot close my remarks without one admonition: "Let us not be penny-wise and pound-foolish."

If we do not restore this item to the defense budget—we do more than destroy a wise policy of 50 years' standing. If penny-wise we seek to save $130,000 next year, by failure to appropriate, we will actually run up a much larger expense. Where is the money for this expense coming from?

As the distinguished gentleman, Member of the House [Mr. KEARNEY] has previously pointed out to this House, the cost of suddenly recalling and reconditioning the equipment now on loan to rifle clubs would be several times in excess of the money appropriation we seek to save.

Comparing this problem to a commercial enterprise, it would cost far more to shut down and moth-ball the plant than to keep it running in defense production—the production of trained riflemen at the lowest possible cost to the Government.

I am in favor of economy in Government expenditures. We all are. However, let us not permit the drive for economy to cause the deletion of an item simply because it is a small item. I want to ask you to consider what return the United States receives from even this maintenance fund of $130,000. By continuing to provide funds for the National Board, 3,200 junior and senior civilian rifle clubs and 34 secondary schools now enrolled in the National Board program will be able to continue to train young men in basic rifle marksmanship while those young men are still civilians. The National Board is the sole agency created by Congress for this purpose, and it is the only one that can make it possible for our young men to receive any training whatsoever with the service rifle, with which they will be armed if they are called into the Armed Forces.

Since it is obvious to me that elimination of this item is threatened largely under the cry of "economy," I want to point out that the reason this civilian-training program is inexpensive is because thousands of patriotic Americans act as instructors without receiving a penny for their services. It is carried out on civilian rifle-club ranges purchased and maintained by the members of those clubs. The sum of $130,000 does not give a single penny to anyone not already in the employ of the Defense Department, whether in cash, in bullets, or in payment for services rendered. It simply makes it possible for these patriotic citizens to continue to contribute their efforts in the cause of national security. This is done by making it possible for those clubs to obtain the loan of service rifles and standard range equipment for that training program.

Since economy is the major consideration, may I point out that the failure of Congress to provide funds for the National Board may actually cost the Department of the Army almost four times the amount of the funds recommended by the Bureau of the Budget? It is estimated that it would cost at least $500,000 to recover the equipment already on loan to clubs and secured by bonds executed by those clubs. This would result in the closing of more than 600 .30-caliber rifle ranges now equipped with this material, discouraging the promotion of rifle practice at a time when it is certainly needed more than ever before.

Since the end of World War I, Congress has made an average annual appropriation of $305,000 for the National Board, including the war years of 1942–46. During World War II, the National Board program repaid the country by directly training 158,950 men in small-arms schools conducted in 1,278 communities, and by supplying trained marksmanship instructors to the armed services who directly supervised the training of at least 1,300,000 officers and enlisted men of the Navy, 259,000 of the Army service forces, 65,000 in the Air Force, and untold thousands of others in the Army, Marine Corps, and Coast Guard. I call that a mighty good investment. Perhaps it could well serve to establish a standard of values against which we could measure many of these huge items still remaining in the defense appropriation bill from which the National Board appropriation has been eliminated.

I cannot urge too strongly that this House and our Appropriations Committee give every possible consideration to the restoration of this comparatively small budget item which returns us a hundredfold in patriotic and well-trained military riflemen.

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 20 minutes.

NATIONAL DEFENSE

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. PRIEST). The gentleman will state it.

Mr. RANKIN. There will be no more legislative business this afternoon?

The SPEAKER pro tempore. The Chair will state the gentleman does not care to yield for that purpose.

Mr. PRICE. Mr. Speaker, there are many important things occupying the minds of most of us these days, and I am sure, with good reason. Among other things we are thinking about are the year-old truce negotiations and the 2-year-old war in Korea, the unsettled steel strike, and the November elections. In fact most of us are so eager to get away from this aircooled Chamber, and out to the Chicago stockyards, that we are giving a good deal of thought to winding up our business here. And a great many of us, including myself, are wondering just who is going to win at the polls on the 4th of next November. Or even, in connection with certain offices, who is going to have a chance at winning. Mr. Speaker, these are things the answers to which no one knows, and speculation, though interesting, is idle. Come November 4, a great many things may influence the outcome—and I include the weather.

There is, however, one thing about the future we can be sure of right now, and this is something that is a matter of deep concern to every man and woman here, and to all our loved ones at home, and all our constituents. If the United States should be attacked by an enemy strong enough to take the risk, the United States would suffer disaster a good deal closer to home than Pearl Harbor. We have not the strength to prevent such an attack, and we have not the strength to defeat it, if it should happen. And right now, if we listen to some leaders, we are about to cut down on what strength we do have or planned to have in being.

Mr. Speaker, those who have heard me speak from this floor in the past know that I am an advocate of a strong Air Force. I have reiterated my belief in air power, a belief which I am happy to know is shared by the senior Senator from Ohio as well as by the late Supreme

Commander of the Allied Powers in Europe. Aviation is the common heritage of our generation, and air power no partisan thing. But for partisan and personal reasons, we can, deliberately and maliciously or thoughtlessly and foolishly, emasculate American air power. And if we do we will be responsible to history, and to our children who may conceivably survive the holocaust of a third world war in which our enemy might be stronger than we in air power.

World War II already seems so remote in the past we may forget certain things about it. We may forget that only one of the countries involved, that is, Germany, employed jet aircraft in that war, though air battles taking place in Korea now are mostly battles between American-built Sabrejets and Russian-built MIG-15s. We may forget that no nation except the United States had an atomic bomb, though now Russia herself has a stockpile of atomic bombs, and we no longer speak of atomic bombs solely, because already there have been developed a variety of atomic weapons. Likewise we may forget that in World War II, Russia had an air force of no great importance, and the air war in Europe was in the main a battle between the German Luftwaffe on the one hand and the combined air forces of Great Britain and the United States, with assistance from our other democratic allies, on the other. What air forces the Russians did have were of the tactical type, short-range air forces designed to cover the Red army and clear the way for its advance. Today Russia has a long-range air force—and an expanding long-range air force.

Korea has belatedly awakened us to the realization that Russia has outdeveloped and outproduced us in the tactical field. Our best intelligence indicates that the Soviet Union has outproduced us in the strategic field as well.

In short, Russia is stronger now than she was 7 years ago, and we are weaker. That strength, made up in great measure of long-range air power and a growing atomic stockpile, constitutes the most ominous threat this country has ever known. And such strength dictates the timetable for any future attack. When the attack may come we cannot say; but one thing we can be sure of, the attack will come—unless we make ourselves strong enough to discourage and thus prevent it.

General Bradley, our greatly respected Chairman of the Joint Chiefs of Staff, has informed us that in the opinion of the Joint Chiefs, Russia will be ready to make such an attack by mid-1954. The Joint Chiefs and the Secretaries in the Department of Defense stated, therefore, the necessity of a 143-wing Air Force by July 1, 1954. In spite of such opinion, programing and budgeting has called for a 143-wing Air Force by July 1, 1955. But meat-ax economy has replaced sound calculations and put this country in a critically vulnerable position. The action of this House in slapping a spending ceiling of $46,000,000,000 on defense spending for the forthcoming year poses a gamble which no American should be required to accept. The money we save now we may spend yet, in values not of gold and dollars but of national resources and human lives.

The Acting Air Force Chief of Staff has warned Congress that another developing aspect of the Soviet air situation is the recent expansion of the radar-interceptor-antiaircraft defense of the Soviet homeland. This strengthening of Soviet home air-defenses also suggests that an enormous effort is being made to cut down the threat of our own long-range air power. Are we going to aid the Russians in strengthening their own defenses by taking away part at least of the striking force against which they are building their defenses? Are we going to save money for the Russians as well as ourselves my making a unilateral cut in the appropriations for national defense?

Let us examine what our proposed reduction in appropriations for American air power means in terms of American preparedness against Russian attack. Let me quote figures.

The meat-ax treatment of the budget by this House had the effect of slicing $1,677,965,858 from the Air Force portion of the budget of $20,700,000,000, thus leaving a balance of $19,022,034,142. My colleagues may wonder why cuts of little more than one and one-half billion of the total appropriation could possibly bring on serious consequences. But the Secretary of the Air Force, Thomas K. Finletter, while appearing before the Subcommittee on Armed Services of the Committee on Appropriations, United States Senate, explained that. He said:

> For example, the number of aircraft called for by the $11,000,000,000 request for fiscal year 1953 is exactly the number of aircraft that are necessary to modernize the 143-wing Air Force by midcalendar 1955. There are absolutely no planes left over beyond those necessary to equip this force. There are no reserves whatsoever for combat attrition. Thus, if we have a certain number of medium-bomb wings of 45 aircraft per wing, we will have exactly 45 aircraft and no more for each wing.

What Mr. Finletter was saying, Mr. Speaker, is that the program presented is one for defense and peace, not for war. From it, as a calculated risk, have been eliminated all appropriations for reserve aircraft.

The Air Force in submitting a severely stringent budget is now paying an unfair penalty for their attempt to present to the Congress the most strictly efficient budget which they were capable of producing. The Air Force voluntarily reduced personnel authorization levels and made a sustained drive to limit the number of personnel assigned. With an increase from 95 wings, the present authorization, to 143 wings, the increase in military personnel would be only 14 percent. It is effective air power the Air Force asks for—strength an enemy can be made to feel.

The planes that were not built in 1948 are the planes that the Air Force and the Nation are lacking in 1952. What has been done cannot be undone, and it is useless to try to fasten the blame on any one group or person. But let us remember that the planes we do not authorize today and build today will be those we will need in the future. They are the planes we will not have when we need them in 1954 and 1955.

It has been said that if war were imminent an increase in the present rate of spending would be authorized. New aircraft would be procured. But how naive we must be to think that procuring aircraft involves a simple exchange of money for aircraft. In a future conflict time will be the most priceless item of the combatants. Aircraft are not kept on a shelf to be purchased when needed. Trained personnel are not sitting on the sidelines to pilot them, to man their guns, to load their bombs, to repair their engines and to manage the supply demands. Personnel must be trained ahead of time, while the aircraft are being built. The Honorable CARL VINSON made a speech on national defense before this House of Representatives more than 2 years ago, on April 4, 1950, from which I would like to quote an excerpt:

> I want to state emphatically—
>
> Our distinguished colleague said—
>
> that, in my judgment, Mr. Johnson's—Secretary of Defense—economy scalpel has not only carved away some service fat but has cut—deeply in some areas—into sinew and muscle of the armed services.

Mr. Speaker, I call attention to the date—less than 3 months before Korea.

Secretary Finletter has made an urgent plea for the restoration of the Air Force funds cut by the economy scalpel wielded by the House. He has emphasized that the 143-wing Air Force should be ready as of today. The United States Air Force has devised many methods of savings to continually reduce the amount of expenditure and has included these in their budget estimates. All the amounts requested have had the effect of forecasted economies. Should the Air Force be forced to take the cut as recommended by the House, there will be no real economies but only a reduction in the operation of aircraft which would directly affect the training and the readiness of the strategic and tactical forces of the USAF. The quality of the forces would be lowered. Lack of equipment and supplies would cause numerous aircraft to be grounded and procurement of such essential safety items as parachutes would be sharply curtailed.

The number of military personnel is of course related to the number of aircraft being procured. It would be simply foolhardy to have aircraft with no crews to fly them; and it would be equally foolish to have aircraft and personnel without sufficient supplies, such as oil, gasoline, and parts.

The people of America have been fed many plausible arguments to justify the House of Representatives' drag-out of the defense program. But no one can justify the blow to all of our national defense structure if the sense of urgency is permitted to fly completely out of the window. The stretch-out would not be

solely of our aircraft production. It would be a stretch-out of the life line of the Nation to the breaking point.

Mr. Speaker, I wish to emphasize that the action by the House of Representatives—the so-called Smith amendment, approaches the problem from an angle dangerously different from other approaches. The general House cuts made specific reductions in appropriations for specific items given special consideration and study by Congress, but the Smith amendment has a limitation of a different kind: it specifies that the Military Establishment shall not spend more than $46,000,000,000 during fiscal year 1953. A tentative decision by the Department of Defense assigns the Air Force a spending limit of $17,400,000,000. This is two billion less than the $19,200,000,000 of expenditures the Air Force will require during fiscal year 1953 if the Air Force gets the $20,700,000,000 general appropriation and the $1,500,000,000 Public Works appropriation.

Mr. Speaker, the Acting Chief of Staff of the Air Force stated on Capitol Hill 6 weeks ago:

> I do not wish to be an alarmist. I firmly believe that the Soviet air threat can be managed if we recognize it for what it is and prepare to cope with it. But the facts confronting us are hard facts; they deserve a long, hard look.

It is the long, hard look, Mr. Speaker, that I ask my colleagues to give the appropriations bill now before this House, and the amendments thereto. It is the long, hard look I ask my colleagues to give to the requests of those men, civilian and military, to whom we have given the responsibility of preparing our defenses. It is the long, hard look I ask all Americans to give to the needs of American air power.

During the last war, Germany, the only nation to develop jet aircraft for combat during that war, allowed an exceptional technological opportunity to be frittered away through a succession of blunders. Already we have let the Russians catch up with us, if not indeed overtake us, in the development of jet aircraft. Are we willing to have it said, if indeed a free American survives to say in 1959 or 1960, "During the period between World War II and the beginning of world war III, the United States, the richest nation in the world, with the greatest technological development, the highest educational rate in the world, and supreme mechanical genius, through a succession of parsimonious tinkering with the budget, frittered away the opportunity to remain strong and free"?

In Europe, as in Asia, Soviet air units are steadily being converted to jet equipment, and the air base system has been steadily expanded and improved since the end of World War II. The Soviet Union now has at its disposal in European satellites, including East Germany, hundreds of air bases, suitable for heavy and medium bomber operations and additional bases are under construction. I cannot believe that anyone in the Kremlin ever raises the question of budgets. What must be—for their ends, that is—must be; and what is needed is ordered. But we deliberate.

In conclusion, let me say, however, that if we restore the funds cut from this year's budget, we need not anticipate an equally large budget for fiscal year 1954, and the years thereafter. Military spending need not go spiraling upward.

The Air Force wields a decisive power in regard to the Soviet threat. It is directly charged, if war comes, with striking from enemy hands the weapon most dangerous to this Nation, and with carrying the war at once to the central sources of enemy strength.

Today a few airplanes, manned by a few men, can drop an explosive charge equal to that of all the bombs dropped on Germany during the last war. Small calibers of atomic weapons can now be fitted to our fast tactical aircraft. And through the development of new refueling techniques the range of tactical aircraft is in turn in the process of being lengthened to a point where it approaches that of our present medium bombers. The effect of such developments will be further to enhance the inherent flexibility and versatility of our air weapons system and to transform potentially the entire Air Force into an atomic weapons system.

Technological developments now may reduce the appropriations, the aircraft, and personnel needed later. Strength now—air power now—may discourage attack later. And a Military Establishment, with a strong Air Force, built now and maintained later may stand as an enduring monument to the wisdom of this Congress.

Mr. Speaker, I appeal to my colleagues, in these closing sessions of the Eighty-second Congress, so to strengthen the defenses of these United States that they may remain ever safe from attack, ever strong enough to resist attack if made, and ever a land of liberty, of democracy, of freedom, and of peace.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. FURCOLO] is recognized for 20 minutes.

DEMOCRATIC GOVERNMENT

Mr. FURCOLO. Mr. Speaker, Democratic government will only be strong if the people get the facts on what their Government is doing. I have been particularly impressed with the eagerness of the people in my State to gain a knowledge of what our progress has been over the past 20 years.

Economic growth is a nebulous thing. Only when we break down programs and policies into actual facts of who has benefited from them, and show the extent to which living has been improved for all sections of the population, do we truly understand what we have been trying to accomplish and the degree to which we have succeeded.

I have, therefore, had this study prepared in order to inform the people of my State of the facts on their progress during the last two decades. It deals with the level of employment, production, and income in the State. It describes Massachusetts' gains in health, education, and security—the improvement in wages, hours, and working conditions, and the steady growth of business under our system of free enterprise. The strides made by farmers in production, income, prices, and living conditions are enumerated, and the programs for aiding veterans are set forth on the State level.

Based on my conviction that an informed electorate is indispensable to democratic government, I provide the people of my State with the facts they deserve to have on how far we have come and where we are going.

THE MASSACHUSETTS STORY—HOW MASSACHUSETTS HAS BENEFITED FROM TWO DECADES OF FEDERAL DEMOCRATIC ADMINISTRATION

The people of Massachusetts have shared greatly in the Nation's tremendous advances of the past 20 years.

When the first Franklin D. Roosevelt administration came into power, it faced a dying economy. Today, thanks largely to progressive Democratic leadership, nearly everybody in the land is far better off than he has ever been.

This material progress has meant an immense growth in our feeling of human dignity and security. It has meant the greatest freedom from economic fear that man has ever known. That is the human meaning of the following three facts:

Right now more than 61,000,000 Americans have steady, well-paid jobs.

High employment and improved productive methods have boosted the value of total national output, after adjustments for price changes, to over three times the level of 20 years ago.

Americans' personal incomes, after all taxes and after allowing for increased living costs, have on the average almost doubled since 1932—and are 42 percent higher than in 1929, the peak of Republican "prosperity."

As in this Nation, so, too, in Massachusetts.

The people of Massachusetts have gained with everyone—and stand to lose with everyone if the national democratic policies that have brought us so far are now reversed instead of being extended as they must be.

No one in Massachusetts wants to go back to the crash of 1929 and the depression of 1932. Now we know that we can be prosperous. We all want to go ahead.

Here is where we in Massachusetts stand today, as described in the following pages:

First. Life is better and richer; folks are living better.

Second. Workers have more jobs, higher real wages, greater security.

Third. Business is good: better than ever.

Fourth. Farmers have come a long way—their earnings are breaking all records.

Fifth. Veterans are helped by a grateful Nation.

Sixth. Our Federal tax dollars are buying a lot.

I. LIFE IS BETTER AND RICHER—FOLKS ARE LIVING BETTER

We have come a long way in Massachusetts over the past 20 years. We have

worked hard to do it. And the same reactionary forces whose policies had most of us broke and unemployed 20 years ago are still threatening both our gains and our future. Another fight between progress and reaction is shaping up. That is why the people of Massachusetts are taking a close look at all of the gains they have made.

The facts about our gains are plain. Today the average Massachusetts family, primarily as a result of more steady and secure employment, is earning and saving more than ever. We are living more spaciously and in better-equipped housing. We are eating more nourishing foods. We are getting more health services, more educational advantages, more recreational opportunities. We have more economic security than ever before. And Federal-State cooperative economic and social-welfare programs are helping those few who were unable to keep pace with general prosperity.

Now our job is to extend as well as defend these gains.

HIGHER INCOMES

Total personal income in Massachusetts in 1950 amounted to $7,500,000,000, an increase of 99 percent since 1929, and of 194 percent since 1932.

In 1950, personal income in Massachusetts was $1,600 for each man, woman, and child. In 1932, that average was only $594. Even in 1929 it was only $897.

Right now, after allowance for all price changes, the average Massachusetts family can buy half again as many necessities and luxuries as in 1932.

These are gains Massachusetts citizens are not going to lose.

NOW MASSACHUSETTS FAMILIES HAVE BETTER HOMES

Today, more Massachusetts families than ever before have attained the goal of almost every American—home ownership, and my own back yard.

Home owners: More that 627,000 Massachusetts families own their own homes today, compared with 439,000 in 1930, an increase of over 42 percent.

The strongest single encouragement to this remarkable increase in home ownership has been the activities of the Federal Housing Administration in insuring mortgage loans and bringing down interest rates. By the end of 1951, FHA insured mortgage loans amounted to $274,000,000 in the State. In addition, the Veterans' Administration guaranteed low-interest loans for over 109,000 veterans' homes.

Federal insurance of building and loan companies has helped untold thousands of families to acquire new homes or to repair and modernize their old homes by encouraging investors to make money available for these purposes

Those who rent homes have also been protected: During our war and defense emergencies, ceilings were placed on rents in most crowded communities. Today rent takes a smaller percent of most family incomes than in 1932. In addition, better quality rental housing is available.

Public housing: Through Federal-State-local housing agencies, 15,986 units of low-rent public housing have been constructed or are under construction in Massachusetts, with 9,321 units in the Boston-Cambridge area, 879 units in Fall River, and 700 units each in Lowell and New Bedford. The Federal housing agencies have contributed $125,855,047 to public housing in Massachusetts.

GREATER ADVANCES IN HEALTH

The Federal Security Agency, in cooperation with Massachusetts agencies, in 1951 invested $6,500,000 in programs designated to improve the health and general welfare of the State's population.

Additional modernized medical facilities have been provided. For example, the Federal Government contributed nearly $2,000,000 for the construction of medical facilities, greatly increasing the number of hospital beds and other hospital facilities for all of the people in the State.

The medical profession has been encouraged by these programs. Thus, the number of doctors in the State increased from 15 per 10,000 population in 1929 to more than 18 per 10,000 population in 1949.

Infant deaths per 1,000 live births dropped from 61.8 in 1929 to only 24.5 in 1951 in the State.

Maternal deaths per 1,000 live births declined even more strikingly from 6.7 in 1929 to only 0.6 in 1949. The continuous emphasis which Democratic administrations have placed on our Nation's health have paid off in lives saved.

MASSACHUSETTS EDUCATIONAL PROGRAMS HAVE BEEN EXPANDED

On the educational side, nearly 85 percent of all children 5 to 17 years old were enrolled in school in 1950. Federal contributions for educational programs in the State increased from $250,000 in 1929 to $877,000 in 1951, benefiting nearly 68,000 young people.

The adult population was not overlooked; vocational and rehabilitation programs, aided by $252,000 in Federal funds, improved the lives of 2,500 citizens of Massachusetts in 1951. Land-grant college programs in Massachusetts received $119,000 in 1951, benefiting 8,140 college students enrolled in these institutions.

SOCIAL SECURITY HAS BUILT PERSONAL CONFIDENCE AND INDEPENDENCE

Democratic leadership in Washington put through the Social Security Act in 1935 and insured a real extension of the system in 1950. As a result, 201,200 elder citizens in Massachusetts are now receiving old-age and survivors insurance benefits amounting to $98,412,000 a year.

Before those changes you would have had to buy an annuity worth up to $15,455 to get the income that a retired wage earner and his wife, at 65 now get from social security. If we are married, with several young children, social security provides us with life insurance protection worth up to $25,000.

For most of us, the age-old fear of the poorhouse and the pauper's grave is almost gone, and we must continue to seek to banish it completely. The aged are still not treated properly. We must do better for them.

HELP FOR THOSE WHO WERE UNABLE TO KEEP PACE WITH GENERAL PROSPERITY

In any great human advance some people have misfortunes which prevent them from keeping up with the great majority. But they need not be forgotten. The Federal Government, under the Social Security Act, makes grants-in-aid and contributions to States with approved welfare programs designed to assist the needy aged, dependent children, the blind, and the disabled. Here is Massachusetts record under this act for 1951 alone:

Program	Federal contribution	Number of persons aided	Average monthly payment
Old-age assistance	$33,590,038	101,572	$61.78
Aid to dependent children	6,752,334	32,064	45.23
Aid to the blind	509,773	1,571	69.38

II. WORKERS HAVE MORE JOBS, HIGHER REAL WAGES, GREATER SECURITY

Those in Massachusetts who work for wages have benefited over the past 20 years more than almost any other group from the policies of the national Democratic administration.

But right now, largely as a result of backward-looking economic policies on the part of some industrialists and bankers in the Commonwealth, many workingmen are feeling the pinch of unemployment in certain areas.

Why has this happened?

First. As long as textile plants can run from Massachusetts to the South to avoid decent union wage scales, there will be fewer jobs and lower wages in Massachusetts.

Second. As long as power in New England costs the average consumer 42 percent more than in the TVA area of the South, and 14 percent more than in the United States as a whole, industrial expansion in Massachusetts will be held back.

We must support policies that tend to raise wages in the South and that give New England cheaper power.

A progressive Massachusetts will be an increasingly prosperous Massachusetts.

DECENT JOBS AND HIGHER WEEKLY EARNINGS

Statistics alone can never indicate the human degradation imposed by the great depression. But let us remember that in 1932, over 12,000,000 men and women in the United States were totally and despairingly without work.

In 1951 over 1,815,000 people in Massachusetts had steady jobs. In manufacturing, the chief type of industry in the State, employment rose from 587,000 in 1939 to 735,400 in 1951, and stood at a higher level than in any year since the World War II peak years, 1943 and 1944.

Consider the pay envelope's progress since 1932. Nationally, the average worker's weekly pay was $32.40 figured in today's dollars—if he had a job.

In 1950 the average Massachusetts factory worker drew nearly $61 a week in wages.

FORTY HOURS A WEEK, PLUS OVERTIME

Back in 1929 the average American worker labored 44 hours for that slim weekly pay. Now average hours of Massachusetts workingmen are down to 40 hours, despite the great expansion of output to meet national-defense needs, and despite the rise in the pay and purchasing power of the worker.

Today, moreover, most workers get time and a half for work over 40 hours, paid holidays, and paid vacations.

In 1929, a Massachusetts factory worker had to put in 161 hours of work to pay for a seven-tube radio set. Today, he can buy a 20-inch television set for the price of 98 hours of work.

FROM POORHOUSES AND CHARITY TO INSURANCE AND SECURITY

Before the policies of Democratic administrations went into effect, the average workingman was forced to rely on private charity, the poorhouse, and his children for help during periods of unemployment or temporary disability, and for security in old age.

Now, 1,482,000 Massachusetts workers have Federal-State unemployment insurance if they lose their jobs. And the free Federal-State employment service will now help any worker find a new job. Last year, the Massachusetts Employment Service found jobs for 239,268 workers.

Now, also, most of us are entitled to Federal social-security in our old age, and our families will get monthly insurance payments if the chief breadwinner should die prematurely.

COLLECTIVE BARGAINING

Many of labor's gains since 1933 have come directly from stronger unions and strong collective bargaining. In the old days unions were fought bitterly, and in 1932 union membership had sunk to an alarming low.

In 1949 union membership in Massachusetts stood at 576,000—nearly one-third of the employed civilian labor force in the State.

Democratic government made these gains possible when in 1933 and again in the 1935 Wagner Act, it wrote into law—and enforced—the workingman's right to organize freely and bargain collectively. Where would workers now be without those gains?

FROM EXPLOITATION OF THE WEAK TO LEGAL GUARANTIES

Today, chislers can no longer exploit workingwomen. Today, we no longer suffer starvation wages—the Federal legal minimum is 75 cents per hour. Today, the handicapped are getting Government help in finding jobs. Today, race discrimination in jobs is fast on the way out. The national Democratic leadership has fought for these gains.

III. BUSINESS IS GOOD: BETTER THAN EVER

Opportunities in Massachusetts are good in almost all fields of business. And the businessman's efforts pay off today more than ever before because the State's economy is stronger than ever before.

Democratic national policies have forever proved that what is good for the country is good for business. Selfishly short-sighted policies, however, can still bring business back to the crash of 1929 and the bankruptcies of 1932. Continued policies of the Democratic administration is the businessman's best insurance.

BUSINESS POPULATION

In 1951 there were 129,600 businesses in operation in the State. Manufacturing establishments alone increased from 9,872 in 1929, and only 8,145 in 1933 to 10,524 as long ago as 1947, the latest year for which figures are available.

Nearly 11,000 new businesses of all kinds were started in Massachusetts in 1950—proof of how hollow the charges are that so-called socialism is undermining American business.

The value added to raw materials by manufacturing establishments in Massachusetts soared to nearly $3,700,000,000 in 1950, stood at $1,700,000,000 in 1929 and dropped to less than $900,000,000 in the dark days of the depression.

Volume of retail sales of Massachusetts businesses increased 148 percent between 1939 and 1948. An additional indication of business growth is shown by the fact that businesses in Massachusetts employed 1,787,000 people in 1950 and paid them $5,269,000,000 in total wages and salaries, an increase of 113 percent from 1929 and 236 percent from 1932.

Purchases of military supplies and equipment from Massachusetts business firms also helped to expand the State's output and provided a substantial source of business income in the State. Contracts awarded amounted to $1,300,000,000 since Korea.

TRANSPORTATION

Massachusetts business relies on transport. The Democratic administrations in Washington have helped tremendously to develop air transportation. Four airports in the State received Federal aid in 1951, amounting to almost $1,100,000.

Truck transport has been greatly aided by highway construction in the State; Federal contributions alone amounted to $19,000,000 in 1951. During the past 20 years of forward-looking Federal Democratic administrations, a modern merchant marine has been fostered; railroads have been helped to gain a fair return so that they could afford to modernize equipment.

CONTINUED BUSINESS EXPANSION

Much of the business expansion in Massachusetts has been possible because of Federal programs to aid business financially. Thus, the Reconstruction Finance Corporation has made a total of 81 loans amounting to $27,000,000 to businesses in Massachusetts in 1951. Of these, 75 loans amounting to $10,000,000 were made to aid small businesses.

A WORD ABOUT THE BANKS

Thanks to Democratic banking reforms, not a single depositor in any bank insured by the Federal Deposit Insurance Corporation suffered a cent of loss or a moment's delay because of bank failure last year.

In 1932, five banks with assets of over $29,000,000 failed in Massachusetts alone. Small businesses and individuals were hardest hit. Bank deposits are now insured by the Corporation up to $10,000 per depositor. Before the Democratic administrations, not a single account or a penny of deposits were so protected.

More facts about business progress in Massachusetts

[This tabulation presents selected statistics not included in the text above]

Other available statistics	1929	1932	1951
Bank deposits: Total private time and demand:			
Amount	$3,782,220,000	$3,364,152,000	$7,218,209,000
Per capita	$890	$792	$1,539
Deposit insurance:			
Number of accounts fully protected	None	None	2,338,000
Number of accounts protected up to $10,000	None	None	45,524
Amount of deposits protected	None	None	$1,870,000,000
Percent of all deposits protected	None	None	43.0
Number of banks insured	None	None	173
Assets of banks insured	None	None	$4,962,000,000

IV. FARMERS HAVE COME A LONG WAY

Most Massachusetts farmers and their families, through their own hard work, have lifted themselves in the past 20 years from poverty living to American living.

But Massachusetts farmers have always worked hard. They worked hard during the 1920's and thousands of them went broke. They worked hard in 1932 and by the end of the year they were all virtually bankrupt.

In the past 20 years Democratic national policies have made the difference.

Much still remains to be done for agriculture. It will not be done by an obstructionist Congress. It can only be done by forward-looking Democratic leadership in Washington—the same sort of leadership that has already helped Massachusetts farmers so much.

CROP AND LIVESTOCK PRODUCTION AT HIGH LEVELS

Production of crops and livestock on Massachusetts farms has greatly increased since the early 1930's. For example, corn production in bushels has increased 11 percent since 1932, while cattle slaughterings in hundredweight have increased 27 percent.

FARM INCOME, PRICES, AND WAGE RATES ALSO AT PROSPEROUS LEVELS

Massachusetts farmers received $206,000,000 in cash for the products they marketed in 1951. In 1929 they received only $83,000,000, while in 1932 they made just $54,000,000, or only about a quarter as much as last year.

The prices of products farmers sold went down while the prices of the things they bought went up. The squeeze got tighter and tighter and ended in the 1930's with poor farm living, big farm

debts, and foreclosed mortgages. The Democrats established parity price policies that keep the prices of products farmers sell in fair relationship with the prices of things they buy.

Here are some examples of the price gains Massachusetts farmers have made since the 1929 boom and 1932 bust:

	1929 boom prices	1932 bust prices	1951 prices
Selected commodity prices:			
Milk, wholesale (hundredweight)	$3.40	$2.30	$6.12
Eggs (dozen)	.508	.305	.651
Chickens (pound)	.312	.182	.264
Tobacco (pound)	.356	.120	.691

Farm wage workers in the State have also prospered. They now work fewer hours, and their wage rates have risen from only 26 cents per hour in 1932 to 80 cents per hour in 1951. Taking into account increases in prices, the purchasing power of these wages has doubled.

FARMERS NOW GET AMPLE CREDIT AT REASONABLE COST

Advances in farming, as in other major businesses, have depended on credit—the ability to secure loans at reasonable rates and terms. In 1932, farm credit was both expensive and hard to get. Since 1935, farm credit agencies of the Federal Government have been making loans at reasonable interest rates to farmers in Massachusetts for farm purchase and operation.

In 1951 alone, Federal farm loans extended to Massachusetts farmers numbered 1,300 and totaled over $3,000,000. These loans averaged $14,000 for farm purchase, $2,000 for farm operation, and almost $3,000 for production credit.

MASSACHUSETTS FARMERS NOW BENEFIT FROM MORE EQUIPMENT AND MORE SCIENTIFIC KNOWLEDGE

The progress of Massachusetts farmers is shown by the big increase in their use of trucks, tractors, and milking machines on farms over the past 20 years. The Democratic administrations have helped farmers get the use of more up-to-date knowledge that improves production and helps prevent failures. The Federal Government spent over $1,000,000 in Massachusetts in 1950—$706,000 on soil conservation and the remainder for agricultural experiment stations.

Farm efficiency and conservation measures have been greatly improved by these developments. For example, 53 percent of our cropland is included under agricultural conservation programs, while virtually all Massachusetts farm land is included in soil-conservation districts.

FARMERS ARE LIVING BETTER

Farm ownership and foreclosures: Today nearly 96 percent of all farmers in Massachusetts own their farms. In both 1929 and 1932 nearly 1 farm out of 10 was run by tenants.

In 1932, 8 farms out of every 1,000 were foreclosed. In 1951, less than 2 out of every 1,000 were foreclosed.

The value of farm land in Massachusetts stood at $130 per acre in 1929, dropped down to $119 per acre in 1932, and is now up to nearly $204 per acre.

Life on the farm is easier: In the short span of the last 20 years, living on the farm in Massachusetts has become modernized American living. Now nearly every Massachusetts farmer has an automobile. Over 16,000 miles of rural roads were surfaced by 1951, compared with only 9,000 in 1929. Now farmers and their families can get to town. Likewise good earnings have made it possible for farm women to buy modern labor-saving devices.

Electrification through Rural Electrification Administration cooperatives has brought electricity to Massachusetts farm homes. In the early 1930's only 6 farms out of 10 had power-line service. Now over 9 out of 10 farms have such service. And since 1949 REA has begun to repeat the same story on telephone installations.

Today 91 percent of Massachusetts farm home have radios, not to mention the rapidly increasing number acquiring TV sets. Only 19 percent had radios before 1929. Today, the farmer keeps abreast of weather, crop, and market reports, as well as national and world events.

More facts about the farmers' gains in Massachusetts

[This tabulation presents selected statistics not included in the text above]

Other available statistics	1929	1932	1951 [1]
Cash receipts from marketings	$83,167,000	$54,200,000	$205,828,000
Production Credit Administration: Amount of loans outstanding	----------	[2] $1,000,000	$2,000,000
Federal lands banks:			
Number of loans outstanding	108	134	155
Amount of loans outstanding	$4,200,000	$4,400,000	$5,800,000
Cooperatives: Amount of business	$56,500,000	$31,300,000	$166,600,000
Farm mortgage debt	$46,162,000	$53,000,000	$33,662,000
Percent of farm homes with telephone	[3] 64.8	[4] 53.5	[5] 77.9

[1] Or latest available year. [2] 1935. [3] 1930. [4] 1940. [5] 1950.

V. VETERANS ARE HELPED BY A GRATEFUL NATION

When a serviceman comes home he may carry no wound scars—but he still has sacrificed a lot. He has sacrificed, for his country's need, a part of his life. The country owes him all the aid it can afford toward making up for those years, toward helping him catch up on the progress he otherwise would have achieved.

This modern approach to veterans' needs was first sponsored by Franklin D. Roosevelt and was enacted into law by a Democratic Congress, in the GI bill of rights of 1944.

Now similarly, President Truman in his 1952 State of the Union Message has urged Congress to "start a sensible program of readjustment benefits for our veterans who have seen service since the fighting broke out in Korea."

THE GI BILL OF RIGHTS: CATCHING UP ON SCHOOLING AND TRAINING

Over 202,000 Massachusetts veterans—about 39 percent of the World War II veterans in the State—have taken advantage of the GI bill's provisions for tuition and other expenses to continue education or training—over 35,000 in 1951 alone. On these VA programs the Federal Government spent almost $42,000,000 in Massachusetts last year.

THE GI BILL OF RIGHTS: BUYING THAT NEW HOME

By 1951, 109,000 Massachusetts veterans had joined the ranks of homeowners by taking advantage of the small down payments and 4-percent interest rate provided by the Veterans' Administration guaranty program under the GI bill. From late 1944 to June 1951, as a part of this program, the Federal Government insured or guaranteed $760,000,000 worth of low-interest loans made to assist Massachusetts veterans in buying homes.

THE GI BILL OF RIGHTS: STARTING OUT ON ONE'S OWN

The Democratic Party has always sought to encourage small independent business, and owner-operated farms. Under the GI bill 5,600 Massachusetts veterans have opened their own businesses and 150 have been helped to buy their own farms. The principal amount of farm and business loans approved by the VA through June 1951 totaled $17,000,000.

THE GI BILL OF RIGHTS: A GRUBSTAKE WHILE LOOKING FOR WORK

For the first time in history, veterans of a World War have been able to count not only on their discharge pay until they get work, but also on Government payments of $20 a week, for a year if necessary. Under this continuing program unemployment claims and self-employment claims filed by Massachusetts veterans have totaled $146,000,000.

DISABLED AND ILL VETERANS ARE WELL CARED FOR

Medical care for disabled veterans and for all other veterans who need it has been greatly improved since 1946, when a Democratic Congress raised salaries for VA medical and professional staffs and otherwise enabled the best standards of medical care to be developed. The same law provided arrangements that allow veterans to get free treatment in many cases from their hometown doctors and dentists.

The VA maintains five modern hospitals in Massachusetts with two additional hospitals recently completed in Boston and Brockton. The new hospitals costing $30,000,000 will aid in giving better hospitalization and medical care to over 16,000 hospitalized veterans in the State.

Vocational rehabilitation has helped over 10,000 disabled Massachusetts veterans get back to work and normal living. Over 3,000 were in training in 1951, entailing $6,000,000 in Federal funds for substance, tuition, supplies and equipment.

Compensation for wartime disabilities now range generally from $15 to $150 a month, rising to $360 a month in special

cases. Peacetime cases get 80 percent of these rates.

PENSIONS AND INSURANCE ON AN ADEQUATE BASIS

Since the enactment of the low-cost national service life insurance program, sponsored by President Roosevelt in 1940 and later endorsed by President Truman, about 6,000,000 policies were issued to servicemen in the United States through 1950. These policies provided $39,000,000,000 worth of insurance to veterans and their families.

Today, 88,758 Massachusetts veterans of World War II or their survivors are receiving a pension, a compensation, or a retirement payment amounting to $50,441,136.

Since April 25, 1951 congressional action makes it possible for every serviceman, in Massachusetts as in all other States, to get a free $10,000 life insurance policy.

VI. OUR FEDERAL TAX DOLLARS ARE BUYING A LOT FOR THE NATION AND FOR PEOPLE IN MASSACHUSETTS

The progressive Democratic programs and policies that have brought so much progress to the Nation and to Massachusetts do not run themselves. Money has to be spent in order to get the benefits of these programs to the people. Most of that money is provided by us taxpayers. We believe in the wise and economical spending of tax money. We also believe in the development and security of America and Americans.

We all help pay Federal taxes—Democrats have fought for fair tax laws that base each person's taxes on his ability to pay. The average person has far more left over after taxes than he or his family had before taxes in 1929.

FEDERAL SPENDING IN MASSACHUSETTS

Of course the people in Massachusetts want and are entitled to a fair return from the Federal Government. It is difficult to tell what that is.

Some Republicans complain that the people of Massachusetts are being shortchanged; they argue that the Government doesn't turn back enough of its tax collections to the State.

Here are three reasons why such comparisons of taxes collected and money spent do not measure the benefits Massachusetts gets from Federal spending:

First. Spending in Massachusetts alone does not tell the whole story.

Residents of Massachusetts can benefit just as much from Federal investments in other States as from investments in their own. After all, Massachusetts citizens are United States citizens as well. An airplane built in California guards people in Massachusetts. Most of the Federal budget goes for defense—for atomic energy, for planes, tanks, ships, guns, and to pay men in the armed services. Just who will vote to leave America poorly defended?

And, the people of Massachusetts benefit from Federal expenditures that cannot be allocated to any one State—such as the postal service, the Immigration Service, the FBI, and the over-all costs of running the Government.

Second. It is not possible to list all Federal money spent in Massachusetts.

Accurate breakdowns of all Federal expenditures are impossible to get. The pages at the end of this section, as well as all that has been described in the sections before, give information on a large number of the programs for which money is being spent to the benefit of the people of Massachusetts.

Third. Federal taxes collected in Massachusetts do not necessarily reflect the amount of taxes that the people actually pay.

For example, certain excise taxes are collected in advance from manufacturers in Massachusetts, but they are actually paid by consumers in other States. Some corporations pay their taxes at their home office rather than in the State where the factories are located. Also, people sometimes file their income tax returns in the State where they work or do business, rather than where they reside.

THE FACTS ON FEDERAL SPENDING IN MASSACHUSETTS

Of course we all want to cut out unnecessary Government spending. Who does not want to cut out unnecessary spending? The question is: just what is "unnecessary"?

Is aid to the blind unnecessary? Ask a blind man.

Is public housing unnecessary? Ask the two-hundredth family on a project waiting list for decent housing at a rent they can afford.

Are public health clinics unnecessary? Ask the mother whose child might have died because the family could not afford a private physician.

Listed below are some of the major programs paid for by our tax dollars last year, which are bringing benefits to a cross-section of Massachusetts citizens.

It might be revealing to find out just which ones anyone thinks the people of Massachusetts can do without.

THE PROGRAMS AND BENEFITS

1. Federal grants in aid to the State and local governments to help them with their programs:

	The amount invested fiscal year 1951
For workers:	
Administration of unemployment insurance and State employment offices	$7,424,278
Vocational rehabilitation for the disabled	141,792
For farmers:	
Agricultural experiment stations	161,238
Agricultural extension services	193,080
Better marketing facilities	16,079
For veterans:	
Institutions for the disabled	216,393
Administration of unemployment and self employment allowances	94,259
Supervision of on-the-job training	96,261
For our needy population:	
Aid to the needy aged	40,897,205
Aid to dependent children	8,768,360
Aid to the blind	536,044
Child welfare services: Foster care, prevention of delinquency, etc	41,232
For our needy population—Continued	
Donation of perishable surplus foods to welfare agencies, public institutions, and schools:	
Department of Agriculture program	$557,302
Commodity Credit Corporation program	1,798,100
For our health:	
To fight cancer:	
Cancer detection and control	107,933
Research laboratories and other facilities	1,052,750
To fight heart disease:	
Heart disease detection and control	37,824
Research laboratories and other facilities	394,000
To fight TB	219,170
To fight VD	54,860
To fight water pollution	31,000
To build hospitals	2,845,105
To promote mental health	94,820
To promote basic health services	343,694
For maternal and child health	228,189
For services for crippled children	211,825
For housing: Low-rent public housing	626,773
For education:	
Free books for the blind	5,211
Vocational training for future workers for the farm, home, and industry	555,641
Maintenance and operation of schools in federally affected areas	123,634
Instruction in the land-grant colleges	119,267
School lunch programs	1,478,069
Flood control lands	296
For transportation and communication:	
Airports	636,428
Roads and highways:	
Regular grants	19,390,576
Training sailors for the merchant marine (includes some maintenance and repair of vessels)	76,156
For natural resources:	
Establishment of migratory bird refuges	7
Protection of non-Federal forests	108,940
Wildlife conservation	54,802
Total, grants-in-aid	89,738,593
2. Defense work:	
Value of prime contracts awarded for military procurement and construction, July 1950 through December 1951. (This includes only prime contracts and therefore does not reflect the subcontracting on military contracts being done in the State.)	1,319,176,000
3. Soil conservation:	
Payments to help defray cost of soil-conservation practices	810,515
Payments to sugar producers to insure adequate wages and a fair selling price for American sugar	----------
Grants to needy farmers for minor but essential repairs on farm housing	----------

	The amount invested fiscal year 1951
4. Veterans' benefits administered by the VA, including autos for disabled veterans; compensation and pension benefits; construction of hospitals and other facilities; life-insurance benefits; pay adjustments for World War I veterans; readjustment benefits, including GI bill, unemployment, and self-employment allowances, and GI loans; vocational rehabilitation	$180,581,974
5. Interest on Government bonds held by individuals, including non-profit institutions (1950)	79,900,000
6. Rivers and harbors and flood-control projects of the Corps of Engineers	2,190,000
7. Federal payrolls, 1950:	
Civilian employee payrolls	182,900,000
Civilian employee pensions	11,771,000
Military pay and allowances, including dependents' allowances and retirement pay	102,476,000
8. Social-security payments from social-insurance funds, 1950 (although these are technically not Federal expenditures, they do represent insurance payments that are being made because of Federal programs);	
To unemployed workers	76,702,000
To retired workers	54,782,000
To unemployed railroad workers	1,143,000
To retired railroad workers	6,015,000

COMMITTEE ON AGRICULTURE

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file reports on the bills S. 2603, H. R. 7952, and H. R. 8170.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will there be minority reports?

Mr. COOLEY. No. The bills are unanimously approved by the Committee on Agriculture. I do not think there is any controversy about any of them.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

WEST VIRGINIA

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, God has blessed the North American Continent with a great abundance of wildlife and a habitat well suited for its maintenance. West Virginia, more than many other States of the Nation, has been abundantly blessed by nature. Our forests, fields, and streams are capable of producing enough wildlife to supply the recreational desire of every citizen.

In order to perpetuate our natural resources for the future welfare and prosperity of the coming generations, we must see to it that adequate laws are passed to protect our heritage. I have long felt that there is a lack of a full and complete realization of our wildlife plight, and its social and economic value to our citizens.

In our mad rush to convert natural resources into gold we have greatly damaged the natural habitats by the destruction of our forests, the pollution of our streams, the drainage of marsh areas, and the erosion of our topsoil through improvident farming.

Damage to our wildlife resources has been greatly accelerated by an ever-increasing number of those who love to hunt and fish, and who have been, for the large part, unmindful of the heavy inroads upon brood stock that have been made.

The demands for stocking West Virginia waters with legal-sized trout have increased greatly during the postwar period. The production of trout has been limited by the lack of adequate rearing facilities.

Since my election to Congress in 1948 I have transmitted several hundred fish applications from my district to the Fish and Wildlife Service for the purpose of restocking local streams.

In the past 20 years we have made great strides toward reawakening the American people to the violent destruction that has been done to our forests, grasslands, wildlife, and water sources. We have made real advances in the protection of wildlife but we must continue our endeavors to emphasize the importance of conservation in nature's economy.

This is the season of the year when we begin to seek vacation spots, so what better time to renew our effort of wildlife conservation. Much responsibility for the control of erosion, floods, forest butchery, pollution and declining living standards rests on the everyday citizen. If the current condition is allowed to deteriorate at the rate that it has done in the past few years the first thing we know there will be no fishing and hunting worthy of the name remaining in America.

Our citizens are becoming more aware of the problems of wildlife management, which in turn aids the professional conservationists to solve these problems. The recognition of the importance of soil conservation in agriculture has increased the farm production. Not only is wildlife worth billions of dollars to us in cash, it is worth immeasurably more as a source of recreation, good living and as a morale builder for the continual fight which we must wage in a world of insecurity and competition.

By the wise exploitation of the people's natural interest in wildlife we can foster interest in the need for soil conservation, rehabilitation of our watershed and the cleansing of our polluted streams. Not only would we then be building habitat for wildlife, but we would be serving ourselves and our neighbors in maintaining a high standard of living and security which must come inevitably from the land.

I have long advocated a Nation-wide program for the betterment of wildlife and feel that although Congress has done much there is still widespread need for restoration and preservation of our natural resources.

In the last Congress we enacted the Federal Aid in Fish Restoration Act, commonly known as the Dingell-Johnson Act. This act provides for the allocation to the States of funds collected through the 10 percent excise tax on fishing rods, reels, creels, and artificial baits, lures and flies. Funds made available are to be used in research concerning the development of fish material value in sport or recreation. In the first year of operation, a total of $2,929,250 was collected of which $37,289.79 was apportioned to West Virginia.

Two approved projects are under way in West Virginia in the fish restoration program. The first of these is the "Population Manipulation and Creel Census of Two West Virginia Smallmouth Bass Streams." It is a research study designed to provide the information essential for intelligent management of West Virginia's famous smallmouth bass streams. Project activities are located on the Lost and North Rivers in northeastern West Virginia.

The second project has been approved by the Fish and Wildlife Service and will commence July 1 of this year. It is "Fishing Areas Investigation for Development," and is designed to identify sites for pond and lake construction and existing but undeveloped fishing waters.

I welcome any objective suggestions from my constituents as to how the Federal Government can aid and assist in the betterment of our wildlife.

BUREAU OF INTERNAL REVENUE

Mr. COMBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBS. Mr. Speaker, I am a member of the subcommittee of the Committee on Ways and Means known as the King subcommittee. It has been the unpleasant duty of that committee to go into the question of corruption in the Bureau of Internal Revenue and the publicity that has come from that activity has of necessity reflected somewhat on the Bureau as a whole. One of the worst things that could happen to our country is for people to lose faith in that division of our Government which is engaged in the collection of taxes. There are 57,000 employees or more in the Bureau of Internal Revenue who have been faithful through the years.

They are fine career people, faithful and loyal to their Government, highly skilled and capable in the discharge of their duties. They should not be condemned or placed under a cloud because of the malfeasance and unfaithfulness of a few. On the contrary, the searching investigation that has been made, and the prompt weeding out of the few who were found derelict in their duties should reassure the public in the soundness of the Bureau of Internal Revenue. Last spring the reorganization plan, submitted by the President and approved by the Congress, became effective. Commissioner Dunlap moved at once to put the plan into practical operation and to set up new procedures. I should like to relate in some detail the problems dealt with and the tremendous progress that has already been made in solving them.

Legislativewise the Congress has had to provide for the revenue needs of the World War II emergency with many fundamental and far-reaching changes in our tax laws. Developments such as tax withholdings, declaration of estimated tax, corporate excess profits tax in conjunction with highly complex relief provisions, new excise levies, refund of overpaid tax to the majority of individual income-tax payers, expanded social-security tax, sharp increases in income tax rates, and equally sharp reductions in the amounts allowed as personal exemptions—all telescoped within a very few years—forced truly revolutionary changes in the scope and nature of the work of the internal revenue service. During these years the problem of most immediate urgency was to collect revenue in unparallelled amounts with which to fight the war, and this task of necessity, absorbed the full time and attention of all revenue officials. An atmosphere of extreme urgency existed until hostilities were concluded.

Following the war the record shows much thought and effort concentrated upon reforms in practices, procedures, and structure. Nevertheless, the postwar period brought with it the need for much additional legislation which continued the atmosphere of extreme urgency to collect the revenues and left far too little time for basic reforms in administration.

Since 1946, the Congress has passed five major revenue acts, all carrying substantial additional workloads. These are:

The Revenue Act of 1948, which introduced split income, added additional computations in the tax-determination process, and increased the number of individual income tax refunds.

The Revenue Act of 1950, which introduced many new technical amendments, including for the first time taxable returns based on the unrelated business income of certain tax-exempt organizations.

The Excess Profits Tax Act of 1950, which reintroduced a corporate excess-profits tax, resulting in the annual filing of some 150,000 returns carrying the complex excess-profits tax schedules.

The Social Security Act amendment of 1950, which extended social-security coverage to some 10,000,000 additional persons, including domestic and agricultural labor and the self-employed. This involved returns from housewives and an extra schedule on the business schedule of the individual income-tax returns.

The Revenue Act of 1951, which carried a number of complicating and additional work factors, among which were the inclusion of a separate schedule extending partial split income to heads of households, special rules for sale of personal residence, special taxes on wagering, and alcohol and tobacco floor stock taxes.

During the same period over-all economic factors directly bearing upon tax administration increased the pressure on the revenue service. As between 1946 and 1951, the population increased 9.2 percent; the number of employed persons, 10.4 percent; the number of business establishments, 14 percent; national income, 53 percent; the individual income-tax returns of $10,000 and over, 105 percent; and corporate income-tax returns, 47 percent. Along with these mounting workloads the manpower provided by the Congress to the revenue agency increased a negligible 2.5 percent.

The plain truth is that the Bureau during these years did not and does not now have enough manpower to handle properly and effectively all the duties assigned to it by the Congress.

A striking example of added duties by legislative enactment can be found in the wagering tax. These taxes became effective on November 1. Yet, for the 8-month period, November 1 to June 30, 1952, of the present fiscal year, despite the requests of the revenue agency for funds to administer these taxes, the Congress specifically declined to appropriate one cent toward the enforcement of the law. Thus, the agency is left with the specific assignment by the Congress with funds for its administration specifically denied. Moreover, during the spring of last year, as a result of the Kefauver committee hearings, much criticism was directed at the revenue agency for having failed to proceed more vigorously against the so-called tax racketeer type of cases. This criticism was made despite the fact that the agency had worked some 1,600 racketeer-type cases totalling close to $129,000,000 in the 3 years prior to last spring.

The disclosures of the Kefauver committee, however, convinced Secretary Snyder that greater efforts should be made in this field. Consequently, on April 27, 1951, Secretary Snyder called the Honorable John B. Dunlap of Texas to Washington to organize and conduct the now highly effective racket squad work.

By July 1, 1951, the racket squads, involving 2,800 of the finest enforcement agents of the revenue service, were in full operation. Through April 1952, deficiencies and penalties totaling $73,000,000 had been assessed, with indictments having been returned in 256 cases involving 374 defendants and 111 convictions involving 199 defendants. The assignment of the 2,800 enforcement agents materially depleted the all-too-small force of examining agents engaged in the regular audit of tax returns. When the Congress was asked to provide funds to replace these men, the request was specifically denied. This denial was made despite the fact that the agency's appropriation permits it to examine only 7.3 percent of the individual income tax returns; 6.3 percent of the partnership returns; and less than 1 percent of all excise tax returns.

A report dated January 1948 prepared by the Advisory Group of the Joint Committee on Internal Revenue Taxation, appointed pursuant to Public Law 147, Eightieth Congress, carried the serious warning that "the enforcement activities of the Bureau of Internal Revenue are now spread so thinly over the entire field of taxation that taxpayer compliance with the requirements of the code is deteriorating at a dangerous rate."

The stresses and strains occasioned by the assignment of workloads requiring well-nigh superhuman efforts and ingenuity in the light of the meagerly provided-for staff made it inevitable that some rupture in certain phases of the revenue operations would eventually occur. These ruptures are now well known to most of us.

In all fairness, however, it should be pointed out that during those years since the close of the war, the Department charged with tax administration has exerted itself to the fullest in an attempt to meet its responsibilities and to avoid the ruptures which have occurred. Moreover, during these years, our tax collecting agency has been the subject of many analyses, appraisals, and investigations, the first of which was conducted by the Treasury Department's own Management Improvement Committee, set up by Secretary Snyder in 1946. Secretary Snyder has done a magnificent job and is to be highly commended for the actions taken to improve the internal revenue service as outlined in the chronology appended at the end of these remarks. Other groups which have investigated the agency's operations and structure include the staff of the House Appropriations Committee in 1948; the Advisory Group of the Joint Committee on Internal Revenue Taxation, previously referred to; a task force of the Hoover Commission; and, a firm of outstanding management engineers whose employment was authorized by the Congress.

This past spring another committee of the Congress, the King Subcommittee of the House Committee on Ways and Means, began another close investigation of the agency.

The complete files and records were thrown open to its members and staff. It is most commendable that this agency has assisted a congressional committee in conducting inquiries into its own operations; and leads developed by the committee have been made available to the Bureau in order that it might take necessary corrective action promptly.

The intelligent and comprehensive program of operational improvements being carried on by our revenue service makes interesting reading for all who have an interest in efforts of Government to raise the level of administrative standards. This record is too long to introduce at this point. Therefore, I request the privilege of inserting a summary of it in an extension of my remarks.

During those years when the attention of the administrators was, of necessity, focused on solution of the broad problems of management brought on by the vast wartime increases in the tax system, some of the men charged with the responsibility for proper administration of the revenue service proved too little or too weak for their heavy public trust. This deplorable fact began to come to light about mid-1950. From then on, the record shows that they were weeded out as quickly as sufficient proof of their guilt was developed.

On August 1, 1951, Hon. John B. Dunlap, who had been called to Washington the preceding April by Secretary Snyder to organize the drive on tax racketeers, was appointed by the President to the post of Commissioner of Internal Revenue. Immediately after his taking office, added impetus was given to the many positive and effective actions already being taken to rout out those who had proved too little or too weak. Among these were the following:

First. Firm directives were issued to each and every employee concerning his grave responsibilities in respect to personal conduct;

Second. All principal revenue officials, numbering close to 200, were called together in Washington, and told what was expected of each of them by way of conduct, as well as what they were expected to exact from their employees;

Third. An effective inspection service was established to insure against any repetition of the malpractices that have been uncovered;

Fourth. All officials and employees who occupy positions of trust, numbering about 30,000, were required to furnish a strict accounting of their financial affairs;

Fifth. An intensive audit was conducted of income-tax returns for the last 3 years for each of the same officials and employees;

Sixth. Every rumor from every source concerning any employee was fully investigated;

Seventh. All persons found to be unfit were removed from the service;

Eighth. Evidence looking toward the prosecution of separated employees where the circumstances warranted such action was documented; and

Ninth. Complete cooperation was extended to the congressional committees authorized to examine into the administration of the revenue service.

Between January 1, 1951, and April 10, 1952, 177 persons were separated from the rolls. Of these, 72 were separated for irregularities involving improper relations with taxpayers, many of a relatively minor nature, such as accepting fees for filling out income tax returns, and so forth; 18 for embezzlement; and 87 for improper activities not desirable in the internal revenue service, such as noncompliance with office rules, insubordination, and so forth, but not having any implications of dishonesty.

That is a total of 90 employees separated for improper relations with taxpayers, or embezzlement, over a period of 15 months, during which period the monthly employee strength averaged approximately 57,000.

It was, however, as Commissioner Dunlap is quick to admit, 90 too many. Therefore, emphasis has more recently been placed on the adoption of measures which will reduce that figure to an irreducible minimum and prevent, insofar as is humanly possible, the recurrence of the malpractices discovered. These measures include:

First. Agreement with the Civil Service Commission to raise the minimum qualifications required for appointment in the case of all investigative personnel, thereby insuring public servants of basically higher caliber.

Second. More rigorous preappointment investigations of the character and general fitness of new employees have been instituted.

Third. More intensive and constant training of employees in matters relating to conduct in positions of public trust.

Fourth. A program for revitalized supervisory leadership to inspire improved morale, greater efforts on the part of each and every employee, and keener awareness of the need for sympathetic understanding and treatment of the average American taxpayer.

Fifth. Most important of all—the President, after 5 years of careful study by the Treasury and the Bureau of Internal Revenue, submitted, and the Congress approved Reorganization Plan No. 1 of 1952. The implementation of this plan will insure more effective supervision of the revenue employees, tighter administration, direct lines of authority, greater economy, and much finer service to the public.

I think, therefore, that we can rest assured that the situation so far as it is humanly posible is now well under control in the matter of properly directing the limited resources against those areas most sorely in need of close supervision. Recently the official rules of conduct for revenue employees were revised and reissued. These rules cover the whole gamut of employees' conduct and taxpayer relationship and provide severe penalties if transgressed. But it is not enough to have totally honest, hard-working, conscientious employees.

Those with whom the employees transact their business, taxpayers and their representatives alike, should approach their responsibilities with a single object of determining the correct tax under the statute. No other consideration should enter into conferences carried on between revenue officials and taxpayers or taxpayers' representatives.

Department Circular No. 230—revised December 7, 1951—prescribes the regulations governing the recognition of agents, and attorneys and other persons representing claimants before the Treasury Department. These regulations state that by statute those enrolled to practice must show that they are of good character and in good repute. Good character and good reputation are not identical requirements. The former is determined by the applicant's actual qualities; the latter depends upon the opinion entertained of the applicant by those who have had the opportunity of knowing him in the community in which he resides or in which he practices his profession.

I understand that further revision is now being made in the requirements of practice for the purpose of insuring that those who practice before the Department are worthy of the privilege.

I can think of no place where ethics of the highest possible order are more essential than in the representation of claimants and others than in the case of transactions involving the Public Treasury. It is equally as incumbent upon the representative of a claimant to advise such claimant as to the limits of his claim under the law as it is for the Government official to see that the rights of both the Government and the claimant are respected.

But still something more than adequate appropriations, improved management, and ethical conduct is required to help our revenue service and the taxpayers meet their obligations in a more effective and efficient manner. We need simplification of many of our revenue provisions.

An irresistible clamor was heard back in 1944 because of the complexities of the individual income-tax returns of 1943. To the credit of the Congress, it cut through the maze of technicalities and adopted a tax-simplification bill which eliminated millions of dollars of work in time and worry for the taxpayers as well as the revenue service.

Since that time we have added first one gadget, then another, until the individual income-tax returns for 1951 are almost as complicated as those of 1943.

Rapid changes in our economy tend to develop new rules for the measurement of tax bases, new methods of accounting, and improved methods of record keeping. Many of the practices and customs to which our revenue legislation has been directed in the past are outmoded and obsolete.

Niceties in legislation designed to obtain high degrees of equity of an inconsequential nature have multiplied manyfold the work of millions of taxpayers and of the revenue service.

The Advisory Group of the Joint Committee on Internal Revenue Taxation, to which I have previously referred, made a recommendation in its report concerning this subject. It had this to say:

> Many desirable improvements in tax administration require clarifying or technical amendments to the code before they can be adopted. From the number of specific cases in which action has been deferred because the necessary legislation has not been presented or acted upon, it is apparent that existing procedures for bringing such matters to the attention of the Congress

are unsatisfactory. It is recommended, therefore, that the Commissioner be directed by law to bring periodically to the attention of the Joint Committee on Internal Revenue Taxation such sections of the code as are, in his opinion, in need of clarification or revision to expedite the administrative process. Such reports should be submitted from time to time as attention is directed at specific problems, but in no case less often than just prior to the convening of each session of Congress.

Administratively the revenue service has done a good job in simplifying the work for both itself and the taxpayers. It is continuously improving and clarifying the tax forms within the limit of its capacity under the law. It has prepared many posters, pamphlets, and pictures in its attempt to get the tax message across to the people.

But notwithstanding this effort, about one-fourth of all returns filed are in error; it spends more than $6,000,000 a year in assisting people who come to its offices for help in preparing returns, and a rich harvest is created for fly-by-night so-called tax experts who, for a fee, fill out tax returns for the unwary.

There is a limit to which the administrator can go in the simplification of rules, regulations, and forms. That limit is the law itself.

It is high time the Congress devises some mechanism for a more constant study of the periphery frills of our tax laws in order that we may cut through the maze of complexities which are so burdensome to the taxpayers and the Government alike. The high cost of tax compliance is an unnecessary burden on our economy.

There are hundreds of small items in the code which could be amended which, in the aggregate, would save millions for the taxpayer in compliance costs and millions for the Government in administrative costs.

Perhaps a permanent subcommittee of the Ways and Means Committee could be established for the sole purpose of studying these matters on a more or less full-time basis.

From what I know of Commissioner Dunlap, I am confident that he would make available to the subcommittee the best talent in his organization to aid in such a study.

His record as a practical administrator convinces me that to the extent possible under current law, he has made a practice of eliminating all the frills and technicalities possible and proceeding directly to the heart of revenue collection in a businesslike manner. His record as the Commissioner of Internal Revenue has inspired the confidence of his organization and the taxpaying public.

The assignment that the Congress has given to him, coupled with improper provision for funds, has made his task well-nigh impossible. Yet he has tackled the job with zeal and utmost confidence. His integrity is unimpeachable, his leadership superb.

Therefore, I earnestly urge that we meet with equal courage our end of the job by simplifying his job and that of the taxpayers. Now that we have, through Reorganization Plan No. 1, provided for a new and better structure of our revenue organization, let us concentrate upon a reorganization of the administrative provisions of the Revenue Code and such other provisions as will get the same revenue in a simpler, more effective, and businesslike manner.

As I have already indicated, however, I think Secretary Snyder and Commissioner Dunlap are to be commended for their respective roles in adapting the internal revenue service to provide better tax administration. The entire chronological record follows:

CHRONOLOGY OF ACTIONS TAKEN TO IMPROVE ADMINISTRATION IN THE BUREAU OF INTERNAL REVENUE

October 7–9, 1946: Conference of collectors and internal revenue agents in Washington. The conference, called by the Secretary, stirred interest in better management in the Bureau of Internal Revenue and resulted in the submission of a number of plans for improving the operations of the internal revenue service. Many of these ideas and suggestions were adopted in 1947 and 1948 after study and experiments showed they were worth while.

October 31, 1946: The Secretary addressed a letter to all Bureau chiefs urging the streamlining of operations and other administrative improvements.

November 15, 1946: Special Committee on Administration in Bureau of Internal Revenue appointed. This committee appraised the ideas and suggestions submitted by key officials at the October conference and immediately afterward. Its final report was submitted in August 1947. Over 100 of the ideas or plans were adopted and placed in effect in the past 5 years. Some of these were: (a) microfilming of records, commencing in 1947; (b) revision of internal forms, from 1946 to date; (c) new sorting and filing methods for processing returns; (d) reduction of interest payments through improved procedures in scheduling refunds; (e) change in tolerance used in computing taxes on form W–2, to simplify adjustments between the taxpayer and the Government; (f) use of pre-assembled forms where practicable to increase productivity and improve service.

Other projects begun in 1947 which resulted in improvements in operations included:

The microfilming program, to preserve permanent records but save space and equipment required for records storage. This is now one of the standard practices of the Bureau of Internal Revenue and over $100,000 per year which would otherwise be required for file cabinets and storage space is now saved. The value of file cabinets and floor space released by this program to date is over $1,300,000.

Improvements were worked out in the scheduling of payments for refund accelerating the process sufficiently to save over $3,000,000 in interest charges during one year by getting refunds to taxpayers more promptly.

The procedure for paying alcohol taxes by bottlers was simplified. Instead of the proprietor having to submit bottling tank forms to the storekeeper-gager for verification, then to a deputy collector with the remittance, then the receipted form back to the storekeeper-gager for release of the spirits for bottling, the new procedure eliminates all of the delay. The proprietor may now purchase stamps in advance, attach the exact value to the bottling tank form, and present the form with attached stamps to the storekeeper-gager who releases the spirits to be bottled.

The use of transfer stamps on all containers of industrial alcohol transferred in bond from one bonded warehouse to another was eliminated as investigation revealed there was sufficient protection to the revenue without them.

February 1948: Report by the House Committee on Appropriations. This committee report made a number of recommendations for improving the operations of the Bureau of Internal Revenue.

February 20, 1948: The Secretary instructed the Commissioner to augment the Commissioner's staff to have the function of broad-scale management.

January 14, 1947: Letter to Bureau heads announced the appointment of a Treasury Department Committee on Employee Awards. The committee was organized in January and began planning for a program. The regulations and instructions were issued in June and the formal announcement to employees inviting them to participate by submitting suggestions was made on July 30. Since that time Bureau of Internal Revenue employees have submitted over 14,500 suggestions. Of these, 2,170 have been adopted and 1,876 cash awards made. Estimated first-year's savings total $663,900. This is still a very vital and active program, 24 suggestions were adopted last month. Most of these improvements are small, an improvement in a form, or the elimination of an unnecessary step in a procedure, but when an organization is handling forms by the millions, 50,000,000 income tax returns and 40,000,000 other tax returns per year, these small savings in time and work are enormously multiplied in some cases.

March 25, 1947: Letter to Bureau heads urging again their accelerated efforts toward improvements to reduce expenditures.

June 1947: Inauguration of work simplification program. The program was begun with a "pilot" installation in the collector's office in St. Paul, Minn. The program might be called the grass-roots approach to management improvement, as it starts with the lowest level of management, the first-line supervisor, and trains him to apply simple techniques of management analysis. Within 5 years it has resulted in the installation of more than 2,200 improvements, and an active interest in better management among the lowest supervisory levels of the internal revenue service.

November 1, 1947: A Wage and Excise Tax Division was formed in collectors' offices by combining the Miscellaneous and Employment Tax Divisions and the Withholding Tax Subdivision of the Income Tax Division. This permitted the consolidation of certain forms and records and the performance of a better coordinated service to taxpayers.

March 23, 1948: Organizational meeting of the Treasury Department Management Committee was held. This committee was established to act as a consulting organization for improving management throughout the Department.

April 22, 1948: The Commissioner's management staff was established by the Commissioner's order. The management staff has as a primary objective the improvement of management in the Bureau of Internal Revenue. It has taken a position of leadership in management activities since that time.

April 1948: Report of the Advisory Group to the the Joint Committee on Internal

Revenue Taxation was released. This report made a number of recommendations, among them:

(a) The establishment of a management staff in the Commissioner's office.

(b) The decentralization of all routine work to the field offices leaving Washington a supervisory and management headquarters.

(c) The extension of the use of depositary receipts.

(d) Improvements in tax return forms.

(e) The use of modern sampling techniques to measure the adequacy of enforcement methods and the volume of tax evasion.

(f) The employment of outside management specialists to study the organization and operations of the Bureau of Internal Revenue.

All of these recommendations were accepted and became objectives for installation as rapidly as possible.

July 2, 1948: By Order No. S-784, the Secretary established a Committee To Direct the Management Studies of the Bureau of Internal Revenue. Hon. A. L. M. Wiggins was named chairman. This committee brought together a group of highly qualified men, from both inside and outside of Government, and focused their attention on the management problems of the Bureau of Internal Revenue for purposes of discussion and analysis. It has been most helpful in its advice to the Commissioner of Internal Revenue and in expediting improvements.

September 1948: Congress authorized the employment of a firm of management consultants to make a comprehensive survey in the Bureau of Internal Revenue.

September 30, 1948: The services of Cresap, McCormick and Paget were obtained to analyze the organization and procedures of the collector's offices. Their recommendations were received in 1949.

There were also numerous other developments during 1948 which improved the organization and operations of the Bureau of Internal Revenue, such as—

Successful experiments were conducted in the collector's office in Cleveland on the use of punch-card tabulating equipment for computing tax liability on W-2 returns.

Orders were issued for the retention of excise tax returns in the collector's offices instead of being forwarded to Washington. This eliminated a duplicate copy which had been retained in the collector's office, and, also, the handling of original returns in the Washington office.

Photocopying was introduced in many offices to reduce the typing workload and relieve the shortage of typists and stenographers.

Your Federal Income Tax booklet was rewritten in nontechnical language and became a best seller.

The instructions to taxpayers enclosed with their income-tax-return forms were clarified so the taxpayer would know not only what he should report but what he had a legal right to omit or deduct.

The new form 1040A was introduced to simplify computation of tax liability by collectors and insure better compliance with income-tax law requirements.

Authority to approve routine personnel actions was decentralized to field officials.

Authority was decentralized to the collectors to approve special refunds of social-security taxes.

Estate and Gift Tax Division transferred from Miscellaneous-Tax Unit to Income-Tax Unit, providing closer linking of field and headquarters' offices as all field examinations of estate and gift-tax returns were performed in the field by revenue agents.

The surveying, classifying and storing of 2,500,000 individual income-tax returns, previously performed in Washington, was transferred to the field.

January 29, 1949: Final report of management consulting firm on study of collectors' offices received. It was a comprehensive and detailed document with many plans and recommendations for improvement in the organization and operations of the Bureau of Internal Revenue.

February 1949: The same firm, Cresap, McCormick & Paget, was engaged to study the organization of the Bureau of Internal Revenue (previous study was on collectors' offices).

Spring 1949: Punch-card tabulating equipment was extended to seven additional collection districts from original installation in Cleveland. In 1948, equipment had been used only for 1040A income-tax returns, and in 1949, the experiments were extended to 1040 income-tax returns, 1040 ES returns and related documents.

Summer 1949: Tests were made as recommended in report of the management consulting firm.

1. Use of electric typewriters, continuous forms, dual roller platens, as posting machines for processing individual income-tax returns.

2. Discontinuing of separate accounts to record: (a) collection of accrued penalties and interest; (b) collections obtained after abatement of assessments as uncollectible; (c) excess collection of income and withholding taxes.

3. Use of new and simplified scheme for block numbering of returns to reduce typing and proofreading.

4. Use of validating machines and bank-proofing machines for procesing and control of remittances; also adaptation of cash-register machines to validate special tax stamps.

5. Simplified procedure for control and disposition of unclassified collections.

6. Use of high-speed posting machines with direct subtraction using continuous carbon-interleaved forms for preparing accounting records.

August 1949: Report of management consulting firm Cresap, McCormick & Paget, on organization of the Bureau of Internal Revenue was received. It included a number of recommendations for organizational and procedural changes.

November 14, 1949: Division of responsibilities between two assistant commissioners. The Commissioner of Internal Revenue issued an order defining the authority and responsibility of the two Assistant Commissioners. One was given supervision over the technical functions of the Bureau of Internal Revenue and the other was given supervision over the operating activities of the Bureau. This provided a logical division of the organizational responsibilities and provided more adequate assistance to the Commissioner.

Fall 1949: The Processing Division was given the task of inserting and mailing income-tax forms and instructions for several collectors' offices. By the fall of 1951 this was extended to 37 collectors' offices. Economies were achieved with mass-production methods impossible with the job being done in 64 collectors' offices where skilled tax-collecting personnel were directed to this nontechnical task.

December 16, 1949: Collectors were delegated authority to make refunds under $10,000. This results in collectors processing about 100,000 overassessments per year instead of their being sent into the Washington office for review and scheduling.

Many other management improvements were made in 1949. Some of the more important ones are:

The audit control program was placed in operation. This involved the sample selection of individual income tax returns for field investigation to determine the compliance of taxpayers and the direction of investigative efforts to the best advantage.

New procedures were adopted for processing information documents. These were directed at accelerating the processing, saving time and obtaining better utilization of the documents in auditing returns.

Post audit review work was redesigned to cover the results of audit of individual income tax returns by collectors and to stress uniformity in field application of the tax laws and regulations.

Collectors were delegated full authority to assert delinquency penalties for late filing of all types of returns.

Collectors were delegated responsibility for the handling of all requests for certified copies of individual income tax returns, and also for the transcript service for the States in respect to such returns.

January 1, 1950: Federal Insurance Contributions Act and income tax withheld combined in one form. This saves work for the taxpayer and saves Bureau of Internal Revenue about $250,000 per year in costs of processing these returns. Also, this permitted extension of the depository receipt system to Federal Insurance Contributions Act taxes.

January–April: Electronic computers were used with punch-card tabulating equipment for calculating tax liability on income tax returns.

Spring 1950: Agreements were made with five States for cooperation in the investigation of income tax returns of residents of those States. (Wisconsin, North Carolina, Kentucky, Montana, and Colorado.)

September 1, 1950: Bulk gaging tanks were installed in internal revenue bonded warehouses, which saved considerable time of storekeeper-gagers. Loss allowance schedule was eliminated in connection with remission claims filed by warehousers of distilled spirits. This reduces the workload for both Government and taxpayer. Eliminated tax payment of distilled spirits prior to bottling in bond and arranged for payment when cases are removed from bond. This simplified tax payment procedure and eliminated delay in releasing cases from bond. Eliminating reporting of wine gallons as well as proof gallons and tax gallons. This simplified reporting, and reduced work of storekeeper-gagers and audit clerks. Delegated to district supervisors the authority to approve qualified documents for alcohol production plants. This reduced departmental workload and costs.

October 30, 1950: Discontinued preparation of separate reports of concurrent examination of income-tax returns covering 2 years or more, which saved costs equivalent to salaries of revenue agents and typists.

Numerous other improvements were made during the course of the year. These included the following: Eliminated certain nonproductive arithmetic verification procedures. Numerous minor delegations of authority were issued, such as the authority to collectors, acting collectors, and deputy collectors to sign various forms and documents for the Commissioner. These delegations simplified procedures and expedited action.

January 1951: Operational cost system installed in collectors' offices. Provided data for businesslike cost control in collectors' offices. This facilitates operations analysis and makes it possible to staff offices on the basis of workload.

January–April: New Office of Budget and Finance was created. The first three of Bureau of Internal Revenue's regional finance offices were established to provide better and more economical fiscal service.

July 1, 1951: Uniform stock-control system was adopted to provide for better control of stock issues, inventories, and requisitions for replacement. Decentralized stationery procurement was effected to simplify procurement of those items. New system of administrative control over budget and expenditures was adopted covering obligations and expenditures in the offices of those collectors who handle their own accounting. New system of appropriation accounting was also placed in effect to simplify appropriation expense accounts.

September 1951: Report of survey of management improvement facilities of the Bureau of Internal Revenue completed by committee appointed by the Secretary and the Commissioner.

October 1951: Internal Revenue Inspection Service established. This will provide effective inspection of field offices for both efficiency and integrity.

November 14, 1951: Tobacco tax functions transferred from Excise Tax Division to new Alcohol and Tobacco Tax Division. This consolidates field inspection and enforcement activities in one staff for both kinds of taxes.

November 2, 1951: The Income Tax Unit was reorganized to reduce the number of primary organizational units from 13 to 5 eliminating 113 positions.

During the year several other changes to improve the operations of the Bureau of Internal Revenue were also made. These included: Decentralized to collectors the audit of Form 940, annual return of employer of more than eight persons under the Federal Unemployment Tax Act (formerly handled by Employment Tax Division in Washington.) This expedited the process by having collectors deal directly with the State unemployment compensation agencies. Installed new method of processing monthly returns of manufacturers of tobacco products and annual accounts of dealers in leaf tobacco, which eliminated clerical work. Allowed revenue agents to authorize payment of claims up to $3,000 on prima facie evidence without field examination so their efforts could be directed to more productive examinations. Installed a procedure for alphabetical prefix in classification and numbering of income tax returns to provide for quick identification of the class of return and simplify numbering.

December 11, 1951: Procedure in the consideration of criminal fraud cases revised by eliminating the health of the taxpayer as a basis for refraining from recommending criminal prosecution for tax violations.

January 8, 1952: Establishment of a more efficient procedure in the routing of criminal tax evasion cases by providing for a direct referral of such cases from the field by the district penal attorney of the Bureau to the Department of Justice.

January 10, 1952: Further improvement in the handling of criminal fraud cases by abandonment of the former policy under which criminal prosecution was not recommended in cases where taxpayers made voluntary disclosures of intentional violation of the internal revenue laws prior to the initiation of the investigation by the Bureau.

January 14, 1952: The President's Reorganization Plan No. 1 of 1952, for the Bureau of Internal Revenue submitted to Congress by President Truman.

The reorganization will include a realinement of activities in the field and in Washington. The separate field offices engaged in different specialized activities, for example, will largely be consolidated. It is expected that the new organization will be more efficient and provide better service to the taxpayer.

January 30, 1952: Ten task forces were established to work out details of plans and procedures for the proposed reorganization under plan No. 1.

March 14, 1952: Reorganization Plan No. 1 became effective.

March: Use of flat package for mailing income-tax forms and instructions. For the first time a manufactured flat package of forms and instructions was used for two States, Indiana and Massachusetts. It will be used in all districts in the future. The experiment was very successful. Higher manufacturing costs were more than offset by savings in labor.

April: Standard mail-opening methods. The standardized mail-room system installed in all collectors' offices was very successful, will save about $500,000 per year. It provides much more rapid and efficient handling of mail and remittances with a marked saving in labor. It will be refined and strengthened in all collectors' offices during 1952.

CONCLUSION

The foregoing chronology of the actions taken and the improvements made in management and operations of the Bureau of Internal Revenue clearly sets out the painstaking care that went into the complete reorganization of the Bureau, which culminated in the final step represented by the President's Reorganization Plan No. 1 of 1952, which was adopted by the Congress on March 14, 1952.

VETERANS LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, on this second anniversary of the Korean conflict I am particularly shocked that the other body saw fit to cut out an appropriation for a hospital here in Washington which the House authorized and for two NP hospitals in other sections of the country.

Mr. Speaker, I am sure the Members of the other body have not seen the Korean boys who come back after being discharged from the service and who cannot be hospitalized at once because of lack of beds in VA hospitals and many veterans of other wars cannot secure needed hospitalization. It is disgraceful the overcrowding we see in the so-called medical center here. Men who are dying of cancer, men who are trying to get well, men who are trying to get diagnosed cannot get into that hospital often. We all know of the overcrowded conditions in those hospitals. On this anniversary I hope that the other body will see fit to reinstate, as this House wishes, the appropriations for the hospitals. I am sure in the rush for adjournment, it was an oversight and will be rectified. Prompt hospitalization is often the only chance for life and often the saving of a veteran's mind.

The SPEAKER. Under the previous order of the House, the gentleman from Massachusetts [Mr. FURCOLO] is recognized for 45 minutes.

ONE IS A MILLION

Mr. FURCOLO. Mr. Speaker, I requested this time today so that I may discuss the manpower of the services I have done it many times before but I have never used the specific illustration I shall cite today.

Some of the other places where I pointed out the great waste of manpower by the military may be found in the CONGRESSIONAL RECORD of June 15, 1949; December 21, 1950; April 5, 1951; February 22 and 25, 1952; March 6, 1952; April 8, 1952; April 22 and 23, 1952, and other dates. I have also spoken about it in committee.

I have been extremely interested for several years in the manpower situation of our Armed Forces. I think the membership will recall the interest I have had in that subject since I first became a Member of Congress.

I have always maintained that the greatest waste committed by the Armed Forces was the waste of manpower. I think all branches of the service have been guilty of that waste. I have said so on the floor of Congress on many occasions. I have made the same point in committee. I have told the Armed Forces so on various occasions both privately and publicly.

Now it looks as though at long last something is going to be done to compel the Armed Forces to be more economical in their use of manpower. The Johnson Preparedness Subcommittee has made an extensive investigation and has accused the services of overmanning and of wasteful use of manpower. The Johnson subcommittee gave illustrations—which is the reason for my talk today.

I believe I have an illustration that may be helpful in showing how correct the conclusion of the Johnson subcommittee is that the Armed Forces waste manpower. That is the reason for my talk today.

After World War II you will recall there was a point system of discharge for servicemen. You will also recall that, whether it was advisable or not, the official policy of this country was to get men out of the service just as quickly as possible. That may not have been a wise policy, but that was the policy. So we must judge the actions of the services in that light, namely, that they were sincerely doing their best to get men out of the service as quickly as possible; and in addition, they were using as few men as possible and were only keeping in service the men they thought were absolutely essential.

It is important to keep that principle in mind. That principle eliminates any excuses or reasons the services might have if investigation shows they had more men than necessary.

For example, it prevents the services from saying they were keeping men in for training, or for possible casualties, or for preparedness, and so forth. All those

reasons might have been good and perhaps we should have been keeping servicemen in for those reasons. But those reasons are out of the picture as far as the illustration I am about to give is concerned. They are out because, whether rightly or wrongly, the policy of the services was to cut the personnel of every unit down to "the bone."

The illustration I shall give indicates what the Navy thought was "the bone."

Let me say parenthetically that I have no bias or prejudice against the Navy. In fact, I think I am prejudiced in favor of the Navy for many reasons. I served in the Navy, had good duty, and liked the service. In fact, if I were ever to serve again, I would like to be given exactly the same type of duty I had and on exactly the same type of ship. I have a deep affection for the Navy and the people who serve in it. And while the example I shall give pertains to the Navy, let me hasten to add that I think the other branches of the service are less efficient and more wasteful than the Navy.

In other words, I am not "picking on" a branch of the service I do not like when I illustrate by the Navy. On the contrary.

Let me also hasten to add that, if I were ever to serve again, I should be more than glad to serve under the same commanding officers I had on my ship. I am referring now to the captains who were in charge of my ship. Those two captains had a genuine and sincere interest in the welfare of the men under their command.

Now to get to the point. Back in January of 1946, I was just being discharged from service in the Navy in World War II. I had all my points for discharge, I had my orders, and I was to leave my ship as soon as we arrived back in the States.

I was just about as unprejudiced and as disinterested an observer as you could have, for those reasons. My viewpoint was not colored or distorted by any personal advantage to be gained by me.

We had just arrived in Manila, in the Philippine Islands and—as you will see from the following article—we were under the impression that there was a pressing demand for our ship's services in transporting soldiers home. We had heard there were thousands waiting but no ships to carry them.

You may recall the talk and the newspaper pieces about "No Boats—No Votes." Although we learned that the slogan and the outcry being made probably did not represent the viewpoint of most of those on the island, it nevertheless was extremely interesting. What was evident to anyone who was there is described in the following article. I wrote it and presented it to the commanding officer of my ship.

Before doing so, I made a survey of the ship to be sure I had my facts correct. I checked with every department because, while I was satisfied with my conclusions from my own observations, I also wanted to be absolutely sure the men and officers in each department agreed. They did.

However, they naturally did not want to express themselves. They did agree that, if I were court-martialed for the article I was going to write and present to my captain, they would testify that my facts were accurate if they were called under subpena at such a court martial. So did a merchant marine officer who was a passenger on our ship being transported home. He had gone through the ship with me and checked the various departments to compare personnel in each with what he himself would have as a commanding officer of a merchant marine ship of comparable size. He not only confirmed my observations and conclusions but he said I was conservative in my estimate of the manpower waste aboard Navy ships.

I mention the above so it will be evident that my observations and conclusions were shared by most of the men on the ship. In fact, I don't know of any who disagreed. They knew the story because it was really the story of their duty aboard ship.

At any rate, I wrote the article and gave it to my commanding officer. I had it typed up by one of the crew members.

Several days after my commanding officer had read it, one of the crew members asked permission to mimeograph it and that was done and it was distributed to many of my shipmates. Not one disagreed with any statements I made about overmanning in each department and the waste of manpower.

My commanding officer, who was the captain of the ship, read it in detail. Then he wrote out several pages in longhand answering various points I had raised. He was of the opinion that every man aboard was necessary to run the ship. We discussed the entire situation together at length. However, he remained firm in his belief that the ship could not be run with less men. In fact, he thought even more were needed.

Now, I do not know whether he was right or wrong or vice versa. I know he was sincere and honest in his beliefs. He was a Regular Navy man, an Annapolis graduate, if I recall correctly, and there is no question in my mind of his ability and competence. He knew more about the Navy in a minute than any one of us on the ship would know in a year.

He believed every department on that ship needed every man in it, and more. The men who were doing the actual work felt each department was already overmanned.

Maybe the commanding officer was right; I do not know. But I do know that his viewpoint is that of the Navy. I do know that every Regular Navy commanding officer I ever heard of had the same general viewpoint. I know that from talks I had at various ports in the Pacific with dozens and dozens of men who served on many ships under many different captains.

I think the article should be of interest to the Congress because it may indicate clearly where the waste of manpower is, and why.

It may also help to convince the membership of what I have maintained for years—and have stated on the floor and in committee many times—namely, that the person who can tell Congress most about waste of manpower is the individual enlisted man who is actually doing the work.

I will now read the article, just as I wrote it and presented it to my commanding officer, the captain of my ship, while I was serving under him in January of 1946. They were my words then, and I repeat these words today in this speech. It was entitled "Report on Overmanning of U. S. S. *Kershaw* (APA 176)." I was second division and gunnery officer.

WE ARRIVE IN MANILA

MANILA, PHILIPPINE ISLANDS, January 15, 1946.—Rebellious GI Joes voted today to continue agitation efforts toward getting home. Their slogan, "No boats, no votes," will be posted wherever possible as a thinly veiled threat to President Truman and Congress.

MANILA, PHILIPPINE ISLANDS, January 16, 1946.—Our ship, the U. S. S. *Kershaw*, APA 176, steamed into Manila Harbor today. Since the war ended we have been engaged in straight transport duty, ferrying home men eligible for discharge. We had expected to see the docks crammed with servicemen peering at the horizon for ships but nary a soul was waiting. What we did see was a great number of ships lying at anchor—merchant ships capable of carrying about a thousand passengers, regular Army transports that can accommodate over 3,000 men, Navy transports that usually pick up 2,000 troops, and numerous other vessels which do magic carpet duty on a smaller scale. There were enough ships waiting for passengers to carry back every soldier in Manila.

WHERE ARE THE PASSENGERS?

Our original orders had indicated that we would be in Manila possibly 3 days (in order to fuel and load passengers) before getting underway for the States. Today we learn that we'll be here about 8 weeks on the possibility that at the end of that time there may be some passengers ready. Most of the ships here before us have already waited 2 weeks under similar orders and they will continue to stand by even after we're loaded. As a Navy ship, we get priority over many who arrived weeks before us.

Inquiries ashore develop the interesting replies that shore-based personnel are wondering why somebody keeps sending ships out here when there are no servicemen to transport. Communications saying in effect, "Please don't send any more ships here, nothing for them to do," have been transmitted to the States long ago. We begin to inquire further. Perhaps ships congregate here simply for rerouting to other islands in the Pacific? Apparent not. A few ships came in last week from Saipan and Okinawa and Samar—empty. Nobody was waiting for a ride home in any of those places so they thought they'd try Manila. Nothing doing. Well, how about Guam or Tinian? So sorry, 12 more ships went there yesterday. How about Eniwetok? Two ships just came in empty from there. How about ———? How about ———? They're still here.

WHAT'S THE SCORE?

What's the score on this "no boats no votes" deal? Authorities ashore shrug their shoulders: "I've already sent home every man who will be eligible for discharge by April 1." (Today is January 16.) Or: "We're ahead of schedule. We send our men home 1 month before they'll have enough points to be discharged." Or: "The men don't have

anything to do but they don't have enough points for discharge."

There's something rotten in Denmark and the comments aboard ship are interesting. Let me give you a little background for them but, before doing so, let me explain why I believe we should be impressed by the remarks of people as unimportant as young sailors barely out of high school.

ASK THE NONENTITY

The difficulty with criticizing any institution or system that affects millions of men is that no one individual can have the over-all picture. That's true no matter what the man's ability, knowledge, rank or office may be—but we never stop to think of that. If a voice of authority speaks we believe it on the assumption that it must be true; if a common soldier or sailor or civilian speaks we disbelieve it on the assumption that it cannot be so. We reason that if the lowly individual knew what he was talking about he would himself be a voice of authority which, obviously, he is not. Asking "Who is he?" is good practice but the paramount question is still whether he's speaking the truth no matter who he is.

Everything in this article is represented to be the truth (or an approximation of it) although the observations and conclusions are those of nobodies—sometimes a civilian, often a soldier, usually a sailor.

I submit my own conclusions as a civilian nonentity without military training, knowledge, or experience because a layman's background is a sufficient basis for them. I claim they are unbiased because I have nothing whatever to gain personally; I have all my points for discharge and am going home as soon as my ship arrives in the States.

HE KNOWS HIS OWN EXPERIENCE

What does the nonentity say? Is it the truth? The basis of his report is an impression from his own observations, a little knowledge from hearsay, and a few deductions from official or semiofficial data. His own observations are often colored or biased by the institution's effect on him as a person and not just as a tiny particle comprising one ten-millionth of the mass concerned. Hearsay is usually no better than half-reliable and, fairly often, it is based on completely unfounded rumor. His deductions may be but suspicions or guesses or estimates gleaned from magazines, newspapers, official military organs, radio debates, congressional inquiries, and a hundred and one other sources.

The unfortunate feature is that, although his personal conclusions may be correct, he cannot prove it. He doesn't have statistics from which many opposite conclusions can be argued by many different roads of reasoning. He doesn't have a high-sounding title or rank that carries conviction; and 1 pound of reason dressed with 99 pounds of gold braid or political alphabetics still outweighs 10 pounds of reason with nonentity sauce. He doesn't have "proof" and he who is powerless to prove the truth he speaks is considered a fool.

MULTIPLY HIM BY A MILLION

Of course the nonentity can only talk of a tiny segment of the entire vast pattern; but he has intimate knowledge of that minute part of the complete picture because he has spent all his time on it. And, true, he may not see the mountain for the molehill. But, on the other hand, if you stand on the crest of the mountain you may not see the valleys and gullies and small streams—you may not even see the mountain.

The men who have had the physical time and endurance sufficient to get a vague idea of the entire pattern of necessity are excluded from the benefit of long and intimate experience on any one segment of it. That is why criticism from a nonentity may be of value; he may know something the powers that be have been too busy to know; and he may have seen something that is too small for the distant eyes of those who inhabit the lofty pinnacles.

So the little, insignificant, unknown individual with no name may be right even though he pleads guilty to the accusation that he doesn't know the over-all picture. Yet, multiplying that nameless nonentity by thousands of others, no one of whom knows the complete story but each able to tell his page word for word, you may find that the total of all the pages is the complete story. None can give you a synopsis of the story or its plot or the names of its characters as well as the powers that be; but each one can tell you the page he knows better than any politician or admiral or general (or Politician or Admiral or General).

That is why we must not disregard the nonentity who knows but one page of the thousand-page book; he and his kind can give us piecemeal the truth verbatim and not a synopsis.

HE IS NOT BIASED

And, in passing, just as the little fellow's version may be colored by how it affects him personally, so many the "big fellow" be even more susceptible to the whims of political fortune or the vagaries of a military career. The average nonentity who doesn't intend to make the Armed Forces or politics his career isn't too much concerned about mistakes he may have made in the service; and, once he's out, he has no particular interest in whether the Army's to have 2,000,000 men or 100,000. Can the same be said of politicians whose reelection may depend on decisions they made? Or of generals and admirals whose future rank, income, power, and prestige may depend upon the size of the military?

The average ex-serviceman (or almost ex) looks forward to nothing more than becoming the head of his family or the master of his personal destiny. He doesn't care about being in command of 50 men or 50,000 or being the leading politico of a bureau in authority over any domestic or international matters. That may color his views because he may have no concern about problems bigger than his vision. But aren't the views of the political and military leaders equally colored?

It's human ambition for a man with authority to want more power; it's human vanity for the officer of a thousand men to want to command 10,000; it's human nature for the admiral with 5 ships to wish he had 50. In our daily civilian life we see the employer of 10 men try to expand his business to hire 20; the farmer with 5 acres plant 10; and the president of every club or society tries to enlarge the membership under him. Ambition, vanity, and growth are natural—and human beings are the products of nature.

Are politicians and military big wigs too big for such human traits? Perhaps—but every politician the world has known has continually raised his eyes to the next office; every army that marched in history sought to expand; and no admiral has yet refused an appropriation for more ships. Men don't become politicians or admirals or generals unless they're ambitious and, regardless of sincerity, the ambitious man never stops trying to grow.

HIS STORY IS SUBJECT TO PROOF

In brief, what the nonentity says may not be completely accurate and probably cannot be proved by him because he has neither the means, inclination, nor ability to gather statistics and data. But there is no question that most of his story represents a sincere and highly accurate version of what is actually going on or has already happened. And, most important of all, it is subject to proof by people or agencies qualified and willing to investigate.

So far, the only investigation of complaints or criticisms or suggestions has been limited to proof that the mouthings of a nothing are nothing because he's a nothing. Ipso facto, post hoc ergo propter hoc, res ipsa loquitur. We've answered "Who is he?" but have overlooked the real question: "Regardless of who he is, does he speak the truth?"

Let's look at one page—it's only one of a thousand pages but the nonentities of the U. S. S. *Kershaw* know it by heart. And, true, the page of every other ship may tell a different story—you can find out easily enough by hearing the lines from men who served on them.

But every ship is usually a cross-section of all ships just as the problems and conditions of all regiments are normally similar—that's why the tiny picture of the U. S. S. *Kershaw* may be an exact replica of the huge panorama that is the United States Navy or the United States Army. The same people are not involved and the facts of each case are not identical but those are merely differences of coloring and shading—the outline and substance is the same because every ship is typical of the Navy just as every station is typical of the Army. It may be a hundred men here and ten men there but the proportionate figures are the same and the percentage is identical.

THIS IS ONE SHIP

We have a ship's company of about 300 men and 28 officers. Most of them know that our ship can do its job with no strain with 150 men and 15 officers and, with a little strain, could carry out the orders we've been under for the past 6 months with a company of 110 men and 12 officers. Practically everybody is counting points until discharge and about 80 of us already have enough points.

Probably many aboard have similar circumstances but here are four cases as illustrations. Our chaplain, who last saw his three sons about 18 months ago, is already three points over the amount necessary for discharge but cannot leave the ship until his relief arrives. [Under the Navy discharge system, one point represents a great deal of time.]

Our dentist, who has a year-old daughter, is one point over but he too must be kept aboard ship until properly relieved. In port, of course, plenty of dentists not eligible for discharge are handy; but how about an under-way emergency? Disregard the fact that we're never more than a few hours away from places where dentists are available, such as passing ships or air bases on islands. How many dental emergencies has any ship had either before, during, or after the war? The books can be easily checked and they'll show fillings, cleanings, and extractions. None can be called emergencies; in fact, most have an appointment made 10 days or 2 weeks in advance.

Have you heard of any case where the immediate services of a dentist were indispensable on a ship carrying two physicians (which we have) and pain-killing drugs and medicines? The war's been over 6 months but our complement still calls for a dentist.

DOCTORS AND DENTISTS

Another case is that of our assistant medical officer. We had three doctors during the war and they were necessary. After the war we had two up to several weeks ago when, just before we left the States, a third reported for duty. We carried him out here to Manila and, while he may have been an excellent doctor, the only thing any one

aboard actually knows about him is that he is an exceptionally good bridge player. That's no criticism of him—there simply was nothing for him to do. As a matter of fact, there's been practically nothing requiring the services of the other two doctors, either—and our pharmacist's mates aren't exactly overworked.

At any rate, our third doctor left the ship today to return to the States for reassignment. When he gets there he will undoubtedly be placed on another ship and play bridge back to Manila—and upon arrival here we all confidently expect he'll then be reassigned to this ship for transportation home.

NEEDED BUT NOT HERE

But to return to the case of our assistant medical officer: Yesterday he received an urgent message, "Wife undergoing serious operation." The same day we had reports of the shortage of doctors home for civilian care and the need for doctors in separation centers to process men eligible for discharge. Our assistant medical officer is undoubtedly of value to somebody somewhere—but not here. Our chaplain and dentist can be of real service some place—but not here.

Are our chaplain, dentist, and assistant medical officer essential on board the U. S. S. *Kershaw*? The fact that they themselves don't think so is unimportant because they're prejudiced. But the rest of us aren't biased in our views and we know they're not essential.

Who does think that this ship cannot get along without a dentist, chaplain, and assistant medical officer? Apparently just the Navy Department—which we assume is qualified enough to be entitled to an opinion.

How sincere is its opinion? We cannot know that unless we know its answer to the question: "In peacetime does every Navy ship carry a chaplain, dentist, and assistant medical officer?" The Navy Department can answer that question without violating military security and then the public will know how essential it really considers those positions to be—and the people will also know how sincere the Navy Department is in its insistence that those positions be filled. The public doesn't have to wait for the Navy figures—any veteran can give the answer.

NICE—BUT NOT ESSENTIAL

There is no argument about the desirability of having a chaplain, dentist, and assistant medical officer on this ship or every ship, for that matter. It would be very nice to have not only one but several of each. It would be wonderful if we provided every ship with medical specialists to aid the general practitioner, several dentists for every type of dentistry, and enough men of God to guide each flock of the various faiths. But, whether we agree with it or not, the fact is that the criterion is not whether it would be nice—the only test is whether or not it is essential.

When we have a volunteer Army and Navy our military authorities can decide by what's nice; but just so long as there is even one single draftee still serving under the Government's promise that he would be kept during the emergency only, the sole determinative factor is essentiality. And that does not mean a nice essentiality or a maybe essentiality or a loosely construed essentiality—it means an italicized essential, an absolute, unqualified essentiality of the strictest construction with the burden of proof on the military.

Take my own case. I differ from the dentist, the physician, and the chaplain in that there is no pressing need in civilian life for people in my business. On the domestic side, I have three children. I last saw the oldest two not quite 2 years ago and I have as yet to meet my 17-month-old son. That introduction is of no particular importance to the armed services or to civilians either, but the continued absence of a father from the two older boys will ultimately be of some concern to both the military and the civilian.

WARTIME DUTY DIFFICULT

How essential am I to the Navy and what am I contributing to anybody sitting in Manila Bay waiting for the passengers who aren't there? During the war my main duties were standing watches as officer of the deck under way, supervising a deck division of 30 men, and acting as battery officer for our forward guns at general quarters. Officers of the deck stood one in three as we had a three-section watch. Today we stand one in six. In other words, during the war we had 4 hours on watch and 8 off whereas today we have 4 hours on watch and 20 off.

We used to be lucky to average 5 hours of sleep in a 24-hour day because, in addition to our normal routine, we were called to battle stations on the average of twice a day. Plan of the day for all hands was to be on deck from 8 in the morning until 4 in the afternoon, regardless of night watches. Since one general quarters was always at dawn (usually about quarter of 5 in the morning), we rarely got more than 3 hours of continuous sleep. Today every officer gets 8 hours of continuous sleep; even when he has the midwatch (from midnight to 4 in the morning) there's enough slack in peacetime conditions to permit him to sleep the next morning.

PEACETIME DUTY EASY

During the war our division or squadron was usually composed of from 7 to 21 ships in close formation. What with following various zigzag plans that called for several changes of course an hour (with collision imminent if you were a few seconds off), trying to keep station on the guide, and running the ship under wartime conditions, a watch was really trying.

Today such conditions do not prevail and the ordinary 4-hour watch is relaxing. We travel alone; we do not zigzag or keep station; we don't darken ship or keep radio silence—in brief, the terrific strain and nervous tension don't exist any longer.

Every ship we see is friendly and if its lights aren't spotted until it's 10 miles away the most the officer of the deck expects is a growl from the captain. During the war, not knowing the whereabouts of a ship 20 miles away without any lights resulted in something far more drastic.

We don't even look at planes overhead nowadays, but during the war mere suspicion of one 50 miles away was enough to sound general quarters.

Today the officer of the deck notifies the captain if a ship will come within 15 miles (30,000 yards). During the war we rarely cruised without a ship within 600 yards astern or ahead of us and another column of ships within a thousand yards on either side of us—and neither lights nor fog signals were permitted regardless of visibility conditions.

WHY MORE MEN IN PEACETIME?

Why is it necessary to keep enough officers aboard to have a six-section watch in peacetime when we functioned on a three-section watch in wartime?

The answer you may hear is that new officers cannot be trusted to handle the ship. I'm not familiar with many ships, of course, but I've met officers from ships that were at Saipan, Eniwetok, Espiritu Santo, Guam, Okinawa, Tinian, Iwo Jima, the Philippines, Ulithi, Japan—in fact, practically every place in the Pacific from just north of Australia to just south of the Aleutians between California and Japan—and most of them were standing under-way officers of the deck watches during the war within a few weeks after they first boarded the ship.

I stood officer of the deck watches during the war when I had had less training and experience than the average new officers reporting to ships today—and my case was no exception to the experience of hundreds of other officers. The same applies to two other officers on this ship who, like me, must remain aboard despite their point score. Why?

Three new officers came aboard before we left the States last time—youngsters who won't have their points for several more months. They have already had more training and knowledge than any of us had when we started to stand deck watches—why keep them and us, too?

I use the word "us" in an unbiased and impersonal sense because it is not intended to refer to me as an individual—I am going home—but rather to the hundreds of others in my exact situation but without the points necessary for discharge.

MEN NEED NOT BE SO WELL TRAINED

As concerns my wartime work in gunnery, I suppose the fact that it's now peacetime makes a difference. However, I was a battery officer within 2 weeks after I'd first reported to my ship—every officer we carry now has not only been aboard longer than that but all had more shore instruction than I. They're already better trained for a peacetime job than I was for wartime duties. Isn't that sufficient answer to any argument based on the lack of training or experience of new officers?

The Navy may say that new officers have no sense of responsibility because of their youth. That point of view implies that an officer eligible for discharge must nevertheless be retained until the new officer adds some years to his age. That is not a very hopeful outlook because the age of responsibility of discharge—eligible officers on our ship—is approximately 34 years and none of the new officers is over 22. It's neither practical nor in keeping with the established system for us to sit by for 10 or 12 years watching someone else's approach to maturity. Moreover, all the new officers will themselves have their own points in less than a year—so what happens then? However, the most logical answer to any argument on sense of responsibility is that the Navy does not commission midshipmen until they have proven themselves responsible as well as capable. Another estoppel to that argument is the record of young officers—almost all under 22 years of age—who had wartime command of various Navy ships such as LCT's and similar craft.

THIRTY MEN IN WARTIME—THIRTY-SIX IN PEACETIME

I still have charge of my deck division which, during the war, consisted of 30 men. We needed every one of those 30 then to man guns, stand watches in every vantage point, and perform many other duties that are not called for in peacetime. Theoretically, we had an excess in complement to meet the possibility of casualties.

Today the powers that be have increased my division to 36 men and given me an assistant division officer. We have less work to do than we had during the war, more time in which to do it, more sleeping time, less possibility of casualties—in short, better conditions all around.

If my division could get by with 30 hands during the war, we can certainly perform our fewer and easier duties now with 20 men. Only 5 of my original 30 men had

been to sea before and the other 25 had reported aboard fresh out of boot camp. Young, untried, completely inexperienced—but they did the job and did it during the war.

Why are 36 veterans needed in peacetime to do less work than 30 green hands did under wartime conditions? If we can do our job with 20 men why are the other 16 being kept?

The same conditions exist in the two other deck divisions: one which had 28 men during the war now has 35 and the other has been increased from a wartime 22 to a peacetime 29. Why?

WHY?

The personnel of all divisions has not been increased since the war: some have been cut. However, due to the difference in peacetime conditions, we are still overmanned with quartermasters, electricians, shipfitters, carpenters, radarmen, radiomen, signalmen, pharmacist's mates, boatswain mates, coxswains, and seamen. We apparently are not unreasonably overmanned with engineers, yeomen, and storekeepers although small cuts would be possible even in those rates.

I believe that everyone on this ship will agree with that analysis with the possible exception of the radioman rate. We have 12 radiomen, which is not too unreasonable for the circuits guarded; but if we manned only circuits that were even seminecessary, this ship has triple the number of absolutely essential radiomen. Unnecessary as it is, we still guard the same circuits we guarded in wartime.

As far as cooks, bakers, butchers, mess cooks, and steward's mates are concerned, the number needed is dependent on the size of the ship's company: any cut in the number of men aboard would be reflected by a corresponding drop in the personnel engaged in such activities.

We have three communications officers when only one is necessary; seven engineering officers where four could do the job easily; three officers in the first lieutenant's department where two would be a luxury; and five deck officers where three are enough. Why?

OVERMANNING IS WASTE

Thirty-five of our enlisted men already have more points than are necessary for discharge and, by the time this ship gets back to the States, they will be two and three points over. About 50 more of our men have enough points to be released from the ship in order to be in their home-separation centers for discharge—but they're still being kept aboard. Dozens of illustrations are possible if there be any necessity of proving the obvious fact that those men are needed at home; suffice it to say that the examples already cited are not outstanding or unusual.

I have detailed the cases of officers solely in obedience to the dictates of time and space; the situation of the enlisted men is identical but—there being 300 men and only 28 officers—pages of examples of the men would be necessary to arrive at a percentage that can be established by a few cases of officers.

Let me add one more case. It's not offered as being common or typical but merely to indicate that even absurd illustrations are possible. One of our officers who reported to his separation center for discharge was offered good duty and a spot promotion from lieutenant (junior grade) to full lieutenant if he would voluntarily remain in the Navy for six more months. He accepted the offer 2 weeks ago, is now stationed in his home city, and his duty consists of about 2 hours of work a day. He is in charge of the officers' liquor mess.

WHAT OF IT?

Well, suppose all the above representations are true—what of it?

The authorities engage in the obvious verbal calisthenics: It's a big Army and Navy. The over-all problem is terrific. You can't pick out one ship and shout about conditions in an isolated spot. We won the war, didn't we? That proves we know what we're doing; besides, we're doing the best we can.

During the war the answers were a little different: We must have this or that and there's a good reason why but military security won't allow us to divulge it.

ANSWERS OF THE MILITARY

Today if you ask "why" you'll get one of several answers: There are minor defects in any system. * * * It's completely a military matter and the public should mind its own business. * * * Maybe Russia's going to steal the White House * * * The men are coming home * * * We won the war, didn't we?

The vicious thing is that all those answers are half-truths which seem reasonable and logical to the listener. No one will argue that it's possible to set up a perfect system that eliminates hardship in individual cases; and probably most will agree that the best we can expect is a system that's 90 percent fair and efficient. The top ranking military and political leaders who sponsored it will tell you it is and the lowly soldier or sailor will tell you it's not. Neither is completely right nor wrong and the civilian cannot tell. But the civilian can draw conclusions from established facts. Neither the average serviceman nor the civilian is an expert or authority and the gold braid and political bigwigs (who either are or claim to be) will argue that, consequently, what the nonentity says is worthless and undeserving of consideration. Is that so?

THE TRUTH SPEAKS FOR ITSELF

How expert does one have to be to see 200 empty ships waiting for troops and realize that those ships have nothing to do for a while? How much rank is necessary to conclude that something is wrong somewhere when newspapers are publicizing a slogan "No Boats, No Votes" and half a mile away from mass meetings of soldiers with that motto are ships with crews griping over the fact that there are no soldiers to transport?

How many degrees in trigonometry and calculus are required to know that you don't need 36 experienced men to do less work than 30 green men performed satisfactorily? How much nautical experience or training is necessary to raise your eyebrows on learning that the highly efficient Navy insists on 300 men and 28 officers to do a job that the merchant marine completes with 10 officers and 100 men?

How many discourses of Plato or Socrates must be read before you're qualified to question the logic of continuing to send ships to places where they're obviously not needed? How many years of investigating experience are a prerequisite to opining that something is wrong when a ship is ordered to wait although no passengers are expected? And the reason: "If a ship returned from the Pacific to the States without any passengers it would hit the front page of every paper in the country."

How many of the four freedoms must you know by heart before you can ask what's happened to freedom of truth? How many good points must a system have before it can afford to let the public know its defects? If the natural workings of a good system result in certain conditions, why should the proponents of that system be afraid to let the public know the truth?

ASK SOMEONE WHO WAS THERE

One page of a book—an individual with no rank or office—but are his representations true? You may not know, but somebody was there—ask him.

"The over-all system is working, the men are coming home."

There's no question of that. Any sort of system will work eventually and everyone will be home eventually, but that does not prove the system is 90 percent fair and efficient, because the men will get home sometime if the system is only 10 percent fair and efficient.

Statistics are staggering until analyzed, befogging until penetrated, and meaningless without the crystal ball of background. For example, a Voice of Authority proclaims that 4,000,000 men have been returned from Europe in 6 months and what more does the country want? It took 18 months to put them there and they're back in this country in one-third that time. Wonderful job, wasn't it?

It sounds that way if that's all we know, and usually that's all we do know. But the analysis shouldn't stop there: It ought to begin there with a realization that the conditions under which men were sent over differed materially from those prevailing on their return. Assuming it did take 18 months to carry 4,000,000 men over and only 6 months to get them back, what do those figures really mean? Are we to understand that the same number of ships was available each time? How remarkable a job was it if there were three times as many ships for the peacetime transportation problem?

The nonentity cannot quote statistics that are concealed in military security files and the Voice of Authority will tell you that we had about the same number of ships under the United States command both times. But unless he wants to interpret those statistics for a different purpose, he will not tell you that most of those ships were not available for transportation purposes during the war. The nonentity who served on a battleship or cruiser or aircraft carrier or destroyer or attack transport or any ship, for that matter, cannot give you any information covering the over-all picture. But he will tell you about his own ship—the page he knows.

"We were shelling Normandy." "We were looking for subs." "We were at anchor 14 weeks waiting for D-day." "We didn't put into port for 6 months except for fuel and supplies." "We were chasing the German fleet." "We were bottling up two enemy ships." "We were in drydock for repairs." "We were convoying cargo ships."

He doesn't know who was carrying troops over, but he knows his ship wasn't. Coming back after the war? You don't even have to ask a nonentity because the newspapers and radio have made it common knowledge. Battleships, aircraft carriers, destroyers, cruisers—anything that floated—carried passengers.

There's nothing remarkable about 10 trolley cars transporting 500 passengers in an hour when it took 1 trolley car 10 or 20 hours—and putting gold braid on the conductor who brags about it probably wouldn't make it seem astounding. We see trolley cars daily, but ships are a little beyond our horizon.

WHOSE BUSINESS IS LIFE?

"It's completely a military matter and the public should mind its own business."

During a war, what the Army does with its men is solely the Army's concern. We entrust them to generals who should have complete authority in everything pertaining to winning the war. How they do it is exclusively their business and the armchair

strategist should have no voice in deciding when or where the next objective will be stormed or how many men will hit it. That's within the jurisdiction of the generals and we should trust them completely and blindly. If we're not satisfied to do that, we ought to throw those generals out in favor of new ones in whom we have the blind confidence and faith that are essential to the successful prosecution of any war.

Peacetime generals should be subje ted to a rigid cross-examination on everything they do whereas wartime generals should have absolute and unquestioned authority in almost everything they do. The one time when the public should have a voice (through its representatives) in military matters during a war is in the determination of the total strength of its defenders: the military should not be allowed to dictate without question the number of men the armed services need to function properly. The public is entitled to stick its nose in that phase of military business because, theoretically, the people either may not want to be defended or they may want to protect themselves against the military. If we did not adhere to that principle of the public governing itself in such matters, the military servant could increase its stature until it had become greater than its master.

Too often congressional inquiries were stopped with the old dodge of "military security prevents disclosing the reason." Naturally the Army could not be expected to disclose that it needed, for illustration, 10,000 men to invade Anzio beachhead on July 1 at 5 o'clock in the morning. But what military security prevents disclosing the fact that the Army needs 10,000 men to participate in an operation against objective A on a D-day in the summer of 1943? Or the Army needs 50,000 men to participate in actions contemplated against several objectives in spring of 1944? Or 1,000,000 men to strengthen certain fortifications in Europe?

The military security line must be drawn some place, of course, but certainly the public is entitled to a little more information than is conveyed by a simple demand for 12,000,000 men. Some inquiries can be answered by the Army broadly and vaguely enough so the enemy gets no information of any value and yet the public or its representatives have a general idea of whether or not the demands for more draftees are justified.

And, of course, if there's even a semblance of doubt in wartime the Army should be given the benefit of the doubt. In other words, if its demands are even 40 percent reasonable, provide the men—events may prove that unwarranted hardship has been worked on some individuals but the national security will not have been jeopardized. The point is that the public providing the men is entitled to some knowledge of why so many are needed and most of its questions can be answered without impairing military security.

If we want to face facts "commonsensibly" we must come close to concluding that the enemy usually already has a pretty good idea of the plans of his opponent. His maps and charts do not differ from ours and he is not blind to the tell-tale moves that precede any action. Attacks and defenses are both based on geography, men, supplies, and transportation facilities—the only element of surprise is timing, and that is dependent on geography, men, supplies, and transportation facilities.

There is no need to disclose anything about transportation facilities; and men and supplies are not moved very far without the enemy knowing it, especially if the movements are in strategic areas. The enemy has planes, ships, scouts, radar, radio, and communicating systems that are pretty alert in strategic areas—and those are usually the only areas of much concern when we talk about military security. With no knowledge other than radio news of airplane bombings, my own ship's inexperienced crew could spot an invasion at least 10 days before it actually occurred. The enemy has trained, experienced leaders who certainly know at least as much.

The military-security barrier has been an extremely effective smoke screen for our military and political leaders both in war and peace. Although it has been overworked, it most emphatically did have an important place in wartime discussions; but, equally emphatically, it has but very little place in peacetime conferences or investigations.

Once the shooting has stopped the military should never be allowed to hide its acts and plans and motives behind the security screen. And, equally important, the military should be compelled to disclose answers formerly refused on the grounds that they tended to give information to the enemy. The public is entitled to a full disclosure of any and all facts that will affect or have affected its citizens.

A GOOD JOB?

"The system is working. The Army sent 4,000,000 men home from Europe in 6 months."

It sounds good but how many of those 4,000,000 men should have even remained in Europe as long as they did? Oh, maybe some were there a couple of months too long but what of that? Try doing something for a general some time a couple of minutes too late—let alone a couple of months—and you'll learn what the Army requires of its own. Let's not forget that the generals are the Army's own, too; they've established the standards and they cannot complain if they're held to their own requirements of conduct.

"We got them home in short order after we started on it, didn't we?"

An innocent man may have spent 2 years in prison because the parole board insisted he should be kept there. They suddenly decide to let him out then brag that he was released 5 minutes after they signed parole papers. How much credit should they get for that? What is important: The 5 minutes after they decided to act? Or the 2 years during which they did nothing?

DO WE KNOW?

It would be simple if the issue were whether or not the Army or Navy did a wonderful job in transporting men across an ocean. We know the facts there: the Army loaded a ship with men, the ship steamed across the sea, the men disembarked, and the ship returned for another load. Enough ships were available to transport so many passengers in such and such a length of time. More ships would have taken less time, fewer ships more time. The usual problems of a hotel clerk and traffic or transportation manager were multiplied a thousandfold and the Army or Navy solved them in a good, bad, or indifferent manner. We do not know because we don't know the number of ships available or their capacities, speed, seaworthiness, and location; we don't know conditions in the port of embarkation and the transportation facilities leading to it; and we don't know the mechanics that resulted in troops walking up gangways to ride ships home. A more workmanlike job than we give credit for may have been done or it may have been the shoddiest performance in history. The truth is that we do not know.

However, it does not matter a great deal because that is not the real issue. The real issue is too complex and deep and vital to be beclouded by dust from a transportation problem. The question is rather why the men were still there as long as they were or, more important, why did the Army insist on increasing—or even maintaining—its size when the enemy had been defeated?

The answer is important enough to concern our way of life, our form of government, our individual freedom, our homes, and our children—not only yesterday but today and tomorrow as well.

MORE MEN FOR PEACE THAN FOR WAR

When we were fighting Germany, Italy, and Japan we had an Army of several million men—the exact number isn't important. Both Italy and Germany capitulated, their armies surrendered, and we had possession of both countries. They were disarmed and we controlled or destroyed their means of waging war for several years, at least, although some authorities insist permanently.

The Army has usually maintained that Germany was by far the major opponent of our Armed Forces—let's assume that to be true. Probably no one will question that more men were needed to vanquish the German Army than to police its disarmed citizens—yet the Army, far from decreasing its manpower, insisted that more men were needed. Why? The public's entitled to an answer.

Why did the Army even need as many men after both Germany and Italy fell as it needed during the war against them? Why? The men in the Army are entitled to an answer and our military leaders should be cross-examined on the reasons for their demands.

THE ARMY SHOULD PROVE WHY

Can any one prove the facts? Perhaps not. No scientist can prove that the sun will rise tomorrow although the odds are a million to one it will. Reason and logic aren't infallible but sometimes we can deduce conclusions from established conditions.

Why does any one have to prove that the Army did not have to increase or maintain its size after Germany and Italy had been defeated? Why not let the Army prove it did have to have more men?

The gold braid made their demands and the public is now entitled to proof without a cloak of "military security prevents." Today "individual security demands." It's not yesterday's news * * * not a dead issue * * * not spilled milk to be forgotten. Proof that the Army was justified or unjustified in its position will be salutary, beneficial, and essential in determining our future attitude toward military assertions which we are bound to hear. Should we be skeptical and suspicious or incline to faith and confidence when the Army speaks? We want to know and if our military authorities are competent and sincere they ought to insist that we know.

BECAUSE OF RUSSIA?

"Russia may try to steal the White House."

That's also a stock answer of the military and—who actually knows?—it may be the truth. The mystery and secrecy that envelop the general hush-hush attitude concerning Russia lend added weight to this answer of military and political authorities. We don't understand what Russia is doing or may try to do and we're on shaky ground trying to base convictions on a quicksand of doubt, suspicion, and uncertainty. How does one answer remarks like: "Conditions are unsettled" or "What about Russia?" or "The Communists may have something in mind"? The maker of those remarks needs no proof because, obviously, condition are unsettled and we don't know what the Communists have in mind.

The only answer to "What about Russia?" is "Well, what about Russia?" Then the arguments consist of knowing looks and innuendoes and suggestions of I-know-but-I-can't-tell-you. It's not very helpful in determining a forthright and positive policy or course of action but it's a devastatingly effective means of cutting off criticism or embarrassing questions. It's about as realistic a way of dealing with "the Russian problem" as our past policy has been.

If we need a large Army because of Russia, let's say so frankly and let's have such a force. The American people are glad to do that, if it's necessary. If it is, let's say so.

"What about Russia?" is a permanent ever present but ever temporary question. It is really hundreds of questions arising out of hundreds of problems that require hundreds of solutions over hundreds of years. Neither any one question nor any one solution is permanent in itself and the sooner we realize that the better not only for us but also for Russia and every other nation in the world.

Do we need a huge Army because of the possibility of fighting Russia within a matter of weeks or months? If that's a reason let's not only know it but also be told why the military or governmental leaders think so. The Russians are not so blind or deaf or stupid that they do not see our shadow boxing and hear our whistling in the dark. They are not so thin-skinned that harsh words will offend them in any material degree and, if they have evil intentions toward us, what's the difference anyway? They are not so impractical and unrealistic that they begrudge our doing what they themselves would do in our place. They would at least respect us for sincerity and the courage of our convictions, and they would at least know that we gave them credit for sufficient intelligence to see through diplomatic toe-dancing and military verbalities. We must be firm and tough with Russia and not use kid gloves.

If the Army is for the peace table, who with Russia, is it merely to be a voiceless prop at the peace table? And incidentally, let us face the fact that there will be numerous peace tables being set over years and years to come. Let us recognize that under present and apparently future world conditions what is represented as a temporary military prop is more likely to be a permanent fixture.

If the Army is for the peace table, who has decided it?—the military? the Government? the people? The military has no more voice in determining American policy at the peace table than a civilian has at a war conference. Let the Armed Forces tell our Government or the people whether or not we have sufficient strength to carry out our policies but in the determination of those policies the Armed Forces are merely advisers and not dictators.

If the Government has outlined policies whose completion cannot be insured by the military without more men, let's know about it. Maybe we don't want those policies.

If the people are responsible for the Army's insistence on size, we should know it and—whether he should know it or not—GI Joe also wants that information. In fairness to all three—the military, the Government, and the people—responsibility for the insistence on a large armed force should be public knowledge. Let's know who sold the slave down the river—and why. If it was necessary, there's no harm in knowing; if it was unnecessary, the knowledge would be salutary to the American way of life and cleansing to the administration of our affairs.

OR INTERNAL COMMUNISM?

Perhaps a large army is neither for war nor peace; maybe it's to keep out the old Communist bugagoo. Whether soldiers are to shoot Communists coming in or bayonet believers in democracy upon conversion to a new political faith is not determined.

The idea is undoubtedly not to provide a breeding ground for communism, although experience in modern Spain, Germany, Russia, China, and Italy indicates that the practice of keeping many men in institutions as undemocratic and caste-ridden as our Army or Navy gives fertile growth to movements like communism.

We are going to have a problem with internal communism and subversive elements but just exactly how will a large Army and Navy prevent infiltration of communism or any other ism into America? If the military knows, we want the same knowledge. And, incidentally, in addition to telling draft boards to broaden deferments by including with conscientious objectors the new class of communistic objectors, GI Joe had better be given some clues or hints about his new job. Unless a Communist is wearing whiskers and carrying a bomb, it's often difficult to tell him from the inoffensive man next door standing on a soap box to repair a window. An informed and alert public is the best protection against internal communism, not a large Army.

ONE ANSWER FOR EVERYTHING

"We won the war, didn't we?" That's the most illogical but most effective answer of the military and political body to any and all criticisms.

Is the point system inefficient and unfair? It can't be: we won the war, didn't we?

Is the transportation system fouled up? Impossible: we won the war, didn't we?

Are the Army and Navy keeping more men than necessary? Absurd: we won the war, didn't we?

Yes; we won the war. But if any master minds were responsible for that does it also mean they're infallible about everything else? It is possible to win a war without even the slightest mistake and yet to demobilize by a method of stupidity, error, and injustice. It is possible for the same leaders who gave us a brilliant military victory to plunge us into another period of conflict or domestic misery.

A man may spend a lifetime learning enough military strategy to be a wartime genius and still know nothing of peacetime problems. The strictest Army disciplinarian may not have the slightest diplomatic knowledge and the greatest naval strategist may not even be aware of the definition of fascism or nazism. Military experts in geography and gunnery cannot necessarily balance a checking account or advise a housewife on domestic problems. Gold braid and politicos would be ridiculed if they claimed they knew all about the care of babies because "we won the war, didn't we?"—yet the same answer satisfies the public on matters as far removed from military strategy.

BUT WHAT DOES IT MEAN?

We assume that our military leaders are entitled to great credit because we won the war in the time we did with the men and material available and under all the other conditions prevailing. But do we actually know anything at all about it? Perhaps without their leadership we might have lost the war or not won it for 10 years. Do we know?

Maybe we won it in spite of their leadership; maybe there should never have been a Pearl Harbor. Do we know whether other leadership working under the same conditions might have brought victory in half the time with half the losses?

It's not fair to ask a question that not even time can answer but, on the other hand, it's also not fair to claim perfection in everything because we won the war. How much credit does the sporting world give a heavyweight champion who lets a fifth-rater escape an early knockout? Would he have won anyway without a congress of trainers and handlers giving him advice between rounds? A seed planted in fertile ground will grow in the rain even if the owner of the land knows nothing about gardening.

We assume Japan and Germany and Italy were first-rate antagonists; but it's also fair to assume that the combined military and productive power of the United Nations was at least as good. We're satisfied to believe that our military and political leaders had a great deal to do with the successful conclusion of the war and disparagement of their contribution is not intended. But when the answer to everything is, "We won the war, didn't we?" it's time to start questioning the answer.

THE GREAT PARADOX

No boats no votes—plenty of ships but no passengers.

Germany and Italy defeated—and a larger Army is demanded.

We don't have enough points for a discharge—yet the ship is overmanned.

There's nothing for the soldiers to do—still they're retained in service until they have their points.

What is the score?

It all adds up to several conclusions which are submitted to be unbiased and unprejudiced because they do not affect me personally. As far as my individual welfare is concerned, military organizations, personnel, and point systems of discharge are immaterial—I am going home.

But there are millions who are not going home and still other millions who will be leaving home—and the conclusions are of vital importance to their welfare.

BRASS HATS ARE HUMAN BEINGS

First of all, the military is not 100 percent perfect. All its demands are not justified and all its statements are not complete truths. On the other hand, it is not wrong on every count and every criticism of it is not worthy. It can be made a workable agency of the public will only if the people and their representatives realize that our military leadership is composed of persons who are human beings who are far from perfect, who look out for their individual and personal interests, and who make mistakes.

We should never take for granted any statement that our military authorities make. This article will have served its purpose if it accomplishes nothing but the calling of public attention to that tremendously significant but usually forgotten fact.

Their facts should be questioned, their statistics analyzed, and their motives scrutinized mercilessly. Suspicion and cross-examination never disturb truth and the white light of public knowledge doesn't cast any shadows on sincerity. No harm is done if the proof justifies the military's position and harm has been prevented if the proof verifies our suspicions.

The very least a skeptical attitude can accomplish is to keep the military eternally alert and vigilant to prevent errors and injustices that they know an ever-watchful public will not overlook—which is certainly a beneficial and desired attitude for any army or navy.

Both the public and the military are interested in the welfare and security of the country; but the citizen's constitutional rights to life, liberty, and the pursuit of happiness do not give the military even the slightest concern. The military cannot be relied upon to give the smallest iota of consideration to the effect of conscription or

continued service upon a man's domestic life or upon his personal likes and dislikes—the citizen can look only to the public for protection of that phase of his existence.

THE PUBLIC HAS A DUTY

It is because those matters are of such supreme consequence to the individual—unimportant in himself and yet of vast importance when one of millions—that the public has the duty of taking an interest in things that do not concern itself as a public but do concern itself as citizens composing that public.

We are so prone to disregard what we term individual cases that we forget the sum total of individual cases may add up to being the rule and not the exception. Every individual is merely one in a million but sometimes one is a million.

CONGRESS HAS A DUTY

Secondly, whether intentionally or not, the people's representatives have done very little as far as the armed services are concerned. Many Congressmen were actively and sincerely interested in trying to solve conditions and, whether their solutions were good or bad, they at least tackled the problem. But where were the Congressmen—some of whom are now shouting about Pearl Harbor—when the war ended? Who came forward with a point system that would at least decide what factors would be considered in determining when a serviceman was entitled to discharge? Were men to be discharged on the basis of job, dependency, age, length of service, battles, citations, wounds, hardship, or a combination of all? It would naturally take the services some time to total up points but surely the factors that would be the basis of the point system should have been treated by Congress long before the war ended.

Before the war, Congress had no great difficulty in determining what would make a man eligible for service by conscription and there was no delay in treating the problem. What was the matter after the war when the problem was to provide a discharge plan? Our Representatives knew or should have known that some kind of discharge plan was essential. Why wasn't it ready and waiting?

SERVICEMEN CANNOT TALK

Those charged with the duty of protecting the interests of millions silenced by military gags have the responsibility of knowing everything that vitally concerns the interests, welfare, and happiness of those millions. That responsibility is not satisfied by investigating only after complaints have been voiced by men whose protests are made at the risk of being charged with mutiny or insubordination. Conditions must be intolerable before servicemen reach a stage of hopelessness and desperation so great that they are willing to speak up and criticize the conduct of military affairs. They had to risk the displeasure of an Army which can punish its own both formally and informally. Congress not only owed the soldiers the duty of care and protection but it was free to act without fear of punishment by the Army.

Our representatives promised the men being drafted that they would be retained in the military forces only so long as was absolutely necessary. Congress had the right and the duty to insist that military authorities measure up to the same standards of ability and efficiency they themselves have set for subordinates; and if the military leaders were not giving a performance of that caliber it was up to Congress to haul them up as quickly and as sternly as a general would a private who had bungled a job. The task of the general is bigger but that's immaterial because he's supposed to be a bigger man—that's why he has the rank, privileges, and appurtenances of a general.

THE NONENTITY KNOWS THE SCORE

Thirdly, whether intentionally or not, neither the people nor their representatives will get the full story from military or political voices of authority. What they say must be taken at least with a grain of salt provided by the nonentity who doesn't profess to know more than one page he helped to write.

Of course the lowly individual who doesn't know the over-all picture cannot be completely relied upon to the exclusion of opinions of authorities but the aggregate of what he and his kind have to say is fully as important as the utterances of anybody. It is essential to remember that he will not have statistics or formal proof; but whatever he claims is subject to proof by competent representatives of the people.

He must not be hooted down or ridiculed or browbeaten because that suppresses the truth. He must be urged to speak out because usually he does not have the courage or the means to carry on alone. Except for veterans, no one in America can begin to comprehend what it means for anyone in the Armed Forces to cry out against military authority. Rumblings the public hears of are but a whisper that would be thunder in the skies if servicemen had the voices of free men.

WHY DON'T YOU ASK HIM?

The average ex-serviceman does not want to return home to gripe or fight because he's tired of both. He's hungry, weary, abused, and forgotten for the most part—and finally he comes home. He's a hero for a day and heroes don't complain—then he's that guy hollering about the GI bill of rights—and finally he's just a civilian with too many everyday problems of his own to be concerned with issues.

He's been disillusioned by his service, lost his ideals in the realities of war, and gained his cynicism by watching the operations of "Rank Hath Its Privileges." Nobody gave a damn about him in the service and he doesn't give a damn about anybody. He's what God, the world, and the war made him: a human being with an overgenerous share of man's frailties.

But he knows the score. Ask him and you'll learn it; but you'll have to ask him because he won't volunteer anything.

He has no gold braid or political title, he may not have a job or any education, he may be just the dumb kid down the street—but he was there. Why don't you ask him?

THE CALL TO ARMS

Lastly, the public's responsibility is obvious and we should recognize it. When we speak of any promise the Government made to men being conscripted we are really speaking of a promise that we—you and I and our neighbors—made through the medium of our chosen representatives. The promise is ours, the responsibility ours, and the duty ours.

The public's duty is to take the role of prosecutor in seeking out the truth; and we ought to roll up our sleeves, take off the gloves, and wade into action. Complacency, ignorance, cowardice, and excuses of forget-spilled-milk cannot be accepted. We will not be complacent about the sacrifices of others; we cannot condone ignorance of a knowledge that is easy to attain; we dare not be pusillanimous about matters affecting our national security; and we must not allow our consciences to be salved by should-have-then—too-late-now excuses, nor our actions stifled by easy rationalizations.

Freemen cannot indulge in the luxuries of complacency, ignorance, cowardice, and excuses at the expense of other freemen. We cannot grow fat on the leanness of our brothers and we must not pay our way by the sacrifices of our sons. We cannot sanction an insatiable military cannibalism that feeds on those unable to protect themselves from its greedy maw. We can no longer call ourselves free Americans if we sit idly by while true Americans live in unnecessary involuntary servitude.

Civilians must answer the call to arms from those who bear arms but are helpless to fight in their own behalf. The gauntlet has been thrown down to all Americans and the prize is victory or defeat for the American way of life. Will we ignore our heritage or perpetuate it?

FOR OUR CHILDREN

It takes courage to fight in any cause, but it will take greater courage to refuse this challenge because, whatever our decision, we still must face the veterans, the youth to come, and our sons.

The voiceless dead cannot accuse us of failing to keep faith with them but let us not forget that we also have a faith to keep with the living and the unborn—we may yet be called to account by our sons.

The choice is plain and all must make it—turn your eyes to the plight of your brothers and sons or turn your back on America. Yours the choice, yours the duty, and yours the future—what is your answer?

Mr. Speaker, that completes the report I made in January of 1946 to the commanding officer of the ship on which I was serving in World War II.

After leaving the service a couple of months later, I ran for Congress. One reason for my running was the hope that I might be helpful in remedying such conditions—not in the sense of trying to punish those responsible because I believe most of those in our Armed Forces are sincerely trying to do a good job—as was my commanding officer, for whom I have a high regard. My idea was rather to try to get them to attempt to see if the same job might be done with less waste of manpower.

If the Armed Forces would not voluntarily try, I thought perhaps Congress might influence them to do so. I do not think the experiment will succeed without the cooperation of the Armed Forces.

I have brought the matter to the attention of the Congress on several occasions in the past few years. Now that the Johnson Preparedness Subcommittee has filed its report after some months of hearings, I felt I should bring to the attention of Congress the facts that I have just outlined.

ONE IS A MILLION

Perhaps this article will be helpful as an illustration—not just an illustration on one ship but rather as an illustrative cross-section of what conditions are in similar units throughout every branch of the armed services, because, as my article was entitled when it was written, "One Is a Million"—it is the indictment of a nonentity.

I think I should repeat that I do not believe my ship was different than any other in the Navy. I know it was no different than dozens and dozens of other APA's in the Pacific because I discussed ship personnel with many other men who served on such ships. I am

satisfied such conditions existed in every branch of the service and still exist. Let me repeat that, while I have illustrated by using the Navy, I think that actually the Navy was the least wasteful of the services.

I want to emphasize again that I do not blame the individual officers or criticize them for what I believe is basically the fault of the system of which they are a product. I do not believe they intentionally demand more men than they need. I think they feel they really need those men. Maybe they do, but I do not believe so. Congress should find out for itself.

THE UNANSWERED QUESTION

The great, unanswered question is: If the merchant marine can run a ship efficiently with 65 men and 10 officers, why does the Navy need 3 or 4 times that number to do the same job? The Navy should answer that question.

Let us not forget that there are certain reasons the Navy must not be allowed to give. As I said before, reasons such as for training, for general preparedness, for possible casualties, and so forth are out. The illustration I have given was drawn when such reasons did not exist under the demobilization policy. The example I have cited—and there are literally hundreds of such examples—that example was of one where the Navy itself on its own word and by the policy it was following was trying to "get by" with only the men needed to run the ship—not for casualties, not for training, not for preparedness—but only to run the ship sufficiently well to transport soldiers home after the war was over.

For that job, the Navy claimed it could not run such ships unless they were manned by 3 or 4 times the number of men the merchant marine would have used for such a task. Why? The Navy should answer.

After I had left the ship and was again a civilian, I tried to interest people in the situation I have described. There was no interest. The general feeling was that the war was over and, if there had been a waste of manpower, what difference?

WHY NOTHING IS EVER DONE

Do you see the difficulty? When the war is on, we cannot hinder the military by inquiring into the manpower situation. There is no time for such an inquiry then. And when there is time, when the war is over, then who cares?

IT IS UP TO CONGRESS

So it is that I call the attention of Members to the situation in the hope that, fortified by the report of the Johnson subcommittee, the Congress may realize that the greatest waste in the services is the waste of manpower. I hope the Congress will look into it. It will not only save money, important as that is to the security of this Nation, it will also save lives and it will save homes.

Now that the Johnson Preparedness Subcommittee Report backs up what I have been saying for years, and backs it up by illustrations, let us become interested and go into the matter thoroughly and in detail once and for all. It is the duty of Congress to do that.

I know of the genuine and sincere interest that most Congressmen have in such matters. I also know of the numerous obstacles and the difficulties that must be overcome in trying to effect remedies. However, I am encouraged and greatly heartened in the knowledge and belief that something will be done. The Johnson Preparedness Subcommittee Report now officially points out the manpower waste I have been talking about for years.

I hope Congress will act so that our services may become stronger and more efficient, our homes and civilian economy less disrupted, our American way of life kept more intact, our national security increased, and other benefits achieved that flow from decreasing the waste in manpower that exists in our Armed Forces.

BLUEPRINT FOR SECURITY

Lastly, while Congress is considering the matter, I hope Congress will also consider and put into effect at least some of the suggestions I made in my speech in Congress on December 21, 1950, entitled "Blueprint for Security." I believe that plan, and only that plan or some modification of it, will give America adequate preparedness without bankrupting this Nation and destroying the American way of life. I hope Congress will act.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks was granted to:

Mr. HALLECK and to include an address by a constituent.

Mr. AYRES (at the request of Mr. HALLECK.)

Mr. HARRISON of Wyoming (at the request of Mr. HALLECK) and to include extraneous matter in four instances.

Mr. SIEMINSKI and to include extraneous matter.

Mr. SHAFER.

Mr. GREEN and include an address delivered by Mr. KEOGH.

Mr. WILLIAMS of Mississippi and to include an editorial.

Mr. SIEMINSKI in two instances and to include extraneous matter.

Mr. BRYSON and to include an editorial.

Mrs. CHURCH and to include certain extraneous matter.

Mr. ROSS and to include a letter.

Mrs. ROGERS of Massachusetts and to include an address.

Mr. BREHM (at the request of Mr. MARTIN of Massachusetts) and to include an editorial.

Mr. DAVIS of Georgia and to include extraneous matter.

Mr. MCDONOUGH to include extraneous matter in the remarks he made in the Committee of the Whole today.

Mr. HOLIFIELD.

Mr. WIDNALL and to include an article by David Lawrence.

Mr. MAHON and to include a letter in the remarks he made this afternoon.

Mr. WIGGLESWORTH to revise and extend his remarks and include extraneous matter.

ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2421. An act to amend the act of January 12, 1951 (64 Stat. 1257), amending and extending title II of the First War Powers Act of 1941.

ADJOURNMENT

Mr. FURCOLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Saturday, June 28, 1952, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

1613. Under clause 2 of rule XXIV, a letter from the chairman, Public Utilities Commission of the District of Columbia, transmitting a report of its official proceedings for the year ended December 31, 1951, with other information relating to the regulation and operation of the public utilities in the District of Columbia, pursuant to paragraph 20 of section 8 of an act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ended June 30, 1914, and for other purposes, approved March 4, 1913, was taken from the Speaker's table and referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Post Office and Civil Service. H. R. 6004. A bill to authorize payment of retroactive salary increase for services rendered by postmasters, officers, and employees of the field service of the Post Office Department who died between July 1, 1951, and October 24, 1951; with amendment (Rept. No. 2324). Referred to the Committee of the Whole House on the State of the Union.

Mr. RHODES: Committee on Post Office and Civil Service. H. R. 7444. A bill to amend the act of August 1, 1941, to include Public Health Service officers; with amendment (Rept. No. 2325). Referred to the Committee of the Whole House on the State of the Union.

Mr. LESINSKI: Committee on Post Office and Civil Service. H. R. 8006. A bill to provide for an adjustment in the compensation of certain employees transferred from the field service of the Post Office Department to the General Services Administration pursuant to Reorganization Plan No. 16 of

1950, and for other purposes; with amendment (Rept. No. 2326). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6163. A bill to provide the basis for authorization of irrigation works in connection with Chief Joseph Dam, to provide for financial assistance thereto from power revenues, and for other purposes; with amendment (Rept. No. 2327). Referred to the Committee of the Whole House on the State of the Union.

Mrs. BOSONE: Committee on Interior and Insular Affairs. H. R. 7084. A bill to facilitate the development of small reclamation projects; with amendment (Rept. No. 2328). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H. R. 168. A bill to extend the statute of limitations with respect to certain suits; without amendment (Rept. No. 2329). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. Seventeenth Intermediate Report of the Committee on Expeditures in the Executive Departments, entitled, "Alameda Medical Supply Test"; without amendment (Rept. No. 2330). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. Seventeenth Intermediate Report of the Committee on Expenditures in the Executive Departments, entitled "Overprograming for Air Force Dormitory Construction"; without amendment (Rept. No. 2331). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURNSIDE: Committee on Post Office and Civil Service. H. R. 6326. A bill to amend subsections (c) and (d) of section 3 of the Postal Salary Act of July 6, 1945, as amended; with amendment (Rept. No. 2332). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. S. 2043. An act to authorize the transfer of certain property by the Administrator of the General Services Administration to the Secretary of the Interior; without amendment (Rept. No. 2333). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. S. 3051. An act to authorize the Administrator of General Services to transfer to the Department of the Navy, without reimbursement, certain property at Fort Worth, Tex.; without amendment (Rept. No. 2334). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. S. 3052. An act to authorize certain land and other property transactions, and for other purposes; without amendment (Rept. No. 2335). Referred to the Committee of the Whole House on the State of the Union.

Mr. KARSTEN of Missouri: Committee on Post Office and Civil Service. H. R. 7871. A bill to authorize the Postmaster General to grant permission for the use in first- and second-class post offices of special canceling stamps or postmarking dies in order to encourage voting in general elections; with amendment (Rept. No. 2336). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRYSON: Committee on the Judiciary. H. R. 6036. A bill to amend title 18, United States Code, entitled "Crimes and Criminal Procedure," with respect to State jurisdiction over offenses committed by or against Indians in the Indian country; with amendment (Rept. No. 2337). Referred to the Committee of the Whole House on the State of the Union.

Mr. JARMAN: Committee on Post Office and Civil Service. H. R. 7721. A bill to extend the benefits of the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the United States after the termination of the state of war between the United States and the Government of Japan and prior to July 2, 1955; without amendment (Rept. No. 2338). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 689. Resolution to amend House Resolution 95, relating to the authority of the Committee on the Judiciary to investigate matters within its jurisdiction; without amendment (Rept. No. 2339). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 713. Resolution for the consideration of S. 2360, an act to amend the Interstate Commerce Act to increase the amounts of securities issued by motor carriers without requiring approval by the Interstate Commerce Commission; without amendment (Rept. No. 2340). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 714. Resolution for the consideration of S. 2357, an act to provide that horticultural commodities shall be included within the terms "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act; without amendment (Rept. No. 2341). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 715. Resolution for consideration of H. R. 7817, a bill to provide for emergency flood-control work made necessary by recent floods, and for other purposes; without amendment (Rept. No. 2342). Referred to the House Calendar.

Mr. CANNON: Committee of conference. H. R. 7860. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes (Rept. No. 2343). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 710. Resolution for the relief of Mrs. Annie G. Heinmiller, widow of A. W. Heinmiller, late an employee of the House of Representatives; without amendment (Rept. No. 2344). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 688. Resolution to provide for the payment of certain death and burial benefits to the estate of Helen Hogan Comley; without amendment (Rept. No. 2345). Ordered to be printed.

Mr. HART: Committee on Merchant Marine and Fisheries. H. R. 6521. A bill to amend section 4472 of the revised statutes, as amended, to further provide for the safe loading and discharging of explosives in connection with transportation by vessel; with amendment (Rept. No. 2346). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 2603. An act to authorize the transfer of certain lands to the State of Oregon; without amendment (Rept. No. 2347). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 7952. A bill to authorize the combination of the Truck Crop Insect Laboratory and the Citrus Insect Laboratory of the Bureau of Entomology and Plant Quarantine, located at Alhambra and Whittier, Calif., respectively, and to provide for new quarters; with an amendment (Rept. No. 2348). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 8170. A bill relating to burley tobacco farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended; with an amendment (Rept. No. 2349). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KEOGH:

H. R. 8390. A bill to encourage the establishment of voluntary pension plans by individuals; to the Committee on Ways and Means.

By Mr. REED of New York:

H. R. 8391. A bill to encourage the establishment of voluntary pension plans by individuals; to the Committee on Ways and Means.

By Mr. ADAIR:

H. R. 8392. A bill to provide for the construction of a post office at Albion, Ind.; to the Committee on Public Works.

By Mr. BEALL:

H. R. 8393. A bill to designate the head and chief of the Metropolitan Police force as "colonel and superintendent"; to the Committee on the District of Columbia.

By Mr. BROWNSON:

H. R. 8394. A bill to incorporate the Board for Fundamental Education; to the Committee on the Judiciary.

By Mr. CLEMENTE:

H. R. 8395. A bill to amend the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. MORRISON:

H. R. 8396. A bill to authorize the exemption of officers and employees of the Federal Government and the municipal government of the District of Columbia from compulsory retirement for age; to the Committee on Post Office and Civil Service.

By Mr. PRIEST:

H. R. 8397. A bill to amend the Natural Gas Act of 1938 as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMPSON of Pennsylvania:

H. R. 8398. A bill to amend the Internal Revenue Code with respect to the tax treatment of income derived by domestic corporations from sources within foreign countries; to the Committee on Ways and Means.

By Mr. SMITH of Mississippi:

H. R. 8399. A bill to clarify the status of certain officers heretofore retired and granted retirement pay, and for other purposes; to the Committee on Armed Services.

By Mr. CURTIS of Nebraska:

H. R. 8400. A bill to authorize the Secretary of Agriculture to cooperate with States and local agencies in the planning and carrying out of works of improvement for soil conservation and for other purposes; to the Committee on Agriculture.

By Mr. EDWIN ARTHUR HALL:

H. R. 8401. A bill to restore funds to maintain civilian rifle practice and marksmanship; to the Committee on Appropriations.

By Mr. HALE (by request):

H. J. Res. 489. Joint resolution to amend the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. Con. Res. 228. Concurrent resolution to favor the economic development and improvement of the South Asian subcontinent; to the Committee on Foreign Affairs.

By Mr. FULTON:

H. Con. Res. 229. Concurrent resolution to favor the economic development and improvement of the south Asian subcontinent; to the Committee on Foreign Affairs.

By Mr. JAVITS:

H. Con. Res. 230. Concurrent resolution to favor the economic development and improvement of the south Asian subcontinent; to the Committee on Foreign Affairs.

By Mrs. KELLY of New York:

H. Con. Res. 231. Concurrent resolution to favor the economic development and improvement of the south Asian subcontinent; to the Committee on Foreign Affairs.

By Mr. MERROW:

H. Con. Res. 232. Concurrent resolution to favor the economic development and improvement of the south Asian subcontinent; to the Committee on Foreign Affairs.

By Mr. ROOSEVELT:

H. Con. Res. 233. Concurrent resolution to favor the economic development and improvement of the south Asian subcontinent; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H. Con. Res. 234. Concurrent resolution to favor the economic development and improvement of the south Asian subcontinent; to the Committee on Foreign Affairs.

By Mr. PICKETT:

H. Con. Res. 235. Concurrent resolution providing that the briefs for the Government and others, and the record filed in the Supreme Court of the United States in the steel seizure case, be printed as a House document; and that additional copies be printed; to the Committee on House Administration.

By Mr. KELLEY of Pennsylvania:

H. Res. 712. Resolution to authorize the Committee on Education and Labor to investigate and study the administration of the "Buy American Act"; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8402. A bill for the relief of Dr. Sidney Nevil Milford; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H. R. 8403. A bill for the relief of Ettli Zylberfuden, also known as Ettl Zylberfuden, and Becalel Zylberfuden, also known as Robert Zylberfuden, and Michael Zylberfuden, also known as Michal Zylberfuden; to the Committee on the Judiciary.

By Mr. COMBS:

H. R. 8404. A bill for the relief of Betty Ann Finn; to the Committee on the Judiciary.

By Mr. JACKSON of California:

H. R. 8405. A bill for the relief of Michael Thiess, Manuela Thiess, and Wilhelmina Huth; to the Committee on the Judiciary.

H. R. 8406. A bill for the relief of Ursula Thiess; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 8407. A bill for the relief of Dwejra Shaffer and her daughter, Haya Shaffer; to the Committee on the Judiciary.

H. R. 8408. A bill for the relief of Leopold Katz and his wife, Lydia Katz; to the Committee on the Judiciary.

H. R. 8409. A bill for the relief of Robert Grunwald; to the Committee on the Judiciary.

H. R. 8410. A bill for the relief of Omar Faruk Baturay and wife, Suad Esin Baturay; to the Committee on the Judiciary.

By Mr. KILDAY:

H. R. 8411. A bill for the relief of Alamo Motor Lines, Inc., and others; to the Committee on the Judiciary.

By Mr. LATHAM:

H. R. 8412. A bill for the relief of Kurt Erwin Levy; to the Committee on the Judiciary.

By Mr. SHAFER:

H. R. 8413. A bill for the relief of Patric Dorian Patterson; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 8414. A bill for the relief of Kunibert Franciszek Grabe; to the Committee on the Judiciary.

By Mr. SMITH of Mississippi:

H. R. 8415. A bill for the relief of Sotirios Apostolis; to the Committee on the Judiciary.

By Mr. WILSON of Texas:

H. R. 8416. A bill for the relief of Dr. William Elisha; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

779. By Mr. BEAMER: Petition of 66 persons of Marion, Ind., in support of H. R. 2188 (Bryson bill); to the Committee on Interstate and Foreign Commerce.

780. Also, petition of 45 people from Marion, Ind., in support of H. R. 2188 (Bryson bill); to the Committee on Interstate and Foreign Commerce.

